

**GIS REGISTRY**  
**Cover Sheet**

March, 2010  
(RR 5367)

**Source Property Information**

**BRRTS #:** 02-68-521614  
**ACTIVITY NAME:** Former Nebel Property  
**PROPERTY ADDRESS:** 4539 North 124th Street, Butler, WI 53005  
**MUNICIPALITY:** Village of Butler  
**PARCEL ID #:** BV 1009.259

**CLOSURE DATE:** 5/11/2011  
**FID #:** 268428380  
**DATCP #:**  
**COMM #:** None

**\*WTM COORDINATES:**

X: 677280 Y: 293639

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

**WTM COORDINATES REPRESENT:**

- Approximate Center Of Contaminant Source  
 Approximate Source Parcel Center

**Please check as appropriate:** (BRRTS Action Code)

**Contaminated Media:**

- Groundwater Contamination > ES (236)**  
 Contamination in ROW  
 Off-Source Contamination  
*(note: for list of off-source properties see "Impacted Off-Source Property" form)*
- Soil Contamination > \*RCL or \*\*SSRCL (232)**  
 Contamination in ROW  
 Off-Source Contamination  
*(note: for list of off-source properties see "Impacted Off-Source Property" form)*

**Land Use Controls:**

- N/A (Not Applicable)  
 Soil: maintain industrial zoning (220)  
*(note: soil contamination concentrations between non-industrial and industrial levels)*  
 Structural Impediment (224)  
 Site Specific Condition (228)
- Cover or Barrier (222)  
*(note: maintenance plan for groundwater or direct contact)*  
 Vapor Mitigation (226)  
 Maintain Liability Exemption (230)  
*(note: local government unit or economic development corporation was directed to take a response action)*

**Monitoring Wells:**

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

- Yes  No  N/A

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

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 #:

02-68-521614

PARCEL ID #:

BV 1009.259

ACTIVITY NAME:

Former Nebel Property

WTM COORDINATES: X:

677280

Y: 293639

**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.)
- Continuing Obligation Cover Letter** (for property owners affected by residual contamination and/or continuing obligations)
- 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 #: WC3445185 Title: Certified Survey Map No. 10329**
- Signed Statement:** A statement signed by the Responsible Party (RP), which states that he or she believes that the attached legal description accurately describes the correct contaminated property.

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

Maps must be no larger than 11 x 17 inches unless the map is submitted electronically.

- Location Map:** A map outlining all properties within the contaminated site boundaries on a U.S.G.S. topographic map or plat map in sufficient detail to permit easy location of all parcels. If groundwater standards are exceeded, include the location of all potable wells within 1200 feet of the site.  
*Note: Due to security reasons municipal wells are not identified on GIS Packet maps. However, the locations of these municipal wells must be identified on Case Closure Request maps.*  
**Figure #: 1 Title: Site Location Map & Local Topography**
- 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 & Sheet 3 Title: Site Layout and Utility Plan**
- 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 #: Page 1 Title: Site Map - Soil Contamination Map - Property Boundary Map**

BRRTS #: 02-68-521614

ACTIVITY NAME: Former Nebel Property

**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 #: 3                      Title: Geologic Cross Section A - A'**

**Figure #:                      Title:**

**Groundwater Isoconcentration Map:** For sites closing with residual groundwater contamination, this map shows the horizontal extent of all groundwater contamination exceeding a ch. NR140 Preventive Action Limit (PAL) and an Enforcement Standard (ES). Indicate the direction and date of groundwater flow, based on the most recent sampling data.

*Note: This is intended to show the total area of contaminated groundwater.*

**Figure #:                      Title:**

**Groundwater Flow Direction Map:** A map that represents groundwater movement at the site. If the flow direction varies by more than 20° over the history of the site, submit 2 groundwater flow maps showing the maximum variation in flow direction.

**Figure #:                      Title:**

**Figure #:                      Title:**

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

Tables must be no larger than 11 x 17 inches unless the table is submitted electronically. Tables must not contain shading and/or cross-hatching. The use of **BOLD** or *ITALICS* is acceptable.

**Soil Analytical Table:** A table showing remaining soil contamination with analytical results and collection dates.

**Note:** This is one table of results for the contaminants of concern. Contaminants of concern are those that were found during the site investigation, that remain after remediation. It may be necessary to create a new table to meet this requirement.

**Table #: 1, 2, & 3                      Title: Soil Analytical Results - VOCs, PAHs, RCRA Metals**

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

**Table #:                      Title:**

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

**Table #:                      Title:**

**IMPROPERLY ABANDONED MONITORING WELLS**

For each monitoring well not properly abandoned according to requirements of s. NR 141.25 include the following documents.

**Note:** If the site is being listed on the GIS Registry for only an improperly abandoned monitoring well you will only need to submit the documents in this section for the GIS Registry Packet.

**Not Applicable**

**Site Location Map:** A map showing all surveyed monitoring wells with specific identification of the monitoring wells which have not been properly abandoned.

**Note:** If the applicable monitoring wells are distinctly identified on the Detailed Site Map this Site Location Map is not needed.

**Figure #:                      Title:**

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

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

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

BRRTS #: 02-68-521614

ACTIVITY NAME: Former Nebel Property

**NOTIFICATIONS**

**Source Property**

**Not Applicable**

- Letter To Current Source Property Owner:** If the source property is owned by someone other than the person who is applying for case closure, include a copy of the letter notifying the current owner of the source property that case closure has been requested.
- Return Receipt/Signature Confirmation:** Written proof of date on which confirmation was received for notifying current source property owner.

**Off-Source Property**

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

**Not Applicable**

- Letter To "Off-Source" Property Owners:** Copies of all letters sent by the Responsible Party (RP) to owners of properties with groundwater exceeding an Enforcement Standard (ES), and to owners of properties that will be affected by a land use control under s. 292.12, Wis. Stats.

**Note:** Letters sent to off-source properties regarding residual contamination must contain standard provisions in Appendix A of ch. NR 726.

**Number of "Off-Source" Letters:**

- Return Receipt/Signature Confirmation:** Written proof of date on which confirmation was received for notifying any off-source property owner.
- Deed of "Off-Source" Property:** The most recent deed(s) as well as legal descriptions, for all affected deeded **off-source property(ies)**. This does not apply to right-of-ways.  
**Note:** If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.
- Letter To "Governmental Unit/Right-Of-Way" Owners:** Copies of all letters sent by the Responsible Party (RP) to a city, village, municipality, state agency or any other entity responsible for maintenance of a public street, highway, or railroad right-of-way, within or partially within the contaminated area, for contamination exceeding a groundwater Enforcement Standard (ES) and/or soil exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL).

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

**State of Wisconsin**  
DEPARTMENT OF NATURAL RESOURCES  
Waukesha Service Center  
141 NW Barstow Street Room 180  
Waukesha WI 53188

Scott Walker, Governor  
Cathy Stepp, Secretary  
John Hammen, Acting Regional Director  
Telephone 262-574-2100  
FAX 262-574-2128  
TTY Access via relay - 711



May 11, 2011

Ms. Kari Rajani  
Evergreen Fuel Stop and Mini Mart  
4539 North 124<sup>th</sup> Street  
Butler, WI 53007

Subject: Final Case Closure for the Former Nebel Property  
4539 North 124<sup>th</sup> Street, Butler, WI 53005  
FID# 268428380, BRRTS# 02-68-521614

Dear Ms. Rajani:

The Department of Natural Resources (the Department) reviewed the above referenced case for closure. This committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases.

The Department reviewed the case closure request regarding the petroleum and lead soil contamination at this site. 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 BRRTS# 02-68-521614 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. Please note that the adjoining property (Former Jensen Equipment Company BRRTS# 02-68-521596) located at 4525 North 124<sup>th</sup> Street has not been closed and is still open.

#### GIS Registry

This site will be listed on the Remediation and Redevelopment Program's internet accessible GIS Registry, to provide notice of residual contamination, and of any continuing obligations. The continuing obligations for this site are summarized below:

- Residual soil contamination exists that must be properly managed should it be excavated or removed.
- Pavement, an engineered cover or a soil barrier must be maintained over contaminated soil and the state must approve any changes to this barrier.
- One or more monitoring wells were not located and must be properly abandoned if found.

All site information, including the maintenance plan, is also on file at the Southeast Regional DNR office in Waukesha, WI. This letter and information that was submitted with your closure request application, including the maintenance plan, will be included on the GIS Registry, in a PDF attachment. To review the sites on the GIS Registry web page, visit the RR Sites Map page at <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. If the property is listed on the GIS Registry because of remaining contamination and you intend to construct or reconstruct a well, you will need prior Department approval in accordance with s. NR 812.09(4) (w), Wis. Adm. Code. To obtain approval, Form 3300-254 needs to be completed and submitted to the DNR Drinking and Groundwater program's regional water supply specialist. This form can be obtained on-line at <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 you and any subsequent property owners must adhere. You must pass on both the information about these continuing obligations and the maintenance plan to the next property owner or owners. If these requirements are not followed or if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, welfare, or the environment, the Department may take enforcement action under s. 292.11 Wisconsin Statutes to ensure compliance with the specified requirements, limitations or other conditions related to the property or this case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code. The Department intends to conduct inspections in the future to ensure that the conditions included in this letter including compliance with attached maintenance plans are met.

### Cover or Barrier

Pursuant to s. 292.12(2)(a), Wis. Stats., the pavement or other impervious cap that currently exists in the location shown on the LUC Map (Page 1 - attachment) shall be maintained in compliance with the attached maintenance plan in order to minimize the infiltration of water and prevent additional groundwater contamination that would violate the groundwater quality standards in ch. NR 140, Wis. Adm. Code, and to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health.

Soil contamination remains in the central and western portion of the property as shown on the LUC Map (Page 1 - attachment) and in the information submitted to the Department of Natural Resources. If soil in the specific locations shown on the attached map 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 pavement or building is required as shown on the attached LUC Map, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 1) removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; 6) construction or placement of a building or other structure.

