

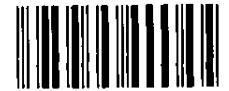
UNOFFICIAL COPY 08147788

PREPARED BY:

Name: Samuel S. Waldo
Amphenol Corporation

Address: 358 Hall Avenue
Wallingford, CT 06492

8474/0148 03 001 Page 1 of 21
1998-12-17 11:58:14
Cook County Recorder 61.00



RETURN TO:

Name: Samuel S. Waldo
Amphenol Corporation

Address: 358 Hall Avenue
Wallingford, CT 06492

7741207-DE-TMS 4 of 4

THE ABOVE SPACE FOR RECORDER'S OFFICE

21

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: 0316230002

Samuel S. Waldo, the Remediation Applicant, whose address is 358 Hall Avenue, Wallingford CT. 06492 has performed investigative and/or remedial activities for the remediation site depicted on the attached Site Base Map and which remediation site can be identified by the following:

1. Legal description or Reference to a Plat Showing the Boundaries:

Parcel 1: All that certain plot, piece or parcel of land lying and being in the City of Chicago, County of Cook, State of Illinois, more particularly described as follows:

The North 248 feet of that part of the North 1/2 of the Southeast 1/4 of the Northwest 1/4 of Section 3, Township 39 North, Range 13 East of the Third Principal Meridian, lying East of the West 300 feet thereof, in Cook County, Illinois.

Parcel 2:

All that certain plat, piece or parcel of land, lying and being in the City of Chicago, County of Cook, State of Illinois, more particularly described as follows:

That part of the Northeast 1/4 of the Northwest 1/4 of Section 3, Township 39 North, Range 13 East of the Third Principal Meridian, described as follows:

Beginning at the point of intersection of the East line of the West 300 feet of said Northeast 1/4 of the Northwest 1/4 with a straight line drawn from a point on said East line of the West 300 feet which is 686.25 feet South of the North line of said Northeast 1/4 of the Northwest 1/4 to a point on the East line of said Northeast 1/4 of the Northwest 1/4 which is 685.15 feet South of the Northeast corner thereof and running thence East along the above mentioned straight line, a distance of 393.47 feet to its intersection with the West line of the East 640.48 feet of said Northeast 1/4 of the Northwest 1/4; thence South along said West line of the East 640.48 feet; a distance of 634.91 feet to its intersection with the South line of said Northeast 1/4 of the Northwest 1/4; thence West along said South line of the Northeast 1/4 of the Northwest 1/4, a distance of 394.72 feet to its intersection with said East line of the West 300 feet of the Northeast 1/4 of the Northwest 1/4; thence North along said East line on the West 300 feet, a distance of 635.35 feet to the point of beginning, (except that part used by the Chicago and North West Railway Company for a switch track, beginning at the Southeast corner of said land herein before conveyed and running thence Northwesterly in an arc to a point where the Southerly line of such switch track property meets the West line of said land hereinbefore conveyed at a point 256.92 feet North of the Southwest corner of said land hereinbefore conveyed also except for said land that part conveyed to Zenith Radio Corporation by an instrument recorded June 16, 1960 as Document 17,883,825

BOX 333-CTI

described as follows:

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08147788

That part of the Northeast 1/4 of the Northwest 1/4 of Section 3, Township 39 North, Range 13 East of the Third Principal Meridian, described as follows:

Beginning at the point of intersection of the East line (hereinafter referred to as 'First mentioned East line') of the West 300 feet of said Northeast 1/4 of the Northwest 1/4 with a straight line (hereinafter referred to as 'First mentioned Straight line') drawn from a point on the above described first mentioned East line which is 686.25 feet South of the North line of said Northeast 1/4 of the Northwest 1/4 to a point on the East line of said Northeast 1/4 of the Northwest 1/4 which is 685.15 feet South of the Northeast corner thereof and running thence East along the above 'First mentioned straight line', a distance of 393.47 feet to its intersection with the West line (hereinafter referred to as 'West line') of the East 640.48 feet of said Northeast 1/4 of the Northwest 1/4; thence South along said 'West line', a distance of 320 feet; thence West along a straight line (hereinafter referred to as 'Second mentioned straight line') located 320 feet South of and parallel with the above described 'First mentioned straight line', a distance of 393.47 feet, more or less, to the intersection of such 'Second mentioned straight line' with the above described 'First mentioned East line'; and thence North along said 'First mentioned East line', a distance of 320 feet to the point of beginning;

Parcel 3:

