

# UNOFFICIAL COPY

## PREPARED BY:

Name: Mr. John Gerut  
Chicago Housing Authority

Address: 60 East Van Buren Street  
13th Floor  
Chicago, IL 60605

## RETURN TO:

Name: Mr. John Gerut  
Chicago Housing Authority

Address: 60 East Van Buren Street  
13th Floor  
Chicago, IL 60605



Doc#: 0834031049 Fee: \$76.00  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 12/05/2008 11:47 AM Pg: 1 of 21

## THE ABOVE SPACE FOR RECORDER'S OFFICE

The remediation applicant must submit this Environmental No Further Remediation Letter within 45 days of its receipt, to the Office of the Recorder of Cook County.

Illinois State EPA Number: 0316275115

Chicago Housing Authority, the Remediation Applicant, whose address is 60 East Van Buren Street, 13th Floor, Chicago, IL 60605 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.

Zone 1: Lot 10 in Block 2 of the Westhaven Park Resubdivision, according to the Plat thereof recorded September 8, 2006, as Document Number 0625145094, in Cook County, Illinois, being a resubdivision and consolidation in Thomas' Subdivision of the West 152 feet of Block 51 in Canal Trustees' Subdivision of Section 7, Township 39 North, Range 14 East of the Third Principal Meridian, and in Assessor's Division of 146.98 feet East of and adjoining the West 152 feet of said Block 51, in the Subdivision by Taylor of the East ½ of said Block 51, including all the vacated East-West and North-South alleys and vacated West Maypole Avenue in said Block 51, together with that part of the West ½ of the Southeast ¼ of Section 7, aforesaid, lying East of the East Line of Assessor's Division aforesaid, and lying West of the West Line of the Subdivision by Taylor aforesaid, all in Cook County, Illinois.

Zone 2: Lot 8 in Block 2 of the Westhaven Park Resubdivision, according to the Plat thereof recorded September 8, 2006, as Document Number 0625145094, in Cook County, Illinois, being a resubdivision and consolidation in Thomas' Subdivision of the West 152 feet of Block 51 in Canal Trustees' Subdivision of Section 7, Township 39 North, Range 14 East of the Third Principal Meridian, and in Assessor's Division of 146.98 feet East of and adjoining the West 152 feet of said Block 51, in the Subdivision by Taylor of the East ½ of said Block 51, including all the vacated East-West and North-South alleys and vacated West Maypole Avenue in said Block 51, together with that part of the West ½

(Illinois EPA Site Remediation Program Environmental Notice)

# UNOFFICIAL COPY

of the Southeast  $\frac{1}{4}$  of Section 7, aforesaid, lying East of the East Line of Assessor's Division aforesaid, and lying West of the West Line of the Subdivision by Taylor aforesaid, all in Cook County, Illinois.

Zone 3: Lot 6 in Block 2 of the Westhaven Park Resubdivision, according to the Plat thereof recorded September 8, 2006, as Document Number 0625145094, in Cook County, Illinois, being a resubdivision and consolidation in Thomas' Subdivision of the West 152 feet of Block 51 in Canal Trustees' Subdivision of Section 7, Township 39 North, Range 14 East of the Third Principal Meridian, and in Assessor's Division of 146.98 feet East of and adjoining the West 152 feet of said Block 51, in the Subdivision by Taylor of the East  $\frac{1}{2}$  of said Block 51, including all the vacated East-West and North-South alleys and vacated West Maypole Avenue in said Block 51, together with that part of the West  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of Section 7, aforesaid, lying East of the East Line of Assessor's Division aforesaid, and lying West of the West Line of the Subdivision by Taylor aforesaid, all in Cook County, Illinois.

Zone 4: Lot 4 in Block 2 of the Westhaven Park Resubdivision, according to the Plat thereof recorded September 8, 2006, as Document Number 0625145094, in Cook County, Illinois, being a resubdivision and consolidation in Thomas' Subdivision of the West 152 feet of Block 51 in Canal Trustees' Subdivision of Section 7, Township 39 North, Range 14 East of the Third Principal Meridian, and in Assessor's Division of 146.98 feet East of and adjoining the West 152 feet of said Block 51, in the Subdivision by Taylor of the East  $\frac{1}{2}$  of said Block 51, including all the vacated East-West and North-South alleys and vacated West Maypole Avenue in said Block 51, together with that part of the West  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of Section 7, aforesaid, lying East of the East Line of Assessor's Division aforesaid, and lying West of the West Line of the Subdivision by Taylor aforesaid, all in Cook County, Illinois.

Zone 5: Lot 5 in Block 2 of the Westhaven Park Resubdivision, according to the Plat thereof recorded September 8, 2006, as Document Number 0625145094, in Cook County, Illinois, being a resubdivision and consolidation in Thomas' Subdivision of the West 152 feet of Block 51 in Canal Trustees' Subdivision of Section 7, Township 39 North, Range 14 East of the Third Principal Meridian, and in Assessor's Division of 146.98 feet East of and adjoining the West 152 feet of said Block 51, in the Subdivision by Taylor of the East  $\frac{1}{2}$  of said Block 51, including all the vacated East-West and North-South alleys and vacated West Maypole Avenue in said Block 51, together with that part of the West  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of Section 7, aforesaid, lying East of the East Line of Assessor's Division aforesaid, and lying West of the West Line of the Subdivision by Taylor aforesaid, all in Cook County, Illinois.

Zone 6: Lot 17 in Block 1 of the Westhaven Park Resubdivision, according to the Plat thereof recorded September 8, 2006, as Document Number 0625145094, in Cook County, Illinois, being a resubdivision and consolidation in Thomas' Subdivision of the West 152 feet of Block 51 in Canal Trustees' Subdivision of Section 7, Township 39 North, Range 14 East of the Third Principal Meridian, and in Assessor's Division of 146.98 feet East of and adjoining the West 152 feet of said Block 51, in the Subdivision by Taylor of the East  $\frac{1}{2}$  of said Block 51, including all the vacated East-West and North-South alleys and vacated West Maypole Avenue in said Block 51, together with that part of the West  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of Section 7, aforesaid, lying East of the East Line of Assessor's Division aforesaid, and lying West of the West Line of the Subdivision by Taylor aforesaid, all in Cook County, Illinois.

Zone 7: Lot 1 in Block 1 of the Westhaven Park Resubdivision, according to the Plat thereof recorded September 8, 2006, as Document Number 0625145094, in Cook County, Illinois, being a resubdivision and consolidation in Thomas' Subdivision of the West 152 feet of Block 51 in Canal Trustees' Subdivision of Section 7, Township 39 North, Range 14 East of the Third Principal Meridian, and in Assessor's Division of 146.98 feet East of and adjoining the West 152 feet of said Block 51, in the Subdivision by Taylor of the East  $\frac{1}{2}$  of said Block 51, including all the vacated East-West and North-South alleys and vacated West Maypole Avenue in said Block 51, together with that part of the West  $\frac{1}{2}$

**(Illinois EPA Site Remediation Program Environmental Notice)**

# UNOFFICIAL COPY

of the Southeast  $\frac{1}{4}$  of Section 7, aforesaid, lying East of the East Line of Assessor's Division aforesaid, and lying West of the West Line of the Subdivision by Taylor aforesaid, all in Cook County, Illinois.

Zone 8: Lot 14 in Block 1 of the Westhaven Park Resubdivision, according to the Plat thereof recorded September 8, 2006, as Document Number 0625145094, in Cook County, Illinois, being a resubdivision and consolidation in Thomas' Subdivision of the West 152 feet of Block 51 in Canal Trustees' Subdivision of Section 7, Township 39 North, Range 14 East of the Third Principal Meridian, and in Assessor's Division of 146.98 feet East of and adjoining the West 152 feet of said Block 51, in the Subdivision by Taylor of the East  $\frac{1}{2}$  of said Block 51, including all the vacated East-West and North-South alleys and vacated West Maypole Avenue in said Block 51, together with that part of the West  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of Section 7, aforesaid, lying East of the East Line of Assessor's Division aforesaid, and lying West of the West Line of the Subdivision by Taylor aforesaid, all in Cook County, Illinois.

2. Common Address: 1847 West Lake Street, Chicago, IL

3. Real Estate Tax Index/Parcel Index Number:

Zone 1: 17-07-422-048

Zone 2: 17-07-422-046

Zone 3: 17-07-422-044

Zone 4: 17-07-422-039

Zone 5: 17-07-422-043

Zone 6: 17-07-422-056

Zone 7: 17-07-422-040

Zone 8: 17-07-422-053

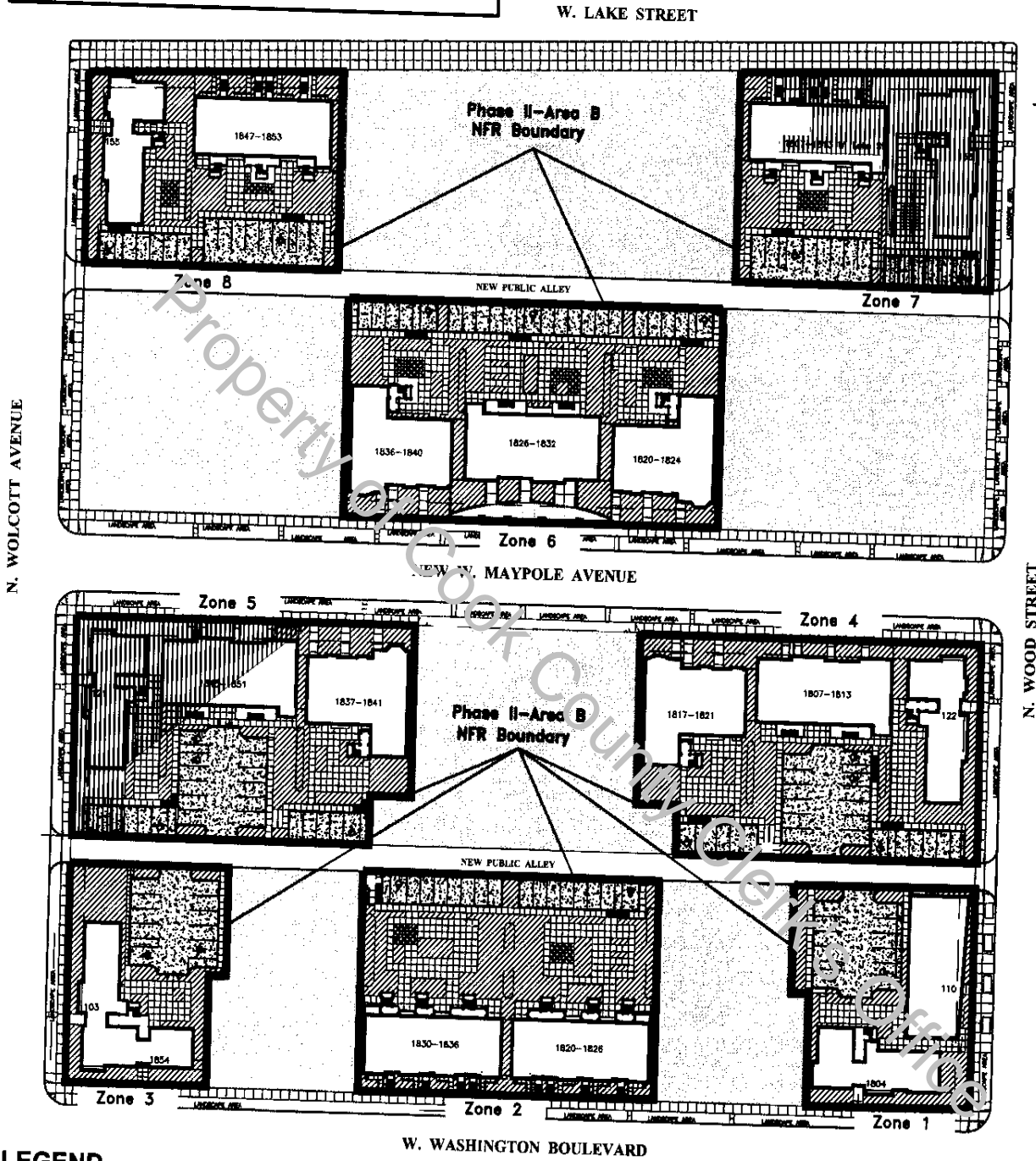
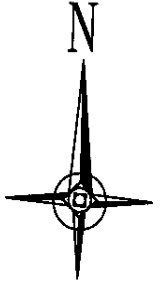
4. Remediation Site Owner: Chicago Housing Authority

5. Land Use: Residential








6. Site Investigation: Comprehensive

# UNOFFICIAL COPY

Site Base Map - Phase II Area B  
 0316275115 - Cook County  
 Henry Horner Homes Redevelopment - Area B  
 Site Remediation Program



**LEGEND**

- |                                                                                     |                                                 |                                                                                     |                                                                        |
|-------------------------------------------------------------------------------------|-------------------------------------------------|-------------------------------------------------------------------------------------|------------------------------------------------------------------------|
|  | NFR Boundary<br>(Completed Phase II Area B)     |  | Building Foundation & Slab Areas                                       |
|  | Phase II Area B For-Sale<br>(Not Yet Initiated) |  | Concrete Pavement Areas                                                |
|  | Areas Not Requiring Engineered<br>Barriers      |  | Asphalt Parking Lot Areas                                              |
|                                                                                     |                                                 |  | Landscaped Remediation Areas<br>(Excavated ≥ 3 feet below final grade) |

Date:	October 2008
Scale:	1"=100'
Drawn by:	NM
Checked by:	RO

**Exhibit VI: Site Base Map**  
 HHR Phase II Area B  
 N. Wolcott Avenue/W. Lake Street  
 Chicago, Illinois

*Your Environmental Resource*

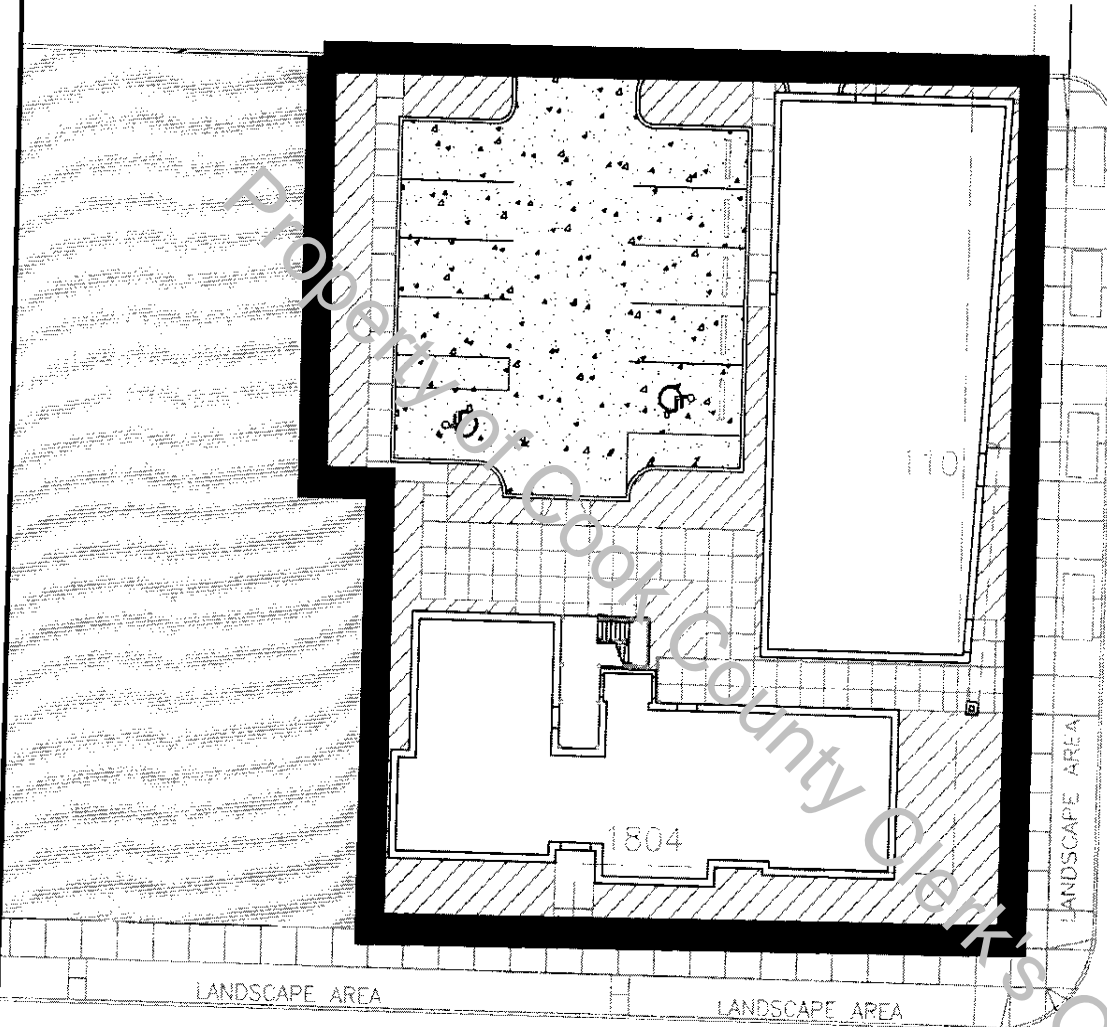
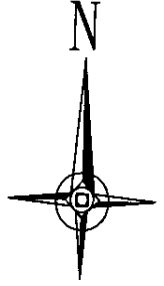
Carnow, Conibear & Assoc., Ltd.  
 Environmental Consulting Services  
 300 W. Adams St., Suite 1200, Chicago, IL 60606  
 t: 312.782.4486 f: 312.782.5145  
 www.cca ltd.com

**CARNOW  
 CONIBEAR**

T:\DOL\Henry Horner redevelopment\Area B\RACR\MasterDrawing.dwg

# UNOFFICIAL COPY

Site Base Map - Phase II Area B (Zone 1)  
 0316275115 - Cook County  
 Henry Horner Homes Redevelopment - Area B  
 Site Remediation Program



**N. WOOD STREET**

**W. WASHINGTON BOULEVARD**

Zone 1

**LEGEND**

- |                                                                                                                                                                                                      |                                                                                                                                                                                                                                             |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li> NFR Boundary (Completed Phase II Area B)</li> <li> Phase II Area B For-Sale (Not Yet Initiated)</li> <li> Areas Not Requiring Engineered Barriers</li> </ul> | <ul style="list-style-type: none"> <li> Building Foundation &amp; Slab Areas</li> <li> Concrete Pavement Areas</li> <li> Asphalt Parking Lot Areas</li> <li> Landscaped Remediation Areas (Excavated ≥ 3 feet below final grade)</li> </ul> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Date: October 2008

Scale: 1"=30'

Drawn by: NM

Checked by: RO

**Exhibit VIa: Site Base Map (Zone 1)**

HHHR Phase II Area B

110 N. Wood St.; 1804 W. Washinton Blvd.

Chicago, Illinois

Your Environmental Resource

Carnow, Coribear & Assoc., Ltd.  
 Environmental Consulting Services  
 300 W. Adams St., Suite 1200, Chicago, IL 60606  
 t: 312.782.4486 f: 312.782.5145  
 www.ccaltd.com

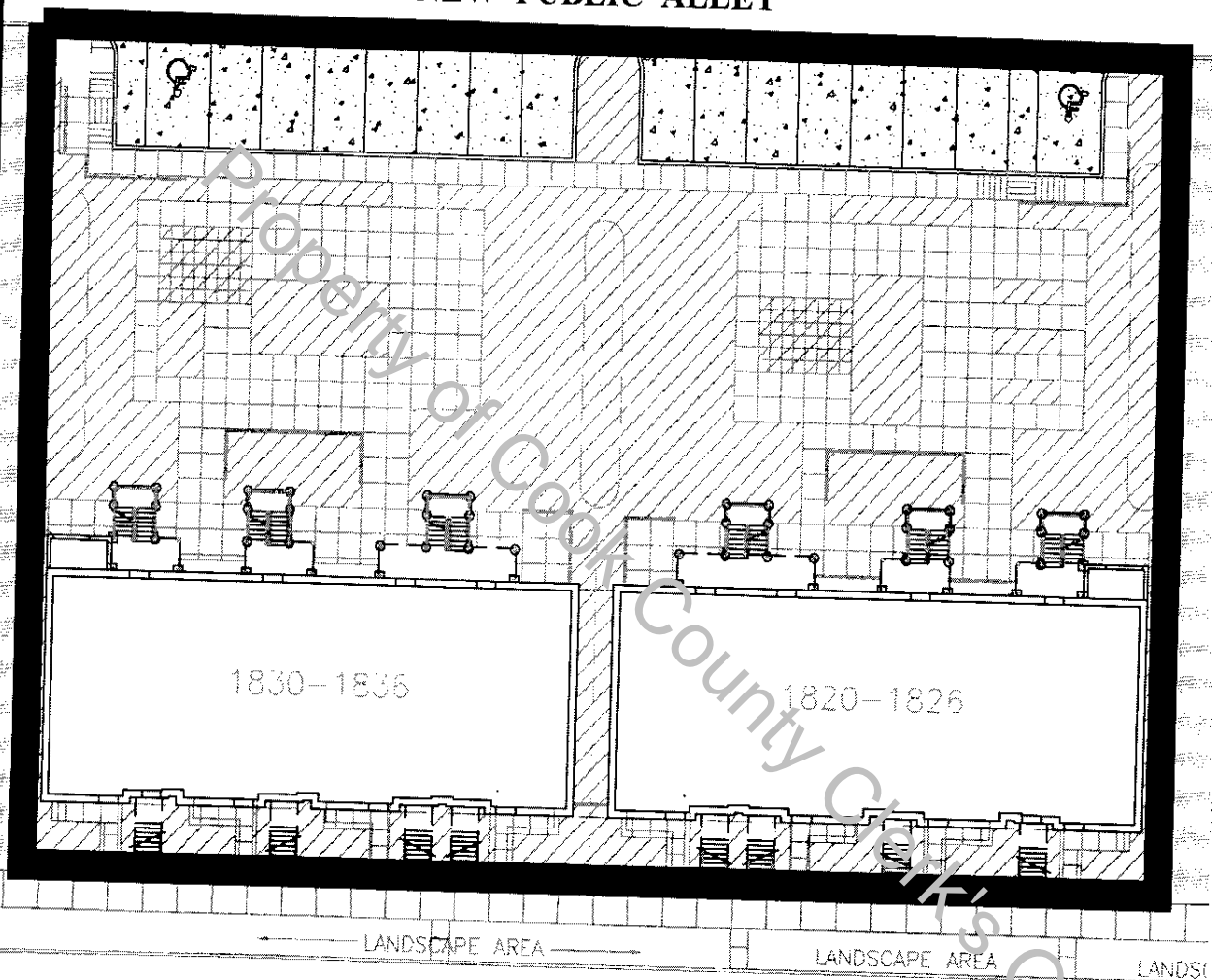
CARNOW  
CONIBEAR

# UNOFFICIAL COPY

Site Base Map - Phase II Area B (Zone 2)  
 0316275115 - Cook County  
 Henry Horner Homes Redevelopment - Area B  
 Site Remediation Program









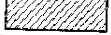
## NEW PUBLIC ALLEY



## Zone 2 W. WASHINGTON BOULEVARD

### LEGEND

-  NFR Boundary (Completed Phase II Area B)
-  Phase II Area B For-Sale (Not Yet Inflated)
-  Areas Not Requiring Engineered Barriers

-  Building Foundation & Slab Areas
-  Concrete Pavement Areas
-  Asphalt Parking Lot Areas
-  Landscaped Remediation Areas (Excavated ≥ 3 feet below final grade)

Date: October 2008

Scale: 1"=30'

Drawn by: NM

Checked by: RO

**Exhibit VIb: Site Base Map (Zone 2)**  
 HHR Phase II Area B  
 1820-1826; 1830-1836 W. Washington Blvd.  
 Chicago, Illinois

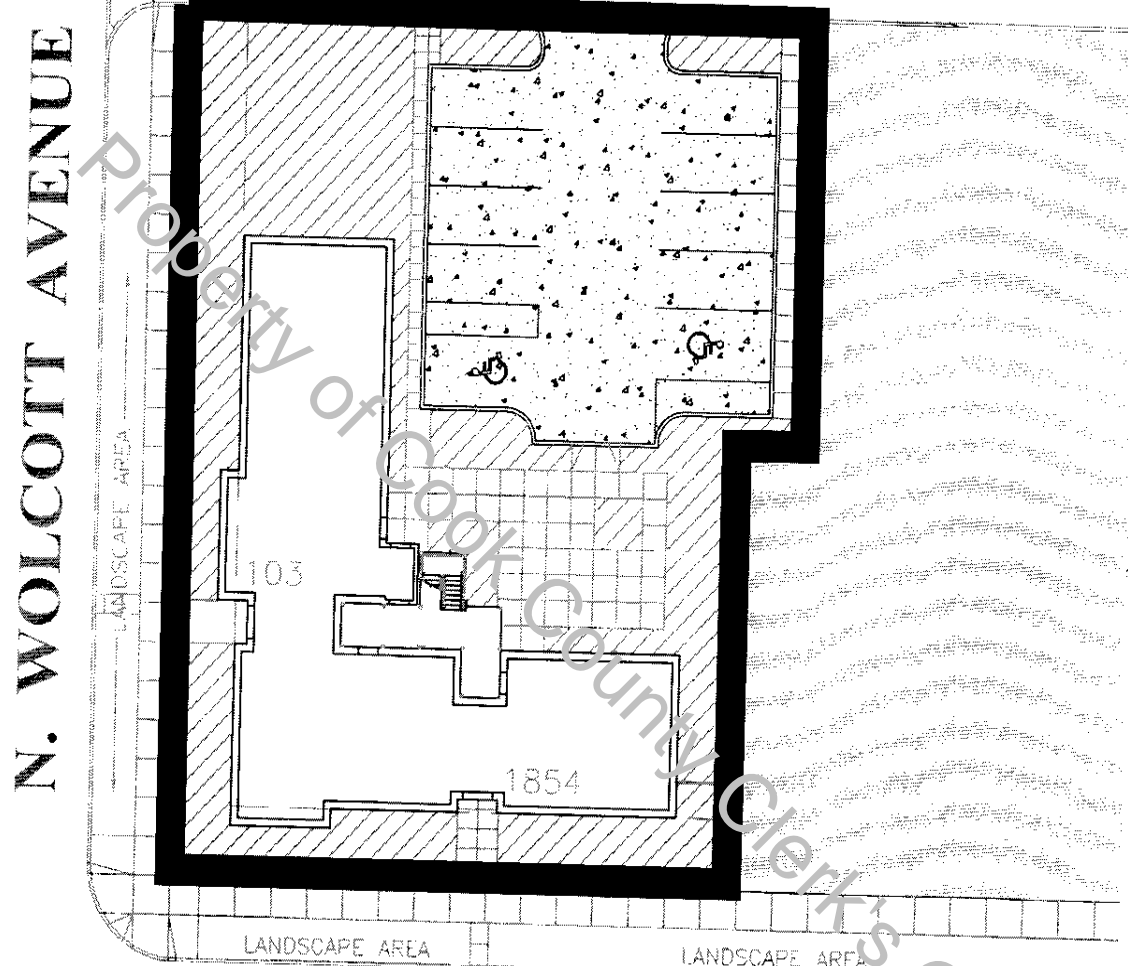
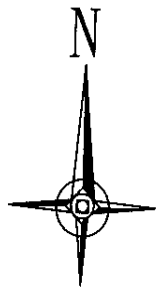
Your Environmental Resource

Carnow, Conibear & Assoc., Ltd.  
 Environmental Consulting Services  
 300 W. Adams St., Suite 1200, Chicago, IL 60606  
 t: 312.782.4486 f: 312.782.5145  
 www.ccaftd.com

**CARNOW  
 CONIBEAR**

# UNOFFICIAL COPY

Site Base Map - Phase II Area B (Zone 3)  
 0316275115 - Cook County  
 Henry Horner Homes Redevelopment - Area B  
 Site Remediation Program



**W. WASHINGTON BOULEVARD**

Zone 3

**LEGEND**

- |                                                                                                                                                                                                     |                                                                                                                                                                                                                                             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li> NFR Boundary (Completed Phase II Area B)</li> <li> Phase II Area B For-Sale (Not Yet Inflated)</li> <li> Areas Not Requiring Engineered Barriers</li> </ul> | <ul style="list-style-type: none"> <li> Building Foundation &amp; Slab Areas</li> <li> Concrete Pavement Areas</li> <li> Asphalt Parking Lot Areas</li> <li> Landscaped Remediation Areas (Excavated ≥ 3 feet below final grade)</li> </ul> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Date:	October 2008
Scale:	1"=30'
Drawn by:	NM
Checked by:	RO

**Exhibit VIc: Site Base Map (Zone 3)**  
 HHR Phase II Area B  
 103 N. Wolcott Ave.; 1854 W. Washington Blvd.  
 Chicago, Illinois

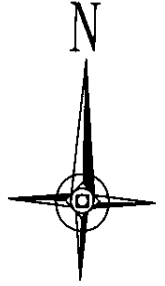
Your Environmental Resource

Carnow, Conibear & Assoc., Ltd.  
 Environmental Consulting Services  
 300 W. Adams St., Suite 1200, Chicago, IL 60606  
 t: 312.782.4486 f: 312.782.5145  
 www.cca ltd.com



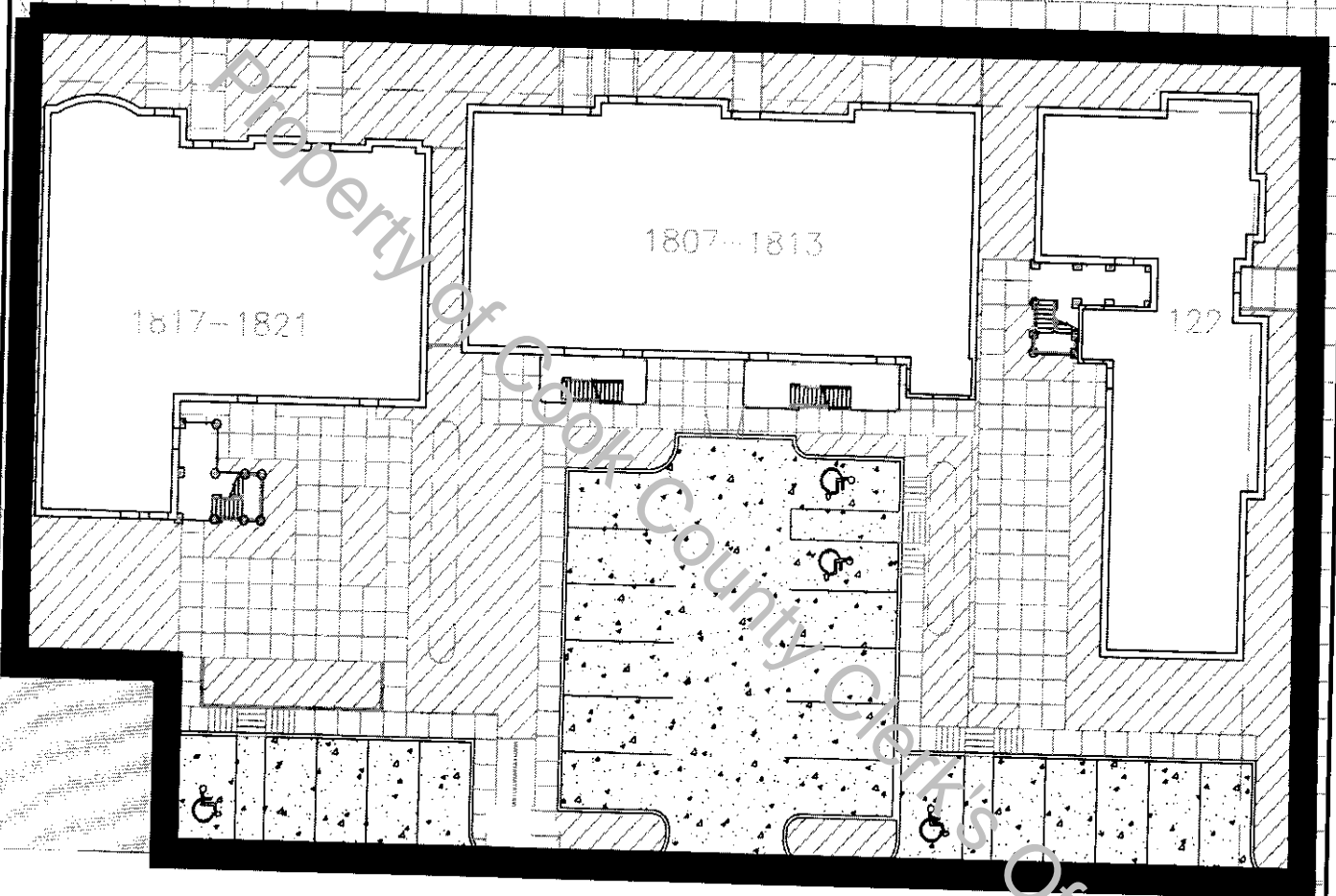
# UNOFFICIAL COPY

Site Base Map - Phase II Area B (Zone 4)  
 0316275115 - Cook County  
 Henry Horner Homes Redevelopment - Area B  
 Site Remediation Program






## W. MAYPOLE AVENUE


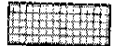


LANDSCAPE AREA      LANDSCAPE AREA      LANDSCAPE AREA      LANDSCAPE AREA



### Zone 4

#### LEGEND

-  NFR Boundary  
(Completed Phase II Area B)
-  Phase II Area B For-Sale  
(Not Yet Initiated)
-  Areas Not Requiring Engineered  
Barriers

-  Building Foundation & Slab Areas
-  Concrete Pavement Areas
-  Asphalt Parking Lot Areas
-  Landscaped Remediation Areas  
(Excavated ≥ 3 feet below final grade)

Date: October 2008

Scale: 1"=30'

Drawn by: NM

Checked by: RO

**Exhibit VI-d: Site Base Map (Zone 4)**  
 1807-1813; 1817-1821 W. Mayple Ave.;  
 122 N. Wood St.  
 Chicago, Illinois

Your Environmental Resource

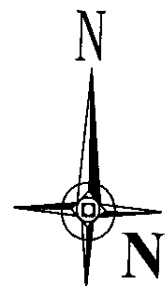
Carnow, Conibear & Assoc., Ltd.  
 Environmental Consulting Services  
 300 W. Adams St., Suite 1200, Chicago, IL 60606  
 t: 312.782.4486 f: 312.782.5145  
 www.cca ltd.com

**CARNOW  
 CONIBEAR**

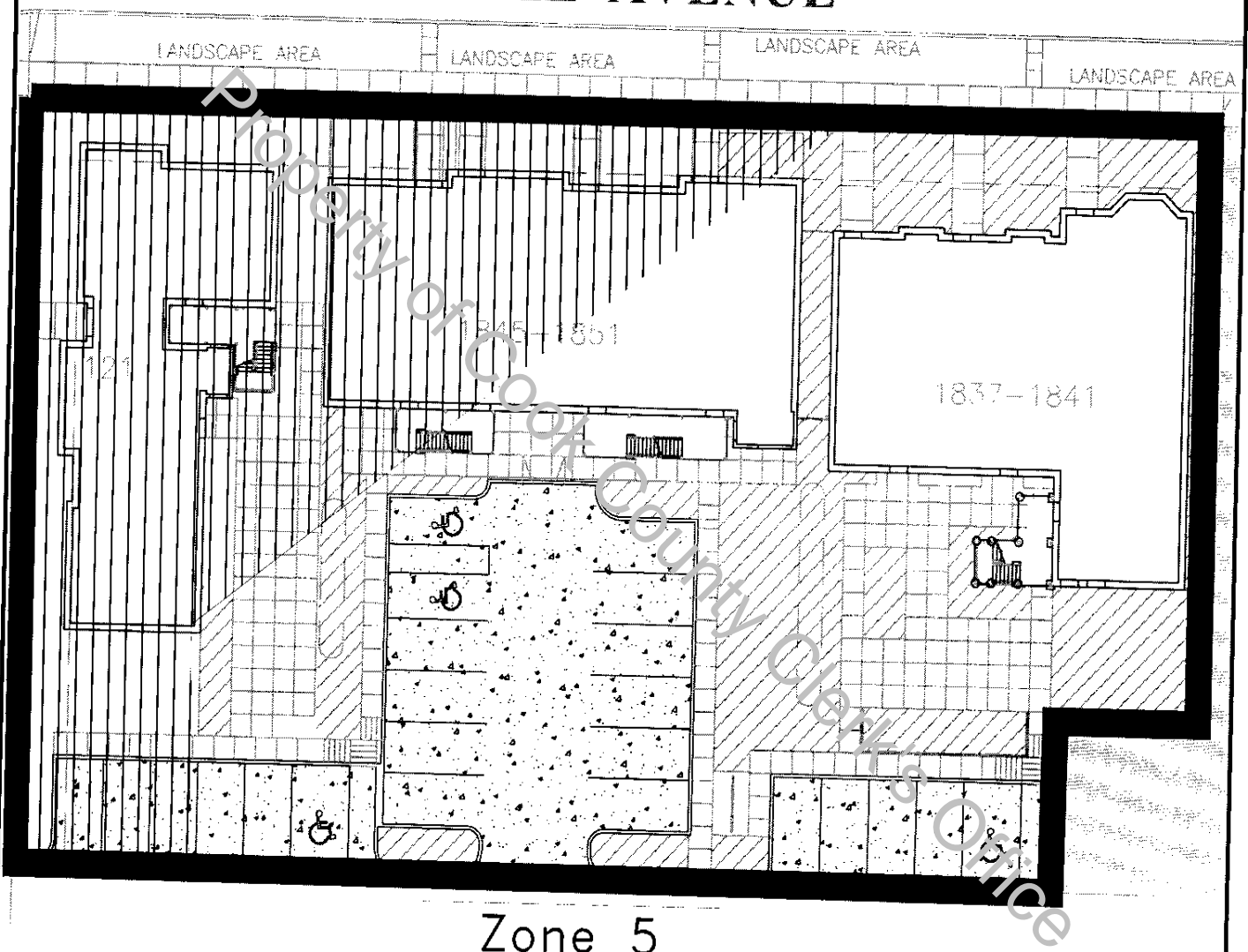


# UNOFFICIAL COPY

Site Base Map - Phase II Area B (Zone 5)  
 0316275115 - Cook County  
 Henry Horner Homes Redevelopment - Area B  
 Site Remediation Program







## W. MAYPOLE AVENUE



Zone 5

**LEGEND**

-  NFR Boundary (Completed Phase II Area B)
-  Phase II Area B For-Sale (Not Yet Initiated)
-  Areas Not Requiring Engineered Barriers

-  Building Foundation & Slab Areas
-  Concrete Pavement Areas
-  Asphalt Parking Lot Areas
-  Landscaped Remediation Areas (Excavated ≥ 3 feet below final grade)

Date: October 2008  
 Scale: 1"=30'  
 Drawn by: NM  
 Checked by: RO

**Exhibit VIe: Site Base Map (Zone 5)**  
 1837-1841; 1845-1851 W. Maypole Ave.;  
 121 N. Wolcott Ave.  
 Chicago, Illinois

Your Environmental Resource

Carnow, Conibear & Assoc., Ltd.  
 Environmental Consulting Services  
 300 W. Adams St., Suite 1200, Chicago, IL 60606  
 T: 312.782.4486 F: 312.782.5145  
 www.ccaatd.com

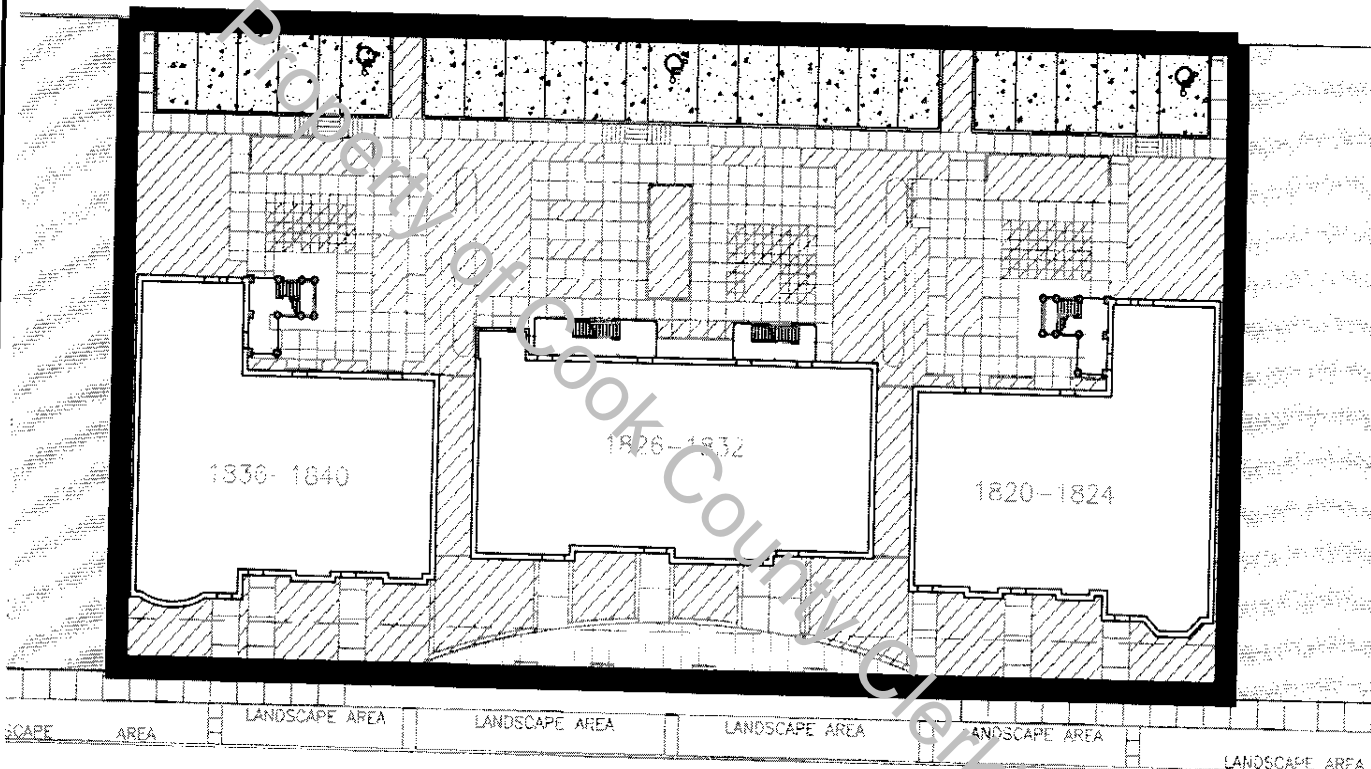


# UNOFFICIAL COPY

Site Base Map - Phase II Area B (Zone 6)  
 0316275115 - Cook County  
 Henry Horner Homes Redevelopment - Area B  
 Site Remediation Program






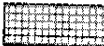


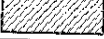
NEW PUBLIC ALLEY



NEW W. MAYPOLE AVENUE

Zone 6

**LEGEND**

- |                                                                                     |                                                 |                                                                                     |                                                                       |
|-------------------------------------------------------------------------------------|-------------------------------------------------|-------------------------------------------------------------------------------------|-----------------------------------------------------------------------|
|  | NFR Boundary<br>(Completed Phase II Area B)     |  | Building Foundation & Slab Areas                                      |
|  | Phase II Area B For-Sale<br>(Not Yet Initiated) |  | Concrete Pavement Areas                                               |
|  | Areas Not Requiring Engineered<br>Barriers      |  | Asphalt Parking Lot Areas                                             |
|                                                                                     |                                                 |  | Landscape Remediation Areas<br>(Excavated ≥ 3 feet below final grade) |

Date:	October 2008
Scale:	1"=40'
Drawn by:	NM
Checked by:	RO

**Exhibit Vlf: Site Base Map (Zone 6)**  
 HHHR Phase II Area B  
 1820-1824; 1826-1832; 1836-1840 W. Maypole Ave.  
 Chicago, Illinois

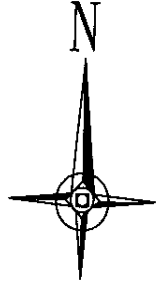
Your Environmental Resource

Carnow, Conibear & Assoc., Ltd.  
 Environmental Consulting Services  
 300 W. Adams St., Suite 1200, Chicago, IL 60606  
 t: 312.782.4486 f: 312.782.5145  
 www.ccaltd.com

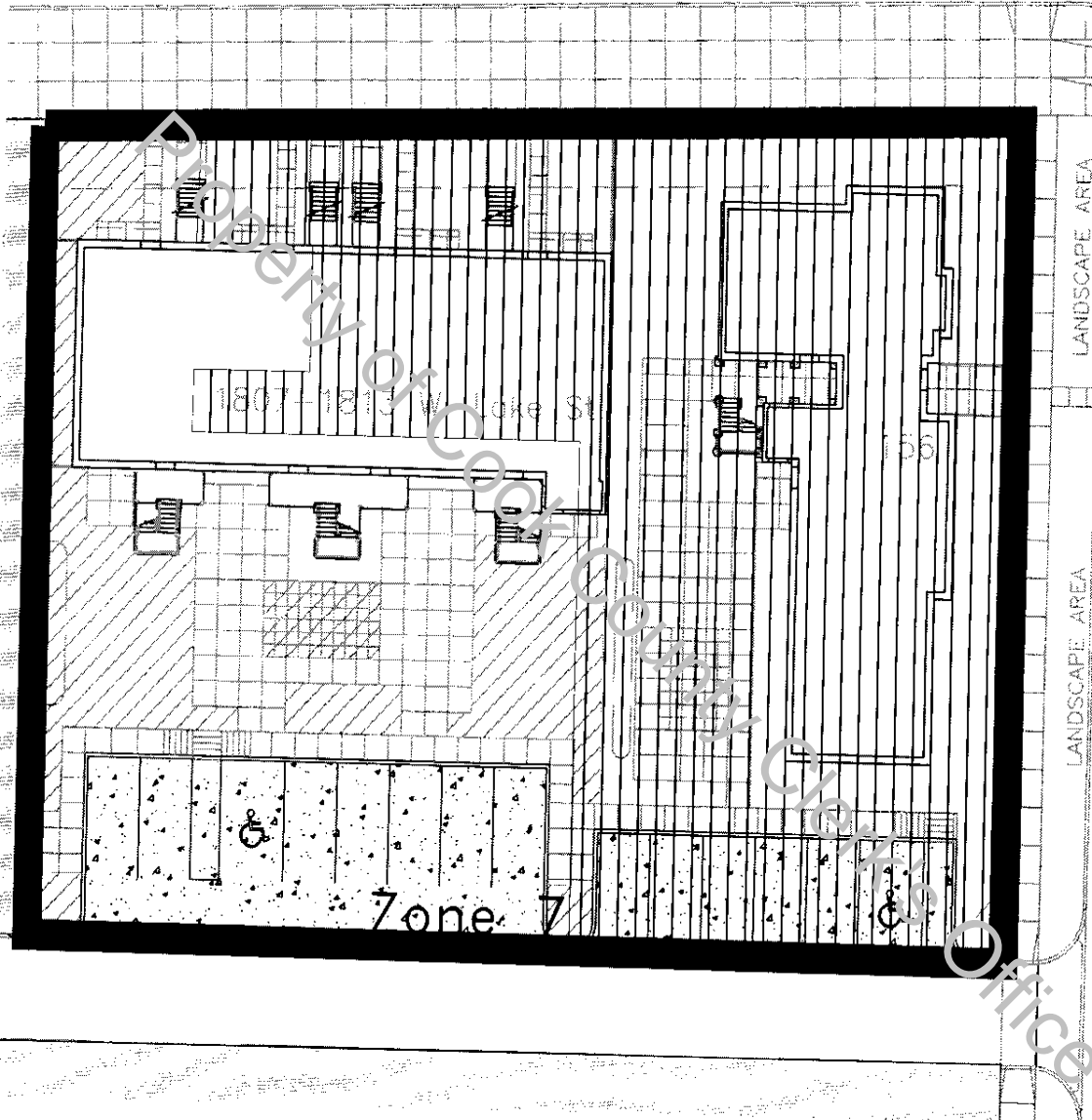
**CARNOW  
 CONIBEAR**

# UNOFFICIAL COPY

Site Base Map - Phase II Area B (Zone 7)  
 0316275115 - Cook County  
 Henry Horner Homes Redevelopment - Area B  
 Site Remediation Program






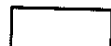



## W. LAKE STREET



## N. WOOD STREET

### LEGEND

-  NFR Boundary  
(Completed Phase II Area B)
-  Phase II Area B For-Sale  
(Not Yet Initiated)
-  Areas Not Requiring Engineered  
Barriers

-  Building Foundation & Slab Areas
-  Concrete Pavement Areas
-  Asphalt Parking Lot Areas
-  Landscaped Remediation Areas  
(Excavated  $\geq$  3 feet below final grade)

Date: October 2008

Scale: 1"=30'

Drawn by: NM

Checked by: RO

**Exhibit Vlg: Site Base Map (Zone 7)**  
 HHHR Phase II Area B  
 1807-1813 W. Lake St.; 156 N. Wood St.  
 Chicago, Illinois

Your Environmental Resource

Carnow, Conibear & Assoc., Ltd.  
 Environmental Consulting Services  
 300 W. Adams St., Suite 1200, Chicago, IL 60606  
 t: 312.782.4486 f: 312.782.5145  
 www.ccaltd.com

# CARNOW CONIBEAR

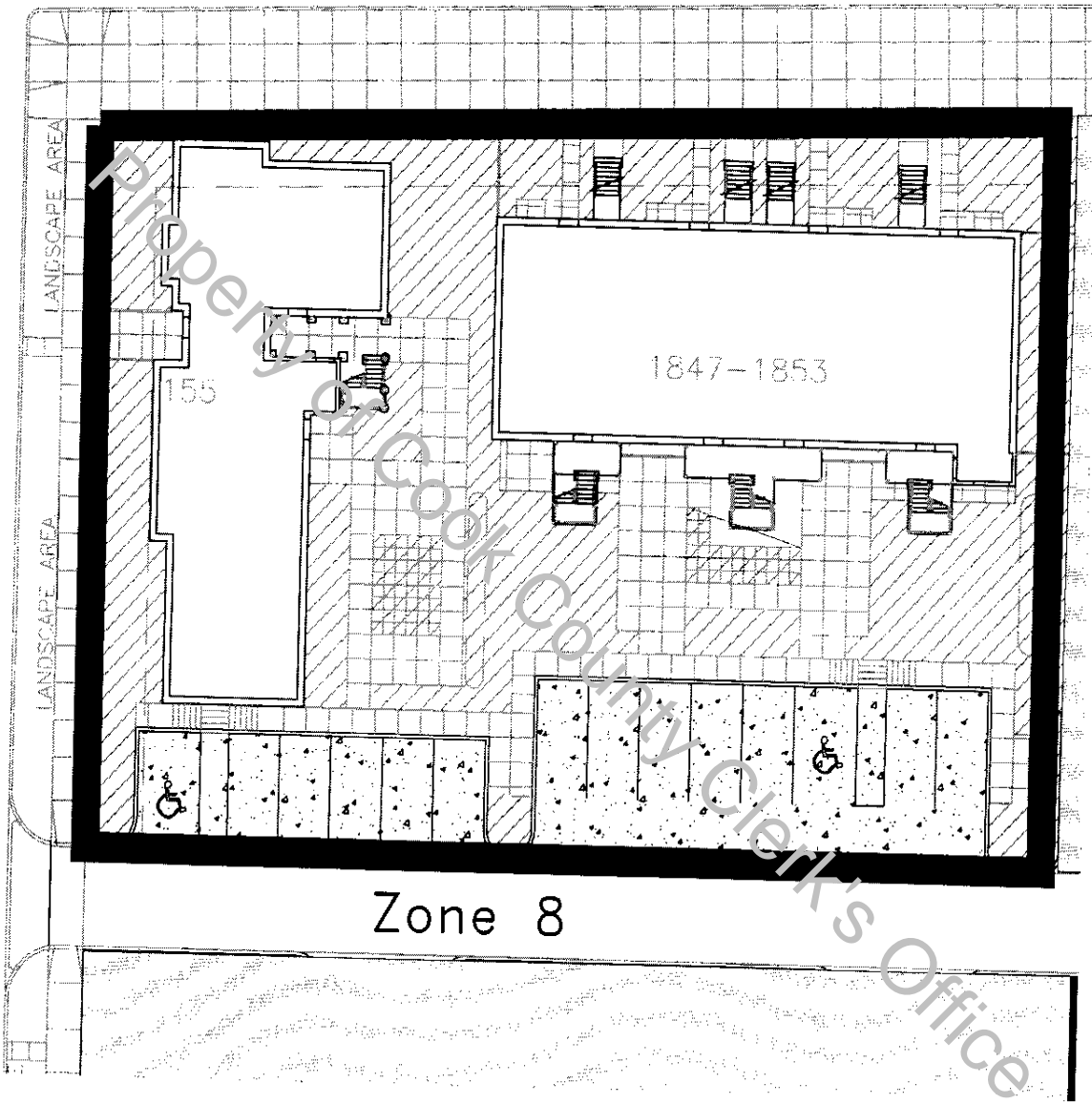
# UNOFFICIAL COPY

Site Base Map - Phase II Area B (Zone 8)  
 0316275115 - Cook County  
 Henry Horner Homes Redevelopment - Area B  
 Site Remediation Program





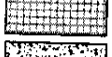




## W. LAKE STREET

## N. WOLCOTT AVENUE



### LEGEND

-  NFR Boundary (Completed Phase II Area B)
-  Phase II Area B For-Sale (Not Yet Initiated)
-  Areas Not Requiring Engineered Barriers
-  Building Foundation & Slab Areas
-  Concrete Pavement Areas
-  Asphalt Parking Lot Areas
-  Landscaped Remediation Areas (Excavated ≥ 3 feet below final grade)

Date:	October 2008
Scale:	1"=30'
Drawn by:	NM
Checked by:	RO

**Exhibit Vh: Site Base Map (Zone 8)**  
 HHR Phase II Area B  
 155 N. Wolcott Ave.; 1847-1853 W. Lake St.  
 Chicago, Illinois

Your Environmental Resource

Carnow, Conibear & Assoc., Ltd.  
 Environmental Consulting Services  
 300 W. Adams St., Suite 1200, Chicago, IL 60606  
 t: 312.782.4486 f: 312.782.5145  
 www.ecaltd.com

# CARNOW CONIBEAR

**UNOFFICIAL COPY****ILLINOIS ENVIRONMENTAL PROTECTION AGENCY**

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 782-2829  
 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, 2008

CERTIFIED MAIL

7007 3020 0002 3214 2483

Mr. John Gerut  
 Chicago Housing Authority  
 60 East Van Buren Street, 13th Floor  
 Chicago, IL 60605

Re: 0316275115 / Cook County  
 Chicago / Chicago Housing Authority (Henry Horner Homes Area B)  
 Site Remediation Program / Technical Reports  
 No Further Remediation Letter for Residential Zones 1, 2, 3, 4, 5, 6, 7 and 8

Dear Mr. Gerut:

The *Comprehensive Site Investigation, Remedial Objectives, and Remedial Action Plan* (received March 9, 2006 / Log No 06-28698), and *Additional Site Investigation* (received July 18, 2006 / Log No 06-30328) reports, as prepared by Carnow, Conibear & Associates, Ltd. for the above referenced Remediation Site, have 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 *Remedial Action Completion Report* (received September 30, 2008 / Log No 08-39080) and *RACR Addendum* (received October 29, 2008 / Log No 08-39410) shall serve as the approved Remedial Action Completion Report.

The Remediation Site, consisting of 7.3 acres, is located at 1847 West Lake 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 received March 9, 2006 is Chicago Housing Authority.

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 and conditions of this Letter.

# UNOFFICIAL COPY

## Conditions and Terms of Approval

### Level of Remediation and Land Use Limitations

- 1) 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.
  - b) A new Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.
- 2) The Remediation Site is approved for Residential land use.

### Engineering Controls:

- 3) The asphalt barrier, as shown in the attached Site Base Map, must remain over the contaminated soils. This asphalt barrier must be properly maintained as an engineered barrier to inhibit ingestion exposure to the contaminated media.
- 4) The clean soil barrier (landscaped remediation areas), which is comprised of a minimum of 3 feet of clean soil covering the area shown in the attached Site Base Map, must remain over the contaminated soils. This clean soil barrier must be properly maintained as an engineered barrier to inhibit ingestion exposure to the contaminated media.
- 5) The concrete cap barrier, as shown in the attached Site Base Map, must remain over the contaminated soils. This concrete cap barrier must be properly maintained as an engineered barrier to inhibit ingestion exposure to the contaminated media.
- 6) The building, as shown in the attached Site Base Map, must remain over the contaminated soils. This building must be properly maintained as an engineered barrier to inhibit ingestion exposure to the contaminated media.

### Institutional Controls:

- 7) 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) Where a groundwater ordinance is used to assure long-term protection of human health, the Remediation Applicant must record a copy of the groundwater ordinance adopted and administered by the City of Chicago along with this Letter.

# UNOFFICIAL COPY

- b) 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.
- c) 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

- d) 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

- 8) 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 soils located in the northern half of the remediation site. 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 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.
- 9) Pursuant to Section 57.10 of the Act (415 ILCS 5/57.10), all statutory and regulatory corrective action requirements applicable to the occurrence involving Leaking UST Incident Number 2006-1556, located in Zone 7, has been completed. This Letter constitutes the Illinois EPA's final decision regarding the above-referenced Leaking UST incident.
- 10) Pursuant to Section 57.10 of the Act (415 ILCS 5/57.10), all statutory and regulatory corrective action requirements applicable to the occurrence involving Leaking UST Incident Number 2007-0521, located in Zone 7, has been completed. This Letter constitutes the Illinois EPA's final decision regarding the above-referenced Leaking UST incident.
- 11) 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.
- 12) 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
- 13) 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:



# UNOFFICIAL COPY

- 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.
- 14) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) Chicago Housing Authority;
  - 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;

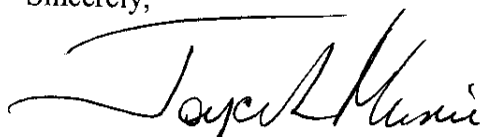
# UNOFFICIAL COPY

- 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.
- 15) 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 Remediation Site.
- 16) 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
- 17) 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.

# UNOFFICIAL COPY

If you have any questions regarding this correspondence, you may contact the Illinois EPA project manager, Mr. James Baldwin at (217) 524-7207.

Sincerely,



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

Attachments(2): Property Owner Certification of No Further Remediation Letter under the  
Site Remediation Program Form  
Notice to Remediation Applicant

cc:

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

Richard O'Brien, P.E.  
Carnow, Conibear & Associates, LTD  
300 West Adams Street, Suite 1200  
Chicago, IL 60606

Diane Martin  
Chicago Housing Authority  
60 East Van Buren Street  
Chicago, IL 60605

# UNOFFICIAL COPY

## SUBSTITUTE

## ORDINANCE

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

SECTION 1. The Municipal Code of the City of Chicago is hereby amended by adding a new Section 11-8-390, as follows:

**11-8-390 Potable water wells.**

For purposes of this section, "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. No groundwater well, cistern or other groundwater collection device installed after May 14, 1997, may be used to supply any potable water supply system, except at points of withdrawal by the City of Chicago or by a unit of local government pursuant to an intergovernmental agreement with the City of Chicago.

SECTION 2. This ordinance shall be in full force and effect from and after its passage and approval.

# UNOFFICIAL COPY

## 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. _____	
<p>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.</p> <p>Owner's Signature: _____ Date: _____</p> <p>SUBSCRIBED AND SWORN TO BEFORE ME this _____ day of _____, 20__</p> <p>_____ Notary Public</p>	

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.