

GIS REGISTRY INFORMATION

SITE NAME: New County Parcel C - vacant lot (former Mass Ferry)
BRRTS #: 02-52-523414 **FID # (if appropriate):** 252229010
COMMERCE # (if appropriate): _____
CLOSURE DATE: 1/3/06
STREET ADDRESS: 1717 Taylor Ave
CITY: Bacine

SOURCE PROPERTY GPS COORDINATES (meters in WTM91 projection):
 X= 699687 Y= 250812

CONTAMINATED MEDIA: Groundwater Soil Both

OFF-SOURCE GW CONTAMINATION >ES: Yes No

IF YES, STREET ADDRESS 1: _____

GPS COORDINATES (meters in WTM91 projection): X= _____ Y= _____

OFF-SOURCE SOIL CONTAMINATION >Generic or Site-Specific RCL (SSRCL): Yes No

IF YES, STREET ADDRESS 1: _____

GPS COORDINATES (meters in WTM91 projection): X= _____ Y= _____

CONTAMINATION IN RIGHT OF WAY: Yes No

DOCUMENTS NEEDED:

- Closure Letter, and any conditional closure letter issued
- Copy of most recent deed, including legal description, for all affected properties *Parcel 2*
- Certified survey map or relevant portion of the recorded plat map (if referenced in the legal description) for all affected properties
- County Parcel ID number, if used for county, for all affected properties *Parcel 2*
- Location Map which outlines all properties within contaminated site boundaries on USGS topographic map or plat map in sufficient detail to permit the parcels to be located easily (8.5x14" if paper copy). If groundwater standards are exceeded, the map must also include the location of all municipal and potable wells within 1200' of the site.
- Detailed Site Map(s) for all affected properties, showing buildings, roads, property boundaries, contaminant sources, utility lines, monitoring wells and potable wells. (8.5x14", if paper copy) This map shall also show the location of all contaminated public streets, highway and railroad rights-of-way in relation to the source property and in relation to the boundaries of groundwater contamination exceeding ch. NR 140 ESs and soil contamination exceeding ch. NR 720 generic or SSRCLs.
- Tables of Latest Groundwater Analytical Results (no shading or cross-hatching)
- Tables of Latest Soil Analytical Results (no shading or cross-hatching)
- Isoconcentration map(s), if required for site investigation (SI) (8.5x14" if paper copy). The isoconcentration map should have flow direction and extent of groundwater contamination defined. If not available, include the latest extent of contaminant plume map.
- GW: Table of water level elevations, with sampling dates, and free product noted if present
- GW: Latest groundwater flow direction/monitoring well location map (should be 2 maps if maximum variation in flow direction is greater than 20 degrees)
- SOIL: Latest horizontal extent of contamination exceeding generic or SSRCLs, with one contour
- Geologic cross-sections, if required for SI. (8.5x14" if paper copy)
- RP certified statement that legal descriptions are complete and accurate
- Copies of off-source notification letters (if applicable)
- Letter informing ROW owner of residual contamination (if applicable)(public, highway or railroad ROW)
- Copy of (soil or land use) deed restriction(s) or deed notice if any required as a condition of closure

✓
✓
✓
✓
✓
✓
NA
✓
NA
NA
NA
✓
NA
✓
NA
NA
✓



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, 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

January 3, 2006

Mr. Jeff Neubauer
S&R Realestate, LLC
2200 DeKoven Ave.
Racine, WI 53403

SUBJECT: Final Case Closure
S&R LLC Vacant Parcel/New County Parcel C, Racine, WI
WDNR BRRTS Activity #: 02-52-523414
FID#: 252229010

Dear Mr. Neubauer:

On May 27, 2005 your site as described above was reviewed for closure by the Department of Natural Resources. The Department reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. On July 20, 2005, you were notified that conditional closure was granted to this case.

On, December 17 and 23, 2005 and January 3, 2006 the Department received correspondence indicating that you have complied with the conditions of closure. The well abandonment forms, a copy of the recorded deed restriction, and a copy of the most recent deed were submitted. Based on the correspondence and data provided, it appears that your case has been remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code. The Department considers this case closed and no further investigation, remediation or other action is required at this time. Furthermore, the NR 140.28 PAL exemption described in the conditional closure letter dated July 20, 2005 is now in effect.

FUTURE EXCAVATION OF RESIDUAL CONTAMINATED SOIL

Residual soil contamination remains at the north-central area of the site as indicated in the information submitted to the Department of Natural Resources. If soil in these specific locations is excavated in the future, the property owner at the time of excavation will be required to sample and analyze the excavated soil to determine whether the contamination still remains. 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 at the time of excavation. **Special precautions may need to be taken during excavation activities to prevent a direct contact health threat to humans.** Based upon the results of sample analysis, the current owner will also have to properly store, treat, or dispose of any excavated materials, in accordance with state and federal laws.

In addition, depending on site-specific conditions, construction over contaminated materials may result in vapor migration into enclosed structures or migration along newly placed underground utility lines. The potential for vapor inhalation and mitigation should be evaluated when planning

any future redevelopment, and measures should be taken to ensure the continued protection of public health, safety, welfare and the environment at the site.

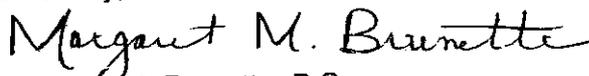
Your site will be listed on the DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites. Information that was submitted with your closure request application will be included on the registry. To review the sites on the GIS Registry web page, visit <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. If your property is listed on the GIS Registry and you intend to construct or reconstruct a well, you will need Department approval. Department approval is required before construction or reconstruction of a well on a property listed on the GIS Registry, in accordance with s. NR 812.09(4)(w). 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 at the web address listed above.

Your site was closed with the requirement that a deed restriction for maintenance of a cap/cover or fencing be recorded at the county Register of Deeds office, and that maintenance of the cap/cover or fence be conducted as described in the maintenance and inspection plan, dated May 2005 and addendum dated December 8, 2005. The maintenance plan and inspection log are to be kept up-to-date and on-site, and the inspection log need only be submitted to the Department upon request. A copy of the deed restriction and the referenced maintenance plan can be found in the Department's regional files, or they can be viewed on the GIS Registry for this site, at <http://dnr.wi.gov/org/aw/rr/gis/index.htm>.

Please be aware that this case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety or welfare, or the environment.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at (414)263-8557.

Sincerely,



Margaret M. Brunette, P.G.

Hydrogeologist

Bureau for Remediation & Redevelopment



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, 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

July 20, 2005

Mr. Jeff Neubauer
S&R REalestate, LLC
2200 DeKoven Ave.
Racine, WI 53403

Subject: Conditional Closure Decision With NR 140 Exemption,
With Requirements to Achieve Final Closure
S & R LLC Vacant Parcel/New County Parcel C, Racine, Wisconsin
WDNR BRRS # 02-52-523414
FID # 252229010

Dear Mr. Neubauer :

On May 27, 2005, the Department of Natural Resources (Department) reviewed your request for closure of the case described above. The Department reviews environmental remediation cases for compliance with state rules and statutes to maintain consistency in the closure of these cases. After careful review of the closure request, the Department has determined that the chlorinated compounds contamination on the site from the fill in the TP-8 area appears to have been investigated and remediated to the extent practicable under site conditions. Based on the fact that only one sample in the top four feet of soil exceeded the industrial direct contact number calculated using EPA's web site, the site is fenced and will be inspected and maintained, the adjacent property is occupied and surveillance is available for the vacant parcel and the Department will allow future paving, your case has been remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code and will be closed if the following conditions are satisfied:

MONITORING WELL ABANDONMENT

The monitoring wells at the site must be properly abandoned in compliance with ch. NR 141, Wis. Adm. Code. Documentation of well abandonment must be submitted to Margaret Brunette on Form 3300-5B found at www.dnr.state.wi.us/org/water/dwg/gw/ or provided by the Department of Natural Resources.

DEED RESTRICTION FOR CONTAMINATED SOIL

To close this site, the Department requires a deed restriction be signed and recorded to address the issue of the remaining soil contamination associated with the site. The purpose of the restriction is to maintain a barrier to prevent contamination from impacting human health through direct contact.

Attached is a draft deed restriction, you should submit a copy of the property deed to me along

with the completed draft document. After the Department of Natural Resources has reviewed the draft document for completeness, you should sign it if you own the property, or have the appropriate property owner sign it, and have it recorded by the Racine County Register of Deeds. Then submit a copy of the recorded document, with the recording information stamped on it, to me. Please be aware that if a deed restriction is recorded for the wrong property because of an inaccurate legal description or parcel identification number that you have provided, you will be responsible for recording corrected documents at the Register of Deeds Office to correct the problem.

MAINTENANCE PLAN

As a condition of this closure, the barrier (i.e. the fence and/or paving) at the site must be maintained to minimize direct contact concerns. The cover is to be maintained in accordance with a plan prepared and submitted to the Department of Natural Resources pursuant to s. NR 724.13(2), Wis. Adm. Code. The maintenance plans have been received and are approved.

EXCAVATION OF CONTAMINATED SOIL

Residual soil contamination remains at the TP-8 area as indicated in the information submitted to the Department of Natural Resources. If soil in this location is excavated in the future, the property owner at that time will be required to sample and analyze the excavated soil in order to determine whether the contamination still remains. The owner will also have to properly store, treat, or dispose of any excavated materials, based upon the results of that characterization, and take special precautions during excavation activities to prevent a direct contact threat to humans. All future owners and occupants of this property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard at the time of excavation.