Upon Department approval to replace the existing barrier, the replacement barrier must be one of similar permeability, until contaminant levels no longer exceed the applicable standards.

### 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:

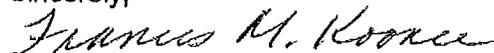
- Disturbance, construction on, change or removal in whole or part of pavement, an engineered cover or a soil barrier that must be maintained over contaminated soil
- One or more monitoring wells that were not located are found and properly abandoned.

Please send written notifications in accordance with the above requirements together with the required documentation (with the site FID# and BRRTS# noted) to: R&R Program Assistant, Wisconsin Department of Natural Resources, 2300 N. Dr. ML King Dr., Milwaukee, WI 53212.

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.

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 Jim Delwiche at the Waukesha Service Center at (262) 574-2145.

Sincerely,



Frances M. Koonce  
Team Supervisor  
Southeast Region, Remediation & Redevelopment Program

cc: Linda J. Fellenz – LF Green Development, LLC  
SER Case File

Enclosures - Residual Soil Impact Map  
Maintenance Plan and Inspection Log

# PAVEMENT COVER AND BUILDING BARRIER MAINTENANCE PLAN

OCTOBER 1, 2009

Property Located at:

Former Tom Nebel Property  
4539 N. 124<sup>th</sup> Street  
Butler, WI 53007

FID: 268428380, WDNR BRRTS 02-68-368715, 02-68-521614

BV 19259001

## Introduction

This document is the Maintenance Plan for a pavement cover and building barrier at the above-referenced property in accordance with the requirements of s. NR 724.13(2), Wisconsin Administrative Code. The maintenance activities relate to the existing slab on grade building and other paved surfaces occupying the area over the contaminated groundwater plume or soil on-site. The contaminated soil is impacted by VOCs. The location of the paved surfaces and building to be maintained in accordance with this Maintenance Plan, as well as the impacted or soil are identified in the attached map (Exhibit A).

## Cover and Building Barrier Purpose

The paved surfaces and the building foundation over the contaminated soil serve as a barrier to prevent direct human contact with residual soil contamination that might otherwise pose a threat to human health. These paved surfaces and building foundation also act as a partial infiltration barrier to minimize future soil-to-groundwater contamination migration that would violate the groundwater standards in ch. NR 140, Wisconsin Administrative Code. Based on the current and future use of the property, the barrier should function as intended unless disturbed.

## Annual Inspection

The paved surfaces and building foundation overlying the contaminated or soil and as depicted in Exhibit A will be inspected once a year, normally in the spring after all snow and ice is gone, for deterioration, cracks and other potential problems that can cause additional infiltration into underlying soils. The inspections will be performed to evaluate damage due to settling, exposure to the weather, wear from traffic, increasing age and other factors. Any area where soils have become or are likely to become exposed will be documented. A log of the inspections and any repairs will be maintained by the property owner and is included as Exhibit B, Cap Inspection Log. The log will include recommendations for necessary repair of any areas where underlying soils are

exposed. Once repairs are completed, they will be documented in the inspection log. A copy of the inspection log will be sent to the Wisconsin Department of Natural Resources (“WDNR”) at least annually after every inspection.

#### Maintenance Activities

If problems are noted during the annual inspections or at any other time during the year, repairs will be scheduled as soon as practical. Repairs can include patching and filling operations or they can include larger resurfacing or construction operations. In the event that necessary maintenance activities expose the underlying soil, the owner must inform maintenance workers of the direct contact exposure hazard and provide them with appropriate personal protection equipment (“PPE”). The owner must also sample any soil that is excavated from the site prior to disposal to ascertain if contamination remains. The soil must be treated, stored and disposed of by the owner in accordance with applicable local, state and federal law.

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

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

#### Amendment or Withdrawal of Maintenance Plan

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

#### Contact Information October 2009

Site Owner and Operator: Karl Rajani  
4539 N. 124th  
Butler, WI 23007  
414-529-1330

Consultant: LF Green Development, LLC  
PO Box 370888  
Milwaukee, WI 53237  
414-254-4813

WDNR:

Jim Delwiche  
141 NW Barstow, Waukesha, WI 53184  
262-574-2145

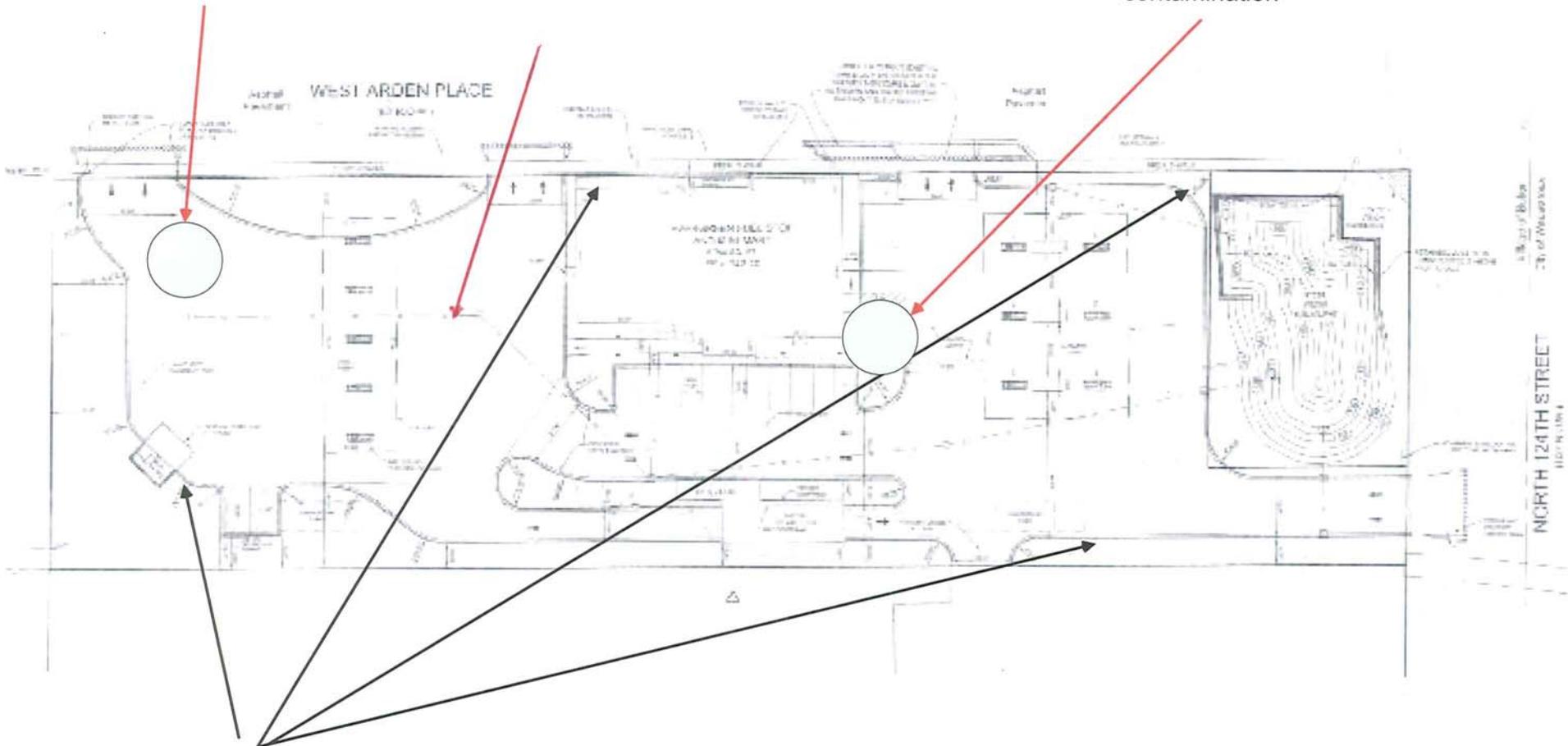
# FORMER NEBEL PROPERTY

4539 N. 124<sup>TH</sup> STREET



Residual lead  
contamination

Residual petroleum  
contamination



PAVEMENT  
BOUNDARY

**LUC MAP**  
Property boundary, pavement boundary, and impacted soil areas.



**OPERATION AND MAINTENANCE PLAN  
CONTAMINATED SOIL BARRIER INSPECTION FORM**

**4539 N. 124<sup>th</sup> STREET  
BUTLER, WI**

INSPECTION

Date inspected \_\_\_\_\_

Name of Engineered Control Inspected:

Building: \_\_\_\_\_

Pavement: \_\_\_\_\_

Inspector Signature \_\_\_\_\_

Print Name \_\_\_\_\_

List Repair Items Identified from Inspection:


Repairs:

Describe Maintenance and Repair Activity


Date Repaired: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name \_\_\_\_\_



UC3446291-002

Document Number

DEC 29 2006  
State Bar of Wisconsin Form 1-2003

WARRANTY DEED

Document Name

3446291

REGISTER'S OFFICE  
WAUKESHA COUNTY, WI  
RECORDED ON

12-29-2006 1:43 PM

MICHAEL J. HASSLINGER  
REGISTER OF DEEDS

REC. FEE: 6.00  
REC. FEE-CO: 5.00  
REC. FEE-ST: 2.00  
TRAN. FEE:  
TRAN. FEE-STATE:  
PAGES: 2

THIS DEED, made between  
COMMUNITY DEVELOPMENT AUTHORITY OF THE VILLAGE OF BUTLER

("Grantor," whether one or more), and  
EVERGREEN FUEL STOP AND MINI MART, LLC

("Grantee," whether one or more)

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

Lot 1 of Certified Survey Map No. 10329, recorded December 27, 2006, in Volume 98 of Certified Survey Maps on Pages 13 to 16 as Document No. 3445185, being all of Lots 1 through 16, Block 49 and all of Lots 1 through 16, Block 50 of Plat of New Butler, including vacated public alley and vacated N. 125th Street lying there within, being a part of the Northeast 1/4 of Section 1, Town 7 North, Range 20 East, in the Village of Butler, County of Waukesha, State of Wisconsin. See attached EXHIBIT A

Part of Tax Key Nos.: BV 1009.259 and BV 1009.258

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 levied in the year of closing.

