

# GIS REGISTRY

## Cover Sheet

May, 2008  
(RR 5367)

### Source Property Information

**BRRTS #:**

**ACTIVITY NAME:**

**PROPERTY ADDRESS:**

**MUNICIPALITY:**

**PARCEL ID #:**

**CLOSURE DATE:**

**FID #:**

**DATCP #:**

**COMM #:**

#### \*WTM COORDINATES:

X:  Y:

*\* 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*

This Adobe Fillable form is intended to provide a list of information that is required for evaluation for case closure. It is to be used in conjunction with Form 4400-202, Case Closure Request. The closure of a case means that the Department has determined that no further response is required at that time based on the information that has been submitted to the Department.

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

BRRTS #: 06-12-285587 PARCEL ID #: 12-271-0991-0000 : 12-271-0980-0000

ACTIVITY NAME: 3M Prairie du Chien WTM COORDINATES: X: 426564 Y: 287420

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

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

**SOURCE LEGAL DOCUMENTS**

- Deed:** The most recent deed as well as legal descriptions, for the **Source Property** (where the contamination originated). Deeds for other, off-source (off-site) properties are located in the **Notification** section.  
*Note: If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.*
- Certified Survey Map:** A copy of the certified survey map or the relevant section of the recorded plat map for those properties where the legal description in the most recent deed refers to a certified survey map or a recorded plat map. (lots on subdivided or platted property (e.g. lot 2 of xyz subdivision)).  
**Figure #:**                      **Title:**
- Signed Statement:** A statement signed by the Responsible Party (RP), which states that he or she believes that the attached legal description accurately describes the correct contaminated property.

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

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

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

BRRTS #: 06-12-285587

ACTIVITY NAME: 3M Prairie du Chien

**MAPS (continued)**

- Geologic Cross-Section Map:** A map showing the source location and vertical extent of residual soil contamination exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL). If groundwater contamination exceeds a ch. NR 140 Enforcement Standard (ES) when closure is requested, show the source location and vertical extent, water table and piezometric elevations, and locations and elevations of geologic units, bedrock and confining units, if any.

**Figure #:**                      **Title:**

**Figure #:**                      **Title:**

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

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

**Figure #:**                      **Title:**

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

**Figure #: 2-2**                      **Title: Water Table Contour Map**

**Figure #:**                      **Title:**

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

Tables must be no larger than 8.5 x 14 inches unless the table is submitted electronically. Tables must not contain shading and/or cross-hatching. The use of **BOLD** or *ITALICS* is acceptable.

- Soil Analytical Table:** A table showing remaining soil contamination with analytical results and collection dates.  
**Note:** This is one table of results for the contaminants of concern. Contaminants of concern are those that were found during the site investigation, that remain after remediation. It may be necessary to create a new table to meet this requirement.

**Table #: 2-1**                      **Title: Summary of Phase II Soil 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 #: 2-2**                      **Title: Summary of Phase II 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 #:**                      **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 #: 06-12-285587

ACTIVITY NAME: 3M Prairie du Chien

## 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  
Scott Humrickhouse, Regional Director

West Central Region Headquarters  
1300 W. Clairemont Avenue  
PO Box 4001  
Eau Claire, Wisconsin 54702-4001  
Telephone 715-839-3700  
FAX 715-839-6076  
TTY Access via relay - 711

September 17, 2008

BRRTS No. 06-12-285587  
FID No. 612024160

Mr. Robert A. Paschke  
Environmental Operations Manager  
3M Environmental Technology & Services  
900 Bush Avenue, Building 42-2E-27  
St. Paul, MN 55106

Subject: Issuance of a *Certificate of Completion* under the Voluntary Party Liability Exemption Program for the Environmental Investigation and Cleanup of the Former 3M Sponge Plant, 217 North Prairie Street, City of Prairie du Chien, Wisconsin

Dear Mr. Paschke:

The Wisconsin Department of Natural Resources ("the Department") has reviewed your request for issuance of a *Certificate of Completion* under the Voluntary Party Liability Exemption Program for the environmental investigation and cleanup of the former 3M Sponge Plant (3M Prairie du Chien Building 1 Project), 217 North Prairie Street, City of Prairie du Chien, Wisconsin, hereinafter referred to as "the Property". You have requested that the Department determine whether the Minnesota Mining and Manufacturing Company have met the environmental investigation and restoration requirements under s. 292.15(2), Wis. Stats., for the issuance of a *Certificate of Completion*.

The Property consists of numerous lots and portions of lots being located in Block Nine (9) and Block Ten (10), Union Plat, City of Prairie du Chien, Wisconsin. The Property is more fully described in Attachment A of the *Certificate of Completion*.

### **Determination**

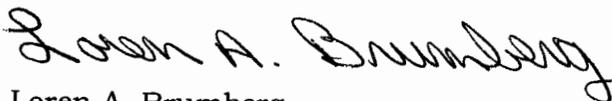
As you are aware, s. 292.15, Wis. Stats., authorizes the Department to issue a *Certificate of Completion* to a voluntary party that conducts an environmental investigation that is approved by the Department and restores the environment to the extent practicable and minimizes the harmful effects with respect to hazardous substance discharges on or originating from the Property. Department approval of the environmental investigation was provided to Minnesota Mining and Manufacturing Company in a letter dated January 24, 2003. Actions necessary to restore the environment were also identified in the letter and have now been completed. Therefore, the requirements of s. 292.15, Wis. Stats., have been met and attached is the *Certificate of Completion* for the Property.

The Property has been entered onto the Department's Geographical Information System ("GIS") Registry of Closed Remediation Sites due to the presence of arsenic in soils above the residual contaminant levels ("RCLs") that remain in place under a cover on the Property. Requirements for maintenance of the cover are contained in a deed restriction/affidavit filed with the Office of the Register of Deeds for Crawford County and attached to the deed of the Property. A *Pavement Cover Maintenance Plan* is attached to the *Final Case Closure with Land Use Limitations or Conditions* letter issued by the WDNR and dated June 3, 2008, and this *Certificate of Completion*.

### **Conclusions**

The Department appreciates the work conducted by Minnesota Mining and Manufacturing Company to investigate and restore the environment to the extent practicable at the Property. The exemptions provided by this *Certificate of Completion* apply to any successor or assignee of Minnesota Mining and Manufacturing Company, dependent upon the successor or assignee complying with the conditions of s. 292.15, Wis. Stats. If you have any questions or concerns regarding the *Certificate of Completion* and its exemptions or responsibilities, please call me at 715-839-3770 or Attorney Deborah Johnson at 608-267-0846.

Sincerely,



Loren A. Brumberg  
Waste Management Specialist  
Remediation & Redevelopment Program

LAB:lb

Attachment: Certificate of Completion

C: Michael Prager - RR/8  
Deborah Johnson - LE/5  
Bill Evans - WCR  
Dave Rozeboom - Wisconsin Rapids Service Center  
Jaisimha Kesari, P.E., Roy F. Weston, Inc., 1400 Weston Way, P.O. Box 2653, West  
Chester, PA 19380

**State of Wisconsin**  
**Department of Natural Resources**

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

**Whereas**, **3M Company** has applied for an exemption from liability under s. 292.15, Wis. Stats., for property located at 217 North Prairie Street, City of Prairie du Chien, Wisconsin, which is commonly referred to as the former 3M Sponge Plant and currently owned by Crawford County, and which is more specifically described by the legal description in Attachment A, and hereinafter referred to as “the Property”;

**Whereas**, an environmental investigation of the Property has been conducted and has determined that contamination exists at the Property;

**Whereas**, **3M Company** has submitted to the Wisconsin Department of Natural Resources (“the WDNR”) investigation reports and a remedial action plan for the Property which comply with the requirements set forth in chs. NR 700-754, Wis. Adm. Code, consisting of documents and reports listed in Attachment B;

**Whereas**, in accordance with s. 292.15(2)(a), Wis. Stats., the WDNR determined on January 24, 2003 that an environmental investigation had been conducted which adequately identified and evaluated the nature and extent of the hazardous substance discharges on the Property and the WDNR has approved of the remedial action plan for the Property;

**Whereas**, **3M Company** has submitted information described in s. NR 726.05(2)(a)3., Wis. Adm. Code, for the Property, and s. NR 726.05(3)(b)4., Wis. Adm. Code, to be included in the Department’s Geographic Information System Registry of Closed Remediation Sites (“the GIS Registry”) for residual soil contamination that exceeds generic or site-specific residual contaminant levels (as determined under ss. NR 720.09, 720.11 and 720.19, Wis. Adm. Code). Purposes for listing the Property on the GIS Registry include:

- Residual soil contamination exists on the Property that shall be properly managed as a waste should the impacted soil be excavated or removed.
- An engineered cover in the form of asphalt pavement and a soil barrier must be maintained over contaminated soil in accordance with the *Pavement Cover Maintenance Plan* in Attachment E and the WDNR must approve any changes to the barrier.

**Whereas, 3M Company** has filed with the Register of Deeds of Crawford County a deed restriction/affidavit (Attachment D) on the Property which declares that the Property is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitations and restrictions:

The asphalt paved surface intended for use as a parking lot that existed on the Property on the date that this restriction was signed forms a barrier that must be maintained in order to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health. This asphalt pavement is required 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.

The asphalt paved surfaces intended for use as a parking lot shall be maintained on the Property in the location shown on the attached map (Site Plan) unless another barrier, with an infiltration rate of  $10^{-7}$  cm/sec or less, is installed and maintained in its place. The existing asphalt pavement, and any replacement barrier with an infiltration rate of  $10^{-7}$  cm/sec or less, shall be maintained on the Property in compliance with a maintenance plan (Attachment E) that has been submitted to the WDNR in compliance with s. NR 724.13(2), Wis. Adm. Code (1997).

In addition, the following activities are prohibited on any portion of the Property where the asphalt paved surface or another impervious cap has been placed (Site Plan), unless prior written approval has been obtained from the WDNR or its successor or assign: (1) Excavating or grading of the land surface; (2) Filling on capped areas and areas with impervious surfaces; (3) Plowing for agricultural cultivation; and (4) Construction or installation of a building or other structure with a foundation that would sit on or be placed within the cap or impervious surface.

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

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

**Whereas**, on June 3, 2008, the WDNR issued a case closure letter for the Property (Attachment C) that requires maintenance of an engineering control to prevent direct contact with residual soil contamination that might otherwise pose a threat to public health. The case closure letter described the following requirements to which current and future property owners must adhere:

Pursuant to s. 292.12(2)(a), Wis. Stats., the pavement and soil cover that currently exists in the location shown on the attached map 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 would be considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken during excavation activities to prevent a health threat to humans.

**Whereas**, on June 3, 2008 the WDNR determined that response actions necessary to restore the environment to the extent practicable with respect to the discharges and minimize the harmful effects from the discharges to the air, land, and waters of the state were completed.

**Therefore**, based upon the information that has been submitted to the WDNR, the WDNR hereby certifies that the response actions set forth in the WDNR approved remedial action plan for the Property and any other necessary response actions have been completed.

Upon issuance of this *Certificate of Completion*, **3M Company** and the persons qualified for protection under s. 292.15(3), Wis. Stats., are exempt from the provisions of ss. 289.05(1), (2), (3) and (4), 289.42(1), 289.67, 291.25(1) to (5), 291.29, 291.37, 292.11(3), (4), and (7)(b) and (c) and 292.31(8), Wis. Stats., with respect to the existence of hazardous substances on or originating from the Property, the release of which occurred prior to the date the WDNR approved the environmental investigation required under s. 292.15(2)(a)1., Wis. Stats.

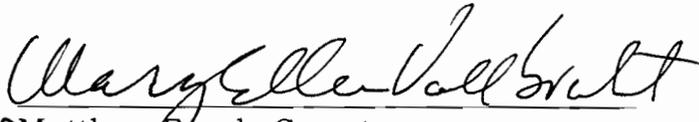
However, **3M Company** and a person otherwise qualified for protection under s. 292.15(3), Wis. Stats., who owns or controls the Property would no longer qualify for this liability exemption if that person fails to maintain or monitor the Property as required by the conditions in the June 3, 2008, case closure letter (Attachment C), the recorded deed restriction (Attachment D), the pavement cover maintenance plan (Attachment E), s. 292.12, Wis. Stats., and administrative rules promulgated by the WDNR. Any releases of a hazardous substance to or from the Property that occur after the date that the environmental investigation was approved will be the responsibility of the current Property owner and any other person who possesses or controls that discharge and any person who caused the discharge.

The protection from liability provided under s. 292.15(2), Wis. Stats., does not apply to any person who has obtained a *Certificate of Completion* by fraud or misrepresentation, or by the knowing failure to disclose material information or under circumstances in which **3M Company** knew or should have known about more discharges of hazardous substances than was revealed by the investigation approved by the WDNR.

Nothing in this *Certificate of Completion* or in s. 292.15, Wis. Stats., affects the authority of the WDNR to exercise any powers or duties under applicable laws other than ss. 289.05(1), (2), (3) and (4), 289.42(1), 289.67, 291.25(1) to (5), 291.29, 291.37, 292.11(3), (4), and (7)(b) and (c) and 292.31(8), Wis.

Stats., with respect to any release or threatened release of contaminants at the Property, or the right of the WDNR to seek relief available against any person who is not entitled to protection from liability under s. 292.15, Wis. Stats., with respect to such release or threatened release.

SIGNED AND CERTIFIED this 11 day of September, 2008.

  
for Matthew Frank, Secretary  
Wisconsin Department of Natural Resources

ATTACHMENT A  
LEGAL PROPERTY DESCRIPTION  
Former 3M Sponge Plant

Parcel 1:

Lot Seven (7), Eight (8) and Nine (9); the West Seven (7) feet of Lot Eleven (11); Lots Twelve (12) Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17) and Eighteen (18); Lots Twenty-three (23), Twenty-four (24), Twenty-five (25), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29), Thirty (30), Thirty-one (31), Thirty-two (32), Thirty-three (33), Thirty-four (34), Thirty-five (35), Thirty-six (36), Thirty-seven (37), Thirty-eight (38), and Thirty-nine (39);

Also, all that part of vacated North Prairie Street abutting said Lots Seven (7), Eight (8), Nine (9), Twenty-six (26), Twenty-seven (27), and Twenty-eight (28); All the above described real estate being located in Block Ten (10), Union Plat, Prairie du Chien, Wisconsin.

PIN 12-271-0991-0000

Parcel 2:

The South Twelve (12) feet of Lot Sixteen (16) and the South Twelve (12) feet of Lot Twenty-seven (27), Block Nine (9), Union Plat, Prairie du Chien, Wisconsin.

PIN 12-271-0980-0000

ATTACHMENT B  
INVESTIGATION AND REMEDIAL ACTION PLAN REPORTS  
Former 3M Sponge Plant

1. *"Findings of Analytical Sampling, Recommendations for Future Action, Environmental Response Activities, Crawford County Administrative Services Building, Prairie du Chien, Wisconsin"* prepared by EnviroDynamics, LLC and dated March 24, 2004.
2. *"3M Prairie du Chien, Wisconsin – Former Sponge Plant (Building 1) Voluntary Party Liability Exemption"* prepared by Weston Solutions, Inc. and dated October 30, 2002.
3. *"Phase II Environmental Site Assessment, 3M, 217 North Prairie Street, Prairie du Chien, Wisconsin"* prepared by Roy F. Weston, Inc. and dated November 2001.
4. *"Phase I Environmental Site Assessment, 3M, 217 North Prairie Street, Prairie du Chien, Wisconsin"* prepared by Roy F. Weston, Inc. and dated June 2001.
5. *"1995 Annual Monitoring Report, 3M Consumer Products, 217 North Prairie Street, Prairie du Chien, Wisconsin"* prepared by Bay West, Inc. and dated March 19, 1996.
6. *"Supplemental Remedial Investigation Report, 3M Consumer Products, 217 North Prairie Street, Prairie du Chien, Wisconsin"* prepared by Bay West, Inc. and dated July 21, 1995.
7. *"Supplemental Remedial Investigation Report, 3M Consumer Products, 217 North Prairie Street, Prairie du Chien, Wisconsin"* prepared by Bay West, Inc. and dated May 10, 1994.
8. *"Closure Request for 3M Consumer Products, 217 North Prairie Street, Prairie du Chien, Wisconsin"* prepared by Bay West, Inc. and dated October 4, 1993.
9. *"Underground Tank Removals at 3M Consumer Products, 217 North Prairie Street, Prairie du Chien, Wisconsin"* prepared by Bay West, Inc. and dated April 11, 1991.
10. *"Underground Tank Removals at 3M Consumer Products, 217 North Prairie Street, Prairie du Chien, Wisconsin"* prepared by 3M Environmental Engineering and Pollution Control and dated February 12, 1991.

ATTACHMENT C  
CASE CLOSURE LETTER  
Former 3M Sponge Plant



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Matthew J. Frank, Secretary  
Scott Humrickhouse, Regional Director

Wisconsin Rapids Service Center  
473 Griffith Avenue  
Wisconsin Rapids, Wisconsin 54494  
Telephone 715-421-7800  
FAX 715-421-7830  
TTY Access via relay - 711

June 3, 2008

Mr. Robert Paschke  
3M Environmental Technology & Services  
900 Bush Ave, Building 42-2E-27  
St. Paul, MN 55108

Ms. Janet Geisler  
County Clerk  
225 N. Beaumont Road, Suite 210  
Prairie du Chien, WI 53821

**SUBJECT:** Final Case Closure with Land Use Limitations or Conditions  
217 North Prairie St., Prairie du Chien, WI  
WDNR BRRTS Activity #: 02-12-550074, 06-12-285587

Dear Mr. Paschke:

On May 29, 2008, the above referenced case was reviewed for closure. This Department of Natural Resources reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. On January 9, 2003, you were notified that the Closure Committee had granted conditional closure to this case.

On May 28, 2008, the Department received correspondence indicating that you have complied with the requirements of closure. The only condition of closure was the recording of a deed restriction requiring an asphalt cap to prevent direct contact on designated portions of the site.

Based on the correspondence and data provided, it appears that your case meets the requirements of ch. NR 726, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation is required at this time.

### GIS Registry

The conditions of case closure set out below in this letter require that your site be listed on the Remediation and Redevelopment Program's GIS Registry. The specific reasons 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

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 your property is listed on the GIS Registry because of remaining contamination and you intend to construct or reconstruct a well, you will need prior Department approval in accordance with s. NR 812.09(4)(w), Wis. Adm. Code. To obtain approval, Form 3300-254 needs to be completed and submitted to the DNR Drinking and Groundwater program's regional water supply specialist. This form can be obtained on-line <http://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. If these requirements are not followed or if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, welfare, or the environment, the Department may take enforcement action under s. 292.11 Wisconsin Statutes to ensure compliance with the specified requirements, limitations or other conditions related to the property or this case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code. It is the Department's intent to conduct inspections in the future to ensure that the conditions included in this letter including compliance with referenced maintenance plans are met.

#### Cover or Barrier

Pursuant to s. 292.12(2)(a), Wis. Stats., the pavement and soil cover that currently exists in the locations shown on the attached map 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 would be considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken during excavation activities to prevent a health threat to humans. The attached maintenance plan and inspection log are to be kept up-to-date and on-site, and the inspection log need only be submitted to the Department upon request.

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 David Rozeboom at (715) 421-7873.

Sincerely,



Bill Evans

West Central Region Remediation & Redevelopment Team Supervisor

cc: Mark Peterson, Office of Corporate Council – Crawford County, PO Box 430, Prairie du Chien, WI 53821  
Brian Stoddard, JGS Architects, 102 S. Washington St., Spring Green, WI 53588  
Loren Brumberg, WDNR

ATTACHMENT D  
DEED RESTRICTION EXHIBIT  
Former 3M Sponge Plant

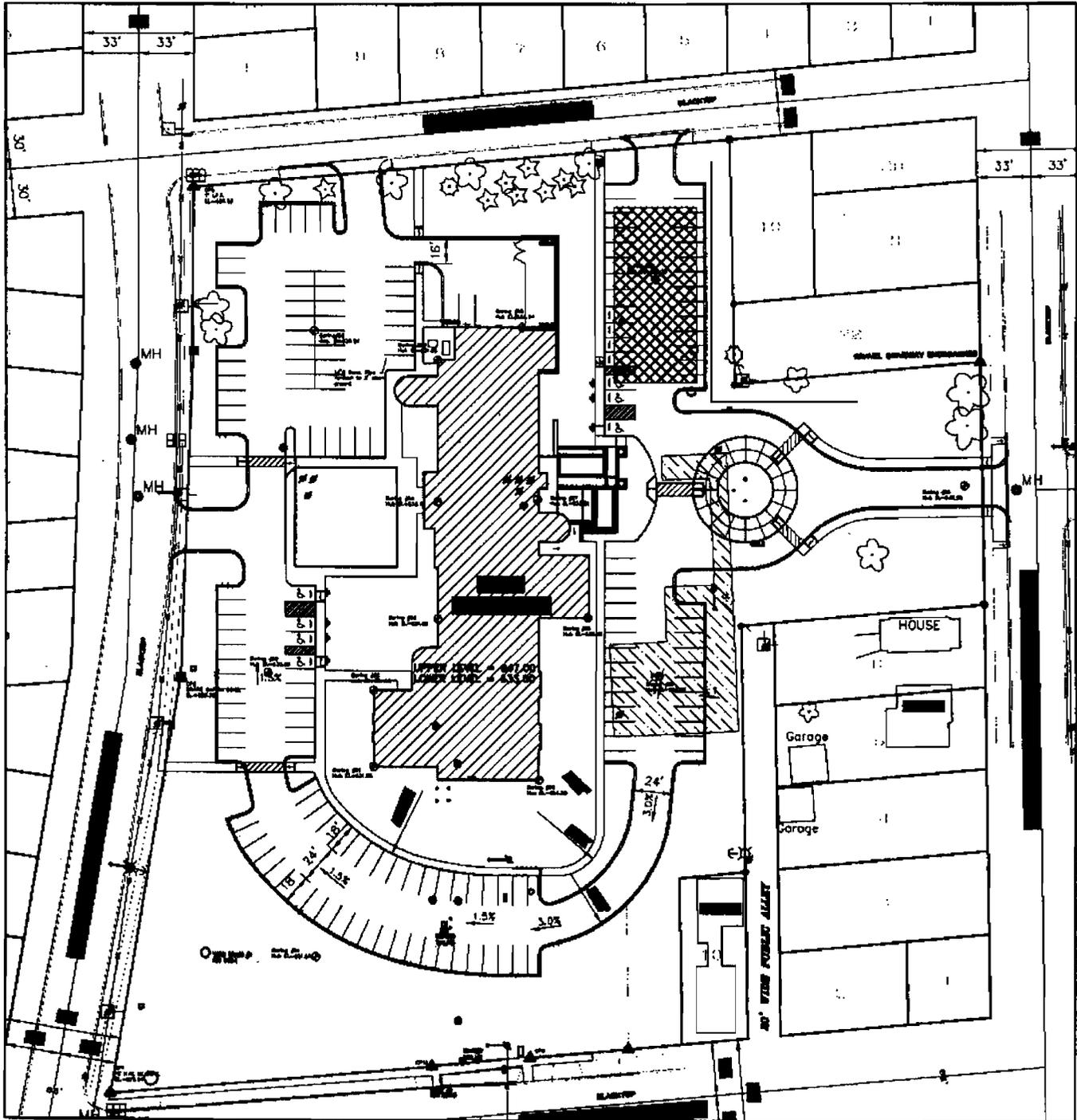




# LEGEND

 EXISTING AREA OF SOIL CONTAMINATION - MATERIAL LEFT IN PLACE UNDER 24" OF SOIL OR RELOCATED WITHIN AREA IDENTIFIED UNDER PARKING LOT

 LOCATION OF UNKNOWN MATERIAL REMOVED FROM UNDER NEW BUILDING



# SITE PLAN

SCALE: 1" = 100'

DOC# 285380

## Legal Description of Contaminated Area

A parcel of land being parts of Lots 7, 38 and 39, Block 10, Union Plat, Prairie du Chien, Wisconsin, described as follows:

Commencing at the Northwest Corner of said Block 10; thence North 84°52'54" East, along the North line of said Block 10, 362.72 feet to the Northeast corner of Lot 18, Block 10; thence South 01°02'43" East, along the easterly line of Lot 18, 100.00 feet to the Northwest corner of Lot 22, Block 10; thence South 00°51'49" East, along the westerly line of Lot 22, 49.29 feet to Southwest corner of Lot 22, Block 10; thence South 00°04'52" West, 42.53 feet the point of beginning; thence South 01°14'12" East, 153.79 feet to a point on the south line of Lot 7, Block 10; thence South 84°25'49" West, along the south of Lot 7, Block 10, 77.15 feet; thence North 02°36'24" West, 46.70 feet; thence North 88°05'19" East, 40.00 feet; thence North 03°57'48" West, 33.60 feet; thence North 87°23'39" East, 25.80 feet; thence North 02°36'24" West, 64.86 feet; thence North 84°30'13" West, 24.25 feet; thence North 22°14'38" East, 18.14 feet; thence South 83°58'59" East, 33.32 feet to the point of beginning.

Said Parcel of land contains 6235 square feet or 0.14 acres more or less.

ATTACHMENT E  
PAVEMENT COVER MAINTENANCE PLAN  
Former 3M Sponge Plant

## PAVEMENT COVER MAINTENANCE PLAN

May 30, 2008

3M Prairie du Chien

Property Located at:

217 North Prairie St., Prairie du Chien, WI

BRRTS # 02-12-550074

S25, T07, R07W, TAX #'s: 12-271-0991-0000, 12-271-0980-0000

### 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 asphalt paved driveway and parking area. The contaminated soil in this area is impacted by arsenic and solid waste. The location of the paved surfaces to be maintained in accordance with this Maintenance Plan are identified in the attached map (Exhibit A).

### Cover and Building Barrier Purpose

The paved surfaces over the contaminated soil serve as a barrier to prevent direct human contact with residual soil contaminants that might otherwise pose a threat to human health. [These paved surfaces also act as a partial infiltration barrier to minimize future soil-to-groundwater contaminant 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 overlying the contaminated soil 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 exposure to 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.

## 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 or property prior to disposal to ascertain if contaminants remain. 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 are removed or replaced, the replacement barrier must be, at a minimum, equally impervious as the original paved surfaces. 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, will maintain a copy of this Maintenance Plan at the property or on site and make it available to all interested parties (i.e. on-site or on-property 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

May 2008

Site or Property Owner and Operator: Ms. Janet Geisler  
County Clerk  
225 N. Beaumont Rd., Suite 210  
Prairie Du Chien, WI  
(608) 326-0200

Consultant: Brian Stoddard  
JGS Architects  
102 S. Washington St.  
Spring Green, WI  
(608) 588-3691

WDNR: David Rozeboom  
473 Griffith Ave  
Wisconsin Rapids, WI 54494  
(715) 421-7873

X/c

DOC# 277870

Recorded  
NOV. 08, 2002 AT 01:55PM

CRAWFORD COUNTY WISCONSIN  
REGISTER OF DEEDS OFFICE  
CHEYL E OLSON REGISTER  
Fee Amount: \$17.00  
Transfer fee: \$1294.00

Name and Return Address:  
Crawford County  
Crawford County Court House  
220 N. Beaumont Road  
Prairie du Chien, WI 53821-1405  
Attention: Property Committee  
PIN 12-271-0591-0000  
PIN 12-271-0980-0000

**SPECIAL WARRANTY DEED**

Date: October 25, 2002

THIS DEED, made between, 3M Company, a Delaware corporation, Grantor, and Crawford County, a Wisconsin political subdivision, Grantee.

Grantor, for valuable consideration, conveys to Grantee the following described real estate in Crawford County, State of Wisconsin (the "Property"):

See Legal Description attached as Exhibit A hereto;

Together with all appurtenant rights, titles and interests.

Grantor warrants that the title to the Property is good, indefeasible in fee simple and free and clear of encumbrances, arising by, through or under Grantor, except:

See permitted exceptions attached as Exhibit B hereto.

This is not homestead property.



3M COMPANY

By Janet L. Yeoman  
Janet L. Yeoman  
Vice President

## EXHIBIT A

### Legal Descriptions

#### Parcel 1:

Lot Seven (7), Eight (8) and Nine (9); the West Seven (7) feet of Lot Eleven (11); Lots Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17) and Eighteen (18); Lots Twenty-three (23), Twenty-four (24), Twenty-five (25), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29), Thirty (30), Thirty-one (31), Thirty-two (32), Thirty-three (33), Thirty-four (34), Thirty-five (35), Thirty-six (36), Thirty-seven (37), Thirty-eight (38) and Thirty-nine (39);  
Also, all that part of vacated North Prairie Street abutting said Lots Seven (7), Eight (8), Nine (9), Twenty-six (26), Twenty-seven (27) and Twenty-eight (28);  
All of the above described real estate being located in Block Ten (10), Union Plat, Prairie du Chien, Wisconsin.

PIN 12-271-0991-0000

#### Parcel 2:

The South 12 feet of Lot Number Sixteen (16) and the South 12 feet of Lot Number Twenty-seven (27), Block Nine (9), Union Plat, Prairie du Chien, Wisconsin.

PIN 12-271-0980-0000

## **EXHIBIT B**

### **Permitted Exceptions**

1. **Real estate taxes and special assessments payable in the year 2002 and thereafter.**
2. **Easements, if any, of the public or any school district, utility, municipality or person, as provided in section 80.32(4) of the Statutes, for the continued use and right of entrance, maintenance, construction and repair of underground or overground structures, improvements or service in that portion of the Property which were formerly a part of an alley and of North Prairie Street now vacated.**
3. **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 street, highway, and/or alley purposes.**
4. **Rights and other adverse matters depicted on ALTA/ACSM Land Title Survey dated 8-3-2002 prepared by Richard Marks (as to Parcel 1 only).**
5. **Rights of the public in any portion of the subject premises lying below the ordinary highwater mark of the Mississippi River.**
6. **Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises (as to Parcel 2 only).**
7. **Sidewalk Assessment balance of \$782.23.**



Former 3M Prairie du Chien  
217 North Prairie St  
Prairie du Chien, WI

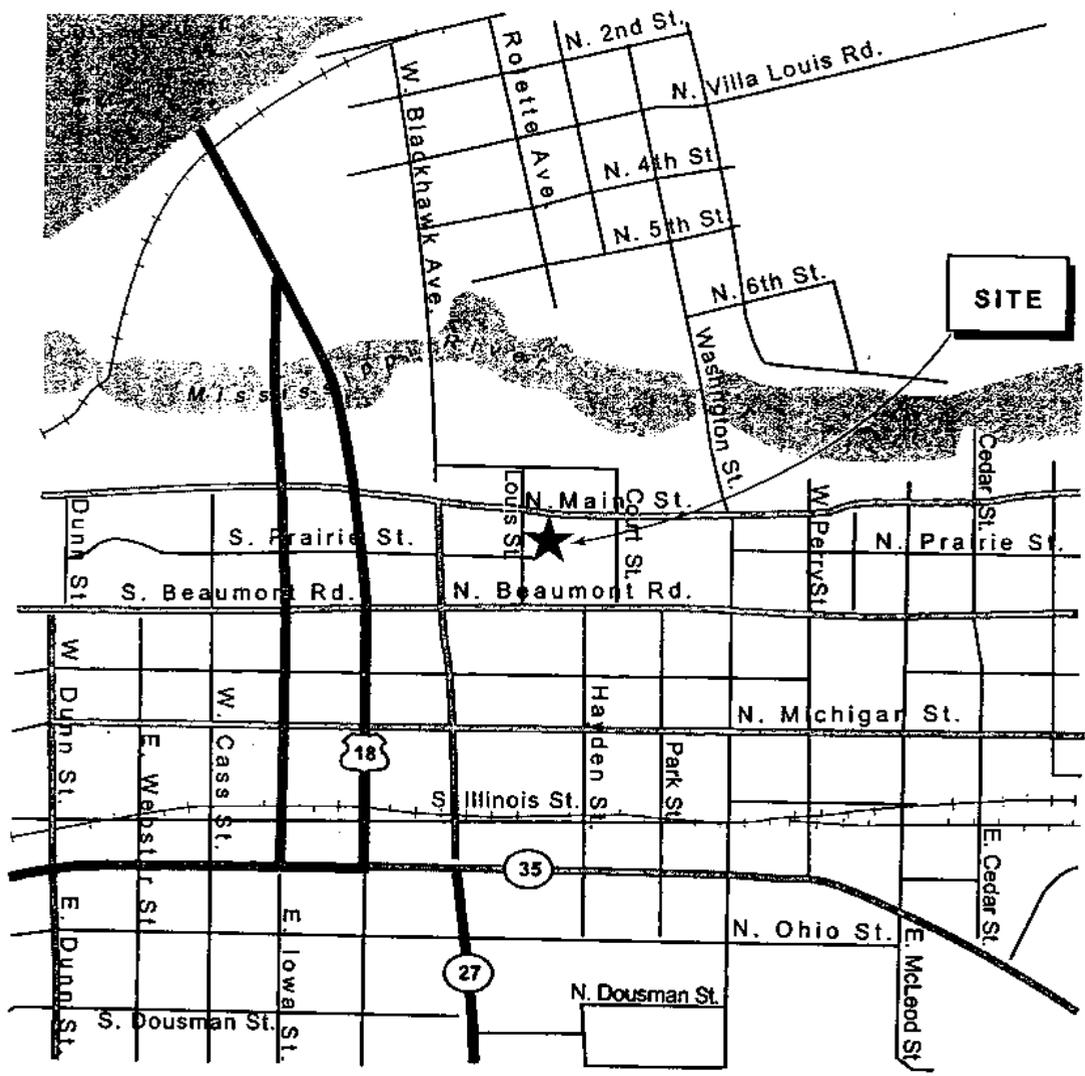
BRRTS # 02-12-550074  
# 06-12-285587

The legal descriptions for the above referenced site were obtained from the Crawford County Register of Deeds Office. The copy of the deed along with the associated legal description is believed to be accurate and complete to the best of my knowledge.

  
Name

5/30/08  
Date

PRESIDENT  
JEWELL ASSOCIATES ENGINEERS INC.



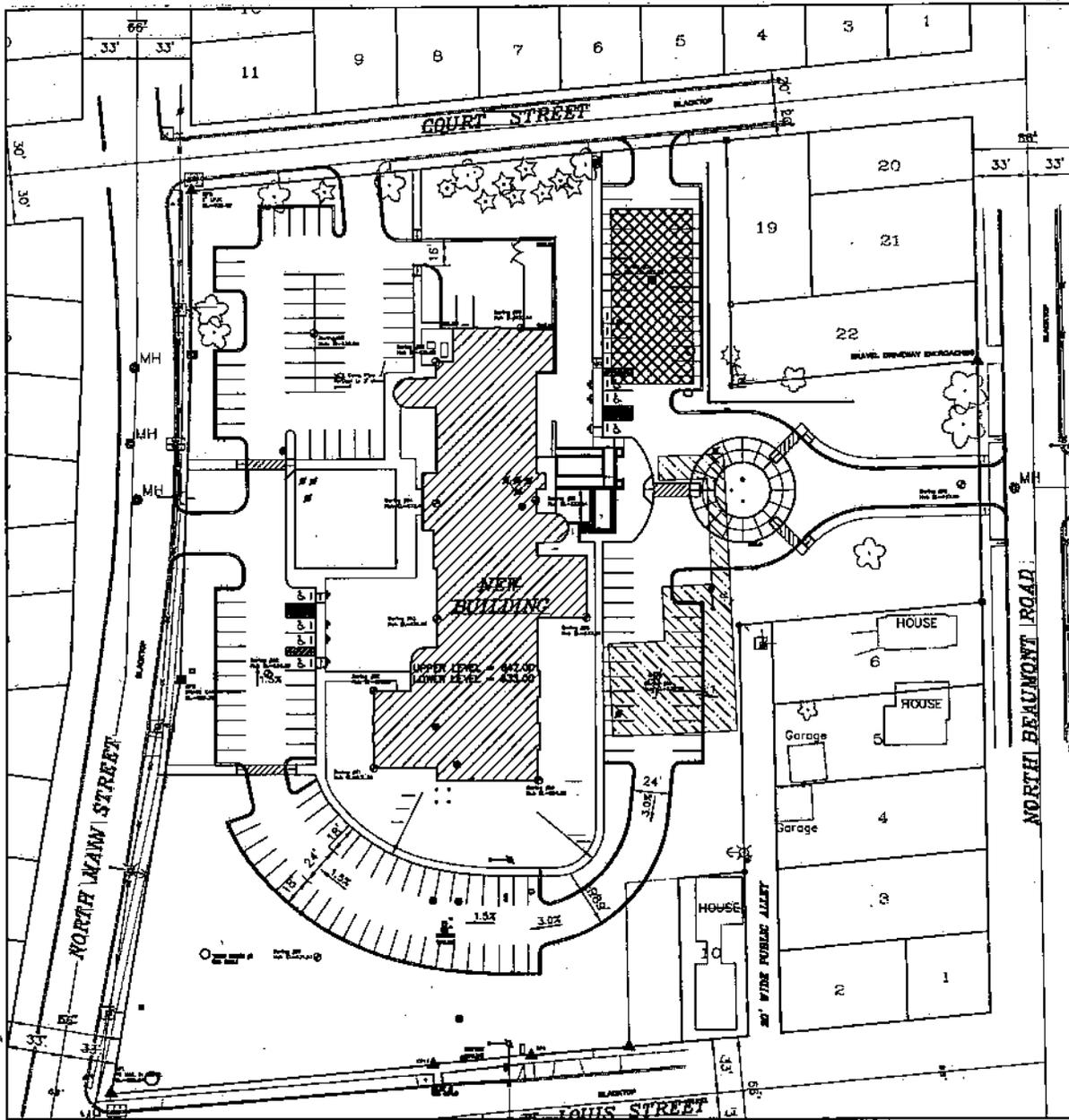
01P-1160-1

FIGURE 1-1 SITE LOCATION MAP  
PRAIRIE DU CHIEN, WISCONSIN

# Exhibit A

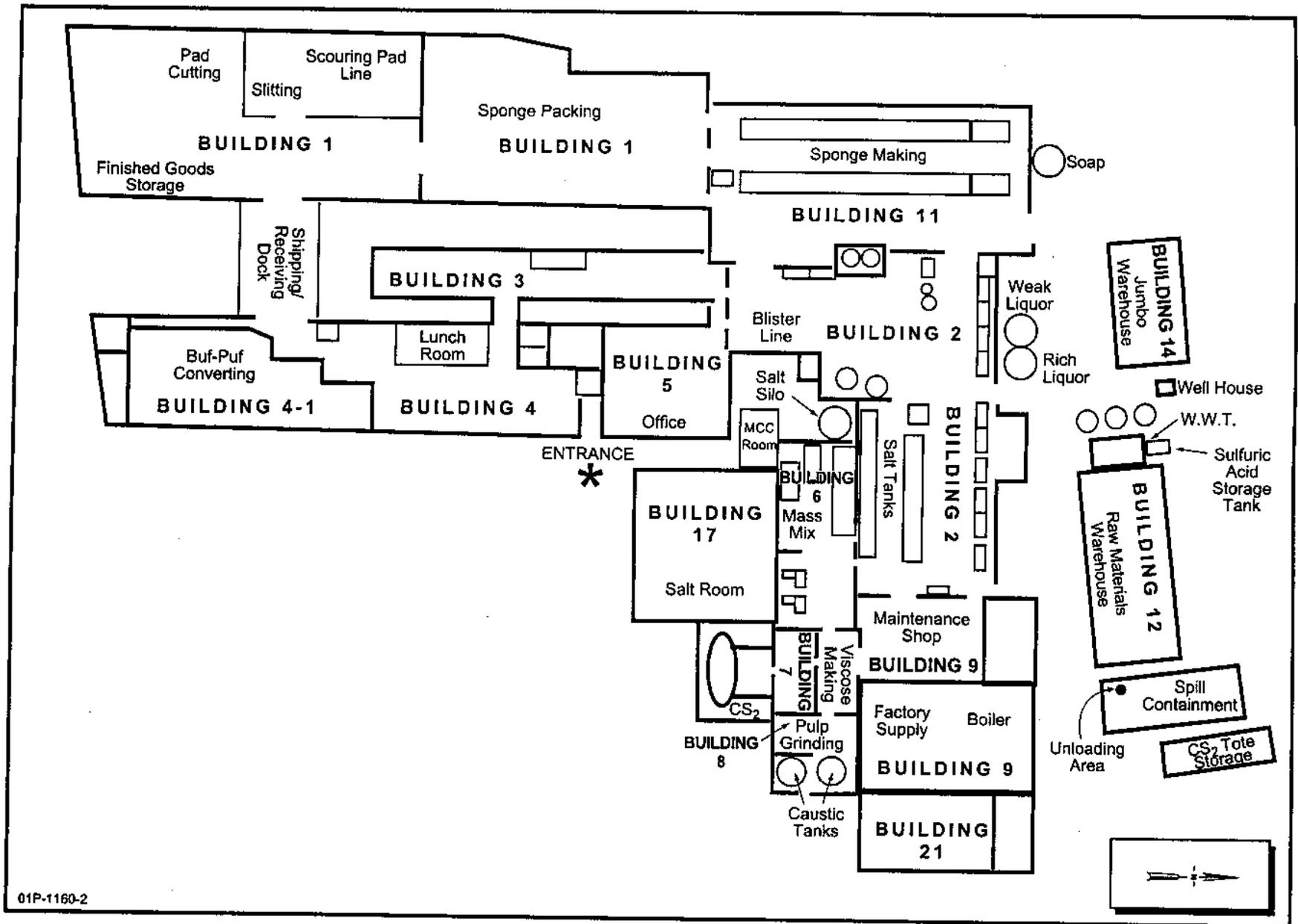
**LEGEND**

-  EXISTING AREA OF SOIL CONTAMINATION — MATERIAL LEFT IN PLACE UNDER 24" OF SOIL OR RELOCATED WITHIN AREA IDENTIFIED UNDER PARKING LOT
-  LOCATION OF UNKNOWN MATERIAL REMOVED FROM UNDER NEW BUILDING



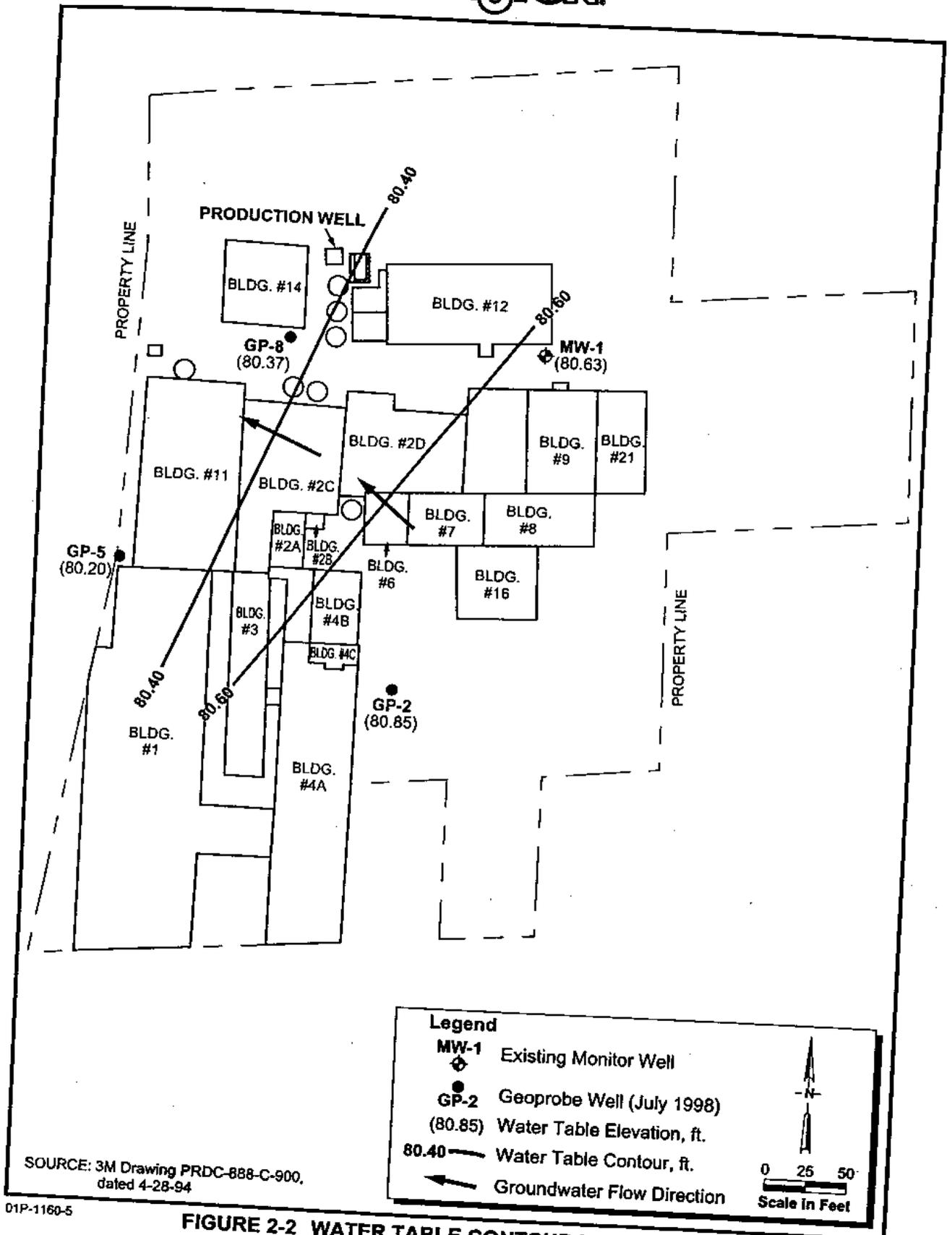
## SITE PLAN

SCALE: 1"=100'



WESTON.

FIGURE 1-2 SITE LAYOUT MAP  
PRAIRIE DU CHIEN, WISCONSIN



**FIGURE 2-2 WATER TABLE CONTOUR MAP (JULY 1998)  
PRAIRIE DU CHIEN, WISCONSIN**

Table 2-1

Summary of Phase II Soil Analytical Results  
Prairie du Chien, Wisconsin

Parameters	WDR RCL	Region 3 RBC	Region 9 PRG	GP01-0-2	GP02-4-6	GP-03-0-2	GP04-0-2	GP05-0-2	GP06-0-2	GP-07-0-2	GP08-0-2	GP09-0-2	GP10-0-2	GP11-2-4	GP11-2-4DUP	GP11-4-6	GP12-0-2	GP12-0-2DUP
<b>VOCs (µg/kg)</b>																		
Carbon disulfide	-	200,000,000	720,000	2 U	2 U	6	2 U	8	2 U	2 U	6	2 U	2 U	3 U	2 U	NA	30	10
Acetone	-	200,000,000	6,200,000	80	32	300 A	110	4 U	150	54	42	93	21	40	25	NA	100	75
2-Butanone (MEK)	-	1,200,000,000	28,000,000	9	5	31	13	16	15	6	4 U	7	4 U	6 U	4 U	NA	5 U	9
Bromoform	-	720,000	310,000	0.9 U	18	1 U	0.9 U	0.8 U	0.9 U	1 U	0.9 U	0.9 U	8	1 U	0.9 U	NA	1 U	1 U
Naphthalene	-	41,000,000	190,000	0.9 U	1 U	1 U	0.9 U	0.9 U	1 U	10	1 U	1 U	0.9 U	11	7	NA	9	7
<b>Metals (mg/kg)</b>																		
Mercury	-	-	610	NA	NA	NA	NA	NA	NA	0.062	0.041	0.03 B	0.21	0.11	NA	0.08	0.1	0.11
Arsenic	1.6	3.8	2.7	NA	NA	NA	NA	NA	NA	8.8	12.7	2.5	1.8	7.3	NA	1.7	8.9	7.7
Barium	-	140,000	100,000	NA	NA	NA	NA	NA	NA	53.2	62.7	42.9	65.6	74.4	NA	32	534	87.3
Cadmium	510	1,000	810	NA	NA	NA	NA	NA	NA	0.51	2.5	0.098 B	0.23	0.67	NA	0.07 B	0.9	0.89
Chromium	200*	6,100	450	NA	NA	NA	NA	NA	NA	13.2	13.6	21.4	17.9	160	NA	13.6	70.3	64.4
Lead	500	-	750	NA	NA	NA	NA	NA	NA	33.6	51.5	18.0	35.5	87.2	NA	11.6	125	92
Selenium	-	10,000	10,000	NA	NA	NA	NA	NA	NA	0.34 U	0.38 U	0.43 U	0.33 U	0.48 B	NA	0.3 U	0.38 U	0.52 U
Silver	-	10,000	10,000	NA	NA	NA	NA	NA	NA	0.14 U	0.18 U	0.18 U	0.14 U	0.19 B	NA	0.13 U	0.15 U	0.22 U
<b>SVOCs (µg/kg)</b>																		
Dibenzofuran	-	8,200,000	5,100,000	NA	NA	NA	NA	NA	NA	60 U	62 U	60 U	58 U	150 J	NA	59 U	83 U	64 U
Phenanthrene	390,000	-	-	NA	NA	NA	NA	NA	NA	110 J	100 J	75 U	72 U	620	NA	74 U	100 J	80 U
Anthracene	60,000,000	610,000,000	100,000,000	NA	NA	NA	NA	NA	NA	80 U	82 U	80 U	77 U	120 J	NA	79 U	83 U	85 U
Fluoranthene	40,000,000	82,000,000	30,000,000	NA	NA	NA	NA	NA	NA	100 U	110 U	100 U	99 U	180 J	NA	100 U	110 U	110 U
Pyrene	30,000	61,000,000	54,000,000	NA	NA	NA	NA	NA	NA	160 U	160 U	160 U	150 U	330 J	NA	150 U	180 U	170 U
Benzo(a)anthracene	3,900	7,800	2,900	NA	NA	NA	NA	NA	NA	58 U	88 J	58 U	56 U	210 J	NA	57 U	73 J	62 U
Chrysene	390,000	780,000	290,000	NA	NA	NA	NA	NA	NA	57 J	110 J	44 U	52 J	220 J	NA	43 U	120 J	46 U
Benzo(a)pyrene	390	780	290	NA	NA	NA	NA	NA	NA	64 U	90 J	63 U	61 U	100 J	NA	63 U	82 J	67 J

Note: Only detected compounds are listed.  
WDR RCL - Wisconsin Department of Natural Resources - Residual Contaminant Level for direct contact industrial exposure.  
Region 3 RBC - U.S. EPA Region 3 Risk-Based Concentration for direct contact industrial exposure.  
Region 9 PRG - U.S. EPA Region 9 Preliminary Remediation Goal for direct contact industrial exposure.  
\* - indicates that there is no established standard.  
U - Not detected at the indicated method detection limit.  
NA - Not analyzed.  
A - Estimated value, concentration exceeds instrument calibration range.  
\* - Value is for hexavalent chromium. Analytical results are total chromium.  
B - Result is less than reporting limit but greater than or equal to the method detection limit (for metals).  
J - Result is an estimated value below the reporting limit, but greater than or equal to the method detection limit (for organics).



Table 2-2

Summary of Phase II Groundwater Analytical Results  
3M, Prairie du Chien, Wisconsin

Parameters	WDNR ES	WDNR PAL	GP01-W-1	GP02-W-1	GP03-W-1	GP04-W-1	GP05-W-1	GP06-W-1	GP07-W-1	GP08-W-1	GP08-W-1DUP	GP09-W-1	GP10-W-1	GP11-W-1	GP12-W-1	MW-1	MW-2	MW-3	MW-3DUP	PW-1	
<b>VOCs (µg/L)</b>																					
Acetone	1000	200	5 U	5 U	6	5 U	5 U	5 U	5 U	5 U	5 U	5 U	5 U	5 U	5 U	5 U	5 U	5 U	5 U	5 U	6 U
Naphthalene	40	8	4 U	4 U	4 U	4 U	4 U	4 U	4 U	4 U	4 U	4 U	4 U	40	4 U	4 U	4 U	4 U	4 U	4 U	4 U
<b>Metals (mg/L)</b>																					
Arsenic	0.05	0.005	NA	NA	NA	NA	NA	NA	0.0053 U	0.0053 U	0.0053 U	0.0057 B	0.0053 U	0.0053 U	0.0053 U	0 U	0 B	0 U	NA	NA	
Barium	2	0.4	NA	NA	NA	NA	NA	NA	0.0723	0.0974	0.0939	0.0333	0.0237	0.0248	0.0252	0.1	0.1	0.1	NA	NA	
Selenium	0.05	0.01	NA	NA	NA	NA	NA	NA	0.0049 U	0.0049 U	0.0049 U	0.0049 U	0.0049 U	0.0049 U	0.0049 U	0 B	0	0 U	NA	NA	
SVOCs			NA	NA	NA	NA	NA	NA	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	NA	

Note: Only detected compounds are listed.

WDNR ES - Wisconsin Department of Natural Resources - Enforcement Standard

WDNR PAL - Wisconsin Department of Natural Resources - Preventive Action Level

U - Not detected at or above the indicated method detection limit.

NA - Not analyzed.

B - Result is less than reporting limit but greater than or equal to the method detection limit (for metals).

→ Loren Bramberg

10 pages



March 24, 2004

Mr. Brian Stoddard  
JGS Architects, Inc.  
102 S. Washington Street  
Spring Green, WI 53588

Re: Findings of Analytical Sampling  
Recommendations for Future Action  
Environmental Response Activities  
Crawford County Administrative Services Building  
Prairie du Chien, Wisconsin  
Project No. C 7102

Dear Mr. Stoddard:

As authorized, we are submitting the results of analytical testing of soil samples collected March 15, 2004 from the referenced site. We are also submitting recommendations for managing the impacted site soils based on our findings and discussion with the DNR.

### **BACKGROUND INFORMATION**

On March 11, 2004 we were contacted by Tom Cody of McGuire for assistance in responding to encountering contaminated soil in the foundation footprint. The DNR (Dave Carper) was contacted for background information prior to our site visit on March 15, 2004. EnviroDynamics also contacted waste management firms to obtain testing requirements for soil disposal.

A site visit on March 15, 2004 included observing site conditions, conducting backhoe test pits to define the limits of impacted soil, and obtain soil samples for analytical testing.

EnviroDynamics contacted Mr. Carper on March 23, 2004 to confirm his need for analytical testing and to confirm our understanding of an approach moving forward. In for short, the approach was to share the data with the DNR and to collectively determine if it would be acceptable to leave the impacted soil on site, and if so, what restrictions would be placed on managing the removed soil.

Beyond the DNR issues, EnviroDynamics expressed concern to McGuire and JGS about worker exposure issues and the potential odors that may be transported into the new

*EnviroDynamics, LLC*  
2880 Jonathan Circle Madison, WI 53711  
608-273-3751 608-273-3754 (fax)

building from remaining contaminated soil that may exist beyond the extent recommended for removal by CGC for geotechnical reasons.

The analytical testing program was designed to answer the following questions:

- Is the material hazardous as defined by NR 605? This information is needed to determine if the material needs to be hauled off site, can it go to a non-hazardous landfill, or must it be managed as a hazardous waste.
- What are the total heavy metals, total volatile organic compounds, and total semi-volatile organic compounds (PAH)? This information is needed to determine if the material can be left on site, what precautions need to be taken to limit future exposure to meet DNR requirements.

EnviroDynamics and the DNR agreed they would discuss the analytical test results and provide the County specific conclusions and recommendations.

## FINDINGS

### Limit of Impact

The soil samples submitted to the analytical laboratory were obtained from a composite of sub-samples collected from backhoe excavation in the area exhibiting the greatest discoloration and chemical odor and from a stockpile of material excavated earlier. The material was generally described as dark gray to black in color with a chemical odor that did not appear to be related to petroleum product.

The impacted material encountered consisted of sandy fill material (extending about 0-4 feet below grade) which graded into underlying poorly sorted fine to coarse sand. The area of impact was clearly distinguishable because of its black color and odor. It appeared that the waste material was placed by disposal of a liquid (perhaps as shallow lagoon, pit or subsurface disposal field) as vertical staining was noted in the soil profile.

The southerly and westerly limit of impact appeared evident as the building excavation on the south and west walls showed no evidence of staining. Test pits were conducted east and north in the footprint to define the limit in those directions. Based on information from architectural drawings, the area of impact appears to be limited to north of gridline G between east-west line 2-5 (about 40 feet) and northward a distance of about 55 feet. The depth of the impacted soil extended beyond 8-9 feet (the practical limit of excavation) (sand collapsed) creating a total volume of about 600-700 cubic yards.

### Analytical Results

The analytical results are attached and are summarized as follows:

The sample was not found to be ignitable (flashpoint >210 degrees F), corrosive (pH 8.7 which is > 2 and < 12.5 su), reactive (reactive cyanide < 0.0136 mg/kg and reactive sulfide < 26 mg/kg), and the metals were below regulatory limit of Table I values. As such, the material does not appear to be a hazardous waste based on characteristic (NR 605.08).

The total metals results suggest ranges on the lower end of those typically found in native soils. The diesel range organics (DRO) were found to be 5.6 mg/kg which is below DNR reporting value of 10 mg/kg. The extractable and non-extracted volatile organic chemicals (VOC) were both found below detection for the parameters monitored. The semi-volatile organics (PAH's) were found to be below detection for the parameters monitored. There were no PCB's detected.

The results of the analytical testing suggest the material is not a hazardous waste by characteristic and does not appear to exceed DNR action levels for volatile organics (VOC), semi volatile organics (PAH's), petroleum products (DRO), or common heavy metals.

#### **DNR Interaction**

EnviroDynamics submitted the analytical testing results to Mr. Dave Carper at the La Crosse DNR Remediation and Redevelopment regional office and had a follow-up technical discussion on April 1, 2004. The results of that discussion follow:

- He concurs that the material apparently does not exceed regulatory action levels and the material probably consists of a sulfur/sulfide related salt. However, because of the odor of the material and the fact that it does not meet the standard as a clean fill, it technically is a solid waste and needs to be managed as such.
- Given the above, Mr. Carper stated the County has two options for managing the material. Option 1; if the County decides to remove the excavated material from the site, it will have to be disposed of in a licensed landfill. Option 2; the removed material can be used as fill material if placed in the area designated by the DNR for the elevated arsenic levels. We understand that area has been defined.
- If Option 2 is selected, the DNR will include this material on the deed notice for the site, such that in the future, if the County needs to excavate in this area, any material excavated will have to be treated as a solid waste.
- Also with Option 2, institutional controls would be required to include the material being covered with either 2 feet of clean fill, or paved; similar to what is being required for the arsenic impacted soils.
- A copy of this letter will be sent to Mr. Carper and he will provide acknowledgement that the alternatives and recommendations identified herein are consistent with DNR requirements (with any deviations noted).

## RECOMMENDATIONS

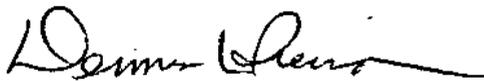
Based on the information available, we recommend:

1. The area be overexcavated a minimum of two feet (as planned) with the excavated material being placed over the area of elevated arsenic in soils. Excavation of all discolored soil would be preferable; however, we understand the practical limitation of excavation in the sandy material. The excavated area should be backfilled with clean fill material.
2. The excavated material used as fill in the arsenic impacted area should be placed in shallow lifts and compacted to meet standards for engineered fill per requirements of CGC.
3. To minimize odor potential, it is recommended that a polyethylene sheeting be placed at the base of the excavation prior to backfilling with clean fill in the building footprint. The sheeting should also be placed on the vertical sidewalls. The objective would be to provide an odor barrier and generally limit the probability of odors entering the building. Trenching or other utility work should be conducted carefully to minimize penetrating or otherwise damaging the polyethylene sheeting.
4. The foundation drain design should be reviewed to determine if perforated drainage piping extends into the basement. If so, a redesign should be considered such that the foundation drain will be prevented from venting potentially odorous fumes into the building.
5. Worker exposure should be minimized by using mechanical excavators as much as practical and workers using gloves where handwork is needed. Ingestion should be minimized. Additional professional advice from risk manager (toxicologist) should be considered if worker exposure issues have not been addressed to the extent felt necessary.

We trust the above information provides the information needed to move forward with this project. If you have any questions, please give us a call.

Sincerely,

**EnviroDynamics LLC**



Dennis L. Iverson, P.E.  
Principal Engineer

cc: Dave Carper-DNR