

Southwest Area High School **Environmental Conditions Summary**

HISTORICAL

The larger tract of land which encompasses the proposed Southwest Area High School Property has been utilized for industrial purposes since at least the 1940's. The most recent site operations were conducted by Rheem Manufacturing Company (Rheem) for the manufacturing of multiple products including water heaters. The larger tract of land was purchased but never operated/utilized by Kraft Foods Global, Inc. (Kraft Foods). On behalf of the Kraft Foods, URS Corporation (URS) entered the larger tract of land in the Illinois Environmental Protection Agency's (IEPA) Site Remediation Program (SRP) in 2003, and the IEPA assigned it the inventory number 0316700002/Cook County. The IEPA issued an NFR letter on November 17, 2003 for closure of the Property with an industrial-commercial use restriction and a restriction on the use of ground water via the Chicago ground water ordinance. In 2004, Kraft Foods decided to subdivide the larger tract of land into three parcels; Parcel 1 consists of the southeastern corner of the larger tract of land. Parcels 2 and 3 consist of the current school parcel and the northern portion of the eastern parcel (north of Parcel 1). The attached figure illustrates the approximate location of the three parcels. On behalf of Kraft Foods, Environmental Resources Management, Inc. (ERM) re-enrolled the all three Parcels into the SRP. Parcel 1 is to remain restricted to industrial-commercial use and subject to the conditions set forth in the 2003 NFR letter and is not to be utilized during site construction. Parcels 2 and 3 were remediated with the goal of obtaining an NFR letter based on residential use. All three parcels will remain under the ground water use restriction put forth in the 2003 NFR letter.

The contaminants of concern (COCs) identified on Parcels 2 and 3 (hereby referred to as the Remediation Site) included volatile organic compounds (VOCs), polynuclear aromatic hydrocarbons (PNAs), polychlorinated biphenyls (PCBs), organochlorine pesticides, and metals. After determining the extent of contamination, remediation consisting of soil excavation and off-site disposal was performed between August and December 2008. Most of the remediation consisted of removing the soils containing fill material from large areas of the western portion of the Remediation Site.

Kraft Foods elected excavation and off-site disposal as the corrective action for the exceedances of the remediation objectives (ROs) for the residential and construction worker ingestion and inhalation pathways. The City of Chicago ordinance was utilized to prohibit the use of ground water within the city limits as a water supply source to address any exceedances of the soil and ground water component of the ground water ingestion exposure route ROs.

All confirmatory samples collected during the site remediation met the site-specific ROs and the Remediation Site meets the requirements in 35 IAC 742.320 for exclusion of the ground water exposure route. Therefore, Kraft Foods requested that the IEPA issue a comprehensive NFR letter for the Remediation Site for residential use.

The entire Property was transferred to the City of Chicago, in Trust for the construction and use as a School, and the Board of Education building for the City of Chicago

