State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
3911 Fish Hatchery Rd
Fitchburg, Wi 53711

Tony Evers, Governor
Preston D. Cole, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711

WISCONSIN
DEPT. OF NATURAL RESOURCES

March 12, 2019

Mr. Alex King
American Family Financial Services Inc
6000 American Parkway
Madison, WI 53783

SUBJECT: **Post-Closure Modification Work**
Former Don Miller Property, (Spark), 821 E. Washington Avenue, Madison, WI
DNR BRRTS # 02-13-577635

Dear Mr. King:

On March 16, 2017 the Wisconsin Department of Natural Resources (Department) approved the 'Post-Closure Modification Request' Spark, Former Don Miller Property, 821 East Washington Avenue, Madison, Wisconsin that was prepared by SCS Engineers.

The conditions of the Department's March 16, 2017 Post-Closure Modification Request approval letter have been satisfied. No additional work pertaining to the Post-Closure Modification Work is needed.

Documentation of the site work titled "Materials Management Documentation, Spark, 821 East Washington Avenue, Madison, Wisconsin" dated March 5, 2019, and submitted by SCS Engineers was received on March 5, 2019. An updated Cover (Barrier or Cap) Maintenance Plan dated March 5, 2019 has been submitted by SCS Engineers. The documentation report and Cover Maintenance Plan described and documented the following:

- Contaminated soil (10,431.49 tons) was excavated to the extent practicable and disposed at the Waste Management Madison Prairie disposal facility.
- Additional soil from foundation excavation work and the geothermal well drilling project were determined to be exempt soils and were taken to Mandt fill site in Fitchburg.
- Two small, previously undetermined underground storage tanks were found and removed during excavation work at the site. The tanks and soil were appropriately addressed by SCS Engineers.
- A revised Cover (Barrier or Cap) Maintenance Plan was submitted and found to be acceptable. The new building and associated features form an effective barrier to human contact with soil contamination that may remain on the site.
- A permit to discharge wastewater to the sewer system for dewatering projects or lightly contaminated water was obtained for the site work. Approximately 181,440 gallons of water were discharged between May 1 and May 27, 2017.
- A report on the excavation, development activities and site status was submitted to the department after the completion of the site work.

You are reminded to review the continuing obligations for the site and perform any inspections, maintenance or monitoring associated with those obligations.

If you have any questions regarding this decision or anything outlined in this letter, please contact Wendell Wojner at (608) 275-3297 or by e-mail at Wendell.Wojner@wisconsin.gov.

Sincerely,

Steven L. Martin, P.G.
South Central Region Team Supervisor
Remediation and Redevelopment Program

cc: Eric Oelkers, SCS Engineers, 2840 Dairy Drive, Madison, Wisconsin 53718-6751

Attached: Cover (Barrier or Cap) Maintenance Plan prepared by SCS Engineers, dated March 5, 2019

COVER (BARRIER OR CAP) MAINTENANCE PLAN

March 5, 2019

RECEIVED

MAR 07 2019

DNR R & R
SOUTH CENTRAL REGION

Property Located at: 821 East Washington Avenue, Madison, WI 53703

WDNR BRRTS #: 02-13-577635

Parcel ID: 0709-134-1016-7

INTRODUCTION

This document is the Maintenance Plan for the cover system consisting of a building, paved plaza, and limited areas of landscaping at the above- referenced property in accordance with the requirements of s. NR 724.13(2), Wisconsin Administrative Code. The maintenance activities relate primarily to the concrete plaza and landscaping areas that overlie the residual contaminated soil that may remain on site.

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

- The case file in the WDNR South-Central regional office;
- At http://dnr.wi.gov/topic/Brownfields/wrrd.html, which includes:
  - BRRTS on the Web (WDNR's internet based data base of contaminated sites)for the link to a PDF for site-specific information at the time of closure and on continuing obligations;
- GIS Registry PDF file for further information on the nature and extent of contamination: https://dnr.wi.gov/topic/Brownfields/botw.html and
- The WDNR project manager for Dane County.

Descriptions:

Description of Contamination

Various site investigations identified petroleum products and/or historical industrial fill in the soil at much of the site extending from the ground surface depths of 5 to 8 feet. The locations of the most recent soil samples collected prior to the construction of the Spark building are shown on **Figure 1.** Results of laboratory analyses performed during the most recent site investigation for volatile organic compounds (VOCs), polynuclear aromatic hydrocarbons (PAHs), and metals in soil are summarized in **Tables 1**, **2** and **3**, respectively. Approximately 10,430 tons of contaminated soil were excavated and disposed at the Madison Prairie Landfill during redevelopment of the site in 2017. The average depth of excavation was approximately five feet, so it is likely that very little, if any, contaminated soil remains within four feet of the ground surface on the site.

Description of the Cap to be Maintained

The Cap consists of a combination the Spark building, concrete pavement, and small areas of landscaping. The landscaped areas are all underlain by a foot or more of clean soil. The distribution cap materials are shown on the attached Site Plan (**Drawing C200**). Photos of the cap are provided in **Exhibit A.**

Cap and Building Barrier Purpose

The building, concrete pavement and clean soil in landscaped areas over the contaminated soil that may remain on site serve as a barrier to prevent direct human contact with residual soil contamination that might otherwise pose a threat to human health. Based on the current commercial use of the property, the barrier should function as intended for the foreseeable future.

Annual Inspection

The cap overlying the contaminated soil as depicted on **Drawing C200** will be inspected once a year, normally in the spring after all snow and ice is gone, for pitting, erosion, and other potential problems that may cause exposure to underlying soils. The inspections will be performed by the property owner or their designated representative. The inspections will be performed to evaluate damage due to settling, exposure to the weather, wear from traffic, and other factors. Any area where contaminated soils have become or are likely to become exposed will be documented. A log of the inspections and any repairs will be maintained by the property owner and is included as **Exhibit B 4400-305, Continuing Obligations Inspection and Maintenance Log.** The log will include recommendations for necessary repair of any areas where underlying soils are exposed. Once repairs are completed, they will be documented in the inspection log. A copy of the inspection log will be kept at the address of the property owner and available for submittal or inspection by WDNR representatives upon their request.

Maintenance Activities

If problems are noted during the annual inspections or at any other time during the year, repairs will be scheduled as soon as practical. Repairs can include patching and filling or larger resurfacing or construction operations. In the event that necessary maintenance activities expose the underlying soil, the owner must inform maintenance workers of the direct contact exposure hazard and provide them with appropriate personal protection equipment (PPE). The owner must also sample any soil that is excavated from the site prior to disposal to ascertain if contamination remains. The soil must be treated, stored, and disposed of by the owner in accordance with applicable local, state, and federal law.

In the event the cap overlying the contaminated soil is removed or replaced, the replacement barrier must provide an equal measure of protection. Any replacement barrier will be subject to the same maintenance and inspection guidelines as outlined in this Maintenance Plan unless indicated otherwise by the WDNR or its successor.

The property owner, in order to maintain the integrity of the cap, will maintain a copy of this Maintenance Plan on site and make it available to all interested parties (i.e., on-site employees, contractors, future property owners, etc.) for viewing.

Prohibition of Activities and Notification of WDNR Prior to Actions Affecting a Cover/Barrier

The following activities are prohibited on any portion of the property where the cap is required as shown on the attached map, unless prior written approval has been obtained from the WDNR:

1. removal of the existing barrier;
2. replacement with another barrier;
3. excavating or grading of the land surface;
4. filling on capped or paved areas;
5. plowing for agricultural cultivation; or
6. construction or placement of a building or other structure.

Amendment or Withdrawal of Maintenance Plan

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

Contact Information

March 2019

Site Owner and Operator:	American Family Financial Services, Inc. 6000 American Parkway Madison, WI 53783 (608) 242-4100
Consultant:	SCS Engineers 2830 Dairy Drive Madison, WI 53718 (608) 224-2830
WDNR:	Wendell Wojner 3911 Fish Hatchery Road Fitchburg, WI 53711 (608) 275-3297

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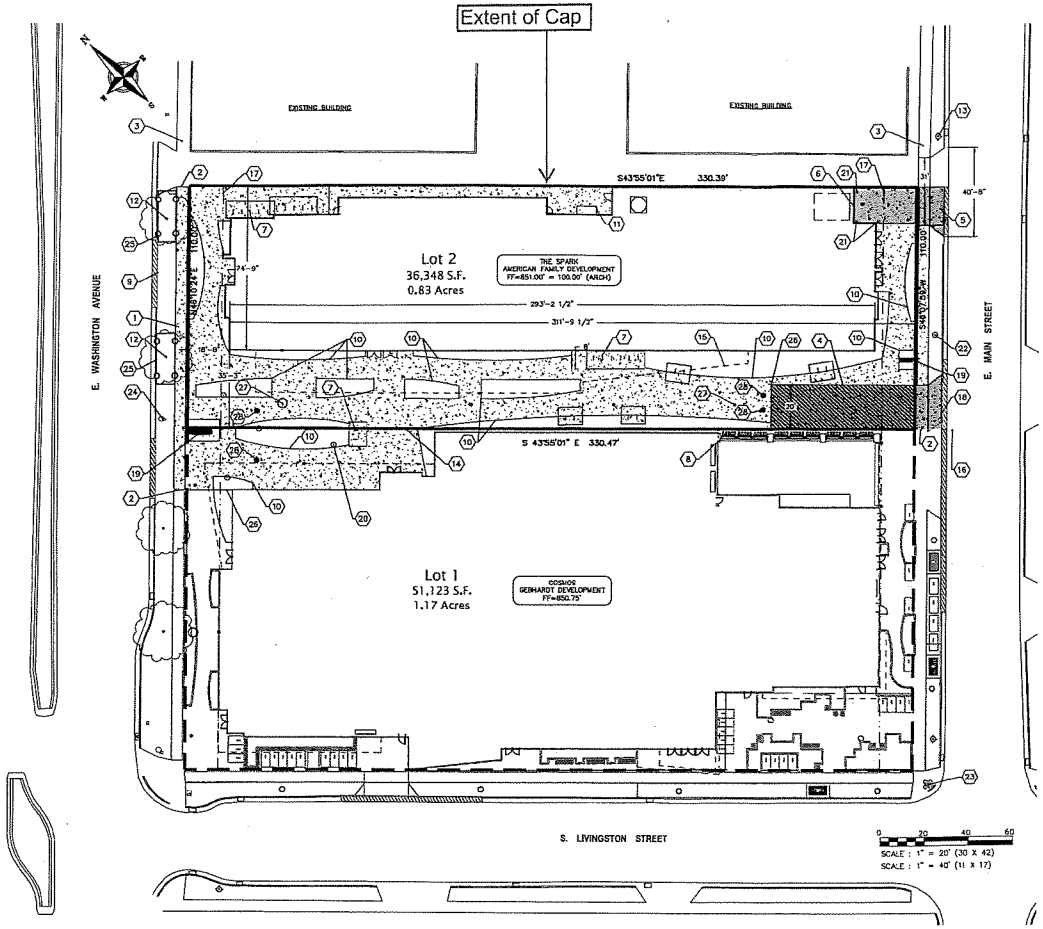

PLAN KEY

1. CONCRETE SIDEWALK, TYP. (1/800)
2. MATCH EXISTING SIDEWALK, TYP.
3. EXISTING SIDEWALK TO REMAIN, TYP.
4. SIDEWALK TO BE 7" THICK IN FIRELANE SECTION
5. NEW DRIVEWAY APPROACH SHALL BE IN ACCORDANCE WITH CITY STANDARDS
6. DELIVERY/REFUSE AREA
7. BICYCLE RACK (56 TOTAL STALLS), TYP.
8. VERTICAL BICYCLE RACK (50 TOTAL STALLS), BY COSMOS
9. EXISTING DRIVEWAY TO BE ABANDONED IN ACCORDANCE WITH CITY STANDARDS W/ CURB REPLACED & TERRACE RESTORED
10. LANDSCAPE AREA, TYP. SEE LANDSCAPE PLANS
11. 6'X4'X5" THICK CONCRETE GAS METER PAD
12. EX TREE, TYP.
13. EXISTING FIRE HYDRANT
14. LOT LINE
15. CANOPY/UPPER FLOOR OVERHANG, TYP.
16. SPARK/COSMOS WORK LINE
17. 15' BUILDING SETBACK FROM PROPERTY LINE
18. ROLL CURB TO BE PROVIDED FOR FIRE LANE ENTRANCE (7/800)
19. MONUMENT SIGN
20. LIGHT FIXTURE, TYP. SEE LIGHTING PLAN
21. BOLLARD (2/800)
22. PEDESTRIAN LIGHT (10' HIGH POLE)
23. STREET LIGHT (30' HIGH POLE)
24. EXISTING STREET LIGHT
25. TREE PROTECTION, TYP. (1/C800)
26. FIRE LANE
27. STORM INLET, TYP. SEE UTILITY PLAN
28. PRECAST CONCRETE BOLLARD. FINAL LOCATION TO BE COORDINATED WITH PLAZA FINAL DESIGN (4/C800)

PAVEMENT KEY

- CONCRETE (1/800) (3/800) (4/800)
- CONCRETE PAVEMENT (3/800)
- FIRE LANE (5/800)

SITE INFORMATION

SITE ADDRESS: 821 EAST WASHINGTON AVENUE

SITE ACREAGE TOTAL:
LOT 2: 36,348 SQ. FT. (0.83 ACRES)

LOT COVERAGE:
LOT 2: 29,248 SQ. FT. (80% IMPERVIOUS, INCLUDES 3,020 SF VEGETATED ROOF)

eu:a
eppstein uhen : architects
milwaukee 333 East Chicago Street Milwaukee, Wisconsin 53202 Telephone 414.271.3300
madison 308 West Mifflin Street, Suite 200 Madison, Wisconsin 53703 Telephone 608.441.3300

design studio
330 West Lakeside Street
Madison, WI 53715
608.358.6344

PROFESSIONAL ENGINEERING LLC
818 N Meadowbrook Ln
Waunakee, WI 53597
(608) 849-9378

PROJECT INFORMATION

THE SPARK

821 E WASHINGTON AVE
MADISON, WI

spark

ISSUANCE AND REVISIONS

ISSUED FOR CONSTRUCTION

#	DATE	DESCRIPTION

SHEET INFORMATION

PROJECT MANAGER	RJ
PROJECT NUMBER	215562-01
DATE	MAY 4, 2017

SITE PLAN

C200

State of Wisconsin
Department of Natural Resources
dnr.wi.gov

Continuing Obligations Inspection and Maintenance Log

Form 4400-305 (2/14)

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

Activity (Site) Name	BRRTS No.
Spark - 821 E. Washington Ave., Madison	02-13-577635

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

- (●) annually
- ( ) semi-annually
- ( ) other – specify _____

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

Inspection Date	Inspector Name	Item	Describe the condition of the item that is being inspected	Recommendations for repair or maintenance	Previous recommendations implemented?	Photographs taken and attached?
		☐ monitoring well ☐ cover/barrier ☐ vapor mitigation system ☐ other:			○ Y ○ N	○ Y ○ N
		☐ monitoring well ☐ cover/barrier ☐ vapor mitigation system ☐ other:			○ Y ○ N	○ Y ○ N
		☐ monitoring well ☐ cover/barrier ☐ vapor mitigation system ☐ other:			○ Y ○ N	○ Y ○ N
		☐ monitoring well ☐ cover/barrier ☐ vapor mitigation system ☐ other:			○ Y ○ N	○ Y ○ N
		☐ monitoring well ☐ cover/barrier ☐ vapor mitigation system ☐ other:			○ Y ○ N	○ Y ○ N
		☐ monitoring well ☐ cover/barrier ☐ vapor mitigation system ☐ other:			○ Y ○ N	○ Y ○ N

02-13-577635
BRRTS No.

Spark - 821 E. Washington Ave., Madison
Activity (Site) Name

Continuing Obligations Inspection and Maintenance Log

Form 4400-305 (2/14)

{Click to Add/Edit Image}

Date added:

Title:

{Click to Add/Edit Image}

Date added:

Title: