

# UNOFFICIAL COPY

PREPARED BY:

Name: Ms. Edith Ardiente  
Vice President, Environmental Affairs  
International Truck and Engine Corporation

Address: 4201 Winfield Road  
Warrenville, Illinois 60555



Doc#: 0634206111 Fee: \$52.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 12/08/2006 01:48 PM Pg: 1 of 15

RETURN TO:

Name: Ms. Edith Ardiente  
Vice President, Environmental Affairs  
International Truck and Engine Corporation

Address: 4201 Winfield Road  
Warrenville, Illinois 60555

## 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: 0316510002

International Truck and Engine Corporation, the Remediation Applicant, whose address is 4201 Winfield Road, Warrenville, Illinois 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.

### NORTH TRACT

A part of the Northwest Quarter of Section 18, Township 37 North, Range 15 East of the Third Principal Meridian, in the City of Chicago, Cook County, Illinois, more particularly described as follows:

Commencing at the Northwest Corner of said Section 18, thence North 89°30'51" East (this and all subsequent bearings are based on the Illinois Coordinate System of 1983, East Zone), 447.54 feet along the North line of said Section 18 to the Point of Beginning of this description; thence continuing North 89°30'51" East, 1595.27 feet along said North line to the northwest corner of Parcel 1A; thence South 00°00'00" West, 1243.07 feet along the West line of said Parcel 1A and Parcel 1B; thence South 46°32'27" West, 68.20 feet along the westerly Channel Line of the Calumet River, Document Number 16818160, PB 486, PG. 15; thence South 26°32'57" West, 35.01 feet along said westerly channel line to the South line of the Northeast Quarter of the Northwest Quarter of said Section 18; thence South 89°31'41" West, 30.85 feet along said South line to the westerly line of the Calumet River as established by the United States Government Survey recorded in the Office of the Recorder of Cook County as document number 1102284, in Book 39 of Plats pages 1 to 9 in said office of recorder; thence South 26°16'25" West, 699.22 feet along said westerly line; thence South 02°00'55" West, 112.57 feet along said westerly line to the North line of the South Deering Slip and the beginning of a

(Illinois EPA Site Remediation Program Environmental Notice)

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curve, concave to the Northwest having a radius of 10.00 feet and a chord bearing South 27°06'50" West, 8.48 feet; thence southwesterly 8.76 feet along said curve and along said North line; Thence South 52°12'45" West, 98.65 feet along said North line to the beginning of a curve concave to the North having a radius of 13.20 feet and a chord bearing South 70°56'30" West, 8.48 feet; thence westerly 8.63 feet along said curve and along said North line; thence South 89°40'15" West, 1367.84 feet along said North line and the westerly extension of said line to the East line of a parcel of land described to the Calumet Western Railway Company in document number 9575635 in said office of the recorder; thence North 01°04'06" West, 850.20 feet along said East line to the beginning of a curve concave to the East having a radius of 1384.70 feet and a chord bearing North 06°25'03" East, 360.79 feet; thence northerly 361.82 feet along said curve and along said East line; thence North 13°54'11" East, 377.40 feet partly along said East line and partly along the easterly line of the parcel described to the Calumet Western Railway Company in document number 12017354 in said office of the recorder; thence North 13°53'25" East, 143.97 feet to the easterly line of a parcel of land described in said document number 9575635; thence North 13°54'27" East, 210.86 feet along said easterly line to the beginning of a curve concave to the southeast having a radius of 1213.10 feet and a chord bearing North 19°04'53" East, 218.78 feet; thence northerly 219.08 feet along said curve and said easterly line to the Point of Beginning, containing 82.952 acres, more or less.

2. Common Address: 2701 East 106<sup>th</sup> Street, Chicago, Illinois
3. Real Estate Tax Index/Parcel Index Number: 26-18-100-004; 26-18-100-009; 26-18-100-011; 26-18-100-012; 26-18-100-014; 26-18-100-016; and 26-18-100-017.
4. Remediation Site Owner: International Truck and Engine Corporation
5. Land Use: Industrial/Commercial
6. Site Investigation: Comprehensive

See NFR letter for other terms.

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## ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

File: WSW



1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 – (217) 782-3397  
 JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 – (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR    DOUGLAS P. SCOTT, DIRECTOR

(217) 782-6761

November 14, 2006

CERTIFIED MAIL

7004 2510 0001 8621 1574

Ms. Edith Ardiente, P.E.  
 Vice President, Environmental Affairs  
 International Truck and Engine Corporation  
 4201 Winfield Road  
 P.O. Box 1488  
 Warrenville, Illinois 60555

Re: 0316510002—Cook County  
 Wisconsin Steelworks/Chicago  
 Site Remediation Program/Technical Reports  
 No Further Remediation Letter

Dear Ms. Ardiente:

The *North Tract Remedial Action Completion Report, Former Wisconsin Steelworks, Chicago, Illinois* (Date April 28, 2004/Log Number 04-19882), as prepared by ARCADIS G & M, Inc. for the above referenced Remediation Site, has been reviewed by the Illinois Environmental Protection Agency (“Illinois EPA”) and demonstrates that the remedial action was completed in accordance with the 35 Illinois Administrative Codes 740 and 742.

The Remediation Site, consisting of 82.952 acres, is located at 2701 East 106<sup>th</sup> 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, Log No. is International Truck and Engine Corporation.

This comprehensive 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 and does not require further remediation under the Act if utilized in accordance with the terms of this Letter.

ROCKFORD – 4302 North Main Street, Rockford, IL 61103 – (815) 987-7760 • DES PLAINES – 9511 W. Harrison St., Des Plaines, IL 60016 – (847) 294-4000  
 ELGIN – 595 South State, Elgin, IL 60123 – (847) 608-3131 • PEORIA – 5415 N. University St., Peoria, IL 61614 – (309) 693-5463  
 BUREAU OF LAND – PEORIA – 7620 N. University St., Peoria, IL 61614 – (309) 693-5462 • CHAMPAIGN – 2125 South First Street, Champaign, IL 61820 – (217) 278-5800  
 SPRINGFIELD – 4500 S. Sixth Street Rd., Springfield, IL 62706 – (217) 786-6892 • COLLINSVILLE – 2009 Mail Street, Collinsville, IL 62234 – (618) 346-5120  
 MARION – 2309 W. Main St., Suite 116, Marion, IL 62959 – (618) 993-7200

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## Conditions and Terms of Approval

### Level of Remediation and Land Use Limitations

- 1) The Remediation Site is approved for Industrial/Commercial land use.
- 2) 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

- 3) 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:

- 4) 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. 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 below three (3) feet 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:

- 5) The slag barriers, which are comprised of a minimum of three (3) feet of slag covering the areas shown in the attached Site Base Map, must remain over the contaminated soils. The slag barriers must be properly maintained as engineered barriers to inhibit ingestion of the contaminated media. The slag for the barriers was imported from the Slag Storage Area of the Former Wisconsin Steelworks site and meets the beneficial use criteria as defined by 35 IAC 817.

#### Institutional Controls:

- 6) Section 11-8-390 of the Municipal Code of Chicago (Potable Water Wells), 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:

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- 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 Section 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 this Letter is recorded 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 referenced 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 this Letter is recorded of written notification to the City of Chicago and affected property owner(s) of the intent to use Section 11-8-390 of the Municipal Code of Chicago (Potable Water Wells), as an institutional control at the Remediation Site; and
  - iv) Violation of the terms and conditions of this No Further Remediation letter.



**UNOFFICIAL COPY**Other Terms

- 7) Areas outside the Remediation Site boundaries or specific engineered barrier locations, as shown in the Site Base Map, are not subject to any other institutional or engineered barrier controls.
- 8) Where a groundwater ordinance is used to assure long-term protection of human health (as identified under Paragraph 6 of this Letter), the Remediation Applicant must record a copy of the groundwater ordinance adopted and administered by a unit of local government along with this Letter.
- 9) 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.
- 10) 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
- 11) 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 restriction;
  - 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;

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- 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.
- 12) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) International Truck and Engine Corporation;
  - 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.

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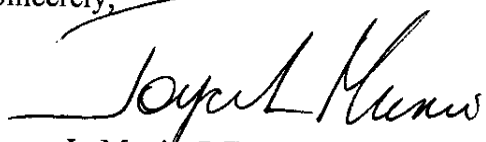
- 13) This letter, including all attachments, must be recorded as a single instrument within forty-five (45) days of receipt with the Office of the Recorder of Cook County. For recording purposes, the Illinois EPA Site Remediation Program Environmental Notice attached to this Letter should be the first 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 Wisconsin Steelworks-North Tract Area property.
- 14) 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

- 15) 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 the Wisconsin Steelworks-North Tract Area property, you may contact the Illinois EPA project manager, Todd Gross at 217/782-6761.

Sincerely,



Joyce L. Munje, P.E., Manager  
 Remedial Project Management Section  
 Division of Remediation Management  
 Bureau of Land

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

cc: Mr. Greg Vanderlaan  
 WSW Project Manager  
 ARCADIS G & M, Inc.  
 35 East Wacker Drive, Suite 1000  
 Chicago, Illinois 60601



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

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the bottom.

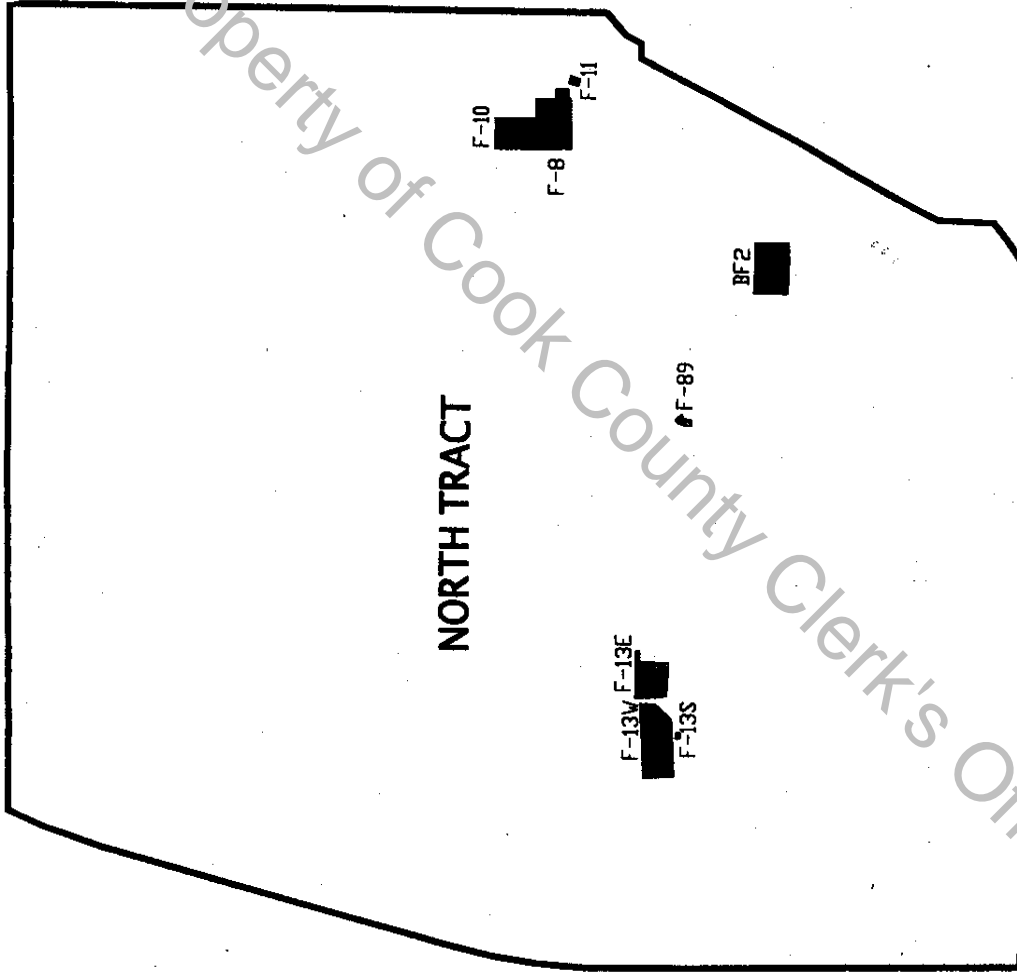
Property of Cook County Clerk's Office

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Acad Version : R16.2s (LMS Tech) Date/Time : Thu, 12 Oct 2006 - 10:12am

Path/Name : C:\project\WISCON\AUTOCAD.DWG\2006\06C10279.DWG

User Name : kscarbrough

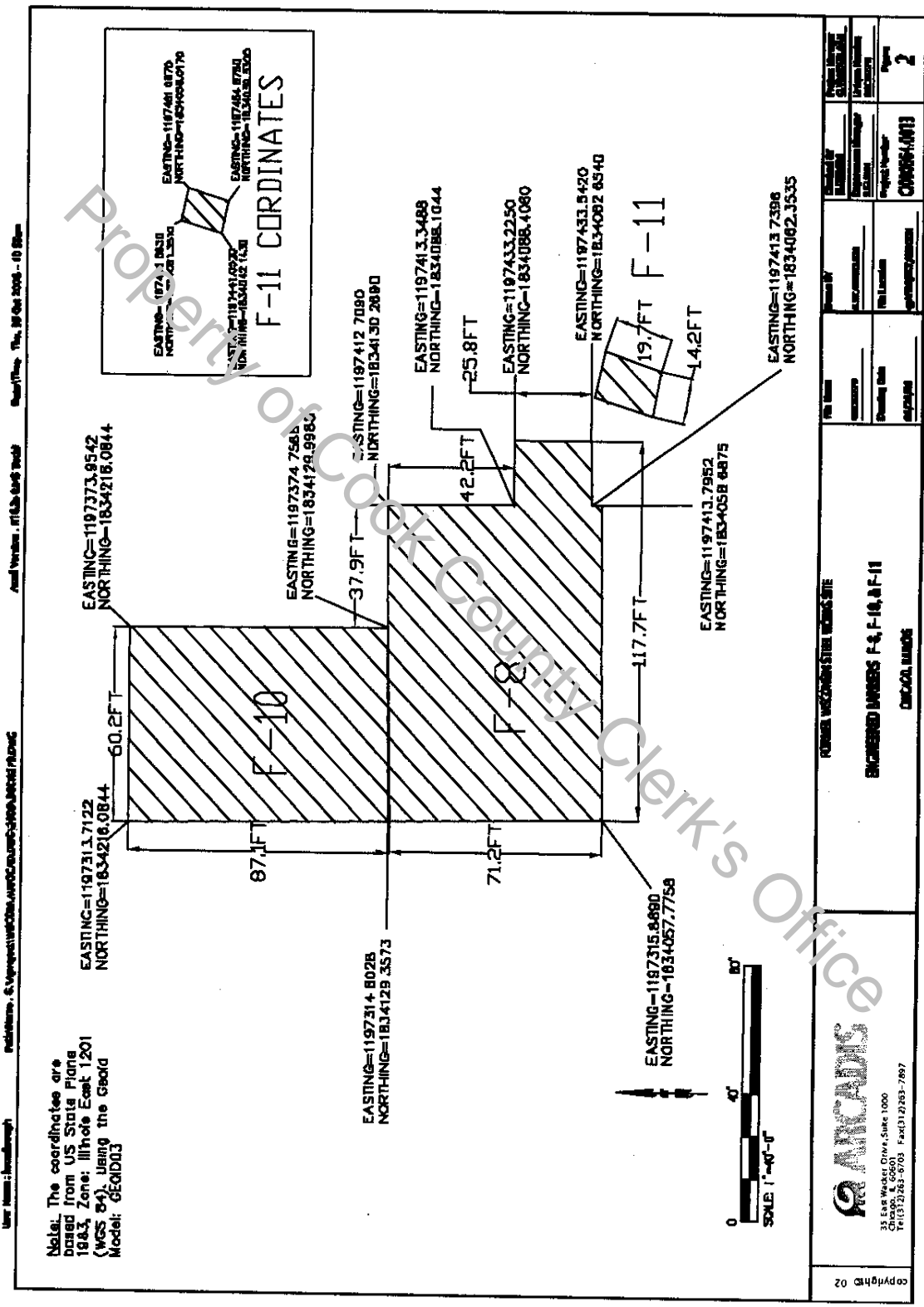


Property of Cook County Clerk's Office

**LEGEND:**  
 — PROPERTY LINE  
 ■ ENGINEERED BARRIERS

<p><b>ARCADIS</b>                  35 East Wacker Drive, Suite 1000                  Chicago, IL 60601                  Tel (312) 263-6703 Fax (312) 263-7897</p>		<p>FORMER WISCONSIN STEEL WORKS SITE                  SITE MAP                  OF ENGINEERED BARRIERS                  CHICAGO, ILLINOIS</p>		<p>File Name                  06C10279</p>	<p>Drawn BY                  K.SCARBROUGH</p>	<p>Checked BY                  M.GILKAS                  Department Manager                  S.CLEW</p>	<p>Project Manager                  C.VANDEBEEK                  Unique Number                  06C0279</p>
<p>Copyright © 02</p>		<p>Drawing Date                  08/20/06</p>		<p>Project Number                  C1000664.0013</p>		<p>Figure                  1</p>	

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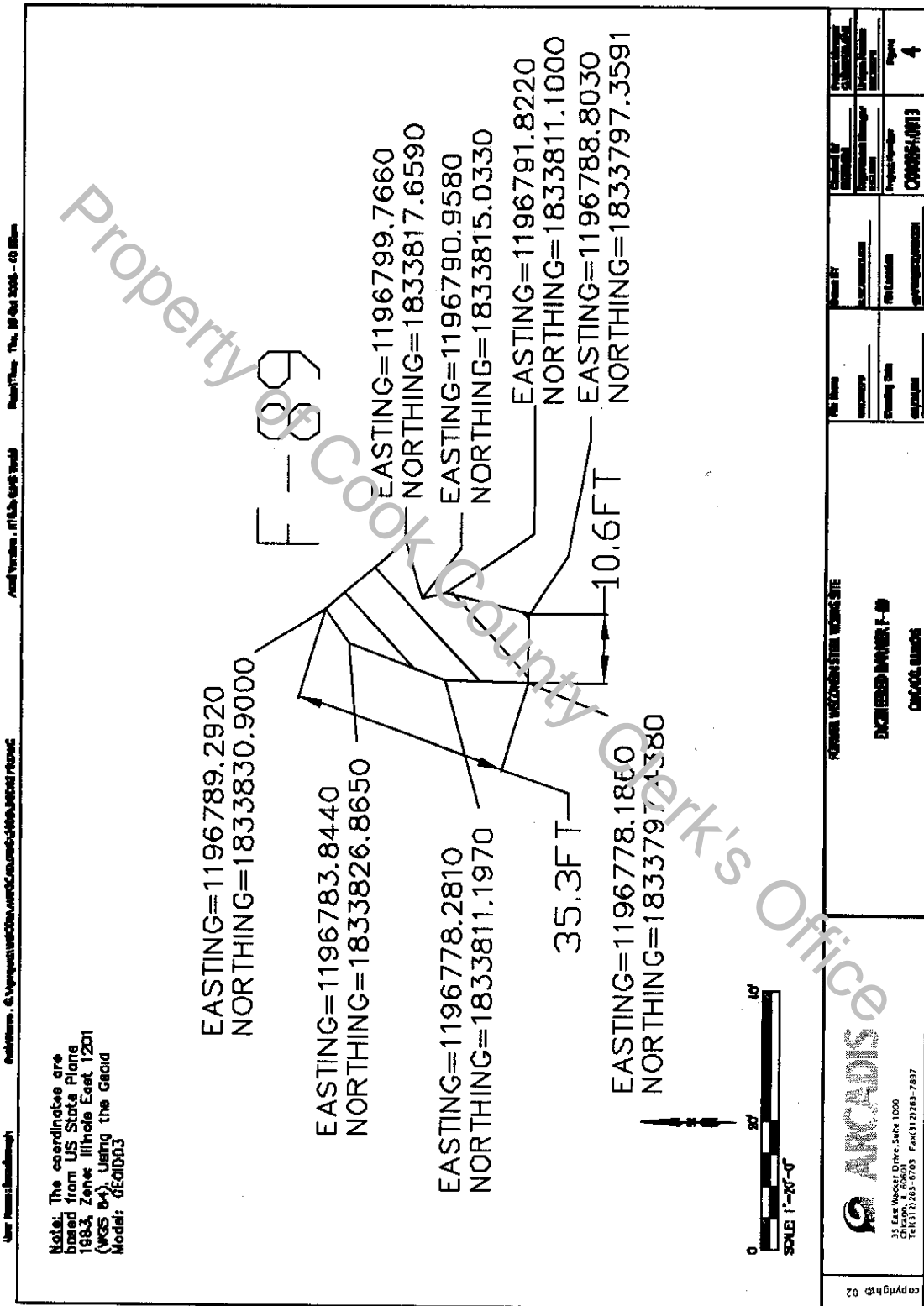
User Name: huss/arcadis

<p><b>ARCADIS</b></p> <p>35 East Wacker Drive, Suite 1000 Chicago, IL 60601 Tel: (312) 863-6700 Fax: (312) 263-7897</p>		<p><b>ENGINEERED DRAWING</b></p> <p>PROJECT NUMBER: <b>F-3, F-10, &amp; F-11</b></p> <p>DRAWING NUMBER: <b>0634206</b></p>		<p><b>REVISIONS</b></p> <table border="1"> <thead> <tr> <th>No.</th> <th>Description</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Issue for Review</td> <td>11/16/2006</td> </tr> <tr> <td>2</td> <td>Issue for Construction</td> <td>11/16/2006</td> </tr> </tbody> </table>		No.	Description	Date	1	Issue for Review	11/16/2006	2	Issue for Construction	11/16/2006
No.	Description	Date												
1	Issue for Review	11/16/2006												
2	Issue for Construction	11/16/2006												
<p>DATE: 11/16/2006</p> <p>TIME: 10:00 AM</p> <p>PROJECT: 6-Village/1107206-AVPC/0606-399-Arcadis/PLANS</p> <p>DRAWING: F-3, F-10, &amp; F-11</p> <p>SCALE: 1" = 40'-0"</p>		<p><b>DESIGNED BY:</b> [Name]</p> <p><b>CHECKED BY:</b> [Name]</p> <p><b>DATE:</b> 11/16/2006</p>		<p><b>PROJECT NUMBER:</b> 0634206</p> <p><b>DRAWING NUMBER:</b> 0634206</p> <p><b>SHEET NUMBER:</b> 2</p>										

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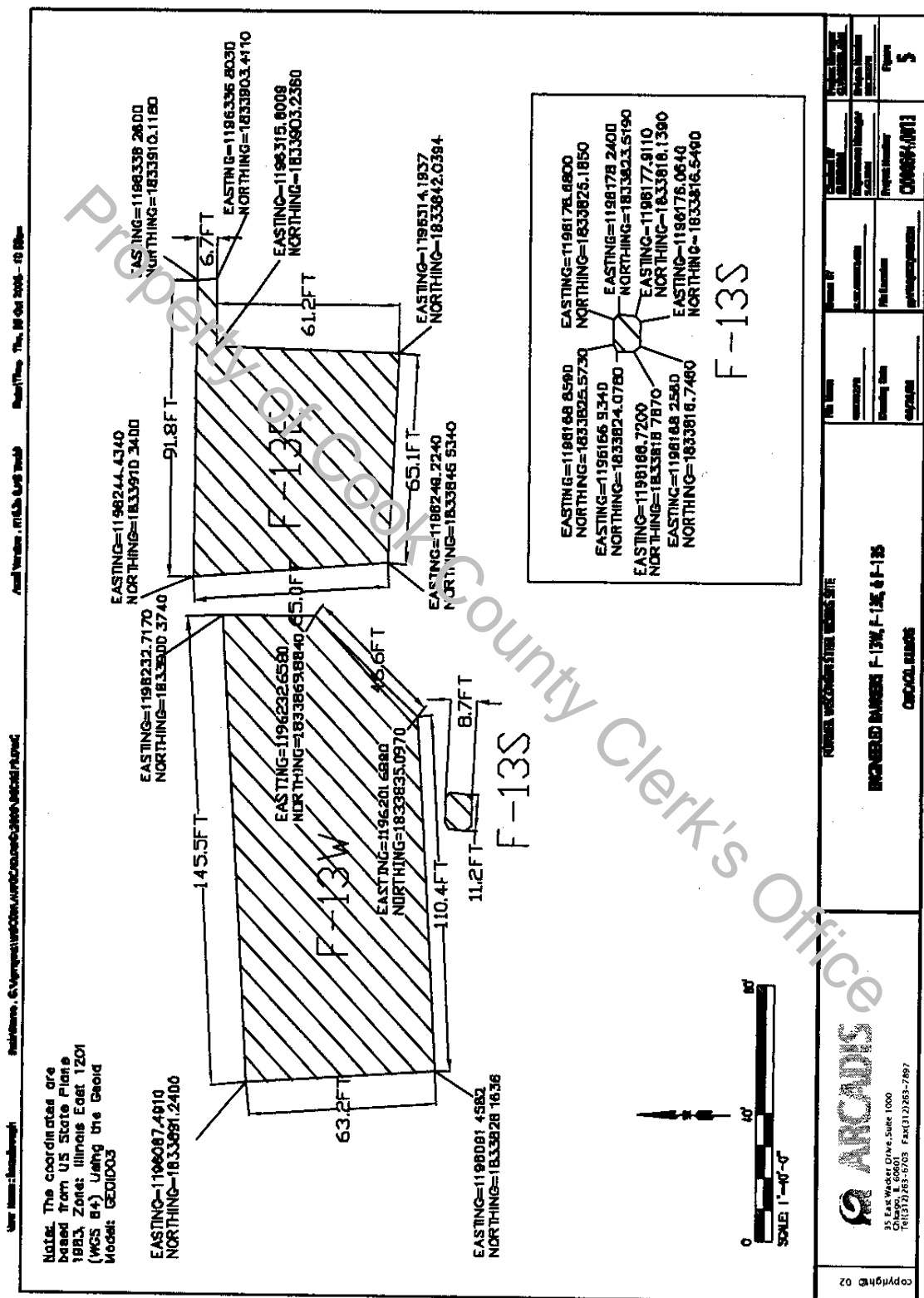


Note: The coordinates are based from US State Plane 1983, Zone Illinois East 1201 (NAD 83), using the GDA03 Model: GEOID03

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Project Name: 6/16/16 10:00 AM 10/16/16 10:00 AM 10/16/16 10:00 AM

Note: The coordinates are based from US State Plane 1983 Zone: Illinois East 1201 (NAD 83) using the Geoid Model: GEOID03

<p><b>ARCADIS</b>                  25 East Wacker Drive, Suite 1000                  Tel: (312) 853-6703 Fax: (312) 263-7897</p>		<p><b>PROJECT INFORMATION</b></p> <p>PROJECT NAME: F-13W, F-13S, &amp; F-13S                  CHECKED BY: [Name]</p>		<p><b>CLIENT INFORMATION</b></p> <p>CLIENT NAME: [Name]                  PROJECT NUMBER: C000004-0012</p>		<p><b>DATE</b></p> <p>DATE: 10/16/16</p>		<p><b>SCALE</b></p> <p>SCALE: 1" = 40'-0"</p>	
<p><b>PROJECT LOCATION</b></p> <p>PROJECT LOCATION: [Address]</p>		<p><b>PROJECT NUMBER</b></p> <p>PROJECT NUMBER: C000004-0012</p>		<p><b>CLIENT NAME</b></p> <p>CLIENT NAME: [Name]</p>		<p><b>DATE</b></p> <p>DATE: 10/16/16</p>		<p><b>SCALE</b></p> <p>SCALE: 1" = 40'-0"</p>	

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

Where the Remediation Applicant (RA) is not the sole owner of the remediation site, the RA shall obtain the certification by original signature of each owner, or authorized agent of the owner(s), of the remediation site or any portion thereof who is not an RA. The property owner(s), or the duly authorized agent of the owner(s) must certify, by original signature, the statement appearing below. This certification shall be recorded in accordance with Illinois Administrative Code 740.620.

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.

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.

<b>Property Owner Information</b>	
Owner's Name: _____	
Title: _____	
Company: _____	
Street Address: _____	
City: _____ State: _____ Zip Code: _____ Phone: _____	
<b>Site Information</b>	
Site Name: _____	
Site Address: _____	
City: _____ State: _____ Zip Code: _____ County: _____	
Illinois inventory identification number: _____	
Real Estate Tax Index/Parcel Index No. _____	
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: _____	Date: _____
SUBSCRIBED AND SWORN TO BEFORE ME this _____ day of _____, 20__	
_____ 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.