



August 10, 2018

BRRTS #: 02-36-000408

Paul Braun
Community Development
City of Manitowoc
900 Quay Street
Manitowoc, WI 54220

Subject: State Eligibility Determination for Federal Petroleum Assessment Grant
200 North 10th Street, Manitowoc, Wisconsin

Dear Mr. Sparacio:

This letter provides a state determination of eligibility for petroleum assessment at the above property in the City of Manitowoc. This work will be performed under the City of Manitowoc's FY 2018 Brownfield Assessment Grant from the Environmental Protection Agency.

History and Ownership

The 6-acre property ("the Property") is part of a larger 20 acre property located at 200 N 10th Street in the City of Manitowoc that the City is considering acquiring. The Property that was for railroad since the late 1800s. In addition to the railroad uses, large portions of the land have been leased to various businesses over the years including a junk yard, coal storage, bulk petroleum storage and a warehouse. The Property has been owned by Wisconsin Central, Ltd. Before them, the Property was owned by Soo Line Minneapolis St. Paul and Sault St. Marie Railroad Company. The time when the ownership changed is not clear.

Contaminant Information

The Property has known and potential petroleum contamination from its long historic use as a rail road as well as all the tenants that used the property described above. The bulk petroleum facility was operated by a tenant, at one time identified as Clark Oil Company, from around 1912 to sometime before 1946. The current owner and immediate past owner did not operate the bulk oil facility. Historical records indicate that the bulk plant had 8 oil tanks and a pump house at one time. A Phase I conducted in 1992 of part of the Property observed several recognized environmental conditions in addition to the rail yard itself, including drums, tanks, soil staining, and more.

The Department has made the following determination regarding petroleum assessment at 200 North 10th Street, Manitowoc, Wisconsin:

- The site meets the federal definition of a brownfield.
- There are no viable responsible parties based on the criteria in EPA's October 2018 Proposal Guidelines for Brownfields Site Assessment Grants. Specifically, the grant recipient, the City of Manitowoc, has not caused or contributed to contamination and is not liable for cleanup. There is no known viable responsible party under the federal guidelines, i.e. another party who is subject to either a judgment in a court of law or an administrative order issued by an administrative body that

would require that party to assess, investigate, or clean up the site. There is no filed environmental enforcement action brought by federal or state authorities regarding this site, and it is not subject to any known citizen suit, that would, if successful, require a responsible party that is financially capable of satisfying obligations under federal or state law to assess investigate or clean up the site.

- The applicant, the City of Manitowoc, did not dispense or dispose of petroleum or petroleum product, or exacerbate the existing contamination at the site.
- The current and immediate past owners, respectively, Wisconsin Central, Ltd. and the Soo Line Minneapolis St. Paul and Sault St. Marie Railroad Company did not dispense or dispose of petroleum or petroleum products and it is unlikely that they owned the Property during the dispensing or disposal of, any petroleum products at the Property. Wisconsin Central Ltd appeared to take some reasonable steps and undertook some limited cleanup actions on the Property and received closure letters from the Department of Natural Resources in 1993.
- Potential petroleum contamination would be of “relatively low risk” based on the criteria in EPA’s October 2018 Proposal Guidelines for Brownfields Assessment Grants. Specifically, LUST trust fund monies have not been applied to these sites and the state is not aware of any outstanding requirements under the federal Oil Pollution Act.
- The property is not subject to a corrective action order under the Resource Conservation and Recovery Act (RCRA) Sec. 9003(h).
- There has been no new contamination confirmed at this site and, thus, no responsible parties have been identified.

Therefore, we believe the City of Manitowoc could use this money to conduct remediation and other eligible activities at this property under its 2018 federal brownfield Brownfields Assessment grant. Please contact me at 608-261-4927 if you have any questions.

Sincerely,



Michael Prager
Remediation and Redevelopment Program
Department of Natural Resources

From: Prager, Michael A - DNR
Sent: Friday, August 10, 2018 4:15 PM
To: Byers, Harris; Paul Braun (PBraun@manitowoc.org)
Cc: Beggs, Tauren R - DNR
Subject: RE: Petroleum ED - 200 North 10th Street; Manitowoc, Wisconsin
Attachments: manit 200 10th petro 2018 rev.pdf

Here is the revised letter.

From: Byers, Harris <Harris.Byers@stantec.com>
Sent: Friday, August 10, 2018 1:52 PM
To: Prager, Michael A - DNR <Michael.Prager@wisconsin.gov>; Paul Braun (PBraun@manitowoc.org) <PBraun@manitowoc.org>
Cc: Beggs, Tauren R - DNR <Tauren.Beggs@wisconsin.gov>
Subject: RE: Petroleum ED - 200 North 10th Street; Manitowoc, Wisconsin

Michael:

Thanks for the quick turnaround on this.

Paul Braun is currently serving as the City's Brownfields Project Manager. I think the letter is just fine; though if it's not too much difficulty for you to change the name; it would help keep records properly sorted.

Cheers!

Harris Byers

Brownfields Project Manager

Direct: 414 581-6476

Fax: 262 241-4901

Harris.Byers@stantec.com

Stantec



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From: Prager, Michael A - DNR [<mailto:Michael.Prager@wisconsin.gov>]
Sent: Friday, August 10, 2018 12:11 PM
To: Byers, Harris <Harris.Byers@stantec.com>; Paul Braun (PBraun@manitowoc.org) <PBraun@manitowoc.org>
Cc: Beggs, Tauren R - DNR <Tauren.Beggs@wisconsin.gov>
Subject: RE: Petroleum ED - 200 North 10th Street; Manitowoc, Wisconsin

Paul and Harris – I didn't realize that Nic isn't with the city anymore. If you think I need to issue a revised letter let me know.

Michael

From: Prager, Michael A - DNR
Sent: Friday, August 10, 2018 12:09 PM
To: Byers, Harris <Harris.Byers@stantec.com>; nsparacio@manitowoc.org
Cc: Beggs, Tauren R - DNR <Tauren.Beggs@wisconsin.gov>; Paul Braun (PBraun@manitowoc.org) <PBraun@manitowoc.org>
Subject: RE: Petroleum ED - 200 North 10th Street; Manitowoc, Wisconsin

Hello Nick and Harris – attached is the petroleum eligibility letter you requested. Please let me know if you need something else or if I mixed anything up. I know it is a complicated site and I appreciate all the information, I tried to simplify it for this letter. I will work on the other request you submitted for the Buffalo st site next.

