



Gannett Fleming

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October 29, 2018

File #34283.000

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Ms. Mae Willkom
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Eau Claire, WI 54701

Re: Remedial Action Report
National Presto Industries, Inc., Eau Claire, Wisconsin
USEPA CERCLIS ID WID006196174
WDNR BRRTS 02-09-000267 and FID 609038320

Dear Howard and Mae:

At your request, Gannett Fleming, Inc. (GF) is submitting the enclosed remedial action report (RAR) for the National Presto Industries, Inc. (NPI) site in Eau Claire, Wisconsin. The RAR summarizes the institutional control implementation and assurance plan (ICIAP) and long-term stewardship (LTS) plan as the four of us discussed with Derrick at the annual meeting on October 25, 2017, in Eau Claire.

If you have any questions during your review of the report, please call.

Sincerely,

GANNETT FLEMING, INC.

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Gannett Fleming

Excellence Delivered As Promised

Prepared for:

NATIONAL PRESTO INDUSTRIES, INC.

EAU CLAIRE, WISCONSIN

REMEDIAL ACTION REPORT
INSTITUTIONAL CONTROL IMPLEMENTATION AND ASSURANCE
AND LONG-TERM STEWARDSHIP PLANS
FOR THE NPI SITE
EAU CLAIRE, WISCONSIN

PROJECT #34283.000

OCTOBER 2018

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A	Zoning Verification for City of Eau Claire Parcel #16-0429
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1.0 INTRODUCTION

This remedial action report (RAR) summarizes the institutional control implementation and assurance plan (ICIAP) and long-term stewardship (LTS) plan for the National Presto Industries, Inc. (NPI) site in Eau Claire, Wisconsin. Documentation and approval of each plan's framework is required in preparation for site deletion from the National Priorities List (NPL). Institutional controls (ICs) have been put in place to prevent human exposure to residual contaminants in the soil, vapor, and groundwater as approved by the U.S. Environmental Protection Agency (EPA) and Wisconsin Department of Resources (WDNR). Wisconsin Continuing Obligations (COs) play an integral role in the plans, both of which were prepared by Gannett Fleming, Inc. (GF) on behalf of NPI.

A chronological listing of the EPA decision and guidance documents, EPA's most recent five-year review (FYR) report, and other site information used in preparation of this RAR follow.

- *OU 02 Record of Decision (ROD), alternate water supply* (EPA, August 1, 1990).
- *OU 01 ROD, groundwater interim action* (EPA, September 30, 1991).
- *OU 03 ROD, waste removal from source areas, SVE & cap at MRDS, and long-term groundwater monitoring* (EPA, May 15, 1996).
- *Institutional Control Study* (GF, December 27, 2007).
- *Explanation of Significant Differences, final remedy* (EPA, December 23, 2009).
- *Institutional Controls: A Guide to Preparing ICIAPs* (EPA, December 2012).
- *Sub-Slab Vapor Sampling Survey* (GF, February 24, 2015).
- *Cadmium Soil & Groundwater Data and Remedial Alternatives Analysis* (GF, June 23, 2015).
- *Multiple Lines of Evidence – Cadmium in Groundwater* (GF, December 19, 2016).
- *Update on the EDS, DD3, and LDA* (GF, May 25, 2017).
- *Fifth FYR Report* (EPA, July 19, 2017).
- *Annual Interim Remedial Action Status Report – 2017* (GF, February 20, 2018).

Portions of the Wisconsin Administrative Code (WAC) referenced in this RAR are available online. In addition:

- The six documents by GF included above are on file with both agencies.

- This RAR includes discussion of the Eau Claire Municipal Well Field (ECMWF) and its two air stripper towers used for water treatment. In April 2015, EPA issued a Final Closeout Report (FCOR) for the ECMWF site as summarized in Section 3.1.3 below.

2.0 PERTINENT BACKGROUND INFORMATION

The NPI site is located at 3925 North Hastings Way in Eau Claire, Wisconsin. The property lies within the City of Eau Claire, except for a 9-acre parcel on the eastern part of the site that is in the Village of Lake Hallie and a 4-acre parcel in the southern part of the property that is in the Town of Seymour. Most of the 320-acre NPI property is situated in Chippewa County, with a small portion located along the northern border of Eau Claire County.

2.1 Site Conditions

The site is relatively flat and abuts a sandstone ridge to the south. Areas to the north, east, and west are also relatively level, generally sloping gradually toward the Chippewa River, which is located approximately 2 miles north and west of the site. Lake Hallie, an impounded remnant of a former channel of the Chippewa River, lies approximately 1 mile north of the site.

Extending northward from the northwestern portion of the site to Lake Hallie and westerly from the site to the Chippewa River are buried pre-glacial valleys within which alluvial sand and gravel deposits serve as a primary drinking water aquifer in the Eau Claire area. Approximately 2 miles west of the NPI site, for example, the ECMWF draws groundwater from several of these buried deposits and provides drinking water for the City of Eau Claire. The direction of groundwater flow is controlled by the sandstone and granite bedrock valleys beneath the sand and gravel, which carry groundwater to the northwest towards Lake Hallie and to the west towards the Chippewa River and the ECMWF. The depth to bedrock is at or near the surface at the sandstone ridge in the extreme south-central portion of the NPI site and dips to the north and west. The top of bedrock is at least 100 feet below the ground surface (ft bgs) at the north and west property boundaries. The average depth to water under NPI's main building and the Melby Road Disposal Site (MRDS) is about 70 ft bgs.

2.2 Site History

Past waste-handling practices related to the manufacturing activities on the NPI site have included the use of dry wells and seepage lagoons. Manufacturing wastes were also discharged to a former sand and gravel pit. The major waste stream was waste forge compound. NPI discharged wastewater containing significant amounts of waste forge compound to Lagoon #1, a remnant of the former sand and gravel pit. From 1966 to 1969, waste forge compound was also landfilled at the MRDS.

Dissolved-phase volatile organic compounds (VOCs) of concern at the site are limited to trichloroethylene (TCE), 1,1,1-trichloroethane (TCA), tetrachloroethylene (PCE), 1,1-

dichloroethane (DCA), and 1,1,-dichloroethylene (DCE). For this report, they will hereafter be referred to as NPI VOCs. Since project inception, 2016 was the first year there were no exceedances of the NR 140 Enforcement Standards (ESs)/Maximum Contaminant Levels (MCLs) for the NPI VOCs in any monitoring well or piezometer either on site or off site.

Cadmium (Cd) concentrations in groundwater continue to be above its 5.0 micrograms per liter ($\mu\text{g}/\ell$) ES/MCL in on-site monitoring wells MW-10A and MW-34A, south of the main building. However, overall Cd concentrations continue to show a decreasing trend, and historical data document that the Cd plume has not migrated off site.

2.3 Conceptual Site Model

The conceptual site model is that VOCs observed in the source areas on the NPI property migrated vertically through the unconsolidated soils to the groundwater and then traveled within the aquifer following the buried valleys. These valleys, which trend westerly toward the Chippewa River and ECMWF (Plume 1/2) and northwesterly toward Lake Hallie (former Plumes 3/4 and 5), control the direction of groundwater flow in the unconsolidated deposits in the area. Figure 1 is a 24-inch x 36-inch area-wide map showing the approximate location of Plume 1/2 and the former locations of Plume 3/4 and Plume 5, as defined by select NPI VOCs in 1993. The outlines of the current/former plumes define a groundwater flow divide that bisects the NPI site along a northwesterly line. The average groundwater flow velocity in the alluvial deposits in the area is approximately 12.5 feet/day, with an average gradient of about 0.015 in Plume 1/2 that stretches from the NPI site to the ECMWF. Figure 2 provides an 11-inch x 17-inch on-site groundwater flow map for convenience.

Supplemental sampling completed in 2015 confirmed that:

- The vapor intrusion pathway for residual TCE and TCA up and into NPI's main building is not complete, and no further sub-slab air sampling at NPI is necessary. See GF's February 2015 report for additional details on the sub-slab vapor sampling results.
- Cd concentrations above the ES/MCL in groundwater are confined to a relatively small area immediately adjacent to former Lagoon #1, which includes MW-10A and MW-34A. Compared to TCE, Cd is relatively immobile. See GF's June 2015, December 2016, and February 2018 reports for additional details on the residual Cd in soil and groundwater. In a letter to NPI dated December 13, 2017, Howard Caine with the EPA concluded both agencies "are satisfied that NPI has submitted enough lines of evidence to support MNA [monitored natural attenuation] as a viable remedy for the cadmium at the NPI site."

2.4 General Status of the Active Remedial Program

Most of the selected interim and final remedies for the site were implemented in the mid- to late-1990s. These included:

- The excavation and off-site disposal of >5,000 BTU/lb waste forge compound from Lagoon #1 and impacted soil from several other waste management areas of concern, including Dry Wells #2 and #5, the swale between former Lagoons #3 and #4, the southwest corner (SWC) of former Lagoon #2, and the Loading Dock Area (LDA). TCA was the primary VOC associated with the waste forge compound removed from Lagoon #1.
- The installation of four groundwater extraction wells and two associated cascade aerators for groundwater capture, control, and treatment. These interim systems were designed for continuous operation when needed and to be shut down once the off-site migration of impacted groundwater is no longer of concern.
- The construction of an engineered landfill with a multi-layer cap and soil vapor extraction (SVE) system at the MRDS for the long-term management of residual waste forge compound and impacted soil. Excavated material placed at the MRDS prior to installation of the cap included waste forge compound mixed with soil from Lagoon #1 with <5,000 BTU/lb, soil contaminated with waste forge compound from Drainage Ditch #3 (DD3), and impacted material from the East Extension of Lagoon #1 and EDS. The final remedy for the MRDS is the multi-layer cap and SVE system. Over time, it has become apparent that the MRDS SVE no longer needs to operate continuously since the cap has essentially eliminated the vertical migration of contaminants due to the infiltration of precipitation and has proven to provide reliable protection of groundwater quality.

However, two supplemental, relatively small TCE source areas have been identified in the SWC of the site: the MW-34/70 area (i.e., buried degreaser sludge) and an area beneath the main building. SVE systems have been installed and are currently operating at both areas to remove VOCs in the soil and provide a barrier to downward migration of these chemicals to groundwater.

All active remediation systems onsite are effective in protecting human health and the environment. Three of the four groundwater extraction wells (EW-1R, EW-2, and EW-5) and one of the cascade aerators (CAS-1) are no longer in use because of the effectiveness of the remedial actions that have been implemented.

Current and planned future activities at the site include:

- Maintenance and annual inspection of the cap at the MRDS and direct contact cover system at the LDA.

- Operation and maintenance (O&M) of the three SVE systems and extraction well EW-6.
- Sampling of the exhaust gas from the MRDS, MW-34/70 area, and main building SVE systems and select on- and off-site groundwater monitoring wells/piezometers, EW-6, cascade aerator CAS-2R, manhole MH-18, city water supply wells, and unit operations at the ECMWF.

See GF's February 2018 report for additional details on O&M of the SVE systems and EW-6, sampling results from 2017, etc.

2.4.1 NFRA Responses from the WDNR

Because Superfund sites are generally closed as a whole site, the EPA does not have a ready mechanism for closing individual areas of a site when they have been adequately remediated. Consequently, NPI has made a practice of submitting requests for "No Further Remedial Action" (NFRA) to the WDNR at the completion of each remedial action for tracking purposes. The WDNR's Regional Closure Committee reviews these requests and, if appropriate, provides NPI with an e-mail stating that if the EPA were to propose closure of that area of the site, the WDNR would not object. These e-mails have become de-facto NFRA responses from the WDNR.

3.0 INSTITUTIONAL CONTROL PROGRAM

An IC is defined by the EPA as a non-engineered instrument, such as administrative and legal controls, that helps to minimize the potential for human exposure to contamination and/or protect the integrity of a response action. ICs are designed to limit land or resource use or provide information that helps modify or guide human behavior at a site. Examples of ICs include local zoning restrictions, building or excavation permits, well drilling prohibitions, easements, and restrictive covenants.

3.1 General Institutional Control Information

ICs are divided into four general categories:

1. *Enforcement and Permit Tools* are legal tools, such as administrative orders, permits, Federal Facility Agreements, and Consent Decrees that limit certain activities or require the performance of specific activities (e.g., to monitor and report on an IC's effectiveness).
2. *Government Controls* impose restrictions on land use or resource use, using the authority of a government entity (e.g., statutes, administrative codes, zoning restrictions, ordinances, building codes, and groundwater use regulations).
3. *Information Devices* provide information or notification to local communities that residual or contained contamination remains on site (e.g. state registries of contaminated sites, notices in deeds, tracking systems).
4. *Proprietary Controls*, such as easements and covenants and other legal instruments, that are created in conformance with state and tribal real property law to prohibit activities that may compromise the effectiveness of the response action or restrict activities or future resource use that may result in unacceptable risk to human health and the environment (e.g., easements and covenants).

3.1.1 Land Use

All residual soil contamination exists on site as summarized in Table 1 and shown on Figure 3. Consequently, a description of land use for impacted properties off site is not applicable.

3.1.2 Location of Nearby Wells

All residual groundwater contamination exists on site as summarized in Table 2 and shown on Figure 2, so a description of the locations of nearby wells on impacted properties off site also is not applicable. However, Plumes 1/2, 3/4, and 5 did extend off site in the past. Consequently, well surveys were conducted, private wells were identified and sampled, and municipal water

service was extended to private well owners in the areas that could have been subject to impacts from contaminated groundwater originating from the NPI site as described in Section 3.2.2.

3.1.3 Municipal Water Supply

The City of Eau Claire and Village of Lake Hallie currently obtain all their drinking water from the ECMWF. The two closest municipal water supply wells (and their grid coordinates) are city production wells 22 (C7) and 19 (B7) located approximately 2 miles west of NPI (see Figure 1).

In December 2009, the EPA issued an Explanation of Significant Differences (ESD) that revised the groundwater clean-up goal for the ECMWF and NPI sites from the PALs to the ESs/MCLs. This change in the groundwater clean-up goal, to be consistent with NR 140 and the MCL, led to a meeting with the City and ultimately to a short-term sampling program at several of the city wells, the two air stripper towers, and within the water treatment plant. The sampling was done on four days in late November and early December 2011. The data from the sampling program documented that, while TCE was detectable in three of the four samples of the finished water entering the city distribution system, the concentrations were an order of magnitude below the 5.0 µg/ℓ ES/MCL.

Based on historical monitoring data and that from the 2011 city well system sampling program, the EPA issued an August 1, 2012, letter to the City of Eau Claire confirming that operation of the air strippers to remove VOCs prior to distribution to its customers would no longer be required. The City has subsequently chosen to continue operation of the strippers at its own cost. If the City ever decides to turn the strippers off, the EPA letter requires that they be kept in operating condition until the EPA either deletes the NPI site from the NPL or until EPA's review of future NPI site groundwater monitoring data allows it to determine that the strippers can be permanently dismantled prior to the deletion of the NPI site from the NPL. On April 5, 2015, the EPA issued a FCOR for the ECMWF site.

3.2 Existing Controls and Restrictions

The following controls and restrictions are in place at NPI given the general IC conditions summarized in Section 3.1.

3.2.1 Local Zoning

Zoning is a Government Control that imposes restrictions on land use. Figure 3 is a plan view of the site that includes parcel boundaries, NPI's main building, and the historical monitoring well network for reference. As shown on Figure 3, both areas with residual soil contamination

at or above a generic NR 720 residual contaminant level (RCL) for the residential (i.e., non-industrial) direct contact pathway based on the most recent sample results are in Chippewa County on Parcel ID #22809-3440-00020000 (aka City of Eau Claire Parcel #16-0429), which is zoned industrial. Appendix A includes an official zoning map from the City of Eau Claire.

3.2.2 County and Municipal Ordinances

The following county and municipal ordinances are considered Governmental Controls that impose restrictions on land use.

Chippewa County – Chippewa County requires a permit for the construction of any new private water supply well.

City of Eau Claire – The City has an ordinance that bans cross connections between private water supply wells and the municipal supply and restricts the construction of new private water supply wells. The City has also annexed properties that are within and near the identified boundaries of the NPI plume(s) in Chippewa County and provided the properties in those areas with municipal water. In addition, the city/county health department requires a permit for the construction of any new private well.

Village of Lake Hallie – The Village has an ordinance restricting the installation and use of private wells and cross connections between city water lines and private wells. It allows existing private wells for non-potable purposes but requires licensing of such wells.

Appendix B provides copies of pertinent sections from each of the three ordinances summarized above. Complete versions of all three ordinances are available online.

3.2.3 Proprietary Restrictive Covenant

The RODs for OU 01 and OU 02 do not explicitly call for administrative controls or ICs. However, the OU 03 ROD states that EPA will pursue a deed restriction on the MRDS cap area to prevent activities damaging to the cap. To meet this requirement, an Environmental Protection Access Agreement and Declaration of Restrictive Covenants document was approved by the agencies on September 29, 2011, and recorded at the Chippewa County Register of Deeds on October 25, 2011, as summarized on Page 12 of the EPA's July 2017 FYR report. Appendix C includes a copy of the recorded document.

3.2.4 Wisconsin Administrative Code Regulations and Continuing Obligations

State regulations may be considered a Government Control that imposes restrictions on land use. The State of Wisconsin through the WAC specifies the regulations applicable to waters of the state and land use. The WDNR regulates the design and operation of municipal water systems through WAC Chapters NR 810 and NR 811. Section NR 810.16 prevents unused, unsafe, and noncomplying wells from acting as vertical conduits for aquifer contamination or as sources of unsafe water that could enter the public water system through cross connections. Section NR 811.06 prohibits unprotected cross-connections, and NR 811.07 prohibits interconnections between public water supply systems and other sources of water unless permitted by the WDNR. The WAC applies throughout the state and therefore applies to the entire area including NPI.

For the areas where the residual contamination that remains following a cleanup is above state standards, the State of Wisconsin, under the statutory authority of 292.12, may place a continuing obligation (requiring compliance with a state rule and other conditions) on the property to ensure protection of human health and the environment. Affected off-site property owners must comply with applicable property-specific requirements set forth in the regulations. Those conditions will apply to all current and future property owners, each of whom will be legally responsible for complying with them as long as the regulations are in effect. In accordance with Wisconsin Statute 292.12(2)(c), the approved continuing obligations are listed in an on-line, inter-linked system maintained by the WDNR Bureau of Remediation and Redevelopment.

The Wisconsin Remediation and Redevelopment Database (WRRD) (formerly called the Contaminated Lands Environmental Action Network, or CLEAN) provides information on different contaminated land activities in Wisconsin to assist with the investigation, cleanup, and eventual re-use of those lands. There are two main ways to view information about contaminated land activities.

1. *BRRTS on the Web* - on-line database.
2. *RR Sites Map* - web-based mapping system.

Appendix D includes the information from both resources on NPI as of October 2018. The following section describes the remaining actions necessary at NPI to fully implement its IC program.

4.0 ADDITIONAL/MODIFIED IC IMPLEMENTATION

Sections 4.1 through 4.3 below describe additional/modified ICs to be implemented. Their full implementation will be completed once approval of the RAR is granted by the EPA and WDNR.

4.1 Residual Soil Contamination

Table 1 summarizes analytical results for the eight sample locations on site (one in former DD3 and seven in the LDA) with soil concentrations at or above June 2018 NR 720 non-industrial direct contact RCLs. The one location with soil concentrations at or above the NR 720 industrial direct contact RCL is excavation base sample EB-3 collected at 3.5-4 ft bgs for benzo(a)pyrene and dibenzo(a,h)anthracene. See Figure 3 for both sample area locations and GF's May 2017 report for additional details (e.g., cumulative cancer risk and hazard index levels for multiple contaminants and area-specific maps showing the sample locations, etc.).

4.1.1 Maintenance of Industrial Zoning

NPI and the City of Eau Claire plan to maintain industrial zoning for Parcel #16-0429. If plans change, then a fee-based request would be made to the WDNR for a determination on any proposal to subdivide unaffected areas of the parcel for future non-industrial redevelopment.

4.1.2 Maintenance Plan for a Cover System at the LDA

Appendix E presents a maintenance plan for a cover system at the LDA to prevent direct contact with soils near where excavation base soil sample EB-3 was collected at 3.5-4 ft bgs, as described above in Section 4.1.

4.2 Residual Groundwater Contamination

Table 2 summarizes Cd groundwater concentrations in the routinely sampled SWC wells, including MW-10A and MW-34A, the two wells with Cd at or above its ES/MCL of 5.0 µg/ℓ in 2018. However, EPA has approved MNA for Cd in groundwater at the site as described in Section 2.3. As a result, the agencies have agreed that the WDNR should be able to issue a NFRA letter for Lagoon #1 and its East Extension to NPI.

4.3 Abandonment Plan for Lost Monitoring Wells

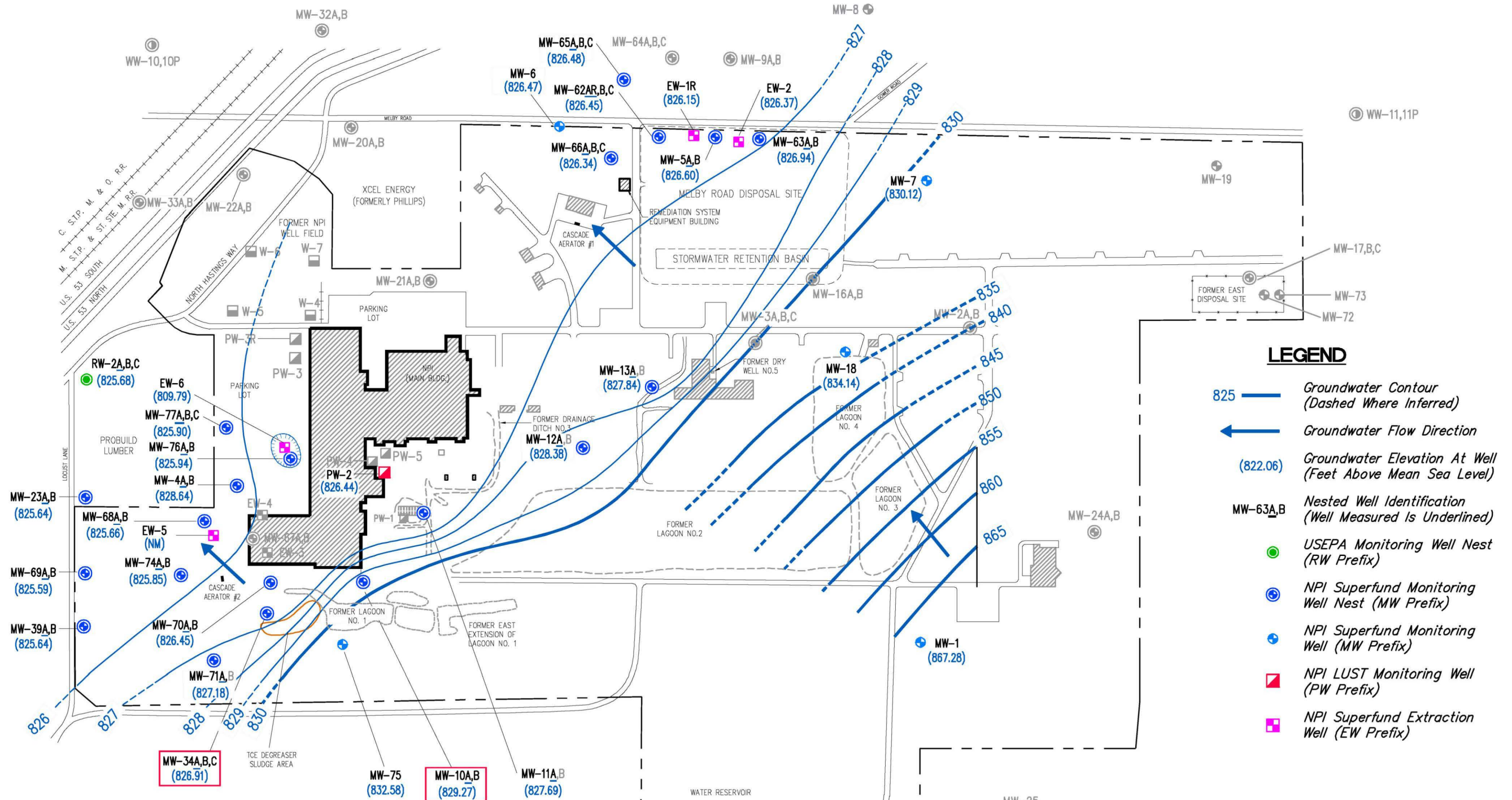
If any "lost" monitoring well is located, then it should be properly abandoned. To address this CO, notification letters were mailed to off-site property owners with lost wells, as summarized

in Table 3. Appendix F includes a copy of each letter sent and proof of receipt for each letter, as requested.

5.0 LONG-TERM STEWARDSHIP PLAN

Table 4 provides an LTS plan summary for the NPI site based on this RAR and Table 1 in EPA's July 2017 FYR report. Monitoring of the ICs and COs as described in Sections 3 and 4 above and summarized in Table 4 is an ongoing process to maintain the non-engineered controls. In each future annual report submitted to the agencies, NPI plans to demonstrate that the site was inspected to ensure no inconsistent uses have occurred, certify that ICs remain in place and are effective, and document that any necessary contingency actions have been executed, as requested on Page 13 of EPA's July 2017 FYR report. In addition, the NPI site and its ICs will undergo reviews by the EPA on a five-year cycle to ensure that the controls remain in place and are effective in minimizing the potential for human exposure.

Table 5 provides October 2018 contact information. NPI elected to provide contact information in table format to facilitate future updates if requested.

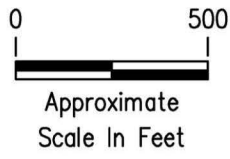


LEGEND

- 825 — Groundwater Contour (Dashed Where Inferred)
- ← Groundwater Flow Direction
- (822.06) Groundwater Elevation At Well (Feet Above Mean Sea Level)
- MW-63A,B Nested Well Identification (Well Measured Is Underlined)
- USEPA Monitoring Well Nest (RW Prefix)
- ⊕ NPI Superfund Monitoring Well Nest (MW Prefix)
- ⊕ NPI Superfund Monitoring Well (MW Prefix)
- ▣ NPI LUST Monitoring Well (PW Prefix)
- ⊕ NPI Superfund Extraction Well (EW Prefix)

NOTES:

1. Groundwater Elevations Measured In Wells While EW-6 Was Pumping, And The Data From MW-4A Was Not Used To Develop The Contour Map.
2. Contours Above 830 Are Shown At 5-Foot Intervals And Contours Below 830 Are Shown At 1-Foot Intervals, Except As Shown Around EW-6.
3. Shaded Wells Have Been Abandoned And Shaded Buildings Have Been Removed.
4. EW-3 Was Replaced By EW-5 On January 7, 2004, And EW-4 Was Replaced By EW-6 On September 22, 2011.



**SITE PLAN SHOWING
JUNE 2018 GROUNDWATER CONTOURS AND
THE TWO LOCATIONS WITH RESIDUAL
GROUNDWATER CONTAMINATION
(CD IN MW-10A & MW-34A)**

2018 REMEDIAL ACTION REPORT
NATIONAL PRESTO INDUSTRIES, INC.
EAU CLAIRE, WISCONSIN

NATIONAL PRESTO INDUSTRIES, INC.
EAU CLAIRE, WISCONSIN

TABLE 1

RESIDUAL SOIL CONTAMINATION ANALYTICAL RESULTS SUMMARY

Area On Site						NR 720 RCL (mg/kg)		
Sample			Laboratory Detail and Analytical Results			Soil to Groundwater Pathway	Non-Industrial Direct Contact	Industrial Direct Contact
ID	Date	Depth (ft bgs)	Group	Compound	Concentration (mg/kg)			
Former Drainage Ditch #3 (DD3)								
DD3-200B	6/17/98	<4 ⁽¹⁾	Metal	Lead	535	27	400	800
Loading Dock Area (LDA)								
EB-3	12/18/01	3.5-4	PAH	Benzo(a)Anthracene	15.8	NS	1.14	20.8
"	"	"	"	Benzo(a)Pyrene	13.5	0.47	0.115	2.11
"	"	"	"	Benzo(b)Fluoranthene	17.6	0.4781	1.15	21.1
"	"	"	"	Benzo(k)Fluoranthene	11.5	NS	11.5	211
"	"	"	"	Dibenzo(a,h)Anthracene	2.86	NS	0.115	2.11
"	"	"	"	Indeno(1,2,3-cd)Pyrene	6.50	NS	1.15	21.1
EB-5	12/18/01	3.5-4	PAH	Benzo(a)Anthracene	3.82	NS	1.14	20.8
"	"	"	"	Benzo(a)Pyrene	2.10	0.47	0.115	2.11
"	"	"	"	Benzo(b)Fluoranthene	2.84	0.4781	1.15	21.1
"	"	"	"	Dibenzo(a,h)Anthracene	0.508	NS	0.115	2.11
"	"	"	"	Indeno(1,2,3-cd)Pyrene	1.16	NS	1.15	21.1
PB-3	12/19/01	0-0.5	PAH	Benzo(a)Pyrene	0.126	0.47	0.115	2.11
PB-5	12/19/01	0-0.5	PAH	Benzo(a)Pyrene	0.286	0.47	0.115	2.11
"	"	"	"	Dibenzo(a,h)Anthracene	0.151	NS	0.115	2.11
SS-1	12/18/01	1-3	PAH	Benzo(a)Anthracene	4.26	NS	1.14	20.8
"	"	"	"	Benzo(a)Pyrene	1.27	0.47	0.115	2.11
"	"	"	"	Benzo(b)Fluoranthene	5.47	0.4781	1.15	21.1
"	"	"	"	Indeno(1,2,3-cd)Pyrene	1.66	NS	1.15	21.1
"	"	"	"	1-Methyl Naphthalene	17.7	NS	17.6	72.7
"	"	"	"	Naphthalene ⁽²⁾	14.1	0.6582	5.52	24.1
"	"	"	VOC	1,1-Dichloroethane	15.5	0.4834	5.06	22.2
"	"	"	"	Naphthalene ⁽³⁾	14.3	0.6582	5.52	24.1
SS-2	12/18/01	1-3	PAH	Benzo(a)Anthracene	1.35	NS	1.14	20.8
"	"	"	VOC	Naphthalene	8.63	0.6582	5.52	24.1
SS-3	12/18/01	1-3	PAH	Benzo(a)Anthracene	4.54	NS	1.14	20.8
"	"	"	"	Benzo(b)Fluoranthene	2.19	0.4781	1.15	21.1
"	"	"	"	Indeno(1,2,3-cd)Pyrene	1.87	NS	1.15	21.1

NOTES:

Concentrations and NR 720 RCLs are in milligrams per kilogram (mg/kg) on a dry-weight basis.

Results at or above an applicable NR 720 industrial direct contact RCL are in bold, red font.

Results at or above an applicable NR 720 residential direct contact RCL are in red font.

Results at or above an applicable NR 720 soil to groundwater pathway RCL are italicized.

NR 720 residual contaminant level (RCL) concentrations from WDNR's RR Program Soil RCL Excel workbook updated June 2018.

Sample depths are in feet below ground surface (ft bgs) at the time of collection.

NS = No standard.

FOOTNOTES:

(1) Sample depth conservatively assumed to be within 4 ft bgs at the time of collection. Although a number of the DD3 base samples were >4 ft bgs, their depths were not measured or recorded.

(2) See VOC group results for naphthalene concentration measured using EPA Method 8021 for VOCs.

(3) See PAH group results for naphthalene concentration measured using EPA Method 8310 for PAHs.

NATIONAL PRESTO INDUSTRIES, INC.
EAU CLAIRE, WISCONSIN

TABLE 2

SUMMARY OF RESULTS FROM WELLS ROUTINELY SAMPLED FOR DISSOLVED CADMIUM ANALYSIS STARTING IN 2017

Date	FN	EW-6	MW-4A	MW-4B	MW-10A	MW-10B	MW-34A	MW-34B	MW-34C	MW-68A	MW-68B	MW-70A	MW-70B	MW-75
10/21/87		NI	NS	NS	8	<i>4</i>	NI	NI	NI	NI	NI	NI	NI	NI
1/15/88		NI	5.0 U	NS	31	5.0 U	NI	NI	NI	NI	NI	NI	NI	NI
10/4/88		NI	5.0 U	NS	17.5	5.0 U	NI	NI	NI	NI	NI	NI	NI	NI
4/18/91		NI	3.0 U	3.0 U	29.4	3.0 U	3.0 U	3.0 U	NS	NI	NI	NI	NI	NI
12/9/91		NI	NS	NS	33.4	3.0 U	3.0 U	3.0 U	NS	NI	NI	NI	NI	NI
3/4/93		NI	0.5 U	<i>2.0</i>	36.2	NS	<i>0.96 B</i>	<i>0.76</i>	NS	0.5 U	<i>2.8</i>	0.5 U	<i>0.99 B</i>	NI
10/22/97		NI	NS	NS	26.1	<i>3.2</i>	<i>2</i>	<i>0.789</i>	NS	NS	NS	NS	NS	NI
1/27/98		NI	NS	NS	22.6	<i>4.13</i>	<i>2.28</i>	<i>0.705</i>	NS	NS	NS	NS	NS	NI
4/21/98		NI	NS	NS	40.7	6.26	<i>4.01</i>	<i>1.13</i>	NS	NS	NS	NS	NS	NI
7/29/98		NI	NS	NS	46.2	<i>3.99</i>	<i>2.05</i>	<i>0.84</i>	NS	NS	NS	NS	NS	NI
11/2/98		NI	NS	NS	34.1	5.87	<i>3.76</i>	<i>1.25</i>	NS	NS	NS	NS	NS	NI
1/18/99		NI	NS	NS	<i>0.63</i>	<i>3.34</i>	<i>1.14</i>	25.1	NS	NS	NS	NS	NS	NI
4/12/99		NI	NS	NS	24.6	<i>1.65</i>	<i>2.52</i>	<i>0.9</i>	NS	NS	NS	NS	NS	NI
7/26/99		NI	NS	NS	NS	<i>2.54</i>	<i>2.14</i>	<i>0.82</i>	NS	NS	NS	NS	NS	NI
10/6/99		NI	NS	NS	28.5	<i>3.29</i>	NS	NS	NS	NS	NS	NS	NS	NI
6/7/00		NI	NS	NS	21.7	<i>4.78</i>	NS	NS	NS	NS	NS	NS	NS	NI
10/11/00		NI	NS	NS	27.5	0.38	NS	NS	NS	NS	NS	NS	NS	NI
5/8/01		NI	NS	NS	32.1	<i>0.94</i>	NS	NS	NS	NS	NS	NS	NS	NI
10/16/01		NI	NS	NS	30.1	0.49	NS	NS	NS	NS	NS	NS	NS	NI
4/22/02		NI	NS	NS	30.4	0.451	NS	NS	NS	NS	NS	NS	NS	NI
10/23/02		NI	NS	NS	27.2	<i>0.509</i>	NS	NS	NS	NS	NS	NS	NS	NI
4/9/03		NI	NS	NS	25.7	<i>0.501</i>	<i>2.67</i>	<i>1.2</i>	NS	NS	NS	NS	NS	NI
7/22/03		NI	NS	NS	30.2	NS	NS	<i>1.24</i>	NS	NS	NS	NS	NS	NI
10/7/03		NI	NS	NS	27.1	<i>1.07</i>	<i>4.66</i>	<i>1.22</i>	NS	NS	NS	NS	NS	NS
2/25/04		NI	NS	NS	26.2	NS	NS	NS	NS	NS	NS	NS	NS	NS
4/1/04		NI	NS	NS	28.7	<i>1.72</i>	5.80	<i>1.28</i>	NS	NS	NS	NS	NS	NS
7/4/04		NI	NS	NS	26.8	NS	NS	NS	NS	NS	NS	NS	NS	NS
10/4/04		NI	NS	NS	27.8	<i>1.80</i>	<i>4.60</i>	<i>1.20</i>	NS	NS	NS	NS	NS	NS
1/5/05		NI	NS	NS	30.6	NS	NS	NS	NS	NS	NS	NS	NS	NS
4/5/05		NI	NS	NS	28.4	<i>1.70</i>	NS	<i>1.00</i>	NS	NS	NS	NS	NS	NS
7/5/05		NI	NS	NS	27.7	NS	<i>4.7</i>	NS	NS	NS	NS	NS	NS	NS
10/5/05		NI	NS	NS	28.0	<i>2.00</i>	<i>6.1</i>	<i>1.10</i>	NS	NS	NS	NS	NS	NS
1/6/06		NI	NS	NS	NS	NS	8.20	NS	NS	NS	NS	NS	NS	NS

