

Modification actions taken after continuing obligations were applied.
Refer to BOTW for further information.

GIS REGISTRY INFORMATION

SITE NAME: Royal Cleaners (former)

BRRTS #: 02-05-513320 **FID # (if appropriate):** _____

COMMERCE # (if appropriate): _____

CLOSURE DATE: 02/08/2006

STREET ADDRESS: 135 S Broadway

CITY: DePere

SOURCE PROPERTY GPS COORDINATES (meters in WTM91 projection): X= 674350 Y= 443446

CONTAMINATED MEDIA: Groundwater Soil Both

OFF-SOURCE GW CONTAMINATION >ES: Yes No

IF YES, STREET ADDRESS 1: _____

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

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

IF YES, STREET ADDRESS 1: _____

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

CONTAMINATION IN RIGHT OF WAY: Yes No

DOCUMENTS NEEDED:

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



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary
Ronald W. Kazmierczak, Regional Director

Northeast Region Headquarters
1125 N. Military Ave., P.O. Box 10448
Green Bay, Wisconsin 54307-0448
Telephone 920-492-5800
FAX 920-492-5913
TTY Access via relay - 711

February 8, 2006

Mr. John Butz
P.O. Box 12115
Green Bay, Wisconsin 54307

Subject: Final Case Closure By Closure Committee with Conditions Met, Former Royal Cleaners, 135 South Broadway Street, DePere, Wisconsin
WDNR BRRTS #: 02-05-513320

Dear Mr. Butz:

The above case has been reviewed for closure by the Northeast Region Closure Committee. This committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. In Department letter dated June 27, 2005 you were notified that the Closure Committee had granted conditional closure to this case.

Earlier today, February 8, 2006, the Department received correspondence indicating that you have complied with the requirements of closure. The correspondence received was the proof that the Deed Restriction had been filed with the Brown County Register of Deeds. Based on the correspondence and data provided, it appears that the above case has been remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code. The Department considers this case closed and no further investigation, remediation or other action is required at this time.

FUTURE EXCAVATION OF RESIDUAL CONTAMINATED SOIL

Residual soil contamination remains at SB1 and MW3 as indicated in the information submitted to the Department of Natural Resources. If soil in these specific locations is excavated in the future, the property owner at the time of excavation will be required to sample and analyze the excavated soil to determine whether the contamination still remains. If contamination remains, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard at the time of excavation. **Special precautions may need to be taken during excavation activities to prevent a direct contact health threat to humans.** Based upon the results of sample analysis, the current owner will also have to properly store, treat, or dispose of any excavated materials, in accordance with state and federal laws.

GIS REGISTRY

Your site will be listed on the DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites. Information that was submitted with your closure request application will be included on the GIS Registry. To review the sites on the GIS Registry web page, visit

Mr. John Butz
February 8, 2006
Page 2

<http://dnr.wi.gov/org/aw/rr/gis/index.htm>. If your property is listed on the GIS Registry and you intend to construct or reconstruct a well, you will need Department approval. Department approval is required before construction or reconstruction of a well on a property listed on the GIS Registry, in accordance with s. NR 812.09(4)(w). To obtain approval, Form 3300-254 needs to be completed and submitted to the DNR Drinking and Groundwater program's regional water supply specialist. This form can be obtained on-line at <http://www.dnr.state.wi.us/org/water/dwg/3300254.pdf> or at the web address listed above for the GIS Registry.

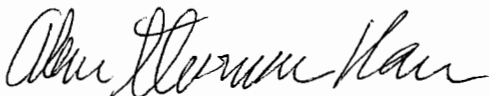
MAINTENANCE PLAN

Your site was closed with the requirement that a deed restriction be recorded at the Brown County Register of Deeds Office for maintaining a surface barrier over the remaining soil contamination to prevent the contamination from further impacting groundwater via the infiltration of precipitation. Further, that maintenance of the surface barrier be conducted as described in the maintenance and inspection plan, dated August 31, 2005. The maintenance plan and inspection log are to be kept up-to-date and on-site, and the inspection log need only be submitted to the Department upon request. A copy of the deed restriction and the referenced maintenance plan can be found in the Department's regional files, or they can be viewed on the GIS Registry for this site, at <http://dnr.wi.gov/org/aw/rr/gis/index.htm>.

Please be aware that this case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety or welfare, or the environment.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at 920-662-5161.

Yours truly,



Alan Thomas Nass, P.G., P.S.
Hydrogeologist
Bureau for Remediation & Redevelopment

cc: Edmund Buc, ARCADIS G&M, Inc., 126 North Jefferson Street, Suite 400, Milwaukee, Wisconsin 53202

Donald Gallo, Reinhart, Boerner, Van Deuren SC, P.O. Box 2265, Waukesha, Wisconsin 53187-2265



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary
Ronald W. Kazmierczak, Regional Director

Northeast Region Headquarters
2984 Shawano Ave., P.O. Box 10448
Green Bay, Wisconsin 54307-0448
Telephone 920-662-5100
FAX 920-662-5413
TTY Access via relay - 711

June 27, 2005

Mr. John Butz
P.O. Box 12115
Green Bay, Wisconsin 54307

Subject: Conditional Closure Decision with Requirements to Achieve Final Closure,
Former Royal Cleaners, 135 South Broadway, DePere, Wisconsin
BRRTS #: 02-05-513320

Dear Mr. Butz:

The Department of Natural Resources Northeast Region Closure Committee has reviewed your request for closure of the case described above. The committee reviews environmental remediation cases for compliance with state rules and statutes to maintain consistency in the closure of these cases. After careful review of the closure request, the committee has determined that the chlorinated solvent contamination on the site from the former Royal Cleaners appears to have been investigated and remediated to the extent practicable under site conditions. Your case has been remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code and will be closed if the following conditions are satisfied:

Monitoring Well Abandonment

The monitoring wells at the site must be properly abandoned in compliance with ch. NR 141, Wis. Adm. Code. Documentation of well abandonment must be submitted to me on Form 3300-5B found at www.dnr.state.wi.us/org/water/dwg/gw/ or provided by the Department of Natural Resources.

Investigative Wastes

Any remaining wastes such as purge water generated as part of site investigation or remediation activities must be removed from the site and disposed of or treated in accordance with Department of Natural Resources' rules. Please send a letter advising me that any remaining purge water, waste and/or soil have been removed and properly disposed of once that work is completed.

Deed Restriction For Contaminated Soil

To close this site, the Department requires that a deed restriction be signed and recorded to address the issue of the remaining tetrachloroethene (PCE) soil contamination at SB-1 and MW-3 and possibly PZ-1 and B1300. The purpose of the restriction is to maintain a surface barrier over the remaining soil contamination to prevent the contamination from further impacting groundwater via the infiltration of precipitation. This restriction is necessary because the current groundwater data reflects the influence of the building and concrete / asphalt cap. The actual effect of removing these caps on groundwater quality is not known, but would be

Mr. John Butz
June 27, 2005
Page 2

assumed to increase infiltration thereby increase the leaching of contaminants out of the soil and into the groundwater increasing the concentration of PCE.

Your consultant or attorney will need to submit a draft deed restriction to me before the document is signed and recorded. Enclosed is a model deed restriction that you can use, or you can visit our web site at www.dnr.state.wi.us/org/aw/rr to find an electronic copy of PUB-RAR_606, which includes a model deed restriction. **Other than filling-in specific site information where needed, the wording of the text can not be altered in any way.** From the information provided, the location of the south property line is unclear so the inclusion of PZ-1 and B1300 in the restriction should only occur if they are on the site property. To assist us in our review of the deed restriction, you should submit a copy of the property deed and plat of the property to me along with the draft document. Please provide information that specifically relates the location of the south property line to the location of PZ-1 and B1300. After the Department has reviewed and approved the draft document for completeness and has informed you of such, you should sign it if you own the property, or have the appropriate property owner sign it, and have it recorded by the Brown County Register of Deeds. Then you must submit a copy of the recorded document, with the recording information stamped on it, to me. Please be aware that if a deed restriction is recorded for the wrong property because of an inaccurate legal description or parcel identification number that you have provided, you will be responsible for recording corrected documents at the Register of Deeds Office to correct the problem.

Maintenance Plan

As a condition of this closure, the building and concrete / asphalt surfaces at the Former Royal Cleaners property must be maintained to control infiltration for groundwater protection. The cover is to be maintained in accordance with a plan prepared and submitted to the Department of Natural Resources pursuant to s. NR 724.13(2), Wis. Adm. Code. Please submit a draft maintenance plan to me along with the draft deed restriction. Department approval of the maintenance plan is needed.

Excavation Of Contaminated Soil

Residual soil contamination remains at PZ1, B1300, SB1, and MW3 as indicated in the information submitted to the Department of Natural Resources. If soil in these locations is excavated in the future, the property owner at that time will be required to sample and analyze the excavated soil in order to determine whether the contamination still remains. The owner will also have to properly store, treat, or dispose of any excavated materials, based upon the results of that characterization, and take special precautions during excavation activities to prevent a direct contact threat to humans. All future owners and occupants of this property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard at the time of excavation.

