

# UNOFFICIAL COPY

PREPARED BY:

Name: Paul Frohnapple  
NB Coatings, Inc.

Address: 2701 East 170<sup>th</sup> Street  
Lansing, Illinois 60438



Doc#: 1107757119 Fee: \$54.00  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 03/18/2011 03:41 PM Pg: 1 of 10

RETURN TO:

Name: Paul Frohnapple  
NB Coatings, Inc.

Address: 2701 East 170<sup>th</sup> Street  
Lansing, Illinois 60438

## THE ABOVE SPACE FOR RECORDER'S OFFICE

This Environmental No Further Remediation Letter must be submitted by the remediation applicant within 45 days of its receipt, to the Recorder of Deeds of Cook County.

Illinois State EPA Number: 0311590008

NB Coatings, Inc., the Remediation Applicant, whose address is 2701 East 170<sup>th</sup> Street, Lansing, Illinois 60438 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.

### Property

#### Parcel 1

THE WEST ½ OF THE WEST 462 FEET OF THE NORTH ½ OF THE NORTHEAST ¼ OF SECTION 30, TOWNSHIP 36 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THE NORTH 50 FEET THEREOF).

#### Parcel 2

THE EAST ½ OF THE WEST 462 FEET OF THE NORTH ½ OF THE NORTHEAST ¼ OF SECTION 30, TOWNSHIP 36 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THE NORTH 50 FEET THEREOF).

#### Parcel 3

LAND LYING NORTH OF THE SOUTH LINE OF THE NORTH ½ OF THE NORTHEAST ¼ OF SECTION 30, TOWNSHIP 36 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND LYING SOUTH OF THE NORTH LINE OF THE NORTHEAST ¼ OF SECTION 30 AND LYING WEST OF THE WEST LINE OF THE EAST 132 RODS OF THE NORTH ½ OF THE NORTHEAST ¼ OF SECTION 30

(Illinois EPA Site Remediation Program Environmental Notice)

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(BEING WEST LINE OF LANSING CALUMET SUBDIVISION AS ORIGINALLY STAKED OUT) AND LYING EAST OF THE EAST LINE OF THE WEST 462 FEET OF THE NORTH ½ OF THE NORTHEAST ¼ OF SECTION 30 (EXCEPT THE NORTH 50 FEET THEREOF).

Parcel 4

THAT PART OF LOT 1 IN BLOCK 6 IN LANSING CALUMET SUBDIVISION IN SECTION 30, TOWNSHIP 36 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1 AND RUNNING THENCE EASTERLY ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 14.59 FEET; THENCE SOUTHERLY ON A STRAIGHT LINE 120 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 1; THENCE WESTERLY ALONG SAID SOUTH LINE 14.75 FEET; THENCE NORTHERLY ALONG THE WEST LINE OF LOT 1, A DISTANCE OF 120 FEET TO THE POINT OF BEGINNING.

Parcel 5

LOT 18 IN BLOCK 6 AND LOT 16 IN BLOCK 7 IN LANSING CALUMET BEING A SUBDIVISION OF THE WEST 104 RODS OF THE EAST 132 RODS OF THE NORTH ½ OF THE NORTHEAST ¼ OF SECTION 30, TOWNSHIP 36 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Remediation Site

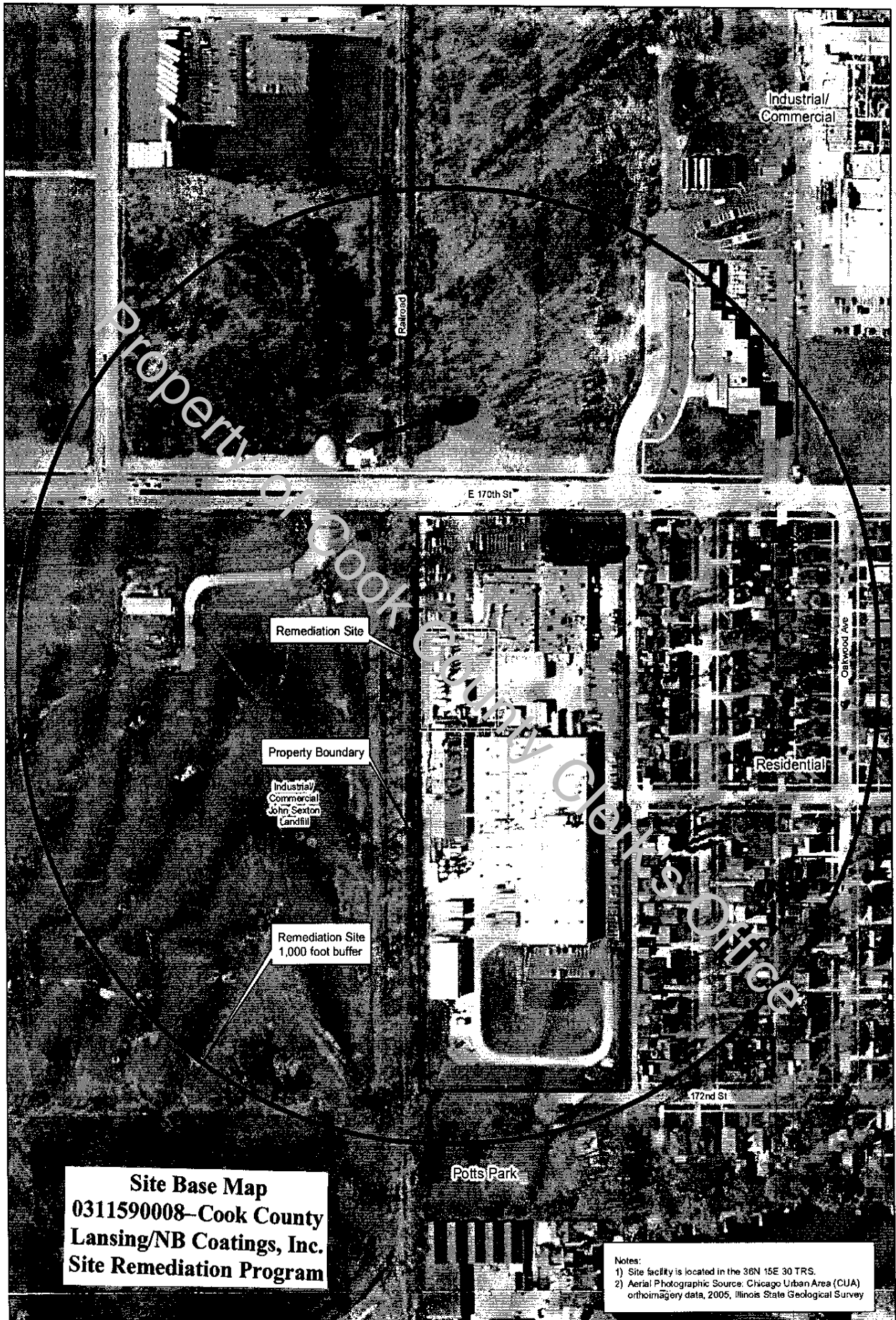
The coordinates (World Geodetic Survey 1984 [WGS 1984]) of the remediation site are indicated on Figure 1-2 and are as follows:

Northwestern corner of the remediation site: 41.585700772°N, 87.549146870°W  
 Northeastern corner of the remediation site: 41.585703907°N, 87.548490190°W  
 Southeastern corner of the remediation site: 41.585100132°N, 87.548485081°W  
 Southwestern corner of the remediation site: 41.585096997°N, 87.549141754°W

2. Common Address: 2701 East 170<sup>th</sup> Street, Lansing, IL
3. Real Estate Tax Index/Parcel Index Number: 30-30-200-006-0000
4. Remediation Site Owner: NB Coatings, Inc.
5. Land Use: Industrial/Commercial
6. Site Investigation: Focused

See NFR letter for other terms.

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**Site Base Map**  
**0311590008-Cook County**  
**Lansing/NB Coatings, Inc.**  
**Site Remediation Program**

Notes:  
 1) Site facility is located in the 36N 15E 30 TRS.  
 2) Aerial Photographic Source: Chicago Urban Area (CUA) orthomosaic data, 2005, Illinois State Geological Survey

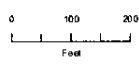
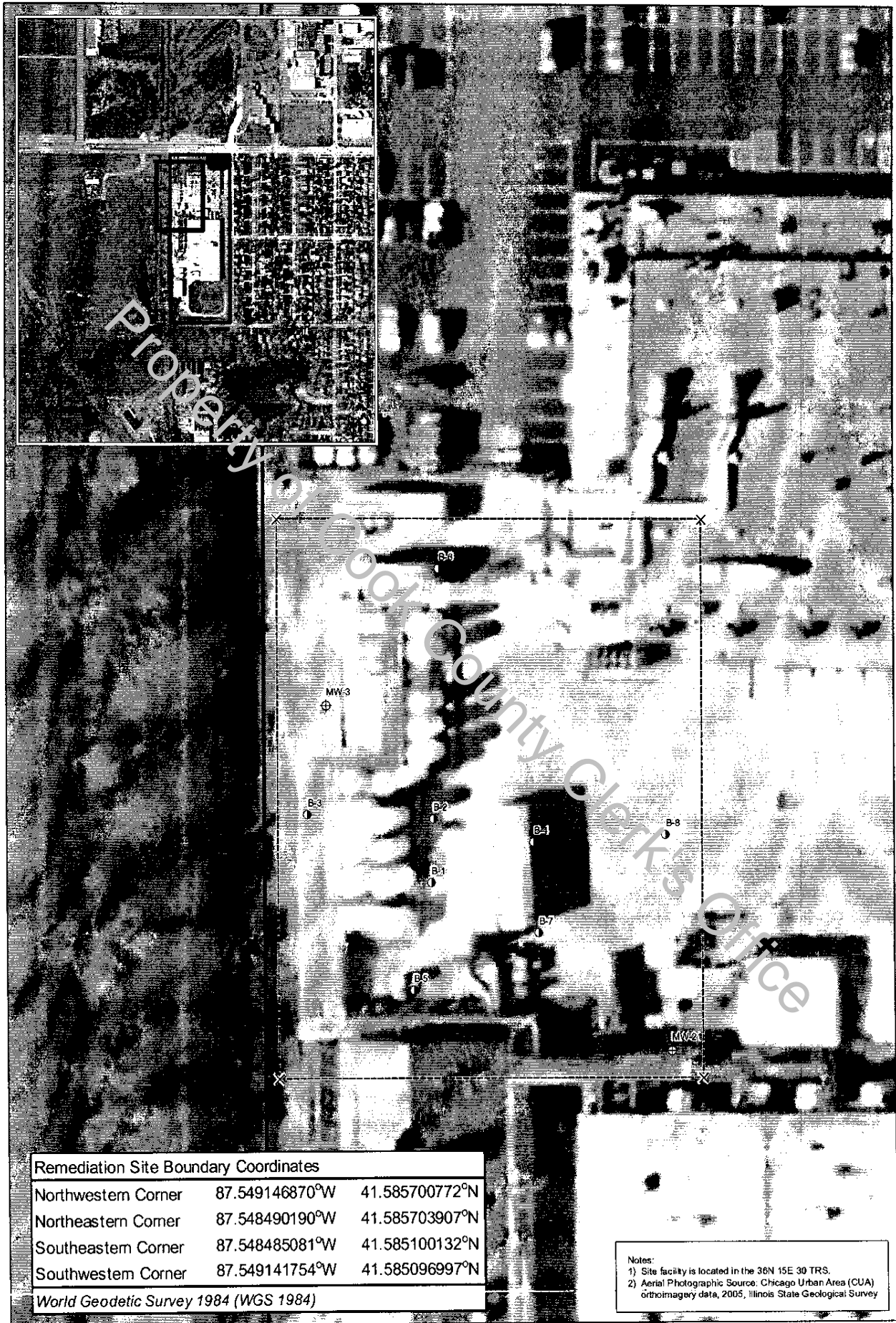


Figure 1-1  
 Site Base Map  
 NB Coatings Inc.  
 Lansing, Illinois

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Remediation Site Boundary Coordinates		
Northwestern Corner	87.549146870°W	41.585700772°N
Northeastern Corner	87.548490190°W	41.585703907°N
Southeastern Corner	87.548485081°W	41.585100132°N
Southwestern Corner	87.549141754°W	41.585096997°N

World Geodetic Survey 1984 (WGS 1984)

Notes:  
 1) Site facility is located in the 36N 15E 30 TRS.  
 2) Aerial Photographic Source: Chicago Urban Area (CUA) orthoimagery data, 2005, Illinois State Geological Survey

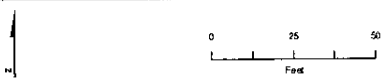


Figure 1-2  
 Remediation Site Boundary  
 NB Coatings Inc.  
 Lansing, Illinois

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**SITE REMEDIATION PROGRAM**  
**TABLE A: REGULATED SUBSTANCES OF CONCERN**  
**0311590008 – NB COATINGS, INC.**

## Volatile Organic Compounds

<u>CAS No.</u>	<u>Compound Name</u>
624-41-9	2-Methylbutyl Acetate
628-63-7	1-Pentyl Acetate

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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

PAT QUINN, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

(217) 782-6761

March 8, 2011

CERTIFIED MAIL

7009 2820 0001 7495 4291

NB Coatings, Inc.  
Attn: Paul Frohnapple  
2701 East 170<sup>th</sup> Street  
Lansing, Illinois 60438

Re: 0311590008- Cook County  
Lansing/NB Coatings, Inc.  
Site Remediation Program/Technical Reports  
No Further Remediation Letter

Dear Mr. Frohnapple:

The *Focused Site Investigation Report, Remediation Objectives Report and Remedial Action Completion Report* (dated April, 2010/Log No. 10-44470), as prepared by CH2M Hill for the NB Coatings, Inc. property, has been reviewed by the Illinois Environmental Protection Agency ("Illinois EPA"). The approved remediation objectives at the Site are equal to or are above the existing levels of regulated substances and the above-referenced report shall serve as the approved Remedial Action Completion Report.

