

GIS REGISTRY INFORMATION

SITE NAME:	Koch Materials Refining Company		
BRRTS #:	02-05-285528	FID #	
COMMERCE # (if appropriate):	54303-3708-96	(if appropriate):	
CLOSURE DATE:	8/7/03		
STREET ADDRESS:	1496 Bylsby Ave		
CITY:	Green Bay		
SOURCE PROPERTY GPS COORDINATES (meters in WTM91 projection):	X = 678068	Y = 453443	
CONTAMINATED MEDIA:	Groundwater <input type="checkbox"/>	Soil <input checked="" type="checkbox"/>	Both <input type="checkbox"/>
OFF-SOURCE GW CONTAMINATION >ES:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<input checked="" type="checkbox"/>
• IF YES, STREET ADDRESS:			
• GPS COORDINATES (meters in WTM91 projection):	X =	Y =	
OFF-SOURCE SOIL CONTAMINATION >Generic or Site-Specific RCL (SSRCL):	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
• IF YES, STREET ADDRESS 1:			
• GPS COORDINATES (meters in WTM91 projection):	X =	Y =	
CONTAMINATION IN RIGHT OF WAY:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
DOCUMENTS NEEDED			
Closure Letter, and any conditional closure letter issued			<input checked="" type="checkbox"/>
Copy of most recent deed, including legal description, for all affected properties			<input checked="" type="checkbox"/>
Certified survey map or relevant portion of the recorded plat map (if referenced in the legal description) for all affected properties			<input checked="" type="checkbox"/>
County Parcel ID number, if used for county, for all affected properties (SEE SURVEY MAP)			<input checked="" type="checkbox"/>
Location Map which outlines all properties within contaminated site boundaries on USGS topographic map or plat map in sufficient detail to permit the parcels to be located easily (8.5x14" if paper copy). If groundwater standards are exceeded, the map must also include the location of all municipal and potable wells within 1200' of the site.			<input checked="" type="checkbox"/>
Detailed Site Map(s) for all affected properties , showing buildings, roads, property boundaries, contaminant sources, utility lines, monitoring wells and potable wells. (8.5x14", if paper copy) This map shall also show the location of all contaminated public streets, highway and railroad rights-of-way in relation to the source property and in relation to the boundaries of groundwater contamination exceeding ch. NR 140 ESs and soil contamination exceeding ch. NR 720 generic or SSRCLs.			<input checked="" type="checkbox"/>
Tables of Latest Groundwater Analytical Results (no shading or cross-hatching)			<input type="checkbox"/>
Tables of Latest Soil Analytical Results (no shading or cross-hatching)			<input checked="" type="checkbox"/>
Isoconcentration map(s), if required for site investigation (SI) (8.5x14" if paper copy). The isoconcentration map should have flow direction and extent of groundwater contamination defined. If not available, include the latest extent of contaminant plume map.			<input type="checkbox"/>
GW: Table of water level elevations, with sampling dates, and free product noted if present			<input type="checkbox"/>
GW: Latest groundwater flow direction/monitoring well location map (should be 2 maps if maximum variation in flow direction is greater than 20 degrees)			<input type="checkbox"/>
SOIL: Latest horizontal extent of contamination exceeding generic or SSRCLs, with one contour			<input checked="" type="checkbox"/>
Geologic cross-sections, if required for SI. (8.5x14" if paper copy)			<input checked="" type="checkbox"/>
RP certified statement that legal descriptions are complete and accurate			<input checked="" type="checkbox"/>
Copies of off-source notification letters (if applicable)			<input type="checkbox"/>
Letter informing ROW owner of residual contamination (if applicable) (public, highway or railroad ROW)			<input type="checkbox"/>
Copy of (soil or land use) deed restriction(s) or deed notice if any required as a condition of closure			<input type="checkbox"/>



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
2129 Jackson Street
Oshkosh, Wisconsin 54901-1805
TDD # (608) 264-8777
Fax # (920) 424-0217
<http://www.commerce.state.wi.us>
<http://www.wisconsin.gov>
Jim Doyle, Governor
Cory L. Nettles, Secretary

