

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 Adobe Fillable form is intended to provide a list of information that is required for evaluation for case closure. It is to be used in conjunction with Form 4400-202, Case Closure Request. 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** (where the contamination originated). 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: Outagamie County Certified Survey Map 4890**
- Signed Statement:** A statement signed by the Responsible Party (RP), which states that he or she believes that the attached legal description accurately describes the correct contaminated property.

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 Location Map
- Detailed Site Map:** A map that shows all relevant features (buildings, roads, individual property boundaries, contaminant sources, utility lines, monitoring wells and potable wells) within the contaminated area. This map is to show 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 Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Levels (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.
Figure #: 2 Title: Site Plan
- Soil Contamination Contour Map:** For sites closing with residual soil contamination, this map is to show the location of all contaminated soil and a single contour showing the horizontal extent of each area of contiguous residual soil contamination that exceeds a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.
Figure #: 2 Title: Site Plan

BRRTS #: 02-45-535804

ACTIVITY NAME: Rug Burns LLC & PR Properties LLP

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 #: 3 **Title: Geologic Cross Section A-A'**

Figure #: 4 **Title: Geologic Cross Section B-B'**

- 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 #: **Title:**

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: Historic Soil Analytic Test Results, Excavation Soil Analytic Test 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 #: **Title:**

- 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 #: 02-45-535804

ACTIVITY NAME: Rug Burns LLC & PR Properties LLP

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
Matthew J. Frank, Secretary
Ronald W. Kazmierczak, Regional Director

Oshkosh Service Center
625 East County Road Y, STE. 700
Oshkosh, WI 54901-9731
TELEPHONE 920-424-3050
FAX 920-424-4404

December 15, 2008

Mr. Tim Rausch
Rug Burns LLC (1606 W. Haskel St.)
c/o Rausch Plumbing
1606 W. Haskel St.
Appleton, WI 54914

Mr. Tim Rausch
PR Properties LLP (1604 W. Haskel St.)
c/o Rausch Plumbing
1606 W. Haskel St.
Appleton, WI 54914

SUBJECT: Final Case Closure with Land Use Limitations or Conditions
Rug Burns LLC, 1606 W Haskel St & PR Properties LLP, 1604 W Haskel St,
Appleton, Wisconsin
WDNR BRRTS Activity # 02-45-535804

Dear Mr. Rausch:

On August 18, 2008, the Northeast Regional 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 September 4, 2008, you were notified that the Closure Committee had granted conditional closure to this case.

On November 25, 2008 the Department received correspondence indicating that you have complied with the requirements of closure. Abandonment documentation was provided for the sump located at 1604 West Haskel Street and the GIS Registry packet was updated to include the deed and cap maintenance plan for 1604 West Haskel Street, an amended cap maintenance plan for 1606 West Haskel Street and updated figures and tables.

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.

GIS Registry

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
- Pavement, an engineered cover or a soil barrier must be maintained over contaminated soil and the state must approve any changes to this barrier

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 the RR Sites Map page at

<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://dnr.wi.gov/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 the current property owner 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.

Cover or Barrier

Pursuant to s. 292.12(2)(a), Wis. Stats., the **pavement, building and gravel cover** that currently exists at **1606** West Haskel Street and the **contaminated soil berm and clay cap** that currently exists at **1604** West Haskel Street in the locations shown on the attached maps shall be maintained in compliance with **the attached maintenance plans** in order to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health. **The contaminated soil berm and clay cap may not be altered without prior Department approval.**

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 attached 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.

Development at Historic Fill Site or Licensed Landfill Exemption

Information provided to the Department for 1604 West Haskel Street indicates that the property is a location where waste was historically disposed (tires, glass, construction debris, Coca-Cola case, etc.) As a result, any future plans to amend the cap over that waste will require a *Development at Historic Fill Site or Licensed Landfill Exemption* to remove the cap (building, soil or other cover), construct a structure or remove waste in accordance with s. NR 506.085, Wis. Adm. Code. Fact sheets and an application form can be found on our website at http://dnr.wi.gov/org/aw/rr/rbrownfields/historic_fill.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 Borski in Oshkosh at (920) 424-7887**.

Sincerely,



Bruce Urban
Northeast Remediation & Redevelopment Team Supervisor

Attachments: *Cap Maintenance Plan, 1606 W. Haskel Street*
Cap Maintenance Plan, 1604 W. Haskel Street
Exhibit A and Exhibit B

Electronic Copy: S. Hodgson, Terracon, sahodgson@terracon.com
J. Borski, DNR - Oshkosh

CAP MAINTENANCE PLAN

October 30, 2008

Property Located at: 1606 W. Haskel Street
Appleton, Wisconsin

FID # (none), BRRTS # 02-45-535804

LEGAL DESCRIPTION: LOT 1 OF CERTIFIED SURVEY MAP 4890, VOL 27, DOCUMENT
1627768, OUTAGAMIE COUNTY RECORDS

TAX #: 313012601

Introduction

This document is the Maintenance Plan for a pavement cover, building barrier, and topsoil/vegetation cap at the above-referenced property in accordance with the requirements of s. NR 724.13(2), Wisconsin Administrative code (WAC). The maintenance activities relate to the existing building, asphalt-paved surfaces, and vegetated topsoil cap occupying the area over the potentially contaminated soil onsite. The contaminated soil beneath the building and asphalt pavement near SS-01, GP-7, and GP-C may be impacted by benzene and ethylbenzene above the WAC, NR 720 generic groundwater pathway residual contaminant level (RCL), lead above the generic non-industrial direct contact RCL, arsenic above the generic industrial direct contact RCL, and potentially polycyclic aromatic hydrocarbons (PAHs) above their non-industrial and/or industrial direct contact RCL. Contaminated soil beneath the vegetated topsoil cap in the area of GP-8 and GP-B is impacted by naphthalene and arsenic above their generic industrial direct contact RCL and several other PAHs, benzene, and ethylbenzene above their respective generic groundwater pathway RCL. The location of the building, paved surfaces, and vegetated topsoil cap to be maintained in accordance with this Maintenance Plan are identified on the attached map (Exhibit A). The current condition of the cap areas is shown in the attached photos (Exhibit B).

Cover and Building Barrier Purpose

The building, paved surfaces, and vegetated topsoil cap over the contaminated soil serve as a barrier to prevent direct human contact with residual soil contamination that might otherwise pose a threat to human health. Based on the current and future use of the property, the barrier should function as intended unless disturbed.

Annual Inspection

The building foundation, paved surfaces, and vegetated topsoil cap overlying the contaminated soil and as depicted in Exhibit A will be inspected once a year, normally in the spring after new vegetation growth, for deterioration, cracks, erosion, and other potential problems that can cause potential exposure to underlying soils. The inspections will be performed to evaluate damage due to exposure to the weather, wear from traffic, increasing age, settling, and other factors. Any area where soils have become or are likely to become exposed will be documented. A log of the inspections will be maintained by the property owner and is included as Exhibit C, *Cap Inspection Log*. The log will include recommendations for necessary repair of

any areas where underlying soils are exposed. Once repairs are completed, they will be documented in the inspection log. A copy of the inspection log will be kept onsite.

Maintenance Activities

If exposed soils are noted during the annual inspections or at any other time during the year, repairs will be scheduled as soon as practical. Maintenance activities can include patching and filling operations or they can include larger resurfacing or construction operations. Maintenance of the vegetated topsoil cap may include adding topsoil where eroded and/or seeding and mulching dead areas. In the event that necessary maintenance activities expose the underlying soil, the owner must inform maintenance workers of the direct contact exposure hazard and provide them with appropriate personal protection equipment (“PPE”). The owner must also sample any soil that is excavated from the site prior to disposal to ascertain if contamination remains. The soil must be treated, stored and disposed of by the owner in accordance with applicable local, state and federal law.

