

COVER and BARRIER MAINTENANCE PLAN

DATE Prepared: March 22, 2018

PROPERTY Located at: N116W16261 MAIN STREET, GERMANTOWN, WI 53022

DNR BRRTS/Activity # 02-67-000801, FID # 267054920

LEGAL DESCRIPTION: PT NW SE OL 4+PT OF OL 3 ASSRS PLAT OF NW SE DOC 1393203 EXC PART SOLD
PT NW SE DOC 1325537+1424236+1424237

TAX /Parcel Identification Number: GTNV_224027001

Introduction

This document is the Maintenance Plan for a clay cap/barrier, building foundation, and asphalt/concrete pavement cover at the above-referenced property in accordance with the requirements of s. NR 724.13 (2), Wis. Adm. Code. The maintenance activities relate to the existing clay cap/barrier, building foundation, and asphalt/concrete pavement cover which addresses or occupies the area over the contaminated groundwater plume and soil.

More site-specific information about this property/site may be found in:

- The case file in the DNR Plymouth office
- At <http://dnr.wi.gov/topic/Brownfields/wrrd.html>, which includes:
 - BRRTS on the Web (DNR's internet based data base of contaminated sites)for the link to a PDF for site-specific information at the time of closure and on continuing obligations;
 - RR Sites Map for a map view of the site, and
- The DNR project manager for Washington County.

D.1. Descriptions:

Description of Contamination

Soil contaminated by petroleum is located at a depth of 2 to 10 feet at the source property and several adjacent properties owned by Stonewood Homes & Condominiums (GTNV 224148 to 224163), Germantown Manor Apartments (GTNV 224026001 to 224026002 – Former Squire Drive Parcel), Heritage Place Joint Venture (GTNV 224992002 – Former Carl E Trapp Revocable Trust), and MCB Investments (GTNV 224025001 – Former CMC Heartland Parnters). Several areas have been identified with petroleum VOC concentrations above their respective NR720 RCLs. Groundwater contaminated by petroleum is located at a depth of 10 to 30 feet (+/- 5 feet). Several areas have been identified with petroleum VOC concentrations above their respective NR140 ESs. Previous investigation and remediation activities at the source property have been conducted in conjunction an adjacent ERP site to the northeast [CMC Heartland (BRRTS #02-67-000341)]. Contamination at both sites is assumed to be co-mingled and the estimated extent of the soil and groundwater contamination is shown on the attached Figures 1 and 2. The Saxony Village Development is comprised of two parcels associated with the ERP sites and the Heritage Place Joint Venture parcel to the south, for a total of approximately 23.8 acres of land. Phase 1 was completed in 2017, including Building #4 and roadway construction and infrastructure installation (water, storm and sanitary sewer, ponds, and electrical) for the remaining multi-family apartment complex. Management of contaminated material generated during these

activities and the cover/barrier/cap installation is documented in a letter report, dated January 26, 2018. The remaining complex is planned for completion in 2018. Current property boundaries and development plans are shown in attached Figure 3.

Description of the Cover/Barrier/Cap to be Maintained

The cap consists of approximately 6 inches of non-contaminated clay over most of the contaminated soil and groundwater remaining at the site. The cover system includes vegetation, one to two feet of clean topsoil and fill, concrete sidewalk, asphalt pavement on the parking lot and entranceway road, and garage building foundations. An additional barrier exists between Building #4 and the contaminated area, consisting of approximately 5 feet of non-contaminated clay. This barrier is a 20 x 85-foot area along the northwest side of Building #4, and extends about 2 feet below the building footing. The cover/barrier/cap system is located between the south side of Main Street and the north/northwest sides of Building #4, as shown on the attached Figures 4 and 5.

Cover/Building/Slab/Barrier Purpose

The clay cap and asphalt/concrete pavement cover over the contaminated soil and groundwater plume serve as a barrier to prevent direct human contact with residual soil contamination that might otherwise pose a threat to human health. The cover/barrier also acts as a partial infiltration barrier to minimize future soil-to-groundwater contamination migration that would violate the groundwater standards in ch. NR 140, Wisconsin Administrative Code. Based on the current use of the property, multi-family residential, the barriers should function as intended unless disturbed.