PAL EXEMPTION

Recent groundwater monitoring data at this site indicates exceedances of the NR 140 preventive action limit (PAL) for Trichloroethene at MW-8 and MW-8A, but compliance with the NR 140 enforcement standard. 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.
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 the above criteria have been or will be met based on the limited amount of impacted soil and the results of modeling of site conditions. Therefore, pursuant to s. NR 140.28(2)(b), Wis. Adm. Code, an exemption to the PAL is granted for Trichloroethene at MW-8 and MW-8A. **This letter serves as your exemption.**

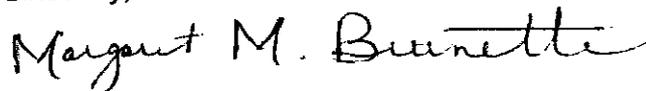
If this is a PECFA site, section 101.143, Wis. Stats., requires that PECFA claimants seeking reimbursement of interest costs, for sites with petroleum contamination, submit a final reimbursement claim within 120 days after they receive a closure letter on their site. For claims not received by the PECFA Program within 120 days of the date of this letter, interest costs after 60 days of the date of this letter will not be eligible for PECFA reimbursement.

When the above conditions have been satisfied, please submit a letter to let me know that applicable conditions have been met, and your case will be closed. Your site will be listed on the DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites. Information that was submitted with your closure request application will be included on the GIS Registry. To review the site on the GIS Registry web page, visit <http://maps.dnr.state.wi.us/brrts>.

Please be aware that the case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, or welfare or to the environment.

We appreciate your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at the above address or (414)263-8557.

Sincerely,



Margaret M. Brunette, P.G.
Hydrogeologist
Bureau for Remediation & Redevelopment

cc: Bill Phelps, DG/2
Jim Hutchens - RMT

State Bar of Wisconsin Form 1-2003
WARRANTY DEED

Document Number

Document Name

THIS DEED, made between S & R Real Estate Limited Liability Company

("Grantor," whether one or more), and Racine County, a municipal corporation

("Grantee," whether one or more).

Grantor for a valuable consideration, conveys to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Racine County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):

Parcel 2 of Certified Survey Map (CSM) No. 2687, as recorded in Volume 8 of Certified Survey Maps, Pages 528-530, Document No. 2022596, being a division of Parcel 1 of CSM No. 1703 recorded in Volume 5 of CSMs on page 207 & 208 as Document No. 1472072 in the Office of the Register of Deeds for Racine County, Wisconsin, and being part of the Northwest 1/4 of the Northeast 1/4 of Section 20, and Lots 1, 9 and 10, Block 1 of Petersen's Addition, all in Township 3 North, Range 23 East, in the City of Racine, Racine County, Wisconsin.

Reserving therefrom an easement for pedestrian and vehicular ingress and egress for the benefit of the Grantor, its successors and assigns, over the part of Parcel 2 as described and depicted on the attached Exhibit A.

Grantor warrants that the title to the Property is good, indefeasible, in fee simple and free and clear of encumbrances except: municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utility and municipal services, recorded building and use restrictions and covenants, and general taxes for 2006.

**S&R Real Estate Limited Liability Company
KGS Trust, Sole Member**

Dated January, 2006

_____(SEAL) _____(SEAL)

* _____ *** by Jeffrey Neubauer, Trustee of KGS Trust**

_____(SEAL) _____(SEAL)

* _____ *

AUTHENTICATION

Signature(s) of Jeffrey Neubauer, Trustee of KGS Trust

authenticated on January, 2006

* **Robert R. Henzl**

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, _____
authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT DRAFTED BY:
Robert R. Henzl, State Bar No. 1008490

ACKNOWLEDGMENT

STATE OF _____)
) ss.
_____ COUNTY)

Personally came before me on _____,
the above-named _____

to me known to be the person(s) who executed the foregoing
instrument and acknowledged the same.

* _____
Notary Public, State of _____
My commission (is permanent) (expires: _____)

Recording Area

Name and Return Address

Racine County Corporation Counsel

16850006

Parcel Identification Number (PIN)

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

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

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

WARRANTY DEED

©2003 STATE BAR OF WISCONSIN

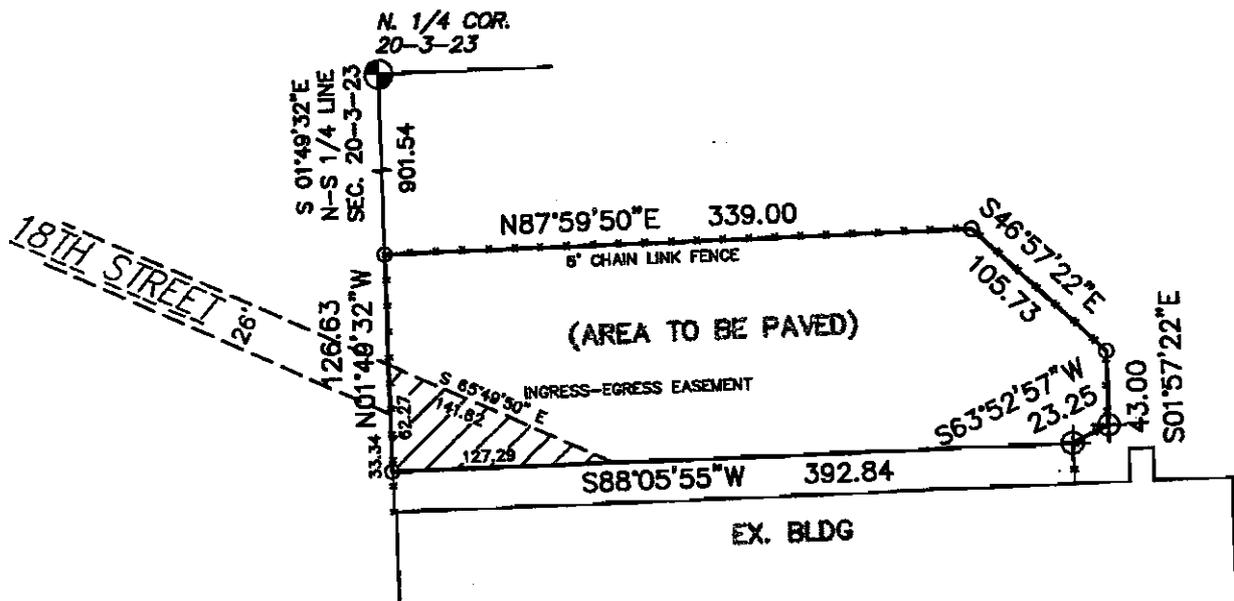
FORM NO. 1-2003

*Type name below signatures.

INFO-PRO™ Legal Forms • (800)655-2021 • infoforms.com

Drawing for **S & R REAL ESTATE LIMITED LIABILITY COMPANY** of PARCEL 2, CSM 2687, as recorded in Vol. 8 of CSM's on pages 528-530 as Document No. 2022596, and being a recorded plat in the City of Racine, Racine County, Wisconsin.

INGRESS EGRESS EASEMENT for **S & R REAL ESTATE LIMITED LIABILITY COMPANY** over PARCEL 2, CSM 2687, as recorded in Vol. 8 of CSM's on pages 528-530 as Document No. 2022596, and being a recorded plat in the City of Racine, Racine County, Wisconsin described as follows; begin at the Southwest corner of said parcel 2; run thence $N01^{\circ}49'32''W$ 62.27 feet along the West line of said parcel 2 to the North line of 18th Street; thence $S 65^{\circ} 49'50''E$ 141.62 feet along the Southeastly extension of the North line of 18th Street to the South line of said parcel 2; thence $S88^{\circ}05'55''W$ 127.29 feet along the South line of said parcel 2 to the point of beginning. Containing 3963 Sq. Ft.



BEARING BASE: GRID NORTH, WISCONSIN COORDINATE SYSTEM, SOUTH ZONE.

ALL ELEVATIONS REFER TO NATIONAL GEODETIC DATUM OF 1929.

LEGEND

- = SET 1" IRON PIPE
- = IRON STAKE FOUND
- ⊙ = P.K. NAIL
- ⊕ = SET CHISEL "V"
- ⊠ = OFFSET HUB
- = RACKBAR FOUND
- ⊗ = SET CHISEL "X"
- ⊙ (with 999.99) = OFFSET HUB ELEV.
- x 999.99 = EX. SPOT GRADE



REVISED 12-19-05 BY JER (EASE)
 FIELD WORK 9-22-05 BY TTH JRN
 DRAWN 9-23-05 BY JER
 SCALE 1" = 100'
 JOB NO. 2005.336
 SHEET 1 OF 1 SHEETS



Nielsen Madsen & Barber, S.C.

