GIS REGISTRY COVER SHEET
Commerce Case Closure

Source Property Information

Closure Date:	November 6, 2008
BRRTS #:	03-41-548621
Commerce #:	53222-1532-01-A
Site Name:	Strip Mall
Street Address:	9201 West Capitol Drive
City:	Milwaukee

Source Property GPS Coordinates: **X = 680487** **Y = 292635**
(*Coordinates in WTM83, NAD83 (1991)*)

GPS Coordinates Represent

[X] Approximate Center of Contaminant Source [ ] Approximate Source Parcel Center

---

Please check as appropriate: (BRRTS Action Code)

Contaminated Media

[ ] **Groundwater Contamination >Enforcement Standard** (236)

[ ] Groundwater Contamination in Right-of-Way

[ ] Off-Source Groundwater Contamination
(See attached list of impacted off-source properties)

[X] **Soil Contamination >Residual Contaminant Levels (RCLs), Site-Specific RCLs (SSRCLs) or Direct Contact <4 feet** (232)

[X] Soil Contamination in Right-of-Way

[ ] Off-Source Soil Contamination
(See attached list of impacted off-source properties)

Land Use Controls

[ ] Soil: maintain industrial zoning (220)

[X] Structural Impediment (224)

[ ] Site-Specific Condition (228)

[X] Cover or Barrier (222)

[ ] Vapor Mitigation (226)

[ ] Maintain Liability Exemption (230)
(For local government or economic development corporation)

Monitoring wells properly abandoned? (234)

[x] Yes [ ] No

ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
9316 North 107th Street
Milwaukee, Wisconsin 53224-1121
TTY: Contact Through Relay
Fax: (414) 357-4700
Jim Doyle, Governor
Richard J. Leinenkugel, Secretary

commerce.wi.gov
Wisconsin
Department of Commerce

November 6, 2008

Mr. George Salvat
PO Box 170227
Milwaukee, WI 53217

RE: **Final Closure with Land Use Limitation to Address Direct Contact Risk**

Commerce # 53222-1532-01-A DNR BRRTS # 03-41-548621
Strip Mall, 9201 West Capitol Drive, Milwaukee

Dear Mr. Salvat:

The Wisconsin Department of Commerce (Commerce) has determined that this site does not pose a significant threat to human health and the environment as long as current and subsequent property owners adhere to the following limitation:

> The barrier cap must be maintained in accordance with the enclosed maintenance plan and if the site buildings are removed, an investigation of the degree and extent of petroleum contamination must be conducted and the results reported to Commerce.

Commerce has the authority per section 292.12(2), Wis. Stats., to require the maintenance of a barrier cap and further investigation upon removal of a structural impediment at this property. Commerce may conduct inspections to ensure compliance with the maintenance plan. Failure to adhere to these limitations may result in financial penalties from $10 to $5,000 per day in accordance with section 292.99(1), Wis. Stats. These limitations make it unnecessary to conduct additional activities on the property at this time. In the future, you may request that Commerce review *new* information to determine if the cap requirement can be changed or removed.

The following activities are prohibited on any portion of the property where the barrier cap (asphalt/concrete pavement and site buildings) is required, as identified on the attached map, unless prior written approval has been obtained from Commerce: 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.

This site is now listed as "closed" on the Commerce database and will be included on the Department of Natural Resources (DNR) Geographic Information System (GIS) Registry of Closed Remediation Sites to address residual soil contamination. To review the sites on the GIS Registry web page, visit http://dnr.wi.gov/org/aw/rr/gis/index.htm.

If you intend to construct or reconstruct a potable well on this property, you must get prior DNR approval. To obtain approval, complete Form 3300-254, GIS Registry Site Well Approval Application, and submit it to the DNR Drinking and Groundwater program's regional water supply specialist. This form can be obtained on-line at http://www.dnr.state.wi.us/org/water/dwg/3300254.pdf or through the GIS Registry web address listed above.

All current and future owners and occupants of the property need to be aware that excavation of contaminated soil may pose a hazard. Special precautions may be needed to prevent inhalation,

ingestion or dermal contact with the residual contamination when it is removed. If soil is excavated, 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 must determine whether the material would be considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable State regulations and standards.

Depending on site-specific conditions, construction over contaminated materials may result in vapor migration into enclosed structures or along newly placed underground utility lines. The potential for vapor inhalation and mitigation should be evaluated when planning any future redevelopment, and measures should be taken to ensure the continued protection of public health, safety, welfare and the environment at the site.

Costs for sampling and excavation activities conducted after case closure are not eligible for PECFA reimbursement. However, if it is determined that any undisturbed remaining petroleum contamination poses a threat, the case may be reopened and further investigation or remediation may be required. If this case is reopened, any original claim under the PECFA fund would also reopen and you may apply for assistance to the extent of remaining eligibility.

Thank you for your efforts to protect Wisconsin's environment. If you have any questions, please contact me in writing at the letterhead address or by telephone at (414) 357-4705.

Sincerely,

Monica Weis

Monica L. Weis
Senior Hydrogeologist
Site Review Section

Enclosure

cc: Mr. Mike Bozikowski, Moraine Environmental, Inc.

Performance Standard
Operation and Maintenance Plan
to
Maintain the Asphalt Pavement
at
STRIP MALL PROPERTY
9201 W. Capitol Drive
Milwaukee, WI 53222
WDNR BRRTS #03-41-548621
Commerce #53222-1532-01-A

This operation and maintenance plan is instituted as a performance standard required as part of case closure to impede exposure from direct contact from contaminated soil, defined as contamination in excess of NR746.06 limits within four (4) feet of the ground surface. Consistent with Wisconsin Administrative Code NR 724.13, this performance standard is implemented in addition to GIS Registration for soil contamination in lieu of removing or treating contaminated soil that exceeds the Residual Contaminant Levels.

The Engineered Controls identified under this performance standard consists pavement and/or buildings that exist over the area of contamination identified in Figure 9, attached.

Whereas the following maintenance conditions apply to these Engineered Controls:

1. The asphalt pavement shall remain in place, and shall be maintained on the subject property until such time that subsurface testing demonstrates the contaminants of concern are below applicable standards. Upon review of the data by the Department of Commerce, these restrictions can be lifted or amended.

2. The following activities are prohibited within the Engineered Controls:
    a) Excavating or grading the land surface.
    b) Replacing the engineered controls with permeable materials.
    c) Plowing for agricultural purposes.

d) Construction or repair activities that involve penetrating the Engineered Controls and exposing contaminated soil.

3. The Engineered Controls shall be maintained unless replaced with barriers impeding storm infiltration at an equivalent rate.

4. The property owner shall inspect the Engineered Controls annually and implement corrective action as necessary to ensure barrier integrity. Records of the inspection shall be maintained at the facility using the attached form. Barrier deficiency such as cracking, settling, buckling and excessive wear, etc shall be appropriately filled, sealed, repaired, replaced or otherwise remedied to maintain barrier integrity.

OPERATION AND MAINTENANCE PLAN
CONTAMINATED SOIL BARRIER INSPECTION FORM

STRIP MALL
9201 W. Capitol Drive
Milwaukee, WI 53222
WDNR BRRTS #03-41-548621

INSPECTION

Date Inspected _____

Name of Engineered Control Inspected ie Building, Pavement, ect.