I have not sent this to EPA and you should work with Tauren as things move forward.

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Michael Prager

Land Recycling Team Leader- Remediation and Redevelopment Program
Wisconsin Department of Natural Resources
101 S. Webster - Box 7921
Madison, WI 53707
Phone: 608-261-4927
Fax: 608-267-7646
michael.prager@wisconsin.gov



From: Byers, Harris <Harris.Byers@stantec.com>
Sent: Wednesday, August 01, 2018 12:20 PM
To: Prager, Michael A - DNR <Michael.Prager@wisconsin.gov>
Cc: Beggs, Tauren R - DNR <Tauren.Beggs@wisconsin.gov>; Choi, Christopher <choi.christopher@epa.gov>; Paul Braun (PBraun@manitowoc.org) <PBraun@manitowoc.org>; Kathleen McDaniel (kmcdaniel@manitowoc.org) <kmcdaniel@manitowoc.org>; Dan Koski (dkoski@manitowoc.org) <dkoski@manitowoc.org>
Subject: [WARNING: ATTACHMENT(S) MAY CONTAIN MALWARE]Petroleum ED - 200 North 10th Street; Manitowoc, Wisconsin

[Michael \(and Team\)](#)

Attached is the petroleum eligibility determination for 200 N 10th Street in Manitowoc (200 N 10th St Form 4400-304.pdf) and supporting documentation (200 N 10th St - Petroleum ED Attachments and Supplemental Documents.pdf). As noted in the attached, Attachment D can be downloaded from our FTP Server:

Login Information

Browser link: <https://tmpsftp.stantec.com>

FTP Client Hostname: tmpsftp.stantec.com **Port:** 22 (can be used within an FTP client to view and transfer files and folders; e.g., FileZilla)

Login name: s0815105727

Password: 1750882

Disk Quota: 2GB

Expiry Date: 8/15/2018

Please review this documentation at your earliest convenience and call with any questions. The City would like to use petroleum brownfield assessment funding to complete a Phase II ESA at the target Property (preferably within the next few weeks).

Sincerely,

Harris Byers

Brownfields Project Manager

Direct: 414 581-6476

Fax: 262 241-4901

Harris.Byers@stantec.com

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Return completed form with attachments to:
 Wisconsin Department of Natural Resources
 Remediation and Redevelopment Program
 PO Box 7921
 Madison, WI 53707-7921
 Fax: 608-267-7646
dnr.wi.gov/topic/Brownfields/

Brownfields Assessment and Cleanup Grants: Application for Petroleum Eligibility Determination

Form 4400-304 (R 11/16)

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Notice: Use this form to request a site-specific eligibility determination for use of U.S. Environmental Protection Agency Brownfields Grant funds for assessment or cleanup of petroleum contamination. Personally identifiable information collected will be used to prepare the determination and will also be accessible by request under Wisconsin's Open Record law. [ss.19.31 - 19.69, Wis. Stats.]. Applications must be "complete" in order to be processed.

Instructions: Complete the following application to receive a State of Wisconsin eligibility determination for use of EPA Brownfields Grant funds for assessment or cleanup of petroleum contamination. Fill out one application per property and send to: Michael Prager at Michael.prager@wisconsin.gov. The "Submit by Email" button above will create an email with the correct address.

Section 1: Applicant* Information

Consulting Firm Name (if applicable)

Stantec

Contact Name Last	First	MI	Title		
Byers	Harris	L	Brownfields Project Manager		
Mailing Address		City		State	ZIP Code
12075 Corporate Pkwy		Mequon		WI	53092
Phone Number (incl. area code)	Fax Number (incl. area code)	Email			
(414) 581-6476		harris.byers@stantec.com			

Determination Letter Recipient (i.e. name of municipality)

City of Manitowoc, Wisconsin

Contact Name Last	First	MI	Title		
Braun	Paul		Planner		
Mailing Address		City		State	ZIP Code
900 Quay Street		Manitowoc		WI	54220
Phone Number (incl. area code)	Fax Number (incl. area code)	Email			
(920) 686-6930		pbraun@manitowoc.org			

EPA Cooperative Agreement Grantee, if different than above (i.e. county planning commission or economic development authority)

Contact Name Last	First	MI	Title		
Mailing Address		City		State	ZIP Code
Phone Number (incl. area code)	Fax Number (incl. area code)	Email			

Section 2: General Site Information

Site Name	County		
200 N 10th Street	Manitowoc		
Site Address	City	State	ZIP Code
200 N 10th Street	Manitowoc	WI	54220
Size (acres)	DNR BRRTS Numbers (if known)		
6	0236000408		
Tax Parcel Number(s)			
000173100, 000173003, 000173160, 000173000 (portion), 000173170 (portion) - see Figure 1 and Figure 2			
DNR Project Manager Name (if known)		Federal fiscal year for the assessment or cleanup award	
Tauren Beggs		FY18	

*For the purposes of receiving a petroleum eligibility determination, an "Applicant" includes those entities that: 1. Received an area-wide EPA assessment or cleanup grant; 2. Are applying for an EPA site-specific assessment or cleanup grant; 3. Are applying for a petroleum grant or loan from the Ready for Reuse program.

Brownfields Assessment and Cleanup Grants: Application for Petroleum Eligibility Determination

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Section 3: Site Description

1. Past Land Uses of the Site - Indicate if the sources of petroleum contamination or wastes are Known "K" or Suspected "S":

- | | | |
|------------------|-----------------------|---|
| Gas Station | Industrial K | Residential |
| Service Station | Commercial K | Pipeline |
| Bulk Plant K | Agricultural Co-op | Salvage Yard |
| Terminal Storage | Coal Gas Manufacturer | Other - Specify K _____ |
| Foundry | Utility | Past land uses of the site are unknown <input type="checkbox"/> |

2. Describe the historical and current use of the site, including associated years:

3. Does or did the site have a fuel storage tank(s)? Yes, if so how many? 8 No Unknown

- If yes, please provide details on the status of the tank(s) from DATCP tank database found at http://datcp.wi.gov/Consumer/Hazardous_Materials_Storage_Tanks/. Attach a site map with the location of current and historic ASTs and USTs.