Annual Inspection

The clay cap and asphalt/concrete pavement cover overlying the contaminated soil and groundwater plume as depicted in Figures 4 and 5 and Photo #1 will be inspected once a year, normally in the spring after all snow and ice is gone, for deterioration, cracks and other potential problems that can cause additional infiltration into or exposure to underlying soils. The inspections will be performed by the property owner or their designated representative. The inspections will be performed to evaluate damage due to settling, exposure to the weather, wear from traffic, increasing age and other factors. Any area where soils have become or are likely to become exposed and where infiltration from the surface will not be effectively minimized will be documented.

A log of the inspections and any repairs will be maintained by the property owner and is included as D.4, Form 4400-305, Continuing Obligations Inspection and Maintenance Log. The log will include recommendations for necessary repair of any areas where underlying soils are exposed and where infiltration from the surface will not be effectively minimized. Once repairs are completed, they will be documented in the inspection log. A copy of the maintenance plan and inspection log will be kept at the site; or, if there is no acceptable place (for example, no building is present) to keep it at the site, at the address of the property owner and available for submittal or inspection by Wisconsin Department of Natural Resources (DNR) representatives upon their request. A copy of the inspection log must be submitted electronically to the DNR after every inspection, at least annually.]

Maintenance Activities

If problems are noted during the annual inspections or at any other time during the year, repairs will be scheduled as soon as practical. Repairs can include patching and filling or larger resurfacing or construction operations. In the event that necessary maintenance activities expose the underlying soil, the owner must

inform maintenance workers of the direct contact exposure hazard and provide them with appropriate personal protection equipment (PPE). The owner must also sample any soil that is excavated from the site prior to disposal to ascertain if contamination remains. The soil must be treated, stored and disposed of by the owner in accordance with applicable local, state and federal law.

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

The property owner, in order to maintain the integrity of the cover/barrier/cap [clay cap, clay barrier, concrete sidewalk, asphalt pavement on the parking lot and entranceway road, and garage building foundations], will maintain a copy of this Maintenance Plan at the site; or, if there is no acceptable place to keep it at the site (for example, no building is present), at the address of the property owner and make it available to all interested parties (i.e. on-site employees, contractors, future property owners, etc.) for viewing.

Prohibition of Activities and Notification of DNR Prior to Actions Affecting a Cover/Barrier

The following activities are prohibited on any portion of the property where pavement, a building foundation, soil cover, engineered cap or other barrier is required as shown on the attached map, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 1) removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; 6) construction or placement of a building or other structure; or 7) changing the use or occupancy of the property to single-family residential use.

If removal, replacement or other changes to a cover, or a building which is acting as 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.

Amendment or Withdrawal of Maintenance Plan

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

Contact Information

Date: _____, 2018

Site Owner and Operator: J.B.J. Companies, Inc.
W178N9912 Rivercrest Drive, Suite 101, Germantown, WI 53022
Contact: Scott J. Bence, Agent
Phone: (262) 255-1800

Signature: _____

(DNR may request signature of affected property owners, on a case-by-case basis)

Property Owner: MCB Investments, LLC / Land15, LLC / Heritage Place Joint Venture

W178N9912 Rivercrest Drive, Suite 101, Germantown, WI 53022
Contact: Scott J. Bence, Agent
Phone: (262) 255-1800

Signature: _____

Consultant: Himalayan Consultants, LLC
W156 N11357 Pilgrim Road, Germantown, WI 53022
(262) 502-0066

DNR: John M. Feeney
1155 Pilgrim Road, Plymouth, WI 53073
(920) 892-8756

D.2 Location Map(s)

Include a location map which shows:

