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ILLINOIS

ENVIRONMENTAL DISCLOSURE DOCUMENT
FOR TRANSFER OF REAL PROPERTY

The following information is
provided pursuant to the
Responsible Property
Transfer Act of 1988

For Use By County 0911-01 RECORDING 455.50
Recorder's Office
County 036066 IRAN 0333 07/25/97 08134400
Date 1997-07-15 4-97-538889
Doc. No. COOK COUNTY RECORDER
Vol. DEPT-10 PENALTY 442.00
Page

Seller: INDOPCO Holding Inc.

Rec'd By

Buyer: ICI American Holdings Inc.

Document No.:

I. PROPERTY IDENTIFICATION:

A. Address of property: 4099 W. 71st St. Chicago Lake
Street City or Village Township

Permanent Real Estate Index No.: See Below

19-27-100-021-0000
19-22-417-010-0000
19-22-417-012-0000
19-22-417-004-0000
19-27-100-022-0000
19-22-417-015-0000
19-22-417-002-0000
19-22-417-003-0000

B. Legal Description:

Section 22 Township 38 North Range 13 East

Enter or attach current legal description in this area:

See Attachment A

Prepared by: H. Wayne Ellice
name
Manager, Safety, Health and
Environmental Affairs
INDOPCO, Inc.
d/b/a Crosfield Catalysts
4099 W. 71st Street
Chicago, IL
address

Return to: Jeffrey A. Smith, Esq.
name
Cravath, Swaine & Moore
825 Eighth Avenue
Worldwide Plaza
New York, NY 10019
address



RETURN TO:
MCBRIDE BAKER & COLES
ONE MID AMERICA PLAZA
SUITE 1000
OAK BROOK TERRACE, IL 60181-4447
Attn: John T. Huntington

45.50
42.00
87.50

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COOK COUNTY CLERK

100 N. LAKE STREET

CHICAGO, IL 60601

PHONE: (312) 321-1000

LIABILITY DISCLOSURE

Transferors and transferees of real property are advised that their ownership or other control of such property may render them liable for any environmental cleanup costs whether or not they caused or contributed to the presence of environmental problems associated with the property.

C. Property Characteristics:

Lot Size 514,289 sq. ft. Acreage 11.81

Check all types of improvement and uses that pertain to the property:

☐ Apartment building (6 units or less) ☒ Industrial building
☐ Commercial apartment (over 6 units) ☐ Farm, with buildings
☒ Store, office, commercial building ☐ Other (specify)

II. NATURE OF TRANSFER:

	Yes	No
A. (1) Is this a transfer by deed or other instrument of conveyance *	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(2) Is this a transfer by assignment of over 25% of beneficial interest of an Illinois land trust?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(3) A lease exceeding a term of 40 years?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(4) A mortgage or collateral assignment of beneficial interest?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

* Other: stock sale of INDOPCO, Inc. to ICI American Holdings Inc.

B. (1) Identify Transferor:

INDOPCO Holding Inc. c/o Unilever United States, Inc., Lever House, 390 Park Avenue,
New York, NY 10022
 Name and Current Address of Transferor

Name and Address of Trustee if this is a transfer of beneficial interest of a land trust Trust No.

(2) Identify person who has completed this form on behalf of the Transferor and who has knowledge of the information contained in this form:

H. Wayne Ellice, Mgr. Safety, Health & Env. Affairs, INDOPCO, Inc.,
d/b/a Crosfield Catalysts, 4099 W. 71st Street, Chicago, IL (713) 838-3215
 Name, Position (if any), and address Telephone No.

C. Identify Transferee:

ICI American Holdings Inc., Concord Plaza, 3411 Silverside Road, P.O. Box 13391,
Wilmington, DE 19850
 Name and Current Address of Transferee

III. NOTIFICATION

Under the Illinois Environmental Protection Act,¹ owners of real property may be held liable for costs related to the release of hazardous substances.

1. Section 22.2(f) of the Act² states:

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"Notwithstanding any other provision or rule of law, and subject only to the defenses set forth in subsection (j) of this Section, the following persons shall be liable for all costs of removal or remedial action incurred by the State of Illinois as a result of a release or substantial threat of a release of a hazardous substance:

(1) The owner and operator of a facility or vessel from which there is a release or substantial threat of release of a hazardous substance;

(2) Any person who at the time of disposal, transport, storage or treatment of a hazardous substance owned or operated the facility or vessel used for such disposal, transport, treatment or storage from which there was a release or substantial threat of a release of any such hazardous substance;

(3) Any person who by contract, agreement, or otherwise has arranged with another party or entity for transport, storage, disposal or treatment of hazardous substances owned, controlled or possessed by such person at a facility owned or operated by another party or entity from which facility there is a release or substantial threat of a release of such hazardous substances; and

(4) Any person who accepts or accepted any hazardous substances for transport to disposal, storage or treatment facilities or sites from which there is a release or a substantial threat of a release of a hazardous substance."

