

PREPARED BY:

Name: Belinda Dixon
Little Company of Mary Affiliated Services

Address: 2800 West 95th Street
Evergreen Park, IL 60805

RETURN TO:

Name: Belinda Dixon
Little Company of Mary Affiliated Services

Address: 2800 West 95th Street
Evergreen Park, IL 60805

THE ABOVE SPACE FOR RECORDER'S OFFICE

This Environmental No Further Remediation Letter must be submitted by the remediation applicant within 45 days of its receipt, to the Office of the Recorder of Cook County.

Illinois State EPA Number: #0316715158

The Little Company of Mary Affiliated Services, the Remediation Applicant, whose address is 2800 West 95th Street, Evergreen Park, IL 60805, has performed investigative and/or remedial activities for the remediation site depicted on the attached Site Base Map and identified by the following:

1. Legal description or Reference to a Plat Showing the Boundaries: Lots 19, 20, 21, 22 and 23 in Block 5 in Walden and Mulvane's subdivision of the south three quarters of the southeast quarter of the southwest quarter of Section 4, Township 37 North, Range 14 East of the Third Principal Meridian, (except that part of said lots lying south of a line 54 feet north of and parallel with the south line of said Section 4), Lot 24 (except that part thereof lying south of a line 54 feet north of and parallel with the south line of said Section 4 and except that part thereof lying west of a line 50 feet east of and parallel to the west line of said Section 4) in said Block 5, and Lots 25 and 26 (except that part of said lots lying west of a line 50 feet east and parallel to the west line of said Section 4) in said Block 5, all in Cook County, Illinois.
2. Common Address: 732-744 W. 95th Street and 9455-9459 S. Halsted Street, Chicago, IL
3. Real Estate Tax Index/Parcel Index Numbers: 25-04-323-022-0000; 25-04-323-023-0000; 25-04-323-042-000; 25-04-323-043-0000; 25-04-323-044-0000; 25-04-323-045-0000; 25-04-323-046-0000.
4. Remediation Site Owner: Little Company of Mary Affiliated Services
5. Land Use: Industrial/Commercial
6. Site Investigation: Focused

See NFR letter for other terms.



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276

THOMAS V. SKINNER, DIRECTOR

(217) 782-6761

February 16, 2001

CERTIFIED MAIL

7099 3400 0002 1431 9172

Ms Belinda Dixon/ Director, Physician Practices
Little Company of Mary
2800 West 95th Street
Evergreen Park, IL 60805

Refer to: # 0316715158 -- Cook County
Chicago/Little Company of Mary
Site Remediation/Technical Reports

Dear Ms. Dixon:

The *Site Investigation Report-Focused & Remedial Action Completion Report* (Log No.00-4958) dated December 14, 2000, as prepared by Pioneer Environmental, Inc., for the Little Company of Mary property, has been reviewed by the Illinois Environmental Protection Agency ("Illinois EPA"). The approved remediation objectives at the Site are equal to or are above the existing levels of regulated substances and the *Site Investigation Report-Focused & Remedial Action Completion Report* shall serve as the approved Remedial Action Completion Report.

The Remediation Site, consisting of 0.43 acres, is located at 732-744 W. 95th Street and 9455-9459 S. Halsted Street, Chicago, Illinois. Pursuant to Section 58.10 of the Illinois Environmental Protection Act ("Act") (415 ILCS 5/1 et seq.), your request for a no further remediation determination is granted under the conditions and terms specified in this letter. The Remediation Applicant, as identified on the Illinois EPA's Site Remediation Program DRM-1 Form (December 26, 2000/ Log No.00-4958), is Little Company of Mary Affiliated Services.

This focused No Further Remediation Letter ("Letter") signifies a release from further responsibilities under the Act for the performance of the approved remedial action. This Letter shall be considered prima facie evidence that the Remediation Site described in the attached Illinois EPA Site Remediation Program Environmental Notice and shown in the attached Site Base Map does not constitute a threat to human health and the environment for the specified recognized environmental conditions so long as the Site is utilized in accordance with the terms of this Letter.


GEORGE H. RYAN, GOVERNOR

If the Remediation Applicant is not the sole owner of the remediation site, include the full legal name, title, the company, the street address, the city, the state, the ZIP code, and the telephone number of all other property owners. Include the site name, street address, city, ZIP code, county, Illinois inventory identification number and real estate tax index/parcel index number. The property owner(s), or the duly authorized agent of the owner(s) must certify, by original signature, the statement appearing below.

A duly authorized agent means a person who is authorized by written consent or by law to act on behalf of a property owner including, but not limited to:

1. For corporations, a principal executive officer of at least the level of vice-president;
2. For a sole proprietorship or partnership, the proprietor or a general partner, respectively;
3. For a municipality, state or other public agency, the head of the agency or ranking elected official.

For multiple property owners, attach additional sheets containing the information described above, along with a signed, dated certification for each. All property owner certifications must be recorded along with the attached NFR letter.

Property Owner Information	
Owner's Name:	<u>Little Company of Mary - Affiliated Services, Inc.</u>
Title:	<u>-----</u>
Company:	<u>-----</u>
Street Address:	<u>2800 West 95th Street</u>
City:	<u>Evergreen Park</u> State: <u>IL</u> Zip Code: <u>60805</u> Phone: <u>(708) 229-6400</u>
Site Information	
Site Name:	<u>95th and Halsted</u>
Site Address:	<u>732-744 West 95th Street and 9453-55 South Halsted Street</u>
City:	<u>Chicago</u> State: <u>IL</u> Zip Code: <u>60620</u> County: <u>Cook</u>
Illinois inventory identification number:	<u>0316715158</u>
Real Estate Tax Index/Parcel Index No.	<u>25-04-323-042, 25-04-232-043, 25-04-232-044, 25-04-232-045, 25-04-232-046, 25-04-323-022, 25-04-323-023</u>
I hereby certify that I have reviewed the attached No Further Remediation Letter and that I accept the terms and conditions and any land use limitations set forth in the letter.	
Owner's Signature:	<u><i>Sister Kathleen Mc Antye Licm</i></u> Date: <u><i>Feb 28, 2001</i></u>
SUBSCRIBED AND SWORN TO BEFORE ME this <u><i>28th</i></u> day of <u><i>Feb</i></u> , <u><i>2001</i></u>	
<u><i>Patricia A. Gentleman</i></u> Notary Public	

The Illinois EPA is authorized to require this information under Sections 415 ILCS 5/58 - 58.12 of the Environmental Protection Act and regulations promulgated thereunder. If the Remediation Applicant is not also the sole owner of the remediation site, this form must be completed by all owners of the remediation site and recorded with the NFR Letter. Failure to do so may void the NFR Letter. This form has been approved by the Forms Management Center. All information submitted to the Site Remediation Program is available to the public except when specifically designated by the Remediation Applicant to be treated confidentially as a trade secret or secret process in accordance with the Illinois Compiled Statutes, Section 7(a) of the Environmental Protection Act, applicable Rules and Regulations of the Illinois Pollution Control Board and applicable Illinois EPA rules and guidelines.

Conditions and Terms of Approval

Level of Remediation and Land Use Limitations

- 1) The recognized environmental conditions, as characterized by the focused site investigation of a former gasoline station are listed on Attachment: Table A.
- 2) The contaminants of concern that remain at the areas described in the attached Site Remediation Program Environmental Notice and as shown on the attached Site Base Map of this Letter are:

<u>Location</u>	<u>CAS Number</u>	<u>Chemical Name</u>
First engineered barrier (900 sq. ft.)	193-39-5	Indeno(1,2,3-cd)pyrene
	53-70-3	Dibenzo(a,h)anthracene
	205-99-2	Benzo(b)fluoranthene
	50-32-8	Benzo(a)pyrene
	56-55-3	Benzo(a)anthracene
Second engineered barrier (400 sq. ft.)	50-32-8	Benzo(a)pyrene

- 3) The Remediation Site is restricted to Industrial/Commercial land use.
- 4) The land use specified in this Letter may be revised if:
 - a) Further investigation or remedial action has been conducted that documents the attainment of objectives appropriate for the new land use; and
 - b) A new Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.

Preventive, Engineering, and Institutional Controls

- 5) The implementation and maintenance of the following controls are required as part of the approval of the remediation objectives for this Remediation Site.

Preventive Controls:

- 6) At a minimum, a safety plan should be developed to address possible worker exposure in the event that any future excavation and construction activities may occur within the contaminated soil beneath the engineered barriers (see the Site Base Map for detailed locations). Any excavation within the contaminated soil will require implementation of a safety plan consistent with NIOSH Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities, OSHA regulations (particularly in 29 CFR 1910 and 1926), state and local regulations, and other USEPA guidance. Soil excavated between 0 to 12 feet below surface grade must be returned to the same depth from which it was excavated or properly managed or disposed in accordance with applicable state and federal regulations.

Engineering Controls:

- 7) The asphalt barriers, as shown in the attached Site Base Map, must remain over the contaminated soils. The asphalt barriers must be properly maintained as an engineered barrier to inhibit ingestion of the contaminated media.

Institutional Controls:

- 8) Sections 11-8-385 and 11-8-390 of the Municipal Code of Chicago, as amended by Ordinance Number 097990 (Potable Water Supply Well Ordinance), effectively prohibits the installation and the use of potable water supply wells and is an acceptable institutional control under the following conditions:

- a) The Remediation Applicant shall provide written notification to the City of Chicago and to owner(s) of all properties under which groundwater contamination attributable to the Remediation Site exceeds the objectives approved by the Illinois EPA. The notification shall include:
 - i) The name and address of the local unit of government;
 - ii) The citation of Ordinance 097990, particularly Sections 11-8-385 and 11-8-390
 - iii) A description of the property for which the owner is being sent notice by adequate legal description or by reference to a plat showing the boundaries;
 - iv) A statement that the ordinance restricting the groundwater use has been used by the Illinois EPA in reviewing a request for groundwater remediation objectives;
 - v) A statement as to the nature of the release and response action with the name, address, and Illinois EPA inventory identification number; and
 - vi) A statement as to where more information may be obtained regarding the ordinance.
- b) Written proof of this notification shall be submitted to the Illinois EPA within forty-five (45) days from the date of this Letter to.

Robert E. O'Hara
Illinois Environmental Protection Agency
Bureau of Land/RPMS
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

- c) The following activities shall be grounds for voidance of the ordinance as an institutional control and this Letter:
 - i) Modification of the reference ordinance to allow potable uses of groundwater;

- ii) Approval of a site-specific request, such as a variance, to allow use of groundwater at the Remediation Site or at the affected properties;
- iii) Failure to provide written proof to the Illinois EPA within forty-five (45) days from the date of this Letter of written notification to the City of Chicago and affected property owner(s) of the intent to use Sections 11-8-385 and 11-8-390 of the Municipal Code of Chicago, as amended by Ordinance Number 097990 (Potable Water Supply Well Ordinance), as an institutional control at the Remediation Site; and
- iv) Violation of the terms and conditions of this No Further Remediation letter.

Other Terms

- 9) Where an institutional control is used to assure long-term protection of human health (as identified under Paragraph 8 of this Letter), the Remediation Applicant must record a copy of this legal mechanism (e.g., ordinance adopted and administered by a unit of local government; or agreement between a property owner and a highway authority) along with this Letter.
- 10) Where the Remediation Applicant is not the sole owner of the Remediation Site, the Remediation Applicant shall complete the attached *Property Owner Certification of the No Further Remediation Letter under the Site Remediation Program* Form. This certification, by original signature of each property owner, or the authorized agent of the owner(s), of the Remediation Site or any portion thereof who is not a Remediation Applicant shall be recorded along with this Letter.
- 11) Further information regarding this Remediation Site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

Illinois Environmental Protection Agency
Attn: Freedom of Information Act Officer
Bureau of Land-#24
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276
- 12) Pursuant to Section 58.10(f) of the Act (415 ILCS 5/58.10(f)), should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide notice to the current title holder and to the Remediation Applicant at the last known address. The notice shall specify the cause for the voidance, explain the provisions for appeal, and describe the facts in support of this cause. Specific acts or omissions that may result in the voidance of the Letter under Sections 58.10(e)(1)-(7) of the Act (415 ILCS 5/58.10(e)(1)-(7)) include, but shall not be limited to:
 - a) Any violation of institutional controls or the designated land use restrictions;
 - b) The failure to operate and maintain preventive or engineering controls or to comply with any applicable groundwater monitoring plan;

- c) The disturbance or removal of contamination that has been left in-place in accordance with the Remedial Action Plan. Access to soil contamination may be allowed if, during and after any access, public health and the environment are protected consistent with the Remedial Action Plan;
 - d) The failure to comply with the recording requirements for this Letter;
 - e) Obtaining the Letter by fraud or misrepresentation;
 - f) Subsequent discovery of contaminants, not identified as part of the investigative or remedial activities upon which the issuance of the Letter was based, that pose a threat to human health or the environment;
 - g) The failure to pay the No Further Remediation Assessment Fee within forty-five (45) days after receiving a request for payment from the Illinois EPA;
 - h) The failure to pay in full the applicable fees under the Review and Evaluation Services Agreement within forty-five (45) days after receiving a request for payment from the Illinois EPA.
- 13) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) Little Company of Mary Affiliated Services
 - b) The owner and operator of the Remediation Site;
 - c) Any parent corporation or subsidiary of the owner of the Remediation Site;
 - d) Any co-owner, either by joint-tenancy, right of survivorship, or any other party sharing a relationship with the owner of the Remediation Site;
 - e) Any holder of a beneficial interest of a land trust or inter vivos trust, whether revocable or irrevocable, involving the Remediation Site;
 - f) Any mortgagee or trustee of a deed of trust of the owner of the Remediation Site or any assignee, transferee, or any successor-in-interest thereto;
 - g) Any successor-in-interest of the owner of the Remediation Site;
 - h) Any transferee of the owner of the Remediation Site whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest;
 - i) Any heir or devisee of the owner of the Remediation Site;

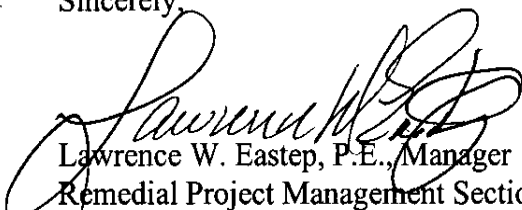
- j) Any financial institution, as that term is defined in Section 2 of the Illinois Banking Act and to include the Illinois Housing Development Authority, that has acquired the ownership, operation, management, or control of the Remediation Site through foreclosure or under the terms of a security interest held by the financial institution, under the terms of an extension of credit made by the financial institution, or any successor-in-interest thereto; or
- k) In the case of a fiduciary (other than a land trustee), the estate, trust estate, or other interest in property held in a fiduciary capacity, and a trustee, executor, administrator, guardian, receiver, conservator, or other person who holds the remediated site in a fiduciary capacity, or a transferee of such party.
- 14) This letter, including all attachments, must be recorded as a single instrument within forty-five (45) days of receipt with the Office of the Recorder of Cook County. For recording purposes, the Illinois EPA Site Remediation Program Environmental Notice attached to this Letter should be the first page of the instrument filed. This Letter shall not be effective until officially recorded by the Office of the Recorder of Cook County in accordance with Illinois law so that it forms a permanent part of the chain of title for the Little Company of Mary property.
- 15) Within thirty (30) days of this Letter being recorded by the Office of the Recorder of Cook County, a certified copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA to:

Robert E. O'Hara
Illinois Environmental Protection Agency
Bureau of Land/RPMS
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

- 16) In accordance with Section 58.10(g) of the Act, a No Further Remediation Assessment Fee based on the costs incurred for the Remediation Site by the Illinois EPA for review and evaluation services will be applied in addition to the fees applicable under the Review and Evaluation Services Agreement. Request for payment of the No Further Remediation Assessment Fee will be included with the billing statement.

If you have any questions regarding this correspondence, you may contact the Illinois EPA project manager, Barbara Landers at 217-557-6939.

