

## Source Property Information

CLOSURE DATE: 03/21/2016

**BRRTS #:** 06-05-560553

**ACTIVITY NAME:** Walgreens De Pere (VPLE)

**PROPERTY ADDRESS:** 150 S Wisconsin St

**MUNICIPALITY:** De Pere

**PARCEL ID #:** ED-823

**FID #:**

**DATCP #:**

**PECFA#:**

**\*WTM COORDINATES:**

X: 674372 Y: 443460

*\* Coordinates are in  
WTM83, NAD83 (1991)*

**WTM COORDINATES REPRESENT:**

Approximate Center Of Contaminant Source

Approximate Source Parcel Center

Please check as appropriate: (BRRTS Action Code)

### CONTINUING OBLIGATIONS

#### Contaminated Media for Residual Contamination:

Groundwater Contamination > ES (236)

Contamination in ROW

Off-Source Contamination

*(note: for list of off-source properties  
see "Impacted Off-Source Property Information,  
Form 4400-246")*

Soil Contamination > \*RCL or \*\*SSRCL (232)

Contamination in ROW

Off-Source Contamination

*(note: for list of off-source properties  
see "Impacted Off-Source Property Information,  
Form 4400-246")*

#### Site Specific Obligations:

Soil: maintain industrial zoning (220)

*(note: soil contamination concentrations  
between non-industrial and industrial levels)*

Structural Impediment (224)

Site Specific Condition (228)

Cover or Barrier (222)

Direct Contact

Soil to GW Pathway

Vapor Mitigation (226)

Maintain Liability Exemption (230)

*(note: local government unit or economic  
development corporation was directed to  
take a response action )*

#### Monitoring Wells:

VAPOR: Future Concern

Are all monitoring wells properly abandoned per NR 141? (234)

Yes  No  N/A

*\* Residual Contaminant Level*

*\*\*Site Specific Residual Contaminant Level*

BRRTS #: 06-05-560553

SITE NAME: WALGREENS DE PERE (VPLE)

### **Associated ERP/LUST Sites**

This VPLE applies to the following closed ERP and/or LUST site(s). The following links can be used to access the associated GIS packet(s).

**BRRTS #**

**SITE NAME**

02-05-513320

[ROYAL CLEANERS - FORMER \(NEW WALGREENS VPLE\)](#)



April 8, 2016

Mr. Steven Rolfe  
Midland Commercial Development Corporation  
W228 N745 Westmound Drive  
Waukesha, WI 53186

Subject: Certificate of Completion for the Environmental Investigation and Cleanup of Property Owned by Midland Commercial Development Corporation located at 150 South Wisconsin Street, De Pere, WI  
VPLE BRRTS # 06-05-560553

Dear Mr. Rolfe:

The Department of Natural Resources ("the Department") has received your request for issuance of a Certificate of Completion for the environmental investigation and cleanup of property owned by the Midland Commercial Development Corporation located at 150 South Wisconsin Street, De Pere, WI, which will be referred to in this letter as "the Property". You have requested that the Department determine whether the Midland Commercial Development Corporation has met the requirements under s. 292.15(2), Wis. Stats., for issuance of a Certificate of Completion.

The Property encompasses approximately 1 acre in downtown De Pere and is presently owned by the Midland Commercial Development Corp. The Property is currently occupied by a Walgreens Store and described as parcel number ED-823.

### Determination

As you are aware, s. 292.15, Wis. Stats., authorizes the Department to issue a Certificate of Completion to a voluntary party that conducts an approved environmental investigation of a property and restores the environment to the extent practicable and minimizes the harmful effects with respect to hazardous substance discharges on or originating from the property. Based on the information received by the Department, the Department has determined that the investigation and cleanup of the Property is complete and that all the conditions in s. 292.15(2), Wis. Stats., have been met. Attached is the Certificate of Completion for this Property.

### Conclusions

The Department appreciates the work undertaken by the Midland Commercial Development Corporation to investigate and cleanup contamination associated with the Property. The

April 8, 2016  
Mr. Steven Rolfe  
COC Cover Letter  
Walgreens De Pere - VPLE BRRTS # 06-05-560553

exemption provided by the Certificate of Completion applies to any successor or assignee of the Midland Commercial Development Corporation if the successor or assignee complies with the appropriate conditions, pursuant to s. 292.15(3), Wis. Adm. Code.

If you have any questions or concerns regarding this letter or the Certificate of Completion, please call me at (920) 662-5420.

Sincerely,



Keld Lauridsen  
Hydrogeologist  
Remediation & Redevelopment Program

Attachment: Certificate of Completion

cc: Ken Ebbott, Fehr Graham, Inc. (ecopy - kebbott@fehr-graham.com)  
Michelle Williams, Whyte Hirschboeck Dudek S.C. (ecopy - MWilliams@whdlaw.com)  
Michael Prager - RR/3 Madison (ecopy)  
Tauren Beggs – RR Green Bay (ecopy)

# State of Wisconsin Department of Natural Resources

## CERTIFICATE OF COMPLETION OF RESPONSE ACTIONS UNDER WIS STAT. SECTIONS 292.15(2)(ae) and (ag)

*Whereas*, Midland Commercial Development Corporation has applied for an exemption from liability under Wis. Stat. § 292.15, for the property located at 150 South Wisconsin Street, De Pere, Brown County, Wisconsin, which is commonly referred to as the Walgreens De Pere site, further described in the legal description found on Attachment A (the "Property");

*Whereas*, an environmental investigation of the Property has been conducted and the Wisconsin Department of Natural Resources ("WDNR") has determined that environmental contamination exists at the Property;

