State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
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Milwaukee WI 53233

Tony Evers, Governor
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April 4, 2023

Jesse Scott
Harley Davidson Motor Company
3700 West Juneau Avenue
Milwaukee, WI 54208
Via Electronic Mail Only to jesse.scott@harley-davidson.com

Subject: Liability Clarification and "No Action Required" Determination Letter
Harley Davidson Motor Company, 3700 West Juneau Avenue, West Allis, Wisconsin 53208
Parcel #: 3870388111
BRRTS Activity Name: Harley Davidson Motor Co. (B-7 Area)
BRRTS #: 07-41-591365 and 02-41-587792, FID #: 241025070

Dear Mr. Scott:

The Wisconsin Department of Natural Resources (DNR) received a request for a liability clarification and a "No Action Required" determination from Adam Roder from The Sigma Group (Sigma) on behalf of Harley Davidson Motor Company on February 2, 2023 (Request). The Request was submitted with the appropriate review fee for the 'Harley Davidson Motor Co. (B-7 Area)' site (the Area) identified above. The purpose of this letter is to provide Harley Davidson Motor Company clarification as to environmental liabilities and current environmental conditions at the Area. Wisconsin Statutes (Wis. Stat.) § 292.55(1)(d)1 authorizes the DNR to issue a letter to a person seeking assistance concerning the liability of a person owning or leasing a property for environmental pollution at a property, the type and extent of environmental pollution at a property, the adequacy of an environmental investigation, or any other matter related to a request for assistance. This type of letter contains a DNR determination as to whether response actions are needed under Wisconsin Administrative Code (Wis. Admin. Code) chs. NR 700 to 799 based on the discharge of one or more hazardous substances, or the presence of environmental pollution at the Area. The DNR based this letter on review of environmental reports that were provided in the Request:

- Liability clarification letter request, completed Form 4400-237, signed February 1, 2023, including a cover letter and attachments.
- Limited Phase II Environmental Assessment for No Action Required Harley Davidson Motor Co. (B-7 Area), dated February 1, 2023 by Sigma.

The DNR also reviewed DNR files for other open sites on the Harley Davidson Motor Company property.

PROPERTY USE

The Harley Davidson Motor Company (Harley Davidson) began manufacturing motorcycles in the early 20th century. Expansion of the operations into the surrounding neighborhood took place periodically throughout the 20th century to become the Harley Davidson Juneau Avenue campus (campus). Harley Davidson manufactured and assembled motorcycles on the campus until 1973. Currently, Harley Davidson uses the campus for company operations such as warehousing, product testing, shipping, and receiving, and serves as the corporate headquarters with office buildings.

The Area is in the Harley Davidson-owned West Juneau Avenue right of way (ROW) on the campus between North 35th and North 37th Streets.

Refer to the attached Figure 2 for a map of the Area.

BACKGROUND AND ENVIRONMENTAL SUMMARY

The Area is bounded by the 3600 Building to the north, North 35th Street to the east, North 37th Street to the west, and a parking lot to the south. Harley Davidson Motor Company, Inc. is the current owner.

A Phase II ESA conducted by Professional Service Industries, Inc. (PSI) in 2020 in conjunction with a geotechnical investigation identified soil contamination in the Area at soil boring B-7 at 3.5 to 5 feet below ground surface for polycyclic aromatic hydrocarbons (PAHs). The purpose of the ESA and geotechnical investigation was to identify potentially hazardous conditions in preparation for a fire protection line maintenance project. An activity was opened for the identified PAH contamination: BRRTS #02-41-587792.

In 2021, Sigma installed additional borings north and south of B-7 and a deeper boring at B-7 to evaluate PAHs. Soil samples were collected from the borings and were submitted for laboratory analysis for PAHs. Soil identified in the borings included fill material underlain by sand or clay. One Wis. Admin. Code ch. NR 141-compliant groundwater monitoring well was installed adjacent to B-7. A groundwater sample was not collected because not enough groundwater was encountered in the well for sampling.

The laboratory analytical results of the soil were below detection limits or below RCLs for PAHs. It appears that the contamination is defined vertically. However, the contamination is not defined to the east or the west of B-7.

DETERMINATIONS

Wis. Stat. ch. 292 and Wis. Admin. Code chs. NR 700 to 799 require those who are responsible for a hazardous substance discharge or environmental pollution to take actions necessary to restore the environment to the extent practicable and minimize the harmful effects from the discharge to the air, lands or waters of the state. Wis. Stat. § 292.55 authorizes the DNR to issue clarification letters concerning liability for environmental pollution.

The data summarized above indicates that one or more hazardous substance discharges or environmental pollution has been discovered on the Area. Based on the information provided at this time and the criteria in Wis. Admin. Code § NR 716.05(1), the DNR has determined that response actions are required under Wis. Admin. Code chs. NR 700 to 799 to respond to the identified discharges or environmental pollution.

CLOSING

This letter, site and case-related information and DNR contacts can be found online in the Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web (BOTW); go to dnr.wi.gov and search "BOTW." Use the BRRTS ID # found at the top of this letter. The site can also be found on the map view, Remediation and Redevelopment Sites Map (RRSM) by searching "RRSM."

The case that was opened on September 22, 2020, for the identified contamination will retain its original BRRTS # 02-41-587792. Your responsibilities to address the contamination were outlined in the Responsible Party letter mailed on September 22, 2020.

If you have any questions regarding this letter, please contact me at (262) 612 - 9127, or hera.hulsey@wisconsin.gov.

Sincerely,

Hera Hulsey
Southeast Region Project Manager
Remediation and Redevelopment Program

Attachment: Figure 2, Sample Location map, January 28, 2022

cc:
Adam Roder, The Sigma Group – aroder@thesigmagroup.com
Margaret Brunette, DNR, Remediation and Redevelopment Program – margaret.brunette@wisconsin.gov
Michael Prager, DNR, Remediation and Redevelopment Program – Michael.Prager@wisconsin.gov

LEGEND

- APPROXIMATE PARCEL BOUNDARY - PARCELS OWNED BY HARLEY-DAVIDSON ENTITIES
- SOIL BORING (PSI, 2019)
- SOIL BORING (SIGMA, 2021)
- SOIL BORING/MONITORING WELL (SIGMA, 2021)

3600 BUILDING

3700 BUILDING

WEST JUNEAU AVENUE

NORTH 37TH STREET

NORTH 35TH STREET

SSB-12

SSB-9

SSB-11/ SMW-1

B-7

SSB-10

CBR 4160

CBR 3003

CB 3396

CBR 2903

CBR 3029

MH 10295

MH 10296

MH 10269

MH 10270

MH 10271

MH 10272

MH 10273

CBR 3437

CB 3479

CB 434

MH 1156

MHMIS 1159

MH 1163

MHMIS 1171

CB 376

MH 1172

MH 1178

MH 2519

MH 1152

MHMIS 1157

MHMIS 1158

CB 588

MH 1231

CB 609

CB 2075

CB 2045

MH 2044

CB 2033

MH 2028

MH 558

CB 506

MH 2544

MH 2543

CB 1546

CBR 1524

CBR 1449

CB 842

MH 1232

MHMIS 1233

IS 1243

CBR 2090

CB 1921

electric service panel

MH 1252

CBR 2172

CBR 2243

MH 1254

MH 2550

84" INTERCEPTOR SEWER

72" SEWER

0 50 FT. 100FT.

GRAPHIC SCALE

NOTES:
1. BASE MAP ADAPTED FROM "PLAT OF SURVEY - BOUNDARY AND EASEMENTS" CREATED BY SIGMA DATED 08/4/21.
2. 2019 SOIL BORING LOCATIONS FROM "FIGURE 1: BORING LOCATION PLAN" IN PSI's "LIMITED PHASE II ENVIRONMENTAL SITE ASSESSMENT" (1/14/20).

THE SIGMA GROUP
Single Source. Sound Solutions.

SAMPLE LOCATION MAP (B-7 AREA)

HARLEY-DAVIDSON MOTOR COMPANY
3700 W. JUNEAU AVENUE, MILWAUKEE, WI

FIGURE
2

PROJECT: 19125 | DIRECTORY: 060 CAD / E - Env | FILENAME: 19125 B-7 Area Maps.ai | CREATED BY: CLE | DATE: 01/28/2022