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PAT QUINN, GOVERNOR

LISA BONNETT, DIRECTOR

(217) 524-3300

March 13, 2013
Re-Issued July 31, 2013

CERTIFIED MAIL

7011 1150 0001 0863 6039

Mr. David Doig
North Pullman 111th, Inc.
1000 East 111th Street
Chicago, Illinois 60628



Doc#: 1325310107 Fee: \$94.00
RHSP Fee: \$9.00 RPRF Fee: \$1.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 09/10/2013 02:33 PM Pg: 1 of 29

Re: 0316495031 / Cook County
Chicago / Ryerson Coil Processing (Phase 1A Storm Water Detention Ponds and Doty Avenue Parcel) (Formerly Ryerson Steel/Pullman)
Site Remediation Program/Technical Reports
No Further Remediation Letter

Dear Mr. Doig:

The North Pullman 111th, Inc. Pullman Park Development Site Phase 1A Storm Water Detention Ponds and Doty Avenue Parcel Remedial Action Completion Report (received December 17, 2012/Log Number 12-52595), and Amended City of Chicago and Illinois EPA Highway Authority Agreement (May 31, 2013/Log Number 13-53960) as prepared by DAI Environmental for the above referenced Remediation Site, has been reviewed and approved by the Illinois Environmental Protection Agency ("Illinois EPA"). This Report demonstrates that the remedial action was completed in accordance with the Remedial Action Plan (received November 11, 2010/Log Number 10-46043), and 35 Illinois Administrative Code Parts 740 and 742.

The Remediation Site, consisting of 10.34 acres, is located at 1000 East 111th 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 September 17, 2010/Log Number 10-45902) is North Pullman 111th, Inc.

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

4302 N. Main St., Rockford, IL 61103 (815)987-7760
595 S. State, Elgin, IL 60123 (847)608-3131
2125 S. First St., Champaign, IL 61820 (217)278-5800
2009 Mall St., Collinsville, IL 62234 (618)346-5120

9511 Harrison St., Des Plaines, IL 60016 (847)294-4000
5407 N. University St., Arbar 113, Peoria, IL 61614 (309)693-5462
2309 W. Main St., Suite 116, Marion, IL 62959 (618)993-7200
100 W. Randolph, Suite 10-300, Chicago, IL 60601 (312)814-6026

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PREPARED BY:

Name: Mr. David Doig
North Pullman 111th, Inc.

Address: 1000 East 111th Street
Chicago, Illinois 60628

RETURN TO:

Name: Mr. David Doig
North Pullman 111th, Inc.

Address: 1000 East 111th Street
Chicago, Illinois 60628

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: 0316495031

North Pullman 111th, Inc., the Remediation Applicant, whose address is 1000 East 111th Street, Chicago, IL 60628 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:

LEGAL DESCRIPTION OF SE POND PARCEL

A PART OF THE WEST HALF OF SECTION 14, TOWNSHIP 37 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF EAST 111TH STREET, AS DEDICATED AUGUST 11, 1925 PER DOCUMENT 9002353, BEING A LINE 50.00 FEET NORTH OF AND PARALLEL WITH THE EASTERLY EXTENSION OF THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 15 OF SAID TOWNSHIP, AND THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 14; THENCE NORTH 88 DEGREES 36 MINUTES 34 SECONDS EAST, ALONG SAID NORTH LINE, 753.18 FEET TO A POINT ON THE WESTERLY LINE OF LAND CONVEYED TO THE DEPARTMENT OF PUBLIC WORKS AND BUILDING OF THE STATE OF ILLINOIS RECORDED OCTOBER 02, 1957, AS DOCUMENT 17027772; THENCE NORTHEASTERLY 220.49 FEET, ALONG SAID WESTERLY LINE BEING THE ARC OF A NON-TANGENT CIRCLE TO THE RIGHT, HAVING A RADIUS OF 128.59 FEET AND WHOSE CHORD BEARS NORTH 48 DEGREES 22 MINUTES 20 SECONDS EAST, 194.46 FEET TO A POINT OF TANGENCY; THENCE CONTINUING

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ALONG THE NORTHERLY LINE OF SAID LAND SOUTH 82 DEGREES 30 MINUTES 19 SECONDS EAST, 76.80 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 12 DEGREES 29 MINUTES 41 SECONDS EAST, 114.11 FEET TO A POINT OF CURVATURE; THENCE EASTERLY 10.08 FEET, ALONG THE ARC OF A TANGENT CIRCLE TO THE RIGHT, HAVING A RADIUS OF 5.00 FEET AND WHOSE CHORD BEARS NORTH 70 DEGREES 15 MINUTES 32 SECONDS EAST, 8.46 FEET TO A POINT OF REVERSE CURVATURE; THENCE SOUTHEASTERLY 39.96 FEET, ALONG THE ARC OF A TANGENT CIRCLE TO THE LEFT, HAVING A RADIUS OF 125.00 FEET AND WHOSE CHORD BEARS SOUTH 61 DEGREES 08 MINUTES 05 SECONDS EAST, 39.79 FEET TO A POINT OF TANGENCY; THENCE SOUTH 70 DEGREES 17 MINUTES 33 SECONDS EAST, 79.90 FEET TO A POINT OF CURVATURE; THENCE EASTERLY 82.26 FEET, ALONG THE ARC OF A TANGENT CIRCLE TO THE LEFT, HAVING A RADIUS OF 92.50 FEET AND WHOSE CHORD BEARS NORTH 84 DEGREES 13 MINUTES 54 SECONDS EAST, 79.57 FEET TO A POINT OF COMPOUND CURVATURE; THENCE NORTHEASTERLY 89.11 FEET, ALONG THE ARC OF A TANGENT CIRCLE TO THE LEFT, HAVING A RADIUS OF 115.00 FEET AND WHOSE CHORD BEARS NORTH 36 DEGREES 33 MINUTES 26 SECONDS EAST, 86.90 FEET TO A POINT OF TANGENCY; THENCE NORTH 14 DEGREES 21 MINUTES 30 SECONDS EAST, 86.00 FEET; THENCE NORTH 21 DEGREES 07 MINUTES 36 SECONDS EAST, 84.95 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY 31.93 FEET, ALONG THE ARC OF A TANGENT CIRCLE TO THE RIGHT, HAVING A RADIUS OF 70.00 FEET AND WHOSE CHORD BEARS NORTH 34 DEGREES 11 MINUTES 37 SECONDS EAST, 31.65 FEET TO A POINT OF REVERSE CURVATURE; THENCE NORTHEASTERLY 11.29 FEET, ALONG THE ARC OF A TANGENT CIRCLE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET AND WHOSE CHORD BEARS NORTH 34 DEGREES 19 MINUTES 14 SECONDS EAST, 11.20 FEET TO A POINT OF TANGENCY; THENCE NORTH 21 DEGREES 22 MINUTES 49 SECONDS EAST, 100.75 FEET; THENCE NORTH 06 DEGREES 13 MINUTES 04 SECONDS EAST, 25.94 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY 12.07 FEET, ALONG THE ARC OF A TANGENT CIRCLE TO THE RIGHT, HAVING A RADIUS OF 45.00 FEET AND WHOSE CHORD BEARS NORTH 13 DEGREES 54 MINUTES 03 SECONDS EAST, 12.03 FEET TO A POINT OF TANGENCY; THENCE NORTH 21 DEGREES 35 MINUTES 01 SECONDS EAST, 113.44 FEET; THENCE NORTH 20 DEGREES 06 MINUTES 26 SECONDS WEST, 25.21 FEET; THENCE NORTH 01 DEGREES 23 MINUTES 26 SECONDS WEST, 19.91 FEET TO A POINT ON THE SOUTH LINE OF SOUTH DOTY AVENUE AS DEDICATED BY PULLMAN PARK – PHASE 1 SUBDIVISION; THENCE NORTH 88 DEGREES 36 MINUTES 34 SECONDS EAST, ALONG THE SOUTH LINE OF SAID SOUTH DOTY AVENUE, 197.38 FEET TO A POINT OF CURVATURE; THENCE EASTERLY 120.51 FEET, ALONG THE SOUTH LINE OF SAID SOUTH DOTY AVENUE BEING THE ARC OF A TANGENT CIRCLE TO THE LEFT, HAVING A RADIUS OF 267.00 FEET AND WHOSE CHORD BEARS NORTH 75 DEGREES 40 MINUTES 46 SECONDS EAST, 119.49 FEET TO A POINT ON THE WESTERLY LINE OF LAND CONVEYED TO THE DEPARTMENT OF PUBLIC WORKS AND BUILDING OF THE STATE OF ILLINOIS RECORDED OCTOBER 02, 1957, AS DOCUMENT 17027772; THENCE SOUTHWESTERLY AND WESTERLY ALONG THE RIGHT OF WAY OF THE LAST DESCRIBED CONVEYED LAND FOR THE NEXT FIVE COURSES; (1) THENCE SOUTH 21 DEGREES 35 MINUTES 01 SECONDS WEST, 22.50 FEET TO A POINT OF CURVATURE; (2) THENCE SOUTHWESTERLY 72.82 FEET, ALONG THE ARC OF A TANGENT CIRCLE TO THE RIGHT, HAVING A RADIUS OF 300.00 FEET AND WHOSE CHORD BEARS SOUTH 28 DEGREES 32 MINUTES 16 SECONDS WEST, 72.64 FEET TO A POINT OF TANGENCY; (3) THENCE SOUTH 35 DEGREES 29 MINUTES 31 SECONDS WEST, 626.82 FEET TO A POINT OF CURVATURE; (4) THENCE SOUTHWESTERLY 216.43 FEET, ALONG THE ARC OF A TANGENT CIRCLE TO THE RIGHT, HAVING A RADIUS OF 200.00 FEET AND WHOSE CHORD BEARS SOUTH 66 DEGREES 29 MINUTES 36 SECONDS WEST, 206.02 FEET TO A POINT OF TANGENCY; (5) THENCE NORTH 82 DEGREES 30 MINUTES 19 SECONDS WEST, 143.19 FEET TO THE POINT OF BEGINNING;

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EXCEPTING THEREFROM THAT PART DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF DOTY AVENUE AS DEDICATED PER DOCUMENT 1120029049 AND THE WESTERLY LINE OF LAND CONVEYED TO THE DEPARTMENT OF PUBLIC WORKS AND BUILDING OF THE STATE OF ILLINOIS RECORDED OCTOBER 02, 1957, AS DOCUMENT 17027772, SAID INTERSECTION ALSO BEING THE MOST NORTHERLY POINT OF THE PREVIOUSLY DESCRIBED PARCEL; THENCE SOUTH 21 DEGREES 35 MINUTES 01 SECONDS WEST, ALONG SAID WESTERLY LINE, 22.50 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY 35.56 FEET, ALONG THE ARC OF A TANGENT CIRCLE TO THE RIGHT, HAVING A RADIUS OF 300.00 FEET AND WHOSE CHORD BEARS SOUTH 24 DEGREES 58 MINUTES 47 SECONDS WEST, 35.54 FEET TO THE POINT OF BEGINNING; THENCE SOUTHWESTERLY 37.26 FEET, CONTINUING ALONG THE ARC OF SAID TANGENT CIRCLE TO THE RIGHT, HAVING A RADIUS OF 300.00 FEET AND WHOSE CHORD BEARS SOUTH 31 DEGREES 56 MINUTES 01 SECONDS WEST, 37.24 FEET TO A POINT OF TANGENCY; THENCE SOUTH 35 DEGREES 29 MINUTES 31 SECONDS WEST, ALONG SAID WESTERLY LINE, 86.27 FEET; THENCE NORTH 54 DEGREES 30 MINUTES 29 SECONDS WEST, PERPENDICULAR TO THE LAST COURSE, 2.53 FEET; THENCE NORTH 03 DEGREES 25 MINUTES 35 SECONDS EAST, 31.87 FEET; THENCE NORTH 72 DEGREES 57 MINUTES 50 SECONDS WEST, 97.41 FEET; THENCE SOUTH 02 DEGREES 44 MINUTES 54 SECONDS WEST, 28.92 FEET; THENCE NORTH 63 DEGREES 44 MINUTES 43 SECONDS WEST, 59.95 FEET; THENCE NORTH 55 DEGREES 15 MINUTES 32 SECONDS WEST, 66.80 FEET; THENCE NORTH 30 DEGREES 42 MINUTES 04 SECONDS EAST, 7.66 FEET; THENCE SOUTH 87 DEGREES 08 MINUTES 59 SECONDS EAST, 50.94 FEET; THENCE SOUTH 85 DEGREES 04 MINUTES 06 SECONDS EAST, 93.77 FEET; THENCE SOUTH 88 DEGREES 10 MINUTES 51 SECONDS EAST, 65.65 FEET; THENCE NORTH 85 DEGREES 59 MINUTES 19 SECONDS EAST, 41.90 FEET; THENCE NORTH 66 DEGREES 51 MINUTES 52 SECONDS EAST, 19.03 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

LEGAL DESCRIPTION OF SW POND (LOT 4) PARCEL

LOT 4 IN PULLMAN PARK - PHASE 1, BEING A SUBDIVISION OF PART OF THE WEST HALF OF SECTION 14, TOWNSHIP 37 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 19, 2011 AS DOCUMENT 1120029049, EXCEPTING THEREFROM THAT PART DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST EASTERLY CORNER OF LOT 4; THENCE SOUTH 88 DEGREES 36 MINUTES 34 SECONDS WEST, ALONG A SOUTHERLY LINE OF SAID LOT 4, A DISTANCE OF 170.99 FEET, THENCE NORTH 01 DEGREES 23 MINUTES 26 SECONDS WEST, PERPENDICULAR TO THE LAST COURSE, 9.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 36 MINUTES 34 SECONDS WEST, 310.75 FEET; THENCE NORTH 01 DEGREES 23 MINUTES 26 SECONDS WEST, 15.47 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY 23.97 FEET, ALONG THE ARC OF A TANGENT CIRCLE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET AND WHOSE CHORD BEARS NORTH 35 DEGREES 43 MINUTES 09 SECONDS WEST, 22.56 FEET TO A POINT OF TANGENCY; THENCE NORTH 70 DEGREES 02 MINUTES 51 SECONDS WEST, 180.66 FEET; THENCE NORTH 19 DEGREES 57 MINUTES 09 SECONDS EAST, 14.99 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY 15.89 FEET, ALONG THE ARC OF A TANGENT CIRCLE TO THE LEFT, HAVING A RADIUS OF 16.00 FEET AND WHOSE CHORD BEARS NORTH 08 DEGREES 30 MINUTES 02 SECONDS WEST, 15.25 FEET TO A POINT ON A NON TANGENT LINE; THENCE NORTH 21 DEGREES 47 MINUTES 51 SECONDS EAST, 50.04 FEET; THENCE NORTH 52 DEGREES 48 MINUTES 01 SECONDS EAST, 11.23 FEET; THENCE SOUTH 16 DEGREES 10 MINUTES 27 SECONDS EAST, 17.46 FEET; THENCE SOUTH 63 DEGREES 30 MINUTES 29 SECONDS EAST, 44.45 FEET; THENCE SOUTH 80 DEGREES 15 MINUTES 28 SECONDS EAST, 114.78 FEET; THENCE SOUTH 74 DEGREES 47 MINUTES 27 SECONDS EAST, 168.34 FEET; THENCE SOUTH 72 DEGREES 28 MINUTES 42

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SECONDS EAST, 149.76 FEET; THENCE SOUTH 01 DEGREES 23 MINUTES 26 SECONDS EAST, 25.01 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

LEGAL DESCRIPTION OF DOTY AVENUE PARCEL

THAT PART OF DOTY AVENUE DEDICATED IN PULLMAN PARK - PHASE 1 RECORDED JULY 19, 2011 AS DOCUMENT 1120029049; THAT PART OF LAND CONVEYED TO THE DEPARTMENT OF PUBLIC WORKS AND BUILDING OF THE STATE OF ILLINOIS PER DOCUMENT RECORDED OCTOBER 2, 1957 AS DOCUMENT NUMBER 17027772; THAT PART OF SOUTH DOTY AVENUE AS DEDICATED BY DOCUMENT RECORDED AUGUST 11, 1925 AS DOCUMENT NUMBER 9002353; THAT PART OF A PARCEL OF LAND ACQUIRED BY THE COOK COUNTY HIGHWAY DEPARTMENT, KNOWN AS PARCEL S-909 AND SHOWN ON PLAT RECORDED JULY 7, 1964 AS DOCUMENT NUMBER 19177293, ALL IN SECTION 14, TOWNSHIP 37 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY POINT OF DOTY AVENUE DEDICATED IN SAID PULLMAN PARK - PHASE 1; THENCE NORTH AND EAST ALONG THE WEST AND NORTH LINES OF DOTY AVENUE DEDICATED IN SAID PULLMAN PARK - PHASE 1 FOR THE NEXT FIVE COURSES; (1) THENCE NORTH 43 DEGREES 36 MINUTES 34 SECONDS EAST, 10.20 FEET; (2) THENCE NORTH 01 DEGREES 23 MINUTES 26 SECONDS WEST, 540.29 FEET TO A POINT OF CURVATURE; (3) THENCE NORTHEASTERLY 408.40 FEET, ALONG THE ARC OF A TANGENT CIRCLE TO THE RIGHT, HAVING A RADIUS OF 260.00 FEET AND WHOSE CHORD BEARS NORTH 43 DEGREES 36 MINUTES 33 SECONDS EAST, 367.69 FEET TO A POINT OF TANGENCY; (4) THENCE NORTH 88 DEGREES 36 MINUTES 34 SECONDS EAST, 618.32 FEET TO A POINT OF CURVATURE; (5) THENCE NORTHEASTERLY 218.76 FEET, ALONG THE ARC OF A TANGENT CIRCLE TO THE LEFT, HAVING A RADIUS OF 187.00 FEET AND WHOSE CHORD BEARS NORTH 55 DEGREES 05 MINUTES 48 SECONDS EAST, 206.49 FEET TO A POINT OF TANGENCY, SAID POINT ALSO BEING THE WESTERLY LINE OF SAID LAND CONVEYED TO THE DEPARTMENT OF PUBLIC WORKS AND BUILDING BY DOCUMENT NUMBER 17027772; THENCE NORTH 21 DEGREES 35 MINUTES 01 SECONDS EAST, ALONG SAID WESTERLY LINE, 1884.68 FEET TO THE MOST SOUTHERLY CORNER OF SAID LAND ACQUIRED BY THE COOK COUNTY HIGHWAY DEPARTMENT AND SHOWN ON DOCUMENT NUMBER 19177293; THENCE NORTH 39 DEGREES 12 MINUTES 53 SECONDS EAST, ALONG THE WESTERLY LINE OF SAID LAND ACQUIRED BY THE COOK COUNTY HIGHWAY DEPARTMENT, 236.94 FEET TO A POINT ON THE WEST LINE OF SAID SOUTH DOTY AVENUE AS DEDICATED BY DOCUMENT NUMBER 9002353; THENCE NORTH 01 DEGREES 44 MINUTES 30 SECONDS WEST, ALONG SAID WEST LINE, 82.47 FEET; THENCE NORTH 88 DEGREES 15 MINUTES 30 SECONDS EAST, PERPENDICULAR TO THE LAST COURSE, 100.00 FEET TO A POINT ON THE EAST LINE OF SAID SOUTH DOTY AVENUE AS DEDICATED BY DOCUMENT NUMBER 9002353; THENCE SOUTH 01 DEGREES 44 MINUTES 30 SECONDS EAST, ALONG SAID EAST LINE, 77.33 FEET; THENCE SOUTH 13 DEGREES 38 MINUTES 40 SECONDS WEST, 260.37 FEET TO A POINT ON A LINE 75.00 FEET SOUTHEASTERLY OF AND PARALLEL WITH THE WESTERLY LINE OF SAID LAND CONVEYED TO THE DEPARTMENT OF PUBLIC WORKS AND BUILDING BY DOCUMENT NUMBER 17027772; THENCE SOUTH 21 DEGREES 35 MINUTES 01 SECONDS WEST, ALONG SAID PARALLEL LINE, 1978.65 FEET; THENCE SOUTH 56 DEGREES 11 MINUTES 43 SECONDS WEST, 99.04 FEET TO A POINT OF CURVATURE, SAID POINT ALSO BEING ON THE EASTERLY EXTENSION OF THE SOUTH LINE OF DOTY AVENUE DEDICATED IN SAID PULLMAN PARK - PHASE 1; THENCE WESTERLY 151.05 FEET, ALONG SAID SOUTH LINE AND ITS EASTERLY EXTENSION BEING THE ARC OF A TANGENT CIRCLE TO THE RIGHT, HAVING A RADIUS OF 267.00 FEET AND WHOSE CHORD BEARS SOUTH 72 DEGREES 24 MINUTES 08 SECONDS WEST, 149.04 FEET TO A POINT OF TANGENCY; THENCE WEST AND SOUTH ALONG

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THE SOUTH AND EAST LINES OF DOTY AVENUE DEDICATED IN SAID PULLMAN PARK - PHASE 1 FOR THE NEXT FOUR COURSES; (1) THENCE SOUTH 88 DEGREES 36 MINUTES 34 SECONDS WEST, 583.11 FEET; (2) THENCE SOUTHWESTERLY 282.74 FEET, ALONG THE ARC OF A TANGENT CIRCLE TO THE LEFT, HAVING A RADIUS OF 180.00 FEET AND WHOSE CHORD BEARS SOUTH 43 DEGREES 36 MINUTES 34 SECONDS WEST, 254.56 FEET TO A POINT OF TANGENCY; (3) THENCE SOUTH 01 DEGREES 23 MINUTES 26 SECONDS EAST, 547.50 FEET; (4) THENCE SOUTH 88 DEGREES 36 MINUTES 34 SECONDS WEST, 107.21 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

2. Common Address: 1000 East 111th Street, Chicago, Illinois
3. Real Estate Tax Index/Parcel Index Number: : 25-14-300-021-0000 Pond (SE POND)
25-14-300-018-0000 Pond (SE POND)
25-14-300-016-0000 Lot 4 N 1/2 of SW ¼ (SW POND)
25-14-300-017-0000 Lot 4 S 1/2 of SW ¼ (SW POND)
4. Remediation Site Owner: PULLMAN PARK DEVELOPMENT, LLC
5. Land Use: Industrial/Commercial

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Conditions and Terms of Approval

Level of Remediation and Land Use Limitations

- 1) The Remediation Site is restricted to industrial/commercial land use.
- 2) The land use specified in this Letter may be revised if:
 - a) Further investigation or remedial action has been conducted that documents the attainment of objectives appropriate for the new land use; and
 - b) A new Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.

Preventive, Engineering, and Institutional Controls

- 3) The implementation and maintenance of the following controls are required as part of the approval of the remediation objectives for this Remediation Site.

Preventive Controls:

- 4) At a minimum, a safety plan should be developed to address possible worker exposure in the event that any future excavation and construction activities may occur within the contaminated soil below the engineered barriers. Any excavation of 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 engineered barriers must be returned to the same depth from which it was excavated or properly managed or disposed in accordance with applicable state and federal regulations.

Engineering Controls:

- 5) The 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.
- 6) The clean soil barriers, which are comprised of at a minimum one foot clean soil underlain by geo-textile fabric covering flat or slightly sloped areas with slopes less than 4 feet to 1 foot, as shown in the attached Site Base Map, must remain over the contaminated soils. These clean soil barriers must be properly maintained as engineered barriers to inhibit ingestion exposure to the contaminated media.
- 7) The clean soil barriers, which are comprised of at a minimum two feet clean soil underlain by geo-textile fabric covering the areas shown in the attached Site Base Map, must remain over the contaminated soils in steep sloped areas with slopes greater than 4 feet to 1 foot. These clean soil barriers must be properly maintained as engineered barriers to inhibit ingestion exposure to the contaminated media.

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- 8) 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.

Institutional Controls:

- 9) The City of Chicago agrees through the use of May 20, 2013 Highway Authority Agreement and May 20, 2013 Tiered Approach to Corrective Action Supplemental Right-of Way Agreement to allow contaminated soil and groundwater below Doty Avenue from 111th Street to Woodlawn Avenue to remain beneath its highway right-of-way. The highway owner also agrees that the contaminated groundwater shall not be utilized as a potable or other domestic supply water.
- 10) 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.
 - 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

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- d) The following activities shall be grounds for avoidance 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.

Other Terms

- 11) Where a groundwater ordinance is used to assure long-term protection of human health (as identified under Paragraph Nine (9) of this Letter), the Remediation Applicant must record a copy of the groundwater ordinance adopted and administered by a unit of local government along with this Letter.
- 12) Areas outside the Remediation Site boundaries or specific engineered barrier locations, as shown in the Site Base Map, are not subject to any other institutional or engineered barrier controls.
- 13) 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.
- 14) 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
- 15) 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 avoidance, explain the provisions for appeal, and describe the facts in support of this cause. Specific acts or omissions that may result in the avoidance 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:

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- 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.
- 16) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) North Pullman 111th, 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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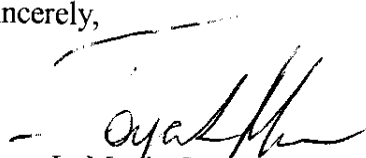
- j) Any financial institution, as that term is defined in Section 2 of the Illinois Banking Act and to include the Illinois Housing Development Authority, that has acquired the ownership, operation, management, or control of the Remediation Site through foreclosure or under the terms of a security interest 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.
- 17) 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.
- 18) 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

- 19) 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. Jim Mergen at (217) 524-1659.

Sincerely,


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

Page 7

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

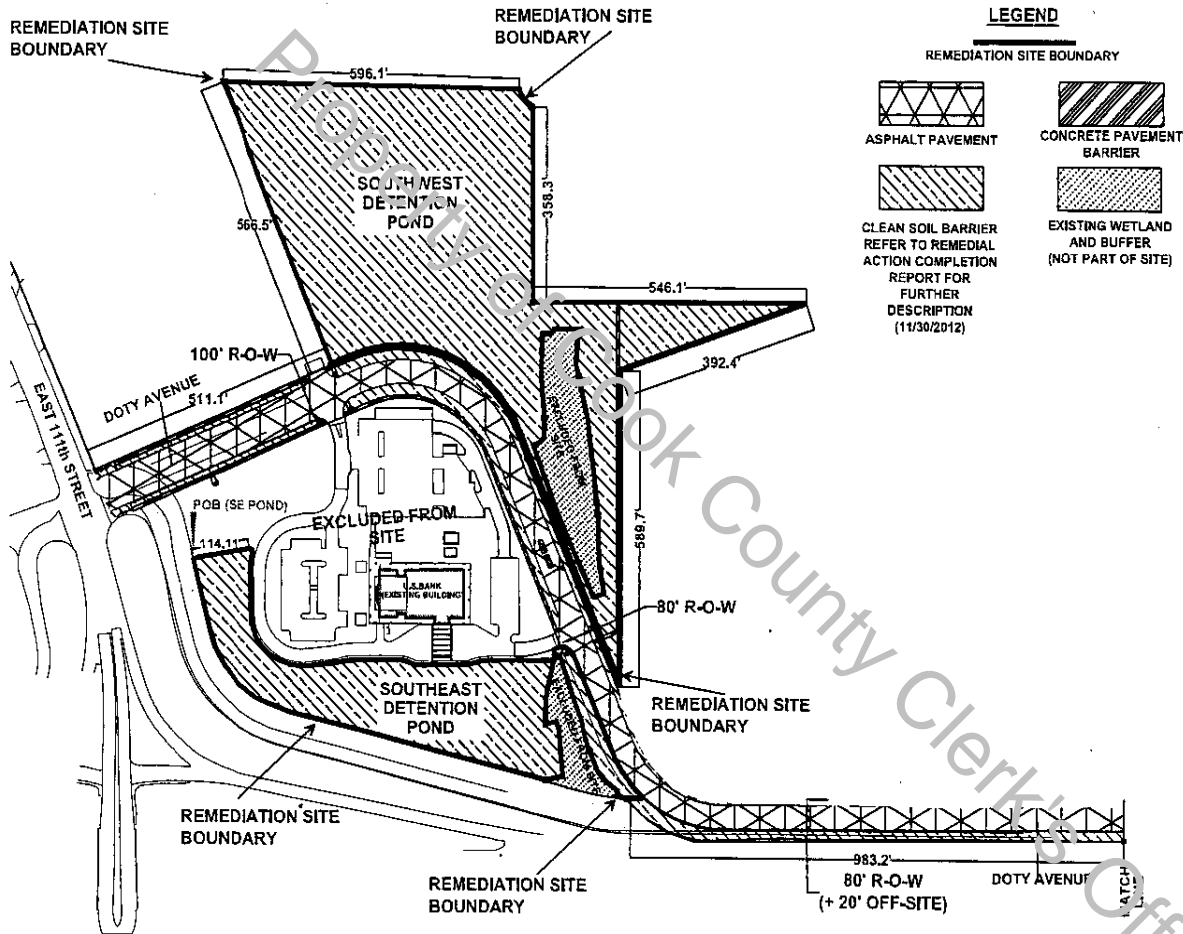
cc: Commissioner, Chicago Department of Fleet and Facility Management, 30 North LaSalle
Street, Chicago, Illinois 60602-2575

Richard J. Vamos, P.E., DAI Environmental, 27834 North Irma Lee Circle,
Lake Forest, Illinois 60045-5130

Property of Cook County Clerk's Office

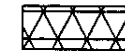
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Site Base Map
 0316495031/Cook County
 Chicago /Ryerson Coil Processing
 (Phase 1A Storm Water Detention Ponds and Doty Avenue Parcel)
 (Formerly Ryerson Steel/Pullman)
 Site Remediation Program
 One of Five



LEGEND

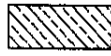
REMEDIATION SITE BOUNDARY



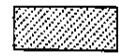
ASPHALT PAVEMENT



CONCRETE PAVEMENT BARRIER

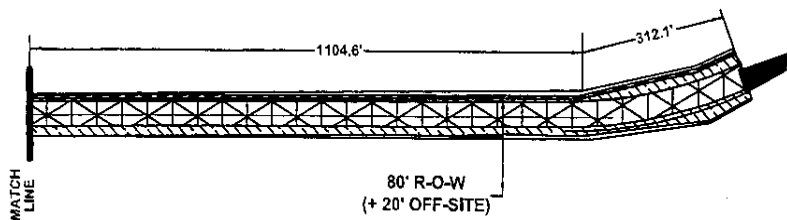
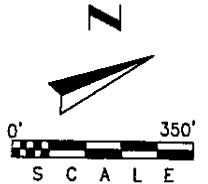


CLEAN SOIL BARRIER REFER TO REMEDIAL ACTION COMPLETION REPORT FOR FURTHER DESCRIPTION (11/30/2012)



EXISTING WETLAND AND BUFFER (NOT PART OF SITE)

CADFILE: 7130-110F-3
 REVISION: 02-07-13



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POB
(SE
POND)

114.11'

**EXCLUDED FROM
SITE**

U.S. BANK
(EXISTING BUILDING)

**REMEDIATION SITE
BOUNDARY**

**SOUTHEAST
DETENTION
POND**

**REMEDIATION SITE
BOUNDARY**

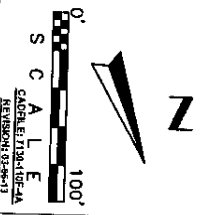
EXCLUDED FROM SITE

DOTY AVENUE (SEE BARRIER DETAILS)
RIGHT-OF-WAY BARRIER (SEE FIGURE 4 OF 5 FOR
DETAILS)

- LEGEND**
- REMEDIATION SITE BOUNDARY
 - 2-FT CLEAN SOIL BARRIER WITH UNDERLYING GEOTEXTILE; STEEP-SLOPE AREA WITH SLOPE GREATER THAN 4:1
 - 1-FT CLEAN SOIL BARRIER WITH UNDERLYING GEOTEXTILE; FLAT OR SLIGHT-SLOPE AREA WITH SLOPE LESS THAN 4:1
 - CONCRETE PAVEMENT BARRIER
 - EXISTING WETLAND AND BUFFER (NOT PART OF SITE)

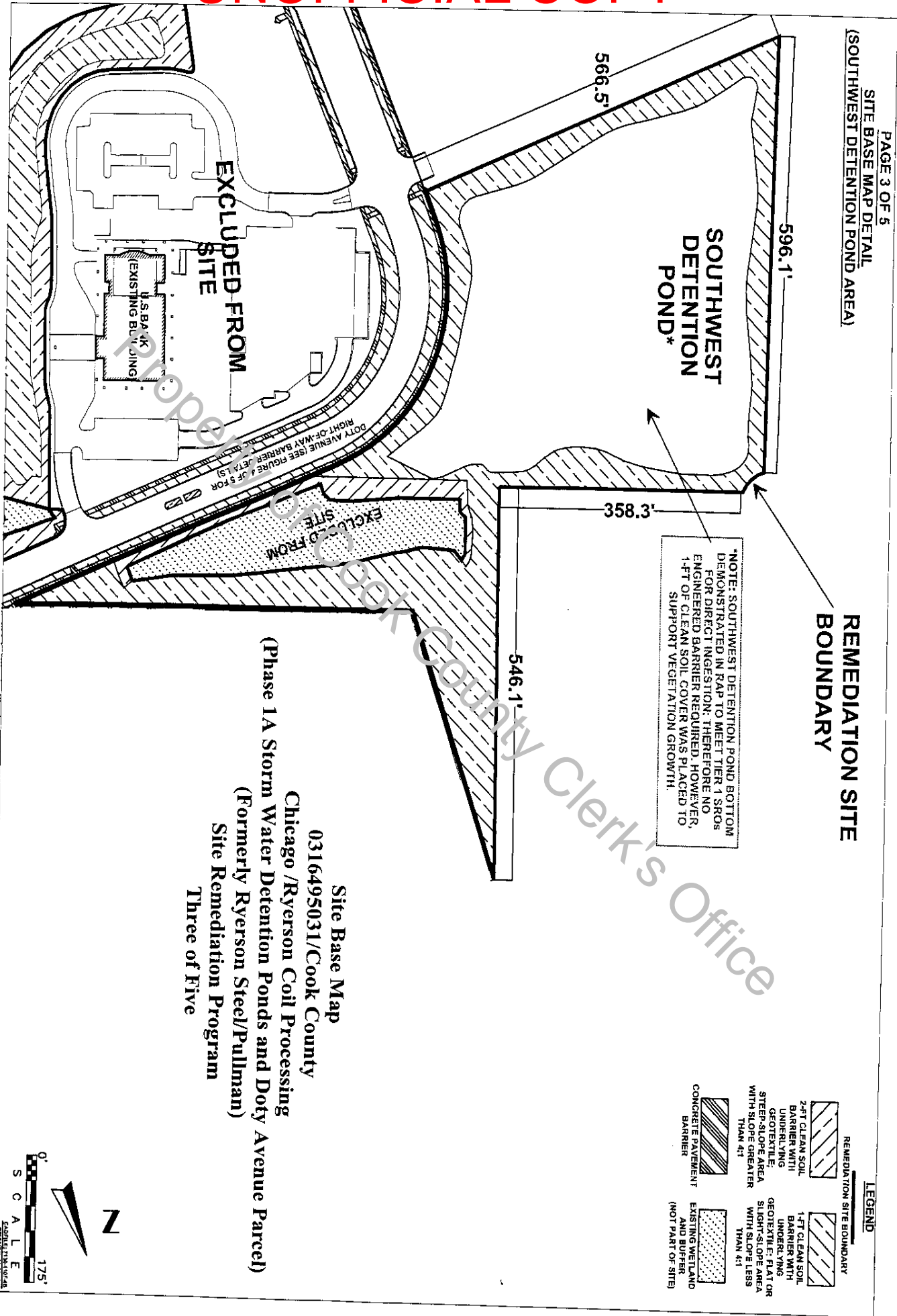
PAGE 2 OF 5
SITE BASE MAP DETAIL
(SOUTHEAST DETENTION POND AREA)

Site Base Map
0316495031/Cook County
Chicago /Ryerson Coll Processing
(Phase 1A Storm Water Detention Ponds and Doty Avenue Parcel)
(Formerly Ryerson Steel/Pullman)
Site Remediation Program
Two of Five



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SITE BASE MAP DETAIL (SOUTHWEST DETENTION POND AREA)

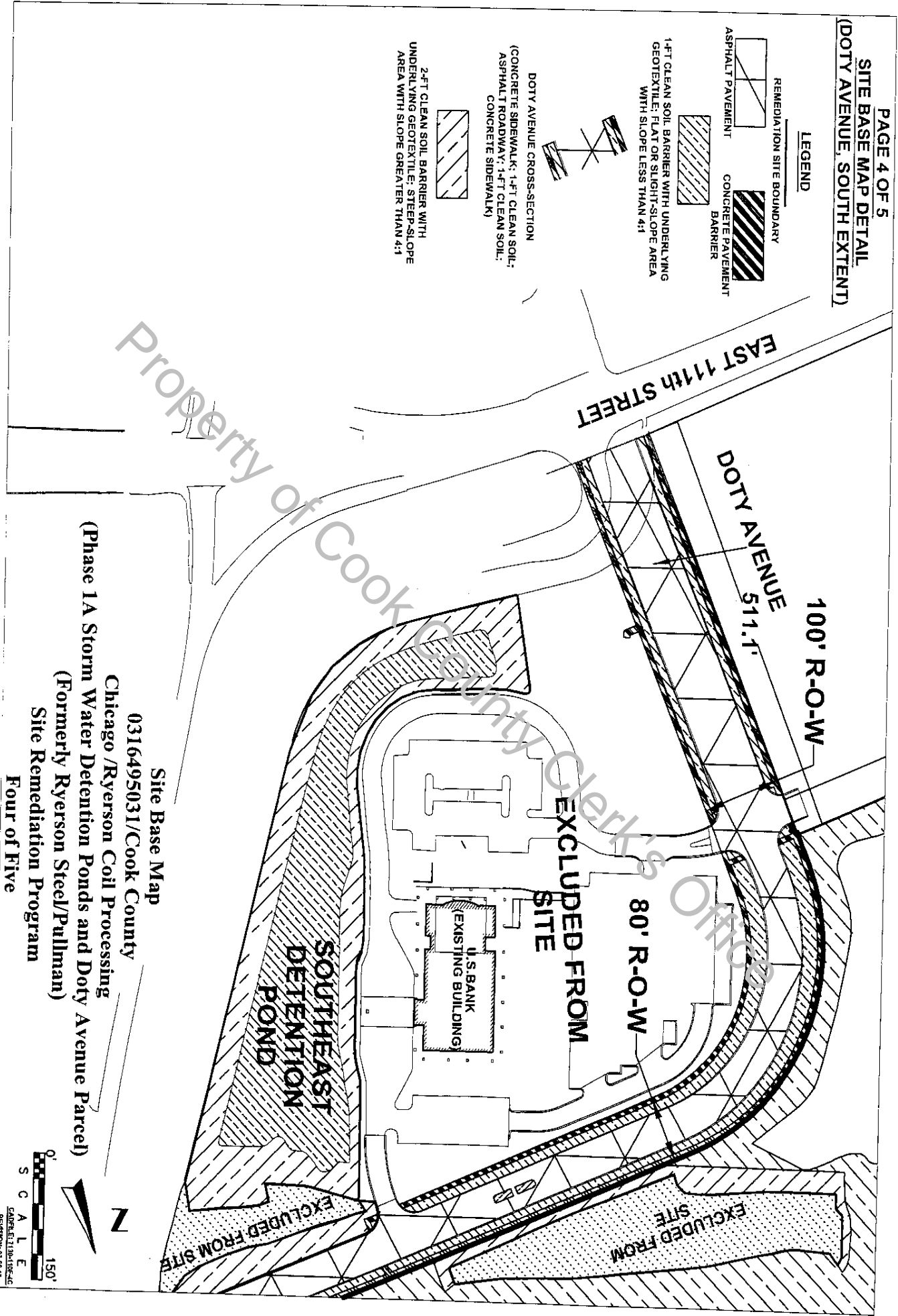


Site Base Map
 0316495031/Cook County
 Chicago /Ryerson Coil Processing
 (Phase 1A Storm Water Detention Ponds and Doty Avenue Parcel)
 (Formerly Ryerson Steel/Pullman)
 Site Remediation Program
 Three of Five

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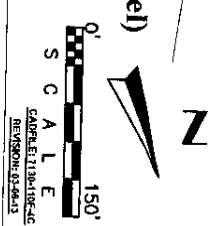
PAGE 4 OF 5
SITE BASE MAP DETAIL
(DOTY AVENUE, SOUTH EXTENT)

- LEGEND**
- REMEDIATION SITE BOUNDARY
 - ASPHALT PAVEMENT
 - CONCRETE PAVEMENT
 - CONCRETE PAVEMENT BARRIER
 - 1-FT CLEAN SOIL BARRIER WITH UNDERLYING GEOTEXTILE; FLAT OR SLIGHT-SLOPE AREA WITH SLOPE LESS THAN 4:1
 - DOTY AVENUE CROSS-SECTION (CONCRETE SIDEWALK; 1-FT CLEAN SOIL; ASPHALT ROADWAY; 1-FT CLEAN SOIL; CONCRETE SIDEWALK)
 - 2-FT CLEAN SOIL BARRIER WITH UNDERLYING GEOTEXTILE; STEEP-SLOPE AREA WITH SLOPE GREATER THAN 4:1



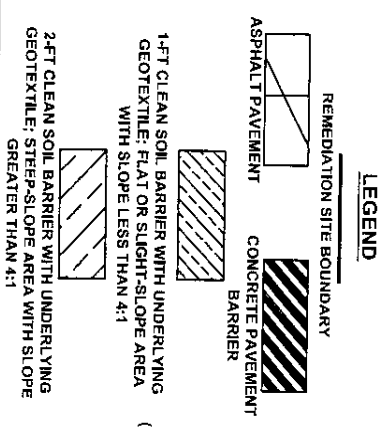
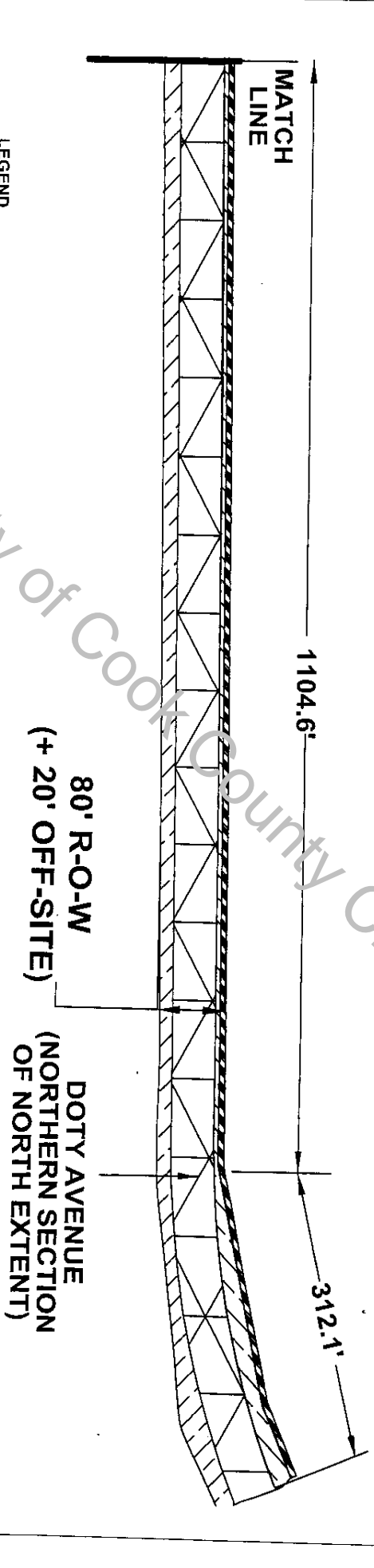
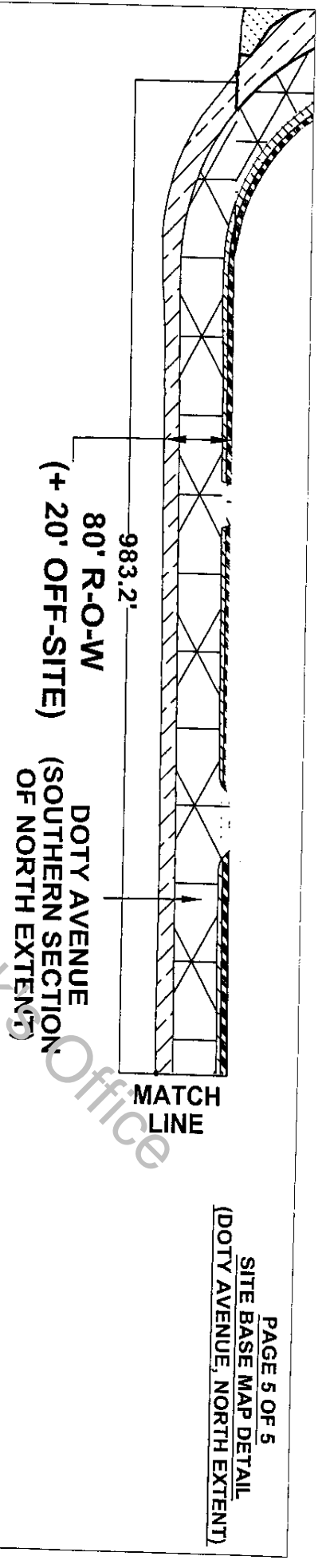
Property of Cook County Clerk's Office

Site Base Map
 0316495031/Cook County
 Chicago /Ryerson Coil Processing
 (Phase 1A Storm Water Detention Ponds and Doty Avenue Parcel)
 (Formerly Ryerson Steel/Pullman)
 Site Remediation Program
 Four of Five

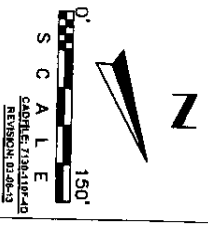


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PAGE 5 OF 5
SITE BASE MAP DETAIL
(DOTY AVENUE, NORTH EXTENT)



Site Base Map
Chicago /Ryerson Coil Processing
0316495031/Cook County
(Phase 1A Storm Water Detention Ponds and Doty Avenue Parcel)
(Formerly Ryerson Steel/Pullman)
Site Remediation Program
Five of Five



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


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

Include the full legal name, title, the company, the street address, the city, the state, the ZIP code, and the telephone number of all other property owners. Include the site name, street address, city, ZIP code, county, Illinois inventory identification number and real estate tax index/parcel index number.

A duly authorized agent means a person who is authorized by written consent or by law to act on behalf of a property owner including, but not limited to:

1. For corporations, a principal executive officer of at least the level of vice-president;
2. For a sole proprietorship or partnership, the proprietor or a general partner, respectively; and
3. For a municipality, state or other public agency, the head of the agency or ranking elected official.

For multiple property owners, attach additional sheets containing the information described above, along with a signed, dated certification, for each. All property owner certifications must be recorded along with the attached NFR letter.

Property Owner Information	
Owner's Name:	<u>Pullman Park Development LLC</u>
Title:	<u>c/o David Doig</u>
Company:	<u>North Pullman 111 Inc.</u>
Street Address:	<u>1000 East 111th Street</u>
City:	<u>Chicago</u>
State:	<u>IL</u>
Zip Code:	<u>60628</u>
Phone:	<u>773-341-2065</u>
Site Information	
Site Name:	<u>Ryerson Coil Processing (Phase 1A Storm Water Detention Ponds and Doty Avenue Parcel)(Formerly Ryerson Steel/Pullman)</u>
Site Address:	<u>720 East 111th Street</u>
City:	<u>Chicago</u>
State:	<u>IL</u>
Zip Code:	<u>60628</u>
County:	<u>Cook</u>
Illinois inventory identification number:	<u>0316495031</u>
Real Estate Tax Index/Parcel Index No.:	<u>25-14-300-016-0000, 25-14-300-017-0000, 25-14-300-018-0000, 25-14-300-021-0000</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:	<u>[Signature]</u> Date: <u>8/26/13</u>
SUBSCRIBED AND SWORN TO BEFORE ME this <u>26</u> day of <u>Aug</u> , 20 <u>13</u>	
<u>[Signature]</u> 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.

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The following is said ordinance as passed:

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 in italics, 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 cooling 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.

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

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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 in brackets and inserting the language in italics, 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 Program;*

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

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STATE OF ILLINOIS, }
County of Cook. } ss.

I, JAMES J. LASKI, City Clerk of the City of Chicago in the County of Cook and State of Illinois, DO HEREBY CERTIFY that the annexed and foregoing is a true and correct copy of that certain ordinance now on file in my office amending Title 11, Chapter 8 and Title 2, Chapter 30 of Municipal Code of Chicago by establishing the definition and regulation of the potable water supply system and Empowerment of Commissioner of Environment for Implementation of State of Illinois Site Remediation Program.

I DO FURTHER CERTIFY that the said ordinance was passed by the City Council of the said City of Chicago on the fourteenth (14th) day of May, A.D. 1997, and deposited in my office on the fourteenth (14th) day of May, A.D. 1997.

I DO FURTHER CERTIFY that the vote on the question of the passage of the said ordinance by the said City Council was taken by yeas and nays and recorded in the Journal of the Proceedings of the said City Council, and that the result of said vote so taken was as follows, to wit: Yeas 47, Nays none.

I DO FURTHER CERTIFY that the said ordinance was delivered to the Mayor of the said City of Chicago after the passage thereof by the said City Council, without delay, by the City Clerk of the said City of Chicago, and that the said Mayor did approve and sign the said ordinance on the fourteenth (14th) day of May, A.D. 1997.

I DO FURTHER CERTIFY that the original, of which the foregoing is a true copy, is entrusted to my care for safe keeping, and that I am the lawful keeper of the same.

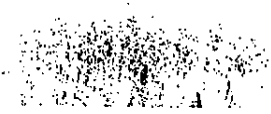
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Chicago aforesaid, at the said City, in the

[L.S.] County and State aforesaid, this third (3rd) day of February, A.D. 1998.

ORIGINAL

James J. Laski
JAMES J. LASKI, City Clerk.

ORIGINAL



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July 1, 1997

City of Chicago
Richard M. Daley, Mayor

Department of Environment

Henry L. Henderson
Commissioner

Twenty-fifth Floor
30 North LaSalle Street
Chicago, Illinois 60602-2575
(312) 744-7606 (Voice)
(312) 744-6451 (FAX)
(312) 744-3586 (TTY)
<http://www.ci.chi.il.us>

Mr. Gary P. King
Manager, Division of Remediation Management
Bureau of Land
Illinois Environmental Protection Agency
1001 N. Grand Avenue, East
Springfield, IL 62702

Re: Chicago Ordinance No. 097990

Dear Mr. King:

Pursuant to 35 Ill. Adm. Code 742.1015(l)(2), Section 11-8-385 and 11-8-380 of the Municipal Code of Chicago, as amended by Ordinance No. 097900, apply to all areas within the corporate limits of the City of Chicago.

Sincerely,



Henry L. Henderson
Commissioner

cc: Mort Ames
Asst. Corp. Counsel



Please Recycle!



SCREENED
MM

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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 MOU, 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);
4. 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

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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: *Asa J. Henderson* 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

Property of Cook County Clerk's Office

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DEPARTMENT OF FLEET AND FACILITY MANAGEMENT
CITY OF CHICAGO

March 2, 2012

Kyle Rominger
Deputy Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East, P.O. Box 19276
Springfield, IL 62794-9276

Dear Mr. Rominger:

Enclosed is the executed original of the amendment to the agreement between the Illinois Environmental Protection Agency and the City of Chicago regarding the Use of a Local Potable Water Supply Well Ordinance.

Thank you for your assistance with these changes.

Sincerely,

Kimberly Worthington, P.E., LEED AP
Deputy Commissioner
Bureau of Environmental Management

Enclosure

RECEIVED
Division of Legal Counsel

MAR 14 2012

Environmental Protection
Agency

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AGREEMENT TO AMEND THE 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
REMEDICATION" DETERMINATIONS BY THE ILLINOS ENVIRONMENTAL
PROTECTION AGENCY TO THE CITY OF CHICAGO

This agreement is made and entered into by and between the Illinois Environmental Protection Agency ("IEPA") and the City of Chicago ("CITY") to amend the above referenced Memorandum of Understanding dated July 1997 ("1997 MOU").

WHEREAS, the IEPA and CITY entered into the 1997 MOU 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 CITY will be provided copies of all "No Further Remediation" letters or determinations issued by IEPA pursuant to specific programs for sites located within the boundaries of Chicago, Illinois, in order to enable CITY to maintain a complete and up-to-date registry of sites as required by 35 Ill. Adm. Code 742.1015(i)(5); and

WHEREAS, the 1997 MOU provided at Section II B. 2. the address for copies of "No Further Remediation" letters, determinations, or other communications concerning the MOU to be directed to the CITY's Department of Environment at 25th Floor, 30 North LaSalle Street, Chicago, Illinois 60602; and

WHEREAS, a portion of the CITY's Department of Environment has been merged into the CITY's Department of Fleet and Facility Management as of January 1, 2012, and the 1997 MOU is now being administered by the CITY under its Department of Fleet and Facility Management; and

WHEREAS, the IEPA and CITY desire to correct the address to send copies of "No Further Remediation" letters, determinations, or other communications to the CITY listed at Section II B. 2. of the 1997 MOU; and

WHEREAS, the IEPA and CITY desire for all other provisions of the 1997 MOU to remain the same.

NOW, THEREFORE, IEPA and CITY hereby agree to amend that part of Section II B. 2. of the 1997 MOU that provides the address to send copies of "No Further Remediation" letters, determinations, or other communications to the CITY as follows, with all other parts of Section II B. 2. to remain the same:

Commissioner
Chicago Department of Fleet and Facility Management
30 North LaSalle Street
Suite 300
Chicago, Illinois 60602


UNOFFICIAL COPY

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


By the signatures of their authorized representatives below, the IEPA and CITY acknowledge they have read and understand this agreement and intend for this agreement to take effect upon execution.

City of Chicago, by and through the
Department of Fleet and Facility Management:

Illinois Environmental Protection Agency



David J. Reynolds
Commissioner
Department of Fleet and Facility Management



John L. Kim
Interim Director

Date: 02/02/12

Date: 2/22/12

Property of Cook County Clerk's Office