*Whereas*, Midland Commercial Development Corporation has submitted to the WDNR certain investigation reports and a remedial action plan for the Property which comply with the requirements set forth in Wis. Admin. chs. NR 700-754, consisting of the documents and reports listed in Attachment B;

*Whereas*, in accordance with Wis. Stat. § 292.15(2)(ae)1, the WDNR has determined that an environmental investigation has been conducted which adequately identified and evaluated the nature and extent of the hazardous substance discharges on the Property. The WDNR approved of the site investigation on February 26, 2014;

*Whereas*, the Property contains groundwater contamination that exceeds a groundwater quality enforcement standard under Wis. Admin. ch. NR 140. Therefore, the Property will be included on the WDNR's Geographical Information System database ("the GIS Registry") pursuant to Wis. Stat. § 292.12(3). Midland Commercial Development Corporation has submitted to the WDNR all the information necessary to be included on the GIS Registry, pursuant to Wis. Admin. Code;

*Whereas*, on January 19, 2016, the WDNR issued a case closure letter for the Property (Attachment C). The owner of this Property shall adhere to, abide by, and maintain the continuing obligations and other requirements that are specified in the

attached state case closure letter and listed below:

- Groundwater contamination is present at or above Wis. Admin. ch. NR 140 enforcement standards.
- Remaining contamination could result in vapor intrusion if future construction activities occur. Future construction includes expansion or partial removal of current buildings as well as construction of new buildings. Vapor control technologies will be required for occupied buildings, unless the property owner assesses the potential for vapor intrusion, and the DNR agrees that vapor control technologies are not needed.

*Whereas*, the WDNR has determined that the response action is complete and was based on the Property being used as a commercial facility. Because of the residual contamination and certain continuing obligations for this site, before use of this site can be changed to residential use, or use by certain sensitive populations, such as a day care center, school, a senior center, hospital or a similar use, notification of the Department is required at a minimum. Additional sampling and/or cleanup may be required to ensure that the residual contamination levels, existing remedial action and land use is protective;

*Whereas*, if the requirements of this Certificate or the case closure letter are not followed, or if the land use changes, the WDNR may take actions under Wis. Stat. §§ 292.11 or 292.12, to ensure compliance with the specified requirements, and the person who owns or controls the Property may no longer qualify for the liability protections under Wis. Stat. § 292.15;

*Whereas*, on March 12, 2013, Midland Commercial Development Corporation obtained a written determination from WDNR under s. 292.13(2), Wis. Stats., that Midland Commercial Development Corporation is exempt from liability under s. 292.13 (1) and (1m), Wis. Stats., with respect to petroleum related contamination in soil and/or groundwater on the Property. This contamination is from a Leaking Underground Storage Tank (LUST) site referred to as the Silverado Speedy Stop (Garrity) (BRRTS # 03-05-000008) that was located at 201 South Broadway in De Pere, which received case closure on November 15, 2002. When the LUST site was closed, there was residual contamination both on and off-site. The boundaries of the properties were changed after the LUST site was closed and that contamination extends onto what is now the Property at 150 South Wisconsin Street. The owner of the Property shall adhere by any requirements included in the November 15, 2002, closure letter and if soil or groundwater with residual petroleum contamination is encountered in the future, the Property owner at that time must manage the material in accordance with applicable federal, state and local laws;

*Whereas*, Midland Commercial Development Corporation has paid to WDNR the appropriate insurance fee and has submitted a complete insurance application form to obtain coverage for the Property under the state's master insurance contract in accordance with Wis. Stat. § 292.15(2)(ae)3m. and Wis. Admin. ch. NR 754, based on

their desire to use natural attenuation to remediate groundwater contamination that exceeds Wis. Admin. ch. NR 140 groundwater quality enforcement standards;

*Whereas*, on January 19, 2016, the WDNR determined that response actions necessary to restore the environment were completed, except with respect to groundwater contaminated with tetrachloroethene and trichloroethene above Wis. Admin. ch. NR 140 groundwater quality enforcement standards. The WDNR has determined that this groundwater contamination will be brought into compliance through natural attenuation, in accordance with administrative rules promulgated by the WDNR.

*Therefore*, based upon the information that has been submitted, the WDNR hereby certifies that the response actions set forth in the WDNR approved remedial action plan for the Property and any other necessary response actions have been completed, except with respect to tetrachloroethene and trichloroethene contaminated groundwater above Wis. Admin. ch. NR 140 enforcement standards that WDNR has determined will be brought into compliance through natural attenuation, in accordance with rules promulgated by WDNR.

Upon issuance of this Certificate, Midland Commercial Development Corporation and the persons qualified for protection under Wis. Stat. § 292.15(3) are exempt from the provisions of Wis. Stat. §§ 289.05(1), (2), (3) and (4), 289.42(1), 289.67, 291.25(1) to (5), 291.29, 291.37, 292.11(3), (4), and (7)(b) and (c) and 292.31(8), with respect to the existence of hazardous substances on or originating from the Property, the release of which occurred prior to the date the WDNR approved the environmental investigation required under Wis. Stat. § 292.15(2)(ae)1, provided that Midland Commercial Development Corporation or current owner of the Property continues to satisfy the conditions under s. 292.13(1m)(d) to (g), Wis. Stats.

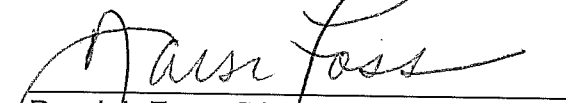
However, the person who owns or controls the Property would no longer qualify for this liability exemption if that person fails to maintain or monitor the Property as required by the conditions in this Certificate, the January 19, 2016, case closure letter, Wis. Stat. § 292.12, and administrative rules promulgated by the WDNR. Any discharges of a hazardous substance to or from the Property that occur after the date that the environmental investigation was approved will be the responsibility of the current Property owner and any other person who possesses or controls that discharge and any person who caused the discharge.

