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PREPARED BY:

Mr. Marc Abrahamson
Kims Crystal Cleaners Inc.
900 Lively Boulevard
Elk Grove Village, Illinois 60007



Doc# 2407511010 Fee \$80.00
ILRHSP FEE:\$18.00 RPRF FEE:\$1.00
KAREN A. YARBROUGH
COOK COUNTY CLERK'S OFFICE
DATE: 3/15/2024 9:56 AM
PAGE: 1 OF 14

RETURN TO:

Mr. Marc Abrahamson
Kims Crystal Cleaners Inc.
900 Lively Boulevard
Elk Grove Village, Illinois 60007

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: 0311955033

Kims Crystal Cleaners Inc., the Remediation Applicant, whose address is 900 Lively Boulevard, Elk Grove Village, Illinois 60007 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:

LOTS 16, 17, 18, 19 AND 20 SUBDIVISION OF THE EAST ½ OF LOT 18 OF COUNTY CLERK'S DIVISION OF SECTION 20, TOWNSHIP 41 NORTH, RANGE 12 AND THE EAST ½ OF THE NORTHEAST 1/4 OF SECTION 19, EAST OF THE THIRD PRINCIPAL MERIDIAN, ALSO THAT PART OF LOT 14 OF COUNTY CLERK'S DIVISION LYING BETWEEN THE SOUTH LINE OF THE EAST ½ OF LOT 18 AND CENTER LINE OF LINCOLN AVENUE RECORDED MAY 20, 1929 AS DOCUMENT 10375687, IN COOK COUNTY, ILLINOIS

2. Common Address: 5900-5910 Lincoln Avenue, Morton Grove, Illinois 60053

3. Real Estate Tax Index/Parcel Index Numbers: 10-20-218-017, 10-20-218-018, 10-20-218-019, 10-20-218-020, and 10-20-218-021

4. Remediation Site Owner: Code 19, LLC c/o ARMCO Properties LLC

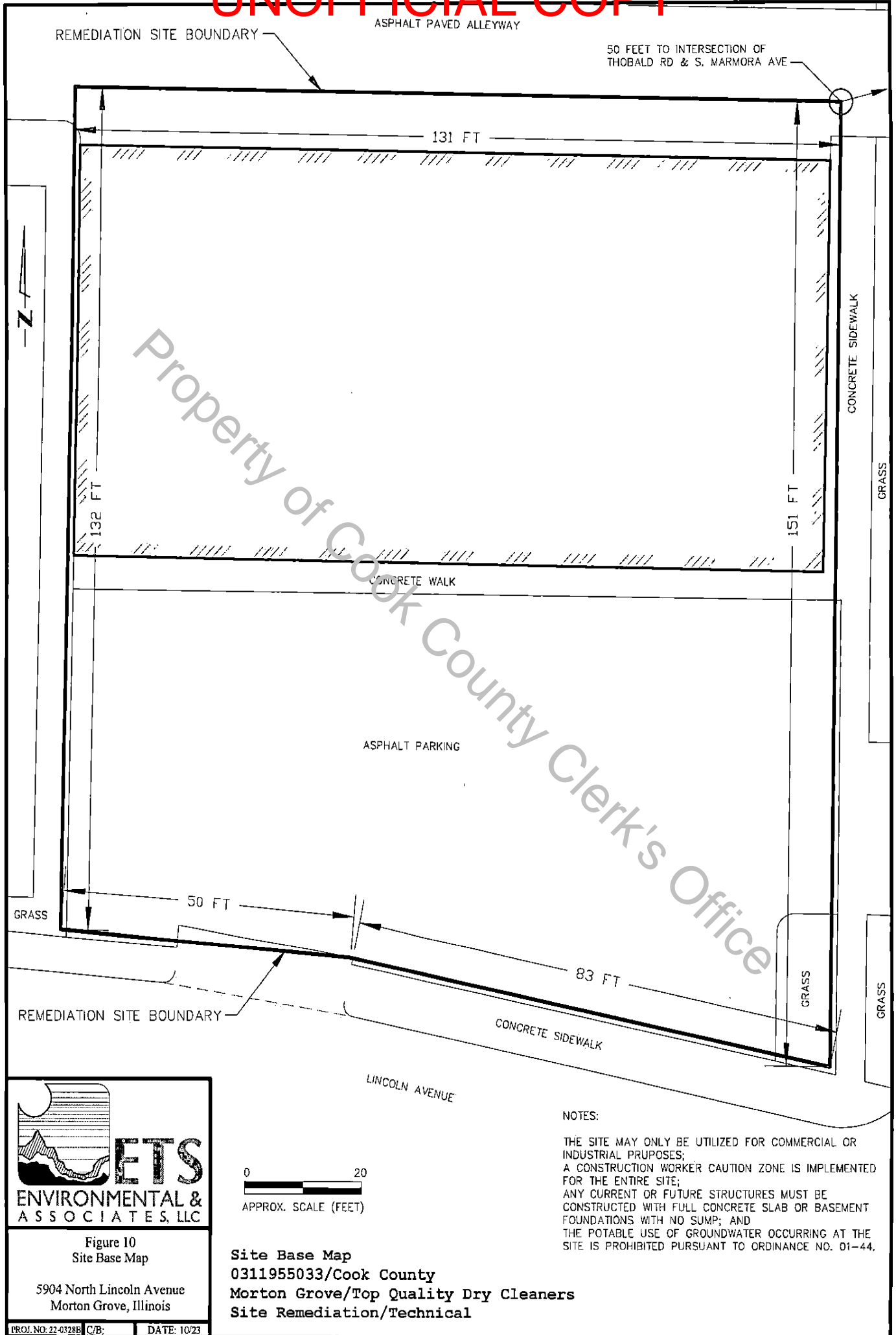
5. Land Use: Industrial/Commercial

6. Site Investigation: Focused

See NFR letter for other terms.

(Illinois EPA Site Remediation Program Environmental Notice)

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Property of Cook County Clerk's Office

ETS
 ENVIRONMENTAL &
 ASSOCIATES, LLC

Figure 10
 Site Base Map

5904 North Lincoln Avenue
 Morton Grove, Illinois

PROJ. NO: 22-0328E C/B: DATE: 10/23

Site Base Map
 0311955033/Cook County
 Morton Grove/Top Quality Dry Cleaners
 Site Remediation/Technical



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, DIRECTOR

(217) 524-3300

February 23, 2024

CERTIFIED MAIL

7022 3330 0000 8734 2970

Mr. Marc Abrahamson
Kims Crystal Cleaners Inc.
900 Lively Boulevard
Elk Grove Village, Illinois 60007

Refer to: 0311955033/Cook County
Morton Grove Top Quality Dry Cleaners
Site Remediation/Technical
No Further Remediation Letter

Dear Mr. Abrahamson:

The *Focused Site Investigation Report, Remedial Objectives Report, Remedial Action Plan, and Remedial Action Completion Report* (received November 6, 2023/Log No. 23-77383), as prepared by ETS Environmental & Associates, LLC (ETS) for the above referenced Remediation Site, has 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 0.41 acres, is located at 5900-5910 Lincoln Avenue, Morton Grove, 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 January 23, 2023/Log No. 23-75962), is Kims Crystal Cleaners Inc.

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

2125 S. First Street, Champaign, IL 61820 (217) 278-5800
1101 Eastport Plaza Dr., Suite 100, Collinsville, IL 62234 (618) 346-5120
9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000
595 S. State Street, Elgin, IL 60123 (847) 608-3131

2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200
412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022
4302 N. Main Street, Rockford, IL 61103 (815) 987-7760

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TABLE A: Regulated Substances of Concern

**LPC# 0311955033/Cook County
Morton Grove/Top Quality Dry Cleaners
Site Remediation/Technical**

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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ORDINANCE 01-44

AN ORDINANCE AMENDING TITLE 7 CHAPTER 4, ENTITLED, "WATER REGULATIONS", TO ADD A NEW PARAGRAPH 9C ENTITLED, "USE OF GROUNDWATER PROHIBITED"

WHEREAS, the Village of Morton Grove (VILLAGE), located in Cook County, Illinois, is a home rule unit of government under the provisions of Article 7 of the 1970 Constitution of the State of Illinois, can exercise any power and perform any function pertaining to its government affairs, including but not limited to the power to tax and incur debt; and

WHEREAS, certain properties in the VILLAGE have been used over a period of time for commercial and industrial purposes; and

WHEREAS, because of said 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 Illinois Administrative Code 620 or Tier I residential remediation objectives as set forth in 35 Illinois Administrative Code 742; and

WHEREAS, the VILLAGE 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 possible chemical constituents in groundwater beneath the VILLAGE; and

WHEREAS, Municipal Code Sections 4-10, "Cross-Connection Control", and Section 10-3-2, "Plumbing Regulations - Amendments", currently require that all potable water used within the VILLAGE be supplied by the VILLAGE; and

WHEREAS, the VILLAGE currently purchases potable water from the City of Chicago and has no intention of using groundwater as a potable water source however, the IEPA has suggested that a section be added to the Municipal Code to clarify that no water from other sources (ground wells) will be allowed for potable use within the Corporate limits.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE, COOK COUNTY, ILLINOIS AS FOLLOWS:

SECTION 1: The Corporate Authorities do hereby incorporate the foregoing WHEREAS clauses into this Ordinance as though fully set forth therein thereby making the findings as hereinabove set forth.

SECTION 2: Title 7, entitled, "STREETS AND PUBLIC PROPERTY", of the Municipal Code is hereby amended to add a new Title 7, Chapter 4, section 9, subsection C, entitled, "Use of Groundwater as a Potable Water Supply Prohibited", to read as follows:

7-4-9: PROHIBITED USES, ACTIONS

C: Use Of Groundwater as a Potable Water Supply Prohibited: Except for such uses or methods in existence prior to September 10, 2001, the use or attempt to use by any person, including the Village of Morton Grove, as a potable water supply groundwater from any location within the corporate limits of the Village by the installation or drilling of wells or by any other method is hereby prohibited.

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For use in this subsection, the following terms shall be defined as noted:

"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 preparing food.

"groundwater" is any underground water which occurs within the saturated zone and geologic materials where the fluid pressure in the pore space is equal to or greater than atmospheric pressure (35 II Adm Code 742.200.)

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

PASSED this 10th day of September 2001.

Trustee DiMaria Aye

Trustee Gombert Aye

Trustee Karp Aye

Trustee Liston Aye

Trustee Moll Aye

Trustee Weiss Aye

APPROVED by me this 10th day of September 2001

Daniel D. Scanlon
 Daniel D. Scanlon, Village President
 Village of Morton Grove
 Cook County, Illinois

APPROVED and filed in my Office this 11th day of September 2001.

Marilyn Sneider
 Marilyn Sneider, Acting Village Clerk
 Village of Morton Grove
 Cook County, Illinois

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

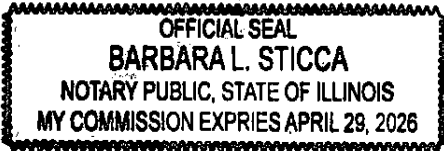
Where the Remediation Applicant (RA) is not the sole owner of the remediation site, the RA shall obtain the certification by original signature of each owner, or authorized agent of the owner(s), of the remediation site or any portion thereof who is not an RA. The property owner(s), or the duly authorized 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>Bresler Realty Company</u>
Title:	<u>Owner</u>
Company:	<u>Bresler Realty Company</u>
Street Address:	<u>900 Lively Blvd.</u>
City:	<u>Elk Grove Village</u>
State:	<u>IL</u>
Zip Code:	<u>60007</u>
Phone:	<u>847-871-8000</u>
Site Information	
Site Name:	<u>0311955033 / Cook County / Morton Grove / Top Quality Dry Cleaners / Crystal Clear</u>
Site Address:	<u>5900-5910 Lincoln Ave</u>
City:	<u>Morton Grove</u>
State:	<u>IL</u>
Zip Code:	<u>60053</u>
County:	<u>Cook</u>
Illinois inventory identification number:	<u>0311955033</u>
Real Estate Tax Index/Parcel Index No.	<u>10-20-218-017 / 10-20-218-018 / 10-20-218-019</u> <u>10-20-218-020 / 10-20-218-021</u>
<p>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.</p>	
Owner's Signature:	<u>[Signature]</u> , <u>PRESIDENT</u> Date: <u>3-12-24</u>
<p>SUBSCRIBED AND SWORN TO BEFORE ME this <u>12</u> day of <u>March</u>, 2024</p>	
<p><u>Barbara L. Sticca</u> Notary Public</p>	

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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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. 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 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:

No Engineering Controls required.

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.

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- 6) Ordinance Number 01-44 adopted by the Village of Morton Grove on September 10, 2001 effectively prohibits the installation and use of potable water supply wells in the Village of Morton Grove. This ordinance provides an acceptable institutional control under the following conditions:
- a) The current owner or successor in interest of this Remediation Site who relies on this ordinance as an institutional control shall:
 - i) Monitor activities of the unit of local government relative to variance requests or changes in the ordinance relative to the use of potable groundwater at this Remediation Site; and
 - ii) Notify the Illinois EPA of any approved variance requests or ordinance changes within thirty (30) days after the date such action has been approved.
 - b) The Remediation Applicant shall provide written notification to the Village of Morton Grove 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 01-44;
 - 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:

Illinois Environmental Protection Agency
Bureau of Land/RPMS #24
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
 - d) 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;

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- 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 Village of Morton Grove and affected property owner(s) of the intent to use Ordinance 01-44 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;

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- 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.
- 11) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) Kims Crystal Cleaners 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.
- 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 Top Quality Dry Cleaners 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:
- 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 Top Quality Dry Cleaners property, you may contact the Illinois EPA project manager, Suzanne Dale, at 217-785-3961.

Sincerely,



TH Jeron Schultz, Manager
Remedial Project Management Section
Division of Remediation Management
Bureau of Land

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Attachments: Illinois EPA Site Remediation Program Environmental Notice
 Site Base Map
 Table A: Regulated Substances of Concern
 Village of Morton Grove Ordinance 01-44
 Property Owner Certification of the NFR Letter under the Site Remediation
 Program Form
 Instructions for Filing the NFR Letter

cc: Ms. Judy Waite
 Code 19, LLC c/o ARMCO Properties LLC
 900 Lively Boulevard, Elk Grove Village, Illinois 60007

Mr. R Todd McCollister
 ETS Environmental & Associates, LLC
 ToddM@ets-environmental.com

Bureau of Land File

Ms. Christina Gunther

COOK COUNTY CLERK OFFICE
 RECORDING DIVISION
 118 N. CLARK ST. ROOM 120
 CHICAGO, IL 60602-1397

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