All that certain plat, piece or parcel of land, lying and being in the City of Chicago, County of Cook, State of Illinois, more particularly described as follows:

The West 350 feet of the South 75 feet of the North 323 feet of the North 1/2 of that part of the Southeast 1/4 of the Northwest of Section 3, Township 39 North, Range 13 East of the Third Principal Meridian, lying East of the West 300 feet thereof;

Parcel 4:

Easement for the Benefit of Parcels 1, 2 and 3 (taken as a tract) for a switch track or track as created by Deed from Martin J. Hanson and Ann C. Hanson, his wife and Martin J. Hanson, as Trustee under Last Will and Testament of John C. Hanson, dec Louis E. Hanson and Lillian E. Hanson, as Trustee under Last Will and Testament of Louis J. Hanson, deceased, to the Pyle-National Company, a corporation of New Jersey, dated December 31, 1948 and recorded January 31, 1949 as Document 14,4 revised and recorded June 30, 1950 as Document 14,840,700 and as amended by Grant by Zenith Radio Corporation, a corporation of Illinois, to the Pyle-National Company, a corporation of New Jersey, dated February 26, 1951 and recorded July 24, 1951 as Document 15,129,705, said switch track being located on land described as follows:

That part of the Northeast 1/4 of the Northwest 1/4 of Section 3, Township 39 North, Range 13, East of the Third Principal Meridian, described as follows:

Commencing at a point in the South line of the Northeast 1/4 of the Northwest 1/4 of said Section 3, which is 640.48 feet West the Southeast corner of said Northeast 1/4 of the Northwest 1/4 and running thence North on a line which is parallel with the East line of said Northeast 1/4 of the Northwest 1/4 for a distance of 18 feet to a point; thence West on a line which is parallel with the said South line of the Northeast 1/4 of the Northwest 1/4 for a distance of 25.76 feet to a point of curve; thence Northwesterly on a curved line tangent to said last described line, convex to the Southwest and having a radius of 373.07 feet, distance of 352.52 feet to a point of compound curve; thence continuing Northwesterly on a curved line convex to the Southwest and having a radius of 349.27 feet, a distance of 203.61 feet to a point in the East line of the West 300 feet of said Northeast 1/4 of the Northwest 1/4; thence South along said East line of the West 300 feet, a distance of 105.22 feet, to a point which is 256.92 feet North of the said South line of the Northeast 1/4 of the Northwest 1/4; thence Southeasterly on a curved line convex to the Southwest concentric with said last described curved line and having a radius of 369.27 feet for a distance of 108.68 feet to a point of compound curve; thence continuing Southeasterly in a curved line convex to the Southwest, concentric with said first described curved line and having a radius of 393.07 feet a distance of 331.75 feet to a point in the said South line of said Northeast 1/4 of the Northwest 1/4; thence East along said South line a distance of 65.36 feet to the point of beginning;

Parcel 5:

Easement to construct and maintain a reasonable number of crossings over and across the switch track for vehicles and pedestrians in connection with ingress to and egress from Parcels 1, 2 and 3 (taken as a tract) as created by Grant from Zenith Radio Corporation, a corporation of Illinois, to Pyle-National Company, a corporation of New Jersey, dated February 26, 1951 recorded July 24, 1951 as Document 15,129,705 over and across the switch track used by the Chicago and Northwestern Rail Company described as follows:

That part of the Northeast 1/4 of the Northwest 1/4 of Section 3, Township 39 North, Range 13, East of the Third Principal Meridian, described as follows:

Commencing at a point in the South line of the Northeast 1/4 of the Northwest 1/4 of said Section 3 which is 640.48 feet West the Southeast corner of said Northeast 1/4 of the Northwest 1/4 and running thence North on a line which is parallel with the E line of said Northeast 1/4 of the Northwest 1/4 for the distance of 18 feet to a point; thence West on a line which is parallel with the said South line of the Northeast 1/4 of the Northwest 1/4 for a distance of 25.76 feet to a point of curve; thence Northwesterly on a curved line tangent to said last described line, convex to the Southwest and having a radius of 373.07 feet, distance of 352.52 feet to a point of compound curve; thence continuing Northwesterly on a curved line convex to the Southwest and having a radius of 349.27 feet, a distance of 203.61 feet to a point in the East line of the West 300 feet of said Northeast 1/4 of the Northwest 1/4; thence South along said East line of the West 300 feet; a distance of 105.22 feet, to a point which is 256.92 feet North of the said South line of the Northeast 1/4 of the Northwest 1/4; thence Southeasterly on a curved line convex to the Southwest concentric with said last described curved line and having a radius of 369.27 feet for a distance of 108.68 feet to a point of compound curve; thence continuing Southeasterly in a curved line convex to the Southwest, concentric with said first described curved line and having a radius of 393.07 feet, a distance of 331.75 feet to a point in the said South line of said Northeast 1/4 of the Northwest 1/4; thence East along said South line, a distance of 65.36 feet to the point of beginning;

