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DOC.# 10163507

RECORDED 09/21/2012 09:37AM  
JOHN LA FAVE  
REGISTER OF DEEDS  
Milwaukee County, WI  
AMOUNT: 30.00  
FEE EXEMPT #:

OCT 11 2012

Document Number

NOTICE OF CONTAMINATION

Legal Description of the Property:

Lots 1, 2, 3, and 4 in Block 7 in Fond du Lac Avenue Addition of Lots 13 to 35, both inclusive, of Cawkers Subdivision of the Northeast ¼ of Section 13, Town 7 North, Range 21 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin.

STATE OF WISCONSIN,  
COUNTY OF Milwaukee

Recording Area

Name and Return Address:  
John J, Hnat, CPG, PG  
Wisconsin Dept. of Natural Resources  
2300 Dr M L King Dr  
Milwaukee, WI 53212

309-0679-5  
Parcel Identification Number (PIN)

I, Mark E. Gordon, being first duly sworn, state that:

1. I am a Remediation and Redevelopment Program Supervisor, employed by the Wisconsin Department of Natural Resources (hereinafter "the Department") at its Southeast Regional Office in Milwaukee, Wisconsin.
2. John J. Hnat, Project Manager/Hydrogeologist, employed by the Wisconsin Department of Natural Resources at its Southeast Regional Office in Milwaukee, Wisconsin, has personal knowledge of the facts herein set forth and believes the same to be true.
3. Based on information submitted to the Department, the Department has determined that contaminants discharged to the former A-1 Bumper/Custom Plating property, which is located at 2879 North 30<sup>th</sup> Street, in the City of Milwaukee, County of Milwaukee, and which has the above legal description, has contaminated soil in the vicinity of a former storage area for hazardous wastes, as shown on the attached site map (Exhibit A) and the tables of soil sample analytical results (Exhibit B, C, and D) that indicate levels of contamination that exceed the residual contaminant levels for hexavalent Chromium, Arsenic, and gasoline range organics (GRO). The BRRTS number for this site is 02-41-000661 and the FID number is 241026940.
4. On May 3, 2001, the Department issued a Conditional Closure Letter (Gina Keenan, Hydrogeologist, WDNR) to Joseph Taylor, 30<sup>th</sup> Street Industrial Corridor P. O. Box 16498 Milwaukee, Wisconsin. In this letter, the Department required a deed restriction be placed on the title to the property for residual soil contamination left in-place and the submittal of a cap maintenance plan for the property before final closure would be granted.
5. On April 22, 2002, a "DNR Deed Restriction" document was filed at the Register's Office Milwaukee County, WI, Number: 8267855, against parcels 309-0679-000-5 and 309-0689-000-X. This document was not reviewed by the Department's legal staff as required in the Department's, "Guidance on Case Close Out and the Requirements for Institutional Controls and VPLE Environmental Insurance", PUB

In Re: Property Located in the  
City of Milwaukee, Milwaukee County, Wisconsin  
Described above.

RR-606, Text: October 2002 Forms Rev: October 2002, before filing at the Register of Deeds Office. Additionally, a Cap Maintenance plan and GIS Registry Packet (\$200 fee) for residual soil contamination was to be approved by the Department before final closure was granted. These documents and fee were not received at the Department for review and approval.

6. On July 6, 2005, the Department sent a certified letter (# 7003 2260 005 5358 4187) to Joseph Taylor, 30<sup>th</sup> Street Industrial Corridor P. O. Box 16498 Milwaukee, Wisconsin reminding him of the conditional closure requirements, stated in the Department's letter dated May 3, 2001. There was no response to this letter after 30 days.
7. On September 7, 2007, the Department sent a letter to David Reynolds of National Business Enterprises Durable Medical Equipment Division located at 2880 North 30<sup>th</sup> Street Milwaukee, Wisconsin. In this letter, the Department discussed that they are the current owner of the property according to Tory Kress (Milwaukee Department of City Development) and to investigate and remediate the property (2879 North 30<sup>th</sup> Street and 3021 West Locust Street) under the March 2002, Statute 75.106 (assignment of property contaminated by hazardous substances) Agreement. The letter also reminded them to submit the Cap maintenance Plan, GIS Registry packet and \$200 fee. There was no response after 30 days.
8. On February 19, 2008, the Department sent a Notice of Non Compliance certified letter (# 7005 1820 0008 1888 8354) to David Reynolds of National Business Enterprises Durable Medical Equipment Division located at 2880 North 30<sup>th</sup> Street Milwaukee, Wisconsin. This letter reminded David Reynolds of National Business Enterprises Durable Medical Equipment Division of the requirements to fulfill Statute 75.106 and submittal of the Cap maintenance Plan, GIS Registry packet and \$200 fee. There was no response after 30 days.
9. On May 23, 2008, the Department sent a Notice of Non Compliance certified letter (# 7007 1490 0003 1778 3397) to David Reynolds of National Business Enterprises Durable Medical Equipment Division located at 2880 North 30<sup>th</sup> Street Milwaukee, Wisconsin. This letter reminded David Reynolds of National Business Enterprises Durable Medical Equipment Division of the requirements to fulfill Statute 75.106 and submittal of the Cap maintenance Plan, GIS Registry packet and \$200 fee. There was no response after 30 days.
10. On May 12, 2009, the Department (Debby Roszak, WDNR Environmental Enforcement) issued a Notice of Violation letter (Case track # 2009-SEEE-027) to The Specializers Corporation located at 6910 West Brown Deer Road, Suite 287, Milwaukee, Wisconsin and James Holt, Registered Agent of National Business Enterprises, Inc. located at 2880 North 30<sup>th</sup> Street Milwaukee, Wisconsin. The Specializers Corporation were in violation of Wisconsin Administrative Codes Section NR 724.13(2) [operation and maintenance plan], S. NR 724.13(4) [plan revisions], S. NR 726.05(2)(a) [general requirements for case closure], and S. NR 749.03 (related to applicable fee submittals). The conference date was scheduled for May 26, 2009 at 9:00 a.m. at the DNR Southeast Regional Headquarters. The Specializers Corporation and James Holt did not appear at the scheduled meeting.
11. On May 11, 2011, the Department sent a certified letter (# 7010 1670 0002 3141 2708) to The Specializers Corporation located at 2880 North 30<sup>th</sup> Street, Suite 203, Milwaukee, Wisconsin reminding them that did not appear at the Notice of Violation meeting on May 12, 2009 and that the Department still had not received the Cap Maintenance Plan, GIS Registry packet for contaminated soil and required \$200 fee. There was no response to this letter after 30-days.
12. On July 19, 2012, the Department conducted an internet search for The Specializers Corporation. The

In Re: Property Located in the  
City of Milwaukee, Milwaukee County, Wisconsin  
Described above.

City of Milwaukee Property Tax records indicated that the address changed to 8139 West Casper Street Milwaukee, Wisconsin. The Department located and called the telephone number at 414-871-0100, as listed on the internet search. The telephone number was disconnected. The secondary telephone number, 414-871-4208, was called and resulted in a wrong telephone number.

- 13. On July 20, 2012, the Department sent a certified letter (#7010 1670 0002 3141 3293) to The Specializers Corporation at 8139 West Casper Street Milwaukee, Wisconsin reminding them, as owners of the property, their obligation to submit a Cap Maintenance Plan, GIS Registry Packet for residual soil contamination, and required fee (\$200) to complete the closure of this case. The Letter was signed by Annie Holt on July 24, 2012. There was no reply to this letter.
- 14. The Department believes that the above-described contamination currently found in the soil on the Property with the above legal description will require subsequent purchasers of the Property to maintain a cap under 292.12, Wisconsin Statutes, to prevent exposure to contaminated soil.

*Mark E. Gordon*

Mark E. Gordon

Subscribed and sworn to before me this 14 day of September, 2012

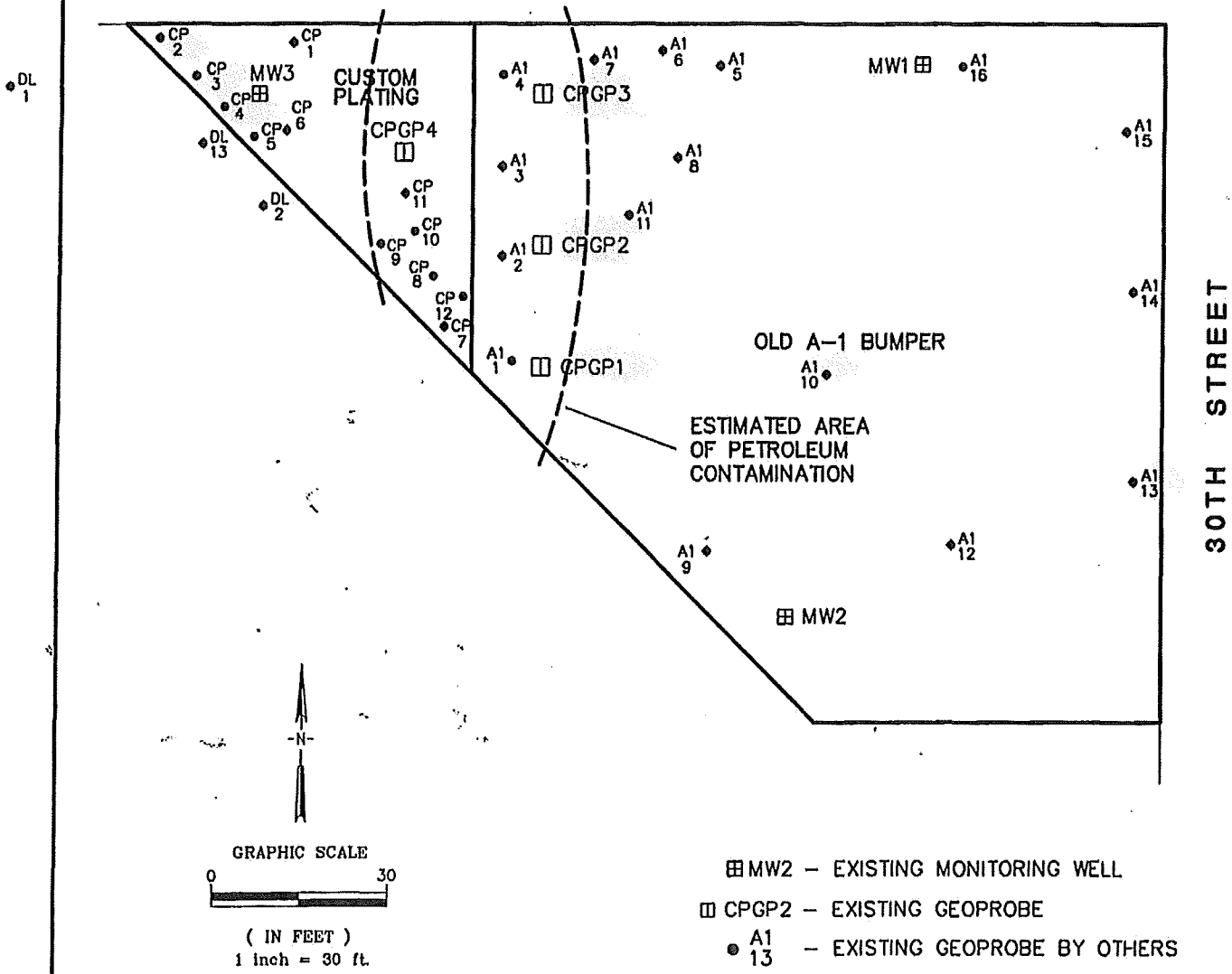
*Sally A. Seeger*  
Notary Public, State of Wisconsin  
SALLY A SEEGER

My commission expires on:  
May 23, 2016



"Exhibit A"

W. LOCUST ST.



- ⊞ MW2 - EXISTING MONITORING WELL
- ⊞ CPGP2 - EXISTING GEOPROBE
- A1 13 - EXISTING GEOPROBE BY OTHERS

30TH STREET

|                      |           |  |
|----------------------|-----------|--|
| DATE<br>1-7-99       | BY<br>SAB | CLIENT: A-1 BUMPER/CUSTOM PLATING<br>JOB:<br>LOCATION: 30TH & LOCUST STREETS<br>MILWAUKEE, WISCONSIN |
| JOB. NO.<br>13323E5E | CK<br>PGP |  |

MILLER

FIGURE 6 - ESTIMATED EXTENT OF CONTAMINATION BY DETROIT PUMPS

"Exhibit B"



NATIONAL ENVIRONMENTAL TESTING, INC.

Watertown Division
602 Commerce Drive
P.O. Box 288
Watertown, WI 53094
Tel: (920) 261-1660
Fax: (920) 261-8120
WDNR No. 128053530

ANALYTICAL REPORT

Mr. Pete Pittner
MILLER ENGINEERS
5308 S 12th Street
Sheboygan, WI 53081

09/01/1998
Job No: 98.07502
Sample No: 311330
Account No: 51000
Page 4

JOB DESCRIPTION: A-1 Bumper ICC
PROJECT DESCRIPTION: Soil Analysis
SAMPLE DESCRIPTION: CPG P2 #1 A-1 Bumper
Rec'd 3 degrees C

Date Taken: 08/18/1998 09:15

Date Received: 08/18/1998

Table with 7 columns: Parameter, Results, Units, Reporting Limit, Method, Date Analyzed, Prep/Run Batch. Rows include Chromium, hexavalent; Solids, Total; Chromium, AA; Lead, AA; SPLP - Chromium, AA; Prep, SPLP - 1312.

Exhibit B

Exhibit C

**TABLE 1**  
*Soil Analytic Test Results (Pre-August 1998)*

A-1 Bumper  
Milwaukee, Wisconsin  
Job Number: 13323E

| Sample | Depth (ft) | Lead (ppm) | Arsenic (ppm) | Chromium (ppm) | Selenium (ppm) | Barium (ppm) | Cyanide (ppm) |
|--------|------------|------------|---------------|----------------|----------------|--------------|---------------|
| A1 01  | 0-4        | --         | --            | 1.9            | 0.11           | 0.52         | 0.12          |
| A1 02  | 0-4        | --         | --            | --             | 0.13           | 0.13         | 0.05          |
| A1 02  | 6-8        | --         | --            | 0.17           | 0.14           | 1            | 0.63          |
| A1 03  | 4-6        | --         | --            | 0.64           | 0.12           | --           | 1.2           |
| A1 03  | 8-10       | --         | --            | 1.2            | --             | --           | 0.49          |
| A1 04  | 4-6        | --         | --            | --             | --             | --           | --            |
| A1 05  | 2-6        | --         | --            | --             | 0.15           | --           | 1.6           |
| A1 06  | 0-6        | --         | --            | --             | --             | --           | 0.12          |
| A1 07  | 0-2        | --         | --            | --             | --             | 0.46         | --            |
| A1 07  | 2-4        | --         | --            | --             | 0.13           | --           | 0.06          |
| A1 08  | 2-4        | --         | --            | --             | 0.13           | --           | 1.8           |
| A1 08  | 4-6        | --         | --            | --             | --             | --           | 0.4           |
| A1 09  | 4-6        | --         | --            | --             | 0.1            | --           | --            |
| A1 09  | 6-8        | --         | --            | --             | --             | --           | 0.56          |
| A1 09  | 8-10       | --         | --            | --             | 0.12           | --           | 0.015         |
| A1 10  | 4-7        | --         | 0.11          | --             | --             | 1            | --            |
| A1 11  | 0-2        | --         | --            | --             | --             | 1.1          | 0.18          |
| A1 11  | 2-4        | --         | --            | --             | --             | 1.3          | 0.11          |
| A1 11  | 8-10       | --         | --            | --             | --             | 1.6          | --            |
| A1 12  | 0-2        | --         | --            | --             | --             | 1            | --            |
| A1 12  | 8-10       | --         | --            | --             | --             | 0.48         | 0.055         |
| A1 13  | 0-2        | --         | 0.12          | --             | --             | 0.79         | --            |
| A1 14  | 0-2        | --         | --            | --             | --             | 1.1          | --            |
| A1 14  | 2-4        | --         | --            | --             | --             | 1.3          | --            |
| A1 15  | 0-2        | --         | --            | --             | --             | 1.1          | --            |
| A1 16  | 2-4        | --         | --            | --             | --             | 1.2          | --            |
| A1 16  | 8-10       | --         | --            | --             | --             | 0.83         | --            |
| CP 01  | 2-4        | --         | --            | 12             | --             | 0.97         | 0.52          |
| CP 01  | 4-6        | --         | --            | 12             | --             | 0.55         | 0.56          |
| CP 02  | 0-2        | 1.6        | --            | --             | --             | 0.36         | 1.2           |
| CP 02  | 6-8        | --         | 0.19          | 1              | --             | 1            | 0.13          |
| CP 03  | 0-3        | --         | --            | 4.8            | --             | 0.5          | 16            |
| CP 03  | 2-4        | --         | --            | 5.8            | --             | 0.5          | --            |
| CP 03  | 4-6        | --         | --            | --             | --             | 1.6          | --            |
| CP 03  | 10-12      | --         | 0.12          | 1              | --             | 0.72         | --            |
| CP 03  | 12-14      | --         | --            | 0.73           | --             | 0.54         | --            |

"Exhibit C"

**TABLE 1: Soil Analytic Test Results (Pre-August 1998) (Continued)**

| <u>Sample</u> | <u>Depth<br/>(ft)</u> | <u>Lead<br/>(ppm)</u> | <u>Arsenic<br/>(ppm)</u> | <u>Chromium<br/>(ppm)</u> | <u>Selenium<br/>(ppm)</u> | <u>Barium<br/>(ppm)</u> | <u>Cyanide<br/>(ppm)</u> |
|---------------|-----------------------|-----------------------|--------------------------|---------------------------|---------------------------|-------------------------|--------------------------|
| CP 04         | 0-2                   | 0.6                   | 0.11                     | 14                        | --                        | 2.2                     | 4.7                      |
| CP 04         | 4-6                   | --                    | --                       | --                        | --                        | 0.43                    | 0.18                     |
| CP 04         | 6-8                   | --                    | --                       | 7                         | --                        | 0.87                    | 0.19                     |
| CP 04         | 10-12                 | --                    | --                       | --                        | --                        | 0.67                    | --                       |
| CP 05         | 2-4                   | --                    | --                       | 1.1                       | --                        | 0.83                    | 53                       |
| CP 05         | 6-8                   | --                    | --                       | --                        | --                        | 0.95                    | 19                       |
| CP 05         | 12-13                 | --                    | --                       | --                        | --                        | 1.7                     | --                       |
| CP 06         | 4-6                   | 0.13                  | --                       | --                        | --                        | 0.52                    | 1.4                      |
| CP 06         | 8-10                  | --                    | --                       | --                        | --                        | 0.97                    | --                       |
| CP 07         | 0-2                   | --                    | --                       | 0.39                      | --                        | 0.6                     | --                       |
| CP 07         | 4-6                   | --                    | --                       | --                        | --                        | 0.39                    | --                       |
| CP 08         | 0-2                   | --                    | --                       | --                        | --                        | 2.5                     | 0.38                     |
| CP 08         | 4-6                   | --                    | --                       | 3.1                       | --                        | 1                       | --                       |
| CP 08         | 6-8                   | --                    | --                       | --                        | --                        | 0.87                    | 0.065                    |
| CP 09         | 0-2                   | --                    | --                       | --                        | --                        | 2                       | --                       |
| CP 09         | 4-6                   | --                    | --                       | --                        | --                        | 0.58                    | --                       |
| CP 09         | 8-10                  | --                    | --                       | --                        | --                        | 1.1                     | --                       |
| CP 10         | 0-2                   | --                    | --                       | --                        | --                        | 1.5                     | 0.61                     |
| CP 10         | 4-6                   | --                    | --                       | 0.83                      | --                        | 0.86                    | --                       |
| CP 11         | 0-2                   | --                    | --                       | --                        | --                        | 0.27                    | 0.055                    |
| CP 11         | 4-6                   | --                    | --                       | --                        | --                        | 1.4                     | --                       |
| CP 12         | 0-2                   | --                    | --                       | --                        | --                        | 1.3                     | --                       |
| CP 12         | 2-4                   | --                    | --                       | 3.9                       | --                        | 0.91                    | --                       |
| CP 12         | 6-8                   | --                    | --                       | 1.5                       | --                        | 0.98                    | --                       |
| DL 01         | 4-6                   | --                    | --                       | --                        | --                        | 1.2                     | --                       |
| DL 01         | 6-8                   | --                    | --                       | --                        | --                        | 1.6                     | --                       |
| DL 02         | 0-2                   | --                    | --                       | --                        | --                        | 1.2                     | --                       |
| DL 02         | 4-6                   | --                    | --                       | 1.2                       | --                        | 0.43                    | 0.37                     |
| DL 03         | 4-6                   | --                    | --                       | --                        | --                        | 0.94                    | --                       |
| DL 03         | 6-8                   | --                    | --                       | 0.36                      | --                        | 0.73                    | --                       |

N:\13323\ENSO\REPA98.WB2

"Exhibit D"

**TABLE 2**  
*Soil Analytic Test Results (August 18, 1998)*

A-1 Bumper  
Milwaukee, Wisconsin  
Job Number: 13323E

| Analyte (µg/kg)               | CPG P1 #2  | CPG P1 #3 | CPG P2 #1 | CPG P3 #1 | CPG P3 #2  | MW-1 #4 | MW-3 #3   | NR 720 Soil |
|-------------------------------|------------|-----------|-----------|-----------|------------|---------|-----------|-------------|
|                               |            |           |           |           |            |         |           | Standards   |
| Benzene                       | <280       | <33       | —         | —         | <320       | <31     | <b>61</b> | 5.5         |
| Ethylbenzene                  | <280       | <33       | —         | —         | <320       | <31     | <33       | 2,900       |
| MTBE                          | <280       | <33       | —         | —         | <320       | <31     | <33       | —           |
| Toluene                       | <280       | <33       | —         | —         | <320       | <31     | <33       | 1,500       |
| 1,2,4-Trimethylbenzene        | 2,450      | 132       | —         | —         | 1,750      | 54      | <33       | —           |
| 1,3,5-Trimethylbenzene        | <334       | <33       | —         | —         | <479       | <31     | <33       | —           |
| Xylenes                       | <840       | <99       | —         | —         | <970       | <91     | <98       | 4,100       |
| GRO (mg/kg)                   | <b>468</b> | 12        | —         | —         | <b>386</b> | <6.0    | <6.5      | 100         |
| Chromium (hexavalent) (mg/kg) | 3.6        | <0.10     | 60        | 1.3       | 1.2        | —       | —         | 200         |
| Depth (ft)                    | 4-8'       | 8-12'     | 1-5'      | 1-4'      | 4-8'       | 10-12'  | 7.5-9.5'  |             |

**Bold type indicates exceedance of NR720 Soil Standards.**

< = Not detected above laboratory limit of detection (LOD)

— = Not Analyzed

GRO = Gasoline Range Organics (WI Modified Method)