



99079407

PREPARED BY:

Name: K.R.W. Company

Address: 3737 North Acorn Street
Franklin Park, Illinois 60131

99079407

9243/0172 21 001 Page 1 of 10
1999-01-25 15:58:08
Cook County Recorder 39.00

RETURN TO:

Name: K.R.W. Company

Address: 3655 North Acorn Street, Franklin Park, Illinois 60131

THE ABOVE SPACE FOR RECORDER'S OFFICE

THIS ENVIRONMENTAL NO FURTHER REMEDIATION LETTER MUST BE SUBMITTED BY THE OWNER/OPERATOR, WITHIN 45 DAYS OF ITS RECEIPT, TO THE RECORDER OF DEEDS OF COOK COUNTY IN WHICH THE SITE (AS DESCRIBED BELOW) IS LOCATED.

Illinois State EPA Number: #0310965115

LUST Incident Number: #932224

The K.R.W. Company, whose address is 3655 North Acorn Street, Franklin Park, Illinois, has performed investigative and/or remedial activities for the site that can be identified by the following and depicted on the attached Site Map:

1. Legal description or Reference to a Plat Showing the Boundaries: see Legal Attachment
2. Common Address: 3737 North Acorn Street, Franklin Park, Illinois
3. Real Estate Tax Index/Parcel Index Number: 12-19-400-013-0000
4. Site Owner: Kar-Rite International
5. Land Use Limitation: The groundwater under the site shall not be used as a potable water supply.
6. See NFR letter for other terms.



LEAKING UNDERGROUND STORAGE TANK ENVIRONMENTAL NOTICE



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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

217/782-6762

CERTIFIED MAIL

P344336 727

DEC 09 1998

K.R.W. Company
c/o Swirion International
Attention: Dennis Wooten
3655 North Acorn Street
Franklin Park, Illinois 60131

Re: LPC#0310965115 -- Cook County
Franklin Park / K.R.W. Company
3737 North Acorn Street
LUST Incident #932224
LUST Technical File

Dear Mr. Wooten:

The Illinois Environmental Protection Agency ("Illinois EPA") has reviewed the correspondence submitted for the above-referenced incident. This information was dated November 30, 1998; was received by the Agency November 30, 1998; and was prepared by ENSR Corporation.

The Corrective Action Completion Report and the Professional Engineer Certification submitted pursuant to 35 Illinois Administrative Code Part 731 indicate that remediation has been successfully completed.

Based upon the certification by Wei-Lin Feng, a Registered Professional Engineer of Illinois, and based upon other information in the Illinois EPA's possession, your request for a no further remediation determination is granted under the conditions and terms specified in this letter.

Issuance of this No Further Remediation Letter (Letter), based on the certification of the Registered Professional Engineer, signifies that: (1) all statutory and regulatory corrective action requirements applicable to the occurrence have been complied with; (2) all corrective action concerning the occurrence has been completed; and (3) no further remediation concerning the occurrence is necessary for the protection of human health, safety and the environment. This Letter shall apply in favor of the following persons:

- 1. The K.R.W. Company;

2. The owner and operator of the UST(s);
3. Any parent corporation or subsidiary of the owner or operator of the UST(s);
4. Any co-owner or co-operator, either by joint-tenancy, right of survivorship, or any other party sharing a legal relationship with the owner or operator to whom the letter is issued;
5. Any holder of a beneficial interest of a land trust or inter vivos trust, whether revocable or irrevocable;
6. Any mortgagee or trustee of a deed of trust of the owner of the site or any assignee, transferee, or any successor-in-interest of the owner of the site;
7. Any successor-in-interest of such owner or operator;
8. Any transferee of such owner or operator whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest; or
9. Any heir or devisee of such owner or operator.

This Letter, including all attachments, must be filed within 45 days of its receipt as a single instrument with the Office of the Recorder or Registrar of Titles in the County where the above-referenced site is located. In addition, the Groundwater Ordinance must be filed as an attachment of the this letter with the Office of the Recorder of the applicable county. This Letter shall not be effective until officially recorded by the Office of the Recorder or Registrar of Titles of the applicable county in accordance with Illinois law so that it forms a permanent part of the chain of title for the above-referenced property. Within 30 days of this Letter being recorded by the Office of the Recorder or Registrar of Titles of the applicable county, a certified copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA. For recording purposes, it is recommended that the Leaking Underground Storage Tank Environmental Notice attached to this Letter be the first page of the instrument filed.

CONDITIONS AND TERMS OF APPROVAL

LEVEL OF REMEDIATION AND LAND USE LIMITATIONS

1. The remediation objectives for the above-referenced site described in the Leaking Underground Storage Tank Environmental Notice of this Letter were established in accordance with the requirements of the Tiered Approach to Corrective Action Objectives (TACO, 35 Illinois Administrative Code Part 742) rules.

- 2. As a result of the release from the underground storage tank(s) associated with the above-referenced incident, the site described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter shall not be used in a manner inconsistent with the following land use limitation: The groundwater under the site shall not be used as a potable water supply. (It has been demonstrated that the groundwater under the site meets Class II (General Resource) groundwater criteria, rather than Class I (Potable Resource) groundwater. Groundwater classifications are defined at 35 IAC Part 620, Subpart B.)
- 3. The land use limitation 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: The groundwater under the site described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter shall not be used as a potable supply of water.
- Engineering: None
- Institutional: This Letter shall be recorded as a permanent part of the chain of title for the site described in the attached Leaking Underground Storage Tank Environmental Notice.

The ordinance(s) adopted and administered by the local unit of government that restricts the present and future use of groundwater in Franklin Park, Illinois shall be monitored by any changes to these ordinance(s), that may affect the ability of these ordinance(s) to act as an institutional control.

- 5. Failure to establish, operate, and maintain controls in full compliance with the Environmental Protection Act, applicable regulations, and the approved corrective action plan 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. Further information regarding this site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

Illinois Environmental Protection Agency
Bureau of Land - #24
LUST Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

8. Should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide notice to the current title holder and to the owner and/or operator 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 include, but shall not be limited to:

- a) Any violation of institutional controls or industrial/commercial 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 Corrective Action Plan or Completion Report;
- d) The failure to comply with the recording requirements for the Letter;
- e) Obtaining the Letter by fraud or misrepresentation; or
- 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.

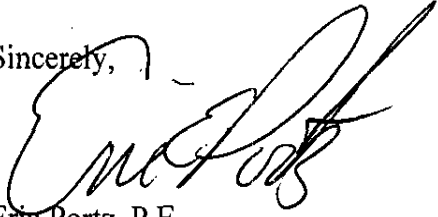
Submit the certified copy of this letter, as recorded, to:

Illinois Environmental Protection Agency
Bureau of Land - #24
LUST Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

UNOFFICIAL COPY

If you have any questions or need further assistance, please contact the Illinois EPA project manager, Eric Kuhlman, at 217/782-6762.

Sincerely,



Eric Portz, P.E.
Unit Manager
Leaking Underground Storage Tank Section
Division of Remediation Management
Bureau of Land
Illinois Environmental Protection Agency

Attachments: Leaking Underground Storage Tank Environmental Notice
Legal Description of Site Attachment Sheet
Site Maps (2)

Property of Cook County Clerk's Office

UNOFFICIAL COPY

The Agency is authorized to require this information under Section 4 and Title XVI of the Environmental Protection Act (415 ILCS 5/4, 5/57 - 57.17). Failure to disclose this information may result in the Agency's inability to issue a No Further Remediation letter under Title XVI. Any person who knowingly makes a false material statement or representation in any label, manifest, record, report, permit, or license, or other document filed, maintained or used for the purpose of compliance with Title XVI commits a Class 4 felony. Any second or subsequent offense after conviction hereunder is a Class 3 felony (415 ILCS 5/57.17). This form has been approved by the Forms Management Center.

Illinois Environmental Protection Agency Leaking Underground Storage Tank Program

A. Site Identification

LPC # _____
 IEMA Incident # (6 digit): 932224 EPA Generator # XXXXX: 0310965115
 Site Name: KRW Company/Kar-Rite Facility
 Site Address (Not a P.O. Box): 3737 North Acorn Street
 City: Franklin Park County: Cook County

B. Identification of Property Ownership

Indicate which statement below is applicable to this site:

- The property owner is the same as the Underground Storage Tank owner
- The property owner is not the same as the Underground Storage Tank owner

C. Property Ownership Declaration


The property owner must approve of all engineered barriers, institutional controls and other use restrictions, if any, proposed for the site. These controls and restrictions will be identified in the No Further Remediation (NFR) letter and must be attached to the property title. Failure to maintain these controls and restrictions is grounds for revocation of the NFR letter. This form may be used to notify the Agency of such approval.

I hereby approve / disapprove of all engineered barriers, institutional controls and other use restrictions, if any, that are proposed for the above referenced site and that will be identified in the NFR letter. I agree to have the NFR letter recorded in the chain of title for the site.

Name of property owner: K-US, Inc., (formerly Kar-Rite International, Inc.)

Address: c/o 300 Plaza Drive, Vestal, New York 13850

Phone: (607) 729-9331 (ext. 304/Lawrence Schorr)

Signature: 
Howard M. Rittberg, Secretary

Date: January 14, 1999

D. Site Description

Real Estate Tax/Parcel Index Number: 12-19-400-013-0000

Legal Description of Site (may be provided on a separate sheet): See attached Exhibit A

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EXHIBIT A

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Description of the Land

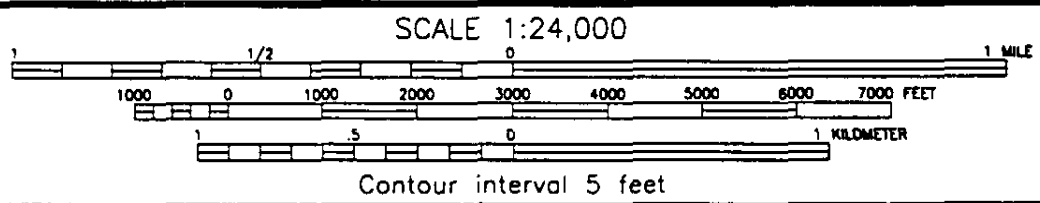
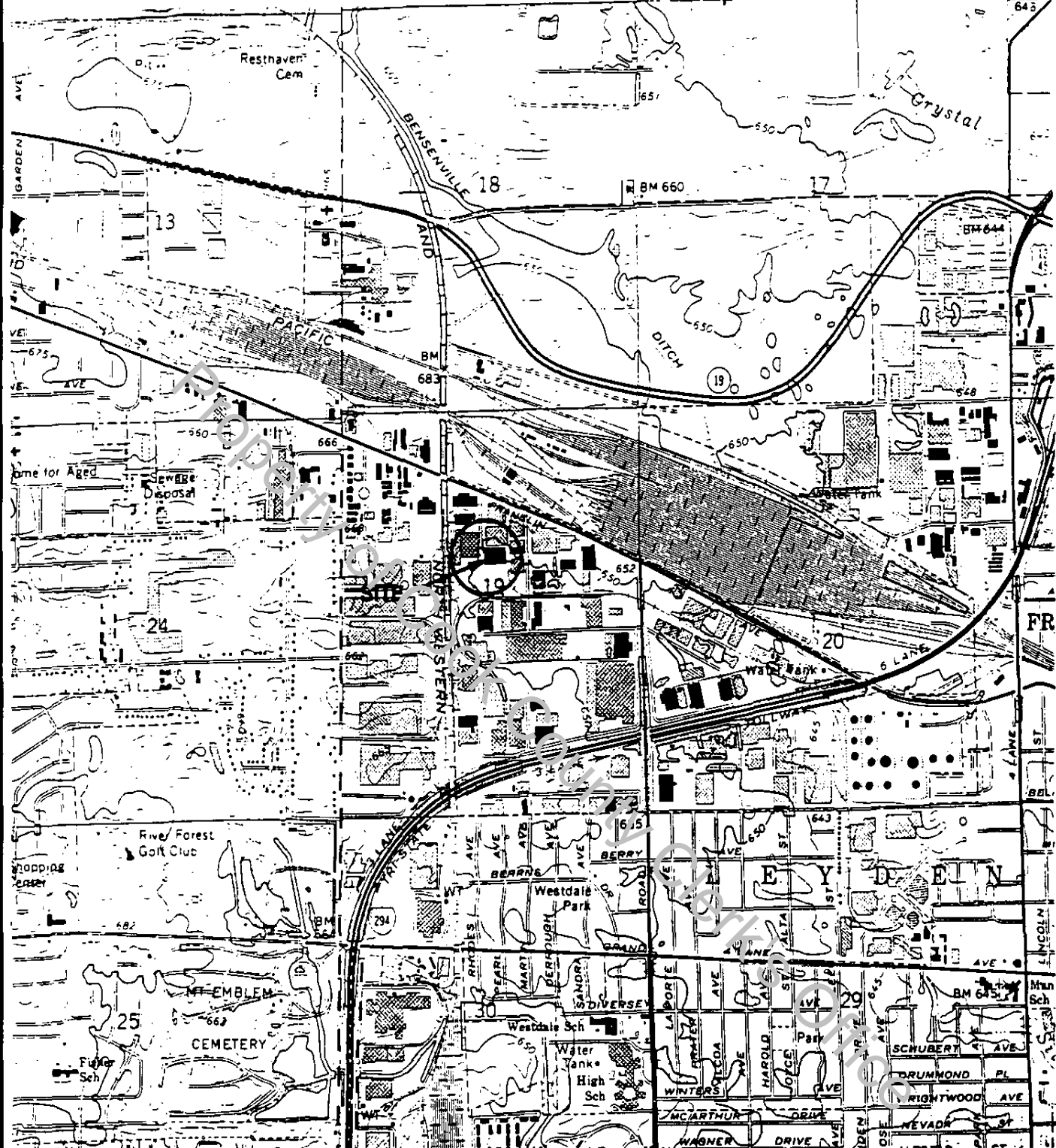
PARCEL 2-A: 3737 ACRES.

THAT PART OF THE NORTH EAST 1/4 OF SECTION 19, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION OF A LINE WHICH IS 455 FEET EAST OF (AT RIGHT ANGLE MEASUREMENT) THE WEST LINE OF SAID NORTH EAST 1/4 WITH THE SOUTHWESTERLY LINE OF FRANKLIN AVENUE, SAID LINE BEING 50 FEET SOUTHWESTERLY OF AND PARALLEL TO THE CENTER LINE OF SAID AVENUE; THENCE SOUTH PARALLEL WITH SAID WEST LINE OF SAID NORTH EAST 1/4, SAID LINE FORMING A SOUTH EAST ANGLE OF 67 DEGREES 28 MINUTES 07 SECONDS WITH SAID SOUTHWESTERLY LINE OF FRANKLIN AVENUE, FOR A DISTANCE OF 659.11 FEET TO A POINT, SAID POINT BEING THE PLACE OF BEGINNING OF THE FOLLOWING DESCRIBED TRACT OF LAND; THENCE SOUTH ON SAID LAST DESCRIBED LINE FOR A DISTANCE OF 278.0 FEET TO A POINT; THENCE EAST AT RIGHT ANGLES FOR A DISTANCE OF 326.0 FEET TO A POINT; THENCE NORTH PARALLEL TO THE WEST LINE OF SAID NORTH EAST 1/4 FOR A DISTANCE OF 278.0 FEET TO A POINT; THENCE WEST AT RIGHT ANGLES TO SAID LAST DESCRIBED LINE, FOR A DISTANCE OF 326.0 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 2-B: .5 ACRES

COMMENCING AT THE SOUTH EAST CORNER OF PARCEL 2-A AND RUNNING THENCE WEST ALONG THE SOUTH LINE OF SAID TRACT FOR A DISTANCE OF 18.0 FEET; THENCE SOUTH AT RIGHT ANGLES FOR A DISTANCE OF 50.0 FEET TO A POINT; THENCE SOUTHEASTERLY IN A STRAIGHT LINE, A DISTANCE OF 116.01 FEET TO A POINT WHICH IS 6.94 FEET EAST OF THE EAST LINE OF THE ABOVE DESCRIBED TRACT EXTENDED SOUTH; THENCE NORTHERLY ON A CURVED LINE, CONVEX TO THE WEST, TANGENT TO SAID LAST DESCRIBED LINE, AND HAVING A RADIUS OF 296.94 FEET, FOR A DISTANCE OF 64.34 FEET TO A POINT OF TANGENCY IN THE EAST LINE OF THE ABOVE DESCRIBED TRACT EXTENDED SOUTH; THENCE NORTH ON SAID SOUTH LINE FOR A DISTANCE OF 99.46 FEET TO THE PLACE OF BEGINNING; IN COOK COUNTY, ILLINOIS.



Dwg No: 8803SL1

N
U.S.G.S.
ELMHURST, IL.

SITE LOCUS

3737 NORTH ACORN STREET
FRANKLIN PARK, ILLINOIS

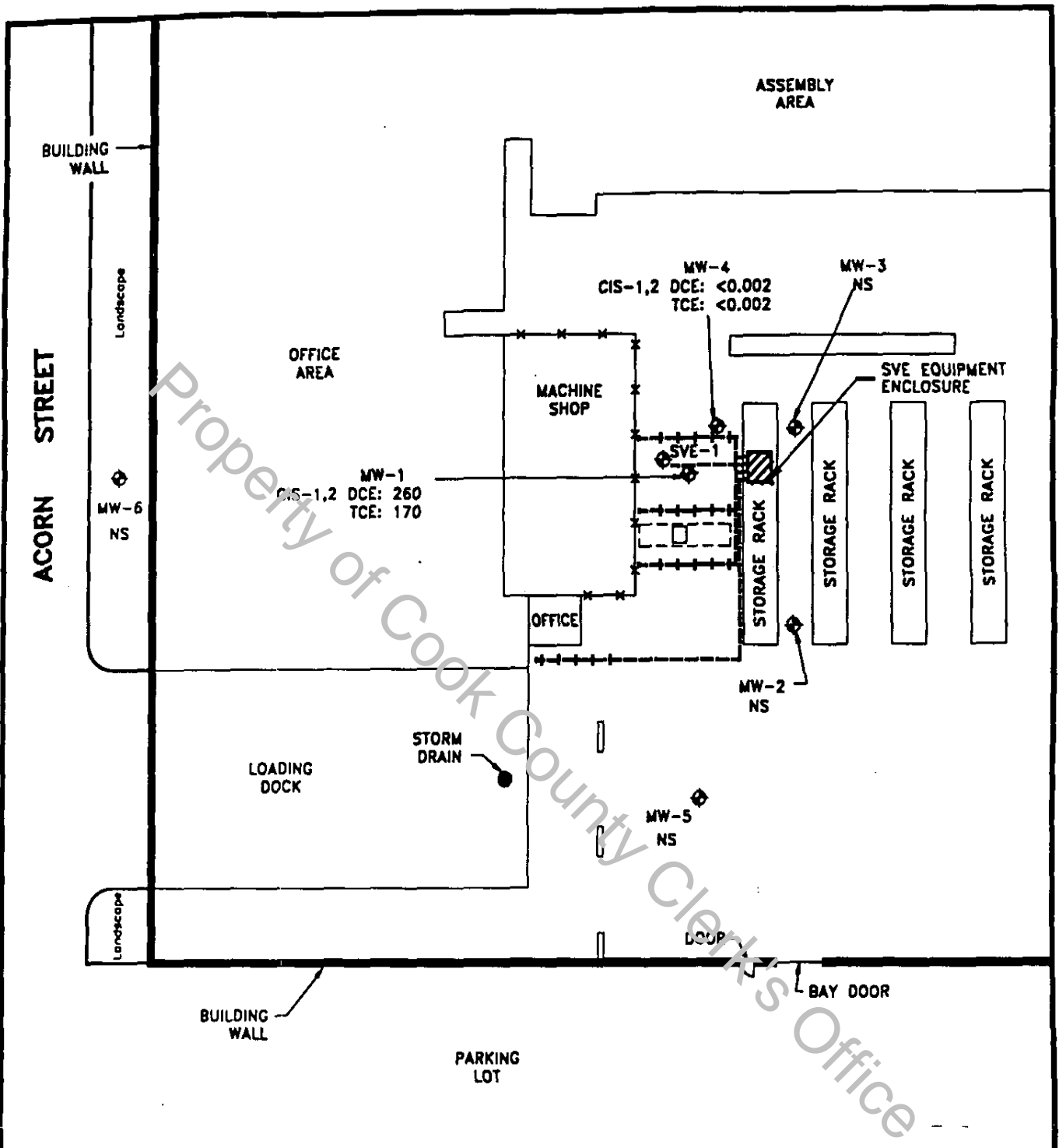
KAR-RITE INTERNATIONAL

December 1997 File No: 8700-724-900

FIGURE 1

ENSR

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LEGEND:

- ◆ SVE-1 SOIL VAPOR EXTRACTION WELL
- VENT PIPE
- SOLID CONDUIT
- x-x- SECURITY FENCE
- [---] ABANDONED UST
- ◆ MW-1 MONITORING WELL WITH
1,2 DCE: 1.15
TCE: 1.50

MONITORING WELL WITH
CIS-1, 2 DICHLOROETHENE AND
TRICHLOROETHENE GROUNDWATER
CONCENTRATIONS IN MILLIGRAMS
PER LITER.

Note:

- All dimensions and locations are approximate.
- Groundwater samples collected on 3/26/98.
- NS indicates not sampled.

Source:

- ENSR field observations.

Orig. No: 8803gr



SCALE: 1" = 30'+/-

GROUNDWATER ANALYTICAL MAP

3737 NORTH ACORN STREET
FRANKLIN PARK, ILLINOIS

KAR-RITE INTERNATIONAL

December 1997

File No: 8700-724-900

FIGURE 2

