

# GIS REGISTRY

## Cover Sheet

July, 2008  
(RR 5367)

### Source Property Information

BRRTS #:

02-20-285839

ACTIVITY NAME:

Mercury Marine Plant 12 - Storm Sewer

PROPERTY ADDRESS:

W6250 Pioneer Rd, Fond du Lac, WI. 54936

MUNICIPALITY:

Fond du Lac

PARCEL ID #:

FDL-15-17-21-13-500-00

CLOSURE DATE: Jul 29, 2008

FID #:

420040720

DATCP #:

COMM #:

#### \*WTM COORDINATES:

X: 643016

Y: 366195

*\* 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*



BRRTS #: 02-20-285839

ACTIVITY NAME: Mercury Marinte PLT 12 - Storm Sewer

**MAPS (continued)**

**Geologic Cross-Section Map:** A map showing the source location and vertical extent of residual soil contamination exceeding a Residual Contaminant Level (RCL) 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 #: 2**                      **Title: MTBE Isoconcentration Map (11/27/07)**

**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 #: 2**                      **Title: Groundwater Contour Map (11/27/07)**

**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 #: 1,2**                      **Title: Soil Quality 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 #: 3**                      **Title: Groundwater Quality 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 #: 2**                      **Title: Static Groundwater Elevations**

**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 #: 02-20-285839

ACTIVITY NAME: Mercury Marinte PLT 12 - Storm Sewer

## NOTIFICATIONS

### Source Property

- 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 confirmation was received for notifying current source property owner.

### Off-Source Property

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

- 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 confirmation was received 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 contaminated area, for contamination exceeding a groundwater Enforcement Standard (ES) and/or soil exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL).

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



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Scott Hassett, Secretary  
Ronald W. Kazmierczak, Regional Director

Oshkosh Service Center  
625 E. CTY Y, Suite 700  
Oshkosh, Wisconsin 54901-9731  
Telephone 920-424-3050  
FAX 920-424-4404

July 29, 2008

Mercury Marine  
Craig Dousharm  
PO Box 1939  
Fond du Lac, WI 54936-1939

**SUBJECT:** Final Case Closure with Land Use Limitations or Conditions  
Mercury Marine—Plant 12, W6250 Pioneer Rd, Fond du Lac, WI  
WDNR BRRTS Activity #: 02-20-285839

Dear Mr. Dousharm:

On February 20, 2008, the Northeast Region Closure Committee reviewed the above referenced case for closure. This committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. On February 28, 2008, you were notified that the Closure Committee had granted conditional closure to this case.

On May 14, 2008, the Department received correspondence including well abandonment, soil/water disposal and updated figures for the GIS packet.

Based on the correspondence and data provided, it appears that your case meets the requirements of ch. NR 726, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation is required at this time.

The conditions of case closure set out below in this letter require that your site be listed on the Remediation and Redevelopment Program's GIS Registry. The specific reasons are summarized below

- Residual soil contamination exists that must be properly managed should it be excavated or removed. (Impacts at S101, S103, S104 and S105)
- Pavement, an engineered cover or a soil barrier must be maintained over the area of contaminated groundwater and soil and the state must approve any changes to this barrier
- Groundwater contamination is present above Chapter NR 140 enforcement standards

Your site will be listed on the DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites. Information that was submitted with your closure request application will be included on the GIS Registry. To review the sites on the GIS Registry web page, visit <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. If your property is listed on the GIS Registry because of remaining contamination and you intend to construct or reconstruct a well, you will need prior Department approval in accordance with s. NR 812.09(4)(w), Wis. Adm. Code. To obtain

approval, Form 3300-254 needs to be completed and submitted to the DNR Drinking and Groundwater program's regional water supply specialist. This form can be obtained on-line <http://www.dnr.state.wi.us/org/water/dwg/3300254.pdf> or at the web address listed above for the GIS Registry.

### Closure Conditions

Please be aware that pursuant to s. 292.12 Wisconsin Statutes, compliance with the requirements of this letter is a responsibility to which you and any subsequent property owners must adhere. If these requirements are not followed or if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, welfare, or the environment, the Department may take enforcement action under s. 292.11 Wisconsin Statutes to ensure compliance with the specified requirements, limitations or other conditions related to the property or this case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code. It is the Department's intent to conduct inspections in the future to ensure that the conditions included in this letter including compliance with referenced maintenance plans are met.

### Remaining Residual Soil Contamination

Residual soil contamination remains at S101, S103, S104, S105 as indicated in the information submitted to the Department of Natural Resources. If soil in the specific locations described above is excavated in the future, then pursuant to ch. NR 718 or, if applicable, ch. 289, Stats., and chs. 500 to 536, the property owner at the time of excavation must sample and analyze the excavated soil to determine if residual contamination remains. If sampling confirms that contamination is present the property owner at the time of excavation will need to determine whether the material would be considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable standards and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken to prevent a direct contact health threat to humans.

### Cover or Barrier

Pursuant to s. 292.12(2)(a), Wis. Stats., the pavement or other impervious cap that currently exists in the location shown on the attached map shall be maintained in compliance with the attached maintenance plan dated March 29, 2007 in order to minimize the infiltration of water and prevent additional groundwater contamination that would violate the groundwater quality standards in ch. NR 140, Wis. Adm. Code, and to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health. If soil in the specific locations described above is excavated in the future, the property owner at the time of excavation must sample and analyze the excavated soil to determine if residual contamination remains. If sampling confirms that contamination is present the property owner at the time of excavation will need to determine whether the material would be considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as

a result special precautions may need to be taken during excavation activities to prevent a health threat to humans.

The maintenance plan and inspection log are to be kept up-to-date and on-site, and the inspection log need only be submitted to the Department upon request.

#### Prohibited Activities

The following activities are prohibited on any portion of the property where [pavement, a building foundation, soil cover, engineered cap or other barrier] is required as shown on the attached map, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 1) removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; or 6) construction or placement of a building or other structure.

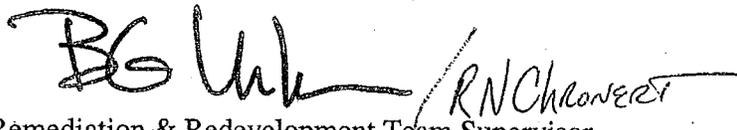
#### Remaining Residual Groundwater Contamination

Groundwater impacted by petroleum contamination greater than enforcement standards set forth in ch. NR140, Wis. Adm. Code, is present on the contaminated. For more detailed information regarding the locations where groundwater samples have been collected (i.e., monitoring well locations) and the associated contaminant concentrations, refer to the Remediation and Redevelopment Program's GIS Registry at the RR Sites Map page at <http://dnr.wi.gov/org/aw/rr/gis/index.htm>.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this closure decision or anything outlined in this letter, please contact Jennifer Easterly at 920-303-5447 or by email at [jennifer.easterly@wisconsin.gov](mailto:jennifer.easterly@wisconsin.gov).

Sincerely,

Bruce G. Urben  
Northeast Region Remediation & Redevelopment Team Supervisor

Handwritten signature of Bruce G. Urben, with the text "RNCHLORWERT" written below it.

CC: Mark Krueger, Sigma –copy [mkrueger@thesigmagroup.com](mailto:mkrueger@thesigmagroup.com)  
Jennie Easterly – DNR Oshkosh

Attachments – Cap Maintenance Plan dated March 29, 2007.

MERCURY MARINE  
MERCURY MARINE PLANT 12 PROPERTY  
W6250 PIONEER ROAD  
FOND DU LAC, WISCONSIN

CAP MAINTENANCE PLAN

3-29-2007

**Purpose**

This plan has been prepared as a condition of the Wisconsin Department of Natural Resources (WDNR) case closure of Bureau of Remediation and Redevelopment (BRRTS) case number 02-20-285839. A protective cap, consisting of the existing paved surfaces and building flooring or an alternate cap approved by the WDNR, or its successor or assign, must be maintained by Mercury Marine or future owners of the site (Property Owner) as a condition of closure. Following are the site location, nature and extent of contamination, description of cap maintenance activities, and site contacts.

**Location**

Mercury Marine Plant 12 is located at W6250 Pioneer Road in the City of Fond du Lac in Fond du Lac County, Wisconsin. This is further identified as being located in the Northeast  $\frac{1}{4}$ , Northwest  $\frac{1}{4}$ , and Southeast  $\frac{1}{4}$  of Section 21, T15N, R17E. The relevant site layout for Plant 12 is displayed on the attached Figure 1.

**Nature and Extent of Contamination**

Residual petroleum contamination in soil and groundwater at the site, detected during storm sewer maintenance activities at Mercury Marine Plant 12, is believed to be the result of minor spills during engine test activities. The nature and extent of contamination are described in the site investigation reports and closure requests prepared by Sigma Environmental Services, Inc. of Milwaukee, Wisconsin. WDNR conditional case closure for the BRRTS case was approved pending: (1) the payment of applicable soil and groundwater GIS fees, (2) submittal of a GIS information packet to the WDNR GIS Registry of Closed Remediation Sites, and (3) submittal of a cap maintenance plan pursuant to NR 724.13 of the Wisconsin Administrative Code.