2. Section 4(q) of the Act³ states:

"The Agency shall have the authority to provide notice to any person who may be liable pursuant to Section 22.2(f) of this Act for a release or a substantial threat of a release of a hazardous substance. Such notice shall include the identified response action and an opportunity for such person to perform the response action."

3. Section 22.2(k) of the Act states:

"If any person who is liable for a release or substantial threat of release of a hazardous substance fails without sufficient cause to provide removal or remedial action upon or in accordance with a notice and request by the agency or upon or in accordance with any order of the Board or any court, such person may be liable to the State for punitive damages in an amount at least equal to, and not more than 3 times, the amount of any costs incurred by the State of Illinois as result of a such failure to take such removal or remedial action. The punitive damage imposed by the Board shall be in addition to any costs recovered from such person pursuant to this Section and in addition to any other penalty or relief provided by this Act or any other law."

4. Section 22.18(a) of the Act⁴ states:

"Notwithstanding any other provision or rule or law, except as provided otherwise in subsection (b), the owner or operator, or both, of an underground storage tank shall be liable for all costs of preventative action, corrective action and enforcement action incurred by the State of Illinois as a result of a release or a substantial threat of releases of petroleum from an underground storage tank."

5. The text of the statutes set out above is subject to change by amendment. Persons using this form may update it to reflect changes in the text of the statutes cited, but no disclosure statement shall be invalid merely because it sets forth an obsolete or superseded version of such text.

IV. ENVIRONMENTAL INFORMATION

A. REGULATORY INFORMATION DURING CURRENT OWNERSHIP

1. Has the transferor ever conducted operations on the property which involved the generation, manufacture, processing, transportation, treatment, storage or handling of "hazardous substances", as defined by the Illinois Environmental Protection Act? This question shall not be applicable for consumer goods stored or handled by a retailer in the same form, approximate amount, concentration and manner as they are

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sold to consumers, provided that such retailer does not engage in any commercial mixing (other than paint mixing or tinting of consumer sized containers), finishing, refinishing, servicing, or cleaning operations on the property.

Yes X
No _____

2. Has the transferor ever conducted operations on the property which involved the processing, storage or handling of petroleum, other than that which was associated directly with the transferor's vehicle usage?

Yes X
No _____

3. Has the transferor ever conducted operations on the property which involved the generation, transportation, storage, treatment or disposal of "hazardous or special wastes", as defined by the federal Resource Conservation and Recovery Act and the Illinois Environmental Protection Act?

Yes X
No _____

4. Are there any of the following specific units (operating or closed) at the property which are or were used by the transferor to manage waste, hazardous wastes, hazardous substances or petroleum?

See Attachment B

	Yes	No
Landfill	—	<u>X</u>
Surface Impoundment	—	<u>X</u>
Land Treatment	—	<u>X</u>
Waste Pile	—	<u>X</u>
Incinerator	—	<u>X</u>
Storage Tank (Above Ground)	<u>X</u>	—
Storage Tank (Underground)	<u>X</u>	—
Container Storage Area	<u>X</u>	—
Injection Wells	—	<u>X</u>
Wastewater Treatment Units	<u>X</u>	—
Septic Tanks	—	<u>X</u>
Transfer Stations	—	<u>X</u>
Waste Recycling Operations	—	<u>X</u>
Waste Treatment Detoxification	—	<u>X</u>
Other Land Disposal Area	—	<u>X</u>

If there are "YES" answers to any of the above items and the transfer is other than a mortgage or collateral assignment of beneficial interest, attach a site plan which identifies the location of each unit, such site plan to be filed with the Environmental Protection Agency along with this disclosure document. See Attachment B.

5. Has the transferor ever held any of the following in regard to this real property?

- | | |
|--|--------------------------|
| a. Permits for discharges of wastewater to waters of the State. | Yes _____
No <u>X</u> |
| b. Permits for emissions to the atmosphere. | Yes <u>X</u>
No _____ |
| c. Permits for any waste storage, waste treatment or waste disposal operation. | Yes _____
No <u>X</u> |

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6. Has the transferor had any wastewater discharges (other than sewage) to a publicly owned treatment works?

