GIS REGISTRY
Cover Sheet

March, 2010
(RR 5367)

Source Property Information

CLOSURE DATE: Nov 15, 2010

BRRTS #: **06-41-534503**

FID #: 241018140

ACTIVITY NAME: FORMER FALK CORP PLT 2 - VPLE

DATCP #:

PROPERTY ADDRESS: 12001 W CAPITOL DR

COMM #:

MUNICIPALITY: Wauwatosa

PARCEL ID #: 258-9999-01

***WTM COORDINATES:**

X: **671971** Y: **292300**

** 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:

- [x] Groundwater Contamination > ES *(236)*
  - [ ] Contamination in ROW
  - [ ] Off-Source Contamination

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

- [x] Soil Contamination > *RCL or **SSRCL *(232)*
  - [ ] Contamination in ROW
  - [ ] Off-Source Contamination

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

Land Use Controls:

- [ ] N/A (*Not Applicable*)
- [ ] Soil: maintain industrial zoning *(220)*

  *(**note:** soil contamination concentrations between non-industrial and industrial levels)*
- [ ] Structural Impediment *(224)*
- [ ] Site Specific Condition *(228)*
- [x] Cover or Barrier *(222)*

  *(**note:** maintenance plan for groundwater or direct contact)*
- [ ] Vapor Mitigation *(226)*
- [ ] Maintain Liability Exemption *(230)*

  *(**note:** local government unit or economic development corporation was directed to take a response action)*

Monitoring Wells:

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

(●) Yes ( ) No ( ) N/A

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

GIS Registry Checklist

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 #: 06-41-534503 PARCEL ID #: 258-9999-01

ACTIVITY NAME: FORMER FALK CORP PLT 2 - VPLE WTM COORDINATES: X: 671971 Y: 292300

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

- [x] **Closure Letter**
- [ ] **Maintenance Plan** (*if activity is closed with a land use limitation or condition (land use control) under s. 292.12, Wis. Stats.*)
- [ ] **Continuing Obligation Cover Letter** (for property owners affected by residual contamination and/or continuing obligations)
- [ ] **Conditional Closure Letter**
- [x] **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 #: **Title: Property Exhibit**
- [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 11 x 17 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 #: 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 #: **Title: Multiple Attachments**
- [x] **Soil Contamination Contour Map:** For sites closing with residual soil contamination, this map is to show the location of all contaminated soil and a single contour showing the horizontal extent of each area of contiguous residual soil contamination that exceeds a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL)as determined under s. NR 720.09, 720.11 and 720.19.

  Figure #: **Title: Multiple Attachments**

BRRTS #: 06-41-534503 ACTIVITY NAME: FORMER FALK CORP PLT 2 - VPLE

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: Multiple Attachments**

☒ **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: Multiple Attachments**

Figure #: **Title:**

TABLES (meeting the requirements of s. NR 716.15(2)(h)(3))

Tables must be no larger than 11 x 17 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 #: **Title: Multiple Attachments**

☒ **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: Multiple Attachments**

☒ **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: Multiple Attachments**

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 #: 06-41-534503 ACTIVITY NAME: FORMER FALK CORP PLT 2 - VPLE

NOTIFICATIONS

Source Property

☒ **Not Applicable**

☐ **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.

☒ **Not Applicable**

☐ **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

WISCONSIN
DEPT. 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 53212-0436
Telephone 414-263-8500
FAX 414-263-8716
TTY 414-263-8713

November 15, 2010

Mr. Tom Frost
Rexnord
3001 West Canal Street
Milwaukee, WI 53201

Subject: A *Certificate of Completion* for the Former Falk Plant # 2
12001 W. Capitol Dr., Wauwatosa, Wisconsin
BRRTs # 06-41-534503

Dear Mr.Frost:

The Department of Natural Resources ("the Department") has received your request for issuance of a *Certificate of Completion* for the environmental investigation and cleanup of property located at12001 W. Capitol Dr., Wauwatosa, Wisconsin, which will be referred to in this letter as "the Property". You have requested that the Department determine whether Falk Corporation has met the requirements under s. 292.15(2), Wis. Stats., for issuance of a *Certificate of Completion*.

As you are aware, s. 292.15, Wis. Stats., authorizes the Department to issue a *Certificate of Completion* to a voluntary party with interest in a property that has had an approved environmental investigation and the environment has been restored to the extent practicable and the harmful effects with respect to hazardous substance discharges on or originating from the property have been minimized. Based on the information received by the department, the Department has determined that the investigation and cleanup of the Property is complete and that all the conditions in s. 292.15(2), Wis. Stats., have been met. Attached is the *Certificate of Completion* for this Property.

The Department appreciates the work undertaken to investigate and cleanup contamination associated with the Property. If you have any questions or concerns regarding this letter or the *Certificate of Completion*, please call me at (414)263-8557 or Michael Prager at (608)261-4927.

Sincerely,

Margaret M. Brunette

Margaret M. Brunette, P.G.
Hydrogeologist
Remediation & Redevelopment Program

Attachment: *Certificate of Completion*

cc: Michael Prager - Land Recycling Program RR/5 – w/out attach.

State of Wisconsin
Department of Natural Resources

CERTIFICATE OF COMPLETION OF RESPONSE ACTIONS UNDER SECTION 292.15(2)(ae), WIS. STATS.

Whereas, **Falk Corporation** has applied for an exemption from liability under s. 292.15, Wis. Stats., for the property located at 12001 W. Capitol Dr., Wauwatosa, Wisconsin, which is commonly referred to as the Former Falk Plant #2 site, further described in the legal description found on Attachment A (the "Property");

Whereas, an environmental investigation of the Property has been conducted and the Wisconsin Department of Natural Resources ("WDNR") has determined that environmental contamination exists at the Property;

Whereas, **Hamilton Sundstrand Corporation** has submitted to the WDNR certain investigation reports and a remedial action plan for the Property which comply with the requirements set forth in chs. NR 700-754, Wis. Adm. Code, consisting of the documents and reports listed in Attachment B;

Whereas, in accordance with s. 292.15(2)(ae)1, Wis. Stats., the WDNR has determined that an environmental investigation has been conducted which adequately identified and evaluated the nature and extent of the hazardous substance discharges on the Property and WDNR has approved of the site investigation and remedial action plan for the Property;

Whereas, on **June 10, 2009**, the WDNR has granted **Hamilton Sundstrand Corporation** an exemption under s. NR 140.28(2)(b), Wis. Adm. Code for having 1,2-Dichloroethane and 1,1-Dichloroethylene in the groundwater above the ch. NR 140 preventive action limit;

Whereas, **Hamilton Sundstrand Corporation** has paid to WDNR the appropriate insurance fee and has submitted a complete insurance application form to obtain coverage for the Property under the state's master insurance contract in accordance with s. 292.15(2)(ae)3m., Wis. Stats., and ch. NR 754, Wis. Adm. Code, based on their desire to use natural attenuation to remediate groundwater contamination that exceeds ch. NR 140, Wis. Adm. Code, groundwater quality enforcement standards;

Whereas, the Property with soil contamination that exceeds site-specific and/or generic residual contaminant levels ("RCLs") under ch. NR 720, Wis. Adm. Code, and groundwater contamination that exceeds a groundwater quality enforcement standard under ch. NR 140, Wis. Adm. Code, will be included on the WDNR's Geographical Information System data base ("the GIS Registry") pursuant to s. 292.12(3), Wis. Stats. **Hamilton Sundstrand Corporation** has submitted to the WDNR all the information necessary to be included on the GIS Registry pursuant to s. NR 726.05(2)(a)3. and s. NR 726.05(3)(a)4., Wis. Adm. Code;

Whereas, on **June 10, 2009**, the WDNR issued a case closure letter for the Property (Attachment C). The WDNR requires maintenance of a cover or barrier in order to prevent direct contact with and infiltration through residual soil contamination that might otherwise pose a threat to public health and the environment. The owner of this Property shall adhere to, abide by and maintain the land use controls and other requirements that are specified in the attached state case closure letter and cap maintenance plans;

Whereas, the WDNR determination that the response action is complete with regards to residual soil contamination that may pose a human health threat through direct contact was based on the Property being used as an industrial and/or commercial facility. In the event that the cover or barrier areas that currently exist are removed, the replacement barrier must be equally protective. In the event that there is a land use change at the Property, the existing cover would need to be re-evaluated to determine if it is protective based on future land uses.;

Whereas, because residual soil and ground water contamination below the Property may have the potential to create chemical vapors, the Property owner is required to evaluate the potential for vapor inhalation and migration when planning construction, redevelopment, and/or a change in land use classification at the Property. The WDNR determination that the response action is complete with regards to the inhalation pathway for vapor intrusion is based on the exposure assumption that the existing buildings on the Property will continue to be used for an industrial and/or commercial facility. Land use categories <u>not</u> included in industrial/ commercial include such uses as: adult or child day care, schools, or medical facilities. If the exposure assumptions would change as a result of a different use of the existing buildings, construction of any new buildings on the Property or any other changes in the Property that would change the exposure assumptions, the Property owner shall notify the WDNR in writing, submit an evaluation of the vapor intrusion pathway to the WDNR, and submit a response action plan to the WDNR and receive WDNR approval before undertaking such changes to the Property or its use.;

Whereas, if the requirements of this Certificate, the case closure letter or the cap maintenance plans are not followed, or if the land use changes, the WDNR may take actions under ss. 292.11 or 292.12, Wis. Stats., to ensure compliance with the

specified requirements, and the person who owns or controls the Property may no longer qualify for the liability protections under s. 292.15, Wis. Stats.; and

Whereas, on **June 10, 2009,** the WDNR determined that response actions necessary to restore the environment to the extent practicable with respect to the discharges and to minimize the harmful effects from the discharges to air, land, and waters of the state were completed, except with respect to groundwater contaminated with **1,1-Dichloroethylene, 1,1,2-Trichloroethane, and vinyl chloride** above the ch. NR 140, Wis. Adm. Code, groundwater quality enforcement standards that the WDNR has determined will be brought into compliance through natural attenuation, in accordance with administrative rules promulgated by the WDNR.

Therefore, based upon the information that has been submitted to the WDNR, the WDNR hereby certifies that the response actions set forth in the WDNR approved remedial action plan for the Property and any other necessary response actions have been completed, except with respect to **1,1-Dichloroethylene, 1,1,2-Trichloroethane, and vinyl chloride** contaminated groundwater above ch. NR 140, Wis. Adm. Code, enforcement standards that WDNR has determined will be brought into compliance through natural attenuation, in accordance with rules promulgated by WDNR.

Upon issuance of this Certificate, **Falk Corporation** and the persons qualified for protection under s. 292.15(3), Wis. Stats., are exempt from the provisions of ss. 289.05(1), (2), (3) and (4), 289.42(1), 289.67, 291.25(1) to (5), 291.29, 291.37, 292.11(3), (4), and (7)(b) and (c) and 292.31(8), Wis. Stats., with respect to the existence of hazardous substances on or originating from the Property, the release of which occurred prior to the date the WDNR approved the environmental investigation required under s. 292.15(2)(ae)1., Wis. Stats. However, the person who owns or controls the Property would no longer qualify for this liability exemption if that person fails to maintain or monitor the Property as required by the conditions in this Certificate, the June 10, 2009 case closure letter, s. 292.12, Wis. Stats., and administrative rules promulgated by the WDNR. Any discharges of a hazardous substance to or from the Property that occur after the date that the environmental investigation was approved will be the responsibility of the current Property owner and any other person who possesses or controls that discharge and any person who caused the discharge.

If natural attenuation fails, the insurance coverage under s. 292.15(2)(ae)3m., Wis. Stats., may be used to cover the costs of complying with s. 292.11(2), Wis. Stats., with respect to groundwater quality.

The protection from liability provided under s. 292.15(2), Wis. Stats., does not apply to any person who has obtained a Certificate of Completion by fraud or misrepresentation, or by the knowing failure to disclose material information or under circumstances in

which **Falk Corporation** knew or should have known about more discharges of hazardous substances than was revealed by the investigation approved by the WDNR.

Nothing in this Certificate or in s. 292.15, Wis. Stats., affects the authority of the WDNR to exercise any powers or duties under applicable laws other than ss. 289.05(1), (2), (3) and (4), 289.42(1), 289.67, 291.25(1) to (5), 291.29, 291.37, 292.11(3), (4), and (7)(b) and (c) and 292.31(8), Wis. Stats., with respect to any release or threatened release of contaminants at the Property, or the right of the WDNR to seek relief available against any person who is not entitled to protection from liability under s. 292.15, Wis. Stats., with respect to such release or threatened release.

SIGNED AND CERTIFIED this 4th day of November, 2010.

Mark F. Giesfeldt, Director
Bureau for Remediation and Redevelopment
Wisconsin Department of Natural Resources

ATTACHMENT A
LEGAL DESCRIPTION
Former Falk Plant # 2

PARCEL 1:

THAT PART OF THE NORTHWEST ¼ OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, BOUNDED AND DESCRIBES AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID ¼ SECTION; RUNNING THENCE SOUTH ALONG THE EAST LINE OF SAID ¼ SECTION 1995.04 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTH 34° 34' 20" WEST ALONG THE SAID RIGHT-OF-WAY LINE 1628.99 FEET TO A POINT; THENCE NORTH 17° 41' 10" WEST 624.86 FEET TO A POINT IN THE NORTH LINE OF SAID ¼ SECTION; THENCE NORTH 87° 00' 00" EAST ALONG THE NORTH LINE OF SAID ¼ SECTION 1115.71 FEET TO THE PLACE OF COMMENCEMENT. EXCEPTING THEREFROM THE NORTH 60.0 FEET THEROF, MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID ¼ SECTION. ALSO EXCEPTING THEREFROM QUIT CLAIM DEED RECORDED AS DOCUMENT NO. 4244616, AND EXCEPTING CERTIFIED SURVEY MAP NO. 5829.

PARCEL NO. 258-9999-01

PARCEL 2:

PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5829 RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEED'S OFFICE APRIL 22, 1993 ON REEL 3018, IMAGE 821, AS DOCUMENT NO. 6756051; BEING A PART OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN.

PARCEL NO. 258-999-02

PARCEL 3:

THAT PART OF THE NORTHWEST ¼ OF SECTION 7, TOWNSHIP 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID ¼ SECTION; THENCE SOUTH 85° 59' 53" WEST ALONG THE NORTH LINE OF SAID ¼ SECTION 1115.71 FEET TO A POINT; THENCE SOUTH 18° 41' 37" EAST 108.48 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED, SAID POINT BEING THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE SOUTH 18° 41' 37" EAST 494.43 FEET TO A POINT; THNCE NORTH 35° 09' 49" WEST 451.26 FEET TO A POINT; THENCE NORTH 20° 39' 37 " WEST 43.00 FEET TO A POINT; THENCE NORTH 14° 21' 43 " EAST 65.51 FEET TO A POINT ON THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF RELOCATED WEST CAPITOL DRIVE 100.44 FEET ON AN ARC WHOSE CENTER IS TO THE SOUTH, WHOSE RADIUS IS 1259.24 FEET AND WHOSE CHORD BEARS SOUTH 87° 34' 01" EAST 100.42 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 258-998-00

ATTACHMENT B
Submittals
Former Falk Plant #2

9/2003: Phase I Environmental Site Assessment, MWH Americas, Inc.

4/2004: Phase I Environmental Site Assessment, Bradburne, Briller & Johnson, LLC.

7/2004: Phase II Environmental Site Assessment, MWH Americas, Inc.

8/2004: Fax Notification for Hazardous Substance Discharge, ENSR

3/2005: Work Plan: Additional Site Investigation Scopes of Work – AOIs 1, 4, 7, and 11, and Conceptual Remedial Actions - AOIs 1, 2, 4, 7, 8, and 11, ENSR

6/2005: Site Investigation Report and Remedial Action Plan, ENSR

6/2005: Supplemental VPLE Phase I Environmental Site Assessment, ENSR

6/2005: Underground Storage Tank Closure Site Assessment Report, ENSR

7/2005: Responses to WDNR Request for Clarification of June 30, 2005, ENSR

3/2006: Groundwater Monitoring and Remedial Actions Summary, ENSR

8/2007: Site Investigation, Remedial Action and Closure Report, ENSR

3/2008: WDNR Case Summary & Close Out Forms & Associated Documentation, ENSR

3/2008: Supplemental Closure Report Documents, ENSR

9/2008: Supplemental Closure Package Documents, ENSR

11/2008: VPLE Environmental Insurance Application, ENSR

11/2008: Supplemental Documents for Final Closure, ENSR

ATTACHMENT C
Closure Letter
Former Falk Plant #2

See Attached June 10, 2009, Case Closure Letter, "Former Falk Plant #2" and the nine separate cap maintenance plans and maps for nine different areas of the Property.

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 53212-0436
Telephone 414-263-8500
FAX 414-263-8716
TTY 414-263-8713

June 10, 2009

Mr. Anthony Frigiani
Hamilton Sundstrand Corp.
1 Hamilton Rd., M/S 1M5
Windsor Locks, CT 06096

SUBJECT: Final Case Closure with Continuing Obligations
Former Falk Plant 2, 12001 W. Capitol Dr., Wauwatosa, WI

WDNR BRRTS Activity #: 06-41-534503, 02-41-546853, 02-41-546854, 02-41-530528
FID #: 241018140

Dear Mr.Frigiani:

On October 7, 2008, the Southeast Region Closure Committee and VPLE Committee reviewed the above referenced case for closure. These committees review 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 meets the closure requirements in ch. NR 726, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation is required at this time, however, you and future property owners must comply with certain continuing obligations as explained in this letter.

GIS Registry

This site will be listed on the Remediation and Redevelopment Program's GIS Registry. The specific reasons are summarized below:

- Pavement, an engineered cover or a soil barrier must be maintained over contaminated soil and the state must approve any changes to this barrier
- Groundwater contamination is present above Chapter NR 140 enforcement standards

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

Closure Conditions

Please be aware that pursuant to s. 292.12 Wisconsin Statutes, compliance with the requirements of this letter is a responsibility to which the current property owner and any subsequent property owners must adhere. You must pass on the information about these continuing obligations to the next property owner or owners. 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. The Department intends to conduct inspections in the future to ensure that the conditions included in this letter including compliance with referenced maintenance plans are met.

Cover or Barrier

Pursuant to s. 292.12(2)(a), Wis. Stats., the pavement or other impervious cap that currently exists in the location of AOI 4, AOI 7, AOI 8, AOI 11, AOI 13, AOI 15, AOI C5, AOI E25 AOI H28, AOI I32 shown on the attached map shall be maintained in compliance with the **attached maintenance plans** 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 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 is considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken during excavation activities to prevent a health threat to humans.

The attached maintenance plans and inspection logs are to be kept up-to-date and on-site. Please submit the inspection log to the Department only upon request.

Prohibited Activities

The following activities are prohibited on any portion of the property where [pavement, a building foundation, soil cover, engineered cap or other barrier] is required as shown on the attached map, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 1) removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; 6) construction or placement of a building or other structure.

Residual Groundwater Contamination

Groundwater impacted by chlorinated VOC contamination greater than enforcement standards set forth in ch. NR140, Wis. Adm. Code, is present on this contaminated property in the area of AOI 11. For more detailed information regarding the locations where groundwater samples have been collected (i.e., monitoring well locations) and the associated contaminant concentrations, refer to the Remediation and Redevelopment Program's GIS Registry at the RR Sites Map page at http://dnr.wi.gov/org/aw/rr/gis/index.htm.

Vapor Migration

In addition, depending on site-specific conditions, construction over contaminated materials may result in vapor migration of contaminants into enclosed structures or migration along newly placed underground utility lines. The potential for vapor inhalation and means of 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.

Chapter NR 140, Wis. Adm. Code Exemption

Recent groundwater monitoring data at this site indicates that for 1,2-Dichloroethane at MWE-26 and 1,1-Dichloroethylene at MW10, contaminant levels exceed the NR 140 preventive action limit (PAL) but are below the enforcement standard (ES). The Department may grant an exemption to a PAL for a substance of public health concern, other than nitrate, pursuant to s. NR 140.28(2)(b), Wis. Adm. Code, if all of the following criteria are met:

1. The measured or anticipated increase in the concentration of the substance will be minimized to the extent technically and economically feasible.

2. Compliance with the PAL is either not technically or economically feasible.

3. The enforcement standard for the substance will not be attained or exceeded at the point of standards application. [Note: at this site the point of standards application is all points where groundwater is monitored.]

4. Any existing or projected increase in the concentration of the substance above the background concentration does not present a threat to public health or welfare.

Based on the information you provided, the Department believes that these criteria have been or will be met due to source control measures that have occurred in these areas. Therefore, pursuant to s. NR 140.28, Wis. Adm. Code, an exemption to the PAL is granted for 1,2-Dichloroethane at MWE-26 and 1,1-Dichloroethelyne at MW10. Please keep this letter, because it serves as your exemption.

Post-Closure Notification Requirements

In accordance with ss, 292.12 and 292.13, Wis. Stats., you must notify the Department before making changes that affect or relate to the conditions of closure in this letter. For this case, examples of changed conditions requiring prior notification include, but are not limited to:

- Disturbance, construction on, change or removal in whole or part of pavement, an engineered cover or a soil barrier that must be maintained over contaminated soil

Please send written notifications in accordance with the above requirements to the Southeast Regional Headquarters, to the attention of Victoria Stovall.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this closure decision or anything outlined in this letter, please contact Margaret Brunette at (414)263-8557.

Sincerely,

James A. Schmidt

James A. Schmidt, Team Supervisor
Southeast Remediation & Redevelopment Program

Attach. (Disk)
- Maintenance plans

cc: Lauren Gromoski – AECOM (w/out attach.)
Jeff Bykowski – Penzeys Spices (w/out attach.)
Bill Phelps, DG/5 (w/out attach.)

PROPERTY EXHIBIT

KNOWN AS 12001 WEST CAPITOL DRIVE, CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN

PARCEL 1
THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; RUNNING THENCE SOUTH ALONG THE EAST LINE OF SAID 1/4 SECTION 1995.04 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTH 34°34'30" WEST ALONG THE SAID RIGHT-OF-WAY LINE 1628.99 FEET TO A POINT; THENCE NORTH 17°41'10" WEST 624.86 FEET TO A POINT IN THE NORTH LINE OF SAID 1/4 SECTION; THENCE NORTH 87°00'00" EAST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO THE PLACE OF COMMENCEMENT.
EXCEPTING THEREFROM THE NORTH 60.0 FEET THEREOF, MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID 1/4 SECTION. ALSO EXCEPTING THEREFROM QUIT CLAIM DEED RECORDED AS DOCUMENT NO. 4244616 AND EXCEPTING CERTIFIED SURVEY MAP NO. 5829.

PARCEL 2
PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5829 RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS OFFICE APRIL 22, 1993 ON REEL 3018, IMAGE 621, AS DOCUMENT NO. 6756051; BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN.

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THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:
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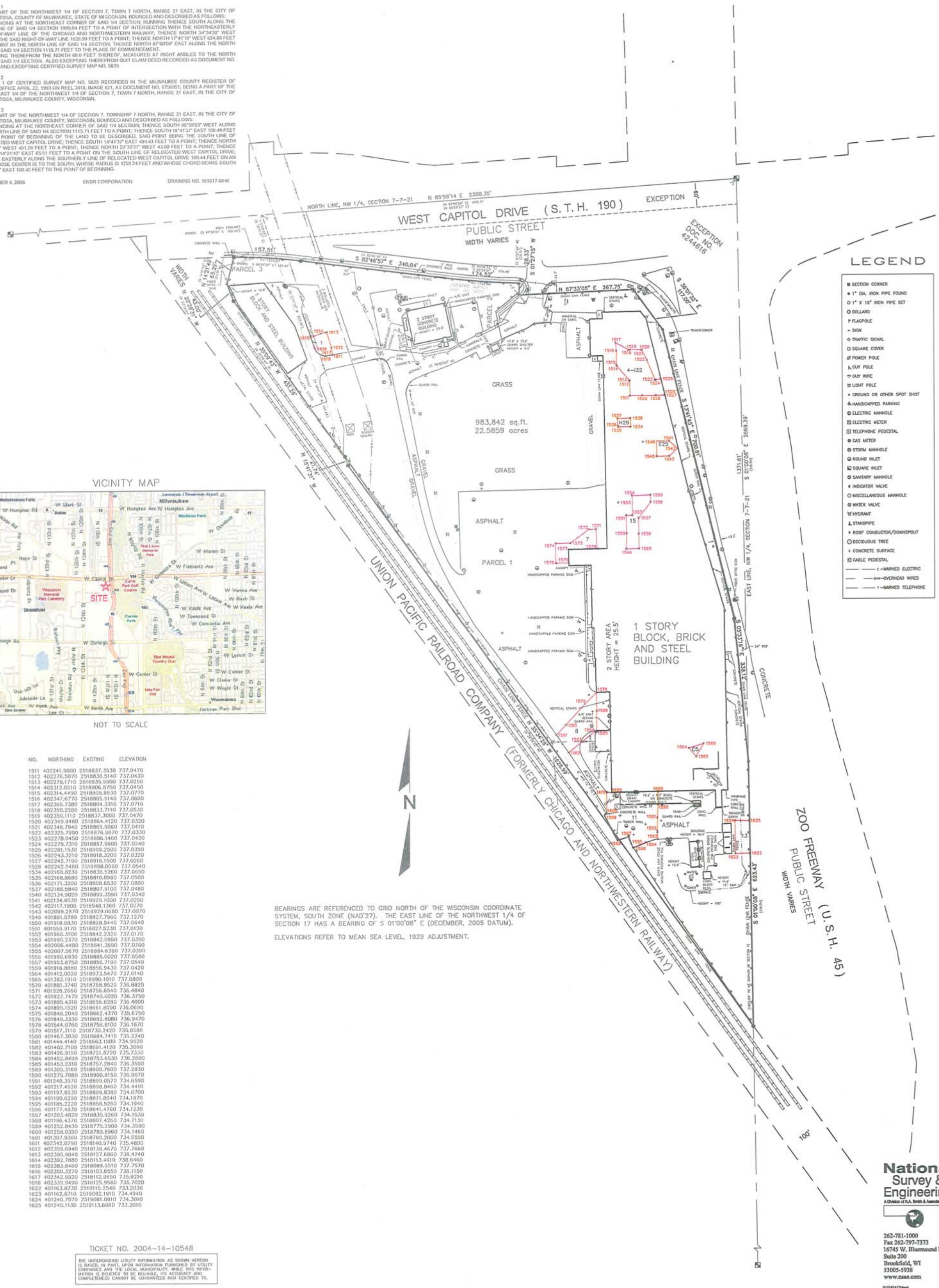
DECEMBER 4, 2006 ENSR CORPORATION DRAWING NO. 161617-MHK



VICINITY MAP

NOT TO SCALE

NO.	NORTHING	EASTING	ELEVATION
1511	402241.9000	2518837.3530	737.0470
1512	402276.5070	2518836.5140	737.0430
1513	402278.1710	2518835.9900	737.0250
1514	402312.0510	2518806.8750	737.0450
1515	402314.4490	2518805.9930	737.0770
1516	402347.6770	2518805.5140	737.0600
1517	402366.7380	2518804.3310	737.0710
1518	402350.2280	2518833.7110	737.0530
1519	402350.1110	2518837.3000	737.0470
1520	402349.9480	2518864.4120	737.0320
1521	402348.7940	2518865.9060	737.0410
1522	402325.7990	2518876.9870	737.0330
1523	402278.9450	2518896.1460	737.0420
1524	402278.7310	2518897.9600	737.0240
1525	402281.1530	2518909.2500	737.0350
1526	402243.3210	2518918.3200	737.0320
1527	402242.7190	2518918.1500	737.0260
1528	402242.5460	2518898.0060	737.0540
1534	402168.8230	2518838.5260	737.0650
1535	402168.8680	2518810.0980	737.0500
1536	402171.3200	2518808.6530	737.0800
1537	402188.5840	2518807.9100	737.0480
1540	402134.9020	2518899.3590	737.0340
1541	402134.8030	2518929.1000	737.0290
1542	402117.1900	2518948.1360	737.0270
1543	402039.2870	2518929.0680	737.0370
1549	401881.0780	2518827.7960	737.1270
1550	401918.0830	2518828.5440	737.0640
1551	401959.9170	2518827.5230	737.0120
1552	401960.3100	2518842.2320	737.0170
1553	401990.2370	2518842.0850	737.0350
1554	402006.4480	2518841.3690	737.0760
1555	402007.5670	2518884.6360	737.0390
1556	401990.6930	2518885.0020	737.0580
1557	401953.8750	2518856.7190	737.0540
1559	401916.8880	2518856.9430	737.0420
1564	401412.0020	2518973.5470	737.0140
1565	401392.1910	2518990.1010	737.0800
1570	401881.3740	2518758.9520	736.8820
1571	401928.2660	2518756.6540	736.4840
1572	401927.7470	2518740.0020	736.3750
1573	401895.4310	2518696.6280	736.4000
1574	401895.1520	2518661.8090	736.0690
1575	401848.2040	2518662.4370	735.6750
1576	401849.3330	2518692.8080	736.9470
1578	401544.0760	2518756.8100	736.1870
1579	401517.3110	2518730.2420	735.8580
1580	401467.3030	2518684.7410	735.2240
1581	401444.4140	2518663.1500	734.9520
1582	401402.7100	2518691.4120	735.3060
1583	401426.9150	2518721.8720	735.7330
1584	401452.8490	2518753.6530	736.2880
1585	401453.2310	2518757.2840	736.3590
1589	401309.3160	2518900.7600	737.2830
1590	401279.7080	2518900.8150	736.9070
1591	401248.3970	2518899.0570	734.6590
1592	401217.4520	2518898.8460	734.4410
1593	401197.8930	2518899.8380	734.0700
1594	401190.6290	2518871.8040	734.1870
1595	401185.2220	2518858.5260	734.1940
1596	401177.4830	2518841.4760	734.1230
1597	401203.4820	2518830.9260	734.1530
1598	401196.4370	2518807.4260	734.7130
1599	401252.8430	2518775.2900	734.3580
1600	401258.0350	2518780.8960	734.1460
1601	401307.9360	2518780.2000	734.5550
1611	402342.0790	2518140.9740	735.4600
1612	402359.6940	2518138.4670	737.7660
1613	402395.9040	2518127.6860	738.4240
1614	402392.7880	2518113.4910	738.6460
1615	402383.8460	2518089.5510	737.7570
1616	402350.3270	2518103.6550	736.1150
1617	402342.9920	2518112.9650	735.9210
1618	402339.9490	2518125.9580	735.7020
1622	401163.8730	2519115.2540	733.2030
1623	401162.8710	2519082.1910	734.4940
1624	401240.7070	2519081.0910	734.3010
1625	401240.1130	2519113.6060	733.2010

BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN COORDINATE SYSTEM, SOUTH ZONE (NAD'27). THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 17 HAS A BEARING OF S 01°00'08" E (DECEMBER, 2005 DATUM).

ELEVATIONS REFER TO MEAN SEA LEVEL, 1929 ADJUSTMENT.

TICKET NO. 2004-14-10548

THE UNDERGROUND UTILITY INFORMATION AS SHOWN HEREON IS BASED, IN PART, UPON INFORMATION FURNISHED BY UTILITY COMPANIES AND THE LOCAL MUNICIPALITY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.

National Survey & Engineering
A Division of R.A. Smith & Associates, Inc.
262-781-1000
Fax 262-797-7373
16745 W. Bluemound Road
Suite 200
Brookfield, WI
53005-5938
www.rasa.com

SHEET 1 OF 1

DRAWING SCALE: 1 INCH = 80 FEET

National Survey & Engineering

5

* 0 9 0 6 2 1 2 2 *

Document Number	SPECIAL WARRANTY DEED Title of Document	DOC.# 09062122

REGISTER'S OFFICE | SS
Milwaukee County, WI|

RECORDED 08/03/2005 10:55AM

JOHN LA FAVE
REGISTER OF DEEDS

AMOUNT:19.00

Record this document with the Register of Deeds

Name and Return Address:
TRAPP & HARTMAN SC
14380 W. CAPITOL DRIVE, #1
BROOKFIELD, WI 53005-2323
ATTN: STEPHEN A. HARTMAN

TRANSFER
$ 18,300.00
FEE

258-9999-01, 258-9995-02 AND
(Parcel Identification Number) 258-9998-00

INFO-PRO (800)655-2021 www.infoproforms.com

Record and Return to:
Trapp & Hartman SC
14380 W Capitol Drive, #1
Brookfield, Wisconsin 53005-2323
Attention: Stephen A. Hartman

Parcel Identification No.: 258-9999-01.

This is not homestead property.

SPECIAL WARRANTY DEED

This SPECIAL WARRANTY DEED, made between **HAMILTON SUNDSTRAND CORPORATION,** a Delaware corporation, as grantor ("**Grantor**"), and **WTP HOLDINGS, LLC**, a Wisconsin limited liability company, as grantee ("**Grantee**").

Grantor, for valuable consideration, conveys to Grantee the real estate described in Exhibit A attached hereto and made a part hereof (the "**Property**"), located in Milwaukee County, State of Wisconsin.

Together with all appurtenant rights, title and interests.

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 municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utitlity and municipal services, recorded building and use restrictions and covenants and general taxes levied in 2005 and thereafter and will warrant and defend the same.

Dated this 27th day of July, 2005.

HAMILTON SUNDSTRAND CORPORATION,
a Delaware corporation

By: _____
Name: Ronald F. Zapinski, President
Title: United Technologies Realty, Inc.
Authorized agent

ACKNOWLEGMENT

STATE OF CONNECTICUT)
) ss.
HARTFORD COUNTY)

Personally came before me this 27th day of July, 2005, the above named Ronald P. Zappile, President of United Technologies Realty, the authorized signatory for Hamilton Sundstrand Corporation, a Delaware corporation, to me known to be the person who executed the foregoing instrument and acknowledge the same.

Notary Public, State of Connecticut

My Commission Expires: KATE S. BARBOUR NOTARY PUBLIC MY COMMISSION EXPIRES MAR. 31, 2008

AUTHENTICATION

Euchung Ung
Member, State Bar of Connecticut

Authenticated this 27th day of July, 2005.

This instrument was drafted by:

Robinson & Cole
695 East Main Street
Stamford, Connecticut 06901
Attention: Euchung Ung

EXHIBIT A
Legal Description of the Property

See attached.

EXHIBIT A

PARCEL 1:

THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION, RUNNING THENCE SOUTH ALONG THE EAST LINE OF SAID 1/4 SECTION, 1995.04 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTH 34°34'20" WEST ALONG THE SAID RIGHT-OF-WAY LINE 1628.99 FEET TO A POINT; THENCE NORTH 17°41'10" WEST 624.86 FEET TO A POINT IN THE NORTH LINE OF SAID 1/4 SECTION; THENCE NORTH 87°00'00" EAST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO THE PLACE OF COMMENCEMENT. EXCEPTING THEREFROM THE NORTH 60.0 FEET THEREOF, MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID 1/4 SECTION. ALSO EXCEPTING THEREFROM QUIT CLAIM DEED RECORDED AS DOCUMENT NO. 4244616, AND EXCEPTING CERTIFIED SURVEY MAP NO. 5829.

PARCEL NO. 258-9999-01

PARCEL 2:

PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5829 RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS OFFICE APRIL 22, 1993 ON REEL 3018, IMAGE 821, AS DOCUMENT NO. 6756051; BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN.

PARCEL NO. 258-9999-02

PARCEL 3:

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PARCEL NO. 258-9998-00

PROPERTY EXHIBIT

KNOWN AS 12001 WEST CAPITOL DRIVE, CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN

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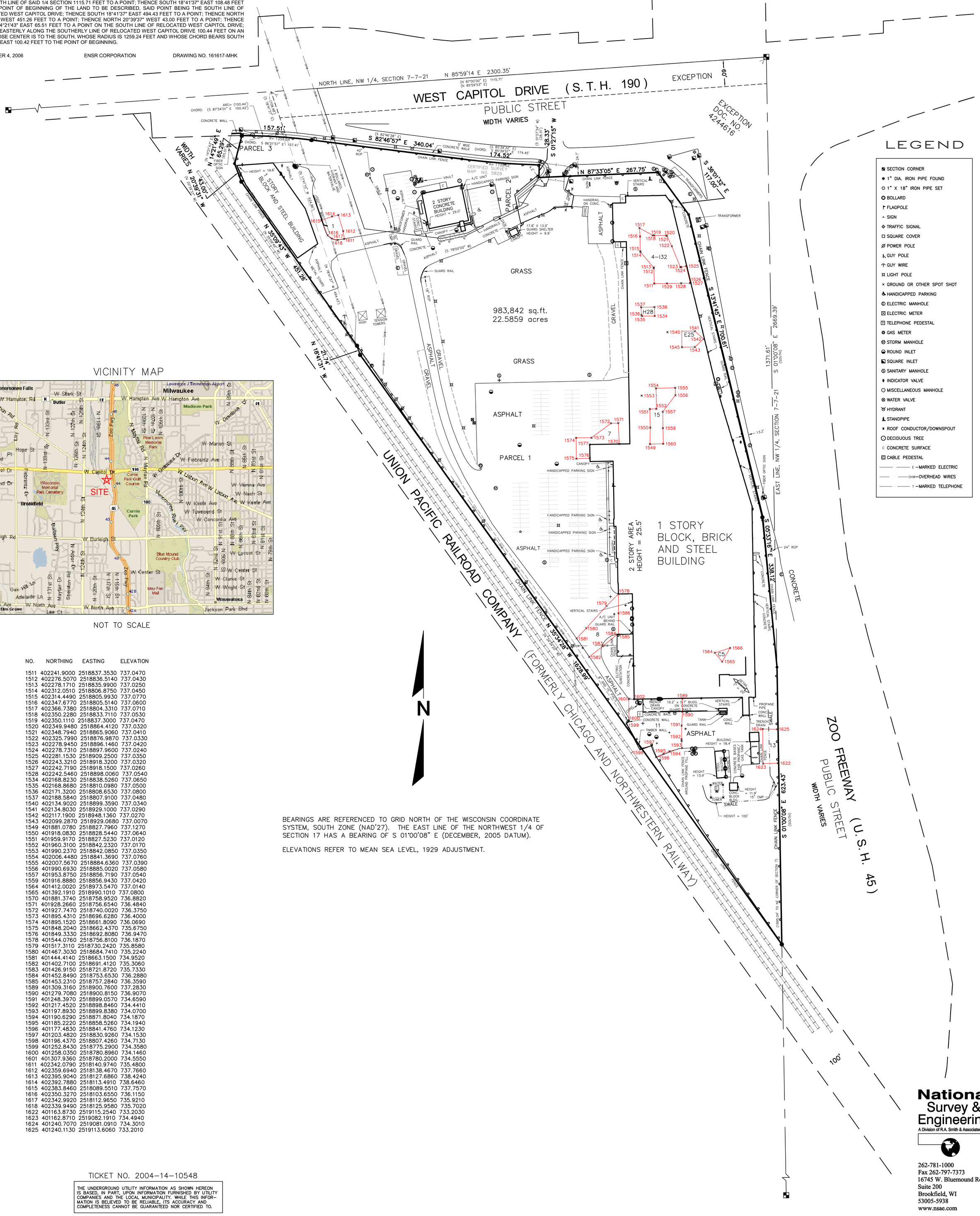
DECEMBER 4, 2006 ENSR CORPORATION DRAWING NO. 161617-MHK

NOT TO SCALE



LEGEND

- SECTION CORNER
- 1" DIA. IRON PIPE FOUND
- 1" X 18" IRON PIPE SET
- BOLLARD
- FLAGPOLE
- SIGN
- TRAFFIC SIGNAL
- SQUARE COVER
- POWER POLE
- GUY POLE
- GUY WIRE
- LIGHT POLE
- GROUND OR OTHER SPOT SHOT
- HANDICAPPED PARKING
- ELECTRIC MANHOLE
- ELECTRIC METER
- TELEPHONE PEDESTAL
- GAS METER
- STORM MANHOLE
- ROUND INLET
- SQUARE INLET
- SANITARY MANHOLE
- INDICATOR VALVE
- MISCELLANEOUS MANHOLE
- WATER VALVE
- HYDRANT
- STANDPIPE
- ROOF CONDUCTOR/DOWNSPOUT
- DECIDUOUS TREE
- CONCRETE SURFACE
- CABLE PEDESTAL
- E —MARKED ELECTRIC
- OHW—OVERHEAD WIRES
- T —MARKED TELEPHONE

NO.	NORTHING	EASTING	ELEVATION
1511	402241.9000	2518837.3530	737.0470
1512	402276.5070	2518836.5140	737.0430
1513	402278.1710	2518835.9900	737.0250
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1543	402099.2870	2518929.0680	737.0070
1549	401881.0780	2518827.7960	737.1270
1550	401918.0830	2518828.5440	737.0640
1551	401959.9170	2518827.5230	737.0120
1552	401960.3100	2518842.2320	737.0170
1553	401990.2370	2518842.0850	737.0350
1554	402006.4480	2518841.3690	737.0760
1555	402007.5670	2518884.6360	737.0390
1556	401990.6930	2518885.0020	737.0580
1557	401953.8750	2518856.7190	737.0540
1559	401916.8880	2518856.9430	737.0420
1564	401412.0020	2518973.5470	737.0140
1565	401392.1910	2518990.1010	737.0800
1570	401881.3740	2518758.9520	736.8820
1571	401928.2660	2518756.6540	736.4840
1572	401927.7470	2518740.0020	736.3750
1573	401895.4310	2518696.6280	736.4000
1574	401895.1520	2518661.8090	736.0690
1575	401848.2040	2518662.4370	735.6750
1576	401849.3330	2518692.8080	736.9470
1578	401544.0760	2518756.8100	736.1870
1579	401517.3110	2518730.2420	735.8580
1580	401467.3030	2518684.7410	735.2240
1581	401444.4140	2518663.1500	734.9520
1582	401402.7100	2518691.4120	735.3060
1583	401426.9150	2518721.8720	735.7330
1584	401452.8490	2518753.6530	736.2880
1585	401453.2310	2518757.2840	736.3590
1589	401309.3160	2518900.7600	737.2830
1590	401279.7080	2518900.8150	736.9070
1591	401248.3970	2518899.0570	734.6590
1592	401217.4520	2518898.8460	734.4410
1593	401197.8930	2518899.8380	734.0700
1594	401190.6290	2518871.8040	734.1870
1595	401185.2220	2518858.5260	734.1940
1596	401177.4830	2518841.4760	734.1230
1597	401203.4820	2518830.9260	734.1530
1598	401196.4370	2518807.4260	734.7130
1599	401252.8430	2518775.2900	734.3580
1600	401258.0350	2518780.8960	734.1460
1601	401307.9360	2518780.2000	734.5550
1611	402342.0790	2518140.9740	735.4800
1612	402359.6940	2518138.4670	737.7660
1613	402395.9040	2518127.6860	738.4240
1614	402392.7880	2518113.4910	738.6460
1615	402383.8460	2518089.5510	737.7570
1616	402350.3270	2518103.6550	736.1150
1617	402342.9920	2518112.9650	735.9210
1618	402339.9490	2518125.9580	735.7020
1622	401163.8730	2519115.2540	733.2030
1623	401162.8710	2519082.1910	734.4940
1624	401240.7070	2519081.0910	734.3010
1625	401240.1130	2519113.6060	733.2010

BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN COORDINATE SYSTEM, SOUTH ZONE (NAD'27). THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 17 HAS A BEARING OF S 01°00'08" E (DECEMBER, 2005 DATUM).

ELEVATIONS REFER TO MEAN SEA LEVEL, 1929 ADJUSTMENT.

TICKET NO. 2004-14-10548

THE UNDERGROUND UTILITY INFORMATION AS SHOWN HEREON IS BASED, IN PART, UPON INFORMATION FURNISHED BY UTILITY COMPANIES AND THE LOCAL MUNICIPALITY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.

National Survey & Engineering
A Division of R.A. Smith & Associates, Inc.
262-781-1000
Fax 262-797-7373
16745 W. Bluemound Road
Suite 200
Brookfield, WI
53005-5938
www.nsae.com

S:\5161617\dwg\
161617H0.DWG \ PX201E80

SHEET 1 OF 1

DRAWING SCALE: 1 INCH = 80 FEET

12001 W. Capitol Drive, Wauwatosa, Wisconsin
AOI 4

WDNR BRRTS Numbers: #06-41-534503, #02-41-546853
FID Number: 241018140

Parcel Number: 258-9999-01
WTM83/91 Coordinates: E677998 N292425

Responsible Party:
Greg Blessing
United Technologies Corporation
United Technologies Building
Hartford, CT 06101
(860) 728-6529

Site Owner/Operator:
Penzeys Spices
19300 W. Janacek Court
Brookfield, WI 53045
(262) 785-7602

AOI 4

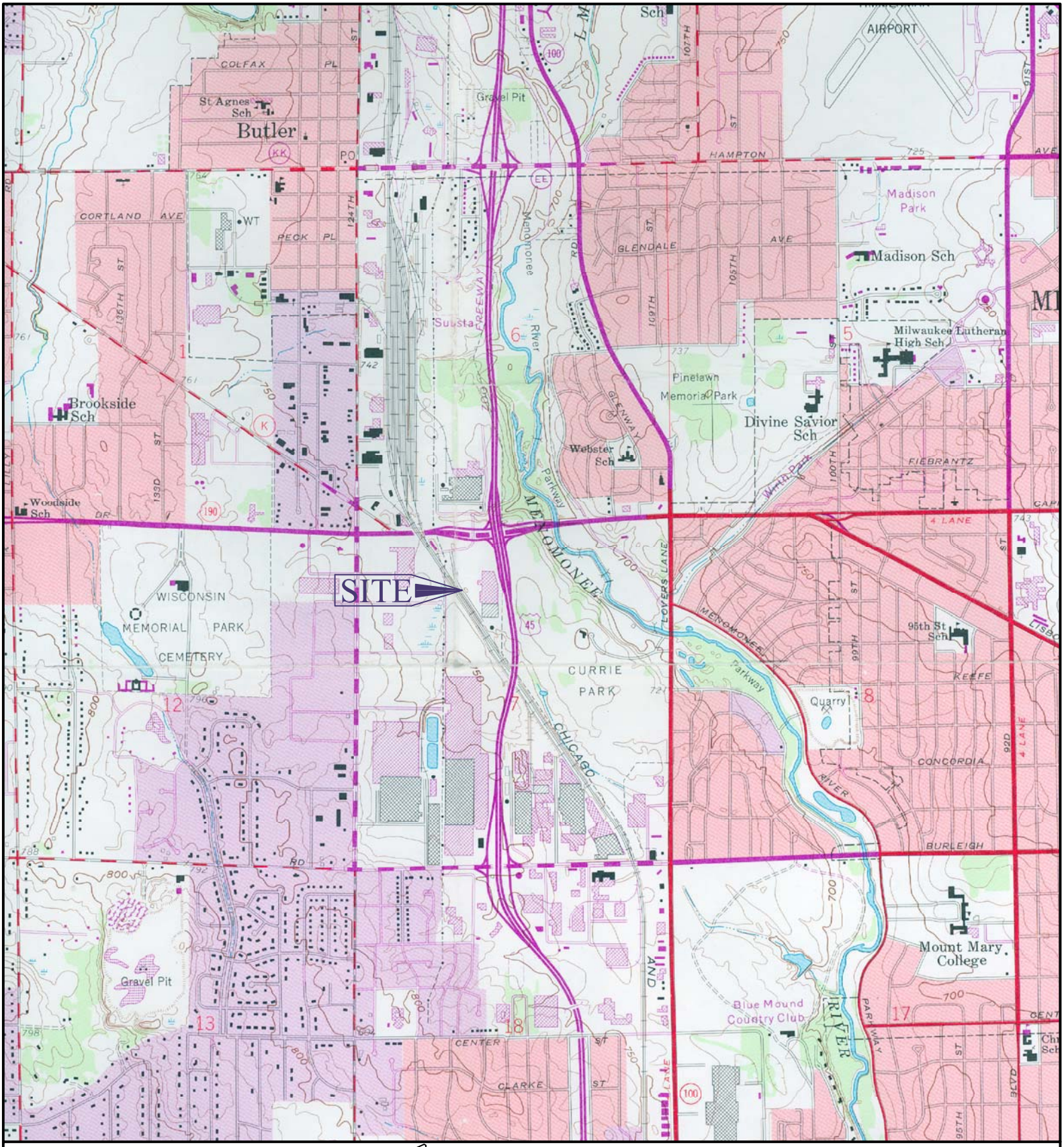
Area of Interest (AOI) 4 is located within, or partially within, the boundary of the property located at 12001 West Capitol Drive, Wauwatosa, Wisconsin, whose legal description (as found on the City of Wauwatosa Assessor's Department website [www.wauwatosa.net]), is as follows:

NW QUAR SEC 7 7 21 COMM AT NE COR OF SD QUAR SEC TH S 1995.04 FT TH NW ALG RR ROW 1628.99 FT TH N 17D 41'10 W 624.86 FT TH E 1115.71 FT TO PL OF BEG SUBJECT TO TMER&L CO TOWER LINE ROW EXC N & E PART TAKEN FOR STREET AND EXPRESSWAY & EXC CSM NO 5829 1994.

Parcel ID: 258-9999-01

Printed Name: Gregory F. Blessing

Signature: _____ Date: 2/28/08



Adapted from: USGS 7.5 minute series Wauwatosa, Wisconsin topographic quadrangle in 1958, photorevisited in 1976.

SCALE 1:24,000

Figure 1

Site Location Map

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, Wisconsin

GIS REGISTRY
Cover Sheet

July, 2008
(RR 5367)

Source Property Information

CLOSURE DATE:

BRRTS #: 02-41-546853

FID #: 241018140

ACTIVITY NAME: FALK CORP PLANT 2 - AOI 4

DATCP #:

PROPERTY ADDRESS: 12001 W. Capitol Drive

COMM #:

MUNICIPALITY: Wauwatosa

PARCEL ID #: 258-9999-01

***WTM COORDINATES:**

X: 677998 Y: 292425

** 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 #: 02-41-546853 PARCEL ID #: 258-9999-01

ACTIVITY NAME: FALK CORP PLANT 2 - AOI 4 WTM COORDINATES: X: 677998 Y: 292425

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 #: **Title:**
- [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 #: Figure 1 **Title: Site Location**
- [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 #: Figure 1 **Title: AOI-4 Contaminated Property**
- [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 #: Figure 5 **Title: Extent of Residual Soil Impacts**

BRRTS #: 02-41-546853 ACTIVITY NAME: FALK CORP PLANT 2 - AOI 4

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 #: Figure 6 **Title: Horizontal Extent of Groundwater Impacts**

☒ **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 #: Figure 3A **Title: Groundwater Elevation Contour Map**

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 #: Table 3 **Title: Analytical Report Summary & Geochemical Data - AOI 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 #: Table 3 **Title: Analytical Report Summary & Geochemical Data - AOI 4**

☒ **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 #: Table 1 **Title: Groundwater Elevations**

IMPROPERLY ABANDONED MONITORING WELLS

For each monitoring well not properly abandoned according to requirements of s. NR 141.25 include the following documents.
Note: *If the site is being listed on the GIS Registry for only an improperly abandoned monitoring well you will only need to submit the documents in this section for the GIS Registry Packet.*

☒ **Not Applicable**

☐ **Site Location Map:** A map showing all surveyed monitoring wells with specific identification of the monitoring wells which have not been properly abandoned.
Note: *If the applicable monitoring wells are distinctly identified on the Detailed Site Map this Site Location Map is not needed.*

Figure #: **Title:**

☐ **Well Construction Report:** Form 4440-113A for the applicable monitoring wells.

☐ **Deed:** The most recent deed as well as legal descriptions for each property where a monitoring well was not properly abandoned.

☐ **Notification Letter:** Copy of the notification letter to the affected property owner(s).

BRRTS #: 02-41-546853 ACTIVITY NAME: FALK CORP PLANT 2 - AOI 4

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 53212-0436
Telephone 414-263-8500
FAX 414-263-8716
TTY 414-263-8713

June 10, 2009

Mr. Anthony Frigiani
Hamilton Sundstrand Corp.
1 Hamilton Rd., M/S 1M5
Windsor Locks, CT 06096

SUBJECT: Final Case Closure with Continuing Obligations
Former Falk Plant 2, 12001 W. Capitol Dr., Wauwatosa, WI

WDNR BRRTS Activity #: 06-41-534503, 02-41-546853, 02-41-546854, 02-41-530528
FID #: 241018140

Dear Mr.Frigiani:

On October 7, 2008, the Southeast Region Closure Committee and VPLE Committee reviewed the above referenced case for closure. These committees review 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 meets the closure requirements in ch. NR 726, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation is required at this time, however, you and future property owners must comply with certain continuing obligations as explained in this letter.

GIS Registry

This site will be listed on the Remediation and Redevelopment Program's GIS Registry. The specific reasons are summarized below:

- Pavement, an engineered cover or a soil barrier must be maintained over contaminated soil and the state must approve any changes to this barrier
- Groundwater contamination is present above Chapter NR 140 enforcement standards

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

Closure Conditions

Please be aware that pursuant to s. 292.12 Wisconsin Statutes, compliance with the requirements of this letter is a responsibility to which the current property owner and any subsequent property owners must adhere. You must pass on the information about these continuing obligations to the next property owner or owners. 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. The Department intends to conduct inspections in the future to ensure that the conditions included in this letter including compliance with referenced maintenance plans are met.

Cover or Barrier

Pursuant to s. 292.12(2)(a), Wis. Stats., the pavement or other impervious cap that currently exists in the location of AOI 4, AOI 7, AOI 8, AOI 11, AOI 13, AOI 15, AOI C5, AOI E25 AOI H28, AOI I32 shown on the attached map shall be maintained in compliance with the **attached maintenance plans** 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 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 is considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken during excavation activities to prevent a health threat to humans.

The attached maintenance plans and inspection logs are to be kept up-to-date and on-site. Please submit the inspection log to the Department only upon request.

Prohibited Activities

The following activities are prohibited on any portion of the property where [pavement, a building foundation, soil cover, engineered cap or other barrier] is required as shown on the attached map, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 1) removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; 6) construction or placement of a building or other structure.

Residual Groundwater Contamination

Groundwater impacted by chlorinated VOC contamination greater than enforcement standards set forth in ch. NR140, Wis. Adm. Code, is present on this contaminated property in the area of AOI 11. For more detailed information regarding the locations where groundwater samples have been collected (i.e., monitoring well locations) and the associated contaminant concentrations, refer to the Remediation and Redevelopment Program's GIS Registry at the RR Sites Map page at http://dnr.wi.gov/org/aw/rr/gis/index.htm.

Vapor Migration

In addition, depending on site-specific conditions, construction over contaminated materials may result in vapor migration of contaminants into enclosed structures or migration along newly placed underground utility lines. The potential for vapor inhalation and means of 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.

Chapter NR 140, Wis. Adm. Code Exemption

Recent groundwater monitoring data at this site indicates that for 1,2-Dichloroethane at MWE-26 and 1,1-Dichloroethylene at MW10, contaminant levels exceed the NR 140 preventive action limit (PAL) but are below the enforcement standard (ES). The Department may grant an exemption to a PAL for a substance of public health concern, other than nitrate, pursuant to s. NR 140.28(2)(b), Wis. Adm. Code, if all of the following criteria are met:

1. The measured or anticipated increase in the concentration of the substance will be minimized to the extent technically and economically feasible.

2. Compliance with the PAL is either not technically or economically feasible.

3. The enforcement standard for the substance will not be attained or exceeded at the point of standards application. [Note: at this site the point of standards application is all points where groundwater is monitored.]

4. Any existing or projected increase in the concentration of the substance above the background concentration does not present a threat to public health or welfare.

Based on the information you provided, the Department believes that these criteria have been or will be met due to source control measures that have occurred in these areas. Therefore, pursuant to s. NR 140.28, Wis. Adm. Code, an exemption to the PAL is granted for 1,2-Dichloroethane at MWE-26 and 1,1-Dichloroethelyne at MW10. Please keep this letter, because it serves as your exemption.

Post-Closure Notification Requirements

In accordance with ss, 292.12 and 292.13, Wis. Stats., you must notify the Department before making changes that affect or relate to the conditions of closure in this letter. For this case, examples of changed conditions requiring prior notification include, but are not limited to:

- Disturbance, construction on, change or removal in whole or part of pavement, an engineered cover or a soil barrier that must be maintained over contaminated soil

Please send written notifications in accordance with the above requirements to the Southeast Regional Headquarters, to the attention of Victoria Stovall.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this closure decision or anything outlined in this letter, please contact Margaret Brunette at (414)263-8557.

Sincerely,

James A. Schmidt

James A. Schmidt, Team Supervisor
Southeast Remediation & Redevelopment Program

Attach. (Disk)
- Maintenance plans

cc: Lauren Gromoski – AECOM (w/out attach.)
Jeff Bykowski – Penzeys Spices (w/out attach.)
Bill Phelps, DG/5 (w/out attach.)

Cap Maintenance Plan
Former Falk Corporation Plant 2 – AOI 4
12001 W. Capitol Drive, Wauwatosa, Wisconsin 53226

May 7, 2009

Property located at:
12001 W. Capitol Drive
Wauwatosa, Wisconsin 53226

Parcel Number: 258-9999-01

FID Number: 241018140
BRRTS Numbers: 06-41-534503
02-41-546853

Introduction

This document is the Cap Maintenance Plan (Maintenance Plan) for the building foundation at the above-referenced property in accordance with the requirements of Wisconsin Administrative Code (WAC) Chapter (ch.) NR 724.13(2). The maintenance activities relate to the existing slab on grade building foundation surfaces (cap) occupying the area over the contaminated soil and groundwater on site. The contaminated soil is impacted by diesel range organics (DRO). The contaminated groundwater is impacted by light non-aqueous phase liquid (LNAPL). The location of the cap to be maintained in accordance with this Maintenance Plan, as well as the extents of impacted soil and groundwater, are included in Figure 1.

Cap Purpose

The cap over the contaminated soil and groundwater plume serves as a partial infiltration barrier to minimize future soil-to-groundwater contamination migration that would violate the groundwater standards in WAC ch. NR 140. Based on the current and future use of the property, the cap should function as intended unless disturbed.

Annual Inspection

The cap overlying the contaminated soil and groundwater plume, as depicted in Figure 1, will be inspected once a year. The inspection will be performed in the spring after all snow and ice is gone, for deterioration, cracks and other potential problems that can cause additional infiltration into or exposure to underlying soil. The inspection will be performed to evaluate damage to the cap due to settling, wear from traffic, increasing age and other factors. Any area where soils have become or are likely to become exposed will be documented. A log of the inspections and any repairs will be maintained by the property owner on a Cap Inspection Log (Attachment 1 [the Log]). The Log will include recommendations for necessary repair of any areas where underlying soils are exposed. Once repairs are completed, they will be documented in the Log. A copy of the Log will be sent to the Wisconsin Department of Natural Resources (WDNR) at least annually after every inspection, unless otherwise directed in the case closure letter.

Maintenance Activities

If problems with the cap are noted during the annual inspections or at any other time during the year, repairs will be scheduled as soon as practical. Repairs can include patching and filling operations, or they can include larger resurfacing or construction operations. In the event that necessary maintenance activities expose the underlying soil, the owner must sample any soil that is excavated from the site prior to disposal to ascertain if contamination remains. The excavated soil must be treated, stored and disposed of by the owner in accordance with applicable local, state and federal law.

In the event the cap overlying the contaminated soil and groundwater plume is removed or replaced, the replacement barrier must be equally impervious. Any replacement barrier will be subject to the same maintenance and inspection guidelines as outlined in this Maintenance Plan unless indicated otherwise by the WDNR or its successor.

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

Amendment or Withdrawal of Maintenance Plan

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

Contact Information as of May 2009:

Responsible Party:	Hamilton Sundstrand Corporation C/O Anthony Frigiani 1 Hamilton Road M/S 1M5 Windsor Locks, CT 06096 860-728-6529
Site Owner/Operator:	Penzeys Spices 12001 W. Capitol Drive Wauwatosa, WI 53222 414-406-7758
Environmental Consultant:	Lauren Gromoski AECOM, Inc. W239 N2890 Pewaukee Road, Unit D Pewaukee, Wisconsin 53072 262-523-2040
WDNR Project Manager:	Margaret Brunette Remediation and Redevelopment Program Wisconsin Department of Natural Resources 2300 N. Dr. Martin Luther King, Jr. Drive Milwaukee, WI 53212 414-263-8557

Figure 1

PROPERTY EXHIBIT

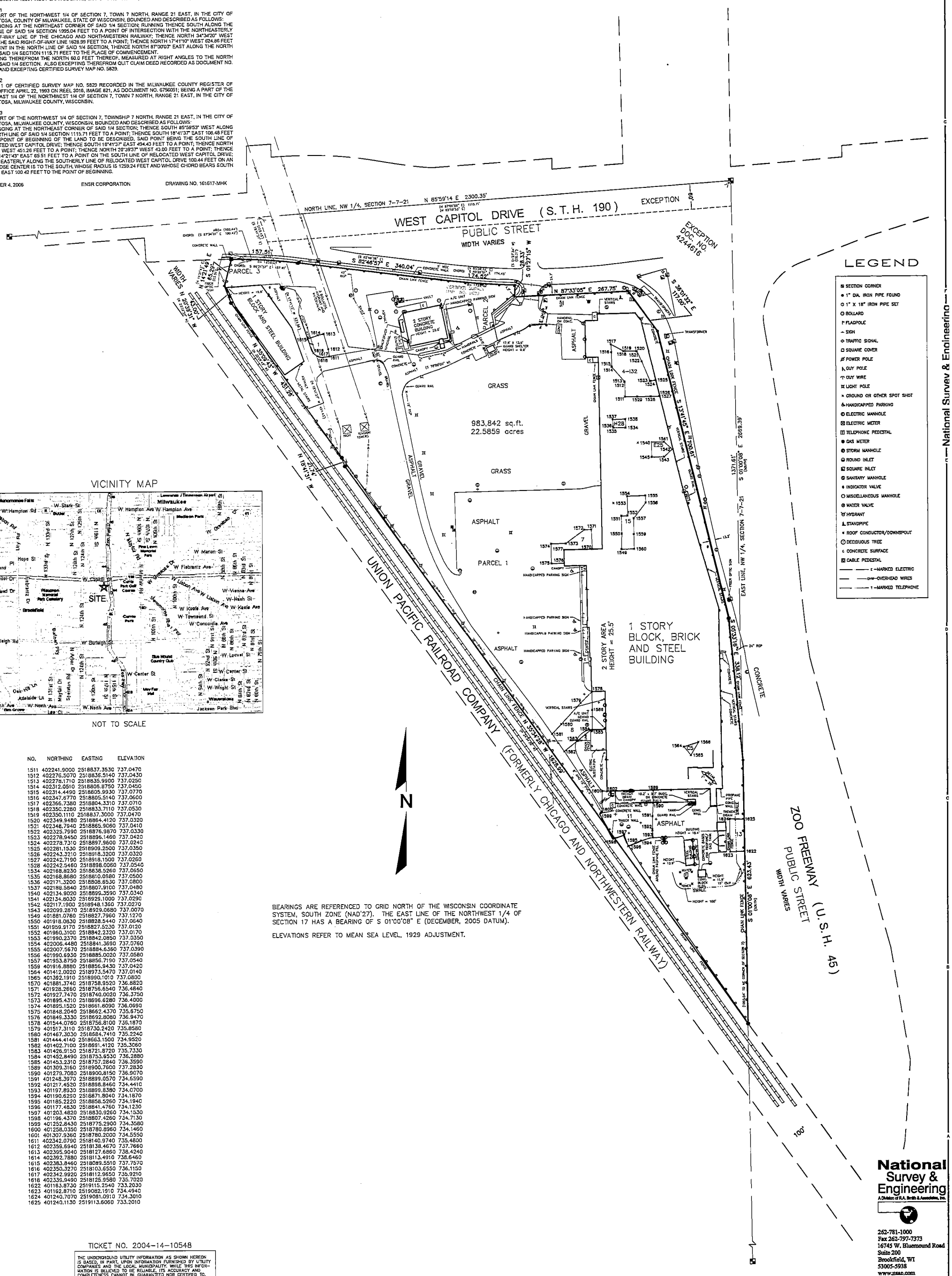
KNOWN AS 12001 WEST CAPITOL DRIVE, CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN

PARCEL 1
THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; RUNNING THENCE SOUTH ALONG THE EAST LINE OF SAID 1/4 SECTION 1995.04 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTH 34°34'20" WEST ALONG THE SAID RIGHT-OF-WAY LINE 1628.99 FEET TO A POINT; THENCE NORTH 17°41'10" WEST 624.86 FEET TO A POINT IN THE NORTH LINE OF SAID 1/4 SECTION, THENCE NORTH 87°00'00" EAST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO THE PLACE OF COMMENCEMENT.
EXCEPTING THEREFROM THE NORTH 60.0 FEET THEREOF, MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID 1/4 SECTION. ALSO EXCEPTING THEREFROM QUIT CLAIM DEED RECORDED AS DOCUMENT NO. 4244616 AND EXCEPTING CERTIFIED SURVEY MAP NO. 5829.

PARCEL 2
PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5829 RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS OFFICE APRIL 22, 1993 ON REEL 3018, IMAGE 821, AS DOCUMENT NO. 6756051; BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN.

PARCEL 3
THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; THENCE SOUTH 85°59'53" WEST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO A POINT; THENCE SOUTH 18°41'37" EAST 106.48 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED, SAID POINT BEING THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE SOUTH 18°41'37" EAST 494.43 FEET TO A POINT; THENCE NORTH 35°09'49" WEST 451.26 FEET TO A POINT; THENCE NORTH 20°39'37" WEST 43.00 FEET TO A POINT; THENCE NORTH 14°21'43" EAST 65.51 FEET TO A POINT ON THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF RELOCATED WEST CAPITOL DRIVE 100.44 FEET ON AN ARC WHOSE CENTER IS TO THE SOUTH, WHOSE RADIUS IS 1259.24 FEET AND WHOSE CHORD BEARS SOUTH 87°34'01" EAST 100.42 FEET TO THE POINT OF BEGINNING.

DECEMBER 4, 2006 ENSR CORPORATION DRAWING NO. 161617-MHK



VICINITY MAP

NOT TO SCALE

NO.	NORTHING	EASTING	ELEVATION
1511	402241.9000	2518837.3530	737.0470
1512	402276.5070	2518836.5140	737.0430
1513	402278.1710	2518835.9900	737.0250
1514	402312.0510	2518806.8750	737.0450
1515	402314.4490	2518805.9930	737.0770
1516	402347.6770	2518805.5140	737.0600
1517	402366.7380	2518804.3310	737.0710
1518	402350.2280	2518833.7110	737.0530
1519	402350.1110	2518837.3000	737.0470
1520	402349.9480	2518864.4120	737.0320
1521	402348.7940	2518865.9060	737.0410
1522	402325.7990	2518876.9870	737.0330
1523	402278.9450	2518896.1460	737.0420
1524	402278.7310	2518897.9600	737.0240
1525	402281.1530	2518909.2500	737.0350
1526	402243.3210	2518918.3200	737.0320
1527	402242.7190	2518918.1500	737.0260
1528	402242.5460	2518898.0060	737.0540
1534	402168.8230	2518838.5260	737.0650
1535	402168.8680	2518810.0580	737.0500
1536	402171.3200	2518808.6530	737.0800
1537	402188.5840	2518807.9100	737.0480
1540	402134.9020	2518899.3590	737.0340
1541	402134.8030	2518929.1000	737.0290
1542	402117.1900	2518948.1360	737.0270
1543	402099.2870	2518929.0680	737.0070
1549	401881.0760	2518827.7960	737.1270
1550	401918.0830	2518828.5440	737.0640
1551	401959.9170	2518827.5230	737.0120
1552	401960.3100	2518842.2320	737.0170
1553	401990.2370	2518842.0850	737.0350
1554	402006.4480	2518841.3690	737.0760
1555	402007.5670	2518884.6360	737.0390
1556	401990.6930	2518885.0020	737.0580
1557	401953.8750	2518856.7190	737.0540
1559	401916.8880	2518856.9430	737.0420
1564	401412.0020	2518973.5470	737.0140
1565	401392.1910	2518990.1010	737.0800
1570	401881.3740	2518758.9520	736.8820
1571	401928.2660	2518756.6540	736.4840
1572	401927.7470	2518740.0020	736.3750
1573	401895.4310	2518696.6280	736.4000
1574	401895.1520	2518661.8090	736.0690
1575	401848.2040	2518662.4370	735.8790
1576	401849.3330	2518692.8080	736.9470
1578	401544.0760	2518756.8100	736.1870
1579	401517.3110	2518730.2420	735.8580
1580	401467.3030	2518684.7410	735.2240
1581	401444.4140	2518663.1500	734.9520
1582	401402.7100	2518691.4120	735.3060
1583	401426.9150	2518721.8720	735.7330
1584	401452.8490	2518753.6530	736.2880
1585	401453.2310	2518757.2840	736.3590
1589	401309.3160	2518900.7600	737.2830
1590	401279.7080	2518900.8150	736.9070
1591	401248.3970	2518899.0570	734.6590
1592	401217.4520	2518898.8460	734.4410
1593	401197.8930	2518899.8380	734.0700
1594	401190.6290	2518871.8040	734.1870
1595	401185.2220	2518858.5260	734.1940
1596	401177.4830	2518841.4760	734.1230
1597	401203.4820	2518830.9260	734.1530
1598	401196.4370	2518607.4260	734.7130
1599	401252.8430	2518775.2900	734.3580
1600	401258.0350	2518780.8960	734.1460
1601	401307.9360	2518780.2000	734.5550
1611	402342.0790	2518140.9740	735.4800
1612	402359.6940	2518138.4670	737.7660
1613	402395.9040	2518127.6860	738.4240
1614	402392.7880	2518113.4910	738.6450
1615	402383.8460	2518089.5510	737.7570
1616	402350.3270	2518103.6550	736.1150
1617	402342.9920	2518112.9650	735.9210
1618	402339.9490	2518125.9580	735.7020
1622	401163.8730	2519115.2540	733.2030
1623	401162.8710	2519082.1910	734.4940
1624	401240.7070	2519081.0910	734.3010
1625	401240.1130	2519113.6060	733.2010

BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN COORDINATE SYSTEM, SOUTH ZONE (NAD'27). THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 17 HAS A BEARING OF S 01°00'08" E (DECEMBER, 2005 DATUM).

ELEVATIONS REFER TO MEAN SEA LEVEL, 1929 ADJUSTMENT.

TICKET NO. 2004-14-10548

THE UNDERGROUND UTILITY INFORMATION AS SHOWN HEREON IS BASED, IN PART, UPON INFORMATION FURNISHED BY UTILITY COMPANIES AND THE LOCAL MUNICIPALITY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.

National Survey & Engineering
A Division of R.A. Smith & Associates, Inc.
262-781-1000
Fax 262-797-7373
16745 W. Bluemound Road
Suite 200
Brookfield, WI
53005-5938
www.nsae.com

SHEET 1 OF 1

DRAWING SCALE: 1 INCH = 80 FEET

Attachment 1

Attachment 1
Cap Inspection Log

Property located at:
12001 W. Capitol Drive
Wauwatosa, WI 53226
Former Falk Corporation Plant 2 - AOI 4

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

5

* 0 9 0 6 2 1 2 2 *

Document Number	SPECIAL WARRANTY DEED Title of Document	DOC.# 09062122

REGISTER'S OFFICE | SS
Milwaukee County, WI|

RECORDED 08/03/2005 10:55AM

JOHN LA FAVE
REGISTER OF DEEDS

AMOUNT:19.00

Record this document with the Register of Deeds

Name and Return Address:
TRAPP & HARTMAN SC
14380 W. CAPITOL DRIVE, #1
BROOKFIELD, WI 53005-2323
ATTN: STEPHEN A. HARTMAN

TRANSFER
$ 18,300.00
FEE

258-9999-01, 258-9995-02 AND
(Parcel Identification Number) 258-9998-00

INFO-PRO (800)655-2021 www.infoproforms.com

Record and Return to:
Trapp & Hartman SC
14380 W Capitol Drive, #1
Brookfield, Wisconsin 53005-2323
Attention: Stephen A. Hartman

Parcel Identification No.: 258-9999-01.

This is not homestead property.

SPECIAL WARRANTY DEED

This SPECIAL WARRANTY DEED, made between **HAMILTON SUNDSTRAND CORPORATION,** a Delaware corporation, as grantor ("**Grantor**"), and **WTP HOLDINGS, LLC**, a Wisconsin limited liability company, as grantee ("**Grantee**").

Grantor, for valuable consideration, conveys to Grantee the real estate described in Exhibit A attached hereto and made a part hereof (the "**Property**"), located in Milwaukee County, State of Wisconsin.

Together with all appurtenant rights, title and interests.

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 municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utitlity and municipal services, recorded building and use restrictions and covenants and general taxes levied in 2005 and thereafter and will warrant and defend the same.

Dated this 27th day of July, 2005.

HAMILTON SUNDSTRAND CORPORATION,
a Delaware corporation

By: _____
Name: Ronald F. Zapinski, President
Title: United Technologies Realty, Inc.
Authorized agent

ACKNOWLEGMENT

STATE OF CONNECTICUT)
) ss.
HARTFORD COUNTY)

Personally came before me this 27th day of July, 2005, the above named Ronald P. Zappile, President of United Technologies Realty, the authorized signatory for Hamilton Sundstrand Corporation, a Delaware corporation, to me known to be the person who executed the foregoing instrument and acknowledge the same.

Notary Public, State of Connecticut

My Commission Expires: KATE S. BARBOUR NOTARY PUBLIC MY COMMISSION EXPIRES MAR. 31, 2008

AUTHENTICATION

Euchung Ung
Member, State Bar of Connecticut

Authenticated this 27th day of July, 2005.

This instrument was drafted by:

Robinson & Cole
695 East Main Street
Stamford, Connecticut 06901
Attention: Euchung Ung

EXHIBIT A
Legal Description of the Property

See attached.

EXHIBIT A

PARCEL 1:

THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION, RUNNING THENCE SOUTH ALONG THE EAST LINE OF SAID 1/4 SECTION, 1995.04 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTH 34°34'20" WEST ALONG THE SAID RIGHT-OF-WAY LINE 1628.99 FEET TO A POINT; THENCE NORTH 17°41'10" WEST 624.86 FEET TO A POINT IN THE NORTH LINE OF SAID 1/4 SECTION; THENCE NORTH 87°00'00" EAST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO THE PLACE OF COMMENCEMENT. EXCEPTING THEREFROM THE NORTH 60.0 FEET THEREOF, MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID 1/4 SECTION. ALSO EXCEPTING THEREFROM QUIT CLAIM DEED RECORDED AS DOCUMENT NO. 4244616, AND EXCEPTING CERTIFIED SURVEY MAP NO. 5829.

PARCEL NO. 258-9999-01

PARCEL 2:

PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5829 RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS OFFICE APRIL 22, 1993 ON REEL 3018, IMAGE 821, AS DOCUMENT NO. 6756051; BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN.

PARCEL NO. 258-9999-02

PARCEL 3:

THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; THENCE SOUTH 89°59'53" WEST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO A POINT; THENCE SOUTH 18°41'37" EAST 108.48 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED, SAID POINT BEING THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE SOUTH 18°41'37" EAST 494.43 FEET TO A POINT; THENCE NORTH 35°09'49" WEST 451.26 FEET TO A POINT; THENCE NORTH 20°39'37" WEST 43.00 FEET TO A POINT; THENCE NORTH 14°21'43" EAST 65.51 FEET TO A POINT ON THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF RELOCATED WEST CAPITOL DRIVE 100.44 FEET ON AN ARC WHOSE CENTER IS TO THE SOUTH, WHOSE RADIUS IS 1259.24 FEET AND WHOSE CHORD BEARS SOUTH 87°34'01" EAST 100.42 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 258-9998-00

PROPERTY EXHIBIT

KNOWN AS 12001 WEST CAPITOL DRIVE, CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN

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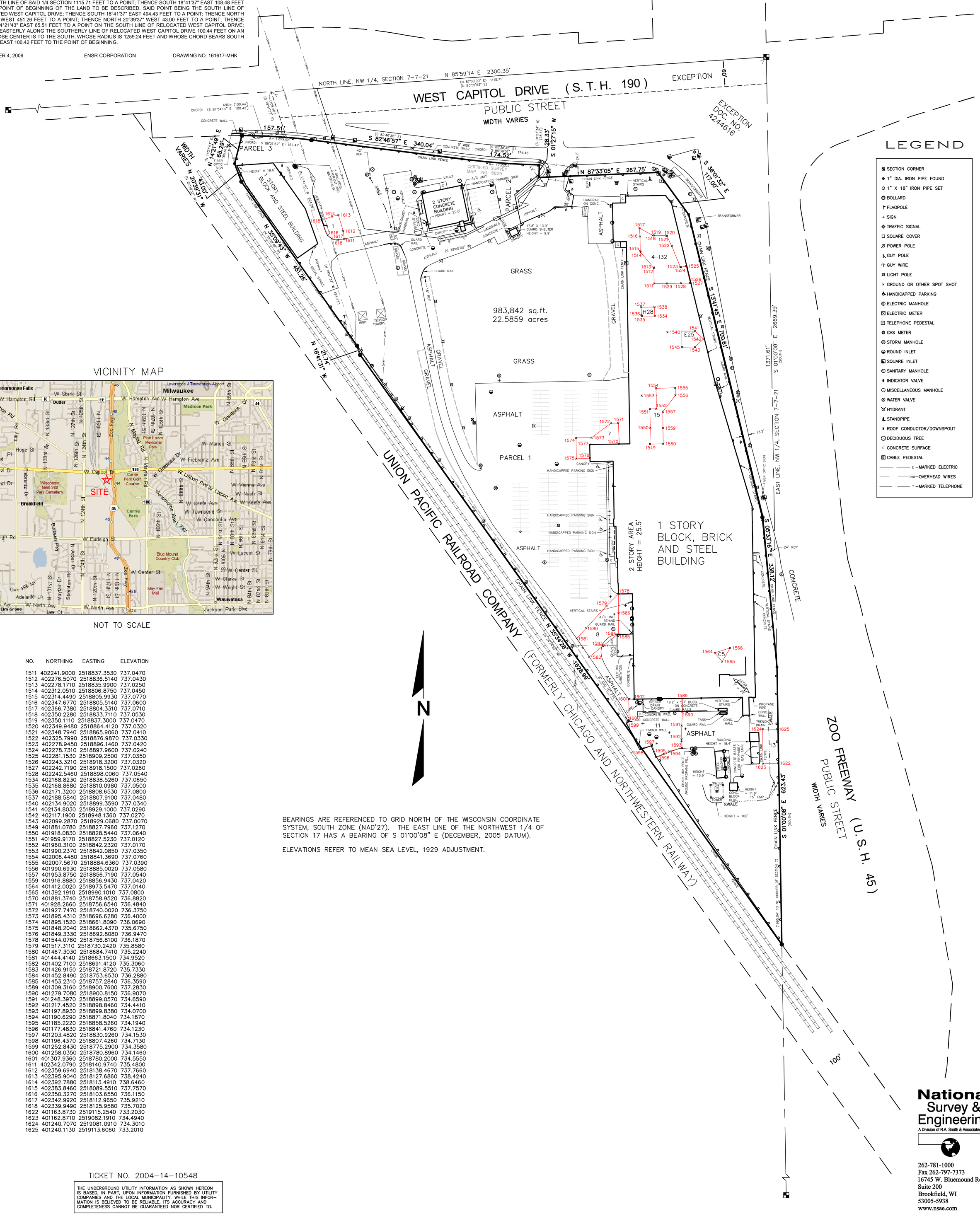
DECEMBER 4, 2006 ENSR CORPORATION DRAWING NO. 161617-MHK

NOT TO SCALE



LEGEND

- SECTION CORNER
- 1" DIA. IRON PIPE FOUND
- 1" X 18" IRON PIPE SET
- BOLLARD
- FLAGPOLE
- SIGN
- TRAFFIC SIGNAL
- SQUARE COVER
- POWER POLE
- GUY POLE
- GUY WIRE
- LIGHT POLE
- GROUND OR OTHER SPOT SHOT
- HANDICAPPED PARKING
- ELECTRIC MANHOLE
- ELECTRIC METER
- TELEPHONE PEDESTAL
- GAS METER
- STORM MANHOLE
- ROUND INLET
- SQUARE INLET
- SANITARY MANHOLE
- INDICATOR VALVE
- MISCELLANEOUS MANHOLE
- WATER VALVE
- HYDRANT
- STANDPIPE
- ROOF CONDUCTOR/DOWNSPOUT
- DECIDUOUS TREE
- CONCRETE SURFACE
- CABLE PEDESTAL
- E —MARKED ELECTRIC
- OHW—OVERHEAD WIRES
- T —MARKED TELEPHONE

NO.	NORTHING	EASTING	ELEVATION
1511	402241.9000	2518837.3530	737.0470
1512	402276.5070	2518836.5140	737.0430
1513	402278.1710	2518835.9900	737.0250
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1617	402342.9920	2518112.9650	735.9210
1618	402339.9490	2518125.9580	735.7020
1622	401163.8730	2519115.2540	733.2030
1623	401162.8710	2519082.1910	734.4940
1624	401240.7070	2519081.0910	734.3010
1625	401240.1130	2519113.6060	733.2010

BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN COORDINATE SYSTEM, SOUTH ZONE (NAD'27). THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 17 HAS A BEARING OF S 01°00'08" E (DECEMBER, 2005 DATUM).

ELEVATIONS REFER TO MEAN SEA LEVEL, 1929 ADJUSTMENT.

TICKET NO. 2004-14-10548

THE UNDERGROUND UTILITY INFORMATION AS SHOWN HEREON IS BASED, IN PART, UPON INFORMATION FURNISHED BY UTILITY COMPANIES AND THE LOCAL MUNICIPALITY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.

