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## 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

(217) 782-6761

PAT QUINN, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

December 15, 2010

CERTIFIED MAIL

7009 3410 0002 3807 7090

Mr. Frank Ryan  
KTR Capital Partners, LLC  
300 Barr Harbor Road  
West Conshohocken, PA 19428



Doc#: 1101839027 Fee: \$56.00

Eugene "Gene" Moore

Cook County Recorder of Deeds

Date: 01/18/2011 10:42 AM Pg: 1 of 11

Re: 0312855066 /Cook  
Schiller Park/Tire Centers, Inc.  
Site Remediation Program/Technical Reports  
No Further Remediation Letter

Dear Mr. Ryan:

The Remedial Action Completion Report Addendum (Report dated May 8, 2009/Log No. 09-41349), as prepared by Property Solutions Inc. for the above referenced Remediation Site, has been reviewed by the Illinois Environmental Protection Agency ("Illinois EPA"). The Report demonstrates that the remedial action was completed in accordance with 35 Illinois Administrative Code Parts 740 and 742.

The Remediation Site, consisting of 1.96 acres, is located at 4328 United Parkway, Schiller Park, 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 July 25, 2008 is KTR Capital Partners, LLC.

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

Rockford • 4302 N. Main St., Rockford, IL 61103 • (815) 987-2760

Elgin • 595 S. State, Elgin, IL 60123 • (847) 608-1131

Bureau of Land • Peoria • 2620 N. University St., Peoria, IL 61614 • (309) 693-5462

Collinsville • 2009 Main Street, Collinsville, IL 62234 • (618) 346-5120

Des Plaines • 9511 W. Harrison St., Des Plaines, IL 60016 • (847) 294-4000

Peoria • 5415 N. University St., Peoria, IL 61614 • (309) 693-5463

Champaign • 2125 S. First St., Champaign, IL 61820 • (217) 276-5800

Marion • 2109 W. Main St., Suite 116, Marion, IL 62959 • (618) 993-7200

S ✓  
P //  
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C ✓  
E ✓  
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## PREPARED BY:

Name: Mr. Frank Ryan  
KTR Capital Partners, LLC

Address: 300 Barr Harbor Road  
West Conshohocken, PA 19428

## RETURN TO:

Name: Mr. Frank Ryan  
KTR Capital Partners, LLC

Address: 300 Barr Harbor Road  
West Conshohocken, PA 19428

After Recording, Return To:  
Land Services USA, INC  
22 North Church Street, West Chester PA 19380

**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: 0312855066

KTR Capital Partners, LLC., the Remediation Applicant, whose address is 300 Barr Harbor Road, West Conshohocken, PA 19428- 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:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE DISTRICT OF COOK COUNTY, ILLINOIS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 4216 FEET OF LOT B ALL OF LOT C AND THE NORTH 34.84 FEET OF LOT D IN O'HARE INTERNATIONAL INDUSTRIAL PLAZA ADDITION BEING A SUBDIVISION OF THE WEST 297.50 FEET OF THE NORTH 37.96 ACRES OF THE EAST 1/2 OF THE SE 1/4 (EXCEPT THAT PART LYING NORTH OF THE CENTER LINE OF IRVING PARK BLVD.) TOGETHER WITH LOT A AND LOT 13 (EXCEPT THE EAST 197.14 FEET THEREOF) IN O'HARE INTERNATIONAL INDUSTRIAL PLAZA, BEING A SUBDIVISION OF THE NORTH 37.96 ACRES OF THE EAST 1/2 OF THE SOUTHEAST 1/4 (EXCEPT THAT PART LYING NORTH OF THE CENTER LINE OF IRVING PARK BLVD) IN SECTION 17, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE 3RD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

2. Common Address: 4328 United Parkway, Schiller Park, IL
3. Real Estate Tax Index/Parcel Index Number: 12-17-401-054-0000
4. Remediation Site Owner: KTR Capital Partners, LLC.

(Illinois EPA Site Remediation Program Environmental Notice)

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- 5. Land Use: Industrial/Commercial
- 6. Site Investigation: Focused

Property of Cook County Clerk's Office

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## 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 restricted to Industrial/Commercial land use.
- 3) The recognized environmental conditions, as characterized by the focused site investigation, consist of the following:
  - a) Regulated substances of concern that have been successfully addressed are detailed in the attached Table A.

### Engineering Controls:

- 4) 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 inhalation or ingestion exposure to the contaminated media.

### Institutional Controls:

- 5) No person shall construct, install, maintain, or operate a well at the Remediation Site. All water supplies and water services for the Remediation Site must be obtained from a public water supply system. The provisions of this institutional control shall be applicable to all water usage (e.g., domestic, industrial/commercial uses and outdoor watering).
- 6) The Environmental Land Use Control ("ELUC") filed March 9, 2010 with the Cook County Recorder's office for the real property located at 4300 United Parkway, Schiller Park, Illinois 60176, must remain effective. Unless other remedies that may be available are satisfied, failure to comply with the limitations or requirements of the recorded ELUC may result in avoidance of this NFR Letter. The failure to comply with the limitations or requirements of the recorded ELUC may also be grounds for an enforcement action pursuant to Title VIII of the Act.

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Other Terms

- 7) At a minimum, a safety plan should be developed to address possible worker exposure in the event that any future excavation and construction activities may occur within the contaminated soil beneath the engineered barrier. 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 from beneath the engineered barrier 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.
- 8) Pursuant to Section 58 of the Act (415 ILCS 5/58), all statutory and regulatory corrective action requirements applicable to the occurrence involving IEMA Incident Number 880959 have been completed. This Letter constitutes the Illinois EPA's final decision regarding the above-referenced incident.
- 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 Section 58.10(e)(1)-(7) of the Act (415 ILCS 5/58.10(e)(1)-(7)) include, but shall not be limited to:
  - a) Any violation of institutional controls or the designated land use restrictions;
  - b) The failure to operate and maintain preventive or engineering controls or to comply with any applicable groundwater monitoring plan;
  - c) The disturbance or removal of contamination that has been left in-place in accordance with the Remedial Action Plan. Access to soil contamination may be allowed if, during and after any access, public health and the environment are protected consistent with the Remedial Action Plan;

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- 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.

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

- a) KTR Capital Partners, LLC;
- 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




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- 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.
- 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 Remediation Site.
- 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  
1321 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 this correspondence, you may contact the Illinois EPA project manager, Mr. Tim Murphy at (217) 524-4823.

Sincerely,

  
Joyce L. Murrie, 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: Tim Clackett  
Property Solutions, Inc.  
323 New Albany Road  
Moorestown, NY 08057

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**SITE REMEDIATION PROGRAM**  
**TABLE A: REGULATED SUBSTANCES OF CONCERN**  
**0312855066/Tire Centers, Inc.**

### Volatile Organic Compounds

CAS No.	Compound Name
67-64-1	Acetone
107-02-8	Acrolein (Propenal)
79-10-7	Acrylic Acid
107-13-1	Acrylonitrile
71-43-2	Benzene
314-40-9	Bromacil
108-86-1	Bromobenzene
74-97-5	Bromochloromethane
75-27-4	Bromodichloromethane
75-25-2	Bromoform
74-83-9	Bromomethane
106-99-0	1,3-Butadiene
71-36-3	n-Butanol (Butanol)
78-93-3	2-Butanone (MEK)
104-51-8	n-Butylbenzene
135-98-9	sec-Butylbenzene
98-06-6	tert-Butylbenzene
105-60-2	Caprolactam
75-15-0	Carbon Disulfide
56-23-5	Carbon Tetrachloride
108-90-7	Chlorobenzene
124-48-1	Chlorodibromomethane (Dibromochloromethane)
75-00-3	Chloroethane
67-66-3	Chloroform
74-87-3	Chloromethane
95-49-8	2-Chlorotoluene
106-43-4	4-Chlorotoluene
108-94-1	Cyclohexanone
96-12-8	1,2-Dibromo-3-Chloropropane
74-95-3	Dibromomethane
106-93-4	1,2-Dibromomethane
75-34-3	1,1-Dichloroethane
107-06-2	1,2-Dichloroethane
75-35-4	1,1-Dichloroethene
156-60-5	<i>trans</i> -1,2-Dichloroethene
156-59-2	<i>cis</i> -1,2-Dichloroethene
75-71-8	Dichlorodifluoromethane
78-87-5	1,2-Dichloropropane
142-28-9	1,3-Dichloropropane
594-20-7	2,2-Dichloropropane
563-58-6	1,1-Dichloropropene

(Illinois EPA Site Remediation Program Environmental Notice)

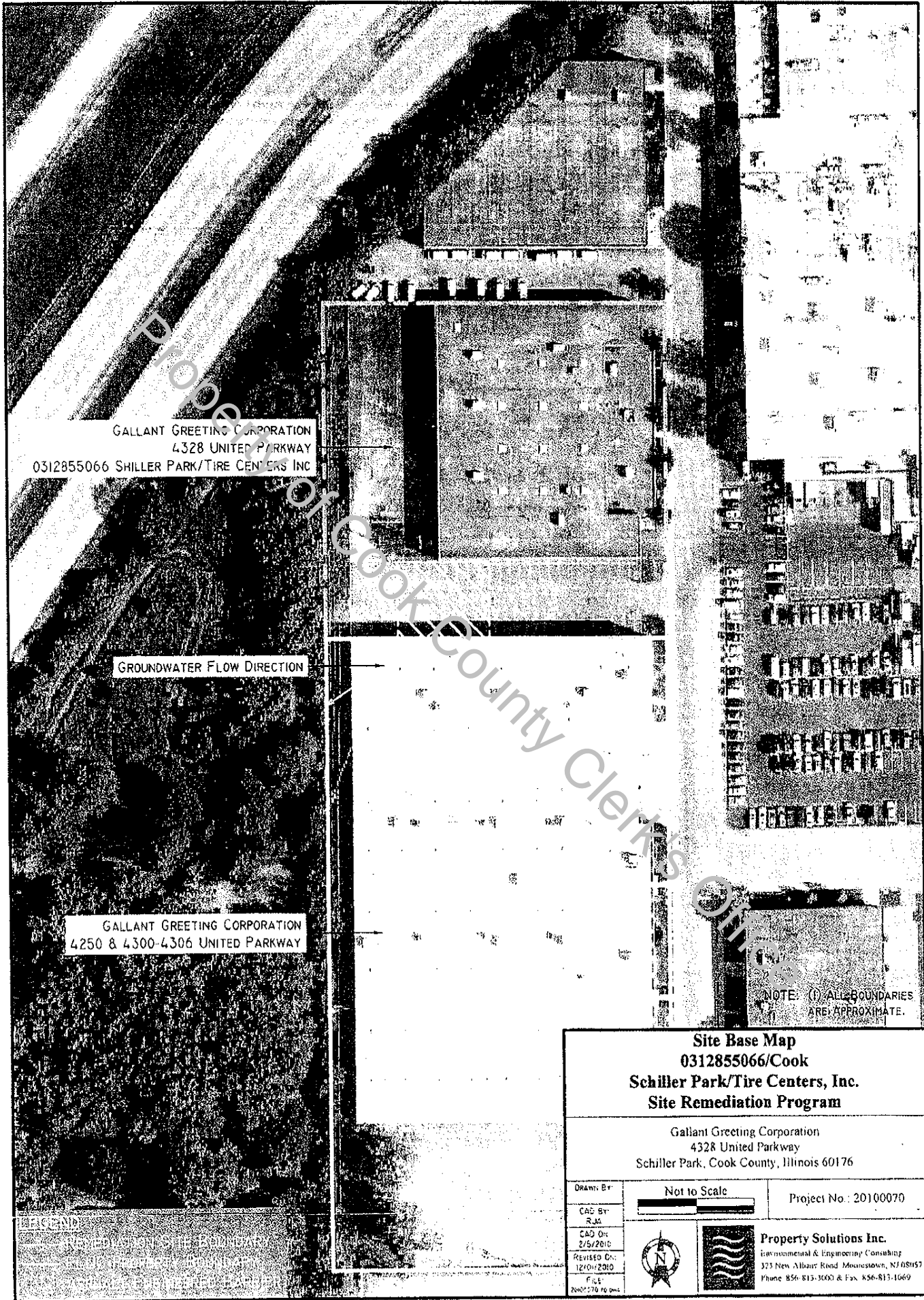


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10061-02-6	<i>trans</i> -1,3-Dichloropropene
10061-01-5	<i>cis</i> -1,3-Dichloropropene
111-90-0	Diethylene Glycol Monoethyl Ether
123-91-1	1,4-Dioxane
64-17-5	Ethanol
141-78-6	Ethyl Acetate
140-88-5	Ethyl Acrylate
100-41-4	Ethylbenzene
107-21-1	Ethylene Glycol
111-76-2	Ethylene Glycol Monobutyl Ether
103-11-8	2-Ethylhexyl Acrylate
50-00-0	Formaldehyde
98-01-1	Furfural
110-54-3	Hexane
591-78-6	2-Hexanone
74-88-4	Iodomethane (Methyl Iodide)
78-83-1	Isobutyl Alcohol (Isobutanol)
67-63-0	Isopropyl Alcohol (Isopropanol)
98-82-4	Isopropylbenzene (Cumene)
99-87-6	<i>p</i> -Isopropyltoluene
67-56-1	Methyl Alcohol (Methanol)
79-20-9	Methyl Acetate
108-87-2	Methylcyclohexane
75-09-2	Methylene Chloride
108-10-1	4-Methyl-2-Pentanone (MIBK)
1634-04-4	Methyl Tertiary Butyl Ether (MTBE)
91-20-3	Naphthalene
109-60-4	<i>n</i> -Propyl Acetate
103-65-1	<i>n</i> -Propylbenzene
57-55-6	Propylene Glycol
107-98-2	Propylene Glycol Monoethyl Ether
100-42-5	Styrene
127-18-4	Tetrachloroethene
630-20-6	1,1,1,2-Tetrachloroethane
79-34-5	1,1,2,2-Tetrachloroethane
109-99-9	Tetrahydrofuran
