

## **GIS Registry Disclaimer**

This case was closed by the DNR prior to August 1, 2002, when DNR began adding approved cleanups with residual soil contamination into the GIS Registry. Certain documents that are currently required by ch. NR 726, Wis. Adm. Code may therefore not be included in this packet as they were unavailable at the time the original case was closed.

The information contained in this document was assembled by DNR from a previously closed case file, and added to the GIS Registry to provide the public with information on closed sites with residual soil and/or groundwater contamination remaining above applicable state standards.

# GIS REGISTRY

## Cover Sheet

July, 2008  
(RR 5367)

### Source Property Information

BRRTS #:

ACTIVITY NAME:

PROPERTY ADDRESS:

MUNICIPALITY:

PARCEL ID #:

CLOSURE DATE:

FID #:

DATCP #:

COMM #:

#### \*WTM COORDINATES:

X:  Y:

*\* Coordinates are in  
WTM83, NAD83 (1991)*

#### WTM COORDINATES REPRESENT:

Approximate Center Of Contaminant Source

Approximate Source Parcel Center

Please check as appropriate: (BRRTS Action Code)

#### Contaminated Media:

Groundwater Contamination > ES (236)

Contamination in ROW

Off-Source Contamination

*(note: for list of off-source properties  
see "Impacted Off-Source Property")*

Soil Contamination > \*RCL or \*\*SSRCL (232)

Contamination in ROW

Off-Source Contamination

*(note: for list of off-source properties  
see "Impacted Off-Source Property")*

#### Land Use Controls:

Soil: maintain industrial zoning (220)

*(note: soil contamination concentrations  
between residential and industrial levels)*

Structural Impediment (224)

Site Specific Condition (228)

Cover or Barrier (222)

*(note: maintenance plan for  
groundwater or direct contact)*

Vapor Mitigation (226)

Maintain Liability Exemption (230)

*(note: local government or economic  
development corporation)*

Monitoring wells properly abandoned? (234)

Yes  No  N/A

*\* Residual Contaminant Level*

*\*\*Site Specific Residual Contaminant Level*

This fillable form is intended to provide a list of information that must be submitted for evaluation for case closure. It is to be used in conjunction with Form 4400-202, Case Closure Request (Section H). The closure of a case means that the Department has determined that no further response is required at that time based on the information that has been submitted to the Department.

**NOTICE: Completion of this form is mandatory** for applications for case closure pursuant to ch. 292, Wis. Stats. and ch. NR 726, Wis. Adm. Code, including cases closed under ch. NR 746 and ch. NR 726. The Department will not consider, or act upon your application, unless all applicable sections are completed on this form and the closure fee and any other applicable fees, required under ch. NR 749, Wis. Adm. Code, Table 1 are included. It is not the Department's intention to use any personally identifiable information from this form for any purpose other than reviewing closure requests and determining the need for additional response action. The Department may provide this information to requesters as required by Wisconsin's Open Records law [ss. 19.31 - 19.39, Wis. Stats.].

BRRTS #:  PARCEL ID #:

ACTIVITY NAME:  WTM COORDINATES: X:  Y:

**CLOSURE DOCUMENTS** (the Department adds these items to the final GIS packet for posting on the Registry)

- Closure Letter**
- Maintenance Plan** (if activity is closed with a land use limitation or condition (land use control) under s. 292.12, Wis. Stats.)
- Conditional Closure Letter**
- Certificate of Completion (COC)** for VPLE sites

**SOURCE LEGAL DOCUMENTS**

- Deed:** The most recent deed as well as legal descriptions, for the **Source Property**. Deeds for other, off-source (off-site) properties are located in the **Notification** section.  
*Note: If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.*
- Certified Survey Map:** A copy of the certified survey map or the relevant section of the recorded plat map for those properties where the legal description in the most recent deed refers to a certified survey map or a recorded plat map. (lots on subdivided or platted property (e.g. lot 2 of xyz subdivision)).  
**Figure #:**                      **Title:**
- Signed Statement:** A statement signed by the Responsible Party (RP), which states that he or she believes that ALL legal descriptions attached to the statement are complete and accurate.  
*Note: The point here is that the legal descriptions are describing the correct (i.e., contaminated) properties.*

**MAPS** (meeting the visual aid requirements of s. NR 716.15(2)(h))

Maps must be no larger than 8.5 x 14 inches unless the map is submitted electronically.

- Location Map:** A map outlining all properties within the contaminated site boundaries on a U.S.G.S. topographic map or plat map in sufficient detail to permit easy location of all parcels. If groundwater standards are exceeded, include the location of all potable wells within 1200 feet of the site.  
*Note: Due to security reasons municipal wells are not identified on GIS Packet maps. However, the locations of these municipal wells must be identified on Case Closure Request maps.*  
**Figure #: 1**                      **Title: Site And Vicinity Diagram**
- Detailed Site Map:** A map that shows all contaminated properties within site boundaries, showing buildings, roads, property boundaries, contaminant sources, utility lines, monitoring wells and potable wells. This map shows the location of all contaminated public streets, and highway and railroad rights-of-way in relation to the source property and in relation to the boundaries of groundwater contamination exceeding a ch. NR 140 Enforcement Standard (ES), and/or in relation to the boundaries of soil contamination exceeding a Generic Residual Contaminant Level (GRCL) or a Site Specific Residual Contaminant Levels (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.  
**Figure #: na**                      **Title: Soil Boring Location Diagram**
- Soil Contamination Contour Map:** For sites closing with residual soil contamination, this map shows the location of all soil and a single contour showing the horizontal extent of each area of contiguous residual soil contamination that exceeds a Generic Residual Contaminant Level (GRCL) or a Site Specific Residual Contaminant Level (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.  
**Figure #: na**                      **Title: Soil Boring Location Diagram (annotated)**

BRRTS #: 02-05-109376

ACTIVITY NAME: Nicolet Paper/Polsky Energy

**MAPS (continued)**

- Geologic Cross-Section Map:** A map showing the source location and vertical extent of residual soil contamination exceeding a Generic Residual Contaminant Level (GRCL) or a Site Specific Residual Contaminant Level (SSRCL). If groundwater contamination exceeds a ch. NR 140 Enforcement Standard (ES) when closure is requested, show the source location and vertical extent, water table and piezometric elevations, and locations and elevations of geologic units, bedrock and confining units, if any.

