**Section 742.1012 Federally Owned Property: Land Use Control Memoranda of Agreement**

a) A Land Use Control Memorandum of Agreement (LUC MOA) between one or more agencies of the federal government and the Illinois Environmental Protection Agency is the institutional control that shall be used under this Part to impose land use limitations or restrictions related to environmental contamination on Federally Owned Property. A LUC MOA may be used only for Federally Owned Property. Each LUC MOA, at a minimum, must require that the Federal Landholding Entities responsible for the Federally Owned Property do the following:

1) Provide adequate identification of the location on the Federally Owned Property of each site with land use limitations or requirements. Such identification shall be by means of common address, notations in any available facility master land use plan, site specific GIS or GPS coordinates, plat maps, or any other means which identifies the site in question with particularity;

2) Implement periodic site inspection procedures to ensure adequate oversight by the Federal Landholding Entities of such land use limitation or requirement;

3) Implement procedures for the Federal Landholding Entities to periodically advise the Agency of continued compliance with the maintenance of the land use control and site inspection requirements included in the LUC MOA;

4) Implement procedures for the Federal Landholding Entities to notify the Agency of any planned or emergency changes in land use that may adversely impact any site with land use limitations or requirements; and

5) Notify the Agency at least 60 days in advance of a conveyance by deed or fee simple title, by the Federal Landholding Entities, of a site with land use limitations or requirements, to any entity that will not remain or become a Federal Landholding Entity, and provide the Agency with information about how the Federal Landholding Entities will ensure that the requirements of Section 742.1010 are to be satisfied upon conveyance of that site.

b) Any LUC MOA entered into pursuant to this Section remains effective only so long as title to the affected property is retained by the United States.

(Source: Amended at 31 Ill. Reg. 4063, effective February 23, 2007)