If natural attenuation of contaminated groundwater fails, the insurance coverage under Wis. Stat. § 292.15(2)(ae)3m. may be used by the state to cover the costs of complying with Wis. Stat. § 292.11(2), with respect to groundwater quality.

The protection from liability provided under Wis. Stat. § 292.15(2) does not apply to any person who has obtained a Certificate of Completion by fraud or misrepresentation, or by knowingly failing to disclose material information or under circumstances in which Midland Commercial Development Corporation knew or should have known about more discharges of hazardous substances than was revealed by the investigation approved by the WDNR.

Nothing in this Certificate or in Wis. Stat. § 292.15 affects the authority of the WDNR to exercise any powers or duties under applicable laws other than Wis. Stats. §§ 289.05(1), (2), (3) and (4), 289.42(1), 289.67, 291.25(1) to (5), 291.29, 291.37, 292.11(3), (4), and (7)(b) and (c) and 292.31(8) with respect to any release or threatened release of contaminants at the Property, or the right of the WDNR to seek relief available against any person who is not entitled to protection from liability under Wis. Stat. § 292.15 with respect to such release or threatened release.

SIGNED AND CERTIFIED this 21 day of March, 2016.



Darsi J. Foss, Director  
Bureau for Remediation and Redevelopment  
Wisconsin Department of Natural Resources



**ATTACHMENT A  
LEGAL DESCRIPTION  
Walgreens De Pere  
150 South Wisconsin Street, De Pere, WI**

**Lot 1 of Certified Survey Map No.8367, Recorded in Volume 58 of Certified Survey Maps on Pages 342 to 347, as Document No. 2676756, being a redivision of Outlot 1, Outlot 2 and part of Lot 2 of Volume 54, Certified Survey Maps, Page 312, Map No. 7902; Lot 1 of Volume 14, Certified Survey Maps, Page 231, Map No. 2868; Lot Seven (7) and part of Lot Eight (8), Block Eighteen (18), Original Plat of De Pere, and vacated Charles Street and public alley, City of De Pere, Brown County, Wisconsin.**

**Tax Key No: ED-823**

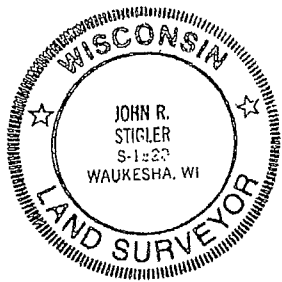
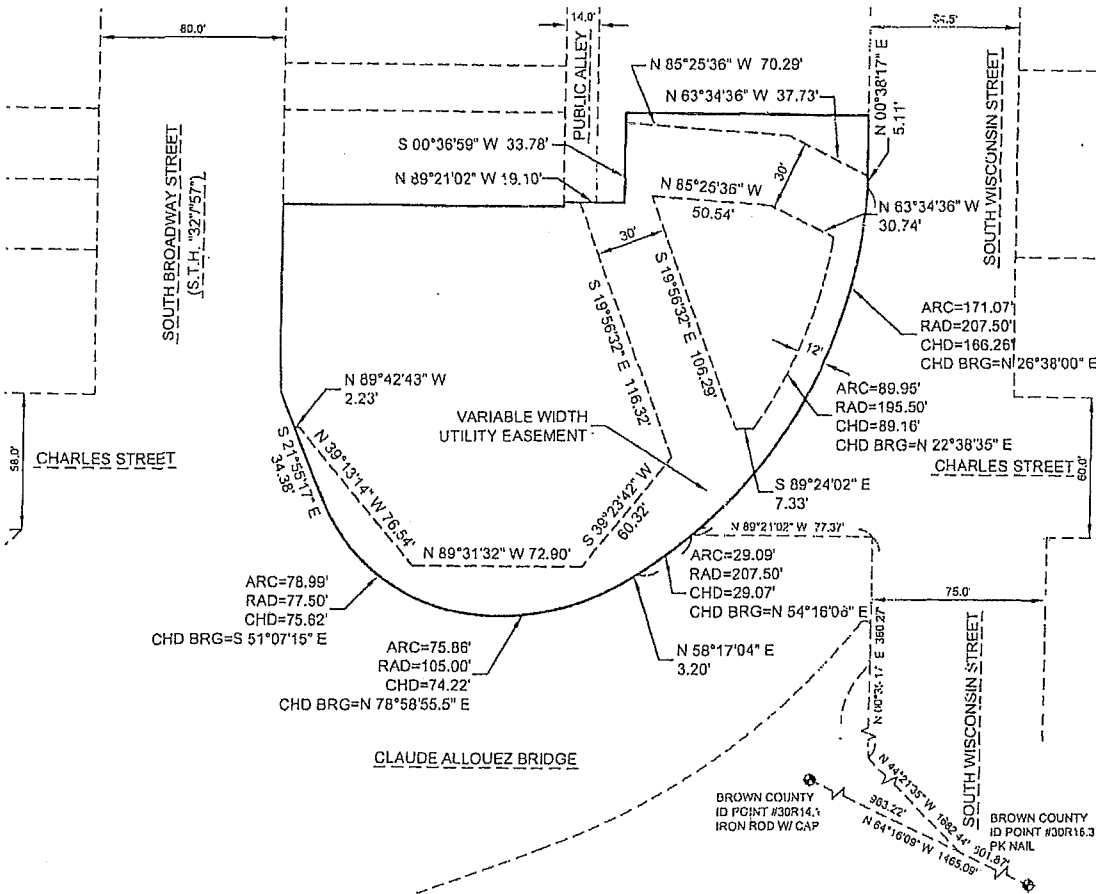
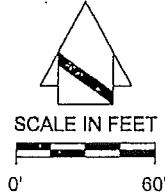
**See attached Certified Survey Map**

