GIS REGISTRY
Cover Sheet

May, 2008
(RR 5367)

Source Property Information

CLOSURE DATE: Nov 12, 2009

BRRTS #: 02-65-544543

FID #: 265118150

ACTIVITY NAME: Weiler and Company, Inc.

DATCP #:

PROPERTY ADDRESS: 814 Commercial Ave.

COMM #:

MUNICIPALITY: Whitewater

PARCEL ID #: /WUP 00003B & /A 84300001

***WTM COORDINATES:**

X: 624993 Y: 263689

** 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 or Direct Contact > 4 ft *(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

** 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) Page 1 of 3

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 #: 02-65-544543 PARCEL ID #: ~~265118150~~ /WUP00003B & /A 84300001 624993 263689

ACTIVITY NAME: Weiler and Company Inc. WTM COORDINATES: X: 62497 Y: 263649

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 and requirements of s. NR 716.15 (2) (b))

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

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

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

☒ **Detailed Site Map:** A map that shows all relevant features (buildings, roads, individual property boundaries, contaminant sources, utility lines, monitoring wells and potable wells) within the contaminated area. This map is to show the location of all contaminated public streets, and highway and railroad rights-of-way in relation to the source property and in relation to the boundaries of groundwater contamination exceeding a ch. NR 140 Enforcement Standard (ES), and/or in relation to the boundaries of soil contamination exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Levels (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.

Figure #: 2 **Title: Site Layout**

☒ **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 #: 12 **Title: Extent of Residual Soil Contamination and Barrier Cap**

BRRTS #: 02-65-544543 ACTIVITY NAME: Weiler and Company Inc.

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 #: 9 **Title: Geologic Cross Section Layout**

Figure #: 10, 11 **Title: Geologic Cross Section A-A', Geologic Cross Section B-B'**

☐ **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 #: 8 **Title: Groundwater Flow Direction Map 8/1/2007 (Does Not Vary > 30 Deg)**

Figure #: **Title:**

TABLES (meet 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 #: 1 **Title: Summary of Soil Sample Analytical Results**

☒ **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 #: 2 **Title: Summary of Groundwater Analytical Results**

☒ **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 #: 3 **Title: Summary of Groundwater Depths and 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 #: 02-65-544543 ACTIVITY NAME: Weiler and Company Inc.

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
Telephone 414-263-8500
FAX 414-263-8606

November 12, 2009

Mr. James Henderson
Weiler and Company, Inc.
1116 East Main Street
Whitewater, WI 53190

Subject: Final Case Closure with Continuing Obligations
Weiler and Company, Inc. Research and Development Site
814 Commercial Avenue, Whitewater, WI
FID# 265118150, BRRTS# 02-65-544543

Dear Mr. Henderson:

The Department of Natural Resources (the Department) has reviewed the September 11, 2009 *Site Closure Request with Requirements to Achieve Final Closure* prepared by Key Engineering Group, LTD for the case at the above referenced property (the Property). The Department reviews environmental remediation cases for compliance with state rules and statutes to maintain consistency in the closure of these cases. On June 18, 2009, the Department notified you of the work that must be completed before the case would be eligible for closure. With the September 11, 2009 closure request the Department received the required GIS Registry fee and packet, the monitoring well abandonment forms, the documentation that the soil cap was installed, and the revised cap maintenance plan as requested in the June 18, 2009 letter.

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

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

- A soil cap (barrier) must be maintained over contaminated soil and the state must approve any changes to this barrier.

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 Department's 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 Property 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 soil cap (barrier) that currently exists in the location shown on the attached map (Figure 12) shall be maintained in compliance with the attached maintenance plan in order to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health. If soil in the specific locations described above is excavated in the future, the property owner at the time of excavation must sample and analyze the excavated soil to determine if residual contamination remains. If sampling confirms that contamination is present the property owner at the time of excavation will need to determine whether the material 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 plan and inspection log 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 the soil cap (barrier) is required as shown on the attached map, unless prior written approval has been obtained from the Department: 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.

Chapter NR 140, Wis. Adm. Code Exemption

Recent groundwater monitoring data at the Property indicates that for benzoic(a)pyrene and chrysene at monitoring wells MW-1 and MW-4 and benzo(b)fluoranthene at MW-1, 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 as demonstrated by natural attenuation groundwater monitoring. Therefore, pursuant to s. NR 140.28, Wis. Adm. Code, an exemption to the PAL is granted for benzo(a)pyrene and chrysene at monitoring wells MW-1 and MW-4 and benzo(b)fluoranthene at MW-1. 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 Department of Natural Resources, to the attention of Southeast Region RR Program Associate, 2300 North Dr. Martin Luther King Jr. Drive, Milwaukee, WI 53212.

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 Dave Volkert at (262) 574-2166.

Sincerely,

Frances M. Koonce

Frances M. Koonce
Remediation & Redevelopment Sub-Team Supervisor

Attachments

- Pavement Cover and Building Barrier Maintenance Plan
- Site Location Map (Figure 1)
- Extent of Residual Soil Contamination and Barrier Cap (Figure 12)

cc: D'Arcy J. Gravelle, Key Engineering Group, LTD
Bill Phelps, DG/5
SER File

CAP MAINTENANCE PLAN
Weiler Building
814 East Commercial Avenue
Whitewater, Wisconsin
BRRTS #: 02-65-544543
FID #: 265118150

This *Cap Maintenance Plan* shall be applicable to the parcel of Property depicted on the site location map included as Figure 1, and depicted on the Pre-remedial soil sample locations and extent of barrier cap map included as Figure 12, and a copy of this *Cap Maintenance Plan* shall be maintained on file in the offices of the owner of the Property, Weiler and Company or its successor(s) in interest (the "Owner"), and any company that is retained to manage the Property on behalf of the Owner (the "Property Manager").

The Cap on the Property includes the following: Vegetation barrier which reinforces 6" of top soil covering 2' of clay.

INSPECTION

Inspect unpaved areas of the Property to ensure that the integrity of the cover in the unpaved area is maintained. Inspections shall be semi-annual for the first two years, then annual thereafter.

Prepare a brief inspection report that documents the date of the inspection, the individual(s) conducting the inspection, any observed disturbance of the cover in the unpaved area. A cap inspection form is included as Attachment 4. Maintain a copy of the inspection report, with a copy of this *Cap Maintenance Plan*, to be made available to representatives of the Wisconsin Department of Natural Resources (WDNR), upon reasonable request.

REPAIR CAPPED AREA

If, during the annual inspection, the soil cover in unpaved areas is observed to have been disturbed, the Owner shall arrange to have repairs made to such areas, in a manner consistent with this *Cap Maintenance Plan*. Such repairs shall be carried out within six months. A cap maintenance log is included as Attachment 2 to document any maintenance or repairs of the capped area.

MODIFICATION TO CAPPED AREA

The following steps shall be taken if Owner plans to perform activities that would penetrate below the Cap into the contaminated soils below the Cap (i.e., install or replace trees, shrubs, fencing, retaining walls or buildings):

- ☐ The contractor performing the work shall be provided with a copy of this *Cap Maintenance Plan* and shall prepare a *Health and Safety Plan (HASP)*, to protect workers from exposure to contaminated soils.

- ☐ Separate excavated material (or granular layer materials where they exist) so that they may be replaced upon completion of the work. Excavation into the contaminated soils beneath the Cap shall be conducted in accordance with the *HASP*, and any excavated contaminated soils shall be segregated and kept on site, in conformance with the requirements of Chapter NR 718, Wisconsin Administrative Code, until completion of the work.

- ☐ Upon completion of the work, place previously excavated contaminated soils back into the excavation, but only to the extent such replacement does not interfere with the replacement and maintenance of the Cap, and does not constitute a violation of Wisconsin hazardous waste management law (Chapter 291, Wisconsin Statutes).

- ☐ Any remaining contaminated soils that cannot be replaced in the excavation shall be properly characterized and disposed of at an appropriately licensed facility.

- ☐ Prepare a brief report documenting the work performed, identifying the person(s) performing the work, and verifying that this *Cap Maintenance Plan* was adhered to. Maintain report on file (to be made available to WDNR, upon reasonable request).

UTILITY REPAIRS

No underground utility repairs or installation of new or replacement utilities shall be conducted on the Property until after the utility and any contractor(s) for the utility have acknowledged receipt of a copy of this *Cap Maintenance Plan.*

- ☐ The underground utility repairs or installation(s) shall be conducted in accordance with the methods above with respect to excavations into unpaved and paved areas.

- ☐ If the underground utility repairs or installation(s) involve any disturbance of the material used to seal the soils on the property, such Material shall be replaced with new seals of like or superior quality.

- ☐ Prepare a brief report documenting the work performed, identifying the person(s) performing the work, and verifying that this *Cap Maintenance Plan* was adhered to. Maintain report on file (to be made available to WDNR, upon reasonable request).

LANDSCAPED AREA COVER:

INSPECTION CRITERIA	COMMENTS	MAINTENANCE ACTION REQUIRED
Evidence of Erosion		
Evidence of Ponding		
Vegetation Loss		

Limitations to Observation: _____

Completed by: _____

Date: _____

ATTACHMENT 4
CAP MAINTENANCE LOG
Weiler Building
814 East Commercial Avenue
Whitewater, Wisconsin
BRRTS #: 02-65-544543
FID #: 265118150

Repair / Maintenance Description:		Date of Discovery:
Contractor / Individual Performing Repairs:		Date of Repair:
Inspector Name (Print)	Inspector Signature	Date of Inspection:

Repair / Maintenance Description:		Date of Discovery:
Contractor / Individual Performing Repairs:		Date of Repair:
Inspector Name (Print)	Inspector Signature	Date of Inspection:

Repair / Maintenance Description:		Date of Discovery:
Contractor / Individual Performing Repairs:		Date of Repair:
Inspector Name (Print)	Inspector Signature	Date of Inspection:

H:\PROJECTS\2005\EN\1508014\1508014 cap maintenance plan.doc

Document Number

STATE BAR OF WISCONSIN FORM 1 - 1999

WARRANTY DEED

753231

Recorded
JAN. 22, 2009 AT 02:47PM
CONNIE J WOOLEVER
REGISTER OF DEEDS
WALWORTH COUNTY, WI
Fee Amount: $13.00
Transfer Fee: $660.00
Total Pages 2

This Deed, made between **814 COMMERCIAL AVENUE, LLC. a Wisconsin limited liability company.** Grantor, and **MPKSP PROPERTIES LLC. a Wisconsin limited liability company.** Grantee.

Grantor, for a valuable consideration, conveys and warrants to Grantee the following described real estate in **Walworth** County, State of Wisconsin (the "Property") (if more space is needed, please attach addendum):

See legal description attached.

Recording Area

Name and Return Address
Chicago Title Insurance Co.
Security Title Branch
25 N. Wisconsin Street
1300 Elkhorn, WI 53121

Together with all appurtenant rights, title and interests.

/WUP 00003B & /A 84300001
Parcel Identification Number (PIN)
This **is not** homestead property.

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, easements and restrictions of record, and public or private rights, if any, in such portion of the subject premises as may be presently used, laid out or dedicated in any manner whatsoever, for road, street, highway and/or alley purposes, and will warrant the same.

Dated this 14th day of **January**, **2009**.

814 COMMERCIAL AVENUE, LLC

* _____

* **NICK J. LESAR, Manager & President**

* _____

* _____

AUTHENTICATION

Signature(s) **NICK J. LESAR**

authenticated this 14th day of **January**, **2009**

* **MARK T. OLM**
TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, _____
authorized by §706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY
MARK T. OLM
OLM & ASSOCIATES

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

ACKNOWLEDGMENT

STATE OF _____)
) ss.
_____ County)

Personally came before me this _____ day of _____, _____ 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. (If not, state expiration date: _____.)

* Names of persons signing in any capacity must be typed or printed below their signature.

Information Professionals Co., Fond du Lac, WI
800-655-2021

Legal Description

PARCEL 1:

Certified Survey Map No. 843, located in the Southwest 1/4 of the Northwest 1/4 of Section 3, in Township 4 North, Range 15 East, in the City of Whitewater, Walworth County, Wisconsin, recorded on September 20, 1978, in Volume 4 of Certified Survey Maps, at page 27, as Document No. 38704.

PARCEL 2:

A part of the South 1/2 of the Northwest 1/4 of Section 3, Township 4 North, Range 15 East, in the City of Whitewater, Walworth County, Wisconsin, more particularly described as follows: Commencing at the West 1/4 corner of said Section 3; thence North 00°46'00" West along the West line of said section and the centerline of N. Newcomb Street 1062.75 feet; thence North 88°07'45" East 308.20 feet to a point of curvature; thence Southeasterly along the arc of a curve to the right, 161.17 feet (Radius=307.82 feet, central angle=30°00') to point of reverse curvature, said point of reverse curvature being South 76°52'15" East 159.34 feet to the before-mentioned point of curvature; thence Southeasterly along the arc of a curve to the left 119.42 feet (Radius=307.82 feet, central angle=22°13'40") to the place of beginning, said place of beginning being South 72°59'05" East 118.67 feet from the before-mentioned point of reverse curvature; thence continue Southeasterly along said curve to the left 41.75 feet (Radius=307.82 feet, central angle=7°46'20") to a point of tangency, said point of tangency being South 87°59'05" East 41.72 feet from the before-mentioned place of beginning; thence North 88°07'45" East 158.25 feet; thence North 00°46' West 351.18 feet to the North line of the South 1/2 of said Northwest 1/4; thence South 88°24'25" West along said North line of said South 1/2 of said Northwest 1/4, 199.90 feet; thence South 00°46' East 349.32 feet to the place of beginning.

COPY

ESCROW AGREEMENT

This Agreement is entered into this 19th day of January, 2009, between 814 COMMERCIAL AVENUE, LLC, "Seller", MPKSP PROPERTIES LLC, "Buyer", and OLM & ASSOCIATES, "Escrow Agent".

Seller and Buyer have entered into a written contract for the transfer of real estate located at 814 Commercial Avenue, Whitewater, Walworth County, Wisconsin, and more particularly described as follows:

PARCEL 1:

Certified Survey Map No. 843, located in the Southwest 1/4 of the Northwest 1/4 of Section 3, in Township 4 North, Range 15 East, in the City of Whitewater, Walworth County, Wisconsin, recorded on September 20, 1978, in Volume 4 of Certified Survey Maps, at page 27, as Document No. 38704.

PARCEL 2:

A part of the South 1/2 of the Northwest 1/4 of Section 3, Township 4 North, Range 15 East, in the City of Whitewater, Walworth County, Wisconsin, more particularly described as follows: Commencing at the West 1/4 corner of said Section 3; thence North 00°46'00" West along the West line of said section and the centerline of N. Newcomb Street 1062.75 feet; thence North 88°07'45" East 308.20 feet to a point of curvature; thence Southeasterly along the arc of a curve to the right, 161.17 feet (Radius=307.82 feet, central angle=30°00') to point of reverse curvature, said point of reverse curvature being South 76°52'15" East 159.34 feet to the before-mentioned point of curvature; thence Southeasterly along the arc of a curve to the left 119.42 feet (Radius=307.82 feet, central angle=22°13'40") to the place of beginning, said place of beginning being South 72°59'05" East 118.67 feet from the before-mentioned point of reverse curvature; thence continue Southeasterly along said curve to the left 41.75 feet (Radius=307.82 feet, central angle=7°46'20") to a point of tangency, said point of tangency being South 87°59'05" East 41.72 feet from the before-mentioned place of beginning; thence North 88°07'45" East 158.25 feet; thence North 00°46' West 351.18 feet to the North line of the South 1/2 of said Northwest 1/4; thence South 88°24'25" West along said

North line of said South 1/2 of said Northwest 1/4, 199.90 feet; thence South 00°46' East 349.32 feet to the place of beginning.

The sale of the property is contingent upon the escrow of $100,000.00 for the completion of all necessary requirements and closure of an investigation currently pending with the Wisconsin Department of Natural Resources, "DNR", referenced as the "Review of Site Investigation Report and Remedial Action Plan, Weiler and Company, Inc. Research and Development Site, 814 Commercial Avenue, Whitewater, WI, FID# 265118150, BRRTS# 02-65-544543".

Seller's environmental engineering firm, KEY ENGINEERING GROUP, LTD., has applied for a closure letter from the DNR contingent upon the placement of a barrier cap on the property and the abandonment of monitoring wells on the property, pursuant to a letter dated December 23, 2008.

KEY ENGINEERING GROUP, LTD. has estimated the cost of completion of the work at $45,000 to $50,000.

The parties wish to close this transaction as long as this matter is appropriately addressed.

THEREFORE, in consideration of the mutual promises contained herein, the parties agree as follows:

1. To induce Buyer to close, Seller will escrow One hundred thousand and 00/100 ($100,000.00) dollars of the sales proceeds with Escrow Agent to be held by Escrow Agent in accordance with this Agreement.

2. Seller will sign an Indemnification Agreement concomitantly with the signing of this Agreement to hold harmless and indemnify Buyer from any "Claims" arising from or attributable to the existence of "Hazardous Materials" on the property, as those terms are defined in the Indemnification Agreement.

3. As soon as practicable after closing and weather permits, Seller will cause the work to be completed pursuant to KEY ENGINEERING GROUP, LTD.'S proposal to the DNR, including the placement of a barrier cap and the abandonment of the monitoring wells. If the DNR requires any additional work, Seller will cause that work to completed also.

4. Escrow Agent shall hold the $100,000 in a separate, interest bearing account at FIRST CITIZENS STATE BANK in Whitewater, Wisconsin.

LAND-MARK SURVEYING
Mark L. Miritz
Wisconsin Registered Land Surveyor S-2582

N9330 Knuteson Drive
Whitewater, WI 53190
Phone:(262)495-3284
FAX : (262) 495-8421
LAND-MARKSURVEYING.COM

OWNER: WEILER & COMPANY, INC.
1116 E. MAIN ST.
WHITEWATER, WI. 53190

ORDERED BY: KEY ENGINEERING GROUP, LTD. AND KEY RAILROAD DEVELOPMENT, LLC
735 NORTH WATER STREET, SUITE 1000
MILWAUKEE, WI. 53202
ATTN: MIKE TREAZISE

PLAT OF SURVEY

LEGAL DESCRIPTION:

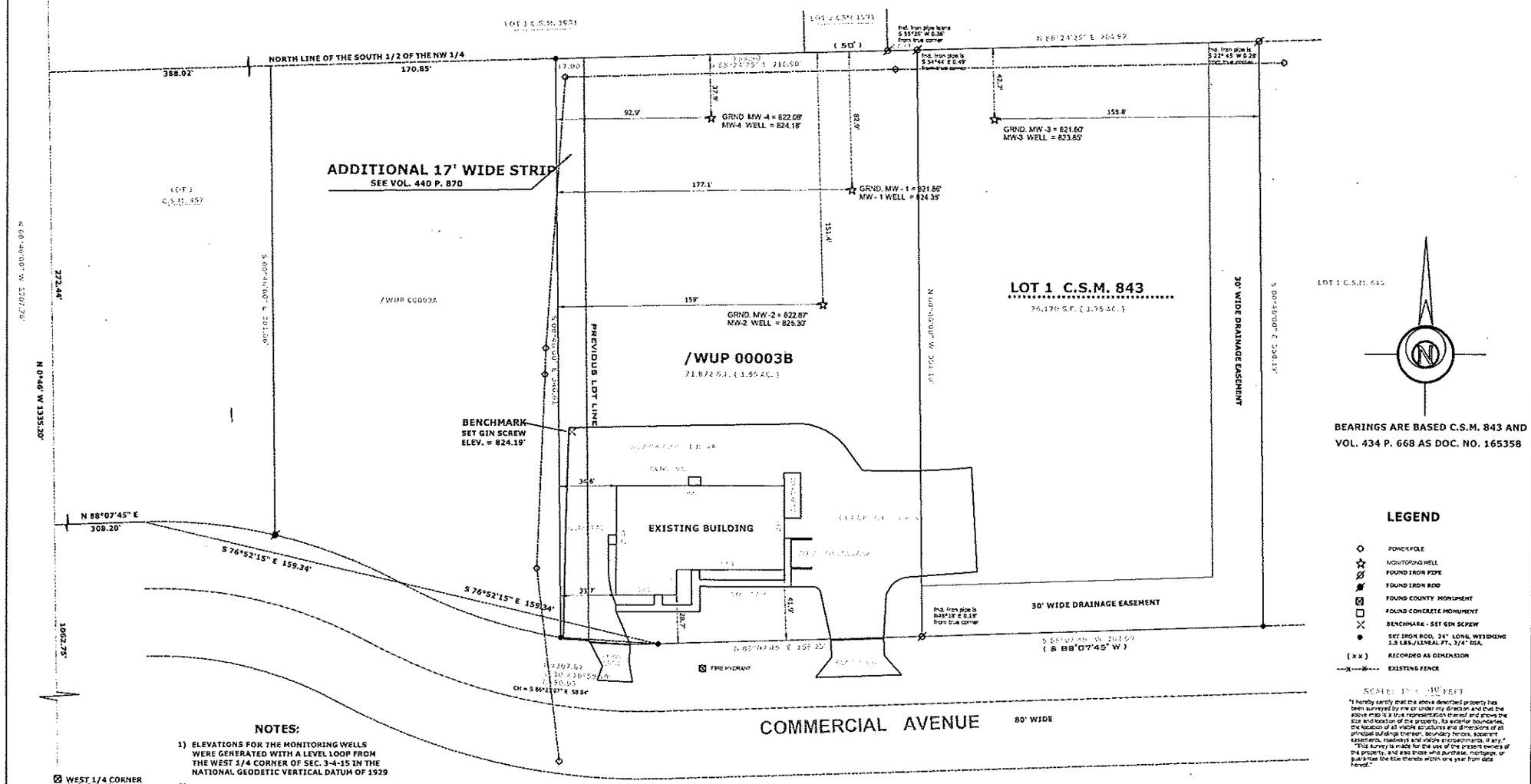
REFERENCE DEED FOUND IN VOL. 440, P. 870 AS DOC. NO. 168690

