



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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April 2, 2008

Andrew Neumann  
EEI Real Estate Holdings, LLC  
N16 W24132 Prairie Court  
Waukesha, WI 53188

Subject: Liability Clarification and Current Environmental Conditions at  
Hope School, 3601 North Port Washington Rd, Milwaukee Wisconsin,  
FID#341156970, BRRTS#07- 41-550916

Dear Mr. Neumann:

### Purpose

The purpose of this letter is to provide you with clarifications as to environmental liabilities and current environmental conditions at 3601 North Port Washington Rd, Milwaukee, Wisconsin ("the Property"). The Property consists of approximately 1.34 acres of land located SW ¼, NE ¼ sec. 8, Tn 7N, Range 22, in Milwaukee County.

### Request

On February 4, 2008, GZA requested on your behalf that the Department of Natural Resources ("the Department"), issue a liability clarification letter. The letter is to contain a determination whether further response actions are needed under the ch. NR 700 rule series, Wis. Adm. Code, based on the release or presence of one or more hazardous substances at the Property. The Department received the fee for providing assistance, in accordance with s. NR 749.04(1), Wis. Adm. Code.

In order for the Department to make this determination, you have requested a review of the following documents:

- Release Notification of Hazardous Discharge Form and Laboratory Data submitted to the Department (November 21, 2007)

The Department has examined the reports listed above and provides the following summary of the facts of the case and opinions concerning environmental conditions at the Property.

### Background and Summary of Environmental Conditions

Twelve soil borings were advanced and six soil samples were submitted for laboratory analysis for volatile organic compounds (VOC), and Arsenic, barium, cadmium chromium, lead, mercury, selenium and silver, (Metals) and Poly Nuclear Aromatics (PNAs), and Diesel Range Organics (DRO). Six other soil samples were only analyzed for Arsenic. DRO was detected at 110 mg/kg in soil boring GP4 (2.5-5.0fbgs) and 27 mg/kg in soil boring GP8 (0-2.5fbgs). Metal and VOC, PNAs and DRO concentrations found in the other soil samples were

either non-detectable or below the generic residual contaminant levels (RCLs). All other analytes (Metals, Arsenic, VOCs, PNAs, and DRO) were below Generic residual constituent limits (RCLs).

### Liability Determination

The Wisconsin Hazardous Substance Discharge Law, s. 292.11, Wis. Stats., commonly called the Spill Law, requires those who cause, possess or control a hazardous substance discharge to "take the actions necessary to restore the environment to the extent practicable and minimize the harmful effects from the discharge to the air, lands or waters of this state." Section 292.55, Wis. Stats., authorizes the Department to issue clarification letters concerning liability for environmental pollution.


The data summarized above indicates that one or more hazardous substance discharges have occurred on the Property. However, based on the criteria in s. NR 716.05(2), Wis. Adm. Code, the Department has determined that further site investigation activities are not required and that no further response action is required under the ch. NR 700, Wis. Adm. Code, rule series to respond to these identified discharges.

In the future, if the Department becomes aware of new information concerning the contaminants referenced above, or the presence of other contaminants on the Property not previously identified, the Department will need to evaluate that data to determine if response actions may be required. Whenever possible, the Department requires the person who caused the discharge to take the appropriate response actions.

The Bureau for Remediation and Redevelopment Tracking System (BRRTS) identification number for this activity is shown at the top of this letter. The Department tracks information on all determinations such as this in a Department database that is available on the Internet at <http://dnr.wi.gov/org/aw/rr/>. See "BRRTS on the web" under "Contaminated Land Databases". Since there is no action required for this case, the Department has issued BRRTS case number 09-41-550765 and will track this site activity as a "No Action Required" determination.

If you have any questions, please contact me at 414-263-8564, by writing to the address at the top of this letter or by email to [Barbara.grundl@dnr.state.wi.us](mailto:Barbara.grundl@dnr.state.wi.us).

Sincerely,

  
Barbara Grundl, PG  
Hydrogeologist  
Remediation and Redevelopment

Cc: GZA- Laura Shaffer  
WDNR SER Case File