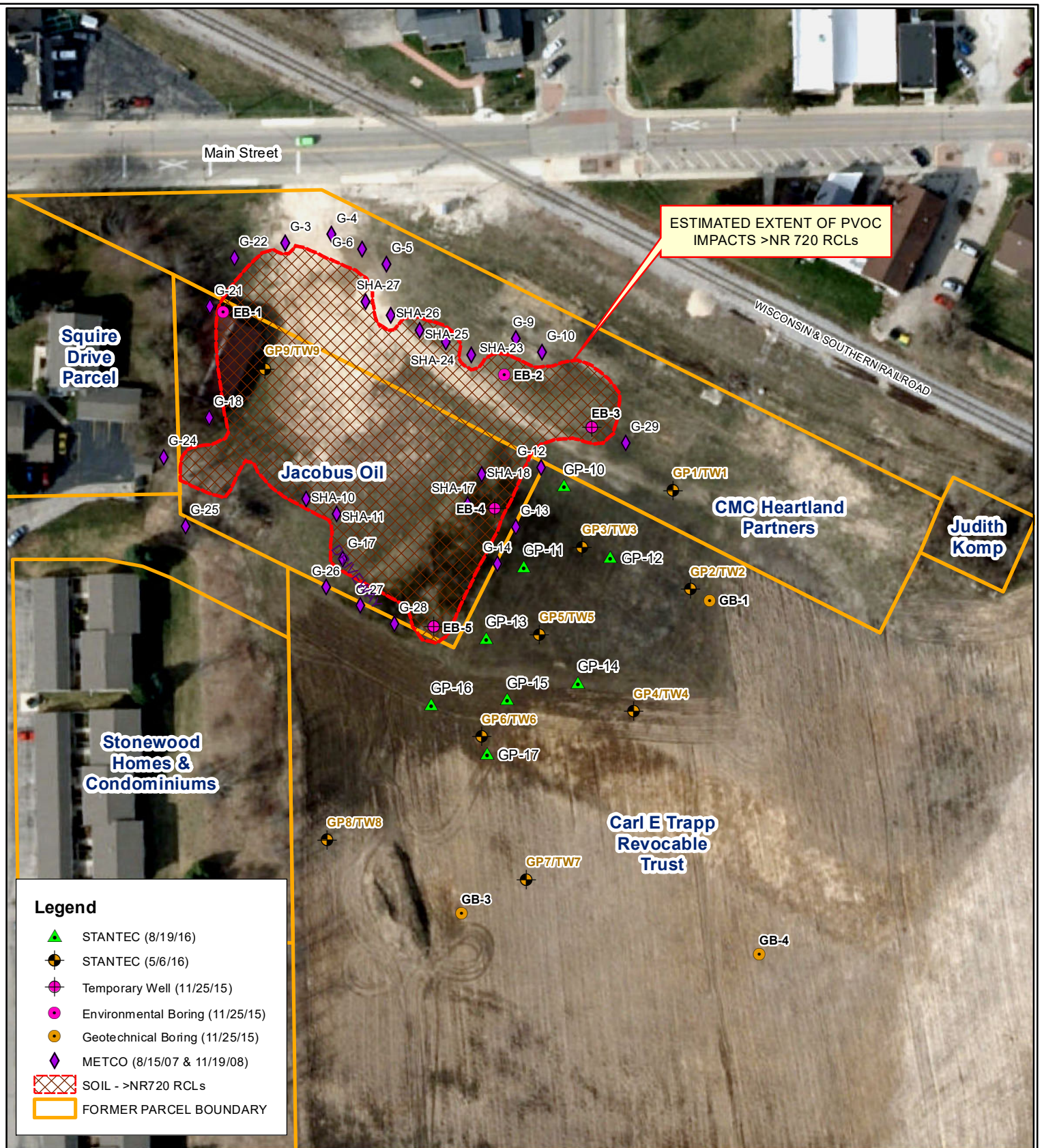
- (1) the feature that requires maintenance;*
- (2) the location of the feature(s) that require(s) maintenance: on and off the source property;*
- (3) the extent of the structure or feature(s) to be maintained, in relation to other structures or features on the site;*
- (4) the extent and type of residual contamination; and*
- (5) all property boundaries.*

D.3 Photographs of Cover/Barrier

Include one or more photographs documenting the condition and extent of the cover/barrier/building/slab at the time of the closure request. Pertinent features must be visible and discernible. Include a title on each photograph, which identifies the site name and location of the feature, and the date on which the photograph was taken.

