

GIS REGISTRY
Cover Sheet

July, 2008
(RR 5367)

Source Property Information

BRRTS #: 02-41-551558
ACTIVITY NAME: Cleaver Brooks Research & Development
PROPERTY ADDRESS: 3232 West Lancaster Avenue
MUNICIPALITY: Milwaukee
PARCEL ID #: 2070175000, Lot 18

CLOSURE DATE: Jul 23, 2009
FID #: 241014070
DATCP #:
COMM #:

*WTM COORDINATES:

X: 686497 Y: 295082

*Coordinates are in
WTM83, NAD83 (1991)

WTM COORDINATES REPRESENT:

- Approximate Center Of Contaminant Source
 Approximate Source Parcel Center

JUL 23 2009

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 #: 02-41-551558

PARCEL ID #: 2070175000, Lot 18

ACTIVITY NAME: Cleaver Brooks Research & Development

WTM COORDINATES: X: 686497 Y: 295082

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 #: 2 Title: Cert. Map

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 Layout Map

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 Title: Soil Concentration Exceeding the NR 720 RCLs

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ACTIVITY NAME: Cleaver Brooks Research & Development

MAPS (continued)

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

Figure #: Title:

Figure #: Title:

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

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

Figure #: 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 #: 1A & 1B Title: **Soil Analytical Results Summary & Historical Soil Analytical Results Summary**

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 #: 02-41-551558

ACTIVITY NAME: Cleaver Brooks Research & Development

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: 1



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 23, 2009

Cleaver Brooks
Attn: Rakesh Zala, Dir. Product Engineering
3232 West Lancaster Avenue
Milwaukee, WI 53209-5458

Subject: Final Case Closure with Land Use Limitations or Conditions for Cleaver-Brooks, Inc.,
R&D Facility, Lot 18 of Townsite Company's Addition No. 1, 3232 West Lancaster Avenue,
Milwaukee, WI

FID: 241014070
BRRTS: 02-41-551558

Dear Mr. Zala:

On June 2, 2009, the Wisconsin Department of Natural Resources ("the Department") Southeast Regional Headquarters 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 July 22, 2009, the Department received correspondence indicating that you have complied with the requirements of closure. The groundwater monitoring well abandonment and revised Cap/Barrier Maintenance Plan was received at this office.

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
- Before the land use could be changed from industrial to non-industrial, additional environmental work must be completed
- 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.

Remaining Residual Soil Contamination

Residual soil contamination remains at the locations indicated by the enclosed map, Figure 3, as indicated in the information submitted to the Department of Natural Resources. If soil in the specific locations described above is excavated in the future, then pursuant to ch. NR 718 or, if applicable, ch. 289, Stats., and chs. 500 to 536, the property owner at the time of excavation must sample and analyze the excavated soil to determine if residual contamination remains. Pursuant to s. 292.12(2)(c), Wis. Stats., the property described above may not be used or developed for a residential, commercial, agricultural or other non-industrial use, unless (at the time that the non-industrial use is proposed) an investigation is conducted, to determine the degree and extent of chlorinated solvent contamination in soil that remains on the property, and remedial action is taken as necessary to meet all applicable non-industrial soil cleanup standards. 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.

Cover or Barrier

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

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

The 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 the concrete pavement is required as a cap/barrier for the residual soil contamination shown on the attached map Figure 3, 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.

The Department appreciates the actions you have taken to investigate and remediate the contamination at this site. If you have any questions or comments, please feel free to contact John J. Hnat at the above address or at (414) 263-8644. Please refer to the FID number at the top of this letter in any future correspondence. Future correspondence should be sent directly to the Remediation and Redevelopment Program Assistant Vicky Stovall (414-263-8688) at the above address.