Dated December 28, 2006.

COMMUNITY DEVELOPMENT AUTHORITY OF THE VILLAGE OF BUTLER

Richard A. Ensslin (SEAL)  
RICHARD ENSSLIN, CHAIRMAN

\_\_\_\_ (SEAL)

\_\_\_\_ (SEAL)

AUTHENTICATION

Signature(s) \_\_\_\_\_

authenticated on \_\_\_\_\_

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, \_\_\_\_\_  
authorized by Wis. Stat. S706.06)

THIS INSTRUMENT DRAFTED BY:

DANIELLE BERGNER

ACKNOWLEDGMENT

STATE OF WISCONSIN

WAUKESHA

COUNTY

Personally came before me on December 28, 2006  
the above named RICHARD ENSSLIN

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

Danielle Bergner  
Danielle M. Bergner

Notary Public, State of Wisconsin

My commission (is permanent) expires: \_\_\_\_\_

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

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

WARRANTY DEED

\*Type name below signatures

2003 STATE BAR OF WISCONSIN

FORM NO. 1-2003

cwdcedn 8/05

000322 DEC 29 8

**EXHIBIT A**

The real estate transferred pursuant to this Deed is transferred subject to an irrevocable and exclusive option (the "Option") granted to Seller to acquire the fee simple interest in the real estate transferred pursuant to this Deed at the original purchase price in the event that Buyer fails to substantially complete construction of the building(s) and related improvements on the property in accordance with the terms of the Development Agreement on or before December 31, 2007. This Option may be exercised between the period of January 2, 2008 and January 2, 2009. This Option shall terminate either i) on January 3, 2009 or ii) following substantial completion of construction of the buildings(s) and related improvements on the property in accordance with the terms of the Development Agreement provided the Village of Butler issues a certificate of such substantial completion. Said Option to repurchase, if exercised, shall close within sixty (60) days of written notice to the Buyer. The Parties agree that the original purchase price for purposes of this Option shall be \$256,216.00.



WC3445185-004

3445185

### CERTIFIED SURVEY MAP NO. 10329

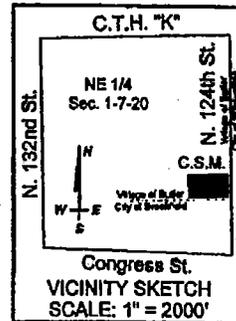
Being all of Lots 1 through 16, Block 49 and all of Lots 1 through 16, Block 50 of Plat of New Butler, including Vacated Public Alley and Vacated N. 125th Street lying there within, being a part of the Northeast 1/4 of Section 1, Township 7 North, Range 20 East, in the Village of Butler, Waukesha County, Wisconsin.

#### NOTES:

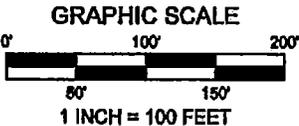
1. No obstruction, such as structures, parking, or vegetation, shall be permitted ten feet above the plane through the mean curb grades within the triangular space formed by any two existing or proposed intersecting street or alley right-of-way lines and a line joining points on such lines located a minimum of fifteen feet from their intersection.
2. The vision clearance triangle should be seeded or sodded, however, the vision clearance triangle may be paved provided that the owner takes measures to assure that no parking will be permitted in the vision clearance triangle.
3. No direct public or private access shall be permitted to the existing or proposed rights-of-way within fifty feet of the intersection of the right-of-way lines.
4. See Sheet 2 for Drainage Easement Note.

#### Notes:

- O—Denotes 1" iron pipe found
  - Denotes 1" x 24" iron pipe set, 1.68 lbs. per lin. ft.
- All bearings refer to Grid North of the Wisconsin State Plane Coordinate System, South Zone.



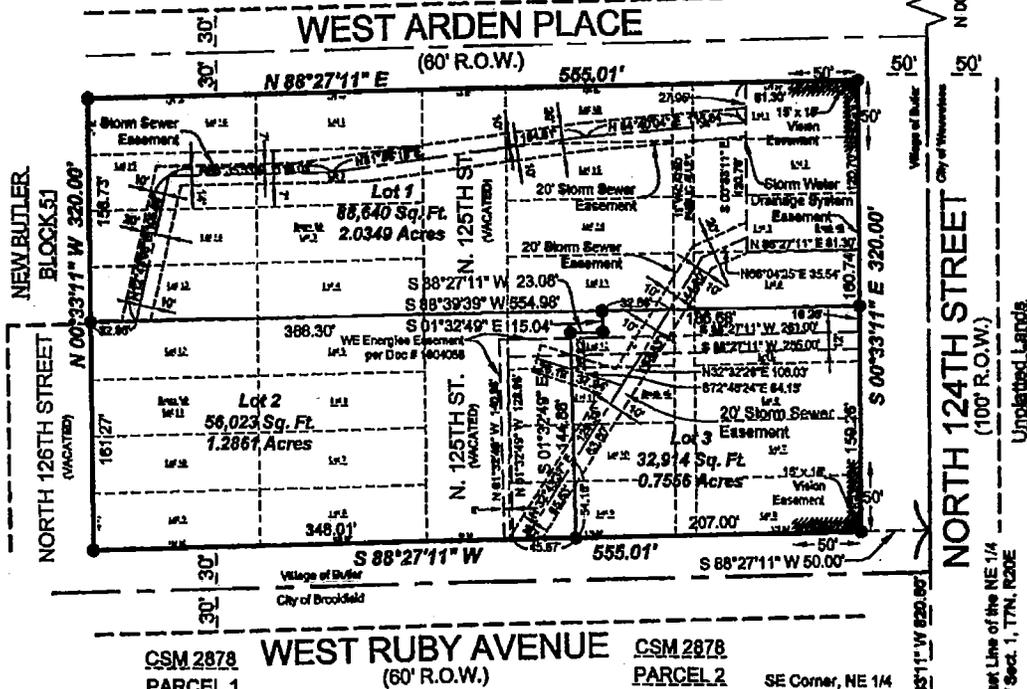
*William R. Henrichs*  
 December 4, 2006  
 Rev. December 11, 2006  
 Rev. December 21, 2006



NE Corner, NE 1/4  
 Sec. 1, T7N, R20E  
 (Conc. mon. w/brass cap)  
 N 408,619.76  
 E 2,518,488.81  
 (Wisconsin State Plane Co-  
 ordinate System, South Zone)

NEW BUTLER  
BLOCK 47

NEW BUTLER  
BLOCK 48



Prepared For:  
 Village of Butler Community  
 Development Authority  
 12621 W. Hampton Avenue  
 Butler, WI 53007  
 (262) 783-2525

**NOTE:**  
 See Sheet 2 for Drainage Easement Note.

SE Corner, NE 1/4  
 Sec. 1, T7N, R20E  
 (Conc. mon. w/brass cap)  
 N 405,520.83  
 E 2,518,488.73  
 (Wisconsin State Plane Co-  
 ordinate System, South Zone)

**LANDCRAFT SURVEY AND ENGINEERING, INC.**  
 REGISTERED LAND SURVEYORS AND CIVIL ENGINEERS  
 2077 South 116th Street, West Allis, WI 53227  
 PH. (414) 604-0674 FAX (414) 604-0677  
 INFO@LANDCRAFTSE.COM

This instrument drafted by  
 William R. Henrichs, RLS S-2419

Job Number: 060419  
 December 4, 2006  
 Sheet 1 of 3 Sheets

13

CERTIFIED SURVEY MAP NO. 10329

Being all of Lots 1 through 16, Block 49 and all of Lots 1 through 16, Block 50 of Plat of New Butler, including Vacated Public Alley and Vacated N. 125th Street lying there within, being a part of the Northeast 1/4 of Section 1, Township 7 North, Range 20 East, in the Village of Butler, Waukesha County, Wisconsin.

**SURVEYOR'S CERTIFICATE**

STATE OF WISCONSIN)  
MILWAUKEE COUNTY) SS

Prepared For:  
Village of Butler Community  
Development Authority  
12621 W. Hampton Avenue  
Butler, WI 53007  
(262) 783-2625

I, William R. Henrichs, Registered Land Surveyor, do hereby certify:

That I have surveyed, mapped and divided all of Lots 1 through 16, Block 49 and all of Lots 1 through 16, Block 50 of Plat of New Butler, including Vacated Public Alley and Vacated N. 125th Street lying there within, being a part of the Northeast 1/4 of Section 1, Township 7 North, Range 20 East, in the Village of Butler, Waukesha County, Wisconsin, which is bounded and described as follows:

Commencing at the Southeast corner of said Northeast 1/4;  
Thence N 00°33'11" W, along the East line of said Northeast 1/4, 820.60 feet;  
Thence S 88°27'11" W, 50.00 feet to the Point of Beginning;  
Thence S 88°27'11" W, 555.01 feet;  
Thence N 00°33'11" W, 320.00 feet;  
Thence N 88°27'11" E, 555.01 feet;  
Thence S 00°33'11" E, 320.00 feet to the Point of Beginning;  
Said lands containing 177,576 square feet, or 4.0766 acres.

That I have made such survey, land division and map by the direction of Village of Butler Community Development Authority, owner of said land. That such plat is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made. That I have fully complied with the provisions of Chapter 236 of the Wisconsin State Statutes and the Village of Butler Land Division Ordinance in surveying, mapping and dividing the same.

