

GIS REGISTRY  
Cover Sheet

March, 2010  
(RR 5367)

Source Property Information

BRRTS #: 02-41-305527  
ACTIVITY NAME: Parcel #9 Former Towne Realty Property  
PROPERTY ADDRESS: 3405 E Layton  
MUNICIPALITY: Cudahy  
PARCEL ID #: 631-9986-013

CLOSURE DATE: Jul 30, 2010  
FID #: 341047410  
DATCP #:  
COMM #:

\*WTM COORDINATES:

X: 694225 Y: 278370

\* 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" form)*

- Soil Contamination > \*RCL or \*\*SSRCL (232)
- Contamination in ROW
- Off-Source Contamination
- (note: for list of off-source properties see "Impacted Off-Source Property" form)*

Land Use Controls:

- N/A (Not Applicable)
- Soil: maintain industrial zoning (220)
- (note: soil contamination concentrations between non-industrial and industrial levels)*
- Structural Impediment (224)
- Site Specific Condition (228)

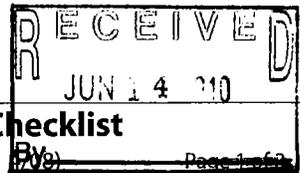
- Cover or Barrier (222)
- (note: maintenance plan for groundwater or direct contact)*
- Vapor Mitigation (226)
- Maintain Liability Exemption (230)
- (note: local government unit or economic development corporation was directed to take a response action)*

Monitoring Wells:

Are all monitoring wells properly abandoned per NR 141? (234)

- Yes
- No
- N/A

\* Residual Contaminant Level  
\*\*Site Specific Residual Contaminant Level



State of Wisconsin  
Department of Natural Resources  
http://dnr.wi.gov

**GIS Registry Checklist**  
Form 4400-245 (R 2/09) Page 1 of 2

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 #: 02-41-305527 PARCEL ID #: 631-9986-013

ACTIVITY NAME: Parcel #9 Former Towne Realty Property WTM COORDINATES: X: 694225 Y: 278370

**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 #: NA Title: Former Towne Realty Property Parcel #9 C.S.M. No. 5799**
- 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 & 2A Title: Site Layout Map & Soil Boring and Monitoring Well Locations**
  - 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 #: 3 & 4 Title: Summary of Soil Sample Analytical Results**

BRRTS #: 02-41-305527

ACTIVITY NAME: Parcel #9 Former Towne Realty Property

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

**Figure #: 7 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 #: 5 Title: Summary of Groundwater Analytical Results**

- 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 #: 9 Title: Approximate Direction of Groundwater Movement (8/20/01)**

**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 Title: Summary of Soil Sample Analytical Results**

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

**Table #: 2 Title: Summary of Groundwater Analytical Results**

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

**Table #: 3 Title: Summary of Groundwater Depths and 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 #: 02-41-305527

ACTIVITY NAME: Parcel #9 Former Towne Realty Property

**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: 1**

- 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: 0**

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

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

BRRTS #:

ACTIVITY NAME:

ID	Off-Source Property Address	Parcel Number	WTM X	WTM Y
A	<input type="text" value="3401 East Barnard Avenue, Cudahy, WI 53110"/>	<input type="text" value="631-9986-014"/>	<input type="text" value="694213"/>	<input type="text" value="278298"/>
B	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
C	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
D	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
E	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
F	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
G	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
H	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
I	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Matthew J. Frank, Secretary  
Gloria L. McCutcheon, Regional Director

Southeast Region Headquarters  
2300 N. Dr. Martin Luther King, Jr. Drive  
Milwaukee, Wisconsin 53212-3128  
FAX 414-263-8606  
Telephone 414-263-8500  
TTY Access via relay - 711

July 30, 2010

In Reply Refer To: FID# 341047410  
County of Milwaukee  
BRRTS# 02-41-305527

Ms. Mary Jo Lange  
Community Development Authority, City of Cudahy  
5050 S Lake Drive  
Cudahy, WI 53110

Subject: Final Case Closure with Continuing Obligations,  
Parcel #9 – Former Towne Realty Property, 3405 E Layton Ave, Cudahy, WI

Dear Ms. Lange:

On June 30, 2010 the Wisconsin Department of Natural Resources (WDNR) reviewed your request for closure of the case described above. The WDNR reviews environmental remediation cases for compliance with state rules and statutes to maintain consistency in the closure of these cases.

Based on the correspondence and data provided, it appears that your case meets the closure requirements in ch. NR 726, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation is required at this time, however, you and future property owners must comply with certain continuing obligations as explained in this letter.

### 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 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 and Cover or Barrier

Pursuant to s. 292.12(2)(a), Wis. Stats., the barrier (consisting of pavement and a grass-covered clay cap) that currently exists in the location shown on the attached map (**Exhibit A**) shall be maintained in compliance with the attached cap maintenance plan (**CMP**) in order to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health. If any contaminated soil 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 cap maintenance plan and inspection log are to be kept up-to-date.

### Prohibited Activities

The following activities are prohibited on any portion of the property where a barrier is required as shown on the attached map (**Exhibit A**), 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.

### Historic Fill Site

Due to the presence of fill on the site, before any future construction may be conducted, a "Development on a Historic Fill Site or Licensed Landfill Exemption" must be obtained.

### Chapter NR 140, Wis. Adm. Code Exemption

Recent groundwater monitoring data at this site indicates that at MW9-01, MW9-06, and MW9-07, contaminant levels exceed the NR 140 preventive action limit (PAL) but are below the enforcement standard (ES), for one or more of the following compounds: arsenic, lead, benzo(a)pyrene, benzo(b)fluoranthene and chrysene. The Department may grant an exemption

to a PAL for a substance of public health concern, other than nitrate, pursuant to s. NR 140.28(2)(b), Wis. Adm. Code, if all of the following criteria are met:

1. The measured or anticipated increase in the concentration of the substance will be minimized to the extent technically and economically feasible.
2. Compliance with the PAL is either not technically or economically feasible.
3. The enforcement standard for the substance will not be attained or exceeded at the point of standards application. [Note: at this site the point of standards application is all points where groundwater is monitored.]
4. Any existing or projected increase in the concentration of the substance above the background concentration does not present a threat to public health or welfare.

Based on the information you provided, the Department believes that these criteria have been or will be met. Therefore, pursuant to s. NR 140.28, Wis. Adm. Code, an exemption to the PAL is granted for arsenic, lead, benzo(a)pyrene, benzo(b)fluoranthene and chrysene at MW9-01, MW9-06, and MW9-07. Please keep this letter, because it serves as your exemption.

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 Andy Boettcher at (414) 263-8541.

Sincerely,



James A Schmidt  
SER Remediation & Redevelopment Team Supervisor

Encl: Cap Maintenance Plan

cc: Dan Pelczar, HNTB Corp, 11414 W Park Place, Suite 300, Milwaukee, WI 53224  
Case File

# CAP MAINTENANCE PLAN

June 8, 2010

Property identified as  
Former Towne Realty Property (Parcel #9)  
3405 East Layton Avenue  
Cudahy, Wisconsin 53110

BRRTS # 02-41-305527

County Tax Number 631-9986-013

**LEGAL DESCRIPTION:** Part of Parcel 1 of Certified Survey Map (CSM) No. 5799, being a part of the North East ¼ of North West ¼ of the North West ¼ of Section 26, Township 6 North, Range 22 East, in the City of Cudahy, County of Milwaukee, State of Wisconsin, Recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin on January 27, 1993, in Reel 2957, Images 443 to 446 inclusive, as Document 6722165.

Excepting the following (East Barnard Avenue right of way and Parcel #631-9986-14 (formerly part of Towne Realty Property, Parcel #9, but ownership transferred to Patrick Cudahy, Inc.):

Beginning at the Southeast corner of Parcel 1 of said C.S.M. No. 5799; thence North 21°14'19" East, 179.81 feet along the East line of said Parcel 1; thence South 88°10'19" West, 232.98 feet to the Westerly line of said Parcel 1; thence South 01°25'12" East, 38.24 feet along said Westerly line; thence South 88°10'19" West, 17.00 feet along said Westerly line; thence South 01°25'12" East, 43.00 feet along said Westerly line; thence South 88°10'19" West, 1.20 feet along said Westerly line; thence South 25°07'36" West, 29.93 feet along said Westerly line; thence South 01°25'12" East, 40.80 feet along said Westerly line; thence South 20°50'49" East, 17.68 feet along said West line to the South line of said Parcel 1; thence North 88°10'19" East, 189.40 feet along said South line to the point of beginning.

\*\*\*\*\*

## Introduction

The purpose of this document is to present a Maintenance Plan for the engineered caps at the above-referenced property per the requirements of NR 724.13(2) of the Wisconsin Administrative Code. The maintenance activities relate to the clay cap and parking area cap occupying the area over the contaminated soil on-site. The contaminated soil is impacted by arsenic and lead that exceed the NR 720 industrial direct contact Generic Residual Contaminant Levels (GRCLs) and several Polycyclic Aromatic Hydrocarbon (PAH) compounds (benzo(a)pyrene, benzo(b)fluoranthene, benzo(a)anthracene and dibenzo(a,h)anthracene) that

exceed the WDNR Interim Guidance GRCLs for the direct contact exposure pathway. Two PAH compounds (naphthalene and phenanthrene) exceeded the WDNR Interim Guidance GRCLs for the protection to groundwater pathway and at one location benzene exceeded the NR 720 GRCL Table 1 value for the protection of groundwater pathway. No NR 140 Enforcement Standards (ES) were exceeded in groundwater samples collected at the site; however, a NR 140 Preventative Action Limit (PAL) exemption is being pursued. The location of the clay cap and parking area cap to be maintained in accordance with this Maintenance Plan are identified in the attached map (Exhibit A).

#### Engineered Cap Purpose

The clay cap and parking area cap installed over the contaminated soil will serve as a barrier to prevent direct human contact with residual soil contamination that might otherwise pose a threat to human health. The clay capped and parking area capped areas will also act as an infiltration barrier to inhibit and prevent future soil-to-groundwater contamination migration that would violate the standards of NR 140 of the Wisconsin Administrative Code. Based on the current and future use of the property, the barrier should function as intended unless disturbed.

#### Annual Inspection

The clay cap and parking area cap overlying the contaminated soil is depicted in Exhibit A, will be inspected once a year for cracks and other potential exposures to underlying soils. The inspections will be performed to evaluate damage to the capped areas due to exposure to the weather, wear from traffic, increasing age 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 B, *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.

#### 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. 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. Appropriate notification of the Wisconsin Department of Natural Resources ("WDNR") or its successor would be required.

In the event the clay cap and parking area cap overlying the contaminated soil are removed or replaced, the replacement barrier must be equally impervious, with an infiltration rate equal to or less than  $1 \times 10^{-7}$  cm/s. 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 cap and parking area cap, will maintain a copy of this Maintenance Plan at the City of Cudahy, Community Development

Authority, 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.

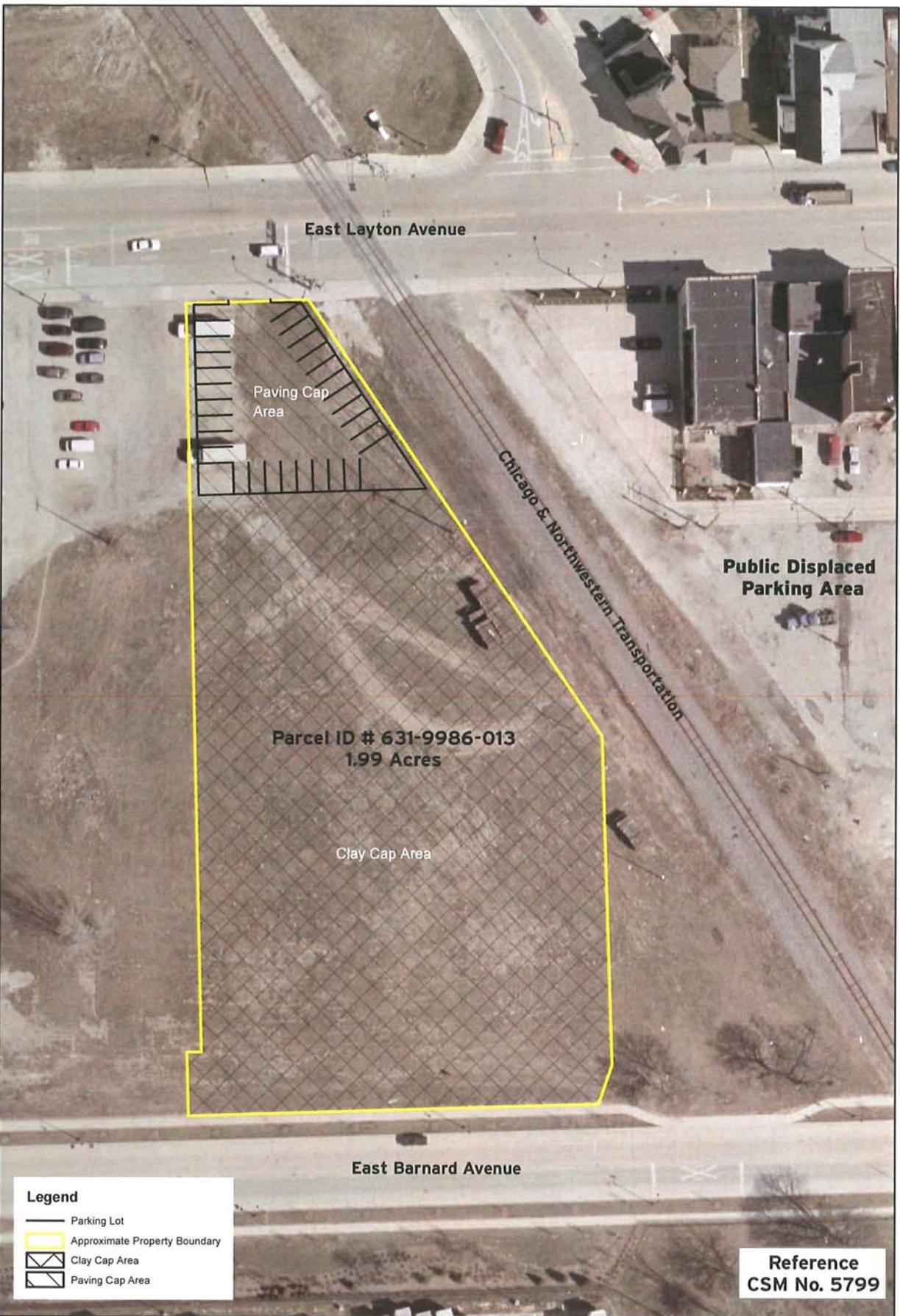
Contact Information  
(as of June 8, 2010)

Site Owner and Operator: City of Cudahy  
Community Development Authority  
5050 South Lake Drive  
Cudahy, WI 53110  
Attn. Ms. Mary Jo Lange, P.E.  
Director of Public Works  
(414) 769-2204

Consultant: HNTB Corporation  
Attn: Mr. Daniel Pelczar  
11414 W. Park Place, Suite 300  
Milwaukee, WI 53224  
(414) 359-2300

WDNR: Mr. Andrew Boettcher  
Wisconsin Department of Natural Resources  
2300 North Martin Luther King Jr. Drive  
Milwaukee, WI 53212  
(414) 263-8541

---



**Legend**

- Parking Lot
- Approximate Property Boundary
- Clay Cap Area
- Paving Cap Area

**Reference**  
CSM No. 5799

<p>SCALE 1"=50'</p>		
DRN. BY: JAR	PLOT DATE: 05/27/2008	
DSN. BY: DKP	JOB NO.: 30913	
CHK. BY: DKP	DWG NO.: 2	
REV. BY:	SHEET NO.: 1	

**Exhibit A**  
Location of Engineered Barriers

Former Towne Reality Property  
3405 East Layton Avenue  
Cudahy, Wisconsin

**HNTB** Corporation  
The HNTB Companies  
Architects Engineers Planners

11414 West Park Place  
Suite 300  
Milwaukee, WI 53224  
(414) 359-2300  
www.hntb.com



WARRANTY DEED  
STATE OF WISCONSIN - FORM 2

8180697

DOCUMENT NO.

REGISTER'S OFFICE | SS  
Milwaukee County, WI

RECORDED AT 12:37 PM

12-06-2001

WALTER R. BARCZAK  
REGISTER OF DEEDS

This indenture, Made this 4<sup>th</sup> day of DECEMBER, A.D., 2001,  
between The Community Development Authority of the City of  
Cudahy, a Corporation duly organized  
and existing under and by virtue of the laws of the State of Wisconsin, located at  
5050 South Lake Drive, Cudahy, Wisconsin, party of the first part, and  
Patrick Cudahy Incorporated

part y of the second part.  
Witnesseth, That the said party of the first part, for and in consideration of the sum of  
Good and Valuable Consideration  
to it paid by the said part y of the second part, the receipt whereof is  
herely confessed and acknowledged, has given, granted, bargained, sold, remised,  
released, aliened, conveyed and confirmed, and by these presents does give, grant,  
bargain, sell, remise, alien, convey and confirm unto the said party  
of the second part, its heirs and assigns  
forever, the following described real estate, situated in the County of  
Milwaukee State of Wisconsin, to-wit:

W45  
AMOUNT 15.00  
pt of 631-9986-010

THIS SPACE RESERVED FOR RECORDING DATA  
NAME AND RETURN ADDRESS

HNTB Corporation  
c/o Kenneth C. Suhr  
11414 West Pakk Place  
Suite 300  
Milwaukee, WI 53224

Part of 631-9986-010  
PARCEL IDENTIFICATION NUMBER

Legal Description is attached as Exhibit A and made a part thereof  
Fee s. 77.25(2) Exempt

**NAME CHANGE**

NOW 631-9986-013  
631-7986-014

(IF NECESSARY, CONTINUE DESCRIPTION ON REVERSE SIDE)

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 y of the second part, and to its heirs and assigns FOREVER.

And the said Community Development Authority of the City of Cudahy party of the first part, for itself and its successors, does covenant, grant, bargain and agree to and with the said party y of the second part, its 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 y of the second part, its 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 Community Development Authority of the City of Cudahy party of the first part, has caused these presents to be signed by RAYMOND S. GLOWACKI its President, and countersigned by XXXXXXXXXXXXXXXXXXXXXXXXXXXX its Secretary, at MAYOR CUDAHY, Wisconsin, and its corporate seal to be hereunto affixed this 4<sup>th</sup> day of DECEMBER, A.D., 2001.

SIGNED AND SEALED IN PRESENCE OF

The Community Development  
Authority of the City of Cudahy  
Raymond S. Glowacki Corporation Name  
RAYMOND S. GLOWACKI President

COUNTERSIGNED: \_\_\_\_\_  
Secretary

State of Wisconsin, }  
Milwaukee County, } ss.  
Personally came before me this 4<sup>th</sup> day of December, A.D., 2001,  
Raymond S. Glowacki, President, and Mayor, 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.

THIS INSTRUMENT WAS DRAFTED BY  
HNTB CORPORATION  
Kenneth C. Suhr



Eunice M. Girard  
Notary Public, Milwaukee County, Wis.  
My commission (expires) (is) June 27, 2004

Cudahy Downtown Redevelopment Parcel 9  
(Section 59.61 (1) of the Wisconsin Statutes provides that all instruments to be recorded shall have plainly printed or typewritten thereon the names of the grantors, grantees, witnesses and notary. Section 59.613 similarly requires that the name of the person who, or governmental agency which, drafted such instrument, shall be printed, typewritten, stamped or written thereon in a legible manner.)  
WARRANTY DEED - By Corporation STATE OF WISCONSIN Form No. 2 Wisconsin Legal Bank Co., Inc. Milwaukee, Wis.

REEL 5216  
PAGE 1539

3

LEGAL DESCRIPTION  
EXHIBIT A - PAGE 1 OF 2

That part of Parcel 1 of Certified Survey Map No. 5799, being a division of a part of the North East 1/4 and the North West 1/4 of the North West 1/4 of Section 26, Township 6 North, Range 22 East, in the City of Cudahy, County of Milwaukee, State of Wisconsin, recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin on January 27, 1993 in Reel 2957, Images 443-446 inclusive, as Document No. 6722165, described as follows:

Beginning at the Southeast corner of Parcel 1 of said Certified Survey Map No. 5799; thence North 21°14'19" East, 179.81 feet along the East line of said Parcel 1; thence South 88°10'19" West, 232.98 feet to the Westerly line of said Parcel 1; thence South 01°25'12" East, 38.24 feet along said Westerly line; thence South 88°10'19" West, 17.00 feet along said Westerly line; thence South 01°25'12" East, 43.00 feet along said Westerly line; thence South 88°10'19" West, 1.20 feet along said Westerly line; thence South 25°07'36" West, 29.93 feet along said Westerly line; thence South 01°25'12" East, 40.80 feet along said Westerly line; thence South 20°50'49" East, 17.68 feet along said West line to the South line of said Parcel 1; thence North 88°10'19" East, 189.40 feet along said South line to the point of beginning. Excepting therefrom the North 70 feet.

Reserving therefrom the following **Permanent Limited Easement** for the right to construct and maintain a drainage facility, including for such purpose the right to operate the necessary equipment thereon and the right of ingress and egress as long as required for such public purpose, including the right to preserve, protect, remove or plant thereon any vegetation that the City of Cudahy may deem necessary or desirable, but without prejudice to the owner's right to make or construct improvements on said lands or to flatten the slopes, providing said activities will not impair or otherwise adversely affect the facility within the easement, in and to the following described lands:

A 15 foot strip of land whose centerline is described as follows: commencing at the Southwest corner of Parcel 1 of Certified Survey Map No. 5799; thence North 20°50'49" West, 17.68 feet along the West line of said Parcel 1; thence North 01°25'12" West, 2.54 feet to the point of beginning; thence North 88°10'19" East, 102.47 feet; thence South 75°58'06" East, 64.5 feet to the South line of said Parcel 1 and to the point of ending.

REEL 5216  
PAGE 1540

EXHIBIT A - PAGE 2 OF 2

The City of Cudahy shall be solely responsible for and shall pay as and when due all costs associated with the installation, operation, maintenance, repair and replacement of any drainage facilities or landscaping within the Easement, and shall pay all costs relating to the installation of same without special assessments against the owner of the dominant estate. The City of Cudahy shall hold the owner of the dominant estate and its shareholders, directors, officers, employees, agents, successors and assigns harmless from and shall indemnify them against any loss, liability, damage or expense, including reasonable attorneys' fees, arising out of or in any way related to any third party claims or causes of action for bodily injury or property damage arising out of or in any way connected to its agents', contractors', employees', tenants' or invitees' use of the Easement areas, unless caused by the willful misconduct of the dominant estate or its shareholders, directors, officers, employees or agents.

REEL 5216

Also a **Temporary Limited Easement** for the right to grade slopes, including for such purposes the right to operate the necessary equipment thereon and the right of ingress and egress as long as required for such public purposes, including the right to preserve, protect, remove or plant thereon any vegetation that the City of Cudahy may deem necessary or desirable, but without prejudice to the owner's right to make or construct improvements on said lands or to flatten the slopes, providing said activities will not impair or otherwise adversely affect the highway facilities within the right of way, in and to the following tract of land in Milwaukee County, State of Wisconsin, bounded and described as follows:

PHASE 1541

The northerly 10 feet of the above described property.

The above easement shall terminate upon the completion of this project or on the day the highway is open to the traveling public, but in no event later than December 31, 2002, whichever is earlier.



**GIS REGISTRY CHECKLIST**

SOURCE LEGAL DOCUMENTS- Signed Statement by Responsible Party regarding Legal Description

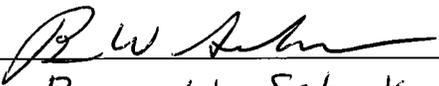
The following legal description accurately describes the contaminated property that is to be included on WDNR's GIS Registry:

**LEGAL DESCRIPTION:** Parcel 1 of C.S.M. No. 5799, being a division of a part of the North East 1/4 and the North West 1/4 of the North West 1/4 of Section 26, Township 6 North, Range 22 East, in the City of Cudahy, County of Milwaukee, State of Wisconsin.

Excepting the following (East Barnard Avenue right of way and Parcel #631-9986-14 (formerly part of Towne Realty Property, Parcel #9, but ownership transferred to Patrick Cudahy Co.):

Beginning at the Southeast corner of Parcel 1 of said C.S.M. No. 5799; thence North 21°14'19" East, 179.81 feet along the East line of said Parcel 1; thence South 88°10'19" West, 232.98 feet to the Westerly line of said Parcel 1; thence South 01°25'12" East, 38.24 feet along said Westerly line; thence South 88°10'19" West, 17.00 feet along said Westerly line; thence South 01°25'12" East, 43.00 feet along said Westerly line; thence South 88°10'19" West, 1.20 feet along said Westerly line; thence South 25°07'36" West, 29.93 feet along said Westerly line; thence South 01°25'12" East, 40.80 feet along said Westerly line; thence South 20°50'49" East, 17.68 feet along said West line to the South line of said Parcel 1; thence North 88°10'19" East, 189.40 feet along said South line to the point of beginning.

County Parcel No. 631-9986-013

Name   
Bruce W Schoknecht

Title Executive Director

Date 1-19-10



# ASSESSOR'S OFFICE - OPEN RECORDS

Phone: (414) 769-2207

Home Property Search Tax Bill Information

## PROPERTY INFORMATION

Information considered accurate, but not guaranteed.

### NAME AND ADDRESS

CDA of the City of Cudahy  
5050 S Lake Dr

Cudahy, WI 53110

Parcel Number 6319986013

Property Address 3405 E Layton Ave

Parcel Type Exempt Real Estate

### IMAGE



[CLICK TO ENLARGE 30K](#)

### 2009 ASSESSED VALUE

Class	Land	Improvement	Total
X1-Exempt Municipal	0	0	0
Totals	0	0	0

### LEGAL DESCRIPTION

CSM #5799 NW 1/4 OF SEC 26-6-22 PARCEL NO 1 EXC PT COM AT SE COR SD PAR TH NELY  
179.81 FT W 232.98 FT S 38.24 FT W 17 FT S 43 FT W 1.2 FT SWLY 29.93 FT S 40.80 FT SELY  
17.68 FT TH E 189.40 FT TO BEG EXC N 70 FT THEREOF

### OWNERSHIP HISTORY

Owner	Date	Amount	Conveyance	Vol.	Page	Sale Type
-------	------	--------	------------	------	------	-----------

### PERMITS

Date	Number	Amount	Purpose	Note
------	--------	--------	---------	------

Total Hits: 25,896

Hits Today: 26

**GIS REGISTRY CHECKLIST**

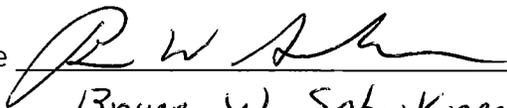
SOURCE LEGAL DOCUMENTS- Signed Statement by Responsible Party regarding Legal Description

The following legal description accurately describes the contaminated property that is to be included on WDNR's GIS Registry:

**LEGAL DESCRIPTION:** Beginning at the Southeast corner of Parcel 1 of said C.S.M. No. 5799; thence North 21°14'19" East, 179.81 feet along the East line of said Parcel 1; thence South 88°10'19" West, 232.98 feet to the Westerly line of said Parcel 1; thence South 01°25'12" East, 38.24 feet along said Westerly line; thence South 88°10'19" West, 17.00 feet along said Westerly line; thence South 01°25'12" East, 43.00 feet along said Westerly line; thence South 88°10'19" West, 1.20 feet along said Westerly line; thence South 25°07'36" West, 29.93 feet along said Westerly line; thence South 01°25'12" East, 40.80 feet along said Westerly line; thence South 20°50'49" East, 17.68 feet along said West line to the South line of said Parcel 1; thence North 88°10'19" East, 189.40 feet along said South line to the point of beginning. Excepting therefrom the North 70 feet.

County Parcel No. 631-9986-014

Name

  
Bruce W Schuknecht

Title

Executive Director

Date

1-19-10



# ASSESSOR'S OFFICE - OPEN RECORDS

Phone: (414) 769-2207

Home Property Search Tax Bill Information

## PROPERTY INFORMATION

Information considered accurate, but not guaranteed.

### NAME AND ADDRESS

Patrick Cudahy Inc  
10 Tenth St STE 1400

Alanta, GA 30309

Parcel Number 6319986014

Property Address 3401 E Barnard Ave

Parcel Type Manufacturing

### IMAGE



[CLICK TO ENLARGE 30K](#)

### 2009 ASSESSED VALUE

Class	Land	Improvement	Total
C-Manufacturing	49,000	0	49,000
Totals	49,000	0	49,000

### LEGAL DESCRIPTION

CSM #5799 NW 1/4 OF SEC 26-6-22 PARCEL NO 1 COM AT SE COR SD PAR TH NELY 179.81 FT W 232.98 FT S 38.24 FT W 17 FT S 43 FT W 1.2 FT SWLY 29.93 FT S 40.80 FT SELY 17.68 FT TH E 189.40 FT TO BEG EXC N 70 FT THEREOF

### OWNERSHIP HISTORY

Owner	Date	Amount	Conveyance	Vol.	Page	Sale Type
Patrick Cudahy Inc	12/6/2001	23,400	Deed By Governmental Agency	0000	0000	Land

### PERMITS

Date	Number	Amount	Purpose	Note
------	--------	--------	---------	------

Total Hits: 25,894  
Hits Today: 24

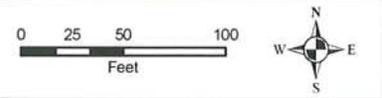




**Legend**

- Parking Lot
- Approximate Property Boundary
- Clay Cap Area
- Paving Cap Area

**Reference**  
CSM No. 5799



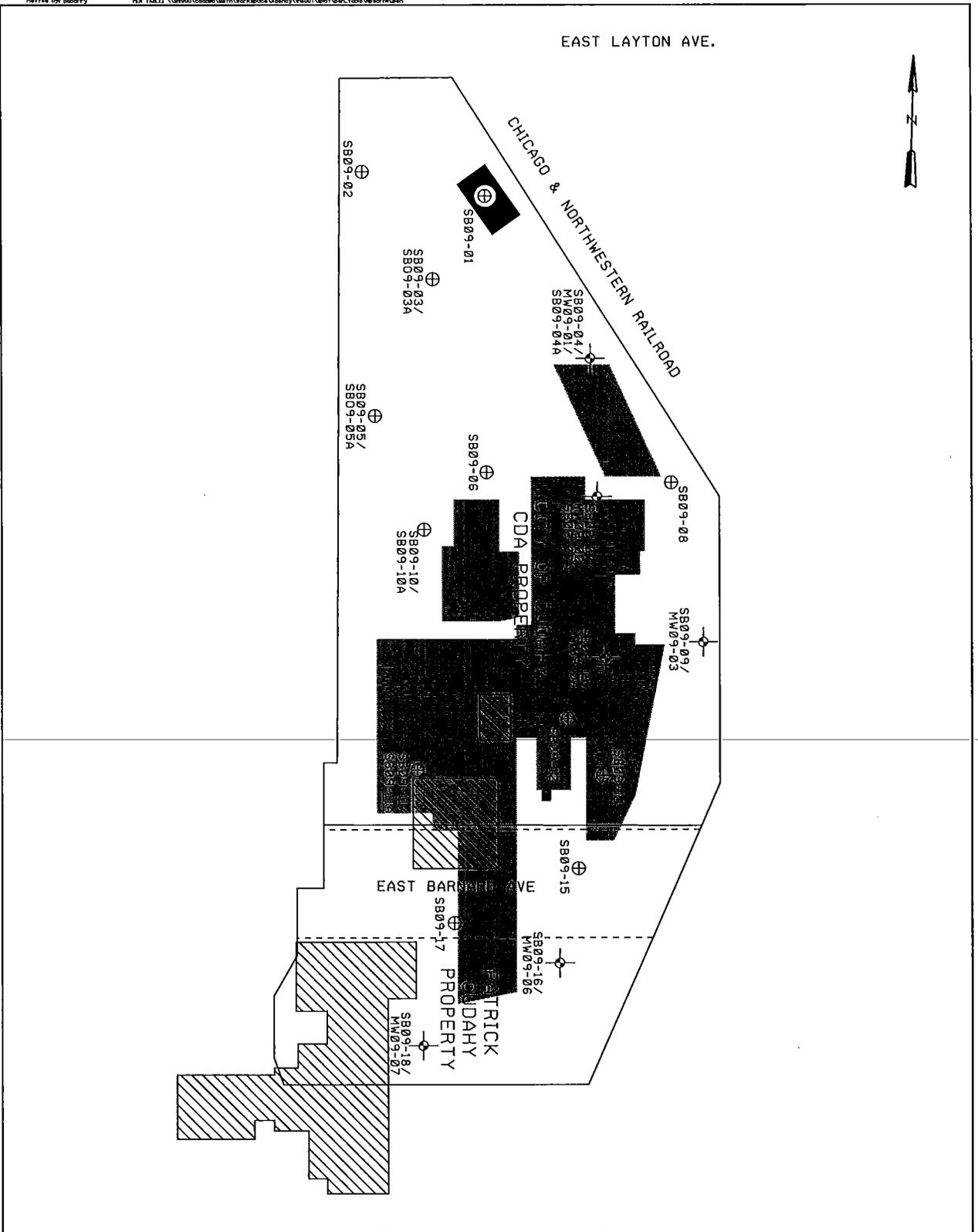
**Figure 2**  
Site Layout Map

Former Towne Reality Property  
3405 East Layton Avenue  
Cudahy, Wisconsin



HNTB Corporation  
The HNTB Companies  
Architects Engineers Planners  
11414 West Park Place  
Suite 300  
Milwaukee, WI 53224  
(414) 359-2300  
www.hntb.com

DRN. BY:	JAR	PLOT DATE:	05/27/2008
DSN. BY:	DKP	JOB NO.:	30913
CHK. BY:	DKP	DWG NO.:	2
REV. BY:		SHEET NO.:	1

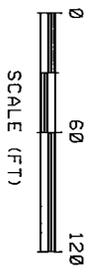


**LEGEND**

-  MONITORING WELL
-  SOIL BORING LOCATION
-  RIGHT OF WAY FOR EAST BARNARD AVE

**FORMER BUILDINGS**

-  COMMERCIAL PROPERTY (1965 SANBORN)
-  FEDERAL RUBBER CO. (1910 SANBORN)
-  STODDARD QUIRK MFG. CO. (1965 SANBORN)



**HNTB**  
 CITY OF CUDAHY  
 DOWNTOWN REDEVELOPMENT

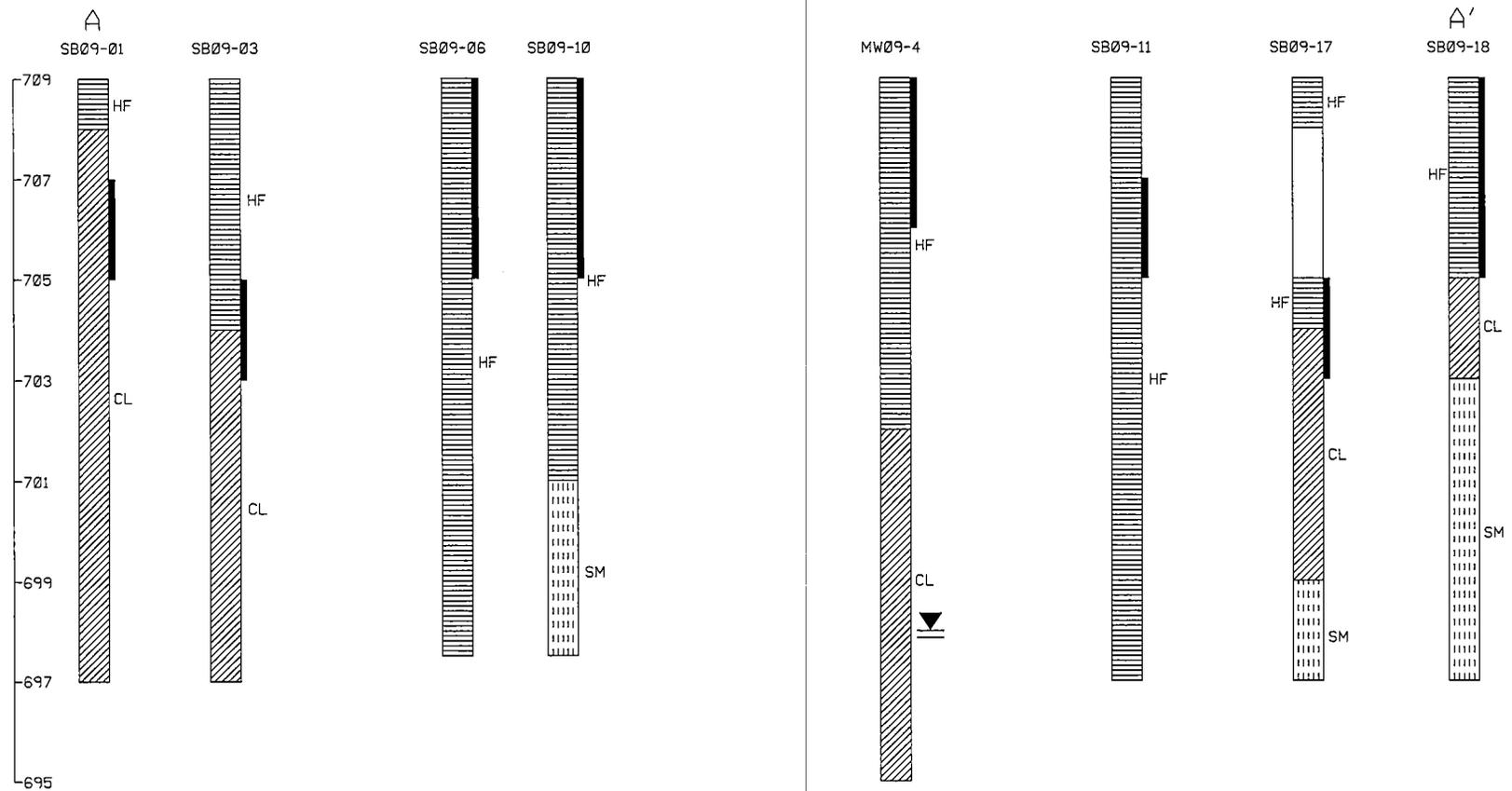
FIGURE 2A -- PARCEL 9  
 SOIL BORING AND  
 MONITORING WELL  
 LOCATIONS

DRAWN BY: \_\_\_\_\_ ONE INCH  
 CHECKED BY: \_\_\_\_\_ AT FULL SCALE  
 DESIGNED BY: \_\_\_\_\_

SHEET NO.







HF = NON-INDIGENOUS FILL MATERIAL

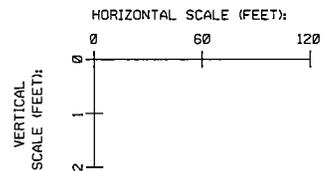
SM = SILTY SANDS, SANDY-SILT MIXTURES

CL = INORGANIC CLAYS OF MEDIUM TO LOW PLASTICITY; INCLUDING GRAVELLY CLAYS, SANDY CLAYS, SILTY CLAYS, & LEAN CLAYS.

**LEGEND**

SOIL SAMPLE INTERVAL

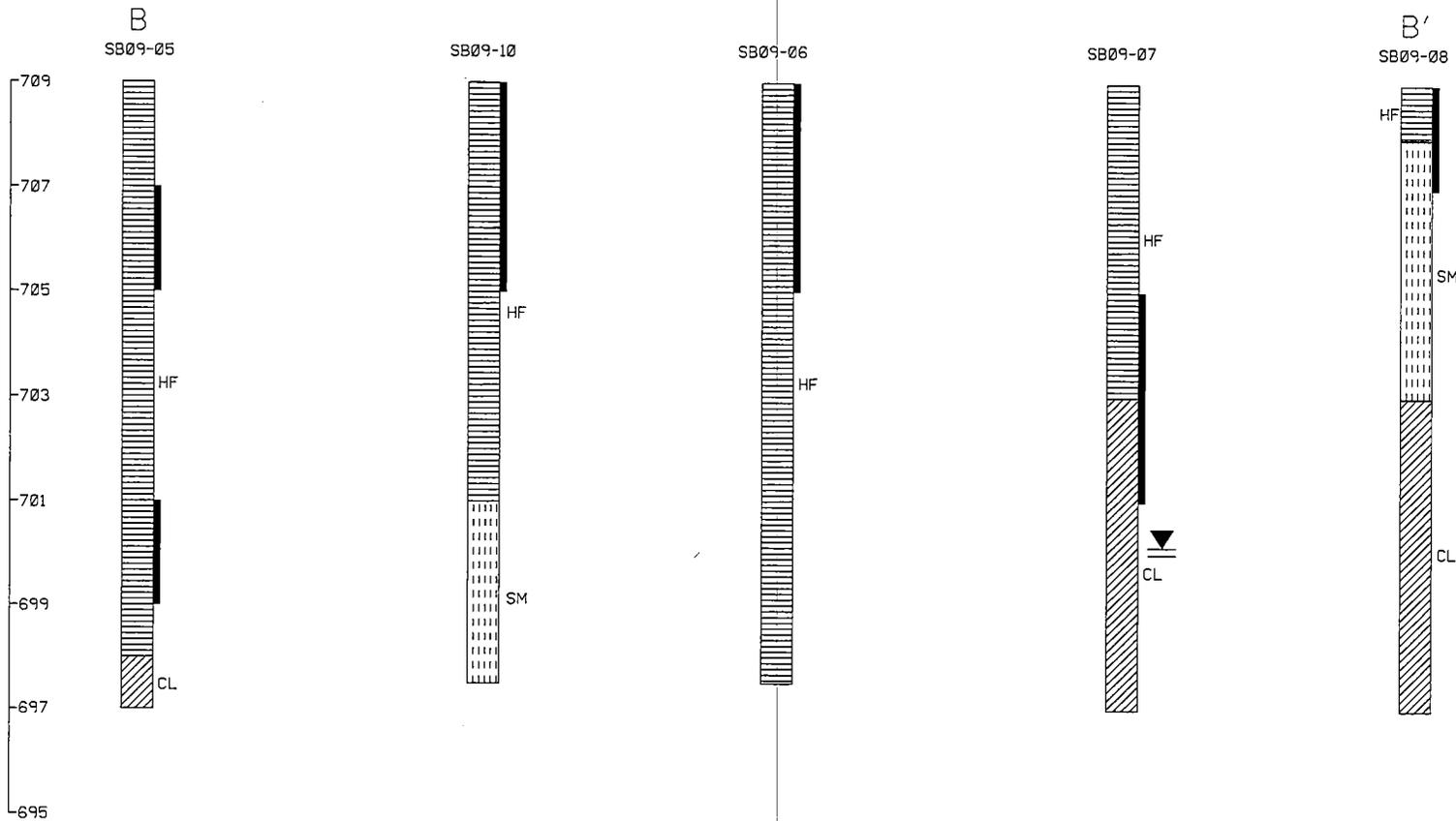
DEPTH TO WATER IN MONITORING WELL (8/20/01)



**HNTB**

CITY OF CUDAHY  
DOWNTOWN REDEVELOPMENT

FIGURE 6 - PARCEL 9  
GEOLOGIC CROSS  
SECTION A - A'



**LEGEND**

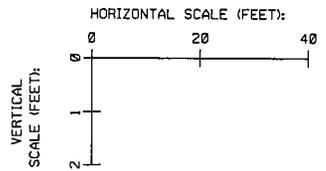
 HF = NON-INDIGENOUS FILL MATERIAL

 SM = SILTY SANDS, SANDY-SILT MIXTURES

 SOIL SAMPLE INTERVAL

 DEPTH TO WATER IN MONITORING WELL (8/20/01)

 CL = INORGANIC CLAYS OF MEDIUM TO LOW PLASTICITY; INCLUDING GRAVELLY CLAYS, SANDY CLAYS, SILTY CLAYS, & LEAN CLAYS.



CITY OF CUDAHY  
DOWNTOWN REDEVELOPMENT

FIGURE 7 - PARCEL 9  
GEOLOGIC CROSS  
SECTION B - B'





Table 1

Summary of Soil Sample Analytical Results

Former Towne Realty Property, Parcel #9  
3405 East Layton Avenue, Cudahy, WI

Sample ID	SB09-01	SB09-02	SB09-03		SB09-03A	SB09-04	SB09-04A	SB09-05		SB09-05A	SB09-06	SB09-07	SB09-07A	SB09-08	Regulatory Standards		
Date Collected	03/27/01	3/27/2001	3/27/2001	3/27/2001	4/25/2001	3/27/2001	4/24/2001	3/27/2001	3/27/2001	4/25/2001	3/27/2001	3/27/2001	4/24/2001	3/27/2001			
Depth Collected (feet bgs)	2-4	2-4	4-6	6-8	4-6	2-4	2-4	2-4	8-10	2-4	0-4	4-8	4-6	0-2			
PID (i.u.)	0	0	0	0	---	0	---	0	0	---	0	0	---	0			
Metals (mg/kg)															WDNR NR 720 GRCLs		
Arsenic	7.8	8.8	6.1	---	---	12	---	3.0	1.3 A	---	4.2	22	---	10	NonIndustrial	Industrial	---
Barium	75	140	69	---	---	61	---	120	78	---	44	160	---	63	0.039	1.6	---
Cadmium	0.41	0.3	0.23 Q	---	---	0.22 Q	---	0.38	0.075 Q	---	0.2 Q	1.9	---	0.53	---	---	---
Chromium	22	41	30	---	---	80	---	14	12	---	42	27	---	29	8	510	---
Lead	12	17	11	---	---	53	---	36	2.9	---	60	76	---	21	14 / 16,000*	200 / ---*	---
Selenium	0.92	0.64 Q	0.85	---	---	0.66 Q	---	1.2	0.99	---	0.87	2.6	---	0.5 Q	50	500	---
Silver	<0.079	<0.082	<0.078	---	---	<0.078	---	<0.074	<0.074	---	<0.071	<0.076	---	<0.074	---	---	---
Mercury	0.015	0.05	0.02	---	---	0.047	---	0.027	<0.0031	---	0.025	0.025	---	0.051	---	---	---
DRO (mg/kg)	---	---	---	---	<4.4	---	66	---	---	1,300	---	---	130	---	---	---	100/250
PAHs (ug/kg)															WDNR Interim Guidance GRCLs		
Acenaphthene	<17	<18	---	<17	---	---	22 Q	91 Q	<32	---	24 Q	<16	---	<16	NonIndustrial	Industrial	Groundwater
Acenaphthylene	<23	<24	---	<23	---	---	29 Q	110 Q	<44	---	27 Q	<22	---	<21	900,000	60,000,000	38,000
Anthracene	<13	<14	---	<13	---	---	81	650	30 Q	---	190	23 Q	---	<12	18,000	360,000	700
Benzo(a)anthracene	<17	<18	---	<17	---	---	280	2,200	51 Q	---	790	62	---	<12	5,000,000	300,000,000	3,000,000
Benzo(a)pyrene	<19	<20	---	<19	---	---	310	2,400	46 Q	---	860	71	---	22 Q	88	3,900	17,000
Benzo(b)fluoranthene	<16	<16	---	<15	---	---	330	1,700	38 Q	---	780	41 Q	---	23 Q	8.8	390	48,000
Benzo(g,h,i)perylene	<21	<22	---	<20	---	---	190	880	<39	---	580	43 Q	---	17 Q	88	3,900	360,000
Benzo(k)fluoranthene	<16	<16	---	<15	---	---	250	3100	43 Q	---	810	93	---	<19	1,800	39,000	6,800,000
Chrysene	<17	<18	---	<17	---	---	310	2,200	48 Q	---	810	86	---	38 Q	880	39,000	870,000
Dibenzo(a,h)anthracene	<19	<20	---	<19	---	---	59 Q	490	<37	---	110	<19	---	30 Q	8,800	390,000	37,000
Fluoranthene	<18	<19	---	<18	---	---	380	3,700	76 Q	---	1,400	150	---	<18	8.8	390	38,000
Fluorene	<12	<13	---	<12	---	---	20 Q	120 Q	<23	---	29 Q	<12	---	43 Q	600,000	40,000,000	500,000
Indeno(1,2,3)cd-pyrene	<19	<20	---	<19	---	---	210	840	<37	---	430	26 Q	---	<11	600,000	40,000,000	100,000
1-Methylnaphthalene	<17	<18	---	<17	---	---	320	<79	72 Q	---	24 Q	<16	---	<18	88	3,900	680,000
2-Methylnaphthalene	<16	<16	---	<15	---	---	400	<74	65 Q	---	33 Q	<15	---	<16	1,100,000	70,000,000	23,000
Naphthalene	<17	<18	---	<17	---	---	230	<79	<32	---	26 Q	<16	---	<15	600,000	40,000,000	20,000
Phenanthrene	<17	<18	---	<17	---	---	520	1,500	260	---	610	93	---	<16	20,000	110,000	400
Pyrene	<16	<16	---	<15	---	---	460	3,400	70 Q	---	1,200	140	---	42 Q	18,000	390,000	1,800

Notes:

- = not analyzed, no standards or not applicable
- \* = NR 720 GRCLs for (hexavalent / trivalent chromium)
- A = Analyte was detected in the method blank
- bgs = Below ground surface
- Bold and boxed values exceed the NR 720 Table 2 industrial GRCLs or the WDNR Interim Guidance industrial GRCLs for the direct contact exposure pathway
- Bold and italic values exceed the WDNR Interim Guidance GRCLs based on the protection of groundwater
- Bold values exceed the NR 720 Table 2 nonindustrial GRCLs or the WDNR Interim Guidance nonindustrial GRCLs for the direct contact exposure pathway
- DRO = Diesel Range Organics
- GRCL = Generic Residual Contaminant Level
- i.u. = instrument units
- mg/kg = milligrams per kilogram
- PID = Photoionization Detector
- Q = Analyte detected at a concentration between the method detection limit and level of quantification
- ug/kg = micrograms per kilogram
- WDNR = Wisconsin Department of Natural Resources

Table 1

Summary of Soil Sample Analytical Results  
Former Towne Realty Property, Parcel #9  
3405 East Layton Avenue, Cudahy, WI

Sample ID	SB09-09	SB09-10	SB09-10A	SB09-11A		SB09-12	SB09-13	SB09-14	SB09-15		SB09-16		SB09-17	SB09-18	Regulatory Standards		
Date Collected	03/27/01	3/27/2001	4/25/2001	4/25/2001	4/25/2001	3/28/2001	3/28/2001	3/28/2001	3/28/2001	3/28/2001	3/28/2001	3/28/2001	3/28/2001	3/28/2001			
Depth Collected (feet bgs)	4-8	0-4	2-4	2-4	4-6	4-8	0-3	0-3	0-4	6-8	4-6	6-8	4-6	0-4			
PID (i.u.)	0	0	---	0	0	0	0	0	0	0	0	0	0	0			
Metals (mg/kg)																	
Arsenic	5.5	6.2	---	4.0	---	3.0	4.8	3.7	---	6.5	8.4	---	2.8	17	WDNR NR 720 GRCLs		
Barium	72	360	---	32	---	82	100	920	---	91	28	---	63	29	NonIndustrial	Industrial	---
Cadmium	0.37	2.0	---	0.25	---	0.18 Q	2.8	0.37	---	0.89	0.46	---	0.23 Q	0.33	0.039	1.6	---
Chromium	16	22	---	12	---	5	29	13	---	11 E	21	---	20	190	---	---	---
Lead	23	540	---	40	---	7.8	17	12	---	65	16	---	9	67	8	510	---
Selenium	0.87	12	---	1.3	---	1.0 A	1.7 A	0.97 A	---	11 E	21	---	20	190	14 / 16,000*	200 / ---*	---
Silver	<0.088	<0.074	---	<0.072	---	<0.076	<0.075	<0.075	---	1.1	0.67	---	0.9	0.54 QA	50	500	---
Mercury	0.043	0.026	---	0.08	---	0.21	0.073	0.0085	---	<0.074	<0.074	---	<0.077	0.097 Q	---	---	---
DRO (mg/kg)	---	---	890	---	---	---	---	---	---	---	---	---	---	---	---	---	---
PAHs (ug/kg)																	100/250
Acenaphthene	110	570	---	---	380	<16	1800	30 Q	<17	---	---	<15	<17	<16	WDNR Interim Guidance GRCLs		
Acenaphthylene	73	<220	---	---	<170	<22	<440	52 Q	<23	---	---	<15	<17	<16	NonIndustrial	Industrial	Groundwater
Anthracene	340	2500	---	---	1500	<13	5100	110	<13	---	---	<21	<23	<22	900,000	60,000,000	38,000
Benzo(a)anthracene	860	3200	---	---	3100	<16	7,200	510	22 Q	---	---	<12	<13	42	18,000	360,000	700
Benzo(a)pyrene	900	3100	---	---	3,000	<19	6700	550	23 Q	---	---	<15	<17	91	5,000,000	300,000,000	3,000,000
Benzo(b)fluoranthene	860	2600	---	---	2500	<15	4700	490	20 Q	---	---	<17	<19	98	88	3,900	17,000
Benzo(g,h,i)perylene	540	1700	---	---	1500	<20	4,200	500	<20	---	---	<14	<15	110	8.8	390	48,000
Benzo(k)fluoranthene	900	3500	---	---	2900	<15	6700	560	25 Q	---	---	<18	<20	160	88	3,900	360,000
Chrysene	870	3100	---	---	3000	16 Q	6,900	550	31 Q	---	---	<14	<15	84	1,800	39,000	6,800,000
Dibenzo(a,h)anthracene	120	650	---	---	620	<19	900 Q	150	<19	---	---	<15	<17	120	880	39,000	870,000
Fluoranthene	1,800	6,800	---	---	5,300	<17	18,000	940	53 Q	---	---	<17	<19	<18	8,800	390,000	37,000
Fluorene	130	890	---	---	580	12 Q	2100	46	<12	---	---	<16	<18	180	8.8	390	38,000
Indeno(1,2,3)cd-pyrene	450	1400	---	---	2000	<19	3200	330	<19	---	---	<11	<12	20 Q	600,000	40,000,000	500,000
1-Methylnaphthalene	310	<160	---	---	180 Q	<16	1700	650	<17	---	---	<17	<19	50 Q	600,000	40,000,000	100,000
2-Methylnaphthalene	430	170 Q	---	---	310 Q	20 Q	2000	890	<16	---	---	<15	<17	120	88	3,900	680,000
Naphthalene	290	760	---	---	680	<16	2500	550	<17	---	---	<14	<15	190	1,100,000	70,000,000	23,000
Phenanthrene	1,500	190	---	---	4,100	31 Q	20,000	870	78	---	---	<15	<17	160	600,000	40,000,000	20,000
Pyrene	1,300	5,800	---	---	5,400	<15	13,000	700	54	---	---	<15	<17	290	20,000	110,000	400
												<14	<15	160	18,000	390,000	1,800
															500,000	30,000,000	8,700,000

Notes:  
 --- = not analyzed, no standards or not applicable  
 \* = NR 720 GRCLs for (hexavalent / trivalent chromium)  
 A = Analyte was detected in the method blank  
 bgs = Below ground surface  
 Bold and boxed values exceed the NR 720 Table 2 industrial GRCLs or the WDNR Interim Guidance industrial GRCLs for the direct contact exposure pathway  
 Bold values exceed the NR 720 Table 2 nonindustrial GRCLs based on the protection of groundwater  
 Bold values exceed the NR 720 Table 2 nonindustrial GRCLs or the WDNR Interim Guidance nonindustrial GRCLs for the direct contact exposure pathway  
 DRO = Diesel Range Organics  
 E = Analyte failed serial dilution limit of +/- 10%  
 GRCL = Generic Residual Contaminant Level  
 i.u. = instrument units

mg/kg = milligrams per kilogram  
 PID = Photoionization Detector  
 Q = Analyte detected at a concentration between the method detection limit and leve  
 ug/kg = micrograms per kilogram  
 WDNR = Wisconsin Department of Natural Resources

Table 1

## Summary of Soil Sample Analytical Results

Former Towne Realty Property, Parcel #9  
3405 East Layton Avenue, Cudahy, WI

Sample ID	SB09-01	SB09-02	SB09-03		SB09-03A	SB09-04	SB09-04A	SB09-05		SB09-05A	SB09-06	SB09-07	SB09-07A	SB09-08	Regulatory Standards
Date Collected	03/27/01	3/27/2001	3/27/2001	3/27/2001	4/25/2001	3/27/2001	4/24/2001	3/27/2001	3/27/2001	4/25/2001	3/27/2001	3/27/2001	4/24/2001	3/27/2001	
Depth Collected (feet bgs)	2-4	2-4	4-6	6-8	4-6	2-4	2-4	2-4	8-10	2-4	0-4	4-8	4-6	0-2	
PID (i.u.)	0	0	0	0	---	0	---	0	0	---	0	0	---	0	
<b>PCBs (ug/kg)</b>															<b>40 CFR Part 761</b>
Aroclor 1016	<36	<38	---	<36	---	---	<36	<34	<69	---	<33	<35	---	<34	50,000
Aroclor 1221	<36	<38	---	<36	---	---	<36	<34	<69	---	<33	<35	---	<34	50,000
Aroclor 1232	<36	<38	---	<36	---	---	<36	<34	<69	---	<33	<35	---	<34	50,000
Aroclor 1242	<36	<38	---	<36	---	---	<36	<34	<69	---	<33	<35	---	<34	50,000
Aroclor 1248	<36	<38	---	<36	---	---	<36	<34	<69	---	<33	<35	---	<34	50,000
Aroclor 1254	<36	<38	---	<36	---	---	67 Q	<34	<69	---	<33	<35	---	<34	50,000
Aroclor 1260	<36	<38	---	<36	---	---	<36	<34	<70	---	380	<35	---	<34	50,000
<b>Detected VOCs (ug/kg)</b>															<b>WDNR NR 720 GRCLs Protection of Groundwater</b>
Benzene	<25	<25	<25	---	---	<25	---	<43	<25	---	<25	<25	---	<25	5.5
Naphthalene	<25	<25	<25	---	---	<25	---	<43	<25	---	<25	<25	---	<25	---
Toluene	<25	<25	<25	---	---	<25	---	<43	<25	---	<25	<25	---	<25	---
1,2,4- Trimethylbenzene	<25	<25	<25	---	---	<25	---	<43	<25	---	<25	<25	---	<25	1,500
1,3,5- Trimethylbenzene	<25	<25	<25	---	---	<25	---	<43	<25	---	<25	<25	---	<25	---
Trichloroethene	<25	<25	<25	---	---	<25	---	51 Q	<25	---	<25	<25	---	<25	---
Total Xylenes	<75	<75	<75	---	---	<75	---	<28	<75	---	<75	<75	---	<75	4,100

## Notes:

--- = not analyzed, no standards or not applicable

bgs = Below ground surface

Bold values exceed either 40 CFR Part 761 or WDNR NR 720 Table 1 values based on the protection of groundwater

CFR = Code of Federal Regulations

GRCL = Generic Residual Contaminant Level

i.u. = instrument units

PCB = Polychlorinated Biphenyls

PID = Photoionization Detector

Q = Analyte detected at a concentration between the method detection limit and level of quantification

ug/kg = micrograms per kilogram

VOCs = Volatile Organic Compounds

WDNR = Wisconsin Department of Natural Resources

Table 1

Summary of Soil Sample Analytical Results

Former Towne Realty Property, Parcel #9  
3405 East Layton Avenue, Cudahy, WI

Sample ID	SB09-09	SB09-10	SB09-10A	SB09-11A		SB09-12	SB09-13	SB09-14	SB09-15	SB09-16		SB09-17	SB09-18	Regulatory Standards
Date Collected	03/27/01	3/27/2001	4/25/2001	4/25/2001	4/25/2001	3/28/2001	3/28/2001	3/28/2001	3/28/2001	3/28/2001	3/28/2001	3/28/2001	3/28/2001	
Depth Collected (feet bgs)	4-8	0-4	2-4	2-4	4-6	4-8	0-3	0-3	0-4	4-6	6-8	4-6	0-4	
PID (i.u.)	0	0	---	0	0	0	0	0	0	0	0	0	0	
<b>PCBs (ug/kg)</b>														
Aroclor 1016	<40	<34	---	---	<33	<35	<35	<35	<36	---	<32	<36	<34	<b>40 CFR Part 761</b>
Aroclor 1221	<40	<34	---	---	<33	<35	<35	<35	<36	---	<32	<36	<34	50,000
Aroclor 1232	<40	<34	---	---	<33	<35	<35	<35	<36	---	<32	<36	<34	50,000
Aroclor 1242	<40	<34	---	---	<33	<35	<35	<35	<36	---	<32	<36	<34	50,000
Aroclor 1248	<40	<34	---	---	<33	<35	<35	<35	<36	---	<32	<36	<34	50,000
Aroclor 1254	150	<34	---	---	<33	<35	<35	<35	<36	---	<32	<36	<34	50,000
Aroclor 1260	<40	<34	---	---	<33	<35	<35	<35	<36	---	<32	<36	<34	50,000
<b>Detected VOCs (ug/kg)</b>														
Benzene	<25	120	---	<25	---	<25	<34	<25	<25	<25	---	<25	<25	<b>WDNR NR 720 GRCLs</b>
Naphthalene	46 Q	760	---	1,000	---	30 Q	1,200	<25	<25	<25	---	<25	<25	<b>Protection of Groundwater</b>
Toluene	<25	140	---	29 Q	---	<25	320	<25	<25	<25	---	<25	34	---
1,2,4- Trimethylbenzene	37 Q	<25	---	<25	---	<25	120	<25	<25	<25	---	<25	<25	1,500
1,3,5- Trimethylbenzene	<25	<25	---	<25	---	<25	44	<25	<25	<25	---	<25	<25	---
Trichloroethene	<25	<25	---	<25	---	<25	<34	<25	<25	<25	---	<25	180	---
Total Xylenes	<75	133 Q	---	<75	---	<75	470	<75	<75	<75	---	<75	<75	4,100

Notes:

- = not analyzed, no standards or not applicable
- bgs = Below ground surface
- Bold values exceed either 40 CFR Part 761 or WDNR NR 720 Table 1 values based on the protection of groundwater
- CFR = Code of Federal Regulations
- GRCL = Generic Residual Contaminant Level
- i.u. = instrument units
- PCB = Polychlorinated Biphenyls
- PID = Photoionization Detector
- Q = Analyte detected at a concentration between the method detection limit and level of quantification
- ug/kg = micrograms per kilogram
- VOCs = Volatile Organic Compounds
- WDNR = Wisconsin Department of Natural Resources

**Table 2**

**Summary of Groundwater Sample Analytical Results**

Former Towne Realty Property, Parcel #9  
3405 East Layton Avenue, Cudahy, WI

Sample ID Date Collected	MW09-01			MW09-02			MW09-03			MW09-04				Regulatory Standards	
	5/2/2001	8/20/2001	9/15/2004	5/2/2001	8/20/2001	9/15/2004	5/2/2001	8/20/2001	9/15/2004	5/2/2001	8/20/2001	9/15/2004	9/15/2004 (1)	ES	PAL
<b>Metals (ug/l)</b>														<b>NR 140</b>	
Arsenic	2.9	3.0	<50	1.2	1.1	<50	0.9	0.72 Q	(2)	(3)	1.4	<50	---	10	1
Barium	45	71	<500	140	100	<500	190	190	(2)	(3)	62	<500	---	2000	400
Cadmium	0.06 Q	<0.07	<5	0.05 Q	<0.07	<5	0.05	<0.07	(2)	(3)	<0.07	<5	---	5	0.5
Chromium	0.73	0.39 Q	<10	1.0	0.6 Q	<10	1.5	0.72	(2)	(3)	0.47 Q	<10	---	100	10
Lead	<0.18	0.39 Q	<5	<0.18	<0.39	<5	<0.18	0.49 Q	(2)	(3)	<0.39	<5	---	15	1.5
Selenium	1.4	1.1 Q	<50	5.5	2.0	<50	11	1.6	(2)	(3)	3.3	<50	---	50	10
Silver	<0.031	<0.16	<50	0.31	<0.16	<50	0.44	<0.16	(2)	(3)	<0.16	<50	---	50	10
Mercury	<0.021	<0.088	<0.2	<0.021	<0.088	<0.2	<0.021	<0.088	(2)	(3)	<0.088	<0.2	---	2	0.2
<b>Detected VOCs/PVOCs (ug/l)</b>														<b>NR 140</b>	
Methylene Chloride	1.3	<0.85	(4)	0.79 Q	<0.85	(4)	1.0 Q	<0.85	(2)	(3)	<0.85	(4)	(4)	5	0.5
<b>Detected PAHs (ug/l)</b>														<b>NR 140</b>	
Benzo(a)pyrene	---	---	0.077	---	---	<0.02	---	---	---	---	---	<0.02	---	0.2	0.02
Benzo(b)fluoranthene	---	---	0.059	---	---	<0.02	---	---	---	---	---	<0.02	---	0.2	0.02
Chrysene	---	---	0.0786	---	---	<0.02	---	---	---	---	---	<0.02	---	0.2	0.02

**Notes:**

--- = not analyzed

(1) = Duplicate sample

(2) = No sample collected (well damaged - bent)

(3) = No sample collected (dry well)

(4) = Sampled for PVOCs all sampled were below the method reporting limits

(5) = Well previously abandoned; therefore, no sample collected

Bold and boxed values exceed the NR 140 Enforcement Standard

Bold values exceed the NR 140 Preventive Action Limit

ES = Enforcement Standard

NR 140 = Wisconsin Administrative Code

PAH = Polynuclear Aromatic Hydrocarbons

PAL = Preventive Action Limit

PVOCs = Petroleum Volatile Organic Compounds

ug/l = micrograms per liter

Table 2

## Summary of Groundwater Sample Analytical Results

Former Towne Realty Property, Parcel #9  
3405 East Layton Avenue, Cudahy, WI

Sample ID Date Collected	MW09-06			MW09-07			Trip Blank			Regulatory Standards		
	5/2/2001	8/20/2001	9/15/2004	5/2/2001	5/2/2001 (1)	8/20/2001	9/15/2004	5/2/2001	8/20/2001	9/15/2004	WDNR NR 140	
<b>Metals (ug/l)</b>											<b>WDNR NR 140</b>	
											<b>ES</b>	<b>PAL</b>
Arsenic	1.9	6.0	(5)	0.91	0.86	1.1	(5)	---	---	---	10	1
Barium	19	22	(5)	240	240	130	(5)	---	---	---	2000	400
Cadmium	<0.044	<0.07	(5)	0.18	0.11 Q	<0.26	(5)	---	---	---	5	0.5
Chromium	1.5	0.77	(5)	1.1 A	1.1 A	1.1 Q	(5)	---	---	---	100	10
Lead	<0.18	<0.39	(5)	1.9 A	0.64 A	1.0 Q	(5)	---	---	---	15	1.5
Selenium	1.8	1.6	(5)	5.7	5.9	7.1 A	(5)	---	---	---	50	10
Silver	0.29	<0.16	(5)	<0.034	<0.034	<0.11	(5)	---	---	---	50	10
Mercury	<0.021	<0.088	(5)	<0.021	<0.021	<0.088	(5)	---	---	---	2	0.2
<b>Detected VOCs/PVOCs (ug/l)</b>											<b>WDNR NR 140</b>	
											<b>ES</b>	<b>PAL</b>
Methylene Chloride	0.65 Q	<0.85	(5)	0.68 Q	0.99 Q	<0.85	(5)	1.6	<0.85	---	5	0.5
<b>Detected PAHs (ug/l)</b>											<b>WDNR NR 140</b>	
											<b>ES</b>	<b>PAL</b>
Benzo(a)pyrene	---	---	(5)	---	---	---	(5)	---	---	---	0.2	0.02
Benzo(b)fluoranthene	---	---	(5)	---	---	---	(5)	---	---	---	0.2	0.02
Chrysene	---	---	(5)	---	---	---	(5)	---	---	---	0.2	0.02

## Notes:

--- = not analyzed

(1) = Duplicate sample

(2) = No sample collected (well damaged - bent)

(3) = No sample collected (dry well)

(4) = Sampled for PVOCs all sampled were below the method reporting limits

(5) = Well previously abandoned; therefore, no sample collected

Bold and boxed values exceed the NR 140 Enforcement Standard

Bold values exceed the NR 140 Preventive Action Limit

ES = Enforcement Standard

NR 140 = Wisconsin Administrative Code

PAH = Polynuclear Aromatic Hydrocarbons

PAL = Preventive Action Limit

PVOCs = Petroleum Volatile Organic Compounds

ug/l = micrograms per liter

**Table 3**

**Summary of Groundwater Depths and Elevations**

Former Towne Realty Property, Parcel #9  
3405 East Layton Avenue, Cudahy, WI

<b>MW09-01</b>			
Surface Elevation (ft. MSL)		709.11	
Top of Casing Elevation (ft. MSL)		712.13	
Top of Screen Elevation (ft. MSL)		706.61	
Bottom of Screen Elevation (ft. MSL)		696.61	
Measurement Date	DTW <sup>1</sup> (ft.)	Groundwater Elevation (ft. MSL)	DTW <sup>2</sup> (ft.)
05/02/01	12.07	700.06	9.05
05/10/01	12.11	700.02	9.09
05/24/01	12	700.13	8.98
08/20/01	12.01	700.12	8.99
09/15/04	12.41	699.72	9.39
Low:	12.00	699.72	8.98
High:	12.41	700.13	9.39
Average:	12.12	700.01	9.10

<b>MW09-02</b>			
Surface Elevation (ft. MSL)		709.15	
Top of Casing Elevation (ft. MSL)		712.13	
Top of Screen Elevation (ft. MSL)		705.15	
Bottom of Screen Elevation (ft. MSL)		695.15	
Measurement Date	DTW <sup>1</sup> (ft.)	Groundwater Elevation (ft. MSL)	DTW <sup>2</sup> (ft.)
05/02/01	11.68	700.45	8.70
05/10/01	11.89	700.24	8.91
05/24/01	11.74	700.39	8.76
08/20/01	13.71	698.42	10.73
09/15/04	12.35	699.78	9.37
Low:	11.68	698.42	8.70
High:	13.71	700.45	10.73
Average:	12.27	699.86	9.29

<b>MW09-03</b>			
Surface Elevation (ft. MSL)		709.31	
Top of Casing Elevation (ft. MSL)		712.32	
Top of Screen Elevation (ft. MSL)		705.31	
Bottom of Screen Elevation (ft. MSL)		695.31	
Measurement Date	DTW <sup>1</sup> (ft.)	Groundwater Elevation (ft. MSL)	DTW <sup>2</sup> (ft.)
05/02/01	10.42	701.90	7.41
05/10/01	10.82	701.50	7.81
05/24/01	10.89	701.43	7.88
08/20/01	12.53	699.79	9.52
09/15/04	(3)	NA	NA
Low:	10.42	699.79	7.41
High:	12.53	701.90	9.52
Average:	11.17	701.16	8.15

<b>MW09-04</b>			
Surface Elevation (ft. MSL)		708.48	
Top of Casing Elevation (ft. MSL)		709.51	
Top of Screen Elevation (ft. MSL)		705.48	
Bottom of Screen Elevation (ft. MSL)		695.48	
Measurement Date	DTW <sup>1</sup> (ft.)	Groundwater Elevation (ft. MSL)	DTW <sup>2</sup> (ft.)
05/02/01	Dry	NA	NA
05/10/01	14.48	695.03	13.45
05/24/01	11.87	697.64	10.84
08/20/01	11.96	697.55	10.93
09/15/04	10.41	699.10	9.38
Low:	11.87	695.03	10.84
High:	14.48	697.64	13.45
Average:	12.77	696.74	11.74

<b>MW09-06</b>			
Surface Elevation (ft. MSL)		708.02	
Top of Casing Elevation (ft. MSL)		710.98	
Top of Screen Elevation (ft. MSL)		704.02	
Bottom of Screen Elevation (ft. MSL)		694.02	
Measurement Date	DTW <sup>1</sup> (ft.)	Groundwater Elevation (ft. MSL)	DTW <sup>2</sup> (ft.)
05/02/01	13.44	697.54	11.77
05/10/01	13.69	697.29	12.02
05/24/01	13.62	697.36	11.95
08/20/01	14.38	696.60	12.71
09/15/04	(4)	NA	NA
Low:	13.44	696.60	11.77
High:	14.38	697.54	12.71
Average:	13.78	697.20	12.11

<b>MW09-07</b>			
Surface Elevation (ft. MSL)		707.57	
Top of Casing Elevation (ft. MSL)		710.74	
Top of Screen Elevation (ft. MSL)		703.57	
Bottom of Screen Elevation (ft. MSL)		693.57	
Measurement Date	DTW <sup>1</sup> (ft.)	Groundwater Elevation (ft. MSL)	DTW <sup>2</sup> (ft.)
05/02/01	9.84	700.90	7.58
05/10/01	10.02	700.72	7.76
05/24/01	9.78	700.96	7.52
08/20/01	11.13	699.61	8.87
09/15/04	(4)	NA	NA
Low:	9.78	699.61	7.52
High:	11.13	700.96	8.87
Average:	10.31	700.43	8.05

**Notes:**

- 1 = from the well casing;
- 2 = from the land surface
- 3 = Could not obtain a water level due to damaged well
- 4 = Previously abandoned
- DTW = Depth to water;
- MSL = Mean Sea Level
- NA = Not Applicable

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

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

BRRTS #:

ACTIVITY NAME:

ID	Off-Source Property Address	Parcel Number	WTM X	WTM Y
A	<input type="text" value="3401 East Barnard Avenue, Cudahy, WI 53110"/>	<input type="text" value="631-9986-014"/>	<input type="text" value="694213"/>	<input type="text" value="278298"/>
B	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
C	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
D	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
E	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
F	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
G	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
H	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
I	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

February 8, 2010

**HNTB**

Mr. Carter Hansen  
Corporate Environmental Engineer  
Patrick Cudahy, Inc.  
One Sweet Applewood Lane  
Cudahy, WI 53110

Reference: ***Notification of Residual Soil and Groundwater Contamination***  
Former Towne Reality Property (Parcel #9)  
3405 East Layton Avenue, Cudahy, Wisconsin 53110  
WDNR BRRTS # 02-41-305527  
WDNR FID # 341047410  
HNTB Project # 30913  
Milwaukee County Parcel No. 631-9986-014

Dear Mr. Hansen:

On behalf of the City of Cudahy Community Development Authority (CDA), we are writing to notify you of residual soil and groundwater contamination on property owned by Patrick Cudahy, Inc. The location of the referenced parcel is shown in Figure 1 with a site aerial as Figure 2. The property is currently part of a turf/landscaped area south of East Barnard Avenue and an asphalt-covered parking area.

The property was deeded to Patrick Cudahy, Inc. from the CDA in December 2001 prior to the redevelopment of East Barnard Avenue as part of the Lakeside Commons Redevelopment Project. The deed for Parcel No. 631-9986-014 is included as Attachment 1.

This parcel is zoned as manufacturing (C) according to the City of Cudahy and therefore, residual soil contaminants post-redevelopment have been compared to Wisconsin Department of Natural Resources (WDNR) NR 720 industrial direct contact generic residual contaminant levels (GRCLs). Two soil probes (SB09-16 and SB09-18) were advanced on the Patrick Cudahy, Inc. parcel in April 2001 as part of an investigation effort required by the WDNR for the former parcel mentioned above. Arsenic was exceeding its respective WDNR NR 720 industrial direct contact GRCLs. Figures 3 and 4 show the locations of the soil probes and monitoring well locations and the pre-redevelopment analytical data is summarized on Tables 1A and 1B.

Mr. Carter Hansen  
Patrick Cudahy, Inc.  
February 8, 2010  
Page 2 of 3

This notification letter will be included in the City's request for site closure on their property (Parcel No. 631-9986-013) located to the north of the referenced Patrick Cudahy parcel property which is now East Barnard Avenue. According to communications with the WDNR, Patrick Cudahy, Inc. will not have to have a cap maintenance plan; however, impacted soil that is disturbed during future redevelopment on Patrick Cudahy, Inc. parcel no. 631-9989-014 must be managed as a solid waste and disposed of in accordance with all applicable local, state and federal requirements. The closure pathway selected for soil is a WDNR Chapter 720.19(2) soil performance standard which will need WDNRs approval.

The groundwater on your parcel did have groundwater concentrations of dissolved arsenic above the WDNRs NR 140 Preventative Action Limits but below the WDNRs NR 140 Enforcement Standards (ES). The closure pathway selected for groundwater is a WDNR Chapter 140.28(2) PAL exemption which will need WDNRs approval. Figure 5 shows the locations of monitoring well locations and the pre-redevelopment analytical data is summarized on Table 2.

The WDNR will not review my closure request for at least 30 days after the date of this letter. As an affected property owner, you have a right to contact the WDNR to provide any technical information that you may have that indicates that closure should not be granted for this site. If you would like to submit any information to the WDNR that is relevant to this closure request, you should mail that information to WDNR, Mr. Andy Boettcher, Southeast Region Remediation and Redevelopment Program, 2300 N. Dr. Martin Luther King Jr. Drive, Milwaukee, WI 53212.

If this case is closed, all parcels within the site boundaries where soil contamination exceeds WDNR NR 720 Industrial GRCLs for the direct contact exposure pathway will be listed on the WDNRs geographic information system (GIS) Registry of Closed Remediation Sites. The information on the GIS Registry includes maps showing the location of properties (parcels) in Wisconsin where groundwater contamination above WDNRs chapter NR 140 enforcement standards and/or where soil contamination is above WDNRs chapter NR 720 GRCLs were found at the time the site was closed. This GIS Registry will be available to the general public on the WDNRs internet web site. Please review the enclosed legal description of your property, and notify me within the next 30 days if the legal description is incorrect.

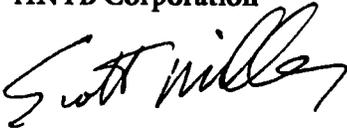
Once the WDNR makes a decision on my closure request, it will be documented in a letter. If the WDNR grants closure, you may obtain a copy of this letter by requesting

Mr. Carter Hansen  
Patrick Cudahy, Inc.  
February 8, 2010  
Page 3 of 3

a copy from me, by writing to the agency address given above or by accessing the WDNRs GIS Registry of Closed Remediation Sites on the internet <http://www.dnr.wi.gov/org/aw/rr/gis/index.htm>. A copy of the closure letter is included as part of the site file on the GIS Registry of Closed Remediation Sites.

If you need more information, you may contact me at (414/359-2300) or you may contact Mr. Andy Boettcher the WDNR at (414/263-8541).

Sincerely,  
**HNTB Corporation**



Scott D. Miller, CHMM  
Senior Environmental Scientist



Daniel K. Pelczar, CPG, P.G.  
Senior Geologist/Hydrogeologist

CC: Ms. Mary Jo Lange, P.E./City of Cudahy  
Mr. Andy Boettcher/Wisconsin Department of Natural Resources

Enc.

- Figure 1 – Site Location Map
- Figure 2 – Site Layout Map
- Figure 3 - Summary of Soil Sample Analytical Results – PAHs
- Figure 4 - Summary of Soil Sample Analytical Results – DRO, VOCs and Metals
- Figure 5 - Summary of Groundwater Sample Analytical Results
- Table 1 – Summary of Soil Sample Analytical Results
- Table 2 – Summary of Groundwater Sample Analytical Results
- Attachment 1 - Property Deed

## Track & Confirm

### Search Results

Label/Receipt Number: 7003 1680 0005 0820 1100

Service(s): Certified Mail™

Status: Delivered

Your item was delivered at 8:09 AM on February 9, 2010 in CUDAHY, WI 53110.

### Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

### Detailed Results:

- Delivered, February 09, 2010, 8:09 am, CUDAHY, WI 53110
- Arrival at Unit, February 09, 2010, 5:36 am, CUDAHY, WI 53110

### Notification Options

#### Track & Confirm by email

Get current event information or updates for your item sent to you or others by email.

[Go >](#)



OFF-SOURCE  
A  
PROPERTY

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Patrick Cudahy, Inc.  
Attn: Carter Hansen  
One Sweet Applewood Ln  
Cudahy, WI 53110

2. Article Number

(Transfer from service label)

7003 1680 0005 0820 1100

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X *Wanda D. Kuy*

- Agent
- Addressee

B. Received by (Printed Name)

*Wanda D. Kuy*

C. Date of Delivery

- D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Certified Mail
- Express Mail
- Registered
- Return Receipt for Merchandise
- Insured Mail
- C.O.D.

4. Restricted Delivery? (Extra Fee)

- Yes

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-A

U.S. Postal Service™

**CERTIFIED MAIL™ RECEIPT**

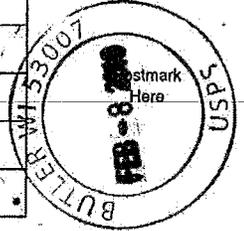
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

0011 0280 5000 0891 E002

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



Sent To

*Mr. Carter Hansen, Patrick Cudahy*  
Street, Apt. No.,  
or PO Box No. *One Sweet Applewood Lane*  
City, State, ZIP+4  
*Cudahy, WI 53110*

PS Form 3800, June 2002

See Reverse for Instructions

WARRANTY DEED  
STATE OF WISCONSIN - FORM 2

8180697

DOCUMENT NO.

REGISTER'S OFFICE 1 SS  
Milwaukee County, WI  
RECORDED AT 12:37 PM  
12-06-2001

WALTER R. BARCZAK  
REGISTER OF DEEDS

This indenture, Made this 4<sup>th</sup> day of DECEMBER, A.D., 2001  
between The Community Development Authority of the City of Cudahy  
a Corporation duly organized  
and existing under and by virtue of the laws of the State of Wisconsin, located at  
5050 South Lake Drive, Cudahy, Wisconsin, party of the first part, and  
Patrick Cudahy Incorporated

part y of the second part.  
Witnesseth, That the said party of the first part, for and in consideration of the sum of  
Good and Valuable Consideration  
to it paid by the said part y of the second part, the receipt whereof is  
herby confessed and acknowledged, has given, granted, bargained, sold, remised,  
released, aliened, conveyed and confirmed, and by these presents does give, grant,  
bargain, sell, remise, alien, convey and confirm unto the said party  
of the second part, its heirs and assigns  
forever, the following described real estate, situated in the County of  
Milwaukee State of Wisconsin, to-wit:

was  
AMOUNT 15.00  
pt of 631-9986-010

THIS SPACE RESERVED FOR RECORDING DATA

NAME AND RETURN ADDRESS

HNTB Corporation  
c/o Kenneth C. Suhr  
11414 West Park Place  
Suite 300  
Milwaukee, WI 53224

Part of 631-9986-010  
PARCEL IDENTIFICATION NUMBER

Legal Description is attached as Exhibit A and made a part thereof  
Fee s. 77.25(2) Exempt

**NAME CHANGE**

NOW 631-9986-013  
631-7986-014

(IF NECESSARY, CONTINUE DESCRIPTION ON REVERSE SIDE)

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 heirs and assigns FOREVER.

And the said Community Development Authority of the City of Cudahy 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 heirs and assigns, that at the time of the enrolling 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 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 Community Development Authority of the City of Cudahy party of the first part, has caused these presents to be signed by RAYMOND S. GLOWACKI its President, and countersigned by XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX its Secretary, at MAYOR CUDAHY Wisconsin, and its corporate seal to be hereunto affixed this 4<sup>th</sup> day of DECEMBER, A.D., 2001.

SIGNED AND SEALED IN PRESENCE OF

The Community Development  
Authority of the City of Cudahy  
Raymond S. Glowacki President  
RAYMOND S. GLOWACKI

COUNTERSIGNED:

Secretary

State of Wisconsin,

Milwaukee County, } ss.  
Personally came before me this 4<sup>th</sup> day of December, A.D., 2001  
Raymond S. Glowacki, President, and Mayor, 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.

THIS INSTRUMENT WAS DRAFTED BY

HNTB CORPORATION  
Kenneth C. Suhr



Eunice M. Girard  
Notary Public, Milwaukee County, Wis.  
My commission (expires) (is) June 27, 2004

Cudahy Downtown Redevelopment Parcel 9  
(Section 09.01 (1) of the Wisconsin Statutes provides that all instruments to be recorded shall have plainly printed or typewritten thereon the names of the grantors, grantees, witnesses and notary. Section 58.513 similarly requires that the name of the person who, as governmental agency which, drafted such instrument, shall be printed, typewritten, stamped or written thereon in a legible manner.)

REEL 5216  
PAGE 1539

LEGAL DESCRIPTION  
EXHIBIT A - PAGE 1 OF 2

That part of Parcel 1 of Certified Survey Map No. 5799, being a division of a part of the North East 1/4 and the North West 1/4 of the North West 1/4 of Section 26, Township 6 North, Range 22 East, in the City of Cudahy, County of Milwaukee, State of Wisconsin, recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin on January 27, 1993 in Reel 2957, Images 443-446 inclusive, as Document No. 6722165, described as follows:

REEL 5216

Beginning at the Southeast corner of Parcel 1 of said Certified Survey Map No. 5799; thence North 21°14'19" East, 179.81 feet along the East line of said Parcel 1; thence South 88°10'19" West, 232.98 feet to the Westerly line of said Parcel 1; thence South 01°25'12" East, 38.24 feet along said Westerly line; thence South 88°10'19" West, 17.00 feet along said Westerly line; thence South 01°25'12" East, 43.00 feet along said Westerly line; thence South 88°10'19" West, 1.20 feet along said Westerly line; thence South 25°07'36" West, 29.93 feet along said Westerly line; thence South 01°25'12" East, 40.80 feet along said Westerly line; thence South 20°50'49" East, 17.68 feet along said West line to the South line of said Parcel 1; thence North 88°10'19" East, 189.40 feet along said South line to the point of beginning. Excepting therefrom the North 70 feet.

IMAGE 1540

Reserving therefrom the following Permanent Limited Easement for the right to construct and maintain a drainage facility, including for such purpose the right to operate the necessary equipment thereon and the right of ingress and egress as long as required for such public purpose, including the right to preserve, protect, remove or plant thereon any vegetation that the City of Cudahy may deem necessary or desirable, but without prejudice to the owner's right to make or construct improvements on said lands or to flatten the slopes, providing said activities will not impair or otherwise adversely affect the facility within the easement, in and to the following described lands:

A 15 foot strip of land whose centerline is described as follows: commencing at the Southwest corner of Parcel 1 of Certified Survey Map No. 5799; thence North 20°50'49" West, 17.68 feet along the West line of said Parcel 1; thence North 01°25'12" West, 2.54 feet to the point of beginning; thence North 88°10'19" East, 102.47 feet; thence South 75°58'06" East, 64.5 feet to the South line of said Parcel 1 and to the point of ending.

EXHIBIT A - PAGE 2 OF 2

The City of Cudahy shall be solely responsible for and shall pay as and when due all costs associated with the installation, operation, maintenance, repair and replacement of any drainage facilities or landscaping within the Easement, and shall pay all costs relating to the installation of same without special assessments against the owner of the dominant estate. The City of Cudahy shall hold the owner of the dominant estate and its shareholders, directors, officers, employees, agents, successors and assigns harmless from and shall indemnify them against any loss, liability, damage or expense, including reasonable attorneys' fees, arising out of or in any way related to any third party claims or causes of action for bodily injury or property damage arising out of or in any way connected to its agents', contractors', employees', tenants' or invitees' use of the Easement areas, unless caused by the willful misconduct of the dominant estate or its shareholders, directors, officers, employees or agents.

Also a **Temporary Limited Easement** for the right to grade slopes, including for such purposes the right to operate the necessary equipment thereon and the right of ingress and egress as long as required for such public purposes, including the right to preserve, protect, remove or plant thereon any vegetation that the City of Cudahy may deem necessary or desirable, but without prejudice to the owner's right to make or construct improvements on said lands or to flatten the slopes, providing said activities will not impair or otherwise adversely affect the highway facilities within the right of way, in and to the following tract of land in Milwaukee County, State of Wisconsin, bounded and described as follows:

The northerly 10 feet of the above described property.

The above easement shall terminate upon the completion of this project or on the day the highway is open to the traveling public, but in no event later than December 31, 2002, whichever is earlier.

REEL 5216

IMAGE 1541



**ASSESSOR'S OFFICE - OPEN RECORDS**

Phone: (414) 769-2207

Home Property Search Tax Bill Information

**PROPERTY INFORMATION**

Information considered accurate, but not guaranteed.

**NAME AND ADDRESS**

Patrick Cudahy Inc  
10 Tenth St STE 1400

Alanta, GA 30309

Parcel Number 6319986014

Property Address 3401 E Barnard Ave

Parcel Type Manufacturing

**IMAGE**



[CLICK TO ENLARGE 30K](#)

**2009 ASSESSED VALUE**

Class	Land	Improvement	Total
C-Manufacturing	49,000	0	49,000
Totals	49,000	0	49,000

*Zoning:*

**LEGAL DESCRIPTION**

CSM #5799 NW 1/4 OF SEC 26-6-22 PARCEL NO 1 COM AT SE COR SD PAR TH NELY 179.81 FT W 232.98 FT S 38.24 FT W 17 FT S 43 FT W 1.2 FT SWLY 29.93 FT S 40.80 FT SELY 17.68 FT TH E 189.40 FT TO BEG EXC N 70 FT THEREOF

**OWNERSHIP HISTORY**

Owner	Date	Amount	Conveyance	Vol.	Page	Sale Type
Patrick Cudahy Inc	12/6/2001	23,400	Deed By Governmental Agency	0000	0000	Land

**PERMITS**

Date	Number	Amount	Purpose	Note
------	--------	--------	---------	------

Total Hits: 23,130

Hits Today: 171