

Notice: Use this form to request a **written response (on agency letterhead)** from the Department of Natural Resources (DNR) regarding technical assistance, a post-closure change to a site, a specialized agreement or liability clarification for Property with known or suspected environmental contamination. A fee will be required as is authorized by s. 292.55, Wis. Stats., and NR 749, Wis. Adm. Code., unless noted in the instructions below. Personal information collected will be used for administrative purposes and may be provided to requesters to the extent required by Wisconsin's Public Records law [ss. 19.31 - 19.39, Wis. Stats.].

Definitions

"Property" refers to the subject Property that is perceived to have been or has been impacted by the discharge of hazardous substances.

"Liability Clarification" refers to a written determination by the Department provided in response to a request made on this form. The response clarifies whether a person is or may become liable for the environmental contamination of a Property, as provided in s. 292.55, Wis. Stats.

"Technical Assistance" refers to the Department's assistance or comments on the planning and implementation of an environmental investigation or environmental cleanup on a Property in response to a request made on this form as provided in s. 292.55, Wis. Stats.

"Post-closure modification" refers to changes to Property boundaries and/or continuing obligations for Properties or sites that received closure letters for which continuing obligations have been applied or where contamination remains. Many, but not all, of these sites are included on the GIS Registry layer of RR Sites Map to provide public notice of residual contamination and continuing obligations.

Select the Correct Form

This form should be used to request the following from the DNR:

- Technical Assistance
- Liability Clarification
- Post-Closure Modifications
- Specialized Agreements (tax cancellation, negotiated agreements, etc.)

Do not use this form if one of the following applies:

- Request for an **off-site liability exemption or clarification** for Property that has been or is perceived to be contaminated by one or more hazardous substances that originated on another Property containing the source of the contamination. Use DNR's Off-Site Liability Exemption and Liability Clarification Application Form 4400-201.
- Submittal of an Environmental Assessment for the **Lender Liability Exemption**, s 292.21, Wis. Stats., **if no response or review by DNR is requested**. Use the Lender Liability Exemption Assessment Tracking Form 4400-196.
- Request for an **exemption to develop on a historic fill site** or licensed landfill. Use DNR's Form 4400-226 or 4400-226A.
- **Request for closure** for Property where the investigation and cleanup actions are completed. Use DNR's Case Closure - GIS Registry Form 4400-202.

All forms, publications and additional information are available on the internet at: dnr.wi.gov/topic/Brownfields/Pubs.html.

Instructions

1. Complete sections 1, 2, 6 and 7 for all requests. Be sure to provide adequate and complete information.
2. Select the type of assistance requested: Section 3 for technical assistance or post-closure modifications, Section 4 for a written determination or clarification of environmental liabilities; or Section 5 for a specialized agreement.
3. Include the fee payment that is listed in Section 3, 4, or 5, unless you are a "Voluntary Party" enrolled in the Voluntary Party Liability Exemption Program **and** the questions in Section 2 direct otherwise. Information on to whom and where to send the fee is found in Section 8 of this form.
4. Send the completed request, supporting materials and the fee to the appropriate DNR regional office where the Property is located. See the map on the last page of this form. A paper copy of the signed form and all reports and supporting materials shall be sent with an electronic copy of the form and supporting materials on a compact disk. For electronic document submittal requirements see: <http://dnr.wi.gov/files/PDF/pubs/rr/RR690.pdf>

The time required for DNR's determination varies depending on the complexity of the site, and the clarity and completeness of the request and supporting documentation.

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Section 1. Contact and Recipient Information

Requester Information

This is the person requesting technical assistance or a post-closure modification review, that his or her liability be clarified or a specialized agreement and is identified as the requester in Section 7. DNR will address its response letter to this person.

Last Name Robbins	First Nicole	MI	Organization/ Business Name Five Points MLKEDC, LLC
Mailing Address 2745 N MLK Jr. Drive, Suite 200		City Milwaukee	State WI
		ZIP Code 53212	
Phone # (include area code) (414) 207-8569	Fax # (include area code)	Email nrobbins@mlkedcmke.org	

The requester listed above: (select all that apply)

- Is currently the owner
 Is considering selling the Property
 Is renting or leasing the Property
 Is considering acquiring the Property
 Is a lender with a mortgagee interest in the Property
 Other. Explain the status of the Property with respect to the applicant:

Contact Information (to be contacted with questions about this request)

Select if same as requester

Contact Last Name Katzban	First Cory	MI	Organization/ Business Name The Sigma Group, Inc.
Mailing Address 1300 W Canal Street		City Milwaukee	State WI
		ZIP Code 53233	
Phone # (include area code) (414) 643-4200	Fax # (include area code) (414) 643-4210	Email ckatzban@thesigmagroup.com	

Environmental Consultant (if applicable)

Contact Last Name Katzban	First Cory	MI	Organization/ Business Name The Sigma Group, Inc.
Mailing Address 1300 W Canal Street		City Milwaukee	State WI
		ZIP Code 53233	
Phone # (include area code) (414) 643-4200	Fax # (include area code) (414) 643-4210	Email	

Section 2. Property Information

Property Name Five Points Development - MLK Drive		FID No. (if known) 341350240	
BRRTS No. (if known) 02-41-589558 (ERP)		Parcel Identification Number 2821204100	
Street Address 3317-3345 N MLK Jr. Drive		City Milwaukee	State WI
		ZIP Code 53202	
County Milwaukee	Municipality where the Property is located <input checked="" type="radio"/> City <input type="radio"/> Town <input type="radio"/> Village of Milwaukee	Property is composed of: <input checked="" type="radio"/> Single tax parcel <input type="radio"/> Multiple tax parcels	Property Size Acres 1.13

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1. Is a response needed by a specific date? (e.g., Property closing date) Note: Most requests are completed within 60 days. Please plan accordingly.

- No Yes

Date requested by: _____

Reason:

2. Is the "Requester" enrolled as a Voluntary Party in the Voluntary Party Liability Exemption (VPLE) program?

- No. **Include the fee that is required for your request in Section 3, 4 or 5.**
 Yes. **Do not include a separate fee.** This request will be billed separately through the VPLE Program.

Fill out the information in Section 3, 4 or 5 which corresponds with the type of request:

Section 3. Technical Assistance or Post-Closure Modifications;

Section 4. Liability Clarification; or Section 5. Specialized Agreement.

Section 3. Request for Technical Assistance or Post-Closure Modification

Select the type of technical assistance requested: [Numbers in brackets are for WI DNR Use]

- No Further Action Letter (NFA) (Immediate Actions) - NR 708.09, [183] - Include a fee of \$350. Use for a written response to an immediate action after a discharge of a hazardous substance occurs. Generally, these are for a one-time spill event.
- Review of Site Investigation Work Plan - NR 716.09, [135] - **Include a fee of \$700.**
- Review of Site Investigation Report - NR 716.15, [137] - **Include a fee of \$1050.**
- Approval of a Site-Specific Soil Cleanup Standard - NR 720.10 or 12, [67] - **Include a fee of \$1050.**
- Review of a Remedial Action Options Report - NR 722.13, [143] - **Include a fee of \$1050.**
- Review of a Remedial Action Design Report - NR 724.09, [148] - **Include a fee of \$1050.**
- Review of a Remedial Action Documentation Report - NR 724.15, [152] - **Include a fee of \$350**
- Review of a Long-term Monitoring Plan - NR 724.17, [25] - **Include a fee of \$425.**
- Review of an Operation and Maintenance Plan - NR 724.13, [192] - **Include a fee of \$425.**

Other Technical Assistance - s. 292.55, Wis. Stats. [97] (For request to build on an abandoned landfill use Form 4400-226)

- Schedule a Technical Assistance Meeting - **Include a fee of \$700.**
- Hazardous Waste Determination - **Include a fee of \$700.**
- Other Technical Assistance - **Include a fee of \$700.** Explain your request in an attachment.

Post-Closure Modifications - NR 727, [181]

- Post-Closure Modifications: Modification to Property boundaries and/or continuing obligations of a closed site or Property; sites may be on the GIS Registry. This also includes removal of a site or Property from the GIS Registry. **Include a fee of \$1050, and:**
- Include a fee of \$300 for sites with residual soil contamination; and
- Include a fee of \$350 for sites with residual groundwater contamination, monitoring wells or for vapor intrusion continuing obligations.

Attach a description of the changes you are proposing, and documentation as to why the changes are needed (if the change to a Property, site or continuing obligation will result in revised maps, maintenance plans or photographs, those documents may be submitted later in the approval process, on a case-by-case basis).

Section 4. Request for Liability Clarification

Select the type of liability clarification requested. Use the available space given or attach information, explanations, or specific questions that you need answered in DNR's reply. Complete Sections 6 and 7 of this form. [Numbers in brackets are for DNR Use]

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"Lender" liability exemption clarification - s. 292.21, Wis. Stats. [686]

❖ **Include a fee of \$700.**

Provide the following documentation:

- (1) ownership status of the real Property, and/or the personal Property and fixtures;
- (2) an environmental assessment, in accordance with s. 292.21, Wis. Stats.;
- (3) the date the environmental assessment was conducted by the lender;
- (4) the date of the Property acquisition; for foreclosure actions, include a copy of the signed and dated court order confirming the sheriff's sale.
- (5) documentation showing how the Property was acquired and the steps followed under the appropriate state statutes.
- (6) a copy of the Property deed with the correct legal description; and,
- (7) the Lender Liability Exemption Environmental Assessment Tracking Form (Form 4400-196).
- (8) If no sampling was done, please provide reasoning as to why it was **not** conducted. Include this either in the accompanying environmental assessment or as an attachment to this form, and cite language in s. 292. 21(1)(c)2.,h.-i., Wis. Stats.:
 - h. The collection and analysis of representative samples of soil or other materials in the ground that are suspected of being contaminated based on observations made during a visual inspection of the real Property or based on aerial photographs, or other information available to the lender, including stained or discolored soil or other materials in the ground and including soil or materials in the ground in areas with dead or distressed vegetation. The collection and analysis shall identify contaminants in the soil or other materials in the ground and shall quantify concentrations.
 - i. The collection and analysis of representative samples of unknown wastes or potentially hazardous substances found on the real Property and the determination of concentrations of hazardous waste and hazardous substances found in tanks, drums or other containers or in piles or lagoons on the real Property.

"Representative" liability exemption clarification (e.g. trustees, receivers, etc.) - s. 292.21, Wis. Stats. [686]

❖ **Include a fee of \$700.**

Provide the following documentation:

- (1) ownership status of the Property;
- (2) the date of Property acquisition by the representative;
- (3) the means by which the Property was acquired;
- (4) documentation that the representative has no beneficial interest in any entity that owns, possesses, or controls the Property;
- (5) documentation that the representative has not caused any discharge of a hazardous substance on the Property; and
- (6) a copy of the Property deed with the correct legal description.

Clarification of local governmental unit (LGU) liability exemption at sites with: (select all that apply)

- hazardous substances spills - s. 292.11(9)(e), Wis. Stats. [649];
- Perceived environmental contamination - [649];
- hazardous waste - s. 292.24 (2), Wis. Stats. [649]; and/or
- solid waste - s. 292.23 (2), Wis. Stats. [649].

❖ **Include a fee of \$700, a summary of the environmental liability clarification being requested, and the following:**

- (1) clear supporting documentation showing the acquisition method used, and the steps followed under the appropriate state statute(s).
- (2) current and proposed ownership status of the Property;
- (3) date and means by which the Property was acquired by the LGU, where applicable;
- (4) a map and the ¼, ¼ section location of the Property;
- (5) summary of current uses of the Property;
- (6) intended or potential use(s) of the Property;
- (7) descriptions of other investigations that have taken place on the Property; and
- (8) (for solid waste clarifications) a summary of the license history of the facility.

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Section 4. Request for Liability Clarification (cont.)

- Lease liability clarification - s. 292.55, Wis. Stats. [646]
- ❖ **Include a fee of \$700 for a single Property, or \$1400 for multiple Properties and the information listed below:**
 - (1) a copy of the proposed lease;
 - (2) the name of the current owner of the Property and the person who will lease the Property;
 - (3) a description of the lease holder's association with any persons who have possession, control, or caused a discharge of a hazardous substance on the Property;
 - (4) map(s) showing the Property location and any suspected or known sources of contamination detected on the Property;
 - (5) a description of the intended use of the Property by the lease holder, with reference to the maps to indicate which areas will be used. Explain how the use will not interfere with any future investigation or cleanup at the Property; and
 - (6) all reports or investigations (e.g. Phase I and Phase II Environmental Assessments and/or Site Investigation Reports conducted under s. NR 716, Wis. Adm. Code) that identify areas of the Property where a discharge has occurred.

General or other environmental liability clarification - s. 292.55, Wis. Stats. [682] - Explain your request below.

- ❖ **Include a fee of \$700 and an adequate summary of relevant environmental work to date.**
- No Action Required (NAR) - NR 716.05, [682]
- ❖ **Include a fee of \$700.**
 - Use where an environmental discharge has or has not occurred, and applicant wants a DNR determination that no further assessment or clean-up work is required. Usually this is requested after a Phase I and Phase II environmental assessment has been conducted; the assessment reports should be submitted with this form. This is not a closure letter.
- Clarify the liability associated with a "closed" Property - s. 292.55, Wis. Stats. [682]
- ❖ **Include a fee of \$700.**
 - Include a copy of any closure documents if a state agency other than DNR approved the closure.

Use this space or attach additional sheets to provide necessary information, explanations or specific questions to be answered by the DNR.

Section 5. Request for a Specialized Agreement

Select the type of agreement needed. Include the appropriate draft agreements and supporting materials. Complete Sections 6 and 7 of this form. More information and model draft agreements are available at: dnr.wi.gov/topic/Brownfields/Igu.html#tabx4.

- Tax cancellation agreement - s. 75.105(2)(d), Wis. Stats. [654]
- ❖ **Include a fee of \$700, and the information listed below:**
 - (1) Phase I and II Environmental Site Assessment Reports,
 - (2) a copy of the Property deed with the correct legal description.
- Agreement for assignment of tax foreclosure judgement - s.75.106, Wis. Stats. [666]
- ❖ **Include a fee of \$700, and the information listed below:**
 - (1) Phase I and II Environmental Site Assessment Reports,
 - (2) a copy of the Property deed with the correct legal description.
- Negotiated agreement - Enforceable contract for non-emergency remediation - s. 292.11(7)(d) and (e), Wis. Stats. [630]
- ❖ **Include a fee of \$1400, and the information listed below:**
 - (1) a draft schedule for remediation; and,
 - (2) the name, mailing address, phone and email for each party to the agreement.

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Section 6. Other Information Submitted

Identify all materials that are included with this request.

Send both a paper copy of the signed form and all reports and supporting materials, and an electronic copy of the form and all reports, including Environmental Site Assessment Reports, and supporting materials on a compact disk.

Include one copy of any document from any state agency files that you want the Department to review as part of this request. The person submitting this request is responsible for contacting other state agencies to obtain appropriate reports or information.

Phase I Environmental Site Assessment Report - Date: _____

Phase II Environmental Site Assessment Report - Date: _____

Legal Description of Property (required for all liability requests and specialized agreements)

Map of the Property (required for all liability requests and specialized agreements)

Analytical results of the following sampled media: Select all that apply and include date of collection.

Groundwater Soil Sediment Other medium - Describe: _____

Date of Collection: 04/19/2024

A copy of the closure letter and submittal materials

Draft tax cancellation agreement

Draft agreement for assignment of tax foreclosure judgment

Other report(s) or information - Describe: No Further Response Action report by Sigma

For Property with newly identified discharges of hazardous substances only: Has a notification of a discharge of a hazardous substance been sent to the DNR as required by s. NR 706.05(1)(b), Wis. Adm. Code?