December 4, 2006  
Rev. December 11, 2006  
Rev. December 21, 2008  
Date



*William R. Henrichs*  
William R. Henrichs  
Registered Land Surveyor, S-2419

**DRAINAGE EASEMENT NOTE:**

The Owner of Lot 1 ("Grantor") reserves for itself and further grants to the Owners of Lots 2 and 3 (collectively "Grantees"), their successors or assigns, an 81.3' x 120.7' storm water easement on Lot 1, at the location set forth on the Final Certified Survey Map, for the purpose of constructing, using, and maintaining a storm water basin and other necessary drainage improvements. Grantor shall have the sole obligation to construct all storm water facilities and improvements within said easement, including construction of a storm water basin, and shall further have the sole obligation to perpetually operate, maintain, replace, and repair awales, ditches, culverts, basins, or any other landscape or drainage feature or improvement and to convey, divert, or cause surface water runoff and drainage within said drainage/storm water easement.

Grantor further grants to Grantees, their successors or assigns, additional storm water easements identified on the Final Certified Survey Map as storm sewer easements, at the locations set forth on the Final Certified Survey Map, for the purpose of constructing, using, and maintaining storm sewer improvements. Grantor shall have the sole obligation to construct and perpetually operate, maintain, replace, and repair all storm sewer improvements located on Lot 1. Each Grantee shall have the obligation to construct and perpetually operate, maintain, replace, and repair all storm sewer improvements located on that Grantee's respective Lot. Grantees shall have the right, but not the obligation, to enter upon, construct, install, inspect, test, operate, maintain, replace, and repair any drainage features or improvements and to convey, divert, or cause surface water runoff and drainage within any storm sewer easement identified on the Final Certified Survey Map.

The Owner of Lot 3 further grants to the Owner of Lot 2 ("Lot 2 Grantee"), its successors and assigns, a storm water easement identified on the Final Certified Survey Map as a storm sewer easement, at the locations set forth on the Final Certified Survey Map, for the purpose of constructing, using, and maintaining storm sewer improvements. Lot 2 Grantee shall have the sole obligation to construct and perpetually operate, maintain, replace, and repair all storm sewer improvements located within said easement. Lot 2 Grantee shall have the right, but not the obligation, to enter upon, construct, install, inspect, test, operate, maintain, replace, and repair any drainage features or improvements and to convey, divert, or cause surface water runoff and drainage within any storm sewer easement identified on the Final Certified Survey Map.

The owner of the lot upon which any such easement is located shall not interfere with or impede the rights of the Grantees with respect to this easement, nor alter the grade within the easement areas to alter or affect the flow of surface water drainage.

**LANDCRAFT SURVEY AND ENGINEERING, INC.**

REGISTERED LAND SURVEYORS AND CIVIL ENGINEERS  
2077 South 116th Street, West Allis, WI 53227  
PH. (414) 604-0674 FAX (414) 604-0677  
INFO@LANDCRAFTSE.COM

This instrument drafted by  
William R. Henrichs, RLS S-2419

Job Number: 060419  
December 4, 2006  
Sheet 2 of 3 Sheets

FI

**CERTIFIED SURVEY MAP NO. 10329**

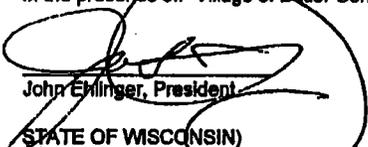
Being all of Lots 1 through 16, Block 49 and all of Lots 1 through 16, Block 50 of Plat of New Butler, including Vacated Public Alley and Vacated N. 125th Street lying there within, being a part of the Northeast 1/4 of Section 1, Township 7 North, Range 20 East, in the Village of Butler, Waukesha County, Wisconsin.

**CORPORATE OWNER'S CERTIFICATE OF DEDICATION**

Village of Butler Community Development Authority, 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 certified survey map to be surveyed, divided, mapped and dedicated as represented on this certified survey map.

IN WITNESS WHEREOF, the said Village of Butler Community Development Authority has caused these presents to be signed by John Ehlinger, its president, at Village of Butler, Waukesha County, Wisconsin, and its corporate seal to be hereunto affixed on this 26th day of December, 2006.

In the presence of: Village of Butler Community Development Authority

  
John Ehlinger, President

STATE OF WISCONSIN)  
MILWAUKEE COUNTY) SS

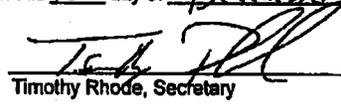
Personally came before me this 26th day of December, 2006, John Ehlinger, President, of the above named corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such President of said corporation, and acknowledged that they executed the foregoing instrument as such officer as the deed of said corporation, by its authority.

  
Notary Public Danielle M. Berger  
State of Wisconsin  
My Commission Expires: is permanent

**PLAN COMMISSION APPROVAL**

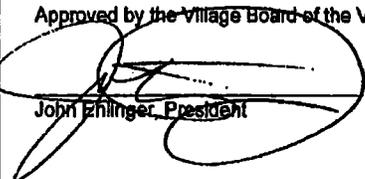
Approved by the Plan Commission of the Village of Butler on this 18th day of December, 2006.

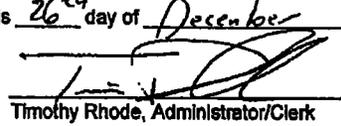
  
John Ehlinger, Chairman

  
Timothy Rhode, Secretary

**VILLAGE BOARD APPROVAL**

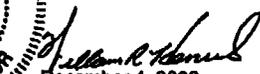
Approved by the Village Board of the Village of Butler on this 26th day of December, 2006.

  
John Ehlinger, President

  
Timothy Rhode, Administrator/Clerk

Prepared For:  
Village of Butler Community  
Development Authority  
12621 W. Hampton Avenue  
Butler, WI 53007  
(262) 783-2525



  
December 4, 2006  
Rev. December 11, 2006  
Rev. December 21, 2006

**LANDCRAFT SURVEY AND ENGINEERING, INC.**

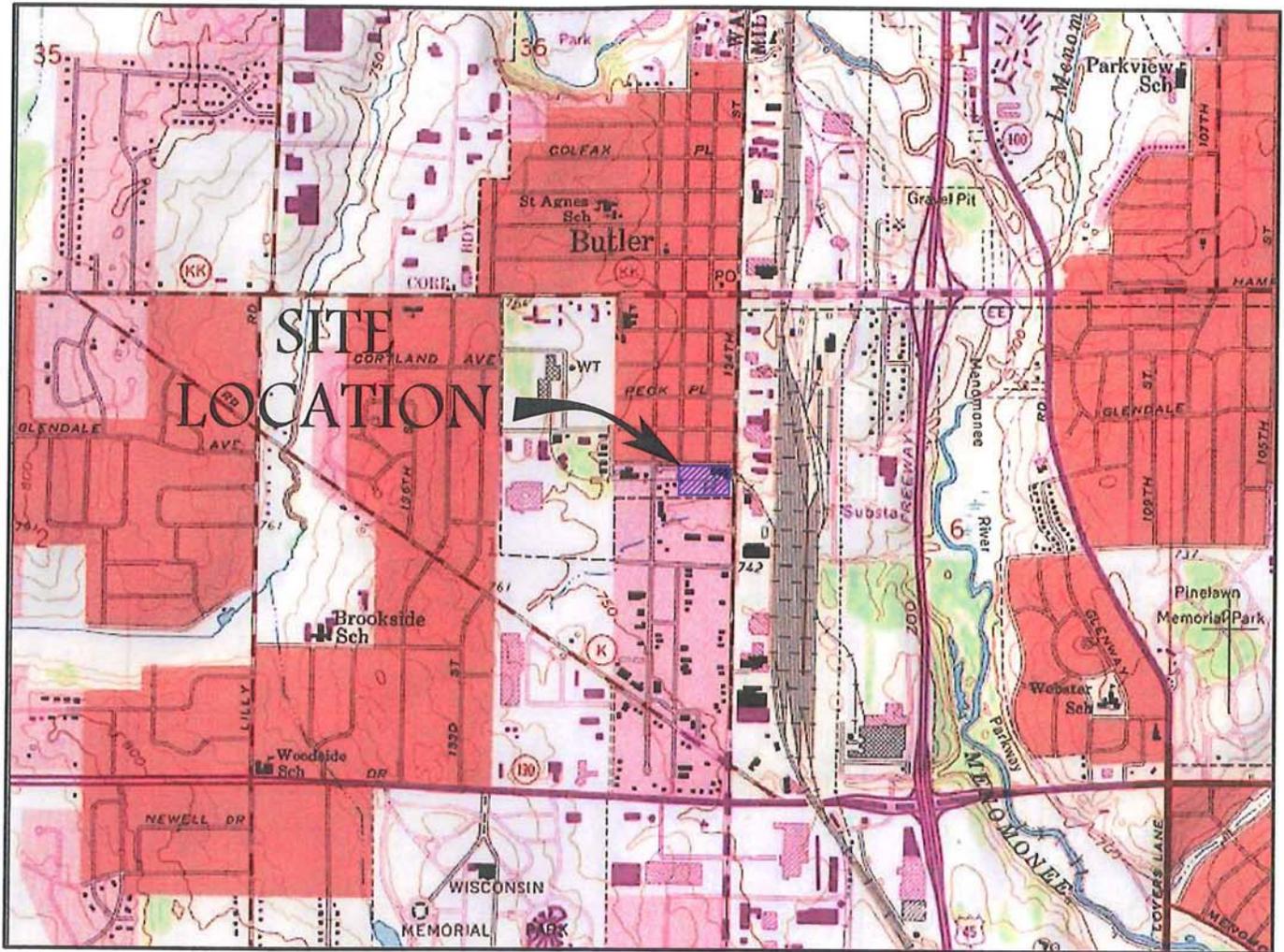
REGISTERED LAND SURVEYORS AND CIVIL ENGINEERS  
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INFO@LANDCRAFTSE.COM

This instrument drafted by  
William R. Henrichs, RLS S-2419

Job Number: 060419  
December 4, 2006  
Sheet 3 of 3 Sheets

15





SCALE IN FEET  
1" = 2000'



CONTOUR INTERVAL 10 FEET  
NATIONAL GEODETIC VERTICAL DATUM OF 1929



QUADRANGLE LOCATION

BASE MAP SOURCE: USGS 7.5 MINUTE QUADRANGLE, WAUWATOSA, WISCONSIN, 1994 (NATIONAL GEOGRAPHIC HOLDINGS, INC.)