In the event the paved surfaces and/or the building overlying the contaminated soil are removed or replaced, the replacement barrier must be equally impervious. Any replacement barrier will be subject to the same maintenance and inspection guidelines as outlined in this Maintenance Plan unless indicated otherwise by the Wisconsin Department of Natural Resources (“WDNR”) or its successor.

The property owner, in order to maintain the integrity of the building, paved areas, and vegetated topsoil cap, will maintain a copy of this Maintenance Plan on-site and make it available to all interested parties (i.e. on-site employees, contractors, future property owners, etc.) for viewing.

Amendment or Withdrawal of Maintenance Plan

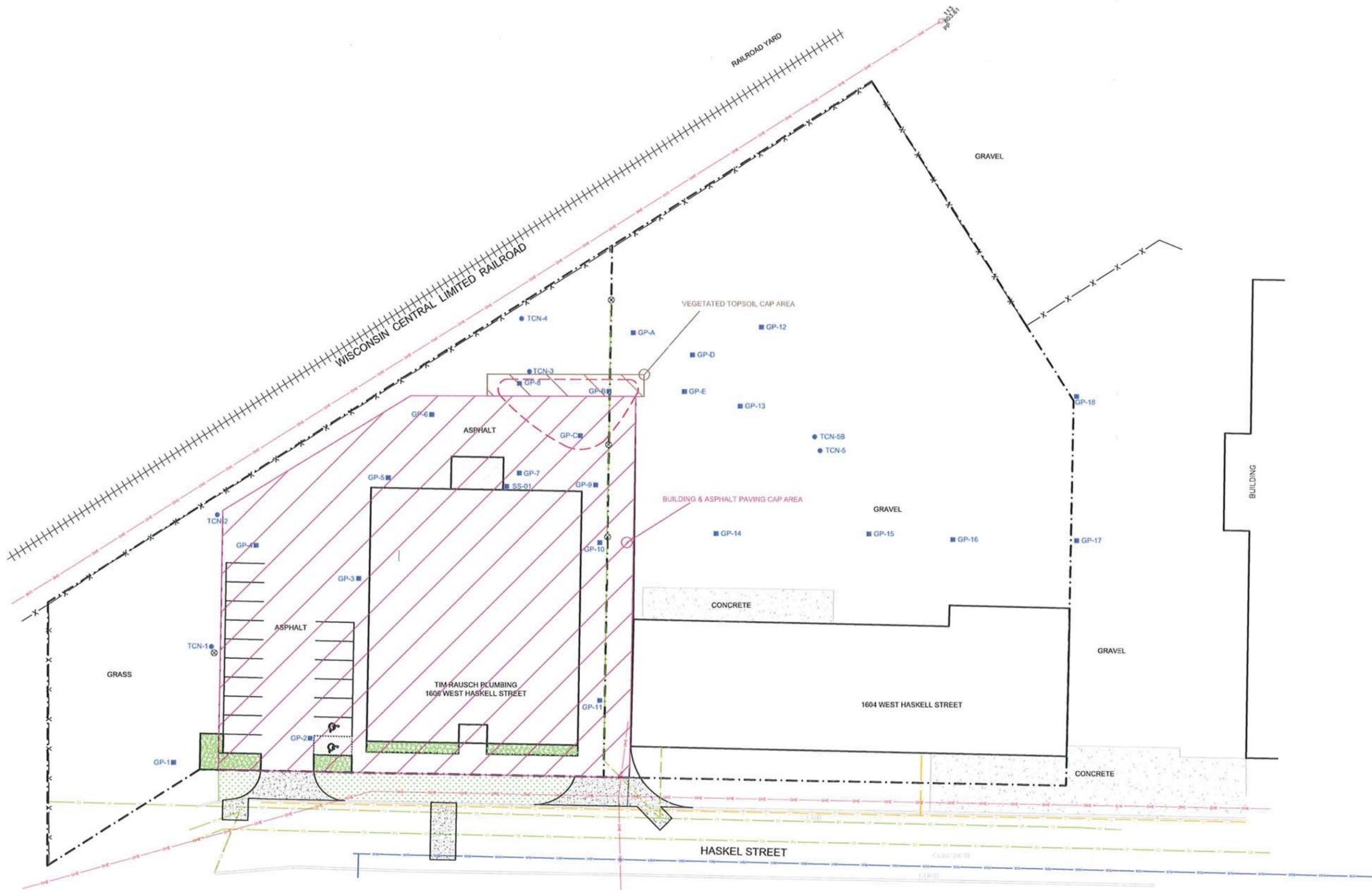
This Maintenance Plan can be amended or withdrawn by the property owner and its successors with the written approval of WDNR.

**Contact Information
(October 2008)**

Site Owner and Operator: Rug Burns, LLC
 c/o Tim Rausch Plumbing
 1606 W. Haskel Street, Suite A, Appleton, WI 54914
 (920) 830-9222
 Contact: Tim Rausch

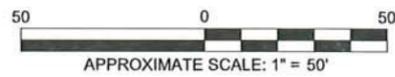
Consultant: Terracon Consultants, Inc.
 3011B East Capitol Drive, Appleton, WI 54911
 (920) 993-9096
 Contact: Scott A. Hodgson

WDNR: Jennifer Borski
 625 East County Road Y, Suite 700, Oshkosh, WI 54901
 (920) 424-7887



LEGEND

- BORING LOCATION (TERRACON) ■ BORING LOCATION (BY OTHERS)
- ESTIMATED EXTENT OF REMAINING IN-SITU SOIL CONTAMINATION > GENERIC RCLs
- ⊗ CATCH BASIN
- - - - - PROPERTY BOUNDARY -x- FENCE
- STORM SEWER --- SANITARY SEWER
- GAS --- OVERHEAD ELECTRIC --- WATER MAIN



Project Mgr:	SAH	Project No.	38077012
Drawn By:	AJP	Scale:	AS SHOWN
Checked By:	SAH	File No.	38077012 SM
Approved By:	SAH	Date:	6/25/08

Terracon
 Consulting Engineers and Scientists
 3011B EAST CAPITOL DRIVE APPLETON, WI 54911
 PH. (920) 993-9096 FAX. (920) 993-9108

EXHIBIT A: CAP AREAS
 RAUSCH PLUMBING
 PR PROPERTIES, LLP
 1604 / 1606 WEST HASKELL STREET
 APPLETON WISCONSIN

FIG. No.
1
 (Layout3)