Right-Of-Way Soil And Groundwater Contamination

There is residual soil contamination (at PZ-1 and B1300) and groundwater contamination (at SB-2) in the Charles Street right-of-way at this site. Section NR 726.05(2)(a)4, Wis. Adm. Code, requires you to provide written notification of the presence of residual soil and groundwater contamination to the clerk of the municipality where the right-of-way is located and to the municipal department or state agency that maintains the right-of-way. Section NR

Mr. John Butz
June 27, 2005
Page 3

726.05(2)(b)4, Wis. Adm. Code, requires you to also provide written notice of the presence of residual groundwater contamination to the owner of any properties that you do not own within this site that do not have soil contamination if they are affected by groundwater contamination. These notifications must include warnings that excavation of potentially contaminated soil or groundwater may pose inhalation or other direct contact hazards and will require soil and groundwater sampling and analysis, as well as proper storage, treatment, or disposal of any excavated materials, based upon the results of the analysis. Please provide me with a copy of any written notifications that have been sent.

Soil And Groundwater GIS Registry

Due to the remaining soil and groundwater contamination, this site needs to be listed on the DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites. Please have your consultant submit the appropriate fees and complete (i.e. separate) GIS packets.

When the above conditions have been satisfied, please submit a letter to let me know that applicable conditions have been met, and your case will be closed. Your site will be listed on the DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites. Information that was submitted with your closure request application will be included on the GIS Registry. To review the site on the GIS Registry web page, please visit <http://maps.dnr.state.wi.us/brrts>.

Please be aware that the case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, or welfare or to the environment.

We appreciate your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me in Green Bay at 920-662-5161 or my FAX at 920-662-5197. Please note that these are new telephone numbers. My new office address is 2984 Shawano Avenue, Green Bay, Wisconsin 54313. **My mailing address remains the same – WDNR, P.O. Box 10448, Green Bay, Wisconsin 54307-0448.**

Yours truly,



Alan Thomas Nass, P.G., P.S.
Hydrogeologist
Bureau for Remediation & Redevelopment

Enclosure

cc: Donald Gallo, Reinhart, Boerner, Van Deuren SC, P.O. Box 2265, Waukesha, Wisconsin 53187-2265

Edmund Buc, ARCADIS G&M, Inc., 126 North Jefferson Street, Suite 400, Milwaukee, Wisconsin 53202

1520300

STATE BAR OF WISCONSIN FORM 3 - 1982
QUIT CLAIM DEED

DOCUMENT NO.

J 27615 I 25

REGISTER OF DEEDS
BROWN COUNTY

'96 SEP 26 PM 1 32

CATHY WILLIQUETTE
REGISTER OF DEEDS

KENNETH J. BUTZ

quit-claims to KENNETH J. BUTZ and SYLVIA H. BUTZ
REVOCABLE TRUST u/a/d 9/12/96

the following described real estate in Brown County,
State of Wisconsin:

Lot Seven (7), except the east 31 feet
thereof, Block 18, Original Plat of De Pere,
east side of Fox River.

THIS SPACE RESERVED FOR RECORDING DATA

NAME AND RETURN ADDRESS
KENNETH J BUTZ
702 N WASHINGTON ST
DE PERE WI 54115

1002

ED-823

PARCEL IDENTIFICATION NUMBER

FEE

77.25(16)

EXEMPT

This is not homestead property.
(is) (is not)

Dated this 20th day of September, 19 96

(SEAL)

Kenneth J. Butz (SEAL)

(SEAL)

(SEAL)

AUTHENTICATION

Signature(s) _____

authenticated this _____ day of _____, 19 _____

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, _____
authorized by 8706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY
Bernard U. Roels, attorney

(Signatures may be authenticated or acknowledged. Both are not
necessary.)

ACKNOWLEDGMENT

State of Wisconsin, }
Brown County, } ss.

Personally came before me this 20th day of
September, 19 96, the above named
KENNETH J. BUTZ

to me known to be the person _____ who executed the foregoing
instrument and acknowledge the same.

Lois Wickel
Notary Public, Brown County, Wis.

My commission is permanent. (If not, state expiration date:
11-23 1997)

* Names of persons signing in any capacity should be typed or printed below their signatures.

Section of Recorded Plat Map

The relevant section of the recorded plat map for the property is:

Lot Seven (7), except for the east 31 feet thereof, Block 18, Original Plat of De Pere, east side of Fox River.

(See Sheet H-22)



(See Sheet H-22)

(See Sheet H-24)

This is a compilation of records and data located in the County Survey Office. This is an index map and is not suitable for any purpose other than as a graphical representation of the location of surveys filed in the Brown County Survey Office. Brown County is not responsible for any inaccuracies.

- 1-1 Miscellaneous Survey
- 1-1 Certified Survey Map

(See Sheet H-23)

- Town Road Right-of-Way Information
- Subdivision Name Subdivision plat boundary

Scale 1" = 100'

Plot Date: 8/23/2004

H-23

Property Tax Record
CTY OF DEPERE EAST
Brown County, Wisconsin
Parcel Number: ED-823

Information is as current as the postings of Friday, August 05, 2005 at 1:18:30 AM. Note: Documents received prior to this date may be on hold or pending entry into the land records system.

[Return to Search Results](#)

[Print Tips](#)

<p>Property Information</p> <p>Parcel Number ED-823</p> <p>Owner Name BUTZ KENNETH J & SYLVIA H REVOCABLE TRUST</p> <p>Property Address 135 S BROADWAY</p> <p>Municipality ED - CTY OF DEPERE EAST</p> <p>School District 1414 - UNIF DIST DEPERE</p> <p>Sanitary District None</p> <p>Special District(s) None</p>	<p>Current Unofficial Valuation</p> <table border="1"> <thead> <tr> <th>Class</th> <th>Acres</th> <th>Land</th> </tr> </thead> <tbody> <tr> <td>B - MERCANTILE</td> <td>0.123</td> <td>40,10</td> </tr> <tr> <td>All Classes</td> <td>0.123</td> <td>40,10</td> </tr> <tr> <td>Legal Acres</td> <td colspan="2">0.123</td> </tr> </tbody> </table> <p>Values are not official until new December.</p> <p>Note: For a specific tax year valuation, see below.</p> <p>Note: Legal Acres, as listed in the Proper from the Total Acres, or the sum of the ac</p>	Class	Acres	Land	B - MERCANTILE	0.123	40,10	All Classes	0.123	40,10	Legal Acres	0.123	
Class	Acres	Land											
B - MERCANTILE	0.123	40,10											
All Classes	0.123	40,10											
Legal Acres	0.123												

<p>Mailing Address Information</p> <p>KENNETH & SYLVIA BUTZ</p> <p>702 N WASHINGTON ST</p> <p>DE PERE WI 54115-3552</p>	<p>Reference Document</p> <p>Jacket/Image: J27615-25</p>
--	---

<p>Tax Records Available</p> <table border="1"> <thead> <tr> <th>Tax Year</th> </tr> </thead> <tbody> <tr> <td><input type="radio"/> 2003</td> </tr> <tr> <td><input checked="" type="radio"/> 2004</td> </tr> </tbody> </table> <p>View Tax Detail</p> <p><i>Tax Detail may take a few moments to appear</i></p>	Tax Year	<input type="radio"/> 2003	<input checked="" type="radio"/> 2004	<p>Tax Legal Description</p> <p>ORIGINAL PLAT OF DE PERE L</p> <p>Note: May not be a full legal description</p> <p>View Comments</p> <p>View GIS M</p>
Tax Year				
<input type="radio"/> 2003				
<input checked="" type="radio"/> 2004				

Geographic Position Data

Site Address:

135 South Broadway Street
De Pere, Wisconsin

Responsible Party:

Bay Towel, Inc.

Parcel Identification Number:

ED-823

WTM83/91 Coordinates:

674350, 443446

DRAFTER: LMB

APPROVED: RPF

CHECKED: RPF

DRAWING: SITE_LOC.A1

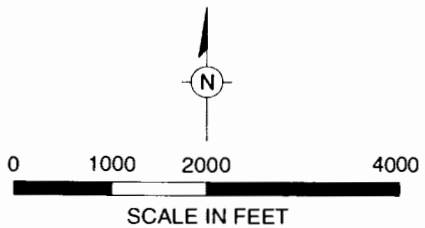
FILE NO.: GRAPHICS

PN: BAYTOWELLW1035/DEPERE

DWG DATE: 29MAY03



SOURCE: USGS 7.5 Minute Topographic Map, DEPERE, WISCONSIN Quadrangle, 1982



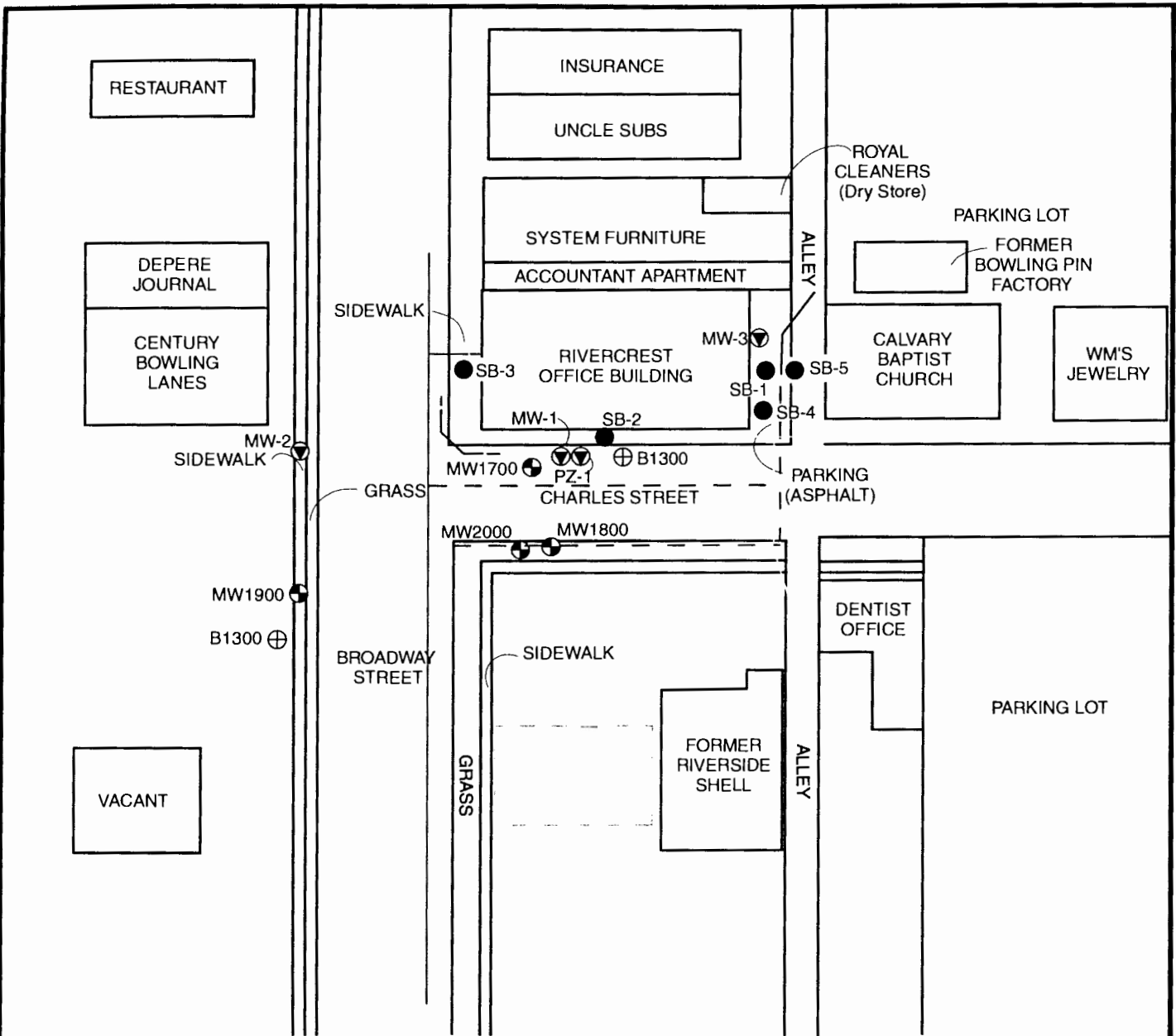
SITE LOCATION MAP

135 SOUTH BROADWAY
DEPERE, WISCONSIN

FIGURE

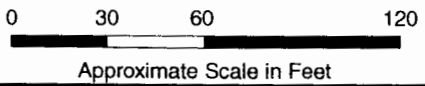
1

DWG DATE: 16DEC04 | PN: BAYTOWEL\W11035\DEPERE | FILE NO.: GRAPHICS | DRAWING: PROP_BOR_4.A1 | CHECKED: CK | APPROVED: | DRAFTER: LMB



LEGEND

- MONITORING WELL/PIEZOMETER LOCATION
 - BORING LOCATION (ADVANCED BY ARCADIS)
 - ⊕
 GEOPROBE LOCATION (ADVANCED BY NORTHERN ENVIRONMENTAL)
 - ⊕
 MONITORING WELL LOCATION (ADVANCED BY NORTHERN ENVIRONMENTAL)
 - NATURAL GAS LINE
 - OVERHEAD ELECTRIC LINE
 - WATER LINE
 - SANITARY SEWER
 - STORM SEWER
- UTILITY LINES ARE DASHED WHERE LOCATIONS ARE INFERRED



SITE MAP

135 SOUTH BROADWAY
DEPERE, WISCONSIN

FIGURE

2

Table 3. Summary of Groundwater Analytical Results, Bay Towel Property, 135 South Broadway, DePere, Wisconsin.

Well	SB-1	SB-2	SB-3	MW-1			MW-2			MW-3
Sample Date	6/12/03	6/12/03	6/12/03	5/27/04	8/5/04	11/3/04	5/27/04	8/5/04	11/3/04	5/27/04
Tetrachloroethene	2.4	21	<0.45	2.1	6.5	2.1	<0.45	<0.45	<0.45	4.0
Trichloroethene	<0.48	0.80 Q	<0.48	1.1 Q	3.4	1.0 Q	<0.48	<0.48	<0.48	<0.48
trans-1,2-Dichloroethene	<0.89	<0.89	<0.89	<0.89	0.96 Q	<0.89	<0.89	<0.89	<0.89	<0.89
cis-1,2-Dichloroethene	<0.83	7.2	<0.83	6.5	15	8.2	<0.83	<0.83	<0.83	<0.83
Vinyl Chloride	<0.18	0.50 Q	<0.18	<0.18	0.62	<0.18	<0.18	<0.18	<0.18	<0.18
Methylene Chloride	<0.43	<0.43	<0.43	<0.43	<0.43	0.49 Q	<0.43	<0.43	<0.43	<0.43

Only analytes detected in groundwater samples are presented.

Results are reported in micrograms per liter (ug/L).

Q Result is between the limit of detection and the limit of quantitation.

3.4 Result is above the Wisconsin Department of Natural Resources Preventive Action Limit (PAL).

6.5 Result is above the Wisconsin Department of Natural Resources Enforcement Standard (ES).

Table 3. Summary of Groundwater Analytical Results, Bay Towel Property, 135 South Broadway, DePere, Wisconsin.

Well	MW-3 (continued)		PZ-1			TRIP BLANK			
	8/5/04	11/3/04	5/27/04	8/5/04	11/3/04	6/12/03	5/27/04	8/5/04	11/3/04
Tetrachloroethene	1.1 Q	2.7	<0.45	<0.45	<0.45	<0.45	<0.45	<0.45	<0.45
Trichloroethene	<0.48	<0.48	<0.48	<0.48	<0.48	<0.48	<0.48	<0.48	<0.48
trans-1,2-Dichloroethene	<0.89	<0.89	<0.89	<0.89	<0.89	<0.89	<0.89	<0.89	<0.89
cis-1,2-Dichloroethene	<0.83	<0.83	<0.83	<0.83	<0.83	<0.83	<0.83	<0.83	<0.83
Vinyl Chloride	<0.18	<0.18	<0.18	<0.18	<0.18	<0.18	<0.18	<0.18	<0.18
Methylene Chloride	<0.43	0.57 Q	<0.43	<0.43	<0.43	1.2 Q	<0.43	0.92 Q	<0.43

Only analytes detected in groundwater samples are presented.

Results are reported in micrograms per liter (ug/L).

Q Result is between the limit of detection and the limit of quantitation.

3.4 Result is above the Wisconsin Department of Natural Resources Preventive Action Limit (PAL).

6.5 Result is above the Wisconsin Department of Natural Resources Enforcement Standard (ES).

Table 3. Summary of Groundwater Analytical Results, Bay Towel Property, 135 South Broadway, DePere, Wisconsin.

Well	ES	PAL
Sample Date		
Tetrachloroethene	5	0.5
Trichloroethene	5	0.5
trans-1,2-Dichloroethene	100	20
cis-1,2-Dichloroethene	70	7
Vinyl Chloride	0.2	0.02
Methylene Chloride	5	0.5

Only analytes detected in groundwater samples are presented.

Results are reported in micrograms per liter (ug/L).

Q Result is between the limit of detection and the limit of quantitation.

3.4 Result is above the Wisconsin Department of Natural Resources Preventive Action Limit (PAL).

6.5 Result is above the Wisconsin Department of Natural Resources Enforcement Standard (ES).

Table 2. Summary of Soil Analytical Results, Bay Towel Property, 135 South Broadway, De Pere, Wisconsin.

Sample Name	SB-1	SB-2	SB-3	SB-4	SB-5	MW-2	MW-3	PZ-1	PZ-1
Sample Depth	2-4'	10-12'	6-8'	6-8'	6-8'	5-7'	7-9'	5-7'	7-9'
Sample Date	6/12/03	6/12/03	6/12/03	5/6/04	5/6/04	5/6/04	5/6/04	5/6/04	5/6/04
Tetrachloroethene	83	<27	<25	<25	<25	<25	71 Q	<25	55 Q

Only analytes detected in soil samples are presented.

All results are reported in micrograms per kilogram ($\mu\text{g}/\text{kg}$).

NE Not established.

Q Result is between the limit of detection and the limit of quantitation.

WDNR RCL Wisconsin Department of Natural Resources Residual Contaminant Level.

(1) Soil Screening Level for the Soil to Groundwater pathway, based on the U.S. EPA's Soil Screening Guidance document dated July 1996.

(2) Soil Screening Level for the Ingestion pathway, based on the U.S. EPA's Soil Screening Guidance document dated July 1996.

(3) Soil Screening Level for the Inhalation of Volatiles pathway, based on the U.S. EPA's Soil Screening Guidance document dated July 1996.

Table 2. Summary of Soil Analytical Results, Bay Towel Property, 135 South Broadway, De Pere, Wisconsin.

Sample Name	Sample Depth	WDNR RCL	US EPA SSLs		
			Soil to GW ⁽¹⁾	Ingestion ⁽²⁾	Inhalation ⁽³⁾
Tetrachloroethene		NE	4.1	1,230	2,100

Only analytes detected in soil samples are presented.

All results are reported in micrograms per kilogram ($\mu\text{g}/\text{kg}$).

NE Not established.

Q Result is between the limit of detection and the limit of quantitation.

WDNR RCL Wisconsin Department of Natural Resources Residual Contaminant Level.

⁽¹⁾ Soil Screening Level for the Soil to Groundwater pathway, based on the U.S. EPA's Soil Screening Guidance document dated July 1996.

⁽²⁾ Soil Screening Level for the Ingestion pathway, based on the U.S. EPA's Soil Screening Guidance document dated July 1996.

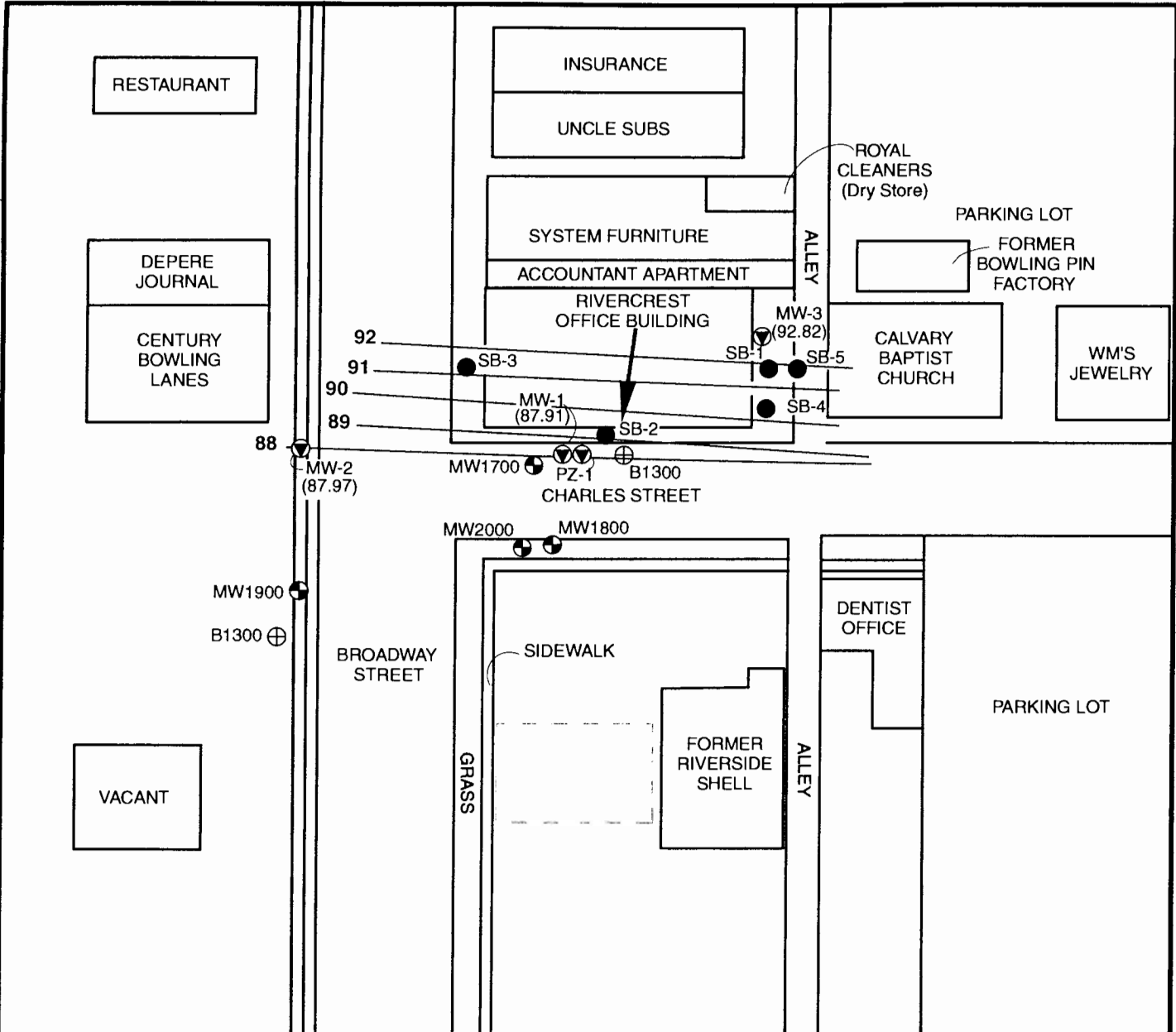
⁽³⁾ Soil Screening Level for the Inhalation of Volatiles pathway, based on the U.S. EPA's Soil Screening Guidance document dated July 1996.

Table 1. Groundwater Elevation Measurements, Bay Towel Property, 135 South Broadway, De Pere, Wisconsin.

Well ID	Date	Top of Casing Elevations (ft*)	Total Depth (ft BTOC)	Bottom of Screen Elevation (ft*)	Top of Screen Elevation (ft*)	Depth to Water (ft BTOC)	Water Elevation (ft*)
MW-1	5/26/2004	99.23	19.06	80.17	90.17	10.85	88.38
MW-1	11/3/2004	99.23	19.06	80.17	90.17	11.32	87.91
PZ-1	5/26/2004	99.28	34.41	64.87	69.87	33.81	65.47
PZ-1	11/3/2004	99.28	34.41	64.87	69.87	14.65	84.63
MW-2	5/26/2004	98.77	19.04	79.73	89.73	8.91	89.86
MW-2	11/3/2004	98.77	19.04	79.73	89.73	10.80	87.97
MW-3	5/26/2004	99.65	18.82	80.83	90.83	5.34	94.31
MW-3	11/3/2004	99.65	18.82	80.83	90.83	6.83	92.82

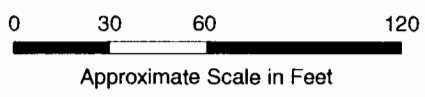
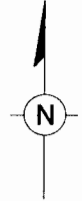
ft* Relative to reference point.
ft BTOC Below top of casing.
Reference point SE corner of building = 100.

DWG DATE: 17DEC04 | PN: BAYTOWELW1035DEPERE | FILE NO.: GRAPHICS | DRAWING: GWFLOW_1104.AI | CHECKED: CK | APPROVED: | DRAFTER: LMB



LEGEND

- MONITORING WELL/PIEZOMETER LOCATION
- BORING LOCATION (ADVANCED BY ARCADIS)
- GEOPROBE LOCATION (ADVANCED BY NORTHERN ENVIRONMENTAL)
- MONITORING WELL LOCATION (ADVANCED BY NORTHERN ENVIRONMENTAL)
- 90 — GROUNDWATER ELEVATION CONTOUR
- (87.97) GROUNDWATER ELEVATION
- GENERALIZED GROUNDWATER FLOW DIRECTION



GROUNDWATER FLOW MAP
NOVEMBER 2004
135 SOUTH BROADWAY
DEPERE, WISCONSIN

FIGURE
4

DRAFTER: LMB

APPROVED:

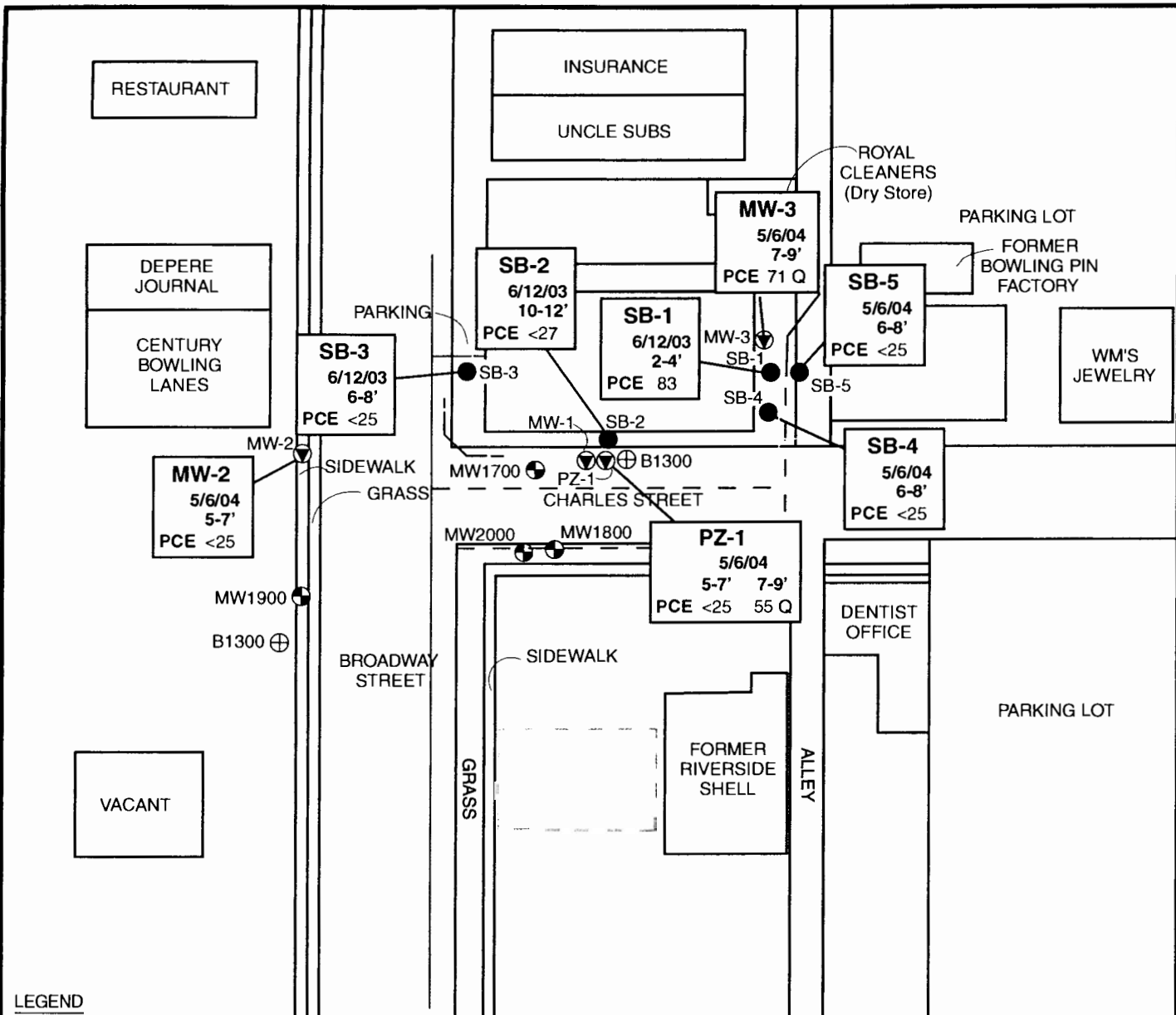
CHECKED: RPF

DRAWING: SOIL ANALY.A1

FILE NO.: GRAPHICS

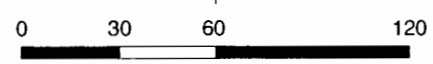
PN: BAYTOWELW1035/DEPERE

DWG DATE: 17AUG04



LEGEND

- MONITORING WELL/PIEZOMETER LOCATION (ADVANCED BY ARCADIS)
 - BORING LOCATION (ADVANCED BY ARCADIS)
 - ⊕ GEOPROBE LOCATION (ADVANCED BY NORTHERN ENVIRONMENTAL)
 - ⊙ MONITORING WELL LOCATION (ADVANCED BY NORTHERN ENVIRONMENTAL)
 - (2-4') DEPTH BELOW LAND SURFACE (FEET)
 - PCE Tetrachloroethene
 - Q Result is between the limit of detection and limit of quantitation
 - NATURAL GAS LINE
 - OVERHEAD ELECTRIC LINE
 - WATER LINE
 - SANITARY SEWER
 - STORM SEWER
- UTILITY LINES ARE DASHED WHERE LOCATIONS ARE INFERRED



Approximate Scale in Feet

Results reported in micrograms per kilogram (µg/kg)



SOIL ANALYTICAL RESULTS

135 SOUTH BROADWAY
DEPERE, WISCONSIN

FIGURE

5

Responsible Party Statement

In accordance with NR726.05(3)(a)(4)(1) of the Wisconsin Administrative Code, the Closure Form must include "A statement signed by the responsible party, which states that he or she believes that the legal description has been attached for each property that is within, or partially within, the contaminated site boundary."

By:


Kenneth J. Butz

9.2.05

Date



Infrastructure, environment, buildings

Larry Delo
City Administrator
City of De Pere
335 South Broadway Street
De Pere, Wisconsin 54115

ARCADIS G&M, Inc.
126 North Jefferson Street
Suite 400
Milwaukee
Wisconsin 53202
Tel 414 276 7742
Fax 414 276 7603
www.arcadis-us.com

ENVIRONMENT

Subject:

Notification of Right-of-Way Soil and Groundwater Contamination, 135 South Broadway Street, De Pere, Wisconsin.
FID# 246068460, BRRTS# 02-46-242188

Dear Mr. Delo:

Date:

9 September 2005

On behalf of Mr. Kenneth Butz, ARCADIS has completed active soil and groundwater remediation activities at the 135 South Broadway Street property in De Pere, Wisconsin. Conditional Case Closure for the site was granted by the Wisconsin Department of Natural Resources (WDNR) in a letter dated June 27, 2005. As required by the WDNR, this letter has been prepared to notify you that residual soil and groundwater impacts may be present in the Charles Street right-of-way located immediately south of the 135 South Broadway Street property.

Contact:

Christopher Kubacki
Ed Buc

Phone:

414 276 7742

Email:

ckubacki@arcadis-us.com
ebuc@arcadis-us.com

Our ref:

WI001035.0003

A groundwater sample collected from a temporary well installed in Boring SB-2 in June 2003 contained tetrachloroethene and vinyl chloride at concentrations exceeding the NR 140 Enforcement Standards (ESs). Boring SB-2 was installed through the sidewalk located along the north side of Charles Street (Figure 2), and was abandoned after the groundwater sample was collected. It is noted that Monitoring Well MW-1 was later installed in Charles Street to the southwest of SB-2 to further evaluate groundwater quality. The groundwater sample collected from this well during the last sampling event in November 2004 did not contain any volatile organic compounds (VOCs) at concentrations exceeding the NR 140 ESs. Groundwater samples collected from the remaining wells in the right-of-way did not contain VOCs at concentrations exceeding the NR 140 ESs. As part of the Conditional Case Closure requirements, Monitoring Well MW-1 was abandoned in accordance with WDNR requirements.

A soil sample was collected from Boring B1300 in 1996 and from Boring PZ-1 in 2004. These borings are located within the right-of-way of Charles Street (Figure 2). The soil sample from B1300 contained tetrachloroethene at a concentration of 1,030 micrograms per kilogram ($\mu\text{g}/\text{kg}$), and the soil sample from PZ-1 contained tetrachloroethene at a concentration of 55 $\mu\text{g}/\text{kg}$. These concentrations are greater than the soil screening level (SSL) for the groundwater migration pathway. The detected concentrations are less than the ingestion and inhalation SSLs. The soil

Part of a bigger picture

ARCADIS

samples from the other borings completed in the right-of-way did not exceed any of the SSLs.

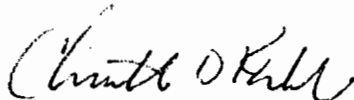
The WDNR project manager for the 135 South Broadway Street site can be contacted at the following address.

Mr. Alan Nass, Hydrogeologist
Wisconsin Department of Natural Resources
1125 N. Military Avenue
P.O. Box 10448
Green Bay, Wisconsin 54307-0448
Phone: (920) 492-5861
Fax: (920) 492-5859

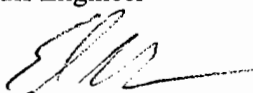
We trust this information will meet your needs. If you have any questions, or require any additional information, please contact the undersigned.

ARCADIS G&M, Inc.

Sincerely,



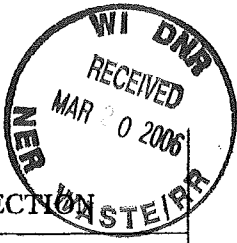
Christopher D. Kubacki
Staff Engineer



Edmund A. Buc, PE
Senior Engineer

Copies:

Alan Nass – Wisconsin Department of Natural Resources
Don Gallo – Reinhart Boerner Van Deuren S.C.
John Butz – Bay Towel, Inc.



2244817

CATHY WILLIQUETTE
BROWN COUNTY RECORDER
GREEN BAY, WI

RECORDED ON
03/10/2006 11:19:19AM

REC FEE: 25.00
TRANS FEE:
EXEMPT #
PAGES: 8

AFFIDAVIT OF CORRECTION

Document number

(TYPE OR PRINT CLEARLY IN BLACK OR RED INK)

AFFIANT, Christopher Kubacki (ARCADIS), hereby swears or affirms that a certain document which was titled as follows:
Deed Restriction (type of document), recorded on the 30 day of December, 2005 (year) in volume ---, page 1-6, as document number 2233358 and was recorded in Brown County, State of Wisconsin, contained the following error (if more space is needed, please attach addendum):

Omission of Figure 2 - Site Map

Recordline area

Name and return address

Kenneth J. Butz
702 N. Washington St.
De Pere, WI 54115

8

ED-823

Parcel identification number (PIN)

AFFIANT makes this Affidavit for the purpose of correcting the above document as follows (if more space is needed, please attach addendum):

Attach Figure 2 entitled "Site Map, 135 South Broadway, De Pere, Wisconsin" to the Deed Restriction referenced above.

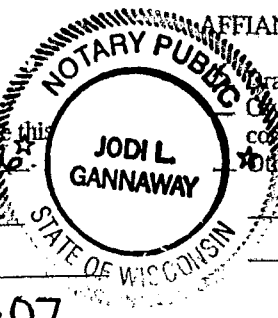
A copy of the original document (in part or whole) is is not attached to this Affidavit (if a copy of the original document is not attached, please attach legal description and names of grantors and grantees).

Dated: February 22, 2006 Signed: Christopher D. Kubacki
* Christopher D. Kubacki

State of Wisconsin)
County of Milwaukee) ss.

Subscribed and sworn to (or affirmed) before me this 22nd day of February, 2006.

Jodi L. Gannaway
* Jodi L. GANNAWAY
Notary Public, State of Wisconsin
My Commission (expires) (is): 01-21-07



AFFIANT is the (check one):
 Drafter of the document being corrected.
 Owner of the property described in the document being corrected.
Other - explain: Drafter of Document

This instrument is drafted by Christopher Kubacki (ARCADIS)

THIS FORM IS INTENDED TO CORRECT SCRIVNER'S ERRORS AND NOT FOR THE CONVEYANCE OF REAL PROPERTY.

*Names of persons signing in any capacity must be typed or printed below their signature. WRDA version V - 9/20/1999

DRAFTER: LMB

APPROVED:

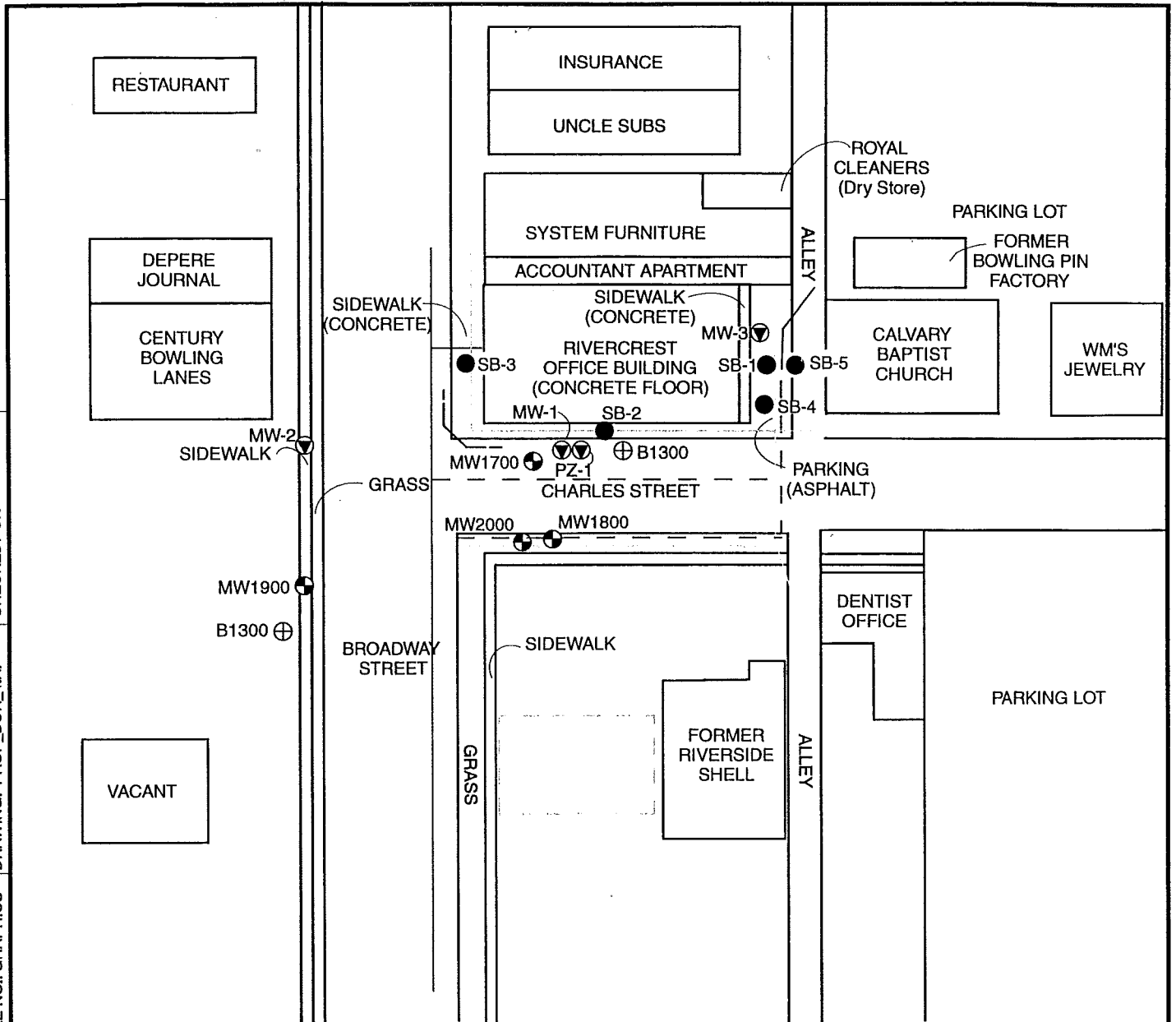
CHECKED: CK

DRAWING: PROP_BOR_4.A1

FILE NO.: GRAPHICS

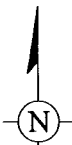
PN: BAYTOWEL\W11035\DEPERE

DWG DATE: 25AUG05



LEGEND

- MONITORING WELL/PIEZOMETER LOCATION
 - BORING LOCATION (ADVANCED BY ARCADIS)
 - GEOPROBE LOCATION (ADVANCED BY NORTHERN ENVIRONMENTAL)
 - MONITORING WELL LOCATION (ADVANCED BY NORTHERN ENVIRONMENTAL)
 - NATURAL GAS LINE
 - OVERHEAD ELECTRIC LINE
 - WATER LINE
 - SANITARY SEWER
 - STORM SEWER
- UTILITY LINES ARE DASHED WHERE LOCATIONS ARE INFERRED



0 30 60 120

Approximate Scale in Feet



SITE MAP

135 SOUTH BROADWAY
DEPERE, WISCONSIN

FIGURE

2



Document Number

DEED RESTRICTION

2233358
 CATHY WILLIQUETTE
 BROWN COUNTY RECORDER
 GREEN BAY, WI
 RECORDED ON
 12/30/2005 11:15:23AM
 REC FEE: 21.00
 TRANS FEE:
 EXEMPT #
 PAGES: 6

Declaration of Restrictions

In Re: Lot Seven (7), except the east 31 feet thereof, Block 18, Original Plat of De Pere, east side of Fox River.

Recording Area

Kenneth J. Butz
 702 N Washington St
 De Pere, WI 54115

STATE OF WISCONSIN)
) ss
 COUNTY OF BROWN)

WHEREAS, Kenneth J. Butz is the owner of the above-described property.

ED-823
 Parcel Identification Number

WHEREAS, one or more volatile organic compound discharges have occurred on this property, and as of June 12, 2003 and May 6, 2004 when soil samples were collected on this property, tetrachloroethene (PCE)-contaminated soil remained on this property at the following location: the eastern portion of the property at soil samples SB-1 from 2 to 4 feet below ground surface (ft bgs) and MW-3 from 7 to 9 ft bgs (see attached Figure 1).

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

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

The pavement or other impervious cap that existed on the above-described property in the location shown on the attached map, labeled Figure 2 on the date that this restriction was signed shall be maintained in compliance with the Cap Maintenance and Soil Management Plan dated August 31, 2005 that was submitted to the Wisconsin Department of Natural Resources by ARCADIS, on behalf of Kenneth J. Butz, as required by section NR 724.13 (2), Wis. Adm. Code (October 1999). This pavement or other impervious cap 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

G:\Aproject\Bbaytowel\WI1035\DePere\working\deed_restriction_0805.doc

140, Wis. Adm. Code, and to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health. If soil that remains on the property 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.

In addition, the following activities are prohibited on any portion of the above-described property where an engineered barrier is required, as shown on Figure 1, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources 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; (4) Plowing for agricultural cultivation; and (5) Construction or placement of a building or other structure in an area where the engineered barrier is required.

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

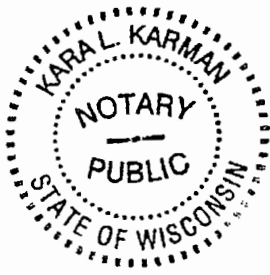
Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that one or more of the restrictions set forth in this covenant is no longer required. Upon the receipt of such a request, the Wisconsin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

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 29th day of December, 2005.

Signature: [Signature]
Printed Name: Kenneth J. Butz *Timothy F. Polak as Attorney in fact*
For Kenneth J. Butz

Subscribed and sworn to before me this 29 day of December, 2005

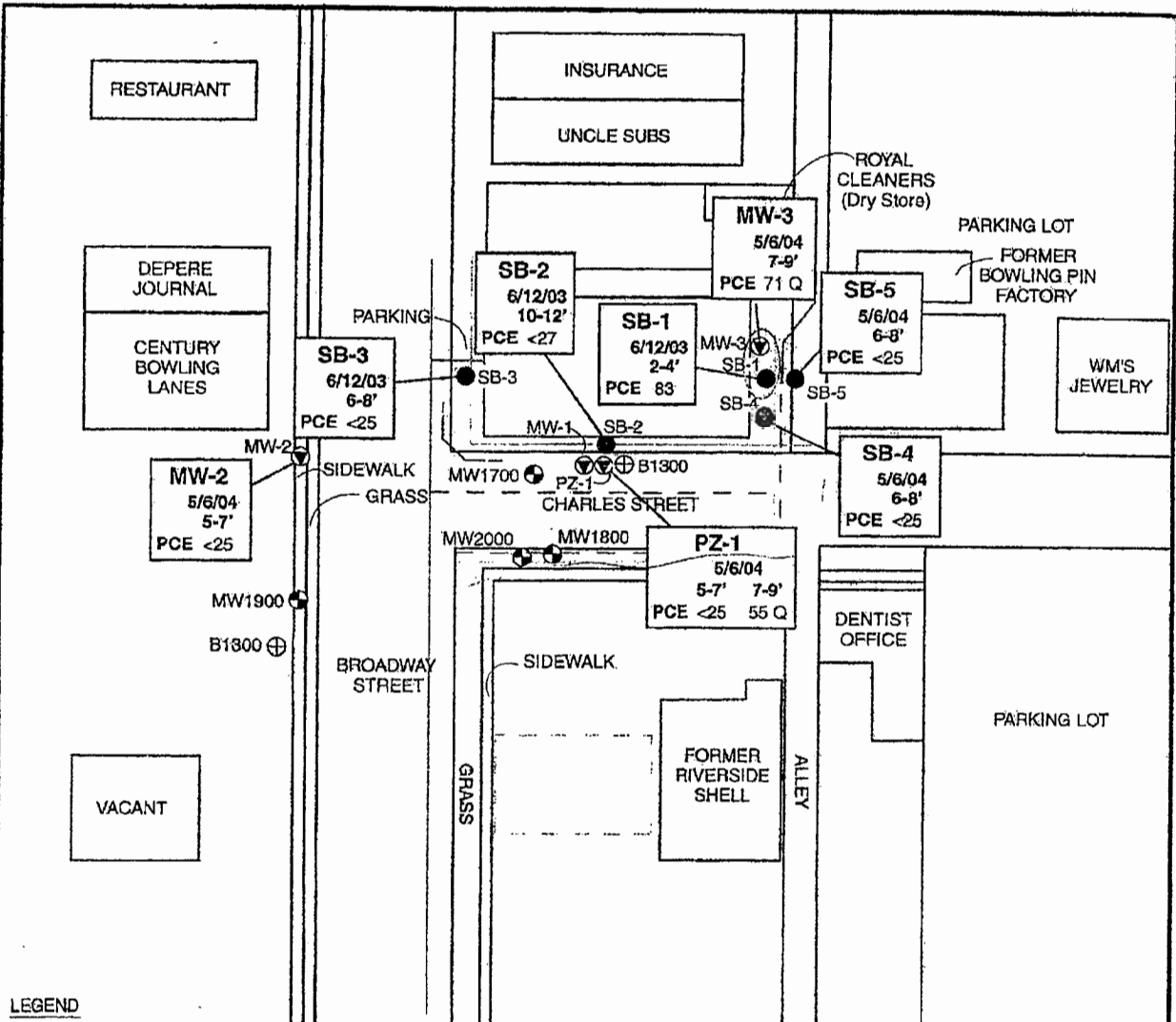
[Signature]
Notary Public, State of WI
My commission 11/01/09



Matt Shattuck

This document was drafted by ARCADIS, based on a model deed restriction provided by the Wisconsin Department of Natural Resources.

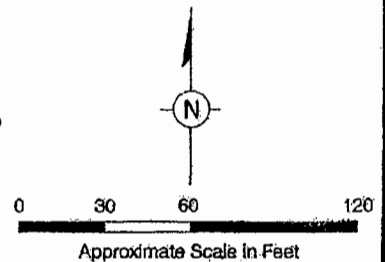
DWG DATE: 17AUG04 | FILE NO.: GRAPHICS | DRAWING: SOIL ANALYAI | CHECKED: RPF | APPROVED: | DRAFTER: LMB



LEGEND

- MONITORING WELL/PIEZOMETER LOCATION (ADVANCED BY ARCADIS)
- BORING LOCATION (ADVANCED BY ARCADIS)
- GEOPROBE LOCATION (ADVANCED BY NORTHERN ENVIRONMENTAL)
- MONITORING WELL LOCATION (ADVANCED BY NORTHERN ENVIRONMENTAL)
- (2-4') DEPTH BELOW LAND SURFACE (FEET)
- PCE Tetrachloroethene
- Q Result is between the limit of detection and limit of quantitation
- NATURAL GAS LINE
- OVERHEAD ELECTRIC LINE
- WATER LINE
- SANITARY SEWER
- STORM SEWER
- UTILITY LINES ARE DASHED WHERE LOCATIONS ARE INFERRED
- AREA ADDRESSED BY DEED RESTRICTION AND CAP MAINTENANCE AND SOIL MANAGEMENT PLAN

Results reported in micrograms per kilogram (µg/kg)



	SOIL ANALYTICAL RESULTS 135 SOUTH BROADWAY DEPERE, WISCONSIN	FIGURE 1
--	---	--

ARCADIS



Cap Maintenance and Soil Management Plan

Former Royal Cleaners
De Pere, Wisconsin

Introduction

This Cap Maintenance and Soil Management Plan is applicable to the Former Royal Cleaners facility (the Site), which is located at 135 South Broadway Street in De Pere, Wisconsin (Figure 1).

The purpose of the Cap Maintenance Plan is to describe the procedures and controls that need to be followed to maintain the function of engineered barriers. Engineered Barrier(s) are hereby defined as the topsoil, vegetation, fill material, asphalt, and concrete surfaces placed over the impacted soils to function as a barrier to surface water infiltration, subsurface vapor migration, and to limit direct contact exposure. The Soil Management Plan is designed to provide a procedure to manage soils excavated from the affected areas of the Site. Maintaining the function of the Engineered Barriers and managing excavated soils appropriately will provide continued protection of human health and the environment by minimizing potential exposure to the residual contamination in the affected soils.

Specifically, this Cap Maintenance and Soil Management Plan covers the area located on the eastern portion of the property (Figure 2). As discussed in the "*Site Investigation and Closure Report*" and summarized below, active remediation was conducted at the Site; however, residual soil impacts remain in this area of the Site. Soil samples SB-1 (2' to 4') and MW-3 (7' to 9') contain tetrachloroethene (PCE) at concentrations of 83 micrograms per kilogram ($\mu\text{g}/\text{kg}$) and 71 $\mu\text{g}/\text{kg}$, respectively. As Site conditions prohibited the active remediation of these residual soils, this Cap Maintenance and Soil Management Plan has been prepared, as a condition of regulatory case closure, to protect human health and the environment to the extent practicable.

This Cap Maintenance and Soil Management Plan presents a summary of the investigation and remediation activities completed at the Site, a description of the areas of the Site affected by this plan, and a description of the procedures to be followed for the inspection and maintenance of the Engineered Barriers. A description of the procedures for modifying, repairing, or penetrating the Engineered Barriers is also presented, with procedures for managing any residual impacted soil encountered during such activities.

A copy of this Cap Maintenance and Soil Management Plan shall at all times be kept on file in the offices of: (1) the Wisconsin Department of Natural Resources (hereinafter, the "Department"), Northeast Region; (2) the owner of the Site, its successors and assigns (hereinafter identified collectively as the "Owner"); (3) the Site manager (if any); and (4) the Site. The Cap Maintenance and Soil Management Plan

shall be made available by Owner to contractors, utilities and maintenance personnel, and any other public or private persons or entities authorized to perform work at the Site.

The Department and its successor and assigns shall be notified of any activity which is not in accordance with this Cap Maintenance and Soil Management Plan.

Overview of Site Conditions

The results of site investigation and remediation activities conducted at the Site are presented in the document entitled "*Site Investigation and Closure Report*", dated January 2005. In summary, soil, soil vapor, and groundwater investigations were performed at the Site during 2003 and 2004. The primary constituents detected during the investigations consisted of low-level chlorinated volatile organic compounds (CVOCs) in soil and groundwater.

The extent of impacted soil has been defined. As stated above, PCE was detected in two soil borings onsite. Both soil borings are located on the eastern portion of the property beneath the asphalt covered parking lot. Soil samples SB-1 (2' to 4') and MW-3 (7' to 9') contained PCE at concentrations above the Soil Screening Levels (SSLs) for the soil to groundwater pathway as determined by the United States Environmental Protection Agency's Soil Screening Guidance document dated July 1996. However, the concentrations of PCE detected in these two soil samples were below the SSLs determined for the ingestion and inhalation of volatiles pathways. One soil sample (PZ-1[7' to 9']) collected south of the property within the city of De Pere right-of-way in Charles Street also contained PCE above the SSL for the soil to groundwater pathway. No other CVOCs were detected above laboratory detection limits in any of the soil samples collected on Site.

A soil vapor probe was advanced in the southeast corner of the on-Site building to evaluate the potential for soil vapor intrusion. Soil vapor analytical data indicates that PCE was not detected beneath the building, and vapor intrusion is not occurring at the Site.

The extent of impacted groundwater has also been defined. Groundwater monitoring activities and analytical data indicate that low-level concentrations of PCE and its breakdown products are present above the Wisconsin Department of Natural Resources (WDNR's) Preventive Action Limit at Monitoring Wells MW-1 and MW-3. The concentrations detected are stable or decreasing, indicating that natural attenuation is occurring at the Site.

In summary, all potential sources have been addressed. Concurrently with the submittal of this Cap Maintenance and Soil Management Plan and as part of the Site closure activities, the Site will be entered into the WDNR's Geographic Information System registries for soil and groundwater, a soil deed restriction will be recorded for the property, and a notification to the city of De Pere for residual contamination in the right-of-way of Charles Street will be submitted.

The elements which are the subject of this Cap Maintenance and Soil Management Plan are the approved Engineered Barriers consisting of the following:

- The asphalt pavement located over PCE-affected soil on the eastern portion of the property. The impacted soils in this area extend from 2 to 9 feet below ground surface (ft bgs), and are located at Soil Boring SB-1 and Monitoring Well MW-3.
- The concrete sidewalk and onsite building located adjacent to the west of the PCE-affected soils.

The following area is subject to the requirements of the Soil Management portion of this Cap Maintenance and Soil Management Plan:

- The PCE-affected soils located on the eastern portion of the property, extending from beneath the asphalt pavement to a depth of 9 ft bgs. The volume of affected soils is less than 100 cubic yards.

Required Activities

Annual Inspections. The asphalt pavement, concrete sidewalk, and concrete building floor, depicted on the attached Figure 2, shall be inspected at least annually by the Owner to ensure that the integrity of the Engineered Barrier(s) is maintained and that no significant fissures, cracks or erosional features develop in the Engineered Barrier(s), which would allow a materially significant increase in the infiltration and percolation of precipitation or surface water into the impacted soils. Any disturbances of the Engineered Barriers or significant fissures, cracks or erosional features in the Engineered Barrier(s) shall be noted. An inspection log, which can be used while observing the Engineered Barrier(s), is attached to this Cap Maintenance and Soil Management Plan. Upon completion of the inspection by the Owner, a brief report shall be prepared which identifies the date of the inspection, the individuals conducting the inspection, any observed disturbances of the Engineered Barriers including any significant fissures, cracks or erosional features in the Engineered barrier(s). A copy of the inspection report shall be maintained on file by the Owner, the Site manager (if any), and at the Site.

Repairs to Engineered Barrier(s). If, during the annual inspection or other routine inspection of the asphalt pavement, concrete sidewalk, and/or concrete building floor, the Engineered Barriers are observed to have been disturbed or significant fissures, cracks or erosional features are observed in the Engineered Barrier(s), the Owner shall arrange to have repairs made to such areas, in a manner consistent with this Cap Maintenance and Soil Management Plan. Such repairs shall be carried out within a reasonable period of time, not to exceed 120 days, subject to weather and seasonal considerations.

Allowed Activities

The following allowed activities must comply with all listed requirements:

1. **Landscaping Maintenance.** There are currently no landscaped areas of the Site. In the event the Owner desires to install trees, shrubs, fencing or retaining walls, or perform other landscaping, all such work shall not intrude past the cap layer, which is located from approximately 0 to 1 ft bgs. For any such work, the following steps shall be taken:
 - A) The contractor performing the work shall be provided with a copy of this Cap Maintenance and Soil Management Plan by Owner and shall prepare a health and safety plan, appropriate for the work being performed.
 - B) If the cap is to be breached for landscaping, the Department must be notified in advance.
 - C) Any excavation of impacted soils shall be conducted in accordance with the health and safety plan, and all such excavated impacted soils shall be segregated and kept on-site until completion of the work. All excavated impacted soils shall be, at a minimum, placed onto plastic sheeting and covered, or placed into a water tight container such as a covered roll-off box. Any excavated impacted soils shall be properly characterized and managed in accordance with state law with notice to the Department.
 - D) Upon completion of the work, excavated impacted soils may be used as backfill material; however, a plan for use of the impacted soil as backfill must be prepared and submitted to the Department for approval. Upon receipt of Department approval, the impacted soils, as well as any additional clean soil, granular fill material necessary to backfill to grade, or topsoil for landscaping, shall be backfilled in such a manner as to

maintain the original depth of the impacted soils as the case may be. Regardless whether impacted soil is reused as a component of the backfill, the backfill area shall be restored in a manner consistent with the original cap condition.

2. **Construction or Installation of Buildings, Structures or Other Improvements.** Buildings, structures or other improvements may be constructed or installed in the areas included in this Cap Maintenance and Soil Management Plan using footings or other foundations which are placed into the impacted soils in the following manner:
- A) The contractor performing the work shall be provided with a copy of this Cap Maintenance and Soil Management Plan by Owner and shall prepare a health and safety plan, appropriate to the work being performed.
 - B) If the cap is to be breached, the Department must be notified in advance.
 - C) Any excavation of impacted soils shall be conducted in accordance with the health and safety plan, and all such excavated impacted soils shall be segregated and kept on-site until completion of the work. All excavated impacted soils shall be, at a minimum, placed onto plastic sheeting and covered, or placed into a water tight container such as a covered roll-off box. Any excavated impacted soils shall be properly characterized and managed in accordance with state law with notice to the Department.
 - D) Upon completion of the work, excavated impacted soils may be used as backfill material; however, a plan for use of the impacted soil as backfill must be prepared and submitted to the Department for approval. Upon receipt of Department approval, the impacted soils, as well as any additional clean soil or granular fill material necessary to backfill to grade, shall be backfilled in such a manner as to maintain the original depth of the impacted soils as the case may be. Regardless whether impacted soil is reused as a component of the backfill, the backfill area shall be restored in a manner consistent with the original cap condition. All materials used in pavement or foundation shall not contain any hazardous substances.

3. **Replacement and Repair of Engineered Barriers.** If it becomes necessary or desirable to replace or repair the Engineered Barrier(s), the repair or replacement shall be undertaken in the following manner:
- A) The contractor performing the work shall be provided with a copy of this Cap Maintenance and Soil Management Plan by Owner and shall prepare a health and safety plan, appropriate to the work being performed.
 - B) Any impacted soils which are excavated from beneath the Engineered Barriers shall be separated and segregated. Any such excavation of impacted soils shall be conducted in accordance with the health and safety plan, and all such excavated impacted soils shall be segregated and kept on site until completion of the work.
 - C) The clean soil or granular layered material necessary to bring the excavation back to grade shall be placed in the excavation in such a manner as to maintain the original depth of the impacted soils as the case may be. The area of the excavation shall be restored in a manner consistent with the original cap condition. Any previously excavated impacted soils shall be properly characterized and managed in accordance with state law with notice to the Department.
 - D) Excavated impacted soils may be used as backfill material; however, a plan for use of the impacted soil as backfill must be prepared and submitted to the Department for approval. Upon receipt of Department approval, the impacted soils, as well as any additional clean soil or granular fill material necessary to backfill to grade, shall be backfilled in such a manner as to maintain the original depth of the impacted soils as the case may be.
4. **Utility Installations or Repairs.** No utility repairs or installation of new or replacement utilities shall be conducted in the areas included in this Cap Maintenance and Soil Management Plan until after the utility and any contractor(s) for the utility have acknowledged receipt of a copy of this Cap Maintenance and Soil Management Plan. The utility repairs or installation(s) shall be conducted in strict conformance with the standards set forth below with respect to excavations into and/or beneath the Engineered Barrier(s), such excavations are to be undertaken in the following manner:

- A) The contractor performing the work shall be provided with a copy of this Cap Maintenance and Soil Management Plan by Owner and shall prepare a health and safety plan, appropriate to the work being performed.
- B) Any impacted soils which are excavated or clean fill above the impacted soils which are excavated, all for purposes of utility installation or repair, shall be separated and segregated to the extent practicable.
- C) The clean fill above the impacted soils may be placed back into the excavation in order to bring the excavation back to grade. The area of the excavation shall be restored in a manner consistent with the original cap condition.
- D) Any excavation of soils beneath the impacted soils shall be conducted in accordance with the health and safety plan. Any such soils excavated from beneath the impacted soils shall be segregated, properly characterized and managed in accordance with state law with notice to the Department. Any other soils which have been commingled, mixed or otherwise have come into contact with soils excavated from beneath impacted soils shall be properly characterized and managed in accordance with state law with notice to the Department. Provided, further, that any groundwater affected by such activities shall be managed in accordance with state law after notice to the Department.
- E) Excavated impacted soils may be used as backfill material; however, a plan for use of the impacted soil as backfill must be prepared and submitted to the Department for approval. Upon receipt of Department approval, the impacted soils, as well as any additional clean soil or granular fill material necessary to backfill to grade, shall be backfilled in such a manner as to maintain the original depth of the impacted soils as the case may be.
- F) Clean fill used in connection with utility installation or construction shall not include any granular or porous material but may include low strength flowable fill or other fill with low hydraulic conductivity.

5. Subsurface Drilling Procedures and Requirements. During subsurface drilling activities in the areas included in this Cap Maintenance and Soil

Management Plan, drilling contractors shall at all times maintain compliance with the following requirements to ensure the integrity of the Engineered Barrier(s) and to avoid any potential cross contamination of soils and groundwater:

- A) The contractor performing the work shall be provided with a copy of this Cap Maintenance and Soil Management Plan by Owner and shall prepare a health and safety plan, appropriate to the work being performed. The work shall be supervised on-site by a qualified engineer or geologist.
- B) All contractor personnel conducting or participating in work must be trained in hazardous site work as required by Occupational Safety & Health Administration 29 CFR 1910.120 or its successor regulation. All soil sampling and drilling activities shall be conducted in accordance with American Society for Testing and Materials D1586-99 or its successor standard, and the specified environmental requirements contained in this document.
- C) All drill cuttings and water/drilling mud generated during completion of the boring shall be transferred to appropriate 55-gallon drums or other suitable containers for storage, and shall be managed in accordance with state law.
- D) Following completion of the boring and sample collection, the borehole shall be properly abandoned, in accordance with state law, with a cement-based grout mixture pumped from the bottom of the boring to surface elevation concurrently with or prior to withdrawal of casing pipe.
- E) All drill casings, rods, samplers, tools, rig, and any equipment that comes in contact (directly or indirectly) with the subsurface soils and groundwater shall be steam cleaned on-site prior to set up for drilling. The same steam cleaning protocols shall be followed before leaving the Site following completion of work. Steam cleaning shall be conducted in such a manner as to collect and contain residuals (water and soil) to prevent surface soil contamination. Residuals shall be drummed and managed in accordance with state law.

ARCADIS

**Cap Maintenance and
Soil Management
Plan**

Former Royal Cleaners
De Pere, Wisconsin

Request for Deviations

Owner shall not conduct any activities at the Site, specifically in the areas included in this Cap Maintenance and Soil Management Plan that are not in compliance with this Cap Maintenance and Soil Management Plan, unless written approval to do so is obtained from the Department.

EXHIBIT B

BARRIER INSPECTION LOG

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