CERTIFIED SURVEY MAP NO. \_\_\_\_\_ Sheet 2 of 6

Being a redivision of Outlot 1, Outlot 2 and part of Lot 2 of Volume 54, Certified Survey Maps, Page 312, Map No. 7902; Lot 1 of Volume 14, Certified Survey Maps, Page 231, Map No. 2868; Lot Seven (7) and part of Lot Eight (8), Block Eighteen (18), Original Plat of De Pere, and vacated Charles Street and public alley  
CITY OF DE PERE, BROWN COUNTY, WISCONSIN

PROPOSED EASEMENTS

REFERENCE BEARING: BEARINGS ARE REFERENCED TO THE BROWN COUNTY COORDINATE SYSTEM. THE WESTERLY RIGHT OF WAY OF WISCONSIN STREET BEARS NORTH 00°38'17" EAST PER CERTIFIED SURVEY MAP No. 7902.



*John R. Stigler*  
JOHN R. STIGLER - Wls. Reg. No. S - 1820  
DATED THIS 12th DAY OF December, 2012  
REVISED THIS 7th DAY OF May, 2013  
REVISED THIS 15th DAY OF May, 2013  
REVISED THIS 28th DAY OF May, 2013  
REVISED THIS 17th DAY OF July, 2013  
REVISED THIS 8th DAY OF August, 2013  
INSTRUMENT DRAFTED BY JOHN R. STIGLER

OWNERS: MIDLAND (WISCONSIN/BROADWAY) ASSOCIATES,  
A WISCONSIN LIMITED PARTNERSHIP  
FILE NAME: S8114CSM.DWG  
P.S. MISCELLANEOUS 26

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

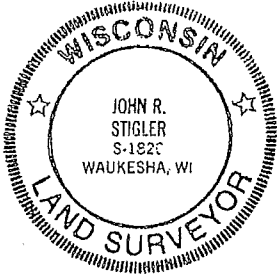
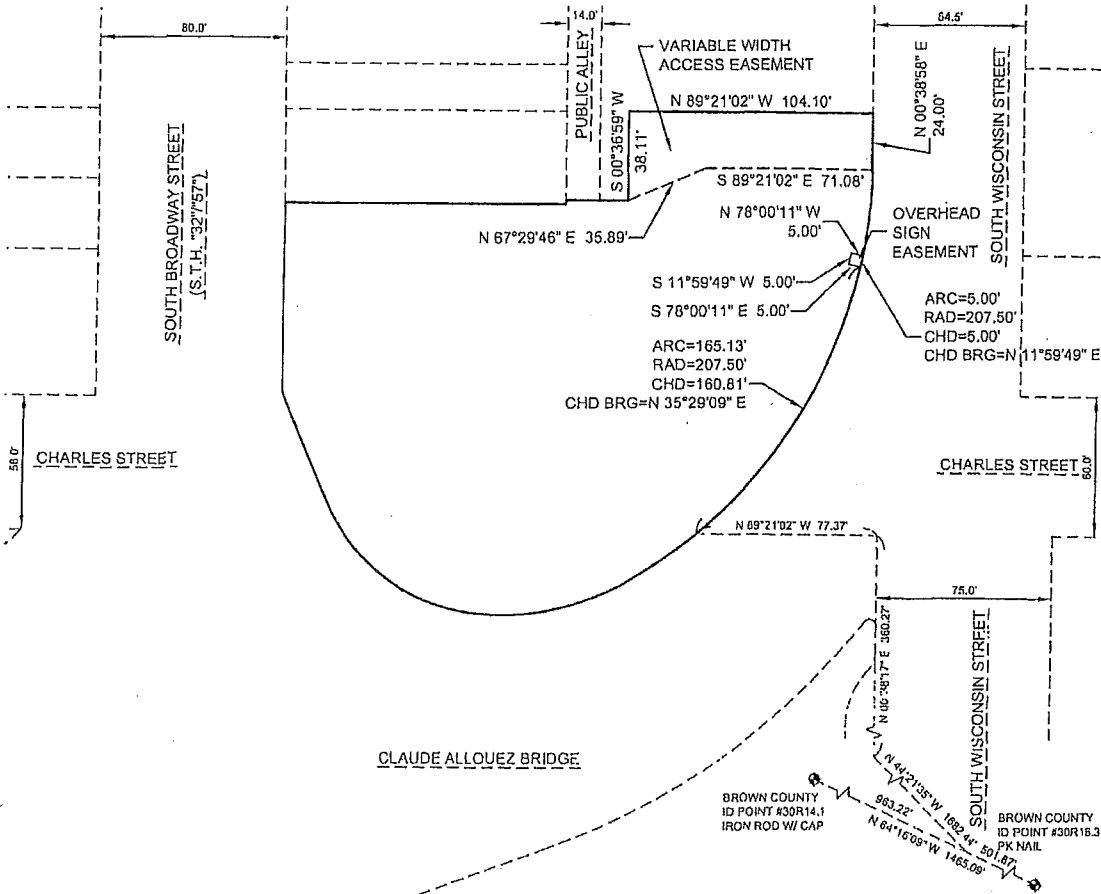
Sheet 3 of 6

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CITY OF DE PERE, BROWN COUNTY, WISCONSIN

PROPOSED EASEMENTS  
FOR THE BENEFIT OF THE CITY OF DE PERE



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INSTRUMENT DRAFTED BY JOHN R. STIGLER

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A WISCONSIN LIMITED PARTNERSHIP  
FILE NAME: S8114CSM.DWG  
P.S. MISCELLANEOUS 25

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

Sheet 4 of 6

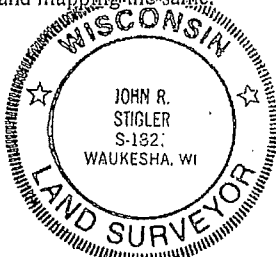
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CITY OF DE PERE, BROWN COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE:

I, John R. Stigler, registered land surveyor, being duly sworn on oath, hereby depose and say that I have surveyed, divided and mapped the following land bounded and described as follows:

Being a redivision of Outlot One (1), Outlot Two (2) and part of Lot Two (2) of Volume 54, Certified Survey Maps, Page 312, Map Number 7902; Lot One (1) of Volume 14, Certified Survey Maps, Page 231, Map Number 2868; Lot Seven (7) and part of Lot Eight (8), Block Eighteen (18), Original Plat of De Pere, and vacated Charles Street and public alley, all being in the City of De Pere, Brown County, Wisconsin more particularly bounded and described as follows: Commencing at Brown County ID Point #30R16.3; thence North 64°16'09" West 501.87 feet along the line that connects said ID Point #30R16.3 to Brown County ID Point #30R14.1; thence North 44°21'35" West 1682.44 feet; thence North 00°38'17" East 360.27 feet; thence North 89°21'02" West 77.37 feet to the northeast corner of said Outlot 1, Certified Survey Map Number 7902 and the place of beginning of the land hereinafter to be described; thence northeasterly 171.07 feet along the arc of a curve, radius of 207.50 feet, center lies to the west, chord bears North 26°38'00" East, 166.26 feet; thence North 00°38'17" East 30.65 feet; thence North 89°21'02" West 104.10 feet; thence South 00°36'59" West 38.11 feet; thence North 89°21'02" West 26.00 feet; thence South 00°36'59" West 1.85 feet; thence North 89°21'02" West 120.80 feet; thence South 00°28'30" West 80.15 feet; thence South 21°55'17" East 51.09 feet; thence southeasterly 78.99 feet along the arc of a curve, center lies to the northeast, chord bears South 51°07'15" East 75.62 feet; thence easterly 75.86 feet along the arc of a curve, center lies to the north, chord bears North 78°58'55.5" East 74.22 feet; thence North 58°17'04" East 3.20 feet; thence northeasterly 29.09 feet along the arc of a curve, radius of 207.50 feet, center lies to the northwest, chord bears North 54°16'06" East 29.07 feet to the place of beginning. Containing 38,784 square feet (0.8904 acres) of land.

I further certify that I have made such survey, land division and map by the direction of the owners of said land; that such map is a correct representation of the exterior boundaries of the land surveyed and map thereof made; and that I have fully complied with the provisions of Chapter 236 of the Wisconsin State Statutes pertaining to Certified Survey Maps (Section 236.34) and the regulations of the City of De Pere in surveying, dividing and mapping the same.



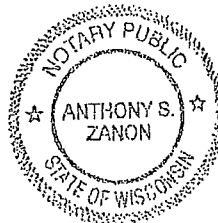
John R. Stigler  
JOHN R. STIGLER - Wis. Reg. No. S-1820  
Revised this 7<sup>th</sup> day of May, 2013  
Revised this 15<sup>th</sup> day of May, 2013  
Revised this 28<sup>th</sup> day of May, 2013  
Revised this 17<sup>th</sup> day of July, 2013  
Revised this 8<sup>th</sup> day of August, 2013

STATE OF WISCONSIN)ss  
WAUKESHA COUNTY )

The above certificate subscribed and sworn to me this 8<sup>th</sup> day of August, 2013.

My commission expires July 25, 2017.

Anthony S. Zanon  
ANTHONY S. ZANON - NOTARY PUBLIC



OWNERS: MIDLAND (WISCONSIN/BROADWAY) ASSOCIATES,  
A WISCONSIN LIMITED PARTNERSHIP

Instrument drafted by John R. Stigler

P. S. MISCELLANEOUS 25

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

Sheet 5 of 6

Being a redivision of Outlot 1, Outlot 2 and part of Lot 2 of Volume 54, Certified Survey Maps, Page 312, Map No. 7902; Lot 1 of Volume 14, Certified Survey Maps, Page 231, Map No. 2868; Lot Seven (7) and part of Lot Eight (8), Block Eighteen (18), Original Plat of De Pere, and vacated Charles Street and public alley  
CITY OF DE PERE, BROWN COUNTY, WISCONSIN

CORPORATE OWNER'S CERTIFICATE:

MIDLAND (WISCONSIN/BROADWAY) ASSOCIATES, a Wisconsin Limited Partnership, duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said partnership caused the land described on this map to be surveyed, divided and mapped as represented on this map. We also certify that this Certified Survey Map is required to be submitted to the following for approval: City of De Pere

IN WITNESS WHEREOF, the said MIDLAND (WISCONSIN/BROADWAY) ASSOCIATES, a Wisconsin Limited Partnership has caused these presents to be signed by STEVEN J. ROLFE, PRESIDENT, of MIDLAND (WISCONSIN/BROADWAY), Inc., its General Partner this 20<sup>th</sup> day of August, 2013.

MIDLAND (WISCONSIN/BROADWAY) ASSOCIATES,  
a Wisconsin Limited Partnership  
By: MIDLAND (WISCONSIN/BROADWAY), Inc., its  
General Partner

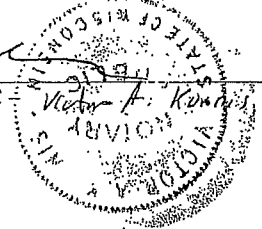
STEVEN J. ROLFE, PRESIDENT

STATE OF WISCONSIN)ss  
WAUKESHA COUNTY)

Personally came before me this 20<sup>th</sup> day of August, 2013, the above named STEVEN J. ROLFE to me known to be the PRESIDENT of MIDLAND (WISCONSIN/BROADWAY), Inc., and the person who executed the foregoing instrument and acknowledged the same.

My commission expires 11 forever

NOTARY PUBLIC



JOHN R. STIGLER - Wis. Reg. No. S-1820  
Dated this 12<sup>th</sup> day of December, 2012  
Revised this 7<sup>th</sup> day of May, 2013  
Revised this 15<sup>th</sup> day of May, 2013  
Revised this 28<sup>th</sup> day of May, 2013  
Revised this 17<sup>th</sup> day of July, 2013  
Revised this 8<sup>th</sup> day of August, 2013



OWNERS: MIDLAND (WISCONSIN/BROADWAY) ASSOCIATES,  
A WISCONSIN LIMITED PARTNERSHIP

Instrument drafted by John R. Stigler

P. S. MISCELLANEOUS 25

2646756

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

Sheet 6 of 6

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CITY OF DE PERE, BROWN COUNTY, WISCONSIN

CONSENT OF MORTGAGEE:

JOHNSON BANK, mortgagee of the above described land, does hereby consent to the surveying, dividing and mapping of the land described on this map and does hereby consent to the above certificate of MIDLAND (WISCONSIN/BROADWAY) ASSOCIATES, a Wisconsin Limited Partnership and MIDLAND (WISCONSIN/BROADWAY), Inc., its General Partner.

JOHNSON BANK

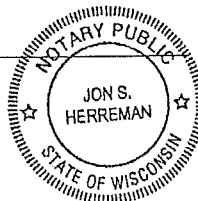
*[Signature]*  
BY: \_\_\_\_\_

STATE OF WISCONSIN)ss  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of August, 2013, by BRADLEY A. QUACK the SVP of JOHNSON BANK, for and behalf of said corporation.

My commission expires is permanent

*[Signature]*  
NOTARY PUBLIC -



CITY BOARD APPROVAL CERTIFICATE:

Approved by the City of De Pere this 18<sup>th</sup> day of September, 2013.

*[Signature]*  
SHANA L. DEFNET - CLERK/TREASURER

*[Signature]*  
JOHN R. STIGLER - Wis. Reg. No. S-1820  
Dated this 12<sup>th</sup> day of December, 2012  
Revised this 7<sup>th</sup> day of May, 2013  
Revised this 15<sup>th</sup> day of May, 2013  
Revised this 28<sup>th</sup> day of May, 2013  
Revised this 17<sup>th</sup> day of July, 2013  
Revised this 8<sup>th</sup> day of August, 2013



REGISTRAR'S OFFICE  
Brown Co., Wis.  
Received for record the 3<sup>rd</sup> day  
of October A.D. 2013  
at 11:27 o'clock A. M. and recorded in  
Vol. 58 of CSM's on page 12-347  
*[Signature]*  
Register of deeds

OWNERS: MIDLAND (WISCONSIN/BROADWAY) ASSOCIATES,  
A WISCONSIN LIMITED PARTNERSHIP

Instrument drafted by John R. Stigler

P. S. MISCELLANEOUS 25

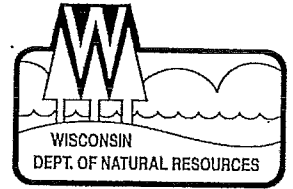
**ATTACHMENT B**  
**INVESTIGATION AND REMEDIAL ACTION PLAN REPORTS**  
**Walgreens De Pere**

1. Site Investigation and Closure Report, dated January 21, 2005, prepared by ARCADIS
2. Site Investigation Report, dated January 30, 2014, prepared by Key Engineering Group
3. Remedial Action Documentation Report, dated August 14, 2014, prepared by Fehr Graham
4. Closure Request, received October 14, 2015, and subsequent resubmittal dated December 11, 2015, prepared by Fehr Graham

**ATTACHMENT C**  
**Closure Letter**  
**Royal Cleaners – Former (New Walgreens VPLE)**

See Attached January 19, 2016, Case Closure Letter for the Royal Cleaners – Former (New Walgreens VPLE) site.





January 19, 2016

Mr. Steven Rolfe  
Midland Commercial Development Corp.  
W228 N745 Westmound Drive  
Waukesha, WI 53186

**KEEP THIS DOCUMENT WITH YOUR PROPERTY RECORDS**

**SUBJECT:** Final Case Closure with Continuing Obligations  
Royal Cleaners - Former (New Walgreens VPLE), 150 South Wisconsin Street (formerly  
135 South Broadway), De Pere, Wisconsin  
DNR BRRTS Activity # 02-05-513320

Dear Mr. Rolfe:

The Department of Natural Resources (DNR) considers the Royal Cleaners - Former (New Walgreens VPLE) contamination 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 rights-of-way holders for South Broadway. 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 DNR Northeast Region (NER) Closure Committee reviewed the request for closure on December 15, 2015. 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. A request for remaining actions needed was issued by the DNR on December 23, 2015, and documentation that the conditions in that letter were met was received on January 7, 2016.

This contamination case was originally closed by the DNR on February 8, 2006, with remaining soil and groundwater above standards and maintenance of a cap. The case was then reopened April 24, 2013, due to vapor intrusion concerns not evaluated when the site was closed initially. Historically Royal Cleaners operated as a dry cleaning facility on the property from 1955 to 1968. Recently, several parcels were merged and the existing buildings razed in order to make way for the current Walgreens Store.

During the most recent investigation conducted in anticipation of constructing the current Walgreens Store, chlorinated solvents from the dry cleaning facility were detected in soil, groundwater and sub-slab vapor samples collected beneath buildings no longer present at the site. Remedial action involved excavation of 4,533 tons of contaminated soil from the former drycleaner site. The remedial action negated the need for maintenance of a cap and all unsaturated soil appears to have been removed.

Groundwater contamination above the enforcement standards is still present on the property and within the South Broadway right-of-way (ROW). A plastic vapor barrier as well as a network of slotted piping was installed below the concrete floor of the Walgreens Store. The slotted piping is connected to a wind turbine in order to provide for limited air movement below the concrete slab and act as a limited vapor mitigation system. Installation of such a system was not required by the DNR as part of this closure approval.

Petroleum contamination is likely present on the southern portion of the new Walgreens property. The contamination is related to the Silverado Speedy Stop (Garrity) case (BRRTS # 03-05-000008) which was closed by DNR on November 15, 2002. This issue was not investigated further as part of this closure request.

The conditions of closure and continuing obligations required were based on the property being used for commercial purposes.

#### 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.
- Remaining contamination could result in vapor intrusion if future construction activities occur. Future construction includes expansion or partial removal of current buildings as well as construction of new buildings. Vapor control technologies will be required for occupied buildings, unless the property owner assesses the potential for vapor intrusion, and the DNR agrees that vapor control technologies are not needed.

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 at <http://dnr.wi.gov/files/PDF/pubs/rr/RR819.pdf>.

#### GIS Registry

This site will be included on the Bureau for Remediation and Redevelopment Tracking System (BRRTS on the Web) at <http://dnr.wi.gov/topic/Brownfields/clean.html>, 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, under the Geographic Information System (GIS) Registry layer, at the same web address.

DNR approval prior to well construction or reconstruction is required for all sites shown on the GIS Registry, 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 <http://dnr.wi.gov/topic/wells/documents/3300254.pdf>.

All site information is also on file at the Northeast Regional DNR office, at 2984 Shawano Avenue, Green Bay, WI. 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 BRRTS on the Web.

January 19, 2016  
Mr. Steven Rolfe  
Final Closure Letter  
Royal Cleaners - Former (New Walgreens VPLE) – BRRTS # 02-05-513320

### Closure Conditions

Compliance with the requirements of this letter is a responsibility to which you, 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: Keld Lauridsen  
2984 Shawano Avenue  
Green Bay, WI 54313

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

Groundwater contamination greater than enforcement standards is present both on this contaminated property and in the adjacent South Broadway right-of-way, as shown on the attached map (Figure B.3.b; Groundwater Isoconcentration; 12/16/15). If you intend to construct a new well, or reconstruct an existing well, you'll need prior DNR approval. Affected ROW holders of South Broadway adjacent to the source property were notified of the presence of groundwater contamination within the ROW.

### Vapor Mitigation or Evaluation (s. 292.12 (2), Wis. Stats., s. NR 726.15, s. NR 727.07, Wis. Adm. Code)

Vapor intrusion is the movement of vapors coming from volatile chemicals in the soil or groundwater, into buildings where people may breathe air contaminated by the vapors. Vapor mitigation systems are used to interrupt the pathway, thereby reducing or preventing vapors from moving into the building.

Future Concern: Chlorinated Volatile Organic Compounds (CVOC) remain in groundwater as shown on the attached map (Figure B.3.b; Groundwater Isoconcentration; 12/16/15), at levels that may be of concern for vapor intrusion in the future, depending on construction and occupancy of a building. The property is currently utilized for commercial purposes as a Walgreens Store and land use is not expected to change within the foreseeable future. However, before a new building is constructed and/or an existing building is modified, the property owner must notify the DNR at least 45 days before the change. Vapor control technologies are required for construction of occupied buildings unless the property owner assesses the vapor pathway and DNR agrees that vapor control technologies are not needed.

### Other Closure Information

#### 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 <http://dnr.wi.gov/topic/wastewater/GeneralPermits.html>. 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

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other than suspended solids and oil and grease, a general permit for Pit/Trench Dewatering may be needed.

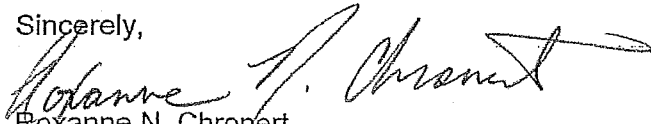
In Closing

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 Keld Lauridsen at (920) 662-5420, or at [Keld.Lauridsen@wisconsin.gov](mailto:Keld.Lauridsen@wisconsin.gov).

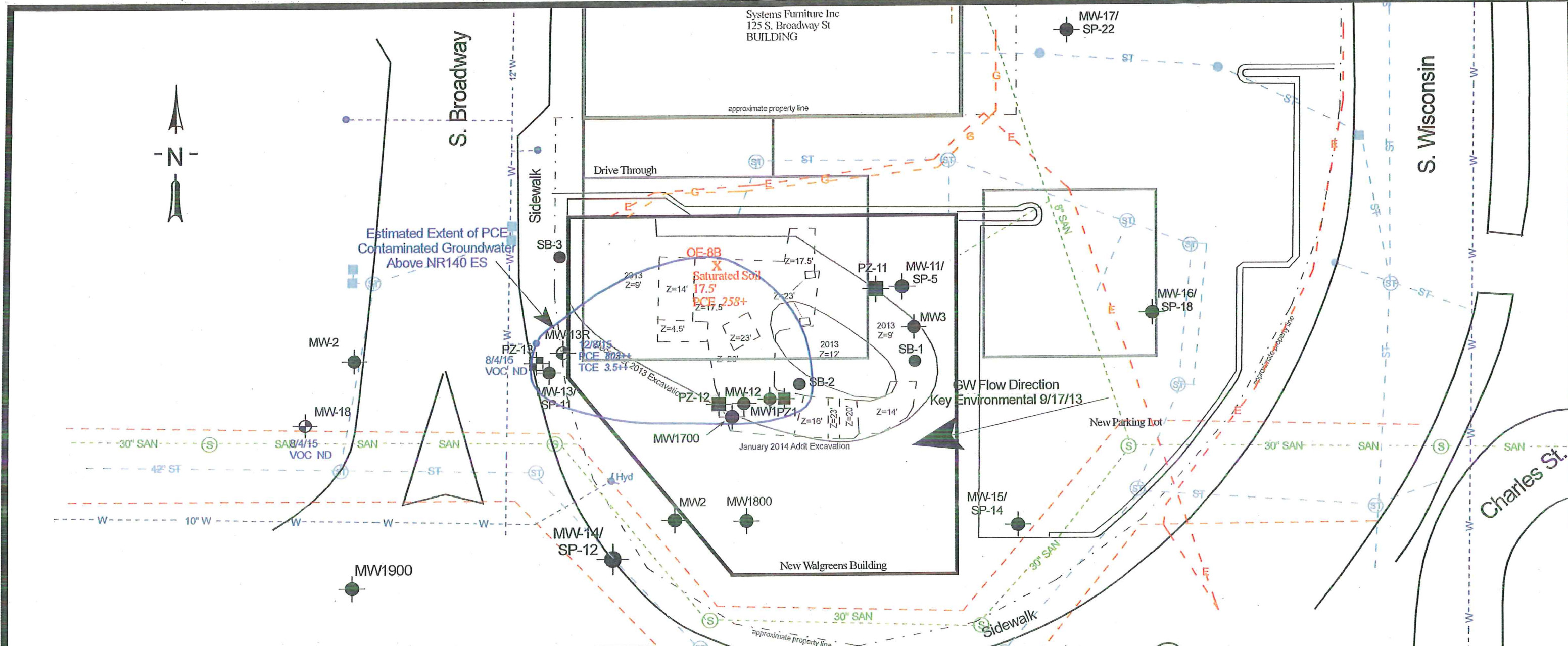
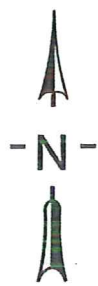
Sincerely,

  
Roxanne N. Chronert  
Team Supervisor, Northeast Region  
Remediation and Redevelopment Program

Attachment:

- Figure B.3.b; Groundwater Isoconcentration; 12/16/15

cc: Ken Ebbott, Fehr Graham, Inc. (ecopy - [kebbott@fehr-graham.com](mailto:kebbott@fehr-graham.com))  
Michelle Williams, Whyte Hirschboeck Dudek S.C. (ecopy - [MWilliams@whdlaw.com](mailto:MWilliams@whdlaw.com))  
Scott Thoresen, Director of Public Works, City of De Pere (ecopy - [sthoresen@mail.de-pere.org](mailto:sthoresen@mail.de-pere.org))  
Sharlene Te Beest, Hazardous Materials Specialist, WDOT (ecopy - [sharlene.tebeest@dot.wi.gov](mailto:sharlene.tebeest@dot.wi.gov))



**LEGEND**

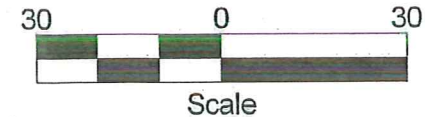
- SB-1 ● Soil Boring w/ Grab Water Sample (abandoned)
- MW-18 ● Monitoring Wells / Piezometer (existing and abandoned)

- [Z=16'] ADDITIONAL EXCAVATION 2014 / DEPTH
- [Z=9'] EXCAVATION LIMIT 2013 / DEPTH

**Groundwater Chemistry Results**  
 8/4/15 Sample Date (MW-13R sampled 12/8/15)  
 PCE Tetrachloroethene (ug/l)  
 TCE Trichloroethene (ug/l)  
 B Benzene (ug/L)  
 TMB Sum of 1,2,4- & 1,3,5-trimethylbenzene (ug/L)

+ Exceeds NR140 Preventive Action Limit  
 ++ Exceeds NR140 Enforcement Standard  
 ND No Detect

--- Soil Removed During 2013 Utility Work



TITLE: <b>Groundwater Isoconcentration</b>	
SITE: Royal Cleaners - Former (New Walgreens VPLE) 135 S. Broadway St., DePere, WI 54115	
SCALE:	BRRTS #02-05-513320
REV: DATE:	DESCRIPTION: PRINTED:12/16/15
APPVD.:	DRAWN BY: KAE

**FEHR GRAHAM**  
 ENGINEERS & ENVIRONMENTAL

DATE: 7/7/14  
 DWG #: O:\midland capital\Base Map-Walgreens.sxd

FIGURE: **B.3.b**