



March 18, 2016

West Allis Hotel Ventures, LLC
Mr. Jeremy Droeszler, Project Executive
631 Cedar Street
Wisconsin Dells, WI 53965

Community Development Authority of the City of West Allis
Mr. John Stibal, Director of Development
7525 W. Greenfield Avenue
West Allis, WI 53214

Subject: Approval for Management of Contaminated Soil under s. NR 718.12 Wis. Adm. Code

Generator property: West Allis Hotel Ventures, Hampton Inn & Suites, 8201 W Greenfield Avenue, West Allis Wisconsin Tracked under BRRTS: 03-41-107761, FID 241339340, Meurer Bakeries of Milwaukee, 8321 W Greenfield Avenue, West Allis Wisconsin

Disposal property: 6633-6639 West National Avenue (Parcel 705), BRRTS 02-41-544080, FID: 341117040, 6633 West National Avenue, West Allis, Wisconsin

Dear Mssrs. Droeszler and Stibal:

On March 9, 2016 Benjamin Verberg P.E. of Arcadis U.S. Inc., submitted a request, Soil Management Plan Supplement, for approval under s. NR 718.12 Wis. Adm. Code, to allow disposal of excavated contaminated soil at a location other than that from which it was excavated. The Wisconsin Department of Natural Resources (Department) received the \$700 technical assistance fee for providing review and response, in accordance with s. NR 749.04(1), Wis. Adm. Code.

Summary of proposed soil management activities

West Allis Hotel Ventures (WAHV) proposes to dispose of approximately 4750 cubic yards (yd³) of excavated contaminated soil originating from the WAHV site; to the receiving property at the 6633-6639 West National Avenue Parcel 705 (Parcel 705). WAHV proposes to dispose of this material, in accordance with s. NR 718.12 Wis. Adm. Code which exempts the disposal site from solid waste requirements in ch. 289, Stats. and chs NR 500 to 538 Wis. Adm. Code. The soil was generated during the redevelopment of the Hampton Inn & Suites hotel and the associated storm water retention system. The soil will be placed on the Parcel 705 location, compacted in lifts, a six (6) inch soil cover will be placed over the soils and seeded to prevent erosion until such time redevelopment activities start. Additionally, the Parcel 705 property must be fenced and locked to prevent access to the soils until site redevelopment occurs.

Information submitted to support the s. NR 718.12 Wis. Adm. Code soil management request includes the following reports: Technical Assistance, Environmental Liability Clarification Request, West Allis Hotel Venture, LLC, Soil Management Plan, Arcadis, July 10, 2015, Soil Management Plan Update, Arcadis, November 9, 2015, and Soil Management Plan Supplement, Arcadis, March 9, 2016

Location standards: s. NR 718.12 (1)(c) Wis. Adm. Code

Information provided in the soil disposal request indicates that the disposal site complies with the locational criteria of Ch. NR 718.12 Wis. Adm. Code (1)(c) so that soil will not be placed or replaced in the following areas:

1. Within a floodplain
2. Within 100 feet of a wetland or critical habitat area
3. Within 300 feet of any navigable river, stream, lake, pond or flowage
4. Within 100 feet of any on-site water supply well or 300 feet of any off-site water supply well
5. Within 3 feet of the high groundwater level
6. At a depth greater than the depth of the original excavation from which the contaminated soil was removed
7. Where the contaminated soil poses a threat to public health, safety or welfare or the environment.

Soil Characterization -

Soil proposed for excavation from the WAHV is contaminated with Polycyclic Aromatic hydrocarbons (PAHs). Samples have been collected for analysis of all contaminants previously detected or expected to be present based on past land use and from areas most likely to contain residual soil contamination at a frequency of 1 sample per 250 yds³. The sampling criteria of s. NR 718.12(1)(e) have been met. The following information has been provided in the s. 718.12 Wis. Adm. Code request document:

S. NR 718.12 Wis. Am. Code Approval

Based on review of the above-referenced documents, and the requirements of s. NR 718.12 Wis. Adm. Code, the Department approves the soil management plan for disposal of up to 4750 yd³ contaminated soil that will be excavated from WAHV to the Parcel 705 site. Approval is conditioned upon compliance with the following:

Conditions of approval

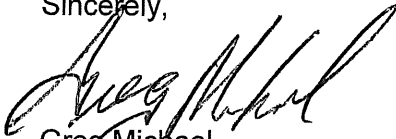
- Soil excavation from the generating site and placement at the receiving site shall be completed within 1 year of the effective date of this letter unless a written extension of this condition is obtained from the Department.
- WAHV shall manage excavated material in conformance with the approved materials management plan and shall notify the Department within 24 hours of discovering material that is not consistent with the contaminant characteristics that have been reported to the Department for the generating site. The material must be segregated and tested to determine the proper disposal.
- WAHV and Parcel 705 are responsible for obtaining any local, federal, or other applicable state permits to carry out the project. If the project will involve the disturbance of more than one acre of land at either the generating site or the disposal site, you may need a storm water permit; please contact the Department's storm water Manager to determine what, if any, permit is needed.
- WAHV shall not dispose of more than 4750 cubic yards of excavated soil from the WAHV at the Parcel 705 unless written approval is granted by Department.

- WAHV shall submit to the Department, documentation of excavation and disposal activities within 30 days of completing the disposal activities. Report shall include description of total volume of material transported to disposal site and location of disposal.
- Parcel 705 shall comply with applicable requirements of s. NR 718.12(2)(e).
- This approval does not provide closure for either WAHV site or Parcel 705 under ch. NR 726, Wis. Adm. Code.

The Department reserves the right to require the submittal of additional information or to modify or revoke this soil management approval if WAHV or Parcel 705 fails to comply with the requirements of the soil management plan, as proposed. The Department also retains its right to modify or revoke this approval if circumstances or conditions change, or if new information is found which would warrant modification or revocation of this approval.

If you have any questions regarding this approval decision, please contact me in writing at the letterhead address, by calling 262.574.2176 or by email at Greg.Michael@Wisconsin.gov.

Sincerely,



Greg Michael
Hydrogeologist
Remediation and Redevelopment Program

cc: Arcadis, Ben Verberg, 126 North Jefferson Street, Suite 400
Milwaukee, WI 53202