

Suggested letter template for use by site owner/operator or remediation applicant to satisfy the requirements of 742.1015(c):

NOTICE

[Date, etc.]

Dear [Affected Property Owner] [Unit of Local Government]:

[Name of party requesting to use the groundwater ordinance] is performing an environmental response action at [name and address of site (not a P.O. Box)]. The response action is being performed because [state the nature of the release]. The response action consists of [describe the nature of the response action].

To protect human health, Illinois regulations require that [name of party requesting to use the groundwater ordinance] either clean up groundwater contamination or demonstrate that the groundwater in the area of the release will not be used as potable water. (Groundwater is the water beneath the ground stored in the pores of soil and rock; some communities and homeowners pump this water out of wells to supply potable water. Potable means fit for human consumption including drinking, bathing, preparing food, washing dishes, and so forth.)

The [name and address of unit of local government that adopted the ordinance] has an ordinance that strictly prohibits the human and domestic consumption of the groundwater beneath your property. Under Illinois regulations, a local ordinance that effectively prohibits the installation and use of potable water supply wells may be used as an institutional control to allow contamination above the groundwater ingestion remediation objectives to remain in the groundwater (35 Illinois Administrative Code 742.1015). (An institutional control is a legal mechanism for imposing a restriction on land use.) The Illinois Environmental Protection Agency (Illinois EPA) has determined that the ordinance adopted by [name of unit of local government] meets the regulatory requirements for use as an institutional control. [Name of party requesting to use the groundwater ordinance] has requested and has been granted approval from the Illinois EPA to use the groundwater ordinance as an institutional control.

Your property, [legal description, reference to a plat showing boundaries of the property, or accurate street address], is included in the area affected by the ordinance. This means that you cannot install or use a private, potable water well on your property. Based on the remediation objectives established in reliance on this ordinance, groundwater beneath your property may not be suitable for human or domestic consumption. Illinois regulations require that you be notified of these facts.

The ordinance is identified as [ordinance number or citation to unit of local government's municipal code]. If you wish to obtain a copy of the ordinance, please contact [unit of local government, address, and telephone number]. To learn more about [name of site], please contact either [name of party requesting to use the groundwater ordinance, address, and telephone number] or the Illinois EPA, Bureau of Land project manager, [assigned project manager, address, and telephone number]. You may also obtain a copy of the complete Illinois EPA file on [name of site]. To do so, you will need to submit a written request with your signature to the Freedom of Information Act (FOIA) Officer, Illinois EPA, Bureau of Land, 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276. When requesting a copy of the file, please reference the file heading shown below:

[LPC Number—County]
City/Site Name
Site Address
Site Number]

FOIA requests may also be requested through the Illinois EPA's Web page:
<https://www2.illinois.gov/epa/foia/Pages/default.aspx>

Sincerely,

[Name of party requesting to use the groundwater ordinance]