1339 Washington Avenue Racine, Wisconsin 53403
 Phone (262) 634-5588
 Facsimile (262) 634-5024 E-mail nmb@nmbac.net

EXHIBIT A

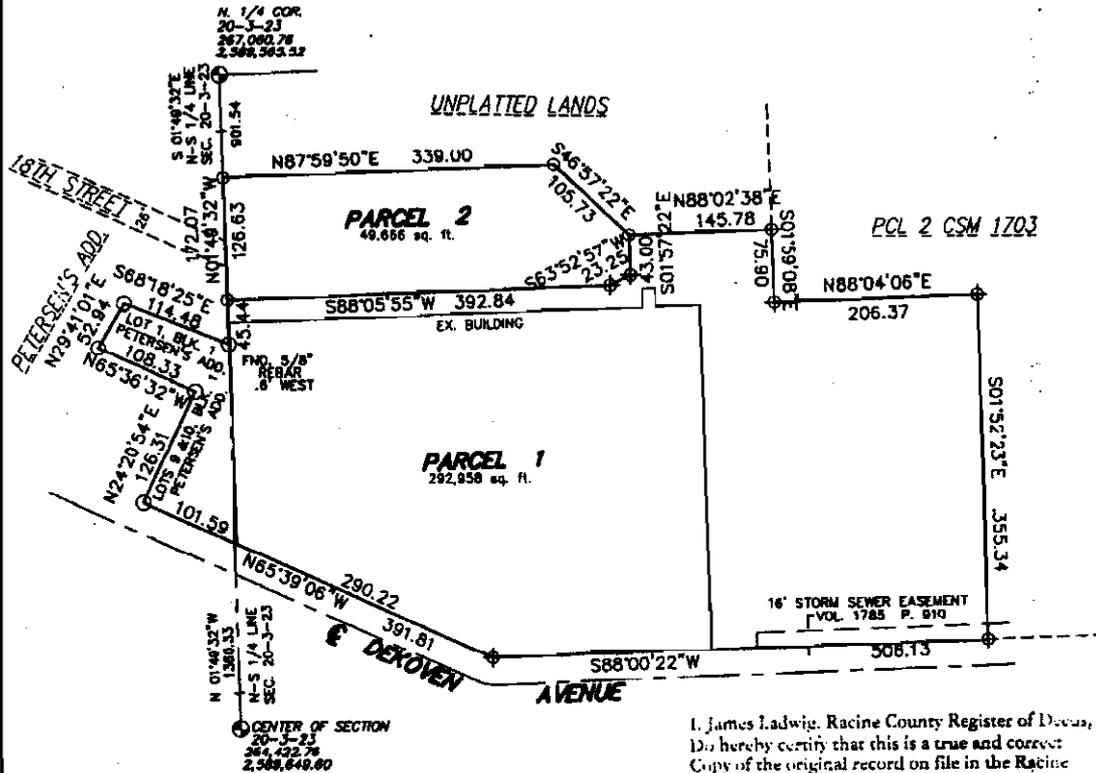
James A. Ladwig



CERTIFIED SURVEY MAP NO. 2087

THE DIVISION OF PARCEL 1 OF CERTIFIED SURVEY MAP NO. 1703, BEING PART OF THE WEST 1/2 OF THE NE 1/4 OF SECTION 20, AND LOTS 1, 9 & 10, BLOCK 1 OF PETERSEN'S ADDITION, ALL IN TOWNSHIP 3 NORTH, RANGE 23 EAST, IN THE CITY OF RACINE, RACINE COUNTY, WISCONSIN

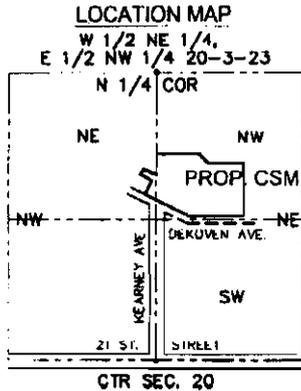
15-



I, James Ladwig, Racine County Register of Deeds, Do hereby certify that this is a true and correct Copy of the original record on file in the Racine County Register of Deeds office, Racine, Wisconsin. I herewith set my hand and official seal this 5 day of April, 2005 AD



James A. Ladwig
 Register of Deeds
 150' 0' 150'
 SCALE 1" = 150'



James E. Robinson

NOTES:
 EX. PARCEL 1 CSM 1703. 276-00-00-16-850-004
 OWNER S & R REAL ESTATE
 2200 DEKOVEN AVE., RACINE, WI. 53403
 SURVEYOR: NIELSEN MADSEN & BARBER, S.C.
 1339 WASHINGTON AVENUE, RACINE, WI 53403
 ALL ELEVATIONS REFER TO NATIONAL GEODETIC DATUM OF 1929.
 BEARINGS BASE: GRID NORTH, WISCONSIN COORDINATE SYSTEM, SOUTH ZONE. BASED UPON NAD 1927. THE NORTH LINE OF THE NE 1/4 OF SECTION 20-3-23 IS ASSUMED TO BEAR N87°52'1\"/>

LEGEND:
 ○ 1" O.D. IRON PIPE FOUND
 ● 1.315" O.D. x 18" I.P. - 1.68LBS/LIN FT. SET
 ⊕ 6" CONC. MON. W / BRASS CAP FOUND
 ⊕ CHISEL "+\"/>

CERTIFIED SURVEY MAP NO. 2087

THE DIVISION OF PARCEL 1 OF CERTIFIED SURVEY MAP NO. 1703, BEING PART OF THE WEST 1/2 OF THE NE 1/4 OF SECTION 20, AND LOTS 1,9 & 10, BLOCK 1 OF PETERSEN'S ADDITION, ALL IN TOWNSHIP 3 NORTH, RANGE 23 EAST, IN THE CITY OF RACINE, RACINE COUNTY, WISCONSIN

OWNER'S CERTIFICATE OF DEDICATION

S & R REAL ESTATE, L.L.C., a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner does hereby certify that said corporation caused the land described on this CSM to be surveyed, divided, mapped, and dedicated as represented on this CSM.

S & R Real Estate, L.L.C., does further certify that this C.S.M. is required by s. 236.34 to be submitted to the following for approval or objection: City of Racine.

IN WITNESS WHEREOF the said S & R Real Estate L.L.C. has caused these presents to be signed by JEFFREY NEUBAUER, at Racine Wisconsin this 4TH day of APRIL, 2005.

Printed Name:

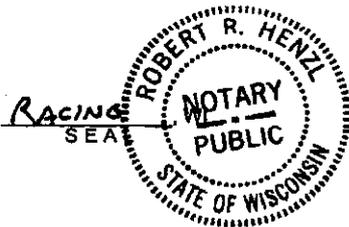
Jeffrey Neubaer
JEFFREY NEUBAUER

APRIL 4, 2005
Date

STATE OF WISCONSIN)
RACINE COUNTY) SS

Personally came before me this 4 day of APRIL, 2005, Jeffrey Neubaer, Trustee of K.G.S.Trust, owner of S & R Real Estate, L. L. C., to me known to be the person who executed the foregoing and acknowledged the same.

My commission expires: permanent

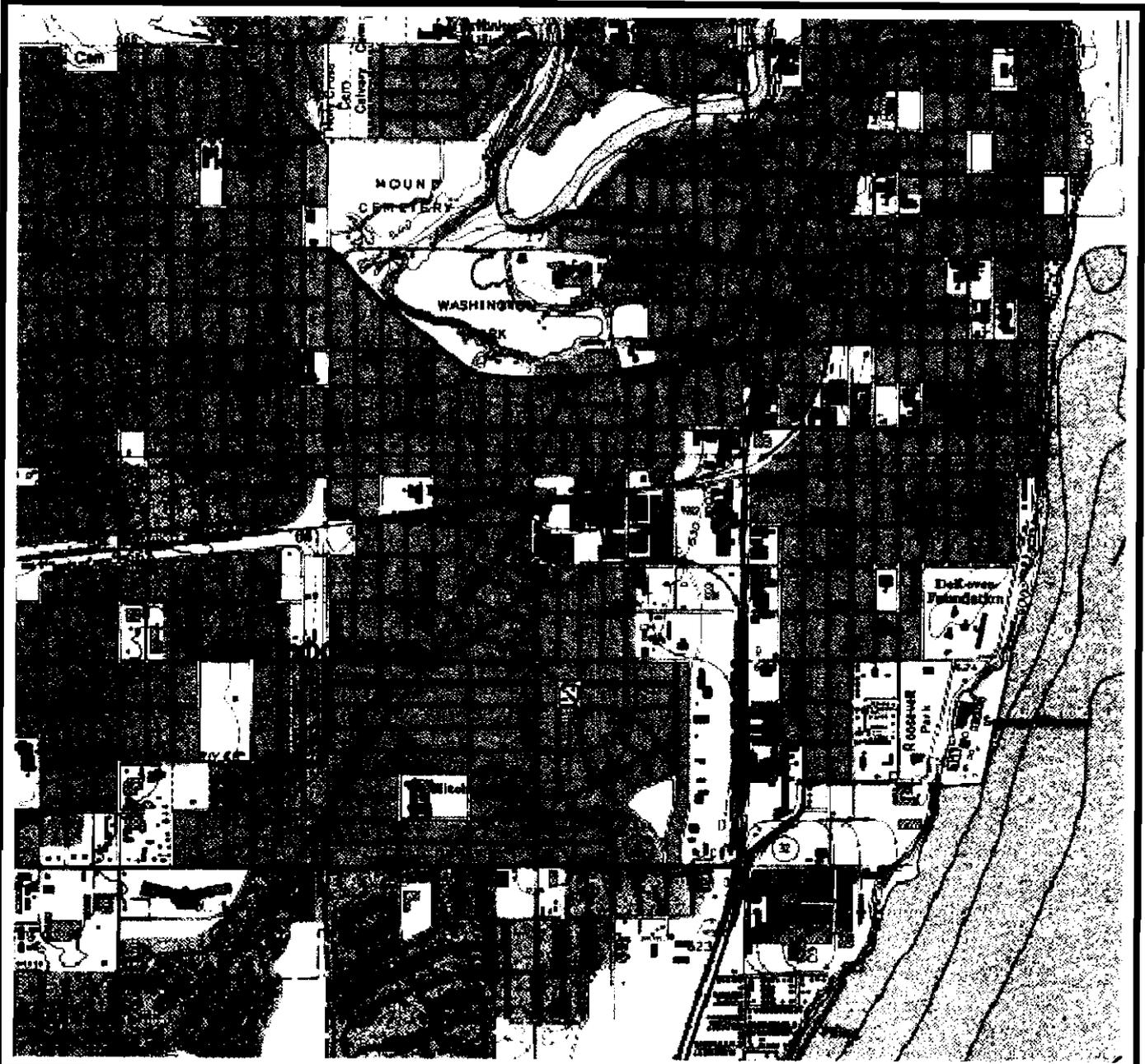


Robert R. Henzl
Notary Public
ROBERT R. HENZL
Printed Name:



James E. Robinson

Date: February 14, 2005 Revised 3-7-05
This Instrument was drafted by James E. Robinson
2005049.DWG

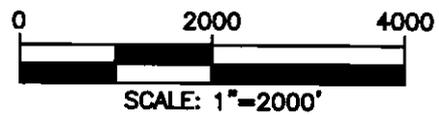


Attached Xref's:

\$\$\$PLOTTER\$\$
 \$\$\$DWG\$\$\$
 \$\$\$USER\$\$\$
 \$\$\$PRF\$\$\$
 \$\$\$TABLE\$\$\$
 \$\$\$SCALE\$\$\$
 \$\$\$ROT\$\$\$
 \$\$\$TIME\$\$\$



STATE LOCATION



SITE LOCATOR MAP
S & R REAL ESTATE, LLC
RACINE, WISCONSIN
VPLE CLOSURE

SOURCE: BASE MAP FROM RACINE SOUTH, WI.
 7.5 MINUTE USGS QUADRANGLE.
 (1958; PHOTOREVISED 1971 & 1976)



DWN. BY: MHS
APPROVED BY:
DATE: NOVEMBER 2003
PROJ. # 5291.10
FILE # 52911001F.DWG

FIGURE 1

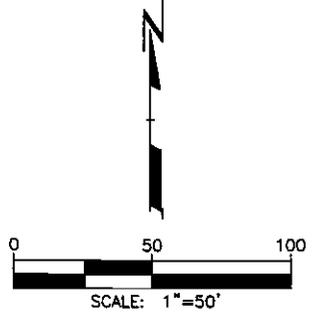
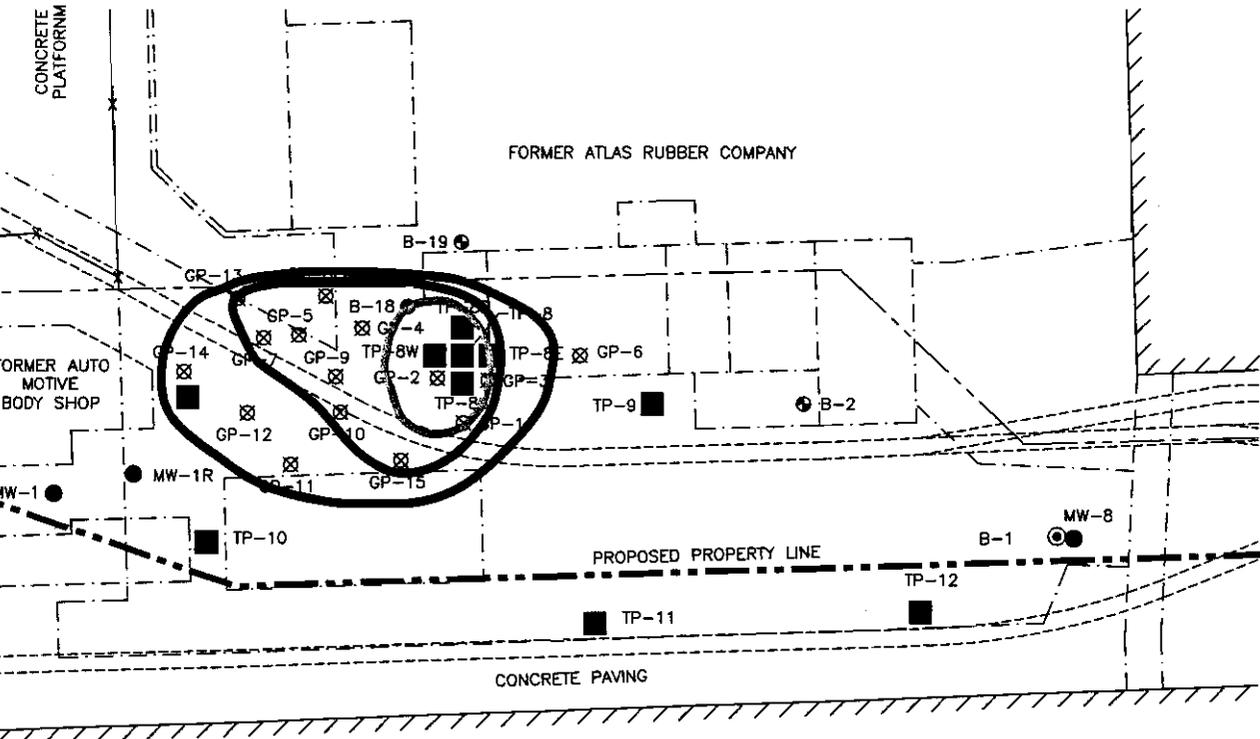
\$\$\$PLOTTER\$\$\$
 \$\$\$DWG\$\$\$
 \$\$\$USER\$\$\$
 \$\$\$PRF\$\$\$
 \$\$\$TABLE\$\$\$

**S&R Real Estate
2200 DeKoven Avenue
Racine, WI
Soil Sampling Results**

Location	Depth	Benzene	Napthalene	Tetrachloroethene	Trichloroethane
GP-1	5-7	ND	3400	6500	92
	12-14	ND	ND	120	ND
GP-3	7-9	ND	ND	ND	ND
	11-13	ND	ND	ND	ND
GP-4	4-5	860	120	13000	190
	9-11	ND	ND	1400	61
GP-4A	14-16	ND	ND	ND	ND
	18-20	ND	ND	ND	ND
GP-5	3-5	47	110	2700	ND
	7-9	ND	ND	ND	ND
	9-11	ND	81	ND	ND
GP-6	3-4	ND	ND	ND	ND
GP-7	3-5	60	350	8100	ND
	7-9	ND	ND	110	ND
	13-15	ND	ND	ND	ND
GP-8	3-5	ND	ND	110	ND
	5-7	ND	ND	140	ND
GP-9	3-5	ND	ND	5100	ND
	7-9	ND	ND	35	ND
	13-15	ND	ND	ND	ND
GP-10	3-5	19	210	ND	770
	7-9	ND	ND	ND	ND
	11-13	ND	ND	ND	ND
GP-11	3-5	45	430	1200	ND
GP-12	3-5	81	330	110	ND
	7-9	ND	ND	ND	ND
	11-13	ND	ND	ND	ND
GP-13	3-5	66	89	49	ND
	7-9	ND	ND	83	ND
GP-14	3-5	67	390	120	ND
GP-15	7-9	ND	ND	180	ND
TP-8	4-5	ND	ND	10000	ND
TP-8S	1-2	ND	ND	ND	ND
TP-8E	1-2	ND	ND	ND	ND
TP-8N	1-2	ND	ND	ND	ND
	3-4	ND	ND	47000	1300
TP-8W	1-2	ND	ND	ND	ND
	4-5	ND	ND	13	ND
B-18	3-5	ND	ND	9400	ND
	7-9	ND	ND	12	ND
B-19	3-5	ND	ND	ND	ND

LEGEND

- APPROXIMATE PROPERTY LINE 
- APPROXIMATE BUILDING LINE 
- APPROXIMATE FENCE LINE 
- APPROXIMATE ABANDONED BURIED RAILROAD TRACK LOCATION 
- APPROXIMATE ABANDONED BURIED BUILDING FOUNDATION OR FORMER BUILDING OUTLINE 
- APPROXIMATE TEST PIT LOCATION  TP-1
- APPROXIMATE WATER TABLE WELL LOCATION  MW-1
- APPROXIMATE SOIL BORING LOCATION  B-1
- APPROXIMATE ADDITIONAL INVESTIGATION SOIL BORING LOCATION  GP-6
- PCE > 10 1' TO 5' 
- PCE > 10 5' TO 9' 
- PCE > 10 > 9' 



**PRELIMINARY
FOR DISCUSSION ONLY**

**PCE SOIL RESIDUALS
S & R REAL ESTATE, LLC.
RACINE, WISCONSIN**

	DWN. BY: MHS
	APPROVED BY:
	DATE: 11/6/03
	PROJ. # 5291.10
	FILE # 52911004.DWG

FIGURE 4

Jeff Neubauer

From: Jeff Neubauer
Sent: Monday, May 09, 2005 5:27 PM
To: 'Brunette, Margaret M'; Kathy Huibregtse (E-mail); Linda Benfield (E-mail); Jim Hutchens (E-mail)
Subject: Statement from the Case Summary and Close Out Form will be signed and mailed to Margaret Brunette today.

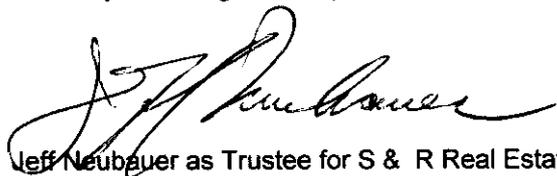
The highlighted section below is copied precisely from

Case Summary and Close Out Request

Form 4400-202 (R 5/04)

A statement signed by the responsible party, which states that he or she believes that the legal description has been attached for each property that is within, or partially within, the contaminated site boundary. *(The purpose of this requirement is that a legal description for each of the contaminated properties has been submitted. The RP is not required to attest to the accuracy of the attached legal descriptions.)*

S & R Real Estate LLC believes that the legal description which was previously submitted on the Certified Survey Map # 2687, Parcel 2, is within, or partially within, the contaminated site boundary. S & R Real Estate is not attesting to the accuracy of the legal description.



Jeff Neubauer as Trustee for S & R Real Estate LLC

The information in this electronic mail is intended for the named recipient(s) only. Privileged or confidential information may be contained in this e-mail. If you are not an addressee or responsible for delivering this e-mail to an addressee, do not copy or deliver it to anyone or you may incur legal liability; instead, notify us immediately by either calling 262/638-2200 or replying to this e-mail, then delete the message. Thank you!

2000960

DOC # 2064586

Recorded

DEC. 19, 2005 AT 07:10:00PM

Document Number

DEED RESTRICTION

James A. Ladwig

Declaration of Restrictions

In Re:

Parcel 2 of Certified Survey Map (CSM) No. 2687, as recorded in Volume 8 of Certified Survey Maps, Pages 528-530, Document No. 2022596, being a division of Parcel 1 of CSM No. 1703 recorded in Volume 5 of CSMs on page 207 & 208 as Document No. 1472072 in the Office of the Register of Deeds for Racine County, Wisconsin, and being part of the Northwest 1/4 of the Northeast 1/4 of Section 20, and Lots 1, 9 and 10, Block 1 of Petersen's Addition, all in Township 3 North, Range 23 East, in the City of Racine, Racine County, Wisconsin

STATE OF WISCONSIN
COUNTY OF RACINE

Recording Area

Name and Return Address

Hostak, Henzl & Bichler, S.C.
Robert R. Henzl

JAMES A LADWIG
RACINE COUNTY
REGISTER OF DEEDS

Fee Amount: \$17.00



WHEREAS, S&R Real Estate LLC is the owner of the above-described property.

Parcel Identification Number _____
(PIN) 16850006

WHEREAS, one or more chlorinated compound discharges have occurred on this property from one or more areas of contaminated fill, and as of October 1, 1998, when soil samples were collected on this property, Tetrachloroethene and Trichloroethene contaminated soil remained on this property at the following location: North central area of site as shown on Exhibit 1.

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct further soil remediation activities on the property at the present time.

NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied, and improved subject to the following limitation and restrictions:

Paving, capping/cover or fencing of the subject property is proposed to limit direct contact to the contaminated soils. This pavement, soil cap/cover or fencing existing or installed in the locations shown on the attached Exhibit 2 shall be maintained in compliance with the Engineering Control Maintenance Plan(s) dated May 2005 and Addendum dated December 8, 2005 submitted to the Wisconsin Department of Natural Resources by RMT Inc., as required by section NR 724.13 (2) Wisconsin Administrative Code (October 1999).

This pavement, capping/cover or fencing must be maintained in order to prevent direct contact with the residual soil contamination that might otherwise pose a threat to human health. If soil that remains on the property in the location or locations described above where there is residual contamination is excavated in the future, the soil must be sampled and analyzed, may be considered solid or hazardous waste if residual contamination remains, and must be stored, treated and disposed in compliance with applicable statutes and rules.

In addition, the following activities are prohibited on any portion of the above described property where fencing, capping /cover or pavement is required, as shown on Exhibit 2 unless prior written approval has been obtained from the Wisconsin Department of Natural Resources or its successor or assign: (1) Replacement with another barrier;(2) Excavating or grading of the land surface; (3) Filling on capped or paved areas; (4) Plowing for agricultural cultivation; and (5) Construction or placement of a building or other structure in an area where fencing or pavement is required.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction inures to the benefit of and is enforceable by the Wisconsin Department of Natural Resources, its successors or assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that one or more of the restrictions set forth in this covenant is no longer required. Upon the receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit, attached to a copy of the Department's written determination, may be recorded by the property owner or other interested party to give notice that this deed restriction, or portions of this deed restriction, are no longer binding.

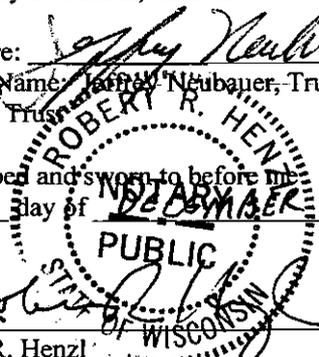
By signing this document, Jeffrey Neubauer, Trustee of KGS Trust, which is the sole member of S & R Real Estate Limited Liability Company, asserts that he is duly authorized to sign this document on behalf of S&R Real Estate Limited Liability Company, as Trustee of KGS Trust, which is the sole member of S & R Real Estate Limited Liability Company.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions December 19, 2005.

S & R Real Estate Limited Liability Company
KGS Trust, Sole Member
By Jeffrey Neubauer, Trustee

Signature: Jeffrey Neubauer
Printed Name: Jeffrey Neubauer, Trustee
Of KGS Trust

Subscribed and sworn to before me
this 19 day of DECEMBER, 2005.


Robert R. Henzl
Notary Public, State of Wisconsin
My Commission is permanent.

This document was drafted by Robert R. Henzl based on a model deed restriction provided by the Wisconsin Department of Natural Resources.

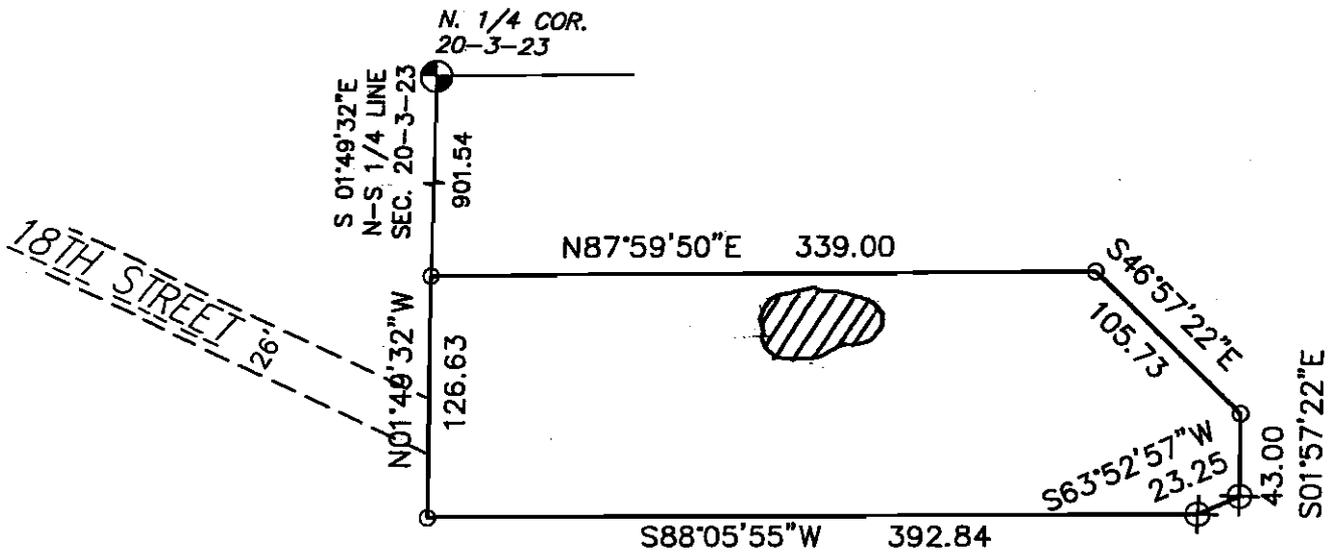
0000962

Plat of a survey for **S & R REAL ESTATE, LTD** of PARCEL 2, CSM 2687, as recorded in Vol. 8 of CSM's on pages 528-530 as Document No. 2022596, and being a recorded plat in the City of Racine, Racine County, Wisconsin.

Certificate

The above-described property has been surveyed under my direction and the map hereon drawn is a correct representation thereof.

09/23/2005 James E. Robinson



BEARING BASE: GRID NORTH, WISCONSIN COORDINATE SYSTEM, SOUTH ZONE.

ALL ELEVATIONS REFER TO NATIONAL GEODETIC DATUM OF 1929.

LEGEND

- = SET 1" IRON PIPE
- = IRON STAKE FOUND
- ⊙ = P.K. NAIL
- ⊖ = SET CHISEL "V"
- ⊠ = OFFSET HUB
- = RACKBAR FOUND
- ⊗ = SET CHISEL "X"
- ⊙ 999.99 = OFFSET HUB ELEV.
- x 999.99 = EX. SPOT GRADE



FIELD WORK 9-22-05 BY TTH JRN
 DRAWN 9-23-05 BY JER
 SCALE 1" = 100'
 JOB NO. 2005.336
 SHEET 1 OF 1 SHEETS

NM & B

Nielsen Madsen & Barber, S.C.

1339 Washington Avenue Racine, Wisconsin 53403

Phone (262) 634-5588

Facsimile (262) 634-5024 E-mail nmb@nmbosc.net

EXHIBIT 1

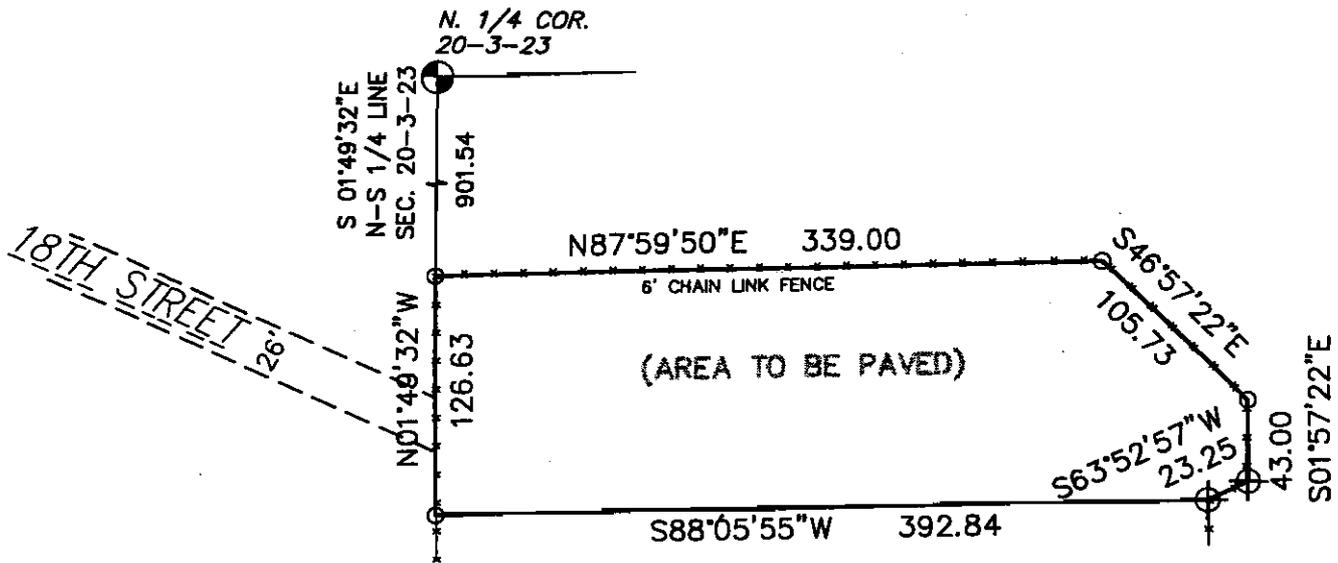
0000963

Plat of a survey for **S & R REAL ESTATE, LTD** of PARCEL 2, CSM 2687, as recorded in Vol. 8 of CSM's on pages 528-530 as Document No. 2022596, and being a recorded plat in the City of Racine, Racine County, Wisconsin.

Certificate

The above-described property has been surveyed under my direction and the map hereon drawn is a correct representation thereof.

09/23/2005 James E. Robinson



BEARING BASE: GRID NORTH, WISCONSIN COORDINATE SYSTEM, SOUTH ZONE.

ALL ELEVATIONS REFER TO NATIONAL GEODETIC DATUM OF 1929.

LEGEND

- = SET 1" IRON PIPE
- = IRON STAKE FOUND
- ⊙ = P.K. NAIL
- ⊖ = SET CHISEL "V"
- ⊠ = OFFSET HUB
- = RACKBAR FOUND
- ⊗ = SET CHISEL "X"
- ⊙ 999.99 = OFFSET HUB ELEV.
- x 999.99 = EX. SPOT GRADE



FIELD WORK 9-22-05 BY TTH JRN
 DRAWN 9-23-05 BY JER
 SCALE 1" = 100'
 JOB NO. 2005.336
 SHEET 1 OF 1 SHEETS

**NM
& B**

Nielsen Madsen & Barber, S.C.

1339 Washington Avenue Racine, Wisconsin 53403

Phone (262) 634-5588

Facsimile (262) 634-5024 E-mail nmb@nmbasc.net

Exhibit 2

150 N. Patrick Boulevard, Suite 180
Brookfield, WI 53045-5854
Telephone (262) 879-1212
Fax (262) 879-1220



Engineering Control Maintenance Plan - Site Paving

**S&R Vacant Parcel
Racine, Wisconsin**

**WDNR BRRTS #~~02-52-001094~~ 02-52-523414
FID #252005710**

May 2005



Table of Contents

1.	Introduction.....	1
2.	Extent of the Residual Contamination.....	3
3.	Exposure Prevention	4
4.	Maintenance Requirements.....	5

List of Figures

Figure 1	Site Location Diagram
Figure 2	Sampling Locations/Site Features

Section 1

Introduction

The subject property is a 1.2 acre vacant parcel located just north of the S&R Real Estate L.L.C., site (S&R), in the City of Racine, Racine County, Wisconsin (see Figure 1). This vacant parcel is currently owned by S&R; however, a property transfer to Racine County (the County) may occur in 2005. The vacant parcel was part of the former S&R property at 2200 DeKoven Avenue in Racine, Wisconsin and was recently subdivided into the vacant parcel and the S&R property. The vacant parcel is located immediately south of the Racine County Human Services Department property. A 6 foot chain link fence surrounding the parcel limits access and will be maintained according to an approved maintenance plan. Depending upon specific needs at the adjacent Racine County Human Services Department offices, located at 1717 Taylor Avenue, Racine County is considering paving the area in order to expand parking. If pavement is installed at the site, the maintenance program described in this plan will be followed and will supercede the fencing maintenance plan developed separately.

This grassy area was formerly used to store large parts and equipment by Massey Ferguson and has been vacant for over 20 years. Prior to clearing and use for storage, Massey Ferguson had several smaller buildings in that area. Before that, the vacant parcel was part of the former Atlas Rubber Company facility. According to various people associated with the property, demolition activities in this area were thwarted by the presence of large concrete footings. Instead of removing these structures, soil fill was imported to the site and the entire area was graded to the top of the footings. This area is also adjacent to the current parking lot for the Racine County Human Services Department. Initially, closure for the vacant parcel will be granted based upon fencing to control access. If the area is paved, this pavement maintenance plan will be implemented.

Investigation results identified low levels of several chlorinated volatile organic compounds (VOC) in soils associated with former fill materials that were imported to the site. Risk assessment results indicated that engineering and institutional controls would minimize the risks associated with residual contamination remaining beneath the proposed parking lot to acceptable levels. Restrictions listed on the property deed and pavement for use as a parking lot, along with implementation of this pavement maintenance plan, will satisfy Wisconsin Department of Natural Resources (WDNR) closure requirements.

This Engineering Control Maintenance Plan identifies pavement maintenance activities and the associated schedule to ensure that the pavement remains intact to limit volatilization of organics

and direct contact and, thus, protect the potential receptor populations. Section 2 identifies the extent of the residual impacts. A figure depicting the sampling locations relative to other site features is contained as Figure 2. Section 3 discusses the potential receptor populations and exposure routes associated with residual contaminants. Section 4 identifies the activities and schedule required of this maintenance plan.

Section 2

Extent of the Residual Contamination

During the Phase II Site Investigation activities in 1994, six test pits (TP- 7, TP-8, TP-9, TP-10, TP-11, and TP-12) were advanced in the area now defined as the vacant parcel (Figure 2). There was no evidence of contamination associated with five of the test pits; however, VOCs were detected in a soil sample collected from TP-8. Four more test pits were then excavated and samples collected for VOC analyses. Additional areas of impacted soils were identified in these test pit soil samples. Subsequently, the TP-8 area was identified by the WDNR in a letter, dated June 16, 1994, as an area that required additional investigation.

The data indicates impacted soils are generally clustered around the former TP-8 area. The sporadic patterns of VOC concentrations are consistent with importation of slightly impacted fill rather than a surface release. Since the largest volume of fill was placed between 1 to 5 feet below grade, the soil impacts also decrease with five foot depth intervals (1 to 5 feet; 5 to 10 feet; and 10 to 15 feet). Additional details on residual soil contamination can be found in the site closure report on file with the WDNR.

Section 3

Exposure Prevention

As part of the WDNR requirements for site closure, an exposure assessment was required for this vacant parcel. Site specific pathways were identified and compared to screening criteria to determine actions required that will allow the issuance of a no further action letter for the property. The WDNR utilizes soil screening criteria based upon United States Environmental Protection Agency (USEPA) guidance for residual contaminant concentration in soils (PUB-RR-682). The screening criteria are presented for the ingestion, inhalation, direct contact and groundwater protection pathways. All of the VOCs detected in soils for the vacant parcel were compared to these screening criteria, two pathways required further consideration: the groundwater protection pathway and the inhalation pathway.

- Groundwater protection pathway – This exposure pathway was determined to be incomplete for several reasons. Local groundwater is not a potable water source in Racine, a simplified contaminant transport model indicated that there was limited migration potential for the VOCs of concern (Tetrachloroethylene [PCE] and Trichloroethylene[TCE]) and groundwater monitoring showed only Preventive Action Limit (PAL) exceedances in the nearby monitoring well. Thus, there are no specific actions required to address this pathway.
- Inhalation – Since current WDNR policy establishes a depth of 4 feet below ground surface (bgs) for comparison to inhalation and direct contact screening levels, all data above that depth was considered. One location (TP 8 North- 3.5 feet bgs) was identified that exceeds the screening criteria for inhalation. Thus, an action is needed to allow site closure.

Potential receptors were then identified. These include employees at the S& R property location or the County Human Services Department, citizens parking near the vacant parcel as they visit these county offices and trespassers. The initial approach for exposure pathway control has access limitations using a fence. However, another acceptable alternative is paving the area. Paving is another engineering control that would eliminate the inhalation and direct contact pathways. Pavement would require a different long term maintenance plan than fencing. The specific components of the pavement maintenance plan are described in Section 4.

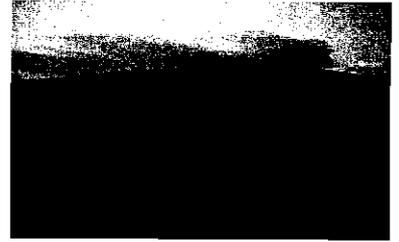
Section 4

Maintenance Requirements

This Engineering Control Maintenance Plan has been developed to ensure that the proposed parking lot will be properly maintained. Requirements will be met by both current and future property owners. The following procedures will be followed at the vacant parcel site to ensure that the potential for exposure to residual contamination is minimized:

- Once installed, the parking lot in the affected areas will be inspected on an annual basis. The inspection will include evaluating the surface for cracks or deterioration. If breaching of the asphalt integrity is observed, proper maintenance will be incorporated; cracks will be filled or sections will be replaced. Observations and repair activities will be documented in a logbook that will be maintained on site.
- If excavation is to be completed in the impacted areas, Racine County will employ practices to notify employees and contractor personnel of potential exposure issues (hazard communication) and implement controls, as necessary. A health and safety plan accounting for the potential exposure risks will need to be developed for each activity.

150 N. Patrick Boulevard, Suite 180
Brookfield, WI 53045-5854
Telephone (262) 879-1212
Fax (262) 879-1220



Engineering Control Maintenance Plan - Fencing

**S&R Vacant Parcel
Racine, Wisconsin**

WDNR BRRTS #~~02-52-001094~~ 02-52-523414
FID #252005710

May 2005



Table of Contents

1.	Introduction	1
2.	Extent of the Residual Contamination	2
3.	Exposure Prevention	3
4.	Maintenance Requirements	4

List of Figures

Figure 1	Site Location Diagram
Figure 2	Residual Contaminated Area Figure/Site Features

Section 1

Introduction

The subject property is a 1.2 acre vacant parcel located just north of the S&R Real Estate L.L.C., site (S&R), in the City of Racine, Racine County, Wisconsin (see Figure 1). This vacant parcel is currently owned by S&R; however, a property transfer to Racine County (the County) may occur in 2005. The vacant parcel was part of the former S&R property at 2200 DeKoven Avenue in Racine, Wisconsin, and was recently subdivided into the vacant parcel and the S&R property. The vacant parcel is located immediately south of the Racine County Human Services Department property. A 6 foot chain link fence surrounding the parcel limits access.

This grassy area was formerly used to store large parts and equipment by Massey Ferguson and has been vacant for over 20 years. Prior to clearing and use for storage, Massey Ferguson had several smaller buildings in that area. Before that, the vacant parcel was part of the former Atlas Rubber Company facility. According to various people associated with the property, demolition activities in this area were thwarted by the presence of large concrete footings. Instead of removing these structures, soil fill was imported to the site and the entire area was graded to the top of the footings. This area is also adjacent to the current parking lot for the Racine County Human Services Department. Closure for the vacant parcel will include this fence maintenance plan. This plan will be superceded by a separate pavement maintenance plan if the area is paved in the future. Investigation results identified low levels of several chlorinated volatile organic compounds (VOC) in soils associated with former fill materials that were imported to the site. Risk assessment results indicated that engineering and institutional controls would minimize the risks associated with residual contamination on the parcel. Restrictions listed on the property deed, fencing of the area to limit access with implementation of a fence maintenance plan will satisfy the requirements.

This Engineering Control Maintenance Plan identifies fence maintenance activities and the associated schedule to ensure that the fence integrity remains intact to limit access and, thus, protect the potential receptor populations. Section 2 identifies the extent of the residual impacts. A figure depicting the sampling locations relative to other site features is contained as Figure 2. Section 3 discusses the potential receptor populations and exposure routes associated with residual contaminants. Section 4 identifies the activities and schedule required of this maintenance plan.

Section 2

Extent of the Residual Contamination

During the Phase II Site Investigation activities in 1994, six test pits (TP- 7, TP-8, TP-9, TP-10, TP-11, and TP-12) were advanced in the area now defined as the vacant parcel (Figure 3). There was no evidence of contamination associated with five of the test pits; however, VOCs were detected in a soil sample collected from TP-8. Four more test pits were then excavated and samples collected for VOC analyses. Additional areas of impacted soils were identified in these test pit soil samples. Subsequently, the TP-8 area was identified by the Wisconsin Department of Natural Resources (WDNR) in a letter, dated June 16, 1994, as an area that required additional investigation.

The data indicates impacted soils are generally clustered around the former TP-8 area. The sporadic patterns of VOC concentrations are consistent with importation of slightly impacted fill rather than a surface release. Since the largest volume of fill was placed between 1 to 5 feet below grade, the soil impacts also decrease with five foot depth intervals (1 to 5 feet; 5 to 10 feet; and 10 to 15 feet). Additional details on residual soil contamination can be found in the site closure report on file with the WDNR.

Section 3

Exposure Prevention

As part of the WDNR requirements for site closure, an exposure assessment was required for this vacant parcel. Site specific pathways were identified and compared to screening criteria to determine actions required that will allow the issuance of a no further action letter for the property. The WDNR utilizes soil screening criteria based upon United States Environmental Protection Agency (USEPA) guidance for residual contaminant concentration in soils (PUB-RR-682). The screening criteria are presented for the ingestion, inhalation, direct contact and groundwater protection pathways. All of the VOCs detected in soils for the vacant parcel were compared to these screening criteria, two pathways required further consideration: the groundwater protection pathway and the inhalation pathway.

- Groundwater protection pathway – This exposure pathway was determined to be incomplete for several reasons. Local groundwater is not a potable water source in Racine, a simplified contaminant transport model indicated that there was limited migration potential for the VOCs of concern (Tetrachloroethylene [PCE] and Trichloroethylene[TCE]) and groundwater monitoring showed only Preventive Action Limit (PAL) exceedances in the nearby monitoring well. Thus, there are no specific actions required to address this pathway.
- Inhalation – Since current WDNR policy establishes a depth of 4 feet below ground surface (bgs) for comparison to inhalation and direct contact screening levels, all data above that depth was considered. One location (TP 8 North- 3.5 feet bgs) was identified that exceeds the screening criteria for inhalation. Thus, an action is needed to allow site closure.

Potential receptors were then identified. These include employees at the S&R property location or the County Human Services Department, citizens parking near the vacant parcel as they visit these county offices and trespassers. Limiting access would eliminate the inhalation exposure pathway, especially since the higher concentration was present at depth, and the proposed deed restriction would limit direct contact by limiting excavation activities. Therefore, options for access limitations were considered. Since the area is already partially fenced for security purposes and is located adjacent to the S&R facility where the fence and property can be routinely maintained, fencing was the selected option. The control action will include adding a gate to more fully restrict access and development of this maintenance plan.

Section 4

Maintenance Requirements

The existing 6 feet high chain link fence, as illustrated in Photographs 1 through 6, that extends around the vacant parcel will limit unauthorized access to the property. A gate will be added and secured with a lock. In addition, several no trespassing signs will be added to the perimeter of the fence. The gate will provide a point of entry for periodic grass mowing and area inspections, as needed. This Engineering Control Maintenance Plan has been developed to ensure that the existing fence to limit access will be properly maintained. Requirements will be met by both current and future property owners.

The following procedures will be followed at the S&R vacant parcel site to ensure that the potential for exposure to residual contamination is minimized:

- A lock will be installed on the gated fence area to minimize public access to the affected areas. The fencing, gate and lock will be inspected on weekly basis . The inspection will include evaluating any potential access points to the site. If any breaches are identified, repairs will be performed within the next 72 hours. Observations and repair activities will be documented in a logbook that will be maintained on site.
- Grass mowing and area maintenance – The grass within the fenced area will be mowed when appropriate to maintain an average grass height of approximately six inches. The frequency of mowing will be determined by weather and access conditions. In addition, any debris or other materials observed during mowing will be removed and properly disposed. Mowing and area maintenance activities will also be documented in the log book.
- If excavation is to be completed in the impacted areas, the property owner will notify employees and contractor personnel of potential exposure issues (hazard communication) and implement controls, as necessary. A health and safety plan accounting for the potential exposure risks will be developed as needed for appropriate activities.

**Addendum to Case Closure
S & R LLC Vacant Parcel/New County Parcel C
Racine, Wisconsin
WDNR BRRTS # 02-52-523414
FID # 252229010**

A conditional closure letter for the S & R LLC Vacant Parcel/New County Parcel C site in Racine, Wisconsin, was prepared by the Wisconsin Department of Natural Resources (WDNR) on July 22, 2005. The closure letter confirmed that fencing of the site with an allowance for future site paving was the approved remediation approach. This addendum documents a request for a slight change to the approved closure plan to allow future paving of the majority of the site combined with soil cover of a small area instead of all pavement for protection against direct contact.

A- 1 Description of and Basis for the Pavement Modification Request

This slight modification to the original pavement concept involves pavement over the entire site except for a small irregularly shaped area on the eastern edge of the property. This small area will be slightly reshaped and covered with soil to a thickness that matches the pavement grade (approximately 6 to 12 inches in thickness), reseeded, and then maintained as described later in this addendum. The locations of these paved and soil cover areas are illustrated on Figure A-1. The basis for this request are as follows:

- a soil cover in this area will be protective of human health by providing a barrier to direct contact with the underlying materials which are not expected to be impacted.
- paving this area will be difficult due to the natural slope.
- proximity of the area to the property line precludes filling.
- maintenance in the area will be easier without a separate fence inside the property boundary.

An adequate level of protection against direct contact will be provided by the soil barrier in the proposed grassy area for several reasons. First, this proposed grassy area is outside of the expected area of contaminated fill based upon past site investigation results [Test Pit 8 (TP-8) area]. Furthermore, only one soil sample in the TP-8 area only exceeded the direct contact concentration for tetrachloroethylene at depths from 0 to 4 feet below ground surface. Secondly, the one recent soil sample collected from the proposed grassy area contained less than detectable concentrations (less than 1.1 ug/kg) for both tetrachloroethylene and trichloroethylene. However, since the proposed grassy area was outside of the main area of contamination, only limited soil data is available. Finally, the regraded area will be covered with clean soil and seeded to limit erosion and provide a more stable barrier. This additional soil barrier over the fill will be maintained as described in section A-2 and will then provide consistent long term protection.

A-2 Addition to the Pavement Maintenance Plan – Section 4

The following additional maintenance procedures will be implemented for the soil cover area:

- Once the grassy area has been vegetated, the area will be maintained by mowing as appropriate from approximately May to November.
- The grassy area will also be inspected to identify erosion gullies or other disturbances to the barrier soil and vegetative cover that require repair. From May to November, inspections will be conducted during routine mowing or monthly during this time frame if mowing is not necessary. Additional monthly inspections will be conducted before snow in autumn and after snow is melted and the ground is thawed but prior to grass mowing in spring.
- Observed erosion gullies or other damage to the vegetated soil barrier layer will be repaired promptly and checked during the next scheduled inspection.

A-3 Modified Deed Restriction

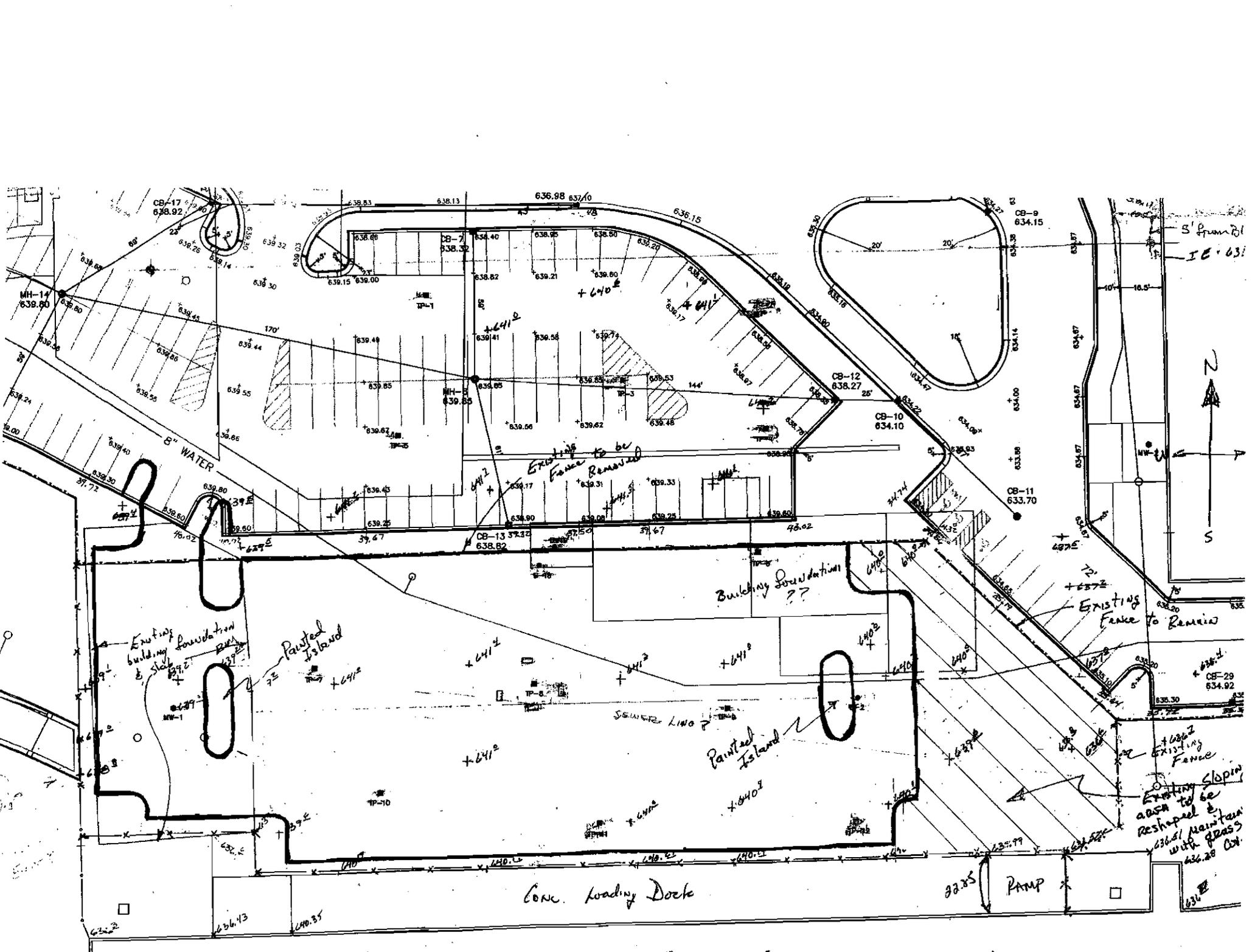
Once the final pavement plan is implemented the deed restriction will be amended to include the attached Figure A-1.

Materials Handling Addendum

Re-grading, Utility Construction and Paving Activities

As part of the possible future paving activities, both site re-grading and storm sewers installation are anticipated. During this work, on-site soils will be excavated or moved. Shallow re-grading (less than 2 feet below the existing ground surface) is unlikely to encounter contaminated material based upon past investigation data. In addition, utility construction will be designed to avoid the more highly contaminated Test Pit 8 area. However, concrete foundations may be removed and unanticipated low level contaminated soil/fill may be encountered. Materials encountered during these activities will be managed according to one of the following management options:

- *Non impacted native soil* (e.g., undisturbed natural soils) may be reused on site or removed as clean fill.
- *Clean fill* (i.e., fill soils with no obvious visual or olfactory contamination) may be reused on site. This may include some of the shallow soils in the proposed pavement area
- *Construction Debris* (e.g., building foundations, other concrete or cured asphalt including asphalt pieces) can be disposed in contractor selected construction debris disposal sites (NR 500.08(2)). Building foundations are present in the proposed pavement area and may be removed during paving activities.
- *Potentially contaminated fill materials* (e.g., material with unusual visual, olfactory, or other characteristics that suggest existing contamination) will be stockpiled separately from the other materials, sampled and chemically characterized and then properly disposed. Potentially Contaminated Soil and Fill Material may be encountered in the Test Pit 8 area.



S' from Bl
I.E. 031



CB-17
638.92

MH-14
639.80

CB-7
638.32

CB-9
634.15

CB-12
638.27

CB-10
634.10

CB-11
633.70

CB-13
638.82

CB-29
634.92

Existing building foundation
& slab

Painted Island

+641.2

+641.2

+641.8

+640.3

+641.8

Painted Island

+640.3

+636.2
Existing Fence

Existing Sloping
area to be
reshaped &
maintained
with grass
cut

Conc. Loading Dock

PUMP

8" WATER

Building Foundations ??

Existing Fence to Remain

SEWER LINE

33.25

33.25

636.13

640.35

636.2

636.2

636.98 637.10

636.15

636.30

636.15

636.15

636.15

638.92

639.32

639.15

638.82

639.21

638.80

638.20

638.80

638.80

639.24

639.45

639.44

639.48

639.41

639.56

639.71

639.53

639.48

639.48

639.24

639.45

639.55

639.65

639.85

639.65

639.62

639.48

639.48

639.48

639.48

639.24

639.45

639.55

639.65

639.85

639.65

639.62

639.48

639.48

639.48

639.48

639.24

639.45

639.55

639.65

639.85

639.65

639.62

639.48

639.48

639.48

639.48

639.24

639.45

639.55

639.65

639.85

639.65

639.62

639.48

639.48

639.48

639.48

639.24

639.45

639.55

639.65

639.85

639.65

639.62

639.48

639.48

639.48

639.48

639.24

639.45

639.55

639.65

639.85

639.65

639.62

639.48

639.48

639.48

639.48

639.24

639.45

639.55

639.65

639.85

639.65

639.62

639.48

639.48

639.48

639.48