_____

Inspector Signature _____

Print Name _____

List Repair Items Identified from Inspection

REPAIRS

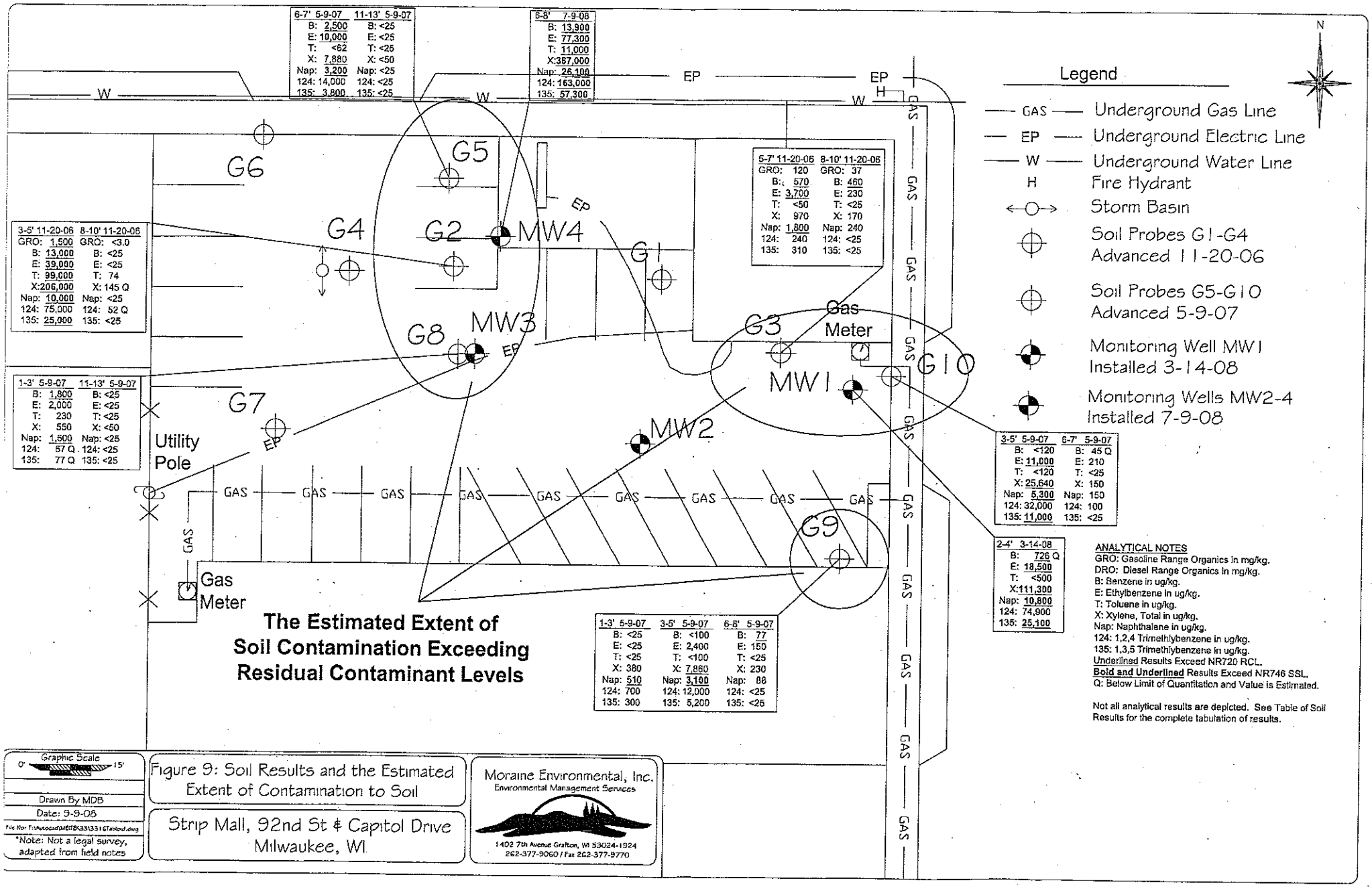
Describe Maintenance and Repair Activity; Attached estimates, invoices or other evidence of maintenance or repair

Date Repaired _____

Signature _____

Print Name _____

Copy form as necessary to continue use



ANALYTICAL NOTES
GRO: Gasoline Range Organics in mg/kg.
DRO: Diesel Range Organics in mg/kg.
B: Benzene in ug/kg.
E: Ethylbenzene in ug/kg.
T: Toluene in ug/kg.
X: Xylene, Total in ug/kg.
Nap: Naphthalene in ug/kg.
124: 1,2,4 Trimethlybenzene in ug/kg.
135: 1,3,5 Trimethlybenzene in ug/kg.
Underlined Results Exceed NR720 RCL.
Bold and Underlined Results Exceed NR746 SSL.
Q: Below Limit of Quantitation and Value is Estimated.

Not all analytical results are depicted. See Table of Soil Results for the complete tabulation of results.

Graphic Scale 0' 15'

Drawn By MDB

Date: 9-9-08

File No: F:\Autocad\MEI\EK331\331GTabloid.dwg

*Note: Not a legal survey, adapted from field notes

Figure 9: Soil Results and the Estimated Extent of Contamination to Soil

Strip Mall, 92nd St & Capitol Drive
Milwaukee, WI

Moraine Environmental, Inc.
Environmental Management Services
1402 7th Avenue Grafton, WI 53024-1924
262-377-9060 / Fax 262-377-9770

ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
9316 North 107th Street
Milwaukee, Wisconsin 53224-1121
TTY: Contact Through Relay
Fax #: (414) 357-4700
Jim Doyle, Governor
Richard J. Leinenkugel, Secretary

commerce.wi.gov
Wisconsin
Department of Commerce

October 8, 2008

Mr. George Salvat
PO Box 170227
Milwaukee, WI 53217

RE: **Case Closure Consideration with Proposed Land Use Limitation for Direct Contact Risk**

Commerce # 53222-1532-01-A DNR BRRTS # 03-41-548621
Strip Mall, 9201 West Capitol Drive, Milwaukee

Dear Mr. Salvat:

The Wisconsin Department of Commerce (Commerce) has reviewed the request for case closure prepared by your consultant, Moraine Environmental, Inc., for the site referenced above. It is understood that residual soil contamination remains on site. This letter serves as written notice that no further investigation or remedial action is necessary.

Please be aware that compliance with the requirements of this letter is a responsibility to which you and any subsequent property owners must adhere, pursuant to section 292.12, Wis. Stats. If these requirements are not followed, Commerce may take enforcement action under section 292.11, Wis. Stats., to ensure compliance with the specified requirements, limitations or other conditions related to the property, or this case may be reopened pursuant to section NR 726.09, Wis. Administrative Code. It is Commerce's intent to conduct inspections in the future to ensure that the conditions included in this letter, including compliance with the referenced maintenance plan, are met.

Well Abandonment Requirements

All monitoring wells must be properly abandoned within 60 days and the appropriate documentation forwarded to Commerce at the letterhead address within 120 days of the date of this letter. Noncompliance with the abandonment requirement and deadline can result in enforcement action and financial penalties. A final closure letter will be sent after the abandonment requirements have been met.

