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PREPARED BY:

Mr. Adam LeFebvre
Specialty Print Communications

6019 West Howard Street
Niles, Illinois 60714

RETURN TO:

Mr. Adam LeFebvre
Specialty Print Communications

6019 West Howard Street
Niles, Illinois 60714



Doc# 1914245047 Fee \$88.00

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

EDWARD M. MOODY

COOK COUNTY RECORDER OF DEEDS

DATE: 05/22/2019 03:34 PM PG: 1 OF 16

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: 0312010003

Specialty Print Communications, the Remediation Applicant whose address is 6019 West Howard Street, Niles, Illinois 60714 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:

PARCEL 1:

THE SOUTH 425 FEET OF THE EAST 18.5 ACRES (EXCEPT THE WEST 330.0 FEET THEREOF) OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF THE SOUTH 425 FEET OF LOT 5 OF MCDONNELL'S SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING WEST OF THE WESTERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD, IN COOK COUNTY, ILLINOIS.

2. Common Address: 7420-7430 Lehigh Avenue, Niles, IL

3. Real Estate Tax Index/Parcel Index Number: 10-29-400-008-0000; 10-29-303-017-0000

4. Remediation Site Owner: Specialty Print Communications

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5. Land Use: Industrial/Commercial

6. Site Investigation: Focused

See NFR letter for other terms.

(Illinois EPA Site Remediation Program Environmental Notice)

Property of Cook County Clerk's Office

**COOK COUNTY
RECORDER OF DEEDS**

**COOK COUNTY
RECORDER OF DEEDS**

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FORT DEARBORN COMPANY
6035 GROSS POINT ROAD

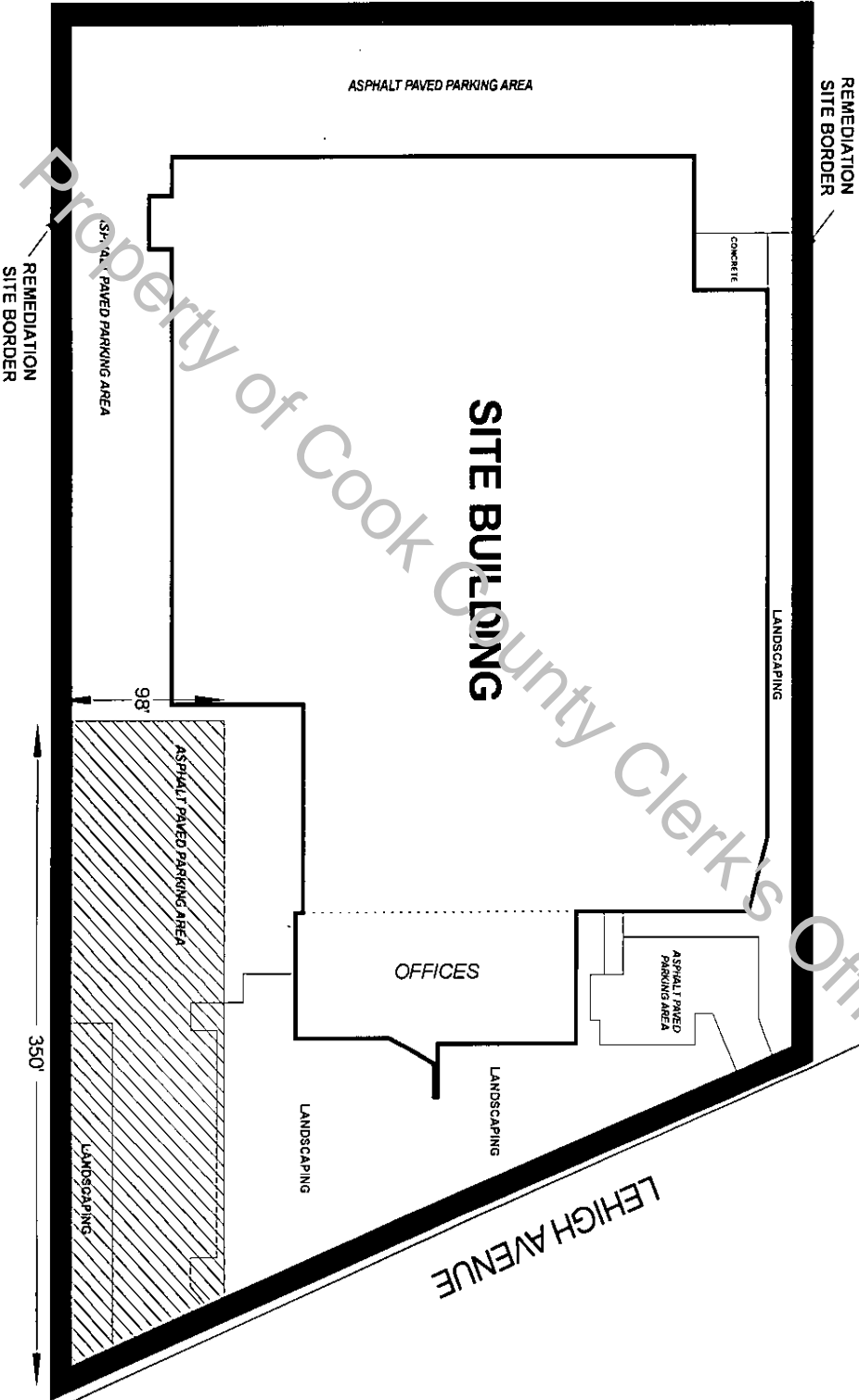
Site Base Map
LPC #: 0312010003 - Cook County
Niles/Specialty Print Communications
Site Remediation Program/Technical Reports

JOHNSON & QUIN
7460 LEHIGH AVENUE

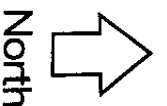


= LIMIT OF THE CONSTRUCTION WORKER INHALATION CAUTION

NOTE: ALL CURRENT AND FUTURE BUILDINGS MUST BE CONSTRUCTED ON FULL CONCRETE SLAB ON GRADE FOUNDATIONS, OR BASEMENTS WITH FULL CONCRETE WALLS AND FLOORS WITH NO SUMPS.



MULTI-TENANT COMMERCIAL/LIGHT INDUSTRIAL BUILDING
7400-7410 LEHIGH AVENUE AND 5990-5994 TOUHY AVENUE



North

Scale
1 inch = 100 feet
0 100'

UNOFFICIAL COPY**TABLE A: Regulated Substances of Concern**

**LPC# 0312010003/Cook County
Niles/Specialty Print Communications
Site Remediation Program**

| Volatile Organic Compounds (VOCs) | |
|--|----------------------------|
| CAS No. | Compound Name |
| 67-64-1 | Acetone |
| 71-43-2 | Benzene |
| 75-27-4 | Bromodichloromethane |
| 75-25-2 | Bromoform |
| 74-83-9 | Bromomethane |
| 78-93-3 | 2-Butanone |
| 75-15-0 | Carbon Disulfide |
| 56-23-5 | Carbon Tetrachloride |
| 108-90-7 | Chlorobenzene |
| 75-00-3 | Chloroethane |
| 67-66-3 | Chloroform |
| 74-87-3 | Chloromethane |
| 124-48-1 | Dibromochloromethane |
| 75-34-3 | 1,1-Dichloroethane |
| 107-06-2 | 1,2-Dichloroethane |
| 75-35-4 | 1,1-Dichloroethene |
| 540-59-0 | 1,2-Dichloroethene (total) |
| 156-59-2 | cis-1,2-Dichloroethene |
| 156-60-5 | trans-1,2-Dichloroethene |
| 78-87-5 | 1,2-Dichloropropane |
| 10061-02-6 | trans-1,3-Dichloropropene |
| 10061-01-5 | cis-1,3-Dichloropropene |
| 100-41-4 | Ethylbenzene |
| 591-78-6 | 2-Hexanone |
| 75-09-2 | Methylene Chloride |
| 108-10-1 | 4-Methyl-2-Pentanone |
| 1634-04-4 | Methyl tert-butyl ether |
| 100-42-5 | Styrene |
| 79-34-5 | 1,1,2,2-Tetrachloroethane |
| 127-18-4 | Tetrachloroethene |
| 71-55-6 | 1,1,1-Trichloroethane |
| 79-00-5 | 1,1,2-Trichloroethane |
| 79-01-6 | Trichloroethene |
| 108-88-3 | Toluene |
| 75-01-4 | Vinyl Chloride |
| 1330-20-7 | Xylenes (total) |

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| Polynuclear Aromatic Compounds (PNAs) | |
|--|------------------------|
| CAS No. | Compound Name |
| 208-96-8 | Acenaphthalene |
| 83-32-9 | Acenaphthene |
| 120-12-7 | Anthracene |
| 56-55-3 | Benzo(a)anthracene |
| 205-99-2 | Benzo(b)fluoranthene |
| 207-08-9 | Benzo(k)fluoranthene |
| 191-24-2 | Benzo(g,h,i)perylene |
| 50-32-8 | Benzo(a)pyrene |
| 218-01-9 | Chrysene |
| 53-70-3 | Dibenzo(a,h)anthracene |
| 206-44-0 | Fluoranthene |
| 86-73-7 | Fluorene |
| 193-39-5 | Indeno(1,2,3-cd)pyrene |
| 91-20-3 | Naphthalene |
| 85-01-8 | Phenanthrene |
| 129-00-0 | Pyrene |

| Inorganics | |
|-------------------|----------------------|
| CAS No. | Compound Name |
| 7440-38-2 | Arsenic |
| 7440-39-3 | Barium |
| 7440-43-9 | Cadmium |
| 7440-47-3 | Chromium |
| 7439-92-1 | Lead |
| 7439-97-6 | Mercury |
| 7782-49-2 | Selenium |
| 7440-22-4 | Silver |

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ORDINANCE NUMBER
ORDINANCE 2001-10

**AN ORDINANCE TO AMEND CHAPTER 102 OF THE
CODE OF ORDINANCES, VILLAGE OF
NILES PROHIBITING THE USE OF GROUNDWATER
AS A POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF
POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD**

WHEREAS, certain properties in the Village of Niles ("Village") of Niles, Illinois have been used over a period of time for commercial/industrial purposes; and

WHEREAS, because of this use, concentrations of certain chemical constituents in the groundwater beneath the Village may exceed Class I groundwater quality standards for potable resource groundwater as set forth in 35 ILL. ADM. CODE PART 620 or Tier I residential remediation objectives as set forth in 35 ILL. ADM. CODE PART 742; and

WHEREAS, the Village of Niles desires to limit potential threats to human health from groundwater contamination while facilitating the redevelopment and productive use of properties that are the source of those chemical constituents;

NOW, THEREFORE, BE IT **ORDAINED** by the President and Board of Trustees of the Village of Niles, Cook County, Illinois, as follows:

SECTION 1. That Chapter 102-Utilities, Article III-Water, Sections 102-181 of the Code of Ordinances, of the Village of Niles shall read as follows:

Section 102-181 — Use of Groundwater as a Potable Water Supply Prohibited

(a) The use or attempt to use as a potable water supply groundwater from within the corporate limits of the Village of Niles by the installation or drilling of wells or by any other method is hereby prohibited.

(b) Definitions

"Person" is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity, or their legal representatives, agents or assigns.

"Potable water" is any water used for human or domestic consumption, including, but not limited to, water used for drinking, bathing, swimming, washing dishes, or prepared foods.

(c) Penalties - Any person violating the provisions of this ordinance shall be subject to a fine of up to Five hundred dollars (\$500.00) for each violation.

SECTION 2. The provisions of this Ordinance are hereby declared to be severable. If any of these sections, provisions, sentences, clauses, phrases, or parts are held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

Exhibit A

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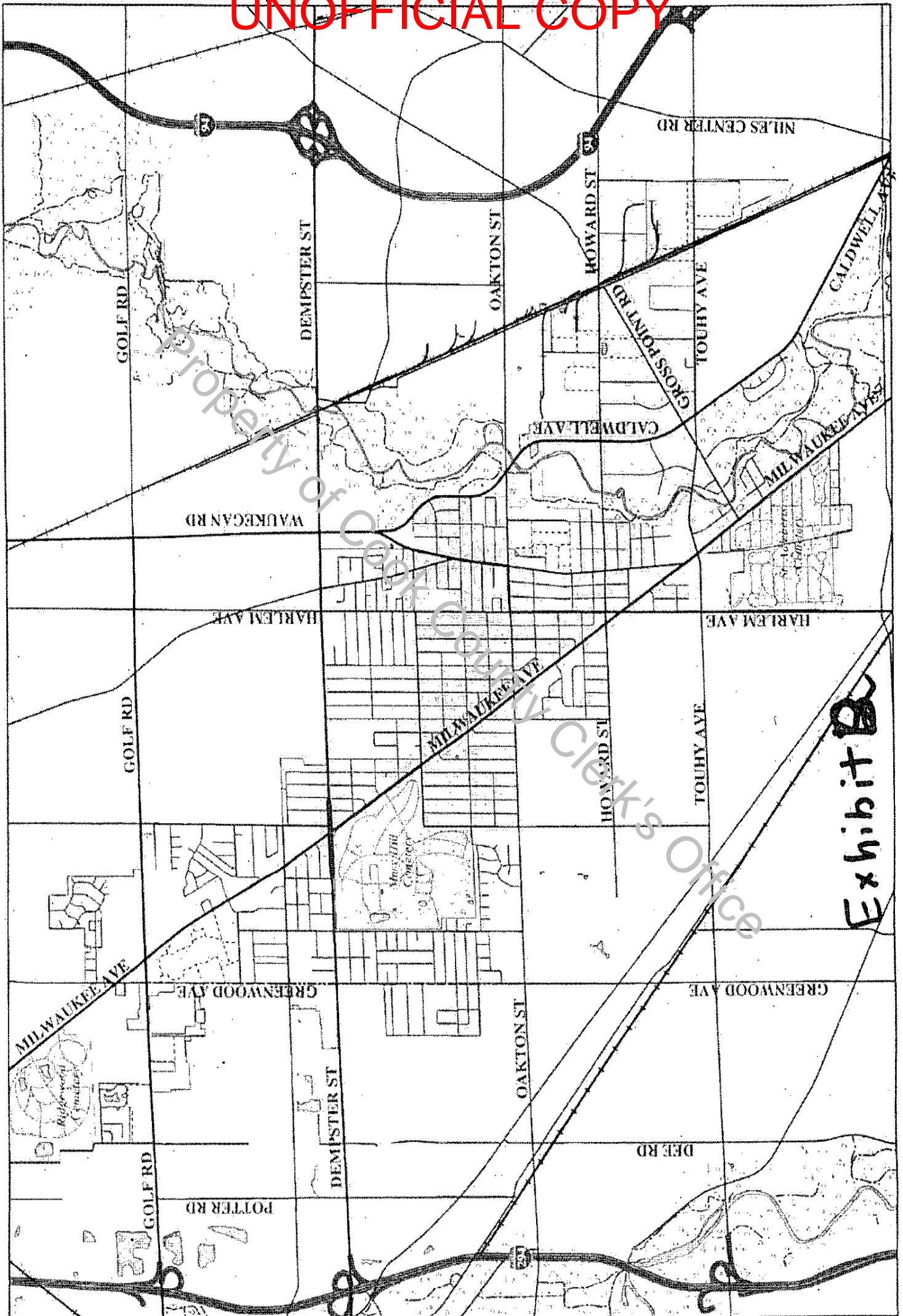


Exhibit B

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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: _____ Title: _____ Company: _____ Street Address: _____ City: _____ State: _____ Zip Code: _____ Phone: _____ |
| Site Information |
| Site Name: _____ Site Address: _____ City: _____ State: _____ Zip Code: _____ County: _____ Illinois inventory identification number: _____ 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. Owner's Signature: _____ Date: _____ SUBSCRIBED AND SWORN TO BEFORE ME this _____ day of _____, 20__ _____ 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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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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

JB PRITZKER, GOVERNOR

JOHN J. KIM, ACTING DIRECTOR

217/524-3300

April 29, 2019

CERTIFIED MAIL

7015 0640 0004 7915 9400

Specialty Print Communications
 Attn: Mr. Adam LeFebvre
 6019 West Howard Street
 Niles, Illinois 60714

Re: 0312010003/Cook County
 Niles/Specialty Print Communications
 Site Remediation Program/Technical Reports
 No Further Remediation Letter

Dear Mr. LeFebvre:

The *Remedial Action Completion Report* (received December 26, 2018/Log No. 19-68453) and *Response Letter* (received April 2, 2019/Log No. 19-69049), as prepared by EPS Environmental Services, Inc. for the above referenced Remediation Site, have been reviewed and approved by the Illinois Environmental Protection Agency ("Illinois EPA"). 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 the above report shall serve as the approved Remedial Action Completion Report.

The Remediation Site, consisting of 2.48 acres, is located at 7420-7430 Lehigh Avenue, Niles, 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 December 26, 2018/Log No. 19-68453), is Specialty Print Communications.

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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.

Conditions and Terms of Approval

Level of Remediation and Land Use Limitations

- 1) The recognized environmental conditions characterized by the focused site investigation and successfully addressed, consist of the contaminants of concern identified 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.

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:

- 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. The attached site base map identifies the area(s) at the site where the safety plan must be implemented. 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 the ground surface 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:

There are no engineering controls required.

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Institutional Controls:

- 5) 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 sumps.
- 6) Ordinance 2001-10 adopted by the Village of Niles on February 27, 2001 effectively prohibits the installation and use of potable water supply wells in the Village of Niles. This ordinance provides an acceptable institutional control under the following conditions:
 - a) The Remediation Applicant shall provide written notification to the Village of Niles 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 Ordinance 2001-01;
 - 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.
 - b) 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:

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
 - c) The following activities shall be grounds for voidance of the ordinance as an institutional control and this Letter:
 - i) Modification of the referenced ordinance to allow potable uses of groundwater;
 - ii) Approval of a site-specific request, such as a variance, to allow use of groundwater at the Remediation Site or at the affected properties;

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- 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 Village of Niles and affected property owner(s) of the intent to use Ordinance 2001-01 as an institutional control at the Remediation Site; and
- iv) Violation of the terms and conditions of this No Further Remediation letter.

Other Terms

- 7) Where a groundwater ordinance is used to assure long-term protection of human health (as identified under Paragraph 6 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.
- 8) 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.
- 9) 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
- 10) 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;

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- d) The failure to comply with the recording requirements for this Letter;
 - e) Obtaining the Letter by fraud or misrepresentation;
 - f) Subsequent discovery of contaminants, not identified as part of the investigative or remedial activities upon which the issuance of the Letter was based, that pose a threat to human health or the environment;
 - g) The failure to pay the No Further Remediation Assessment Fee within forty-five (45) days after receiving a request for payment from the Illinois EPA;
 - h) The failure to pay in full the applicable fees under the Review and Evaluation Services Agreement within forty-five (45) days after receiving a request for payment from the Illinois EPA.
- 11) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) Specialty Print Communications;
 - b) The owner and operator of the Remediation Site;
 - c) Any parent corporation or subsidiary of the owner of the Remediation Site;
 - d) Any co-owner, either by joint-tenancy, right of survivorship, or any other party sharing a relationship with the owner of the Remediation Site;
 - e) Any holder of a beneficial interest of a land trust or inter vivos trust, whether revocable or irrevocable, involving the Remediation Site;
 - f) Any mortgagee or trustee of a deed of trust of the owner of the Remediation Site or any assignee, transferee, or any successor-in-interest thereto;
 - g) Any successor-in-interest of the owner of the Remediation Site;
 - h) Any transferee of the owner of the Remediation Site whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest;
 - i) Any heir or devisee of the owner of the Remediation Site;
 - j) Any financial institution, as that term is defined in Section 2 of the Illinois Banking Act and to include the Illinois Housing Development Authority, that has acquired the ownership, operation, management, or control of the Remediation Site through foreclosure or under the terms of a security interest held by the financial institution, under the terms of an extension of credit made by the financial institution, or any successor-in-interest thereto; or

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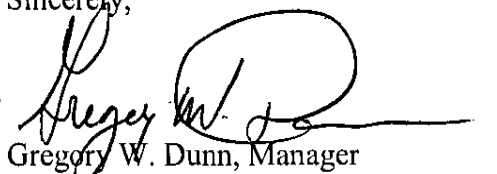
- k) In the case of a fiduciary (other than a land trustee), the estate, trust estate, or other interest in property held in a fiduciary capacity, and a trustee, executor, administrator, guardian, receiver, conservator, or other person who holds the remediated site in a fiduciary capacity, or a transferee of such party.
- 12) 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 «Site Name» property.
- 13) 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

- 14) 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 Specialty Print Communications property, you may contact the Illinois EPA project manager, Hannah Fyfe at 217-524-7267.

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
 Table A: Regulated Substances of Concern
 Village of Niles Groundwater Ordinance
 Property Owner Certification of No Further Remediation Letter under the Site
 Remediation Program Form
 Instructions for Filing the NFR Letter

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cc: Mr. Nicholas J. Cuzzone, EPS Environmental Services, Inc. (ncuzzone@epsenv.com)

Bureau of Land File
Mr. Jim Scott

Property of Cook County
Cook County
RECORDER OF DEEDS
Cook County
RECORDER OF DEEDS
Clerk's Office