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PREPARED BY:

Name: 2501 Homer, LLC  
c/o Harlem Irving Companies, Inc.  
Attn: Mr. Vincent Forgione

Address: 4104 North Harlem Avenue  
Norridge, Illinois 60706



Doc# 1807329010 Fee \$58.00

RHSP FEE: \$9.00 RPRF FEE: \$1.00

KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 03/14/2018 10:00 AM PG: 1 OF 11

RETURN TO:

Name: 2501 Homer, LLC  
c/o Harlem Irving Companies, Inc.  
Attn: Mr. Vincent Forgione

Address: 4104 North Harlem Avenue  
Norridge, Illinois 60706

**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 Office of the Recorder of Cook County.

Illinois State EPA Number: 0316225322

2501 Homer, LLC c/o Harlem Irving Companies, Inc., the Remediation Applicant, whose address is 4104 North Harlem Avenue, Norridge, Illinois 60706 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:

THAT PART OF LOTS 1 TO 10, TAKEN TOGETHER AS A TRACT, LYING WEST OF A LINE 169.00 FEET, AS MEASURED AT RIGHT ANGLES, WEST OF AND PARALLEL WITH THE EAST LINE OF SAID LOT 1, IN BLOCK 2 IN B. F. JACOBS SUBDIVISION OF BLOCK 2 IN JOHNSTON'S SUBDIVISION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN;

ALSO

LOTS 2 AND 3 IN PETER'S SUBDIVISION OF LOTS 11 TO 25 INCLUSIVE, IN BLOCK 2 IN B. F. JACOB'S SUBDIVISION OF BLOCK 2 IN JOHNSTON'S SUBDIVISION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN;

R4

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ALSO

LOT 1 IN THE SUBDIVISION OF LOTS 11 TO 25 INCLUSIVE, IN BLOCK 2 IN JACOB'S SUBDIVISION OF BLOCK 2 IN JOHNSTON'S SUBDIVISION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN COOK COUNTY, ILLINOIS. (CONTAINING 17,755 SQUARE FEET OR 0.4076 ACRES)

2. Common Address: 2501 West Homer Street, Chicago, Illinois 60647
3. Real Estate Tax Index/Parcel Index Number: 13-36-407-012-0000; 13-36-407-013-0000; and 13-36-407-040-0000
4. Remediation Site Owner: 2501 Homer, LLC c/o Harlem Irving Companies, Inc.
5. Land Use: Residential and/or Industrial/Commercial
6. Site Investigation: Comprehensive

See NFR letter for other terms.

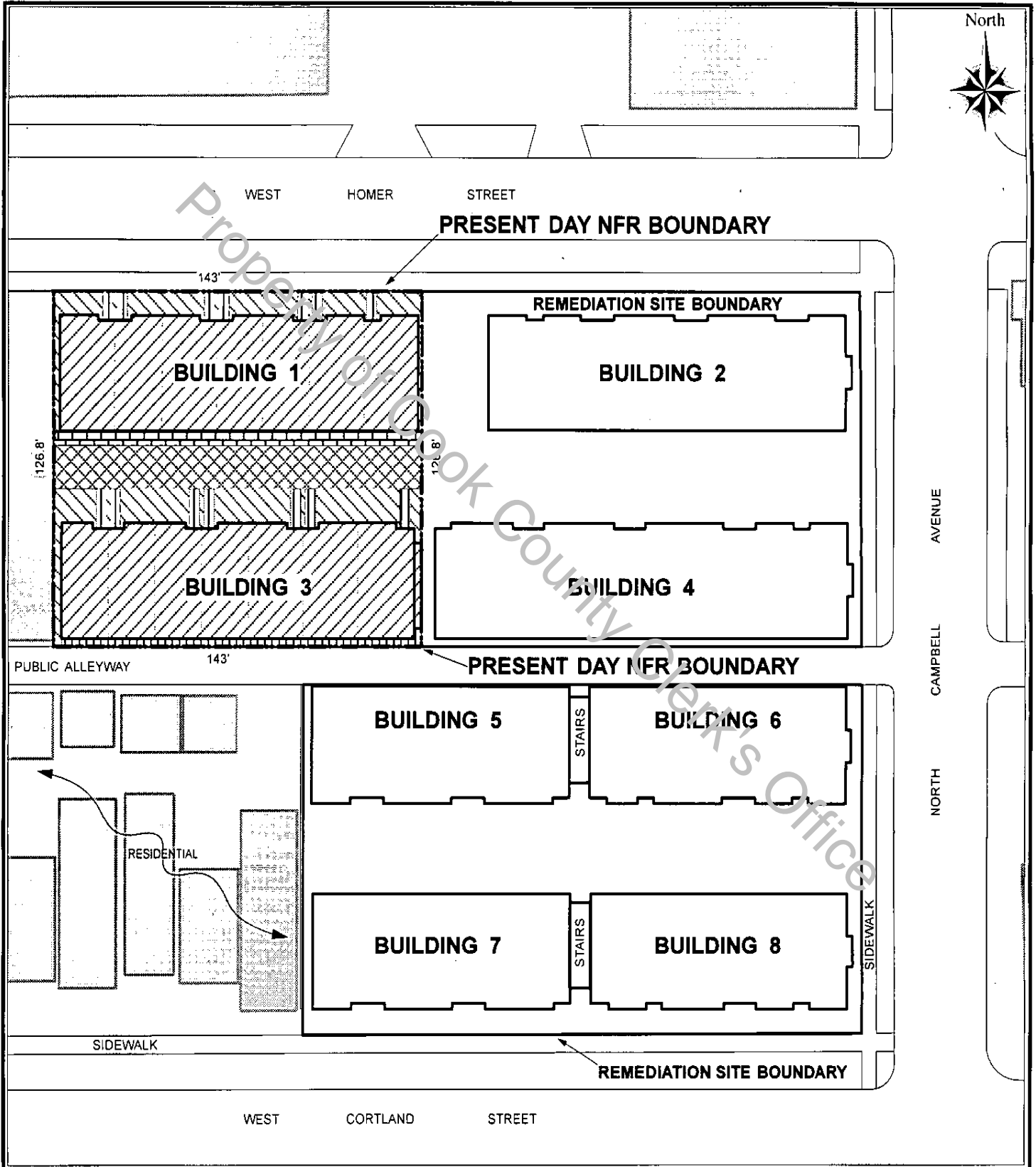
**(Illinois EPA Site Remediation Program Environmental Notice)**

