

LAND RECYCLING PROGRAM
PURCHASER LIABILITY EXEMPTION PROGRAM APPLICATION
Form 440-178 12-96

0641199925

Use this application to apply for the purchaser liability exemption under s. 292.15, Wis. Stats. Please refer to the attached instructions when completing this form.
Note: This form is authorized by ss. 227.11(2)(b) and 292.15, Wis. Stats. Participation in the Land Recycling program is voluntary. However, this form is required by ch. NR 750, Wis. Adm. Code, for persons requesting approval to participate in the program. Personally identifiable information that is submitted to the DNR on this form will become a public record and may be used by the DNR in the administration and enforcement of the hazardous substance spill program in addition to being used in the purchaser liability exemption program. Incomplete applications will be returned.

PROPERTY INFORMATION (1)																																				
Property Name Stearns Magnetics	Public Land Survey Coordinates																																			
Address 6001 Ace Industrial Drive	<table border="1"> <tr> <td>Qt/Qt (circle)</td> <td>QT (circle)</td> <td>Section</td> <td>Township</td> <td>Range</td> </tr> <tr> <td>NE SE NW SW</td> <td>NE SE NW SW</td> <td>3 4</td> <td>6 N</td> <td>2 2</td> </tr> <tr> <td colspan="2">Latitude</td> <td colspan="2">Longitude</td> <td>Datum (check one)</td> </tr> <tr> <td>Degrees</td> <td>42</td> <td>87</td> <td></td> <td><input type="checkbox"/> NAD27</td> </tr> <tr> <td>Minutes</td> <td>56</td> <td>53</td> <td></td> <td><input type="checkbox"/> NAD83</td> </tr> <tr> <td>Seconds</td> <td>08</td> <td>12</td> <td></td> <td><input type="checkbox"/> 1990 Adjustment</td> </tr> <tr> <td>Method</td> <td colspan="4">Accuracy</td> </tr> </table>	Qt/Qt (circle)	QT (circle)	Section	Township	Range	NE SE NW SW	NE SE NW SW	3 4	6 N	2 2	Latitude		Longitude		Datum (check one)	Degrees	42	87		<input type="checkbox"/> NAD27	Minutes	56	53		<input type="checkbox"/> NAD83	Seconds	08	12		<input type="checkbox"/> 1990 Adjustment	Method	Accuracy			
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City and Zip Code Cudahy, WI 53110																																				
County Milwaukee																																				
Property Size (in acres) approximately 9																																				

APPLICANT INFORMATION (2)	
Organization Summit Metal Fabricating, Inc.	Title Chief Financial Officer
Name William E. Stoll	Telephone Number (including Area Code) (414) 769-9560
Address 5707 South Pennsylvania Avenue	Fax Number (including Area Code) (414) 769-9564
City, State, Zip Code Cudahy, WI 53110	E-mail Address BILLS@APEX-ISG.COM

APPLICANT ELIGIBILITY (3)	REGULATORY IDENTIFICATION (IF KNOWN) (4)
Relationship to the property (please check one) <input type="checkbox"/> Current Owner <input checked="" type="checkbox"/> Potential Purchaser	Program
When did/will you acquire the property (dd/mm/yy)? 11/01/98	ID Number (if applicable)
How did/will you acquire the property? <input checked="" type="checkbox"/> Purchase <input type="checkbox"/> Bankruptcy/Foreclosure <input type="checkbox"/> Land Trade <input type="checkbox"/> Other (please explain) <input type="checkbox"/> Inheritance <input type="checkbox"/> Tax Delinquency	<input checked="" type="checkbox"/> DNR FID 241250240 <input type="checkbox"/> Environmental Repair (ERP) <input type="checkbox"/> Leaking Underground Storage Tank (LUST) <input type="checkbox"/> Solid Waste <input type="checkbox"/> Hazardous Waste <input type="checkbox"/> Wastewater-surface water (WPDES) <input type="checkbox"/> Wastewater-groundwater (WPDES) <input type="checkbox"/> DCOM PECFA Claim Number <input type="checkbox"/> DATCP Agricultural Contamination <input type="checkbox"/> USEPA ID <input type="checkbox"/> Hazardous Substance Spill <input type="checkbox"/> Abandoned Containers <input type="checkbox"/> Brownfield Env'l. Asmt. Pilot <input type="checkbox"/> Superfund Site Evaluation (CERCLA) <input type="checkbox"/> Municipal Negotiation and Cost Recovery <input type="checkbox"/> Municipal Grants Program <input type="checkbox"/> Superfund Remedial (NPL) <input type="checkbox"/> Contaminated Sediments <input type="checkbox"/> Other:
Are you related to the person or entity from whom you did/will acquire the property? If Yes, please describe relationship: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Did you own a business or entity that operated on the property at any time during the hazardous substance release? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Did you manage a business or entity that operated on the property that caused the release of a hazardous substance on the property? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Did you own the property at the time of a hazardous substance release? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Did you otherwise cause the release of a hazardous substance on the property? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