### **Northern Environmental**

Hydrologists • Engineers • Surveyors • Scientists

12075 North Corporate Parkway, Suite 210, Mequon, Wisconsin 53092  
Phone: 800-776-7140 Fax: 262-241-8222

WISCONSIN ▲ MICHIGAN ▲ ILLINOIS ▲ IOWA

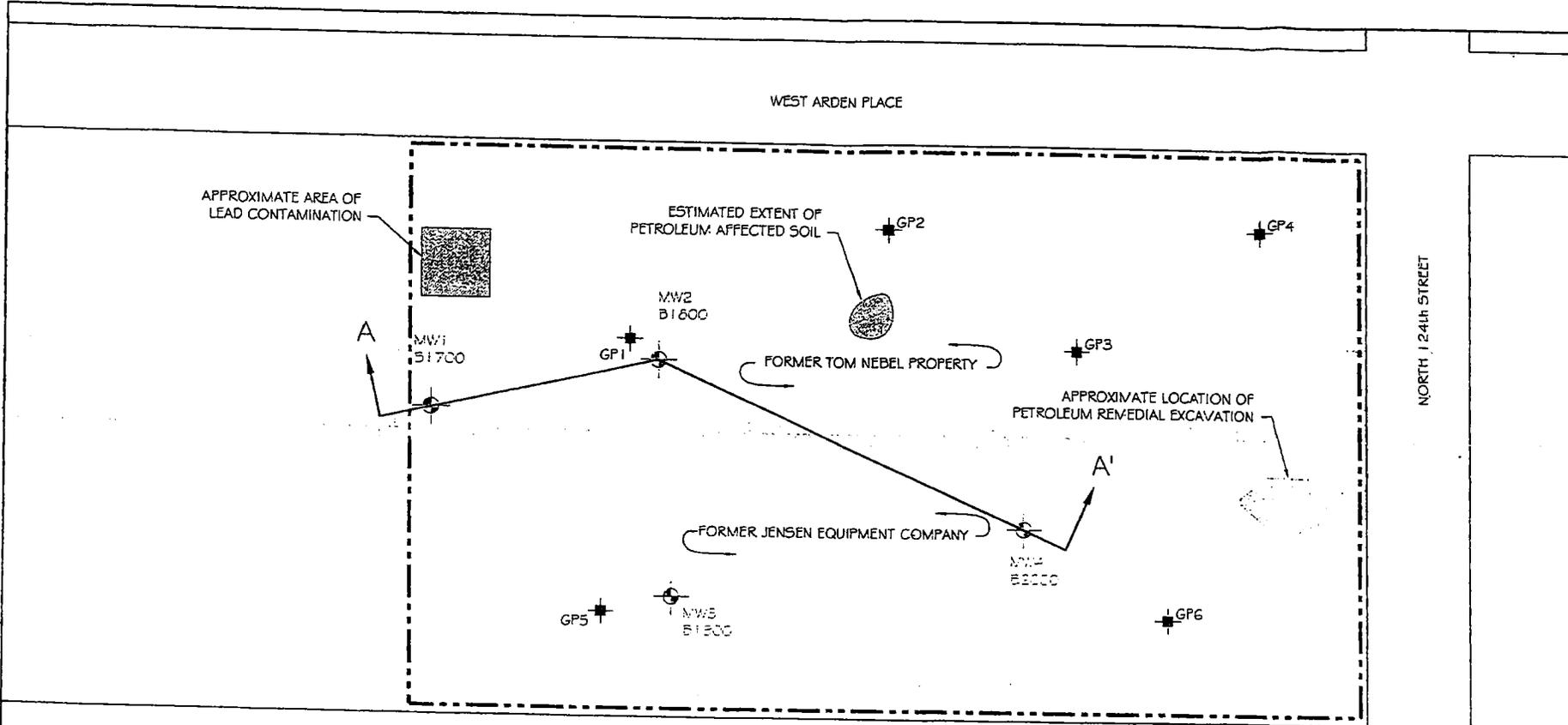
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## SITE LOCATION & LOCAL TOPOGRAPHY

FORMER JENSEN EQUIPMENT COMPANY  
& FORMER TOM NEBEL PROPERTY  
BUTLER, WISCONSIN

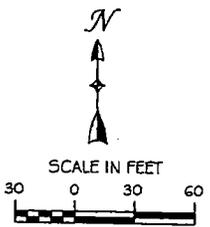
DATE: 02/23/04 DRAWN BY: KAA TASK NUMBER: 110

PROJECT NUMBER: VOB 01-2200-2346 FIGURE 1



**LEGEND**

- GP1 GEOPROBE SOIL BORING INSTALLED BY GILES ENGINEERING
- MW1 MONITORING WELL LOCATION & IDENTIFICATION
- FORMER RAILROAD TRACKS
- PROPERTY BOUNDARY
- GEOLOGIC CROSS-SECTION



**Northern Environmental**  
 Hydrologists • Engineers • Surveyors • Scientists  
 12075 North Corporate Parkway, Suite 210, Mequon, Wisconsin 53092  
 Phone: 800-776-7140 Fax: 262-241-8222

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DATE: 05/17/04 DRAWN BY: KAA TASK NUMBER: 110

**SITE LAYOUT**

FORMER JENSEN EQUIPMENT COMPANY  
 & FORMER TOM NEBEL PROPERTY  
 BUTLER, WISCONSIN

PROJECT NUMBER: VOB 01-2200-2546 FIGURE 2

S:\CAD\Mapcon\Projects\VOB02346\04\_0517\_2.dwg, Figure 2, 10/4/2004 10:48:22 AM

NOTE:  
AN ATTEMPT SHALL BE MADE BY THE  
GENERAL CONTRACTOR TO LOCATE  
AND REUSE EXISTING LATERALS FOR  
SEWER AND WATER IN AVOID PLACE.

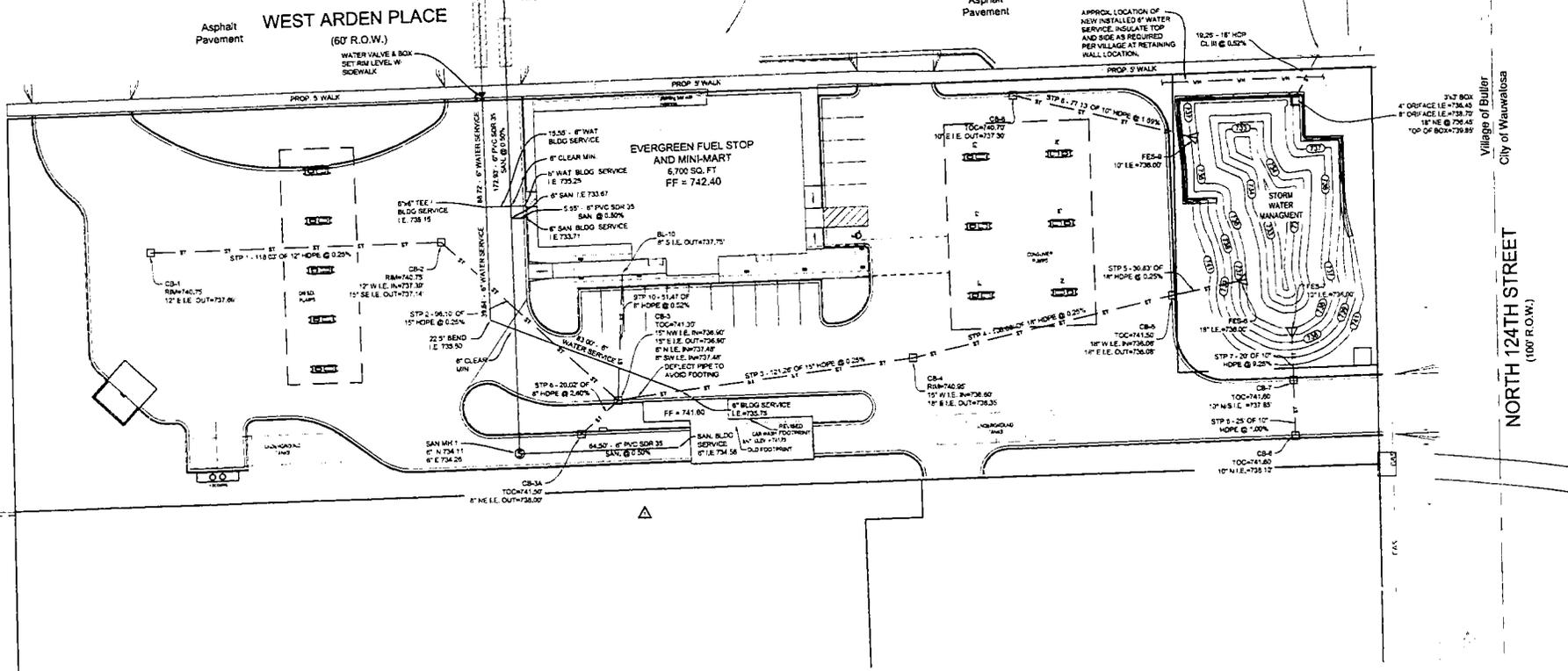
SAW CUT EXISTING  
PAVEMENT AND REPLACE  
IN KIND PER VILLAGE  
OF BUTLER SPECS.  
SLURRY BACKFILL (TYP.)