Parcel 6:

Easement for the benefit of Parcels 1 and 3 as created by Deed from Kling Brothers Engineering Works, a corporation of Illinois to the Pyle-National Company, a corporation of New Jersey, dated November 18, 1948 and recorded November 23, 1948 as D 14,448,649 to construct and use a switch track and also, if necessary, a switch over and across and upon the East 148 feet of West 498 feet of the North 36 feet of the South 75 feet of the North 323 feet of the North 1/2 of that part of the Southeast 1/4 of the Northwest 1/4 of Section 3, Township 39 North, Range 13 East of the Third Principal Meridian, lying East of the West 300 feet thereof;

Parcel 7:

Easement to extend the private sewer system into Parcel 2 for the purpose of providing drainage for Parcel 2 as created by agreement between Zenith Radio Corporation, a corporation of Illinois, and the Pyle-National Company, a corporation of New Jersey, dated August 1, 1951 and recorded January 2, 1952 as Document 15,246,124 of the private sewer system located in a the North and South road described as follows:

The West 15 feet of the East 640.48 feet of the Northeast 1/4 of the Northwest 1/4 of Section 3, Township 39 North, Range 13 of the Third Principal Meridian (except that part lying North of a line drawn from a point on the East line of the West 300 feet of the Northeast 1/4 of the Northwest 1/4 which point is 686.25 feet South of the North line of said Section to a point on the East line of said Northwest 1/4 which point is 685.15 feet South of the Northeast corner of said Northwest 1/4).

The East 15 feet of the switch track property described as Parcel 4 aforesaid, and its connection to sewers in North Kostner Avenue, said connection to be located in a strip of land approximately 25 feet, more or less, South of the North line of the land as follows:

The East 640.48 feet of the Northeast 1/4 of the Northwest 1/4 of Section 3, Township 39 North, Range 13, East of the Third Principal Meridian (except that part lying North of a line drawn from a point on the East line of the West 300 feet of the Northeast 1/4 of the Northwest 1/4, which point is 686.25 feet South of the North line of said Section to a point on the East line of said Northwest 1/4, which point is 685.15 feet South of the Northeast corner of said Northwest 1/4).

Parcel 8:

Easement for the benefit of Parcels 1, 2, and 3 (taken as a tract) as created by agreement between Zenith Radio Corporation, corporation of Delaware, and The Pyle-National Company, a corporation of New Jersey, dated June 4, 1960 and recorded June 1960 as Document 17,885,172 for a private way or road for the purpose of ingress and egress over and across the West 15 feet East 640.48 feet of the Northeast 1/4 of the Northwest 1/4 of Section 3, Township 39 North, Range 13 East of the Third Principal Meridian, (except that part lying North of a line drawn from a point on the East line of the West 300 feet of the Northeast 1/4 of the Northwest 1/4, which point is 686.25 feet South of the North line of said Section to a point on the East line of said Northwest 1/4, which point is 685.15 feet South of the Northeast corner of said Northwest 1/4),

The East 15 feet of the switch track property described as Parcel 4, aforesaid;

The South 15 feet of the East 640.48 feet of the Northeast 1/4 of the Northwest 1/4 of Section 3, Township 39 North, Range 13 of the Third Principal Meridian (except the West 15 feet thereof);

Parcel 9:

Parcel 9:

Easement for the benefit of Parcel 2 as created by agreement between The Johnson Chair Company, a corporation of Illinois, Louis Hanson and Louis Hanson Co., a corporation of Illinois, dated May 29, 1908 and recorded July 20, 1908 as Document 4, as amended by agreement dated January 23, 1909 and recorded February 5, 1909 as Document 4,324,798 and as modified between Zenith Radio Corporation, a corporation of Delaware, and The Pyle-National Company, a corporation of New Jersey, others dated December 1, 1958 and recorded January 28, 1959 as Document 17,439,012 for a private roadway for ingress and egress of vehicles and pedestrian on, over and across a strip of land 40 feet wide, the center line of said strip being described as follows:

Commencing at a point on the East line of the West 300 feet of the Northeast 1/4 of the Northwest 1/4 of Section 3, Township North, Range 13 East of the Third Principal Meridian, which point is 686.25 feet South of the North line of said Section; thence East to a point in the East line of the Northwest 1/4 which point is 685.15 feet South of the Northeast corner of said Northwest 1/4 (except that part in the East 33 feet of the Northwest 1/4), all in Cook County, Illinois.

Parcel 10:

Easement for the benefit of Parcel 1 for light and air as created by deed from Charles Kling and Dorthea Kling, his wife, to The Pyle-National Company, dated July 24, 1916 and recorded July 28, 1916 as Document 5919740 over a strip of land 15 feet wide immediately adjoining the South line of Parcel 1 for a distance of 755.96 feet West from the East line of the Northwest 1/4 of Section 3, Township 39 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

2. Common Address: 1334 N. Kostner Avenue, Chicago, IL
3. Real Estate Tax Index/Parcel Index Number: 22-2785165
4. Remediation Site Owner: Sine Systems *Pyle Connector Inc. (A subsidiary of Amphenol Corporation)
5. Land Use Limitation: industrial/commercial
6. Site Investigation: Comprehensive

See NFR letter for other terms.

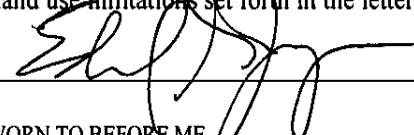

PROPERTY OWNER CERTIFICATION OF NFR LETTER UNDER THE SITE REMEDIATION PROGRAM

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 I.D. 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>Sine Systems*Pyle Connectors Corporation</u>
Title:	<u>Executive Vice President and Chief Financial Officer</u>
Company:	
Street Address:	<u>65 W. Grand Street #304</u>
City:	<u>Elmhurst</u> State: <u>IL</u> Zip Code: <u>60126</u> Phone: <u>(630) 832-4600</u>
Site Information	
Site Name:	<u>Chicago/Pyle National Company</u>
Site Address:	<u>1334 N. Kostner Avenue</u>
City:	<u>Chicago</u> State: <u>IL</u> Zip Code: <u>60607</u> County: <u>Cook</u>
Illinois Inventory ID Number:	<u>0316230002</u>
Real Estate Tax Index/Parcel Index No.	<u>16-03-105-020, 022</u> <u>16-03-106-002, 018</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:	 Date: <u>December 1, 1998</u>
SUBSCRIBED AND SWORN TO BEFORE ME this <u>1st</u> day of <u>December</u> 1998	
 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.



UNOFFICIAL COPY 08147788
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 Mary A. Gade, Director

217/782-6761

November 19, 1998

Certified # 344 335 260

Samuel S. Waldo
Amphenol Corporation
358 Hall Avenue
Wallingford, CT. 06492

Re: 0316230002 -- Cook
Chicago/Pyle National Company
Site Remediation/Technical Reports

Dear Mr. Waldo:

The Site Investigation and Completion Report along with the Addendum to the Site Investigation and Completion Report as prepared by Clayton Environmental Consultants for Sine Systems - Pyle Connectors, Inc. formerly Pyle National Company property has been reviewed by the Illinois Environmental Protection Agency ("Illinois EPA"). The approved remediation objectives at the site are equal to or above the existing levels of regulated substances and the Site Investigation and Completion Report along with the Addendum to the Site Investigation and Completion Report shall serve as the approved Remedial Action Completion Report.

The remediation site, consisting of 9.2 acres, is located at 1334 N. Kostner Avenue, Chicago, Illinois. Pursuant to Section 58.10 of the Illinois Environment Protection Act ("Act") (415 ILCS 5/58.10), your request for a no further remediation determination is granted under the conditions and terms specified in this letter.

Issuance of this Comprehensive No Further Remediation Letter ("Letter") signifies a release from further responsibilities under the Act in performing the approved remedial action and shall be considered prima facie evidence that the remediation site described in the attached Site Remediation Program ("SRP") 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.

CONDITIONS AND TERMS OF APPROVAL

LEVEL OF REMEDIATION AND LAND USE LIMITATIONS

1. See attached Table A for the list of contaminants of concern that remain at the areas described in the attached SRP Environmental Notice and shown on the attached Site Base Map of this Letter.
2. In accordance with Section 58.8(c) and 58.10(b)(3) of the Act (415 ILCS 5/58.8(c) and 415 ILCS 5/58.10(b)(3), respectively), the remediation site described in the attached SRP Environmental Notice and shown on the attached Site Base Map of this Letter is limited to industrial/commercial uses.
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 following controls are required as part of the approval of the remediation objectives for this site.

Engineering Controls:

The asphalt barrier, concrete cap and building foundations as shown in the Site Base Map must remain over the contaminated soils. The barriers must be properly maintained as an engineered barrier to inhibit inhalation and ingestion of the contaminated media below the asphalt barrier, concrete cap and building foundations.

Institutional Controls:

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 of potable water supply wells (and the use of such wells) and is an acceptable institutional control under the following conditions:

Each affected property owner and the City of Chicago must receive written notification from the Remediation Applicant desiring to use the ordinance as an institutional control that groundwater

remediation objectives have been approved by the Illinois EPA. Written proof of this notification shall be submitted to the Illinois EPA within 45 days from the date of this Letter. The notification shall include:

- a) The name and address of the local unit of government;
- b) The citation of the ordinance used as an institutional control in this Letter.
- c) A description of the property being sent notice by adequate legal description or by reference to a plat showing the boundaries;
- d) A statement that the ordinance restricting the groundwater use has been used by the Illinois EPA in reviewing a request for groundwater remediation objectives;
- e) A statement as to the nature of the release and response action with the name, address, and Illinois EPA inventory identification number; and
- f) A statement as to where more information may be obtained regarding the ordinance.

The following activities shall be grounds for avoidance of the ordinance as an institutional control and this Letter:

- a) Modification of the reference ordinance to allow potable uses of groundwater;
 - b) Approval of a site-specific request, such as a variance, to allow use of groundwater at the site;
 - c) Violation of the terms of an institutional control recorded.
5. Failure to manage the controls in full compliance with the terms of the Remedial Action Plan (dated September 14, 1998/98-1288 may result in avoidance of this Letter.

OTHER TERMS

6. Where an institutional control is used to assure long-term protection of human health (as identified under 4 of this Letter), the Remediation Applicant must record a copy of the ordinance adopted and administered by a unit of local government and the Memorandum of Understanding (MOU) along with this Letter.
7. Where the Remediation Applicant is not the sole owner of the remediation site, the Remediation Applicant shall complete the attached "Property Owner Certification of NFR Letter Under the Site Remediation Program" form. This certification by original

Page 4

signature or 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.

8. 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
P.O. Box 19276
Springfield, IL 62794-9276

9. 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 this 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) If applicable, 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 45 days after receiving a request for payment from the Illinois EPA;

Page 5

h) The failure to pay in full the applicable fees under the Review and Evaluation Services Agreement within 45 days after receiving a request for payment from the Illinois EPA.

10. Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:

- a) Samuel S. Waldo;
- 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 of the owner of the remediation site;
- 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.

Page 6

11. This Letter, including all attachments, must be recorded as a single instrument within 45 days of receipt with the Office of the Recorder of Cook . For recording purposes, the SRP 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 Pyle National Company property.

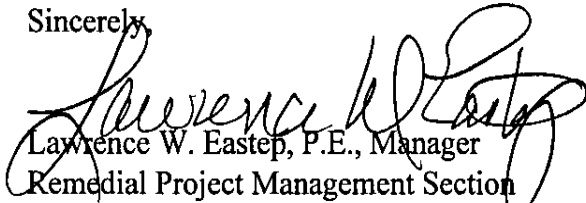
Within 30 days of this Letter being recorded by the Office of the Recorder of Cook County, a certified copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA to:

Mr. Robert E. O'Hara
Illinois Environmental Protection Agency
Bureau of Land/RPMS Section
1021 North Grand Avenue, East
P.O. 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 final billing statement.

If you have any questions regarding this correspondence, you may contact the Illinois EPA project manager, Tammy S. Smith at 217/785-8410.

Sincerely,


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

Attachments: SRP Environmental Notice
Site Base Map
Property Owner Certification of NFR Letter Under the Site Remediation Program
Form

Page 7

cc: Mike McCarrin, Clayton Environmental Consultants

Property of Cook County Clerk's Office

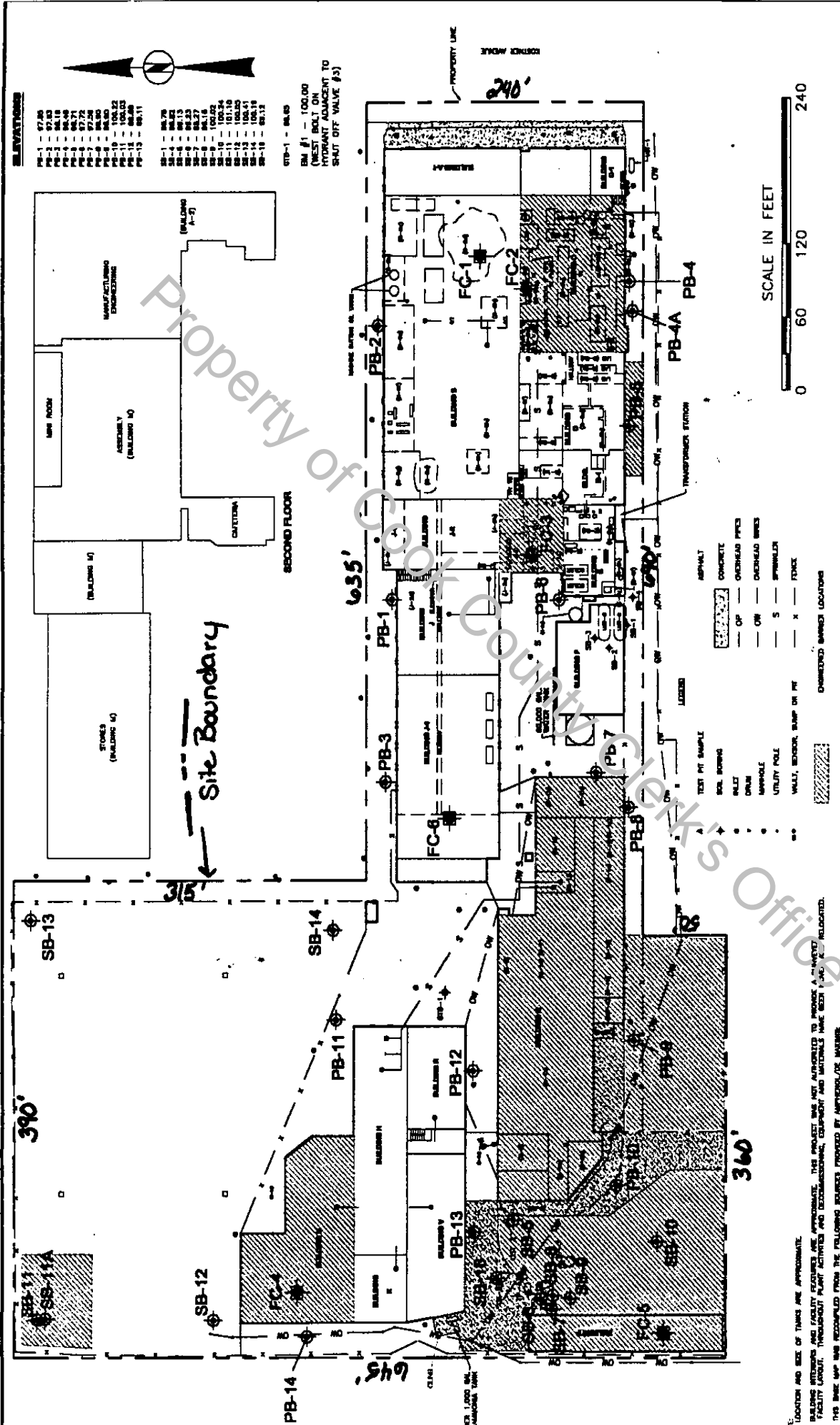
TABLE A: REGULATED SUBSTANCES OF CONCERN
0316230002 -- COOK
CHICAGO/PYLE NATIONAL COMPANY
SITE REMEDIATION PROGRAM

Metals

<u>CAS No.</u>	<u>Compound Name</u>
7440-36-0	Antimony
7440-38-2	Arsenic
7440-39-3	Barium
7440-43-9	Cadmium
7440-70-2	Calcium
7440-47-3	Chromium
7440-48-4	Cobalt
7440-50-9	Copper
7439-89-6	Iron
7439-92-1	Lead
7239-95-4	Magnesium
7439-96-5	Manganese
7440-02-0	Nickel
7440-09-7	Potassium
7782-49-2	Selenium
7440-22-4	Silver
7440-28-0	Thallium
7440-66-6	Zinc

Property of Cook County Clerk's Office

CHICAGO/PYLE NATIONAL COMPANY SITE REMEDIATION PROGRAM



Clayton
ENVIRONMENTAL CONSULTANTS
Div. of Clayton Group Services, Inc.