Land Use Limitation Requirements to Address Direct Contact Risk

Commerce has determined that this site does not pose a significant threat to human health and the environment as long as the barrier cap (asphalt pavement) at this property is maintained. Residual petroleum concentrations in soil exceeding standards for the protection of human health from direct contact with contaminated soil remain in the vicinity of soil borings G2, G5, G8, G9, G10 and wells MW1, MW3, and MW4. Additionally, the presence of a structural impediment (the existing site buildings) has limited the ability to determine the degree and extent of contamination at this site. Therefore, the existing barrier cap must be maintained in accordance with the maintenance plan provided to prevent direct contact exposure to shallow contaminated soil and if the existing site buildings are removed, an investigation of the degree and extent of petroleum contamination must be conducted and the results reported to Commerce. A site figure that indicates the approximate area with shallow residual petroleum contamination in soil and the barrier cap maintenance plan are enclosed for your review.

These limitations must be adhered to by the current property owner and any subsequent owner. Failure to maintain the asphalt pavement or investigate the degree and extent of petroleum contamination if the impediment is removed may result in financial penalties from $10 to $5,000 per day in accordance with section 292.99(1), Wis. Stats.

The following activities are prohibited on any portion of the property where pavement or an existing building is required, as identified on the attached map, unless prior written approval has been obtained from Commerce: 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.

Acceptance of these limitations to be imposed on the property makes it unnecessary to conduct additional soil remediation activities on the property at this time. In the future, you may request that Commerce review any *new* information to determine if the barrier requirement or maintenance plan can be changed or removed. If you do not want these limitations on your property, you must contact the undersigned to determine what remedial activities will be required, at your own expense, to close this case without the cap maintenance requirement.

GIS Registry of Closed Remediation Sites

Information submitted with your closure request will be included on the Department of Natural Resources (DNR) GIS Registry of Closed Remediation Sites. All sites on the Registry can be viewed via the Remediation and Redevelopment (RR) Sites Map at http://dnr.wi.gov/org/aw/rr/gis/index.htm. Because residual contamination remains at the time of case closure, if you intend to construct or reconstruct a potable well on this property, you must get prior DNR approval.

Residual Soil Contamination

All current and future owners and occupants of the property need to be aware that excavation of contaminated soil may pose a hazard. Special precautions may be needed to prevent inhalation, ingestion or dermal contact with the residual contamination when it is removed. If soil is excavated, 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 must determine whether the material would be considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable standards and rules. Costs for sampling and excavation activities conducted after the date of this letter are not eligible for PECFA reimbursement.

Potential Vapor Migration

Depending on site-specific conditions, construction over contaminated materials may result in vapor migration into enclosed structures or along newly placed underground utility lines. The potential for vapor inhalation and mitigation should be evaluated when planning any future redevelopment, and measures should be taken to ensure the continued protection of public health, safety, welfare and the environment at the site.

Claim Submittal Requirement

Timely filing of your final PECFA claim (if applicable) is encouraged. If your claim is not received within 120 days of the date of this letter, interest costs incurred after 60 days of the date of this letter will not be eligible for PECFA reimbursement.

Thank you for your efforts to protect Wisconsin's environment. If you have any questions, please contact me in writing at the letterhead address or by telephone at (414) 357-4705.

Sincerely,

Monica Weis

Monica L. Weis
Senior Hydrogeologist
Site Review Section

Enclosure

cc: Mr. Mike Bozikowski, Moraine Environmental, Inc.

Performance Standard
Operation and Maintenance Plan
to
Maintain the Asphalt Pavement
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STRIP MALL PROPERTY
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OPERATION AND MAINTENANCE PLAN
CONTAMINATED SOIL BARRIER INSPECTION FORM

STRIP MALL
9201 W. Capitol Drive
Milwaukee, WI 53222
WDNR BRRTS #03-41-548621

INSPECTION

Date Inspected _____

Name of Engineered Control Inspected ie Building, Pavement, ect.

_____

Inspector Signature _____

Print Name _____

List Repair Items Identified from Inspection

REPAIRS

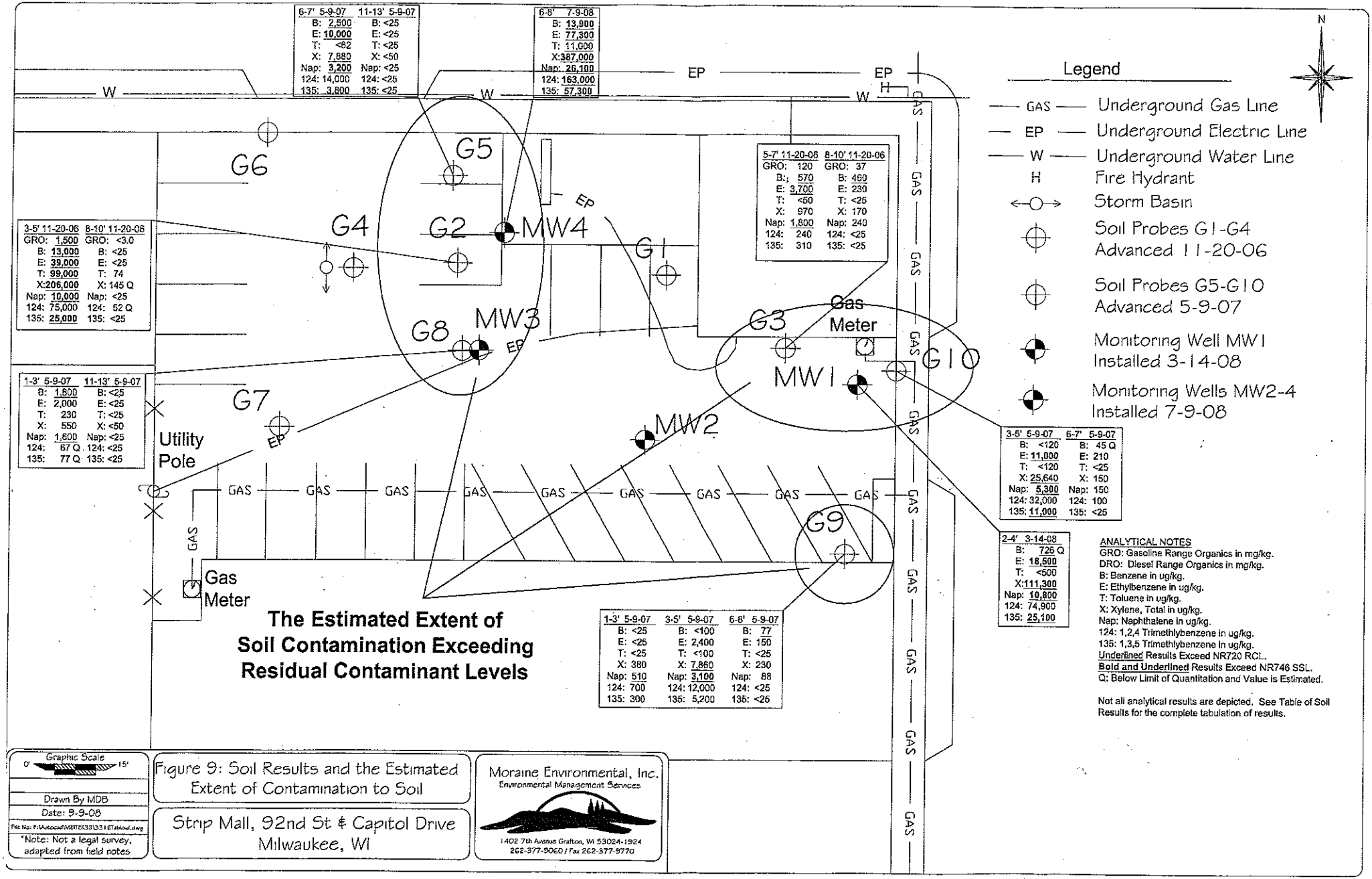
Describe Maintenance and Repair Activity; Attached estimates, invoices or other evidence of maintenance or repair