D.4 Continuing Obligations Inspection and Maintenance Log

Use DNR Fillable Form [Form 4400-305](#)



Source: ArcGIS Online, Washington County GIS

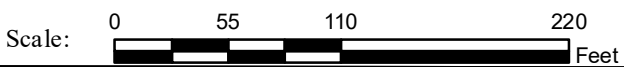
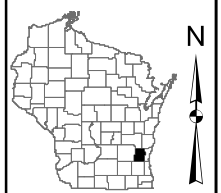


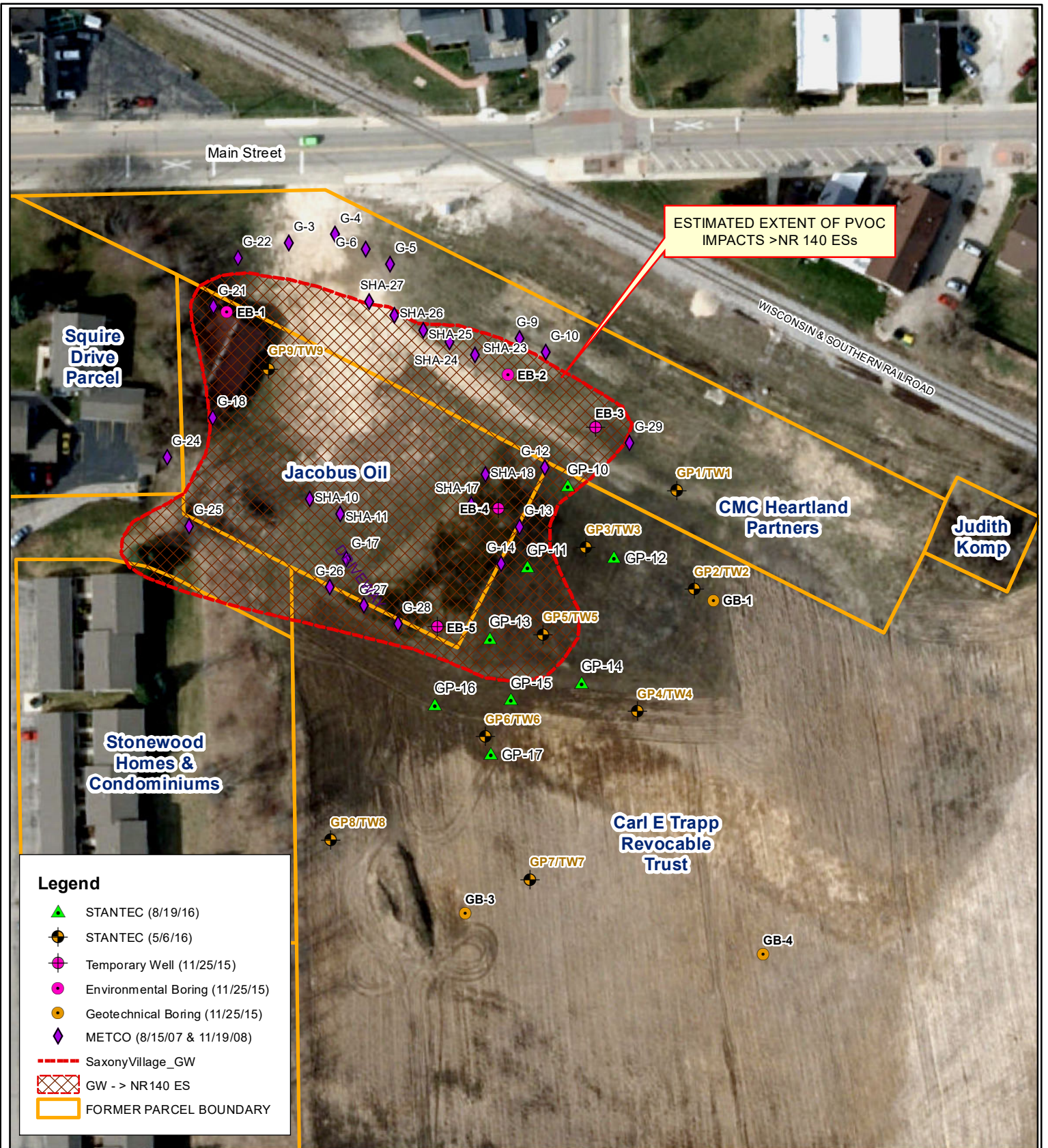
Figure 1: Soil Quality Map



HIMALAYAN CONSULTANTS, LLC
 Engineering and Hydrogeologists
 W156 N11357 Pilgrim Road
 Germantown, Wisconsin 53022
 Phone: (262) 502-0066
 Fax: (262)-0077

Project # 17016.020
Saxony Village Development Project
Village of Germantown
Washington County, Wisconsin





Source: ArcGIS Online, Washington County GIS

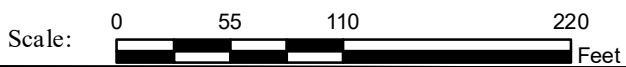
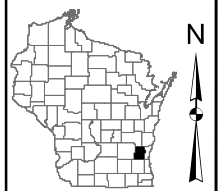


