

**State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES**

Jim Doyle, Governor
Matthew J. Frank, Secretary
Gloria L. McCutcheon, Regional Director

Plymouth Service Center
1158 Pilgrim Rd.
Plymouth, Wisconsin 53073-4294
Telephone 920-892-8756
FAX 920-892-6638
TTY Access via relay - 711

May 20, 2008

Mr. Michael Reese
First Industrial Investment, Inc.
311 S. Wacker Drive, Suite 4000
Chicago, IL 60606

Ref: BRRTS# 07-68-551464

FID# 268523420

Subject: Conditional Grant of Exemption for the Development of the Property at W156 N5834 Pilgrim Road, Menomonee Falls, Wisconsin, Where Solid Waste has been Disposed

Dear Mr. Reese:

We have received your request for a grant of exemption from regulation under ch. NR 506.085, Wis. Adm. Code to develop a property where solid waste has been disposed. Your application includes an evaluation that there is currently soil contamination at this property. The waste materials reported to be present at the property are not expected to generate methane gas. Based on that evaluation, the Department is issuing this general grant of exemption from the prohibitions contained in ch. NR 506.085, Wis. Adm. Code for the property located at W156 N5834 Pilgrim Road, Menomonee Falls, Wisconsin. You must comply with the conditions of this grant of exemption in order to maintain the exemption. This grant of exemption is limited to the proposed development, industrial facilities and parking lots, as described in your application. If you are considering additional changes beyond those described in the application, a new application must be submitted to the department for approval.

Please review the information contained in the publication *Development at Historic Fill Sites and Licensed Landfills: Considerations and Potential Problems* PUB-RR-685 to assist you in preventing environmental or safety problems during and after development.

You are reminded that this approval does not relieve you of obligations to meet all other applicable federal, state and local permits, as well as zoning and regulatory requirements. If you have any questions concerning this letter, please contact Thomas A. Wentland at 920-892-8756 Ex. 3028.

Sincerely,

James A. Schmidt, Supervisor
Remediation and Redevelopment Section
Southeast Region

Cc: Village of Menomonee Falls, Building Inspection
RMT