

LETTER OF TRANSMITTAL

To: Ms. Nancy Ryan
 c/o Ms. Jennifer Dorman, Env. Program Associate
 Wisconsin Department of Natural Resources
 2300 N. Dr. Martin Luther King, Jr. Drive
 Milwaukee, WI 53212-3128

From: Adam Roder
 The Sigma Group, Inc.
 1300 W. Canal Street
 Milwaukee, WI 53233

Date: April 4, 2018

Site Name: MSOE Diercks Computational Science Hall

Address: 1025 N. Milwaukee Street
 Milwaukee, WI 53202

FID# 241343410

BRRTS # 02-41-581016

Please check the type(s) of documents you have enclosed. Submittals will be tracked and filed based on the information you provide. **Include the FID and BRRTS numbers which have been assigned to this site, and identify the intent of the document(s) you are submitting in order to speed processing.** Please attach any required fees to this checklist.

IS THIS RELEASE PECFA-ELIGIBLE?		
<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> UNKNOWN AT THIS TIME

Type of Submittal:

LUST ERP VPLE OTHER

CHECK	Agreements	FEE
	Tax assignment agreement - ss.75.106(2)(d) & 292.55	\$700
	Tax cancellation agreement - ss. 75.106(2)(d) & 292.55	\$700
	Negotiated agreements - s. 292.11(7)(d)2	\$1,400
	Technical Assistance (s. 292.55)	FEE
	NR 708 No Further Action Letter	\$350
	NR 716 No Further Investigation	\$700
	NR 716 Site Investigation Workplan	\$700
	NR 716 Site Investigation Report	\$1,050
	NR 720 Soil Cleanup Standards/Reports	\$1,050
	NR 722 Remedial Action Options Report	\$1,050
	NR 724 Remedial Design Report	\$1,050
	NR 724 Operation and Maintenance Report	\$425
	NR 724 Construction Documentation Reports	\$350
	NR 724 Long-Term Monitoring Plan	\$425
	NR 726 Case Closure Action	\$1,050
	NR 506 Exemption for building on a historic waste site	\$700
	Other Technical Assistance	\$700
	Liability Clarification Letters	FEE
	s. 292.13(3) Off-Site Exemption Letters	\$700
	s. 292.55 Lease Letters - Single Properties	\$700
	s. 292.55 Lease Letters - Multiple Properties	\$1,400
	s. 292.55 General Liability Clarification Letters	\$700
	s. 292.21(1)(c)1.d. Lender Assessments	\$700
	Department Database Fees (ss. 292.12 and 292.57)	FEE
	Sites with groundwater contamination that attains or exceeds ch. NR 140	\$350
	Sites with soil contamination that attains or exceeds ch. 720 RCLs	\$300
	Sites not otherwise addressed in this schedule, where the department imposes any other limitation or condition in accordance with s. 292.12(2)	\$350
	Cases submitted for closure with monitoring wells not properly abandoned, without residual groundwater contamination	\$350
	Modification or removal of a site or property from the database	\$1,050
	Other / Miscellaneous	
X	Form RR072 - NR 718.12 Exemption Request	

Remarks: **\$700 check #73695 from Sigma enclosed for review fee**

April 4, 2018

Sigma Reference #17076

Ms. Nancy Ryan
c/o Ms. Jennifer Dorman, Env. Program Associate
Wisconsin Department of Natural Resources
2300 N. Dr. Martin Luther King, Jr. Drive
Milwaukee, WI 53121

RE: NR 718.12 Contaminated Soil Management Request
Generating Site: MSOE Diercks Computational Science Hall Project
BRRTS #02-41-581016, FID #241343410
Receiving Site: Milwaukee Solvay Coke & Gas-Manufactured Gas Plant Site
BRRTS #02-41-466662, FID #241219880

Dear Ms. Ryan:

On behalf of Milwaukee School of Engineering (MSOE), The Sigma Group, Inc. (Sigma) has prepared the enclosed application package to request Wisconsin Department of Natural Resources (WDNR) approval to manage 7,000 cubic yards (CY) of soil with impacts below WDNR quality standards at the Solvay Coke & Gas property (the "Solvay site", BRRTS #02-41-466662). Soil will be generated at the MSOE Diercks Computational Science Hall project (the "Site", BRRTS #02-41-581016) during excavations for underground basements and foundations and transported to the Solvay site for beneficial reuse as soil capping material. We understand the WDNR is aware of the extensive site investigation and remediation activities at the Solvay site; soil from the Site proposed for use at the Solvay site poses no increased risk to human health or the environment.

Please note that the overall MSOE Diercks Computational Science Hall project is expected to generate approximately 27,000 CY of soil from excavation work. Friess Environmental Consulting, Inc., in cooperation with Sigma and MSOE, also submitted a NR 718 exemption request yesterday for accepting the balance of soil (after the 7,000 CY of soil mentioned above is hauled to the Solvay site) at the R&R Excavating contractor disposal site in the Town of Cedarburg. If WDNR approval of the R&R Excavating contractor disposal site is delayed while waiting for its second owner's signature on the NR 718 application, the backup plan will be to haul this remaining 20,000 CY of soil to a traditional WDNR-licensed landfill facility.

Specific information for the proposed MSOE-to-Solvay site soil management is included in the attached document RR-072 "Recommended Format for Exemption Request Wis. Admin. Code § NR 718.12 or § NR 718.15". A check for \$700 WDNR review fee is also attached. We request that the WDNR review this submittal within 45 to 60 days so MSOE soil excavation can commence by early June 2018.

We appreciate your prompt attention to this request and feel free to call us at (414) 643-4200 with questions.

Sincerely,

THE SIGMA GROUP, INC.



Adam J. Roder, P.E.
Senior Engineer



Randy E. Boness, P.G.
Geoscience Group Leader

cc: Dr. Blake Wentz - MSOE (via email: wentz@msoe.edu)
Mr. Bob Paulson - Wisconsin Gas LLC (via email: Robert.Paulson@we-energies.com)



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 §§ 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
Interim Actions per NR 708.11, with SMP and CO applied at other site/facility	\$700	No fee	<input type="checkbox"/> \$700
Remedial Action Plan approval, with SMP, without residual soil CO	\$1050	No fee	<input type="checkbox"/> \$1050
Remedial Action Plan approval, with SMP, with residual soil CO	\$1050	\$300	<input type="checkbox"/> \$1350
SMP submitted separately from a RAP or CO modification, without residual soil CO	\$700	No fee	<input type="checkbox"/> \$700
SMP submitted separately from a RAP or CO modification, with residual soil CO	\$700	\$300	<input type="checkbox"/> \$1000
Closed Sites: CO modification action, with SMP, without residual soil CO	\$1050	No fee	<input type="checkbox"/> \$1000
Closed Sites: CO 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
Interim Actions per NR 708.11, with SMP and CO applied at other site/facility	\$700	\$350	<input type="checkbox"/> \$1050
Interim Actions per NR 708.11, with SMP and no CO applied at other site/facility	\$700	No fee	<input checked="" type="checkbox"/> \$700
All other Actions (Remedial actions, modifications to CO, etc.) with residual soil CO	\$700	\$300	<input type="checkbox"/> \$1000
All other Actions (Remedial actions, post closure modifications, etc.) with no residual soil CO	\$700	No fee	<input type="checkbox"/> \$700
Total of On-Site Management Fee and Off-Site Management Fee			\$ 700
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					
BRRTS No. BRRTS #02-41-581016			BRRTS Activity (Site) Name MSOE Diercks Computational Science Hall		
Response Action Site Address 1025 N. Milwaukee Street			VPLE No. N/A		
City Milwaukee			Parcel ID No. 3930411000		
State Wisconsin			FID No. FID#241343410		
County Milwaukee			Zip Code 53202		
WTM Coordinates			WTM Coordinates Represent		
X: 690440		Y: 287865	Source Area <input type="checkbox"/>		Parcel Center <input checked="" type="checkbox"/>
NW ¼	NW ¼	Sec: 28	T: 07 N	R: 22	E/W: E
Latitude: 43.04435° N			Longitude: 87.90745° W		
Current Zoning: C9D(A) Central Business - Civic Activity			Current Land Use: Surface parking lot for MSOE		

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. Responsible Party Information			
Responsible Party (RP) Name(s) Milwaukee School of Engineering (Attn: Dr. Blake Wentz)		Company Name Milwaukee School of Engineering	
Signature(s) 		Date 4-2-18	
Mailing Address 1025 N. Broadway	City Milwaukee	State WI	ZIP Code 53202
Phone # (include area code) (414) 277-2204		Email wentz@msoe.edu	

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

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

D. Requestor Information			
Last Name	First	Organization/Business Name	
Roder	Adam	The Sigma Group, Inc.	
Signature(s) <i>Adam J Roder</i>			Date 4/4/18
Mailing Address		City	State ZIP Code
1300 W. Canal Street		Milwaukee	WI 53233
Phone No. (include area code)		Email	
(414) 643-4134		aroder@thesigmagroup.com	
<p>Check the box that describes the requestor's relationship to the generating property:</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		
Last Name	First	Organization/Business Name
Roder	Adam	The Sigma Group, Inc.
Mailing Address		Email
1300 W. Canal Street		aroder@thesigmagroup.com
City		Phone No. (include area code)
Milwaukee		(414) 643-4134
State	Zip Code	Relationship to Requestor (Same, Consultant, Developer, Etc.):
WI	53233	Environmental 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)

BRRTS No. BRRTS #02-41-466662			BRRTS Activity (Site) Name Milwaukee Solvay Coke & Gas - MGP		
Receiving Site or Facility Address 311 E. Greenfield Avenue			VPLE No. N/A		
City Milwaukee			Parcel ID No. 4639995200		
State Wisconsin			FID No. FID #241219880		
County Milwaukee			Zip Code 53204		
WTM Coordinates			WTM Coordinates Represent		
X: 690475		Y: 284230	Source Area <input type="checkbox"/>		Parcel Center <input type="checkbox"/>
DISPOSAL LOCATION ON RECEIVING SITE					
SW ¼	NW ¼	Sec: 04	T: 06N	R: 22E	E/W: E
Latitude: 43.01163° N			Longitude: 87.90813° W		
Current Zoning: IO(2) - Industrial Office			Current Land Use: Undeveloped		

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.

Property Owner Name(s) Wisconsin Gas LLC (Attn: Bob Paulson)	Company Name Wisconsin Gas LLC		
Mailing Address 231 W. Michigan Street	City Milwaukee	State WI	ZIP Code 53203
Phone Number (include area code) (414) 221-3948	Email Robert.Paulson@we-energies.com		

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.

An estimated 27,000 cubic yards (CY) of soil are anticipated to be excavated from the MSOE Diercks Computational Science Hall project (1025 N. Milwaukee Street; hereinafter the "Site") for basement and foundation excavations. Of this volume, approximately 7,000 CY of soil from two contiguous areas within the proposed building footprint (refer to **Figure 1**) are proposed to be beneficially reused as soil capping (engineered barrier) material at the Milwaukee Solvay Coke & Gas property (the "Solvay site") at 311 E. Greenfield Avenue, Milwaukee, Wisconsin. The Solvay site has a need for soil material for constructing a property-wide soil cap, which is to be placed in accordance with the Solvay site Administrative Settlement Agreement and Order on Consent for Site Fencing/Security, Engineering Evaluation/Cost Analysis and Non-time Critical Removal Action at the Uplands (ASAOC, U.S. EPA Docket No. V-W-17-C-010).

The approximately 7,000 CY of material to be managed under this NR 718 exemption will consist of reworked soil consisting of clay, silt, sand, and gravel (soil descriptions from representative soil boring logs include: silty clay, sandy clay, clayey sand, sand, gravelly sand, and sandy gravel). Occasional brick fragments were identified in some soil borings, but no other non-soil inclusions or waste materials were not encountered. Furthermore, it is understood that the Solvay site will not accept materials with construction debris, concrete / demolition rubble, or soils with contaminants above NR 720 non-industrial direct contact Residual Contaminant Levels (RCLs) and protection of groundwater RCLs.

- 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.

Historic Land Use: Historic land use information was documented in Sigma's *Site Investigation Report & Remedial Action Plan Report, MSOE Diercks Computational Science Hall Development, 1025 N. Milwaukee Street, Milwaukee, Wisconsin 53202*, which was submitted to the WDNR on March 26, 2018. In short, the Site was previously developed with residential dwellings, two church buildings (one of which was later converted into a MSOE auditorium), a Jewish Center of Milwaukee building (which was later converted into a MSOE building), two other MSOE buildings (classrooms and storage), and a surface parking lot.

Current Land Use: The Site is currently used as a surface parking lot.

Zoning: The Site is currently zoned C9D(A) Central Business - Civic Activity.

C. Total volume of contaminated soil and/or other solid waste to be managed (cubic yards):

The estimated volumes of soil to be managed under this NR 718 exemption request include the following:

Southeast basement area	2,900 CY
<u>Northwest basement area & ramp</u>	<u>4,100 CY</u>
Approximate Total:	7,000 CY

The two areas that comprise the 7,000 CY of soil described herein are depicted on **Figure 1**. All soil excavated will be transported off-site for the Diercks Computational Science Hall project. The project will begin on or near June 1, 2018.

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.

Soil contaminants identified at the Site include polynuclear aromatic hydrocarbons (PAHs) and Resource Conservation and Recovery Act (RCRA) metals; no volatile organic compounds (VOCs) or polychlorinated biphenyls (PCBs) were detected in any of the soil samples. Within the two areas that comprise the 7,000 CY of soil covered by this NR 718 exemption request, PAH and RCRA metals concentrations are below NR 720 non-industrial direct contact RCLs and protection of groundwater RCLs:

- Southeast basement area (excavation depth of approximately 16 feet)
 - Samples from soil borings GP-24 (3 samples), GP-25 (3 samples) and GP-26 (3 samples) are representative of this area:
 - VOCs in the 9 soil samples were reported below the laboratory detection limits.
 - PAHs in the 9 soil samples were generally reported below the laboratory detection limits; some low-level detections were reported but all concentrations are below non-industrial direct contact RCLs and protection of groundwater RCLs.
 - RCRA metals in the 9 soil samples were generally reported below the laboratory detection limits; some low-level detections were reported but all concentrations are below non-industrial direct contact RCLs, protection of groundwater RCLs, and WDNR Background Threshold Levels (BTVs), except for a single arsenic detection in sample GP-24, 14 to 16 feet bgs, at 10.2 milligrams per kilogram (mg/kg) relative to the WDNR BTV of 8 mg/kg - this one detection does not represent

an increased risk at the Solvay site in context of the other 8 arsenic concentrations that ranged between 3.1 mg/kg and 6.6 mg/kg.

- Northwest basement area (excavation depth of approximately 14 feet) and ramp down to basement level (0 to 14 feet deep)
 - Samples from soil borings GP-4 (1 sample), GP-6 (2 samples), GP-8 (1 sample), GP-13 (3 samples), GP-28 (2 samples), GP-29 (2 samples), GP-30 (2 samples), GP-31 (2 samples), GP-32 (2 samples), GP-33 (1 sample), and GP-34 (1 sample) are representative of this area:
 - VOCs in the 19 soil samples were reported below the laboratory detection limits.
 - PAHs in the 19 soil samples were generally reported below the laboratory detection limits; some low-level detections were reported but all concentrations are below non-industrial direct contact RCLs and protection of groundwater RCLs.
 - RCRA metals in the 19 soil samples were generally reported below the laboratory detection limits; some low-level detections were reported but all concentrations are below non-industrial direct contact RCLs, protection of groundwater RCLs, and WDNR Background Threshold Levels (BTVs), except for two arsenic detections in sample GP-33, 6 to 8 feet bgs (8.1 mg/kg) and GP-34, 2 to 4 feet bgs (9.2 mg/kg) relative to the WDNR BTV of 8 mg/kg - these two detections do not represent an increased risk at the Solvay site in context of the other 17 arsenic concentrations that ranged between 2.3 mg/kg and 6.4 mg/kg.
 - PCBs in 3 soil samples were reported below the lab detection limits.

Soil quality data are summarized in Table 1 - Soil Analytical Results (**Attachment 1**) and **Figure 2**. Soil laboratory analytical reports were included in Sigma's *Site Investigation Report & Remedial Action Plan Report, MSOE Diercks Computational Science Hall Development, 1025 N. Milwaukee Street, Milwaukee, Wisconsin 53202*, which was submitted to the WDNR on March 26, 2018.

The source of the low-level PAH and RCRA metals impacts is attributed to reworked soil historically placed at the Site. No specific point sources are known or suspected.

- 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.

Sigma advanced direct push (Geoprobe®) and hollow stem auger (HSA) soil borings across the Site between December 2017 and February 2018. No specific point sources are known or suspected, so the soil borings were spatially distributed across the project limits to characterize soil quality in areas that would be excavated during construction. A total of 109 discrete soil samples (one to three per soil boring) were collected for laboratory analysis VOCs, PAHs, and RCRA metals; 9 soil samples were also analyzed for PCBs.

- December 1, 2017: Sigma installed 9 Geoprobe® soil borings (GP-1 through GP-9); one to two soil samples from each boring were containerized and submitted for laboratory analysis of VOCs, PAHs, RCRA metals, and PCBs.
- February 26 to 28, 2018: Sigma installed 29 Geoprobe® soil borings (GP-10 through GP-38); one to three samples from each boring were containerized and submitted for laboratory analysis of VOCs, PAHs, and RCRA metals.

- February 26 and 27, 2018: Sigma oversaw the installation of 5 HSA soil borings (MW-1 through MW-5); three soil samples from each boring were containerized and submitted for laboratory analysis of VOCs, PAHs, and RCRA metals.

Additional details are included in Sigma's *Site Investigation Report & Remedial Action Plan Report, MSOE Diercks Computational Science Hall Development, 1025 N. Milwaukee Street, Milwaukee, Wisconsin 53202*, which was submitted to the WDNR on March 26, 2018.

- 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.

Soil samples were collected from across the entire Site (horizontally and vertically) for the site investigation activities, as well as for evaluating soil quality for purposes of potential NR 718 soil management planning. Most soil samples (101 out of 109) were collected from areas of the site that will be excavated during redevelopment for basement and related soil cut areas.

The material proposed for off-site management under NR 718 was sampled for the potential contaminants described in Section E above based on Phase I Environmental Site Assessment-type research, which included discussions with current MSOE employees and reviewing information on WDNR BRRS on the Web and RR Sites Map websites, Sanborn Fire Insurance Maps, historic aerial photographs, and City Directories. Historic information did not suggest the need to sample for other potential contaminants of concern.

Further details and results of the site investigation work described above is available in Sigma's *Site Investigation Report & Remedial Action Plan Report, MSOE Diercks Computational Science Hall Development, 1025 N. Milwaukee Street, Milwaukee, Wisconsin 53202*, which was submitted to the WDNR on March 26, 2018.

Contaminants of concern at the Solvay site, as listed on the WDNR BRRS website (BRRS #02-41-466662), include VOCs, PAHs, metals (lead), mercury, chromium, and cyanide. All of these contaminants were sampled for at the Site, with the exception of cyanide.

- G. Total number of samples collected from this material and analyzed for contaminants of concern.

A total of 28 samples were collected from the approximately 7,000 CY of material covered by this NR 718 exemption application:

Southeast basement area	2,900 CY (9 soil samples)
<u>Northwest basement area & ramp</u>	<u>4,100 CY (19 soil samples)</u>
Total:	7,000 CY (28 soil samples)

- H. Rate of sample collection per volume (samples/cubic yard).

The overall rate of sample collection for the total volume of material is approximately 1 sample per 250 cubic yards of soil.

- 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 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.

Not applicable; a pre-approved alternative sampling plan was not requested. Based on the 28 soil samples that were collected and following the sampling frequency in NR 718.12(1)(e), up to 7,200 CY of soil would be permissible for this NR 718 exemption request. .

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 project remediation and/or development plans.

Soil from the Site will be excavated with a hydraulic excavator, loaded into quad-axle dump trucks, and transported to the Solvay site for placement / compaction as a soil cap with earthmoving equipment. As shown in **Figures 1** and **2**, the soil will be generated from two areas of the Site:

- In the southeast basement area, soil will be excavated from a depth of approximately 0 feet bgs (after the asphalt pavement is removed and transported off-Site for recycling) to 16 feet bgs. This volume of soil is approximately 2,900 CY.
- In the northwest basement area and ramp area, soil will be excavated from a depth of approximately 0 feet bgs (after the asphalt pavement is removed and transported off-Site for recycling) to 14 feet bgs. This volume of soil is approximately 4,100 CY.

All soil transported to the Solvay site will be placed at the ground surface (refer to **Attachment 2** for approximate location) and beneficially reused to construct a soil cap (at a thickness of 2 feet or more per capping requirements) required to protect subsurface impacts at that property. No response action is necessary for the Solvay site to address the relocated material as the overall contaminant levels are below non-industrial direct contact RCLs and protection of groundwater RCLs. The material will not pose a risk to human health or the environment; adversely impact groundwater, surface water, or air quality; nor pose a vapor intrusion risk.

- B. Summarize the proposed schedule for implementation of the material management plan including anticipated start and end dates.

Soil excavation at the Site is expected to begin on or near June 1, 2018. It is expected that the soil proposed for the Solvay site would be excavated and transported in summer (June, July, and/or August) 2018. Each truckload of soil transported to the Solvay site will include a numbered manifest to track the number of loads.

- 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.

Field methodologies and contingency plans for unexpected conditions at the Site are included in the *Soil Management Plan*, included as **Attachment 3**.

- 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.

A 40-hour OSHA trained environmental professional will be on-Site to identify and direct the proper segregation and disposal of impacted soil excavated during redevelopment, as well to document proper impacted soil management activities. Soil to be managed under this NR 718 request will have contaminant concentrations below non-industrial direct contact RCLs and protection of groundwater RCLs, so the potential risks to human health and the environmental are very minimal.

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 X 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?

Between 1873 and 1983, various portions of the Solvay site were used for a variety of industrial purposes including coke and manufactured gas production, coal storage, tannery and blast furnace operations, a service yard for Milwaukee's electric trolley system, and a railcar ferry terminal. Between 1983 and 2003, portions of the Solvay site were used for stockpiling construction and demolition materials such as asphalt and concrete. The Solvay site currently contains remnants of its former industrial infrastructure including abandoned buildings, foundations of former structures and stockpiles of construction and demolition materials, coke/ coal, and debris from former structures.

Zoning: The Solvay site is currently zoned IO2 - Industrial Office

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

Agricultural	<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
Industrial	<input checked="" type="checkbox"/> N	<input checked="" 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
Recreational	<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
Residential	<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
Undeveloped	<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
Commercial	<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
Other	<input type="checkbox"/> N	<input type="checkbox"/> S	<input checked="" 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:

The Kinnickinnic River borders the Solvay site to the east.

- 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.

The Solvay site, being a former coke and manufactured gas plant property with significant environmental impacts, has a long history of environmental site investigation and a recently-completed combined *Remedial Investigation/Feasibility Study* through USEPA and WDNR programs. The Solvay site is listed on the WDNR BRRTS database (#02-41-466662, activity page included as **Attachment 4**) and is a listed superfund site with the USEPA, designated as a non-National Priority List Superfund Alternative in the remedial process.

A *Remedial Investigation Report* recently completed by Arcadis is available for download from the USEPA Superfund website, along with other pertinent documents. The website link is provided below:

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

VOCs, PAHs, select metals, and cyanide are listed contaminants on the WDNR BRRTS activity page and are expected to be present in varying degrees within the area of proposed soil placement, along with several other contaminants and fill related impacts. Concentration maps are available for download using the link above.

The low-level impacts that are below applicable NR 720 RCLs and/or BTVs within the proposed 7,000 CY of soil from the Site do not pose any further risk to human health or the environment that does not already exist at the Solvay site.

- E. Describe any environmentally sensitive areas at or near the site or facility where the contaminated soil will be managed.

A review of NR 718.12 locational criteria is provided:

1. Within a floodplain. The proposed soil relocation area is not located within a floodplain as determined by FEMA.
2. Within 100 feet of any wetland or critical habitat area. The proposed soil relocation area is not located within 100 feet of any wetland or critical habitat area.
3. Within 300 feet of any navigable river, stream, lake, pond or flowage. The nearest navigable water body is the Kinnickinnic River, which runs along the east boundary of the Solvay site. Soil may be placed as close as 200 +/- feet of the river, but other areas will be greater than 300 feet from the river. The proposed soil placement does not pose a risk to surface or ground water based on the non-detectable to low concentrations of contaminants of concern present in the NR 718 soil.

4. Within 100 feet of any on-site water supply well or 300 feet of any off-site water supply well. No potable water supply wells are located on the Solvay site or within 300 feet of the Solvay site.
 5. Within 3 feet of high groundwater level. The placement of the soil will be at or above the existing ground surface. The minimum distance above the high groundwater level will be greater than 3 feet, as groundwater is approximately 6 to 12 feet deep at the Solvay site.
 6. At a depth greater than the depth of the original excavation from which the contaminated soil is removed. The soil will be placed at or above the existing ground surface within the proposed placement area at the Solvay site.
 7. Where the contaminated soil poses a threat to public health, safety, or welfare or the environment. Based on analytical data collected from samples of the soil to be relocated under this NR 718 exemption request, the soil does not pose a threat to human health or the welfare of the environment as contaminant concentrations below NR 720 RCLs and BTVs (except the three arsenic detections which are just slightly above its BTV).
- 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.

No other features of the Solvay site influence its suitability for the disposal of the minimally-impacted soil.

- 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): 132 feet Regional Site Specific

Bedrock Type: Sandstone Limestone/Dolomite Metamorphic/Igneous

High Groundwater Level (ft. below ground surface): 6-12 feet

Groundwater Flow Direction: east towards Kinnickinnic River 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.

See discussion above in Section 5 - E. Based on the analytical data for samples collected from soil to be relocated, the soil does not pose a threat to human health or the welfare of the environment as contaminant concentrations below NR 720 RCLs and BTVs (except the three arsenic detections which are just slightly above its BTV). The soil will be used for construction of an engineered barrier at the Solvay site.

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. **NOT APPLICABLE***

- 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.

Refer to **Attachment 2** for map of Solvay site.

- 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.

Refer to **Attachment 2** for map of Solvay site.

- The lateral extent and depth of planned excavation, grading, or otherwise disturbed areas.

- The lateral extent and thickness of excavated material placement locations.

Refer to **Attachment 2** for map of Solvay site.

- 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.

See attached **Figures 1 and 2** for Site. Solvay site contaminant concentration data and sample depths/figures available at USEPA site:

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

- Depth to groundwater.

Measured at 16.1 to 20.5 feet bgs at Site, approximately 6 to 12 feet bgs at Solvay site.

- The extent of any performance standards (such as a barrier or cap) that will be required at the completion of management activities.

No barriers / caps are necessary. The proposed material will be serving as a soil cap at the Solvay site.

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.

Refer to **Attachment 1**.

- 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.

Refer to Sigma's *Site Investigation Report & Remedial Action Plan Report, MSOE Diercks Computational Science Hall Development, 1025 N. Milwaukee Street, Milwaukee, Wisconsin 53202*, which was submitted to the WDNR on March 26, 2018.

- 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.

Refer to portions of **Attachment 5** related specifically to Parcel 1.

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	
Firm Name The Sigma Group, Inc.	
Mailing Address 1300 W. Canal Street	State Wisconsin
City Milwaukee	ZIP Code 53233

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			
Last Name Roder	First Name Adam		
Mailing Address The Sigma Group, Inc. 1300 W. Canal Street	City Milwaukee	State WI	ZIP Code 53233
Phone No. (include area code) (414) 643-4200	Email aroder@thesigmagroup.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</p>			
Signature <i>Adam J. Roder</i>	Date 4/4/18	Wisconsin Registration Number E-35739 NEW BERLIN WIS.	



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		
Print Name	Signature	Date
Robert A. GRECO		4/3/18
Print Name	Signature	Date
Print Name	Signature	Date
Print Name	Signature	Date

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

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

Section 9 - Figures

Figure 1 - Soil Management Plan Map

Figure 2 - Soil Quality Map



APPROXIMATELY 4,100 CY OF SOIL FROM NORTHWEST BASEMENT AND RAMP AREA PROPOSED FOR NR 718 REUSE AT MILWAUKEE SOLVAY COKE AND GAS

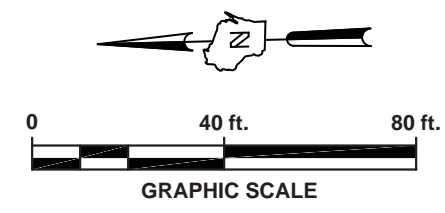
APPROXIMATELY 2,900 CY OF SOIL FROM SOUTHEAST BASEMENT AREA PROPOSED FOR NR 718 REUSE AT MILWAUKEE SOLVAY COKE AND GAS

SOIL IMPACTS KEY	
	= ESTIMATED EXTENT OF PAH IMPACTS > NON-IND DC RCLs
	= ESTIMATED EXTENT OF PAH IMPACTS > GW PATHWAY RCLs
	= ESTIMATED EXTENT OF ARSENIC IMPACTS > BTV OF 8 mg/kg
	= ESTIMATED EXTENT OF BARIUM IMPACTS > GW PATHWAY RCL
	= ESTIMATED EXTENT OF CADMIUM IMPACTS > BTV OF 1 mg/kg AND GW PATHWAY RCL
	= ESTIMATED EXTENT OF LEAD IMPACTS > BTV OF 52 mg/kg AND NON-IND DC RCL
	= ESTIMATED EXTENT OF LEAD IMPACTS > BTV OF 52 mg/kg AND GW PATHWAY RCL
	= ESTIMATED EXTENT OF MERCURY IMPACTS > GW PATHWAY RCL
	= ESTIMATED EXTENT OF SELENIUM IMPACTS > GW PATHWAY RCL

SOIL MANAGEMENT KEY	
	= SOIL EXCAVATED FOR RAMP AND BASEMENTS TO BE MANAGED AND DISPOSED OFF-SITE UNDER A WDNR PRE-APPROVED NR 718 EXEMPTION (MILWAUKEE SOLVAY COKE AND GAS SITE AT 311 E. GREENFIELD AVENUE, MILWAUKEE)
	= REMAINING SOIL EXCAVATED FOR BASEMENTS AND SUBGRADE PREPARATION OUTSIDE OF BUILDING TO BE MANAGED AND DISPOSED OFF-SITE UNDER A WDNR PRE-APPROVED NR 718 EXEMPTION(S) AND/OR WDNR LICENSED LANDFILL FACILITY WITH APPROPRIATE SOIL PROFILE APPROVAL FROM LANDFILL

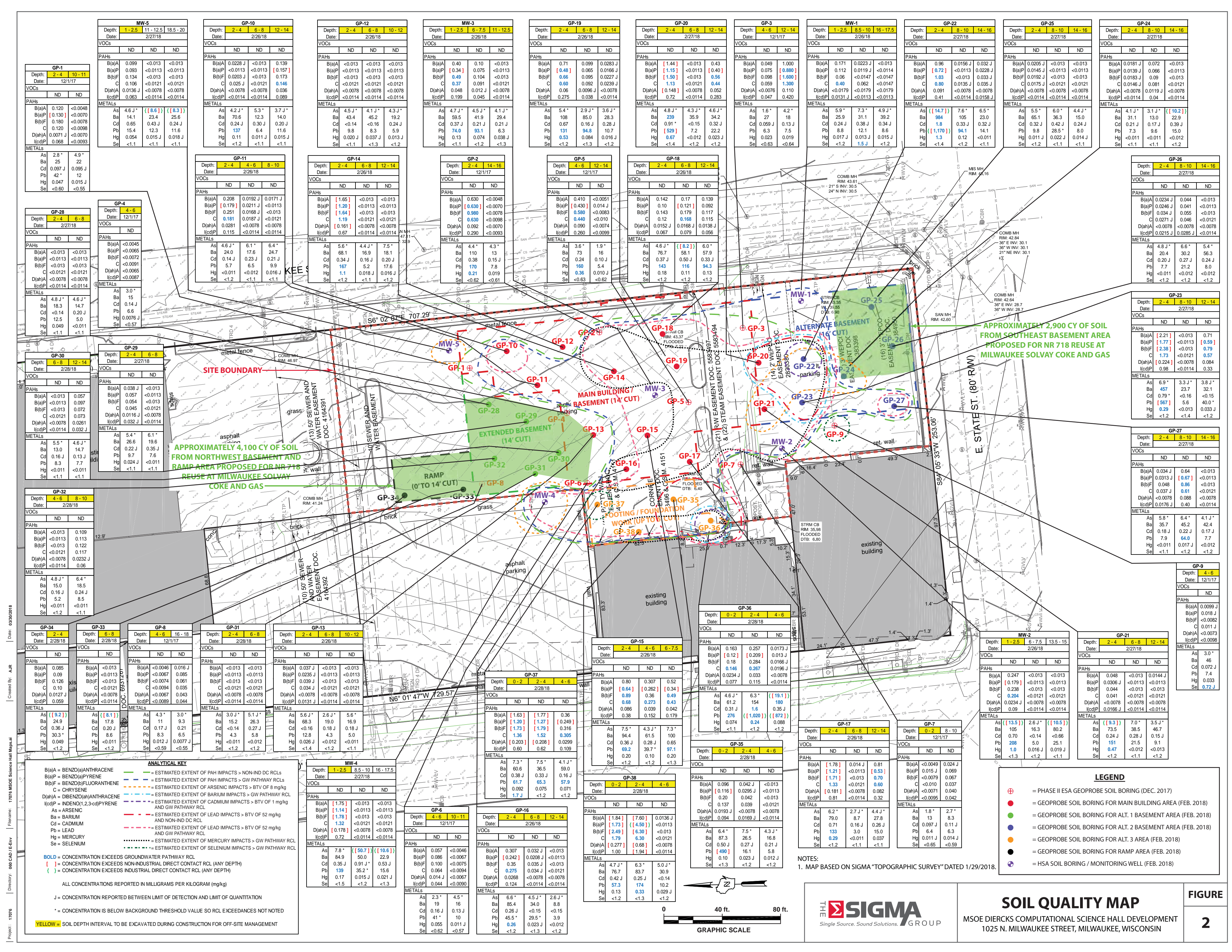
LEGEND	
	= PHASE II ESA GEOPROBE SOIL BORING (DEC. 2017)
	= GEOPROBE SOIL BORING FOR MAIN BUILDING AREA (FEB. 2018)
	= GEOPROBE SOIL BORING FOR ALT. 1 BASEMENT AREA (FEB. 2018)
	= GEOPROBE SOIL BORING FOR ALT. 2 BASEMENT AREA (FEB. 2018)
	= GEOPROBE SOIL BORING FOR ALT. 3 AREA (FEB. 2018)
	= GEOPROBE SOIL BORING FOR RAMP AREA (FEB. 2018)
	= HSA SOIL BORING / MONITORING WELL (FEB. 2018)

NOTES:
1. MAP BASED ON GRAEF "LAYOUT AND MATERIALS PLAN" SHEET DATED 3/7/2018.



SOIL MANAGEMENT PLAN MAP
MSOE DIERCKS COMPUTATIONAL SCIENCE HALL DEVELOPMENT
1025 N. MILWAUKEE STREET, MILWAUKEE, WISCONSIN

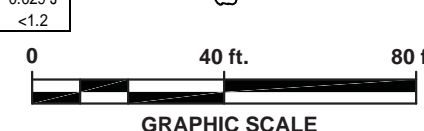
FIGURE 1



Project: 17076
Drawn by: ABR
Checked by: JAE
Date: 03/20/2018
Filename: 17076 MSOE Science Hall Maps.dwg
Directory: 060 CAD/FE/Env

ANALYTICAL KEY
B(a) = BENZO(A)ANTHRACENE
B(a)P = BENZO(A)PYRENE
B(b)F = BENZO(B)FLUORANTHENE
C = CHRYSENE
D(ah)A = DIBENZO(AH)ANTHRACENE
I(cd)P = INDENO(1,2,3-cd)PYRENE
As = ARSENIC
Ba = BARIUM
Cd = CADMIUM
Pb = LEAD
Hg = MERCURY
Se = SELENIUM
--- ESTIMATED EXTENT OF PAH IMPACTS > NON-IND DC RCL
--- ESTIMATED EXTENT OF PAH IMPACTS > GW PATHWAY RCLs
--- ESTIMATED EXTENT OF ARSENIC IMPACTS > BTV OF 8 mg/kg
--- ESTIMATED EXTENT OF BARIUM IMPACTS > GW PATHWAY RCL
--- ESTIMATED EXTENT OF CADMIUM IMPACTS > BTV OF 1 mg/kg AND GW PATHWAY RCL
--- ESTIMATED EXTENT OF LEAD IMPACTS > BTV OF 52 mg/kg AND NON-IND DC RCL
--- ESTIMATED EXTENT OF LEAD IMPACTS > BTV OF 52 mg/kg AND GW PATHWAY RCL
--- ESTIMATED EXTENT OF MERCURY IMPACTS > GW PATHWAY RCL
--- ESTIMATED EXTENT OF SELENIUM IMPACTS > GW PATHWAY RCL
BOLD = CONCENTRATION EXCEEDS GROUNDWATER PATHWAY RCL
[] = CONCENTRATION EXCEEDS NON-INDUSTRIAL DIRECT CONTACT RCL (ANY DEPTH)
() = CONCENTRATION EXCEEDS INDUSTRIAL DIRECT CONTACT RCL (ANY DEPTH)
ALL CONCENTRATIONS REPORTED IN MILLIGRAMS PER KILOGRAM (mg/kg)
J = CONCENTRATION REPORTED BETWEEN LIMIT OF DETECTION AND LIMIT OF QUANTIFICATION
* = CONCENTRATION IS BELOW BACKGROUND THRESHOLD VALUE SO RCL EXCEEDANCES NOT NOTED
YELLOW = SOIL DEPTH INTERVAL TO BE EXCAVATED DURING CONSTRUCTION FOR OFF-SITE MANAGEMENT

LEGEND
⊕ = PHASE II ESA GEOPROBE SOIL BORING (DEC. 2017)
● = GEOPROBE SOIL BORING FOR MAIN BUILDING AREA (FEB. 2018)
● = GEOPROBE SOIL BORING FOR ALT. 1 BASEMENT AREA (FEB. 2018)
● = GEOPROBE SOIL BORING FOR ALT. 2 BASEMENT AREA (FEB. 2018)
● = GEOPROBE SOIL BORING FOR ALT. 3 AREA (FEB. 2018)
● = GEOPROBE SOIL BORING FOR RAMP AREA (FEB. 2018)
● = HSA SOIL BORING / MONITORING WELL (FEB. 2018)
FIGURE 2
MSOE DIERCKS COMPUTATIONAL SCIENCE HALL DEVELOPMENT
1025 N. MILWAUKEE STREET, MILWAUKEE, WISCONSIN



THE SIGMA GROUP
Single Source. Sound Solutions.

Section 10 - Additional Attachments

Attachment 1 - Soil Analytical Results Table

Attachment 2 - Milwaukee Solvay Coke and Gas Site Map

Attachment 3 - Soil Management Plan (for MSOE Diercks Computational Science Hall)

Attachment 4 - Solvay Site BRRTS on the Web Activity Details

Attachment 5 - Solvay Site Deed

Attachment 1

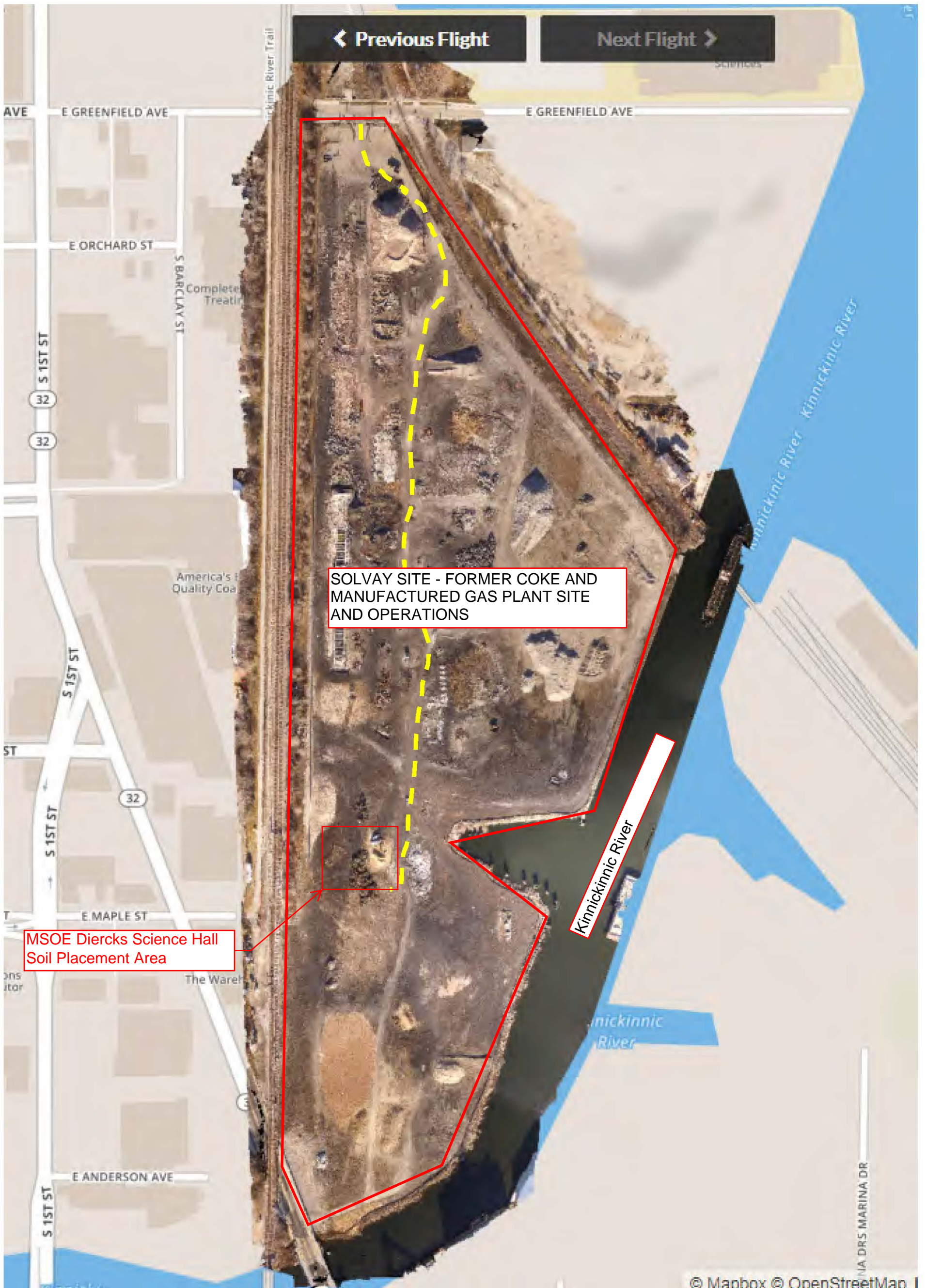
Soil Analytical Results Table

Attachment 2

Milwaukee Solvay Coke and Gas Site Map

Milwaukee Solvay Coke and Gas Site

311 East Greenfield Ave, Milwaukee, WI



Attachment 3

Soil Management Plan (for MSOE Diercks Computational Science Hall)

SOIL MANAGEMENT PLAN

**MSOE DIERCKS COMPUTATIONAL SCIENCE HALL
1025 N. MILWAUKEE STREET, MILWAUKEE, WI
BRRTS #02-41-581016 / FID #241343410**

MARCH 26, 2018

Introduction

This *Soil Management Plan* is based Sigma's Phase II Environmental Site Assessment work completed in December 2017 and subsurface site investigation work completed between February and March 2018.

Milwaukee School of Engineering's (MSOE's) redevelopment plan for the Site expands their university campus with the construction of the Dwight and Dian Diercks Computational Science Hall building. The structure will be a 4-story building with approximately 68,000 square feet of floor space (within an approximately 17,200 square feet footprint) that houses computer labs and classrooms, a supercomputer / data center, comment space, an auditorium, corporate partnership space, faculty offices, and mechanical support areas. An underground parking level will be the lowest level of the building and expand beyond the building footprint; the areas surrounding the new building will include updated surface parking lots and landscaping / plazas.

Civil engineering grading and building design plans call for a soil cut volume of up to approximately 27,000 cubic yards (CY) of soil from the basement and foundation excavations:

- Up to approximately 13,000 CY of soil will be removed from the main building basement;
- Up to approximately 750 CY of soil will be removed for the ramp down to the basement;
- Up to approximately 3,750 CY of soil will be removed for the northwest basement area;
- Up to approximately 6,000 CY of soil may be removed for the alternate south basement area; and
- Up to approximately 3,500 CY of soil will be removed for the west footing / foundation work associated with the concurrent building improvements to MSOE's German English Academy building immediately to the west of the Site.

Analytical testing of soil samples did not identify any detectable concentrations of volatile organic compounds (VOCs). Some polynuclear aromatic hydrocarbons (PAHs) and some Resource Conservation and Recovery Act (RCRA) metal concentrations (primarily arsenic, lead, and mercury) exceeded protection of groundwater and/or direct contact (for non-industrial land use) pathway Residual Contaminant Levels (RCLs). The extents of impacts

greater than RCLs are generally confined to the central area of the Site where the future building will be located (refer to attached **Figure 9**); a large majority of the impacts will be removed during excavation for a basement parking level.

Groundwater analytical data indicate that PAH and dissolved RCRA metals are reported below the laboratory detection limits and NR 140 Preventive Action Limits (PALs) in each of the five monitoring wells. All VOCs were also reported below the laboratory detection limits in all the wells, except for two compounds slightly above their respective NR 140 PALs: tetrachloroethene in well MW-1 and chloroform in well MW-2. A source of these low-level impacts has not been identified in the soil samples but are adequately characterized to understand potential risks to human health and the environment. Refer to attached **Figure 10**.

The overall soil management strategy (refer to attached **Figure 11**) is to transport all excavated material off-site and dispose of in a cost-effective manner. The first preference is to find a suitable off-site location(s) that can accept the soil with WDNR approval under NR 718.

- One NR 718 exemption application is in progress by Friess Environmental Consulting, Inc. for the R & R Excavating contractor disposal site in the Town of Cedarburg. However, it was just recently learned that a conflict in obtaining the R & R Excavating land owners' signatures could delay the WDNR's approval of this disposal location. A separate exemption application will be submitted as soon as possible to the WDNR.
- A second NR 718 exemption application is being considered for the Milwaukee Solvay Coke and Gas Site at 311 E. Greenfield Avenue in Milwaukee. It is understood that this property needs soil with low-level impacts to fill and cap the property as part of an overall remediation project. Sigma will submit a separate exemption application as soon as possible to the WDNR if this disposal location is feasible.

If all the soil cannot be accommodated with the NR 718 exemption(s), the next option is to haul the soil to a WDNR-licensed landfill for disposal. If this option is necessary, the requisite soil waste profile paperwork and supporting laboratory analytical data will be supplied to the landfill operator for review and approval.

Upon completion of the mass excavation work for the building basements, post-excavation soil samples will be collected on an approximately 50-foot grid interval across the excavation areas (refer to **Figure 13**) to help document residual contaminant concentrations that will remain at the Site. Soil samples will be analyzed for VOCs, PAHs, and RCRA metals.

Schedule

Construction is planned to begin in late May / early June 2018 and be complete by late summer 2019 in time for the start of the fall 2019 MSOE academic year. Most soil management activities are expected to take place in summer 2018.

Responsible Party / Land Owner:
Milwaukee School of Engineering
1025 N. Broadway
Milwaukee, WI 53202
Telephone: (414) 277-2204
Contact: Dr. Blake Wentz
Email: wentz@msoe.edu

Site Location Information:
1025 N. Milwaukee Street
Milwaukee, WI 53202
NW ¼ of NW ¼ of Sec 28, T7N, R22E
Wisconsin Transverse Mercator '91
X 690440
Y 287865

Environmental Consultant
The Sigma Group, Inc.
1300 W. Canal Street
Milwaukee, WI 53233
Contact: Adam J. Roder, P.E.
Telephone: 414-643-4200
Email: aroder@thesigmagroup.com

Construction Manager
Mortenson Construction
17975 W. Sarah Lane
Brookfield, WI 53045
Contact: Danny O'Brien
Telephone: 763-287-3534 (office) / 414-213-6222 (mobile)
Email: danny.obrien@mortenson.com

Earthworks Contractor
To be determined

General Conditions

Construction Manager and Earthworks Contractor shall prepare a site-specific Health & Safety Plan for their respective personnel prior to beginning site work. Sigma will prepare a site-specific Health & Safety Plan for its own personnel.

During the earthmoving and soil excavation activities, the Earthworks Contractor's heavy equipment operator(s) shall be 40-hour OSHA trained. Truck drivers do not need to be 40-hour OSHA trained provided they do not exit their vehicles at the site. Construction Manager is responsible to making all site workers aware of the environmental conditions at the Site.

Prior to subsurface excavation activities, the Construction Manager or Earthworks Contractor will obtain all necessary City of Milwaukee and/or State of Wisconsin permits relating to erosion control and storm water management unless otherwise specified by the Responsible Party / Land Owner.

Silt fences, storm sewer inlet protection, and other erosion control measures will be implemented and maintained at the site in accordance with an approved Erosion Control Plan. Erosion control measures shall be inspected by the Construction Manager and/or Earthworks Contractor in accordance with the Erosion Control Plan and permit.

WDNR shall be provided with a 7-day notice prior to commencing soil management activities. Sigma will assist the Construction Manager and/or Responsible Party / Land Owner in making this notification to the WDNR.

Soil Management

Soil conditions will be evaluated and managed in accordance with this *Soil Management Plan* under the direction and guidance of Sigma on behalf of Responsible Party / Land Owner. Sigma will provide a 40-hour OSHA trained environmental professional on-site as needed during soil excavation activities. Sigma will provide the Construction Manager with a copy of this *Soil Management Plan* (who must in turn make it available to subcontractors that will be involved with subsurface work) and will be available to provide on-site services, including screening soils with a photoionization detection (PID) in the field, observing and documenting the management of areas of known or unknown contamination, monitoring soil excavation areas, collecting soil samples, directing trucks to the appropriate off-site disposal location after being loaded with soil, and/or providing other on-call services as mentioned within this *Soil Management Plan*.

If concrete rubble, asphalt rubble, or wood is encountered during excavations, this material shall be segregated (if possible) for off-site recycling and/or hauled to a local licensed landfill facility for disposal.

- Clean concrete slabs and foundations that may be uncovered during excavation shall be cleaned of loose soil and transported off-site for recycling.
- Asphalt pavement is present at the ground surface across much of the Site. Asphalt pavement shall be stripped, segregated from underlying soil, and transported off-site for recycling.

If building debris is encountered during any excavation that may potentially contain asbestos containing materials (ACMs), work will be stopped in that area, the work area will be restricted with caution tape and/or signage, and the Construction Manager / Earthworks Contractor shall contact Responsible Party / Land Owner. The Earthworks Contractor may continue work in another location if feasible. Responsible Party / Land Owner shall contact Sigma to evaluate the building debris by a state-licensed Asbestos Inspector and direct the transportation to a licensed landfill facility for disposal as conditions merit.

Unknown underground storage tanks (USTs) may be encountered during excavation activities. If a UST is discovered, work will be stopped in that area, access to the work area will be restricted with caution tape and/or signage, and the Construction Manager / Earthworks Contractor shall contact Responsible Party / Land Owner. The Earthworks Contractor may continue work in another location if feasible. Responsible Party / Land Owner shall contact Sigma to notify the appropriate authorities and coordinate with a licensed tank removal contractor to clean and remove the UST in accordance with current State of Wisconsin (and City of Milwaukee) rules and regulations, including the completion of a Tank System Site Assessment. Waste materials generated during the UST removal and cleaning process will be disposed of in accordance with local, state, and federal requirements. The UST closure process will be documented by Sigma. Sigma will

coordinate any over-excavation services required of the tank removal contractor and the proper disposal of waste materials (e.g., tank sludge).

The overall soil management strategy is to transport all excavated material off-site and dispose of in a cost-effective manner. The first preference is to find a suitable off-site location(s) that can accept the soil with WDNR approval under NR 718; soil cannot be transported to a NR 718 contractor disposal site without WDNR pre-approval. If all the soil cannot be accommodated with the NR 718 exemption(s), the next option is to haul the soil to a WDNR-licensed landfill for disposal. If this option is necessary, the requisite soil waste profile paperwork and supporting laboratory analytical data will be supplied to the landfill operator for review and approval.

Temporary on-site stockpiles of contaminated soil shall follow the provisions of NR 718.05(3), generally including:

- Soil volume is limited to less than 2,500 cubic yards;
- Soil may be stockpiled for 15 days or less;
- Soil must be stockpiled on-site within 1,000 feet of where it was excavated;
- Soil must be placed on an impervious surface, such as concrete, asphalt, plastic sheeting, or geomembrane liner;
- Soil stockpile must be covered with plastic sheeting (10-mil thick minimum) that is secured at the end of each work day to prevent water infiltration, dust, odors, and erosion.

If the requirements of temporary storage cannot be met, the general storage requirements of NR 718.05(2) must be followed (or an exemption to parts of NR 718.05(2) must be obtained) for on-site stockpiles:

- Soil stockpile may not be located in a floodplain, within 100 feet of a wetland or critical habitat area, within 300 feet of any navigable water body, or within 100 feet of a water supply well;
- Soil must be placed on an impervious surface, such as concrete, asphalt, plastic sheeting, or geomembrane liner;
- Soil stockpile must be covered with plastic sheeting that is secured at the end of each work day to prevent water infiltration, dust, odors, and erosion;
- Berms or other engineering controls must be constructed to prevent surface water contact with the soil;
- Proper signage must be erected; and
- Notify the WDNR if the stockpile is stored 90 days or more.

Imported Fill

Imported engineered fill will be needed as backfill for the structural subgrade preparation beneath buildings, parking lots, roadways, sidewalks, and/or utilities. Engineered fill shall originate from quarries that mine native granular soils. Clean, recycled concrete may also be acceptable if the material meets the structural / civil project specifications. If recycled concrete is used, the source, quantity, and placement location at the Site shall be documented by the Construction Manager in the project records.

Prior to importing clean soil, including topsoil, the Construction Manager must provide the Responsible Party / Land Owner with the borrow property location and history of that borrow source, including a list of property owners, historic and current property usage, a physical description of the soil, and general location / depth from which the soil will be excavated. Responsible Party / Land Owner may request, at the Construction Manager's expense, laboratory testing of the soil for environmental parameters that could affect the regulatory case closure process. Soil shall not be imported until written approval is provided by the Responsible Party / Land Owner and/or a designated representative. After approval, a manifest system must be implemented by the Construction Manager to ensure that only approved soil materials are received at the Site.

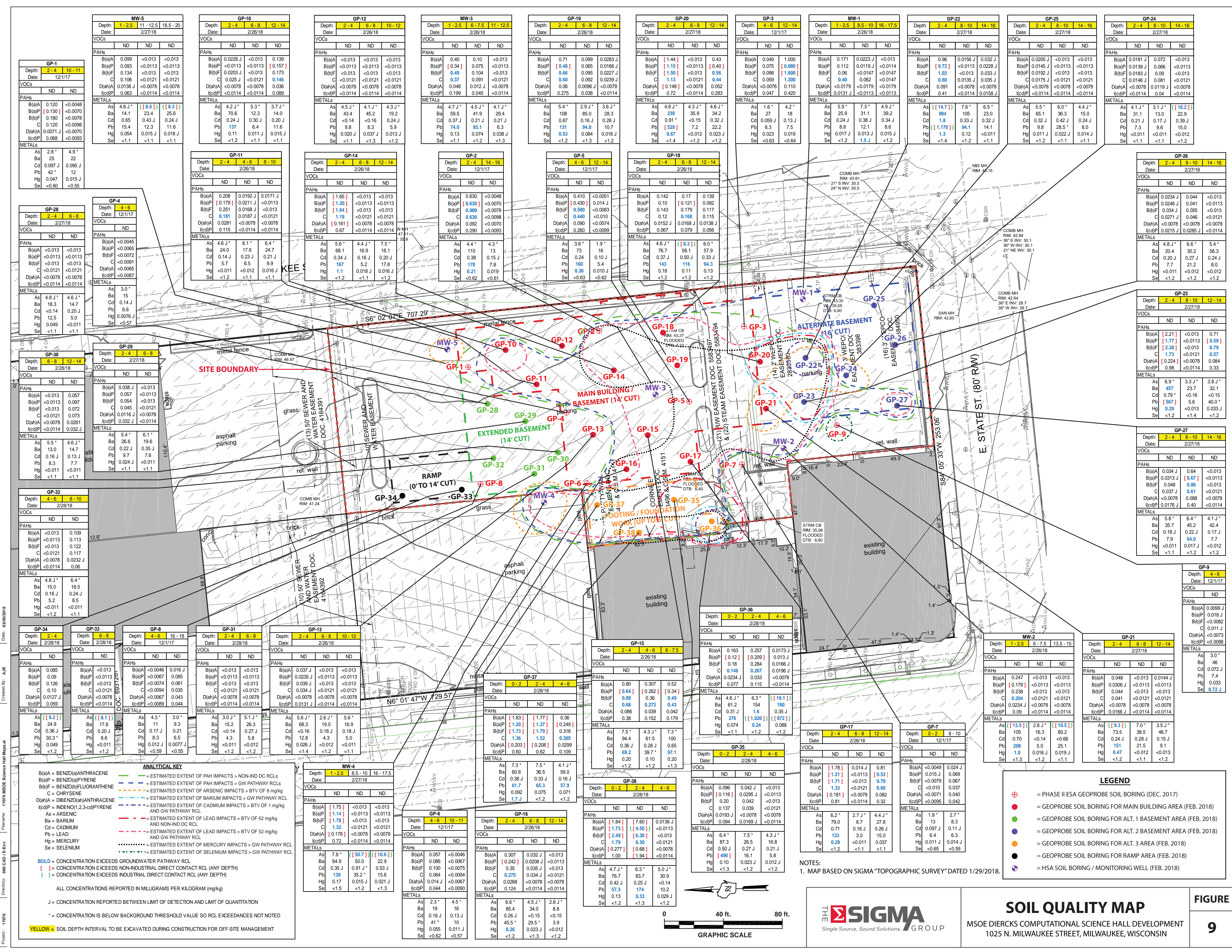
Water Management

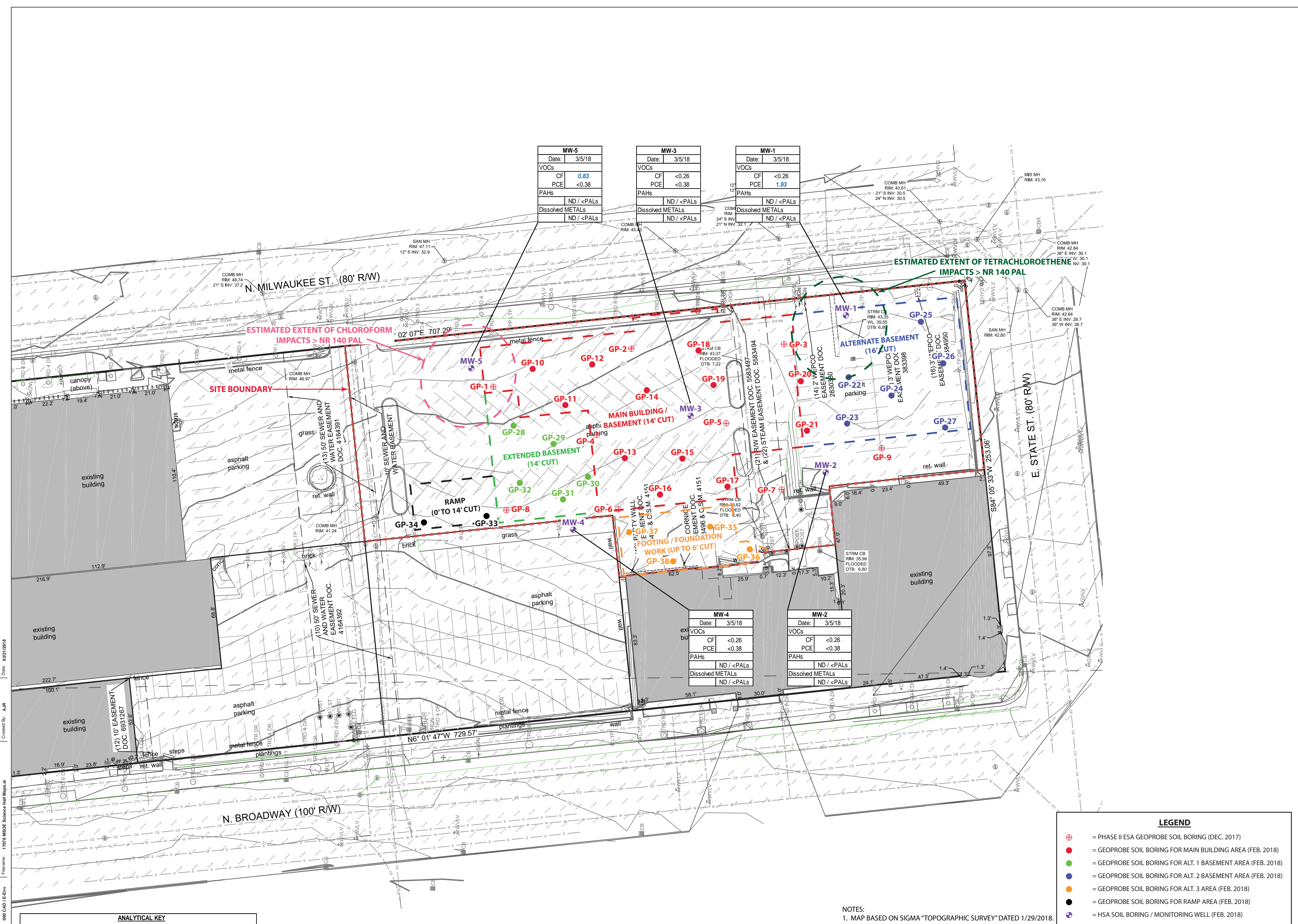
Groundwater or storm water that accumulates in excavations may be discharged to the local sanitary sewer system in accordance with jurisdictional permitting requirements.

- At this time, water disposal via the combined sewer system is considered the most feasible option. Construction Manager and/or Earthworks Contractor shall prepare a MMSD Notice of Intent form, submit the requisite permit application fees, and obtain permit approval. Responsible Party / Land Owner will require the Construction Manager and Excavation Contractor to abide by the limitations set forth the MMSD approval letter.
- Other water disposal options may be acceptable if performed in accordance with local, state, and/or federal regulations. Alternative water disposal options shall be discussed with Responsible Party / Land Owner and Sigma prior to implementation.

Attachments

- Figure 9 - Soil Quality Map
- Figure 10 - Groundwater Quality Map
- Figure 11 - Soil Management Plan Map
- Figure 13 - Post-Excavation Soil Sampling Plan Map





MW-5	
Date: 3/5/18	
VOCs	CF 0.83
	PCE <0.38
PAHs	ND / <PALS
Dissolved METALS	ND / <PALS

MW-3	
Date: 3/5/18	
VOCs	CF <0.26
	PCE <0.38
PAHs	ND / <PALS
Dissolved METALS	ND / <PALS

MW-1	
Date: 3/5/18	
VOCs	CF <0.26
	PCE 1.93
PAHs	ND / <PALS
Dissolved METALS	ND / <PALS

MW-4	
Date: 3/5/18	
VOCs	CF <0.26
	PCE <0.38
PAHs	ND / <PALS
Dissolved METALS	ND / <PALS

MW-2	
Date: 3/5/18	
VOCs	CF <0.26
	PCE <0.38
PAHs	ND / <PALS
Dissolved METALS	ND / <PALS

ANALYTICAL KEY

CF = CHLOROFORM
 PCE = TETRACHLOROETHENE

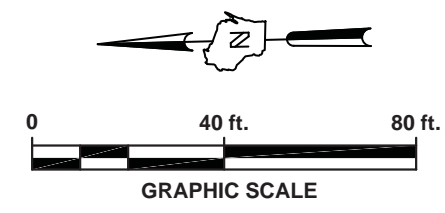
BOLD = CONCENTRATION EXCEEDS NR 140 ES
ITALICS = CONCENTRATION EXCEEDS NR 140 PAL

ALL CONCENTRATIONS REPORTED IN MICROGRAMS PER LITER (µg/L)

LEGEND

- ⊕ = PHASE II ESA GEOPROBE SOIL BORING (DEC. 2017)
- = GEOPROBE SOIL BORING FOR MAIN BUILDING AREA (FEB. 2018)
- = GEOPROBE SOIL BORING FOR ALT. 1 BASEMENT AREA (FEB. 2018)
- = GEOPROBE SOIL BORING FOR ALT. 2 BASEMENT AREA (FEB. 2018)
- = GEOPROBE SOIL BORING FOR ALT. 3 AREA (FEB. 2018)
- = GEOPROBE SOIL BORING FOR RAMP AREA (FEB. 2018)
- = HSA SOIL BORING / MONITORING WELL (FEB. 2018)

NOTES:
 1. MAP BASED ON SIGMA "TOPOGRAPHIC SURVEY" DATED 1/29/2018.



GROUNDWATER QUALITY MAP
 MSOE DIERCKS COMPUTATIONAL SCIENCE HALL DEVELOPMENT
 1025 N. MILWAUKEE STREET, MILWAUKEE, WISCONSIN

Project: 17076 | Directory: 060 CAD / E-Env | File name: 17076 MSOE Science Hall Maps.dwg | Created By: A.R | Date: 02/21/2018

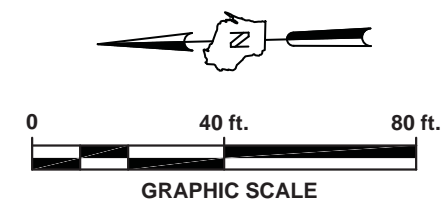


SOIL IMPACTS KEY	
	= ESTIMATED EXTENT OF PAH IMPACTS > NON-IND DC RCLs
	= ESTIMATED EXTENT OF PAH IMPACTS > GW PATHWAY RCLs
	= ESTIMATED EXTENT OF ARSENIC IMPACTS > BTV OF 8 mg/kg
	= ESTIMATED EXTENT OF BARIUM IMPACTS > GW PATHWAY RCL
	= ESTIMATED EXTENT OF CADMIUM IMPACTS > BTV OF 1 mg/kg AND GW PATHWAY RCL
	= ESTIMATED EXTENT OF LEAD IMPACTS > BTV OF 52 mg/kg AND NON-IND DC RCL
	= ESTIMATED EXTENT OF LEAD IMPACTS > BTV OF 52 mg/kg AND GW PATHWAY RCL
	= ESTIMATED EXTENT OF MERCURY IMPACTS > GW PATHWAY RCL
	= ESTIMATED EXTENT OF SELENIUM IMPACTS > GW PATHWAY RCL

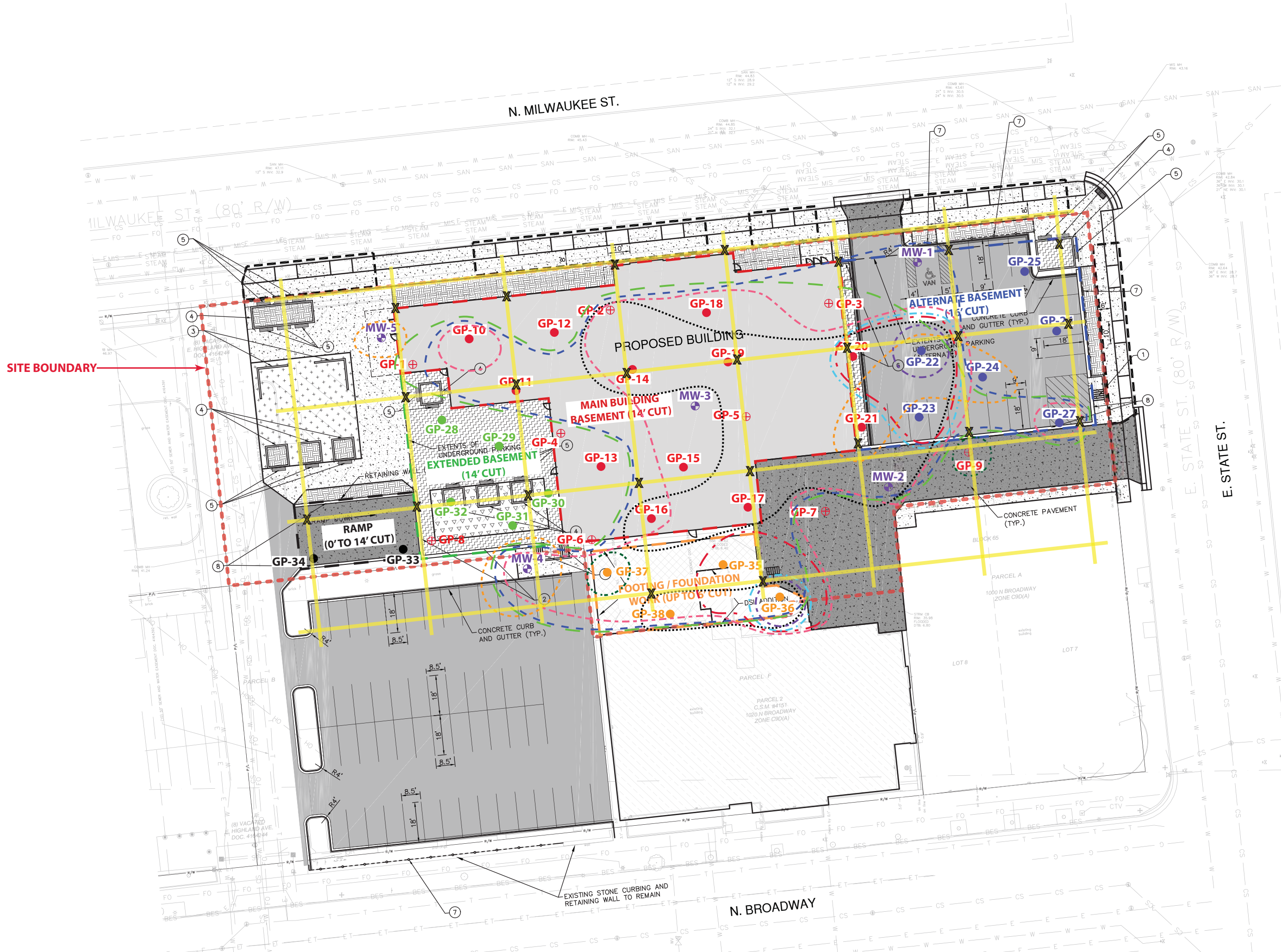
SOIL MANAGEMENT KEY	
	= SOIL EXCAVATED FOR RAMP AND BASEMENTS TO BE MANAGED AND DISPOSED OFF-SITE UNDER A WDNR PRE-APPROVED NR 718 EXEMPTION (MILWAUKEE SOLVAY COKE AND GAS SITE AT 311 E. GREENFIELD AVENUE, MILWAUKEE)
	= REMAINING SOIL EXCAVATED FOR BASEMENTS AND SUBGRADE PREPARATION OUTSIDE OF BUILDING TO BE MANAGED AND DISPOSED OFF-SITE UNDER A WDNR PRE-APPROVED NR 718 EXEMPTION(S) AND/OR WDNR LICENSED LANDFILL FACILITY WITH APPROPRIATE SOIL PROFILE APPROVAL FROM LANDFILL

LEGEND	
	= PHASE II ESA GEOPROBE SOIL BORING (DEC. 2017)
	= GEOPROBE SOIL BORING FOR MAIN BUILDING AREA (FEB. 2018)
	= GEOPROBE SOIL BORING FOR ALT. 1 BASEMENT AREA (FEB. 2018)
	= GEOPROBE SOIL BORING FOR ALT. 2 BASEMENT AREA (FEB. 2018)
	= GEOPROBE SOIL BORING FOR ALT. 3 AREA (FEB. 2018)
	= GEOPROBE SOIL BORING FOR RAMP AREA (FEB. 2018)
	= HSA SOIL BORING / MONITORING WELL (FEB. 2018)

NOTES:
1. MAP BASED ON GRAEF "LAYOUT AND MATERIALS PLAN" SHEET DATED 3/7/2018.



SOIL MANAGEMENT PLAN MAP
MSOE DIERCKS COMPUTATIONAL SCIENCE HALL DEVELOPMENT
1025 N. MILWAUKEE STREET, MILWAUKEE, WISCONSIN

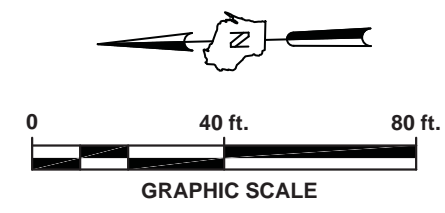


SOIL IMPACTS KEY	
	= ESTIMATED EXTENT OF PAH IMPACTS > NON-IND DC RCLs
	= ESTIMATED EXTENT OF PAH IMPACTS > GW PATHWAY RCLs
	= ESTIMATED EXTENT OF ARSENIUM IMPACTS > BTV OF 8 mg/kg
	= ESTIMATED EXTENT OF BARIUM IMPACTS > GW PATHWAY RCL
	= ESTIMATED EXTENT OF CADMIUM IMPACTS > BTV OF 1 mg/kg AND GW PATHWAY RCL
	= ESTIMATED EXTENT OF LEAD IMPACTS > BTV OF 52 mg/kg AND NON-IND DC RCL
	= ESTIMATED EXTENT OF LEAD IMPACTS > BTV OF 52 mg/kg AND GW PATHWAY RCL
	= ESTIMATED EXTENT OF MERCURY IMPACTS > GW PATHWAY RCL
	= ESTIMATED EXTENT OF SELENIUM IMPACTS > GW PATHWAY RCL

POST-EXCAVATION SOIL SAMPLING KEY	
	= POST-EXCAVATION SOIL SAMPLE TO BE COLLECTED FROM BOTTOM OF MASS EXCAVATION FOR BASEMENT AREAS (APPROXIMATELY 50-FOOT GRID INTERVAL). SOIL SAMPLES TO BE SUBMITTED TO ENVIRONMENTAL LABORATORY FOR ANALYSIS OF VOCs, PAHs, AND RCRA METALS.

LEGEND	
	= PHASE II ESA GEOPROBE SOIL BORING (DEC. 2017)
	= GEOPROBE SOIL BORING FOR MAIN BUILDING AREA (FEB. 2018)
	= GEOPROBE SOIL BORING FOR ALT. 1 BASEMENT AREA (FEB. 2018)
	= GEOPROBE SOIL BORING FOR ALT. 2 BASEMENT AREA (FEB. 2018)
	= GEOPROBE SOIL BORING FOR ALT. 3 AREA (FEB. 2018)
	= GEOPROBE SOIL BORING FOR RAMP AREA (FEB. 2018)
	= HSA SOIL BORING / MONITORING WELL (FEB. 2018)

NOTES:
1. MAP BASED ON GRAEF "LAYOUT AND MATERIALS PLAN" SHEET DATED 3/7/2018.



POST-EXCAVATION SOIL SAMPLING PLAN MAP
MSOE DIERCKS COMPUTATIONAL SCIENCE HALL DEVELOPMENT
1025 N. MILWAUKEE STREET, MILWAUKEE, WISCONSIN

FIGURE 13

Attachment 4

Solvay Site BRRTS on the Web Activity Details

Wisconsin Department of Natural Resources

Environmental Cleanup & Brownfields Redevelopment

BRRTS on the Web

Click the Location Name below to view the Location Details page for this Activity. Other Activities, if present, may be viewed from that page.

[Basic Search](#) >> 02-41-466662 Activity Details

02-41-466662 MILWAUKEE SOLVAY COKE & GAS - MGP (ALT SF)						
OPEN ERP						
Location Name (Click Location Name to View Location Details)				County	WDNR Region	
311 E GREENFIELD AVE				MILWAUKEE	SOUTHEAST	
Address				Municipality		
311 E GREENFIELD AVE				MILWAUKEE		
Public Land Survey System			Latitude	Google Maps	RR Sites Map	
NW 1/4 of the NW 1/4 of Sec 04, T06N, R22E			43.0168861	CLICK TO VIEW	CLICK TO VIEW	
Additional Location Description			Longitude	Facility ID	Size (Acres)	
			-87.9080059	241219880	UNKNOWN	
Jurisdiction	PECFA No.	EPA Cerclis ID	Start Date	End Date	Last Action	
DNR RR		WIN000508215	2001-12-12		2018-01-17	
Comments						
MILWAUKEE SOLVAY COKE & GAS CO (FORMER)						
Characteristics						
PECFA Tracked?	EPA NPL Site?	Eligible for PECFA Funds?	Above Ground Storage Tank?	Drycleaner?	Co-Contamination?	On GIS Registry?
No	No	No	No	No	No	No
Actions						
Place Cursor Over Action Code to View Description						
Date	Code	Name	Comment			
2001-12-12	1	Notification				
2002-09-30	352	Superfund Preliminary Assessment/Site Inspection				
2002-09-30	301	Superfund NPL, NPL-proposed or Superfund Alternatives Site	SUPERFUND ALTERNATIVE - 301 DATE BASED ON NPL PRELIMINARY ASSESSMENT SITE INSPECTION DATE			
2003-06-16	2	RP Letter Sent				
2003-07-03	43	Status Report Received				
2006-09-24	99	Miscellaneous	REC'D DRAFT RI/FS WKPLN			
2007-06-11	43	Status Report Received	REC'D MTHLY PROGRESS REPT FOR MAY, 2007			
2007-06-25	99	Miscellaneous	REC'D TECH LTR REPT ADDENDUM #1			
2007-07-16	43	Status Report Received	REC'D MONTHLY PROGRESS REPORT FOR JUNE 2007			
2007-08-06	43	Status Report Received	REC'D MTHLY PROGRESS REPT FOR JULY 2007			
2007-09-14	43	Status Report Received	REC'D MTHLY PROGRESS REPT FOR AUGUST 2007			
2007-09-24	99	Miscellaneous	REC'D RI/FS WKPLN			
2007-09-24	99	Miscellaneous	REC'D QUALITY MANAGEMENT PLAN			
2007-09-24	304	Superfund: Site Investigation Federal Consent Decree				
2007-09-24	99	Miscellaneous	REC'D QUALITY ASSURANCE PROJ PLN			
2007-11-12	43	Status Report Received	REC'D MTHLY PROGRESS REPT FOR OCT. - 2007			
2007-11-28	36	Site Investigation Workplan Approved	VERBAL COMMENTS GIVEN TO EPA			
2008-01-09	43	Status Report Received				

2008-03-07	43	Status Report Received	REC'D MTHLY PROGRESS REPT 02/08
2008-04-11	43	Status Report Received	REC'D MTHLY REPT 03/2008
2008-05-02	43	Status Report Received	REC'D INF ON ASBESTOS IN STOCKPILED DEMOLITION DEBRIS
2008-05-12	43	Status Report Received	REC'D MTHLY REPT 03/08
2008-06-10	43	Status Report Received	REC'D MTHLY PROGRESS REPT FOR 05/08
2008-06-26	99	Miscellaneous	REC'D REVISED R1/FS WORKPLAN
2008-06-26	99	Miscellaneous	REC'D REVISED HEALTH & SAFETY PLN
2008-06-26	99	Miscellaneous	REC'D REVISED QUALITY ASSURANCE PROJECT PLN
2008-07-11	43	Status Report Received	MTHLY PROGRESS REPT JUNE 2008
2008-08-12	43	Status Report Received	REC'D SI - SPECIFIC HEALTH & SAFETY PLAN
2008-08-13	43	Status Report Received	REC'D CONDITIONAL APPROVAL OF REM INV/FEASIBILITY STUDY WORK PLN
2008-08-13	43	Status Report Received	REC'D PARTIAL APPROV. OF REM INV/FEASIBILITY STUDY PLN
2008-08-13	43	Status Report Received	REC'D STATUS REPT/MTHLY PROGRESS REPT
2008-09-11	43	Status Report Received	REC'D MTHLY PROGRESS REPT FOR 08/08
2008-10-13	43	Status Report Received	
2008-11-11	43	Status Report Received	REC'D MTHLY PROGRESS REPT 10/08
2008-11-13	43	Status Report Received	EPA CONTRACTOR WEEKLY FIELD OVERSIGHT REPT - 10/10/08
2008-11-13	43	Status Report Received	EPA CONTRACTOR WEEKLY FIELD OVERSIGHT REPT - 10/17/08
2008-11-13	43	Status Report Received	EPA CONTRACTOR WEEKLY FIELD OVERSIGHT REPT - 10/24/08
2008-11-13	43	Status Report Received	EPA CONTRACTOR WEEKLY FIELD OVERSIGHT REPT - 10/31/08
2008-12-01	43	Status Report Received	REC'D EPA CONTRACTOR WEEKLY FIELD OVERSIGHT REPORT 12-12-2008
2008-12-01	43	Status Report Received	REC'D WEEKLY TECHNICAL OVERSIGHT REPORT 11/10 - 11/14/08
2008-12-05	43	Status Report Received	REC'D TECHNICAL OVERSIGHT REPT
2008-12-12	43	Status Report Received	
2008-12-12	43	Status Report Received	REC'D SEDIMENT SAMPLING WORK PLAN
2008-12-19	43	Status Report Received	REC'D QUALITY ASSURANCE PROJ. PLN, ADDENDUM, FINAL REV SEDIMENT SAMPLING WK PLN & CD W QAPP
2008-12-23	43	Status Report Received	REC'D LIMITED ASBESTOS REMOVAL REPT
2009-02-17	35	Site Investigation Workplan Received (w/out Fee)	UPDATED SEDIMENT SAMPLING WORKPLAN
2009-03-02	81	Site Investigation Workplan Not Approved	COMMENT LETTER TO EPA
2009-04-06	43	Status Report Received	REC'D TECH OVERSIGHT REPT 03/12/ - 03/13/09
2009-04-15	43	Status Report Received	
2009-05-06	43	Status Report Received	REC'D TECH OVERSIGHT REPT 02-23 - 02-27-09
2009-05-06	43	Status Report Received	REC'D TECH OVERSIGHT REPT 03/14/ - 03/18/2009
2009-05-06	43	Status Report Received	REC'D TECH OVERSIGHT REPT 03/02 - 03/04/09
2010-04-12	43	Status Report Received	MONTHLY PROGRESS REPORT FOR MARCH 2010
2010-05-10	43	Status Report Received	
2010-08-04	305	Superfund Site Investigation	RI/FS WORKPLAN ADDENDUM
2011-09-07	130	DNR Regulatory Reminder Sent	Vapor Intrusion (VI) Assessment Notification Ltr Sent
Linked to Code 130: 0241466662_VI_Letter.pdf Click to Download or Open			
2011-11-11	43	Status Report Received	
2014-05-09	43	Status Report Received	STATUS UPDATE
2014-06-18	305	Superfund Site Investigation	RI RPT
2014-07-11	43	Status Report Received	STATUS UPDATE
2014-08-20	43	Status Report Received	MONTHLY PROGRESS RPT - JULY 2014
2015-03-02	99	Miscellaneous	UPDATES FROM 9/14-3/15:RP SUBMIT RESPONSE TO AGENCY COMMENTS ON DRAFT RI. AGENCIES REVIEW ONGOING
2015-07-16	99	Miscellaneous	REC'D MONTHLY PROGRESS REPORT FOR JUNE 2015

2015-12-23	305	Superfund Site Investigation	RI RPT REC'D
2016-07-25	317	Superfund Site Assessment Reassessment (SR)	SR RPT
Linked to Code 317: 20160725 317 SF SR.pdf Click to Download or Open			
2016-08-29	315	Superfund Site Assessment Transmittal Memos	SR TRANS MEMO
Linked to Code 315: 20160826 315 SF Assess Memo.pdf Click to Download or Open			
2016-10-31	99	Miscellaneous	ALTERNATIVES SCREENING TECHNICAL MEMO SUBMITTED
2018-01-17	195	Semi-Annual/PECFA Cost Reporting Requirement Met	Period: 7/1/2017 - 12/31/2017
Click 195 Action Name above to view the NR700 report			
Other Documents and Images Not Linked to Actions Above Click File Name to Download or Open			
Category	File Name	Size (bytes)	Type
NPL Webpage	http://www.epa.gov/region5/cleanup/solvaycoke/index.htm	URL	url
Impacts			
Type	Comment		
Concrete/Asphalt	-		
Direct Contact	-		
Groundwater Contamination	-		
Soil Contamination	-		
Surface Water Contamination	sediment		
Substances			
Substance	Type	Amount Released	Units
Polynuclear Aromatic Hydrocarbons	Petroleum		
Chromium	Metals		
Cyanide	Industrial Chem		
Mercury	Metals		
Metals (Lead)	Metals		
Volatile Organic Compounds	VOC		
Who			
Role	Name/Address		
Responsible Party	GOLDEN MARINE CAUSEWAY LLC 1933 S 1ST ST MILWAUKEE, WI 53204		
Project Manager	MARGARET BRUNETTE 2300 N MARTIN LUTHER KING DR MILWAUKEE, WI 53212		

BRRTS data comes from various sources, both internal and external to DNR. There may be omissions and errors in the data and delays in updating new information. Please see the [disclaimers page](#) for more information. We welcome your [Feedback](#).

The Official Internet site for the Wisconsin Department of Natural Resources
 101 S. Webster Street . PO Box 7921 . Madison, Wisconsin 53707-7921 . 608.266.2621

Release 2.6.3 | 09/28/2017 | [Release Notes](#)

Attachment 5
Solvay Site Deed

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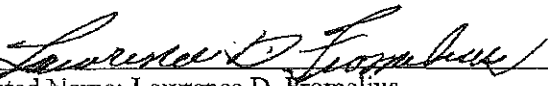
The Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby quitclaims unto the Grantee the Real Estate more particularly described on *Exhibit "A"* attached hereto, together with all rents, profits, fixtures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

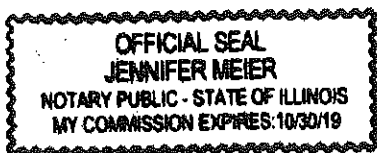
By: 
Printed Name: Lawrence D. Promelius
Its: Manager



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 Properties¹ 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

¹ 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 hereby²

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.

² 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

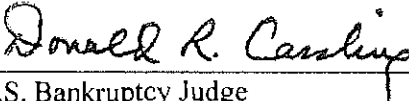
successor, or otherwise be deemed a successor to Debtor; (b) have, *de facto* or otherwise, merged with or into Debtor; or (c) be an alter ego or mere continuation or substantial continuation of Debtor.

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	\$4,000,000	Transfer fee	\$12,000.00
Value subject to fee	\$4,000,000	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
 Grantor agent Jeffrey Burger, 312-273-1541
 Grantee agent James T. Raabe, 414-221-2731, 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, or contact your County Register of Deeds. To locate your Register of Deeds, visit: 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.