National Survey & Engineering
A Division of R.A. Smith & Associates, Inc.
262-781-1000
Fax 262-797-7373
16745 W. Bluemound Road
Suite 200
Brookfield, WI
53005-5938
www.nsae.com

S:\5161617\dwg\
161617H0.DWG \ PX201E80

SHEET 1 OF 1

DRAWING SCALE: 1 INCH = 80 FEET

12001 W. Capitol Drive, Wauwatosa, Wisconsin
AOI 4

WDNR BRRTS Numbers: #06-41-534503, #02-41-546853
FID Number: 241018140

Parcel Number: 258-9999-01
WTM83/91 Coordinates: E677998 N292425

Responsible Party:
Greg Blessing
United Technologies Corporation
United Technologies Building
Hartford, CT 06101
(860) 728-6529

Site Owner/Operator:
Penzeys Spices
19300 W. Janacek Court
Brookfield, WI 53045
(262) 785-7602

AOI 4

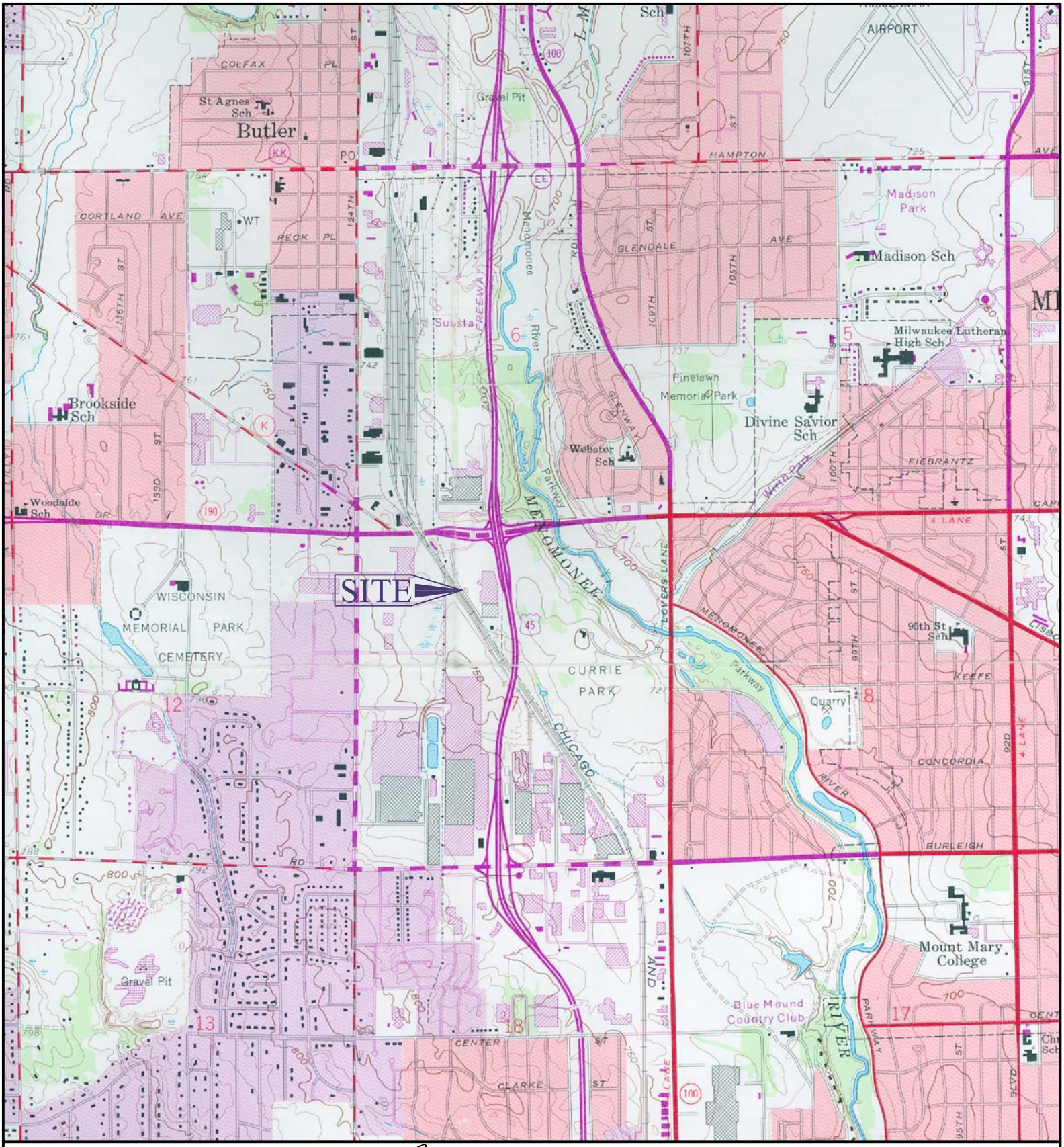
Area of Interest (AOI) 4 is located within, or partially within, the boundary of the property located at 12001 West Capitol Drive, Wauwatosa, Wisconsin, whose legal description (as found on the City of Wauwatosa Assessor's Department website [www.wauwatosa.net]), is as follows:

NW QUAR SEC 7 7 21 COMM AT NE COR OF SD QUAR SEC TH S 1995.04 FT TH NW ALG RR ROW 1628.99 FT TH N 17D 41'10 W 624.86 FT TH E 1115.71 FT TO PL OF BEG SUBJECT TO TMER&L CO TOWER LINE ROW EXC N & E PART TAKEN FOR STREET AND EXPRESSWAY & EXC CSM NO 5829 1994.

Parcel ID: 258-9999-01

Printed Name: Gregory F. Blessing

Signature: _____ Date: 2/28/08



Adapted from: USGS 7.5 minute series Wauwatosa, Wisconsin topographic quadrangle in 1958, photorevisited in 1976.

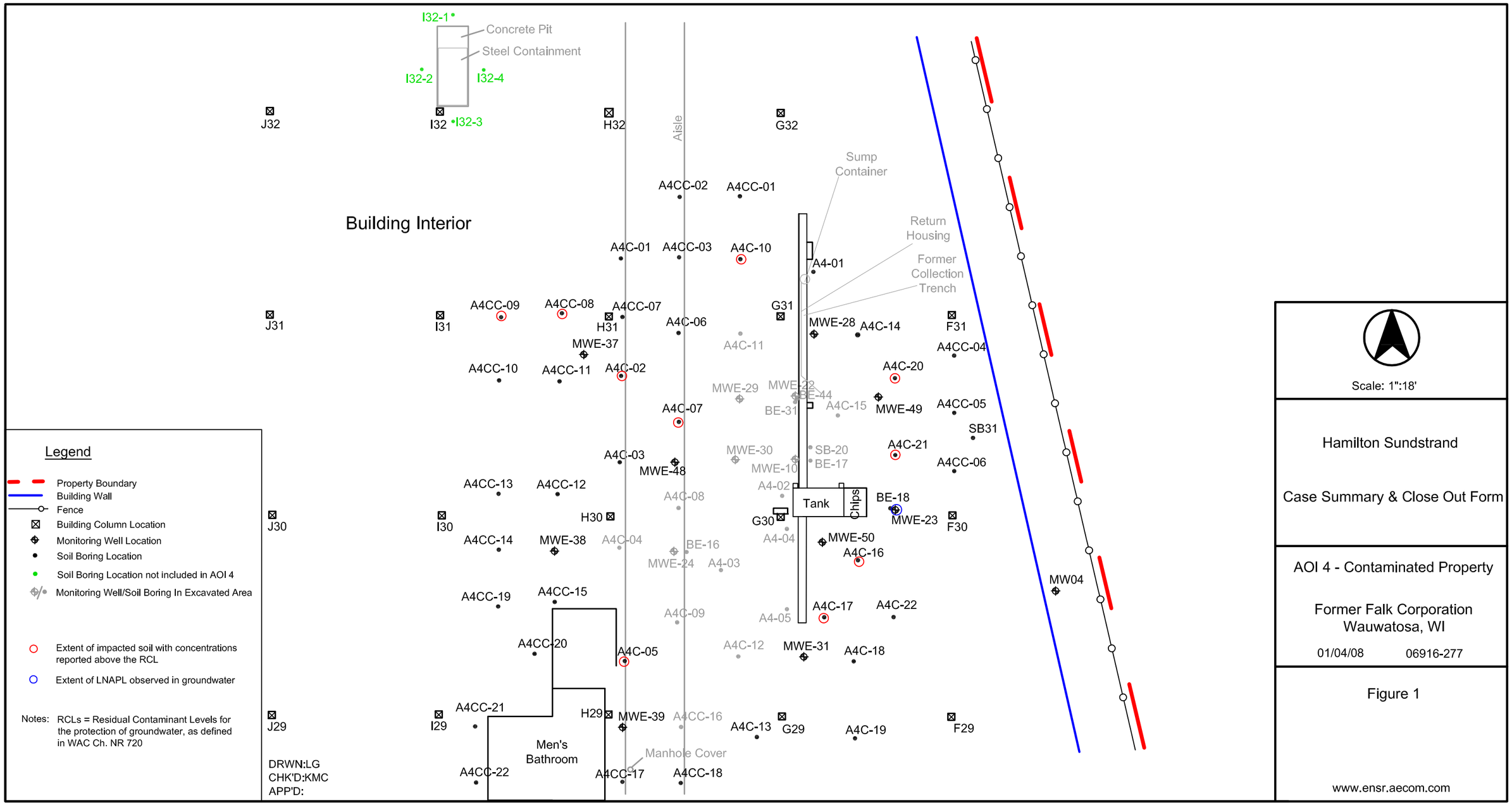
SCALE 1:24,000

Figure 1

Site Location Map

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, Wisconsin

ENSR | AECOM



Hamilton Sundstrand

Case Summary & Close Out Form

AOI 4 - Contaminated Property

Former Falk Corporation
Wauwatosa, WI

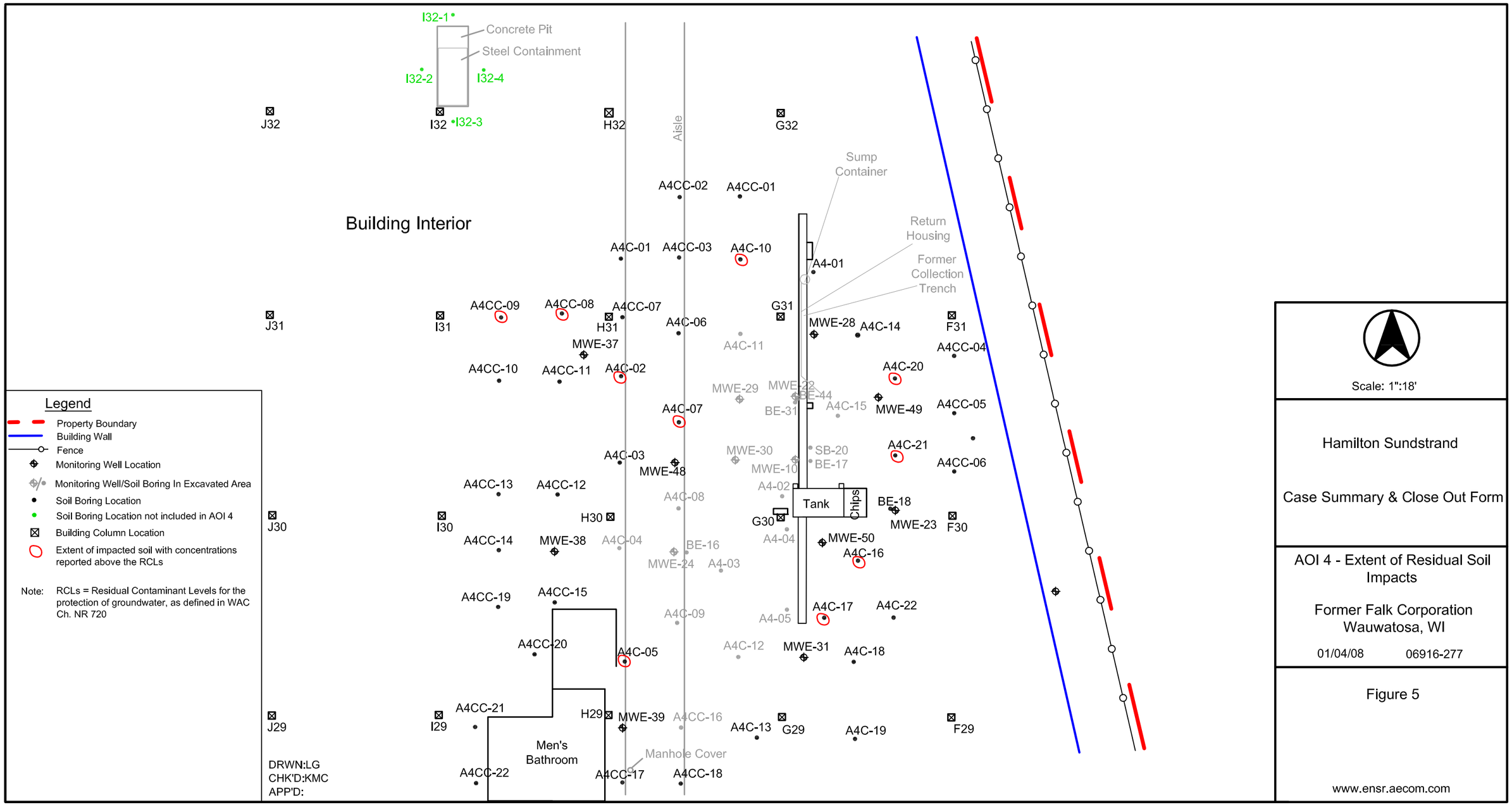
01/04/08 06916-277

Figure 1

www.ensr.aecom.com

J:\PROJECTS\06916 - UTC Companies\06916277-Former Falk Wauwatosa\Reporting\SI-Rem-Closure Rpt 0702\Figs 0702\Fig 5 - AOI 4.Exc & Resid Soil.dwg

ENSR | AECOM



Hamilton Sundstrand

Case Summary & Close Out Form

AOI 4 - Extent of Residual Soil Impacts

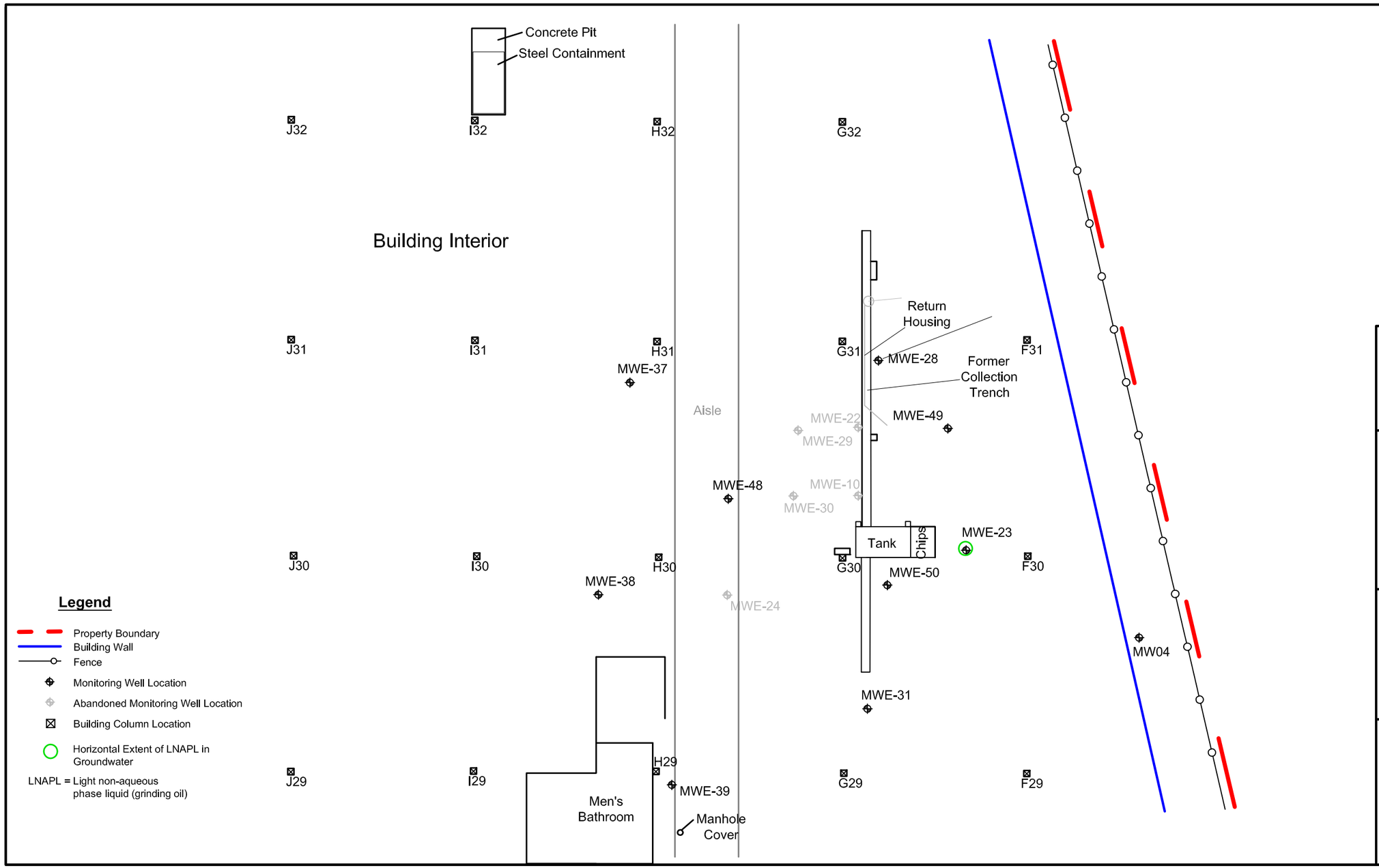
Former Falk Corporation
Wauwatosa, WI

01/04/08 06916-277

Figure 5

www.ensr.aecom.com

J:\PROJECTS\06916 - UTC Companies\06916277-Former Falk Wauwatosa\Reporting\SI-Rem-Closure Rpt 0702\Figs 0702\Fig 5 - AOI 4.Exc & Resid Soil.dwg



Scale: 1":18'

Hamilton Sundstrand

Case Summary & Close Out Form

AOI 4 - Horizontal Extent of Groundwater Impacts

Former Falk Corporation
Wauwatosa, WI

01/04/08 06916-277

Figure 6

www.ensr.aecom.com

J:\PROJECTS\06916 - UTC Companies\06916277-Falk Wauwatosa\Reports\Si-Rem Closure Rpt 0611\Figs 0701 Fig 6 - AOI 4 GW.dwg

WEST CAPITOL DRIVE

US-45 North

North property

Plant #2 Annex

R&D Building

Oil Shed

Offices

Lobby

Offices

Locker Rooms

MW07 SB27 (730.21)

MWE-29 (729.51)

MWE-28 (730.50)

MWE-30 (730.03)

MWE-22 (728.41)

MWE-10 (727.65)

MWE-23 (724.77)

MWE-24 (729.69)

MW04 (730.53)

MWE-31 (730.51)

MWE-21 (729.84)

MWE-26 (729.13)

MWE-25 (727.77)

MWE-19 (724.13)

MWE-20 (725.55)

MWE-15 (730.66)

MWE-14 (729.38)

MW10 (730.92)

MWE-16 (730.62)

MWE-1 (722.82)

MWE-3 (721.49)

MWE-13 (730.82)

MWE-7 (731.23)

MWE-8 (729.95)

MWE-12 (725.83)

MWE-11 (730.56)

MWE-2 (721.47)

MW09 SB14 (730.79)

722 724 726 728 730

Legend

- Property Boundary
- Building
- Fence
- Road/Asphalt Parking Lot
- Swale
- Rail Road
- Underground Drainage
- Gravel
- Monitoring Well Location
- (730.79) Groundwater Elevation measured in monitoring well (August 2005)
- Groundwater Elevation contour (August 2005)

Approximate Scale

0 25 50 90 180 270 360 Feet

REV#	DATE	DESCRIPTION

ENSR | AECOM

Groundwater Elevation Contour Map (Shallow Zone)

Former Falk Corporation
Wauwatosa, Wisconsin

DRWN: LG	SCALE: AS SHOWN
CHK'D: KMC	DATE: 01/04/08
APP'D: KMC	Figure: 3A

Table 3
Analytical Report Summary & Geochemical Data - AOI 4

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Sample ID (Depth), Sample Date								Residual Contaminant Level	
SOIL	SB20 (4) 06/2004	SB31 (4.5) 06/2004	BE-16 (4.5) 11/10/04	BE-16 (12.5) 11/10/04	BE-17 (2) 11/10/04	BE-17 (13) 11/10/04	BE-18 (4) 11/10/04	BE-18 (8) 11/10/04	**Direct Contact IND**	**Groundwater Protection**
VOCs (µg/kg)		ND	ND	ND	ND		ND	ND		
1,1-Dichloroethane	15								1,800,000	350
1,2,4-Trimethylbenzene	440					148			350,000	7,570
1,3,5-Trimethylbenzene	130					43			200,000	3,250
Acetone	490 [1]								140,000,000	530
Benzene	**6.2**								2,800	5.5
Ethylbenzene	30								400,000	2,900
Isopropylbenzene	19								860,000	37,000*
Methylene chloride	**30**								45,000	1.6
Naphthalene	68					43			110,000	400
n-Propylbenzene	59								NL	NL
p-Isopropyltoluene	50								NL	NL
sec-Butylbenzene	49								NL	NL
Toluene	49								670,000	1,500
Xylenes	143					46			1,900,000	4,100
SVOCs (mg/kg)	ND		ND	ND		ND	ND	ND		
Anthracene		0.047							300,000	3,000
Benzo[*b*]fluoranthene		0.11							3.9	360
Benzo[*k*]fluoranthene		0.058							39	870
bis[2-ethylhexyl]phthalate		0.25			1.0				204	180
Diethylphthalathe		0.24							2,000	49
Metals (mg/kg)		NA	NA	NA	NA	NA	NA	NA		
Arsenic	**2.1**								1.6	0.58
Barium	27.9								71,500	330
Cadmium	0.21								510	1.5
Chromium	5.1								200	14
Lead	3.0								500	NL
Mercury	0.0027								2.9	0.42
PCBs (mg/kg)	ND	NA	NA	NA	NA	NA	NA	NA	--	--

Table 3
Analytical Report Summary & Geochemical Data - AOI 4

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Sample ID (Depth), Sample Date								Residual Contaminant Level	
SOIL	BE-31 (2) 11/12/04	BE-31 (9) 11/12/04	A4-01 (2) 04/19/05	A4-01 (8) 04/19/05	A4-02 (2) 04/18/05	A4-02 (8) 04/18/05	A4-03 (2) 04/18/05	A4-03 (8) 04/18/05	**Direct Contact IND**	**Groundwater Protection**
VOCs (µg/kg)	ND	ND	ND	ND		ND	ND	ND		
Naphthalene					100				470,000	400
1,2,4-Trimethylbenzene					82				350,000	7,570
SVOCs (mg/kg)		ND	NA	NA	NA	NA	NA	NA		
bis[2-ethylhexyl]phthalate	0.47								204	180
DRO (mg/kg)	NA	NA	34	86	**3,200**	24	**200**	**460**	NL	100

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	A4-04 (2) 04/18/05	A4-04 (8) 04/18/05	A4-05 (2) 04/18/05	A4-05 (8) 04/18/05	MWE-28 (2) 04/19/05	MWE-28 (8) 04/19/05	**Direct Contact IND**	**Groundwater Protection**
VOCs (µg/kg)				ND	ND	ND		
Toluene	33						670,000	1,500
1,2,4-Trimethylbenzene	29	36	88				350,000	7,570
n-Butylbenzene		65					NL	21,000
DRO (mg/kg)	**14,000**	**24,000**	**13,000**	**720**	12	16	NL	100

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	MWE-29 (2) 04/18/05	MWE-29 (8) 04/18/05	MWE-30 (2) 04/18/05	MWE-30 (8) 04/18/05	MWE-31 (2) 04/18/05	MWE-31 (8) 04/18/05	**Direct Contact IND**	**Groundwater Protection**
VOCs (µg/kg)	ND	ND	ND	ND	ND	ND	--	--
DRO (mg/kg)	**150**	17	**3,500**	39	17	6.1	NL	100

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	A4C-01 (2) 09/12/05	A4C-01 (8) 09/12/05	A4C-01 (12) 09/12/05	A4C-02 (2) 09/12/05	A4C-02 (8) 09/12/05	A4C-02 (11) 09/12/05	**Direct Contact IND**	**Groundwater Protection**
DRO (mg/kg)	ND	18	44	**2,200**	27	**140**	NL	100

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	A4C-03 (2) 09/12/05	A4C-03 (8) 09/12/05	A4C-03 (12) 09/12/05	A4C-04 (2) 09/12/05	A4C-04 (8) 09/12/05	A4C-04 (12) 09/12/05	**Direct Contact IND**	**Groundwater Protection**
DRO (mg/kg)	ND	25	83	ND	**4,200**	35	NL	100

Table 3
Analytical Report Summary & Geochemical Data - AOI 4

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Sample ID (Depth), Sample Date				Residual Contaminant Level	
SOIL	A4C-05 (2) 09/12/05	A4C-05 (8) 09/12/05	A4C-06 (2) 09/12/05	A4C-06 (8) 09/12/05	**Direct Contact IND**	**Groundwater Protection**
DRO (mg/kg)	**10,000**	78	ND	8.2	NL	100

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	A4C-07 (2) 09/12/05	A4C-07 (8) 09/12/05	A4C-07 (12) 09/12/05	A4C-08 (2) 09/12/05	A4C-08 (8) 09/12/05	A4C-08 (12) 09/12/05	**Direct Contact IND**	**Groundwater Protection**
DRO (mg/kg)	**500**	28	**160**	**200**	40	**1,700**	NL	100

Detected Parameter	Sample ID (Depth), Sample Date					Residual Contaminant Level	
SOIL	A4C-09 (2) 09/12/05	A4C-09 (8) 09/12/05	A4C-09 (12) 09/12/05	A4C-10 (8) 09/12/05	A4C-10 (12) 09/12/05	**Direct Contact IND**	**Groundwater Protection**
DRO (mg/kg)	**2,900**	28	55	**130**	97	NL	100

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	A4C-11 (2) 09/12/05	A4C-11 (8) 09/12/05	A4C-11 (12) 09/12/05	A4C-12 (2) 09/13/05	A4C-12 (8) 09/13/05	A4C-12 (12) 09/13/05	**Direct Contact IND**	**Groundwater Protection**
DRO (mg/kg)	23	**5,000**	**370**	**12,000**	ND	49	NL	100

Detected Parameter	Sample ID (Depth), Sample Date				Residual Contaminant Level	
SOIL	A4C-13 (2) 09/13/05	A4C-14 (2) 09/12/05	A4C-14 (8) 09/12/05	A4C-14 (12) 09/12/05	**Direct Contact IND**	**Groundwater Protection**
DRO (mg/kg)	ND	90	19	62	NL	100

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	A4C-15 (2) 09/12/05	A4C-15 (8) 09/12/05	A4C-15 (12) 09/12/05	A4C-16 (2) 09/12/05	A4C-16 (8) 09/12/05	A4C-16 (12) 09/12/05	**Direct Contact IND**	**Groundwater Protection**
DRO (mg/kg)	91	**12,000**	**9,000**	**850**	**140**	**1,200**	NL	100

Table 3
Analytical Report Summary & Geochemical Data - AOI 4

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Sample ID (Depth), Sample Date				Residual Contaminant Level	
SOIL	A4C-17 (2) 09/13/05	A4C-17 (8) 09/13/05	A4C-17 (12) 09/13/05	A4C-18 (2) 09/13/05	**Direct Contact IND**	**Groundwater Protection**
DRO (mg/kg)	**110**	ND	ND	11	NL	100

Detected Parameter	Sample ID (Depth), Sample Date			Residual Contaminant Level	
SOIL	A4C-20 (2) 09/12/05	A4C-20 (8) 09/12/05	A4C-20 (12) 09/12/05	**Direct Contact IND**	**Groundwater Protection**
DRO (mg/kg)	**260**	5.2	92	NL	100

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	A4C-21 (2) 09/12/05	A4C-21 (8) 09/12/05	A4C-21 (12) 09/12/05	A4C-22 (2) 09/13/05	A4C-22 (8) 09/13/05	A4C-22 (12) 09/13/05	**Direct Contact IND**	**Groundwater Protection**
DRO (mg/kg)	46	**190**	39	14	ND	4.9	NL	100

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	A4CC-01 (8) 11/07/05	A4CC-02 (8) 11/07/05	A4CC-03 (8) 11/07/05	A4CC-04 (2) 11/07/05	A4CC-05 (2) 11/07/05	A4CC-05 (8) 11/07/05	**Direct Contact IND**	**Groundwater Protection**
DRO (mg/kg)	35	ND	ND	ND	11	ND	NL	100

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	A4CC-06 (8) 11/07/05	A4CC-07 (2) 11/07/05	A4CC-07 (12) 11/07/05	A4CC-08 (2) 11/07/05	A4CC-08 (12) 11/07/05	A4CC-09 (2) 11/07/05	**Direct Contact IND**	**Groundwater Protection**
DRO (mg/kg)	12	9.1	5.7	**8,200**	8.6	**2,300**	NL	100

Table 3
Analytical Report Summary & Geochemical Data - AOI 4

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	A4CC-10 (2) 11/07/05	A4CC-11 (2) 11/07/05	A4CC-11 (12) 11/07/05	A4CC-12 (8) 11/07/05	A4CC-13 (8) 11/07/05	A4CC-14 (8) 11/07/05	**Direct Contact IND**	**Groundwater Protection**
DRO (mg/kg)	ND	ND	6.5	ND	ND	ND	NL	100

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	A4CC-15 (2) 11/08/05	A4CC-15 (8) 11/08/05	A4CC-16 (2) 11/08/05	A4CC-17 (2) 11/08/05	A4CC-18 (2) 11/08/05	A4C-19 (2) 11/08/05	**Direct Contact IND**	**Groundwater Protection**
DRO (mg/kg)	ND	26	**1,200**	7.1	ND	ND	NL	100

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	A4CC-19 (8) 11/08/05	A4CC-20 (2) 11/08/05	A4CC-21 (2) 11/08/05	A4CC-22 (2) 11/08/05	MWE-38 (8) 11/07/05	MWE-39 (2) 11/08/05	**Direct Contact IND**	**Groundwater Protection**
DRO (mg/kg)	ND	ND	ND	ND	ND	4.8	NL	100

Notes (Soil):

VOCs = volatile organic compounds

SVOCs = semivolatile organic compounds

PCBs = polychlorinated biphenyls

DRO = diesel range organics

µg/kg = micrograms per kilogram (parts per billion)

mg/kg = milligrams per kilogram (parts per million)

Direct Contact = Residual Contaminant Levels (RCLs) that apply to soil collected within four feet of the ground surface, either as defined in Wisconsin Administrative Code Chapter NR 720, WDNR 1993 Interim Guidance Table 1 for polycyclic aromatic hydrocarbons, or, if no established criteria exists, as calculated using U.S. EPA Soil Screening Guidance for Chemicals (http://risk.lsd.ornl.gov/epa/ssl1.html) and procedures outlined in WDNR Publication RR-682

Groundwater Protection = RCLs based on the protection of groundwater, either as defined in Wisconsin Administrative Code Chapter NR 720, WDNR 1993 Interim Guidance Table 1 for polycyclic aromatic hydrocarbons, or, if no established criteria exists, as calculated using U.S. EPA Soil Screening Guidance for Chemicals (http://risk.lsd.ornl.gov/epa/ssl1.html) and procedures outlined in WDNR Publication RR-682

IND = Industrial, per Wisconsin Administrative Code Chapter NR 720

DRO criteria defined in Wisconsin Administrative Code Chapter NR 720, based on assumption of contaminated soil and soil below the contaminated soil for a depth of 3 meters having a hydraulic conductivity of 1x10-6 cm/sec or less.

ND = parameters within a suite (class) of compounds not detected above reporting limit.

NA = parameters not analyzed.

NL = criterion not listed for compound

[1] Acetone detected in trip blank at 370 µg/kg. Result considered suspect.

Concentrations in Bold indicate an exceedance of the Groundwater Protection RCL

Concentrations outlined indicate an exceedance of the Industrial Direct Contact RCL

Only positive detections shown.

Table 3
Analytical Report Summary & Geochemical Data - AOI 4

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Well ID, Sample Date					NR 140 Criteria	
GROUNDWATER	MW-04		MWE-22			**PAL**	**ES**
	07/05/04	08/03/05	02/08/05	02/22/05	04/20/05		
VOCs (µg/l)	ND			ND	ND		
Naphthalene		0.30 J				10	100
Toluene			0.38			200	1000
DRO (mg/l)	NA	NA	NA	NA	1,500	NL	NL

Detected Parameter	Well ID, Sample Date						NR 140 Criteria	
GROUNDWATER	MWE-23						**PAL**	**ES**
	02/08/05	04/27/05	08/4/2005 [2]	02/21/06	05/16/06	11/17/06		
VOCs (µg/l)				NA	NA			
1,1-Dichloroethane			0.54 J			2.1	85	850
1,1-Dichloroethylene		**1.4 J**					0.7	7
Toluene	0.30						200	1000
Xylenes						0.54J	1,000	10,000
PAHs (µg/l)	NA	NA	NA	NA	NA	ND	--	--
DRO (mg/l)	NA	NA	0.41	0.83	6.3	2.3	NL	NL
Field Geochemistry	NM							
Temperature (°C)		22.14	22.65	20.51	18.6	19.13	--	--
Turbidity (NTU)		-3.3	2.6	-5.2	4.1	1.0	--	--
Sp. Cond. (µS/cm)		1784	1650	1495	1292	1285	--	--
pH (s.u.)		6.65	6.74	6.72	6.87	7.09	--	--
Dissolved Oxygen (mg/l)		0.79	0.18	1.10	0.60	0.19	--	--
ORP (mV)		-49.9	-22.1	-109.3	-77.6	-284.4	--	--

Detected Parameter	Well ID, Sample Date								NR 140 Criteria	
GROUNDWATER	MWE-24		MWE-28						**PAL**	**ES**
	02/08/05	04/20/05	04/20/05	08/04/05	02/21/06	05/16/06	08/14/06	11/13/06		
VOCs (µg/l)	DRY				NA	NA	NA	NA		
Chloromethane		**0.42 J**							0.3	3
1,1-Dichloroethane			1.0 J	2.4					85	850
DRO (mg/l)	DRY	0.18	NA	0.11	ND	ND	ND	ND	NL	NL
Field Geochemistry	DRY	NM	NM							
Temperature (°C)				23.8	20.92	18.85	20.07	18.57	--	--
Turbidity (NTU)				3.4	0.1	1.3	0.5	0.3	--	--
Sp. Cond. (µS/cm)				1417	1433	1364	1428	1160	--	--
pH (s.u.)				6.82	6.77	6.84	6.88	6.95	--	--
Dissolved Oxygen (mg/l)				0.22	1.09	1.3	0.67	0.92	--	--
ORP (mV)				317.8	-41.8	106.9	127.3	45.7	--	--

Table 3
Analytical Report Summary & Geochemical Data - AOI 4

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Well ID, Sample Date		NR 140 Criteria	
GROUNDWATER	MWE-29 04/20/05	MWE-30 04/20/05	**PAL**	**ES**
VOCs (µg/l)		ND		
Chloromethane	**0.63 J**		0.3	3
Naphthalene	0.46 J		10	100
DRO (mg/l)	NA	NA	NL	NL

Detected Parameter	Well ID, Sample Date						NR 140 Criteria	
GROUNDWATER	MWE-31						**PAL**	**ES**
	04/19/05	08/04/05	02/21/06	05/16/06	08/14/06	11/14/06		
VOCs (µg/l)			NA	NA	NA	NA		
1,1-Dichloroethane	0.64 J	0.85 J					85	850
DRO (mg/l)	NA	ND	ND	ND	ND	0.22	NL	NL
Field Geochemistry	NM							
Temperature (^{o}C)		25.26	21.85	19.43	20.97	20.00	--	--
Turbidity (NTU)		0.2	-3.1	2.0	0.6	-0.1	--	--
Sp. Cond. (µS/cm)		2453	2403	2226	2377	2058	--	--
pH (s.u.)		6.79	6.72	6.88	6.79	6.91	--	--
Dissolved Oxygen (mg/l)		0.24	1.33	0.98	0.63	0.51	--	--
ORP (mV)		235.4	91.6	19.6	63.1	19.0	--	--

Table 3
Analytical Report Summary & Geochemical Data - AOI 4

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Well ID, Sample Date								NR 140 Criteria	
GROUNDWATER	MWE-37				MWE-38				**PAL**	**ES**
	02/21/06	05/16/06	08/14/06	11/13/06	02/21/06	05/16/06	08/14/06	11/14/06		
DRO (mg/l)	ND	ND	ND	ND	1.1	ND	0.72	ND	NL	NL
Field Geochemistry										
Temperature (°C)	21.35	19.46	20.84	19.61	21.62	17.65	21.34	19.96	--	--
Turbidity (NTU)	-5.8	11.1	1.8	4.2	-5.1	2.6	0.8	1.7	--	--
Sp. Cond. (µS/cm)	1354	1302	1334	1128	14484	4325	3900	2419	--	--
pH (s.u.)	6.72	6.77	6.74	6.90	6.48	6.82	6.72	6.84	--	--
Dissolved Oxygen (mg/l)	1.17	1.52	0.33	0.74	0.72	0.61	0.41	0.36	--	--
ORP (mV)	17.4	12.7	66.6	-37.7	-181.7	-0.9	-44.1	-75.4	--	--

Detected Parameter	Well ID, Sample Date								NR 140 Criteria	
GROUNDWATER	MWE-39				MWE-48				**PAL**	**ES**
	02/22/06	05/16/06	08/14/06	11/14/06	02/24/06	05/16/06	08/14/06	11/13/06		
DRO (mg/l)	1.1	1.0	3.5	4.4	ND	ND	ND	ND	NL	NL
Field Geochemistry					NM					
Temperature (°C)	20.58	18.46	21.13	19.83		19.81	21.34	19.66	--	--
Turbidity (NTU)	-4.4	3.2	6.0	1.5		3.1	1.1	-26.4	--	--
Sp. Cond. (µS/cm)	1679	2790	2884	1891		1812	1891	1626	--	--
pH (s.u.)	6.87	6.79	6.70	6.87		6.89	6.77	6.89	--	--
Dissolved Oxygen (mg/l)	5.73	0.72	0.35	0.32		0.46	0.39	0.63	--	--
ORP (mV)	95.1	16.0	6.0	-69.8		56.6	32.1	-26.4	--	--

Table 3
Analytical Report Summary & Geochemical Data - AOI 4

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	**Well ID, Sample Date**								**NR 140 Criteria**	
GROUNDWATER	MWE-49				MWE-50				**PAL**	**ES**
	02/22/06	05/16/06	08/14/06	11/13/06	02/24/06	05/16/06	08/14/06	11/14/06		
DRO (mg/l)	ND	ND	ND	0.12	0.60	0.35	1.0	1.3	NL	NL
Field Geochemistry					NM					
Temperature (°C)	20.58	18.50	20.89	18.80		19.28	21.01	19.78	--	--
Turbidity (NTU)	-4.4	15.7	0.8	0.3		1.4	0.6	0.1	--	--
Sp. Cond. (µS/cm)	1679	1619	1760	1423		1504	1548	982	--	--
pH (s.u.)	6.87	6.92	6.84	6.93		6.92	6.82	6.99	--	--
Dissolved Oxygen (mg/l)	5.73	0.67	0.52	0.42		0.50	0.40	0.29	--	--
ORP (mV)	95.1	87.3	-36.5	-111.4		93.3	-33.5	-171.9	--	--

Notes (Groundwater):

VOCs = volatile organic compounds
SVOCs = semi-volatile organic compounds
PAHs = polycyclic aromatic hydrocarbons
DRO = diesel range organics
µg/l = micrograms per liter (parts per billion)
mg/l = milligrams per liter (parts per million)
PAL = Preventive Action Limit, as defined in WAC ch. NR 140
ES = Enforcement Standard, as defined in WAC ch. NR 140
NL = criterion not listed for compound
NA = parameters not analyzed.
NM = parameters not measured
ND = parameters within a suite (class) of compounds not detected above reporting limit.
DRY = Monitoring well was dry. Therefore, no sample could be collected from that well.
Sp. Cond. = specific conductivity
ORP = oxidation reduction potential
°C = degrees Celsius
NTU = Nethlometric turbidity units
µS/cm = microsiemens per centimeter
s.u. = standard units
mV = millivolts
Concentrations in Bold indicate an exceedance of the PAL.
Concentrations in Bold/outlined indicate exceedance of the ES.
J = Flagged by laboratory as an estimated value. Results reported between the method of detection limit (MDL) and limit of quantitation (LOQ) are less certain than results at or above the LOQ.
² Sample duplicated, highest sample result is reported
Only positive detections shown.

Table 1
Groundwater Elevations
Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

		Nov. 18, 2004		Dec. 8, 2005		Jan. 6, 2005		Mar. 8, 2005		Apr. 26, 2005		Aug. 2-4, 2005			Oct. 25-26, 2005			Jan./Feb. 2006		Mar. 2006		Jun. 2006		Aug. 2006		Sep. 2006		Nov. 2006	
Location	TOC Elev.	DTW	GW Elev	DTW	GW Elev	DTW	GW Elev	DTW	GW Elev	DTW	GW Elev	DTW	DTO	GW Elev	DTW	DTO	GW Elev	DTW	GW Elev	DTW	GW Elev	DTW	GW Elev	DTW	GW Elev	DTW	GW Elev	DTW	GW Elev
MW01	739.68	17.55	722.13	18.08	721.60	17.93	721.75	8.43	731.25	7.81	731.87	NM			NM			NM		Wells Abandoned March 06									
MW02	733.89	DRY		16.74	717.15	17.04	716.85	15.52	718.37	14.18	719.71	NM			NM			NM											
MW03	738.60	8.97	729.63	6.98	731.62	9.13	729.47	6.69	731.91	7.15	731.45	NM			NM			NM											
MW04	736.42	5.86	730.56	3.80	732.62	4.45	731.97	3.84	732.58	4.62	731.80	5.89	NO	730.53	NM			4.67	731.75	NM		NM		5.31	731.11	5.44	730.98	4.31	732.11
MW05	736.45	5.14	731.31	2.75	733.70	4.18	732.27	2.93	733.52	4.38	732.07	NM			NM			NM		NM		NM		NM		NM		NM	
MW06	734.02	11.90	722.12	11.58	722.44	11.53	722.49	11.38	722.64	11.10	722.92	NM			Well Abandoned October 05														
MW07	736.91	7.56	729.35	7.40	729.51	7.00	729.91	5.23	731.68	5.73	731.18	6.70	NO	730.21	NM			NM		NM		NM		NM		NM		NM	
MW08	734.61	3.36	731.25	1.99	732.62	2.90	731.71	2.32	732.29	2.67	731.94	NM			NM			NM		NM		NM		3.47	731.14		734.61	2.98	731.63
MW09	734.53	3.65	730.88	2.74	731.79	2.92	731.61	1.81	732.72	2.73	731.80	3.74	NO	730.79	NM			3.06	731.47	NM		NM		3.62	730.91	3.97	730.56	2.80	731.73
MW10	735.68	6.62	729.06	4.32	731.36	5.31	730.37	3.39	732.29	4.07	731.61	4.76	NO	730.92	6.05	NO	729.63	NM		NM		NM		NM		NM		NM	
MWE-1	734.03	12.04	721.99	11.80	722.23	11.44	722.59	11.51	722.52	11.24	722.79	11.21	NO	722.82	NM			8.03	726.00	NM		NM		8.48	725.55	9.06	724.97	8.56	725.47
MWE-2	733.54	11.75	721.79	11.44	722.10	11.29	722.25	11.13	722.41	10.80	722.74	12.07	NO	721.47	NM			7.17	726.37	NM		NM		7.73	725.81	8.43	725.11	7.93	725.61
MWE-3	733.72	11.50	722.22	10.98	722.74	10.44	723.28	9.64	724.08	9.02	724.70	12.47	NO	721.25	NM			6.40	727.32	NM		NM		7.10	726.62	7.80	725.92	7.20	726.52
MWE-4	734.93	DRY		DRY		NM		NM		16.03	718.90	NM			NM			NM		Wells Abandoned March 06									
MWE-5	734.40	DRY		6.95	727.45	NM		NM		2.70	731.70	NM			NM			NM											
MWE-6	734.75	DRY		11.58	723.17	4.75	730.00	2.50	732.25	2.96	731.79	NM			NM			NM											
MWE-7	734.97	3.72	731.25	2.30	732.67	3.09	731.88	2.69	732.28	3.00	731.97	3.74	NO	731.23	NM			3.39	731.58	NM		NM		3.64	731.33	3.81	731.16	3.26	731.71
MWE-8	734.60	3.80	730.80	1.97	732.63	2.84	731.76	NM		2.78	731.82	4.65	NO	729.95	NM			3.23	731.37	NM		NM		3.54	731.06	4.39	730.21	3.49	731.11
MWE-9	NM	12.49	NM	Well Abandoned December 2004																									
MWE-10	736.70	6.94	729.76	NM*		NM*		NM*		NM*		9.05	6.39	727.65	8.37	10.61	728.33	Well Abandoned November 05											
MWE-11	734.13	Well Installed December 2004				3.34	730.79	2.56	731.57	2.51	731.62	3.57	NO	730.56	NM			2.65	731.48	NM		NM		2.17	731.96	3.88	730.25	1.96	732.17
MWE-12	733.92	Well Installed December 2004				7.76	726.16	5.54	728.38	5.90	728.02	8.09	NO	725.83	NM			6.48	727.44	NM		NM		7.23	726.69	8.68	725.24	7.87	726.05
MWE-12b	735.65	Well Installed February 2005						12.19	723.46	NM		12.24	NO	723.41	NM			8.97	726.68	NM		NM		9.42	726.23	10.95	724.70	9.61	726.04
MWE-13	734.39	Well Installed December 2004				2.61	731.78	2.12	732.27	2.44	731.95	3.57	NO	730.82	NM			2.89	731.50	NM		NM		3.18	731.21	NM		NM	
MWE-14	735.42	Well Installed December 2004				5.86	729.56	4.02	731.40	3.86	731.56	6.04	NO	729.38	NM			NM		Wells Abandoned March 06									
MWE-15	735.42	Well Installed December 2004				3.98	731.44	4.01	731.41	4.06	731.36	4.76	NO	730.66	NM			NM											
MWE-16	734.29	Well Installed December 2004				5.75	728.54	1.09	733.20	1.19	733.10	3.67	NO	730.62	3.98	NO	730.31	NM											
MWE-17	735.84	Well Installed February 2005						DRY		DRY		DRY			NM			NM											
MWE-18a	736.16	Well Installed February 2005						10.86	725.30	Wells Abandoned April 2005																			
MWE-18b	736.14	Well Installed February 2005						9.35	726.79																				
MWE-18c	736.09	Well Installed June 2005										11.94	NO	724.15	NM			NM		Wells Abandoned March 06									
MWE-19	734.56	Well Installed February 2005						11.62	722.94	10.05	724.51	10.43	NO	724.13	NM			NM											
MWE-19b	734.67	Well Installed June 2005										10.51	NO	724.16	NM			NM											
MWE-20	735.29	Well Installed February 2005						8.66	726.63	7.66	727.63	9.74	NO	725.55	NM			NM											
MWE-21	735.52	Well Installed February 2005						5.52	730.00	DRY		5.68	NO	729.84	6.15	NO	729.37	NM											
MWE-22	736.46	Well Installed February 2005						NM*		NM*		8.05	6.59	728.41	7.20	7.10	729.26	Well Abandoned November 05											
MWE-23	736.52	Well Installed February 2005						7.93	728.59	9.88	726.64	11.75	NO	724.77	NM			8.26	728.26	NM		4.71	731.81	7.87	728.65	8.37	728.15	7.17	729.35
MWE-24	736.64	Well Installed February 2005						12.54	724.10	12.85	723.79	6.95	6.80	729.69	7.70	7.70	728.94	Well Abandoned November 05											
MWE-25	736.17	Well Installed March 2005								7.69	728.48	8.40	NO	727.77	8.09	NO	728.08	NM		Wells Abandoned March 06									
MWE-25b	736.11	Well Installed June 2005										17.62	NO	718.49	15.36	NO	720.75	NM											
MWE-26	735.94	Well Installed March 2005								6.20	729.74	6.81	NO	729.13	NM			NM											
MWE-27	739.48	Well Installed March 2006								6.79	732.69	NM			NM			NM		NM		NM		NM		NM		NM	
MWE-28	736.59	Well Installed April 2005								5.00	731.59	6.09	NO	730.50	NM			5.00	731.59	NM		4.55	732.04	5.33	731.26	5.59	731.00	5.07	731.52
MWE-29	736.50	Well Installed April 2005								5.90	730.60	6.99	6.39	729.51	8.06	8.01	728.44	Wells Abandoned November 05											
MWE-30	736.58	Well Installed April 2005								5.70	730.88	6.55	6.39	730.03	8.01	7.81	728.57												
MWE-31	736.59	Well Installed April 2005								5.09	731.50	6.08	NO	730.51	NM			5.21	731.38	NM		4.55	732.04	5.16	731.43	5.10	731.49	5.12	731.47
MWE-32	735.85	Well Installed June 2005										11.72	NO	724.13	12.57	NO	723.28	NM		NM		Wells Abandoned March 06							
MWE-33	736.66	Well Installed October 2005																NM		11.89	724.77								
MWE-34	736.49	Well Installed October 2005																NM		11.73	724.76								
MWE-35	736.63	Well Installed October 2005																NM		13.97	722.66								
MWE-36	736.72	Well Installed October 2005																NM		10.04	726.68								
MWE-37	736.65	Well Installed October 2005																NM		NM		NM		6.33	730.32	6.74	729.91	6.91	729.74
MWE-38	736.61	Well Installed November 2005																NM		NM		NM		5.23	731.38	5.57	731.04	5.31	731.30
MWE-39	736.62	Well Installed November 2005																5.23	731.39	NM		NM		5.11	731.51	5.02	731.60	4.99	731.63
MWE-40	736.63	Well Installed November 2005																NM		DRY		Wells Abandoned March 06							
MWE-41	736.65	Well Installed November 2005																4.62	732.03	4.91	731.74								
MWE-42	736.59	Well Installed November 2005																10.62	725.97	4.83	731.76								
MWE-43	736.55	Well Installed November 2005																DRY		13.16	723.39								
MWE-44	736.60	Well Installed November 2005																4.59	732.01	4.91	731.69								
MWE-45	736.62	Well Installed November 2005																5.49	731.13	Wells Abandoned March 06									
MWE-46	736.64	Well Installed November 2005																5.35	731.29										
MWE-47	736.63	Well Installed November 2005																5.35	731.28										
MWE-48	736.48	Well Installed February 2006																12.32	724.16	NM		NM		5.34	731.14	5.57	730.91	5.66	730.82
MWE-49	736.64	Well Installed February 2006																5.65	730.83	NM		NM		5.39	731.25	5.59	731.05	5.32	731.32
MWE-50	736.58	Well Installed February 2006																10.74	725.74	NM		4.70	731.88	5.59	730.99	5.11	731.47	5.60	730.98

Notes:
NM - Not Measured
NM* - Not measured due to the presence of free product
NO - No free-phase grinding oil present
TOC - Top of casing elevation
DTW - Depth to water
DTO - Depth to free-phase grinding oil
DRY = No water was present in well
All units are in feet unless otherwise indicated

GIS REGISTRY
Cover Sheet

July, 2008
(RR 5367)

Source Property Information

CLOSURE DATE:

BRRTS #: 02-41-530528

FID #: 241018140

ACTIVITY NAME: FALK CORP PLANT 2 - AOI 7

DATCP #:

PROPERTY ADDRESS: 12001 W. Capitol Drive

COMM #:

MUNICIPALITY: Wauwatosa

PARCEL ID #: 258-9999-01

***WTM COORDINATES:**

X: **677998** Y: **292425**

** 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*

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

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 #: 02-41-530528 PARCEL ID #: 258-9999-01

ACTIVITY NAME: FALK CORP PLANT 2 - AOI-7 WTM COORDINATES: X: 677998 Y: 292425

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

☐ **Closure Letter**

☐ **Maintenance Plan** (*if activity is closed with a land use limitation or condition (land use control) under s. 292.12, Wis. Stats.*)

☐ **Conditional Closure Letter**

☐ **Certificate of Completion (COC)** for VPLE sites

SOURCE LEGAL DOCUMENTS

☒ **Deed:** The most recent deed as well as legal descriptions, for the **Source Property** (where the contamination originated). Deeds for other, off-source (off-site) properties are located in the **Notification** section.
Note: *If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.*

☒ **Certified Survey Map:** A copy of the certified survey map or the relevant section of the recorded plat map *for those properties where the legal description in the most recent deed refers to a certified survey map or a recorded plat map.* (lots on subdivided or platted property (e.g. lot 2 of xyz subdivision)).

Figure #: **Title:**

☒ **Signed Statement:** A statement signed by the Responsible Party (RP), which states that he or she believes that the attached legal description accurately describes the correct contaminated property.

MAPS (meeting the visual aid requirements of s. NR 716.15(2)(h))

Maps must be no larger than 8.5 x 14 inches unless the map is submitted electronically.

☒ **Location Map:** A map outlining all properties within the contaminated site boundaries on a U.S.G.S. topographic map or plat map in sufficient detail to permit easy location of all parcels. If groundwater standards are exceeded, include the location of all potable wells within 1200 feet of the site.
Note: *Due to security reasons municipal wells are not identified on GIS Packet maps. However, the locations of these municipal wells must be identified on Case Closure Request maps.*

Figure #: Figure 1 **Title: Site Location**

☒ **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 #: Figure 7 **Title: AOI-7 Contaminated Property**

☒ **Soil Contamination Contour Map:** For sites closing with residual soil contamination, this map is to show the location of all contaminated soil and a single contour showing the horizontal extent of each area of contiguous residual soil contamination that exceeds a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL)as determined under s. NR 720.09, 720.11 and 720.19.

Figure #: Figure 7 **Title: AOI-7 - Excavation Boundary and Residual Soil Impact**

BRRTS #: 02-41-530528 ACTIVITY NAME: FALK CORP PLANT 2 - AOI-7

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: G**

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 #: Table 7 **Title: Site Investigation Analytical Report Summary - AOI 7**

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

Table #: **Title:**

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

Table #: **Title:**

IMPROPERLY ABANDONED MONITORING WELLS

For each monitoring well not properly abandoned according to requirements of s. NR 141.25 include the following documents.
Note: *If the site is being listed on the GIS Registry for only an improperly abandoned monitoring well you will only need to submit the documents in this section for the GIS Registry Packet.*

☒ **Not Applicable**

☐ **Site Location Map:** A map showing all surveyed monitoring wells with specific identification of the monitoring wells which have not been properly abandoned.
Note: *If the applicable monitoring wells are distinctly identified on the Detailed Site Map this Site Location Map is not needed.*

Figure #: **Title:**

☐ **Well Construction Report:** Form 4440-113A for the applicable monitoring wells.

☐ **Deed:** The most recent deed as well as legal descriptions for each property where a monitoring well was not properly abandoned.

☐ **Notification Letter:** Copy of the notification letter to the affected property owner(s).

BRRTS #: 02-41-530528 ACTIVITY NAME: FALK CORP PLANT 2 - AOI-7

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 53212-0436
Telephone 414-263-8500
FAX 414-263-8716
TTY 414-263-8713

June 10, 2009

Mr. Anthony Frigiani
Hamilton Sundstrand Corp.
1 Hamilton Rd., M/S 1M5
Windsor Locks, CT 06096

SUBJECT: Final Case Closure with Continuing Obligations
Former Falk Plant 2, 12001 W. Capitol Dr., Wauwatosa, WI

WDNR BRRTS Activity #: 06-41-534503, 02-41-546853, 02-41-546854, 02-41-530528
FID #: 241018140

Dear Mr.Frigiani:

On October 7, 2008, the Southeast Region Closure Committee and VPLE Committee reviewed the above referenced case for closure. These committees review 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 meets the closure requirements in ch. NR 726, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation is required at this time, however, you and future property owners must comply with certain continuing obligations as explained in this letter.

GIS Registry

This site will be listed on the Remediation and Redevelopment Program's GIS Registry. The specific reasons are summarized below:

- Pavement, an engineered cover or a soil barrier must be maintained over contaminated soil and the state must approve any changes to this barrier
- Groundwater contamination is present above Chapter NR 140 enforcement standards

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

Closure Conditions

Please be aware that pursuant to s. 292.12 Wisconsin Statutes, compliance with the requirements of this letter is a responsibility to which the current property owner and any subsequent property owners must adhere. You must pass on the information about these continuing obligations to the next property owner or owners. 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. The Department intends to conduct inspections in the future to ensure that the conditions included in this letter including compliance with referenced maintenance plans are met.

Cover or Barrier

Pursuant to s. 292.12(2)(a), Wis. Stats., the pavement or other impervious cap that currently exists in the location of AOI 4, AOI 7, AOI 8, AOI 11, AOI 13, AOI 15, AOI C5, AOI E25 AOI H28, AOI I32 shown on the attached map shall be maintained in compliance with the **attached maintenance plans** 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 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 is considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken during excavation activities to prevent a health threat to humans.

The attached maintenance plans and inspection logs are to be kept up-to-date and on-site. Please submit the inspection log to the Department only upon request.

Prohibited Activities

The following activities are prohibited on any portion of the property where [pavement, a building foundation, soil cover, engineered cap or other barrier] is required as shown on the attached map, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 1) removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; 6) construction or placement of a building or other structure.

Residual Groundwater Contamination

Groundwater impacted by chlorinated VOC contamination greater than enforcement standards set forth in ch. NR140, Wis. Adm. Code, is present on this contaminated property in the area of AOI 11. For more detailed information regarding the locations where groundwater samples have been collected (i.e., monitoring well locations) and the associated contaminant concentrations, refer to the Remediation and Redevelopment Program's GIS Registry at the RR Sites Map page at http://dnr.wi.gov/org/aw/rr/gis/index.htm.

Vapor Migration

In addition, depending on site-specific conditions, construction over contaminated materials may result in vapor migration of contaminants into enclosed structures or migration along newly placed underground utility lines. The potential for vapor inhalation and means of 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.

Chapter NR 140, Wis. Adm. Code Exemption

Recent groundwater monitoring data at this site indicates that for 1,2-Dichloroethane at MWE-26 and 1,1-Dichloroethylene at MW10, contaminant levels exceed the NR 140 preventive action limit (PAL) but are below the enforcement standard (ES). The Department may grant an exemption to a PAL for a substance of public health concern, other than nitrate, pursuant to s. NR 140.28(2)(b), Wis. Adm. Code, if all of the following criteria are met:

1. The measured or anticipated increase in the concentration of the substance will be minimized to the extent technically and economically feasible.

2. Compliance with the PAL is either not technically or economically feasible.

3. The enforcement standard for the substance will not be attained or exceeded at the point of standards application. [Note: at this site the point of standards application is all points where groundwater is monitored.]

4. Any existing or projected increase in the concentration of the substance above the background concentration does not present a threat to public health or welfare.

Based on the information you provided, the Department believes that these criteria have been or will be met due to source control measures that have occurred in these areas. Therefore, pursuant to s. NR 140.28, Wis. Adm. Code, an exemption to the PAL is granted for 1,2-Dichloroethane at MWE-26 and 1,1-Dichloroethelyne at MW10. Please keep this letter, because it serves as your exemption.

Post-Closure Notification Requirements

In accordance with ss, 292.12 and 292.13, Wis. Stats., you must notify the Department before making changes that affect or relate to the conditions of closure in this letter. For this case, examples of changed conditions requiring prior notification include, but are not limited to:

- Disturbance, construction on, change or removal in whole or part of pavement, an engineered cover or a soil barrier that must be maintained over contaminated soil

Please send written notifications in accordance with the above requirements to the Southeast Regional Headquarters, to the attention of Victoria Stovall.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this closure decision or anything outlined in this letter, please contact Margaret Brunette at (414)263-8557.

Sincerely,

James A. Schmidt

James A. Schmidt, Team Supervisor
Southeast Remediation & Redevelopment Program

Attach. (Disk)
- Maintenance plans

cc: Lauren Gromoski – AECOM (w/out attach.)
Jeff Bykowski – Penzeys Spices (w/out attach.)
Bill Phelps, DG/5 (w/out attach.)

Cap Maintenance Plan
Former Falk Corporation Plant 2 – AOI 7
12001 W. Capitol Drive, Wauwatosa, Wisconsin 53226

May 7, 2009

Property located at:
12001 W. Capitol Drive
Wauwatosa, Wisconsin 53226

Parcel Number: 258-9999-01

FID Number: 241018140
BRRTS Numbers: 06-41-534503
02-41-530528

Introduction

This document is the Cap Maintenance Plan (Maintenance Plan) for the paved surface at the above-referenced property in accordance with the requirements of Wisconsin Administrative Code (WAC) Chapter (ch.) NR 724.13(2). The maintenance activities relate to the existing asphalt-paved surface (cap) occupying the area over the contaminated soil and groundwater on site. The contaminated soil is impacted by volatile organic compounds (VOCs) and chlorinated volatile organic compounds (CVOCs). The contaminated groundwater is impacted by chlorinated volatile organic compounds (CVOCs). The location of the cap to be maintained in accordance with this Maintenance Plan, as well as the extents of impacted soil and groundwater, are included in Figure 1.

Cap Purpose

The cap over the contaminated soil and groundwater plume serves as a barrier to prevent direct human contact with residual soil contamination that might otherwise pose a threat to human health. The cap also acts as a partial infiltration barrier to minimize future soil-to-groundwater contamination migration that would violate the groundwater standards in WAC ch. NR 140. Based on the current and future use of the property, the cap should function as intended unless disturbed.

Annual Inspection

The cap overlying the contaminated soil and groundwater plume, as depicted in Figure 1, will be inspected once a year. The inspection will be performed in the spring after all snow and ice is gone, for deterioration, cracks and other potential problems that can cause additional infiltration into or exposure to underlying soil. The inspection will be performed to evaluate damage to the cap due to settling, exposure to the weather, wear from traffic, increasing age and other factors. Any area where soils have become or are likely to become exposed will be documented. A log of the inspections and any repairs will be maintained by the property owner on a Cap Inspection Log (Attachment 1 [the Log]). The Log will include recommendations for necessary repair of any areas where underlying soils are exposed. Once repairs are completed, they will be documented in the Log. A copy of the Log will be sent to the Wisconsin Department of Natural Resources (WDNR) at least annually after every inspection, unless otherwise directed in the case closure letter.

Maintenance Activities

If problems with the cap are noted during the annual inspections or at any other time during the year, repairs will be scheduled as soon as practical. Repairs can include patching and filling operations, or they can include larger resurfacing or construction operations. In the event that necessary maintenance activities expose the underlying soil, the owner must sample any soil that is excavated from the site prior to disposal to ascertain if contamination remains. The excavated soil must be treated, stored and disposed of by the owner in accordance with applicable local, state and federal law.

In the event the cap overlying the contaminated soil and groundwater plume is removed or replaced, the replacement barrier must be equally impervious. Any replacement barrier will be subject to the same maintenance and inspection guidelines as outlined in this Maintenance Plan unless indicated otherwise by the WDNR or its successor.

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

Amendment or Withdrawal of Maintenance Plan

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

Contact Information as of May 2009:

Responsible Party:	Hamilton Sundstrand Corporation C/O Anthony Frigiani 1 Hamilton Road M/S 1M5 Windsor Locks, CT 06096 860-728-6529
Site Owner/Operator:	Penzeys Spices 12001 W. Capitol Drive Wauwatosa, WI 53222 414-406-7758
Environmental Consultant:	Lauren Gromoski AECOM, Inc. W239 N2890 Pewaukee Road, Unit D Pewaukee, Wisconsin 53072 262-523-2040
WDNR Project Manager:	Margaret Brunette Remediation and Redevelopment Program Wisconsin Department of Natural Resources 2300 N. Dr. Martin Luther King, Jr. Drive Milwaukee, WI 53212 414-263-8557

PROPERTY EXHIBIT

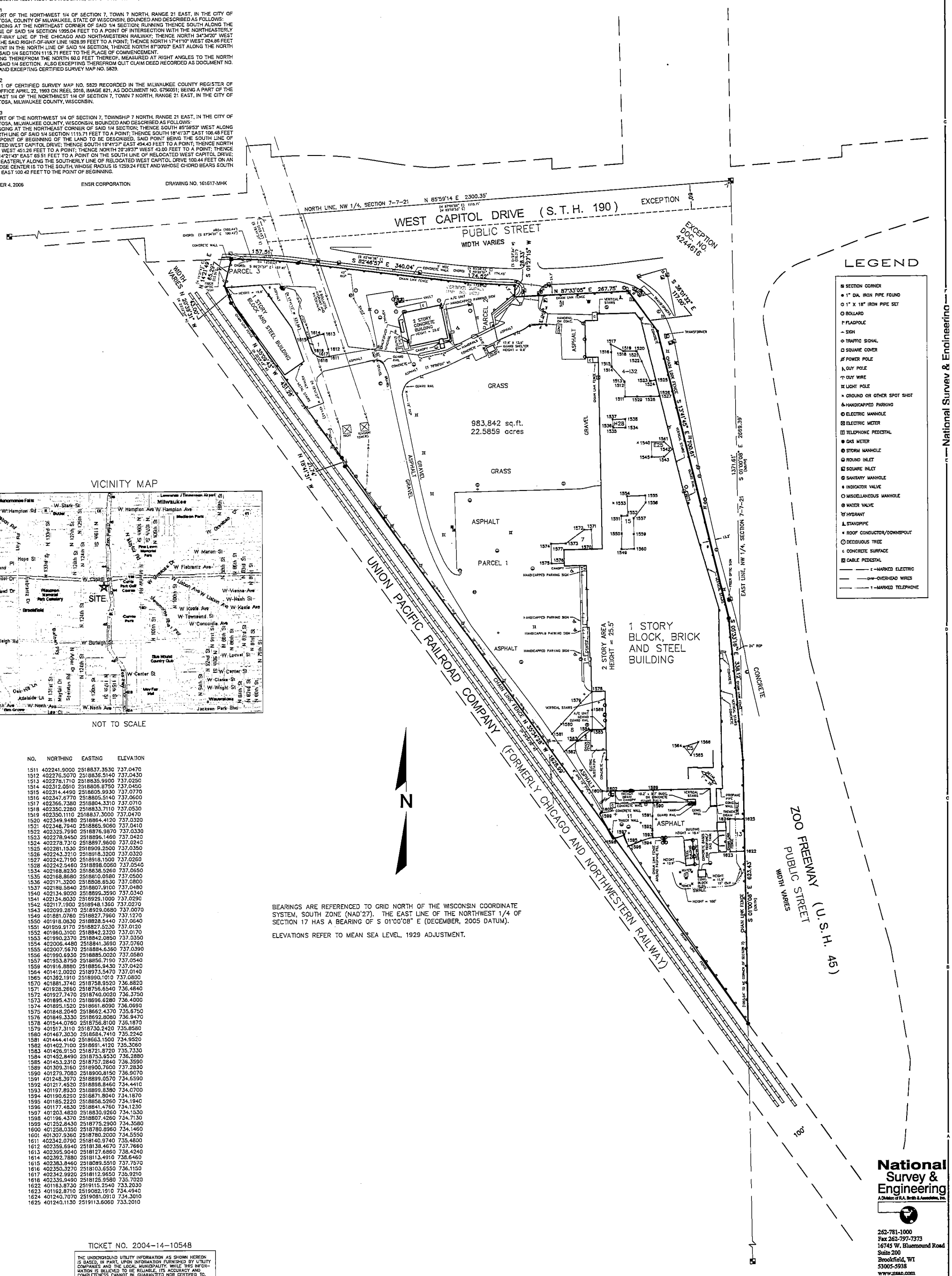
KNOWN AS 12001 WEST CAPITOL DRIVE, CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN

PARCEL 1
THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; RUNNING THENCE SOUTH ALONG THE EAST LINE OF SAID 1/4 SECTION 1995.04 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTH 34°34'20" WEST ALONG THE SAID RIGHT-OF-WAY LINE 1628.99 FEET TO A POINT; THENCE NORTH 17°41'10" WEST 624.86 FEET TO A POINT IN THE NORTH LINE OF SAID 1/4 SECTION, THENCE NORTH 87°00'00" EAST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO THE PLACE OF COMMENCEMENT.
EXCEPTING THEREFROM THE NORTH 60.0 FEET THEREOF, MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID 1/4 SECTION. ALSO EXCEPTING THEREFROM QUIT CLAIM DEED RECORDED AS DOCUMENT NO. 4244616 AND EXCEPTING CERTIFIED SURVEY MAP NO. 5829.

PARCEL 2
PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5829 RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS OFFICE APRIL 22, 1993 ON REEL 3018, IMAGE 821, AS DOCUMENT NO. 6756051; BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN.

PARCEL 3
THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; THENCE SOUTH 85°59'53" WEST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO A POINT; THENCE SOUTH 18°41'37" EAST 106.48 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED, SAID POINT BEING THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE SOUTH 18°41'37" EAST 494.43 FEET TO A POINT; THENCE NORTH 35°09'49" WEST 451.26 FEET TO A POINT; THENCE NORTH 20°39'37" WEST 43.00 FEET TO A POINT; THENCE NORTH 14°21'43" EAST 65.51 FEET TO A POINT ON THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF RELOCATED WEST CAPITOL DRIVE 100.44 FEET ON AN ARC WHOSE CENTER IS TO THE SOUTH, WHOSE RADIUS IS 1259.24 FEET AND WHOSE CHORD BEARS SOUTH 87°34'01" EAST 100.42 FEET TO THE POINT OF BEGINNING.

DECEMBER 4, 2006 ENSR CORPORATION DRAWING NO. 161617-MHK



VICINITY MAP

NOT TO SCALE

NO.	NORTHING	EASTING	ELEVATION
1511	402241.9000	2518837.3530	737.0470
1512	402276.5070	2518836.5140	737.0430
1513	402278.1710	2518835.9900	737.0250
1514	402312.0510	2518806.8750	737.0450
1515	402314.4490	2518805.9930	737.0770
1516	402347.6770	2518805.5140	737.0600
1517	402366.7380	2518804.3310	737.0710
1518	402350.2280	2518833.7110	737.0530
1519	402350.1110	2518837.3000	737.0470
1520	402349.9480	2518864.4120	737.0320
1521	402348.7940	2518865.9060	737.0410
1522	402325.7990	2518876.9870	737.0330
1523	402278.9450	2518896.1460	737.0420
1524	402278.7310	2518897.9600	737.0240
1525	402281.1530	2518909.2500	737.0350
1526	402243.3210	2518918.3200	737.0320
1527	402242.7190	2518918.1500	737.0260
1528	402242.5460	2518898.0060	737.0540
1534	402168.8230	2518838.5260	737.0650
1535	402168.8680	2518810.0580	737.0500
1536	402171.3200	2518808.6530	737.0800
1537	402188.5840	2518807.9100	737.0480
1540	402134.9020	2518899.3590	737.0340
1541	402134.8030	2518929.1000	737.0290
1542	402117.1900	2518948.1360	737.0270
1543	402099.2870	2518929.0680	737.0070
1549	401881.0760	2518827.7960	737.1270
1550	401918.0830	2518828.5440	737.0640
1551	401959.9170	2518827.5230	737.0120
1552	401960.3100	2518842.2320	737.0170
1553	401990.2370	2518842.0850	737.0350
1554	402006.4480	2518841.3690	737.0760
1555	402007.5670	2518884.6360	737.0390
1556	401990.6930	2518885.0020	737.0580
1557	401953.8750	2518856.7190	737.0540
1559	401916.8880	2518856.9430	737.0420
1564	401412.0020	2518973.5470	737.0140
1565	401392.1910	2518990.1010	737.0800
1570	401881.3740	2518758.9520	736.8820
1571	401928.2660	2518756.6540	736.4840
1572	401927.7470	2518740.0020	736.3750
1573	401895.4310	2518696.6280	736.4000
1574	401895.1520	2518661.8090	736.0690
1575	401848.2040	2518662.4370	735.8790
1576	401849.3330	2518692.8080	736.9470
1578	401544.0760	2518756.8100	736.1870
1579	401517.3110	2518730.2420	735.8580
1580	401467.3030	2518684.7410	735.2240
1581	401444.4140	2518663.1500	734.9520
1582	401402.7100	2518691.4120	735.3060
1583	401426.9150	2518721.8720	735.7330
1584	401452.8490	2518753.6530	736.2880
1585	401453.2310	2518757.2840	736.3590
1589	401309.3160	2518900.7600	737.2830
1590	401279.7080	2518900.8150	736.9070
1591	401248.3970	2518899.0570	734.6590
1592	401217.4520	2518898.8460	734.4410
1593	401197.8930	2518899.8380	734.0700
1594	401190.6290	2518871.8040	734.1870
1595	401185.2220	2518858.5260	734.1940
1596	401177.4830	2518841.4760	734.1230
1597	401203.4820	2518830.9260	734.1530
1598	401196.4370	2518607.4260	734.7130
1599	401252.8430	2518775.2900	734.3580
1600	401258.0350	2518780.8960	734.1460
1601	401307.9360	2518780.2000	734.5550
1611	402342.0790	2518140.9740	735.4800
1612	402359.6940	2518138.4670	737.7660
1613	402395.9040	2518127.6860	738.4240
1614	402392.7880	2518113.4910	738.6450
1615	402383.8460	2518089.5510	737.7570
1616	402350.3270	2518103.6550	736.1150
1617	402342.9920	2518112.9650	735.9210
1618	402339.9490	2518125.9580	735.7020
1622	401163.8730	2519115.2540	733.2030
1623	401162.8710	2519082.1910	734.4940
1624	401240.7070	2519081.0910	734.3010
1625	401240.1130	2519113.6060	733.2010

BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN COORDINATE SYSTEM, SOUTH ZONE (NAD'27). THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 17 HAS A BEARING OF S 01°00'08" E (DECEMBER, 2005 DATUM).

ELEVATIONS REFER TO MEAN SEA LEVEL, 1929 ADJUSTMENT.

TICKET NO. 2004-14-10548

THE UNDERGROUND UTILITY INFORMATION AS SHOWN HEREON IS BASED, IN PART, UPON INFORMATION FURNISHED BY UTILITY COMPANIES AND THE LOCAL MUNICIPALITY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.

National Survey & Engineering
A Division of R.A. Smith & Associates, Inc.
262-781-1000
Fax 262-797-7373
16745 W. Bluemound Road
Suite 200
Brookfield, WI
53005-5938
www.nsae.com

SHEET 1 OF 1

DRAWING SCALE: 1 INCH = 80 FEET

Attachment 1
Cap Inspection Log

Property located at:
12001 W. Capitol Drive
Wauwatosa, WI 53226
Former Falk Corporation Plant 2 - AOI 7

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

5

* 0 9 0 6 2 1 2 2 *

Document Number	SPECIAL WARRANTY DEED Title of Document	DOC.# 09062122

REGISTER'S OFFICE | SS
Milwaukee County, WI|

RECORDED 08/03/2005 10:55AM

JOHN LA FAVE
REGISTER OF DEEDS

AMOUNT:19.00

Record this document with the Register of Deeds

Name and Return Address:
TRAPP & HARTMAN SC
14380 W. CAPITOL DRIVE, #1
BROOKFIELD, WI 53005-2323
ATTN: STEPHEN A. HARTMAN

TRANSFER
$ 18,300.00
FEE

258-9999-01, 258-9995-02 AND
(Parcel Identification Number) 258-9998-00

INFO-PRO (800)655-2021 www.infoproforms.com

Record and Return to:
Trapp & Hartman SC
14380 W Capitol Drive, #1
Brookfield, Wisconsin 53005-2323
Attention: Stephen A. Hartman

Parcel Identification No.: 258-9999-01.

This is not homestead property.

SPECIAL WARRANTY DEED

This SPECIAL WARRANTY DEED, made between **HAMILTON SUNDSTRAND CORPORATION,** a Delaware corporation, as grantor ("**Grantor**"), and **WTP HOLDINGS, LLC**, a Wisconsin limited liability company, as grantee ("**Grantee**").

Grantor, for valuable consideration, conveys to Grantee the real estate described in Exhibit A attached hereto and made a part hereof (the "**Property**"), located in Milwaukee County, State of Wisconsin.

Together with all appurtenant rights, title and interests.

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 municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utitlity and municipal services, recorded building and use restrictions and covenants and general taxes levied in 2005 and thereafter and will warrant and defend the same.

Dated this 27th day of July, 2005.

HAMILTON SUNDSTRAND CORPORATION,
a Delaware corporation

By: _____
Name: Ronald F. Zapinski, President
Title: United Technologies Realty, Inc.
Authorized agent

ACKNOWLEGMENT

STATE OF CONNECTICUT)
) ss.
HARTFORD COUNTY)

Personally came before me this 27th day of July, 2005, the above named Ronald P. Zappile, President of United Technologies Realty, the authorized signatory for Hamilton Sundstrand Corporation, a Delaware corporation, to me known to be the person who executed the foregoing instrument and acknowledge the same.

Notary Public, State of Connecticut

My Commission Expires: KATE S. BARBOUR NOTARY PUBLIC MY COMMISSION EXPIRES MAR. 31, 2008

AUTHENTICATION

Euchung Ung
Member, State Bar of Connecticut

Authenticated this 27th day of July, 2005.

This instrument was drafted by:

Robinson & Cole
695 East Main Street
Stamford, Connecticut 06901
Attention: Euchung Ung

EXHIBIT A
Legal Description of the Property

See attached.

EXHIBIT A

PARCEL 1:

THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION, RUNNING THENCE SOUTH ALONG THE EAST LINE OF SAID 1/4 SECTION, 1995.04 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTH 34°34'20" WEST ALONG THE SAID RIGHT-OF-WAY LINE 1628.99 FEET TO A POINT; THENCE NORTH 17°41'10" WEST 624.86 FEET TO A POINT IN THE NORTH LINE OF SAID 1/4 SECTION; THENCE NORTH 87°00'00" EAST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO THE PLACE OF COMMENCEMENT. EXCEPTING THEREFROM THE NORTH 60.0 FEET THEREOF, MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID 1/4 SECTION. ALSO EXCEPTING THEREFROM QUIT CLAIM DEED RECORDED AS DOCUMENT NO. 4244616, AND EXCEPTING CERTIFIED SURVEY MAP NO. 5829.

PARCEL NO. 258-9999-01

PARCEL 2:

PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5829 RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS OFFICE APRIL 22, 1993 ON REEL 3018, IMAGE 821, AS DOCUMENT NO. 6756051; BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN.

PARCEL NO. 258-9999-02

PARCEL 3:

THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; THENCE SOUTH 89°59'53" WEST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO A POINT; THENCE SOUTH 18°41'37" EAST 108.48 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED, SAID POINT BEING THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE SOUTH 18°41'37" EAST 494.43 FEET TO A POINT; THENCE NORTH 35°09'49" WEST 451.26 FEET TO A POINT; THENCE NORTH 20°39'37" WEST 43.00 FEET TO A POINT; THENCE NORTH 14°21'43" EAST 65.51 FEET TO A POINT ON THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF RELOCATED WEST CAPITOL DRIVE 100.44 FEET ON AN ARC WHOSE CENTER IS TO THE SOUTH, WHOSE RADIUS IS 1259.24 FEET AND WHOSE CHORD BEARS SOUTH 87°34'01" EAST 100.42 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 258-9998-00

PROPERTY EXHIBIT

KNOWN AS 12001 WEST CAPITOL DRIVE, CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN

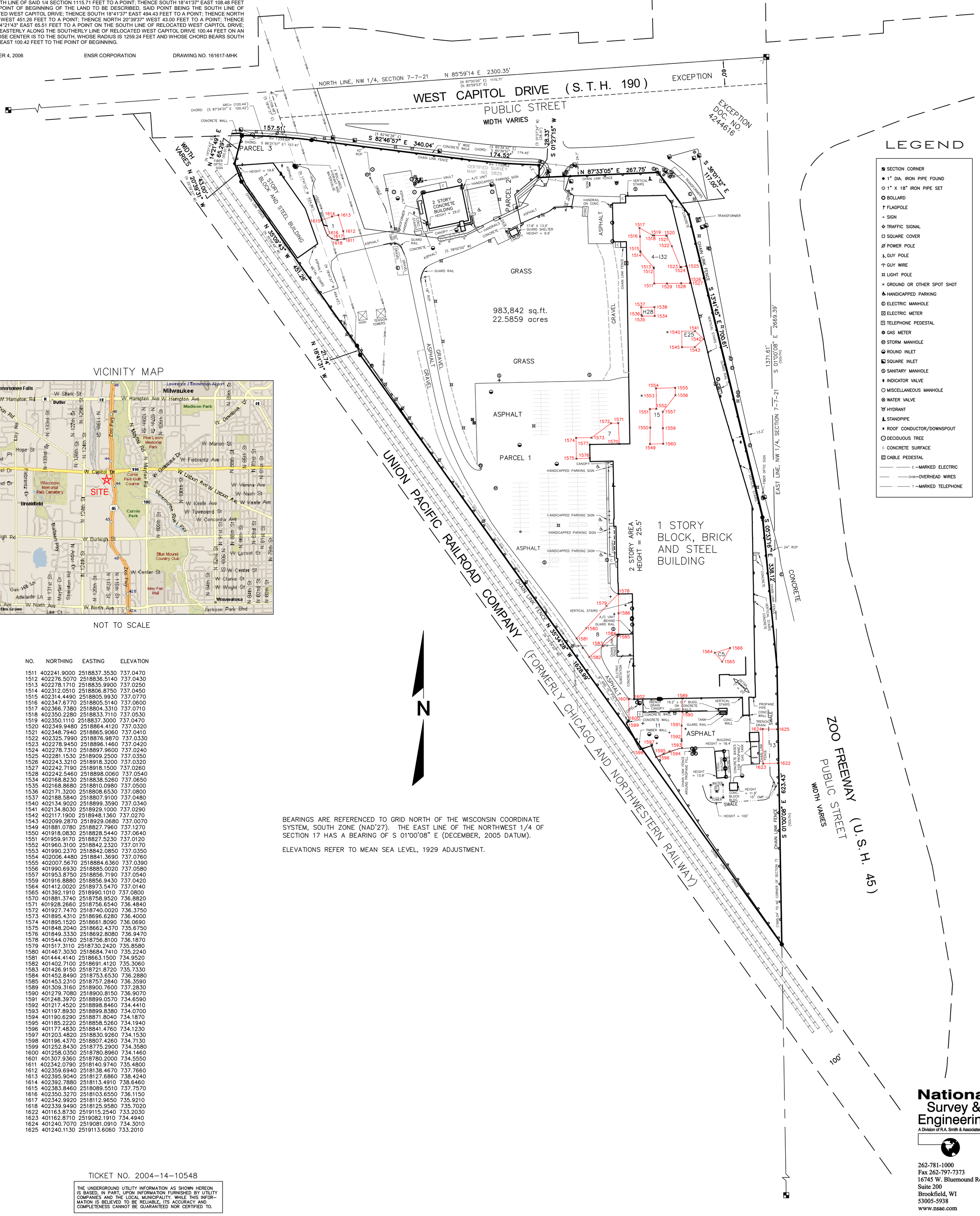
PARCEL 1
THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; RUNNING THENCE SOUTH ALONG THE EAST LINE OF SAID 1/4 SECTION 1995.04 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTH 34°34'20" WEST ALONG THE SAID RIGHT-OF-WAY LINE 1628.99 FEET TO A POINT; THENCE NORTH 17°41'10" WEST 624.86 FEET TO A POINT IN THE NORTH LINE OF SAID 1/4 SECTION; THENCE NORTH 87°00'00" EAST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO THE PLACE OF COMMENCEMENT.
EXCEPTING THEREFROM THE NORTH 60.0 FEET THEREOF, MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID 1/4 SECTION. ALSO EXCEPTING THEREFROM QUIT CLAIM DEED RECORDED AS DOCUMENT NO. 4244616 AND EXCEPTING CERTIFIED SURVEY MAP NO. 5829.

PARCEL 2
PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5829 RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS OFFICE APRIL 22, 1993 ON REEL 3018, IMAGE 821, AS DOCUMENT NO. 6756051; BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN.

PARCEL 3
THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; THENCE SOUTH 85°59'53" WEST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO A POINT; THENCE SOUTH 18°41'37" EAST 108.48 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED, SAID POINT BEING THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE SOUTH 18°41'37" EAST 494.43 FEET TO A POINT; THENCE NORTH 35°09'49" WEST 451.26 FEET TO A POINT; THENCE NORTH 20°39'37" WEST 43.00 FEET TO A POINT; THENCE NORTH 14°21'43" EAST 65.51 FEET TO A POINT ON THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF RELOCATED WEST CAPITOL DRIVE 100.44 FEET ON AN ARC WHOSE CENTER IS TO THE SOUTH, WHOSE RADIUS IS 1259.24 FEET AND WHOSE CHORD BEARS SOUTH 87°34'01" EAST 100.42 FEET TO THE POINT OF BEGINNING.

DECEMBER 4, 2006 ENSR CORPORATION DRAWING NO. 161617-MHK

NOT TO SCALE



LEGEND

- SECTION CORNER
- 1" DIA. IRON PIPE FOUND
- 1" X 18" IRON PIPE SET
- BOLLARD
- FLAGPOLE
- SIGN
- TRAFFIC SIGNAL
- SQUARE COVER
- POWER POLE
- GUY POLE
- GUY WIRE
- LIGHT POLE
- GROUND OR OTHER SPOT SHOT
- HANDICAPPED PARKING
- ELECTRIC MANHOLE
- ELECTRIC METER
- TELEPHONE PEDESTAL
- GAS METER
- STORM MANHOLE
- ROUND INLET
- SQUARE INLET
- SANITARY MANHOLE
- INDICATOR VALVE
- MISCELLANEOUS MANHOLE
- WATER VALVE
- HYDRANT
- STANDPIPE
- ROOF CONDUCTOR/DOWNSPOUT
- DECIDUOUS TREE
- CONCRETE SURFACE
- CABLE PEDESTAL
- E —MARKED ELECTRIC
- OHW—OVERHEAD WIRES
- T —MARKED TELEPHONE

NO.	NORTHING	EASTING	ELEVATION
1511	402241.9000	2518837.3530	737.0470
1512	402276.5070	2518836.5140	737.0430
1513	402278.1710	2518835.9900	737.0250
1514	402312.0510	2518806.8750	737.0450
1515	402314.4490	2518805.9930	737.0770
1516	402347.6770	2518805.5140	737.0600
1517	402366.7380	2518804.3310	737.0710
1518	402350.2280	2518833.7110	737.0530
1519	402350.1110	2518837.3000	737.0470
1520	402349.9480	2518864.4120	737.0320
1521	402348.7940	2518865.9060	737.0410
1522	402325.7990	2518876.9870	737.0330
1523	402278.9450	2518896.1460	737.0420
1524	402278.7310	2518897.9600	737.0240
1525	402281.1530	2518909.2500	737.0350
1526	402243.3210	2518918.3200	737.0320
1527	402242.7190	2518918.1500	737.0260
1528	402242.5460	2518898.0060	737.0540
1534	402168.8230	2518838.5260	737.0650
1535	402168.8680	2518810.0980	737.0500
1536	402171.3200	2518808.6530	737.0800
1537	402188.5840	2518807.9100	737.0480
1540	402134.9020	2518899.3590	737.0340
1541	402134.8030	2518929.1000	737.0290
1542	402117.1900	2518948.1360	737.0270
1543	402099.2870	2518929.0680	737.0070
1549	401881.0780	2518827.7960	737.1270
1550	401918.0830	2518828.5440	737.0640
1551	401959.9170	2518827.5230	737.0120
1552	401960.3100	2518842.2320	737.0170
1553	401990.2370	2518842.0850	737.0350
1554	402006.4480	2518841.3690	737.0760
1555	402007.5670	2518884.6360	737.0390
1556	401990.6930	2518885.0020	737.0580
1557	401953.8750	2518856.7190	737.0540
1559	401916.8880	2518856.9430	737.0420
1564	401412.0020	2518973.5470	737.0140
1565	401392.1910	2518990.1010	737.0800
1570	401881.3740	2518758.9520	736.8820
1571	401928.2660	2518756.6540	736.4840
1572	401927.7470	2518740.0020	736.3750
1573	401895.4310	2518696.6280	736.4000
1574	401895.1520	2518661.8090	736.0690
1575	401848.2040	2518662.4370	735.6750
1576	401849.3330	2518692.8080	736.9470
1578	401544.0760	2518756.8100	736.1870
1579	401517.3110	2518730.2420	735.8580
1580	401467.3030	2518684.7410	735.2240
1581	401444.4140	2518663.1500	734.9520
1582	401402.7100	2518691.4120	735.3060
1583	401426.9150	2518721.8720	735.7330
1584	401452.8490	2518753.6530	736.2880
1585	401453.2310	2518757.2840	736.3590
1589	401309.3160	2518900.7600	737.2830
1590	401279.7080	2518900.8150	736.9070
1591	401248.3970	2518899.0570	734.6590
1592	401217.4520	2518898.8460	734.4410
1593	401197.8930	2518899.8380	734.0700
1594	401190.6290	2518871.8040	734.1870
1595	401185.2220	2518858.5260	734.1940
1596	401177.4830	2518841.4760	734.1230
1597	401203.4820	2518830.9260	734.1530
1598	401196.4370	2518807.4260	734.7130
1599	401252.8430	2518775.2900	734.3580
1600	401258.0350	2518780.8960	734.1460
1601	401307.9360	2518780.2000	734.5550
1611	402342.0790	2518140.9740	735.4800
1612	402359.6940	2518138.4670	737.7660
1613	402395.9040	2518127.6860	738.4240
1614	402392.7880	2518113.4910	738.6460
1615	402383.8460	2518089.5510	737.7570
1616	402350.3270	2518103.6550	736.1150
1617	402342.9920	2518112.9650	735.9210
1618	402339.9490	2518125.9580	735.7020
1622	401163.8730	2519115.2540	733.2030
1623	401162.8710	2519082.1910	734.4940
1624	401240.7070	2519081.0910	734.3010
1625	401240.1130	2519113.6060	733.2010

BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN COORDINATE SYSTEM, SOUTH ZONE (NAD'27). THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 17 HAS A BEARING OF S 01°00'08" E (DECEMBER, 2005 DATUM).

ELEVATIONS REFER TO MEAN SEA LEVEL, 1929 ADJUSTMENT.

TICKET NO. 2004-14-10548

THE UNDERGROUND UTILITY INFORMATION AS SHOWN HEREON IS BASED, IN PART, UPON INFORMATION FURNISHED BY UTILITY COMPANIES AND THE LOCAL MUNICIPALITY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.

National Survey & Engineering
A Division of R.A. Smith & Associates, Inc.
262-781-1000
Fax 262-797-7373
16745 W. Bluemound Road
Suite 200
Brookfield, WI
53005-5938
www.nsae.com

S:\5161617\dwg\
161617H0.DWG \ PX201E80

SHEET 1 OF 1

DRAWING SCALE: 1 INCH = 80 FEET

12001 W. Capitol Drive, Wauwatosa, Wisconsin
AOI 7

WDNR BRRTS Numbers: #06-41-534503, #02-41-530528
FID Number: 241018140

Parcel Number: 258-9999-01
WTM83/91 Coordinates: E677998 N292425

Responsible Party:
Greg Blessing
United Technologies Corporation
United Technologies Building
Hartford, CT 06101
(860) 728-6529

Site Owner/Operator:
Penzeys Spices
19300 W. Janacek Court
Brookfield, WI 53045
(262) 785-7602

AOI 7

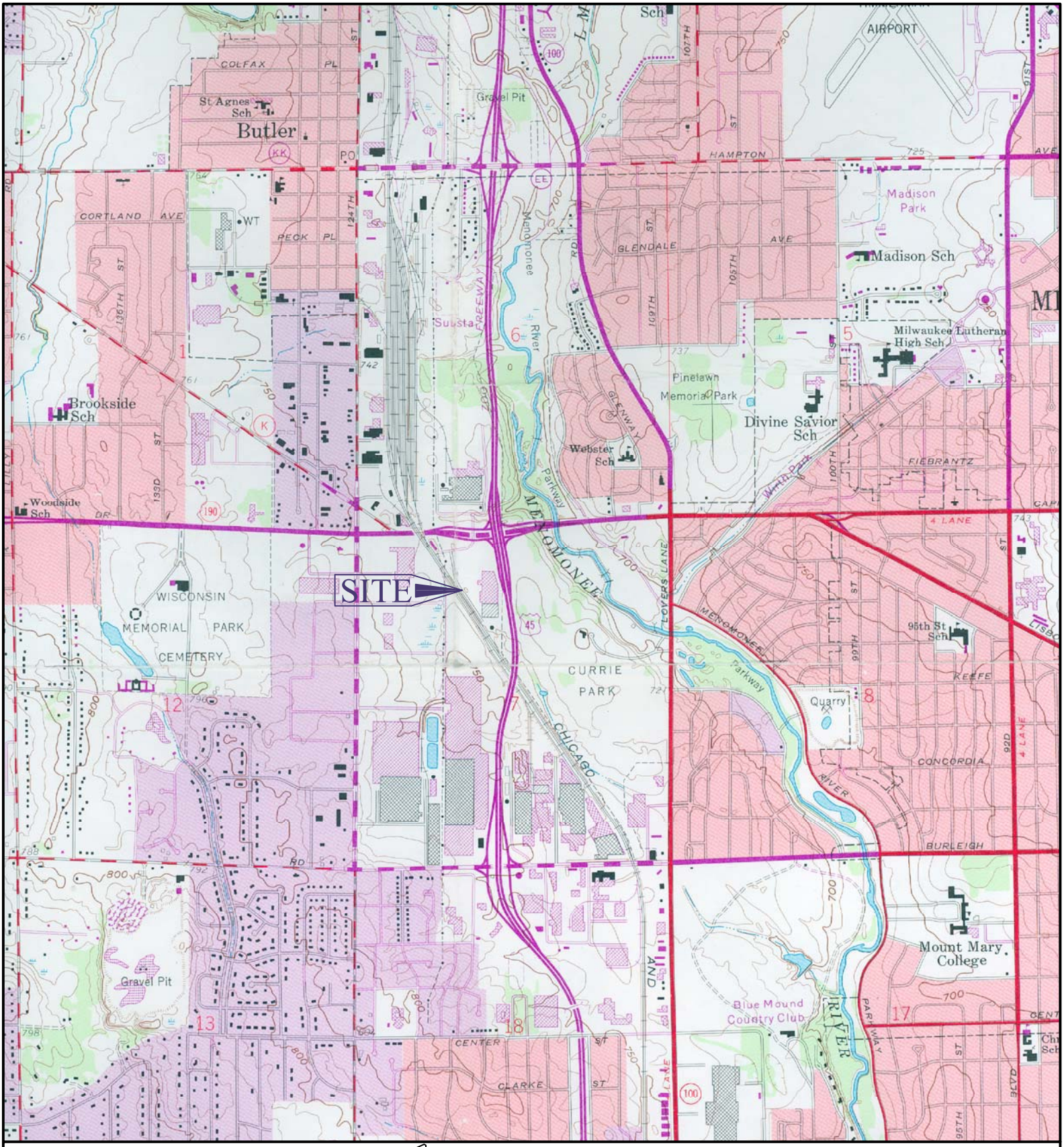
Area of Interest (AOI) 7 is located within, or partially within, the boundary of the property located at 12001 West Capitol Drive, Wauwatosa, Wisconsin, whose legal description (as found on the City of Wauwatosa Assessor's Department website [www.wauwatosa.net]), is as follows:

NW QUAR SEC 7 7 21 COMM AT NE COR OF SD QUAR SEC TH S 1995.04 FT TH NW ALG RR ROW 1628.99 FT TH N 17D 41'10 W 624.86 FT TH E 1115.71 FT TO PL OF BEG SUBJECT TO TMER&L CO TOWER LINE ROW EXC N & E PART TAKEN FOR STREET AND EXPRESSWAY & EXC CSM NO 5829 1994.

Parcel ID: 258-9999-01

Printed Name: Gregory F. Blessing

Signature: _____ Date: 8/28/18



Adapted from: USGS 7.5 minute series Wauwatosa, Wisconsin topographic quadrangle in 1958, photorevisited in 1976.

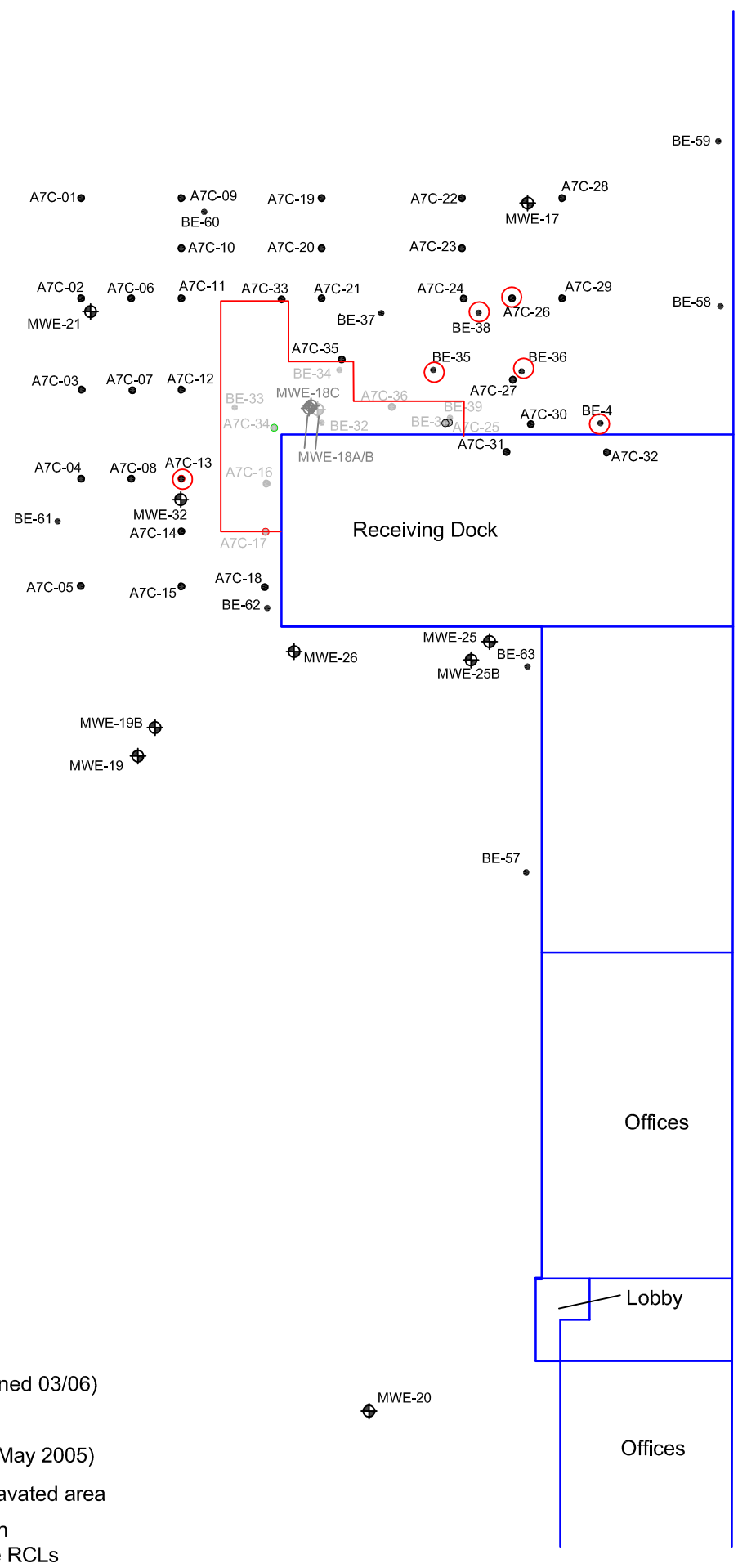
SCALE 1:24,000

Figure 1

Site Location Map

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, Wisconsin

ENSR | AECOM



Legend

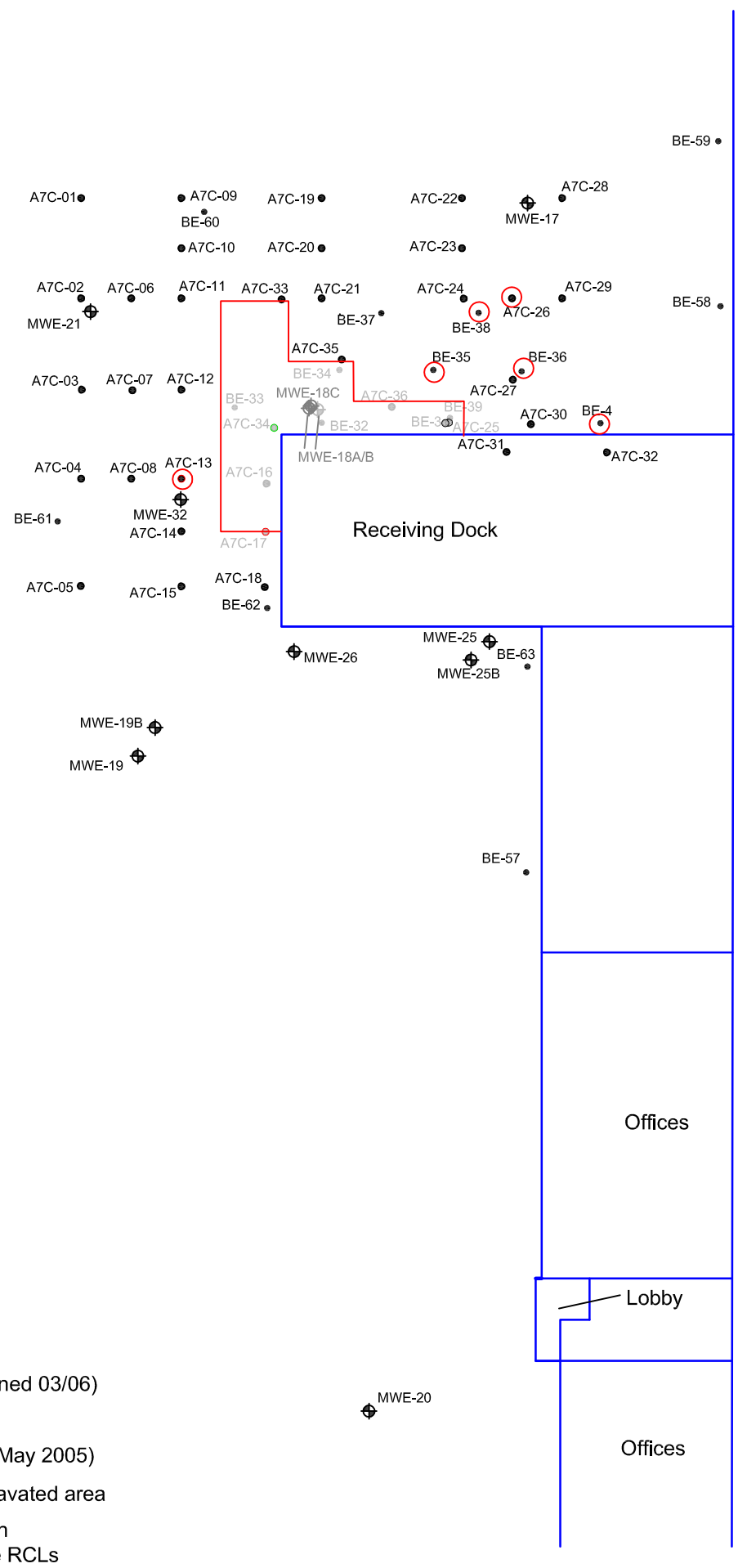
- Building
- Road/Asphalt Parking Lot
- Monitoring Well Location (abandoned 03/06)
- Soil Boring Location
- Excavation Boundary (conducted May 2005)
- Monitoring Well/Soil Boring in excavated area
- Residual extent of soil impacts with concentrations reported above the RCLs

Note: RCLs defined in WAC Ch. NR 720, WDNR Interim Guidance Table 1, calculated using information obtained at http://risk.lsd.ornl.gove/epa/ssl1.html, and/or procedures outlined in WDNR Publication RR-682.

Scale: 1":30'	Hamilton Sundstrand Case Summary & Close Out Form	**AOI 7 - Contaminated Property** Former Falk Corporation Wauwatosa, WI 01/04/08 Project No.: 06916-277	Figure 7 www.ensr.aecom.com

J:\PROJECTS\06916 - UTC Companies\06916277-Falk Wauwatosa\Reports\Si-Rem Closure Rpt 0611\Figs 0701 Fig 7 - AOI 7 GW.dwg

ENSR | AECOM



Legend

- Building
- Road/Asphalt Parking Lot
- Monitoring Well Location (abandoned 03/06)
- Soil Boring Location
- Excavation Boundary (conducted May 2005)
- Monitoring Well/Soil Boring in excavated area
- Residual extent of soil impacts with concentrations reported above the RCLs

Note: RCLs defined in WAC Ch. NR 720, WDNR Interim Guidance Table 1, calculated using information obtained at http://risk.lsd.ornl.gove/epa/ssl1.html, and/or procedures outlined in WDNR Publication RR-682.

Scale: 1":30'	Hamilton Sundstrand Case Summary & Close Out Form	**AOI 7 - Excavation Boundary & Residual Soil Impacts** Former Falk Corporation Wauwatosa, WI 01/04/08 Project No.: 06916-277	Figure 7 www.ensr.aecom.com

J:\PROJECTS\06916 - UTC Companies\06916277-Falk Wauwatosa\Reports\Si-Rem Closure Rpt 0611\Figs 0701 Fig 7 - AOI 7 GW.dwg

Table 7
Site Investigation Analytical Report Summary - AOI 7

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Sample ID (Depth), Sample Date							Residual Contaminant Level	
SOIL	BE-3 (1) 11/09/04	BE-3 (4) 11/09/04	BE-4 (1) 11/09/04	BE-4 (4) 11/09/04	BE-32 (1) 12/21/04	BE-32 (4) 12/21/04	BE-32 (8) 12/21/04	**Direct Contact**	**Groundwater Protection**
VOCs (µg/kg)		ND	ND	ND					
1,1-Dichloroethane					**1,550**	**9,690**	**3,580**	1,800,000	350
cis-1,2-Dichloroethene					**444**			1,300,000	27
Naphthalene					37			110,000	400
Tetrachloroethylene	**43**				**4,950**	**59,500**	**5,820**	35,000	4.1
1,1,1-Trichloroethane					**37,200**	**275,000**	**34,700**	1,200,000	280
Trichloroethene					**175**			240	3.7
1,2,4-Trimethylbenzene						**28,600**	3,470	350,000	7,570
1,3,5-Trimethylbenzene						**13,200**		200,000	3,250
Toluene	43							670,000	1,500
SVOCs (mg/kg)	ND	ND	ND	ND	NA	NA	NA	--	--
Metals (mg/kg)	ND	ND			NA	NA	NA		
Arsenic			**12**	**13**				1.6	0.58
Barium	147	81	2.0	63				71,500	330
Cadmium	0.67	0.43	**2.9**	**2.1**				510	1.5
Chromium	**22**	**56**		5.9				200	14
Lead	9.4	9.3	8.8	9.5				500	NL
Mercury	0.077	0.053		0.068				2.9	0.42
PCBs (mg/kg)	ND	ND	ND	ND	NA	NA	NA	--	--
DRO (mg/kg)	**13,500**	ND	ND	6.3	**2,990**	**3,410**	**123**	NL	100

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	BE-33 (1) 12/21/04	BE-33 (4) 12/21/04	BE-33 (8) 12/21/04	BE-34 (1) 12/21/04	BE-34 (4) 12/21/04	BE-34 (8) 12/21/04	**Direct Contact**	**Groundwater Protection**
VOCs (µg/kg)								
1,1-Dichloroethane	32	**853**	**2,510**	200	**1,350**	**3,030**	1,800,000	350
1,1-Dichloroethene			**273**			**47**	810,000	10
cis-1,2-Dichloroethene				**65**	**76**	**163**	1,300,000	27
Tetrachloroethylene	**334**	**173**		**516**			35,000	4.1
1,1,1-Trichloroethane	233	**569**	**1,970**	**484**	74	**489**	1,200,000	280
DRO (mg/kg)	**567**	ND	6.7	**211**	6.2	8.6	NL	100

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	BE-35 (1) 12/21/04	BE-35 (4) 12/21/04	BE-35 (8) 12/21/04	BE-36 (1) 12/21/04	BE-36 (4) 12/21/04	BE-36 (8) 12/21/04	**Direct Contact**	**Groundwater Protection**
VOCs (µg/kg)		ND	ND		ND			
1,1 Dichloroethane	110			75			1,800,000	350
cis-1,2-Dichloroethene	**92**						1,300,000	27
Methylene Chloride				**75L**		**110L**	45,000	1.6
Tetrachloroethylene	**132**			**86**			35,000	4.1
1,1,1-Trichloroethane				246			1,200,000	280
Trichloroethene	**31**						240	3.7
DRO (mg/kg)	13	6.4	15	15	ND	17	NL	100

Table 7
Site Investigation Analytical Report Summary - AOI 7

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	BE-37 (1) 12/21/04	BE-37 (4) 12/21/04	BE-37 (8) 12/21/04	BE-38 (1) 12/21/04	BE-38 (4) 12/21/04	BE-38 (8) 12/21/04	**Direct Contact**	**Groundwater Protection**
VOCs (µg/kg)	ND	ND	ND		ND	ND		
Tetrachloroethylene				**32**			35,000	4.1
DRO (mg/kg)	16	ND	32	14	ND	33	NL	100

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	BE-57 (2) 02/02/05	BE-57 (6) 02/02/05	BE-58 (2) 02/03/05	BE-58 (6) 02/03/05	BE-59 (2) 02/03/05	BE-59 (6) 02/03/05	**Direct Contact**	**Groundwater Protection**
VOCs (µg/kg)	ND	ND				ND		
Methylene Chloride			ND	**100 ***	**157L***		45,000	1.6
DRO (mg/kg)	ND	ND	ND	ND	49 H	ND	NL	100

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	BE-60 (2) 02/02/05	BE-60 (6) 02/02/05	BE-61 (2) 02/02/05	BE-61 (6) 02/02/05	BE-62 (2) 02/02/05	BE-62 (6) 02/02/05	**Direct Contact**	**Groundwater Protection**
VOCs (µg/kg)	ND	ND	ND	ND				
1,1,1-Trichloroethane					55	110	1,200,000	280
DRO (mg/kg)	15	ND	37	ND	30	ND	NL	100

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	BE-63 (2) 02/03/05	BE-63 (6) 02/03/05	MWE-17 (2) 02/03/05	MWE-17 (6) 02/03/05	MWE-18B (2) 02/02/05	MWE-18B (6) 02/02/05	**Direct Contact**	**Groundwater Protection**
VOCs (µg/kg)	ND	ND	ND	ND				
1,1 Dichloroethane					**1,880**	**10,600**	1,800,000	350
n-Butylbenzene					2,330	2,010	NL	21,000
sec-Butylbenzene					1,330	1,080	NL	21,000
Isopropylbenzene					487		860,000	37,000
p-Isopropyltoluene					842	747	NL	NL
n-Propylbenzene					1,990	1,230	NL	NL
Tetrachloroethylene					**1,110**	**1,450**	35,000	4.1
1,1,1-Trichloroethane					**23,300**	**44,600**	1,200,000	280
1,2,4-Trimethylbenzene					**12,200**	**9,920**	350,000	7,570
1,3,5-Trimethylbenzene					**4,650**	**3,460**	200,000	3,250
DRO (mg/kg)	ND	ND	11	24	**1,550**	**1,230**	NL	100

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	MWE-19 (2) 02/03/05	MWE-19 (6) 02/03/05	MWE-20 (2) 02/03/05	MWE-20 (6) 02/03/05	MWE-21 (2) 02/02/05	MWE-21 (6) 02/02/05	**Direct Contact**	**Groundwater Protection**
VOCs (µg/kg)	ND	ND	ND	ND	ND	ND	--	--
DRO (mg/kg)	19	21	24	18	30	ND	NL	100

Table 7
Site Investigation Analytical Report Summary - AOI 7

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Sample ID (Depth), Sample Date								Residual Contaminant Level	
SOIL	A7C-05 (8) 03/23/05	A7C-05 (10) 03/23/05	A7C-06 (2) 03/21/05	A7C-06 (6) 03/21/05	A7C-06 (16) 03/21/05	A7C-07 (2) 03/21/05	A7C-07 (6) 03/21/05	A7C-07 (15) 03/21/05	**Direct Contact**	**Groundwater Protection**
VOCs (µg/kg)	ND	ND	ND	ND	ND	ND	ND	ND	--	--

Detected Parameter	Sample ID (Depth), Sample Date									Residual Contaminant Level	
SOIL	A7C-08 (2) 03/21/05	A7C-08 (6) 03/21/05	A7C-08 (16) 03/21/05	A7C-10 (16) 03/21/05	A7C-11 (2) 03/21/05	A7C-11 (6) 03/21/05	A7C-11 (16) 03/21/05	A7C-12 (2) 03/21/05	A7C-12 (6) 03/21/05	**Direct Contact**	**Groundwater Protection**
VOCs (µg/kg)	ND	ND	ND	ND	ND **G**	ND **G**	ND **G**	ND	ND	--	--

Detected Parameter	Sample ID (Depth), Sample Date								Residual Contaminant Level	
SOIL	A7C-12 (15) 03/21/05	A7C-13 (2) 03/23/05	A7C-13 (6) 03/23/05	A7C-13(16) 03/23/05	A7C-14 (2) 03/23/05	A7C-14 (6) 03/23/05	A7C-14 (16) 03/23/05	A7C-15 (6) 03/23/05	**Direct Contact**	**Groundwater Protection**
VOCs (µg/kg)	ND	ND			ND	ND	ND	ND		
1,1 Dichloroethane			**351**						1,800,000	350
1,1 Dichloroethene			**73**						810,000	10
1,1,1-Trichloroethane			**1,150**	**426**					1,200,000	280

Detected Parameter	Sample ID (Depth), Sample Date								Residual Contaminant Level	
SOIL	A7C-16 (2) 03/22/05	A7C-16 (6) 03/22/05	A7C-16 (16) 03/22/05	A7C-17 (2) 03/23/05	A7C-17 (6) 03/23/05	A7C-18 (6) 03/23/05	A7C-20 (16) 03/22/05	A7C-21 (16) 03/21/05	**Direct Contact**	**Groundwater Protection**
VOCs (µg/kg)			ND	ND			ND	ND **G**		
1,1 Dichloroethane	39	153			57				1,800,000	350
1,1-Dichloroethene		**46**			**92**				810,000	10
Tetrachloroethylene	**753**								35,000	4.1
1,1,1-Trichloroethane	**915**	**1,120**			**2,940**	197			1,200,000	280

Detected Parameter	Sample ID (Depth), Sample Date								Residual Contaminant Level	
SOIL	A7C-23 (2) 03/22/05	A7C-24 (16) 03/22/05	A7C-25 (2) 03/21/05	A7C-25 (12) 03/21/05	A7C-26 (2) 03/22/05	A7C-26 (16) 03/22/05	A7C-27 (2) 03/22/05	A7C-27 (16) 03/22/05	**Direct Contact**	**Groundwater Protection**
VOCs (µg/kg)	ND	ND		ND		ND	ND	ND		
1,1 Dichloroethane					230				1,800,000	350
cis-1,2-Dichloroethene			**57**		**51**				1,300,000	27

Detected Parameter	Sample ID (Depth), Sample Date								Residual Contaminant Level	
SOIL	A7C-29 (2) 03/22/05	A7C-30 (2) 03/22/05	A7C-31 (2) 03/22/05	A7C-31 (6) 03/22/05	A7C-31 (16) 03/22/05	A7C-32 (2) 03/22/05	A7C-32 (6) 03/22/05	A7C-32 (16) 03/22/05	**Direct Contact**	**Groundwater Protection**
VOCs (µg/kg)	ND	ND	ND	ND	ND	ND	ND	ND	--	--

Table 7
Site Investigation Analytical Report Summary - AOI 7

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Sample ID (Depth), Sample Date								Residual Contaminant Level	
SOIL	A7C-33 (2) 03/31/05	A7C-33 (6) 03/31/05	A7C-33 (16) 03/31/05	A7C-34 (10) 03/31/05	A7C-35 (16) 03/31/05	A7C-36 (14) 03/31/05	MWE-25 (15) 03/31/05	MWE-26 (13) 03/31/05	**Direct Contact**	**Groundwater Protection**
VOCs (µg/kg)			ND		ND	ND	ND	ND		
1,1 Dichloroethane	51	221		**1,730**					1,800,000	350
1,1-Dichloroethene				**725**					810,000	10
cis-1,2-Dichloroethene				**38**					1,300,000	27
Tetrachloroethylene				**39**					35,000	4.1
1,1,1-Trichloroethane				**16,100**					1,200,000	280

Notes (Soil):
L is a laboratory flag that the compound is a common laboratory contaminant. Thus, the result is suspect.
* = Methylene Chloride was also detected in the field blank and is therefore considered to be suspect in the sample.
VOCs = volatile organic compounds
SVOCs = semi-volatile organic compounds
PCBs = Polychlorinated biphenyls
DRO = diesel range organics
µg/kg = micrograms per kilogram (parts per billion)
mg/kg = miligrams per kilogram (parts per million)
WDNR 1993 Interim Guidance Table 1 for polycyclic aromatic hydrocarbons, or, if no established criteria exists, as calculated using U.S. EPA Soil Screening Guidance for Chemicals (http://risk.lsd.ornl.gov/epa/ssl1.html) and procedures outlined in WDNR Publication RR-682
Groundwater Protection = RCLs based on the protection of groundwater, either as defined in Wisconsin Administrative Code Chapter NR 720, WDNR 1993 Interim Guidance Table 1 for polycyclic aromatic hydrocarbons, or, if no established criteria exists, as calculated using U.S. EPA Soil Screening Guidance for Chemicals (http://risk.lsd.ornl.gov/epa/ssl1.html) and procedures outlined in WDNR Publication RR-682
IND = Industrial, per Wisconsin Administrative Code Chapter NR 720
DRO criteria defined in Wisconsin Administrative Code Chapter NR 720, based on assumption of contaminated soil and soil below the contaminated soil for a depth of 3 meters having a hydraulic conductivity of 1x10-6 cm/sec or less.
ND = parameters within a suite (class) of compounds not detected above reporting limit
NA = parameters not analyzed
NL = criterion not listed for compound
Concentrations in bold indicate an exceedence of the Groundwater Protection RCL
Concentrations outlined indicate an exceedence of the Industrial Direct Contact RCL
Only positive detections shown.

GIS REGISTRY
Cover Sheet

July, 2008
(RR 5367)

Source Property Information

CLOSURE DATE:

BRRTS #: 02-41-530528

FID #: 241018140

ACTIVITY NAME: FALK CORP PLANT 2 - AOI-8

DATCP #:

PROPERTY ADDRESS: 12001 W. Capitol Drive

COMM #:

MUNICIPALITY: Wauwatosa

PARCEL ID #: 258-9999-01

***WTM COORDINATES:**

X: **677998** Y: **292425**

** 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 #: 02-41-530528 PARCEL ID #: 258-9999-01

ACTIVITY NAME: FALK CORP PLANT 2 - AOI-8 WTM COORDINATES: X: 677998 Y: 292425

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

☐ **Closure Letter**

☐ **Maintenance Plan** *(if activity is closed with a land use limitation or condition (land use control) under s. 292.12, Wis. Stats.)*

☐ **Conditional Closure Letter**

☐ **Certificate of Completion (COC)** for VPLE sites

SOURCE LEGAL DOCUMENTS

☒ **Deed:** The most recent deed as well as legal descriptions, for the **Source Property** (where the contamination originated). Deeds for other, off-source (off-site) properties are located in the **Notification** section.
Note: *If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.*

☒ **Certified Survey Map:** A copy of the certified survey map or the relevant section of the recorded plat map *for those properties where the legal description in the most recent deed refers to a certified survey map or a recorded plat map.* (lots on subdivided or platted property (e.g. lot 2 of xyz subdivision)).

Figure #: **Title:**

☒ **Signed Statement:** A statement signed by the Responsible Party (RP), which states that he or she believes that the attached legal description accurately describes the correct contaminated property.

MAPS (meeting the visual aid requirements of s. NR 716.15(2)(h))

Maps must be no larger than 8.5 x 14 inches unless the map is submitted electronically.

☒ **Location Map:** A map outlining all properties within the contaminated site boundaries on a U.S.G.S. topographic map or plat map in sufficient detail to permit easy location of all parcels. If groundwater standards are exceeded, include the location of all potable wells within 1200 feet of the site.
Note: *Due to security reasons municipal wells are not identified on GIS Packet maps. However, the locations of these municipal wells must be identified on Case Closure Request maps.*

Figure #: Figure 1 **Title: Site Location**

☒ **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 #: Figure 8 **Title: AOI-8 Contaminated Property**

☒ **Soil Contamination Contour Map:** For sites closing with residual soil contamination, this map is to show the location of all contaminated soil and a single contour showing the horizontal extent of each area of contiguous residual soil contamination that exceeds a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL)as determined under s. NR 720.09, 720.11 and 720.19.

Figure #: Figure 8 **Title: AOI-8 - Soil Sample Location and Horizontal Extent of Soil Impacts**

BRRTS #: 02-41-530528 ACTIVITY NAME: FALK CORP PLANT 2 - AOI-8

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: G**

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 #: Table 8 **Title: Site Investigation Analytical Report Summary - AOI 8**

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

Table #: **Title:**

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

Table #: **Title:**

IMPROPERLY ABANDONED MONITORING WELLS

For each monitoring well not properly abandoned according to requirements of s. NR 141.25 include the following documents.
Note: *If the site is being listed on the GIS Registry for only an improperly abandoned monitoring well you will only need to submit the documents in this section for the GIS Registry Packet.*

☒ **Not Applicable**

☐ **Site Location Map:** A map showing all surveyed monitoring wells with specific identification of the monitoring wells which have not been properly abandoned.
Note: *If the applicable monitoring wells are distinctly identified on the Detailed Site Map this Site Location Map is not needed.*

Figure #: **Title:**

☐ **Well Construction Report:** Form 4440-113A for the applicable monitoring wells.

☐ **Deed:** The most recent deed as well as legal descriptions for each property where a monitoring well was not properly abandoned.

☐ **Notification Letter:** Copy of the notification letter to the affected property owner(s).

BRRTS #: 02-41-530528 ACTIVITY NAME: FALK CORP PLANT 2 - AOI-8

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 53212-0436
Telephone 414-263-8500
FAX 414-263-8716
TTY 414-263-8713

June 10, 2009

Mr. Anthony Frigiani
Hamilton Sundstrand Corp.
1 Hamilton Rd., M/S 1M5
Windsor Locks, CT 06096

SUBJECT: Final Case Closure with Continuing Obligations
Former Falk Plant 2, 12001 W. Capitol Dr., Wauwatosa, WI

WDNR BRRTS Activity #: 06-41-534503, 02-41-546853, 02-41-546854, 02-41-530528
FID #: 241018140

Dear Mr.Frigiani:

On October 7, 2008, the Southeast Region Closure Committee and VPLE Committee reviewed the above referenced case for closure. These committees review 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 meets the closure requirements in ch. NR 726, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation is required at this time, however, you and future property owners must comply with certain continuing obligations as explained in this letter.

GIS Registry

This site will be listed on the Remediation and Redevelopment Program's GIS Registry. The specific reasons are summarized below:

- Pavement, an engineered cover or a soil barrier must be maintained over contaminated soil and the state must approve any changes to this barrier
- Groundwater contamination is present above Chapter NR 140 enforcement standards

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

Closure Conditions

Please be aware that pursuant to s. 292.12 Wisconsin Statutes, compliance with the requirements of this letter is a responsibility to which the current property owner and any subsequent property owners must adhere. You must pass on the information about these continuing obligations to the next property owner or owners. 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. The Department intends to conduct inspections in the future to ensure that the conditions included in this letter including compliance with referenced maintenance plans are met.

Cover or Barrier

Pursuant to s. 292.12(2)(a), Wis. Stats., the pavement or other impervious cap that currently exists in the location of AOI 4, AOI 7, AOI 8, AOI 11, AOI 13, AOI 15, AOI C5, AOI E25 AOI H28, AOI I32 shown on the attached map shall be maintained in compliance with the **attached maintenance plans** 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 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 is considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken during excavation activities to prevent a health threat to humans.

The attached maintenance plans and inspection logs are to be kept up-to-date and on-site. Please submit the inspection log to the Department only upon request.

Prohibited Activities

The following activities are prohibited on any portion of the property where [pavement, a building foundation, soil cover, engineered cap or other barrier] is required as shown on the attached map, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 1) removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; 6) construction or placement of a building or other structure.

Residual Groundwater Contamination

Groundwater impacted by chlorinated VOC contamination greater than enforcement standards set forth in ch. NR140, Wis. Adm. Code, is present on this contaminated property in the area of AOI 11. For more detailed information regarding the locations where groundwater samples have been collected (i.e., monitoring well locations) and the associated contaminant concentrations, refer to the Remediation and Redevelopment Program's GIS Registry at the RR Sites Map page at http://dnr.wi.gov/org/aw/rr/gis/index.htm.

Vapor Migration

In addition, depending on site-specific conditions, construction over contaminated materials may result in vapor migration of contaminants into enclosed structures or migration along newly placed underground utility lines. The potential for vapor inhalation and means of 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.

Chapter NR 140, Wis. Adm. Code Exemption

Recent groundwater monitoring data at this site indicates that for 1,2-Dichloroethane at MWE-26 and 1,1-Dichloroethylene at MW10, contaminant levels exceed the NR 140 preventive action limit (PAL) but are below the enforcement standard (ES). The Department may grant an exemption to a PAL for a substance of public health concern, other than nitrate, pursuant to s. NR 140.28(2)(b), Wis. Adm. Code, if all of the following criteria are met:

1. The measured or anticipated increase in the concentration of the substance will be minimized to the extent technically and economically feasible.

2. Compliance with the PAL is either not technically or economically feasible.

3. The enforcement standard for the substance will not be attained or exceeded at the point of standards application. [Note: at this site the point of standards application is all points where groundwater is monitored.]

4. Any existing or projected increase in the concentration of the substance above the background concentration does not present a threat to public health or welfare.

Based on the information you provided, the Department believes that these criteria have been or will be met due to source control measures that have occurred in these areas. Therefore, pursuant to s. NR 140.28, Wis. Adm. Code, an exemption to the PAL is granted for 1,2-Dichloroethane at MWE-26 and 1,1-Dichloroethelyne at MW10. Please keep this letter, because it serves as your exemption.

Post-Closure Notification Requirements

In accordance with ss, 292.12 and 292.13, Wis. Stats., you must notify the Department before making changes that affect or relate to the conditions of closure in this letter. For this case, examples of changed conditions requiring prior notification include, but are not limited to:

- Disturbance, construction on, change or removal in whole or part of pavement, an engineered cover or a soil barrier that must be maintained over contaminated soil

Please send written notifications in accordance with the above requirements to the Southeast Regional Headquarters, to the attention of Victoria Stovall.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this closure decision or anything outlined in this letter, please contact Margaret Brunette at (414)263-8557.

Sincerely,

James A. Schmidt

James A. Schmidt, Team Supervisor
Southeast Remediation & Redevelopment Program

Attach. (Disk)
- Maintenance plans

cc: Lauren Gromoski – AECOM (w/out attach.)
Jeff Bykowski – Penzeys Spices (w/out attach.)
Bill Phelps, DG/5 (w/out attach.)

Cap Maintenance Plan
Former Falk Corporation Plant 2 – AOI 8
12001 W. Capitol Drive, Wauwatosa, Wisconsin 53226

May 7, 2009

Property located at:
12001 W. Capitol Drive
Wauwatosa, Wisconsin 53226

Parcel Number: 258-9999-01

FID Number: 241018140
BRRTS Numbers: 06-41-534503
02-41-530528

Introduction

This document is the Cap Maintenance Plan (Maintenance Plan) for the paved surface at the above-referenced property in accordance with the requirements of Wisconsin Administrative Code (WAC) Chapter (ch.) NR 724.13(2). The maintenance activities relate to the existing asphalt-paved surface (cap) occupying the area over the contaminated soil and groundwater on site. The contaminated soil and groundwater are impacted by chlorinated volatile organic compounds (CVOCs). The location of the cap to be maintained in accordance with this Maintenance Plan, as well as the extents of impacted soil and groundwater, are included in Figure 1.

Cap Purpose

The cap over the contaminated soil and groundwater plume serves as a partial infiltration barrier to minimize future soil-to-groundwater contamination migration that would violate the groundwater standards in WAC ch. NR 140. Based on the current and future use of the property, the cap should function as intended unless disturbed.

Annual Inspection

The cap overlying the contaminated soil and groundwater plume, as depicted in Figure 1, will be inspected once a year. The inspection will be performed in the spring after all snow and ice is gone, for deterioration, cracks and other potential problems that can cause additional infiltration into or exposure to underlying soil. The inspection will be performed to evaluate damage to the cap due to settling, exposure to the weather, wear from traffic, increasing age and other factors. Any area where soils have become or are likely to become exposed will be documented. A log of the inspections and any repairs will be maintained by the property owner on a Cap Inspection Log (Attachment 1 [the Log]). The Log will include recommendations for necessary repair of any areas where underlying soils are exposed. Once repairs are completed, they will be documented in the Log. A copy of the Log will be sent to the Wisconsin Department of Natural Resources (WDNR) at least annually after every inspection, unless otherwise directed in the case closure letter.

Maintenance Activities

If problems with the cap are noted during the annual inspections or at any other time during the year, repairs will be scheduled as soon as practical. Repairs can include patching and filling operations, or they can include larger resurfacing or construction operations. In the event that necessary maintenance activities expose the underlying soil, the owner must sample any soil that is excavated from the site prior to disposal to ascertain if contamination remains. The excavated soil must be treated, stored and disposed of by the owner in accordance with applicable local, state and federal law.

In the event the cap overlying the contaminated soil and groundwater plume is removed or replaced, the replacement barrier must be equally impervious. Any replacement barrier will be subject to the same maintenance and inspection guidelines as outlined in this Maintenance Plan unless indicated otherwise by the WDNR or its successor.

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

Amendment or Withdrawal of Maintenance Plan

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

Contact Information as of May 2009:

Responsible Party:	Hamilton Sundstrand Corporation C/O Anthony Frigiani 1 Hamilton Road M/S 1M5 Windsor Locks, CT 06096 860-728-6529
Site Owner/Operator:	Penzeys Spices 12001 W. Capitol Drive Wauwatosa, WI 53222 414-406-7758
Environmental Consultant:	Lauren Gromoski AECOM, Inc. W239 N2890 Pewaukee Road, Unit D Pewaukee, Wisconsin 53072 262-523-2040
WDNR Project Manager:	Margaret Brunette Remediation and Redevelopment Program Wisconsin Department of Natural Resources 2300 N. Dr. Martin Luther King, Jr. Drive Milwaukee, WI 53212 414-263-8557

PROPERTY EXHIBIT

KNOWN AS 12001 WEST CAPITOL DRIVE, CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN

PARCEL 1
THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; RUNNING THENCE SOUTH ALONG THE EAST LINE OF SAID 1/4 SECTION 1995.04 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTH 34°34'20" WEST ALONG THE SAID RIGHT-OF-WAY LINE 1628.99 FEET TO A POINT; THENCE NORTH 17°41'10" WEST 624.86 FEET TO A POINT IN THE NORTH LINE OF SAID 1/4 SECTION, THENCE NORTH 87°00'00" EAST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO THE PLACE OF COMMENCEMENT.
EXCEPTING THEREFROM THE NORTH 60.0 FEET THEREOF, MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID 1/4 SECTION. ALSO EXCEPTING THEREFROM QUIT CLAIM DEED RECORDED AS DOCUMENT NO. 4244616 AND EXCEPTING CERTIFIED SURVEY MAP NO. 5829.

PARCEL 2
PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5829 RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS OFFICE APRIL 22, 1993 ON REEL 3018, IMAGE 821, AS DOCUMENT NO. 6756051; BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN.

PARCEL 3
THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:
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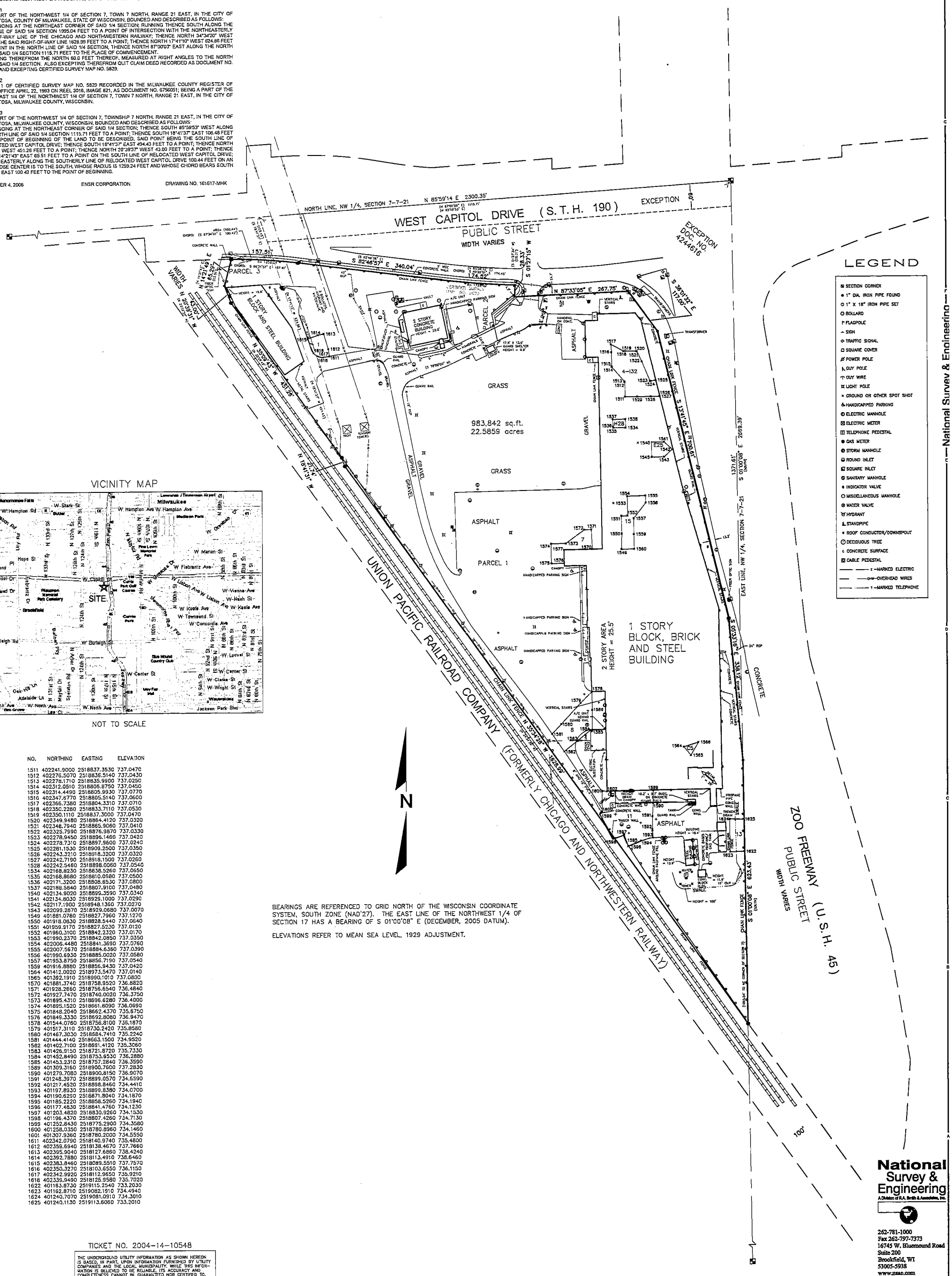
DECEMBER 4, 2006 ENSR CORPORATION DRAWING NO. 161617-MHK



VICINITY MAP

NOT TO SCALE

NO.	NORTHING	EASTING	ELEVATION
1511	402241.9000	2518837.3530	737.0470
1512	402276.5070	2518836.5140	737.0430
1513	402278.1710	2518835.9900	737.0250
1514	402312.0510	2518806.8750	737.0450
1515	402314.4490	2518805.9930	737.0770
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1518	402350.2280	2518833.7110	737.0530
1519	402350.1110	2518837.3000	737.0470
1520	402349.9480	2518864.4120	737.0320
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1522	402325.7990	2518876.9870	737.0330
1523	402278.9450	2518896.1460	737.0420
1524	402278.7310	2518897.9600	737.0240
1525	402281.1530	2518909.2500	737.0350
1526	402243.3210	2518918.3200	737.0320
1527	402242.7190	2518918.1500	737.0260
1528	402242.5460	2518898.0060	737.0540
1534	402168.8230	2518838.5260	737.0650
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1537	402188.5840	2518807.9100	737.0480
1540	402134.9020	2518899.3590	737.0340
1541	402134.8030	2518929.1000	737.0290
1542	402117.1900	2518948.1360	737.0270
1543	402099.2870	2518929.0680	737.0070
1549	401881.0760	2518827.7960	737.1270
1550	401918.0830	2518828.5440	737.0640
1551	401959.9170	2518827.5230	737.0120
1552	401960.3100	2518842.2320	737.0170
1553	401990.2370	2518842.0850	737.0350
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1555	402007.5670	2518884.6360	737.0390
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1559	401916.8880	2518856.9430	737.0420
1564	401412.0020	2518973.5470	737.0140
1565	401392.1910	2518990.1010	737.0800
1570	401881.3740	2518758.9520	736.8820
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1572	401927.7470	2518740.0020	736.3750
1573	401895.4310	2518696.6280	736.4000
1574	401895.1520	2518661.8090	736.0690
1575	401848.2040	2518662.4370	735.8790
1576	401849.3330	2518692.8080	736.9470
1578	401544.0760	2518756.8100	736.1870
1579	401517.3110	2518730.2420	735.8580
1580	401467.3030	2518684.7410	735.2240
1581	401444.4140	2518663.1500	734.9520
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1583	401426.9150	2518721.8720	735.7330
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1591	401248.3970	2518899.0570	734.6590
1592	401217.4520	2518898.8460	734.4410
1593	401197.8930	2518899.8380	734.0700
1594	401190.6290	2518871.8040	734.1870
1595	401185.2220	2518858.5260	734.1940
1596	401177.4830	2518841.4760	734.1230
1597	401203.4820	2518830.9260	734.1530
1598	401196.4370	2518607.4260	734.7130
1599	401252.8430	2518775.2900	734.3580
1600	401258.0350	2518780.8960	734.1460
1601	401307.9360	2518780.2000	734.5550
1611	402342.0790	2518140.9740	735.4800
1612	402359.6940	2518138.4670	737.7660
1613	402395.9040	2518127.6860	738.4240
1614	402392.7880	2518113.4910	738.6450
1615	402383.8460	2518089.5510	737.7570
1616	402350.3270	2518103.6550	736.1150
1617	402342.9920	2518112.9650	735.9210
1618	402339.9490	2518125.9580	735.7020
1622	401163.8730	2519115.2540	733.2030
1623	401162.8710	2519082.1910	734.4940
1624	401240.7070	2519081.0910	734.3010
1625	401240.1130	2519113.6060	733.2010

BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN COORDINATE SYSTEM, SOUTH ZONE (NAD'27). THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 17 HAS A BEARING OF S 01°00'08" E (DECEMBER, 2005 DATUM).

ELEVATIONS REFER TO MEAN SEA LEVEL, 1929 ADJUSTMENT.

TICKET NO. 2004-14-10548

THE UNDERGROUND UTILITY INFORMATION AS SHOWN HEREON IS BASED, IN PART, UPON INFORMATION FURNISHED BY UTILITY COMPANIES AND THE LOCAL MUNICIPALITY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.

National Survey & Engineering
A Division of R.A. Smith & Associates, Inc.
262-781-1000
Fax 262-797-7373
16745 W. Bluemound Road
Suite 200
Brookfield, WI
53005-5938
www.nsae.com

SHEET 1 OF 1

DRAWING SCALE: 1 INCH = 80 FEET

Attachment 1
Cap Inspection Log

Property located at:
12001 W. Capitol Drive
Wauwatosa, WI 53226
Former Falk Corporation Plant 2 - AOI 8

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

5

* 0 9 0 6 2 1 2 2 *

Document Number	SPECIAL WARRANTY DEED Title of Document	DOC.# 09062122

REGISTER'S OFFICE | SS
Milwaukee County, WI|

RECORDED 08/03/2005 10:55AM

JOHN LA FAVE
REGISTER OF DEEDS

AMOUNT:19.00

Record this document with the Register of Deeds

Name and Return Address:
TRAPP & HARTMAN SC
14380 W. CAPITOL DRIVE, #1
BROOKFIELD, WI 53005-2323
ATTN: STEPHEN A. HARTMAN

TRANSFER
$ 18,300.00
FEE

258-9999-01, 258-9995-02 AND
(Parcel Identification Number) 258-9998-00

INFO-PRO (800)655-2021 www.infoproforms.com

Record and Return to:
Trapp & Hartman SC
14380 W Capitol Drive, #1
Brookfield, Wisconsin 53005-2323
Attention: Stephen A. Hartman

Parcel Identification No.: 258-9999-01.

This is not homestead property.

SPECIAL WARRANTY DEED

This SPECIAL WARRANTY DEED, made between **HAMILTON SUNDSTRAND CORPORATION,** a Delaware corporation, as grantor ("**Grantor**"), and **WTP HOLDINGS, LLC**, a Wisconsin limited liability company, as grantee ("**Grantee**").

Grantor, for valuable consideration, conveys to Grantee the real estate described in Exhibit A attached hereto and made a part hereof (the "**Property**"), located in Milwaukee County, State of Wisconsin.

Together with all appurtenant rights, title and interests.

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 municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utitlity and municipal services, recorded building and use restrictions and covenants and general taxes levied in 2005 and thereafter and will warrant and defend the same.

Dated this 27th day of July, 2005.

HAMILTON SUNDSTRAND CORPORATION,
a Delaware corporation

By: _____
Name: Ronald F. Zapinski, President
Title: United Technologies Realty, Inc.
Authorized agent

ACKNOWLEGMENT

STATE OF CONNECTICUT)
) ss.
HARTFORD COUNTY)

Personally came before me this 27th day of July, 2005, the above named Ronald P. Zappile, President of United Technologies Realty, the authorized signatory for Hamilton Sundstrand Corporation, a Delaware corporation, to me known to be the person who executed the foregoing instrument and acknowledge the same.

Notary Public, State of Connecticut

My Commission Expires: KATE S. BARBOUR NOTARY PUBLIC MY COMMISSION EXPIRES MAR. 31, 2008

AUTHENTICATION

Euchung Ung
Member, State Bar of Connecticut

Authenticated this 27th day of July, 2005.

This instrument was drafted by:

Robinson & Cole
695 East Main Street
Stamford, Connecticut 06901
Attention: Euchung Ung

EXHIBIT A
Legal Description of the Property

See attached.

EXHIBIT A

PARCEL 1:

THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION, RUNNING THENCE SOUTH ALONG THE EAST LINE OF SAID 1/4 SECTION, 1995.04 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTH 34°34'20" WEST ALONG THE SAID RIGHT-OF-WAY LINE 1628.99 FEET TO A POINT; THENCE NORTH 17°41'10" WEST 624.86 FEET TO A POINT IN THE NORTH LINE OF SAID 1/4 SECTION; THENCE NORTH 87°00'00" EAST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO THE PLACE OF COMMENCEMENT. EXCEPTING THEREFROM THE NORTH 60.0 FEET THEREOF, MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID 1/4 SECTION. ALSO EXCEPTING THEREFROM QUIT CLAIM DEED RECORDED AS DOCUMENT NO. 4244616, AND EXCEPTING CERTIFIED SURVEY MAP NO. 5829.

PARCEL NO. 258-9999-01

PARCEL 2:

PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5829 RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS OFFICE APRIL 22, 1993 ON REEL 3018, IMAGE 821, AS DOCUMENT NO. 6756051; BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN.

PARCEL NO. 258-9999-02

PARCEL 3:

THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; THENCE SOUTH 89°59'53" WEST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO A POINT; THENCE SOUTH 18°41'37" EAST 108.48 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED, SAID POINT BEING THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE SOUTH 18°41'37" EAST 494.43 FEET TO A POINT; THENCE NORTH 35°09'49" WEST 451.26 FEET TO A POINT; THENCE NORTH 20°39'37" WEST 43.00 FEET TO A POINT; THENCE NORTH 14°21'43" EAST 65.51 FEET TO A POINT ON THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF RELOCATED WEST CAPITOL DRIVE 100.44 FEET ON AN ARC WHOSE CENTER IS TO THE SOUTH, WHOSE RADIUS IS 1259.24 FEET AND WHOSE CHORD BEARS SOUTH 87°34'01" EAST 100.42 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 258-9998-00

PROPERTY EXHIBIT

KNOWN AS 12001 WEST CAPITOL DRIVE, CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN

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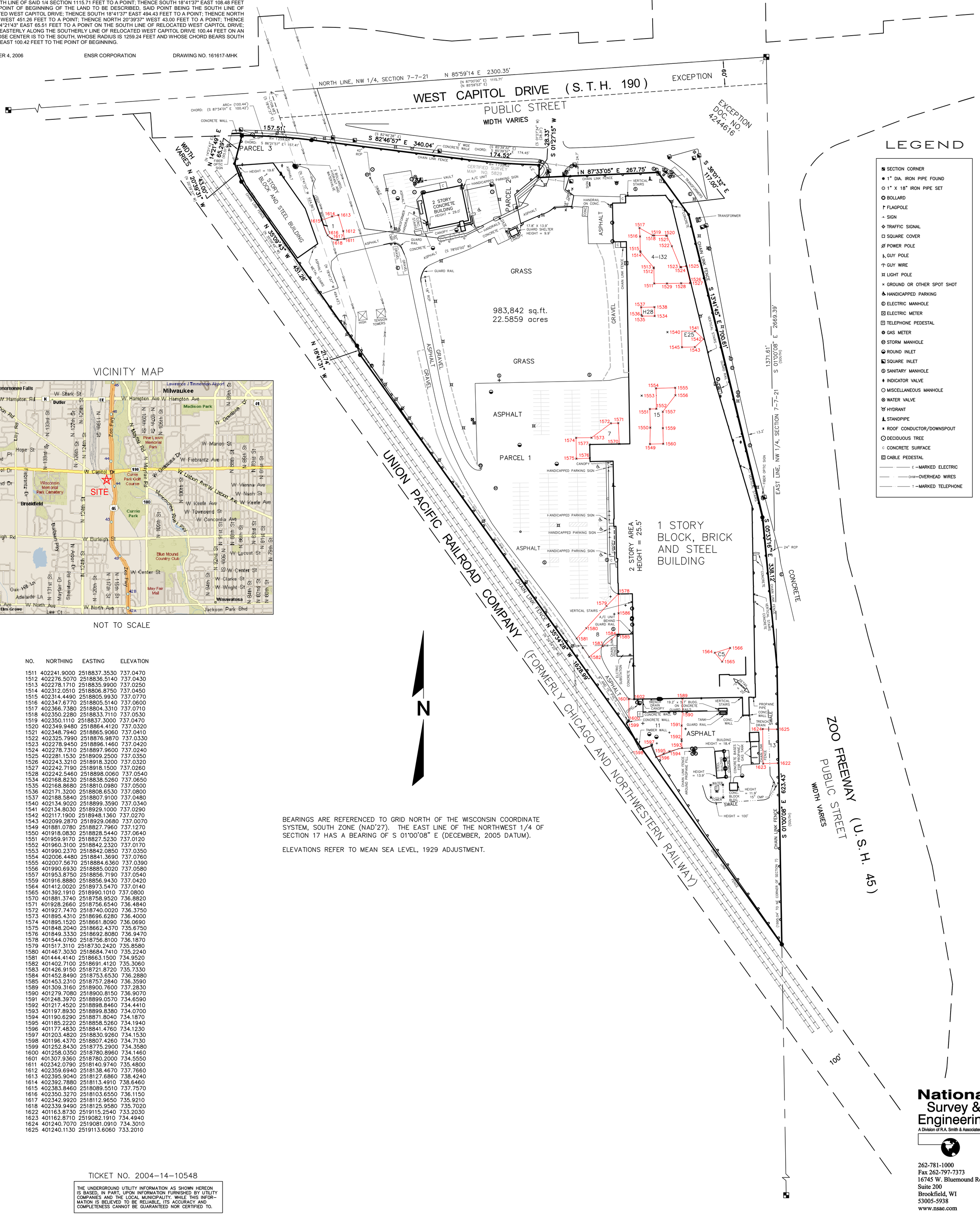
DECEMBER 4, 2006 ENSR CORPORATION DRAWING NO. 161617-MHK

NOT TO SCALE



LEGEND

- SECTION CORNER
- 1" DIA. IRON PIPE FOUND
- 1" X 18" IRON PIPE SET
- BOLLARD
- FLAGPOLE
- SIGN
- TRAFFIC SIGNAL
- SQUARE COVER
- POWER POLE
- GUY POLE
- GUY WIRE
- LIGHT POLE
- GROUND OR OTHER SPOT SHOT
- HANDICAPPED PARKING
- ELECTRIC MANHOLE
- ELECTRIC METER
- TELEPHONE PEDESTAL
- GAS METER
- STORM MANHOLE
- ROUND INLET
- SQUARE INLET
- SANITARY MANHOLE
- INDICATOR VALVE
- MISCELLANEOUS MANHOLE
- WATER VALVE
- HYDRANT
- STANDPIPE
- ROOF CONDUCTOR/DOWNSPOUT
- DECIDUOUS TREE
- CONCRETE SURFACE
- CABLE PEDESTAL
- E —MARKED ELECTRIC
- OHW—OVERHEAD WIRES
- T —MARKED TELEPHONE

NO.	NORTHING	EASTING	ELEVATION
1511	402241.9000	2518837.3530	737.0470
1512	402276.5070	2518836.5140	737.0430
1513	402278.1710	2518835.9900	737.0250
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1595	401185.2220	2518858.5260	734.1940
1596	401177.4830	2518841.4760	734.1230
1597	401203.4820	2518830.9260	734.1530
1598	401196.4370	2518807.4260	734.7130
1599	401252.8430	2518775.2900	734.3580
1600	401258.0350	2518780.8960	734.1460
1601	401307.9360	2518780.2000	734.5550
1611	402342.0790	2518140.9740	735.4800
1612	402359.6940	2518138.4670	737.7660
1613	402395.9040	2518127.6860	738.4240
1614	402392.7880	2518113.4910	738.6460
1615	402383.8460	2518089.5510	737.7570
1616	402350.3270	2518103.6550	736.1150
1617	402342.9920	2518112.9650	735.9210
1618	402339.9490	2518125.9580	735.7020
1622	401163.8730	2519115.2540	733.2030
1623	401162.8710	2519082.1910	734.4940
1624	401240.7070	2519081.0910	734.3010
1625	401240.1130	2519113.6060	733.2010

BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN COORDINATE SYSTEM, SOUTH ZONE (NAD'27). THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 17 HAS A BEARING OF S 01°00'08" E (DECEMBER, 2005 DATUM).

ELEVATIONS REFER TO MEAN SEA LEVEL, 1929 ADJUSTMENT.

TICKET NO. 2004-14-10548

THE UNDERGROUND UTILITY INFORMATION AS SHOWN HEREON IS BASED, IN PART, UPON INFORMATION FURNISHED BY UTILITY COMPANIES AND THE LOCAL MUNICIPALITY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.

National Survey & Engineering
A Division of R.A. Smith & Associates, Inc.
262-781-1000
Fax 262-797-7373
16745 W. Bluemound Road
Suite 200
Brookfield, WI
53005-5938
www.nsae.com

S:\5161617\dwg\
161617H0.DWG \ PX201E80

SHEET 1 OF 1

DRAWING SCALE: 1 INCH = 80 FEET

12001 W. Capitol Drive, Wauwatosa, Wisconsin
AOI 8

WDNR BRRTS Numbers: #06-41-534503, #02-41-530528
FID Number: 241018140

Parcel Number: 258-9999-01
WTM83/91 Coordinates: E677998 N292425

Responsible Party:
Greg Blessing
United Technologies Corporation
United Technologies Building
Hartford, CT 06101
(860) 728-6529

Site Owner/Operator:
Penzeys Spices
19300 W. Janacek Court
Brookfield, WI 53045
(262) 785-7602

AOI 8

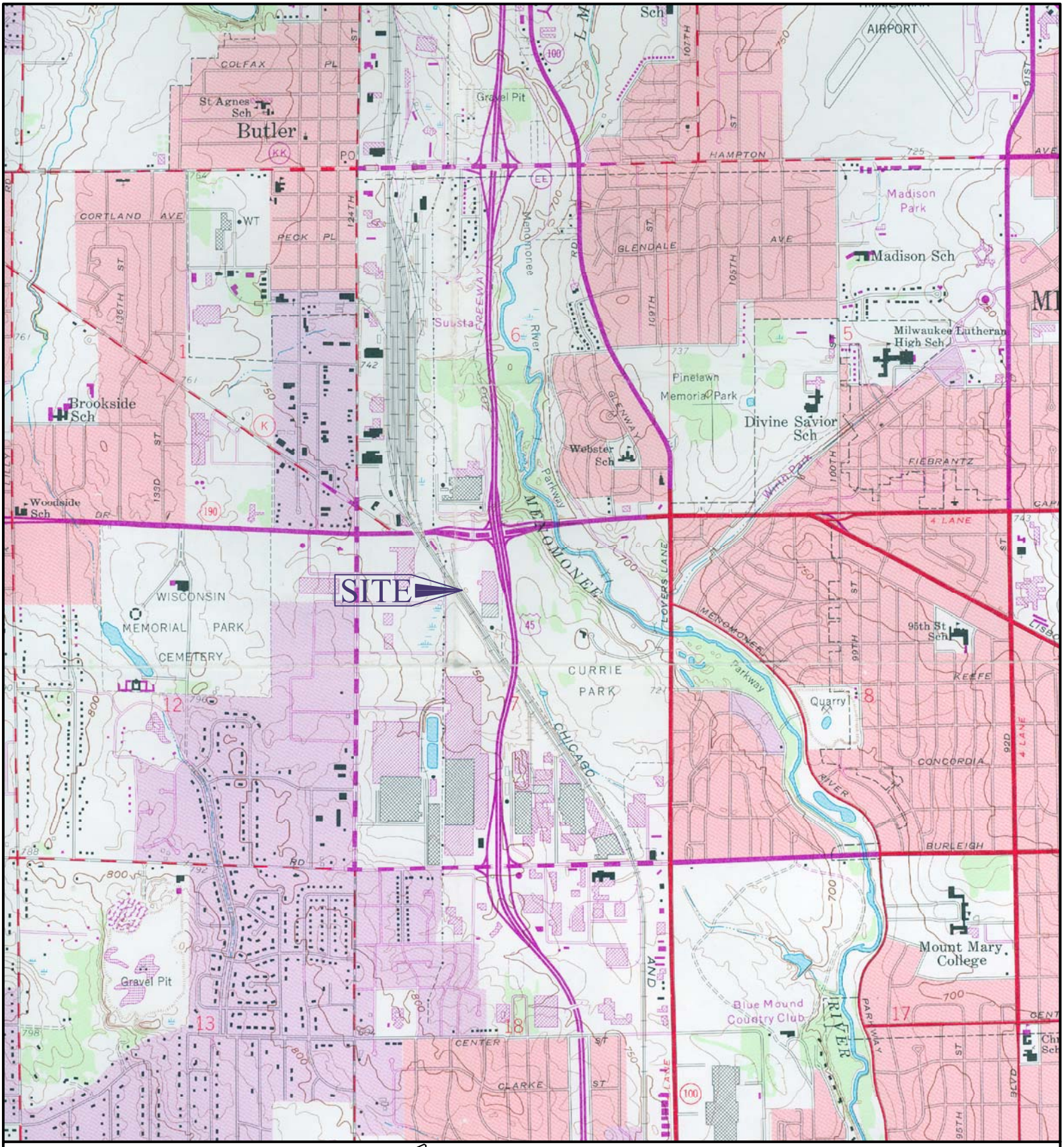
Area of Interest (AOI) 8 is located within, or partially within, the boundary of the property located at 12001 West Capitol Drive, Wauwatosa, Wisconsin, whose legal description (as found on the City of Wauwatosa Assessor's Department website [www.wauwatosa.net]), is as follows:

NW QUAR SEC 7 7 21 COMM AT NE COR OF SD QUAR SEC TH S 1995.04 FT TH NW ALG RR ROW 1628.99 FT TH N 17D 41'10 W 624.86 FT TH E 1115.71 FT TO PL OF BEG SUBJECT TO TMER&L CO TOWER LINE ROW EXC N & E PART TAKEN FOR STREET AND EXPRESSWAY & EXC CSM NO 5829 1994.

Parcel ID: 258-9999-01

Printed Name: Gregory F. Blersing

Signature: _____ Date: 8/22/08



Adapted from: USGS 7.5 minute series Wauwatosa, Wisconsin topographic quadrangle in 1958, photorevisited in 1976.

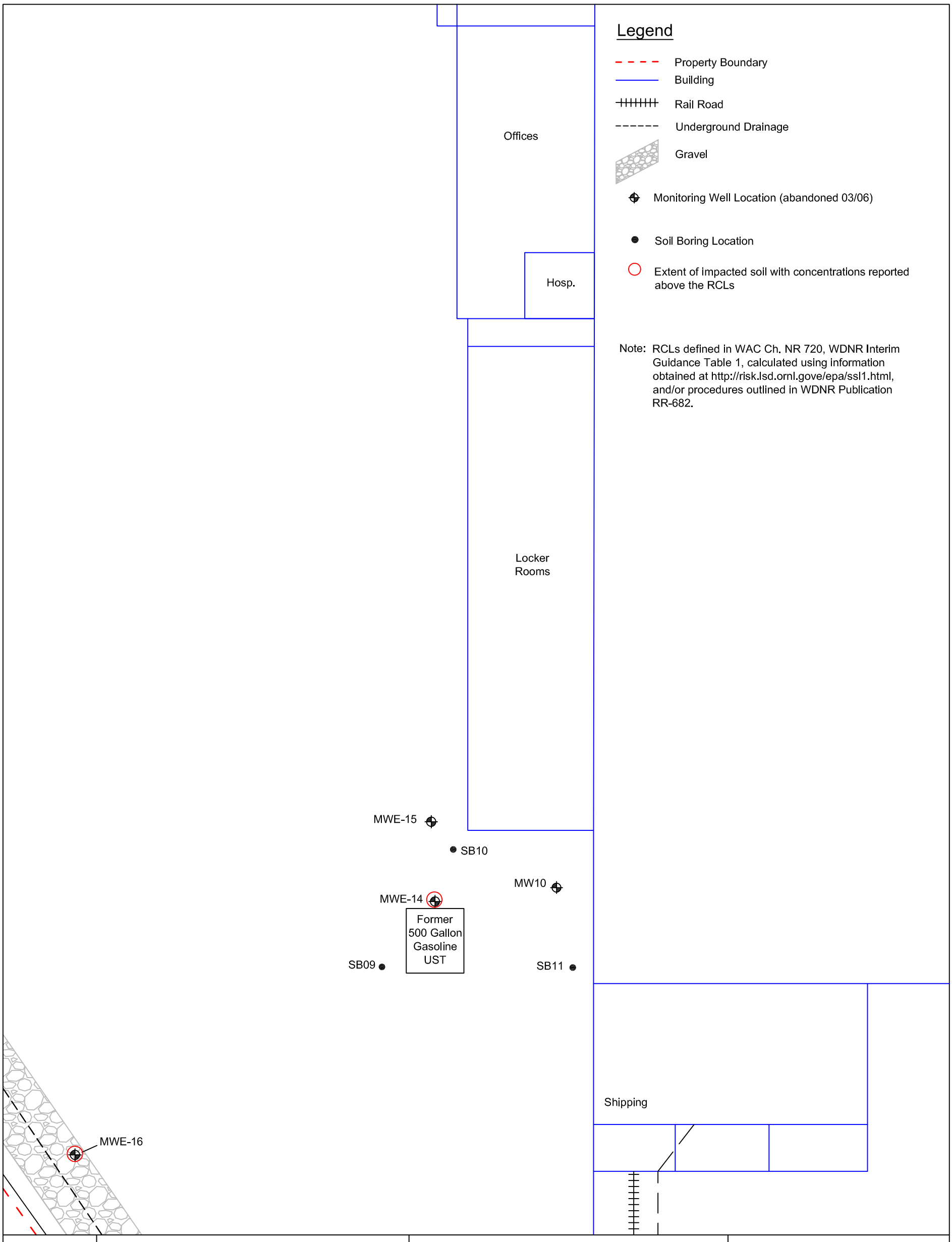
SCALE 1:24,000

Figure 1

Site Location Map

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, Wisconsin

ENSR | AECOM



Scale: 1":24.5'

Hamilton Sundstrand

Case Summary & Close Out Form

AOI 8 - Contaminated Property

Former Falk Corporation
Wauwatosa, WI

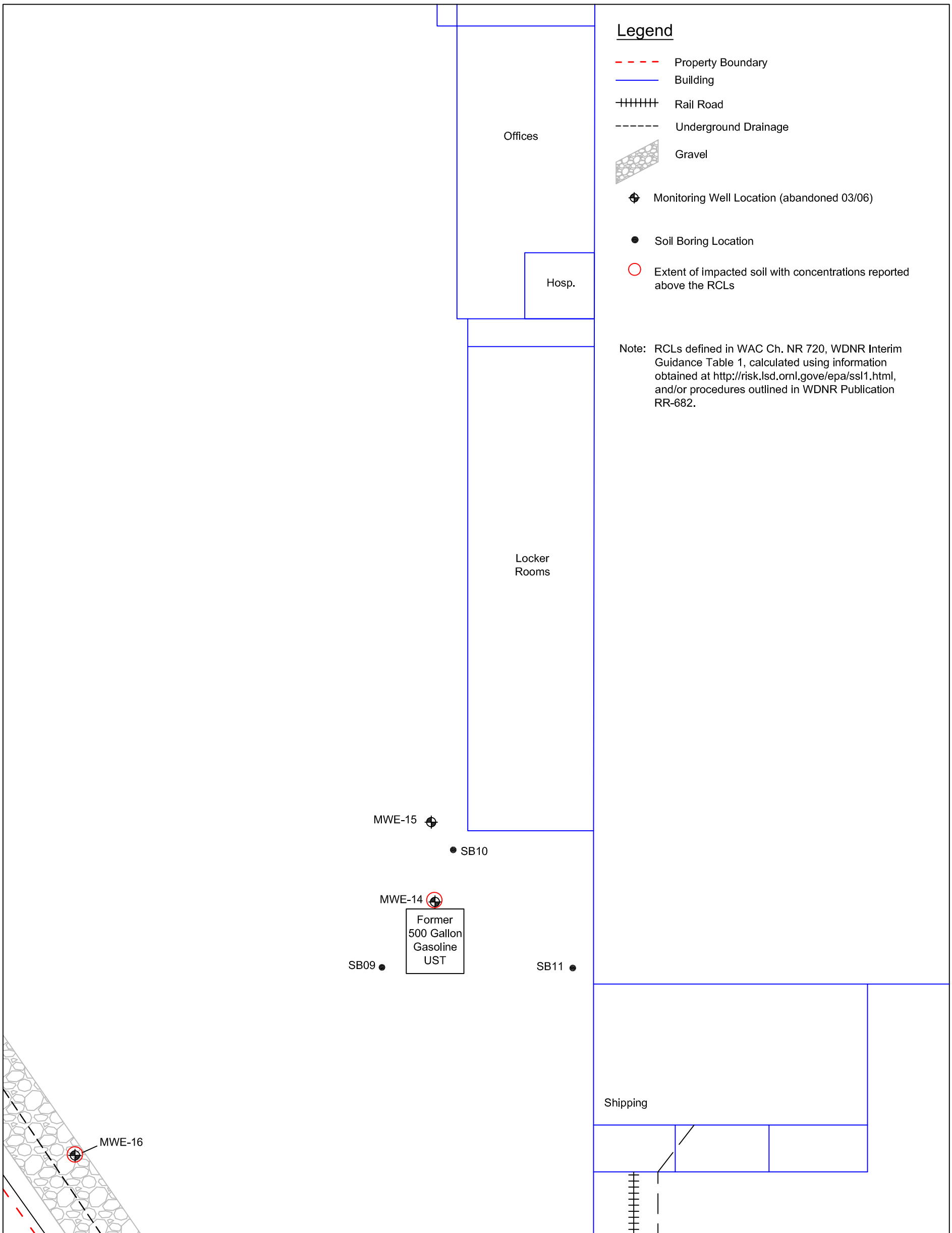
01/04/08 06916-277

Figure 8

www.ensr.aecom.com

J:\PROJECTS\06916 - UTC Companies\06916277-Falk Wauwatosa\Reports\Si-Rem Closure Rpt 0611\Figs 0701 Fig 8 - AOI 8 GW.dwg

ENSR | AECOM



Scale: 1":24.5'

Hamilton Sundstrand

Case Summary & Close Out Form

AOI 8 - Soil Sample Locations & Horizontal Extent of Soil Impacts

Former Falk Corporation
Wauwatosa, WI

01/04/08 06916-277

Figure 8

www.ensr.aecom.com

J:\PROJECTS\06916 - UTC Companies\06916277-Falk Wauwatosa\Reports\Si-Rem Closure Rpt 0611\Figs 0701 Fig 8 - AOI 8 GW.dwg

Table 8

Site Investigation Analytical Report Summary - AOI 8

Former Falk Corporation

12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Sample ID (Depth), Sample Date			Residual Contaminant Level	
SOIL	SB09 (8.5-9) 06/2004	SB10 (10.5-11.5) 06/2004	SB11 (7.5-8) 06/2004	**Direct Contact IND**	**Groundwater Protection**
VOCs (µg/kg)					
Ethylbenzene	12	10	13	400,000	2,900
1,1,1-Trichloroethane			70	1,200,000	280
Metals (mg/kg)					
Lead	6.8	9.9	12.9	500	NL

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	MWE-14 (1) 12/23/04	MWE-14 (8) 12/23/04	MWE-15 (1) 12/23/04	MWE-15 (8) 12/23/04	MWE-16 (1) 12/23/04	MWE-16 (8) 12/23/04	**Direct Contact IND**	**Groundwater Protection**
VOCs (µg/kg)	ND		ND	ND	ND			
Trichloroethene		**143**					240	3.7
Tetrachloroethylene						**100**	35,000	4.1
GRO (mg/kg)	ND	ND	ND	ND	ND	ND	NL	100

Notes (Soil):

VOCs = volatile organic compounds

GRO = gasoline range organics

µg/kg = micrograms per kilogram (parts per billion)

mg/kg = milligrams per kilogram (parts per million)

Direct Contact = Residual Contaminant Levels (RCLs) that apply to soil collected within four feet of the ground surface, either as defined in Wisconsin Administrative Code Chapter NR 720, or, if no established criteria exists, as calculated using U.S. EPA Soil Screening Guidance for Chemicals (http://risk.lsd.ornl.gov/epa/ssl1.html) and procedures outlined in WDNR Publication RR-682

Groundwater Protection = RCLs based on the protection of groundwater, either as defined in Wisconsin Administrative Code Chapter NR 720, or, if no established criteria exists, as calculated using U.S. EPA Soil Screening Guidance for Chemicals (http://risk.lsd.ornl.gov/epa/ssl1.html) and procedures outlined in WDNR Publication RR-682

IND = Industrial, per Wisconsin Administrative Code Chapter NR 720

GRO criteria defined in Wisconsin Administrative Code Chapter NR 720, based on assumption of contaminated soil and soil below the contaminated soil for a depth of 3 meters having a hydraulic conductivity of 1x10-6 cm/sec or less.