TABLE 2

SUMMARY OF RESULTS FROM WELLS ROUTINELY SAMPLED FOR DISSOLVED CADMIUM ANALYSIS STARTING IN 2017

Date	FN	EW-6	MW-4A	MW-4B	MW-10A	MW-10B	MW-34A	MW-34B	MW-34C	MW-68A	MW-68B	MW-70A	MW-70B	MW-75
4/6/06		NI	NS	NS	30.4	1.50	8.20	1.10	NS	NS	NS	NS	NS	NS
7/6/06		NI	NS	NS	29.9	NS	NS	NS	NS	NS	NS	NS	NS	NS
10/6/06		NI	NS	NS	27.7	2.16	NS	1.08 J	NS	NS	NS	NS	NS	NS
3/7/07		NI	NS	NS	27.8	NS	NS	2.08	NS	NS	NS	NS	NS	NS
6/7/07		NI	NS	NS	30.4	2.74	NS	1.66 J	NS	NS	NS	NS	NS	NS
9/7/07		NI	NS	NS	31.3	NS	11.9	NS	NS	NS	NS	NS	NS	NS
11/7/07		NI	NS	NS	25.7	0.66 J	11.9	1.26 J	NS	NS	NS	NS	NS	NS
4/8/08		NI	NS	NS	5.15	NS	14.8	NS	NS	NS	NS	NS	NS	NS
6/8/08		NI	NS	NS	28.7	1.37 J	13.2	1.32 J	NS	NS	NS	NS	NS	NS
9/8/08		NI	NS	NS	26.4	NS	10.9	1.34 J	NS	NS	NS	NS	NS	NS
12/8/08		NI	NS	NS	28.0	1.00 J	11.6	1.28 J	NS	NS	NS	NS	NS	NS
3/9/09		NI	NS	NS	27.0	NS	11.6	1.60 J	NS	NS	NS	NS	NS	NS
7/9/09		NI	NS	NS	30.6	4.53	10.5	1.57 J	NS	NS	NS	NS	NS	NS
9/9/09		NI	NS	NS	26.8	NS	NS	1.87 J	NS	NS	NS	NS	NS	NS
12/9/09		NI	NS	NS	26.9	15.8	NS	1.18 J	NS	NS	NS	NS	NS	NS
3/15/10		NI	NS	NS	28.6	4.81	NS	NS	NS	NS	NS	NS	NS	NS
6/10/10		NI	NS	NS	29.8	18.3	NS	1.62 J	NS	NS	NS	NS	NS	NS
10/10/10		NI	NS	NS	27.5	4.97	17.2	NS	NS	NS	NS	NS	NS	NS
12/21/10		NI	NS	NS	24.1	3.34	1.71 J	1.39 J	NS	NS	NS	NS	NS	NS
3/11/11		NI	NS	NS	24.8	4.37	5.63	NS	NS	NS	NS	0.57 J	2.3	NS
6/8/11	HS	NI	NS	NS	25.4	6.54	9.00	0.31 J	NS	NS	NS	0.62 J	2.42	NS
6/8/11	(1)	NI	NS	NS	20.5	1.82 J	4.96	1.41 J	NS	NS	NS	0.53 J	1.66 J	NS
10/11/11	HS	NS	NS	NS	23.1	4.11	13.3	1.30	NS	NS	NS	13.1	2.19	NS
12/22/11	HS	NS	NS	NS	23.7	2.16	NS	NS	NS	NS	NS	NS	NS	NS
3/12/12	HS	NS	NS	NS	NS	3.19	NS	NS	NS	NS	NS	NS	NS	NS
6/26/12	HS	NS	NS	NS	22.5	NS	11.2	NS	NS	0.33 U	1.7 J	NS	NS	NS
10/10/12	HS	NS	NS	NS	NS	6.5	NS	1.6 J	NS	NS	NS	0.70 J	2.8 J	NS
12/4/12	HS	NS	NS	NS	18.6	NS	NS	1.1 J	NS	0.33 U	2.1 J	NS	NS	NS
4/4/13	HS	0.38 U	0.38 U	0.75 J	28.8	12.0	NS	1.8 J	1.4 J	0.38 U	3.6 J	0.38 U	3.7 J	NS
7/1/13	HS	0.38 U	0.38 U	0.90 J	27.2	10.6	5.6	2.0 J	1.3 J	0.45 J	3.3 J	0.38 U	4.0 J	NS
10/14/13	HS	NS	NS	NS	29.2	4.2 J	13.7	2.2 J	1.2 J	NS	2.8 J	NS	5.8	NS
12/6/13	HS	NS	NS	NS	20.8	2.0 J	8.8	1.0 J	0.40 J	NS	NS	NS	2.4 J	NS
4/16/14	HS	NS	NS	NS	21.7	7.1	NS	NS	NS	0.60 U	2.5 J	NS	2.7 J	NS
6/16/14	HS	0.60 U	NS	NS	23.4	8.3	7.7	2.0 J	0.97 J	0.64 J	NS	NS	NS	NS
9/16/14	HS	NS	NS	NS	22	2.8 J	NS	NS	NS	NS	2.9 J	NS	3.4 J	NS
12/2/14	HS	0.60 U	NS	NS	22.7	5.5	NS	2.1 J	NS	NS	3.3 J	NS	4.2 J	NS

TABLE 2

SUMMARY OF RESULTS FROM WELLS ROUTINELY SAMPLED FOR DISSOLVED CADMIUM ANALYSIS STARTING IN 2017

Date	FN	EW-6	MW-4A	MW-4B	MW-10A	MW-10B	MW-34A	MW-34B	MW-34C	MW-68A	MW-68B	MW-70A	MW-70B	MW-75
3/25/15	HS	NS	NS	NS	22.3	5.3	NS	NS	NS	NS	<i>3.2 J</i>	NS	<i>3.4 J</i>	NS
6/17/15	HS	0.60 U	0.60 U	<i>0.70 J</i>	21.4	8.2	12.7	<i>1.2 J</i>	<i>1.2 J</i>	<i>0.81 J</i>	<i>2.9 J</i>	<i>0.73 J</i>	<i>3.6 J</i>	10
9/22/15	HS	NS	NS	NS	20.2	8.0	NS	NS	NS	NS	<i>4.3 J</i>	NS	<i>3.6 J</i>	5.9
12/7/15	HS	0.60 U	NS	NS	20.8	6.4	10.8	<i>1.5 J</i>	NS	0.60 U	<i>4.0 J</i>	0.60 U	<i>3.9 J</i>	<i>2.4 J</i>
3/21/16	HS	NS	NS	NS	19.1	<i>3.8 J</i>	NS	NS	NS	NS	<i>2.4 J</i>	NS	<i>3.5 J</i>	<i>2.4 J</i>
6/13/16	HS	0.60 U	0.60 U	<i>0.65 J</i>	16.7	<i>2.7 J</i>	6.5	<i>1.4 J</i>	<i>0.87 J</i>	0.60 U	<i>4.5 J</i>	0.60 U	<i>3.2 J</i>	<i>2.3 J</i>
8/30/16	HS	NS	NS	NS	18.8	<i>3.6 J</i>	NS	NS	NS	NS	<i>4.0 J</i>	NS	<i>4.1 J</i>	<i>2.2 J</i>
10/6/16	(2)	NS	NS	NS	19.4	NS	NS	NS	NS	NS	NS	NS	NS	NS
12/5/16	(3)	1.3 U	NS	NS	18.8	1.3 U	6.5	<i>1.5 J</i>	NS	NS	<i>4.0 J</i>	NS	<i>4.1 J</i>	<i>2.4 J</i>
3/20/17	HS	NS	NS	NS	18.5	<i>1.4 J</i>	NS	NS	NS	NS	<i>3.9 J</i>	NS	<i>4.0 J</i>	<i>1.9 J</i>
6/13/17	(3)	1.3 U	1.3 U	1.3 U	17.4	<i>3.6 J</i>	4.4 J	<i>1.4 J</i>	1.3 U	1.3 U	<i>3.9 J</i>	1.3 U	<i>4.5 J</i>	<i>2.0 J</i>
8/28/17	HS	NS	NS	NS	20.1	1.3 U	NS	NS	NS	NS	<i>4.0 J</i>	NS	<i>4.0 J</i>	<i>2.1 J</i>
12/12/17	(3)	1.3 U	NS	NS	18.8	1.3 U	1.3 U	<i>1.4 J</i>	NS	NS	<i>2.5 J</i>	NS	<i>2.4 J</i>	1.3 U
3/28/18	HS	NS	NS	NS	18.9	NS	NS	NS	NS	NS	NS	NS	NS	NS
6/21/18	HS	NS	NS	NS	18.4	NS	7.8	NS	NS	NS	NS	NS	NS	NS
8/14/18	HS	NS	1.3 U	1.3 U	17.9	1.3 U	6.0	<i>1.8 J</i>	1.3 U	1.3 U	<i>3.2 J</i>	1.3 U	<i>3.4 J</i>	<i>2.4 J</i>

NOTES:

Concentrations are in micrograms per liter ($\mu\text{g}/\ell$)/parts per billion (ppb).

The PAL for cadmium is 0.5 $\mu\text{g}/\ell$: detected concentrations at or above the PAL are in red font and italicized.

The MCL/ES for cadmium is 5.0 $\mu\text{g}/\ell$: detected concentrations at or above the MCL/ES are in red font and bold.

B = Compound detected in blank.

FN = Footnote (see below) and used to indicate dates when samples were collected using HydraSleeves.

HS = HydraSleeve.

J = Estimated concentration below laboratory quantitation level.

NI = Not installed.

NS = Not sampled.

U = Compound not detected at or above the detection limit, which is the value shown.

FOOTNOTES:

(1) Wells MW-10A&B, MW-34B, and MW-70B were sampled using USEPA Jan. 2010 low-stress (low-flow) protocol; MW-34A and MW-70A were sampled using bailers.

(2) Unfiltered (19.3 $\mu\text{g}/\ell$) and filtered (19.4 $\mu\text{g}/\ell$) samples were collected from MW-10A using USEPA Jan 2010 low-stress (low-flow) protocol.

(3) Sampled well using a HydraSleeve (HS), except EW-6 was a grab sample from pumped groundwater.

NATIONAL PRESTO INDUSTRIES, INC.
EAU CLAIRE, WISCONSIN

TABLE 3

LOST-WELL PROPERTY NOTIFICATION INFORMATION⁽¹⁾

Reference No.	Street Address ⁽²⁾ of Property with Lost Well(s)	Lost Well/Piezometer ID(s)	Grid Coord.	Plume	Plat or Tax Parcel Number
1	2800 Melby St	MW-46A/B/C, RW-17	G7	1/2	22809-3341-00020000 ⁽³⁾
"	"	RW-23	H7	1/2	"
2	3800 Starr Ave	MW-50A/B, MW-59A/B	F6	1/2	22809-3340-00000000 ⁽⁴⁾
"	"	RW-5	D8	1/2	"
"	"	RW-25	G3	1/2	"
3	3440 White Ave	RW-18 ⁽⁵⁾	H8	1/2	22809-3344-04500000 ⁽³⁾
4	3412 Sundet Rd	WW-12	J4	3/4	22809-2743-72258001 ⁽³⁾

NOTES:

Grid Coord. = NPI grid coordinate (see Figure 1).

MW = NPI monitoring well.

RW = EPA monitoring well.

WW = WDNR monitoring well.

FOOTNOTES:

(1) Lost-well notification letters were mailed on 10/22/18.

(2) All properties are located in Eau Claire, Wisconsin.

(3) Plat number.

(4) Tax parcel number.

(5) RW-18 included as a "lost well" because it cannot be found and/or determined if RW-18 is the PW-6 well at 3440 White Avenue.

NATIONAL PRESTO INDUSTRIES, INC.
EAU CLAIRE, WISCONSIN

TABLE 4

LONG-TERM STEWARDSHIP PLAN SUMMARY ⁽¹⁾

Ref. No.	Institutional Control/Continuing Obligation		Monitoring Method	Monitoring Frequency
	Description	Objective		
1	Cap maintenance at the MRDS	Maintain integrity of cap	Conduct inspections and maintenance activities per O&M manual.	Annually ⁽²⁾
			Verify absence of prohibited activity and integrity of cap.	Annually
2	Cover maintenance at the LDA	Maintain integrity of cover	Conduct inspections and maintenance activities per plan ⁽³⁾ .	Annually ⁽²⁾
			Verify absence of prohibited activity and integrity of cover system.	Annually
3	County & municipal ordinances	Prevent human consumption of contaminated GW until GW cleanup goals are achieved.	Verify that Chippewa County requires permit for construction of any new private water supply well.	Annually
			Verify that Eau Claire ordinances restricting private wells and cross connections remain in place and effective.	Annually
			Verify that Village of Lake Hallie ordinances restricting private wells and cross connections remain in place and effective.	Annually
			See "Monitoring Method" column	Verify that Eau Claire ordinances to prevent acts that would compromise integrity of the ECMWF air stripper remain in place and effective.
4	Deed restriction for the MRDS	Maintain integrity of remedy & prevent residential & GW use	Verify that restrictive covenants have been properly recorded.	Once
5	Informational maps	Inform public	Review and improve maps.	As warranted
6	Local zoning	Prevent exposure	Verify that City of Eau Claire Parcel #16-0429 is zoned industrial.	Annually
7	Lost-well abandonment CO	Meet WAC	Confirm commitment to properly abandon any lost well if found.	Annually
8	Wisconsin Administrative Code (WAC)	See "Monitoring Method" column	Review WAC for changes to code citations in the ICIAP (ch. NR 811).	Annually
		See "Monitoring Method" column	Verify that no new private or public supply wells have been placed in proximity to contaminated GW.	Annually
9	WRRD	Inform public and meet WAC	Review online postings for accuracy.	Annually

NOTES:

All acronyms except GW are defined in text of report.
GW = Groundwater.

FOOTNOTES:

- (1) This table summarizes NPI's monitoring responsibilities and continuing obligations.
- (2) Inspection conducted annually; maintenance performed as needed.
- (3) Appendix E includes the cover system maintenance plan for the LDA.

NATIONAL PRESTO INDUSTRIES, INC.
EAU CLAIRE, WISCONSIN

TABLE 5

CONTACT INFORMATION (OCTOBER 2018)

Howard Caine
Remedial Project Manager
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Wisconsin Department of Natural Resources
Remediation and Redevelopment Program
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Mae.Willkom@wisconsin.gov

Derrick Paul
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Madison, WI 53717-1900
608/836-1500 x6722
cwright@gfnet.com

APPENDIX A

ZONING VERIFICATION FOR CITY OF EAU CLAIRE PARCEL #16-0429

Wright, Clifford C.

From: Ryan Petrie <Ryan.Petrie@EauClaireWi.Gov>
Sent: Friday, March 17, 2017 11:01 AM
To: Wright, Clifford C.
Subject: RE: Request for Verification of Zoning 3/17/17
Attachments: National Presto.pdf

Cliff, per your request, the zoning for National Presto is I-2 (Heavy Industrial) and I have attached an official zoning map for the property and the surrounding area. If you have any questions, please let me know. Thanks.

Ryan Petrie
Associate Planner
City of Eau Claire
715-839-4914



From: Wright, Clifford C. [mailto:cwright@GFNET.com]
Sent: Friday, March 17, 2017 10:29 AM
To: Ryan Petrie
Subject: Request for Verification of Zoning 3/17/17

Ryan- On behalf of National Presto Industries (NPI) at 3925 N Hasting Way, please provide Gannett Fleming, Inc. with documentation (e.g., official zoning map or email from your department) that Parcel #16-0429 is zoned industrial, as you and I recently discussed.

Cliff Wright, PE, PG | Project Engineer/Geologist
Gannett Fleming, Inc. | 8025 Excelsior Drive, Madison, WI 53717-1900
t 608.836.1500 x6722 | c 608.695.3651 | cwright@gfnet.com

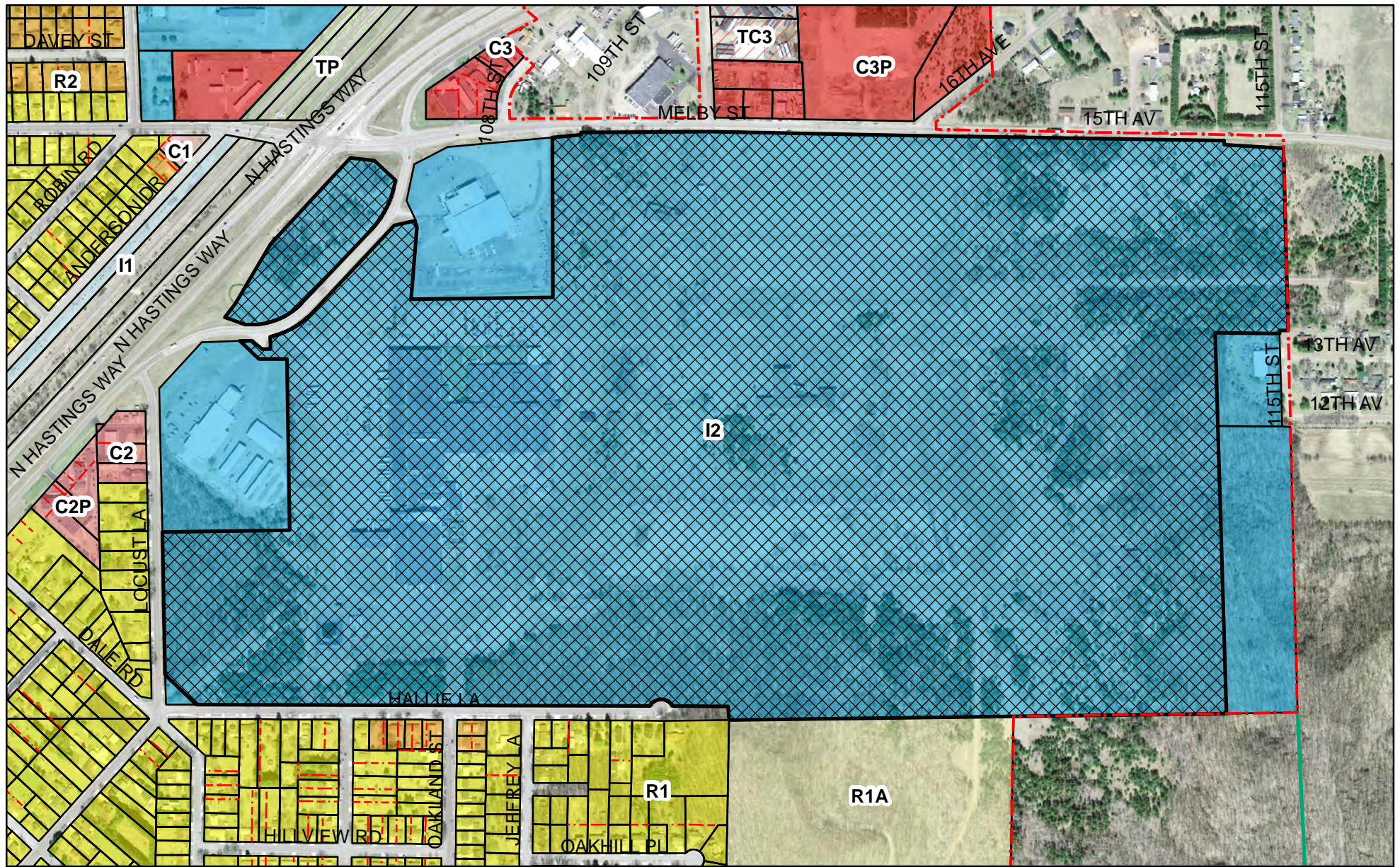
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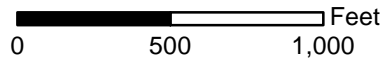
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National Presto Industries

3925 N Hastings Way

I-2 (Heavy Industrial)



- - - City Limits
- Subject Property

APPENDIX B

COUNTY AND MUNICIPAL ORDINANCES ADDRESSING
PRIVATE WELLS AND CROSS CONNECTIONS

Chippewa County - Private Well Ordinance (Page 1 of 15)**Chapter 62 WASTE TREATMENT & DISPOSAL & SANITATION****ARTICLE I. IN GENERAL**

Secs. 62-1 to 62-30. Reserved.

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ARTICLE V. CHIPPEWA COUNTY GROUNDWATER INVENTORY

- Sec. 62-210. Statutory Authority.
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Ordinance Amendments:

2011-01 – Changes to Division 2 – Modifications to POWTS Language.
(Adopted by the County Board on 05-10-2011).

2011-07 – Changes to Division 3 - transferring enforcement authority to LCFM.
(Adopted by the County Board on 12-13-2011).

2012-17 – On March 13, 2012, the County Board adopted ordinance revisions to codify Resolution No. 39-11, which restructured the County Board committees, boards, and commissions in anticipation of the downsizing of the County Board from 29 to 15 supervisors. Not all ordinance subsections were revised, but those subsections that had material changes will be specifically designated at the end of those subsections.

2017-02 – Created Article V to formally established the Chippewa County Groundwater Inventory.

2018-08 – Changes to Sec 62-156 Soil and Site Evaluations
(Adopted by the County Board 09-11-2018)

ARTICLE I. IN GENERAL

Sec. 62-1 to 62-30. Reserved.

ARTICLE II. PRIVATE WATER SYSTEMS AND WELLS**Sec. 62-31. Authority and Adoption.**

- (a) This article is adopted under the authority granted to the county by Wis. Stats. §§ 59.70(6) and 280.21 and Wis. Admin. Code NR ch. 845.
- (b) This article is subject to the provisions of Wis. Stats. §§ 59.70(6) and 280.21 and all rules promulgated there under regulating private water systems.
- (c) This article may not be more lenient nor more stringent than the rules promulgated pursuant to Wis. Stats. ch. 280.
- (d) Failure to comply with any of the provisions of such regulations shall constitute a violation of this article, actionable according to the penalties provided in this article.
- (e) This article applies to the entire county and includes cities, towns, villages and sanitary districts in the county.

(Code 1980, § 15.01(1))

Sec. 62-32. Jurisdiction.

The provisions of this article shall apply to all private water systems within the county.

(Code 1980, § 15.01(2))

Sec. 62-33. Purpose.

The purpose of this article is to protect the drinking water and groundwater resources of the county by governing access to groundwater through regulating private well location.

(Code 1980, § 15.01(3))

Sec. 62-34. Intent.

The intent of this article is to regulate the location of wells.

(Code 1980, § 15.01(4))

Sec. 62-35. Repeal.

All other county ordinances or parts of ordinances inconsistent or conflicting with this article, to the extent of the inconsistency only, are repealed.

(Code 1980, § 15.01(7))

Sec. 62-36. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (a) *Administrator* means the county employee designated by the County Board to issue permits for private well location and to administer Wis. Admin. Code NR ch. 812 in the county as authorized by the department.
- (b) *Central office* means the bureau of water supply located in Madison, Wisconsin, which functions as the coordinating authority for the statewide water supply program.
- (c) *Community water system* has the meaning designated in Wis. Admin. Code NR § 811.02(7).
- (d) *County office staff* means county office personnel trained to answer general well location questions and to accept permit applications.
- (e) *Delegation Level* means the program level, as set forth in Wis. Admin. Code NR § 845.05, at which a county is authorized to administer and enforce Wis. Admin. Code NR ch. 812.
- (f) *Department* means the Department of Natural Resources.
- (g) *District office* means the department office located in Eau Claire, Wisconsin.
- (h) *Existing* installations has the meaning designated in Wis. Admin. Code NR ch. 812.
- (i) *Health hazard* means a condition which constitutes:
 - (1) A violation of Wis. Admin. Code NR ch. 812 regarding the installation, construction, operation or maintenance of a private well; or
 - (2) Confirmed bacteriologically unsafe well water quality.
- (j) *Noncommunity water system* means a public water supply system that serves at least 25 people at least 60 days each year. A noncommunity water system commonly serves a transient population rather than permanent year round residents. This is typically an individual well serving a restaurant, industry, service station, tavern, motel, campground or church.
- (k) *Noncomplying well or pump installation* means a private water system not in compliance with all provisions of Wis. Admin. Code NR ch. 812 in effect at the time the well was constructed or the pump was installed.
- (l) *Person* means an individual, corporation, company, association, cooperative, trust, institution, partnership, state, public utility, sanitary district, municipality or federal agency.
- (m) *Personal interest* means having a financial interest in a property or being related by marriage or birth to a person having a financial interest in a property.
- (m) *Primary drinking water standards* means those maximum contaminant levels which represent minimum public health standards set forth in Wis. Admin. Code NR ch. 809.

- (o) *Private water system* means the water collection, storage and treatment facilities and all structures, piping and appurtenances by which water is provided for human consumption by other than community water systems. For the purpose of this article, it includes noncommunity water systems.
- (p) *Private water systems ordinance* means a county ordinance, approved by the department, regulating private water systems at the county's authorized delegation level.
- (q) *Private well* means, for the purpose of this article, any drilled, driven point, dug, bored or jetted well constructed for the purpose of obtaining groundwater for potable use, including wells constructed in special well casing depth areas and noncommunity wells. It does not include springs or private or public wells that require written plan approval from the department.
- (r) *Public water system* has the meaning designated in Wis. Admin. Code NR ch. 812.
- (s) *Reconstruction* means modifying the original construction of a private well. It includes but is not limited to deepening, lining, installing or replacing a screen, under-reaming, hydro-fracturing and blasting.
- (t) *Variance* means an approval issued by the department under Wis. Admin. Code NR ch. 812 allowing a private water system to vary under Wis. Admin. Code NR ch. 812 requirements if department approved conditions are met.
- (u) *Water system* means the water collection, storage, treatment facilities and all structures, piping and appurtenances by which water is provided.
- (v) *Well* has the meaning designated in Wis. Stats. ch. 280.
- (w) *Well construction* means the procedures, methods, materials and equipment used during the construction or reconstruction of a private well.
- (x) *Well constructor* means any person who constructs a well.
- (y) *Well location permit* means a permit, or comparable registration system, issued by the county which allows the construction or reconstruction of a private well.

(Code 1980, § 15.01(8)) (Ord. No. 17-12, 03-13-2012)

Cross references: Definitions generally, § 1-3.

Sec. 62-37. County Administration.

- (a) *County responsibilities for Level 1 private well location and Level 5 well and drillhole abandonment.* It is the county's responsibility for Level 1 private well location and Level 5 well and drillhole abandonment to:
 - (1) Issue permits authorizing the location of new and replacement private wells, including drilled, driven point, dug, bored or jetted wells, or the reconstruction or rehabilitation of existing private wells.
 - (2) Conduct inspection of wells for which well location permits are required as soon as possible after the well is constructed.

- (3) Determine whether the casing height of a permitted well complies with Wis. Admin. Code NR ch. 812 and that there is a cap or seal on the upper terminus of the well.
 - (4) Require the abandonment of wells not in service, or that will be taken out of service, if the well is unused, noncomplying or bacteriologically unsafe. A county may require abandonment of a well with water exceeding a primary drinking water standard listed in Wis. Admin. Code NR ch. 809, or other chemical compounds for which state health advisory limits have been issued including inorganic and organic compounds, after consultation with and approval by the department.
 - (5) Require upgrading of all inspected private wells that are not in compliance with the minimum private well locational distances in Wis. Admin. Code NR ch. 812.
- (b) *Cooperation with other units.* The county planning and zoning office shall cooperate with all other governmental units and agencies in the enforcement of all state and local laws and regulations pertaining to matters in this article.
- (c) *Administrator.* The county planning and zoning administrator shall act as the county administrator and is assigned the duties of administering the private water system program in accordance with program rules. The administrator shall have the power and duty to enforce the provisions of this article and all other ordinances, laws and orders of the county and of the state which relate to the construction, alteration or installation of all private water systems within the county at the county's authorized delegation level.
- (1) *Qualifications of administrator.* The administrator shall be informed on the principles and practices of private well construction and pump installation. If the administrator has a personal interest in the construction or modification of any well or pump installation subject to the provisions of Wis. Stats. ch. 280, Wis. Admin. Code NR ch. 812, or county ordinances, the County Board shall, after consultation with the department, designate another knowledgeable person to examine the application to issue the required permit and to make the necessary inspections.
 - (2) *Powers.* The county administrator shall have all the powers necessary to enforce the provisions of this article commensurate with the level or levels of the county's delegated authority including the following:
 - a. In the discharge of her duties, the administrator or an authorized representative may enter any building or property upon presentation of the proper credential, during reasonable hours for the purpose of inspecting the private water system and may request the owner or operator to produce the private well location permit required under this article. No person may interfere with the administrator or an authorized representative in the performance of his duties. Any person interfering shall be in violation of this article and subject to penalty as provided by this article. If consent to enter property for inspection purposes is denied, the administrator may obtain a special inspection warrant under Wis. Stats. § 66.0119.
 - b. Order any person owning, operating or installing a private water system to abandon, repair or place it in a complying safe or sanitary condition if the system is found to be unused, bacteriologically unsafe or not in compliance with Wis. Admin. Code NR ch. 812 or county ordinance.
 - c. Prohibit the use of any new well, which is found to be installed, located, constructed, operated or maintained so as to be a health hazard to the users, neighbors or community.

- d. Appoint representatives to aid in processing applications for well location permits.
 - e. Enforce any or all ordinances applicable to private water systems in accordance with department rules.
 - f. If the administrator or an authorized representative determines that the location or construction of a private well does not comply with this article, the administrator or assistant shall post, in a conspicuous place upon the site, a suspension of work order demanding cessation of work. The administrator shall notify the well constructor and property owner in writing of the noncompliance and the nature of the work to be discontinued and corrected, identifying the location and the name of the person issuing the order. It shall be a violation of this article to engage in work that conflicts with the terms of an order or to make an unauthorized removal of a posted order. Work may resume on the site under the direction of the administrator.
- (3) *Duties of administrator.* It shall be the duty of the administrator to enforce the provisions of this article and perform the following duties commensurate with the level or levels of the county's delegated authority:
- a. Record all permits, fees, inspections and other official actions and make an annual report thereon to the County Board of Supervisors.
 - b. Provide the department with copies of all permits and correspondence as required by Wis. Admin. Code NR ch. 845 and Wis. Stats. ch. 280.
 - c. Inspect the location of new private water systems upon completion.
 - d. Investigate and record all private water system complaints.
 - e. Investigate cases of noncompliance with this article, Wis. Admin. Code NR ch. 812 and Wis. Stats. ch. 280, issue orders to abate the noncompliance, and submit complaints to the corporation counsel for enforcement.
 - f. Refer complaints and cases of noncompliance believed to be or known to be beyond the scope of the county's delegation level to the department.
 - g. Cooperate with all other governmental units and agencies in the enforcement of all state and local laws and regulations of matters related to this article.
 - h. Assist the department as specified in Wis. Admin. Code NR ch. 845.
 - i. Refer variance requests and actions which require department approval to the department.
 - j. Advise owners not to drink or use water from private water systems under conditions specified in Wis. Admin. Code NR ch. 845.
 - k. The administrator, a trained county inspector or county office staff shall be available at the administrator's office for answering questions regarding permit applications and for accepting applications for well location permit for a minimum of four regularly scheduled hours each workday.

(Code 1980, § 15.02) (Ord. No. 17-12; 03-13-2012)

Sec. 62-38. Requirements and Permits.

(a) *Permits.*

- (1) No person may install a private well or water system unless the owner of the property on which the private water supply system is to be installed holds a valid well location permit issued by the county or has made arrangements to acquire a permit by notifying the administrator prior to construction. Notification shall include providing the administrator with the property owner's name, address, property, legal description, proposed starting date and identification of the person who will be obtaining the permit. Unless other arrangements are made, the permit shall be applied for on the first workday following initial construction.
- (2) No private water system may be located, installed or operated within the jurisdictional limits of the county without the appropriate permit being obtained in compliance with subsection (a)(1) of this section and without being in full compliance with the provisions of this article and all other applicable state and local laws and regulations. Permit applications for the location of a well shall be made by the property owner or the property owner's designated agent. Permits shall be issued from the office of the administrator.
- (3) The permit application shall be on forms provided by the administrator.
- (4) Well location permit applications shall be signed by the property owner or the property owner's designated agent. Well location permit applications shall be submitted to the administrator at least two working days prior to construction if the property owner or well constructor is interested in receiving information about potential contamination sources such as landfills; underground storage tanks; primary and replacement on-site sewage disposal system areas on the development site and on adjacent properties; and special casing areas. Where a well location permit application is submitted less than two working days prior to construction, the well constructor shall be responsible for maintaining full compliance with all provisions of Wis. Admin. Code NR ch. 812. The permit application may be submitted by the property owner or the property owner's designated agent but shall be issued to the property owner.
- (5) The administrator or designated representative shall assist applicants in preparing applications and approve, disapprove or notify an applicant of the need to seek a variance or special approval from the department or return the permit application due to incompleteness for all private water systems to be constructed or modified in the county within two working days following submission of the permit application. The county may reserve final approval or disapproval of a permit which requires department action until the variance or special approval request has been acted on by the department.
- (6) The administrator shall issue written notice to each applicant whose permit application is disapproved. An application shall be disapproved if the well construction would result in noncompliance with Wis. Admin. Code NR ch. 812 or if a well construction variance or special approval request was denied by the department. Each notice shall:
 - a. State the specific reason for denial.
 - b. Inform the applicant of the right to request a special approval or a variance from the department and the procedures for making such a request.

- (7) When construction occurs on a weekend or holiday, notification shall be provided to the administrator on the first workday following the weekend or holiday in the same manner as described in subsection (a)(4) of this section. Unless other arrangements are made with the administrator, the permit application shall be obtained on the first workday following the weekend or holiday. The well constructor shall be responsible for maintaining full compliance with all provisions of Wis. Admin. Code NR ch. 812.
 - (8) A permit transfer application shall be submitted to the county when there is a change of property owner after the application is submitted but before well construction is completed. Failure to submit a transfer application to the county shall invalidate a previously issued permit. The application shall be on a form made available by the administrator.
 - (9) As soon as the well location permit is received, it shall be displayed conspicuously at the well site during construction and for a minimum of seven days following completion of construction or until the well has been inspected by county staff, whichever occurs first. The county staff must be contacted within 24 hours of completion of a well.
 - (10) A well location permit shall be valid for a period of one year or until construction is completed, whichever occurs first. If the permit expires, a new application shall be submitted to the administrator. Reapplications shall be evaluated so that construction will comply with the provisions of Wis. Admin. Code NR ch. 812 in effect at the time of the reapplication. The administrator may require additional inspections and fees for reapplications.
 - (11) A well location permit is not required nor shall such be issued by the county for private water systems requiring written plan approval from the department.
 - (12) Any permit issued under this section shall be void if any false or inaccurate statement is made or if any inaccuracy is shown on any application for a permit.
 - (13) No permit may be issued to any property owner or designated agent of the property owner who is in violation of this article, until the violation has been corrected, unless the permit is to allow correction of the violation.
 - (14) The administrator shall forward a copy of the approved well permit application to the Department of Land Conservation & Forest Management to be applied toward the management and maintenance of the Chippewa County Groundwater Inventory.
- (b) *Appeals.* Persons seeking to appeal a decision of the administrator under this article shall file written letters of appeal with the administrator. The administrator shall place the appeal on the agenda of the board of adjustment and the appeal shall be given a due process proceeding in accord with Wis. Stats. § 59.694. The board of adjustment shall decide whether to uphold, uphold with modifications or reverse the administrator's decision based upon the terms and intent of this article and of relevant state laws and administrative rules. No appellate decision shall have the effect of approving an existing or proposed condition that would violate this article of state law or administrative rule. Appeals that may only be approved by the granting of a variance to Wis. Admin. Code NR ch. 812 shall be referred to the department pursuant to Wis. Admin. Code NR ch. 845. Board of adjustment appellant decisions shall be made in writing and shall be filed in the administrator's office. Appeals of decisions made by authorized agents on the behalf of the administrator shall be made first to the administrator and then be appealable as provided in this section.

- (c) *Violations.* The administrator shall investigate violations of this article and Wis. Admin. Code NR ch. 812, relating to the county's authorized delegation level, issue orders to abate the violations and submit orders to the corporation counsel for enforcement.
- (d) *Administrator directives and orders.*
- (1) *Field Directive.* The administrator, after investigation and a determination that a violation exists, may issue a written field directive. This field directive may consist of a hand written note on an inspection report, or similar paper, identifying the violation that has occurred and assigning a date by which the violation must be corrected, and shall include the inspector's telephone number and office address.
 - (2) *Formal Directive.* A formal letter may be issued, which states the violation, this section, administrative rule or statutory section violated, the date the violation was noted, the inspector who noted the violation and assign a date by which the correction must be made.
 - (3) *Correction order.* Upon discovery and after documentation of a violation, the administrator may issue a correction order. The administrator may use a stepped enforcement procedure by issuing a directive before an order or may proceed directly to issuing a correction order. An order shall include the following:
 - a. The location of the violation (site).
 - b. The name of the parties; owner, permittee, well constructor.
 - c. The citation of the statute, ordinance or Wisconsin Administrative Code section violated.
 - d. The date of inspection of the site where the violation occurred.
 - e. The name of the person who conducted the inspection which revealed the violation.
 - f. The date by which the correction must be completed.
 - g. The name of the person who must be contacted regarding subsequent inspection of the site.
 - h. A statement that, if the order is not complied with, the administrator will refer the violation to the corporation counsel with a recommendation to seek injunctive relief and/or forfeitures from the circuit court of the county. Orders shall be signed by the administrator of the private water system ordinance.
 - i. Orders shall be delivered by the sheriff. The administrator shall report all orders that have not been complied with to the corporation counsel for enforcement.
- (e) *Enforcement actions.*
- (1) An enforcement action may be brought by the corporation counsel against a person or persons for any of the following violations:
 - a. Failure to comply with any provision of this article.