**Cap Maintenance Activities**

The cap consists of the existing asphalt and concrete pavement and building flooring.

In the event of future redevelopment of the site, an alternate cap may be installed and maintained by the property owner in place of the existing cap with prior approval from the WDNR, or its successor or assign.

The Property Owner will maintain the integrity of the existing cap until such a time as the requirement to maintain the cap is extinguished by the WDNR, or its successor or assign. The following activities are prohibited on that portion of the property described above where a cap or building have been placed, unless prior approval has been obtained from the WDNR, or its successor or assign: (1) Removal of the concrete and/or asphalt cap; (2) Excavating or grading of the land surface; (3) Filling on the capped area; (4) Plowing for agricultural cultivation; (5) Construction or installation of a building or other structure with a foundation that would sit on or be placed within the cap or cover; and (6) Major excavation and installation of utilities. However, in the event of minor cap disturbance such as normal operational maintenance, system upgrade, utility repair or installation of new equipment and associated utilities, the Property Owner will provide notification within 60 days thereafter to the WDNR, or its successor or assign. The notification shall include the nature, location and

date of the work, how any removed soil was screened, sampled, analyzed, stockpiled and disposed of and how the cap was restored.

**Inspection**

The property owner or the property owner's designated representative will inspect the condition of the cap on an annual basis and maintain a record of the date of inspection, inspector's name and association with the property owner, and comments as to the inspection results. The property owner will make the inspection record available to the WDNR, or its successor or assign, upon request.

**Site Contacts**

The relevant site contacts for this site at the time of submittal of this plan are listed below. Please note that the property owner and agency contacts may change over time.

For responsible party and owner information, contact:

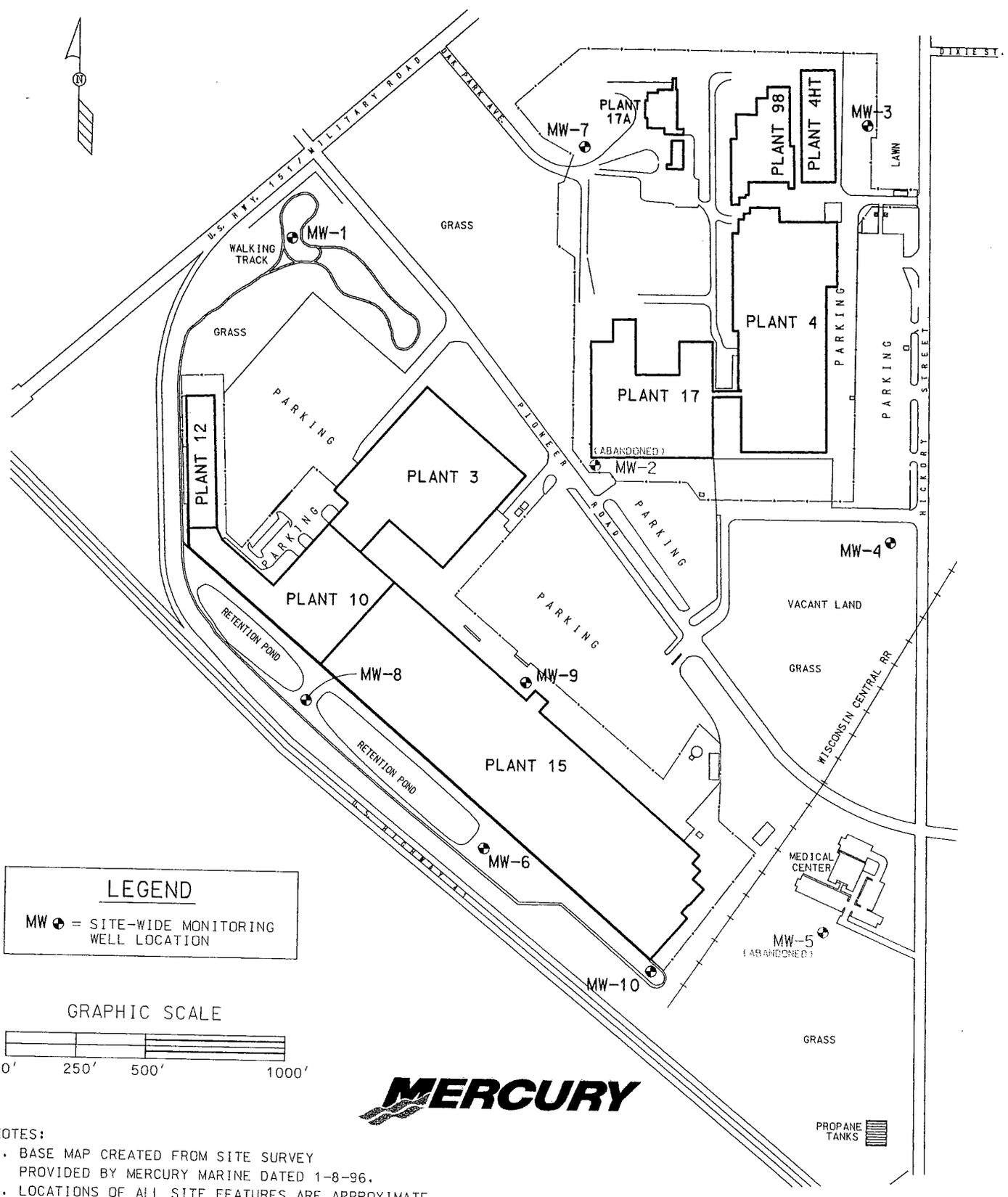
Mercury Marine  
Attn: Craig Dousharm, P.E.  
W6250 Pioneer Road  
Fond du Lac, WI 54936-1939  
Telephone: (920) 929-5000

For environmental consultant information, contact:

Sigma Environmental Services, Inc.  
1300 West Canal Street  
Milwaukee, WI 53233  
Telephone: (414) 643-4200  
Fax: (414) 643-4210

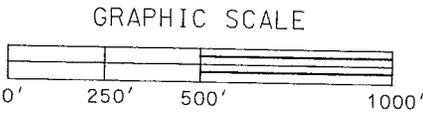
For Wisconsin Department of Natural Resources information, contact:

Wisconsin Department of Natural Resources  
Oshkosh Service Center  
625 East County Road Y  
Suite 700  
Oshkosh, WI 54901-9731  
Telephone: (920) 424-3050  
Fax: (920) 424-4404



**LEGEND**

MW ⊕ = SITE-WIDE MONITORING WELL LOCATION



- NOTES:**
1. BASE MAP CREATED FROM SITE SURVEY PROVIDED BY MERCURY MARINE DATED 1-8-96.
  2. LOCATIONS OF ALL SITE FEATURES ARE APPROXIMATE.

<b>MERCURY MARINE</b> MAIN COMPLEX - FOND DU LAC, WI			 ENVIRONMENTAL SERVICES INC.
DATE: 10-3-06	DR. BY: BEB	DR. # 9734-001	
<b>SITE PLAN MAP</b>			<b>FIGURE 1</b>



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

Jim Doyle, Governor  
Matthew J. Frank, Secretary  
Ronald W. Kazmierczak, Regional Director

Oshkosh Service Center  
625 E. CTY Y, Suite 700  
Oshkosh, Wisconsin 54901-9731  
Telephone 920-424-3050  
FAX 920-424-4404

February 28, 2008

Mercury Marine  
Craig Dousharm  
W6250 Pioneer Road  
Fond du Lac, WI 54936

Subject: **Conditional Closure Decision,  
With Requirements to Achieve Final Closure**  
Mercury Marine Plant 12—Storm Sewer Area, W6250 Pioneer Road,  
Fond du Lac, Wisconsin  
WDNR BRRTS Activity # 02-20-285839

Dear Mr. Dousharm:

On February 20, 2008, the Regional Closure Committee reviewed your request for closure of the case described above. The Regional Closure Committee reviews environmental remediation cases for compliance with state rules and statutes to maintain consistency in the closure of these cases. After careful review of the closure request, the Closure Committee has determined that the volatile organic compound contamination on the site appears to have been investigated and remediated to the extent practicable under site conditions. Your case has been remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code and will be closed if the following conditions are satisfied:

**MONITORING WELL ABANDONMENT**

The monitoring wells at the site must be properly abandoned in compliance with ch. NR 141, Wis. Adm. Code. Documentation of well abandonment must be submitted to Casey Jones on Form 3300-005 found at <http://dnr.wi.gov/org/water/dwg/gw/> or provided by the Department of Natural Resources.

**PURGE WATER, WASTE AND SOIL PILE REMOVAL**

Any remaining purge water, waste and/or soil piles generated as part of site investigation or remediation activities must be removed from the site and disposed of or treated in accordance with Department of Natural Resources' rules. Once that work is completed, please send appropriate documentation regarding the treatment or disposal of the remaining purge water, waste and/or soil piles.