ND = parameters within a suite (class) of compounds not detected above reporting limit.

NL = criterion not listed for compound

Concentrations in Bold indicate an exceedance of the Groundwater Protection RCL

Concentrations outlined indicate an exceedance of the Industrial Direct Contact RCL

Only positive detections shown.

GIS REGISTRY
Cover Sheet

July, 2008
(RR 5367)

Source Property Information

CLOSURE DATE: 11/15/2010

BRRTS #: 02-41-546854

FID #: 241018140

ACTIVITY NAME: FALK CORP PLANT 2 - AOI 11

DATCP #:

PROPERTY ADDRESS: 12001 W. Capitol Drive

COMM #:

MUNICIPALITY: Wauwatosa

PARCEL ID #: 258-9999-01

***WTM COORDINATES:**

X: **677998** Y: **292425**

** 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*

Wisconsin
ment of Natural Resources
://dnr.wi.gov

GIS Registry Checklist

Form 4400-245 (R 4/08)

is 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 orm 4400-202, Case Closure Request. The closure of a case means that the Department has determined that no further response is required at that time based on the information that has been submitted to the Department.

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

BRRTS #: 02-41-546854 PARCEL ID #: 258-9999-01

ACTIVITY NAME: FALK CORP PLANT 2 - AOI 11 WTM COORDINATES: X: 677998 Y: 292425

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 #: **Title:**
- [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 #: Figure 1 **Title: Site Location**
- [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 #: Figure 1 **Title: AOI-11 Contaminated Property**
- [x] **Soil Contamination Contour Map:** For sites closing with residual soil contamination, this map is to show the location of all contaminated soil and a single contour showing the horizontal extent of each area of contiguous residual soil contamination that exceeds a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL)as determined under s. NR 720.09, 720.11 and 720.19.

  Figure #: Figure 9 **Title: Extent of Residual Soil Impacts AOI 11**

BRRTS #: 02-41-546854 ACTIVITY NAME: FALK CORP PLANT 2 - AOI 11

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 #: Figure 9 **Title: AOI 11Horizontal Extent of Groundwater Impacts**

☒ **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 #: Figure 3A **Title: AOI 11 Groundwater Elevation Contour Map Shallow Zone**

Figure #: Figure 3B **Title: AOI 11 Groundwater Elevation Contour Map Cobble Zone**

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 #: Table 6 **Title: Analytical Report Summary & Geochemical Data - AOI 11**

☒ **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 #: Table 6 **Title: Analytical Report Summary & Geochemical Data - AOI 4**

☒ **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 #: Table 1 **Title: Groundwater Elevations**

IMPROPERLY ABANDONED MONITORING WELLS

For each monitoring well not properly abandoned according to requirements of s. NR 141.25 include the following documents.
Note: *If the site is being listed on the GIS Registry for only an improperly abandoned monitoring well you will only need to submit the documents in this section for the GIS Registry Packet.*

☒ **Not Applicable**

☐ **Site Location Map:** A map showing all surveyed monitoring wells with specific identification of the monitoring wells which have not been properly abandoned.
Note: *If the applicable monitoring wells are distinctly identified on the Detailed Site Map this Site Location Map is not needed.*

Figure #: **Title:**

☐ **Well Construction Report:** Form 4440-113A for the applicable monitoring wells.

☐ **Deed:** The most recent deed as well as legal descriptions for each property where a monitoring well was not properly abandoned.

☐ **Notification Letter:** Copy of the notification letter to the affected property owner(s).

BRRTS #: 02-41-546854 ACTIVITY NAME: FALK CORP PLANT 2 - AOI 11

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 53212-0436
Telephone 414-263-8500
FAX 414-263-8716
TTY 414-263-8713

June 10, 2009

Mr. Anthony Frigiani
Hamilton Sundstrand Corp.
1 Hamilton Rd., M/S 1M5
Windsor Locks, CT 06096

SUBJECT: Final Case Closure with Continuing Obligations
Former Falk Plant 2, 12001 W. Capitol Dr., Wauwatosa, WI

WDNR BRRTS Activity #: 06-41-534503, 02-41-546853, 02-41-546854, 02-41-530528
FID #: 241018140

Dear Mr.Frigiani:

On October 7, 2008, the Southeast Region Closure Committee and VPLE Committee reviewed the above referenced case for closure. These committees review 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 meets the closure requirements in ch. NR 726, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation is required at this time, however, you and future property owners must comply with certain continuing obligations as explained in this letter.

GIS Registry

This site will be listed on the Remediation and Redevelopment Program's GIS Registry. The specific reasons are summarized below:

- Pavement, an engineered cover or a soil barrier must be maintained over contaminated soil and the state must approve any changes to this barrier
- Groundwater contamination is present above Chapter NR 140 enforcement standards

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

Closure Conditions

Please be aware that pursuant to s. 292.12 Wisconsin Statutes, compliance with the requirements of this letter is a responsibility to which the current property owner and any subsequent property owners must adhere. You must pass on the information about these continuing obligations to the next property owner or owners. 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. The Department intends to conduct inspections in the future to ensure that the conditions included in this letter including compliance with referenced maintenance plans are met.

Cover or Barrier

Pursuant to s. 292.12(2)(a), Wis. Stats., the pavement or other impervious cap that currently exists in the location of AOI 4, AOI 7, AOI 8, AOI 11, AOI 13, AOI 15, AOI C5, AOI E25 AOI H28, AOI I32 shown on the attached map shall be maintained in compliance with the **attached maintenance plans** 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 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 is considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken during excavation activities to prevent a health threat to humans.

The attached maintenance plans and inspection logs are to be kept up-to-date and on-site. Please submit the inspection log to the Department only upon request.

Prohibited Activities

The following activities are prohibited on any portion of the property where [pavement, a building foundation, soil cover, engineered cap or other barrier] is required as shown on the attached map, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 1) removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; 6) construction or placement of a building or other structure.

Residual Groundwater Contamination

Groundwater impacted by chlorinated VOC contamination greater than enforcement standards set forth in ch. NR140, Wis. Adm. Code, is present on this contaminated property in the area of AOI 11. For more detailed information regarding the locations where groundwater samples have been collected (i.e., monitoring well locations) and the associated contaminant concentrations, refer to the Remediation and Redevelopment Program's GIS Registry at the RR Sites Map page at http://dnr.wi.gov/org/aw/rr/gis/index.htm.

Vapor Migration

In addition, depending on site-specific conditions, construction over contaminated materials may result in vapor migration of contaminants into enclosed structures or migration along newly placed underground utility lines. The potential for vapor inhalation and means of 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.

Chapter NR 140, Wis. Adm. Code Exemption

Recent groundwater monitoring data at this site indicates that for 1,2-Dichloroethane at MWE-26 and 1,1-Dichloroethylene at MW10, contaminant levels exceed the NR 140 preventive action limit (PAL) but are below the enforcement standard (ES). The Department may grant an exemption to a PAL for a substance of public health concern, other than nitrate, pursuant to s. NR 140.28(2)(b), Wis. Adm. Code, if all of the following criteria are met:

1. The measured or anticipated increase in the concentration of the substance will be minimized to the extent technically and economically feasible.

2. Compliance with the PAL is either not technically or economically feasible.

3. The enforcement standard for the substance will not be attained or exceeded at the point of standards application. [Note: at this site the point of standards application is all points where groundwater is monitored.]

4. Any existing or projected increase in the concentration of the substance above the background concentration does not present a threat to public health or welfare.

Based on the information you provided, the Department believes that these criteria have been or will be met due to source control measures that have occurred in these areas. Therefore, pursuant to s. NR 140.28, Wis. Adm. Code, an exemption to the PAL is granted for 1,2-Dichloroethane at MWE-26 and 1,1-Dichloroethelyne at MW10. Please keep this letter, because it serves as your exemption.

Post-Closure Notification Requirements

In accordance with ss, 292.12 and 292.13, Wis. Stats., you must notify the Department before making changes that affect or relate to the conditions of closure in this letter. For this case, examples of changed conditions requiring prior notification include, but are not limited to:

- Disturbance, construction on, change or removal in whole or part of pavement, an engineered cover or a soil barrier that must be maintained over contaminated soil

Please send written notifications in accordance with the above requirements to the Southeast Regional Headquarters, to the attention of Victoria Stovall.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this closure decision or anything outlined in this letter, please contact Margaret Brunette at (414)263-8557.

Sincerely,

James A. Schmidt

James A. Schmidt, Team Supervisor
Southeast Remediation & Redevelopment Program

Attach. (Disk)
- Maintenance plans

cc: Lauren Gromoski – AECOM (w/out attach.)
Jeff Bykowski – Penzeys Spices (w/out attach.)
Bill Phelps, DG/5 (w/out attach.)

Cap Maintenance Plan
Former Falk Corporation Plant 2 – AOI 11
12001 W. Capitol Drive, Wauwatosa, Wisconsin 53226

May 7, 2009

Property located at:
12001 W. Capitol Drive
Wauwatosa, Wisconsin 53226

Parcel Number: 258-9999-01

FID Number: 241018140
BRRTS Numbers: 06-41-534503
02-41-546854

Introduction

This document is the Cap Maintenance Plan (Maintenance Plan) for the paved surface and raised dock at the above-referenced property in accordance with the requirements of Wisconsin Administrative Code (WAC) Chapter (ch.) NR 724.13(2). The maintenance activities relate to the existing asphalt-paved surface and raised dock foundation (cap) occupying the area over the contaminated soil and groundwater on site. The contaminated soil is impacted by volatile organic compounds (VOCs), chlorinated volatile organic compounds (CVOCs) and diesel range organics (DRO). The contaminated groundwater is impacted by CVOCs. The location of the cap to be maintained in accordance with this Maintenance Plan, as well as the extents of impacted soil and groundwater, are included in Figure 1.

Cap Purpose

The cap over the contaminated soil and groundwater plume serves as a partial infiltration barrier to minimize future soil-to-groundwater contamination migration that would violate the groundwater standards in WAC ch. NR 140. Based on the current and future use of the property, the cap should function as intended unless disturbed.

Annual Inspection

The cap overlying the contaminated soil and groundwater plume, as depicted in Figure 1, will be inspected once a year. The inspection will be performed in the spring after all snow and ice is gone, for deterioration, cracks and other potential problems that can cause additional infiltration into or exposure to underlying soil. The inspection will be performed to evaluate damage to the cap due to settling, exposure to the weather, wear from traffic, increasing age and other factors. Any area where soils have become or are likely to become exposed will be documented. A log of the inspections and any repairs will be maintained by the property owner on a Cap Inspection Log (Attachment 1 [the Log]). The Log will include recommendations for necessary repair of any areas where underlying soils are exposed. Once repairs are completed, they will be documented in the Log. A copy of the Log will be sent to the Wisconsin Department of Natural Resources (WDNR) at least annually after every inspection, unless otherwise directed in the case closure letter.

Maintenance Activities

If problems with the cap are noted during the annual inspections or at any other time during the year, repairs will be scheduled as soon as practical. Repairs can include patching and filling operations, or they can include larger resurfacing or construction operations. In the event that necessary maintenance activities expose the underlying soil, the owner must sample any soil that is excavated from the site prior to disposal to ascertain if contamination remains. The excavated soil must be treated, stored and disposed of by the owner in accordance with applicable local, state and federal law.

In the event the cap overlying the contaminated soil and groundwater plume is removed or replaced, the replacement barrier must be equally impervious. Any replacement barrier will be subject to the same maintenance and inspection guidelines as outlined in this Maintenance Plan unless indicated otherwise by the WDNR or its successor.

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

Amendment or Withdrawal of Maintenance Plan

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

Contact Information as of May 2009:

Responsible Party:	Hamilton Sundstrand Corporation C/O Anthony Frigiani 1 Hamilton Road M/S 1M5 Windsor Locks, CT 06096 860-728-6529
Site Owner/Operator:	Penzeys Spices 12001 W. Capitol Drive Wauwatosa, WI 53222 414-406-7758
Environmental Consultant:	Lauren Gromoski AECOM, Inc. W239 N2890 Pewaukee Road, Unit D Pewaukee, Wisconsin 53072 262-523-2040
WDNR Project Manager:	Margaret Brunette Remediation and Redevelopment Program Wisconsin Department of Natural Resources 2300 N. Dr. Martin Luther King, Jr. Drive Milwaukee, WI 53212 414-263-8557

Figure 1

FIGURE 1

A copy of the Map included in Figure 1 is listed in the Cap Maintenance Plan for area AOI 4. The same map describes all of the capped areas for the former Falk Plant 2.

PROPERTY EXHIBIT

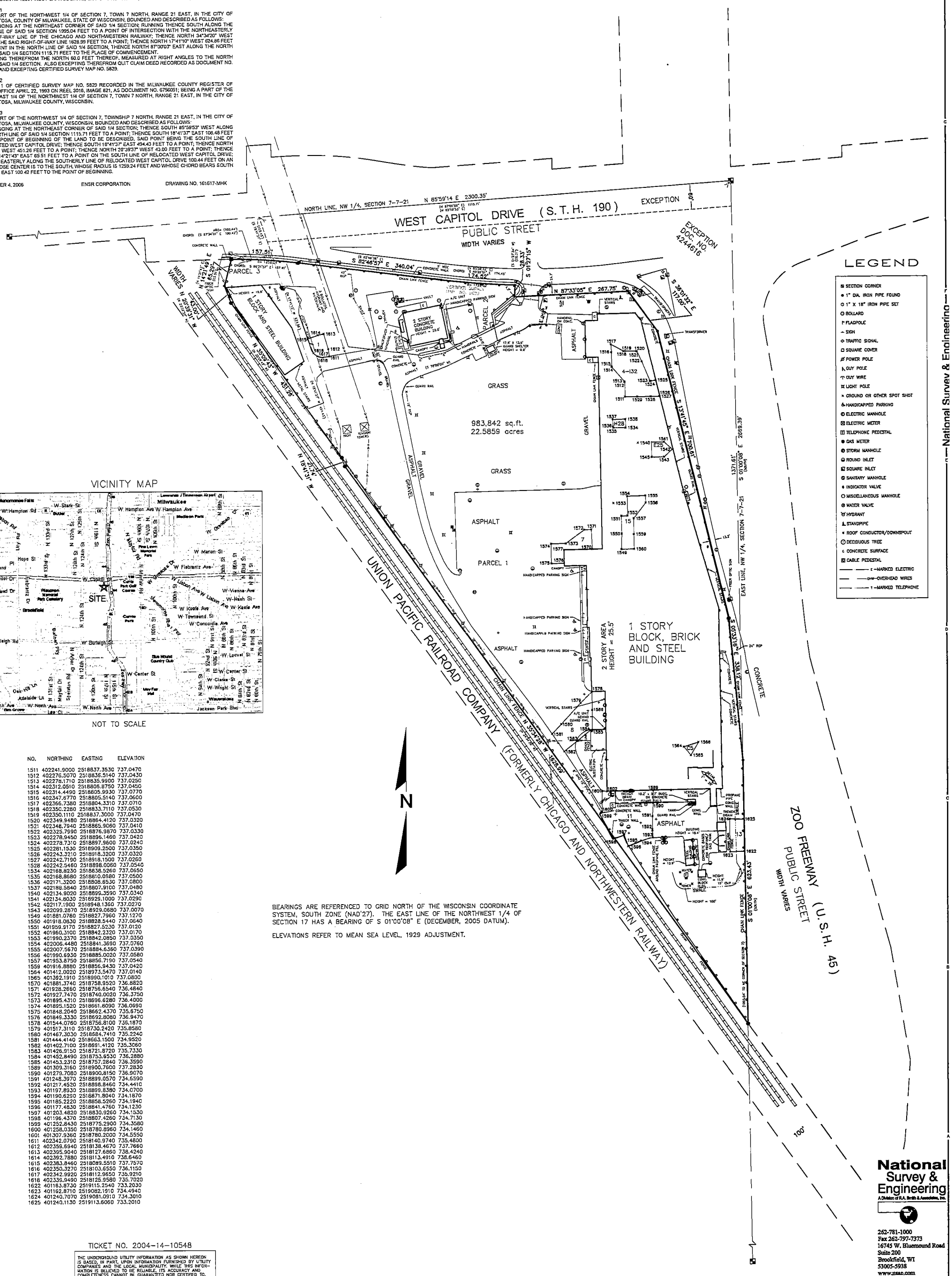
KNOWN AS 12001 WEST CAPITOL DRIVE, CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN

PARCEL 1
THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; RUNNING THENCE SOUTH ALONG THE EAST LINE OF SAID 1/4 SECTION 1995.04 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTH 34°34'20" WEST ALONG THE SAID RIGHT-OF-WAY LINE 1628.99 FEET TO A POINT; THENCE NORTH 17°41'10" WEST 624.86 FEET TO A POINT IN THE NORTH LINE OF SAID 1/4 SECTION, THENCE NORTH 87°00'00" EAST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO THE PLACE OF COMMENCEMENT.
EXCEPTING THEREFROM THE NORTH 60.0 FEET THEREOF, MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID 1/4 SECTION. ALSO EXCEPTING THEREFROM QUIT CLAIM DEED RECORDED AS DOCUMENT NO. 4244616 AND EXCEPTING CERTIFIED SURVEY MAP NO. 5829.

PARCEL 2
PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5829 RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS OFFICE APRIL 22, 1993 ON REEL 3018, IMAGE 821, AS DOCUMENT NO. 6756051; BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN.

PARCEL 3
THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; THENCE SOUTH 85°59'53" WEST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO A POINT; THENCE SOUTH 18°41'37" EAST 106.48 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED, SAID POINT BEING THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE SOUTH 18°41'37" EAST 494.43 FEET TO A POINT; THENCE NORTH 35°09'49" WEST 451.26 FEET TO A POINT; THENCE NORTH 20°39'37" WEST 43.00 FEET TO A POINT; THENCE NORTH 14°21'43" EAST 65.51 FEET TO A POINT ON THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF RELOCATED WEST CAPITOL DRIVE 100.44 FEET ON AN ARC WHOSE CENTER IS TO THE SOUTH, WHOSE RADIUS IS 1259.24 FEET AND WHOSE CHORD BEARS SOUTH 87°34'01" EAST 100.42 FEET TO THE POINT OF BEGINNING.

DECEMBER 4, 2006 ENSR CORPORATION DRAWING NO. 161617-MHK



VICINITY MAP

NOT TO SCALE

NO.	NORTHING	EASTING	ELEVATION
1511	402241.9000	2518837.3530	737.0470
1512	402276.5070	2518836.5140	737.0430
1513	402278.1710	2518835.9900	737.0250
1514	402312.0510	2518806.8750	737.0450
1515	402314.4490	2518805.9930	737.0770
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1525	402281.1530	2518909.2500	737.0350
1526	402243.3210	2518918.3200	737.0320
1527	402242.7190	2518918.1500	737.0260
1528	402242.5460	2518898.0060	737.0540
1534	402168.8230	2518838.5260	737.0650
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1540	402134.9020	2518899.3590	737.0340
1541	402134.8030	2518929.1000	737.0290
1542	402117.1900	2518948.1360	737.0270
1543	402099.2870	2518929.0680	737.0070
1549	401881.0760	2518827.7960	737.1270
1550	401918.0830	2518828.5440	737.0640
1551	401959.9170	2518827.5230	737.0120
1552	401960.3100	2518842.2320	737.0170
1553	401990.2370	2518842.0850	737.0350
1554	402006.4480	2518841.3690	737.0760
1555	402007.5670	2518884.6360	737.0390
1556	401990.6930	2518885.0020	737.0580
1557	401953.8750	2518856.7190	737.0540
1559	401916.8880	2518856.9430	737.0420
1564	401412.0020	2518973.5470	737.0140
1565	401392.1910	2518990.1010	737.0800
1570	401881.3740	2518758.9520	736.8820
1571	401928.2660	2518756.6540	736.4840
1572	401927.7470	2518740.0020	736.3750
1573	401895.4310	2518696.6280	736.4000
1574	401895.1520	2518661.8090	736.0690
1575	401848.2040	2518662.4370	735.8790
1576	401849.3330	2518692.8080	736.9470
1578	401544.0760	2518756.8100	736.1870
1579	401517.3110	2518730.2420	735.8580
1580	401467.3030	2518684.7410	735.2240
1581	401444.4140	2518663.1500	734.9520
1582	401402.7100	2518691.4120	735.3060
1583	401426.9150	2518721.8720	735.7330
1584	401452.8490	2518753.6530	736.2880
1585	401453.2310	2518757.2840	736.3590
1589	401309.3160	2518900.7600	737.2830
1590	401279.7080	2518900.8150	736.9070
1591	401248.3970	2518899.0570	734.6590
1592	401217.4520	2518898.8460	734.4410
1593	401197.8930	2518899.8380	734.0700
1594	401190.6290	2518871.8040	734.1870
1595	401185.2220	2518858.5260	734.1940
1596	401177.4830	2518841.4760	734.1230
1597	401203.4820	2518830.9260	734.1530
1598	401196.4370	2518607.4260	734.7130
1599	401252.8430	2518775.2900	734.3580
1600	401258.0350	2518780.8960	734.1460
1601	401307.9360	2518780.2000	734.5550
1611	402342.0790	2518140.9740	735.4800
1612	402359.6940	2518138.4670	737.7660
1613	402395.9040	2518127.6860	738.4240
1614	402392.7880	2518113.4910	738.6450
1615	402383.8460	2518089.5510	737.7570
1616	402350.3270	2518103.6550	736.1150
1617	402342.9920	2518112.9650	735.9210
1618	402339.9490	2518125.9580	735.7020
1622	401163.8730	2519115.2540	733.2030
1623	401162.8710	2519082.1910	734.4940
1624	401240.7070	2519081.0910	734.3010
1625	401240.1130	2519113.6060	733.2010

BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN COORDINATE SYSTEM, SOUTH ZONE (NAD'27). THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 17 HAS A BEARING OF S 01°00'08" E (DECEMBER, 2005 DATUM).

ELEVATIONS REFER TO MEAN SEA LEVEL, 1929 ADJUSTMENT.

TICKET NO. 2004-14-10548

THE UNDERGROUND UTILITY INFORMATION AS SHOWN HEREON IS BASED, IN PART, UPON INFORMATION FURNISHED BY UTILITY COMPANIES AND THE LOCAL MUNICIPALITY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.

National Survey & Engineering
A Division of R.A. Smith & Associates, Inc.
262-781-1000
Fax 262-797-7373
16745 W. Bluemound Road
Suite 200
Brookfield, WI
53005-5938
www.nsae.com

SHEET 1 OF 1

DRAWING SCALE: 1 INCH = 80 FEET

Attachment 1

Attachment 1
Cap Inspection Log

Property located at:
12001 W. Capitol Drive
Wauwatosa, WI 53226
Former Falk Corporation Plant 2 - AOI 11

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

5

* 0 9 0 6 2 1 2 2 *

Document Number	SPECIAL WARRANTY DEED Title of Document	DOC.# 09062122

REGISTER'S OFFICE | SS
Milwaukee County, WI|

RECORDED 08/03/2005 10:55AM

JOHN LA FAVE
REGISTER OF DEEDS

AMOUNT:19.00

Record this document with the Register of Deeds

Name and Return Address:
TRAPP & HARTMAN SC
14380 W. CAPITOL DRIVE, #1
BROOKFIELD, WI 53005-2323
ATTN: STEPHEN A. HARTMAN

TRANSFER
$ 18,300.00
FEE

258-9999-01, 258-9995-02 AND
(Parcel Identification Number) 258-9998-00

INFO-PRO (800)655-2021 www.infoproforms.com

Record and Return to:
Trapp & Hartman SC
14380 W Capitol Drive, #1
Brookfield, Wisconsin 53005-2323
Attention: Stephen A. Hartman

Parcel Identification No.: 258-9999-01.

This is not homestead property.

SPECIAL WARRANTY DEED

This SPECIAL WARRANTY DEED, made between **HAMILTON SUNDSTRAND CORPORATION,** a Delaware corporation, as grantor ("**Grantor**"), and **WTP HOLDINGS, LLC**, a Wisconsin limited liability company, as grantee ("**Grantee**").

Grantor, for valuable consideration, conveys to Grantee the real estate described in Exhibit A attached hereto and made a part hereof (the "**Property**"), located in Milwaukee County, State of Wisconsin.

Together with all appurtenant rights, title and interests.

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 municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utitlity and municipal services, recorded building and use restrictions and covenants and general taxes levied in 2005 and thereafter and will warrant and defend the same.

Dated this 27th day of July, 2005.

HAMILTON SUNDSTRAND CORPORATION,
a Delaware corporation

By: _____
Name: Ronald F. Zapinski, President
Title: United Technologies Realty, Inc.
Authorized agent

ACKNOWLEGMENT

STATE OF CONNECTICUT)
) ss.
HARTFORD COUNTY)

Personally came before me this 27th day of July, 2005, the above named Ronald P. Zappile, President of United Technologies Realty, the authorized signatory for Hamilton Sundstrand Corporation, a Delaware corporation, to me known to be the person who executed the foregoing instrument and acknowledge the same.

Notary Public, State of Connecticut

My Commission Expires: KATE S. BARBOUR NOTARY PUBLIC MY COMMISSION EXPIRES MAR. 31, 2008

AUTHENTICATION

Euchung Ung
Member, State Bar of Connecticut

Authenticated this 27th day of July, 2005.

This instrument was drafted by:

Robinson & Cole
695 East Main Street
Stamford, Connecticut 06901
Attention: Euchung Ung

EXHIBIT A
Legal Description of the Property

See attached.

EXHIBIT A

PARCEL 1:

THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION, RUNNING THENCE SOUTH ALONG THE EAST LINE OF SAID 1/4 SECTION, 1995.04 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTH 34°34'20" WEST ALONG THE SAID RIGHT-OF-WAY LINE 1628.99 FEET TO A POINT; THENCE NORTH 17°41'10" WEST 624.86 FEET TO A POINT IN THE NORTH LINE OF SAID 1/4 SECTION; THENCE NORTH 87°00'00" EAST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO THE PLACE OF COMMENCEMENT. EXCEPTING THEREFROM THE NORTH 60.0 FEET THEREOF, MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID 1/4 SECTION. ALSO EXCEPTING THEREFROM QUIT CLAIM DEED RECORDED AS DOCUMENT NO. 4244616, AND EXCEPTING CERTIFIED SURVEY MAP NO. 5829.

PARCEL NO. 258-9999-01

PARCEL 2:

PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5829 RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS OFFICE APRIL 22, 1993 ON REEL 3018, IMAGE 821, AS DOCUMENT NO. 6756051; BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN.

PARCEL NO. 258-9999-02

PARCEL 3:

THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; THENCE SOUTH 89°59'53" WEST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO A POINT; THENCE SOUTH 18°41'37" EAST 108.48 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED, SAID POINT BEING THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE SOUTH 18°41'37" EAST 494.43 FEET TO A POINT; THENCE NORTH 35°09'49" WEST 451.26 FEET TO A POINT; THENCE NORTH 20°39'37" WEST 43.00 FEET TO A POINT; THENCE NORTH 14°21'43" EAST 65.51 FEET TO A POINT ON THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF RELOCATED WEST CAPITOL DRIVE 100.44 FEET ON AN ARC WHOSE CENTER IS TO THE SOUTH, WHOSE RADIUS IS 1259.24 FEET AND WHOSE CHORD BEARS SOUTH 87°34'01" EAST 100.42 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 258-9998-00

PROPERTY EXHIBIT

KNOWN AS 12001 WEST CAPITOL DRIVE, CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN

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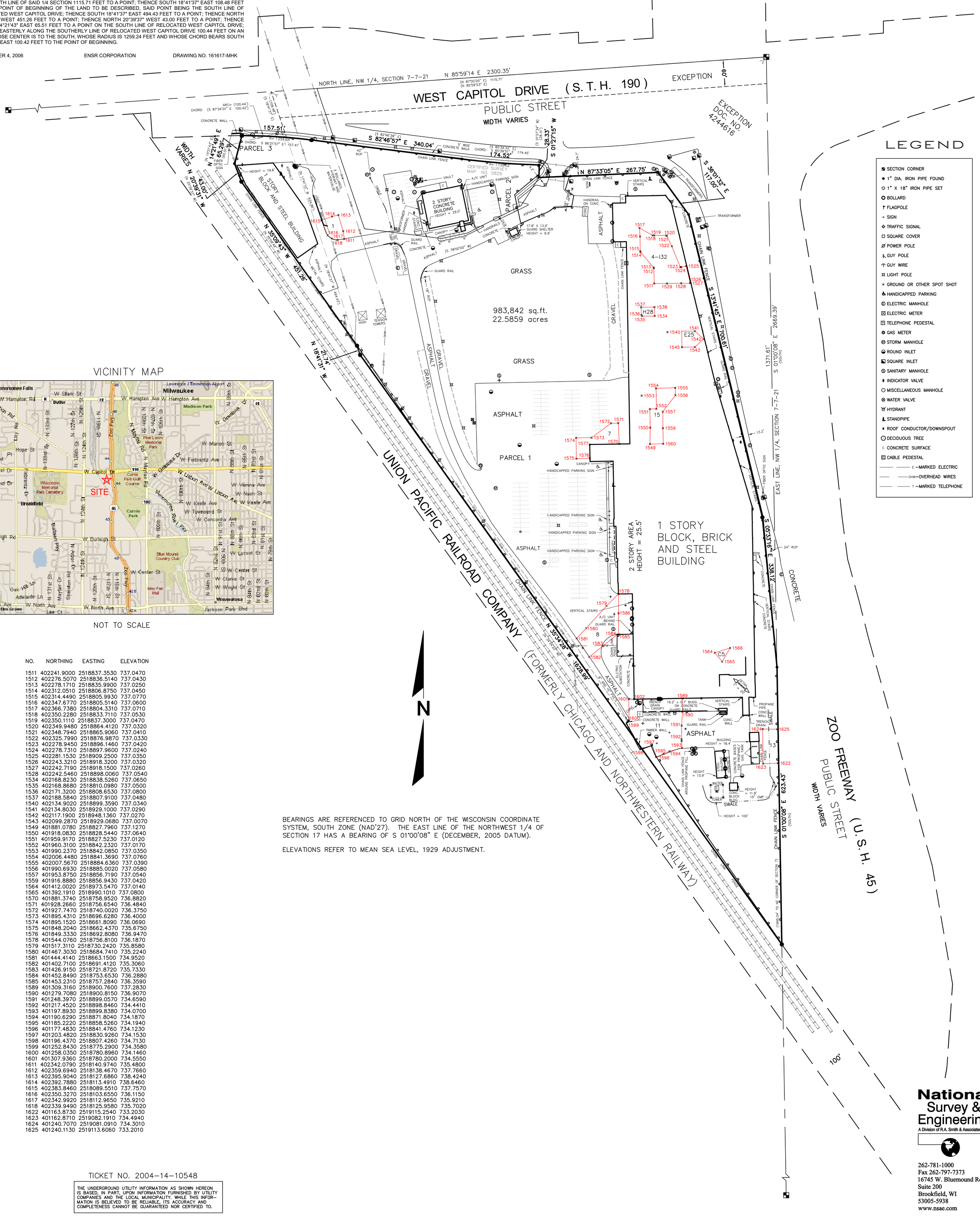
DECEMBER 4, 2006 ENSR CORPORATION DRAWING NO. 161617-MHK

NOT TO SCALE



LEGEND

- SECTION CORNER
- 1" DIA. IRON PIPE FOUND
- 1" X 18" IRON PIPE SET
- BOLLARD
- FLAGPOLE
- SIGN
- TRAFFIC SIGNAL
- SQUARE COVER
- POWER POLE
- GUY POLE
- GUY WIRE
- LIGHT POLE
- GROUND OR OTHER SPOT SHOT
- HANDICAPPED PARKING
- ELECTRIC MANHOLE
- ELECTRIC METER
- TELEPHONE PEDESTAL
- GAS METER
- STORM MANHOLE
- ROUND INLET
- SQUARE INLET
- SANITARY MANHOLE
- INDICATOR VALVE
- MISCELLANEOUS MANHOLE
- WATER VALVE
- HYDRANT
- STANDPIPE
- ROOF CONDUCTOR/DOWNSPOUT
- DECIDUOUS TREE
- CONCRETE SURFACE
- CABLE PEDESTAL
- E —MARKED ELECTRIC
- OHW—OVERHEAD WIRES
- T —MARKED TELEPHONE

NO.	NORTHING	EASTING	ELEVATION
1511	402241.9000	2518837.3530	737.0470
1512	402276.5070	2518836.5140	737.0430
1513	402278.1710	2518835.9900	737.0250
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1576	401849.3330	2518692.8080	736.9470
1578	401544.0760	2518756.8100	736.1870
1579	401517.3110	2518730.2420	735.8580
1580	401467.3030	2518684.7410	735.2240
1581	401444.4140	2518663.1500	734.9520
1582	401402.7100	2518691.4120	735.3060
1583	401426.9150	2518721.8720	735.7330
1584	401452.8490	2518753.6530	736.2880
1585	401453.2310	2518757.2840	736.3590
1589	401309.3160	2518900.7600	737.2830
1590	401279.7080	2518900.8150	736.9070
1591	401248.3970	2518899.0570	734.6590
1592	401217.4520	2518898.8460	734.4410
1593	401197.8930	2518899.8380	734.0700
1594	401190.6290	2518871.8040	734.1870
1595	401185.2220	2518858.5260	734.1940
1596	401177.4830	2518841.4760	734.1230
1597	401203.4820	2518830.9260	734.1530
1598	401196.4370	2518807.4260	734.7130
1599	401252.8430	2518775.2900	734.3580
1600	401258.0350	2518780.8960	734.1460
1601	401307.9360	2518780.2000	734.5550
1611	402342.0790	2518140.9740	735.4800
1612	402359.6940	2518138.4670	737.7660
1613	402395.9040	2518127.6860	738.4240
1614	402392.7880	2518113.4910	738.6460
1615	402383.8460	2518089.5510	737.7570
1616	402350.3270	2518103.6550	736.1150
1617	402342.9920	2518112.9650	735.9210
1618	402339.9490	2518125.9580	735.7020
1622	401163.8730	2519115.2540	733.2030
1623	401162.8710	2519082.1910	734.4940
1624	401240.7070	2519081.0910	734.3010
1625	401240.1130	2519113.6060	733.2010

BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN COORDINATE SYSTEM, SOUTH ZONE (NAD'27). THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 17 HAS A BEARING OF S 01°00'08" E (DECEMBER, 2005 DATUM).

ELEVATIONS REFER TO MEAN SEA LEVEL, 1929 ADJUSTMENT.

TICKET NO. 2004-14-10548

THE UNDERGROUND UTILITY INFORMATION AS SHOWN HEREON IS BASED, IN PART, UPON INFORMATION FURNISHED BY UTILITY COMPANIES AND THE LOCAL MUNICIPALITY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.

National Survey & Engineering
A Division of R.A. Smith & Associates, Inc.
262-781-1000
Fax 262-797-7373
16745 W. Bluemound Road
Suite 200
Brookfield, WI
53005-5938
www.nsae.com

S:\5161617\dwg\
161617H0.DWG \ PX201E80

SHEET 1 OF 1

DRAWING SCALE: 1 INCH = 80 FEET

12001 W. Capitol Drive, Wauwatosa, Wisconsin
AOI 11

WDNR BRRTS Numbers: #06-41-534503, #02-41-546854
FID Number: 241018140

Parcel Number: 258-9999-01
WTM83/91 Coordinates: E677998 N292425

Responsible Party:
Greg Blessing
United Technologies Corporation
United Technologies Building
Hartford, CT 06101
(860) 728-6529

Site Owner/Operator:
Penzeys Spices
19300 W. Janacek Court
Brookfield, WI 53045
(262) 785-7602

AOI 11

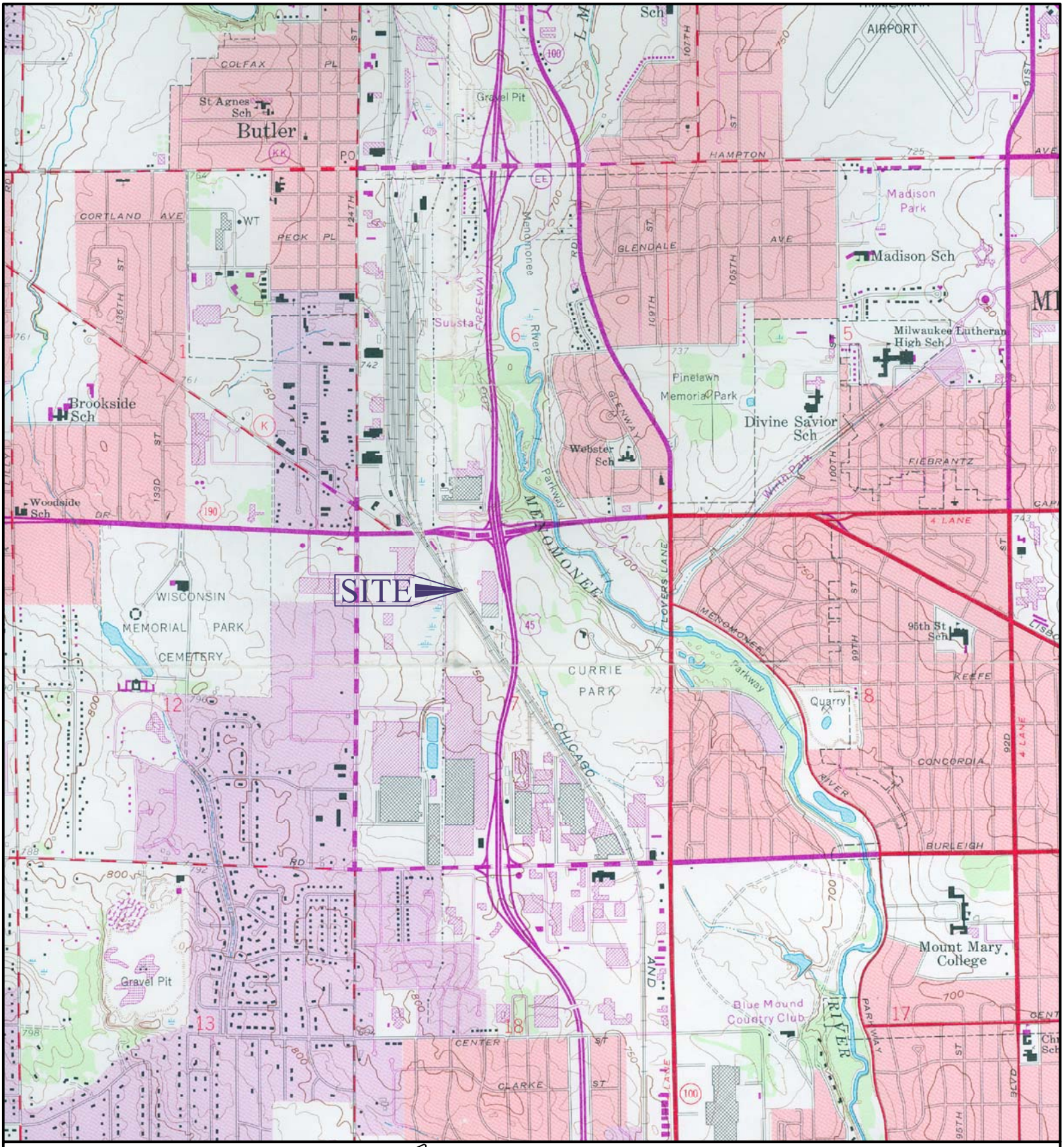
Area of Interest (AOI) 11 is located within, or partially within, the boundary of the property located at 12001 West Capitol Drive, Wauwatosa, Wisconsin, whose legal description (as found on the City of Wauwatosa Assessor's Department website [www.wauwatosa.net]), is as follows:

NW QUAR SEC 7 7 21 COMM AT NE COR OF SD QUAR SEC TH S 1995.04 FT TH NW ALG RR ROW 1628.99 FT TH N 17D 41'10 W 624.86 FT TH E 1115.71 FT TO PL OF BEG SUBJECT TO TMER&L CO TOWER LINE ROW EXC N & E PART TAKEN FOR STREET AND EXPRESSWAY & EXC CSM NO 5829 1994.

Parcel ID: 258-9999-01

Printed Name: Gregory F. Blessing

Signature: _____ Date: 2/28/08



Adapted from: USGS 7.5 minute series Wauwatosa, Wisconsin topographic quadrangle in 1958, photorevisited in 1976.

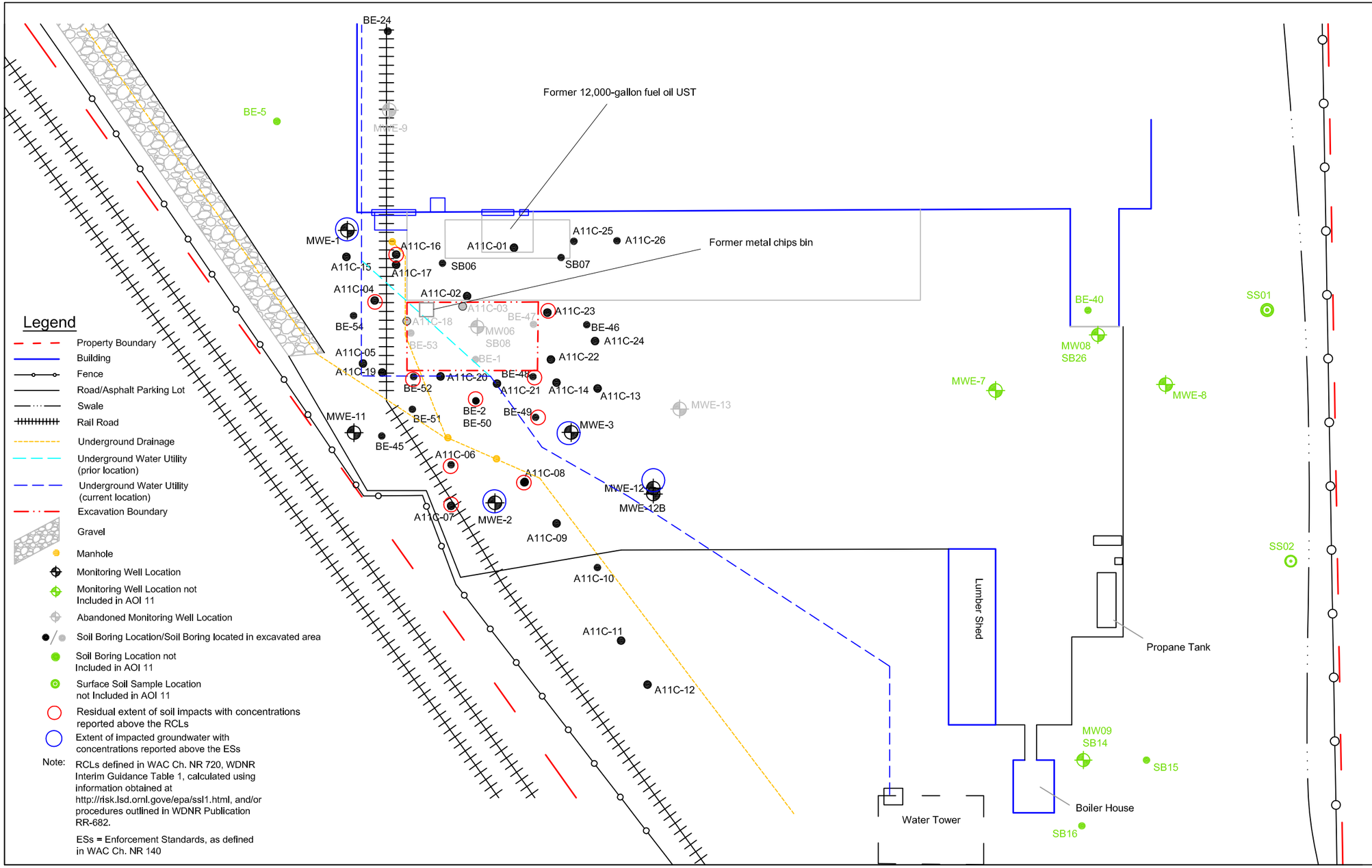
SCALE 1:24,000

Figure 1

Site Location Map

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, Wisconsin

ENSR | AECOM



Scale: 1":35.5'

Hamilton Sundstrand

Case Summary & Close Out Form

AOI 11 - Contaminated Property

Former Falk Corporation
Wauwatosa, WI

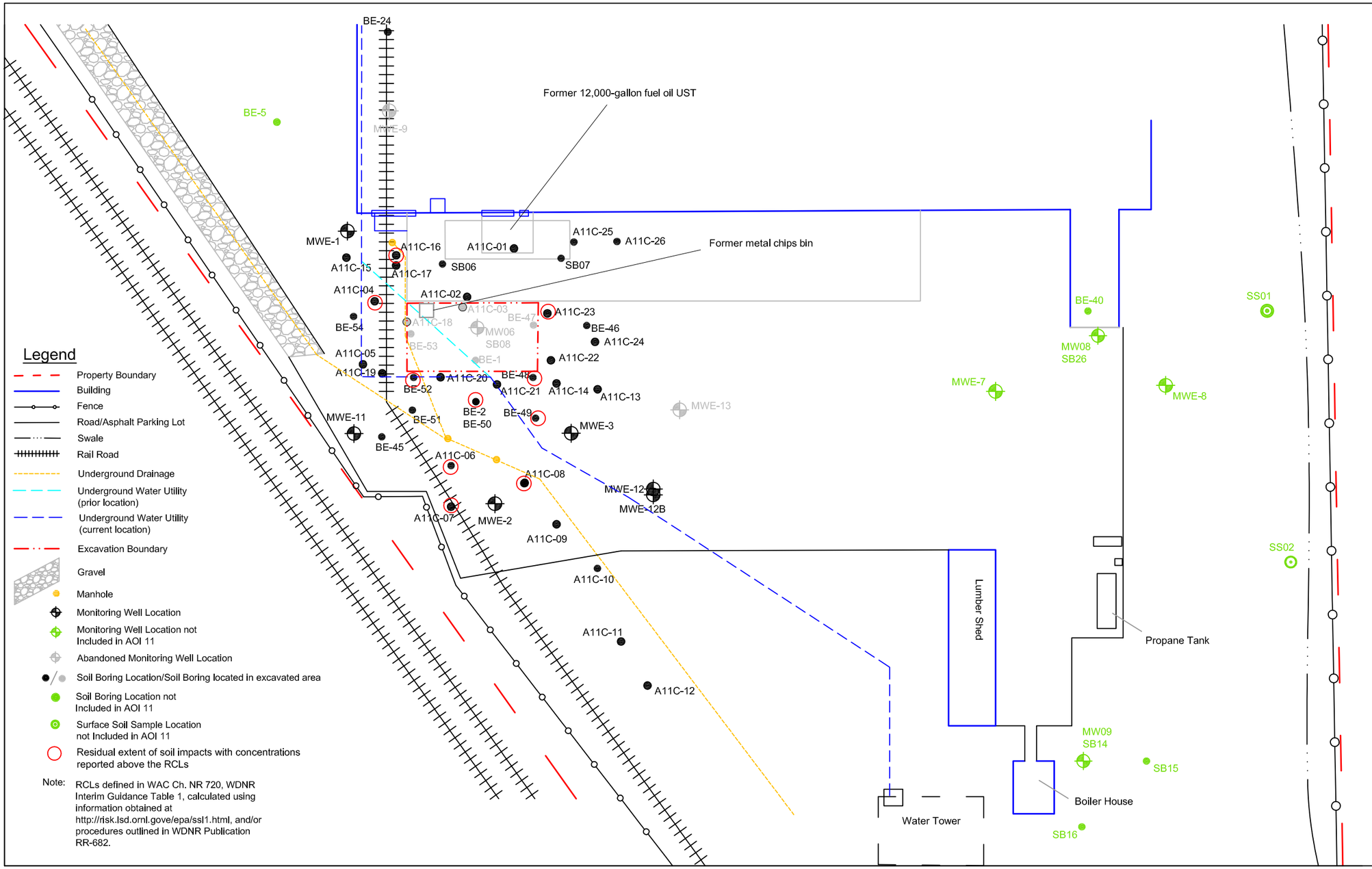
01/04/08 06916-277

Figure 9

www.ensr.aecom.com

J:\PROJECTS\06916 - UTC Companies\06916277-Former Falk Wauwatosa\Reporting\SI-Rem-Closure Rpt 0702\Figs 0702\Fig 9 - AOI 11.Soil.dwg

ENSR | AECOM



Scale: 1":35.5'

Hamilton Sundstrand

Case Summary & Close Out Form

AOI 11 - Residual Soil Impacts

Former Falk Corporation
Wauwatosa, WI

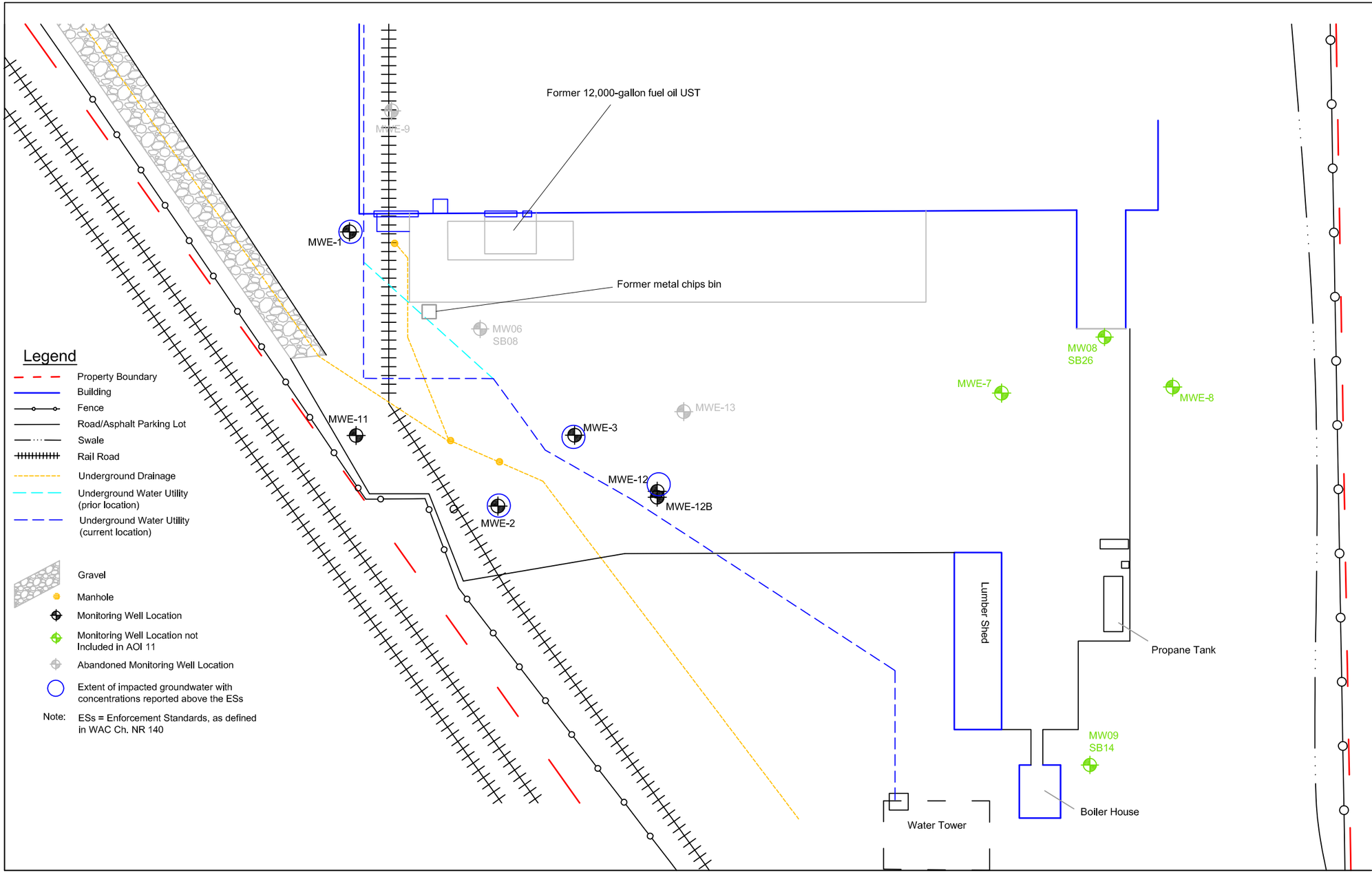
01/04/08 06916-277

Figure 9

www.ensr.aecom.com

J:\PROJECTS\06916 - UTC Companies\06916277-Former Falk Wauwatosa\Reporting\SI-Rem-Closure Rpt 0702\Figs 0702\Fig 9 - AOI 11.Soil.dwg

ENSR | AECOM



Scale: 1":35.5'

Hamilton Sundstrand

Case Summary & Close Out Form

AOI 11 - Horizontal Extent of Groundwater Impacts

Former Falk Corporation
Wauwatosa, WI

01/04/08 06916-277

Figure 9

www.ensr.aecom.com

J:\PROJECTS\06916 - UTC Companies\06916277-Former Falk Wauwatosa\Reporting\SI-Rem-Closure Rpt 0702\Figs 0702\Fig 9 - AOI 11.Soil.dwg

WEST CAPITOL DRIVE

US-45 North

North property

Plant #2 Annex

R&D Building

Oil Shed

Offices

Lobby

Offices

Locker Rooms

MW07 SB27 (730.21)

MWE-29 (729.51)

MWE-28 (730.50)

MWE-30 (730.03)

MWE-22 (728.41)

MWE-10 (727.65)

MWE-23 (724.77)

MWE-24 (729.69)

MW04 (730.53)

MWE-31 (730.51)

MWE-21 (729.84)

MWE-26 (729.13)

MWE-25 (727.77)

MWE-19 (724.13)

MWE-20 (725.55)

MWE-15 (730.66)

MWE-14 (729.38)

MW10 (730.92)

MWE-16 (730.62)

MWE-1 (722.82)

MWE-3 (721.49)

MWE-13 (730.82)

MWE-7 (731.23)

MWE-8 (729.95)

MWE-12 (725.83)

MWE-11 (730.56)

MWE-2 (721.47)

MW09 SB14 (730.79)

730
728
726
724
722

Legend

- Property Boundary
- Building
- Fence
- Road/Asphalt Parking Lot
- Swale
- Rail Road
- Underground Drainage
- Gravel
- Monitoring Well Location
- (730.79) Groundwater Elevation measured in monitoring well (August 2005)
- Groundwater Elevation contour (August 2005)

Approximate Scale

0 25 50 90 180 270 360 Feet

REV#	DATE	DESCRIPTION

ENSR | AECOM

Groundwater Elevation Contour Map (Shallow Zone)

Former Falk Corporation
Wauwatosa, Wisconsin

DRWN: LG	SCALE: AS SHOWN
CHK'D: KMC	DATE: 01/04/08
APP'D: KMC	Figure: 3A

WEST CAPITOL DRIVE

US-45 North

MW01

North property

Plant #2 Annex

R&D Building

Oil Shed

Former drum storage racks

MWE-18C (724.15)

MWE-32 (724.13)

MWE-19B (724.16)

MWE-25B (718.49)

724

722

720

718

Offices

Lobby

Offices

Hosp.

Locker Rooms

Docks

Compactor Area

MWE-12B (723.41)

Former metal chips bins

Lumber Shed

Legend

- Property Boundary
- Building
- Fence
- Road/Asphalt Parking Lot
- Swale
- Rail Road
- Underground Drainage
- Gravel
- Monitoring Well Location
- (724.16) Groundwater Elevation measured in monitoring well (August 2005)
- Groundwater Elevation contour (August 2005)

Approximate Scale

0 25 50 90 180 270 360 Feet

REV#	DATE	DESCRIPTION

ENSR | AECOM

Groundwater Elevation Contour Map (Cobble Zone)

Former Falk Corporation
Wauwatosa, Wisconsin

DRWN: HEP	SCALE: AS SHOWN
CHK'D: KMC	DATE: 01/04/08
APP'D: KMC	Figure: 3B

Table 6
Analytical Report Summary & Geochemical Data - AOI 11

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Sample ID (Depth), Sample Date									Residual Contaminant Level	
SOIL	SB06 (14) 06/2004	SB07 (6) 06/2004	SB08/MW06 (3) 06/2004	MWE-1 (1) 11/08/04	MWE-1 (4) 11/08/04	MWE-1 (8) 11/08/04	MWE-2 (2) 11/08/04	MWE-2 (4) 11/08/04	MWE-2 (8) 11/08/04	**Direct Contact IND**	**Groundwater Protection**
VOCs (µg/kg)		ND		ND	ND	ND					
1,1-Dichloroethane	48		170							1,800,000	350
1,1-Dichloroethene									0.73	810,000	10
1,2,4-Trimethylbenzene			**20,000**							350,000	7,570
1,3,5-Trimethylbenzene			**11,000**							200,000	3,250
Ethylbenzene			150							400,000	2,900
Isopropylbenzene			510							860,000	37,000
Naphthalene			**1,300**							110,000	400
n-Propylbenzene			1,600							NL	NL
Xylenes			2,260							1,900,000	4,100
p-Isopropyltoluene			2,100							NL	NL
sec-Butylbenzene			1,300							NL	NL
Toluene			270							670,000	1,500
1,1,1-Trichloroethane			140				35	129	1.6	1,200,000	280
SVOCs (mg/kg)				ND	ND	ND	ND	ND	ND		
2-Methylnaphthalene			0.12							4,090	NL
Anthracene			0.10							300,000	3,000
Benzo[*a*]anthracene			0.081							3.9	17
Benzo[*a*]pyrene			0.16							0.39	48
Benzo[*b*]fluoranthene			0.25							3.9	360
Benzo[*k*]fluoranthene			0.079							39	870
bis[2-ethylhexyl]phthalate	0.058	0.11	0.51							204	180
Chrysene	0.063		0.37							390	37
Dibenzofurane			0.015							210	4.8
Diethylphthalate		0.10	0.36							2,000	49
Fluoranthene			0.21							40,000	500
Fluorene			0.12							40,000	100
Indeno[1,2,3-*cd*]pyrene			0.035							3.9	680
Isophorone			**0.41**							3,010	0.032
Naphthalene			**0.66**							110	0.4
Phenanthrene			0.19							390	1.8
Pyrene	0.078									30,000	8,700
Metals (mg/kg)											
Arsenic	**2.6**	**3.1**	**2.7**							1.6	0.58
Barium	95.3	86.9	73.6	70	68	29	66	93	72	71,500	330
Chromium	**19.3**	**20.8**	**17.4**							200	14
Lead	8.7	9.1	9.6							500	NL
Mercury	0.011	0.018	0.013							2.9	0.42
Silver		0.19								5,110	1667
PCBs (mg/kg)	ND	ND		NA	NA	NA	NA	NA	NA		
Aroclor-1260			0.019							0.74	NL

Table 6
Analytical Report Summary & Geochemical Data - AOI 11

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Sample ID (Depth), Sample Date									Residual Contaminant Level	
SOIL	MWE-3 (2) 11/08/04	MWE-3 (4) 11/08/04	MWE-3 (8) 11/08/04	MWE-9 (1) 11/11/04	MWE-9 (6) 11/11/04	BE-1 (2) 11/08/04	BE-1 (4) 11/08/04	BE-1 (6) 11/08/04	BE-1 (11) 11/08/04	**Direct Contact IND**	**Groundwater Protection**
VOCs (µg/kg)	ND	ND	ND	ND	ND						
sec-Butylbenzene						95	1,750	504	34	NL	NL
Chloroethane						735	1,280	189	321	1,300,000	NL
1,1-Dichloroethane									**3,670**	1,800,000	350
cis-1,2-Dichloroethene									**53**	1,300,000	27
trans-1,2-Dichloroethene							96			3,200,000	98
1,1-Dichloroethene						**618**	**5,720**	**1,760**	**126**	810,000	10
Ethylbenzene						33	163	53		400,000	2,900
Isopropylbenzene						75	700	227		860,000	37,000
p-Isopropyltoluene						77	1,630	516	30	NL	NL
Naphthalene						65	338	239		110,000	400
n-Propylbenzene						198	1,980	718	51	NL	NL
Tetrachloroethylene							**630**	**110**		35,000	4.1
Toluene						128	**1,630**	453		670,000	1,500
1,1,1-Trichloroethane							**1,170**	**2,270**	**574**	1,200,000	280
1,2,4-Trimethylbenzene						1,630	**16,300**	6,170	413	350,000	7,570
1,3,5-Trimethylbenzene						490	**5,020**	2,140	138	200,000	3,250
Xylenes						268	1,400	504		1,900,000	4,100
Vinyl chloride									**48**	930	0.13
SVOCs (mg/kg)	ND	ND	ND	ND	ND	ND	ND	ND	ND	--	--
Metals (mg/kg)											
Barium	36	28	53	76	85	71	50	93	57	71,500	330

Detected Parameter	Sample ID (Depth), Sample Date				Residual Contaminant Level	
SOIL	BE-2 (25) 11/08/04	BE-24 (2) 11/11/04	BE-24 (4) 11/11/04	BE-24 (8) 11/11/04	**Direct Contact IND**	**Groundwater Protection**
VOCs (µg/kg)	ND	ND	ND	ND	--	--
SVOCs (mg/kg)	ND	ND	ND	ND	--	--
Metals (mg/kg)						
Barium	25	74	70	40	71,500	330

Table 6
Analytical Report Summary & Geochemical Data - AOI 11

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Sample ID (Depth), Sample Date								Residual Contaminant Level	
SOIL	BE-46 (4) 12/22/04	BE-46 (8) 12/22/04	BE-46 (14) 12/22/04	BE-46 (19) 12/22/04	BE-47 (4) 12/22/04	BE-47 (8) 12/22/04	BE-47 (14) 12/22/04	BE-47 (19) 12/22/04	**Direct Contact IND**	**Groundwater Protection**
VOCs (µg/kg)		ND		ND			ND			
sec-Butylbenzene	137				57				NL	NL
cis-1,2-Dichloroethene									NL	NL
n-Butylbenzene	110								NL	21,000
Isopropylbenzene	46								860,000	37,000
n-Propylbenzene	33								NL	NL
Methylene Chloride			**232 L**					**1,100**	45,000	1.6
1,1-Dichloroethane						220			1,800,000	350

Detected Parameter	Sample ID (Depth), Sample Date								Residual Contaminant Level	
SOIL	BE-48 (4) 12/22/04	BE-48 (8) 12/22/04	BE-48 (14) 12/22/04	BE-48 (19) 12/22/04	BE-49 (4) 12/22/04	BE-49 (8) 12/22/04	BE-49 (14) 12/22/04	BE-49 (20) 12/22/04	**Direct Contact IND**	**Groundwater Protection**
VOCs (µg/kg)		ND					ND	ND		
cis-1,2-Dichloroethene	**48**				**248**	**57**			1,300,000	27
Methylene Chloride			**119 L**	**114 L**					45,000	1.6
1,1-Dichloroethane					285	**700**			1,800,000	350
1,1,1-Trichloroethane					**285**				1,200,000	280
Trichloroethene					**120**				240	3.7
Naphthalene						66 L			110,000	400

Detected Parameter	Sample ID (Depth), Sample Date								Residual Contaminant Level	
SOIL	BE-50 (4) 12/23/04	BE-50 (8) 12/23/04	BE-50 (14) 12/23/04	BE-50 (20) 12/23/04	BE-51 (4) 12/23/04	BE-51 (8) 12/23/04	BE-51 (14) 12/23/04	BE-51 (20) 12/23/04	**Direct Contact IND**	**Groundwater Protection**
VOCs (µg/kg)		ND		ND	ND	ND	ND	ND		
cis-1,2-Dichloroethene	**43**								1,300,000	27
1,1-Dichloroethane	**596**								1,800,000	350
Naphthalene			45						110,000	400

Table 6
Analytical Report Summary & Geochemical Data - AOI 11

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Sample ID (Depth), Sample Date							Residual Contaminant Level	
SOIL	BE-52 (8) 12/23/04	BE-52 (14) 12/23/04	BE-52 (17) 12/23/04	BE-53 (8) 12/23/04	BE-53 (12) 12/23/04	BE-53 (14) 12/23/04	BE-53 (19) 12/23/04	**Direct Contact IND**	**Groundwater Protection**
VOCs (µg/kg)			ND				ND		
sec-Butylbenzene				314	359			NL	NL
Chloroethane				224	572	563		1,300,000	NL
1,1-Dichloroethane	**756**			**3,250**	**7,850**	**9,220**		1,800,000	350
Ethylbenzene		38			54			400,000	2,900
Isopropylbenzene				146	179			860,000	37,000
p-Isopropyltoluene				291	392			NL	NL
Naphthalene				168	291			110,000	400
n-Propylbenzene				460	594			NL	NL
Toluene				1,120	1,350			670,000	1,500
1,1,1-Trichloroethane				**2,130**	**1,460**			1,200,000	280
1,1,2-Trichloroethane					**41**			3,300	2
1,2,4-Trimethylbenzene				3,480	4,930	46		350,000	7,570
1,3,5-Trimethylbenzene				1,230	1,460			200,000	3,250
Xylenes		391		336	426			1,900,000	4,100
Vinyl chloride				**135**	**100**			930	0.13

Detected Parameter	Sample ID (Depth), Sample Date							Residual Contaminant Level	
SOIL	BE-54 (4) 12/23/04	BE-54 (8) 12/23/04	BE-54 (14) 12/23/04	BE-54 (20) 12/23/04	A11C-01 (19) 3/23/2005	A11C-02 (9) 3/23/2005	A11C-02 (15) 3/23/2005	**Direct Contact IND**	**Groundwater Protection**
VOCs (µg/kg)	ND	ND	ND	ND	ND				
Chloroethane							252	1,300,000	NL
n-Butylbenzene						812		NL	21,000
sec-Butylbenzene						417		NL	NL
Isopropylbenzene						231		860,000	37,000
n-Propylbenzene						779		NL	NL
1,2,4-Trimethylbenzene						7,030		350,000	7,570
1,3,5-Trimethylbenzene						1,870		200,000	3,250

Table 6
Analytical Report Summary & Geochemical Data - AOI 11

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Sample ID (Depth), Sample Date									Residual Contaminant Level	
SOIL	A11C-03 (4) 05/19/05	A11C-03 (8) 05/19/05	A11C-03 (12) 05/19/05	A11C-04 (4) 05/19/05	A11C-04 (8) 05/19/05	A11C-04 (12) 05/19/05	A11C-05 (4) 05/19/05	A11C-05 (8) 05/19/05	A11C-05 (12) 05/19/05	Direct Contact IND	Groundwater Protection
VOCs (µg/kg)	NA					ND					
Chloroethane		1,500	860							1,300,000	NL
sec-Butylbenzene		270								NL	NL
1,1-Dichloroethane		140	68	43	**800**		120			1,800,000	350
cis-1,2-Dichloroethene			**40**							1,300,000	27
Isopropylbenzene		140								860,000	37,000
Methylene Chloride								**130**	**110** S2	45,000	1.6
n-Propylbenzene		360								NL	NL
p-Isopropyltoluene		300								NL	NL
Naphthalene		83								110,000	400
Toluene		180								670,000	1,500
1,1,1-Trichloroethane		100					63			1,200,000	280
1,2,4-Trimethylbenzene		3,100								350,000	7,570
1,3,5-Trimethylbenzene		980								200,000	3,250
Xylenes		190								1,900,000	4,100
DRO (mg/kg)	**11,000**	**280**	20 QU	NA	NA	NA	NA	NA	NA	NL	100

Detected Parameter	Sample ID (Depth), Sample Date								Residual Contaminant Level	
SOIL	A11C-06 (4) 05/19/05	A11C-06 (8) 05/19/05	A11C-07 (4) 05/19/05	A11C-07 (8) 05/19/05	A11C-08 (4) 05/19/05	A11C-08 (8) 05/19/05	A11C-09 (4) 05/19/05	A11C-09 (8) 05/19/05	Direct Contact IND	Groundwater Protection
VOCs (µg/kg)	ND						ND			
1,1-Dichloroethane					50	**1,100**			1,800,000	350
1,1-Dichloroethene					**120**				810,000	10
Methylene Chloride								**160** C, S2	45,000	1.6
Naphthalene				61					110,000	400
Tetrachloroethylene		**140**							35,000	4.1
1,1,1-Trichloroethane			**380**		230				1,200,000	280

Detected Parameter	Sample ID (Depth), Sample Date								Residual Contaminant Level	
SOIL	A11C-10 (4) 05/19/05	A11C-10 (8) 05/19/05	A11C-11 (4) 05/19/05	A11C-11 (8) 05/19/05	A11C-12 (4) 05/19/05	A11C-12 (8) 05/19/05	A11C-13 (4) 05/19/05	A11C-14 (4) 05/19/05	Direct Contact IND	Groundwater Protection
VOCs (µg/kg)	ND			ND	ND	ND	ND	ND		
1,1-Dichloroethane		100							1,800,000	350
Methylene Chloride			**86** C, S2						45,000	1.6

Table 6
Analytical Report Summary & Geochemical Data - AOI 11

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Sample ID (Depth), Sample Date									Residual Contaminant Level	
SOIL	A11C-15 (4) 06/06/05	A11C-15 (8) 06/06/05	A11C-16 (4) 06/06/05	A11C-17 (8) 06/06/05	A11C-17 (12) 06/06/05	A11C-18 (4) 06/06/05	A11C-18 (8) 06/06/05	A11C-20 (4) 06/06/05	A11C-20 (8) 06/06/05	Direct Contact IND	Groundwater Protection
DRO (mg/kg)	8.5	17	**170**	ND	70	38	13	ND	ND	NL	100

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	A11C-21 (4) 06/06/05	A11C-21 (8) 06/06/05	A11C-22 (4) 06/06/05	A11C-22 (8) 06/06/05	A11C-23 (4) 06/06/05	A11C-23 (8) 06/06/05	Direct Contact IND	Groundwater Protection
DRO (mg/kg)	ND	ND	27	34	**1400**	ND	NL	100

Detected Parameter	Sample ID (Depth), Sample Date				Residual Contaminant Level	
SOIL	A11C-24 (4) 06/06/05	A11C-24 (8) 06/06/05	A11C-25 (10) 06/06/05	A11C-25 (14) 06/06/05	Direct Contact IND	Groundwater Protection
DRO (mg/kg)	8.6	26	ND	ND	NL	100

Notes (Soil):

VOCs = volatile organic compounds
SVOCs = semi-volatile organic compounds
PCBs = polychlorinated biphenyls
DRO = diesel range organics
µg/kg = micrograms per kilogram (parts per billion)
mg/kg = milligrams per kilogram (parts per million)
Direct Contact = Residual Contaminant Levels (RCLs) that apply to soil collected within four feet of the ground surface, either as defined in Wisconsin Administrative Code Chapter NR 720, WDNR 1993 Interim Guidance Table 1 for polycyclic aromatic hydrocarbons, or, if no established criteria exists, as calculated using U.S. EPA Soil Screening Guidance for Chemicals (http://risk.lsd.ornl.gov/epa/ssl1.html) and procedures outlined in WDNR Publication RR-682
Groundwater Protection = RCLs based on the protection of groundwater, either as defined in Wisconsin Administrative Code Chapter NR 720, WDNR 1993 Interim Guidance Table 1 for polycyclic aromatic hydrocarbons, or, if no established criteria exists, as calculated using U.S. EPA Soil Screening Guidance for Chemicals (http://risk.lsd.ornl.gov/epa/ssl1.html) and procedures outlined in WDNR Publication RR-682
IND = Industrial, per Wisconsin Administrative Code Chapter NR 720
DRO criteria defined in Wisconsin Administrative Code Chapter NR 720, based on assumption of contaminated soil and soil below the contaminated soil for a depth of 3 meters having a hydraulic conductivity of 1x10-6 cm/sec or less.
ND = parameters within a suite (class) of compounds not detected above reporting limit.
NA = parameters not analyzed.
NL = criterion not listed for compound
L = Laboratory flag: The compound is a common laboratory contaminant. Thus, the result is suspect.
C = Laboratory flag: Calibration verification recovery was above the method control limit for the analyte. Analyte not detected, data not impacted.
S2 = Laboratory flag: The compound is a common lab solvent and contaminant. Thus, the result is suspect.
QU = Laboratory flag: Unquantitated hydrocarbons were present in the sample outside of the reported carbon range.
Concentrations in bold indicate an exceedance of the Groundwater Protection RCL
Concentrations outlined indicate an exceedance of the Industrial Direct Contact RCL
Only positive detections shown.