Property of Cook County Clerk's Office

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## SITE BASE MAP

LPC# 0316225322 - COOK COUNTY  
CHICAGO /2501.HOMER LLC  
SITE REMEDIATION /TECHNICAL REPORTS



Legend: Remediation Site Boundary  
Present Day NFR Boundary

Concrete Building Slab



Concrete Pavement



18" of Clean Imported Fill  
Underlain By Geotextile Fabric



Minimum 5.5-foot Aggregate  
& Geotextile Engineered  
Barrier (Figure 10)



Minimum 11-inch Aggregate  
& Geotextile Engineered  
Barrier (Figure 11)

Scale:

1"=50'

0' 50'

Address:

2501 West Homer Street  
Chicago, IL

Date:

November 2017

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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.

|   |
|---|
| <b>Property Owner Information</b>   |
| Owner's Name: _____<br>Title: _____<br>Company: _____<br>Street Address: _____<br>City: _____ State: _____ Zip Code: _____ Phone: _____   |
| <b>Site Information</b>   |
| Site Name: _____<br>Site Address: _____<br>City: _____ State: _____ Zip Code: _____ County: _____<br>Illinois inventory identification number: _____<br>Real Estate Tax Index/Parcel Index No. _____                          |
| 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.<br><br>Owner's Signature: _____ Date: _____ |
| SUBSCRIBED AND SWORN TO BEFORE ME<br>this _____ day of _____, 20__  |
| _____<br>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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## Notice to Remediation Applicant

**Please follow these instructions when filing the NFR letter with the County Recorder's Office**

### Instructions for Filing the NFR Letter

The following documents must be filed:

- A. Body of the NFR Letter (contains appropriate terms and conditions, tables, etc.)
  - B. Attachments to NFR letter
    - Illinois EPA Site Remediation Program Environmental Notice (Legal Description and PIN of property)
    - Maps of the site
    - Table A: Regulated Substances of Concern (if applicable.)
    - Property Owner Certification
  - C. A copy of the ordinance, if applicable, used to address groundwater contamination
1. Place the Illinois EPA Site Remediation Program Environmental Notice on top of the NFR prior to giving it to the Recorder.
  2. If you are not the owner (record title holder) of the property on the date of filing of this NFR, you must attach a **completed** owner's certification form signed by the owner of the property at the time of filing (e.g., if the property recently sold, the new owner must sign).
  3. If any of the terms and conditions of the NFR letter references a groundwater ordinance, you must record a copy of the groundwater ordinance with the NFR letter.
  4. If any of the terms and conditions of the NFR letter references a highway agreement, you must record the highway agreement if specifically required by the municipality granting the agreement, the County or the Illinois Department of Transportation.
  5. Within thirty (30) days of this NFR Letter being recorded by the Office of the Recorder of the County in which the property is located, a certified copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA to:

Jim Scott  
 Illinois Environmental Protection Agency  
 Bureau of Land/RPMS  
 1021 North Grand Avenue East  
 Post Office Box 19276  
 Springfield, IL 62794-9276

6. **Remove this page from the NFR letter, prior to recording.**

If you have any questions call (217) 524-6940 and speak with the "project manager on-call" in the Site Remediation Program.



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## ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

BRUCE RAUNER, GOVERNOR

ALEC MESSINA, DIRECTOR

217/524-3300

February 23, 2018

CERTIFIED MAIL

7014 2120 0002 3285 5491

2501 Homer, LLC c/o Harlem Irving Companies, Inc.  
 Attn: Mr. Vincent Forgione  
 4104 North Harlem Avenue  
 Norridge, Illinois 60706

Re: 0316225322/Cook County  
 Chicago/2501 Homer Street, LLC (Buildings 1 & 3)  
 Site Remediation Program/Technical Reports  
 No Further Remediation Letter

Dear Mr. Forgione:

The *Remedial Action Completion Report* (received December 4, 2017/Log No. 17-65998), and *Remedial Action Completion Report Addendum* (received February 2, 2018/Log No. 18-66398), as prepared by Pioneer Engineering and Environmental Services, LLC for the above-referenced Remediation Site, have been reviewed and approved by the Illinois Environmental Protection Agency ("Illinois EPA"). These Reports demonstrate that the remediation objectives approved for the site, in accordance with 35 Illinois Administrative Code Part 742, are above the existing concentrations of regulated substances and that the remedial action was completed in accordance with the *Remedial Action Plan* (received December 7, 2016/Log No. 16-63673) and 35 Illinois Administrative Code Part 740.

The Remediation Site, consisting of 0.41 acres, is located at 2501 West Homer 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 February 7, 2018/Log No. 18-66441), is 2501 Homer, LLC.

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.

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## Conditions and Terms of Approval

### Level of Remediation and Land Use Limitations

- 1) The Remediation Site is approved for Residential and/or 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

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:

- 3) 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. 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 surface grade 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:

- 4) The concrete cap barrier, as shown on 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 of the contaminated media.
- 5) The concrete slab of the building, as shown on the attached Site Base Map, must remain over the contaminated soils. This concrete slab must be properly maintained as an engineered barrier to inhibit ingestion of the contaminated media.
- 6) The alternative engineered barrier, comprised of a minimum of 5.5 feet of clean aggregate overlying a Mirafi® 140N geotextile fabric in the areas shown on the attached Site Base Map, must remain over the contaminated soils. This alternative engineered barrier must be properly maintained as an engineered barrier to inhibit ingestion of the contaminated media.



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- 7) The alternative engineered barrier, comprised of a minimum of permeable (or impermeable) 4-inch pavers underlain by up to 9 inches of clean aggregate overlying a Mirafi® 140N geotextile fabric, must remain over the contaminated soils in the areas shown on the attached Site Base Map. This alternative engineered barrier must be properly maintained as an engineered barrier to inhibit ingestion of the contaminated media.
- 8) The alternative engineered barrier, which is comprised of a Mirafi® 140N geotextile fabric overlain with 18 inches of clean soil in the landscaped areas shown on the attached Site Base Map, must remain over the contaminated soils. This alternative engineered barrier must be properly maintained as an engineered barrier to inhibit ingestion of the contaminated media.

## Institutional Controls:

- 9) Any existing buildings or any future buildings constructed on the site must contain a full concrete slab-on-grade floor or full concrete basement floor and walls with no sump(s).
- 10) 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).

## Other Terms

- 11) 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 20160665 have been completed. This Letter constitutes the Illinois EPA's final decision regarding the above-referenced Leaking UST incident.
- 12) 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.
- 13) 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  
Division of Records Management #16  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276



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- 14) 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;
  - 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.
- 15) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) 2501 Homer, LLC c/o Harlem Irving Companies, 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;

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- g) Any successor-in-interest of the owner of the Remediation Site;
- h) Any transferee of the owner of the Remediation Site whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest;
- i) Any heir or devisee of the owner of the Remediation Site;
- j) Any financial institution, as that term is defined in Section 2 of the Illinois Banking Act and to include the Illinois Housing Development Authority, that has acquired the ownership, operation, management, or control of the Remediation Site through foreclosure or under the terms of a security interest held by the financial institution, under the terms of an extension of credit made by the financial institution, or any successor-in-interest thereto; or
- k) In the case of a fiduciary (other than a land trustee), the estate, trust estate, or other interest in property held in a fiduciary capacity, and a trustee, executor, administrator, guardian, receiver, conservator, or other person who holds the remediated site in a fiduciary capacity, or a transferee of such party.
- 16) 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 2501 Homer Street, LLC (Buildings 1 & 3) property.
- 17) 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:
- Mr. Jim Scott  
Illinois Environmental Protection Agency  
Bureau of Land/RPMS #24  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276
- 18) 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.

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If you have any questions regarding the 2501 Homer Street, LLC (Buildings 1 & 3) property, you may contact the Illinois EPA project manager, Barb Landers at (217) 557-6939 or at [barb.landiers@illinois.gov](mailto:barb.landiers@illinois.gov).

Sincerely,



Gregory W. Dunn, Manager  
Remedial Project Management Section  
Division of Remediation Management  
Bureau of Land

Attachments: Illinois EPA Site Remediation Program Environmental Notice  
Site Base Map  
Property Owner Certification of No Further Remediation Letter under the  
Site Remediation Program Form  
Instructions for Filing the NFR Letter

cc: Natalie Struble: [nstruble@pioneerces.com](mailto:nstruble@pioneerces.com)

Bureau of Land File  
Mr. Jim Scott

Property of Cook County Clerk's Office