Yes - Date (if known): 05/30/2024

No

Note: The Notification for Hazardous Substance Discharge Form - Non-Emergency Only (Form 4400-225) is accessible through the RR Program Submittal Portal application. Directions for using the form and the Submittal Portal application are available on the [Submittal Portal web page](#).

Section 7. Certification by the Person who completed this form

I am the person submitting this request (requester)

I prepared this request for: Nicole Robbins
Requester Name

I certify that I am familiar with the information submitted on this request, and that the information on and included with this request is true, accurate and complete to the best of my knowledge. I also certify I have the legal authority and the applicant's permission to make this request.

Cory Katzban
Signature

05/31/2024

Date Signed

Senior Project Engineer

Title

(414) 643-4138

Telephone Number (include area code)

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Section 8. DNR Contacts and Addresses for Request Submittals

Send or deliver one paper copy and one electronic copy on a compact disk of the completed request, supporting materials, and fee to the region where the property is located to the address below. Contact a [DNR regional brownfields specialist](#) with any questions about this form or a specific situation involving a contaminated property. For electronic document submittal requirements see: <http://dnr.wi.gov/files/PDF/pubs/rr/RR690.pdf>.

DNR NORTHERN REGION

Attn: RR Program Assistant
Department of Natural Resources
223 E Steinfest Rd Antigo, WI 54409

DNR NORTHEAST REGION

Attn: RR Program Assistant
Department of Natural Resources
2984 Shawano Avenue
Green Bay WI 54313

DNR SOUTH CENTRAL REGION

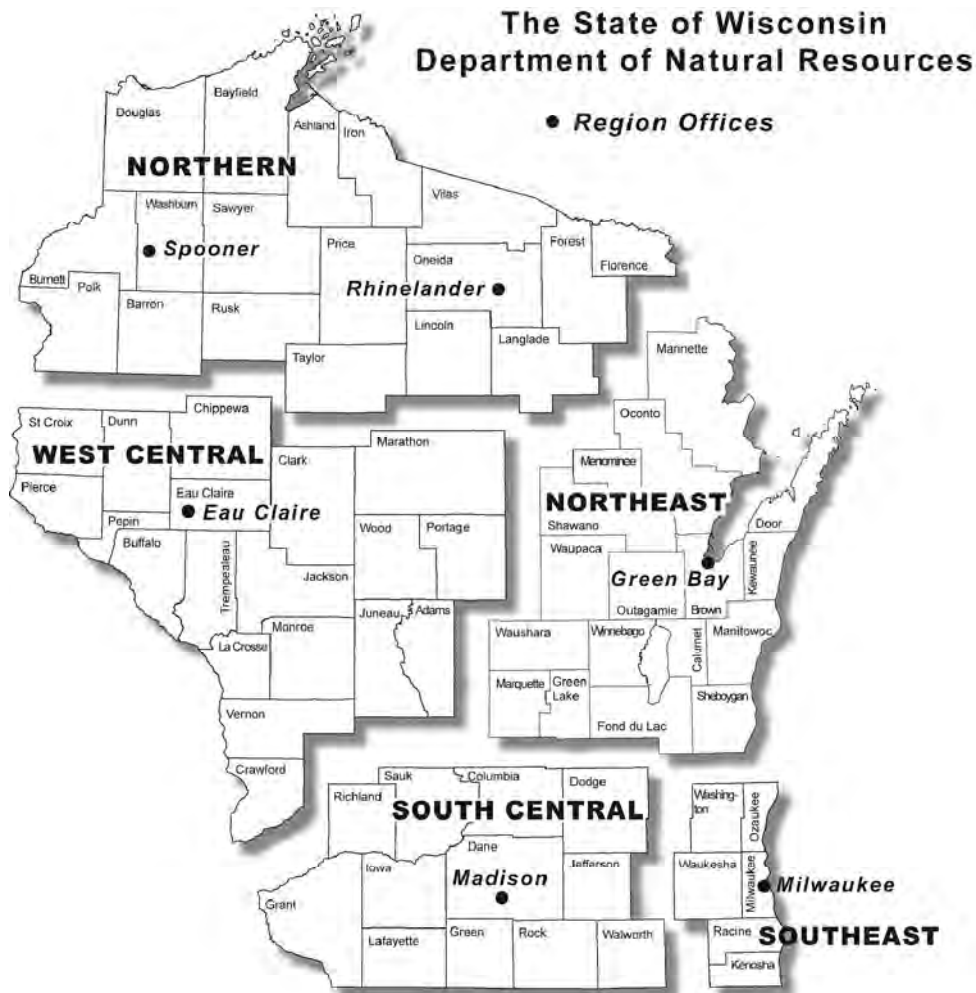
Attn: RR Program Assistant
Department of Natural Resources
3911 Fish Hatchery Road
Fitchburg WI 53711

DNR SOUTHEAST REGION

Attn: RR Program Assistant
Milwaukee DNR Office
1027 West St. Paul Ave
Milwaukee WI 53233

DNR WEST CENTRAL REGION

Attn: RR Program Assistant
Department of Natural Resources
1300 Clairemont Ave.
Eau Claire WI 54702



Note: These are the Remediation and Redevelopment Program's designated regions. Other DNR program regional boundaries may be different.

DNR Use Only			
Date Received	Date Assigned	BRRTS Activity Code	BRRTS No. (if used)
DNR Reviewer		Comments	
Fee Enclosed? <input type="radio"/> Yes <input type="radio"/> No	Fee Amount \$	Date Additional Information Requested	Date Requested for DNR Response Letter
Date Approved	Final Determination		

May 31, 2024

Project Reference #20457

Via email: Jane.Pfeiffer@wisconsin.gov

Ms. Jane Pfeiffer
Wisconsin Department of Natural Resources
1027 West Saint Paul Avenue
Milwaukee, WI, 53233

RE: Hazardous Substance Discharge and NR 708.09 No Further Response Action Request
for a Fuel Oil Underground Storage Tank and Remedial Soil Excavation
Located at 3317-3345 N. Dr. MLK Jr. Drive and 456 W. Concordia Avenue, Milwaukee, Wisconsin
BRRS# 02-41-589558 (ERP)
FID# 341350240

Dear Ms. Pfeiffer:

The Sigma Group, Inc. (Sigma), on behalf of Five Points MLK EDC, LLC (the "Owner"), is submitting this report to the Wisconsin Department of Natural Resources (WDNR) as documentation of the closure of an underground storage tank (UST) and immediate remediation actions completed at the Five Points Development – MLK Drive redevelopment project located at 3317-3345 N. MLK Jr. Drive and 456 W. Concordia Avenue, Milwaukee, Wisconsin (the "Site," **Figure 1**). Included herein are the results of the UST closure activities and post-excavation soil sample analytical results.

Sigma is requesting a written response from the WDNR approving our recommendation of No Further Response Action (NFA) per ch. NR 708.09. The enclosed documentation related to this request includes the following:

- WDNR Form 4400-237 *Technical Assistance, Environmental Liability Clarification or Post-Closure Modification Request*

An electronic copy of this document will be uploaded to the RR Program Submittal Portal. The NFA review fee in the amount of \$350 will be sent via mail.

BACKGROUND

Site Description

According to the Phase I Environmental Site Assessments (ESAs) conducted at the Site in 2022 and 2023, the Site is an approximately 1.13-acre parcel located at 3317-3345 Dr. MLK Jr. Drive and 456 W. Concordia Avenue (current tax key 2821204100) in the City of Milwaukee, Milwaukee County, Wisconsin. The location of the Site is illustrated on a topographic quadrangle presented as **Figure 1 – Site Location Map**. The Site is located on the west side of Dr. MLK Jr. Drive, between W. Concordia Avenue and W. Keefe Avenue, within an area of Milwaukee that is mixed with residential properties and commercial businesses. The Site is zoned Local Business (LB-2) by the City of Milwaukee.

The Site experienced several phases of redevelopment through the mid-20th century until the majority of historic buildings were razed by 2013. Historic filling/grading work appears to have occurred on the Site, which has remained vacant until current redevelopment activities began in March 2024. A map including the location of pertinent historic site features is provided as **Figure 2 – Site Plan Map**.

Following the ongoing redevelopment activities, the Site will become a mixed-use commercial and residential multi-family building complex with exterior parking and recreational greenspace.

Subsurface investigation activities were completed at the Site in 2022 and documented in Sigma's WDNR-approval *Site Investigation Report and Conceptual Remedial Action Plan (SIR/RAP)* dated May 31, 2022. Site-wide impacts generally included concentrations of select polycyclic aromatic hydrocarbons (PAHs) and Resource Conservation and Recovery Act (RCRA) metals associated with reworked soil and historic fill material.

During soil grading activities initiated in March 2024 as part of redevelopment, a UST was discovered along the northern property line (**Figure 2**). During Sigma's site visit on March 27, 2024, the following site conditions were observed:

- The UST was uncovered on the top and located along the northern property line. The estimated size of the UST was six-foot-long by four-foot diameter with an approximate storage capacity of 550 gallons.

UST CLOSURE ACTIVITIES AND TANK SYSTEM SITE ASSESSMENT

UST Closure

During earthwork activities in late March 2024, Fischer Construction (Fischer) discovered a UST located on the north side of the Site. On April 8, 2024 Sigma mobilized to the Site to complete the Tank System Site Assessment (TSSA) activities in conjunction with cleaning and removal of the UST. At the time of the removal, Mr. Timothy E. Wimmer, P.G. (WI Site Assessor #401170) and Ryan Holterman (WI Site Assessor #524792) with Sigma were present to document the closure activities and collect the TSSA soil samples. Mr. Thorunton Young of Underground Power Corp (UPC) was on-site as the UST remover/cleaner and Fischer was present as the earthwork contractor to help remove and close the UST. Mr. Todd Anderson from the City of Milwaukee inspection department was on-site to certify the UST for disposal.

The soil observed adjacent to the UST consisted of brown silty clay and grey clay. The soil around the base of the UST appeared to be impacted as noted by the appearance of black staining and presence of an odor (fuel oil).

The UST was oriented in an east-west direction near the northern property line. Based on the UST dimensions, the approximate capacity of the UST was 550 gallons. Residual fuel oil was observed in the tank. The residual fuel oil was removed, transported off-site, and properly disposed of by GFL Environmental. Based on observations during removal, the UST appeared to be in fair to poor condition with small holes observed in the bottom of the UST (appeared to be from corrosion). The cleaned UST was transported off-site by Fischer and scrapped. A copy of the Underground Flammable/Combustible/Hazardous Liquid Storage Tank Registration and Tank System Service and Closure Assessment Report – Part A forms and disposal documentation are provided in **Appendix A**.

TSSA Activities and Results

Subsurface conditions below the UST consisted of brown silty clay and grey clay with black staining and a petroleum odor. Groundwater was not encountered in the UST cavity. Sigma collected three TSSA soil samples beneath the former UST. The samples were collected from the surrounding material within the UST cavity approximately six-inches into the exposed surface. The soil samples were designated Base-1, Base-West, and Base-DRO, and submitted to Synergy Environmental Lab, LLC (Synergy) for

analysis of Gasoline Range Organics (GRO), petroleum volatile organic compounds (PVOCs), naphthalene, and Diesel Range Organics (DRO). The TSSA form – Part B is provided in **Appendix B**. Photographs of the UST closure are provided in **Appendix C**.

A summary of the TSSA soil analytical results is included in **Table 1**. The soil laboratory analytical report is provided in **Appendix D**. The soil results were compared to current Chapter NR 720 Residual Contaminant Levels (RCLs) for Groundwater Pathway, Non-Industrial Direct Contact, and Industrial Direct Contact risks. Review of the laboratory analytical data indicates concentrations of PVOCs and naphthalene were reported less than the respective laboratory limits of detection (LODs) or respective ch. NR 720 RCLs, except naphthalene, 1,2,4-trimethylbenzene, and 1,3,5-trimethylbenzene concentrations were reported greater than their ch. NR 720 Groundwater Pathway RCLs (Base-1 and Base-West), naphthalene was reported greater than its ch. NR 720 Non-Industrial Direct Contact RCL (Base-1 and Base-West), and naphthalene was reported greater than its ch. NR 720 Industrial Direct Contact RCL (Base-1).

IMMEDIATE REMEDIAL ACTION ACTIVITIES

Soil Excavation Activities

Based on the field observations and TSSA results, immediate response actions were conducted to respond to the hazardous substance discharge. A soil profile was created for the petroleum impacted soil with Waste Management's Orchard Ridge Recycling and Disposal Facility (Orchard Ridge) in Menomonee Falls, Wisconsin. Waste profile BIO140837WI was approved on April 12, 2024.

On April 19, 2024, approximately 226 tons of soil with staining and a petroleum odor immediately around and beneath the former UST were excavated and transported to Orchard Ridge. The excavation extended approximately 15 feet by 15 feet to a depth of approximately eight feet below ground surface (bgs). Groundwater was not encountered during the excavation; however, perched water from recent rainfalls infiltrated the excavation with approximately 6 inches of water, which was pumped out via vacuum truck and disposed of off-site by GFL Environmental. Approximately 650 gallons of rainwater/perched water was removed from the excavation prior to backfill. The Waste Management disposal documentation and GFL manifest are included in **Appendix E**.

A total of 13 soil samples were collected from the perimeter sidewall locations and the excavation base to evaluate potential residual impacts within the excavation (**Figure 3**). The sidewall samples were collected at approximately six to seven feet bgs, and base samples were collected at eight feet bgs.

Soil samples collected from the base and sidewalls of the excavation were field screened by visual and olfactory observations and by a photoionization detector (PID) equipped with a 10.6 electron volt (eV) lamp to semi-qualitatively assess the presence of volatile organic compounds (VOCs). The PID field screening results for soil samples collected from the excavation were generally less than 2.0 PID units except within the base soil samples B1 (2.5), B2 (4.4), B3 (3.8), B4 (4.0), and B5 (5.4). Each of the post-excavation soil samples were submitted for laboratory analysis of PVOCs and naphthalene. The samples were prepared by placing representative quantities of soil within appropriately preserved laboratory-supplied containers and stored on ice in a cooler for the duration of field activities. A completed chain of custody document accompanied the soil samples until delivery to Synergy Environmental Lab in Appleton, Wisconsin.

The reported concentrations of PVOc and naphthalene in post-excavation soil samples were compared to ch. NR 720 RCLs for Groundwater Pathway, Non-Industrial Direct Contact, and Industrial Direct Contact risks. The reported concentrations of PVOcs and naphthalene were less than the respective

LODs and/or ch. NR 720 RCLs. The laboratory analytical results for post-excavation confirmation soil sampling are summarized in **Table 2**. The post-excavation soil laboratory analytical report is provided in **Appendix D**.

The excavation was backfilled with clean granular engineered fill suitable for redevelopment.

SUMMARY OF UST CLOSURE

The UST closure activities included the removal of a 550 gallon fuel oil UST, removal and disposal of the UST and its contents, excavation and disposal of petroleum hydrocarbon impacted soil, and the collection and analysis of soil samples. Review of the site information gathered through the completion of these activities provides the following:

- One 550-gallon fuel oil UST was removed from the Site.
- Based on the TSSA results, the WDNR has been notified that a hazardous substance discharge was detected at the Site.
- A total of 226 tons of petroleum impacted soil was excavated, transported and disposed at the Orchard Ridge landfill located in Menomonee Falls, Wisconsin.
- Soil samples were collected (eight sidewall samples and five base samples) following soil excavation activities and submitted for analysis of PVOCs and naphthalene.
- Post-excavation soil samples reported concentrations of PVOCs and naphthalene less than the respective LODs and/or ch. NR 720 RCLs.
- Groundwater was not encountered during the TSSA or soil excavation activities.

RECOMMENDATIONS

Sigma has documented the removal of the UST and the immediate actions conducted to address the fuel oil discharge to soil at the Site. The post-excavation soil sample results confirm that the response actions removed the fuel oil-impacted soil and that the environment has been restored to the extent practicable, as described in ch. NR 708.09. Based on the completed excavation activities, Sigma recommends No Further Response Action is necessary to respond to the fuel oil release at this time. Sigma requests that the WDNR concur with this recommendation and provide a written NFA determination letter.

Please review this submittal and direct your questions or comments to Sigma. We appreciate your assistance in this matter.

Sincerely,

THE SIGMA GROUP, INC.



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List of Attachments:

Table 1	Soil Analytical Results Table – Post Fuel Oil UST Removal Base Soil Samples
Table 2	Soil Analytical Results Table – Confirmation Soil Sample Results
Figure 1	Site Location Map
Figure 2	Site Plan Map
Figure 3	Sample Location Map
Appendix A	Tank System Service and Closure Assessment Report (Part A)/Underground Flammable/Combustible/Hazardous Liquid Storage Tank Registration Form
Appendix B	Tank-System Site Assessment (Part B)
Appendix C	UST Removal and Completed Excavation Photographs
Appendix D	Soil Sample Laboratory Reports
Appendix E	Waste Management Approval and Tonnage Report, GFL Manifests

TABLES

Table 1
Soil Analytical Results Table
Tank System Site Assessment - Post Fuel Oil UST Removal Base Soil Samples
5 Points Development - 3317-3345 North MLK Drive and 456 West Concordia Avenue, Milwaukee, WI
Sigma Project No. 20457

Soil Sample Location:		BASE 1	BASE-WEST	BASE DRO	Groundwater Pathway RCL ⁴	Non-Industrial Direct Contact RCL ⁵	Industrial Direct Contact RCL ⁶	Background Threshold Value ⁷
Sample Depth (feet bgs):		6.0	6.0	6.0				
Sample Collection Date:		4/8/24	4/8/24	4/8/24				
Depth to Groundwater (feet bgs):		6+	6+	6+				
Native Soil (N) or Fill / Reworked Soil (F):		N	N	N				
Unsaturated/Smear Zone (U) or Saturated (S):		U	U	U				
Photoionization Detector	ppm	--	--	--	NS	NS	NS	NS
Gasoline Range Organics	mg/kg	1050	580	--	NS	NS	NS	NS
Diesel Range Organics	mg/kg	--	--	1820	NS	NS	NS	NS
VOCs								
Benzene	mg/kg	<0.25	<0.25	NA	0.0051	1.6	7.07	NS
Ethylbenzene	mg/kg	0.44	0.41 J	NA	1.57	8.02	35.4	NS
Methyl-tert-butyl-ether	mg/kg	<0.25	<0.25	NA	0.027	63.8	282	NS
Naphthalene	mg/kg	{25.6}	[15.6]	NA	0.6582	5.52	24.1	NS
Toluene	mg/kg	<0.25	<0.25	NA	1.1072	818	818	NS
1,2,4-Trimethylbenzene	mg/kg	15.4	10.2	NA	1.3787	219	219	NS
1,3,5-Trimethylbenzene	mg/kg	2.07	4.0	NA		182	182	NS
Xylenes (total)	mg/kg	1.8	2.56	NA	3.96	260	260	NS

Notes:

- Unsaturated/smear zone versus saturated soil conditions based on: (1) measured water levels in adjacent/nearby monitoring wells, or (2) soil moisture conditions recorded on soil boring logs during
- Analytical units: mg/kg = milligrams per kilogram (equivalent to parts per million, ppm)
- NA = not analyzed NS = no standard established ND = no detections
- Groundwater Pathway RCL = Residual Contaminant Level for protection of groundwater (dilution factor of 2) as presented on the WDNR's RCL Spreadsheet (dated December 2018) referenced in WDNR guidance document PUB-RR-890 "Soil Residual Contaminant Level Determinations Using the US EPA Regional Screening Level Web Calculator", dated June 2014.
- Non-Industrial Direct Contact RCL = Residual Contaminant Level for protection of direct contact at a non-industrial property as presented on the WDNR's RCL Spreadsheet (dated December 2018) with default input parameters as referenced in WDNR guidance document PUB-RR-890 "Soil Residual Contaminant Level Determinations Using the US EPA Regional Screening Level Web Calculator", dated June 2014.
- Industrial Direct Contact RCL = Residual Contaminant Level for protection of direct contact at an industrial property as presented on the WDNR's RCL Spreadsheet (dated December 2018) with default input parameters as referenced in WDNR guidance document PUB-RR-890 "Soil Residual Contaminant Level Determinations Using the US EPA Regional Screening Level Web Calculator", dated June 2014.
- Background Threshold Value = Non-outlier trace element maximum levels in Wisconsin surface soils from USGS report "Distribution and Variation of Arsenic in Wisconsin Surface Soils, With Data on Other Trace Elements" (revised February 2013).
- Laboratory flags: "J" = Analyte detected between Limit of Detection and Limit of Quantitation
- Methanol blank results: 4/8/2024: No blank collected
- Exceedances:
 - BOLD** = Concentration exceeds Groundwater Pathway RCL
 - [] = Concentration exceeds Non-Industrial Direct Contact RCL (any depth)
 - { } = Concentration exceeds Industrial Direct Contact RCL (any depth)
 - * = Concentration is below Background Threshold Value. NR 720 RCL exceedances are not indicated.

Data entered / updated by: RJA
Data checked by: CCK

Date: 4/15/2024
Date: 4/15/2024

Table 2
Soil Analytical Results Table
Fuel Oil UST Remedial Soil Excavation - Confirmation Soil Sample Results
5 Points Development - 3317-3345 North MLK Drive and 456 West Concordia Avenue, Milwaukee, WI
Sigma Project No. 20457

Soil Sample Location:	SW-N1	SW-N2	SW-E1	SW-E2	SW-S1	SW-S2	SW-W1	SW-W2	B1	B2	B3	B4	B5	Groundwater Pathway RCL ⁴	Non-Industrial Direct Contact RCL ⁵	Industrial Direct Contact RCL ⁶	Background Threshold Value ⁷	
Sample Depth (feet bgs):	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	8.0	8.0	8.0	8.0	8.0					
Sample Collection Date:	4/19/24	4/19/24	4/19/24	4/19/24	4/19/24	4/19/24	4/19/24	4/19/24	4/19/24	4/19/24	4/19/24	4/19/24	4/19/24					
Depth to Groundwater (feet bgs):	8+	8+	8+	8+	8+	8+	8+	8+	8+	8+	8+	8+	8+					
Native Soil (N) or Fill / Reworked Soil (F):	N	N	F	F	N	N	N	N	N	N	N	N	N					
Unsaturated/Smear Zone (U) or Saturated (S):	U	U	U	U	U	U	U	U	U	U	U	U	U					
Photoionization Detector	ppm	0.0	0.0	1.1	0.9	0.0	0.0	0.0	0.0	2.5	4.4	3.8	4.0	5.4	NS	NS	NS	NS
PVOCs + Naphthalene																		
Benzene	mg/kg	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	0.0051	1.6	7.07	NS
Ethylbenzene	mg/kg	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	1.57	8.02	35.4	NS
Methyl-tert-butyl-ether	mg/kg	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	0.027	63.8	282	NS
Naphthalene	mg/kg	<0.025	0.03 J	<0.025	0.075	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	0.6582	5.52	24.1	NS
Toluene	mg/kg	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	1.1072	818	818	NS
1,2,4-Trimethylbenzene	mg/kg	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	1.3787	219	219	NS
1,3,5-Trimethylbenzene	mg/kg	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025		182	182	NS
Xylenes (total)	mg/kg	<0.075	<0.075	<0.075	<0.075	<0.075	<0.075	<0.075	<0.075	<0.075	<0.075	<0.075	<0.075	<0.075	3.96	260	260	NS

Notes:

- Unsaturated/smear zone versus saturated soil conditions based on: (1) measured water levels in adjacent/nearby monitoring wells, or (2) soil moisture conditions recorded on soil boring logs during drilling.
- Analytical units: mg/kg = milligrams per kilogram (equivalent to parts per million, ppm)
- NA = not analyzed NS = no standard established
- Groundwater Pathway RCL = Residual Contaminant Level for protection of groundwater (dilution factor of 2) as presented on the WDNR's RCL Spreadsheet (dated December 2018) referenced in WDNR guidance document PUB-RR-890 "Soil Residual Contaminant Level Determinations Using the US EPA Regional Screening Level Web Calculator", dated June 2014.
- Non-Industrial Direct Contact RCL = Residual Contaminant Level for protection of direct contact at a non-industrial property as presented on the WDNR's RCL Spreadsheet (dated December 2018) with default input parameters as referenced in WDNR guidance document PUB-RR-890 "Soil Residual Contaminant Level Determinations Using the US EPA Regional Screening Level Web Calculator", dated June 2014.
- Industrial Direct Contact RCL = Residual Contaminant Level for protection of direct contact at an industrial property as presented on the WDNR's RCL Spreadsheet (dated December 2018) with default input parameters as referenced in WDNR guidance document PUB-RR-890 "Soil Residual Contaminant Level Determinations Using the US EPA Regional Screening Level Web Calculator", dated June 2014.
- Background Threshold Value = Non-outlier trace element maximum levels in Wisconsin surface soils from USGS report "Distribution and Variation of Arsenic in Wisconsin Surface Soils, With Data on Other Trace Elements" (revised February 2013).
- Laboratory flags: "J" = Analyte detected between Limit of Detection and Limit of Quantitation
- Methanol blank results: 4/19/2024: All PVOCs reported below laboratory Limits of Detection
- Exceedances:
 - BOLD** = Concentration exceeds Groundwater Pathway RCL
 - []** = Concentration exceeds Non-Industrial Direct Contact RCL (any depth)
 - { }** = Concentration exceeds Industrial Direct Contact RCL (any depth)
 - *** = Concentration is below Background Threshold Value. NR 720 RCL exceedances are not indicated.

Data entered / updated by: CCK
Data checked by: JMD

Date: 4/23/2024
Date: 4/23/2024

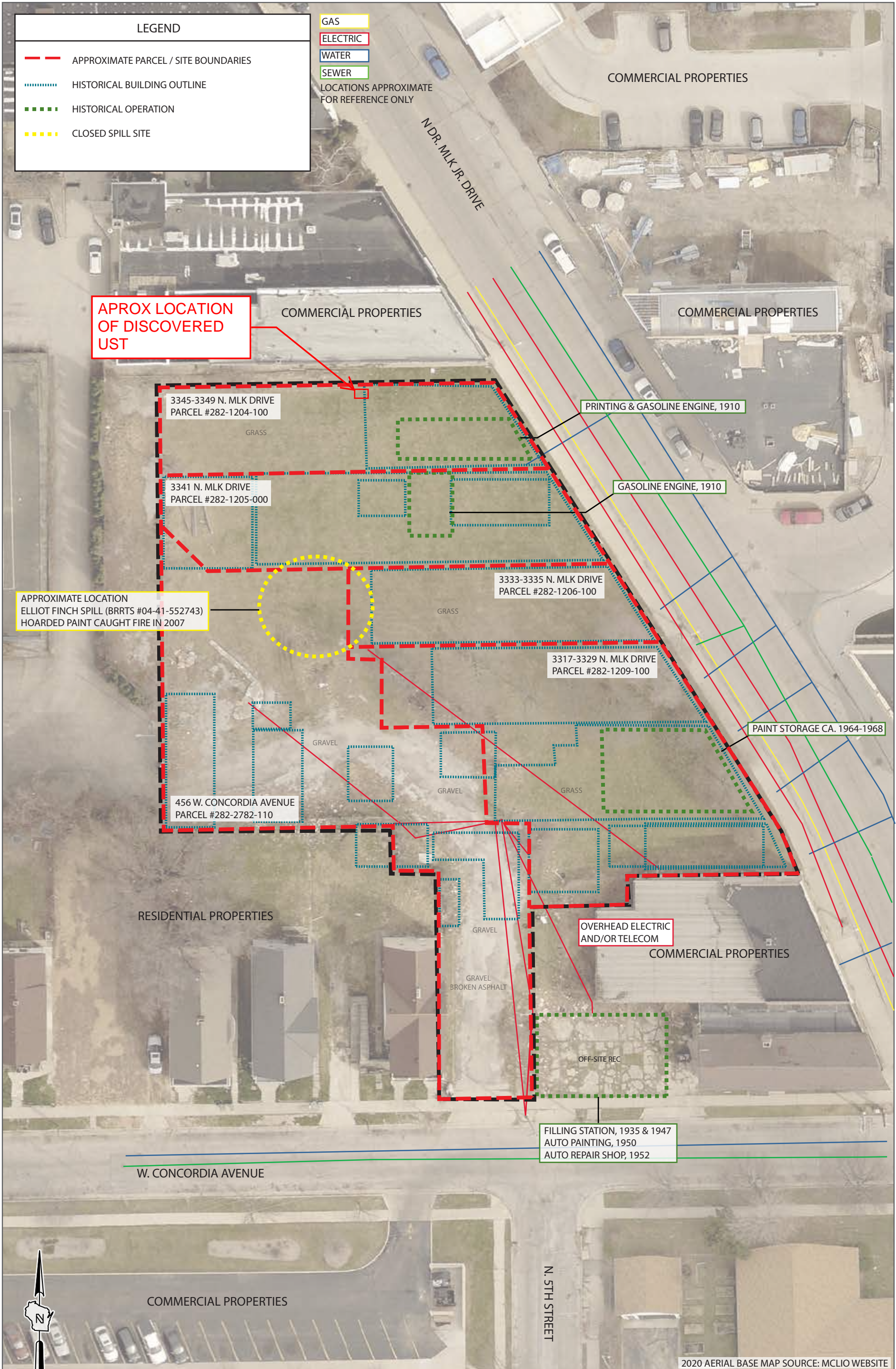
FIGURES

LEGEND

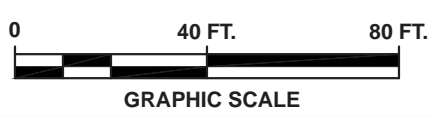
- APPROXIMATE PARCEL / SITE BOUNDARIES
- HISTORICAL BUILDING OUTLINE
- HISTORICAL OPERATION
- CLOSED SPILL SITE

GAS
ELECTRIC
WATER
SEWER

LOCATIONS APPROXIMATE FOR REFERENCE ONLY



PROJECT: 20457 | DIRECTORY: CAD | FILENAME: 20457_Master Map_17x11.ai | CREATED BY: JMD/CCK | DATE: 03/27/2024



THE SIGMA GROUP
Single Source. Sound Solutions.

SITE PLAN MAP
FIVE POINTS DEVELOPMENT
N. MLK DRIVE & W. CONCORDIA AVENUE
MILWAUKEE, WISCONSIN

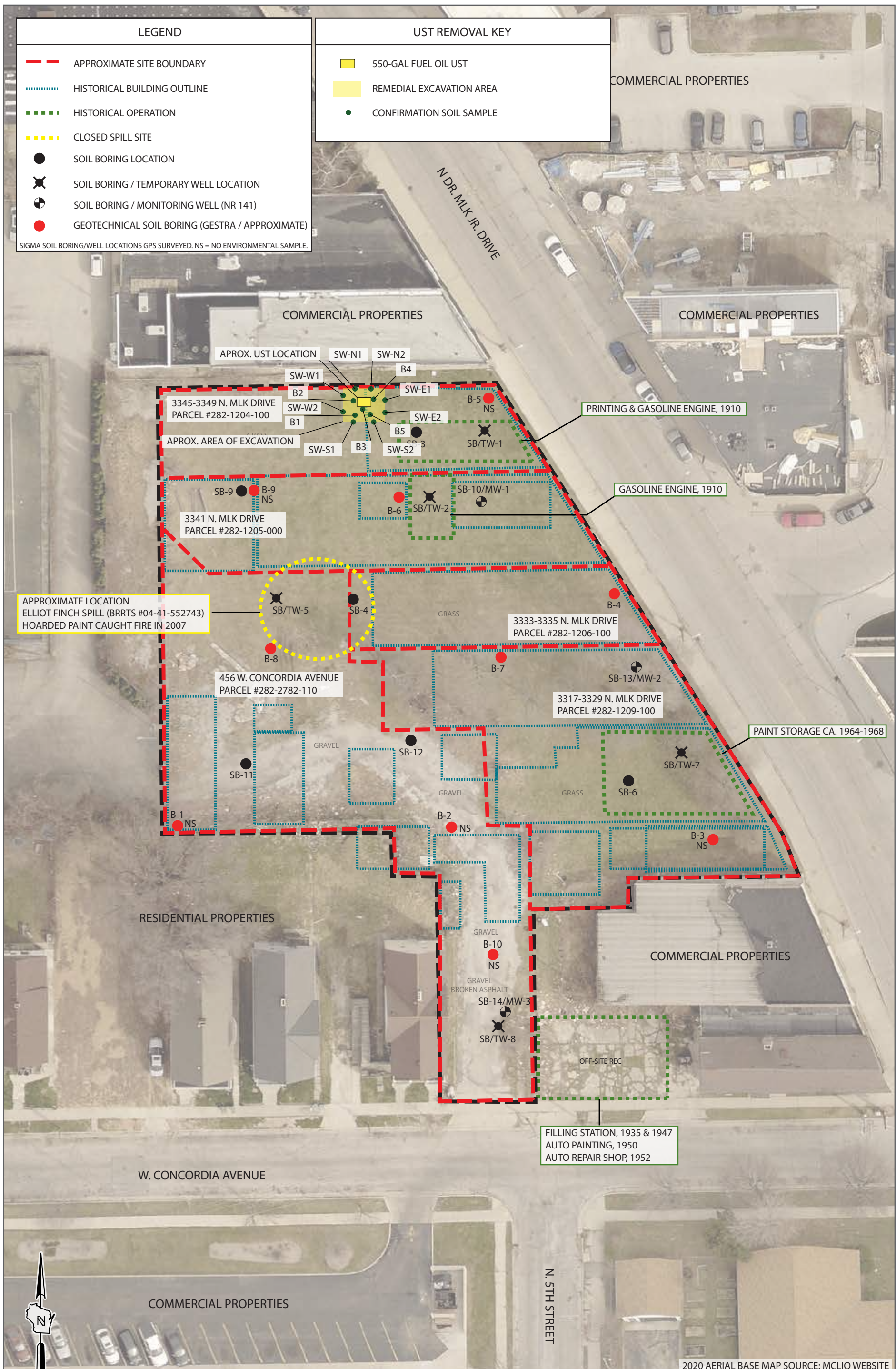
FIGURE
2

2020 AERIAL BASE MAP SOURCE: MCLIO WEBSITE

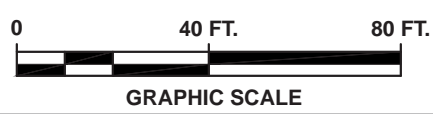
LEGEND	
	APPROXIMATE SITE BOUNDARY
	HISTORICAL BUILDING OUTLINE
	HISTORICAL OPERATION
	CLOSED SPILL SITE
	SOIL BORING LOCATION
	SOIL BORING / TEMPORARY WELL LOCATION
	SOIL BORING / MONITORING WELL (NR 141)
	GEOTECHNICAL SOIL BORING (GESTRA / APPROXIMATE)

UST REMOVAL KEY	
	550-GAL FUEL OIL UST
	REMEDIAL EXCAVATION AREA
	CONFIRMATION SOIL SAMPLE

SIGMA SOIL BORING/WELL LOCATIONS GPS SURVEYED. NS = NO ENVIRONMENTAL SAMPLE.



PROJECT: 20457 | DIRECTORY: CAD | FILENAME: 20457_Master Map_17x11.ai | CREATED BY: JMD/CCK | DATE: 03/27/2024



SAMPLE LOCATION MAP
 FIVE POINTS DEVELOPMENT
 N. MLK DRIVE & W. CONCORDIA AVENUE
 MILWAUKEE, WISCONSIN

FIGURE
3

2020 AERIAL BASE MAP SOURCE: MCLIO WEBSITE

APPENDIX A

**Underground Flammable/Combustible/Hazardous Liquid Storage Tank Registration Form/
Tank System Service and Closure Assessment Report
(Part A)**



Wisconsin Department of Agriculture, Trade and Consumer Protection
Bureau of Weights and Measures
PO Box 7837 Madison, WI 53707-7837
(608) 224-4942

FOR OFFICE USE ONLY
Wis. Admin. Code §ATCP 93.140

UNDERGROUND FLAMMABLE/COMBUSTIBLE/HAZARDOUS LIQUID STORAGE TANK REGISTRATION

Personal information you provide may be used for purposes other than that for which it was originally collected (s. 15.04(1)(m) Wis. Stats.).

Underground tanks in Wisconsin that have stored or currently store petroleum or regulated substances must be registered.

A separate form is needed for each tank. Send each completed form to the agency designated above.

Have you previously registered this tank by submitting a form? [] Yes [X] No If yes, are you correcting/updating information only? [] Yes [] No

This registration applies to a [X] tank [] piping status that is (check one): Date of status change:
[] In Use [] Abandoned with Water [] Abandoned with Product
[] Newly Installed [X] Closed - Removed [] Abandoned without Product (empty)
[] Temporarily Out of Service - Provide Date: [] Closed - Filled with Inert Materials [] Change of Site/Facility Address Only (complete boxes 1.a. and b. below)
[] Ownership Change (Indicate new owner name in box 2 -- attach deed)

IDENTIFICATION (Please Print)
1. TANK SITE NAME: Five Points Redevelopment COUNTY: Milwaukee PHONE: () -
a. CURRENT SITE STREET ADDRESS: 3317 N. Dr. MLK Jr. Drive [X] CITY [] VILLAGE [] TOWN OF: Milwaukee STATE: WI ZIP: 53212
b. PREVIOUS SITE STREET ADDRESS: 3345 N. Dr. MLK Jr. Drive [X] CITY [] VILLAGE [] TOWN OF: Milwaukee STATE: WI ZIP: 53212
Fire Dept. providing fire coverage where tank is located: [X] CITY [] TOWN [] VILLAGE of: Milwaukee
2. TANK OWNER LEGAL NAME: Five Points MLKEDC, LLC COUNTY: Milwaukee PHONE: Check [] CELL or [X] LAND (414) 207 - 8569
MAILING ADDRESS: 2745 N. Dr. MLK Jr. Drive [X] CITY [] VILLAGE [] TOWN OF: Milwaukee STATE: WI ZIP: 53212
3. PROPERTY OWNER NAME (if different from Tank Owner Legal Name #2): Same as above (2.) COUNTY (if different from County #2):
PROPERTY OWNER ADDRESS (if different from Site Street Address #1): [] CITY [] VILLAGE [] TOWN OF: STATE: ZIP:
4. CLASS A NAME: DOB: CERTIFICATION: (Attach certificate)
5. CLASS B NAME: DOB: CERTIFICATION: (Attach certificate)

SITE ID: FACILITY ID #: CUSTOMER ID #:
Tank Capacity (gallons): 550 Tank Age (age or date installed): 60-80 yrs (unknown) Vehicle fueling: [] Yes [X] No

LAND OWNER TYPE (Refer to back; check one): [] County [] State [] Federal Leased [] Federal Owned [] Tribal Nation [] Municipal [] Other Government [X] Private

OCCUPANCY TYPE (check one) Refer to back
[] Retail Fuel Sales [X] Mercantile/Commercial [] Bulk Storage [] Terminal Storage [] Industrial [] Residential [] School [] Government Fleet
[] Agricultural (crop or livestock production) [] Utility [] Backup or Emergency Generator [] Other (specify):

TANK CONSTRUCTION:
[] Bare Steel [X] Coated Steel [] Steel - Fiberglass Reinforced Plastic Composite Overfill Protection? [] Yes [X] No
[] Fiberglass [] Unknown [] Other (specify): [] Lined (date): Spill Containment? [] Yes [X] No
Tank Double Walled? [] Yes [X] No

TANK CATHODIC PROTECTION: [] Sacrificial Anodes [] Impressed Current [X] N/A

TANK LEAK DETECTION METHOD: [] Automatic tank gauging [] Interstitial monitoring -> Electronic [] Yes [] No [] Statistical Inventory Reconciliation (SIR)
[] Manual tank gauging (only for tanks of 1,000 gallons or less) [X] Unknown

PIPING CONSTRUCTION: [] Single Wall [] Double Wall:
[] Bare Steel [] Coated Steel [] Fiberglass [] Flexible [] Copper [X] Unknown [] N/A [] Other:

PIPING CATHODIC PROTECTION: [] Sacrificial Anodes [] Impressed Current [X] N/A

PRIMARY PIPING SYSTEM TYPE: [] Pressurized piping with -> [] A. Pump auto shutoff - ELLD [] B. Flow restrictor - MLLD [X] Unknown
[] Suction piping with check valve at tank [] Suction piping with check valve at pump and inspectable [] Not needed if waste oil

PIPING LEAK DETECTION METHOD: [] Interstitial monitoring -> Electronic [] Yes [] No -> Sump or cable sensor [] Yes [] No
[] Tightness testing [] Electronic line monitor - ELLD [] SIR [] Not required [X] Unknown

TANK CONTENTS Current, or previous product (if tank now empty) (* = NOT PECFA eligible) [] Leaded [] Unleaded [] Gas-ethanol blend: ___ % ethanol [] Diesel
[] Bio-Diesel: ___ % [] Hazardous Waste/Interface* [] Kerosene [X] Fuel Oil [] Premix [] New Oil [] New oil - Flash point less than 200°F
[] Waste/Used Motor Oil -> [] Used for Heating [] Aviation [] Empty* [] Sand/Grave/Slurry* [] Unknown
[] Other (specify): [] Chemical* Name: CAS#

Has a site assessment been completed? (see reverse side for details) [] Yes [] No

TANK OWNER LEGAL NAME (please print): Nicole Robbins, Martin Luther King Economic Development Corporation TANK OWNER E-MAIL: niclrobbins@gmail.com

TANK OWNER SIGNATURE (Note: By signing, signer is accepting legal and financial responsibility for the storage tank system.): Nicole Robbins DATE: 5/22/2024

Note: Refer to comments on reverse side of form.

Definitions and explanations for completing this form

Land Owner Type - classifies the organization that owns the property the tank is located on. A "Private" landowner is residential, commercial, mercantile, industrial, farm, non-government owned public utility, or other business organization.

Occupancy Type (*categories below*) – identifies the occupancy in relation to ATCP 93 storage classifications.

Retail Fuel Sales	Tank is used to store any fuel product that is offered for sale in the retail market.
Bulk Plant Storage	Tank is used to store any fuel product that is offered for sale in the wholesale market.
Industrial	Tank is used to store any regulated product associated with an industrial: fleet, heating, industrial fabricating, manufacturing, processing or refining.
Mercantile/Commercial	Tank is used to store any regulated product associated with a commercial business fleet, heating, or processing, e.g., service company, medical facility, freight, airport, apartment, etc.
Utility	Tank is used to store any regulated product associated with a public or private water or power utility fleet, heating, or processing.
Residential	Tank is used to store any regulated product for residential heating or residential automobile fueling.
School	Tank is used to store any regulated product at public or private primary, secondary or higher educational institution.
Agricultural	Tank is used to store any regulated product directly associated with crop or livestock production, meaning a "farm." Refer to ATCP 93.050(48)
Back-up or Emergency Generator	Tank is used to store any fuel used to power a backup or emergency generator; or as back-up to a primary fuel source such as fuel oil back-up to a natural gas fired boiler.
Terminal Storage	Tank is associated with a distribution facility such as an interstate pipeline. These tanks are typically field erected structures of 500,000 + gallon capacity. A million gallon tank at an ethanol production site would be "industrial," not "terminal storage."
Government Fleet	Tank is located at a facility owned and operated by a federal, state, county or local government entity. The tank may be used for vehicle fueling, waste oil or heating purposes.

CLOSURE ASSESSMENT INFORMATION

Requirements for a site assessment at the closure or change in service for ATCP 93 regulated underground storage tank are outlined in ATCP 93.560 and the Federal Register, 40 CFR 280 and 281.

Closure site assessments (TSSA Form Part B) are to be submitted to the DNR as required in the TSSA Guide:

http://datcp.wi.gov/Consumer/Weights_and_Measures/Storage_Tank_Regulations/index.aspx

This document can be made available in alternate formats to individuals with disabilities upon request.



Wisconsin Department of Agriculture, Trade and Consumer Protection
 Bureau of Weights and Measures
 P.O. Box 7837, Madison, WI 53707-7837
 (608) 224-4942

Wis. Admin. Code § ATCP 93.560

FOR OFFICE USE ONLY

TANK SYSTEM SERVICE AND CLOSURE ASSESSMENT REPORT

Completion of this form is mandatory. Failure to complete this form is subject to enforcement action under Wis. Admin. Code ch. ATCP 93. *Personal information you provide may be used for purposes other than that for which it was originally collected (Wis. Stat. § 15.04(1)(m)).*

Complete One Form for Each System Service Event.

FOR PORTIONS OF THE FORM THAT DO NOT APPLY, CHECK THE 'N/A' BOX

CHECK ONE: UNDERGROUND ABOVEGROUND

Part A – To be completed by contractor performing repair or closure

A. TYPE OF SERVICE CLOSURE REPAIR/UPGRADE CHANGE-IN-SERVICE

Indicate portion of system being serviced if a repair, upgrade or change-in-service is being performed

Remote fill Tank Piping Transition/containment sump Spill bucket Dispenser

B. IDENTIFICATION

OWNER INFORMATION

OWNER NAME Five Points MLKEDC LLC	CONTACT NAME Nicole Robbins	TITLE Executive Director
---	---------------------------------------	------------------------------------

MAILING ADDRESS 2745 N Martin Luther King Dr.	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> TOWN <input type="checkbox"/> VILLAGE Milwaukee	STATE WI	ZIP 53212
---	---	--------------------	---------------------

TELEPHONE: (414)207-8569	E-MAIL niclrobbins@gmail.com
------------------------------------	--

SITE INFORMATION

FACILITY NAME Five Points Redevelopment	
---	--

SITE ADDRESS (Not PO Box) 3317 N. Dr. MLK Jr. Drive	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> TOWN <input type="checkbox"/> VILLAGE Milwaukee	STATE WI	ZIP 53212
---	---	--------------------	---------------------

SERVICE CONTRACTOR INFORMATION

PRIMARY SERVICE CONTRACTOR Section A Above Underground Power Corporation	SERVICE CONTRACTOR CERT ID # 402030	TELEPHONE: #14)788-2020	CELL: () -
--	---	-----------------------------------	----------------

STREET ADDRESS PO Box 373	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> TOWN <input type="checkbox"/> VILLAGE Franksville	STATE WI	ZIP 53126
-------------------------------------	---	--------------------	---------------------

C. TANK SYSTEM DETAIL (Complete for all service activities)

a Tank ID #	b Type of Closure ¹	c Tank Material of Construction	d Piping Material of Construction	e Tank Capacity (gallons)	f Contents ²	g Release - System Integrity Compromised (e.g. holes, cracks, loose connection,		h If "Yes" to "g", Then Specify Source and Cause of Release ⁵	
						<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Source of Release ³	Cause of Release ⁴
	P	coated steel	N/A	550	FO	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	T	C
						<input type="checkbox"/> Yes	<input type="checkbox"/> No		
						<input type="checkbox"/> Yes	<input type="checkbox"/> No		
						<input type="checkbox"/> Yes	<input type="checkbox"/> No		
						<input type="checkbox"/> Yes	<input type="checkbox"/> No		

1. Indicate type of closure: P = Permanent, TOS = Temporarily Out-of-Service, CIP = Closure In-Place
2. Indicate type of product: DL = Diesel, LG = Leaded Gasoline, UG = Unleaded Gasoline, FO = Fuel Oil, GH = Gasohol, AF = Aviation Fuel, K = Kerosene, PX = Premix, WO = Waste/Used Motor Oil, FCHZW = Flammable/Combustible Hazardous Waste, OC = Other Chemical (indicate the chemical name(s):
3. CAS number(s):
4. Source of release: T = tank, P = piping, D = dispenser, STP = submersible turbine pump, DP = delivery problem, O = other, UNK = Unknown
5. Cause of release: S = spill, O = overflow, POMD = physical or mechanical damage, C = corrosion, IP = installation problem, O = other, UNK = Unknown
6. Has release been reported to the Department of Natural Resources? Yes No Release not evident at this time (pending sample analysis)

D. CLOSURES (Check applicable box at right in response to all statements in section D)

Written notification was provided to the local agent 5 days in advance of closure date. Yes No

All local permits were obtained before beginning closure. Yes No NA

UST Form TR-WM-137 or AST Form TR-WM-118 filed by owner with the DATCP indicating closure. Yes No NA

NOTE: TANK INVENTORY FORM TR-WM-137 or TR-WM-118 SIGNED BY THE OWNER MUST BE SUBMITTED WITH EACH CLOSURE or CHANGE-IN-SERVICE CHECKLIST

D. CLOSURE BY REMOVAL OR IN-PLACE

	Remover Verified	Inspector Verified	Inspector Not Present	NA
1. General Requirements				
a. Product from piping drained into tank (or other container).	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Piping disconnected from tank and removed.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/>	<input type="checkbox"/>
c. All liquid and residue removed from tank using explosion-proof pumps or hand pumps prior to removing tank from excavation.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. All pump motors and suction hoses bonded to tank or otherwise grounded.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
e. Fill pipes, gauge pipes, vapor recovery connections, submersible pumps and other fixtures	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
f. Vent lines left connected until tanks purged.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
g. Tank openings temporarily plugged so vapors exit through vent.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
h. Tank atmosphere reduced to 10% of the lower flammable range (LEL) - see Section E.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

2. Specific Closure-by-Removal Requirements

a. Tank removed from excavation after PURGING/INERTING; placed on level ground and blocked to prevent movement.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/>	<input type="checkbox"/>
b. Tank cleaned before being removed from site.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Tank labeled in full compliance with API 1604 after removal but before being moved from site.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	<input checked="" type="checkbox"/>	<input type="checkbox"/>

NOTE: COMPLETE TANK LABELING SHOULD INCLUDE WARNING AGAINST REUSE; FORMER CONTENTS; VAPOR STATE; VAPOR FREEING TREATMENT; MONTH/DAY/YEAR OF REMOVAL

d. Tank vent hole (1/8" in uppermost part of tank) installed prior to moving the tank from site.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Site security is provided while the excavation is open.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3. Specific Closure-In-Place Requirements

NOTE: CLOSURES IN-PLACE ARE ONLY ALLOWED WITH THE PRIOR WRITTEN APPROVAL OF THE DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION (DATCP) OR LOCAL AGENT.

a. Tank properly cleaned to remove all sludge and residue.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Solid inert material (sand, cyclone boiler slag, or pea gravel recommended) introduced and tank	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Vent line disconnected or removed.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Inventory form filed by owner with DATCP indicating closure in-place.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/>	<input checked="" type="checkbox"/>

E. REPAIR, UPGRADE OR CHANGE-IN-SERVICE

Written notification was provided to the local agent 5 days in advance of service date.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input checked="" type="checkbox"/> NA		
All local permits were obtained before beginning service.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input checked="" type="checkbox"/> NA		
Form TR-WM-137 or 0 TR-WM-118 filed by owner with DATCP indicating change-in-service.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input checked="" type="checkbox"/> NA		

F. METHOD OF VAPOR FREEING OF TANK

<input type="checkbox"/> Displacement of vapors by eductor or diffused air blower.				
Eductor driven by compressed air, bonded and drop tube left in place; vapors discharged minimum of 12 feet above ground.				
<input type="checkbox"/> Inert gas using dry ice or liquid carbon dioxide.				
<input type="checkbox"/> Inert gas using CO2 or N2 NOTE: INERT GASSES PRODUCE AN OXYGEN DEFICIENT ATMOSPHERE. LEL METERS MAY NOT FUNCTION ACCURATELY. THE TANK MAY NOT BE ENTERED IN THIS STATE WITHOUT SPECIAL EQUIPMENT.				
Gas introduced through a single opening at a point near the bottom of the tank at the end of the tank opposite the vent.				
Gas introduced under low pressure not to exceed 5 psig to reduce static electricity. Gas introducing device grounded.				
<input type="checkbox"/> Readings of 10% or less of the lower flammable range (LEL) or <5% oxygen obtained before removing tank from ground.				
<input checked="" type="checkbox"/> Tank atmosphere monitored for flammable or combustible vapor levels prior to and during cleaning and cutting.				
<input type="checkbox"/> Calibrate combustible gas indicator and/or oxygen meter prior to use. Drop tube removed prior to checking atmosphere. Tank space monitored at bottom, middle and upper portion of tank.				

G. REMOVER/CLEANER INFORMATION

Thornton Young Jr	<i>Thornton Young Jr</i>	516028	04/08/2024
REMOVER/CLEANER NAME (PRINT):	REMOVER/CLEANER SIGNATURE	CERTIFICATION #	DATE TANK REMOVED

I attest that the procedures and information which I have provided as the tank closure contractor are correct and comply with Wis. Admin. Code ch. ATCP 93.

Company expected to perform soil contamination assessment The Sigma Group, Inc.

H. INSPECTOR INFORMATION

Todd Anderson

INSPECTOR NAME (PRINT):



INSPECTOR SIGNATURE

509930

INSPECTOR CERTIFICATION #

City of Mil.

COMPANY NAME

FDID # FOR LOCATION WHERE INSPECTION PERFORMED

INSPECTOR NOTES:

414-256-2519

INSPECTOR TELEPHONE NUMBER

5/23/24

DATE SIGNED

GENERATOR	NON-HAZARDOUS WASTE MANIFEST		1. Generator ID Number	2. Page 1 of	3. Emergency Response Phone 800-424-9300	4. Waste Tracking Number 0037650			
	5. Generator's Name and Mailing Address <i>UNDEVELOPED LAND</i>				Generator's Site Address (if different than mailing address)				
	Generator's Phone:								
	6. Transporter 1 Company Name GFL ENVIRONMENTAL SERVICES USA INC dba FUTURE ENV-WISC				U.S. EPA ID Number W0000122358				
	7. Transporter 2 Company Name				U.S. EPA ID Number				
DESIGNATED FACILITY	8. Designated Facility Name and Site Address <i>MELRO INDUSTRIAL</i>				U.S. EPA ID Number				
	Facility's Phone:								
	9. Waste Shipping Name and Description		10. Containers		11. Total Quantity	12. Unit Wt./Vol.			
			No.	Type					
	NON-HAZARDOUS, NON-REGULATED BY DOT		001	TT	1000	G			
2.									
3.									
4.									
13. Special Handling Instructions and Additional Information									
14. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations.									
Generator's/Offeror's Printed/Typed Name <i>THOMAS J. JONES</i>				Signature <i>[Signature]</i>		Month	Day	Year	
						04	08	24	
INT'L	15. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: _____								
	Transporter Signature (for exports only):				Date leaving U.S.:				
TRANSPORTER	16. Transporter Acknowledgment of Receipt of Materials								
	Transporter 1 Printed/Typed Name <i>Jessica Brown</i>				Signature <i>[Signature]</i>		Month	Day	Year
							04	08	24
Transporter 2 Printed/Typed Name				Signature		Month	Day	Year	
DESIGNATED FACILITY	17. Discrepancy								
	17a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection								
	Manifest Reference Number:								
	17b. Alternate Facility (or Generator)				U.S. EPA ID Number				
	Facility's Phone:								
17c. Signature of Alternate Facility (or Generator)						Month	Day	Year	
18. Designated Facility Owner or Operator: Certification of receipt of materials covered by the manifest except as noted in Item 17a									
Printed/Typed Name				Signature		Month	Day	Year	

APPENDIX B

**Tank-System Site Assessment
(Part B)**

Part B – To be completed by environmental professional - Submit original Part B to the WDNR along with a copy of Part A

I. TANK-SYSTEM SITE ASSESSMENT (TSSA)

SITE NAME - Note: SITE NAME and address MUST MATCH with Part A Section 1.

Five Points Redevelopment

SITE ADDRESS (Not PO Box)

3317 N. Dr. MLK Jr. Drive

CITY TOWN VILLAGE

Milwaukee

STATE ZIP

WI 53212

To determine if a TSSA is required, see Wis. Admin. Code ch. ATCP 93 and section II part B of ASSESSMENT AND REPORTING OF SUSPECTED AND OBVIOUS RELEASES FROM UNDERGROUND AND ABOVEGROUND STORAGE TANK SYSTEMS.

If a TSSA is required, then follow the procedures detailed in ASSESSMENT AND REPORTING OF SUSPECTED AND OBVIOUS RELEASES FROM UNDERGROUND AND ABOVEGROUND STORAGE TANK SYSTEMS

1. Site Information

a. Has there been a previously documented release at this site? Yes No

If yes, provide the DATCP #

or DNR Bureau for Remediation and Redevelopment Tracking System (BRRT's #) 02-41-589558

b. Number of active tanks at facility prior to completion of current services: USTs 1 ASTs

(NOTE 1: Do not include previously closed systems or system components.)

c. Excavation/trench dimensions (in feet). (Photos must be provided.)

EXCAVATION/TRENCH #	LENGTH	WIDTH	DEPTH
1	10	8	6-7

2. Visual Excavation/Trench Inspection (Photos must be provided for "Yes" responses, except item b.)

Do any of the following conditions exist in or about the excavation(s)?

- a. Stained soils: Yes No b. Petroleum odor: Yes No c. Water In excavation/trench: Yes No
 d. Free product in the excavation/trench: Yes No e. Sheen or free product on water: Yes No

3. Geology/Hydrogeology

a. Depth to groundwater >8' feet b. Indicate type of geology² Silty Clay

4. Receptors

- a. Water supply well(s) within 250 feet of the facility? Yes No If yes, specify:
 b. Surface water(s) within 1000 feet of the facility? Yes No If yes, specify:

5. Sampling

- a. Follow the procedures detailed in ASSESSMENT AND REPORTING OF SUSPECTED AND OBVIOUS RELEASES FROM UNDERGROUND AND ABOVEGROUND STORAGE TANK SYSTEMS.
 b. Complete Tables 1 and 2 as appropriate. (Attach chain-of-custody and laboratory analytical reports.)
 c. Attach a detailed map of site features and sample locations.

J. NOTE RELEVANT OBSERVATIONS, SPECIFIC PROBLEMS OR CONCERNS BELOW

On April 8th 2024 The Sigma Group provided oversight during the excavation and removal and cleaning for a 9550 gallon fuel oil UST. The tank dimensions were 6'x4'. Multiple holes were observed on the underside of the tank on removal. The sludge was pumped from the UST by GFL. After pumping an excavator removed it from the ground. The tank was crushed by the excavator. Impacted soils were observed in the bottom of the excavation. 2 soil samples were taken at the base of the tank where dark-impacted soils were observed. The samples were sent to synergy environmental and analysed for PVOC + Naphthalene, DRO, and GRO. The results are shown in Table 1 below.

TABLE 1 SOIL FIELD SCREENING & GRO/DRO LABORATORY ANALYTICAL RESULTS-FOR PETROLEUM PRODUCTS

Sample ID #	Sample Location & Soil/Geologic Description	Sample Collection Method				Depth Below Tank/Piping (feet)	Field Screening Result (ppm)	GRO (mg/kg)	DRO (mg/kg)
		Grab	Shelby Tube	Direct Push	Split Spoon				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

SEE ATTACHED TABLES

TABLE 2 SOIL LABORATORY ANALYTICAL RESULTS-FOR PETROLEUM PRODUCTS

Sample ID #	BENZENE ug/kg	TOLUENE ug/kg	ETHYLBENZENE ug/kg	MTBE ug/kg	TRIMETHYL - BENZENES (TOTAL) ug/kg	XYLENES (TOTAL) ug/kg	NAPHTHALENE ug/kg
REMEDIAL EXCAVATION CONFIRMATION SOIL SAMPLES							

SEE ATTACHED TABLES

K. TANK-SYSTEM SITE ASSESSMENT INFORMATION

As a tank-system site assessor certified under Wis. Admin. Code § ATCP 93.240, it is my opinion that there is no indication of a release of a regulated substance to the environment.

Sampling at the site indicates there has been a release to the environment. Pursuant to Wis. Admin. Code § ATCP 93.585(2)(a) and Wis. Stat. § 292.11(2)(a), the owner or operator or contractor performing work under ch. ATCP 93 shall immediately report any release of a regulated substance to the Wisconsin Department of Natural Resources. Failure to do so may result in forfeitures of a minimum of \$10 and a maximum of \$5000 for each violation under Wis. Stat. § 168.26(5). Each day of continued violation and each tank are treated as separate offenses.

Ryan Holterman _____ 524792
 TANK-SYSTEM SITE ASSESSOR NAME (PRINT): TANK-SYS TEM SITE ASSESSOR SIGNATURE CERTIFICATION NO.

(414)588-7255 _____ The Sigma Group, Inc.
 TANK-SYSTEM SITE ASSESSOR TELEPHONE NUMBER DATE SIGNED COMPANY NAME

This document can be made available in alternate formats to individuals with disabilities upon request.

Table 1
Soil Analytical Results Table
Tank System Site Assessment - Post Fuel Oil UST Removal Base Soil Samples
5 Points Development - 3317-3345 North MLK Drive and 456 West Concordia Avenue, Milwaukee, WI
Sigma Project No. 20457

Soil Sample Location:		BASE 1	BASE-WEST	BASE DRO	Groundwater Pathway RCL ⁴	Non-Industrial Direct Contact RCL ⁵	Industrial Direct Contact RCL ⁶	Background Threshold Value ⁷
Sample Depth (feet bgs):		6.0	6.0	6.0				
Sample Collection Date:		4/8/24	4/8/24	4/8/24				
Depth to Groundwater (feet bgs):		6+	6+	6+				
Native Soil (N) or Fill / Reworked Soil (F):		N	N	N				
Unsaturated/Smear Zone (U) or Saturated (S):		U	U	U				
Photoionization Detector	ppm	--	--	--	NS	NS	NS	NS
Gasoline Range Organics	mg/kg	1050	580	--	NS	NS	NS	NS
Diesel Range Organics	mg/kg	--	--	1820	NS	NS	NS	NS
VOCs								
Benzene	mg/kg	<0.25	<0.25	NA	0.0051	1.6	7.07	NS
Ethylbenzene	mg/kg	0.44	0.41 J	NA	1.57	8.02	35.4	NS
Methyl-tert-butyl-ether	mg/kg	<0.25	<0.25	NA	0.027	63.8	282	NS
Naphthalene	mg/kg	{25.6}	[15.6]	NA	0.6582	5.52	24.1	NS
Toluene	mg/kg	<0.25	<0.25	NA	1.1072	818	818	NS
1,2,4-Trimethylbenzene	mg/kg	15.4	10.2	NA	1.3787	219	219	NS
1,3,5-Trimethylbenzene	mg/kg	2.07	4.0	NA		182	182	NS
Xylenes (total)	mg/kg	1.8	2.56	NA	3.96	260	260	NS

Notes:

- Unsaturated/smear zone versus saturated soil conditions based on: (1) measured water levels in adjacent/nearby monitoring wells, or (2) soil moisture conditions recorded on soil boring logs during
- Analytical units: mg/kg = milligrams per kilogram (equivalent to parts per million, ppm)
- NA = not analyzed NS = no standard established ND = no detections
- Groundwater Pathway RCL = Residual Contaminant Level for protection of groundwater (dilution factor of 2) as presented on the WDNR's RCL Spreadsheet (dated December 2018) referenced in WDNR guidance document PUB-RR-890 "Soil Residual Contaminant Level Determinations Using the US EPA Regional Screening Level Web Calculator", dated June 2014.
- Non-Industrial Direct Contact RCL = Residual Contaminant Level for protection of direct contact at a non-industrial property as presented on the WDNR's RCL Spreadsheet (dated December 2018) with default input parameters as referenced in WDNR guidance document PUB-RR-890 "Soil Residual Contaminant Level Determinations Using the US EPA Regional Screening Level Web Calculator", dated June 2014.
- Industrial Direct Contact RCL = Residual Contaminant Level for protection of direct contact at an industrial property as presented on the WDNR's RCL Spreadsheet (dated December 2018) with default input parameters as referenced in WDNR guidance document PUB-RR-890 "Soil Residual Contaminant Level Determinations Using the US EPA Regional Screening Level Web Calculator", dated June 2014.
- Background Threshold Value = Non-outlier trace element maximum levels in Wisconsin surface soils from USGS report "Distribution and Variation of Arsenic in Wisconsin Surface Soils, With Data on Other Trace Elements" (revised February 2013).
- Laboratory flags: "J" = Analyte detected between Limit of Detection and Limit of Quantitation
- Methanol blank results: 4/8/2024: No blank collected
- Exceedances:
 - BOLD** = Concentration exceeds Groundwater Pathway RCL
 - [] = Concentration exceeds Non-Industrial Direct Contact RCL (any depth)
 - { } = Concentration exceeds Industrial Direct Contact RCL (any depth)
 - * = Concentration is below Background Threshold Value. NR 720 RCL exceedances are not indicated.

Data entered / updated by: RJA
Data checked by: CCK

Date: 4/15/2024
Date: 4/15/2024

Table 2
Soil Analytical Results Table
Fuel Oil UST Remedial Soil Excavation - Confirmation Soil Sample Results
5 Points Development - 3317-3345 North MLK Drive and 456 West Concordia Avenue, Milwaukee, WI
Sigma Project No. 20457

Soil Sample Location:	SW-N1	SW-N2	SW-E1	SW-E2	SW-S1	SW-S2	SW-W1	SW-W2	B1	B2	B3	B4	B5	Groundwater Pathway RCL ⁴	Non-Industrial Direct Contact RCL ⁵	Industrial Direct Contact RCL ⁶	Background Threshold Value ⁷	
Sample Depth (feet bgs):	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	8.0	8.0	8.0	8.0	8.0					
Sample Collection Date:	4/19/24	4/19/24	4/19/24	4/19/24	4/19/24	4/19/24	4/19/24	4/19/24	4/19/24	4/19/24	4/19/24	4/19/24	4/19/24					
Depth to Groundwater (feet bgs):	8+	8+	8+	8+	8+	8+	8+	8+	8+	8+	8+	8+	8+					
Native Soil (N) or Fill / Reworked Soil (F):	N	N	F	F	N	N	N	N	N	N	N	N	N					
Unsaturated/Smear Zone (U) or Saturated (S):	U	U	U	U	U	U	U	U	U	U	U	U	U					
Photoionization Detector	ppm	0.0	0.0	1.1	0.9	0.0	0.0	0.0	0.0	2.5	4.4	3.8	4.0	5.4	NS	NS	NS	NS
PVOCs + Naphthalene																		
Benzene	mg/kg	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	0.0051	1.6	7.07	NS
Ethylbenzene	mg/kg	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	1.57	8.02	35.4	NS
Methyl-tert-butyl-ether	mg/kg	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	0.027	63.8	282	NS
Naphthalene	mg/kg	<0.025	0.03 J	<0.025	0.075	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	0.6582	5.52	24.1	NS
Toluene	mg/kg	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	1.1072	818	818	NS
1,2,4-Trimethylbenzene	mg/kg	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	1.3787	219	219	NS
1,3,5-Trimethylbenzene	mg/kg	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025	<0.025		182	182	NS
Xylenes (total)	mg/kg	<0.075	<0.075	<0.075	<0.075	<0.075	<0.075	<0.075	<0.075	<0.075	<0.075	<0.075	<0.075	<0.075	3.96	260	260	NS

Notes:

- Unsaturated/smear zone versus saturated soil conditions based on: (1) measured water levels in adjacent/nearby monitoring wells, or (2) soil moisture conditions recorded on soil boring logs during drilling.
- Analytical units: mg/kg = milligrams per kilogram (equivalent to parts per million, ppm)
- NA = not analyzed NS = no standard established
- Groundwater Pathway RCL = Residual Contaminant Level for protection of groundwater (dilution factor of 2) as presented on the WDNR's RCL Spreadsheet (dated December 2018) referenced in WDNR guidance document PUB-RR-890 "Soil Residual Contaminant Level Determinations Using the US EPA Regional Screening Level Web Calculator", dated June 2014.
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- Background Threshold Value = Non-outlier trace element maximum levels in Wisconsin surface soils from USGS report "Distribution and Variation of Arsenic in Wisconsin Surface Soils, With Data on Other Trace Elements" (revised February 2013).
- Laboratory flags: "J" = Analyte detected between Limit of Detection and Limit of Quantitation
- Methanol blank results: 4/19/2024: All PVOCs reported below laboratory Limits of Detection
- Exceedances:
 - BOLD** = Concentration exceeds Groundwater Pathway RCL
 - []** = Concentration exceeds Non-Industrial Direct Contact RCL (any depth)
 - { }** = Concentration exceeds Industrial Direct Contact RCL (any depth)
 - *** = Concentration is below Background Threshold Value. NR 720 RCL exceedances are not indicated.

Data entered / updated by: CCK
Data checked by: JMD

Date: 4/23/2024
Date: 4/23/2024

APPENDIX C

UST Removal and Completed Soil Excavation Photographs







Holes on bottom







Basalt
RO



Base West





APPENDIX D

Soil Sample Laboratory Reports

Synergy Environmental Lab, LLC.

1990 Prospect Ct., Appleton, WI 54914 *P 920-830-2455 * F 920-733-0631

TIM WIMMER
THE SIGMA GROUP, INC.
1300 W. CANAL STREET
MILWAUKEE, WI 53233

Report Date 15-Apr-24

Project Name FIVE POINTS UST/MILWAUKEE
Project # 20457

Invoice # E43800

Lab Code 5043800A
Sample ID BASE 1
Sample Matrix Soil
Sample Date 4/8/2024

	Result	Unit	LOD	LOQ	Dil	Method	Ext Date	Run Date	Analyst	Code
General										
General										
Solids Percent	84.8	%			1	5021		4/9/2024	ZJW	1
Organic										
GRO/PVOC + Naphthalene										
Gasoline Range Organics	1050	mg/kg	26	83.6	10	GRO95/8021		4/10/2024	ZJW	1 44
Benzene	< 0.25	mg/kg	0.055	0.21	10	GRO95/8021		4/10/2024	ZJW	1 49
Ethylbenzene	0.44	mg/kg	0.11	0.42	10	GRO95/8021		4/10/2024	ZJW	1 49
Methyl tert-butyl ether (MTBE)	< 0.25	mg/kg	0.14	0.54	10	GRO95/8021		4/10/2024	ZJW	1 49
Naphthalene	25.6	mg/kg	0.12	0.46	10	GRO95/8021		4/10/2024	ZJW	1 49
Toluene	< 0.25	mg/kg	0.11	0.44	10	GRO95/8021		4/10/2024	ZJW	1 49
1,2,4-Trimethylbenzene	15.4	mg/kg	0.16	0.6	10	GRO95/8021		4/10/2024	ZJW	1 49
1,3,5-Trimethylbenzene	2.07	mg/kg	0.16	0.63	10	GRO95/8021		4/10/2024	ZJW	1 49
m&p-Xylene	1.22	mg/kg	0.27		10	GRO95/8021		4/10/2024	ZJW	1 49
o-Xylene	0.58	mg/kg	0.11	0.41	10	GRO95/8021		4/10/2024	ZJW	1 49

Project Name FIVE POINTS UST/MILWAUKEE
Project # 20457

Invoice # E43800

Lab Code 5043800B
Sample ID BASE-WEST
Sample Matrix Soil
Sample Date 4/8/2024

	Result	Unit	LOD	LOQ	Dil	Method	Ext Date	Run Date	Analyst	Code
General										
General										
Solids Percent	80.8	%			1	5021		4/9/2024	ZJW	1
Organic										
GRO/PVOC + Naphthalene										
Gasoline Range Organics	580	mg/kg	26	83.6	10	GRO95/8021		4/10/2024	ZJW	1 44
Benzene	< 0.25	mg/kg	0.055	0.21	10	GRO95/8021		4/10/2024	ZJW	1 49
Ethylbenzene	0.41 "J"	mg/kg	0.11	0.42	10	GRO95/8021		4/10/2024	ZJW	1 49
Methyl tert-butyl ether (MTBE)	< 0.25	mg/kg	0.14	0.54	10	GRO95/8021		4/10/2024	ZJW	1 49
Naphthalene	15.6	mg/kg	0.12	0.46	10	GRO95/8021		4/10/2024	ZJW	1 49
Toluene	< 0.25	mg/kg	0.11	0.44	10	GRO95/8021		4/10/2024	ZJW	1 49
1,2,4-Trimethylbenzene	10.2	mg/kg	0.16	0.6	10	GRO95/8021		4/10/2024	ZJW	1 49
1,3,5-Trimethylbenzene	4.0	mg/kg	0.16	0.63	10	GRO95/8021		4/10/2024	ZJW	1 49
m&p-Xylene	1.73	mg/kg	0.27		10	GRO95/8021		4/10/2024	ZJW	1 49
o-Xylene	0.83	mg/kg	0.11	0.41	10	GRO95/8021		4/10/2024	ZJW	1 49

Lab Code 5043800C
Sample ID BASE DRO
Sample Matrix Soil
Sample Date 4/8/2024

	Result	Unit	LOD	LOQ	Dil	Method	Ext Date	Run Date	Analyst	Code
General										
General										
Solids Percent	78.4	%			1	5021		4/9/2024	ZJW	1
Organic										
General										
Diesel Range Organics	1820	mg/kg	6.76	22.5	1	DRO95		4/10/2024	NJC	15
TCLP										
TCLP Benzene	< 27	ug/l	27	100	100	8260B		4/11/2024	SL	1

"J" Flag: Analyte detected between LOD and LOQ

LOD Limit of Detection

LOQ Limit of Quantitation

Code ***Comment***

- 1 Laboratory QC within limits.
 - 15 Sample not received in proper container.
 - 44 Contamination indicated outside GRO window.
 - 49 Sample diluted to compensate for matrix interference.
- SL denotes sub contract lab - Certification #399089350

All solid sample results reported on a dry weight basis unless otherwise indicated. All LOD's and LOQ's are adjusted for dilutions but not dry weight. Subcontracted results are denoted by SUB in the analyst field.

Authorized Signature



www.synergy-lab.net

1990 Prospect Ct. • Appleton, WI 54914
920-830-2455 • mrsynergy@wi.twcbc.com

Sample Handling Request

Rush Analysis Date Required: 4/10/24
(Rushes accepted only with prior authorization)

Normal Turn Around

Lab I.D. #
QUOTE #:
Project #: 20457
Sampler: (signature) *Ben Huff*

Project (Name / Location): Five Points UST / Milwaukee

Reports To: Tim Wimmer
Company: The Sigma Group
Address: 1300 W Canal St
City State Zip: Milwaukee, WI, 53233
Phone: 414-643-4200
Email: twimmer@thesigmagroup.com

Invoice To:
Company:
Address:
City State Zip: *same*
Phone:
Email:

Analysis Requested

Other Analysis

Lab I.D.	Sample I.D.	Collection		Filtered Y/N	No. of Containers	Sample Type (Matrix)*	Preservation	DRO (Mod DRO Sep 95)	GRO (Mod GRO Sep 95)	LEAD	NITRATE/NITRITE	OIL & GREASE	PAH (EPA 8270)	PCB	PVOC (EPA 8021)	PVOC + NAPHTHALENE	SULFATE	TOTAL SUSPENDED SOLIDS	VOC DW (EPA 524.2)	VOC (EPA 8260)	VOC AIR (TO - 15)	8-PCRA METALS	TCLP Benzene	PID/ FID	
		Date	Time																						
SA13800A	Base 1	4/8/24	11:00	N	2	S	Melt																		
B	Base West	4/8/24	11:15	N	2	S	-																		
C	Base PRO	4/8/24	12:00	N	2	S	-																		

Comments/Special Instructions (*Specify groundwater "GW", Drinking Water "DW", Waste Water "WW", Soil "S", Air "A", Oil, Sludge, etc.)
 Also send results to ckatzban@thesigmagroup.com Add tclp benzene to Base PRO per ckatzban 4-9-24 CFR
 Impacts expected (↑PID)

Sample Integrity - To be completed by receiving lab.
 Method of Shipment: CS
 Temp. of Temp. Blank: _____ °C On Ice:
 Cooler seal intact upon receipt: Yes No

Relinquished By: (sign) *Ben Huff* Time: 12:45 Date: 4/8/24
 Received By: (sign) _____ Time: _____ Date: _____
 Received in Laboratory By: *Tim Wimmer* Time: 0810 Date: 04.09.24

Synergy Environmental Lab, LLC.

1990 Prospect Ct., Appleton, WI 54914 *P 920-830-2455 * F 920-733-0631

CORY KATZBAN
THE SIGMA GROUP, INC.
1300 W. CANAL STREET
MILWAUKEE, WI 53233

Report Date 23-Apr-24

Project Name KG DEV.-MLK DR.
Project # 20457

Invoice # E43857

Lab Code 5043857A
Sample ID SW-N1 (6-7)
Sample Matrix Soil
Sample Date 4/19/2024

	Result	Unit	LOD	LOQ	Dil	Method	Ext Date	Run Date	Analyst	Code
General										
General										
Solids Percent	88.9	%			1	5021		4/22/2024	ZJW	1
Organic										
PVOC + Naphthalene										
Benzene	< 0.025	mg/kg	0.0055	0.021	1	GRO95/8021		4/22/2024	ZJW	1
Ethylbenzene	< 0.025	mg/kg	0.011	0.042	1	GRO95/8021		4/22/2024	ZJW	1
Methyl tert-butyl ether (MTBE)	< 0.025	mg/kg	0.014	0.054	1	GRO95/8021		4/22/2024	ZJW	1
Naphthalene	< 0.025	mg/kg	0.012	0.046	1	GRO95/8021		4/22/2024	ZJW	1
Toluene	< 0.025	mg/kg	0.011	0.044	1	GRO95/8021		4/22/2024	ZJW	1
1,2,4-Trimethylbenzene	< 0.025	mg/kg	0.016	0.06	1	GRO95/8021		4/22/2024	ZJW	1
1,3,5-Trimethylbenzene	< 0.025	mg/kg	0.016	0.063	1	GRO95/8021		4/22/2024	ZJW	1
m&p-Xylene	< 0.05	mg/kg	0.027	0.1	1	GRO95/8021		4/22/2024	ZJW	1
o-Xylene	< 0.025	mg/kg	0.011	0.041	1	GRO95/8021		4/22/2024	ZJW	1

Project Name KG DEV.-MLK DR.
Project # 20457

Invoice # E43857

Lab Code 5043857B
Sample ID SW-N2 (6-7)
Sample Matrix Soil
Sample Date 4/19/2024

	Result	Unit	LOD	LOQ	Dil	Method	Ext Date	Run Date	Analyst	Code
General										
General										
Solids Percent	88.1	%			1	5021		4/22/2024	ZJW	1
Organic										
PVOC + Naphthalene										
Benzene	< 0.025	mg/kg	0.0055	0.021	1	GRO95/8021		4/22/2024	ZJW	1
Ethylbenzene	< 0.025	mg/kg	0.011	0.042	1	GRO95/8021		4/22/2024	ZJW	1
Methyl tert-butyl ether (MTBE)	< 0.025	mg/kg	0.014	0.054	1	GRO95/8021		4/22/2024	ZJW	1
Naphthalene	0.03 "J"	mg/kg	0.012	0.046	1	GRO95/8021		4/22/2024	ZJW	1
Toluene	< 0.025	mg/kg	0.011	0.044	1	GRO95/8021		4/22/2024	ZJW	1
1,2,4-Trimethylbenzene	< 0.025	mg/kg	0.016	0.06	1	GRO95/8021		4/22/2024	ZJW	1
1,3,5-Trimethylbenzene	< 0.025	mg/kg	0.016	0.063	1	GRO95/8021		4/22/2024	ZJW	1
m&p-Xylene	< 0.05	mg/kg	0.027	0.1	1	GRO95/8021		4/22/2024	ZJW	1
o-Xylene	< 0.025	mg/kg	0.011	0.041	1	GRO95/8021		4/22/2024	ZJW	1

Lab Code 5043857C
Sample ID SW-E1 (6-7)
Sample Matrix Soil
Sample Date 4/19/2024

	Result	Unit	LOD	LOQ	Dil	Method	Ext Date	Run Date	Analyst	Code
General										
General										
Solids Percent	88.2	%			1	5021		4/22/2024	ZJW	1
Organic										
PVOC + Naphthalene										
Benzene	< 0.025	mg/kg	0.0055	0.021	1	GRO95/8021		4/22/2024	ZJW	1
Ethylbenzene	< 0.025	mg/kg	0.011	0.042	1	GRO95/8021		4/22/2024	ZJW	1
Methyl tert-butyl ether (MTBE)	< 0.025	mg/kg	0.014	0.054	1	GRO95/8021		4/22/2024	ZJW	1
Naphthalene	< 0.025	mg/kg	0.012	0.046	1	GRO95/8021		4/22/2024	ZJW	1
Toluene	< 0.025	mg/kg	0.011	0.044	1	GRO95/8021		4/22/2024	ZJW	1
1,2,4-Trimethylbenzene	< 0.025	mg/kg	0.016	0.06	1	GRO95/8021		4/22/2024	ZJW	1
1,3,5-Trimethylbenzene	< 0.025	mg/kg	0.016	0.063	1	GRO95/8021		4/22/2024	ZJW	1
m&p-Xylene	< 0.05	mg/kg	0.027	0.1	1	GRO95/8021		4/22/2024	ZJW	1
o-Xylene	< 0.025	mg/kg	0.011	0.041	1	GRO95/8021		4/22/2024	ZJW	1

Project Name KG DEV.-MLK DR.
Project # 20457

Invoice # E43857

Lab Code 5043857D
Sample ID SW-E2 (6-7)
Sample Matrix Soil
Sample Date 4/19/2024

	Result	Unit	LOD	LOQ	Dil	Method	Ext Date	Run Date	Analyst	Code
General										
General										
Solids Percent	87.9	%			1	5021		4/22/2024	ZJW	1
Organic										
PVOC + Naphthalene										
Benzene	< 0.025	mg/kg	0.0055	0.021	1	GRO95/8021		4/22/2024	ZJW	1
Ethylbenzene	< 0.025	mg/kg	0.011	0.042	1	GRO95/8021		4/22/2024	ZJW	1
Methyl tert-butyl ether (MTBE)	< 0.025	mg/kg	0.014	0.054	1	GRO95/8021		4/22/2024	ZJW	1
Naphthalene	0.075	mg/kg	0.012	0.046	1	GRO95/8021		4/22/2024	ZJW	1
Toluene	< 0.025	mg/kg	0.011	0.044	1	GRO95/8021		4/22/2024	ZJW	1
1,2,4-Trimethylbenzene	< 0.025	mg/kg	0.016	0.06	1	GRO95/8021		4/22/2024	ZJW	1
1,3,5-Trimethylbenzene	< 0.025	mg/kg	0.016	0.063	1	GRO95/8021		4/22/2024	ZJW	1
m&p-Xylene	< 0.05	mg/kg	0.027	0.1	1	GRO95/8021		4/22/2024	ZJW	1
o-Xylene	< 0.025	mg/kg	0.011	0.041	1	GRO95/8021		4/22/2024	ZJW	1

Lab Code 5043857E
Sample ID SW-S1 (6-7)
Sample Matrix Soil
Sample Date 4/19/2024

	Result	Unit	LOD	LOQ	Dil	Method	Ext Date	Run Date	Analyst	Code
General										
General										
Solids Percent	88.3	%			1	5021		4/22/2024	ZJW	1
Organic										
PVOC + Naphthalene										
Benzene	< 0.025	mg/kg	0.0055	0.021	1	GRO95/8021		4/22/2024	ZJW	1
Ethylbenzene	< 0.025	mg/kg	0.011	0.042	1	GRO95/8021		4/22/2024	ZJW	1
Methyl tert-butyl ether (MTBE)	< 0.025	mg/kg	0.014	0.054	1	GRO95/8021		4/22/2024	ZJW	1
Naphthalene	< 0.025	mg/kg	0.012	0.046	1	GRO95/8021		4/22/2024	ZJW	1
Toluene	< 0.025	mg/kg	0.011	0.044	1	GRO95/8021		4/22/2024	ZJW	1
1,2,4-Trimethylbenzene	< 0.025	mg/kg	0.016	0.06	1	GRO95/8021		4/22/2024	ZJW	1
1,3,5-Trimethylbenzene	< 0.025	mg/kg	0.016	0.063	1	GRO95/8021		4/22/2024	ZJW	1
m&p-Xylene	< 0.05	mg/kg	0.027	0.1	1	GRO95/8021		4/22/2024	ZJW	1
o-Xylene	< 0.025	mg/kg	0.011	0.041	1	GRO95/8021		4/22/2024	ZJW	1

Project Name KG DEV.-MLK DR.
Project # 20457

Invoice # E43857

Lab Code 5043857F
Sample ID SW-S2 (6-7)
Sample Matrix Soil
Sample Date 4/19/2024

	Result	Unit	LOD	LOQ	Dil	Method	Ext Date	Run Date	Analyst	Code
General										
General										
Solids Percent	89.5	%			1	5021		4/22/2024	ZJW	1
Organic										
PVOC + Naphthalene										
Benzene	< 0.025	mg/kg	0.0055	0.021	1	GRO95/8021		4/22/2024	ZJW	1
Ethylbenzene	< 0.025	mg/kg	0.011	0.042	1	GRO95/8021		4/22/2024	ZJW	1
Methyl tert-butyl ether (MTBE)	< 0.025	mg/kg	0.014	0.054	1	GRO95/8021		4/22/2024	ZJW	1
Naphthalene	< 0.025	mg/kg	0.012	0.046	1	GRO95/8021		4/22/2024	ZJW	1
Toluene	< 0.025	mg/kg	0.011	0.044	1	GRO95/8021		4/22/2024	ZJW	1
1,2,4-Trimethylbenzene	< 0.025	mg/kg	0.016	0.06	1	GRO95/8021		4/22/2024	ZJW	1
1,3,5-Trimethylbenzene	< 0.025	mg/kg	0.016	0.063	1	GRO95/8021		4/22/2024	ZJW	1
m&p-Xylene	< 0.05	mg/kg	0.027	0.1	1	GRO95/8021		4/22/2024	ZJW	1
o-Xylene	< 0.025	mg/kg	0.011	0.041	1	GRO95/8021		4/22/2024	ZJW	1

Lab Code 5043857G
Sample ID SW-W1 (6-7)
Sample Matrix Soil
Sample Date 4/19/2024

	Result	Unit	LOD	LOQ	Dil	Method	Ext Date	Run Date	Analyst	Code
General										
General										
Solids Percent	89.1	%			1	5021		4/22/2024	ZJW	1
Organic										
PVOC + Naphthalene										
Benzene	< 0.025	mg/kg	0.0055	0.021	1	GRO95/8021		4/22/2024	ZJW	1
Ethylbenzene	< 0.025	mg/kg	0.011	0.042	1	GRO95/8021		4/22/2024	ZJW	1
Methyl tert-butyl ether (MTBE)	< 0.025	mg/kg	0.014	0.054	1	GRO95/8021		4/22/2024	ZJW	1
Naphthalene	< 0.025	mg/kg	0.012	0.046	1	GRO95/8021		4/22/2024	ZJW	1
Toluene	< 0.025	mg/kg	0.011	0.044	1	GRO95/8021		4/22/2024	ZJW	1
1,2,4-Trimethylbenzene	< 0.025	mg/kg	0.016	0.06	1	GRO95/8021		4/22/2024	ZJW	1
1,3,5-Trimethylbenzene	< 0.025	mg/kg	0.016	0.063	1	GRO95/8021		4/22/2024	ZJW	1
m&p-Xylene	< 0.05	mg/kg	0.027	0.1	1	GRO95/8021		4/22/2024	ZJW	1
o-Xylene	< 0.025	mg/kg	0.011	0.041	1	GRO95/8021		4/22/2024	ZJW	1

Project Name KG DEV.-MLK DR.
Project # 20457

Invoice # E43857

Lab Code 5043857H
Sample ID SW-W2 (6-7)
Sample Matrix Soil
Sample Date 4/19/2024

	Result	Unit	LOD	LOQ	Dil	Method	Ext Date	Run Date	Analyst	Code
General										
General										
Solids Percent	88.8	%			1	5021		4/22/2024	ZJW	1
Organic										
PVOC + Naphthalene										
Benzene	< 0.025	mg/kg	0.0055	0.021	1	GRO95/8021		4/22/2024	ZJW	1
Ethylbenzene	< 0.025	mg/kg	0.011	0.042	1	GRO95/8021		4/22/2024	ZJW	1
Methyl tert-butyl ether (MTBE)	< 0.025	mg/kg	0.014	0.054	1	GRO95/8021		4/22/2024	ZJW	1
Naphthalene	< 0.025	mg/kg	0.012	0.046	1	GRO95/8021		4/22/2024	ZJW	1
Toluene	< 0.025	mg/kg	0.011	0.044	1	GRO95/8021		4/22/2024	ZJW	1
1,2,4-Trimethylbenzene	< 0.025	mg/kg	0.016	0.06	1	GRO95/8021		4/22/2024	ZJW	1
1,3,5-Trimethylbenzene	< 0.025	mg/kg	0.016	0.063	1	GRO95/8021		4/22/2024	ZJW	1
m&p-Xylene	< 0.05	mg/kg	0.027	0.1	1	GRO95/8021		4/22/2024	ZJW	1
o-Xylene	< 0.025	mg/kg	0.011	0.041	1	GRO95/8021		4/22/2024	ZJW	1

Lab Code 5043857I
Sample ID B1 (8')
Sample Matrix Soil
Sample Date 4/19/2024

	Result	Unit	LOD	LOQ	Dil	Method	Ext Date	Run Date	Analyst	Code
General										
General										
Solids Percent	88.1	%			1	5021		4/22/2024	ZJW	1
Organic										
PVOC + Naphthalene										
Benzene	< 0.025	mg/kg	0.0055	0.021	1	GRO95/8021		4/22/2024	ZJW	1
Ethylbenzene	< 0.025	mg/kg	0.011	0.042	1	GRO95/8021		4/22/2024	ZJW	1
Methyl tert-butyl ether (MTBE)	< 0.025	mg/kg	0.014	0.054	1	GRO95/8021		4/22/2024	ZJW	1
Naphthalene	< 0.025	mg/kg	0.012	0.046	1	GRO95/8021		4/22/2024	ZJW	1
Toluene	< 0.025	mg/kg	0.011	0.044	1	GRO95/8021		4/22/2024	ZJW	1
1,2,4-Trimethylbenzene	< 0.025	mg/kg	0.016	0.06	1	GRO95/8021		4/22/2024	ZJW	1
1,3,5-Trimethylbenzene	< 0.025	mg/kg	0.016	0.063	1	GRO95/8021		4/22/2024	ZJW	1
m&p-Xylene	< 0.05	mg/kg	0.027	0.1	1	GRO95/8021		4/22/2024	ZJW	1
o-Xylene	< 0.025	mg/kg	0.011	0.041	1	GRO95/8021		4/22/2024	ZJW	1

Project Name KG DEV.-MLK DR.
Project # 20457

Invoice # E43857

Lab Code 5043857J
Sample ID B2 (8')
Sample Matrix Soil
Sample Date 4/19/2024

	Result	Unit	LOD	LOQ	Dil	Method	Ext Date	Run Date	Analyst	Code
General										
General										
Solids Percent	87.8	%			1	5021		4/22/2024	ZJW	1
Organic										
PVOC + Naphthalene										
Benzene	< 0.025	mg/kg	0.0055	0.021	1	GRO95/8021		4/22/2024	ZJW	1
Ethylbenzene	< 0.025	mg/kg	0.011	0.042	1	GRO95/8021		4/22/2024	ZJW	1
Methyl tert-butyl ether (MTBE)	< 0.025	mg/kg	0.014	0.054	1	GRO95/8021		4/22/2024	ZJW	1
Naphthalene	< 0.025	mg/kg	0.012	0.046	1	GRO95/8021		4/22/2024	ZJW	1
Toluene	< 0.025	mg/kg	0.011	0.044	1	GRO95/8021		4/22/2024	ZJW	1
1,2,4-Trimethylbenzene	< 0.025	mg/kg	0.016	0.06	1	GRO95/8021		4/22/2024	ZJW	1
1,3,5-Trimethylbenzene	< 0.025	mg/kg	0.016	0.063	1	GRO95/8021		4/22/2024	ZJW	1
m&p-Xylene	< 0.05	mg/kg	0.027	0.1	1	GRO95/8021		4/22/2024	ZJW	1
o-Xylene	< 0.025	mg/kg	0.011	0.041	1	GRO95/8021		4/22/2024	ZJW	1

Lab Code 5043857K
Sample ID B3 (8')
Sample Matrix Soil
Sample Date 4/19/2024

	Result	Unit	LOD	LOQ	Dil	Method	Ext Date	Run Date	Analyst	Code
General										
General										
Solids Percent	87.5	%			1	5021		4/22/2024	ZJW	1
Organic										
PVOC + Naphthalene										
Benzene	< 0.025	mg/kg	0.0055	0.021	1	GRO95/8021		4/23/2024	ZJW	1
Ethylbenzene	< 0.025	mg/kg	0.011	0.042	1	GRO95/8021		4/23/2024	ZJW	1
Methyl tert-butyl ether (MTBE)	< 0.025	mg/kg	0.014	0.054	1	GRO95/8021		4/23/2024	ZJW	1
Naphthalene	< 0.025	mg/kg	0.012	0.046	1	GRO95/8021		4/23/2024	ZJW	1
Toluene	< 0.025	mg/kg	0.011	0.044	1	GRO95/8021		4/23/2024	ZJW	1
1,2,4-Trimethylbenzene	< 0.025	mg/kg	0.016	0.06	1	GRO95/8021		4/23/2024	ZJW	1
1,3,5-Trimethylbenzene	< 0.025	mg/kg	0.016	0.063	1	GRO95/8021		4/23/2024	ZJW	1
m&p-Xylene	< 0.05	mg/kg	0.027	0.1	1	GRO95/8021		4/23/2024	ZJW	1
o-Xylene	< 0.025	mg/kg	0.011	0.041	1	GRO95/8021		4/23/2024	ZJW	1

Project Name KG DEV.-MLK DR.
Project # 20457

Invoice # E43857

Lab Code 5043857L
Sample ID B4 (8')
Sample Matrix Soil
Sample Date 4/19/2024

	Result	Unit	LOD	LOQ	Dil	Method	Ext Date	Run Date	Analyst	Code
General										
General										
Solids Percent	87.7	%			1	5021		4/22/2024	ZJW	1
Organic										
PVOC + Naphthalene										
Benzene	< 0.025	mg/kg	0.0055	0.021	1	GRO95/8021		4/23/2024	ZJW	1
Ethylbenzene	< 0.025	mg/kg	0.011	0.042	1	GRO95/8021		4/23/2024	ZJW	1
Methyl tert-butyl ether (MTBE)	< 0.025	mg/kg	0.014	0.054	1	GRO95/8021		4/23/2024	ZJW	1
Naphthalene	< 0.025	mg/kg	0.012	0.046	1	GRO95/8021		4/23/2024	ZJW	1
Toluene	< 0.025	mg/kg	0.011	0.044	1	GRO95/8021		4/23/2024	ZJW	1
1,2,4-Trimethylbenzene	< 0.025	mg/kg	0.016	0.06	1	GRO95/8021		4/23/2024	ZJW	1
1,3,5-Trimethylbenzene	< 0.025	mg/kg	0.016	0.063	1	GRO95/8021		4/23/2024	ZJW	1
m&p-Xylene	< 0.05	mg/kg	0.027	0.1	1	GRO95/8021		4/23/2024	ZJW	1
o-Xylene	< 0.025	mg/kg	0.011	0.041	1	GRO95/8021		4/23/2024	ZJW	1

Lab Code 5043857M
Sample ID B5 (8')
Sample Matrix Soil
Sample Date 4/19/2024

	Result	Unit	LOD	LOQ	Dil	Method	Ext Date	Run Date	Analyst	Code
General										
General										
Solids Percent	88.7	%			1	5021		4/22/2024	ZJW	1
Organic										
PVOC + Naphthalene										
Benzene	< 0.025	mg/kg	0.0055	0.021	1	GRO95/8021		4/23/2024	ZJW	1
Ethylbenzene	< 0.025	mg/kg	0.011	0.042	1	GRO95/8021		4/23/2024	ZJW	1
Methyl tert-butyl ether (MTBE)	< 0.025	mg/kg	0.014	0.054	1	GRO95/8021		4/23/2024	ZJW	1
Naphthalene	< 0.025	mg/kg	0.012	0.046	1	GRO95/8021		4/23/2024	ZJW	1
Toluene	< 0.025	mg/kg	0.011	0.044	1	GRO95/8021		4/23/2024	ZJW	1
1,2,4-Trimethylbenzene	< 0.025	mg/kg	0.016	0.06	1	GRO95/8021		4/23/2024	ZJW	1
1,3,5-Trimethylbenzene	< 0.025	mg/kg	0.016	0.063	1	GRO95/8021		4/23/2024	ZJW	1
m&p-Xylene	< 0.05	mg/kg	0.027	0.1	1	GRO95/8021		4/23/2024	ZJW	1
o-Xylene	< 0.025	mg/kg	0.011	0.041	1	GRO95/8021		4/23/2024	ZJW	1

Project Name KG DEV.-MLK DR.
Project # 20457

Invoice # E43857

Lab Code 5043857N
Sample ID BLANK
Sample Matrix Soil
Sample Date 4/19/2024

	Result	Unit	LOD	LOQ	Dil	Method	Ext Date	Run Date	Analyst	Code
Organic										
PVOC + Naphthalene										
Benzene	< 0.025	mg/kg	0.0055	0.021	1	GRO95/8021		4/22/2024	ZJW	1
Ethylbenzene	< 0.025	mg/kg	0.011	0.042	1	GRO95/8021		4/22/2024	ZJW	1
Methyl tert-butyl ether (MTBE)	< 0.025	mg/kg	0.014	0.054	1	GRO95/8021		4/22/2024	ZJW	1
Naphthalene	< 0.025	mg/kg	0.012	0.046	1	GRO95/8021		4/22/2024	ZJW	1
Toluene	< 0.025	mg/kg	0.011	0.044	1	GRO95/8021		4/22/2024	ZJW	1
1,2,4-Trimethylbenzene	< 0.025	mg/kg	0.016	0.06	1	GRO95/8021		4/22/2024	ZJW	1
1,3,5-Trimethylbenzene	< 0.025	mg/kg	0.016	0.063	1	GRO95/8021		4/22/2024	ZJW	1
m&p-Xylene	< 0.05	mg/kg	0.027	0.1	1	GRO95/8021		4/22/2024	ZJW	1
o-Xylene	< 0.025	mg/kg	0.011	0.041	1	GRO95/8021		4/22/2024	ZJW	1

"J" Flag: Analyte detected between LOD and LOQ

LOD Limit of Detection

LOQ Limit of Quantitation

Code ***Comment***

1 Laboratory QC within limits.

All solid sample results reported on a dry weight basis unless otherwise indicated. All LOD's and LOQ's are adjusted for dilutions but not dry weight. Subcontracted results are denoted by SUB in the analyst field.

Authorized Signature



CHAIN OF CUSTODY RECORD

Synergy

Environmental Lab, LLC

Chain # 53265

Page 1 of 2

Lab I.D. #
 QUOTE # :
 Project #: 20457
 Sampler: (signature) *[Signature]*

www.synergy-lab.net
 1990 Prospect Ct. • Appleton, WI 54914
 920-830-2455 • mrsynergy@wi.twcbc.com

Sample Handling Request
 Rush Analysis Date Required: 4/23/24
 (Rushes accepted only with prior authorization)
 Normal Turn Around

Project (Name / Location): K6 Dev - MLK Dr.
 Reports To: Cory Katzban
 Invoice To: *[Signature]*
 Company: Signa
 Address: 1300 W Canal St
 City State Zip: MKG, WI 53233
 Phone: 414-645-4000
 Email: ckatzban@thesigna.com

Analysis Requested **Other Analysis**

Lab I.D.	Sample I.D.	Collection		Filtered Y/N	No. of Containers	Sample Type (Matrix)*	Preservation	DRO (Mod DRO Sep 95)	GRO (Mod GRO Sep 95)	LEAD	NITRATE/NITRITE	OIL & GREASE	PAH (EPA 8270)	PCB	PVOC (EPA 8021)	PVOC + NAPHTHALENE	SULFATE	TOTAL SUSPENDED SOLIDS	VOC DW (EPA 524.2)	VOC (EPA 8260)	VOC AIR (TO - 15)	8-RCRA METALS	PID/FID		
		Date	Time																						
SCU3857A	SW-N1(6-7)	4/19/24	1245	N	1	S	MOH																	6.0	
B	SW-N2(6-7)		1250																						6.0
C	SW-E1(6-7)		1255																						1.1
D	SW-G2(6-7)		1300																						0.9
E	SW-S1(6-7)		1305																						0.0
F	SW-S2(6-7)		1310																						0.0
G	SW-W1(6-7)		1315																						0.0
H	SW-W2(6-7)		1320																						0.0
I	B1(8')		1400																						2.5
J	B2(8')		1405																						4.4
K	B3(8')		1410																						3.8
L	B4(8')		1415																						4.0

Comments/Special Instructions (*Specify groundwater "GW", Drinking Water "DW", Waste Water "WW", Soil "S", Air "A", Oil, Sludge, etc.)

Plunger for dry wt.

Sample Integrity - To be completed by receiving lab. Method of Shipment: <u>CS</u> Temp. of Temp. Blank: _____ °C On Ice: <input checked="" type="checkbox"/> Cooler seal intact upon receipt: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Relinquished By: (sign) <i>[Signature]</i> Time _____ Date <u>4/19/24</u>	Received By: (sign) _____ Time _____ Date _____
	Received in Laboratory By: <i>[Signature]</i> Time: <u>10:00</u> Date: <u>4/20/24</u>	

CHAIN OF CUSTODY RECORD

Synergy

Chain # 53266

Page 2 of 2

Environmental Lab, LLC

www.synergy-lab.net
 1990 Prospect Ct. • Appleton, WI 54914
 920-830-2455 • mrsynergy@wi.twcbc.com

Sample Handling Request

Rush Analysis Date Required: 4/23/24
 (Rushes accepted only with prior authorization)

Normal Turn Around

Lab I.D. # _____

QUOTE # : _____

Project #: 20457

Sampler: (signature) [Signature]

Project (Name / Location): _____

Reports To: Cory Kutzban Invoice To: Same

Company: Sigma Company: [Signature]

Address: 1300 W Canal St Address: _____

City State Zip: MKE, WI 53233 City State Zip: _____

Phone: 414-643-4200 Phone: _____

Email: ckutzban@thesigmagroup.com Email: _____

Analysis Requested										Other Analysis					
DRO (Mod DRO Sep 95)	GRO (Mod GRO Sep 95)	LEAD	NITRATE/NITRITE	OIL & GREASE	PAH (EPA 8270)	PCB	PVOC (EPA 8021)	PVOC + NAPHTHALENE	SULFATE	TOTAL SUSPENDED SOLIDS	VOC DW (EPA 524.2)	VOC (EPA 8260)	VOC AIR (TO - 15)	8-RCRA METALS	PID/FID
								<input checked="" type="checkbox"/>							5.4

Lab I.D.	Sample I.D.	Collection		Filtered Y/N	No. of Containers	Sample Type (Matrix)*	Preservation
		Date	Time				
<u>SOL3857M</u>	<u>B5/B8'</u>	<u>4/19/24</u>	<u>1430</u>	<u>N</u>	<u>1</u>	<u>S</u>	<u>noH</u>
<u>N</u>	<u>Blank</u>			<u>N</u>			<u>noH</u>

Comments/Special Instructions (*Specify groundwater "GW", Drinking Water "DW", Waste Water "WW", Soil "S", Air "A", Oil, Sludge, etc.)

- Plug to dry wt.

Sample Integrity - To be completed by receiving lab.

Method of Shipment: CS

Temp. of Temp. Blank: _____ °C On Ice:

Cooler seal intact upon receipt: Yes No

Relinquished By: (sign) [Signature] Time _____ Date 4/19/24

Received By: (sign) _____ Time _____ Date _____

Received in Laboratory By: [Signature] Time: 10:00 Date: 4/20/24

APPENDIX E

Waste Management Approval and Tonnage Report, GFL Manifests



Non-Hazardous WAM Approval

Requested Management Facility: Orchard Ridge RDF

Profile Number: BIO140837WI Waste Acceptance Expiration Date: 04/12/2025

Common Name: Petroleum Impacted Soils WM Regulatory Volume Limit: _____ NA

APPROVAL DETAILS

Approval Decision: Approved Not Approved Profile Renewal: Yes No

Management Method: Bioremediation

Generator Name: Five Points MLKEDC LLC

Profile Expiration Date: 04/12/2025

Periodic Testing Due Date: _____ NA

Other Due Date: _____ NA (Specify) _____

Management Facility Precautions, Special Handling Procedures or Limitation on approval:

Generator Conditions

- The waste profile number must appear on the shipping papers.

WM Authorization Name: Ben Dahlby Title: Waste Approval Manager

WM Authorization Signature: Date: 04/12/2024

Agency Authorization (if Required): _____ Date: _____

Date	Profile #	Manifest/Additional Documents	Ticket #	Material	Facility	Carrier	Vehicle	Tons/Tonnes	Material Quantity	Material Unit
4/19/2024	BIO140837WI	NA	2284708	Unspecified material, bioremediated, daily cover, PMT RGC	WI Orchard Ridge LF	FISCHER TRK	113	11.28	11.28	TON
4/19/2024	BIO140837WI	W	2284728	Unspecified material, bioremediated, daily cover, PMT RGC	WI Orchard Ridge LF	FISCHER TRK	111	22.88	22.88	TON
4/19/2024	BIO140837WI	na	2284737	Unspecified material, bioremediated, daily cover, PMT RGC	WI Orchard Ridge LF	TEAM FISCHER	114	21.19	21.19	TON
4/19/2024	BIO140837WI	na	2284757	Unspecified material, bioremediated, daily cover, PMT RGC	WI Orchard Ridge LF	TEAM FISCHER	113	23.11	23.11	TON
4/19/2024	BIO140837WI	na	2284774	Unspecified material, bioremediated, daily cover, PMT RGC	WI Orchard Ridge LF	TEAM FISCHER	111	24.5	24.5	TON
4/19/2024	BIO140837WI	na	2284788	Unspecified material, bioremediated, daily cover, PMT RGC	WI Orchard Ridge LF	TEAM FISCHER	114	20.22	20.22	TON
4/19/2024	BIO140837WI	NA	2284817	Unspecified material, bioremediated, daily cover, PMT RGC	WI Orchard Ridge LF	TEAM FISCHER	113	18.83	18.83	TON
4/19/2024	BIO140837WI	NA	2284838	Unspecified material, bioremediated, daily cover, PMT RGC	WI Orchard Ridge LF	TEAM FISCHER	111	22.27	22.27	TON
4/19/2024	BIO140837WI	NA	2284843	Unspecified material, bioremediated, daily cover, PMT RGC	WI Orchard Ridge LF	TEAM FISCHER	114	18.14	18.14	TON
4/19/2024	BIO140837WI	NA	2284873	Unspecified material, bioremediated, daily cover, PMT RGC	WI Orchard Ridge LF	TEAM FISCHER	113	21.52	21.52	TON
4/19/2024	BIO140837WI	NA	2284888	Unspecified material, bioremediated, daily cover, PMT RGC	WI Orchard Ridge LF	FISCHER TRK	111	21.77	21.77	TON
							Truck Loads	11 Total Tons	225.71	

3012

NON-HAZARDOUS WASTE MANIFEST

1. Generator ID Number

2. Page 1 of

3. Emergency Response Phone

4. Waste Tracking Number

800-424-8300

0037492

5. Generator's Name and Mailing Address

SIGMA
3945 N DR MARTIN LUTHER KING
MILWAUKEE WI 53212

Generator's Site Address (if different than mailing address)

6. Transporter 1 Company Name

GFL ENVIRONMENTAL SERVICES USA INC dba FUTURE ENV-WISC

U.S. EPA ID Number

W0000122358

7. Transporter 2 Company Name

U.S. EPA ID Number

8. Designated Facility Name and Site Address

GFL ENVIRONMENTAL
1900 E COLLEGE AVE
WISCONSIN WI 53110

U.S. EPA ID Number

W0000177358

Facility's Phone:

9. Waste Shipping Name and Description

10. Containers

11. Total Quantity

12. Unit Wt./Vol.

No.

Type

NON-HAZARDOUS, NON-REGULATED BY DOT

(GROWNS WATER)

001

TT

650

G

2.

3.

4.

13. Special Handling Instructions and Additional Information

14. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations.

Generator's/Offoror's Printed/Typed Name

Signature

Month Day Year
04 19 24

15. International Shipments

Import to U.S.

Export from U.S.

Port of entry/exit:

Transporter Signature (for exports only):

Date leaving U.S.:

16. Transporter Acknowledgment of Receipt of Materials

Transporter 1 Printed/Typed Name

Signature

Month Day Year
04 19 24

Transporter 2 Printed/Typed Name

Signature

Month Day Year

17. Discrepancy

17a. Discrepancy Indication Space

Quantity

Type

Residue

Partial Rejection

Full Rejection

Manifest Reference Number:

17b. Alternate Facility (or Generator)

U.S. EPA ID Number

Facility's Phone:

17c. Signature of Alternate Facility (or Generator)

Month Day Year

18. Designated Facility Owner or Operator: Certification of receipt of materials covered by the manifest except as noted in Item 17a

Printed/Typed Name

Signature

Month Day Year
4 19 24

GENERATOR

INT'L

TRANSPORTER

DESIGNATED FACILITY