- b. Failure to comply with any permit specification or requirement.
 - c. Failure to comply with any directive or order issued by the county administrator.
 - d. Resisting, obstructing or interfering with the county administrator's or an authorized assistant's actions undertaken pursuant to this article.
- (2) The county corporation counsel may, for any violation, seek:
- a. Injunctive relief; and/or
 - b. Forfeitures of not less than \$100.00 but not more than \$500.00.
 - c. Each day of violation is a separate offense.
 - d. Any person who has the ability to pay any forfeiture entered against him under this article but refuses to do so may be confined in the county jail until such forfeiture is paid, but in no event to exceed 30 days. In determining whether an individual has the ability to pay a forfeiture imposed under this section, all items of income and all assets may be considered regardless of whether or not the income or assets are subject to garnishment, lien or attachment by judgment creditors under the laws of this state.
- (f) *Fee schedule for permits and inspections.* The fee for a permit under this article shall be established by resolution of the County Board, payable in advance.

(Code 1980, § 15.03) (Ord. No. 02-17, 04-11-2017)

Secs. 62-39 to 62-60. Reserved.

ARTICLE III. SOLID WASTE

DIVISION 1. GENERALLY

Sec. 62-61. Litter and Waste Control Generally.

The purpose of this article is to ensure the public health, safety and general welfare by controls upon littering and solid waste disposal in the county.

(Code 1980, § 5.23(1)(a))

Sec. 62-62. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (a) *Garbage* means any discarded material resulting from the handling, processing, storage or consumption of food products and containers thereof.
- (b) *Hazardous waste* means that waste as defined by Wis. Stats. § 291.01.
- (c) *Litter* means any uncontainerized garbage, refuse and yard waste deposited other than in a proper

Sec. 62-193. Appeals.

- (a) *Authority.* Under authority of Wis. Stats. § 59.694 and section 70-35 of the Chippewa County Zoning Ordinance the County Board of Adjustment is authorized to hear and decide appeals where it is alleged that there is error in any order, requirement, decision or determination by the administrator in administering this division.
- (b) *Procedure.* The rules, procedures, duties and powers of the board of adjustment and Wis. Stats. ch. 68 shall apply to this division.
- (c) *Who may appeal.* Appeals may be taken by any person having a substantial interest which is adversely affected by the order, requirement, decision or determination made by the administrator or department.

(Code 1980, § 15.67, Ord. No. 07-11, 12-13-2011)

ARTICLE V. CHIPPEWA COUNTY GROUNDWATER INVENTORY**Sec. 62.210. Statutory Authority.**

This article is adopted pursuant to the authorization in Wis. Stats., Chapter 92.07(1) and 92.07(11).

Sec. 62-211. Purpose.

The purpose of this article is to establish the Chippewa County Groundwater Inventory as an information source to be applied and maintained to support soil and water conservation, and groundwater management efforts in Chippewa County.

Sec. 62-212. Intent.

The intent of this article is to define the contributing components of the Chippewa County Groundwater Inventory and the administrative policy and procedures to be applied to manage and maintain this inventory.

Sec. 62-213. Administration.

- (a) The Department of Land Conservation & Forest Management shall be responsible for the custodial management and maintenance of the Groundwater Inventory with policy oversight provided by the Land Conservation & Forest Management Committee. The Department of Land Conservation & Forest Management shall coordinate its efforts with other county departments and state and federal agencies that collect or otherwise contribute data that is maintained as part of the inventory.

Sec. 62-214. Definitions.

The following words, terms, and phrases, when used in this division, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

- (a) *Chippewa County Groundwater Inventory* means a compilation of information, data sets, and associated maps that are created and routinely maintained to document groundwater conditions, to be applied to support ongoing soil and water conservation and groundwater management efforts in Chippewa County.

- (b) *Administrator* means the Director of the Chippewa County Department of Land Conservation & Forest Management, or designee, as assigned to administer and enforce this ordinance.
- (c) *Department* means the Chippewa County Department of Land Conservation & Forest Management.

Sec. 62.215. Components.

- (a) The contributing components of the Chippewa County Groundwater Inventory shall include:
 - (1) An inventory of all domestic wells of record compiled and maintained to document well location, well construction, subsurface geology, and groundwater elevations. This record shall consist of:
 - a. A copy of individual well permits issued by the Chippewa County Department of Planning & Zoning under Chapter 62, Article II.
 - b. A high resolution air photo map showing the approximate point location of each permitted well.
 - c. A copy of the individual well logs for each permitted well location, as created by a licensed well driller and filed with the Wisconsin Department of Natural Resources.
 - (2) An inventory of high capacity wells of record compiled and maintained to document well location, well construction, subsurface geology, and groundwater elevations. This record shall consist of:
 - a. A copy of high capacity well permits issued by the WI Dept. of Natural Resources issued under NR 812.09(4)(a).
 - b. A high resolution air photo map showing the approximate point location of each permitted well.
 - c. A copy of the high capacity well logs for each permitted well location, as created by a licensed well driller and filed with the WI Department of Natural Resources.
 - (3) A record of groundwater elevations, as measured periodically from a groundwater monitoring network, compiled and maintained to document groundwater elevations at representative locations distributed throughout the County. This record shall consist of:
 - a. A digital record of groundwater elevations for each designated monitoring well that has been instrumented and calibrated as a contributing component of the automated (WellIntel) groundwater monitoring network in Chippewa County as maintained by Chippewa County, the United States Geologic Survey, and cooperating state agencies.
 - (4) A record of groundwater chemistry, as compiled and maintained to periodically document and monitor groundwater chemistry throughout the County. This record shall consist of:
 - a. The analytical results of groundwater water sampling, obtained from domestic wells, conducted through county-wide drinking water sampling projects conducted by Chippewa County in 1985, 1991, 2007, and 2016.

- b. The analytical results of groundwater water sampling obtained from domestic wells conducted through the Chippewa County Nitrate Sampling Program, administered by Chippewa County Department of Land Conservation & Forest Management from 1990 to present.
- c. The analytical results of groundwater water sampling, conducted and made available by other public agencies, from wells with known well point locations and well construction logs.
- (d) A multi-relational database and Geographic Information Systems (GIS) map coverage to record and maintain information, managed through the Chippewa County Groundwater Inventory.

(Ord. 02-2017, 04-11-2017)

Title 14

WATERWORKS

Chapters:

- 14.04 General Provisions**
- 14.08 Connection and Installation**
- 14.10 Wellhead Protection**
- 14.12 Meters**
- 14.16 Special Services**
- 14.20 Rates and Billing**

Chapter 14.04

GENERAL PROVISIONS*

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14.04.010 Title. This title shall be known as "an ordinance revising the water rates and rules and regulations of the municipal water utility, Eau Claire, Wisconsin." (Ord. 3197 §I(part), 1970; Prior code §17.01).

14.04.020 Definitions. Whenever in this title the following words, clauses or terms are used they shall be construed to have the meaning herein defined, unless specifically otherwise stated:

- A. "Water department" means the organization and operation of each and every part of the water works system.
- B. "Council" means the city council of the city of Eau Claire, Wisconsin.
- C. "Mains" means all pipes used for carrying water in the streets.
- D. "Services" means the pipe extending from the main to the premises served.
- E. "Office" means the office of the water department in the City Hall.
- F. "Owner" means any person, firm, corporation or association owning property or premises which is or can be supplied with water, or his or their authorized agent.
- G. "Agent." In the absence of instructions from the owner of any property or his duly authorized agent to the contrary, the occupant of any premises shall be recognized as the owner's agent, insofar as his relations to the water department be concerned.
- H. "Residential Class" includes customers who have water service provided for residential or domestic purposes and sales through a single meter to buildings with three or more dwelling units.
- I. "Nonresidential Class" includes commercial, industrial, and public authority customers. Commercial customers include business entities and institutions, except governmental entities, that provide goods or services. Churches and parochial schools are classified as commercial. Industrial customers include customers who are engaged in the manufacture or production of goods. Public Authority customers include any department, agency, or entity of local, state, or federal government, including public schools, colleges, and universities.

* For provisions of general charter law regarding city utilities generally, see WSA 66.0815; for provisions of general municipal law regarding city ownership of utilities, see WSA 66.0803; for statutory provisions regarding regulation of water and sewers, see WSA 144; for provisions of general charter law regarding construction of sewers, see WSA 62.18; for provisions authorizing regulation of utilities, see WSA 196; for provisions authorizing cities to acquire utilities, see WSA 197.

J. "Premises" means a single-family dwelling, a two family dwelling, an apartment house occupied by more than one family, a building occupied for business or other purposes, or any part of a building with the land appurtenant thereto when sold as a separate unit.

K. "Unit of service" shall consist of any residential or small commercial aggregation of space or area occupied for a distinct purpose such as a residence, apartment, flat, store or office which is equipped with one or more fixtures for rendering water service, separate and distinct from other users.

L. "Customer" shall be construed to mean the owner of the property.

M. "Customer service" means that portion of the service lateral that is between the curb box and the premises being served by the water utility.

N. "Utility service" means that portion of the service lateral from the public water main through the curb box which is the property of the utility, or to the property line if no curb box exists.

O. "Service lateral" means the combined utility and customer service which extends from the public water main through the meter, or to a point of 2 feet outside the building if no meter exists.

P. "Superintendent" means the city utilities administrator or his or her designee.

Q. "Cross connection" shall be defined as any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the city of Eau Claire water system, and the other, water from a private source, water of unknown or questionable safety, or steam, gases, or chemicals, whereby there may be a flow from one system to the other, the direction of flow depending on the pressure differential between the two systems. (Ord. 7085, §1, 2014; Ord. 4716, §1, 1987; Ord. 4423 §1, 1984; Ord. 3395 §1, 1973; Ord. 3197 §1(part), 1970).

14.04.025 Rules and regulations--General. A. All persons now receiving a water supply from the Eau Claire municipal water utility, or who may hereafter make application therefor, shall be considered as having agreed to be bound by the rules and regulations as filed with the Public Service Commission of Wisconsin.

B. Application for water service shall be made in writing on a form furnished by the water utility (utility's water service tap permit). The application will contain the legal description (parcel number) of the property to be served, the street number, name of owner, the exact use to be made of the service, and the size of the supply pipe. The meter size shall be determined by the water demand.

Service will be furnished only if:

1. Premises abut a designated street or public strip in which a cast iron or other long-life water main has been laid, or where property owner has agreed to and complied with the provisions of the utility's filed main extension rule;

2. Property owner has installed or agrees to install a service pipe from the utility service to the point of use and laid not less than 7½ feet below the surface of an established or proposed grade, or otherwise insulated in a manner approved by the utility;

3. Premises have adequate piping beyond metering point.

C. The owner of a multi-unit dwelling has the option of being served by individual metered water service to each unit. The owner, by selecting this option, is required to provide interior plumbing and meter settings to enable individual metered service to each unit and individual disconnection without affecting service to other units. Each meter and meter connection will be a separate water utility customer for the purpose of the filed rules and regulations.

D. Every building equipped with plumbing fixtures and used for human occupancy or habitation shall be provided with a potable supply of cold water. The owner of any such building within the jurisdiction of the city, wherein water service is readily available, is required, at the owner's expense, to connect such plumbing facilities directly to the public water distribution system in accordance with the provisions of this chapter within one (1) year after the water service is deemed available by the director of community services or designee. Such time may be extended upon specific written authorization from the director of community services or designee in the event of unfavorable weather conditions, except when an imminent health hazard exists.

E. If any person fails to connect to the municipal water distribution system within the time contained in the city code or in the manner prescribed by the plumbing code for more than 10 days after notice in writing, the city may cause connection to be made, and the expense thereof assessed as a special tax against the property in accordance with Wisconsin Statutes s. 281.45. The owner may, within 30 days after completion of the work, file a written option with the city clerk stating that he or she cannot pay the amount in one sum and asking that it be levied in not to exceed five (5) equal annual installments, and the amount shall be collected with interest at a rate of 6% per year from the completion of the work. The unpaid balance of the special tax shall be placed as a special tax lien on the property.

F. No water service shall pass under or through a building to serve another building.

G. The superintendent is hereby empowered to withhold approval of any application wherein full information of the purpose of such supply is not clearly indicated and set forth by the applicant property owner. (Ord. 7202, 2016; Ord. 6740, 2006; Ord. 6212 §1, 2001; Ord. 4423 §2, 1984).

14.04.030 Water waste prohibited. Excessive or unnecessary use of, or waste of water, whether caused by carelessness or defective or leaking plumbing, is strictly prohibited. (Ord. 3197 §I(part), 1970).

14.04.050 Connection and shutoff locations recorded. It shall be the duty of the plumbing inspector to locate by measurement each service connection and each curb shutoff, referring the same to some suitable permanent building or street line. This information shall be entered on the records of the department. (Ord. 3197 §I(part), 1970).

14.04.060 Permits--Licensed plumbers only. To protect the city and property owners, permits for laying of service laterals will be issued only to plumbers licensed in the State of Wisconsin, unless the work is done by the utility. It shall be the duty of the plumbing inspector to supervise the installation of laterals and require said work and materials to be in accordance with plumbing regulations in the city ordinance. It shall further be the duty of the plumbing inspector to locate by measurement each service lateral connection and each curb shutoff with reference to some suitable permanent building or street line. This information shall be entered on the records of the utility. (Ord. 4423 §3, 1984).

14.04.070 Violations--Penalty. The water department may at its discretion shut off the water from any premises where the owner or agent of the owner is found guilty of violating any of the provisions of this title, upon giving the owner or agent at least twenty-four hours' written notice of such intended action. In addition to this any person guilty of violating the provisions of this title shall be liable to a fine not exceeding one hundred dollars, and costs. In default of payment, imprisonment in county jail for a period not to exceed ninety days. Each day or part thereof during which such violation continues shall constitute a separate offense. (Ord. 3197 §I(part), 1970; Prior code §7.22).

14.04.080 Damages--No claims. A. No person using water shall enter a claim against the city as a water utility or any officer thereof, for damages to any fixtures or appurtenance by reason of interrupted water supply or variation of pressure, or for damage of any nature caused by turning off or on, either partially or entirely, of the water supply for any premises, either for the repairs or alterations of any water main, or for the discontinuance of the service to his or their premises for violation of any rule or regulation of the water department. No claims will be allowed against the utility or the city on account of interruption of supply caused by breaking of pipes or by stoppage for repairs or fire or other emergency.

B. In case of a probable stoppage of water supply when time of interruption can be forecast, every reasonable attempt will be made by the water department to acquaint the users with the action proposed.

C. The utility shall not be liable for failure to locate the curb box and to shut off the water in case of a leak on the customer's premises. (Ord. 4423 §4, 1984; Ord. 3197 §I(part), 1970).

14.04.090 Sprinkling ban authorized. A. Whenever, in the judgment of the city manager or the city manager's designee, an emergency exists due to a shortage of available water supplies for fire-fighting and other municipal purposes, or which may be detrimental to the water system or may cause damages thereto, or which may result in certain areas of the city being deprived of water, the city manager or designated individual may declare a temporary ban upon the watering or sprinkling of lawns, trees, shrubs or other similar vegetation until adequate water supplies are restored. Such ban may include the regulation or prohibition of all such watering or sprinkling throughout the entire city or within designated parts of the city, the regulation or prohibition of such watering or sprinkling during specified hours or on alternate sides of streets on specified days, or may include other prohibitions or regulations reasonably related to the conservation of water during the emergency.

B. Such ban shall become effective upon giving actual notice thereof to any person, or upon the giving of notice thereof to the official city newspaper and other local news media and the printing, broadcast or transmission thereof by any or all of said news media to the public.

C. Exceptions to such sprinkling ban may be granted, upon application, by the city manager or designated individual, for properties having newly seeded or sodded lawns or newly planted vegetation, upon a finding that failure to grant such an exception would jeopardize such lawn or vegetation. Appropriate conditions or limitations may be included in the granting of such exception, in keeping with the purpose of this section, and the grantee shall comply with all such conditions and limitations.

D. Any person violating any provision of this section shall, upon conviction thereof, forfeit not more than fifty dollars, together with costs of prosecution. Each day during which a violation continues shall be considered to be a separate offense. (Ord. 3641, 1976).

14.04.100 Well abandonment and well operation permit. A. Purpose. This ordinance is adopted to protect public health, safety, and welfare, and to prevent contamination of groundwater by assuring that unused, unsafe, or noncomplying wells, or wells which may act as conduits for contamination of groundwater, or wells which may be illegally cross-connected to the municipal water system are properly maintained or abandoned.

B. Applicability. This ordinance applies to all wells located on premises served by the city of Eau Claire municipal water system.

C. Abandonment required. All wells on premises served by the municipal water system shall be properly abandoned in accordance with subsection E. of this ordinance no later than 90 days from the date of connection to the municipal water system, unless a valid well operation permit has been issued to the well owner by the city of Eau Claire under terms of subsection D. of this ordinance.

D. Well operation permit. Owners of wells on premises served by the municipal water system wishing to retain their wells for any use shall make application to the city clerk for a well operation permit for each well no later than 90 days after connection to the municipal water system. The city of Eau Claire shall only grant a permit to a well owner to operate a well for a period not to exceed five years if all conditions of this section are met. A well operation permit shall be issued or renewed after an application has been submitted verifying that the conditions of this section are met. The Eau Claire city-county health department, the city of Eau Claire, or its agent, shall conduct inspections and water quality tests, or require inspections and water quality tests to be conducted at the applicant's expense to obtain or verify information necessary for consideration of a permit application or renewal. The permit will expire on September 30th no later than five years from the date of issuance. The following conditions must be met for issuance or renewal of a well operation permit:

1. The well and pump installation shall meet the Standards for Existing Installations described in s. NR 812.42, Wisconsin Administrative Code.

2. The well and pump shall have a history of producing safe water evidenced by at least one coliform bacteria sample. In areas where the Department of Natural Resources has determined that groundwater aquifers are contaminated with substances other than bacteria, additional chemical tests may be required to document the safety of the water.

3. There shall be no cross-connections between the well's pump installation or distribution piping and the municipal water system.

4. The water from the private well shall not discharge into a drain leading directly to a public sewer utility unless properly metered and authorized by the sewer utility.

5. The private well shall have a functional pumping system.

6. The proposed use of the private well shall be justified as a reasonable addition to water provided by the municipal water system.

7. Payment of a fee as stated in the City of Eau Claire Fees and Licenses Schedule.

E. Abandonment procedures. All wells abandoned under the jurisdiction of this ordinance shall be done according to the procedures and methods of s. NR 812.26, Wisconsin Administrative Code. All debris, pumps, piping, unsealed liners, and any other obstructions which may interfere with sealing operations shall be removed prior to abandonment. The owner of the well or the owner's agent shall notify the Eau Claire city-county health department at least 48 hours in advance of any well abandonment activities. The abandonment of the well may be observed or verified by city of Eau Claire or Eau Claire city-county health department staff. An abandonment report form, supplied by the Department of Natural Resources, shall be submitted by the well owner to the Eau Claire city-county health department within 30 days of the completion of the well abandonment.

F. Penalties. Any well owner violating any provision of this ordinance shall, upon conviction, be punished by forfeiture of not less than \$500, nor more than \$1,000, plus the cost of prosecution. Each day of violation is a separate offense. If any person fails to comply with this ordinance after written notice of the violation is either mailed to or posted at the property, the municipality may impose a penalty hereunder, declare the property a public nuisance, and cause the well abandonment to be performed and the expense to be assessed as a special charge against the property. (Ord. 6848, 2008).

Chapter 14.08CONNECTION AND INSTALLATION*Sections:

- 14.08.010 Pipes and mains--Property of utility.
- 14.08.020 State statutes adopted.
- 14.08.030 Installation--Application.
- 14.08.040 Installation--General.
- 14.08.050 Installation--Cost assessment.
- 14.08.060 Single premises service connections.
- 14.08.065 Water service pipes--Depth.
- 14.08.070 Service alteration.
- 14.08.080 Discontinuance--Permanent or temporary.
- 14.08.085 Vacation of premises.
- 14.08.090 Repairs--Leaks and deteriorated connections.
- 14.08.095 Repairs to mains.
- 14.08.100 Shutoff valves--Required--Maintenance.
- 14.08.105 Protective devices.
- 14.08.110 Stop and waste.
- 14.08.115 Cross connections.
- 14.08.120 Street repairs.
- 14.08.130 Private fire protection.
- 14.08.140 Service outside corporate limits.
- 14.08.150 Water main installation in platted subdivision.

14.08.010 Pipes and mains--Property of utility. The large pipes or mains which, in general, are laid in streets and alleys and distribute water throughout the city are the property of the utility and are maintained by the utility. No person except an authorized employee of the water department shall be permitted to operate any valves or hydrants in connection with the system, or to tap said main for connection purposes, except by permission of the superintendent of the department. Members of the fire department in discharge of their duties will use the hydrants. (Ord. 3179 §1(part), 1970; Prior code §7.03(a)).

14.08.020 State statutes adopted. Section 66.0701, et seq., Wisconsin Statutes, and acts amendatory thereto, relating to special assessments for laying of water mains is adopted and made a part of these regulations. (Ord. 6212 §2, 2001; Ord. 3179 §1(part), 1970; Prior code §7.03(b)).

14.08.030 Installation--Application. A. All applications for the installation of services for water must be made at the office of the water department prior to performance of work by the owner or a licensed plumber, who will be considered as the authorized agent of the owner.

B. The application shall state the ownership of the premises to be served, the legal description of the property, the street number, size or service and other pertinent data. (Ord. 3197 §1(part), 1970; Prior code §7.04(b)).

14.08.040 Installation--General. A. Services may be laid upon application of owner of premises by a licensed plumber, and the council may cause a service to be laid into every lot or parcel of land before the street is permanently improved. In the latter case, this improvement will be made and cost assessed against the property in accordance with Section 66.0701, et seq., Wisconsin Statutes, and acts amendatory thereto.

B. Water mains will be extended for new customers on the following basis:

1. Where the cost of the extension is to immediately be collected through assessment by the municipality against the abutting property, the procedure set forth under Section 66.0701, et seq. of the Wisconsin Statutes will apply, and no additional customer contribution to the utility will be required.

2. Where the municipality is unwilling or unable to make a special assessment, then extension will be made on a customer-financed basis as follows:

a. The applicant or applicants will advance as a contribution in aid of construction the

* For statutory provisions authorizing cities to construct sewer systems, see WSA 62.18; for statutory provisions authorizing cities to acquire utilities, see WSA 197.

total amount equivalent to that which would have been assessed for all property under subdivision (1) of this subsection.

b. Part of the contribution required in paragraph (a) of this subdivision will be refundable. When additional customers are connected to the extended main within ten years of the date of completion, contributions in aid of construction will be collected equal to the amount which would have been assessed under subdivision (1) for the abutting property being served. This amount will be refunded to the original contributor or contributors. In no case will the contributions received from additional customers exceed the proportionate amount which would have been required under subdivision (1) nor will it exceed the total assessable cost of the original extension.

3. When a customer connects to a transmission main or connecting loop installed at utility expense within 10 years of the date of completion, there will be a contribution required of an amount equivalent to that which would have been assessed under section B1. (Ord. 7085 §2, 2001; Ord. 6212 §3, 2001; Ord. 3793 §1, 1977; Ord. 3197 §I(part), 1970; Prior code §7.04(b)).

14.08.050 Installation--Cost assessment. The expense of laying service pipes, and connecting such service pipes to the main shall be charged to and made a lien upon the real estate or premises served by such service pipes. In case it may be proved necessary to replace the service pipe with a larger service, this cost shall also be an expense against the property served. (Ord. 3197 §I(part), 1970; Prior code §7.04(a)).

14.08.060 Single premises service connections. Any permit given for water service shall require that not more than one premises be served by one connection. Whenever a service has to be replaced, or where permanent street improvements are authorized and conditions contrary to above rule exist, they shall be corrected. (Ord. 3197 §I(part), 1970; Prior code §7.04(d)).

14.08.065 Water service pipes--Depth. Water service pipes shall be installed at a depth of not less than seven and one-half feet, unless otherwise approved by the city engineer. (Ord. 7085 §3, 2014; Ord. 4173 §2, 1981).

14.08.070 Service alteration. No addition or alteration to service already laid shall be changed or added to, or meter moved without notification to the water department. (Ord. 3197 §I(part), 1970; Prior code §7.04(e)).

14.08.080 Discontinuance--Permanent or temporary. Whenever a building receiving water service is proposed to be razed or removed and the water superintendent finds that the property will not require water service after such razing and removal and within a reasonable period of time thereafter he shall require the permittee under the razing or removal permit to shut off water service to the property at the corporation shutoff at the main under Section 14.08.100, after first obtaining approval to do so under Section 14.08.100. Such requirement when made by the water superintendent shall be a condition of the razing or removal permit. (Ord. 3197 §I(part), 1970; Prior code §7.04(f)).

14.08.085 Vacation of premises. When premises are to be vacated, the utility shall be notified at once, so that it may remove the meter and shut off the supply at the curb stop. At the decision of the utility, the meter may or may not be removed from the premises.

The owner of the premises shall be liable to prosecution for any damage to the property of the water utility by reason of failure to notify the utility of vacancy.

When a tenant-customer vacates a premises, he or she shall notify the utility at least 10 working days prior to vacating. The tenant-customer must also notify the owner who is ultimately responsible for payment of all bills (Section 66.069 Wis. Statutes). (Ord. 4423 §5, 1984).

14.08.090 Repairs--Leaks and deteriorated connections. A. If a customer fails to repair a leaking or broken service pipe from the curb stop and/or property line to point of metering or use within 5 days after receiving notification from the water utility that his service requires repair, the water will be shut off and will not be turned on again until the repairs have been completed.

The water utility may disconnect without notice where a dangerous condition exists for as long as the condition exists.

B. In cases where the owner is ordered by the utility to replace or repair a damaged, deteriorated or malfunctioning service lateral and the owner fails to comply within 10 days of receiving notice, the utility may discontinue water service to his property, and the cost of such discontinuance shall be charged and assessed against said property. (Ord. 4423 §6, 1984; Ord. 3197 §I(part), 1970).

14.08.095 Repairs to mains. A. The utility reserves the right to shut off the water in the mains temporarily, to make repairs, alterations or additions to the plant or system. When circumstances will permit, the utility will give notification, by newspaper publication or otherwise, of the discontinuance of the supply.

B. No rebate will be allowed to customers for such temporary suspension of supply. Nor will any claims be allowed against the utility or the city for damages caused by the interruption of water supply, variation of pressure, or turning off or on (either partially or entirely) the water supply to any premises due to the use of water for fire-fighting or other emergency, the breaking of pipes or the repairs or alterations to the water plant or system. (Ord. 4423 §7, 1984).

14.08.100 Shutoff valves--Required--Maintenance. Each service lateral shall be controlled by a corporation shutoff at the main and, if the service is smaller than 3 inches, a curb shutoff at or near the curb is also required. These valves are under the sole and absolute control of the utility and must not be operated by others without permission of the utility, except that a plumber may turn on the water for testing purposes, but only with consent in each case. (Ord. 4423 §8, 1984; Ord. 3395 §II, 1970; Ord. 3197 §I(part), 1970).

14.08.105 Protective devices. A. In general. The owner or occupant of every premise receiving water supply shall apply and maintain suitable means of protection of the premise supply, and all appliances thereof, against damage arising in any manner from the use of the water supply, variation of water pressure, or any interruption of water supply. Particularly, such owner or occupant must protect water cooled compressors for refrigeration systems by means of high pressure safety cutout devices. There shall likewise be provided means for the prevention of the transmission of water ram or noise of operation of any valve or appliance through the piping of their own or adjacent premises.

B. Relief valves. On all "closed systems" (i.e., systems having a check valve, pressure regulator, or reducing valve, water filter or softener), an effective pressure relief valve shall be installed either in the top-tapping or the upper side tapping of the hot water tank, or on the hot water distributing pipe connection at the tank. No stop valve shall be placed between the hot water tank and the relief valve or on the drain pipe.

C. Air chambers. All water supply systems, water distribution systems and components connected thereto, subject to water hammer, shall be provided with approved shock absorbing devices located and sized to suppress water hammer. All appliances, devices, equipment, fixtures and appurtenances with quick closing valves or which may create water hammer, shall be provided with shock absorbing devices. When copper air chambers are used, the minimum size shall be ½" x 1" x 14".

The size and location of the mechanical suppressors shall be in accord with the hydraulic design of the piping system served and to the manufacturer's recommendations. All mechanical water hammer suppressors shall be accessible. (Ord. 4423 §9, 1984).

14.08.110 Stop and waste. All service connections shall be provided with an approved stop and waste where it enters the building, for use in draining the systems. All services shall have a shutoff valve on both sides of meter. All water meters two inches or more in diameter shall be provided with a suitable valved and sealed bypass, having a diameter or no less than one inch smaller than the service entrance, which can be utilized in the event of removal, repair or changing of such meter. (Ord. 3395 §III, 1973; Ord. 3197 §I(part), 1970).

14.08.115 Cross connections. A. No person shall establish or permit to be established or maintain or permit to be maintained any cross connection. No interconnection shall be established whereby potable water from a private, auxiliary or emergency water supply other than the regular public water supply of the city of Eau Claire may enter the supply or distribution system of said municipality, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply has been approved by the city of Eau Claire water utility and by the Wisconsin Department of Natural Resources in accordance with s. NR 810.15, Wisconsin Administrative Code.

B. The utilities division of the city of Eau Claire shall cause inspections to be made of all properties served by the public water system where cross connections with the public water system are deemed possible. The frequency of inspections and reinspections, based on potential health hazards involved, shall be as established by the utilities division of the city of Eau Claire and as approved by the Wisconsin Department of Natural Resources. Public educational materials, when being provided in lieu of low hazard inspections, shall be provided to the customers at least every three (3) years, and with every cross connection survey. Residential and low risk commercial customers with meter sizes 5/8", 3/4", or 1" shall be inspected every ten (10) years. Residential and low risk commercial customers with meter sizes 1½" and 2" shall be inspected

every four (4) years. All high risk commercial, industrial and public authority customers shall be inspected every two (2) years. It shall be the responsibility of the high risk commercial, industrial and public authority property owner to have the inspection completed within the specified time.

C. Upon presentation of credentials, the representative of the utilities division shall have the right to request entry at any reasonable time to examine any property served by a connection to the public water system of the city of Eau Claire for cross connections. If entry is refused, such representative shall seek to obtain a special inspection warrant under s. 66.0119, Wisconsin Statutes. On request, the owner, lessee, or occupant of any property so served shall furnish to the city any pertinent information regarding the piping system or systems on such property.

D. The city of Eau Claire water utility is hereby authorized and directed to discontinue water service to any property wherein any connection in violation of this section exists, and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service shall be discontinued only after reasonable notice and opportunity for hearing under Chapter 68, Wisconsin Statutes, except as provided in subsection E. Water service to such property shall not be restored until the cross connection or connections have been eliminated in compliance with the provisions of this section.

E. If it is determined by the city of Eau Claire water utility that a cross connection or an emergency endangers public health, safety, or welfare and requires immediate action, and a written finding to that effect is filed with the clerk of the city of Eau Claire and delivered to the customer's premises, service may be immediately discontinued. The customer shall have an opportunity for hearing under Chapter 68, Wisconsin Statutes, within 10 days of such emergency discontinuances.

F. That the city of Eau Claire adopts by reference the State Plumbing Code of Wisconsin being Chapters, SPS 382, 383, and 384, Wisconsin Administrative Code.

G. This section does not supersede, but is supplementary to, the State Plumbing Code and the city of Eau Claire plumbing ordinances contained in Title 14. (Ord. 7123, 2015; Ord. 6212 §4, 2001; Ord. 4716 §2, 1987; Ord. 4423 §10, 1984).

14.08.120 Street repairs. A. When services are laid on an improved street or highway, in addition to the regular charge the premises served shall pay the cost of repairing said opening in the street at rates established by the city council, and on file with the plumbing inspector.

B. Trenches in streets shall be refilled with earth and mechanically tamped in 12-inch lifts until the street grade is reached, and to the satisfaction of the utility. (Ord. 5903 §1, 1998; Ord. 4423 §11, 1984; Ord. 3197 §1(part), 1970).

14.08.130 Private fire protection. Private fire protection service laterals to supply water to sprinkler systems or private fire hydrants will be permitted only upon application of the owner after detailed plans showing sizes and location of all pipes, valves, hydrants and sprinkler heads have been filed with and approved by the superintendent. Owners and insurance inspectors may test private fire hydrants and apparatus in the presence of the superintendent or an inspector assigned for such purposes. No charge shall be made for water used for private charges for these services. (Ord. 4423 §12, 1984; Ord. 3197 §1(part), 1970).

14.08.140 Service outside corporate limits. A. In order to provide adequate fire protection for persons and property within the corporate limits of the city of Eau Claire and to ensure the public health and safety of the residents, and for conserving the available water supply, it is necessary to limit unincorporated areas served to those previously served, specifically:

1. 8 properties in the 2500 block of Paulina Street and;
2. 7 properties in the 2500 and 2600 blocks of Crescent Avenue;
3. Properties formerly part of the Washington Heights Sanitary District and located outside

the City of Eau Claire, now part of the water utility of the City of Eau Claire, effective as of January 1, 1984, pursuant to Agreement of the Washington Heights Sanitary District and the water utility of the City of Eau Claire and Order of the State of Wisconsin Public Service Commission, dated October 27, 1983, copies of such documents being on file in the office of the city clerk and open to public inspection during normal business hours.

The foregoing shall apply to any other sites or locations already so served but not herein enumerated.

B. Although the city has heretofore provided service to the aforesaid areas and sites, such service shall not be construed as a holding out or an offer by the city to furnish water beyond its corporate limits.

The city reserves the right to further limit such areas, should such further action be necessary.

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SECTION 4.1.02. ROAD CONSTRUCTION REGULATIONS

(1) New Road Construction requirements for streets and roads in plats and certified surveys:

(a) Maps. Three (3) copies of a scale drawing of the proposed road indicating location and showing relief of the area with two (2) foot contour elevations shall be submitted to the Village Board. Included in the drawing shall be the area that will be served by the road and the manner in which drainage from the area is to be treated. If the road is not dedicated as a public roadway in a plat, a deed to the roadway shall be tendered transferring title to the Village of Lake Hallie.

(b) Parks. All plats shall comply with the park requirements of the Village.

(c) Costs. The owner of the lands wherein the road is located shall be solely

(7) Fire Protection.

(a) Hydrants. Water hydrants shall be located in the Village of Lake Hallie to facilitate fire protections services. The hydrants shall be used with department approval or by the Department or by the Fire District in the exercise of their official responsibilities. Use of water by the Fire District shall be charged in accordance with the rates approved by the Public Service Commission.

(b) Laterals to private hydrants or fire suppression systems may be permitted upon application and approval by the Department. The applicant shall submit a plan indicating the location of the suppression fixtures.

(8) Private Well Abandonment.

(a) Section 1: Purpose

To protect public health, safety and welfare and to prevent contamination of groundwater by assuring that unused, unsafe or non-complying wells or wells which may act as conduits for contamination of groundwater or wells which may be illegally cross-connected to the municipal water system, are properly maintained or abandoned.

(b) Section 2: Applicability

This ordinance applies to all wells located on premises served by the Village of Lake Hallie municipal water system. Utility customers outside the jurisdiction of the municipal system may be required under contract agreement or utility rule to adopt and enforce equivalent ordinances within their jurisdictions for purpose stated in Section 1 above.

(c) Section 3: Definitions

1. “Municipal water systems” means a community water system owned by a city, village, county, town, town sanitary district, utility district, public inland lake and rehabilitation district, municipal water district or a federal, state, county, or municipal owned institution for congregate care of correction, or a privately owned water utility serving the foregoing.

2. “Non-complying” means a well or pump installation which does not comply with s. NR812.42, Wisconsin Administrative Code, Standards for Existing Installations, and which has not been granted a variance pursuant to s. NR 812.43, Wisconsin Administrative Code.

3. “Pump Installation” means the pump and related equipment used for withdrawing water from a well, including the discharge piping, the

underground connections, pit less adapters, pressure tanks, pits, sampling faucets and well seals or caps.

4. “Unsafe” well or pump installation means one which produces water which is bacteriologically contaminated or contaminated with substances which exceed the drinking water standards of chs. NR 140 or 809, Wisconsin Administrative Code, or for which a Health Advisory has been issued by the Department of Natural Resources.

5. “Unused” well or pump installation means one which is not used or does not have a functional pumping system.

6. “Well” means a drill hole or other excavation or opening deeper than it is wide that extends more than 10 feet below the ground surface constructed for the purpose of obtaining groundwater.

7. “Well abandonment” means the proper filling and sealing of a well according to the provisions of s. NR 812.26, Wisconsin Administrative Code.

8. “Served by” shall indicate the residents of the Village of Lake Hallie within the water system.

(d) Section 4: Abandonment Required

All wells on premises served by municipal water system shall be properly abandoned in accordance with Section 6 of this ordinance by the date of the adoption or no later than 90 days from the date of connection to the municipal water system, unless a valid well operation permit has been issued to the well owner by the Village of Lake Hallie under terms of Section 5 of this ordinance.