F_C:
rogram FilesIteCompCS2006061008legal.txt

REFERENCE DEED FOUND IN VOL. 434 P. 668 AS DOC. NO. 165358

F_C:
rogram FilesIteCompCS2006061008legal2.txt

LOT 1 OF CERTIFIED SURVEY NO. 843 AND A PARCEL OF LAND LOCATED IN THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 3, TOWN 4 NORTH, RANGE 15 EAST, CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN.



BEARINGS ARE BASED C.S.M. 843 AND VOL. 434 P. 668 AS DOC. NO. 165358

NOTES:

1) ELEVATIONS FOR THE MONITORING WELLS WERE GENERATED WITH A LEVEL LOOP FROM THE WEST 1/4 CORNER OF SEC. 3-4-15 IN THE NATIONAL GEODETIC VERTICAL DATUM OF 1929

2) THE NORTH LINE OF THE SOUTH 1/2 OF THE NW 1/4 OF SEC 3-4-15 WAS A RETRACEMENT OF CERTIFIED SURVEY MAPS NO. 457, 843 AND 1991

LEGEND

- POWER POLE
- MONITORING WELL
- FOUND IRON PIPE
- FOUND IRON ROD
- FOUND COUNTY MONUMENT
- FOUND CONCRETE MONUMENT
- BENCHMARK - SET GIN SCREW
- SET IRON ROD, 24" LONG, WEIGHING 1.5 LBS./LINEAL FT., 3/4" DIA.
- (x x) RECORDED AS DIMENSION
- EXISTING FENCE

SCALE: 1" = 100' FEET

"I hereby certify that the above described property has been surveyed by me or under my direction and that the above map is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location of all visible structures and dimensions of all principal buildings thereon, boundary fences, easement easements, roadways and visible encroachments, if any."

"This survey is made for the use of the present owners of the property, and also those who purchase, mortgage, or guarantee the title thereto within one year from date hereof."

MARK L. MIRITZ
WISCONSIN REGISTERED
LAND SURVEYOR S-2582

OCT. 20, 2006 06.1008

Reference: *Geographic Information System Registry*
Weiler Building
814 East Commercial Ave
Whitewater, WI 53190

To Whom it May Concern:

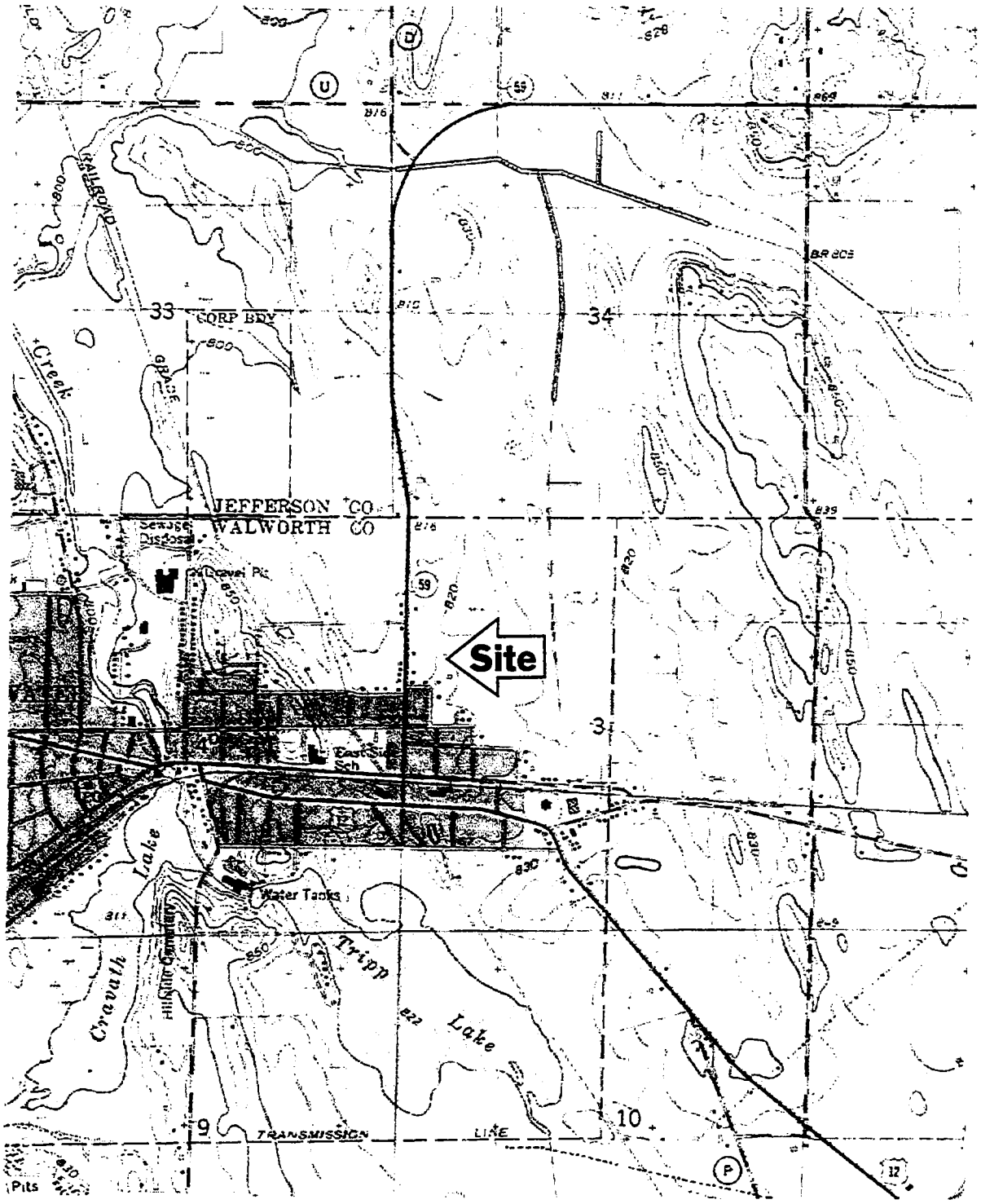
I, Nick J. Lesar of Weiler and Company, Inc., representative of the responsible party do hereby declare to the best of my knowledge that the attached legal property description represent completely and accurately the above reference property for which I am requesting listing on the Wisconsin Department of Natural Resources Geographic Information System Registry of Closed Remediation Sites.

Please find a copy of the legal description as stated in the property deed for the above reference property.

Signed: Nick J. Lesar Date: 7/14/09

Mr. Nick J. Lesar
Weiler and Company, Inc.

F:\DMO\Projects\1508014 Weiler Building\Statement by Responsible Party.doc



SOURCE:
USGS
SW/4 Whitewater 15'
Quadrangle Map 1960, Photo revised 1971

SCALE IN FEET
0 2000'

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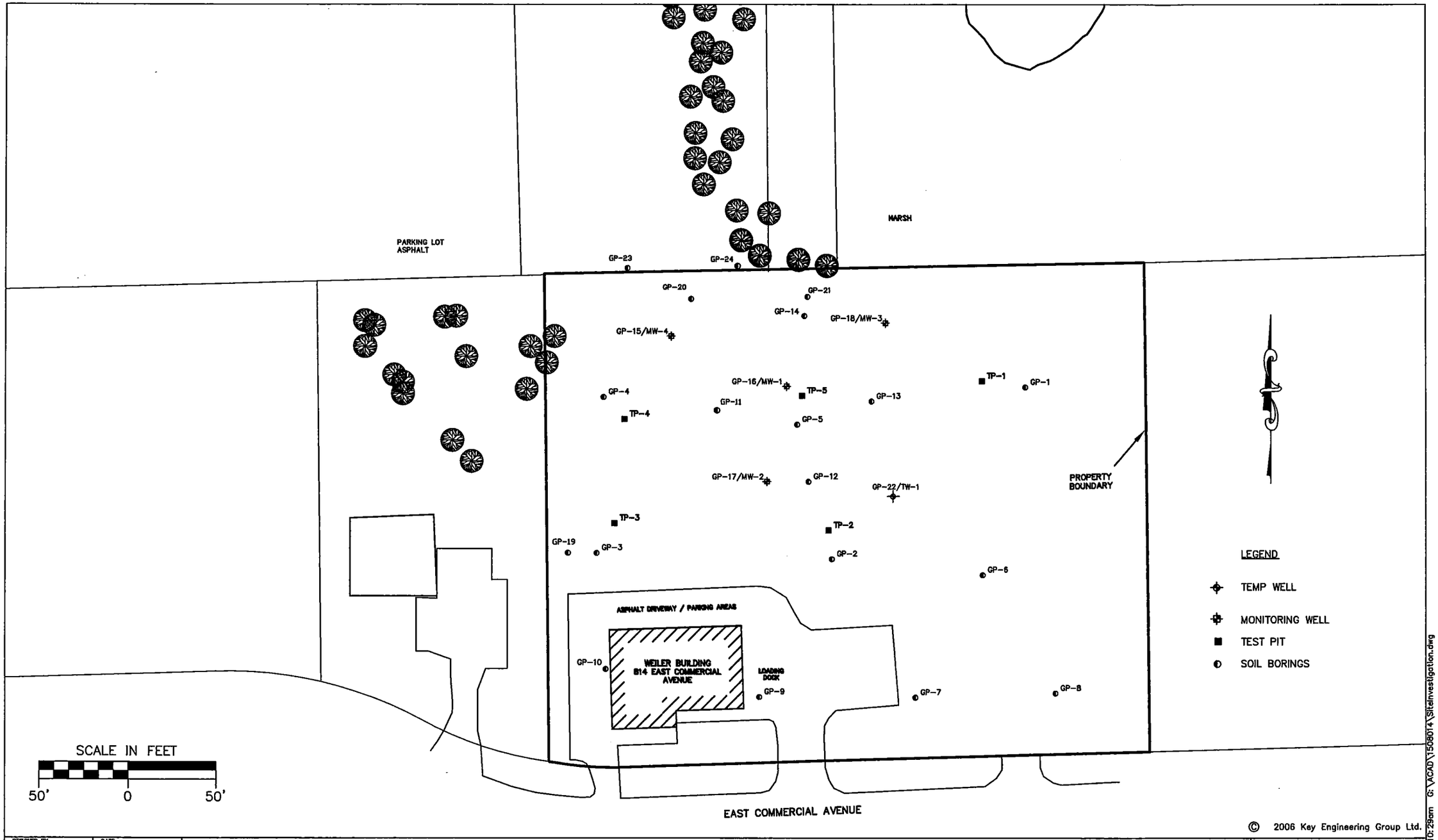
APPROVED BY DMO	SHEET NO. 1

F:\DMO\Projects\1508014 Weiler Building\Figure Portrait

FIGURE 1
SITE LOCATION MAP
SITE INVESTIGATION
WIELER BUILDING
814 E COMMERCIAL AVENUE
WHITEWATER, WISCONSIN

KEY ENGINEERING GROUP LTD.



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CADFILE G:\ACAD\1508014\SiteInvestigation.dwg XREF LMAN	

FIGURE 2
SITE LAYOUT
WEILER BUILDING
814 EAST COMMERCIAL AVENUE
WHITEWATER, WI 53190

KEY ENGINEERING GROUP LTD.
ENVIRONMENTAL • CIVIL • RAILROAD
735 NORTH WATER STREET, SUITE 1000 • MILWAUKEE, WI 53202
414.334.8040 (tel) • 414.334.8383 (fax)

Jul 01, 2009 – 10:29am G:\ACAD\1508014\SiteInvestigation.dwg

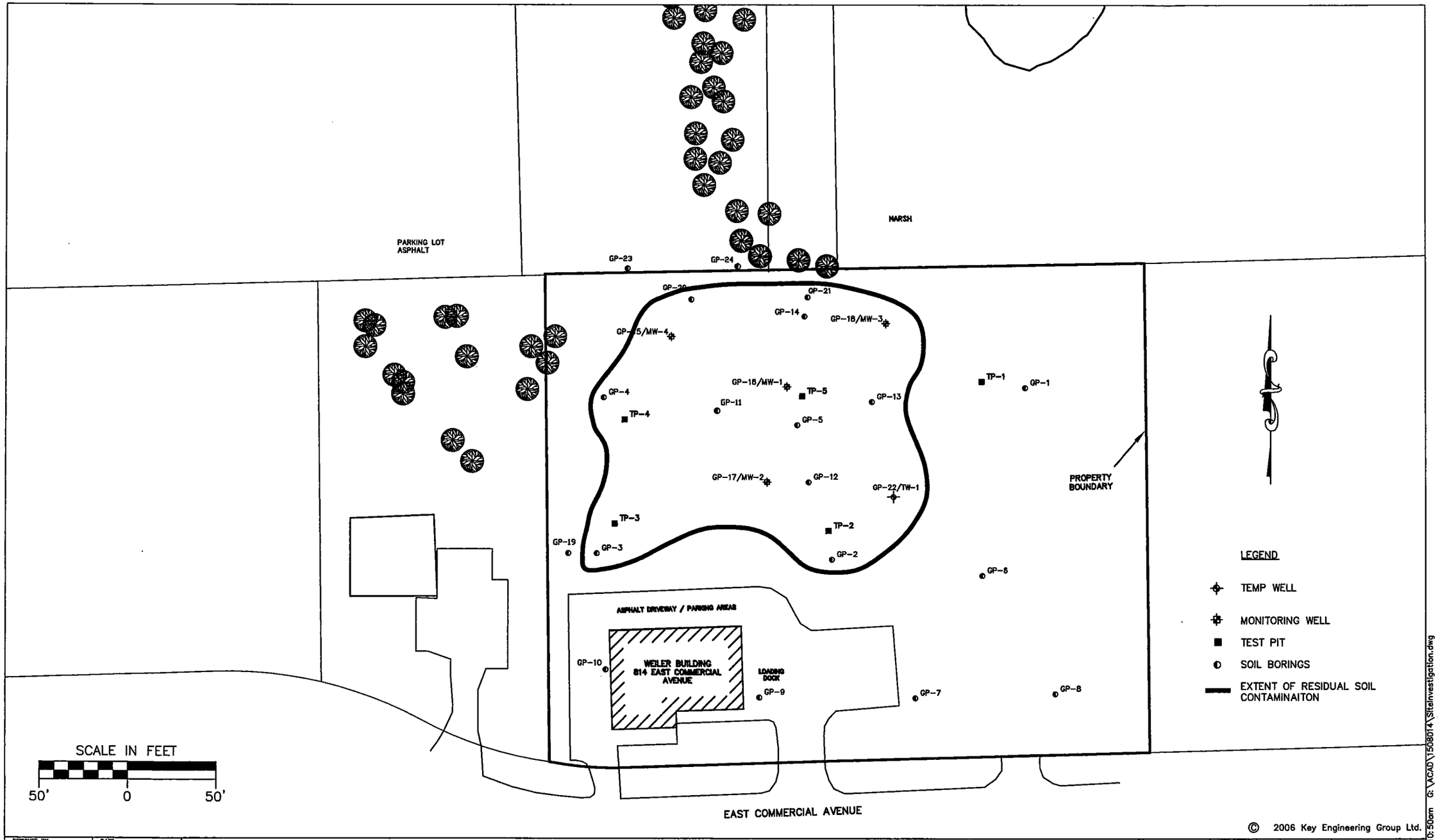

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FIGURE 12
EXTENT OF RESIDUAL SOIL CONTAMINATION
WEILER BUILDING
814 EAST COMMERCIAL AVENUE
WHITEWATER, WI 53190

KEY ENGINEERING GROUP LTD.
ENVIRONMENTAL • CIVIL • RAILROAD
735 NORTH WATER STREET, SUITE 1000 - MILWAUKEE, WI 53202
414.334.8190 (tel) - 414.334.8193 (fax)

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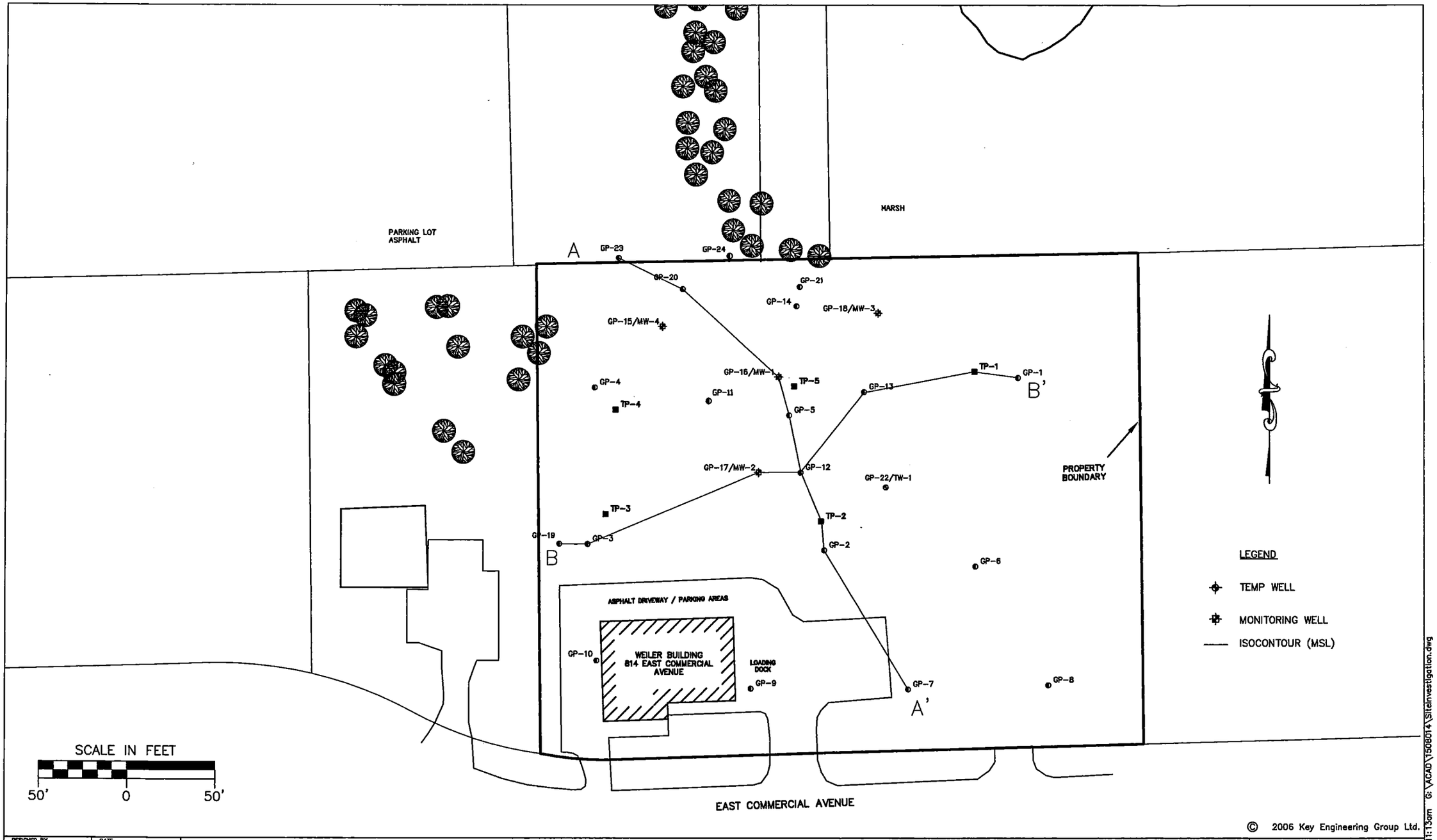