**MAINTENANCE PLAN**

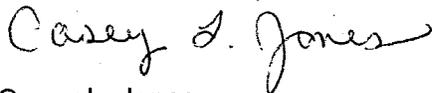
To close this site, the Department requires that the impervious cover at the site must be maintained for groundwater protection. The cover is to be maintained in accordance with a plan prepared and submitted to the Department pursuant to s. NR 724.13(2), Wis. Adm. Code. Your consultant has submitted an acceptable cap maintenance plan.

When the above conditions have been satisfied, please submit the appropriate documentation (for example, well abandonment forms, disposal receipts, copies of correspondence, etc.) to verify that applicable conditions have been met, and your case will be closed. Your site will be listed on the DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites. Information that was submitted with your closure request application will be included on the GIS Registry. To review the site on the GIS Registry web page, visit the RR Sites Map page at: <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. **Please submit updated GIS packet materials—groundwater plume map has changed since original submittal (also include a larger scale map to show where plume is in relation to the entire Mercury Marine property).**

Please be aware that the case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, or welfare or to the environment.

We appreciate your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at 920-303-5424.

Sincerely,



Casey L. Jones  
Hydrogeologist  
Remediation & Redevelopment Program

Electronic copies: Mark Krueger, Sigma  
Jennie Easterly, WDNR Project Manager

WARRANTY DEED

THIS INDENTURE, made this 22nd day of July, A.D., 1955 between County of Fond du Lac being a political subdivision of the State of Wisconsin and also known and referred to as Fond du Lac County, Wisconsin; Fond du Lac County Asylum, and Trustees of Fond du Lac County Asylum, parties of the first part and Kiekhaefer Corporation, a Wisconsin Corporation, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of Thirty Thousand One hundred dollars (\$30,100) to it paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, has given, granted, bargained, sold, remised, released, aliened, conveyed and confirmed, and by these presents does give, grant, bargain, sell, remise, release, alien, convey and confirm unto the said party of the second part, its successors and assigns forever, the following described real estate, situated in the County of Fond du Lac and State of Wisconsin, to-wit:

"A part of the Northeast quarter, part of the East half of the Northwest quarter, and part of the North half of the Southeast quarter, all in Section 21 - T15N - R17E, Fond du Lac County, Wisconsin, and more particularly described as follows, to-wit: Beginning at a point on the West right-of-way line of the Chicago, Milwaukee, St. Paul & Pacific Railway Co., 1885.23 feet South of the North line of said Section 21, which point is the Southeast corner of lands conveyed to the Greater Fond du Lac Corporation as described in Vol. 286 of Deeds on page 457, and running thence North 89 degrees and 35 minutes West along the South line of Greater Fond du Lac Corporation lands a distance of 945.19 feet; thence running North no degrees and 49 minutes West along the West line of said Greater Fond du Lac Corporation lands a distance of 969.45 feet to an angle point; thence running North 41 degrees and 46 minutes West along an old property line fence, a distance of 701.71 feet to a point which is 33.0 feet southeasterly from the centerline of U.S. Highway No. 151 (last described line, if extended to such centerline, strikes it at a point 550.0 feet southwesterly from the point of intersection of said centerline with the North line of Section 21); thence running South 49 degrees and eight minutes West, parallel with said centerline of Highway No. 151 and 33.0 feet Southeasterly therefrom, a distance of 705.7 feet to an angle point; thence running South 47 degrees and 23 minutes West, parallel with said centerline of Hywy. and 33.0 southeasterly therefrom, a distance of 551.5 feet to the easterly line of lands acquired by the Hywy. Dept. for the intersection with New U.S. Highway No. 41; thence running South 4 degrees and 16 minutes West along said easterly line of lands for intersection, a distance of 319.0 feet to a point which is 100.0 feet, at right angles, easterly from the centerline of the

right-of-way for said Highway No. 41; thence running Southeasterly on a curve to the left (radius 9449.34 feet) and along the easterly right-of-way line of said U.S. Highway No. 41, about 1796.5 feet to the end of said curve, this point being South 45 degrees and 23 minutes East a distance of 1793.5 feet from last described corner; thence running South 50 degrees and 49 minutes East along said easterly right-of-way line of Highway No. 41, a distance of 612.0 feet to an angle point; thence running North 36 degrees and 29 minutes East, 50.0 feet to a point which is 150.0 feet from aforesaid centerline of Highway No. 41 right-of-way; thence running South 50 degrees and 49 minutes East along the right-of-way line for said Highway No. 41, a distance of 467.5 feet to an intersection with the westerly right-of-way line of the Chicago, Milwaukee, St. Paul & Pacific Railway Co.; thence running northeasterly on a curve to the left, parallel with and 25.0 feet westerly from the centerline of the track of said Railway Company, about 850 feet to the east-west quarter section line of said Section 21; thence running West on said quarter line 5.0 feet; thence running northerly, parallel with and 30.0 feet from the centerline of said track, about 92 feet to the end of aforesaid curve, this point being North 16 degrees and 31 minutes East a distance of 923.8 feet from aforesaid intersection of Highway and Railway right-of-way lines; thence running Northerly along the right-of-way line of said Railway Co., parallel with and 30.0 feet west from the centerline of the track, a distance of 668.7 feet to the place of beginning; and containing 78.9 acres of land, more or less."

Subject to:

(a) An easement 50 feet in width to the Michigan-Wisconsin Pipe Line Company, the center line of which is parallel to and ten (10) feet on the westerly side of the center line of the Michigan-Wisconsin Pipe Line Company's pipe line as presently laid across the above described lands, and

(b) An exclusive, perpetual right and easement forever to Fond du Lac County of a strip of land 30 feet in width and parallel to the South line of said Highway 151 for the purposes of maintaining, repairing and re-laying sewer and water mains as now laid therein and being a part of the lands hereby conveyed the center line of which 30 foot strip of land is equal distance between the said water and sewer mains as now located,

and that the above bargained premises in the quiet and peaceable possession of the said party of the second part, its successors and assigns, against all and every person or persons lawfully claiming the whole or any part thereof, it will forever WARRANT AND DEFEND.

This deed is executed and delivered pursuant to a resolution authorizing the same adopted by the Board of Supervisors of Fond du Lac County, Wisconsin, adopted January 18, 1955.

Fond du Lac County Asylum and Trustees of Fond du Lac County Asylum join herewith in this conveyance as such institution and Trustees of Fond du Lac County for the purpose of perfecting title.

IN WITNESS WHEREOF, the said County of Fond du Lac, being a political subdivision of the State of Wisconsin, and also known and referred to as Fond du Lac County, Wisconsin, has caused these presents to be signed by Arnold Sook, County Clerk, and countersigned by Walter Hollander, County Board Chairman; Fond du Lac County Asylum and Trustees of Fond du Lac County Asylum have caused these presents to be signed by the proper officers appropriate to such County Institution and Board of Trustees, with the county seal hereunto affixed by said County Clerk this 22nd day of July, 1955.

Signed and Sealed in Presence of:

Mary A. Koenig  
Mary A. Koenig  
John Nemick  
John Nemick

County of Fond du Lac, being a political subdivision of the State of Wisconsin, and also known and referred to as Fond du Lac County, Wisconsin

By Arnold Sook  
ARNOLD SOOK, County Clerk

Countersigned:

Walter Hollander  
WALTER HOLLANDER  
County Board Chairman

Fond du Lac County Asylum and Trustees of Fond du Lac County Asylum

By Albert Wagner  
ALBERT WAGNER, Trustee

Herman Engel  
HERMAN ENGEL, Trustee

Leon Bluemke  
LEON BLUEMKE, Trustee

R. J. Stroebel  
R. J. STROEBEL, Superintendent



STATE OF WISCONSIN }  
FOND DU LAC COUNTY } ss.

Personally came before me this 22<sup>nd</sup> day of July, 1955, Arnold Sook, County Clerk, and Walter Hollander, County Board Chairman, of the above named Fond du Lac County, and Albert Wagner, Herman Engel and Leon Bluemke, Trustees, and R. J. Stroebel, Superintendent, of Fond du Lac County Asylum and Trustees of Fond du Lac County Asylum above named, to me known to be the persons who executed the foregoing instrument and to me known to be such County Clerk, County Board Chairman, Trustees and Superintendent, respectively, and acknowledged that they executed the foregoing instrument as such officers as the deed of said Fond du Lac County, Fond du Lac County Asylum and Trustees of Fond du Lac County Asylum by proper authority.

*Eugene F. McEssey*  
Eugene F. McEssey  
Notary Public, Fond du Lac, Wis.  
My Commission expires: Feb 16 1959

135091  
Register's Office  
Fond du Lac County, Wis.  
Received for record this 22<sup>nd</sup>  
day of July A. D. 19 55  
at 2:50 O'clock P.M. and  
recorded in Vol. 383 of Deeds  
on page 402  
*J.P. Brunkhorst*  
Register of Deeds.