**Figure #:**                      **Title:**

**Figure #:**                      **Title:**

- Groundwater Isoconcentration Map:** For sites closing with residual groundwater contamination, this map shows the horizontal extent of all groundwater contamination exceeding a ch. NR140 Preventive Action Limit (PAL) and an Enforcement Standard (ES). Indicate the direction and date of groundwater flow, based on the most recent sampling data.

**Note:** This is intended to show the total area of contaminated groundwater.

**Figure #:**                      **Title:**

- Groundwater Flow Direction Map:** A map that represents groundwater movement at the site. If the flow direction varies by more than 20° over the history of the site, submit 2 groundwater flow maps showing the maximum variation in flow direction.

**Figure #: 6H - 1730      Title: Groundwater Elevation and Flow Direction September 26, 2001**

**Figure #:**                      **Title:**

**TABLES (meeting the requirements of s. NR 716.15(2)(h)(3))**

Tables must be no larger than 8.5 x 14 inches unless the table is submitted electronically. Tables must not contain shading and/or cross-hatching. The use of **BOLD** or *ITALICS* is acceptable.

- Soil Analytical Table:** A table showing remaining soil contamination with analytical results and collection dates.  
**Note:** This is one table of results for the contaminants of concern. Contaminants of concern are those that were found during the site investigation, that remain after remediation. It may be necessary to create a new table to meet this requirement.

**Table #: na                      Title: Summary of Soil Sample Analytical Results**

- Groundwater Analytical Table:** Table(s) that show the most recent analytical results and collection dates, for all monitoring wells and any potable wells for which samples have been collected.

**Table #: na                      Title: Summary of Groundwater Analytical Results**

- Water Level Elevations:** Table(s) that show the previous four (at minimum) water level elevation measurements/dates from all monitoring wells. If present, free product is to be noted on the table.

**Table #:**                      **Title:**

**IMPROPERLY ABANDONED MONITORING WELLS**

For each monitoring well not properly abandoned according to requirements of s. NR 141.25 include the following documents.

**Note:** If the site is being listed on the GIS Registry for only an improperly abandoned monitoring well you will only need to submit the documents in this section for the GIS Registry Packet.

- Not Applicable**

- Site Location Map:** A map showing all surveyed monitoring wells with specific identification of the monitoring wells which have not been properly abandoned.

**Note:** If the applicable monitoring wells are distinctly identified on the Detailed Site Map this Site Location Map is not needed.

**Figure #:**                      **Title:**

- Well Construction Report:** Form 4440-113A for the applicable monitoring wells.

- Deed:** The most recent deed as well as legal descriptions for each property where a monitoring well was not properly abandoned.

- Notification Letter:** Copy of the notification letter to the affected property owner(s).

BRRTS #: 02-05-109376

ACTIVITY NAME: Nicolet Paper/Polsky Energy

## NOTIFICATIONS

Group the following information per individual property and label each group according to alphabetic listing on the "Impacted Off-Source Property" attachment.

- Letter To Current Source Property Owner:** If the source property is owned by someone other than the person who is applying for case closure, include a copy of the letter notifying the current owner of the source property that case closure has been requested.
- Return Receipt/Signature Confirmation:** Written proof of date on which the RP received confirmation for notifying current source property owner.
- Letter To Off-Source Property Owners:** Copies of all letters sent by the Responsible Party (RP) to owners of properties with groundwater exceeding an Enforcement Standard (ES), and to owners of properties that will be affected by a land use control under s. 292.12, Wis. Stats.  
**Note:** Letters sent to off-source properties regarding residual contamination must contain standard provisions in Appendix A of ch. NR 726.

### Number of "Off-Source" Letters:

- Return Receipt/Signature Confirmation:** Written proof of date on which the RP received confirmation for notifying any off-source property owner.
- Deed of "Off-Source" Property:** The most recent deed(s) as well as legal descriptions, for all affected deeded **off-source property(ies)**. This does not apply to right-of-ways.  
**Note:** If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.
- Letter To Governmental Unit/Right-Of-Way Owners:** Copies of all letters sent by the Responsible Party (RP) to a city, village, municipality, state agency or any other entity responsible for maintenance of a public street, highway, or railroad right-of-way, within or partially within the boundaries of the contaminated site, for contamination exceeding a groundwater Enforcement Standard (ES) and/or soil exceeding a Generic Residual Contaminant Level (GRCL) or a Site Specific Residual Contaminant Level (SSRCL).

### Number of "Governmental Unit/Right-Of-Way Owner" Letters:

1656350

Document Number

DEED NOTIFICATION

AFFIDAVIT

BROWN COUNTY REGISTER OF DEEDS CATHY WILLIQUETTE

1998 NOV 20 A 11: 14

Legal Description of the Property: A parcel of land being a part of Lots 8 through 11, Block 5, De Pere Company's Addition to De Pere, and part of the unplatted area lying north of said Block 5, all located in Private Claim 29, West Side of the Fox River, City of De Pere, Brown County, Wisconsin, as described in Exhibit A to Document No. 1052928, Jacket 9135, Image 25, Register of Deeds Office, Brown County, included also as Exhibit A to this affidavit .