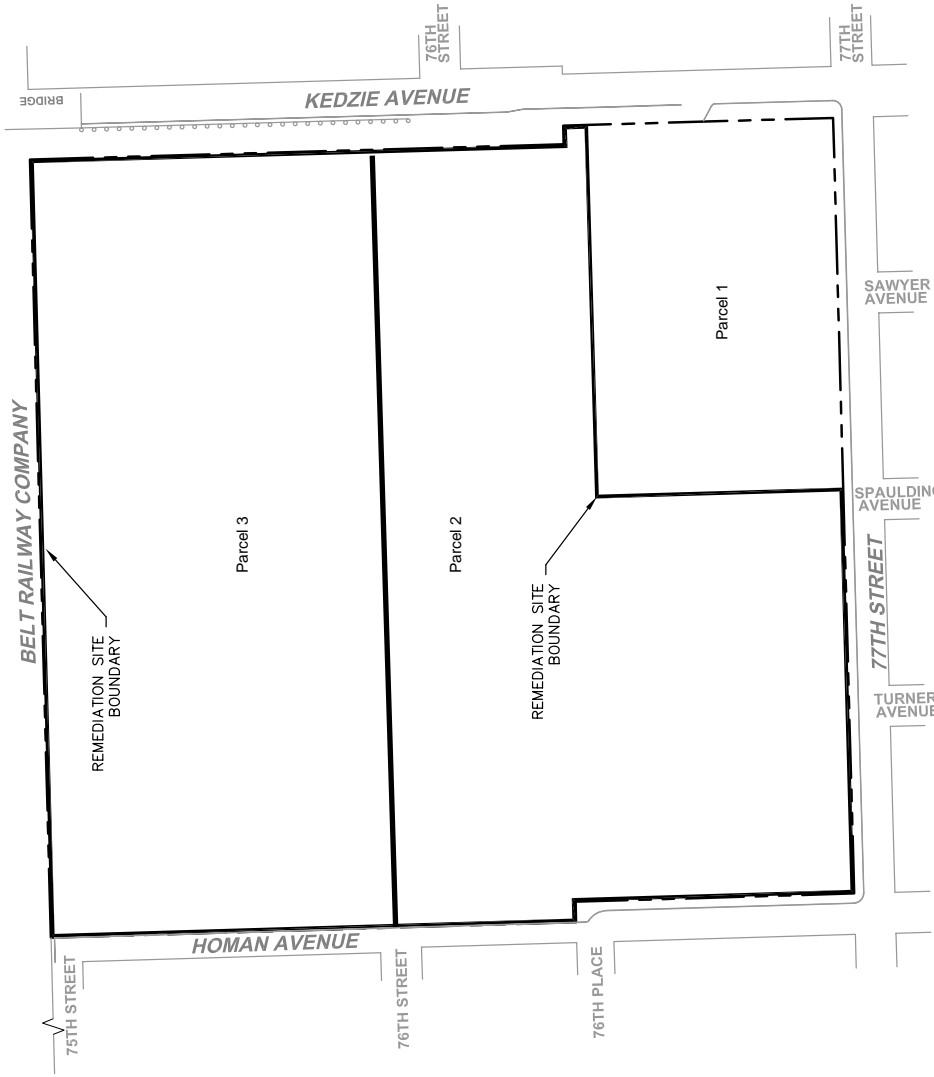
SITE CLOSURE/CURRENT STATUS

Following remediation activities, the *Site Investigation and Remediation Objectives Report Addendum 2, Remedial Action Plan, and Remedial Action Completion Report for the Residential Parcels 2 & 3*, dated April 2, 2009, was submitted by ERM, Inc. to the IEPA to document investigation and remedial activities at the site. The IEPA granted an unconditional comprehensive NFR letter for the site on September 18, 2009. The NFR letter states that the site was approved for either Residential or Industrial/Commercial land use with only a groundwater use restriction placed on the site. The groundwater use restriction requires that no potable water wells can be installed on the site. A copy of the final NFR letter for the school property is attached. All environmental reports will be provided to the successful bidder following the notice of award.

SITE BASE MAP

ILD #0316700002 - COOK COUNTY
CHICAGO/RHEEM MFG. CO.

SITE REMEDIATION PROGRAM/TECHNICAL REPORTS



Drawn By
GML
CADD Review
RMK
Date Drawn/Rev'd
02/20/09



FORMER RHEEM SITE
CHICAGO, ILLINOIS

Environmental Resources Management

CHK'D EM

0087155

FIGURE 6-1

Drawing edited by Terracon Consultants, Inc. with the addition of approximate parcel boundaries 6-16-2010



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 • (217) 782-2829
James R. Thompson Center, 100 West Randolph, Suite 11-300, Chicago, IL 60601 • (312) 814-6026

PAT QUINN, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

(217) 782-6761

September 18, 2009

CERTIFIED MAIL

7007 0220 0000 0041 4986

Ken Wengert
Director Safety and Environmental
Kraft Foods Global, Inc.
Three Lakes Drive (NF664)
Northfield, Illinois 60093

Re: # 0316700002 – Cook County
Chicago/Rheem Mfg. Co. (Parcel 2 and 3)
Site Remediation/Technical Reports
No Further Remediation Letter

Dear Mr. Wengert:

The *Site Investigation and Remediation Objectives Report Addendum 2, Remedial Action Plan, and Remedial Action Completion Report for the Residential Parcels 2&3* (April 2, 2009 / Log No. 09-40937), as prepared by ERM, Inc. for the above referenced Remediation Site, has been reviewed by the Illinois Environmental Protection Agency (“Illinois EPA”). This Report demonstrates that the remedial action was completed in accordance 35 Illinois Administrative Code Parts 740 and 742.

The Remediation Site, consisting of 31.83 acres, is located at 7600 South Kedzie Avenue, Chicago, 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 (April 10, 2003/ Log No. 03-1472), is Kraft Foods Global, Inc.

This comprehensive 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 and does not require further remediation under the Act if utilized in accordance with the terms of this Letter.

Rockford • 4302 N. Main St., Rockford, IL 61103 • (815) 987-7760

Elgin • 595 S. State, Elgin, IL 60123 • (847) 698-3131

Bureau of Land – Peoria • 7620 N. University St., Peoria, IL 61614 • (309) 693-5462

Collinsville • 2009 Mall Street, Collinsville, IL 62234 • (618) 346-5120

Des Plaines • 9511 W. Harrison St., Des Plaines, IL 60016 • (647) 294-4000

Peoria • 5415 N. University St., Peoria, IL 61614 • (309) 693-5463

Champaign • 2125 S. First St., Champaign, IL 61820 • (217) 278-5800

Marion • 2309 W. Main St., Suite 116, Marion, IL 62959 • (618) 993-7200

Conditions and Terms of Approval

Level of Remediation and Land Use Limitations

- 1) The Remediation Site is approved for Residential or Industrial/Commercial land use.
- 2) 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

- 3) The implementation and maintenance of the following controls are required as part of the approval of the remediation objectives for this Remediation Site.

Institutional Controls:

- 4) Section 11-8-390 of the Municipal Code of Chicago (Potable Water Wells), effectively prohibits the installation and the use of potable water supply wells and is an acceptable institutional control under the following conditions:
 - a) The Remediation Applicant shall provide written notification to the City of Chicago 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 Section 11-8-390;
 - 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.

Robert E. O'Hara
Illinois Environmental Protection Agency
Bureau of Land/RPMS
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 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;
 - 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 City of Chicago and affected property owner(s) of the intent to use Section 11-8-390 of the Municipal Code of Chicago (Potable Water Wells), as an institutional control at the Remediation Site; and
 - iv) Violation of the terms and conditions of this No Further Remediation letter.

Other Terms

- 5) Where a groundwater ordinance is used to assure long-term protection of human health (as identified under Paragraph 4 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.
- 6) 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.
- 7) 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
Bureau of Land-#24
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

- 8) 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 avoidance, explain the provisions for appeal, and describe the facts in support of this cause. Specific acts or omissions that may result in the avoidance 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;
 - 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.
- 9) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) Kraft Foods Global, 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;
 - 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.
- 10) 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 Rheem Mfg. Co. (Parcel 2 and 3) property.
- 11) 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:

Robert E. O'Hara
Illinois Environmental Protection Agency
Bureau of Land/RPMS
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

- 12) 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 Rheem Mfg. Co. (Parcel 2 and 3) property, you may contact the Illinois EPA project manager, Barbara Landers at 217-557-6939.

