GIS REGISTRY
Cover Sheet

July, 2008
(RR 5367)

Source Property Information

CLOSURE DATE: Oct 8, 2008

BRRTS #: 03-41-552373

FID #: 241492130

ACTIVITY NAME: Bayshore Mall - Drum and Storage Tank Removal

DATCP #:

PROPERTY ADDRESS: 5800 North Port Washington Road

COMM #:

MUNICIPALITY: Glendale

PARCEL ID #: 166-8991-001 and 166-8991-002

OCT 8 · 2008

***WTM COORDINATES:**

X: 689688 Y: 296420

** Coordinates are in WTM83, NAD83 (1991)*

WTM COORDINATES REPRESENT:

- ○ Approximate Center Of Contaminant Source
- ◉ Approximate Source Parcel Center

Please check as appropriate: (BRRTS Action Code)

Contaminated Media:

☐ Groundwater Contamination > ES *(236)*

- ☐ Contamination in ROW
- ☐ Off-Source Contamination

*(**note:** for list of off-source properties see "Impacted Off-Source Property")*

☒ Soil Contamination > *RCL or **SSRCL *(232)*

- ☐ Contamination in ROW
- ☐ Off-Source Contamination

*(**note:** for list of off-source properties see "Impacted Off-Source Property")*

Land Use Controls:

☐ Soil: maintain industrial zoning *(220)*

*(**note:** soil contamination concentrations between residential and industrial levels)*

☐ Structural Impediment *(224)*

☐ Site Specific Condition *(228)*

☒ Cover or Barrier *(222)*

*(**note:** maintenance plan for groundwater or direct contact)*

☐ Vapor Mitigation *(226)*

☐ Maintain Liability Exemption *(230)*

*(**note:** local government or economic development corporation)*

Monitoring wells properly abandoned? *(234)*

○ Yes ○ No ● N/A

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

GIS Registry Checklist

Form 4400-245 (R 4/08)

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 #: 03-41-552373 PARCEL ID #: 166-8991-001 & 166-8991-002

ACTIVITY NAME: Bayshore Mall - Drum and Storage Tank Removal WTM COORDINATES: X: 689754 Y: 296512

CLOSURE DOCUMENTS (the Department adds these items to the final GIS packet for posting on the Registry)

- [x] **Closure Letter**
- [x] **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

- [x] **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.*
- [x] **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 #: H-1 **Title: Certified Survey Map**
- [x] **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.

- [x] **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 #: A-1 **Title: Site Location Map**
- [x] **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 #: A-2 **Title: Site Plan with Locations of USTS, Drums, Historical Borings, and Fill Extent**
- [x] **Soil Contamination Contour Map:** For sites closing with residual soil contamination, <u>this map is to show the location of all contaminated soil and a single contour</u> 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 #: C-2 **Title: Extent of UST - Related RCL Exceedance In Soil**

BRRTS #: 03-41-552373 ACTIVITY NAME: Bayshore Mall - Drum and Storage Tank Removal

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 then 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 #: C-3 & C-4 **Title: Soil analytical Results Summary - UST Confirmation Samples (C-3), Drums Summary (C-4)**

☐ **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 #: 03-41-552373 ACTIVITY NAME: Bayshore Mall - Drum and Storage Tank Removal

NOTIFICATIONS

Source Property

☐ **Letter To Current Source Property Owner:** If the source property is owned by someone other than the person who is applying for case closure, include a copy of the letter notifying the current owner of the source property that case closure has been requested.

☐ **Return Receipt/Signature Confirmation:** Written proof of date on which confirmation was received for notifying current source property owner.

Off-Source Property

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

☐ **Letter To "Off-Source" Property Owners:** Copies of all letters sent by the Responsible Party (RP) to owners of properties with groundwater exceeding an Enforcement Standard (ES), and to owners of properties that will be affected by a land use control under s. 292.12, Wis. Stats.
Note: *Letters sent to off-source properties regarding residual contamination must contain standard provisions in Appendix A of ch. NR 726.*

Number of "Off-Source" Letters:

☐ **Return Receipt/Signature Confirmation:** Written proof of date on which confirmation was received for notifying any off-source property owner.

☐ **Deed of "Off-Source" Property:** The most recent deed(s) as well as legal descriptions, for all affected deeded **off-source property(ies).** This does not apply to right-of-ways.
Note: *If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.*

☐ **Letter To "Governmental Unit/Right-Of-Way" Owners:** Copies of all letters sent by the Responsible Party (RP) to a city, village, municipality, state agency or any other entity responsible for maintenance of a public street, highway, or railroad right-of-way, within or partially within the contaminated area, for contamination exceeding a groundwater Enforcement Standard (ES) and/or soil exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL).

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

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Matthew J. Frank, Secretary
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

October 8, 2008

Bayshore Town Center, LLC
c/o Steiner & Associates, Inc.
4016 Townsfair Way, Suite 201
Columbus, OH 53219-6083

Subject: Final Case Closure Letter with Land Use Limitations or Conditions for the Drum and UST Areas, Bayshore Mall Property, 5800 North Port Washington Road, Glendale, WI

FID: 241492130
BRRTS: 03-41-552373

Dear Sirs:

On October 8, 20089, the Wisconsin Department of Natural Resources ("the Department") reviewed the above referenced case for closure. This Department reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. Based on the correspondence and data provided, it appears that your case has been remediated to Department standards in accordance with s. NR 726.05, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation is required at this time.

Please be aware that pursuant to s. 292.12 Wisconsin Statutes, compliance with the requirements of this letter is a responsibility to which you or 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.

Residual Soil Contamination

Residual soil contamination remains at the former UST area # 3, #8, and #9, and former drum area (113005) as shown on the enclosed Figure C-2, 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, the property owner at the time of excavation must sample and analyze the excavated soil to determine if residual contamination remains. If sampling confirms that contamination is present the property owner at the time of excavation will need to determine whether the material would be considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable standards and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken to prevent a direct contact health threat to humans.

Cap Maintenance Plan

Pursuant to s. 292.12(2)(a), Wis. Stats., the asphalt, concrete, building floor slabs, and landscaped areas that currently exists in the location shown on the attached map (see enclosed Cap Maintenance Plan, Figure G-1) shall be maintained in compliance with the attached maintenance plan in order to minimize the infiltration of water

and prevent additional groundwater contamination that would violate the groundwater quality standards in ch. NR 140, Wis. Adm. Code, and to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health. If soil in the specific locations described above (see Residual Soil Contamination) 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 following activities are prohibited on any portion of the property where asphalt, concrete, a building foundation, and landscaped areas are required as shown on the attached map (G-1), 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.

In addition, depending on site-specific conditions, construction over contaminated materials may result in vapor migration into enclosed structures or migration 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.

Your site will be listed on the DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites. Information that was submitted with your closure request application will be included on the GIS Registry. To review the sites on the GIS Registry web page, visit http://dnr.wi.gov/org/aw/rr/gis/index.htm. If your property is listed on the GIS Registry because of remaining contamination and you intend to construct or reconstruct a well, you will need prior Department approval in accordance with s. NR 812.09(4)(w), Wis. Adm. Code. To obtain approval, Form 3300-254 needs to be completed and submitted to the DNR Drinking and Groundwater program's regional water supply specialist. This form can be obtained on-line http://www.dnr.state.wi.us/org/water/dwg/3300254.pdf or at the web address listed above for the GIS Registry.

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,

James A. Schmidt

James A. Schmidt
Southeast Region Team Supervisor
Remediation and Redevelopment

Enclosures: Bayshore Mall Property, Extent of UST-Related RCL Exceedances in Soil, Figure C-2
Cap Maintenance Plan, October 1, 2008, Bayshore Town Center, LLC

C: John Van Lieshout, Reinhart, Boerner, Van Deuren
John Osborne, GZA GeoEnvironmental
WDNR SER Files

CAP MAINTENANCE PLAN

October 1, 2008

Property Address:
Bayshore Town Center, LLC.
5800 North Port Washington Road
Glendale, Wisconsin
Glendale Tax Key #: 1668991008

BRRTS #03-41-552373
FID #241492130

Introduction

This document is the Cap Maintenance Plan ("Maintenance Plan") for maintenance of surface conditions ("Cap Maintenance") at 5800 North Port Washington Road in Glendale, Wisconsin ("Site"), in accordance with the requirements of s. NR 724.13(2), Wisconsin Administrative Code (WAC). This Cap Maintenance Plan provides background information on Site conditions, presents the activities that are restricted on the Site because of the existing conditions, and describes an on-going maintenance process that will limit the potential for future environmental concern at Site.

Background

The subsurface at the Bayshore Town Center ("Site") is impacted by volatile organic compounds (VOCs), polycyclic aromatic hydrocarbons (PAHs), methane from landfill activities, and metals. The current surface of the Bayshore Town Center, including buildings, paved areas, and landscaping, has been constructed in a way that limits potential exposure to environmental impacts. The protective cap structures at the Site include impervious surfaces, landscaped areas, and methane venting systems.

Impervious Surfaces

Asphalt, concrete, and building floor slabs ("Impervious Surfaces") at the Site limit the potential for contact with impacted soils. The impervious surfaces also act as a partial infiltration barrier to minimize future groundwater contamination migration. The impervious surfaces will be inspected once a year, normally in the spring after all snow and ice are gone (from exterior locations), for deterioration, cracks and other potential problems that can cause additional infiltration into the subsurface. The inspections will be performed to evaluate damage due to settling, exposure to the weather, wear from traffic, increasing age and other factors. Areas where soils have become or are likely to become exposed will be documented. A log of the inspections and any repairs will be maintained by the property owner and is included as Exhibit A, Cap Inspection Log. The log will include recommendations for necessary repair of any areas where underlying soils are materially exposed. If repairs to the paved areas appear necessary, the owner of the Site will either make the necessary repairs or contract repair maintenance with

full documentation in the inspection log. Owner will maintain the inspection log on-Site at the facility for review if requested by the Wisconsin Department of Natural Resources (WDNR). The limits of the cap to be maintained are shown on the attached Figure G-1 in Exhibit B.

Landscaped Areas

Impacted soils beneath current landscaped areas were excavated to a depth of about three feet and backfilled with clean fill to limit the potential for contact with impacted soils. Landscaped areas shall be inspected annually to verify the areas remain at the current elevations and recorded on the Cap Inspection Log. Normal landscaping efforts, including the planting or removal of plants or shrubs, is permitted. However, if excavations or plantings will extend more than 3 feet below the ground, the work must be observed by a representative of GZA to verify the nature of the excavated soils. Relocation or addition of landscaped areas from the current configuration will require over-excavation of impacted soils under the direction of GZA.

Methane Venting Systems

Methane venting systems include pipe networks and geomembrane liners beneath select building floor slabs. The pipe networks have inlet and outlet vents located on or near the buildings. The inlet/outlet vents shall be inspected on an annual basis for damage and clogging. The vents shall be maintained in good working condition and open to airflow at all times. Damaged or clogged vents shall be repaired immediately. In addition, GZA will perform periodic monitoring and evaluation of the venting systems. Tears, cuts or other damage to the geomembrane liners must be repaired by a qualified technician and documented on the Cap Inspection Log.

Maintenance Activities

If problems are noted during the annual inspections or at any other time during the year, repairs will be scheduled as soon as practical. In order to maintain the integrity of the protective cap structures, the property owner will maintain a copy of this Maintenance Plan on the Site and make it available to all interested parties (i.e., on-Site employees, contractors, future property owners, etc.) for viewing.

Amendment or Withdrawal of Maintenance Plan

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

Contact Information

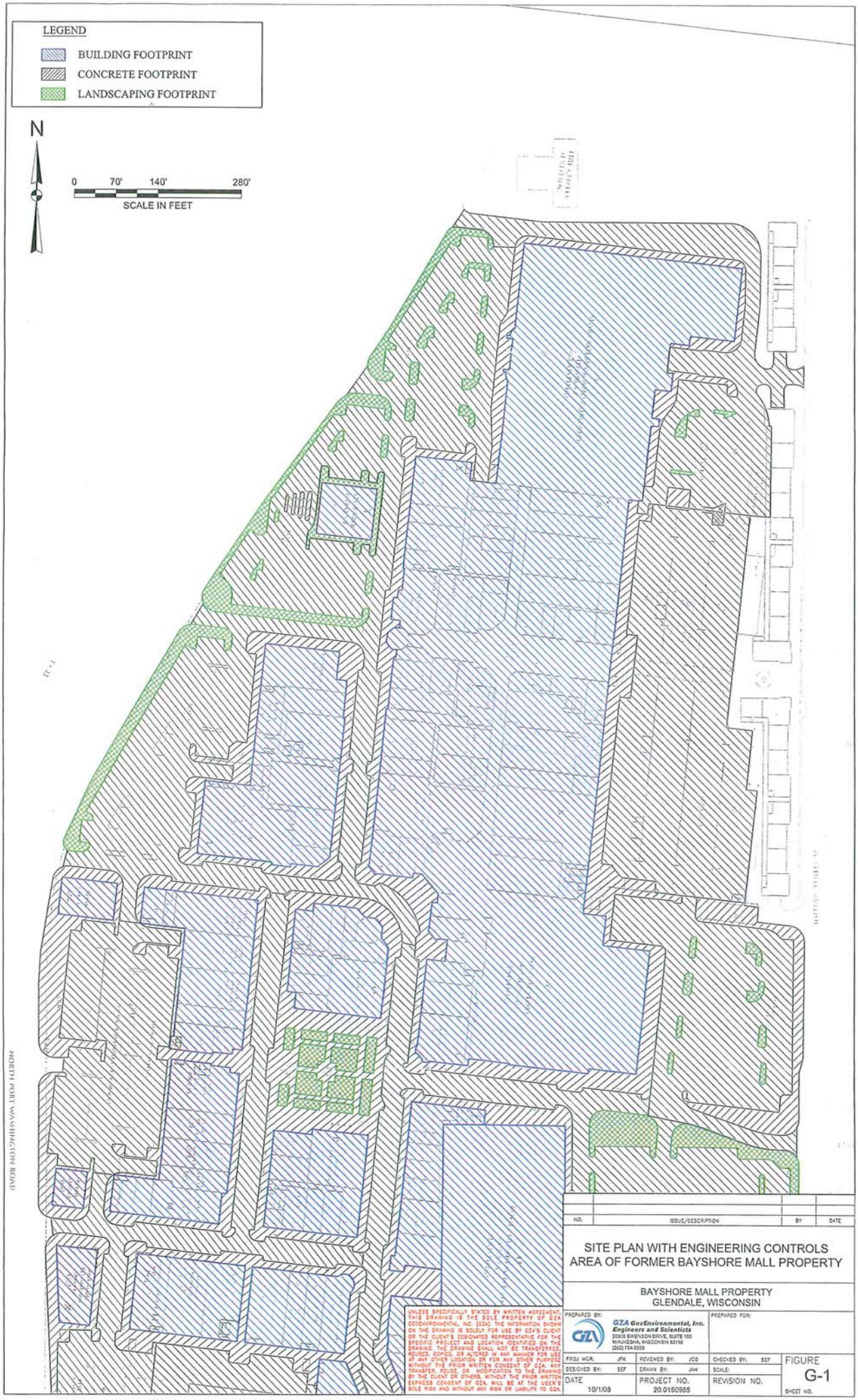
<u>Owner</u>
Bayshore Town Center, LLC
5900 North Port Washington Road
Glendale, WI 53217
Mr. Mike Mesenbourg
(414) 332-8136

<u>Consultant</u>
GZA GeoEnvironmental, Inc.
20900 Swenson Drive, Suite 150
Waukesha, WI 53186
Mr. John C. Osborne, P.G.
(262) 754-2560

CAP MAINTENANCE PLAN

WDNR
Wisconsin Department of Natural Resources
2300 North Dr. Martin Luther King, Jr. Drive
Milwaukee, WI 53212
Mr. John J. Hnat, P.G.
(414) 263-8644

J:\900TO999\150985 Bayshore\June 2008 Site Closure Requests\UST and Drum Closure Request\App G_Cap Maintenance Plan.doc



NO.	ISSUE/DESCRIPTION	BY	DATE

SITE PLAN WITH ENGINEERING CONTROLS
AREA OF FORMER BAYSHORE MALL PROPERTY

BAYSHORE MALL PROPERTY
GLENDALE, WISCONSIN

UNLESS SPECIFICALLY STATED BY WRITTEN AGREEMENT, THIS DRAWING IS THE SOLE PROPERTY OF GZA GEOENVIRONMENTAL, INC. (GZA). THE INFORMATION SHOWN ON THE DRAWING IS SOLELY FOR USE BY GZA'S CLIENT OR THE CLIENT'S DESIGNATED REPRESENTATIVE FOR THE SPECIFIC PROJECT AND LOCATION IDENTIFIED ON THE DRAWING. THE DRAWING SHALL NOT BE TRANSFERRED, REUSED, COPIED, OR ALTERED IN ANY MANNER FOR USE AT ANY OTHER LOCATION OR FOR ANY OTHER PURPOSE WITHOUT THE PRIOR WRITTEN CONSENT OF GZA. ANY TRANSFER, REUSE, OR MODIFICATION TO THE DRAWING BY THE CLIENT OR OTHERS, WITHOUT THE PRIOR WRITTEN EXPRESS CONSENT OF GZA, WILL BE AT THE USER'S SOLE RISK AND WITHOUT ANY RISK OR LIABILITY TO GZA.

PREPARED BY:
GZA GeoEnvironmental, Inc.
Engineers and Scientists
20900 SWENSON DRIVE, SUITE 150
WAUKESHA, WISCONSIN 53186
(262) 754-2000

PREPARED FOR:

PROJ MGR: JFK	REVIEWED BY: JCD	CHECKED BY: SEF	FIGURE G-1
DESIGNED BY: SEF	DRAWN BY: JAH	SCALE:	
DATE 10/1/08	PROJECT NO. 20.0150985	REVISION NO.	SHEET NO.

