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**GABRIEL**  
*Environmental Services*

JANUARY 2017

## **The Risks of a "Records Search with Risk Assessment"**

## Recipe Corner



### **Slow Cooker Chicken Chili**

#### **Ingredients:**

- 1.25 lbs - boneless chicken thighs
- 2 lbs - boneless chicken breasts
- 2 cans - cannellini beans, rinsed and drained
- 1 can - garbanzo beans, rinsed and drained
- 1 can - fire roasted corn, rinsed and drained
- 1 large can - petite diced tomatoes, not drained
- 1 can beer (I used a

When closing a loan, buyers and lenders both prefer to save money on appraisals, property condition assessments, and environmental due diligence. Sometimes they opt for a 'Records Search with Risk Assessment' (RSRA) which may cost only half the price of a full Phase I Environmental Site Assessment.

The case study below illustrates the risk to both banks and purchasers of this limited environmental assessment.

#### **Case Study**

Recently, while performing a Phase I of a commercial property, Gabriel reviewed a RSRA and Phase II completed by another firm on behalf of the seller when they had purchased the property.

This RSRA rated the property as 'high risk' due to a neighboring dry cleaner. A Phase II was performed which found no contamination.

During our site inspection, Gabriel noted this nearby dry cleaner was located south-east of the subject property. The Phase II soil borings, however, had been completed on the south-west part of the property due to the dry cleaner being incorrectly plotted on the regulatory database search map.

In addition, our Environmental Professional found a vent stack and fill port associated with an unregistered Underground Storage Tank (UST)



- generic lager)
- 1-2 cans - chicken broth
- 1 poblano pepper, cut in half and deseeded
- 2 jalapeno peppers, cut in half and deseeded
- 1 large white onion, cut in half
- 12 cloves garlic, whole
- 2 dried ancho peppers, rehydrated
- 1 yellow pepper, diced
- 1 tsp Worcestershire sauce
- 1 tsp oregano
- 1 Tbsp cumin
- 1-2 Tbsp Red Cloud Seasoning blend (from Savory Spice shop)
- ½ Tbsp crushed Aleppo chile pepper (if you can't find this, you can sub crushed red pepper, but use ½ the amount)
- 1-2 Tbsp chili powder
- Salt to taste
- 1 large lime

**Directions:**

1. Preheat oven to 400\*. Roast poblano pepper, jalapeno peppers, onion, and whole garlic cloves for 20 minutes. Remove onion and garlic. Broil peppers until skin is blistered. Remove from oven, wait a few minutes, and then peel peppers.
2. In a blender, combine 1 can of drained/rinsed garbanzo beans with approx. ¼ can of

previously used for heating the property.

Gabriel completed a new Phase II and discovered contamination from the leaking UST and neighboring dry cleaner.

By relying only on the RSRA, the seller had unknowingly purchased contaminated property which reduced their sale price. Our client was able to negotiate a better deal by completing a more thorough environmental due diligence prior to closing on the transaction.

If you have questions about the differences between a RSRA and Phase I ESA, contact Natalie Neuman at 773-486-2123 or [nneuman@gabenv.com](mailto:nneuman@gabenv.com).

## Chicago Bag Tax In Effect February 1st



Chicago residents need to get their reusable bags ready, effective Wednesday, February 1st, 2017.

All plastic and paper checkout bags used at all retailers in the City of Chicago will be assessed a 7-cent tax.

The previous plastic bag ban only applied to larger retailers and allowed stores to use thicker, reusable plastic bags. Small stores are no longer exempt from the bag tax, and retailers such as Crate & Barrel and Trader Joe's who have always used paper bags must also comply with the new tax.

The bag tax will not apply to bags used inside a store for items such as bakery goods, bulk items, fruits and vegetables, or flowers.

Garbage bags, pet waste bags, and yard waste bags sold in packages will not be taxed on a per-item basis.

Waivers are also granted to bags used to carry items purchased through the SNAP or similar governmental food assistance program.

Environmental groups had criticized the previous plastic bag ban as being ineffective. Many consumers did not reuse the thicker plastic bags as intended. According to the [Chicago Tribune](#), a similar tax in suburban Washington DC cut the likelihood of a customer using a disposal bag in half within the first two months.

More information on the bag ban can be found on the [City of Chicago's website](#).

beer. Add rehydrated ancho peppers (peeled), garlic (removed from paper skins), and onion. Add more beer to liquefy as needed. Add peeled peppers, spices (oregano, cumin, red cloud blend, Aleppo peppers, and chili powder), and rest of beer.

3. Add contents of blender to a 5-6 quart slow cooker, along with all of the chicken. Cook on low for 8 hours.

4. Shred chicken. Add corn, remaining can of cannellini beans, garbanzo beans, tomatoes (with liquid), diced yellow pepper, and Worcestershire sauce. Add as much chicken broth as needed to obtain your desired consistency, and add salt to taste. Cook for another ~1 hour on high.

5. Add more salt and adjust seasoning as needed.

6. Approx. 5 minutes before serving, add juice of 1 large lime (or 2 small limes

#### **Topping: Lime-Avocado Cream**

- 1 cup sour cream
- 1 bunch (handful) cilantro, stemmed
- 2 small limes
- 2 avocados

In a food processor, combine sour cream, cilantro, and lime juice. Once combined, add avocados and pulse until roughly incorporated but not completely smooth (or, if you prefer a smooth cream, just keep on blending - your

## **Cook County Offers Tax Incentives to Clean Up Contaminated Properties**

Cook County offers "Class C" tax incentives to encourage the redevelopment of certain types of contaminated property. Industrial and commercial properties receiving the initial Class C classification will be assessed at 10% of market value for the first 10 years, 15% in the 11th year and 20% in the 12th year. For industrial property, the incentive may be renewed during the last year a property is entitled to a 10% assessment level up until expiration of the incentive.



To qualify for this tax incentives, properties must meet the following conditions:

1. The real estate must be used primarily for industrial or commercial purposes.
2. The real estate, because of contamination, has undergone environmental testing and remediation and is in receipt of a "No Further Remediation Letter" from the Illinois Environmental Protection Agency's Site Remediation Program.
3. An Eligibility Application and supporting documents have been timely filed with the Office of the Assessor.
4. The municipality in which such real estate is located (or the County Board, if the real estate is located in an unincorporated area) must, by lawful resolution or ordinance, expressly state that it supports and consents to the filing of a Class C Application and that it finds Class C necessary for development to occur on the subject property.
5. The present owner(s) must successfully demonstrate that they were not responsible, directly or indirectly, for the contamination which was remediated pursuant to a Site Remediation Program.
6. Remediation costs, including site investigation, testing, oversight, remediation and removal costs, monitoring, and engineering and legal fees associated with the remediation process, must total at least \$100,000 or alternatively, must total at least 25% of the market value of the real estate as determined by the Assessor's property record card in the year prior to the remediation.

More information about this tax incentive can be found on the [Cook County Assessor's website](#) or by contacting the Development Incentives

personal preference!).

Department of the Office of the Cook County Assessor at  
312-603-7529.

*Submitted by Sarah Polich  
1st Place - Chili Contest*



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