Table 6
Analytical Report Summary & Geochemical Data - AOI 11

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Well ID, Sample Date								NR 140 Criteria	
GROUNDWATER	MWE-1								**PAL**	**ES**
	11/17/04	02/02/05	04/26/05	08/03/05	02/23/06	05/19/06	08/17/06	11/16/06		
VOCs (µg/l)	ND	ND								
Chloroethane					45		17	12	80	400
1,1-Dichloroethane			0.92 J	1.1 J	**130**	1.1 J	50	43	85	850
cis-1,2-Dichloroethene					0.96 J				7	70
trans-1,2-Dichloroethene					0.61 J				20	100
Toluene					3.2				200	1,000
1,1,1-Trichloroethane					29		6.6	3.1	40	200
1,2,4-Trimethylbenzene					0.41 J		1.4		96	480
1,3,5-Trimethylbenzene							0.46 J			
Vinyl chloride					**4.6**		**1.6**	**0.89**	0.02	0.2
Xylenes							0.87 J	0.88J	1,000	10,000
Field Geochemistry										
Temperature (^{o}C)	15.40	10.22	10.53	18.44	10.41	12.37	16.9	13.2	--	--
Turbidity (NTU)	836.7	0.9	-6.9	13.5	6.78	2.7	17.9	0.5	--	--
Sp. Cond. (µS/cm)	6370	39853	11072	10323	8171	10650	10570	10150	--	--
pH (s.u.)	7.10	7.05	6.60	6.76	6.78	6.72	6.66	6.82	--	--
Dissolved Oxygen (mg/l)	4.83	0.79	0.67	0.78	3.40	0.54	0.3	1.39	--	--
ORP (mV)	304.6	163.8	34.8	146.2	-122.7	76.6	136.2	-40.8	--	--

Table 6
Analytical Report Summary & Geochemical Data - AOI 11

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Well ID, Sample Date								NR 140 Criteria	
GROUNDWATER	MWE-2								**PAL**	**ES**
	11/18/04	02/02/05	04/28/05	08/03/05	02/24/06	05/18/06	08/17/06	11/17/06		
VOCs (µg/l)	ND									
Chloroethane					14	4.7	4.5	4.2	80	400
Chloroform						0.27 J	0.34 J	0.28 J	0.6	6
1,1-Dichloroethane		2.3	12	18	17	23	30	24	85	850
1,1-Dichloroethylene		**1.9**	**14**	**20**	**4.8**	**20**	**32**	**26**	0.7	7
cis-1,2-Dichloroethene					0.51 J				7	70
1,1,1-Trichloroethane		5.3	33	**73**	11	**65**	**120**	**99**	40	200
1,1,2-Trichloroethane			**1.4**	**5.2**	**0.52 J**	**3.3**	**7.2**	**5.3**	0.5	5
Vinyl chloride					**2.4**	**0.4 J**	**0.27 J**		0.02	0.2
Field Geochemistry										
Temperature (^oC)	15.32	10.64	10.50	17.15	9.12	12.75	17.05	13.34	--	--
Turbidity (NTU)	4.8	0.9	7.9	6.5	-7.4	0.8	0.2	0.7	--	--
Sp. Cond. (µS/cm)	7655	56620	10574	9518	7795	8144	10120	9760	--	--
pH (s.u.)	7.07	7.22	6.71	6.1	6.85	6.65	6.47	6.67	--	--
Dissolved Oxygen (mg/l)	2.82	0.83	5.15	3.12	2.14	1.23	0.39	0.64	--	--
ORP (mV)	52.2	184.0	38.4	376.8	-47.0	78.7	188.7	89.2	--	--

Detected Parameter	Well ID, Sample Date								NR 140 Criteria	
GROUNDWATER	MWE-3								**PAL**	**ES**
	11/18/04	02/04/05	04/28/05	08/03/05	02/23/06	05/18/06	08/16/06	11/16/06		
VOCs (µg/l)										
Chloroethane	15	9.2	7.4	16	21	20	29	21	80	400
Chloromethane						0.32 J			0.3	3
1,1-Dichloroethane	45	33	43	38	37	51	71	45	85	850
1,2-Dichloroethane				**0.86 J**		**0.77 J**	**1.8**	**1.1 J**	0.5	5
1,1-Dichloroethylene	**0.76**	**1.2**	**3.4**	**2.4**		**4.6**	**2.9**	**2.3**	0.7	7
1,1,1-Trichloroethane	0.83	4.4	4.2						40	200
1,1,2-Trichloroethane		0.39	0.43 J			0.28 J	0.37 J		0.5	5
Toluene								0.22 J	200	1,000
Vinyl chloride	**0.75**	**0.85**	**2.6**	**2.0**		**3.3**	**5.0**	**3.2**	0.02	0.2
Field Geochemistry										
Temperature (^oC)	17.16	9.90	11.86	20.82	7.71	13.48	23.49	15.02	--	--
Turbidity (NTU)	17.2	0.9	-5.5	0.5	-9.7	2.3	-2.6	3.0	--	--
Sp. Cond. (µS/cm)	11	22317	30382	12113	15341	16690	13050	7631	--	--
pH (s.u.)	7.25	7.51	7.22	6.95	7.29	7.29	7.33	7.49	--	--
Dissolved Oxygen (mg/l)	4.03	1	0.73	0.41	3.14	0.36	0.25	0.36	--	--
ORP (mV)	296.7	-1.2	-83.2	-147.7	-129.3	-73.4	-119.5	-190.1	--	--

Table 6
Analytical Report Summary & Geochemical Data - AOI 11

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Well ID, Sample Date								NR 140 Criteria	
GROUNDWATER	MWE-11								**PAL**	**ES**
	01/07/05	02/02/05	04/26/05	08/03/05	02/22/06	05/18/06	08/16/06	11/16/06		
VOCs (µg/l)	ND	ND	ND	ND	ND	ND	ND			
Toluene								0.29J	0.3	3
Xylenes								0.50J	1,000	10,000
Field Geochemistry										
Temperature (^{o}C)	8.44	9.42	10.38	17.16	8.27	11.58	19.13	12.16	--	--
Turbidity (NTU)	20.5	1.1	-5.7	1.7	-4.2	1.6	0.6	2.8	--	--
Sp. Cond. (µS/cm)	IE	3564	1376	1255	778	813	950	916	--	--
pH (s.u.)	6.32	7.30	6.98	7.04	6.90	7.02	6.71	7.11	--	--
Dissolved Oxygen (mg/l)	IE	0.89	0.66	0.38	1.44	0.92	0.44	0.45	--	--
ORP (mV)	182.7	117.6	1.1	159.2	261.8	102.1	404.8	18.8	--	--

Detected Parameter	Well ID, Sample Date							NR 140 Criteria	
GROUNDWATER	MWE-12B							**PAL**	**ES**
	02/08/05	04/26/05	08/03/05	02/22/06	05/18/06	08/16/06	11/16/06		
VOCs (µg/l)	ND	ND	ND	ND	ND	ND			
Toluene							0.26J	200	1,000
Field Geochemistry									
Temperature (^{o}C)	10.14	11.38	17.11	11.76	12.28	17.07	14.26	--	--
Turbidity (NTU)	0.4	-0.09	2.3	-9.3	-3.7	-3.1	0.1	--	--
Sp. Cond. (µS/cm)	10624	12301	10723	8206	8834	10140	10770	--	--
pH (s.u.)	7.45	7.08	7.1	7.23	7.29	7.00	7.28	--	--
Dissolved Oxygen (mg/l)	2.56	3.37	3.64	2.91	0.97	0.87	0.37	--	--
ORP (mV)	-30.2	-31.2	10.3	-88.7	-29.0	-42.9	-152.5	--	--

Table 6
Analytical Report Summary & Geochemical Data - AOI 11

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Well ID, Sample Date								NR 140 Criteria	
GROUNDWATER	MWE-12								**PAL**	**ES**
	01/07/05	02/04/05	04/28/05	08/04/05	02/24/06	05/19/06	08/17/06	11/17/2006 [2]		
VOCs (µg/l)										
Chloroethane	20	19	17	27	18	21	34	28	80	400
1,1-Dichloroethane	**170**	**210**	**200**	**270**	**170**	**200**	**290**	**240**	85	850
1,2-Dichloroethane	**1.5**	**1.4**		**1.7**			**1.7**		0.5	5
1,1-Dichloroethylene	**12**	**11**	**8.8**	**13**	**6.5 J**	**8.4 J**	**9.9**	**6.8 J**	0.7	7
cis-1,2-Dichloroethene	0.58	0.54		0.52 J			0.70 J		7	70
1,1,2-Trichloroethane							0.27 J		0.5	5
Vinyl chloride	**29**	**27**	**19**	**24**	**9.2**	**6.3**	**15**	**8.2**	0.02	0.2
Field Geochemistry										
Temperature (^oC)	9.55	9.70	11.81	22.27	7.70	13.10	21.15	13.97	--	--
Turbidity (NTU)	7.3	0	-4.9	2.7	32.5	11.9	10.6	6.1	--	--
Sp. Cond. (µS/cm)	16918	20518	18824	17.68	12210	15560	20040	18798	--	--
pH (s.u.)	6.69	6.93	6.68	5.88	6.76	6.76	6.61	6.79	--	--
Dissolved Oxygen (mg/l)	0.27	0.72	1.40	0.45	1.83	0.47	0.57	0.38	--	--
ORP (mV)	4.4	-2.8	-20.9	325.2	-24.8	-5.6	-38.1	-84.1	--	--

Detected Parameter	Well ID, Sample Date							NR 140 Criteria	
GROUNDWATER	MWE-13							**PAL**	**ES**
	01/10/05	02/03/05	04/26/05	08/03/05	02/22/06	05/18/06	08/16/06		
VOCs (µg/l)		ND	ND	ND	ND	ND	NA		
Chloroethane	1.3							80	400
1,1-Dichloroethane	8.2							85	850
1,1,1-Trichloroethane	1.9							40	200
Field Geochemistry									
Temperature (^oC)	10.81	7.16	11.89	24.56	5.86	13.87	24.23	--	--
Turbidity (NTU)	26.2	0.3	11.7	1.0	-3.3	-1.0	-2.2	--	--
Sp. Cond. (µS/cm)	11788	21886	26383	7234	13831	14430	12160	--	--
pH (s.u.)	7.45	7.59	7.34	7.33	7.32	7.19	7.87	--	--
Dissolved Oxygen (mg/l)	1.26	0.37	0.66	0.35	4.37	0.57	0.23	--	--
ORP (mV)	-63.2	-60.1	-136.5	-172.9	5.1	-55.3	-206.2	--	--

Table 6
Analytical Report Summary & Geochemical Data - AOI 11

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

From AOI 12

Detected Parameter	Well ID, Sample Date								NR 140 Criteria	
GROUNDWATER	MWE-7								**PAL**	**ES**
	11/17&22/04	02/03/05	04/26/05	08/02/05	02/23/06	05/17/06	08/16/06	11/16/06		
VOCs (µg/l)	ND	ND	ND	ND	ND	ND	ND			
Toluene								0.23J	200	1,000
Field Geochemistry										
Temperature (°C)	16.80	8.20	11.48	22.94	6.55	17.15	26.53	13.52	--	--
Turbidity (NTU)	5.9	5.6	145.1	4.6	-1.5	3.4	1.3	1.7	--	--
Sp. Cond. (µS/cm)	35109	34630	38447	32550	17807	32220	29560	20810	--	--
pH (s.u.)	6.54	5.6	6.88	6.48	6.84	6.9	6.62	6.98	--	--
Dissolved Oxygen (mg/l)	4.68	1.78	1.21	0.48	7.82	0.30	0.39	0.40	--	--
ORP (mV)	45.4	59.2	20.2	32.3	-13.4	24.2	-29.7	-115.9	--	--

Detected Parameter	Well ID, Sample Date								NR 140 Criteria	
GROUNDWATER	MWE-8								**PAL**	**ES**
	11/17&22/04	02/03/05	04/27/05	08/02/05	02/23/06	05/18/06	08/16/06	11/16/06		
VOCs (µg/l)										
1,1-Dichloroethane	11	6.0	8.0	9.3	6.4	6.9	7.6	5.8	85	850
Methylene Chloride					**6.8 S2**				0.5	5
1,1,1-Trichloroethane	3.7	1.7	3.2	3.1	2.7	2.2	2.2	2.0	40	200
Toluene								0.26J	200	1,000
Field Geochemistry										
Temperature (°C)	14.20	6.87	9.13	20.53	6.12	11.79	21.05	11.18	--	--
Turbidity (NTU)	15.6	0.8	0.2	-6.0	-4.2	2.5	0.0	2.4	--	--
Sp. Cond. (µS/cm)	18375	82286	29859	24307	17488	2366	25520	24596	--	--
pH (s.u.)	6.26	6.58	6.19	6.02	6.17	6.23	6.00	6.3	--	--
Dissolved Oxygen (mg/l)	6.17	0.69	2.57	0.63	7.58	0.46	0.39	0.47	--	--
ORP (mV)	182.2	235.8	71.6	211.6	107.5	93.6	179.0	15.5	--	--

Table 6
Analytical Report Summary & Geochemical Data - AOI 11

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

From AOI 14

Detected Parameter	**Well ID, Sample Date**										**NR 140 Criteria**	
GROUNDWATER	MW09										**PAL**	**ES**
	07/05/04	11/17&22/2004	01/10/05	02/03/05	04/27/05	08/02/05	02/22/06	05/17/06	08/15/06	11/16/06		
VOCs (µg/l)		ND	NA	ND	ND	ND	ND	ND	ND			
Acetone	49 [1]										200	1,000
Toluene										0.24 J	200	1,000
Field Geochemistry	NM											
Temperature (°C)		13.19	5.56	6.34	7.56	16.16	6.79	11.19	17.07	10.43	--	--
Turbidity (NTU)		6.2	19.6	0	1.3	1.1	-10.7	-3.6	-4.2	1.1	--	--
Sp. Cond. (µS/cm)		12467	IE	7277	13947	13989	5035	4320	1059	4313	--	--
pH (s.u.)		6.76	3.04	7.16	6.72	6.71	6.94	7.15	6.75	7.2	--	--
Dissolved Oxygen (mg/l)		0.29	IE	0.71	0.94	0.52	2.58	0.29	0.48	0.4	--	--
ORP (mV)		37.2	68.7	86.6	16.9	111.1	166	64.2	99.8	-20.2	--	--

Notes (Groundwater):

VOCs = volatile organic compounds
DRO = diesel range organics
µg/l = micrograms per liter (parts per billion)
mg/l = milligrams per liter (parts per million)
PAL = Preventive Action Limit, as defined in WAC ch. NR 140
ES = Enforcement Standard, as defined in WAC ch. NR 140
IE = Instrument Error; data are not considered representative of Site conditions.
NL = criterion not listed for compound
NA= parameters not analyzed.
NM = parameter not measured
ND = parameters within a suite (class) of compounds not detected above reporting limit.
Sp. Cond. = specific conductivity
ORP = oxidation reduction potential
°C = degrees Celsius
NTU = Nethlometric turbidity units
µS/cm = microsiemens per centimeter
s.u. = standard units
mV = millivolts
Concentrations in Bold indicate an exceedance of the PAL.
Concentrations in Bold/outlined indicate an exceedance of the ES.
J = Flagged by laboratory: Estimated value. Results reported between the method of detection limit (MDL) and limit of quantitation (LOQ) are less certain than results at or above the LOQ.
S2 = Flagged by laboratory: Compound is a common lab solvent and contaminant. Therefore, the result is considered suspect.
[1] = Compound detected in trip and field blanks. Result considered suspect.
[2] = Sample duplicated. Highest sample result is reported.
Only positive detections shown.

Table 1
Groundwater Elevations
Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

		Nov. 18, 2004		Dec. 8, 2005		Jan. 6, 2005		Mar. 8, 2005		Apr. 26, 2005		Aug. 2-4, 2005			Oct. 25-26, 2005			Jan./Feb. 2006		Mar. 2006		Jun. 2006		Aug. 2006		Sep. 2006		Nov. 2006	
Location	TOC Elev.	DTW	GW Elev	DTW	GW Elev	DTW	GW Elev	DTW	GW Elev	DTW	GW Elev	DTW	DTO	GW Elev	DTW	DTO	GW Elev	DTW	GW Elev	DTW	GW Elev	DTW	GW Elev	DTW	GW Elev	DTW	GW Elev	DTW	GW Elev
MW01	739.68	17.55	722.13	18.08	721.60	17.93	721.75	8.43	731.25	7.81	731.87	NM			NM			NM		Wells Abandoned March 06									
MW02	733.89	DRY		16.74	717.15	17.04	716.85	15.52	718.37	14.18	719.71	NM			NM			NM											
MW03	738.60	8.97	729.63	6.98	731.62	9.13	729.47	6.69	731.91	7.15	731.45	NM			NM			NM											
MW04	736.42	5.86	730.56	3.80	732.62	4.45	731.97	3.84	732.58	4.62	731.80	5.89	NO	730.53	NM			4.67	731.75	NM		NM		5.31	731.11	5.44	730.98	4.31	732.11
MW05	736.45	5.14	731.31	2.75	733.70	4.18	732.27	2.93	733.52	4.38	732.07	NM			NM			NM		NM		NM		NM		NM		NM	
MW06	734.02	11.90	722.12	11.58	722.44	11.53	722.49	11.38	722.64	11.10	722.92	NM			Well Abandoned October 05														
MW07	736.91	7.56	729.35	7.40	729.51	7.00	729.91	5.23	731.68	5.73	731.18	6.70	NO	730.21	NM			NM		NM		NM		NM		NM		NM	
MW08	734.61	3.36	731.25	1.99	732.62	2.90	731.71	2.32	732.29	2.67	731.94	NM			NM			NM		NM		NM		3.47	731.14		734.61	2.98	731.63
MW09	734.53	3.65	730.88	2.74	731.79	2.92	731.61	1.81	732.72	2.73	731.80	3.74	NO	730.79	NM			3.06	731.47	NM		NM		3.62	730.91	3.97	730.56	2.80	731.73
MW10	735.68	6.62	729.06	4.32	731.36	5.31	730.37	3.39	732.29	4.07	731.61	4.76	NO	730.92	6.05	NO	729.63	NM		NM		NM		NM		NM		NM	
MWE-1	734.03	12.04	721.99	11.80	722.23	11.44	722.59	11.51	722.52	11.24	722.79	11.21	NO	722.82	NM			8.03	726.00	NM		NM		8.48	725.55	9.06	724.97	8.56	725.47
MWE-2	733.54	11.75	721.79	11.44	722.10	11.29	722.25	11.13	722.41	10.80	722.74	12.07	NO	721.47	NM			7.17	726.37	NM		NM		7.73	725.81	8.43	725.11	7.93	725.61
MWE-3	733.72	11.50	722.22	10.98	722.74	10.44	723.28	9.64	724.08	9.02	724.70	12.47	NO	721.25	NM			6.40	727.32	NM		NM		7.10	726.62	7.80	725.92	7.20	726.52
MWE-4	734.93	DRY		DRY		NM		NM		16.03	718.90	NM			NM			NM		Wells Abandoned March 06									
MWE-5	734.40	DRY		6.95	727.45	NM		NM		2.70	731.70	NM			NM			NM											
MWE-6	734.75	DRY		11.58	723.17	4.75	730.00	2.50	732.25	2.96	731.79	NM			NM			NM											
MWE-7	734.97	3.72	731.25	2.30	732.67	3.09	731.88	2.69	732.28	3.00	731.97	3.74	NO	731.23	NM			3.39	731.58	NM		NM		3.64	731.33	3.81	731.16	3.26	731.71
MWE-8	734.60	3.80	730.80	1.97	732.63	2.84	731.76	NM		2.78	731.82	4.65	NO	729.95	NM			3.23	731.37	NM		NM		3.54	731.06	4.39	730.21	3.49	731.11
MWE-9	NM	12.49	NM	Well Abandoned December 2004																									
MWE-10	736.70	6.94	729.76	NM*		NM*		NM*		NM*		9.05	6.39	727.65	8.37	10.61	728.33	Well Abandoned November 05											
MWE-11	734.13	Well Installed December 2004				3.34	730.79	2.56	731.57	2.51	731.62	3.57	NO	730.56	NM			2.65	731.48	NM		NM		2.17	731.96	3.88	730.25	1.96	732.17
MWE-12	733.92	Well Installed December 2004				7.76	726.16	5.54	728.38	5.90	728.02	8.09	NO	725.83	NM			6.48	727.44	NM		NM		7.23	726.69	8.68	725.24	7.87	726.05
MWE-12b	735.65	Well Installed February 2005						12.19	723.46	NM		12.24	NO	723.41	NM			8.97	726.68	NM		NM		9.42	726.23	10.95	724.70	9.61	726.04
MWE-13	734.39	Well Installed December 2004				2.61	731.78	2.12	732.27	2.44	731.95	3.57	NO	730.82	NM			2.89	731.50	NM		NM		3.18	731.21	NM		NM	
MWE-14	735.42	Well Installed December 2004				5.86	729.56	4.02	731.40	3.86	731.56	6.04	NO	729.38	NM			NM		Wells Abandoned March 06									
MWE-15	735.42	Well Installed December 2004				3.98	731.44	4.01	731.41	4.06	731.36	4.76	NO	730.66	NM			NM											
MWE-16	734.29	Well Installed December 2004				5.75	728.54	1.09	733.20	1.19	733.10	3.67	NO	730.62	3.98	NO	730.31	NM											
MWE-17	735.84	Well Installed February 2005						DRY		DRY		DRY			NM			NM											
MWE-18a	736.16	Well Installed February 2005						10.86	725.30	Wells Abandoned April 2005																			
MWE-18b	736.14	Well Installed February 2005						9.35	726.79																				
MWE-18c	736.09	Well Installed June 2005										11.94	NO	724.15	NM			NM		Wells Abandoned March 06									
MWE-19	734.56	Well Installed February 2005						11.62	722.94	10.05	724.51	10.43	NO	724.13	NM			NM											
MWE-19b	734.67	Well Installed June 2005										10.51	NO	724.16	NM			NM											
MWE-20	735.29	Well Installed February 2005						8.66	726.63	7.66	727.63	9.74	NO	725.55	NM			NM											
MWE-21	735.52	Well Installed February 2005						5.52	730.00	DRY		5.68	NO	729.84	6.15	NO	729.37	NM											
MWE-22	736.46	Well Installed February 2005						NM*		NM*		8.05	6.59	728.41	7.20	7.10	729.26	Well Abandoned November 05											
MWE-23	736.52	Well Installed February 2005						7.93	728.59	9.88	726.64	11.75	NO	724.77	NM			8.26	728.26	NM		4.71	731.81	7.87	728.65	8.37	728.15	7.17	729.35
MWE-24	736.64	Well Installed February 2005						12.54	724.10	12.85	723.79	6.95	6.80	729.69	7.70	7.70	728.94	Well Abandoned November 05											
MWE-25	736.17	Well Installed March 2005								7.69	728.48	8.40	NO	727.77	8.09	NO	728.08	NM		Wells Abandoned March 06									
MWE-25b	736.11	Well Installed June 2005										17.62	NO	718.49	15.36	NO	720.75	NM											
MWE-26	735.94	Well Installed March 2005								6.20	729.74	6.81	NO	729.13	NM			NM											
MWE-27	739.48	Well Installed March 2006								6.79	732.69	NM			NM			NM		NM		NM		NM		NM		NM	
MWE-28	736.59	Well Installed April 2005								5.00	731.59	6.09	NO	730.50	NM			5.00	731.59	NM		4.55	732.04	5.33	731.26	5.59	731.00	5.07	731.52
MWE-29	736.50	Well Installed April 2005								5.90	730.60	6.99	6.39	729.51	8.06	8.01	728.44	Wells Abandoned November 05											
MWE-30	736.58	Well Installed April 2005								5.70	730.88	6.55	6.39	730.03	8.01	7.81	728.57												
MWE-31	736.59	Well Installed April 2005								5.09	731.50	6.08	NO	730.51	NM			5.21	731.38	NM		4.55	732.04	5.16	731.43	5.10	731.49	5.12	731.47
MWE-32	735.85	Well Installed June 2005										11.72	NO	724.13	12.57	NO	723.28	NM		NM		Wells Abandoned March 06							
MWE-33	736.66	Well Installed October 2005																NM		11.89	724.77								
MWE-34	736.49	Well Installed October 2005																NM		11.73	724.76								
MWE-35	736.63	Well Installed October 2005																NM		13.97	722.66								
MWE-36	736.72	Well Installed October 2005																NM		10.04	726.68								
MWE-37	736.65	Well Installed October 2005																NM		NM		NM		6.33	730.32	6.74	729.91	6.91	729.74
MWE-38	736.61	Well Installed November 2005																NM		NM		NM		5.23	731.38	5.57	731.04	5.31	731.30
MWE-39	736.62	Well Installed November 2005																5.23	731.39	NM		NM		5.11	731.51	5.02	731.60	4.99	731.63
MWE-40	736.63	Well Installed November 2005																NM		DRY		Wells Abandoned March 06							
MWE-41	736.65	Well Installed November 2005																4.62	732.03	4.91	731.74								
MWE-42	736.59	Well Installed November 2005																10.62	725.97	4.83	731.76								
MWE-43	736.55	Well Installed November 2005																DRY		13.16	723.39								
MWE-44	736.60	Well Installed November 2005																4.59	732.01	4.91	731.69								
MWE-45	736.62	Well Installed November 2005																5.49	731.13	Wells Abandoned March 06									
MWE-46	736.64	Well Installed November 2005																5.35	731.29										
MWE-47	736.63	Well Installed November 2005																5.35	731.28										
MWE-48	736.48	Well Installed February 2006																12.32	724.16	NM		NM		5.34	731.14	5.57	730.91	5.66	730.82
MWE-49	736.64	Well Installed February 2006																5.65	730.83	NM		NM		5.39	731.25	5.59	731.05	5.32	731.32
MWE-50	736.58	Well Installed February 2006																10.74	725.74	NM		4.70	731.88	5.59	730.99	5.11	731.47	5.60	730.98

Notes:
NM - Not Measured
NM* - Not measured due to the presence of free product
NO - No free-phase grinding oil present
TOC - Top of casing elevation
DTW - Depth to water
DTO - Depth to free-phase grinding oil
DRY = No water was present in well
All units are in feet unless otherwise indicated

GIS REGISTRY
Cover Sheet

July, 2008
(RR 5367)

Source Property Information

CLOSURE DATE:

BRRTS #: 02-41-530528

FID #: 241018140

ACTIVITY NAME: FALK CORP PLANT 2 - AOI-13

DATCP #:

PROPERTY ADDRESS: 12001 W. Capitol Drive

COMM #:

MUNICIPALITY: Wauwatosa

PARCEL ID #: 258-9999-01

***WTM COORDINATES:**

X: **677998** Y: **292425**

** 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 #: 02-41-530528 PARCEL ID #: 258-9999-01

ACTIVITY NAME: FALK CORP PLANT 2 - AOI-13 WTM COORDINATES: X: 677998 Y: 292425

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

- [X] **Closure Letter**
- [ ] **Maintenance Plan** *(if activity is closed with a land use limitation or condition (land use control) under s. 292.12, Wis. Stats.)*
- [ ] **Conditional Closure Letter**
- [ ] **Certificate of Completion (COC)** for VPLE sites

SOURCE LEGAL DOCUMENTS

- [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 #: **Title:**
- [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 #: Figure 1 **Title: Site Location**
- [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 #: Figure 12 **Title: AOI-13 Contaminated Property**
- [X] **Soil Contamination Contour Map:** For sites closing with residual soil contamination, this map is to show the location of all contaminated soil and a single contour showing the horizontal extent of each area of contiguous residual soil contamination that exceeds a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL)as determined under s. NR 720.09, 720.11 and 720.19.

  Figure #: Figure 12 **Title: AOI-13 - Soil Sample Location and Horizontal Extent of Soil Impacts**

BRRTS #: 02-41-530528 ACTIVITY NAME: FALK CORP PLANT 2 - AOI-13

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 #: Table 13 **Title: Site Investigation Analytical Report Summary - AOI 13**

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

Table #: **Title:**

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

Table #: **Title:**

IMPROPERLY ABANDONED MONITORING WELLS

For each monitoring well not properly abandoned according to requirements of s. NR 141.25 include the following documents.
Note: *If the site is being listed on the GIS Registry for only an improperly abandoned monitoring well you will only need to submit the documents in this section for the GIS Registry Packet.*

☒ **Not Applicable**

☐ **Site Location Map:** A map showing all surveyed monitoring wells with specific identification of the monitoring wells which have not been properly abandoned.
Note: *If the applicable monitoring wells are distinctly identified on the Detailed Site Map this Site Location Map is not needed.*

Figure #: **Title:**

☐ **Well Construction Report:** Form 4440-113A for the applicable monitoring wells.

☐ **Deed:** The most recent deed as well as legal descriptions for each property where a monitoring well was not properly abandoned.

☐ **Notification Letter:** Copy of the notification letter to the affected property owner(s).

BRRTS #: 02-41-530528 ACTIVITY NAME: FALK CORP PLANT 2 - AOI-13

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 53212-0436
Telephone 414-263-8500
FAX 414-263-8716
TTY 414-263-8713

June 10, 2009

Mr. Anthony Frigiani
Hamilton Sundstrand Corp.
1 Hamilton Rd., M/S 1M5
Windsor Locks, CT 06096

SUBJECT: Final Case Closure with Continuing Obligations
Former Falk Plant 2, 12001 W. Capitol Dr., Wauwatosa, WI

WDNR BRRTS Activity #: 06-41-534503, 02-41-546853, 02-41-546854, 02-41-530528
FID #: 241018140

Dear Mr.Frigiani:

On October 7, 2008, the Southeast Region Closure Committee and VPLE Committee reviewed the above referenced case for closure. These committees review 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 meets the closure requirements in ch. NR 726, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation is required at this time, however, you and future property owners must comply with certain continuing obligations as explained in this letter.

GIS Registry

This site will be listed on the Remediation and Redevelopment Program's GIS Registry. The specific reasons are summarized below:

- Pavement, an engineered cover or a soil barrier must be maintained over contaminated soil and the state must approve any changes to this barrier
- Groundwater contamination is present above Chapter NR 140 enforcement standards

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

Closure Conditions

Please be aware that pursuant to s. 292.12 Wisconsin Statutes, compliance with the requirements of this letter is a responsibility to which the current property owner and any subsequent property owners must adhere. You must pass on the information about these continuing obligations to the next property owner or owners. 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. The Department intends to conduct inspections in the future to ensure that the conditions included in this letter including compliance with referenced maintenance plans are met.

Cover or Barrier

Pursuant to s. 292.12(2)(a), Wis. Stats., the pavement or other impervious cap that currently exists in the location of AOI 4, AOI 7, AOI 8, AOI 11, AOI 13, AOI 15, AOI C5, AOI E25 AOI H28, AOI I32 shown on the attached map shall be maintained in compliance with the **attached maintenance plans** 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 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 is considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken during excavation activities to prevent a health threat to humans.

The attached maintenance plans and inspection logs are to be kept up-to-date and on-site. Please submit the inspection log to the Department only upon request.

Prohibited Activities

The following activities are prohibited on any portion of the property where [pavement, a building foundation, soil cover, engineered cap or other barrier] is required as shown on the attached map, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 1) removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; 6) construction or placement of a building or other structure.

Residual Groundwater Contamination

Groundwater impacted by chlorinated VOC contamination greater than enforcement standards set forth in ch. NR140, Wis. Adm. Code, is present on this contaminated property in the area of AOI 11. For more detailed information regarding the locations where groundwater samples have been collected (i.e., monitoring well locations) and the associated contaminant concentrations, refer to the Remediation and Redevelopment Program's GIS Registry at the RR Sites Map page at http://dnr.wi.gov/org/aw/rr/gis/index.htm.

Vapor Migration

In addition, depending on site-specific conditions, construction over contaminated materials may result in vapor migration of contaminants into enclosed structures or migration along newly placed underground utility lines. The potential for vapor inhalation and means of 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.

Chapter NR 140, Wis. Adm. Code Exemption

Recent groundwater monitoring data at this site indicates that for 1,2-Dichloroethane at MWE-26 and 1,1-Dichloroethylene at MW10, contaminant levels exceed the NR 140 preventive action limit (PAL) but are below the enforcement standard (ES). The Department may grant an exemption to a PAL for a substance of public health concern, other than nitrate, pursuant to s. NR 140.28(2)(b), Wis. Adm. Code, if all of the following criteria are met:

1. The measured or anticipated increase in the concentration of the substance will be minimized to the extent technically and economically feasible.

2. Compliance with the PAL is either not technically or economically feasible.

3. The enforcement standard for the substance will not be attained or exceeded at the point of standards application. [Note: at this site the point of standards application is all points where groundwater is monitored.]

4. Any existing or projected increase in the concentration of the substance above the background concentration does not present a threat to public health or welfare.

Based on the information you provided, the Department believes that these criteria have been or will be met due to source control measures that have occurred in these areas. Therefore, pursuant to s. NR 140.28, Wis. Adm. Code, an exemption to the PAL is granted for 1,2-Dichloroethane at MWE-26 and 1,1-Dichloroethelyne at MW10. Please keep this letter, because it serves as your exemption.

Post-Closure Notification Requirements

In accordance with ss, 292.12 and 292.13, Wis. Stats., you must notify the Department before making changes that affect or relate to the conditions of closure in this letter. For this case, examples of changed conditions requiring prior notification include, but are not limited to:

- Disturbance, construction on, change or removal in whole or part of pavement, an engineered cover or a soil barrier that must be maintained over contaminated soil

Please send written notifications in accordance with the above requirements to the Southeast Regional Headquarters, to the attention of Victoria Stovall.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this closure decision or anything outlined in this letter, please contact Margaret Brunette at (414)263-8557.

Sincerely,

James A. Schmidt

James A. Schmidt, Team Supervisor
Southeast Remediation & Redevelopment Program

Attach. (Disk)
- Maintenance plans

cc: Lauren Gromoski – AECOM (w/out attach.)
Jeff Bykowski – Penzeys Spices (w/out attach.)
Bill Phelps, DG/5 (w/out attach.)

5

* 0 9 0 6 2 1 2 2 *

Document Number	SPECIAL WARRANTY DEED Title of Document	DOC.# 09062122

REGISTER'S OFFICE | SS
Milwaukee County, WI|

RECORDED 08/03/2005 10:55AM

JOHN LA FAVE
REGISTER OF DEEDS

AMOUNT:19.00

Record this document with the Register of Deeds

Name and Return Address:
TRAPP & HARTMAN SC
14380 W. CAPITOL DRIVE, #1
BROOKFIELD, WI 53005-2323
ATTN: STEPHEN A. HARTMAN

TRANSFER
$ 18,300.00
FEE

258-9999-01, 258-9995-02 AND
(Parcel Identification Number) 258-9998-00

INFO-PRO (800)655-2021 www.infoproforms.com

Record and Return to:
Trapp & Hartman SC
14380 W Capitol Drive, #1
Brookfield, Wisconsin 53005-2323
Attention: Stephen A. Hartman

Parcel Identification No.: 258-9999-01.

This is not homestead property.

SPECIAL WARRANTY DEED

This SPECIAL WARRANTY DEED, made between **HAMILTON SUNDSTRAND CORPORATION,** a Delaware corporation, as grantor ("**Grantor**"), and **WTP HOLDINGS, LLC**, a Wisconsin limited liability company, as grantee ("**Grantee**").

Grantor, for valuable consideration, conveys to Grantee the real estate described in Exhibit A attached hereto and made a part hereof (the "**Property**"), located in Milwaukee County, State of Wisconsin.

Together with all appurtenant rights, title and interests.

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 municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utitlity and municipal services, recorded building and use restrictions and covenants and general taxes levied in 2005 and thereafter and will warrant and defend the same.

Dated this 27th day of July, 2005.

HAMILTON SUNDSTRAND CORPORATION,
a Delaware corporation

By: _____
Name: Ronald F. Zapinski, President
Title: United Technologies Realty, Inc.
Authorized agent

ACKNOWLEGMENT

STATE OF CONNECTICUT)
) ss.
HARTFORD COUNTY)

Personally came before me this 27th day of July, 2005, the above named Ronald P. Zappile, President of United Technologies Realty, the authorized signatory for Hamilton Sundstrand Corporation, a Delaware corporation, to me known to be the person who executed the foregoing instrument and acknowledge the same.

Notary Public, State of Connecticut

My Commission Expires: KATE S. BARBOUR NOTARY PUBLIC MY COMMISSION EXPIRES MAR. 31, 2008

AUTHENTICATION

Euchung Ung
Member, State Bar of Connecticut

Authenticated this 27th day of July, 2005.

This instrument was drafted by:

Robinson & Cole
695 East Main Street
Stamford, Connecticut 06901
Attention: Euchung Ung

EXHIBIT A
Legal Description of the Property

See attached.

EXHIBIT A

PARCEL 1:

THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION, RUNNING THENCE SOUTH ALONG THE EAST LINE OF SAID 1/4 SECTION, 1995.04 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTH 34°34'20" WEST ALONG THE SAID RIGHT-OF-WAY LINE 1628.99 FEET TO A POINT; THENCE NORTH 17°41'10" WEST 624.86 FEET TO A POINT IN THE NORTH LINE OF SAID 1/4 SECTION; THENCE NORTH 87°00'00" EAST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO THE PLACE OF COMMENCEMENT. EXCEPTING THEREFROM THE NORTH 60.0 FEET THEREOF, MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID 1/4 SECTION. ALSO EXCEPTING THEREFROM QUIT CLAIM DEED RECORDED AS DOCUMENT NO. 4244616, AND EXCEPTING CERTIFIED SURVEY MAP NO. 5829.

PARCEL NO. 258-9999-01

PARCEL 2:

PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5829 RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS OFFICE APRIL 22, 1993 ON REEL 3018, IMAGE 821, AS DOCUMENT NO. 6756051; BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN.

PARCEL NO. 258-9999-02

PARCEL 3:

THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; THENCE SOUTH 89°59'53" WEST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO A POINT; THENCE SOUTH 18°41'37" EAST 108.48 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED, SAID POINT BEING THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE SOUTH 18°41'37" EAST 494.43 FEET TO A POINT; THENCE NORTH 35°09'49" WEST 451.26 FEET TO A POINT; THENCE NORTH 20°39'37" WEST 43.00 FEET TO A POINT; THENCE NORTH 14°21'43" EAST 65.51 FEET TO A POINT ON THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF RELOCATED WEST CAPITOL DRIVE 100.44 FEET ON AN ARC WHOSE CENTER IS TO THE SOUTH, WHOSE RADIUS IS 1259.24 FEET AND WHOSE CHORD BEARS SOUTH 87°34'01" EAST 100.42 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 258-9998-00

PROPERTY EXHIBIT

KNOWN AS 12001 WEST CAPITOL DRIVE, CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN

PARCEL 1
THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; RUNNING THENCE SOUTH ALONG THE EAST LINE OF SAID 1/4 SECTION 1995.04 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTH 34°34'20" WEST ALONG THE SAID RIGHT-OF-WAY LINE 1628.99 FEET TO A POINT; THENCE NORTH 17°41'10" WEST 624.86 FEET TO A POINT IN THE NORTH LINE OF SAID 1/4 SECTION; THENCE NORTH 87°00'00" EAST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO THE PLACE OF COMMENCEMENT.
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PARCEL 2
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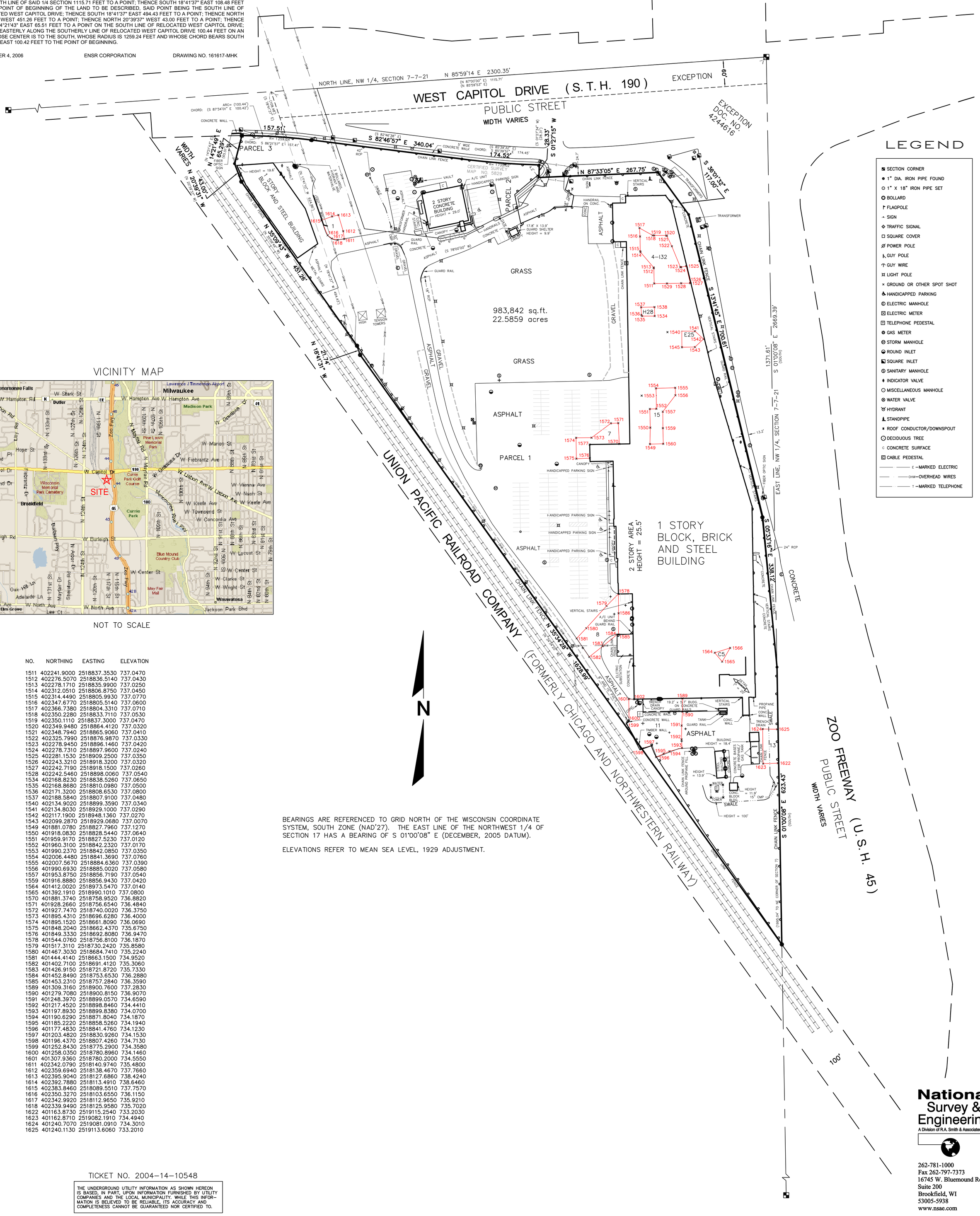
DECEMBER 4, 2006 ENSR CORPORATION DRAWING NO. 161617-MHK

NOT TO SCALE



LEGEND

- SECTION CORNER
- 1" DIA. IRON PIPE FOUND
- 1" X 18" IRON PIPE SET
- BOLLARD
- FLAGPOLE
- SIGN
- TRAFFIC SIGNAL
- SQUARE COVER
- POWER POLE
- GUY POLE
- GUY WIRE
- LIGHT POLE
- GROUND OR OTHER SPOT SHOT
- HANDICAPPED PARKING
- ELECTRIC MANHOLE
- ELECTRIC METER
- TELEPHONE PEDESTAL
- GAS METER
- STORM MANHOLE
- ROUND INLET
- SQUARE INLET
- SANITARY MANHOLE
- INDICATOR VALVE
- MISCELLANEOUS MANHOLE
- WATER VALVE
- HYDRANT
- STANDPIPE
- ROOF CONDUCTOR/DOWNSPOUT
- DECIDUOUS TREE
- CONCRETE SURFACE
- CABLE PEDESTAL
- E —MARKED ELECTRIC
- OHW—OVERHEAD WIRES
- T —MARKED TELEPHONE

NO.	NORTHING	EASTING	ELEVATION
1511	402241.9000	2518837.3530	737.0470
1512	402276.5070	2518836.5140	737.0430
1513	402278.1710	2518835.9900	737.0250
1514	402312.0510	2518806.8750	737.0450
1515	402314.4490	2518805.9930	737.0770
1516	402347.6770	2518805.5140	737.0600
1517	402366.7380	2518804.3310	737.0710
1518	402350.2280	2518833.7110	737.0530
1519	402350.1110	2518837.3000	737.0470
1520	402349.9480	2518864.4120	737.0320
1521	402348.7940	2518865.9060	737.0410
1522	402325.7990	2518876.9870	737.0330
1523	402278.9450	2518896.1460	737.0420
1524	402278.7310	2518897.9600	737.0240
1525	402281.1530	2518909.2500	737.0350
1526	402243.3210	2518918.3200	737.0320
1527	402242.7190	2518918.1500	737.0260
1528	402242.5460	2518898.0060	737.0540
1534	402168.8230	2518838.5260	737.0650
1535	402168.8680	2518810.0980	737.0500
1536	402171.3200	2518808.6530	737.0800
1537	402188.5840	2518807.9100	737.0480
1540	402134.9020	2518899.3590	737.0340
1541	402134.8030	2518929.1000	737.0290
1542	402117.1900	2518948.1360	737.0270
1543	402099.2870	2518929.0680	737.0070
1549	401881.0780	2518827.7960	737.1270
1550	401918.0830	2518828.5440	737.0640
1551	401959.9170	2518827.5230	737.0120
1552	401960.3100	2518842.2320	737.0170
1553	401990.2370	2518842.0850	737.0350
1554	402006.4480	2518841.3690	737.0760
1555	402007.5670	2518884.6360	737.0390
1556	401990.6930	2518885.0020	737.0580
1557	401953.8750	2518856.7190	737.0540
1559	401916.8880	2518856.9430	737.0420
1564	401412.0020	2518973.5470	737.0140
1565	401392.1910	2518990.1010	737.0800
1570	401881.3740	2518758.9520	736.8820
1571	401928.2660	2518756.6540	736.4840
1572	401927.7470	2518740.0020	736.3750
1573	401895.4310	2518696.6280	736.4000
1574	401895.1520	2518661.8090	736.0690
1575	401848.2040	2518662.4370	735.6750
1576	401849.3330	2518692.8080	736.9470
1578	401544.0760	2518756.8100	736.1870
1579	401517.3110	2518730.2420	735.8580
1580	401467.3030	2518684.7410	735.2240
1581	401444.4140	2518663.1500	734.9520
1582	401402.7100	2518691.4120	735.3060
1583	401426.9150	2518721.8720	735.7330
1584	401452.8490	2518753.6530	736.2880
1585	401453.2310	2518757.2840	736.3590
1589	401309.3160	2518900.7600	737.2830
1590	401279.7080	2518900.8150	736.9070
1591	401248.3970	2518899.0570	734.6590
1592	401217.4520	2518898.8460	734.4410
1593	401197.8930	2518899.8380	734.0700
1594	401190.6290	2518871.8040	734.1870
1595	401185.2220	2518858.5260	734.1940
1596	401177.4830	2518841.4760	734.1230
1597	401203.4820	2518830.9260	734.1530
1598	401196.4370	2518807.4260	734.7130
1599	401252.8430	2518775.2900	734.3580
1600	401258.0350	2518780.8960	734.1460
1601	401307.9360	2518780.2000	734.5550
1611	402342.0790	2518140.9740	735.4800
1612	402359.6940	2518138.4670	737.7660
1613	402395.9040	2518127.6860	738.4240
1614	402392.7880	2518113.4910	738.6460
1615	402383.8460	2518089.5510	737.7570
1616	402350.3270	2518103.6550	736.1150
1617	402342.9920	2518112.9650	735.9210
1618	402339.9490	2518125.9580	735.7020
1622	401163.8730	2519115.2540	733.2030
1623	401162.8710	2519082.1910	734.4940
1624	401240.7070	2519081.0910	734.3010
1625	401240.1130	2519113.6060	733.2010

BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN COORDINATE SYSTEM, SOUTH ZONE (NAD'27). THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 17 HAS A BEARING OF S 01°00'08" E (DECEMBER, 2005 DATUM).

ELEVATIONS REFER TO MEAN SEA LEVEL, 1929 ADJUSTMENT.

TICKET NO. 2004-14-10548

THE UNDERGROUND UTILITY INFORMATION AS SHOWN HEREON IS BASED, IN PART, UPON INFORMATION FURNISHED BY UTILITY COMPANIES AND THE LOCAL MUNICIPALITY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.

National Survey & Engineering
A Division of R.A. Smith & Associates, Inc.
262-781-1000
Fax 262-797-7373
16745 W. Bluemound Road
Suite 200
Brookfield, WI
53005-5938
www.nsae.com

S:\5161617\dwg\
161617H0.DWG \ PX201E80

SHEET 1 OF 1

DRAWING SCALE: 1 INCH = 80 FEET

12001 W. Capitol Drive, Wauwatosa, Wisconsin
AOI 13

WDNR BRRTS Numbers: #06-41-534503, #02-41-530528
FID Number: 241018140

Parcel Number: 258-9999-01
WTM83/91 Coordinates: E677998 N292425

Responsible Party:
Greg Blessing
United Technologies Corporation
United Technologies Building
Hartford, CT 06101
(860) 728-6529

Site Owner/Operator:
Penzeys Spices
19300 W. Janacek Court
Brookfield, WI 53045
(262) 785-7602

AOI 13

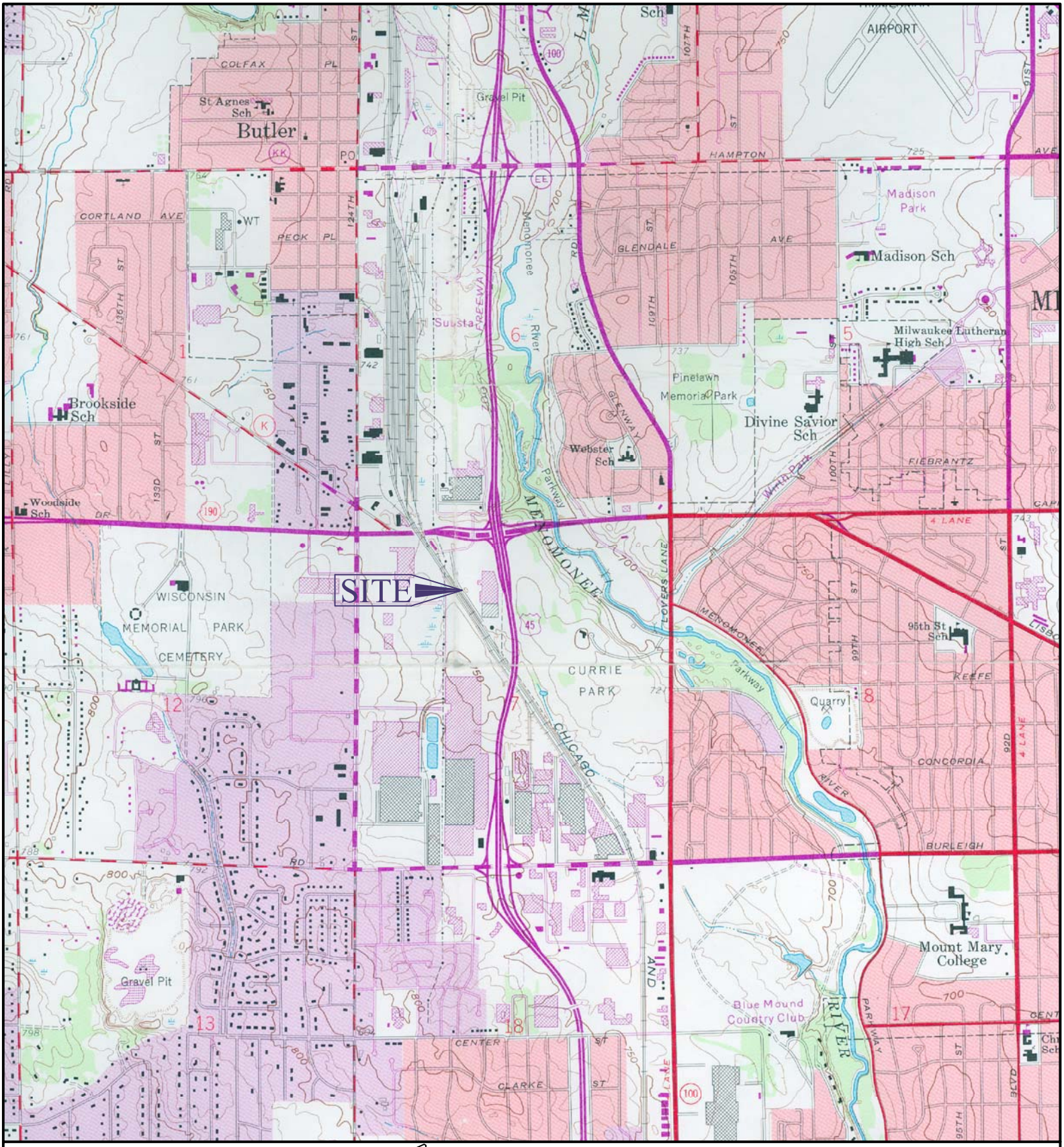
Area of Interest (AOI) 13 is located within, or partially within, the boundary of the property located at 12001 West Capitol Drive, Wauwatosa, Wisconsin, whose legal description (as found on the City of Wauwatosa Assessor's Department website [www.wauwatosa.net]), is as follows:

NW QUAR SEC 7 7 21 COMM AT NE COR OF SD QUAR SEC TH S 1995.04 FT TH NW ALG RR ROW 1628.99 FT TH N 17D 41'10 W 624.86 FT TH E 1115.71 FT TO PL OF BEG SUBJECT TO TMER&L CO TOWER LINE ROW EXC N & E PART TAKEN FOR STREET AND EXPRESSWAY & EXC CSM NO 5829 1994.

Parcel ID: 258-9999-01

Printed Name: Gregory F. Blessing

Signature: _____ Date: 2/28/08



Adapted from: USGS 7.5 minute series Wauwatosa, Wisconsin topographic quadrangle in 1958, photorevisited in 1976.

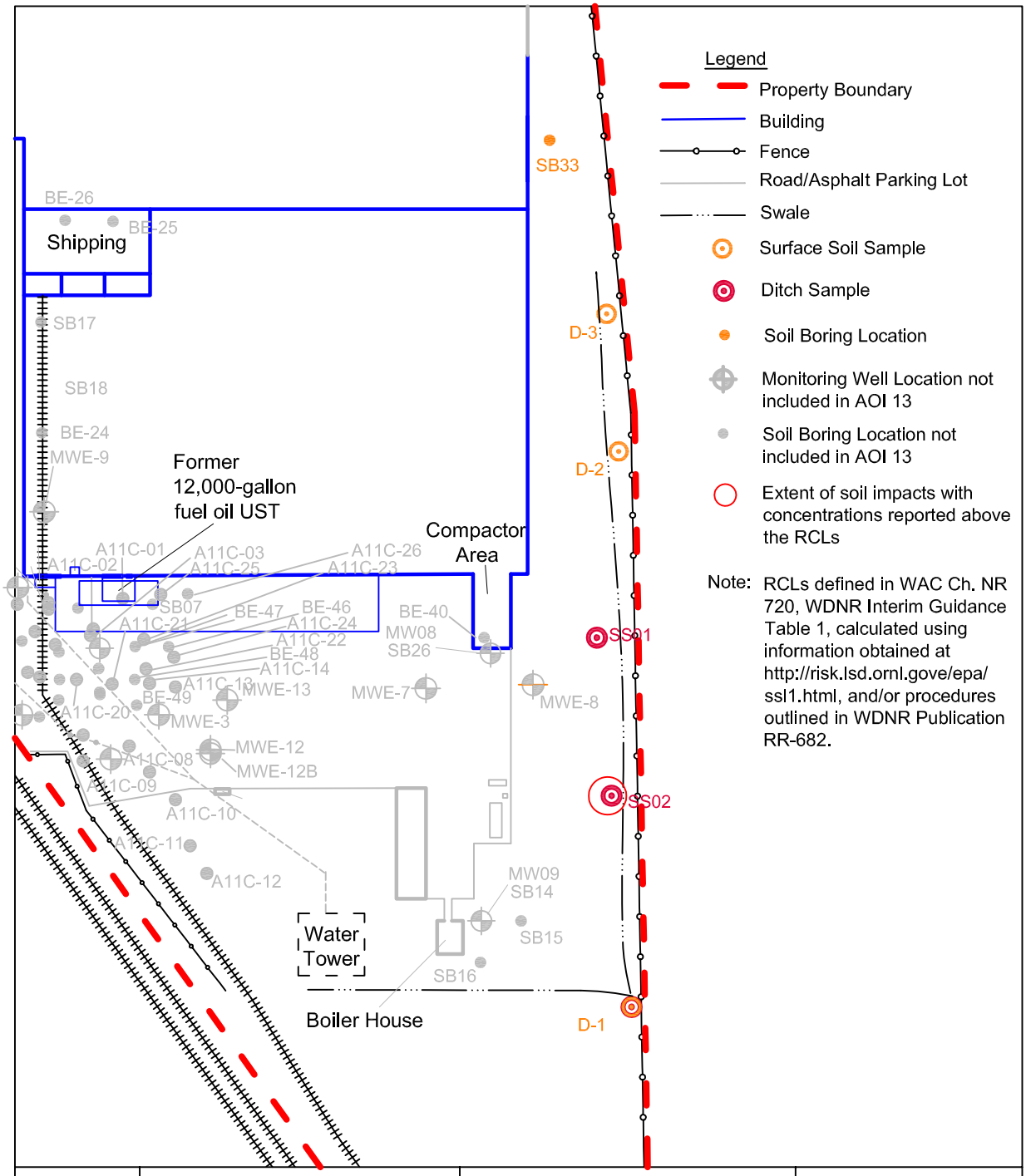
SCALE 1:24,000

Figure 1

Site Location Map

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, Wisconsin

ENSR | AECOM



Scale: 1":90'

Hamilton Sunstrand

Case Summary and Close Out Form

AOI 13 - Contaminated Property

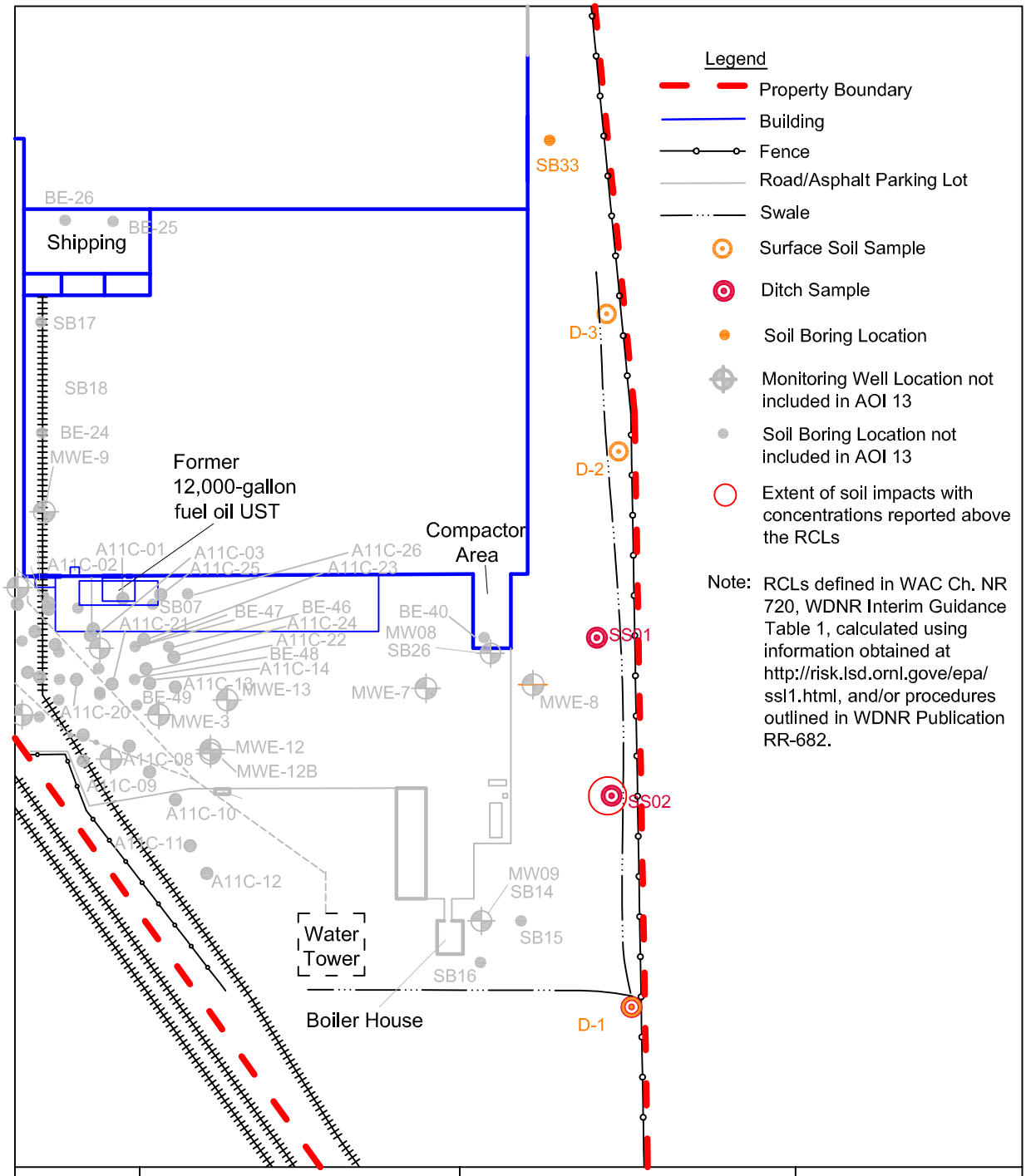
Former Falk Corporation

01/04/08 06916-277

Figure 12

www.ensr.aecom.com

ENSR | AECOM



Scale: 1":90'

Hamilton Sunstrand

Case Summary and Close Out Form

AOI 13 - Soil Sample Locations & Horizontal Extent of Soil Impacts

Former Falk Corporation

01/04/08 06916-277

Figure 12

www.ensr.aecom.com

Table 13

Site Investigation Analytical Report Summary - AOI 13

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	SB33 (5.5) 06/2004	SS01 06/2004	SS02 06/2004	D-1 11/10/04	D-2 11/10/04	D-3 11/10/04	**Direct Contact**	**Groundwater Protection**
VOCs (µg/kg)	ND	ND		NA	NA	NA		
Toluene			38				670,000	1,500
SVOCs (mg/kg)				ND				
Acenaphthene			0.041				60,000	38
Acenaphthylene			0.22				360	0.7
Anthracene		0.84	0.18				300,000	3,000
Benzo[*a*]anthracene		0.360	1.3				3.9	17
Benzo[*a*]pyrene		1.7	2.0				0.39	48
Benzo[*b*]fluoranthene		2.2	4.9				3.9	360
Benzo[*g,h,i*]perylene			0.8				39	6,800
Benzo[*k*]fluoranthene			1.5				39	870
bis[2-ethylhexyl]phthalate	0.20	6.1	1.9		1.2	2.1	204	180
Carbazole			**0.22**				143	0.03
Chrysene		2.7	1.8				390	37
Dibenzo[*a,h*]anthracene			0.25				0.39	38
Dibenzofuran			0.027				210	4.8
Diethylphthalate	0.079	0.28	0.21				2,000	49
Di-*n*-octylphthalate			0.31				NL	NL
Fluoranthene		0.31	4.0				40,000	500
Fluorene			0.12				40,000	100
Indeno[1,2,3-*cd*]pyrene		0.35	1.0				3.9	680
Naphthalene			0.022				110	0.4
Phenanthrene			1.5				390	1.8
Pyrene			3.8				30,000	8,700
Metals (mg/kg)	NA		NA					
Barium		104		46	40	88	71,500	330
Cadmium		0.55		0.80	**1.7**	1.0	510	1.5
Chromium		**24.3**		**31**	**12**	**44**	200	14
Lead		65.7		58	57	62	500	NL
Mercury		0.047		0.053	0.080	0.10	2.9	0.42
Selenium		**1.2**					5,110	1
PCBs (mg/kg)	NA		NA	NA	NA	NA		
Total PCBs		0.11					0.74	NL

Notes (Soil):

VOCs = volatile organic compounds

SVOCs = semivolatile organic compounds

PCBs = polychlorinated biphenyls

DRO = diesel range organics

µg/kg = micrograms per kilogram (parts per billion)

mg/kg = miligrams per kilogram (parts per million)

Direct Contact = Residual Contaminant Levels (RCLs) that apply to soil collected within four feet of the ground surface, either as defined in Wisconsin Administrative Code Chapter NR 720, WDNR 1993 Interim Guidance Table 1 polycyclic aromatic hydrocarbons, or, if no established criteria exists, as calculated using U.S. EPA Soil Screening Guidance for Chemicals (http://risk.lsd.ornl.gov/epa/ssl1.html) and procedures outlined in WDNR Publicatior

Groundwater Protection = RCLs based on the protection of groundwater, either as defined in Wisconsin Administrative Code Chapter NR 720, WDNR 1993 Interim Guidance Table 1 for polycyclic aromatic hydrocarbons, or, if no established criteria exists, as calculated using U.S. EPA Soil Screening Guidance for Chemicals (http://risk.lsd.ornl.gov/epa/ssl1.html) and procedures outlined in WDNR Publication RR-682

DRO criteria defined in Wisconsin Administrative Code Chapter NR 720, based on assumption of contaminated soil and soil below the contaminated soil for a depth of 3 meters having a hydraulic conductivity of 1x10-6 cm/sec or

ND = parameters within a suite (class) of compounds not detected above reporting limit.

NA = parameters not analyzed.

NL = criterion not listed for compound

Concentrations in bold indicate an exceedence of the Groundwater Protection RCL

Concentrations outlined indicate an exceedence of the Industrial Direct Contact RCL

Only positive detections shown.

GIS REGISTRY
Cover Sheet

July, 2008
(RR 5367)

Source Property Information

CLOSURE DATE:

BRRTS #: 02-41-530528

FID #: 241018140

ACTIVITY NAME: FALK CORP PLANT 2 - AOI- 15

DATCP #:

PROPERTY ADDRESS: 12001 W. Capitol Drive

COMM #:

MUNICIPALITY: Wauwatosa

PARCEL ID #: 258-9999-01

***WTM COORDINATES:**

X: **677998** Y: **292425**

** 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)

, 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 ɔrm 4400-202, Case Closure Request. The closure of a case means that the Department has determined that no further response is required at that time based on the information that has been submitted to the Department.

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

BRRTS #: 02-41-530528 PARCEL ID #: 258-9999-01

ACTIVITY NAME: FALK CORP PLANT 2 - AOI-15 WTM COORDINATES: X: 677998 Y: 292425

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

☐ **Closure Letter**

☐ **Maintenance Plan** *(if activity is closed with a land use limitation or condition (land use control) under s. 292.12, Wis. Stats.)*

☐ **Conditional Closure Letter**

☐ **Certificate of Completion (COC)** for VPLE sites

SOURCE LEGAL DOCUMENTS

☒ **Deed:** The most recent deed as well as legal descriptions, for the **Source Property** (where the contamination originated). Deeds for other, off-source (off-site) properties are located in the **Notification** section.
Note: *If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.*

☒ **Certified Survey Map:** A copy of the certified survey map or the relevant section of the recorded plat map *for those properties where the legal description in the most recent deed refers to a certified survey map or a recorded plat map.* (lots on subdivided or platted property (e.g. lot 2 of xyz subdivision)).

Figure #: **Title:**

☒ **Signed Statement:** A statement signed by the Responsible Party (RP), which states that he or she believes that the attached legal description accurately describes the correct contaminated property.

MAPS (meeting the visual aid requirements of s. NR 716.15(2)(h))

Maps must be no larger than 8.5 x 14 inches unless the map is submitted electronically.

☒ **Location Map:** A map outlining all properties within the contaminated site boundaries on a U.S.G.S. topographic map or plat map in sufficient detail to permit easy location of all parcels. If groundwater standards are exceeded, include the location of all potable wells within 1200 feet of the site.
Note: *Due to security reasons municipal wells are not identified on GIS Packet maps. However, the locations of these municipal wells must be identified on Case Closure Request maps.*

Figure #: Figure 1 **Title: Site Location**

☒ **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 #: Figure 13 **Title: AOI-15 Contaminated Property**

☒ **Soil Contamination Contour Map:** For sites closing with residual soil contamination, this map is to show the location of all contaminated soil and a single contour showing the horizontal extent of each area of contiguous residual soil contamination that exceeds a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL)as determined under s. NR 720.09, 720.11 and 720.19.

Figure #: Figure 13 **Title: AOI-15 - Soil Sample Location and Horizontal Extent of Soil Impacts**

BRRTS #: 02-41-530528 ACTIVITY NAME: FALK CORP PLANT 2 - AOI-15

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: G**

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 #: Table 13 **Title: Site Investigation Analytical Report Summary - AOI 15**

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

Table #: **Title:**

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

Table #: **Title:**

IMPROPERLY ABANDONED MONITORING WELLS

For each monitoring well not properly abandoned according to requirements of s. NR 141.25 include the following documents.
Note: *If the site is being listed on the GIS Registry for only an improperly abandoned monitoring well you will only need to submit the documents in this section for the GIS Registry Packet.*

☒ **Not Applicable**

☐ **Site Location Map:** A map showing all surveyed monitoring wells with specific identification of the monitoring wells which have not been properly abandoned.
Note: *If the applicable monitoring wells are distinctly identified on the Detailed Site Map this Site Location Map is not needed.*

Figure #: **Title:**

☐ **Well Construction Report:** Form 4440-113A for the applicable monitoring wells.

☐ **Deed:** The most recent deed as well as legal descriptions for each property where a monitoring well was not properly abandoned.

☐ **Notification Letter:** Copy of the notification letter to the affected property owner(s).

BRRTS #: 02-41-530528 ACTIVITY NAME: FALK CORP PLANT 2 - AOI-15

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 53212-0436
Telephone 414-263-8500
FAX 414-263-8716
TTY 414-263-8713

June 10, 2009

Mr. Anthony Frigiani
Hamilton Sundstrand Corp.
1 Hamilton Rd., M/S 1M5
Windsor Locks, CT 06096

SUBJECT: Final Case Closure with Continuing Obligations
Former Falk Plant 2, 12001 W. Capitol Dr., Wauwatosa, WI

WDNR BRRTS Activity #: 06-41-534503, 02-41-546853, 02-41-546854, 02-41-530528
FID #: 241018140

Dear Mr.Frigiani:

On October 7, 2008, the Southeast Region Closure Committee and VPLE Committee reviewed the above referenced case for closure. These committees review 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 meets the closure requirements in ch. NR 726, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation is required at this time, however, you and future property owners must comply with certain continuing obligations as explained in this letter.

GIS Registry

This site will be listed on the Remediation and Redevelopment Program's GIS Registry. The specific reasons are summarized below:

- Pavement, an engineered cover or a soil barrier must be maintained over contaminated soil and the state must approve any changes to this barrier
- Groundwater contamination is present above Chapter NR 140 enforcement standards

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

Closure Conditions

Please be aware that pursuant to s. 292.12 Wisconsin Statutes, compliance with the requirements of this letter is a responsibility to which the current property owner and any subsequent property owners must adhere. You must pass on the information about these continuing obligations to the next property owner or owners. 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. The Department intends to conduct inspections in the future to ensure that the conditions included in this letter including compliance with referenced maintenance plans are met.

Cover or Barrier

Pursuant to s. 292.12(2)(a), Wis. Stats., the pavement or other impervious cap that currently exists in the location of AOI 4, AOI 7, AOI 8, AOI 11, AOI 13, AOI 15, AOI C5, AOI E25 AOI H28, AOI I32 shown on the attached map shall be maintained in compliance with the **attached maintenance plans** 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 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 is considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken during excavation activities to prevent a health threat to humans.

The attached maintenance plans and inspection logs are to be kept up-to-date and on-site. Please submit the inspection log to the Department only upon request.

Prohibited Activities

The following activities are prohibited on any portion of the property where [pavement, a building foundation, soil cover, engineered cap or other barrier] is required as shown on the attached map, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 1) removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; 6) construction or placement of a building or other structure.

Residual Groundwater Contamination

Groundwater impacted by chlorinated VOC contamination greater than enforcement standards set forth in ch. NR140, Wis. Adm. Code, is present on this contaminated property in the area of AOI 11. For more detailed information regarding the locations where groundwater samples have been collected (i.e., monitoring well locations) and the associated contaminant concentrations, refer to the Remediation and Redevelopment Program's GIS Registry at the RR Sites Map page at http://dnr.wi.gov/org/aw/rr/gis/index.htm.

Vapor Migration

In addition, depending on site-specific conditions, construction over contaminated materials may result in vapor migration of contaminants into enclosed structures or migration along newly placed underground utility lines. The potential for vapor inhalation and means of 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.

Chapter NR 140, Wis. Adm. Code Exemption

Recent groundwater monitoring data at this site indicates that for 1,2-Dichloroethane at MWE-26 and 1,1-Dichloroethylene at MW10, contaminant levels exceed the NR 140 preventive action limit (PAL) but are below the enforcement standard (ES). The Department may grant an exemption to a PAL for a substance of public health concern, other than nitrate, pursuant to s. NR 140.28(2)(b), Wis. Adm. Code, if all of the following criteria are met:

1. The measured or anticipated increase in the concentration of the substance will be minimized to the extent technically and economically feasible.

2. Compliance with the PAL is either not technically or economically feasible.

3. The enforcement standard for the substance will not be attained or exceeded at the point of standards application. [Note: at this site the point of standards application is all points where groundwater is monitored.]

4. Any existing or projected increase in the concentration of the substance above the background concentration does not present a threat to public health or welfare.

Based on the information you provided, the Department believes that these criteria have been or will be met due to source control measures that have occurred in these areas. Therefore, pursuant to s. NR 140.28, Wis. Adm. Code, an exemption to the PAL is granted for 1,2-Dichloroethane at MWE-26 and 1,1-Dichloroethelyne at MW10. Please keep this letter, because it serves as your exemption.

Post-Closure Notification Requirements

In accordance with ss, 292.12 and 292.13, Wis. Stats., you must notify the Department before making changes that affect or relate to the conditions of closure in this letter. For this case, examples of changed conditions requiring prior notification include, but are not limited to:

- Disturbance, construction on, change or removal in whole or part of pavement, an engineered cover or a soil barrier that must be maintained over contaminated soil

Please send written notifications in accordance with the above requirements to the Southeast Regional Headquarters, to the attention of Victoria Stovall.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this closure decision or anything outlined in this letter, please contact Margaret Brunette at (414)263-8557.

Sincerely,

James A. Schmidt

James A. Schmidt, Team Supervisor
Southeast Remediation & Redevelopment Program

Attach. (Disk)
- Maintenance plans

cc: Lauren Gromoski – AECOM (w/out attach.)
Jeff Bykowski – Penzeys Spices (w/out attach.)
Bill Phelps, DG/5 (w/out attach.)

Cap Maintenance Plan
Former Falk Corporation Plant 2 – AOI 15
12001 W. Capitol Drive, Wauwatosa, Wisconsin 53226

May 7, 2009

Property located at:
12001 W. Capitol Drive
Wauwatosa, Wisconsin 53226

Parcel Number: 258-9999-01

FID Number: 241018140
BRRTS Numbers: 06-41-534503
02-41-530528

Introduction

This document is the Cap Maintenance Plan (Maintenance Plan) for the building foundation at the above-referenced property in accordance with the requirements of Wisconsin Administrative Code (WAC) Chapter (ch.) NR 724.13(2). The maintenance activities relate to the existing slab on grade building foundation surfaces (cap) occupying the area over the contaminated soil and groundwater on site. The contaminated soil and groundwater are impacted by chlorinated volatile organic compounds (CVOCs). The location of the cap to be maintained in accordance with this Maintenance Plan, as well as the extents of impacted soil and groundwater, are included in Figure 1.

Cap Purpose

The cap over the contaminated soil and groundwater plume serves as a partial infiltration barrier to minimize future soil-to-groundwater contamination migration that would violate the groundwater standards in WAC ch. NR 140. Based on the current and future use of the property, the cap should function as intended unless disturbed.

Annual Inspection

The cap overlying the contaminated soil and groundwater plume, as depicted in Figure 1, will be inspected once a year. The inspection will be performed in the spring after all snow and ice is gone, for deterioration, cracks and other potential problems that can cause additional infiltration into or exposure to underlying soil. The inspection will be performed to evaluate damage to the cap due to settling, wear from traffic, increasing age and other factors. Any area where soils have become or are likely to become exposed will be documented. A log of the inspections and any repairs will be maintained by the property owner on a Cap Inspection Log (Attachment 1 [the Log]). The Log will include recommendations for necessary repair of any areas where underlying soils are exposed. Once repairs are completed, they will be documented in the Log. A copy of the Log will be sent to the Wisconsin Department of Natural Resources (WDNR) at least annually after every inspection, unless otherwise directed in the case closure letter.

Maintenance Activities

If problems with the cap are noted during the annual inspections or at any other time during the year, repairs will be scheduled as soon as practical. Repairs can include patching and filling operations, or they can include larger resurfacing or construction operations. In the event that necessary maintenance activities expose the underlying soil, the owner must sample any soil that is excavated from the site prior to disposal to ascertain if contamination remains. The excavated soil must be treated, stored and disposed of by the owner in accordance with applicable local, state and federal law.

In the event the cap overlying the contaminated soil and groundwater plume is removed or replaced, the replacement barrier must be equally impervious. Any replacement barrier will be subject to the same maintenance and inspection guidelines as outlined in this Maintenance Plan unless indicated otherwise by the WDNR or its successor.

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

Amendment or Withdrawal of Maintenance Plan

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

Contact Information as of May 2009:

Responsible Party:	Hamilton Sundstrand Corporation C/O Anthony Frigiani 1 Hamilton Road M/S 1M5 Windsor Locks, CT 06096 860-728-6529
Site Owner/Operator:	Penzeys Spices 12001 W. Capitol Drive Wauwatosa, WI 53222 414-406-7758
Environmental Consultant:	Lauren Gromoski AECOM, Inc. W239 N2890 Pewaukee Road, Unit D Pewaukee, Wisconsin 53072 262-523-2040
WDNR Project Manager:	Margaret Brunette Remediation and Redevelopment Program Wisconsin Department of Natural Resources 2300 N. Dr. Martin Luther King, Jr. Drive Milwaukee, WI 53212 414-263-8557

PROPERTY EXHIBIT

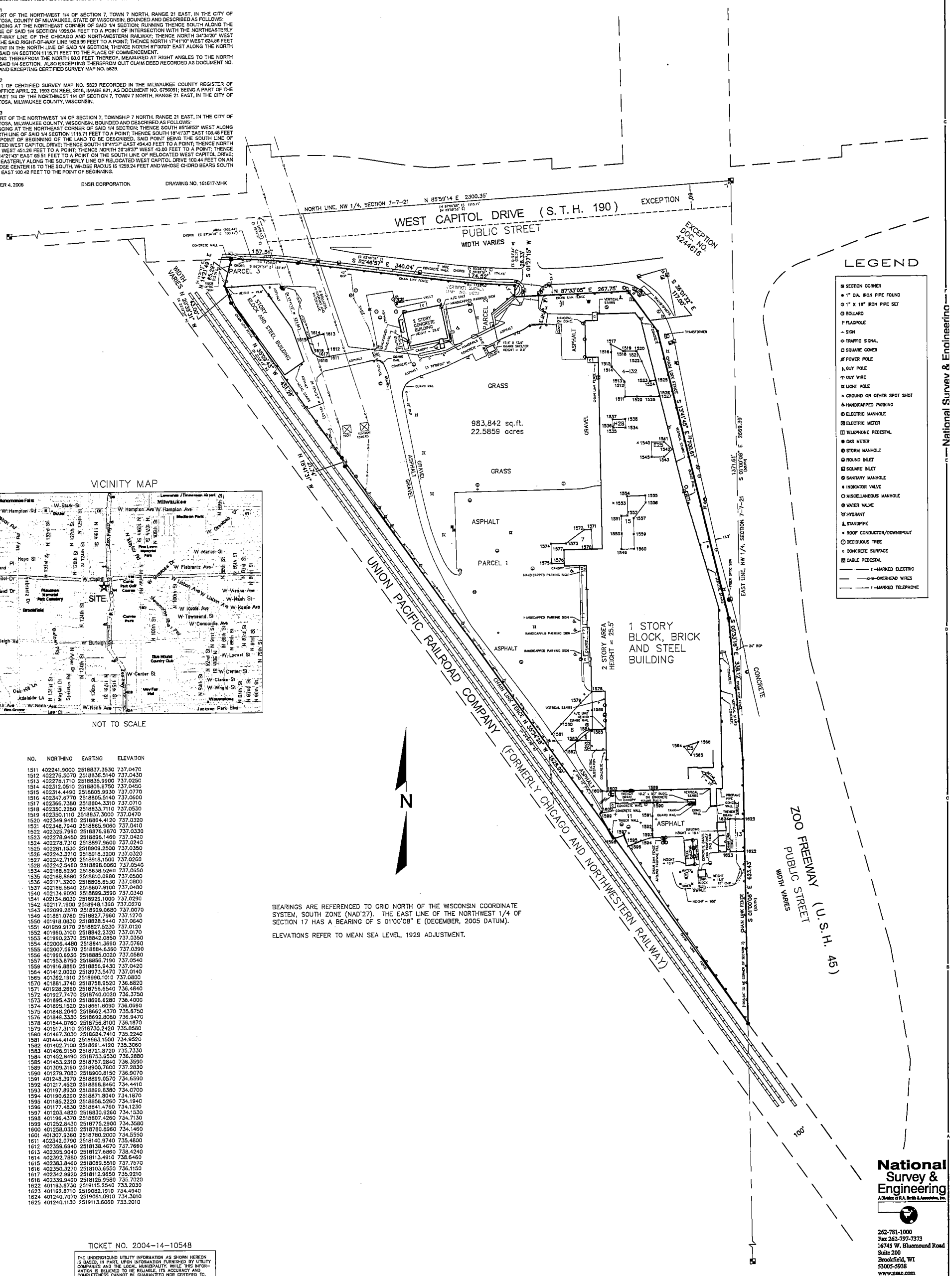
KNOWN AS 12001 WEST CAPITOL DRIVE, CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN

PARCEL 1
THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; RUNNING THENCE SOUTH ALONG THE EAST LINE OF SAID 1/4 SECTION 1995.04 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTH 34°34'20" WEST ALONG THE SAID RIGHT-OF-WAY LINE 1628.99 FEET TO A POINT; THENCE NORTH 17°41'10" WEST 624.86 FEET TO A POINT IN THE NORTH LINE OF SAID 1/4 SECTION, THENCE NORTH 87°00'00" EAST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO THE PLACE OF COMMENCEMENT.
EXCEPTING THEREFROM THE NORTH 60.0 FEET THEREOF, MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID 1/4 SECTION. ALSO EXCEPTING THEREFROM QUIT CLAIM DEED RECORDED AS DOCUMENT NO. 4244616 AND EXCEPTING CERTIFIED SURVEY MAP NO. 5829.

PARCEL 2
PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5829 RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS OFFICE APRIL 22, 1993 ON REEL 3018, IMAGE 821, AS DOCUMENT NO. 6756051; BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN.

PARCEL 3
THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; THENCE SOUTH 85°59'53" WEST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO A POINT; THENCE SOUTH 18°41'37" EAST 106.48 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED, SAID POINT BEING THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE SOUTH 18°41'37" EAST 494.43 FEET TO A POINT; THENCE NORTH 35°09'49" WEST 451.26 FEET TO A POINT; THENCE NORTH 20°39'37" WEST 43.00 FEET TO A POINT; THENCE NORTH 14°21'43" EAST 65.51 FEET TO A POINT ON THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF RELOCATED WEST CAPITOL DRIVE 100.44 FEET ON AN ARC WHOSE CENTER IS TO THE SOUTH, WHOSE RADIUS IS 1259.24 FEET AND WHOSE CHORD BEARS SOUTH 87°34'01" EAST 100.42 FEET TO THE POINT OF BEGINNING.

DECEMBER 4, 2006 ENSR CORPORATION DRAWING NO. 161617-MHK



VICINITY MAP

NOT TO SCALE

NO.	NORTHING	EASTING	ELEVATION
1511	402241.9000	2518837.3530	737.0470
1512	402276.5070	2518836.5140	737.0430
1513	402278.1710	2518835.9900	737.0250
1514	402312.0510	2518806.8750	737.0450
1515	402314.4490	2518805.9930	737.0770
1516	402347.6770	2518805.5140	737.0600
1517	402366.7380	2518804.3310	737.0710
1518	402350.2280	2518833.7110	737.0530
1519	402350.1110	2518837.3000	737.0470
1520	402349.9480	2518864.4120	737.0320
1521	402348.7940	2518865.9060	737.0410
1522	402325.7990	2518876.9870	737.0330
1523	402278.9450	2518896.1460	737.0420
1524	402278.7310	2518897.9600	737.0240
1525	402281.1530	2518909.2500	737.0350
1526	402243.3210	2518918.3200	737.0320
1527	402242.7190	2518918.1500	737.0260
1528	402242.5460	2518898.0060	737.0540
1534	402168.8230	2518838.5260	737.0650
1535	402168.8680	2518810.0580	737.0500
1536	402171.3200	2518808.6530	737.0800
1537	402188.5840	2518807.9100	737.0480
1540	402134.9020	2518899.3590	737.0340
1541	402134.8030	2518929.1000	737.0290
1542	402117.1900	2518948.1360	737.0270
1543	402099.2870	2518929.0680	737.0070
1549	401881.0760	2518827.7960	737.1270
1550	401918.0830	2518828.5440	737.0640
1551	401959.9170	2518827.5230	737.0120
1552	401960.3100	2518842.2320	737.0170
1553	401990.2370	2518842.0850	737.0350
1554	402006.4480	2518841.3690	737.0760
1555	402007.5670	2518884.6360	737.0390
1556	401990.6930	2518885.0020	737.0580
1557	401953.8750	2518856.7190	737.0540
1559	401916.8880	2518856.9430	737.0420
1564	401412.0020	2518973.5470	737.0140
1565	401392.1910	2518990.1010	737.0800
1570	401881.3740	2518758.9520	736.8820
1571	401928.2660	2518756.6540	736.4840
1572	401927.7470	2518740.0020	736.3750
1573	401895.4310	2518696.6280	736.4000
1574	401895.1520	2518661.8090	736.0690
1575	401848.2040	2518662.4370	735.8790
1576	401849.3330	2518692.8080	736.9470
1578	401544.0760	2518756.8100	736.1870
1579	401517.3110	2518730.2420	735.8580
1580	401467.3030	2518684.7410	735.2240
1581	401444.4140	2518663.1500	734.9520
1582	401402.7100	2518691.4120	735.3060
1583	401426.9150	2518721.8720	735.7330
1584	401452.8490	2518753.6530	736.2880
1585	401453.2310	2518757.2840	736.3590
1589	401309.3160	2518900.7600	737.2830
1590	401279.7080	2518900.8150	736.9070
1591	401248.3970	2518899.0570	734.6590
1592	401217.4520	2518898.8460	734.4410
1593	401197.8930	2518899.8380	734.0700
1594	401190.6290	2518871.8040	734.1870
1595	401185.2220	2518858.5260	734.1940
1596	401177.4830	2518841.4760	734.1230
1597	401203.4820	2518830.9260	734.1530
1598	401196.4370	2518607.4260	734.7130
1599	401252.8430	2518775.2900	734.3580
1600	401258.0350	2518780.8960	734.1460
1601	401307.9360	2518780.2000	734.5550
1611	402342.0790	2518140.9740	735.4800
1612	402359.6940	2518138.4670	737.7660
1613	402395.9040	2518127.6860	738.4240
1614	402392.7880	2518113.4910	738.6450
1615	402383.8460	2518089.5510	737.7570
1616	402350.3270	2518103.6550	736.1150
1617	402342.9920	2518112.9650	735.9210
1618	402339.9490	2518125.9580	735.7020
1622	401163.8730	2519115.2540	733.2030
1623	401162.8710	2519082.1910	734.4940
1624	401240.7070	2519081.0910	734.3010
1625	401240.1130	2519113.6060	733.2010

BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN COORDINATE SYSTEM, SOUTH ZONE (NAD'27). THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 17 HAS A BEARING OF S 01°00'08" E (DECEMBER, 2005 DATUM).

ELEVATIONS REFER TO MEAN SEA LEVEL, 1929 ADJUSTMENT.

TICKET NO. 2004-14-10548

THE UNDERGROUND UTILITY INFORMATION AS SHOWN HEREON IS BASED, IN PART, UPON INFORMATION FURNISHED BY UTILITY COMPANIES AND THE LOCAL MUNICIPALITY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.

National Survey & Engineering
A Division of R.A. Smith & Associates, Inc.
262-781-1000
Fax 262-797-7373
16745 W. Bluemound Road
Suite 200
Brookfield, WI
53005-5938
www.nsae.com

SHEET 1 OF 1

DRAWING SCALE: 1 INCH = 80 FEET

Attachment 1
Cap Inspection Log

Property located at:
12001 W. Capitol Drive
Wauwatosa, WI 53226
Former Falk Corporation Plant 2 - AOI 15

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

5

* 0 9 0 6 2 1 2 2 *

Document Number	SPECIAL WARRANTY DEED Title of Document	DOC.# 09062122

REGISTER'S OFFICE | SS
Milwaukee County, WI|

RECORDED 08/03/2005 10:55AM

JOHN LA FAVE
REGISTER OF DEEDS

AMOUNT:19.00

Record this document with the Register of Deeds

Name and Return Address:
TRAPP & HARTMAN SC
14380 W. CAPITOL DRIVE, #1
BROOKFIELD, WI 53005-2323
ATTN: STEPHEN A. HARTMAN

TRANSFER
$ 18,300.00
FEE

258-9999-01, 258-9995-02 AND
(Parcel Identification Number) 258-9998-00

INFO-PRO (800)655-2021 www.infoproforms.com

Record and Return to:
Trapp & Hartman SC
14380 W Capitol Drive, #1
Brookfield, Wisconsin 53005-2323
Attention: Stephen A. Hartman

Parcel Identification No.: 258-9999-01.

This is not homestead property.

SPECIAL WARRANTY DEED

This SPECIAL WARRANTY DEED, made between **HAMILTON SUNDSTRAND CORPORATION,** a Delaware corporation, as grantor ("**Grantor**"), and **WTP HOLDINGS, LLC**, a Wisconsin limited liability company, as grantee ("**Grantee**").

Grantor, for valuable consideration, conveys to Grantee the real estate described in Exhibit A attached hereto and made a part hereof (the "**Property**"), located in Milwaukee County, State of Wisconsin.

Together with all appurtenant rights, title and interests.

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 municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utitlity and municipal services, recorded building and use restrictions and covenants and general taxes levied in 2005 and thereafter and will warrant and defend the same.

Dated this 27th day of July, 2005.

HAMILTON SUNDSTRAND CORPORATION,
a Delaware corporation

By: _____
Name: Ronald F. Zapinski, President
Title: United Technologies Realty, Inc.
Authorized agent

ACKNOWLEGMENT

STATE OF CONNECTICUT)
) ss.
HARTFORD COUNTY)

Personally came before me this 27th day of July, 2005, the above named Ronald P. Zappile, President of United Technologies Realty, the authorized signatory for Hamilton Sundstrand Corporation, a Delaware corporation, to me known to be the person who executed the foregoing instrument and acknowledge the same.

Notary Public, State of Connecticut

My Commission Expires: KATE S. BARBOUR NOTARY PUBLIC MY COMMISSION EXPIRES MAR. 31, 2008

AUTHENTICATION

Euchung Ung
Member, State Bar of Connecticut

Authenticated this 27th day of July, 2005.

This instrument was drafted by:

Robinson & Cole
695 East Main Street
Stamford, Connecticut 06901
Attention: Euchung Ung

EXHIBIT A
Legal Description of the Property

See attached.

EXHIBIT A

PARCEL 1:

THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION, RUNNING THENCE SOUTH ALONG THE EAST LINE OF SAID 1/4 SECTION, 1995.04 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTH 34°34'20" WEST ALONG THE SAID RIGHT-OF-WAY LINE 1628.99 FEET TO A POINT; THENCE NORTH 17°41'10" WEST 624.86 FEET TO A POINT IN THE NORTH LINE OF SAID 1/4 SECTION; THENCE NORTH 87°00'00" EAST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO THE PLACE OF COMMENCEMENT. EXCEPTING THEREFROM THE NORTH 60.0 FEET THEREOF, MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID 1/4 SECTION. ALSO EXCEPTING THEREFROM QUIT CLAIM DEED RECORDED AS DOCUMENT NO. 4244616, AND EXCEPTING CERTIFIED SURVEY MAP NO. 5829.

PARCEL NO. 258-9999-01

PARCEL 2:

PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5829 RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS OFFICE APRIL 22, 1993 ON REEL 3018, IMAGE 821, AS DOCUMENT NO. 6756051; BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN.

PARCEL NO. 258-9999-02

PARCEL 3:

THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; THENCE SOUTH 89°59'53" WEST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO A POINT; THENCE SOUTH 18°41'37" EAST 108.48 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED, SAID POINT BEING THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE SOUTH 18°41'37" EAST 494.43 FEET TO A POINT; THENCE NORTH 35°09'49" WEST 451.26 FEET TO A POINT; THENCE NORTH 20°39'37" WEST 43.00 FEET TO A POINT; THENCE NORTH 14°21'43" EAST 65.51 FEET TO A POINT ON THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF RELOCATED WEST CAPITOL DRIVE 100.44 FEET ON AN ARC WHOSE CENTER IS TO THE SOUTH, WHOSE RADIUS IS 1259.24 FEET AND WHOSE CHORD BEARS SOUTH 87°34'01" EAST 100.42 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 258-9998-00

PROPERTY EXHIBIT

KNOWN AS 12001 WEST CAPITOL DRIVE, CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN

PARCEL 1
THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; RUNNING THENCE SOUTH ALONG THE EAST LINE OF SAID 1/4 SECTION 1995.04 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTH 34°34'20" WEST ALONG THE SAID RIGHT-OF-WAY LINE 1628.99 FEET TO A POINT; THENCE NORTH 17°41'10" WEST 624.86 FEET TO A POINT IN THE NORTH LINE OF SAID 1/4 SECTION; THENCE NORTH 87°00'00" EAST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO THE PLACE OF COMMENCEMENT.
EXCEPTING THEREFROM THE NORTH 60.0 FEET THEREOF, MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID 1/4 SECTION. ALSO EXCEPTING THEREFROM QUIT CLAIM DEED RECORDED AS DOCUMENT NO. 4244616 AND EXCEPTING CERTIFIED SURVEY MAP NO. 5829.

PARCEL 2
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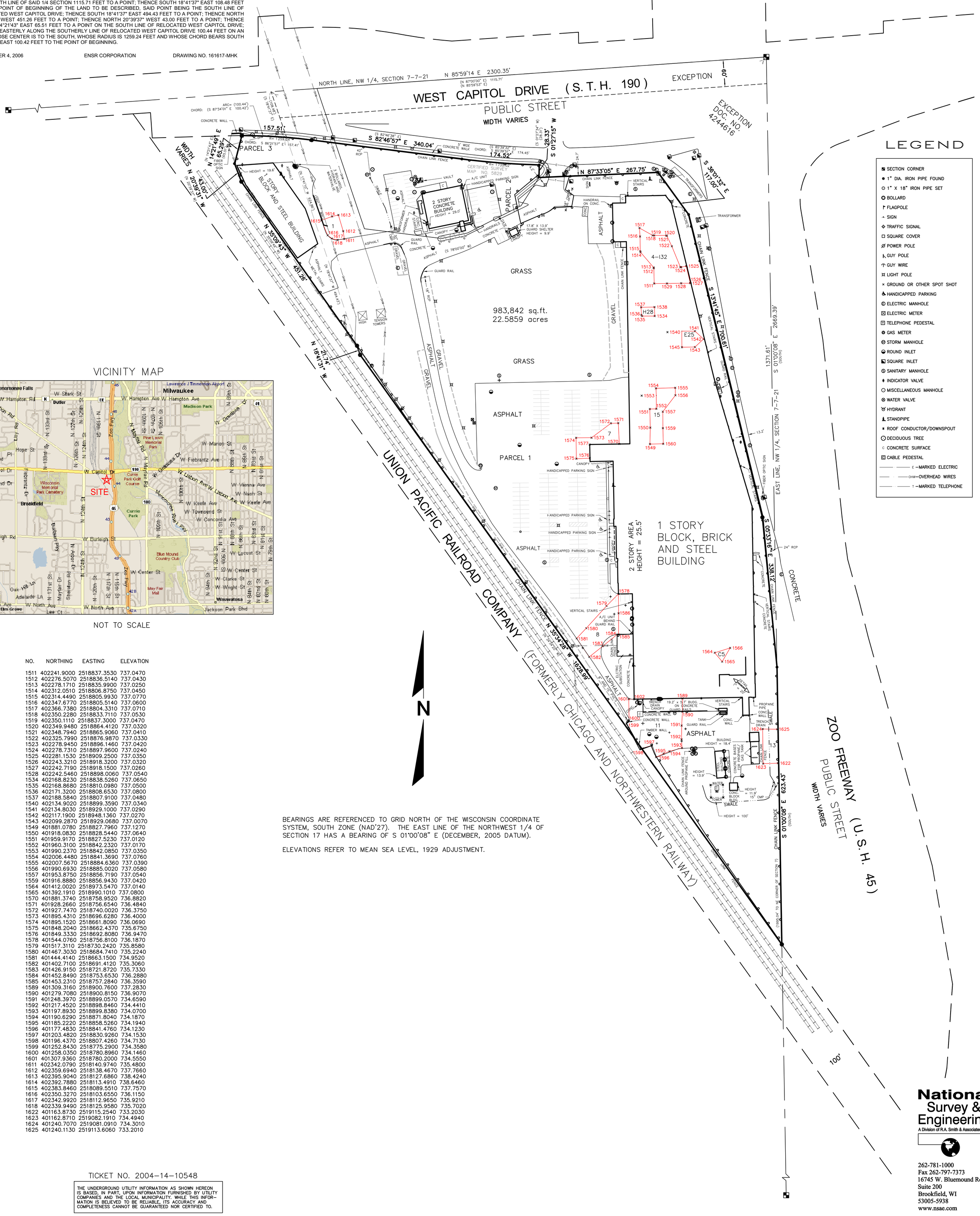
PARCEL 3
THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; THENCE SOUTH 85°59'53" WEST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO A POINT; THENCE SOUTH 18°41'37" EAST 108.48 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED, SAID POINT BEING THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE SOUTH 18°41'37" EAST 494.43 FEET TO A POINT; THENCE NORTH 35°09'49" WEST 451.26 FEET TO A POINT; THENCE NORTH 20°39'37" WEST 43.00 FEET TO A POINT; THENCE NORTH 14°21'43" EAST 65.51 FEET TO A POINT ON THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF RELOCATED WEST CAPITOL DRIVE 100.44 FEET ON AN ARC WHOSE CENTER IS TO THE SOUTH, WHOSE RADIUS IS 1259.24 FEET AND WHOSE CHORD BEARS SOUTH 87°34'01" EAST 100.42 FEET TO THE POINT OF BEGINNING.

DECEMBER 4, 2006 ENSR CORPORATION DRAWING NO. 161617-MHK

NOT TO SCALE



LEGEND

- SECTION CORNER
- 1" DIA. IRON PIPE FOUND
- 1" X 18" IRON PIPE SET
- BOLLARD
- FLAGPOLE
- SIGN
- TRAFFIC SIGNAL
- SQUARE COVER
- POWER POLE
- GUY POLE
- GUY WIRE
- LIGHT POLE
- GROUND OR OTHER SPOT SHOT
- HANDICAPPED PARKING
- ELECTRIC MANHOLE
- ELECTRIC METER
- TELEPHONE PEDESTAL
- GAS METER
- STORM MANHOLE
- ROUND INLET
- SQUARE INLET
- SANITARY MANHOLE
- INDICATOR VALVE
- MISCELLANEOUS MANHOLE
- WATER VALVE
- HYDRANT
- STANDPIPE
- ROOF CONDUCTOR/DOWNSPOUT
- DECIDUOUS TREE
- CONCRETE SURFACE
- CABLE PEDESTAL
- E —MARKED ELECTRIC
- OHW—OVERHEAD WIRES
- T —MARKED TELEPHONE

NO.	NORTHING	EASTING	ELEVATION
1511	402241.9000	2518837.3530	737.0470
1512	402276.5070	2518836.5140	737.0430
1513	402278.1710	2518835.9900	737.0250
1514	402312.0510	2518806.8750	737.0450
1515	402314.4490	2518805.9930	737.0770
1516	402347.6770	2518805.5140	737.0600
1517	402366.7380	2518804.3310	737.0710
1518	402350.2280	2518833.7110	737.0530
1519	402350.1110	2518837.3000	737.0470
1520	402349.9480	2518864.4120	737.0320
1521	402348.7940	2518865.9060	737.0410
1522	402325.7990	2518876.9870	737.0330
1523	402278.9450	2518896.1460	737.0420
1524	402278.7310	2518897.9600	737.0240
1525	402281.1530	2518909.2500	737.0350
1526	402243.3210	2518918.3200	737.0320
1527	402242.7190	2518918.1500	737.0260
1528	402242.5460	2518898.0060	737.0540
1534	402168.8230	2518838.5260	737.0650
1535	402168.8680	2518810.0980	737.0500
1536	402171.3200	2518808.6530	737.0800
1537	402188.5840	2518807.9100	737.0480
1540	402134.9020	2518899.3590	737.0340
1541	402134.8030	2518929.1000	737.0290
1542	402117.1900	2518948.1360	737.0270
1543	402099.2870	2518929.0680	737.0070
1549	401881.0780	2518827.7960	737.1270
1550	401918.0830	2518828.5440	737.0640
1551	401959.9170	2518827.5230	737.0120
1552	401960.3100	2518842.2320	737.0170
1553	401990.2370	2518842.0850	737.0350
1554	402006.4480	2518841.3690	737.0760
1555	402007.5670	2518884.6360	737.0390
1556	401990.6930	2518885.0020	737.0580
1557	401953.8750	2518856.7190	737.0540
1559	401916.8880	2518856.9430	737.0420
1564	401412.0020	2518973.5470	737.0140
1565	401392.1910	2518990.1010	737.0800
1570	401881.3740	2518758.9520	736.8820
1571	401928.2660	2518756.6540	736.4840
1572	401927.7470	2518740.0020	736.3750
1573	401895.4310	2518696.6280	736.4000
1574	401895.1520	2518661.8090	736.0690
1575	401848.2040	2518662.4370	735.6750
1576	401849.3330	2518692.8080	736.9470
1578	401544.0760	2518756.8100	736.1870
1579	401517.3110	2518730.2420	735.8580
1580	401467.3030	2518684.7410	735.2240
1581	401444.4140	2518663.1500	734.9520
1582	401402.7100	2518691.4120	735.3060
1583	401426.9150	2518721.8720	735.7330
1584	401452.8490	2518753.6530	736.2880
1585	401453.2310	2518757.2840	736.3590
1589	401309.3160	2518900.7600	737.2830
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1597	401203.4820	2518830.9260	734.1530
1598	401196.4370	2518807.4260	734.7130
1599	401252.8430	2518775.2900	734.3580
1600	401258.0350	2518780.8960	734.1460
1601	401307.9360	2518780.2000	734.5550
1611	402342.0790	2518140.9740	735.4800
1612	402359.6940	2518138.4670	737.7660
1613	402395.9040	2518127.6860	738.4240
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S:\5161617\dwg\
161617H0.DWG \ PX201E80

SHEET 1 OF 1

DRAWING SCALE: 1 INCH = 80 FEET

12001 W. Capitol Drive, Wauwatosa, Wisconsin
AOI 15

WDNR BRRTS Numbers: #06-41-534503, #02-41-530528
FID Number: 241018140

Parcel Number: 258-9999-01
WTM83/91 Coordinates: E677998 N292425

Responsible Party:
Greg Blessing
United Technologies Corporation
United Technologies Building
Hartford, CT 06101
(860) 728-6529

Site Owner/Operator:
Penzeys Spices
19300 W. Janacek Court
Brookfield, WI 53045
(262) 785-7602

AOI 15

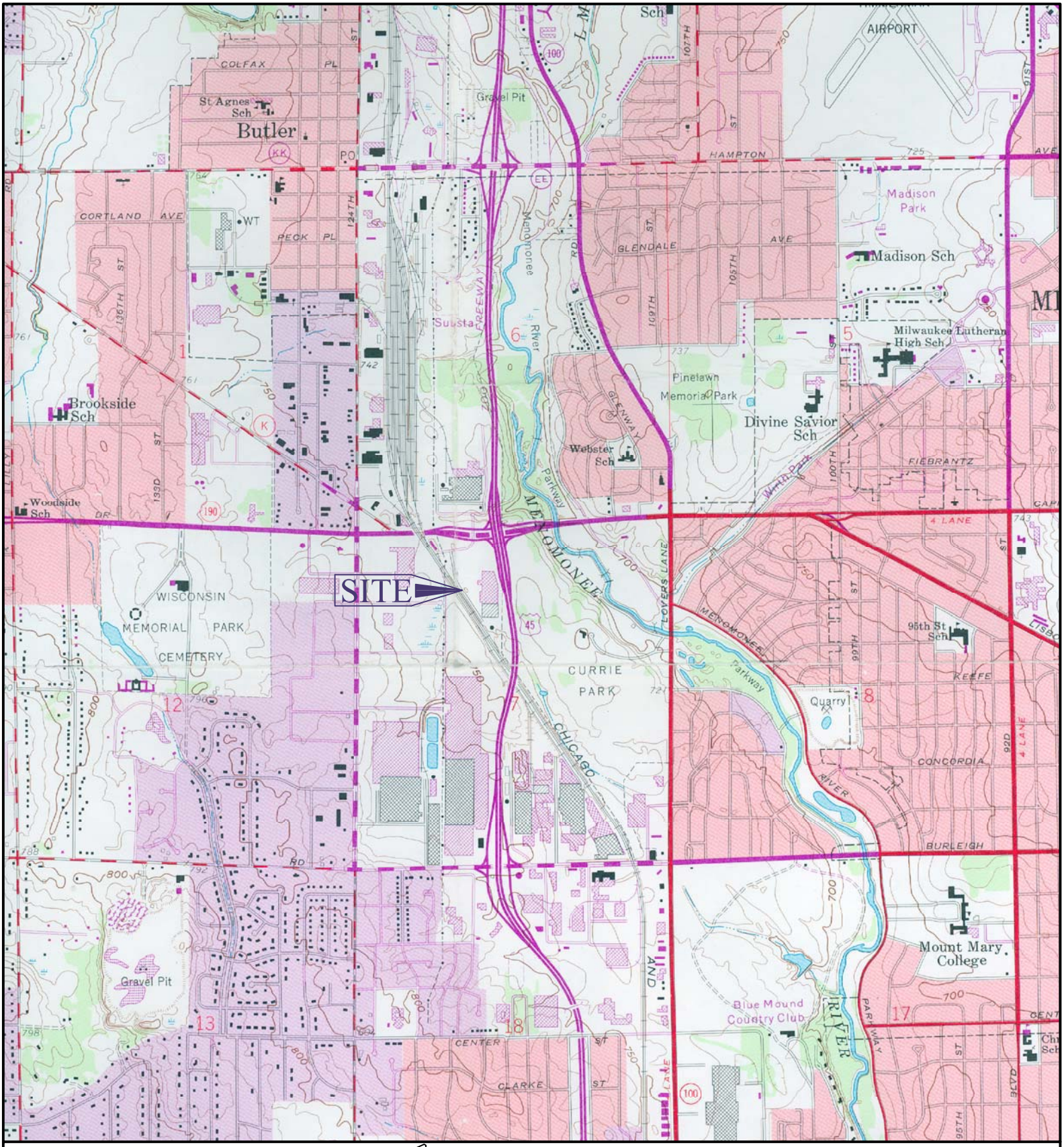
Area of Interest (AOI) 15 is located within, or partially within, the boundary of the property located at 12001 West Capitol Drive, Wauwatosa, Wisconsin, whose legal description (as found on the City of Wauwatosa Assessor's Department website [www.wauwatosa.net]), is as follows:

NW QUAR SEC 7 7 21 COMM AT NE COR OF SD QUAR SEC TH S 1995.04 FT TH NW ALG RR ROW 1628.99 FT TH N 17D 41'10 W 624.86 FT TH E 1115.71 FT TO PL OF BEG SUBJECT TO TMER&L CO TOWER LINE ROW EXC N & E PART TAKEN FOR STREET AND EXPRESSWAY & EXC CSM NO 5829 1994.

Parcel ID: 258-9999-01

Printed Name: Gregory F. Blessing

Signature: _____ Date: 2/27/08



Adapted from: USGS 7.5 minute series Wauwatosa, Wisconsin topographic quadrangle in 1958, photorevisited in 1976.

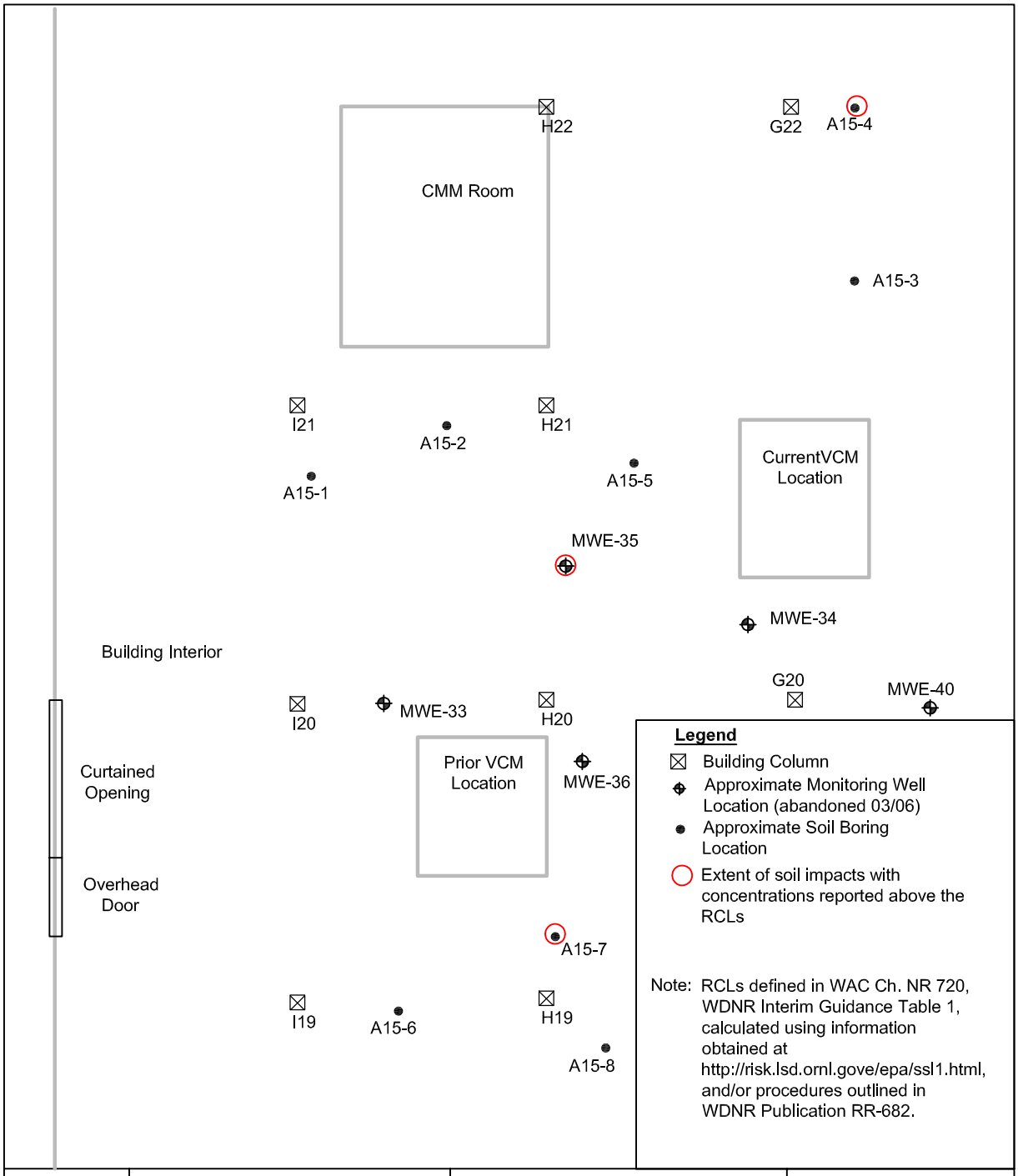
SCALE 1:24,000

Figure 1

Site Location Map

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, Wisconsin

ENSR | AECOM



Scale: 1":20'

Hamilton Sundstrand

Case Summary & Close Out Form

AOI 15 - Contaminated Property

Former Falk Corporation
Wauwatosa, WI

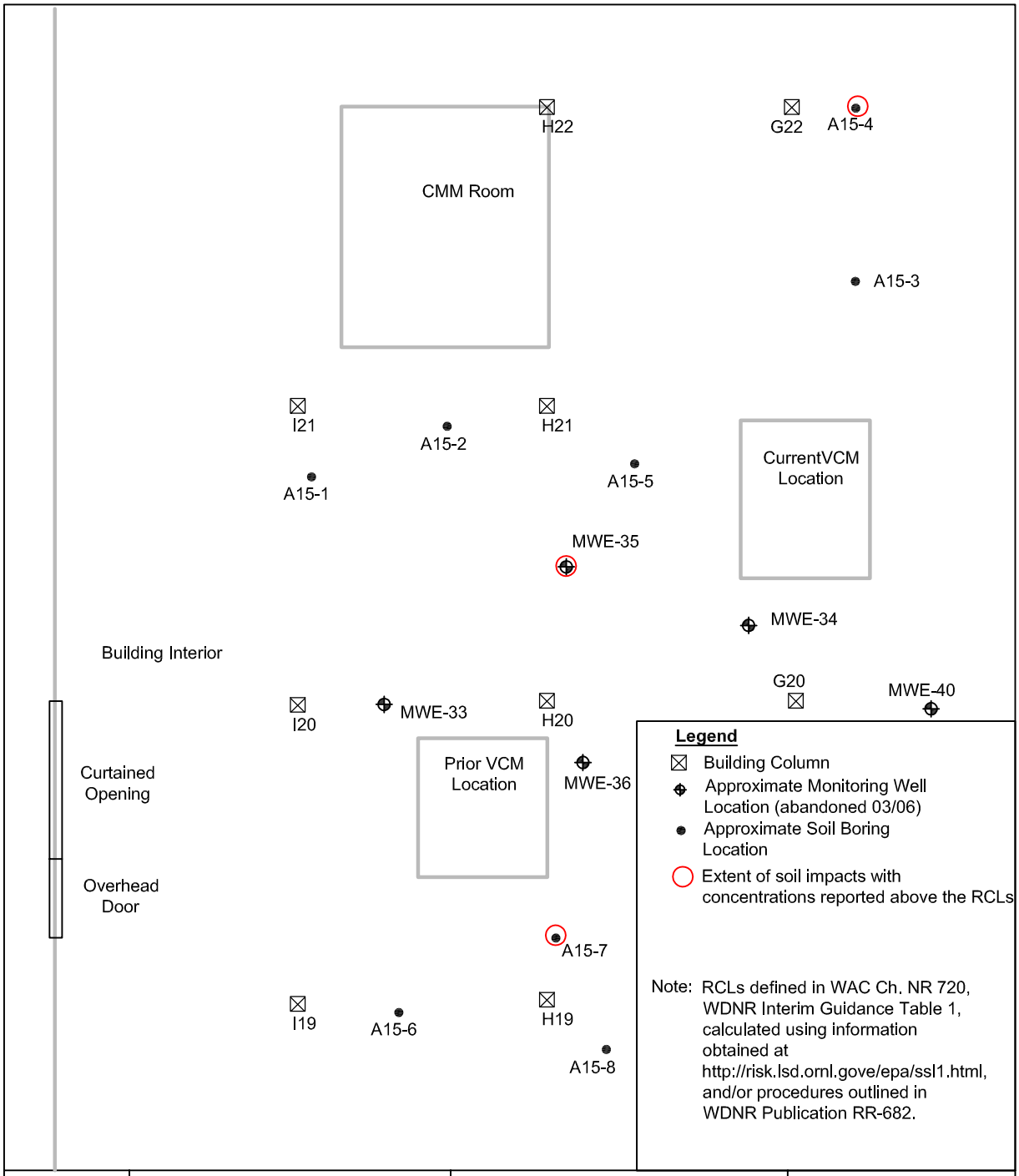
01/04/08 Project No.: 06916-277

Figure 13

www.ensr.aecom.com

J:\PROJECTS\06916 - UTC Companies\06916277-Falk Wauwatosa\Reports\Si-Rem Closure Rpt 0611\Figs 0701 Fig 13 - AOI 15 Soil.dwg

ENSR | AECOM



Scale: 1":20'

Hamilton Sundstrand

Case Summary & Close Out Form

AOI 15 - Soil Sample Locations & Horizontal Extent of Soil Impacts

Former Falk Corporation
Wauwatosa, WI

01/04/08 Project No.: 06916-277

Figure 13

www.ensr.aecom.com

J:\PROJECTS\06916 - UTC Companies\06916277-Falk Wauwatosa\Reports\Si-Rem Closure Rpt 0611\Figs 0701 Fig 13 - AOI 15 Soil.dwg

Table 8
Analytical Report Summary & Geochemical Data - AOI 15

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	MWE-33 (2) 10/31/05	MWE-33 (6) 10/31/05	MWE-34 (2) 10/31/05	MWE-34 (6) 10/31/05	MWE-35 (2) 10/31/05	MWE-35 (6) 10/31/05	**Direct Contact IND**	**Groundwater Protection**
VOCs (µg/kg)	ND	ND	ND	ND		ND		
sec-Butylbenzene					95		NL	NL
p-Isopropyltoluene					82		NL	NL
Naphthalene					150		470,000	400
n-Propylbenzene					69		NL	NL
1,2,4-Trimethylbenzene					600		350,000	7,570
1,3,5-Trimethylbenzene					190		200,000	3,250
PAHs (µg/kg)	NA	NA	NA	NA		NA		
Anthracene					110		300,000,000	3,000,000
Benzo (a) anthracene					27		3,900	17,000
Benzo (b) fluoranthene					22		3,900	360,000
Benzo (k) fluoranthene					46		39,000	870,000
Benzo (a) pyrene					36		390	48000
Benzo (g,h,i) perylene					37		39,000	1,800
Fluoranthene					110		40,000,000	500,000
Indeno (1,2,3-cd) pyrene					23		3,900	680,000
Naphthalene					130		110,000	400
Phenanthrene					78		390,000	1,800
Pyrene					140		30,000,000	8,700,000
DRO (mg/kg)	43	ND	45	ND	**8,000**	29	NL	100

Detected Parameter	Sample ID (Depth), Sample Date				Residual Contaminant Level	
SOIL	MWE-36 (2) 10/31/05	MWE-36 (6) 10/31/05	MWE-40 (2) 11/09/05	MWE-40 (6) 11/09/05	**Direct Contact IND**	**Groundwater Protection**
VOCs (µg/kg)	ND	ND	ND	ND	--	--
DRO (mg/kg)	55	ND	30	ND	NL	100

Table 8
Analytical Report Summary & Geochemical Data - AOI 15

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	A15-1 (2) 11/22/05	A15-1 (8) 11/22/05	A15-1 (12) 11/22/05	A15-2 (2) 11/22/05	A15-2 (8) 11/22/05	A15-2 (12) 11/22/05	**Direct Contact IND**	**Groundwater Protection**
DRO (mg/kg)	65	19	7.8	57	23	40	NL	100

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	A15-3 (2) 11/22/05	A15-3 (8) 11/22/05	A15-3 (12) 11/22/05	A15-4 (2) 11/22/05	A15-4 (8) 11/22/05	A15-4 (12) 11/22/05	**Direct Contact IND**	**Groundwater Protection**
DRO (mg/kg)	73	19	18	71	**600**	5.7	NL	100

Detected Parameter	Sample ID (Depth), Sample Date				Residual Contaminant Level	
SOIL	A15-5 (2) 11/22/05	A15-6 (2) 11/22/05	A15-6 (8) 11/22/05	A15-6 (12) 11/22/05	**Direct Contact IND**	**Groundwater Protection**
DRO (mg/kg)	23	50	8.8	20	NL	100

Detected Parameter	Sample ID (Depth), Sample Date							Residual Contaminant Level	
SOIL	A15-7 (2) 11/22/05	A15-7 (6) 11/22/05	A15-7 (8) 11/22/05	A15-7 (12) 11/22/05	A15-8 (2) 11/22/05	A15-8 (6) 11/22/05	A15-8 (12) 11/22/05	**Direct Contact IND**	**Groundwater Protection**
DRO (mg/kg)	55	**1,900**	30	39	99	ND	34	NL	100

Notes (Soil):

VOCs = volatile organic compounds

PAHs = polycyclic aromatic hydrocarbons

DRO = diesel range organics

µg/kg = micrograms per kilogram (parts per billion)

mg/kg = milligrams per kilogram (parts per million)

Direct Contact = Residual Contaminant Levels (RCLs) that apply to soil collected within four feet of the ground surface, either as defined in Wisconsin Administrative Code Chapter NR 720, WDNR 1993 Interim Guidance Table 1 for polycyclic aromatic hydrocarbons, or, if no established criteria exists, as calculated using U.S. EPA Soil Screening Guidance for Chemicals (http://risk.lsd.ornl.gov/epa/ssl1.html) and procedures outlined in WDNR Publication RR-682

Groundwater Protection = RCLs based on the protection of groundwater, either as defined in Wisconsin Administrative Code Chapter NR 720, WDNR 1993 Interim Guidance Table 1 for polycyclic aromatic hydrocarbons, or, if no established criteria exists, as calculated using U.S. EPA Soil Screening Guidance for Chemicals (http://risk.lsd.ornl.gov/epa/ssl1.html) and procedures outlined in WDNR Publication RR-682

IND = Industrial, per Wisconsin Administrative Code Chapter NR 720

DRO criteria defined in Wisconsin Administrative Code Chapter NR 720, based on assumption of contaminated soil and soil below the contaminated soil for a depth of 3 meters having a hydraulic conductivity of 1x10-6 cm/sec or less.

ND = parameters within a suite (class) of compounds not detected above reporting limit.

NA = parameters not analyzed.

NL = criterion not listed for compound

Concentrations in Bold indicate an exceedance of the Groundwater Pathway RCL

Only positive detections shown.

GIS REGISTRY
Cover Sheet

March, 2010
(RR 5367)

Source Property Information

CLOSURE DATE: Nov 15, 2010

BRRTS #: **02-41-530528**

FID #: 241018140

ACTIVITY NAME: Former Falk Corporation Plant 2 - AOI C5

DATCP #:

PROPERTY ADDRESS: 12001 W CAPITOL DR

COMM #:

MUNICIPALITY: Wauwatosa

PARCEL ID #: 258-9999-01

***WTM COORDINATES:**

X: **678062** Y: **292133**

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

WTM COORDINATES REPRESENT:

- (●) Approximate Center Of Contaminant Source
- ( ) Approximate Source Parcel Center

Please check as appropriate: (BRRTS Action Code)

Contaminated Media:

- [ ] Groundwater Contamination > ES *(236)*
  - [ ] Contamination in ROW
  - [ ] Off-Source Contamination

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

- [x] Soil Contamination > *RCL or **SSRCL *(232)*
  - [ ] Contamination in ROW
  - [ ] Off-Source Contamination

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

Land Use Controls:

- [ ] N/A (*Not Applicable*)
- [ ] Soil: maintain industrial zoning *(220)*

  *(**note:** soil contamination concentrations between non-industrial and industrial levels)*
- [ ] Structural Impediment *(224)*
- [ ] Site Specific Condition *(228)*
- [x] Cover or Barrier *(222)*

  *(**note:** maintenance plan for groundwater or direct contact)*
- [ ] Vapor Mitigation *(226)*
- [ ] Maintain Liability Exemption *(230)*

  *(**note:** local government unit or economic development corporation was directed to take a response action)*

Monitoring Wells:

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

(●) Yes ( ) No ( ) N/A

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

GIS Registry Checklist

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

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

BRRTS #: 02-41-530528 06-41-534503 PARCEL ID #: 258-9999-01

ACTIVITY NAME: Former Falk Corporation Plant 2 - AOI C5 WTM COORDINATES: X: 677998 Y: 292425

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 #: **Title: Property Exhibit**
- [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 #: 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 #: 15 **Title: AOI C5 - Contaminated Property**
- [x] **Soil Contamination Contour Map:** For sites closing with residual soil contamination, this map is to show the location of all contaminated soil and a single contour showing the horizontal extent of each area of contiguous residual soil contamination that exceeds a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL)as determined under s. NR 720.09, 720.11 and 720.19.

  Figure #: 15 **Title: AOI C5 - Soil Sample Locations**

BRRTS #: 02-41-530528 06-41-534503 ACTIVITY NAME: Former Falk Corporation Plant 2 - AOI C5

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 #: 9 **Title: Analytical Report Summary & Geochemical Data - AOI C5**

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

Table #: **Title:**

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

Table #: **Title:**

IMPROPERLY ABANDONED MONITORING WELLS

For each monitoring well not properly abandoned according to requirements of s. NR 141.25 include the following documents.
Note: *If the site is being listed on the GIS Registry for only an improperly abandoned monitoring well you will only need to submit the documents in this section for the GIS Registry Packet.*

☒ **Not Applicable**

☐ **Site Location Map:** A map showing all surveyed monitoring wells with specific identification of the monitoring wells which have not been properly abandoned.
Note: *If the applicable monitoring wells are distinctly identified on the Detailed Site Map this Site Location Map is not needed.*

Figure #: **Title:**

☐ **Well Construction Report:** Form 4440-113A for the applicable monitoring wells.

☐ **Deed:** The most recent deed as well as legal descriptions for each property where a monitoring well was not properly abandoned.

☐ **Notification Letter:** Copy of the notification letter to the affected property owner(s).

BRRTS #: 02-41-530528 06-41-534503 ACTIVITY NAME: Former Falk Corporation Plant 2 - AOI C5

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 53212-0436
Telephone 414-263-8500
FAX 414-263-8716
TTY 414-263-8713

June 10, 2009

Mr. Anthony Frigiani
Hamilton Sundstrand Corp.
1 Hamilton Rd., M/S 1M5
Windsor Locks, CT 06096

SUBJECT: Final Case Closure with Continuing Obligations
Former Falk Plant 2, 12001 W. Capitol Dr., Wauwatosa, WI

WDNR BRRTS Activity #: 06-41-534503, 02-41-546853, 02-41-546854, 02-41-530528
FID #: 241018140

Dear Mr.Frigiani:

On October 7, 2008, the Southeast Region Closure Committee and VPLE Committee reviewed the above referenced case for closure. These committees review 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 meets the closure requirements in ch. NR 726, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation is required at this time, however, you and future property owners must comply with certain continuing obligations as explained in this letter.

GIS Registry

This site will be listed on the Remediation and Redevelopment Program's GIS Registry. The specific reasons are summarized below:

- Pavement, an engineered cover or a soil barrier must be maintained over contaminated soil and the state must approve any changes to this barrier
- Groundwater contamination is present above Chapter NR 140 enforcement standards

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

Closure Conditions

Please be aware that pursuant to s. 292.12 Wisconsin Statutes, compliance with the requirements of this letter is a responsibility to which the current property owner and any subsequent property owners must adhere. You must pass on the information about these continuing obligations to the next property owner or owners. 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. The Department intends to conduct inspections in the future to ensure that the conditions included in this letter including compliance with referenced maintenance plans are met.

Cover or Barrier

Pursuant to s. 292.12(2)(a), Wis. Stats., the pavement or other impervious cap that currently exists in the location of AOI 4, AOI 7, AOI 8, AOI 11, AOI 13, AOI 15, AOI C5, AOI E25 AOI H28, AOI I32 shown on the attached map shall be maintained in compliance with the **attached maintenance plans** 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 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 is considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken during excavation activities to prevent a health threat to humans.

The attached maintenance plans and inspection logs are to be kept up-to-date and on-site. Please submit the inspection log to the Department only upon request.

Prohibited Activities

The following activities are prohibited on any portion of the property where [pavement, a building foundation, soil cover, engineered cap or other barrier] is required as shown on the attached map, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 1) removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; 6) construction or placement of a building or other structure.

Residual Groundwater Contamination

Groundwater impacted by chlorinated VOC contamination greater than enforcement standards set forth in ch. NR140, Wis. Adm. Code, is present on this contaminated property in the area of AOI 11. For more detailed information regarding the locations where groundwater samples have been collected (i.e., monitoring well locations) and the associated contaminant concentrations, refer to the Remediation and Redevelopment Program's GIS Registry at the RR Sites Map page at http://dnr.wi.gov/org/aw/rr/gis/index.htm.

Vapor Migration

In addition, depending on site-specific conditions, construction over contaminated materials may result in vapor migration of contaminants into enclosed structures or migration along newly placed underground utility lines. The potential for vapor inhalation and means of 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.

Chapter NR 140, Wis. Adm. Code Exemption

Recent groundwater monitoring data at this site indicates that for 1,2-Dichloroethane at MWE-26 and 1,1-Dichloroethylene at MW10, contaminant levels exceed the NR 140 preventive action limit (PAL) but are below the enforcement standard (ES). The Department may grant an exemption to a PAL for a substance of public health concern, other than nitrate, pursuant to s. NR 140.28(2)(b), Wis. Adm. Code, if all of the following criteria are met:

1. The measured or anticipated increase in the concentration of the substance will be minimized to the extent technically and economically feasible.

2. Compliance with the PAL is either not technically or economically feasible.

3. The enforcement standard for the substance will not be attained or exceeded at the point of standards application. [Note: at this site the point of standards application is all points where groundwater is monitored.]

4. Any existing or projected increase in the concentration of the substance above the background concentration does not present a threat to public health or welfare.

Based on the information you provided, the Department believes that these criteria have been or will be met due to source control measures that have occurred in these areas. Therefore, pursuant to s. NR 140.28, Wis. Adm. Code, an exemption to the PAL is granted for 1,2-Dichloroethane at MWE-26 and 1,1-Dichloroethelyne at MW10. Please keep this letter, because it serves as your exemption.

Post-Closure Notification Requirements

In accordance with ss, 292.12 and 292.13, Wis. Stats., you must notify the Department before making changes that affect or relate to the conditions of closure in this letter. For this case, examples of changed conditions requiring prior notification include, but are not limited to:

- Disturbance, construction on, change or removal in whole or part of pavement, an engineered cover or a soil barrier that must be maintained over contaminated soil

Please send written notifications in accordance with the above requirements to the Southeast Regional Headquarters, to the attention of Victoria Stovall.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this closure decision or anything outlined in this letter, please contact Margaret Brunette at (414)263-8557.

Cap Maintenance Plan
Former Falk Corporation Plant 2 – AOI C5
12001 W. Capitol Drive, Wauwatosa, Wisconsin 53226

May 7, 2009

Property located at:
12001 W. Capitol Drive
Wauwatosa, Wisconsin 53226

Parcel Number: 258-9999-01

FID Number: 241018140
BRRTS Numbers: 06-41-534503
02-41-530528

Introduction

This document is the Cap Maintenance Plan (Maintenance Plan) for the building foundation at the above-referenced property in accordance with the requirements of Wisconsin Administrative Code (WAC) Chapter (ch.) NR 724.13(2). The maintenance activities relate to the existing slab on grade building foundation surfaces (cap) occupying the area over the contaminated soil and groundwater on site. The contaminated soil and groundwater are impacted by chlorinated volatile organic compounds (CVOCs). The location of the cap to be maintained in accordance with this Maintenance Plan, as well as the extents of impacted soil and groundwater, are included in Figure 1.

Cap Purpose

The cap over the contaminated soil and groundwater plume serves as a partial infiltration barrier to minimize future soil-to-groundwater contamination migration that would violate the groundwater standards in WAC ch. NR 140. Based on the current and future use of the property, the cap should function as intended unless disturbed.

Annual Inspection

The cap overlying the contaminated soil and groundwater plume, as depicted in Figure 1, will be inspected once a year. The inspection will be performed in the spring after all snow and ice is gone, for deterioration, cracks and other potential problems that can cause additional infiltration into or exposure to underlying soil. The inspection will be performed to evaluate damage to the cap due to settling, wear from traffic, increasing age and other factors. Any area where soils have become or are likely to become exposed will be documented. A log of the inspections and any repairs will be maintained by the property owner on a Cap Inspection Log (Attachment 1 [the Log]). The Log will include recommendations for necessary repair of any areas where underlying soils are exposed. Once repairs are completed, they will be documented in the Log. A copy of the Log will be sent to the Wisconsin Department of Natural Resources (WDNR) at least annually after every inspection, unless otherwise directed in the case closure letter.

Maintenance Activities

If problems with the cap are noted during the annual inspections or at any other time during the year, repairs will be scheduled as soon as practical. Repairs can include patching and filling operations, or they can include larger resurfacing or construction operations. In the event that necessary maintenance activities expose the underlying soil, the owner must sample any soil that is excavated from the site prior to disposal to ascertain if contamination remains. The excavated soil must be treated, stored and disposed of by the owner in accordance with applicable local, state and federal law.

In the event the cap overlying the contaminated soil and groundwater plume is removed or replaced, the replacement barrier must be equally impervious. Any replacement barrier will be subject to the same maintenance and inspection guidelines as outlined in this Maintenance Plan unless indicated otherwise by the WDNR or its successor.

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

Amendment or Withdrawal of Maintenance Plan

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

Contact Information as of May 2009:

Responsible Party:	Hamilton Sundstrand Corporation C/O Anthony Frigiani 1 Hamilton Road M/S 1M5 Windsor Locks, CT 06096 860-728-6529
Site Owner/Operator:	Penzeys Spices 12001 W. Capitol Drive Wauwatosa, WI 53222 414-406-7758
Environmental Consultant:	Lauren Gromoski AECOM, Inc. W239 N2890 Pewaukee Road, Unit D Pewaukee, Wisconsin 53072 262-523-2040
WDNR Project Manager:	Margaret Brunette Remediation and Redevelopment Program Wisconsin Department of Natural Resources 2300 N. Dr. Martin Luther King, Jr. Drive Milwaukee, WI 53212 414-263-8557

PROPERTY EXHIBIT

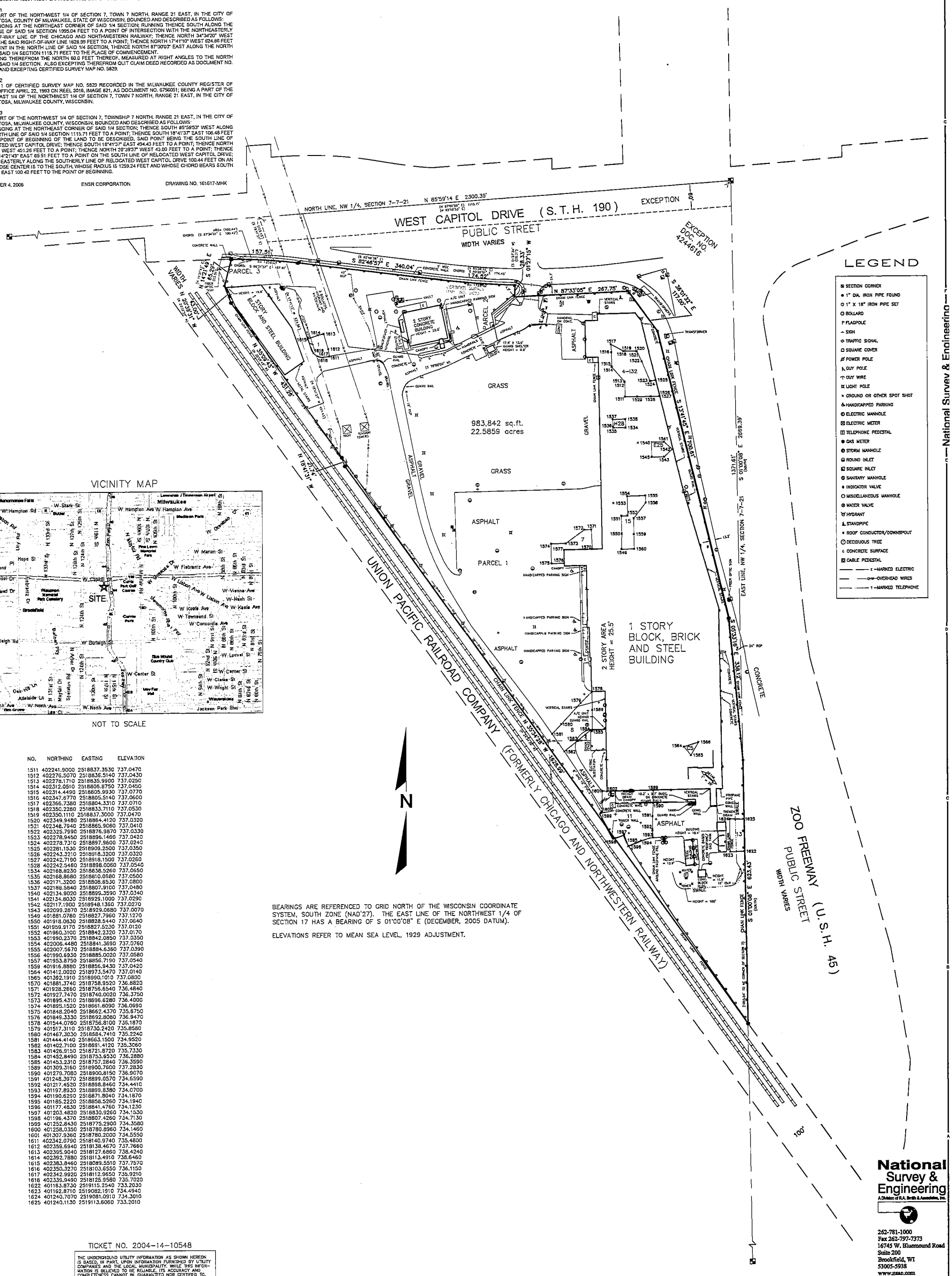
KNOWN AS 12001 WEST CAPITOL DRIVE, CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN

PARCEL 1
THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; RUNNING THENCE SOUTH ALONG THE EAST LINE OF SAID 1/4 SECTION 1995.04 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTH 34°34'20" WEST ALONG THE SAID RIGHT-OF-WAY LINE 1628.99 FEET TO A POINT; THENCE NORTH 17°41'10" WEST 624.86 FEET TO A POINT IN THE NORTH LINE OF SAID 1/4 SECTION, THENCE NORTH 87°00'00" EAST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO THE PLACE OF COMMENCEMENT.
EXCEPTING THEREFROM THE NORTH 60.0 FEET THEREOF, MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID 1/4 SECTION. ALSO EXCEPTING THEREFROM QUIT CLAIM DEED RECORDED AS DOCUMENT NO. 4244616 AND EXCEPTING CERTIFIED SURVEY MAP NO. 5829.

PARCEL 2
PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5829 RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS OFFICE APRIL 22, 1993 ON REEL 3018, IMAGE 821, AS DOCUMENT NO. 6756051; BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN.

PARCEL 3
THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; THENCE SOUTH 85°59'53" WEST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO A POINT; THENCE SOUTH 18°41'37" EAST 106.48 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED, SAID POINT BEING THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE SOUTH 18°41'37" EAST 494.43 FEET TO A POINT; THENCE NORTH 35°09'49" WEST 451.26 FEET TO A POINT; THENCE NORTH 20°39'37" WEST 43.00 FEET TO A POINT; THENCE NORTH 14°21'43" EAST 65.51 FEET TO A POINT ON THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF RELOCATED WEST CAPITOL DRIVE 100.44 FEET ON AN ARC WHOSE CENTER IS TO THE SOUTH, WHOSE RADIUS IS 1259.24 FEET AND WHOSE CHORD BEARS SOUTH 87°34'01" EAST 100.42 FEET TO THE POINT OF BEGINNING.

DECEMBER 4, 2006 ENSR CORPORATION DRAWING NO. 161617-MHK



VICINITY MAP

NOT TO SCALE

NO.	NORTHING	EASTING	ELEVATION
1511	402241.9000	2518837.3530	737.0470
1512	402276.5070	2518836.5140	737.0430
1513	402278.1710	2518835.9900	737.0250
1514	402312.0510	2518806.8750	737.0450
1515	402314.4490	2518805.9930	737.0770
1516	402347.6770	2518805.5140	737.0600
1517	402366.7380	2518804.3310	737.0710
1518	402350.2280	2518833.7110	737.0530
1519	402350.1110	2518837.3000	737.0470
1520	402349.9480	2518864.4120	737.0320
1521	402348.7940	2518865.9060	737.0410
1522	402325.7990	2518876.9870	737.0330
1523	402278.9450	2518896.1460	737.0420
1524	402278.7310	2518897.9600	737.0240
1525	402281.1530	2518909.2500	737.0350
1526	402243.3210	2518918.3200	737.0320
1527	402242.7190	2518918.1500	737.0260
1528	402242.5460	2518898.0060	737.0540
1534	402168.8230	2518838.5260	737.0650
1535	402168.8680	2518810.0580	737.0500
1536	402171.3200	2518808.6530	737.0800
1537	402188.5840	2518807.9100	737.0480
1540	402134.9020	2518899.3590	737.0340
1541	402134.8030	2518929.1000	737.0290
1542	402117.1900	2518948.1360	737.0270
1543	402099.2870	2518929.0680	737.0070
1549	401881.0760	2518827.7960	737.1270
1550	401918.0830	2518828.5440	737.0640
1551	401959.9170	2518827.5230	737.0120
1552	401960.3100	2518842.2320	737.0170
1553	401990.2370	2518842.0850	737.0350
1554	402006.4480	2518841.3690	737.0760
1555	402007.5670	2518884.6360	737.0390
1556	401990.6930	2518885.0020	737.0580
1557	401953.8750	2518856.7190	737.0540
1559	401916.8880	2518856.9430	737.0420
1564	401412.0020	2518973.5470	737.0140
1565	401392.1910	2518990.1010	737.0800
1570	401881.3740	2518758.9520	736.8820
1571	401928.2660	2518756.6540	736.4840
1572	401927.7470	2518740.0020	736.3750
1573	401895.4310	2518696.6280	736.4000
1574	401895.1520	2518661.8090	736.0690
1575	401848.2040	2518662.4370	735.8790
1576	401849.3330	2518692.8080	736.9470
1578	401544.0760	2518756.8100	736.1870
1579	401517.3110	2518730.2420	735.8580
1580	401467.3030	2518684.7410	735.2240
1581	401444.4140	2518663.1500	734.9520
1582	401402.7100	2518691.4120	735.3060
1583	401426.9150	2518721.8720	735.7330
1584	401452.8490	2518753.6530	736.2880
1585	401453.2310	2518757.2840	736.3590
1589	401309.3160	2518900.7600	737.2830
1590	401279.7080	2518900.8150	736.9070
1591	401248.3970	2518899.0570	734.6590
1592	401217.4520	2518898.8460	734.4410
1593	401197.8930	2518899.8380	734.0700
1594	401190.6290	2518871.8040	734.1870
1595	401185.2220	2518858.5260	734.1940
1596	401177.4830	2518841.4760	734.1230
1597	401203.4820	2518830.9260	734.1530
1598	401196.4370	2518607.4260	734.7130
1599	401252.8430	2518775.2900	734.3580
1600	401258.0350	2518780.8960	734.1460
1601	401307.9360	2518780.2000	734.5550
1611	402342.0790	2518140.9740	735.4800
1612	402359.6940	2518138.4670	737.7660
1613	402395.9040	2518127.6860	738.4240
1614	402392.7880	2518113.4910	738.6450
1615	402383.8460	2518089.5510	737.7570
1616	402350.3270	2518103.6550	736.1150
1617	402342.9920	2518112.9650	735.9210
1618	402339.9490	2518125.9580	735.7020
1622	401163.8730	2519115.2540	733.2030
1623	401162.8710	2519082.1910	734.4940
1624	401240.7070	2519081.0910	734.3010
1625	401240.1130	2519113.6060	733.2010

BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN COORDINATE SYSTEM, SOUTH ZONE (NAD'27). THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 17 HAS A BEARING OF S 01°00'08" E (DECEMBER, 2005 DATUM).

ELEVATIONS REFER TO MEAN SEA LEVEL, 1929 ADJUSTMENT.

TICKET NO. 2004-14-10548

THE UNDERGROUND UTILITY INFORMATION AS SHOWN HEREON IS BASED, IN PART, UPON INFORMATION FURNISHED BY UTILITY COMPANIES AND THE LOCAL MUNICIPALITY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.

National Survey & Engineering
A Division of R.A. Smith & Associates, Inc.
262-781-1000
Fax 262-797-7373
16745 W. Bluemound Road
Suite 200
Brookfield, WI
53005-5938
www.nsae.com

SHEET 1 OF 1

DRAWING SCALE: 1 INCH = 80 FEET

Attachment 1
Cap Inspection Log

Property located at:
12001 W. Capitol Drive
Wauwatosa, WI 53226
Former Falk Corporation Plant 2 - AOI C5

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

Sincerely,

James A. Schmidt

James A. Schmidt, Team Supervisor
Southeast Remediation & Redevelopment Program

Attach. (Disk)
- Maintenance plans

cc: Lauren Gromoski – AECOM (w/out attach.)
Jeff Bykowski – Penzeys Spices (w/out attach.)
Bill Phelps, DG/5 (w/out attach.)

5

* 0 9 0 6 2 1 2 2 *

Document Number	SPECIAL WARRANTY DEED Title of Document	DOC.# 09062122

REGISTER'S OFFICE | SS
Milwaukee County, WI|

RECORDED 08/03/2005 10:55AM

JOHN LA FAVE
REGISTER OF DEEDS

AMOUNT:19.00

Record this document with the Register of Deeds

Name and Return Address:
TRAPP & HARTMAN SC
14380 W. CAPITOL DRIVE, #1
BROOKFIELD, WI 53005-2323
ATTN: STEPHEN A. HARTMAN

TRANSFER
$ 18,300.00
FEE

258-9999-01, 258-9995-02 AND
(Parcel Identification Number) 258-9998-00

INFO-PRO (800)655-2021 www.infoproforms.com

Record and Return to:
Trapp & Hartman SC
14380 W Capitol Drive, #1
Brookfield, Wisconsin 53005-2323
Attention: Stephen A. Hartman

Parcel Identification No.: 258-9999-01.

This is not homestead property.

SPECIAL WARRANTY DEED

This SPECIAL WARRANTY DEED, made between **HAMILTON SUNDSTRAND CORPORATION,** a Delaware corporation, as grantor ("**Grantor**"), and **WTP HOLDINGS, LLC**, a Wisconsin limited liability company, as grantee ("**Grantee**").

Grantor, for valuable consideration, conveys to Grantee the real estate described in Exhibit A attached hereto and made a part hereof (the "**Property**"), located in Milwaukee County, State of Wisconsin.

Together with all appurtenant rights, title and interests.

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 municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utitlity and municipal services, recorded building and use restrictions and covenants and general taxes levied in 2005 and thereafter and will warrant and defend the same.

Dated this 27th day of July, 2005.

HAMILTON SUNDSTRAND CORPORATION,
a Delaware corporation

By: _____
Name: Ronald F. Zapinski, President
Title: United Technologies Realty, Inc.
Authorized agent

ACKNOWLEGMENT

STATE OF CONNECTICUT)
) ss.
HARTFORD COUNTY)

Personally came before me this 27th day of July, 2005, the above named Ronald P. Zappile, President of United Technologies Realty, the authorized signatory for Hamilton Sundstrand Corporation, a Delaware corporation, to me known to be the person who executed the foregoing instrument and acknowledge the same.

Notary Public, State of Connecticut

My Commission Expires: KATE S. BARBOUR NOTARY PUBLIC MY COMMISSION EXPIRES MAR. 31, 2008

AUTHENTICATION

Euchung Ung
Member, State Bar of Connecticut

Authenticated this 27th day of July, 2005.

This instrument was drafted by:

Robinson & Cole
695 East Main Street
Stamford, Connecticut 06901
Attention: Euchung Ung

EXHIBIT A
Legal Description of the Property

See attached.

EXHIBIT A

PARCEL 1:

THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION, RUNNING THENCE SOUTH ALONG THE EAST LINE OF SAID 1/4 SECTION, 1995.04 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTH 34°34'20" WEST ALONG THE SAID RIGHT-OF-WAY LINE 1628.99 FEET TO A POINT; THENCE NORTH 17°41'10" WEST 624.86 FEET TO A POINT IN THE NORTH LINE OF SAID 1/4 SECTION; THENCE NORTH 87°00'00" EAST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO THE PLACE OF COMMENCEMENT. EXCEPTING THEREFROM THE NORTH 60.0 FEET THEREOF, MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID 1/4 SECTION. ALSO EXCEPTING THEREFROM QUIT CLAIM DEED RECORDED AS DOCUMENT NO. 4244616, AND EXCEPTING CERTIFIED SURVEY MAP NO. 5829.

PARCEL NO. 258-9999-01

PARCEL 2:

PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5829 RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS OFFICE APRIL 22, 1993 ON REEL 3018, IMAGE 821, AS DOCUMENT NO. 6756051; BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN.

PARCEL NO. 258-9999-02

PARCEL 3:

THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; THENCE SOUTH 89°59'53" WEST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO A POINT; THENCE SOUTH 18°41'37" EAST 108.48 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED, SAID POINT BEING THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE SOUTH 18°41'37" EAST 494.43 FEET TO A POINT; THENCE NORTH 35°09'49" WEST 451.26 FEET TO A POINT; THENCE NORTH 20°39'37" WEST 43.00 FEET TO A POINT; THENCE NORTH 14°21'43" EAST 65.51 FEET TO A POINT ON THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF RELOCATED WEST CAPITOL DRIVE 100.44 FEET ON AN ARC WHOSE CENTER IS TO THE SOUTH, WHOSE RADIUS IS 1259.24 FEET AND WHOSE CHORD BEARS SOUTH 87°34'01" EAST 100.42 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 258-9998-00

PROPERTY EXHIBIT

KNOWN AS 12001 WEST CAPITOL DRIVE, CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN

PARCEL 1
THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; RUNNING THENCE SOUTH ALONG THE EAST LINE OF SAID 1/4 SECTION 1995.04 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTH 34°34'20" WEST ALONG THE SAID RIGHT-OF-WAY LINE 1628.99 FEET TO A POINT; THENCE NORTH 17°41'10" WEST 624.86 FEET TO A POINT IN THE NORTH LINE OF SAID 1/4 SECTION; THENCE NORTH 87°00'00" EAST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO THE PLACE OF COMMENCEMENT.
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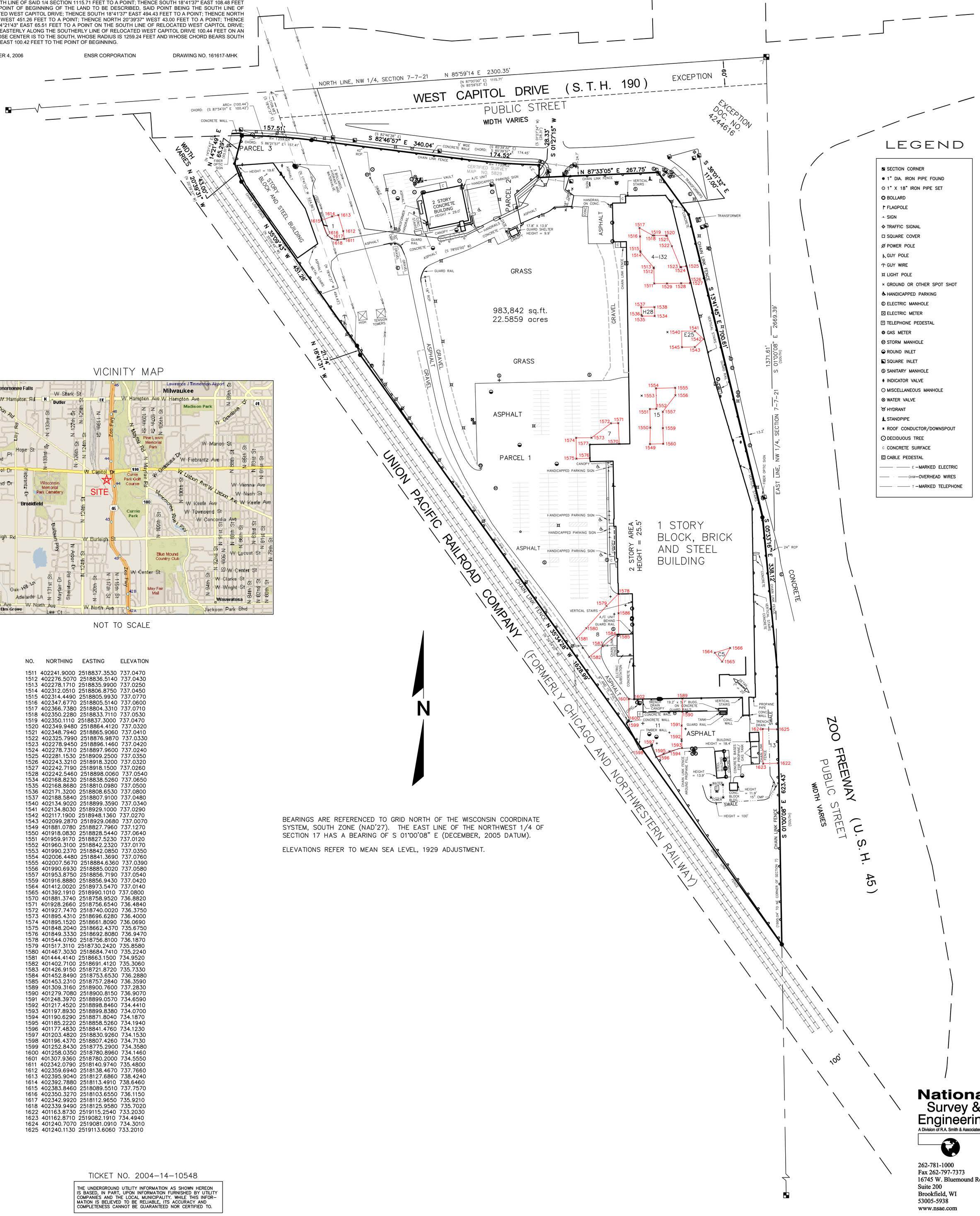
PARCEL 2
PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5829 RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS OFFICE APRIL 22, 1993 ON REEL 3018, IMAGE 821, AS DOCUMENT NO. 6756051; BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN.

PARCEL 3
THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; THENCE SOUTH 85°59'53" WEST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO A POINT; THENCE SOUTH 18°41'37" EAST 108.48 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED, SAID POINT BEING THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE SOUTH 18°41'37" EAST 494.43 FEET TO A POINT; THENCE NORTH 35°09'49" WEST 451.26 FEET TO A POINT; THENCE NORTH 20°39'37" WEST 43.00 FEET TO A POINT; THENCE NORTH 14°21'43" EAST 65.51 FEET TO A POINT ON THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF RELOCATED WEST CAPITOL DRIVE 100.44 FEET ON AN ARC WHOSE CENTER IS TO THE SOUTH, WHOSE RADIUS IS 1259.24 FEET AND WHOSE CHORD BEARS SOUTH 87°34'01" EAST 100.42 FEET TO THE POINT OF BEGINNING.

DECEMBER 4, 2006 ENSR CORPORATION DRAWING NO. 161617-MHK

NOT TO SCALE



LEGEND

- SECTION CORNER
- 1" DIA. IRON PIPE FOUND
- 1" X 18" IRON PIPE SET
- BOLLARD
- FLAGPOLE
- SIGN
- TRAFFIC SIGNAL
- SQUARE COVER
- POWER POLE
- GUY POLE
- GUY WIRE
- LIGHT POLE
- GROUND OR OTHER SPOT SHOT
- HANDICAPPED PARKING
- ELECTRIC MANHOLE
- ELECTRIC METER
- TELEPHONE PEDESTAL
- GAS METER
- STORM MANHOLE
- ROUND INLET
- SQUARE INLET
- SANITARY MANHOLE
- INDICATOR VALVE
- MISCELLANEOUS MANHOLE
- WATER VALVE
- HYDRANT
- STANDPIPE
- ROOF CONDUCTOR/DOWNSPOUT
- DECIDUOUS TREE
- CONCRETE SURFACE
- CABLE PEDESTAL
- E —MARKED ELECTRIC
- OHW—OVERHEAD WIRES
- T —MARKED TELEPHONE

NO.	NORTHING	EASTING	ELEVATION
1511	402241.9000	2518837.3530	737.0470
1512	402276.5070	2518836.5140	737.0430
1513	402278.1710	2518835.9900	737.0250
1514	402312.0510	2518806.8750	737.0450
1515	402314.4490	2518805.9930	737.0770
1516	402347.6770	2518805.5140	737.0600
1517	402366.7380	2518804.3310	737.0710
1518	402350.2280	2518833.7110	737.0530
1519	402350.1110	2518837.3000	737.0470
1520	402349.9480	2518864.4120	737.0320
1521	402348.7940	2518865.9060	737.0410
1522	402325.7990	2518876.9870	737.0330
1523	402278.9450	2518896.1460	737.0420
1524	402278.7310	2518897.9600	737.0240
1525	402281.1530	2518909.2500	737.0350
1526	402243.3210	2518918.3200	737.0320
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1537	402188.5840	2518807.9100	737.0480
1540	402134.9020	2518899.3590	737.0340
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1559	401916.8880	2518856.9430	737.0420
1564	401412.0020	2518973.5470	737.0140
1565	401392.1910	2518990.1010	737.0800
1570	401881.3740	2518758.9520	736.8820
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1573	401895.4310	2518696.6280	736.4000
1574	401895.1520	2518661.8090	736.0690
1575	401848.2040	2518662.4370	735.6750
1576	401849.3330	2518692.8080	736.9470
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1579	401517.3110	2518730.2420	735.8580
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1581	401444.4140	2518663.1500	734.9520
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1583	401426.9150	2518721.8720	735.7330
1584	401452.8490	2518753.6530	736.2880
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1599	401252.8430	2518775.2900	734.3580
1600	401258.0350	2518780.8960	734.1460
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S:\5161617\dwg\
161617H0.DWG \ PX201E80

SHEET 1 OF 1

DRAWING SCALE: 1 INCH = 80 FEET

12001 W. Capitol Drive, Wauwatosa, Wisconsin
AOI C5

WDNR BRRTS Numbers: #06-41-534503, #02-41-530528
FID Number: 241018140

Parcel Number: 258-9999-01
WTM83/91 Coordinates: E677998 N292425

Responsible Party:
Greg Blessing
United Technologies Corporation
United Technologies Building
Hartford, CT 06101
(860) 728-6529

Site Owner/Operator:
Penzeys Spices
19300 W. Janacek Court
Brookfield, WI 53045
(262) 785-7602

AOI C5

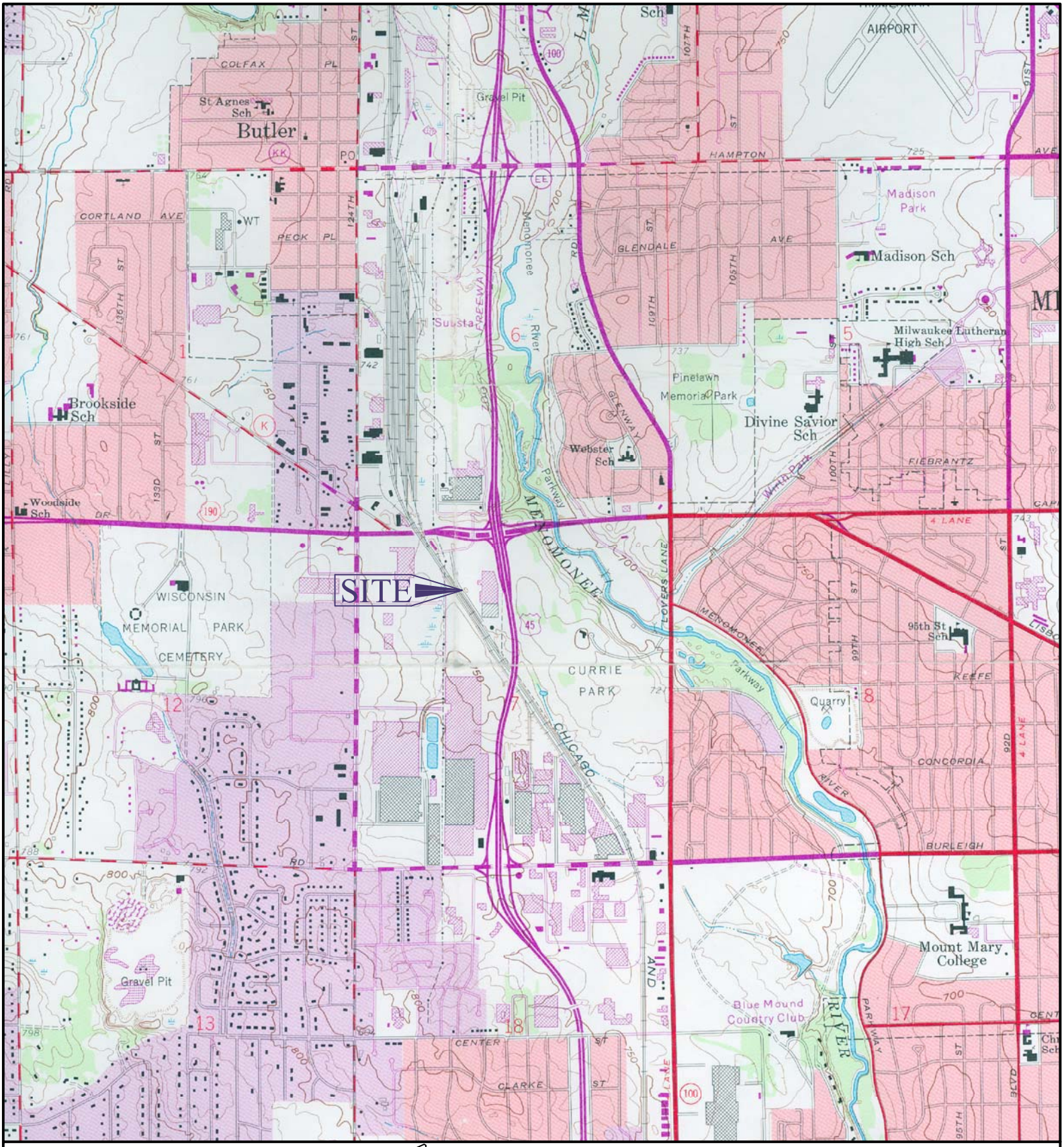
Area of Interest (AOI) C5 is located within, or partially within, the boundary of the property located at 12001 West Capitol Drive, Wauwatosa, Wisconsin, whose legal description (as found on the City of Wauwatosa Assessor's Department website [www.wauwatosa.net]), is as follows:

NW QUAR SEC 7 7 21 COMM AT NE COR OF SD QUAR SEC TH S 1995.04 FT TH NW ALG RR ROW 1628.99 FT TH N 17D 41'10 W 624.86 FT TH E 1115.71 FT TO PL OF BEG SUBJECT TO TMER&L CO TOWER LINE ROW EXC N & E PART TAKEN FOR STREET AND EXPRESSWAY & EXC CSM NO 5829 1994.

Parcel ID: 258-9999-01

Printed Name: Gregory F. Blessing

Signature: Gregory F. Blessing Date: 2/28/08



Adapted from: USGS 7.5 minute series Wauwatosa, Wisconsin topographic quadrangle in 1958, photorevisited in 1976.

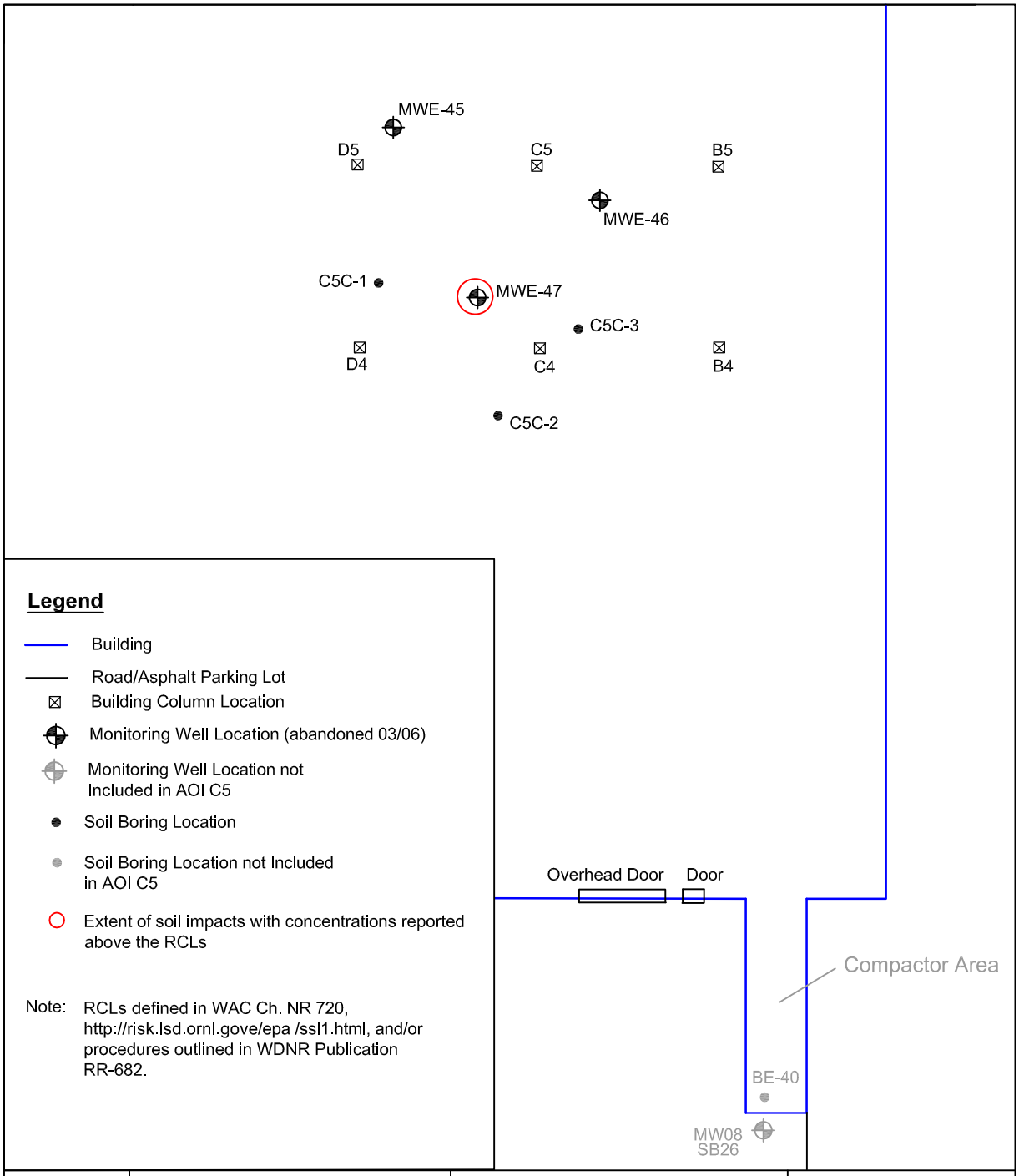
SCALE 1:24,000

Figure 1

Site Location Map

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, Wisconsin

ENSR | AECOM



Legend

- Building
- Road/Asphalt Parking Lot
- Building Column Location
- Monitoring Well Location (abandoned 03/06)
- Monitoring Well Location not Included in AOI C5
- Soil Boring Location
- Soil Boring Location not Included in AOI C5
- Extent of soil impacts with concentrations reported above the RCLs

Note: RCLs defined in WAC Ch. NR 720, http://risk.lsd.ornl.gove/epa /ssl1.html, and/or procedures outlined in WDNR Publication RR-682.