CONNECT TO EXIST WATERMAIN  
PER VILLAGE SPECIFICATIONS  
VERIFY LOCATION AND ELEV.  
PRIOR TO CONSTRUCTION

CONNECT TO EXIST SAN SEWER  
PER VILLAGE SPECIFICATIONS  
EXIST. I.E. = 733.09  
PROP. I.E. = 733.25 (VERIFY  
LOCATION AND ELEV.  
PRIOR TO CONSTRUCTION)

PROPERLY ABANDON STORM SEWER DRAINS  
CONTRACTOR TO REMOVE EXISTING CATCH  
BASINS AND REMOVE ANY PIPE WITHIN THE  
BUILDING FOOTPRINT.  
IF STORM SEWER DRAIN TO BE FILLED WITH  
SLURRY AND BULKHEADED AT THE MAIN.

CONN. TO EXIST  
CATCH BASIN PER  
VILLAGE SPECS.  
PROP. 18" I.E. 736.35

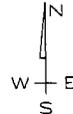


Village of Butler  
City of Wauwatosa

NORTH STREET  
(100' R.O.W.)

LANDCRAFT SURVEY AND ENGINEERING, INC. ALL RIGHTS RESERVED.

NOTES:  
1. PIPE RUN LENGTHS AS SHOWN ON THIS PLAN ARE MEASURED NODE-TO-NODE (I.E. CENTER-TO-CENTER OF MANHOLES).  
2. SEE SHEET # OF THIS SET FOR DETAILS.  
3. THE LOCATION AND SIZE OF UNDERGROUND STRUCTURES AND UTILITIES SHOWN HEREON HAVE BEEN LOCATED TO A REASONABLE DEGREE OF ACCURACY, BUT THE ENGINEER DOES NOT GUARANTEE THEIR EXACT LOCATION OR THE LOCATION OF OTHER NOT SHOWN.  
4. ALL SITE GRADING ACTIVITY AND EROSION CONTROL MEASURES SHALL COMPLY WITH THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES CONSTRUCTION SITE EROSION AND SEDIMENT CONTROL TECHNICAL STANDARDS (NR-1020). ALL EROSION CONTROL MEASURES MUST BE IN PLACE BEFORE CONSTRUCTION BEGINS AND SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.



**DIGGERS NOTLINE**

WISCONSIN STATE STATUTE, 182.17(5) PROHIBITS  
THREE MORE DAYS NOTICE BEFORE YOU DIG.  
CALL DIGGER'S NOTLINE 1-800-848-8111



LANDCRAFT SURVEY AND ENGINEERING, INC.  
1620 HULL LANE, SUITE 200, WILSONVILLE, WI 53197  
2021 SOUTH 118th STREET, WEST PALM BEACH, FL 33411  
PH: (414) 866-0211 FAX: (414) 866-0217  
INFO@LANDCRAFT16.COM

DESIGNED BY: C. HAWKINS  
CHECKED BY: A. KOCH  
APPROVED BY: *A.E.K.*

PROJECT NO.: 080419 - REV. DATE: Sep 20, 2007  
HOR. SCALE: 1" = 20'

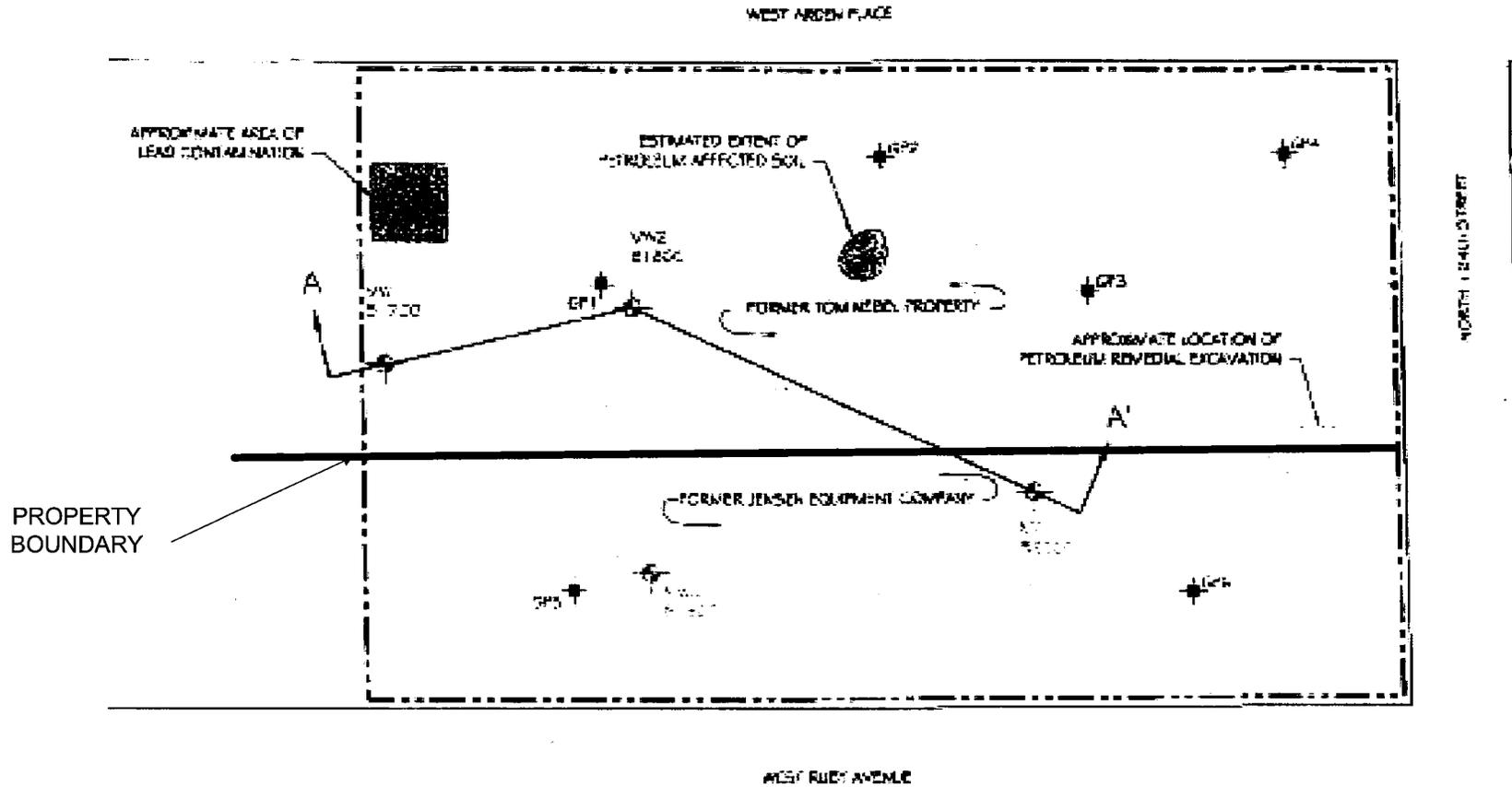
UTILITY PLAN  
EVERGREEN FUEL STOP AND MINI-MART  
VILLAGE OF BUTLER, WAUKESHA COUNTY, WISCONSIN

SHEET 3 OF 4

PROJECT NO. 080419, 03-UP-012100 - EVERGREEN FUEL STOP AND MINI-MART, SHEET 3 OF 4, VILLAGE OF BUTLER, WAUKESHA COUNTY, WISCONSIN