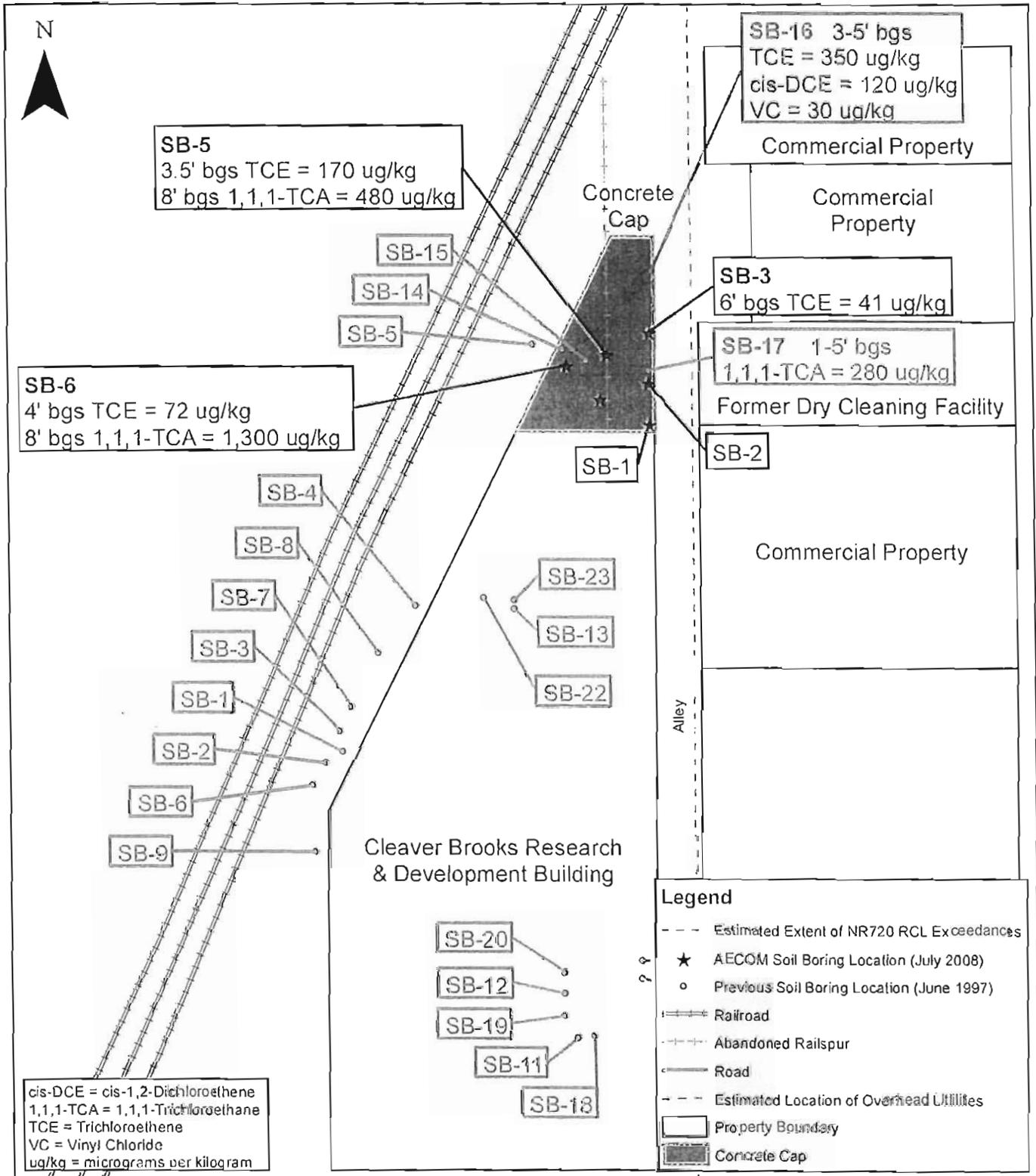
Sincerely,



James A. Schmidt
Southeast Region
Remediation and Redevelopment Team supervisor

Enclosures: AECOM Soil Concentrations Exceeding the NR 720 RCLs, Figure 3, March 2009
Cleaver Brooks Research & Development Cap/Barrier Maintenance Plan, July 2009

C: Jennifer Buzucky, Whyte Hirschboeck Dudek, S.C.
Snejana Karakis, AECOM
WDNR SER Files



Soil Concentrations Exceeding the NR720 RCLs

Cleaver Brooks Research & Development
3232 W. Lancaster Avenue
Milwaukee, WI

0 50 100 Feet

Cleaver-Brooks, Inc.

AECOM

Project # 10765-006
March 2009

Figure 3

Cleaver Brooks Research & Development

Cap/Barrier Maintenance Plan

Lot 18 of Town Site Company's Addition No. 1 in the SE ¼ of Section 36 T 8N of R 21 E known as a portion of 3232 West Lancaster Avenue - Parcel 2070175000
City of Milwaukee, Milwaukee County, Wisconsin ("site")

WDNR BRRTS #02-41-551558

Date: July 2009

Introduction

The purpose of this document is to establish a Maintenance Plan for the concrete pavement ("cap/barrier") at the Cleaver-Brooks, Inc., R&D (Cleaver-Brooks) facility, located at the above-referenced property (Site), including the portion of the concrete cap that extends off the property and onto the public alley right-of-way owned by the City of Milwaukee, according to the requirements of Wisconsin Administrative Code (WAC) Chapters (Chs) NR 720.19(2) and 724.13(2). The maintenance activities relate to an existing concrete cap/barrier over areas with soils containing residual contaminant concentrations exceeding the WAC Ch NR 720 Residual Contaminant Levels (RCLs). The extent of the concrete pad requiring maintenance is illustrated on Figure 1.

Cap/Barrier Construction and Purpose

The existing concrete pavement is approximately 12 inches thick and is underlain by approximately 12 to 36 inches of fill. Under the fill material are native clay deposits. Bedrock is expected at depths greater than 50 to 100 feet below grade. The pavement will serve as a cap and barrier between the residual soil impacts and the general public who may access the Site and the public alley right-of-way, to preclude the direct-contact exposure route and to control precipitation infiltration. As the Site is located in an industrialized area and is operated as a commercial facility, the cap/barrier should function as intended unless it is disturbed or not maintained.

Cap/Barrier Maintenance

In order to maintain the integrity of the concrete cap/barrier, Cleaver-Brooks, and subsequent Site owners, will maintain a copy of this Maintenance Plan at the Site, available for inspection by any interested parties (on-site employees, contractors, future Site owners, *etc.*). If the cap/barrier, including the portion that extends into the public alley right-of-way, becomes damaged or degraded, exposing the underlying impacted soil, the following actions will be taken:

- Notify the Site Manager within 24 hours;
- If the damaged or degraded section is located on the portion of the cap that is in the public alley right-of-way, notify the City of Milwaukee Engineer;
- Restore the damaged area of the cap/barrier as soon as possible, in coordination with the Site Manager, to specifications matching or exceeding those of the current barriers; and

- Record the damage and the restoration activities on a maintenance tracking log to be kept with the Maintenance Plan.

If the disturbance to the cap/barrier is planned (*i.e.*, as a result of utility installation, construction, remodeling, repair, *etc.*), the following actions will be taken by the Site Manager or his designee:

- Notify the Wisconsin Department of Natural Resources (WDNR) in advance of any planned disturbance or change to the cap/barrier. Cleaver Brooks has requested that the City of Milwaukee Engineer notify Cleaver Brooks in advance of any planned disturbance to the City owned portion of the cap so that Cleaver Brooks or its successors may follow the requirements of this Maintenance Plan;
- Provide a copy of this Maintenance Plan to all private and public utilities installing or upgrading utilities and all contractors and/or on-site employees conducting construction, remodeling, repair, or decommissioning activities in the area of the residual impacted soils;
- Monitor the excavation of subsurface soil in the areas designated as containing residual impacted soils by field observations and/or laboratory analysis of soil samples, as appropriate;
- Dispose of all impacted soil excavated from the restricted area (or otherwise, based on in-field observations and laboratory results) in accordance with applicable solid waste rules and regulations;
- Restore the excavated area to specifications matching or exceeding those of the current barriers;
- Record the cap/barrier disturbance, disposal of the impacted soils, and the cap/barrier restoration activities on a maintenance tracking log (or similar, as developed by the Site Manager) to be kept with the Maintenance Plan; and
- Provide the WDNR with documentation regarding changes and/or repairs made to the cap/barrier as a result of the planned disturbance.

This Maintenance Plan may be amended or withdrawn by the current Site owner and their successors if it is determined that the residual soils no longer present a risk to human health or the environment and that presence of the cap/barrier is no longer required. Written approval from the WDNR will be required.

Inspection and Reporting Requirements

Either Cleaver Brooks, or its successors, shall conduct annual inspections of the concrete cap over the impacted soil areas to assess damage and restoration needs. The Site owner will maintain an Annual Inspection Log recording the results of the inspection and reference any follow-up action taken (recorded on a Maintenance Tracking Log) to be kept on file with this Maintenance Plan. The maintenance and inspection logs will be maintained as long as the concrete cap is required to address impacted soils at the Site. The logs will be available upon request by the Wisconsin Department of Natural Resources (WDNR) during Site inspections. This Maintenance Plan may be amended or withdrawn by the current Site owner and its successors, if it is determined that the impacted soils no longer present a potential risk to human health or the environment and that presence of the concrete cap is no longer required. Written approval from the WDNR will be required.

Contact Information as of July 2009

Site Manager:

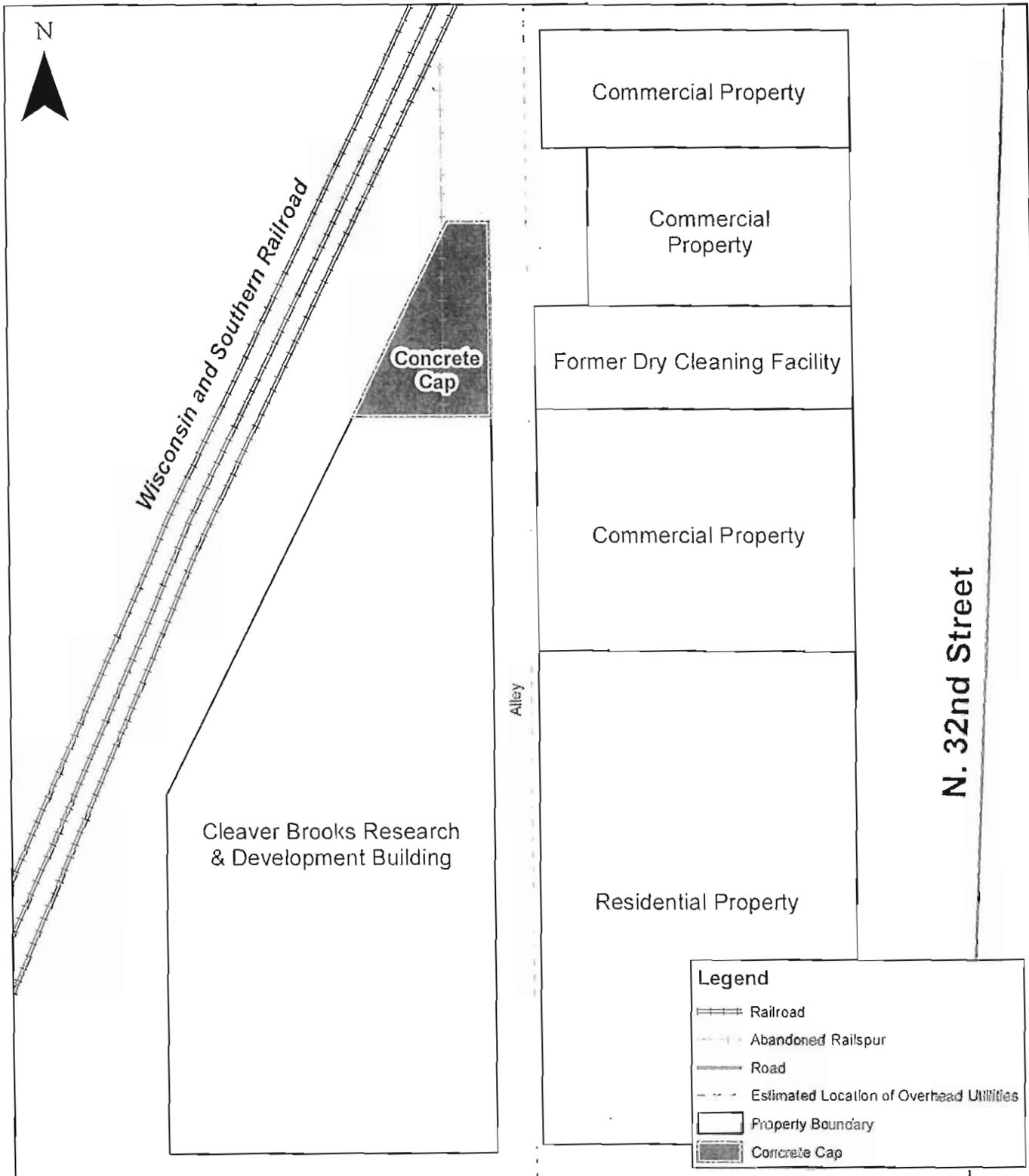
Mr. William Ayala
3232 W Lancaster Avenue
Milwaukee, WI 53209
Phone: (414) 438-5468

Consultant:

AECOM, Inc.
Attn: Snejana Karakis
W239 N2890 Pewaukee Road, Unit D
Pewaukee, WI 53072
Phone: (262) 523-2040 ext. 246
Fax: (262) 523-2059

WDNR:

Mr. John Hnat
WDNR – Southeast Region
2300 N Dr. Martin Luther King Jr. Drive
Milwaukee, WI 53212
Phone: (414) 263-8644



Extent of Concrete Pad Requiring Maintenance

Cleaver Brooks Research & Development
 3232 W. Lancaster Avenue
 Milwaukee, WI

0 50 100 Feet

Cleaver-Brooks, Inc.

AECOM

Project # 10765-006
 June 2009

Figure 1



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

June 2, 2009

Cleaver Brooks
Attn: Mr. Rakesh Zala, Dir. Product Engineering
3232 West Lancaster Avenue
Milwaukee, WI 53209-5458

Subject: Conditional Closure Decision with Requirements to Achieve Final Closure, Cleaver-Brooks, Inc., R&D Facility, Lot 18 of Townsite Company's Addition No.1, 3232 West Lancaster Avenue, Milwaukee, WI

FID: 241014070
BRRTS: 02-41-551558

Dear Mr. Zala:

On June 2, 2009, the Wisconsin Department of Natural Resources ("the Department") reviewed your request for closure of the case described above. The Department 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 Department has determined that the chlorinated solvent soil contamination on the site beneath the concrete pad appears to have been investigated and remediated to the extent practicable under site conditions. Your case has been investigated and remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code and will be closed when the following conditions are satisfied:

- The groundwater monitoring wells and any other remediation systems at the site must be properly abandoned in compliance with ch. NR 141, Wis. Admin. Code. Documentation of well abandonment must be submitted to this office on Form 3300-5B found at www.dnr.state.wi.us/org/water/dgw/gw within 60-days on receipt of this letter as required in s. NR 726.05(8)(a)1 and s. NR 141.25 Wis. Admin. Code. The Department requires the abandonment of these wells before issuing a final closure letter.
- The Cap/Barrier Maintenance Plan will need to be revised. Include a map that designates the concrete pad area that needs to be maintained without the soil and groundwater well locations and reference this map in the "Cap/Barrier Maintenance" part of the plan.