Recording Area

International Paper Nicolet Division 200 Main Avenue De Pere WI 54115

1600 (4) Attn: Tom Piette

STATE OF WISCONSIN ) ) SS COUNTY OF BROWN )

Parcel Identification Number (PIN)

Thomas E. Piette, being first duly sworn, on oath deposes and says:

- 1. That he/she is the EHS Manager of Hammermill Paper Company, now known as International Paper Nicolet Division, and is authorized to sign this affidavit on behalf of International Papers Nicolet Division.
2. That International Paper Nicolet Division is the owner of the property described above and in Exhibit A.
3. That approval has been given by the Wisconsin Department of Natural Resources for the close-out of an environmental contamination case involving the property described above on the condition that a notification of the existence of residual contamination on the property is recorded at the Office of the Register of Deeds in the county where the property described above is located.
4. That this affidavit is being recorded for the purpose of notifying prospective purchasers and other interested parties that Diesel Range Organic contaminated soils remain at GP-2 at 822 parts per million (ppm) and at SB-3 at 310 ppm. Location of GP-2 and SB-3 are provided on Attachment C.

By Signing this document, Thomas E. Piette acknowledges that [he/she] is duly authorized to sign this document on behalf of International Paper Nicolet Division.

Signature: Thomas E. Piette

Printed Name: Thomas E. Piette

Title: EHS Manager

Subscribed and sworn to before me this 20 day of November, 1998

Sue A. Ronzman Notary Public, State of Wisconsin My commission expires April 11, 1999

Handwritten signatures and stamps including 'SUE A. RONSMAN NOTARY PUBLIC STATE OF WISCONSIN' and 'Cathy L. Butler General Manager 11/20/98'.

EXHIBIT A  
LEGAL DESCRIPTION

**West Side**

All of Blocks 1, 3, and 5 according to the recorded Plat of De Pere Company's Addition to the Village, now City of De Pere, West side of Fox River, Brown County, Wisconsin, together with that part of Water Street and River Street vacated pursuant to Volume 85 of Mortgages page 146 as recorded in said Register's Office on April 30, 1891, and the Northeastly 1/2 of the vacated alley located 100' Northerly of the North boundary of Main Avenue between the Westerly boundary of 4th Street and the Easterly boundary of 5th Street pursuant to Volume 7 of Lis Pendens page 130 as filed in said Register's Office on May 14, 1976 as Document Number 832585.

All of Block 2 according to the recorded Plat of De Pere Company's Addition to the Village, now City of De Pere, West side of Fox River, Brown County, Wisconsin EXCEPTING THEREFROM those parts thereof conveyed to the City of De Pere in a Quit Claim Deed recorded in said Register's Office on December 19, 1947 in Volume 275 of Deeds at page 233 as Document No. 354850, and as conveyed to the State of Wisconsin in a Deed recorded in said Register's Office on January 8, 1970 in Volume 879 of Records at page 405 as Document No. 705507.

Lots 29, 30, 31, 32, and 33 all in Block 6 according to the recorded Plat of De Pere Company's Addition to the Village, now City of De Pere, West side of Fox River, Brown County, Wisconsin.

Lots 1 to 11, both inclusive, all in Block 7 according to the recorded Plat of De Pere Company's Addition to the Village, now City of De Pere, West side of Fox River, Brown County, Wisconsin.

Lots 11, 12, 13, and 14 all in Block 8 according to the recorded Plat of De Pere Company's Addition to the Village, now City of De Pere, West side of Fox River, Brown County, Wisconsin.

Lots 1 to 25, both inclusive, all in Block 9 according to the recorded Plat of De Pere Company's Addition to the Village, now City of De Pere, West side of Fox River, Brown County, Wisconsin.

Lots 11, 12, 13, 14, 15, and 16 all in Block 10 according to the recorded Plat of De Pere Company's Addition to the Village, now City of De Pere, West side of Fox River, Brown County, Wisconsin EXCEPTING THEREFROM the West 7 feet of the South 80' of Lots 11, 14, 15, and 16 of said Block 10.

Lots 26 to 40, both inclusive, all in Block 22 according to the recorded Plat of De Pere Company's Addition to the Village, now City of De Pere, West side of Fox River, Brown County, Wisconsin.

All land not conveyed to the City of De Pere for streets, alleys and bridges lying between Blocks 2 and 4 and that part of Block 6 on the East side of the middle line of the Old Furnace Company's canal slip continuing Southerly across said Block 6 on the South side and said Blocks 1 and 3 and that part of Block 5 East of said middle line of the Old Furnace Company's canal slip on the North side in the De Pere Company's Addition to West De Pere in the City of De Pere, West side of Fox River, Brown County, Wisconsin.

A triangular parcel of land bounded by Block 6 on the South and West and the raceway on the North; and also the canal or raceway between Blocks 5, 7, 9, and 22 on the North and East and Blocks 6, 8, 10, 11, 21, and 23 on the South and West extending Westerly from a continuation Southerly of the middle line of the Old Furnace Company's canal slip that runs across Block 5 about North and South to the continuation of the Northerly line of Lot 40 in Block 22 De Pere Company's Addition to the Village, now City of De Pere, West side of Fox River, Brown County, Wisconsin.

ADM

East Site

Lots 1, 2, 3, and 4 all in Block 1 Original Plat of the Village (now City) of De Pere, East side of Fox River, Brown County, Wisconsin, together with the West 1/2 of vacated Front Street lying Easterly of and adjacent to said lots as vacated pursuant to an instrument recorded in said Register's Office on May 9, 1912, in Volume 123 of Mortgages at 165; EXCEPTING THEREFROM that part thereof lying East of a line 12-1/2 feet East of and parallel with the centerline of the Chicago, Milwaukee, St. Paul & Pacific Railway Company, (as it existed on June 21, 1948) as conveyed to the City of De Pere in a deed recorded in said Register's Office on August 16, 1948 in Volume 280 of Deeds at page 342 as Document No. 367505.

Lots 1, 2, 3, 4, 5, and 6 all in Block 2 Original Plat of the Village (now City) of De Pere, East side of Fox River, Brown County, Wisconsin.