Date Repaired _____

Signature _____

Print Name _____

Copy form as necessary to continue use


6-7' 5-9-07 11-13' 5-9-07
B: 2,500 B: <25
E: 10,000 E: <25
T: <62 T: <25
X: 7,880 X: <50
Nap: 3,200 Nap: <25
124: 14,000 124: <25
135: 3,800 135: <25
6-8' 7-9-08
B: 13,900
E: 77,300
T: 11,000
X:387,000
Nap: 26,100
124: 163,000
135: 57,300
5-7' 11-20-06 8-10' 11-20-06
GRO: 120 GRO: 37
B: 570 B: 460
E: 3,700 E: 230
T: <50 T: <25
X: 970 X: 170
Nap: 1,800 Nap: 240
124: 240 124: <25
135: 310 135: <25
3-5' 11-20-06 8-10' 11-20-06
GRO: 1,500 GRO: <3.0
B: 13,000 B: <25
E: 39,000 E: <25
T: 99,000 T: 74
X:206,000 X: 145 Q
Nap: 10,000 Nap: <25
124: 75,000 124: 52 Q
135: 25,000 135: <25
1-3' 5-9-07 11-13' 5-9-07
B: 1,800 B: <25
E: 2,000 E: <25
T: 230 T: <25
X: 550 X: <50
Nap: 1,600 Nap: <25
124: 67 Q 124: <25
135: 77 Q 135: <25
3-5' 5-9-07 6-7' 5-9-07
B: <120 B: 45 Q
E: 11,000 E: 210
T: <120 T: <25
X: 25,640 X: 150
Nap: 5,300 Nap: 150
124: 32,000 124: 100
135: 11,000 135: <25
2-4' 3-14-08
B: 726 Q
E: 18,500
T: <500
X:111,300
Nap: 10,800
124: 74,900
135: 25,100
1-3' 5-9-07 3-5' 5-9-07 6-8' 5-9-07
B: <25 B: <100 B: 77
E: <25 E: 2,400 E: 150
T: <25 T: <100 T: <25
X: 380 X: 7,860 X: 230
Nap: 510 Nap: 3,100 Nap: 88
124: 700 124: 12,000 124: <25
135: 300 135: 5,200 135: <25
G1
G2
G3
G4
G5
G6
G7
G8
G9
G10
MW1
MW2
MW3
MW4
W
EP
GAS
H
Gas Meter
Utility Pole
N
Legend
Underground Gas Line
Underground Electric Line
Underground Water Line
Fire Hydrant
Storm Basin
Soil Probes G1-G4 Advanced 11-20-06
Soil Probes G5-G10 Advanced 5-9-07
Monitoring Well MW1 Installed 3-14-08
Monitoring Wells MW2-4 Installed 7-9-08
The Estimated Extent of Soil Contamination Exceeding Residual Contaminant Levels
ANALYTICAL NOTES
GRO: Gasoline Range Organics in mg/kg.
DRO: Diesel Range Organics in mg/kg.
B: Benzene in ug/kg.
E: Ethylbenzene in ug/kg.
T: Toluene in ug/kg.
X: Xylene, Total in ug/kg.
Nap: Naphthalene in ug/kg.
124: 1,2,4 Trimethlybenzene in ug/kg.
135: 1,3,5 Trimethlybenzene in ug/kg.
Underlined Results Exceed NR720 RCL.
Bold and Underlined Results Exceed NR746 SSL.
Q: Below Limit of Quantitation and Value is Estimated.
Not all analytical results are depicted. See Table of Soil Results for the complete tabulation of results.
Graphic Scale
0' 15'
Drawn By MDB
Date: 9-9-08
File No: F:\Autocad\MBTEK33\331ETablout.dwg
*Note: Not a legal survey, adapted from field notes
Figure 9: Soil Results and the Estimated Extent of Contamination to Soil
Strip Mall, 92nd St & Capitol Drive Milwaukee, WI
Moraine Environmental, Inc.
Environmental Management Services
1402 7th Avenue Grafton, WI 53024-1924
262-377-9060 / Fax 262-377-9770

DOCUMENT NO.

WARRANTY DEED

This Deed, made between Ronald N. Essmann ~~and The Estate of Carolyn M. Essmann~~, Grantor, and George Salvat, Grantee,

Witnesseth, That the said Grantor, for valuable consideration one dollar and other valuable consideration conveys to Grantee the following described real estate in Milwaukee County, State of Wisconsin:

THIS SPACE RESERVED FOR RECORDING DATA
NAME AND RETURN ADDRESS
Michael Stern
McNally Maloney & Peterson S.
2600 N. Mayfair Rd Suite
Milwaukee, Wis. 53226

26104017
Parcel Identification Number

Lot 1, in Block 1 in Golden Valley, a Subdivision of a part of the Northeast 1/4 of Section 8, Township 7 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin.

This is not homestead property.

Together with all and singular the hereditaments and appurtenances thereunto belonging;
And Ronald N. Essmann and The Estate of Carolyn M. Essmann warrants that the title is good, indefeasible in fee simple and free and clear of encumbrances except municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utility and municipal services, recorded building and use restrictions and covenants, general taxes levied in the year of closing and will warrant and defend the same.

Dated this 20th day of NOVEMBER, 1998.

Ronald N. Essmann (SEAL)
Ronald N. Essmann

_____ (SEAL)

_____ (SEAL)

_____ (SEAL)

AUTHENTICATION

Signature(s) _____

_____

authenticated this ___ day of _____, _____

_____

_____

TITLE: MEMBER OF STATE BAR OF WISCONSIN
(If not, _____
authorized by ss. 706.06, Wis. Stats.)
THIS INSTRUMENT WAS DRAFTED BY

Priority Title Corporation
Attorney Jeffrey P. Patterson

(Signatures may be authenticated or acknowledged. Both are not necessary.)

ACKNOWLEDGMENT

State of ~~Wisconsin~~ Florida)
) ss.
Pasco County,)

Personally came before me this 11-20-98 day of _____, _____, the above named Ronald N. Essmann and The Estate of Carolyn M. Essmann to me known to be the person(s) who executed the foregoing instrument and acknowledge the same.

Presented Florida Driver License

E255-734-36-131-0

Notary Public, Marlene Reed Pasco County, ~~Wis.~~
My commission is permanent, (if not, state expiration date: my commission expires 9-17-2002.)

MARLENE REED
Notary Public, State of Florida
My Comm. Exp. 9/17/2002
No. CC 776146
Personally Known ( ) Other I.D.

Wisconsin Department of Natural Resources
Southeast Region Headquarters
2300 N. Dr. Martin Luther King Jr. Drive
Milwaukee, Wisconsin 53212

RE: STRIP MALL
9201 W. Capitol Drive
Milwaukee, WI
Commerce #53222-1532-01-A
BRRTS #03-41-548621

To Whom It May Concern:

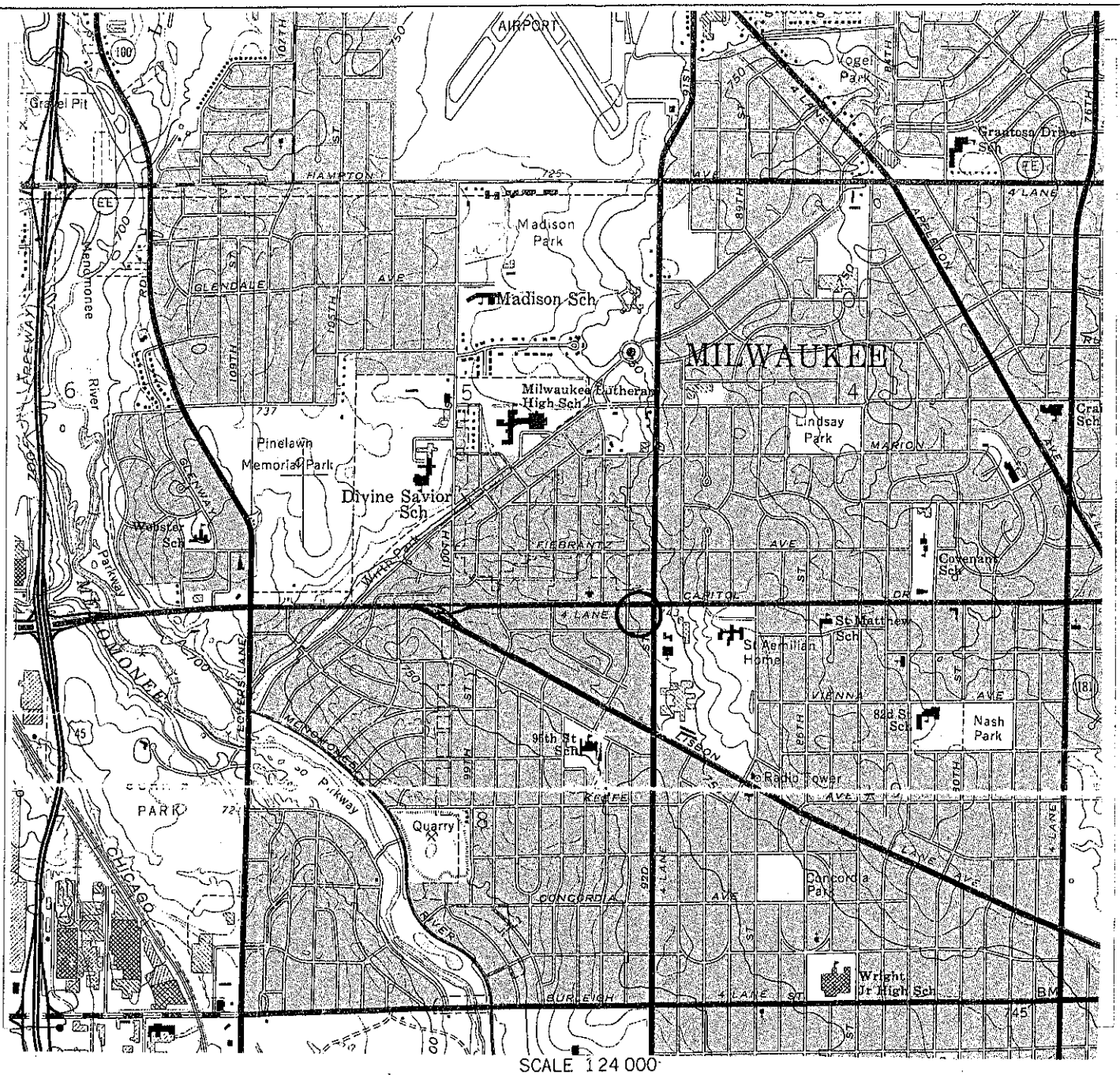
I certify that, to the best of my knowledge, the attached deed(s) is/are complete, accurate, and describe the petroleum-impacted property correctly. Please contact me at (414) 430-0611 if there are any questions.

Sincerely,

by George Salvat — Date

(owner)

Deed(s) with legal description attached



SCALE 1 24 000

1 MILE

1000 0 1000 2000 3000 4000 5000 6000 7000 FEET

1 KILOMETER

CONTOUR INTERVAL 10 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

WISCONSIN

QUADRANGLE LOCATION

WAUWATOSA, WIS.
SE/4 WAUKESHA 15' QUADRANGLE
N4300—W8800/7.5
PHOTOINSPECTED 1976
1958
PHOTOREVISED 1971
AMS 3370 II SE—SERIES V861

SITE LOCATION

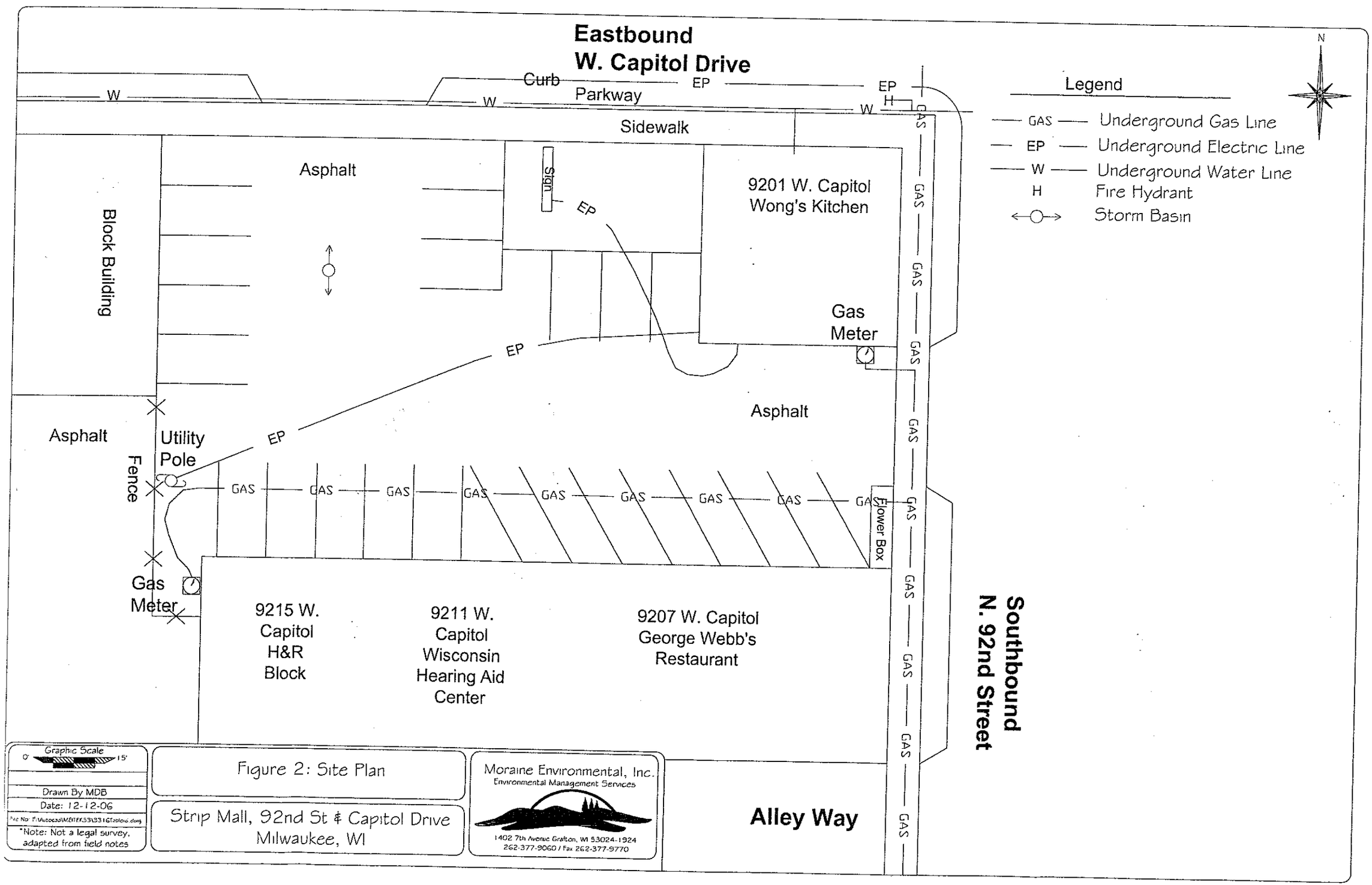
NE 1/4 of the
NE 1/4
Section 8
Township 7N
Range 21E

N

Strip Mall Property
9201 W. Capitol Drive
Milwaukee, WI

Figure 1
Site Location/Topographic Map

Moraine Environmental, Inc.
Environmental Management Services
1402 7th Avenue Grafton, WI 53024-1924
262-377-9060 / Fax 262-377-9770


Eastbound
W. Capitol Drive
Curb
Parkway
Sidewalk
EP
W
H
GAS
Legend
GAS Underground Gas Line
EP Underground Electric Line
W Underground Water Line
H Fire Hydrant
Storm Basin
N
Asphalt
Sign
9201 W. Capitol
Wong's Kitchen
Block Building
Gas
Meter
Asphalt
Asphalt
Utility
Pole
Fence
Flower Box
Gas
Meter
9215 W.
Capitol
H&R
Block
9211 W.
Capitol
Wisconsin
Hearing Aid
Center
9207 W. Capitol
George Webb's
Restaurant
Southbound
N. 92nd Street
Alley Way
Graphic Scale
0' 15'
Drawn By MDB
Date: 12-12-06
File No: F:\Autocad\MERF\33133\1GTopo.dwg
*Note: Not a legal survey, adapted from field notes
Figure 2: Site Plan
Strip Mall, 92nd St & Capitol Drive
Milwaukee, WI
Moraine Environmental, Inc.
Environmental Management Services
1402 7th Avenue Grafton, WI 53024-1924
262-377-9060 / Fax 262-377-9770

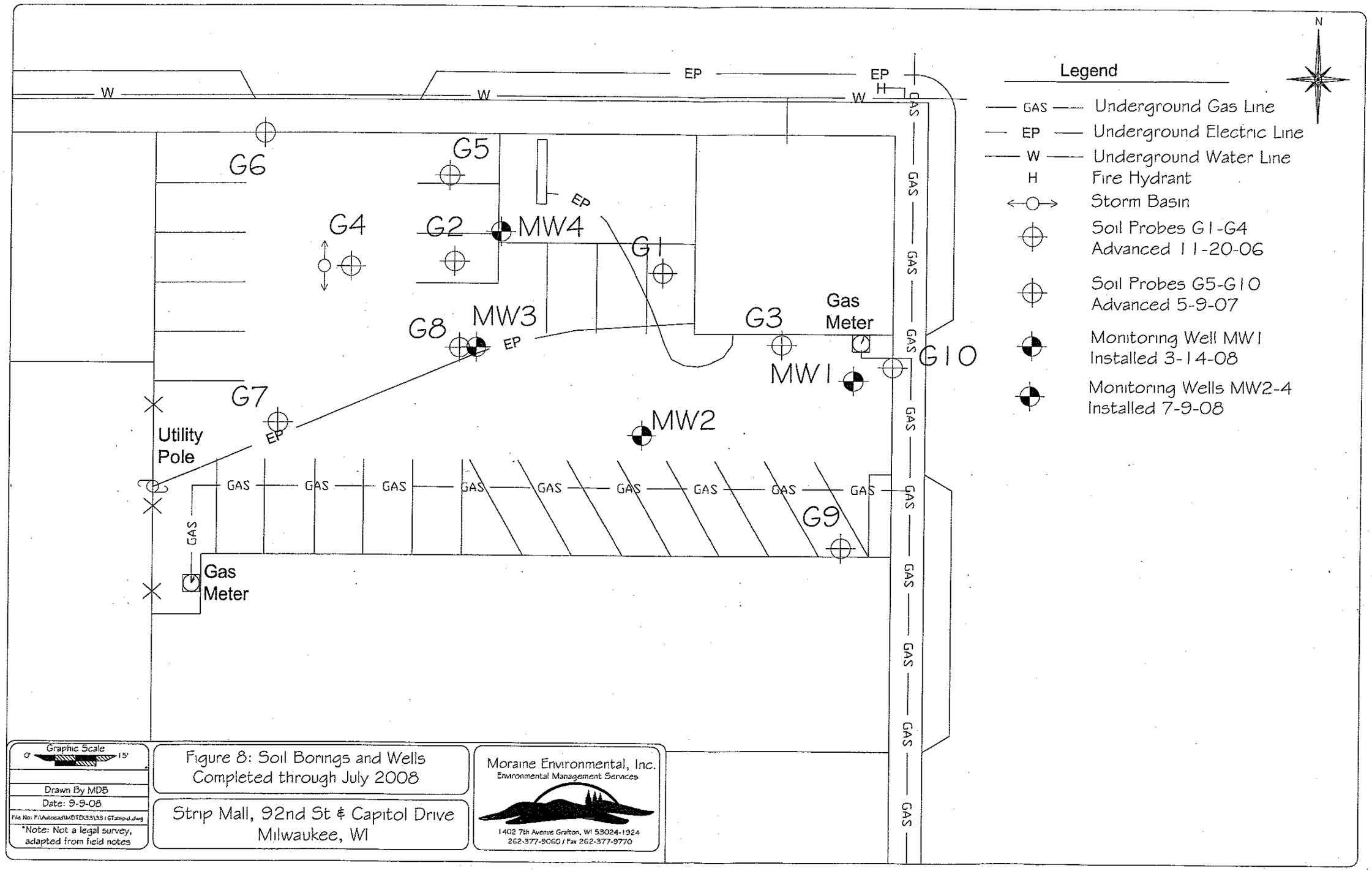
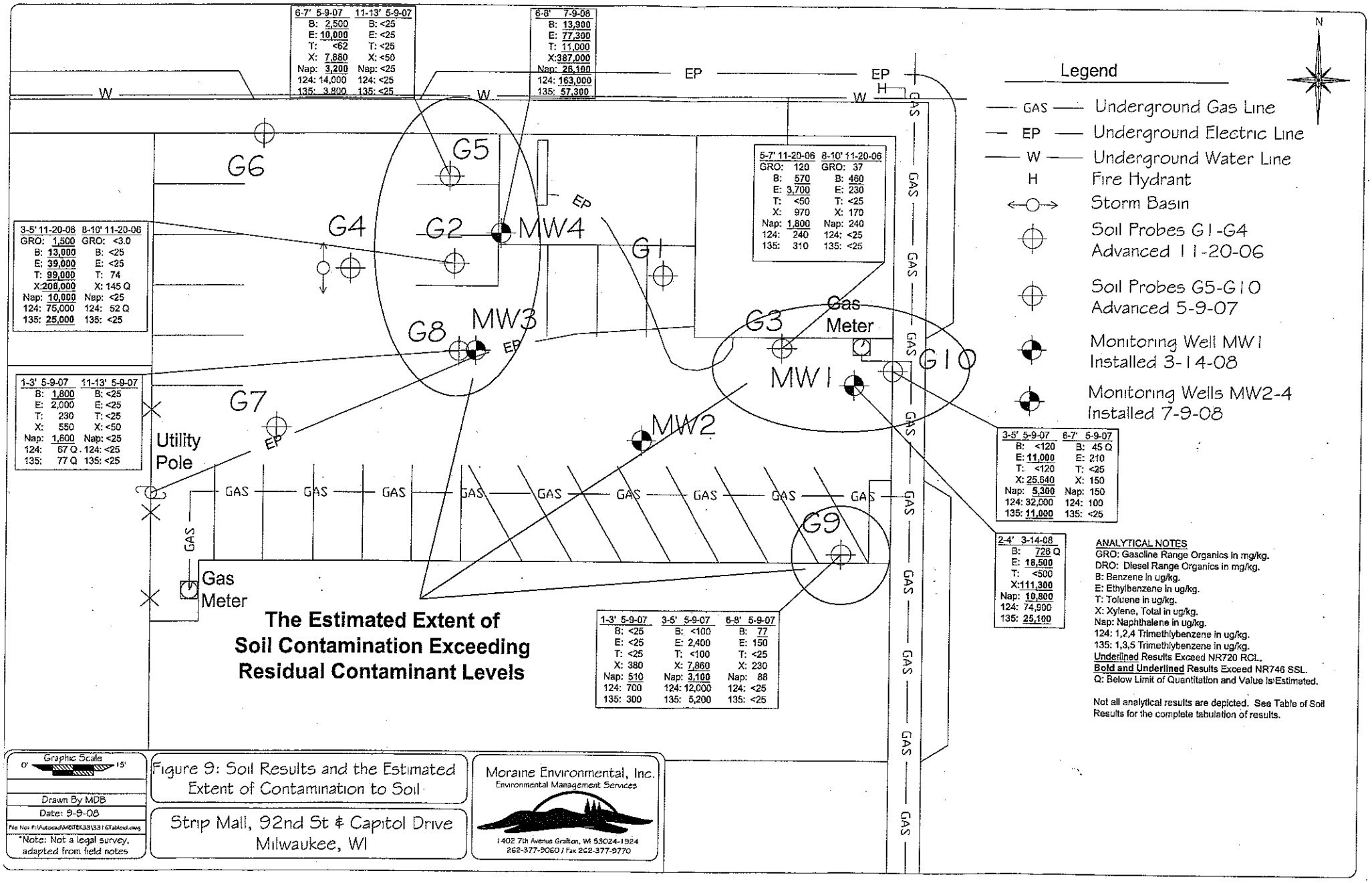


Figure 8: Soil Borings and Wells Completed through July 2008

Strip Mall, 92nd St & Capitol Drive
Milwaukee, WI



Graphic Scale 0' 15'

Drawn By MDB

Date: 9-9-08

File No: F:\Autocad\MEITEK33\3316Tablod.dwg

*Note: Not a legal survey, adapted from field notes

Figure 9: Soil Results and the Estimated Extent of Contamination to Soil

Strip Mall, 92nd St & Capitol Drive Milwaukee, WI

Moraine Environmental, Inc.
Environmental Management Services
1402 7th Avenue Grafton, WI 53024-1924
262-377-9060 / Fax 262-377-9770

STRIP MALL PROPERTY
9201 W. Capitol Drive Milwaukee, WI 53222

Table 2
Soil Results
Moraine Project #3316 / 3924

Bore Hole Data				GRO, DRO, PVOC+Nap, Pb										
Bore Hole ID	Date	Sample Depth (feet bgs)	Analysis	GRO	DRO	Total Lead	Benzene	Ethyl-benzene	Methyl-tert-butyl-ether	Naphthalene	Toluene	1,2,4-Trimethyl benzene	1,3,5-Trimethyl benzene	Total Xylenes
			Unit of Measure:	mg/kg	mg/kg	mg/kg	ug/kg	ug/kg	ug/kg	ug/kg	ug/kg	ug/kg	ug/kg	ug/kg
WDNR NR 720 RCLs/ Lowest PAH Objectives:				250*	250*	50	5.5	2,900	NSE	400	1,500	NSE	NSE	4,100
WDNR NR 746 SSLs:				NSE	NSE	NSE	8,500	4,600	NSE	2,700	38,000	83,000	11,000	42,000
G1	11/20/06	3-5	GRO VOC Pb	13	NA	25	<25	<25	<25	<25	48 Q	34 Q	<25	72 Q
		5-7	GRO VOC Pb	<2.9	NA	7.6	<25	<25	<25	<25	<25	<25	<25	<50
G2	11/20/06	3-5	GRO DRO VOC Pb	1,500	55	12	**13,000**	**39,000**	<620	**10,000**	**99,000**	75,000	**25,000**	**206,000**
		8-10	GRO DRO PVOC+Nap Pb	<3.0	4.6	9.3	<25	<25	<25	<25	74	52 Q	<25	145 Q
G3	11/20/06	5-7	GRO VOC Pb	120	NA	14	570	3,700	120 Q	1,800	<50	240	310	970
		8-10	GRO PVOC+Nap Pb	37	NA	13	460	230	<25	240	<25	<25	<25	170
G4	11/20/06	3-5	GRO PVOC+Nap Pb	4.7	NA	8.5	<25	<25	<25	<25	<25	<25	<25	<50
		8-10	GRO PVOC+Nap Pb	<3.0	NA	9.4	<25	<25	<25	<25	<25	<25	<25	<50
G5	05/09/07	6-7	PVOC + Nap Pb	NA	NA	7.5	2,500	**10,000**	97 Q	**3,200**	<62	14,000	3,800	7,880
		11-13	PVOC + Nap Pb	NA	NA	7.7	<25	<25	<25	<25	<25	<25	<25	<50
G6	05/09/07	5-7	PVOC + Nap Pb	NA	NA	9.9	<25	<25	<25	<25	<25	<25	<25	<50
		12-14	PVOC + Nap Pb	NA	NA	8.0	<25	<25	<25	<25	<25	<25	<25	<50
G7	05/09/07	5-7	PVOC + Nap Pb	NA	NA	8.0	<25	<25	<25	<25	<25	<25	<25	<50
		12-14	PVOC + Nap Pb	NA	NA	8.2	<25	<25	<25	<25	<25	<25	<25	<50
G8	05/09/07	1-3	PVOC + Nap Pb	NA	NA	14	1,800	2,000	66 Q	1,600	230	67 Q	77 Q	550
		11-13	PVOC + Nap Pb	NA	NA	7.3	<25	<25	<25	<25	<25	<25	<25	<50
G9	05/09/07	1-3	PVOC + Nap Pb	NA	NA	21	<25	<25	78	510	<25	700	300	380
		3-5	PVOC + Nap Pb	NA	NA	9.9	<100	2,400	160	**3,100**	<100	12,000	5,200	7,860
		6-8	PVOC + Nap Pb	NA	NA	6.5	77	150	65 Q	88	<25	<25	<25	230
G10	05/09/07	3-5	PVOC + Nap Pb	NA	NA	15	<120	**11,000**	670	**5,300**	<120	32,000	**11,000**	25,640
		6-7	PVOC + Nap Pb	NA	NA	8.2	45 Q	210	78	150	<25	100	<25	150
MW1	03/14/08	2-4	VOC Pb	NA	NA	15.5	726 Q	**18,500**	<500	**10,800**	<500	74,900	**25,100**	**111,300**
MW2	07/09/08	6-8	PVOC + Nap	NA	NA	NA	<25	<25	<25	<25	<25	<25	<25	<50
MW4	07/09/08	6-8	PVOC + Nap	NA	NA	NA	**13,900**	**77,300**	<2500	**26,100**	11,000	**163,000**	**57,300**	**387,000**

Key:
mg/kg - milligrams/kilogram (equivalent to parts per million or ppm)
ug/kg = micrograms/kilogram (equivalent to parts per billion or ppb)
NA or blank space = Not Analyzed
RCL = Residual Contaminant Level (NR 720.09)
SSL = Soil Screening Level (NR 746.06)
250* = Generic RCL in low-permeable soil (NR 720.09 (4))
NSE - No Standard Established.
PAH Objectives: Soil Cleanup Levels for Polycyclic Aromatic Hydrocarbons (PAHs), Interim Guidance, (Lowest Limit) WDNR Publication #RR519-97, April 1997.
Underlined results exceed NR 720 RCLs/Lowest PAH Objectives
Bold and Underlined results exceed NR 746 SSLs
Q - Compound detected below the Limit of Quantitation (LOQ)

STRIP MALL PROPERTY
9201 W. Capitol Drive Milwaukee, WI 53222

Table 2
Soil Results
Moraine Project #3316 / 3924

Bore Hole Data				Other VOCs										
Bore Hole ID	Date	Sample Depth (feet bgs)	Analysis	S-butyl benzene	iso- propyl benzene	tert-Butyl benzene	p-iso-propyl-toluene	Methylene chloride	n-Butyl benzene	n-Propyl benzene	Tetra-chloro-ethene	111-Trichloro-ethane	Trichloro-ethene	Vinyl Chloride
			Unit of Measure:	ug/kg	ug/kg	ug/kg	ug/kg	ug/kg	ug/kg	ug/kg	ug/kg	ug/kg	ug/kg	ug/kg
			WDNR NR 720 RCLs/ Lowest PAH Objectives:	NSE	NSE	NSE	NSE	NSE	NSE	NSE	NSE	NSE	NSE	NSE
			WDNR NR 746 SSLs:	NSE	NSE	NSE	NSE	NSE	NSE	NSE	NSE	NSE	NSE	NSE
G1	11/20/06	3-5	GRO VOC Pb	<25	<25	<25	<25	61 Q	<40	130	<25	<25	<25	<25
		5-7	GRO VOC Pb	<25	<25	<25	<25	55 Q	<40	<25	<25	<25	<25	<25
G2	11/20/06	3-5	GRO DRO VOC Pb	670	1,300	<120	750	<120	4,000	8,000	<120	<120	<120	<120
		8-10	GRO DRO PVOC+Nap Pb											
G3	11/20/06	5-7	GRO VOC Pb	410	760	<25	110	<25	1,300	3,600	<25	<25	<25	<25
		8-10	GRO PVOC+Nap Pb											
G4	11/20/06	3-5	GRO PVOC+Nap Pb											
		8-10	GRO PVOC+Nap Pb											
G5	05/09/07	6-7	PVOC + Nap Pb											
		11-13	PVOC + Nap Pb											
G6	05/09/07	5-7	PVOC + Nap Pb											
		12-14	PVOC + Nap Pb											
G7	05/09/07	5-7	PVOC + Nap Pb											
		12-14	PVOC + Nap Pb											
G8	05/09/07	1-3	PVOC + Nap Pb											
		11-13	PVOC + Nap Pb											
G9	05/09/07	1-3	PVOC + Nap Pb											
		3-5	PVOC + Nap Pb											
		6-8	PVOC + Nap Pb											
G10	05/09/07	3-5	PVOC + Nap Pb											
		6-7	PVOC + Nap Pb											
MW1	03/14/08	2-4	VOC Pb	<500	2,220	<500	2,000	<500	<808	9,920	<500	<500	<500	<500
MW2	07/09/08	6-8	PVOC + Nap											
MW4	07/09/08	6-8	PVOC + Nap											

Key:
mg/kg - milligrams/kilogram (equivalent to parts per million or ppm)
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Underlined results exceed NR 720 RCLs/Lowest PAH Objectives
Bold and Underlined results exceed NR 746 SSLs
Q - Compound detected below the Limit of Quantitation (LOQ)

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Moraine Environmental, Inc.
Environmental Management Services

April 28, 2008

Moraine Project No. 3316 / 3924

Mr. Jeffery S. Polenske, City Engineer
City of Milwaukee
841 N. Broadway, Room #701
Milwaukee, WI 53202

Ms. Marchia Lindholm, Manager,
Central Drafting and Records
City of Milwaukee
841 N. Broadway, Room #802
Milwaukee, WI 53202

Ms. Shar Te Beest
Wisconsin Department of Transportation
4802 Sheboygan Avenue, Suite 451
Madison, WI 53702

Mr. Dave Barkei,
Manager of Regulatory Compliance
WE Energies
2425 S. 35th Street
Milwaukee, WI 53215

RE: Notice of Residual Contamination At and Adjacent to the Strip Mall at 92nd St and Capitol Dr. 9201 W. Capitol Dr., Milwaukee, WI

In the process of closing remedial actions at 9201 W. Capitol Drive, we are notifying you of residual petroleum contamination that likely stemmed from the former operations of a gas station at the property.

Underground storage tanks were removed from the former gas station property prior to 1986. Initial soil testing performed in November 2006 identified evidence of petroleum contamination on the property at locations G2 and G3. This contamination was reported to state authorities on December 12, 2006.

Based on additional sampling and the concentration gradients observed between soil sample results, Moraine estimates that contaminated soil extends west into the adjacent ROWs of W. Capitol Drive and N. 92nd Street as depicted in Figure 7, attached. No significant contamination to groundwater was detected.

Based upon regulatory guidelines and the work completed to date, Moraine expects the contamination that remains, if left in place, does not pose a significant risk to human health or to the environment and that the residual contamination will likely degrade safely over time through natural attenuation.

We are notifying you that the subject property, and those parts of the right-of-ways depicted in Figure 7, including the affected utility corridors are or are likely impacted by residual levels of petroleum contamination. The depth of this contamination extends from 1 to 10 feet below grade based on the information we have obtained. Please be advised to protect workers who may come in contact with contaminated soil at and near the subject property and that any contaminated soil unearthed during such work may require proper disposal.

Please file this notice with the department or officials responsible for maintaining the affected utilities and/or right-of-way. Additional information about this site will be available shortly on the WDNR web address of closed and remediated sites.

Address: http://gomapout.dnr.state.wi.us/org/at/et/geo/gwur/index.htm

In order to close environmental actions at a property with residual contamination, the Wisconsin Department of Natural Resources (WDNR) will require that the property be listed in the state's Geographic Information System (GIS). The GIS is the WDNR's system for inventorying property with residual soil and groundwater contamination.

If you have any questions or comments, you may contact me at (262) 377-9060.

Sincerely,

Mike Bozikowski
Hydrogeologist

Enclosed:
Figure 7, Soil Results and the Estimated Extent of Contamination in Soil, 4-28-08
Off-Site Contamination – How Does It Affect My Property?, WDNR June 2005
Fact Sheet, What Land Owners Should Know About Natural Attenuation, WDNR October 2001

cc: George Salvat, RP