Scale: 1":27'

Hamilton Sundstrand

Case Summary & Close-Out Form

AOI C5 - Contaminated Property

Former Falk Corporation
Wauwatosa, WI

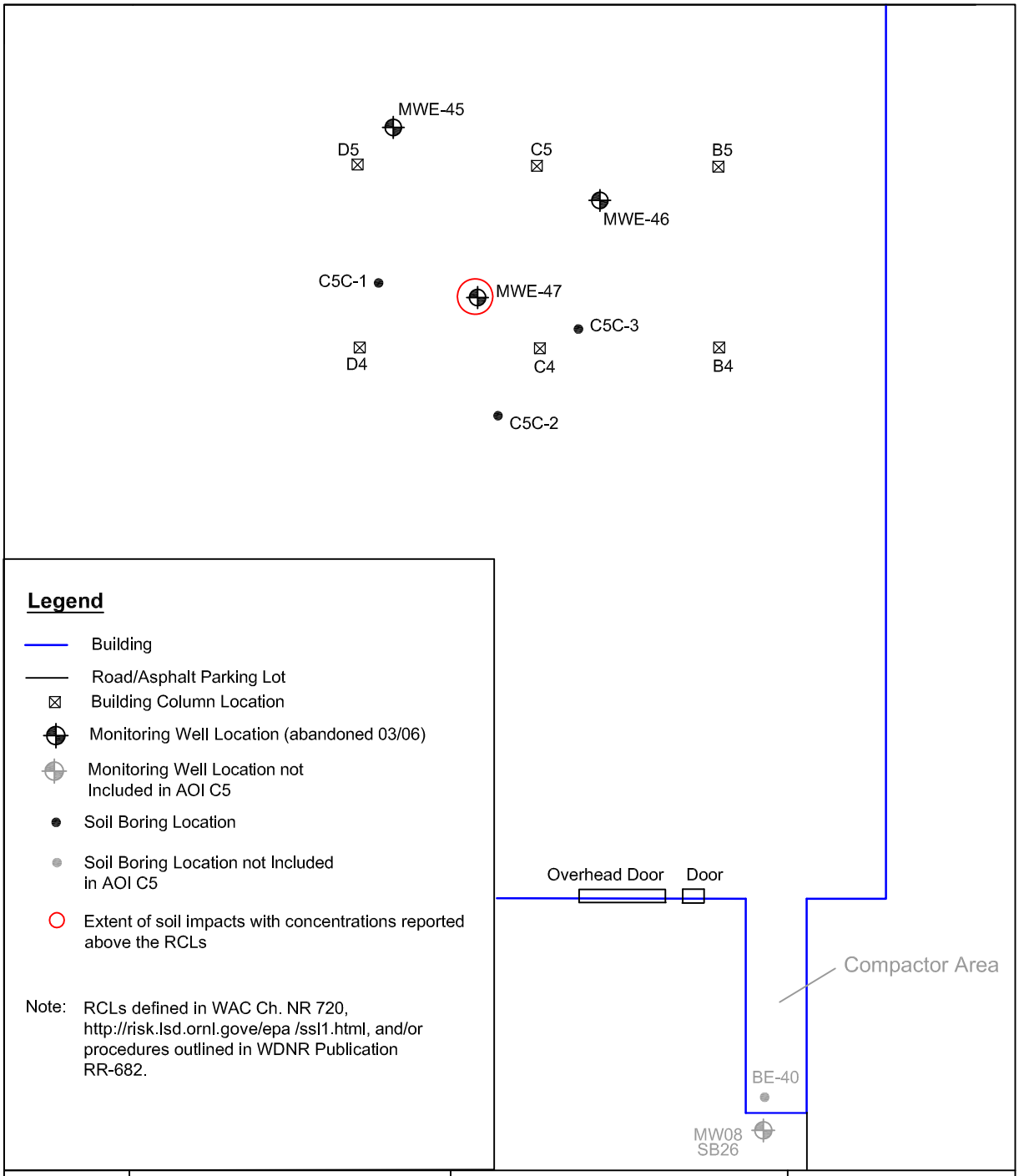
01/04/08 06916-277

Figure 15

www.ensr.aecom.com

J:\PROJECTS\06916 - UTC Companies\06916239-Falk Wauwatosa\Reports\RA-MNA\Status Rpt 0601\Figs 0701 Fig 15 - AOI C5 Soil.dwg

ENSR | AECOM



Legend

- Building
- Road/Asphalt Parking Lot
- Building Column Location
- Monitoring Well Location (abandoned 03/06)
- Monitoring Well Location not Included in AOI C5
- Soil Boring Location
- Soil Boring Location not Included in AOI C5
- Extent of soil impacts with concentrations reported above the RCLs

Note: RCLs defined in WAC Ch. NR 720, http://risk.lsd.ornl.gove/epa /ssl1.html, and/or procedures outlined in WDNR Publication RR-682.

Scale: 1":27'

Hamilton Sundstrand

Case Summary & Close-Out Form

AOI C5 - Soil Sample Locations

Former Falk Corporation
Wauwatosa, WI

01/04/08 06916-277

Figure 15

www.ensr.aecom.com

J:\PROJECTS\06916 - UTC Companies\06916239-Falk Wauwatosa\Reports\RA-MNA\Status Rpt 0601\Figs 0701 Fig 15 - AOI C5 Soil.dwg

Table 9
Analytical Report Summary & Geochemical Data - AOI C5

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	MWE-45 (2) 11/23/05	MWE-45 (8) 11/23/05	MWE-45 (12) 11/23/05	MWE-46 (2) 11/23/05	MWE-46 (8) 11/23/05	MWE-46 (12) 11/23/05	**Direct Contact IND**	**Groundwater Protection**
VOCs (µg/kg)		ND	ND	ND		ND		
Methylene Chloride	**63 S2**				**220 S2**		45,000	1.6
PAHs (µg/kg)	ND	ND	ND	ND	ND	ND	--	--
DRO (mg/kg)	ND	ND	ND	13	ND	ND	NL	100

Detected Parameter	Sample ID (Depth), Sample Date			Residual Contaminant Level	
SOIL	MWE-47 (2) 11/23/05	MWE-47 (8) 11/23/05	MWE-47 (12) 11/23/05	**Direct Contact IND**	**Groundwater Protection**
VOCs (µg/kg)			ND		
Methylene Chloride	**98 S2**	**2,500**		45,000	1.6
PAHs (µg/kg)	ND	ND	ND	--	--
DRO (mg/kg)	36	11	5.7	NL	100

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	C5C-01 (4) 03/25/06	C5C-01 (8) 03/25/06	C5C-01 (12) 03/25/06	C5C -02 (4) 03/25/06	C5C -02 (8) 03/25/06	C5C -02 (12) 03/25/06	**Direct Contact IND**	**Groundwater Protection**
VOCs (µg/kg)	ND	ND	ND	ND	ND	ND	--	--
DRO (mg/kg)	ND	ND	ND	9.5	ND	8	NL	100

Table 9
Analytical Report Summary & Geochemical Data - AOI C5

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Sample ID (Depth), Sample Date			Residual Contaminant Level	
SOIL	C5C-03 (4) 03/25/06	C5C-03 (8) 03/25/06	C5C-03 (12) 03/25/06	**Direct Contact IND**	**Groundwater Protection**
VOCs (µg/kg)	ND	ND	ND	--	--
DRO (mg/kg)	ND	ND	7.4	NL	100

Notes (Soil):

VOCs = volatile organic compounds

PAHs = polycyclic aromatic hydrocarbons

DRO = diesel range organics

µg/kg = micrograms per kilogram (parts per billion)

mg/kg = milligrams per kilogram (parts per million)

Direct Contact = Residual Contaminant Levels (RCLs) that apply to soil collected within four feet of the ground surface, either as defined in Wisconsin Administrative Code Chapter NR 720, WDNR 1993 Interim Guidance Table 1 for polycyclic aromatic hydrocarbons, or, if no established criteria exists, as calculated using U.S. EPA Soil Screening Guidance for Chemicals (http://risk.lsd.ornl.gov/epa/ssl1.html) and procedures outlined in WDNR Publication RR-682

Groundwater Protection = RCLs based on the protection of groundwater, either as defined in Wisconsin Administrative Code Chapter NR 720, WDNR 1993 Interim Guidance Table 1 for polycyclic aromatic hydrocarbons, or, if no established criteria exists, as calculated using U.S. EPA Soil Screening Guidance for Chemicals (http://risk.lsd.ornl.gov/epa/ssl1.html) and procedures outlined in WDNR Publication RR-682

IND = Industrial, per Wisconsin Administrative Code Chapter NR 720

DRO criteria defined in Wisconsin Administrative Code Chapter NR 720, based on assumption of contaminated soil and soil below the contaminated soil for a depth of 3 meters having a hydraulic conductivity of 1x10-6 cm/sec or less.

ND = parameters within a suite (class) of compounds not detected above reporting limit.

NL = criterion not listed for compound

S2 - Compound is a common lab solvent and contaminant

Concentrations in bold indicate an exceedance of the Groundwater Pathway RCL

Only positive detections shown.

GIS REGISTRY
Cover Sheet

July, 2008
(RR 5367)

Source Property Information

CLOSURE DATE:

BRRTS #: 02-41-530528

FID #: 241018140

ACTIVITY NAME: FALK CORP PLANT 2 - AOI- E25

DATCP #:

PROPERTY ADDRESS: 12001 W. Capitol Drive

COMM #:

MUNICIPALITY: Wauwatosa

PARCEL ID #: 258-9999-01

***WTM COORDINATES:**

X: **677998** Y: **292425**

** 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*

Wisconsin
ment of Natural Resources
://dnr.wi.gov

GIS Registry Checklist

Form 4400-245 (R 4/08)

is 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 orm 4400-202, Case Closure Request. The closure of a case means that the Department has determined that no further response is required at that time based on the information that has been submitted to the Department.

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

BRRTS #: 02-41-530528 PARCEL ID #: 258-9999-01

ACTIVITY NAME: FALK CORP PLANT 2 - AOI- E25 WTM COORDINATES: X: 677998 Y: 292425

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

☐ **Closure Letter**

☐ **Maintenance Plan** *(if activity is closed with a land use limitation or condition (land use control) under s. 292.12, Wis. Stats.)*

☐ **Conditional Closure Letter**

☐ **Certificate of Completion (COC)** for VPLE sites

SOURCE LEGAL DOCUMENTS

☒ **Deed:** The most recent deed as well as legal descriptions, for the **Source Property** (where the contamination originated). Deeds for other, off-source (off-site) properties are located in the **Notification** section.
Note: *If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.*

☒ **Certified Survey Map:** A copy of the certified survey map or the relevant section of the recorded plat map *for those properties where the legal description in the most recent deed refers to a certified survey map or a recorded plat map.* (lots on subdivided or platted property (e.g. lot 2 of xyz subdivision)).

Figure #: **Title:**

☒ **Signed Statement:** A statement signed by the Responsible Party (RP), which states that he or she believes that the attached legal description accurately describes the correct contaminated property.

MAPS (meeting the visual aid requirements of s. NR 716.15(2)(h))

Maps must be no larger than 8.5 x 14 inches unless the map is submitted electronically.

☒ **Location Map:** A map outlining all properties within the contaminated site boundaries on a U.S.G.S. topographic map or plat map in sufficient detail to permit easy location of all parcels. If groundwater standards are exceeded, include the location of all potable wells within 1200 feet of the site.
Note: *Due to security reasons municipal wells are not identified on GIS Packet maps. However, the locations of these municipal wells must be identified on Case Closure Request maps.*

Figure #: Figure 1 **Title: Site Location**

☒ **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 #: Figure 18 **Title: AOI-H28 Contaminated Property**

☒ **Soil Contamination Contour Map:** For sites closing with residual soil contamination, this map is to show the location of all contaminated soil and a single contour showing the horizontal extent of each area of contiguous residual soil contamination that exceeds a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL)as determined under s. NR 720.09, 720.11 and 720.19.

Figure #: Figure 18 **Title: AOI-H28 Soil Sample Location**

BRRTS #: 02-41-530528 ACTIVITY NAME: FALK CORP PLANT 2 - AOI- E25

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 #: Table 11 **Title: Analytical Report Summary & Geochemical Data - AOI H28**

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

Table #: **Title:**

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

Table #: **Title:**

IMPROPERLY ABANDONED MONITORING WELLS

For each monitoring well not properly abandoned according to requirements of s. NR 141.25 include the following documents.
Note: *If the site is being listed on the GIS Registry for only an improperly abandoned monitoring well you will only need to submit the documents in this section for the GIS Registry Packet.*

☒ **Not Applicable**

☐ **Site Location Map:** A map showing all surveyed monitoring wells with specific identification of the monitoring wells which have not been properly abandoned.
Note: *If the applicable monitoring wells are distinctly identified on the Detailed Site Map this Site Location Map is not needed.*

Figure #: **Title:**

☐ **Well Construction Report:** Form 4440-113A for the applicable monitoring wells.

☐ **Deed:** The most recent deed as well as legal descriptions for each property where a monitoring well was not properly abandoned.

☐ **Notification Letter:** Copy of the notification letter to the affected property owner(s).

BRRTS #: 02-41-530528 ACTIVITY NAME: FALK CORP PLANT 2 - AOI- E25

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 53212-0436
Telephone 414-263-8500
FAX 414-263-8716
TTY 414-263-8713

June 10, 2009

Mr. Anthony Frigiani
Hamilton Sundstrand Corp.
1 Hamilton Rd., M/S 1M5
Windsor Locks, CT 06096

SUBJECT: Final Case Closure with Continuing Obligations
Former Falk Plant 2, 12001 W. Capitol Dr., Wauwatosa, WI

WDNR BRRTS Activity #: 06-41-534503, 02-41-546853, 02-41-546854, 02-41-530528
FID #: 241018140

Dear Mr.Frigiani:

On October 7, 2008, the Southeast Region Closure Committee and VPLE Committee reviewed the above referenced case for closure. These committees review 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 meets the closure requirements in ch. NR 726, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation is required at this time, however, you and future property owners must comply with certain continuing obligations as explained in this letter.

GIS Registry

This site will be listed on the Remediation and Redevelopment Program's GIS Registry. The specific reasons are summarized below:

- Pavement, an engineered cover or a soil barrier must be maintained over contaminated soil and the state must approve any changes to this barrier
- Groundwater contamination is present above Chapter NR 140 enforcement standards

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

Closure Conditions

Please be aware that pursuant to s. 292.12 Wisconsin Statutes, compliance with the requirements of this letter is a responsibility to which the current property owner and any subsequent property owners must adhere. You must pass on the information about these continuing obligations to the next property owner or owners. 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. The Department intends to conduct inspections in the future to ensure that the conditions included in this letter including compliance with referenced maintenance plans are met.

Cover or Barrier

Pursuant to s. 292.12(2)(a), Wis. Stats., the pavement or other impervious cap that currently exists in the location of AOI 4, AOI 7, AOI 8, AOI 11, AOI 13, AOI 15, AOI C5, AOI E25 AOI H28, AOI I32 shown on the attached map shall be maintained in compliance with the **attached maintenance plans** 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 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 is considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken during excavation activities to prevent a health threat to humans.

The attached maintenance plans and inspection logs are to be kept up-to-date and on-site. Please submit the inspection log to the Department only upon request.

Prohibited Activities

The following activities are prohibited on any portion of the property where [pavement, a building foundation, soil cover, engineered cap or other barrier] is required as shown on the attached map, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 1) removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; 6) construction or placement of a building or other structure.

Residual Groundwater Contamination

Groundwater impacted by chlorinated VOC contamination greater than enforcement standards set forth in ch. NR140, Wis. Adm. Code, is present on this contaminated property in the area of AOI 11. For more detailed information regarding the locations where groundwater samples have been collected (i.e., monitoring well locations) and the associated contaminant concentrations, refer to the Remediation and Redevelopment Program's GIS Registry at the RR Sites Map page at http://dnr.wi.gov/org/aw/rr/gis/index.htm.

Vapor Migration

In addition, depending on site-specific conditions, construction over contaminated materials may result in vapor migration of contaminants into enclosed structures or migration along newly placed underground utility lines. The potential for vapor inhalation and means of 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.

Chapter NR 140, Wis. Adm. Code Exemption

Recent groundwater monitoring data at this site indicates that for 1,2-Dichloroethane at MWE-26 and 1,1-Dichloroethylene at MW10, contaminant levels exceed the NR 140 preventive action limit (PAL) but are below the enforcement standard (ES). The Department may grant an exemption to a PAL for a substance of public health concern, other than nitrate, pursuant to s. NR 140.28(2)(b), Wis. Adm. Code, if all of the following criteria are met:

1. The measured or anticipated increase in the concentration of the substance will be minimized to the extent technically and economically feasible.

2. Compliance with the PAL is either not technically or economically feasible.

3. The enforcement standard for the substance will not be attained or exceeded at the point of standards application. [Note: at this site the point of standards application is all points where groundwater is monitored.]

4. Any existing or projected increase in the concentration of the substance above the background concentration does not present a threat to public health or welfare.

Based on the information you provided, the Department believes that these criteria have been or will be met due to source control measures that have occurred in these areas. Therefore, pursuant to s. NR 140.28, Wis. Adm. Code, an exemption to the PAL is granted for 1,2-Dichloroethane at MWE-26 and 1,1-Dichloroethelyne at MW10. Please keep this letter, because it serves as your exemption.

Post-Closure Notification Requirements

In accordance with ss, 292.12 and 292.13, Wis. Stats., you must notify the Department before making changes that affect or relate to the conditions of closure in this letter. For this case, examples of changed conditions requiring prior notification include, but are not limited to:

- Disturbance, construction on, change or removal in whole or part of pavement, an engineered cover or a soil barrier that must be maintained over contaminated soil

Please send written notifications in accordance with the above requirements to the Southeast Regional Headquarters, to the attention of Victoria Stovall.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this closure decision or anything outlined in this letter, please contact Margaret Brunette at (414)263-8557.

Sincerely,

James A. Schmidt

James A. Schmidt, Team Supervisor
Southeast Remediation & Redevelopment Program

Attach. (Disk)
- Maintenance plans

cc: Lauren Gromoski – AECOM (w/out attach.)
Jeff Bykowski – Penzeys Spices (w/out attach.)
Bill Phelps, DG/5 (w/out attach.)

Cap Maintenance Plan
Former Falk Corporation Plant 2 – AOI E25
12001 W. Capitol Drive, Wauwatosa, Wisconsin 53226

May 7, 2009

Property located at:
12001 W. Capitol Drive
Wauwatosa, Wisconsin 53226

Parcel Number: 258-9999-01

FID Number: 241018140
BRRTS Numbers: 06-41-534503
02-41-530528

Introduction

This document is the Cap Maintenance Plan (Maintenance Plan) for the building foundation at the above-referenced property in accordance with the requirements of Wisconsin Administrative Code (WAC) Chapter (ch.) NR 724.13(2). The maintenance activities relate to the existing slab on grade building foundation surfaces (cap) occupying the area over the contaminated soil and groundwater on site. The contaminated soil and groundwater are impacted by chlorinated volatile organic compounds (CVOCs). The location of the cap to be maintained in accordance with this Maintenance Plan, as well as the extents of impacted soil and groundwater, are included in Figure 1.

Cap Purpose

The cap over the contaminated soil and groundwater plume serves as a partial infiltration barrier to minimize future soil-to-groundwater contamination migration that would violate the groundwater standards in WAC ch. NR 140. Based on the current and future use of the property, the cap should function as intended unless disturbed.

Annual Inspection

The cap overlying the contaminated soil and groundwater plume, as depicted in Figure 1, will be inspected once a year. The inspection will be performed in the spring after all snow and ice is gone, for deterioration, cracks and other potential problems that can cause additional infiltration into or exposure to underlying soil. The inspection will be performed to evaluate damage to the cap due to settling, wear from traffic, increasing age and other factors. Any area where soils have become or are likely to become exposed will be documented. A log of the inspections and any repairs will be maintained by the property owner on a Cap Inspection Log (Attachment 1 [the Log]). The Log will include recommendations for necessary repair of any areas where underlying soils are exposed. Once repairs are completed, they will be documented in the Log. A copy of the Log will be sent to the Wisconsin Department of Natural Resources (WDNR) at least annually after every inspection, unless otherwise directed in the case closure letter.

Maintenance Activities

If problems with the cap are noted during the annual inspections or at any other time during the year, repairs will be scheduled as soon as practical. Repairs can include patching and filling operations, or they can include larger resurfacing or construction operations. In the event that necessary maintenance activities expose the underlying soil, the owner must sample any soil that is excavated from the site prior to disposal to ascertain if contamination remains. The excavated soil must be treated, stored and disposed of by the owner in accordance with applicable local, state and federal law.

In the event the cap overlying the contaminated soil and groundwater plume is removed or replaced, the replacement barrier must be equally impervious. Any replacement barrier will be subject to the same maintenance and inspection guidelines as outlined in this Maintenance Plan unless indicated otherwise by the WDNR or its successor.

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

Amendment or Withdrawal of Maintenance Plan

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

Contact Information as of May 2009:

Responsible Party:	Hamilton Sundstrand Corporation C/O Anthony Frigiani 1 Hamilton Road M/S 1M5 Windsor Locks, CT 06096 860-728-6529
Site Owner/Operator:	Penzeys Spices 12001 W. Capitol Drive Wauwatosa, WI 53222 414-406-7758
Environmental Consultant:	Lauren Gromoski AECOM, Inc. W239 N2890 Pewaukee Road, Unit D Pewaukee, Wisconsin 53072 262-523-2040
WDNR Project Manager:	Margaret Brunette Remediation and Redevelopment Program Wisconsin Department of Natural Resources 2300 N. Dr. Martin Luther King, Jr. Drive Milwaukee, WI 53212 414-263-8557

PROPERTY EXHIBIT

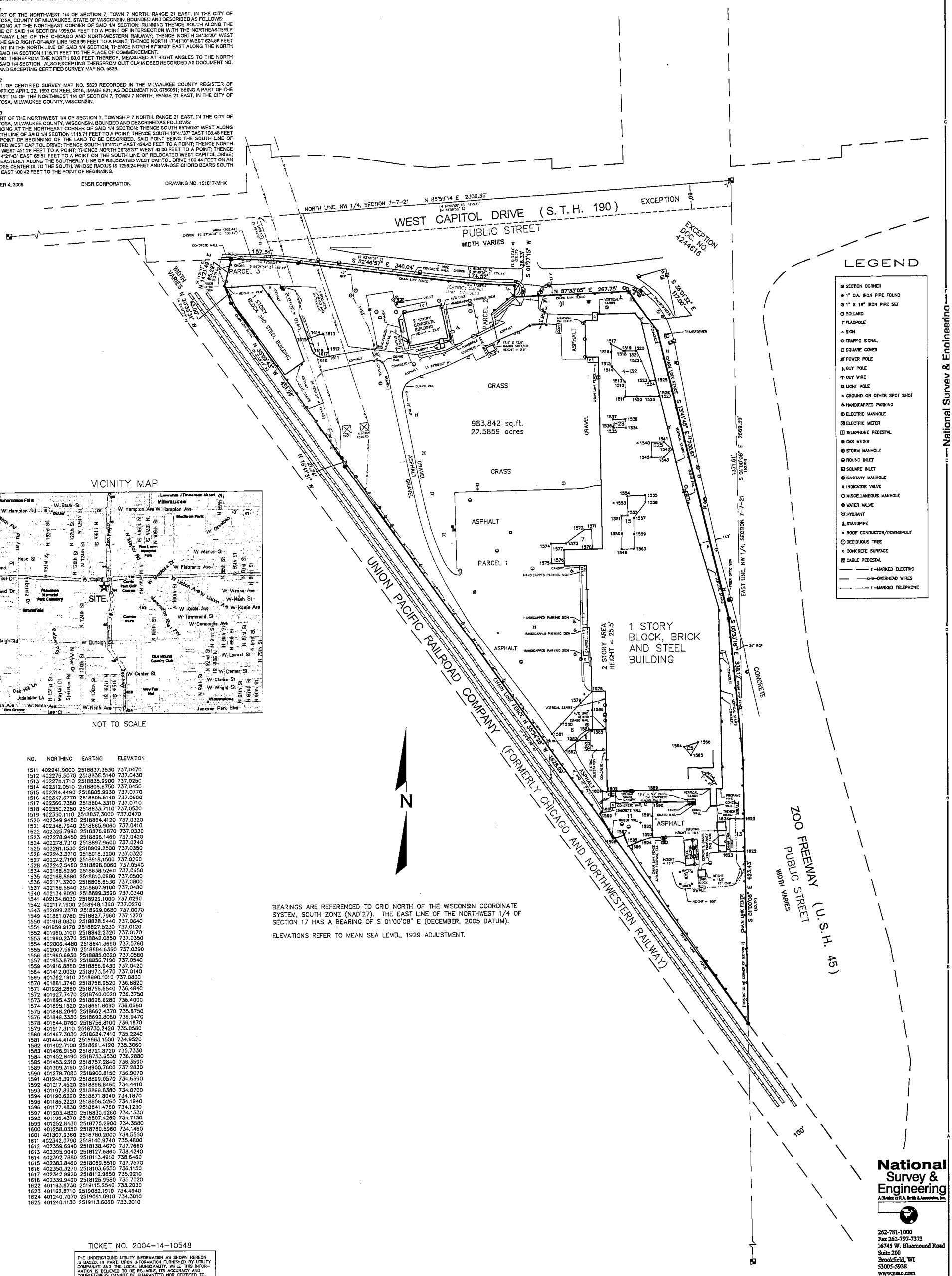
KNOWN AS 12001 WEST CAPITOL DRIVE, CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN

PARCEL 1
THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; RUNNING THENCE SOUTH ALONG THE EAST LINE OF SAID 1/4 SECTION 1995.04 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTH 34°34'20" WEST ALONG THE SAID RIGHT-OF-WAY LINE 1628.99 FEET TO A POINT; THENCE NORTH 17°41'10" WEST 624.86 FEET TO A POINT IN THE NORTH LINE OF SAID 1/4 SECTION, THENCE NORTH 87°00'00" EAST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO THE PLACE OF COMMENCEMENT.
EXCEPTING THEREFROM THE NORTH 60.0 FEET THEREOF, MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID 1/4 SECTION. ALSO EXCEPTING THEREFROM QUIT CLAIM DEED RECORDED AS DOCUMENT NO. 4244616 AND EXCEPTING CERTIFIED SURVEY MAP NO. 5829.

PARCEL 2
PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5829 RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS OFFICE APRIL 22, 1993 ON REEL 3018, IMAGE 821, AS DOCUMENT NO. 6756051; BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN.

PARCEL 3
THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; THENCE SOUTH 85°59'53" WEST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO A POINT; THENCE SOUTH 18°41'37" EAST 106.48 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED, SAID POINT BEING THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE SOUTH 18°41'37" EAST 494.43 FEET TO A POINT; THENCE NORTH 35°09'49" WEST 451.26 FEET TO A POINT; THENCE NORTH 20°39'37" WEST 43.00 FEET TO A POINT; THENCE NORTH 14°21'43" EAST 65.51 FEET TO A POINT ON THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF RELOCATED WEST CAPITOL DRIVE 100.44 FEET ON AN ARC WHOSE CENTER IS TO THE SOUTH, WHOSE RADIUS IS 1259.24 FEET AND WHOSE CHORD BEARS SOUTH 87°34'01" EAST 100.42 FEET TO THE POINT OF BEGINNING.

DECEMBER 4, 2006 ENSR CORPORATION DRAWING NO. 161617-MHK



VICINITY MAP

NOT TO SCALE

NO.	NORTHING	EASTING	ELEVATION
1511	402241.9000	2518837.3530	737.0470
1512	402276.5070	2518836.5140	737.0430
1513	402278.1710	2518835.9900	737.0250
1514	402312.0510	2518806.8750	737.0450
1515	402314.4490	2518805.9930	737.0770
1516	402347.6770	2518805.5140	737.0600
1517	402366.7380	2518804.3310	737.0710
1518	402350.2280	2518833.7110	737.0530
1519	402350.1110	2518837.3000	737.0470
1520	402349.9480	2518864.4120	737.0320
1521	402348.7940	2518865.9060	737.0410
1522	402325.7990	2518876.9870	737.0330
1523	402278.9450	2518896.1460	737.0420
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1525	402281.1530	2518909.2500	737.0350
1526	402243.3210	2518918.3200	737.0320
1527	402242.7190	2518918.1500	737.0260
1528	402242.5460	2518898.0060	737.0540
1534	402168.8230	2518838.5260	737.0650
1535	402168.8680	2518810.0580	737.0500
1536	402171.3200	2518808.6530	737.0800
1537	402188.5840	2518807.9100	737.0480
1540	402134.9020	2518899.3590	737.0340
1541	402134.8030	2518929.1000	737.0290
1542	402117.1900	2518948.1360	737.0270
1543	402099.2870	2518929.0680	737.0070
1549	401881.0760	2518827.7960	737.1270
1550	401918.0830	2518828.5440	737.0640
1551	401959.9170	2518827.5230	737.0120
1552	401960.3100	2518842.2320	737.0170
1553	401990.2370	2518842.0850	737.0350
1554	402006.4480	2518841.3690	737.0760
1555	402007.5670	2518884.6360	737.0390
1556	401990.6930	2518885.0020	737.0580
1557	401953.8750	2518856.7190	737.0540
1559	401916.8880	2518856.9430	737.0420
1564	401412.0020	2518973.5470	737.0140
1565	401392.1910	2518990.1010	737.0800
1570	401881.3740	2518758.9520	736.8820
1571	401928.2660	2518756.6540	736.4840
1572	401927.7470	2518740.0020	736.3750
1573	401895.4310	2518696.6280	736.4000
1574	401895.1520	2518661.8090	736.0690
1575	401848.2040	2518662.4370	735.8790
1576	401849.3330	2518692.8080	736.9470
1578	401544.0760	2518756.8100	736.1870
1579	401517.3110	2518730.2420	735.8580
1580	401467.3030	2518684.7410	735.2240
1581	401444.4140	2518663.1500	734.9520
1582	401402.7100	2518691.4120	735.3060
1583	401426.9150	2518721.8720	735.7330
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1591	401248.3970	2518899.0570	734.6590
1592	401217.4520	2518898.8460	734.4410
1593	401197.8930	2518899.8380	734.0700
1594	401190.6290	2518871.8040	734.1870
1595	401185.2220	2518858.5260	734.1940
1596	401177.4830	2518841.4760	734.1230
1597	401203.4820	2518830.9260	734.1530
1598	401196.4370	2518607.4260	734.7130
1599	401252.8430	2518775.2900	734.3580
1600	401258.0350	2518780.8960	734.1460
1601	401307.9360	2518780.2000	734.5550
1611	402342.0790	2518140.9740	735.4800
1612	402359.6940	2518138.4670	737.7660
1613	402395.9040	2518127.6860	738.4240
1614	402392.7880	2518113.4910	738.6450
1615	402383.8460	2518089.5510	737.7570
1616	402350.3270	2518103.6550	736.1150
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1618	402339.9490	2518125.9580	735.7020
1622	401163.8730	2519115.2540	733.2030
1623	401162.8710	2519082.1910	734.4940
1624	401240.7070	2519081.0910	734.3010
1625	401240.1130	2519113.6060	733.2010

BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN COORDINATE SYSTEM, SOUTH ZONE (NAD'27). THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 17 HAS A BEARING OF S 01°00'08" E (DECEMBER, 2005 DATUM).

ELEVATIONS REFER TO MEAN SEA LEVEL, 1929 ADJUSTMENT.

TICKET NO. 2004-14-10548

THE UNDERGROUND UTILITY INFORMATION AS SHOWN HEREON IS BASED, IN PART, UPON INFORMATION FURNISHED BY UTILITY COMPANIES AND THE LOCAL MUNICIPALITY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.

National Survey & Engineering
A Division of R.A. Smith & Associates, Inc.
262-781-1000
Fax 262-797-7373
16745 W. Bluemound Road
Suite 200
Brookfield, WI
53005-5938
www.nsae.com

SHEET 1 OF 1

DRAWING SCALE: 1 INCH = 80 FEET

Attachment 1
Cap Inspection Log

Property located at:
12001 W. Capitol Drive
Wauwatosa, WI 53226
Former Falk Corporation Plant 2 - AOI E25

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

5

* 0 9 0 6 2 1 2 2 *

Document Number	SPECIAL WARRANTY DEED Title of Document	DOC.# 09062122

REGISTER'S OFFICE | SS
Milwaukee County, WI|

RECORDED 08/03/2005 10:55AM

JOHN LA FAVE
REGISTER OF DEEDS

AMOUNT:19.00

Record this document with the Register of Deeds

Name and Return Address:
TRAPP & HARTMAN SC
14380 W. CAPITOL DRIVE, #1
BROOKFIELD, WI 53005-2323
ATTN: STEPHEN A. HARTMAN

TRANSFER
$ 18,300.00
FEE

258-9999-01, 258-9995-02 AND
(Parcel Identification Number) 258-9998-00

INFO-PRO (800)655-2021 www.infoproforms.com

Record and Return to:
Trapp & Hartman SC
14380 W Capitol Drive, #1
Brookfield, Wisconsin 53005-2323
Attention: Stephen A. Hartman

Parcel Identification No.: 258-9999-01.

This is not homestead property.

SPECIAL WARRANTY DEED

This SPECIAL WARRANTY DEED, made between **HAMILTON SUNDSTRAND CORPORATION,** a Delaware corporation, as grantor ("**Grantor**"), and **WTP HOLDINGS, LLC**, a Wisconsin limited liability company, as grantee ("**Grantee**").

Grantor, for valuable consideration, conveys to Grantee the real estate described in Exhibit A attached hereto and made a part hereof (the "**Property**"), located in Milwaukee County, State of Wisconsin.

Together with all appurtenant rights, title and interests.

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 municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utitlity and municipal services, recorded building and use restrictions and covenants and general taxes levied in 2005 and thereafter and will warrant and defend the same.

Dated this 27th day of July, 2005.

HAMILTON SUNDSTRAND CORPORATION,
a Delaware corporation

By: _____
Name: Ronald F. Zapinski, President
Title: United Technologies Realty, Inc.
Authorized agent

ACKNOWLEGMENT

STATE OF CONNECTICUT)
) ss.
HARTFORD COUNTY)

Personally came before me this 27th day of July, 2005, the above named Ronald P. Zappile, President of United Technologies Realty, the authorized signatory for Hamilton Sundstrand Corporation, a Delaware corporation, to me known to be the person who executed the foregoing instrument and acknowledge the same.

Notary Public, State of Connecticut

My Commission Expires: KATE S. BARBOUR NOTARY PUBLIC MY COMMISSION EXPIRES MAR. 31, 2008

AUTHENTICATION

Euchung Ung
Member, State Bar of Connecticut

Authenticated this 27th day of July, 2005.

This instrument was drafted by:

Robinson & Cole
695 East Main Street
Stamford, Connecticut 06901
Attention: Euchung Ung

EXHIBIT A
Legal Description of the Property

See attached.

EXHIBIT A

PARCEL 1:

THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION, RUNNING THENCE SOUTH ALONG THE EAST LINE OF SAID 1/4 SECTION, 1995.04 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTH 34°34'20" WEST ALONG THE SAID RIGHT-OF-WAY LINE 1628.99 FEET TO A POINT; THENCE NORTH 17°41'10" WEST 624.86 FEET TO A POINT IN THE NORTH LINE OF SAID 1/4 SECTION; THENCE NORTH 87°00'00" EAST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO THE PLACE OF COMMENCEMENT. EXCEPTING THEREFROM THE NORTH 60.0 FEET THEREOF, MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID 1/4 SECTION. ALSO EXCEPTING THEREFROM QUIT CLAIM DEED RECORDED AS DOCUMENT NO. 4244616, AND EXCEPTING CERTIFIED SURVEY MAP NO. 5829.

PARCEL NO. 258-9999-01

PARCEL 2:

PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5829 RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS OFFICE APRIL 22, 1993 ON REEL 3018, IMAGE 821, AS DOCUMENT NO. 6756051; BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN.

PARCEL NO. 258-9999-02

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PARCEL NO. 258-9998-00

PROPERTY EXHIBIT

KNOWN AS 12001 WEST CAPITOL DRIVE, CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN

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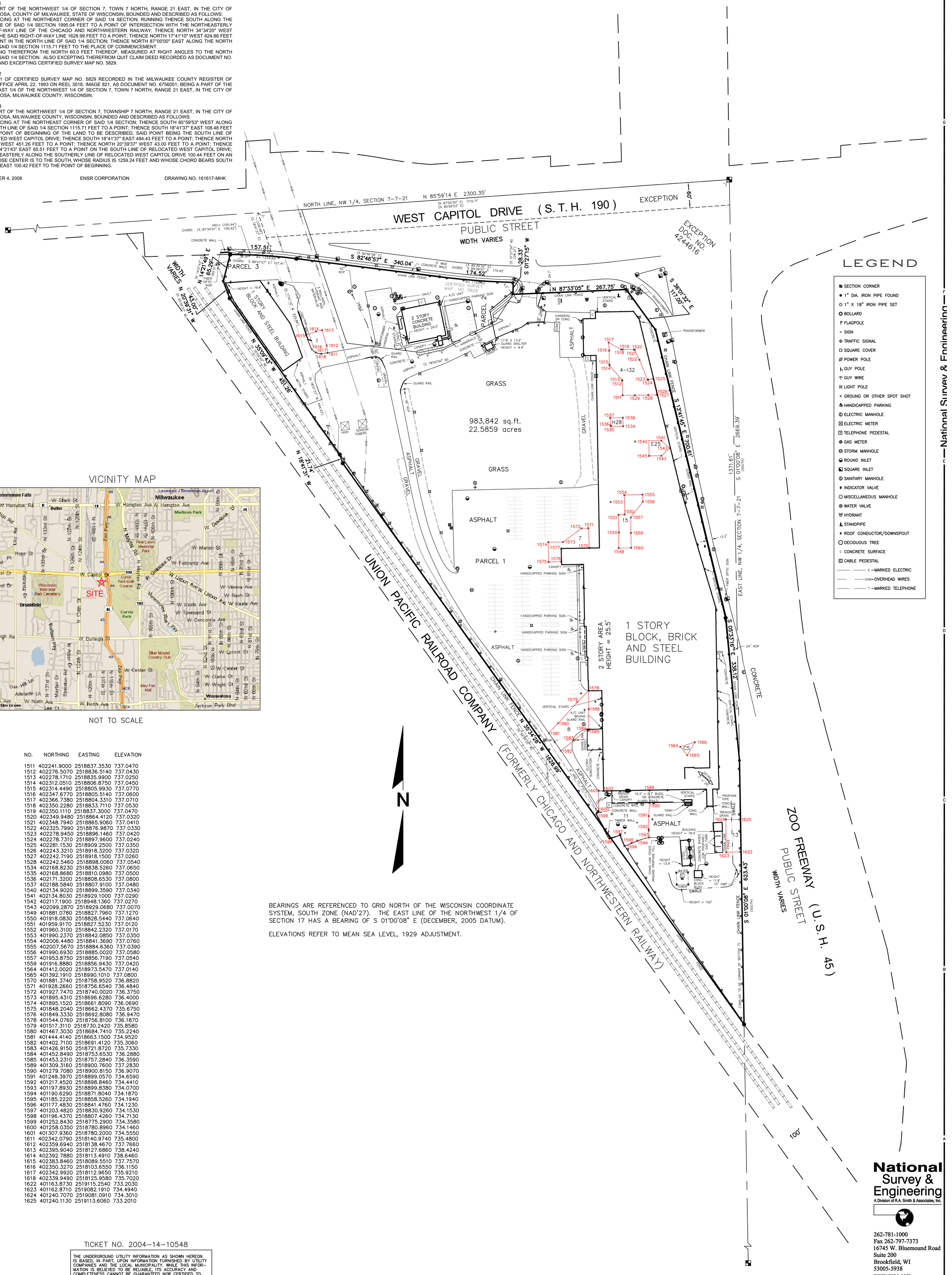
DECEMBER 4, 2006 ENSR CORPORATION DRAWING NO. 161617-MHK



LEGEND

- SECTION CORNER
- 1" DIA. IRON PIPE FOUND
- 1" X 18" IRON PIPE SET
- BOLLARD
- FLAGPOLE
- SIGN
- TRAFFIC SIGNAL
- SQUARE COVER
- POWER POLE
- GUY POLE
- GUY WIRE
- LIGHT POLE
- GROUND OR OTHER SPOT SHOT
- HANDICAPPED PARKING
- ELECTRIC MANHOLE
- ELECTRIC METER
- TELEPHONE PEDESTAL
- GAS METER
- STORM MANHOLE
- ROUND INLET
- SQUARE INLET
- SANITARY MANHOLE
- INDICATOR VALVE
- MISCELLANEOUS MANHOLE
- WATER VALVE
- HYDRANT
- STANDPIPE
- ROOF CONDUCTOR/DOWNSPOUT
- DECIDUOUS TREE
- CONCRETE SURFACE
- CABLE PEDESTAL
- E —MARKED ELECTRIC
- OHW—OVERHEAD WIRES
- T —MARKED TELEPHONE

VICINITY MAP

NOT TO SCALE

NO.	NORTHING	EASTING	ELEVATION
1511	402241.9000	2518837.3530	737.0470
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1624	401240.7070	2519081.0910	734.3010
1625	401240.1130	2519113.6060	733.2010

BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN COORDINATE SYSTEM, SOUTH ZONE (NAD'27). THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 17 HAS A BEARING OF S 01°00'08" E (DECEMBER, 2005 DATUM).

ELEVATIONS REFER TO MEAN SEA LEVEL, 1929 ADJUSTMENT.

TICKET NO. 2004-14-10548

THE UNDERGROUND UTILITY INFORMATION AS SHOWN HEREON IS BASED, IN PART, UPON INFORMATION FURNISHED BY UTILITY COMPANIES AND THE LOCAL MUNICIPALITY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.

National Survey & Engineering
A Division of R.A. Smith & Associates, Inc.
262-781-1000
Fax 262-797-7373
16745 W. Bluemound Road
Suite 200
Brookfield, WI
53005-5938
www.nsae.com

S:\5161617\dwg\
161617H0.DWG \ PX201E80

SHEET 1 OF 1

DRAWING SCALE: 1 INCH = 80 FEET

12001 W. Capitol Drive, Wauwatosa, Wisconsin
AOI E25

WDNR BRRTS Numbers: #06-41-534503, #02-41-530528
FID Number: 241018140

Parcel Number: 258-9999-01
WTM83/91 Coordinates: E677998 N292425

Responsible Party:
Greg Blessing
United Technologies Corporation
United Technologies Building
Hartford, CT 06101
(860) 728-6529

Site Owner/Operator:
Penzeys Spices
19300 W. Janacek Court
Brookfield, WI 53045
(262) 785-7602

AOI E25

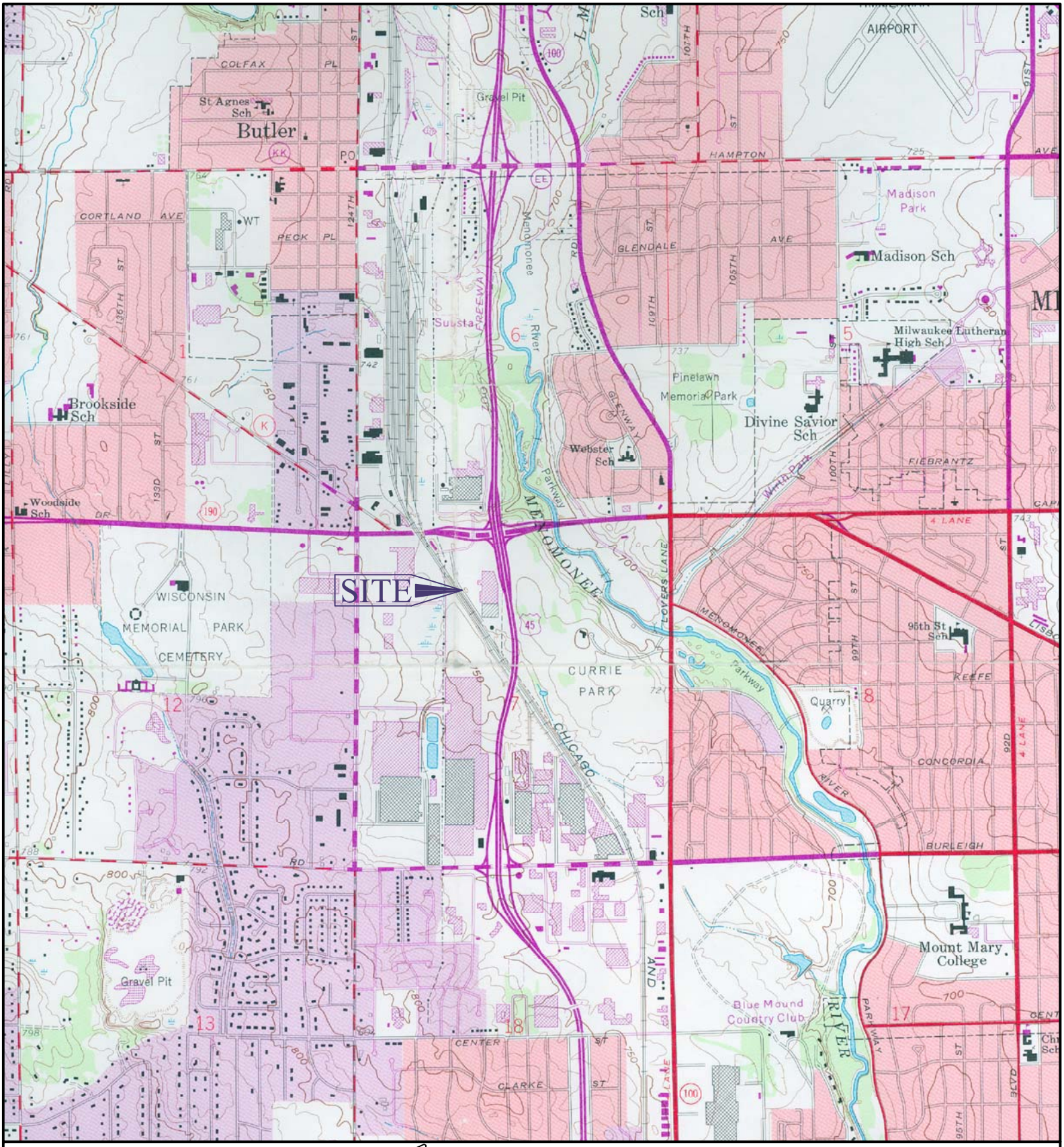
Area of Interest (AOI) E25 is located within, or partially within, the boundary of the property located at 12001 West Capitol Drive, Wauwatosa, Wisconsin, whose legal description (as found on the City of Wauwatosa Assessor's Department website [www.wauwatosa.net]), is as follows:

NW QUAR SEC 7 7 21 COMM AT NE COR OF SD QUAR SEC TH S 1995.04 FT TH NW ALG RR ROW 1628.99 FT TH N 17D 41'10 W 624.86 FT TH E 1115.71 FT TO PL OF BEG SUBJECT TO TMER&L CO TOWER LINE ROW EXC N & E PART TAKEN FOR STREET AND EXPRESSWAY & EXC CSM NO 5829 1994.

Parcel ID: 258-9999-01

Printed Name: Gregory F. Blessing

Signature: _____ Date: 2/22/08



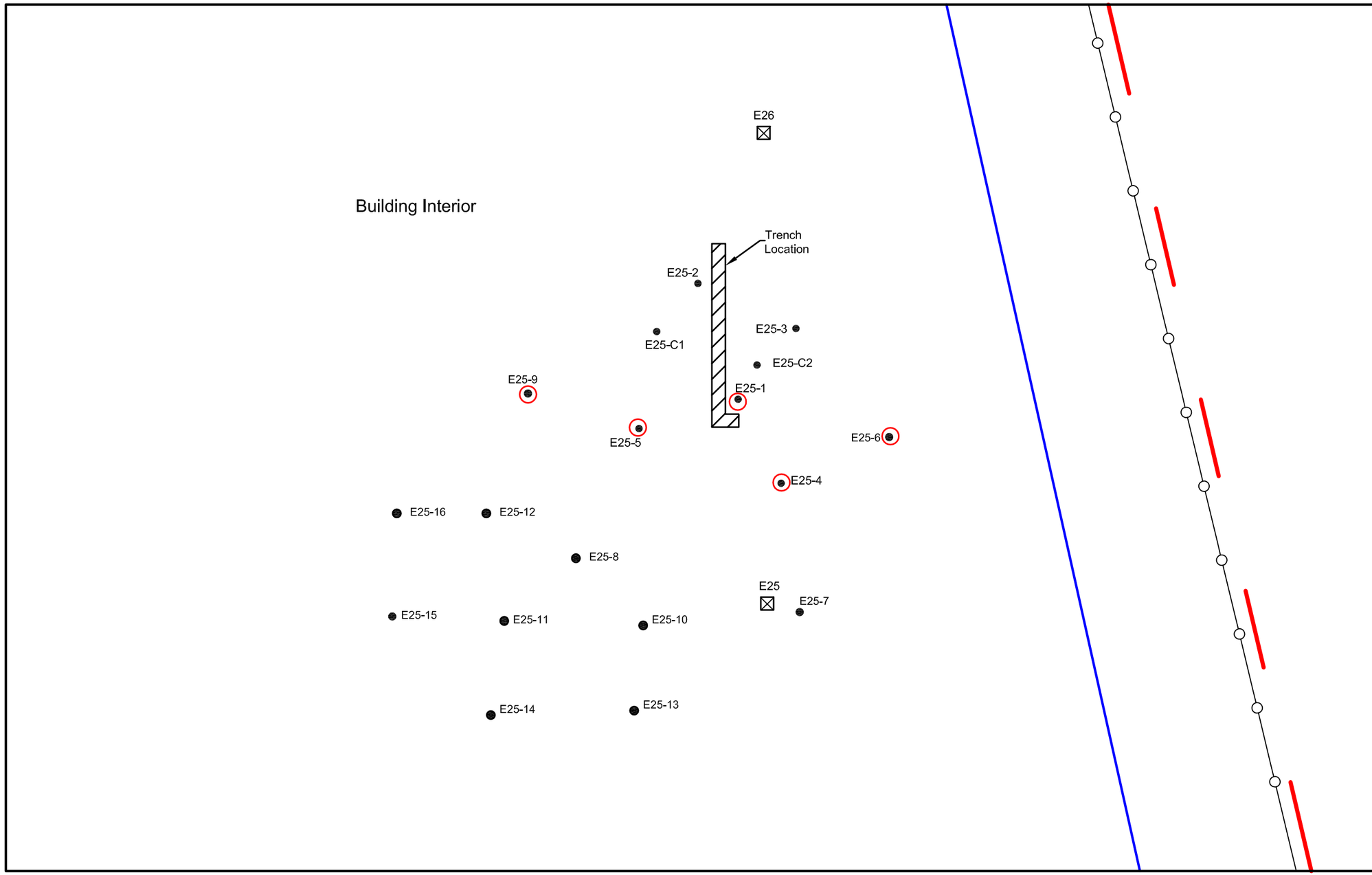
Adapted from: USGS 7.5 minute series Wauwatosa, Wisconsin topographic quadrangle in 1958, photorevisited in 1976.

SCALE 1:24,000

Figure 1

Site Location Map

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, Wisconsin



Legend

- Property Boundary
- Building
- Fence
- Building Column Location
- Soil Boring Location
- Extent of soil impacts with concentrations reported above the RCLs

Note: RCLs defined in WAC Ch. NR 720, WDNR Interim Guidance Table 1, calculated using information obtained at http://risk.lsd.ornl.gove/epa/ssl1.html, and/or procedures outlined in WDNR Publication RR-682.

Scale: 1":8'

Hamilton Sundstrand

Case Summary & Close Out Form

AOI E25 - Contaminated Property

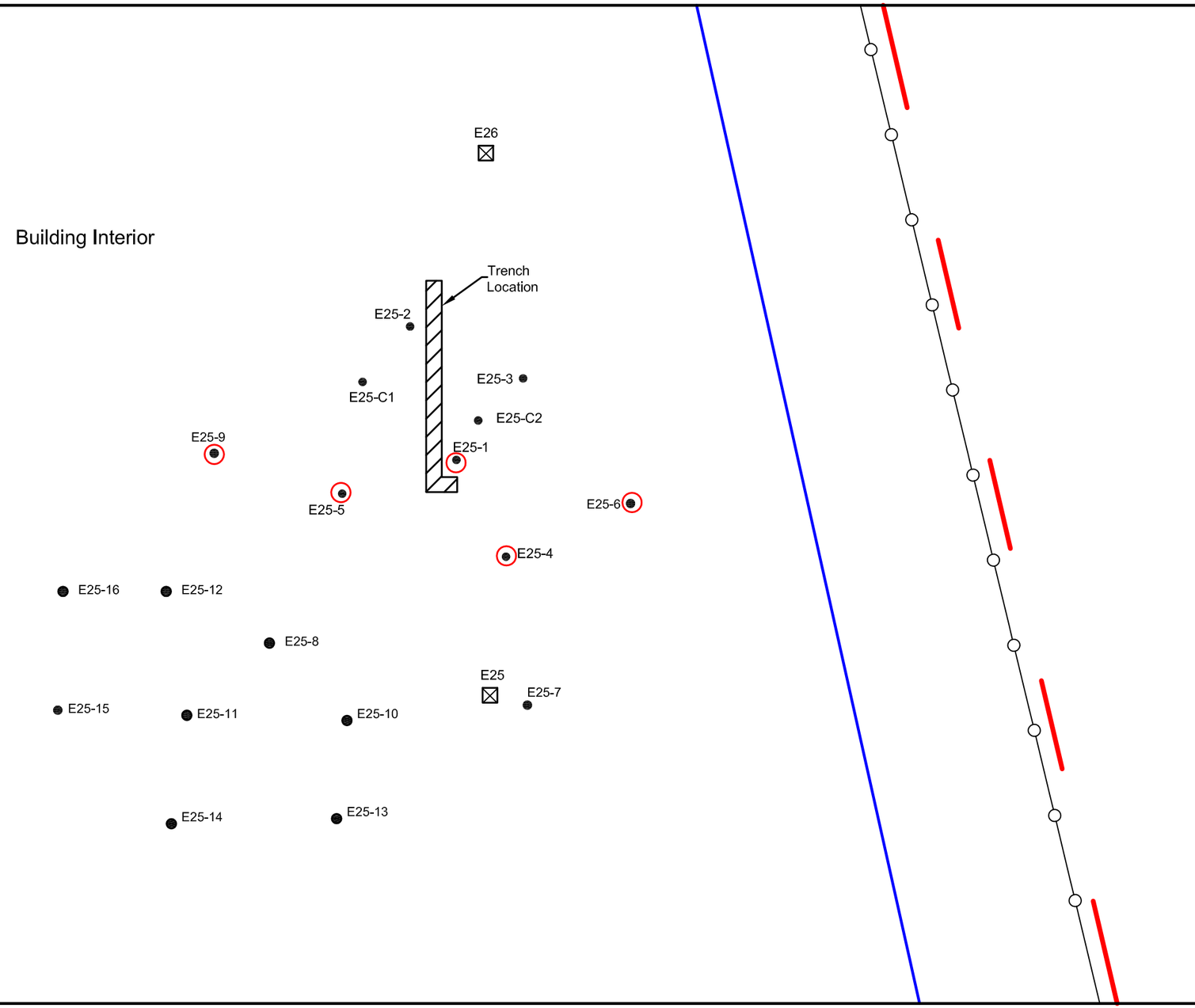
Former Falk Corporation
Wauwatosa, Wisconsin

01/04/08 06916-277

Figure 18

www.ensr.aecom.com

J:\PROJECTS\06916 - UTC Companies\06916239-Falk Wauwatosa\Reports\Si-Rem Closure Rpt 0611\Figs\Fig 18-E25 Soil.dwg



Legend

- Property Boundary
- Building
- Fence
- Building Column Location
- Soil Boring Location
- Extent of soil impacts with concentrations reported above the RCLs

Note: RCLs defined in WAC Ch. NR 720, WDNR Interim Guidance Table 1, calculated using information obtained at http://risk.lsd.ornl.gove/epa/ssl1.html, and/or procedures outlined in WDNR Publication RR-682.

Scale: 1":8'

Hamilton Sundstrand

Case Summary & Close Out Form

AOI E25 - Soil Sample Locations & Horizontal Extent of Soil Impacts

Former Falk Corporation
Wauwatosa, Wisconsin

01/04/08 06916-277

Figure 18

www.ensr.aecom.com

J:\PROJECTS\06916 - UTC Companies\06916239-Falk Wauwatosa\Reports\Si-Rem Closure Rpt 0611\Figs\Fig 18-E25 Soil.dwg

Table 10
Analytical Report Summary - AOI E25

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	E25-1 (2.5) 11/09/05	E25-1 (4) 11/09/05	E25-2 (2.5) 11/09/05	E25-2 (4) 11/09/05	E25-3 (2.5) 11/09/05	E25-3 (4) 11/09/05	**Direct Contact IND**	**Groundwater Protection**
VOCs (µg/kg)	ND	ND	ND	ND	NA	NA	--	--
DRO (mg/kg)	**1,400**	5.3	55	8.3	44	4.3	NL	100

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	E25-4 (2.5) 11/09/05	E25-4 (4) 11/09/05	E25-5 (2.5) 11/09/05	E25-5 (4) 11/09/05	E25-6 (3) 02/08/06	E25-6 (4) 02/08/06	**Direct Contact IND**	**Groundwater Protection**
VOCs (µg/kg)	ND	ND	NA	ND	NA	NA	--	--
DRO (mg/kg)	**8,800**	**330**	14	**910**	**130**	20	NL	100

Detected Parameter	Sample ID (Depth), Sample Date					Residual Contaminant Level	
SOIL	E25-7 (2.5) 02/08/06	E25-7 (5) 02/08/06	E25-8 (2.5) 02/08/06	E25-8 (5) 02/08/06	E25-8 (8) 02/08/06	**Direct Contact IND**	**Groundwater Protection**
DRO (mg/kg)	36	29	**1400**	**2700**	**280**	NL	100

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	E25-9 (2.5) 02/08/06	E25-9 (5) 02/08/06	E25-9 (8) 02/08/06	E25-13 (2) 03/03/06	E25-13 (4) 03/03/06	E25-13 (8) 03/03/06	**Direct Contact IND**	**Groundwater Protection**
DRO (mg/kg)	ND	**510**	35	ND	21	ND	NL	100

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	E25-13 (12) 03/03/06	E25-14(4) 03/03/06	E25-14 (8) 03/03/06	E25-14 (12) 03/03/06	E25-15 (2.5) 03/03/06	E25-15 (4) 03/03/06	**Direct Contact IND**	**Groundwater Protection**
DRO (mg/kg)	ND	ND	ND	31	23	ND	NL	100

Table 10
Analytical Report Summary - AOI E25

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	E25-15 (8) 03/03/06	E25-15 (12) 03/03/06	E25-16 (2.5) 03/03/06	E25-16 (5) 03/03/06	E25-16 (8) 03/03/06	E25-16 (12) 03/03/06	**Direct Contact IND**	**Groundwater Protection**
DRO (mg/kg)	7	9.1	61	6.9	ND	7.5	NL	100

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	E25-C1 (2) 03/25/06	E25-C1 (4) 03/25/06	E25-C1 (8) 03/25/06	E25-C2 (2) 03/25/06	E25-C2 (4) 03/25/06	E25-C2 (8) 03/25/06	**Direct Contact IND**	**Groundwater Protection**
PAHs (µg/kg)	ND	ND	ND	ND	ND	ND	--	--

Notes (Soil):

VOCs = volatile organic compounds

PAHs = polycyclic aromatic hydrocarbons

DRO = diesel range organics

µg/kg = micrograms per kilogram (parts per billion)

mg/kg = milligrams per kilogram (parts per million)

Direct Contact = Residual Contaminant Levels (RCLs) that apply to soil collected within four feet of the ground surface, either as defined in Wisconsin Administrative Code Chapter NR 720, WDNR 1993 Interim Guidance Table 1 for polycyclic aromatic hydrocarbons, or, if no established criteria exists, as calculated using U.S. EPA Soil Screening Guidance for Chemicals (http://risk.lsd.ornl.gov/epa/ssl1.html) and procedures outlined in WDNR Publication RR-682

Groundwater Protection = RCLs based on the protection of groundwater, either as defined in Wisconsin Administrative Code Chapter NR 720, WDNR 1993 Interim Guidance Table 1 for polycyclic aromatic hydrocarbons, or, if no established criteria exists, as calculated using U.S. EPA Soil Screening Guidance for Chemicals (http://risk.lsd.ornl.gov/epa/ssl1.html) and procedures outlined in WDNR Publication RR-682

IND = Industrial, per Wisconsin Administrative Code Chapter NR 720

DRO criteria defined in Wisconsin Administrative Code Chapter NR 720, based on assumption of contaminated soil and soil below the contaminated soil for a depth of 3 meters having a hydraulic conductivity of 1x10-6 cm/sec or less.

ND = parameters within a suite (class) of compounds not detected above reporting limit.

NA = parameters not analyzed.

NL = criterion not listed for compound

Concentrations in Bold indicate an exceedance of the Groundwater Pathway RCL

Only positive detections shown.

GIS REGISTRY
Cover Sheet

July, 2008
(RR 5367)

Source Property Information

CLOSURE DATE: 11/15/10

BRRTS #: 02-41-530528

FID #: 241018140

ACTIVITY NAME: FALK CORP PLANT 2 - AOI- H28

DATCP #:

PROPERTY ADDRESS: 12001 W. Capitol Drive

COMM #:

MUNICIPALITY: Wauwatosa

PARCEL ID #: 258-9999-01

***WTM COORDINATES:**

X: **677998** Y: **292425**

** 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)

s 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 orm 4400-202, Case Closure Request. The closure of a case means that the Department has determined that no further response is required at that time based on the information that has been submitted to the Department.

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

BRRTS #: 02-41-530528 PARCEL ID #: 258-9999-01

ACTIVITY NAME: FALK CORP PLANT 2 - AOI- H28 WTM COORDINATES: X: 677998 Y: 292425

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

☐ **Closure Letter**

☐ **Maintenance Plan** *(if activity is closed with a land use limitation or condition (land use control) under s. 292.12, Wis. Stats.)*

☐ **Conditional Closure Letter**

☐ **Certificate of Completion (COC)** for VPLE sites

SOURCE LEGAL DOCUMENTS

☒ **Deed:** The most recent deed as well as legal descriptions, for the **Source Property** (where the contamination originated). Deeds for other, off-source (off-site) properties are located in the **Notification** section.
Note: *If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.*

☒ **Certified Survey Map:** A copy of the certified survey map or the relevant section of the recorded plat map *for those properties where the legal description in the most recent deed refers to a certified survey map or a recorded plat map.* (lots on subdivided or platted property (e.g. lot 2 of xyz subdivision)).

Figure #: **Title:**

☒ **Signed Statement:** A statement signed by the Responsible Party (RP), which states that he or she believes that the attached legal description accurately describes the correct contaminated property.

MAPS (meeting the visual aid requirements of s. NR 716.15(2)(h))

Maps must be no larger than 8.5 x 14 inches unless the map is submitted electronically.

☒ **Location Map:** A map outlining all properties within the contaminated site boundaries on a U.S.G.S. topographic map or plat map in sufficient detail to permit easy location of all parcels. If groundwater standards are exceeded, include the location of all potable wells within 1200 feet of the site.
Note: *Due to security reasons municipal wells are not identified on GIS Packet maps. However, the locations of these municipal wells must be identified on Case Closure Request maps.*

Figure #: Figure 1 **Title: Site Location**

☒ **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 #: Figure 18 **Title: AOI-H28 Contaminated Property**

☒ **Soil Contamination Contour Map:** For sites closing with residual soil contamination, this map is to show the location of all contaminated soil and a single contour showing the horizontal extent of each area of contiguous residual soil contamination that exceeds a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL)as determined under s. NR 720.09, 720.11 and 720.19.

Figure #: Figure 18 **Title: AOI-H28 Soil Sample Location**

BRRTS #: 02-41-530528 ACTIVITY NAME: FALK CORP PLANT 2 - AOI- H28

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 #: Table 11 **Title: Analytical Report Summary & Geochemical Data - AOI H28**

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

Table #: **Title:**

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

Table #: **Title:**

IMPROPERLY ABANDONED MONITORING WELLS

For each monitoring well not properly abandoned according to requirements of s. NR 141.25 include the following documents.
Note: *If the site is being listed on the GIS Registry for only an improperly abandoned monitoring well you will only need to submit the documents in this section for the GIS Registry Packet.*

☒ **Not Applicable**

☐ **Site Location Map:** A map showing all surveyed monitoring wells with specific identification of the monitoring wells which have not been properly abandoned.
Note: *If the applicable monitoring wells are distinctly identified on the Detailed Site Map this Site Location Map is not needed.*

Figure #: **Title:**

☐ **Well Construction Report:** Form 4440-113A for the applicable monitoring wells.

☐ **Deed:** The most recent deed as well as legal descriptions for each property where a monitoring well was not properly abandoned.

☐ **Notification Letter:** Copy of the notification letter to the affected property owner(s).

BRRTS #: 02-41-530528 ACTIVITY NAME: FALK CORP PLANT 2 - AOI- H28

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 53212-0436
Telephone 414-263-8500
FAX 414-263-8716
TTY 414-263-8713

June 10, 2009

Mr. Anthony Frigiani
Hamilton Sundstrand Corp.
1 Hamilton Rd., M/S 1M5
Windsor Locks, CT 06096

SUBJECT: Final Case Closure with Continuing Obligations
Former Falk Plant 2, 12001 W. Capitol Dr., Wauwatosa, WI

WDNR BRRTS Activity #: 06-41-534503, 02-41-546853, 02-41-546854, 02-41-530528
FID #: 241018140

Dear Mr.Frigiani:

On October 7, 2008, the Southeast Region Closure Committee and VPLE Committee reviewed the above referenced case for closure. These committees review 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 meets the closure requirements in ch. NR 726, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation is required at this time, however, you and future property owners must comply with certain continuing obligations as explained in this letter.

GIS Registry

This site will be listed on the Remediation and Redevelopment Program's GIS Registry. The specific reasons are summarized below:

- Pavement, an engineered cover or a soil barrier must be maintained over contaminated soil and the state must approve any changes to this barrier
- Groundwater contamination is present above Chapter NR 140 enforcement standards

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

Closure Conditions

Please be aware that pursuant to s. 292.12 Wisconsin Statutes, compliance with the requirements of this letter is a responsibility to which the current property owner and any subsequent property owners must adhere. You must pass on the information about these continuing obligations to the next property owner or owners. 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. The Department intends to conduct inspections in the future to ensure that the conditions included in this letter including compliance with referenced maintenance plans are met.

Cover or Barrier

Pursuant to s. 292.12(2)(a), Wis. Stats., the pavement or other impervious cap that currently exists in the location of AOI 4, AOI 7, AOI 8, AOI 11, AOI 13, AOI 15, AOI C5, AOI E25 AOI H28, AOI I32 shown on the attached map shall be maintained in compliance with the **attached maintenance plans** 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 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 is considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken during excavation activities to prevent a health threat to humans.

The attached maintenance plans and inspection logs are to be kept up-to-date and on-site. Please submit the inspection log to the Department only upon request.

Prohibited Activities

The following activities are prohibited on any portion of the property where [pavement, a building foundation, soil cover, engineered cap or other barrier] is required as shown on the attached map, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 1) removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; 6) construction or placement of a building or other structure.

Residual Groundwater Contamination

Groundwater impacted by chlorinated VOC contamination greater than enforcement standards set forth in ch. NR140, Wis. Adm. Code, is present on this contaminated property in the area of AOI 11. For more detailed information regarding the locations where groundwater samples have been collected (i.e., monitoring well locations) and the associated contaminant concentrations, refer to the Remediation and Redevelopment Program's GIS Registry at the RR Sites Map page at http://dnr.wi.gov/org/aw/rr/gis/index.htm.

Vapor Migration

In addition, depending on site-specific conditions, construction over contaminated materials may result in vapor migration of contaminants into enclosed structures or migration along newly placed underground utility lines. The potential for vapor inhalation and means of 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.

Chapter NR 140, Wis. Adm. Code Exemption

Recent groundwater monitoring data at this site indicates that for 1,2-Dichloroethane at MWE-26 and 1,1-Dichloroethylene at MW10, contaminant levels exceed the NR 140 preventive action limit (PAL) but are below the enforcement standard (ES). The Department may grant an exemption to a PAL for a substance of public health concern, other than nitrate, pursuant to s. NR 140.28(2)(b), Wis. Adm. Code, if all of the following criteria are met:

1. The measured or anticipated increase in the concentration of the substance will be minimized to the extent technically and economically feasible.

2. Compliance with the PAL is either not technically or economically feasible.

3. The enforcement standard for the substance will not be attained or exceeded at the point of standards application. [Note: at this site the point of standards application is all points where groundwater is monitored.]

4. Any existing or projected increase in the concentration of the substance above the background concentration does not present a threat to public health or welfare.

Based on the information you provided, the Department believes that these criteria have been or will be met due to source control measures that have occurred in these areas. Therefore, pursuant to s. NR 140.28, Wis. Adm. Code, an exemption to the PAL is granted for 1,2-Dichloroethane at MWE-26 and 1,1-Dichloroethelyne at MW10. Please keep this letter, because it serves as your exemption.

Post-Closure Notification Requirements

In accordance with ss, 292.12 and 292.13, Wis. Stats., you must notify the Department before making changes that affect or relate to the conditions of closure in this letter. For this case, examples of changed conditions requiring prior notification include, but are not limited to:

- Disturbance, construction on, change or removal in whole or part of pavement, an engineered cover or a soil barrier that must be maintained over contaminated soil

Please send written notifications in accordance with the above requirements to the Southeast Regional Headquarters, to the attention of Victoria Stovall.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this closure decision or anything outlined in this letter, please contact Margaret Brunette at (414)263-8557.

Cap Maintenance Plan
Former Falk Corporation Plant 2 – AOI H28
12001 W. Capitol Drive, Wauwatosa, Wisconsin 53226

May 7, 2009

Property located at:
12001 W. Capitol Drive
Wauwatosa, Wisconsin 53226

Parcel Number: 258-9999-01

FID Number: 241018140
BRRTS Numbers: 06-41-534503
02-41-530528

Introduction

This document is the Cap Maintenance Plan (Maintenance Plan) for the building foundation at the above-referenced property in accordance with the requirements of Wisconsin Administrative Code (WAC) Chapter (ch.) NR 724.13(2). The maintenance activities relate to the existing slab on grade building foundation surfaces (cap) occupying the area over the contaminated soil and groundwater on site. The contaminated soil and groundwater are impacted by chlorinated volatile organic compounds (CVOCs). The location of the cap to be maintained in accordance with this Maintenance Plan, as well as the extents of impacted soil and groundwater, are included in Figure 1.

Cap Purpose

The cap over the contaminated soil and groundwater plume serves as a partial infiltration barrier to minimize future soil-to-groundwater contamination migration that would violate the groundwater standards in WAC ch. NR 140. Based on the current and future use of the property, the cap should function as intended unless disturbed.

Annual Inspection

The cap overlying the contaminated soil and groundwater plume, as depicted in Figure 1, will be inspected once a year. The inspection will be performed in the spring after all snow and ice is gone, for deterioration, cracks and other potential problems that can cause additional infiltration into or exposure to underlying soil. The inspection will be performed to evaluate damage to the cap due to settling, wear from traffic, increasing age and other factors. Any area where soils have become or are likely to become exposed will be documented. A log of the inspections and any repairs will be maintained by the property owner on a Cap Inspection Log (Attachment 1 [the Log]). The Log will include recommendations for necessary repair of any areas where underlying soils are exposed. Once repairs are completed, they will be documented in the Log. A copy of the Log will be sent to the Wisconsin Department of Natural Resources (WDNR) at least annually after every inspection, unless otherwise directed in the case closure letter.

Maintenance Activities

If problems with the cap are noted during the annual inspections or at any other time during the year, repairs will be scheduled as soon as practical. Repairs can include patching and filling operations, or they can include larger resurfacing or construction operations. In the event that necessary maintenance activities expose the underlying soil, the owner must sample any soil that is excavated from the site prior to disposal to ascertain if contamination remains. The excavated soil must be treated, stored and disposed of by the owner in accordance with applicable local, state and federal law.

In the event the cap overlying the contaminated soil and groundwater plume is removed or replaced, the replacement barrier must be equally impervious. Any replacement barrier will be subject to the same maintenance and inspection guidelines as outlined in this Maintenance Plan unless indicated otherwise by the WDNR or its successor.

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

Amendment or Withdrawal of Maintenance Plan

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

Contact Information as of May 2009:

Responsible Party:	Hamilton Sundstrand Corporation C/O Anthony Frigiani 1 Hamilton Road M/S 1M5 Windsor Locks, CT 06096 860-728-6529
Site Owner/Operator:	Penzeys Spices 12001 W. Capitol Drive Wauwatosa, WI 53222 414-406-7758
Environmental Consultant:	Lauren Gromoski AECOM, Inc. W239 N2890 Pewaukee Road, Unit D Pewaukee, Wisconsin 53072 262-523-2040
WDNR Project Manager:	Margaret Brunette Remediation and Redevelopment Program Wisconsin Department of Natural Resources 2300 N. Dr. Martin Luther King, Jr. Drive Milwaukee, WI 53212 414-263-8557

PROPERTY EXHIBIT

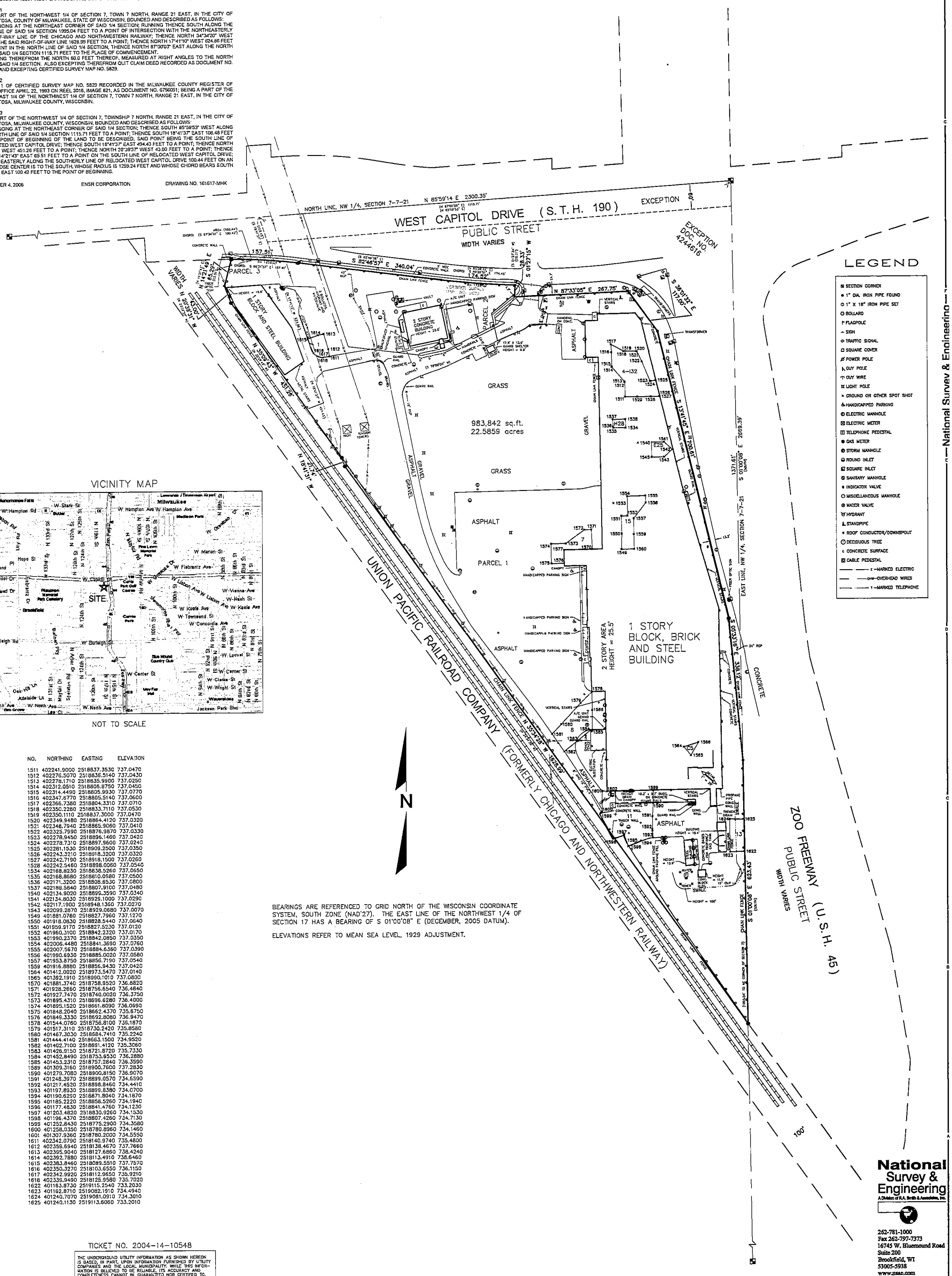
KNOWN AS 12001 WEST CAPITOL DRIVE, CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN

PARCEL 1
THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; RUNNING THENCE SOUTH ALONG THE EAST LINE OF SAID 1/4 SECTION 1995.04 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTH 34°34'20" WEST ALONG THE SAID RIGHT-OF-WAY LINE 1628.99 FEET TO A POINT; THENCE NORTH 17°41'10" WEST 624.86 FEET TO A POINT IN THE NORTH LINE OF SAID 1/4 SECTION, THENCE NORTH 87°00'00" EAST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO THE PLACE OF COMMENCEMENT.
EXCEPTING THEREFROM THE NORTH 60.0 FEET THEREOF, MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID 1/4 SECTION. ALSO EXCEPTING THEREFROM QUIT CLAIM DEED RECORDED AS DOCUMENT NO. 4244616 AND EXCEPTING CERTIFIED SURVEY MAP NO. 5829.

PARCEL 2
PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5829 RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS OFFICE APRIL 22, 1993 ON REEL 3018, IMAGE 821, AS DOCUMENT NO. 6756051; BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN.

PARCEL 3
THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; THENCE SOUTH 85°59'53" WEST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO A POINT; THENCE SOUTH 18°41'37" EAST 106.48 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED, SAID POINT BEING THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE SOUTH 18°41'37" EAST 494.43 FEET TO A POINT; THENCE NORTH 35°09'49" WEST 451.26 FEET TO A POINT; THENCE NORTH 20°39'37" WEST 43.00 FEET TO A POINT; THENCE NORTH 14°21'43" EAST 65.51 FEET TO A POINT ON THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF RELOCATED WEST CAPITOL DRIVE 100.44 FEET ON AN ARC WHOSE CENTER IS TO THE SOUTH, WHOSE RADIUS IS 1259.24 FEET AND WHOSE CHORD BEARS SOUTH 87°34'01" EAST 100.42 FEET TO THE POINT OF BEGINNING.

DECEMBER 4, 2006 ENSR CORPORATION DRAWING NO. 161617-MHK



VICINITY MAP

NOT TO SCALE

NO.	NORTHING	EASTING	ELEVATION
1511	402241.9000	2518837.3530	737.0470
1512	402276.5070	2518836.5140	737.0430
1513	402278.1710	2518835.9900	737.0250
1514	402312.0510	2518806.8750	737.0450
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1519	402350.1110	2518837.3000	737.0470
1520	402349.9480	2518864.4120	737.0320
1521	402348.7940	2518865.9060	737.0410
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1525	402281.1530	2518909.2500	737.0350
1526	402243.3210	2518918.3200	737.0320
1527	402242.7190	2518918.1500	737.0260
1528	402242.5460	2518898.0060	737.0540
1534	402168.8230	2518838.5260	737.0650
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1536	402171.3200	2518808.6530	737.0800
1537	402188.5840	2518807.9100	737.0480
1540	402134.9020	2518899.3590	737.0340
1541	402134.8030	2518929.1000	737.0290
1542	402117.1900	2518948.1360	737.0270
1543	402099.2870	2518929.0680	737.0070
1549	401881.0760	2518827.7960	737.1270
1550	401918.0830	2518828.5440	737.0640
1551	401959.9170	2518827.5230	737.0120
1552	401960.3100	2518842.2320	737.0170
1553	401990.2370	2518842.0850	737.0350
1554	402006.4480	2518841.3690	737.0760
1555	402007.5670	2518884.6360	737.0390
1556	401990.6930	2518885.0020	737.0580
1557	401953.8750	2518856.7190	737.0540
1559	401916.8880	2518856.9430	737.0420
1564	401412.0020	2518973.5470	737.0140
1565	401392.1910	2518990.1010	737.0800
1570	401881.3740	2518758.9520	736.8820
1571	401928.2660	2518756.6540	736.4840
1572	401927.7470	2518740.0020	736.3750
1573	401895.4310	2518696.6280	736.4000
1574	401895.1520	2518661.8090	736.0690
1575	401848.2040	2518662.4370	735.8790
1576	401849.3330	2518692.8080	736.9470
1578	401544.0760	2518756.8100	736.1870
1579	401517.3110	2518730.2420	735.8580
1580	401467.3030	2518684.7410	735.2240
1581	401444.4140	2518663.1500	734.9520
1582	401402.7100	2518691.4120	735.3060
1583	401426.9150	2518721.8720	735.7330
1584	401452.8490	2518753.6530	736.2880
1585	401453.2310	2518757.2840	736.3590
1589	401309.3160	2518900.7600	737.2830
1590	401279.7080	2518900.8150	736.9070
1591	401248.3970	2518899.0570	734.6590
1592	401217.4520	2518898.8460	734.4410
1593	401197.8930	2518899.8380	734.0700
1594	401190.6290	2518871.8040	734.1870
1595	401185.2220	2518858.5260	734.1940
1596	401177.4830	2518841.4760	734.1230
1597	401203.4820	2518830.9260	734.1530
1598	401196.4370	2518607.4260	734.7130
1599	401252.8430	2518775.2900	734.3580
1600	401258.0350	2518780.8960	734.1460
1601	401307.9360	2518780.2000	734.5550
1611	402342.0790	2518140.9740	735.4800
1612	402359.6940	2518138.4670	737.7660
1613	402395.9040	2518127.6860	738.4240
1614	402392.7880	2518113.4910	738.6450
1615	402383.8460	2518089.5510	737.7570
1616	402350.3270	2518103.6550	736.1150
1617	402342.9920	2518112.9650	735.9210
1618	402339.9490	2518125.9580	735.7020
1622	401163.8730	2519115.2540	733.2030
1623	401162.8710	2519082.1910	734.4940
1624	401240.7070	2519081.0910	734.3010
1625	401240.1130	2519113.6060	733.2010

BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN COORDINATE SYSTEM, SOUTH ZONE (NAD'27). THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 17 HAS A BEARING OF S 01°00'08" E (DECEMBER, 2005 DATUM).

ELEVATIONS REFER TO MEAN SEA LEVEL, 1929 ADJUSTMENT.