©2008 – GZA GeoEnvironmental, Inc. G:\A-J\90070999\150985 Bayshore\June 2008 Site Closure Requests\USI and Drum Closure Request\DRAWINGS\BAYSHORE Analytical Drawing.dwg [BAYSHORE UAPS] October 01, 2008 – 2:34pm justin.hogarty

Exhibit A
CAP INSPECTION LOG

Date	Inspector	Condition of Impervious Surfaces	Condition of Landscape	Condition of Methane Venting	Recommendations	Recommendations for Previous Year Implemented?

EXHIBIT A
LEGAL DESCRIPTION
(Original Mall and Eastern Parking Structure)

Land situated in the City of Glendale, Milwaukee County, Wisconsin, described as follows:

That part of Government Lots 3 and 4 in the Southeast 1/4 of Section 29, Township 8 North, Range 22 East, in the City of Glendale, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at a point in the West line of said 1/4 Section, 828.12 feet, North 0 deg. 09' 50" West of the Southwest corner of said 1/4 Section, said point lying in the South line of the North 15 acres of said Government Lot 4; thence North 89 deg. 54' 10" East, along said South line of the North 15 acres of said Government Lot 4, 60.00 feet to the point of beginning of the lands about to be described; said point lying in the Easterly right-of-way of relocated N. Port Washington Road; thence North 0 deg. 09' 50" West, along said Easterly right-of-way and parallel to the West line of said 1/4 Section, 237.05 feet to a point; thence North 89 deg. 50' 10" East, along said Easterly right-of-way, 5.00 feet to a point on a curved line; thence Northeasterly along said Easterly right-of-way being a curved line (having a radius of 507.96 feet with its center to the East and a chord 267.36 feet in length which bears North 15 deg. 05' 40" East), an arc distance of 270.55 feet to a point of tangency; thence North 30 deg. 21' 10" East, along said Easterly right-of-way, 299.86 feet to a point of curve; thence Northeasterly along said Easterly right-of-way being a curved line (having a radius of 2,741.32 feet with its center to the Southeast and a chord 296.10 feet in length which bears North 33 deg. 26' 55" East) an arc distance of 296.24 feet to a point of tangency, thence North 36 deg. 32' 40" East, along said Easterly right-of-way, 139.34 feet to a point of curve; thence Northeasterly along said Easterly right-of-way being a curved line (having a radius of 2,130.75 feet with it center to the Northwest and a chord 342.61 feet in length which bears North 31 deg. 55' 47" East), an arc distance of 342.98 feet to a point in the East line of the Old N. Port Washington Road right-of-way; thence North 36 deg. 35' 14" East, along said east line of the Old N. Port Washington Road, right-of-way, 18.26 feet to a point; thence North 89 deg. 45' 10" East, 564.77 feet to a point; thence South parallel to and 30 feet from the East line of the West 1/2 of said 1/4 Section, South 00 deg. 00' 02" East, 1,418.73 feet to a point in the South line of the North 15 acres of said 1/4 Section; thence South 89 deg. 54' 10" West along said South line of the North 15 acres of said 1/4 section, 1,228.51 feet to the point of beginning, excepting therefrom that portion conveyed by instrument recorded as Document No. 09011338.

Said Parcel (as Measured) being more particularly described in the Survey prepared by HNTB being job No. 40404, dated November 23, 2004 as follows:
That part of Government Lots 3 and 4 in the Southeast 1/4 of Section 29, Town 8 North, Range 22 East, in the City of Glendale, Milwaukee County, State of Wisconsin, bounded and described as follows:

Commencing at a point in the West line of said 1/4 Section, 828.12 feet, North 0 deg. 28' 27" West of the Southwest corner of said 1/4 Section, said point lying in the South line of the North 15 acres of said Government Lot 4; thence North 89 deg. 35' 33" East, along said South line of the North 15 acres of said Government Lot 4, 60.00 feet to the Easterly right-of-way of relocated

N. Port Washington Road also being the point of beginning; thence North 0 deg. 28' 27" West along said Easterly right-of-way, 237.05 feet to a point; thence North 89 deg. 31' 33" East, along said Easterly right-of-way, 5.00 feet to a point on a curved line; thence Northeasterly along said Easterly right-of-way being a curved line (having a radius of 507.96 feet with its center to the East and a chord 267.36 feet in length which bears North 14 deg. 47' 03" East), an arc distance of 270.55 feet to a point of tangency; thence North 30 deg. 02' 33" East, along said Easterly right-of-way, 299.87 feet to a point of curve; thence Northeasterly along said Easterly right-of-way being a curved line (having a radius of 2,741.32 feet with its center to the Southeast and a chord 296.10 feet in length which bears North 33 deg. 08' 18" East) an arc distance of 296.24 feet to a point of tangency, thence North 36 deg. 14' 03" East, along said Easterly right-of-way, 139.34 feet to a point of curve; thence Northeasterly along said Easterly right-of-way being a curved line (having a radius of 2,130.74 feet with it center to the Southeast and a chord 342.61 feet in length which bears North 31 deg. 37' 22" East), an arc distance of 342.98 feet to a point of non-tangency; thence North 36 deg. 16' 37" East, along said Easterly right-of-way, 18.25 feet to a point; thence North 89 deg. 26' 33" East, 564.75 feet to a point; thence South 0 deg. 18' 39" East parallel to and 30 feet West (measured at right angles) to the East line of the West 1/2 of said 1/4 Section, 1,418.73 feet to a point in the South line of the North 15 acres of said 1/4 Section; thence South 89 deg. 35' 33" West along said South line of the North 15 acres of said 1/4 section, 1,228.51 feet to the point of beginning, excepting therefrom that portion conveyed by instrument recorded as Document No. 09011338.

LD

* 0 8 9 1 1 2 3 2 *

State Bar of Wisconsin Form 6 - 2003

SPECIAL WARRANTY DEED

Document Number | Document Name

DOC.# 08911232

REGISTER'S OFFICE | SS
Milwaukee County, WI|

RECORDED 12/07/2004 01:42PM

JOHN LA FAVE
REGISTER OF DEEDS

AMOUNT:21.00

THIS DEED, made between Corrigan Holdings, Inc., a Nevada corporation, successor by merger with Corrigan Properties, Inc.,* ("Grantor," whether one or more), and Bayshore Town Center, LLC, _____ ("Grantee," whether one or more). Grantor for a valuable consideration, conveys to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Milwaukee County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):
*a Texas corporation, formerly known as Corrigan Properties, Inc., No. 2, a Texas corporation,

See legal description attached hereto as Exhibit A and incorporated herein.

TRANSFER
$120,000.00
FEE

Recording Area

Name and Return Address EV

Metropolitan Title Company
National Services Division
10355 Citation Drive
Brighton, MI 48116

166-8991-001 and
166-8991-002
Parcel Identification Number (PIN)

This is not homestead property.
~~(is)~~ (is not)

Grantor warrants that the title to the Property is good, indefeasible, in fee simple and free and clear of encumbrances arising by, through, or under Grantor, except: for those permitted exceptions set forth on Exhibit B attached hereto.

Dated Nov. 30th, 2004

CORRIGAN HOLDINGS, INC.

_____ (SEAL) BY _____ (SEAL)
* _____ *Leo F. Corrigan, III, President

_____ (SEAL) _____ (SEAL)
* _____ * _____

AUTHENTICATION

Signature(s) _____

_____

authenticated on _____.

_____
* _____

TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, _____
authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT DRAFTED BY:

Joseph J. Balistreri, Esq.
Reinhart Boerner Van Deuren s.c.

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) ss.
_____ COUNTY)

Personally came before me on _____, 2004, the above-named Leo F. Corrigan, III as President of Corrigan Holdings, Inc. to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

See attached
* _____

Notary Public, State of Wisconsin
My Commission (is permanent) (expires: _____)

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

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.

SPECIAL WARRANTY DEED STATE BAR OF WISCONSIN FORM No. 6-2003

*Type name below signatures.

Reinhart, Boerner 1000 North Water St. Ste. Milwaukee WI 53202 Phone 4142963280 Fax 4142968097 T427733 9 ZFX
Marked DaZar Produced with ZipForm™ by RE FormsNet, LLC 18025 Fifteen Mile Road, Clinton Township, Michigan 48035 (800) 383-9808 www.zipform.com

NU-488696

V

ACKNOWLEDGEMENT

STATE OF NEW YORK)
)
NEW YORK COUNTY)

Personally came before me on November 30, 2004 the above named Leo F. Corrigan, III as President of Corrigan Holdings, Inc. to me known to be the person who executed the foregoing instrument and acknowledged same.