Sincerely,



Joyce L. Munie, P.E., 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
Property Owner Certification of No Further Remediation Letter under the Site
Remediation Program Form
Instructions for Filing the NFR Letter

cc: City of Chicago in Trust for Use of Schools (Chicago Board of Education)
c/o Lynn Crivello/ Chicago School Associates
125 S. Clark Street 17th Floor
Chicago, Illinois 60603

Elsie Millano
ERM, Inc.
1580 S. Milwaukee Ave., Suite 518
Libertyville, Illinois 60048

Commissioner
Chicago Department of Environment
25th Floor
30 North LaSalle Street
Chicago, Illinois 60602-2575

Records Unit
Bob O'Hara
Rick Lucas

PREPARED BY:

Name: Ken Wengert - Director Safety and Environmental
Kraft Foods Global, Inc.

Address: Three Lakes Drive (NF664)
Northfield, Illinois 60093

RETURN TO:

Name: Ken Wengert - Director Safety and Environmental
Kraft Foods Global, Inc.

Address: Three Lakes Drive (NF664)
Northfield, Illinois 60093

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: 0316700002

Kraft Foods Global, Inc., the Remediation Applicant, whose address is Three Lakes Drive (NF664), Northfield, Illinois 60093 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:

THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THAT PART OF SAID LAND DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID NORTHEAST 1/4 OF THE SOUTHEAST 1/4 AND THE EAST LINE OF SECTION 26 AFORESAID; THENCE WEST ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4, A DISTANCE OF 50 FEET TO A POINT; THENCE NORTH ALONG A LINE PARALLEL TO THE EAST LINE OF SECTION 26, AFORESAID, A DISTANCE OF 466.83 FEET TO A POINT; THENCE WEST ALONG A LINE PARALLEL TO THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 AFORESAID, A DISTANCE OF 30 FEET TO A POINT; THENCE NORTH ALONG A LINE PARALLEL TO THE EAST LINE OF SECTION 26 AFORESAID, A DISTANCE OF 861.17 FEET TO A POINT ON THE EAST AND WEST QUARTER LINE OF SECTION 26 AFORESAID; THENCE EAST A DISTANCE OF 80 FEET TO A POINT ON THE EAST LINE OF SECTION 26 AFORESAID; THENCE SOUTH ALONG THE EAST LINE OF SECTION 26 AFORESAID, TO THE POINT OF BEGINNING, CONDEMNED FOR THE WIDENING OF KEDZIE AVENUE ON A PETITION FILED SEPTEMBER 3, 1936, BY THE COUNTY OF COOK OF THE STATE OF ILLINOIS IN CASE NUMBER 36C10081 CIRCUIT COURT OF COOK COUNTY,

ILLINOIS; AND EXCEPT THE SOUTH 33 FEET OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, TO BE DEDICATED FOR THE WIDENING OF 77TH STREET FROM KEDZIE AVENUE ON THE EAST TO HOMAN AVENUE ON THE WEST; AND EXCEPT THE WEST 33 FEET OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26, LYING SOUTH OF THE EASTERLY EXTENSION OF THE NORTH LINE OF WEST 76TH PLACE AS LAID OUT IN GALLAGHER AND HENRY'S ORCHARD HILL SUBDIVISION, BEING A SUBDIVISION OF PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, TO BE DEDICATED FOR THE WIDENING OF HOMAN AVENUE FROM 77TH STREET ON THE SOUTH TO 76TH PLACE ON THE NORTH; AND ALSO EXCEPT THAT PART DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF SAID NORTHEAST 1/4 OF THE SOUTHEAST 1/4 AND THE EAST LINE OF SAID SECTION 26; THENCE NORTH 01 DEGREES 37 MINUTES 42 SECONDS WEST ALONG THE EAST LINE OF SAID SECTION 26, A DISTANCE OF 33.00 FEET TO A LINE THAT IS PARALLEL WITH AND 33.00 FEET NORTH OF, AS MEASURED AT RIGHT ANGLES TO, THE SOUTH LINE OF SAID NORTHEAST 1/4 OF THE SOUTHEAST 1/4; THENCE SOUTH 88 DEGREES 26 MINUTES 41 SECONDS WEST ALONG SAID PARALLEL LINE, 50.00 FEET TO A LINE PARALLEL WITH AND 50.00 FEET WEST OF, AS MEASURED AT RIGHT ANGLES TO, THE EAST LINE OF SAID SECTION 26, FOR THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 88 DEGREES 26 MINUTES 41 SECONDS WEST PARALLEL WITH THE SOUTH LINE OF SAID NORTHEAST 1/4 OF THE SOUTHEAST 1/4, A DISTANCE OF 595.74 FEET; THENCE NORTH 01 DEGREES 37 MINUTES 42 SECONDS WEST PARALLEL WITH THE EAST LINE OF SAID SECTION 26, A DISTANCE OF 393.02 FEET; THENCE NORTH 88 DEGREES 23 MINUTES 24 SECONDS EAST, 595.74 FEET TO A LINE PARALLEL WITH AND 50.00 FEET WEST OF, AS MEASURED AT RIGHT ANGLES TO, THE EAST LINE OF SAID SECTION 26; THENCE SOUTH 01 DEGREES 37 MINUTES 42 SECONDS EAST ALONG SAID PARALLEL LINE, 393.59 FEET TO THE POINT OF BEGINNING; ALL IN COOK COUNTY, ILLINOIS.