Lots 1, 2, 3, 4, 5, and 6 all in Block 3 and all of Block 4, all in the Original Plat of the Village (now City) of De Pere, East side of Fox River, Brown County, Wisconsin; EXCEPTING THEREFROM the South 60 feet of Lot 6 of said Block 4, as conveyed to the City of De Pere in a deed recorded in said Register's Office on March 12, 1892 in Volume 71 of Deeds at page 132 and further EXCEPTING from said Blocks 3 and 4 those parts thereof conveyed to the City of De Pere pursuant to a deed recorded in said Register's Office on August 7, 1963 in Volume 631 of Records at page 245 as Document No. 603954; and as conveyed to the State of Wisconsin pursuant to a deed recorded in said Register's Office on January 8, 1970 in Volume 879 of Records at page 405 as Document No. 705307. TOGETHER WITH the Basin lying between said Blocks 3 and 4 and the land between said Block 4 and the Basin.

Lots 5 and 6 all in Block 5 Original Plat of the Village (now City) of De Pere, East side of Fox River, Brown County, Wisconsin, together with the Westerly 1/2 of the River Street as vacated pursuant to an instrument recorded in said Register's Office on December 31, 1924 in Volume 6 of Miscellaneous Records at page 28.

That part of the North West One-quarter (1/4) and part of the North East One-quarter (1/4) of Section Thirty-four (34), in Township Twenty-three (23) North, Range Twenty (20) East, in the City of DePere, described as follows: Beginning at the North 1/4 corner of said Section 34; thence South 89° 03' 24" West along the said section line 1171.37 feet to the right of way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad; thence South 9° 40' 15" West along the said right of way line 805.52 feet; thence North 89° 03' 24" East 1,764.07 feet to the right of way line of State Trunk Highway 32 (A.K.A. Blake Road); thence along the said right of way line on a curve to the left, with a radius of 3,754.83 feet, the chord of which bears North 8° 15' 14" West 672.75 feet; thence North 13° 21' 40" West along said right of way line 130.46 feet; thence South 88° 31' 15" West along the North section line of said Section 34, 334.05 feet to the place of beginning.





**State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES**

Tommy G. Thompson, Governor  
George E. Meyer, Secretary  
William R. Selbig, Regional Director

Northeast Regional Headquarters  
Solid Waste Office  
PO Box 10448, 1125 N. Military Ave.  
Green Bay, Wisconsin 54307-0448  
TELEPHONE 414-492-5916  
FAX 414-492-5859  
TDD 414-492-5812

December 9, 1997

Thomas Piette  
International Paper  
Nicolet Division  
200 Main Avenue  
De Pere WI 54115-2299

SUBJECT: Closure Review of Nicolet Paper/Polsky Energy Corporation, 200 Main Avenue; De Pere, Wisconsin  
**WDNR BRRTS CASE #02-05-109376**

Dear Mr. Piette

The above referenced case file has been reviewed by the WDNR's Northeast Region Case Closure Committee. This panel reviews environmental remediation cases for compliance with state laws, standards, and guidelines to maintain consistency in the closeout of cases. After careful review, the Committee has decided to grant a **conditional case closure**.

At this time, it appears that actions have been taken to the extent practicable to restore the environment and minimize the harmful effects from this discharge to the air, lands and waters of the state. *The WDNR is requiring no further remedial action at this time; however, because soil contamination above the current soil standards remains on site, a deed restriction must be filed with the County.* In order to assist me in drafting the proper format for this deed restriction, **please submit the following items to me within 21 days:**

1. A copy of the portion of the deed that contains the detailed legal description of the property where the site is located; and
2. A scaled map showing the effected property with building outlines or other "permanent" markers identified and location of remaining soil contamination.

As soon as I receive this information, I can draft the "Declaration of Restrictions" for your review and appropriate filing on the property's deed.

If you have additional relevant information which was not formerly provided to the WDNR, you should resubmit this information to the WDNR for reevaluation.

The Department appreciates your efforts to protect and restore the environment at this site. If you have any questions regarding this letter, please contact me at (920)492-5592.

Sincerely,



Roxanne Nelezen Chronert  
Spills Coordinator - Hydrogeologist

cc: ↗ File  
Bill Noel; STS Consultants, Ltd; 1035 Kepler Drive; Green Bay WI 54311

DOCUMENT NO

1052928

J 9135 I 25

STATE BAR OF WISCONSIN - FORM 1  
WARRANTY DEED  
THIS SPACE RESERVED FOR RECORDING DATA

REGISTER OF DEEDS  
BROWN COUNTY

JUL - 2 1985

At 11:33 O'CLOCK A.M.  
*Cathy Williford* REGISTER OF DEEDS  
2320

PHILIP MORRIS INDUSTRIAL INCORPORATED,  
a Delaware corporation,

conveys and warrants to  
HAMMERMILL PAPER COMPANY,

the following described real estate in BROWN County,  
State of Wisconsin:

Legal description contained in Exhibit A  
attached hereto.

RETURN TO Sarah O. Jelencic  
Foley & Lardner  
777 E. Wisconsin Ave.  
Milwaukee, WI 53202

WD-365  
Tax Key No. ED-715  
ED-F0103

PHILIP MORRIS INDUSTRIAL INCORPORATED FURTHER QUIT CLAIMS to Hammermill Paper Company any and all right, title and interest in and to: riparian and water power rights appurtenant to the Property described in Exhibit A; all lands which presently, heretofore or hereafter consist of a portion of the bed of the Fox River; the dam which runs in a East-Northeasterly direction across the Fox River parallel to and under the Claude Allouez Bridge; approaches to the dam; the United States Government locks; and any and all properties, accretions, artificially filled lands and improvements adjacent or appurtenant to the Property described in Exhibit A East of the thread of the Fox River.

TRANSFER

\* 10,995.00  
FEE

This is not homestead property.  
(is) (is not)

Exception to warranties: Exceptions to warranties described in Exhibit B attached hereto.

