



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

Southeast Region Headquarters
2300 N. Dr. Martin Luther King, Jr. Drive
PO Box 12436
Milwaukee, Wisconsin 53212-0436
Telephone 414-263-8500
FAX 414-263-8716
TTY 414-263-8713

September 28, 2009

Mr. Geoffrey B. Reeder
Manager Environmental Site Remediation Safety
24125 Aldine Westfield Road,
Spring, TX 77379

Subject: Conditional Closure and off-site Liability exemption, Union Pacific Railroad, North-half, Butler Yard Fueling Facility, 4823 North 119th Street, Milwaukee, Wisconsin, BRRTs #s 02-41-257209, 02-41-000967, 07-41553682, FID # 241012860

Dear Mr. Reeder:

On September 2, 2009 the Department of Natural Resources reviewed your request for closure of the case described above. The Department of natural Resources 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 Department of Natural Resources has determined that the volatile organic compounds and chlorinated solvents contamination on the site appears to have been investigated and remediated to the extent practicable under site conditions. However, there appears to be chlorinated solvent contamination of: trichloroethene (TCE), cis-1, 2 dichloethene (cis-1,2 DCE) and vinyl chloride (VC) that might be migrating from adjacent properties to the Union Pacific Railroad Property. The Union Pacific Railroad property is granted an off-site liability exemption to the chemical constituents listed above. 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 condition is satisfied:

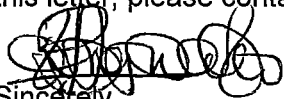
MONITORING WELL ABANDONMENT

The monitoring wells at the site cannot be properly abandoned in compliance with ch. NR 141, Wis. Adm. Code at this time due to any opened case on -site. Documentation of well abandonment in future must be submitted to Binyoti F. Amungwafor 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 well abandonment forms to verify that applicable conditions have been met, and your case will be closed. Your site will be listed on the DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites. Information that was submitted with your closure request application will be included on the GIS Registry. To review the site on the GIS Registry web page, 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 414-263-8607.



Sincerely,
Binyoti F. Amungwafor
Hydrogeologist

cc: Mr. Ben Verburg, ARCADIS G. & M.
Case File