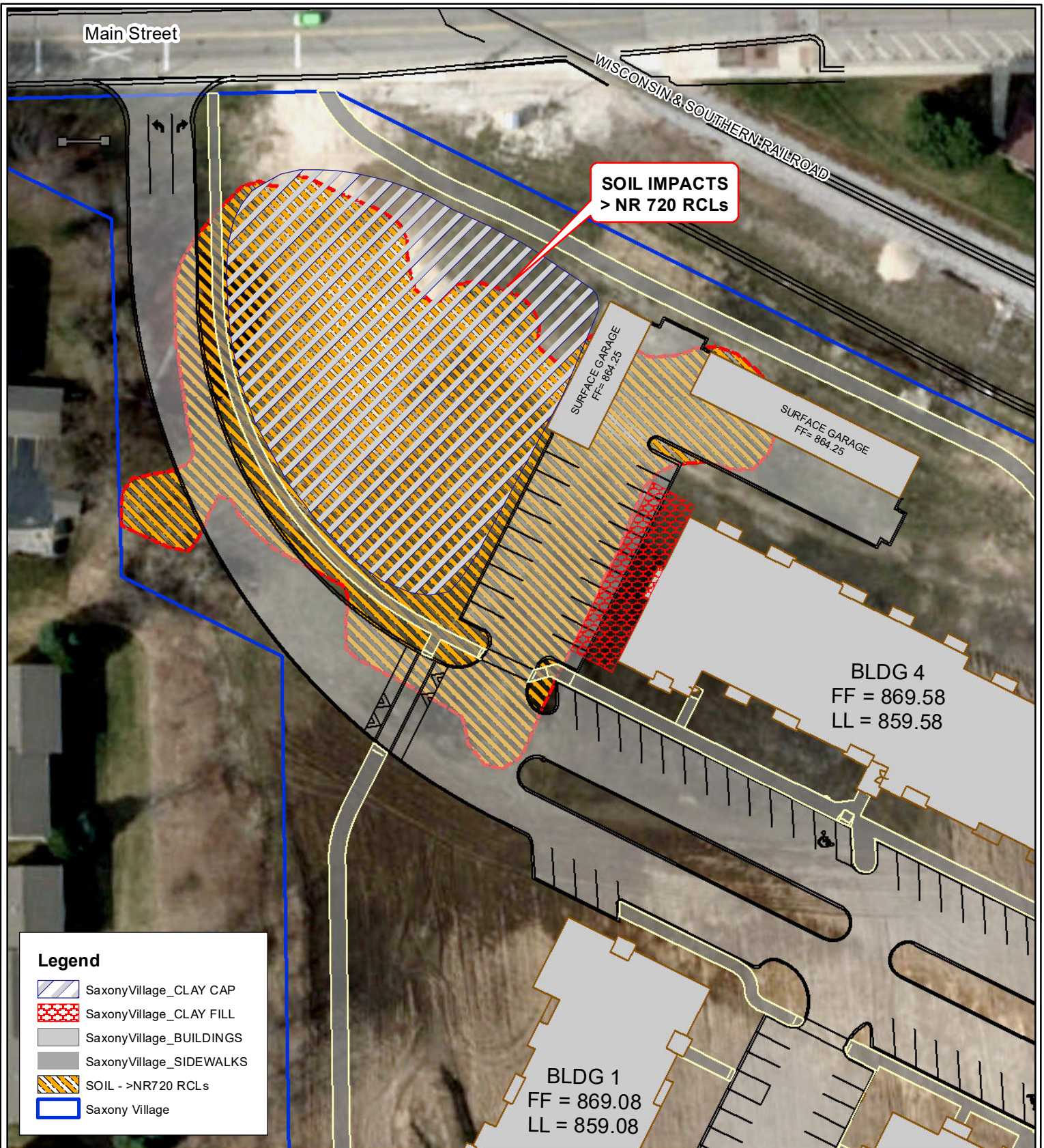
Figure 2: Groundwater Quality Map



HIMALAYAN CONSULTANTS, LLC
 Engineering and Hydrogeologists
 W156 N11357 Pilgrim Road
 Germantown, Wisconsin 53022
 Phone: (262) 502-0066
 Fax: (262)-0077

Project # 17016.020
Saxony Village Development Project
