

This Adobe Fillable form is intended to provide a list of information that is required for evaluation for case closure. It is to be used in conjunction with Form 4400-202, Case Closure Request. The closure of a case means that the Department has determined that no further response is required at that time based on the information that has been submitted to the Department.

NOTICE: Completion of this form is mandatory for applications for case closure pursuant to ch. 292, Wis. Stats. and ch. NR 726, Wis. Adm. Code, including cases closed under ch. NR 746 and ch. NR 726. The Department will not consider, or act upon your application, unless all applicable sections are completed on this form and the closure fee and any other applicable fees, required under ch. NR 749, Wis. Adm. Code, Table 1 are included. It is not the Department's intention to use any personally identifiable information from this form for any purpose other than reviewing closure requests and determining the need for additional response action. The Department may provide this information to requesters as required by Wisconsin's Open Records law [ss. 19.31 - 19.39, Wis. Stats.].

BRRTS #:	02-33-544202	(No Dashes)	PARCEL ID #:	216.1073.1000, 216.1074.1000, 216.1073.2000	
ACTIVITY NAME:	DICKS SUPERMARKET		WTM COORDINATES:	X: 510517	Y: 245028

CLOSURE DOCUMENTS (the Department adds these items to the final GIS packet for posting on the Registry)

- Closure Letter**
- Maintenance Plan** (*if activity is closed with a land use limitation or condition (land use control) under s. 292.12, Wis. Stats.*)
- Continuing Obligation Cover Letter** (for property owners affected by residual contamination and/or continuing obligations)
- Conditional Closure Letter**
- Certificate of Completion (COC)** (for VPLE sites)

SOURCE LEGAL DOCUMENTS

- Deed:** The most recent deed as well as legal descriptions, for the **Source Property** (where the contamination originated). Deeds for other, off-source (off-site) properties are located in the **Notification** section.
Note: *If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.*
- Certified Survey Map:** A copy of the certified survey map or the relevant section of the recorded plat map *for those properties where the legal description in the most recent deed refers to a certified survey map or a recorded plat map.* (lots on subdivided or platted property (e.g. lot 2 of xyz subdivision)).

Figure #:

Title:

- Signed Statement:** A statement signed by the Responsible Party (RP), which states that he or she believes that the attached legal description accurately describes the correct contaminated property.

MAPS (meeting the visual aid requirements of s. NR 716.15(2)(h))

Maps must be no larger than 11 x 17 inches unless the map is submitted electronically.

- Location Map:** A map outlining all properties within the contaminated site boundaries on a U.S.G.S. topographic map or plat map in sufficient detail to permit easy location of all parcels. If groundwater standards are exceeded, include the location of all potable wells within 1200 feet of the site.
Note: *Due to security reasons municipal wells are not identified on GIS Packet maps. However, the locations of these municipal wells must be identified on Case Closure Request maps.*

Figure #: 1 **Title:** Site Location and Local Topography

- Detailed Site Map:** A map that shows all relevant features (buildings, roads, individual property boundaries, contaminant sources, utility lines, monitoring wells and potable wells) within the contaminated area. This map is to show the location of all contaminated public streets, and highway and railroad rights-of-way in relation to the source property and in relation to the boundaries of groundwater contamination exceeding a ch. NR 140 Enforcement Standard (ES), and/or in relation to the boundaries of soil contamination exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Levels (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.

Figure #: 2 **Title:** Site Layout and Boring Locations

- Soil Contamination Contour Map:** For sites closing with residual soil contamination, this map is to show the location of all contaminated soil and a single contour showing the horizontal extent of each area of contiguous residual soil contamination that exceeds a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.

Figure #: 6 **Title:** Soil Chemistry Results

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MAPS (continued)

- Geologic Cross-Section Map:** A map showing the source location and vertical extent of residual soil contamination exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL). If groundwater contamination exceeds a ch. NR 140 Enforcement Standard (ES) when closure is requested, show the source location and vertical extent, water table and piezometric elevations, and locations and elevations of geologic units, bedrock and confining units, if any.

Figure #: 3 **Title:** West/East Cross Section A-A'

Figure #: 4 **Title:** West/East Cross Section B-B'

- Groundwater Isoconcentration Map:** For sites closing with residual groundwater contamination, this map shows the horizontal extent of all groundwater contamination exceeding a ch. NR140 Preventive Action Limit (PAL) and an Enforcement Standard (ES). Indicate the direction and date of groundwater flow, based on the most recent sampling data.

Note: This is intended to show the total area of contaminated groundwater.

Figure #: 7A, 7B, 7C **Title:** Groundwater Chemistry Results

- Groundwater Flow Direction Map:** A map that represents groundwater movement at the site. If the flow direction varies by more than 20° over the history of the site, submit 2 groundwater flow maps showing the maximum variation in flow direction.

Figure #: 5 **Title:** Groundwater Flow February 15, 2006

Figure #: **Title:**

TABLES (meeting the requirements of s. NR 716.15(2)(h)(3))

Tables must be no larger than 11 x 17 inches unless the table is submitted electronically. Tables must not contain shading and/or cross-hatching. The use of **BOLD** or *ITALICS* is acceptable.

- Soil Analytical Table:** A table showing remaining soil contamination with analytical results and collection dates.

Note: This is one table of results for the contaminants of concern. Contaminants of concern are those that were found during the site investigation, that remain after remediation. It may be necessary to create a new table to meet this requirement.

Table #: 2, 2 **Title:** Soil Analytical Results, Soil Chemistry Analytical Results,

- Groundwater Analytical Table:** Table(s) that show the most recent analytical results and collection dates, for all monitoring wells and any potable wells for which samples have been collected.

Table #: 3 **Title:** Groundwater Analytical Results

- Water Level Elevations:** Table(s) that show the previous four (at minimum) water level elevation measurements/dates from all monitoring wells. If present, free product is to be noted on the table.

Table #: 1 **Title:** Groundwater Elevation Data

IMPROPERLY ABANDONED MONITORING WELLS

For each monitoring well not properly abandoned according to requirements of s. NR 141.25 include the following documents.

Note: If the site is being listed on the GIS Registry for only an improperly abandoned monitoring well you will only need to submit the documents in this section for the GIS Registry Packet.

- Not Applicable**

- Site Location Map:** A map showing all surveyed monitoring wells with specific identification of the monitoring wells which have not been properly abandoned.

Note: If the applicable monitoring wells are distinctly identified on the Detailed Site Map this Site Location Map is not needed.

Figure #: **Title:**

- Well Construction Report:** Form 4440-113A for the applicable monitoring wells.

- Deed:** The most recent deed as well as legal descriptions for each property where a monitoring well was not properly abandoned.

- Notification Letter:** Copy of the notification letter to the affected property owner(s).

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NOTIFICATIONS

Source Property

Not Applicable

Letter To Current Source Property Owner: If the source property is owned by someone other than the person who is applying for case closure, include a copy of the letter notifying the current owner of the source property that case closure has been requested.

Return Receipt/Signature Confirmation: Written proof of date on which confirmation was received for notifying current source property owner.

Off-Source Property

Group the following information per individual property and label each group according to alphabetic listing on the "Impacted Off-Source Property" attachment.

Not Applicable

Letter To "Off-Source" Property Owners: Copies of all letters sent by the Responsible Party (RP) to owners of properties with groundwater exceeding an Enforcement Standard (ES), and to owners of properties that will be affected by a land use control under s. 292.12, Wis. Stats.

Note: Letters sent to off-source properties regarding residual contamination must contain standard provisions in Appendix A of ch. NR 726.

Number of "Off-Source" Letters:

Return Receipt/Signature Confirmation: Written proof of date on which confirmation was received for notifying any off-source property owner.

Deed of "Off-Source" Property: The most recent deed(s) as well as legal descriptions, for all affected deeded **off-source property(ies)**. This does not apply to right-of-ways.

Note: If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.

Certified Survey Map: A copy of the certified survey map or the relevant section of the recorded plat map for those properties where the legal description in the most recent deed refers to a certified survey map or a recorded plat map. (lots on subdivided or platted property (e.g. lot 2 of xyz subdivision)).

Figure #: **Title:**

Letter To "Governmental Unit/Right-Of-Way" Owners: Copies of all letters sent by the Responsible Party (RP) to a city, village, municipality, state agency or any other entity responsible for maintenance of a public street, highway, or railroad right-of-way, within or partially within the contaminated area, for contamination exceeding a groundwater Enforcement Standard (ES) and/or soil exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL).

Number of "Governmental Unit/Right-Of-Way" Owner" Letters: 1



February 20, 2019

Stewart Wangard
Wangard Partners, Inc.
High Pointe Office Center
1200 N. Mayfair Road
Milwaukee WI 53226

Mr. James Bryson
Bryson Family Rental LLC
10175 County Road E
Darlington WI 53530

KEEP THIS DOCUMENT WITH YOUR PROPERTY RECORDS

SUBJECT: Final Case Closure with Continuing Obligations
Dick's Supermarket, 149 Wells St., Darlington WI
DNR BRRTS Activity #: 02-33-544202

Dear Sirs:

The retail development at 149-155 Wells Street in Darlington consists of a supermarket and an attached plaza of several units. The entire retail development is built on a historic landfill. In 2003, the Department of Natural Resources (DNR) opened a remediation case for this property which was referred to as "Darlington City Landfill/Dick's Supermarket." The purpose of this letter is close out the remediation case for the retail development and clarify that the City of Darlington holds responsibility for methane and any other landfill-related issues at the former landfill. Although the case was named after the largest business on the property when the case was opened, the retail development presently has two parcels (numbers 216-1073-2000 and 216-1073-1000) and associated shared common elements (number 261-1074-1000) to which the continuing obligation requirements in this letter apply.

The DNR sent Mr. Wangard a conditional closure letter for the Dick's Supermarket remediation case on March 19, 2007; on April 25, 2007, DNR received documentation that the conditions in the March 19, 2007 letter were met. Closure proceedings paused at that point due to increasing concern about subsurface methane levels at the property. Since that time, the City of Darlington's consultant has worked to monitor and safely vent the methane and regularly report to the DNR.

This is the final closure letter for the Dick's Supermarket case and covers the retail buildings on the property only, not the underlying historic City of Darlington landfill. The remediation case from dry-cleaning operations at the former Plaza Cleaners was handled separately (BRRTS activity # 02-33-526621) and closed with residual soil and groundwater contamination on December 27, 2007.

The conditions of closure and continuing obligations required were based on commercial, industrial, or recreational use of the property. DNR has opened a separate BRRTS activity number (02-33-582970) for the Darlington historic landfill and will continue to work directly with the City and its consultant on methane and any other landfill-related issues at the property.

The Department of Natural Resources considers the Dick's Supermarket case closed, with continuing obligations. No further investigation or remediation is required at this time. However, you, future property owners, and occupants of the property must comply with the continuing obligations as explained in the conditions of closure in this letter.

Please read over this letter closely to ensure that you comply with all conditions and other on-going requirements. Provide this letter and any attachments listed at the end of this letter to anyone who purchases, rents or leases this property from you. Certain continuing obligations also apply to affected property owners or right-of-way holders. These are identified within each continuing obligation.

This final closure decision is based on the correspondence and data provided and is issued under chs. NR 726 and 727, Wis. Adm. Code. The South Central Region Closure Committee reviewed the request for closure on March 19, 2007. The DNR Closure Committee reviewed this environmental remediation case for compliance with state laws and standards to maintain consistency in the closure of these cases.

Continuing Obligations

The continuing obligations for this site are summarized below. Further details on actions required are found in the section Closure Conditions.

- Groundwater contamination is present at or above ch. NR 140, Wis. Adm. Code enforcement standards.
- Residual soil contamination exists that must be properly managed should it be excavated or removed.
- Pavement and/or building foundations/floors must be maintained over waste and contaminated soil, and the DNR must be notified and approve any changes to these barriers.
- Owners or occupants of the 149-155 Wells Street retail developments must allow access to the City of Darlington, any consultant or contractor, or DNR and its authorized representatives to monitor for methane and test or maintain any alarm or methane remediation equipment.
- Owners or occupants of the 149-155 Wells Street retail developments must agree to avoid any interference with action taken to respond to methane or other contamination and to avoid actions that worsen any discharges from the landfill.

The DNR fact sheet *Continuing Obligations for Environmental Protection* (RR-819) helps to explain a property owner's responsibility for continuing obligations on their property. The fact sheet may be obtained online at dnr.wi.gov and search "RR-819".

DNR Database

This site will be included on the Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web (BOTW) online at dnr.wi.gov and search "BOTW", to provide public notice of residual contamination and of any continuing obligations. The site can also be viewed on the Remediation and Redevelopment Sites Map (RRSM), a map view, at dnr.wi.gov and search "RRSM".

The DNR's approval prior to well construction or reconstruction is required in accordance with s. NR 812.09 (4) (w), Wis. Adm. Code. This requirement applies to private drinking water wells and high capacity wells. To obtain approval, complete and submit Form 3300-254 to the DNR Drinking and Groundwater program's regional water supply specialist. This form can be obtained on-line at dnr.wi.gov (search "3300-254").

All site information is also on file at the South Central Regional DNR office, 3911 Fish Hatchery Road, Fitchburg. This letter and information that was submitted with your closure request application, including any maps, can be found as a Portable Document Format (PDF) in BOTW.

Prohibited Activities

Certain activities are prohibited at closed sites because maintenance of a barrier is intended to prevent contact with any remaining contamination. When a barrier is required, the condition of closure requires notification of the DNR before making a change, to determine if further action is needed to maintain the protectiveness of the remedy employed. The following activities are prohibited on any portion of the property where pavement or building foundations and floors are required, as shown on the **attached map** (Figure 2C), unless prior written approval has been obtained from the DNR:

- removal of the existing barrier or cover;
- replacement with another barrier or cover;
- excavating or grading of the land surface;
- filling on covered or paved areas;
- plowing for agricultural cultivation;
- construction or placement of a building or other structure;
- changing the use or occupancy of the property to a residential exposure setting, which may include certain uses, such as single or multiple family residences, a school, day care, senior center, hospital, or similar residential exposure settings.
- changing the construction of a building that has gas or vapor monitoring, alarms, or a mitigation system in place.

Closure Conditions

Compliance with the requirements of this letter is a responsibility to which you, the current property owners, and any subsequent property owners must adhere. DNR staff will conduct periodic prearranged inspections to ensure that the conditions included in this letter are met. If these requirements are not followed, the DNR may take enforcement action under s. 292.11, Wis. Stats. to ensure compliance with the specified requirements, limitations or other conditions related to the property.

Please send written notifications in accordance with the following requirements to:

Department of Natural Resources
Attn: Remediation and Redevelopment Program Environmental Program Associate
3911 Fish Hatchery Road
Fitchburg WI 53711

Residual Groundwater Contamination (ch. NR 140, 812, Wis. Adm. Code)

Groundwater contamination greater than enforcement standards is present both on this contaminated property and off this contaminated property, as shown on the **attached maps** (Figures 7A, 7B, and 7C). If you intend to construct a new well, or reconstruct an existing well, you'll need prior DNR approval. Affected property owners and right-of-way holders were notified of the presence of groundwater contamination. This continuing obligation also applies to the City of Darlington for neighboring Sieg Field and the Alice Street right-of-way.

Residual Soil Contamination (ch. NR 718, chs. 500 to 536, Wis. Adm. Code or ch. 289, Wis. Stats.)

Soil contamination remains to the east of the retail plaza and supermarket and in the area of GP-23 to the west of the supermarket as indicated on the **attached map** (Figure 6). If soil in the specific locations described above is excavated in the future, the property owner or right-of-way holder at the time of excavation must sample and analyze the excavated soil to determine if contamination remains. If sampling confirms that contamination is present, the property owner or right-of-way holder at the time of excavation will need to determine whether the material is considered solid or hazardous waste and ensure that any storage, treatment or disposal complies with applicable standards and rules. Contaminated soil may be managed in accordance with ch. NR 718, Wis. Adm. Code, with prior DNR approval. This continuing obligation also applies to the City of Darlington for neighboring Sieg Field and the Alice Street right-of-way.

In addition, all current and future owners and occupants of the property and right-of-way holders need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken to prevent a direct contact health threat to humans.

Cover or Barrier (s. 292.12 (2) (a), Wis. Stats., s. NR 726.15, s. NR 727.07 Wis. Adm. Code)

The covers (floors, building foundations, pavement) that exist in the locations shown on the **attached map** (Figure 2C), shall be maintained in compliance with the **attached maintenance plan** in order to prevent or limit vapor intrusion into the building.

The use of building foundations and floors and the paved parking lot as covers for this closure is intended to be protective for a commercial or industrial use setting. Before using the property for residential purposes, you must notify the DNR at least 45 days before taking an action, to determine if additional response actions are warranted.

A request may be made to modify or replace a cover or barrier. Before removing or replacing the cover, you must notify the DNR at least 45 days before taking an action. The replacement or modified cover or barrier must be protective of the revised use of the property and must be approved in writing by the DNR prior to implementation. A cover or barrier for industrial land uses, or certain types of commercial land uses may not be protective if the use of the property were to change such that a residential exposure would apply. This may include, but is not limited to, single or multiple family residences, a school, day care, senior center, hospital or similar settings. In addition, a cover or barrier for multi-family residential housing use may not be appropriate for use at a single-family residence.

The **attached maintenance plan and inspection log (DNR form 4400-305)** are to be kept up-to-date and on-site. Inspections shall be conducted annually, in accordance with the attached maintenance plan. Submit the inspection log to the DNR only upon request.

Site-Specific Condition (s. NR 726.05 (9), NR 726.15 (2) (m), s. NR 727.07 (7), Wis. Adm. Code)

In addition, owners or occupants of the retail development at 149-155 Wells Street must:

- allow access for methane monitoring and methane alarm testing; this applies to both occupied and vacant units
- avoid interfering with any action taken to respond to methane or other contamination originating from the landfill
- avoid actions that could worsen any discharges from the landfill

The DNR expects that the City or its consultants and contractors will give you reasonable advance notice when access is needed. If changes to this condition are desired, the property owner must notify the DNR at least 45 days in advance so we may determine if additional response actions are necessary.

Other Closure Information

Sites with Historic Fill

Information presented in the site investigation report indicates that subsurface materials consist of historic waste and fill material. As such, the property owner must comply with any conditions required by solid waste rules in chs. NR 500 - 599, Wis. Adm. Code, while any waste materials remain in place. Any future redevelopment of this property must consider of the presence of waste materials and will require the issuance of an exemption from the DNR to build on an abandoned landfill prior to the start of any construction. Please refer to the Development at Historic Fill Site or Licensed Landfill guidance for further information at dnr.wi.gov and search "historic landfill development".

Waste materials capable of producing methane gas remain at the property. These materials may be of concern in the future for new construction or modification of existing buildings. Currently the City of Darlington's consultant samples a series of gas probes twice per year to monitor gas levels and operates a passive system to safely vent methane gas from the landfill. If new construction or changes to the existing buildings might affect the either the vent system or the monitoring points, DNR review would be needed. Methane gas control technologies may be required for new construction or modifications of existing structures.

General Wastewater Permits for Construction Related Dewatering Activities

The DNR's Water Quality Program regulates point source discharges of contaminated water, including discharges to surface waters, storm sewers, pits, or to the ground surface. This includes discharges from construction related dewatering activities, including utility and building construction.

If you or any other person plan to conduct such activities, you or that person must contact that program, and if necessary, apply for the necessary discharge permit. Additional information regarding discharge permits is available at dnr.wi.gov and search "wastewater permits". If residual soil or groundwater contamination is likely to affect water collected in a pit/trench that requires dewatering, a general permit for Discharge of Contaminated Groundwater from Remedial Action Operations may be needed. If water collecting in a pit/trench that requires dewatering is expected to be free of pollutants other than suspended solids and oil and grease, a general permit for Pit/Trench Dewatering may be needed.

In Closing

Please be aware that the case may be reopened pursuant to s. NR 727.13, Wis. Adm. Code, for any of the following situations:

- 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,
- if the property owner does not comply with the conditions of closure, with any deed restrictions applied to the property, or with a certificate of completion issued under s. 292.15, Wis. Stats., or
- a property owner fails to maintain or comply with a continuing obligation (imposed under this closure approval letter).

