



**GILES**  
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FAX 262-549-5868

# LETTER OF TRANSMITTAL

Date: 04-26-2018	Project No. 1E-1704007
ATTENTION: Nancy Ryan c/o Chue Yee Yang	
RE: <b>The Couture Development</b> <b>909 East Michigan Street, Milwaukee, WI</b> <b>WDNR BRRTS No. 02-41-579105</b>	

TO: Nancy Ryan c/o Chue Yee Yang  
WDNR – SE Region Headquarters  
2300 N. Martin Luther King, Jr. Drive  
Milwaukee, WI 53212

WE ARE SENDING YOU:

<input type="checkbox"/> Attached	<input type="checkbox"/> Under separate cover
<input type="checkbox"/> Shop drawings	<input type="checkbox"/> Specifications <input type="checkbox"/> Plans
<input type="checkbox"/> Copy of letter	<input type="checkbox"/> Samples <input type="checkbox"/> Change order
<input checked="" type="checkbox"/> <b>Ch. NR 718.12 Soil Management Plan</b>	

Copies	Title/Description
1	718.12 SMP Petition
1	WDNR Fee (\$1,000.00)

**THESE ARE TRANSMITTED**

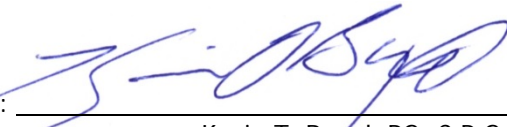
- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> For approval | <input type="checkbox"/> No exceptions taken    | <input type="checkbox"/> Resubmit _____ copies for review     |
| <input type="checkbox"/> For your use            | <input type="checkbox"/> Make noted corrections | <input type="checkbox"/> Submit _____ copies for distribution |
| <input type="checkbox"/> As requested            | <input type="checkbox"/> Amend & resubmit       | <input type="checkbox"/> Return _____ corrected prints        |

The following Documents are being submitted for your files.

- |   |   |
|---|---|
| <input type="checkbox"/> For review and comment | <input type="checkbox"/> For bids due _____ 201__ |
|---|---|

Attached are the referenced documents for your review and approval. Please let me know if you have any additional questions.

COPY TO: File \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SIGNED:   
Kevin T. Bugel, PG, C.P.G.



# CH NR 718.12 SOIL MANAGEMENT PLAN

**The Couture Development  
909 East Michigan Street  
Milwaukee, Wisconsin**

**Prepared for:**

**Wisconsin Department of Natural Resources  
Milwaukee, Wisconsin**

**Prepared February 8, 2018  
Submitted April 26, 2018  
Project No. 1E-1704007**

**WDNR BRRTS No. 02-41-579105  
WDNR FID No. 341286220**



**GILES**  
ENGINEERING ASSOCIATES, INC.



# GILES

ENGINEERING ASSOCIATES, INC.

GEOTECHNICAL, ENVIRONMENTAL & CONSTRUCTION MATERIALS CONSULTANTS

- Atlanta, GA
- Baltimore, MD
- Dallas, TX
- Los Angeles, CA
- Manassas, VA
- Milwaukee, WI

Prepared February 8, 2018  
Submitted April 26, 2018

Remediation and Redevelopment Program  
Wisconsin Department of Natural Resources  
Southeast Region Headquarters  
2300 N. Dr. Martin Luther King, Jr. Drive  
Milwaukee, WI 53212-3128

Attention: Ms. Nancy Ryan  
Hydrogeologist

Subject: Ch. NR 718.12 Soil Management Plan  
*The Couture* Development  
909 East Michigan Street  
Milwaukee, Wisconsin  
Project No. 1E-1704007  
WDNR BRRTS No. 02-41-579105  
WDNR FID No. 341286220

Dear Ms. Ryan:

On behalf of The *Couture* LLC the property owner and “Responsible Party” (RP), Giles Engineering Associates, Inc. (Giles) has prepared this Soil Management Plan under Wisconsin Administrative Code (WAC) § NR 718.12 pertinent to native, minimally-impacted soil that will be generated during the development of the *Couture* property (“Couture Site”) located at 909 East Michigan Street in the City of Milwaukee, Milwaukee County, Wisconsin (Attachment D; Figure 1).

As you are aware, development of The *Couture* will necessitate the excavation of soil to a depth of 25 feet below ground surface (bgs) across a 1.59 acre portion of the Site slated for development to facilitate the construction of subsurface parking. The excavation depth will necessitate the removal of fill soil that ranges in thickness from 4 to 18 feet bgs that is impacted with volatile organic compounds (VOCs), polycyclic aromatic hydrocarbon (PAH) compounds, and minor RCRA metal species. The extent of VOC, PAH, metals impact at the Site is documented in the project Site Investigation Report & Remedial Action Plan<sup>1</sup> previously provided to the WDNR.

The fill soil impacted with volatile organic compounds, estimated to constitute approximately 2,950 *in situ* cubic yards (cy), will be excavated, transported, and properly disposed of at a Wisconsin-licensed special waste landfill. Giles is pursuing a low-hazard exemption (LHE) from the Wisconsin Department of Natural Resources (WDNR) Division of Environmental Management (DEM) Waste Materials Management Division (WMM) pertinent to the fill soil on

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<sup>1</sup> Giles Engineering Associates, Inc., October 11, 2017, Site Investigation Report and Remedial Action Plan, The *Couture*, 909 East Michigan Street, Milwaukee, Wisconsin, Project No. 1E-1704005.

Ch. NR 718.12 Soil Management Plan  
The *Couture* Development  
Milwaukee, Wisconsin  
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Site that displays relatively low-concentrations PAH compounds and RCRA metals impact. Approximately 26,665 *in situ* cy of PAH and metals-impacted fill soil will be transported to the R&R Excavating quarry located in Cedarburg, Wisconsin under the LHE.

In addition to the fill soils discussed above, approximately 34,690 *in situ* cy of native soil will also be generated during the development process. The upper veneer of the native soil is known to be sporadically impacted by PAH compounds sporadically at low concentration. It is this volume of native soil for which this SMP has been prepared.

This SMP has been prepared under the purview of Wisconsin Administrative Code § NR718.12 and has been prepared in the format recommended in WDNR Publication RR-072. The format of this PSM petition is as follows:

Section 1	General Information and Fees
Section 2	Property and Contact Information
Section 3	Waste Characterization
Section 4	Project Description/Material Management Plan
Section 5	Receiving Site or Facility Information
Section 6	Locational Criteria
Section 7	Additional Information Required for Non-Metallic Mine Receiving Sites or Facilities
Section 8	Continuing Obligations at Receiving Site or Facility
Section 9	Figures
Section 10	Additional Attachments
Section 11	Certification Statements
Section 12	Signatures`

### **Section 1 - General Information and Fees**

This information is included on WDNR Form RR-072 (Attachment A).

### **Section 2 - Property and Contact Information**

This information is included on WDNR Form RR-072 (Attachment A).

### **Section 3 – Waste Characterization**

#### **A. Material to be Managed**

The native soils beneath the Couture Site to the target excavation depth are comprised of lacustrine sands and silt and the clay and silt-rich Oak Creek till. The till contains low percentages of gravel and sometimes larger clasts. The majority of the native soil slated for removal is present beneath the water table.

Approximately 34,690 *in situ* cy of native soil will be generated during excavation of the subsurface parking lot at the Couture Site. The upper veneer of the native soil is known to be impacted by PAH compounds sporadically and at low concentrations (Section 3.D).



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However, only a single compound, benzo (a) pyrene, was found to exceed its respective Wisconsin Administrative Code (WAC) Ch. 720 non-industrial direct contract risk pathway residual contaminant level (RCL) in the 16-18-foot sample collected from boring B-15 (Figure 2).

B. Historic and Current Land Use of Soil Source Property

The Site consists of approximately 2.12-acres of land and is currently undeveloped and vacant. The Site was formerly occupied by the Milwaukee County Transit Center (MCTC) and bus marshalling garage structure from 1990 through December 2016. The Transit Center and garage structure were razed during the period of November 2016 through January 2017 in preparation for the *Couture* Development; however, the concrete slab from the former transit center structure and bus marshalling garage remains intact.

The Site was originally developed in the 1870's by the Chicago and Northwestern (C&NW) Railroad as a freight house adjacent to the C&NW Lakefront Depot (C&NW Depot). Several rail spurs extended north and south from the C&NW Depot that supported passenger and freight transport since the mid-1800s. The C&NW Depot was used through May 1966. That same year, the C&NW Depot and the freight house buildings were razed and the lakefront railroad tracks in the area were removed.

The Site was utilized for paved parking from the mid to late-1960s. Milwaukee County began construction for the MCTC on the Site in 1989, and operated as a county government transit center and bus marshalling garage until November 2016 when the facility was razed.

C. Total Soil Volume to be Managed

Approximately 34,690 *in situ* cy of native soil will be managed. No overlying solid waste fill soil is included in this volume.

D. Identified Contaminants and Source

Of 22 soil samples collected from the upper portion of the native soil at the *Couture* Site, only one compound, benzo (a) pyrene, at a single location was found to exceed its respective Wisconsin Administrative Code Ch. 720 non-industrial direct contract risk pathway residual contaminant level (RCL) in the 16-18-foot sample collected from boring B-15 (Figure 2; Table 1). The low-level and sporadic nature of the PAH compounds discovered in the upper portion of the native soil interval probably stems from atmospheric fallout from the burning of wood and coal prior and spot-filling with cinders/ash prior to the filling of the Site prior to the wholesale filling of the property before construction of the Chicago and Northwestern Railroad station in 1889. In addition, the sporadic PAH detection may be attributed to the inadvertent collection sluff from the upper fill zone which is captured in the macro-core sampling barrel due to with the deterioration/partial collapse of the open borehole between sample attempts. Based on the low solubility, the low specific gravity of PAH compounds, and that many of the samples were collected from beneath the water table, Giles infers that significant leaching of PAH contaminants from the overlying fill section is unlikely.

It is assumed that it is likely that the greater part of the native soil interval targeted for removal from the Site likely does not display any PAH impact. However, the presence of contaminated soil, albeit minor, precludes its disposal in an uncontrolled manner.

E. Soil Sampling Activities

The soil samples from the native soil interval beneath the Site were collected during assessment activities conducted in October 2016 and June-September 2017. During this period a total of 60 soil borings were advanced on a grid using direct-push sampling techniques to gain a better understanding subsurface stratigraphy and environmental character (Attachment D; Figure 2). Samples from the recovered soil cores were selected based on visual, olfactory, PID screening results, and often at changes in stratigraphy. A more-detailed description of the soil sampling process is documented in Giles previously referenced Site Investigation Report.

Soil samples from the native soil section were collected in 22 of the 60 total borings advanced at the Couture Site.

F. Soil Characterization

As no known releases were known to have occurred at the Couture Site, a grid pattern was employed during the initial soil boring phase of site assessment. Several borings penetrated fill soil contaminated with VOCs and the majority of the borings penetrated soil impacted by varying degrees of PAH and metals contaminants. Once a basic understanding of the location of impact was discerned, additional borings were advanced to ascertain the horizontal and vertical extent of contamination.

The soil samples collected from the native soil interval were submitted for PAH compounds and select locations for VOCs and select RCRA metals (arsenic, lead, mercury and selenium). The results of this testing is presented in Tables 1 through 3, included in Attachment C.

G. Total Number of Samples

A total of 22 soil samples were collected from the native soil interval beneath the Couture Site.

H. Rate of Sample Collection by Volume (Samples per Cubic Yard)

Based on the calculated 34,690 *in situ* cy of native soil to be removed, a sampling rate of 1,577 cy per sample has been achieved. As discussed in Item I below, the sampling frequency does not meet WAC §718.12(1)(e) sampling requirements; however, based on the period of the filling conducted at the Site, the low potential for PAH compound leaching, and the low hydraulic conductivity of the lacustrine silts and glacial till that comprise the native soil section planned for removal, Giles infers that gross contamination in the native soil is highly unlikely. As such, Giles recommends that the number of samples collected is satisfactory for characterizing the environmental character of the native soil interval.

I. Sampling Requirements

The calculated 34,690 in situ cy of native soil would require the collection and testing of 119 samples per WAC §718.12(e)(1). However, only 22 samples were collected and analyzed, Giles deems this number of samples to be satisfactory as it is highly unlikely that the vast majority of native soil buried beneath the Site is contaminated. This supposition is based on the following conditions:

1. The native soil sampling locations are distributed across the entire Site;
2. The PAH and metals contaminants in the overlying fill soil are relatively immobile. Therefore, these contaminants are unlikely to have leached downward to the native soil interface in appreciable quantities due to the low solubility of PAH compounds and the assumed neutral pH of the Site groundwater which would not have released most metals species to the aqueous solution.
3. The overall all absence of PAHs and metals exceeding Ch. NR 140 Enforcement Standards and/or Preventative Action Limits in the groundwater samples collected during the initial investigative phase for the Site.
4. The period of filling at the Site (pre-1879) predates the development of many current industrial chemicals. Contaminated fill that was placed at the time most likely consisted of foundry waste (foundry sand) and ash and cinders from incinerators.
5. Atmospheric fallout from the burning of coal and wood would have resulted in City-wide PAH impact on the native soil surface including that at the Site.
6. The presence of a lower hydraulic conductivity in the native soil section would have limited the potential for vertical contaminant migration.

**Section 4 – Project Description/Material Management Plan**

A. Waste Management Activities

Giles will have a field representative on-Site during the soil removal process at the *Couture* Development Site. This person will oversee the excavation, segregation, staging, and loading process. During this oversight task, the top of the native soil will be marked using the fill thickness map and cross-sections (Attachment D) developed from the soil boring logs from the Limited Phase II ESA, and from the Site Investigation, and from in-field screening with a PID and visual observation. The Fill material/native soil interface will be critically inspected and screened for contamination. Native soil displaying obvious contamination will be segregated from the native soil which addressed in this SMP document.

B. Proposed Schedule

The tentative start date for driving the interlocking sheetpile wall structure and commencing excavation activities on Site is the Spring/Summer of 2018. The excavation

of the parking structure would commence once the sheetpile structure is placed, and it is anticipated to take six months to complete the excavation activities.

C. Identification of Previously Unidentified Contamination

As mentioned in Section 4A above, Giles will be on Site to oversee the excavation process and will identify and mark the native soil-fill soil interface. Giles will observe and screen the surface of the native soil for obvious contamination. If encountered, obviously-impacted soil will be excavated and segregated for possible testing and disposal at the landfill or R&R Excavating low-hazard soil quarry facility.

D. Preventing Adverse Environmental Impacts

Concurrent with overseeing the removal and transport of the native soil to 25-feet bgs, Giles will work with the project's General Contractor in minimizing risk to human-health and that of the environment associated with potential off-site sediment transport and fugitive dust. Should impacted native soil be discovered, this material will be segregated on an impervious surface and covered with plastic sheeting until the appropriate disposal location is identified.

## **Section 5 – Receiving Site or Facility**

Giles is requesting approval to beneficially use the native soil from the Couture Site at the Milwaukee Solvay Coke and Gas - MGP Site (Solvay Site) located at 311 E. Greenfield Avenue in Milwaukee, Wisconsin (BRRTS No. 02-41-466662). It is Giles understanding that due to the extent and degree of the soil contamination at the Solvay Site and that its current and future zoning are to remain Industrial, the native soil from the Couture Site will be utilized to construct a soil cover across the entire Solvay property as part of their remedial action. Therefore, we interpret that the native soil from the Couture Development Site would be of beneficial use at the Solvay Site. Also, the Solvay Site is only 2 miles from the Couture Site thus accelerating the development schedule due to the much-shorter transport time and minimizing environmental impact associated with the transportation of the soil 23 one-way miles to the R&R Quarry.

A. Source Site / Receiving Site

The soil source site is the Couture Site located at 909 E. Michigan Street in Milwaukee, Wisconsin (BRRTS No. 02-41-466662). The receiving site will be the Milwaukee Solvay Coke and Gas - MGP Site (Solvay Site) located at 311 E. Greenfield Avenue in Milwaukee, Wisconsin (BRRTS No. 02-41-466662).

B. Historic, Current, and Proposed Land Use

The Solvay Site has a long industrial history extending from as early as approximately 1866 with environmental characterization commencing in 2007 under a United States

Environmental Protection Agency (US EPA) Order on Consent (OC).<sup>2</sup> The Solvay Site is approximately 46 acres in area and is bordered to the north by Greenfield Avenue, the Union Pacific Railroad Line to the east, Milwaukee's inner harbor and the Kinnickinnic River to the south, and the Canadian Pacific (CP) railroad line to the west. The Solvay Site historically included a metallurgical coke production facility, coal storage, blast furnace, a manufactured gas plant, and a tannery. Environmental investigation and remedial actions have been performed pertinent to:

- Asbestos-containing material;
- Coal tar from plant operations;
- Process residuals including coal, coke, cinders, slag and clinker;
- PAH compounds, polychlorinated biphenols, and RCRA and non-RCRA metals and cyanide;
- Other hazardous substances located throughout the parcel including drums of naphthalene crystals and oil in old electrical transformers.

Presently, the Solvay Site is secured vacant property and all buildings and above ground structures on the parcel have been razed.

Giles understands that the site will continue to be managed for industrial and commercial use such that the native soil from the Couture site would serve purpose to lower the potential for direct soil contact and the threat to groundwater.

**C. Current Uses of Adjacent Properties**

The general area remains industrial and industrial and commercial in character.

- "Other": *University of Wisconsin-Milwaukee School of Freshwater Sciences (N).*  
 "Recreational": *Kinnickinnic River (S).*  
 "Commercial": *Commercial and Industrial properties to west of CP railroad right-of-way.*

<b>Agricultural</b>	<input type="checkbox"/> N	<input type="checkbox"/> S	<input type="checkbox"/> E	<input type="checkbox"/> W	<input type="checkbox"/> NE	<input type="checkbox"/> NW	<input type="checkbox"/> SE	<input type="checkbox"/> SW
<b>Industrial</b>	<input type="checkbox"/> N	<input checked="" type="checkbox"/> S	<input checked="" type="checkbox"/> E	<input checked="" type="checkbox"/> W	<input type="checkbox"/> NE	<input type="checkbox"/> NW	<input type="checkbox"/> SE	<input type="checkbox"/> SW
<b>Recreational</b>	<input type="checkbox"/> N	<input type="checkbox"/> S	<input type="checkbox"/> E	<input type="checkbox"/> W	<input type="checkbox"/> NE	<input type="checkbox"/> NW	<input type="checkbox"/> SE	<input type="checkbox"/> SW
<b>Residential</b>	<input type="checkbox"/> N	<input type="checkbox"/> S	<input type="checkbox"/> E	<input type="checkbox"/> W	<input type="checkbox"/> NE	<input type="checkbox"/> NW	<input type="checkbox"/> SE	<input type="checkbox"/> SW
<b>Undeveloped</b>	<input type="checkbox"/> N	<input type="checkbox"/> S	<input type="checkbox"/> E	<input type="checkbox"/> W	<input type="checkbox"/> NE	<input type="checkbox"/> NW	<input type="checkbox"/> SE	<input type="checkbox"/> SW
<b>Commercial</b>	<input type="checkbox"/> N	<input type="checkbox"/> S	<input type="checkbox"/> E	<input checked="" type="checkbox"/> W	<input type="checkbox"/> NE	<input type="checkbox"/> NW	<input type="checkbox"/> SE	<input type="checkbox"/> SW
<b>Other</b>	<input checked="" type="checkbox"/> N	<input type="checkbox"/> S	<input type="checkbox"/> E	<input type="checkbox"/> W	<input type="checkbox"/> NE	<input type="checkbox"/> NW	<input type="checkbox"/> SE	<input type="checkbox"/> SW

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<sup>2</sup> U.S. Environmental Protection Agency – Region V, 2007, Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study.



D. Previous Environmental Investigations

There have been multiple environmental investigations and remedial actions performed at the Solvay Site. A list of report citations was accessed from the US EPA website and is provided in Attachment B.

E. Environmentally-Sensitive Areas

Based on review of the Milwaukee County Interactive Website, no environmentally-sensitive areas are known to exist on the Solvay Site.

F. Other Site Features Pertinent to the Suitability of the Site as the Receiving Site

None.

G. Receiving Site Geology and Hydrogeology

Geology

The following description of site-specific geology and hydrogeology was gleaned from a 2016 report documenting an environmental investigation prepared by Arcadis.<sup>3</sup> In general, the Solvay Site is covered with approximately 3' to 12' of fill material consisting of dark brown to black silt and sand with gravel, clay, brick, concrete, coal/coke fragments, wood, ceramics, cinders, clinker, glass, and metal. The fill material overlies paludal (marsh) sediments including peat, probable dense, clay-rich glacial till, and inferred beach sands.

Hydrogeology

The water table is generally present at depths ranging from 6 to 15 feet bgs. These depths are either at or near the surface elevation of the abutting Kinnickinnic River/Milwaukee inner harbor (580' msl). The water level in the site monitoring wells fluctuates seasonally, with the higher elevations measured generally during the spring months. Based on slug testing performed by Arcadis, the hydraulic conductivity (K) of the soils beneath the Solvay Site ranges from approximately  $9 \times 10^{-3}$  cm/sec to  $1.5 \times 10^{-4}$  cm/sec. However, based on Giles' experience, the glacial till that underlies the Solvay Site may display K values of  $10^{-6}$  cm/sec.

Arcadis inferred that infiltration across the majority of Site was strong due to the presence of non-engineered fill material. As such, groundwater flow was found to be radially-away from a groundwater mound beneath the Solvay Site. Groundwater flow in the central and southern portion of the Solvay Site was found to be generally east-southeast toward the Kinnickinnic River; however, Arcadis found that the watertable remained somewhat flat beneath the northern portion of the parcel (top of groundwater

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<sup>3</sup> Arcadis, 2016, Milwaukee Solvay Coke & Gas Site Remedial Investigation Report, Ref. No. CI001530.0012.00005

mound). They also postulated that the peat in combination with the silt/clay unit may form a confining unit beneath the soil fill.

### **Section 6 – Locational Criteria**

Indicate if excavated waste material will be placed in any of the following locations:

- Within a floodplain.
- Within 100 feet of any wetland or critical habitat area.
- Within 300 feet of any navigable river, stream, lake, pond, or flowage.
- Within 100 feet of any on-site water supply well or 300 feet of any off-site water supply well.
- Within 3 feet of the high groundwater level.
- At a depth greater than the depth of the original excavation from which the contaminated soil was removed.

As the Solvay Site abuts the Kinnickinnic River (a navigable river) at portions of the parcel and are within 300 feet of the River along its eastern border with respect to the remainder of the parcel, an SMP approval is requested from the WDNR to facilitate use of the native soil from the Couture Site. Giles does not foresee environmental impact or risk to humans or the environment if properly handled on site. Although a sheetpile wall partially exists along the Kinnickinnic River, future development of the site will include the appropriate storm water and sediment runoff controls as necessary.

### **Section 7 – Additional Information Required for Non-Metallic Mine Receiving Sites or Facilities**

This section is not applicable as the receiving site is not a non-metallic mine.

### **Section 8 – Continuing Obligations at Receiving Site or Facility**

In addition to WDNR GIS Registry the Solvay Site will, at a minimum, have a continuing obligation for soil cover management and excavated soil management dependent on the future development of the site.

### **Section 9 - Figures**

The following figures are provided in Attachment D of this document:

- Figure 1 - Location Map for the Couture (Generator) and Solvay (Receiving) Sites.
- Figure 2 - Site Plan, Couture Site (Generator) with Soil Sampling Locations and Limits of Planned Excavation Area Depicted, Milwaukee, Wisconsin.
- Figure 3a-3f - Geologic Cross-Sections with Excavation Depth Depicted, Couture Site (Generator), Milwaukee, WI.
- Figure 4 - Fill Thickness Map with VOC Impacted Fill Excavations, The Couture Site
- Figure 5 - Site Plan, Solvay Site (Receiving) Circa 1950, Milwaukee, Wisconsin.

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The *Couture* Development  
Milwaukee, Wisconsin  
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- Figure 6 - Site Plan, Solvay Site (Receiving) with Critical Habitat Areas Depicted, Milwaukee, Wisconsin.
- Figure 7 - Placement of Native Soil at the Solvay Site (Receiving), Milwaukee, WI.  
Please refer to Figure 6. The entire Site will be covered with a 2-foot barrier of clean fill.
- Figure 8 - Depth to Groundwater, Solvay Site (Receiving), Milwaukee, WI.  
Please refer to the 2016 Arcadis Report.
- Figure 9 - Meeting Performance Standards, Solvay Site (Receiving), Milwaukee, WI.  
Please refer to Figure 6. The performance standard is a 2-foot barrier of clean fill separation from the existing Site fill.

### **Section 10 – Additional Attachments**

The following requested attachments are provided as follows:

- Attachment A - Completed WDNR Forms RR-071 and RR-072.
- Attachment B - List of Investigation and Remediation Reports, Solvay Site (Receiving), Milwaukee, WI.
- Attachment C - Laboratory Data tables, Couture Site (Generator), Milwaukee, WI.
- Attachment D - Cited Figures
- Attachment E - Laboratory Reports and Chain-of-Custody documentation, Couture Site (Generator), Milwaukee, WI.
- Attachment F - Maintenance Plan for the Solvay Site (Receiving), Milwaukee, WI.  
To be developed following the Site remediation.
- Attachment G - Reclamation Plan for the Solvay Site (Receiving), Milwaukee, WI. Not Applicable
- Attachment H - Deed for the Solvay Site (Receiving), Milwaukee, WI.

