State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
1300 W. Clairemont Ave.
Eau Claire WI 54701

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

October 10, 2019

Dave Peters
1620 S. Hastings Way
Eau Claire WI 54701

Wayne Volland
Volland Investment Properties
2605 Tarpon Road
Naples, Fl 34102

KEEP THIS DOCUMENT WITH YOUR PROPERTY RECORDS

Subject: Addendum to the Closure Letter of October 26, 2005
Four Season FS, 403 North Clairemont Avenue, Eau Claire, Wisconsin
DNR BRRTS Activity #: 03-18-270749

Dear Mr. Peters and Mr. Volland:

On October 26, 2005, the Department of Natural Resources (DNR) issued a Final Case Closure letter for the property identified above, with continuing obligations. The continuing obligations address potential exposure to Diesel Range Organics (DRO) that remain in soil. Changes to the requirements of the case closure letter are identified in this addendum, in the Revised Conditions of Closure section. Other continuing obligations included in the final case closure letter remain in effect. This addendum is the final approval of the request submitted to the DNR on September 10, 2019, following completion and documentation of actions taken.

In order to extinguish the deed notice for remaining soil contamination, Cedar Corporation, on behalf of Volland Investment Properties, submitted an application for a post closure modification (PCM). The proper technical assistance fees were received. The PCM would extinguish the previous deed notice with a written determination and closure letter addendum that is to be recorded at the county Register of Deeds by the property owner. The current property owner was properly notified of the original deed notice and of the Post Closure Modification. The department requests that you submit a copy of the recorded deed affidavit that references the written determination.

Revised Conditions of Closure

Continuing Obligations

The continuing obligations for this site are summarized below. Further details on actions required are found in the section Closure Conditions.

- Residual soil contamination exists that must be properly managed should it be excavated or removed.

The DNR fact sheet "Continuing Obligations for Environmental Protection," RR-819, helps to explain a property owner's responsibility for continuing obligations on their property. The fact sheet may be obtained at http://dnr.wi.gov/files/PDF/pubs/rr/RR819.pdf.

GIS Registry

This site will be included on the Bureau for Remediation and Redevelopment Tracking System (BRRTS on the Web) at http://dnr.wi.gov/topic/Brownfields/rrsm.html, to provide public notice of residual contamination and of any continuing obligations. The site can also be viewed on the Remediation and Redevelopment Sites Map (RRSM), a map view, under the Geographic Information System (GIS) Registry layer, at the same web address.

Closure Conditions

Compliance with the requirements of this letter is a responsibility to which you and any subsequent property owners must adhere.

Residual Soil Contamination (ch. NR 718, or ch. 289, Stats.; chs. 500 to 536, Wis. Adm. Code)
Soil contamination remains on site in the vicinity of Excavation 2, as indicated on the attached figure 2. If soil in the specific location described above is excavated in the future, the property owner at the time of excavation must sample and analyze the excavated soil to determine if contamination remains. If sampling confirms that contamination is present, the property owner at the time of excavation will need to determine whether the material is considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable standards and rules. Contaminated soil may be managed in accordance with ch. NR 718, Wis. Adm. Code, with prior DNR approval.

This closure addendum letter and information submitted with the post-closure modification request will be included on the Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web (BOTW), online at dnr.wi.gov and search "BOTW", to provide public notice of residual contamination and continuing obligations. The site can also be viewed on the Remediation and Redevelopment Sites Map (RRSM), a map view at dnr.wi.gov and search "RRSM".

Thank you for your efforts to protect Wisconsin's environment. If you have any questions regarding this letter, please contact the DNR Project Manager, Steve Janowiak, at (715) 451-7850, or by email, at Steve.Janowiak@Wisconsin.gov.

Sincerely,

Dave Rozeboom
West Central Region Team Supervisor
Remediation and Redevelopment Program

Attachments:
- Final case closure letter October 26, 2005
- Figure 2
- Written Determination

cc: Matt Taylor, Cedar Corp.

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary
Scott Humrickhouse, Regional Director

Baldwin Service Center
890 Spruce Street
Baldwin, Wisconsin 54002
Telephone 715-684-2914
FAX 715-684-5940
TTY Access via relay - 711

October 26, 2005

Mr. Steve Hatfield
Crossroads Ag.
P.O. Box 70
Elk Mound, WI 54739

Subject: **Final Case Closure**
Four Seasons FS, 403 North Clairemont Ave., Eau Claire, Wisconsin
WDNR BRRTS # 03-18-270749

Dear Mr. Hatfield:

On September 13, 2001 your site as described above was reviewed for closure by the Department of Natural Resources. The Department reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. On September 24, 2001, you were notified that conditional closure was granted to this case.

On October 10, 2005, the Department received correspondence indicating that you have complied with the conditions of closure. On that date a copy of the recorded deed notice was submitted to me. Based on the correspondence and data provided, it appears that your case meets the screening criteria of s. NR 746.07 or s. NR 746.08, Wis. Adm. Code, and the requirements of ch. NR 726, Wis. Adm. Code. The Department considers this case closed and no further investigation, remediation or other action is required at this time.

FUTURE EXCAVATION OF RESIDUAL CONTAMINATED SOIL

Residual soil contamination remains in the shallow soils east of the former bulk fertilizer storage building and south of the middle warehouse as indicated in the information submitted to the Department of Natural Resources. If soil in these specific locations is excavated in the future, the property owner at the time of excavation will be required to sample and analyze the excavated soil to determine whether the contamination still remains. All current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard at the time of excavation.**Special precautions may need to be taken during excavation activities to prevent a direct contact health threat to humans.** Based upon the results of sample analysis, the current owner will also have to properly store, treat, or dispose of any excavated materials, in accordance with state and federal laws.

Please be aware that this case may be reopened pursuant to s.NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety or welfare, or the environment.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at 715 684-2914 ext. 117.

Sincerely,

Patrick J. Collins

Patrick J. Collins
Hydrogeologist
Bureau of Remediation & Redevelopment

cc: Robert Schwab, Stroud, Willink & Howard, 25 West Main Street, P.O. Box 2236, Madison, WI 53701-2236
Mr. Norm Johnson
Mr. Dennis Newman
Mr. Gerard Phalen
FILE

Cedar corporation

Menomonie Green Bay Madison Cedarburg

800-472-7372 • www.cedarcorp.com

JOB 511 Clairemont Ave. Property

CALCULATED BY _____ DATE _____

CHECK BY _____ DATE _____

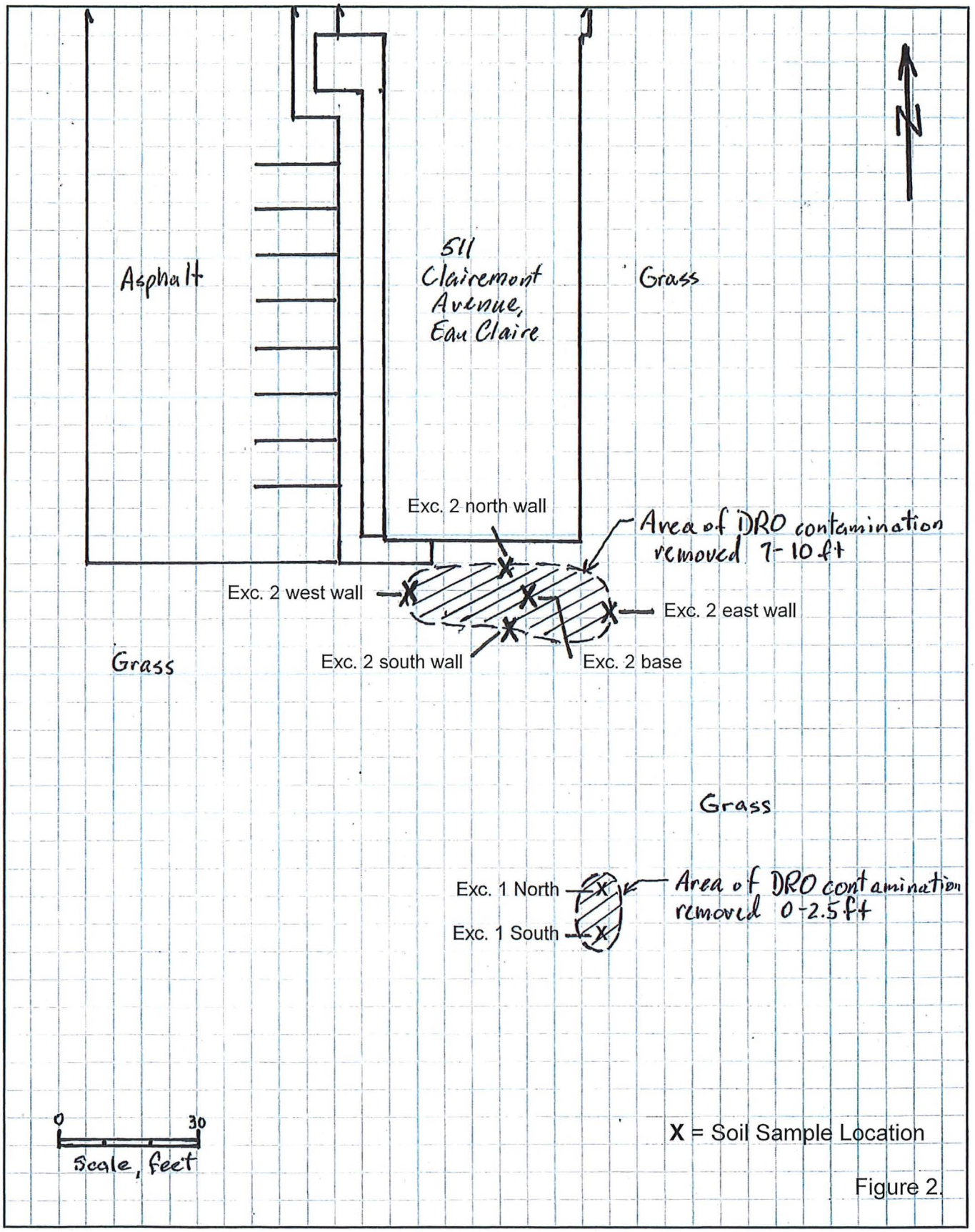

Figure 2.

Appendix 2
Written Determination by the
Wisconsin Department of Natural Resources

1. A Deed Notice (Notice) was recorded in the office of the Register of Deeds for Eau Claire County, Wisconsin, as Document # 936078 on October 3, 2005. At that time the property was owned by Crossroads Ag, LLC. located at 403 N. Clairemont Ave., Eau Claire, WI.

2. The Notice described above was required by the Wisconsin Department of Natural Resources ("WDNR") in conformance with Wis. Adm. Code § NR 726.05 (8) a. as a condition of granting case closure to the owner of the Property following an investigation of petroleum compounds released on the Property. Based on the site investigation, a petroleum discharge occurred on the property and was adequately investigated.

3. The Site was a former agricultural coop and is currently used as office space. Petroleum contaminated soil was removed from the site in the 1990s. Some soil containing Diesel Range Organics (DRO) remained on site. The site was presented for closure and a deed notice was recorded on October 3, 2005. Final case closure was approved by WDNR on October 26, 2005.

   The deed notice language included the following requirement:

   Heavy oil-contaminated soil remains on this site. It has been shown that these levels are protective of health and the environment. If this soil is excavated in the future, it may be considered a solid waste and will need to be disposed in accordance with all applicable laws.

4. On August 1, 2019, Cedar Corporation oversaw the removal of 130 tons of contaminated soil. The soil came from two separate excavations and was disposed of at Seven Mile Creek Landfill.

6. Post-excavation sampling in the area of the previous petroleum contamination was completed. The results of that sampling are as follows:

   Two samples were collected from Excavation 1. One from the north end and one from the south end, both were collected at the 2.5-foot depth. The north end sample had <1.4 mg/kg DRO, the south end sample had 2.4 mg/kg DRO.

   Five samples were collected from Excavation 2. One sample at each of the north, south, west, and east sidewalls, and one sample from the base. The sidewall samples were collected between the 9 and 10-foot depths and the base was collected at 10.5 feet. The base sample had 310 mg/kg DRO, the west sample had 75 mg/kg DRO, the north sample had 150 mg/kg DRO, the east sample had <1.6 mg/kg DRO, and the south sample had 25 mg/kg DRO.

The excavations were all backfilled rendering remaining contamination underneath 10 feet of clean fill. The site will then be place on the WDNR's soil database (GIS registry).

7. Therefore, the WDNR has determined that the conditions of the previously recorded Deed Notice have been satisfied and no longer apply to the Property. WDNR will supplement the GIS registry with an amended closure letter and Continuing Obligation Registry packet to notify prospective purchasers of the Property.

Wisconsin Department of Natural Resources

Dave Rozeboom
West Central Team Supervisor
Remediation & Redevelopment Program