ENGINEERED BARRIERS
AMPHENOL
1334 N. KOSTNER AVE.
CHICAGO, ILLINOIS

FIGURE D-1

CHK BY	MTM
DWN BY	BCP
DATE	10-9-98
SCALE	AS SHOWN
CAD NO.	15-98031i
PRJ NO.	15-98031

LOCATION AND SIZE OF TANKS ARE APPROXIMATE.
BUILDING SHOWN ARE FACILITY OPERATIONS. THIS PROJECT HAS NOT BEEN REVIEWED BY ANY STATE AGENCIES FOR USE OF THIS DRAWING FOR DESIGN LOCATIONS.
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ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Chapter 11-8 of the Municipal Code of Chicago is hereby amended by adding a new section 11-8-385 and by amending Section 11-8-390 by inserting the language underscored as follows:

11-8-385 Potable water defined.

Potable water is any water used for human consumption, including, but not limited to water used for drinking, bathing, washing dishes, preparing foods and watering gardens in which produce intended for human consumption is grown.

11-8-390 Prohibited use of secondary water; Prohibited installation of new potable water supply wells.

No secondary water shall overflow into or be discharged into any surge tank, storage tank, or reservoir, or shall in any way be piped or conveyed into the water supply system of any building, structure, or premises to become a part of or be mixed with the fresh water supply from the mains of the Chicago Waterworks System either inside of the premises or in the water service pipe. Secondary water shall not be piped to or used in any plumbing fixture, or for cooking, crushers, rollers, or mixers where foods, candies, liquids or materials are manufactured for human or animal consumption. No connection, tap, or opening shall be made in a water distribution system other than an approved water distribution system which will permit such water being used for drinking.

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Wherever the fire-protective equipment in any building, structure, or premises has service from the Chicago Waterworks System, no pipe or other conduit which conveys secondary water shall be cross-connected to the fire-protective equipment. All fire-protective equipment connected to the Chicago Waterworks System shall be constructed in such manner that all tanks, pipes, pumps, surge tanks, and fire hydrants can be thoroughly drained, flushed, and cleaned by the owners of such equipment and premises and there shall be no direct connections from the tanks, pipes, and other equipment to any drainage pipes or sewers. No groundwater well, cistern or other groundwater collection device installed after the effective date of this amendatory ordinance may be used to supply any potable water supply system, except at points of withdrawal by the City of Chicago or by units of local government pursuant to intergovernmental agreement with the City of Chicago.

SECTION 2. Section 2-30-030 of the Municipal Code of Chicago is hereby amended by deleting the language bracketed and inserting the language underscored, as follows:

2-30-030 Commissioner – Powers and duties designated.

The commissioner of the environment shall have the following powers and duties:

...

(21) To enter into grant agreements, cooperation agreements and other agreements or contracts with governmental entities, private business and civic and community groups necessary to implement the Green Streets Program and other urban forestry, beautification and environmental enhancement programs; and agreements to implement the State of Illinois Site Remediation

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Program:

...

SECTION 3. This ordinance shall be in full force and effect from and after its passage and approval.

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MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CHICAGO, ILLINOIS AND THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY REGARDING (A) THE USE OF A LOCAL POTABLE WATER SUPPLY WELL ORDINANCE AS AN ENVIRONMENTAL INSTITUTIONAL CONTROL AND (B) THE PROVISION OF INFORMATION RELATING TO "NO FURTHER REMEDIATION" DETERMINATIONS BY THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY TO THE CITY OF CHICAGO

I. PURPOSE AND INTENT

A. This Memorandum of Understanding ("MOU") is entered into between the City of Chicago, Illinois ("the City") and the Illinois Environmental Protection Agency ("Illinois EPA") for the purpose of (a) satisfying the requirements of 35 Ill. Adm. Code 742.1015 for the use of potable water supply well ordinances as environmental institutional controls and (b) ensuring that the City will be provided with copies of all "No Further Remediation" letters or determinations issued by the Illinois EPA pursuant to specific programs for sites located within the boundaries of Chicago, Illinois, in order to enable the City to maintain a complete and up-to-date registry of sites as required by 35 Ill. Adm. Code 742.1015(i)(5). The Illinois EPA has reviewed 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"), attached as Attachment A, and has determined that the Municipal Code of Chicago prohibits the installation and use of new potable water supply wells by private entities but will allow the installation of potable water supply wells by the City and other units of local government pursuant to intergovernmental agreements with the City. In such cases, 35 Ill. Adm. Code 742.1015(a) provides that the City may enter into an MOU with the Illinois EPA to allow the use of the ordinance as an institutional control.

B. The intent of this Memorandum of Understanding is to (a) specify the responsibilities that must be assumed by the City to satisfy the requirements for MOUs as set forth at 35 Ill. Adm. Code 742.1015(i), and (b) require the Illinois EPA to provide the City with copies of all "No Further Remediation" letters or determinations that the Illinois EPA issues for sites located within the City of Chicago to enable the City to maintain a registry of sites pursuant to 35 Ill. Adm. Code 742.1015(i)(5).

II. DECLARATIONS AND ASSUMPTION OF RESPONSIBILITY

A. In order to ensure the long-term integrity of the Potable Water Supply Well Ordinance as an environmental institutional control and that risk to human health and the environment from contamination left in place in reliance on the Potable Water Supply Well Ordinance is effectively managed, the City hereby assumes the following responsibilities pursuant to 35 Ill. Adm. Code 742.1015(i):

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1. The City will notify the Illinois EPA Bureau of Land of any changes to or requests for variance from the Potable Water Supply Well Ordinance at least 30 days prior to the date the local government is scheduled to take action on the proposed change or request (35 Ill. Adm. Code 742.1015(i)(4));
2. The City will maintain a registry of all sites within its corporate limits that have received "No Further Remediation" determinations from the Illinois EPA pursuant to specific programs (35 Ill. Adm. Code 742.1015(i)(5));
3. If the City determines to install a new potable water supply well(s), the City will review the registry of sites established under paragraph II.A.2. prior to siting such potable water supply well(s) within the area covered by the Potable Water Supply Well Ordinance, pursuant to 35 Ill. Adm. Code 742.1015(i)(6)(A);

If the City determines to install a new potable water supply well(s), the City will determine whether the potential source of potable water has been or may be affected by contamination left in place at the sites tracked and reviewed under paragraphs II.A.2. and 3. (35 Ill. Adm. Code 742.1015(i)(6)(B)); and
5. If the City determines to install a new potable water supply well(s), the City will take action as necessary to ensure that the potential source of potable water is protected from contamination or treated before it is used as a potable water supply (35 Ill. Adm. Code 742.1015(i)(6)(C));
6. If the City enters into intergovernmental agreements under Section 11-8-390 of the Municipal Code of Chicago to allow other units of local government to install new potable water supply well(s) within the corporate limits of the City, the City will require compliance with the procedures set forth in paragraphs II.A.3., 4., and 5. as a part of such agreements.
7. Notification under paragraph II.A.1. above, or other communications concerning this MOU directed to the Illinois EPA, shall be addressed to:

Manager, Division of Remediation Management
Bureau of Land
Illinois Environmental Protection Agency
P.O. Box 19276
Springfield, IL 62794-9276

- B. In order to ensure the long-term integrity of the Potable Water Supply Well Ordinance as an environmental institutional control and that risk to human health and the environment from contamination left in place in reliance on the Potable Water Supply Well Ordinance or other specific programs can be effectively managed, the Illinois EPA hereby assumes

the following responsibilities:

1. The Illinois EPA will provide the City with copies of all "No Further Remediation" letters or determinations that it issues pursuant to 35 Ill. Adm. Code 742, and other specific programs, for sites located within the boundaries of the City at the time said letters or determinations are provided to remediation applicants.
2. Copies of "No Further Remediation" letters or determinations provided to the City pursuant to paragraph II.B.1. above, or other communications concerning this MOU directed to the City, shall be addressed to:

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

III. SUPPORTING DOCUMENTATION

The following documentation is required by 35 Ill. Adm. Code 742.1015(i) and is attached to this MOU:

- A. Attachment A: A copy of the Potable Water Supply Well Ordinance certified by the city clerk or other official as the current, controlling law (35 Ill. Adm. Code 742.1015(i)(3)) and a statement of the authority of the City to enter into the MOU (35 Ill. Adm. Code 742.1015(i)(1));
- B. Attachment B: Identification of the legal boundaries within which the Potable Water Supply Well Ordinance is applicable (35 Ill. Adm. Code 742.1015(i)(2)); and

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IN WITNESS WHEREOF, the lawful representatives of the parties have caused this MOU to be signed as follows:

FOR: The City of Chicago, Illinois

BY: *Abel J. Anderson* DATE: *July 1, 1997*
 Commissioner
 Department of Environment
 City of Chicago

FOR: Illinois Environmental Protection Agency

BY: *Gary P. King* DATE: *July 3, 1997*
 (Name and title of signatory)
 Mgr, Division of Remediation Management
 Bureau of Land

Version 6/27/97

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