

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Matthew J. Frank, Secretary  
Lloyd L. Eagan, Regional Director

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

August 24, 2009

Mr. Brian Bisbey  
First National Bank and Trust Company  
345 East Grand Avenue  
Beloit, WI 53511

Subject: Environmental Liability Clarification –AMCORE Bank Property, 1625 Tenth Street, Monroe

Dear Mr. Bisbey:

On August 20, 2009 the Department received your inquiries concerning the potential environmental liability for contamination migrating onto the property at 1625 Tenth Street, Monroe, WI. It is the Department's understanding that your company has nearly completed purchase of this property. The contamination of concern appears to be migrating onto the property from the nearby Monroe One Hour Cleaners site. Specifically you have asked:

A. What liability does the First National Bank and Trust Company have regarding the groundwater contamination?

Based upon the available information and in accordance with s. 292.13(2), Wis. Stats., the Department makes the following liability determinations regarding the groundwater contamination that appears to have migrated onto the Tenth Street property:

1. The hazardous substance discharge causing the groundwater contamination originated from a source on property that is not possessed or controlled by First National Bank and Trust Company.
2. First National Bank and Trust Company did not possess or control the hazardous substance on the property on which the discharge originated.
3. First National Bank and Trust Company did not cause the discharge.
4. First National Bank and Trust Company will not have liability under the Hazardous Substance Spill Law for investigation or remediation of the soil, sediment or groundwater contamination originating from off-site onto the Property, provided that First National Bank and Trust Company does not take possession or control of the property on which the discharge originated.

The Department's determination, as set forth in this letter, is subject to the following conditions being complied with, as specified in ss. 292.13(1) and (1m), Wis. Stats:

1. The facts upon which the Department based its determination are accurate and do not change.
2. First National Bank and Trust Company agrees to allow the following parties to enter the Property to take action to respond to the discharge: the Department and its authorized representatives; any party that

possessed or controlled the hazardous substance or caused the discharge; and any consultant or contractor of such a party.

3. With respect to soil or sediment contamination only, First National Bank and Trust Company agrees to take one or more specified actions directed by the Department, if the Department determines that the actions are necessary to prevent an imminent threat to human health, safety or welfare or to the environment. This would occur after the Department has made a reasonable attempt to notify the party who caused the hazardous substance discharge about that party's responsibilities to investigate and clean up the discharge.

4. First National Bank and Trust Company agrees to avoid any interference with action undertaken to respond to the discharge and to avoid actions that worsen the discharge.

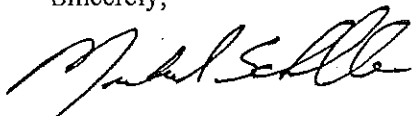
5. First National Bank and Trust Company agrees to any other condition that the Department determines is reasonable and necessary to ensure that the Department and any other authorized party can adequately respond to the discharge.

The Department may revoke the determinations made in this letter if it determines that any of the requirements under ss. 292.13(1) or (1m), Wis. Stats., cease to be met.

Future property owners are eligible for the exemption under s. 292.13, Wis. Stats., if they meet the requirements listed in that statute section. The determinations in this letter regarding a liability exemption, however, only apply to First National Bank and Trust Company, and may not be transferred or assigned to other parties. The Department will provide a written determination to future owners of this property, if such a determination is requested in accordance with the requirements of s. 292.13(2), Wis. Stats.

This is the Department answer to your specific question. If you have additional questions or concerns please contact me directly.

Sincerely,



Michael Schmoller  
Hydrogeologist  
608-275-3303