Yes X
No _____

7. Has the transferor taken any of the following actions relative to this property?

- a. Prepared a Chemical Safety Contingency Plan pursuant to the Illinois Chemical Safety Act. Yes X
No _____
- b. Filed an Emergency and Hazardous Chemical Inventory Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986.⁵ Yes X
No _____
- c. Filed a Toxic Chemical Release Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986. Yes _____
No X

8. Has the transferor or any facility on the property or the property been the subject of any of the following State or federal governmental actions?

- a. Written notification regarding known, suspected or alleged contamination on or emanating from the property. Yes X
No _____
- b. Filing an environmental enforcement case with a court or the Pollution Control Board for which a final order or consent decree was entered. Yes X
No _____
- c. If item b. was answered by checking Yes, then indicate whether or not the final order or decree is still in effect for this property. Yes _____
No X

9. Environmental Releases During Transferor's Ownership

a. Has any situation occurred at this site which resulted in a reportable "release" of any hazardous substances or petroleum as required under State or federal laws?

Yes X
No _____

b. Have any hazardous substances or petroleum, which were released, come into direct contact with the ground at this site?

Yes X
No _____

c. If the answers to questions (a) and (b) are Yes, have any of the following actions or events been associated with a release on the property?

- _____ Use of a cleanup contractor to remove or treat materials including soils, pavement or other surficial materials.
- X Assignment of in-house maintenance staff to remove or treat materials including soils, pavement or other surficial materials
- _____ Designation, by the IEPA or the IESDA, of the release as "significant" under the Illinois Chemical Safety Act
- _____ Sampling and analysis of soils
- _____ Temporary or more long-term monitoring of groundwater at or near the site
- _____ Impaired usage of an on-site or nearby water well because of offensive characteristics of the water

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- ☐ Coping with fumes from subsurface storm drains or inside basements, etc.
☐ Signs of substances leaching out of the ground along the base of slopes or at other low points on or immediately adjacent to the site

10. Is the facility currently operating under a variance granted by the Illinois Pollution Control Board?

Yes _____
 No X

11. Is there any explanation needed for clarification of any of the above answers or responses?

Over the years, minor spills of substances, now classified as hazardous, undoubtedly occurred and may have resulted in such substances coming in direct contact with the ground at this site.

B. SITE INFORMATION UNDER OTHER OWNERSHIP OR OPERATION

1. Provide the following information about the previous owner or any entity or person the transferor leased the site to or otherwise contracted with for the management of the site or real property:

Name: ICI Americas, Inc.

Type of business: Commercial / Industrial use
 or property usage: _____

2. If the transferor has knowledge, indicate whether the following existed under prior ownerships, leaseholds granted by the transferor, other contracts for management or use of the facilities or real property:

	Yes	No
Landfill	—	<u>X</u>
Surface Impoundment	—	<u>X</u>
Land Treatment	—	<u>X</u>
Waste Pile	—	<u>X</u>
Incinerator	—	<u>X</u>
Storage Tank (Above Ground)	<u>X</u>	—
Storage Tank (Underground)	<u>X</u>	—
Container Storage Area	<u>X</u>	—
Injection Wells	—	<u>X</u>
Wastewater Treatment Units	—	<u>X</u>
Septic Tanks	—	<u>X</u>
Transfer Stations	—	<u>X</u>
Waste Recycling Operations	—	<u>X</u>
Waste Treatment Detoxification	—	<u>X</u>
Other Land Disposal Area	—	<u>X</u>

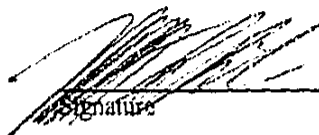
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V. CERTIFICATION

- A. Based on my inquiry of those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true and accurate.



Signature

Kenneth S. Rivlin, Esq., attorney for
Type or print name INDOPIO Holding Inc
TRANSFEROR OR TRANSFERORS
(or on behalf of the Transferor)

- B. This form was delivered to me with all elements completed on

_____, 19____

Signature

William Hutchinson
Type or print name

TRANSFeree OR TRANSFEREES
(or on behalf of the Transferee)

- C. This form was delivered to me with all elements completed on

_____, 19____

Signature

Type or print name

LENDER

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Waste Pile
 Incinerator
 Storage Tank (Above Ground)
 Storage Tank (Underground)
 Container Storage Area
 Injection Wells
 Wastewater Treatment Units
 Septic Tanks
 Transfer Stations
 Waste Recycling Operations
 Waste Treatment Detoxification
 Other Land Disposal Area

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

V. CERTIFICATION

A. Based on my inquiry of those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true and accurate.

Signature _____

Type or print name _____

TRANSFEROR OR TRANSFERORS
 (or on behalf of the Transferor)

B. This form was delivered to me with all elements completed on

July 1, 1997

Signature _____

William J. Hutchinson

Type or print name _____

TRANSFeree OR TRANSFEREES
 (or on behalf of the Transferor)

C. This form was delivered to me with all elements completed on

_____, 19____

Signature _____

Type or print name _____

LENDER

1. Chapter 111 1/2, paragraph 101 et seq.
2. Chapter 111 1/2, paragraph 102.2
3. Chapter 111 1/2, paragraph 1004

4. Chapter 111 1/2, paragraph 1022.18
5. 42 USCA, Section 11001 et seq.

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- 1 . Chapter 111 1/2, paragraph 101 et seq.
- 2 . Chapter 111 1/2, paragraph 1022.2
- 3 . Chapter 111 1/2, paragraph 1004
- 4 . Chapter 111 1/2, paragraph 1022.18
- 5 . 42 USCA, Section 11001 et seq.

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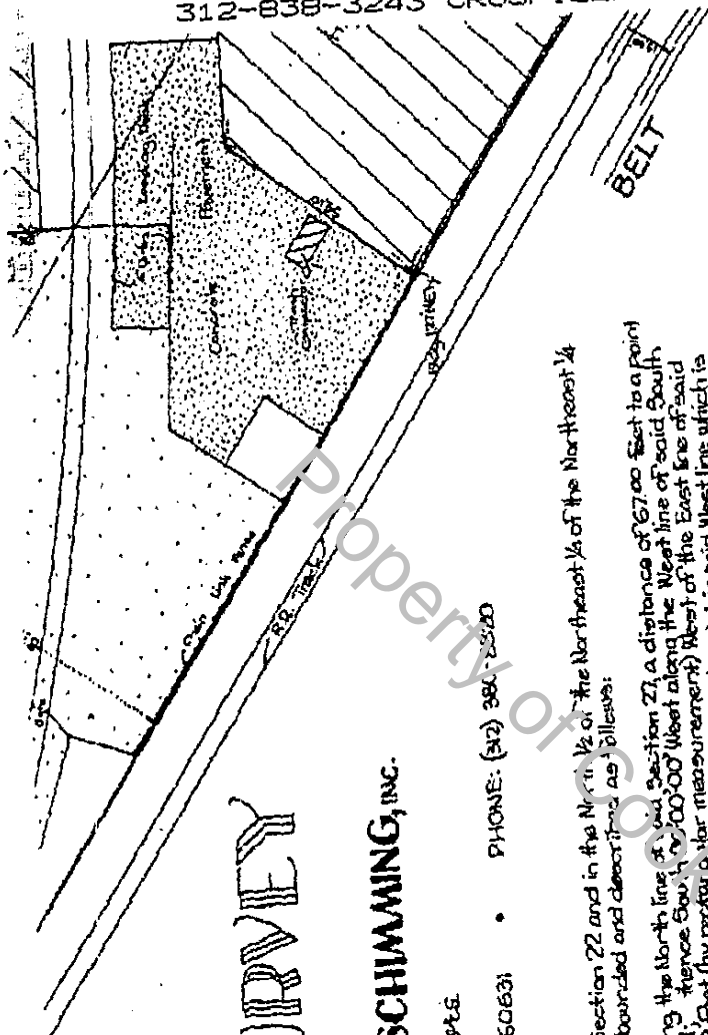
ATTACHMENT A

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Attachment A



PLANET SURVEY

JAMES, SCHAEFFER & SCHIMMING, INC.