ELAINE E. ROSS
Notary Public, State of New York
No. 01R04786626
Qualified in Bronx County
Commission Expires November 30, 2006

17456426V-1

Grantor: *Corrigan Holdings, Inc., a Nevada corporation*
Grantee: Bayshore Town Center, LLC

EXHIBIT A

Legal Description

(To be attached)

MW\1147007MSD:MSD 11/29/04

LEGAL DESCRIPTION

Land in the City of Glendale, Milwaukee County, Wisconsin, described as follows:

That part of Government Lots 3 and 4 in the Southeast 1/4 of Section 29, Township 8 North, Range 22 East, in the City of Glendale, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at a point in the West line of said 1/4 Section, 828.12 feet, North 0 deg. 09' 50" West of the Southwest corner of said 1/4 Section, said point lying in the South line of the North 15 acres of said Government Lot 4; thence North 89 deg. 54' 10" East, along said South line of the North 15 acres of said Government Lot 4, 60.00 feet to the point of beginning of the lands about to be described; said point lying in the Easterly right-of-way of relocated N. Port Washington Road; thence North 0 deg. 09' 50" West, along said Easterly right-of-way and parallel to the West line of said 1/4 Section, 237.05 feet to a point; thence North 89 deg. 50' 10" East, along said Easterly right-of-way, 5.00 feet to a point on a curved line; thence Northeasterly along said Easterly right-of-way being a curved line (having a radius of 507.96 feet with its center to the East and a chord 267.36 feet in length which bears North 15 deg. 05' 40" East), an arc distance of 270.55 feet to a point of tangency; thence North 30 deg. 21' 10" East, along said Easterly right-of-way, 299.86 feet to a point of curve; thence Northeasterly along said Easterly right-of-way being a curved line (having a radius of 2,741.32 feet with its center to the Southeast and a chord 296.10 feet in length which bears North 33 deg. 26' 55" East) an arc distance of 296.24 feet to a point of tangency, thence North 36 deg. 32' 40" East, along said Easterly right-of-way, 139.34 feet to a point of curve; thence Northeasterly along said Easterly right-of-way being a curved line (having a radius of 2,130.75 feet with it center to the Northwest and a chord 342.61 feet in length which bears North 31 deg. 55' 47" East), an arc distance of 342.98 feet to a point in the East line of the Old N. Port Washington Road right-of-way; thence North 36 deg. 35' 14" East, along said east line of the Old N. Port Washington Road, right-of-way, 18.26 feet to a point; thence North 89 deg. 45' 10" East, 564.77 feet to a point; thence South parallel to and 30 feet from the East line of the West 1/2 of said 1/4 Section, South 00 deg. 00' 02" East, 1,418.73 feet to a point in the South line of the North 15 acres of said 1/4 Section; thence South 89 deg. 54' 10" West along said South line of the North 15 acres of said 1/4 section, 1,228.51 feet to the point of beginning.

Said Parcel (as Measured) being more particularly described in the Survey prepared by HNTB being Job No. 40404, dated November 23, 2004 as Follows:
That part of Government Lots 3 and 4 in the Southeast 1/4 of Section 29, Town 8 North, Range 22 East, in the City of Glendale, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at a point in the West line of said 1/4 Section, 828.12 feet, North 0 deg. 28' 27" West of the Southwest corner of said 1/4 Section, said point lying in the South line of the North 15 acres of said Government Lot 4; thence North 89 deg. 40' 14" East, along said South line of the North 15 acres of said Government Lot 4, 60.00 feet to the Easterly right-of-way of relocated N. Port Washington Road also the point of beginning; thence North 0 deg. 28' 27" West along said Easterly right-of-way, 237.05 feet to a point; thence North 89 deg. 31' 33" East, along said Easterly right-of-way, 5.00 feet to a point on a curved line; thence Northeasterly along said Easterly right-of-way being a curved line (having a radius of 507.96 feet with its center to the East and a chord *267.36* feet in length which bears North 14 deg. 47' 03" East), an arc distance of 270.55 feet to a point of tangency; thence North 30 deg. 02' 33" East, along said Easterly right-of-way, 299.87 feet to a point of curve; thence Northeasterly along said Easterly right-of-way being a curved line (having a radius of 2,741.32 feet with its center to the Southeast and a chord 296.10 feet in length which bears North 33 deg. 08' 18" East) an arc distance of 296.24 feet to a point of tangency, thence North 36 deg. 14' 03" East, along said Easterly right-of-way, 139.34 feet to a point of curve; thence Northeasterly along said Easterly right-of-way being a curved line (having a radius of 2,130.74 feet with it center to the Southeast and a chord 342.61 feet in length which bears North 31 deg. 37' 22" East), an arc distance of 342.98 feet to a point of non-tangency; thence North 36 deg. 16' 37" East, along said Easterly right-of-way, 18.25 feet to a point; thence North 89 deg. 26' 33" East, 564.75 feet to a point; thence South 0 deg. 18' 39" East parallel to and 30 feet West (measured at right angles) to the East line of the West 1/2 of said 1/4 Section, 1,418.73 feet to a point in the South line of the North 15 acres of said 1/4 Section; thence South 89 deg. 35' 33" West along said South line of the North 15 acres of said 1/4 section, 1,228.51 feet to the point of beginning.

17455789.V-1

Grantor: Corrigan Holdings, Inc., a Nevada corporation
Grantee: Bayshore Town Center, LLC

EXHIBIT B

Permitted Exceptions

(To be attached)

EXHIBIT B

PERMITTED ENCUMBRANCES

1. Provisions, conditions, reservations, restrictions, and/or easements contained in instrument recorded April 8, 1953, in Reel 3137, Image 235 as Document No. 3189504, Amendment recorded October 13, 1975 in Reel 884, Image 324 as Document No. 4952628.

2. Easement in favor of Wisconsin Telephone Company and the Covenants, Conditions and Restrictions contained in instrument(s) recorded in Reel 3235, Image 448 as Document No. 3258604.

3. Easement in favor of City of Glendale and the Villages of Fox Point and Whitefish Bay and the Covenants, Conditions and Restrictions contained in instrument(s) recorded in Volume 4183, page 219 as Document No. 3910020.

4. Interest of Blockbuster Midwest, L.P., a Delaware limited partnership, Assignee, and Terms, Conditions and Provisions of Lease, as evidenced by Memorandum of Lease, recorded August 10, 1987, in Reel 2128, Image 1585 as Document No. 6093154, Assignment of Tenant's Leasehold Interest recorded January 19, 1989 in Reel 2296, Image 336 as Document No. 6245748.

5. Interest of Walgreen New Berlin, Inc., successor to Walgreen Milwaukee, Inc., a Wisconsin Corporation, Lessee, and Terms, Conditions and Provisions of Lease, as evidenced by Lease, dated November 10, 1966, recorded December 19, 1966, in Reel 340, page Image 469 as Document No. 4293789, and Agreement recorded August 6, 1976 in Reel 950, Image 9 as Document No. 5026076 and Memorandum of Lease Modification Agreement recorded October 7, 1993 in Reel 3135, Image 1038 as Document No. 6837897.

6. Wisconsin Electric Distribution Easement Underground in favor of Wisconsin Electric Power Company and the Covenants, Conditions and Restrictions contained in instrument(s) recorded in Reel 4296, Image 1002 as Document No. 7523979.

7. The following matters as disclosed by survey dated September 27, 2004, prepared by HNTB Architects Engineers Planners, being Job No. 40881:

(a) Buildings into easements recorded as Document No. 7523979 and Document No. 3258604

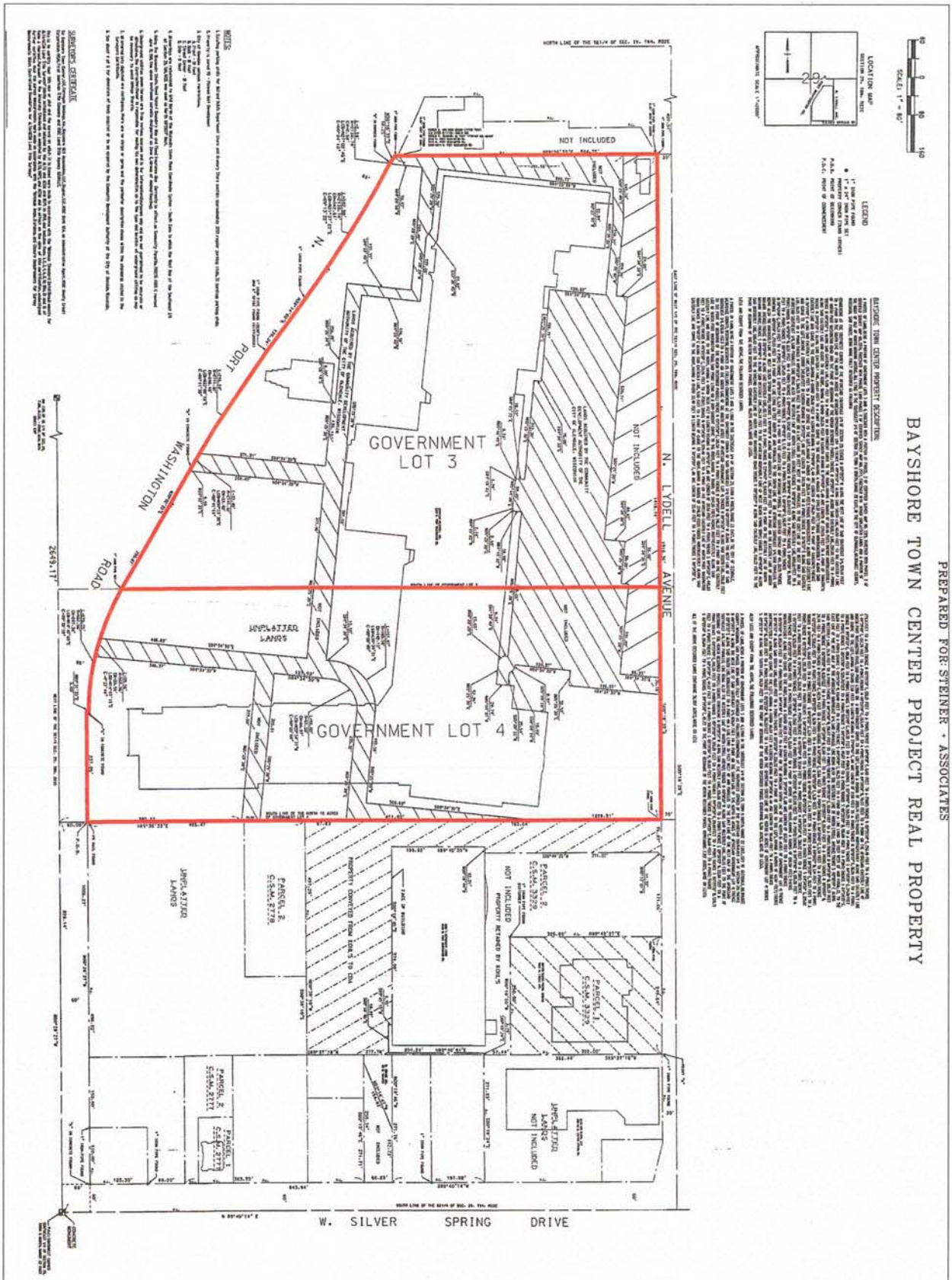
(b) Sanitary sewer, storm sewer and catch basin running under buildings

