

PREPARED BY:

Name: Christopher George Odachowski
Trent Tube

Address: 2015 Energy Drive
East Troy, WI 53120

98743958

RETURN TO:

Name: Christopher George Odachowski
Trent Tube

Address: 2015 Energy Drive
East Troy, WI 53120

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 OR REGISTRAR OF TITLES OF COOK COUNTY.

Illinois State EPA Number: 0316195186

Trent Tube, the Remediation Applicant, whose address is 2015 Energy Drive, East Troy, Wisconsin, has performed investigative and/or remedial activities for the remediation site depicted on the attached Site Base Map and which remediation site can be identified by the following:

1. Legal description or Reference to a Plat Showing the Boundaries: Lots 21, 22, and 23 in Ashford's subdivision of the northwest 1/4 of the northeast 1/4 of the southwest 1/4 of Section 34, Township 40 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.
2. Common Address: 4555 West Armitage Avenue, Chicago, Illinois 60639
3. Real Estate Tax Index/Parcel Index Number: 13-34-302-002-0000 volume 370
4. Remediation Site Owner: Trent Tube
5. Land Use Limitation: Industrial/Commercial
6. Site Investigation: Focused

See attached No Further Remediation letter for other terms.

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

DK



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 Mary A. Gade, Director

98743958

217/782-6762

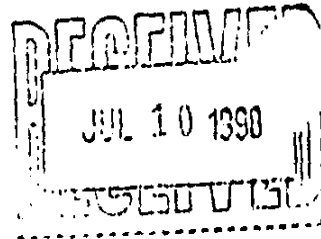
CERTIFIED MAIL

P344309117

JUL 08 1998

Mr. Cnns Odachowski
Trent Tube
2015 Energy Dr. :
East Troy, WI 53120

Re: LPC #0316195186 -- Cook County
Chicago/Trent Processing
4555 West Armitage Ave.
Site Remediation Technical



Dear Mr. Odachowski:

The Focused Site Investigation Report, dated June 10, 1998 as prepared by Triad Engineering Incorporated, Log No. 98-875, for the Trent Processing property has been reviewed by the Illinois Environmental Protection Agency ("Illinois EPA"). The subject Focused Site Investigation Report demonstrates that the remedial action was completed in accordance with the Remedial Action Plan (dated January 26, 1998, Log Number 98-874).

The remediation site, consisting of 0.21 acres, is legally described in the attached Environmental Notice and is commonly known as 4555 West Armitage Avenue, Chicago, Illinois. Pursuant to Section 58.10 of the Environmental Protection Act ("Act") (415 ILCS 5/58.10), your request for a no further remediation determination is granted under the conditions and terms specified in this Letter.

Issuance of this focused No Further Remediation Letter ("Letter") signifies a release from further responsibilities under the Act in performing the approved remedial action. The Letter shall be considered prima facie evidence that the remediation site described in the attached Site Remediation Program ("SRP") 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 within the areas identified herein and does not require further remediation under this Act for the specified recognized environmental conditions within the identified areas if utilized in accordance with the terms of this Letter.

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

Page 2

98743958

CONDITIONS AND TERMS OF APPROVAL

LEVEL OF REMEDIATION AND LAND USE LIMITATIONS

1. This Letter signifies a release for the recognized environmental conditions as characterized and demonstrated in the Focused Site Investigation Report dated June 10, 1998, Log No. 98-875:
 - a. The contaminants of concern are limited to all volatile organic, semivolatile organic, and inorganic parameters listed in 35 IAC Section 740. Appendix A, Tables A, B, and D respectively.
 - b. The focused area of concern is limited to the parking lot area of the property only as depicted in the attached Site Base Map.
2. In accordance with Section 58.8(c) and 58.10(b)(3) of the Act (415 ILCS 5/58.8(c), 415 ILCS 5/58.10(b)(3)), the remediation site described in the attached SRP Environmental Notice and shown on the attached Site Base Map of this letter may be used for industrial/commercial purposes.
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

4. Preventive: Prior to commencement of any future excavation and/or construction in or near the contaminated zone (area of SB-1, refer to the attached Site Base Map) on the site, a safety plan for this remediation site is required that is 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 U.S. EPA guidance as provided. At a minimum, the plan should address possible worker exposure if any future excavation and construction activities occur within the contaminated soil.
- Engineering: An asphalt barrier must remain over the contaminated soils. This asphalt cap must be properly maintained in the future in accordance with the Focused Site Investigation Report (dated June 10, 1998, Log No. 98-875) as an engineered barrier to inhibit inhalation and ingestion of the contaminated media below the asphalt cap as well as impede contaminant migration to the groundwater.

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

98743958

Page 3

Institutional: In accordance with the Focused Site Investigation Report (dated June 10, 1998, Log # 98-875), the remediation site has relied upon Sections 11-8-385 and 11-8-390 of the Municipal Code of Chicago, as amended by Ordinance No. 097990, prohibiting potable uses of groundwater as defined therein. Proof of notification of affected parties shall be submitted in accordance with 35 Ill. Adm. Code 742.1015(b) and (c) within 45 days of the issuance of this NFR Letter.

5. Failure to manage the controls in full compliance with the terms of the Focused Site Investigation Report (dated June 10, 1998, Log No. 98-875) may result in voidance of this Letter.

OTHER TERMS

6. Any contaminated soil or groundwater that is removed, excavated, or disturbed from the above-referenced site must be handled in accordance with all applicable laws and regulations.
7. Where the Remediation Applicant is not the sole owner of the remediation site, the Remediation Applicant shall complete the attached "Property Owner Certification of NFR 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.
8. 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
Attention: Freedom of Information Act Officer
Bureau of Land -- #24
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

9. 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 this 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;

UNOFFICIAL COPY

Page 4

98743958

- 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 Focused Site Investigation Report dated June 10, 1998, Log No. 98-875). Access to soil contamination may be allowed if, during and after any access, public health and the environment are protected consistent with the Focused Site Investigation Report (dated June 10, 1998, Log No. 98-875);
 - 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 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 45 days after receiving a request for payment from the Illinois EPA.
10. Pursuant to Section 58.10(d) of the Act, the No Further Remediation Letter shall apply in favor of the following persons:
- a) Trent Tube;
 - 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 of the owner of the remediation site;
 - g) Any successor-in-interest of the owner of the remediation site;

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

Page 6

98743958

If you have any questions regarding this correspondence, you may contact the Illinois EPA project manager, Mike Lowder, at 217/785-5734.

Sincerely,

Hernando A. Albarracin

Hernando A. Albarracin

Unit Manager

Leaking Underground Storage Tank Section

Division of Remediation Management

Bureau of Land

^{mtl}
HAA:mtl\trent.wpd

Enclosures: SRP Environmental Notice
Site Base Map
Property Owner Certification Form

cc: Triad Engineering Incorporated, Brandon J. Koltz

Property of Cook County Clerk's Office

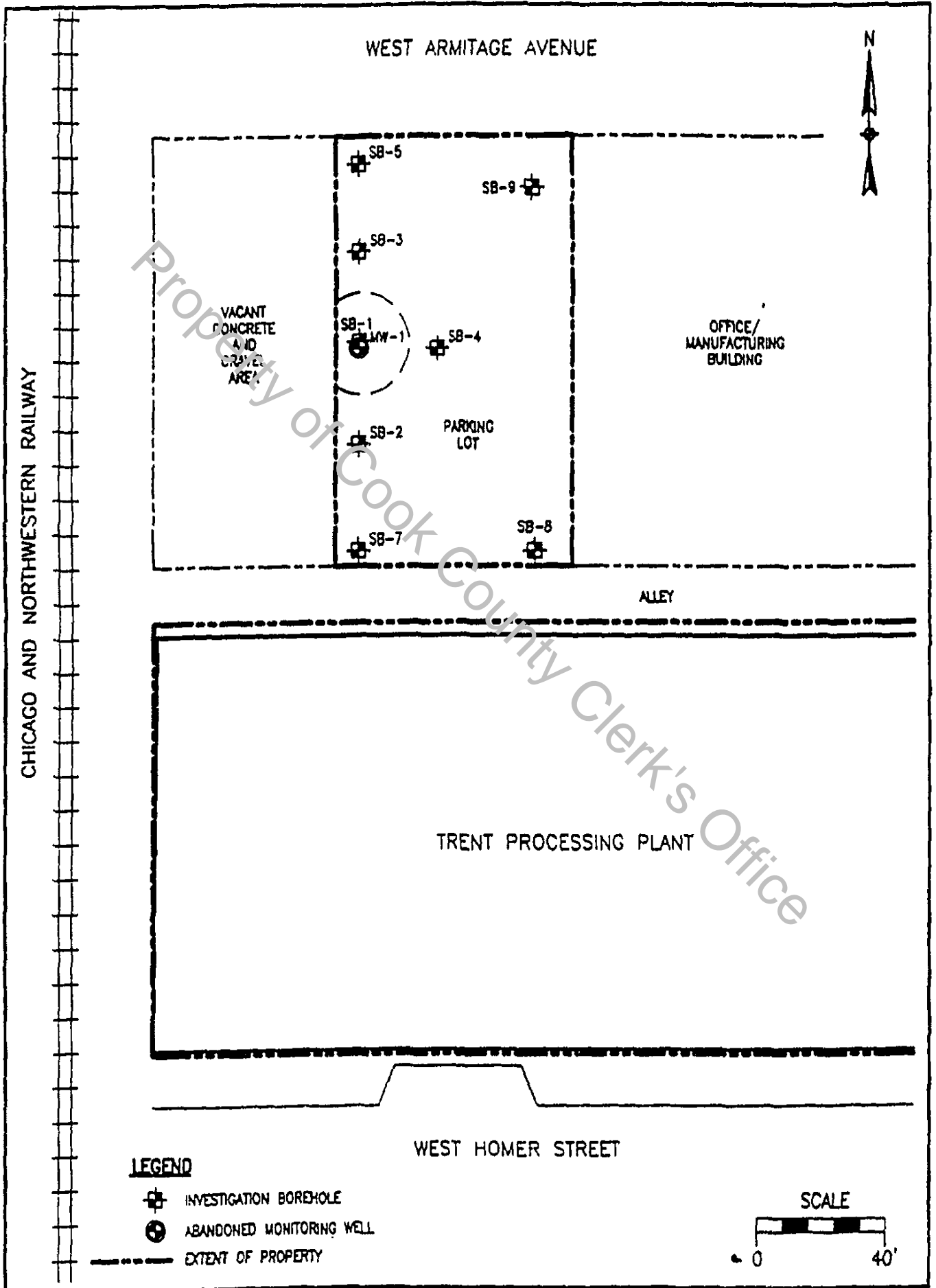
UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

SITE BASE MAP FROM FOCUSED SITE INVESTIGATION REPORT
TRENT PROCESSING (0316195186)

98743958



UNOFFICIAL COPY

Property of Cook County Clerk's Office

PROPERTY OWNER CERTIFICATION OF NFR LETTER
UNDER THE SITE REMEDIATION PROGRAM

98743958

If the Remediation Applicant is not the sole owner of the remediation site, 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 I.D. number and real estate tax index/parcel index number. The property owner(s), or the duly authorized agent of the owner(s) must certify, by original signature, the statement appearing below.

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:	Gene P. Jagers
Title:	VP-Finance & Treasurer
Company:	Crucible Materials Corporation
Street Address:	575 State Fair Blvd.
City:	Solvay State: NY Zip Code: 13209 Phone: 315 487-4111
Site Information	
Site Name:	Trent Processing
Site Address:	4555 West Armitage Avenue
City:	Chicago State: IL Zip Code: 60639 County: Cook
Illinois Inventory ID Number:	0316195186
Real Estate Tax Index/Parcel Index No.	13-34-302-002-0000 volume 370
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:	<i>Gene P. Jagers</i> Date: 8/20/98
SUBSCRIBED AND SWORN TO BEFORE ME this <u>20th</u> day of <u>Aug.</u> , 1998	
<i>Sue A. Turo</i> Notary Public	SUE A. TURO Notary Public in the State of New York Qualified in Onondaga County No. 4626489 My Commission Expires December 31, 1999

The Illinois EPA is authorized to require this information under Sections 414 ILCS 5/58 - 5/12 of the Environmental Protection Act and regulations promulgated thereunder. If the Remediation Applicant is not 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 Permit 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.

98743958

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

UNOFFICIAL COPY

98743958

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.

UNOFFICIAL COPY

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

98743958

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 of 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. 19..97 and deposited in my office on the...fourteenth..... (...14th) day of...May....., A.D. 19...97..

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. 19.97

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, thissixteenth..... (...16th) day of.....May....., A.D. 19.98....

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