2. Common Address: 7600 South Kedzie Avenue, Chicago, Illinois
3. Real Estate Tax Index/Parcel Index Number: 19-26-405-001-0000
4. Remediation Site Owner: City of Chicago in Trust for Use of Schools (Chicago Board of Education)
5. Land Use: Residential and/or Industrial/Commercial
6. Site Investigation: Comprehensive

See NFR letter for other terms.

(Illinois EPA Site Remediation Program Environmental Notice)

SITE BASE MAP

ILD #0316700002 -COOK COUNTY
 CHICAGO/RHEEM MFG. CO.
 SITE REMEDIATION PROGRAM/TECHNICAL REPORTS

BELT RAILWAY COMPANY



LEGEND
 - - - - - PROPERTY BOUNDARY
 _____ REMEDIATION SITE BOUNDARY



0 200 400
 SCALE (IN FEET)

Drawn By	GML
CADD Review	RMK
Date Drawn/Rev'd	02/20/09



FORMER RHEEM SITE

CHICAGO, ILLINOIS

Environmental Resources Management

CHK'D	EM
	0087155
	FIGURE 6-1

Notice to Remediation Applicant

Please follow these instructions when filing the NFR letter with the County Recorder's Office

Instructions for Filing the NFR Letter

The following documents must be filed:

- A. Body of the NFR Letter (contains appropriate terms and conditions, tables, etc.)
- B. Attachments to NFR letter
 - Illinois EPA Site Remediation Program Environmental Notice (Legal Description and PIN of property)
 - Maps of the site
 - Table A: Regulated Substances of Concern (if applicable.)
 - Property Owner Certification
- C. A copy of the ordinance, if applicable, used to address groundwater contamination

1. Place the Illinois EPA Site Remediation Program Environmental Notice on top of the NFR prior to giving it to the Recorder.
2. If you are not the owner (record title holder) of the property on the date of filing of this NFR, you must attach a **completed** owner's certification form signed by the owner of the property at the time of filing (e.g., if the property recently sold, the new owner must sign).
3. If any of the terms and conditions of the NFR letter references a groundwater ordinance, you must record a copy of the groundwater ordinance with the NFR letter.
4. If any of the terms and conditions of the NFR letter references a highway agreement, you must record the highway agreement if specifically required by the municipality granting the agreement.
5. Within thirty (30) days of this NFR Letter being recorded by the Office of the Recorder of the County in which the property is located, a certified copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA to:

Robert E. O'Hara
Illinois Environmental Protection Agency
Bureau of Land/RPMS
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

6. **Remove this page from the NFR letter, prior to recording.**

If you have any questions call (217) 782-6761 and speak with the "project manager on-call" in the Site Remediation Program.