(c) Underground storage tank onto subject property lies within easement recorded as Document No. 7523979

(d) Sign into easement recorded as Document No. 7523979

(e) Asphalt parking and driveways over recorded easements

(f) Possible rights of others to use the asphalt drives and parking on subject property evidenced by the curb cut connecting to the asphalt roadway on the parcel to the South.



UNLESS SPECIFICALLY STATED BY WRITTEN AGREEMENT, THIS DRAWING IS THE SOLE PROPERTY OF GZA GEOENVIRONMENTAL, INC. (GZA). THE INFORMATION SHOWN ON THE DRAWING IS SOLELY FOR USE BY GZA'S CLIENT OR THE CLIENT'S DESIGNATED REPRESENTATIVE FOR THE SPECIFIC PROJECT AND LOCATION IDENTIFIED ON THE DRAWING. THE DRAWING SHALL NOT BE TRANSFERRED, REUSED, COPIED, OR ALTERED IN ANY MANNER FOR USE AT ANY OTHER LOCATION OR FOR ANY OTHER PURPOSE WITHOUT THE PRIOR WRITTEN CONSENT OF GZA. ANY TRANSFER, REUSE, OR MODIFICATION TO THE DRAWING BY THE CLIENT OR OTHERS, WITHOUT THE PRIOR WRITTEN EXPRESS CONSENT OF GZA, WILL BE AT THE USER'S SOLE RISK AND WITHOUT ANY RISK OR LIABILITY TO GZA.

©2008 - GZA GeoEnvironmental, Inc. GZA-J:\90010999\150985 Bayshore\June 2008 Site Closure Requests\UST and Drum Closure Request\DRAWINGS\CSM.dwg [CSM] September 26, 2008 - 6:27pm justin.hegarty

September 26, 2008
File No. 20.0150985.60

Wisconsin Department of Natural Resources
2300 North Dr. Martine Luther King, Jr. Drive
Milwaukee, WI 53212

Attention: Mr. John Hnat

Subject: Legal Descriptions
Bayshore Town Center, LLC
5800 North Port Washington Road
Glendale, Wisconsin
BRRTS No. 03-41-552373

Dear Mr. Hnat:

Please find the attached legal descriptions for the Bayshore Town Center property generally located at 5800 North Port Washington Road in Glendale, Wisconsin. To the best of my knowledge, these legal descriptions make up the entire property within the impacted Site boundary and are being provided to you as part of the GIS Registry Packet.

Very truly yours,

GZA GeoEnvironmental, Inc.

By:_____

Approved by Responsible Party
Bayshore Town Center, LLC,
a Delaware limited liability company

By: Baypar, LLC, its Managing Member

By:_____

REINHART\2484477JMV:JP 09/26/08

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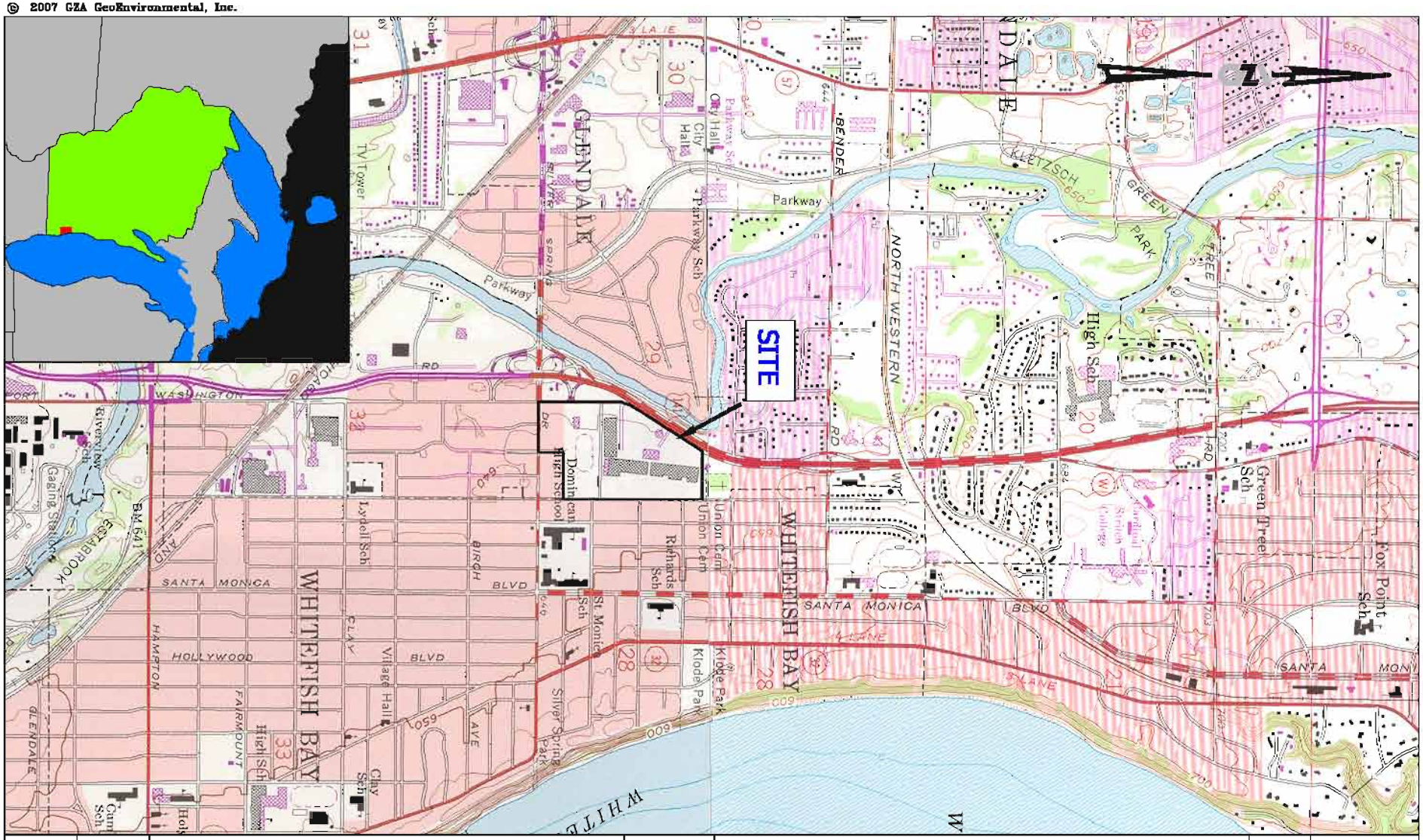

REV. NO.	DESCRIPTION	BY	DATE

BAYSHORE MALL PROPERTY REDEVELOPMENT SITE

GLENDALE, WISCONSIN

SITE LOCATION MAP

SCALE: 1:24,000

0 1000' 2000' 4000'

SOURCE: U.S.G.S. MILWAUKEE, WISCONSIN QUADRANGLE MAP 1958 (PHOTOREVISED 1971)

PROJ MGR: JFK
DESIGNED BY: CJM
REVIEWED BY: JFK
DRAWN BY: JAH
DATE: 9/30/08

GZA GeoEnvironmental, Inc.
20300 Swenson Drive ■ Waukesha, Wisconsin 53186
Phone (262) 754-2560 ■ Fax (262) 754-5711
www.gza.com

PROJECT NO. 20.0150985.00

FIGURE : A-1

LEGEND

- BORING LOCATION
- 3 APPROXIMATE LOCATION OF FORMER USTs
- APPROXIMATE LOCATION OF 4 DRUMS REMOVED 11/05
- ISO-CONTOUR DEPICTING THICKNESS OF ORGANIC AND INORGANIC FILL MATERIAL (DASHED WHERE INFERRED)

0 60 120

Notes:
1. This drawing is based on October 8, 2004 Site plan entitled Ground Level Lease Plan provided by Steiner & Associates of Columbus, Ohio.
2. The drawing is based on pre-development Site configuration plans provided to GZA. The final Site configuration varies slightly from what is depicted.
3. Borings GB-1 through GB-37 were completed by Soil Essentials of New Glarus, Wisconsin in January 2005. Borings GB-100 through GB-110 were completed by Probe Technologies of Palmyra, Wisconsin in October 2005. Borings GP-200 through GP-210 were completed by Soil Essentials in May 2007.