Dated this 1st day of July, 1985

PHILIP MORRIS INDUSTRIAL INCORPORATED  
By: *Thomas J. Contrucci* (SEAL)  
\* Thomas J. Contrucci, V.P./Sec.  
Attest: *Allan J. Mandaville* (SEAL)  
\* Allan J. Mandaville, Asst. Sec.

AUTHENTICATION

Signatures authenticated this 1st day of July, 1985  
*David L. Petersen*  
DAVID L. PETERSEN  
TITLE: MEMBER STATE BAR OF WISCONSIN

(If not authorized by § 706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY

Charles A. Brady

ACKNOWLEDGMENT

STATE OF WISCONSIN  
County: ss.  
Personally came before me, this \_\_\_\_\_ day of \_\_\_\_\_ the above named  
to me known to be the person who executed the foregoing instrument and acknowledge the same.

J 9135 | 26

EXHIBIT ALEGAL DESCRIPTION**West Site**

All of Blocks 1, 3, and 5 according to the recorded Plat of De Pere Company's Addition to the Village, now City of De Pere, West side of Fox River, Brown County, Wisconsin, together with that part of Water Street and River Street vacated pursuant to Volume 85 of Mortgages page 146 as recorded in said Register's Office on April 30, 1891, and the Northeasterly 1/2 of the vacated alley located 100' Northerly of the North boundary of Main Avenue between the Westerly boundary of 4th Street and the Easterly boundary of 5th Street pursuant to Volume 7 of Lis Pendens page 130 as filed in said Register's Office on May 14, 1976 as Document Number 832585.

All of Block 2 according to the recorded Plat of De Pere Company's Addition to the Village, now City of De Pere, West side of Fox River, Brown County, Wisconsin EXCEPTING THEREFROM those parts thereof conveyed to the City of De Pere in a Quit Claim Deed recorded in said Register's Office on December 19, 1947 in Volume 275 of Deeds at page 233 as Document No. 354850, and as conveyed to the State of Wisconsin in a Deed recorded in said Register's Office on January 8, 1970 in Volume 879 of Records at page 405 as Document No. 705507.

Lots 29, 30, 31, 32, and 33 all in Block 4 according to the recorded Plat of De Pere Company's Addition to the Village, now City of De Pere, West side of Fox River, Brown County, Wisconsin.

Lots 1 to 11, both inclusive, all in Block 7 according to the recorded Plat of De Pere Company's Addition to the Village, now City of De Pere, West side of Fox River, Brown County, Wisconsin.

Lots 11, 12, 13, and 14 all in Block 8 according to the recorded Plat of De Pere Company's Addition to the Village, now City of De Pere, West side of Fox River, Brown County, Wisconsin.

Lots 1 to 25, both inclusive, all in Block 9 according to the recorded Plat of De Pere Company's Addition to the Village, now City of De Pere, West side of Fox River, Brown County, Wisconsin.

Lots 11, 12, 13, 14, 15, and 16 all in Block 10 according to the recorded Plat of De Pere Company's Addition to the Village, now City of De Pere, West side of Fox River, Brown County, Wisconsin EXCEPTING THEREFROM the West 7 feet of the South 80' of Lots 11, 14, 15, and 16 of said Block 10.

Lots 26 to 40, both inclusive, all in Block 22 according to the recorded Plat of De Pere Company's Addition to the Village, now City of De Pere, West side of Fox River, Brown County, Wisconsin.

All land not conveyed to the City of De Pere for streets, alleys and bridges lying between Blocks 2 and 4 and that part of Block 6 on the East side of the middle line of the Old Furnace Company's canal slip continuing Southerly across said Block 6 on the South side and said Blocks 1 and 3 and that part of Block 5 East of said middle line of the Old Furnace Company's canal slip on the North side in the De Pere Company's Addition to West De Pere in the City of De Pere, West side of Fox River, Brown County, Wisconsin.

A triangular parcel of land bounded by Block 6 on the South and West and the raceway on the North; and also the canal or raceway between Blocks 5, 7, 9, and 22 on the North and East and Blocks 6, 8, 10, 11, 21, and 23 on the South and West extending Westerly from a continuation Southerly of the middle line of the Old Furnace Company's canal slip that runs across Block 5 about North and South to the continuation of the Northerly line of Lot 40 in Block 22 De Pere Company's Addition to the Village, now City of De Pere,

NEED  
Last  
Line

J 9135 1 27

## East Site

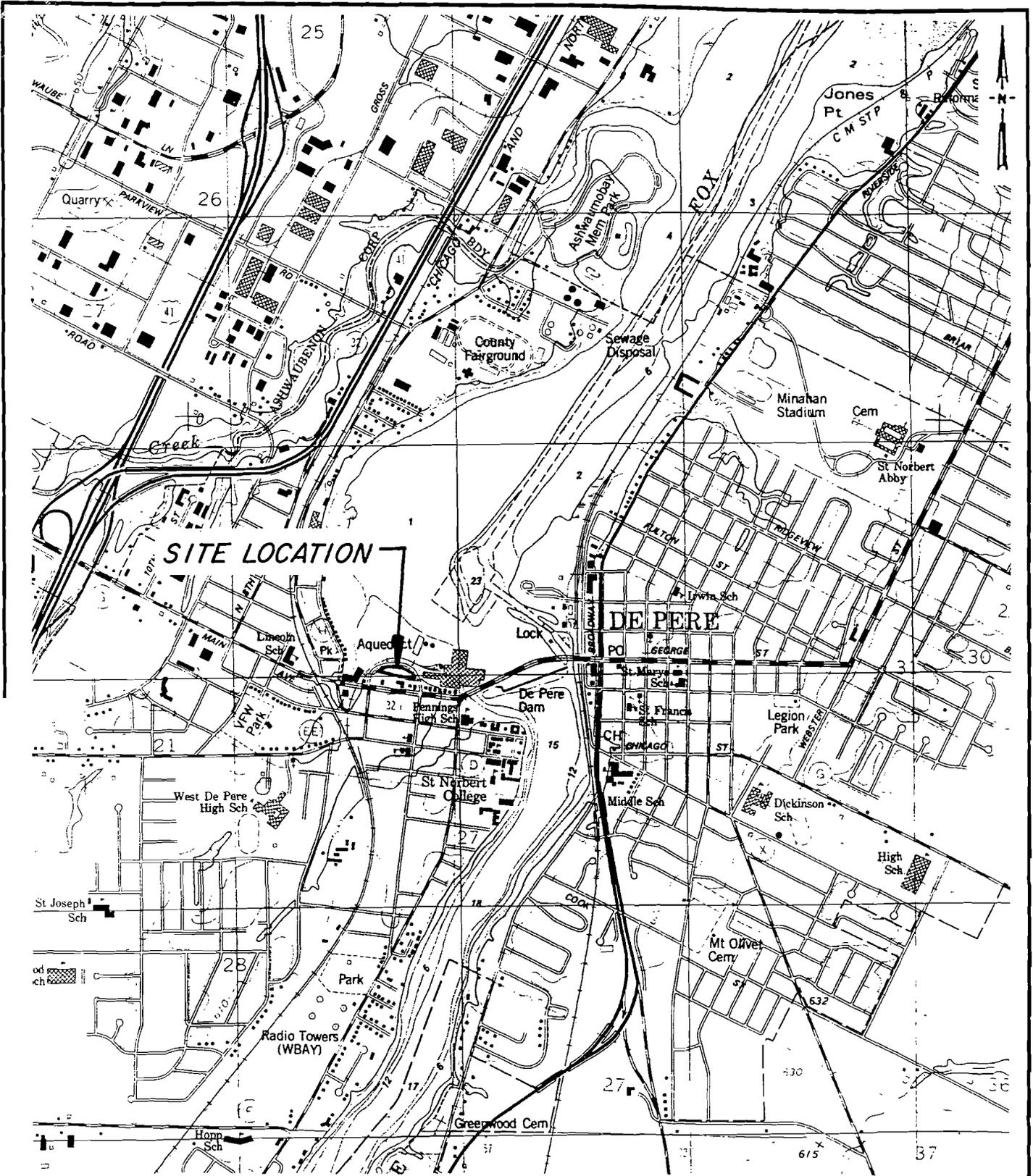
Lots 1, 2, 3, and 4 all in Block 1 Original Plat of the Village (now City) of De Pere, East side of Fox River, Brown County, Wisconsin, together with the West 1/2 of vacated Front Street lying Easterly of and adjacent to said lots as vacated pursuant to an instrument recorded in said Register's Office on May 9, 1912, in Volume 123 of Mortgages at 165; EXCEPTING THEREFROM that part thereof lying East of a line 12-1/2 feet East of and parallel with the centerline of the Chicago, Milwaukee, St. Paul & Pacific Railway Company, (as it existed on June 21, 1948) as conveyed to the City of De Pere in a deed recorded in said Register's Office on August 16, 1948 in Volume 280 of Deeds at page 342 as Document No. 367505.

Lots 1, 2, 3, 4, 5, and 6 all in Block 2 Original Plat of the Village (now City) of De Pere, East side of Fox River, Brown County, Wisconsin.

Lots 1, 2, 3, 4, 5, and 6 all in Block 3 and all of Block 4, all in the Original Plat of the Village (now City) of De Pere, East side of Fox River, Brown County, Wisconsin; EXCEPTING THEREFROM the South 60 feet of Lot 6 of said Block 4, as conveyed to the City of De Pere in a deed recorded in said Register's Office on March 12, 1892 in Volume 71 of Deeds at page 132 and further EXCEPTING from said Blocks 3 and 4 those parts thereof conveyed to the City of De Pere pursuant to a deed recorded in said Register's Office on August 7, 1963 in Volume 631 of Records at page 245 as Document No. 603954; and as conveyed to the State of Wisconsin pursuant to a deed recorded in said Register's Office on January 8, 1970 in Volume 879 of Records at page 405 as Document No. 705507. TOGETHER WITH the Basin lying between said Blocks 3 and 4 and the land between said Block 4 and the Basin.

Lots 5 and 6 all in Block 5 Original Plat of the Village (now City) of De Pere, East side of Fox River, Brown County, Wisconsin, together with the Westerly 1/2 of the River Street as vacated pursuant to an instrument recorded in said Register's Office on December 31, 1924 in Volume 6 of Miscellaneous Records at page 28.

That part of the North West-One-quarter (1/4) and part of the North East One-quarter (1/4) of Section Thirty-four (34), in Township Twenty-three (23) North, Range Twenty (20) East, in the City of DePere, described as follows: Beginning at the North 1/4 corner of said Section 34; thence South 89° 03' 24" West along the said section line 1171.37 feet to the right of way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad; thence South 90° 40' 15" West along the said right of way line 805.52 feet; thence North 89° 03' 24" East 1,764.07 feet to the right of way line of State Trunk Highway 32 (A.K.A. Blake Road); thence along the said right of way line on a curve to the left, with a radius of 3,754.83 feet, the chord of which bears North 89° 15' 14" West 672.75 feet; thence North 130° 21' 40" West along said right of way line 130.46 feet; thence South 88° 31' 15" West along the North section line of said Section 34, 334.05 feet to the place of beginning.



MAP SOURCE: MAP MODIFIED FROM DE PERE, WISCONSIN U.S.G.S. QUADRANGLE DATED 1982.