The DNR appreciates your efforts to restore the environment at this site. If you have any questions regarding this closure decision or anything outlined in this letter, please contact Cindy Koepke at 608-275-3257 or at cynthia.koepke@wisconsin.gov.

Sincerely,

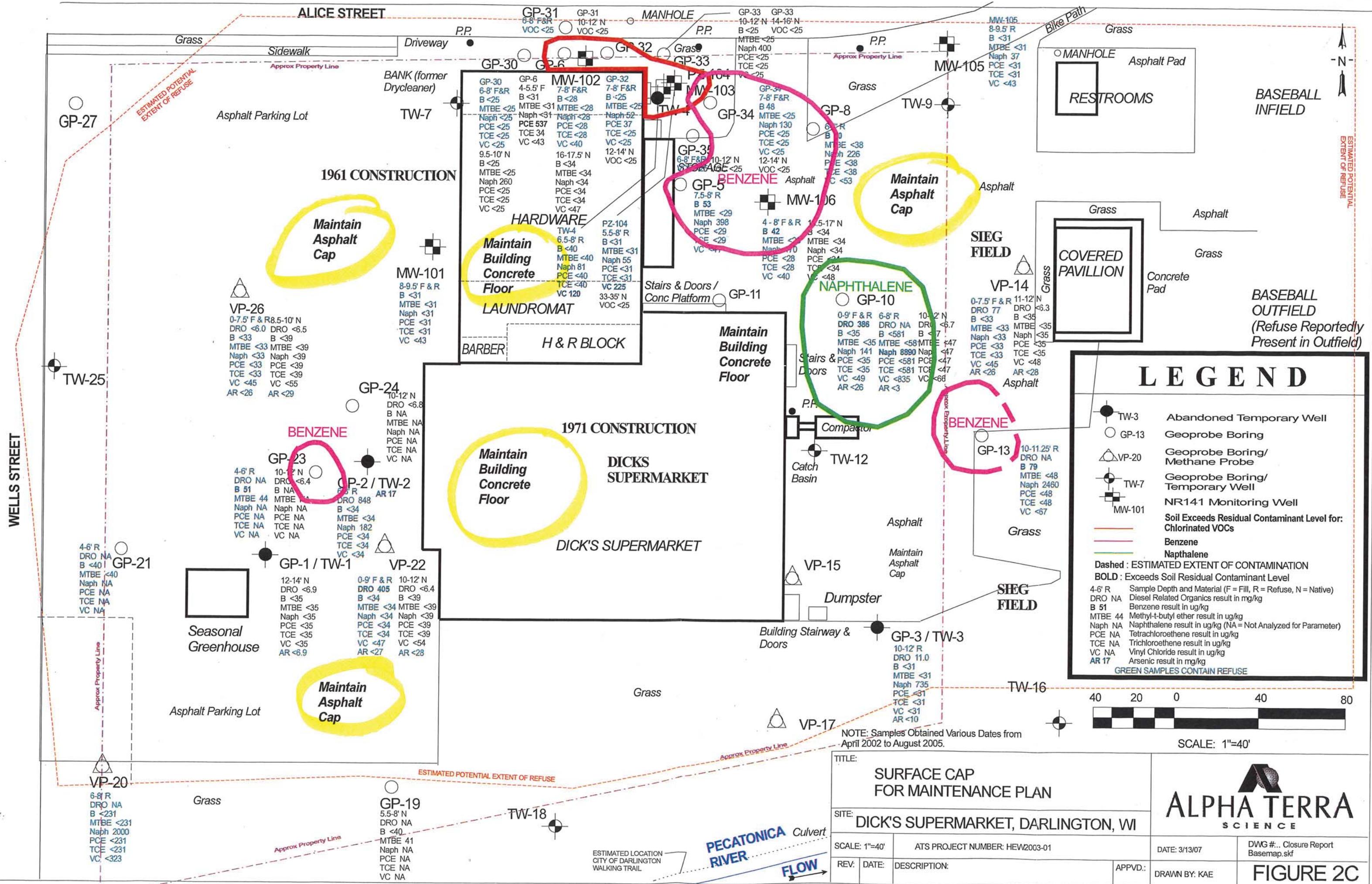


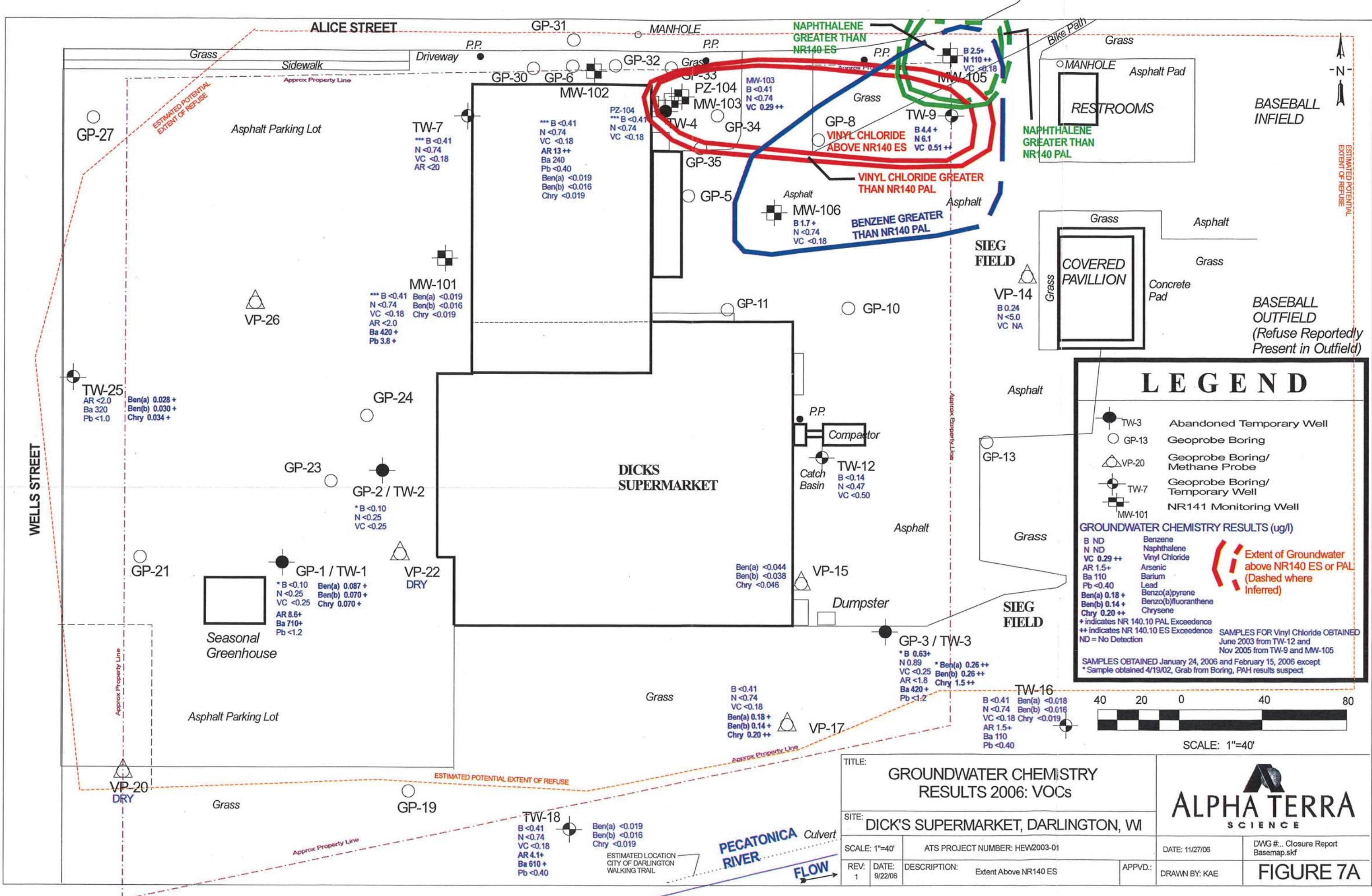
Steven L. Martin, P.G.
South Central Region Team Supervisor
Remediation & Redevelopment Program

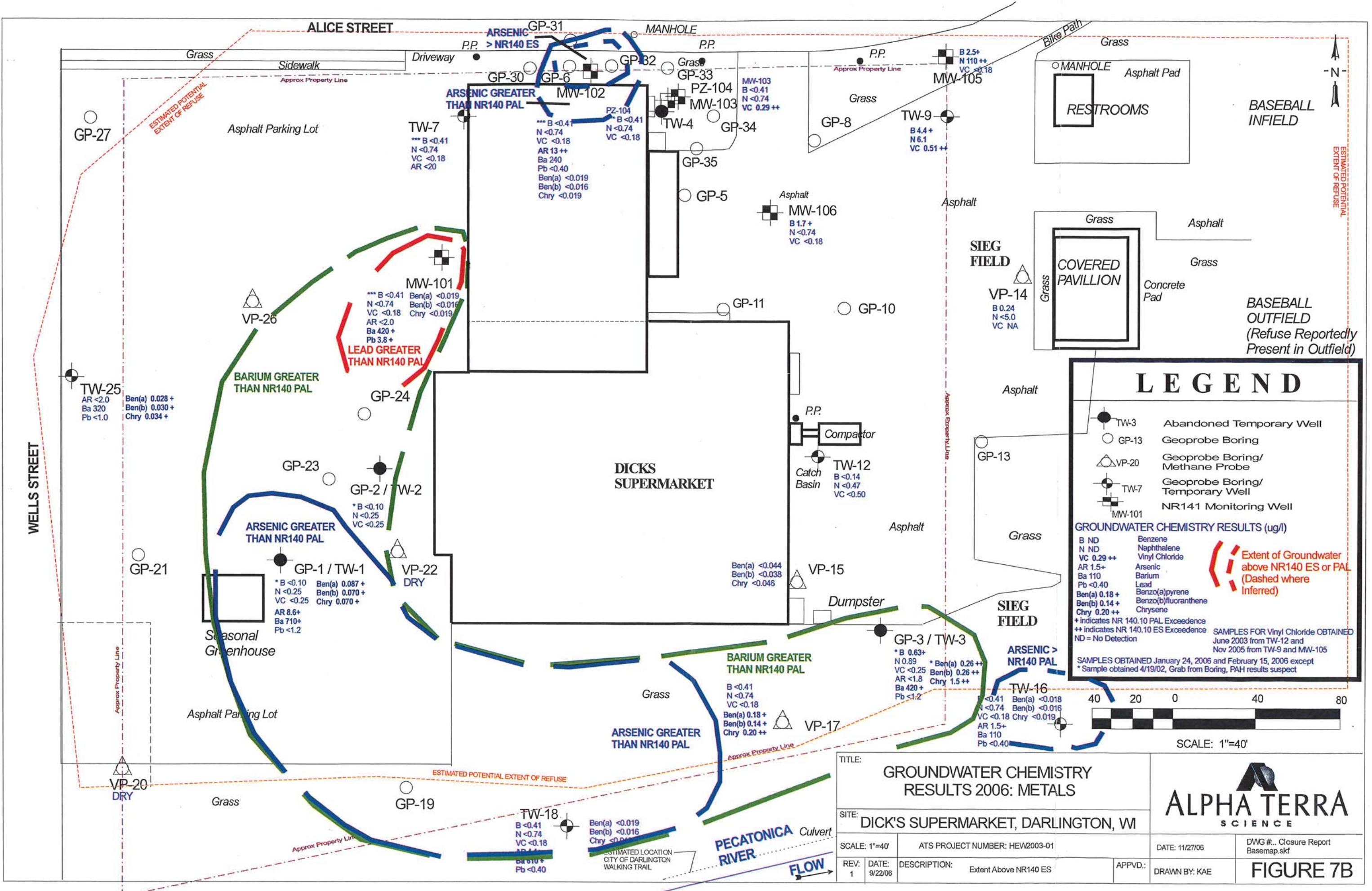
Attachments:

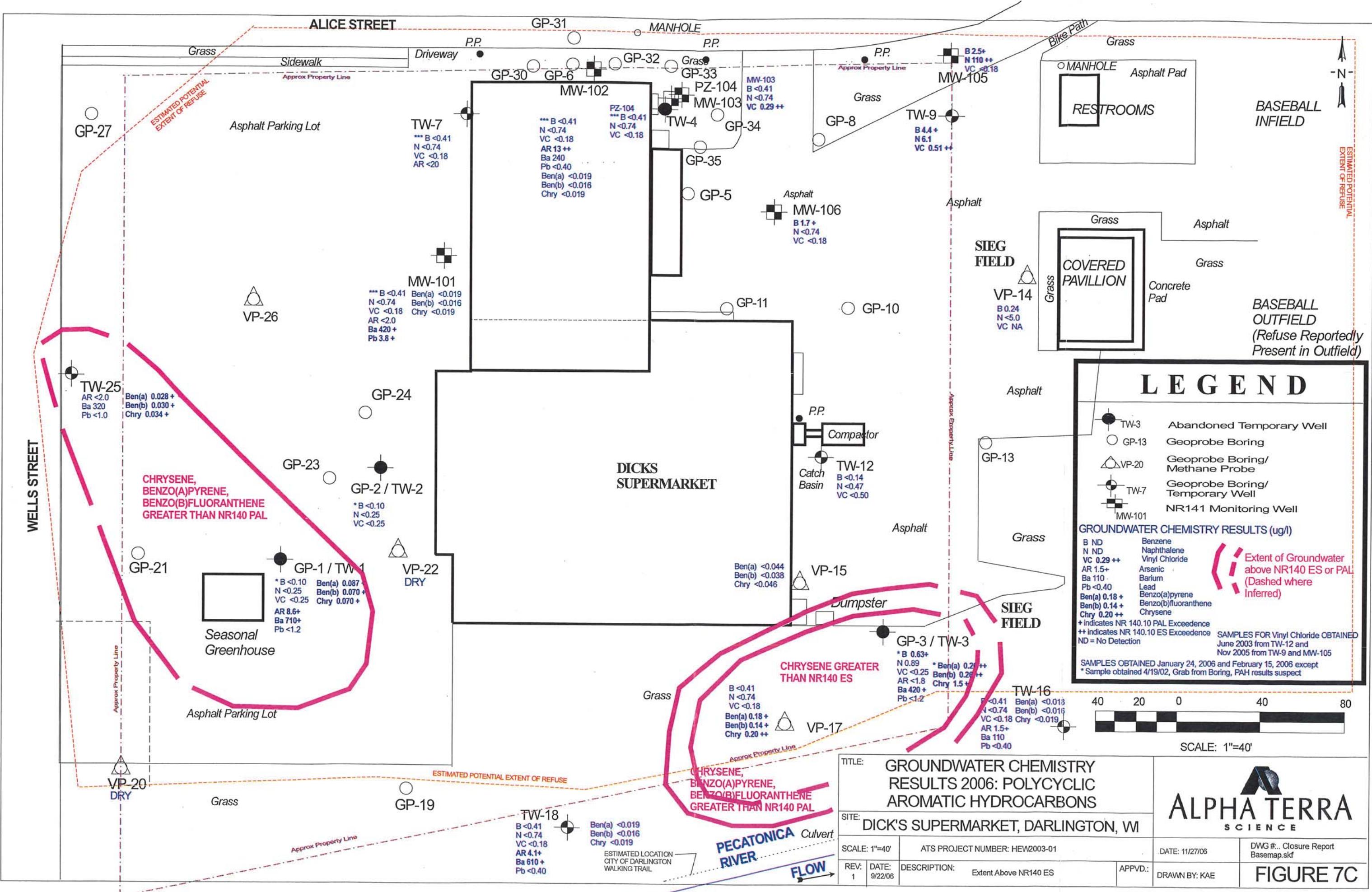
- Surface Cap for Maintenance Plan, Figure 2C, dated 3/13/07
- Groundwater contamination maps, Figs. 7A, 7B & 7C, dated 11/27/06
- Soil Chemistry Results, Figure 6, dated 11/27/06
- Cap maintenance plan prepared by Alpha Terra Science, dated March 13, 2007
- Cap inspection form 4400-305

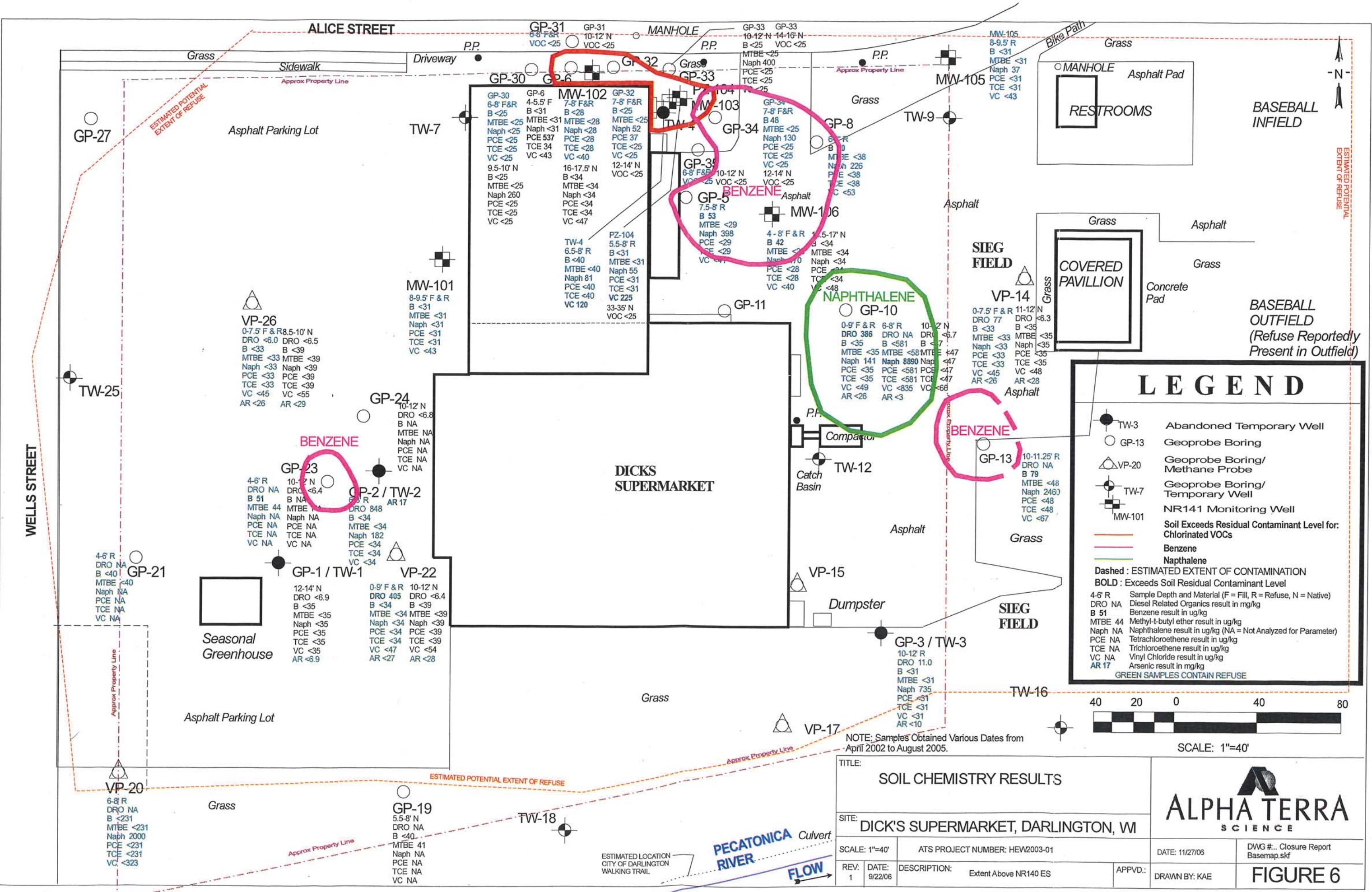
cc: Mayor David Breunig, City of Darlington
Jeremy Williams, DPW, City of Darlington
Ben Peotter, Ayers Associates













Rec'd 3/16/07

March 13, 2007

Alpha Terra Science, Inc.
1237 S. Pilgrim Road, Plymouth, WI 53073
TEL 920/892-2444 FAX 920/892-2620
Website: www.alphaterra.net
E-mail: alphaterra@alphaterra.net

Ms. Linda Hanefeld
Wisconsin Department of Natural Resources
3911 Fish Hatchery Road
Fitchburg, WI 53711-5397

**RE: Maintenance Plan and Inspection Log, Historic Darlington Landfill Property, 149 –
153 Wells Street Property, Darlington, WI,
BRRTS # 02-33-544202**

Dear Ms. Hanefeld:

Attached please find a copy of the above-referenced Maintenance Plan and Inspection Log for the former Darlington Landfill property.