Historic petroleum storage area(s) (for sites where tanks have been removed):

Removed Tanks					
DATCP Tank ID #	AST or UST?	Capacity	Historic Contents (enter A, B, etc.)		
(8) Non Reg	AST	Unk	B	Fuel Oil	A. Diesel
				Fuel Oil	B. Fuel Oil
				Fuel Oil	C. Gasoline
				Fuel Oil	D. Kerosene
				Fuel Oil	E. Used Motor Oil
				Fuel Oil	F. Other (describe)

Current petroleum storage areas (for sites with tanks currently in place):

Tanks in Place					
DATCP Tank ID #	AST or UST?	Capacity	Historic Contents (enter A, B, etc.)		
					A. Diesel
					B. Fuel Oil
					C. Gasoline
					D. Kerosene
					E. Used Motor Oil
					F. Other (describe)

Brownfields Assessment and Cleanup Grants: Application for Petroleum Eligibility Determination

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Status of Tanks in Place		
DATCP Tank ID #	Current Status (enter A, B, etc.)	
		A. In Use
		B. Abandoned with product
		C. Abandoned without product
		D. Closed - filled with inert materials
		E. Closed - in place
		F. Other (describe)

4. Has petroleum contamination been confirmed at the site? Yes No Inconclusive

- If yes, describe previous assessment activities, associated dates and which contaminants were found:
Records provided by the current Owner indicate a Phase II ESA was subsequently conducted by SEC Donohue in 1992 and apparent hpetroleum impacts identified, as measured using the total recoverable petroleum hydrocarbons (TRPH) method (EPA Method 9073). Based on evaluation criteria used at the time, WDNR closed this spill case (BRRTS Case No. 36-00408) on April 6, 1993.

- If no, why is petroleum contamination suspected?

- What are the areas of concern at the site where petroleum contamination is known or suspected?
As illustrated on Figure 3, source areas include: (1) former bulk oil storage area [(8) USTs and oil house], (2) former Frank J. Kerscher warehouse formerly used for large scale petroleum drum storage; (3) railroad operations [former rail spurs and maintenance areas].

5. For which activities will the EPA assessment or cleanup grant be used?

- | | |
|--|---|
| <input type="checkbox"/> Phase I Site Assessment | <input checked="" type="checkbox"/> NR 716 Site Investigation |
| <input checked="" type="checkbox"/> Phase II Site Assessment | <input type="checkbox"/> Clean up: NR 722 and 724 Cleanup |
| <input type="checkbox"/> Other – Specify: | |

Section 4: Use of Other Federal Funds

1. Has the site received LUST trust fund monies for assessment or cleanup? Yes No

- If yes, please provide details:

2. Is the site currently subject to a response under the Oil Pollution Act (OPA)? Yes No

Brownfields Assessment and Cleanup Grants: Application for Petroleum Eligibility Determination

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Section 5: Judgements, Claims, Actions or Suits (Note: if a responsible party is identified through any of the three criteria below, the site is not eligible to use petroleum assessment or cleanup funds.)

1. Has a responsible party been identified for the site through either:
- An unresolved judgment rendered in a court of law or an administrative order that would require any party (including the applicant) to assess, investigate, or clean up the site? Yes No
 - An unresolved enforcement action by federal or state authorities that would require any party (including the applicant) to assess, investigate or clean up the site? Yes No
 - An unresolved citizen suit, contribution action or other third party claim brought against the current or immediate past owner for the site that would, if successful, require either party to assessment, investigation or cleanup the site? Yes No

Section 6: Acquisition Method by Current Owner

1. Who currently owns this site?
- Name: Wisconsin Central, Ltd.
 - On what date was the property acquired? 01/01/1950
 - By what method was the property acquired?
 - Involuntary Acquisition:
 - Tax foreclosure
 - Escheat
 - Condemnation
 - Slum or blight proceeding under ch. 32, Wis. Stats.
 - Lender foreclosure of a security interest
 - Other Acquisition:
 - Simple purchase
 - Donation
 - Transfer
 - Other (specify): Unknown, likely purchase

Note: If the site was last acquired through an involuntary acquisition method or lender foreclosure of a security interest, skip to Section 8. If the site was last acquired through "other acquisition", please continue to Section 7.

Section 7: Determination of Viable Responsible Party

The state is required to determine that there is no viable responsible party that can address the contamination at the site. For the purposes of this petroleum eligibility determination, the state must affirm that:

- The current and immediate past owner did not dispense or dispose of, or own the subject property during the dispensing or disposal of any petroleum contamination at the site;
- Did not exacerbate the petroleum contamination at the site; and
- Took reasonable steps* with regard to the petroleum contamination at the site.

*For the purposes of determining petroleum brownfield grant eligibility, "reasonable steps with regard to contamination at the site" includes, as appropriate: stopping continuing releases, preventing threatened future releases, and preventing or limiting human, environmental, or natural resource exposure to earlier petroleum or petroleum product releases.

Applicants are responsible for providing complete information in their proposal that demonstrates that the activities for which they seek funding have no viable responsible party.

**Brownfields Assessment and Cleanup
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1. Current Owner:

- Describe on-site operations during the time of current ownership, particularly as it relates to use of petroleum ASTs, USTs and containers.

The property was developed along with adjacent parcels for railroad use by 1894 and has remained owned by a railroad since then. Records indicate bulk fuel storage ceased at the Site prior to acquisition by the current owner. A subsurface investigation was completed in 1992 and the current owner worked with WDNR to gain closure in '93.

- Is the property leased to an operator (another person or business)? Yes No

- Identify whether the current owner (please describe):

- Dispensed or disposed of any petroleum products on the site:

Although date of acquisition remains unknown, records suggest bulk fuel storage/distribution ceased prior to acquisition by the current owner. Railroad maintenance took place at the Site; however, specific records of pet. use are not available. A prior tenant/occupant utilized the former warehouse for storage of petroleum in drums.

- Owned the subject property during the dispensing or disposal by an operator of any petroleum products at the site:

See above; the current owner appears to have acquired the property after the bulk storage plant closed. Although the owner utilized the property for railroad maintenance, a subsurface investigation was completed in 1992 (after railroad use ceased) and the current owner worked with WDNR to gain closure in 1993.

- Did not exacerbate the contamination at the site:

See above; the current owner appears to have acquired the property after the bulk storage plant closed. Although the owner utilized the property for railroad maintenance, a subsurface investigation was completed in 1992 (after railroad use ceased) and the current owner worked with WDNR to gain closure in 1993.

- Took *reasonable steps** with regard to the contamination at the site:

- Yes, reasonable steps were taken.

Please describe the actions the owner took to satisfy the "reasonable steps" criteria:

See above; the current owner appears to have acquired the property after the bulk storage plant closed.

Although the owner utilized the property for railroad maintenance, a subsurface investigation was completed in 1992 (after end RR use) and the current owner worked with WDNR to gain closure in 1993

- No, reasonable steps were not necessary. Please explain:

- Contamination is not confirmed

- Known or suspected sources of contamination were removed (i.e. storage tank)

- Other (please describe): _____

2. Immediate Past Owner:

- Name of immediate past owner: Soo Line Minneapolis St. Paul and Sault St. Marie Railroad Company

- Date range of years of ownership: 01/01/1900

- Describe the operations on site during the ownership of the immediate past owner, particularly as it relates to petroleum ASTs, USTs and containers:

A bulk fuel storage facility was constructed on the northern portion of the Site between 1912 and 1919. Bulk storage ceased by 1946 and the parcel was leased to "JF Kerscher" on May 22, 1950 for use as a warehouse. The southern portion of the Site remained in railroad use for the duration of ownership.

Brownfields Assessment and Cleanup Grants: Application for Petroleum Eligibility Determination

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- Was the property leased to an operator (another person or business)? Yes No

- Identify whether the immediate past owner (please describe):

- Dispensed or disposed of any petroleum products on the site:

The northern portion of the Site was leased to the Clark Oil company who installed (8) iron bulk petroleum ASTs at the Site by 1919 and operated at the Site through 1940s. The Site was redeveloped for warehouse use by 1950. The southern portion of the Site was used by the railroad (depots, mtnc, spur lines) through duration of ownership.

- Owned the subject property during the dispensing or disposal by an operator of any petroleum products at the site:

See above

- Did not exacerbate the contamination at the site:

Unknown

- Took *reasonable steps** with regard to the contamination at the site:

- Yes, reasonable steps were taken.

Please describe the actions the owner took to satisfy the "reasonable steps" criteria:

- No, reasonable steps were not necessary. Please explain:

- Contamination is not confirmed

- Known or suspected sources of contamination were removed (i.e. storage tank)

- Other (please describe): _____

3. Financial Viability:

- If the current or immediate past owner is identified as a responsible party for the petroleum contamination on site, provide information in Attachment F that demonstrates why the party does not have the financial capability to satisfy their obligations under federal or state law to assess the property, including the resources consulted to determine a responsible party's financial status. In general, the Department and US EPA will consider ongoing businesses or companies (corporations, LLCs, partnerships, etc.) and governmental entities to be viable.

Section 8: Actions by the EPA Assessment Grant Recipient (i.e. Cooperative Agreement Recipient)

1. Has the EPA Assessment or Cleanup Grant recipient dispensed or disposed of or owned the property during the dispensing or disposal of petroleum product at the site? Yes No
2. Has the EPA Assessment or Cleanup Grant recipient exacerbated the contamination at the site? Yes No
3. Did the EPA Assessment or Cleanup Grant recipient take reasonable steps* with regard to contamination at the site? Yes No

**Brownfields Assessment and Cleanup
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Section 9: Subject to Resource Conservation and Recovery Act (RCRA)

1. Is the site subject to a corrective action order under RCRA S9002(h)? Yes No

Section 10: Required Attachments

Please include the following with your eligibility determination request:

- A. Current photographs of site
- B. Site map - Note location of any past or current ASTs, USTs, or other petrol-related containers
- C. Aerial photo of site
- D. Previous assessment information, if available: Phase I and II on disk
- E. Documentation of acquisition method if the site was last acquired through involuntary acquisition or lender foreclosure
- F. Information that demonstrates why a responsible party does not have the financial capability to satisfy their obligations under federal or state law to assess the property (if a responsible party is identified). See page 8

Section 11: Self-Certification

I certify that information in this application and all its attachments are true and correct and in conformity with applicable Wisconsin Statutes.

Harris Byers
Completed By

08/01/2018
Date

Attachment F: Determining Whether a Responsible Party is Viable

If a responsible party is identified for the site, the Department must determine whether that party is viable. If any such party is determined to be viable, then the petroleum-contaminated site is not eligible for funding.

- In general, the department and US EPA will consider ongoing businesses or companies (corporations, LLCs, partnerships, etc.) and governmental entities to be viable. A defunct or insolvent company and an individual responsible party will be deemed not viable, unless there is information suggesting that the assumption is not appropriate in a particular case.
- An Applicant seeking to determine the financial status (i.e. the viability) of a responsible party should consider consulting the following resources and any other resources it may deem useful to make this determination:
 - Responsible Party (i.e. tax returns, bank statements, financial statements)
 - Federal, State and Local Records (i.e. regulatory records, Secretary of State databases, property/land records)
 - Public and Commercial Financial Databases (i.e. Lexus/Nexus, Dun & Bradstreet reports, Internet search engines)

Applicants are responsible for explaining what steps it took to determine a responsible party's financial status and why the information presented indicates that the responsible party is not viable:

200 NORTH 10TH ST PETROLEUM ELIGIBILITY DETERMINATION

PROPERTY HISTORY SUMMARY

200 NORTH 10TH ST PETROLEUM ELIGIBILITY DETERMINATION

The City of Manitowoc, Wisconsin (City) executed a letter of intent on May 16, 2018 to purchase approximately 20.8 acres of former railroad land forming a peninsula in the Manitowoc River, roughly west of 10th and 11th Streets (area outlined in green on Figure 1). A Phase I ESA is currently being prepared for the redevelopment of this area using USEPA Brownfield assessment funds awarded to the City in FY2018. Historic records indicate the 20.8 acre property was developed for railroad use in 1895 and remained in railroad use through the later portion of the 20th Century. Large portions of the railroad property were leased to various entities through time, which included a multitude of industrial uses (ex. junk yard, coal storage, bulk petroleum storage, warehouse, etc.)

The portion of the larger property targeted for this petroleum eligibility determination (ED) is approximately 6 acres in size and is located on the southeast portion of the project area (area outlined in blue on Figure 1). For the purpose of this ED and general continuity with WDNR records (BRRS Case No. 0236000408), we are referring to the Site as "200 North 10th Street". Current photographs are provided in Attachment A. The following presents a summary of the historic uses of the target Site.

Northern Portion (000173100). The northern portion of the Site was developed for bulk petroleum storage/distribution by the Clarke Oil Company (presumably a tenant) between 1912 and 1919. As illustrated on Figure 3, bulk petroleum storage operations expanded between 1919 and 1927, at which point the operation consisted of (8) oil tanks and a pump house. Bulk petroleum storage ceased between 1927 and 1946, and the Soo Line Minneapolis St. Paul and Sault St. Marie Railroad Company (owner at the time) leased the parcel to "JF Kerscher" on May 22, 1950 who constructed a large warehouse at the Site and utilized the Site for a variety of storage/commercial uses (area marked "1" on Figure 3). Unfortunately, the date of property transfer between the Soo Line Minneapolis St. Paul and Sault St. Marie Railroad Company and the current owner (Wisconsin Central, Ltd.) remains unknown; however, property records suggest transfer took place between 1979 and 1986.

SEC Donohue completed a Phase I ESA of the northern portion of the Site (and adjacent parcels) in 1992 (see Attachment D) on behalf of Manitowoc County and made the following conclusions about the Site (which appear to meet the current definition of a "Recognized Environmental Conditions"):

- *An oily/tar-like substance was observed at the southwest corner of the main building along the railroad spur. This material appears to be similar in appearance to material observed near the small building west of the main recycling building.*
- *Empty drums and stressed vegetation with visible stains to the vegetation and soil were observed at and south of the small building west of the recycling facility. The stressed vegetation does not appear to be associated with seasonal changes. The stressed vegetation area appears to extend off-site towards the west.*
- *A bulk oil distribution center is located northwest of the property. Although no spills or environmental actions are documented to have occurred at that location, the potential still exists.*
- *Klein Asphalt Company stores equipment north of the property of interest. Several 55-gallon drums of unknown contents were stored adjacent to an off-site business. An area of asphalt-like material was observed to the northwest of the drums. These observations may indicate potential for impacts to the property of interest, especially due to the topography which slopes southward toward 200 North 10th Street.*
- *Aboveground storage tanks (possibly fuel oil) were observed at Maritime Car Wash and Quick Lube. These are potential sources that are topographically upgradient of 200 North 10th Street.*

200 NORTH 10TH ST PETROLEUM ELIGIBILITY DETERMINATION

- *The current location of Quick Lube was formerly a gasoline station as observed on historic aerial photographs. No information was available regarding the existence or absence of former underground fuel storage tanks. A control area thought to be associated with former tanks was noted on the southwest corner of the Quick Lube property. The Quick Lube property appears to be topographically upgradient and potentially hydraulically upgradient of 200 North 10th Street.*
- *Several 55-gallon drums were observed on the southeast corner of the Quick Lube property. Further investigation may be necessary to evaluate the contents and potential environmental impacts.*
- *The railroad yard formerly at and currently west of the property may have been a source of petroleum hydrocarbons and solvents. Petroleum contamination may arise from spills of diesel fuel used to power the engines. Petroleum contamination may also occur during the cleaning of engine parts and mixing with solvents. The turntable indicates a possible cleaning operations but no buildings were visible to support this possibility. Further investigation to determine potential problems at this site is recommended.*

A Phase II ESA was subsequently completed by SEC Donohue in 1992 (see Attachment D) and results transmitted by the current owner to WDNR documenting subsurface petroleum impacts. WDNR issued a closure letter in 1993 (see Attachment D).

Of note, the SEC Donohue (1992) Phase I ESA suggests the warehouse was operating as a “recycling facility” and makes reference to storage of petroleum in drums in the building. The warehouse constructed in 1950 by JF Kerscher fell into a blighted condition, and was razed by the current owner in 2015. The northern portion of the Site is vacant and occupied by the former warehouse concrete building slab. The apparent adjacent property owner has egressed onto the Site and is currently using the former building slab for automobile storage/parking. Current photographs are provided in Attachment A.

Southern Portion (all other areas). The southern portion of the Site was developed for railroad use by 1895 and remained in railroad use through most of the 20th Century. Site features included multiple spur lines/ferry loading area/sheds/maintenance areas (ex. tool house and wash house identified as “22” and “23”, respectively on Figure 3) and depots (ex. freight house and transportation depot identified as “3” and “2”, respectively on Figure 3.) A building permit was issued to the Soo Line Railroad on 11/24/1980 to raze the former railroad depot, which largely terminated railroad use of the Property, though at least one set of vacant steel rails remained through at least 2004.

Assessor records indicate that PIN 173000 was transferred by quitclaim deed from Soo Line Railroad to Wisconsin Central LTD on 12/10/85. Transfer dates of the other PINs corresponding to the Site remain unknown; though are thought to have occurred in the late 1980s.

The southern portion of the Site appears to have been regraded after removal of railroad features (ex. rail lines) and used for transloading stone by a tenant from the late 1990s through the first decade of the 20th Century (area identified as “20” on Figure 3).