REV. NO.	DESCRIPTION	BY	DATE

APPROXIMATE 1" = 200'
0 100' 200' 400'

PROJ MGR: JFK
DESIGNED BY: JFK
REVIEWED BY: JFK
OPERATOR: JAH
DATE: 9/30/08

GZA GeoEnvironmental, Inc.
20900 Swenson Dr.Suite 150 ♦ Waukesha, Wisconsin ♦ 53186
Phone (262) 754-2560 ♦ Fax (262) 754-9711 ♦ www.gza.com

BAYSHORE MALL PROPERTY
GLENDALE, WISCONSIN

SITE PLAN WITH LOCATIONS OF USTs, DRUMS HISTORICAL BORINGS, AND FILL EXTENT

JOB NO. 20.0150985.60

FIGURE NO. A-2

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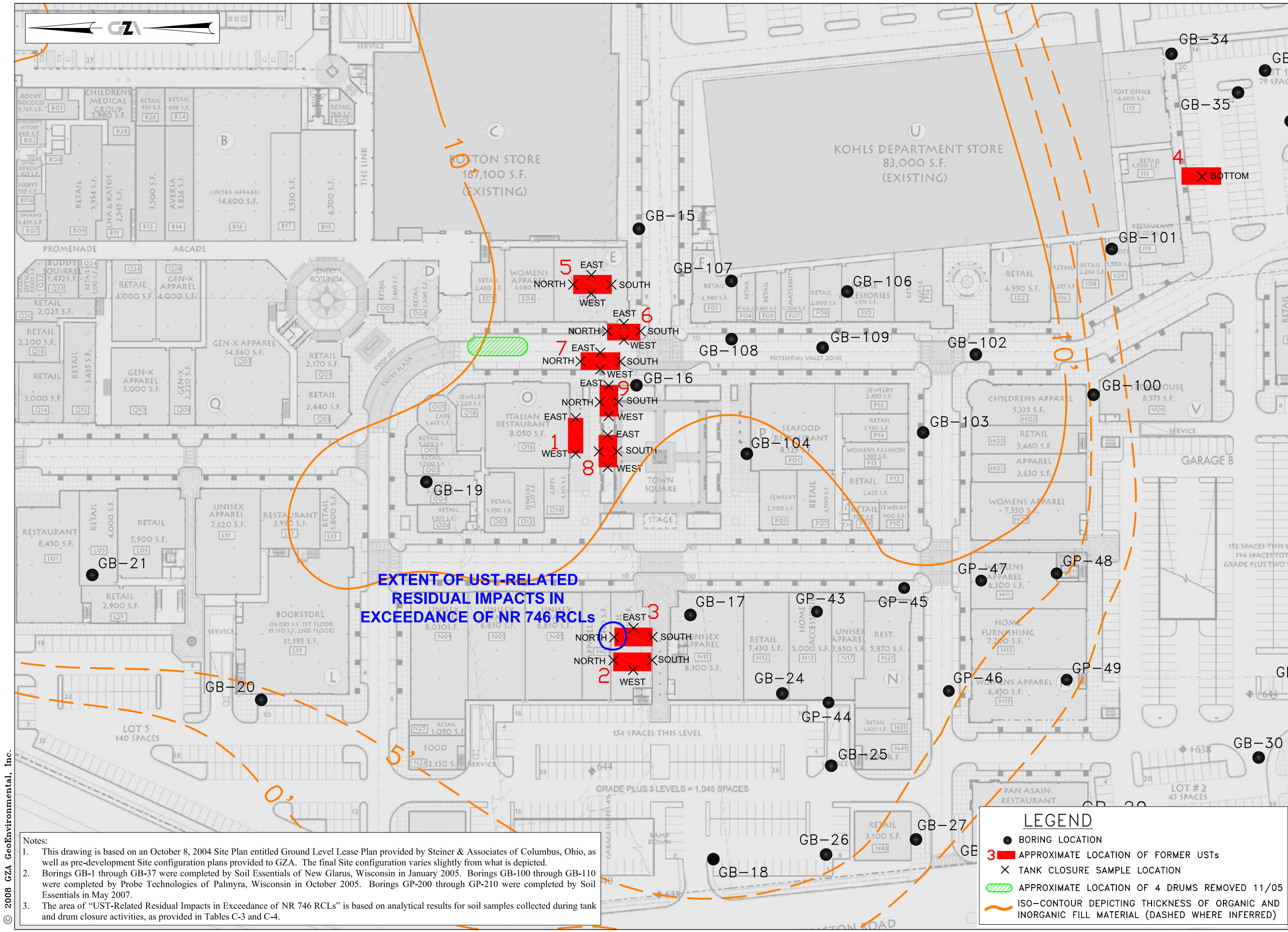
Drawing Name: J:\900TO999\150985 Bayshore\June 2008 Site Closure Requests\UST and Drum Closure Request\DRAWINGS\Figure A-2 – Site Plan.dwg Last Modified: Sep 30, 2008 – 8:26am Plotted on: Sep 30, 2008 – 8:30am by



Notes:

1. This drawing is based on an October 8, 2004 Site Plan entitled Ground Level Lease Plan provided by Steiner & Associates of Columbus, Ohio, as well as pre-development Site configuration plans provided to GZA. The final Site configuration varies slightly from what is depicted.
2. Borings GB-1 through GB-37 were completed by Soil Essentials of New Glarus, Wisconsin in January 2005. Borings GB-100 through GB-110 were completed by Probe Technologies of Palmyra, Wisconsin in October 2005. Borings GP-200 through GP-210 were completed by Soil Essentials in May 2007.
3. The area of "UST-Related Residual Impacts in Exceedance of NR 746 RCLs" is based on analytical results for soil samples collected during tank and drum closure activities, as provided in Tables C-3 and C-4.

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REV. NO.	DESCRIPTION	BY	DATE

PROJ MGR: JFK
DESIGNED BY: SEF
REVIEWED BY: JFK

OPERATOR: JAH
DATE: 9/30/08

GZA GeoEnvironmental, Inc.
20900 Swenson Dr.,Suite 150 ♦ Waukesha, Wisconsin ♦ 53186
Phone (262) 754-2560 ♦ Fax (262) 754-9711 ♦ www.gza.com

APPROXIMATE 1" = 100'

0 50' 100' 200'