The Remediation Site, consisting of 0.91 acres, is located at 2701 East 170<sup>th</sup> Street, Lansing, 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 October 9, 2008/Log No. 08-39202), is NB Coatings, Inc.

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

Rockford • 4302 N. Main St., Rockford, IL 61103 • (815) 987-7760

Elgin • 595 S. State, Elgin, IL 60123 • (847) 608-3131

Bureau of Land – Peoria • 7620 N. University St., Peoria, IL 61614 • (309) 693-5462

Collinsville • 2009 Mall 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) 278-5800

Marion • 2309 W. Main St., Suite 116, Marion, IL 62959 • (618) 993-7200

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## Conditions and Terms of Approval

### Level of Remediation and Land Use Limitations

- 1) The recognized environmental conditions, as characterized by the focused site investigation, consist of the following:
  - a) Regulated substances of concern that have been successfully addressed are detailed in the attached Table A.
- 2) The Remediation Site is restricted to Industrial/Commercial land use.
- 3) The land use specified in this Letter may be revised if:
  - a) Further investigation or remedial action has been conducted that documents the attainment of objectives appropriate for the new land use; and
  - b) A new Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.

### Other Terms

- 4) 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.
- 5) 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

- 6) Pursuant to Section 58.10(f) of the Act (415 ILCS 5/58.10(f)), should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide notice to the current title holder and to the Remediation Applicant at the last known address. The notice shall specify the cause for the voidance, explain the provisions for appeal, and describe the facts in support of this cause. Specific acts or omissions that may result in the voidance of the Letter under Sections 58.10(e)(1)-(7) of the Act (415 ILCS 5/58.10(e)(1)-(7)) include, but shall not be limited to:
  - a) Any violation of institutional controls or the designated land use restrictions;

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- 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.
- 7) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) NB Coatings, Inc.;
  - b) The owner and operator of the Remediation Site;
  - c) Any parent corporation or subsidiary of the owner of the Remediation Site;
  - d) Any co-owner, either by joint-tenancy, right of survivorship, or any other party sharing a relationship with the owner of the Remediation Site;
  - e) Any holder of a beneficial interest of a land trust or inter vivos trust, whether revocable or irrevocable, involving the Remediation Site;
  - f) Any mortgagee or trustee of a deed of trust of the owner of the Remediation Site or any assignee, transferee, or any successor-in-interest thereto;
  - g) Any successor-in-interest of the owner of the Remediation Site;
  - h) Any transferee of the owner of the Remediation Site whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest;
  - i) Any heir or devisee of the owner of the Remediation Site;

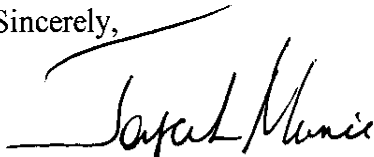


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- j) Any financial institution, as that term is defined in Section 2 of the Illinois Banking Act and to include the Illinois Housing Development Authority, that has acquired the ownership, operation, management, or control of the Remediation Site through 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.
- 8) This letter, including all attachments, must be recorded as a single instrument within forty-five (45) days of receipt with the Recorder of Deeds 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 Recorder of Deeds of Cook County in accordance with Illinois law so that it forms a permanent part of the chain of title for the NB Coatings, Inc. property.
- 9) Within thirty (30) days of this Letter being recorded by the Recorder of Deeds 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
- 10) In accordance with Section 58.10(g) of the Act, a No Further Remediation Assessment Fee based on the costs incurred for the Remediation Site by the Illinois EPA for review and evaluation services will be applied in addition to the fees applicable under the Review and Evaluation Services Agreement. Request for payment of the No Further Remediation Assessment Fee will be included with the billing statement.

If you have any questions regarding the NB Coatings, Inc. property, you may contact the Illinois EPA project manager, Scott Hacke at 217/524-3267.

Sincerely,



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

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

cc: Edward Walczak  
CH2M Hill, Inc.  
8501 W. Higgins Rd., Suite 300  
Chicago, Illinois 60631

bcc: Records Unit  
Bob O'Hara  
Rick Lucas

Property of Cook County Clerk's Office