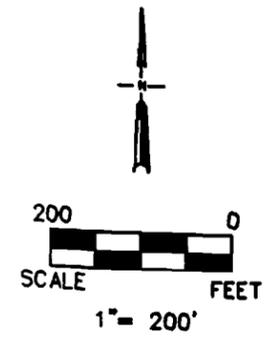


PROJECT/CLIENT

SITE AND VICINITY DIAGRAM

PROPOSED COGENERATION FACILITY  
DE PERE, WISCONSIN

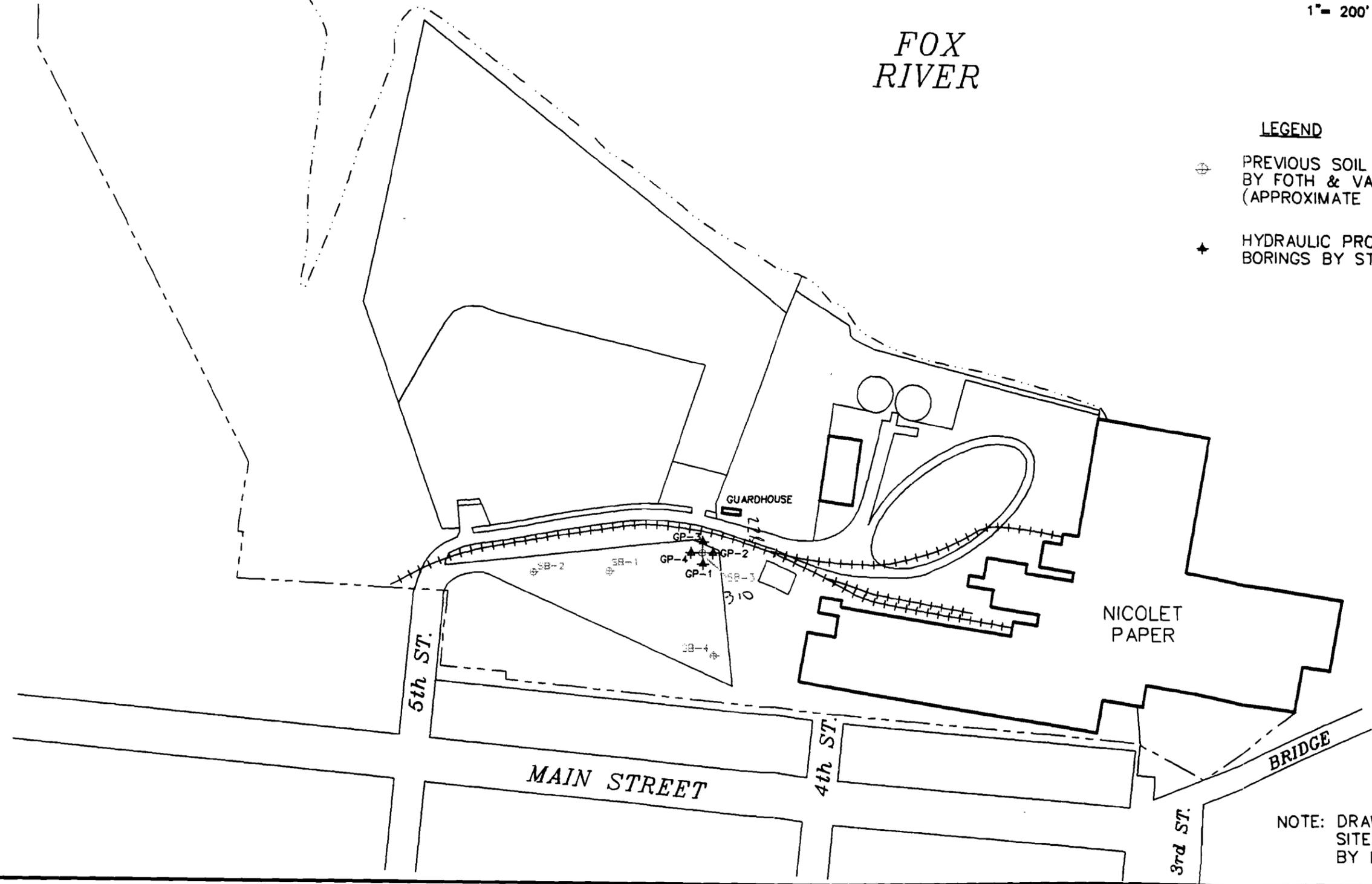
DRAWN BY	P.D.P.	5-16-96
CHECKED BY	W.F.N	
APPROVED BY	<i>PRB</i>	5-21-96
SCALE	1"=2000'	FIGURE NO. 1
STS DRAWING NO.	22190XF	



FOX RIVER

**LEGEND**

- ⊕ PREVIOUS SOIL BORING BY FOTH & VAN DYKE (APPROXIMATE LOCATION)
- ✦ HYDRAULIC PROBE BORINGS BY STS



DRAWN BY	P.D.P.	DATE	8-19-96
CHECKED BY		DATE	
APPROVED BY	C.D.T.	DATE	8-19-96
CADFILE	W:\DWG96\22190\F\G490F002.DWG		

SOIL BORING LOCATION DIAGRAM  
 PROPOSED COGENERATION FACILITY  
 DE PERE, WISCONSIN

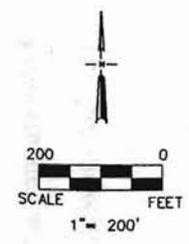


STS PROJECT NO.	22190XF
STS PROJECT FILE	
SCALE	1"=200'
FIGURE NO.	2

NOTE: DRAWING BASED ON SITE MAP PROVIDED BY NICOLET.

*C.C. - Sorry for the small picture!  
 Bear & David do.*

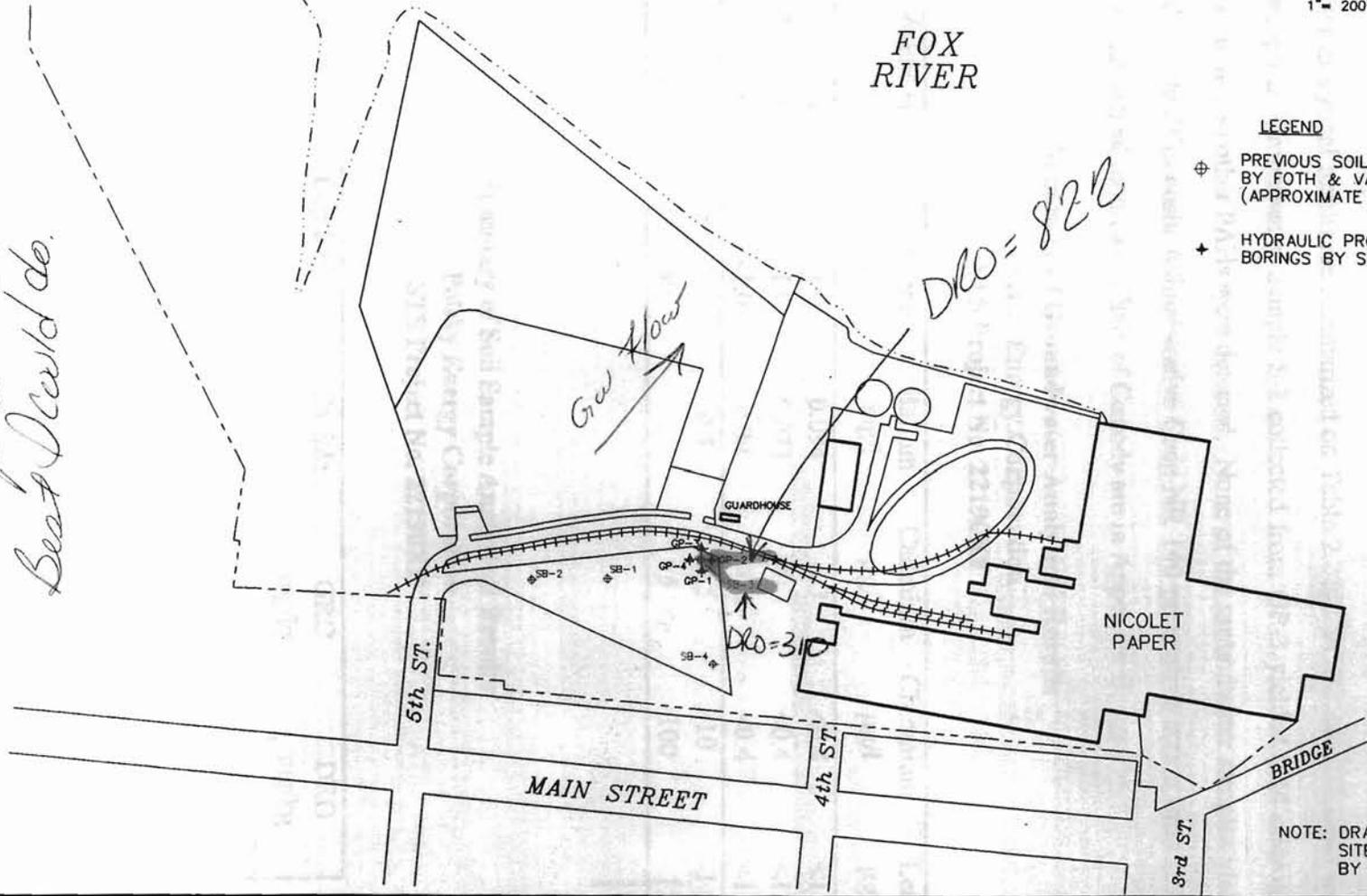
Soil borings 11-95  
 Geoprobos 6-96



FOX RIVER

**LEGEND**

- ⊕ PREVIOUS SOIL BORING BY FOTH & VAN DYKE (APPROXIMATE LOCATION)
- + HYDRAULIC PROBE BORINGS BY STS



DRAWN BY	P.D.P.	DATE	8-19-96
CHECKED BY		DATE	
APPROVED BY	C.D.T.	DATE	8-19-96
C:\DWG96\22190\XF\G490F002.DWG			

SOIL BORING LOCATION DIAGRAM  
 PROPOSED COGENERATION FACILITY  
 DE PERE, WISCONSIN



STS PROJECT NO.	22190XF
STS PROJECT FILE	
SCALE	1" = 200'
FIGURE NO.	2

NOTE: DRAWING BASED ON SITE MAP PROVIDED BY NICOLET.

3.3 Groundwater Analytical Results

*Geoprobe Results*

The groundwater analytical results are summarized on Table 2. No VOCs were detected in the groundwater samples. Groundwater Sample S-2 collected from GP-3 yielded 0.14 microgram per liter phenanthrene; no other PAHs were detected. None of the groundwater samples yielded metal values above the Wisconsin Administrative Code NR 140 preventive action limit (PAL). The groundwater analytical report and Chain of Custody are in Appendix B.

**Summary of Groundwater Analytical Results  
Polsky Energy Corporation  
STS Project No. 22190XF**

Boring	Sample	Phenanthrene µg/l	Arsenic µg/l	Barium mg/l	Cadmium µg/l	Chromium µg/l	Lead µg/l	Selenium µg/l
GP-1	S-2 ND	<0.12	<1.0	0.094	0.3	<0.4	<1.0	<0.8
GP-2	S-2 ND	<0.24	<1.0	0.073	<0.1	<0.4	<1.0	<0.8
GP-3	S-2 ND	0.14	<1.0	0.09	<0.1	<0.4	<1.0	<0.8
PAL		--	5	0.4	0.5	10	1.5	10
ES		--	50	2	5	100	15	50

**Summary of Soil Sample Analytical Results  
Polsky Energy Corporation  
STS Project No. 22190XF**

Boring	Depth (ft.)	Sample	GRO mg/kg	DRO mg/kg
GP-1	4.0-6.0	S-1	<0.9	34
GP-2	4.0-6.0	S-1	<0.9	822
GP-3	4.0-6.0	S-1	<0.9	38
GP-4	4.0-6.0	S-1	<0.9	161
RCL			250	250

*G.W. @ 6.5' BGS*

*-8-  
Soil samples are above G.W.*