135091

No. ....

Fond du Lac County, et al

to

Kiekhaefer Corporation

WARRANTY DEED

Register's Office  
State of Wisconsin  
Fond du Lac County

Received for Record this  
.....day of.....  
A.D. 19... at.....  
o'clock....M., and recorded  
in Vol.....of Deeds on  
page.....

.....  
Register of Deeds

.....  
Deputy

135091  
Register's Office  
Fond du Lac County, Wis.  
Received for record this 22nd  
day of July A.D. 1955  
at 2:50 o'clock P.M. and  
recorded in Vol. 383 of Deeds  
on page 702

J. Brunkhorst  
Register of Deeds.

J. H. Edgerton

7/27 2:50 2:30

at Fond du Lac, Wisconsin, and its corporate seal to be hereunto affixed; this  
day of December, A. D., 1956

Signed and Sealed in Presence of

A. T. Brenner

Viola Duffrin

THE GREATER FOND DU LAC CORPORATION

Corporate Name

J. E. Ahern, President

Countersigned:

R. W. Mills, Secretary



second part, ~~its~~ ~~heirs~~ and assigns forever, the following described real estate, situated in the County of **Fond du Lac** and State of Wisconsin, to-wit:

VOL 395 PAGE 180

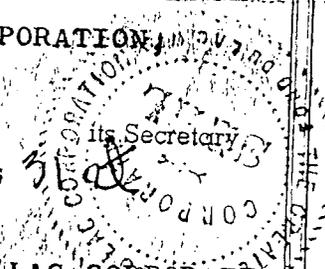
**Together** with all and singular the hereditaments and appurtenances thereunto belonging or in any wise appertaining; and all the estate, right, title, interest, claim or demand whatsoever, of the said party of the first part, either in law or equity, either in possession or expectancy of, in and to the above bargained premises, and their hereditaments and appurtenances.

**To have and to hold** the said premises as above described with the hereditaments and appurtenances, unto the said party of the second part, and to ~~its~~ **successors** ~~heirs~~ and assigns FOREVER.

**And the said** THE GREATER FOND DU LAC CORPORATION, party of the first part, for itself and its successors, does covenant, grant, bargain and agree to and with the said party of the second part, ~~its~~ **successors** ~~heirs~~ and assigns, that at the time of the ensembling and delivery of these presents it is well seized of the premises above described, as of a good, sure, perfect, absolute and indefeasible estate of inheritance in the law, in fee simple. and that the same are free and clear from all incumbrances whatever,

and that the above bargained premises in the quiet and peaceable possession of the said party of the second part, ~~its~~ **successors** ~~heirs~~ and assigns, against all and every person or persons lawfully claiming the whole or any part thereof, it will forever WARRANT and DEFEND.

**In Witness Whereof**, the said THE GREATER FOND DU LAC CORPORATION, party of the first part, has caused these presents to be signed by **J. E. Ahern** its President, and countersigned by **R. W. Mills** at **Fond du Lac**, Wisconsin, and its corporate seal to be hereunto affixed, this day of **December**, A. D., 19**56**



Signed and Sealed in Presence of

*[Signature]*  
A. T. Brenner

*[Signature]*  
Viola Duffrin

THE GREATER FOND DU LAC CORPORATION

Corporate Name

*[Signature]*  
J. E. Ahern, President

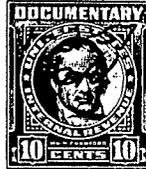
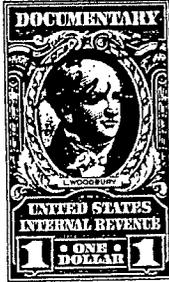
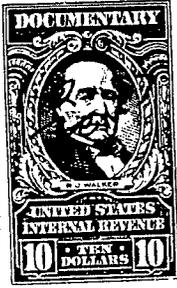
Countersigned:  
*[Signature]* **Mills**  
R. W. Mills, Secretary

State of Wisconsin

Fond du Lac County.

ss.

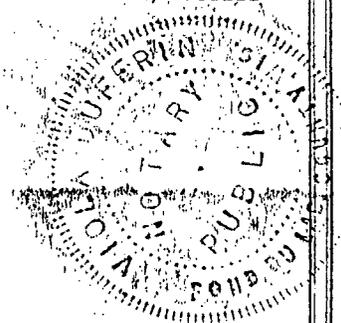
Personally came before me, this 31st day of December, A. D., 1956, J. E. Ahern, President, and R. W. Mills, Secretary of the above named Corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such President and Secretary of said Corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said Corporation, by its authority.



Viola Duffrin

Notary Public, Fond du Lac County, Wis.

My commission expires February 3, A. D., 1957.



REVENUE STAMPS CANCELLED

No. 146493

The Greater Fond du Lac Corporation,

TO

Kiekhaefer Corporation.

Warranty Deed

REGISTER'S OFFICE

State of Wisconsin, Fond du Lac County.

Received for Record this 2nd day of

NAM. A. D., 1957.

at 4:30 o'clock P.M., and recorded in

of Deeds on page 179

J. G. Brennan, Register of Deeds

Deputy.

Edgerton Law Office

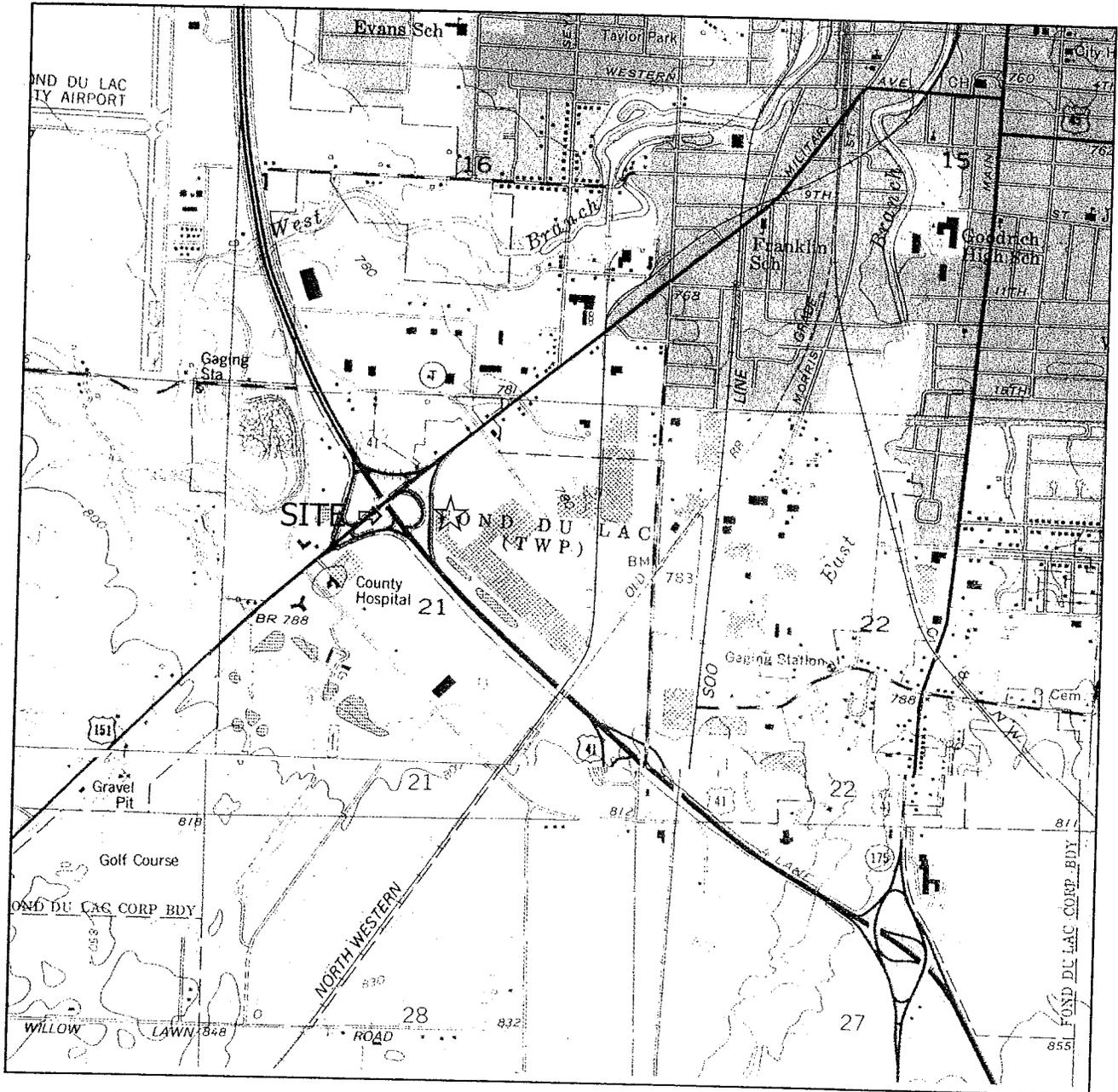
25

**STATEMENT BY RESPONSIBLE PARTY**

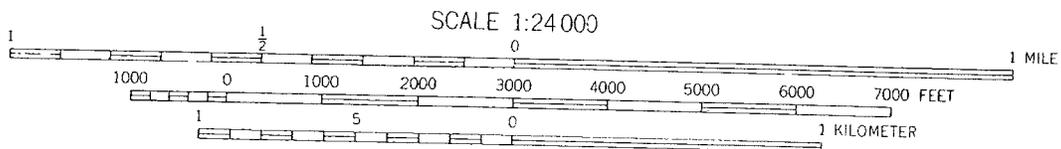
Mercury Marine, the responsible party for the Plant 12 property located at W 6250 Pioneer Road, Fond du Lac, Wisconsin, states that the legal description provided to the Wisconsin Department of Natural Resources (and attached to this statement) for case file reference 02-20-285839 is complete and accurate to the best of our knowledge.

*Craig F. Douvan*  
Signature of Representative for Responsible Party

*3/27/07*  
Date



SW ¼ of the NE ¼ of Sec. 21, T15N, R21E. Adapted from U.S.G.S. 7.5 minute series, Fond Du Lac, (dated 1955, photorevised 1985), and Byron, (dated 1974), Wisconsin, quadrangles.

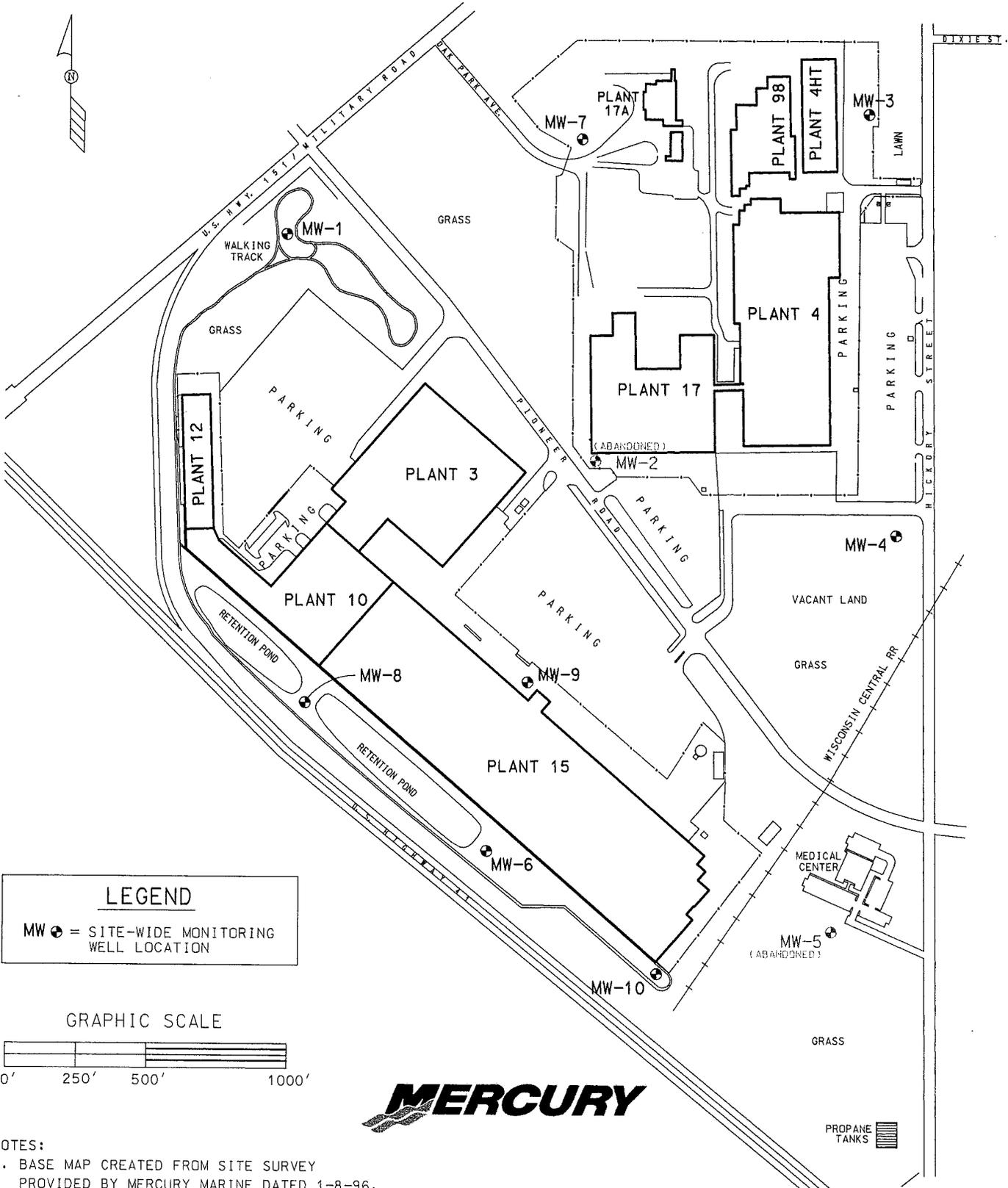
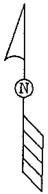


CONTOUR INTERVAL 10 FEET  
 DOTTED LINES REPRESENT 5-FOOT CONTOURS  
 DATUM IS MEAN SEA LEVEL



**Figure 1. Site Location Map**  
 Mercury Marine- Plant 12  
 W 6250 Pioneer Rd, Fond Du Lac, Wisconsin

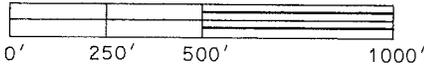
**SIGMA**  
 ENVIRONMENTAL SERVICES INC.



**LEGEND**

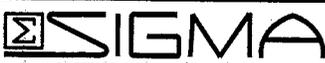
MW ● = SITE-WIDE MONITORING WELL LOCATION

**GRAPHIC SCALE**



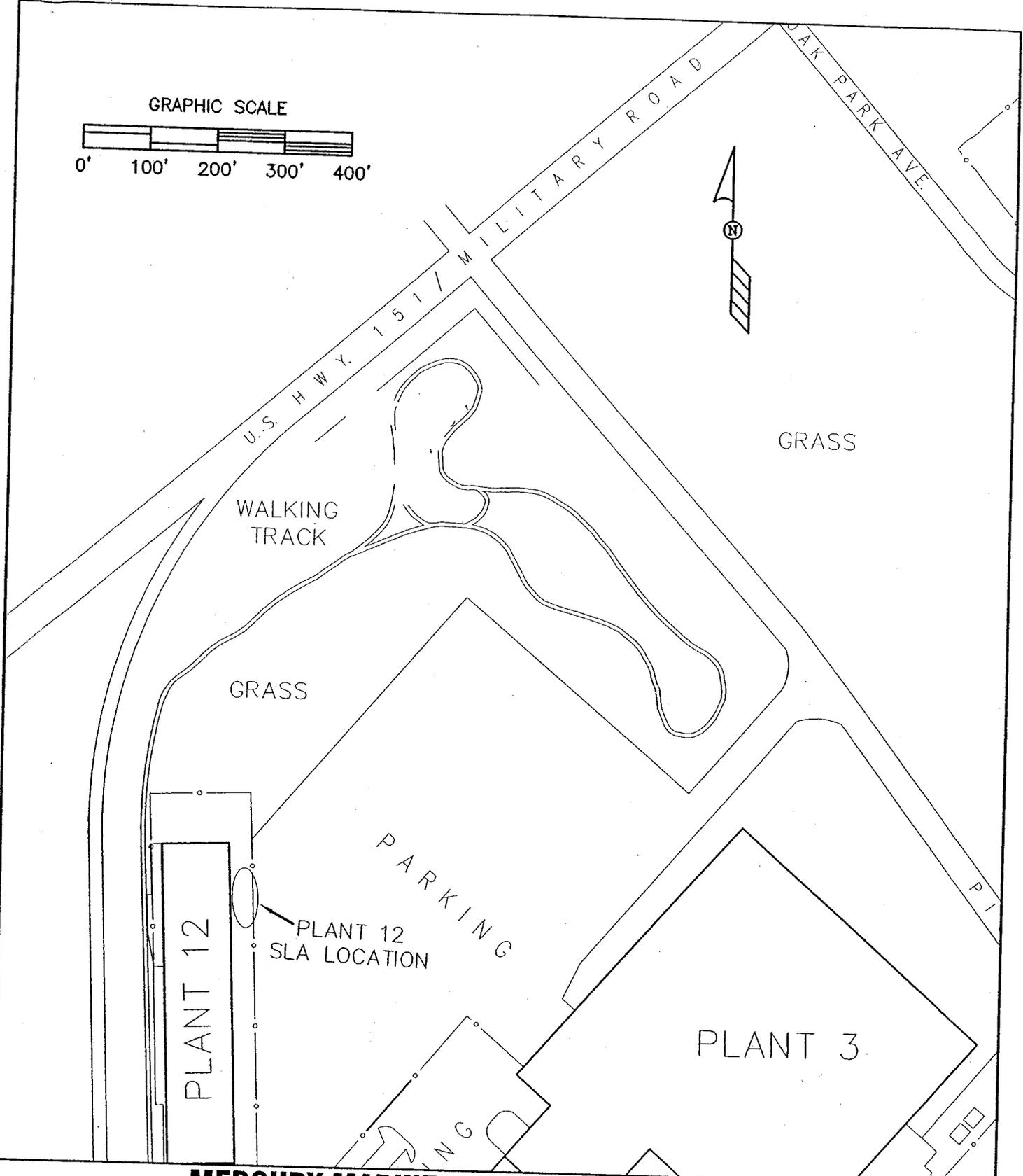
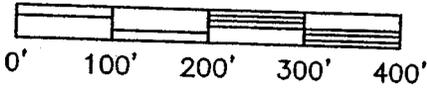
**NOTES:**

- 1. BASE MAP CREATED FROM SITE SURVEY PROVIDED BY MERCURY MARINE DATED 1-8-96.
- 2. LOCATIONS OF ALL SITE FEATURES ARE APPROXIMATE.

<b>MERCURY MARINE</b> MAIN COMPLEX - FOND DU LAC, WI			 <b>SIGMA</b> ENVIRONMENTAL SERVICES INC.
DATE: 10-3-06	DR. BY: BEB	DR. # 9734-001	SCALE: 1" = 500'
<b>SITE PLAN MAP</b>			<b>FIGURE 1</b>

K:\mercury\_marine\7190-011.dwg, F1-SPMP, 5/9/2008 10:57:14 AM, Letter, 1:1

GRAPHIC SCALE



**MERCURY MARINE  
FOND DU LAC, WI**

DATE: 05/07/08

DR. BY: RML

DR.# 7190-011

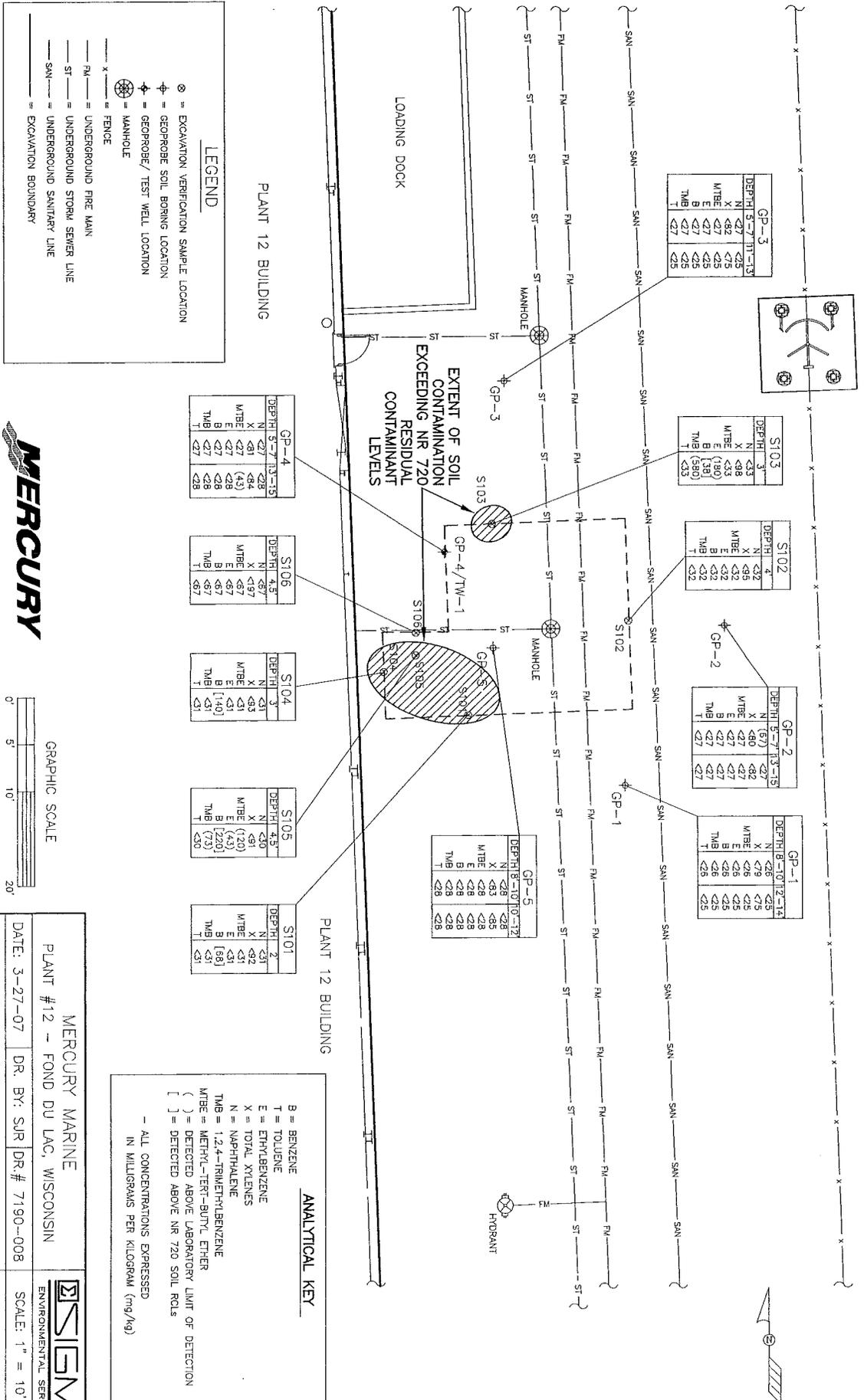
**MERCURY MARINE PLANT 12 SLA  
LOCATION MAP**



www.thesigmagroup.com  
1300 West Canal Street  
Milwaukee, WI 53233  
414-643-4200

SCALE: 1"=200'

**Figure 1**



**ANALYTICAL KEY**

B = BENZENE  
 T = TOLUENE  
 E = ETHYLBENZENE  
 X = TOTAL XYLENES  
 N = NAPHTHALENE  
 MIB = 1,2,4-TRIMETHYLBENZENE  
 MTE = METHYL-TERT-BUTYL ETHER  
 ( ) = DETECTED ABOVE LABORATORY LIMIT OF DETECTION  
 [ ] = DETECTED ABOVE NR 720 SOIL ROLs

— ALL CONCENTRATIONS EXPRESSED IN MILLIGRAMS PER KILOGRAM (mg/kg)

MERCURY MARINE  
 PLANT #12 - FOND DU LAC, WISCONSIN

DATE: 3-27-07 DR. BY: SJR DR.# 7190-008

**SISIMA**  
 ENVIRONMENTAL SERVICES INC.

SCALE: 1" = 10'

**SOIL QUALITY MAP** **FIGURE 3**



**EXTENT OF SOIL CONTAMINATION EXCEEDING NR 720 RESIDUAL CONTAMINANT LEVELS**

**GP-4**

DEPTH 5'-7' 13'-15'		
N	<27	<28
X	<81	<84
MTE	<27	<28
E	<27	<28
B	<27	<28
MIB	<27	<28
T	<27	<28

**ST106**

DEPTH 4.5'	
N	<87
X	<197
MTE	<87
E	<87
B	<87
MIB	<87
T	<87

**ST104**

DEPTH 3'	
N	<31
X	<83
MTE	<31
E	<31
B	<31
MIB	<31
T	<31

**ST105**

DEPTH 4.5'	
N	<30
X	<91
MTE	(720)
E	(43)
B	(73)
MIB	<30
T	<30

**ST101**

DEPTH 2'	
N	<31
X	<92
MTE	<31
E	<31
B	<31
MIB	<31
T	<31

**GP-3**

DEPTH 5'-7' 11'-13'		
N	<27	<25
X	<82	<75
MTE	<27	<25
E	<27	<25
B	<27	<25
MIB	<27	<25
T	<27	<25

**ST103**

DEPTH 3'	
N	<33
X	<88
MTE	<33
E	(180)
B	(33)
MIB	<33
T	<33

**ST102**

DEPTH 4'	
N	<32
X	<85
MTE	<32
E	<32
B	<32
MIB	<32
T	<32

**GP-2**

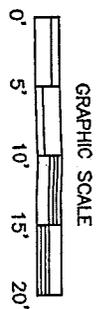
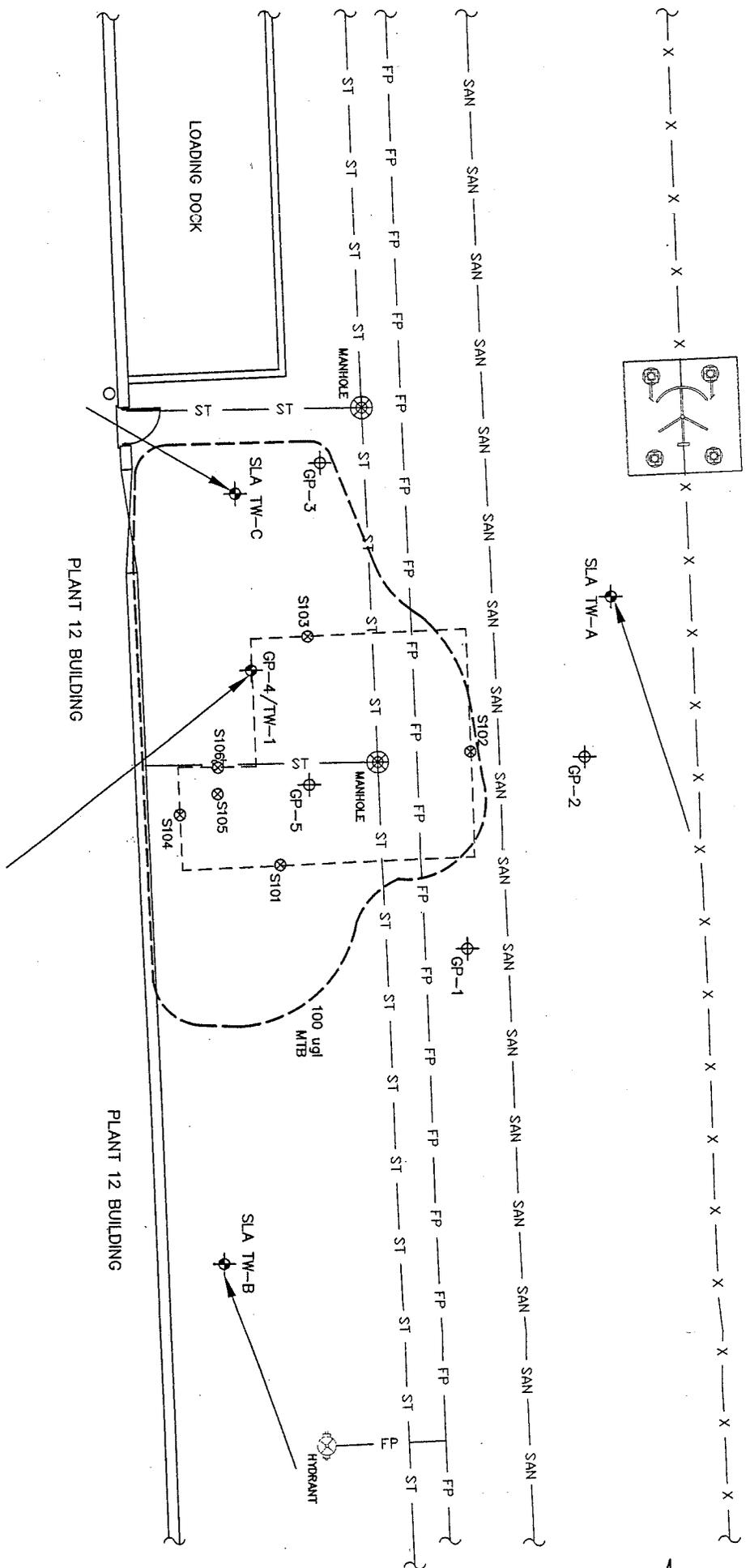
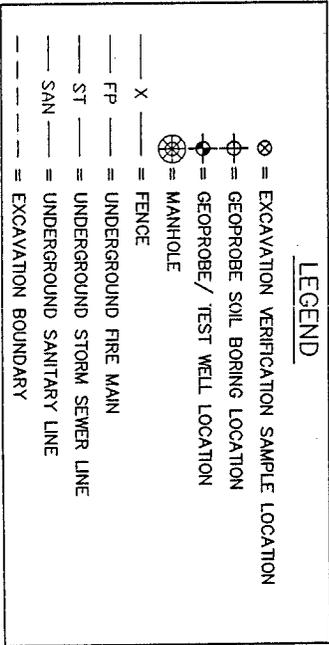
DEPTH 5'-7' 13'-15'		
N	(67)	<82
X	<80	<82
MTE	<27	<27
E	<27	<27
B	<27	<27
MIB	<27	<27
T	<27	<27

**GP-1**

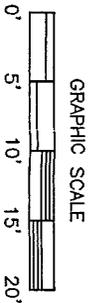
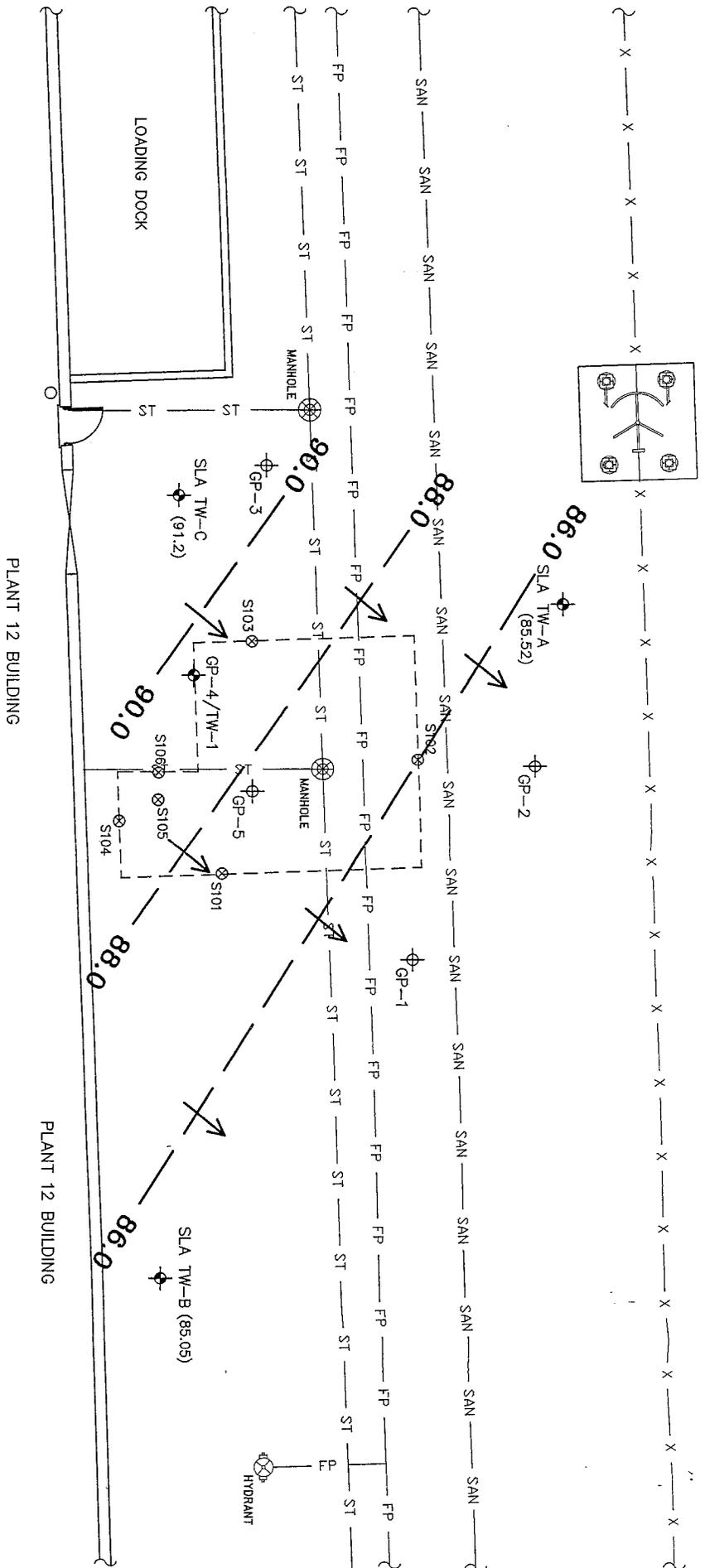
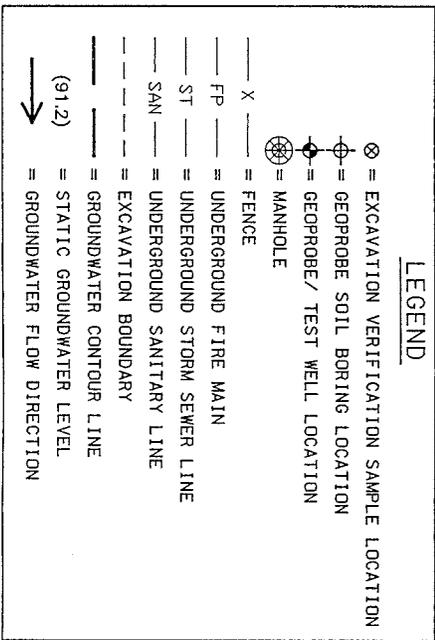
DEPTH 8'-10' 12'-14'		
N	<29	<25
X	<79	<75
MTE	<26	<25
E	<26	<25
B	<26	<25
MIB	<26	<25
T	<26	<25

**GP-5**

DEPTH 8'-10' 12'-14'		
N	<28	<28
X	<83	<85
MTE	<28	<28
E	<28	<28
B	<28	<28
MIB	<28	<28
T	<28	<28



<b>Mercury Marine</b>		<b>SIGMA GROUP</b> <small>www.sigmaproject.com 1300 West Canal Street Milwaukee, WI 53233 414-643-4200</small>
Plant #12 - Fond du Lac, Wisconsin		
DATE: 05/09/08	DR. BY: S/GJ	DR.# 7190-011
<b>MTBE ISOCNCONCENTRATION MAP</b> (11/27/07)		SCALE: 1" = 10'
		<b>Figure 2</b>



**MERCURY**

<b>Mercury Marine</b>		<b>SIGMA</b>	
Plant #12 - Fond du Lac, Wisconsin		1300 West Canal Street Milwaukee, WI 53233 414-643-4200	
DATE: 12/19/07	DR. BY: SUGJ	DR.#: 7190-011	SCALE: 1" = 10'

**GROUNDWATER CONTOUR MAP**  
(11/27/07)

**Figure 2**

**TABLE 1**  
**SOIL QUALITY RESULTS**  
**SEWER LINE AREA**  
 Mercury Marine Plant 12  
 Fond du Lac, Wisconsin

Sample ID	S101	S102	S103	S104	S105	S106	NR 720 Soil	COMM		EPA Soil
Sample Location	South wall	East wall	North wall	West wall	Base	Storm line	Cleanup Levels	Table 1	Table 2	Screening Levels
Approximate Depth (feet)	2	4	3	3	4.5	4.5				
Gasoline Range Organics (mg/kg)	<3.7	<3.8	<4.4	<3.7	<b>3.8</b>	<8.0	100	NS	NS	NS
Diesel Range Organics (mg/kg)	NA	NA	NA	<3.7	<3.7	NA	100	NS	NS	NS
Lead (mg/kg)	NA	NA	NA	<b>10</b>	<b>8</b>	NA	500	NS	NS	NS
<b>Petroleum Volatile Organic Compounds (ug/kg)</b>										
Naphthalene	<31	<32	<33	<31	<30	<67	NS	2700	NS	NS
o-Xylene	<31	<32	<33	<31	<30	<67	NS	NS	NS	NS
p,m-Xylene	<61	<63	<65	<62	<61	<130	NS	NS	NS	NS
Total Xylene	<92	<95	<98	<93	<91	<197	4100	42000	NS	NS
Methyl Tert Butyl Ether	<31	<32	<33	<31	<b>120</b>	<67	NS	NS	NS	NS
Ethylbenzene	<31	<32	<b>180</b>	<31	<b>43</b>	<67	2900	4600	NS	NS
Benzene	<b>68</b>	<32	<b>38</b>	<b>140</b>	<b>220</b>	<67	5.5	8500	1100	2.3
1,3,5-Trimethylbenzene	<31	<32	<33	<31	<30	<67	NS	83000	NS	NS
1,2,4-Trimethylbenzene	<31	<32	<b>580</b>	<31	<b>73</b>	<67	NS	11000	NS	NS
Toluene	<31	<32	<33	<31	<30	<67	1500	38000	NS	NS

**KEY:**

NA = Not Analyzed  
 NS = No Standard Established  
**bold** = Detected above laboratory detection limits  
**bold** = Detected above NR 720 RCL  
 Soil samples collected on 12/12/2001  
 EPA soil screening levels are site specific levels for soil to ground water

**TABLE 2  
SOIL QUALITY RESULTS  
SEWER LINE AREA  
Mercury Marine Plant 12  
Fond du Lac, Wisconsin**

Boring ID	GP-1		GP-2		GP-3		GP-4		GP-5		NR 720 Soil Cleanup Levels	COMM		EPA Soil Screening Levels
	8-10	12-14	5-7	13-15	5-7	11-13	5-7	13-15	8-10	10-12		Table 1	Table 2	
Gasoline Range Organics (mg/kg)	<3.2	<3.0	<3.2	<3.3	<3.3	<3.0	<3.2	<3.4	<3.3	<3.4	100	NS	NS	
<b>Petroleum Volatile Organic Compounds (ug/kg)</b>														
Naphthalene	<26	<25	<b>67</b>	<27	<27	<25	<27	<28	<28	<28	NS	2700	NS	NS
o-Xylene	<26	<25	<27	<27	<27	<25	<27	<28	<28	<28	NS	NS	NS	NS
p,m-Xylene	<53	<50	<53	<55	<55	<50	<54	<56	<55	<57	NS	NS	NS	NS
Total Xylene	<79	<75	<80	<82	<82	<75	<81	<84	<83	<85	4100	42000	NS	NS
Methyl Tert Butyl Ether	<26	<25	<27	<27	<27	<25	<27	<b>43</b>	<28	<28	NS	NS	NS	NS
Ethylbenzene	<26	<25	<27	<27	<27	<25	<27	<28	<28	<28	2900	4600	NS	NS
Benzene	<26	<25	<27	<27	<27	<25	<27	<28	<28	<28	5.5	8500	1100	2.3
1,3,5-Trimethylbenzene	<26	<25	<27	<27	<27	<25	<27	<28	<28	<28	NS	83000	NS	NS
1,2,4-Trimethylbenzene	<26	<25	<27	<27	<27	<25	<27	<28	<28	<28	NS	11000	NS	NS
Toluene	<26	<25	<27	<27	<27	<25	<27	<28	<28	<28	1500	38000	NS	NS

**KEY:**

NA = Not Analyzed  
 NS = No Standard Established  
**bold** = Detected above laboratory detection limits  
 Soil borings completed on March 7, 2002.  
 EPA soil screening levels are site specific levels for soil to ground water

**Table 3**  
**Groundwater Quality Results**  
**Sewer Line Area**  
 Mercury Marine Plant 12  
 Fond du Lac, Wisconsin

Well ID	TW-1		SLATW-A	SLATW-B	SLATW-C	NR 140	
	4/4/02	4/26/03	11/27/07	11/27/07	11/27/07	ES	PAL
<b>Petroleum Volatile Organic Compounds (ug/l)</b>							
Naphthalene	<5	<300 "D"	<0.25	<0.25	<0.25	100	10
o-Xylene	<1	<50 "D"	NA	NA	NA	NS	NS
p,m-Xylene	<2	<100 "D"	NA	NA	NA	NS	NS
Total Xylene	<3	<150 "D"	<0.50	<0.50	<0.50	10000	1000
Methyl Tert Butyl Ether	<b>560 "D"</b>	<b>430 "D"</b>	<0.50	0.62 J	<b>180</b>	60	12
Ethylbenzene	<1	<50 "D"	<0.50	<0.50	<0.50	700	140
Benzene	<1	<50 "D"	<0.20	<0.20	<0.20	5	0.5
1,3,5-Trimethylbenzene	<1	<50 "D"	<0.20	<0.20	<0.20	NS	NS
1,2,4-Trimethylbenzene	<1	<50 "D"	<0.20	<0.20	<0.20	NS	NS
Total Trimethylbenzene	<2	<100 "D"	<0.40	<0.40	<0.40	480	96
Toluene	<1	<50 "D"	<0.20	<0.20	<0.20	1000	200
<b>Chlorinated Volatile Organic Compounds (ug/l)</b>							
Bromomethane	NA	NA	<0.20	<0.20	0.31 J	10	1
1,1-Dichloroethane	NA	NA	<0.50	6.6	1.8	850	85
1,2-Dichloroethane	NA	NA	<0.50	<b>0.52 J</b>	<b>5.3</b>	5	0.5
1,1-Dichloroethene	NA	NA	<0.50	0.54 J	<0.50	7	0.7
1,1,1-Trichloroethane	NA	NA	<0.50	15	<0.50	200	40

notes

µg/l = microgram per liter  
 D = Dilution  
 NS = No Established Standard  
 NR 140 ES = Chapter NR 140 Enforcement Standard  
 NR 140 PAL = Chapter NR 140 Preventative Action Limit  
**Bold** = Above NR 140 PAL  
**Bold** = Above NR 140 ES  
 NA = Not Analyzed

**TABLE 2**  
**STATIC GROUNDWATER ELEVATIONS**  
**Sewer Line Area**  
**Mercury Marine Plant 12**  
**Fond du Lac, WI**  
**Project Reference #7190**

Monitoring Well Identification	Date	Top of Casing Elevation (feet site)	Depth to Groundwater (feet from TOC)	Groundwater Elevation (feet site)
SLATW-A	11/27/07	94.37	8.85	85.52
SLATW-B	11/27/07	95.15	10.10	85.05
SLATW-C	11/27/07	95.10	3.90	91.2

Notes:  
feet from TOC = feet below top of casing  
feet bgs = feet below ground surface  
feet site = a reference to arbitrary site benchmark with instrument height of 100.00