79-01-6	Trichloroethene
71-55-6	1,1,1-Trichloroethane
79-00-5	1,1,2-Trichloroethane
75-69-4	Trichlorofluoromethane
96-18-4	1,2,3-Trichloropropane
95-63-6	1,2,4-Trimethylbenzene
99-35-4	1,3,5-Trimethylbenzene
108-88-3	Toluene
108-05-4	Vinyl Acetate
75-01-4	Vinyl Chloride
1330-20-7	Xylenes (total)

(Illinois EPA Site Remediation Program Environmental Notice)

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GALLANT GREETING CORPORATION  
 4328 UNITED PARKWAY  
 0312855066 SCHILLER PARK/TIRE CENTERS INC

GROUNDWATER FLOW DIRECTION

GALLANT GREETING CORPORATION  
 4250 & 4300-4306 UNITED PARKWAY

NOTE: (1) ALL BOUNDARIES ARE APPROXIMATE.

**Site Base Map**  
**0312855066/Cook**  
**Schiller Park/Tire Centers, Inc.**  
**Site Remediation Program**

Gallant Greeting Corporation  
 4328 United Parkway  
 Schiller Park, Cook County, Illinois 60176

Drawn By:

Not to Scale

Project No.: 20100070

CAE BY:

RJK

CAO On:

2/5/2010

REVISED On:

12/01/2010

FILE

2007070 10.dwg



**Property Solutions Inc.**  
 Environmental & Engineering Consulting  
 373 New Albarr Road, Mountstown, NJ 08057  
 Phone 856-813-3000 & Fax 856-813-1069

LEGEND  
 BOUNDARIES  
 PROPERTY BOUNDARIES  
 ADJACENT PROPERTY BOUNDARIES  
 CONSTRUCTION BOUNDARIES