August 7, 2003

Mr. Brent Hansen
Koch Pavement Solutions
PO Box 64596
St. Paul, MN 55164-0596

RE: **Final Closure**

Commerce # 54303-3708-96B WDNR BRRTS # 02-05-285528
Koch Materials Refining Company, 1496 Bylsby Avenue, Green Bay

Dear Mr. Hansen:

The Wisconsin Department of Commerce (Commerce) has reviewed the request for case closure prepared by Barr Engineering Company for the site referenced above. It is understood that residual soil contamination remains on-site. Commerce has determined that this site does not pose a significant threat to the environment and human health. No further investigation or remedial action is necessary.

This site is now listed as "closed" on the Commerce database and will be included on the Wisconsin Department of Natural Resources (WDNR) Geographic Information System (GIS) Registry of Closed Remediation Sites to address residual soil contamination. It is in your best interest to keep all documentation related to the environmental activities that were conducted.

Thank you for your efforts to bring this case to closure. If you have any questions, please contact me in writing at the letterhead address or by telephone at (920) 424-0046.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert H. Klauk', with a long horizontal line extending to the right.

Robert H. Klauk, PG
Hydrogeologist
Site Review Section

cc: Brian Sillanpaa - Barr Engineering Company
Case File

There is established by this conveyance in favor of Grantor, its successors and assigns the following restrictive covenant, which can be enforced by Grantor, its successors and assigns and shall run with and bind the property conveyed herein (the "Property").

Grantee agrees on or across the Property, not to receive, handle, process, or transport ("Doing Business") coal or other dry bulk commodities listed as Primary Products on Exhibit "A." For the dry bulk commodities listed as Secondary Products on Exhibit "A," if Grantee, or any potential buyer of the Property, desires to start Doing Business with any Secondary Product, Grantee will notify Grantor in writing of Grantee's desire to start Doing Business with that particular Secondary Product. Grantor will either (i) accept the request and allow Grantee to start Doing Business in that particular Secondary Product; or (ii) refuse the request.

If Grantor refuses such a request, Grantor must, within six (6) months of the written refusal, have materially started Doing Business in that commodity or show material evidence (e.g., enter into related contracts, begin construction, etc.) of beginning that process. If Grantor has not met this six (6) month obligation, that particular Secondary Product will be removed from the restricted list and will no longer be a restrictive covenant upon the Property.

If Grantor accepts Grantee's request, Grantee must, within six (6) months of that request, have materially started Doing Business or show material indicia of beginning that process. If Grantee has not met this six (6) month obligation, that particular Secondary Product will become a Primary Product; provided, however, that if Grantee's request for the exception was made in contemplation of a potential sale of the Property, the six (6) month time use requirement shall begin on the date of the close of the sale of the Property and will inure to the benefit of the buyer. Grantor's failure to respond to any Secondary Product written exception request from Grantee, within thirty (30) days of the request, will be deemed acceptance on Grantor's part.

Grantor shall not demand additional compensation or other consideration as a condition to granting Grantee's request for Doing Business in a Secondary Product, and may withhold consent to such a request only upon a good faith intention to itself Doing Business in that commodity.

Grantor acknowledges that Grantee's obligations under this restrictive covenant will not apply to any dry commodities which are raw materials used by Grantor to manufacture and process asphalt cement, polymer-modified asphalt cement, asphalt cut-backs, asphalt emulsions and/or polymer-modified-asphalt emulsions or any other asphaltic modification process.

Without limitation, the foregoing covenant may be enforced by Grantor and its successors and assigns and is not only a contractual obligation of Grantee, but shall also run with and bind the Property. This Covenant shall be of indefinite terms and survive for the longest period allowed by applicable law.

Exception to warranties: Municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utility and municipal services, and recorded building and use restrictions and covenants.

1553855

Exhibit "A"

Restrictive Covenants Dry Bulk Commodities

Group 1 Products

Coal	Salt
Limestone	Aggregate
Petroleum Coke	Metallurgical Coke
Pig Iron	Potash
Calcium Carbonate	Clay
Chalk	Sand
Talc	Gypsum
Cement	

Any other dry bulk commodity product specifically set forth in the Agreement.