(e) Section 5: Well Operation Permit

Owners of wells on premises served by the municipal water system wishing to retain their wells for irrigation, or other outdoor activities shall make application for a well operation permit for each well no later than 90 days after connection to the municipal water system. The Village of Lake Hallie shall grant a permit to a well owner to operate a well for a period of 5 years providing all conditions of this section are met. A well operations permit may be renewed by submitting an application verifying that the conditions of this section are met. The Village of Lake Hallie or its agent, may conduct inspections and water quality tests or require inspections and water quality tests to be conducted at the applicant’s expense to obtain or verify information necessary for consideration of a permit application or renewal. Permit applications and renewals shall be made on forms provided by the Clerk. All initial and renewal applications must be accompanied by a fee. The permit fee has been paid in the amount as referred in section

1.4.06 of the Village of Lake Hallie Code of Ordinances.

The following conditions must be met for issuance or renewal of a well operation permit:

1. The well and pump installation shall meet the Standards for Existing Installations described in s. NR 812, Wisconsin Administrative Code.
2. The well and pump shall have a history of producing safe water evidenced by at least one safe sample taken prior to issuing or reissuing the permit to establish that the water is bacteriologically safe. In areas where the Department of Natural Resources has determined that groundwater aquifers are contaminated with substances other than bacteria, additional chemical tests may be required to document the safety of the water.
3. There shall be no cross-connections between the well's pump installation or distribution piping and the municipal water system.
4. The water from the private well shall not discharge into a drain leading directly to a public sewer utility unless properly metered and authorized by the sewer utility.
5. The well and pump system must be evaluated by a licensed well driller or pump installer and certified to comply with Ch. NR 812 subch. IV, prior to issuing the initial permit and no less than every ten years afterward.
6. The owner shall demonstrate that the proposed use of the private well is reasonable in lieu of water provided by the municipal water system.

(f) Section 6: Abandonment Procedures

1. All wells abandoned under the jurisdiction of this ordinance shall be done according to the procedures and methods of s. NR 812, Wisconsin Administrative Code. All debris, pumps, piping, unsealed liners and any other obstructions which may interfere with sealing operations shall be removed prior to abandonment.
2. The owner of the well, or the owner's agent shall notify the clerk at least 48 hours in advance of any well abandonment activities. The abandonment of the well may be observed or verified by personnel of the municipal system.
3. An abandonment report form, supplied by the Department of Natural Resources, shall be submitted by the well owner to the Clerk and Department of Natural Resources within 30 days of the completion of the well abandonment.

(g) Section 7: Penalties

Any well owner violating any provision of this ordinance shall upon conviction be punished by forfeiture of not less than as referred to section 1.4.06 of the Village of Lake Hallie Code of Ordinances. Each day of violation is a separate offense. If any person fails to comply with this ordinance for more than 30 days after receiving written notice of the violation, the municipality may impose a penalty and cause the well abandonment to be performed and the expense to be assessed as a special tax against the property.

(9) Water Conservation.

Water Conservation shall pertain to services connected to the municipal water system.

(a) Outdoor irrigation season is from May 1st to September 30th.

(b) Hours of outdoor irrigation are between 5 am to 8 am and 6 pm to 10 pm.

(c) Residents whose address ends in even digit may irrigate on even number days and residents whose address ends in odd digit may irrigate on odd number days. Irrigation on July 31st and August 31st is prohibited.

(d) Exemptions:

a. Washing of vehicles.

b. Irrigation activities at cemeteries.

c. Irrigation of gardens, trees, and shrubs through use of a hand-held watering can or other hand-held container or hose, however, any such watering device must be utilized manually and cannot be left unattended.

d. Irrigation of new lawns for 20 days. A new lawn is when more than 50% of the lawn is being replaced.

e. Soaker hose to water trees or shrubs as long as the hose is within the tree/shrub's root area.

(e) Enforcement and Penalty.

a. Service of Notices. Whenever an employee or agent of the Village of Lake Hallie determines there has been a violation or that there are reasonable grounds to believe there has been a violation a written notice will be provided to the resident by affixing notice onto or close to the front door or handing a copy to the resident.

b. Referral to Police Department. If a violation of this section persists after one violation notice has been served, this matter may be referred to the Police Department. If the Police Department determines there is sufficient evidence to proceed, a citation may be issued. Each day a violation continues constitutes a separate offense.

- c. Penalty. Any person subject to penalty under this section shall be penalized as provided in 1.4.02 of this code.
- d. Suspension of Service. Water service may be suspended to a property in violation of this section if the following conditions exist:
 - i. Six or more citations have been issued pursuant to 4.3.02(13)(c).
 - ii. The violation interferes with the water service of others.
 - iii. No heat advisory, heat warning or heat emergency has been issued by the National Weather Service.
 - iv. Suspension would otherwise not be prohibited by any rule of the Public Service Commission, including but not limited to Wisconsin Administration Code PSC 185.37.

(10) Sprinkling Ban. The Village of Lake Hallie and the Department reserve the right to declare a temporary ban on lawn sprinkling for municipal water users only. This ban may be imposed when it is apparent; due to conditions of drought or extreme heat that a shortage of water may or does exist that may prevent or hinder water supplies for firefighting or other purposes. The Department, in its discretion, may grant exemptions. Owners may request exemptions from the ban on forms provided by the Department for extraordinary circumstances such as newly sodded lawns or newly seeded lawns.

- a. Referral to Police Department. If a violation of this section persists after one violation notice has been served, this matter may be referred to the Police Department. If the Police Department determines there is sufficient evidence to proceed, a citation may be issued. Each day a violation continues constitutes a separate offense.
- b. Penalty. Any person subject to penalty under this section shall be penalized as provided in 1.4.02 of this code.
- c. Suspension of Service. Water service may be suspended to a property in violation of this section if the following conditions exist:
 - v. Six or more citations have been issued pursuant to 4.3.02(13)(c).
 - vi. The violation interferes with the water service of others.
 - vii. No heat advisory, heat warning or heat emergency has been issued by the National Weather Service.
 - viii. Suspension would otherwise not be prohibited by any rule of the Public Service Commission, including but not limited to Wisconsin Administration Code PSC 185.37.

(11) Frozen Laterals.

- (a)** Frozen laterals from the curb stop to the home:

APPENDIX C

**ENVIRONMENTAL PROTECTION ACCESS AGREEMENT AND DECLARATION OF
RESTRICTIVE COVENANTS FOR THE MRDS CAP**

Recorded
October 25, 2011 11:30 AM

ENVIRONMENTAL
PROTECTION ACCESS
AGREEMENT AND
DECLARATION OF
RESTRICTIVE COVENANTS

Marge L. Geissler

MARGE L. GEISSLER
REGISTER OF DEEDS
CHIPPEWA COUNTY, WI
Fee Amount: \$30.00
Total Pages 16



Document Number

Document Title

Recording Area

Name and Return Address:

Raymond Krueger, Esq.
Michael Best & Friedrich LLP
100 East Wisconsin Ave.
Suite 3300
Milwaukee, WI 53202

PIN:

22809-3440-00020000

State of Wisconsin

County of Chippewa

I hereby certify that this instrument
is a true and correct copy of the
document of record in my office.
This document is 16 pages in length.

Date Oct. 26, 2011

By Marge L. Geissler
Register of Deeds or Deputy

**ENVIRONMENTAL PROTECTION ACCESS AGREEMENT
AND
DECLARATION OF RESTRICTIVE COVENANTS**

1. This Environmental Protection Access Agreement and Declaration of Restrictive Covenants ("Declaration of Restrictive Covenants") is made this 29th day of SEPTEMBER, 2011, by and between NATIONAL PRESTO INDUSTRIES, INC., 3925 North Hastings Way, Eau Claire, Wisconsin 54703 ("Grantor") and the WISCONSIN DEPARTMENT OF NATURAL RESOURCES ("Grantee"), having an address of 101 South Webster Street, Madison, Wisconsin 53703.

WITNESSETH:

2. WHEREAS, Grantor is the owner of a parcel of land located in the county of Chippewa, State of Wisconsin, more particularly described on **Exhibit A** attached hereto and made a part hereof (the "National Presto Property"); and

3. WHEREAS, the Grantor and Grantee intend that the provisions of this Declaration of Restrictive Covenants also be for the benefit of the United States, a third party beneficiary ("Third Party Beneficiary"); and

4. WHEREAS, a portion of the National Presto Property, referred to as the Melby Road Disposal Site, is part of the National Presto Industries Superfund Site ("Site"), which the U.S. Environmental Protection Agency ("EPA"), pursuant to Section 105 of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. § 9605, placed on the National Priorities List, set forth at 40 C.F.R. Part 300, Appendix B, by publication in the Federal Register on June 10, 1986, 51 Fed. Reg. 21054; and

5. WHEREAS, in a Record of Decision dated May 15, 1996 for the Third Operable Unit, ("OU3 ROD"), the EPA Region 5 Regional Administrator selected a "remedial action" for this operable unit at the Site, which provides, in part, for the following actions: soil vapor extraction, excavation of wastes from other hotspot areas on the National Presto Property and consolidation of them at the Melby Road Disposal Site, installation and maintenance of a multi-layer cap, long-term groundwater monitoring, and implementing institutional controls. These actions were to be performed on a designated area of the Site referred to as the Melby Road Disposal Site which is depicted on the attached **Exhibit B** "Soil Disposal & Deed Restriction Area" and legally defined as follows:

A parcel of land being part of the Northwest Quarter of the Southwest Quarter, Section 35, Township 28 North, Range 9 West, City of Eau Claire, Chippewa County, Wisconsin bounded by a line described as follows:

Commencing at the west one-quarter corner of said Section 35;

Thence S01°08'13"E, on the west line of said section, 33.05 feet to a point on the southerly right-of-way line of Melby Street;

Thence S88°00'07"E, on said right-of-way line, 16.18 feet to the point of beginning;
 Thence S88°00'07"E, continuing on said right-of-way line, 1152.20 feet;
 Thence S01°00'18"W, 460.92 feet;
 Thence N89°05'29"W, 1134.69 feet;
 Thence N01°03'06"W, 483.11 feet to the point of beginning.

The above legally described portion of the National Presto Property depicted on the attached **Exhibit B** as "Soil Disposal & Deed Restriction Area" is herein referred to as the "Restricted Area."

6. WHEREAS, parts of the remedial action have been completed, including excavation of wastes from other hotspot areas on the National Presto Property and consolidation of them at the Melby Road Disposal Site, installation and maintenance of a multi-layer cap, and parts are ongoing, including soil vapor extraction and groundwater monitoring. One part has yet to be fully implemented (institutional controls). Under the OU3 ROD, the EPA required Grantor to impose on the Restricted Area a covenant limiting land use in the future development of the Restricted Area. That covenant is to run with the land for the purpose of protecting human health and the environment. The sole purpose for filing this Declaration of Restrictive Covenants is to meet the requirements of the OU3 ROD and as required by Grantee pursuant to its authority set forth in Wisconsin Statute 292.31. This Declaration of Restrictive Covenant shall run with the land and be binding upon the Grantor and all assigns and successors in interest, including, but not limited to, owners of an interest in fee simple, mortgagees, easement holders, or lessees, subject to amendment or termination as set forth herein. The Declaration of Restrictive Covenants has not been precipitated or required by any change in the use or condition of the land, but merely to fulfill the obligations under the OU3 Record of Decision in satisfaction of the requirements of the EPA and Grantee.

7. WHEREAS, the parties hereto have agreed 1) to grant Grantee and the United States a non-exclusive right of access to enter the Restricted Area for purposes described in Paragraph 14 herein; and 2) to impose on the Restricted Area use restrictions as covenants that will run with the land for the purpose of protecting human health and the environment; and

8. WHEREAS, Grantor wishes to cooperate fully with the Grantee and EPA in the implementation of all response actions at the Site.

NOW, THEREFORE:

9. Grant: Grantor, on behalf of itself, its successors and assigns, in consideration of the terms of the Administrative Order for Remedial Design/Remedial Action issued by the EPA pursuant to Section 106 of CERCLA, EPA Docket No. V-W-96-C-363, does hereby covenant and declare that the Restricted Area shall be subject to the restrictions on use set forth below, and does give, grant and convey to the Grantee, and its assign, with general warranties of title, 1) the right to enforce said use restrictions, and 2) a right of access of the nature and character, and for

purposes hereinafter set forth, with respect to the Restricted Area. The below use restrictions shall not apply to any other parts or portions of the National Presto Property.

10. Purpose: The purpose of this Declaration of Restrictive Covenants is to impose on the Restricted Area use restrictions as covenants that will run with the land, to grant to Grantee and the United States a non-exclusive right of access to the Restricted Area, and to protect human health and the environment by reducing the risk of exposure to contaminants in the Restricted Area. It is also the purpose of this instrument that the United States as Third Party Beneficiary shall have the right to enforce the terms of this instrument.

11. Third Party Beneficiary: Grantor on behalf of itself and its successors, transferees and assigns and the Grantee on behalf of themselves and their successors, transferees, and assigns hereby agree that the United States and its successors and assigns shall be the Third Party Beneficiary of all the benefits and rights conveyed to the Grantee under this instrument.

12. Restrictions on use: The following covenants, conditions, and restrictions apply to the use of the Restricted Area, run with the land for the benefit of the Grantee and the United States as Third Party Beneficiary and are binding upon the Grantor including its successors, transferees, assigns or other person acquiring an interest in the Restricted Area and their authorized agents, employees, or persons acting under their direction and control.

A. There shall be no installation of water wells on the Restricted Area and all existing wells in the Restricted Area that exist shall remain abandoned. Ground water underlying the Restricted Area shall not be extracted, consumed, or used in any way except for testing and monitoring ground water contamination levels in accordance with plans approved by the Grantee and the EPA and except for the operation of Extraction Well-1R and Extraction Well-2 as set forth on **Exhibit C**.

B. Grantor or any successors and assigns in interest shall provide connection to a municipal water supply in the event there is need for water service on the Restricted Area in the future.

C. The contaminants of concern in the soils on the Restricted Area include 1,1,1-trichloroethane and trichloroethylene in concentrations that likely exceed NR 720, Wis. Adm. Code, soil standards and/or pose a risk for groundwater impacts. Therefore, the Restricted Area may not be used or developed for a residential, commercial, agricultural or other non-industrial use, unless (at the time that the non-industrial use is proposed) an investigation is conducted, to determine the degree and extent of 1,1,1-trichloroethane and trichloroethylene contamination that remains on the Restricted Area, and remedial action is taken as necessary to meet all applicable non-industrial soil cleanup standards. If soil that remains on the Restricted Area where there is residual contamination is excavated in the future, the soil must be sampled and analyzed, may be considered solid or hazardous waste if residual contamination remains, and must be stored, treated and disposed in compliance with applicable statutes and rules.

D. The multi-layer cap compliant with NR660, Wis. Adm. Code that existed on the Restricted Area on the date that this restriction was signed forms a barrier that must be maintained in order to minimize the infiltration of water and prevent additional groundwater contamination that would violate the groundwater quality standards in ch. NR 140, Wis. Adm. Code, and to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health. The required cap shall be maintained on the Restricted Area in the locations shown on the attached map, labeled **Exhibit B and identified as "Soil Disposal & Deed Restriction Area"** unless another barrier that provides an infiltration rate equivalent to the landfill cap design requirements in s. NR 504.07, Wis. Adm. Code (March 2003) is installed and maintained in its place. The existing cap, and any replacement barrier, shall be maintained on the Restricted Area in compliance with the "Melby Road Cap Maintenance Plan" dated October 22, 1998, that was submitted to EPA by National Presto Industries, Inc. A copy of the maintenance plan can be found in the office of the General Counsel for NPI. If soil that remains on the Restricted Area in the location or locations described above where there is residual contamination is excavated in the future, the soil must be sampled and analyzed, may be considered solid or hazardous waste if residual contamination remains and must be stored, treated and disposed in compliance with applicable statutes and rules.

E. In addition, the following activities are prohibited on any portion of the Restricted Area where the engineered cap is required, as shown on **Exhibit B and identified as "Soil Disposal & Deed Restriction Area"** unless prior written approval has been obtained from the Grantee or its successor or assign and EPA or its successor or assign: (1) Replacement with another barrier; (2) Excavating or grading of the land surface; (3) Filling on capped or paved areas other than for maintenance of the cap; (4) Plowing for agricultural cultivation; and (5) Construction or placement of a building or other structure.

F. Other Action Inconsistent with Remedial Action. The Grantor hereby agrees not to take any other action, and to refrain from using the Restricted Area in any manner, that would interfere with or adversely affect the implementation, integrity or protectiveness of the engineered cap on the Restricted Area.

13. Modification of restrictions: Any request for modification or rescission of this instrument shall be made to the WISCONSIN DEPARTMENT OF NATURAL RESOURCES ("WDNR") and the EPA at the address given below. This instrument may be modified or rescinded only with the written approval of the EPA Superfund Division Director and the Secretary of the WDNR. Grantor on behalf of its successors, transferees, assigns or other person acquiring an interest in the Restricted Area agrees to record any EPA approved and WDNR approved modification to or rescission of this Declaration of Restrictive Covenants with the appropriate Register of Deeds and a certified copy shall be returned to the EPA and the WDNR at the addresses listed below.

14. Environmental Protection Access: Grantor hereby grants to the Grantee and the United States and their respective employees, contractors, consultants and other invitees non-

exclusive unrestricted right of access to enter the Restricted Area upon presentation of identification credentials to Grantor, its successors, transferees and assigns for purposes of:

- a) Implementing the response actions in the RODs;
- b) Verifying any data or information submitted to EPA or WDNR;
- c) Verifying that no action is being taken on the Restricted Area in violation of the terms of this instrument or of any Federal or state environmental laws or regulations;
- d) Monitoring response actions on the Site and conducting investigations relating to contamination on or near the Site, including, without limitation, sampling of air, water, soils, sediments, and specifically, without limitation, obtaining split or duplicate samples;
- e) Conducting periodic reviews of the engineered cap, including, but not limited to, reviews required by applicable statutes and/or regulations; and
- f) Implementing additional or new institutional controls if EPA determines i) that such actions are necessary to protect the environment because either the original institutional controls have proven to be ineffective or because new institutional controls have been developed which will accomplish the purposes of the original institutional controls in a significantly more efficient or cost effective manner; and ii) that the additional or new institutional controls will not impose any significantly greater burden on the Grantor or unduly interfere with the then existing uses of the Restricted Area.

This right to access shall commence on the date of execution of this Declaration of Restrictive Covenants and shall end upon EPA's written acknowledgment of completion of remedial action and operation and maintenance at the Site. When practicable, Grantee and the United States shall provide notice to Grantor when accessing the Restricted Area.

15. Reserved rights of Grantor: Grantor hereby reserves unto itself, its successors, and assigns, all rights and privileges in and to the use of the Restricted Area which are not incompatible with the restrictions, rights, covenants and access rights granted herein.

16. EPA Entry, Access, and Response Authority: Nothing in this document shall limit or otherwise affect EPA's rights of entry and access or EPA's authority to take response actions under CERCLA, the NCP, or other federal law. The Grantor and Grantees consent to officers, employees, contractors, and authorized representatives of EPA entering and having access to the Restricted Area for the purposes described in paragraph 14, above.

17. No Public Access and Use: No right of access or use by the general public to any portion of the Restricted Area or the National Presto Property is conveyed by this instrument.

18. Notice requirement:

- a) Grantor agrees to record this instrument in the usual manner with the appropriate Register of Deeds within 14 days of its execution by the Grantee and provide Grantee and EPA with certified true copies;
- b) Grantor agrees to include in any instrument conveying any interest in any portion of the Restricted Area, including but not limited to deeds, leases and mortgages, a notice which is in substantially the following form:

NOTICE: THE INTEREST CONVEYED HEREBY IS SUBJECT TO AN ENVIRONMENTAL PROTECTION ACCESS AGREEMENT AND DECLARATION OF RESTRICTIVE COVENANTS, DATED Sept. 29, 2011 RECORDED IN THE PUBLIC LAND RECORDS ON _____, 2011, IN VOLUME _____, PAGE _____, IN FAVOR OF, AND ENFORCEABLE BY THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES AS GRANTEE AND THE UNITED STATES OF AMERICA AS THIRD PARTY BENEFICIARY.

Within thirty (30) days of the date any such instrument of conveyance is executed, Grantor must provide Grantee with a certified true copy of said instrument and, if it has been recorded in the public land records, its recording reference.

19. Administrative jurisdiction: The federal agency having administrative jurisdiction over the rights acquired by the United States by this instrument is the EPA. The WDNR has administrative jurisdiction over the rights WDNR acquired by this instrument.

20. Enforcement: The Grantee and the Third Party Beneficiary shall be entitled to enforce the terms of this instrument by resort to specific performance or legal process. All remedies available hereunder shall be in addition to any and all other remedies at law or in equity, including CERCLA. Enforcement of the terms of this instrument shall be at the discretion of the Grantee and/or the Third Party Beneficiary, and any forbearance, delay or omission to exercise its rights under this instrument in the event of a breach of any term of this instrument shall not be deemed to be a waiver by the Grantee or the Third Party Beneficiary of such term or of any subsequent breach of the same or any other term, or of any of the rights of the Grantee or the Third Party Beneficiary under this instrument.

21. Damages: Grantee and Third Party Beneficiary shall be entitled to recover damages for violation of the terms of this instrument.

22. Waiver of certain defenses: Grantor hereby waives any defense of laches, estoppel, or prescription.

23. Covenants: Grantor hereby covenants to and with the Grantee and the United States and its assigns, that the Grantor is lawfully seized in fee simple owner of the Restricted Area, that the Grantor has a good and lawful right and power to grant access to enter the Restricted Area and to impose use restrictions on the Restricted Area, that the Restricted Area is free and clear of encumbrances, except as noted on **Exhibit D** attached hereto, and that the Grantor will forever warrant and defend the title thereto and the quiet possession thereof.

24. Notices: Any notice, demand, request, consent, approval, or communication that either party desires or is required to give to the other shall be in writing and shall either be served personally or sent by first class mail, postage prepaid, addressed as follows:

To Grantor:

National Presto Industries, Inc
Corporate Secretary and General Counsel
3925 North Hastings Way
Eau Claire WI 54703

To Grantee:

Wisconsin Dept. of Natural Resources
Bureau of Remediation and Redevelopment
101 South Webster Street
Madison, WI 53703

To Third Party Beneficiary:

U.S. EPA - Region 5
77 West Jackson Boulevard
Chicago, IL 60604

25. General provisions:

a) Controlling law: The interpretation and performance of this instrument shall be governed by the laws of the United States or, if there are no applicable federal laws, by Wisconsin law.

b) Liberal construction: Any general rule of construction to the contrary notwithstanding, this instrument shall be liberally construed in favor of the grant to effect the purpose of this entire instrument. If any provision of this instrument is found to be ambiguous, an interpretation consistent with the purpose of this instrument that would render the provision valid shall be favored over any interpretation that would render it invalid.

c) Severability: If any provision of this instrument, or the application of it to any person or circumstance, is found to be invalid, the remainder of the provisions of this instrument, or the application of such provisions to persons or circumstances other than those to which it is found to be invalid, as the case may be, shall not be affected thereby.

d) Entire Agreement: This instrument sets forth the entire agreement of the parties with respect to rights and restrictions created hereby, and supersedes all prior discussions, negotiations, understandings, or agreements relating thereto, all of which are merged herein.

e) No Forfeiture: Nothing contained herein will result in a forfeiture or reversion of Grantor's title in any respect.

f) Successors: The covenants, terms, conditions, and restrictions of this instrument shall be binding upon, and inure to the benefit of the parties hereto and their respective personal representatives, heirs, successors, and assigns and shall continue as a servitude running with the Restricted Area. The term "Grantor", wherever used herein, and any pronouns used in place thereof, shall include the persons and/or entities named at the beginning of this document, identified as "Grantor" and its personal representatives, heirs, successors, and assigns. The term "Grantee", wherever used herein, and any pronouns used in place thereof, shall include the persons and/or entities named at the beginning of this document, identified as "Grantee" and its personal representatives, heirs, successors, and assigns. The rights of the Grantee and Grantor under this instrument are freely assignable, subject to the notice provisions hereof.

g) Termination of Rights and Obligations: A party's rights and obligations under this instrument terminate upon transfer of the party's interest in the Restricted Area, except that liability for acts or omissions occurring prior to transfer shall survive transfer.

h) Captions: The captions in this instrument have been inserted solely for convenience of reference and are not a part of this instrument and shall have no effect upon construction or interpretation.

i) Counterparts: The parties may execute this instrument in two or more counterparts, which shall, in the aggregate, be signed by both parties; each counterpart shall be deemed an original instrument as against any party who has signed it. In the event of any disparity between the counterparts produced, the recorded counterpart shall be controlling.

TO HAVE AND TO HOLD unto the Wisconsin Department of Natural Resources and its assigns forever.

IN WITNESS WHEREOF, Grantor has caused this Agreement to be signed in its name.

Executed this 19th day of September, 2011.

NATIONAL PRESTO INDUSTRIES, INC.
By: [Signature]
Its: President

STATE OF WISCONSIN)
) ss
COUNTY OF CHIPPewa)

On this 19th day of Sept, 2011, before me, the undersigned, a Notary Public in and for the State of Wisconsin, duly commissioned and sworn, personally appeared Maryjo Cohen, known to be the President of National Presto Industries, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute said instrument.

Witness my hand and official seal hereto affixed the day and year written above.

Colleen J Leahy
NOTARY PUBLIC
STATE OF WISCONSIN

Notary Public in and for the
State of Wisconsin

My Commission Expires: 12/9/12

This Environmental Protection Access Agreement and Declaration of Restrictive Covenants are accepted this 29th day of SEPTEMBER, 2011.

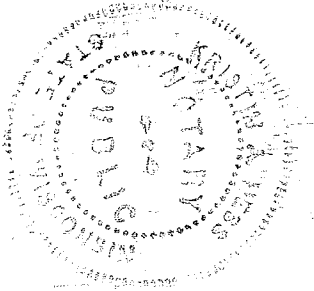
STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By: Cathy Stepp
Cathy Stepp
Secretary

On this 29th day of SEPT, 2011, before me, the undersigned, a Notary Public in and for the State of Wisconsin, duly commissioned and sworn, personally appeared Cathy Stepp, known to be the Secretary of the Wisconsin Department of Natural Resources, the entity that accepted the grant of rights mentioned in the foregoing instrument.

Witness my hand and official seal hereto affixed the day and year written above.

Kristin A. Hess
Notary Public in and for the
State of WISCONSIN
DANE COUNTY
My Commission Expires: is permanent.
KRISTIN A. HESS



Attachments:

- Exhibit A - Legal description of the National Presto Property
- Exhibit B - Identification of Restricted Area to which Restrictive Covenants Apply
- Exhibit C - Identification of existing uses of the Restricted Area
- Exhibit D - List of permitted title encumbrances

EXHIBIT A
LEGAL DESCRIPTION OF NATIONAL PRESTO PROPERTY

The NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ Section 35, T28N, R9W, City of Eau Claire, Chippewa County,
Wisconsin

EXHIBIT B
DEPICTION OF THE RESTRICTED AREA

**PLAT OF SURVEY
FOR
NATIONAL PRESTO INDUSTRIES**

BEING PART OF THE NW 1/4 OF THE SW 1/4 SECTION 35, T28N, R9W,
CITY OF EAU CLAIRE, CHIPPEWA COUNTY, WISCONSIN

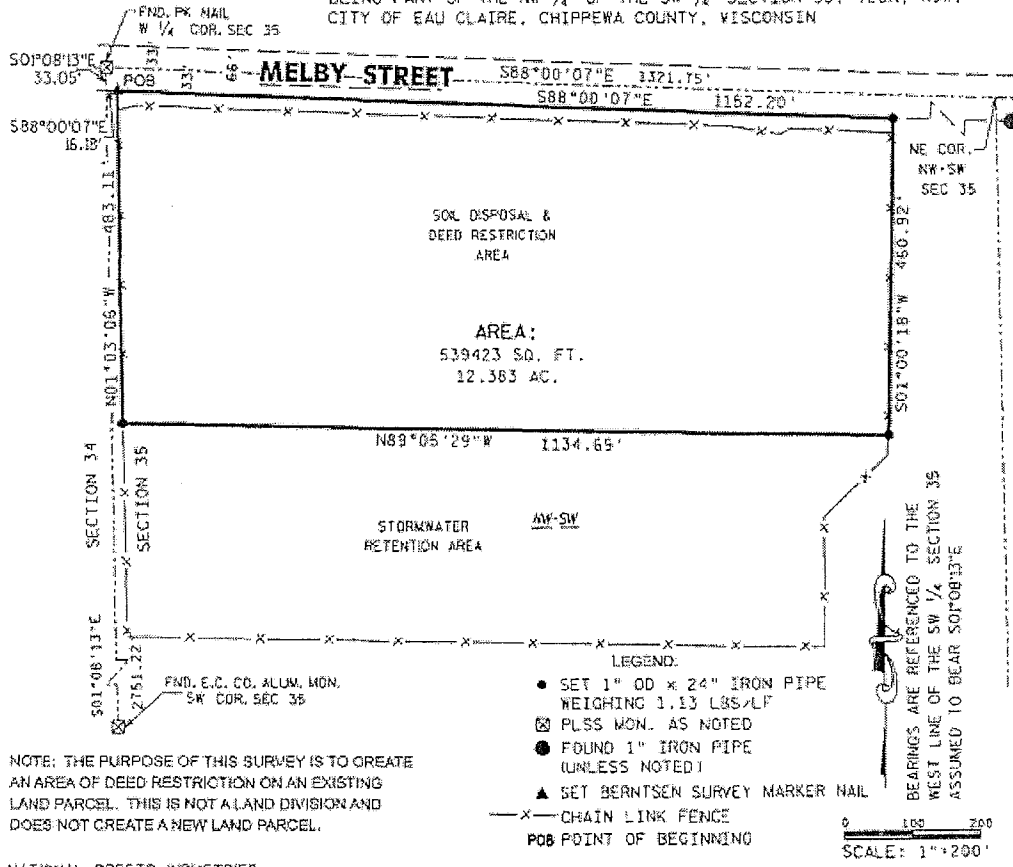


EXHIBIT C
IDENTIFICATION OF EXISTING USES OF THE RESTRICTED AREA

Extraction Well-1R and Extraction Well-2, located inside the fenced Restricted Area immediately adjacent to the cap, are existing extraction wells that will be maintained and available for use as necessary for remediation purposes and as required by Grantor, its successors, transferees and assigns and Grantee and/or Third Party Beneficiary, their respective successors, transferees and assigns.

EXHIBIT D
LIST OF PERMITTED TITLE ENCUMBRANCES ON THE RESTRICTED AREA

1. Easement right/lease granted by August Muskat and Mary Muskat to Wisconsin Telephone Company, recorded May 31, 1907, in the Chippewa County Register of Deeds office, Volume 8, Miscellaneous Page 420.
2. Easement right granted by August Muskat and Mary Muskat to Wisconsin Telephone Company, recorded March 1, 1916, in the Chippewa County Register of Deeds office, Volume 111 Deeds, Page 325.
3. Unilateral Administrative Order issued by the United States Environmental Protective Agency to National Presto Industries, Inc. and National Defense Corporation and recorded in the Chippewa County Register of Deeds office at Volume 683 of Records, Page 292-337.

069188-0015\9629134.1

U.S. ENVIRONMENTAL
PROTECTION AGENCY

SEP 23 2011

OFFICE OF REGIONAL
COUNSEL

APPENDIX D

WISCONSIN REMEDIATION AND REDEVELOPMENT DATABASE
INFORMATION ON NPI



Wisconsin Department of Natural Resources

Environmental Cleanup & Brownfields Redevelopment

BRRTS on the Web

Click the Location Name below to view the Location Details page for this Activity. Other Activities, if present, may be viewed from that page.