Site Name Rug Burns, LLC & PR Properties LLP

City Appleton State Wisconsin

Terracon Project No. 38077012

Date of Photograph: June 25, 2008

Terracon

EXHIBIT B: CAP MAINTENANCE PLAN 1606 W HASKEL



1. Building and asphalt pavement cap from the southwest.



2. West asphalt pavement cap, looking north.

Site Name Rug Burns, LLC & PR Properties LLP

City Appleton State Wisconsin

Terracon Project No. 38077012

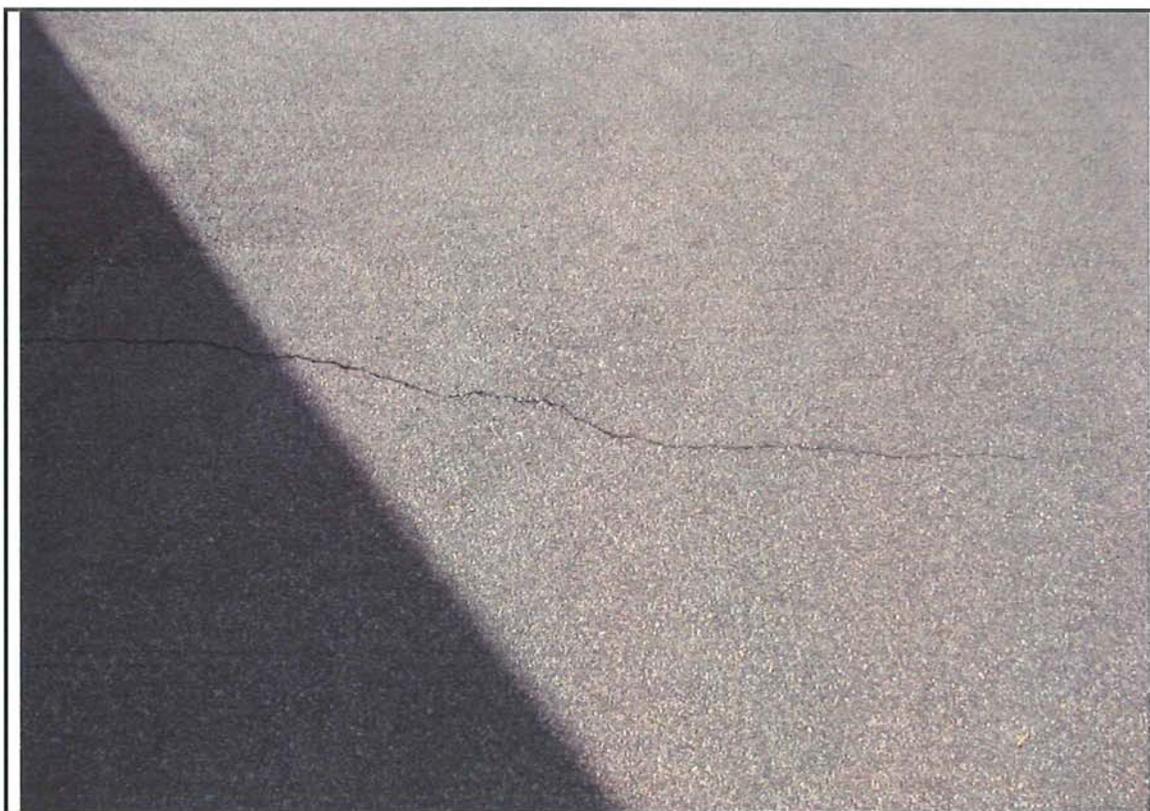
Date of Photograph: June 25, 2008

Terracon

EXHIBIT B: CAP MAINTENANCE PLAN 1606 W HASKEL



3. North asphalt pavement cap, looking east.



4. Crack in asphalt pavement cap at northwest corner of building.

Site Name Rug Burns, LLC & PR Properties LLP

City Appleton State Wisconsin

Terracon Project No. 38077012

Date of Photograph: June 25, 2008

Terracon

EXHIBIT B: CAP MAINTENANCE PLAN 1606 W HASKEL



5. Building and east driveway asphalt pavement cap, looking north.



2. Vegetated topsoil cap area, looking west. Boring GP-B was located just north of the motorcycle. The vegetated topsoil cap area is graded to drain to a catch basin to the lower right of the photo.

Exhibit C

Barrier INSPECTION LOG

Inspection Date	Inspector	Condition of Cap	Recommendations	Have Recommendations from previous inspection been implemented?

CAP MAINTENANCE PLAN

October 30, 2008

Property Located at: 1604 W. Haskel Street
Appleton, Wisconsin

FID # (none), BRRTS # 02-45-535804

LEGAL DESCRIPTION: LOT 2 OF CERTIFIED SURVEY MAP 4890, VOL 27, DOCUMENT
1627768, OUTAGAMIE COUNTY RECORDS

TAX #: 313012600

Introduction

This document is the Maintenance Plan to maintain the existing contaminated soil berm as a direct contact cap to residual soil contamination in underlying native soils and to maintain the clay/topsoil/vegetation cap on the berm as a direct contact cap to the residual contamination within the berm at the above-referenced property in accordance with the requirements of s. NR 724.13(2), Wisconsin Administrative code (WAC). The contaminated soil beneath the berm and within the berm may be impacted by benzene and ethylbenzene above the WAC, NR 720 generic groundwater pathway residual contaminant level (RCL), lead above the non-industrial direct contact RCL, arsenic above the industrial direct contact RCL, and potentially polycyclic aromatic hydrocarbons (PAHs) above their non-industrial or industrial direct contact RCLs. Potential PAHs present in contaminated soil within the berm beneath the clay/topsoil/vegetation cap or in the soil beneath the berm above the industrial direct contact RCLs include naphthalene, benzo(a)pyrene, benzo(b)fluoranthene, and dibenzo(a,h)anthracene. The location of the clay/topsoil/vegetation cap to be maintained in accordance with this Maintenance Plan is identified on the attached map (Exhibit A). The current condition of the berm and cap area is shown in the attached photos (Exhibit B).

Cover and Building Barrier Purpose

The berm over the contaminated in-situ soil and clay/topsoil/vegetation cap over the berm serve as a cover to prevent direct human contact with residual soil contamination that might otherwise pose a threat to human health. Based on the current and future use of the property, the cover should function as intended unless disturbed.

Annual Inspection

The clay/topsoil/vegetation cap over the berm not only acts as a cover to prevent contact with contaminated soil within the berm, but is also the key to preserving the integrity of the berm itself, which acts as a protective cover over the in-situ contaminated soil. Therefore, the clay/topsoil/vegetation cap over the berm as depicted in Exhibit A will be inspected once a year, normally in the spring after new vegetation growth, for deterioration, cracks, erosion, dead vegetation and other potential problems that can cause potential exposure to underlying soils. The inspections will be performed to evaluate damage due to exposure to the weather, erosion, settling, and other factors. Any area where soils have become or are likely to become exposed will be documented. A log of the inspections will be maintained by the property owner and is

included as Exhibit C, *Cap Inspection Log*. The log will include recommendations for necessary repair of any areas where underlying soils are exposed. Once repairs are completed, they will be documented in the inspection log. A copy of the inspection log will be kept onsite.

Maintenance Activities

If exposed soils or soils that potentially could become exposed are noted during the annual inspections or at any other time during the year, repairs will be scheduled as soon as practical. Maintenance of the clay/topsoil/vegetation cap may include adding clay and/or topsoil as appropriate where eroded and/or seeding and mulching dead areas. In the event that necessary maintenance activities expose the underlying soil, the owner must inform maintenance workers of the direct contact exposure hazard and provide them with appropriate personal protection equipment (“PPE”). The owner must also sample any soil that is excavated from the site prior to disposal to ascertain if contamination remains. The soil must be treated, stored and disposed of by the owner in accordance with applicable local, state and federal law.

In the event the paved surfaces and/or the building overlying the contaminated soil are removed or replaced, the replacement barrier must be equally impervious. Any replacement barrier will be subject to the same maintenance and inspection guidelines as outlined in this Maintenance Plan unless indicated otherwise by the Wisconsin Department of Natural Resources (“WDNR”) or its successor.

The property owner, in order to maintain the integrity of the clay/topsoil/vegetation cap will maintain a copy of this Maintenance Plan on-site and make it available to all interested parties (i.e. on-site employees, contractors, future property owners, etc.) for viewing.

Amendment or Withdrawal of Maintenance Plan

This Maintenance Plan can be amended or withdrawn by the property owner and its successors with the written approval of WDNR.

