State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
2984 Shawano Avenue
Green Bay WI 54313-6727

Tony Evers, Governor
Karen Hyun, Ph.D., Secretary
Telephone 608-266-2621
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TTY Access via relay - 711

February 11, 2026

TXC Pulaski, LLC
Attn: Mr. Luke Curfman
216 Centerview Drive STE 120
Brentwood, TN 37027
Via Email Mail Only to luke.curfman@cmkproperties.com

Subject: Off-site Liability Clarification
TXC Pulaski LLC, 0 Markham Drive (Parcel ID VP-41-2-1), Village of Pulaski, Wisconsin
DNR BRRTS Activity #: 07-05-598568

Dear Mr. Curfman:

The Wisconsin Department of Natural Resources ("DNR") received a request for an off-site liability clarification letter from Scott Pritchard of Partner Engineering and Science, Inc. (PARTNER) on January 27, 2026 (Request). The Request was submitted with the appropriate review fee under Wisconsin Administrative (Wis. Admin.) Code § NR 749.04(1).

It is the DNR's understanding, based on the documents submitted, that TXC Pulaski, LLC is planning to purchase the property identified above (the Property).

The purpose of this letter is to provide clarification of environmental liabilities associated with the Property. The DNR has the ability under Wis. Stat. § 292.55 to clarify a person's present or future liability for the environmental pollution of a property.

The DNR based this letter on review of the following documents:

- Off-Site Liability Exemption and Liability Clarification Application (Form 4400-201), dated January 12, 2026
- Phase II Subsurface Investigation Report, dated August 27, 2025, prepared by PARTNER
- Figure 1, Site Vicinity Map, August 2025, prepared by PARTNER
- Figure 2, Site Layout, October 4, 2001, revised March 31, 2003, prepared by Northern Environmental
- Figure 3, Sample Location Map, August 2025, prepared by PARTNER
- Figure 4, Monitoring Well Locations, October 4, 2001, revised March 31, 2003, prepared by Northern Environmental
- Figure 8, Extent of Soil Removed from Test Pits with Estimated Extent of Remaining Contamination, dated February 17, 2003, revised April 4, 2003, prepared by Northern Environmental
- Site File for Pulaski Chase Coop Bulk Plt, BRRTS # 02-05-260217

The application requests a determination from the DNR on whether TXC Pulaski, LLC is exempt from Wis. Stat. §§ 292.11(3), (4) and (7)(b) and (c), with respect to the existence of a hazardous substance discharge from Pulaski Chase CoOp Bulk Plt, BRRTS # 02-05-260217.

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Property Use

The Property consists of a 3.95-acre parcel of vacant land located on the northeast corner of Highway 32 and East Glenbrook Drive. The property is covered with grass and is undeveloped.

Background and Environmental Summary

The Property is currently owned by Kwik Trip, Inc. and has been historically undeveloped. During the most recent Phase II, there were low level detections of toluene in groundwater at B1, B3 and B4, however these concentrations were well below standards. Groundwater at B1 also detected 0.16 migrograms per liter (ug/L) benzo(a)pyrene and 0.17 ug/L Chrysene, which is above their respective Preventive Action Limits (PALs); however, these samples were obtained from an undeveloped temporary monitoring well and are assumed to be related to suspended sediment, not a hazardous substance discharge. Low level Diesel Range Organics (DRO) was also detected in groundwater at B2, however there is no standard for DRO and petroleum volatile organic compounds (PVOCs) had no detections at this location. Low level PVOCs were also detected in soil gas at SG1; however, these concentrations are below standards. These Phase II sample locations are shown on the attached map, Figure 3, Sample Location Map, August 2025.

Due to the historic use of the Property being agricultural with no development, the data collected on the Property, and the data from the closed Pulaski Chase Coop Bulk Plt site, BRRTS # 02-05-260217, located directly adjacent to the north of the Property, the PVOCs found on the Property appear to be related to the closed case. Residual soil and groundwater contamination above applicable standards for the Pulaski Chase Coop Bulk Plt site is shown on the maps attached to this letter (Figure 8, Extent of Soil Removed from Test Pits with Estimated Extent of Remaining Contamination, February 17, 2003, and Figure 4, Monitoring Well Locations, October 4, 2001, revised March 31, 2003).

Off-site Environmental Liability Exemption Requirements

A person must meet the following requirements in Wis. Stat. §§ 292.13(1) and (1m) to qualify for the off-site liability exemption:

1. The hazardous substance discharge originated from a source on a property that is not possessed or controlled by the person.
2. The person did not possess or control the hazardous substance on the property on which the discharge originated.
3. The person did not cause the discharge.

The environmental liability exemption is subject to the person complying with the following conditions, as specified in Wis. Stat. §§ 292.13(1) and (1m):

1. The person agrees to allow the following parties to enter the Property to take action to respond to the discharge: the DNR and its authorized representatives; any party that possessed or controlled the hazardous substance or caused the discharge; and any consultant or contractor of such a party.
2. The person agrees to avoid any interference with action undertaken to respond to the discharge and to avoid actions that worsen the discharge.
3. The person agrees to any other condition that the DNR determines is reasonable and necessary to ensure that the DNR and any other authorized party can adequately respond to the discharge.

4. When contaminated soil, sediment or vapor contamination are present from an off-site source, the person agrees to take one or more specified actions directed by the DNR, if the DNR determines that the actions are necessary to prevent an imminent threat to human health, safety or welfare or to the environment. This would occur after the DNR made a reasonable attempt to notify the party who caused the hazardous substance discharge about that party's responsibilities to investigate and clean up the discharge.

Determination

Because TXC Pulaski, LLC does not currently own the Property, the DNR is not able, at this time, to issue a letter determining that TXC Pulaski, LLC qualifies for all the provisions of the off-site liability exemption. However, if TXC Pulaski, LLC acquires title to the Property and the conditions in Wis. Stat. § 292.13 are followed, TXC Pulaski, LLC will qualify for the off-site liability exemption.

TXC Pulaski, LLC will not have environmental liability under Wis. Stat. § 292.11(3), (4) and (7)(b) and (c) for investigation or remediation with respect to the low-level detections of PVOCs detected in groundwater and soil gas in the northern portion of the Property as indicated on the attached map, Figure 3, Sample Location Map, August 2025.

TXC Pulaski, LLC will no longer qualify for the liability exemption if any of the requirements under Wis. Stat. §§ 292.13(1) and (1m) cease to be met.

The determination in this letter only applies to TXC Pulaski, LLC and may not be transferred or assigned to other parties. The DNR will provide a written determination to future owners of the Property, if such a determination is requested in accordance with the requirements of Wis. Stat. § 292.13, and the applicable fee is submitted under Wis. Admin. Code § NR 749.04(1).

Responsibilities for Continuing Obligations

The DNR may impose continuing obligations when contamination is left in place at a property. Under state law, the person who owns the property is responsible for complying with the continuing obligations, regardless of when the person obtained the property or who caused the contamination (Wis. Stat. § 292.12(5)).

COs are used to prevent exposure to residual contamination after response actions are taken. COs may include requirements to properly manage contaminated soil and groundwater, maintain physical or engineered cover systems, vapor mitigation systems, barriers, restrictions on land use, prohibitions on certain actions, or requirements for certain actions.

A groundwater CO has been imposed on the Property and TXC Pulaski, LLC will be responsible for following it when they acquire the Property. See BRRTS Activity #s 13-05-574672 and 02-05-260217 for additional information about continuing obligations at the Property.

Additional Information

The DNR maintains a searchable database (Bureau for Remediation and Redevelopment Tracking System or BRRTS) and an integrated mapping application (RR Sites Map) to provide public information about reports of potential contamination, properties with contamination, cleanup activities and redevelopment activities in Wisconsin. This letter, DNR contact information, and additional information is available in the searchable database:

1. Go to dnr.wi.gov and search “BRRTS.”
2. After launching the BRRTS application, use the BRRTS ID #s in this this letter to search for records associated with this location.

The RR Sites Map application allows users to view locations of contaminated properties and other remediation and redevelopment activities in Wisconsin using a desktop, tablet or smartphone. To use RR Sites Map, go to dnr.wi.gov and search “RR Sites Map.”

Any future documents and forms may be submitted to the DNR electronically using the RR Program Submittal Portal; go to dnr.wi.gov and search “RR Program Submittal Portal.”

If you have any questions regarding this letter, please contact me at 920-366-5685 or josie.schultz@wisconsin.gov.