[Basic Search](#) >> 02-09-000267 Activity Details

02-09-000267 NATIONAL PRESTO (SF NPL)						
OPEN ERP						
 <p>Due to remaining contamination, continuing obligations apply to one or more properties. For information specific to the continuing obligations, review the Continuing Obligations Packet (PDF) (formerly GIS Registry Packet) linked in the Actions section below. Prior to constructing or reconstructing a water supply well, you need to contact DNR for approval of well construction specifications.</p>						
Location Name (Click Location Name to View Location Details)				County	WDNR Region	
NATIONAL PRESTO INDUSTRIES INC				CHIPPEWA	WEST CNTRL	
Address				Municipality		
3925 N HASTINGS WAY				EAU CLAIRE		
PLSS Description			Latitude	Google Maps	RR Sites Map	
NE 1/4 of the SE 1/4 of Sec 34, T28N, R09W			44.8611165	CLICK TO VIEW	CLICK TO VIEW	
Additional Location Description			Longitude	Facility ID	Size (Acres)	
			-91.4521137	609038320	UNKNOWN	
Jurisdiction	PECFA No.	EPA Cerclis ID	Start Date	End Date	Last Action	
DNR RR		WID006196174	1980-01-01		2018-09-19	
Characteristics						
PECFA Tracked?	EPA NPL Site?	Eligible for PECFA Funds?	Above Ground Storage Tank?	Drycleaner?	Co-Contamination?	Continuing Obligations Apply? 
No	Yes	No	No	No	No	Yes
Actions						
Place Cursor Over Action Code to View Description						
Date	Code	Name	Comment			
1980-01-01	1	Notification				
1980-01-01	301	Superfund NPL, NPL-proposed or Superfund Alternatives Site	301 DATE BASED ON FINAL NPL LISTING DATE			
1983-12-01	350	Superfund Site Assessment Preliminary Assessment (PA)				
1988-03-31	315	Superfund: ROD	PROVIDED FOR CONTINUED OPERATION OF A 2-COLUMN AIR STRIPPER CONST BY USEPA AT EAL CLAIRE MUNIC			
1990-08-01	315	Superfund: ROD	SELECTED PERMANENT ALTERNATIVE DRINKING WATER SUPPLY FOR IMPACTED PRIVATE WATER SUPPLY			
1991-03-01	317	Superfund: Remedial Design Federal Unilateral Order	REQUIRED NPI AND NATIONAL DEFENSE CORP TO IMPLEMENT ROD			
1991-09-01	315	Superfund: ROD	PREVENT OFF-SITE MIGRATION OF CONT PLUMS VIA INSTALL OF GW EXTRACT WELLS AND 2 CASCADE AERAT			
1992-07-02	149	Remedial Action Design Report Approved				
1992-07-02	317	Superfund: Remedial Design Federal Unilateral Order	REQUIRED NPI & NATIONAL DEFENSE CORP TO IMPLEMENT ROD			
1993-10-14	316					

		Superfund: Remedial Design Federal Consent Order	PERFORMANCE OF TIME-CRITICAL AND NON-TIME CRITICAL ONSITE REMOVAL ACTIVITIES
1999-04-25	99	Miscellaneous	QUARTERLY DMR
2000-05-03	170	Waste Registry Screening Completed	
2001-02-16	99	Miscellaneous	PLEASE REFER TO EPA FACTSHEET AT http://www.epa.gov/R5Super/npl/wisconsin/WID006196174.htm
2001-07-27	43	Status Report Received	PROGRESS REPORT FOR JUNE 2001
2001-08-03	92	O&M Report Received (w/out Fee)	SVE STATUS REPORT
2001-08-08	99	Miscellaneous	NPI RESPONSE TO EPA COMMENTS ON 1999 ANNUAL REPORT
2001-08-09	99	Miscellaneous	APPROVAL OF LAGOON #2 EXCAVATION AND FOLLOW-UP SAMPLING PROPOSAL
2001-08-17	99	Miscellaneous	SAMPLING RESULTS FROM EXCAVATION WORK ADJACENT TO LAGOON #1
2001-08-20	99	Miscellaneous	DNR INSPECTION OF EXCAVATION WORK NORTH OF LAGOON #1
2001-08-24	43	Status Report Received	PROGRESS REPORT FOR JULY
2001-08-28	99	Miscellaneous	REQUEST FROM HASELWANDER COMPANIES, INC. TO HAVE WW-1 ABANDONED
2001-09-10	99	Miscellaneous	DNR FAX TO GREG HASELWANDER THAT PRESTO WILL ABANDON WW-1
2001-09-19	99	Miscellaneous	FAX DOCUMENTING 12-23-91 DECISION BY DNR WHY FORGE COMPOUND IS NOT A HAZARDOUS WASTE
2001-09-20	43	Status Report Received	PROGRESS REPORT 4. AUGUST.
2001-10-18	99	Miscellaneous	WELL ABANDONMENT FORM FOR WW-1
2001-10-19	99	Miscellaneous	MONTHLY PROGRESS REPORT
2001-11-16	99	Miscellaneous	LOAD DOCK SOIL SAMPLING
2001-11-21	99	Miscellaneous	MRDS. SITE VISIT.
2001-11-29	43	Status Report Received	RPT #112 FOR ON-SITE GW
2001-11-30	43	Status Report Received	RPT #61 FOR MRDS SVE
2001-12-12	43	Status Report Received	RPT #113 FOR ON-SITE GW
2001-12-12	99	Miscellaneous	COMMENTS TO EPA
2001-12-12	99	Miscellaneous	EPA CONCUR WITH CONTAINED OUT DETERMINATION
2001-12-12	99	Miscellaneous	SOIL SAMPLE RESULTS RECEIVED
2001-12-13	43	Status Report Received	RPT #62 FOR MRDS SVE
2001-12-18	99	Miscellaneous	DNR CONCUR WITH CONTAINED OUT DETERMINATION
2002-01-10	43	Status Report Received	GW STATUS
2002-01-11	43	Status Report Received	SVE STATUS
2002-02-01	43	Status Report Received	4 Q 01 DMR
2002-02-07	43	Status Report Received	RPT #64 FOR SVE
2002-02-08	43	Status Report Received	RPT #115 FOR GWE
2002-03-04	99	Miscellaneous	MTG WITH RP, EPA CONSULTANT
2002-03-11	99	Miscellaneous	GW SAMPLING METHOD APPROVED
2002-03-20	43	Status Report Received	RPT #116 ON GWE
2002-03-21	43	Status Report Received	RPT #65 ON SVE AT MRDS
2002-04-05	35	Site Investigation Workplan Received (w/out Fee)	WORK PLAN FOR SAMPLES NEAR MW-34 AND MW-70
2002-04-23	43	Status Report Received	RPT #117 ON GWE
2002-04-24	43	Status Report Received	RPT #66 ON SVE
2002-04-24	99	Miscellaneous	REQUEST TO DISCONTINUE WET TEST
2002-05-16	43	Status Report Received	PROGRESS RPT #67 SVE AND #118 GWE RECEIVED
2002-06-19	43	Status Report Received	GWE PROGRESS REPORT 119
2002-06-20	43	Status Report Received	VE PROGRESS REPORT NO. 68
2002-07-01	99	Miscellaneous	MEET WITH NPI. INSPECT SITE.
2002-07-02	99	Miscellaneous	MEET WITH NPI. INSPECT SITE & ECMWF.
2002-07-05	99	Miscellaneous	COMMENTS TO EPA ON ANNUAL GW REPORT & FUTURE REPORT REQUIREMENTS
2002-07-08	99	Miscellaneous	MW INSPECTION
2002-07-11	99	Miscellaneous	COMMENTS TO EPA ON WORK PLAN TO INVESTIGATE SW CORNER

2002-07-12	43	Status Report Received	PROGRESS RPTS #120 GWE & #69 ON SVE RECEIVED
2002-07-15	99	Miscellaneous	QRTLY DMR
2002-08-14	43	Status Report Received	PROGRESS RPT #121 ON GW P&T RECEIVED
2002-09-02	99	Miscellaneous	DNR COMMENTS ON SW CORNER SAMPLE PLAN TO G-F
2002-09-04	99	Miscellaneous	DRAFT 5 YR REPORT RECEIVED
2002-09-09	99	Miscellaneous	DNR COMMENTS ON 5 YR REPORT
2002-10-03	43	Status Report Received	PROGRESS REPORT #70 ON GW P & T RECEIVED
2002-10-04	43	Status Report Received	PROGRESS REPORT #122 ON GW P & T RECEIVED
2002-10-08	43	Status Report Received	PROGRESS REPORT #123 ON GW P & T RECEIVED
2002-10-09	43	Status Report Received	PROGRESS REPORT #72 ON SVE RECEIVED
2002-10-10	99	Miscellaneous	QRTLY DMR
2002-10-22	99	Miscellaneous	EFFLUENT TOX. TESTING NO LONGER REQUIRED
2002-10-22	99	Miscellaneous	EPA AND DNR COMMENTS ON WORK PLAN
2002-12-03	43	Status Report Received	RPT #73 SVE AND RPT #124 P & T
2002-12-30	43	Status Report Received	RPT #74 SVE AND RPT #125 P & T
2003-01-16	43	Status Report Received	RPT #126 GWE AND RPT #75 SVE
2003-02-13	99	Miscellaneous	RECEIVED REPORT 127 - P&T, 76 - VE
2003-03-07	99	Miscellaneous	EPA/DNR/RP MTG
2003-03-31	43	Status Report Received	RPT #128 GW P & T; RPT #77 SVE.
2003-04-16	99	Miscellaneous	DMR 1ST QRT 2003 RECEIVED
2003-04-17	43	Status Report Received	SVE RPT #78; GWE RPT #129
2003-06-13	99	Miscellaneous	MW 34-70 INV'N WP APPROVED
2003-06-16	43	Status Report Received	RPT #131 GW P&T AND #80 SVE RECEIVED
2003-07-08	99	Miscellaneous	DMR RECEIVED
2003-07-10	99	Miscellaneous	RPT #132 - GW P&T & #81 - SVE RECEIVED
2003-07-16	99	Miscellaneous	SITE VISIT - CONST'N OF NEW WELLS
2003-07-20	99	Miscellaneous	SVE @ SW CORNER - WORK PLAN
2003-07-30	99	Miscellaneous	COMMENTS TO EPA
2003-08-14	99	Miscellaneous	GW P&T RPT #133 & SVE RPT #82 RECEIVED
2003-10-03	43	Status Report Received	RPTS #134 - GW P & T AND 83 - SVE RECEIVED
2003-10-21	43	Status Report Received	RPTS #135 - GW P & T AND 84 - SVE RECEIVED
2003-11-10	43	Status Report Received	RPT #136 GW P&T; RPT #85 SVE
2003-12-11	43	Status Report Received	GWE RPT #137 AND SVE RPT #86 RECEIVED
2004-01-13	43	Status Report Received	GWE RPT #138 AND SVE RPT #87
2004-02-06	99	Miscellaneous	PROPOSED MOD'N TO SAMPLING
2004-03-04	43	Status Report Received	GWE & #89 SVE
2004-04-05	43	Status Report Received	REPORT #141 ON GWE & REPORT #90 ON SVE
2004-04-07	99	Miscellaneous	QRTLY DMR SUBMITTED
2004-05-05	43	Status Report Received	RPT #142 GW-P&T; RPT #91 SVE
2004-05-18	99	Miscellaneous	REQUEST TO REDUCE SAMPLING AT GW DISCHARGE
2004-06-07	43	Status Report Received	RPT #143 GW P & T AND RPT #92 SVE
2004-07-12	43	Status Report Received	RPT #144 GW P & T AND RPT #93 SVE RECEIVED
2004-08-09	99	Miscellaneous	SW CORNER SVE UPGRADED
2004-08-20	43	Status Report Received	RPT #145 ON GW P & T AND RPT #94 ON SVE RECEIVED
2004-09-01	43	Status Report Received	STATUS REPORT ON 2003
2004-09-17	43	Status Report Received	RPT #146 GW P&T AND RPT #95 SVE RECEIVED
2004-10-11	99	Miscellaneous	DMR RECEIVED
2004-10-11	43	Status Report Received	RPT #147 GW P&T; RPT #96 SVE
2004-11-11	43	Status Report Received	GWE RPT #148 AND SVE RPT #97
2004-12-21	43	Status Report Received	GWE RPT #149, SVE RPT #98
2005-01-11	99	Miscellaneous	QTLY & AN DISCH MONITORING REPORTS
2005-01-11	43	Status Report Received	GWE RPT #150 AND SVE RPT #99
2005-02-07	43	Status Report Received	GW P&T RPT #151, SVE RPT #100
2005-02-11	99	Miscellaneous	SITE VISIT, MEET WITH CONSULTANT
2005-03-03	99	Miscellaneous	MODIFICATION OF WPDES REQUIREMENTS
2005-03-14	43	Status Report Received	GW P&T RPT #152, VE RPT #101
2005-04-11	99	Miscellaneous	GWE RPT #153, SVE RPT #102, 1/4 DNR
2005-05-13	43	Status Report Received	RPT #154 ON GWE, RPT #103 ON SVE

2005-06-07	43	Status Report Received	ANNUAL INTERIM RA REPORT
2005-06-10	43	Status Report Received	MW-34/70 AREA SVE STATUS AND RECOMMENDATIONS
2005-06-20	43	Status Report Received	GW RPT #155, SVE RPT #104
2005-08-15	43	Status Report Received	GWE RPT #157 AND SVE RPT #106
2005-09-15	43	Status Report Received	GWE RPT #158, SVE RPT #107 RECEIVED
2005-10-10	99	Miscellaneous	SVE RPT #108. GW RPT #159. DMR RECEIVED.
2005-11-10	43	Status Report Received	GWE REPORT #160; SVE REPORT #109 RECEIVED
2005-12-12	43	Status Report Received	GWP & T REPORT #161, SVE REPORT #110
2006-01-17	43	Status Report Received	NPI/GW P & T REPORT 162, & SVE REPORT 111 RECEIVED.
2006-02-16	43	Status Report Received	GW RPT #163 & SVE RPT #112 REC'D
2006-03-09	43	Status Report Received	GW REPORT #164 & SVE REPORT #113 REC'D.
2006-03-10	43	Status Report Received	MW 34-70 AREA SVE REPORT REC'D.
2006-03-13	99	Miscellaneous	EPA COMMENTS ON 2003 & 2004 REPORTS & RECOMMENDATIONS.
2006-04-06	43	Status Report Received	WPI/GW P&T REPORT #165 & SVE REPORT #114
2006-04-27	99	Miscellaneous	WPI / DMR REPORT
2006-05-05	43	Status Report Received	GW P&T REPORT #166 & SVE REPORT #115
2006-06-14	43	Status Report Received	GW P&T REPORT #167 & SVE REPORT #116 REC'D
2006-07-10	43	Status Report Received	GW P&T REPORT 168, SVE REPORT
2006-07-10	99	Miscellaneous	DMR #117
2006-08-14	43	Status Report Received	GW P&T RPT #169 & SVE RPT #118 REC'D
2006-09-08	43	Status Report Received	GW REPORT #170; SVE REPORT #119
2006-10-05	43	Status Report Received	GWE REPORT #171 & SVE REPORT #120
2006-10-10	99	Miscellaneous	QUARTERLY DMR
2006-11-17	43	Status Report Received	GW P&T REPORT #172 & SVE REPORT #121 REC'D.
2006-12-07	43	Status Report Received	GWE REPORT #173 & SVE REPORT #122.
2007-01-19	99	Miscellaneous	QUARTERLY & ANNUAL DMR'S REC'D.
2007-02-09	43	Status Report Received	GW P&T REPORT #175 & SVE REPORT #124 REC'D.
2007-03-15	43	Status Report Received	GW P&T REPORT #176 & SVE REPORT #125 REC'D.
2007-03-29	43	Status Report Received	ANNUAL REPORT FOR 2006 REC'D.
2007-04-23	43	Status Report Received	GW P&T REPORT #177 & SVE REPORT #126 REC'D.
2007-04-23	43	Status Report Received	MRDS STATUS REPORT 7, 2002-06.
2007-04-26	99	Miscellaneous	QUARTERLY DMR REC'D.
2007-05-11	43	Status Report Received	GW P&T REPORT #178, SVE REPORT #127
2007-06-07	43	Status Report Received	GW P&T REPORT #179, SVE REPORT #128
2007-07-05	43	Status Report Received	GWE RPT #180, SVE RPT #129
2007-07-06	99	Miscellaneous	QRTLY DMR
2007-07-10	99	Miscellaneous	QRTLY DMR
2007-08-08	43	Status Report Received	GW P&T REPORT #181 & SVE REPORT #130
2007-09-18	326	Superfund Five Year Review Report Submittal	REPORT SIGNED.
2007-09-18	99	Miscellaneous	FIVE YEAR REVIEW REPORT SIGNED.
2007-10-01	43	Status Report Received	GWE RPT #182, SVE RPT #131 REC'D.
2007-10-11	43	Status Report Received	GWE RPT #183, SVE RPT #132
2007-10-29	99	Miscellaneous	QTRLY DMR
2007-11-26	43	Status Report Received	GW P&T REPORT #184, SVE REPORT #133
2007-12-20	43	Status Report Received	GWE RPT #185, SVE RPT #134
2008-01-11	43	Status Report Received	GW P&T REPORT #186, SVE REPORT #135 REC'D.
2008-02-08	43	Status Report Received	GWE RPT #187, SVE RPT #136
2008-03-07	43	Status Report Received	GW P&T REPORT #188, SVE REPORT #137 REC'D.
2008-03-12	99	Miscellaneous	WASTE WATER REPORTING PROCEDURE MODIFIED.
2008-03-27	43	Status Report Received	SVE REPORT #8 DEC 06-DEC 07.
2008-04-11	99	Miscellaneous	QTRLY DMR REC'D.
2008-04-11	43	Status Report Received	GW P&T REPORT #189, SVE REPORT #138 REC'D.
2008-05-09	43	Status Report Received	GW P&T REPORT #190 & SVE REPORT #139 REC'D.
2008-06-11	43	Status Report Received	GW REPORT #191, SVE REPORT #140.
2008-07-17	43	Status Report Received	SVE REPORT #141, GWE REPORT #192
2008-07-28	99	Miscellaneous	QRTLY DMR
2008-07-31	99	Miscellaneous	CORRESPONDENCE REGARDING PROPOSED PDB SAMPLING.


2008-08-15	43	Status Report Received	GW RPT #193, SVE RPT #142
2008-09-05	99	Miscellaneous	REVIEW & COMMENTS ON SVE REPORT #8 TO EPA.
2008-09-12	43	Status Report Received	GW RPT #194 & SVE RPT #143
2008-10-06	43	Status Report Received	GW REPORT #195 & SVE RPT #144
2008-10-15	99	Miscellaneous	QUARTERLY DMR
2008-11-07	43	Status Report Received	GWE REPORT #196 & SVE REPORT #145
2008-12-10	43	Status Report Received	SVE REPORT #146 & GWE REPORT #197
2009-01-28	99	Miscellaneous	TWO DAY MEETING WITH EPA 1/28 & 1/29, 2009.
2009-02-05	43	Status Report Received	GWE REPORT #199, SVE REPORT #148
2009-03-17	99	Miscellaneous	MEETING & SITE VISIT W/EPA & RPS.
2009-03-19	43	Status Report Received	GWE REPORT #200, SVE REPORT #149
2009-04-09	99	Miscellaneous	REQUEST FOR NO FURTHER REMEDIAL ACTION AT LOADING DOCK AREA.
2009-04-09	43	Status Report Received	GW REPORT #201, SVE REPORT #150
2009-04-30	99	Miscellaneous	QUARTERLY DMR
2009-05-11	43	Status Report Received	ANNUAL REPORT FOR 2008 REC'D
2009-05-11	43	Status Report Received	MW 34-70 AREA SVE REPORT REC'D.
2009-05-14	43	Status Report Received	GWE REPORT #202, SVE REPORT #151.
2009-06-08	99	Miscellaneous	SITE VISIT; CAP INSPECTION.
2009-06-15	43	Status Report Received	GWE REPORT #203, SVE REPORT #152.
2009-07-09	99	Miscellaneous	SUPPLEMENTAL DATA REC'D FOR NFA REQUEST @ LOADING DOCK.
2009-07-20	99	Miscellaneous	QUARTERLY DMR
2009-07-20	43	Status Report Received	GWE REPORT #204, SVE REPORT #153.
2009-08-14	43	Status Report Received	GWE REPORT #205, SVE REPORT #154
2009-08-24	43	Status Report Received	SUPPLEMENTAL INVESTIGATION IN SW CORNER.
2009-09-10	43	Status Report Received	GWE REPORT #206, SVE REPORT #155
2009-10-13	43	Status Report Received	GWE REPORT #207; SVE REPORT #156
2009-11-16	43	Status Report Received	GWE REPORT #208; SVE REPORT #157
2009-12-11	43	Status Report Received	GWE REPORT #209; SVE REPORT #158
2010-01-14	43	Status Report Received	GWE REPORT #210; SVE REPORT #159
2010-01-14	99	Miscellaneous	QUARTERLY DMR
2010-01-15	99	Miscellaneous	ANNUAL DMR REPORT.
2010-02-02	43	Status Report Received	SW CORNER SUPPLEMENTAL INVESTIGATION RESULTS 10/99.
2010-02-19	43	Status Report Received	GWE REPORT #211, SVE REPORT #160.
2010-03-11	43	Status Report Received	GWE REPORT #212, SVE REPORT #161
2010-05-10	43	Status Report Received	GWE REPORT #213, SVE REPORT #162
2010-05-11	99	Miscellaneous	QUARTERLY DMR REPORT
2010-05-13	43	Status Report Received	GWE REPORT #214, SVE REPORT #163
2010-06-21	43	Status Report Received	GWE REPORT #215; SVE REPORT #164
2010-06-28	43	Status Report Received	SVE REPORT #9; CALENDAR YEARS 2008 & 2009.
2010-07-12	43	Status Report Received	GWE REPORT #216; SVE REPORT #165
2010-07-29	220	Continuing Obligation - Soil at Industrial Levels	
2010-07-29	228	Continuing Obligation - Site Specific Condition	GW PUMP & TREAT; SVE
2010-07-29	56	Continuing Obligation(s) Applied	
Linked to Code 56: 0209000267 Registry Packet.pdf Click to Download or Open			
2010-07-29	43	Status Report Received	QUARTERLY DMR REPORT
2010-07-29	232	Continuing Obligation - Residual Soil Contamination	
2010-07-29	236	Continuing Obligation - Residual GW Contamination	
2010-07-29	50	GIS Registry Site	
2010-07-29	222	Continuing Obligation - Maintain Cap Over Contaminated Area	
2010-07-29	149	Remedial Action Design Report Approved	

2010-08-12	43	Status Report Received	GEW REPORT #217; SVE REPORT #166
2010-08-30	99	Miscellaneous	US EPA APPROVES 18 MONTH PILOT SHUTDOWN OF MRDS EXTR WELLS.
2010-09-16	43	Status Report Received	GWE REPORT #218; SVE REPORT #167
2010-10-15	99	Miscellaneous	REQUEST FOR NO FURTHER ACTION AT LAGOON 1 & EAST EXTENSION
2010-10-15	43	Status Report Received	GWE REPORT #219; SVE REPORT #168
2010-10-29	43	Status Report Received	QUARTERLY DMR REPORT
2010-11-08	43	Status Report Received	ANNUAL REPORT FOR 2009 REC'D
2010-11-08	43	Status Report Received	GW DTAT REPORT #1 FOR MRDS
2010-11-15	43	Status Report Received	LETTER REPORT ON ACTIVITIES IN SW CORNER REC'D.
2010-11-23	43	Status Report Received	GWE REPORT #220, SVE REPORT #169
2010-12-20	43	Status Report Received	GWE REPORT #221; SVE REPORT #170
2011-01-20	43	Status Report Received	SVE REPORT #222, SVE REPORT #171
2011-01-20	43	Status Report Received	GW DATA REPORT #2 FOR MRDS
2011-01-27	99	Miscellaneous	ANNUAL DMR REPORT FOR 2010 REC'D.
2011-03-03	43	Status Report Received	GWE REPORT #223, SVE REPORT #172
2011-03-14	43	Status Report Received	GWE RPT #224; SVE RPT #173
2011-03-24	43	Status Report Received	ANNUAL REPORT FOR 2010 REC'D
2011-04-11	35	Site Investigation Workplan Received (w/out Fee)	SI WORK PLAN REC'D FOR S 1/2 OF FORMER LAGOON #1
2011-04-13	43	Status Report Received	GWE RPT #225; SVE RPT #174
2011-04-29	43	Status Report Received	SW CORNER UPDATE
2011-04-29	43	Status Report Received	QUARTERLY DMR REC'D
2011-04-29	43	Status Report Received	GW DATA RPT #3 FOR MRDS
2011-05-16	30	Site Investigation Workplan Go Ahead (notice to proceed)	EPA CONCURRENCE WITH WORK PLAN FOR S 1/2 OF FORMER LAGOON #1
2011-05-24	99	Miscellaneous	EXTRACTION WELL REPLACEMENT PROPOSED
2011-05-26	99	Miscellaneous	EPA REQUESTS ADD'L INFO ON EXTRA WELL REPLACEMENT
2011-05-29	43	Status Report Received	GWE RPT #226; SVE RPT #175
2011-06-09	43	Status Report Received	GWE RPT #227; SVE RPT #176
2011-06-17	99	Miscellaneous	EPA NOTIFICATION OF 5-YR REVIEW START
2011-07-13	43	Status Report Received	QUARTERLY DMR REC'D
2011-07-13	43	Status Report Received	GWE RPT #228 SVE RPT #177
2011-08-04	43	Status Report Received	RESULTS FROM TRIAL USE OF HYDRASLEEVE SAMPLERS
2011-08-10	43	Status Report Received	GWE RPT #229; SVE RPT #178
2011-08-30	43	Status Report Received	GW DATA FOR MRDS
2011-09-07	130	DNR Regulatory Reminder Sent	Vapor Intrusion (VI) Assessment Notification Ltr Sent
Linked to Code 130: 0209000267 VI Letter.pdf Click to Download or Open			
2011-09-14	43	Status Report Received	GWE RPT #230; SVE RPT #179
2011-10-20	43	Status Report Received	GWE RPT #231; SVE RPT #180
2011-11-14	43	Status Report Received	GWE RPT #232; SVE RPT #181
2011-11-15	99	Miscellaneous	ACCOMPANIED U.S. EPA ON SITE VISIT
2011-12-14	43	Status Report Received	SF GW DATA FOR MRDS
2011-12-16	43	Status Report Received	GWE RPT #223; SVE RPT #182
2012-01-19	43	Status Report Received	GWE RPT #234; SVE RPT #183
2012-01-24	43	Status Report Received	ANNUAL DMR FOR 2011 REC'D
2012-01-24	43	Status Report Received	QUARTERLY DMR REC'D
2012-01-25	43	Status Report Received	GW DATA FOR MRDS
2012-01-27	43	Status Report Received	MRDS SVE RPT #10
2012-02-06	43	Status Report Received	SOIL SAMPLING RESULTS FOR S 1/2 OF LAGOON 1 RCVD
2012-02-07	43	Status Report Received	GWE RPT #235; SVE RPT #184
2012-03-14	43	Status Report Received	SF/GWE RPT #236; SVE RPT #185
2012-04-11	43	Status Report Received	SF/GWE RPT #237; SVE RPT #186
2012-05-09	43	Status Report Received	QUARTERLY DMR REC'D
2012-05-10	43	Status Report Received	GWE RPT #238; SVE RPT #187
2012-05-29	43	Status Report Received	GW DATA FOR MRDS

2012-06-04	43	Status Report Received	ANNUAL RPT FOR 2011 RECD
2012-06-14	43	Status Report Received	GWE RPT #239; SVE RPT #188
2012-07-11	43	Status Report Received	GWE RPT #240 SVE RPT 189
2012-08-08	43	Status Report Received	QUARTERLY DMR REC'D
2012-08-09	43	Status Report Received	GWE RPT #241; SVE RPT 190
2012-09-04	326	Superfund Five Year Review Report Submittal	REPORT SIGNED
2012-09-11	43	Status Report Received	GWE RPT #242, SVE RPT 191
2012-10-04	43	Status Report Received	
2012-10-29	43	Status Report Received	
2012-11-05	43	Status Report Received	GWE RPT #244; SVE RPT 193
2012-12-06	43	Status Report Received	GWE RPT #245; SVE RPT 194
2012-12-13	99	Miscellaneous	ACCOMPANIED US EPA ON SITE VISIT
2013-01-15	43	Status Report Received	GWE RPT #246; SVE RPT 195
2013-02-11	43	Status Report Received	GWE RPT #247; SVE RPT 196
2013-03-08	43	Status Report Received	GWE RPT #248, SVE RPT 197
2013-03-22	43	Status Report Received	ANNUAL REPORT FOR 2012 RECD
2013-04-16	43	Status Report Received	GWE RPT #249 SVE RPT 198
2013-05-03	43	Status Report Received	QUARTERLY DMR RECEIVED
2013-05-28	43	Status Report Received	GWE RPT #250 SVE RPT 199
2013-06-12	43	Status Report Received	GWE RPT #251 SVE RPT 200
2013-07-18	99	Miscellaneous	ADDENDUM TO O&M PLAN FOR SHUTDOWN OF MRDS EXTRACTION WELLS
2013-07-23	43	Status Report Received	GWE RPT #252; SVE RPT 201
2013-07-26	43	Status Report Received	QUARTERLY DMR REC'D; APR - JUN 2013
2013-08-16	43	Status Report Received	GWE RPT #253; SVE RPT 202
2013-09-06	43	Status Report Received	GWE RPT #254; SVE RPT 203
2013-09-26	35	Site Investigation Workplan Received (w/out Fee)	ABBREVIATED WORK PLAN FOR GEOPROBING EAST OF BLDG
2013-10-11	43	Status Report Received	GWE RPT #255; SVE RPT 204
2013-11-14	43	Status Report Received	QTRLY DMR REC'D; JUL-SEP 2013
2013-11-15	43	Status Report Received	GWE RPT #256, SVE RPT 205
2013-12-20	43	Status Report Received	GWE SPT #257, SVE RPT 206
2014-01-10	43	Status Report Received	GWE SPT #258, SVE RPT 207
2014-01-17	43	Status Report Received	GEOPROBE SAMPLING RESULTS - E SIDE OF BLDG
2014-02-14	43	Status Report Received	GWE SPT #259, SVE RPT 208
2014-03-14	43	Status Report Received	SF/GWE SPT #260, SVE RPT 209
2014-04-15	43	Status Report Received	GWE RPT #261, SVE RPT 210
2014-05-01	35	Site Investigation Workplan Received (w/out Fee)	SUB-SLAB AIR SAMPLING WP RECEIVED
2014-05-14	43	Status Report Received	GWE RPT #262, SVE RPT 211
2014-05-15	43	Status Report Received	QTRLY DMR REC'D; JAN-MAR 2014
2014-06-12	43	Status Report Received	GWE RPT #263, SVE RPT 212
2014-07-11	43	Status Report Received	GWE RPT #264, SVE RPT 213
2014-07-15	43	Status Report Received	QTRLY DMR REC'D; MAR-JUN 2014
2014-07-24	99	Miscellaneous	SITE VISIT; SUB-SLAB SAMPLING PORT INSTALLATION
2014-08-15	43	Status Report Received	GWE RPT #265, SVE RPT 214
2014-08-20	99	Miscellaneous	ON-SITE MEETING WITH REPS OF US EPA, NPI AND CONSULTANTS
2014-09-26	43	Status Report Received	ANNUAL REPORT FOR 2013 RECD
2014-09-26	43	Status Report Received	GWE RPT #266, SVE RPT 215
2014-10-22	43	Status Report Received	QTRLY DMR REC'D; JUL-SEP 2014
2014-10-22	43	Status Report Received	GWE RPT #267, SVE RPT 216
2014-10-31	99	Miscellaneous	SVE WELL INSTALLED UNDER MAIN BLDG
2014-11-19	43	Status Report Received	GWE RPT #268, SVE RPT 217
2014-12-12	43	Status Report Received	GWE RPT #269, SVE RPT 218
2015-01-13	43	Status Report Received	GWE RPT #270, SVE RPT 219
2015-01-14	43	Status Report Received	ANNUAL DMR RPT FOR 2014 REC'D
2015-01-14	43	Status Report Received	QTRLY DMR REC'D; OCT-DEC 2014

2015-02-04	43	Status Report Received	GWE RPT #271, SVE RPT 220
2015-03-09	43	Status Report Received	SUB-SLAB AIR SAMPLING SURVEY RESULTS REC'D
2015-03-16	43	Status Report Received	GWE RPT #272, SVE RPT 221
2015-04-14	43	Status Report Received	GWE RPT #273, SVE RPT 222
2015-04-21	43	Status Report Received	QTRLY DMR REC'D; JAN-MAR 2015
2015-05-11	43	Status Report Received	GWE RPT #274, SVE RPT 223
2015-06-08	43	Status Report Received	ANNUAL REPORT FOR 2014 RECEIVED
2015-06-16	43	Status Report Received	GWE RPT #275, SVE RPT 224
2015-06-25	39	Remedial Action Options Report Received (w/out Fee)	COMPILATION AND ANALYSIS OF CADMIUM SOIL AND GW DATA
2015-07-15	43	Status Report Received	GWE RPT #276, SVE RPT 225
2015-07-16	43	Status Report Received	QTRLY DMR RECEIVED; APR-JUN 2015
2015-08-03	99	Miscellaneous	SUBMITTED PLAN FOR MODIFIED COLD WEATHER OPERATION OF THE MRDS SVE SYSTEM
2015-08-13	43	Status Report Received	GWE RPT #277, SVE RPT 226
2015-09-15	43	Status Report Received	GWE RPT #278, SVE RPT 227
2015-09-24	39	Remedial Action Options Report Received (w/out Fee)	REMEDIATION ALTERNATIVES ANALYSIS FOR MW-34/70 AREA TCE DEGREASER SLUDGE
2015-10-26	35	Site Investigation Workplan Received (w/out Fee)	WORK PLAN FOR 12 MONTH SHUTDOWN OF EXTR WELL EW-5
2015-10-27	43	Status Report Received	GWE RPT #279, SVE RPT 228
2015-11-02	43	Status Report Received	QTRLY DMR RECEIVED; JUL-SEP 2015
2015-11-17	99	Miscellaneous	ON-SITE MTG W/REPS OF US EPA, NPI & CONSULTANTS
2015-11-19	43	Status Report Received	GWE RPT #280; SVE RPT 229
2016-01-13	43	Status Report Received	GWE RPT #281; SVE RPT 230
2016-01-14	43	Status Report Received	GWE RPT #282; SVE RPT 231
2016-01-19	43	Status Report Received	QTRLY DMR RECEIVED; OCT-DEC 2015
2016-01-19	43	Status Report Received	ANNUAL DMR RPT FOR 2015 RECEIVED
2016-02-18	43	Status Report Received	GWE RPT #283; SVE RPT 232
2016-03-16	43	Status Report Received	GWE RPT #284; SVE RPT 233
2016-03-17	43	Status Report Received	SVE SYSTEM UPDATE & EXHAUST GAS ANALYTICAL CHANGE REQUEST
2016-04-13	43	Status Report Received	GWE RPT #285; SVE RPT #234
2016-04-14	43	Status Report Received	MODIFIED COLD WEATHER OPERATION OF THE MRDS SVE SYSTEM -ASSESSMENT REPORT
2016-04-21	43	Status Report Received	QTRLY DMR REC'D; JAN-MAR 2016
2016-05-19	43	Status Report Received	GWE RPT #286; SVE RPT #235
2016-05-19	43	Status Report Received	ANNUAL REPORT FOR 2015 RECEIVED
2016-06-16	43	Status Report Received	GWE RPT #287; SVE RPT #236
2016-07-12	43	Status Report Received	GWE RPT #288; SVE RPT #237
2016-08-09	43	Status Report Received	GWE RPT #289; SVE RPT #238
2016-09-02	99	Miscellaneous	EPA NOTIFICATION OF 5 YEAR REVIEW START
2016-09-13	43	Status Report Received	GWE RPT #290; SVE RPT #239
2016-10-05	43	Status Report Received	GWE RPT #291; SVE RPT #240
2016-10-06	43	Status Report Received	QTRLY DMR REC'D; JUL-SEP 2016
2016-11-09	43	Status Report Received	GWE RPT #292; SVE RPT #241
2016-11-16	35	Site Investigation Workplan Received (w/out Fee)	EW-5 STATUS RPT & WP FOR 12-MO TRIAL SHUTDOWN OF EW-6
2016-12-13	43	Status Report Received	GWE RPT #293; SVE RPT #242
2016-12-19	43	Status Report Received	MULTIPLE LINES OF EVIDENCE FOR RNA/MNA OF CADMIUM IN GW
2017-01-17	43	Status Report Received	GWE RPT #294; SVE RPT #243
2017-01-19	43	Status Report Received	ANNUAL DMR RPT FOR 2016 REC'D
2017-01-19	43	Status Report Received	QTRLY DMR REC'D; OCT-DEC 2016
2017-02-16	43	Status Report Received	GWI RPT #295; SVE RPT #244
2017-03-09	43	Status Report Received	GEW RPT #296; SVE RPT #245
2017-04-26	43	Status Report Received	GW EXTR RPT #297; SVE RPT #246
Linked to Code 43:		20170426 43 Progress Rpt Monthly Mar 2017.pdf	Click to Download or Open
2017-05-09	43	Status Report Received	QTRLY DMR REC'D; JAN-MAR 2017
Linked to Code 43:		20170509 43 DMR Qtrly Jan-Mar 2017.pdf	Click to Download or Open

2017-05-16	43	Status Report Received	GW EXTR RPT #298;SVE RPT #247
Linked to Code 43:		20170516 43 Progress Rpt Monthly Apr 2017.pdf Click to Download or Open	
2017-05-25	37	SI Report Received (w/out Fee)	GW ANALYTICAL RESULTS FOR 1,4-DIOXANE
Linked to Code 37:		20170525 37 SI RPT Analyticals 1,4 Dioxane.pdf Click to Download or Open	
2017-05-26	43	Status Report Received	UPDATE ON EAST DISPOSAL SITE, DRAINAGE DITCH #3 & LOADING DOCK AREA
Linked to Code 43:		20170525 43 STATUS RPT EDS_DD#3 LOAD DOCK.pdf Click to Download or Open	
2017-06-01	40	Remedial Action Options Report Approved	REMEDIATION OF CD IN GW USING MNA
Linked to Code 40:		20170522 40 RAOR APP.pdf Click to Download or Open	
2017-06-19	43	Status Report Received	GW EXTR RPT #299; SVE RPT #248
Linked to Code 43:		20170619 43 Progress Rpt Monthly May 2017.pdf Click to Download or Open	
2017-07-07	99	Miscellaneous	JUNE 2017 ECMWF LAB DATA
Linked to Code 99:		20170707 99 ECMWF Lab Data 20170615.pdf Click to Download or Open	
2017-07-10	43	Status Report Received	GW EXTR RPT #300; SVE RPT #249
Linked to Code 43:		20170710 43 Progress Rpt Monthly Jun 2017.pdf Click to Download or Open	
2017-07-26	326	Superfund Five Year Review Report Submittal	FIFTH FIVE-YEAR REVIEW
Linked to Code 326:		20170726 326 Five Yr Review.pdf Click to Download or Open	
2017-08-08	43	Status Report Received	MRDS SVE TRIAL SHUTDOWN RPT
Linked to Code 43:		20170808 43 MRDS SVE Trial Shutdown Rpt.pdf Click to Download or Open	
2017-08-16	43	Status Report Received	GW EXTR RPT #301; SVE RPT #250
Linked to Code 43:		20170816 43 Progress Rpt Monthly Jul 2017.pdf Click to Download or Open	
2017-08-16	43	Status Report Received	QTRLY DMR RECD; APR-JUN 2017
Linked to Code 43:		20170816 43 DMR Qtrly Apr-Jun 2017.pdf Click to Download or Open	
2017-09-07	43	Status Report Received	GW EXTRA RPT #302; SVE RPT #251
Linked to Code 43:		20170907 43 Progress Rpt Monthly Aug 2017.pdf Click to Download or Open	
2017-10-17	43	Status Report Received	GW EXTRA RPT #303;SVE RPT #252
Linked to Code 43:		20171017 43 Progress Rpt Monthly Sept 2017.pdf Click to Download or Open	
2017-10-18	43	Status Report Received	QTRLY DMR RECD; JUL-SEPT 2017
Linked to Code 43:		20171018 DMR Qtrly Jul-Sept 2017.pdf Click to Download or Open	
2017-10-25	99	Miscellaneous	SITE VISIT & MTG W/US EPA & CONSULTANTS
2017-11-01	99	Miscellaneous	REVISED QAPP
Linked to Code 99:		20171101 99 QAPP.pdf Click to Download or Open	
2017-11-15	43	Status Report Received	GW EXTR RPT #304; SVE RPT #253
Linked to Code 43:		20171115 43 Progress Rpt Monthly Oct 2017.pdf Click to Download or Open	
2017-11-29	43	Status Report Received	ANNUAL INTERIM RA STATUS RPT FOR 2016
Linked to Code 43:		20171129 43 Interim RA Status Rpt Annual 2016.pdf Click to Download or Open	
2017-12-13	99	Miscellaneous	US EPA REQUIREMENT FOR CONTINUING MNA MONITORING FOR CD
Linked to Code 99:		20171213 99 EPA Cd MNA Ltr.pdf Click to Download or Open	
2017-12-19	43	Status Report Received	GW EXTR RPT #305; SVE RPT #254
Linked to Code 43:		20171219 43 Progress Rpt Monthly Nov 2017.pdf Click to Download or Open	
2018-01-10	43	Status Report Received	GW EXTR RPT #306; SVE RPT #255
Linked to Code 43:		20180110 43 Progress Rpt Monthly Dec 2017.pdf Click to Download or Open	
2018-01-16	43	Status Report Received	ANNUAL DMR RECD 2017
Linked to Code 43:		0209000267 20180116 dmr ann 2017.pdf Click to Download or Open	
2018-01-16	43	Status Report Received	QTRLY DMR RECD: OCT-DEC 2017
Linked to Code 43:		0209000267 20180116 dmr qtrly oct dec 2017.pdf Click to Download or Open	
2018-02-14	43	Status Report Received	GW EXTR RPT #307; SVE RPT #256
Linked to Code 43:		20180214 43 Progress Rpt Monthly Jan 2018.pdf Click to Download or Open	
2018-02-26	43	Status Report Received	INTERIM RA STATUS RPT FOR 2017
Linked to Code 43:		20180226 43 Interim RA Status Rpt Ann 2017.pdf Click to Download or Open	
2018-03-08	43	Status Report Received	PROGRESS REPORT MONTHLY FEB 2018
Linked to Code 43:		20180308 43 Progress Rpt Monthly Feb 2018.pdf Click to Download or Open	
2018-04-11	43	Status Report Received	GW EXTR RPT #309; SVE RPT #258
Linked to Code 43:		20180411 43 Progress Report Monthly Mar 2018.pdf Click to Download or Open	
2018-04-25	43	Status Report Received	QTRLY DMR RECD: JAN-MAR 2018
Linked to Code 43:		20180425 DMR Qtrly Jan-Mar 2018.pdf Click to Download or Open	