TICKET NO. 2004-14-10548

THE UNDERGROUND UTILITY INFORMATION AS SHOWN HEREON IS BASED, IN PART, UPON INFORMATION FURNISHED BY UTILITY COMPANIES AND THE LOCAL MUNICIPALITY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.

National Survey & Engineering
A Division of R.A. Smith & Associates, Inc.
262-781-1000
Fax 262-797-7373
16745 W. Bluemound Road
Suite 200
Brookfield, WI
53005-5938
www.nsae.com

SHEET 1 OF 1

DRAWING SCALE: 1 INCH = 80 FEET

Attachment 1
Cap Inspection Log

Property located at:
12001 W. Capitol Drive
Wauwatosa, WI 53226
Former Falk Corporation Plant 2 - AOI H28

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

Sincerely,

James A. Schmidt

James A. Schmidt, Team Supervisor
Southeast Remediation & Redevelopment Program

Attach. (Disk)
- Maintenance plans

cc: Lauren Gromoski – AECOM (w/out attach.)
Jeff Bykowski – Penzeys Spices (w/out attach.)
Bill Phelps, DG/5 (w/out attach.)

5

* 0 9 0 6 2 1 2 2 *

Document Number	SPECIAL WARRANTY DEED Title of Document	DOC.# 09062122

REGISTER'S OFFICE | SS
Milwaukee County, WI|

RECORDED 08/03/2005 10:55AM

JOHN LA FAVE
REGISTER OF DEEDS

AMOUNT:19.00

Record this document with the Register of Deeds

Name and Return Address:
TRAPP & HARTMAN SC
14380 W. CAPITOL DRIVE, #1
BROOKFIELD, WI 53005-2323
ATTN: STEPHEN A. HARTMAN

TRANSFER
$ 18,300.00
FEE

258-9999-01, 258-9995-02 AND
(Parcel Identification Number) 258-9998-00

INFO-PRO (800)655-2021 www.infoproforms.com

Record and Return to:
Trapp & Hartman SC
14380 W Capitol Drive, #1
Brookfield, Wisconsin 53005-2323
Attention: Stephen A. Hartman

Parcel Identification No.: 258-9999-01.

This is not homestead property.

SPECIAL WARRANTY DEED

This SPECIAL WARRANTY DEED, made between **HAMILTON SUNDSTRAND CORPORATION,** a Delaware corporation, as grantor ("**Grantor**"), and **WTP HOLDINGS, LLC**, a Wisconsin limited liability company, as grantee ("**Grantee**").

Grantor, for valuable consideration, conveys to Grantee the real estate described in Exhibit A attached hereto and made a part hereof (the "**Property**"), located in Milwaukee County, State of Wisconsin.

Together with all appurtenant rights, title and interests.

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 municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utitlity and municipal services, recorded building and use restrictions and covenants and general taxes levied in 2005 and thereafter and will warrant and defend the same.

Dated this 27th day of July, 2005.

HAMILTON SUNDSTRAND CORPORATION,
a Delaware corporation

By: _____
Name: Ronald F. Zapinski, President
Title: United Technologies Realty, Inc.
Authorized agent

ACKNOWLEGMENT

STATE OF CONNECTICUT)
) ss.
HARTFORD COUNTY)

Personally came before me this 27th day of July, 2005, the above named Ronald P. Zappile, President of United Technologies Realty, the authorized signatory for Hamilton Sundstrand Corporation, a Delaware corporation, to me known to be the person who executed the foregoing instrument and acknowledge the same.

Notary Public, State of Connecticut

My Commission Expires: KATE S. BARBOUR NOTARY PUBLIC MY COMMISSION EXPIRES MAR. 31, 2008

AUTHENTICATION

Euchung Ung
Member, State Bar of Connecticut

Authenticated this 27th day of July, 2005.

This instrument was drafted by:

Robinson & Cole
695 East Main Street
Stamford, Connecticut 06901
Attention: Euchung Ung

EXHIBIT A
Legal Description of the Property

See attached.

EXHIBIT A

PARCEL 1:

THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION, RUNNING THENCE SOUTH ALONG THE EAST LINE OF SAID 1/4 SECTION, 1995.04 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTH 34°34'20" WEST ALONG THE SAID RIGHT-OF-WAY LINE 1628.99 FEET TO A POINT; THENCE NORTH 17°41'10" WEST 624.86 FEET TO A POINT IN THE NORTH LINE OF SAID 1/4 SECTION; THENCE NORTH 87°00'00" EAST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO THE PLACE OF COMMENCEMENT. EXCEPTING THEREFROM THE NORTH 60.0 FEET THEREOF, MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID 1/4 SECTION. ALSO EXCEPTING THEREFROM QUIT CLAIM DEED RECORDED AS DOCUMENT NO. 4244616, AND EXCEPTING CERTIFIED SURVEY MAP NO. 5829.

PARCEL NO. 258-9999-01

PARCEL 2:

PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5829 RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS OFFICE APRIL 22, 1993 ON REEL 3018, IMAGE 821, AS DOCUMENT NO. 6756051; BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN.

PARCEL NO. 258-9999-02

PARCEL 3:

THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; THENCE SOUTH 89°59'53" WEST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO A POINT; THENCE SOUTH 18°41'37" EAST 108.48 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED, SAID POINT BEING THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE SOUTH 18°41'37" EAST 494.43 FEET TO A POINT; THENCE NORTH 35°09'49" WEST 451.26 FEET TO A POINT; THENCE NORTH 20°39'37" WEST 43.00 FEET TO A POINT; THENCE NORTH 14°21'43" EAST 65.51 FEET TO A POINT ON THE SOUTH LINE OF RELOCATED WEST CAPITOL DRIVE; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF RELOCATED WEST CAPITOL DRIVE 100.44 FEET ON AN ARC WHOSE CENTER IS TO THE SOUTH, WHOSE RADIUS IS 1259.24 FEET AND WHOSE CHORD BEARS SOUTH 87°34'01" EAST 100.42 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 258-9998-00

PROPERTY EXHIBIT

KNOWN AS 12001 WEST CAPITOL DRIVE, CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN

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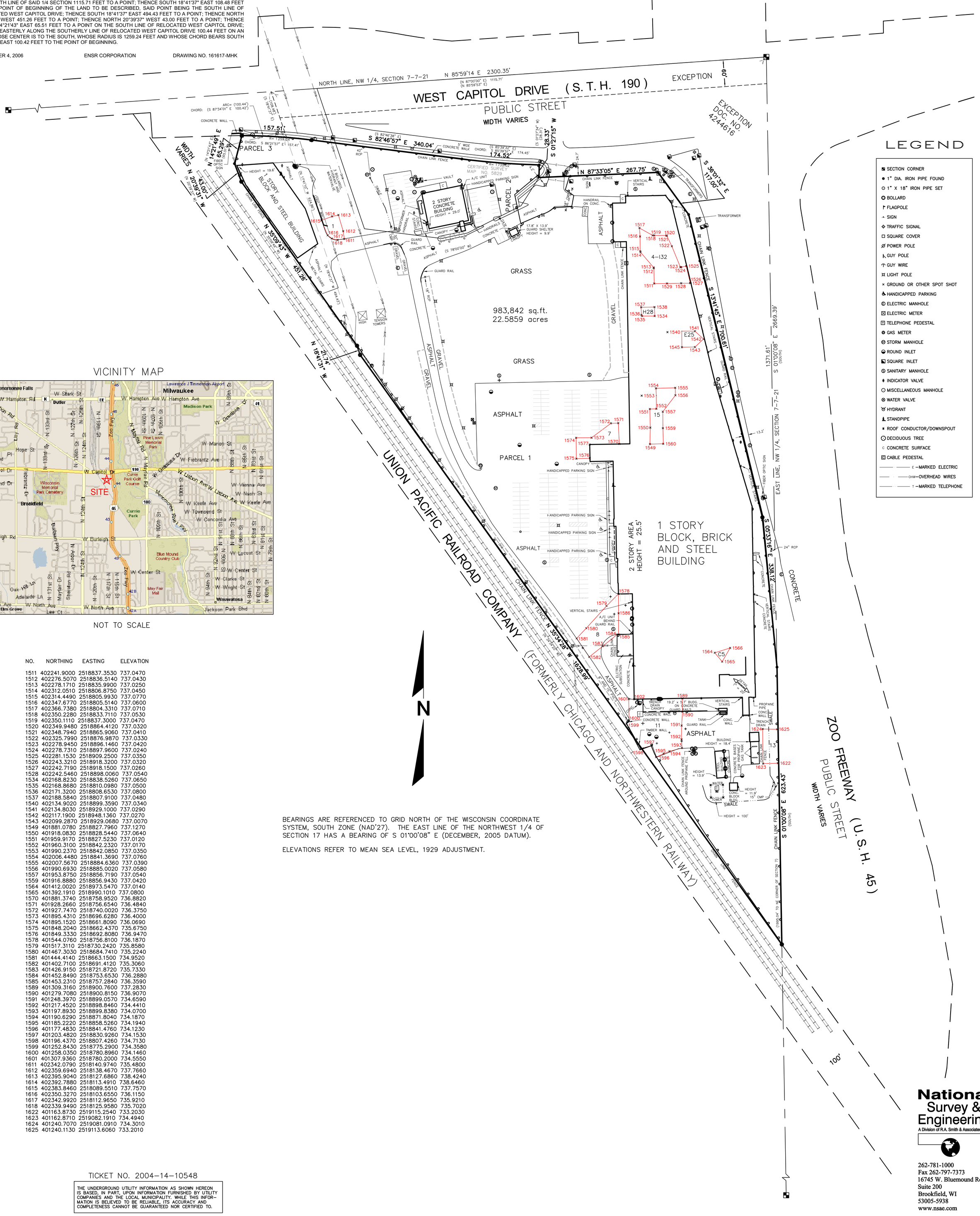
NOT TO SCALE



LEGEND

- SECTION CORNER
- 1" DIA. IRON PIPE FOUND
- 1" X 18" IRON PIPE SET
- BOLLARD
- FLAGPOLE
- SIGN
- TRAFFIC SIGNAL
- SQUARE COVER
- POWER POLE
- GUY POLE
- GUY WIRE
- LIGHT POLE
- GROUND OR OTHER SPOT SHOT
- HANDICAPPED PARKING
- ELECTRIC MANHOLE
- ELECTRIC METER
- TELEPHONE PEDESTAL
- GAS METER
- STORM MANHOLE
- ROUND INLET
- SQUARE INLET
- SANITARY MANHOLE
- INDICATOR VALVE
- MISCELLANEOUS MANHOLE
- WATER VALVE
- HYDRANT
- STANDPIPE
- ROOF CONDUCTOR/DOWNSPOUT
- DECIDUOUS TREE
- CONCRETE SURFACE
- CABLE PEDESTAL
- E —MARKED ELECTRIC
- OHW—OVERHEAD WIRES
- T —MARKED TELEPHONE

NO.	NORTHING	EASTING	ELEVATION
1511	402241.9000	2518837.3530	737.0470
1512	402276.5070	2518836.5140	737.0430
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1542	402117.1900	2518948.1360	737.0270
1543	402099.2870	2518929.0680	737.0070
1549	401881.0780	2518827.7960	737.1270
1550	401918.0830	2518828.5440	737.0640
1551	401959.9170	2518827.5230	737.0120
1552	401960.3100	2518842.2320	737.0170
1553	401990.2370	2518842.0850	737.0350
1554	402006.4480	2518841.3690	737.0760
1555	402007.5670	2518884.6360	737.0390
1556	401990.6930	2518885.0020	737.0580
1557	401953.8750	2518856.7190	737.0540
1559	401916.8880	2518856.9430	737.0420
1564	401412.0020	2518973.5470	737.0140
1565	401392.1910	2518990.1010	737.0800
1570	401881.3740	2518758.9520	736.8820
1571	401928.2660	2518756.6540	736.4840
1572	401927.7470	2518740.0020	736.3750
1573	401895.4310	2518696.6280	736.4000
1574	401895.1520	2518661.8090	736.0690
1575	401848.2040	2518662.4370	735.6750
1576	401849.3330	2518692.8080	736.9470
1578	401544.0760	2518756.8100	736.1870
1579	401517.3110	2518730.2420	735.8580
1580	401467.3030	2518684.7410	735.2240
1581	401444.4140	2518663.1500	734.9520
1582	401402.7100	2518691.4120	735.3060
1583	401426.9150	2518721.8720	735.7330
1584	401452.8490	2518753.6530	736.2880
1585	401453.2310	2518757.2840	736.3590
1589	401309.3160	2518900.7600	737.2830
1590	401279.7080	2518900.8150	736.9070
1591	401248.3970	2518899.0570	734.6590
1592	401217.4520	2518898.8460	734.4410
1593	401197.8930	2518899.8380	734.0700
1594	401190.6290	2518871.8040	734.1870
1595	401185.2220	2518858.5260	734.1940
1596	401177.4830	2518841.4760	734.1230
1597	401203.4820	2518830.9260	734.1530
1598	401196.4370	2518807.4260	734.7130
1599	401252.8430	2518775.2900	734.3580
1600	401258.0350	2518780.8960	734.1460
1601	401307.9360	2518780.2000	734.5550
1611	402342.0790	2518140.9740	735.4800
1612	402359.6940	2518138.4670	737.7660
1613	402395.9040	2518127.6860	738.4240
1614	402392.7880	2518113.4910	738.6460
1615	402383.8460	2518089.5510	737.7570
1616	402350.3270	2518103.6550	736.1150
1617	402342.9920	2518112.9650	735.9210
1618	402339.9490	2518125.9580	735.7020
1622	401163.8730	2519115.2540	733.2030
1623	401162.8710	2519082.1910	734.4940
1624	401240.7070	2519081.0910	734.3010
1625	401240.1130	2519113.6060	733.2010

BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN COORDINATE SYSTEM, SOUTH ZONE (NAD'27). THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 17 HAS A BEARING OF S 01°00'08" E (DECEMBER, 2005 DATUM).

ELEVATIONS REFER TO MEAN SEA LEVEL, 1929 ADJUSTMENT.

TICKET NO. 2004-14-10548

THE UNDERGROUND UTILITY INFORMATION AS SHOWN HEREON IS BASED, IN PART, UPON INFORMATION FURNISHED BY UTILITY COMPANIES AND THE LOCAL MUNICIPALITY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.

National Survey & Engineering
A Division of R.A. Smith & Associates, Inc.
262-781-1000
Fax 262-797-7373
16745 W. Bluemound Road
Suite 200
Brookfield, WI
53005-5938
www.nsae.com

S:\5161617\dwg\
161617H0.DWG \ PX201E80

SHEET 1 OF 1

DRAWING SCALE: 1 INCH = 80 FEET

12001 W. Capitol Drive, Wauwatosa, Wisconsin
AOI H28

WDNR BRRTS Numbers: #06-41-534503, #02-41-530528
FID Number: 241018140

Parcel Number: 258-9999-01
WTM83/91 Coordinates: E677998 N292425

Responsible Party:
Greg Blessing
United Technologies Corporation
United Technologies Building
Hartford, CT 06101
(860) 728-6529

Site Owner/Operator:
Penzeys Spices
19300 W. Janacek Court
Brookfield, WI 53045
(262) 785-7602

AOI H28

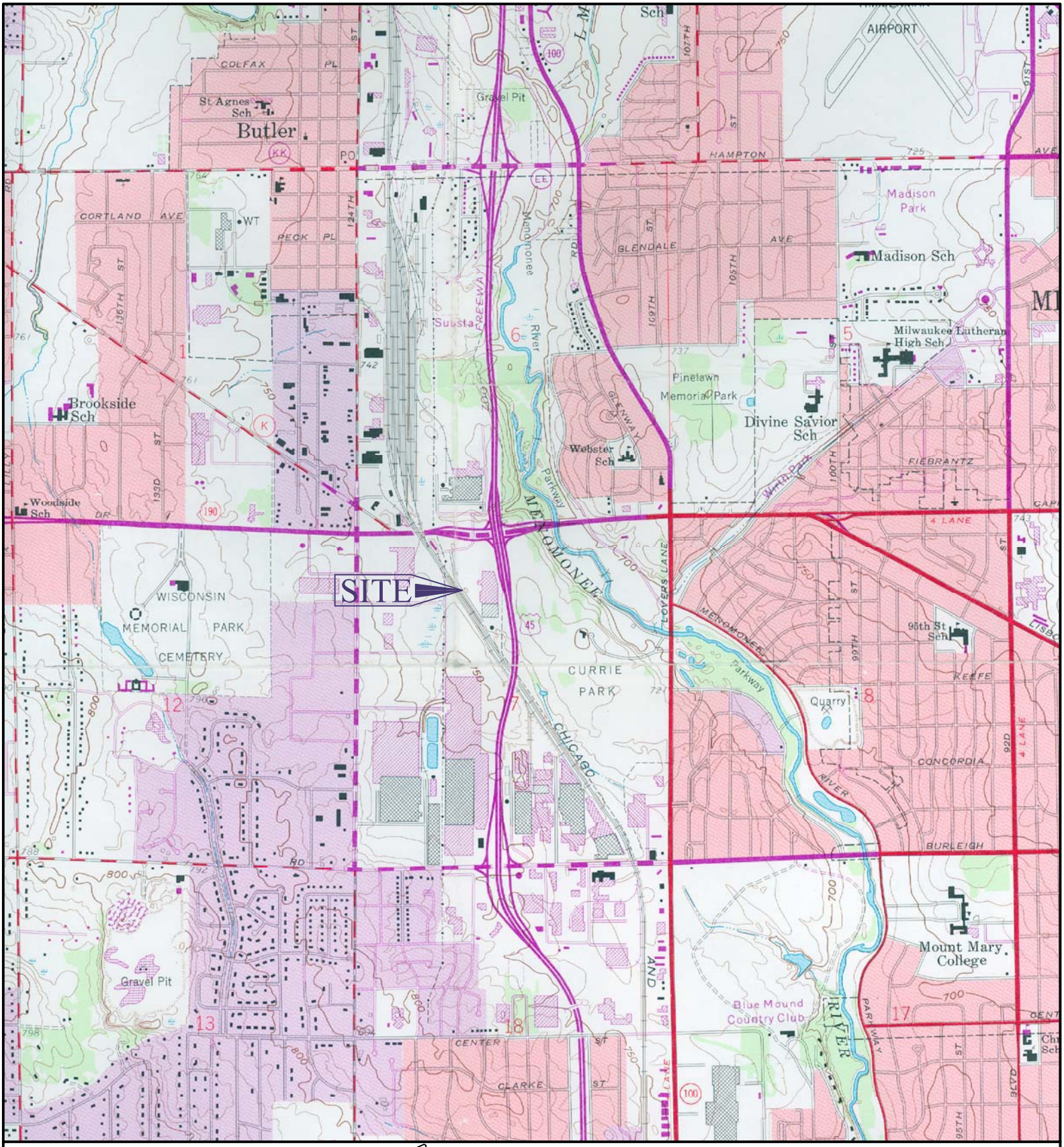
Area of Interest (AOI) H28 is located within, or partially within, the boundary of the property located at 12001 West Capitol Drive, Wauwatosa, Wisconsin, whose legal description (as found on the City of Wauwatosa Assessor's Department website [www.wauwatosa.net]), is as follows:

NW QUAR SEC 7 7 21 COMM AT NE COR OF SD QUAR SEC TH S 1995.04 FT TH NW ALG RR ROW 1628.99 FT TH N 17D 41'10 W 624.86 FT TH E 1115.71 FT TO PL OF BEG SUBJECT TO TMER&L CO TOWER LINE ROW EXC N & E PART TAKEN FOR STREET AND EXPRESSWAY & EXC CSM NO 5829 1994.

Parcel ID: 258-9999-01

Printed Name: Gregory F. Blessing

Signature: _____ Date: 2/28/08



Adapted from: USGS 7.5 minute series Wauwatosa, Wisconsin topographic quadrangle in 1958, photorevisited in 1976.

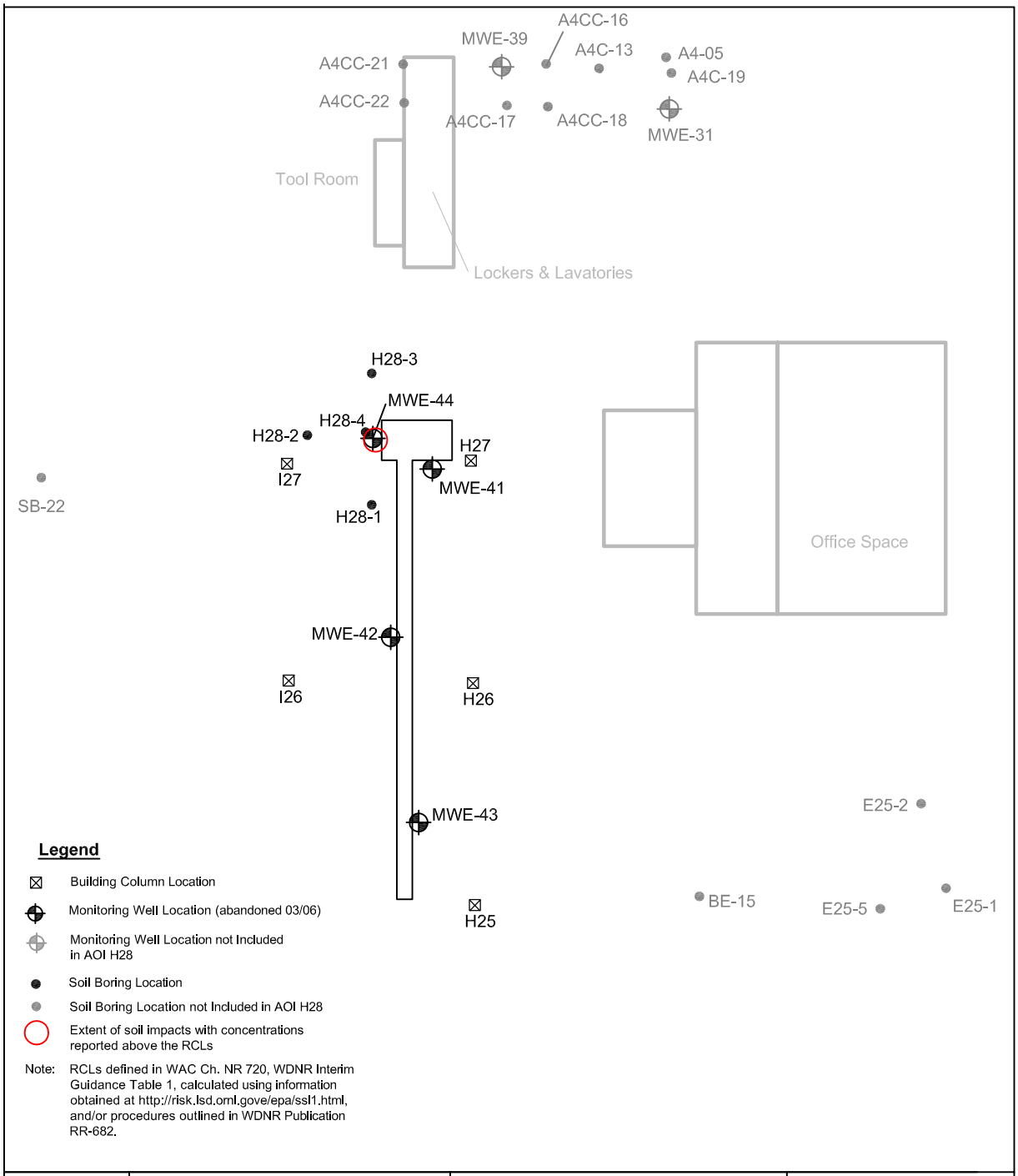
SCALE 1:24,000

Figure 1

Site Location Map

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, Wisconsin

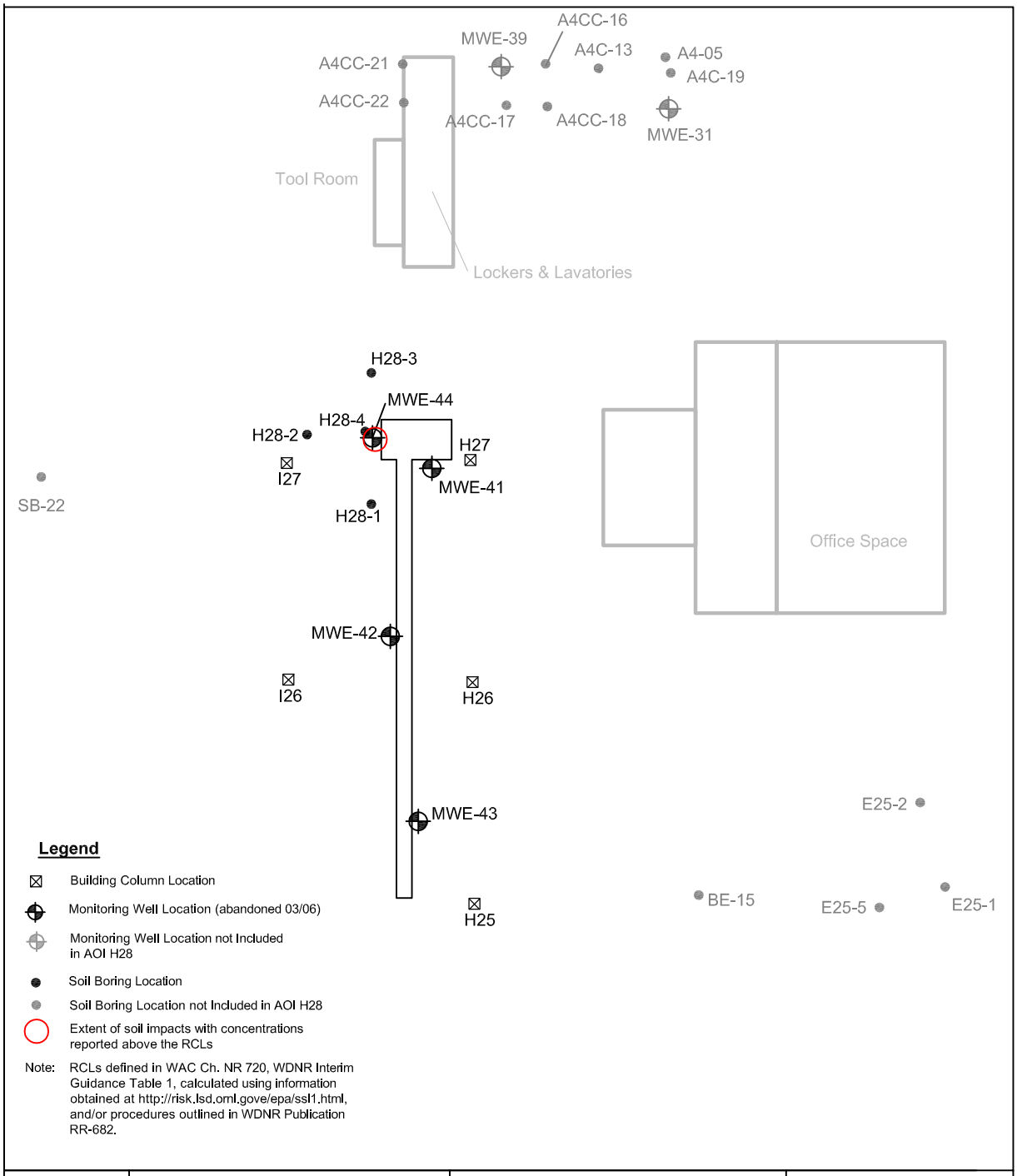
ENSR | AECOM



Scale: 1":26'	Hamilton Sundstrand Case Summary & Close Out Form	**AOI H28 - Contaminated Property** Former Falk Corporation Wauwatosa, WI 01/04/08 06916-277	Figure 18 www.ensr.aecom.com

J:\PROJECTS\06916 - UTC Companies\06916277-Falk Wauwatosa\Reports\Si-Rem Closure Rpt 0611\Figs 0701 Fig 18-H28 Soil.dwg

ENSR | AECOM



Scale: 1":26'	Hamilton Sundstrand Case Summary & Close Out Form	**AOI H28 - Soil Sample Locations** Former Falk Corporation Wauwatosa, WI 01/04/08 06916-277	Figure 18 www.ensr.aecom.com

J:\PROJECTS\06916 - UTC Companies\06916277-Falk Wauwatosa\Reports\Si-Rem Closure Rpt 0611\Figs 0701 Fig 18-H28 Soil.dwg

Table 11
Analytical Report Summary & Geochemical Data - AOI H28

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	MWE-41 (2) 11/21/05	MWE-41 (8) 11/21/05	MWE-41 (12) 11/21/05	MWE-42 (2) 11/21/05	MWE-42 (8) 11/21/05	MWE-42 (12) 11/21/05	**Direct Contact IND**	**Groundwater Protection**
DRO (mg/kg)	ND	ND	16	ND	16	21	NL	100

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	MWE-43 (2) 11/22/05	MWE-43 (8) 11/22/05	MWE-43 (12) 11/22/05	MWE-44 (2) 11/22/05	MWE-44 (8) 11/22/05	MWE-44 (12) 11/22/05	**Direct Contact IND**	**Groundwater Protection**
DRO (mg/kg)	70	67	57	**1,300**	**8,600**	**1,100**	NL	100

Detected Parameter	Sample ID (Depth), Sample Date							Residual Contaminant Level	
SOIL	H28-1 (2) 02/08/06	H28-1 (8) 02/08/06	H28-1 (12) 02/08/06	H28-2 (2) 02/08/06	H28-2 (2.5) 02/08/06	H28-2 (8) 02/08/06	H28-2 (12) 02/08/06	**Direct Contact IND**	**Groundwater Protection**
DRO (mg/kg)	ND	8.6	ND	94	17	ND	ND	NL	100

Detected Parameter	Sample ID (Depth), Sample Date					Residual Contaminant Level	
SOIL	H28-3 (2) 02/08/06	H28-3 (8) 02/08/06	H28-3 (12) 02/08/06	H28-4 (15) 03/03/06	H28-4 (18) 03/03/06	**Direct Contact IND**	**Groundwater Protection**
DRO (mg/kg)	ND	ND	ND	7.8	ND	NL	100

Notes (Soil):

DRO = diesel range organics

mg/kg = milligrams per kilogram (parts per million)

Direct Contact = Residual Contaminant Levels (RCLs) that apply to soil collected within four feet of the ground surface, either as defined in Wisconsin Administrative Code Chapter NR 720, WDNR 1993 Interim Guidance Table 1 for polycyclic aromatic hydrocarbons, or, if no established criteria exists, as calculated using U.S. EPA Soil Screening Guidance for Chemicals (http://risk.lsd.ornl.gov/epa/ssl1.html) and procedures outlined in WDNR Publication RR-682

Groundwater Protection = RCLs based on the protection of groundwater, either as defined in Wisconsin Administrative Code Chapter NR 720, WDNR 1993 Interim Guidance Table 1 for polycyclic aromatic hydrocarbons, or, if no established criteria exists, as calculated using U.S. EPA Soil Screening Guidance for Chemicals (http://risk.lsd.ornl.gov/epa/ssl1.html) and procedures outlined in WDNR Publication RR-682

IND = Industrial, per Wisconsin Administrative Code Chapter NR 720

DRO criteria defined in Wisconsin Administrative Code Chapter NR 720, based on assumption of contaminated soil and soil below the contaminated soil for a depth of 3 meters having a hydraulic conductivity of 1x10-6 cm/sec or less.

ND = parameters within a suite (class) of compounds not detected above reporting limit.

NL = criterion not listed for compound

Concentrations in Bold indicate an exceedance of the Groundwater Pathway RCL

Only positive detections shown.

GIS REGISTRY
Cover Sheet

March, 2010
(RR 5367)

Source Property Information

CLOSURE DATE: Nov 15, 2010

BRRTS #: **02-41-530528**

FID #: 241018140

ACTIVITY NAME: Former Falk Corporation Plant 2 - AOI I32

DATCP #:

PROPERTY ADDRESS: 12001 W CAPITOL DR

COMM #:

MUNICIPALITY: Wauwatosa

PARCEL ID #: 258-9999-01

***WTM COORDINATES:**

X: **677998** Y: **292425**

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

WTM COORDINATES REPRESENT:

- (●) Approximate Center Of Contaminant Source
- ( ) Approximate Source Parcel Center

Please check as appropriate: (BRRTS Action Code)

Contaminated Media:

- [ ] Groundwater Contamination > ES *(236)*
  - [ ] Contamination in ROW
  - [ ] Off-Source Contamination

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

- [x] Soil Contamination > *RCL or **SSRCL *(232)*
  - [ ] Contamination in ROW
  - [ ] Off-Source Contamination

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

Land Use Controls:

- [ ] N/A (*Not Applicable*)
- [ ] Soil: maintain industrial zoning *(220)*

  *(**note:** soil contamination concentrations between non-industrial and industrial levels)*
- [ ] Structural Impediment *(224)*
- [ ] Site Specific Condition *(228)*
- [x] Cover or Barrier *(222)*

  *(**note:** maintenance plan for groundwater or direct contact)*
- [ ] Vapor Mitigation *(226)*
- [ ] Maintain Liability Exemption *(230)*

  *(**note:** local government unit or economic development corporation was directed to take a response action)*

Monitoring Wells:

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

(●) Yes ( ) No ( ) N/A

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

GIS Registry Checklist

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

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

BRRTS #: 02-41-530528 06-41-534503 PARCEL ID #: 258-9999-01

ACTIVITY NAME: Former Falk Corporation Plant 2 - AOI I32 WTM COORDINATES: X: 677998 Y: 292425

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 #: **Title: Property Exhibit**
- [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 #: **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 #: **Title: AOI I32 - Contaminated Property**
- [x] **Soil Contamination Contour Map:** For sites closing with residual soil contamination, this map is to show the location of all contaminated soil and a single contour showing the horizontal extent of each area of contiguous residual soil contamination that exceeds a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL)as determined under s. NR 720.09, 720.11 and 720.19.

  Figure #: **Title: AOI I32 - Soil Sample Locations**

BRRTS #: 02-41-530528 06-41-534503 ACTIVITY NAME: Former Falk Corporation Plant 2 - AOI I32

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 #: **Title: Analytical Report Summary - AOI I32**

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

Table #: **Title:**

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

Table #: **Title:**

IMPROPERLY ABANDONED MONITORING WELLS

For each monitoring well not properly abandoned according to requirements of s. NR 141.25 include the following documents.
Note: *If the site is being listed on the GIS Registry for only an improperly abandoned monitoring well you will only need to submit the documents in this section for the GIS Registry Packet.*

☒ **Not Applicable**

☐ **Site Location Map:** A map showing all surveyed monitoring wells with specific identification of the monitoring wells which have not been properly abandoned.
Note: *If the applicable monitoring wells are distinctly identified on the Detailed Site Map this Site Location Map is not needed.*

Figure #: **Title:**

☐ **Well Construction Report:** Form 4440-113A for the applicable monitoring wells.

☐ **Deed:** The most recent deed as well as legal descriptions for each property where a monitoring well was not properly abandoned.

☐ **Notification Letter:** Copy of the notification letter to the affected property owner(s).

BRRTS #: 02-41-530528 06-41-534503 ACTIVITY NAME: Former Falk Corporation Plant 2 - AOI I32

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 53212-0436
Telephone 414-263-8500
FAX 414-263-8716
TTY 414-263-8713

June 10, 2009

Mr. Anthony Frigiani
Hamilton Sundstrand Corp.
1 Hamilton Rd., M/S 1M5
Windsor Locks, CT 06096

SUBJECT: Final Case Closure with Continuing Obligations
Former Falk Plant 2, 12001 W. Capitol Dr., Wauwatosa, WI

WDNR BRRTS Activity #: 06-41-534503, 02-41-546853, 02-41-546854, 02-41-530528
FID #: 241018140

Dear Mr.Frigiani:

On October 7, 2008, the Southeast Region Closure Committee and VPLE Committee reviewed the above referenced case for closure. These committees review 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 meets the closure requirements in ch. NR 726, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation is required at this time, however, you and future property owners must comply with certain continuing obligations as explained in this letter.

GIS Registry

This site will be listed on the Remediation and Redevelopment Program's GIS Registry. The specific reasons are summarized below:

- Pavement, an engineered cover or a soil barrier must be maintained over contaminated soil and the state must approve any changes to this barrier
- Groundwater contamination is present above Chapter NR 140 enforcement standards

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

Closure Conditions

Please be aware that pursuant to s. 292.12 Wisconsin Statutes, compliance with the requirements of this letter is a responsibility to which the current property owner and any subsequent property owners must adhere. You must pass on the information about these continuing obligations to the next property owner or owners. 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. The Department intends to conduct inspections in the future to ensure that the conditions included in this letter including compliance with referenced maintenance plans are met.

Cover or Barrier

Pursuant to s. 292.12(2)(a), Wis. Stats., the pavement or other impervious cap that currently exists in the location of AOI 4, AOI 7, AOI 8, AOI 11, AOI 13, AOI 15, AOI C5, AOI E25 AOI H28, AOI I32 shown on the attached map shall be maintained in compliance with the **attached maintenance plans** 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 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 is considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken during excavation activities to prevent a health threat to humans.

The attached maintenance plans and inspection logs are to be kept up-to-date and on-site. Please submit the inspection log to the Department only upon request.

Prohibited Activities

The following activities are prohibited on any portion of the property where [pavement, a building foundation, soil cover, engineered cap or other barrier] is required as shown on the attached map, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 1) removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; 6) construction or placement of a building or other structure.

Residual Groundwater Contamination

Groundwater impacted by chlorinated VOC contamination greater than enforcement standards set forth in ch. NR140, Wis. Adm. Code, is present on this contaminated property in the area of AOI 11. For more detailed information regarding the locations where groundwater samples have been collected (i.e., monitoring well locations) and the associated contaminant concentrations, refer to the Remediation and Redevelopment Program's GIS Registry at the RR Sites Map page at http://dnr.wi.gov/org/aw/rr/gis/index.htm.

Vapor Migration

In addition, depending on site-specific conditions, construction over contaminated materials may result in vapor migration of contaminants into enclosed structures or migration along newly placed underground utility lines. The potential for vapor inhalation and means of 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.

Chapter NR 140, Wis. Adm. Code Exemption

Recent groundwater monitoring data at this site indicates that for 1,2-Dichloroethane at MWE-26 and 1,1-Dichloroethylene at MW10, contaminant levels exceed the NR 140 preventive action limit (PAL) but are below the enforcement standard (ES). The Department may grant an exemption to a PAL for a substance of public health concern, other than nitrate, pursuant to s. NR 140.28(2)(b), Wis. Adm. Code, if all of the following criteria are met:

1. The measured or anticipated increase in the concentration of the substance will be minimized to the extent technically and economically feasible.

2. Compliance with the PAL is either not technically or economically feasible.

3. The enforcement standard for the substance will not be attained or exceeded at the point of standards application. [Note: at this site the point of standards application is all points where groundwater is monitored.]

4. Any existing or projected increase in the concentration of the substance above the background concentration does not present a threat to public health or welfare.

Based on the information you provided, the Department believes that these criteria have been or will be met due to source control measures that have occurred in these areas. Therefore, pursuant to s. NR 140.28, Wis. Adm. Code, an exemption to the PAL is granted for 1,2-Dichloroethane at MWE-26 and 1,1-Dichloroethelyne at MW10. Please keep this letter, because it serves as your exemption.

Post-Closure Notification Requirements

In accordance with ss, 292.12 and 292.13, Wis. Stats., you must notify the Department before making changes that affect or relate to the conditions of closure in this letter. For this case, examples of changed conditions requiring prior notification include, but are not limited to:

- Disturbance, construction on, change or removal in whole or part of pavement, an engineered cover or a soil barrier that must be maintained over contaminated soil

Please send written notifications in accordance with the above requirements to the Southeast Regional Headquarters, to the attention of Victoria Stovall.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this closure decision or anything outlined in this letter, please contact Margaret Brunette at (414)263-8557.

Sincerely,

James A. Schmidt

James A. Schmidt, Team Supervisor
Southeast Remediation & Redevelopment Program

Attach. (Disk)
- Maintenance plans

cc: Lauren Gromoski – AECOM (w/out attach.)
Jeff Bykowski – Penzeys Spices (w/out attach.)
Bill Phelps, DG/5 (w/out attach.)

Cap Maintenance Plan
Former Falk Corporation Plant 2 – AOI I32
2001 W. Capitol Drive, Wauwatosa, Wisconsin 53226

May 7, 2009

Property located at:
12001 W. Capitol Drive
Wauwatosa, Wisconsin 53226

Parcel Number: 258-9999-01

FID Number: 241018140
BRRTS Number: 06-41-534503
02-41-530528

Introduction

This document is the Cap Maintenance Plan (Maintenance Plan) for the building foundation at the above-referenced property in accordance with the requirements of Wisconsin Administrative Code (WAC) Chapter (ch.) NR 724.13(2). The maintenance activities relate to the existing slab on grade building foundation surfaces (cap) occupying the area over the contaminated soil and groundwater on site. The contaminated soil and groundwater are impacted by chlorinated volatile organic compounds (CVOCs). The location of the cap to be maintained in accordance with this Maintenance Plan, as well as the extents of impacted soil and groundwater, are included in Figure 1.

Cap Purpose

The cap over the contaminated soil and groundwater plume serves as a partial infiltration barrier to minimize future soil-to-groundwater contamination migration that would violate the groundwater standards in WAC ch. NR 140. Based on the current and future use of the property, the cap should function as intended unless disturbed.

Annual Inspection

The cap overlying the contaminated soil and groundwater plume, as depicted in Figure 1, will be inspected once a year. The inspection will be performed in the spring after all snow and ice is gone, for deterioration, cracks and other potential problems that can cause additional infiltration into or exposure to underlying soil. The inspection will be performed to evaluate damage to the cap due to settling, wear from traffic, increasing age and other factors. Any area where soils have become or are likely to become exposed will be documented. A log of the inspections and any repairs will be maintained by the property owner on a Cap Inspection Log (Attachment 1 [the Log]). The Log will include recommendations for necessary repair of any areas where underlying soils are exposed. Once repairs are completed, they will be documented in the Log. A copy of the Log will be sent to the Wisconsin Department of Natural Resources (WDNR) at least annually after every inspection, unless otherwise directed in the case closure letter.

Maintenance Activities

If problems with the cap are noted during the annual inspections or at any other time during the year, repairs will be scheduled as soon as practical. Repairs can include patching and filling operations, or they can include larger resurfacing or construction operations. In the event that necessary maintenance activities expose the underlying soil, the owner must sample any soil that is excavated from the site prior to disposal to ascertain if contamination remains. The excavated soil must be treated, stored and disposed of by the owner in accordance with applicable local, state and federal law.

In the event the cap overlying the contaminated soil and groundwater plume is removed or replaced, the replacement barrier must be equally impervious. Any replacement barrier will be subject to the same maintenance and inspection guidelines as outlined in this Maintenance Plan unless indicated otherwise by the WDNR or its successor.

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

Amendment or Withdrawal of Maintenance Plan

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

Contact Information as of May 2009:

Responsible Party:	Hamilton Sundstrand Corporation C/O Anthony Frigiani 1 Hamilton Road M/S 1M5 Windsor Locks, CT 06096 860-728-6529
Site Owner/Operator:	Penzeys Spices 12001 W. Capitol Drive Wauwatosa, WI 53222 414-406-7758
Environmental Consultant:	Lauren Gromoski AECOM, Inc. W239 N2890 Pewaukee Road, Unit D Pewaukee, Wisconsin 53072 262-523-2040
WDNR Project Manager:	Margaret Brunette Remediation and Redevelopment Program Wisconsin Department of Natural Resources 2300 N. Dr. Martin Luther King, Jr. Drive Milwaukee, WI 53212 414-263-8557

PROPERTY EXHIBIT

KNOWN AS 12001 WEST CAPITOL DRIVE, CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN

PARCEL 1
THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; RUNNING THENCE SOUTH ALONG THE EAST LINE OF SAID 1/4 SECTION 1995.04 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTH 34°34'20" WEST ALONG THE SAID RIGHT-OF-WAY LINE 1628.99 FEET TO A POINT; THENCE NORTH 17°41'10" WEST 624.86 FEET TO A POINT IN THE NORTH LINE OF SAID 1/4 SECTION, THENCE NORTH 87°00'00" EAST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO THE PLACE OF COMMENCEMENT.
EXCEPTING THEREFROM THE NORTH 60.0 FEET THEREOF, MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID 1/4 SECTION. ALSO EXCEPTING THEREFROM QUIT CLAIM DEED RECORDED AS DOCUMENT NO. 4244616 AND EXCEPTING CERTIFIED SURVEY MAP NO. 5829.

PARCEL 2
PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5829 RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS OFFICE APRIL 22, 1993 ON REEL 3018, IMAGE 821, AS DOCUMENT NO. 6756051; BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN.

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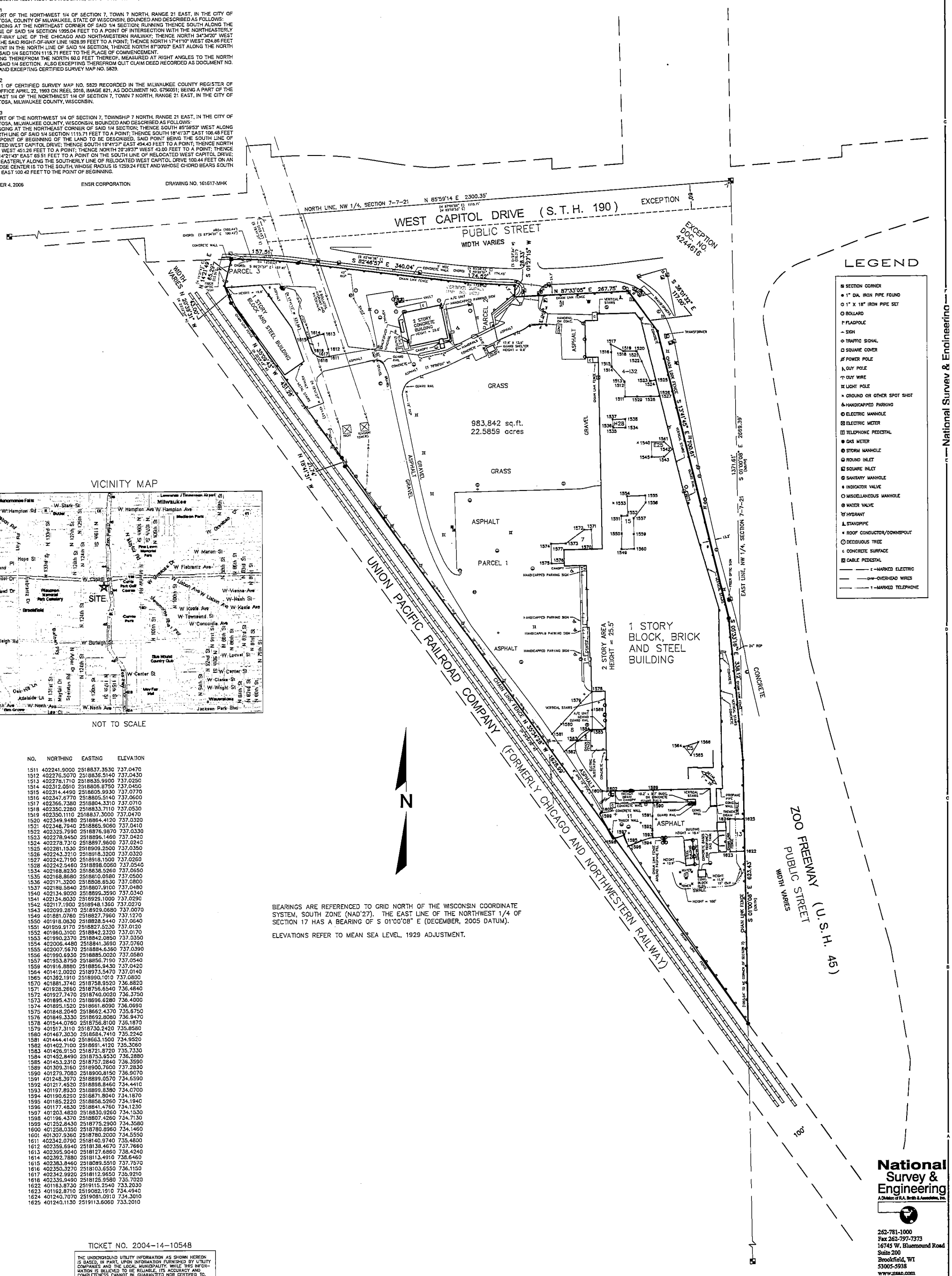
DECEMBER 4, 2006 ENSR CORPORATION DRAWING NO. 161617-MHK



VICINITY MAP

NOT TO SCALE

NO.	NORTHING	EASTING	ELEVATION
1511	402241.9000	2518837.3530	737.0470
1512	402276.5070	2518836.5140	737.0430
1513	402278.1710	2518835.9900	737.0250
1514	402312.0510	2518806.8750	737.0450
1515	402314.4490	2518805.9930	737.0770
1516	402347.6770	2518805.5140	737.0600
1517	402366.7380	2518804.3310	737.0710
1518	402350.2280	2518833.7110	737.0530
1519	402350.1110	2518837.3000	737.0470
1520	402349.9480	2518864.4120	737.0320
1521	402348.7940	2518865.9060	737.0410
1522	402325.7990	2518876.9870	737.0330
1523	402278.9450	2518896.1460	737.0420
1524	402278.7310	2518897.9600	737.0240
1525	402281.1530	2518909.2500	737.0350
1526	402243.3210	2518918.3200	737.0320
1527	402242.7190	2518918.1500	737.0260
1528	402242.5460	2518898.0060	737.0540
1534	402168.8230	2518838.5260	737.0650
1535	402168.8680	2518810.0580	737.0500
1536	402171.3200	2518808.6530	737.0800
1537	402188.5840	2518807.9100	737.0480
1540	402134.9020	2518899.3590	737.0340
1541	402134.8030	2518929.1000	737.0290
1542	402117.1900	2518948.1360	737.0270
1543	402099.2870	2518929.0680	737.0070
1549	401881.0760	2518827.7960	737.1270
1550	401918.0830	2518828.5440	737.0640
1551	401959.9170	2518827.5230	737.0120
1552	401960.3100	2518842.2320	737.0170
1553	401990.2370	2518842.0850	737.0350
1554	402006.4480	2518841.3690	737.0760
1555	402007.5670	2518884.6360	737.0390
1556	401990.6930	2518885.0020	737.0580
1557	401953.8750	2518856.7190	737.0540
1559	401916.8880	2518856.9430	737.0420
1564	401412.0020	2518973.5470	737.0140
1565	401392.1910	2518990.1010	737.0800
1570	401881.3740	2518758.9520	736.8820
1571	401928.2660	2518756.6540	736.4840
1572	401927.7470	2518740.0020	736.3750
1573	401895.4310	2518696.6280	736.4000
1574	401895.1520	2518661.8090	736.0690
1575	401848.2040	2518662.4370	735.8790
1576	401849.3330	2518692.8080	736.9470
1578	401544.0760	2518756.8100	736.1870
1579	401517.3110	2518730.2420	735.8580
1580	401467.3030	2518684.7410	735.2240
1581	401444.4140	2518663.1500	734.9520
1582	401402.7100	2518691.4120	735.3060
1583	401426.9150	2518721.8720	735.7330
1584	401452.8490	2518753.6530	736.2880
1585	401453.2310	2518757.2840	736.3590
1589	401309.3160	2518900.7600	737.2830
1590	401279.7080	2518900.8150	736.9070
1591	401248.3970	2518899.0570	734.6590
1592	401217.4520	2518898.8460	734.4410
1593	401197.8930	2518899.8380	734.0700
1594	401190.6290	2518871.8040	734.1870
1595	401185.2220	2518858.5260	734.1940
1596	401177.4830	2518841.4760	734.1230
1597	401203.4820	2518830.9260	734.1530
1598	401196.4370	2518607.4260	734.7130
1599	401252.8430	2518775.2900	734.3580
1600	401258.0350	2518780.8960	734.1460
1601	401307.9360	2518780.2000	734.5550
1611	402342.0790	2518140.9740	735.4800
1612	402359.6940	2518138.4670	737.7660
1613	402395.9040	2518127.6860	738.4240
1614	402392.7880	2518113.4910	738.6450
1615	402383.8460	2518089.5510	737.7570
1616	402350.3270	2518103.6550	736.1150
1617	402342.9920	2518112.9650	735.9210
1618	402339.9490	2518125.9580	735.7020
1622	401163.8730	2519115.2540	733.2030
1623	401162.8710	2519082.1910	734.4940
1624	401240.7070	2519081.0910	734.3010
1625	401240.1130	2519113.6060	733.2010

BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN COORDINATE SYSTEM, SOUTH ZONE (NAD'27). THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 17 HAS A BEARING OF S 01°00'08" E (DECEMBER, 2005 DATUM).

ELEVATIONS REFER TO MEAN SEA LEVEL, 1929 ADJUSTMENT.

TICKET NO. 2004-14-10548

THE UNDERGROUND UTILITY INFORMATION AS SHOWN HEREON IS BASED, IN PART, UPON INFORMATION FURNISHED BY UTILITY COMPANIES AND THE LOCAL MUNICIPALITY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.

National Survey & Engineering
A Division of R.A. Smith & Associates, Inc.
262-781-1000
Fax 262-797-7373
16745 W. Bluemound Road
Suite 200
Brookfield, WI
53005-5938
www.nsae.com

SHEET 1 OF 1

DRAWING SCALE: 1 INCH = 80 FEET

Attachment 1
Cap Inspection Log

Property located at:
2001 W. Capital Drive
Wauwatosa, WI 53226
Former Falk Corporation Plant 2 - AOI I32

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

5

* 0 9 0 6 2 1 2 2 *

Document Number	SPECIAL WARRANTY DEED Title of Document	DOC.# 09062122

REGISTER'S OFFICE | SS
Milwaukee County, WI|

RECORDED 08/03/2005 10:55AM

JOHN LA FAVE
REGISTER OF DEEDS

AMOUNT:19.00

Record this document with the Register of Deeds

Name and Return Address:
TRAPP & HARTMAN SC
14380 W. CAPITOL DRIVE, #1
BROOKFIELD, WI 53005-2323
ATTN: STEPHEN A. HARTMAN

TRANSFER
$ 18,300.00
FEE

258-9999-01, 258-9995-02 AND
(Parcel Identification Number) 258-9998-00

INFO-PRO (800)655-2021 www.infoproforms.com

Record and Return to:
Trapp & Hartman SC
14380 W Capitol Drive, #1
Brookfield, Wisconsin 53005-2323
Attention: Stephen A. Hartman

Parcel Identification No.: 258-9999-01.

This is not homestead property.

SPECIAL WARRANTY DEED

This SPECIAL WARRANTY DEED, made between **HAMILTON SUNDSTRAND CORPORATION,** a Delaware corporation, as grantor ("**Grantor**"), and **WTP HOLDINGS, LLC**, a Wisconsin limited liability company, as grantee ("**Grantee**").

Grantor, for valuable consideration, conveys to Grantee the real estate described in Exhibit A attached hereto and made a part hereof (the "**Property**"), located in Milwaukee County, State of Wisconsin.

Together with all appurtenant rights, title and interests.

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 municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utitlity and municipal services, recorded building and use restrictions and covenants and general taxes levied in 2005 and thereafter and will warrant and defend the same.

Dated this 27th day of July, 2005.

HAMILTON SUNDSTRAND CORPORATION,
a Delaware corporation

By: _____
Name: Ronald F. Zapinski, President
Title: United Technologies Realty, Inc.
Authorized agent

ACKNOWLEGMENT

STATE OF CONNECTICUT)
) ss.
HARTFORD COUNTY)

Personally came before me this 27th day of July, 2005, the above named Ronald P. Zappile, President of United Technologies Realty, the authorized signatory for Hamilton Sundstrand Corporation, a Delaware corporation, to me known to be the person who executed the foregoing instrument and acknowledge the same.

Notary Public, State of Connecticut

My Commission Expires: KATE S. BARBOUR NOTARY PUBLIC MY COMMISSION EXPIRES MAR. 31, 2008

AUTHENTICATION

Euchung Ung
Member, State Bar of Connecticut

Authenticated this 27th day of July, 2005.

This instrument was drafted by:

Robinson & Cole
695 East Main Street
Stamford, Connecticut 06901
Attention: Euchung Ung

EXHIBIT A
Legal Description of the Property

See attached.

EXHIBIT A

PARCEL 1:

THAT PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION, RUNNING THENCE SOUTH ALONG THE EAST LINE OF SAID 1/4 SECTION, 1995.04 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTH 34°34'20" WEST ALONG THE SAID RIGHT-OF-WAY LINE 1628.99 FEET TO A POINT; THENCE NORTH 17°41'10" WEST 624.86 FEET TO A POINT IN THE NORTH LINE OF SAID 1/4 SECTION; THENCE NORTH 87°00'00" EAST ALONG THE NORTH LINE OF SAID 1/4 SECTION 1115.71 FEET TO THE PLACE OF COMMENCEMENT. EXCEPTING THEREFROM THE NORTH 60.0 FEET THEREOF, MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID 1/4 SECTION. ALSO EXCEPTING THEREFROM QUIT CLAIM DEED RECORDED AS DOCUMENT NO. 4244616, AND EXCEPTING CERTIFIED SURVEY MAP NO. 5829.

PARCEL NO. 258-9999-01

PARCEL 2:

PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5829 RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS OFFICE APRIL 22, 1993 ON REEL 3018, IMAGE 821, AS DOCUMENT NO. 6756051; BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN.

PARCEL NO. 258-9999-02

PARCEL 3:

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PARCEL NO. 258-9998-00

PROPERTY EXHIBIT

KNOWN AS 12001 WEST CAPITOL DRIVE, CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN

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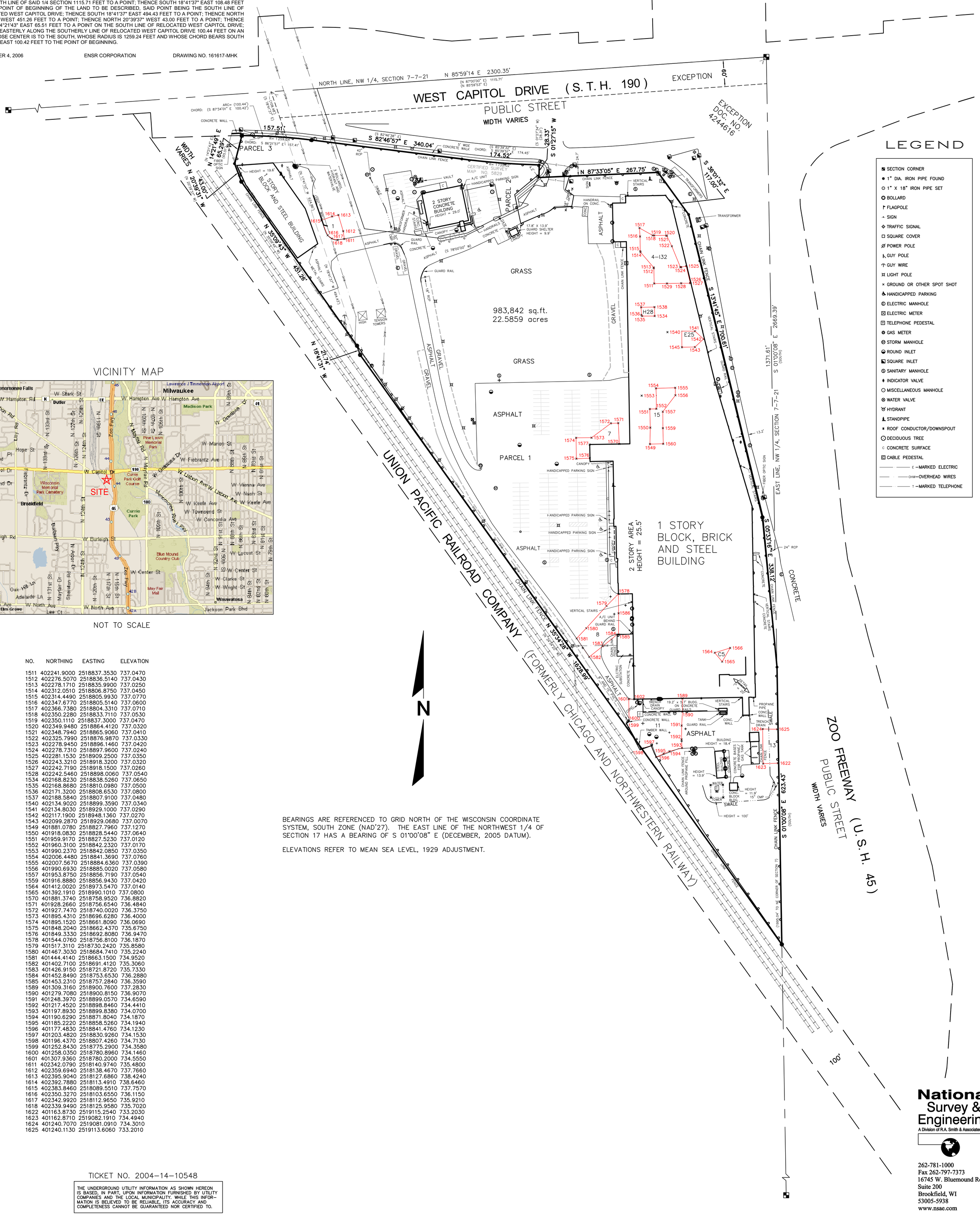
DECEMBER 4, 2006 ENSR CORPORATION DRAWING NO. 161617-MHK

NOT TO SCALE



LEGEND

- SECTION CORNER
- 1" DIA. IRON PIPE FOUND
- 1" X 18" IRON PIPE SET
- BOLLARD
- FLAGPOLE
- SIGN
- TRAFFIC SIGNAL
- SQUARE COVER
- POWER POLE
- GUY POLE
- GUY WIRE
- LIGHT POLE
- GROUND OR OTHER SPOT SHOT
- HANDICAPPED PARKING
- ELECTRIC MANHOLE
- ELECTRIC METER
- TELEPHONE PEDESTAL
- GAS METER
- STORM MANHOLE
- ROUND INLET
- SQUARE INLET
- SANITARY MANHOLE
- INDICATOR VALVE
- MISCELLANEOUS MANHOLE
- WATER VALVE
- HYDRANT
- STANDPIPE
- ROOF CONDUCTOR/DOWNSPOUT
- DECIDUOUS TREE
- CONCRETE SURFACE
- CABLE PEDESTAL
- E —MARKED ELECTRIC
- OHW—OVERHEAD WIRES
- T —MARKED TELEPHONE

NO.	NORTHING	EASTING	ELEVATION
1511	402241.9000	2518837.3530	737.0470
1512	402276.5070	2518836.5140	737.0430
1513	402278.1710	2518835.9900	737.0250
1514	402312.0510	2518806.8750	737.0450
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1516	402347.6770	2518805.5140	737.0600
1517	402366.7380	2518804.3310	737.0710
1518	402350.2280	2518833.7110	737.0530
1519	402350.1110	2518837.3000	737.0470
1520	402349.9480	2518864.4120	737.0320
1521	402348.7940	2518865.9060	737.0410
1522	402325.7990	2518876.9870	737.0330
1523	402278.9450	2518896.1460	737.0420
1524	402278.7310	2518897.9600	737.0240
1525	402281.1530	2518909.2500	737.0350
1526	402243.3210	2518918.3200	737.0320
1527	402242.7190	2518918.1500	737.0260
1528	402242.5460	2518898.0060	737.0540
1534	402168.8230	2518838.5260	737.0650
1535	402168.8680	2518810.0980	737.0500
1536	402171.3200	2518808.6530	737.0800
1537	402188.5840	2518807.9100	737.0480
1540	402134.9020	2518899.3590	737.0340
1541	402134.8030	2518929.1000	737.0290
1542	402117.1900	2518948.1360	737.0270
1543	402099.2870	2518929.0680	737.0070
1549	401881.0780	2518827.7960	737.1270
1550	401918.0830	2518828.5440	737.0640
1551	401959.9170	2518827.5230	737.0120
1552	401960.3100	2518842.2320	737.0170
1553	401990.2370	2518842.0850	737.0350
1554	402006.4480	2518841.3690	737.0760
1555	402007.5670	2518884.6360	737.0390
1556	401990.6930	2518885.0020	737.0580
1557	401953.8750	2518856.7190	737.0540
1559	401916.8880	2518856.9430	737.0420
1564	401412.0020	2518973.5470	737.0140
1565	401392.1910	2518990.1010	737.0800
1570	401881.3740	2518758.9520	736.8820
1571	401928.2660	2518756.6540	736.4840
1572	401927.7470	2518740.0020	736.3750
1573	401895.4310	2518696.6280	736.4000
1574	401895.1520	2518661.8090	736.0690
1575	401848.2040	2518662.4370	735.6750
1576	401849.3330	2518692.8080	736.9470
1578	401544.0760	2518756.8100	736.1870
1579	401517.3110	2518730.2420	735.8580
1580	401467.3030	2518684.7410	735.2240
1581	401444.4140	2518663.1500	734.9520
1582	401402.7100	2518691.4120	735.3060
1583	401426.9150	2518721.8720	735.7330
1584	401452.8490	2518753.6530	736.2880
1585	401453.2310	2518757.2840	736.3590
1589	401309.3160	2518900.7600	737.2830
1590	401279.7080	2518900.8150	736.9070
1591	401248.3970	2518899.0570	734.6590
1592	401217.4520	2518898.8460	734.4410
1593	401197.8930	2518899.8380	734.0700
1594	401190.6290	2518871.8040	734.1870
1595	401185.2220	2518858.5260	734.1940
1596	401177.4830	2518841.4760	734.1230
1597	401203.4820	2518830.9260	734.1530
1598	401196.4370	2518807.4260	734.7130
1599	401252.8430	2518775.2900	734.3580
1600	401258.0350	2518780.8960	734.1460
1601	401307.9360	2518780.2000	734.5550
1611	402342.0790	2518140.9740	735.4800
1612	402359.6940	2518138.4670	737.7660
1613	402395.9040	2518127.6860	738.4240
1614	402392.7880	2518113.4910	738.6460
1615	402383.8460	2518089.5510	737.7570
1616	402350.3270	2518103.6550	736.1150
1617	402342.9920	2518112.9650	735.9210
1618	402339.9490	2518125.9580	735.7020
1622	401163.8730	2519115.2540	733.2030
1623	401162.8710	2519082.1910	734.4940
1624	401240.7070	2519081.0910	734.3010
1625	401240.1130	2519113.6060	733.2010

BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN COORDINATE SYSTEM, SOUTH ZONE (NAD'27). THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 17 HAS A BEARING OF S 01°00'08" E (DECEMBER, 2005 DATUM).

ELEVATIONS REFER TO MEAN SEA LEVEL, 1929 ADJUSTMENT.

TICKET NO. 2004-14-10548

THE UNDERGROUND UTILITY INFORMATION AS SHOWN HEREON IS BASED, IN PART, UPON INFORMATION FURNISHED BY UTILITY COMPANIES AND THE LOCAL MUNICIPALITY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.

National Survey & Engineering
A Division of R.A. Smith & Associates, Inc.
262-781-1000
Fax 262-797-7373
16745 W. Bluemound Road
Suite 200
Brookfield, WI
53005-5938
www.nsae.com

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161617H0.DWG \ PX201E80

SHEET 1 OF 1

DRAWING SCALE: 1 INCH = 80 FEET

12001 W. Capitol Drive, Wauwatosa, Wisconsin
AOI I32

WDNR BRRTS Numbers: #06-41-534503, #02-41-530528
FID Number: 241018140

Parcel Number: 258-9999-01
WTM83/91 Coordinates: E677998 N292425

Responsible Party:
Greg Blessing
United Technologies Corporation
United Technologies Building
Hartford, CT 06101
(860) 728-6529

Site Owner/Operator:
Penzeys Spices
19300 W. Janacek Court
Brookfield, WI 53045
(262) 785-7602

AOI I32

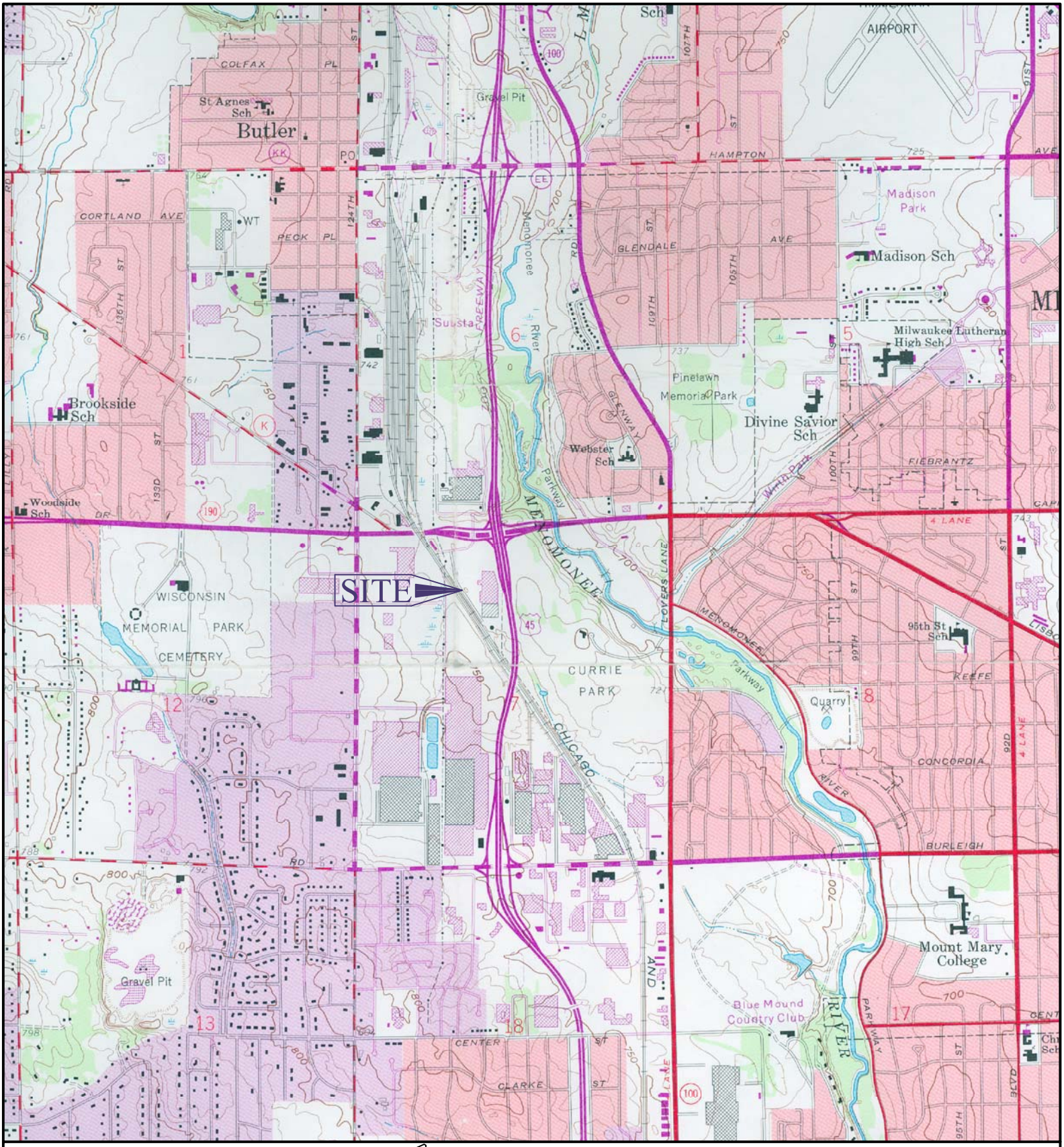
Area of Interest (AOI) I32 is located within, or partially within, the boundary of the property located at 12001 West Capitol Drive, Wauwatosa, Wisconsin, whose legal description (as found on the City of Wauwatosa Assessor's Department website [www.wauwatosa.net]), is as follows:

NW QUAR SEC 7 7 21 COMM AT NE COR OF SD QUAR SEC TH S 1995.04 FT TH NW ALG RR ROW 1628.99 FT TH N 17D 41'10 W 624.86 FT TH E 1115.71 FT TO PL OF BEG SUBJECT TO TMER&L CO TOWER LINE ROW EXC N & E PART TAKEN FOR STREET AND EXPRESSWAY & EXC CSM NO 5829 1994.

Parcel ID: 258-9999-01

Printed Name: Gregory F. Blessing

Signature: _____ Date: 2/28/08



Adapted from: USGS 7.5 minute series Wauwatosa, Wisconsin topographic quadrangle in 1958, photorevisited in 1976.

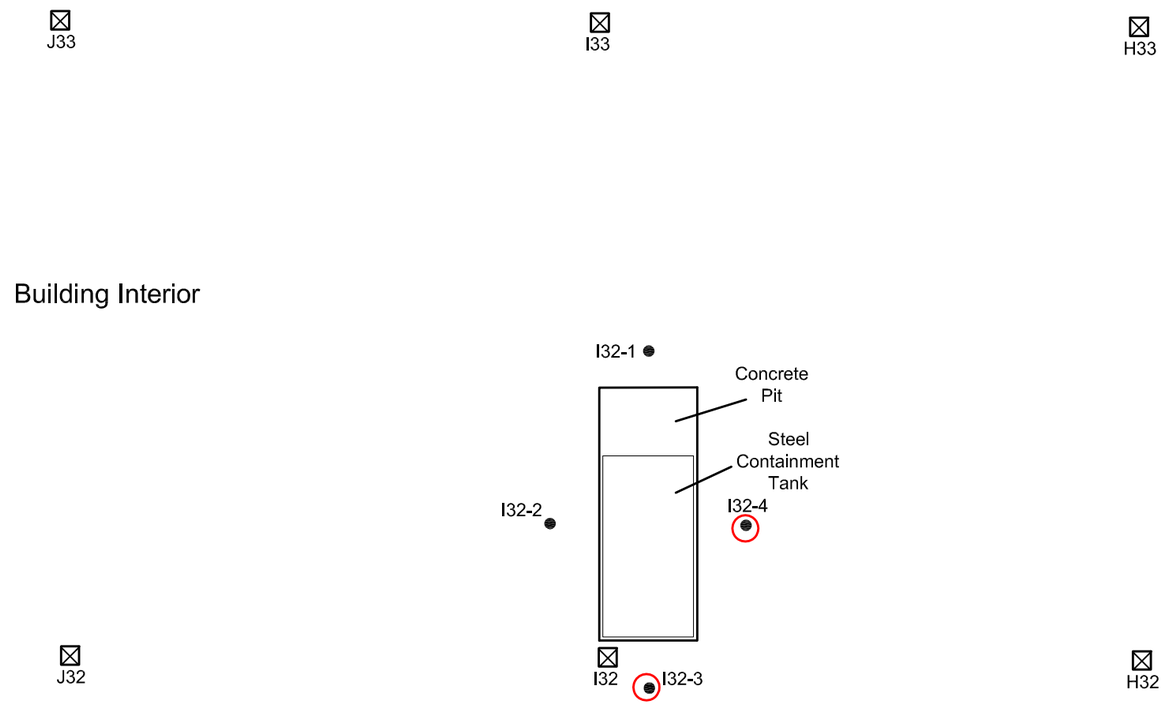
SCALE 1:24,000

Figure 1

Site Location Map

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, Wisconsin

ENSR | AECOM



Legend

- Aisle
- Soil Boring Location
- Building Column Location
- Extent of soil impacts with concentrations reported above the RCLs

Note: RCLs defined in WAC Ch. NR 720, WDNR Interim Guidance Table 1, calculated using information obtained at http://risk.lsd.ornl.gove/epa/ssl1.html, and/or procedures outlined in WDNR Publication RR-682.

Scale: 1":11'

Hamilton Sundstrand

Case Summary & Close Out Form

AOI I32 - Contaminated Property

Former Falk Corporation
Wauwatosa, WI

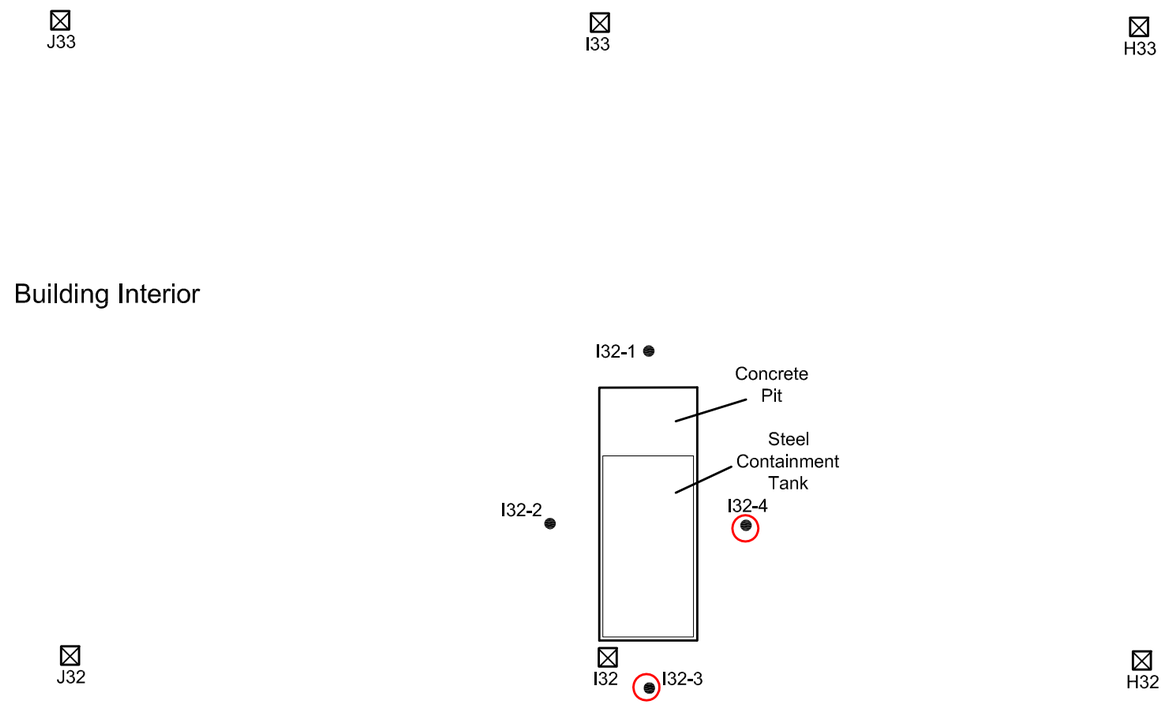
01/04/08 06916-277

Figure 24

www.ensr.aecom.com

J:\PROJECTS\06916 - UTC Companies\06916277-Falk Wauwatosa\Reports\Si-Rem Closure Rpt 0611\Figs\Fig 24 - I32 Soil.dwg

ENSR | AECOM



Legend

- Aisle
- Soil Boring Location
- Building Column Location
- Extent of soil impacts with concentrations reported above the RCLs

Note: RCLs defined in WAC Ch. NR 720, WDNR Interim Guidance Table 1, calculated using information obtained at http://risk.lsd.ornl.gove/epa/ssl1.html, and/or procedures outlined in WDNR Publication RR-682.

Scale: 1":11'

Hamilton Sundstrand

Case Summary & Close Out Form

AOI I32 - Soil Sample Locations

Former Falk Corporation
Wauwatosa, WI

01/04/08 06916-277

Figure 24

www.ensr.aecom.com

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Table 13
Analytical Report Summary - AOI I32

Former Falk Corporation
12001 West Capitol Drive, Wauwatosa, WI

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	I32-1 (2) 11/08/05	I32-1 (8) 11/08/05	I32-1 (12) 11/08/05	I32-2 (2) 11/08/05	I32-2 (8) 11/08/05	I32-2 (11) 11/08/05	**Direct Contact IND**	**Groundwater Protection**
DRO (mg/kg)	ND	ND	15	31	ND	ND	NL	100

Detected Parameter	Sample ID (Depth), Sample Date						Residual Contaminant Level	
SOIL	I32-3 (2) 11/08/05	I32-3 (8) 11/08/05	I32-3 (12) 11/08/05	I32-4 (2) 11/08/05	I32-4 (8) 11/08/05	I32-4 (12) 11/08/05	**Direct Contact IND**	**Groundwater Protection**
VOCs (µg/kg)	ND	ND	NA	NA	ND	NA	--	--
PAHs (µg/kg)	ND	NA	NA	NA	ND	NA	--	--
DRO (mg/kg)	**260**	ND	4.6	ND	**510**	22	NL	100

Notes:

VOCs = volatile organic compounds

PAHs = polycyclic aromatic hydrocarbons

DRO = diesel range organics

µg/kg = micrograms per kilogram (parts per billion)

mg/kg = milligrams per kilogram (parts per million)

Direct Contact = Residual Contaminant Levels (RCLs) that apply to soil collected within four feet of the ground surface, either as defined in Wisconsin Administrative Code Chapter NR 720, WDNR 1993 Interim Guidance Table 1 for polycyclic aromatic hydrocarbons, or, if no established criteria exists, as calculated using U.S. EPA Soil Screening Guidance for Chemicals (http://risk.lsd.ornl.gov/epa/ssl1.html) and procedures outlined in WDNR Publication RR-682

Groundwater Protection = RCLs based on the protection of groundwater, either as defined in Wisconsin Administrative Code Chapter NR 720, WDNR 1993 Interim Guidance Table 1 for polycyclic aromatic hydrocarbons, or, if no established criteria exists, as calculated using U.S. EPA Soil Screening Guidance for Chemicals (http://risk.lsd.ornl.gov/epa/ssl1.html) and procedures outlined in WDNR Publication RR-682

IND = Industrial, per Wisconsin Administrative Code Chapter NR 720

DRO criteria defined in Wisconsin Administrative Code Chapter NR 720, based on assumption of contaminated soil and soil below the contaminated soil for a depth of 3 meters having a hydraulic conductivity of 1x10-6 cm/sec or less.

ND = parameters within a suite (class) of compounds not detected above reporting limit

NA = parameters not analyzed

NL = criterion not listed for compound

Concentrations in Bold indicate an exceedance of the Groundwater Pathway RCL

Only positive detections shown.