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0030407808

6067/0073 33 001 Page 1 of 13

2003-03-26 10:37:43

Cook County Recorder 48.50

PREPARED BY:

Name: John Victor
Netcom, Inc.

Address: 599 Wheeling Road
Wheeling, IL 60090



RETURN TO

Name: John Victor
Netcom, Inc.

Address: 599 Wheeling Road
Wheeling, IL 60090

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: 0314977649

Netcom, Inc., the Remediation Applicant, whose address is 599 Wheeling Road, Wheeling, IL 60090 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:

Legal description of property:

LOT 7 (EXCEPT THE WEST 15.25 FEET THEREOF) AND ALL OF LOT 8 IN BLOCK 1 IN HERZOG'S FIRST INDUSTRIAL SUBDIVISION OF PART OF THE EAST HALF OF SECTION 10, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE WEST HALF OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS ON DECEMBER 13, 1955 AS DOCUMENT NO. LR1639763 AND CERTIFICATE OF CORRECTION THEREOF REGISTERED DECEMBER 15, 1956 AS DOCUMENT NO. LR1713481 IN COOK COUNTY, ILLINOIS.

Remediation Site Boundary Description:

Beginning at a point 380 feet east of the east line of Wheeling Road and the north line of Exchange Court (northeast corner of Wheeling Road and Exchange Court), this point then going north, northwest 200 feet, then going east 20 feet, then going south, southeast 200 feet along Exchange Court, then going 20 feet west along Exchange Court to the point of beginning.

(Illinois EPA Site Remediation Program Environmental Notice)

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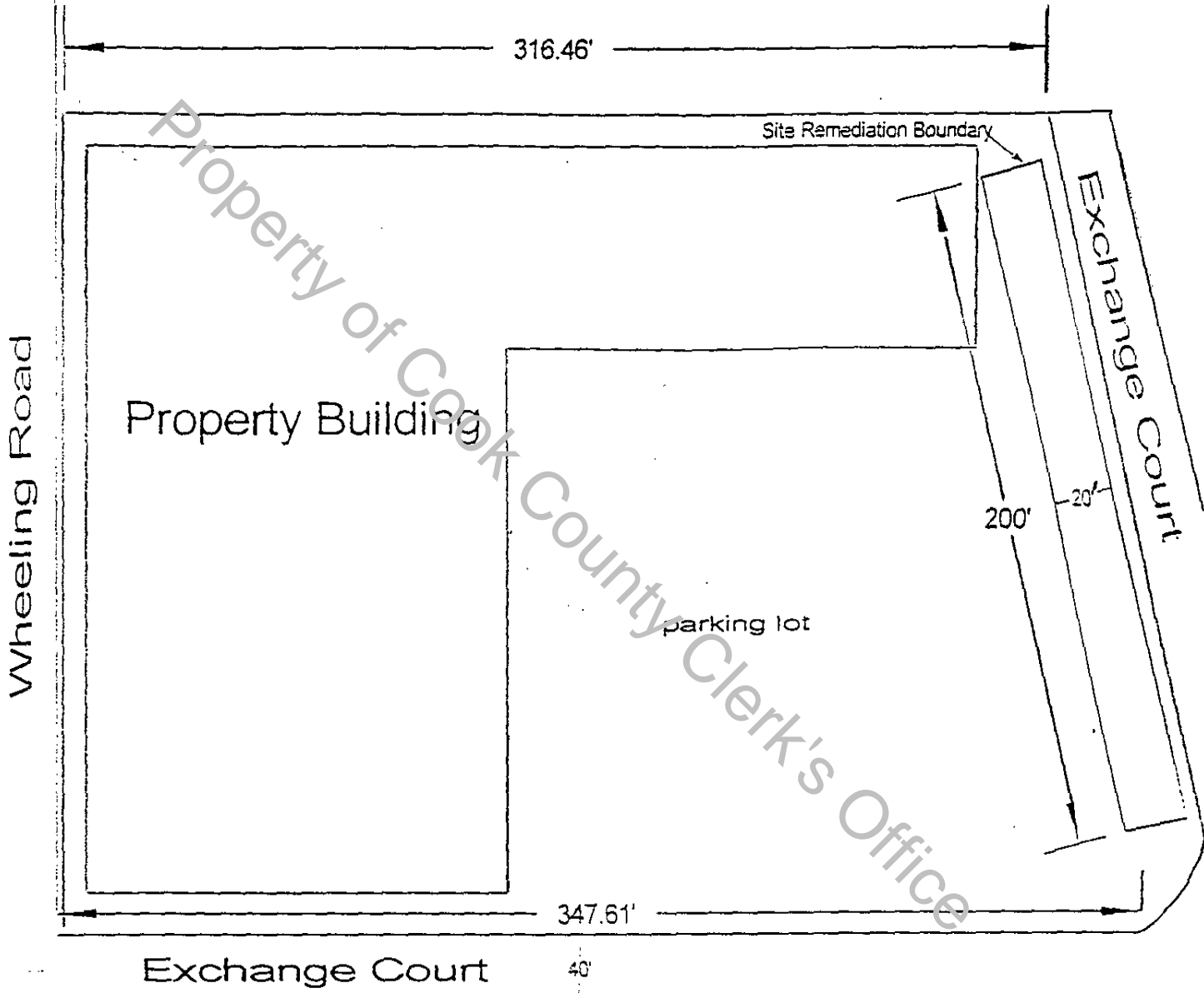
2. Common Address: 599 Wheeling Road, Wheeling, IL
3. Real Estate Tax Index/Parcel Index Number: 03-11-300-004-0000
4. Remediation Site Owner: Netcom Inc.
5. Land Use: Residential and/or Industrial/Commercial
6. Site Investigation: Focused