2018-05-09	43	Status Report Received	GW EXTR RPT #310; SVE RPT #259
Linked to Code 43:		20180509 43 Progress Report Monthly Apr 2018.pdf Click to Download or Open	
2018-05-14	35	Site Investigation Workplan Received (w/out Fee)	WORK PLAN TO SAMPLE GW FOR PFAS
Linked to Code 35:		20180501 43 Gas Monit Rpt Qtrly Jan-Mar 2018.pdf Click to Download or Open	
2018-05-30	99	Miscellaneous	WELL ABANDONMENT FORMS
Linked to Code 99:		20180530 99 Well Abandonments.pdf Click to Download or Open	
2018-06-04	43	Status Report Received	GW EXTR RPT #311; SVE RPT #260
Linked to Code 43:		20180604 43 Progress Report Monthly May 2018.pdf Click to Download or Open	
2018-07-16	43	Status Report Received	GW EXTR RPT #312; SVE RPT #261
Linked to Code 43:		20180716 43 Progress Report Monthly June 2018.pdf Click to Download or Open	
2018-07-17	43	Status Report Received	QTRLY DMR RECD APR-JUN 2018
Linked to Code 43:		20180717 43 DMR Qtrly Apr-Jun 2018.pdf Click to Download or Open	
2018-08-01	43	Status Report Received	MRDS SVE 2ND TRIAL SEASONAL SHUTDOWN RPT DEC 2017-JUN 2018
Linked to Code 43:		20180801 MRDS SVE 2nd Trial Shutdown Rpt Dec 2017 Jun 2018.pdf Click to Download or Open	
2018-08-14	43	Status Report Received	GW EXTR RPT #313; SVE RPT #262
Linked to Code 43:		20180814 43 Progress Report Monthly Jul 2018.pdf Click to Download or Open	
2018-08-14	99	Miscellaneous	EMAIL DIRECTION
2018-09-10	43	Status Report Received	GW EXTR RPT #314; SVE RPT #263
Linked to Code 43:		20180910 43 Progress Report Monthly Aug 2018.pdf Click to Download or Open	
2018-09-19	43	Status Report Received	ANALYTICAL RESULTS SUMMARY 2018
Linked to Code 43:		20180919 43 Analytical Results Summary 2018.pdf Click to Download or Open	
Other Documents and Images Not Linked to Actions Above Click File Name to Download or Open			
Category	File Name or URL	Description	Size (KB)
Website URL	National Presto Industries EPA Superfund NPL/SAA Website		url
Financial  Grants, Loans, DERF Expenditures, State-Funded and Spill Response			
Category	Fiscal Year	Amount	
State-Funded Response : Cost Recovery	1997	\$17,186	
State-Funded Response : Cost Recovery	1998	\$4,844	
State-Funded Response : Cost Recovery	1999	\$9,322	
State-Funded Response : Cost Recovery	2000	\$8,087	
State-Funded Response : Cost Recovery	2001	\$7,519	
State-Funded Response : Cost Recovery	2003	\$5,935	
State-Funded Response : Cost Recovery	2004	\$8,399	
State-Funded Response : Cost Recovery	2005	\$6,427	
Impacts			
Type	Comment		
Groundwater Contamination	-		
Soil Contamination	-		
Substances			
Substance	Type	Est Amt Released	Units
Polynuclear Aromatic Hydrocarbons	Petroleum		
Volatile Organic Compounds	VOC		
Metals	Metals		
Who			
Role	Name/Address		
Responsible Party	NATIONAL PRESTO INDUSTRIES 3925 N HASTINGS WAY EAU CLAIRE, WI 54701		
Project Manager	MAE WILLKOM 1300 W CLAIREMONT AVE EAU CLAIRE, WI 54702		

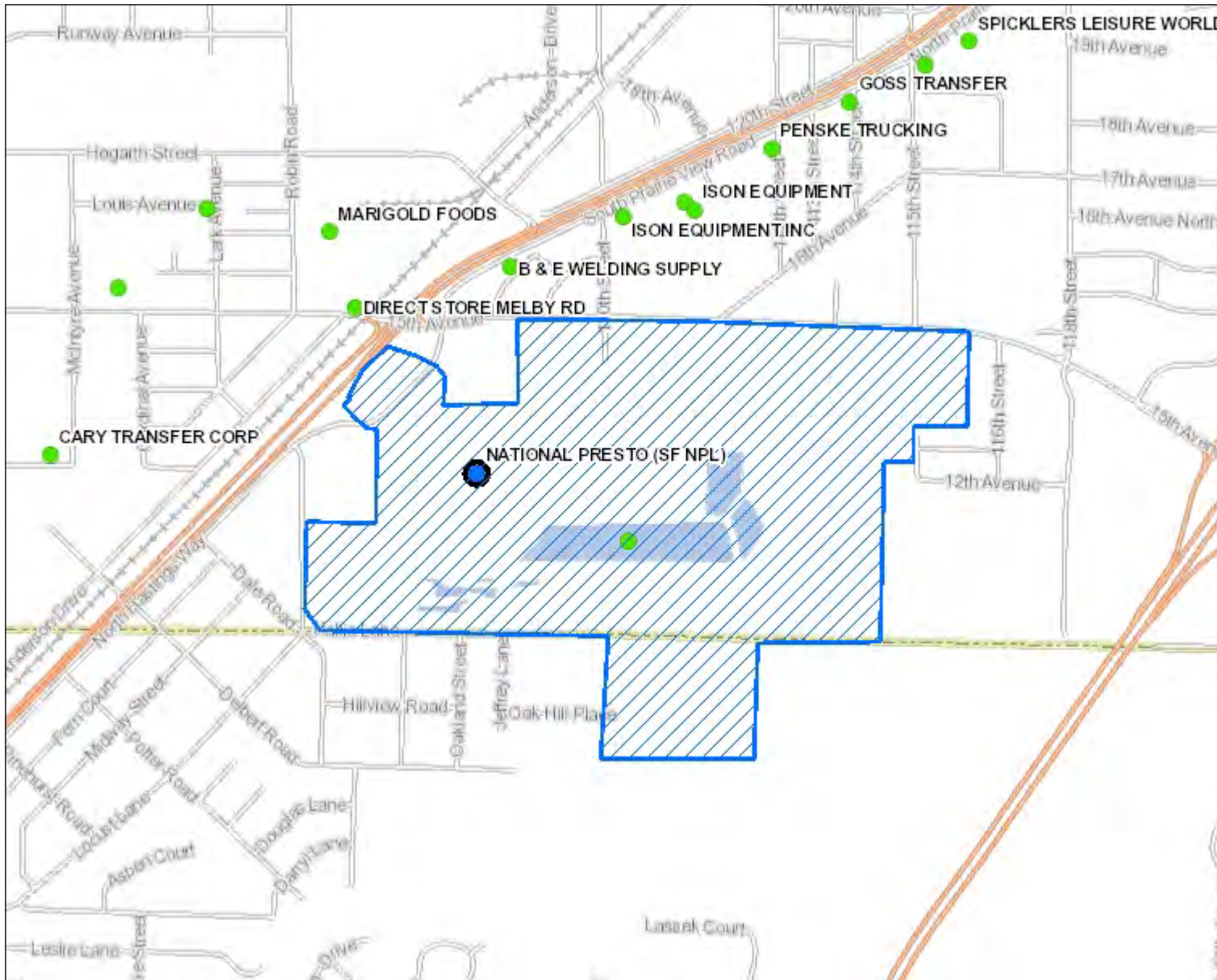
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The Official Internet site for the Wisconsin Department of Natural Resources
101 S. Webster Street . PO Box 7921 . Madison, Wisconsin 53707-7921 . 608.266.2621

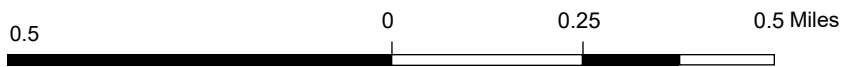
Release 2.6.12 | 09/20/2018 | [Release Notes](#)



02-09-000267 NATIONAL PRESTO (SF NPL) SITE



- Legend**
- Open Site
 - Open Site Boundary
 - Closed Site
 - Continuing Obligations Apply
 - Municipality
 - State Boundaries
 - County Boundaries
 - Major Roads**
 - Interstate Highway
 - State Highway
 - US Highway
 - County and Local Roads**
 - County HWY
 - Local Road
 - + Railroads
 - Tribal Lands



NAD_1983_HARN_Wisconsin_TM

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1: 15,840



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Note: Not all sites are mapped.

Notes

Ongoing Cleanups with Continuing Obligations Cover Sheet

April, 2010
(RR 5391)

Purpose

This cover sheet summarizes continuing obligations regarding environmental conditions on this property. Continuing obligations are legal mechanisms that:

- 1) Require or restrict certain actions to protect human health or the environment.
- 2) Minimize human and natural resource exposure to contamination, and/or
- 3) Give notice of the **existence** of residual contamination

Learn more about continuing obligations at <http://dnr.wi.gov/org/aw/rr/cleanup/obligations.htm>

DNR Property Information:

DNR Approval Date: Mar 31, 1988

BRRTS #: 02-09-000267 FID #: 609038320

ACTIVITY NAME: National Presto Industries, Inc.

PROPERTY ADDRESS: 3925 North Hastings Way

MUNICIPALITY: Eau Claire

PARCEL ID #:

*WTM COORDINATES:

X: 405275 Y: 488548

*Coordinates are in WTM83, NAD83 (1991)

WTM COORDINATES REPRESENT:

- Approximate Center Of Continuing Obligations
 Approximate Source Parcel Center

Please use the CLEAN system at <http://dnr.wi.gov/org/aw/rr/clean.htm> for additional DNR site information.

EPA Superfund Information (if applicable):

EPA ID: WID006196174 To view more information click on the EPA ID.

SITE NAME: National Presto Industries, Inc.

Requirements for all properties with Continuing Obligations

1. Properly manage contaminated soil if it is excavated. Sample and arrange appropriate treatment or disposal.
2. DNR approval is required if a water supply well will be constructed or reconstructed.

Site-Specific Requirement(s) - (BRRTS Action Code)

- A "cap" over the contaminated area must be: (222)
 Constructed & Maintained Maintained
- A vapor mitigation system must be: (226)
 Constructed & Maintained Maintained
- The need for vapor control technology must be evaluated if a building will be constructed. (228)
- The approved soil cleanup level is suitable for industrial use of the property. (220)
- DNR has approved construction on an abandoned landfill and certain maintenance requirements apply. (402) or (404)
- A structural impediment (e.g. building) is present which inhibited investigation/cleanup. Further environment work may be required if the impediment is removed. (224)
- DNR has directed a local government unit (LGU) to take an action and a LGU liability exemption applies. This exemption does not transfer to future private owners. (230)
- Another type of continuing obligation has been established in DNR's remedial action plan approval. (228)
Explain:

Active remediation systems in operation on the site include groundwater extraction pump and treat and soil vapor extraction.

APPENDIX E

COVER SYSTEM MAINTENANCE PLAN FOR THE LDA

COVER SYSTEM MAINTENANCE PLAN
National Presto Industries, Inc. Loading Dock Area (NPI LDA)

Date: October 15, 2018

Property Located at: 3925 North Hastings Way, Eau Claire, Wisconsin, Chippewa County
BRRTS #02-09-000267

Chippewa County Parcel ID# 22809-3440-00020000 (aka City of Eau Claire Parcel #16-0429)

Introduction

This document is the Maintenance Plan (MP) for a direct-contact cover system (i.e., cap) at the above referenced property (Latitude: 44.858652, Longitude: -91.452610) in accordance with the requirements of s. NR 724.13(2), Wisconsin Administrative Code. The maintenance activities relate to clean soil backfill covering soil with residual contamination in the loading dock area (LDA) at the south end of the main building at the National Presto Industries, Inc. (NPI) site. The MP applies to the designated cap area shown on Figure C-1. The cap and this MP will serve as an institutional control for the approval of Wisconsin continuing obligations as remedial actions within the LDA at the NPI site by the Wisconsin Department of Natural Resources (WDNR). Per the public land survey system, the site is in the NE1/4 of the SE1/4 of Section 34, T28N, R09W. For more site-specific information about this property see:

- The case file in the WDNR Eau Claire service center office.
- BRRTS on the Web (the WDNR's online database of contaminated sites).
- The Continuing Obligations (CO.PDF) file (includes information on the nature and extent of contamination).
- The WDNR project manager for the NPI site.

Description of Residual PAH Soil Contamination

The polycyclic aromatic hydrocarbons (PAHs) of primary concern include benzo(a)pyrene and dibenzo(a,h)anthracene in excavation base soil sample EB-3. The perimeter of the direct-contact cover system (designated cap area) shown on Figure C-1 defines the estimated horizontal extent of impacted soil with one or more PAHs at or above an applicable NR 720 industrial direct contact residual contaminant level. The estimated vertical extent of elevated PAHs in soil is from 3.5 to 4 feet below ground surface (bgs). The depth to water in this area of the site is approximately 70 feet bgs.

Description of the Direct Contact Cover System to be Maintained

The cap serves as a barrier to prevent direct human contact with the residual PAH soil contamination that might otherwise pose a threat to human health. The system components include clean sand and gravel backfill placed in December 2001 and vegetated soil cover. The existing vegetated soil cover currently maintains sparse grass (due to the sandy soil and no irrigation) in a relatively flat area of the site, bordering an asphalt access road and parking

apron for semi-trailers. The area is mowed as needed. Attachment A provides two representative photographs of the LDA capped area for reference.

Maintenance Activities and Annual Inspection

The direct-contact cover system (i.e., clean sand and gravel backfill and vegetated soil cover) must be maintained to prevent direct contact. In the event cap repair or other activities (e.g., underground utility repair or installation) expose the underlying soil in the designated cap area, maintenance workers will be notified of the PAH impacts and directed to use appropriate personal protective equipment. If material within the extent of soil impacts is excavated, it will be sampled to determine the degree of contamination, if any. All excavated soil must be treated, stored, and disposed of in accordance with applicable local, state, and federal laws.

In the designated cap area shown on Figure C-1, the direct-contact cover system will be inspected by the property owner or its designated representative at least once a year for erosion, settling, vegetative damage, cracking, and other potential problems that can cause exposure to underlying impacted soils. Any area of erosion, settling, vegetative damage, cracking, etc. will be documented and repaired. A log of the inspections and all repairs will be maintained on site by the property owner; is included as Attachment B, *Continuing Obligations Inspection and Maintenance Log*; and will be available for submittal to or inspection by WDNR representatives upon their request. In addition, if problems are noted in the designated cap area at any time during the year, repairs will be scheduled as soon as practical.

Prohibited Activities and WDNR Notification Requirements

The following activities, outside of those required for cap maintenance, are prohibited on the property within the area of the cap shown on Figure C-1 unless prior written approval has been obtained from the WDNR or its successor:

- Removing or replacing the cap with another barrier. Any replacement cap would be subject to the same guidelines as outlined in this MP, unless indicated otherwise by the WDNR or its successor.
- Excavating or grading of the land surface.
- Filling on capped areas.
- Plowing for agricultural cultivation.
- Constructing or placing a building or other structure in an area where a soil cover or other barrier is required.
- Changing the use or occupancy of the property to a commercial or residential exposure setting, including single or multiple family residence, a school, day care, senior center, hospital, or similar commercial or residential exposure setting.

Gannett Fleming

If removal, replacement or other changes to a cover are considered, the property owner will contact DNR at least 45 days before taking such an action, to determine whether further action may be necessary to protect human health, safety, or welfare or the environment, in accordance with s. NR 727.07, Wis. Adm. Code.

The property owner will:

- Notify the WDNR if any pertinent problem occurs for two or more successive inspections.
- Maintain a copy of this MP on site.
- Make the MP available to all interested parties (i.e., on-site employees, contractors, future property owners, etc.) for viewing upon request.
- Keep this MP up to date and revised as necessary, per NR 724.13(4).

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

Contact Information

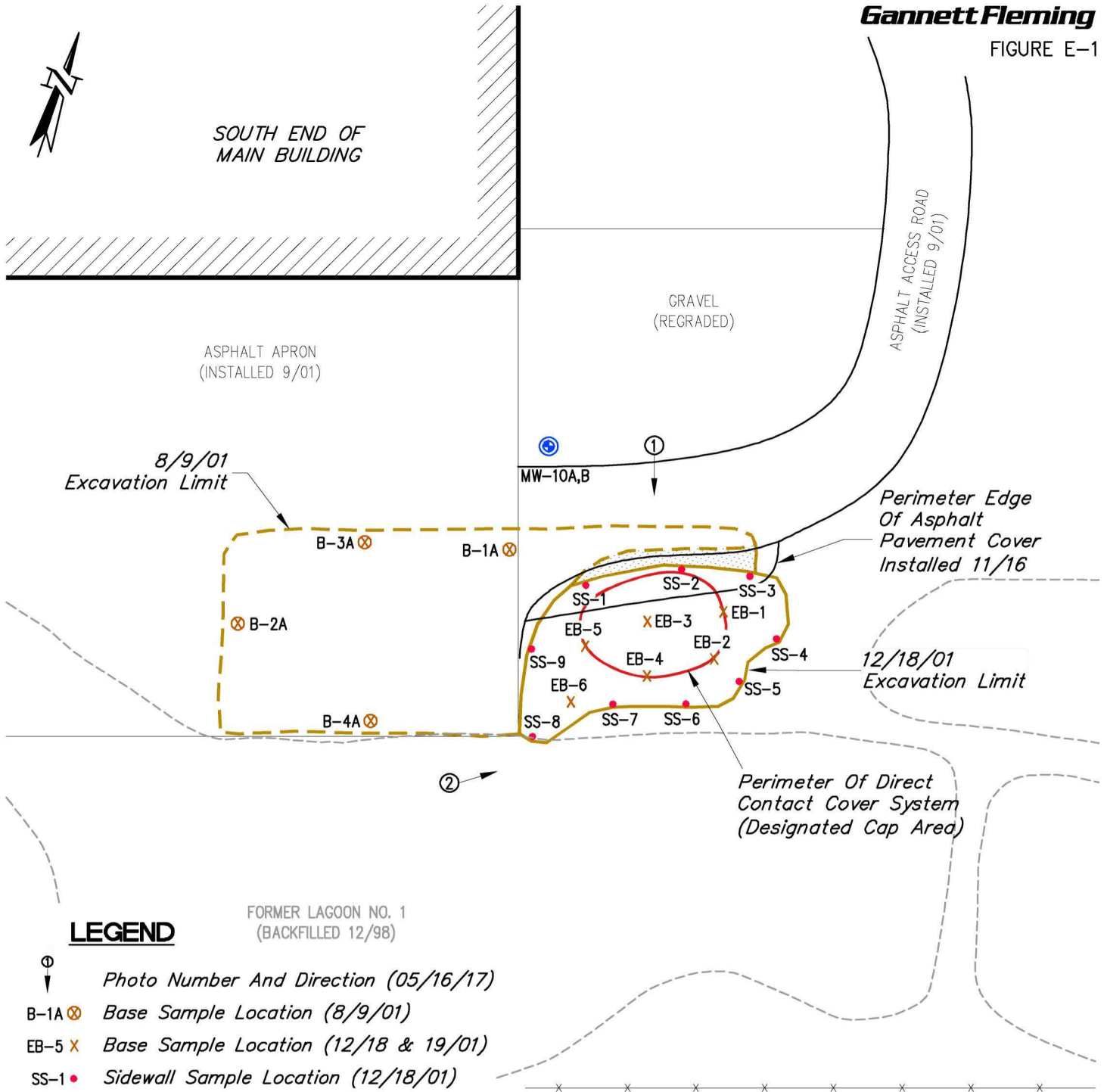
October 2018

Property owner: National Presto Industries, Inc.
c/o Derrick Paul
3925 North Hastings Way, Eau Claire, WI 54703
(715) 839-2141

Signature: _____

Consultant: Gannett Fleming, Inc.
c/o Cliff Wright
8025 Excelsior Drive, Madison, WI 53717-1900
(608) 836-1500 ext. 6722

Project manager: Mae Willkom
WDNR
1300 West Clairemont Avenue, Eau Claire, WI 54701
(715) 839-3748



LEGEND

- Photo Number And Direction (05/16/17)
- Base Sample Location (8/9/01)
- Base Sample Location (12/18 & 19/01)
- Sidewall Sample Location (12/18/01)
- Estimated Extent Of Residual Material Left In Place
- NPI Superfund Monitoring Well Nest (MW Prefix)



**DIRECT CONTACT COVER
SYSTEM MAP**

(LOADING DOCK AREA)

NATIONAL PRESTO INDUSTRIES, INC.
EAU CLAIRE, WISCONSIN

ATTACHMENT A

PHOTOGRAPHS OF THE LDA CAP

Client Name: National Presto Industries, Inc. (NPI)	Site Location: NPI Loading Dock Area, Eau Claire, Wisconsin	Project No. 34283.000
---	---	---------------------------------

Photo No. 1	Date: 05/16/17
<p>Description: View looking south at the asphalt patch installed in November 2016 (darker strip of asphalt on far side of access road) and vegetated soil cover of the Loading Dock Area (LDA) cap. Figure E-1 includes a symbol showing photo number and direction for reference.</p>	



Photo No. 2	Date: 05/16/17
<p>Description: View looking east at the asphalt patch installed in November 2016 and vegetated soil cover of the LDA cap. A parked semi-trailer to the left (not pictured here but seen in Photo No. 1 above) limited access. Figure E-1 includes a symbol showing photo number and direction for reference.</p>	



ATTACHMENT B

CONTINUING OBLIGATIONS MAINTENANCE AND INSPECTION LOG

Directions: In accordance with s. NR 727.05 (1) (b) 3., Wis. Adm. Code, use of this form for documenting the inspections and maintenance of certain continuing obligations is required. Personal information collected will be used for administrative purposes and may be provided to requesters to the extent required by Wisconsin's Open Records law [ss. 19.31-19.39, Wis. Stats.]. When using this form, identify the condition that is being inspected. See the closure approval letter for this site for requirements regarding the submittal of this form to the Department of Natural Resources. A copy of this inspection log is required to be maintained either on the property, or at a location specified in the closure approval letter. Do NOT delete previous inspection results. This form was developed to provide a continuous history of site inspection results. The Department of Natural Resources project manager is identified in the closure letter. The project manager may also be identified from the database, BRRTS on the Web, at <http://dnr.wi.gov/botw/SetUpBasicSearchForm.do>, by searching for the site using the BRRTS ID number, and then looking in the "Who" section.

Activity (Site) Name National Presto Industries (LDA)	BRRTS No. 02-09-000267
---	----------------------------------

Inspections are required to be conducted (see closure approval letter):

- annually
- semi-annually
- other – specify _____

When submittal of this form is required, submit the form electronically to the DNR project manager. An electronic version of this filled out form, or a scanned version may be sent to the following email address (see closure approval letter):

Inspection Date	Inspector Name	Item	Describe the condition of the item that is being inspected	Recommendations for repair or maintenance	Previous recommendations implemented?	Photographs taken and attached?
		<input type="checkbox"/> monitoring well <input checked="" type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N

{Click to Add/Edit Image}

Date added:

Title:

{Click to Add/Edit Image}


Date added:


Title:


APPENDIX F


NOTIFICATION LETTERS TO PROPERTY OWNERS WITH LOST MONITORING WELLS

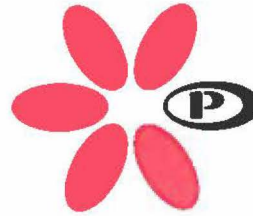
Proof of receipt of each letter (two pages) follows.

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY																	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p><i>[Signature]</i></p>																	
<p>1. Article Addressed to:</p> <p><i>Todd Norrell Chippewa Valley Airport 2800 Starr Ave. Eau Claire, WI 54603</i></p>  <p>9590 9402 4468 8248 8690 89</p>	<p>B. Received by (Printed Name)</p>	<p>C. Date of Delivery <i>10-24</i></p>																
<p>2. Article Number (Transfer from service label)</p> <p>7018 0360 0002 2348 6039</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p>																	
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053</p>	<p>3. Service Type</p> <table border="0"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</td> <td></td> </tr> </table> <p>Domestic Return Receipt</p>		<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	
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<p>1. Article Addressed to:</p> <p><i>Jason & Crystal Getchell 3412 Sundet Rd Eau Claire, WI 54603-0352</i></p>  <p>9590 9402 4468 8248 8690 72</p>	<p>B. Received by (Printed Name)</p>	<p>C. Date of Delivery <i>10/24/18</i></p>																
<p>2. Article Number (Transfer from service label)</p> <p>7018 0360 0002 2348 6046</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p>																	
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<p>1. Article Addressed to:</p> <p><i>Michael Ahrens U.S. Bank 131 S. Farston St Eau Claire, WI 54601</i></p>  <p>9590 9402 4468 8248 8690 96</p>	<p>B. Received by (Printed Name) <i>Brook Swillem</i> C. Date of Delivery <i>10/24/18</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p>																
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<p>1. Article Addressed to:</p> <p><i>Jason Miller Veritas Steel 2800 Melby St. Eau Claire, WI 54601</i></p>  <p>9590 9402 4468 8248 8691 02</p>	<p>B. Received by (Printed Name) C. Date of Delivery <i>10-25</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p>																
<p>2. Article Number (Transfer from service label)</p> <p><i>7018 0360 0002 2348 6015</i></p> <p>PS Form 3811, July 2015 PSN 7530-02-000-9053</p>	<p>3. Service Type</p> <table border="0"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail Restricted Delivery</td> <td></td> </tr> </table> <p>Domestic Return Receipt</p>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Insured Mail Restricted Delivery	
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PRESTO*
National Presto Industries, Inc.
Eau Claire, WI 54703-3703

www.gopresto.com
Tel. 715-839-2121
Fax 715-839-2148
715-839-2122
715-839-2242

October 16, 2018

Todd Norrell
Chippewa Valley Airport
3800 Starr Ave
Eau Claire, WI 54703

Dear Todd:

This letter is a follow up to phone conversations with Cliff Wright at Gannett Fleming, Inc. about the following monitoring wells.

Well ID	NPI Grid Coordinate	Completion Date	Screened Interval (ft below grade)	Casing Diameter (inches)	Casing/ Screen Material	Property Street Address in Eau Claire
MW-50A	F6	9/16/91	63.4-78.4	2	PVC	3800 Starr Ave
MW-50B	"	9/15/91	95-105	"	"	"
MW-59A	"	11/8/91	62-77	"	"	"
MB-59B	"	11/19/91	129-139	"	"	"
RW-5	D8	1/18/86	82-112	"	"	"
RW-25	G3	8/13/87	55-65	"	"	"

As you know from those conversations:

- National Presto Industries, Inc. (NPI) is committed to the process of addressing the environmental concerns from nearly three decades ago. One of the next steps is to address those monitoring wells that are no longer needed.
- The referenced wells are on your property and cannot now be located for proper abandonment.

As part of NPI's commitment to the process and to you, the property owner, we are sending you this packet of information which includes an agreement, Attachment B, giving you our commitment to accept responsibility for properly filling and sealing the wells. The enclosed "Keep This Document With Your Property Records" letter explains the process in detail and contains information and language required by the Wisconsin DNR. It also includes Attachments A and B and provides a list of the additional documents in the packet. Please review the information carefully and respond with questions or provide comments within 30 days.

Sincerely,

Derrick Paul
Program Manager
dpaul@gopresto.com
Enc.

KEEP THIS DOCUMENT WITH YOUR PROPERTY RECORDS

October 22, 2018

Todd Norrell
Chippewa Valley Airport
3800 Starr Ave
Eau Claire, WI 54703-0567

Dear Todd:

National Presto Industries, Inc. (NPI) is providing this letter to inform you of the approximate location of six missing monitoring wells remaining on your property, and of certain long-term responsibilities (continuing obligations) for which you may become responsible. NPI has investigated a release of trichloroethylene (TCE) on 3925 N Hastings Way, Eau Claire, WI 54703 that necessitated the placement of these monitoring wells on your property, which cannot now be located for proper abandonment.

NPI will be requesting that the Department of Natural Resources (DNR) list the site on the Wisconsin Remediation and Redevelopment Database as having WI Continuing Obligations. Continuing obligations may be imposed as a condition of remedial action approval.

You have 30 days to comment on Attachments A and B and on the proposed remedial action request:

Attachment A provides a legal description of your property. Please review it and notify Cliff Wright (608/836-1500 x6722) at Gannett Fleming, Inc., 8025 Excelsior Dr, Madison, WI 53717 within the next 30 days if the legal description is incorrect.

The DNR will not review NPI's remedial action approval request for at least 30 days after the date of receipt of this letter. As an affected property owner, you have a right to contact the DNR to provide any technical information that you may have that indicates that remedial action approval should not be granted for this site. If you would like to submit any information that is relevant to this remedial action approval request, or if you want to waive the 30-day comment period, you should mail that information to the DNR contact: Mae Willkom, DNR, 1300 W Clairmont Ave, Eau Claire, WI 54701 or at Mae.Willkom@wisconsin.gov.

Your Long-Term Responsibilities as a Property Owner and Occupant:

The continuing obligations NPI is proposing that affect your property are listed below, under the heading **Continuing Obligations**. Under s. 292.12 (5), Wis. Stats., current and future owners and occupants of this property are responsible for complying with continuing obligations imposed as part of an approved remedial action.

Todd Norrell
Chippewa Valley Airport
October 22, 2018

-2-

The fact sheet "Continuing Obligations for Environmental Protection" (DNR publication RR 819) has been included with this letter, to help explain the responsibilities you may have for maintenance of a certain continuing obligation, the limits of any liability for investigation and cleanup of contamination, and how these differ. If the fact sheet is lost, you may obtain copies at: <http://dnr.wi.gov/files/PDF/pubs/rr/RR819.pdf>.

Contract for responsibility for continuing obligation:

Before NPI requests remedial action approval, NPI will inform the DNR that you will be responsible for contacting NPI about the abandonment of the lost well(s) on your property. Under s. 292.12, Wis. Stats., the responsibility for maintaining all necessary continuing obligations for your property will fall on you or any subsequent property owner, unless another person has a legally enforceable responsibility to comply with the requirements of the remedial action approval letter. Attachment B to this notification letter provides a written agreement between you and NPI that NPI will properly abandon the lost well(s) on your property, if found. Please review Attachment B and notify Cliff Wright (608/836-1500 x6722) at Gannett Fleming, Inc., 8025 Excelsior Drive, Madison, WI 53717 within the next 30 days if the agreement is incorrect and/or not legally enforceable.

If you need more time to finalize an agreement on the responsibility for the continuing obligations on your Property, you may request additional time from the DNR contact identified in **Contact Information**.

(Note: Future property owners would need to negotiate a new agreement.)

Continuing Obligations on Your Property:

As part of the cleanup, NPI is proposing that the following continuing obligations be used at your property, to address future responsibility for well abandonment. If NPI's remedial action approval request is approved, you will be responsible for the following continuing obligations.

Filling and Sealing Monitoring Wells:

A monitoring well or wells remain on your property. NPI was unable to locate these monitoring well(s) to properly fill and seal them because they were paved over, covered or removed during site development activities. When located, the remaining well(s) need to be filled and sealed in accordance with ch. NR 141, Wis. Adm. Code. Documentation of well filling and sealing needs to be provided to the DNR on form 3300-005, at:

<http://dnr.wi.gov/files/pdf/forms/3300/3300-005.pdf>.

A map, Figure 1 is attached, which shows the locations of monitoring wells MW-50A/B, MW-59A/B, RW-5, and RW-25. You will also need to notify any future owners or occupants of this property of the need to maintain the continuing obligation.

Todd Norrell
Chippewa Valley Airport
October 22, 2018

-3-

GIS Registry and Well Construction Requirements:

If this remedial action request is approved, all properties within the site boundaries where contamination remains, or where a continuing obligation is applied, will be listed on the Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web, at:


<http://dnr.wi.gov/topic/Brownfields/clean.html>.

Inclusion on this database provides public notice of remaining contamination and of any continuing obligations. Documents can be viewed on this database, and include items such as final closure letters, remedial action approvals, site maps and any applicable maintenance plans. The location of the site may also be viewed on the Remediation and Redevelopment Sites Map (RR Sites Map) at the same Web address listed above.

Remedial Action Approval:

If the DNR grants remedial action approval, you will receive a letter which defines the specific continuing obligations on your property. The status of the remedial action approval may also be checked by searching BRRTS on the Web. You may view or download a copy of the remedial action approval letter (sent to the responsible party) from BRRTS on the Web. You may also request a copy of the remedial action approval letter from the **responsible party** or by writing to the DNR contact, Mae Willkom at Mae.Willkom@wisconsin.gov, 715/839-3748.

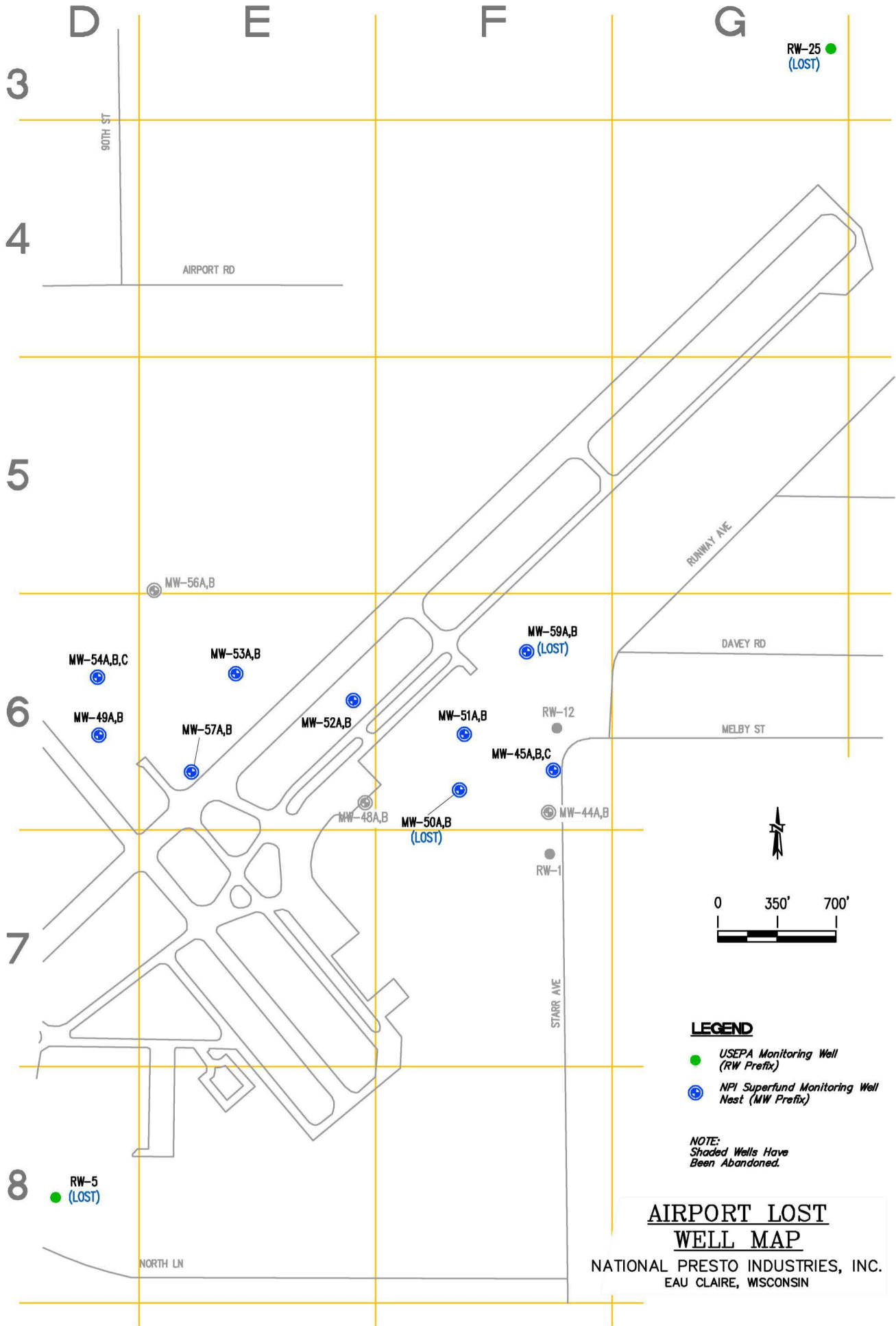
The remedial action approval letter will contain a description of the continuing obligation and any prohibitions on activities. If you have any questions regarding this notification, I can be reached at 608/836-1500 x6722.

Signature of the environmental consultant for the responsible party	Date signed
	10/22/2018

Cliff Wright, P.E., P.G.

Attachments and enclosures:

- Cover letter from NPI.
- Map showing location of well(s).
- Contact information.
- Legal description of parcel (Attachment A).
- Lost well abandonment agreement (Attachment B).
- Factsheet RR 819, Continuing Obligations for Environmental Protection.



LEGEND

- USEPA Monitoring Well (RW Prefix)
- ⊕ NPI Superfund Monitoring Well (MW Prefix)

*NOTE:
Shaded Wells Have
Been Abandoned.*

**AIRPORT LOST
WELL MAP**

NATIONAL PRESTO INDUSTRIES, INC.
EAU CLAIRE, WISCONSIN

NATIONAL PRESTO INDUSTRIES, INC.
EAU CLAIRE, WISCONSIN

CONTACT INFORMATION (OCTOBER 2018)

Responsible Party (RP) contact:

Derrick Paul
National Presto Industries, Inc.
3925 N. Hastings Way
Eau Claire, WI 54703-0485
715/839-2141
dpaul@gopresto.com

Environmental consultant contact for RP:

Cliff Wright
Gannett Fleming, Inc.
8025 Excelsior Dr.
Madison, WI 53717-1900
608/836-1500 x6722
cwright@gfnet.com

Department contact:

Mae Willkom
Wisconsin Department of Natural Resources
Remediation and Redevelopment Program
1300 W. Clairemont Avenue
P.O. Box 4001
Eau Claire, WI 54701
715/839-3748
Mae.Willkom@wisconsin.gov

ATTACHMENT A
LEGAL DESCRIPTION

Parcel 1:

That part of Sections 27, 28, 32 and 33, Township 28 North, Range 9 West, City of Eau Claire, Chippewa County, Wisconsin, described as follows:

Beginning at a point on the North line of Section 4, Township 27 North, Range 9 West which is 33 feet West of the North Quarter corner of said Section 4; thence West along the North line of said Section 4 to the West line of Neptune Avenue and the Northwest corner of Section 4, Township 27 North, Range 9 West being also the Northeast corner of Section 5, Township 27 North, Range 9 West; thence West along said North line of Section 5 to a point which is 1,499 feet distant, more or less; thence N19°25'W, 1,263.98 feet; thence N44°35'E, 761.12 feet to the West line of the NE¼ of the SE¼ of Section 32, Township 28 North, Range 9 West (Centerline of Guthrie Road); thence N1°53'30"W, 910.7 feet along said West line (Centerline of Guthrie Road), to the North line of said NE¼ of the SE¼; thence N1°02'W, 453.5 feet along the West line of said SE¼ of the NE¼ of Section 32 (Centerline of Guthrie Road); thence N40°38'W, 1,153.3 feet to the South line of the NW¼ of the NE¼ of Section 32; thence S89°13'W, 570.2 feet along said South line to the waters edge of the Chippewa River; thence Northerly along said waters edge of the Chippewa River 1,420 feet, more or less, to the North line of Section 32; thence N88°51'30"E 973.2 feet along said North line of Section 32 to the West line of the NE¼ of NE¼ of said Section 32; thence Easterly 1,318.7 feet along said North line of Section 32 to the Northeast corner of said Section 32; thence Easterly 2,566.64 feet along the North line of Section 33, Township 28 North, Range 9 West; thence N44°35'E, 22.72 feet to the West line of the SW¼ of the SE¼ of Section 28, Township 28 North, Range 9 West; thence N0°22'W, 1,308.48 feet to the Northwest corner of Said SW¼ of the SE¼; thence N88°40'E, 881.26 feet along the North line of said SW¼ of SE¼; thence N48°28'E, 2,053.8 feet to the North line of the S½ of Section 28; thence N88°36'30"E, 200.00 feet to the East Quarter Corner of said Section 28; thence N89°18'E, 968.72 feet along the North line of the S½ of Section 27, Township 28 North, Range 9 West; thence N44°35"E, 370.4 feet; thence S45°25'E, 122.99 feet to the East line of the SW¼ of the NW¼ of Section 27; thence S0°02'W, 173.23 feet along said East line to the South line of said SW¼ of the NW¼; thence S89°18'W, 63.28 feet along said South line of the SW¼ of the NW¼; thence S44°35'W, 481.58 feet; thence S45°25'E, 561.76 feet to the East line of the NW¼ of the SW¼ of Section 27; thence S0°02'W, 301.15 feet along said East line; thence S45°06'30"W, 1,360.9 feet; thence S88°36'W, 31.28 feet; thence S0°17'W, 30.58 feet; thence S45°06'30"W, 468.0 feet to the West line of Section 27; thence N0°17'E, 142.95 feet along said West line; thence S45°44'W, 439.90 feet; thence S0°17'W, 150.00 feet to the South line of said Section 27; thence S45°06'30"W, 166.20 feet; thence S44°35'W, 1,176.9 feet; thence S45°25'E, 300.00 feet; thence S44°35'W, 2,058.19 feet; thence S2°28'E, 70.68 feet; thence S89°12'W, 33.01 feet to the West Right-of-Way line of Starr Avenue; thence Southerly 1,343.8 feet along said Right-of-Way; thence Westerly 297.0 feet; thence Southerly 247.5 feet; thence Easterly 297.0 feet to the West Right-of-Way line Starr Avenue; thence Southerly along said Right-of-Way 295.3 feet; thence Westerly 280.0 feet; thence Southerly 274.0 feet; thence Easterly 280.0 feet to the West Right-of-Way line Starr Avenue; thence Southerly 560 feet along said Right-of-Way to the point of beginning.

Included in this description is Lot 1, Chippewa County Certified Survey Map No. 280 recorded in volume 1 of the Certified Survey Maps on pages 384 - 385 as Document No. 396419.

EXCEPT those portions used for public roadway purposes.

(Continued on Next Page)

(Continuation of Airport description)

Parcel 2:

Lot 1, Chippewa County Certified Survey Map No. 493 recorded in Volume 1 of the Certified Survey Maps on pages 698 - 700 as Document No. 421618, City of Eau Claire, Chippewa County, Wisconsin.

Parcel 3:

Lot 1, Chippewa County Certified Survey Map No. 490 recorded in Volume 1 of the Certified Survey Maps on pages 693 - 694 as Document No. 421384, Town of Hallie, Chippewa County, Wisconsin.

Parcel 4:

Lot 1, Chippewa County Certified Survey Map No. 491 recorded in Volume 1 of the Certified Survey Maps on pages 695 - 696 as Document No. 421385, City of Eau Claire, Chippewa County, Wisconsin.

Parcel 5:

Part of Block 3, Chippewa Valley Development Addition, City of Eau Claire, Chippewa County, Wisconsin described as follows:

Commencing at the Northeast corner of said Block 3; thence $S88^{\circ}43'00''W$, along the North line of said Block, 280.45 feet; thence $S45^{\circ}06'30''W$, along the West line of said Block, 166.02 feet; thence $S44^{\circ}35'00''W$, along the West line of said Block, 1173.40 feet; thence $S45^{\circ}25'00''E$ 300.10 feet to the Northwesterly line of Runway Avenue; thence $N44^{\circ}35'00''E$, along said Northwesterly line, 1002.48 feet; thence Northeasterly along the arc of a curve concave Southeasterly, the long chord which bears $N66^{\circ}36'30''E$, 174.76 feet and having a radius of 233.00 feet; thence $N88^{\circ}38'00''E$, along the Northerly line of Runway Avenue, 163.26 feet to the intersection of the East line of said block 3 and the West line of White Avenue; thence $N02^{\circ}54'00''W$, along the East line of said block, 383.06 feet to the point of beginning.

Tax Parcel No. 22809-3340-00000000

ATTACHMENT B
LOST WELL ABANDONMENT AGREEMENT

October 22, 2018

Tax Parcel Number: 22809-3340-00000000

Street address in Eau Claire, Wisconsin: 3800 Starr Avenue

This Lost Well Abandonment Agreement (“Agreement”) is made as of this date, between the owner of the subject parcel (“Property Owner”) and National Presto Industries, Inc. (NPI). Said Property Owner and NPI are sometimes referred to herein as a “Party” or the “Parties.”

If the lost well(s) on the parcel is/are found, then the Parties agree that the Property Owner will contact NPI and grant NPI, or a qualified contractor on NPI’s behalf, access to the parcel to properly fill and seal the well(s) in accordance with ch. NR 141, Wis. Adm. Code.



Continuing Obligations for Environmental Protection Responsibilities of Wisconsin Property Owners Wis. Stat. § 292.12

Purpose

This fact sheet is intended to help property owners understand their legal requirements under s. 292.12, Wis. Stats., regarding continuing obligations that arise due to the environmental condition of their property.

Introduction

The term “continuing obligations” refers to certain actions for which property owners are responsible following a completed environmental cleanup. They are sometimes called environmental land use controls or institutional controls. These legal obligations, such as a requirement to maintain pavement over contaminated soil, are most often found in a cleanup approval letter from the state.

Less commonly, a continuing obligation may apply where a cleanup is not yet completed but a cleanup plan has been approved, or at a property owned by a local government that is exempt from certain cleanup requirements.

What Are Continuing Obligations?

Continuing obligations are legal requirements designed to protect public health and the environment in regard to contamination that remains on a property.

Continuing obligations still apply after a property is sold. Each new owner is responsible for complying with the continuing obligations.

Background

Wisconsin, like most states, allows some contamination to remain after cleanup of soil or groundwater contamination (residual contamination). This minimizes the transportation of contamination and reduces cleanup costs while still ensuring that public health and the environment are protected.

The Department of Natural Resources (DNR), through its Remediation and Redevelopment (RR) Program, places sites or properties with residual contamination on a public database in order to provide notice to interested parties about the residual contamination and any associated continuing obligations. Please see the “Public Information” section on page 3 to learn more about the database. (Prior to June 3, 2006, the state used deed restrictions recorded at county courthouses to establish continuing obligations, and those deed restrictions have also been added into the database.)

Types of Continuing Obligations

1. Manage Contaminated Soil that is Excavated

If the property owner intends to dig up an area with contaminated soil, the owner must ensure that proper soil sampling, followed by appropriate treatment or disposal, takes place. Managing contaminated soil must be done in compliance with state law and is usually done under the guidance of a private environmental professional.

2. Manage Construction of Water Supply Wells

If there is soil or groundwater contamination and the property owner plans to construct or reconstruct a water supply well, the owner must obtain prior DNR approval to ensure that well construction is designed to protect the water supply from contamination.

Other Types of Continuing Obligations

Some continuing obligations are designed specifically for conditions on individual properties. Examples include:

- keeping clean soil and vegetation over contaminated soil;
- keeping an asphalt “cover” over contaminated soil or groundwater;
- maintaining a vapor venting system; and
- notifying the state if a structural impediment (e.g. building) that restricted the cleanup is removed. The owner may then need to conduct additional state-approved environmental work.

It is common for properties with approved cleanups to have continuing obligations because the DNR generally does not require removal of all contamination.

Property owners with the types of continuing obligations described above will find these requirements described in the state’s cleanup approval letter or cleanup plan approval, and *must*:

- comply with these property-specific requirements; and
- obtain the state’s permission before changing portions of the property where these requirements apply.

The requirements apply whether or not the person owned the property at the time that the continuing obligations were placed on the property.

Changing a Continuing Obligation

A property owner has the option to modify a continuing obligation if environmental conditions change. For example, petroleum contamination can degrade over time and property owners may collect new samples showing that residual contamination is gone. They may then request that the DNR modify or remove a continuing obligation. Fees are required for the DNR’s review of this request and for processing the change to the database (\$1050 review fee, \$300/\$350 database fee). Fees are subject to change; current fees are found in Wis. Admin. § NR 749 online at http://docs.legis.wisconsin.gov/code/admin_code/nr/700/749.

Public Information

The DNR provides public information about continuing obligations on the Internet. This information helps property owners, purchasers, lessees and lenders understand legal requirements that apply to a property. The DNR has a comprehensive database of contaminated and cleaned up sites, *BRRTS on the Web*. This database shows all contamination activities known to the DNR. Site specific documents are found under the *Documents* section. The information includes maps, deeds, contaminant data and the state’s closure letter. The closure letter states that no additional environmental cleanup is needed for past contamination and includes information on property-specific continuing obligations. If a cleanup has not been completed, the state’s approval of the remedial action plan will contain the information about

continuing obligations.

Properties with continuing obligations can generally be located in the DNR's *RR Sites Map*. RR Sites Map provides a map view of contaminated and cleaned up sites, including sites with continuing obligations, and links to BRRTS on the Web. *BRRTS on the Web* and *RR Sites Map* are part of the Wisconsin Remediation and Redevelopment Database (WRRD) at <http://dnr.wi.gov/topic/Brownfields/wrrd.html>.

If a completed cleanup is shown in *BRRTS on the Web* but the site documents cannot be found in the documents section, the DNR's closure letter can still be obtained from a regional office. For assistance, please contact a DNR Environmental Program Associate (see the RR Program's Staff Contact web page at dnr.wi.gov/topic/Brownfields/Contact.html).

Off-Site Contamination: When Continuing Obligations Cross the Property Line

An off-site property owner is someone who owns property that has been affected by contamination that moved through soil, sediment or groundwater from another property. Wis. Stat. § 292.13 provides an exemption from environmental cleanup requirements for owners of "off-site" properties. The DNR will generally not ask off-site property owners to investigate or clean up contamination that came from a different property, as long as the property owner allows access to his or her property so that others who are responsible for the contamination may complete the cleanup.

However, off-site property owners are legally obligated to comply with continuing obligations on their property, even though they did not cause the contamination. For example, if the state approved a cleanup where the person responsible for the contamination placed clean soil over contamination on an off-site property, the owner of the off-site property must either keep that soil in place or obtain state approval before disturbing it.

Property owners and others should check the *Public Information* section above if they need to:

- determine whether and where continuing obligations exist on a property;
- review the inspection, maintenance and reporting requirements, and
- contact the DNR regarding changing that portion of the property. The person to contact is the person that approved the closure or remedial action plan.

Option for an Off-Site Liability Exemption Letter

In general, owners of off-site properties have a legal exemption from environmental cleanup requirements. This exemption does not require a state approval letter. Nonetheless, they may request a property-specific liability exemption letter from the DNR if they have enough information to show that the source of the contamination is not on their property. This letter may be helpful in real estate transactions. The fee for this letter is \$700 under Chapter NR 749, Wis. Adm. Code. For more information about this option, please see the RR Program's Liability web page at dnr.wi.gov/topic/Brownfields/Liability.html.

Legal Obligations of Off-Site Property Owners

- Allow access so the person cleaning up the contamination may work on the off-site property (unless the off-site owner completes the cleanup independently).
- Comply with any required continuing obligations on the off-site property.

Required Notifications to Off-Site Property Owners

1. The person responsible for cleaning up contamination must notify affected property owners of any proposed continuing obligations on their off-site property **before** asking the DNR to approve the cleanup. This is required by law and allows the off-site owners to provide the DNR with any technical information that may be relevant to the cleanup approval.

When circumstances are appropriate, an off-site neighbor and the person responsible for the cleanup may enter into a “legally enforceable agreement” (i.e. a contract). Under this type of private agreement, the person responsible for the contamination may also take responsibility for maintaining a continuing obligation on an off-site property. This agreement would not automatically transfer to future owners of the off-site property. The state is not a party to the agreement and cannot enforce it.

2. If a cleanup proposal that includes off-site continuing obligations is approved, the DNR will send a letter to the off-site owners detailing the continuing obligations that are required for their property. Property owners should inform anyone interested in buying their property about maintaining these continuing obligations. For residential property, this would be part of the real estate disclosure obligation.

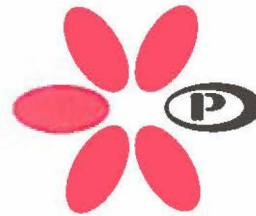
More Information

For more information, please visit the RR Program’s Continuing Obligations website at dnr.wi.gov/topic/Brownfields/Residual.html.

This document is intended solely as guidance and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. This guidance does not establish or affect legal rights or obligations and is not finally determinative of any of the issues addressed. This guidance does not create any rights enforceable by any party in litigation with the State of Wisconsin or the Department of Natural Resources. Any regulatory decisions made by the Department of Natural Resources in any matter addressed by this guidance will be made by applying the governing statutes and administrative rules to the relevant facts.

The Wisconsin Department of Natural Resources provides equal opportunity in its employment, programs, services, and functions under an Affirmative Action Plan. If you have any questions, please write to Chief, Public Civil Rights, Office of Civil Rights, U.S. Department of the Interior, 1849 C. Street, NW, Washington, D.C. 20240.

This publication is available in alternative format (large print, Braille, etc.) upon request. Please call for more information. Note: If you need technical assistance or more information, call the Accessibility Coordinator at 608-267-7490 / TTY Access via relay - 711



PRESTO*
National Presto Industries, Inc.
Eau Claire, WI 54703-3703

www.gopresto.com
Tel. 715-839-2121
Fax 715-839-2148
715-839-2122
715-839-2242

October 16, 2018

Jason and Crystal Getchell
3412 Sundet Rd
Eau Claire, WI 54703-0352

Dear Jason and Crystal:

This letter is a follow up to phone conversations with Cliff Wright at Gannett Fleming, Inc. about the following monitoring well.

Well ID	NPI Grid Coordinate	Completion Date	Screened Interval (ft below grade)	Casing Diameter (inches)	Casing/Screen Material	Property Street Address in Eau Claire
WW-12	J4	9/27/85	17-27	2	PVC	3412 Sundet Rd

As you know from those conversations:

- National Presto Industries, Inc. (NPI) is committed to the process of addressing the environmental concerns from nearly three decades ago. One of the next steps is to address those monitoring wells that are no longer needed.
- The referenced well is on your property and cannot now be located for proper abandonment.

As part of NPI's commitment to the process and to you, the property owner, we are sending you this packet of information which includes an agreement, Attachment B, giving you our commitment to accept responsibility for properly filling and sealing the well.

The enclosed "Keep This Document With Your Property Records" letter explains the process in detail and contains information and language required by the Wisconsin DNR. It also includes Attachments A and B and provides a list of the additional documents in the packet.

Please review the information carefully and respond with questions or provide comments within 30 days.

Sincerely,

Derrick Paul
Program Manager
dpaul@gopresto.com

Enc.

KEEP THIS DOCUMENT WITH YOUR PROPERTY RECORDS

October 22, 2018

Jason and Crystal Getchell
3412 Sundet Rd
Eau Claire, WI 54703-0352

Dear Jason and Crystal:

National Presto Industries, Inc. (NPI) is providing this letter to inform you of the approximate location of a missing monitoring well remaining on your property, and of certain long-term responsibilities (continuing obligations) for which you may become responsible. NPI has investigated a release of trichloroethylene (TCE) on 3925 N Hastings Way, Eau Claire, WI 54703 that necessitated the placement of a monitoring well on your property, which cannot now be located for proper abandonment.

NPI will be requesting that the Department of Natural Resources (DNR) list the site on the Wisconsin Remediation and Redevelopment Database as having WI Continuing Obligations. Continuing obligations may be imposed as a condition of remedial action approval.

You have 30 days to comment on Attachments A and B and on the proposed remedial action request:

Attachment A provides a legal description of your property. Please review it and notify Cliff Wright (608/836-1500 x6722) at Gannett Fleming, Inc., 8025 Excelsior Dr, Madison, WI 53717 within the next 30 days if the legal description is incorrect.

The DNR will not review NPI's remedial action approval request for at least 30 days after the date of receipt of this letter. As an affected property owner, you have a right to contact the DNR to provide any technical information that you may have that indicates that remedial action approval should not be granted for this site. If you would like to submit any information that is relevant to this remedial action approval request, or if you want to waive the 30-day comment period, you should mail that information to the DNR contact: Mae Willkom, DNR, 1300 W Clairmont Ave, Eau Claire, WI 54701 or at Mae.Willkom@wisconsin.gov.

Your Long-Term Responsibilities as a Property Owner and Occupant:

The continuing obligations NPI is proposing that affect your property are listed below, under the heading **Continuing Obligations**. Under s. 292.12 (5), Wis. Stats., current and future owners and occupants of this property are responsible for complying with continuing obligations imposed as part of an approved remedial action.

The fact sheet "Continuing Obligations for Environmental Protection" (DNR publication RR 819) has been included with this letter, to help explain the responsibilities you may have for

Jason and Crystal Getchell
3412 Sundet Rd
Eau Claire, WI 54703-0352
October 22, 2018

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maintenance of a certain continuing obligation, the limits of any liability for investigation and cleanup of contamination, and how these differ. If the fact sheet is lost, you may obtain copies at: <http://dnr.wi.gov/files/PDF/pubs/rr/RR819.pdf>.

Contract for responsibility for continuing obligation:

Before NPI requests remedial action approval, NPI will inform the DNR that you will be responsible for contacting NPI about the abandonment of the lost well(s) on your property. Under s. 292.12, Wis. Stats., the responsibility for maintaining all necessary continuing obligations for your property will fall on you or any subsequent property owner, unless another person has a legally enforceable responsibility to comply with the requirements of the remedial action approval letter. Attachment B to this notification letter provides a written agreement between you and NPI that NPI will properly abandon the lost well(s) on your property, if found. Please review Attachment B and notify Cliff Wright (608/836-1500 x6722) at Gannett Fleming, Inc., 8025 Excelsior Drive, Madison, WI 53717 within the next 30 days if the agreement is incorrect and/or not legally enforceable.

If you need more time to finalize an agreement on the responsibility for the continuing obligations on your Property, you may request additional time from the DNR contact identified in **Contact Information**.

(Note: Future property owners would need to negotiate a new agreement.)

Continuing Obligations on Your Property:

As part of the cleanup, NPI is proposing that the following continuing obligations be used at your property, to address future responsibility for well abandonment. If NPI's remedial action approval request is approved, you will be responsible for the following continuing obligations.

Filling and Sealing Monitoring Wells:

A monitoring well or wells remain on your property. NPI was unable to locate these monitoring well(s) to properly fill and seal them because they were paved over, covered or removed during site development activities. When located, the remaining well(s) need to be filled and sealed in accordance with ch. NR 141, Wis. Adm. Code. Documentation of well filling and sealing needs to be provided to the DNR on form 3300-005, at:

<http://dnr.wi.gov/files/pdf/forms/3300/3300-005.pdf>.

A map, Figure 1 is attached, which shows the location of monitoring well WW-12. You will also need to notify any future owners or occupants of this property of the need to maintain the continuing obligation.

Jason and Crystal Getchell
3412 Sundet Rd
Eau Claire, WI 54703-0352
October 22, 2018

-3-

GIS Registry and Well Construction Requirements:

If this remedial action request is approved, all properties within the site boundaries where contamination remains, or where a continuing obligation is applied, will be listed on the Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web, at:


<http://dnr.wi.gov/topic/Brownfields/clean.html>.

Inclusion on this database provides public notice of remaining contamination and of any continuing obligations. Documents can be viewed on this database, and include items such as final closure letters, remedial action approvals, site maps and any applicable maintenance plans. The location of the site may also be viewed on the Remediation and Redevelopment Sites Map (RR Sites Map) at the same Web address listed above.

Remedial Action Approval:

If the DNR grants remedial action approval, you will receive a letter which defines the specific continuing obligations on your property. The status of the remedial action approval may also be checked by searching BRRTS on the Web. You may view or download a copy of the remedial action approval letter (sent to the responsible party) from BRRTS on the Web. You may also request a copy of the remedial action approval letter from the **responsible party** or by writing to the DNR contact, Mae Willkom at Mae.Willkom@wisconsin.gov, 715/839-3748.

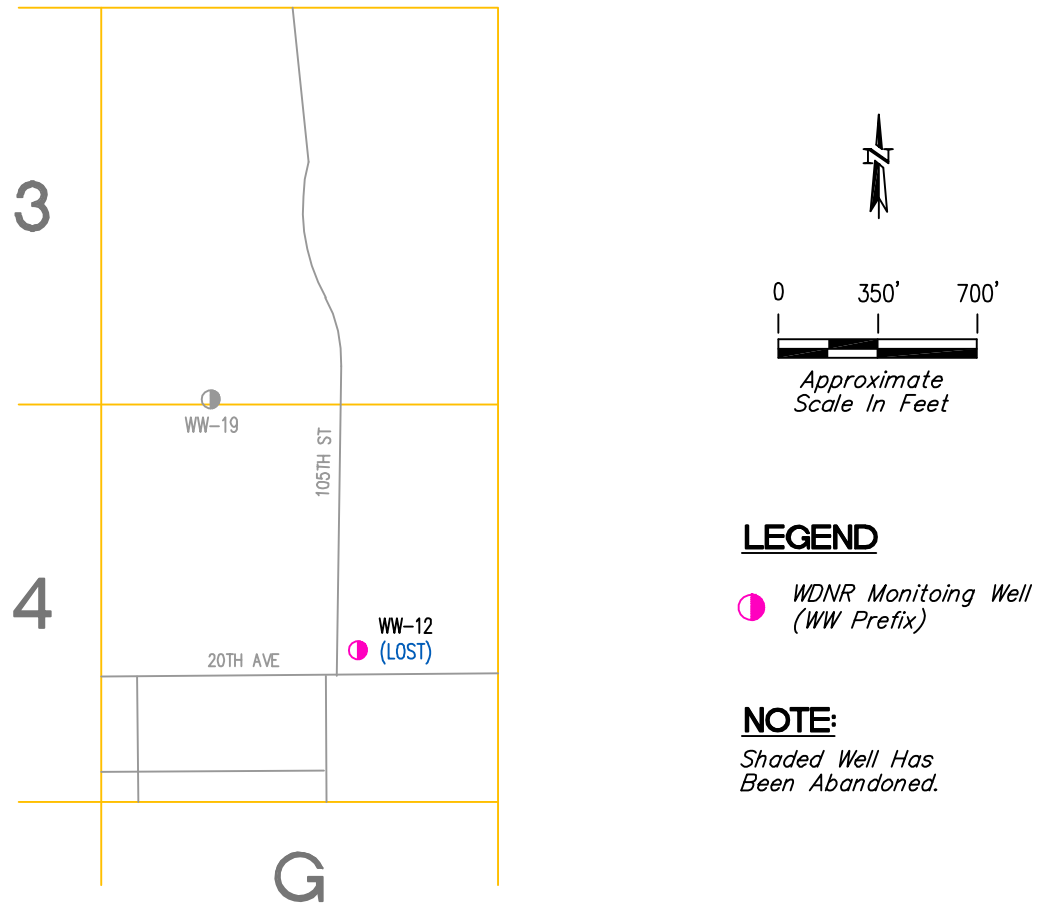
The remedial action approval letter will contain a description of the continuing obligation and any prohibitions on activities. If you have any questions regarding this notification, I can be reached at 608/836-1500 x6722.

Signature of the environmental consultant for the responsible party	Date signed
	10/22/2018

Cliff Wright, P.E., P.G.

Attachments and enclosures:

- Cover letter from NPI.
- Map showing location of well(s).
- Contact information.
- Legal description of parcel (Attachment A).
- Lost well abandonment agreement (Attachment B).
- Factsheet RR 819, Continuing Obligations for Environmental Protection.



GETCHELL PROPERTY LOST WELL MAP
NATIONAL PRESTO INDUSTRIES, INC.
EAU CLAIRE, WISCONSIN

NATIONAL PRESTO INDUSTRIES, INC.
EAU CLAIRE, WISCONSIN

CONTACT INFORMATION (OCTOBER 2018)

Responsible Party (RP) contact:

Derrick Paul
National Presto Industries, Inc.
3925 N. Hastings Way
Eau Claire, WI 54703-0485
715/839-2141
dpaul@gopresto.com

Environmental consultant contact for RP:

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Gannett Fleming, Inc.
8025 Excelsior Dr.
Madison, WI 53717-1900
608/836-1500 x6722
cwright@gfnet.com

Department contact:

Mae Willkom
Wisconsin Department of Natural Resources
Remediation and Redevelopment Program
1300 W. Clairemont Avenue
P.O. Box 4001
Eau Claire, WI 54701
715/839-3748
Mae.Willkom@wisconsin.gov

ATTACHMENT A
LEGAL DESCRIPTION

Parcel Identification Number: 22809-2743-72258001

Street address in Eau Claire, Wisconsin: 3412 Sundet Road

Lot 1 of Certified Survey Map #2258 recorded in Volume 10 of Certified Survey Maps, Page 64 as Document #638517; being a part of the Southwest Quarter of the Southeast Quarter of Section 27, Township 28 North, Range 9 West, City of Eau Claire, Chippewa County, Wisconsin.

ATTACHMENT B
LOST WELL ABANDONMENT AGREEMENT

October 22, 2018

Parcel Identification Number: 22809-2743-72258001

Street address in Eau Claire, Wisconsin: 3412 Sundet Road

This Lost Well Abandonment Agreement ("Agreement") is made as of this date, between the owner of the subject parcel ("Property Owner") and National Presto Industries, Inc. (NPI). Said Property Owner and NPI are sometimes referred to herein as a "Party" or the "Parties."

If the lost well(s) on the parcel is/are found, then the Parties agree that the Property Owner will contact NPI and grant NPI, or a qualified contractor on NPI's behalf, access to the parcel to properly fill and seal the well(s) in accordance with ch. NR 141, Wis. Adm. Code.



Continuing Obligations for Environmental Protection Responsibilities of Wisconsin Property Owners Wis. Stat. § 292.12

Purpose

This fact sheet is intended to help property owners understand their legal requirements under s. 292.12, Wis. Stats., regarding continuing obligations that arise due to the environmental condition of their property.

Introduction

The term “continuing obligations” refers to certain actions for which property owners are responsible following a completed environmental cleanup. They are sometimes called environmental land use controls or institutional controls. These legal obligations, such as a requirement to maintain pavement over contaminated soil, are most often found in a cleanup approval letter from the state.

Less commonly, a continuing obligation may apply where a cleanup is not yet completed but a cleanup plan has been approved, or at a property owned by a local government that is exempt from certain cleanup requirements.

What Are Continuing Obligations?

Continuing obligations are legal requirements designed to protect public health and the environment in regard to contamination that remains on a property.

Continuing obligations still apply after a property is sold. Each new owner is responsible for complying with the continuing obligations.

Background

Wisconsin, like most states, allows some contamination to remain after cleanup of soil or groundwater contamination (residual contamination). This minimizes the transportation of contamination and reduces cleanup costs while still ensuring that public health and the environment are protected.

The Department of Natural Resources (DNR), through its Remediation and Redevelopment (RR) Program, places sites or properties with residual contamination on a public database in order to provide notice to interested parties about the residual contamination and any associated continuing obligations. Please see the “Public Information” section on page 3 to learn more about the database. (Prior to June 3, 2006, the state used deed restrictions recorded at county courthouses to establish continuing obligations, and those deed restrictions have also been added into the database.)

Types of Continuing Obligations

1. Manage Contaminated Soil that is Excavated

If the property owner intends to dig up an area with contaminated soil, the owner must ensure that proper soil sampling, followed by appropriate treatment or disposal, takes place. Managing contaminated soil must be done in compliance with state law and is usually done under the guidance of a private environmental professional.

2. Manage Construction of Water Supply Wells

If there is soil or groundwater contamination and the property owner plans to construct or reconstruct a water supply well, the owner must obtain prior DNR approval to ensure that well construction is designed to protect the water supply from contamination.

Other Types of Continuing Obligations

Some continuing obligations are designed specifically for conditions on individual properties. Examples include:

- keeping clean soil and vegetation over contaminated soil;
- keeping an asphalt “cover” over contaminated soil or groundwater;
- maintaining a vapor venting system; and
- notifying the state if a structural impediment (e.g. building) that restricted the cleanup is removed. The owner may then need to conduct additional state-approved environmental work.

It is common for properties with approved cleanups to have continuing obligations because the DNR generally does not require removal of all contamination.

Property owners with the types of continuing obligations described above will find these requirements described in the state’s cleanup approval letter or cleanup plan approval, and *must*:

- comply with these property-specific requirements; and
- obtain the state’s permission before changing portions of the property where these requirements apply.

The requirements apply whether or not the person owned the property at the time that the continuing obligations were placed on the property.

Changing a Continuing Obligation

A property owner has the option to modify a continuing obligation if environmental conditions change. For example, petroleum contamination can degrade over time and property owners may collect new samples showing that residual contamination is gone. They may then request that the DNR modify or remove a continuing obligation. Fees are required for the DNR’s review of this request and for processing the change to the database (\$1050 review fee, \$300/\$350 database fee). Fees are subject to change; current fees are found in Wis. Admin. § NR 749 online at http://docs.legis.wisconsin.gov/code/admin_code/nr/700/749.

Public Information

The DNR provides public information about continuing obligations on the Internet. This information helps property owners, purchasers, lessees and lenders understand legal requirements that apply to a property. The DNR has a comprehensive database of contaminated and cleaned up sites, *BRRTS on the Web*. This database shows all contamination activities known to the DNR. Site specific documents are found under the *Documents* section. The information includes maps, deeds, contaminant data and the state’s closure letter. The closure letter states that no additional environmental cleanup is needed for past contamination and includes information on property-specific continuing obligations. If a cleanup has not been completed, the state’s approval of the remedial action plan will contain the information about

continuing obligations.

Properties with continuing obligations can generally be located in the DNR's *RR Sites Map*. RR Sites Map provides a map view of contaminated and cleaned up sites, including sites with continuing obligations, and links to BRRTS on the Web. *BRRTS on the Web* and *RR Sites Map* are part of the Wisconsin Remediation and Redevelopment Database (WRRD) at <http://dnr.wi.gov/topic/Brownfields/wrrd.html>.

If a completed cleanup is shown in *BRRTS on the Web* but the site documents cannot be found in the documents section, the DNR's closure letter can still be obtained from a regional office. For assistance, please contact a DNR Environmental Program Associate (see the RR Program's Staff Contact web page at dnr.wi.gov/topic/Brownfields/Contact.html).

Off-Site Contamination: When Continuing Obligations Cross the Property Line

An off-site property owner is someone who owns property that has been affected by contamination that moved through soil, sediment or groundwater from another property. Wis. Stat. § 292.13 provides an exemption from environmental cleanup requirements for owners of "off-site" properties. The DNR will generally not ask off-site property owners to investigate or clean up contamination that came from a different property, as long as the property owner allows access to his or her property so that others who are responsible for the contamination may complete the cleanup.

However, off-site property owners are legally obligated to comply with continuing obligations on their property, even though they did not cause the contamination. For example, if the state approved a cleanup where the person responsible for the contamination placed clean soil over contamination on an off-site property, the owner of the off-site property must either keep that soil in place or obtain state approval before disturbing it.

Property owners and others should check the *Public Information* section above if they need to:

- determine whether and where continuing obligations exist on a property;
- review the inspection, maintenance and reporting requirements, and
- contact the DNR regarding changing that portion of the property. The person to contact is the person that approved the closure or remedial action plan.

Option for an Off-Site Liability Exemption Letter

In general, owners of off-site properties have a legal exemption from environmental cleanup requirements. This exemption does not require a state approval letter. Nonetheless, they may request a property-specific liability exemption letter from the DNR if they have enough information to show that the source of the contamination is not on their property. This letter may be helpful in real estate transactions. The fee for this letter is \$700 under Chapter NR 749, Wis. Adm. Code. For more information about this option, please see the RR Program's Liability web page at dnr.wi.gov/topic/Brownfields/Liability.html.

Legal Obligations of Off-Site Property Owners

- Allow access so the person cleaning up the contamination may work on the off-site property (unless the off-site owner completes the cleanup independently).
- Comply with any required continuing obligations on the off-site property.

Required Notifications to Off-Site Property Owners

1. The person responsible for cleaning up contamination must notify affected property owners of any proposed continuing obligations on their off-site property **before** asking the DNR to approve the cleanup. This is required by law and allows the off-site owners to provide the DNR with any technical information that may be relevant to the cleanup approval.

When circumstances are appropriate, an off-site neighbor and the person responsible for the cleanup may enter into a “legally enforceable agreement” (i.e. a contract). Under this type of private agreement, the person responsible for the contamination may also take responsibility for maintaining a continuing obligation on an off-site property. This agreement would not automatically transfer to future owners of the off-site property. The state is not a party to the agreement and cannot enforce it.

2. If a cleanup proposal that includes off-site continuing obligations is approved, the DNR will send a letter to the off-site owners detailing the continuing obligations that are required for their property. Property owners should inform anyone interested in buying their property about maintaining these continuing obligations. For residential property, this would be part of the real estate disclosure obligation.

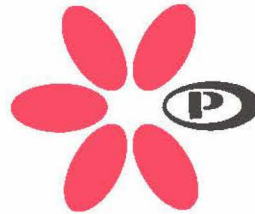
More Information

For more information, please visit the RR Program’s Continuing Obligations website at dnr.wi.gov/topic/Brownfields/Residual.html.

This document is intended solely as guidance and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. This guidance does not establish or affect legal rights or obligations and is not finally determinative of any of the issues addressed. This guidance does not create any rights enforceable by any party in litigation with the State of Wisconsin or the Department of Natural Resources. Any regulatory decisions made by the Department of Natural Resources in any matter addressed by this guidance will be made by applying the governing statutes and administrative rules to the relevant facts.

