State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
Oshkosh Service Center
625 East County Road Y, STE 700
Oshkosh, WI 54901-9731

Scott Walker, Governor
Cathy Stepp, Secretary

State Customer Service # 888-936-7463
Oshkosh FAX# 920-424-4404

November 20, 2012

MS SHARI KLIKA
ENVIRONMENTAL MANAGER
PIERCE MANUFACTURING INC
2600 AMERICAN DR
APPLETON WI 54914

KEEP THIS DOCUMENT WITH YOUR PROPERTY RECORDS

SUBJECT: Final Case Closure with Continuing Obligations
PIERCE MFG (FORMER) – CITY PLT, 315 S. Pierce Ave., Appleton, WI
WDNR BRRTS Activity #: 02-45-553369
WDNR VPLE # 06-45-553959

Dear Ms. Klika:

The Department of Natural Resources (DNR) considers the PIERCE MFG (FORMER) – CITY PLT site closed. No further investigation or remediation is required at this time. Please read over this letter closely to ensure that you comply with on-going requirements. Provide this letter to anyone who purchases this property from you. For residential property transactions, you are required to make disclosures under s. 709.02, Wis. Stats.

This final closure decision is based on the correspondence and data provided, and is issued under ch. NR 726, Wisconsin Administrative Code. The DNR Northeast Region (NER) Project Manager, NER Closure Committee and NER representative on the Land Recycling Team reviewed the request for closure on November 9, 2012. The Project Manager, NER Closure Committee and NER representative on the Land Recycling Team reviewed this environmental remediation case for compliance with state laws and standards. This final closure decision replaces the February 26, 2010 letter titled, *Final Case Closure with Continuing Obligations*. In addition, the site investigation for the property is approved under s. 292.15(2)(a)1, Wis. Stats. under the Voluntary Party Liability Exemption (VPLE) Program for WDNR BRRTS #06-45-553959.

The property was formerly utilized by Pierce Manufacturing, Inc. ("Pierce") with historical uses including various commercial and industrial uses. Pierce ceased utilizing the property in 2010. Historic fill consisting of cinders and petroleum-impacted soils were discovered at the location of a former alley that was covered by historical building expansions. The area was investigated in 2009 and originally closed under ch. NR 726, Wis. Adm. Code on February 26, 2010 with the requirement to maintain the building over residual soil contamination to minimize the infiltration of water and to prevent direct contact. On February 26, 2010, the site was also closed with an exemption to the preventive action limit (PAL) under s. NR 140.28(2)(b), Wis. Adm. Code for ethylbenzene and xylenes in groundwater at former temporary well, GP-20.

From October 2011 through February 2012, Pierce Manufacturing, Inc. proceeded to demolish all structures on the property, remove concrete and asphalt barriers, excavate all soil contamination above standards to depths ranging between 1 and 15 feet below ground surface (bgs), remove all historic fill (such as cinders) and backfill the excavations with clean clay. Documentation of these most recent

efforts, along with an updated *Phase I Environmental Site Assessment*, dated May 31, 2012, was submitted to the DNR on October 8, 2012 with a request to remove the site from the GIS Registry and remove all continuing obligations. This second review of data under ch. NR 726, Wis. Adm. Code was based on the property being used for residential purposes. Specifically, the intent is to sell the property for residential development.

GIS Registry

This site will be removed from the Remediation and Redevelopment Program's internet accessible Geographic Information System (GIS) Registry, originally placed in February 2010 to provide notice of continuing obligations (residual soil contamination above standards and maintenance of a cap).

Residual Soil as Solid Waste

Low-level impacts to soil, below soil standards, are present at various depths throughout the property in the native soils material. Sampling locations are indicated on the **attached map**. Associated soil data and corresponding depths can be found in the DNR file. If native soils are excavated in the future, the property owner at the time of excavation must sample and analyze the excavated soil to determine if any impacts remain. 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.

The property owner may request the low-level impacted soils to be beneficially reused on site by submitting a request for a Low Hazard Grant of Exemption to the Waste & Materials Management Program (WA). Please contact Jim Zellmer, NER WA Supervisor, in Green Bay at (920) 662-5431 for additional information.

Chapter NR 140, Wis. Adm. Code Exemption

During the demolition and excavation efforts in 2011 and 2012, groundwater samples were not taken to determine if the residual groundwater contamination still remains. Therefore, the ch. NR 140, Wis. Adm. Code exemption issued for ethylbezene and xylenes above PALs on February 26, 2010 continues to apply. The February 26, 2010 letter continues to serve as the exemption.

Please be aware that the 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 to the environment.

The DNR appreciates your efforts to restore the environment at this site. All site information is on file at the DNR's Oshkosh Service Center, at 625 East County Road Y in Oshkosh, Wisconsin. If you have any questions regarding this closure decision or anything outlined in this letter, please contact me in Oshkosh at (920) 424-7887 or via electronic mail at Jennifer.borski@wisconsin.gov.

Sincerely,

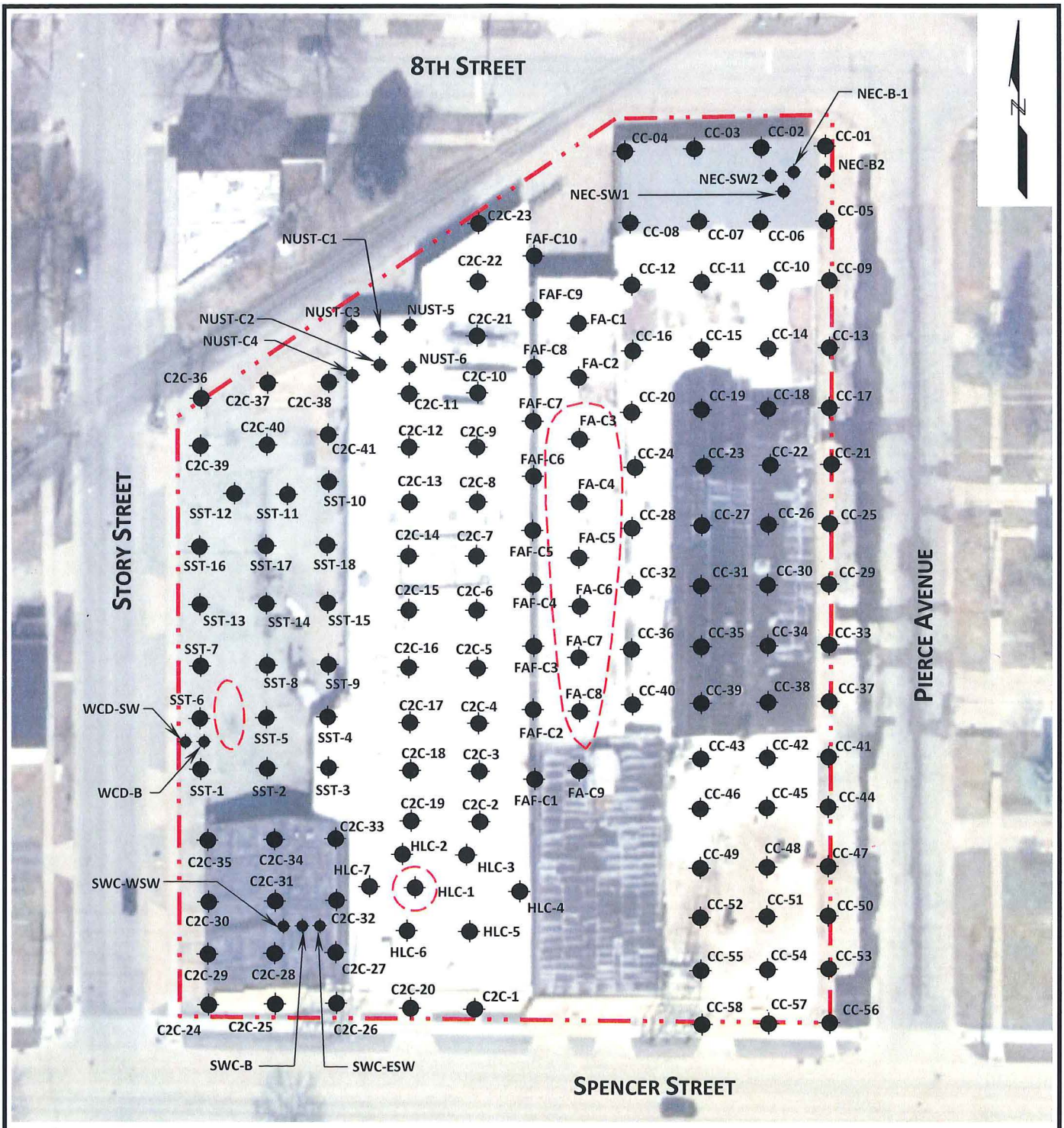
Jennifer Borski

Jennifer Borski
Hydrogeologist
Remediation and Redevelopment Program

Attachment:

Figure 4 – *Post-Excavation Soil Sample Location Diagram*, October 2012

ec: Michael DeBraske & Paul Killian, GEI Consultants, Inc.
Roxanne Chronert, DNR, NER – Green Bay
Keld Lauridsen, DNR, NER – Green Bay
Jim Zellmer, DNR, NER – Green Bay
Bill Phelps, DNR, Madison - DG/5



LEGEND:

APPROXIMATE PROPERTY BOUNDARY

APPROXIMATE AREAS REQUIRING SOIL BARRIERS AS PART OF PREVIOUSLY CLOSED ERP CASES

0 60 120

APPROXIMATE SCALE, FEET

NOTES:

1. BASED ON A 2010 AERIAL PHOTOGRAPH

Pierce Manufacturing – Former City Plant 315 South Pierce Avenue Appleton, Wisconsin	GEI Consultants	POST-EXCAVATION SOIL SAMPLE LOCATION DIAGRAM
Pierce Manufacturing, Inc. Appleton, Wisconsin	Project 122040	October 2012 Fig. 4