See NFR letter for other terms.

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Site Base Map
0314977649—Cook County 0030407808
Wheeling/Netcom, Inc.
Site Remediation Program



SITE BASE MAP
LPC #: 0314977649

599 Wheeling Road
Wheeling, Illinois

EPS Environmental Services, Inc.
7207 West Devon Avenue, Chicago, Illinois 60631



North

Scale: 1" = 50'
Date: 12/05/02

Project # 4321-0732

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PROPERTY OWNER CERTIFICATION OF THE NFR LETTER UNDER THE SITE REMEDIATION PROGRAM

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; and
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>NETCOM INC.</u>
Title:	_____
Company:	<u>NETCOM INC.</u>
Street Address:	<u>599 S. WHEELING RD.</u>
City:	<u>WHEELING</u>
State:	<u>IL</u>
Zip Code:	<u>60090</u>
Phone:	<u>847-537-6300</u>
Site Information	
Site Name:	<u>NETCOM INC.</u>
Site Address:	<u>599 S. WHEELING RD.</u>
City:	<u>WHEELING</u>
State:	<u>IL</u>
Zip Code:	<u>60090</u>
County:	<u>COOK</u>
Illinois inventory identification number:	_____
Real Estate Tax Index/Parcel Index No.	<u>03-11-300-004-0000 Vol. 231</u> <u>03-11-300-005-0000 " "</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>[Signature]</u> Date: <u>3/3/03</u>
SUBSCRIBED AND SWORN TO BEFORE ME this <u>3rd</u> day of <u>March</u> , 2003.	<div style="border: 1px solid black; padding: 5px; text-align: center;">OFFICIAL SEAL CECILIA R ROWAN NOTARY PUBLIC STATE OF ILLINOIS MY COMMISSION EXP. SEPT. 28, 2004</div>
<u>Cecilia R. Rowan</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.



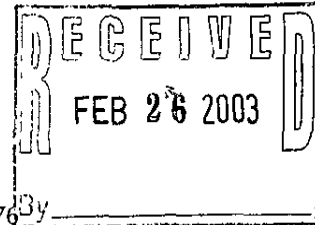
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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601

ROD R. BLAGOJEVICH, GOVERNOR

RENEE CIPRIANO, DIRECTOR



0030407808

(217) 782-6761

February 19, 2003

CERTIFIED MAIL

7002 2030 0001 1874 7271

John Victor
Netcom, Inc.
599 Wheeling Road
Wheeling, IL 60090

Re: 0314977649/Cook County
Wheeling/Netcom, Inc.
Site Remediation Program/Technical Reports

Dear Mr. Victor:

The *Focused Site Investigation/Remedial Objectives Report* (September 30, 2002/02-3887), and letter report *Response to Agency's Letter dated December 6, 2002* (January 9, 2003/03-0064) as prepared by EPS Environmental Services, Inc. for the Netcom, Inc. 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 *Focused Site Investigation/Remedial Objectives Report* (September 30, 2002/02-3887), and letter report *Response to Agency's Letter dated December 6, 2002* (January 9, 2003/03-0064) shall serve as the approved Remedial Action Completion Report.

The Remediation Site, consisting of 0.091 acres, is located at 599 Wheeling Road, Wheeling, 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 (September 30, 2002/02-3887), is Netcom, Inc.

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.

Conditions and Terms of Approval

Level of Remediation and Land Use Limitations

- 1) The recognized environmental conditions, as characterized by the focused site investigation, consist of the following:
 - a) Regulated substances of concern that have been successfully addressed are detailed in the attached Table A.
- 2) The Remediation Site is approved for Residential or Industrial/Commercial land use.
- 3) 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

- 4) 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: None

Engineering Controls: None

Institutional Controls: None

Other Terms

- 5) Areas outside the Remediation Site boundaries as shown in the Site Base Map, are not subject to any other institutional or engineered barrier controls.

- 6) 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.
- 7) 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

- 8) 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 titleholder 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.
- 9) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) Netcom, Inc.;
 - 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.