The Wisconsin Department of Natural Resources provides equal opportunity in its employment, programs, services, and functions under an Affirmative Action Plan. If you have any questions, please write to Chief, Public Civil Rights, Office of Civil Rights, U.S. Department of the Interior, 1849 C. Street, NW, Washington, D.C. 20240.

This publication is available in alternative format (large print, Braille, etc.) upon request. Please call for more information. Note: If you need technical assistance or more information, call the Accessibility Coordinator at 608-267-7490 / TTY Access via relay - 711



PRESTO*
National Presto Industries, Inc.
Eau Claire, WI 54703-3703

www.gopresto.com
Tel. 715-839-2121
715-839-2148
Fax 715-839-2122
715-839-2242

October 16, 2018

Michael Ahrens
U.S. Bank
131 S Barstow Street
Eau Claire, WI 54701

Dear Michael:

This letter is a follow up to phone conversations with Cliff Wright at Gannett Fleming, Inc. about the parcel at 3440 White Ave in Eau Claire owned by Phillips Properties and the following monitoring well.

Well ID	NPI Grid Coordinate	Completion Date	Screened Interval (ft below grade)	Casing Diameter (inches)	Casing/ Screen Material	Property Street Address in Eau Claire
RW-18	H8	7/29/87	60-70	2	Stainless steel	3440 White Ave

As you know from those conversations:

- National Presto Industries, Inc. (NPI) is committed to the process of addressing the environmental concerns from nearly three decades ago. One of the next steps is to address those monitoring wells that are no longer needed.
- The referenced well cannot now be located for proper abandonment.

As part of NPI's commitment to the process and to the property owner, we are sending you this packet of information which includes an agreement, Attachment B, giving the property owner our commitment to accept responsibility for properly filling and sealing the well.

The enclosed "Keep This Document With Your Property Records" letter explains the process in detail and contains information and language required by the Wisconsin DNR. It also includes Attachments A and B and provides a list of the additional documents in the packet.

Please review the information carefully and respond with questions or provide comments within 30 days.

Sincerely,

Derrick Paul
Program Manager
dpaul@gopresto.com

Enc.

KEEP THIS DOCUMENT WITH YOUR PROPERTY RECORDS

October 22, 2018

Phillips Properties
c/o Michael Ahrens
U.S. Bank
131 S Barstow Street
Eau Claire, WI 54701-2625

To Whom It May Concern:

National Presto Industries, Inc. (NPI) is providing this letter to inform you of the approximate location of a missing monitoring well remaining on your property at 3440 White Ave. in Eau Claire and of certain long-term responsibilities (continuing obligations) for which you may become responsible. NPI has investigated a release of trichloroethylene (TCE) on 3925 N Hastings Way, Eau Claire, WI 54703 that necessitated the placement of a monitoring well on your property, which cannot now be located for proper abandonment.

NPI will be requesting that the Wisconsin Department of Natural Resources (DNR) list the site on the Wisconsin Remediation and Redevelopment Database as having WI Continuing Obligations. Continuing obligations may be imposed as a condition of remedial action approval.

You have 30 days to comment on Attachments A and B and on the proposed remedial action request:

Attachment A provides a legal description of your property. Please review it and notify Cliff Wright (608/836-1500 x6722) at Gannett Fleming, Inc., 8025 Excelsior Dr, Madison, WI 53717 within the next 30 days if the legal description is incorrect.

The DNR will not review NPI's remedial action approval request for at least 30 days after the date of receipt of this letter. As an affected property owner, you have a right to contact the DNR to provide any technical information that you may have that indicates that remedial action approval should not be granted for this site. If you would like to submit any information that is relevant to this remedial action approval request, or if you want to waive the 30-day comment period, you should mail that information to the DNR contact: Mae Willkom, DNR, 1300 W Clairmont Ave, Eau Claire, WI 54701 or at Mae.Willkom@wisconsin.gov.

Your Long-Term Responsibilities as a Property Owner and Occupant:

The continuing obligations NPI is proposing that affect your property are listed below, under the heading **Continuing Obligations**. Under s. 292.12 (5), Wis. Stats., current and future owners and occupants of this property are responsible for complying with continuing obligations imposed as part of an approved remedial action.

Phillips Properties
c/o Michael Ahrens
U.S. Bank
October 22, 2018

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The fact sheet "Continuing Obligations for Environmental Protection" (DNR publication RR 819) has been included with this letter to help explain the responsibilities you may have for maintenance of a certain continuing obligation, the limits of any liability for investigation and cleanup of contamination, and how these differ. If the fact sheet is lost, you may obtain copies at: <http://dnr.wi.gov/files/PDF/pubs/rr/RR819.pdf>.

Contract for Responsibility for Continuing Obligation:

Before NPI requests remedial action approval, NPI will inform the DNR that you will be responsible for contacting NPI about the abandonment of the lost well(s) on your property. Under s. 292.12, Wis. Stats., the responsibility for maintaining all necessary continuing obligations for your property will fall on you or any subsequent property owner, unless another person has a legally enforceable responsibility to comply with the requirements of the remedial action approval letter. Attachment B to this notification letter provides a written agreement between you and NPI that NPI will properly abandon the lost well(s) on your property, if found. Please review Attachment B and notify Cliff Wright (608/836-1500 x6722) at Gannett Fleming, Inc., 8025 Excelsior Drive, Madison, WI 53717 within the next 30 days if the agreement is incorrect and/or not legally enforceable.

If you need more time to finalize an agreement on the responsibility for the continuing obligations on your property, you may request additional time from the DNR contact identified in **Contact Information**.

(Note: Future property owners would need to negotiate a new agreement.)

Continuing Obligations on Your Property:

As part of the cleanup, NPI is proposing that the following continuing obligations be used at your property to address future responsibility for well abandonment. If NPI's remedial action approval request is approved, you will be responsible for the following continuing obligations.

Filling and Sealing Monitoring Wells:

A monitoring well or wells remain on your property. NPI was unable to locate these monitoring well(s) to properly fill and seal them because they were paved over, covered, or removed during site development activities. When located, the remaining well(s) need to be filled and sealed in accordance with ch. NR 141, Wis. Adm. Code. Documentation of well filling and sealing needs to be provided to the DNR on form 3300-005, at: <http://dnr.wi.gov/files/pdf/forms/3300/3300-005.pdf>.

A map (Figure 1) is attached, which shows the location of monitoring well RW-18. You will also need to notify any future owners or occupants of this property of the need to maintain the continuing obligation.

Phillips Properties
c/o Michael Ahrens
U.S. Bank
October 22, 2018

-3-

GIS Registry and Well Construction Requirements:


If this remedial action request is approved, all properties within the site boundaries where contamination remains, or where a continuing obligation is applied, will be listed on the Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web, at:
<http://dnr.wi.gov/topic/Brownfields/clean.html>.

Inclusion on this database provides public notice of remaining contamination and of any continuing obligations. Documents can be viewed on this database, and include items such as final closure letters, remedial action approvals, site maps, and any applicable maintenance plans. The location of the site may also be viewed on the Remediation and Redevelopment Sites Map (RR Sites Map) at the same Web address listed above.

Remedial Action Approval:

If the DNR grants remedial action approval, you will receive a letter that defines the specific continuing obligations on your property. The status of the remedial action approval may also be checked by searching BRRTS on the Web. You may view or download a copy of the remedial action approval letter (sent to the responsible party) from BRRTS on the Web. You may also request a copy of the remedial action approval letter from the **responsible party** or by writing to the DNR contact, Mae Willkom at Mae.Willkom@wisconsin.gov (715/839-3748).

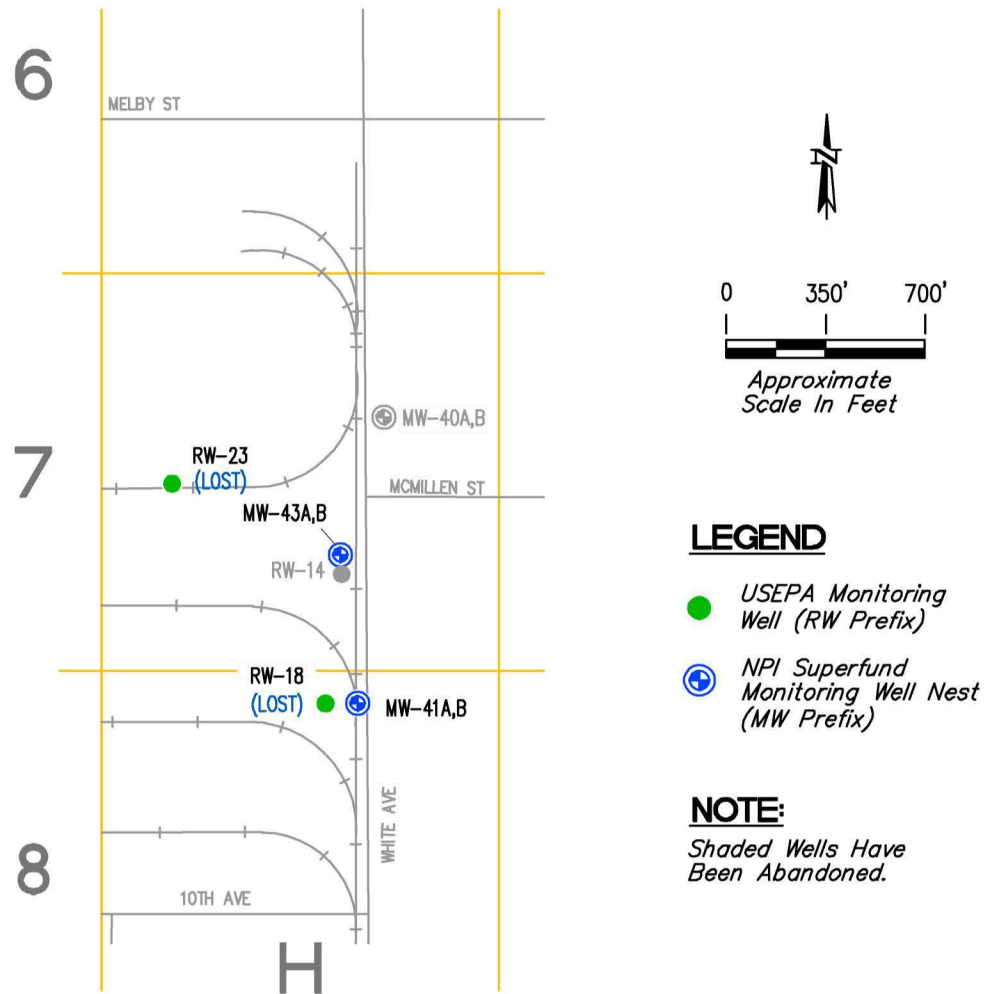
The remedial action approval letter will contain a description of the continuing obligation and any prohibitions on activities. If you have any questions regarding this notification, I can be reached at 608/836-1500 x6722.

Signature of the environmental consultant for the responsible party	Date signed
	10/22/2018

Cliff Wright, P.E., P.G.

Attachments and enclosures:

- Cover letter from NPI.
- Map showing location of well(s).
- Contact information.
- Legal description of parcel (Attachment A).
- Lost well abandonment agreement (Attachment B).
- Factsheet RR 819, Continuing Obligations for Environmental Protection.



PHILLIPS PROPERTIES LOST WELL MAP
 NATIONAL PRESTO INDUSTRIES, INC.
 EAU CLAIRE, WISCONSIN

NATIONAL PRESTO INDUSTRIES, INC.
EAU CLAIRE, WISCONSIN

CONTACT INFORMATION (OCTOBER 2018)

Responsible Party (RP) contact:

Derrick Paul
National Presto Industries, Inc.
3925 N. Hastings Way
Eau Claire, WI 54703-0485
715/839-2141
dpaul@gopresto.com

Environmental consultant contact for RP:

Cliff Wright
Gannett Fleming, Inc.
8025 Excelsior Dr.
Madison, WI 53717-1900
608/836-1500 x6722
cwright@gfnet.com

Department contact:

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Wisconsin Department of Natural Resources
Remediation and Redevelopment Program
1300 W. Clairemont Avenue
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Eau Claire, WI 54701
715/839-3748
Mae.Willkom@wisconsin.gov

**ATTACHMENT A
LEGAL DESCRIPTION**

Parcel Identification Number: 22809-3344-04500000

Street address in Eau Claire, Wisconsin: 3440 White Avenue

A parcel of land lying in the Southeast Quarter of the Southeast Quarter of Section 33, Township 28 North, Range 9 West, City of Eau Claire, Chippewa County, Wisconsin, being further described as follows:

Commencing at the Southeast corner of Section 33, thence North 2° 07' West 33.03 feet; thence North 89° 27' West 70.07 feet; thence North 2° 07' West 132.14 feet to the point of beginning; thence North 89° 27' West 1215.42 feet to the East line on Monroe Street; thence North 1° 46' West along the East line of Monroe Street 198.19 feet to the North line of Willis Street; thence North 89° 27' West along the North line of Willis Street 33.00 feet to the West line of the Southeast Quarter of the Southeast Quarter of Section 33; thence North 1° 46' West along the West line of said Southeast Quarter of the Southeast Quarter, 231.46 feet; thence South 89° 29' East 1246.18 feet to the West line of White Avenue; thence South 2° 07' East along the West line of White Avenue 412.31 feet to the point of beginning. Excepting therefrom the East 39 feet, reserved for railroad easement.

ATTACHMENT B
LOST WELL ABANDONMENT AGREEMENT

October 22, 2018

Parcel Identification Number: 22809-3344-04500000

Street address in Eau Claire, Wisconsin: 3440 White Avenue

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Remediation and Redevelopment Program

June 2017

Continuing Obligations for Environmental Protection Responsibilities of Wisconsin Property Owners Wis. Stat. § 292.12

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This fact sheet is intended to help property owners understand their legal requirements under s. 292.12, Wis. Stats., regarding continuing obligations that arise due to the environmental condition of their property.

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Legal Obligations of Off-Site Property Owners

- Allow access so the person cleaning up the contamination may work on the off-site property (unless the off-site owner completes the cleanup independently).
- Comply with any required continuing obligations on the off-site property.

Required Notifications to Off-Site Property Owners

1. The person responsible for cleaning up contamination must notify affected property owners of any proposed continuing obligations on their off-site property **before** asking the DNR to approve the cleanup. This is required by law and allows the off-site owners to provide the DNR with any technical information that may be relevant to the cleanup approval.

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More Information

For more information, please visit the RR Program’s Continuing Obligations website at dnr.wi.gov/topic/Brownfields/Residual.html.

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www.gopresto.com
Tel. 715-839-2121
Fax 715-839-2148
715-839-2122
715-839-2242

October 16, 2018

Jason Miller
Veritas Steel
2800 Melby Street
Eau Claire, WI 54703

Dear Jason:

This letter is a follow up to phone conversations with Cliff Wright at Gannett Fleming, Inc. about the following monitoring wells.

Well ID	NPI Grid Coordinate	Completion Date	Screened Interval (ft below grade)	Casing Diameter (inches)	Casing/ Screen Material	Property Street Address in Eau Claire
MW-46A	G7	8/22/91	60-75	2	PVC	2800 Melby Street
MW-46B	"	9/12/91	99.5-109.5	"	"	"
MW-46C	"	8/28/91	134.3-144.3	"	"	"
RW-17	"	7/29/87	60-70	"	Stainless steel	"
RW-23	H7	7/31/87	61-71	"	"	"

As you know from those conversations:

- National Presto Industries, Inc. (NPI) is committed to the process of addressing the environmental concerns from nearly three decades ago. One of the next steps is to address those monitoring wells that are no longer needed.
- The referenced wells are on your property and cannot now be located for proper abandonment.

As part of NPI's commitment to the process and to you, the property owner, we are sending you this packet of information which includes an agreement, Attachment B, giving you our commitment to accept responsibility for properly filling and sealing the wells. The enclosed "Keep This Document With Your Property Records" letter explains the process in detail and contains information and language required by the Wisconsin DNR. It also includes Attachments A and B and provides a list of the additional documents in the packet. Please review the information carefully and respond with questions or provide comments within 30 days.

Sincerely,

Derrick Paul
Program Manager
dpaul@gopresto.com

Enc.

KEEP THIS DOCUMENT WITH YOUR PROPERTY RECORDS

October 22,2018

Jason Miller
Veritas Steel LLC
2800 Melby Street
Eau Claire, WI 54703-0562

Dear Jason:

National Presto Industries, Inc. (NPI) is providing this letter to inform you of the approximate location of five missing monitoring wells remaining on your property, and of certain long-term responsibilities (continuing obligations) for which you may become responsible. NPI has investigated a release of trichloroethylene (TCE) on 3925 N Hastings Way, Eau Claire, WI 54703 that necessitated the placement of these monitoring wells on your property, which cannot now be located for proper abandonment.

NPI will be requesting that the Department of Natural Resources (DNR) list the site on the Wisconsin Remediation and Redevelopment Database as having WI Continuing Obligations. Continuing obligations may be imposed as a condition of remedial action approval.

You have 30 days to comment on Attachments A and B and on the proposed remedial action request:

Attachment A provides a legal description of your property. Please review it and notify Cliff Wright (608/836-1500 x6722) at Gannett Fleming, Inc., 8025 Excelsior Dr, Madison, WI 53717 within the next 30 days if the legal description is incorrect.

The DNR will not review NPI's remedial action approval request for at least 30 days after the date of receipt of this letter. As an affected property owner, you have a right to contact the DNR to provide any technical information that you may have that indicates that remedial action approval should not be granted for this site. If you would like to submit any information that is relevant to this remedial action approval request, or if you want to waive the 30-day comment period, you should mail that information to the DNR contact: Mae Willkom, DNR, 1300 W Clairmont Ave, Eau Claire, WI 54701 or at Mae.Willkom@wisconsin.gov.

Your Long-Term Responsibilities as a Property Owner and Occupant:

The continuing obligations NPI is proposing that affect your property are listed below, under the heading **Continuing Obligations**. Under s. 292.12 (5), Wis. Stats., current and future owners and occupants of this property are responsible for complying with continuing obligations imposed as part of an approved remedial action.

The fact sheet "Continuing Obligations for Environmental Protection" (DNR publication RR 819) has been included with this letter, to help explain the responsibilities you may have for

Jason Miller
Veritas Steel LLC
2800 Melby Street
Eau Claire, WI 54703-0562
October 22, 2018

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maintenance of a certain continuing obligation, the limits of any liability for investigation and cleanup of contamination, and how these differ. If the fact sheet is lost, you may obtain copies at: <http://dnr.wi.gov/files/PDF/pubs/rr/RR819.pdf>.

Contract for responsibility for continuing obligation:

Before NPI requests remedial action approval, NPI will inform the DNR that you will be responsible for contacting NPI about the abandonment of the lost well(s) on your property. Under s. 292.12, Wis. Stats., the responsibility for maintaining all necessary continuing obligations for your property will fall on you or any subsequent property owner, unless another person has a legally enforceable responsibility to comply with the requirements of the remedial action approval letter. Attachment B to this notification letter provides a written agreement between you and NPI that NPI will properly abandon the lost well(s) on your property, if found. Please review Attachment B and notify Cliff Wright (608/836-1500 x6722) at Gannett Fleming, Inc., 8025 Excelsior Drive, Madison, WI 53717 within the next 30 days if the agreement is incorrect and/or not legally enforceable.

If you need more time to finalize an agreement on the responsibility for the continuing obligations on your Property, you may request additional time from the DNR contact identified in **Contact Information**.

(Note: Future property owners would need to negotiate a new agreement.)

Continuing Obligations on Your Property:

As part of the cleanup, NPI is proposing that the following continuing obligations be used at your property, to address future responsibility for well abandonment. If NPI's remedial action approval request is approved, you will be responsible for the following continuing obligations.

Filling and Sealing Monitoring Wells:

A monitoring well or wells remain on your property. NPI was unable to locate these monitoring well(s) to properly fill and seal them because they were paved over, covered or removed during site development activities. When located, the remaining well(s) need to be filled and sealed in accordance with ch. NR 141, Wis. Adm. Code. Documentation of well filling and sealing needs to be provided to the DNR on form 3300-005, at:

<http://dnr.wi.gov/files/pdf/forms/3300/3300-005.pdf>.

A map, Figure 1 is attached, which shows the locations of monitoring wells MW-46A/B/C, RW-17, and RW-23. You will also need to notify any future owners or occupants of this property of the need to maintain the continuing obligation.

Jason Miller
Veritas Steel LLC
2800 Melby Street
Eau Claire, WI 54703-0562
October 22, 2018

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GIS Registry and Well Construction Requirements:


If this remedial action request is approved, all properties within the site boundaries where contamination remains, or where a continuing obligation is applied, will be listed on the Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web, at:
<http://dnr.wi.gov/topic/Brownfields/clean.html>.

Inclusion on this database provides public notice of remaining contamination and of any continuing obligations. Documents can be viewed on this database, and include items such as final closure letters, remedial action approvals, site maps and any applicable maintenance plans. The location of the site may also be viewed on the Remediation and Redevelopment Sites Map (RR Sites Map) at the same Web address listed above.

Remedial Action Approval:

If the DNR grants remedial action approval, you will receive a letter which defines the specific continuing obligations on your property. The status of the remedial action approval may also be checked by searching BRRTS on the Web. You may view or download a copy of the remedial action approval letter (sent to the responsible party) from BRRTS on the Web. You may also request a copy of the remedial action approval letter from the **responsible party** or by writing to the DNR contact, Mae Willkom at Mae.Willkom@wisconsin.gov, 715/839-3748.

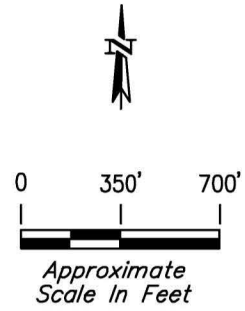
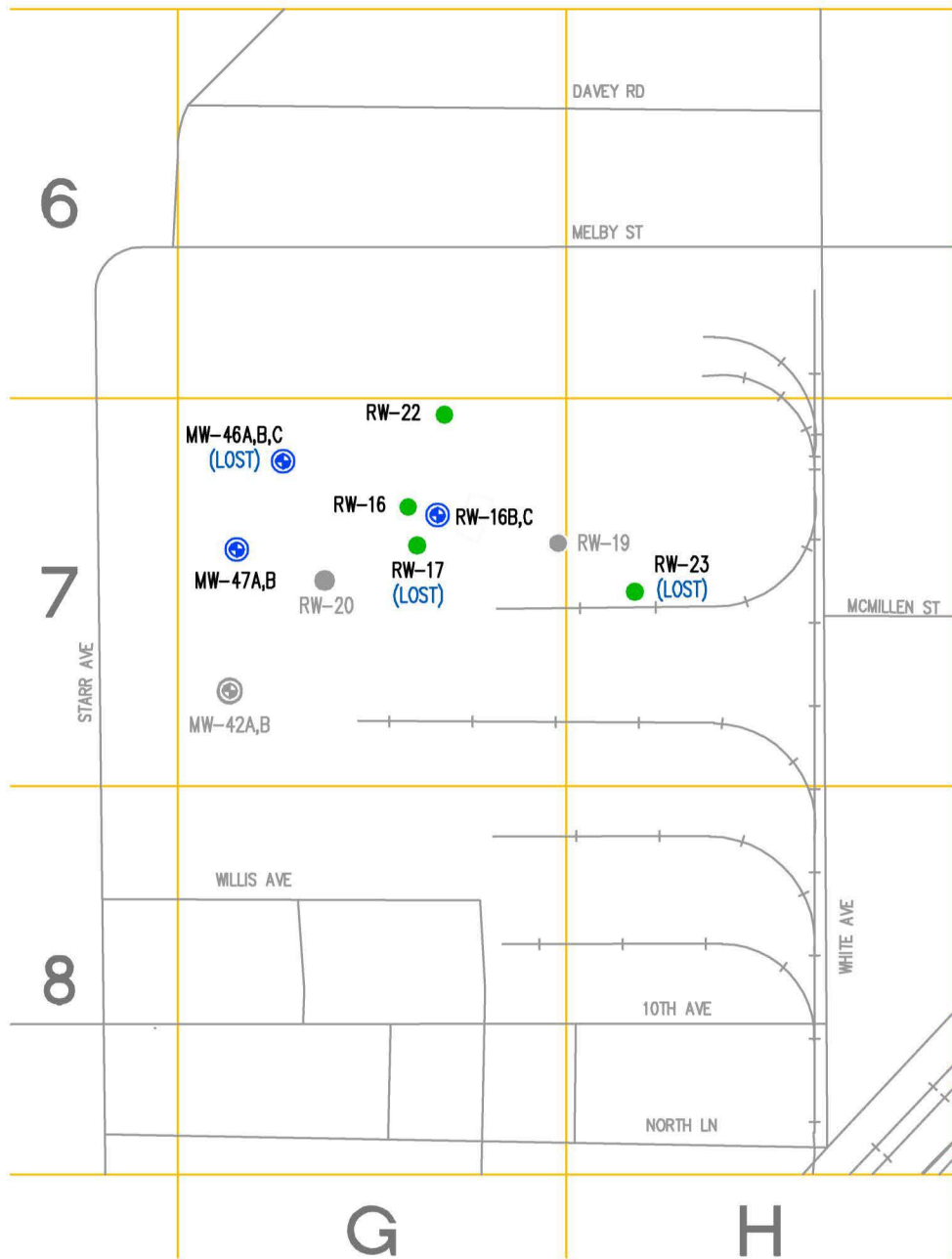
The remedial action approval letter will contain a description of the continuing obligation and any prohibitions on activities. If you have any questions regarding this notification, I can be reached at 608/836-1500 x6722.

Signature of the environmental consultant for the responsible party	Date signed
	10/22/2018

Cliff Wright, P.E., P.G.

Attachments and enclosures:

- Cover letter from NPI.
- Map showing location of well(s).
- Contact information.
- Legal description of parcel (Attachment A).
- Lost well abandonment agreement (Attachment B).
- Factsheet RR 819, Continuing Obligations for Environmental Protection.



LEGEND

- USEPA Monitoring Well (RW Prefix)
- ⊕ NPI Superfund Monitoring Well Nest (MW Prefix)

NOTE:

Shaded Wells Have Been Abandoned.

VERITAS STEEL LOST WELL MAP
 NATIONAL PRESTO INDUSTRIES, INC.
 EAU CLAIRE, WISCONSIN

NATIONAL PRESTO INDUSTRIES, INC.
EAU CLAIRE, WISCONSIN

CONTACT INFORMATION (OCTOBER 2018)

Responsible Party (RP) contact:

Derrick Paul
National Presto Industries, Inc.
3925 N. Hastings Way
Eau Claire, WI 54703-0485
715/839-2141
dpaul@gopresto.com

Environmental consultant contact for RP:

Cliff Wright
Gannett Fleming, Inc.
8025 Excelsior Dr.
Madison, WI 53717-1900
608/836-1500 x6722
cwright@gfnet.com

Department contact:

Mae Willkom
Wisconsin Department of Natural Resources
Remediation and Redevelopment Program
1300 W. Clairemont Avenue
P.O. Box 4001
Eau Claire, WI 54701
715/839-3748
Mae.Willkom@wisconsin.gov

**ATTACHMENT A
LEGAL DESCRIPTION**

Parcel Identification Number: 22809-3341-00020000

Street address in Eau Claire, Wisconsin: 2800 Melby Street

Part of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and part of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 33, Township 28 North, Range 9 West, City of Eau Claire, Chippewa County, Wisconsin, bounded by a line described as follows:

Commencing at the East quarter corner of said Section 33; thence South 01°58'08" East, on the East line of the SE V., 1,124.41 feet; then North 89°53'20" West 63.93 feet to the West right-of-way line of White Avenue and the point of beginning; thence North 89°53'20" West 2,236.14 feet; thence North 01°32'23" West 115.95 feet; thence North 89°45'09" West 27.72 feet; thence North 01°40'21" West 195.58 feet; thence North 89°41'50" West 264.86 feet to the East right-of-way line of Starr Avenue; thence North 01°31'00" West along said line 607.29 feet to the arc of a curve; thence on said curve concave Southeasterly, having a radius of 160.00 feet, a chord bearing North 44°18'00" East a chord distance of 229.48 feet and an arc length of 255.89 feet to the South right-of-way line of Melby Street; thence South 89°53'00" East along said line 2,398.55 feet to the West right-of-way line of White Avenue; thence South 00°16'30" West along said line 1,083.72 feet to the point of beginning. EXCEPTING any portions thereof used for roadway purposes.

ATTACHMENT B
LOST WELL ABANDONMENT AGREEMENT

October 22, 2018

Parcel Identification Number: 22809-3341-00020000

Street address in Eau Claire, Wisconsin: 2800 Melby Street

This Lost Well Abandonment Agreement (“Agreement”) is made as of this date, between the owner of the subject parcel (“Property Owner”) and National Presto Industries, Inc. (NPI). Said Property Owner and NPI are sometimes referred to herein as a “Party” or the “Parties.”

If the lost well(s) on the parcel is/are found, then the Parties agree that the Property Owner will contact NPI and grant NPI, or a qualified contractor on NPI’s behalf, access to the parcel to properly fill and seal the well(s) in accordance with ch. NR 141, Wis. Adm. Code.



Remediation and Redevelopment Program

June 2017

Continuing Obligations for Environmental Protection Responsibilities of Wisconsin Property Owners Wis. Stat. § 292.12

Purpose

This fact sheet is intended to help property owners understand their legal requirements under s. 292.12, Wis. Stats., regarding continuing obligations that arise due to the environmental condition of their property.

Introduction

The term “continuing obligations” refers to certain actions for which property owners are responsible following a completed environmental cleanup. They are sometimes called environmental land use controls or institutional controls. These legal obligations, such as a requirement to maintain pavement over contaminated soil, are most often found in a cleanup approval letter from the state.

Less commonly, a continuing obligation may apply where a cleanup is not yet completed but a cleanup plan has been approved, or at a property owned by a local government that is exempt from certain cleanup requirements.

What Are Continuing Obligations?

Continuing obligations are legal requirements designed to protect public health and the environment in regard to contamination that remains on a property.

Continuing obligations still apply after a property is sold. Each new owner is responsible for complying with the continuing obligations.

Background

Wisconsin, like most states, allows some contamination to remain after cleanup of soil or groundwater contamination (residual contamination). This minimizes the transportation of contamination and reduces cleanup costs while still ensuring that public health and the environment are protected.

The Department of Natural Resources (DNR), through its Remediation and Redevelopment (RR) Program, places sites or properties with residual contamination on a public database in order to provide notice to interested parties about the residual contamination and any associated continuing obligations. Please see the “Public Information” section on page 3 to learn more about the database. (Prior to June 3, 2006, the state used deed restrictions recorded at county courthouses to establish continuing obligations, and those deed restrictions have also been added into the database.)

Types of Continuing Obligations

1. Manage Contaminated Soil that is Excavated

If the property owner intends to dig up an area with contaminated soil, the owner must ensure that proper soil sampling, followed by appropriate treatment or disposal, takes place. Managing contaminated soil must be done in compliance with state law and is usually done under the guidance of a private environmental professional.

2. Manage Construction of Water Supply Wells

If there is soil or groundwater contamination and the property owner plans to construct or reconstruct a water supply well, the owner must obtain prior DNR approval to ensure that well construction is designed to protect the water supply from contamination.

Other Types of Continuing Obligations

Some continuing obligations are designed specifically for conditions on individual properties. Examples include:

- keeping clean soil and vegetation over contaminated soil;
- keeping an asphalt “cover” over contaminated soil or groundwater;
- maintaining a vapor venting system; and
- notifying the state if a structural impediment (e.g. building) that restricted the cleanup is removed. The owner may then need to conduct additional state-approved environmental work.

It is common for properties with approved cleanups to have continuing obligations because the DNR generally does not require removal of all contamination.

Property owners with the types of continuing obligations described above will find these requirements described in the state’s cleanup approval letter or cleanup plan approval, and *must*:

- comply with these property-specific requirements; and
- obtain the state’s permission before changing portions of the property where these requirements apply.

The requirements apply whether or not the person owned the property at the time that the continuing obligations were placed on the property.

Changing a Continuing Obligation

A property owner has the option to modify a continuing obligation if environmental conditions change. For example, petroleum contamination can degrade over time and property owners may collect new samples showing that residual contamination is gone. They may then request that the DNR modify or remove a continuing obligation. Fees are required for the DNR’s review of this request and for processing the change to the database (\$1050 review fee, \$300/\$350 database fee). Fees are subject to change; current fees are found in Wis. Admin. § NR 749 online at http://docs.legis.wisconsin.gov/code/admin_code/nr/700/749.

Public Information

The DNR provides public information about continuing obligations on the Internet. This information helps property owners, purchasers, lessees and lenders understand legal requirements that apply to a property. The DNR has a comprehensive database of contaminated and cleaned up sites, *BRRTS on the Web*. This database shows all contamination activities known to the DNR. Site specific documents are found under the *Documents* section. The information includes maps, deeds, contaminant data and the state’s closure letter. The closure letter states that no additional environmental cleanup is needed for past contamination and includes information on property-specific continuing obligations. If a cleanup has not been completed, the state’s approval of the remedial action plan will contain the information about

continuing obligations.

Properties with continuing obligations can generally be located in the DNR's *RR Sites Map*. RR Sites Map provides a map view of contaminated and cleaned up sites, including sites with continuing obligations, and links to BRRTS on the Web. *BRRTS on the Web* and *RR Sites Map* are part of the Wisconsin Remediation and Redevelopment Database (WRRD) at <http://dnr.wi.gov/topic/Brownfields/wrrd.html>.

If a completed cleanup is shown in *BRRTS on the Web* but the site documents cannot be found in the documents section, the DNR's closure letter can still be obtained from a regional office. For assistance, please contact a DNR Environmental Program Associate (see the RR Program's Staff Contact web page at dnr.wi.gov/topic/Brownfields/Contact.html).

Off-Site Contamination: When Continuing Obligations Cross the Property Line

An off-site property owner is someone who owns property that has been affected by contamination that moved through soil, sediment or groundwater from another property. Wis. Stat. § 292.13 provides an exemption from environmental cleanup requirements for owners of "off-site" properties. The DNR will generally not ask off-site property owners to investigate or clean up contamination that came from a different property, as long as the property owner allows access to his or her property so that others who are responsible for the contamination may complete the cleanup.

However, off-site property owners are legally obligated to comply with continuing obligations on their property, even though they did not cause the contamination. For example, if the state approved a cleanup where the person responsible for the contamination placed clean soil over contamination on an off-site property, the owner of the off-site property must either keep that soil in place or obtain state approval before disturbing it.

Property owners and others should check the *Public Information* section above if they need to:

- determine whether and where continuing obligations exist on a property;
- review the inspection, maintenance and reporting requirements, and
- contact the DNR regarding changing that portion of the property. The person to contact is the person that approved the closure or remedial action plan.

Option for an Off-Site Liability Exemption Letter

In general, owners of off-site properties have a legal exemption from environmental cleanup requirements. This exemption does not require a state approval letter. Nonetheless, they may request a property-specific liability exemption letter from the DNR if they have enough information to show that the source of the contamination is not on their property. This letter may be helpful in real estate transactions. The fee for this letter is \$700 under Chapter NR 749, Wis. Adm. Code. For more information about this option, please see the RR Program's Liability web page at dnr.wi.gov/topic/Brownfields/Liability.html.

Legal Obligations of Off-Site Property Owners

- Allow access so the person cleaning up the contamination may work on the off-site property (unless the off-site owner completes the cleanup independently).
- Comply with any required continuing obligations on the off-site property.

Required Notifications to Off-Site Property Owners

1. The person responsible for cleaning up contamination must notify affected property owners of any proposed continuing obligations on their off-site property **before** asking the DNR to approve the cleanup. This is required by law and allows the off-site owners to provide the DNR with any technical information that may be relevant to the cleanup approval.

When circumstances are appropriate, an off-site neighbor and the person responsible for the cleanup may enter into a “legally enforceable agreement” (i.e. a contract). Under this type of private agreement, the person responsible for the contamination may also take responsibility for maintaining a continuing obligation on an off-site property. This agreement would not automatically transfer to future owners of the off-site property. The state is not a party to the agreement and cannot enforce it.

2. If a cleanup proposal that includes off-site continuing obligations is approved, the DNR will send a letter to the off-site owners detailing the continuing obligations that are required for their property. Property owners should inform anyone interested in buying their property about maintaining these continuing obligations. For residential property, this would be part of the real estate disclosure obligation.

More Information

For more information, please visit the RR Program’s Continuing Obligations website at dnr.wi.gov/topic/Brownfields/Residual.html.

This document is intended solely as guidance and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. This guidance does not establish or affect legal rights or obligations and is not finally determinative of any of the issues addressed. This guidance does not create any rights enforceable by any party in litigation with the State of Wisconsin or the Department of Natural Resources. Any regulatory decisions made by the Department of Natural Resources in any matter addressed by this guidance will be made by applying the governing statutes and administrative rules to the relevant facts.

The Wisconsin Department of Natural Resources provides equal opportunity in its employment, programs, services, and functions under an Affirmative Action Plan. If you have any questions, please write to Chief, Public Civil Rights, Office of Civil Rights, U.S. Department of the Interior, 1849 C. Street, NW, Washington, D.C. 20240.

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