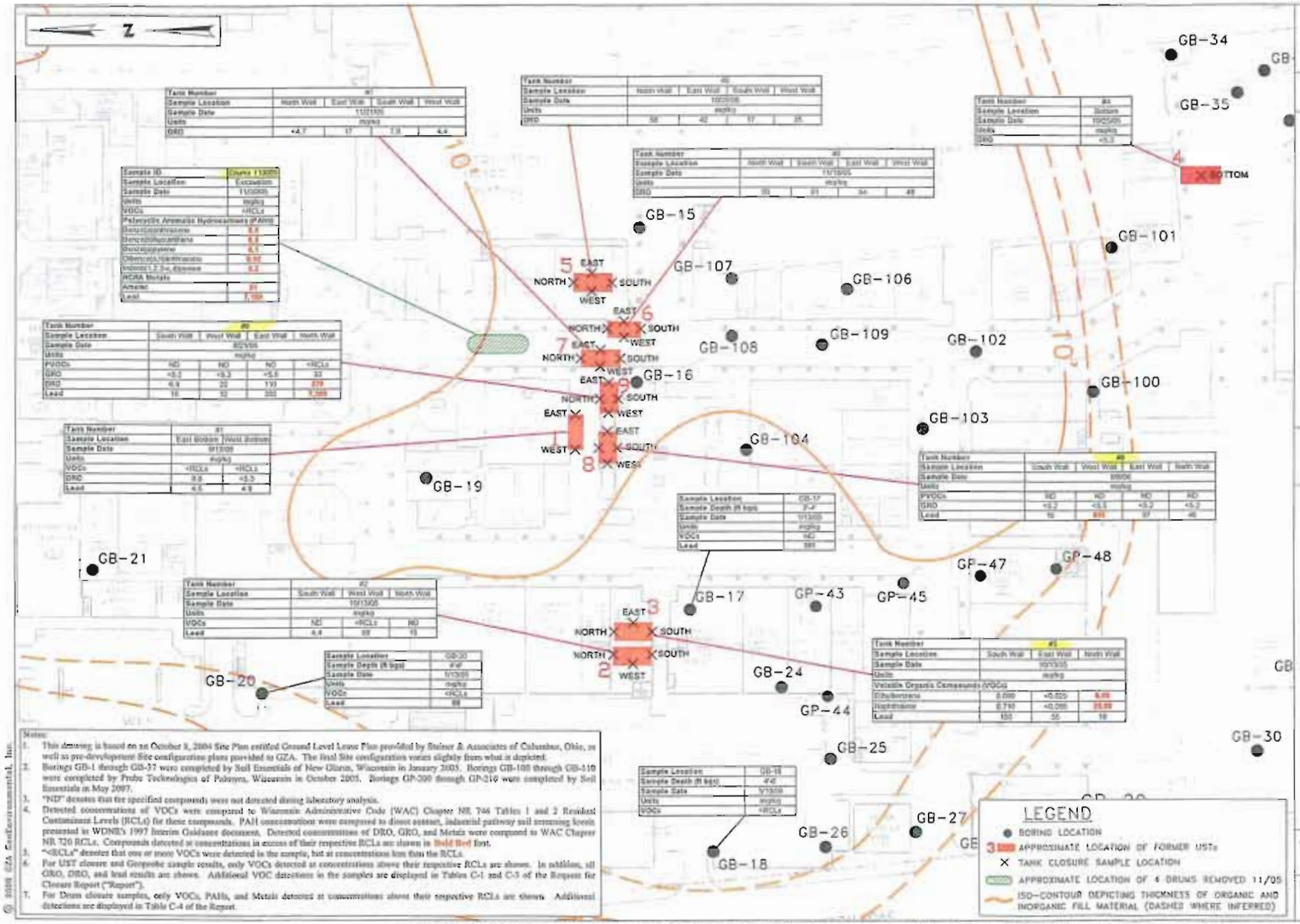
BAYSHORE MALL PROPERTY
GLENDALE, WISCONSIN

EXTENT OF UST-RELATED RCL EXCEEDANCE IN SOIL

JOB NO.
20.0150985.60

FIGURE NO.
C-2

Drawing Name: J:\900TO999\150985 Bayshore\June 2008 Site Closure Requests\UST and Drum Closure Request\DRAWINGS\Figure C-2 – USTs and Soil Samples.dwg Last Modified: Sep 30, 2008 – 8:59am Plotted on: Sep 30, 2008 –



Notes:

1. This drawing is based on an October 8, 2004 Site Plan entitled Ground Level Lease Plan provided by Steiner & Associates of Columbus, Ohio, as well as pre-development Site configuration plans provided to GZA. The final Site configuration varies slightly from what is depicted.
2. Borings GB-1 through GB-37 were completed by Soil Essentials of New Glarus, Wisconsin in January 2005. Borings GB-100 through GB-110 were completed by Probe Technologies of Pulaski, Wisconsin in October 2005. Borings GP-200 through GP-210 were completed by Soil Essentials in May 2007.
3. "ND" denotes that the specified compounds were not detected during laboratory analysis.
4. Detected concentrations of VOCs were compared to Wisconsin Administrative Code (WAC) Chapter NR 746 Tables 1 and 2 Residual Contaminant Levels (RCLs) for these compounds. PAH concentrations were compared to direct contact, industrial pathway soil screening levels presented in WDNR's 1997 Interim Guidance document. Detected concentrations of DRO, GRO, and Metals were compared to WAC Chapter NR 720 RCLs. Compounds detected at concentrations in excess of their respective RCLs are shown in **Bold Red** font.
5. "<RCLs" denotes that one or more VOCs were detected in the sample, but at concentrations less than the RCLs.
6. For UST closure and Geoprobe sample results, only VOCs detected at concentrations above their respective RCLs are shown. In addition, all GRO, DRO, and lead results are shown. Additional VOC detections in the samples are displayed in Tables C-1 and C-3 of the Request for Closure Report ("Report").
7. For Drum closure samples, only VOCs, PAHs, and Metals detected at concentrations above their respective RCLs are shown. Additional detections are displayed in Table C-4 of the Report.

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REV. NO.	DESCRIPTION	BY	DATE

PROJ. MGR: JPK
DESIGNED BY: SEF
REVIEWED BY: JPK

OPERATOR: JAH
DATE: 9/30/08

GZA GeoEnvironmental, Inc.
20900 Swenson Drive, Suite 150
Waukesha, Wisconsin 53186
Phone (262) 754-2600 • Fax (262) 754-2611 • www.gza.com

APPROXIMATE 1" = 100'
0 50' 100' 200'

BAYSHORE MALL PROPERTY
GLENDALE, WISCONSIN

EXTENT OF UST-RELATED RCL EXCEEDANCE IN SOIL

JOB NO.
20.0150985.60

FIGURE NO.
C-2

Drawing Name: J:\90010999\150985 Bayshore\June 2008 Site Closure Requests\UST and Drum Closure Report\DRAWINGS\Figure C-1&2 - USTs and Soil Samples.dwg Last Modified: Sep 30, 2008 - 9:44am Plotted on: Sep 30, 2008

TABLE C-3
SOIL ANALYTICAL RESULTS - UST CONFIRMATION SAMPLES
Bayshore Mall Property
Glendale, Wisconsin

PARAMETER	UNITS	WAC NR 746 Table 1 RCLs	WAC NR 746 Table 2 RCLs	RANGE OF CONCENTRATIONS IN FILL[7]		UNDERGROUND STORAGE TANK NUMBER												
						1		2			3			4	5			
				Minimum Concentration	Maximum Concentration	East Bottom	West Bottom	South Wall	West Wall	North Wall	South Wall	East Wall	North Wall	Bottom	North Wall	East Wall	South Wall	West Wall
VOCs																		
Benzene	µg/kg	8,500	1,100	32	296	200	80	<33	<28	<26	<30	<29	290	NA	NA	NA	NA	NA
n-Butylbenzene	µg/kg	NS	NS	91	220	<30	<29	<33	<28	<26	290	<29	9,400	NA	NA	NA	NA	NA
sec-Butylbenzene	µg/kg	NS	NS	49	120	<30	<29	<33	<28	<26	130	<29	4,500	NA	NA	NA	NA	NA
Ethylbenzene	µg/kg	4,600	NS	38	2,900	<30	<29	<33	<28	<26	90	<29	**8,000**	NA	NA	NA	NA	NA
Isopropylbenzene	µg/kg	NS	NS	31	180	<30	<29	<33	<28	<26	82	<29	5,100	NA	NA	NA	NA	NA
p-Isopropyltoluene	µg/kg	NS	NS	42	167	<30	<29	<33	<28	<26	57	<29	2,200	NA	NA	NA	NA	NA
Methylene Chloride	µg/kg	NS	NS	69	136	<60	<59	<67	<55	<53	<61	180	<550	NA	NA	NA	NA	NA
Methyl tert-Butyl Ether	µg/kg	NS	NS	NA	NA	<30	<29	<33	<28	<26	<30	<29	<270	NA	NA	NA	NA	NA
Naphthalene	µg/kg	2,700	NS	35	8,490	<60	<59	<67	<55	<53	710	<58	**28,000**	NA	NA	NA	NA	NA
n-Propylbenzene	µg/kg	NS	NS	60	710	<30	<29	<33	<28	<26	180	<29	9,700	NA	NA	NA	NA	NA
Toluene	µg/kg	38,000	NS	28	95	<30	<29	<33	<28	<26	34	<29	3,100	NA	NA	NA	NA	NA
Trichloroethene	µg/kg	NS	NS	31	2,400	<30	<29	<33	45	<26	42	<29	<270	NA	NA	NA	NA	NA
1,2,4-Trimethylbenzene	µg/kg	83,000	NS	35	1,900	<30	<29	<33	28	<26	630	<29	31,000	NA	NA	NA	NA	NA
1,3,5-Trimethylbenzene	µg/kg	11,000	NS	29	150	<30	<29	<33	<28	<26	140	<29	5,800	NA	NA	NA	NA	NA
Xylenes, total	µg/kg	42,000	NS	89	7,800	<100	<100	<110	<94	<90	280	<98	21,000	NA	NA	NA	NA	NA
PARAMETER	**UNITS**	**WAC NR 720 RCLs**																
GRO																		
Gasoline Range Organics	mg/kg	250		NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
DRO																		
Diesel Range Organics	mg/kg	250		NA	NA	9.0	<5.3	NA	NA	NA	NA	NA	NA	<5.3	58	42	17	35
Metals																		
Lead	mg/kg	500		3.4	11,400	4.5	4.9	4.4	68	15	150	55	19	NA	NA	NA	NA	NA

TABLE C-3
SOIL ANALYTICAL RESULTS - UST CONFIRMATION SAMPLES
Bayshore Mall Property
Glendale, Wisconsin