Land Surveyors

0140493: (212) 386-2820

CHICAGO ILLINOIS 60631

9420 W. BRYN MAWR AVE.

[illegible][illegible]

1/12/2011 11:20/94

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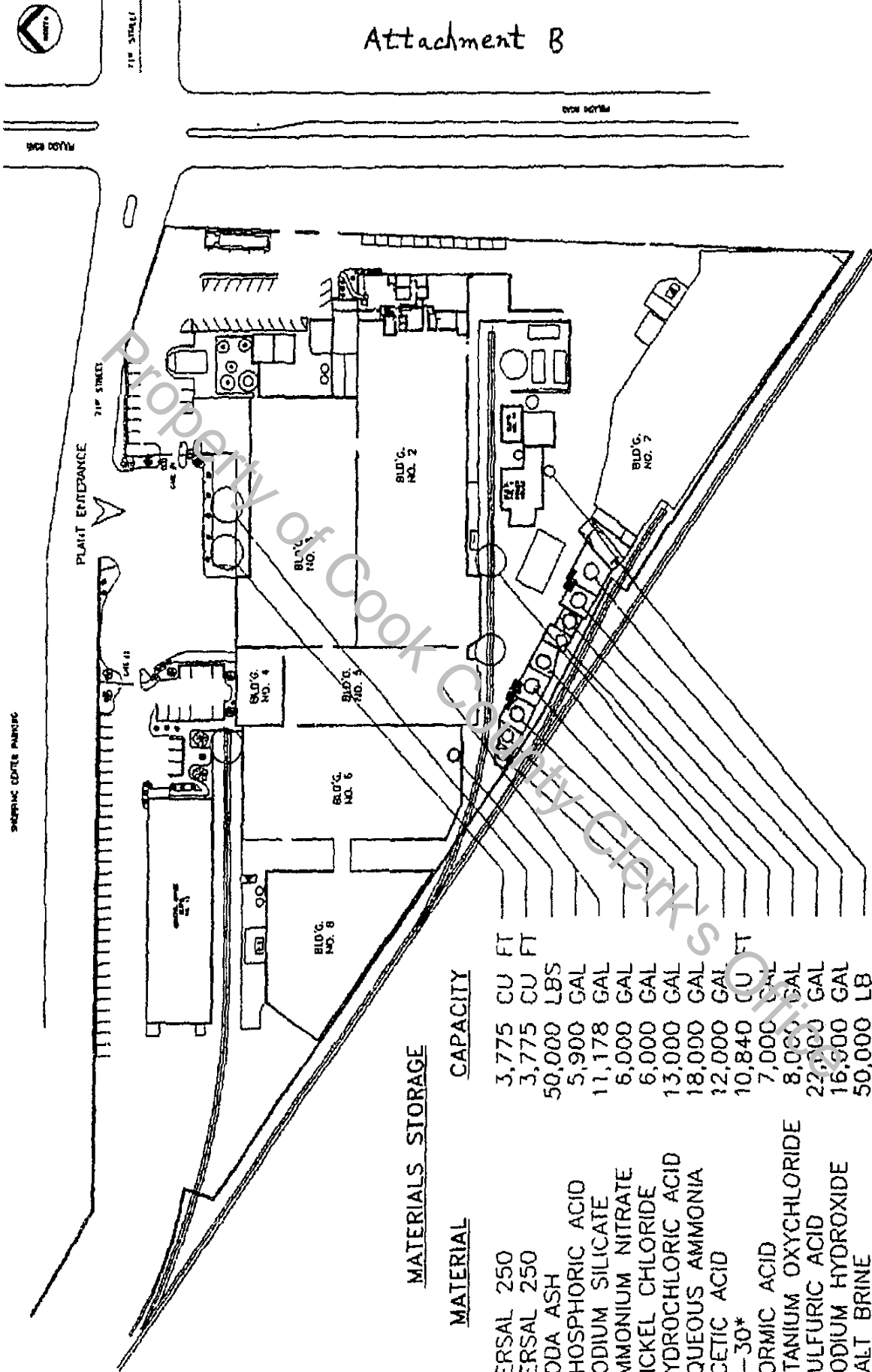
ATTACHMENT B

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Attachment B



MATERIALS STORAGE

MATERIAL	CAPACITY
VERSAL 250	3,775 CU FT
VERSAL 250	3,775 CU FT
SODA ASH	50,000 LBS
PHOSPHORIC ACID	5,900 GAL
SODIUM SILICATE	11,178 GAL
AMMONIUM NITRATE	6,000 GAL
NICKEL CHLORIDE	6,000 GAL
HYDROCHLORIC ACID	13,000 GAL
AQUEOUS AMMONIA	18,000 GAL
ACETIC ACID	12,000 GAL
C-30*	10,840 CU FT
FORMIC ACID	7,000 GAL
TITANIUM OXYCHLORIDE	8,000 GAL
SULFURIC ACID	22,000 GAL
SODIUM HYDROXIDE	16,500 GAL
SALT BRINE	50,000 LB
*C-30	(7) RAIL
	CARS @
	175,000 LB EA

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