Annual inspection of the asphalt cap and building floor surface is required of the property owner.

Please attach the Maintenance Plan and Inspection Log to the other closure materials as necessary.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Ebbott".

Ken Ebbott
Project Manager

Attachment: Maintenance Plan and Inspection Log

Cc: Mr. Stewart Wangard, Wangard Partners, Inc., 1200 N. Mayfair Road, Milwaukee, WI 53226 w/ Attachment
Mr. Don Gallo, Reinhart Boerner, et. al. P.O. Box 2265 Waukesha, WI 53187-2265 w/ Attachment

PAVEMENT COVER BARRIER MAINTENANCE PLAN

March 13, 2007

Property Located at:

149 to 153 Wells Street, Darlington, WI

WDNR BRRTS 02-33-544202

Legal Description: Part of the East fraction of Government Lot 1, located in the Southeast Quarter of the Northwest Quarter of Section 3, Town 2 North, Range 3 East, City of Darlington, Lafayette County, Wisconsin, being more particularly described as follows: Commencing at the East Quarter corner of Section 3; thence N2°37'58" W on the East line of the Northeast Quarter, 1031.47', thence N89°14'34". 1112.53' to the Southeast corner of Block 19 of the Original Plat of Darlington; thence S89°14'34"E, 66.00' to a 2" dia. iron pipe at the Southwest corner of Certified Survey map No. 114, being the Southwest corner of Block 18 of said Original Plat; thence S0°57'21" W, 66.00' to a 1 1/4" dia. brass "Survey Mark" plug in concert at the Northwest corner of Block 22 of said Original Plat, being the point of beginning; thence S0°57'59"E, 408.03' to a 2" square hollow iron rod; thence N0°57'21"E, 320.37' to a #6 (3/4" dia.) rebar on the South line of Alice Street; thence N89°14'34" W, 400.00' to the point of beginning.

Tax Parcel ID #: 33-216-1073 and 33-216-1074

Introduction

This document is the Maintenance Plan for a pavement cover at the above-referenced property in accordance with the requirements of s. NR 724.13(2), Wisconsin Administrative Code. The maintenance activities relate to the existing paved (concrete and asphalt) surfaces occupying the area over residual waste materials on-site. The location of the paved surfaces to be maintained in accordance with this Maintenance Plan form the floor of the existing strip mall structure and the eastern and western parking and driving surfaces. The paved surfaces to maintain, as well as the impacted soil, are identified on the attached map (Figure 2C - Exhibit A).

Cover and Building Barrier Purpose

The paved surfaces over the contaminated soil serve as an infiltration barrier to minimize leaching of precipitation through residual refuse and contamination, and eliminate contact with underlying refuse materials. Based on the current and future use of the property, the barrier should function as intended unless disturbed.

Annual Inspection

The paved surfaces overlying the contaminated soil and as depicted in Exhibit A will be inspected once a year for cracks and other potential exposures to underlying soils. The inspections will be performed to evaluate damage to the asphalt and building floor due to exposure to the weather, wear from traffic, increasing age and other factors. Areas where water may leach through the asphalt or concrete floor and come into contact with underlying contaminated material shall be documented and steps taken to repair the problem.

A log of the inspections and any repairs shall be maintained by the property owner and is included as Exhibit B, Cap Inspection Log. The log will include recommendations for necessary repairs. Once repairs are completed, they shall be documented in the inspection log.

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, 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 potential exposure hazard and, if necessary, provide them with appropriate personal protection equipment (“PPE”). The owner must also sample any soil that is excavated from this portion of 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 paved surfaces overlying the contaminated soil are removed or replaced, the replacement barrier must be equally impervious, with an infiltration rate equal to or less than 1×10^{-7} cm/s. Any replacement barrier will be subject to the same maintenance and inspection guidelines as outlined in this Maintenance Plan unless indicated otherwise by the WDNR or its successor.

The property owner, in order to maintain the integrity of the paved surfaces and/or the building, will maintain a copy of this Maintenance Plan on-site and the facility management personnel should be informed of the plan and the maintenance requirements.

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 WDNR.

Contact Information (Current as of March 2007)

Site Owner: Mr. Stewart Wangard
Hewitts Point Acquisition LLC
20800 Swenson Drive, Suite 175
Waukesha, WI 53186
262/467-2952

Consultant: Kendrick Ebbott
Alpha Terra Science
1237 S. Pilgrim Road, Plymouth, WI 53073
920/892-2444

WDNR: Ms. Linda Hanefeld
WDNR Dodgeville Service Center
1500 N. Johns Street
Dodgeville, WI 53533
608/935-3368

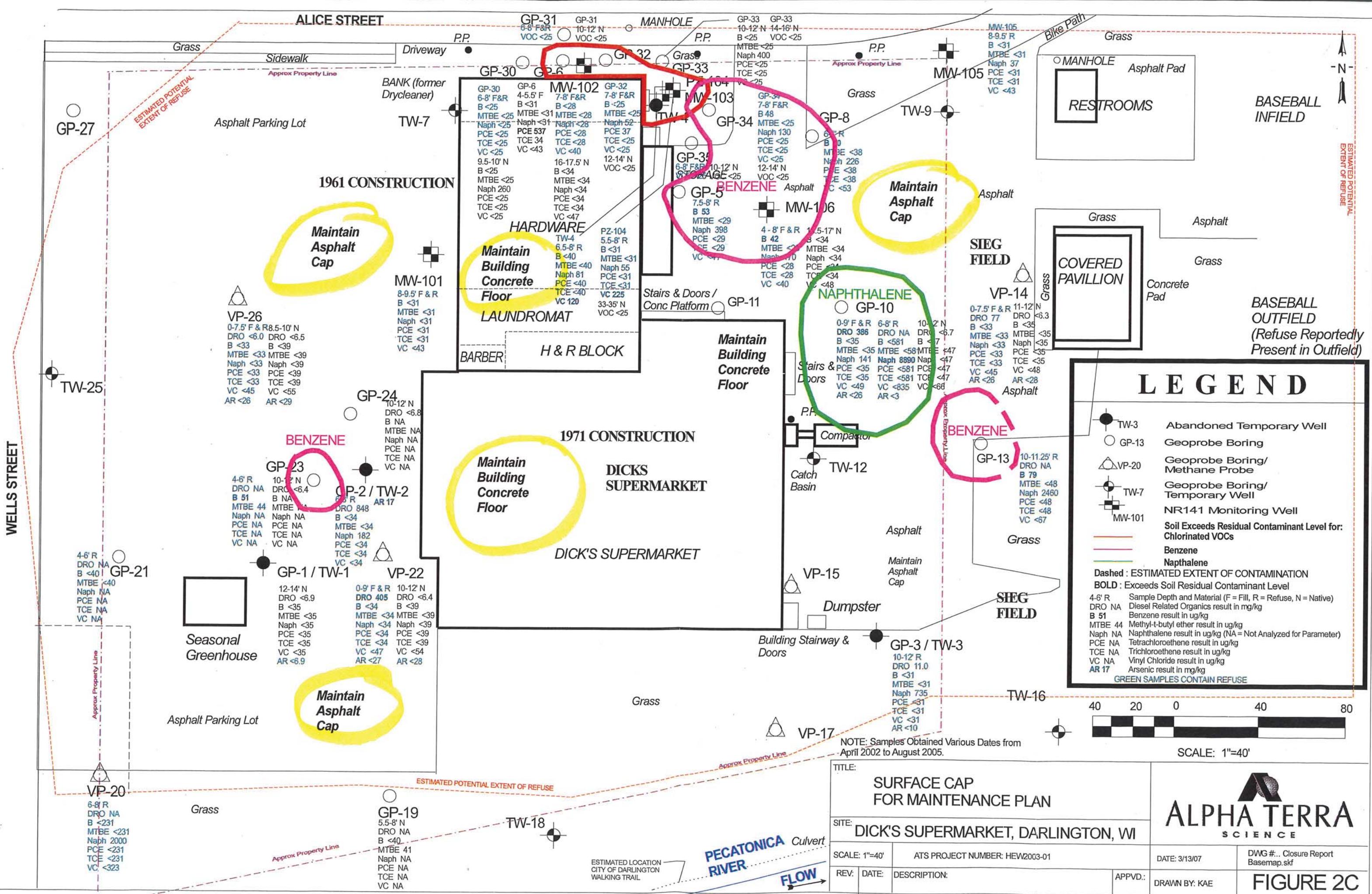


EXHIBIT B

BARRIER INSPECTION LOG – FILL OUT ANNUALLY

149-153 WELLS STREET, DARLINGTON, WI

STRIP MALL BUILDING FLOOR – ALL UNITS

EAST AND WEST PARKING LOT: ASPHALT AND CONCRETE SURFACES

Inspection Date	Inspector	West Parking Lot: Condition of Cap	Building Store Units: Condition of Floor Surface	East Parking Lot: Condition of Cap	Recommendations	Have Recommendations from previous inspection been implemented?

Please
use
updated DNR
form (attached)

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 <i>Dick's Supermarket (now Piggly Wiggly), shopping plaza, & parking lot</i>	BRRTS No. <i>02-33-544202</i>
Inspections are required to be conducted (see closure approval letter): <input checked="" type="checkbox"/> annually <input type="radio"/> semi-annually <input type="radio"/> 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 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

BRRTS No.

Activity (Site) Name

Continuing Obligations Inspection and Maintenance Log

Form 4400-305 (2/14)

Page 2 of 2

{Click to Add/Edit Image}

Date added:

{Click to Add/Edit Image}

Date added:

Title:

Title:



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary
Lloyd Eagan, Regional Director

file
South Central Region Headquarters
3911 Fish Hatchery Road
Fitchburg, Wisconsin 53711-5397
Telephone 608-275-3266
FAX 608-275-3338
TTY Access via relay - 711

March 19, 2007

Mr. Stewart Wangard
Wangard Partners, Inc.
20800 Swenson Dr., Suite 175
Waukesha, WI 53186

File Ref: 02-33-544202

Subject: Conditional Closure with Requirements to Achieve Final Closure
Dick's Supermarket/Former Darlington Landfill, 149 Wells Street, Darlington
WDNR BRRTS Activity Number: 02-33-544202

Dear Mr. Wangard:

On March 19, 2007, the South Central Region Closure Committee reviewed your request for closure of the case described above. The Closure 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 Closure Committee has determined that the petroleum-related contamination which seems to be associated with waste historically disposed on the site 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

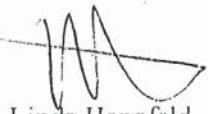
The monitoring wells at the site must be properly abandoned in compliance with ch. NR 141, Wis. Adm. Code. Documentation of well abandonment must be submitted tome at the address noted above on Form 3300-5B found at www.dnr.state.wi.us/org/water/dwg/gw/ or provided by the Department of Natural Resources.

When the above condition has been satisfied, please submit the appropriate documentation to verify that applicable condition has 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, 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 at (608) 275-3310.

Sincerely,



Linda Hanefeld

Hydrogeologist - South Central Region
Bureau for Remediation & Redevelopment

cc: Ken Ebbott, Alpha Terra
Bob Salmi, Director of Public Works, Darlington

CORRESPONDENCE/MEMORANDUM

DATE: March 15, 2019

FILE REF: 02-33-544202

TO: Dick's Supermarket file

FROM: Cindy Koepke - SCR

SUBJECT: Closure package for Dick's Supermarket

The deeds and property ownership information in this continuing obligations package are those that were submitted in 2007. The retail development presently has two parcels (numbers 216-1073-2000 and 216-1073-1000) and associated shared common elements (number 261-1074-1000) to which the continuing obligation requirements for this closure apply.

At the time the closure documents were submitted in late 2006, the case was named after the largest business on the property when the case was opened, Dick's Supermarket (later Piggly Wiggly). While DNR usually called the case Dick's Supermarket, the consultant put "Historic Darlington Landfill, Dick's Supermarket" on the header of the documents submitted to DNR. We have separated these cases and the Darlington historic landfill now has its own BRRTS number (02-33-582970).

**QUIT CLAIM DEED
(WISCONSIN)**

GRANTOR, BRODBECK REALTY CORPORATION, a Wisconsin corporation ("Grantor"), with its principal office address at 1035 East Highway 151, Platteville, Wisconsin 53818, for the consideration of One Dollar and no/100ths (\$1.00) and other good and valuable consideration in hand paid, and pursuant to authority given by the Board Of Directors of said corporation, by these presents does hereby REMISE, RELEASE, CONVEY AND QUIT CLAIM (without any covenant, representation or warranty of any kind), TO:

HEPATICA HILL HOLDINGS, LTD., a Wisconsin corporation, as to an undivided 19% interest, RY HOLDINGS PROPERTY 300 LLC, a Wisconsin limited liability company, as to an undivided 24% interest, STEWART M. WANGARD, an individual, as to an undivided 29% interest, ROBERT YUNKER, an individual, as to an undivided 24% interest, and CHRISCOLD LLC, a Wisconsin limited liability company, as to an undivided 4% interest, all as tenants in common (collectively, "Grantee"), as of NOV 6, 2002 (the "Transfer Date") the following described real estate (the "Property"), situated in the City of Darlington, County of Lafayette, State of Wisconsin, more particularly described as follows, to wit:

See legal description set forth on Exhibit A, attached hereto and incorporated herein.

Address of Real Estate: 149-153 Wells Street, Darlington, Wisconsin 53530
Tax Item Number(s): 33-216-1073 and 33-216-1074

Together with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever, of Grantor, either in law or equity, of, in and to the Property, with the hereditaments and appurtenances; **TO HAVE AND TO HOLD** the Property as above described, with the appurtenances, unto Grantee, its heirs and assigns forever.

Deed Restrictions.

As partial consideration for Grantor's conveyance of the Property, Grantee agrees to certain reasonable and necessary restrictions on the use of the Property during the term of that

REGISTER'S OFFICE } SS.
LaFayette County, WI
Received for Record

NOV - 8 2002

at 2:00 o'clock P.M.
Douglas G. French Register

TRANSFER
\$2331³⁰
FEE

ENERGY
EXCLUSION

W-7

RETURN TO:
Mallery & Zimmerman S.C. 23rd
731 North Jackson Street, Suite 900
Milwaukee, WI. 53202
Attn: Douglas G. French, Esq.

certain Post-Closing Holdback Escrow Agreement, dated Nov 6, 2002, by and between Grantor and Grantee (the "Escrow Agreement"), incorporated by reference herein, which restrictions shall run with the land and be binding upon Grantee, its successors and assigns. Such restrictions include, without limitation, the following:

- (a) No water wells, either for potable or other use, may be installed on the Property.
- (b) The Property may be used only for commercial and retail use.
- (c) No soil may be removed from the Property unless such soil is moved to a disposal facility approved in advance by Grantor, which approval shall not be unreasonably withheld or delayed.
- (d) If Grantee desires to construct any underground improvements (including underground utilities), basements, building foundations or other material improvements (excluding any internal tenant improvements or other improvements related to the ordinary maintenance of the Property so long as such improvements do not have an impact on the environmental condition of the Property as existing as of September 13, 2002) on the Property, then Grantee shall be responsible for all costs and expenses of any new or additional environmental remediation or monitoring found to be necessary as a consequence of such construction (including, without limitation, any additional testing, reporting or relocation of existing monitoring or other environmental equipment located at the Property), and such costs and expenses shall not be recoverable from the escrow created pursuant to the Escrow Agreement.

Condition of Property.

Grantee does, by its acceptance of this Deed, represent and warrant that it is familiar with the condition of the Property and that, GRANTOR HAS NOT MADE AND MAKES NO WARRANTIES OR REPRESENTATIONS REGARDING THE PROPERTY, EXPRESS OR IMPLIED, INCLUDING WITHOUT LIMITATION, ITS HABITABILITY, CONDITION OR FITNESS FOR ANY PARTICULAR USE OR PURPOSE. GRANTEE AGREES THAT THE PROPERTY IS HEREBY CONVEYED BY GRANTOR AND ACCEPTED BY GRANTEE IN ITS "AS-IS, WHERE-IS" CONDITION.

Entire Understanding.

This Deed, the Exhibits annexed hereto and the Purchase and Sale Agreement (and attachments) dated as of July 14, 2002 between Grantor and Hewitts Point Acquisitions LLC, a Wisconsin limited liability company, as amended and subsequently assigned to Grantee (the "Sale Agreement"), contain the entire understanding and agreement between the parties hereto relative to the subject matter hereof. No representations or statements, other than those expressly set forth herein or in the Sale Agreement, were relied upon by the parties in entering into this Deed. No modification, waiver of, addition to, or deletion from the terms of this Deed shall be effective unless reduced to writing and signed by Grantor and Grantee or their respective successors and assigns, each of whom expressly waives, releases and forever forswears any right under the law in the State in which the Property is located which permits a contract, by its terms

amendable only in writing, to be orally amended. This Deed shall be binding upon and inure to the benefit of Grantor, and Grantee and its successors, assigns, heirs, devisees and legal representatives, as the case may be, and any other person or entity expressly noted herein.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.]

IN WITNESS WHEREOF, said Grantor has caused this Quit Clai Deed to be executed by an authorized representative of Grantor this 6 day of November, 2002.

BRODBECK REALTY CORPORATION,
a Wisconsin corporation

By: 

Name: Robert J. Brodbeck

Title: President

ACKNOWLEDGMENT

STATE OF Wisconsin)
) SS.
COUNTY OF Grant)

I, the undersigned, a Notary Public for said County and State, DO HEREBY CERTIFY, that Robert J. Brodbeck, personally known to me to be the President of Brodbeck Realty Corporation, a Wisconsin corporation, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that in said capacity he signed and delivered the said instrument, pursuant to authority given by the Board of Directors of said corporation, as her free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and official seal, this 29th day of October.

Richard C. Jaggard
Notary Public

My commission expires: June 8, 2003

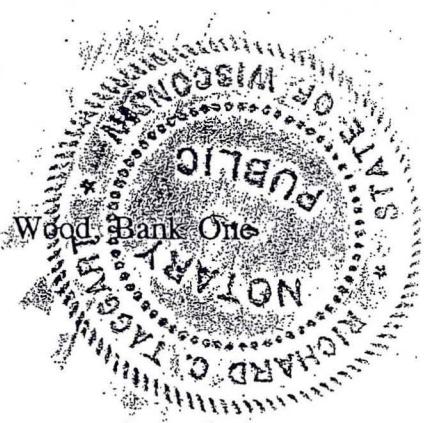
This instrument was prepared by: Robert E. Bull, Sidley Austin Brown & Wood, Bank One Plaza, 10 S. Dearborn Street, Chicago, Illinois 60603.

When recorded, return to:

Mallery & Zimmerman S.C.
731 North Jackson Street, Suite 900
Milwaukee, WI 53202
Attention: Douglas G. French, Esq.

Mail Tax Bills to:

c/o Wangard Partners, Inc.
1200 N. Mayfair Road
Suite 150
Milwaukee, WI 53226



VOL 227 PAGE 800

287123

EXHIBIT A

(Legal Description)

[SEE ATTACHED]

Darlington

Legal Description

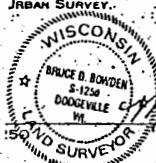
Part of the East fraction of Government Lot 1, located in the Southeast Quarter of the Northwest Quarter of Section 3, Town 2 North, Range 3 East, City of Darlington, Lafayette County, Wisconsin, being more particularly described as follows:

Commencing at the East Quarter corner of Section 3; thence N $2^{\circ}37'58''$ W on the East line of the Northeast Quarter, 1031.47', thence N $89^{\circ}14'34''$ W, 1112.53' to the Southeast corner of Block 19 of the Original Plat of Darlington; thence S $89^{\circ}14'34''$ E, 66.00' to a 2" dia. iron pipe at the Southwest corner of Certified Survey Map No. 114, being the Southwest corner of Block 18 of said Original Plat; thence S $0^{\circ}57'21''$ W, 66.00' to a 1 1/4" dia. brass "Survey Mark" plug in concert at the Northwest corner of Block 22 of said Original Plat, being the point of beginning; thence S $0^{\circ}57'21''$ W on the East line of Wells Street, 399.56' to a 2" square hollow iron rod; thence N $79^{\circ}33'59''$ E, 408.03' to a 2" square hollow iron rod; thence N $0^{\circ}57'21''$ E, 320.37' to a #6 (3/4" dia.) rebar on the South line of Alice Street; thence N $89^{\circ}14'34''$ W, 400.00' to the point of beginning.

Tax Parcel No. 33-216-1073 and 33-216-1074

OF SECTION 3; THENCE N $2^{\circ}37'58''$ W ON THE
THENCE N $69^{\circ}14'34''$ W, 1112.53' TO THE SOUTHEAST
OF DARLINGTON; THENCE S $80^{\circ}14'34''$ E, 66.00'
DEALER OF CERTIFIED SURVEY MAP NO. 114.
3 OF SAID ORIGINAL PLAT; THENCE S $0^{\circ}57'21''$ W, 68.00'
JG IN CONCRETE AT THE NORTHWEST CORNER OF BLOCK 22
BEGINNING; THENCE S $0^{\circ}57'21''$ W ON THE EAST LINE 1
E HOLLOW IRON ROD; THENCE N $79^{\circ}33'50''$ E, 408.00'
N $0^{\circ}57'21''$ E, 320.37' TO A #8(3/4 DIA.) REBAR
IN BD $14'34''$ W, 400.00' TO THE POINT OF BEGINNING.
SQUARE FEET, MORE OR LESS, AND IS SUBJECT TO ANY AND ALL
ND/OR USAGE.

ND THE SURVEY ON WHICH IT IS BASED WERE MADE
DETAIL REQUIREMENTS FOR ALTA/ACSM LAND
ADOTTED BY ALTA, ACSM, AND NSPS IN 1999,
XII, 8, 10, 11, 14, 15, AND 16 OF TABLE A THEREOF, AND
IAS ADOTTED BY ALTA AND ACSM AND IN EFFECT ON
URBAN SURVEY.



NOTICE: THIS MAP IS NOT FOR
USE AS THE SURVEYOR'S SURNAME
OR THE SURVEYOR'S SIGNATURE
SHOULD BE A COPY AND NOT
UNQUOTE UNQUOTE IN READING
UNQUOTE SIGNATURE
SHOULD NOT BE APPLIED TO ANY SURFACE.

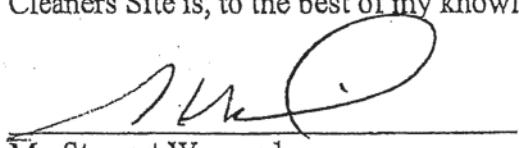
1 UM MONUMENT - FOUND
UMUMENT - FOUND

FOUND -
FOUND -



Figure A

This letter is to inform you that the property description listed on the enclosed copy of the property deed for the Hewitts Point Acquisitions / Dick's Supermarket / Former Plaza Cleaners Site is, to the best of my knowledge, complete and accurate.



Mr. Stewart Wangard
Property Owner

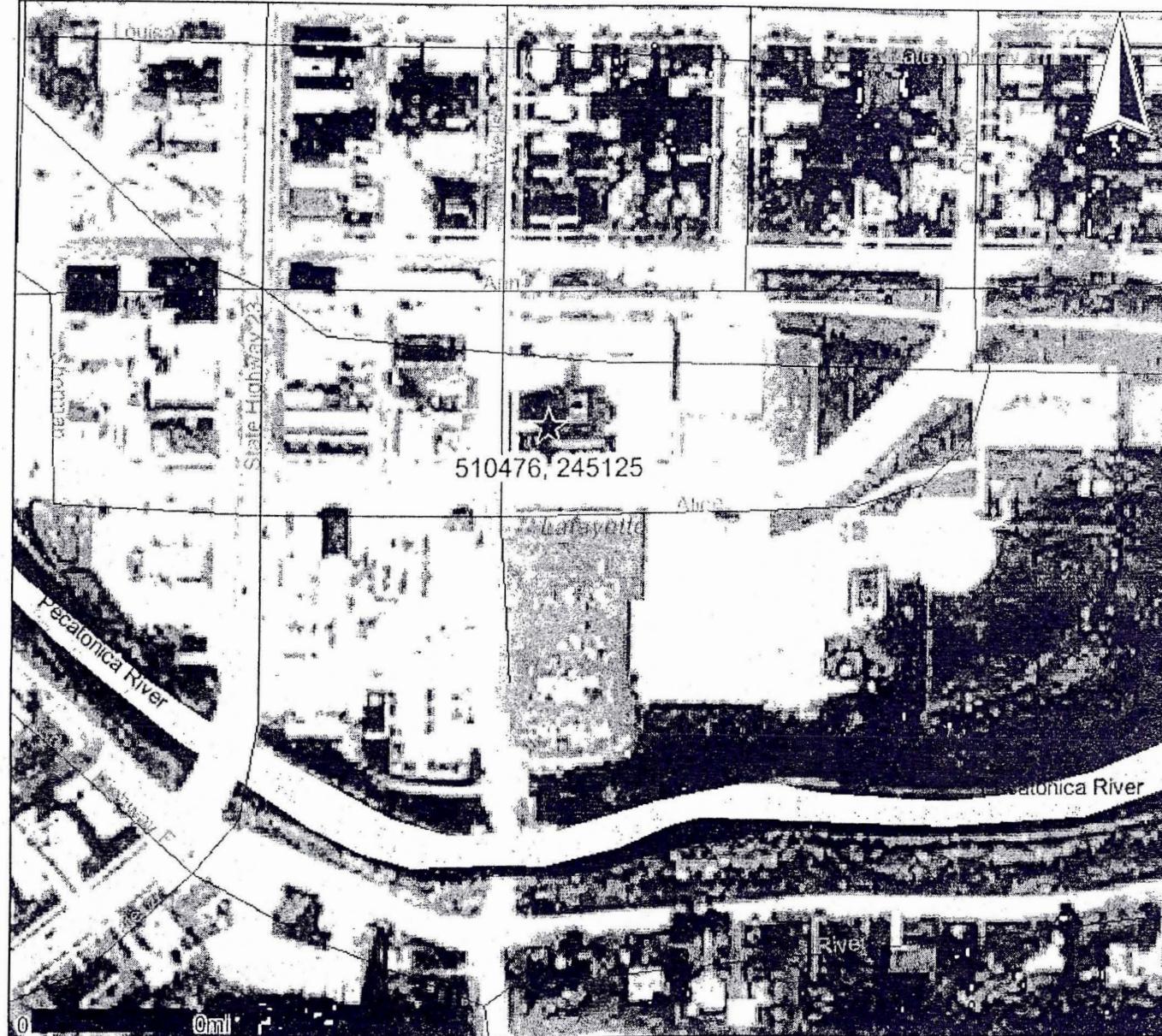
Date

July 5th, 2006

Map created Mon Jul 17 11:29:19 CDT 2006

Legend

- County Boundary
- 24KOpen Water
- Municipalities



PARCEL ID #
33-216-1073
&
33-216-1074

Scale: 1:2,669

DO NOT USE FOR NAVIGATION

Figure B



SITE LOCATION AND LOCAL TOPOGRAPHY

DICK'S SUPERMARKET, DARLINGTON, W.

REV	DATE	DESCRIPTION	APPROVED

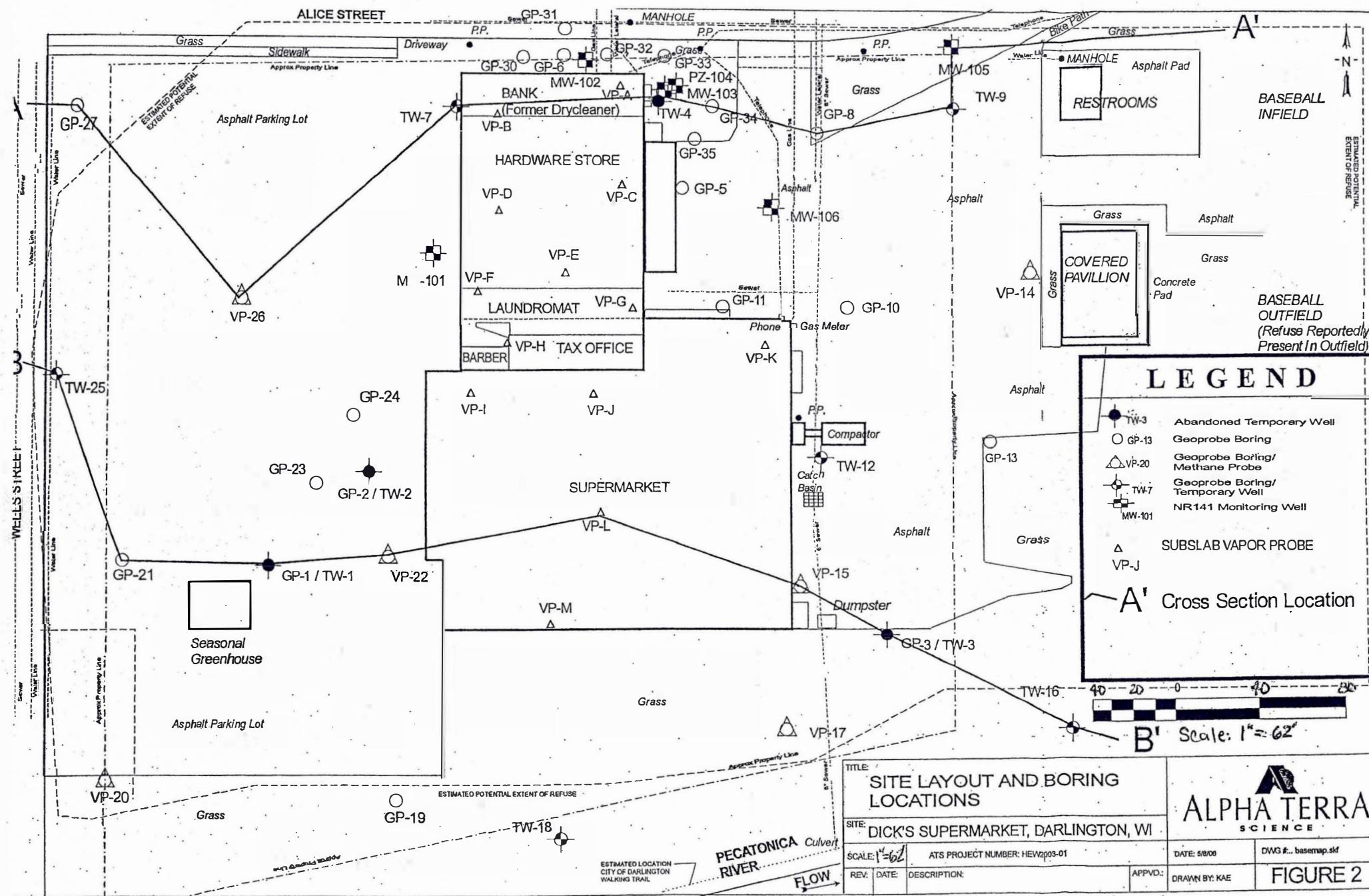
ALPHA TERRA
SCIENCE

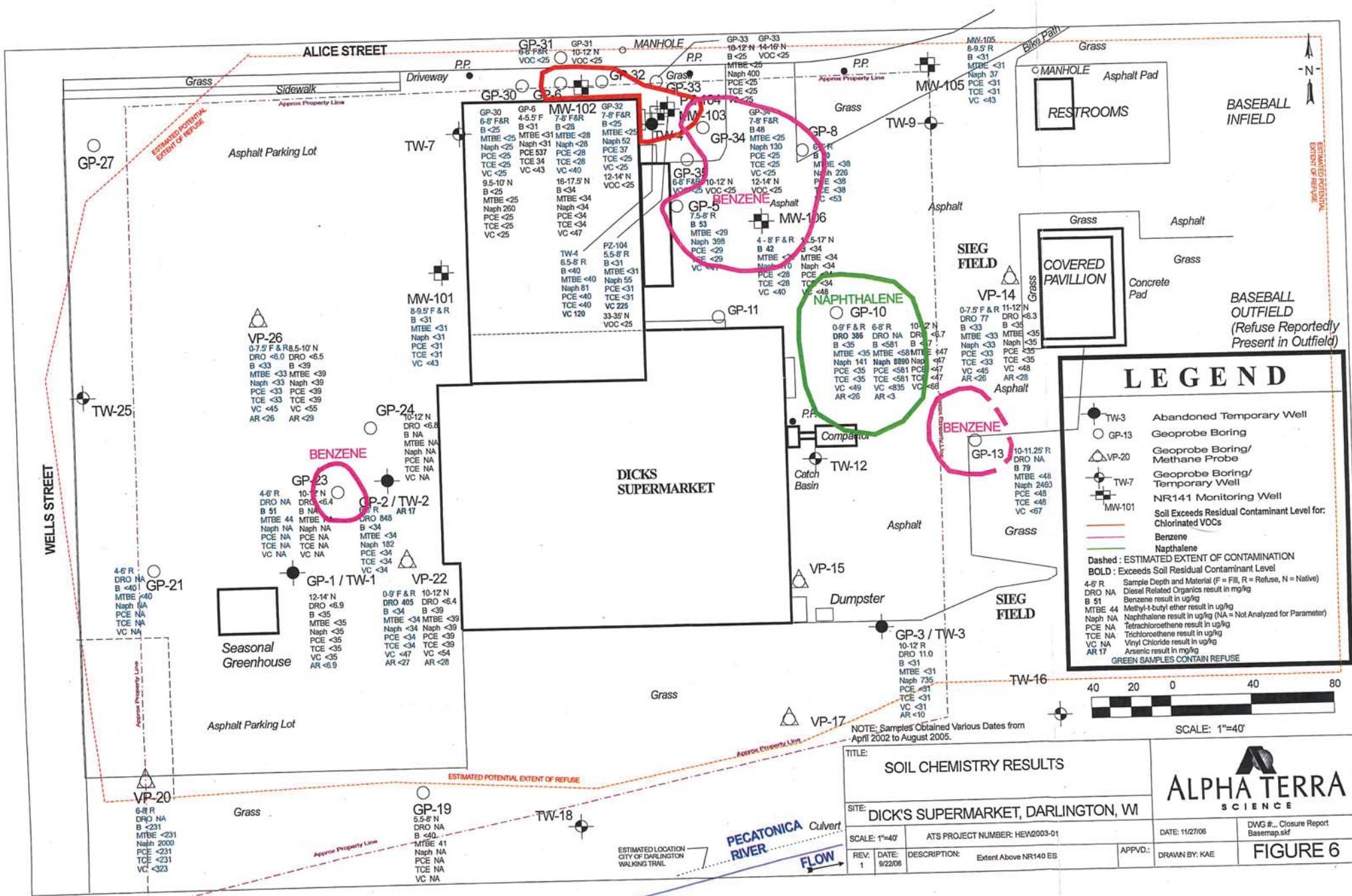
DATE: 3/31/03 DWG #: site-loc

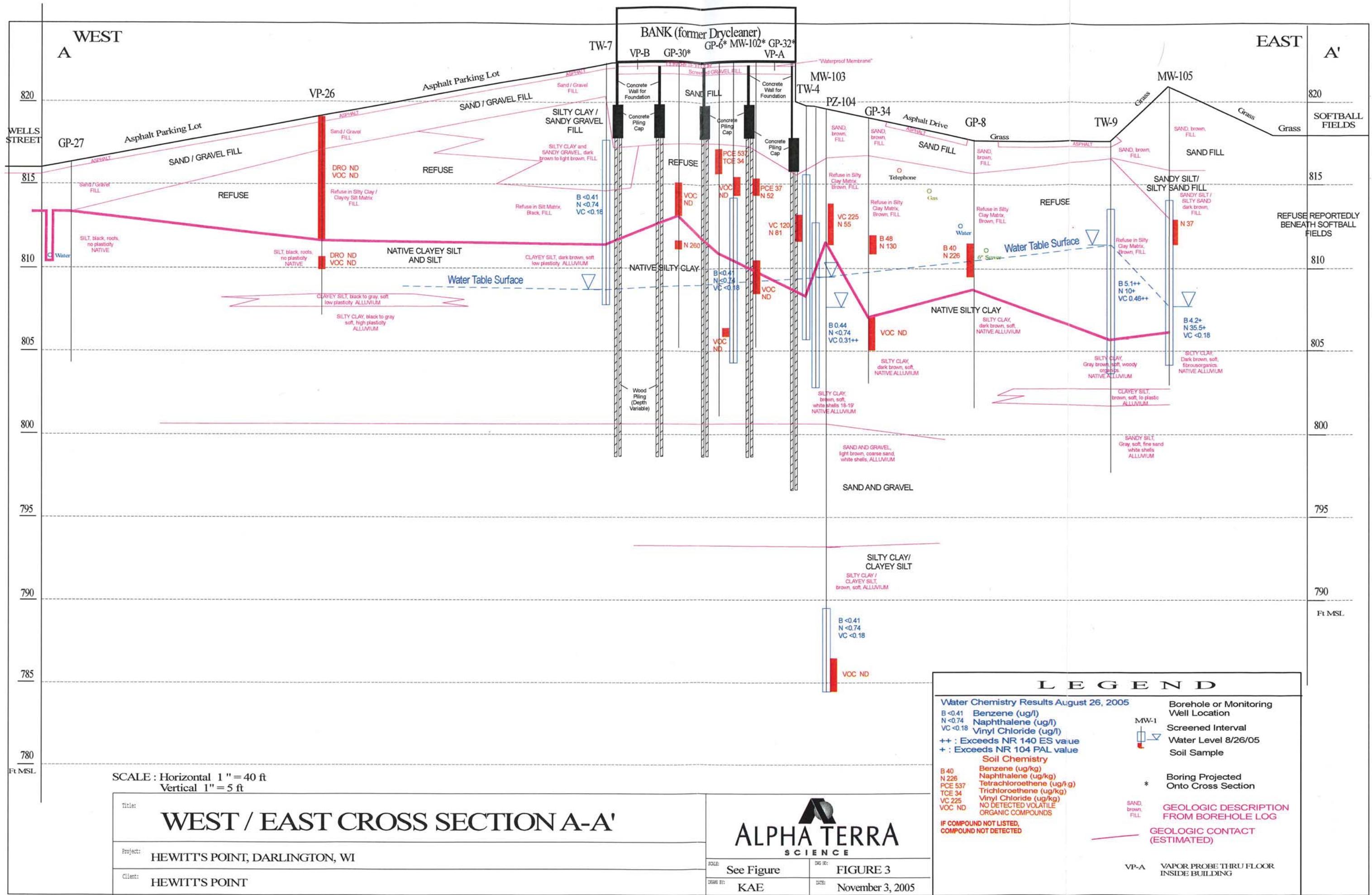
APPROVED: KAE

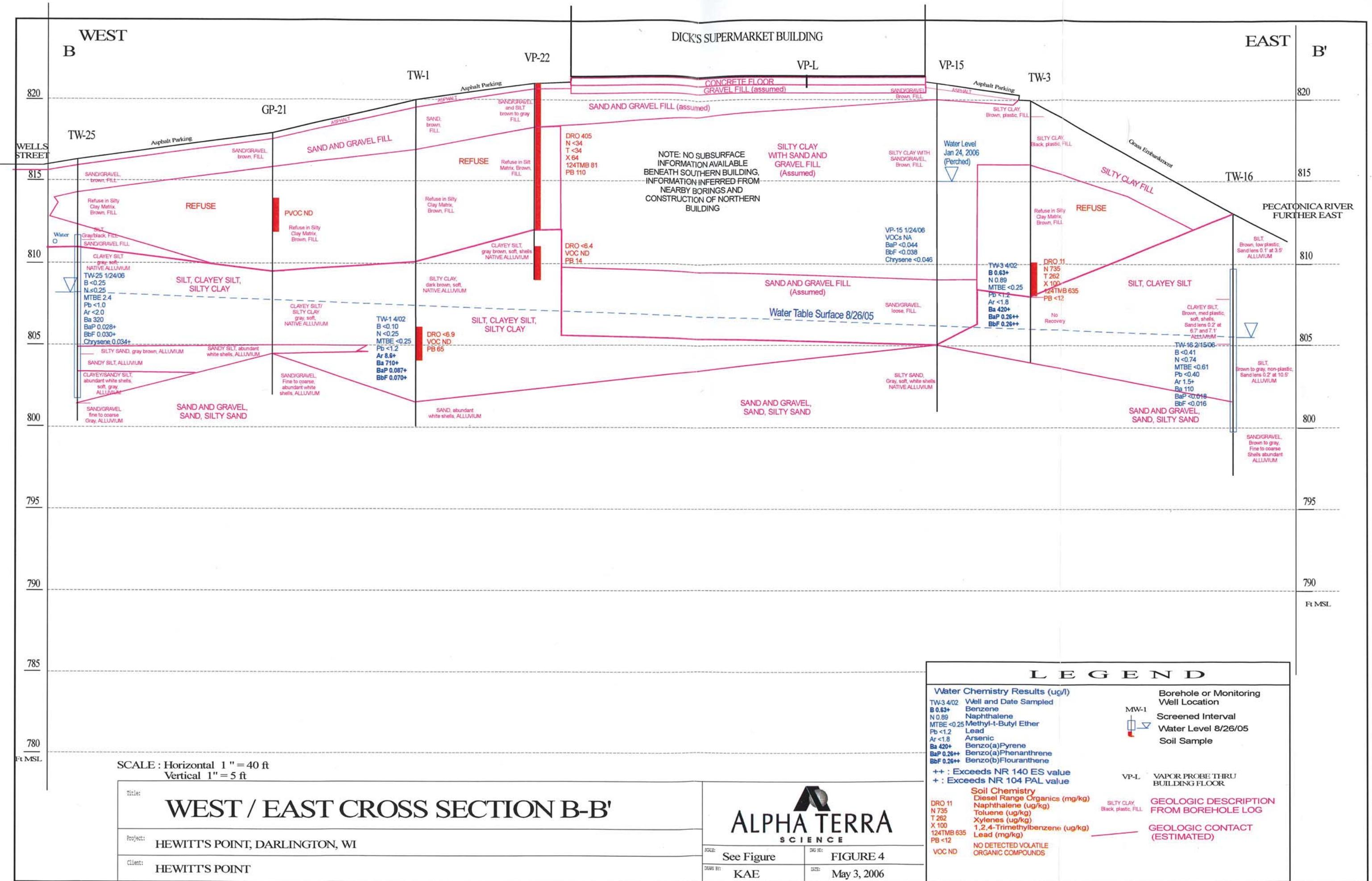
SCALE 1:12,000

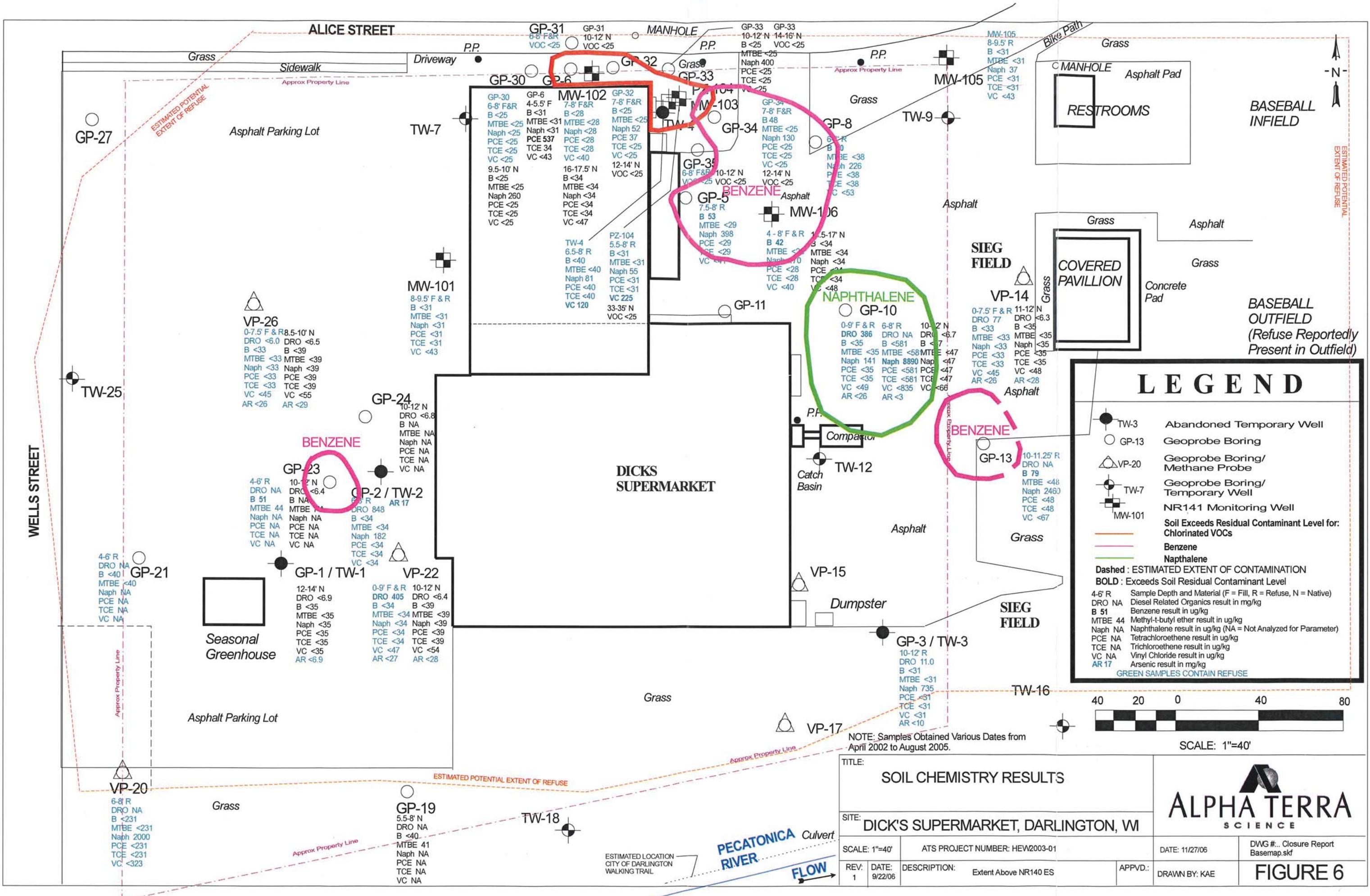
FIGURE 1

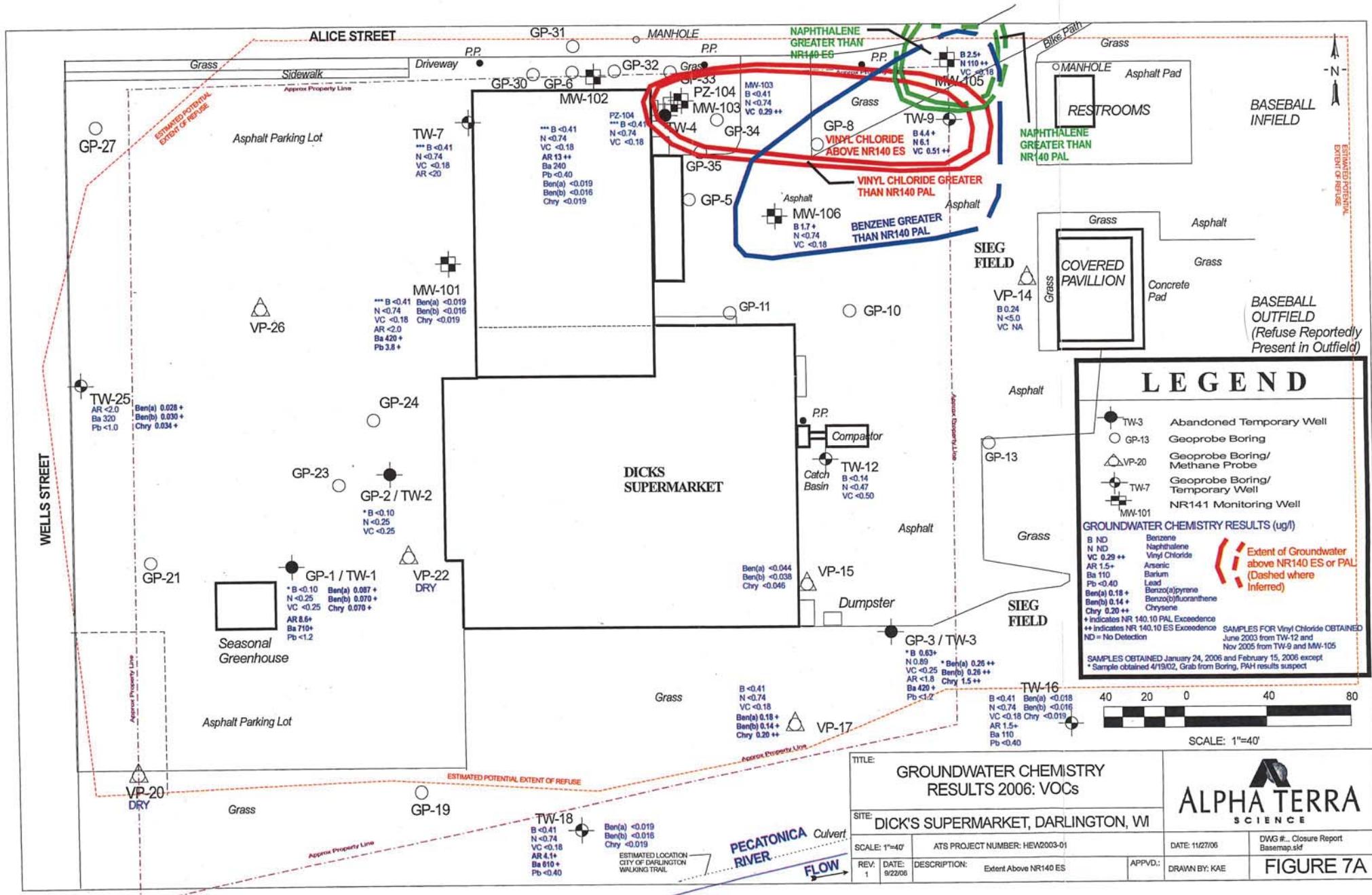


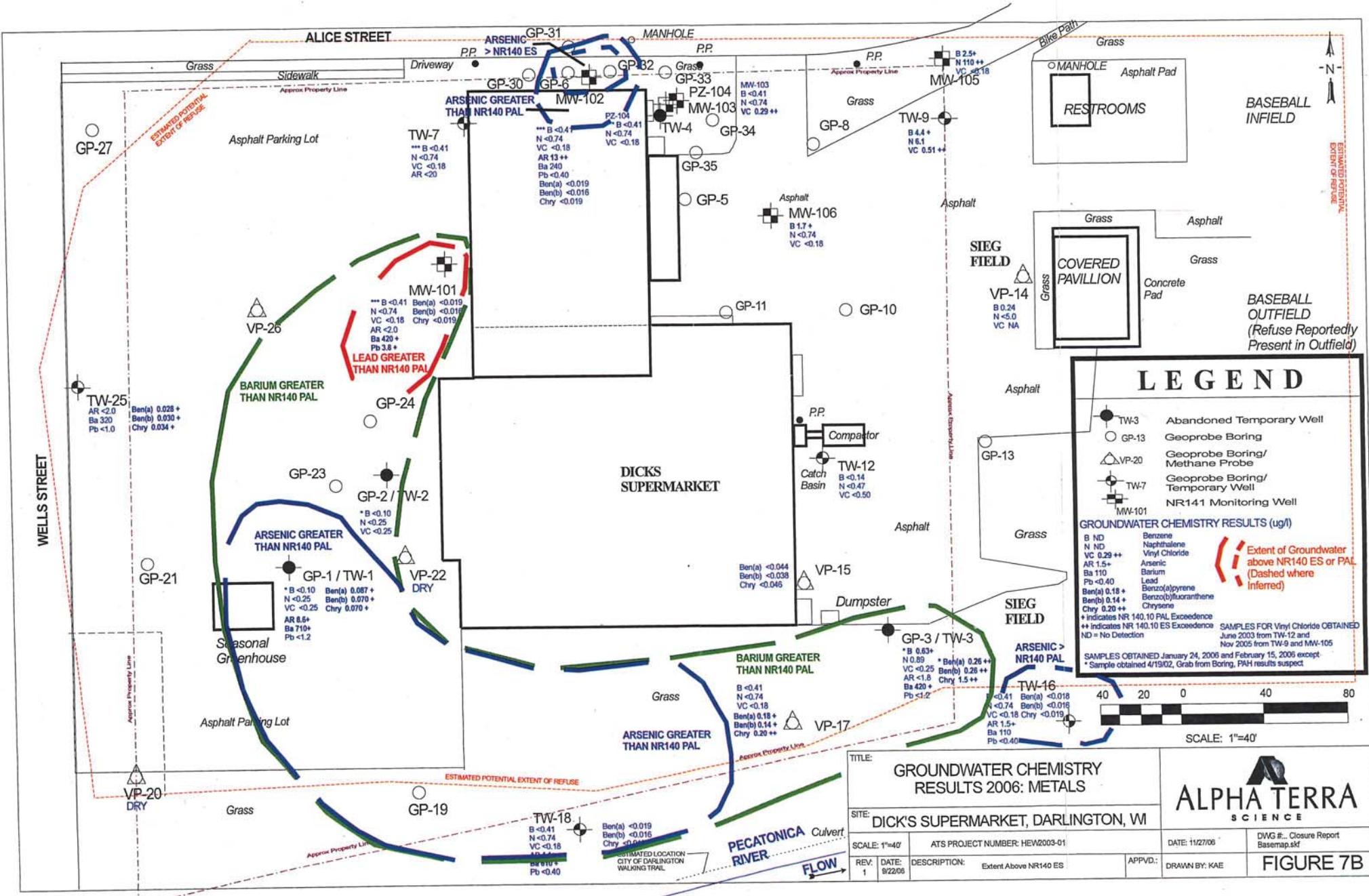


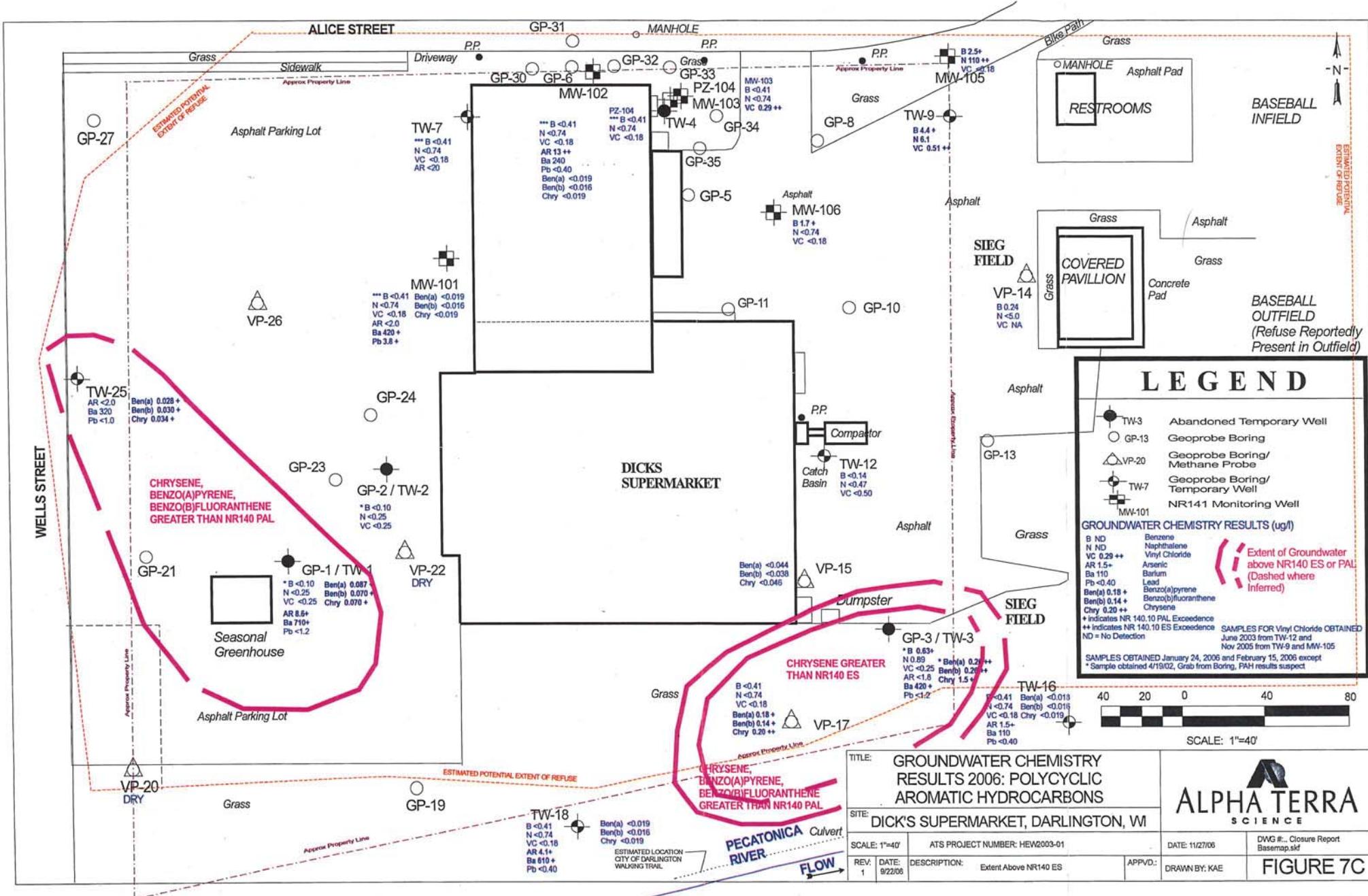












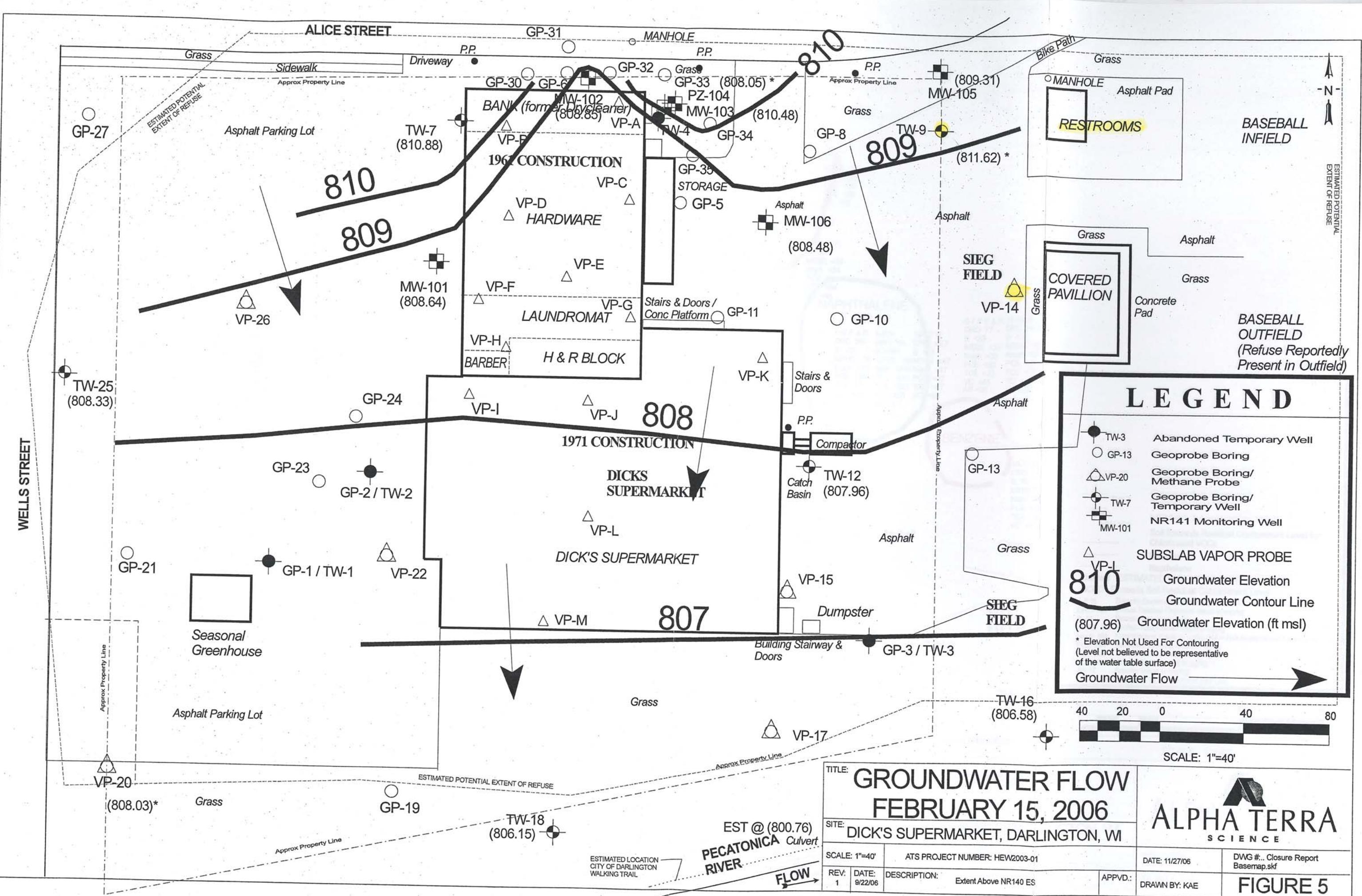


TABLE 2
SOIL ANALYTICAL RESULTS - METALS
Hewitts Point, Darlington, WI

Sample ID	Depth (feet)	Sampled Material	SOIL ANALYTICAL PARAMETERS								Total Organic Carbon (mg/kg)
			Arsenic (mg/kg)	Barium (mg/kg)	Cadmium (mg/kg)	Chromium (mg/kg)	Lead (mg/kg)	Mercury (mg/kg)	Selenium (mg/kg)	Silver (mg/kg)	
GP-1	12-14'	N	<6.9	139	<1.4	18	65	0.067	<10	<1.4	NA
GP-2	6-8'	R	17.0	121	<3.6	12	47	0.027	<27	<3.6	NA
GP-3	10-12'	R	<10	100	<2.5	19	<12	0.096	<19	<2.5	NA
GP-10	0-9'	F & R	<26	93	0.71	13	19	0.020	<47	<1.3	NA
GP-10	10-12'	N	<3.0	100	0.47	12	24	<0.013	<54	<1.5	4,630
VP-14	0-7.5'	F & R	<26	100	1.1	12	49	0.034	<47	<1.3	NA
VP-14	11-12'	N	<28	83	0.24	8.1	20	<0.013	<50	<1.4	4,400
VP-22	0-9'	F & R	<27	100	1.7	11	110	0.16	<49	<1.4	NA
VP-22	10-12'	N	<28	71	0.45	7.2	14	<0.013	<51	<1.4	1,890
VP-26	0-7.5'	F & R	<26	98	0.82	13	57	0.027	<48	<1.3	NA
VP-26	8.5-10'	N	<29	94	0.42	12	18	<0.013	<52	<1.4	1,200
NR 720 Residual Contaminant Levels - Direct Contact Industrial			1.6	NS	510	200 **	500	NS	NS	NS	NS
NR 720 Residual Contaminant Levels - Direct Contact Non-Industrial			0.039	NS	8.0	14 / 16,000 **	50 / 250 *	NS	NS	NS	NS
USEPA Region III Direct Contact Residential			0.43	5500	78	230/120,000	NS	NS	390	390	NS

Notes: *BOLD* indicates exceedance of NR 720 Standard

NS = No standard established

NA = Not analyzed for parameter

* Standard for Non-Industrial can be 250 mg/kg if site specific RCL's are calculated

** Lower standard is for Hexavalent Chromium, higher standard for trivalent chromium. Soil analysis was analyzed for Total Chromium
GP-1 through GP-3 results obtained May 2002, All other results obtained June 2003

N = Native soil sample, typically silt or clay

R = Refuse sample, typically municipal refuse in clay matrix

F & R = Fill and Refuse mixture, typically sand and gravel fill overlying refuse

BOXED Exceeds NR140 Preventive Action Limit Standard

TABLE 2
SOIL CHEMISTRY ANALYTICAL RESULTS - SELECTED VOC PARAMETERS
HEWITT'S POINT, DARLINGTON, WI

Sample ID	Depth (feet)	Sampled Material	PID Reading (su)	ANALYTICAL PARAMETERS																Total Detected VOCs			
				GRO (mg/kg)	DRO (mg/kg)	Benzene (ug/kg)	Ethyl benzene (ug/kg)	Toluene (ug/kg)	Xylenes (ug/kg)	MTBE (ug/kg)	1,2,4 TMB (ug/kg)	1,3,5 TMB (ug/kg)	Naphtha (ug/kg)	n-Butyl benzene (ug/kg)	sec-Butyl benzene (ug/kg)	Isopropyl benzene (ug/kg)	p-Isopropyl toluene (ug/kg)	Methylene Chloride (ug/kg)	n-Propyl benzene (ug/kg)	PCE (ug/kg)	TCE (ug/kg)	Vinyl Chloride (ug/kg)	
PROPERTY TRANSACTION PHASE II INVESTIGATION : MAY 2002																							
GP-1	12-14'	N	NA	NA	<6.9	<35	<35	<35	<49	<35	<35	<35	<35	<35	<35	<35	<69	<35	<35	<35	0		
GP-2	6-8'	R	NA	NA	848	<34	52	<34	<34	<34	1180	400	182	<34	158	50	120	424	133	<34	<34	2699	
GP-3	10-12'	R	NA	NA	11	<31	<31	262	100	<31	635	<31	735	42	60	67	249	64	<31	<31	<31	2214	
HISTORIC FILL INVESTIGATION JUNE 2003																							
TW-4	6.5-8'	R	2.3	NA	NA	<40	<40	<40	<58	<40	<40	<40	81	<40	<40	<40	<82	<40	<40	<40	120	201	
GP-5	7.5-8'	R	4.8	NA	53	<29	70	80	<29	77	<29	398	49	<29	33	<29	<59	<29	<29	<41	<41	760	
GP-6	4-5.5'	F	0.5	NA	NA	<31	<31	<31	<43	<31	<31	<31	<31	<31	<31	<31	<61	<31	537	34	<43	571	
GP-8	6-8'	R	7.7	NA	NA	40	61	40	451	<38	627	201	226	<38	120	93	110	<75	96	<38	<38	<53	2065
GP-10	0-9' Fill	F & R	637	NA	386	<35	<35	73	<35	1,040	269	141	<35	199	82	187	<70	117	<35	<35	<49	2108	
GP-10	6-8'	R	637	NA	NA	<581	<581	853	<581	81,700	10,200	8,890	<581	13,400	3,090	20,000	8,350	9,070	<581	<581	<835	155553	
GP-10	10-12'	N	3.7	NA	<6.7	<47	<47	<66	<47	<47	<47	<47	<47	<47	<47	<47	<94	<47	<47	<47	<66	0	
GP-13	10-11.25	R	39	NA	NA	79	164	100	1,270	<48	5,870	259	2,460	887	423	437	587	<95	982	<48	<48	<67	13518
VP-14	0-7.5' Fill	F & R	1.6	NA	77	<33	<33	<33	<45	<33	<33	<33	<33	<33	<33	<33	<64	<33	<33	<33	<45	0	
VP-14	11-12'	N	NA	NA	<6.3	<35	<35	<35	<48	<35	75	<35	<35	<35	<35	<35	<69	<35	<35	<35	<48	75	
GP-19	5.5-8'	N	0.0	<8.1	NA	<40	<40	<40	<120	41	46	<40	NA	NA	NA	NA	NA	NA	NA	NA	NA	87	
VP-20	6-8'	R	27.5	NA	NA	<231	<231	400	508	<231	2,620	231	2,000	<231	1,540	569	446	4,460	1,080	<231	<231	<323	13854
GP-21	4-6'	R	4.3	<8.1	NA	<40	<40	<40	<120	<40	<40	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	0	
VP-22	0-9' Fill	F & R	3.3	NA	405	<34	<34	<34	64	<34	81	<34	<34	<34	<34	<34	71	<68	<34	<34	<47	216	
VP-22	10-12'	N	0.8	NA	<6.4	<39	<39	<39	<54	<39	<39	<39	<39	<39	<39	<39	<77	<39	<39	<39	<54	0	
GP-23	4-6'	R	5.0	58	NA	51	228	52	367	44	1,220	405	NA	NA	NA	NA	NA	NA	NA	NA	NA	2367	
GP-23	10-12'	N	0.8	NA	<6.4	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	0	
GP-24	10-12'	N	1.2	NA	<6.8	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	0	
VP-26	0-7.5' Fill	F & R	0.8	NA	<6.0	<33	<33	<45	<33	<33	<33	<33	<33	<33	<33	<65	<33	<33	<33	<45	0		
VP-26	8.5-10'	N	0.8	NA	<6.5	<39	<39	<55	<39	<39	<39	<39	<39	<39	<39	<78	<39	<39	<39	<55	0		
NR 720 Generic Residual Contaminant Level				100 / 250	100 / 250	5.5	2900	1500	4100	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS		
WDNR Non-Industrial Inhalation Level Values				NA	NA	1100	NA	NA	NA	NA	NA	20000	NA	NA	NA	NA	NA	1900 *	850 *	52 *			
WDNR Non-Industrial Ingestion Levels Values				NA	NA	NA	NA	NA	NA	NA	NA	60000	NA	NA	NA	NA	NA	1230 *	5810 *	45.6 *			
Parameters - SITE SOIL RCL				NA	NA	20	NA	NA	NA	NA	NA	8400	NA	NA	NA	NA	NA	49	52	0.35			

Notes: Xylenes reported as total of m-, o-, p-xylenes

NA= Not analyzed for parameter

BOLD indicates exceedance of generic residual contaminant level.

N = Native soil sample, typically silt or clay

R = Refuse sample, typically municipal refuse in clay matrix

F = Fill, typically sand and gravel

TMB= trimethylbenzene

NS = No standard established

F & R = Fill and Refuse mixture, typically sand and gravel fill overlying refuse

* From WDNR PUB-RR-682 Guidance Document

** From WDNR April 1997 Guidance on PAHs

Sample from GP-3 also contains 386 ug/kg of 1,4-Dichlorobenzene

TABLE 2
SOIL CHEMISTRY ANALYTICAL RESULTS - SELECTED VOC PARAMETERS
HEWITT'S POINT, DARLINGTON, WI

Sample ID	Depth (feet)	Sampled Material	PID Reading (su)	ANALYTICAL PARAMETERS																	Total Detected VOCs	
				GRO (mg/kg)	DRO (mg/kg)	Benzene (ug/kg)	Ethyl benzene (ug/kg)	Toluene (ug/kg)	Xylenes (ug/kg)	MTBE (ug/kg)	1,2,4 TMB (ug/kg)	1,3,5 TMB (ug/kg)	Naphtha lene (ug/kg)	n-Butyl benzene (ug/kg)	sec-Butyl benzene (ug/kg)	Isopropyl benzene (ug/kg)	p-Isopropyl toluene (ug/kg)	Methylene Chloride (ug/kg)	n-Propyl benzene (ug/kg)	PCE (ug/kg)	TCE (ug/kg)	Vinyl Chloride (ug/kg)
DRYCLEANER INVESTIGATION OCT 2004, MARCH 2005 & AUGUST 2005																						
MW-101	8-9.5'	F & R	1.0	NA	NA	<31	<31	<31	<43	<31	<31	<31	<31	<31	<31	<31	<31	<61	<31	<31	<43	0
MW-102	7-8'	F & R	0.0	NA	NA	<28	<28	<28	533	<28	30	<28	<28	<28	<28	<28	<28	<57	<28	<28	<28	40
MW-102	16-17.5'	N	0.0	NA	NA	<34	<34	<34	<47	<34	<34	<34	<34	<34	<34	<34	<34	<67	<34	<34	<47	563
PZ-104	5.5-8'	R	1.0	NA	NA	<31	<31	48	54	<31	68	<31	55	<31	<31	<31	<31	<62	<31	<31	<31	225
PZ-104	33-35'	N	0.0	NA	NA	<32	<32	<32	<44	<32	<32	<32	<32	<32	<32	<32	<63	<32	<32	<32	<44	
MW-105	8-9.5'	R	1.9	NA	NA	<31	64	<31	416	<31	59	<31	37	<31	<31	<31	<61	<31	<31	<31	<43	
MW-106	4-8'	F & R	9.8	NA	NA	42	<28	39	<40	<28	86	<28	170	170	136	54	50	<57	<28	<28	<28	40
MW-106	16.5-17'	N	0.0	NA	NA	<34	<34	<34	<48	<34	<34	<34	<34	<34	<34	<34	<68	<34	<34	<34	<48	
GP-30	6-8'	F & R	0.0	NA	NA	<25	<25	<25	<75	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	
GP-30	9.5-10'	N	0.0	NA	NA	<25	<25	<25	<75	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	260	
GP-31	6-8'	F & R	0.0	NA	NA	<25	<25	<25	<75	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	
GP-31	10-12'	N	0.0	NA	NA	<25	<25	<25	<75	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	
GP-32	7-8'	F & R	1.2	NA	NA	<25	36	<25	89	<25	380	130	52	<25	<25	<25	<25	<25	45	37	<25	<25
GP-32	12-14'	N	0.0	NA	NA	<25	<25	<25	<75	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	
GP-33	10-12'	N	14.4	NA	NA	<25	<25	<25	<75	<25	<25	<25	<25	400	190	130	<25	<25	<25	<25	<25	
GP-33	14-16'	N	0.0	NA	NA	<25	<25	<25	<75	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	
GP-34	7-8'	F & R	47	NA	NA	48	<25	49	420	<25	400	66	130	340	470	400	<25	<25	650	<25	<25	<25
GP-34	12-14'	N	0.0	NA	NA	<25	<25	<25	<75	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	2,973	
GP-35	6-8'	F & R	4.3	NA	NA	<25	<25	<25	<75	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	
GP-35	10-12'	N	0.0	NA	NA	<25	<25	<25	<75	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	
NR 720 Generic Residual Contaminant Level	100 / 250	100 / 250	5.5	2900	1500	4100	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	
WDNR Non-industrial Inhalation Level	NA	NA	1100	NA	NA	NA	NA	NA	NA	NA	20000	NA	NA	NA	NA	NA	NA	1900 *	850 *	52 *		
WDNR Non-Industrial Ingestion Levels	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	60000	NA	NA	NA	NA	NA	NA	1230 *	5810 *	45.6 *		
Migration to Groundwater using WDNR Default Values	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	400**	NA	NA	NA	NA	NA	NA	4.1 *	3.7 *	0.13 *		
Migration to Groundwater using [REDACTED] Specific Parameters - SITE SOIL RCL	NA	NA	20	NA	NA	NA	NA	NA	NA	NA	8400	NA	NA	NA	NA	NA	NA	49	52	0.35		

Notes: Xylenes reported as total of m-, o-, p-xylenes

NA= Not analyzed for parameter

BOLD indicates exceedance of generic residual contaminant level.

N = Native soil sample, typically silt or clay

R = Refuse sample, typically municipal refuse in clay matrix

F = Fill, typically sand and gravel

TMB= trimethylbenzene

NS = No standard established

F & R = Fill and Refuse mixture, typically sand and gravel fill overlying refuse

* From WDNR PUB-RR-682 Guidance Document

** From WDNR April 1997 Guidance on PAHs

Sample from GP-3 also contains 386 ug/kg of 1,4-Dichlorobenzene

TABLE 2
ANALYTICAL RESULTS - PAH PARAMETERS
HEWITT'S POINT, DARLINGTON, WI

Sample ID	Depth (Feet)	Sampled Material	ANALYTICAL PARAMETERS																TOTAL PAHS (mg/kg)	Total PAH B(a)P Equivalent (only Carcinogens) (mg/kg)		
			Acenaphthene	Acenaphthylene	Anthracene	c Benzo(a)anthracene	c Benzo(a)pyrene	c Benzo(b)fluoranthene	c Benzo(k)fluoranthene	Benzo(ghi)perylene	c Chrysene	c Dibenz(a,h)anthracene	Fluoranthene	Fluorene	c I(deno)(123-cd)pyrene	1-methyl naphthalene	2-methyl naphthalene	Naphthalene	Phenanthrene			
			0.001 (mg/kg)	0.001 (mg/kg)	0.010 (mg/kg)	0.100 (mg/kg)	1.000 (mg/kg)	0.100 (mg/kg)	0.010 (mg/kg)	0.010 (mg/kg)	0.001 (mg/kg)	1.000 (mg/kg)	0.001 (mg/kg)	0.100 (mg/kg)	0.001 (mg/kg)	0.001 (mg/kg)	0.001 (mg/kg)	0.001 (mg/kg)				
GP1	12-14'	N	<0.069	<0.120	<0.0069	0.00345	0.00345	0.00345	0.00345	<0.0069	0.00345	0.0050	<0.014	<0.014	0.00345	<0.042	<0.035	<0.042	<0.0069	<0.0069	0.03	0.0095
GP2	6-8'	R	<0.061	<0.100	0.019	0.074	0.024	0.067	0.029	<0.048	0.013	0.0046	0.100	0.023	0.045	0.061	0.076	0.073	0.070	0.033	0.71	0.0475
GP3	10-12'	R	<0.930	<1.650	<0.093	0.0465	0.0465	0.0465	0.0465	<0.093	0.0465	0.070	<0.180	<0.180	0.0465	<0.560	<0.460	<0.560	0.100	<0.093	0.45	0.1310
GP-10	0-9'	F & R	<0.059	<0.1	0.011	0.021	0.025	0.015	0.013	0.057	0.0078	0.0044	0.110	0.013	0.026	0.040	0.094	0.375	0.055	0.062	0.93	0.0357
GP-10	10-12'	N	<0.067	<0.110	0.0077	0.019	0.016	0.0081	0.0075	0.017	0.012	0.005	0.054	<0.013	0.013	<0.040	<0.034	<0.040	0.044	0.059	0.26	0.0251
VP-14	0-7.5'	F & R	<0.590	<1.0	0.061	0.095	0.110	0.070	0.094	0.176	0.164	0.044	0.903	<0.120	0.246	<0.350	<0.290	<0.350	0.762	0.563	3.29	0.1962
VP-14	11-12'	N	<0.063	<0.110	<0.0063	0.00315	0.00315	0.00315	0.00315	<0.0063	0.00315	0.0047	<0.013	<0.013	0.00315	<0.038	<0.031	<0.038	<0.0063	<0.0063	0.02	0.0088
VP-22	0-9'	F & R	<0.061	<0.100	<0.0061	0.00305	0.00305	0.00305	0.00305	0.020	0.0081	0.0046	0.025	<0.012	0.0091	<0.037	<0.031	<0.037	0.010	0.017	0.11	0.0092
VP-22	10-12'	N	<0.064	<0.110	<0.0064	0.0032	0.0032	0.0032	0.0032	0.0032	0.0032	0.0048	<0.013	<0.013	0.0032	<0.039	<0.032	<0.039	<0.0064	<0.0064	0.03	0.0090
VP-26	0-7.5'	F & R	<0.060	<0.100	<0.0060	0.003	0.0064	0.003	0.003	0.0063	0.0070	0.0044	0.019	<0.012	0.003	<0.036	<0.030	<0.036	0.0073	0.017	0.08	0.0117
VP-26	8.5-10'	N	<0.065	<0.110	<0.0065	0.014	0.014	0.0076	0.0097	0.018	0.020	0.0049	0.047	<0.013	0.013	<0.039	<0.033	<0.039	0.030	0.051	0.23	0.0225
WDNR GUIDANCE GENERIC CLEANUP LEVELS																					NA	NA
Groundwater Pathway			38	0.7	3000	17	48	360	870	6800	37	38	500	100	680	23	20	0.4	1.8	8700	NA	NA
Direct Contact - Industrial			60,000	360	300,000	3.9	0.39	3.9	39	39	390	0.39	40,000	40,000	3.9	70,000	40,000	110	390	30000	3.90	2.70
Direct Contact - Non-Industrial			900	18	5,000	0.088	0.0088	0.088	0.880	1.80	8.80	0.0088	600	600	0.088	1,100	600	20	18	500	0.16	0.061
Direct Contact - Non-Industrial if calculate site-specific exposure values (EPA Non-Industrial Values)																					0.90	0.61

Notes: Generic Cleanup Levels from Soil Cleanup Levels for Polycyclic Aromatic Hydrocarbons (PAH) Interim Guidance, WDNR Publication RR-519-97, April 1997 (corrected)

BOLD indicates exceedance of suggested residual contaminant level for protection of groundwater.

Used 1/2 detection limit for calculation of site specific RCLs

GP-1 through GP-3 results obtained May 2002, All other results obtained June 2003

N = Native soil sample, typically silt or clay

R = Refuse sample, typically municipal refuse in clay matrix

F & R = Fill and Refuse mixture, typically sand and gravel fill overlying refuse

TABLE 3
GROUNDWATER ANALYTICAL RESULTS - METALS
Hewitts Point, Darlington, WI

Sample ID	Sample Date	GROUNDWATER ANALYTICAL PARAMETER							
		Arsenic (ug/l)	Barium (ug/l)	Cadmium (ug/l)	Chromium (ug/l)	Lead (ug/l)	Mercury (ug/l)	Selenium (ug/l)	Silver (ug/l)
Grab Samples from Small Diameter Wells									
TW-1	4/19/2002	8.6	710	0.044	5.5	<1.2	<0.056	<1.5	<1.5
TW-3	4/19/2002	<1.8	420	0.058	<3.2	<1.2	<0.056	<1.5	<1.5
TW-16	2/15/2006	1.5	110	NA	NA	<0.40	NA	NA	NA
TW-18	2/15/2006	4.1	610	NA	NA	<0.40	NA	NA	NA
TW-25	1/24/2006	<2.0	320	NA	NA	<1.0	NA	NA	NA
NR141 Wells									
MW-101	1/24/2006	<2.0	420	NA	NA	3.8	NA	NA	NA
MW-102	2/15/2006	13	240	NA	NA	<0.40	NA	NA	NA
NR 140.10 Preventive Action Limit		1	400	0.5	10	1.5	0.2	10	10
NR 140.10 Enforcement Standard		10	2000	5	100	15	2	50	50

Notes: *BOLD* indicates exceedance of NR 140 Standard

NS = No standard established

NA = Not analyzed for parameter

TABLE 3
 GROUNDWATER ANALYTICAL RESULTS - PAH PARAMETERS
 HEWITT'S POINT, DARLINGTON, WI

Sample ID	Date	ANALYTICAL PARAMETERS																	
		Acenaphthene ug/l	Acenaphthylene ug/l	Anthracene ug/l	Benzo(a)anthracene ug/l	Benzo(a)pyrene ug/l	Benzo(b)fluoranthene ug/l	Benzo(k)fluoranthene ug/l	Benzo(ghi)perylene ug/l	Chrysene ug/l	Dibenz(a,h)anthracene ug/l	Fluoranthene ug/l	Fluorene ug/l	Indeno(1,2,3-cd)pyrene ug/l	1-methyl naphthalene ug/l	2-methyl naphthalene ug/l	Naphthalene ug/l	Phenanthrene ug/l	Pyrene ug/l
PHASE II INVESTIGATION APRIL 2002																			
TW-1	4/19/2002	<0.46	<0.21	<0.083	<0.14	0.087	0.070	0.051	<0.16	0.070	<0.079	0.20	<0.15	0.073	<0.54	<0.51	<0.60	0.089	0.16
TW-3	4/19/2002	<2.3	<1.1	<0.42	1.2	0.26	0.26	0.28	<0.82	1.5	<0.40	1.3	<0.76	0.43	<2.8	<2.6	<3.1	1.8	1.2
ADDITIONAL INVESTIGATION JANUARY 2006																			
VP-15	1/24/2006	<0.020	<0.020	<0.028	<0.038	<0.044	<0.038	<0.047	<0.046	<0.046	<0.045	<0.037	<0.022	<0.045	<0.024	<0.027	<0.11	<0.027	<0.035
TW-16	2/15/2006	<0.0082	<0.0081	<0.012	<0.016	<0.018	<0.016	<0.019	<0.019	<0.019	<0.019	<0.015	<0.0091	<0.019	<0.010	<0.011	<0.012	<0.011	<0.015
VP-17	2/15/2006	0.034	0.029	0.080	0.15	0.18	0.14	0.11	0.36	0.20	0.043	0.29	0.085	0.12	0.046	0.056	0.12	0.16	0.53
TW-18	2/15/2006	0.010	<0.0083	<0.012	<0.016	<0.019	<0.016	<0.020	<0.019	<0.019	<0.016	0.018	<0.019	0.019	0.015	0.034	0.021	<0.015	
TW-25	1/24/2006	<0.0083	<0.0083	0.013	0.026	0.028	0.030	0.023	0.036	0.034	<0.019	0.072	<0.0092	0.022	<0.010	<0.011	<0.048	0.012	0.071
MW-101	1/24/2006	<0.0082	<0.0082	<0.012	<0.016	<0.019	<0.016	<0.020	<0.019	<0.019	<0.016	<0.0091	<0.019	<0.010	<0.011	<0.048	<0.011	<0.015	
MW-102	2/15/2006	0.033	<0.0081	<0.012	<0.016	<0.018	<0.016	<0.019	0.033	<0.019	<0.019	<0.015	<0.0091	<0.019	<0.010	<0.011	<0.012	<0.011	0.036
NR 140.10 Preventive Action Limit		NS	NS	600	NS	0.02	0.02	NS	NS	0.02	NS	80	80	NS	NS	NS	8.0	NS	50
NR 140.10 Enforcement Standard		NS	NS	3,000	NS	0.20	0.2	NS	NS	0.2	NS	400	400	NS	NS	NS	40	NS	250

Notes: **BOLD** indicates exceedance of NR 140.10 enforcement standard.

TABLE 1 GROUNDWATER ELEVATION DATA Hewitt's Point, Darlington, WI													
OBJECT	LOCATION	Object	Stickup	Total Well	Total Well	Screened	June 25, 2003			August 4, 2003			
							Elevation	(feet)	Depth	Interval	DEPTH TO WATER	DEPTH TO WATER	WATER ELEV
							(feet)	(feet brl)	(feet bgs)	(feet bgs)	Feet below PVC	Feet below grade	Feet MSL
SMALL DIAMETER WELLS													
TW-4	Lip	819.65	-0.15	14.00	14.15	4.2 - 14.2	8.59	8.74	811.06	7.48	7.63	812.17	
	Ground	819.80											
TW-7	Lip	822.16	-0.22	14.52	14.74	4.7 - 14.7	12.90	13.12	809.26	13.12	13.34	809.04	
	Ground	822.38											
TW-9	Lip	817.44	-0.24	13.85	14.09	4.1 - 14.1	5.83	6.07	811.61	5.91	6.15	811.53	
	Ground	817.68											
TW-12	Lip	818.42	-0.18	14.25	14.43	4.3 - 14.3	9.61	9.79	808.81	10.11	10.29	808.31	
	Ground	818.60											
TW-16	Lip	812.93	-0.11	13.30	13.41	3.4 - 13.4	6.26	6.37	806.67	6.51	6.62	806.42	
	Ground	813.04											
TW-18	Lip	812.34	-0.07	12.60	12.67	2.7 - 12.7	4.41	4.48	807.93	5.02	5.09	807.32	
	Ground	812.41											
TW-25	Lip	816.15	-0.18	14.42	14.60	4.6 - 14.6	7.44	7.62	808.71	7.51	7.69	808.64	
	Ground	816.33											
NR141 WELLS													
MW-101	Lip	821.94	-0.48	19.69	20.17	10.2 - 20.2	Well Not Installed Yet			Well Not Installed Yet			
	Ground	822.42											
MW-102	Lip	820.34	-0.80	16.12	16.92	6.9 - 16.9	Well Not Installed Yet			Well Not Installed Yet			
	Ground	821.14											
MW-103	Lip	819.16	-0.57	15.42	15.99	6.0 - 16.0	Well Not Installed Yet			Well Not Installed Yet			
	Ground	819.73											
PZ-104	Lip	819.23	-0.40	34.77	35.17	30.2 - 35.2	Well Not Installed Yet			Well Not Installed Yet			
	Ground	819.63											
MW-105	Lip	820.45	-0.50	16.38	16.88	6.9 - 16.9	Well Not Installed Yet			Well Not Installed Yet			
	Ground	820.95											
MW-106	Lip	818.37	-0.74	15.65	16.39	6.4 - 16.4	Well Not Installed Yet			Well Not Installed Yet			
	Ground	819.11											

TABLE 1 GROUNDWATER ELEVATION DATA Hewitt's Point, Darlington, WI														
OBJECT	LOCATION	Object Elevation (feet)	October 6, 2004			March 31, 2005			August 26, 2005			November 3, 2005		
			DEPTH TO WATER	DEPTH TO WATER	WATER ELEV	DEPTH TO WATER	DEPTH TO WATER	WATER ELEV	DEPTH TO WATER	DEPTH TO WATER	WATER ELEV	DEPTH TO WATER	DEPTH TO WATER	WATER ELEV
			Feet below PVC	Feet below grade	Feet MSL	Feet below PVC	Feet below grade	Feet MSL	Feet below PVC	Feet below grade	Feet MSL	Feet below PVC	Feet below grade	Feet MSL
SMALL DIAMETER WELLS														
TW-4	Lip	819.65	8.16	8.31	811.49	6.92	7.07	812.73	8.21	8.36	811.44	Well Abandoned on 8/26/05		
	Ground	819.80												
TW-7	Lip	822.16	13.31	13.53	808.85	10.29	10.51	811.87	13.46	13.68	808.70	13.81	14.03	808.35
	Ground	822.38												
TW-9	Lip	817.44	6.08	6.32	811.36	5.62	5.86	811.82	6.02	6.26	811.42	6.28	6.52	811.16
	Ground	817.68												
TW-12	Lip	818.42	10.41	10.59	808.01	9.32	9.50	809.10	10.94	11.12	807.48	11.21	11.39	807.21
	Ground	818.60												
TW-16	Lip	812.93	6.59	6.70	806.34	3.41	3.52	809.52	7.45	7.56	805.48	7.31	7.42	805.62
	Ground	813.04												
TW-18	Lip	812.34	5.04	5.11	807.30	2.92	2.99	809.42	5.71	5.78	806.63	6.58	6.65	805.76
	Ground	812.41												
TW-25	Lip	816.15	Water Level Not Taken			7.24	7.42	808.91	7.96	8.14	808.19	8.23	8.41	807.92
	Ground	816.33												
NR141 WELLS														
MW-101	Lip	821.94	14.73	15.21	807.21	12.68	13.16	809.26	13.47	13.95	808.47	13.81	14.29	808.13
	Ground	822.42												
MW-102	Lip	820.34	11.64	12.44	808.70	10.84	11.64	809.50	11.71	12.51	808.63	12.11	12.91	808.23
	Ground	821.14												
MW-103	Lip	819.16	14.26	14.83	804.90	7.53	8.10	811.63	9.69	10.26	809.47	10.76	11.33	808.40
	Ground	819.73												
PZ-104	Lip	819.23	11.49	11.89	807.74	10.50	10.90	808.73	11.59	11.99	807.64	11.83	12.23	807.40
	Ground	819.63												
MW-105	Lip	820.45	13.41	13.91	807.04	9.20	9.70	811.25	12.81	13.31	807.64	13.28	13.78	807.17
	Ground	820.95												
MW-106	Lip	818.37	Well Not Installed Yet			8.93	9.67	809.44	10.15	10.89	808.22	10.52	11.26	807.85
	Ground	819.11												

TABLE 1								
GROUNDWATER ELEVATION DATA								
Hewitt's Point, Darlington, WI								
OBJECT	LOCATION	Object Elevation (feet)	February 15, 2006			June 29, 2006		
			DEPTH TO WATER Feet below PVC	DEPTH TO WATER Feet below grade	WATER ELEV Feet MSL	DEPTH TO WATER Feet below PVC	DEPTH TO WATER Feet below grade	WATER ELEV Feet MSL
SMALL DIAMETER WELLS								
TW-4	Lip	819.65			Well Abandoned on 8/26/05		Well Abandoned on 8/26/05	
	Ground	819.80						
TW-7	Lip	822.16	11.28	11.50	810.88	10.60	10.82	811.56
	Ground	822.38						
TW-9	Lip	817.44	5.82	6.06	811.62	5.82	6.06	811.62
	Ground	817.68						
TW-12	Lip	818.42	10.46	10.64	807.96	9.11	9.29	809.31
	Ground	818.60						
TW-16	Lip	812.93	6.35	6.46	806.58	5.18	5.29	807.75
	Ground	813.04						
TW-18	Lip	812.34	6.19	6.26	806.15	NA	NA	NA
	Ground	812.41						
TW-25	Lip	816.15	7.82	8.00	808.33	7.13	7.31	809.02
	Ground	816.33						
NR141 WELLS								
MW-101	Lip	821.94	13.30	13.78	808.64	12.17	12.65	809.77
	Ground	822.42						
MW-102	Lip	820.34	11.49	12.29	808.85	10.42	11.22	809.92
	Ground	821.14						
MW-103	Lip	819.16	8.68	9.25	810.48	7.55	8.12	811.61
	Ground	819.73						
PZ-104	Lip	819.23	11.18	11.58	808.05	10.72	11.12	808.51
	Ground	819.63						
MW-105	Lip	820.45	11.14	11.64	809.31	10.10	10.60	810.35
	Ground	820.95						
MW-106	Lip	818.37	9.89	10.63	808.48	8.49	9.23	809.88
	Ground	819.11						



RIGHT-OF-WAY

December 5, 2006

Alpha Terra Science, Inc.
1237 S. Pilgrim Road, Plymouth, WI 53073
TEL 920/892-2444 FAX 920/892-2620
Website: www.alphaterra.net
E-mail: alphaterra@alphaterra.net

Mr. Bob Salmi
Director of Public Works
City of Darlington
P.O. Box 207
Darlington, WI 53530-0207

RE: Contamination on City Property and in Right of Way of Alice Street,
Dick's Supermarket/Former Plaza Cleaners Site and Former Landfill, 149 - 153 Wells Street,
Darlington, WI, WDNR BRRTS #'s 02-33-526621 and # 02-33-544202

Dear Mr. Salmi:

Groundwater contamination that is present on the property located at 149 - 153 Wells Street, Darlington, Wisconsin is also present on your property known as "Sieg Field" located east of 149 - 153 Wells Street. The levels of volatile organic compounds (VOCs), petroleum compounds, arsenic, and possibly polynuclear aromatic hydrocarbons (PAHs) contamination in the groundwater on your property are above the state groundwater enforcement standards found in chapter NR 140, Wisconsin Administrative Code (Attached Figures 7A, 7B, 7C). Soil contamination has also been detected and is present on the Sieg Field property (Figure 6).

However, the environmental consultants who have investigated this contamination have informed me that this groundwater contaminant plume is stable or receding and will naturally degrade over time. I believe that allowing natural attenuation to complete the cleanup at this site will meet the requirements for case closure that are found in chapter NR 726 and chapter NR 746, Wisconsin Administrative Code, and I will be requesting that the Department of Natural Resources accept natural attenuation as the final remedy for this site and grant case closure. Closure means that the Department will not be requiring any further investigation or cleanup action to be taken, other than the reliance on natural attenuation.

The City of Darlington was a former owner of the 149 - 153 Well Street property, and utilized the property as a municipal landfill. Refuse from the landfill is present on both the 149 - 153 Wells Street property and the Sieg Field property. Some of the VOC contamination in the groundwater on both parcels may be related to drycleaning activities that occurred on the 149 Wells Street property, but groundwater contamination also appears related to historic landfill operations.

The Department of Natural Resources will not review my closure request for at least 30 days after the date of this letter. As an affected property owner, you have a right to contact the Department to provide any technical information that you may have that indicates that closure should not be granted for this site. If you would like to submit any information to the Department of Natural Resources that is relevant to this closure request, you should mail that information to: Linda Hanefeld, South Central Region Headquarters, 3911 Fish Hatchery Road, Fitchburg, WI, 53711-5397. You could also speed up our closure process by providing a brief written comment in support of the WDNR case closure using natural attenuation.

If this case is closed, all properties within the site boundaries where groundwater contamination exceeds chapter NR 140 groundwater enforcement standards will be listed on the Department of Natural Resources' geographic information system (GIS) Registry of Closed Remediation Sites. The information on the GIS Registry includes maps showing the location of properties in Wisconsin where groundwater contamination above chapter NR 140 enforcement standards was found at the time that the case was closed. This GIS Registry will be available to the general public on the Department of Natural Resources' internet web site. Please review the enclosed legal

Notice of Contamination
City of Darlington Sieg Field Property, Darlington, WI

November 27, 2006
Page 2

COPY

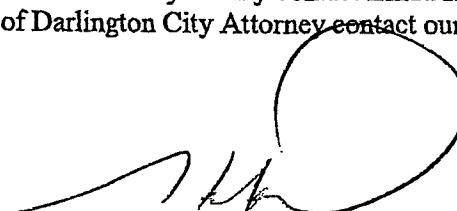
RIGHT-OF-WAY

Should you or any subsequent property owner wish to construct or reconstruct a well on your property, special well construction standards may be necessary to protect the well from the residual groundwater contamination. Any well driller who proposes to construct a well on your property in the future will first need to call the Diggers Hotline (1 800-242-8511) if your property is located outside of the service area of a municipally owned water system, or contact the Drinking Water program within the Department of Natural Resources if your property is located within the designated service area of a municipally owned water system, to determine if there is a need for special well construction standards.

Once the Department makes a decision on our closure request, it will be documented in a letter. If the Department grants closure, you may obtain a copy of this letter by requesting a copy from me, by writing to the agency address given above or by accessing the DNR GIS Registry of Closed Remediation Sites on the Internet at www.dnr.wi.gov/org/aw/r/gis/index.htm. A copy of the closure letter is included as part of the site file on the GIS Registry of Closed Remediation Sites.

If you need more information, you may contact my environmental consultant, Ken Ebbott of Alpha Terra Science, at 1-920-892-2444 or you may contact Linda Hanefeld/WDNR at 1-608-275-3310. You may also wish to have the City of Darlington City Attorney contact our environmental legal counsel, Donald P. Gallo at (262) 951-4555.

Sincerely,


Stewart Wangard
Hewitt's Point Acquisition, LLC

Attachments: Legal Description of City Property
Aerial Photograph with GIS Coordinates
Figure 6 Soil Chemistry Results
Figures 7A, 7B, 7C Groundwater Chemistry Results

Cc: Mr. Kendrick Ebbott, Alpha Terra Science, 1237 S. Pilgrim Road, Plymouth, WI 53073 w/ Attachments
Mr. Don Gallo, Reinhardt Boerner, et. al., P.O. Box 2265, Waukesha, WI 53187-2265 w/ Attachments
Ms. Linda Hanefeld, WDNR, 3911 Fish Hatchery Road, Fitchburg, WI 53711-5397 w/ Attachments

**QUIT CLAIM DEED
(WISCONSIN)**

GRANTOR, BRODBECK REALTY CORPORATION, a Wisconsin corporation ("Grantor"), with its principal office address at 1035 East Highway 151, Platteville, Wisconsin 53818, for the consideration of One Dollar and no/100ths (\$1.00) and other good and valuable consideration in hand paid, and pursuant to authority given by the Board Of Directors of said corporation, by these presents does hereby REMISE, RELEASE, CONVEY AND QUIT CLAIM (without any covenant, representation or warranty of any kind), TO:

HEPATICA HILL HOLDINGS, LTD., a Wisconsin corporation, as to an undivided 19% interest, RY HOLDINGS PROPERTY 300 LLC, a Wisconsin limited liability company, as to an undivided 24% interest, STEWART M. WANGARD, an individual, as to an undivided 29% interest, ROBERT YUNKER, an individual, as to an undivided 24% interest, and CHRISCOLD LLC, a Wisconsin limited liability company, as to an undivided 4% interest, all as tenants in common (collectively, "Grantee"), as of NOV 6, 2002 (the "Transfer Date") the following described real estate (the "Property"), situated in the City of Darlington, County of Lafayette, State of Wisconsin, more particularly described as follows, to wit:

See legal description set forth on Exhibit A, attached hereto and incorporated herein.

Address of Real Estate: 149-153 Wells Street, Darlington, Wisconsin 53530
Tax Item Number(s): 33-216-1073 and 33-216-1074

Together with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever, of Grantor, either in law or equity, of, in and to the Property, with the hereditaments and appurtenances; **TO HAVE AND TO HOLD** the Property as above described, with the appurtenances, unto Grantee, its heirs and assigns forever.

Deed Restrictions.

As partial consideration for Grantor's conveyance of the Property, Grantee agrees to certain reasonable and necessary restrictions on the use of the Property during the term of that

REGISTER'S OFFICE } SS.
LaFayette County, WI
Received for Record

NOV - 8 2002

at 2:00 o'clock P M
Douglas G. French Register

TRANSFER
\$2331³⁰
FEE

ENERGY
EXCLUSION

W-7

RETURN TO:
Mallery & Zimmerman S.C. 23rd
731 North Jackson Street, Suite 900
Milwaukee, WI. 53202
Attn: Douglas G. French, Esq.

certain Post-Closing Holdback Escrow Agreement, dated Nov 6, 2002, by and between Grantor and Grantee (the "Escrow Agreement"), incorporated by reference herein, which restrictions shall run with the land and be binding upon Grantee, its successors and assigns. Such restrictions include, without limitation, the following:

(a) No water wells, either for potable or other use, may be installed on the Property.

(b) The Property may be used only for commercial and retail use.

(c) No soil may be removed from the Property unless such soil is moved to a disposal facility approved in advance by Grantor, which approval shall not be unreasonably withheld or delayed.

(d) If Grantee desires to construct any underground improvements (including underground utilities), basements, building foundations or other material improvements (excluding any internal tenant improvements or other improvements related to the ordinary maintenance of the Property so long as such improvements do not have an impact on the environmental condition of the Property as existing as of September 13, 2002) on the Property, then Grantee shall be responsible for all costs and expenses of any new or additional environmental remediation or monitoring found to be necessary as a consequence of such construction (including, without limitation, any additional testing, reporting or relocation of existing monitoring or other environmental equipment located at the Property), and such costs and expenses shall not be recoverable from the escrow created pursuant to the Escrow Agreement.

Condition of Property.

Grantee does, by its acceptance of this Deed, represent and warrant that it is familiar with the condition of the Property and that, GRANTOR HAS NOT MADE AND MAKES NO WARRANTIES OR REPRESENTATIONS REGARDING THE PROPERTY, EXPRESS OR IMPLIED, INCLUDING WITHOUT LIMITATION, ITS HABITABILITY, CONDITION OR FITNESS FOR ANY PARTICULAR USE OR PURPOSE. GRANTEE AGREES THAT THE PROPERTY IS HEREBY CONVEYED BY GRANTOR AND ACCEPTED BY GRANTEE IN ITS "AS-IS, WHERE-IS" CONDITION.

Entire Understanding.

This Deed, the Exhibits annexed hereto and the Purchase and Sale Agreement (and attachments) dated as of July 14, 2002 between Grantor and Hewitts Point Acquisitions LLC, a Wisconsin limited liability company, as amended and subsequently assigned to Grantee (the "Sale Agreement"), contain the entire understanding and agreement between the parties hereto relative to the subject matter hereof. No representations or statements, other than those expressly set forth herein or in the Sale Agreement, were relied upon by the parties in entering into this Deed. No modification, waiver of, addition to, or deletion from the terms of this Deed shall be effective unless reduced to writing and signed by Grantor and Grantee or their respective successors and assigns, each of whom expressly waives, releases and forever forswears any right under the law in the State in which the Property is located which permits a contract, by its terms

amendable only in writing, to be orally amended. This Deed shall be binding upon and inure to the benefit of Grantor, and Grantee and its successors, assigns, heirs, devisees and legal representatives, as the case may be, and any other person or entity expressly noted herein.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.]

IN WITNESS WHEREOF, said Grantor has caused this Quit Claim Deed to be executed by an authorized representative of Grantor this 6 day of November, 2002.

BRODBECK REALTY CORPORATION,
a Wisconsin corporation

By: Robert Brodbeck

Name: Robert J. Brodbeck

Title: President

287123

ACKNOWLEDGMENT

STATE OF Wisconsin)
) SS.
COUNTY OF Grant)

I, the undersigned, a Notary Public for said County and State, DO HEREBY CERTIFY, that Robert J. Brodbeck, personally known to me to be the President of Brodbeck Realty Corporation, a Wisconsin corporation, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that in said capacity he signed and delivered the said instrument, pursuant to authority given by the Board of Directors of said corporation, as her free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and official seal, this 29th day of October.

Richard C. Jaggar
Notary Public

My commission expires: June 8, 2003

This instrument was prepared by: Robert E. Bull, Sidley Austin Brown & Wood, Bank One Plaza, 10 S. Dearborn Street, Chicago, Illinois 60603.

When recorded, return to:

Mallery & Zimmerman S.C.
731 North Jackson Street, Suite 900
Milwaukee, WI 53202
Attention: Douglas G. French, Esq.

Mail Tax Bills to:

c/o Wangard Partners, Inc.
1200 N. Mayfair Road
Suite 150
Milwaukee, WI 53226



VOL 227 PAGE 800

287123

EXHIBIT A

(Legal Description)

[SEE ATTACHED]

Darlington

Legal Description

Part of the East fraction of Government Lot 1, located in the Southeast Quarter of the Northwest Quarter of Section 3, Town 2 North, Range 3 East, City of Darlington, Lafayette County, Wisconsin, being more particularly described as follows:

Commencing at the East Quarter corner of Section 3; thence N2°37'58"W on the East line of the Northeast Quarter, 1031.47', thence N89°14'34"W, 1112.53' to the Southeast corner of Block 19 of the Original Plat of Darlington; thence S89°14'34"E, 66.00' to a 2" dia. iron pipe at the Southwest corner of Certified Survey Map No. 114, being the Southwest corner of Block 18 of said Original Plat; thence S0°57'21"W, 66.00' to a 1 1/4" dia. brass "Survey Mark" plug in concert at the Northwest corner of Block 22 of said Original Plat, being the point of beginning; thence S0°57'21"W on the East line of Wells Street, 399.56' to a 2" square hollow iron rod; thence N79°33'59"E, 408.03' to a 2" square hollow iron rod; thence N0°57'21"E, 320.37' to a #6 (3/4" dia.) rebar on the South line of Alice Street; thence N89°14'34"W, 400.00' to the point of beginning.

Tax Parcel No. 33-216-1073 and 33-216-1074

OF SECTION 3; THENCE N 2°37'58" W ON THE
THENCE N 89°14'34" W, 1112.53' TO THE SOUTHEAST
OR DARLINGTON; THENCE S 89°14'34" E, 66.00'
OF CERTIFIED SURVEY MAP NO. 114;
3 OF SAID ORIGINAL PLAT; THENCE S 0°57'21" W, 66.00'
IN CONCRETE AT THE NORTHWEST CORNER OF BLOCK 22
BEGINNING; THENCE S 0°57'21" W ON THE EAST LINE
1 HOLLOW IRON ROD; THENCE N 79°33'59" E, 408.03'
N 0°57'21" E, 320.37' TO A #6(3/4" DIA.) REBAR
DE N 89°14'34" W, 400.00' TO THE POINT OF BEGINNING.
SQUARE FEET, MORE OR LESS, AND IS SUBJECT TO ANY AND ALL
ND/GR USES.

ND THE SURVEY ON WHICH IT IS BASED WERE MADE
DETAIL REQUIREMENTS FOR ALTA/ACSM LAND
ADOPTED BY ALTA, ACM, AND NSPS IN 1999,
11, 5, 0, 10, 11, 14, 15, AND 16 OF TABLE A THEREOF, AND
AS ADOPTED BY ALTA AND ACM AND IN EFFECT ON
URBAN SURVEY.



March 29 2002

DATE

NOTARY'S STAMP IS NOT RED
AND THE SURVEYOR'S SIGNATURE
IS BLUE INK. THE MAP SHOULD
NOT BE COPIED AND MAY
UNAUTHORIZED ALTERATIONS,
IF MADE, RENDER THIS MAP
STRICTLY UNRELIABLE.

ITEM MONUMENT - FOUND
DOCUMENT - FOUND

ITEM FOUND
MAP



Figure A

Map created Mon Jul 17 11:29:19 CDT 2006

Legend

County Boundary
24K Open Water
Municipalities

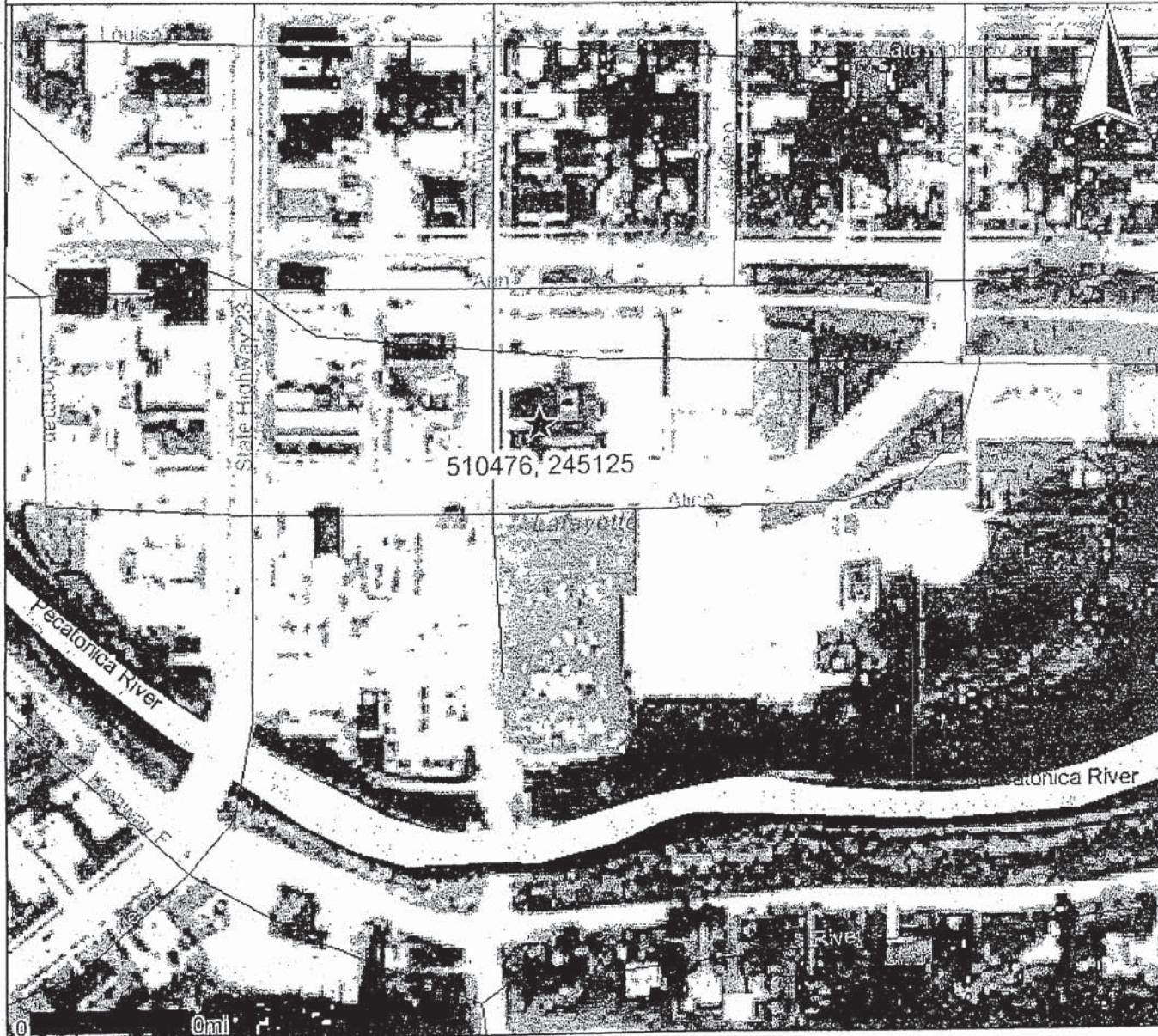
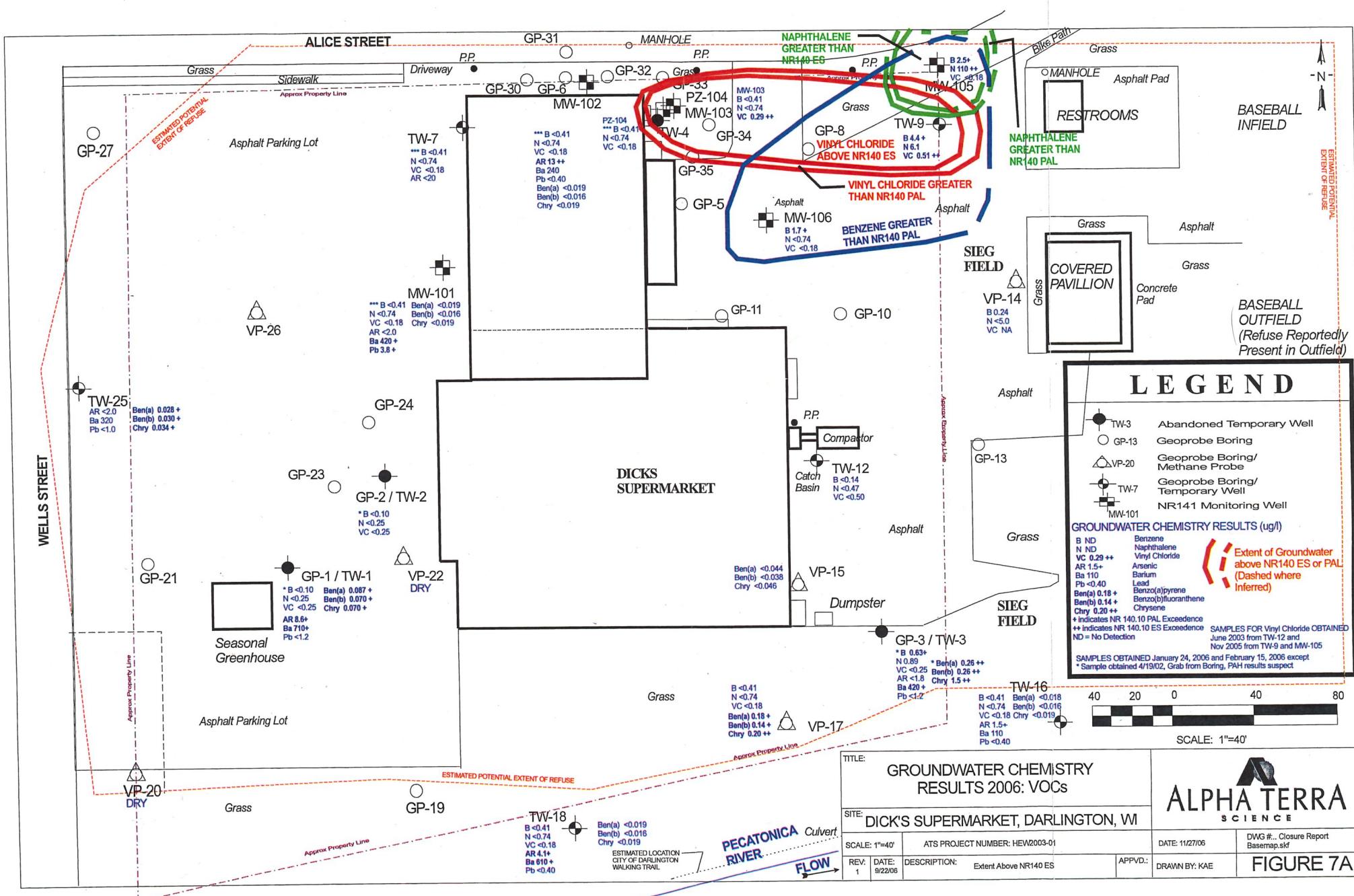
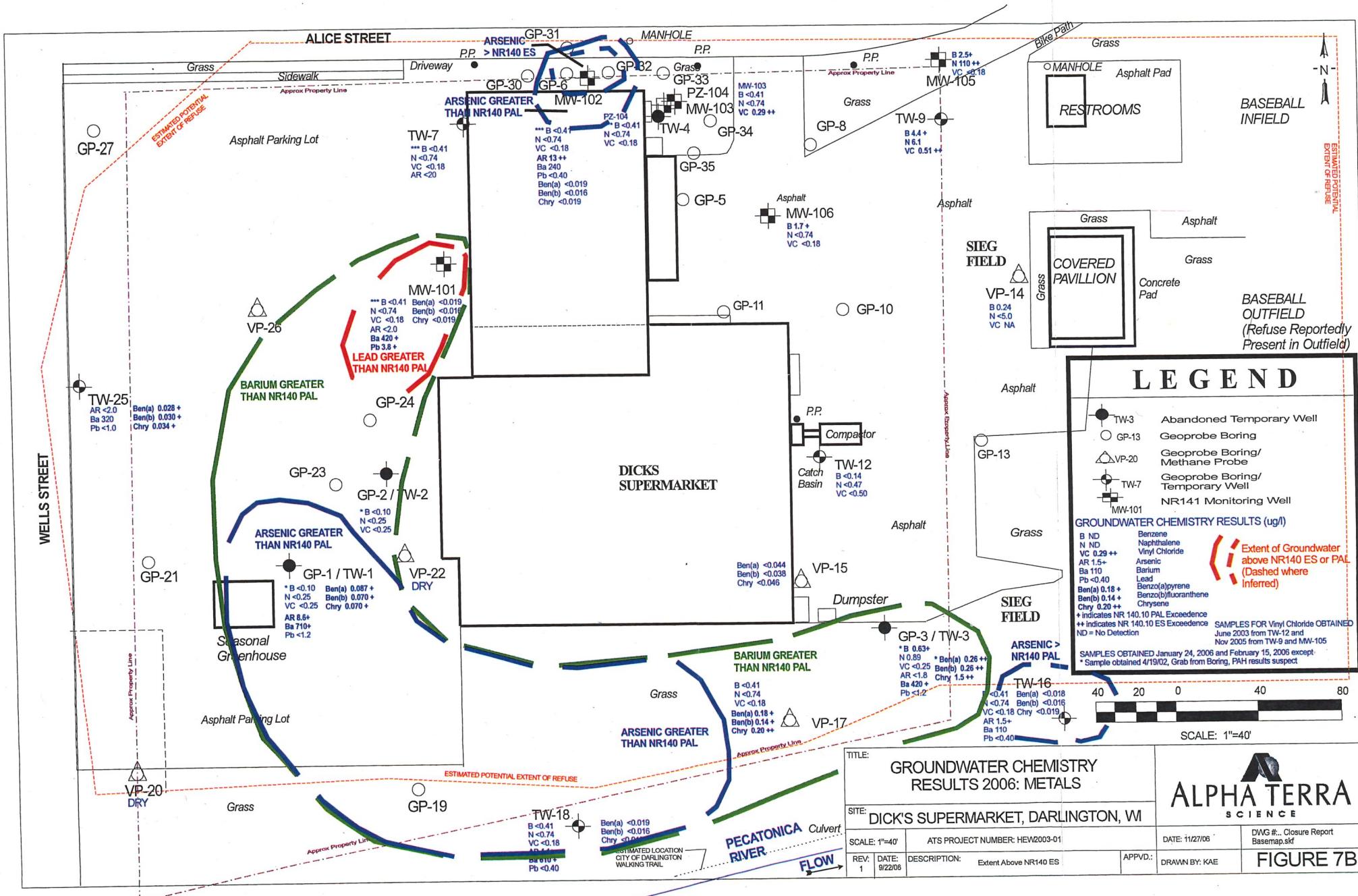


Figure B

RIGHT-OF-WAY



RIGHT-OF-WAY



RIGHT-OF-WAY