### **Section 11 – Certification Statements**

The certification statement page from WDNR Form RR-082 is provided as Attachment I.

### **Section 12 – Signatures**

Signatures for the Solvay Site (receiving property) are provided as Attachment J.

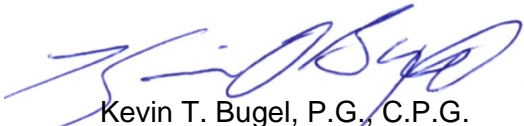
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## CLOSURE

Giles believes the acceptance of the native soil at the Solvay Site will be beneficial to both parties. Please contact the undersigned at your convenience should you have any questions regarding the information provided herein.

Very truly yours,

GILES ENGINEERING ASSOCIATES, INC.



Kevin T. Bugel, P.G., C.P.G.  
Environmental Division Manager

### Enclosures/Attachments:

- Attachment A - Completed WDNR Forms RR-071 and RR-072.
- Attachment B - List of Investigation and Remediation Reports, Solvay Site (Receiving), Milwaukee, WI.
- Attachment C - Data tables, Couture Site (Generator), Milwaukee, WI.
- Attachment D - Cited Figures
- Attachment E - Laboratory Reports and Chain-of-Custody documentation, Couture Site (Generator), Milwaukee, WI.
- Attachment F - Maintenance Plan for the Solvay Site (Receiving), Milwaukee, WI.
- Attachment G - Reclamation (Plan Not Applicable)
- Attachment H - Deed for the Solvay Site (Receiving), Milwaukee, WI.
- Attachment I - Certification Statements
- Attachment J - Signatures, Solvay Site (Receiving), Milwaukee, WI.

Distribution: Wisconsin Department of Natural Resources  
Remediation and Redevelopment  
Attn: Ms. Nancy Ryan (1 via USPS; 1 via email to: [nancy.ryan@wisconsin.gov](mailto:nancy.ryan@wisconsin.gov))  
The Couture, LLC  
Attn: Mr. Joel Aizen (1 via email to: [jaizen@barrettlo.com](mailto:jaizen@barrettlo.com))  
We Energies  
Attn: Mr. Robert Paulson (1 via email to: [Robert.Paulson@we-energies.com](mailto:Robert.Paulson@we-energies.com))

**ATTACHMENT A**

**Completed WDNR Forms RR-071 and RR-072**





## Remediation and Redevelopment Program

April 2017

# NR 718.12 Sample Results Notification

### Purpose

The purpose of this document is to comply with the requirements of Wis. Admin. Code § NR 718.12 (1)(e)(4).

### Introduction

This document may be used to comply with the requirements of Wis. Admin. Code § NR 718.12 (1)(e)(4). The rule requires that responsible parties report to the Department of Natural Resources (DNR) analytical results for samples collected to characterize soil that will be managed under a Wis. Admin. Code § NR 718.12 exemption. Analytical results must be reported to the DNR in writing within 10 business days after receiving the sampling results.

### Document Instructions

Complete and submit this form, along with laboratory data, to the appropriate DNR project manager. If you do not know who the project manager is, this documentation can be sent to the Environmental Program Associate in the appropriate region. A list of DNR EPAs can be found here: <http://dnr.wi.gov/topic/Brownfields/Contact.html>.

Site Information Where Material Is Proposed to be Excavated			
<b>Site Name</b> The Couture	<b>FID #</b> 341286220	<b>BRRTS #</b> 02-41-579105	
<b>Address</b> 909 E. Michigan Street	<b>City</b> Milwaukee	<b>State</b> WI	<b>ZIP Code</b> 53202

Responsible Party Information			
<b>Responsible Party Company Name and/or Contact Person</b> The Couture			
<b>Email address</b> jaizen@barretlo.com	<b>Phone Number (with area code)</b> 414-220-4720		
<b>Mailing Address</b> 260 E. Highland, Suite 401	<b>City</b> Milwaukee	<b>State</b> WI	<b>ZIP Code</b> 53202

Property Owner			
<b>Property Owner – Company Name and/or Contact Person</b> The Couture, LLC Attn: Joel Aizen			
<b>Email address</b> jaizen@battettlow.com	<b>Phone Number (with area code)</b> 414-220-4720		
<b>Address</b> 260 E. Highland, Suite 401	<b>City</b> Milwaukee	<b>State</b> WI	<b>ZIP Code</b> 53202

Sample Collector			
<b>Submitted By – Company Name and Contact Person</b> Giles Engineering Associates, Inc. Attn. Kevin Bugel			
<b>Email address</b> KBugel@gilesengr.com	<b>Phone Number (with area code)</b> 262-544-0118		
<b>Address</b> N8 W22350 Johnson Drive, Suite A1	<b>City</b> Waukesha	<b>State</b> WI	<b>ZIP Code</b> 53186

## Laboratory Information

**Company Name:**

Pace Analytical Services, LLC

**Wisconsin Laboratory Certification Number:**

405132750

**Attach the analytical package for all sample data. The package should include the sample results, chain of custody, sampling methods, and QA/QC data. Clearly indicate which samples were collected from the material that is proposed to be managed under the Wis. Admin. Code § NR 718.12 exemption.**

**It is recommended that a table summarizing the sample results, and meets the requirements of Wis. Admin. Code § 716.15(4)(e), be included.**

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This document is intended solely as guidance and does not include any mandatory requirements except where requirements found in statute or administrative rule are referenced. This guidance does not establish or affect legal rights or obligations and is not finally determinative of any of the issues addressed. This guidance does not create any rights enforceable by any party in litigation with the State of Wisconsin or the Department of Natural Resources. Any regulatory decisions made by the Department of Natural Resources in any manner addressed by this guidance will be made by applying the governing statutes and administrative rules to the relevant facts.

The Wisconsin Department of Natural Resources provides equal opportunity in its employment, programs, services, and functions under an Affirmative Action Plan. If you have any questions, please write to Chief, Public Civil Rights, Office of Civil Rights, U.S. Department of the Interior, 1849 C. Street, NW, Washington, D.C. 20240.

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## Remediation and Redevelopment Program

April 2017

# Recommended Format for Exemption Request Wis. Admin. Code § NR 718.12 or § NR 718.15

### Purpose

The purpose of this document is to provide a consistent format for consultants and responsible parties to demonstrate that the proposed management of solid waste material qualifies for a Wis. Admin. Code §§ NR 718.12 or NR 718.15 exemption and to request written approval of the exemption request. This document may be included as part of a Remedial Action Plan or Post Closure Modification Request, or can be submitted by itself depending on the activities conducted at the site. Using this recommended format will likely result in a faster DNR review. At a minimum, all exemption requests must satisfy the requirements of a soil management plan as outlined in Wis. Admin. Code § 718.12(2)(b).

### Introduction

Soil and other solid waste generated from a response action site as part of an interim or remedial action may be managed at a site or facility that is not an operating licensed landfill if a Wis. Admin. Code §§ NR 718.12 or NR 718.15 exemption is obtained from the Department of Natural Resources (DNR). The site or facility where material will be managed (the receiving property) would be exempted from the Waste and Materials Management Program requirements established in Wis. Stat. § 289 and Wis. Admin. Code ch. NR 500 to NR 538. The “receiving property” may be the same site or facility where the solid waste was generated from, or it may be a different site or facility. An exemption through Wis. Admin. Code § NR 718.12 can be granted when soil is being managed as part of an interim action under Wis. Admin. Code § NR 708 or a remedial action under Wis. Admin. Code § NR 722. An exemption through Wis. Admin. Code § NR 718.15 can be granted when other solid waste material is managed as part of an interim or remedial action on the site from which it was generated. Managing solid waste material with either exemption requires prior written approval from the DNR.

If this exemption request involves contaminated material impacted by a discharge that has not been reported to the DNR, a ‘Notification for Hazardous Substance Discharge (non-emergency)’ form must be completed and submitted immediately as required by Wis. Admin. Code

§ NR 706. This form is located at <http://dnr.wi.gov/files/pdf/forms/4400/4400-225.pdf>.

This form is not intended to be used for immediate actions under Wis. Admin. Code § NR 708 as prior DNR approval is typically not required. Immediate actions do not require prior DNR approval if the requirements of Wis. Admin. Code § NR 718.12(1) are met, contaminant concentrations do not exceed Wis. Admin. Code § NR 720 soil residual contaminant levels, and the quantity of material managed is less than 100 cubic yards total.

Exemptions for projects involving large-scale disposal or requiring items such as a liner system, leachate treatment and an engineered cap, or projects proposing to place the material below the groundwater table, should not be requested using this format. Check with DNR staff before submitting such a proposal.

### Document Instructions

Complete all sections of this document as instructed. Some portions of the document may be filled in directly as indicated, other responses will need to be completed separately and attached. Fully explain why any uncompleted section is not relevant. Submit one hardcopy and one electronic copy of the completed document and all required attachments and fees to the DNR project manager responsible for the site where the waste will be excavated. The request may be submitted to the regional environmental program associate (EPA) if a project manager has not been assigned to this case. A list of EPAs can be found here: <http://dnr.wi.gov/topic/Brownfields/Contact.html>.



## Section 1 – General Information and Fees

Identify the purpose of the exemption by checking each box that applies:

- Manage contaminated soil on the same response action site from which it was generated (§ NR 718.12).
- Manage contaminated soil at a site or facility that is different from the response action site from which it was generated (§ NR 718.12).
- Manage other solid waste at the same site from which it was generated (§ NR 718.15).

If none of the above boxes are checked, the proposed waste management activity cannot be exempted through Wis. Admin. Code § NR 718. Management of waste material from a site other than a response action site may be allowed after obtaining a “low hazard exemption” from the DNR Waste and Material Management Program. Guidance on a ‘low hazard exemption’ request is located: <http://dnr.wi.gov/files/PDF/pubs/wa/wa1645.pdf>.

Identify the applicable Wis. Admin. Code § NR 749 DNR review fees for this submittal by checking the applicable “On-Site Management Fee.” If material will be managed at a site or facility other than where it was generated, also select the appropriate “Off-Site Management Fee.” Record the combined fee sums in the space provided below.

NR 749 Fees for Requesting Wis. Admin. Code §§ NR 718.12 Soil or NR 718.15 Exemption			
Soil or Waste Managed on the Generating Property			
Action	Action Fee	WRRD Fee	On-Site MGMT Fee
<b>Interim Actions</b> per NR 708.11, with SMP and CO applied at other site/facility	\$700	No fee	<input type="checkbox"/> \$700
<b>Remedial Action Plan</b> approval, with SMP, without residual soil CO	\$1050	No fee	<input type="checkbox"/> \$1050
<b>Remedial Action Plan</b> approval, with SMP, with residual soil CO	\$1050	\$300	<input type="checkbox"/> \$1350
<b>SMP</b> submitted separately from a RAP or CO modification, without residual soil CO	\$700	No fee	<input type="checkbox"/> \$700
<b>SMP</b> submitted separately from a RAP or CO modification, with residual soil CO	\$700	\$300	<input type="checkbox"/> \$1000
<b>Closed Sites:</b> CO modification action, with SMP, without residual soil CO	\$1050	No fee	<input type="checkbox"/> \$1050
<b>Closed Sites:</b> CP modification action, with SMP, with residual soil CO	\$1050	\$300	<input type="checkbox"/> \$1350
Soil Managed on a Site or Facility other than the Generating Property			
Action	Action Fee	WRRD Fee	Off-Site MGMT Fee
<b>Interim Actions</b> per NR 708.11, with SMP and CO applied at other site/facility	\$700	\$350	<input type="checkbox"/> \$1050
<b>Interim Actions</b> per NR 708.11, with SMP and no CO applied at other site/facility	\$700	No fee	<input type="checkbox"/> \$700
<b>All other Actions</b> (Remedial actions, modifications to CO, etc.) with residual soil CO	\$700	\$300	<input checked="" type="checkbox"/> \$1000
<b>All other Actions</b> (Remedial actions, post closure modifications, etc.) with no residual soil CO	\$700	No fee	<input type="checkbox"/> \$700
<b>Total of On-Site Management Fee and Off-Site Management Fee</b>			<b>\$</b>

**Other:** If the request does not conform to one of the options above, summarize the request below and the fee that is being paid:

- 1) **SMP** – A Soil Management Plan submitted in accordance with NR 718.12 (1) and (2) or NR 718.15.
- 2) **“With residual soil CO”** - site will have a residual soil continuing obligation (e.g. engineering control, cap, or cover) applied at the source property at the end of the applicable action; remedial action approval, or approval by an addendum to the closure letter.
- 3) **“Without residual soil CO”** - site that will not have a residual soil continuing obligation applied at the source property at the end of the applicable action.
- 4) **WRRD** – Wisconsin Remediation and Redevelopment Database

## Section 2 –Property and Contact Information

Fill in all applicable portions of this section.

A. Information About the Site or Facility From Which Material is Proposed to be Excavated – Complete all applicable boxes							
<b>BRRTS No.</b> 02-41-579105				<b>BRRTS Activity (Site) Name</b> 02-41-579105			
<b>Response Action Site Address</b> 909 E. Michigan St.				<b>VPLE No.</b>			
<b>City</b> Milwaukee				<b>Parcel ID No.</b> 3921678122			
<b>State</b> WI				<b>FID No.</b> 341286220			
<b>County</b> Milwaukee				<b>Zip Code</b> 53202			
<b>WTM Coordinates</b>				<b>WTM Coordinates Represent</b>			
X: 691061.73190		Y: 287079.84602		Source Area <input type="checkbox"/>		Parcel Center <input checked="" type="checkbox"/>	
NE ¼	SW ¼	Sec: 28		T: 07 N	R: 22	E/W: E	
<b>Latitude:</b> 43.0371323N				<b>Longitude:</b> -87.9000404			
<b>Current Zoning:</b> PD				<b>Current Land Use:</b> Commercial to Residential			

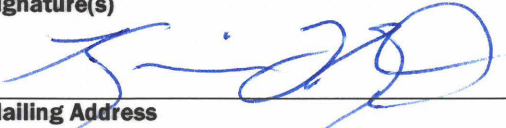


The Wis. Admin. Code §§ NR 718.12 and/or NR 718.15 exemption(s) will be issued to the Wis. Admin. Code § NR 700 responsible party identified below and to the owner of the receiving site or facility, if different than the generating site. If there is more than one responsible party or property owner, include the information requested below for each as a separate document and attach to this document. If the responsible party is not the owner of the site or facility, provide that information below.

<b>B. Responsible Party Information</b>			
<b>Responsible Party (RP) Name(s)</b> Joel Aizen c/o The Couture, LLC		<b>Company Name</b> The Couture, LLC	
<b>Signature(s)</b> 			<b>Date</b> 4/26/18
<b>Mailing Address</b> 260 E. Highland, Suite 401		<b>City</b> Milwaukee	<b>State</b> WI
		<b>ZIP Code</b> 53202	
<b>Phone # (include area code)</b> 414-220-4720		<b>Email</b> jaizen@barrettlo.com	

<b>C. Owner Information for Site or Facility From Which Material is Proposed to be Excavated from, if Different than Responsible Party</b>			
<b>Responsible Party (RP) Name(s)</b> Same as RP information above		<b>Company Name</b>	
<b>Signature(s)</b>			<b>Date</b>
<b>Mailing Address</b>		<b>City</b>	<b>State</b>
		<b>ZIP Code</b>	
<b>Phone No. (include area code)</b>		<b>Email</b>	

Fill in this next section if someone other than the responsible party and/or facility owner is preparing this submittal.

D. Requestor Information				
<b>Last Name</b> Bugel	<b>First</b> Kevin	<b>Organization/Business Name</b> Giles Engineering Associates, Inc.		
<b>Signature(s)</b> 			<b>Date</b> 4/26/2018	
<b>Mailing Address</b> N5 W22350 Johnson Drive, Suite A1		<b>City</b> Waukesha	<b>State</b> WI	<b>ZIP Code</b> 53186
<b>Phone No. (include area code)</b> 414-544-0118		<b>Email</b> kbugel@gilesengr.com		
<p><b>Check the box that describes the requestor's relationship to the generating property:</b></p> <p><input checked="" type="checkbox"/> Is the property owner's agent or consultant</p> <p><input type="checkbox"/> Is renting or leasing the property</p> <p><input type="checkbox"/> Is developing the property</p> <p><input type="checkbox"/> Other, describe relationship: _____</p>				

E. Contact Information For Questions About this Request			
<b>Last Name</b> Bugel	<b>First</b> Kevin	<b>Organization/Business Name</b> Giles Engineering Associates, Inc.	
<b>Mailing Address</b> N5 W22350 Johnson Drive		<b>Email</b> kbugel@gilesengr.com	
<b>City</b> Waukesha		<b>Phone No. (include area code)</b> 262-544-0118	
<b>State</b> WI	<b>Zip Code</b> 53186	<b>Relationship to Requestor (Same, Consultant, Developer, Etc.):</b> Consultant	

**F. Information About the Site or Facility Where Contaminated Soil Will Be Disposed, if at a Different Location Than The Site or Facility From Which it Was Generated**

Select if Same as Generating Property (and skip remainder of section)

<b>BRRTS No.</b> 02-41-466662		<b>BRRTS Activity (Site) Name</b> Solvay Coke and Gas - MGP	
<b>Receiving Site or Facility Address</b> 311 E. Greenfield Avenue		<b>VPLE No.</b>	
<b>City</b> Milwaukee		<b>Parcel ID No.</b> 4639995200	
<b>State</b> WI		<b>FID No.</b> 241219880	
<b>County</b> Milwaukee		<b>Zip Code</b> 53203	
<b>WTM Coordinates</b>		<b>WTM Coordinates Represent</b>	
<b>X:</b> 690556.74366		<b>Y:</b> 284438.18713	
<b>Source Area</b> <input type="checkbox"/>		<b>Parcel Center</b> <input checked="" type="checkbox"/>	
NW ¼	NW ¼	<b>Sec:</b> 4	<b>T:</b> 06
		<b>R:</b> 22	<b>E/W:</b> E
<b>Latitude:</b> 43.01388N		<b>Longitude:</b> -87.90664	
<b>Current Zoning:</b>  IO2 (Older Industrial-office)		<b>Current Land Use:</b>  Industrial-vacant	

## G. Receiving Site or Facility (Source Property or Off-Site Property) Owner Information

*Provide the following information for the owner of the receiving site or facility. If there is more than one property owner include the information requested below for each as a separate document and attach to this form.*

<b>Property Owner Name(s)</b> Wisconsin Gas, LLC	<b>Company Name</b> Wisconsin Gas, LLC		
<b>Mailing Address</b> 231 W. Michigan St.	<b>City</b> Milwaukee	<b>State</b> WI	<b>ZIP Code</b> 53203
<b>Phone No. (include area code)</b> 414-221-2345	<b>Email</b> To be determined...		

### Section 3 – Waste Characterization

*Address the following items to describe the contaminated soil and/or other solid waste material that will be managed under this plan and demonstrate that it has been adequately characterized. Attach your responses to these items at the end of this document.*

- A. Describe the material proposed to be managed, including its general makeup, physical characteristics, the homogeneity of the material, the proportion of soil to other solid waste, and any other pertinent descriptors.
- B. Describe the historic and current land use of the site or facility where the contaminated soil or other solid waste originates. State how this site or facility is zoned.
- C. Total volume of contaminated soil and/or other solid waste to be managed (cubic yards):
- D. Describe identified contaminants and the source(s). Indicate whether contaminant concentrations exceed Wis. Admin. Code § NR 720 Residual Contaminant Levels. Include a summary table, map with sample locations, and relevant laboratory data.
- E. Describe the sampling activities conducted to characterize the material including where the samples were collected from, how sample locations were chosen, the sampling methods used, and when sampling activities were conducted.
- F. Explain how the sampling activities adequately characterized the contaminated soil or other solid waste proposed to be managed. Indicate whether the samples were analyzed for all contaminants previously identified at the site or facility where the material will be generated and analyzed for all contaminants potentially present at the site or facility considering current and historic land use. Discuss how samples were collected from areas most likely to be contaminated and from material that will actually be managed under this exemption.
- G. Total number of samples collected from this material and analyzed for contaminants of concern.

- H. Rate of sample collection per volume (samples/cubic yard).
- I. Wis. Admin. Code § NR 718.12(1)(e) requires that samples collected to characterize soil be collected at a rate of one sample per 100 yards (for the first 600 yards) and one sample for each additional 300 yards of material, with a minimum of 2 samples. If the DNR pre-approved an alternative sampling plan, describe how the sampling that was conducted complied with a pre-approved plan. Provide the date the sampling plan was pre-approved and the name of the DNR person who approved the plan.

**Section 4 – Project Description/Material Management Plan**

*Address the following items to describe the material management activities proposed to take place. Attach your responses to these items at the end of this document.*

- A. Describe the waste management activities that will require a Wis. Admin. Codes §§ NR 718.12 or NR 718.15 exemption. Provide details on how and where waste material will be generated, transported and placed. Describe the depth of the proposed excavation of contaminated soil or other solid waste, and the depth that it will be placed at the receiving site. Describe any response actions proposed for the receiving site or facility to address the relocated contaminated material (such as the construction of a cap). Confirm the proposed material management will comply with Wis. Admin. Code § NR 726.13(1)(b) 1 through 5. Discuss how material management activities will fit in with the overall property remediation and/or development plans.
- B. Summarize the proposed schedule for implementation of the material management plan including anticipated start and end dates.
- C. Describe any procedures that have been established, or methods that will be used, to identify previously undocumented contamination during the completion of this project (such as instrument field screening, visual inspections, etc.). Also describe any contingency procedures that have been established to address unexpected contamination. The discovery of a previously unknown contaminant release on a property must be immediately reported to the DNR using the ‘Notification for Hazardous Substance Discharge (non-emergency)’ form.
- D. Summarize how the proposed management activities will prevent or minimize adverse environmental impacts and potential threats to human health and welfare, including worker safety, by assessing how all potential exposure and migration pathways of concern, including direct contact exposure, vapor intrusion, ground water, surface water, sediment and any other relevant pathway will be addressed by the proposed management.

**Section 5 - Receiving Site or Facility Information**

*Describe the site or facility receiving the waste material by addressing the following items. Where applicable, attach your responses to these items at the end of this document.*

- A. Is the receiving site or facility the same as the generating site? \_\_\_\_\_Yes  No
- B. Describe the historic, current and proposed land use of the site(s) or facility(s) where the contaminated soil or other solid waste will be managed. How are these site(s) or facility(s) zoned?

The receiving site is a vacant industrial property (Solvay Coke and Gas - MGP. Zoning: OC2



C. Identify current uses of all properties adjacent to the site or facility. Check all that apply.

<b>Agricultural</b>	<input type="checkbox"/> N	<input type="checkbox"/> S	<input type="checkbox"/> E	<input type="checkbox"/> W	<input type="checkbox"/> NE	<input type="checkbox"/> NW	<input type="checkbox"/> SE	<input type="checkbox"/> SW
<b>Industrial</b>	<input type="checkbox"/> N	<input checked="" type="checkbox"/> S	<input checked="" type="checkbox"/> E	<input checked="" type="checkbox"/> W	<input type="checkbox"/> NE	<input type="checkbox"/> NW	<input type="checkbox"/> SE	<input type="checkbox"/> SW
<b>Recreational</b>	<input type="checkbox"/> N	<input type="checkbox"/> S	<input type="checkbox"/> E	<input type="checkbox"/> W	<input type="checkbox"/> NE	<input type="checkbox"/> NW	<input type="checkbox"/> SE	<input type="checkbox"/> SW
<b>Residential</b>	<input type="checkbox"/> N	<input type="checkbox"/> S	<input type="checkbox"/> E	<input type="checkbox"/> W	<input type="checkbox"/> NE	<input type="checkbox"/> NW	<input type="checkbox"/> SE	<input type="checkbox"/> SW
<b>Undeveloped</b>	<input type="checkbox"/> N	<input type="checkbox"/> S	<input type="checkbox"/> E	<input type="checkbox"/> W	<input type="checkbox"/> NE	<input type="checkbox"/> NW	<input type="checkbox"/> SE	<input type="checkbox"/> SW
<b>Commercial</b>	<input type="checkbox"/> N	<input type="checkbox"/> S	<input type="checkbox"/> E	<input checked="" type="checkbox"/> W	<input type="checkbox"/> NE	<input type="checkbox"/> NW	<input type="checkbox"/> SE	<input type="checkbox"/> SW
<b>Other</b>	<input checked="" type="checkbox"/> N	<input type="checkbox"/> S	<input type="checkbox"/> E	<input type="checkbox"/> W	<input type="checkbox"/> NE	<input type="checkbox"/> NW	<input type="checkbox"/> SE	<input type="checkbox"/> SW

Describe 'Other' property use below:

UW-Milwaukee School of Freshwater Sciences

- D. Briefly describe any previous environmental site investigations or remedial actions conducted at the site or facility. Describe the environmental condition of the portion of the receiving site or facility where waste will be placed including what contaminants are present, the environmental sampling conducted in that area, and whether identified contaminant concentrations exceed applicable standards.  
 There have been multiple investigations performed at the Site. Refer to WDNR BRRTS 02-41-466662
- E. Describe any environmentally sensitive areas at or near the site or facility where the contaminated soil will be managed.
- F. Describe any other features of this property not addressed above that influence its suitability for the disposal of the contaminated soil or other solid waste.
- G. Briefly discuss the geology and hydrogeology of the receiving site or facility, including information from any previous remedial investigations and well logs or well construction records from nearby wells. Also, provide the information requested below indicating whether the response is based on regional or site specific information:

Depth to Bedrock (ft. below ground surface): \_\_\_\_\_  Regional  Site Specific

Bedrock Type:  Sandstone  Limestone/Dolomite  Metamorphic/Igneous

High Groundwater Level (ft. below ground surface): 9' \_\_\_\_\_  Regional  Site Specific

Groundwater Flow Direction: Likely eastward toward the Kinnickinnic River and Lake Michigan  Regional  Site Specific

## Section 6 – Locational Criteria

Indicate if excavated waste material will be placed in any of the following locations:

- Within a floodplain.
- Within 100 feet of any wetland or critical habitat area.
- Within 300 feet of any navigable river, stream, lake, pond, or flowage.
- Within 100 feet of any on-site water supply well or 300 feet of any off-site water supply well.
- Within 3 feet of the high groundwater level.
- At a depth greater than the depth of the original excavation from which the contaminated soil was removed.

*If any of the above boxes are checked, an exemption from the indicated criteria must be requested as described below. If none of the above boxes are checked, and the proposed placement of waste material will not otherwise pose a threat to the public health, safety, or welfare of the environment, the proposed management activities will comply with the location criteria of Wis. Admin. Code § NR 718.12(1)(c) and you may skip ahead to Section 7.*

Include an explanation of why granting an exemption to the Wis. Admin. Code § NR 718.12(1)(c) locational criteria will not cause a threat to public health, safety, welfare and the environment by assessing how all potential exposure and migration pathways of concern, including direct contact exposure, vapor intrusion, ground water, surface water, sediment and any other relevant pathway will be addressed by the proposed management. Consider the quantity and characteristics of the waste being managed, the geologic and hydrogeological characteristics of the receiving site, the unavailability of other environmentally suitable alternatives, and whether the activities will comply with other state and federal regulations including other portions of Wis. Admin. Code §§ NR 700 to NR 754. Attach your response to the end of this document.

## **Section 7 – Additional Information Required for Non-Metallic Mine Receiving Sites or Facilities**

*Complete this section if the proposed disposal facility is a non-metallic mine.*

A. Current depth to groundwater at facility (feet below ground surface): \_\_\_\_\_

B. Has the facility been dewatered to allow mining?     Yes     No

If yes, indicate the expected natural groundwater level when dewatering is terminated (feet below ground surface): \_\_\_\_\_

C. Is waste proposed to be placed within 10 feet of the natural water table?     Yes\*     No

*\* If yes, placement of the waste will not comply with Wis. Admin. Code §§ NR 503.08(1)(e) and NR 503.08(2)(d) .*

D. Include a copy of the reclamation plan indicating the placement of low level contaminated material is acceptable.

E. Describe any design criteria established for the disposal site, include restrictions on material placement, engineered barrier requirements, etc. Attach your response to this item at the end of this document.

## **Section 8 – Continuing Obligations at Receiving Site or Facility**

*Check the applicable boxes to indicate which continuing obligations will be specifically required to address the waste material being managed on the receiving property:*

No Continuing Obligations

Residual Soil Contamination:

If contaminated soil managed under this soil management plan is excavated in the future, the property owner at the time of excavation will be responsible for the following:

- determine if contamination is present,
- determine whether the material would be considered solid or hazardous waste,
- ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules.

Contaminated soil may be managed in accordance with Wis. Admin. Code § NR 718, with prior DNR approval. In addition, all current and future property owners and occupants of the property and right-of-way holders need to be aware that excavation of the contaminated soil may pose a hazard and as a result special precautions may need to be taken during excavation activities to prevent a health threat to humans. A historic fill exemption is required prior to construction of any structures over fill materials.



Depending on site-specific conditions, construction over contaminated soils or groundwater may also result in vapor migration of contaminants into enclosed structures or migration along underground utility lines. The potential for vapor intrusion and means of mitigation should be evaluated when planning any future redevelopment, and measures should be taken to ensure the continued protection of public health, safety, welfare and the environment at the site.

- Maintenance of a cover:  
A soil cover/engineered cover/other has been placed over remaining contamination and this cover must be maintained. Inspections will be required, and submittal of inspection reports may be required. Certain activities which would disturb the cover or barrier will be prohibited. If the cover is approved for industrial land use, notification of the DNR is required before changing to a non-industrial use, to determine if the cover will be protective for that use. A maintenance plan is attached, which describes the maintenance activities to be required. If the DNR requires changes to the maintenance plan, an updated maintenance plan must be provided at the completion of the soil disposal action. A map is attached which shows the location of the extent of contaminated materials and the extent of the cover.
- Use of Industrial Land Use Soil Standards:  
Industrial soil standards have been applied for the site receiving the contaminated materials. The DNR must be notified if the property land use will change from industrial use to a non-industrial land use. Additional investigation and remediation may be required prior to the change in land use to ensure the site conditions are protective for the planned land use.
- Vapor: Future Actions to Address Vapor Intrusion:  
While vapor intrusion does not currently exist, if a building is constructed on this property, or reconstructed, or if use of a building is changed to a non-industrial use, vapor intrusion may be a concern. The DNR must be notified before construction of a building or changing the use of an existing building to non-industrial use. The use of vapor control technologies or an assessment of the potential for vapor intrusion will be required at that time.
- Site specific condition:  
*Describe the site specific condition:*

## **Section 9 – Figures**

*Attach to this form figures that clearly depict the items listed below. All maps should be drawn to scale not larger than 1 inch equal to 100 feet and labeled with the site or facility name and address. The location of the property and the specific disposal area must be provided in sufficient detail to allow DNR personnel to inspect these areas in the future. Providing a 'cut/fill' map that clearly depicts how much material will be removed or added to different areas of the involved property(ies) and depicting how material will be moved across the site is highly recommended. Providing cross sections that depict site conditions before and after soil management activities is also recommended.*

- The boundaries of each property involved in the project as well as named and unnamed roads or access points, buildings and other surface features, underground utilities, land uses on adjacent properties, and known and potential sources of hazardous substances.
- The location of wetlands, critical habitat areas, floodplains, surface water bodies, water supply wells, or other possible receptors located near or within the area where material will be managed.

- The lateral extent and depth of planned excavation, grading, or otherwise disturbed areas.
- The lateral extent and thickness of excavated material placement locations.
- Soil sample locations at the generating and receiving sites. Depict applicable soil contaminant concentration data and sample depths. Indicate the extent of contamination exceeding a RCL.
- Depth to groundwater.
- The extent of any performance standards (such as a barrier or cap) that will be required at the completion of management activities.

## **Section 10 - Additional Attachments**

*The following documents are recommended for inclusion with a Wis. Admin. Code § NR 718.12 or a Wis. Admin. Code § 718.15 exemption request. Indicate which of these documents are applicable to this request by checking the boxes below. Submit copies of the indicated documents with this document.*

- A table summarizing the analytical results of all soil/waste samples collected at the generating site or facility that meets the requirements of Wis. Admin. Code § 716.15(4)(e). Clearly indicate which of these samples were collected from material that is proposed to be managed.
- The analytical package for all samples listed on the above table. The package should include the sample results, chain of custody, sampling methods, and QA/QC data.
- A maintenance plan for any performance standard needed to address the material proposed to be managed. The plan should follow the format found in [DNR Form 4400-202, Attachment D](#).
- A copy of the reclamation plan for the receiving site or facility if it is a nonmetallic mine. Confirm the plan allows for acceptance of contaminated soil by marking relevant plan sections.
- Power of Attorney (if applicable, see Section 12).
- Deed for the property receiving the contaminated soil and or waste. If a certified survey map or plat map is referenced by this deed then also include those documents. If a map is not referenced in the deed, provide a copy of a parcel map depicting the property boundaries.




## Section 11 - Certification Statements

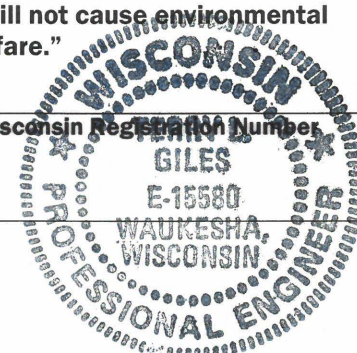
All exemption requests submitted to manage contaminated soil or other solid waste as an interim action or remedial action under Wis. Admin. Code §§ NR 708 or NR 722 must be prepared by, or prepared under, the supervision of a professional engineer. The professional engineer who prepared or supervised this exemption request should complete the following section.

Environmental Consultant Information	
<b>Firm Name</b> Giles Engineering Associates, Inc.	
<b>Mailing Address</b> N5 W22350 Johnson Drive, Suite A1	<b>State</b> WI
<b>City</b> Waukesha	<b>ZIP Code</b> 53186

Wis. Admin. Code § NR 712, entitled “Personnel Qualifications for Conducting Environmental Response Actions,” establishes minimum standards for experience and professional qualifications for persons who perform certain environmental services. This law applies to work conducted under Wis. Admin. Code § NR 718, unless specifically exempted.


**Note:** The following certification must be attached to confirm the Wis. Admin. Code § NR 718 exemption request was prepared by or under the supervision of a professional engineer under Wis. Admin. Code § NR 712.07.

Professional Engineer Information			
<b>Last Name</b> Giles		<b>First Name</b> Terry	
<b>Mailing Address</b> 22350 Johnson Drive; Suite A1		<b>City</b> Waukesha	<b>State</b> WI
<b>Phone No. (include area code)</b> 262-544-0118		<b>ZIP Code</b> 53186	
<b>Phone No. (include area code)</b> 262-544-0118		<b>Email</b> tlgiles@gilesengr.com	
<p>“I hereby certify that I am a registered professional engineer in the State of Wisconsin, registered in accordance with the requirements of ch. A-E 4, Wis. Adm. Code; that this document has been prepared in accordance with the Rules of Professional Conduct in ch. A-E 8, Wis. Adm. Code; and that, to the best of my knowledge, all information contained in this document is correct and the document was prepared in compliance with all applicable requirements in chs. NR 700 to 726, Wis. Adm. Code.</p> <p>It is my professional opinion that the proposed soil management activity will not cause environmental pollution nor cause any other significant risk to public health, safety or welfare.”</p>			
<b>Signature</b> 	<b>Date</b> 4/26/18	<b>Wisconsin Registration Number</b> GILES E-15580 WAUKESHA, WISCONSIN	



**Section 12 - Signatures**

*Each receiving site or facility property owner's signature must be included as part of this request. Attach additional copies of the signature page, if needed. If one of the owners of the receiving site or facility is acting on behalf of other owners, a power of attorney form or statement must be signed and attached to this agreement clearly granting the agent the authority to accept the contaminated soils on behalf of all other owners of the receiving site or facility whose signatures are not included on this agreement.*

Owner(s) of Property Where Material is Placed		
<b>Print Name</b> Robert A Grew	<b>Signature</b> 	<b>Date</b> 4/26/18
<b>Print Name</b>	<b>Signature</b>	<b>Date</b>
<b>Print Name</b>	<b>Signature</b>	<b>Date</b>
<b>Print Name</b>	<b>Signature</b>	<b>Date</b>

I understand that by signing this application I certify that I will follow the conditions and limitations required by law and specified in the exemption issued to me as owner of the site or facility that will receive the contaminated soil. Further, I certify that the contaminated soil proposed to be managed under this exemption will be at a property that meets the definition of "site" or "facility" under Wis. Stats. Chapter 292 and Wis. Admin. Code Chapters §§ NR 700 – 754, and I understand that the material must be managed any time in the future as a solid waste with the department's approval. I understand that this exemption will be tracked in the Wisconsin Remediation and Redevelopment Database, and if required, will include maintenance and inspection by me of any continuing obligations, such as maintaining an engineering control or barrier over the contaminated material, and will also be subject to inspection by the department. I understand that the conditions on my site or facility may be subject to Wis. Stats. Chapter 709, Disclosures by Owners of Real Estate. I believe that the legal description for all properties where material will be managed is included with this submittal.



## RR Program Contacts

General questions regarding Wis. Admin. Code §§ NR 718.12 and 718.15 exemptions should be made to:

- Statewide: Paul Grittner, [Paul.Grittner@wisconsin.gov](mailto:Paul.Grittner@wisconsin.gov), (608) 266-0941
- Northeast Region: Kristin DuFresne, [Kristin.Dufresne@wisconsin.gov](mailto:Kristin.Dufresne@wisconsin.gov), (920) 662-5443
- Northern Region: Chris Saari, [Chris.Saari@wisconsin.gov](mailto:Chris.Saari@wisconsin.gov), (715) 685-2920
- South Central Region: Mike Schmoller, [Michael.Schmoller@wisconsin.gov](mailto:Michael.Schmoller@wisconsin.gov), (608) 275-3303
- Southeast Region:
  - Nancy Ryan, [Nancy.Ryan@wisconsin.gov](mailto:Nancy.Ryan@wisconsin.gov), (414) 263-8533
  - Linda Michalets, [Linda.Michalets@wisconsin.gov](mailto:Linda.Michalets@wisconsin.gov), (414) 263-8757
- West Central Region: Matt Thompson, [Matthew.Thompson@wisconsin.gov](mailto:Matthew.Thompson@wisconsin.gov), (715) 839-3750

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This document is intended solely as guidance and does not include any mandatory requirements except where requirements found in statute or administrative rule are referenced. This guidance does not establish or affect legal rights or obligations and is not finally determinative of any of the issues addressed. This guidance does not create any rights enforceable by any party in litigation with the State of Wisconsin or the Department of Natural Resources. Any regulatory decisions made by the Department of Natural Resources in any manner addressed by this guidance will be made by applying the governing statutes and administrative rules to the relevant facts.

The Wisconsin Department of Natural Resources provides equal opportunity in its employment, programs, services, and functions under an Affirmative Action Plan. If you have any questions, please write to Chief, Public Civil Rights, Office of Civil Rights, U.S. Department of the Interior, 1849 C. Street, NW, Washington, D.C. 20240.

This publication is available in alternative format (large print, Braille, etc.) upon request. Please call for more information. Note: If you need technical assistance or more information, call the Accessibility Coordinator at 608-267-7490 / TTY Access via relay - 711

## **ATTACHMENT B**

### **List of Investigation and Remediation Reports Solvay Site (Receiving) Milwaukee, WI**

# SOLVAY COKE AND GAS COMPANY MILWAUKEE, WI

## Reports and Documents

<https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.scs&id=0508215&doc=Y&colid=30931&region=05&type=SC>

### SOLVAY COKE AND GAS CO

Date	Title	Doc ID	Author	Addressee
08/01/2016	<a href="#">ARCADIS - REMEDIAL INVESTIGATION REPORT - VOLUME I &amp; II (ZIP FILE)</a> (1 pp, 324.42 MB)	929359	ARCADIS	
02/17/2009	<a href="#">ARCADIS - WORK PLAN FOR SEDIMENT SAMPLING</a> (380 pp, 24.44 MB)	350739	COWIN, DOUGLAS, K (ARCADIS)	BOONE, DENISE (US ENVIRONMENTAL PROTECTION AGENCY)
12/19/2008	<a href="#">BURNS &amp; MCDONNELL LETTER RE: RI/FS ADMINISTRATIVE SETTLEMENT AGREEMENT &amp; ORDER &amp; LIMITED ASBESTOS REMOVAL REPORT - WITH ATTACHMENTS</a> (34 pp, 2.41 MB)	350741	POPE, JANET (US ENVIRONMENTAL PROTECTION AGENCY)	BOONE, DENISE (US ENVIRONMENTAL PROTECTION AGENCY)
04/29/2008	<a href="#">WI DEPT OF HEALTH &amp; HUMAN SERVICES LETTER RE: HEALTH CONCERNS RELATED TO ASBESTOS IN STOCKPILED DEMOLITION DEBRIS FROM FORMER SOLVAY COKE FACILITY</a> (6 pp, 269.26 KB)	921023	THIBOLDEAUX, ROB (WI DEPT OF HEALTH SERVICES)	BOONE, DENISE (US ENVIRONMENTAL PROTECTION AGENCY)
04/01/2008	<a href="#">APEX DIRECT INC - FINAL COMMUNITY INVOLVEMENT PLAN</a> (22 pp, 761.24 KB)	921022	APEX DIRECT, INC.	

01/24/2008	<a href="#">EPA LETTER RE: REVIEW OF ASBESTOS SURVEY &amp; PROPOSED CHANGES TO REMEDIAL INVESTIGATION / FEASIBILITY STUDY (RI/FS) WORK PLAN - WITH 11/02/2007 ASBESTOS SURVEY ATTACHED</a> (136 pp, 5.96 MB)	350751	BOONE, DENISE (US ENVIRONMENTAL PROTECTION AGENCY)	JORDAN, TERESA, C (SOLVAY COKE & GAS RI/FS GROUP)
01/26/2007	<a href="#">ADMINISTRATIVE SETTLEMENT AGREEMENT &amp; ORDER ON CONSENT FOR RI/FS (SIGNED) - V-W-07-C-861</a> (84 pp, 4.62 MB)	269627	KARL, RICHARD, C (US ENVIRONMENTAL PROTECTION AGENCY)	BAKER, ROBERT, W (AMERICAN NATURAL RESOURCES CO); BYRNE, DANA, W (CLIFFS MINING

				COMPANY)
09/06/2005	<a href="#">EPA LETTER RE: NOTICE OF COMPLETION OF ON-SITE WORK UNDER ORDER V-W-03-C-733</a> (4 pp, 193.56 KB)	261720	KRAHLING, JOHN (WI DEPT OF NATURAL RESOURCES)	FISHER, DENNIS, L (MEISSNER & TIERNEY); SHORT, THOMAS (GOLDEN MARINA CAUSEWAY LLC)
03/01/2005	<a href="#">EARTH TECH INC - (FINAL) SUMMARY OF REMOVAL ACTIONS (REPORT, TABLES, APPENDICES A THRU E) - VOL 1</a> (377 pp, 25.96 MB)	239268	EARTH TECH INC	(WATER STREET HOLDINGS LLC)
03/01/2005	<a href="#">EARTH TECH INC - (FINAL) SUMMARY OF REMOVAL ACTIONS (APPENDICES F THRU I) - VOL 2</a> (522 pp, 21.15 MB)	239269	EARTH TECH INC	(WATER STREET HOLDINGS LLC)

02/01/2005	<a href="#">EARTH TECH INC - (FINAL) SUMMARY OF REMOVAL ACTIONS (PHOTO DOCUMENTATION) - VOL 3</a> (82 pp, 31.87 MB)	239270	EARTH TECH INC	(WATER STREET HOLDINGS LLC)
08/10/2004	<a href="#">WDNR LETTER RE: TRANSFER OF LEAD ROLE TO EPA RE INVESTIGATION &amp; LONG TERM SITE REMEDIATION</a> (1 pp, 57.57 KB)	280220	SCHMIDT, JAMES (WI DEPT OF NATURAL RESOURCES)	SHORT, THOMAS (GOLDEN MARINA CAUSEWAY LLC)
02/14/2003	<a href="#">ADMINISTRATIVE ORDER BY CONSENT (AOC) (SIGNED) - V-W-03-C-733 - SOLVAY COKE &amp; GAS SITE</a> (24 pp, 1.23 MB)	172775	KARL, RICHARD, C (US ENVIRONMENTAL PROTECTION AGENCY)	(WATER STREET HOLDINGS LLC); (CLIFFS MINING CO & WRECKING LLP)
08/29/2002	<a href="#">POLLUTION REPORT (POLREP) - INITIAL</a> (5 pp, 268.22 KB)	200343	BORRIES, SAMUEL, F (US ENVIRONMENTAL PROTECTION AGENCY)	(DISTRIBUTION LIST)
05/30/2002	<a href="#">CITY OF MILWAUKEE - VIOLATION OF MILWAUKEE CODE OF ORDINANCES 66-12 (ASBESTOS HAZARD CONTROL - CLIFFS MINING CO &amp; WISCONSIN WRECKING CO</a> (2 pp, 110.17 KB)	280253	VANDE BURGT, JESSICA (MILWAUKEE CITY OF DEPT OF NEIGHBORHOOD SERVICES)	(WISCONSIN WRECKING CO LLC); TRETHERWEY, JAMES (CLIFFS MINING COMPANY)

09/08/2001	<a href="#">WDNR LETTER RE: REQUEST FOR REMOVAL ASSISTANCE</a> (5 pp, 152.37 KB)	280252	WALDEN, AMY (WI DEPT OF NATURAL RESOURCES)	BOLEN, WILLIAM, J (US ENVIRONMENTAL PROTECTION AGENCY)
05/01/2001	<a href="#">MILWAUKEE SCHOOL OF ENGINEERING - COST</a>	280269	BUDIARTO, FLORENCE	(MILWAUKEE SCHOOL OF

	<a href="#"><u>ASSESSMENT FOR REMEDIATION/REDEVELOPMENT OF FORMER MANUFACTURED GAS PLANT SITE</u></a> (60 pp, 2.25 MB)		(MILWAUKEE SCHOOL OF ENGINEERING)	ENGINEERING)
01/01/1997	<a href="#"><u>UNIVERSITY OF WISCONSIN - SOURCES OF POLYCYCLIC AROMATIC HYDROCARBONS IN SEDIMENTS OF THE KINNICKINNIC RIVER</u></a> (14 pp, 1.88 MB)	280271	LI, AN; RACHDAWONG, PICHAYA; CHRISTENSEN, ERIK, R; KARLS, JAY, F; AB RAZAK, IRWIN; (UWM)	(INTERNATIONAL ASSOCIATION FOR GREAT LAKES RESEARCH)
10/01/1996	<a href="#"><u>UNIVERSITY OF WISCONSIN - POLYCYCLIC AROMATIC HYDROCARBONS IN SEDIMENTS OF MILWAUKEE HARBOR ESTUARY</u></a> (18 pp, 1.62 MB)	280270	AB RAZAK, IRWIN, A; GIN, MICHAEL, F CHRISTENSEN, ERIK, R; LI, AN; NI, FAN (UWM)	
Undated	<a href="#"><u>EARTH TECH INC - SOLVAY COKE &amp; GAS SITE PHOTOGRAPHS - ASBESTOS ABATEMENT; SANITARY SEWER FAILURE</u></a> (111 pp, 39.25 MB)	280273	EARTH TECH INC	

## **ATTACHMENT C**

### **Data Tables Couture Site (Generator) Milwaukee, WI**



TABLE 1  
SOIL ANALYTICAL RESULTS SUMMARY-DETECTED VOCs  
THE COUTURE  
909 EAST MICHIGAN STREET  
MILWAUKEE, WISCONSIN  
PROJECT NO. 1E-1704007

Analyte	Sample Location																				NR 720 RCL <sup>1</sup> (µg/kg)			
	B-1	B-2	B-3	B-4	B-5	B-7	B-8	B-9	B-10	B-11	B-13	B-15	B-15A	B-15B	B-15C	B-17	B-19	B-21	B-23	B-25	B-34	Soil to Groundwater Pathway	Direct-Contact Pathway (Non-Industrial)	Direct-Contact Pathway (Industrial)
Sample Depth (feet)	12-14	10-12	10-12	14-16	14-16	16-18	12-14	10-12	14-16	12-14	14-16	16-18	14-16	10-12	10-12	6-8	8-10	8-10	12-14	18-20	18-20			
Sample Collection Date	10/20/16	10/21/16	10/20/16	10/21/16	10/25/16	10/31/16	10/21/16	10/21/16	10/21/16	10/31/16	10/25/16	10/21/16	6/23/17	6/23/17	6/23/17	7/3/17	7/3/17	7/5/17	7/3/17	7/5/17	7/5/17			
PID (instrument units)	<5	25	21	<5	21	<5	<5	25	<5	<5	14	<5	5	5	3	3.2	5.0	6.6	15	22.3	25.9			
Soil Type at Sample depth	SW	CL & SP	CH,CL,&MH	CH	SP	SP & CH	SP	SP	SW & CH	CH,SC,&SP	SP	CH	SW	SW	GW& SW	SW & CH	CH	MH	MH	SP	SP			
Saturated/Unsaturated	Saturated	Saturated	Saturated	Saturated	Saturated	Saturated	Unsaturated	Unsaturated	Saturated	Saturated	Saturated	Saturated	Saturated	Saturated	Unsaturated	Unsaturated	Unsaturated	Unsaturated	Unsaturated	Saturated	Saturated			
Detected VOCs (µg/kg)																								
Benzene	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	5.1	1,600	7,070
n-Butylbenzene	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	NS	108,000	108,000
sec-Butylbenzene	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	NS	145,000	145,000
Chloromethane	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	15.5	171,000	669,000
Ethylbenzene	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	1,570	8,020	35,400
Isopropylbenzene (Cumene)	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	NS	268,000	268,000
p-Isopropyltoluene	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	NS	162,000	162,000
Methylene Chloride	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	2.6	61,800	1,150,000
Naphthalene	<40.0	<40.0	65.0 J	<40.0	<40.0	<40.0	<40.0	<40.0	<40.0	<40.0	<40.0	<40.0	<40.0	<40.0	<40.0	<40.0	<40.0	<40.0	<40.0	<40.0	<40.0	658	5,520	24,100
n-Propylbenzene	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	NS	264,000	264,000
Toluene	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	1,107	818,000	818,000
1,1,1-Trichloroethane	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	140	640,000	640,000
Trichloroethene	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	3.6	1,300	8,410
Trichlorofluoromethane	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	NS	1,230,000	1,230,000
1,2,4-TMB	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	1,382	219,000	219,000
1,3,5-TMB	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	182,000	182,000	182,000
Xylenes, Total	<75.0	<75.0	<75.0	<75.0	<75.0	<75.0	<75.0	<75.0	<75.0	<75.0	<75.0	<75.0	<75.0	<75.0	<75.0	<75.0	<75.0	<75.0	<75.0	<75.0	<75.0	3,960	260,000	260,000

**Notes:**

(1) Wisconsin Administrative Code Natural Resources Chapter (NR) 720 Residual Contaminant Levels from WDNR RCL Spreadsheet updated December 2017

RCLs: Residual Contaminant Levels

PID: Photoionization Detector

VOCs: Volatile Organic Compounds

µg/kg: Micrograms per kilogram; equivalent to parts per billion (ppb)

J: Concentration reported between the laboratory method detection limit and the reporting limit.

NA: Not Analyzed

NS: No Standard

Result shown "underlined / red" exceeds the calculated RCL for the soil to groundwater pathway.

Result shown "parenthesis /(green)" exceeds the calculated RCL for the non-industrial land use direct-contact pathway.

Result shown "parentheses / underlined/brown" exceeds the calculated RCL for the soil to groundwater pathway and for industrial land use direct contact.

TABLE 2  
SOIL ANALYTICAL RESULTS SUMMARY - DETECTED PAHS  
THE COUTURE  
909 EAST MICHIGAN STREET  
MILWAUKEE, WISCONSIN  
PROJECT NO. 1E-1704007

Analyte	Sample Location																					NR 720 RCL <sup>1</sup> (µg/kg)				
	B-1	B-2	B-3	B-4	B-5	B-6	B-7	B-8	B-9	B-10	B-11	B-13	B-15	B-15A	B-15B	B-15C	B-17	B-19	B-21	B-23	B-25	B-34	Soil to Groundwater Pathway	Direct-Contact Pathway (Non-Industrial)	Direct-Contant Pathway (Industrial)	
Sample Depth (feet)	12-14	10-12	14-18*	14-16	14-16	14-16*	16-18	12-14	10-12	14-16	12-14	14-16	16-18	14-16	10-12	10-12	6-8	8-10	8-10	12-14	18-20	18-20				
Sample Date	10/20/16	10/21/16	10/25/16	10/21/16	10/25/16	10/25/16	10/31/16	10/21/16	10/21/16	10/21/16	10/31/16	10/25/16	10/21/16	6/23/17	6/23/17	6/23/17	7/3/17	7/3/17	7/5/17	7/3/17	7/5/17	7/5/17				
PID (instrument units)	<5	15	25	<5	21	16	<5	<5	25	<5	<5	14	<5	5.1	4.5	3.0	3.4	5.0	6.6	14	22.3	25.9				
Soil Type at Sample depth	SW	CL & SP	CH,CL,&MH	CH	SP	SW	SP & CH	SP	SP	SW & CH	CH,SC,&SP	SP	CH	SW	SW	GW& SW	SW & CH	CH	MH	MH	SP	SP				
Saturated/Unsaturated	Saturated	Saturated	Saturated	Saturated	Saturated	Saturated	Saturated	Unsaturated	Unsaturated	Saturated	Saturated	Saturated	Saturated	Saturated	Saturated	Unsaturated	Unsaturated	Unsaturated	Unsaturated	Unsaturated	Unsaturated	Saturated	Saturated			
Detected PAHs (µg/kg)																										
Acenaphthene	<4.7	<4.7	<4.7	<4.7	<4.2	<4.6	<4.3	<4.3	<4.0	6.5 J	<4.6	13.3 J	<4.7	<4.8	<5.0	<4.5	<4.6	<4.7	<4.6	<4.7	35.1	7.3 J	NS	3,590,000	45,200,000	
Acenaphthylene	<4.0	<4.0	<4.0	<4.0	<3.6	<3.9	<3.6	<3.6	<3.4	5.0 J	<3.9	<4.0	<4.1	<5.0	<3.8	<3.9	<4.0	<3.9	<4.0	<3.9	<4.0	<3.8	<4.3	NS	NS	NS
Anthracene	15.2 J	<7.0	<6.8	<7.0	<6.2	<6.7	<6.3	8.3 J	<5.9	22.6 J	<6.8	15.8 J	10.4 J	<7.1	<8.7	<6.5	<6.8	<6.9	<6.8	<7.0	16.0 J	<7.4	196,949	17,900,000	1,000,000,000	
Benzo (a) anthracene	43.0	<3.9	<3.8	<3.9	<3.4	<3.7	<3.5	9.0 J	<3.3	45.0	<3.8	25.2	79.6	12.5 J	9.8 J	5.0 J	<3.8	<3.8	<3.8	<3.9	18.8	10.5 J	NS	1,140	20,800	
Benzo (a) pyrene	44.6	<3.1	<3.0	<3.1	<2.7	<3.0	<2.8	7.1 J	<2.6	43.5	<3.0	24.3	(117)	11.8	6.4 J	3.6 J	3.4 J	<3.0	<3.0	<3.1	18.2	12.6	470	115	2,110	
Benzo (b) fluoranthene	58.4	<3.4	<3.4	<3.4	<3.1	<3.3	<3.1	9.5 J	<2.9	49.8	<3.4	26.0	213	14.9	14.9	7.1 J	3.5 J	<3.4	<3.4	<3.4	13.0	8.0 J	479	1,150	21,100	
Benzo (g,h,i) perylene	32.0	3.4 J	<2.4	<2.5	<2.2	<2.4	<2.2	4.7 J	<2.1	21.2	<2.4	14.3	82.5	8.5	5.7 J	3.6 J	4.0 J	<2.5	<2.4	<2.5	12.2	8.4 J	NS	NS	NS	
Benzo (k) fluoranthene	25.2	<3.1	<3.0	<3.1	<2.7	<3.0	<2.8	4.8 J	<2.6	23.6	<3.0	15.7	72.2	5.9 J	4.7 J	<2.9	3.3 J	<3.0	<3.0	<3.1	14.9	9.1 J	NS	11,500	NS	
Chrysene	52.6	7.6 J	<4.0	4.8 J	<3.7	<4.0	<3.7	11.4 J	3.7 J	50.4	<4.0	33.7	144	12.4 J	9.1 J	5.0 J	5.6 J	<4.1	<4.0	<4.1	19.7	15.2	145	115,000	2,110,000	
Dibenz (a,h) anthracene	8.5 J	<2.7	<2.7	<2.7	<2.4	<2.6	<2.5	<2.5	<2.3	6.0 J	<2.7	<2.7	27.6	<2.8	<3.4	<2.6	<2.7	<2.7	<2.7	<2.7	3.6 J	<2.9	NS	115	2,110	
Fluoranthene	89.3	<6.3	<6.2	<6.4	<5.7	<6.1	<5.8	21.0	<5.3	94.2	<6.2	59.1	113	22.2	<8.0	<6.0	<6.2	<6.3	<6.2	<6.4	45.7	19.2 J	88,878	2,390,000	30,100,000	
Fluorene	<5.1	<5.0	<5.0	<5.0	<4.5	<4.9	<4.6	<4.6	<4.2	5.5 J	<5.0	<5.0	<5.1	<6.3	<4.7	<4.9	<4.9	<5.0	<4.9	<5.0	7.5 J	<5.4	14,830	2,390,000	30,100,000	
Indeno (1,2,3-cd) pyrene	25.8	<2.7	<2.6	<2.7	<2.4	<2.6	<2.4	3.8 J	<2.3	19.5	<2.6	11.7	70.6	6.6 J	5.0 J	2.7 J	<2.6	<2.7	<2.6	<2.7	10.3	6.6 J	NS	1,150	21,100	
1-Methylnaphthalene	<4.9	<4.9	<4.8	<4.9	<4.4	<4.7	<4.4	5.5 J	<4.1	<4.9	<4.8	<4.9	<4.9	<5.0	<6.1	5.0 J	<4.8	<4.9	<4.8	<4.9	<4.6	<5.2	NS	17,600	72,700	
2-Methylnaphthalene	<6.1	<6.1	<6.0	<6.1	<5.4	<5.9	<5.5	8.2 J	<5.1	<6.1	<6.0	<6.1	<6.1	<6.2	<7.6	8.7 J	<6.0	<6.0	<6.0	<6.1	<5.8	<6.5	NS	239,000	3,010,000	
Naphthalene	<10.3	<10.2	<10.1	<10.3	<9.2	<9.9	<9.3	<9.3	<8.6	<10.3	<10.1	<10.3	<10.2	11.5 J	<12.9	<9.7	<10.1	<10.2	<10.1	<10.3	<9.7	<10.9	658	5,520	24,100	
Phenanthrene	46.3 J	<14.2	<14.0	<14.2	<12.7	<13.7	<12.9	24.0 J	<12.0	44.4 J	<13.9	36.8 J	55.8	20.2 J	<17.8	<13.4	<13.9	<14.1	<13.9	<14.2	46.5	17.0 J	NS	NS	NS	
Pyrene	83.5	<5.5	<5.4	<5.5	<4.9	<5.3	<5.0	17.2	<4.6	80.3	<5.4	69.5	91.5	20.0	<6.9	<5.2	<5.4	<5.5	<5.4	<5.5	40.7	19.6	54,546	1,790,000	22,600,000	

**Notes:**  
**(1)** Wisconsin Administrative Code Natural Resources Chapter (NR) 720 Residual Contaminant Levels from WDNR RCL Spreadsheet updated December 2017.  
**RCLs:** Residual Contaminant Levels  
**PID:** Photoionization Detector  
**PAHs:** Polynuclear Aromatic Hydrocarbons  
**µg/kg:** Micrograms per kilogram; equivalent to parts per billion (ppb)  
**J:** Estimated concentration at or above the laboratory limit of detection and below the limit of quantitation.  
 \* Laboratory analysis for the deep soil samples collected from B-3 and B-6 was conducted outside of the recognized method holding time.  
**NS:** No Standard  
**Result shown "underlined / red" exceeds the calculated RCL for the soil to groundwater pathway.**  
**Result shown "(parenthesis / green)" exceeds the calculated RCL for the non-industrial land use direct-contact pathway.**  
**Result shown "parentheses / underlined/brown" exceeds the calculated RCL for the soil to groundwater pathway and for industrial land use direct contact.**

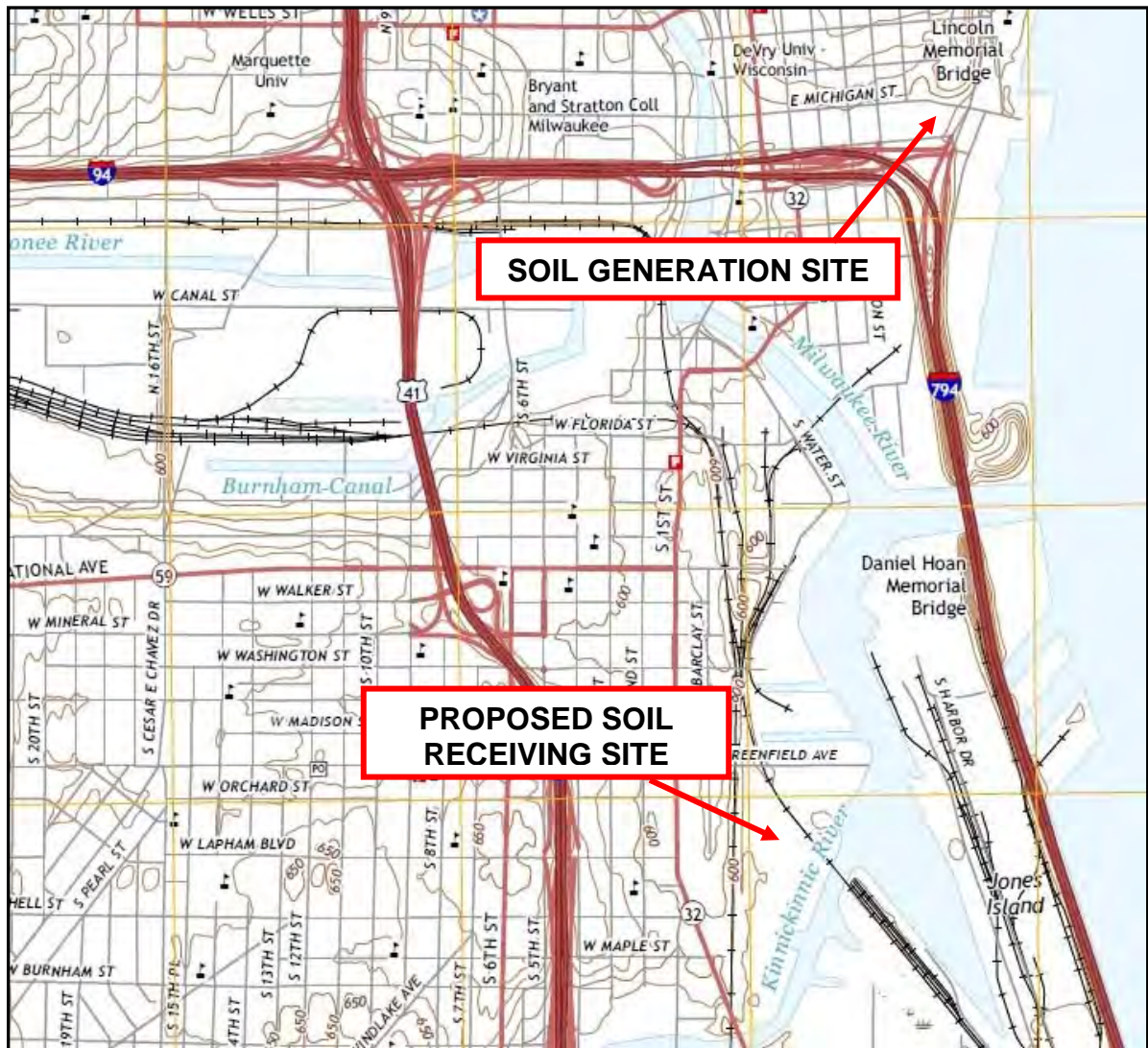
TABLE 3  
 SOIL ANALYTICAL RESULTS SUMMARY-DETECTED RCRA METALS  
 THE COUTURE  
 909 EAST MICHIGAN STREET  
 MILWAUKEE, WISCONSIN  
 PROJECT NO. 1E-1704007

Analyte	Sample Location																NR 720 RCL <sup>1</sup> (mg/kg)			
	B-1	B-2	B-3	B-4	B-5	B-6	B-7	B-8	B-9	B-10	B-11	B-13	B-15	B-15A	B-17	B-34	Soil to Groundwater Pathway	Direct-Contact Pathway (Non-Industrial)	Direct-Contant Pathway (Industrial)	Background Threshold Value
Sample Depth (feet)	12-14	10-12	14-16	14-16	14-16	14-16	16-18	12-14	10-12	14-16	12-14	14-16	16-18	14-16	6-8	18-20				
Sample Date	10/20/16	10/21/16	10/25/16	10/21/16	10/25/16	10/25/16	10/31/16	10/21/16	10/21/16	10/21/16	10/31/16	10/25/16	10/21/16	6/23/17	7/3/17	7/5/17				
PID (instrument units)	<5	15	25	<5	21	16	<5	<5	25	<5	<5	14	<5	5.1	3.4	25.9				
Soil Type at Sample depth	SW	CL & SP	CH,CL,&MH	CH	SP	SW	SP & CH	SP	SP	SW & CH	CH,SC,&SP	SP	CH	SW	SW & CH	SP				
Saturated/Unsaturated	Saturated	Saturated	Saturated	Saturated	Saturated	Saturated	Saturated	Unsaturated	Unsaturated	Saturated	Saturated	Saturated	Saturated	Saturated	Unsaturated	Saturated				
<b>Detected RCRA Metals (mg/kg)</b>																				
Arsenic	<u>3.1 J</u>	<u>3.9 J</u>	<u>5.8</u>	<u>5.4 J</u>	<u>1.6 J</u>	<u>1.4 J</u>	<u>3.8 J</u>	<u>3.1 J</u>	<u>1.9 J</u>	<u>2.2 J</u>	<u>4.3 J</u>	<u>2.0 J</u>	<u>4.9 J</u>	<u>4.8 J</u>	<u>3.9 J</u>	<u>2.1 J</u>	0.584	0.613	3.0	8.0
Lead	20.2	17.3	7.6	8.7	2.9	1.8	6.3	3.5	2.7	15.8	11.6	14.8	11.2	11.6	6.7	3.1	27	400	800	52
Mercury	<0.045	<0.040	NA	<0.042	<0.040	NA	<0.038	<0.039	<0.035	0.056 J	<0.040	0.059 J	<0.041	NA	NA	NA	0.208	3.13	3.13	NS
Selenium	<1.3	<1.3	NA	<1.5	<1.1	NA	<1.2	<1.2	<1.1	<1.2	<1.3	<1.2	<1.3	<1.3	NA	<1.3	0.52	391	5840	NS

**Notes:**  
 (1) Wisconsin Administrative Code Natural Resources Chapter (NR) 720 Residual Contaminant Levels from WDNR RCL Spreadsheet updated December 2017.  
 RCLs: Residual Contaminant Levels  
 PID: Photoionization Detector  
 RCRA: Resource Conservation and Recovery Act  
 mg/kg: Milligrams per kilogram; equivalent to parts per million (ppm)  
 J: Concentration reported between the laboratory method detection limit and the reporting limit.  
 NS: No Standard  
 Background Threshold Value (BTV) applies to industrial and non-industrial direct-contact (upper 4 feet of soil)  
 Result shown "underlined/red" exceeds the calculated RCL for the soil to groundwater pathway.  
 Result shown "parenthesis / (green)" exceeds the calculated RCL for the non-industrial land use direct-contact pathway.  
 Result shown "parentheses / underlined/brown" exceeds the calculated RCL for the soil to groundwater pathway and for industrial land use direct contact.

## **ATTACHMENT D**

### **Cited Figures**



Source: USGS Milwaukee, Wisconsin 7.5-Minute Series (topographic) Quadrangle Map (2016)

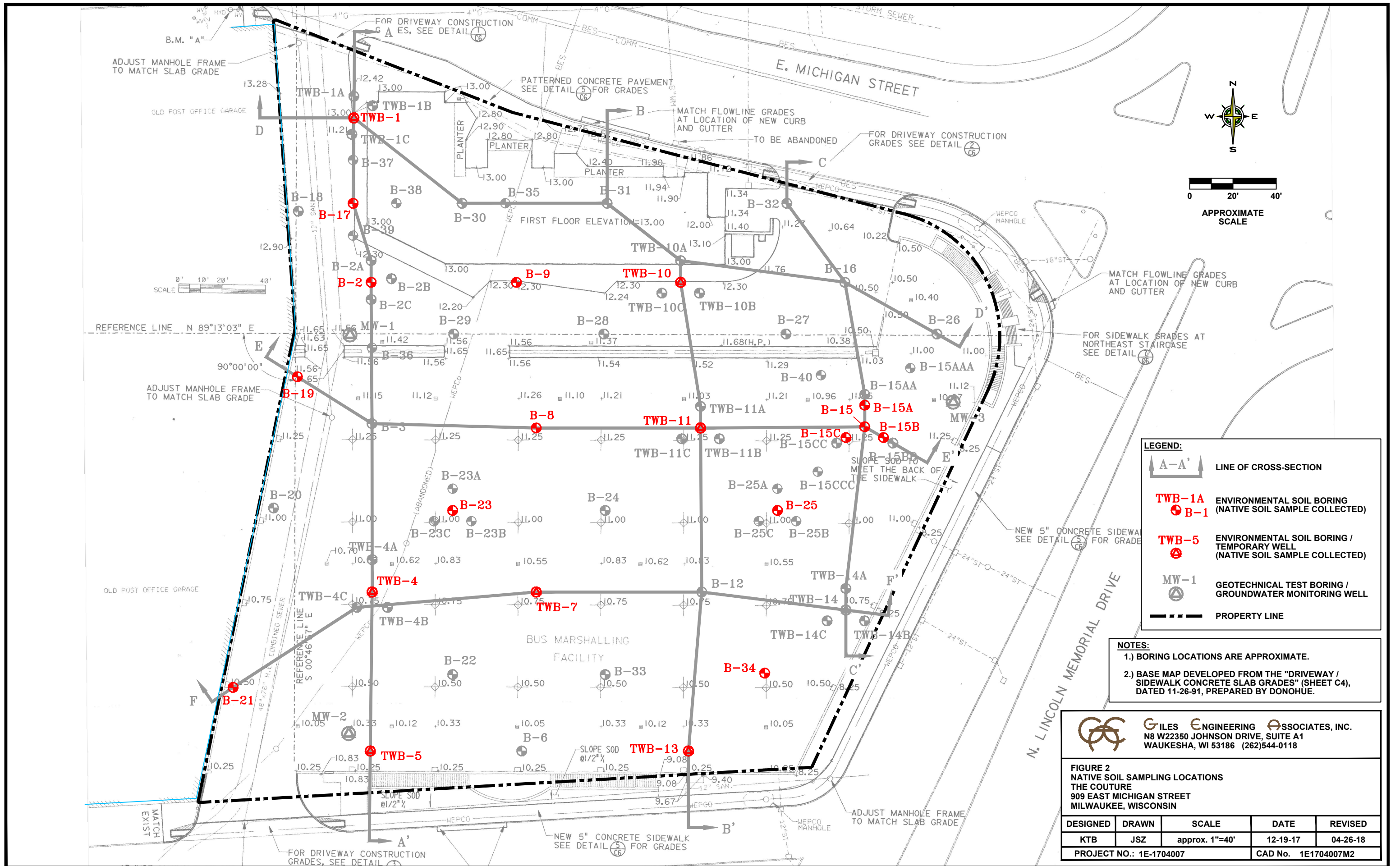
Original Scale: 1:24,000  
 Contour Interval: 10 Feet



**FIGURE 1  
 SITE LOCATIONS MAP**

**The Couture Development and Solvay Coke & Gas – MGP Site  
 909 East Michigan Street and 311 East Greenfield Avenue  
 Milwaukee, Wisconsin  
 Project No. 1E-1704007**





**LEGEND:**

- LINE OF CROSS-SECTION
- TWB-1A ENVIRONMENTAL SOIL BORING (NATIVE SOIL SAMPLE COLLECTED)
- B-1 ENVIRONMENTAL SOIL BORING / TEMPORARY WELL (NATIVE SOIL SAMPLE COLLECTED)
- TWB-5 ENVIRONMENTAL SOIL BORING / TEMPORARY WELL (NATIVE SOIL SAMPLE COLLECTED)
- MW-1 GEOTECHNICAL TEST BORING / GROUNDWATER MONITORING WELL
- PROPERTY LINE

**NOTES:**

- 1.) BORING LOCATIONS ARE APPROXIMATE.
- 2.) BASE MAP DEVELOPED FROM THE "DRIVEWAY / SIDEWALK CONCRETE SLAB GRADES" (SHEET C4), DATED 11-26-91, PREPARED BY DONOHUE.

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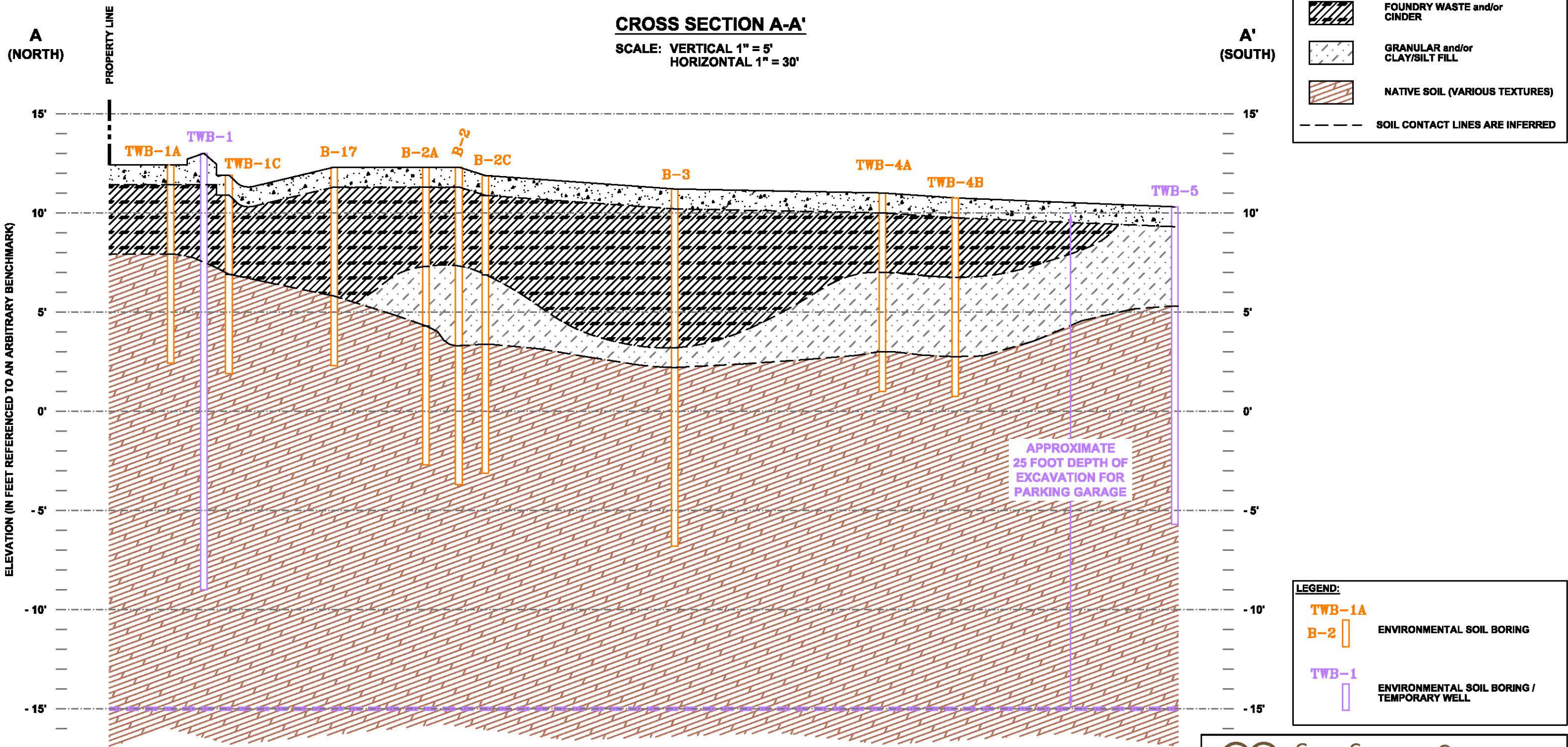
**FIGURE 2  
 NATIVE SOIL SAMPLING LOCATIONS  
 THE COUTURE  
 909 EAST MICHIGAN STREET  
 MILWAUKEE, WISCONSIN**

DESIGNED	DRAWN	SCALE	DATE	REVISED
KTB	JSZ	approx. 1"=40'	12-19-17	04-26-18
PROJECT NO.: 1E-1704007			CAD No. 1E1704007M2	








### CROSS SECTION A-A'




SCALE: VERTICAL 1" = 5'  
HORIZONTAL 1" = 30'



**SOIL KEY:**

-  CONCRETE SLAB WITH 1" TO 3" OF SAND & GRAVEL GRANULAR FILL BELOW
-  FOUNDRY WASTE and/or CINDER
-  GRANULAR and/or CLAY/SILT FILL
-  NATIVE SOIL (VARIOUS TEXTURES)
-  SOIL CONTACT LINES ARE INFERRED

**LEGEND:**

-  TWB-1A
-  B-2
-  TWB-1
- ENVIRONMENTAL SOIL BORING
- ENVIRONMENTAL SOIL BORING / TEMPORARY WELL

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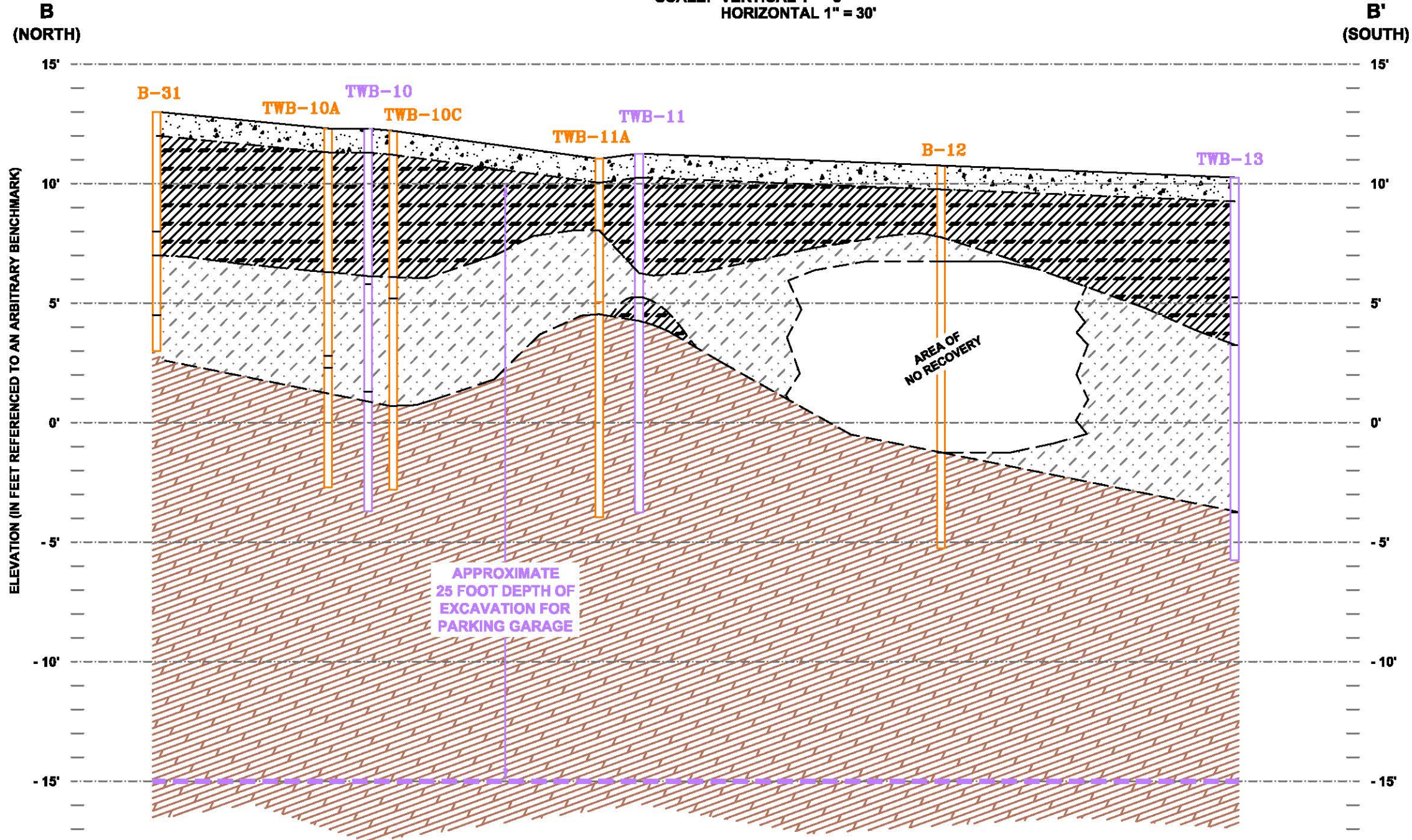
**FIGURE 3A  
 CROSS-SECTION A - A'  
 THE COUTURE  
 909 EAST MICHIGAN STREET  
 MILWAUKEE, WISCONSIN**

DESIGNED	DRAWN	SCALE	DATE	REVISED
KTB	JSZ	SEE TITLE	12-19-17	--
PROJECT NO.: 1E-1704007			CAD No. 1E1704007G2	



### CROSS SECTION B-B'

SCALE: VERTICAL 1" = 5'  
HORIZONTAL 1" = 30'



**SOIL KEY:**

- CONCRETE SLAB WITH 1" TO 3" OF SAND & GRAVEL GRANULAR FILL BELOW
- FOUNDRY WASTE and/or CINDER
- GRANULAR and/or CLAY/SILT FILL
- NATIVE SOIL (VARIOUS TEXTURES)
- SOIL CONTACT LINES ARE INFERRED

**LEGEND:**

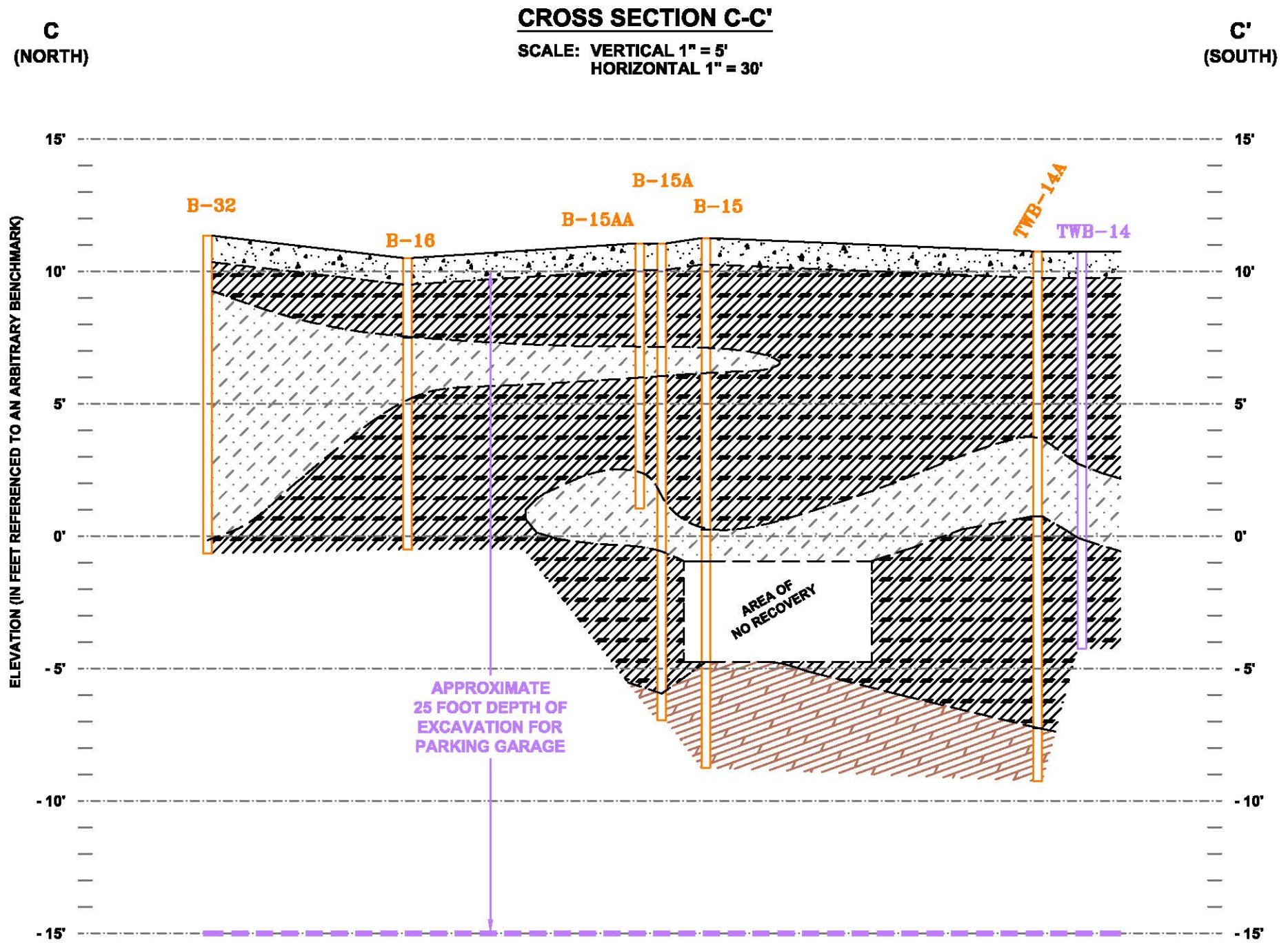
- TWB-10A ENVIRONMENTAL SOIL BORING
- B-12 ENVIRONMENTAL SOIL BORING
- TWB-10 ENVIRONMENTAL SOIL BORING / TEMPORARY WELL

GILES ENGINEERING ASSOCIATES, INC.  
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FIGURE 3B  
CROSS-SECTION B - B'  
THE COUTURE  
909 EAST MICHIGAN STREET  
MILWAUKEE, WISCONSIN

DESIGNED	DRAWN	SCALE	DATE	REVISED
KTB	JSZ	SEE TITLE	12-19-17	--
PROJECT NO.: 1E-1704007			CAD No. 1E1704007H2	





**SOIL KEY:**

- CONCRETE SLAB WITH 1" TO 3" OF SAND & GRAVEL GRANULAR FILL BELOW
- FOUNDRY WASTE and/or CINDER
- GRANULAR and/or CLAY/SILT FILL
- NATIVE SOIL (VARIOUS TEXTURES)
- SOIL CONTACT LINES ARE INFERRED

**LEGEND:**

- TWB-14A ENVIRONMENTAL SOIL BORING
- TWB-14 ENVIRONMENTAL SOIL BORING / TEMPORARY WELL

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**FIGURE 3C  
CROSS-SECTION C - C'  
THE COUTURE  
909 EAST MICHIGAN STREET  
MILWAUKEE, WISCONSIN**

DESIGNED	DRAWN	SCALE	DATE	REVISED
KTB	JSZ	SEE TITLE	12-19-17	--
PROJECT NO.: 1E-1704007			CAD No. 1E1704007/2	

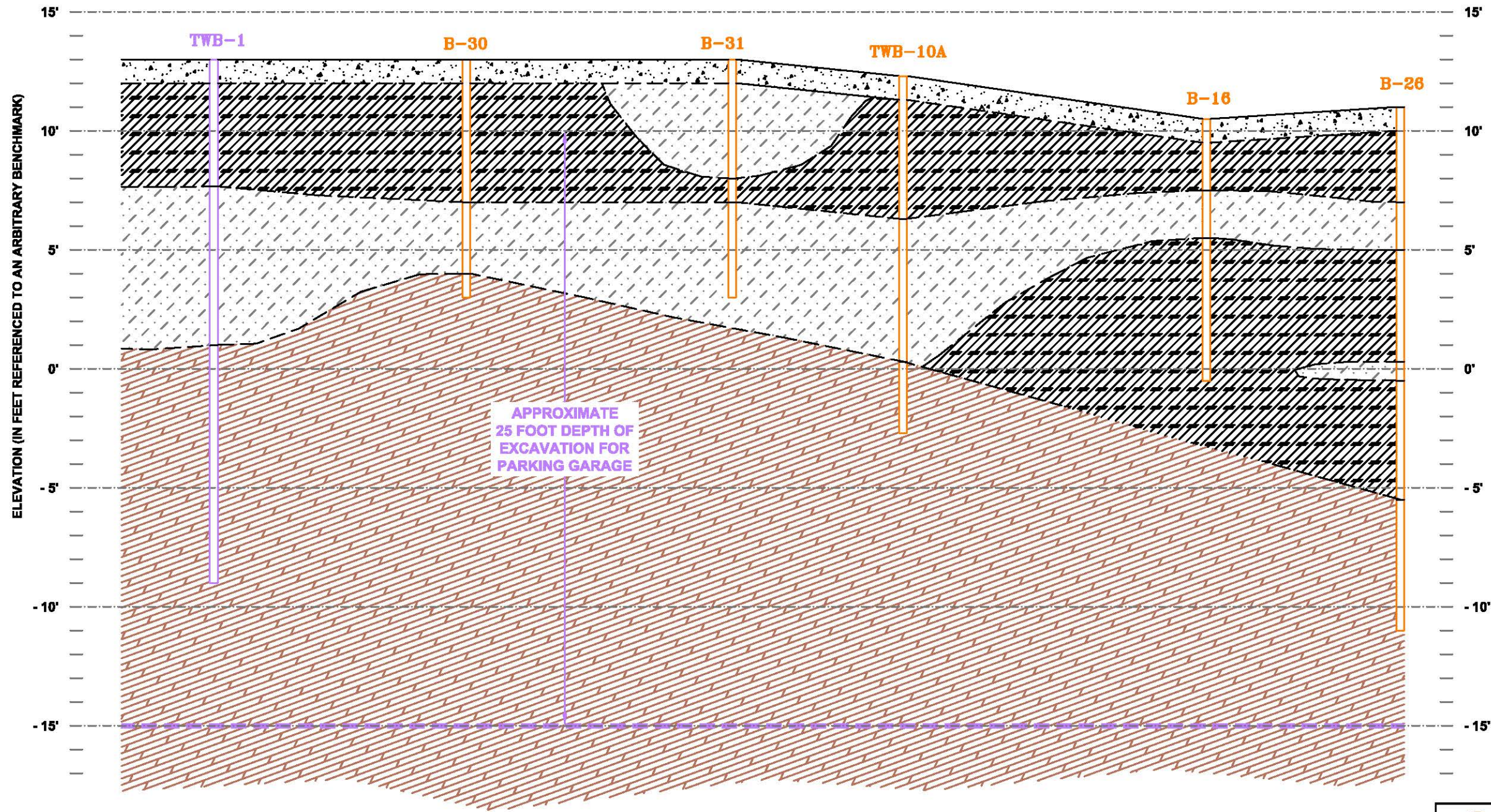


D  
(WEST)

### CROSS SECTION D-D'

SCALE: VERTICAL 1" = 5'  
HORIZONTAL 1" = 30'

D'  
(EAST)



**SOIL KEY:**

- CONCRETE SLAB WITH 1" TO 3" OF SAND & GRAVEL GRANULAR FILL BELOW
- FOUNDRY WASTE and/or CINDER
- GRANULAR and/or CLAY/SILT FILL
- NATIVE SOIL (VARIOUS TEXTURES)
- SOIL CONTACT LINES ARE INFERRED

**LEGEND:**

- TWB-10A ENVIRONMENTAL SOIL BORING
- B-16 ENVIRONMENTAL SOIL BORING
- TWB-1 ENVIRONMENTAL SOIL BORING / TEMPORARY WELL

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FIGURE 3D  
 CROSS-SECTION D - D'  
 THE COUTURE  
 909 EAST MICHIGAN STREET  
 MILWAUKEE, WISCONSIN

DESIGNED	DRAWN	SCALE	DATE	REVISED
KTB	JSZ	SEE TITLE	12-19-17	--
PROJECT NO.: 1E-1704007			CAD No. 1E1704007J2	

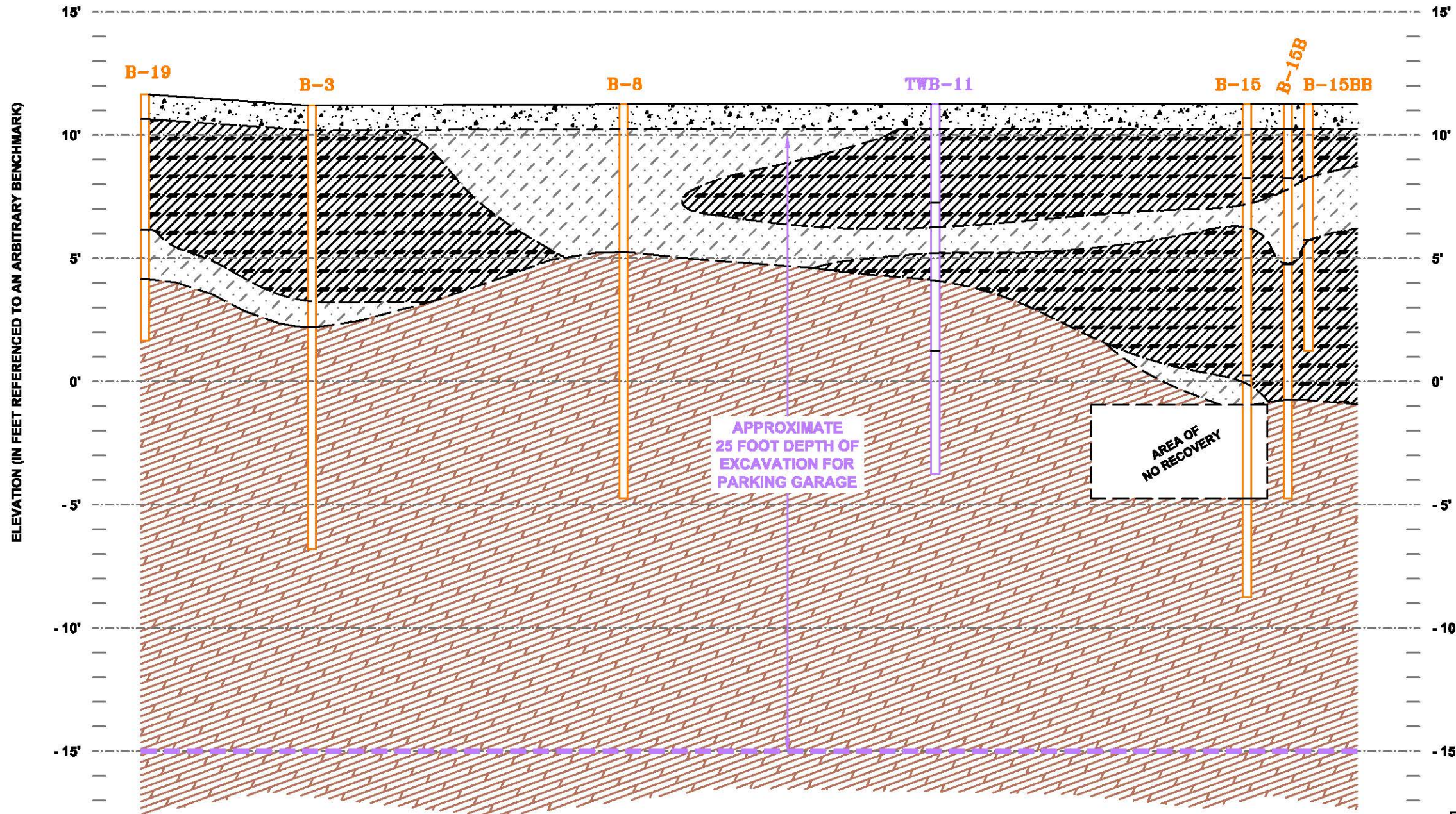


### CROSS SECTION E-E'

SCALE: VERTICAL 1" = 5'  
HORIZONTAL 1" = 30'

E  
(WEST)

E'  
(EAST)



**SOIL KEY:**

	CONCRETE SLAB WITH 1" TO 3" OF SAND & GRAVEL GRANULAR FILL BELOW
	FOUNDRY WASTE and/or CINDER
	GRANULAR and/or CLAY/SILT FILL
	NATIVE SOIL (VARIOUS TEXTURES)
	SOIL CONTACT LINES ARE INFERRED

**LEGEND:**

	TWB-15B ENVIRONMENTAL SOIL BORING
	B-3 ENVIRONMENTAL SOIL BORING
	TWB-11 ENVIRONMENTAL SOIL BORING / TEMPORARY WELL

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FIGURE 3E  
CROSS-SECTION E - E'  
THE COUTURE  
909 EAST MICHIGAN STREET  
MILWAUKEE, WISCONSIN

DESIGNED	DRAWN	SCALE	DATE	REVISED
KTB	JSZ	SEE TITLE	12-19-17	--
PROJECT NO.: 1E-1704007			CAD No. 1E1704007K2	

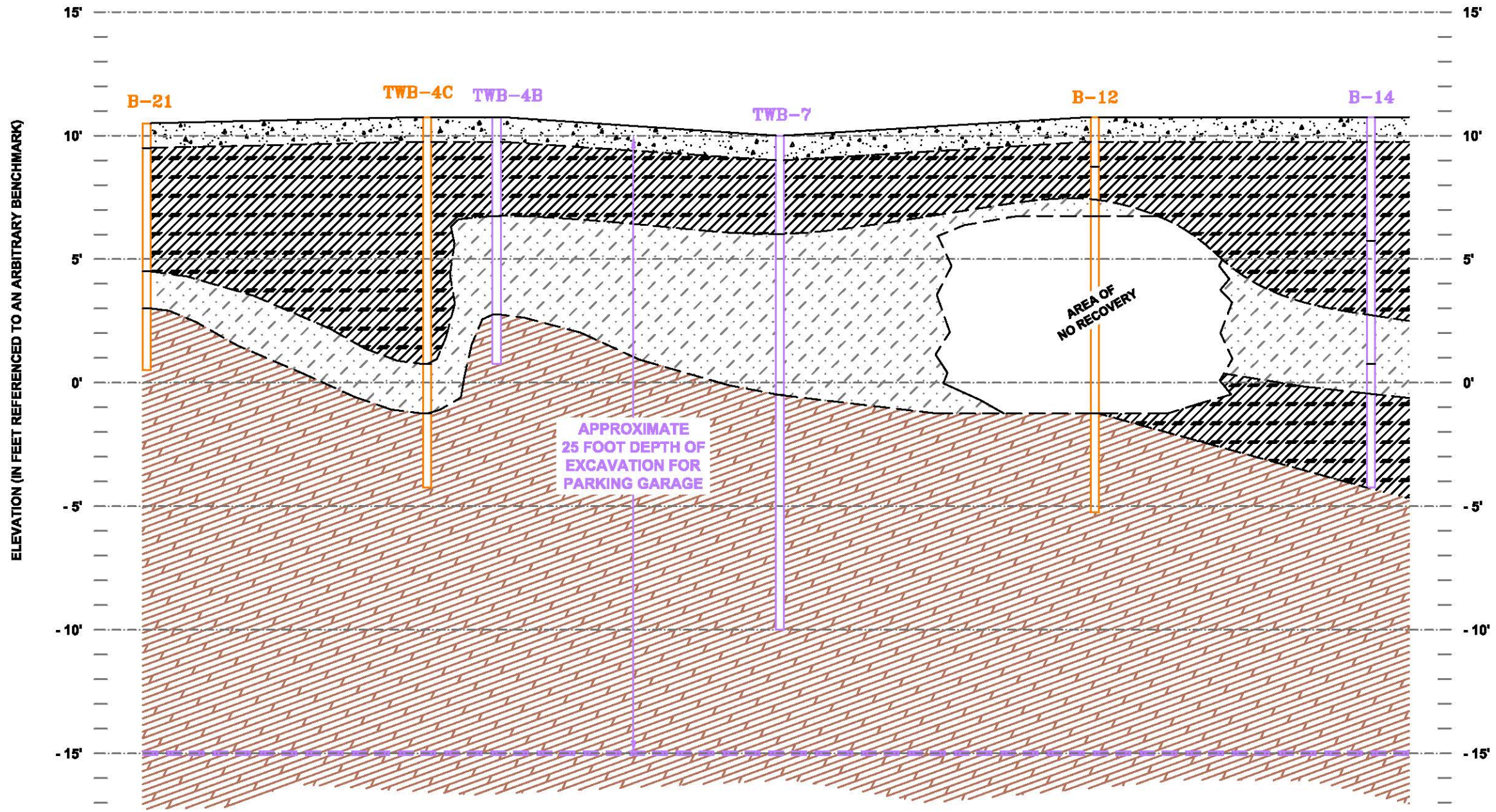


F  
(WEST)

**CROSS SECTION F-F'**

SCALE: VERTICAL 1" = 5'  
HORIZONTAL 1" = 30'

F'  
(EAST)



**SOIL KEY:**

- CONCRETE SLAB WITH 1" TO 3" OF SAND & GRAVEL GRANULAR FILL BELOW
- FOUNDRY WASTE and/or CINDER
- GRANULAR and/or CLAY/SILT FILL
- NATIVE SOIL (VARIOUS TEXTURES)
- SOIL CONTACT LINES ARE INFERRED

**LEGEND:**

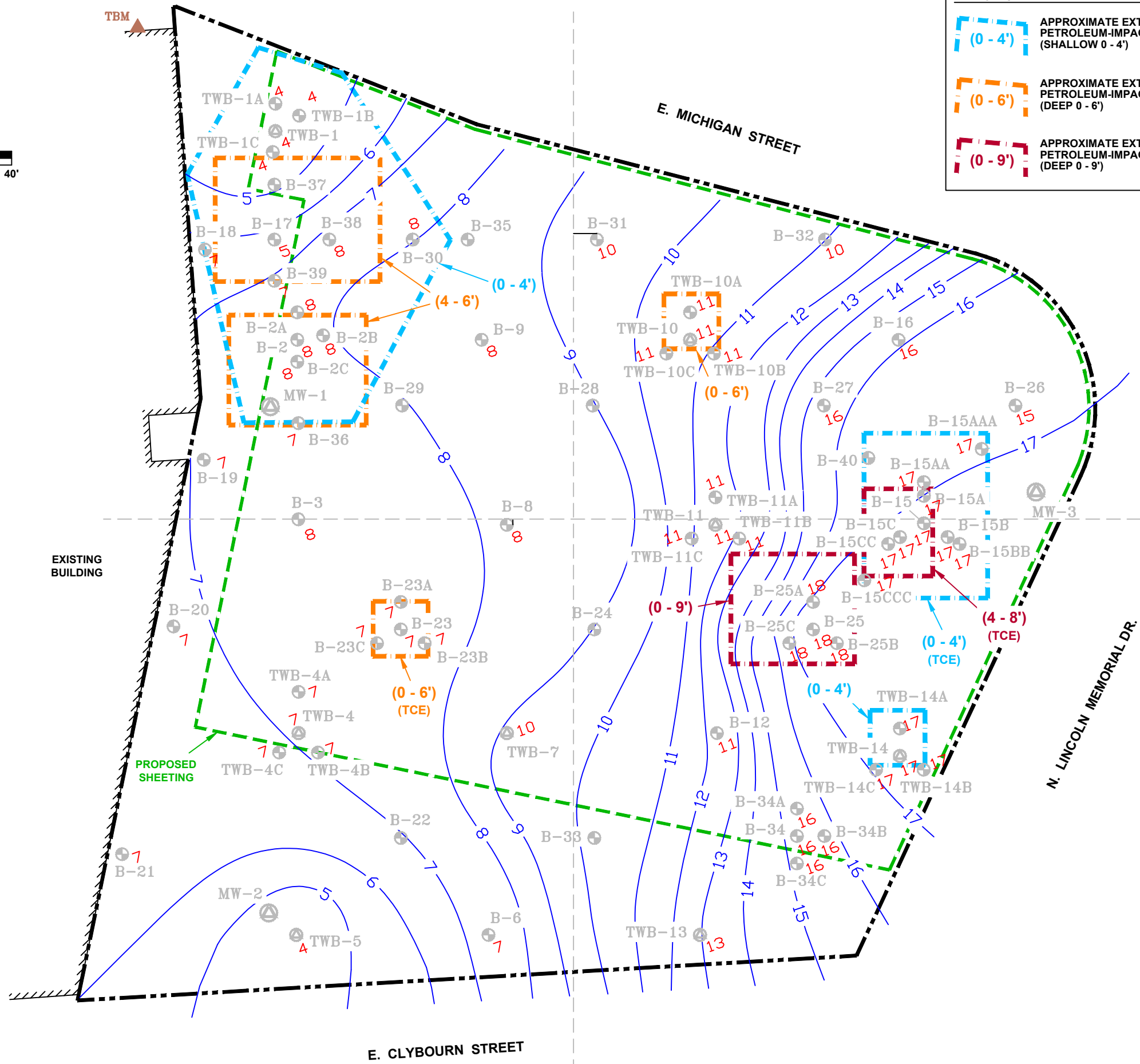
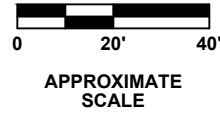
- TWB-4C ENVIRONMENTAL SOIL BORING
- B-12 ENVIRONMENTAL SOIL BORING
- TWB-4B ENVIRONMENTAL SOIL BORING / TEMPORARY WELL

GILES ENGINEERING ASSOCIATES, INC.  
N8 W22350 JOHNSON DRIVE, SUITE A1  
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FIGURE 3F  
CROSS-SECTION F - F'  
THE COUTURE  
909 EAST MICHIGAN STREET  
MILWAUKEE, WISCONSIN

DESIGNED	DRAWN	SCALE	DATE	REVISED
KTB	JSZ	SEE TITLE	12-19-17	--
PROJECT NO.: 1E-1704007			CAD No. 1E1704007L2	





**PETROLEUM-IMPACTED EXCAVATIONS:**

- (0 - 4') APPROXIMATE EXTENT OF PETROLEUM-IMPACTED SOIL EXCAVATION (SHALLOW 0 - 4')
- (0 - 6') APPROXIMATE EXTENT OF PETROLEUM-IMPACTED SOIL EXCAVATION (DEEP 0 - 6')
- (0 - 9') APPROXIMATE EXTENT OF PETROLEUM-IMPACTED SOIL EXCAVATION (DEEP 0 - 9')

**TCE-IMPACTED EXCAVATIONS:**

- (0 - 4') APPROXIMATE EXTENT OF TCE-IMPACTED SOIL EXCAVATION (SHALLOW 0 - 4')
- (0 - 6') APPROXIMATE EXTENT OF TCE-IMPACTED SOIL EXCAVATION (0 - 6')
- (0 - 8') APPROXIMATE EXTENT OF TCE-IMPACTED SOIL EXCAVATION (0 - 8')

**LEGEND:**

- 14 FILL THICKNESS CONTOUR INTERVAL = 1.0'
- 15 FILL THICKNESS AT BORING (IN FEET)
- TWB-1A ENVIRONMENTAL SOIL BORING
- B-1 ENVIRONMENTAL SOIL BORING / TEMPORARY WELL
- MW-1 GEOTECHNICAL TEST BORING / GROUNDWATER MONITORING WELL
- TBM BENCHMARK: TBM ON WALL OF EXISTING PARKING STRUCTURE. ELEVATION = 15.65'
- PROPERTY LINE

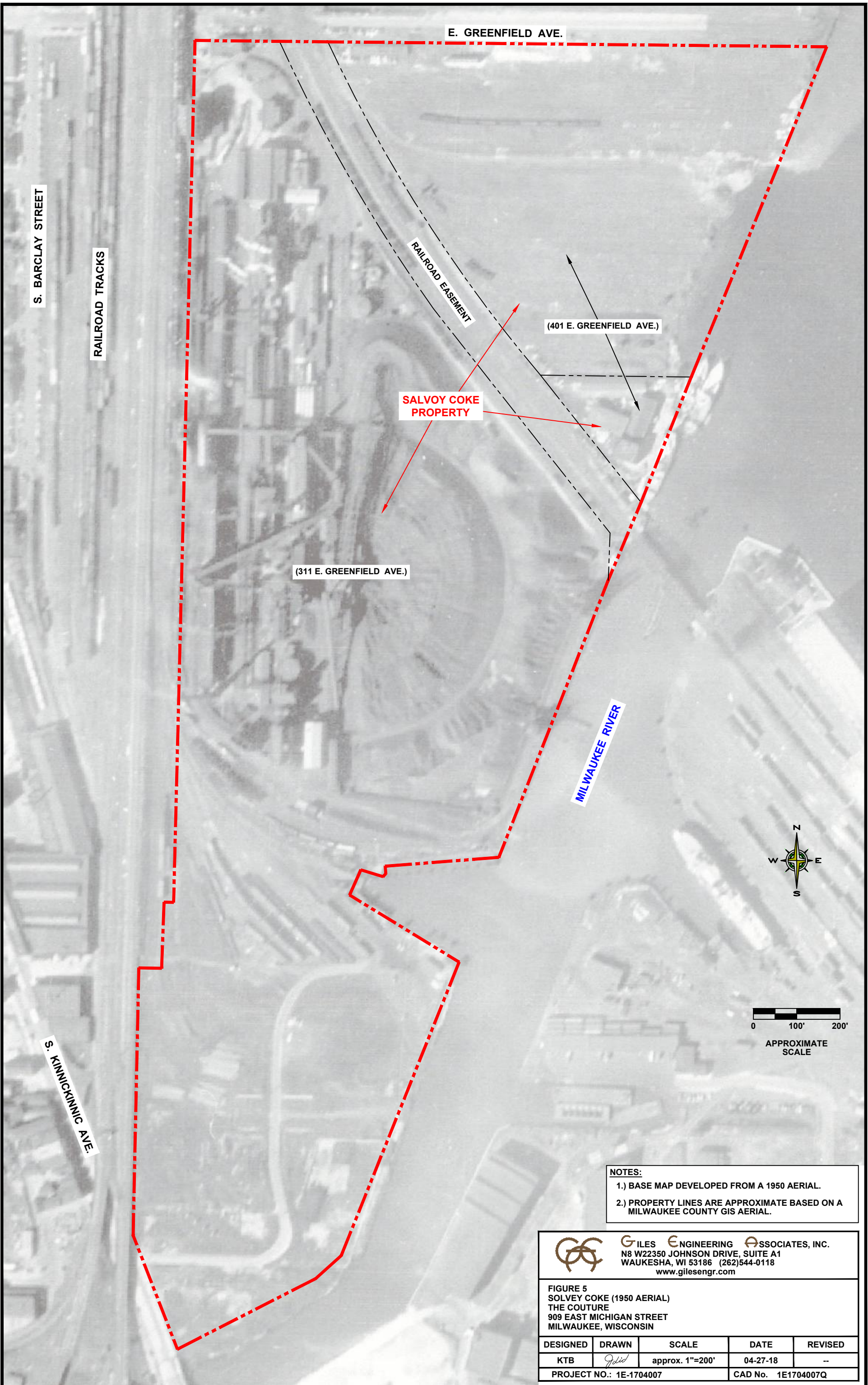
**NOTES:**

- 1.) BORING LOCATIONS ARE APPROXIMATE.
- 2.) BASE MAP DEVELOPED FROM THE "DRIVEWAY / SIDEWALK CONCRETE SLAB GRADES" (SHEET C4), DATED 11-26-91, PREPARED BY DONOHUE.
- 3.) PROPERTY LINES IS APPROXIMATE BASED ON THE "EXISTING CONDITIONS PLAN" (SHEET C100), DATED 1-12-18, PREPARED BY GRAEF.
- 4.) PROPOSED SHEETING IS APPROXIMATE BASED ON THE "OVERALL FLOOR PLAN - B2", (SHEET A1-01), DATED 8-31-17, PREPARED BY RINKA-CHUNG.


GILES ENGINEERING ASSOCIATES, INC.  
 N8 W22350 JOHNSON DRIVE, SUITE A1  
 WAUKESHA, WI 53186 (262)544-0118

**FIGURE 4**  
 FILL THICKNESS MAP - VOC IMPACTED SOIL EXCAVATIONS  
 THE COUTURE  
 909 EAST MICHIGAN STREET  
 MILWAUKEE, WISCONSIN

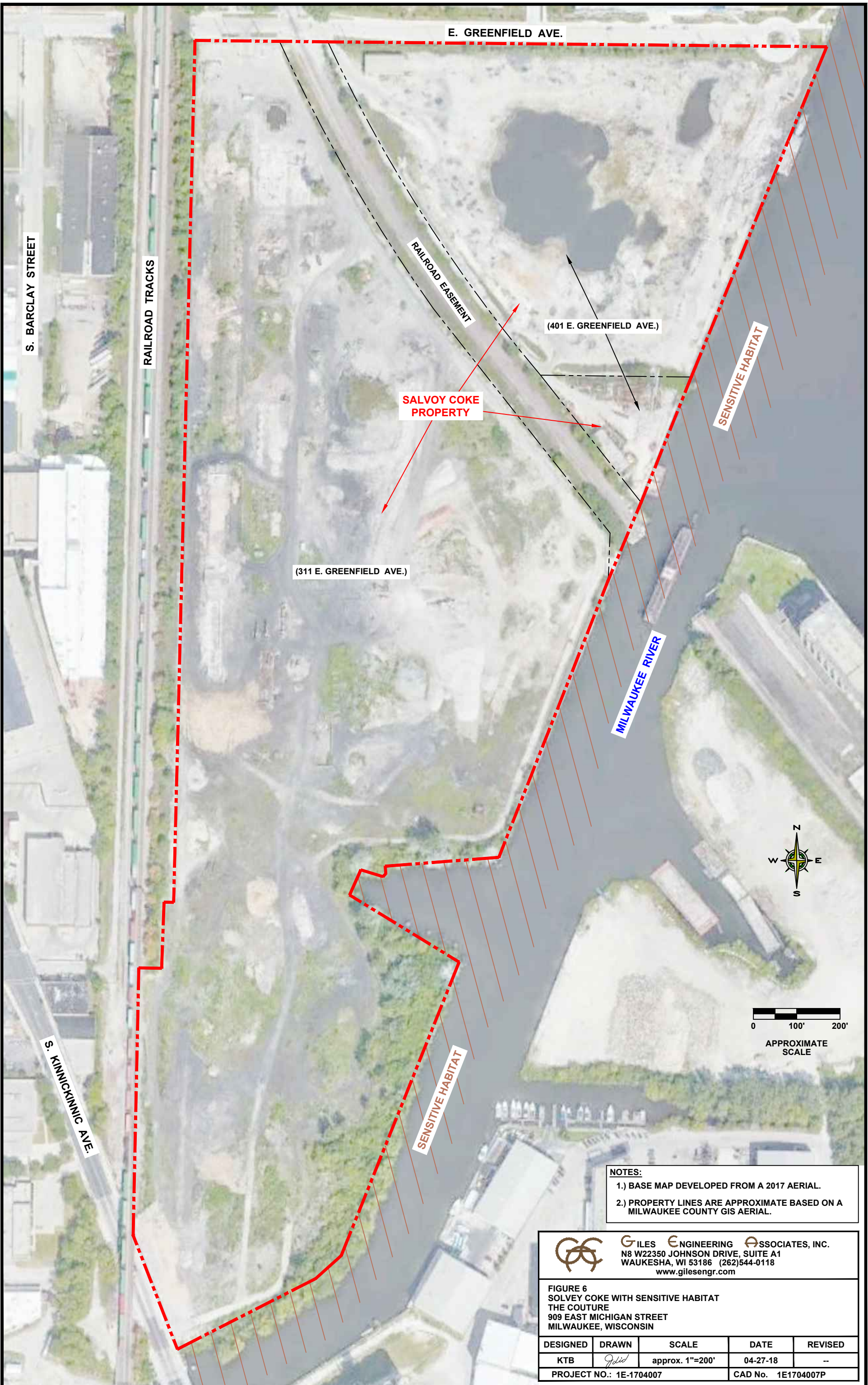
DESIGNED	DRAWN	SCALE	DATE	REVISED
KTB	JSZ	approx. 1"=40'	07-29-17	04-26-18
PROJECT NO.: 1E-1704007			CAD No. 1E1704007B6	




**NOTES:**  
 1.) BASE MAP DEVELOPED FROM A 1950 AERIAL.  
 2.) PROPERTY LINES ARE APPROXIMATE BASED ON A MILWAUKEE COUNTY GIS AERIAL.

 <b>GILES ENGINEERING ASSOCIATES, INC.</b> N8 W22350 JOHNSON DRIVE, SUITE A1 WAUKESHA, WI 53186 (262)544-0118 www.gilesengr.com				
<b>FIGURE 5</b> SOLVEY COKE (1950 AERIAL) THE COUTURE 909 EAST MICHIGAN STREET MILWAUKEE, WISCONSIN				
DESIGNED	DRAWN	SCALE	DATE	REVISED
KTB	<i>Giles</i>	approx. 1"=200'	04-27-18	--
PROJECT NO.: 1E-1704007			CAD No. 1E1704007Q	





**NOTES:**  
 1.) BASE MAP DEVELOPED FROM A 2017 AERIAL.  
 2.) PROPERTY LINES ARE APPROXIMATE BASED ON A MILWAUKEE COUNTY GIS AERIAL.

 <b>G ILES E N G I N E E R I N G A S S O C I A T E S, I N C.</b> N8 W22350 JOHNSON DRIVE, SUITE A1 WAUKESHA, WI 53186 (262)544-0118 www.gilesengr.com				
<b>FIGURE 6</b> <b>SOLVEY COKE WITH SENSITIVE HABITAT</b> <b>THE COUTURE</b> <b>909 EAST MICHIGAN STREET</b> <b>MILWAUKEE, WISCONSIN</b>				
DESIGNED	DRAWN	SCALE	DATE	REVISED
KTB	<i>Jalid</i>	approx. 1"=200'	04-27-18	--
PROJECT NO.: 1E-1704007			CAD No. 1E1704007P	

## **ATTACHMENT E**

### **Laboratory Reports & Chain-of-Custody Documentation Couture Site (Generator) Milwaukee, WI**

**(See Site Investigation Report and Remedial Action dated October 11, 2017)**

**ATTACHMENT F**

**Maintenance Plan  
Solvay Site (Receiving) Milwaukee, WI**

**ATTACHMENT G**

**Reclamation Plan  
(*Not Applicable*)**



**ATTACHMENT H**

**Property Deed  
Solvay Site (Receiving) Milwaukee, WI**

DOC # 10673698

RECORDED  
05/15/2017 10:45 AM

JOHN LA FAVE  
REGISTER OF DEEDS  
Milwaukee County, WI

AMOUNT: 30.00  
TRANSFER FEE: 12000.00

FEE EXEMPT #:  
\*\*\*This document has been  
electronically recorded and  
returned to the submitter. \*\*

QUITCLAIM DEED

PREPARED BY:

Jeffrey A. Burger, Esq.  
The Law Office of Jeffrey A. Burger, LLC  
105 West Madison Street  
Suite 1500  
Chicago, Illinois 60602

AFTER RECORDING RETURN TO:

Joseph Puchner, Esq.  
Quarles & Brady  
411 East Wisconsin Avenue  
Suite 2350  
Milwaukee, Wisconsin 53202-4426

*The above space for Recorder's Use Only*

THIS Quitclaim Deed is made as of the 10th day of May, 2017, by GOLDEN MARINA CAUSEWAY, LLC, a Wisconsin limited liability company, debtor-in-possession under Bankruptcy Case No. 16-03587 pending in the U.S. Bankruptcy Court for the Northern District of Illinois Eastern Division and having an address of 5611 Walnut Avenue, Downers Grove, Illinois 60516 (the "Grantor"), to WISCONSIN GAS LLC, a Wisconsin limited liability company, doing business as We Energies, having an address at 231 West Michigan Street, Milwaukee, Wisconsin 53203 (the "Grantee").

The Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby quitclaims unto the Grantee the Real Estate more particularly described on *Exhibit "A"* attached hereto, together with all rents, profits, fixtures and other appurtenant rights, title and interests belonging thereto.

Attached as *Exhibit "B"* hereto is a copy of the "Order Authorizing Sale of Greenfield Properties" entered by U.S. Bankruptcy Court for the Northern District of Illinois Eastern Division on April 5, 2017 under Bankruptcy Case No. 16-03587.

**QUITCLAIM DEED**

**PREPARED BY:**

Jeffrey A. Burger, Esq.  
The Law Office of Jeffrey A. Burger, LLC  
105 West Madison Street  
Suite 1500  
Chicago, Illinois 60602

**AFTER RECORDING RETURN TO:**

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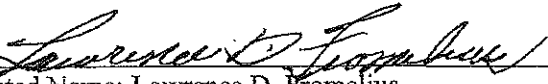
The Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby quitclaims unto the Grantee the Real Estate more particularly described on *Exhibit "A"* attached hereto, together with all rents, profits, fixtures and other appurtenant rights, title and interests belonging thereto.

Attached as *Exhibit "B"* hereto is a copy of the "Order Authorizing Sale of Greenfield Properties" entered by U.S. Bankruptcy Court for the Northern District of Illinois Eastern Division on April 5, 2017 under Bankruptcy Case No. 16-03587.

IN WITNESS WHEREOF, the Grantor has caused its name to be signed to these presents the day and year first above written.

GOLDEN MARINA CAUSEWAY, LLC, a Wisconsin limited liability company, debtor-in-possession under Bankruptcy Case No. 16-03587 pending in the U.S. Bankruptcy Court for the Northern District of Illinois Eastern Division

By: East Greenfield Investors, LLC, an Illinois limited liability company  
Its: Sole Member

By:   
Printed Name: Lawrence D. Promelius  
Its: Manager



ACKNOWLEDGEMENT

STATE OF ILLINOIS     )  
                                  )  
COUNTY OF COOK     )     SS

The foregoing instrument was acknowledged before me this 10th day of May, 2017 by Lawrence D. Fromelius, in his individual capacity as the Manager of East Greenfield Investors, LLC which is the sole member of Golden Marina Causeway, LLC, that he signed the foregoing instrument as his free and voluntary act and as the free and voluntary act of East Greenfield Investors, LLC and Golden Marina Causeway, LLC, for the purposes set forth in the foregoing instrument.



*Jennifer Meier*  
Printed Name: Jennifer Meier  
Notary Public

(Seal)

My Commission Expires: 10/03/2019



EXHIBIT "A" TO QUITCLAIM DEED

LEGAL DESCRIPTION OF REAL ESTATE

PARCEL 1:

THAT PART OF THE NORTHWEST ¼ AND THE SOUTHWEST ¼ OF SECTION 4 IN TOWN 6 NORTH, RANGE 22 EAST, IN THE CITY OF MILWAUKEE, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, WHICH IS BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE SOUTH LINE OF THE NORTHWEST ¼ OF SAID SECTION 40.00 FEET SOUTH 89 DEGREES 47 MINUTES 45 SECONDS EAST OF THE SOUTHWEST CORNER OF THE NORTHWEST ¼ OF SAID SECTION; RUNNING THENCE NORTH 00 DEGREES 46 MINUTES 58 SECONDS EAST ON A LINE WHICH IS 40.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE NORTHWEST ¼ OF SAID SECTION 333.35 FEET TO THE SOUTHWEST CORNER OF LOT 14 IN THE PARTITION OF THAT PART OF THE NORTHWEST ¼ OF SECTION 4, IN TOWN 6 NORTH, RANGE 22 EAST, WHICH LIES WEST OF THE ¼ SECTION LINE; THENCE SOUTH 89 DEGREES 47 MINUTES 45 SECONDS EAST ALONG THE SOUTH LINE OF LOT 14 AFORESAID 50.00 FEET TO A POINT; THENCE NORTH 00 DEGREES 46 MINUTES 58 SECONDS EAST ALONG THE EAST LINE OF LOT 14 AFORESAID 151.42 FEET TO THE NORTHEAST CORNER OF SAID LOT 14; THENCE SOUTH 89 DEGREES 47 MINUTES 45 SECONDS EAST ALONG THE SOUTH LINE OF LOT 7 IN SAID SUBDIVISION 26.00 FEET TO A POINT; THENCE NORTH 00 DEGREES 46 MINUTES 58 SECONDS EAST ALONG A LINE WHICH IS 116.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE NORTHWEST ¼ OF SAID SECTION 455.75 FEET TO A POINT WHICH LIES 200.00 FEET NORTH 00 DEGREES 46 MINUTES 58 SECONDS EAST OF THE SOUTH LINE OF LOT 5 IN SAID SUBDIVISION; THENCE SOUTH 56 DEGREES 39 MINUTES 10 SECONDS EAST 365.79 FEET TO A POINT IN THE SOUTH LINE OF SAID LOT 5 WHICH IS 424.30 FEET EAST OF THE SOUTHWEST CORNER OF SAID LOT 5; THENCE SOUTH 74 DEGREES 49 MINUTES 58 SECONDS EAST 464.11 FEET TO A POINT IN THE DOCK LINES OF THE KINNICKINNIC RIVER; THENCE SOUTH 20 DEGREES 59 MINUTES 55 SECONDS WEST ALONG THE DOCK LINE OF THE KINNICKINNIC RIVER 3.93 FEET TO A POINT; THENCE SOUTH 16 DEGREES 11 MINUTES 31 SECONDS WEST ALONG THE DOCK LINE OF THE KINNICKINNIC RIVER 296.93 FEET TO A POINT; THENCE SOUTH 20 DEGREES 45 MINUTES 27 SECONDS WEST ALONG THE DOCK LINE OF THE KINNICKINNIC RIVER 354.07 FEET TO A POINT IN THE SOUTH LINE OF THE NORTHWEST ¼ OF SAID SECTION, SAID POINT BEING 672.66 FEET SOUTH 89 DEGREES 47 MINUTES 45 SECONDS EAST OF THE SOUTHWEST CORNER OF THE NORTHWEST ¼ OF SAID SECTION; THENCE SOUTH 17 DEGREES 29 MINUTES 34 SECONDS WEST ALONG THE DOCK LINE OF THE KINNICKINNIC RIVER 343.01 FEET TO A POINT; THENCE SOUTH 60 DEGREES 49 MINUTES 25 SECONDS WEST ALONG THE DOCK LINE OF THE KINNICKINNIC RIVER 42.79 FEET TO A POINT IN THE NORTH LINE OF THE SOUTH 50.00 FEET OF LOT 1 IN THE SUBDIVISION OF THE WEST

½ OF THE SOUTHWEST ¼ OF SECTION 4, IN TOWN 6 NORTH, RANGE 22 EAST, COUNTY OF MILWAUKEE, STATE OF WISCONSIN; THENCE SOUTH 89 DEGREES 47 MINUTES 45 SECONDS EAST ALONG THE NORTH LINE OF THE SOUTH 50.00 FEET OF LOT 1 AFORESAID 30.75 FEET TO A POINT IN THE OLD ESTABLISHED DOCK LINE OF THE KINNICKINNIC RIVER; THENCE SOUTH 17 DEGREES 29 MINUTES 34 SECONDS WEST ALONG THE OLD ESTABLISHED DOCK LINE OF THE KINNICKINNIC RIVER 6.00 FEET TO A POINT; THENCE SOUTH 55 DEGREES 44 MINUTES 25 SECONDS WEST ALONG THE OLD ESTABLISHED DOCK LINE OF THE KINNICKINNIC RIVER 427.24 FEET TO A POINT THENCE NORTH 21 DEGREES 28 MINUTES 30 SECONDS WEST ALONG A LINE WHICH IS 44.00 FEET NORTHEASTERLY OF AND PARALLEL TO THE NORTHEASTERLY LINE OF SOUTH KINNICKINNIC AVENUE 57.58 FEET TO A POINT IN THE DOCK LINE OF THE KINNICKINNIC RIVER; THENCE SOUTH 60 DEGREES 49 MINUTES 25 SECONDS WEST ALONG THE DOCK LINE OF THE KINNICKINNIC RIVER 44.40 FEET TO A POINT IN THE NORTHEASTERLY LINE OF SOUTH KINNICKINNIC AVENUE; THENCE NORTH 21 DEGREES 28 MINUTES 30 SECONDS WEST ALONG THE NORTHEASTERLY LINE OF SOUTH KINNICKINNIC AVENUE 232.30 FEET TO A POINT IN THE NORTH LINE OF THE SOUTH 50.00 FEET OF LOT 1 IN THE SUBDIVISION OF THE WEST ½ OF THE SOUTHWEST ¼ OF SECTION 4; THENCE SOUTH 89 DEGREES 47 MINUTES 45 SECONDS EAST ALONG THE NORTH LINE OF THE SOUTH 50.00 FEET OF LOT 1 AFORESAID 47.35 FEET TO A POINT; THENCE NORTH 21 DEGREES 28 MINUTES 30 SECONDS WEST ALONG A LINE WHICH IS 44.00 FEET NORTHEASTERLY OF AND PARALLEL TO THE NORTHEASTERLY LINE OF SOUTH KINNICKINNIC AVENUE 199.62 FEET TO A POINT WHICH IS 40.00 FEET EAST OF THE WEST LINE OF THE SOUTHWEST ¼ OF SAID SECTION; THENCE NORTH 00 DEGREES 53 MINUTES 55 SECONDS EAST ALONG A LINE WHICH IS 40 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE SOUTHWEST ¼ OF SAID SECTION 163.01 FEET TO THE POINT OF COMMENCEMENT.

BEING LOTS 13 AND 17 AND PART OF LOTS 5, 7, 8, 9, 10, 11 AND 12 IN THE PARTITION OF THAT PART OF THE NORTHWEST ¼ OF SECTION 4, IN TOWN 6 NORTH, RANGE 22 EAST, WHICH LIES WEST OF THE ¼ SECTION LINE AND PART OF LOTS 1 AND 2 IN SUBDIVISION INTO LOTS OF THE WEST ½ OF THE SOUTH ¼ OF SECTION 4, IN TOWN 6 NORTH, RANGE 22 EAST, IN THE CITY OF MILWAUKEE, COUNTY OF MILWAUKEE, STATE OF WISCONSIN.

ALSO:

THAT PART OF LOTS 2, 3, 4, 5, AND 7 IN THE PARTITION OF THAT PART OF THE NORTHWEST ¼ OF SECTION 4, IN TOWN 6 NORTH, RANGE 22 EAST, IN THE CITY OF MILWAUKEE, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, LYING WEST OF THE ¼ SECTION LINE WHICH LIES WITHIN THE LIMITS OF THE FOLLOWING DESCRIBED PARCEL OF LAND: COMMENCING AT A POINT IN THE NORTH LINE OF SAID ¼ SECTION 116.01 FEET NORTH 89 DEGREES 56 MINUTES 29 SECONDS EAST OF THE NORTHWEST CORNER OF SAID ¼ SECTION; RUNNING THENCE NORTH 89 DEGREES 56 MINUTES 29 SECONDS EAST ALONG THE NORTH LINE OF SAID ¼ SECTION 1460.07 FEET TO A POINT IN THE WESTERLY DOCK LINE OF THE

KINNICKINNIC RIVER; THENCE SOUTH 21 DEGREES 32 MINUTES 49 SECONDS WEST ALONG THE WESTERLY DOCK LINE OF THE KINNICKINNIC RIVER 842.70 FEET TO A POINT; THENCE SOUTH 89 DEGREES 25 MINUTES 22 SECONDS WEST 359.42 FEET TO A POINT IN THE NORTHEASTERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD TRANSPORTATION COMPANY RIGHT OF WAY, SAID POINT BEING 770.75 FEET SOUTH OF THE SOUTH LINE OF EAST GREENFIELD AVENUE; THENCE SOUTH 39 DEGREES 06 MINUTES 20 SECONDS EAST ALONG THE NORTHEASTERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD TRANSPORTATION COMPANY RIGHT OF WAY 381.98 FEET TO A POINT IN THE WESTERLY DOCK LINE OF THE KINNICKINNIC RIVER; THENCE SOUTH 21 DEGREES 32 MINUTES 49 SECONDS WEST ALONG WEST DOCK LINE OF THE KINNICKINNIC RIVER 57.25 FEET TO A POINT; THENCE SOUTH 16 DEGREES 01 MINUTES 51 SECONDS WEST ALONG THE WESTERLY DOCK LINE OF THE KINNICKINNIC RIVER 54.28 FEET TO A POINT; THENCE SOUTH 20 DEGREES 59 MINUTES 55 SECONDS WEST ALONG THE WESTERLY DOCK LINE OF THE KINNICKINNIC RIVER 736.17 FEET TO A POINT; THENCE NORTH 74 DEGREES 49 MINUTES 58 SECONDS WEST 464.11 FEET TO A POINT IN THE NORTH LINE OF LOT 7 AFORESAID, SAID POINT BEING 424.30 FEET EAST OF THE NORTHWEST CORNER OF LOT 7; THENCE NORTH 56 DEGREES 39 MINUTES 10 SECONDS WEST 365.79 FEET TO A POINT IN THE EAST LINE OF CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY RIGHT OF WAY, SAID POINT BEING 200 FEET NORTH OF THE NORTH LINE OF LOT 7 AND 116.00 FEET EAST OF THE WEST LINE OF SAID ¼ SECTION; THENCE NORTH 00 DEGREES 46 MINUTES 58 SECONDS EAST ALONG THE EAST LINE OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY RIGHT OF WAY ON A LINE WHICH IS 116.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE SAID ¼ SECTION 1552.68 FEET TO THE POINT OF COMMENCEMENT; EXCEPTING THEREFROM THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD TRANSPORTATION COMPANY 100.00 FEET IN WIDTH RUNNING NORTHWESTERLY THROUGH SAID LANDS; AND EXCEPTING THEREFROM THE NORTH 16.00 FEET AS TAKEN FOR EAST GREENFIELD AVENUE AND THOSE LANDS LYING NORTHEAST OF SAID RAILROAD RIGHT OF WAY.

ALSO EXCEPTING FROM THE ABOVE PARCELS THAT PART CONTAINED IN QUIT CLAIM DEED RECORDED AS DOCUMENT NO. 4421152.

PARCEL 2:

THE FOLLOWING DESCRIBED PARCEL IS SITUATED IN THE COUNTY OF MILWAUKEE AND THE STATE OF WISCONSIN, TO WIT:

THAT PART OF THE SOUTHWEST ¼ OF SECTION 33, TOWNSHIP 7 NORTH, RANGE 22 EAST AND THE SOUTHEAST ¼ OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 22 EAST, IN THE CITY OF MILWAUKEE, MILWAUKEE COUNTY, WISCONSIN, WHICH IS BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH SECTION CORNER BETWEEN SECTIONS 32 AND 33 AFORESAID; RUNNING THENCE NORTH 00 DEGREES 16 MINUTES 36 SECONDS EAST ALONG THE SECTION LINE BETWEEN

SECTIONS 32 AND 33 AFORESAID 388.00 FEET TO A POINT, SAID POINT LYING IN THE CENTER LINE EXTENDED EAST OF EAST MADISON STREET; THENCE SOUTH 89 DEGREES 56 MINUTES 29 SECONDS WEST ALONG THE CENTER LINE EXTENDED EAST OF EAST MADISON STREET 49.70 FEET TO A POINT, THEN NORTH 03 DEGREES 31 MINUTES 36 SECONDS EAST AND PARALLEL TO THE EAST LINE OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY RIGHT OF WAY 310.0 FEET, MORE OR LESS, TO A POINT IN THE WESTERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY RIGHT OF WAY, SAID POINT BEING 125.2 FEET WESTERLY, AS MEASURED RADially FROM THE EASTERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY RIGHT OF WAY; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY RIGHT OF WAY 503.64 FEET ON THE ARC OF THE CURVE WHOSE CENTER LIES TO THE EAST, WHOSE RADIUS IS 2694.29 FEET AND WHOSE CHORD BEARS SOUTH 11 DEGREES 52 MINUTES 26 SECONDS EAST 602.90 FEET TO A POINT, SAID POINT BEING 155.15 FEET NORTH OF THE NORTH LINE OF EAST GREENFIELD AVENUE; THENCE NORTH 89 DEGREES 56 MINUTES 29 SECONDS EAST AND PARALLEL TO THE NORTH LINE OF EAST GREENFIELD AVENUE 26.39 TO A POINT ON THE WESTERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY RIGHT OF WAY, SAID POINT BEING 100 FEET WESTERLY AS MEASURED RADially, FROM THE EASTERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY RIGHT OF WAY; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY RIGHT OF WAY 217.91 FEET ON THE ARC OF A CURVE WHOSE CENTER LIES TO THE EAST, WHOSE RADIUS IS 2669.09 FEET AND WHOSE CHORD BEARS SOUTH 19 DEGREES 44 MINUTES 06 SECONDS EAST 217.85 FEET TO A POINT IN THE SOUTH LINE OF SECTION 33; THENCE SOUTH 89 DEGREES, 56 MINUTES 29 SECONDS WEST ALONG THE SOUTH LINE OF SECTION 33 AFORESAID 174.67 FEET TO THE POINT OF COMMENCEMENT; EXCEPTING THEREFROM THE SOUTH 50.00 FEET AS TAKEN FOR EAST GREENFIELD AVENUE.

TAX KEY NOS. 430-9997-100-3 and 463-9995-200-X.

ADDRESS: 302 and 311 EAST GREENFIELD AVENUE, MILWAUKEE, WISCONSIN.

EXHIBIT "B" TO QUITCLAIM DEED

ORDER AUTHORIZING SALE OF GREENFIELD PROPERTIES



UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

In re:

Golden Marina Causeway LLC,

Debtor.

Chapter 11

Bankruptcy No. 16-03587

Hon. Donald R. Cassling

**ORDER AUTHORIZING SALE OF  
GREENFIELD PROPERTIES**

This matter coming to be heard on the Debtor's Motion to (I) Set Bidding Procedures for Sale of Greenfield Properties and to Sell Greenfield Properties, (II) Approve the Form of Asset Purchase Agreement, and (III) Approve Break-Up Fee, (the "Sale Motion") [Dkt. Nos. 93, 102] filed by Golden Marina Causeway LLC, as Debtor and Debtor-in-Possession (the "*Debtor*") in bankruptcy case number 16-03587 (the "*Case*") for entry of a Sale Order substantially in this form ("Sale Order") authorizing the Debtor (i) to enter into the Purchase and Sale Agreement with Wisconsin Gas LLC, a Wisconsin limited liability company doing business as WE Energies ("Buyer") (the "Sale Agreement") appended hereto as Exhibit 1 and incorporated herein by reference and (ii) to sell (the "Sale") the Greenfield Properties<sup>1</sup> to Buyer for \$4,000,000, free and clear of all liens, claims and encumbrances on the terms and conditions set forth in the Sale Agreement (with liens to attach to the proceeds of the sale); and notice of the initial presentation of the Sale Motion having been given to all known creditors and other known parties in interest, as well as through publication in the Milwaukee Journal Sentinel, and the Milwaukee Business Journal, among other channels, and further notice of the Sale and the opportunity to acquire the Greenfield Properties having been provided in the manner set forth in the Sale Motion; and the Court having considered the Sale Motion and having heard the statements of counsel and

<sup>1</sup> Capitalized terms not otherwise defined in this Sale Order have the meaning set forth in the Sale Motion.

otherwise being adequately advised in the premises; and the Court finding and concluding that good cause exists for the entry of this Sale Order;

**The Court hereby<sup>2</sup>**

1. Finds and concludes that (a) the Court has jurisdiction to approve the Sale and the transaction contemplated in the Sale Agreement and to enter this Sale Order pursuant to 28 U.S.C. § 1334; (b) approval of the Sale is a core proceeding under 28 U.S.C. §§ 157(b)(2)(A), (N), and (O); and (c) the relief requested herein is authorized pursuant to Bankruptcy Code §§105, 363, and Bankruptcy Rules 2002 (including, without limitation, Bankruptcy Rule 2002(i)), 6004, and 6006.

2. Finds and concludes based upon the certificates of service filed with the Court and the representations of counsel that the notice (the "Notice") with respect to the entry of this Sale Order constitutes good and sufficient notice of, and a reasonable opportunity to object or be heard regarding such matters, under Bankruptcy Code §§ 102(1), 363, and Bankruptcy Rules 2002 (including, without limitation, 2002(f)), 6004, and 6006 and that no other or further notice of, opportunity to object to, or other opportunity to be heard regarding such matters need be given to any entity.

3. Finds and concludes that the Debtor adequately marketed the Greenfield Properties. The Sale to Buyer was subject to higher or better offers, ("Competing Bids") and no higher or better offer was submitted. The Buyer's offer was thus the highest and best offer submitted for the Greenfield Properties. Buyer is the lone and thus the Winning Bidder for the Greenfield Properties.

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<sup>2</sup> The findings and conclusions set forth herein constitute the Court's findings of fact and conclusions of law pursuant to Bankruptcy Rule 7052, made applicable to this proceeding pursuant to Bankruptcy Rule 9014. To the extent that any of the following findings of fact constitute conclusions of law, they are adopted as such. Pursuant to Bankruptcy Rule 7052, to the extent any of the following conclusions of law constitute findings of fact, they are adopted as such. Statements made by the Court from the bench during the Sale Hearing shall constitute additional conclusions of law and findings of fact, as appropriate.

4. Finds and concludes, based on the Debtor's representations that (a) the Debtor has demonstrated that it is a sound exercise of its business judgment to enter the transaction set forth in the Sale Agreement and this Sale Order, (b) good and sufficient reasons for approval of the Sale have been articulated and (c) the relief requested in the Sale Motion and this Sale Order is in the best interests of Debtor, its estate, creditors, and other parties-in-interest.

5. Finds that the offer of the Buyer to purchase the Greenfield Properties for (i) a cash payment of \$4,000,000 (the "Purchase Price") under the terms and conditions set forth in the Sale Agreement: (a) represents the highest and otherwise best offer obtained for the Greenfield Properties; (b) is fair, adequate, and sufficient consideration that constitutes reasonably equivalent value for the Greenfield Properties, and (c) would not have been made by Buyer absent the protections afforded to Buyer by the Bankruptcy Code and this Sale Order. The Debtor's determination that the Sale to Buyer, provides the highest or otherwise best offer for the Greenfield Properties and constitutes a reasonable exercise of the discretion afforded to the Debtor under the business judgment rule. The Debtor's representation of that determination to the Court and request for entry of this Sale Order constitute reasonable exercises of the Debtor's sound business judgment and is in the best interests of the Debtor, its estate, creditors, and other parties in interest.

6. Finds and concludes that a sale of the Greenfield Properties other than one free and clear of (a) all prepetition and postpetition liens (including, without limitation, any "lien" as defined in Bankruptcy Code section 101(37)), (b) claims (including, without limitation, any "claim" as defined in Bankruptcy Code section 101(5)), (c) encumbrances, (d) defenses (including, without limitation, rights of setoff and recoupment) and (e) interests, in each instance, with respect to the Greenfield Properties, other than liability (if any) under Section 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act, 41 U.S.C. § 9607(a), arising exclusively under facts unrelated to, and existing prior to, the acquisition of title by the Buyer (collectively, "Interests"), would impact materially and adversely

on Debtor's bankruptcy estate, would yield substantially less value for Debtor's estate, and would provide less certainty than the available alternatives.

7. Finds that each entity with an Interest in any of the Greenfield Properties to be transferred on the closing date has (a) consented to, or is deemed to have consented to, the Sale free and clear of such Interests, (b) could be compelled in a legal or equitable proceeding to accept money satisfaction of such Interest, or (c) otherwise falls within the provisions of Bankruptcy Code section 363(f), and therefore, in each case, one or more of the standards set forth in Bankruptcy Code section 363(f) has been satisfied as to all such Interests. All holders of Interests who (x) did not object to the Sale Motion, (y) who withdrew their objections to the Sale Motion, and/or (z) whose objections to the Sale Motion were overruled are deemed to have consented to entry of this Sale Order pursuant to Bankruptcy Code section 363(f)(2). All holders of Interests are adequately protected by having their Interests, if any, attach to the cash proceeds of the Sale ultimately attributable to the property against or in which they claim an Interest, with the same validity and priority, and to the same extent, as existed before the Sale, and subject to the terms of the instruments that created such Interest. Therefore, approval of the Sale Agreement and consummation of the Sale at this time free and clear of Interests is appropriate pursuant to Bankruptcy Code section 363(f).

8. Finds that the Debtor and the Buyer negotiated the Sale Agreement and the transactions contemplated by the Sale Agreement at arm's length, without collusion, and in good faith within the meaning of Bankruptcy Code section 363(m). The Buyer proceeded in good faith in connection with all aspects of the Sale. As a result of the foregoing, Buyer is a good faith purchaser and is entitled to the protections of Bankruptcy Code section 363(m) with respect to all aspects of the Sale Agreement and the Sale. Debtor and Buyer have not engaged in any conduct that would cause or permit the Sale Agreement to be avoided pursuant to Bankruptcy Code § 363(n).

9. In the absence of a stay pending appeal, Buyer will be acting in good faith pursuant to Bankruptcy Code section 363(m) in concluding the transactions

contemplated by the Sale Agreement and the Motion at any time on or after the entry of this Sale Order. The Court being satisfied that (1) no objections have been raised of a nature that should prevent the immediate entry of this Sale Order, (2) the Sale Agreement contains deadlines with which the parties must comply, and (3) the transfer of the Greenfield Properties without delay beyond a time selected by the parties will help preserve the value of the Greenfield Properties for Debtors' estates, the Court finds cause to lift the stays provided in Bankruptcy Rules 6004(h) and 6006(d).

10. Finds and concludes, after all parties in interest in the case were provided notice of the Sale, the nature of the assets to be sold at the Sale, and the scheduled Sale Hearing and no parties objecting to the Sale, and on the Debtor's representations in the Sale Motion, that the Debtor has good, valid, and marketable title to all of the Greenfield Properties and finds that the transfer of the Greenfield Properties to the Buyer pursuant to this Sale Order shall constitute legal, valid, binding, and effective transfers of the Greenfield Properties and upon the Closing, shall vest the Buyer with good and valid title to the Greenfield Properties pursuant to sections 105(a), 363(b), and 363(f) of the Bankruptcy Code, free and clear of all Interests therein.

**For all of the foregoing reasons and after due deliberation, the Court  
ORDERS, ADJUDGES AND DECREES THAT:**

11. Wisconsin Gas LLC is the Winning Bidder for the Greenfield Properties.

12. The terms and conditions of the Sale Agreement are hereby approved and the sale of the Greenfield Properties is authorized under Bankruptcy Code § 363(b) and the Debtor is authorized to consummate the terms of the Sale Agreement and sell the Greenfield Properties to Buyer for \$4,000,000, on the terms and conditions set forth in Sale Agreement appended hereto as Exhibit 1.



13. The Buyer shall acquire the Greenfield Properties on the terms, representations, and warranties specifically set forth in the Sale Agreement.

14. The Buyer is a good faith Buyer within the meaning of Section 363(m) and entitled to all protections accorded by that statute.

15. All Interests in the Greenfield Properties shall attach to the Sale proceeds with the same force, validity, effect, priority and enforceability as such Interests had prior to the Sale, the sole and exclusive right and remedy available to any person or entity that asserts any Interest in any way related to the Greenfield Properties that is incurred or otherwise arises prior to the date of the Closing, or by reason of the sale of the Greenfield Properties to the Buyer, shall be a right to assert such Interest against the Sale proceeds and the Debtor's estate. Except as otherwise expressly provided in the Sale Agreement, all Persons are enjoined from asserting any Interests in or against the Greenfield Properties existing prior to the Closing (as such term is defined in the Sale Agreement) against Buyer, its successors or assigns, their property or the Greenfield Properties.

16. Pursuant to Bankruptcy Code §363(f), the Sale of the Greenfield Properties shall be free and clear of all Interests and the Debtor may sell the Greenfield Properties free and clear of all Interests because one or more of the standards set forth in §§ 363(f)(1)-(5) of the Bankruptcy Code has been satisfied. Among other things, no Holder of an Interest filed or raised any objection to the sale of the Greenfield Properties free and clear of Interests and has thus consented to the sale of the Greenfield Properties free and clear of Interests. Further, any Interests in the Greenfield Properties shall attach to the Sale Proceeds and are thereby protected.

17. Pursuant to §§ 105, 362(d) and 363(b) of the Bankruptcy Code, the Debtor, the Buyer and each other person or entity having duties or responsibilities under any agreements related to this Sale Order are hereby authorized and empowered to take any and all actions and execute all documents and instruments that the Debtor or the Buyer reasonably deems necessary or appropriate to (i) consummate the Sale of the Greenfield Properties to the Buyer pursuant to and in

accordance with the terms of this Sale Order, (ii) close the Sale as contemplated by this Sale Order, and (iii) execute and deliver, perform under, implement, effectuate, and close fully the transaction contemplated by this Sale Order and the Sale Agreement and all additional documents and instruments that may be reasonably necessary or desirable to implement the Sale.

18. There is cause to lift the stays provided in Bankruptcy Rules 6004(h) and 6006(d) with respect to the Sale in that (i) no objections have been raised of a nature that should prevent the immediate entry of this Sale Order, (ii) the Sale Agreement contains deadlines with which the parties must comply, and (iii) the Debtor's bankruptcy estate does not have sufficient resources to retain ownership of the Greenfield Properties, and thus this Sale Order shall be effective and enforceable immediately upon entry and its provisions shall be self-executing and in the absence of any entity obtaining a stay pending appeal, the Trustee and the Buyer are free to close the Sale.

19. Buyer is a good faith Buyer, as that term is used in Bankruptcy Code section 363(m), and is entitled to and hereby granted the protections provided to a good-faith Buyer under Bankruptcy Code section 363(m). The consideration provided by Buyer for the Greenfield Properties under the Sale Agreement is fair and reasonable and may not be avoided under Bankruptcy Code section 363(n).

20. The Sale Agreement and any related agreements may be modified, amended, or supplemented by agreement of the Debtor and Buyer without further action of the Court; provided that any such modification, amendment, or supplement is not material and substantially conforms to and effectuates the Sale Agreement and this Sale Order.

21. As of the Closing, as such term is defined in the Sale Agreement, this Sale Order shall be construed as, and shall constitute for any and all purposes, a full and complete general assignment, conveyance and transfer of the Greenfield Properties to the Buyer. Buyer shall not be deemed, solely as result of entering into the Sale Agreement, the consummation of the transaction contemplated by the Sale Agreement, or the transfer ownership of the Greenfield Properties to (a) be a legal

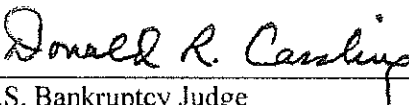
successor, or otherwise be deemed a successor to Debtor; (b) have, *de facto* or otherwise, merged with or into Debtor; or (c) be an alter ego or mere continuation or substantial continuation of Debtor.

22. The Court shall retain jurisdiction to (a) enforce this Sale Order, (b) resolve any disputes arising under or relating to this Sale Order, (c) enjoin and adjudicate the assertion of any Interest against or in respect of the Buyer or the Greenfield Properties and (d) otherwise interpret, implement, and enforce the provisions of this Sale Order. The Sale Agreement and all other documents, agreements and instruments necessary to effectuate and consummate the transaction contemplated by the Sale Agreement, together with the terms and provisions of this Sale Order, shall be binding in all respects upon and shall inure to the benefit of the Debtor, the Buyer and their respective successors and assigns, and any subsequent trustee appointed in the Debtor's chapter 11 case, or upon conversion to chapter 7 under the Bankruptcy Code and shall not be subject to rejection.

23. Any contradictions between the terms of this Sale Order and the Sale Motion shall be resolved by reference first to the terms of this Sale Order.

Dated: APR 04 2017

ENTER:

  
\_\_\_\_\_  
U.S. Bankruptcy Judge

Electronic Real Estate Transfer Receipt



Wisconsin Department of Revenue  
Instructions

- 1. Grantors and grantees must review this receipt, noting grantor and grantee responsibilities
- 2. Mail or deliver the following items:

**Milwaukee County Register of Deeds, 901 N 9TH ST, RM 103, MILWAUKEE, WI 53233-1458**

- This receipt page and a transfer fee of \$12,000.00
- The deed or instrument of conveyance and a recording fee of \$30.00 (regardless of the number of pages)

To view real estate transfer return details online, visit:

<https://ww2.revenue.wi.gov/RETRWebPublic/application>. You will need your receipt number, total value of real estate transferred, and the last name of one grantor or grantee.

Receipt **4M9AA**. Filed May 11, 2017, 10:17 AM - **Milwaukee County**. Conveyance date **2017-05-10**.

Value transferred	<b>\$4,000,000</b>	Transfer fee	<b>\$12,000.00</b>
Value subject to fee	<b>\$4,000,000</b>	Fee exemption number	

Grantors Golden Marina Causeway, LLC  
 Grantees Wisconsin Gas LLC d/b/a We Energies

Tax bill address Attn: Prop Rights Wisconsin Gas LLC dba WE Energies, 231 W. Michigan Street, Milwaukee, Wisconsin 53203

Property Location 302 E GREENFIELD AV (**City of Milwaukee**)  
 Parcels 430-9997-100 (S33/T7N/R22E), 463-9995-200 (S4/T6N/R22E)

Legal description PARCEL 1: THAT PART OF THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF SECTION 4 IN TOWN 6 NORTH, RANGE 22 EAST, IN THE CITY OF MILWAUKEE, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, WHICH IS BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE SOUTH

**Grantor responsibilities:** Grantors are responsible for paying the proper fee amount—verify the total property value, fee amount and fee exemption before sending this receipt to the county Register of Deeds.

**Grantee responsibilities:** Grantees assert that this property is not a primary residence, and that the property is not subject to weatherization standards with exclusion code "W-7".

Preparer First American Title Insurance, 414-224-1778, [zdominguez@firstam.com](mailto:zdominguez@firstam.com)  
 Grantor agent Jeffrey Burger, 312-273-1541  
 Grantee agent James T. Raabe, 414-221-2731, [James.Raabe@we-energies.com](mailto:James.Raabe@we-energies.com)

If you have questions on the Real Estate Transfer Return (RETR), visit the Wisconsin Department of Revenue's Real Estate Transfer Fee web page at: [revenue.wi.gov/retr/index.html](http://revenue.wi.gov/retr/index.html), or contact your County Register of Deeds. To locate your Register of Deeds, visit: [wrdaonline.org](http://wrdaonline.org).

Information on a real estate transfer return is used to administer various Wisconsin laws, including: income tax, real estate transfers, rental unit energy efficiency, lottery tax credit, and general property tax. Whether you are a resident, part-year resident, or non-resident, you must report the transfer of Wisconsin real estate in a taxable transaction on your Wisconsin income tax return. If you are a non-resident, you must file Form 1NPR to report the sale.

Penalties imposed under the following Wisconsin Statutes or Administrative Code:  
 Using an improper exemption - sec. 77.26(8), Wis. Stats.; falsifying the property value - sec. 77.27, Wis. Stats.;  
 weatherization claim - sec. 101.122(7), Wis. Stats, ch. SPS367.08, Wis. Adm. Code; improperly claiming lottery and gaming credit as primary residence - chapter tax 20.12, Wis. Adm. Code.

## eRETR - Electronic Real Estate Transfer Return Wisconsin Department of Revenue

This return was filed on May 11, 2017 at 10:17 AM with receipt 4M9AA.  
The transfer has not been recorded by the Milwaukee County Register of Deeds.  
This return was filed electronically.

### ^ Grantors

#### **Golden Marina Causeway, LLC** (Limited Liability Company)

*Address:* 5611 Walnut Avenue, Downers Grove, Illinois 60516  
*Phone number:* 312-273-1541  
*Email:*  
*Relationship with some grantee is:* None  
*Grantor type:* Limited Liability Company  
*Ownership interest transferred:* Full  
*Grantor retains the right:* None

### ^ Grantees

#### **Wisconsin Gas LLC d/b/a We Energies** (Limited Liability Company)

*Address:* 231 W Michigan Street, Milwaukee, Wisconsin 53203  
*Phone number:* 414-221-2731  
*Email:*  
*Grantee type:* Limited Liability Company

### ^ Parcels

*County:* Milwaukee  
*Property legal description:* PARCEL 1: THAT PART OF THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF SECTION 4 IN TOWN 6 NORTH, RANGE 22 EAST, IN THE CITY OF MILWAUKEE, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, WHICH IS BOUNDED AND DESCRIBED AS FOLLOWS:  
 COMMENCING AT A POINT IN THE SOUTH

All of parcel **430-9997-100** in the CITY OF MILWAUKEE

*Physical property address:* **302 E GREENFIELD AV**  
*Section/Township/Baseline/Range/Meridian:* S33 / T7N / R22E  
*Subdivision or condo/Lot or unit#/Block:*  
*Primary residence of grantee:* No

All of parcel **463-9995-200** in the CITY OF MILWAUKEE

*Physical property address:* **311 E GREENFIELD AV**  
*Section/Township/Baseline/Range/Meridian:* S4 / T6N / R22E  
*Subdivision or condo/Lot or unit#/Block:*  
*Primary residence of grantee:* No

### ^ Fee computation



*Total value of real estate transferred:* \$4,000,000.00  
*Value subject to fee:* \$4,000,000.00  
*Transfer fee due:* \$12,000.00  
*Transfer fee exemption number:*  
*Personal property value excluded from total value:* \$0.00  
*Property value exempt from local property tax:* \$0.00

^ **Tax bill mailing address**

*Send tax bill to:* Attn: Prop Rights Wisconsin Gas LLC dba WE Energies  
 231 W. Michigan Street  
 Milwaukee, Wisconsin 53203

^ **Transfer and financing**


*Transfer type:* Sale |  
*Conveyance document type:* Quit Claim Deed  
*Conveyance date:* May 10, 2017  
*Grantee's financing:* None |

^ **Physical description**


*Property type:* Land, Buildings  
*Predominant use:* Commercial  
*Predominant use explanation:* Abandoned Buildings  
*Lot square footage:* 0  
*Total acres:* 45.8  
*MFL/PFC acres:* 0  
*Feet of water frontage:* 0

^ **Agents and preparer**

**Grantors' agent**

*Name:* Jeffrey Burger  
*Address:* 105 West Madison Steet Suite 1500, Chicago, Illinois  
 60602  
*Phone number:* 312-273-1541   
*Email:*

**Grantees' agent**

*Name:* James T. Raabe  
*Address:* 231 W Michigan Street, Milwaukee, Wisconsin 53203  
*Phone number:* 414-221-2731   
*Email:* James.Raabe@we-energies.com

**Preparer**

*Name:* First American Title Insurance  
*Phone number:* 414-224-1778   
*Email:* zdominguez@firstam.com

^ **Weatherization**

*Is property subject to residential rental weatherization standards?*

No, with exclusion code W-7 .

^ **System information**

*Filed on:*

May 11, 2017 at 10:17 AM

^ **Full legal description**

PARCEL 1: THAT PART OF THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF SECTION 4 IN TOWN 6 NORTH, RANGE 22 EAST, IN THE CITY OF MILWAUKEE, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, WHICH IS BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 40.00 FEET SOUTH 89° 47' 45" EAST OF THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION; RUNNING THENCE NORTH 00° 46' 58" EAST ON A LINE WHICH IS 40.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 333.35 FEET TO THE SOUTHWEST CORNER OF LOT 14 IN PARTITION OF THAT PART OF THE NORTHWEST 1/4 OF SECTION 4, IN TOWN 6 NORTH, RANGE 22 EAST, WHICH LIES WEST OF THE 1/4 SECTION LINE; THENCE SOUTH 89° 47' 45" EAST ALONG THE SOUTH LINE OF LOT 14 AFORESAID 50.00 FEET TO A POINT; THENCE NORTH 00° 46' 58" EAST ALONG THE EAST LINE OF LOT 14 AFORESAID 151.42 FEET TO THE NORTHEAST CORNER OF SAID LOT 14; THENCE SOUTH 89° 47' 45" EAST ALONG THE SOUTH LINE OF LOT 7 IN SAID SUBDIVISION 26.00 FEET TO A POINT; THENCE NORTH 00° 46' 58" EAST ALONG A LINE WHICH IS 116.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 455.75 FEET TO A POINT WHICH LIES 200.00 FEET NORTH 00° 46' 58" EAST OF THE SOUTH LINE OF LOT 5 IN SAID SUBDIVISION; THENCE SOUTH 56° 39' 10" EAST 365.79 FEET TO A POINT IN THE SOUTH LINE OF SAID LOT 5 WHICH IS 424.30 FEET EAST OF THE SOUTHWEST CORNER OF SAID LOT 5; THENCE SOUTH 74° 49' 58" EAST 464.11 FEET TO A POINT IN THE DOCK LINES OF THE KINNICKINNIC RIVER; THENCE SOUTH 20° 59' 55" WEST ALONG THE DOCK LINE OF THE KINNICKINNIC RIVER 3.93 FEET TO A POINT; THENCE SOUTH 16° 11' 31" WEST ALONG THE DOCK LINE OF THE KINNICKINNIC RIVER 296.93 FEET TO A POINT; THENCE SOUTH 20° 45' 27" WEST ALONG THE DOCK LINE OF THE KINNICKINNIC RIVER 354.07 FEET TO A POINT IN THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION, SAID POINT BEING 672.66 FEET SOUTH 89° 47' 45" EAST OF THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION; THENCE SOUTH 17° 29' 34" WEST ALONG THE DOCK LINE OF THE KINNICKINNIC RIVER 343.01 FEET TO A POINT; THENCE SOUTH 60° 49' 25" WEST ALONG THE DOCK LINE OF THE KINNICKINNIC RIVER 42.79 FEET TO A POINT IN THE NORTH LINE OF THE SOUTH 50.00 FEET OF LOT 1 IN THE SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 4, IN TOWN 6 NORTH, RANGE 22 EAST, COUNTY OF MILWAUKEE, STATE OF WISCONSIN; THENCE SOUTH 89° 47' 45" EAST ALONG THE NORTH LINE OF THE SOUTH 50.00 FEET OF LOT 1 AFORESAID 30.75 FEET TO A POINT IN THE OLD ESTABLISHED DOCK LINE OF THE KINNICKINNIC RIVER; THENCE SOUTH 17° 29' 34" WEST ALONG THE OLD ESTABLISHED DOCK LINE OF THE KINNICKINNIC RIVER 6.00 FEET TO A POINT; THENCE SOUTH 55° 44' 25" WEST ALONG THE OLD ESTABLISHED DOCK LINE OF THE KINNICKINNIC RIVER 427.24 FEET TO A POINT THENCE NORTH 21° 28' 30" WEST ALONG A LINE WHICH IS 44.00 FEET NORTHEASTERLY OF AND PARALLEL TO THE NORTHEASTERLY LINE OF SOUTH KINNICKINNIC AVENUE 57.58 FEET TO A POINT IN THE DOCK LINE OF THE KINNICKINNIC RIVER; THENCE SOUTH 60° 49' 25" WEST ALONG THE DOCK LINE OF THE KINNICKINNIC RIVER 44.40 FEET TO A POINT IN THE NORTHEASTERLY LINE OF SOUTH KINNICKINNIC AVENUE; THENCE NORTH 21° 28' 30" WEST ALONG THE NORTHEASTERLY LINE OF SOUTH KINNICKINNIC AVENUE 232.30 FEET TO A POINT IN THE NORTH LINE OF THE SOUTH 50.00 FEET OF LOT 1 IN THE SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 4; THENCE SOUTH 89° 47' 45" EAST ALONG THE NORTH LINE OF THE SOUTH 50.00 FEET OF LOT 1 AFORESAID 47.35 FEET TO A POINT; THENCE NORTH 21° 28' 30" WEST ALONG A LINE WHICH IS 44.00 FEET NORTHEASTERLY OF AND PARALLEL TO THE NORTHEASTERLY LINE OF SOUTH KINNICKINNIC AVENUE 199.62 FEET TO A POINT WHICH IS 40.00 FEET EAST OF THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION; THENCE NORTH 00° 53' 55" EAST ALONG A LINE WHICH IS 40 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 163.01 FEET TO THE POINT OF COMMENCEMENT. BEING LOTS 13 AND 17 AND PART OF LOTS 5, 7, 8, 9, 10, 11 AND 12 IN PARTITION OF THAT PART OF THE NORTHWEST 1/4 OF SECTION 4, IN TOWN 6 NORTH, RANGE 22 EAST, WHICH LIES WEST OF THE 1/4 SECTION LINE AND PART OF LOTS 1 AND 2 IN SUBDIVISION INTO LOTS OF THE WEST 1/2 OF THE SOUTH 1/4 OF SECTION 4, IN TOWN 6 NORTH, RANGE 22 EAST, IN THE CITY OF MILWAUKEE, COUNTY OF MILWAUKEE, STATE OF WISCONSIN. THAT PART OF LOTS 2, 3, 4, 5 AND 7 IN THE PARTITION OF THAT PART OF THE NORTHWEST 1/4 OF SECTION 4 IN TOWN 6 NORTH, RANGE 22 EAST, IN THE CITY OF MILWAUKEE, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, LYING WEST OF THE 1/4 SECTION LINE WHICH LIES WITHIN THE LIMITS OF THE FOLLOWING DESCRIBED PARCEL OF LAND: COMMENCING AT A POINT IN THE NORTH LINE OF SAID 1/4 SECTION 116.01 FEET NORTH 89° 56' 29" EAST OF THE NORTHWEST CORNER OF SAID 1/4 SECTION; RUNNING THENCE NORTH 89° 56' 29" EAST ALONG THE NORTH LINE OF SAID 1/4 SECTION

1460.07 FEET TO A POINT IN THE WESTERLY DOCK LINE OF THE KINNICKINNIC RIVER; THENCE SOUTH 21° 32' 49" WEST ALONG THE WESTERLY DOCK LINE OF THE KINNICKINNIC RIVER 842.70 FEET TO A POINT; THENCE SOUTH 89° 25' 22" WEST 359.42 FEET TO A POINT IN THE NORTHEASTERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD TRANSPORTATION COMPANY RIGHT OF WAY, SAID POINT BEING 770.75 FEET SOUTH OF THE SOUTH LINE OF EAST GREENFIELD AVENUE; THENCE SOUTH 39° 06' 20" EAST ALONG THE NORTHEASTERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD TRANSPORTATION COMPANY RIGHT OF WAY 381.98 FEET TO A POINT IN THE WESTERLY DOCK LINE OF THE KINNICKINNIC RIVER; THENCE SOUTH 21° 32' 49" WEST ALONG THE WEST DOCK LINE OF THE KINNICKINNIC RIVER 57.25 FEET TO A POINT; THENCE SOUTH 16° 01' 51" WEST ALONG THE WESTERLY DOCK LINE OF THE KINNICKINNIC RIVER 54.28 FEET TO A POINT; THENCE SOUTH 20° 59' 55" WEST ALONG THE WESTERLY DOCK LINE OF THE KINNICKINNIC RIVER 736.17 FEET TO A POINT; THENCE NORTH 74° 49' 58" WEST 464.11 FEET TO A POINT IN THE NORTH LINE OF LOT 7 AFORESAID, SAID POINT BEING 424.30 FEET EAST OF THE NORTHWEST CORNER OF LOT 7; THENCE NORTH 56° 39' 10" WEST 365.79 FEET TO A POINT IN THE EAST LINE OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY RIGHT OF WAY, SAID POINT BEING 200.00 FEET NORTH OF THE NORTH LINE OF SAID LOT 7 AND 116.00 FEET EAST OF THE WEST LINE OF SAID 1/4 SECTION; THENCE NORTH 00° 46' 58" EAST ALONG THE EAST LINE OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY RIGHT OF WAY ON A LINE WHICH IS 116.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID 1/4 SECTION 1552.68 FEET TO THE POINT OF COMMENCEMENT; EXCEPTING THEREFROM THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD TRANSPORTATION COMPANY 100.00 FEET IN WIDTH RUNNING NORTHWESTERLY THROUGH SAID LANDS; AND EXCEPTING THEREFROM THE NORTH 16.00 FEET AS TAKEN FOR EAST GREENFIELD AVENUE AND THOSE LANDS LYING NORTHEAST OF SAID RAILROAD RIGHT OF WAY. ALSO EXCEPTING FROM THE ABOVE PARCELS THAT PART CONTAINED IN QUIT CLAIM DEED RECORDED AS DOCUMENT NO. 4421152. PARCEL 2: THE FOLLOWING DESCRIBED PARCEL IS SITUATED IN THE COUNTY OF MILWAUKEE AND THE STATE OF WISCONSIN, TO WIT: THAT PART OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 7 NORTH, RANGE 22 EAST AND THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 22 EAST, IN THE CITY OF MILWAUKEE, MILWAUKEE COUNTY, WISCONSIN, WHICH IS BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH SECTION CORNER BETWEEN SECTIONS 32 AND 33 AFORESAID; RUNNING THENCE NORTH 00° 16' 36" EAST ALONG THE SECTION LINE BETWEEN SECTIONS 32 AND 33 AFORESAID 388.00 FT. TO A POINT, SAID POINT LYING IN THE CENTER LINE EXTENDED EAST OF EAST MADISON STREET; THENCE SOUTH 89° 56' 29" WEST ALONG THE CENTER LINE EXTENDED EAST OF EAST MADISON STREET 49.70 FT. TO A POINT, THEN NORTH 03° 31' 36" EAST AND PARALLEL TO THE EAST LINE OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY RIGHT OF WAY 310.00 FT., MORE OR LESS, TO A POINT IN THE WESTERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY RIGHT OF WAY, SAID POINT BEING 125.2 FT. WESTERLY, AS MEASURED RADially FROM THE EASTERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY RIGHT OF WAY; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY RIGHT OF WAY 503.64 FT. ON THE ARC OF A CURVE WHOSE CENTER LIES TO THE EAST, WHOSE RADIUS IS 2694.29 FT. AND WHOSE CHORD BEARS SOUTH 11° 52' 26" EAST 602.90 FT. TO A POINT, SAID POINT BEING 155.15 FT. NORTH OF THE NORTH LINE OF EAST GREENFIELD AVENUE; THENCE NORTH 89° 56' 29" EAST AND PARALLEL TO THE NORTH LINE OF EAST GREENFIELD AVENUE 26.39 FT. TO A POINT ON THE WESTERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY RIGHT OF WAY, SAID POINT BEING 100.00 FT. WESTERLY AS MEASURED RADially, FROM THE EASTERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY RIGHT OF WAY; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY RIGHT OF WAY 217.91 FT. ON THE ARC OF A CURVE WHOSE CENTER LIES TO THE EAST, WHOSE RADIUS IS 2669.09 FT. AND WHOSE CHORD BEARS SOUTH 19° 44' 06" EAST 217.85 FT. TO A POINT IN THE SOUTH LINE OF SAID SECTION 33; THENCE SOUTH 89° 56' 29" WEST ALONG THE SOUTH LINE OF SECTION 33 AFORESAID 174.67 FT. TO THE POINT OF COMMENCEMENT; EXCEPTING THEREFROM THE SOUTH 50.00 FT. AS TAKEN FOR EAST GREENFIELD AVENUE.

**ATTACHMENT I**

**Certification Statements**


## Section 11 - Certification Statements

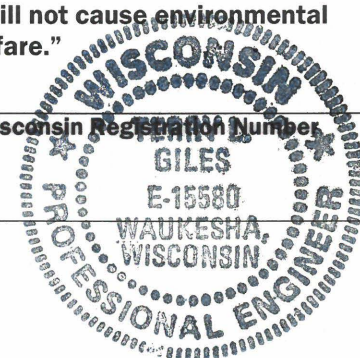
All exemption requests submitted to manage contaminated soil or other solid waste as an interim action or remedial action under Wis. Admin. Code §§ NR 708 or NR 722 must be prepared by, or prepared under, the supervision of a professional engineer. The professional engineer who prepared or supervised this exemption request should complete the following section.

Environmental Consultant Information	
<b>Firm Name</b> Giles Engineering Associates, Inc.	
<b>Mailing Address</b> N5 W22350 Johnson Drive, Suite A1	<b>State</b> WI
<b>City</b> Waukesha	<b>ZIP Code</b> 53186

Wis. Admin. Code § NR 712, entitled “Personnel Qualifications for Conducting Environmental Response Actions,” establishes minimum standards for experience and professional qualifications for persons who perform certain environmental services. This law applies to work conducted under Wis. Admin. Code § NR 718, unless specifically exempted.

**Note:** The following certification must be attached to confirm the Wis. Admin. Code § NR 718 exemption request was prepared by or under the supervision of a professional engineer under Wis. Admin. Code § NR 712.07.

Professional Engineer Information			
<b>Last Name</b> Giles		<b>First Name</b> Terry	
<b>Mailing Address</b> 22350 Johnson Drive; Suite A1		<b>City</b> Waukesha	<b>State</b> WI
<b>Phone No. (include area code)</b> 262-544-0118		<b>ZIP Code</b> 53186	
<b>Phone No. (include area code)</b> 262-544-0118		<b>Email</b> tlgiles@gilesengr.com	
<p>“I hereby certify that I am a registered professional engineer in the State of Wisconsin, registered in accordance with the requirements of ch. A-E 4, Wis. Adm. Code; that this document has been prepared in accordance with the Rules of Professional Conduct in ch. A-E 8, Wis. Adm. Code; and that, to the best of my knowledge, all information contained in this document is correct and the document was prepared in compliance with all applicable requirements in chs. NR 700 to 726, Wis. Adm. Code.</p> <p>It is my professional opinion that the proposed soil management activity will not cause environmental pollution nor cause any other significant risk to public health, safety or welfare.”</p>			
<b>Signature</b> 	<b>Date</b> 4/26/18	<b>Wisconsin Registration Number</b> GILES E-15580 WAUKESHA, WISCONSIN	






**ATTACHMENT J**

**Signatures  
Solvay Site (Receiving) Milwaukee, WI**

**Section 12 - Signatures**

*Each receiving site or facility property owner's signature must be included as part of this request. Attach additional copies of the signature page, if needed. If one of the owners of the receiving site or facility is acting on behalf of other owners, a power of attorney form or statement must be signed and attached to this agreement clearly granting the agent the authority to accept the contaminated soils on behalf of all other owners of the receiving site or facility whose signatures are not included on this agreement.*

Owner(s) of Property Where Material is Placed		
<b>Print Name</b> Robert A Grew	<b>Signature</b> 	<b>Date</b> 4/26/18
<b>Print Name</b>	<b>Signature</b>	<b>Date</b>
<b>Print Name</b>	<b>Signature</b>	<b>Date</b>
<b>Print Name</b>	<b>Signature</b>	<b>Date</b>

I understand that by signing this application I certify that I will follow the conditions and limitations required by law and specified in the exemption issued to me as owner of the site or facility that will receive the contaminated soil. Further, I certify that the contaminated soil proposed to be managed under this exemption will be at a property that meets the definition of "site" or "facility" under Wis. Stats. Chapter 292 and Wis. Admin. Code Chapters §§ NR 700 – 754, and I understand that the material must be managed any time in the future as a solid waste with the department's approval. I understand that this exemption will be tracked in the Wisconsin Remediation and Redevelopment Database, and if required, will include maintenance and inspection by me of any continuing obligations, such as maintaining an engineering control or barrier over the contaminated material, and will also be subject to inspection by the department. I understand that the conditions on my site or facility may be subject to Wis. Stats. Chapter 709, Disclosures by Owners of Real Estate. I believe that the legal description for all properties where material will be managed is included with this submittal.