PARAMETER	UNITS	WAC NR 746 Table 1 RCLs	WAC NR 746 Table 2 RCLs	UNDERGROUND STORAGE TANK NUMBER															
				6				7				8				9			
				North Wall	South Wall	East Wall	West Wall	North Wall	East Wall	South Wall	West Wall	South Wall	West Wall	East Wall	North Wall	South Wall	West Wall	East Wall	North Wall
VOCs																			
Benzene	µg/kg	8,500	1,100	NA	NA	NA	NA	NA	NA	NA	NA	<26	<27	<26	<26	<26	<26	<28	<30
n-Butylbenzene	µg/kg	NS	NS	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
sec-Butylbenzene	µg/kg	NS	NS	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Ethylbenzene	µg/kg	4,600	NS	NA	NA	NA	NA	NA	NA	NA	NA	<26	<27	<26	<26	<26	<26	<28	80
Isopropylbenzene	µg/kg	NS	NS	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
p-Isopropyltoluene	µg/kg	NS	NS	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Methylene Chloride	µg/kg	NS	NS	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Methyl tert-Butyl Ether	µg/kg	NS	NS	NA	NA	NA	NA	NA	NA	NA	NA	<26	<27	<26	<26	<26	<26	<28	<30
Naphthalene	µg/kg	2,700	NS	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
n-Propylbenzene	µg/kg	NS	NS	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Toluene	µg/kg	38,000	NS	NA	NA	NA	NA	NA	NA	NA	NA	<26	<27	<26	<26	<26	<26	<28	34
Trichloroethene	µg/kg	NS	NS	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
1,2,4-Trimethylbenzene	µg/kg	83,000	NS	NA	NA	NA	NA	NA	NA	NA	NA	<26	<27	<26	<26	<26	<26	<28	1,400
1,3,5-Trimethylbenzene	µg/kg	11,000	NS	NA	NA	NA	NA	NA	NA	NA	NA	<26	<27	<26	<26	<26	<26	<28	610
Xylenes, total	µg/kg	42,000	NS	NA	NA	NA	NA	NA	NA	NA	NA	<78	<82	<79	<78	<78	<79	<83	500
PARAMETER	**UNITS**	**WAC NR 720 RCLs**																	
GRO																			
Gasoline Range Organics	mg/kg	250		NA	NA	NA	NA	NA	NA	NA	NA	<5.2	<5.5	<5.2	<5.2	<5.2	<5.3	<5.5	33
DRO																			
Diesel Range Organics	mg/kg	250		50	61	54	49	<4.7	17	7.8	4.4	NA	NA	NA	NA	6.9	22	110	**570**
Metals																			
Lead	mg/kg	500		NA	NA	NA	NA	NA	NA	NA	NA	16	**640**	97	46	18	12	300	**7,300**

Notes:
1. GZA GeoEnvironmental, Inc. (GZA) collected soil confirmation samples on various dates after removal of underground storage tanks (USTs). Samples were analyzed by TestAmerica of Watertown, Wisconsin for volatile organic compounds (VOCs) utilizing United States Environmental Protection Agency (USEPA) Method 8260B, lead utilizing USEPA Method 7420, Diesel Range Organics (DRO) and Gasoline Range Organics (GRO) utilizing method MOD DRO and MOD GRO, respectively. Samples were also analyzed for UST Parameters utilizing USEPA Method 8020.
2. Wisconsin Administrative Code (WAC) Chapter NR 746 Tables 1 and 2 Residual Contaminant Levels (RCLs) for VOCs are provided where established. WAC Chapter NR 720 RCLs for GRO, DRO, and Lead are also provided.
3. NS - NR 746 value is not established for that parameter.
4. **BOLD** font indicates that the VOC concentration was above the WAC Chapter NR746 RCL or that the GRO, DRO, or lead concentration was above the WAC Chapter NR 720 RCL.
5. Only the parameters which were detected during laboratory analysis are listed in this table.
6. Results for Lead, GRO and DRO are presented in milligrams per kilogram (mg/kg). Results for VOCs are presented in micrograms per kilogram (µg/kg).
7. The range of concentrations in fill were obtained from soil analytical results presented in Table 1. Minimum values shown represent the lowest concentration of the specified compound detected. Maximum concentrations shown represent the highest concentration detected in fill, and excludes concentrations detected in samples (GB-24 through GB-29 and GP-43 and GP-44) believed to be impacted by former leaking underground storage tanks (LUSTs).

TABLE C-4
SOIL ANALYTICAL RESULTS - DRUMS SUMMARY
Bayshore Mall Property
Glendale, Wisconsin

Parameter	WAC NR 720 Table 2 RCLs	Units	RANGE OF CONCENTRATIONS IN FILL(7)		Drums 113005
			Minimum Concentration	Maximum Concentration	
RCRA Metals					
Arsenic	1.6	mg/kg	4.1	61	**81**
Barium	NS	mg/kg	14	1,590	890
Cadmium	510	mg/kg	0.53	10	6.5
Chromium	NS	mg/kg	0.66	1290	930
Copper	NS	mg/kg	NA	NA	80
Lead	500	mg/kg	3.4	11,400	**7,100**
Mercury	NS	mg/kg	0.021	1.4	0.19
Silver	NS	mg/kg	3.6	41	0.52

Parameter	WAC NR 746 Table 1 RCLs	WAC NR 746 Table 2 RCLs	Units	RANGE OF CONCENTRATIONS IN FILL(7)		Drums 113005
				Minimum Concentration	Maximum Concentration	
VOCs						
sec-Butylbenzene	NS	NS	µg/kg	49	120	580
Ethylbenzene	4,600	NS	µg/kg	38	2,900	120
Isopropylbenzene	NS	NS	µg/kg	31	180	260
p-Isopropyltoluene	NS	NS	µg/kg	42	167	3,000
Naphthalene	2,700	NS	µg/kg	35	8,490	850
n-Propylbenzene	NS	NS	µg/kg	60	710	410
Toluene	38,000	NS	µg/kg	28	95	390
1,2,4-Trimethylbenzene	83,000	NS	µg/kg	35	1,900	9,100
1,3,5-Trimethylbenzene	11,000	NS	µg/kg	29	150	3,200
Xylenes, total	42,000	NS	µg/kg	89	7,800	3,500

Parameter	WDNR Interim Guidance Industrial RCLs	Units	RANGE OF CONCENTRATIONS IN FILL(7)		Drums 113005
			Minimum Concentration	Maximum Concentration	
PAHs					
Anthracene	300,000,000	µg/kg	10	118,000	3,800
Benzo (a) anthracene	3,900	µg/kg	8.2	121,000	**5,900**
Benzo (b) fluoranthene	3,900	µg/kg	8.1	120,000	**6,500**
Benzo (k) fluoranthene	39,000	µg/kg	9.6	50,000	3,300
Benzo (a) pyrene	390	µg/kg	17	94,000	**8,100**
Benzo (g,h,i) perylene	39,000	µg/kg	21	47,000	6,000
Chrysene	390,000	µg/kg	6.4	98,400	7,700
Dibenzo (a.h) anthracene	390	µg/kg	13	12,000	**920**
Fluoranthene	40,000,000	µg/kg	28	352,000	19,000
Fluorene	40,000,000	µg/kg	28	56,200	1,200
Indeno (1,2,3-cd) pyrene	3,900	µg/kg	16	57,000	**5,200**
2-Methylnaphthalene	40,000,000	µg/kg	470	193,000	8,200
Phenanthrene	390,000	µg/kg	9.8	326,000	10,000
Pyrene	30,000,000	µg/kg	25	255,000	17,000

Notes:
1. GZA GeoEnvironmental, Inc. (GZA) collected soil samples from drums found on December 1, 2005. Samples were analyzed by TestAmerica of Watertown, Wisconsin for volatile organic compounds (VOCs) utilizing United States Environmental Protection Agency (USEPA) Method 8260, Polycyclic Aromatic Hydrocarbons (PAHs) in accordance with USEPA Method 8310, and Metals in accordance with USEPA Method 6010 (except for Mercury which used method EPA 245.5).
2. Wisconsin Administrative Code (WAC) Chapter NR 746 Tables 1 and 2 Residual Contaminant Levels (RCLs) for VOCs are provided where established. WAC Chapter NR 720 Industrial RCLs are provided for Metals. Suggested RCLs for PAHs are provided, as listed in WDNR Interim Guidance RR-519-97.
3. **Bold** indicates that the parameter was detected at a concentration above the applicable standard.
4. Only the parameters which were detected are listed in this table.
5. NS - The applicable standard is not established for that parameter.
6. Results for Metals are presented in milligrams per kilogram (mg/kg). VOC and PAH results are presented in micrograms per kilogram (µg/kg).
7. The range of concentrations in fill were obtained from soil analytical results presented in Table 1. Minimum values shown represent the lowest concentration of the specified compound detected. Maximum concentrations shown represent the highest concentration detected in fill, and excludes concentrations detected in samples (GB-24 through GB-29 and GP-43 and GP-44) believed to be impacted by former leaking underground storage tanks (LUSTs).