Group 2 Products

Copper Concentrate	Zinc Concentrate
Steel Products	Wood Pulp
Baled Pulp	Granite
Decorative Stone	Slag
Bentonite	Grain
Marble	Iron Ore
Quartz	Pumice
Titanium dioxide	Trap Rock

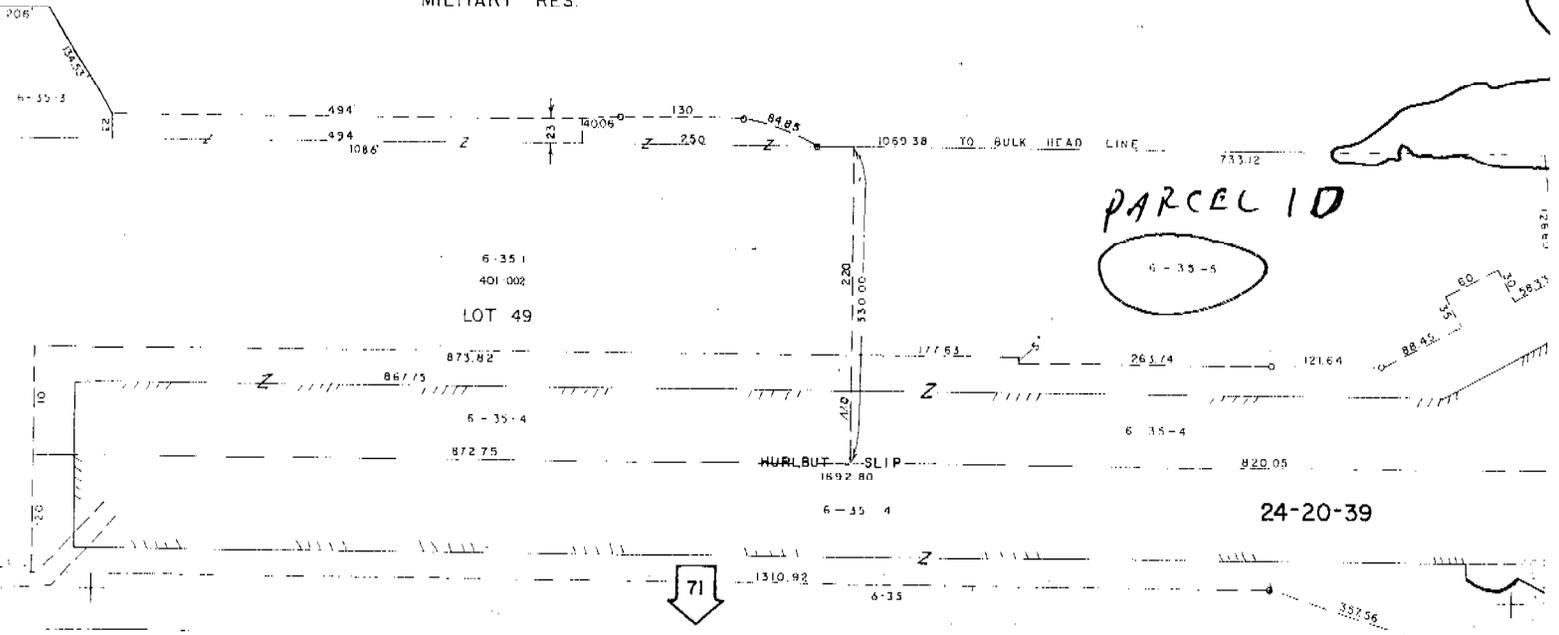
LOT 48

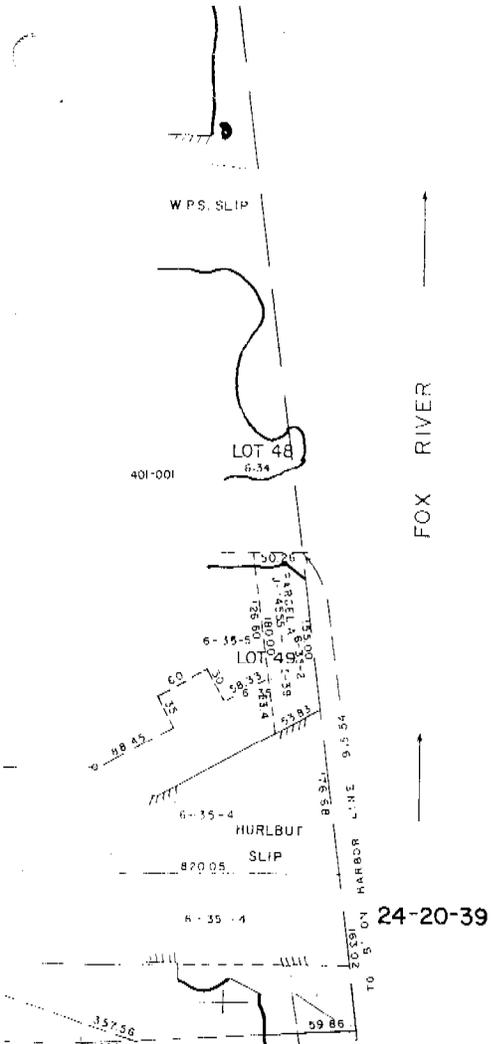