**Contact Information
(October 2008)**

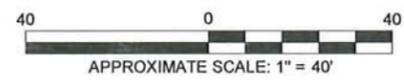
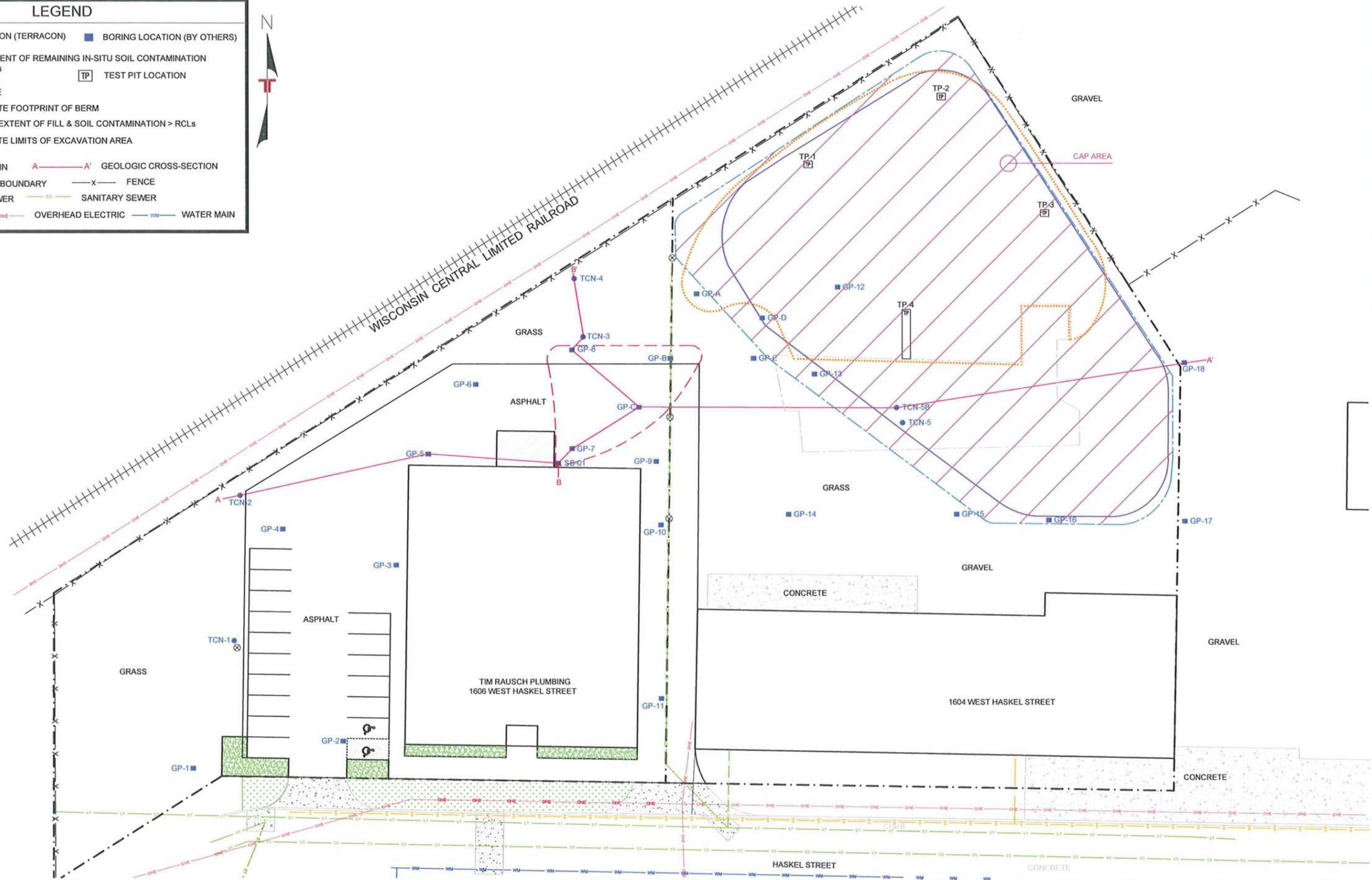
Site Owner and Operator: PR Properties, LLP
c/o Tim Rausch Plumbing
1606 W. Haskel Street, Suite A, Appleton, WI 54914
(920) 830-9222
Contact: Tim Rausch

Consultant: Terracon Consultants, Inc.
3011B East Capitol Drive, Appleton, WI 54911
(920) 993-9096
Contact: Scott A. Hodgson

WDNR: Jennifer Borski
625 East County Road Y, Suite 700, Oshkosh, WI 54901
(920) 424-7887

LEGEND

- BORING LOCATION (TERRACON) ■ BORING LOCATION (BY OTHERS)
- ESTIMATED EXTENT OF REMAINING IN-SITU SOIL CONTAMINATION > GENERIC RCLs
- ESTIMATED EXTENT OF FILL & SOIL CONTAMINATION > RCLs
- APPROXIMATE LIMITS OF EXCAVATION AREA
- ⊗ CATCH BASIN A—A' GEOLOGIC CROSS-SECTION
- PROPERTY BOUNDARY --- FENCE
- ST STORM SEWER --- SS SANITARY SEWER
- GAS --- OHE OVERHEAD ELECTRIC --- WM WATER MAIN
- ⊠ TEST PIT LOCATION
- ⊔ OF SWALE
- APPROXIMATE FOOTPRINT OF BERM
-



Project Mgr:	SAH	Project No.:	38077012
Drawn By:	AJP	Scale:	AS SHOWN
Checked By:	SAH	File No.:	38077012 SM
Approved By:	SAH	Date:	10/28/08

Terracon
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 PH. (920) 993-9096 FAX. (920) 993-9108

EXHIBIT A - CAP AREA, 1604 W. HASKEL ST.
 RAUSCH PLUMBING
 PR PROPERTIES, LLP
 1604 / 1606 WEST HASKEL STREET
 APPLETON WISCONSIN

FIG. No.
1
 (Layout2)

EXHIBIT B: CAP MAINTENANCE PLAN-1604 W HASKEL



1. North slope from the northwest corner looking east showing the new storm inlet and vegetation.



2. Top of berm from the northwest corner looking southeast showing healthy vegetative cover.

EXHIBIT B: CAP MAINTENANCE PLAN-1604 W HASKEL



3. Southeast corner of the berm looking north showing vegetative cover and swale.

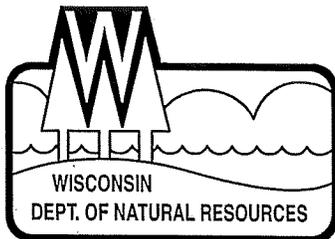


4. South side of the berm looking west.

Exhibit C

Barrier INSPECTION LOG

Inspection Date	Inspector	Condition of Cap	Recommendations	Have Recommendations from previous inspection been implemented?



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

Oshkosh Service Center
625 East County Road Y, STE. 700
Oshkosh, WI 54901-9731
TELEPHONE 920-424-3050
FAX 920-424-4404

September 4, 2008

Mr. Tim Rausch
Rug Burns LLC (1606 W. Haskel St.)
c/o Rausch Plumbing
1606 W. Haskel St.
Appleton, WI 54914

Mr. Tim Rausch
PR Properties LLP (1604 W. Haskel St.)
c/o Rausch Plumbing
1606 W. Haskel St.
Appleton, WI 54914

Subject: Conditional Closure Decision,
With Requirements to Achieve Final Closure
Rug Burns LLC, 1606 W Haskel St & PR Properties LLP, 1604 W Haskel St, Appleton,
Wisconsin
WDNR BRRTS Activity # 02-45-535804

Dear Mr. Rausch:

On August 18, 2008, the Northeast Regional Closure Committee reviewed your request for closure of the case described above. The 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 Committee has determined that the metals, volatile organic compound (VOC) and polynuclear aromatic hydrocarbon (PAH) contamination on the site from the historical use as a railroad switching yard 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:

UPDATE THE GIS REGISTRY PACKET

Based on information provided with the request for closure, the Committee determined that the property at 1604 West Haskel Street, owned by PR Properties LLP, will be added to the case 02-45-535804 as a source property based on the residual lead and PAH contamination above standards in soil present at both 1604 and 1606 West Haskel Street. As a result of this property addition and other requirements by the Committee, additional information must be submitted to address 1604 West Haskel and update the GIS Registry packet:

1. Update figure 2 to show the "estimated extent of remaining in-situ soil contamination > generic RCLs" includes GP-7, GP-8, SS-01, GP-B and GP-C at 1606 West Haskel Street.
2. Update figure 2 or create a new figure to show the "estimated extent of remaining in-situ soil contamination > generic RCLs" includes TP-1, TP-2, TP-3 and GP-A at 1604 West Haskel Street.
3. Update table 1 to include the property location of the borings (1604 or 1606 West Haskel) and, if appropriate, to distinguish contaminated soil from historic fill ("waste").
4. Update table 2 to distinguish contaminated soil from historic fill ("waste") at 1604 West Haskel Street.
5. Update the cap maintenance plan for 1606 West Haskel Street to reflect the requirement to maintain the cap over the locations of GP-7, SS-01 and GP-C as well as GP-8 and GP-B.
6. Create a cap maintenance plan for 1604 West Haskel Street to maintain the existing berm as a

direct contact cap to residual soil contamination in native soils and to maintain the clay cap on the berm as a direct contact cap to the residual contamination within the berm.

7. Update the GIS Registry packet to include information for both 1604 and 1606 West Haskel Street (e.g. property deed and statement for 1604 West Haskel Street, tables, figures, cap maintenance plan for 1604 West Haskel, etc.) One GIS Registry packet can be submitted for both properties as they are included in one case. The April 2008 GIS Registry checklist should be used for this resubmittal and can be found on our website at <http://www.dnr.state.wi.us/org/aw/rr/archives/pubs/4400-245.pdf>.

SUMP ABANDONMENT

The sump at 1604 West Haskel Street must be properly abandoned in compliance with ch. NR 141, Wis. Adm. Code. Documentation of well abandonment must be submitted to me on Form 3300-005 found at <http://dnr.wi.gov/org/water/dwg/gw/> or provided by the Department of Natural Resources.

PURGE WATER AND WASTE REMOVAL

Any remaining purge water and/or waste generated as part of site investigation or remediation activities, with the exception of the Department approved contaminated berm at 1604 West Haskel, 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 and/or waste.

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>.

DEVELOPMENT AT HISTORIC FILL SITE OR LICENSED LANDFILL EXEMPTION

Information provided to the Department for 1604 West Haskel Street indicates that the property is a location where waste was historically disposed (tires, glass, construction debris, Coca-Cola case, etc.) As a result, any future plans to amend the cap over that waste will require a *Development at Historic Fill Site or Licensed Landfill Exemption* to remove the cap (building, soil or other cover), construct a structure or remove waste in accordance with s. NR 506.085, Wis. Adm. Code. Fact sheets and an application form can be found on our website at http://dnr.wi.gov/org/aw/rr/rbrownfields/historic_fill.htm

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) 424-7887.

Sincerely,



Jennifer Borski
Hydrogeologist
Bureau for Remediation & Redevelopment

Electronic Copy: S. Hodgson, Terracon, sahodgson@terracon.com

Received for filing this 18th day of August A.D. 2004 at 2:11 o'clock P.M. and filed in volume 27 of Certified Survey Maps on page 4890, as number 4890

Janice Flang by Natalie Strubmeyer deputy, Outagamie County Register of Deeds

15.00

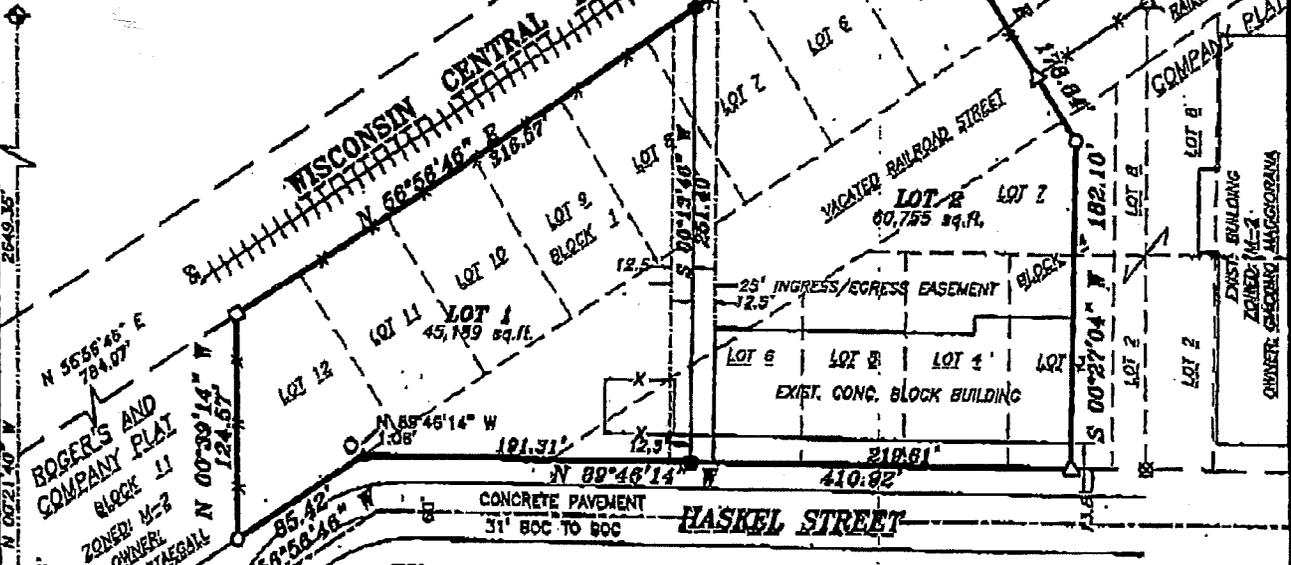
CERTIFIED SURVEY MAP NO. 4890

All of Lots 5, 6, 7, 8, 9, 10, 11, 12 of Block 1, all of Lots 4, 5, 6 of Block 4 and part of Lots 3 and 7 of Block 4 of ROGER'S AND COMPANY PLAT and part of vacated Railroad Street, City of Appleton, Outagamie County, Wisconsin

Survey for:

PR Properties, LLP
c/o Tim Rauch
1804 Haskel Street
Appleton, Wisconsin 54911
Phone (920) 830-9222

NORTHWEST CORNER SECTION 34 T 21N, R17E P.K. NAIL FOUND



WEST 1/4 CORNER SECTION 34 T 21N, R17E P.K. NAIL FOUND

ROGER'S AND COMPANY PLAT BLOCK 5 ZONED: M-2

Bearings are referenced to the west line of the Northwest 1/4 of Section 34 assumed to bear N 00°21'40" E per Outagamie County Coordinate System.



Notes:

- 1) Property is zoned M-2.
2) East side of existing concrete block building on Lot 2 is on the property line.
3) The 25' Ingress/Egress Easement along the common line of Lots 1 & 2 is newly created by this C.S.M.
4) The curb along Haskel Street is a mountable type to allow access without curb cuts.

LEGEND

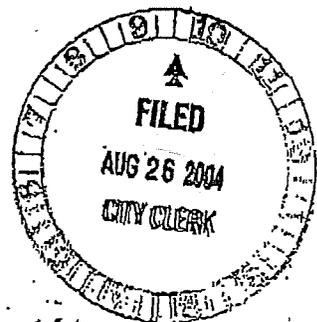
- 1" O.D. IRON PIPE SET, 24" LONG, WEIGHING 1.130 LBS. PER LIN. FOOT
60# SPIKE SET
3/4" REBAR FOUND
1" O.D. IRON PIPE FOUND
4" TAPERED SPINDLE SHAFT FOUND
CHISELED 'X' FOUND
GOVERNMENT CORNER
8' HIGH CHAINLINK FENCE LINE
RECORDED AS

Martenson & Eisele, Inc.

Planning - Surveying - Engineering - Architecture

1377 Midway Road, Menasha, WI 54952
Phone (920) 731-0351 Fax (920) 733-8578

www.martenson-eisele.com
info@martenson-eisele.com



Handwritten signature: Gary A. Zahringer, dated June 15, 2004

Revised - August 2, 2004
Revised - July 28, 2004

PROJECT NO. 157-563

FIELD BOOK PAGE

FILE 157563csm SHEET 1 OF 3

This instrument was drafted by M.A. Strubel

CERTIFIED SURVEY MAP NO. 4890

Surveyor's Certificate

I, Gary A. Zahring, Land Surveyor, do hereby certify:

That I have surveyed, mapped, and divided at the direction of Tim Rausch, all of Lots 5, 6, 7, 8, 9, 10, 11, 12 of Block 1 and all of Lots 4, 5, 6 of Block 4 and part of Lots 3 and 7 of Block 4 all in ROGER'S AND COMPANY PLAT and part of vacated Railroad Street, City of Appleton, Outagamie County, Wisconsin described as follows:

Commencing at the West 1/4 corner of Section 34, Township 21' North, Range 17 East; In said City of Appleton; thence along the west line of the Northwest 1/4 of said Section 34, North 00 degrees 21 minutes 40 seconds West, 277.05 feet; Thence along the southerly right-of-way line of Wisconsin Central Limited Railroad, North 56 degrees 58 minutes 46 seconds East, 784.07 feet to the point of beginning; thence continuing along the southeasterly right-of-way of the Wisconsin Central Limited Railroad, North 56 degrees 58 minutes 46 seconds East, 482.70 feet; thence along the northeasterly line of Lot 5 of said Block 1 and its extension to the southeast, South 33 degrees 03 minutes 14 seconds East, 178.84 feet; thence South 00 degrees 27 minutes 04 seconds West, 182.10 feet; thence along the north right-of-way line of Haskel Street, North 89 degrees 46 minutes 14 seconds West, 410.82 feet; thence along the northwesterly right-of-way line of Haskel Street, South 56 degrees 56 minutes 46 seconds West, 85.42 feet; thence along the west line of Lot 12 of said Block 1, North 00 degrees 39 minutes 14 seconds West, 124.57 feet to the point of beginning, containing 105,944 square feet. Subject to all easements and restrictions of record.

That I have fully complied with Chapter 236.34 of the Wisconsin Statutes and with the City of Appleton's Subdivision Ordinance in surveying, dividing and mapping the same.

That this map is a correct representation of all exterior boundaries of the land surveyed and the division thereof.

Given under my hand this the 15th day of June, 2004.

Gary A. Zahring
Gary A. Zahring, Registered Wisconsin Land Surveyor S-2098

Revised - July 28, 2004



Corporate Owner's Certificate:

PR Properties, LLP, a limited liability partnership duly organized and existing under and by virtue of the Laws of the State of Wisconsin, hereby certify that we caused the land above described to be surveyed, divided and mapped all as shown and represented on this map.

Dated this 29 day of July, 2004.

Ryan S. Burns
(print/type name)

Timothy E. Rausch
(print/type name)

[Signature]
(signature)

[Signature]
(signature)

State of Wisconsin)
)SS
Outagamie County)

Personally came before me on the 29th day of July, 2004, the above named owners to me known to be the persons who executed the foregoing instrument and acknowledged the same.

[Signature] My Commission Expires Nov. 19, 2006



Revised - July 28, 2004
PROJECT NO. 157-563
SHEET 2 OF 3

CERTIFIED SURVEY MAP NO. 4890

Approval:

Approved by the Common Council of the City of Appleton, Outagamie County, Wisconsin this 21ST day of

[Signature]
2004,
[Signature]
Timothy M. Hanna, Mayor

[Signature]
Cynthia I. Hesse, City Clerk

Finance Certificate:

I hereby certify that there are no unpaid taxes or unpaid special assessments on any of the lands shown hereon.

Dated this the 18th day of August, 2004

[Signature]
Lisa Madrtz, City Finance Director

This Certified Survey Map is contained wholly within the property described in the following recorded instruments:

Owners of record:

PR Properties, LLP

Recording information:

Document #1371008
less and accepting
Document # 1625850

Parcel number:

31-3-0126-00-0



[Signature]
June 15, 2004

[X1]

Statement of Accurate Legal Descriptions

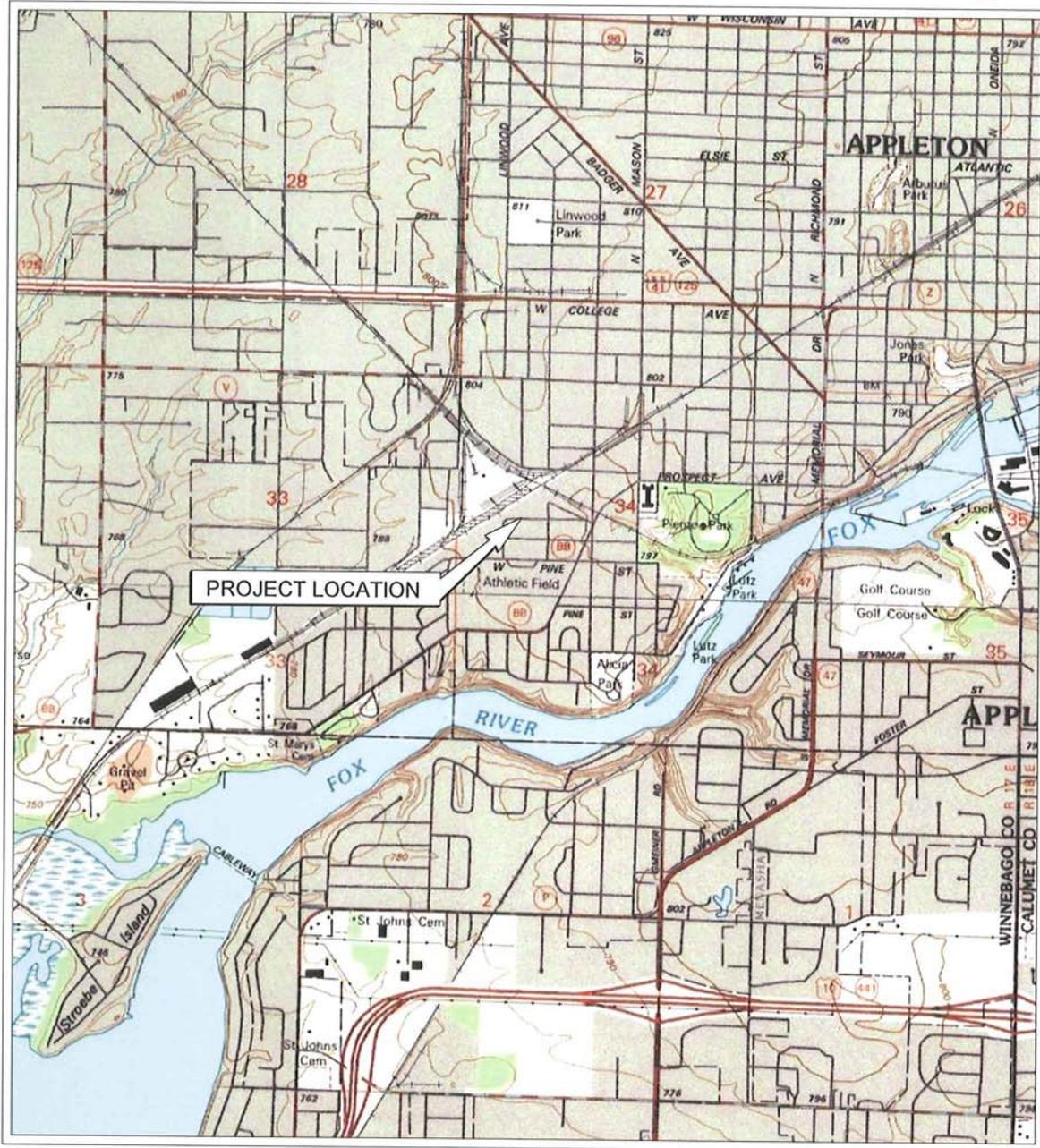
To the best of my knowledge, the attached property legal descriptions are complete, accurate, and identify the parcels with soil impacted by polycyclic aromatic hydrocarbons, volatile organic compounds, lead, and arsenic originating from the property located at 1606 West Haskel Street, Appleton, Outagamie County, Wisconsin, parcel identification no. 313012601.