The Department appreciates the actions you have taken to investigate and remediate the contamination at this site. If you have any questions or comments, please feel free to contact me at the above address or at (414) 263-8644. Please refer to the FID number at the top of this letter in any future correspondence. Future correspondence should be sent directly to the Remediation and Redevelopment Program Assistant Vicky Stovall (414-263-8688) at the above address.

Sincerely,

John J. Hnat, P.G., C.P.G.
Project Manager/Hydrogeologist
Southeast Region
Remediation and Redevelopment

C: Jennifer Buzucky, Whyte Hirschboeck Dudek, S.C.
Snejana Karakis, AECOM
WDNR SER Files

DOCUMENT NO.

REEL 421 IMAGE 1593

This Indenture, Made this 30th day of December A. D. 1981 between Aqua-Chem, Inc., Delaware Milwaukee a Corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin located at Wisconsin, party of the first part, and Aqua-Chem Holding, Inc. Delaware Milwaukee a Corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin located at Wisconsin, party of the second part.

Witnesseth That the said party of the first part, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration

Doth hereby to it paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, has given, granted, bargained, sold, released, released and quit-claimed, and by these presents does give, grant, bargain, sell, release and quit-claim unto the said party of the second part, and to its successors and assigns forever, the following described real estate, situated in the County of Milwaukee, State of Wisconsin, to-wit:

Lots Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17) and Eighteen (18), in Block Four (4), including all of vacated alley lying between the aforesaid lots; and also Lots Twenty-eight (28), twenty-nine (29), Thirty (30), Thirty-one (31) and Thirty-two (32), in Block Six (6) in North Milwaukee Townsite Company's Addition No. 1, in the South East One-quarter (1/4) of Section Thirty-six (36), in Township Eight (8) North, Range Twenty-one (21) East, in the City of Milwaukee.

This is not homestead property.

Tax Key No.: 207 0204-1 and 207 0175-5

5518921

REGISTRY'S OFFICE Milwaukee County, Wis. RECORDED AT 2:30 PM

DOC # 5518921 # RECORD 2.50 D CASH # 13.60 159263 COOL R01 114452 REC 31 81

DEC 31 1981 REEL 421 IMAGE 1593

FEE 77.25(7) EXEMPT

REGISTER OF DEEDS

To have and to hold the same, together with all and singular the appurtenances and privileges thereto in any way thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the said party of the first part, either in law or equity, either in possession or expectancy of, to the said party of the second part, its successors and assigns FOREVER.

In Witness Whereof, the said Aqua-Chem, Inc. party of the first part, has caused these presents to be signed by Richard J. Kendra its Vice President, and countersigned by Robert P. Harland its Secretary, at Milwaukee Wisconsin, and its corporate seal to be hereto affixed, this 30th day of December A. D. 1981 SIGNED AND SEALED IN PRESENCE OF

By: Richard J. Kendra Vice President By: Robert P. Harland Secretary

STATE OF WISCONSIN Milwaukee County, Wis. Personally came before me, this 30th day of December A. D. 1981

of the above named Corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be the Vice President and Secretary of said Corporation, and acknowledged that they executed the foregoing instrument as such officers on the date of this Indenture by their authority.

Received for Record this day of A. D. 1981 at o'clock M. (SEAL) Register of Deeds

Notary Public Milwaukee My commission expires 12/31/81

This instrument was drafted by James A. Feddersen

250

No. 144 QUIT CLAIM DEED - Corporation to Corporation

Wisconsin Legal Blank Company Milwaukee, Wis. (200-0011)

SURVEY NO. 69

GEORGE J. HENKEL
PROFESSIONAL ENGINEER (2441) LAND SURVEYOR (1324)
MUNICIPAL ENGINEERING LOCAL DESCRIPTIONS SURVEYS - ESTIMATES

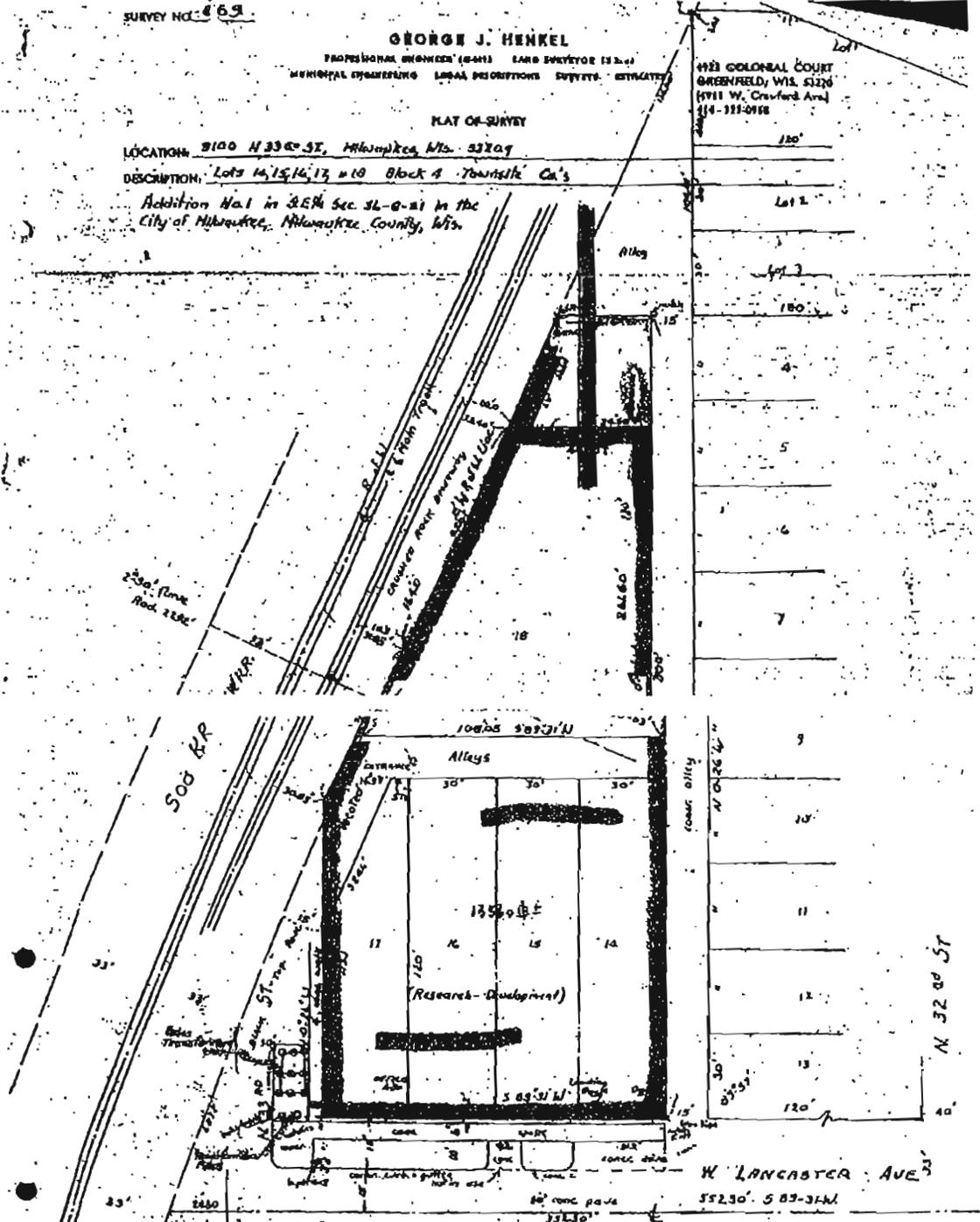
1123 COLONIAL COURT
GREENFIELD, WIS. 53206
1711 W. Crawford Ave.
114-115-0118

MAP OF SURVEY

LOCATION: 5100 N 33RD ST, Milwaukee, Wis. 53209

DESCRIPTION: Lots 14, 15, 16, 17 & 18 Block 4 Townshelk Co's

Addition Map in 2EM Sec. 31-2-21 in the City of Milwaukee, Milwaukee County, Wis.



SURVEY FOR: **CLEAVER-BROOKS** 5100 N. 33RD ST, Milwaukee, Wis. OWNER: **AQUA CHEM, Inc.** 53220

STATE OF WISCONSIN
COUNTY OF MILWAUKEE
Attention: Mr. Gruber

I hereby certify that I have accurately surveyed the above described property and that the above drawn plat is a correct representation thereof and shows the exterior boundary lines and location of buildings and other improvements on said property and the correct measurements thereof dated this 16th day of August 1968
George J. Henkel



#2 Cert. Map

INFRASTRUCTURE SERVICES
CITY OF MILWAUKEE

W. VILLARD

W. EGGERT

W. LANCASTER

W. FAIRMOUNT

W. CAMERON

W. STARK

W. HAMPTON

W. LINCOLN

W. WASHINGTON

W. MADISON

W. MONROE

W. PEARSON

W. RICHMOND

W. TAYLOR

W. WALKER

W. WYATT

W. ZIMMERMAN

W. BROWN

W. GREEN

W. HARRIS

W. HAY

W. HENRY

W. HOBBS

W. HUNTER

W. JONES

W. KELLEY

W. LEWIS

W. LYNN

W. MCGUIRE

W. MITCHELL

W. MORRIS

W. MURPHY

W. NICHOLS

W. PERKINS

W. ROBERTS

W. ROSS

W. SCHMIDT

W. SIMMONS

W. SMITH

W. SPENCER

W. STEVENSON

W. SWANSON

W. THOMAS

W. THOMPSON

W. TOLSON

W. TROTTER

W. TUCKER

W. TURNER

W. VAUGHAN

W. WALKER

W. WALLACE

W. WATSON

W. WEBB

W. WELLS

W. WILSON

W. WOOD

W. WOODRUFF

W. WYATT

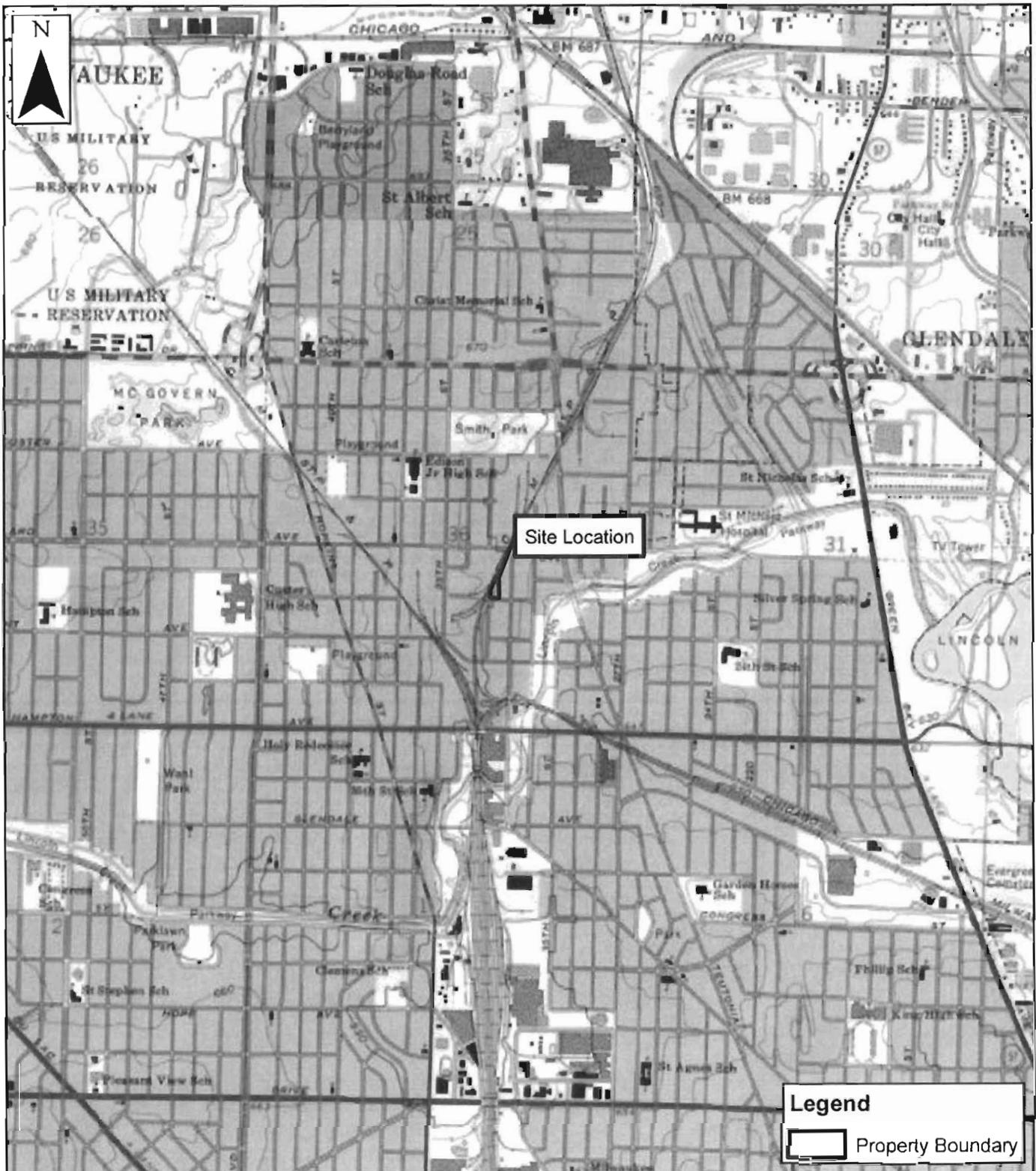
<

RESPONSIBLE PARTY STATEMENT

On behalf of Cleaver-Brooks, Inc. (formerly known as Aqua-Chem, Inc.), I hereby affirm that I believe that the legal description for the contaminated property exceeding site-specific or generic residual contaminant levels as determined under Wis. Admin. Code §§ NR 720.09, 720.11 and 720.19, at the time that case closure is requested, other than public street or highway rights-of-way or railroad rights-of-way, that exists within the boundaries of Lot 18 of the attached December 30, 1981 Quit Claim Deed have been submitted as an attachment to the soil GIS Registry attachment to the case close out report.

 5/8/09

Eric Master
Director – HR, Contracts & Legal
Cleaver-Brooks, Inc.



Site Location

Cleaver Brooks Research & Development
3232 W. Lancaster Avenue
Milwaukee, WI

1:24,000

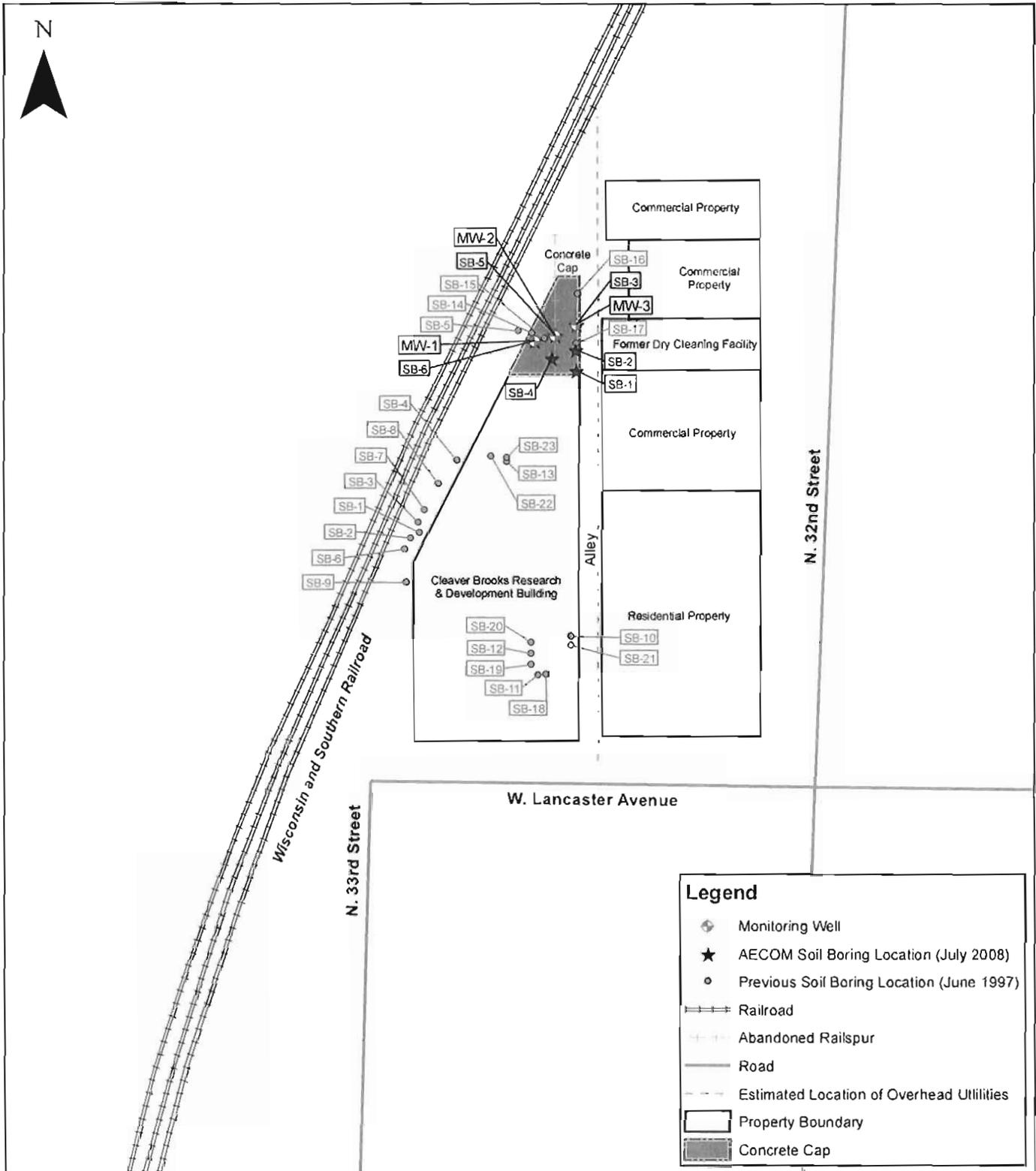
0 2,000 4000 Feet

Cleaver-Brooks, Inc.

AECOM

Project # 10765-006
March 2009

Figure 1



Site Layout

Cleaver Brooks Research & Development
3232 W. Lancaster Avenue
Milwaukee, WI

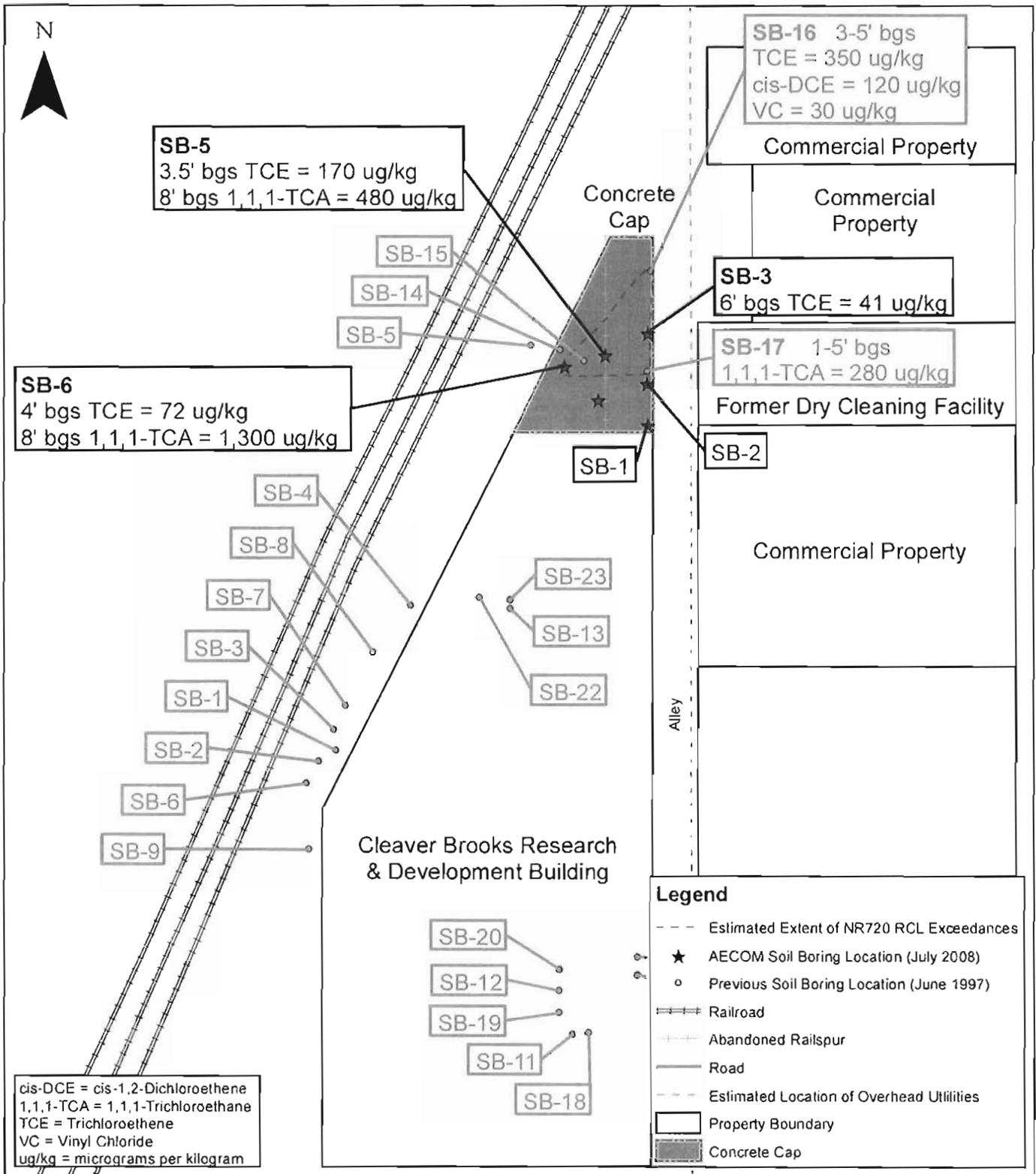
0 100 200 Feet

Cleaver-Brooks, Inc.

AECOM

Project # 10765-006
March 2009

Figure 2



Soil Concentrations Exceeding the NR720 RCLs

Cleaver Brooks Research & Development
3232 W. Lancaster Avenue
Milwaukee, WI

0 50 100 Feet

Cleaver-Brooks, Inc.

AECOM

Project # 10765-006
March 2009

Figure 3

TABLE 1A
Soil Analytical Results Summary - July 21, 2008
 Cleaver Brooks Research and Development Facility
 3232 W Lancaster Avenue
 Milwaukee, WI

Sample Collection Date: 7/21/2008		Parameter (µg/kg)					
		Chloroethane	1,1-Dichloroethane	cis-1,2-Dichloroethene	Toluene	1,1,1-Trichloroethane	Trichloroethene
Direct Contact RCL		NE	3,600,000	1,300,000	57,000,000	14,000,000	240
Soil to Groundwater RCL		NE	350	55	1,400	280	3.7
Sample Identification	PID						
SB-1 (2')	1.1	<65	<33	<33	<33	<33	<33
SB-1 (8')	1.1	<60	<30	<30	<30	<30	<30
SB-2 (2')	2.3	<60	<30	<30	<30	<30	<30
SB-2 (6')	1.1	<67	<33	<33	<33	<33	<33
SB-3 (2')	2.3	<61	<31	<31	<31	<31	<31
SB-3 (6')	1.1	<60	140	<30	<30	210	41
SB-4 (3.5')	1.1	240	<31	<31	<31	<31	<31
SB-4 (8')	0.0	<60	<30	<30	<30	<30	<30
SB-5 (3.5')	1.1	<63	34	37	33	78	170
SB-5 (8')	0.0	<66	77	<33	<33	480	<33
SB-6 (4')	1.1	<60	<30	<30	<30	200	72
SB-6 (8')	0.0	<61	63	<30	<30	1,300	<30

Notes:

All concentrations are listed in micrograms per kilogram (µg/kg), except PID readings, which are reported in Instrument Units (IU).

Only analytes detected above the laboratory method detection limit are listed.

RCLs = Residual Contaminant Levels calculated using the EPA Soil Screening guidance, with Wisconsin default values, per the Wisconsin Administrative Code NR ch. 720.19.

NE = Not established.

Bold cells denote groundwater pathway exceedances.

TABLE 1B
Historical Soil Analytical Results Summary - June 5, 1997
 Cleaver Brooks Research and Development Facility
 3232 W Lancaster Avenue
 Milwaukee, WI

Sample Collection Date: 6/5/1997	Parameter (µg/kg)							
	Chloroethane	1,1-Dichloroethane	1,1-Dichloroethene	cis-1,2-Dichloroethene	trans-1,2-Dichloroethene	1,1,1-Trichloroethane	Trichloroethene	Vinyl Chloride
Direct Contact RCL	NE	3,600,000	820,000	1,300,000	3,200,000	14,000,000	240	940
Soil to Groundwater RCL	NE	350	10	55	98	280	3.7	0.13
Sample Identification								
SB-5 (2-4')	<10	<10	<10	<10	<10	<10	<10	<10
SB-14 (2-4')	<10	<10	<10	<10	<10	<10	<10	<10
SB-15 (2-4')	<10	<10	<10	<10	<10	90	<10	<10
SB-16 (3-5')	<10	160	10	120	10	160	350	30
SB-17 (1-3')	50	110	<10	<30	<30	280	<10	<10

Notes:

All concentrations are listed in micrograms per kilogram (µg/kg), except PID readings, which are reported in Instrument Units (IU).

Only analytes detected above the laboratory method detection limit are listed.

RCLs = Residual Contaminant Levels calculated using the EPA Soil Screening guidance, with Wisconsin default values, per the Wisconsin Administrative Code NR ch. 720.19.

NE = Not established.

Bold cells denote groundwater pathway exceedances.

Bold and outlined cells denote direct contact exceedances.



CONTRACT ADMINISTRATION AND LEGAL COUNSEL
ERIC J. MASTER, Director

5/8/2009

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

City of Milwaukee Department of Public Works
Infrastructure Services Division
Zeidler Municipal Building
841 North Broadway Street, Room 701
Milwaukee, Wisconsin 53202

Attention: Mr. Jeffrey S. Polenske, P.E.
City Engineer

Re: Notification under Wis. Admin. Code § NR 726.05(2)(a)4. and Wis. Stat. § 292.12(4) of Soil Contamination and Engineered Control in the Alley Right-of-Way Adjacent to Lot 18 of 3232 West Lancaster Avenue, Milwaukee, Wisconsin; WDNR BRRTS Case No. 02-41-551558.

Dear Mr. Polenske:

Cleaver-Brooks is submitting this notice to you as a requirement of the Wisconsin Department of Natural Resources ("WDNR") Case Closure regulations, Wis. Admin. Code § NR 726, because there may be soil contamination above Residual Contaminant Levels ("RCLs") in a public alley right-of-way owned by the City of Milwaukee. This notice also contains, as required by Wis. Stat. § 292.12(4), the location and description of an engineered control located partially in the public alley right-of-way.

In 1997, Cleaver-Brooks (formerly Aqua-Chem) retained Clayton Environmental Consultants ("Clayton") to conduct a subsurface investigation at the Cleaver-Brooks Research & Development facility located at 3232 Lancaster Avenue, Milwaukee, WI. See attached Figure 2 Site Layout. As a result of that investigation, soil Residual Contaminant Levels ("RCLs") for chlorinated volatile organic compounds ("CVOCs") were found to have been exceeded at one location, SB-16, in the public alley north of Lot 18 (see attached site layout). Specifically, the CVOCs were 1,1-dichloroethane, cis-1,2-dichloroethene, and trichloroethene. These results were submitted to WDNR. See attached Table 1B.

On May 28, 2008, WDNR requested additional information regarding the CVOC soil contamination at the site. Cleaver-Brooks retained AECOM, Inc. to conduct the subsurface investigation. No new borings were conducted within the public right-of-way, but CVOC soil contamination above soil RCLs exists on Lot 18 and may still exist in the alley right-of-way. See attached Table 1A.

There is, however, an approximately twelve inch thick concrete cap over the area of contaminated soil. The cap extends onto a portion of the public alley right-of-way owned by the City of Milwaukee. Cleaver-Brooks is pursuing closure of the site based on a Cap/Barrier Maintenance Plan and seeks to add the location to WDNR's GIS

Registry. Closure means that the Department will not be requiring any further investigation or cleanup action to be taken, other than the maintenance of the concrete cap. Cleaver-Brooks has committed to inspecting and maintaining the concrete cap, including the portion of the cap that is located in the public alley. A copy of the Cap/Barrier Maintenance Plan and Description is attached. Cleaver-Brooks requests that the City notify Cleaver-Brooks in advance of any planned disturbance of the portion of the cap on City property as required in the Maintenance Plan.

Once the Department makes a decision on our closure request, it will be documented in a letter. If the Department grants closure, you may obtain a copy of this letter by requesting a copy from us, by writing to the agency contact at John Hnat, WDNR – Southeast Region, 2300 N. Dr. Martin Luther King Dr., Milwaukee, WI 53212, or by accessing the DNR GIS Registry of Closed Remediation Sites on the internet at <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 would like to submit any information to the WDNR that is relevant to this closure request, you should mail that information to: John Hnat, WDNR – Southeast Region, 2300 N. Dr. Martin Luther King Dr., Milwaukee, WI 53212. Otherwise, if you need more information, you may contact me or Snejana Karakis at AECOM, Inc. (262-523-2040) or you may contact John Hnat at the address listed above.

Sincerely,
Cleaver-Brooks, Inc.



Eric Master
Director – HR, Contracts & Legal

Attachments

Cc: Mr. Ronald D. Leonhardt (City of Milwaukee, City Clerk)
Ms. Jennifer Drury Buzucky (Whyte Hirschboeck Dudek S.C.)
Ms. Snejana Karakis (AECOM, Inc.)

RIGHT-OF-WAY

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:

*City of Milwaukee Dept. of
Public Works
Infrastructure Services Division
Ziedler Municipal Bldg.
841 N. Broadway, Rm. 701
Milwaukee WI 53202*

2. Article Number
(Transfer from service label)

7008 0150 0000 7023 4942

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Shurley Pearson Agent Addressee

B. Received by (Printed Name)

C. Date of Delivery

MAY 19 2009

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

UNITED STATES POSTAL SERVICE

19 MAY 2009 PM 8 L

First-Class Mail
Postage & Fees Paid
USPS
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• Sender: Please print your name, address, and ZIP+4 in this box •

**WHYTE HIRSCHBOECK DUDEK
555 EAST WELLS STREET
SUITE 1900
MILWAUKEE, WI 53202-3819**

Buzicky 1734/1000