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FIGURE 9
GEOLOGIC CROSS SECTION LAYOUT
WEILER BUILDING
814 EAST COMMERCIAL AVENUE
WHITEWATER, WI 53190

KEY ENGINEERING GROUP LTD.
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735 NORTH WATER STREET, SUITE 1000 • MILWAUKEE, WI 53202
414.224.8200 (tel) • 414.224.8383 (fax)

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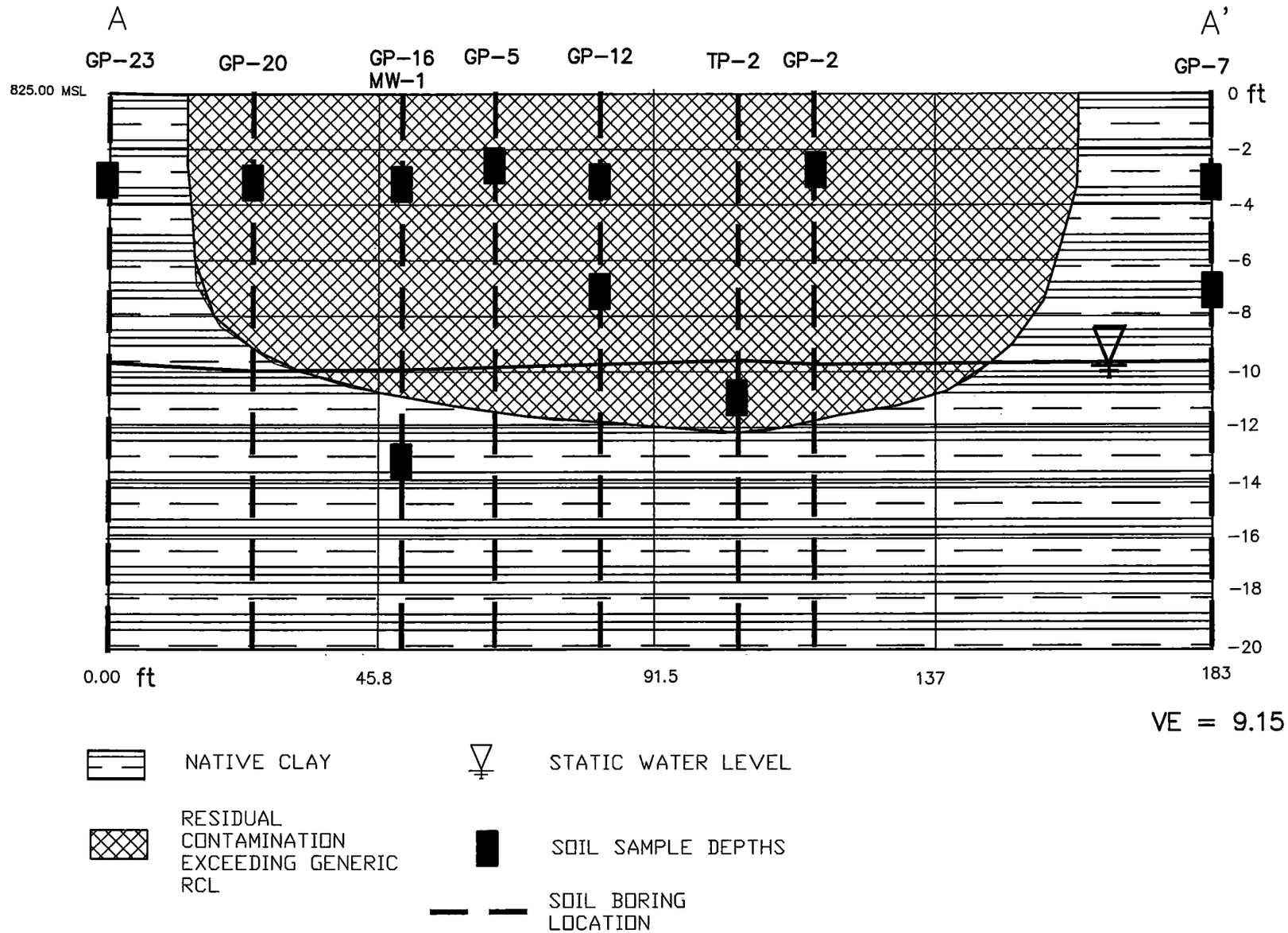

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FIGURE 10
GEOLOGIC CROSS SECTION A – A'
WEILER BUILDING
814 EAST COMMERCIAL AVENUE
WHITEWATER, WI 53190

KEY ENGINEERING GROUP LTD.
ENVIRONMENTAL • CIVIL • RAILROAD
735 NORTH WATER STREET, SUITE 1000 - MILWAUKEE, WI 53202
414.324.8300 (tel) - 414.324.8303 (fax)

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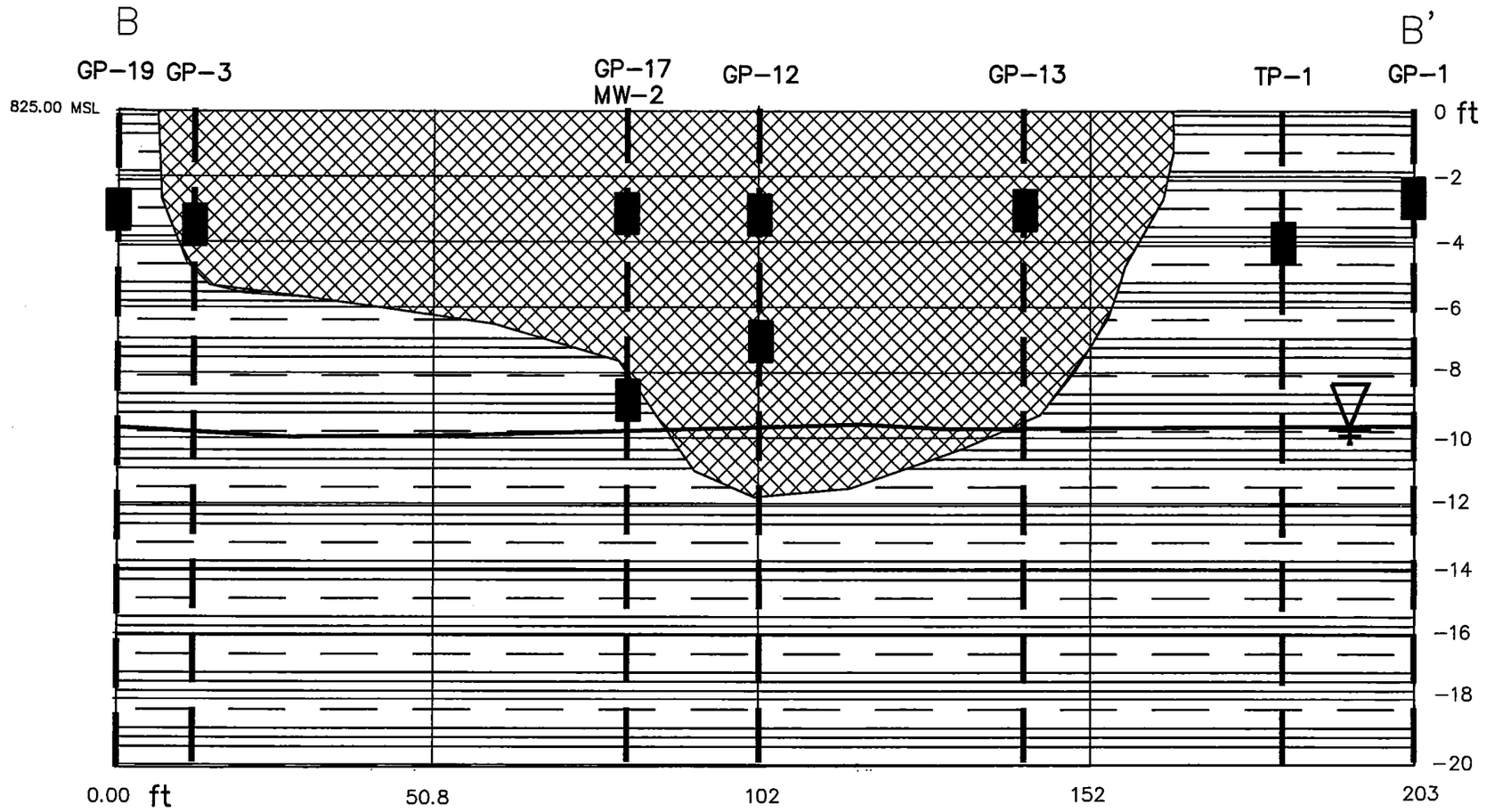

NATIVE CLAY

RESIDUAL CONTAMINATION EXCEEDING GENERIC RCL

STATIC WATER LEVEL

SOIL SAMPLE DEPTHS

SOIL BORING LOCATION

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FIGURE 11
GEOLOGIC CROSS SECTION B – B'
WEILER BUILDING
814 EAST COMMERCIAL AVENUE
WHITEWATER, WI 53190

KEY ENGINEERING GROUP LTD.
ENVIRONMENTAL • CIVIL • RAILROAD
718 NORTH WATER STREET, SUITE 1000 • MILWAUKEE, WI 53202
414.224.8396 (tel) • 414.224.8393 (fax)

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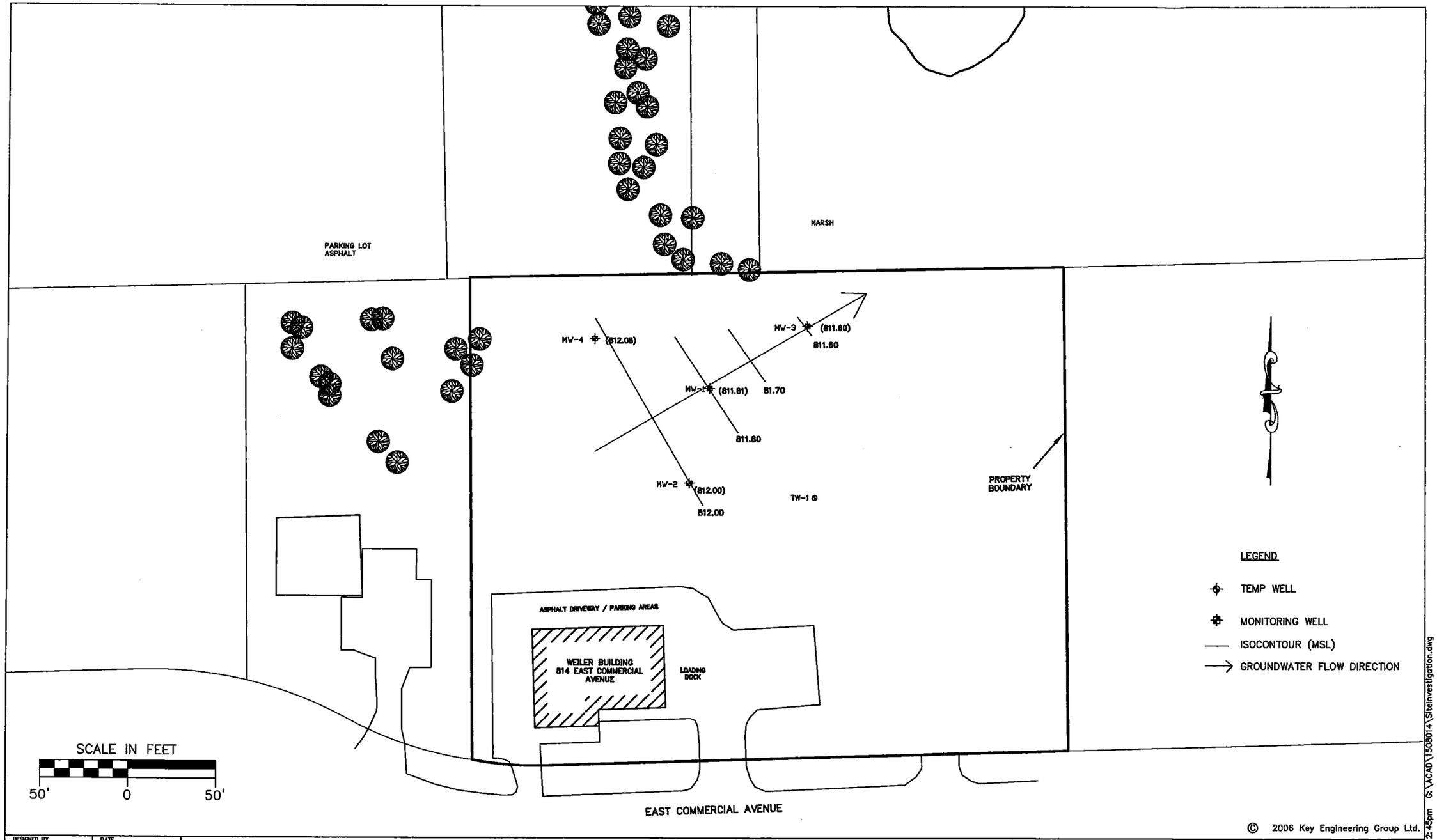

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APPROVED BY MCB	SHEET NO. 1
CADFILE G:\ACAD\1508014\Siteinvestigation.dwg XREF ILMAN	

FIGURE 8
GROUNDWATER FLOW DIRECTION MAP 8/1/2007 (DOES NOT VARY >30 DEG)
WEILER BUILDING
814 EAST COMMERCIAL AVENUE
WHITEWATER, WI 53190

KEY ENGINEERING GROUP LTD.
ENVIRONMENTAL • CIVIL • RAILROAD
735 NORTH WATER STREET, SUITE 1000 - MILWAUKEE, WI 53202
414.314.8300 (tel) - 414.314.8383 (fax)

Jul 01, 2009 - 12:45pm G:\ACAD\1508014\Siteinvestigation.dwg

TABLE 1

SUMMARY OF SOIL SAMPLE ANALYTICAL RESULTS

WEILER BUILDING
814 East Commercial Avenue
Whitewater, Wisconsin

PARAMETERS	SAMPLE IDENTIFICATION																GENERIC RCLs	
	TP-1	TP-2	TP-3	TP-4	TP-5	GP-1	GP-2	GP-3	GP-4	GP-5	GP-6		GP-7		GP-8		PROTECTION OF GROUNDWATER	DIRECT CONTACT (NON-INDUSTRIAL)
Date Collected	9/27/05	9/27/05	9/27/05	9/27/05	9/27/05	6/29/06	6/29/06	6/29/06	6/29/06	6/29/06	6/29/06	6/29/06	6/29/06	6/29/06	6/29/06	6/29/06	---	---
Depth (feet bgs)	4-5	10-11	4-5	5-6	6-7	2-3	2-3	3-4	3-4	2-3	1-4	4-6	2-4	6-7	2-4	6-8	---	---
Detected VOCs (µg/kg)																		
Benzene	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	5.5 (1)	---
Ethylbenzene	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	170	<25	<25	<25	2,900 (1)	---
Naphthalene	<25	<25	<25	<25	78	<25	<25	58	<25	191	49 J	<25	<25	<25	<25	<25	400 (2)	20,000 (2)
Toluene	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	48	<25	<25	1,500 (1)	---
1,2,4-Trimethylbenzene	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	---	---
1,3,5-Trimethylbenzene	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	---	---
Xylenes	<75	<75	<75	<75	<75	<75	<75	<75	<75	<75	<75	<75	1,158	58	<75	<75	4,100 (1)	---
Detected PAHs (µg/kg)																		
Acenaphthene	<17	<17	<17	<17	755	<17	<17	<85	<17	171 J	<17	<17	<17	<17	<17	<17	38,000 (2)	900,000 (2)
Acenaphthylene	<19	<19	<19	<19	425 J	<19	<19	134 J	<19	1,470	<19	<19	<19	<19	<19	<19	700 (2)	18,000 (2)
Anthracene	<11	<11	<11	<11	2,670	<11	44	1,010	<11	1,000	<11	<11	<11	<11	<11	<11	3,000,000 (2)	5,000,000 (2)
Benzo(a)anthracene	<12	<12	<12	<12	5,380	<12	132	3,920	20 J	5,260	13 J	<12	<12	<12	<12	<12	17,000 (2)	88 (2)
Benzo(a)pyrene	<8.1	<8.1	<8.1	<8.1	4,300	<8.1	131	3,480	11 J	6,070	<8.1	<8.1	<8.1	<8.1	<8.1	<8.1	48,000 (2)	8.8 (2)
Benzo(b)fluoranthene	24	<7.5	<7.5	29	6,620	<7.5	213	5,200	19 J	8,890	12 J	<7.5	7.8 J	<7.5	<7.5	<7.5	360,000 (2)	88 (2)
Benzo(g,h,i)perylene	<8.5	<8.5	<8.5	<8.5	2,070	<8.5	82	1,570	<8.5	3,060	<8.5	<8.5	<8.5	<8.5	<8.5	<8.5	6,800,000 (2)	1,800 (2)
Benzo(k)fluoranthene	<14	<14	<14	<14	2,260	<14	69	1,730	<14	3,200	<14	<14	<14	<14	<14	<14	870,000 (2)	880 (2)
Chrysene	23 J	<20	<20	37 J	5,900	<20	141	3,450	<20	5,590	<20	<20	<20	<20	<20	<20	37,000 (2)	8,800 (2)
Dibenzo(a,h)anthracene	<11	<11	<11	<11	347	<11	13 J	393	<11	785	<11	<11	<11	<11	<11	<11	38,000 (2)	8.8 (2)
Fluoranthene	21 J	<7.4	<7.4	42	11,200	<7.4	299	6,870	25	7,510	9.6 J	<7.4	<7.4	<7.4	<7.4	<7.4	500,000 (2)	600,000 (2)
Fluorene	<9.5	<9.5	<9.5	<9.5	1,110	<9.5	12 J	157	<9.5	276	<9.5	<9.5	<9.5	<9.5	<9.5	<9.5	100,000 (2)	600,000 (2)
Indeno(1,2,3-cd)pyrene	<9.5	<9.5	<9.5	<9.5	1,900	<9.5	96	2,070	<9.5	3,790	<9.5	<9.5	<9.5	<9.5	<9.5	<9.5	680,000 (2)	88 (2)
1 - methyl naphthalene	<11	<11	<11	<11	200 J	<11	<11	<55	14 J	<55	<11	<11	<11	<11	<11	<11	23,000 (2)	1,100,000 (2)
2-methyl naphthalene	<12	<12	<12	<12	<120	<12	<12	<60	18 J	<60	<12	<12	<12	<12	<12	<12	20,000 (2)	600,000 (2)
Naphthalene	<17	<17	<17	<17	211 J	<17	<17	<85	<17	95 J	<17	<17	<17	<17	<17	<17	400 (2)	20,000 (2)
Phenanthrene	<8.9	<8.9	<8.9	21 J	8,360	<8.9	143	2,110	30	2,220	<8.9	<8.9	<8.9	<8.9	<8.9	<8.9	1,800 (2)	18,000 (2)
Pyrene	13 J	<11	<11	23 J	9,000	<11	239	5,610	20 J	7,290	<11	<11	<11	<11	<11	<11	8,700,000 (2)	500,000 (2)
Metals (mg/kg)																		
Barium	20	72	78	88	52	37	76	61	87	71	23	9.9	61	8.4	<5	14	---	---
Chromium	6.5	25	23	19	14	13	7.4	11	14	19	8.2	3.9	13	4.0	12.0	3.3	---	14 (1) (3)/16,000 (1) (4)
Lead	7.3	6.3	6	13	48	<5	45	22	14	74	8.8	<5	10	<5.0	<5	<5	---	50