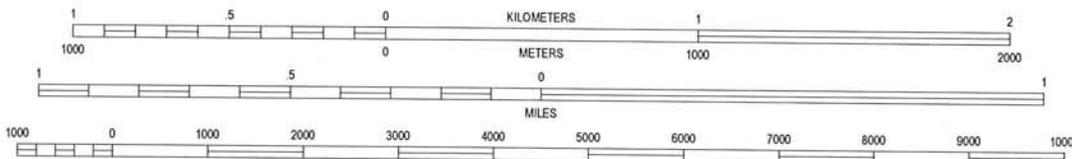
Tim Rausch
Rug Burns, LLC

3-3-08

Date



SCALE 1:24 000



CONTOUR INTERVAL 10 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

APPLETON QUADRANGLE
WISCONSIN - OUTAGAMIE COUNTY
1992
7.5 MINUTE SERIES (TOPOGRAPHIC)



Project Mgr:	SAH	Project No.	38077012
Drawn By:	AJP	Scale:	AS SHOWN
Checked By:	SAH	File No.	38077012 SL
Approved By:	SAH	Date:	4/1/08

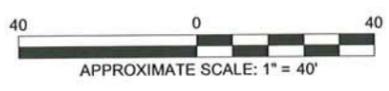
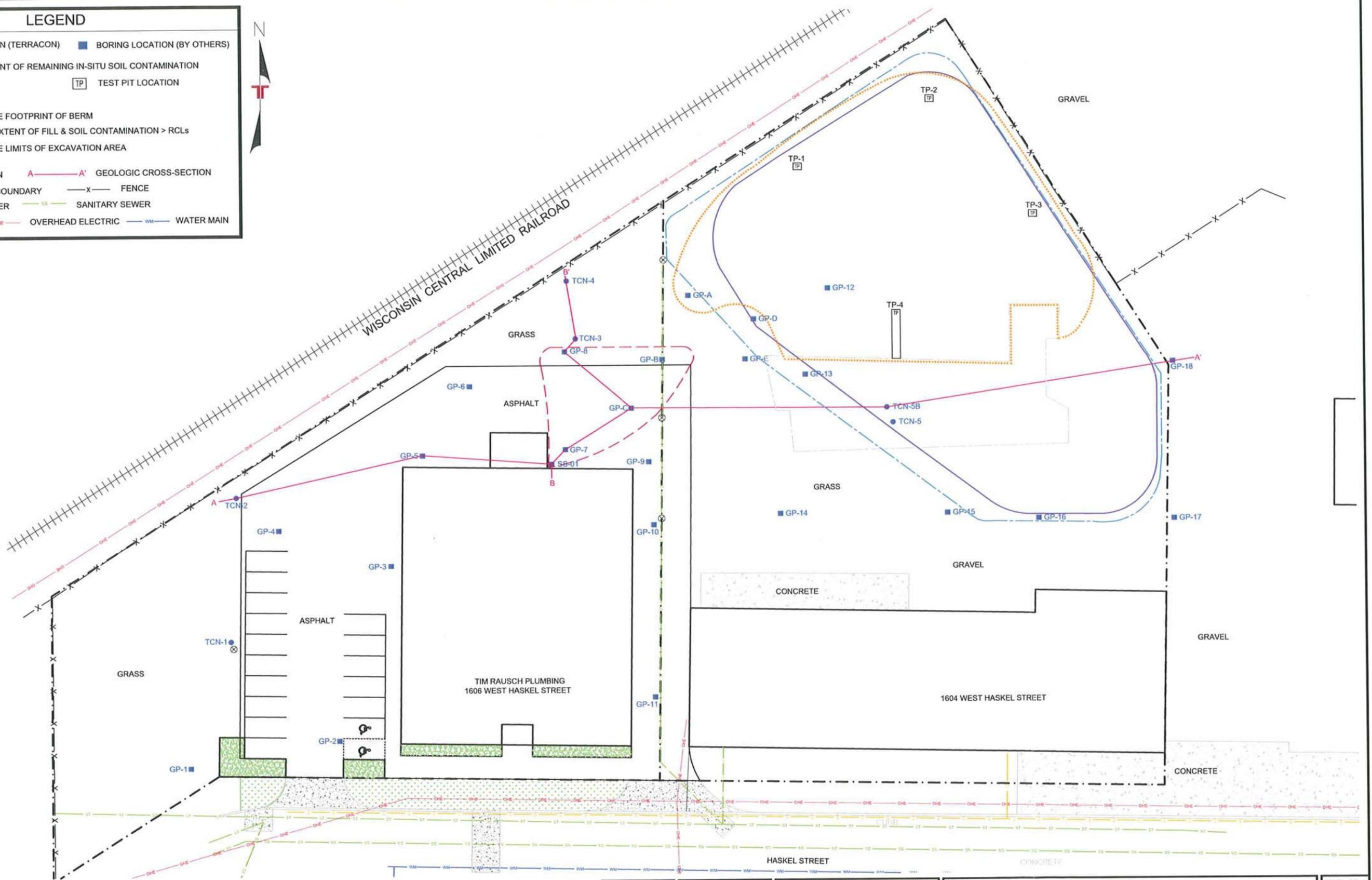
Terracon
Consulting Engineers and Scientists
3011B EAST CAPITOL DRIVE APPLETON, WI 54911
PH. (920) 993-9108 FAX. (920) 993-9108

TOPOGRAPHIC MAP
RAUSCH PLUMBING
PR PROPERTIES, LLP
1604 / 1606 WEST HASKELL STREET
APPLETON WISCONSIN

FIG. No.	1
	(Layout1)

LEGEND

- BORING LOCATION (TERRACON) ■ BORING LOCATION (BY OTHERS)
- ESTIMATED EXTENT OF REMAINING IN-SITU SOIL CONTAMINATION > GENERIC RCLs
- ESTIMATED EXTENT OF FILL & SOIL CONTAMINATION > RCLs
- APPROXIMATE LIMITS OF EXCAVATION AREA
- ⊗ CATCH BASIN A—A' GEOLOGIC CROSS-SECTION
- PROPERTY BOUNDARY —x— FENCE
- STORM SEWER --- SANITARY SEWER
- GAS --- OVERHEAD ELECTRIC --- WATER MAIN
- TP TEST PIT LOCATION
- ⌒ C OF SWALE
- APPROXIMATE FOOTPRINT OF BERM

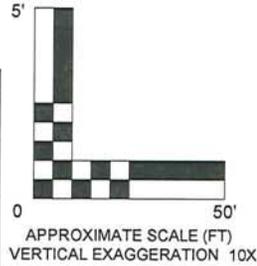
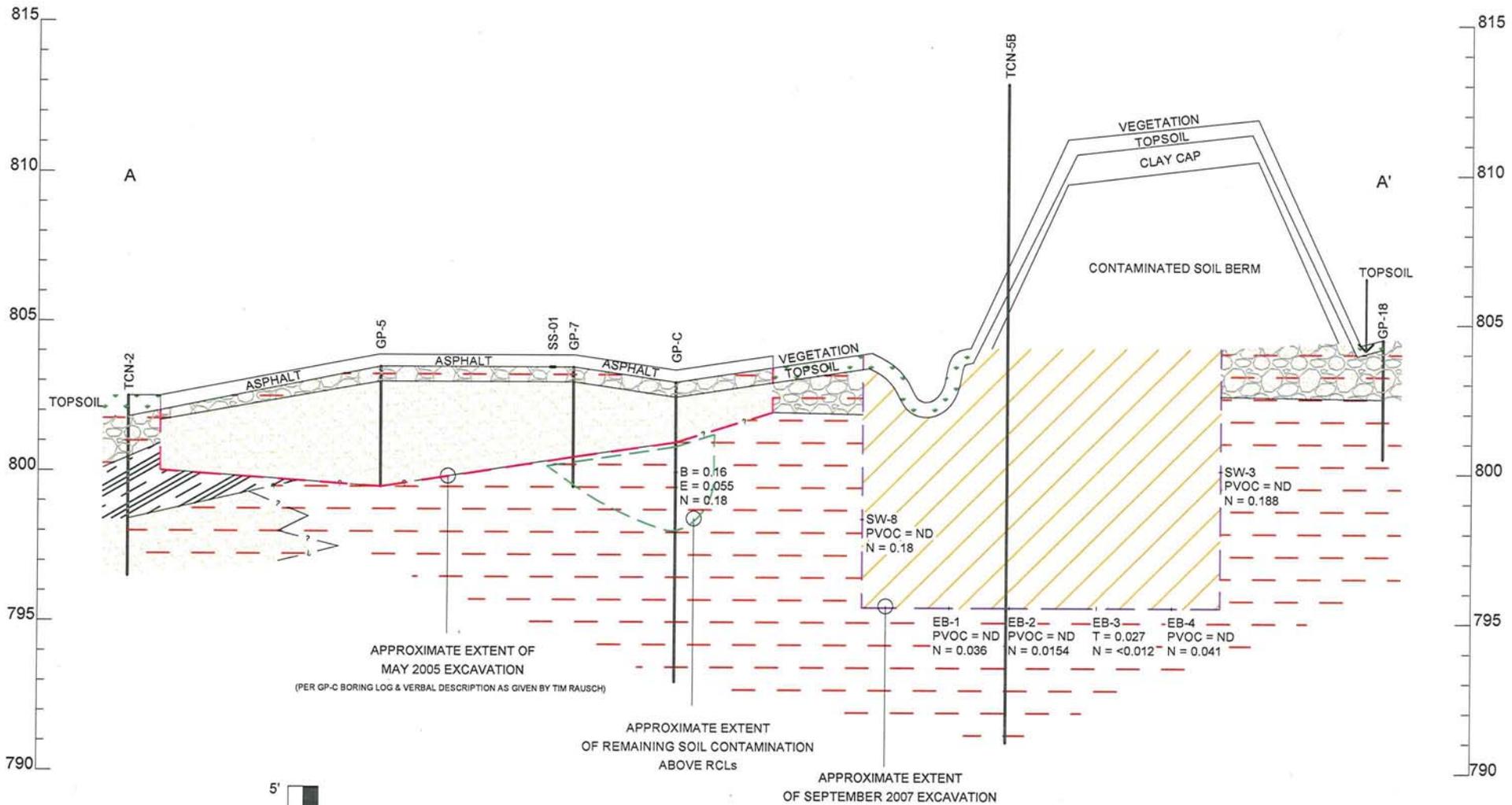


Project Mng:	SAH	Project No.:	38077012
Drawn By:	AJP	Scale:	AS SHOWN
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SITE PLAN
 RAUSCH PLUMBING
 PR PROPERTIES, LLP
 1604 / 1606 WEST HASKEL STREET
 APPLETON WISCONSIN

FIG. No.
2
 (Layout2)



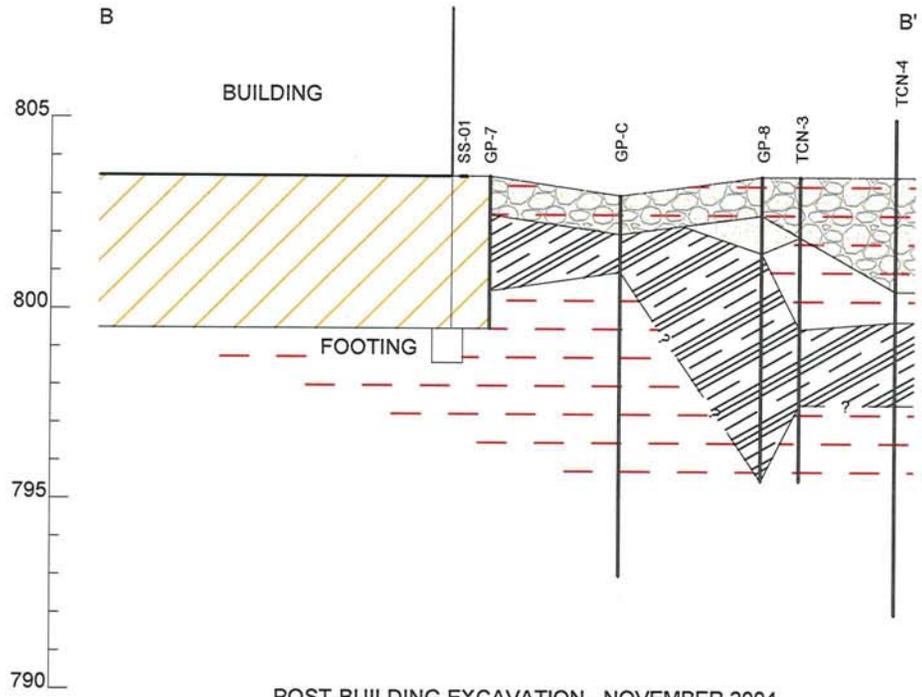
LEGEND	
	CLAY FILL
	FILL; GRAVEL, SAND & CLAY
	SAND FILL
	INTERBEDDED SAND, SILTY SAND & SANDY CLAY
	CLAY & SILT; GRAY-BLACK
	CLAY; RED-BROWN

Project Mngr:	SAH	Project No.	38087012
Drawn By:	AJP	Scale:	AS SHOWN
Checked By:	SAH	File No.	38077012 CS
Approved By:	SAH	Date:	10/28/08

Terracon
 Consulting Engineers and Scientists
 3011B EAST CAPITOL DRIVE APPLETON, WI 54911
 PH. (9220) 993-9096 FAX. (920) 993-9108

GEOLOGIC CROSS SECTION A-A'
 POST-BERM CONSTRUCTION - OCTOBER 2007
RAUSCH PLUMBING
 1604 / 1606 WEST HASKEL STREET
 APPLETON WISCONSIN

FIG. No.
3



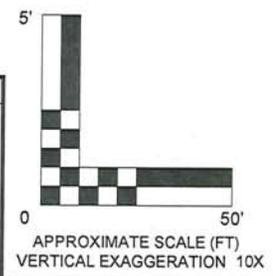
POST-BUILDING EXCAVATION - NOVEMBER 2004

NOTE: Post-Parking Lot Excavation Borings GP-C, TCN-2, and TCN-5B Used For Clarity



APPROXIMATE EXTENT OF REMAINING SOIL CONTAMINATION ABOVE RCLs
 APPROXIMATE EXTENT OF MAY 2005 EXCAVATION
 (PER GP-C BORING LOG & VERBAL DESCRIPTION AS GIVEN BY TIM RAUSCH)

POST-BERM CONSTRUCTION - OCTOBER 2007



LEGEND	
	CLAY FILL
	FILL; GRAVEL, SAND & CLAY
	SAND FILL
	INTERBEDDED SAND, SILTY SAND & SANDY CLAY
	CLAY & SILT; GRAY-BLACK
	CLAY; RED-BROWN

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GEOLOGIC CROSS SECTION B-B'
 RAUSCH PLUMBING
 1604 / 1606 WEST HASKEL STREET
 APPLETON WISCONSIN

FIG. No.
 4