200 NORTH 10TH ST PETROLEUM ELIGIBILITY DETERMINATION

FIGURES

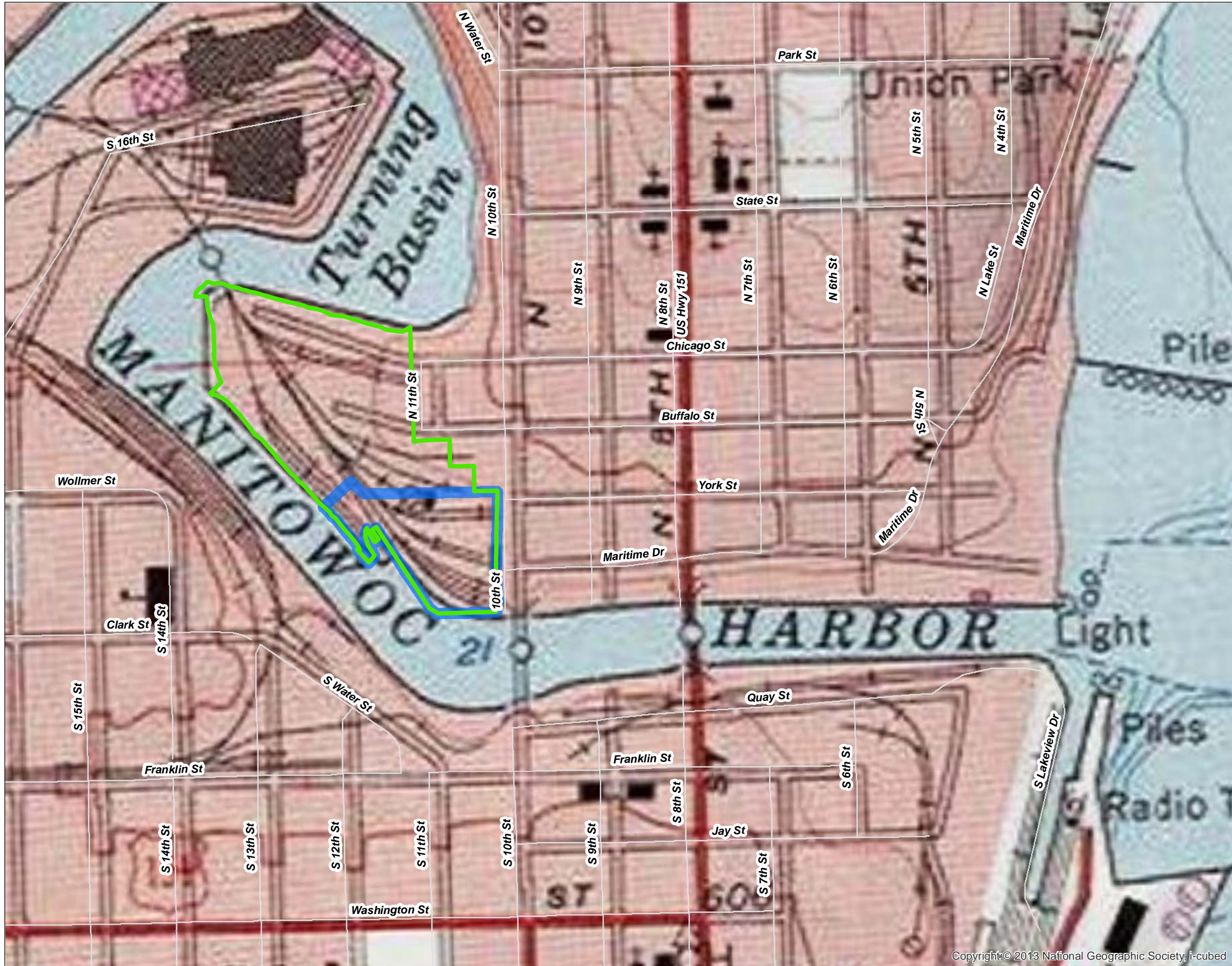
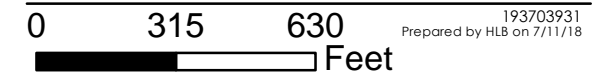


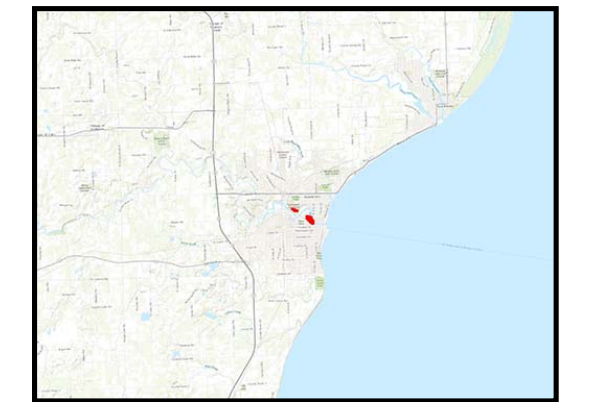
Figure No.
1
 Title
**Target Petroleum Site and
 Local Topography**

Client/Project
 City of Manitowoc
 USEPA Brownfield Assessment Grant



Legend

- Target Redevelopment Property
- Target Petroleum Site (200 North 10th Street)



- Notes**
1. Coordinate System: NAD 1983 StatePlane Wisconsin South FIPS 4803 Feet
 2. Historic Site features illustrated on this figure were digitized from multiple historic maps/sources, including City Assessor files, WDNR files, and Sanborn (R) Fire Insurance Maps. These features are provided for illustration purposes only; Stantec makes no warranty as to the accuracy of these features.
 3. Orthophotograph: Manitowoc County, 2017



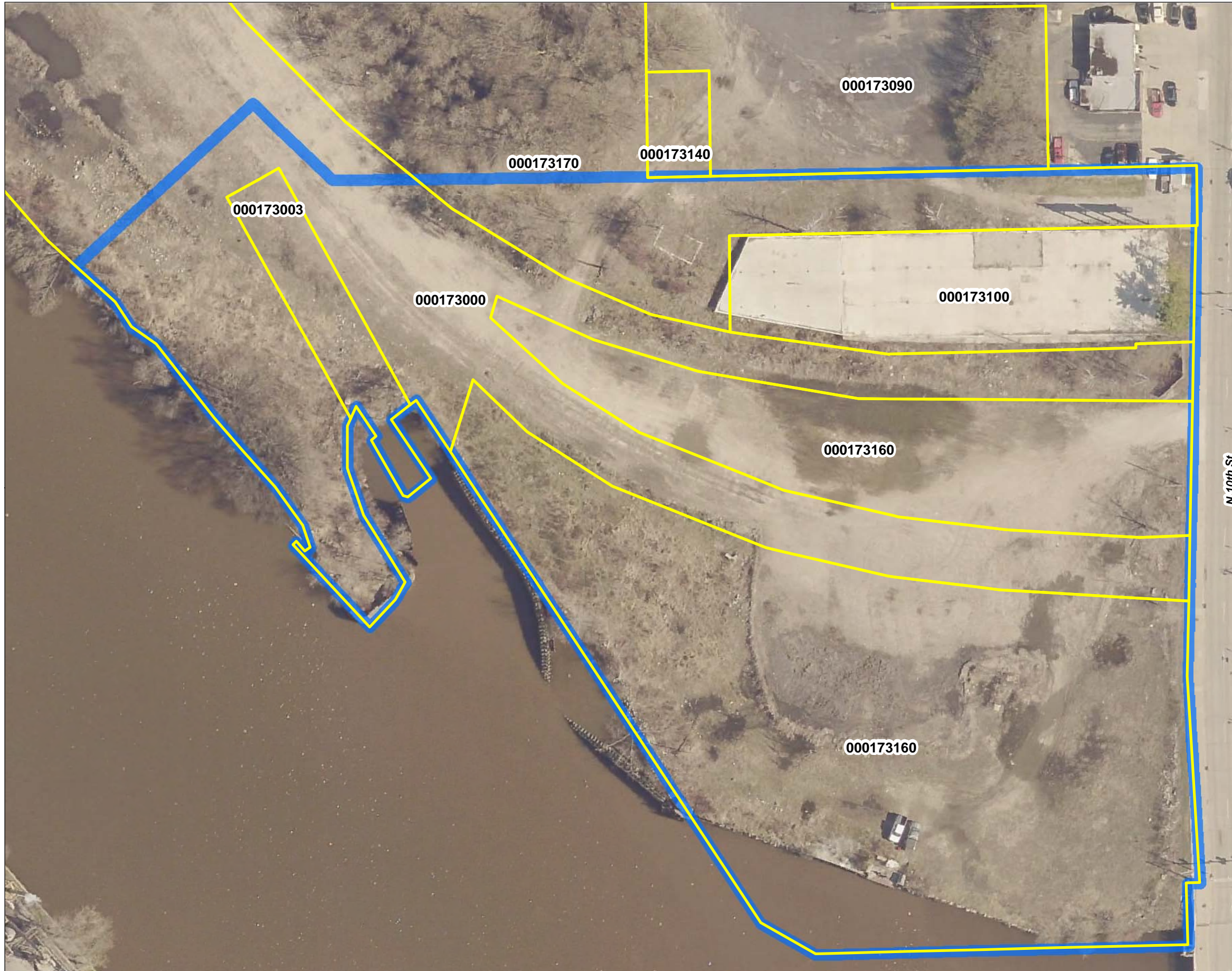


Figure No.

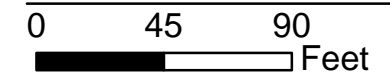
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Title

Parcels and Target Petroleum Site

Client/Project

City of Manitowoc
USEPA Brownfield Assessment Grant

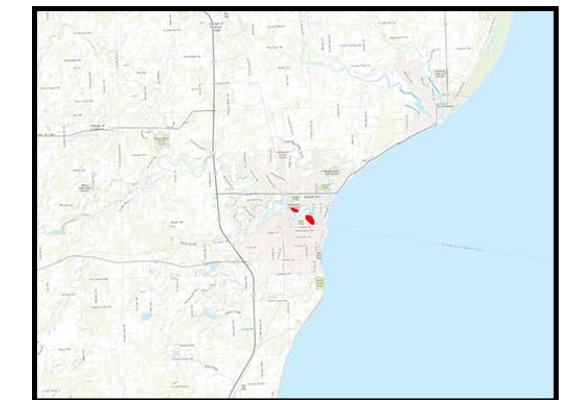


193703931
Prepared by HLB on 7/11/18



Legend

- Parcel Identification Numbers
- Target Petroleum Site (200 North 10th Street)



Notes

1. Coordinate System: NAD 1983 StatePlane Wisconsin South FIPS 4803 Feet
2. Historic Site features illustrated on this figure were digitized from multiple historic maps/sources, including City Assessor files, WDNR files, and Sanborn (R) Fire Insurance Maps. These features are provided for illustration purposes only; Stantec makes no warranty as to the accuracy of these features.
3. Orthophotograph: Manitowoc County, 2017





Feature ID	Notes on Historic Site Features
1	Frank J. Kerscher Warehouse
2	Railroad Depot
3	Railroad Freight House
4	Cinder Pit
5	Railroad Roundhouse
6	Railroad Turntable
7	Coal Shed
8	Coal Storage
9	Laird Lumber Company
10	Manitowoc Shipbuilding Company
11	Stephani-Strupp Oil Co. (Bulk Oil Station)
12	William H. Froehlich (Bulk Oil Station)
13	Manitowoc Shipbuliding Company
14	Shell Oil Company (Bulk Oil Station)
15	Standard Oil Company (Bulk Oil Station)
16	CM Shaw (Residential?)
17	Unk
18	Manitowoc Iron and Metal Company
19	Northern Elevator Company Grain Elevator
20	Valders Stone and Marble, Inc.
21	Garage
22	Railroad Tool House
23	Railroad Wash House
24	Storage
25	Unknown
26	Residential Dwelling
27	Lake Park Oil, Inc. (Bulk Oil Station)
28	Unknown Bldg
29	Unk (possible AST?)
30	Unk (possible AST?)
31	Unk (possible AST?)
32	Shreaded Metal
33	Shreaded Metal
34	Wisconsin Public Service Comission

Figure No.

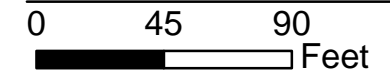
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Title

Target Petroleum Site and Historic Features

Client/Project

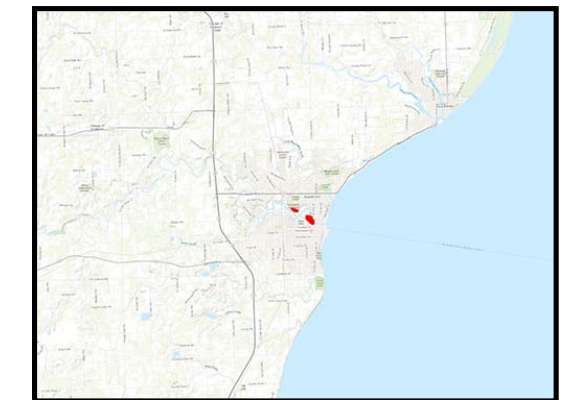
City of Manitowoc
USEPA Brownfield Assessment Grant



193703931
Prepared by HLB on 7/11/18

Legend

- Target Petroleum Site (200 North 10th Street)
- Prior Site Features (City Records)**
- Oil House (1)
- Oil Tank (AST) (8)
- Additional Site Features (WDNR Files)**
- Cap Maintenance Area (1)
- Historic Site Features (see table for details)





Notes

1. Coordinate System: NAD 1983 StatePlane Wisconsin South FIPS 4803 Feet
2. Historic Site features illustrated on this figure were digitized from multiple historic maps/sources, including City Assessor files, WDNR files, and Sanborn (R) Fire Insurance Maps. These features are provided for illustration purposes only; Stantec makes no warranty as to the accuracy of these features.
3. Orthophotograph: Manitowoc County, 2017






200 NORTH 10TH ST PETROLEUM ELIGIBILITY DETERMINATION


Attachment A CURRENT SITE PHOTOGRAPHS



Client:		Project:
Site Name:		Site Location:
Photograph ID: 1		
Photo Location: 200 N 10th St		
Direction: South		
Survey Date: 7/11/2018		
Comments: Typical View of South/Central Portion of Site		
Photograph ID: 2		
Photo Location: 200 N 10th St		
Direction:		
Survey Date: 7/11/2018		
Comments: Typical View of South/Central Portion of Site		


Client:		Project:	
Site Name:		Site Location:	
Photograph ID: 3			
Photo Location: 200 N 10th St			
Direction: North			
Survey Date: 7/11/2018			
Comments: View of eastern portion of Site			
Photograph ID: 4			
Photo Location: 200 N 10th St			
Direction: East			
Survey Date: 7/11/2018			
Comments: View from eastern portion of Site			


Client:		Project:	
Site Name:		Site Location:	
Photograph ID: 5			
Photo Location: 200 N 10th St			
Direction: West			
Survey Date: 7/11/2018			
Comments: View from central portion of Site			
Photograph ID: 6			
Photo Location: 200 N 10th St			
Direction: East			
Survey Date: 7/12/2018			
Comments: View from southern portion of Site			

Client:		Project:	
Site Name:		Site Location:	
Photograph ID: 7			
Photo Location: 200 N 10th St			
Direction: East			
Survey Date: 7/12/2018			
Comments: View from southern portion of Site			
Photograph ID: 8			
Photo Location: 200 N 10th St			
Direction: South			
Survey Date: 7/12/2018			
Comments: View of former warehouse (slab)			

Client:		Project:	
Site Name:		Site Location:	
<p>Photograph ID: 9</p> <p>Photo Location: 200 N 10th St</p> <p>Direction: South</p> <p>Survey Date: 7/12/2018</p> <p>Comments: View of former warehouse (slab)</p>			
<p>Photograph ID: 10</p> <p>Photo Location: 200 N 10th St</p> <p>Direction: West</p> <p>Survey Date: 7/12/2018</p> <p>Comments: View of former warehouse (slab)</p>			

Client:		Project:	
Site Name:		Site Location:	
Photograph ID: 11			
Photo Location: 200 N 10th St			
Direction: West			
Survey Date: 7/12/2018			
Comments: View of former warehouse (slab)			
Photograph ID: 12			
Photo Location: 200 N 10th St			
Direction: Northeast			
Survey Date: 7/12/2018			
Comments: View of former warehouse (slab)			

Client:		Project:	
Site Name:		Site Location:	
Photograph ID: 13			
Photo Location: 200 N 10th St			
Direction: West			
Survey Date: 7/12/2018			
Comments: Former RR Tool House and Wash House			
Photograph ID: 14			
Photo Location: 200 N 10th St			
Direction: West			
Survey Date: 7/12/2018			
Comments: Former RR Tool House and Wash House			

Client:		Project:
Site Name:		Site Location:
Photograph ID: 15		
Photo Location: 200 N 10th St		
Direction: West		
Survey Date: 7/12/2018		
Comments: Former RR Tool House and Wash House		

200 NORTH 10TH ST PETROLEUM ELIGIBILITY DETERMINATION

Attachment B SITE MAP AND FEATURES OF CONCERN

- See Figure 3

200 NORTH 10TH ST PETROLEUM ELIGIBILITY DETERMINATION

Attachment C 2017 ORTHOPHOTOGRAPH

- See Figure 2

200 NORTH 10TH ST PETROLEUM ELIGIBILITY DETERMINATION

Attachment D PREVIOUS ASSESSMENT INFORMATION

SEC Donohue, 1992, Phase I ESA, November 1992
SEC Donohue, 1992, Phase II ESA, December 17, 1992
WDNR, 1993, Closure Letter, April 6, 1993

Files Available Online:

Login Information

Browser link: <https://tmpsftp.stantec.com>

FTP Client Hostname: tmpsftp.stantec.com **Port:** 22 (can be used within an FTP client to view and transfer files and folders; e.g., FileZilla)

Login name: s0815105727

Password: 1750882

Disk Quota: 2GB

Expiry Date: 8/15/2018

200 NORTH 10TH ST PETROLEUM ELIGIBILITY DETERMINATION

Attachment E ACQUISITION INFORMATION

Not applicable at this time. The City of Manitowoc (grantee) is targeting property acquisition for November 2018 and is seeking approval to use petroleum funds awarded by USEPA to complete Phase II ESA activities at the Site.

Attachment F RESPONSIBLE PARTY DOCUMENTATION

SEC Donohue completed a Phase I ESA at the Site (and parcel to the north) in 1992 on behalf of Manitowoc County. Based on the results of the Phase I ESA, a Phase II ESA was completed by SEC Donohue in 1992 and results transmitted to WDNR documenting residual petroleum impacts. WDNR issued a closure letter to the current owner (Wisconsin Central, LTD) in 1993 for the northern portion of the Site. Prior work on the southern portion of the Site is limited to overlap with the investigation to the north described above and the investigation conducted by the current owner of the adjacent parcel to the west [the adjoining railroad turn table and engine house; BRRTS Case No. 0236176478; investigation from ~2000-2005, with final closure granted in 2007]. Closure of the railroad turntable and engine house case was contingent on maintaining an engineered barrier and conducting annual cap inspections; which appears to be taking place.

The current owner (Wisconsin Central, LTD) is a viable entity. However, it appears the current owner has taken appropriate steps to address areas of known/potential contamination and is maintaining compliance with continuing obligations. In addition, the warehouse constructed in 1950 by JF Kerscher fell into a blighted condition, and was razed by the current owner in 2015. Finally, due to the duration of bulk petroleum storage/distribution activities, it would be impractical to determine a specific responsible party for any subsurface impacts which may remain.

The current owner has granted the City of Manitowoc right of access to conduct Phase II ESA activities at the Site and the City is seeking this Petroleum ED to facilitate use of USEPA Brownfield assessment funds awarded to the City by USEPA in FY18.