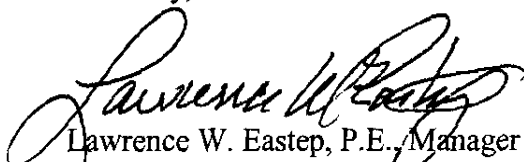
- 10) This letter, including all attachments, must be recorded as a single instrument within forty-five (45) days of receipt with the Office of the Recorder of Cook County. For recording purposes, the Illinois EPA Site Remediation Program Environmental Notice attached to this Letter should be the first 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 Netcom, Inc. property.
- 11) 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

- 12) 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, Steve McCaslin at 217-557-8085.

Sincerely,


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

Attachments(3): Illinois EPA Site Remediation Program Environmental Notice
Site Base Map
Property Owner Certification of No Further Remediation Letter
under the Site Remediation Program Form

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cc: Sam Bodine
EPS Environmental Services, Inc.
7237 West Devon Avenue
Chicago, IL 60631

bcc: Records Unit
Bob O'Hara
Ginger Miller

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SITE REMEDIATION PROGRAM

TABLE A: REGULATED SUBSTANCES OF CONCERN

0314977649 - NETCOM, INC.

Volatile Organic Compounds

CAS No.	Compound Name
67-64-1	Acetone
107-02-8	Acrolein (Propenal)
79-10-7	Acrylic Acid
107-13-1	Acrylonitrile
71-43-2	Benzene
314-40-9	Bromacil
108-86-1	Bromobenzene
74-97-5	Bromochloromethane
75-27-4	Bromodichloromethane
75-25-2	Bromoform
74-83-9	Bromomethane
106-99-0	1,3-Butadiene
71-36-3	n-Butanol (Butanol)
78-93-3	2-Butanone (MEK)
104-51-8	n-Butylbenzene
135-98-9	sec-Butylbenzene
98-06-6	tert-Butylbenzene
105-60-2	Caprolactam
75-15-0	Carbon Disulfide
56-23-5	Carbon Tetrachloride
108-90-7	Chlorobenzene
124-48-1	Chlorodibromomethane (Dibromochloromethane)
75-00-3	Chloroethane
67-66-3	Chloroform
74-87-3	Chloromethane
95-49-8	2-Chlorotoluene
106-43-4	4-Chlorotoluene
108-94-1	Cyclohexanone
96-12-8	1,2-Dibromo-3-Chloropropane
74-95-3	Dibromomethane
106-93-4	1,2-Dibromomethane
75-34-3	1,1-Dichloroethane
107-06-2	1,2-Dichloroethane
75-35-4	1,1-Dichloroethene
156-60-5	<i>trans</i> -1,2-Dichloroethene
156-59-2	<i>cis</i> -1,2-Dichloroethene
75-71-8	Dichlorodifluoromethane
78-87-5	1,2-Dichloropropane
142-28-9	1,3-Dichloropropane
594-20-7	2,2-Dichloropropane

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CAS No.	Compound Name
563-58-6	1,1-Dichloropropene
10061-02-6	<i>trans</i> -1,3-Dichloropropene
10061-01-5	<i>cis</i> -1,3-Dichloropropene
111-90-0	Diethylene Glycol Monoethyl Ether
123-91-1	1,4-Dioxane
64-17-5	Ethanol
141-78-6	Ethyl Acetate
140-88-5	Ethyl Acrylate
100-41-4	Ethylbenzene
107-21-1	Ethylene Glycol
111-76-2	Ethylene Glycol Monobutyl Ether
103-11-8	2-Ethylhexyl Acrylate
50-00-0	Formaldehyde
98-01-1	Furfural
110-54-3	Hexane
591-78-6	2-Hexanone
74-88-4	Iodomethane (Methyl Iodide)
78-83-1	Isobutyl Alcohol (Isobutanol)
67-63-0	Isopropyl Alcohol (Isopropanol)
98-82-4	Isopropylbenzene (Cumene)
99-87-6	<i>p</i> -Isopropyltoluene
67-56-1	Methyl Alcohol (Methanol)
79-20-9	Methyl Acetate
108-87-2	Methylcyclohexane
75-09-2	Methylene Chloride
108-10-1	4-Methyl-2-Pentanone (MIBK)
1634-04-4	Methyl Tertiary Butyl Ether (MTBE)
91-20-3	Naphthalene
109-60-4	<i>n</i> -Propyl Acetate
103-65-1	<i>n</i> -Propylbenzene
57-55-6	Propylene Glycol
107-98-2	Propylene Glycol Monoethyl Ether
100-42-5	Styrene
127-18-4	Tetrachloroethene
630-20-6	1,1,1,2-Tetrachloroethane
79-34-5	1,1,2,2-Tetrachloroethane
109-99-9	Tetrahydrofuran
79-01-6	Trichloroethene
71-55-6	1,1,1-Trichloroethane
79-00-5	1,1,2-Trichloroethane
75-69-4	Trichlorofluoromethane
96-18-4	1,2,3-Trichloropropane
95-63-6	1,2,4-Trimethylbenzene
99-35-4	1,3,5-Trimethylbenzene
108-88-3	Toluene
108-05-4	Vinyl Acetate

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CAS No.	Compound Name
75-01-4	Vinyl Chloride
1330-20-7	Xylenes (total)

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