FOR OFFICE USE		
Date Received 8/17/98	Application Fee Enclosed <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Approved to Proceed (602) PMN _____ <input type="checkbox"/> Denied (explain) (603) <input type="checkbox"/> Withdrawn (explain) (610)
BRRT's PLL Activity Number 0241 001034	BRRT's Activity Name Stearns	
FID 241250240	Region NO WC NE SC SE	
Comments PC	Reviewed By	Date
	Project Manager	

SELLER/PREVIOUS OWNER (NON-APPLICANT) (5)

Organization/Firm Stearns Magnetics, Inc.	Title Chairman & CEO
Name Mr. Randy Greely	Telephone Number (including Area Code) (937) 593-5010
Address 1301 West Sandusky Avenue	Fax Number (including Area Code) (937) 592-8608
City, State, Zip Code Bellefontaine, Ohio 43311-1082	E-mail Address

ENVIRONMENTAL CONSULTANT REPRESENTING APPLICANT (6)

Organization/Firm	Title
Name	Telephone Number (including Area Code)
Address	Fax Number (including Area Code)
City, State, Zip Code	E-mail Address

ATTORNEY REPRESENTING APPLICANT (IF APPLICABLE) (7)

Organization/Firm Miller, Simon, McGinn & Clark S.C.	Title Environmental Counsel
Name Joseph E. Dannecker	Telephone Number (including Area Code) (414) 271-2700
Address 788 North Jefferson Suite 900	Fax Number (including Area Code) (414) 271-1797
City, State, Zip Code Milwaukee, WI 53202	E-mail Address jdannecker@milbizlaw.com

PAST LAND USES (8)	KNOWN OR SUSPECTED SOURCES/WASTES (9)
<input type="checkbox"/> Service station <input type="checkbox"/> Agricultural co-op. <input type="checkbox"/> Salvage yard <input type="checkbox"/> Pipeline <input type="checkbox"/> Coal gas manufacturer <input type="checkbox"/> Electroplater <input type="checkbox"/> Other:	<input checked="" type="checkbox"/> Manufacturing <input type="checkbox"/> Dry cleaner <input type="checkbox"/> Bulk plant <input type="checkbox"/> Tannery <input type="checkbox"/> Unknown <input type="checkbox"/> Landfill
	<input type="checkbox"/> Foundry sand <input checked="" type="checkbox"/> Surface spills <input checked="" type="checkbox"/> Routine industrial operations <input type="checkbox"/> Transformer <input type="checkbox"/> Dumping or buried drums <input type="checkbox"/> Burning of materials <input type="checkbox"/> Other:
	<input type="checkbox"/> Underground pipeline or tank <input type="checkbox"/> Above ground pipeline or tank <input type="checkbox"/> Contaminated building <input type="checkbox"/> Industrial accident <input type="checkbox"/> Lagoons <input type="checkbox"/> FlyAsh

REGULATORY CRITERIA (10)

Has contamination been detected at the property? Yes No

If contamination was detected, has it been reported to the state? Yes No Agency notified: Yes Date:

Does it include petroleum from a leaking underground storage tank (LUST)? Yes No

Does it include non-LUST petroleum or non-petroleum contamination? Yes No

Is there an enforcement order currently in effect at this property? Yes No Issuing agency: Date:

ATTACHMENTS AND CERTIFICATION (11)

I have attached: 1) a list of past environmental work; 2) a check or money order for \$250 application fee made payable to the DNR; and 3) a public survey map showing location of property.

I certify that I have read and am familiar with the information on this form and that the information is true, accurate and complete to the best of my knowledge.

I believe that I meet the definition of "purchaser" in s. 292.15, Wis. Stats., and ch. NR 750, Wis. Adm. Code, and I agree that I will provide the DNR with further information to document my status as a "purchaser," upon request.

I hereby request assistance from DNR in reviewing the environmental response actions that have been or will be taken to obtain protection of limited liability, as provided in s. 292.15, Wis. Stats.

I recognize that to obtain this limited liability exemption from s. 292.11(3), (4), (7(b) and (c)), Wis. Stats., that the environmental response actions taken will need to comply with the applicable provisions of the NR 700 rule series, and will require a Phase I and II environmental assessment to be conducted for the property.

I recognize that I will be responsible for paying fees to DNR for assistance provided to me as provided under ch. NR 750, Wis. Adm. Code.

Applicant's Name (Type or Print) Hans W. Gerlach	Title President
Signature <i>Hans W. Gerlach</i>	Date Signed 8-13-98