

GIS REGISTRY INFORMATION

SITE NAME: Rayovac Wonewoc Development Corporation Property

BRRTS #: 06-29-264811 / 02-29-415310 **FID # (if appropriate):** 729032480

COMMERCE # (if appropriate): NA

CLOSURE DATE: 02/01/2007

STREET ADDRESS: 503 Vine Street

CITY: Wonewoc

SOURCE PROPERTY GPS COORDINATES (meters in WTM91 projection): X= 501850 Y= 353787

CONTAMINATED MEDIA: Groundwater Soil Both

OFF-SOURCE GW CONTAMINATION >ES: Yes No

IF YES, STREET ADDRESS 1: _____

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

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

IF YES, STREET ADDRESS 1: _____

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

CONTAMINATION IN RIGHT OF WAY: Yes No

DOCUMENTS NEEDED:

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

File



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor
Darrell Bazzell, Secretary

101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921
Telephone 608-266-2621
FAX 608-267-3579
TTY 608-267-6897

February 1, 2007

BRRTS No. 06-29-264811
FID No. 729032480

MR. KEVIN J. DOMACK
SPECTRUM BRANDS, INC.
601 RAYOVAC DRIVE
MADISON, WI 53711

Subject: A Certificate of Completion for the Environmental Investigation and Cleanup of the Former Rayovac Corporation Site Located at 503 Vine Street, Village of Wonewoc, Juneau County, Wisconsin

Dear Mr. Domack:

The Wisconsin Department of Natural Resources ("the WDNR") received a Case Summary and Close Out Form from RMT, Inc., on behalf of Spectrum Brands, Inc. (f.k.a. Rayovac Corporation), requesting case closure for the environmental investigation and cleanup of the former Rayovac Corporation site in Wonewoc, Wisconsin. The site consists of 96,572.4 square feet (2.22 acres) and is located at 503 Vine Street and is partially described as a parcel of land located in a portion of Block 4, Fisk's Addition, a portion of Lot 1, Juneau County Certified Survey Map #2259, all of Volume 526, Page 599 of Deeds, located in the Southeast ¼ of the Southwest ¼ of Section 26 and the Northeast ¼ of the Northwest ¼ of Section 35, Township 14 North, Range 2 East, Village of Wonewoc, Juneau County, Wisconsin, hereinafter referred to as "the Property".

On October 15, 2002, the West Central Region Closure Committee determined that the environmental investigation and cleanup of the battery-related waste and demolition fill materials found on the Property had been completed to the extent practicable. This closure decision was conditional based on the proper abandonment of groundwater monitoring wells and boreholes; disposal of investigative waste; listing of the Property on the WDNR's Geographical Information System ("GIS") Registry of Closed Remediation Sites for soil and groundwater; application for environmental insurance and payment of insurance fee; and filing of a deed restriction.

The purpose of listing the Property on the GIS Registry of Closed Remediation Sites is to provide notice to the public of residual soil contamination that exceeds generic residual contaminant levels ("RCLs") and groundwater contamination that exceed a groundwater quality enforcement standard ("ES"). The environmental insurance is required based on the desire of the voluntary party to use natural attenuation to remediate groundwater contamination that exceed a groundwater quality ES. The purpose of the deed restriction is to require maintenance of a concrete building slab and soil cover over residual soil contamination that exceeds generic RCLs to prevent further degradation of groundwater quality and impacts to human health through direct contact.

In addition, if battery-related waste, demolition fill materials, and/or soil is excavated in the future in areas identified in the final closure letter and the attached *Certificate of Completion*, the property owner(s) at the time of excavation is required to characterize the materials and determine whether the materials are a solid or hazardous waste and ensure that any storage, treatment, and/or disposal is handled in compliance with applicable statutes and administrative rules. In accordance with s. 292.12, Wis. Stats., compliance with the requirements contained in the final closure letter and the attached *Certificate of Completion* is the responsibility of the present property owner(s) and any future property owner(s).

In a series of submittals culminating in a correspondence dated December 12, 2006, the conditions of closure have been met. The WDNR issued a final case closure letter with land use conditions for the Property on December 13, 2006. With the conditions of closure met, the WDNR is able to determine whether Spectrum Brands, Inc. has met the requirements for issuance of a *Certificate of Completion* under s. 292.15 (2), Wis. Stats.

Determination

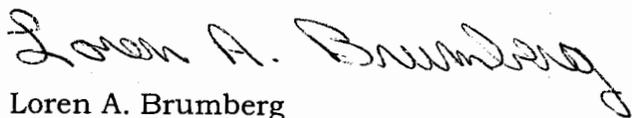
As you are aware, s. 292.15, Wis. Stats., authorizes the WDNR to issue a *Certificate of Completion* to a voluntary party that conducts an approved environmental investigation of a property and restores the environment to the extent practicable and minimizes the harmful effects with respect to hazardous substance discharges on or originating from the Property. Based on information submitted to the WDNR, the WDNR hereby determines that the investigation and cleanup of the Property is complete and that all conditions have been met under s. 292.15(2), Wis. Stats. Attached is the *Certificate of Completion* for the Property under the Voluntary Party Liability Exemption ("VPLE") Program.

Conclusion

The WDNR appreciates the work undertaken by Spectrum Brands, Inc. to investigate and cleanup contamination associated with the Property. The exemption provided by this *Certificate of Completion* applies to any successor or assignee of Spectrum Brand, Inc., if the successor or assignee complies with the appropriate conditions, pursuant to s. 292.15 (3), Wis. Adm. Code.

If you have any questions or concerns regarding this letter or the *Certificate of Completion*, please call me at 715-839-3770 or Attorney Deb Johnson at 608-267-0846.

Sincerely,



Loren A. Brumberg
Waste Management Specialist
Remediation & Redevelopment Program

Attachment: *Certificate of Completion*

C: Michael Prager - RR/3
Deb Johnson - LS/5
Bill Evans/Mae Willkom - WCR
Kristopher D. Krause, RMT, Inc., P.O. Box 8923, Madison, WI 53868
Timothy M. Homar, LaRowe, Cerlach, & Roy, LLP, 311 Phillips Boulevard,
P.O. Box 10, Sauk City, WI 53583

State of Wisconsin Department of Natural Resources

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

Whereas, Spectrum Brands, Inc. has applied for an exemption from liability under s. 292.15, Wis. Stats., for property located at 503 Vine Street, Village of Wonewoc, which is commonly referred to as the Rayovac Corporation site and further described in the legal description found in Attachment A-1. The property is partially described as a parcel of land located in a portion of Block 4, Fisk's Addition, a portion of Lot 1, Juneau County Certified Survey Map ("CSM") #2259, all of Volume 526, Page 599 of Deeds, located in the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 26 and the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 35, Township 14 North, Range 2 East, Village of Wonewoc, Juneau County, Wisconsin, hereinafter referred to as "the Property". The Property is designated as "VPLE" Boundary Exhibit "B" as shown on the survey map which is Attachment A-2;

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

Whereas, Spectrum Brands, Inc. 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 the documents and reports listed in Attachment B;

Whereas, in accordance with s. 292.15(2)(ae), Wis. Stats., the WDNR determined on **October 15, 2002**, that an environmental investigation has been conducted which adequately identified and evaluated the nature and extent of the hazardous substance discharges on the Property and WDNR has approved of the remedial action plan for the Property;

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

Whereas, the Property, which has soil contamination that exceeds residual contaminant levels ("RCLs") under ch. NR 720, Wis. Adm. Code, and groundwater contamination that exceeds a groundwater quality enforcement standard under ch. NR 140, Wis. Adm. Code, will be included on the WDNR's Geographical Information System Registry of Closed Remediation Sites ("the GIS Registry") pursuant to s. 292.12(3), Wis. Stats. **Spectrum Brands, Inc.** has submitted to the WDNR all the information necessary to be included on the Registry pursuant to s. NR 726.05(2)(a)3. and s. NR 726.05(3)(a)4., Wis. Adm. Code, including a copy of a letter to a landowner whose property has been impacted by groundwater contamination that exceeds a groundwater quality enforcement standard under ch. NR 140, Wis. Adm. Code;

Whereas, on December 13, 2006, the WDNR issued a case closure letter for the Property (Attachment C to this Certificate) that requires maintenance of an engineering control in order to minimize infiltration of water for the purpose of preventing further degradation of groundwater quality that would violate groundwater quality standards in ch. NR 140, Wis. Adm. Code, and to prevent direct contact with battery-related waste, demolition fill material, and/or 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 ss. 292.12(2)(a) and (c), Wis. Stats., the concrete building slab and soil cover that currently exists in locations as shown on the attached map and designated as "*Capped Area Exhibit "A"* (Attachment D-2 to this Certificate) shall be maintained in compliance with the maintenance plan attached to the case closure letter in order to minimize the infiltration of water for the purpose of preventing further degradation of groundwater quality that would violate groundwater quality standards in ch. NR 140, Wis. Adm. Code, and to prevent direct contact with battery-related waste, demolition fill materials, and/or residual soil contamination that might otherwise pose a threat to public health.

If battery-related waste, demolition fill materials, and/or residual soil contamination in specific locations as described by the WDNR in the case closure letter and shown in Figure 5 (Attachment E to this Certificate) are excavated in the future, the property owner(s) at the time of excavation must sample and analyze the excavated materials to determine if residual contamination that exceeds ch. NR 720, Wis. Adm. Code, residual contaminant levels ("RCLs") remains in the soil.

If sampling confirms that contamination is present above the RCLs, the property owner(s) at the time of excavation will need to determine whether the material is regulated as a solid or hazardous waste and ensure that any storage, treatment, and disposal is in compliance with applicable state statutes and administrative rules. In addition, all current and future property 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 following activities are prohibited on any portion of the Property where a concrete building slab and/or soil cover serve as a barrier against direct contact with residual soil contamination, as shown on the attached map (Attachment D-2 to this Certificate), unless prior written approval has been obtained from the WDNR: 1) removal of existing barrier; 2) replacement of barrier; 3) excavation or grading of land surface; 4) filling capped or paved areas; 5) plowing for agricultural cultivation; or 6) construction or placement of a building or other structure.

If these requirements are not followed, the WDNR may take actions under ss. 292.11 or 292.12, Wis. Stats., to ensure compliance with the specified requirements and the person who owns or controls the Property may no longer qualify for the liability protections under s. 292.15, Wis. Stats.; and

Whereas, on **October 15, 2002**, 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 air, land, and waters of the state were completed, except with respect to groundwater contaminated with **vinyl chloride** above the ch. NR 140, Wis. Adm. Code, groundwater quality enforcement standard that the WDNR has determined will be brought into compliance through natural attenuation, in accordance with administrative rules promulgated by the WDNR.

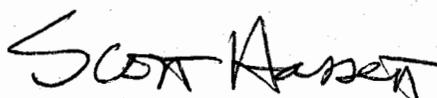
Therefore, based upon the information that has been submitted to the WDNR, the WDNR hereby certifies that response actions set forth in the WDNR's approved remedial action plan for the Property and any other necessary response actions have been completed, except with respect to groundwater contaminated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

Upon issuance of this Certificate, **Spectrum Brands, Inc.** and the persons qualified for protection under s. 292.15(3), Wis. Stats., are exempt from the provisions of ss. 289.05(1), (2), (3) and (4), 289.42(1), 289.67, 291.25(1) to (5), 291.29, 291.37, 292.11(3), (4), and (7)(b) and (c) and 292.31(8), Wis. Stats., with respect to the existence of hazardous substances on or originating from the Property, the release of which occurred prior to the date the WDNR approved the environmental investigation required under s. 292.15(2)(ae)1., Wis. Stats. However, **Spectrum Brands, Inc.** 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 December 13, 2006, case closure letter and maintenance plan, 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.

If natural attenuation fails, the insurance coverage which **Spectrum Brands, Inc.** obtained under s. 292.15(2)(ae)3m., Wis. Stats., may be used to cover the costs of complying with s. 292.11(3), Wis. Stats., with respect to groundwater contaminated with **vinyl chloride** above the ch. NR 140, Wis. Adm. Code, groundwater quality enforcement standard. 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 **Spectrum Brands, Inc.** knew or should have known about more discharges of hazardous substances than was revealed by the investigation approved by the WDNR.

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

SIGNED AND CERTIFIED this 25th day of JANUARY, 2007.



Scott Hassett, Secretary
Wisconsin Department of Natural Resources

Certificate of Completion Attachments:

Attachment A: Legal Description of Certificate of Completion Property (A-1) and Survey Map (A-2).

Attachment B: List of Technical Reports submitted to WDNR.

Attachment C: WDNR Case Closure Letter dated December 13, 2006.

Attachment D: Legal Description of Capped Area (D-1), Map of Capped Area (D-2), Cap Maintenance Plan Letter dated March 16, 2006 (D-3), and Maintenance Log Form (D-4).

Attachment E: Map of Residual Soil Contamination.

ATTACHMENT A
RAYOVAC CORPORATION SITE

LEGAL PROPERTY DESCRIPTION (A-1)

SURVEY MAP OF PROPERTY (A-2)

**A PARCEL OF LAND
LOCATED IN
A PORTION OF BLOCK 4, FISK'S ADDITION,
A PORTION OF LOT 1, JUNEAU COUNTY CERTIFIED SURVEY #2259
BEING IN THE SE ¼-SW ¼, SECTION 26
AND THE NE ¼-NW ¼, SECTION 35,
ALL IN T14N, R2E, VILLAGE OF WONEWOC,
JUNEAU COUNTY, WISCONSIN**

**AS GIVEN BY
MSA PROFESSIONAL SERVICES, INC.
BARABOO, WI 53913
Project #11581
June 2003**

"VPLE" BOUNDARY

A parcel of land located in a portion of Block 4, Fisk's Addition, a portion of Lot 1, Juneau County Certified Survey #2259, being in the SE ¼-SW ¼, Section 26 and the NE ¼-NW ¼, Section 35, all in T14N, R2E, Village of Wonewoc, Juneau County, Wisconsin, which is bounded by a line described as follows:

Beginning at the southeast corner of Block 4, Fisk's Addition to the Village of Wonewoc; thence N87°14'00"W, 80.59 feet along the south line of said Block 4 and the north right-of-way of Benton Street; thence South, 25.00 feet along the west end of dedicated Benton Street; thence N87°14'00"W, 58.87 feet on the westerly extension of the centerline of Benton Street; thence S15°32'35"E, 42.69 feet; thence S74°27'25"W, 95.00 feet to the easterly line of "The 400 Trail" owned by the State of Wisconsin; thence N16°42'44"W, 514.93 feet along the westerly line of lands recorded in Volume 526 of Deeds, Page 599; thence S89°52'59"E, 10.91 feet along the north line of said lands recorded in Volume 526 of Deeds, Page 599 to the northwest corner of Lot 1, Juneau County Certified Survey #2259; thence S89°52'59"E, 58.39 along the north line of said Lot 1; thence S66°49'42"E, 140.05 feet along the northerly line of said Lot 1; thence S15°29'55"E, 167.73 feet along the easterly line of said Lot 1 to a point on the north line of Lot 2, Block 4, Fisk's Addition to the Village of Wonewoc; thence S89°55'13"E, 124.92 feet along said north line of said Lot 2 to the east line of said Block 4, Fisk's Addition to the Village of Wonewoc; thence S0°04'20"W, 191.24 feet along the east line of said Block 4 to the point of beginning.

Said parcel contains 2.22 acres, more or less, is subject to an easement for ingress-egress as shown on Juneau County Certified Survey #2259 and is subject to all other easements and rights-of-way of record.



PROFESSIONAL SERVICES

TRANSPORTATION • MUNICIPAL
DEVELOPMENT • ENVIRONMENTAL

1230 South Boulevard Baraboo, WI 53813
608-358-2771 1-800-362-4505 Fax: 608-358-2770

© MSA PROFESSIONAL SERVICES

PROJECT # 11581

DRAWN BY SCHUETEE

CHECKED BY ROLOFF

FILE # 29-38-12

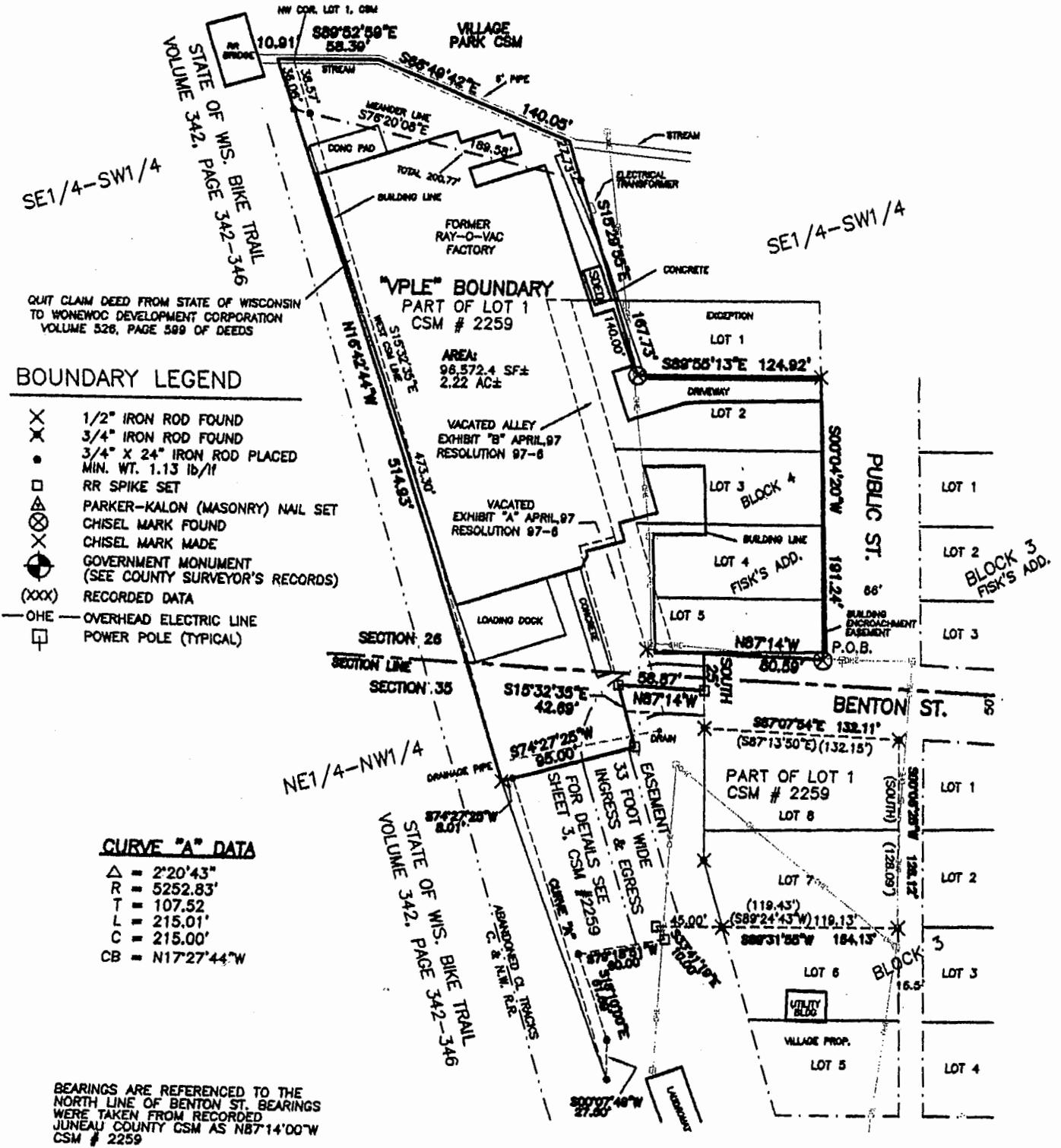
SHEET # 1

FIELD BOOK # NA

PAGES # NA

"VPLE" BOUNDARY EXHIBIT "B"

PART OF BLOCK 4, FISK'S ADDITION AND PART OF LOT 1, CSM # 2259, ALL OF VOLUME 526, PAGE 599 OF DEEDS, LOCATED IN THE SE1/4-SW1/4 OF SECTION 26, AND THE NE1/4-NW1/4 OF SECTION 35, T14N, R2E, VILLAGE OF WONEWOC, JUNEAU COUNTY, WIS.



QUIT CLAIM DEED FROM STATE OF WISCONSIN TO WONEWOC DEVELOPMENT CORPORATION VOLUME 526, PAGE 599 OF DEEDS

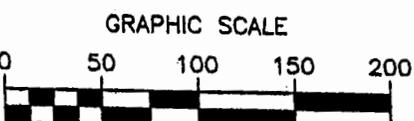
BOUNDARY LEGEND

- X 1/2" IRON ROD FOUND
- X 3/4" IRON ROD FOUND
- 3/4" X 24" IRON ROD PLACED MIN. WT. 1.13 lb/ft
- RR SPIKE SET
- ⊗ PARKER-KALON (MASONRY) NAIL SET
- ⊗ CHISEL MARK FOUND
- ⊗ CHISEL MARK MADE
- ⊗ GOVERNMENT MONUMENT (SEE COUNTY SURVEYOR'S RECORDS)
- (XXX) RECORDED DATA
- OHE— OVERHEAD ELECTRIC LINE
- POWER POLE (TYPICAL)

CURVE "A" DATA

- Δ = 2°20'43"
- R = 5252.83'
- T = 107.52
- L = 215.01'
- C = 215.00'
- CB = N17°27'44"W

BEARINGS ARE REFERENCED TO THE NORTH LINE OF BENTON ST. BEARINGS WERE TAKEN FROM RECORDED JUNEAU COUNTY CSM AS N87°14'00"W CSM # 2259



1" = 100 FEET

CLIENT:
WONEWOC DEVELOPMENT CORPORATION
P.O. BOX 38
WONEWOC, WI 53968
(808) 464-7464

ATTACHMENT B
RAYOVAC CORPORATION SITE

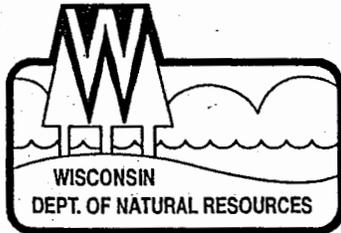
INVESTIGATION AND REMEDIAL ACTION PLAN REPORTS

1. *"Underground Storage Tank Closure and Site Assessment Report, Wonewoc Development Corporation, Wonewoc, Wisconsin"* prepared by MSA Professional Services, Inc. and dated September 20, 1996.
2. *"Site Investigation Workplan, Wonewoc Development Corporation, 503 Vine Street, Wonewoc, Wisconsin"* prepared by MSA Professional Services, Inc. and dated January 13, 1997.
3. *"Remedial Action and Status Report, Wonewoc Development Corporation, 503 Vine Street, Wonewoc, Wisconsin"* prepared by MSA Professional Services, Inc. and dated February 5, 1999.
4. *"Request for File Transfer and Site Closure Report, Wonewoc Development Corporation", 503 Vine Street, Wonewoc, Wisconsin"* prepared by MSA Professional Services, Inc. and dated August 28, 2000.
5. *"Site Investigation and Remedial Action Option Report, Wonewoc Development Corporation, 503 Vine Street, Wonewoc, Wisconsin"* prepared by MSA Professional Services, Inc. and dated March 2, 1998.
6. *"Phase I Environmental Site Assessment, Rayovac Corporation, 503 Vine Street, Wonewoc, Wisconsin"* prepared by RMT, Inc. and dated May 2001.
7. *"Phase II Subsurface Investigation Workplan, Rayovac Corporation, 503 Vine Street, Wonewoc, Wisconsin"* prepared by RMT, Inc. and dated May 2001.
8. *"Rayovac – Wonewoc: Temporary Wells"* prepared by RMT, Inc. and dated August 17, 2001.
9. *"Subsurface Investigation Report, Rayovac Corporation, 503 Vine Street, Wonewoc, Wisconsin"* prepared by RMT, Inc. and dated October 23, 2001.
10. *"Well Installation and Groundwater Sampling at the Rayovac – Wonewoc Facility"* prepared by RMT, Inc. and dated December 13, 2001.
11. *"Results of the Well Installation and Groundwater Sampling, Rayovac – Wonewoc Facility"* prepared by RMT, Inc. and dated February 5, 2002.

12. *“Groundwater and Asphalt Distribution Trench Sampling Results, Rayovac – Wonewoc Facility”* prepared by RMT, Inc. and dated April 24, 2002.
13. *“Groundwater Sampling Results, Rayovac – Wonewoc Facility”* prepared by RMT, Inc. and dated June 11, 2002.
14. *“Site Investigation and Remedial Action Options Report, Rayovac Corporation, 503 Vine Street, Wonewoc, Wisconsin”* prepared by RMT, Inc. and dated August 2002.
15. *“Addendum to the Site Investigation and Remedial Action Options Report, Former Rayovac Corporation Facility; 501 Vine Street, Wonewoc, Wisconsin”* prepared by RMT, Inc. and dated September 20, 2002.
16. *“Request for Site Closure, Former Rayovac Corporation Facility, 503 Vine Street, Wonewoc, Wisconsin”* prepared by RMT, Inc. and dated September 23, 2002.

**ATTACHMENT C
RAYOVAC CORPORATION SITE**

CASE CLOSURE LETTER



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, 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

December 13, 2006

Mr. Kevin Domack
Spectrum Brands, Inc.
601 Rayovac Drive
Madison, WI 53711

Mr. William Huebel, Chairperson
Wonewoc Development Corporation
W9354 State Road 33
Wonewoc, WI 53968

SUBJECT: Final Case Closure with Land Use Limitations or Conditions
Rayovac Wonewoc Development Corporation Property,
503 Vine Street, Wonewoc, WI
WDNR BRRTS Activity #: 02-29-415310

Dear Messrs Domack and Huebel:

On October 15, 2002, the West Central Closure Committee 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. On October 21, 2002, you were notified that the Closure Committee had granted conditional closure to this case.

On December 12, 2006, the Department received correspondence indicating that you have complied with the requirements of closure. Conditions of closure included abandonment of monitoring wells and boreholes; disposal of investigative waste; and listing of the site on the Department's GIS Registry of Closed Remediation Sites for soil and groundwater. Closure was also conditioned upon the filing of a deed restriction, requiring maintenance of a concrete building slab and soil cover, in accordance with a brief plan prepared and submitted to the Department pursuant to s. NR 724.13(2), Wis. Adm. Code. Recent legislation known as Act 18 has changed the way DNR and other state agencies implement such land use conditions at closure. Agencies will no longer rely on the use of deed restrictions to ensure maintenance of land use conditions. Instead, the land use conditions are detailed in this closure letter, and both this letter and the maintenance plan will be incorporated into the packet of materials submitted for listing the site on the GIS Registry of Closed Remediation Sites. It should be noted, however, that the above parties have elected to complete the filing of a deed notice, negotiated as part of a settlement agreement reached prior to the passage of Act 18.

Based on the correspondence and data provided, it appears that your case has been remediated to Department standards in accordance with s. NR 726.05, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation is required at this time.

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.

Pursuant to s. 292.12(2)(a), Wis. Stats., the concrete building slab and soil cover that currently exist in the locations shown on the attached map 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 battery-related and demolition fill materials and/or residual soil contamination that might otherwise pose a threat to human health. If battery-related and demolition fill materials and/or 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 materials 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 materials 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 materials 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 following activities are prohibited on any portion of the property where a concrete building and/or soil cover is required as shown on the attached map, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 1) removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; or 6) construction or placement of a building or other structure.

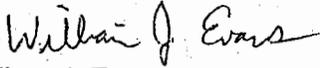
Your site will be listed on the DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites. Information that was submitted with your closure request application will be included on the GIS Registry. To review the sites on the GIS Registry web page, visit <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. If your property is listed on the GIS Registry 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

Mr. Kevin Domack, Spectrum Industries, Inc.
Mr. William Huebel, Wonewoc Development Corporation
Page 3
December 13, 2006

<http://www.dnr.state.wi.us/org/water/dwg/3300254.pdf> or at the web address listed above for the GIS Registry.

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 Mae Willkom at (715) 839-3748.

Sincerely,



William J. Evans
West Central Remediation & Redevelopment Team Supervisor

cc: Kristopher D. Krause, RMT, P.O. Box 8923, Madison, WI 53708-8923
Atty. Timothy M. Homar, LaRowe, Gerlach & Roy, LLP, P.O. Box 10, Sauk City, WI 53583
Kevin Olson, MSA, 1230 South Boulevard, Baraboo, WI 53913-2791

ATTACHMENT D
RAYOVAC CORPORATION SITE

LEGAL DESCRIPTION OF CAPPED AREA (D-1)

MAP OF CAPPED AREA (D-2)

CAP MAINTENANCE PLAN LETTER (D-3)

MAINTENANCE LOG FORM (D-4)

**A PARCEL OF LAND
LOCATED IN
A PORTION OF LOT 1, JUNEAU COUNTY CERTIFIED SURVEY #2259
BEING IN THE
SE ¼-SW ¼, SECTION 26, T14N, R2E,
VILLAGE OF WONEWOC,
JUNEAU COUNTY, WISCONSIN**

**AS GIVEN BY
MSA PROFESSIONAL SERVICES, INC.
BARABOO, WI 53913
Project #11581
June 2003**

DESCRIPTION OF CONTAMINATION CAPPED MAINTENANCE AREA

A parcel of land located in a portion of Lot 1, Juneau County Certified Survey #2259, being in the SE ¼-SW ¼, Section 26, T14N, R2E, Village of Wonewoc, Juneau County, Wisconsin, which is bounded by a line described as follows:

Commencing at the northwest corner of Lot 1, Juneau County Certified Survey #2259; thence N89°52'59"W, 10.91 feet along the north line of lands recorded in Volume 526 of Deeds, Page 599; thence S16°42'44"E, 7.75 feet along the westerly line of said lands recorded in Volume 526 of Deeds, Page 599 to the point of beginning of this description;

Thence S78°58'45"E, 84.51 feet; thence S17°13'32"E, 35.00 feet; thence N72°28'09"E, 27.04 feet; thence S17°31'51"E, 39.90 feet; thence N72°28'09"E, 70.85 feet to a point on the easterly line of Lot 1, Juneau County Certified Survey #2259; thence S15°29'55"E, 17.02 feet along said easterly line; thence S22°36'33"W, 102.95 feet; thence S72°53'08"W, 50.03 feet; thence S17°06'52"E, 75.00 feet; thence S72°53'08"W, 15.00 feet; thence N52°42'24"W, 73.97 feet to a point on the westerly line of lands recorded in Volume 526 of Deeds, Page 599; thence N16°42'44"W, 225.00 feet along the westerly line of said lands to the point of beginning.

Said parcel contains 25,274 square feet, more or less/0.58 acre, more or less.



TRANSPORTATION • MUNICIPAL
DEVELOPMENT • ENVIRONMENTAL

1230 South Boulevard Baraboo, WI 53913
608-358-2771 1-800-382-4505 Fax: 608-358-2770

© MSA PROFESSIONAL SERVICES

PROFESSIONAL SERVICES

PROJECT # 11581CAPPED

DRAWN BY SCHUETTE

CHECKED BY ROLOFF

FILE # 29-38-12

SHEET # 1

FIELD BOOK # NA

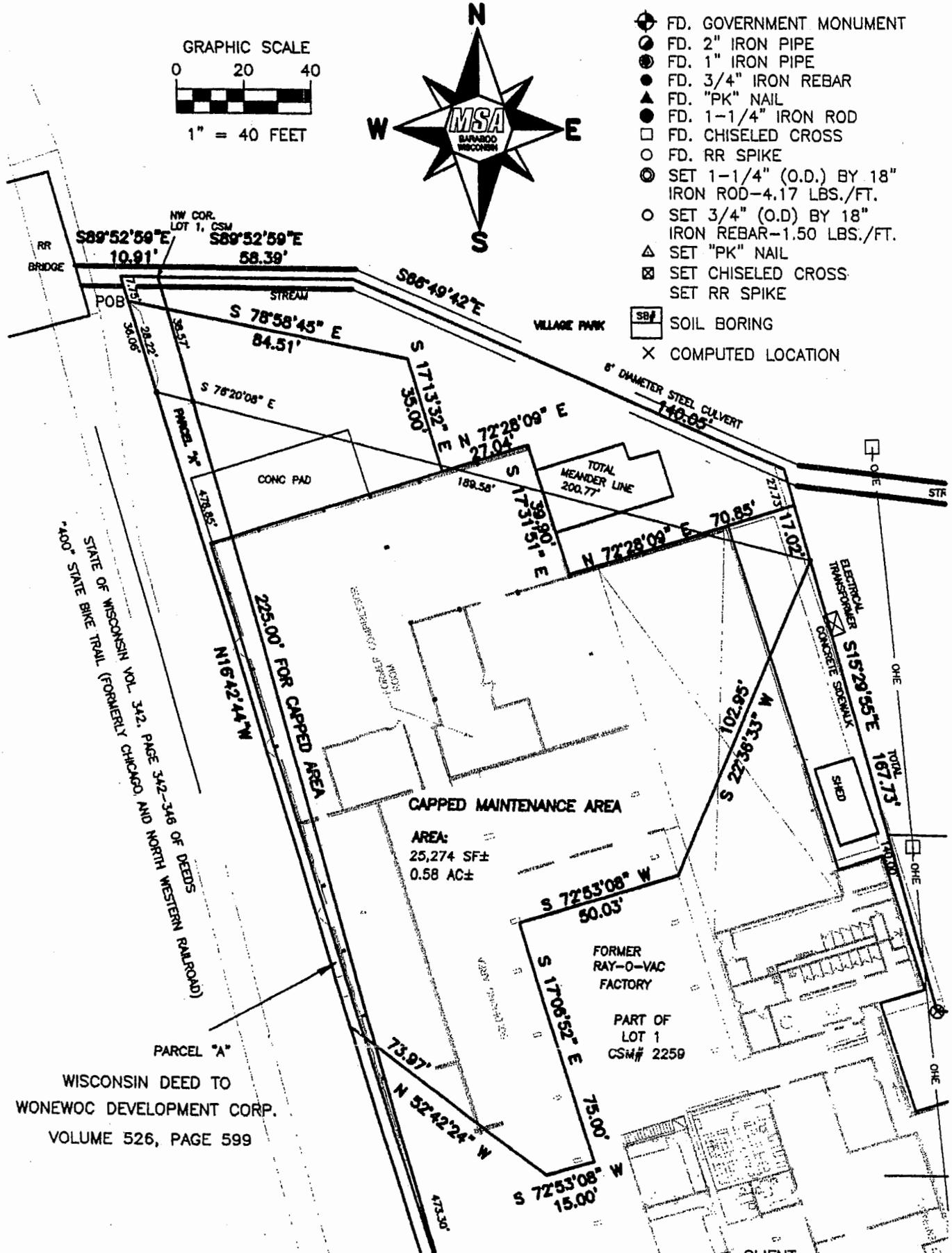
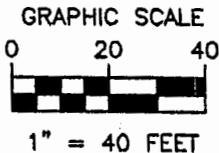
PAGES # NA

CAPPED AREA EXHIBIT "A"

LOCATED IN PART OF LOT 1, CSM # 2259 AND PART OF THE
SE1/4-SW1/4 OF SECTION 26, T14N, R2E,
VILLAGE OF WONEWOC, JUNEAU COUNTY, WISCONSIN

LEGEND

- ⊕ FD. GOVERNMENT MONUMENT
- FD. 2" IRON PIPE
- FD. 1" IRON PIPE
- FD. 3/4" IRON REBAR
- ▲ FD. "PK" NAIL
- FD. 1-1/4" IRON ROD
- FD. CHISELED CROSS
- FD. RR SPIKE
- ⊙ SET 1-1/4" (O.D.) BY 18" IRON ROD-4.17 LBS./FT.
- SET 3/4" (O.D.) BY 18" IRON REBAR-1.50 LBS./FT.
- △ SET "PK" NAIL
- ⊠ SET CHISELED CROSS
- ⊠ SET RR SPIKE
- SB# SOIL BORING
- X COMPUTED LOCATION



PARCEL "A"
WISCONSIN DEED TO
WONEWOC DEVELOPMENT CORP.
VOLUME 526, PAGE 599

March 16, 2006

Mr. Loren Brumberg
Wisconsin Department of Natural Resources
1300 West Clairemont Avenue
Eau Claire, WI 53702-4001

**Subject: Maintenance Plan for the Concrete Building Slab and Soil Cover
Former Rayovac Site
503 Vine Street
Wonewoc, Wisconsin**

Dear Mr. Brumberg:

The purpose of this letter is to provide a description of how the concrete building slab and soil cover at the above property will be maintained in accordance with Wisconsin Administrative Code, Chapter NR 724.13(2). The building slab and soil cover are an integral part of the soil performance standards that were used to achieve closure at this site. Exhibit A (attached) shows the approximate location of the building slab and the soil cover to be maintained. A legal description of this area is also attached.

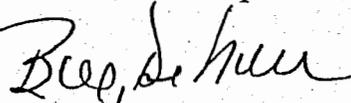
The concrete floor will be maintained by the owner. The concrete building slab and soil cover will be inspected once annually. The building slab will be inspected for cracks, gaps, or deterioration. Significant gaps or cracks greater than ½ inch thick will be filled. The soil cover will be inspected for vegetative cover. If areas of missing vegetative cover are identified, the areas will be reseeded to re-establish vegetation.

The inspections and the maintenance performed on the building slab and the soil cover will be recorded using the attached inspection log. These records will be maintained by the owner.

If you have any questions, please contact me, at (608) 464-7464.

Sincerely,

Wonewoc Development Corporation



Bill DeWure

Attachments: Figure 1 - Site Plan
Building and Floor Inspection Log

cc: Kevin Domack - Rayovac Corporation

Q:\CLIENT\078603\0043\80270445.DOC

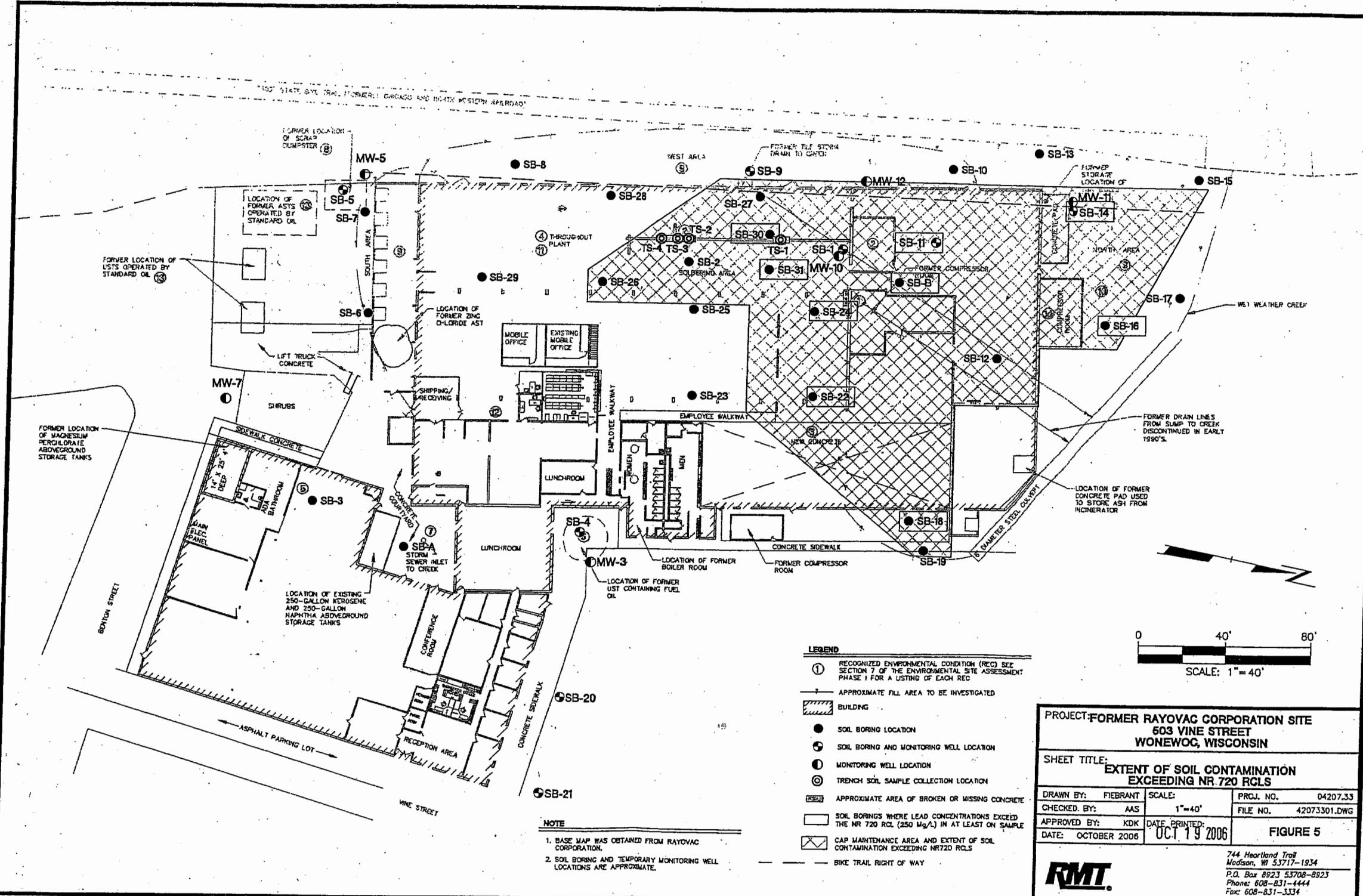
Exhibit B
Barrier INSPECTION LOG

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

ATTACHMENT E
RAYOVAC CORPORATION SITE

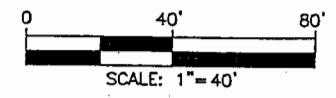
MAP OF EXTENT OF SOIL CONTAMINATION

E:\LOT DATA
 Drawing Name: 42073301.dwg
 Operator Name: fiebrant
 Scale: 1"=40'



NOTE
 1. BASE MAP WAS OBTAINED FROM RAYOVAC CORPORATION.
 2. SOIL BORING AND TEMPORARY MONITORING WELL LOCATIONS ARE APPROXIMATE.

- LEGEND**
- ① RECOGNIZED ENVIRONMENTAL CONDITION (REC) SEE SECTION 7 OF THE ENVIRONMENTAL SITE ASSESSMENT PHASE I FOR A LISTING OF EACH REC
 - APPROXIMATE FILL AREA TO BE INVESTIGATED
 - ▨ BUILDING
 - SOIL BORING LOCATION
 - ⊕ SOIL BORING AND MONITORING WELL LOCATION
 - ⊙ MONITORING WELL LOCATION
 - ⊙ TRENCH SOIL SAMPLE COLLECTION LOCATION
 - ▨ APPROXIMATE AREA OF BROKEN OR MISSING CONCRETE
 - SOIL BORINGS WHERE LEAD CONCENTRATIONS EXCEED THE NR 720 RCL (250 Mg/L) IN AT LEAST ON SAMPLE
 - ⊕ CAP MAINTENANCE AREA AND EXTENT OF SOIL CONTAMINATION EXCEEDING NR720 RCL
 - BIKE TRAIL RIGHT OF WAY



PROJECT: FORMER RAYOVAC CORPORATION SITE 503 VINE STREET WONEWOG, WISCONSIN		
SHEET TITLE: EXTENT OF SOIL CONTAMINATION EXCEEDING NR 720 RCLS		
DRAWN BY: FIEBRANT CHECKED BY: AAS APPROVED BY: KDK DATE: OCTOBER 2006	SCALE: 1"=40' DATE PRINTED: OCT 19 2006	PROJ. NO. 04207.33 FILE NO. 42073301.DWG FIGURE 5
744 Heartland Trail Madison, WI 53717-1934 P.O. Box 8923 53708-8923 Phone: 608-831-4444 Fax: 608-831-3334		



File



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor
Darrell Bazzell, Secretary

101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921
Telephone 608-266-2621
FAX 608-267-3579
TTY 608-267-6897

February 1, 2007

BRRTS No. 06-29-264811
FID No. 729032480

MR. BILL DE NURE
WONEWOC DEVELOPMENT CORPORATION
P.O. BOX 305
WONEWOC, WI 53968

Subject: A Certificate of Completion for the Environmental Investigation and Cleanup of the Former Rayovac Corporation Site Located at 503 Vine Street, Village of Wonewoc, Juneau County, Wisconsin

Dear Mr. De Nure:

The Wisconsin Department of Natural Resources ("the WDNR") received a Case Summary and Close Out Form from RMT, Inc., on behalf of Spectrum Brands, Inc. (f.k.a. Rayovac Corporation), requesting case closure for the environmental investigation and cleanup of the former Rayovac Corporation site in Wonewoc, Wisconsin. The site consists of 96,572.4 square feet (2.22 acres) and is located at 503 Vine Street and is partially described as a parcel of land located in a portion of Block 4, Fisk's Addition, a portion of Lot 1, Juneau County Certified Survey Map #2259, all of Volume 526, Page 599 of Deeds, located in the Southeast ¼ of the Southwest ¼ of Section 26 and the Northeast ¼ of the Northwest ¼ of Section 35, Township 14 North, Range 2 East, Village of Wonewoc, Juneau County, Wisconsin, hereinafter referred to as "the Property".

On October 15, 2002, the West Central Region Closure Committee determined that the environmental investigation and cleanup of the battery-related waste and demolition fill materials found on the Property had been completed to the extent practicable. This closure decision was conditional based on the proper abandonment of groundwater monitoring wells and boreholes; disposal of investigative waste; listing of the Property on the WDNR's Geographical Information System ("GIS") Registry of Closed Remediation Sites for soil and groundwater; application for environmental insurance and payment of insurance fee; and filing of a deed restriction.

The purpose of listing the Property on the GIS Registry of Closed Remediation Sites is to provide notice to the public of residual soil contamination that exceeds generic residual contaminant levels ("RCLs") and groundwater contamination that exceed a groundwater quality enforcement standard ("ES"). The environmental insurance is required based on the desire of the voluntary party to use natural attenuation to remediate groundwater contamination that exceed a groundwater quality ES. The purpose of the deed restriction is to require maintenance of a concrete building slab and soil cover over residual soil contamination that exceeds generic RCLs to prevent further degradation of groundwater quality and impacts to human health through direct contact.

In addition, if battery-related waste, demolition fill materials, and/or soil is excavated in the future in areas identified in the final closure letter and the attached *Certificate of Completion*, the property owner(s) at the time of excavation is required to characterize the materials and determine whether the materials are a solid or hazardous waste and ensure that any storage, treatment, and/or disposal is handled in compliance with applicable statutes and administrative rules. In accordance with s. 292.12, Wis. Stats., compliance with the requirements contained in the final closure letter and the attached *Certificate of Completion* is the responsibility of the present property owner(s) and any future property owner(s).

In a series of submittals culminating in a correspondence dated December 12, 2006, the conditions of closure have been met. The WDNR issued a final case closure letter with land use conditions for the Property on December 13, 2006. With the conditions of closure met, the WDNR is able to determine whether the Wonevoc Development Corporation has met the requirements for issuance of a *Certificate of Completion* under s. 292.15 (2), Wis. Stats.

Determination

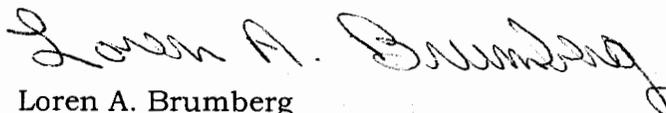
As you are aware, s. 292.15, Wis. Stats., authorizes the WDNR to issue a *Certificate of Completion* to a voluntary party that conducts an approved environmental investigation of a property and restores the environment to the extent practicable and minimizes the harmful effects with respect to hazardous substance discharges on or originating from the Property. Based on information submitted to the WDNR, the WDNR hereby determines that the investigation and cleanup of the Property is complete and that all conditions have been met under s. 292.15(2), Wis. Stats. Attached is the *Certificate of Completion* for the Property under the Voluntary Party Liability Exemption ("VPLE") Program.

Conclusion

The WDNR appreciates the work undertaken by Spectrum Brands, Inc. to investigate and cleanup contamination associated with the Property. The exemption provided by this *Certificate of Completion* applies to any successor or assignee of the Wonevoc Development Corporation, if the successor or assignee complies with the appropriate conditions, pursuant to s. 292.15 (3), Wis. Adm. Code.

If you have any questions or concerns regarding this letter or the *Certificate of Completion*, please call me at 715-839-3770 or Attorney Deb Johnson at 608-267-0846.

Sincerely,



Loren A. Brumberg
Waste Management Specialist
Remediation & Redevelopment Program

Attachment: *Certificate of Completion*

C: Michael Prager - RR/3
Deb Johnson - LS/5
Bill Evans/Mae Willkom - WCR
Kevin L. Olson, MSA Professional Services, Inc., 1230 South Boulevard,
Baraboo, WI 53913
William Huebel, Wonewoc Development Corporation, W9354 State Road 33,
Wonewoc, WI 53968

State of Wisconsin
Department of Natural Resources

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

Whereas, **Wonewoc Development Corporation** has applied for an exemption from liability under s. 292.15, Wis. Stats., for property investigated and cleaned up by **Spectrum Brands, Inc.** located at 503 Vine Street, Village of Wonewoc, which is commonly referred to as the Rayovac Corporation site and further described in the legal description found in Attachment A-1. The property is partially described as a parcel of land located in a portion of Block 4, Fisk's Addition, a portion of Lot 1, Juneau County Certified Survey Map ("CSM") #2259, all of Volume 526, Page 599 of Deeds, located in the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 26 and the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 35, Township 14 North, Range 2 East, Village of Wonewoc, Juneau County, Wisconsin, hereinafter referred to as "the Property". The Property is designated as "VPLE" Boundary Exhibit "B" as shown on the survey map which is Attachment A-2;

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

Whereas, **Spectrum Brands, Inc.** 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 the documents and reports listed in Attachment B;

Whereas, in accordance with s. 292.15(2)(ae), Wis. Stats., the WDNR determined on **October 15, 2002**, that an environmental investigation has been conducted which adequately identified and evaluated the nature and extent of the hazardous substance discharges on the Property and WDNR has approved of the remedial action plan for the Property;

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

Whereas, the Property, which has soil contamination that exceeds residual contaminant levels ("RCLs") under ch. NR 720, Wis. Adm. Code, and groundwater contamination that exceeds a groundwater quality enforcement standard under ch. NR 140, Wis. Adm. Code, will be included on the WDNR's Geographical Information System Registry of Closed Remediation Sites ("the GIS Registry") pursuant to s. 292.12(3), Wis. Stats. **Spectrum Brands, Inc.** has submitted to the WDNR all the information necessary to be included on the Registry pursuant to s. NR 726.05(2)(a)3. and s. NR 726.05(3)(a)4., Wis. Adm. Code, including a copy of a letter to a landowner whose property has been impacted by groundwater contamination that exceeds a groundwater quality enforcement standard under ch. NR 140, Wis. Adm. Code;

Whereas, on December 13, 2006, the WDNR issued a case closure letter for the Property (Attachment C to this Certificate) that requires maintenance of an engineering control in order to minimize infiltration of water for the purpose of preventing further degradation of groundwater quality that would violate groundwater quality standards in ch. NR 140, Wis. Adm. Code, and to prevent direct contact with battery-related waste, demolition fill material, and/or 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 ss. 292.12(2)(a) and (c), Wis. Stats., the concrete building slab and soil cover that currently exists in locations as shown on the attached map and designated as "*Capped Area Exhibit "A"*" (Attachment D-2 to this Certificate) shall be maintained in compliance with the maintenance plan attached to the case closure letter in order to minimize the infiltration of water for the purpose of preventing further degradation of groundwater quality that would violate groundwater quality standards in ch. NR 140, Wis. Adm. Code, and to prevent direct contact with battery-related waste, demolition fill materials, and/or residual soil contamination that might otherwise pose a threat to public health.

If battery-related waste, demolition fill materials, and/or residual soil contamination in specific locations as described by the WDNR in the case closure letter and shown in Figure 5 (Attachment E to this Certificate) are excavated in the future, the property owner(s) at the time of excavation must sample and analyze the excavated materials to determine if residual contamination that exceeds ch. NR 720, Wis. Adm. Code, residual contaminant levels ("RCLs") remains in the soil.

If sampling confirms that contamination is present above the RCLs, the property owner(s) at the time of excavation will need to determine whether the material is regulated as a solid or hazardous waste and ensure that any storage, treatment, and disposal is in compliance with applicable state statutes and administrative rules. In addition, all current and future property 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 following activities are prohibited on any portion of the Property where a concrete building slab and/or soil cover serve as a barrier against direct contact with residual soil contamination, as shown on the attached map (Attachment D to this Certificate), unless prior written approval has been obtained from the WDNR: 1) removal of existing barrier; 2) replacement of barrier; 3) excavation or grading of land surface; 4) filling capped or paved areas; 5) plowing for agricultural cultivation; or 6) construction or placement of a building or other structure.

If these requirements are not followed, the WDNR may take actions under ss. 292.11 or 292.12, Wis. Stats., to ensure compliance with the specified requirements and the person who owns or controls the Property may no longer qualify for the liability protections under s. 292.15, Wis. Stats.; and

Whereas, on **October 15, 2002**, 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 air, land, and waters of the state were completed, except with respect to groundwater contaminated with **vinyl chloride** above the ch. NR 140, Wis. Adm. Code, groundwater quality enforcement standard that the WDNR has determined will be brought into compliance through natural attenuation, in accordance with administrative rules promulgated by the WDNR.

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

Upon issuance of this Certificate, **Wonewoc Development Corporation** and the persons qualified for protection under s. 292.15(3), Wis. Stats., are exempt from the provisions of ss. 289.05(1), (2), (3) and (4), 289.42(1), 289.67, 291.25(1) to (5), 291.29, 291.37, 292.11(3), (4), and (7)(b) and (c) and 292.31(8), Wis. Stats., with respect to the existence of hazardous substances on or originating from the Property, the release of which occurred prior to the date the WDNR approved the environmental investigation required under s. 292.15(2)(ae)1., Wis. Stats. However, **Wonewoc Development Corporation** 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 December 13, 2006, case closure letter and maintenance plan, 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.

If natural attenuation fails, the insurance coverage which **Spectrum Brands, Inc.** obtained under s. 292.15(2)(ae)3m., Wis. Stats., may be used to cover the costs of complying with s. 292.11(3), Wis. Stats., with respect to groundwater contaminated with **vinyl chloride** above the ch. NR 140, Wis. Adm. Code, groundwater quality enforcement standard. 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 **Wonewoc Development Corporation** knew or should have known about more discharges of hazardous substances than was revealed by the investigation approved by the WDNR.

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

SIGNED AND CERTIFIED this 25th day of JANUARY, 2007.



Scott Hassett, Secretary
Wisconsin Department of Natural Resources

Certificate of Completion Attachments:

Attachment A: Legal Description of Certificate of Completion Property (A-1) and Survey Map (A-2).

Attachment B: List of Technical Reports submitted to WDNR.

Attachment C: WDNR Case Closure Letter dated December 13, 2006.

Attachment D: Legal Description of Capped Area (D-1), Map of Capped Area (D-2), Cap Maintenance Plan Letter dated March 16, 2006 (D-3), and Maintenance Log Form (D-4).

Attachment E: Map of Residual Soil Contamination.

ATTACHMENT A
RAYOVAC CORPORATION SITE

LEGAL PROPERTY DESCRIPTION (A-1)

SURVEY MAP OF PROPERTY (A-2)

**A PARCEL OF LAND
LOCATED IN
A PORTION OF BLOCK 4, FISK'S ADDITION,
A PORTION OF LOT 1, JUNEAU COUNTY CERTIFIED SURVEY #2259
BEING IN THE SE ¼-SW ¼, SECTION 26
AND THE NE ¼-NW ¼, SECTION 35,
ALL IN T14N, R2E, VILLAGE OF WONEWOC,
JUNEAU COUNTY, WISCONSIN**

**AS GIVEN BY
MSA PROFESSIONAL SERVICES, INC.
BARABOO, WI 53913
Project #11581
June 2003**

"VPLE" BOUNDARY

A parcel of land located in a portion of Block 4, Fisk's Addition, a portion of Lot 1, Juneau County Certified Survey #2259, being in the SE ¼-SW ¼, Section 26 and the NE ¼-NW ¼, Section 35, all in T14N, R2E, Village of Wonewoc, Juneau County, Wisconsin, which is bounded by a line described as follows:

Beginning at the southeast corner of Block 4, Fisk's Addition to the Village of Wonewoc; thence N87°14'00"W, 80.59 feet along the south line of said Block 4 and the north right-of-way of Benton Street; thence South, 25.00 feet along the west end of dedicated Benton Street; thence N87°14'00"W, 58.87 feet on the westerly extension of the centerline of Benton Street; thence S15°32'35"E, 42.69 feet; thence S74°27'25"W, 95.00 feet to the easterly line of "The 400 Trail" owned by the State of Wisconsin; thence N16°42'44"W, 514.93 feet along the westerly line of lands recorded in Volume 526 of Deeds, Page 599; thence S89°52'59"E, 10.91 feet along the north line of said lands recorded in Volume 526 of Deeds, Page 599 to the northwest corner of Lot 1, Juneau County Certified Survey #2259; thence S89°52'59"E, 58.39 feet along the north line of said Lot 1; thence S66°49'42"E, 140.05 feet along the northerly line of said Lot 1; thence S15°29'55"E, 167.73 feet along the easterly line of said Lot 1 to a point on the north line of Lot 2, Block 4, Fisk's Addition to the Village of Wonewoc; thence S89°55'13"E, 124.92 feet along said north line of said Lot 2 to the east line of said Block 4, Fisk's Addition to the Village of Wonewoc; thence S0°04'20"W, 191.24 feet along the east line of said Block 4 to the point of beginning.

Said parcel contains 2.22 acres, more or less, is subject to an easement for ingress-egress as shown on Juneau County Certified Survey #2259 and is subject to all other easements and rights-of-way of record.



TRANSPORTATION • MUNICIPAL
DEVELOPMENT • ENVIRONMENTAL

1230 South Boulevard Baraboo, WI 53813
608-358-2771 1-800-382-4505 Fax: 608-358-2770

© MSA PROFESSIONAL SERVICES

PROJECT # 11581

DRAWN BY SCHUETEE

CHECKED BY ROLOFF

FILE # 29-38-12

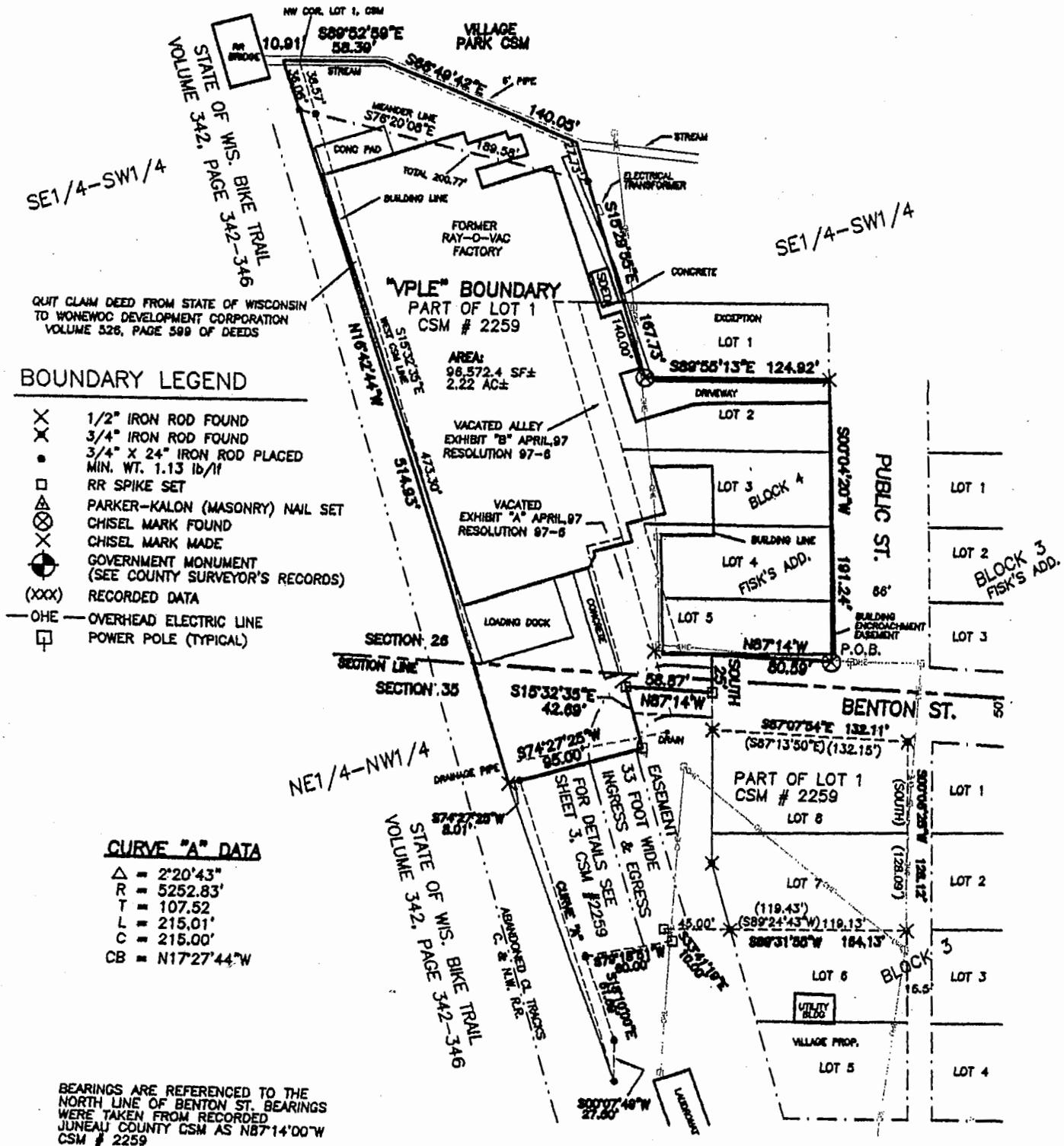
SHEET # 1

FIELD BOOK # NA

PAGES # NA

"VPLE" BOUNDARY EXHIBIT "B"

PART OF BLOCK 4, FISK'S ADDITION AND PART OF LOT 1, CSM # 2259, ALL OF VOLUME 526, PAGE 599 OF DEEDS, LOCATED IN THE SE1/4-SW1/4 OF SECTION 26, AND THE NE1/4-NW1/4 OF SECTION 35, T14N, R2E, VILLAGE OF WONEWOC, JUNEAU COUNTY, WIS.



QUIT CLAIM DEED FROM STATE OF WISCONSIN TO WONEWOC DEVELOPMENT CORPORATION VOLUME 526, PAGE 599 OF DEEDS

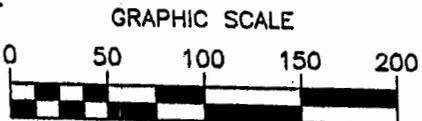
BOUNDARY LEGEND

- X 1/2" IRON ROD FOUND
- X 3/4" IRON ROD FOUND
- 3/4" X 24" IRON ROD PLACED MIN. WT. 1.13 lb/ft
- RR SPIKE SET
- ⊗ PARKER-KALON (MASONRY) NAIL SET
- ⊗ CHISEL MARK FOUND
- ⊗ CHISEL MARK MADE
- ⊗ GOVERNMENT MONUMENT (SEE COUNTY SURVEYOR'S RECORDS)
- (XXX) RECORDED DATA
- OHE— OVERHEAD ELECTRIC LINE
- POWER POLE (TYPICAL)

CURVE "A" DATA

- Δ = 2°20'43"
- R = 5252.83'
- T = 107.52'
- L = 215.01'
- C = 215.00'
- CB = N17°27'44"W

BEARINGS ARE REFERENCED TO THE NORTH LINE OF BENTON ST. BEARINGS WERE TAKEN FROM RECORDED JUNEAU COUNTY CSM AS N87°14'00"W CSM # 2259



1" = 100 FEET

CLIENT:
WONEWOC DEVELOPMENT CORPORATION
P.O. BOX 38
WONEWOC, WI 53968
(808) 464-7464

ATTACHMENT B
RAYOVAC CORPORATION SITE

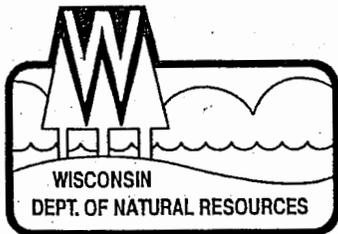
INVESTIGATION AND REMEDIAL ACTION PLAN REPORTS

1. *"Underground Storage Tank Closure and Site Assessment Report, Wonewoc Development Corporation, Wonewoc, Wisconsin"* prepared by MSA Professional Services, Inc. and dated September 20, 1996.
2. *"Site Investigation Workplan, Wonewoc Development Corporation, 503 Vine Street, Wonewoc, Wisconsin"* prepared by MSA Professional Services, Inc. and dated January 13, 1997.
3. *"Remedial Action and Status Report, Wonewoc Development Corporation, 503 Vine Street, Wonewoc, Wisconsin"* prepared by MSA Professional Services, Inc. and dated February 5, 1999.
4. *"Request for File Transfer and Site Closure Report, Wonewoc Development Corporation", 503 Vine Street, Wonewoc, Wisconsin"* prepared by MSA Professional Services, Inc. and dated August 28, 2000.
5. *"Site Investigation and Remedial Action Option Report, Wonewoc Development Corporation, 503 Vine Street, Wonewoc, Wisconsin"* prepared by MSA Professional Services, Inc. and dated March 2, 1998.
6. *"Phase I Environmental Site Assessment, Rayovac Corporation, 503 Vine Street, Wonewoc, Wisconsin"* prepared by RMT, Inc. and dated May 2001.
7. *"Phase II Subsurface Investigation Workplan, Rayovac Corporation, 503 Vine Street, Wonewoc, Wisconsin"* prepared by RMT, Inc. and dated May 2001.
8. *"Rayovac – Wonewoc: Temporary Wells"* prepared by RMT, Inc. and dated August 17, 2001.
9. *"Subsurface Investigation Report, Rayovac Corporation, 503 Vine Street, Wonewoc, Wisconsin"* prepared by RMT, Inc. and dated October 23, 2001.
10. *"Well Installation and Groundwater Sampling at the Rayovac – Wonewoc Facility"* prepared by RMT, Inc. and dated December 13, 2001.
11. *"Results of the Well Installation and Groundwater Sampling, Rayovac – Wonewoc Facility"* prepared by RMT, Inc. and dated February 5, 2002.

12. *"Groundwater and Asphalt Distribution Trench Sampling Results, Rayovac – Wonewoc Facility"* prepared by RMT, Inc. and dated April 24, 2002.
13. *"Groundwater Sampling Results, Rayovac – Wonewoc Facility"* prepared by RMT, Inc. and dated June 11, 2002.
14. *"Site Investigation and Remedial Action Options Report, Rayovac Corporation, 503 Vine Street, Wonewoc, Wisconsin"* prepared by RMT, Inc. and dated August 2002.
15. *"Addendum to the Site Investigation and Remedial Action Options Report, Former Rayovac Corporation Facility; 501 Vine Street, Wonewoc, Wisconsin"* prepared by RMT, Inc. and dated September 20, 2002.
16. *"Request for Site Closure, Former Rayovac Corporation Facility, 503 Vine Street, Wonewoc, Wisconsin"* prepared by RMT, Inc. and dated September 23, 2002.

ATTACHMENT C
RAYOVAC CORPORATION SITE

CASE CLOSURE LETTER



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, 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

December 13, 2006

Mr. Kevin Domack
Spectrum Brands, Inc.
601 Rayovac Drive
Madison, WI 53711

Mr. William Huebel, Chairperson
Wonewoc Development Corporation
W9354 State Road 33
Wonewoc, WI 53968

SUBJECT: Final Case Closure with Land Use Limitations or Conditions
Rayovac Wonewoc Development Corporation Property,
503 Vine Street, Wonewoc, WI
WDNR BRRTS Activity #: 02-29-415310

Dear Messrs Domack and Huebel:

On October 15, 2002, the West Central Closure Committee 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. On October 21, 2002, you were notified that the Closure Committee had granted conditional closure to this case.

On December 12, 2006, the Department received correspondence indicating that you have complied with the requirements of closure. Conditions of closure included abandonment of monitoring wells and boreholes; disposal of investigative waste; and listing of the site on the Department's GIS Registry of Closed Remediation Sites for soil and groundwater. Closure was also conditioned upon the filing of a deed restriction, requiring maintenance of a concrete building slab and soil cover, in accordance with a brief plan prepared and submitted to the Department pursuant to s. NR 724.13(2), Wis. Adm. Code. Recent legislation known as Act 18 has changed the way DNR and other state agencies implement such land use conditions at closure. Agencies will no longer rely on the use of deed restrictions to ensure maintenance of land use conditions. Instead, the land use conditions are detailed in this closure letter, and both this letter and the maintenance plan will be incorporated into the packet of materials submitted for listing the site on the GIS Registry of Closed Remediation Sites. It should be noted, however, that the above parties have elected to complete the filing of a deed notice, negotiated as part of a settlement agreement reached prior to the passage of Act 18.

Based on the correspondence and data provided, it appears that your case has been remediated to Department standards in accordance with s. NR 726.05, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation is required at this time.

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.

Pursuant to s. 292.12(2)(a), Wis. Stats., the concrete building slab and soil cover that currently exist in the locations shown on the attached map 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 battery-related and demolition fill materials and/or residual soil contamination that might otherwise pose a threat to human health. If battery-related and demolition fill materials and/or 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 materials 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 materials 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 materials 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 following activities are prohibited on any portion of the property where a concrete building and/or soil cover is required as shown on the attached map, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 1) removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; or 6) construction or placement of a building or other structure.

Your site will be listed on the DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites. Information that was submitted with your closure request application will be included on the GIS Registry. To review the sites on the GIS Registry web page, visit <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. If your property is listed on the GIS Registry 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

Mr. Kevin Domack, Spectrum Industries, Inc.
Mr. William Huebel, Wonewoc Development Corporation
Page 3
December 13, 2006

<http://www.dnr.state.wi.us/org/water/dwg/3300254.pdf> or at the web address listed above for the GIS Registry.

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 Mae Willkom at (715) 839-3748.

Sincerely,



William J. Evans
West Central Remediation & Redevelopment Team Supervisor

cc: Kristopher D. Krause, RMT, P.O. Box 8923, Madison, WI 53708-8923
Atty. Timothy M. Homar, LaRowe, Gerlach & Roy, LLP, P.O. Box 10, Sauk City, WI 53583
Kevin Olson, MSA, 1230 South Boulevard, Baraboo, WI 53913-2791

ATTACHMENT D
RAYOVAC CORPORATION SITE

LEGAL DESCRIPTION OF CAPPED AREA (D-1)

MAP OF CAPPED AREA (D-2)

CAP MAINTENANCE PLAN LETTER (D-3)

MAINTENANCE LOG FORM (D-4)

A PARCEL OF LAND
LOCATED IN
A PORTION OF LOT 1, JUNEAU COUNTY CERTIFIED SURVEY #2259
BEING IN THE
SE ¼-SW ¼, SECTION 26, T14N, R2E,
VILLAGE OF WONEWOC,
JUNEAU COUNTY, WISCONSIN

AS GIVEN BY
MSA PROFESSIONAL SERVICES, INC.
BARABOO, WI 53913
Project #11581
June 2003

DESCRIPTION OF CONTAMINATION CAPPED MAINTENANCE AREA

A parcel of land located in a portion of Lot 1, Juneau County Certified Survey #2259, being in the SE ¼-SW ¼, Section 26, T14N, R2E, Village of Wonewoc, Juneau County, Wisconsin, which is bounded by a line described as follows:

Commencing at the northwest corner of Lot 1, Juneau County Certified Survey #2259; thence N89°52'59"W, 10.91 feet along the north line of lands recorded in Volume 526 of Deeds, Page 599; thence S16°42'44"E, 7.75 feet along the westerly line of said lands recorded in Volume 526 of Deeds, Page 599 to the point of beginning of this description;

Thence S78°58'45"E, 84.51 feet; thence S17°13'32"E, 35.00 feet; thence N72°28'09"E, 27.04 feet; thence S17°31'51"E, 39.90 feet; thence N72°28'09"E, 70.85 feet to a point on the easterly line of Lot 1, Juneau County Certified Survey #2259; thence S15°29'55"E, 17.02 feet along said easterly line; thence S22°36'33"W, 102.95 feet; thence S72°53'08"W, 50.03 feet; thence S17°06'52"E, 75.00 feet; thence S72°53'08"W, 15.00 feet; thence N52°42'24"W, 73.97 feet to a point on the westerly line of lands recorded in Volume 526 of Deeds, Page 599; thence N16°42'44"W, 225.00 feet along the westerly line of said lands to the point of beginning.

Said parcel contains 25,274 square feet, more or less/0.58 acre, more or less.

March 16, 2006

Mr. Loren Brumberg
Wisconsin Department of Natural Resources
1300 West Clairemont Avenue
Eau Claire, WI 53702-4001

Subject: Maintenance Plan for the Concrete Building Slab and Soil Cover
Former Rayovac Site
503 Vine Street
Wonewoc, Wisconsin

Dear Mr. Brumberg:

The purpose of this letter is to provide a description of how the concrete building slab and soil cover at the above property will be maintained in accordance with Wisconsin Administrative Code, Chapter NR 724.13(2). The building slab and soil cover are an integral part of the soil performance standards that were used to achieve closure at this site. Exhibit A (attached) shows the approximate location of the building slab and the soil cover to be maintained. A legal description of this area is also attached.

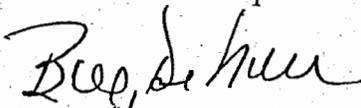
The concrete floor will be maintained by the owner. The concrete building slab and soil cover will be inspected once annually. The building slab will be inspected for cracks, gaps, or deterioration. Significant gaps or cracks greater than ½ inch thick will be filled. The soil cover will be inspected for vegetative cover. If areas of missing vegetative cover are identified, the areas will be reseeded to re-establish vegetation.

The inspections and the maintenance performed on the building slab and the soil cover will be recorded using the attached inspection log. These records will be maintained by the owner.

If you have any questions, please contact me, at (608) 464-7464.

Sincerely,

Wonewoc Development Corporation



Bill DeMure

Attachments: Figure 1 - Site Plan
Building and Floor Inspection Log

cc: Kevin Domack - Rayovac Corporation

Q:\CLIENT\078603\0043\B0270445.DOC

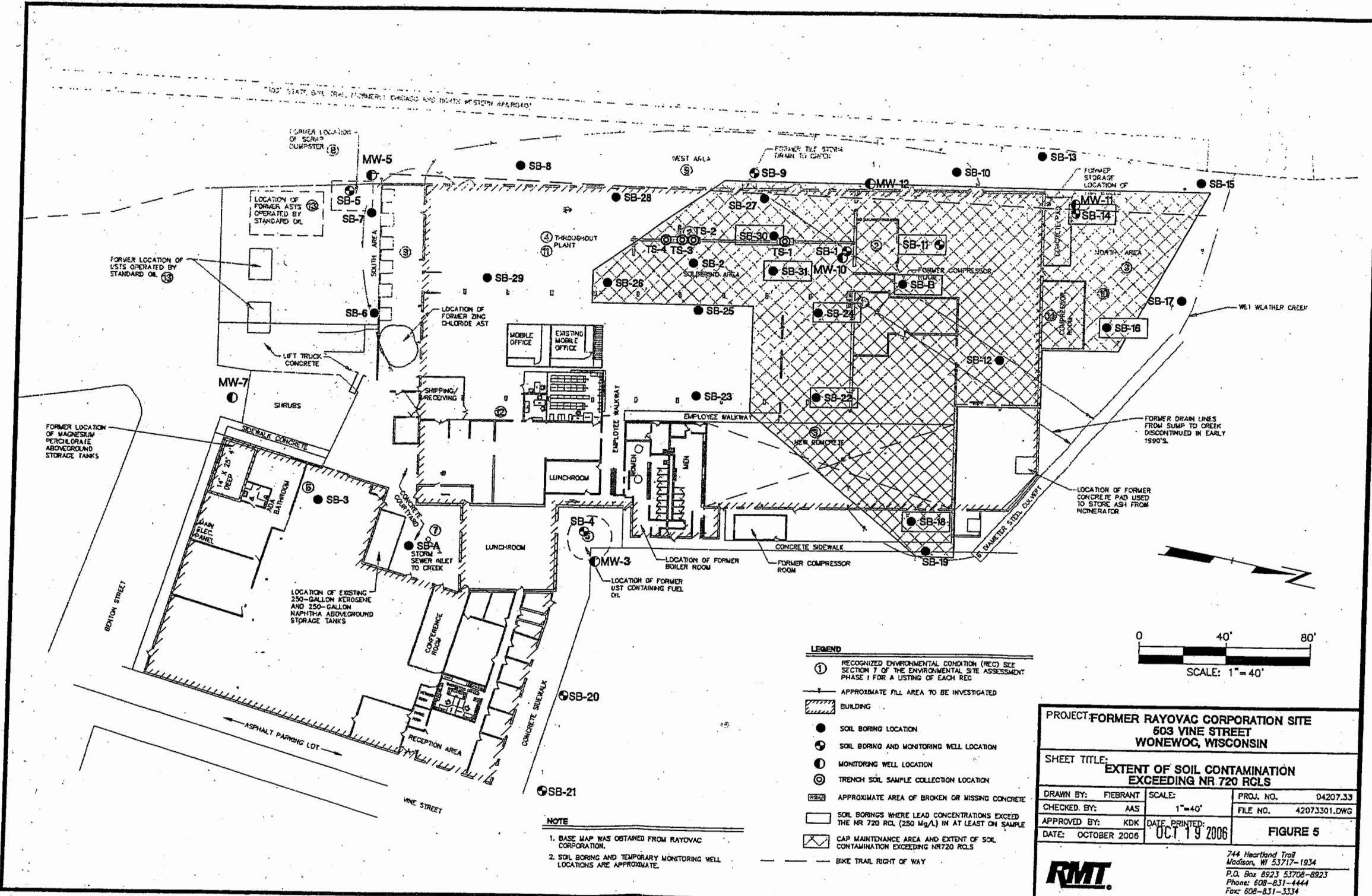
Exhibit B
Barrier INSPECTION LOG

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

ATTACHMENT E
RAYOVAC CORPORATION SITE

MAP OF EXTENT OF SOIL CONTAMINATION

PLOT DATA
 Drawing Name: J:\04207\33\42073301.dwg
 Director Name: fiebrant
 Scale: 1"=40'



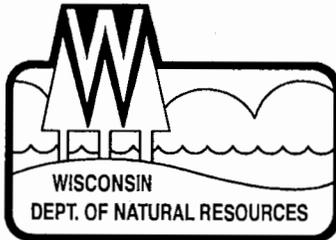
NOTE

1. BASE MAP WAS OBTAINED FROM RAYOVAC CORPORATION.
2. SOIL BORING AND TEMPORARY MONITORING WELL LOCATIONS ARE APPROXIMATE.

- LEGEND**
- ① RECOGNIZED ENVIRONMENTAL CONDITION (REC) SEE SECTION 7 OF THE ENVIRONMENTAL SITE ASSESSMENT PHASE I FOR A LISTING OF EACH REC
 - APPROXIMATE FILL AREA TO BE INVESTIGATED
 - ▭ BUILDING
 - SOIL BORING LOCATION
 - ⊕ SOIL BORING AND MONITORING WELL LOCATION
 - ⊙ MONITORING WELL LOCATION
 - ⊗ TRENCH SOIL SAMPLE COLLECTION LOCATION
 - ▨ APPROXIMATE AREA OF BROKEN OR MISSING CONCRETE
 - SOIL BORINGS WHERE LEAD CONCENTRATIONS EXCEED THE NR 720 RCL (250 Mg/L) IN AT LEAST ON SAMPLE
 - ⊞ CAP MAINTENANCE AREA AND EXTENT OF SOIL CONTAMINATION EXCEEDING NR720 RCLS
 - BIKE TRAIL RIGHT OF WAY

PROJECT: FORMER RAYOVAC CORPORATION SITE 603 VINE STREET WONEWOC, WISCONSIN		
SHEET TITLE: EXTENT OF SOIL CONTAMINATION EXCEEDING NR 720 RCLS		
DRAWN BY: FIEBRANT	SCALE: 1"=40'	PROJ. NO. 04207.33
CHECKED BY: AAS		FILE NO. 42073301.DWG
APPROVED BY: KDK	DATE PRINTED: OCT 19 2006	FIGURE 5
DATE: OCTOBER 2006		

744 Heartland Trail
 Madison, WI 53717-1934
 P.O. Box 8923 53708-8923
 Phone: 608-831-4444
 Fax: 608-831-3334



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, 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

December 13, 2006

Mr. Kevin Domack
Spectrum Brands, Inc.
601 Rayovac Drive
Madison, WI 53711

Mr. William Huebel, Chairperson
Wonewoc Development Corporation
W9354 State Road 33
Wonewoc, WI 53968

SUBJECT: Final Case Closure with Land Use Limitations or Conditions
Rayovac Wonewoc Development Corporation Property,
503 Vine Street, Wonewoc, WI
WDNR BRRTS Activity #: 02-29-415310

Dear Messrs Domack and Huebel:

On October 15, 2002, the West Central Closure Committee 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. On October 21, 2002, you were notified that the Closure Committee had granted conditional closure to this case.

On December 12, 2006, the Department received correspondence indicating that you have complied with the requirements of closure. Conditions of closure included abandonment of monitoring wells and boreholes; disposal of investigative waste; and listing of the site on the Department's GIS Registry of Closed Remediation Sites for soil and groundwater. Closure was also conditioned upon the filing of a deed restriction, requiring maintenance of a concrete building slab and soil cover, in accordance with a brief plan prepared and submitted to the Department pursuant to s. NR 724.13(2), Wis. Adm. Code. Recent legislation known as Act 18 has changed the way DNR and other state agencies implement such land use conditions at closure. Agencies will no longer rely on the use of deed restrictions to ensure maintenance of land use conditions. Instead, the land use conditions are detailed in this closure letter, and both this letter and the maintenance plan will be incorporated into the packet of materials submitted for listing the site on the GIS Registry of Closed Remediation Sites. It should be noted, however, that the above parties have elected to complete the filing of a deed notice, negotiated as part of a settlement agreement reached prior to the passage of Act 18.

Based on the correspondence and data provided, it appears that your case has been remediated to Department standards in accordance with s. NR 726.05, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation is required at this time.

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.

Pursuant to s. 292.12(2)(a), Wis. Stats., the concrete building slab and soil cover that currently exist in the locations shown on the attached map 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 battery-related and demolition fill materials and/or residual soil contamination that might otherwise pose a threat to human health. If battery-related and demolition fill materials and/or 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 materials 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 materials 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 materials 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 following activities are prohibited on any portion of the property where a concrete building and/or soil cover is required as shown on the attached map, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 1) removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; or 6) construction or placement of a building or other structure.

Your site will be listed on the DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites. Information that was submitted with your closure request application will be included on the GIS Registry. To review the sites on the GIS Registry web page, visit <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. If your property is listed on the GIS Registry 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

Mr. Kevin Domack, Spectrum Industries, Inc.
Mr. William Huebel, Wonewoc Development Corporation
Page 3
December 13, 2006

<http://www.dnr.state.wi.us/org/water/dwg/3300254.pdf> or at the web address listed above for the GIS Registry.

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 Mae Willkom at (715) 839-3748.

Sincerely,



William J. Evans
West Central Remediation & Redevelopment Team Supervisor

cc: Kristopher D. Krause, RMT, P.O. Box 8923, Madison, WI 53708-8923
Atty. Timothy M. Homar, LaRowe, Gerlach & Roy, LLP, P.O. Box 10, Sauk City, WI 53583
Kevin Olson, MSA, 1230 South Boulevard, Baraboo, WI 53913-2791

March 16, 2006

Mr. Loren Brumberg
Wisconsin Department of Natural Resources
1300 West Clairemont Avenue
Eau Claire, WI 53702-4001

**Subject: Maintenance Plan for the Concrete Building Slab and Soil Cover
Former Rayovac Site
503 Vine Street
Wonewoc, Wisconsin**

Dear Mr. Brumberg:

The purpose of this letter is to provide a description of how the concrete building slab and soil cover at the above property will be maintained in accordance with Wisconsin Administrative Code, Chapter NR 724.13(2). The building slab and soil cover are an integral part of the soil performance standards that were used to achieve closure at this site. Exhibit A (attached) shows the approximate location of the building slab and the soil cover to be maintained. A legal description of this area is also attached.

The concrete floor will be maintained by the owner. The concrete building slab and soil cover will be inspected once annually. The building slab will be inspected for cracks, gaps, or deterioration. Significant gaps or cracks greater than ½ inch thick will be filled. The soil cover will be inspected for vegetative cover. If areas of missing vegetative cover are identified, the areas will be reseeded to re-establish vegetation.

The inspections and the maintenance performed on the building slab and the soil cover will be recorded using the attached inspection log. These records will be maintained by the owner.

If you have any questions, please contact me, at (608) 464-7464.

Sincerely,

Wonewoc Development Corporation



Bill DeMure

Attachments: Figure 1 - Site Plan
Building and Floor Inspection Log

cc: Kevin Domack - Rayovac Corporation

Q:\CLIENT\078603\0043\B0270445.DOC



PROFESSIONAL SERVICES

TRANSPORTATION • MUNICIPAL
DEVELOPMENT • ENVIRONMENTAL

1230 South Boulevard Baraboo, WI 53913
808-356-2771 1-800-382-4505 Fax 808-356-2770

MSA PROFESSIONAL SERVICES

PROJECT # 115B1CAPPED

DRAWN BY SCHUETTE

CHECKED BY ROLOFF

FILE # 29-38-12

SHEET # 1

FIELD BOOK # NA

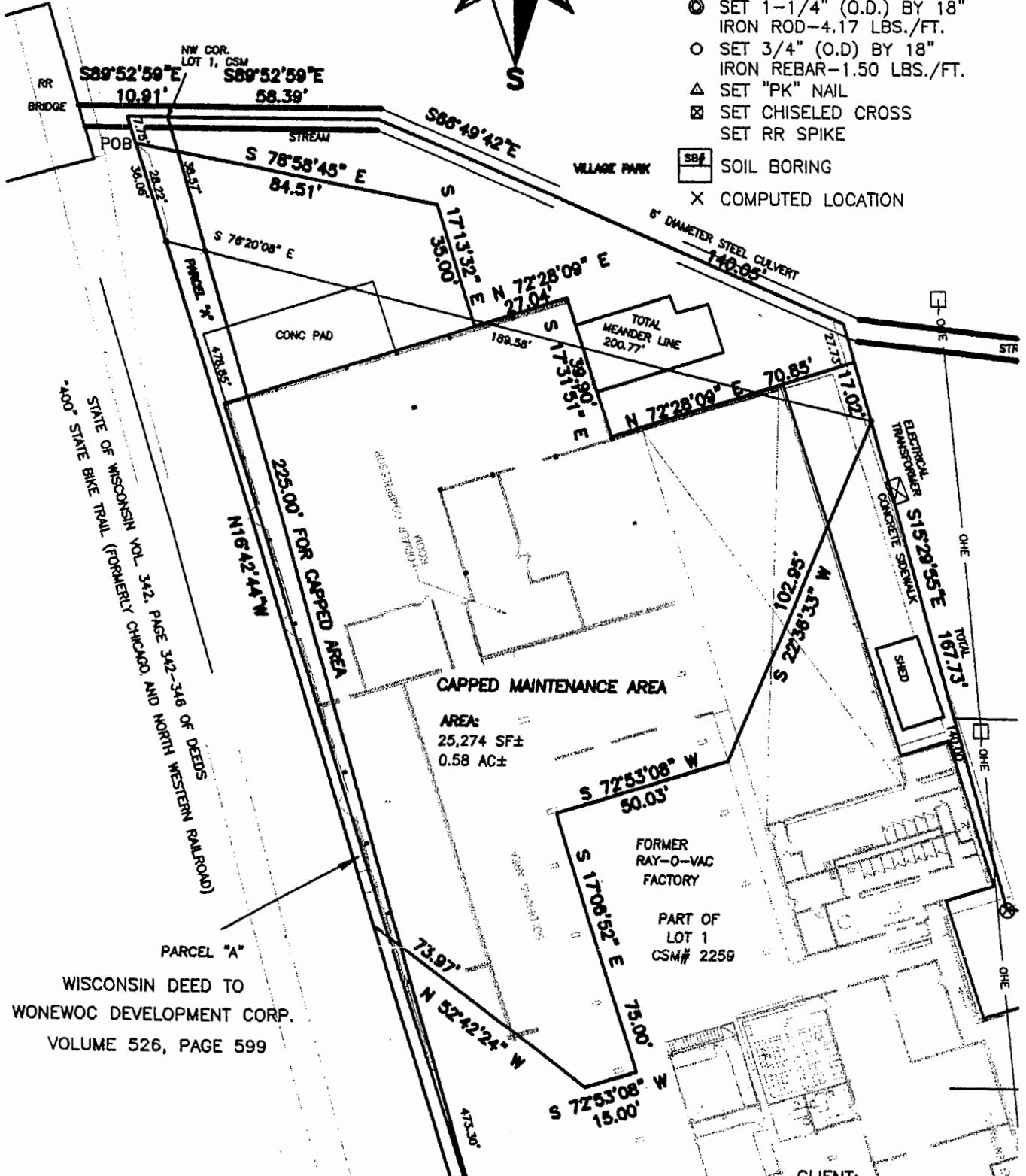
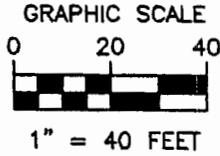
PAGES # NA

CAPPED AREA EXHIBIT "A"

LOCATED IN PART OF LOT 1, CSM # 2259 AND PART OF THE
SE1/4-SW1/4 OF SECTION 26, T14N, R2E,
VILLAGE OF WONEWOC, JUNEAU COUNTY, WISCONSIN

LEGEND

- ⊕ FD. GOVERNMENT MONUMENT
- FD. 2" IRON PIPE
- FD. 1" IRON PIPE
- FD. 3/4" IRON REBAR
- ▲ FD. "PK" NAIL
- FD. 1-1/4" IRON ROD
- FD. CHISELED CROSS
- FD. RR SPIKE
- ⊙ SET 1-1/4" (O.D.) BY 18" IRON ROD-4.17 LBS./FT.
- SET 3/4" (O.D.) BY 18" IRON REBAR-1.50 LBS./FT.
- △ SET "PK" NAIL
- ⊠ SET CHISELED CROSS
- SET RR SPIKE
- SB# SOIL BORING
- X COMPUTED LOCATION



PARCEL "A"
WISCONSIN DEED TO
WONEWOC DEVELOPMENT CORP.
VOLUME 526, PAGE 599

CLIENT:
WONEWOC DEVELOPMENT CORPORATION
P.O. BOX 38
WONEWOC, WI. 53968
(608) 464-7464

**A PARCEL OF LAND
LOCATED IN
A PORTION OF LOT 1, JUNEAU COUNTY CERTIFIED SURVEY #2259
BEING IN THE
SE ¼-SW ¼, SECTION 26, T14N, R2E,
VILLAGE OF WONEWOC,
JUNEAU COUNTY, WISCONSIN**

**AS GIVEN BY
MSA PROFESSIONAL SERVICES, INC.
BARABOO, WI 53913
Project #11581
June 2003**

DESCRIPTION OF CONTAMINATION CAPPED MAINTENANCE AREA

A parcel of land located in a portion of Lot 1, Juneau County Certified Survey #2259, being in the SE ¼-SW ¼, Section 26, T14N, R2E, Village of Wonewoc, Juneau County, Wisconsin, which is bounded by a line described as follows:

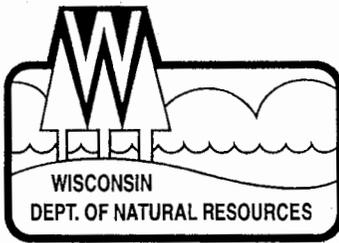
Commencing at the northwest corner of Lot 1, Juneau County Certified Survey #2259; thence N89°52'59"W, 10.91 feet along the north line of lands recorded in Volume 526 of Deeds, Page 599; thence S16°42'44"E, 7.75 feet along the westerly line of said lands recorded in Volume 526 of Deeds, Page 599 to the point of beginning of this description;

Thence S78°58'45"E, 84.51 feet; thence S17°13'32"E, 35.00 feet; thence N72°28'09"E, 27.04 feet; thence S17°31'51"E, 39.90 feet; thence N72°28'09"E, 70.85 feet to a point on the easterly line of Lot 1, Juneau County Certified Survey #2259; thence S15°29'55"E, 17.02 feet along said easterly line; thence S22°36'33"W, 102.95 feet; thence S72°53'08"W, 50.03 feet; thence S17°06'52"E, 75.00 feet; thence S72°53'08"W, 15.00 feet; thence N52°42'24"W, 73.97 feet to a point on the westerly line of lands recorded in Volume 526 of Deeds, Page 599; thence N16°42'44"W, 225.00 feet along the westerly line of said lands to the point of beginning.

Said parcel contains 25,274 square feet, more or less/0.58 acre, more or less.

Exhibit B
Barrier INSPECTION LOG

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



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor
Darrell Bazzell, Secretary
Scott A. 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 715-839-2786

October 21, 2002

BRRTS No. 06-29-264811
FID No. 729032480

Mr. Timothy J. Anderson, Director
Environmental Health & Safety - Global
Rayovac Corporation
601 Rayovac Drive
Madison, WI 53711

Mr. William Huebel, Chairperson
Wonewoc Development Corporation
W9354 State Road 33
Wonewoc, WI 53968

Subject: Department of Natural Resources Review of Environmental Investigations and Remedial Action Options, and Case Closure with Conditions Necessary to Obtain a Voluntary Party Liability Exemption under s. 292.15, Wis. Stats., for the Rayovac Corporation Site

Dear Messrs. Anderson & Huebel:

The Wisconsin Department of Natural Resources ("the Department") has recently reviewed a number of reports regarding environmental investigations and remedial action options associated with the Rayovac Corporation site located at 503 Vine Street, Village of Wonewoc, Juneau County, Wisconsin. You have applied to the Department for a Voluntary Party Liability Exemption under s. 292.15, Wis. Stats., for real property summarily described as being a replat of Lot 1, Certified Survey Map #2259, located in Block 4 of Fisk's Addition and the Southeast 1/4 of the Southwest 1/4 of Section 26, Block 3 Original Addition and the Northeast 1/4 of the Northwest 1/4 of Section 35, all in Township 14 North, Range 2 East, Village of Wonewoc, Juneau County, Wisconsin, referred to hereafter as "the Property."

Reports were submitted to the Department by RMT, Inc. on behalf of the Rayovac Corporation for the purposes of complying with ss. 292.11(3) and 292.15 (2)(a), Wis. Stats., the Hazardous Substance Spills statute and Voluntary Party Remediation and Exemption from Liability statute, in response to the release of hazardous substances on the Property. The purpose of this letter is to provide you with the Department's findings and determinations based on review of the submitted reports and to specify the conditions necessary to obtain a Voluntary Party Liability Exemption and a "Certificate of Completion."

As you are aware, the Voluntary Party Remediation and Exemption from Liability statute provides future liability protections for a voluntary party that complies with s. 292.15, Wis. Stats., if all of the following tasks are completed:

- A Department-approved environmental investigation of the property.
- The property is restored to the extent practicable and the harmful effects from the discharge of a hazardous substance are minimized in accordance with rules promulgated by the Department.
- The voluntary party obtains a "Certificate of Completion" from the Department.
- The voluntary party maintains and monitors the property as required under rules promulgated by the Department.

Upon issuance of a "Certificate of Completion," the voluntary party and any successor or assignee of the voluntary party that complies with the applicable statutory provisions is protected against future liability with respect to the prior release of a hazardous substance on the property. The voluntary party is exempt from key provisions of the Hazardous Substance Spills statute and rules, solid waste facilities standards and hazardous waste facilities requirements. Upon completion of all remediation activities and compliance with all applicable statutory and regulatory requirements, the Department will issue to the Rayovac Corporation and the Wonewoc Development Corporation a "Certificate of Completion" for the Property in accordance with s. 292.15, Wis. Stats.

Determination

The review and approval of an environmental investigation by the Department is authorized under s. 292.15(2)(a)1., Wis. Stats., and s. NR 724.07(2), Wis. Adm. Code. Mae Willkom, Hydrogeologist, and Loren A. Brumberg, Waste Management Specialist, Remediation & Redevelopment Program conducted the review of all submitted reports. The findings and determinations made by the Department were based on the review of the following documents:

- "Phase I Environmental Site Assessment, Rayovac Corporation, 503 Vine Street, Wonewoc, Wisconsin" prepared by RMT, Inc. and dated May 2001.
- "Phase II Subsurface Investigation Workplan, Rayovac Corporation, 503 Vine Street, Wonewoc, Wisconsin" prepared by RMT, Inc. and dated May 2001.
- "Rayovac – Wonewoc: Temporary Wells" prepared by RMT, Inc. and dated August 17, 2001.
- "Subsurface Investigation Report, Rayovac Corporation, 503 Vine Street, Wonewoc, Wisconsin" prepared by RMT, Inc. and dated October 23, 2001.
- "Well Installation and Groundwater Sampling at the Rayovac – Wonewoc Facility" prepared by RMT, Inc. and dated December 13, 2001.
- "Results of the Well Installation and Groundwater Sampling, Rayovac – Wonewoc Facility" prepared by RMT, Inc. and dated February 5, 2002.
- "Groundwater and Asphalt Distribution Trench Sampling Results, Rayovac – Wonewoc Facility" prepared by RMT, Inc. and dated April 24, 2002.
- "Groundwater Sampling Results, Rayovac – Wonewoc Facility" prepared by RMT, Inc. and dated June 11, 2002.
- "Site Investigation and Remedial Action Options Report, Rayovac Corporation, 503 Vine Street, Wonewoc, Wisconsin" prepared by RMT, Inc. and dated August 2002.

- “*Addendum to the Site Investigation and Remedial Action Options Report, Former Rayovac Corporation Facility; 501 Vine Street, Wonewoc, Wisconsin*” prepared by RMT, Inc. and dated September 20, 2002.

Based upon the information submitted, the Department agrees that environmental activities performed on the Property are adequate to identify areas of potential contamination and constitute an adequate Phase I Environmental Site Assessment. The Department agrees that environmental activities performed on the Property to assess the *recognized environmental conditions* for the presence of hazardous substances, through the collection and analysis of soil and groundwater samples, constitute an adequate Phase II Environmental Site Assessment. The Department also agrees that environmental activities performed on the Property to define the nature, degree and extent of contamination; define the sources of contamination; determine whether any remedial actions are necessary; identify and evaluate remedial action options and; select remedial actions were conducted in substantial conformance with Chapters NR 716 and NR 722, Wis. Adm. Code. Therefore, the Department hereby approves of the environmental activities performed on the Property that collectively constitute an “environmental investigation” within the meaning of s. 292.15(2)(a)1., Wis. Stats.

On October 15, 2002, the West Central Region Closure Committee (“the Committee”) reviewed a closure request submitted by RMT, Inc. on behalf of the Rayovac Corporation for the Property. The Committee reviews environmental remediation cases for compliance with state rules and statutes to maintain consistency in the closure of these cases. After careful review of the closure request, the Committee has determined that the metals and chlorinated solvents contamination on the Property from the battery waste beneath the manufacturing building and the concrete trenches within the building appears to have been investigated and remediated to the extent practicable under site conditions. The Property has been investigated and remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code, and will be closed, and a “Certificate of Completion” will be issued under s. 292.15, Wis. Adm. Code, once the following conditions are satisfied:

- 1.) All monitoring wells and boreholes installed during any response action taken for the site shall be abandoned and documented as abandoned in accordance with s. NR 141.25, Wis. Adm. Code, except for specific wells the Department approves of retaining until sampling is no longer required. Documentation of well abandonment must be submitted to the Department on Form 3300-5 found at <http://www.dnr.state.wi.us/org/water/dwg/gw/3300-5.pdf> or provided by the Department.
- 2.) Any remaining investigative waste generated during the site investigation and stored on-site shall be handled and disposed of in accordance with applicable state and federal laws.
- 3.) Based on the presence of groundwater contamination (vinyl chloride) on the Property that exceeds a ch. NR 140, Wis. Adm. Code, enforcement standard (“ES”) and the use of natural attenuation as a remedial option to restore groundwater quality:
 - a.) All properties within or partially within the contaminated site boundaries, including the adjacent recreational trail right-of-way, are required to be entered onto the Department’s GIS Registry of Closed Remediation Sites. You must submit all of the information described in s. NR 726.05(2)(a)2., Wis. Adm. Code, for each property within or partially within the contaminated site boundaries, other than the adjacent recreational trail right-of-way, and all of the information required in s. NR 726.05(3)(a)4., Wis. Adm. Code, in a groundwater GIS registry attachment to the final case close out submittal.

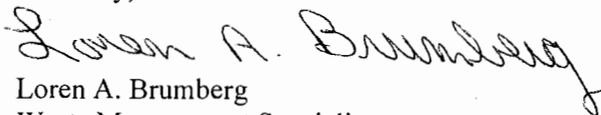
- b.) The issuance of a "Certificate of Completion" will require that you obtain environmental insurance through the Department by paying a one-time insurance fee and complying with the requirements and procedures described in ch. NR 754, Wis. Adm. Code. For more information on the insurance requirements in ch. NR 754, Wis. Adm. Code, see "*Insurance for Voluntary Party Liability Exemption Sites Using Natural Attenuation: Information and Fee Schedule*" publication #RR-661 which can be obtained on the Department's web site at http://www.dnr.state.wi.us/org/aw/rr/liability/purchasers_0.html.
- 4.) Based on the presence of battery-related and demolition fill materials and residual soil contamination (barium cadmium, chromium, lead and zinc) on the Property that exceeds generic or site-specific residual contamination levels ("RCLs") as determined under ss. NR 720.09, NR 720.11 and NR 720.19, Wis. Adm. Code, the properties within or partially within the contamination site boundaries are required to be entered onto the Department's GIS Registry of Closed Remediation Sites. You must submit all the information described in s. NR 726.05(2)(a) 3., Wis. Adm. Code, for each property within or partially within the contaminated site boundaries, and s. NR 726.05(3)(b) 4., Wis. Adm. Code, in a soil GIS registry attachment to the final case close out submittal.
- 5.) Based on the presence of battery-related and demolition fill materials and residual soil contamination (barium cadmium, chromium, lead and zinc) on the Property, beneath a concrete building slab and a soil cover, that exceeds generic and site-specific residual contaminant levels ("RCLs") based on protection of groundwater as determined under ss. NR 720.09 and 720.19, Wis. Adm. Code, and based on the protection of public health from direct contact as determined under ss. NR 720.11 and 720.19, Wis. Adm. Code, a deed restriction in the form of an affidavit is required to be signed and recorded at the office of the register of deeds for the county in which the Property is located in accordance with ss. NR 726.05(8)(b) 3. and 4., and NR 726.05(9), Wis. Adm. Code.
- a.) The deed restriction shall state that the Department has concluded that the presence of the concrete building slab and soil cover (or structures of similar permeability) over the battery-related and demolition fill materials and residual soil contamination will adequately address the contamination remaining in place, in such a manner as to ensure that the concrete building slab will protect groundwater and the battery-related and demolition fill materials and soil contamination will not constitute a direct contact threat in the future, in accordance with the requirements of s. NR 720.19(2), Wis. Adm. Code.
- b.) The deed restriction shall include a description of the battery-related and demolition fill materials and residual soil contamination and a map or diagram showing the location of the concrete building slab and the soil cover on the Property.
- c.) The deed restriction shall require owners of the Property to take any steps necessary to ensure that the concrete building slab and the soil cover will function as intended to protect the groundwater and prevent direct contact, as required by the applicable performance standard.

- d.) The deed restriction shall also require owners of the Property to maintain and repair the concrete building slab and soil cover or replace them with structures of similar permeability until such time as further investigation demonstrates that the concentration of contaminants no longer exceeds generic or site-specific RCLs.
 - e.) The use of a performance standard as part of the remedial action for the Property requires that a written maintenance plan is to be provided to the Department in accordance with s. NR 724.13(2), Wis. Adm. Code, outlining how the concrete building slab and soil cover (or other structures of similar permeability that are used to replace the foundation or soil cover) will be inspected and maintained in the long-term.
 - f.) You will need to submit a draft deed restriction to the Department before the deed affidavit is signed and recorded. You may visit the Department's web site at <http://www.dnr.state.wi.us/org/aw/rr/archives/pubs/RR606.pdf> to obtain an electronic version. To assist the Department in our review of the deed restriction, you should submit a copy of the property deed to the Department along with the draft deed restriction. After the Department has reviewed the draft document for completeness, you need to have the property owner sign the deed affidavit and have the document recorded by the Juneau County Register of Deeds. You then must submit a copy of the recorded document, with the recording information stamped on the document, to the Department. Please be aware that if a deed affidavit is recorded for the wrong property due to an inaccurate legal description that you provided, you will be responsible for recording corrected documents at the register of Deeds Office to rectify the problem.
- 6.) Based on the presence of battery-related and demolition fill materials and residual soil contamination on the Property, the final closure letter will state that any battery-related and demolition fill materials and/or soil that is excavated in the future from an area that had battery-related and demolition fill materials and/or residual soil contamination at the time of case closure shall be sampled, analyzed, handled and discarded as a solid or hazardous waste in compliance with applicable state and Federal laws.

In summary, it appears that the Property has been investigated and remediated to Department standards and will be closed, and a "Certificate of Completion" will be issued to the Rayovac Corporation and the Wonewoc Development Corporation under s. 292.15, Wis. Adm. Code, if the conditions of this letter are met and if you have complied with all other applicable statutory and regulatory requirements.

This letter is intended to provide assurances and direction to the Rayovac Corporation and the Wonewoc Development Corporation that the environmental investigation and cleanup of the Property has been conducted in accordance with ss. 292.15 and 292.11(3), Wis. Stats., and the NR 700 series, Wis. Adm. Code. If you have any questions or concerns regarding the environmental investigation and cleanup of the Property or the Voluntary Party Liability Exemption Program, please call me at 715-839-3770.

Sincerely,



Loren A. Brumberg
Waste Management Specialist
Remediation & Redevelopment Program

LAB:lb

C: Michael Prager – RR/3
Linda Meyer – LS/5
Bill Evans/Mae Willkom – WCR
Kristopher D. Krause, P.E., RMT, Inc., 744 Heartland Trail, Madison, WI 53717-1934
Kevin L. Olson, MSA Professional Services, Inc., 1230 South Boulevard, Baraboo, WI 53913-2791

Document No.

DOCUMENT # 654446

Recorded
DEC. 05, 2006 AT 10:20AM
CHRISTIE BENDER
REGISTER OF DEEDS
JUNEAU CO., WI
Fee Amount: \$25.00

INDEXED

ENTERED

NOTICE OF CONTAMINATION TO PROPERTY

Legal Description of the Property:

See Exhibit A attached hereto.

Return to: **Steven Roy**
LaRowe, Gerlach & Roy, LLP
P.O. Box 10
Sauk City, WI 53583

29-191 (VWO) Parcel #s 167, 210.1,
216, 217, 238 and 452

Parcel Identification Number (PIN)

STATE OF WISCONSIN)
)ss
COUNTY OF JUNEAU)

WHEREAS, Wonewoc Development Corporation, a Wisconsin corporation, is the owner of the above-described property.

WHEREAS, one or more metals discharges have occurred on this property, and as of June 13, 2001 when soil samples were collected on this property, metals-contaminated soil and fill remained on the property at the following location: beneath the concrete building floor slab and the subsurface soil to the northwest of the building, as depicted on Exhibit B attached hereto.

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

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

1. The Wisconsin Department of Natural Resources has concluded that the presence of the concrete building slab and soil cover over the battery-related and demolition fill materials and

residual soil contamination will adequately address the contamination remaining in place, in such a manner as to ensure that the concrete building slab will protect groundwater, and the battery-related and demolition fill materials and soil contamination will not constitute a direct threat in the future, in accordance with the requirements of section NR 720.19(2) Wis. Admin. Code.

2. The existing concrete slab and soil cover form 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. These structures are also 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. Admin. Code. The concrete slab and soil cover shall be maintained on the above described property in the locations shown on Exhibit A unless another barrier, with an infiltration rate of 10^{-7} cm/sec or less, is installed and maintained in their place. The existing structures, and any replacement barrier with an infiltration rate of 10^{-7} cm/sec or less, shall be maintained on the above-described property in compliance with the "Maintenance Plan for the Concrete Building Slab and Soil Cover" dated March 16, 2006, that was submitted to the Wisconsin Department of Natural Resources by Bill DeNure of Wonewoc Development Corporation.

3. In addition, the following activities are prohibited on any portion of the above described property where an impervious cap has been placed or where impervious surfaces exist shown on Exhibit A, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources 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.

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

5. Any person who is or becomes the owner of the property described above may request that the Wisconsin Department of Natural Resources, or its successor, issue a determination that the restrictions set forth in this covenant are no longer required. Upon receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. Conditions under which a restriction may be extinguished will be determined in accordance with the site-specific standards, rules and laws for this property. If the Department determines that the restrictions can be extinguished, an affidavit, with a copy of the Department's written determination, may be recorded to give notice that this restriction, or portions of this restriction are no longer binding.

6. By signing this document, Bill DeNure asserts that he is duly authorized to sign this document on behalf of Wonewoc Development Corporation.

IN WITNESS WHEREOF, the owner of the property has executed this document, this 8th day of November, 2006.

WONEWOC DEVELOPMENT CORPORATION

By: Bill DeNure

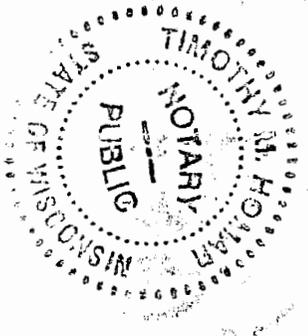
Printed Name: Bill DeNure

Title: Secretary

Subscribed and sworn to before me
this 8th day of November, 2006.

Timothy M. Ham
Notary Public, State of Wisconsin
My commission is permanent

Q:\client\078603\0043\B0270446.1



**A PARCEL OF LAND
LOCATED IN
A PORTION OF BLOCK 4, FISK'S ADDITION,
A PORTION OF LOT 1, JUNEAU COUNTY CERTIFIED SURVEY #2259
BEING IN THE SE ¼-SW ¼, SECTION 26
AND THE NE ¼-NW ¼, SECTION 35,
ALL IN T14N, R2E, VILLAGE OF WONEWOC,
JUNEAU COUNTY, WISCONSIN**

**AS GIVEN BY
MSA PROFESSIONAL SERVICES, INC.
BARABOO, WI 53913
Project #11581
June 2003**

"VPLE" BOUNDARY

A parcel of land located in a portion of Block 4, Fisk's Addition, a portion of Lot 1, Juneau County Certified Survey #2259, being in the SE ¼-SW ¼, Section 26 and the NE ¼-NW ¼, Section 35, all in T14N, R2E, Village of Wonewoc, Juneau County, Wisconsin, which is bounded by a line described as follows:

Beginning at the southeast corner of Block 4, Fisk's Addition to the Village of Wonewoc; thence N87°14'00"W, 80.59 feet along the south line of said Block 4 and the north right-of-way of Benton Street; thence South, 25.00 feet along the west end of dedicated Benton Street; thence N87°14'00"W, 58.87 feet on the westerly extension of the centerline of Benton Street; thence S15°32'35"E, 42.69 feet; thence S74°27'25"W, 95.00 feet to the easterly line of "The 400 Trail" owned by the State of Wisconsin; thence N16°42'44"W, 514.93 feet along the westerly line of lands recorded in Volume 526 of Deeds, Page 599; thence S89°52'59"E, 10.91 feet along the north line of said lands recorded in Volume 526 of Deeds, Page 599 to the northwest corner of Lot 1, Juneau County Certified Survey #2259; thence S89°52'59"E, 58.39 along the north line of said Lot 1; thence S66°49'42"E, 140.05 feet along the northerly line of said Lot 1; thence S15°29'55"E, 167.73 feet along the easterly line of said Lot 1 to a point on the north line of Lot 2, Block 4, Fisk's Addition to the Village of Wonewoc; thence S89°55'13"E, 124.92 feet along said north line of said Lot 2 to the east line of said Block 4, Fisk's Addition to the Village of Wonewoc; thence S0°04'20"W, 191.24 feet along the east line of said Block 4 to the point of beginning.

Said parcel contains 2.22 acres, more or less, is subject to an easement for ingress-egress as shown on Juneau County Certified Survey #2259 and is subject to all other easements and rights-of-way of record.



PROFESSIONAL SERVICES

TRANSPORTATION • MUNICIPAL DEVELOPMENT • ENVIRONMENTAL

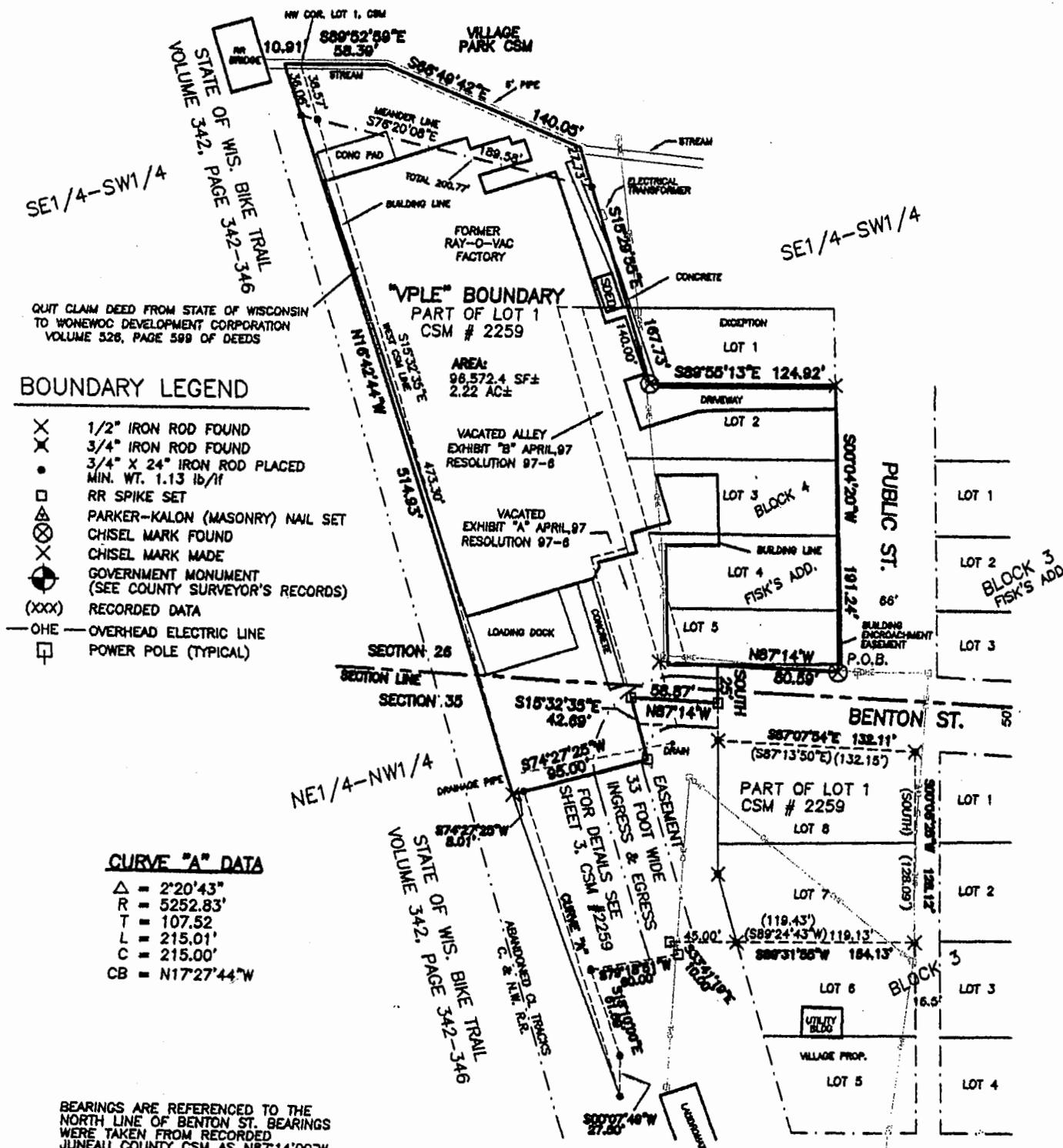
1230 South Boulevard Baraboo, WI 53913 608-358-2771 1-800-362-4505 Fax: 608-358-2770

© MSA PROFESSIONAL SERVICES

PROJECT #	11581
DRAWN BY	SCHUETEE
CHECKED BY	ROLOFF
FILE #	29-38-12
SHEET #	1
FIELD BOOK # NA	PAGES # NA

"VPLE" BOUNDARY EXHIBIT "B"

PART OF BLOCK 4, FISK'S ADDITION AND PART OF LOT 1, CSM # 2259, ALL OF VOLUME 526, PAGE 599 OF DEEDS, LOCATED IN THE SE1/4-SW1/4 OF SECTION 26, AND THE NE1/4-NW1/4 OF SECTION 35, T14N, R2E, VILLAGE OF WONEWOC, JUNEAU COUNTY, WIS.



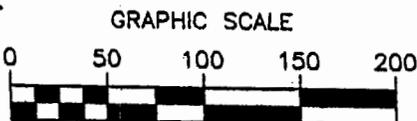
BOUNDARY LEGEND

- X 1/2" IRON ROD FOUND
- X 3/4" IRON ROD FOUND
- 3/4" X 24" IRON ROD PLACED MIN. WT. 1.13 lb/ft
- RR SPIKE SET
- ⊗ PARKER-KALON (MASONRY) NAIL SET
- ⊗ CHISEL MARK FOUND
- ⊗ CHISEL MARK MADE
- ⊗ GOVERNMENT MONUMENT (SEE COUNTY SURVEYOR'S RECORDS)
- (XXX) RECORDED DATA
- OHE— OVERHEAD ELECTRIC LINE
- POWER POLE (TYPICAL)

CURVE "A" DATA

- Δ = 2°20'43"
- R = 5252.83'
- T = 107.52
- L = 215.01'
- C = 215.00'
- CB = N17°27'44"W

BEARINGS ARE REFERENCED TO THE NORTH LINE OF BENTON ST. BEARINGS WERE TAKEN FROM RECORDED JUNEAU COUNTY CSM AS N87°14'00"W CSM # 2259



1" = 100 FEET

CLIENT: WONEWOC DEVELOPMENT CORPORATION P.O. BOX 38 WONEWOC, WI 53968 (808) 464-7464

March 16, 2006

Mr. Loren Brumberg
Wisconsin Department of Natural Resources
1300 West Clairemont Avenue
Eau Claire, WI 53702-4001

**Subject: Maintenance Plan for the Concrete Building Slab and Soil Cover
Former Rayovac Site
503 Vine Street
Wonewoc, Wisconsin**

Dear Mr. Brumberg:

The purpose of this letter is to provide a description of how the concrete building slab and soil cover at the above property will be maintained in accordance with Wisconsin Administrative Code, Chapter NR 724.13(2). The building slab and soil cover are an integral part of the soil performance standards that were used to achieve closure at this site. Exhibit A (attached) shows the approximate location of the building slab and the soil cover to be maintained. A legal description of this area is also attached.

The concrete floor will be maintained by the owner. The concrete building slab and soil cover will be inspected once annually. The building slab will be inspected for cracks, gaps, or deterioration. Significant gaps or cracks greater than ½ inch thick will be filled. The soil cover will be inspected for vegetative cover. If areas of missing vegetative cover are identified, the areas will be reseeded to re-establish vegetation.

The inspections and the maintenance performed on the building slab and the soil cover will be recorded using the attached inspection log. These records will be maintained by the owner.

If you have any questions, please contact me, at (608) 464-7464.

Sincerely,

Wonewoc Development Corporation



Bill DeWure

Attachments: Figure 1 - Site Plan
Building and Floor Inspection Log

cc: Kevin Domack - Rayovac Corporation

Q:\CLIENT\078603\0043\B0270445.DOC

**A PARCEL OF LAND
LOCATED IN
A PORTION OF LOT 1, JUNEAU COUNTY CERTIFIED SURVEY #2259
BEING IN THE
SE ¼-SW ¼, SECTION 26, T14N, R2E,
VILLAGE OF WONEWOC,
JUNEAU COUNTY, WISCONSIN**

**AS GIVEN BY
MSA PROFESSIONAL SERVICES, INC.
BARABOO, WI 53913
Project #11581
June 2003**

DESCRIPTION OF CONTAMINATION CAPPED MAINTENANCE AREA

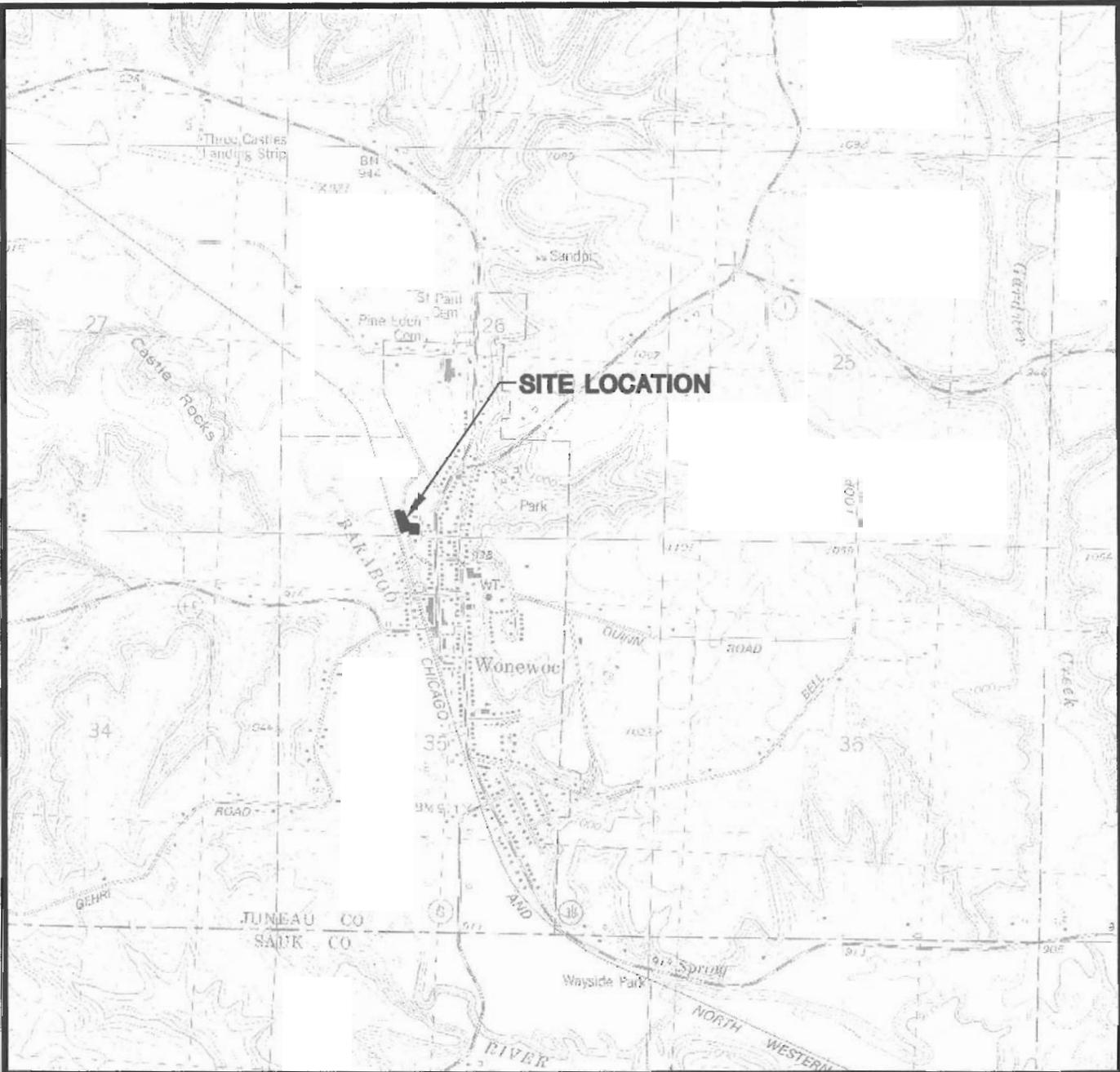
A parcel of land located in a portion of Lot 1, Juneau County Certified Survey #2259, being in the SE ¼-SW ¼, Section 26, T14N, R2E, Village of Wonewoc, Juneau County, Wisconsin, which is bounded by a line described as follows:

Commencing at the northwest corner of Lot 1, Juneau County Certified Survey #2259; thence N89°52'59"W, 10.91 feet along the north line of lands recorded in Volume 526 of Deeds, Page 599; thence S16°42'44"E, 7.75 feet along the westerly line of said lands recorded in Volume 526 of Deeds, Page 599 to the point of beginning of this description;

Thence S78°58'45"E, 84.51 feet; thence S17°13'32"E, 35.00 feet; thence N72°28'09"E, 27.04 feet; thence S17°31'51"E, 39.90 feet; thence N72°28'09"E, 70.85 feet to a point on the easterly line of Lot 1, Juneau County Certified Survey #2259; thence S15°29'55"E, 17.02 feet along said easterly line; thence S22°36'33"W, 102.95 feet; thence S72°53'08"W, 50.03 feet; thence S17°06'52"E, 75.00 feet; thence S72°53'08"W, 15.00 feet; thence N52°42'24"W, 73.97 feet to a point on the westerly line of lands recorded in Volume 526 of Deeds, Page 599; thence N16°42'44"W, 225.00 feet along the westerly line of said lands to the point of beginning.

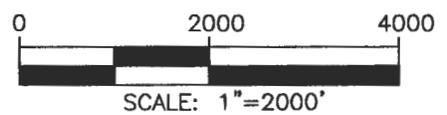
Said parcel contains 25,274 square feet, more or less/0.58 acre, more or less.

Attached Xrefs: No xrefs Attached.



\$\$\$PLOTTER\$\$\$
 \$\$\$SCALE\$\$\$
 \$\$\$ROT\$\$\$
 \$\$\$TIME\$\$\$

LATITUDE: 43° 39' 24.0"
 LONGITUDE: 90° 13' 29.0"



SITE LOCATION MAP
RAYOVAC, INC.
WONEVOK, WISCONSIN
JUNEAU COUNTY

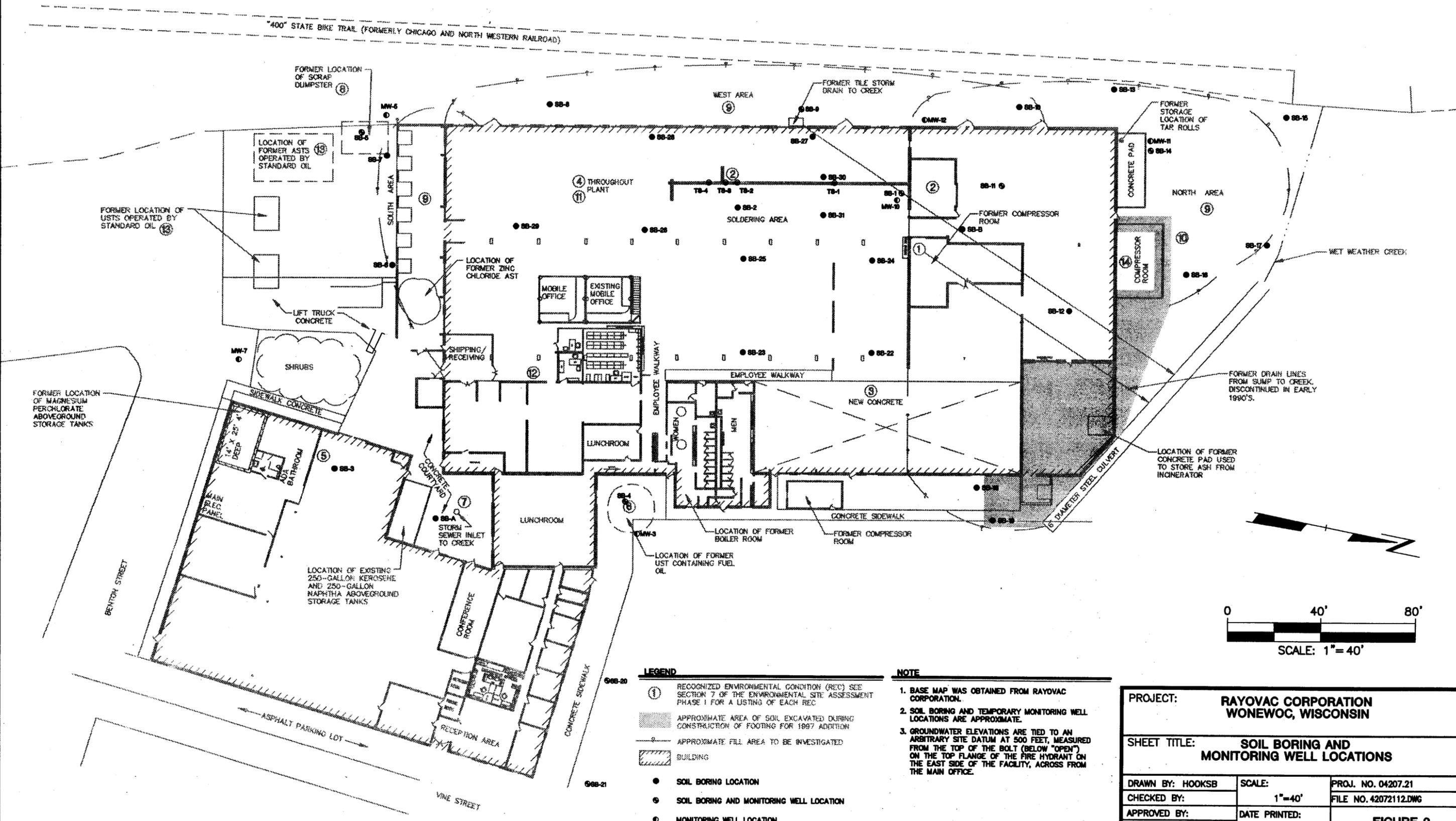
SOURCE: BASE MAP FROM WONEVOK (1975)
 7.5 MIN. USGS QUADRANGLE.

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

RMT.	DWN. BY: HOOKSB
	APPROVED BY: KDK
	DATE: SEPTEMBER 2002
	PROJ. # 4207.21
FILE # 42072111.DWG	

FIGURE 1

Drawing Name: hooksb
 Operator Name: hooksb
 Scale: 1"=40'
 Dwg Size: 488x22 Bytes
 J:\04207\21\42072112.dwg
 Plot Date: Monday, August 19, 2002
 Plot Time: 08:12:36 AM
 Attached Xref's: No xref's attached.
 Attached Image's: No images attached.



- LEGEND**
- ① RECOGNIZED ENVIRONMENTAL CONDITION (REC) SEE SECTION 7 OF THE ENVIRONMENTAL SITE ASSESSMENT PHASE 1 FOR A LISTING OF EACH REC
 - APPROXIMATE AREA OF SOIL EXCAVATED DURING CONSTRUCTION OF FOOTING FOR 1997 ADDITION
 - ▨ APPROXIMATE FILL AREA TO BE INVESTIGATED
 - ▭ BUILDING
 - SOIL BORING LOCATION
 - SOIL BORING AND MONITORING WELL LOCATION
 - MONITORING WELL LOCATION
 - ⊙ TB-1 TRENCH SOIL SAMPLE COLLECTION LOCATION

- NOTE**
1. BASE MAP WAS OBTAINED FROM RAYOVAC CORPORATION.
 2. SOIL BORING AND TEMPORARY MONITORING WELL LOCATIONS ARE APPROXIMATE.
 3. GROUNDWATER ELEVATIONS ARE TIED TO AN ARBITRARY SITE DATUM AT 500 FEET, MEASURED FROM THE TOP OF THE BOLT (BELOW "OPEN") ON THE TOP FLANGE OF THE FIRE HYDRANT ON THE EAST SIDE OF THE FACILITY, ACROSS FROM THE MAIN OFFICE.

PROJECT: RAYOVAC CORPORATION
 WONEVOC, WISCONSIN
SHEET TITLE: SOIL BORING AND
 MONITORING WELL LOCATIONS
DRAWN BY: HOOKSB **SCALE:** 1"=40' **PROJ. NO.** 04207.21
CHECKED BY: **DATE PRINTED:** **FILE NO.** 42072112.DWG
APPROVED BY: **FIGURE 2**
DATE: AUGUST 2002

RMT. INC.
 744 Heartland Trail
 Madison, WI 53717-1934
 P.O. Box 8923 53708-8923
 Phone: 608-831-4444
 Fax: 608-831-3334

Table 1
Groundwater Metals Concentrations (µg/L)
Rayovac Corporation
Wonewoc, Wisconsin

WELL ID	DATE	BARIUM	CADMIUM	CHROMIUM	COPPER	LEAD	MERCURY	ZINC
PAL		400	0.5	10	130	1.5	0.2	2,500
ES		2,000	5	100	1,300	15	2	5,000
MW-10	1/4/2002	310	2.4	0.69 Q	1.9 Q	0.71	<0.17	3,900
	3/7/2002	350	5.4	1.4	2.1 Q	0.41 A(0.14)	<0.16	6,600
	5/7/2002	280	3.4	1.2	2.0 Q	0.16 Q	<0.16	4,200
	7/29/2002	320	0.75 Q	<0.61	<1.3	<2.2	<0.032	1,900
	9/9/2002	280	0.88	1.1	1.1 Q	<0.086*	<0.16	2,700
MW-11	1/4/2002	150	0.16 Q	0.93	1.6 Q	0.090 Q	0.39 Q	190
	3/7/2002	160	0.82	1.5	2.9	0.19 QA(0.14)	<0.16	1,200
	5/7/2002	130	0.37 Q	1.3	1.4 Q	<0.086	0.18 Q	640
	7/29/2002	140	1.4	<0.61	<1.3	<2.2	<0.032	2,400
	9/9/2002	150	1.1	1.4	1.2 Q	<0.086	0.16 Q	1,100
MW-12	1/4/2002	120	0.18 Q	0.97	0.87 Q	0.34	<0.17	2,800
	3/7/2002	110	0.25 Q	1.4	1.4 Q	0.11 QA(0.14)	<0.16	1,200
	5/7/2002	110	0.50	1.1	0.90 Q	<0.086	<0.16	1,500
	7/29/2002	140	1.1 Q	<0.61	<1.3	<2.2	<0.032	1,100
	9/9/2002	140	0.21 Q	1.5	<0.73	0.35	<0.16	1,200

QC'd by: LJB, 9/13/02

Notes:

Q = the analyte has been detected between the Limit of Detection (LOD) and the Limit of Quantitation (LOQ).

The results are qualified because of the uncertainty of analyte concentrations within this range.

A(0.14) = the analyte is detected in the method blank at a concentration of 0.14 µg/L.

* Duplicate analysis not within control limits.

PAL = Preventive Action Limit.

ES = Enforcement Standard.

 indicates an exceedence of an NR 140 PAL.

values exceed the NR 140 ES.

Table 2
Detected Groundwater SVOC Concentrations (µg/L)
Rayovac Corporation
Wonewoc, Wisconsin

WELL ID	DATE	2-METHYL-NAPHTHALENE	ACENAPHTHENE	BIS(2-ETHYLHEXYL)-PHTHALATE	CARBAZOLE	FLUORENE	NAPHTHALENE	PHENANTHRENE
PAL		NA	NA	0.6	NA	80	8	NA
ES		NA	NA	6	NA	400	40	NA
MW-3	9/9/2002	--	--	--	--	--	<0.59	--
MW-10	1/4/2002	1.1	0.73 Q	2.0 Q	0.36 Q	4.3	9.0	0.74 Q
	3/7/2002	<2.0	<2.3	<4.4	<1.9	<2.0	22	<2.3
	5/7/2002	<2.0	8.6	<4.4	<1.9	<2.0	14	<2.3
	7/29/2002	<2.1	<2.3	<4.4	<2.0	<2.1	5.4 Q	<2.3
	9/9/2002	--	--	--	--	--	4.6	--

Notes:

QC'd by: LJB, 9/13/02

Only compounds that were detected in at least one sample are included in this table.

Q = the analyte has been detected between the Limit of Detection (LOD) and the Limit of Quantitation (LOQ). The results are qualified because of the uncertainty of analyte concentrations within this range.

-- = not analyzed for.

NA = no standard established.

PAL = Preventive Action Limit.

ES = Enforcement Standard.

indicates an exceedence of an NR 140 PAL.

Table 3
Detected Groundwater VOC Concentrations (µg/L)
Rayovac Corporation
Wonewoc, Wisconsin

WELL ID	DATE	ACETONE	TOTAL 1,2-DCE	CARBON TETRACHLORIDE	CHLOROFORM	TCE	VINYL CHLORIDE	XYLENE	CHLOROMETHANE
PAL		200	7 ⁽¹⁾	0.5	0.6	0.5	0.02	1,000	0.3
ES		1,000	70 ⁽¹⁾	5	6	5	0.2	10,000	3
MW-3	9/9/2002	<3.1	<0.90	<0.90	<0.41	<0.49	<0.17	<1.2	<0.44
MW-10	1/4/2002	<3.1	4.5	<0.90	12	1.3 Q	<0.17	<1.2	<0.44
	3/7/2002	<3.1	5.7	<0.90	0.53 Q	1.4 Q	<0.17	<1.2	<0.44
	5/7/2002	<3.1	1.4 Q	1.8 Q	0.51 Q	1.2 Q	0.17	<1.2	<0.44
	7/29/2002	<3.1	6.5	<0.90	<0.41	0.91 Q	<0.17	2.1 Q	<0.44
	9/9/2002	<3.1	5.7 N	<0.90	1.0 Q	1.6	<0.17	<1.2	0.46 Q
MW-11	1/4/2002	6.7 Q	<0.90	<0.90	<0.41	<0.49	<0.17	<1.2	<0.44
	3/7/2002	<3.1	<0.90	<0.90	<0.41	<0.49	<0.17	<1.2	<0.44
	5/7/2002	<3.1	<0.90	<0.90	<0.41	<0.49	<0.17	<1.2	<0.44
	7/29/2002	<3.1	<0.90	<0.90	<0.41	<0.49	<0.17	<1.2	<0.44
	9/9/2002	<3.1	<0.90	<0.90	<0.41	<0.49	<0.17	<1.2	<0.44
MW-12	1/4/2002	7.8 Q	63	<0.90	<0.41	<0.49	0.35 Q	<1.2	<0.44
	3/7/2002	<3.1	27	<0.90	<0.41	<0.49	<0.17	<1.2	<0.44
	5/7/2002	<3.1	32	<0.90	<0.41	0.53 Q	<0.17	<1.2	<0.44
	7/29/2002	<3.1	45	<0.90	<0.41	0.55 Q	0.50 Q	<1.2	<0.44
	9/9/2002	<3.1	54	<0.90	<0.41	<0.49	0.57	<1.2	<0.44

QC'd by: LJB, 9/13/02

Notes:

⁽¹⁾ The PAL and ES for total 1,2-DCE use the more conservative PAL and ES for cis 1,2-DCE.

Only compounds that were detected in at least one sample are included in this table.

Q = the analyte has been detected between the Limit of Detection (LOD) and the Limit of Quantitation (LOQ).

The results are qualified because of the uncertainty of analyte concentrations within this range.

N = spiked sample recovery not within control limits.

PAL = Preventive Action Limit.

ES = Enforcement Standard.

 indicates an exceedence of an NR 140 PAL.

values exceed the NR 140 ES.

Table 1
Soil Metals Analytical Results (mg/kg)
Rayovac Corporation
Wonewoc, Wisconsin

SOIL BORING ID	DEPTH INTERVAL (ft bgs)	BARIUM	CADMIUM	CHROMIUM	COPPER	LEAD	MERCURY	ZINC
NR 720 RCLs ⁽¹⁾		--	510	200	N/A	500	307 ⁽²⁾	--
USEPA Region III Industrial RBCs ⁽¹⁾		1.4 x 10 ⁵	--	--	8.2 x 10 ⁴	--	--	6.1 x 10 ⁵
USEPA Generic SSL ⁽³⁾		1,600	8	28	--	--	--	12,000
SB-1	2-3	220	19	41	2,100	2,000	21	13,000
SB-1	7-8	340	50	2.7	290	750	100	2,900,000
SB-5	1-2	49	0.048	5.7	3.6	6.1	0.022	21
SB-5	4-6	6.9	< 0.0047	5.1	3.7	4.2	0.017	260
SB-6	2-4	8.3	0.012Q	2.2	1.5	2.2	0.017	210
SB-6	4-6	11	0.027	3.9	2.8	3.4	0.017	110
SB-7	2-3	32	< 0.0045	8.7	4.2	4.7	0.023	780
SB-7	4-5	9.2	< 0.0050	3.6	2.1	2.5	0.0063Q	250
SB-8	1-2	22	0.24	3.5	14	31	0.067	340
SB-8	4-5	5.4	< 0.0048	2.2	1.4	1.5	0.0072Q	210
SB-9	1-2	28	0.63	4.5	17	82	3.8	370
SB-9	5-6	14	0.16	2.9	7.1	25	0.37	150
SB-10	2-3	8.1	< 0.0043	2.8	2.7	1.2	0.0097Q	4.6
SB-10	5-6	32	0.74	8.5	24	21	0.055	840
SB-11	3-4	8.2	0.12	1.7	1.6	1.4	0.012	30
SB-11	7-8	220	33	15	780	2,000	48	190,000
SB-12	6-8	92	0.23	13	9.1	10	0.29	350
SB-13	2-4	13	0.066	3.5	4.2	4.0	0.014	580
SB-13	6-8	69	0.16	13	5.3	12	0.030	1,900
SB-14	3-4	510	39	6.4	910	730	110	200,000
SB-14	6-7	87	23	13	380	350	58	82,000
SB-15	2-3	51	0.88	11	30	77	0.46	180
SB-15	6-7	63	0.26	14	14	53	0.048	340
SB-16	2-3	50	0.27	10	25	86	0.82	700
SB-16	6-7	410	47	30	5,200	2,700	170	94,000
SB-16	9-10	100	6.6	19	16	21	0.19	2,300
SB-17	1-3	50	0.35	9.4	21	43	0.61	900
SB-17	6-7	91	0.55	12	16	28	0.55	610
SB-18	3-4	150	5.1	10	700	290	33	24,000
SB-18	6-7	130	1.1	3.8	5.4	110	0.11	600
SB-19	2-3	40	1.1	4.6	180	79	4.8	1,200
SB-19	6-7	97	8.8	16	210	16	0.51	200
SB-B	7-8	27	0.59	6.3	63	47	4.0	3,200
SB-B	16-17	140	< 0.0052	34	14	10	0.025	48
SB-B	9-10	210	25	20	410	1,300	99	21,000
SB-20	2-3	7.4	0.015	1.7	2.2	1.8	0.0082	240
SB-20	4-5	5.7	0.0047Q	2.3	1.9	1.8	< 0.0047	8.0
SB-21	2-3	39	0.28	4.5	22	37	0.13	49
SB-21	4-5	7.9	0.0086Q	2.3	1.8	2.4	< 0.0049	7.0

Table 1 (Continued)
Soil Metals Analytical Results (mg/kg)
Rayovac Corporation
Wonewoc, Wisconsin

SOIL BORING ID	DEPTH INTERVAL (ft bgs)	BARIUM	CADMIUM	CHROMIUM	COPPER	LEAD	MERCURY	ZINC
NR 720 RCLs ⁽¹⁾		--	510	200	N/A	500	307 ⁽²⁾	--
USEPA Region III Industrial RBCs ⁽¹⁾		1.4 x 10 ⁵	--	--	8.2 x 10 ⁴	--	--	6.1 x 10 ⁵
USEPA Generic SSL ⁽³⁾		1,600	8	28	--	--	--	12,000
SB-22	3-4	240	26	34	1,200	1,300	4.1	53,000
SB-22	8-9	92	1.3	13	50	58	1.1	1,000
SB-23	2-3	7.1	< 0.084	2.4	1.3	1.8 Q	0.021	6.1 Q
SB-23	7-8	13	< 0.10	2.9	3.5	2.1 Q	0.0095 Q	27.0
SB-24	3-4	250	13	44	1,100	3,500	6.8	35,000
SB-24	11-12	350	89	25	1,500	1,600	56	170,000
SB-25	3-4	79 N	0.12 Q	7.9	11 J	12*	0.029 N	240*
SB-25	6-8	9.3	< 0.093	2.6	2.3	3.4 Q	0.012 Q	23
SB-26	2-3	72	3.9	14	69	210	2.2	1,300
SB-27	2-3	120	0.54	11	39	100	3.3	640
SB-29	6-8	12	< 0.11	3.9	2.1	2.3 Q	0.016 Q	11 Q
SB-30	2-4	140	2.2	12	790	2,000	17	4,600
SB-30	6-8	48	1.6	12	8.7	30	0.033	410
SB-31	3-4	350	1.3	60	420	280	2.9	7,700
SB-31	6-8	29	0.11 Q	5.6	5.1	3.8 Q	0.59	400

Notes:

⁽¹⁾ Corresponds to ingestion of soil at an industrial site

⁽²⁾ Corresponds to the calculated RCL based on information in the USEPA SSL Guidance (USEPA, 2002).

⁽³⁾ Corresponds to leaching to groundwater.

Bold values exceed at least one of the following: NR 720 RCL, the Region III Industrial RBC, or the USEPA SSL.

NA = not analyzed.

-- = not applicable

Q = the analyte has been detected between the Limit of Detection (LOD) and the Limit of Quantitation (LOQ).

The results are qualified because of the uncertainty of analyte concentrations within this range.

N= Spiked sample recovery not within control limits; post-digestion spike recovery accepted.

* = Duplicate analyses not within control limits.

Table 2
Detected Soil Organics Analytical Results (µg/kg)
Rayovac Corporation
Wonewoc, Wisconsin

SOIL BORING ID	DEPTH INTERVAL (ft bgs)	SEMIVOLATILE ORGANIC COMPOUNDS (µg/kg)									VOLATILE ORGANIC COMPOUNDS (µg/kg)	DRO (mg/kg)
		BENZO(a) ANTHRA-CENE	BENZO(a) PYRENE	BENZO(b) FLUOR-ANTHENE	BENZO(g,h,i) PERYLENE	BENZO(k) FLUOR-ANTHENE	CHYRSENE	FLUOR-ANTHENE	PHENAN-THRENE	PYRENE	TRI-CHLORO-ETHENE	
SB-1	2-3	NA	NA	NA	NA	NA	NA	NA	NA	NA	93 Q	NA
SB-1	7-8	NA	NA	NA	NA	NA	NA	NA	NA	NA	<40	NA
SB-2	4-5	<34	<33	<33	<42	<54	<29	<52	<14	<54	<39	NA
SB-3	2-3	<28	<28	<28	<35	<45	<24	<44	<12	<46	<33	NA
SB-4	3-4	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	<4.3
SB-A	1-2	77 Q	84 Q	80 Q	<37	79 Q	87	120 Q	69	120 Q	<35	NA

Notes:

NA = not analyzed.

Q = the analyte has been detected between the Limit of Detection (LOD) and the Limit of Quantitation (LOQ).

The results are qualified due to the uncertainty of analyte concentrations within this range.

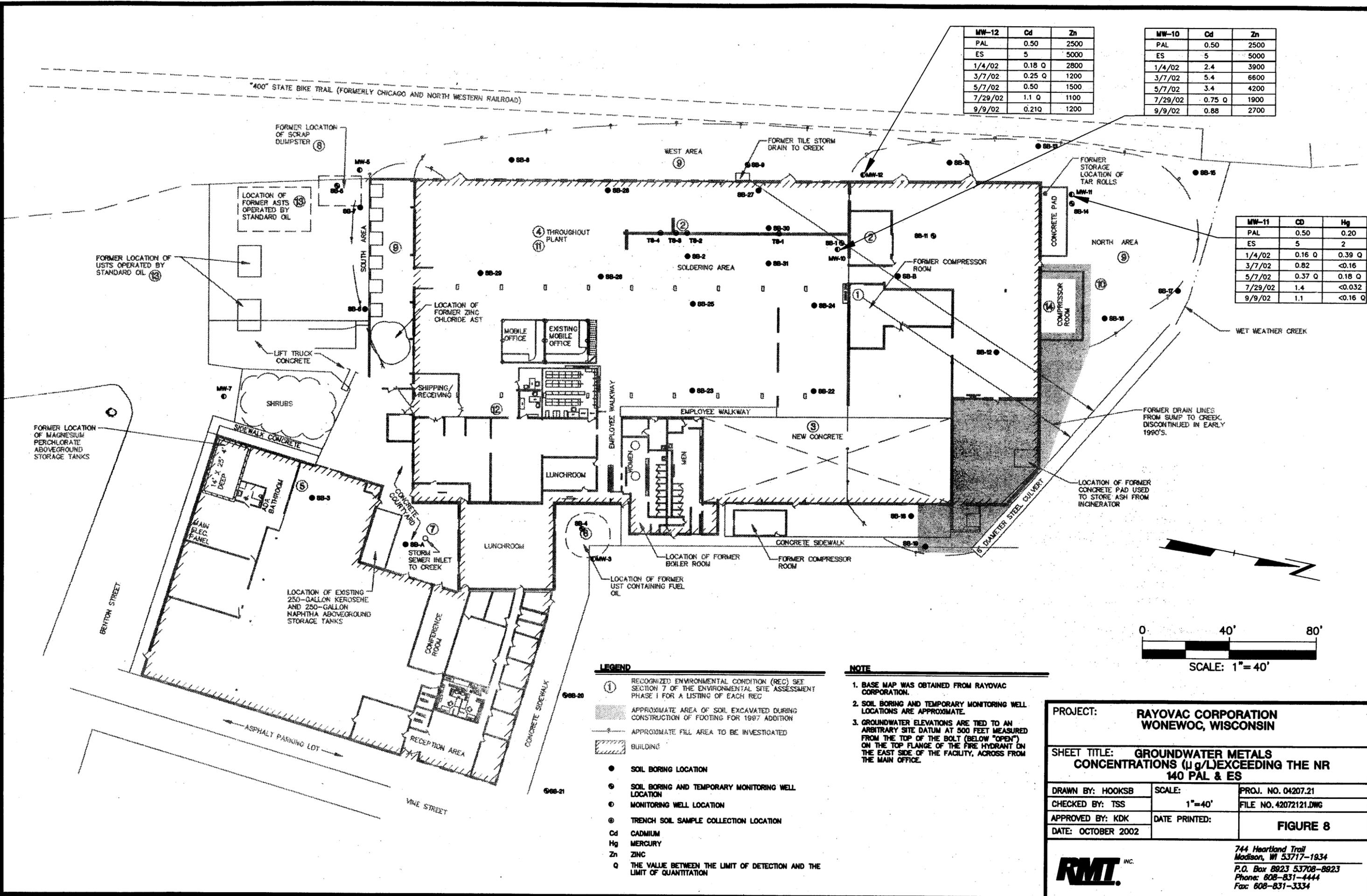
Thursday, October 31, 2002
 12:25:08 PM
 Plot Date: 12:25:08 PM
 Plot Time: 12:25:08 PM
 Attached Xref's: No xref's attached
 Attached Image's: No images attached

J:\04207\21\42072121.dwg
 Operator Name: hooksb
 Scale: 1"=40'
 Dwg Size: 499292 Bytes

MW-12	Cd	Zn
PAL	0.50	2500
ES	5	5000
1/4/02	0.18 Q	2800
3/7/02	0.25 Q	1200
5/7/02	0.50	1500
7/29/02	1.1 Q	1100
9/9/02	0.21Q	1200

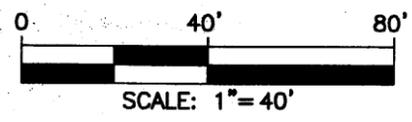
MW-10	Cd	Zn
PAL	0.50	2500
ES	5	5000
1/4/02	2.4	3900
3/7/02	5.4	6600
5/7/02	3.4	4200
7/29/02	0.75 Q	1900
9/9/02	0.88	2700

MW-11	CD	Hg
PAL	0.50	0.20
ES	5	2
1/4/02	0.16 Q	<0.39 Q
3/7/02	0.82	<0.16
5/7/02	0.37 Q	0.18 Q
7/29/02	1.4	<0.032
9/9/02	1.1	<0.16 Q



- LEGEND**
- ① RECOGNIZED ENVIRONMENTAL CONDITION (REC) SEE SECTION 7 OF THE ENVIRONMENTAL SITE ASSESSMENT PHASE I FOR A LISTING OF EACH REC
 - ▨ APPROXIMATE AREA OF SOIL EXCAVATED DURING CONSTRUCTION OF FOOTING FOR 1997 ADDITION
 - ▨ APPROXIMATE FILL AREA TO BE INVESTIGATED
 - ▨ BUILDING
 - SOIL BORING LOCATION
 - SOIL BORING AND TEMPORARY MONITORING WELL LOCATION
 - MONITORING WELL LOCATION
 - TRENCH SOIL SAMPLE COLLECTION LOCATION
 - Cd CADMIUM
 - Hg MERCURY
 - Zn ZINC
 - Q THE VALUE BETWEEN THE LIMIT OF DETECTION AND THE LIMIT OF QUANTITATION

- NOTE**
1. BASE MAP WAS OBTAINED FROM RAYOVAC CORPORATION.
 2. SOIL BORING AND TEMPORARY MONITORING WELL LOCATIONS ARE APPROXIMATE.
 3. GROUNDWATER ELEVATIONS ARE TIED TO AN ARBITRARY SITE DATUM AT 500 FEET MEASURED FROM THE TOP OF THE BOLT (BELOW "OPEN") ON THE TOP FLANGE OF THE FIRE HYDRANT ON THE EAST SIDE OF THE FACILITY, ACROSS FROM THE MAIN OFFICE.



PROJECT: RAYOVAC CORPORATION
WONEVOC, WISCONSIN

SHEET TITLE: GROUNDWATER METALS
CONCENTRATIONS (µg/L) EXCEEDING THE NR
140 PAL & ES

DRAWN BY: HOOKSB	SCALE: 1"=40'	PROJ. NO. 04207.21
CHECKED BY: TSS	DATE PRINTED:	FILE NO. 42072121.DWG
APPROVED BY: KDK		FIGURE 8
DATE: OCTOBER 2002		

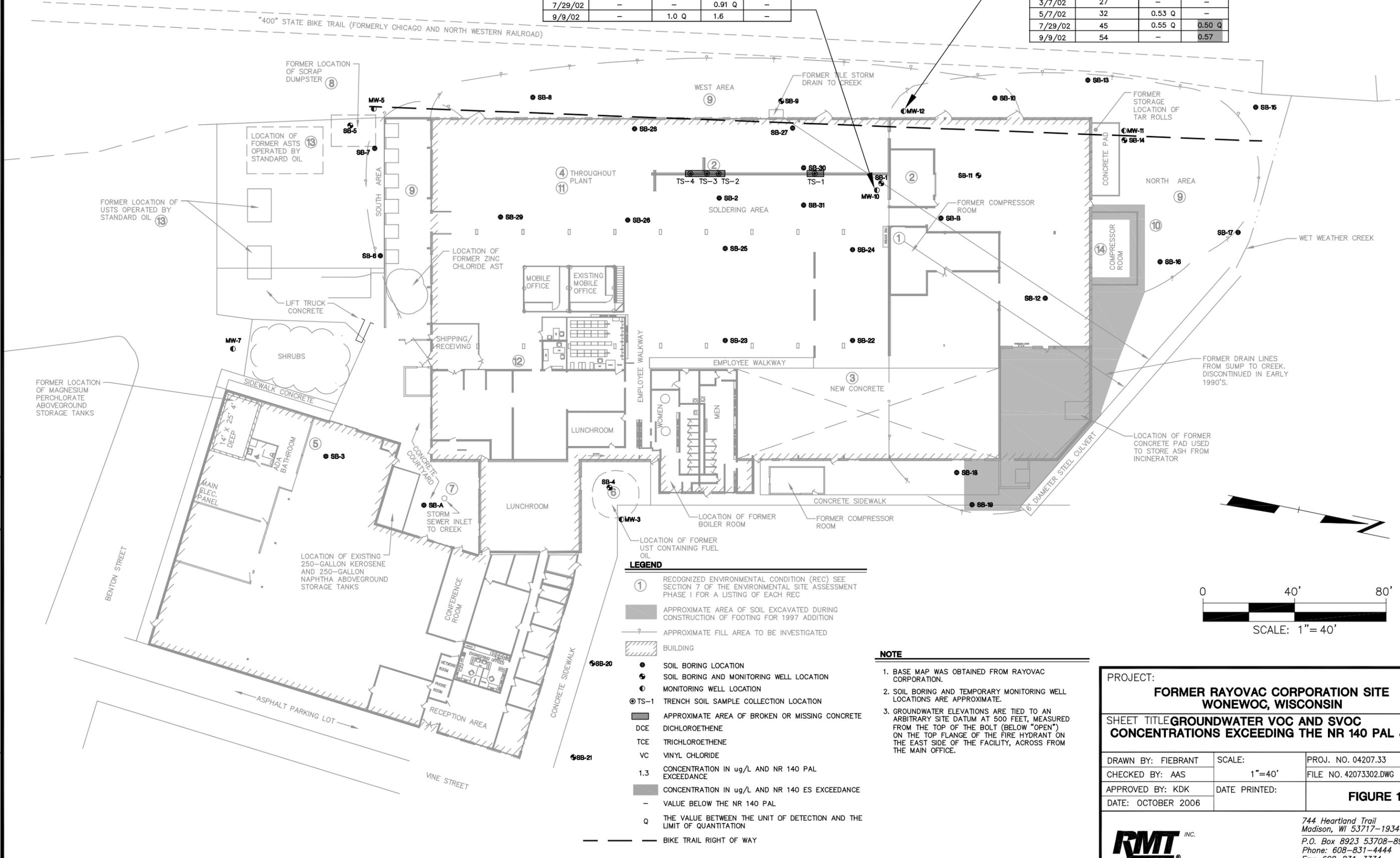
RMT, INC.
 744 Heartland Trail
 Madison, WI 53717-1934
 P.O. Box 8923 53708-8923
 Phone: 608-831-4444
 Fax: 608-831-3334

Plot Date: Wednesday, August 9, 2006
 Plot Time: 09:47:26 AM
 Attached Xref's: No xref's attached.
 Attached Image's: No images attached.

PLOT DATA
 Drawing Name: J:\04207\33\42073302.dwg
 Operator Name: FIEBRNAT
 Scale: 1"=40'
 Dwg Size: 488422 Bytes

MW-10	CARBON TETRACHLORIDE	CHLOROFORM	TCE	NAPHTHALENE
1/4/02	-	12	1.3 Q	9.0
3/7/02	-	-	1.4 Q	22
5/7/02	1.8 Q	1.8 Q	1.2 Q	14
7/29/02	-	-	0.91 Q	-
9/9/02	-	1.0 Q	1.6	-

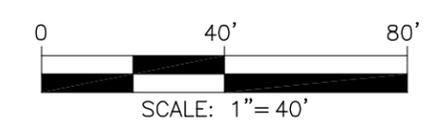
MW-12	TOTAL 1,2-DCE	TCE	VC
1/4/02	63	-	0.35 Q
3/7/02	27	-	-
5/7/02	32	0.53 Q	-
7/29/02	45	0.55 Q	0.50 Q
9/9/02	54	-	0.57



- LEGEND**
- ① RECOGNIZED ENVIRONMENTAL CONDITION (REC) SEE SECTION 7 OF THE ENVIRONMENTAL SITE ASSESSMENT PHASE I FOR A LISTING OF EACH REC
 - APPROXIMATE AREA OF SOIL EXCAVATED DURING CONSTRUCTION OF FOOTING FOR 1997 ADDITION
 - APPROXIMATE FILL AREA TO BE INVESTIGATED
 - ▨ BUILDING
 - SOIL BORING LOCATION
 - ⊕ SOIL BORING AND MONITORING WELL LOCATION
 - ⊖ MONITORING WELL LOCATION
 - ⊙ TS-1 TRENCH SOIL SAMPLE COLLECTION LOCATION
 - ▨ APPROXIMATE AREA OF BROKEN OR MISSING CONCRETE
 - DCE DICHLOROETHENE
 - TCE TRICHLOROETHENE
 - VC VINYL CHLORIDE
 - 1.3 CONCENTRATION IN ug/L AND NR 140 PAL EXCEEDANCE
 - CONCENTRATION IN ug/L AND NR 140 ES EXCEEDANCE
 - VALUE BELOW THE NR 140 PAL
 - Q THE VALUE BETWEEN THE UNIT OF DETECTION AND THE LIMIT OF QUANTITATION
 - BIKE TRAIL RIGHT OF WAY

NOTE

- BASE MAP WAS OBTAINED FROM RAYOVAC CORPORATION.
- SOIL BORING AND TEMPORARY MONITORING WELL LOCATIONS ARE APPROXIMATE.
- GROUNDWATER ELEVATIONS ARE TIED TO AN ARBITRARY SITE DATUM AT 500 FEET, MEASURED FROM THE TOP OF THE BOLT (BELOW "OPEN") ON THE TOP FLANGE OF THE FIRE HYDRANT ON THE EAST SIDE OF THE FACILITY, ACROSS FROM THE MAIN OFFICE.



PROJECT:
**FORMER RAYOVAC CORPORATION SITE
 WONEVOC, WISCONSIN**

SHEET TITLE: **GROUNDWATER VOC AND SVOC
 CONCENTRATIONS EXCEEDING THE NR 140 PAL & ES**

DRAWN BY: FIEBRNAT	SCALE: 1"=40'	PROJ. NO. 04207.33
CHECKED BY: AAS	DATE PRINTED:	FILE NO. 42073302.DWG
APPROVED BY: KDK	FIGURE 1	
DATE: OCTOBER 2006		

744 Heartland Trail
 Madison, WI 53717-1934
 P.O. Box 8923 53708-8923
 Phone: 608-831-4444
 Fax: 608-831-3334

RMT INC.

Table 1
Groundwater Elevation Data
Rayovac - Wonewoc Facility

WELL ID	GROUNDWATER ELEVATION (ft bgs)			
	3/7/2002	5/7/2002	7/29/2002	9/9/2002
MW-3	492.54	493.16	492.47	492.55
MW-5	491.10	491.46	491.36	(1)
MW-7	492.39	492.94	492.48	(1)
MW-10	489.29	489.52	489.30	489.33
MW-11	487.72	488.44	487.80	488.06
MW-12	488.67	489.17	488.67	488.84

TOS
492.8
492.8
492.1

Notes:

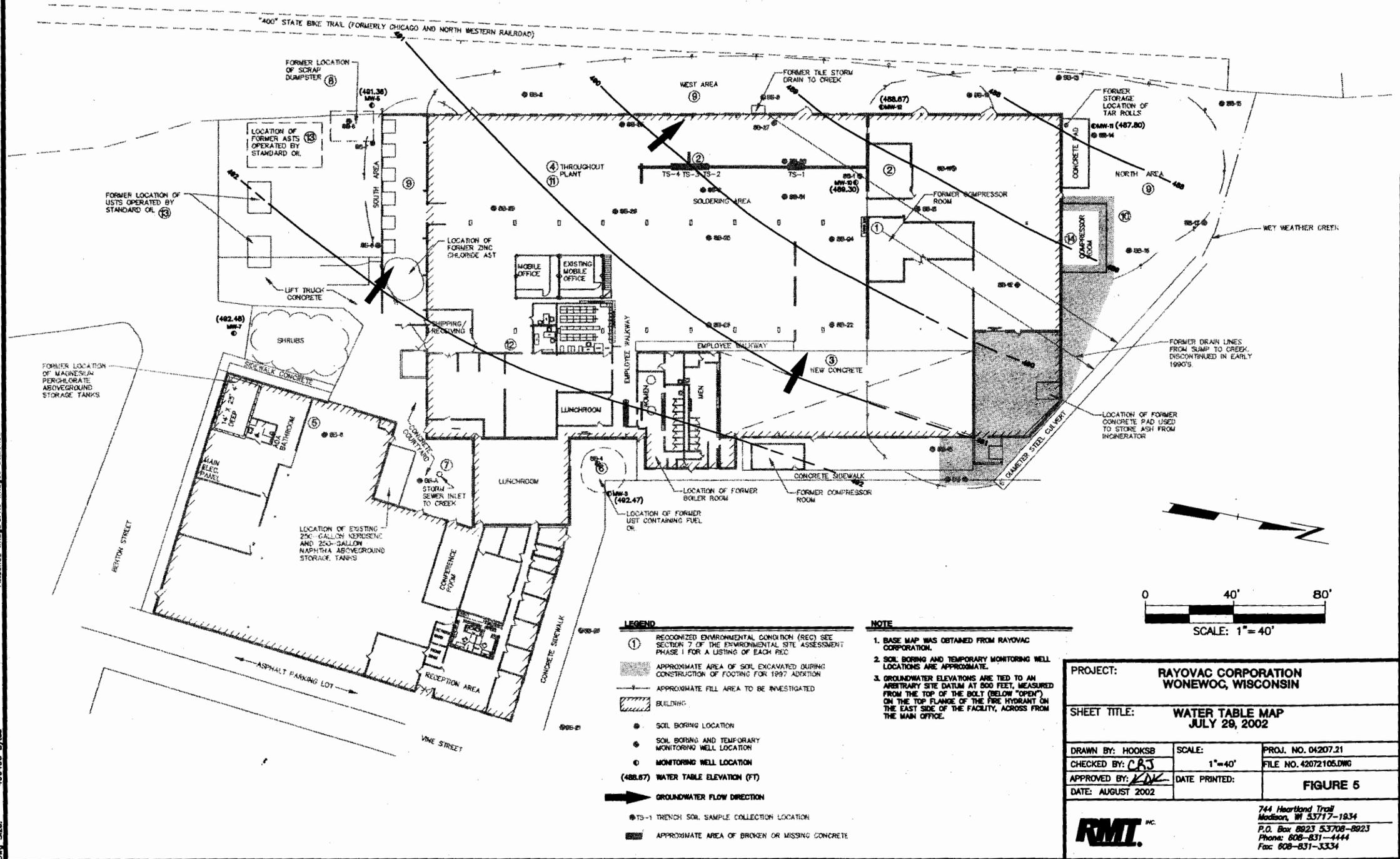
Elevations are tied to an arbitrary site datum at 500 feet.

(1) MW-5 and MW-7 were abandoned.

Checked by: TC, 9/5/02; MLW, 9/17/02

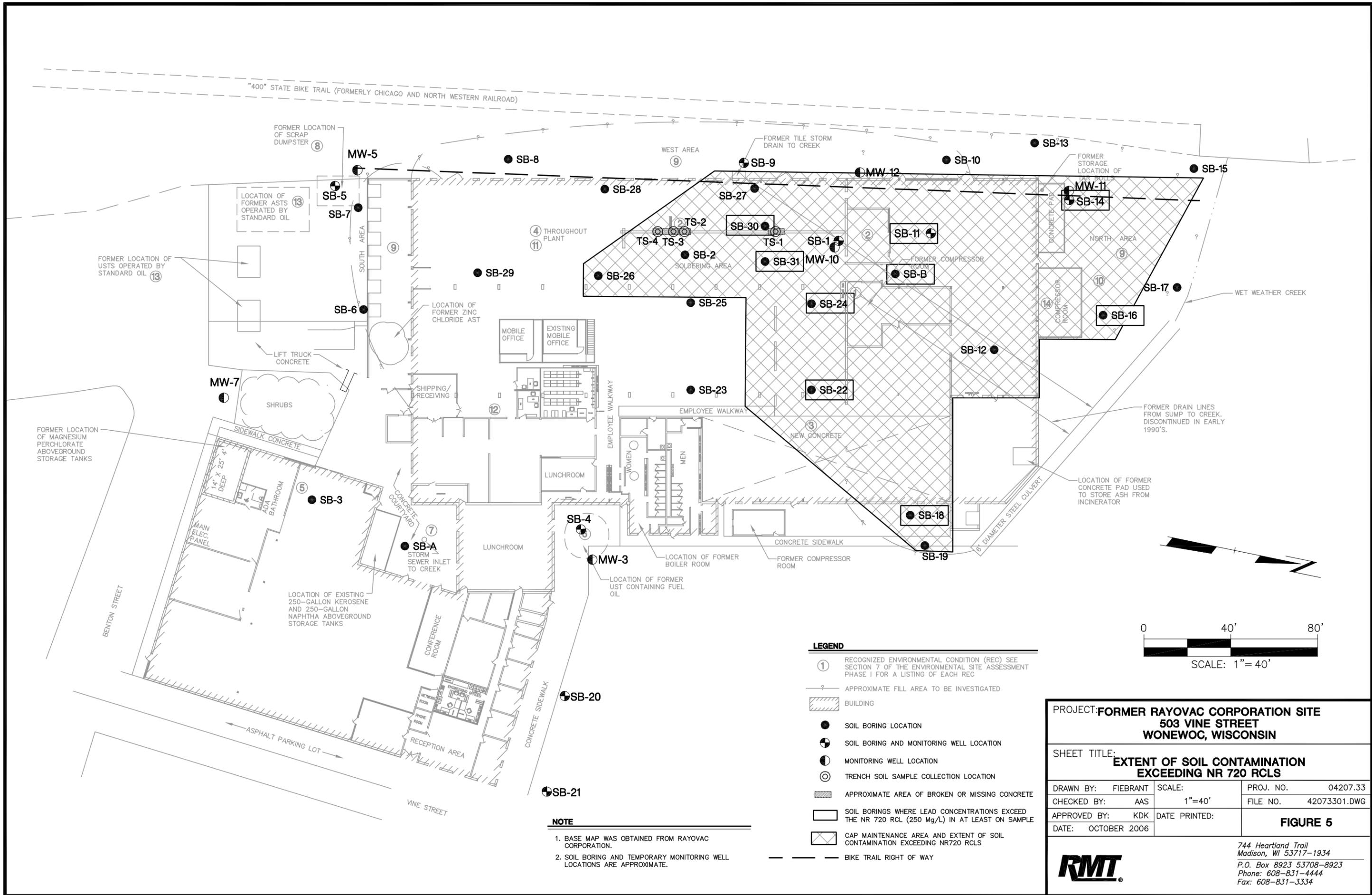
Plot Date: Wednesday, August 14, 2002
 Plot Time: 12:32:58 PM
 Attached Xref's: No xref's attached.
 Attached Image's: No images attached.

J:\04207\21\42072105.dwg
 Drawing Name: hooxab
 Operator Name: hooxab
 Scale: 1"=40'
 Dwg. Size: 480x688 Bytes



PROJECT:		RAYOVAC CORPORATION WONEVOC, WISCONSIN	
SHEET TITLE:		WATER TABLE MAP JULY 29, 2002	
DRAWN BY: HOOKSB	SCALE:	PROJ. NO. 04207.21	
CHECKED BY: CRJ	1"=40'	FILE NO. 42072105.DWG	
APPROVED BY: LDK	DATE PRINTED:	FIGURE 5	
DATE: AUGUST 2002			
		744 Heartland Trail Madison, WI 53717-1934 P.O. Box 8823 53708-8823 Phone: 608-831-4444 Fax: 608-831-3334	

PLOT DATA
 Drawing Name: J:\04207\33\42073301.dwg
 Operator Name: fiebrant
 Scale: 1"=40'



NOTE

1. BASE MAP WAS OBTAINED FROM RAYOVAC CORPORATION.
2. SOIL BORING AND TEMPORARY MONITORING WELL LOCATIONS ARE APPROXIMATE.

LEGEND

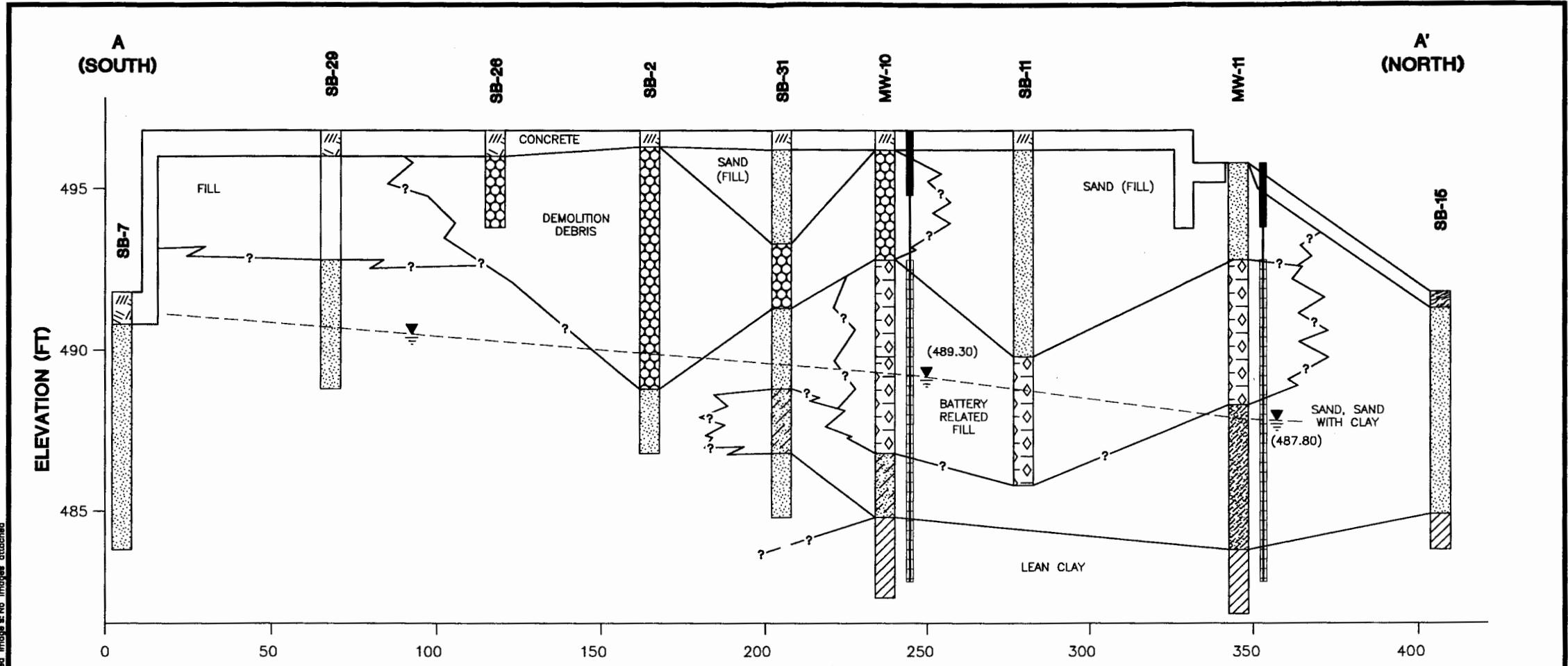
- ① RECOGNIZED ENVIRONMENTAL CONDITION (REC) SEE SECTION 7 OF THE ENVIRONMENTAL SITE ASSESSMENT PHASE I FOR A LISTING OF EACH REC
- APPROXIMATE FILL AREA TO BE INVESTIGATED
- ▭ BUILDING
- SOIL BORING LOCATION
- ⊕ SOIL BORING AND MONITORING WELL LOCATION
- MONITORING WELL LOCATION
- ⊙ TRENCH SOIL SAMPLE COLLECTION LOCATION
- ▨ APPROXIMATE AREA OF BROKEN OR MISSING CONCRETE
- SOIL BORINGS WHERE LEAD CONCENTRATIONS EXCEED THE NR 720 RCL (250 Mg/L) IN AT LEAST ON SAMPLE
- ▧ CAP MAINTENANCE AREA AND EXTENT OF SOIL CONTAMINATION EXCEEDING NR720 RCLs
- BIKE TRAIL RIGHT OF WAY

0 40' 80'
 SCALE: 1"=40'

PROJECT: FORMER RAYOVAC CORPORATION SITE		
503 VINE STREET		
WONEWOC, WISCONSIN		
SHEET TITLE: EXTENT OF SOIL CONTAMINATION EXCEEDING NR 720 RCLs		
DRAWN BY: FIEBRANT	SCALE: 1"=40'	PROJ. NO. 04207.33
CHECKED BY: AAS	DATE PRINTED:	FILE NO. 42073301.DWG
APPROVED BY: KDK	FIGURE 5	
DATE: OCTOBER 2006		



744 Heartland Trail
 Madison, WI 53717-1934
 P.O. Box 8923 53708-8923
 Phone: 608-831-4444
 Fax: 608-831-3334



Plot Date: Thursday, August 8, 2002
 Plot Time: 11:42:42 AM
 Attached Xref's: No xref's attached.
 Attached Image's: No images attached.

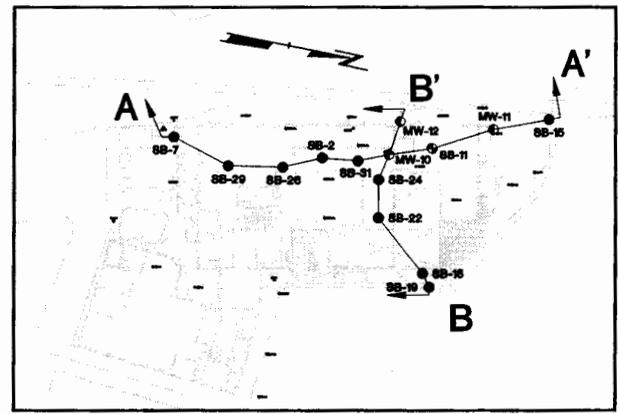
J:\04207\21\42072108.dwg
 Drawing Name: noldier
 Operator Name: noldier
 Scale: 1"=30'
 Dwg Size: 58,384 Bytes

LEGEND

	CONCRETE		SANDY CLAY
	FILL, DEMOLITION DEBRIS		CLAY
	BATTERY RELATED FILL		TOPSOIL
	SAND		GRAVEL WITH SAND
	POORLY-GRADED SAND, WITH CLAY		WATER TABLE (MEAS. 7/29/02)

NOTES

- ELEVATIONS ARE TIED TO AN ARBITRARY SITE DATUM AT 500 FEET MEASURED FROM THE TOP OF THE BOLT (BELOW "OPEN") ON THE TOP FLANGE OF THE FIRE HYDRANT ON THE EAST SIDE OF THE FACILITY. ACROSS FROM THE MAIN OFFICE.

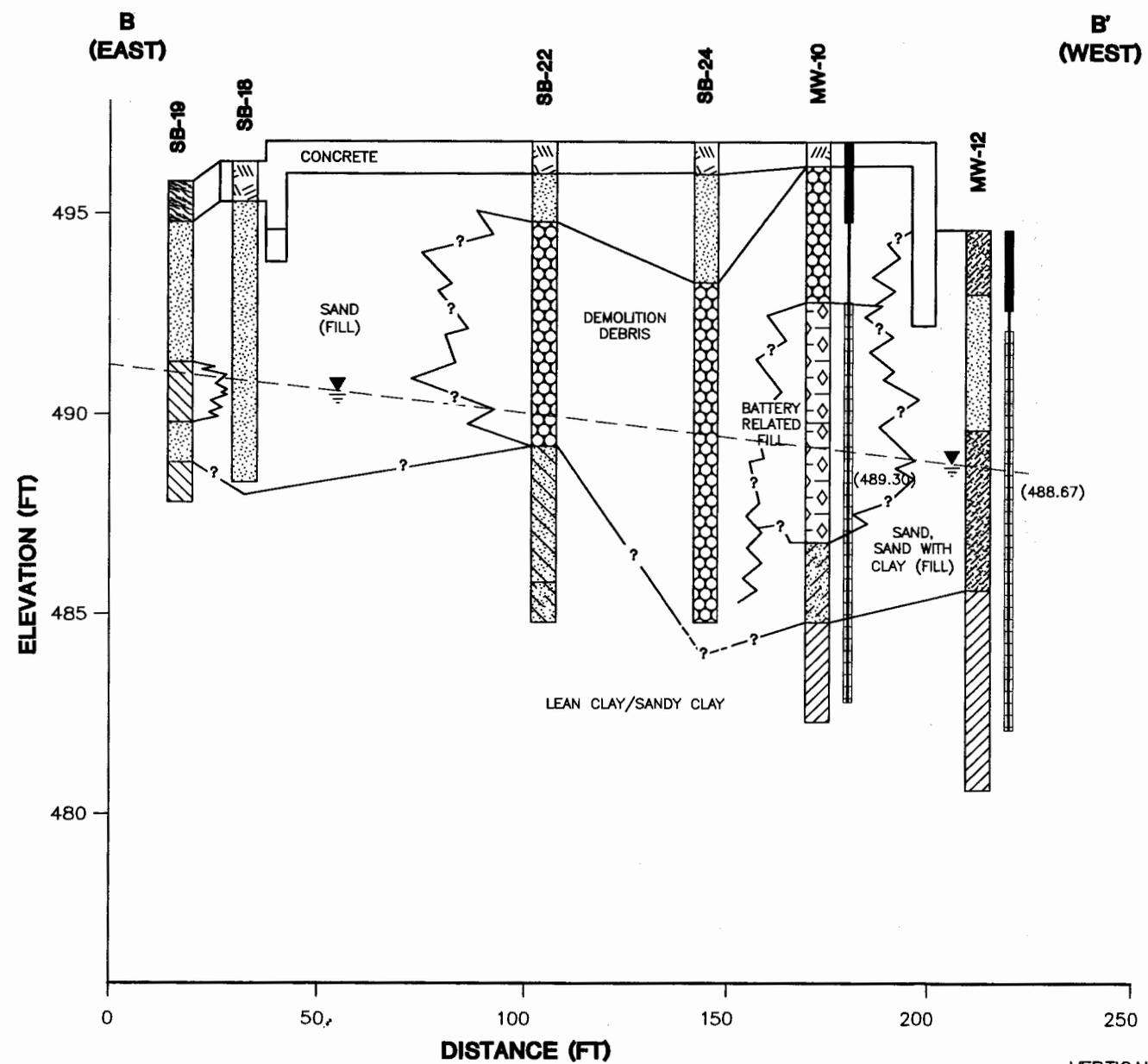


VERTICAL EXAGGERATION : 10 TIMES
 CROSS SECTION SCALE:
 VERTICAL : 1"=3'
 HORIZONTAL : 1"=30'

PROJECT: RAYOVAC - WONEWOC		
SHEET TITLE: CROSS SECTION A TO A'		
DRAWN BY: HOOKSB	SCALE: AS NOTED	PROJ. NO. 4207.21
CHECKED BY: TSS	DATE PRINTED:	FILE NO. 42072114.DWG
APPROVED BY: KDK	DATE: SEPTEMBER 2002	FIGURE 3

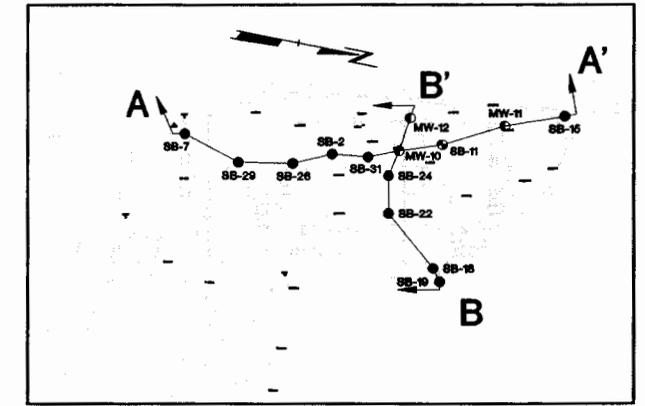
RMT INC.
 744 Heartland Trail
 Madison, WI 53717-1934
 P.O. Box 8823 53708-8823
 Phone: 608-831-4444
 Fax: 608-831-3334

PLOT DATA
 Drawing Name: J:\04207\21\42072107.dwg
 Plot Date: Thursday, August 8, 2002
 Plot Time: 11:58:01 AM
 Attached Image: No images attached
 Attached Image: No images attached
 Scale: 1"=30'
 Dwg Size: 501810 Bytes



LEGEND			
	CONCRETE		SANDY CLAY
	FILL, DEMOLITION DEBRIS		CLAY
	BATTERY RELATED FILL		TOPSOIL
	SAND		GRAVEL WITH SAND
	POORLY-GRADED SAND, WITH CLAY		WATER TABLE (MEAS. 7/29/02)

NOTES
 1. ELEVATIONS ARE TIED TO AN ARBITRARY SITE DATUM AT 500 FEET MEASURED FROM THE TOP OF THE BOLT (BELOW "OPEN") ON THE TOP FLANGE OF THE FIRE HYDRANT ON THE EAST SIDE OF THE FACILITY, ACROSS FROM THE MAIN OFFICE.



VERTICAL EXAGGERATION : 10 TIMES
 CROSS SECTION SCALE:
 VERTICAL : 1"=3'
 HORIZONTAL : 1"=30'

PROJECT:		
RAYOVAC - WONEWOC		
SHEET TITLE:		
CROSS SECTION B-B'		
DRAWN BY: HOOKSB	SCALE: AS NOTED	PROJ. NO. 4207.21
CHECKED BY: TSS	DATE PRINTED:	FILE NO. 42072115.DWG
APPROVED BY: KDK	DATE: SEPTEMBER 2002	
FIGURE 4		
744 Heartland Trail Madison, WI 53717-1934 P.O. Box 8823 53708-8823 Phone: 608-831-4444 Fax: 608-831-3334		

Certification Statement

I, Timothy Anderson, certify that the attached legal description of the Rayovac-Wonewoc facility at 503 Vine Street in Wonewoc, Wisconsin, is complete and accurate to the best of my knowledge.


Timothy Anderson
Rayovac Corporation

October 19, 2006

Mr. James Moorhead
Park Ranger
Wildcat Mountain State Park
Department of Natural Resources
P.O. Box 99
Ontario, WI 54651-0099

**Subject: Notification of Contamination on State Right-of-Way
Former Rayovac Corporation Facility – Site Closure
503 Vine Street, Wonewoc, Wisconsin
WDNR BRRTS #06-29-264811
FID #729032780**

Dear Mr. Moorhead:

RMT, Inc. (RMT), on behalf of our client Spectrum Brands, Inc. (Spectrum), has requested closure of the former Rayovac facility (owned by Wonewoc Development Corporation) located at 503 Vine Street, Wonewoc, Wisconsin, which is adjacent to the "400" State Bike Trail. Spectrum has completed an environmental Site Investigation (SI) of the facility under the Wisconsin Department of Natural Resources' (WDNR's) Voluntary Party Liability Exemption (VPLE) program. Based the results of the SI, the WDNR has closed the site, but has required that a series of conditions be met. One of these conditions requires that Spectrum notify the current owner(s) of all properties containing any exceedences to the state groundwater Enforcement Standards (ESs) found in Chapter NR 140, Wisconsin Administrative Code. The purpose of this letter is to notify the State of an ES exceedence on the "400" State Bike Trail right-of-way.

Groundwater contamination that appears to have originated on the former Rayovac facility's property has likely migrated onto the "400" State Bike Trail right-of-way. The concentration of vinyl chloride in the groundwater in monitoring well MW-12 (Figure 1) has, on occasion, been slightly above the NR 140 ES. The vinyl chloride contamination is stable or receding and will naturally degrade over time.

Since the source of the groundwater contamination is not on the State's property, neither the State nor any subsequent owner of the bike trail right-of-way will be held responsible for investigation or cleanup of this groundwater contamination, as long as you and any subsequent owners comply with the requirements of Section 292.13, Wisconsin Statutes, including allowing access to your property for environmental investigation or cleanup if access is required. For further information on the requirements of Section 292.13, Wisconsin Statutes, you may call 1-800-367 6076, to obtain a copy of the WDNR's publication #RR-589, Fact Sheet 10: Guidance for Dealing with Properties Affected by Off-Site Contamination.

Mr. James Moorhead
Wildcat Mountain State Park
October 19, 2006
Page 2

As an affected property owner, you have a right to contact the WDNR, within 30 days of the date of this letter, to provide any technical information that you may have that indicates that closure should not be granted for this site. If you would like to submit any information to the WDNR that is relevant to this closure request, you should mail that information to Mr. Loren Brumberg, Wisconsin Department of Natural Resources, 1300 West Clairemont Avenue, Eau Claire, WI 53702-4001.

As part of the closure, all properties within the site boundaries where groundwater contamination exceeds Chapter NR 140 groundwater ESs will be listed on the WDNRs' geographic information system (GIS) Registry of Closed Remediation Sites. This GIS Registry will be available to the general public on the WDNRs' Internet Web site. Once the WDNR places the site on the GIS Registry, you can obtain a copy of the closure letter by accessing the DNR GIS Registry of Closed Remediation Sites on the internet at www.dnr.state.wi.us/org/aw/rr/gis/index.htm.

If you need more information, please contact Mr. Loren Brumberg of the WDNR, at (715) 839-3770.

Sincerely,

RMT, Inc.



Kristopher D. Krause, P.E.
Senior Project Manager

Attachment: Figure 1

cc: Loren Brumberg – WDNR
Kevin Domak – Spectrum Brands
Steve Roy – LaRowe, Gerlach, and Roy, LLP