Sincerely,


Lawrence W. Eastep, P.E., Manager
Remedial Project Management Section
Division of Remediation Management
Bureau of Land

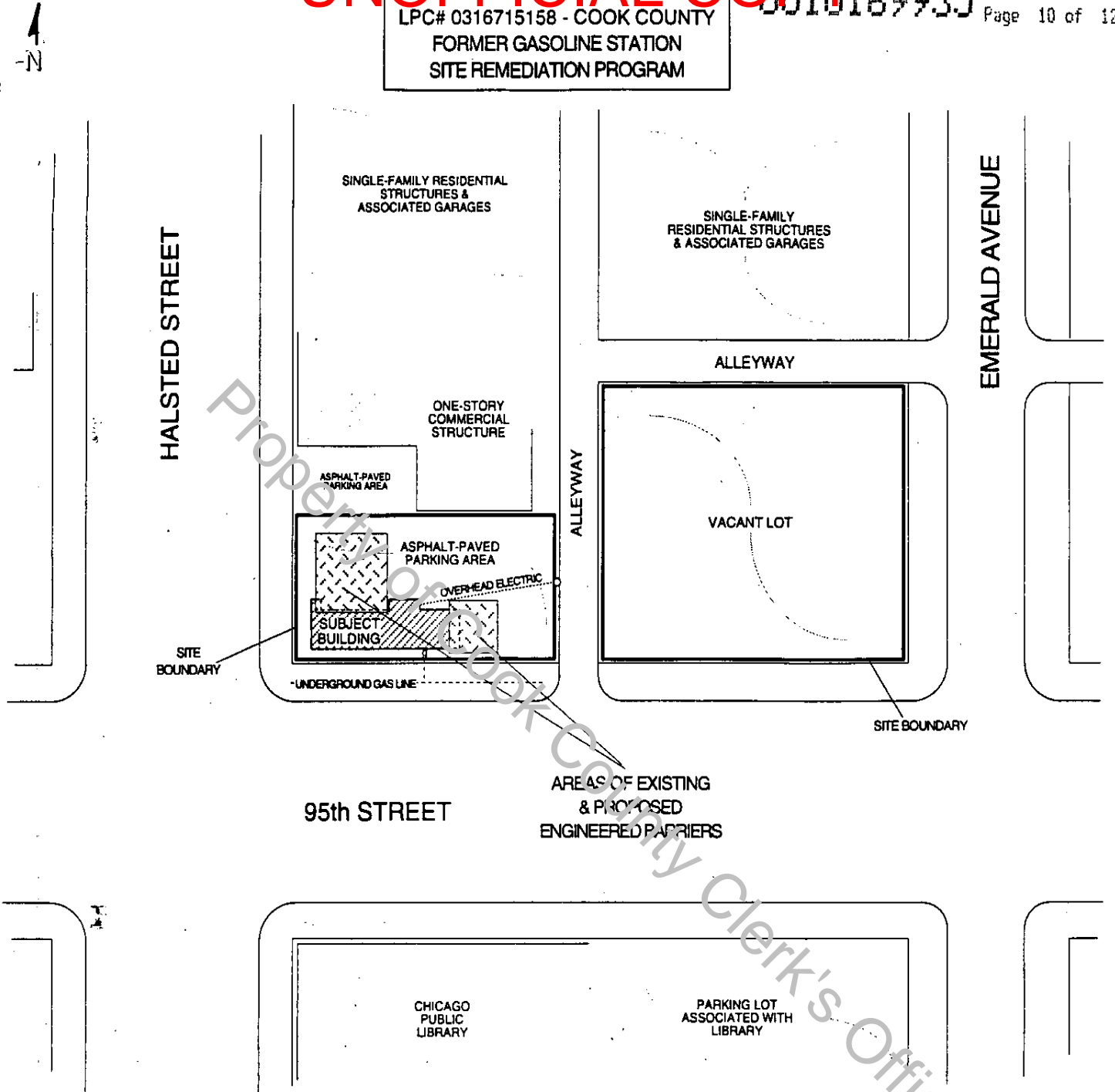
Attachments(4):

Illinois EPA Site Remediation Program Environmental Notice
Site Base Map
Property Owner Certification of No Further Remediation Letter under the
Site Remediation Program Form
Table A – Regulated Substances of Concern

cc: Megan Wells-Paske
Pioneer Environmental, Inc.
1000 N. Halstead, Suite 202
Chicago, IL 60622

Commissioner
Chicago Department of Environment
25th Floor
30 North LaSalle Street
Chicago, Illinois 60602-2575

Property of Cook County Clerk's Office



95th STREET

AREAS OF EXISTING
 & PROPOSED
 ENGINEERED BARRIERS

AREAS REQUIRING ENGINEERED BARRIERS:

THE FIRST AREA OF THE REMEDIATION SITE THAT SHALL BE MAINTAINED AS THE ENGINEERED BARRIER WILL INCLUDE BORINGS PB-5 AND PB-4 AS FOLLOWS: THE ENGINEERED BARRIER SHALL CONSIST OF A 900-SQUARE-FOOT AREA BEGINNING 18 FEET NORTH OF THE SOUTHWEST CORNER OF THE WEST PARCEL AND 8.25 FEET EAST OF THE WEST PARCEL BORDER, THEN RUNNING EAST 30 FEET, THEN RUNNING NORTH AT A RIGHT ANGLE FOR 30 FEET, THEN RUNNING WEST AT A RIGHT ANGLE FOR 30 FEET, THEN RUNNING SOUTH AT A RIGHT ANGLE FOR 30 FEET, BACK TO THE POINT OF BEGINNING AND COMPRISING A SQUARE.

THE SECOND AREA OF THE REMEDIATION SITE THAT SHALL BE MAINTAINED AS THE ENGINEERED BARRIER WILL INCLUDE BORING PB-8 AS FOLLOWS: THE ENGINEERED BARRIER SHALL CONSIST OF A 400-SQUARE-FOOT AREA BEGINNING 23.75 FEET WEST OF THE SOUTHEAST CORNER OF THE WEST PARCEL AND 2.5 FEET NORTH OF THE SOUTH PARCEL BORDER, THEN RUNNING NORTH 20 FEET, THEN RUNNING WEST AT A RIGHT ANGLE 20 FEET, THEN RUNNING SOUTH AT A RIGHT ANGLE 20 FEET, THEN RUNNING EAST AT A RIGHT ANGLE 20 FEET, BACK TO THE POINT OF BEGINNING AND COMPRISING A SQUARE.

THE ENGINEERED BARRIERS CURRENTLY CONSIST OF THE EXISTING ASPHALT PAVEMENT AND SUBJECT BUILDING'S CONCRETE FOUNDATION. FOLLOWING THE REDEVELOPMENT OF THE SITE, THE ENGINEERED BARRIERS WILL CONSIST OF AND THEREAFTER BE MAINTAINED AS ASPHALT PAVEMENT ASSOCIATED WITH THE PROPOSED PARKING LOT.



Figure 5
Site Base Map
 9455-9459 S. Halsted Street,
 732-744 W. 95th Street
 & 9446-9458 S. Emerald Ave.
 Chicago, Illinois

Scale: 1" = 60'

Legend:  Area Requiring Engineered Barrier
 Site Boundary

Date: Sept. 18, 2000

Drawn by: M. Wells-Paske

Checked by: W. Smith

Job No. 99561B

**TABLE A:
REGULATED SUBSTANCES OF CONCERN**

**0316715158/ COOK COUNTY
Chicago/Little Company of Mary
SITE REMEDIATION PROGRAM**

**Semivolatile Organic
Compounds**

CAS No.	Compound Name
208-96-8	Acenaphthalene
83-32-9	Acenaphthene
120-12-7	Anthracene
50-55-3	Benzo(a)anthracene
205-99-2	Benzo(b)fluoranthene
207-08-9	Benzo(k)fluoranthene
191-24-2	Benzo(g,h,i)perylene
50-32-8	Benzo(a)pyrene
218-01-9	Chrysene
53-70-3	Dibenzo(a,h)anthracene
206-44-0	Fluoranthene
86-73-7	Fluorene
193-39-5	Indeno(1,2,3-cd)pyrene
91-20-3	Naphthalene
85-01-8	Phenanthrene
129-00-0	Pyrene

Metals

CAS No.	Compound Name
7440-38-2	Arsenic
7440-39-3	Barium
7440-43-9	Cadmium
7440-47-3	Chromium
7439-92-1	Lead
7439-97-6	Mercury
7782-49-2	Selenium
7440-22-4	Silver

BTEX Indicator Contaminants

CAS No.	Compound Name
71-43-2	Benzene
100-41-4	Ethylbenzene
108-88-3	Toluene
1330-20-7	Xylene (totals)

Property of Cook County Clerk's Office