Village of Germantown
Washington County, Wisconsin





Source: J.B.J. Companies, Washington County GIS

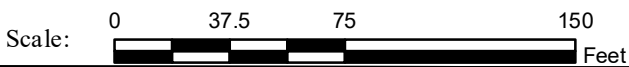
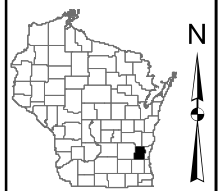


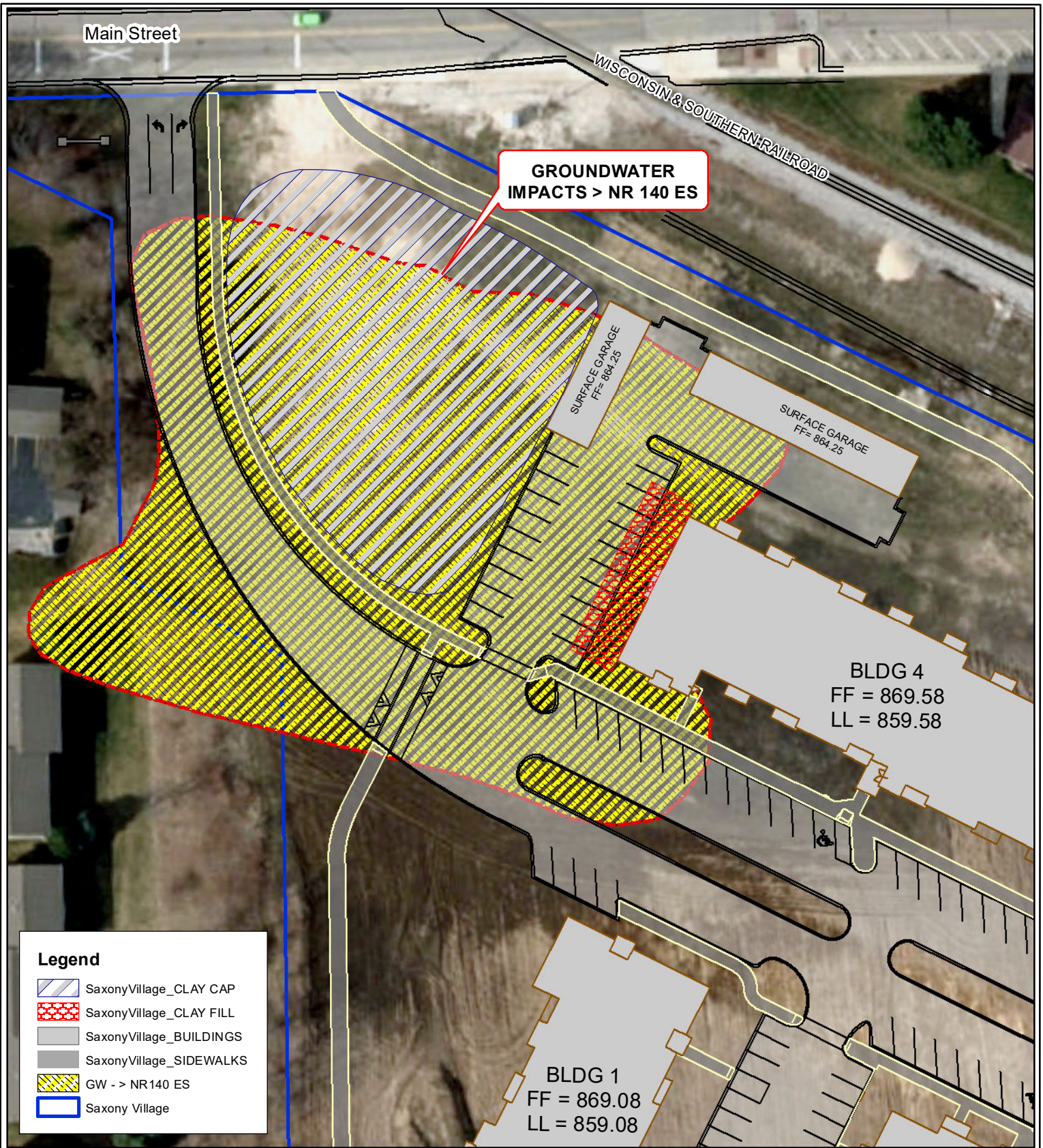
Figure 4: Barrier Installations for Soil Contamination









HIMALAYAN CONSULTANTS, LLC
 Engineering and Hydrogeologists
 W156 N11357 Pilgrim Road
 Germantown, Wisconsin 53022
 Phone: (262) 502-0066
 Fax: (262)-0077

Project # 17016.020
Saxony Village Development Project
Village of Germantown
Washington County, Wisconsin

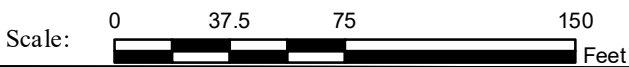




Legend

-  SaxonyVillage_CLAY CAP
-  SaxonyVillage_CLAY FILL
-  SaxonyVillage_BUILDINGS
-  SaxonyVillage_SIDEWALKS
-  GW - > NR140 ES
-  Saxony Village

Source: J.B.J. Companies, Washington County GIS

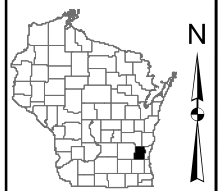


**Figure 5: Barrier Installations
for Groundwater Contamination**



HIMALAYAN CONSULTANTS, LLC
 Engineering and Hydrogeologists
 W156 N11357 Pilgrim Road
 Germantown, Wisconsin 53022
 Phone: (262) 502-0066
 Fax: (262)-0077

Project # 17016.020
Saxony Village Development Project
Village of Germantown
Washington County, Wisconsin





Saxony Village Blvd. & Sidewalk

Clay Cap Area

Main Street

Parking Lot & Garage - NW of Building #4

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 CMC Heartland / Germantown Feedmill / Jacobus Oil Co.	BRRTS No. 02-67-000341 & 02-67-000801
--	---

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):

johnm.feeney@wisconsin.gov

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 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

02-67-000801

02-67-000341

CMC Heartland/Germantown Feedmill/Jacobus Oil Co.

Continuing Obligations Inspection and Maintenance Log

Form 4400-305 (2/14)

Page 2 of 2

BRRTS No.

Activity (Site) Name

{Click to Add/Edit Image}

Date added:

Title:

{Click to Add/Edit Image}

Date added:

Title: