



March 30, 2022

Mr. Timothy Gasperetti
Innovation Park Development Partners, LLC
833 E. Michigan Street, Suite 400
Milwaukee, WI 53202
Electronic mail only to tgasperetti@irgens.com

Mr. David H. Gilbert
UWM Innovation Park LLC
c/o UWM Real Estate Foundation, Inc.
1440 E. North Avenue
Milwaukee, WI 53202
Electronic mail only to dhg@uwm.foundation

Subject: Site Investigation Report and Remedial Action Plan Review
Approval to Manage Contaminated Soil Under Wis. Admin. Code § NR 718.12 on Site
Innovation Park Lots 2, 3, 4 and Outlot 3, 9480 Watertown Plank Road, Wauwatosa, WI
BRRTS #02-41-588671, FID #341030690

Dear Messrs. Gasperetti & Gilbert:

On January 25, 2022, the Wisconsin Department of Natural Resources (DNR) received the *Site Investigation Report and Remedial Action Plan* (Report) submitted on your behalf by The Sigma Group, Inc. (Sigma) requesting DNR's concurrence that the site investigation is complete and that the remedial actions planned are appropriate. Included with the Report was a request to manage 4,100 cubic yards of contaminated soil on the same site from which it will be excavated in accordance with Wis. Admin. Code § NR 718.12. Supplemental information regarding this request was also provided on March 25, 2022. The DNR received all applicable technical assistance and database fees for providing a review and response, in accordance with Wis. Admin. Code § NR 749.04 (1).

Two multi-level office buildings and an open-air parking structure are proposed to be constructed. Excavations for building footings and foundations, utilities/infrastructure, parking lots and drives, and general grading will generate 4,100 cubic yards of contaminated soil. Contaminated material is impacted by polycyclic aromatic hydrocarbons (PAHs), selenium, and lead. An approval through Wis. Admin. Code § NR 718.12 has been requested to manage the contaminated soil to fill low areas on the property.

Site Investigation Report and Remedial Action Plan Review

The DNR reviewed the Report and concurs that the soil and groundwater investigation of the contamination within the reworked soil/fill material, which was likely placed at the site during nearby construction related activities over the preceding decades, is complete and meets the requirements of Wis. Admin. Code ch. NR 716. PAHs were detected in soil at concentrations that exceed residual contaminant levels (RCLs) for the protection of direct contact and/or the protection of groundwater. PAHs were also detected in groundwater at concentrations that exceed enforcement standards (ESs). The metals selenium and lead were detected at concentrations that exceed soil RCLs for protection of groundwater. Arsenic, lead and mercury were detected in groundwater at concentrations that exceed ESs and/or preventive action limits (PALs).

The DNR agrees that based on the historic use of the property it is unlikely that emerging contaminants were used, stored, or handled on the site. Therefore, no sampling is needed to complete the investigation at this time.

Proposed remedial actions include excavation and on- and off-site reuse of impacted material under Wis. Admin. Code § NR 718.12 during site grading and building construction and construction of engineered barriers consisting of building floor slabs, concrete sidewalks, asphalt and concrete pavement covers, and clean soil/landscaping. Based on the descriptions provided, the DNR concurs that the proposed remedial actions are appropriate.

These approvals are contingent on obtaining a Building on a Historic Fill Site Exemption Approval from the DNR. Earthwork and building construction cannot begin until this approval is obtained.

The DNR is currently only responding to the area outlined in red including Lots 2, 3, 4 and Outlot 3, as depicted on Figure 2 submitted as part of the Report. There are documented RCL exceedances in borings on Lot 1 and Outlot 2. Release notifications must be submitted for these lots immediately. These areas, in addition to Outlot 1 and Outlot 4, are currently part of a single property with the same contaminant source (reworked soil/fill) that will require investigation and possibly remediation and/or continuing obligations.

The DNR has the following comments for consideration when preparing the closure request for the current area:

1. Discuss why the tetrachloroethene (PCE) detection in soil is not a concern.
2. The source of soil contamination is property-wide reworked soil/fill material. It must be inferred that soil with RCL exceedances could be present across the property and the extent of contamination RCL lines and the cap must extend over the entire redevelopment area. This should also be included in the finalized cap maintenance plan.
3. Only two rounds of groundwater sampling have been conducted to date. PAHs and metals concentrations were above ESs and/or PALs in at least one of the groundwater samples from the temporary wells. Typically, two rounds of sampling below standards is necessary to determine that an exceedance is not present, therefore, groundwater contamination must be considered a continuing obligation at the time of closure unless additional sampling is completed. As with the soil contaminant plume, it must also be inferred that groundwater with ESs and/or PALs could be present across the entire redevelopment area.

Wis. Admin. Code § NR 718.12 Approval

This letter grants an approval to manage contaminated soil under Wis. Admin. Code § NR718.12 on site. Sigma stated that solid waste material such as concrete rubble, asphalt rubble, or wood that may be encountered during excavations will be segregated (if possible) for off-site recycling and/or hauled to a licensed landfill for disposal. Sigma will be on-site to oversee the soil excavation activities. Approval of the soil management plan is based on the following:

Compliance with Locational Criteria

Managing contaminated soil in areas of the site identified on Figure 15 of the Report will meet the locational criteria listed under Wis. Admin. Code § NR 718.12 (1) (c), exception for the following:

- Within 3 feet of the high groundwater level

Grant of exemption to Wis. Admin. Code § NR 718.12 (1) (c) 5

In consideration of the material staying within project limits, that it will be capped and is not expected to impact groundwater, the DNR grants an exemption to the location criteria of Wis. Admin. Code § NR 718.12 (1) (c) 5 and will allow placement of contaminated material in this location.

Characterization of Soil to be Excavated

Soil samples were collected for analysis of contaminants previously detected or expected to be present at this site including PAHs, VOCs and metals, from areas most likely to contain residual contamination. Based on an estimated volume of 4,100 cubic yards of material, and a sampling frequency of one sample per 178 cubic yards, the sampling protocol described in Wis. Admin. Code § NR 718.12 (1) (e) was met.

Submittal of a Soil Management Plan

A complete soil management plan, as defined by Wis. Admin. Code §§ NR 718.12 (2) (b) and (c), was provided to the DNR.

Assessment of Risk Posed by Soil Management

The proposed management of solid waste at Innovation Park is expected to meet the criteria of Wis. Admin. Code §§ NR 726.13 (1) (b) 1 to 5.

Notice Provided Prior to Commencing Soil Management Activities

Per Wis. Admin. Code § NR 718.12 (2), the DNR was provided with written notice at least seven days prior to commencing the proposed material management.

Requirement of Continuing Obligations

You have acknowledged that the continuing obligations described below will be required as a condition of managing the contaminated material on your property as proposed.

The current property owner of Innovation Park Lots 2, 3, 4 and Outlot 3, and any subsequent property owners, must comply with the following continuing obligations at this site, established under Wis. Admin. Code § NR 718.12 (2) (d), to ensure that conditions will remain protective. DNR staff will conduct periodic, pre-arranged inspections to ensure that the conditions included in this letter and Cap Maintenance Plan are met. If these requirements are not followed, the DNR may take enforcement action under Wis. Stat. ch. 292 to ensure compliance with the specified requirements, limitations or other conditions related to the property.

Documents submitted to the DNR to request the Wis. Admin. Code § NR 718.12 approval meet the requirements of Wis. Admin. Code § NR 718.12 (2) (e) and are available in PDF on the DNR's Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web (BOTW) and RR Sites Map (RRSM), to provide public notice of remaining contamination and continuing obligations. Both BOTW and RRSM are available at dnr.wi.gov, search "WRRD."

More information on responsibilities related to continuing obligations can be found in the DNR publication "Continuing Obligations for Environmental Protection" (RR-819), which can be found at dnr.wi.gov, search "RR-819."

Send documents to the DNR using the RR Program Submittal Portal at dnr.wi.gov, search "RR submittal portal" (<https://dnr.wi.gov/topic/Brownfields/Submittal.html>). Questions on using this portal can be directed to the contact below or to the environmental program associate (EPA) for the regional DNR office. Visit dnr.wi.gov, search "RR contacts" and select the EPA tab (<https://dnr.wi.gov/topic/Brownfields/Contact.html>). More information on submitting electronic documents can be found in the DNR publication "Guidance for Electronic Submittal for the Remediation and Redevelopment Program" (RR-690), which can be found at dnr.wi.gov, search "RR-690."

Residual Soil Contamination and Future Solid Waste Management

If contaminated soil that was managed as proposed in the Report is excavated in the future, the property owner at the time of excavation will have the following responsibilities per Wis. Admin. Code § NR 727.05 (1) (d):

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

Excavated contaminated soil may be managed in accordance with Wis. Admin. Code ch. NR 718 with DNR pre-approval. In addition, all current and future property owners and occupants of the property need to be aware that excavation of the contaminated soil and solid waste may pose a hazard, and special precautions may be necessary to prevent a health threat to humans.

If material that will be managed under this approval includes solid waste other than soil, it may be required to obtain approval from the DNR prior to excavating the waste or constructing any structure over the materials per Wis. Admin. Code § NR 506.085.

The location(s) where contaminated soil is proposed to be managed at Innovation Park Lots 2, 3, 4 and Outlot 3 is depicted on the attached Figure 15, Soil Management Plan Map, January 2022.

The DNR's approval prior to well construction or reconstruction is required where contaminated soil was managed, in accordance with Wis. Admin. Code § NR 812.09 (4) (w). This requirement applies to private drinking water wells and high capacity wells. To obtain approval, complete and submit DNR Form 3300-254 to the DNR Drinking and Groundwater Program's regional water supply specialist. This form is available at dnr.wi.gov, search "3300-254."

Maintenance of a Cover

Engineered barriers consisting of building floor slabs, concrete sidewalks, asphalt and concrete pavement covers, and a clean soil barrier are proposed to be installed and maintained over contaminated soil that will be managed at Innovation Park Lots 2, 3, 4 and Outlot 3 as proposed in the Report. A Cap Maintenance Plan is attached, which describes the inspection and maintenance activities that will apply to the proposed barrier. A finalized maintenance plan must be provided to the DNR after the barrier has been constructed and must address actual site conditions per Wis. Admin. Code § NR 724.15 (3) (h). A map is attached which shows where contaminated soil is proposed to be managed and the extent of the proposed cover. Once constructed, inspections of the engineered barriers and clean soil barrier will be required per Wis. Admin. Code § NR 724.13, and submittal of inspection reports may also be required per Wis. Admin. Code § NR 727.05 (1) (b) 3. Notification to the DNR is required before changing to a non-industrial use if the cover is approved for industrial land use, per Wis. Admin. Code § NR 727.07 (3) to ensure that the cover will be protective for that use.

The Cap Maintenance Plan prohibits certain activities in areas where maintenance of a cover or barrier is intended to prevent contact with any remaining soil contamination. The following activities are prohibited on any portion of the property where the engineered barrier and clean soil barrier is required, unless prior notification is provided to DNR to determine whether further action may be necessary to protect human health, safety, or welfare of the environment (Wis. Admin. Code § NR 727.07):

- removal of the existing barrier or cover;
- replacement with another barrier or cover;
- excavating or grading of the land surface;
- filling on covered or paved areas;
- plowing for agricultural cultivation;
- construction or placement of a building or other structure;

- changing the use or occupancy of the property to a residential exposure setting, which may include certain uses, such as single or multiple family residences, a school, day care, senior center, hospital or similar residential exposure settings.

Other Information

- 1) Any hazardous substance discharge discovered during contaminated soil management activities must be reported to the DNR following the requirements of Wis. Admin. Code ch. NR 706.
- 2) Contaminated soil management activities approved by this letter are scheduled to be completed within one year. Notify the DNR if this schedule will change.
- 3) Unless otherwise directed by the DNR, documentation of contaminated soil management activities shall be provided within 60 days of the completion of this project. The documentation must comply with the requirements of Wis. Admin. Code § NR 724.05 (2) and § NR 724.15 (3). Documentation must include:
 - a. A cover letter that contains the information required by Wis. Admin. Code § NR 724.05(2) (e) 1.
 - b. Owner contact and property location information for Innovation Park Lots 2, 3, 4 and Outlot 3.
 - c. Maps, drawings and cross sections that depict how contaminated soil was managed.
 - d. A synopsis of the work conducted and an explanation as to how it complied with the contaminated soil management plan and the conditions in this approval.
 - e. A description of any changes made to the planned management activity and an explanation as to why they were necessary for the project.
 - f. Any field observations or results of monitoring conducted during the management activity.
 - g. A description of how new site conditions are protective of human health, safety, welfare and the environment at Innovation Park Lots 2, 3, 4 and Outlot 3.
 - h. A finalized cover maintenance plan.

The DNR will request that incomplete documentation be amended as allowed by Wis. Admin. Code § NR 724.07 (2).

- 4) This approval is granted under Wis. Admin. Code § NR 718.12 and applies only to the specific activities described within the submitted Report. Any contaminated soil that is excavated or otherwise disturbed at Innovation Park Lots 2, 3, 4 and Outlot 3, not covered under this or another approval, must be managed in compliance with the requirements of Wis. Admin. Code chs. NR 500 through NR 599. The management of contaminated soil on a property that does not comply with these rules may be considered a hazardous substance discharge or environmental pollution and would be required to be addressed by the process outlined in Wis. Admin. Code chs. NR 700 to NR 799.
- 5) Innovation Park Development Partners, LLC is responsible for obtaining any local, federal or other applicable state permits to carry out the project.

We appreciate your efforts to protect the environment at this site. If you have any questions regarding this approval decision, please contact DNR project manager David Hanson at 414-639-4156, or email at david.hanson@wisconsin.gov.

Sincerely,



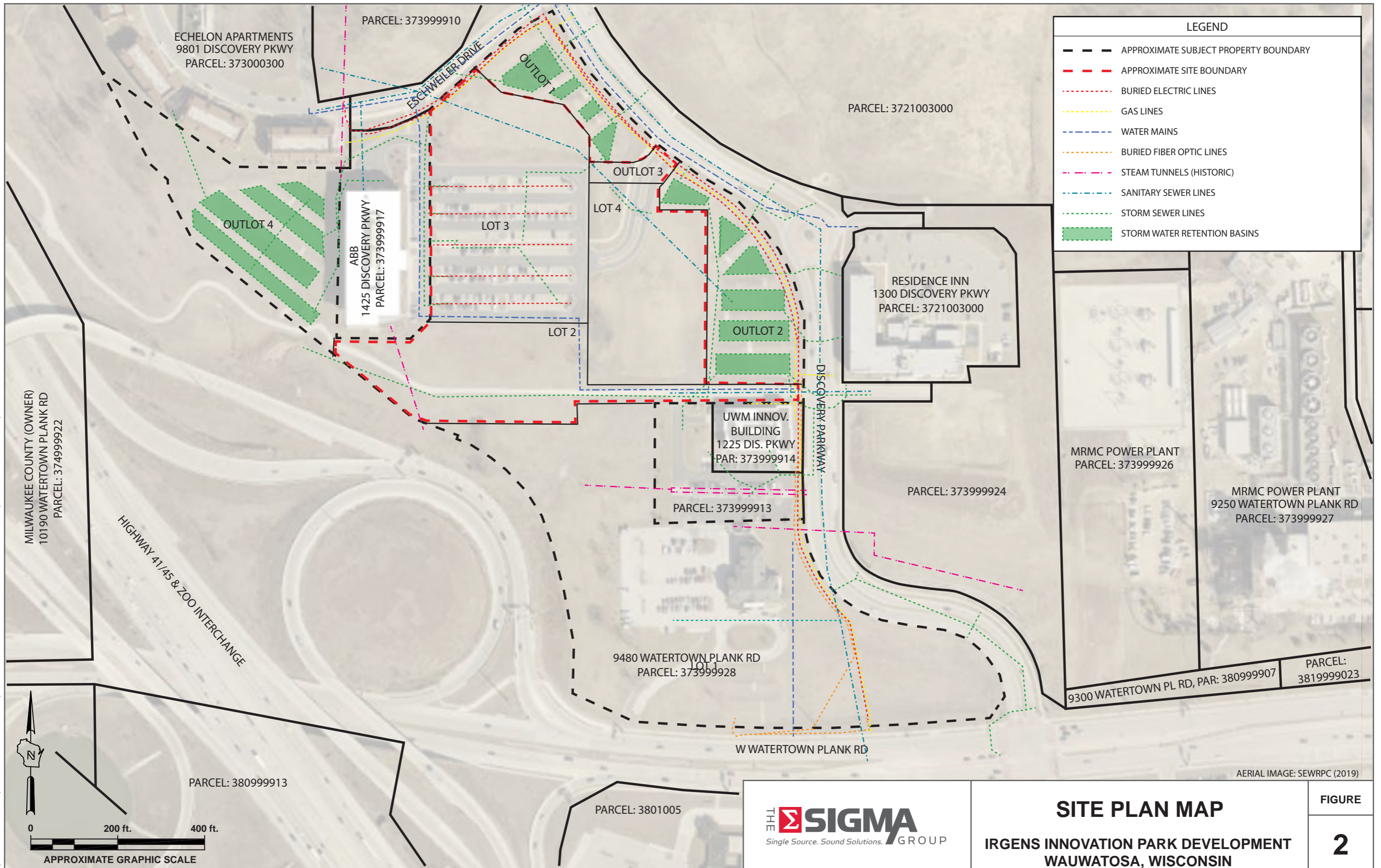
Timothy G. Alessi, P.G.
Team Supervisor, Southeast Region
Remediation and Redevelopment Program

Attachments:

- Figure 2. Site Plan Map, January 4, 2022
- Figure 15, Soil Management Plan Map, January 12, 2022
- Cap Maintenance Plan, March 22, 2022

cc: Cory Katzban, The Sigma Group, Inc. (ckatzban@thesigmagroup.com)
Rick Frieseke, Friess Environmental Consulting, Inc. (rfrieseke@fecinc.us)
Greg Moll, DNR (john.moll@wisconsin.gov)

Project: 18518 | Directory: CAD-Env | Filename: 18518 Master Map-Environmental.lai | Created By: CCK/SVK | Date: 01/04/2022



LEGEND	
	APPROXIMATE SUBJECT PROPERTY BOUNDARY
	APPROXIMATE SITE BOUNDARY
	BURIED ELECTRIC LINES
	GAS LINES
	WATER MAINS
	BURIED FIBER OPTIC LINES
	STEAM TUNNELS (HISTORIC)
	SANITARY SEWER LINES
	STORM SEWER LINES
	STORM WATER RETENTION BASINS

MILWAUKEE COUNTY (OWNER)
10190 WATERTOWN PLANK RD
PARCEL: 374999922

ECHELON APARTMENTS
9801 DISCOVERY PKWY
PARCEL: 373000300

PARCEL: 373999910

PARCEL: 3721003000

ABB
1425 DISCOVERY PKWY
PARCEL: 373999917

RESIDENCE INN
1300 DISCOVERY PKWY
PARCEL: 3721003000

UWM INNOV.
BUILDING
1225 DIS. PKWY
PAR: 373999914

MRMC POWER PLANT
PARCEL: 373999926

MRMC POWER PLANT
9250 WATERTOWN PLANK RD
PARCEL: 373999927

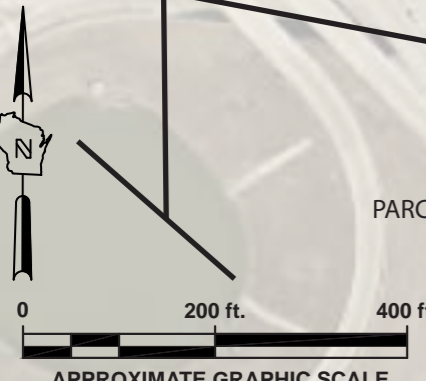
PARCEL: 373999913

PARCEL: 373999924

9480 WATERTOWN PLANK RD
PARCEL: 373999928

9300 WATERTOWN PL RD, PAR: 380999907

PARCEL:
3819999023



PARCEL: 380999913

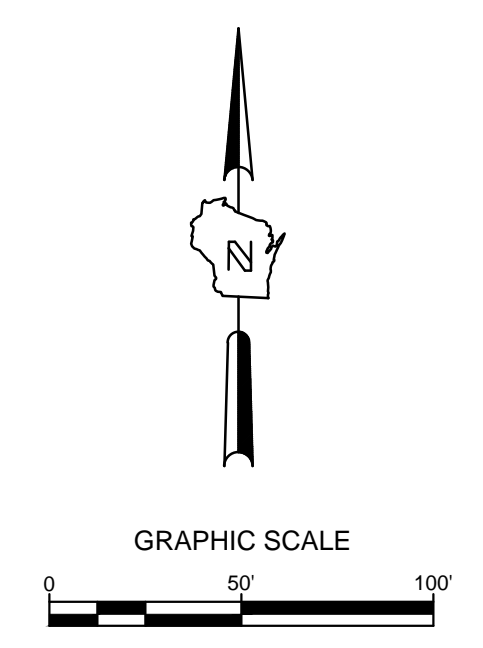
PARCEL: 3801005

AERIAL IMAGE: SEWRPC (2019)



SITE PLAN MAP
IRGENS INNOVATION PARK DEVELOPMENT
WAUWATOSA, WISCONSIN

FIGURE
2

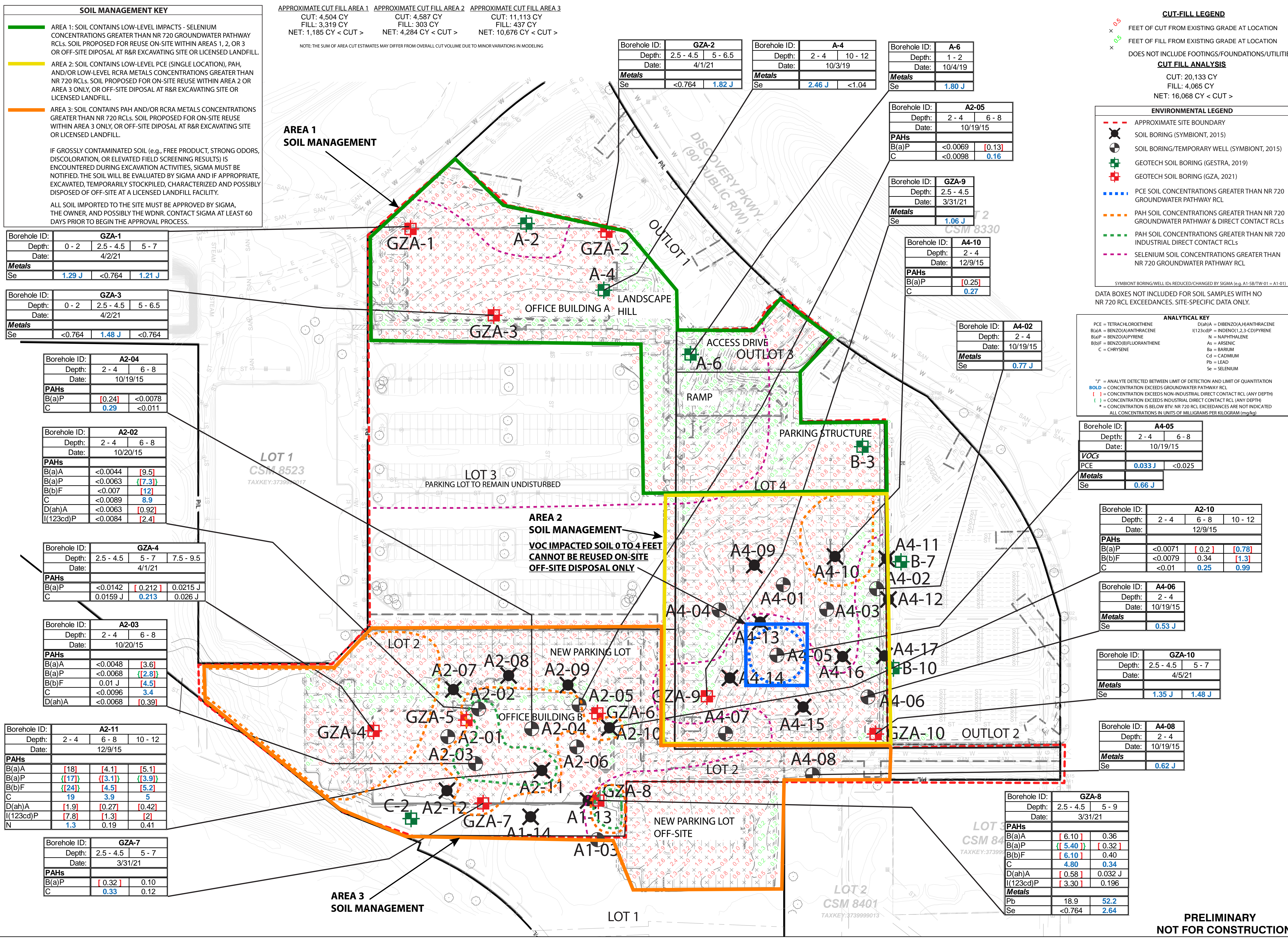


**INNOVATION PARK
 WAUWATOSA, WISCONSIN
 SOIL MANAGEMENT PLAN MAP**

PRICING SET 5/10/2021
 NO. REVISION DATE BY
 ENVIRONMENTAL DRAWINGS
 SOIL MANAGEMENT PLAN MAP: 01/12/2022

CIVIL ENGINEERING INFORMATION (BELOW)
 DRAWING NO. 18518-CUTFILL.DWG
 DRAWN BY: RCR
 DATE: 8/23/2021
 PROJECT NO: 18518
 CHECKED BY: TPM
 APPROVED BY: CTC
 FILE: 18518 Soil Management Cut-Fill Masteral

FIGURE 15



CAP MAINTENANCE PLAN
[final Cap Maintenance Plan(s) to be prepared for future case closure request(s)]
INNOVATION PARK
PHASE I
1301, 1325, AND 1401 DISCOVERY PARKWAY, WAUWATOSA, WI
BRRTS #02-41-588671 / FID #341030690

MARCH 22, 2022

Address: 1301, 1325, and 1401 Discovery Parkway, Wauwatosa, Wisconsin
(formerly 9480 Watertown Plank Rd., Wauwatosa, Wisconsin)

Legal Description: Lot 1 of Certified Survey Map No. 8692, recorded on May 18, 2015 as Document No. 10461263, being a division of Lot 2 and Lot 3 of Certified Survey Map No. 8523 in the Northwest $\frac{1}{4}$, Southeast $\frac{1}{4}$, and the Southwest $\frac{1}{4}$, of the Southeast $\frac{1}{4}$ of Section 20 and the Northeast $\frac{1}{4}$ and the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 29, in the Township 7 North, Range 21 East, in the City of Wauwatosa, County of Milwaukee, State of Wisconsin.

Note: Lot 1 will be subdivided in the future (early 2022) into multiple Lots and Outlots, some of which comprise the Site. The Site will include proposed Lots 2, 3, 4, and Outlot 3, of the future Certified Survey Map (see **Attachment 1**). The address for each Lot/Outlot part of the Site are described below:

1301 Discovery Parkway
Lot 4
Wauwatosa, WI 53226

1325 Discovery Parkway
Lot 2
Wauwatosa, WI 53226

1401 Discovery Parkway
Lot 3 and Outlot 3
Wauwatosa, WI 53226

Introduction

This document is the Cap Maintenance Plan (CMP) for the Site located at 1301, 1325, and 1401 Discovery Parkway (formerly 9480 Watertown Plank Rd), Wauwatosa, WI (the "Site", **Figure 1**) in accordance with the requirements of s. NR 724.13(2), Wisconsin Administrative Code. More specifically, the Site is defined by Lots 2, 3, 4, and Outlot 3, which are shown in **Figure 2** and located at the above-described addresses.

More site-specific information about this property may be found in:

- The case file located at the Wisconsin Department of Natural Resources (WDNR) Southeast Region office;
- BRRTS on the Web (DNR's internet-based data base of contaminated sites);
<https://dnr.wi.gov/botw/SetUpBasicSearchForm.do>; and

- The DNR project manager for Milwaukee County.

Brief Descriptions

Soil impacted by limited and low-level tetrachloroethene (PCE; one sample location), polynuclear aromatic hydrocarbons (PAHs), and/or Resource Conservation and Recovery Act (RCRA) metals (primarily selenium with limited lead) is present within reworked soil (fill) across portions of the Site. The extent of soil impacts with concentrations greater than the WDNR Chapter NR 720 Residual Contaminant Levels (RCLs) for the protection of human health by direct contact (direct contact) for both non-industrial and industrial properties are limited to PAHs, which are determined to be associated extent of reworked soil and historic fill material present across the Site. Soil analytical sampling indicates that greater PAH soil impacts are generally located within the southern portion of the Site, within future Lot 2. Concentrations of PAHs greater than direct contact RCLs may also be present within the reworked soil material present across Lots 3 and 4. The PAH soil impacts greater than the direct contact RCLs are located at depths of up to 12 feet below ground surface (bgs) or more. The extent of the remaining residual soil contamination is shown on **Attachment D.2 – Location Map** *[a site-specific figure will be prepared for the final Cap Maintenance Plan(s) at the time of case closure - refer to attached Figure D.2 for current extent of cap]*.

Description of Engineered Barriers and Area to Maintain as Part of Cap Maintenance Plan:

Residual PAH soil contamination at the Site requires proper capping in order to effectively reduce human health risks from direct contact exposure. There are multiple types of engineered barriers that will be utilized at the Site as described below:

- Concrete Building Floor Slab - New building floor slabs at the ground level will be constructed with a minimum concrete thickness of 5 inches.
- Concrete Pavements and Sidewalks - Concrete-paved drive areas and drive approaches will be 6 inches thick, while concrete sidewalks will be 5 inches thick.
- Asphalt Pavements - Light-duty (4 inches thick) asphalt pavement will be used for the outdoor parking and drive areas that will surround the new buildings. The parking structure first floor will also be paved asphalt.
- Clean Soil Barrier - Limited landscaped areas will be located around the buildings and the paved parking lots and at the perimeter of the Site. The soil cover systems will consist of the following:
 - Lot 2: Geotextile fabric or traffic bond warning layer placed over the subgrade soil and capped with 12 inches of clean soil that is compacted with construction machinery and 4 to 6 inches of vegetated or mulched topsoil (designed per landscaping specifications).
 - Lot 3, Outlot 3, Lot 4
 - Prairie Grass area (north of Building A) will be constructed with 6 inches of topsoil and seeded with native prairie grass (1 to 2 feet in height, designed per landscaping specifications).

- Landscaping (around Building A and the Parking Structure) will be constructed with a warning layer of orange construction/snow fence and 6 inches of overlying topsoil and landscaping (per landscaping specifications).

Greenspace and landscaped areas across the Site were designed for aesthetic and/or drainage purposes and will not experience significant use by potentially sensitive receptors (e.g., adults or children).

As part of the Site redevelopment, trees and bushes will be planted within the greenspace areas that will necessitate root balls penetrating through the clean soil cap; however, the root structure and the trees / bushes will prevent direct contact with underlying residual soil impacts. The landscape contractor will be provided a copy of the Soil Management Plan so personnel can be made aware of the underlying soil impacts and employ personal protective equipment as needed; any impacted soil disturbed during the planting of trees or bushes will need to be relocated on-site beneath an engineered barrier or disposed of off-site at a WDNR-licensed landfill or WDNR-approved disposal facility.

Based on the current and future use of the property, the engineered barriers should function as intended unless disturbed. The extents of the engineered barriers are depicted on **Attachment D.2**. As-built photos of the site features are included as **Attachment D.3**. *[will be provided with the final Cap Maintenance Plan(s)]*

Annual Inspection

The engineered barriers overlying the impacted soil will be inspected twice a year, normally in the spring and fall after all snow and ice is gone, for erosion, damage, deterioration, cracks and other potential problems that can cause additional surface infiltration and exposure to underlying soils. The inspections will be performed by the property owner or their designated representative. The inspections will be performed to evaluate damage due to erosion, human disturbance, settling, exposure to the weather, wear from traffic, increasing age and other factors. Areas where potentially impacted soils have become or are likely to become exposed will be documented. A log of the inspections and repairs will be maintained by the property owner and is included below as **Attachment D.4**, Inspection Log. The log will include recommendations for necessary repair of areas where underlying soils are exposed. Once repairs are completed, they will be documented in the inspection log. A copy of the inspection log will be kept on-site and available for submittal or inspection by WDNR representatives upon their request.

Maintenance Activities

If problems are noted during the semi-annual inspections or at any other time during the year, repairs will be scheduled as soon as practical. Maintenance activities may include, but are not limited to, filling eroded spots in the soil cap, repairs to pavement and building floor slabs, replacing sections of sidewalk, etc. In the event that necessary maintenance activities expose impacted soil, the owner will inform maintenance workers of the potential direct contact exposure hazard. The owner must also sample any soil that is excavated from the site prior to disposal to ascertain if the identified contamination remains. The material must be treated, stored and disposed of by the owner in accordance with applicable local, state, and federal law.

In the event that the concrete floor slabs, concrete / asphalt pavements, concrete sidewalks, , or clean soil barriers overlying the impacted soil at the Site are removed or replaced, the replacement barrier must be equally impervious. Any replacement barrier will be subject to the same maintenance and inspection guidelines as outlined in this CMP unless indicated otherwise by the WDNR or its successor.

The property owner, in order to maintain the integrity of the engineered barriers, will maintain a copy of this CMP and make it available to all interested parties (i.e., on-site employees, contractors, landscape companies, future property owners, etc.) for viewing. The property owner will be responsible for maintaining the overall cap systems.

Prohibition of Activities and Notification of DNR Prior to Actions Affecting a Cover or Cap

The following activities are prohibited on any portion of the property where an engineered barrier is required as shown on the attached map, unless prior written approval has been obtained from the WDNR: 1) removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; 6) construction or placement of a building or other structure; or 7) changing the use or occupancy of the property to single-family residential use.

If removal, replacement or other changes to an engineered barrier, or a building which is acting as a cover, are considered, the property owner will contact the WDNR at least 45 days before taking such action to determine whether further action may be necessary to protect human health, safety, or welfare or the environment, in accordance with s. NR 727.07, Wis. Adm. Code.

Amendment or Withdrawal of Maintenance Plan

This CMP can be amended or withdrawn by the property owner and its successors with the written approval of WDNR.

Contact Information as of March 2022:

Responsible Party (*future Site owner(s) may be determined at the time of Case Closure*):

Innovation Park Development Partners, LLC
c/o Irgens
833 E. Michigan Street, Suite 400
Milwaukee, WI 53202
Contact: Timothy Gasperetti, P.E.
Email: tgasperetti@irgens.com

Signature: _____



Printed Name: _____

Timothy D. Gasperetti

Title: _____

Vice President

Environmental Consultant:

The Sigma Group, Inc.
1300 W. Canal Street
Milwaukee, WI 53233
Telephone: (414) 643-4200
Contact: Cory Katzban, P.E.
Email: ckatzban@thesigmagroup.com

Wisconsin Department of Natural Resources Project Manager:

Wisconsin Department of Natural Resources
Remediation & Redevelopment Program
2300 N. Martin Luther King Drive
Milwaukee, WI 53212
Contact: Mr. David Hanson
Phone: (414) 639-4156
Email: david.hanson@wisconsin.gov



- 5' THICK CONCRETE WALK (C481)
- ASPHALT SURFACE (D C481)
- GRAVEL PATH (X C481)
- CURB & GUTTER (ACCEPT) (A C481)
- CURB & GUTTER (REJECT) (A C481)

ENVIRONMENTAL LEGEND

- APPROXIMATE SITE/REDEVELOPMENT BOUNDARY
- PAH SOIL CONCENTRATIONS GREATER THAN NR 720 GROUNDWATER PATHWAY & DIRECT CONTACT RCLs
- PAH SOIL CONCENTRATIONS GREATER THAN NR 720 INDUSTRIAL DIRECT CONTACT RCLs

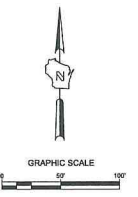
BASED ON SOIL ANALYTICAL DATA

NO VOC OR RCRA METALS IMPACTS GREATER THAN NR 720 DIRECT CONTACT RCLs. ONLY THE EXTENTS OF NR 720 DIRECT CONTACT EXCEEDANCES ARE SHOWN.

ENGINEERED BARRIERS LEGEND

- ENGINEERED CLEAN SOIL BARRIER - LOT 2 (GEOTEXTILE/TOB BASE LAYER - 12" CLEAN SOIL - 6" TOPSOIL)
- ENGINEERED CLEAN SOIL BARRIER - LOT 3 & LOT 4 - PRAIRIE GRASS (6" TOPSOIL WITH PRAIRIE GRASS - LIMITED USE)
- ENGINEERED CLEAN SOIL BARRIER - LOT 3 & LOT 4 - LANDSCAPING (SNOW FENCE WARNING LAYER - 6" TOPSOIL AND LANDSCAPING)
- EXTERIOR CONCRETE SLABS / PAVEMENT (5" THICK CONCRETE, CURB = 6" THICK CONCRETE)
- INTERIOR CONCRETE FLOOR SLABS (6" THICK CONCRETE)
- PAVED ASPHALT PARKING LOT / DRIVE AREAS (4" THICK ASPHALT)
- EXTENT OF CAP MAINTENANCE PLAN FOR ENGINEERED BARRIERS (EXTENT BASED ON EXTENT OF FILL MATERIAL)

SIGMA GROUP
 Single Source. Smart Solutions.
 www.thesigmagroup.com
 1300 West Canal Street
 Milwaukee, WI 53233
 Phone: 414-643-4200
 Fax: 414-643-4210



ENGINEERED BARRIERS MAP

1304, 1325, AND 1401 DISCOVERY PARKWAY
 9480 WATERTOWN PLANK ROAD
 WAUWATOSA, WISCONSIN

PUD SET	8/17/2021
NO. REVISION	DATE BY
ENVIRONMENTAL DRAWINGS	
ENGINEERED BARRIERS MAP: 03/16/2022	
CIVIL ENGINEERING INFORMATION (BELOW)	
DRAWING NO.	18518-0100-SITE DIM PLAN/DWG
DRAWN BY:	RCR
DATE:	5/10/2021
PROJECT NO.:	18518
CHECKED BY:	TPM
APPROVED BY:	CTC
FILE: 18518 Engineered Barriers-Master	

D.2

**AS BUILT PHOTOS TO BE PROVIDED
FOLLOWING REDEVELOPMENT AT THE
TIME OF CASE CLOSURE**

INNOVATION PARK—PHASE I
Discovery Parkway, Wauwatosa, Wisconsin

D.3. Photographs

Sigma Project Number: 18518

Directions: In accordance with s. NR 727.05 (1) (b) 3., Wis. Adm. Code, use of this form for documenting the inspections and maintenance of certain continuing obligations is required. Personal information collected will be used for administrative purposes and may be provided to requesters to the extent required by Wisconsin's Open Records law [ss. 19.31-19.39, Wis. Stats.]. When using this form, identify the condition that is being inspected. See the closure approval letter for this site for requirements regarding the submittal of this form to the Department of Natural Resources. A copy of this inspection log is required to be maintained either on the property, or at a location specified in the closure approval letter. Do NOT delete previous inspection results. This form was developed to provide a continuous history of site inspection results. The Department of Natural Resources project manager is identified in the closure letter. The project manager may also be identified from the database, BRRTS on the Web, at <http://dnr.wi.gov/botw/SetUpBasicSearchForm.do>, by searching for the site using the BRRTS ID number, and then looking in the "Who" section.

Activity (Site) Name Innovation Park	BRRTS No. 02-41-588671
--	----------------------------------

Inspections are required to be conducted (see closure approval letter):

annually
 semi-annually
 other – specify _____

When submittal of this form is required, submit the form electronically to the DNR project manager. An electronic version of this filled out form, or a scanned version may be sent to the following email address (see closure approval letter):

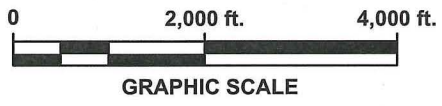
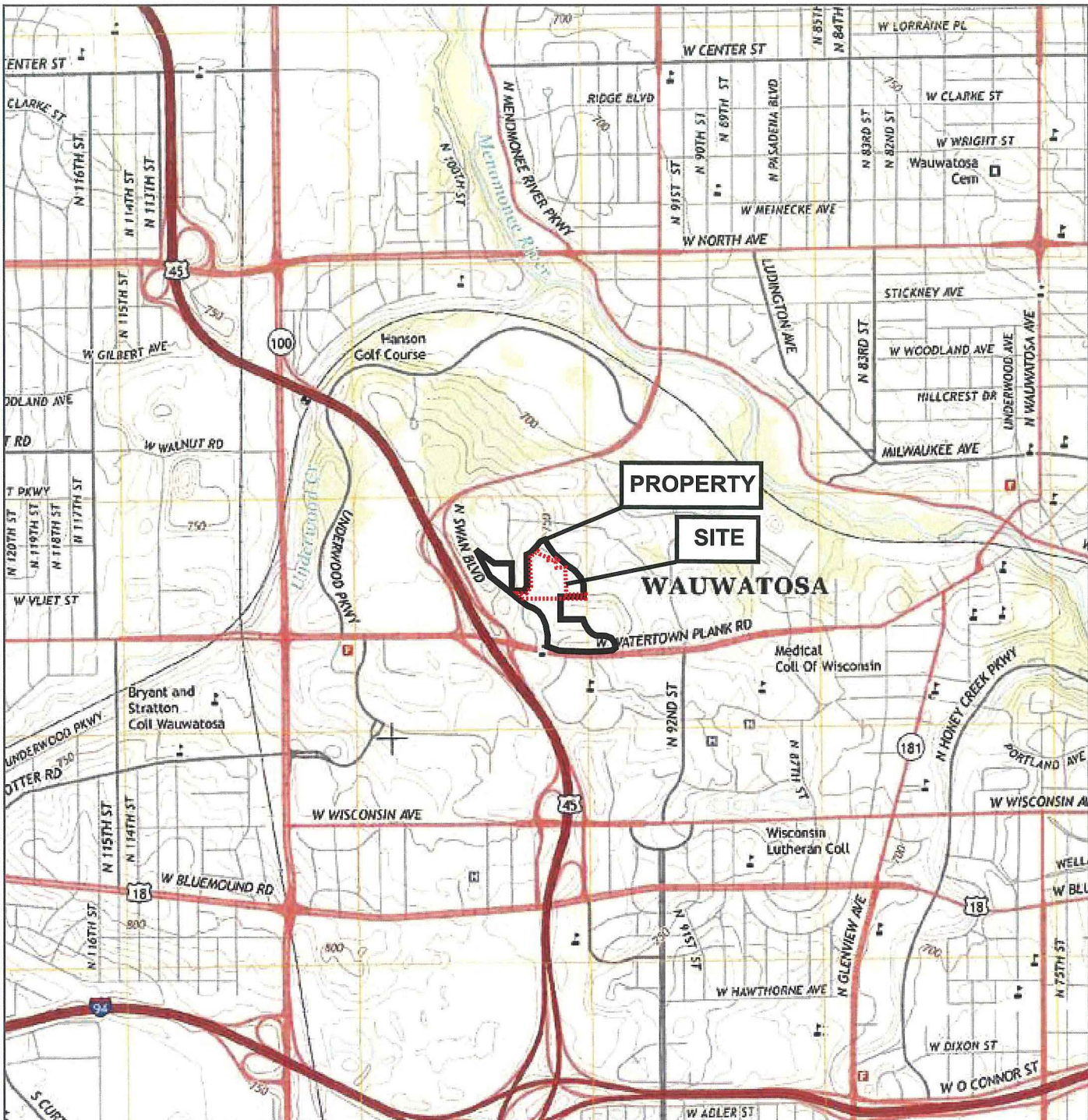
david.hanson@wisconsin.gov

Inspection Date	Inspector Name	Item	Describe the condition of the item that is being inspected	Recommendations for repair or maintenance	Previous recommendations implemented?	Photographs taken and attached?
		<input type="checkbox"/> monitoring well <input checked="" type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:	To Be Determined	To Be Determined	<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N

{Click to Add/Edit Image}	Date added:
Title:	

{Click to Add/Edit Image}	Date added:
Title:	

Project: 18518 | Directory: \Irigens Development\18518- Innovation Park Parcel\090 Reports\2019.08_Phase I ESA\Figures | Filename: 18518_Fig 1_SLM.ai | Created By: JMW/CCK | Date: 12/08/2021



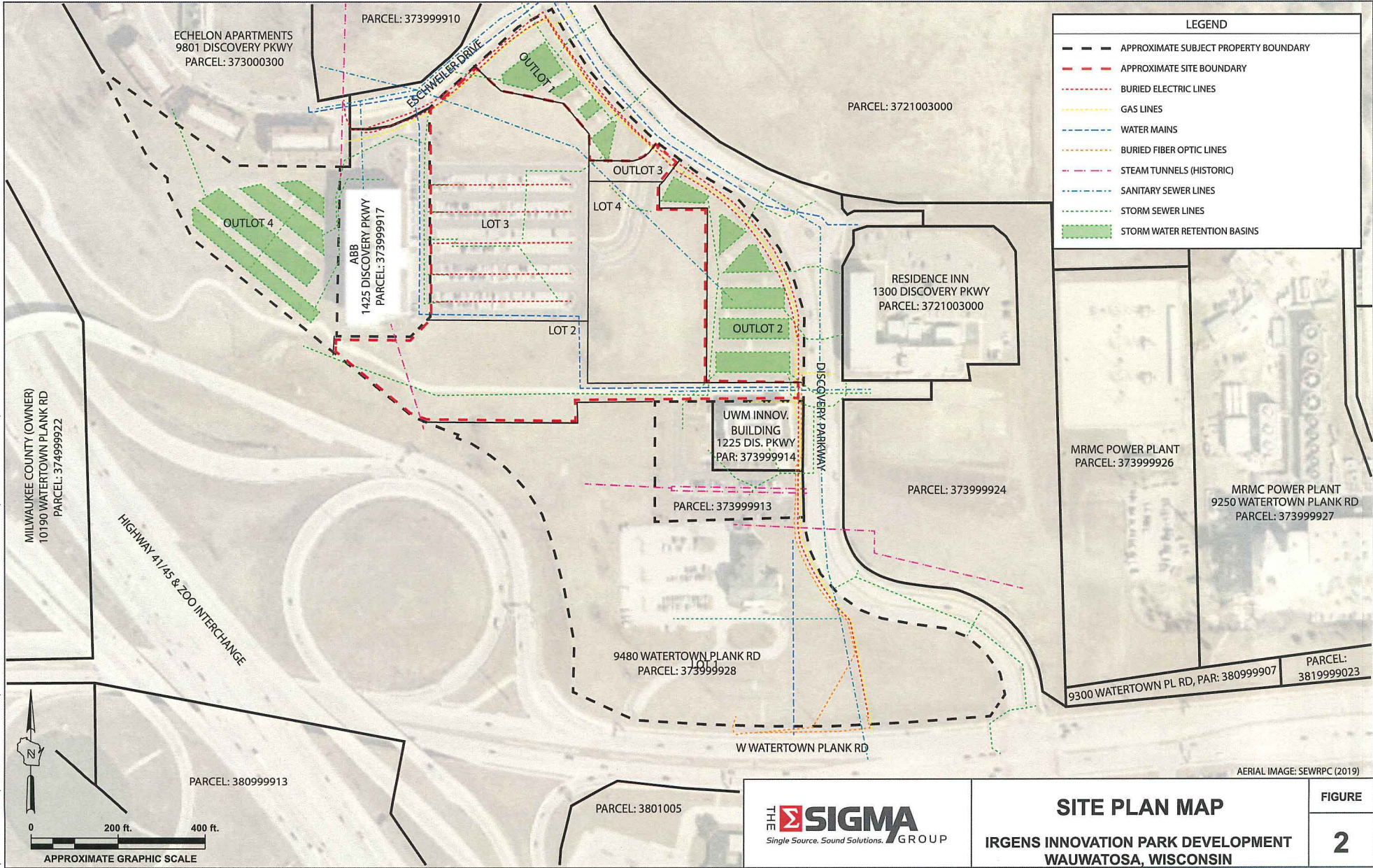
Located in the SE 1/4 of Section 20, T7N, R21E
 USGS Wauwatosa Quadrangle (2013)
 7.5 minute, 1 : 24,000 Topographic Map Collection



SITE LOCATION MAP
 9480 WATERTOWN PLANK ROAD
 WAUWATOSA, WISCONSIN

FIGURE

1



SITE PLAN MAP
IRGENS INNOVATION PARK DEVELOPMENT
WAUWATOSA, WISCONSIN

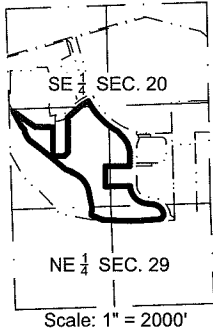
AERIAL IMAGE: SEWRPC (2019)

ATTACHMENT 1

CERTIFIED SURVEY MAP NO. _____

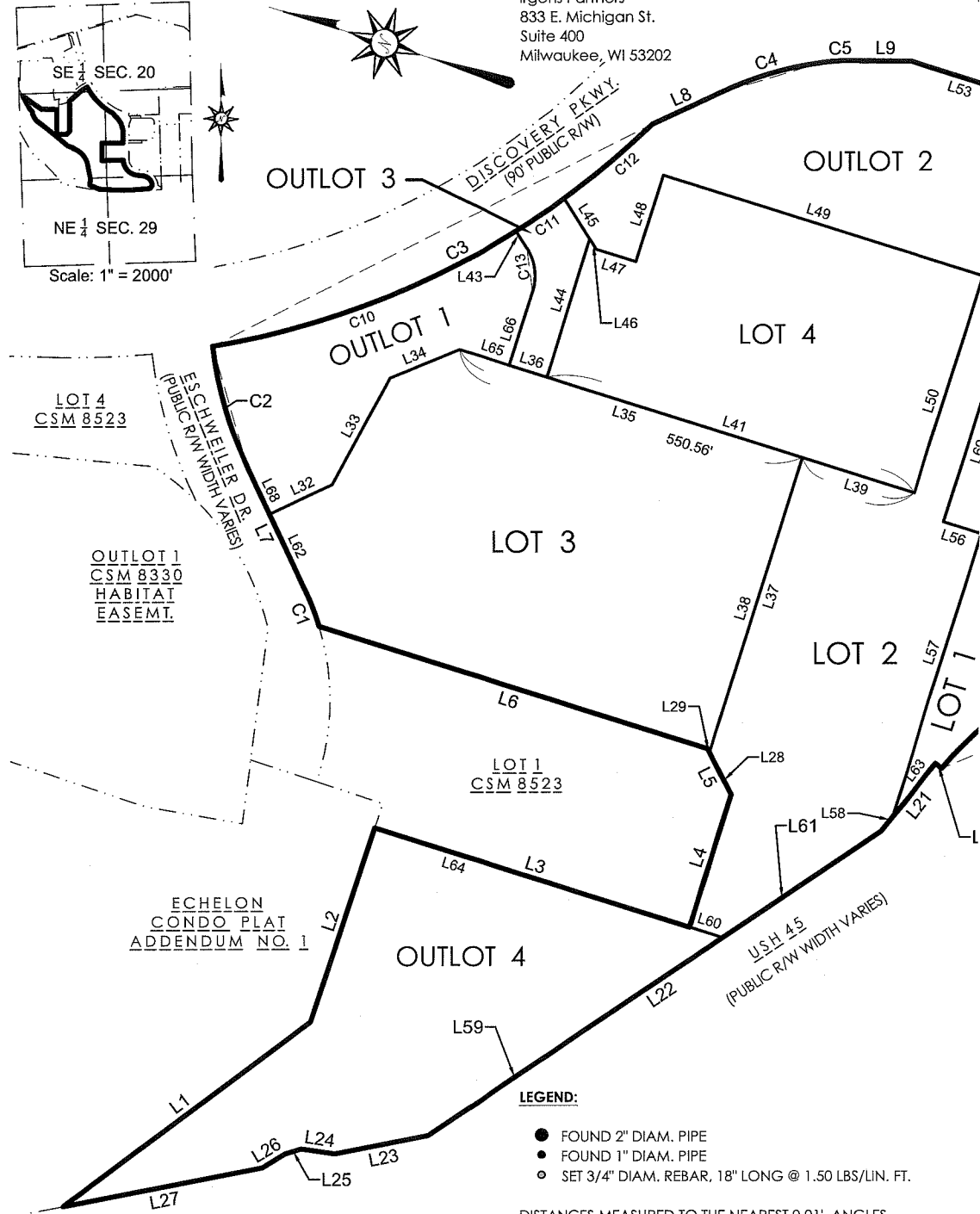
Part of Lot 1 of Certified Survey Map No. 8692, recorded as Document No. 10461263, in the Northwest 1/4, Southeast 1/4, and the Southwest 1/4 of the Southeast 1/4 of Section 20 and the Northeast 1/4 and the Northeast 1/4 of the Northeast 1/4 of Section 29 in the Township 7 North, Range 21 East, City of Wauwatosa, Milwaukee County, Wisconsin.

Vicinity Map:



Prepared For:

Irgens Partners
833 E. Michigan St.
Suite 400
Milwaukee, WI 53202



LEGEND:

- FOUND 2" DIAM. PIPE
- FOUND 1" DIAM. PIPE
- SET 3/4" DIAM. REBAR, 18" LONG @ 1.50 LBS/LIN. FT.

DISTANCES MEASURED TO THE NEAREST 0.01'. ANGLES MEASURED TO THE NEAREST 01".

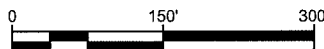
LINE & CURVE TABLES & PARCEL AREAS ON SHEET 3

Bearing Reference:

Wisconsin State Plane Coordinate System, South Zone, NAD 1927, with the South line of the SE 1/4 of Section 20, Town 7 North, Range 21 East bearing N88°15'23"E.

THE SIGMA GROUP
Single Source. Sound Solutions.
www.thesigmagroup.com
1300 West Canal Street
Milwaukee, WI 53233
Phone: 414-643-4200
Fax: 414-643-4210

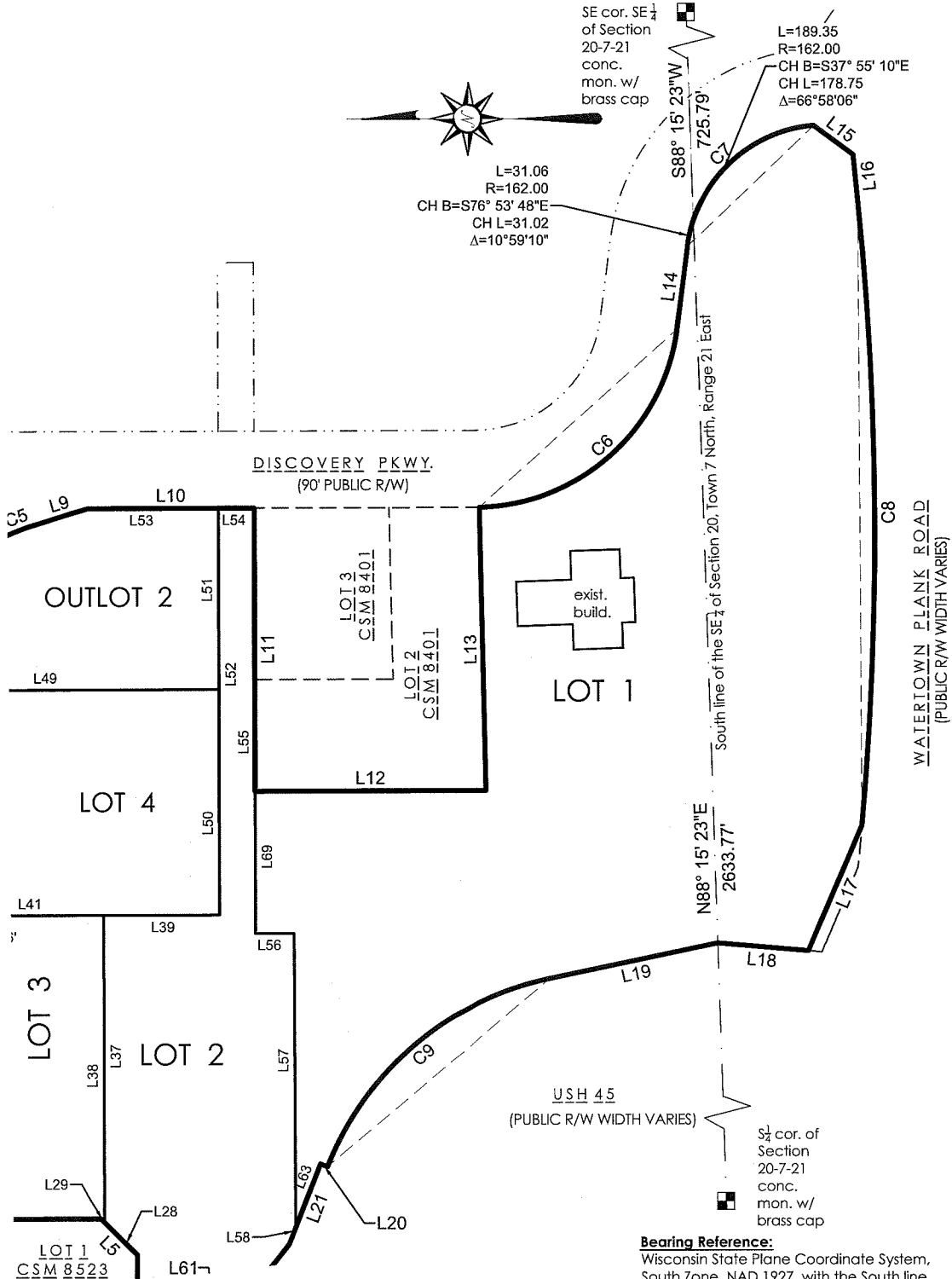
GRAPHIC SCALE



PROJECT NUMBER 18581 DRAFTED BY BMR

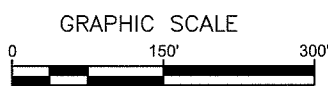
CERTIFIED SURVEY MAP NO. _____

Part of Lot 1 of Certified Survey Map No. 8692, recorded as Document No. 10461263, in the Northwest 1/4, Southeast 1/4, and the Southwest 1/4 of the Southeast 1/4 of Section 20 and the Northeast 1/4 and the Northwest 1/4 of the Northeast 1/4 of Section 29 in the Township 7 North, Range 21 East, City of Wauwatosa, Milwaukee County, Wisconsin.



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