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MILITARY RES.

W P. S. CORP. SLIP

FRY RIVER





72

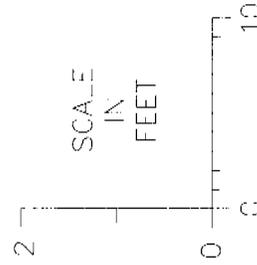
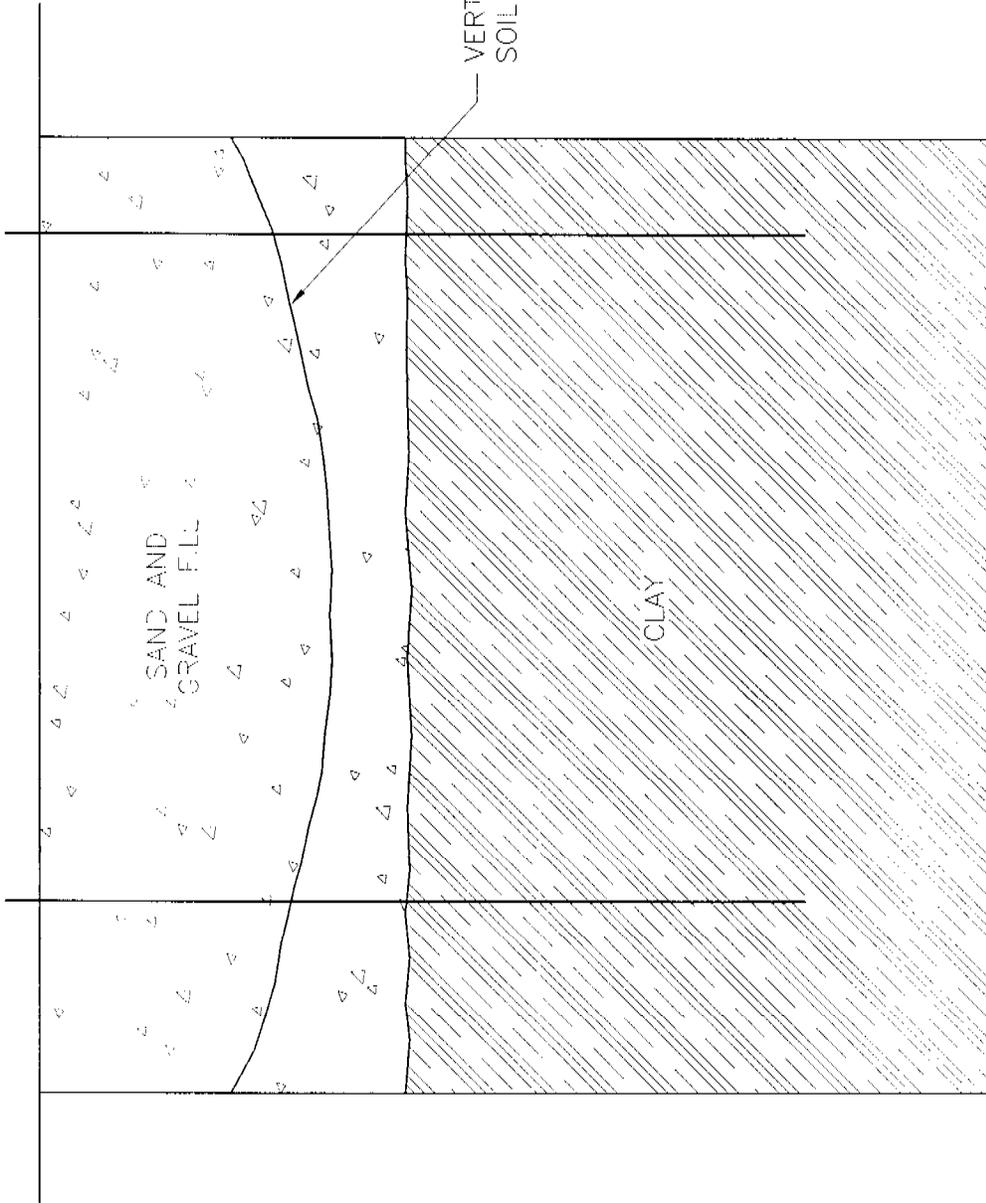
Table 3
December 2002 Hand Auger Soil Analytical Results
Koch Materials Site
Green Bay, Wisconsin
(concentrations in mg/kg)

Location Date	Wisconsin NR 720.09 Groundwater Protection from Soil 4/1/97		Wisconsin RCLs-PAHs Direct Contact Industrial 4/1/97		Wisconsin RCLs-PAHs Direct Contact Non-Industrial 4/1/97		GP-1 (0-2) 12/5/02	GP-1 (6-8) 12/5/02	GP-2 (0-2) 12/5/02	GP-2 (6-8) 12/5/02	GP-3 (0-2) 12/5/02	GP-3 (6-8) 12/5/02	GP-4 (6-8) 12/5/02
	Underline	Box	Underline	Box	Underline	Box	91	83	82	84	94	82	84
Exceedance Key													
Solids, %													
PAHs													
2-Methylnaphthalene	20		40000		600		<3.6	<0.078	1.6	<0.077	19	<0.081	<0.078
Acenaphthene	38		60000		900		<3.6	<0.078	0.87	<0.077	1.8	<0.081	<0.078
Acenaphthylene	0.7		360		18		<3.6	<0.078	<0.80	<0.077	<0.71	<0.081	<0.078
Anthracene	3060		300000		5000		23	<0.078	1.6	<0.077	4.6	<0.081	<0.078
Benzo(a)anthracene	17		3.9		0.088		22	<0.078	1.0	<0.077	2.0	<0.081	<0.078
Benzo(a)pyrene	48		0.39		0.0088		19	<0.078	<0.80	<0.077	1.4	<0.081	<0.078
Benzo(b)fluoranthene	360		3.9		0.088		<3.6	<0.078	<0.80	<0.077	<0.71	<0.081	<0.078
Benzo(g,h,i)perylene	6800		39		1.8		11	<0.078	1.4	<0.077	<0.71	<0.081	<0.078
Benzo(k)fluoranthene	870		39		0.88		<3.6	<0.078	<0.80	<0.077	<0.71	<0.081	<0.078
Carbazole	--		--		--		<3.6	<0.078	<0.80	<0.077	<0.71	<0.081	<0.078
Chrysene	37		390		8.8		27	<0.078	1.4	<0.077	3.6	<0.081	<0.078
Dibenz(a,h)anthracene	38		0.39		0.0088		<3.6	<0.078	<0.80	<0.077	<0.71	<0.081	<0.078
Dibenzofuran	--		--		--		<3.6	<0.078	<0.80	<0.077	<0.71	<0.081	<0.078
Fluoranthene	500		40000		600		21	<0.078	0.84	<0.077	2.0	<0.081	<0.078
Fluorene	100		40000		600		12	<0.078	1.5	<0.077	3.9	<0.081	<0.078
Indeno(1,2,3-cd)pyrene	680		3.9		0.088		<3.6	<0.078	1.4	<0.077	<0.71	<0.081	<0.078
Naphthalene	0.4		110		20		<3.6	<0.078	4.0	<0.077	19	<0.081	<0.078
Phenanthrene	1.8		390		18		74	<0.078	5.3	<0.077	9.2	<0.081	<0.078
Pyrene	8700		30000		500		140	<0.078					
TPHs													
Diesel Range Organics	--		--		--		9400	<10	9800	<10	4400	<10	<10
Gasoline Range Organics	--		--		--		190	<10	840	<10	230	<10	<10
VOCs													
1,2,4-Trimethylbenzene	--		--		--		<0.25	<0.025	3.0	<0.025	<0.25	<0.025	<0.025
1,3,5-Trimethylbenzene	--		--		--		<0.25	<0.025	0.90	<0.025	<0.25	<0.025	<0.025
Benzene	0.0055		5.5		5.5		<0.25	<0.025	<0.25	<0.025	<0.25	<0.025	<0.025
Ethyl benzene	2.9		2900		2900		<0.25	<0.025	<0.25	<0.025	<0.25	<0.025	<0.025
Methyl tertiary butyl ether (MTBE)	--		--		--		<0.25	<0.025	<0.25	<0.025	<0.25	<0.025	<0.025
Toluene	1.5		1500		1500		<0.25	<0.025	<0.25	<0.025	<0.25	<0.025	<0.025
Total Xylenes	4.1		4100		4100		<0.25	<0.025	0.35	<0.025	<0.25	<0.025	<0.025

-- No criteria.

GP-3

GP-4



Path: V:\CAD\4805007\18468_1.DWG Plot of 50 05/18/2003 17:08:04

BARR
 Corporate Headquarters
 Minneapolis, Minnesota
 Tel: 612-832-2277
 Fax: 612-832-2607
 www.barr.com

Project Office:
 BARR ENGINEERING CO.
 4700 WEST 77TH STREET
 MINNEAPOLIS, MN.
 55435-4803
 Tel: 1-866-632-2277
 Fax: 612-832-2607
 www.barr.com

Scale	AS NOTED
Date	04/08/03
Drawn	MAK
Checked	
Designed	
Approved	

KMC GREEN BAY NORTH
 1496 BYLSBY AVENUE

FIGURE-SOIL SAMPLE LOCATIONS/HORIZONTAL
 EXTENT OF RESIDUAL CONTAMINATION

BARR PROJECT No.	49/05-007 GBN1
DWG. No.	
SHEET No.	
REV. No.	

KOCH Pavement Solutions™

www.kochpavement.com



July 22, 2003

Mr. Robert Klauk, PG
Hydrogeologist
Wisconsin Department of Commerce
2129 Jackson Street
Oshkosh, WI 54901-1805

RECEIVED

JUL 25 2003

ERS DIVISION
OSHKOSH

Re: Soil GIS Package for Commerce Site #54303-3708-96, WDNR BRRTS#02-05-285528

Dear Mr. Klauk:

Please see attached information for the soil GIS registration package for the Koch Materials Company, Green Bay North Site, located at 1496 Bylsby Avenue, Green Bay WI, 54303. The parcel identification number is 6-35-5. Last document of record is 1553855. Geographic position, terminal coordinates are 44 degrees, 32 minutes, 20 seconds latitude and 88 degrees, 00 minutes, 40 seconds longitude. Property is located in the NE ¼ of the NE ¼ of Section 25, Township 24 north, Range 20 east. The \$200.00 registration fee has been mailed to the WDNR office in Green Bay, WI. I believe that to the best of my knowledge the legal descriptions included in this letter and corresponding GIS packet are complete and accurate. If you have any questions or comments regarding the information provided, please call me at 651-480-3866 or I can be reached by email at Hansen2b@kochind.com.

Sincerely,

Brent Hansen
Compliance Manager
Koch Materials Company