Notes:

Bold concentrations exceed GRCLs based on the protection of groundwater
Boxed concentrations exceed direct contact GRCLs for non industrial land use
--- - not analyzed or no standard established
(1) - NR720 GRCLS
(2) - Soil Cleanup Levels for PAHs Interim Guidance (WDNR), Publication RR-519-97, April 1997 corrected).
(3) - hexavalent
(4) - trivalent
bgs - below ground surface
J - detected between limit of detection and limit of quantitation
mg/kg - milligrams per kilogram
PAHs - polynuclear aromatic hydrocarbons
RCL - residual contaminant level
µg/kg - micrograms per kilogram
VOCs - volatile organic compounds

TABLE 1 (CONTINUED)

SUMMARY OF SOIL SAMPLE ANALYTICAL RESULTS

WEILER BUILDING
814 East Commercial Avenue
Whitewater, Wisconsin

PARAMETERS	SAMPLE IDENTIFICATION																		GENERIC RCLs	
	GP-9		GP-10	GP-11		GP-12		GP-13	GP-14		GP-15		GP-16		GP-17		GP-18		PROTECTION OF GROUNDWATER	DIRECT CONTACT (NON-INDUSTRIAL)
Date Collected	6/29/06	6/29/06	6/29/06	6/29/06	6/29/06	6/29/06	6/29/06	6/29/06	6/29/06	6/29/06	6/29/06	6/29/06	6/29/06	6/29/06	8/16/06	8/16/06	8/16/06	8/16/06	---	---
Depth (feet bgs)	2-4	11-12	2-4	2-4	13-15	2-4	6-8	2-4	2-4	12-14	2-4	10-12	2-4	12-14	2-4	8.5-9.5	2.5-4	10-11.5	---	---
Detected VOCs (µg/kg)																				
Benzene	<25	<25	<25	<25	<25	<250	<25	168	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	5.5 (1)	---
Ethylbenzene	<25	<25	<25	<25	<25	<250	<25	114	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	2,900 (1)	---
Naphthalene	<25	<25	<25	125	60	26,700	420	240	175	<25	<25	<25	200	61	6,500	<25	460	<25	400 (2)	20,000 (2)
Toluene	<25	<25	<25	<25	<25	<250	<25	136	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	1,500 (1)	---
1,2,4-Trimethylbenzene	<25	<25	<25	<25	<25	<250	<25	65	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	---	---
1,3,5-Trimethylbenzene	<25	<25	<25	<25	<25	<250	<25	37	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	---	---
Xylenes	<75	<75	<75	<75	<75	<750	<75	257	<75	<75	<75	<75	<75	<75	<75	<75	<75	<75	4,100 (1)	---
Detected PAHs (µg/kg)																				
Acenaphthene	<17	<17	<17	950	<17	10,400	39 J	352 J	1,440	<17	<340	<17	581	<17	6,410	<17	2,030	<17	38,000 (2)	900,000 (2)
Acenaphthylene	<19	<19	<19	590 J	23 J	1,180 J	56 J	506 J	536 J	<19	911 J	<19	299 J	<19	637 J	<19	<380	<19	700 (2)	18,000 (2)
Anthracene	<11	<11	<11	5,160	<11	16,400	25 J	2,110	11,800	<11	2,240	<11	2,450	<11	21,000	<11	12,900	<11	3,000,000 (2)	5,000,000 (2)
Benzo(a)anthracene	<12	<12	<12	12,600	<12	28,100	37 J	6,380	47,100	14 J	12,900	<12	6,100	<12	29,000	18 J	23,500	19 J	17,000 (2)	88 (2)
Benzo(a)pyrene	<8.1	<8.1	<8.1	12,700	<8.1	26,600	26 J	5,450	42,600	<8.1	14,400	<8.1	5,680	<8.1	26,000	8.4 J	19,800	10 J	48,000 (2)	8.8 (2)
Benzo(b)fluoranthene	<7.5	<7.5	<7.5	18,700	<7.5	39,500	42	7,890	59,600	11 J	19,600	<7.5	8,020	<7.5	33,300	13 J	27,400	16 J	360,000 (2)	88 (2)
Benzo(g,h,i)perylene	<8.5	<8.5	<8.5	5,440	<8.5	10,000	10 J	3,450	24,200	13 J	8,910	10 J	3,440	<8.5	16,700	11 J	12,200	14 J	6,800,000 (2)	1,800 (2)
Benzo(k)fluoranthene	<14	<14	<14	5,060	<14	12,400	14 J	3,190	20,400	<14	7,860	<14	3,210	<14	12,400	<14	8,260	<14	870,000 (2)	880 (2)
Chrysene	<20	<20	<20	11,300	<20	25,200	29 J	5,450	39,900	<20	12,500	<20	5,740	<20	25,400	<20	19,500	<20	37,000 (2)	8,800 (2)
Dibenzo(a,h)anthracene	<11	<11	<11	1,360	<11	2,630	<11	520 J	5,300	<11	1,640	<11	617	<11	4,190	<11	3,120	<11	38,000 (2)	8.8 (2)
Fluoranthene	<7.4	<7.4	<7.4	23,200	<7.4	62,100	65	10,700	78,300	13 J	17,600	<7.4	12,700	7.7 J	66,300	19 J	56,300	26	500,000 (2)	600,000 (2)
Fluorene	<9.5	<9.5	<9.5	1,630	<9.5	13,400	23 J	575 J	2,330	<9.5	363 J	<9.5	853	<9.5	11,400	<9.5	3,990	<9.5	100,000 (2)	600,000 (2)
Indeno(1,2,3-cd)pyrene	<9.5	<9.5	<9.5	7,020	<9.5	13,600	11 J	3,770	29,400	<9.5	10,400	<9.5	3,970	<9.5	17,900	<9.5	13,300	<9.5	680,000 (2)	88 (2)
1 - methyl naphthalene	<11	<11	<11	135 J	<11	3,860	<11	<220	<220	<11	<220	<11	<110	<11	1,160	<11	<220	<11	23,000 (2)	1,100,000 (2)
2-methyl naphthalene	<12	<12	<12	179 J	<12	7,890	<12	<240	<240	<12	<240	<12	<120	<12	1,370	<12	<240	<12	20,000 (2)	600,000 (2)
Naphthalene	<17	<17	<17	<170	<17	22,900	21 J	<340	<340	<17	<340	<17	<170	<17	3,970	<17	<340	<17	400 (2)	20,000 (2)
Phenanthrene	<8.9	<8.9	<8.9	12,000	<8.9	48,500	57	4,380	27,600	<8.9	3,760	<8.9	5,750	<8.9	58,700	17 J	33,000	15 J	1,800 (2)	18,000 (2)
Pyrene	<11	<11	<11	18,200	<11	49,900	50	8,820	73,600	16 J	16,200	<11	9,720	<11	49,600	18 J	40,300	21 J	8,700,000 (2)	500,000 (2)
Metals (mg/kg)																				
Barium	70	29	---	23	11	37	30	53	34	56	24	86	63	29	---	---	---	---	---	---
Chromium	13	12	---	5.1	3.6	7.2	9.3	9.3	7.1	19.0	6.4	21	8.8	9.2	---	---	---	---	---	14 (1) (3)/16,000 (1) (4)
Lead	14	<5	---	48	<5	71	<5	100	45	<5	52	6.5	12	<5	---	---	---	---	---	50

Notes:

Bold concentrations exceed GRCLs based on the protection of groundwater
Boxed concentrations exceed direct contact GRCLs for non industrial land use
--- - not analyzed or no standard established
(1) - NR720 GRCLS
(2) - Soil Cleanup Levels for PAHs Interim Guidance (WDNR), Publication RR-519-97, April 1997 corrected).
(3) - hexavalent
(4) - trivalent
bgs - below ground surface
J - detected between limit of detection and limit of quantitation
mg/kg - milligrams per kilogram
PAHs - polynuclear aromatic hydrocarbons
RCL - residual contaminant level
µg/kg - micrograms per kilogram
VOCs - volatile organic compounds

TABLE 1 (CONTINUED)

SUMMARY OF SOIL SAMPLE ANALYTICAL RESULTS

WEILER BUILDING
814 East Commercial Avenue
Whitewater, Wisconsin

PARAMETERS	SAMPLE IDENTIFICATION						GENERIC RCLs	
	GP-19	GP-20	GP-21	GP-22	GP-23	GP-24	PROTECTION OF GROUNDWATER	DIRECT CONTACT (NON-INDUSTRIAL)
Date Collected	6/4/08	6/4/08	6/4/08	6/4/08	10/7/08	10/7/08	---	---
Depth (feet bgs)	2-4	2-4	2-4	8-10			---	---
Detected VOCs (µg/kg)								
Benzene	---	---	---	---	---	---	5.5 (1)	---
Ethylbenzene	---	---	---	---	---	---	2,900 (1)	---
Naphthalene	---	---	---	---	---	---	400 (2)	20,000 (2)
Toluene	---	---	---	---	---	---	1,500 (1)	---
1,2,4-Trimethylbenzene	---	---	---	---	---	---	---	---
1,3,5-Trimethylbenzene	---	---	---	---	---	---	---	---
Xylenes	---	---	---	---	---	---	4,100 (1)	---
Detected PAHs (µg/kg)								
Acenaphthene	<26	1,920	253	<26	<13	<13	38,000 (2)	900,000 (2)
Acenaphthylene	<28	590	410	45 J	<14	<14	700 (2)	18,000 (2)
Anthracene	<17.6	10,300	3,600	69	<8.8	<8.8	3,000,000 (2)	5,000,000 (2)
Benzo(a)anthracene	27.6 J	10,800	8,100	245	<15	<15	17,000 (2)	88 (2)
Benzo(a)pyrene	<15.4	10,600	8,600	350	<7.7	<7.7	48,000 (2)	8.8 (2)
Benzo(b)fluoranthene	<22	12,900	9,800	380	<11	<11	360,000 (2)	88 (2)
Benzo(g,h,i)perylene	<24	6,400	4,900	177	<12	<12	6,800,000 (2)	1,800 (2)
Benzo(k)fluoranthene	<22	3,800	3,160	108	<11	<11	870,000 (2)	880 (2)
Chrysene	17.5 J	10,500	7,300	233	<6.8	<6.8	37,000 (2)	8,800 (2)
Dibenzo(a,h)anthracene	<19.4	1,760	330	55 J	<9.7	<9.7	38,000 (2)	8.8 (2)
Fluoranthene	<22	28,100	18,000	278	<11	<11	500,000 (2)	600,000 (2)
Fluorene	<24	3,800	<60	29.8 J	<12	<12	100,000 (2)	600,000 (2)
Indeno(1,2,3-cd)pyrene	<19.8	5,500	4,100	176	<9.9	<9.9	680,000 (2)	88 (2)
1 - methyl naphthalene	<24	251	<60	<24	<12	<12	23,000 (2)	1,100,000 (2)
2-methyl naphthalene	<18.8	194	<47	<18.8	<9.4	<9.4	20,000 (2)	600,000 (2)
Naphthalene	<24	198	<60	<24	<12	<12	400 (2)	20,000 (2)
Phenanthrene	<18.8	24,900	7,300	172	<9.4	<9.4	1,800 (2)	18,000 (2)
Pyrene	<19.8	21,100	14,100	234	<9.9	<9.9	8,700,000 (2)	500,000 (2)
Metals (mg/kg)								
Barium	---	---	---	---	---	---	---	---
Chromium	---	---	---	---	---	---	---	14 (1) (3)/16,000 (1) (4)
Lead	---	---	---	---	---	---	---	50

Notes:

Bold concentrations exceed GRCLs based on the protection of groundwater
Boxed concentrations exceed direct contact GRCLs for non industrial land use
--- - not analyzed or no standard established
(1) - NR720 GRCLS
(2) - Soil Cleanup Levels for PAHs Interim Guidance (WDNR), Publication RR-519-97, April 1997 corrected).
(3) - hexavalent
(4) - trivalent
bgs - below ground surface
J - detected between limit of detection and limit of quantitation
mg/kg - milligrams per kilogram
PAHs - polynuclear aromatic hydrocarbons
RCL - residual contaminant level
µg/kg - micrograms per kilogram
VOCs - volatile organic compounds

TABLE 2

SUMMARY OF GROUNDWATER SAMPLE ANALYTICAL RESULTS

WEILER BUILDING
814 East Commercial Avenue
Whitewater, Wisconsin

PARAMETERS	SAMPLE IDENTIFICATION																		NR 140	
	MW-1					MW-2				MW-3				MW-4				GP-22	ES	PAL
Date Sampled	7/7/06	8/23/06	1/9/07	4/2/07	8/1/07	8/23/06	1/9/07	4/2/07	8/1/07	8/23/06	1/9/07	4/2/07	8/1/07	8/23/06	1/9/07	4/2/07	8/1/07	6/4/08	—	—
Detected VOCs (µg/l)																				
Benzene	<0.17	0.21 J	<0.47	<0.47	<0.47	<0.17	<0.47	<0.47	<0.47	<0.17	<0.47	<0.47	<0.47	<0.17	<0.47	<0.47	<0.47	—	5	0.5
Chloromethane	<0.91	<0.91	<1	<1	<1	**0.92 J**	<1	<1	<1	<0.91	<1	<1	<1	<0.91	<1	<1	<1	—	3	0.3
Naphthalene	5.4 J	2.35 J	<2.2	<1.8	<1.8	<2.2	<2.2	<1.8	<1.8	<2.2	<2.2	<1.8	<1.8	2.81 J	<2.2	<1.8	<1.8	—	40	8
Detected Metals (µg/l)																			—	—
Barium	88	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2,000	400
PAHs (µg/l)																				
Acenaphthene	1.6	1.2	0.24	0.029 J	0.028 J	0.86	3.3	1.77	<0.015	0.032 J	<0.016	<0.015	<0.015	1.9	0.037 J	<0.015	<0.015	0.26	—	—
Acenaphthylene	0.062 J	0.048	<0.012	<0.016	<0.016	0.029 J	0.022 J	<0.016	<0.016	<0.012	<0.012	<0.016	<0.016	0.030 J	<0.012	<0.016	<0.016	0.015 J	—	—
Anthracene	2.4	1.2	0.033 J	0.043	0.053	0.26	0.075	0.042 J	0.021 J	0.029 J	0.015 J	0.015 J	<0.013	1.7	0.030 J	0.016 J	<0.013	0.209	3,000	600
Benzo(a)anthracene	2.2	1.6	0.045	0.086	0.108	0.028 J	0.013 J	0.027 J	0.022 J	0.058	0.017 J	0.018 J	0.016 J	0.43	0.039	0.020 J	0.032 J	0.114	—	—
Benzo(a)pyrene	**1.7**	**1.4**	**0.038**	**0.078**	**0.106**	0.012 J	<0.008	0.017 J	<0.015	**0.045**	0.009 J	<0.015	<0.015	**0.30**	**0.038**	<0.015	**0.026 J**	**0.098**	0.2	0.02
Benzo(b)fluoranthene	**2.4**	**1.8**	**0.053**	**0.102**	**0.138**	0.017 J	<0.009	**0.028 J**	0.019 J	**0.061**	0.014 J	0.018 J	<0.014	**0.40**	**0.052**	**0.025 J**	**0.034 J**	**0.13**	0.2	0.02
Benzo(g,h,i)perylene	0.97	0.91	0.024 J	0.066	0.078	<0.01	<0.01	<0.015	<0.015	0.033 J	<0.01	<0.015	<0.015	0.20	0.021 J	<0.015	0.016 J	0.061	—	—
Benzo(k)fluoranthene	2.2	0.63	0.021 J	0.042 J	0.047 J	<0.009	<0.009	<0.023	<0.023	0.024 J	<0.009	<0.023	<0.023	0.16	0.026 J	<0.023	<0.023	0.061 J	—	—
Chrysene	**2.0**	**1.5**	**0.035**	**0.085**	**0.105**	0.017 J	<0.011	**0.030 J**	<0.016	**0.048**	<0.011	0.017 J	<0.016	**0.35**	**0.038**	**0.027 J**	**0.023 J**	**0.123**	0.2	0.02
Dibenzo(a,h)anthracene	0.16	0.24	<0.009	0.015 J	0.017 J	<0.009	<0.009	<0.015	<0.015	<0.009	<0.009	<0.015	<0.015	0.039	<0.009	<0.015	<0.015	0.015 J	—	—
Fluoranthrene	5.8	4.0	0.066	0.167	0.226	0.21	0.028 J	0.051	0.027 J	0.12	0.018 J	0.025 J	<0.015	2.6	0.069	0.039 J	0.042 J	0.35	400	80
Fluorene	1.9	1.0	0.055	<0.019	0.032 J	0.39	0.27	0.88	<0.019	0.021 J	<0.015	<0.019	<0.019	2.0	0.023 J	<0.019	<0.019	0.32	400	80
Indeno(1,2,3-cd)pyrene	1.1	0.97	0.019 J	0.051	0.081	<0.015	<0.015	<0.014	<0.014	0.020 J	<0.015	<0.014	<0.014	0.17	0.016 J	<0.014	0.018 J	0.046	—	—
1-Methyl Naphthalene	0.27	0.12	<0.018	<0.018	<0.018	<0.018	0.038 J	<0.018	<0.018	<0.018	<0.018	<0.018	<0.018	0.37	<0.018	<0.018	<0.018	0.188	—	—
2-Methyl Naphthalene	0.26	0.024 J	<0.021	<0.021	<0.021	0.030 J	<0.021	<0.021	<0.021	<0.021	<0.021	<0.021	<0.021	0.10	<0.021	<0.021	<0.021	0.229	—	—
Naphthalene	0.66	0.27	<0.028	<0.018	<0.018	<0.028	0.037 J	<0.018	0.026 J	<0.028	<0.028	<0.018	0.024 J	0.083 J	<0.028	<0.018	0.026 J	0.45	40	8
Phenanthrene	4.5	1.6	0.029 J	0.050 J	0.086	0.13	0.047	0.026 J	<0.017	0.040	<0.011	<0.017	<0.017	4.4	0.038	0.028 J	0.017 J	0.61	—	—
Pyrene	3.6	2.5	0.055	0.141	0.17	0.12	0.021 J	0.048	0.024 J	0.10	0.014 J	0.024 J	<0.015	1.7	0.052	0.033 J	0.035 J	0.256	250	50

Notes:

Bold concentrations exceed NR 140 PAL
Boxed concentrations exceed NR 140 ES
— - not analyzed, not applicable or no standard established
ES - enforcement standard
J - analyte detected between limit of detection and limit of quantitation
PAHs - polynuclear aromatic hydrocarbons
PAL - preventive action limit
µg/l - micrograms per liter
VOCs - volatile organic compounds

TABLE 3

SUMMARY OF GROUNDWATER DEPTHS AND ELEVATIONS

WEILER BUILDING
814 East Commercial Avenue
Whitewater, Wisconsin

WELL IDENTIFICATION (DATE MEASURED)	TOP OF WELL CASING ELEVATION (FEET MSL)	GROUND SURFACE ELEVATION (FEET MSL)	DEPTH TO GROUNDWATER (FEET)	GROUNDWATER ELEVATION (FEET MSL)	DEPTH TO GROUNDWATER (FEET BGS)
MW-1					
7/7/2006	824.35	821.86	10.5	813.85	8.01
8/23/2006			12.59	811.76	10.10
1/9/2007			10.66	813.69	8.17
4/2/2007			8.48	815.87	5.99
8/1/2007			12.54	811.81	10.05
MW-2					
8/23/2006	825.30	822.87	16.25	809.05	13.82
1/9/2007			10.30	815.00	7.87
4/2/2007			8.38	816.92	5.95
8/1/2007			13.30	812.00	10.87
MW-3					
8/23/2006	823.85	821.60	17	806.85	14.75
1/9/2007			9.43	814.42	7.18
4/2/2007			7.47	816.38	5.22
8/1/2007			12.25	811.60	10.00
MW-4					
8/23/2006	824.18	822.08	13.7	810.48	11.60
1/9/2007			9.09	815.09	6.99
4/2/2007			7.35	816.83	5.25
8/1/2007			12.10	812.08	10.00

Notes:

BGS - below ground surface
MSL - mean sea level