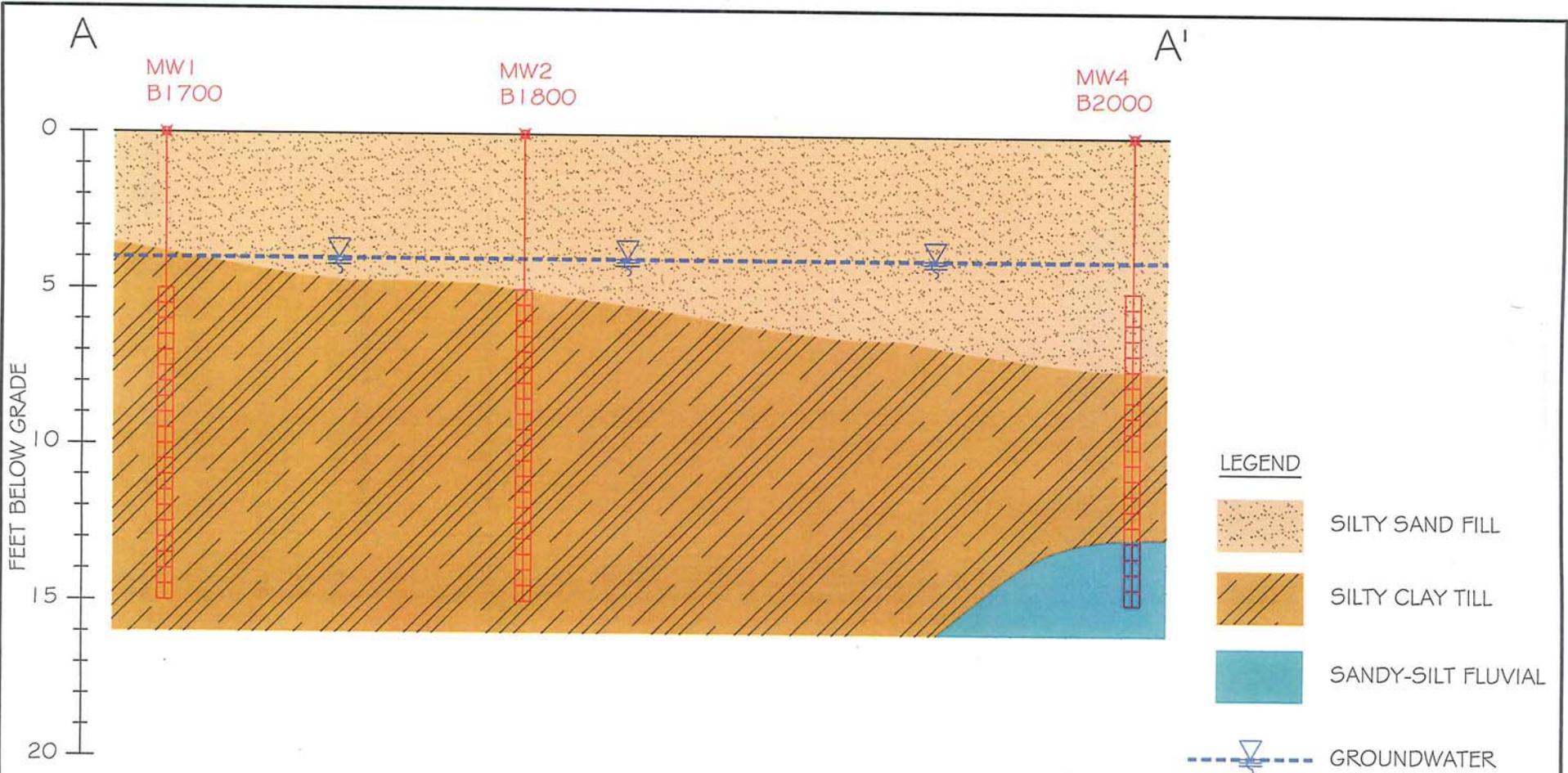
# FORMER NEBEL PROPERTY

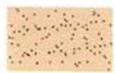
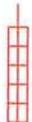
4539 N. 124<sup>TH</sup> STREET

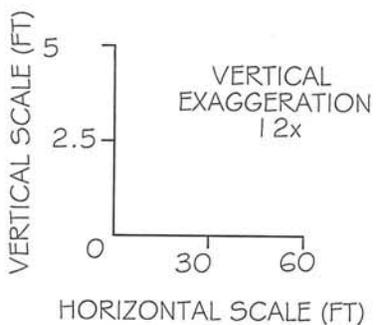


**SITE MAP – SOIL CONTAMINATION MAP – PROPERTY BOUNDARY MAP**





- LEGEND**
-  SILTY SAND FILL
  -  SILTY CLAY TILL
  -  SANDY-SILT FLUVIAL
  -  GROUNDWATER
  -  MONITORING WELL WITH SCREENED INTERVAL



**Northern Environmental**  
*Hydrologists • Engineers • Surveyors • Scientists*  
 12075 North Corporate Parkway, Suite 210, Mequon, Wisconsin 53092  
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WISCONSIN ▲ MICHIGAN ▲ ILLINOIS ▲ IOWA

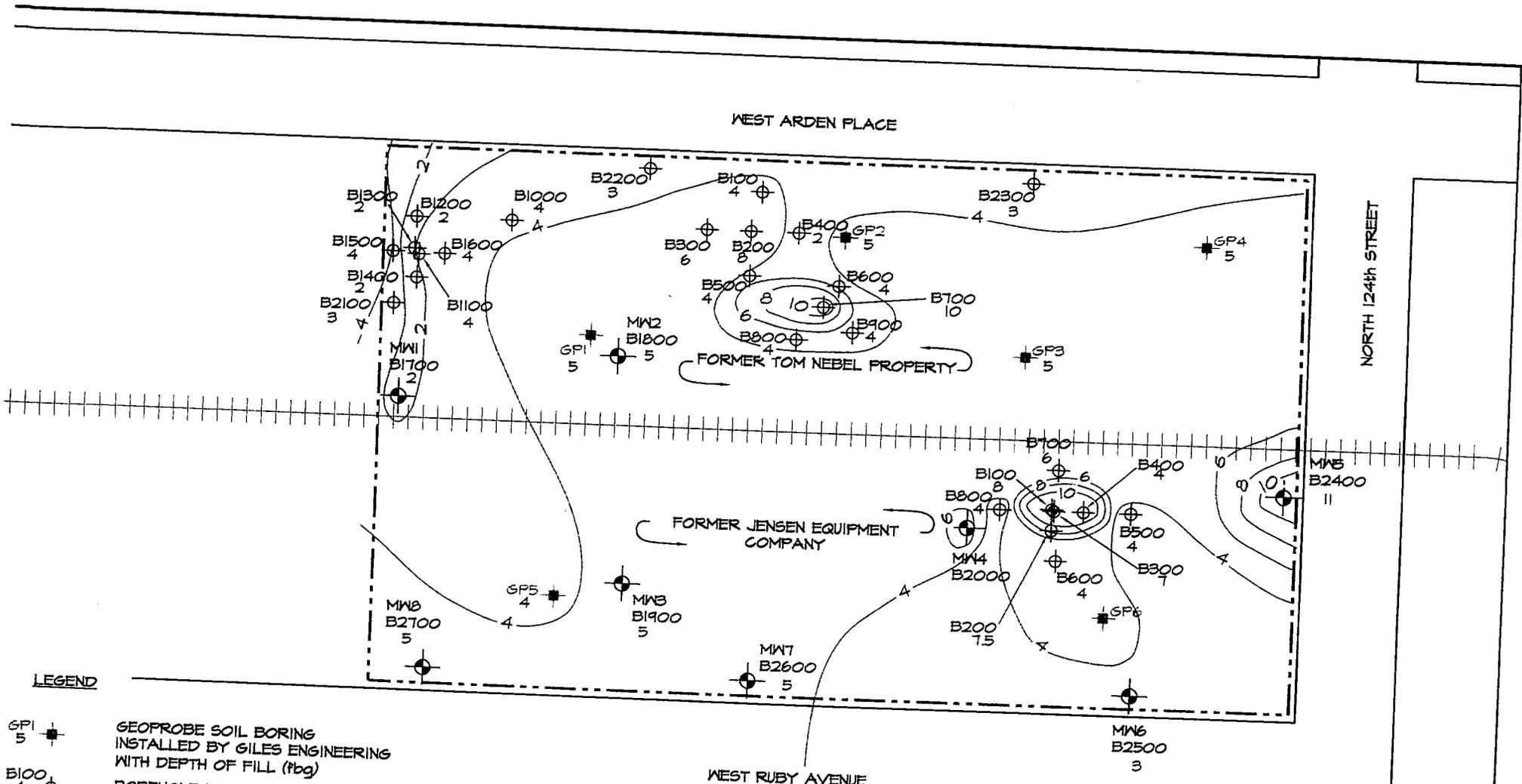
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DATE: 08/17/04	DRAWN BY: KAA	TASK NUMBER: 110
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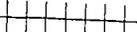
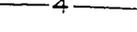
**GEOLOGIC CROSS-SECTION A-A'**

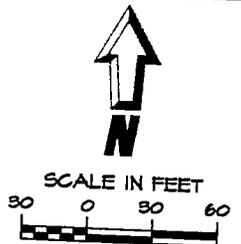
FORMER JENSEN EQUIPMENT COMPANY  
 & FORMER TOM NEVEL PROPERTY  
 BUTLER, WISCONSIN

PROJECT NUMBER: VOB 01-2200-2356	FIGURE 3
----------------------------------	----------



**LEGEND**

- 
**GP1 5**  
 GEOPROBE SOIL BORING  
 INSTALLED BY GILES ENGINEERING  
 WITH DEPTH OF FILL (ftg)
- 
**B100 4**  
 BOREHOLE LOCATION & IDENTIFICATION  
 WITH DEPTH OF FILL (ftg)
- 
**MW1 2**  
 MONITORING WELL LOCATION & IDENTIFICATION  
 WITH DEPTH OF FILL (ftg)
- 
 FORMER RAILROAD TRACKS
- 
 PROPERTY BOUNDARY
- 
**4**  
 FILL ELEVATION CONTOUR (ftg)



**Northern Environmental**  
 Hydrologists • Engineers • Surveyors • Scientists

12075 North Corporate Parkway, Suite 210, Mequon, Wisconsin 53092  
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DATE: 06/06/05    DRAWN BY: KAA    TASK NUMBER: 110

**FILL THICKNESS  
 CONTOUR MAP**

FORMER JENSEN EQUIPMENT COMPANY  
 & FORMER TOM NEBEL PROPERTY  
 BUTLER, WISCONSIN

PROJECT NUMBER: VOB 01-2200-2346    FIGURE 4

**Table 1**  
**Soil Analytical Results - VOCs**

**Berghammer Corporation Property**  
**4529-4525 North 124th Street**  
**Butler, Wisconsin**  
**Project No. 1E-0309010**

	Geoprobe Boring Numbers												WAC NR 720.09 RCLs <sup>1</sup>	WAC NR 746.06 Product Indicator <sup>2</sup>	WAC NR 746.06 Direct Contact <sup>3</sup>
	GP-1		GP-2		GP-3		GP-4		GP-5		GP-6				
	9/11/2003		9/11/2003		9/11/2003		9/11/2003		9/11/2003		9/11/2003				
<b>Sample Date</b>	9/11/2003		9/11/2003		9/11/2003		9/11/2003		9/11/2003		9/11/2003				
<b>Sample Depth (feet)</b>	2-4	8-10	2-4	8-10	2-4	8-10	2-4	8-10	2-4	8-10	2-4	8-10			
<b>PID</b>	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL			
<b>Detected VOCs (ug/kg)</b>															
Benzene	<27	<29	<26	<30	<30	<31	<32	<30	<31	<29	<26	<29	5.5	8,500	1,100
Ethylbenzene	30	<29	42	<30	<30	<31	<32	<30	<31	<29	<26	<29	2,900	4,600	NS
Toluene	37	<29	65	<30	<30	<31	<32	<30	<31	<29	31	<29	1,500	38,000	NS
Xylenes	141	<41	200	<41	48	<43	<44	<42	<43	<41	<37	<40	4,100	42,000	NS
Methylene Chloride	61 L	<58	<53	<59	<59	<61	<63	<60	<62	<58	<53	<58	NS	NS	NS
Naphthalene	152	<29	100	<30	43	<31	<32	<30	<31	<29	<26	<29	NS	2,700	NS
1,2,4-Trimethylbenzene	54	<29	93	<30	<30	<31	<32	<30	<31	<29	<26	<29	NS	8,300	NS
1,3,5-Trimethylbenzene	<27	<29	27	<30	<30	<31	<32	<30	<31	<29	<26	<29	NS	1,100	NS
sec-Butylbenzene	<27	<29	33	<30	58	<31	<32	<30	<31	<29	<26	<29	NS	NS	NS
Isopropylbenzene	<27	<29	32	<30	<30	<31	<32	<30	<31	<29	<26	<29	NS	NS	NS

**NOTES:**

**PID:** Photoionization Detector

**VOCs:** Volatile Organic Compounds

**ug/kg:** Micrograms per kilogram; equivalent to parts per billion (ppb)

**WAC:** Wisconsin Administrative Code

**NR:** Natural Resources Chapter of the WAC

**BDL:** Below Detection Limit

**NS:** No Established Standard

**RCLs:** Residual Contaminant Levels

**L:** Common Lab Solvent and Contaminant

<sup>1</sup>: WAC NR 720.09 Table 1 Residual Contaminant Levels Based on Protection of Groundwater

<sup>2</sup>: WAC NR 746.06 Table 1 Indicators of Residual Petroleum Product in Soil Pores

<sup>3</sup>: WAC NR 746.06 Table 2 Protection of Human Health from Direct Contact with Contaminated Soil

Results indicated in red/underlined exceed the WAC NR 720.09 Table 1 Residual Contaminant Levels Based on Protection of Groundwater

Results indicated in brown/#.....# exceed the WAC NR 746.06 Table 1 Indicators of Residual Petroleum Product in Soil Pores

Results indicated in green/parenthesis exceed WAC NR 746.06 Table 2 Protection of Human Health from Direct Contact with Contaminated Soil. Applicable to soil 0-4 feet below ground surface.

Table 2

Soil Analytical Results- PAHs

Berghammer Corporation Property  
4529-4525 North 124th Street  
Butler, Wisconsin  
Project No. 1E-0309010

		Geoprobe Boring Numbers												WDNR Interm Guidance Suggested Generic RCLs	
		GP-1		GP-2		GP-3		GP-4		GP-5		GP-6		Groundwater Pathway <sup>1</sup>	Direct Contact, Industrial Pathway <sup>2</sup>
Sample Date		9/11/2003		9/11/2003		9/11/2003		9/11/2003		9/11/2003		9/11/2003			
Sample Depth (feet)		2-4	8-10	2-4	8-10	2-4	8-10	2-4	8-10	2-4	8-10	2-4	8-10		
PID		BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL		
Polycyclic Aromatic Hydrocarbons (PAHs) (ug/kg)	Acenaphthene	631	<58	<53	<59	<59	<61	<63	<60	<62	<58	<53	<58	38,000	60,000,000
	Acenaphthylene	<92	<99	<89	<100	<100	<100	<110	<100	<100	<98	<90	<98	700	360,000
	Anthracene	185	<5.8	21	<5.9	<88	<6.1	12	<6.0	<6.2	<5.8	<5.3	<5.8	1,000,000	300,000,000
	Benzo (a) anthracene	2940	<5.8	200	<5.9	1150	<6.1	18	<6.0	14	<5.8	<5.3	<5.8	17,000	3,900
	Benzo (b) fluoranthene	2830	<5.8	200	<5.9	665	<6.1	14	<6.0	12	<5.8	<5.3	<5.8	350,000	3,900
	Benzo (k) fluoranthene	1850	<5.8	116	<5.9	416	<6.1	19	<6.0	6.5	<5.8	<5.3	<5.8	870,000	39,000
	Benzo (a) pyrene	(3700)	<5.8	211	<5.9	(1430)	<6.1	<6.3	<6.0	11	<5.8	<5.3	<5.8	48,000	190
	Benzo (g,h,i) perylene	4030	<5.8	253	<5.9	1190	<6.1	<6.3	<6.0	10	<5.8	<5.3	<5.8	4,800,000	39,000
	Chrysene	3160	<5.8	189	<5.9	1010	<6.1	20	<6.0	11	<5.8	<5.3	<5.8	37,000	390,000
	Dibenzo (a,h) anthracene	(849)	<8.7	59	<8.9	226	<9.2	<9.5	<9.0	<9.2	<8.7	<7.9	<8.6	38,000	390
	Fluoranthene	4130	<12	305	<12	1020	<12	99	<12	25	<12	<11	<12	500,000	40,000,000
	Fluorene	59	13	19	<12	82	<12	34	<12	<12	<12	<11	<12	100,000	40,000,000
	Indeno (1,2,3-cd) pyrene	3370	<5.8	179	<5.9	784	<6.1	<6.3	<6.0	9.1	<5.8	<5.3	<5.8	680,000	3,900
	1-Methylnaphthalene	337	56	60	<36	143	<37	100	<36	<37	<35	<32	<35	23,000	70,000,000
	2-Methylnaphthalene	2180	88	221	<30	606	<31	442	<30	<31	<29	<26	<29	20,000	40,000,000
	Naphthalene	163	<35	<32	<36	273	<37	<38	<36	<37	<35	<32	<35	400	110,000
Phenanthrene	1090	21	147	<5.9	487	<6.1	117	<6.0	15	<5.8	<5.3	<5.8	1,800	390,000	
Pyrene	3810	<5.8	253	<5.9	2140	<6.1	10	<6.0	16	<5.8	<5.3	<5.8	4,700,000	30,000,000	

NOTES:

PID: Photoionization Detector

PAHs: Polycyclic Aromatic Hydrocarbons

ug/kg: Micrograms per kilograms; equivalent to parts per billion (ppb)

WAC: Wisconsin Administrative Code

BDL: Below Detection Limit

RCLs: Residual Contaminant Levels

WDNR: Wisconsin Department of Natural Resources

<sup>1</sup>: WDNR Interm Guidance (April 1997) Table 1- Suggested Generic Residual Contaminant Levels (RCLs) For PAH Compounds in Soil- Groundwater Pathway

<sup>2</sup>: WDNR Interm Guidance (April 1997) Table 1- Suggested Generic Residual Contaminant Levels (RCLs) For PAH Compounds in Soil- Direct Contact Pathway Industrial

Results indicated in red/underlined, exceed the WDNR Interm Guidance (April 1997) Table 1- Suggested Generic Residual Contaminant Levels (RCLs) For PAH Compounds in Soil- Groundwater Pathway

Results indicated in green/parenthesis, exceed the WDNR Interm Guidance (April 1997) Table 1- Suggested Generic Residual Contaminant Levels (RCLs) For PAH Compounds in Soil- Direct Contact Pathway Industrial. Applicable to soil 0-4 feet below ground surface

Table 3

## Soil Analytical Results- RCRA Metals

Berghammer Corporation Property  
4529-4525 North 124th Street  
Butler, Wisconsin  
Project No. 1E-0309010

		Geoprobe Boring Numbers												NR 720.11 RCLs <sup>1</sup>	
		GP-1		GP-2		GP-3		GP-4		GP-5		GP-6		Non-Industrial Site Use	Industrial Site Use
Sample Date		9/11/2003		9/11/2003		9/11/2003		9/11/2003		9/11/2003		9/11/2003			
Sample Depth (feet)		2-4	8-10	2-4	8-10	2-4	8-10	2-4	8-10	2-4	8-10	2-4	8-10		
PID		BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL	BDL		
RCRA Metals (mg/kg)	Arsenic	<36 M	<38 M	<35 M	<39 M	<39 M	<40	<42 M	<39 M	<41 M	<38 M	<35 M	<38 M	0.039	1.6
	Barium	25	28	35	46	53	39	37	48	99	31	22	32	NS	NS
	Cadmium	0.46	1.1	<0.11	0.89	0.52	0.89	<0.13	0.81	0.89	1.2	1.2	1.1	8	510
	Chromium, Total	11	10	6.8	17	8	17	8.2	16	17	11	6.9	12	14/16000**	200/NA
	Lead	(63)	8.8	47	10	18	9.4	29	9.6	44	8.7	14	9.8	50	500
	Mercury	0.046	<0.012	<0.011	<0.012	0.014	<0.012	<0.013	<0.012	0.042	<0.012	0.018	<0.012	NS	NS
	Selenium	<65 M	<70 M	<63 M	<71 M	<71 M	<73 M	<76 M	<72 M	<74 M	<70 M	<64 M	<69 M	NS	NS
Silver	<1.7 M	<1.9 M	<1.7 M	<1.9 M	<1.9 M	<2.0 M	<2.0 M	<1.9 M	<2.0 M	<1.9 M	<1.7 M	<1.8 M	NS	NS	

## NOTES:

PID: Photoionization Detector

BDL: Below Detection Limit

RCRA: Resource Conservation and Recovery Act

mg/kg: Milligrams per Kilogram; equivalent to parts per million (ppm)

WAC: Wisconsin Administrative Code

NR: Natural Resources Chapter of the WAC

RCL: Residual Contaminant Level

NS: No Established Standard

M: Matrix Interference

\*\*: RCL for Hexavalent/Trivalent Chromium

<sup>1</sup>: WAC NR 720.11- Table 2 Residual Contaminant Levels Based on Human Health Risk From Direct Contact Related to Land Use

Results indicated in green/parenthesis exceed the WAC NR 720.11- Table 2 Residual Contaminant Levels Based on Human Health Risk From Direct Contact Related to Land- Non-Industrial Site Use. Applicable to soil 0-4 feet below ground surface.

Results indicated in brown/#.....# exceed the WAC NR 720.11- Table 2 Residual Contaminant Levels Based on Human Health Risk From Direct Contact Related to Land- Industrial Use. Applicable to soil 0-4 feet below ground surface