Sincerely,

Josie Schultz
Project Manager, Northeast Region
Remediation and Redevelopment Program

Attachments:

- Figure 1, Site Vicinity Map, August 2025, prepared by PARTNER
- Figure 2, Site Layout, October 4, 2001, revised March 31, 2003, prepared by Northern Environmental
- Figure 3, Sample Location Map, August 2025, prepared by PARTNER
- Figure 4, Monitoring Well Locations, October 4, 2001, revised March 31, 2003, prepared by Northern Environmental
- Figure 8, Extent of Soil Removed from Test Pits with Estimated Extent of Remaining Contamination, dated February 17, 2003, revised April 4, 2003, prepared by Northern Environmental

cc: Scott Pritchard, Partner Engineering and Science, Inc. (spritchard@partneresi.com)
Michael Prager, DNR, Remediation and Redevelopment Program (michael.prager@wisconsin.gov)
Tauren Beggs, DNR, Remediation and Redevelopment Program (tauren.beggs@wisconsin.gov)

PARTNER

450 East 22nd Street, Suite 200
Lombard, Illinois 60148

Project Number: 25-497496.4

N

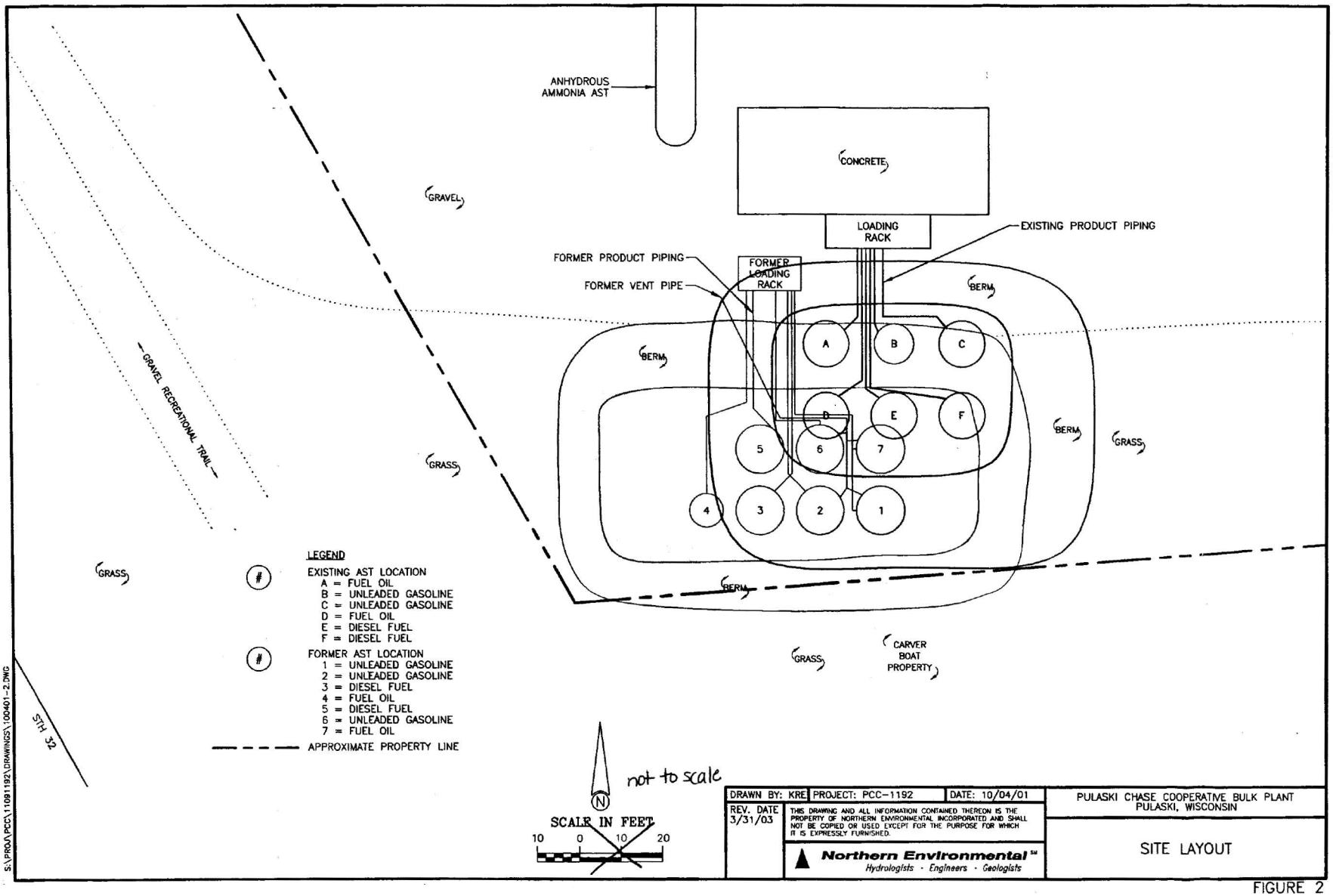
Legend

Subject Property

Site Vicinity Map

Figure	Prepared By	Date
1	Adam Ward	Aug. 2025

NEC of WI 32 and Glenbrook Drive
Pulaski , Wisconsin 54162



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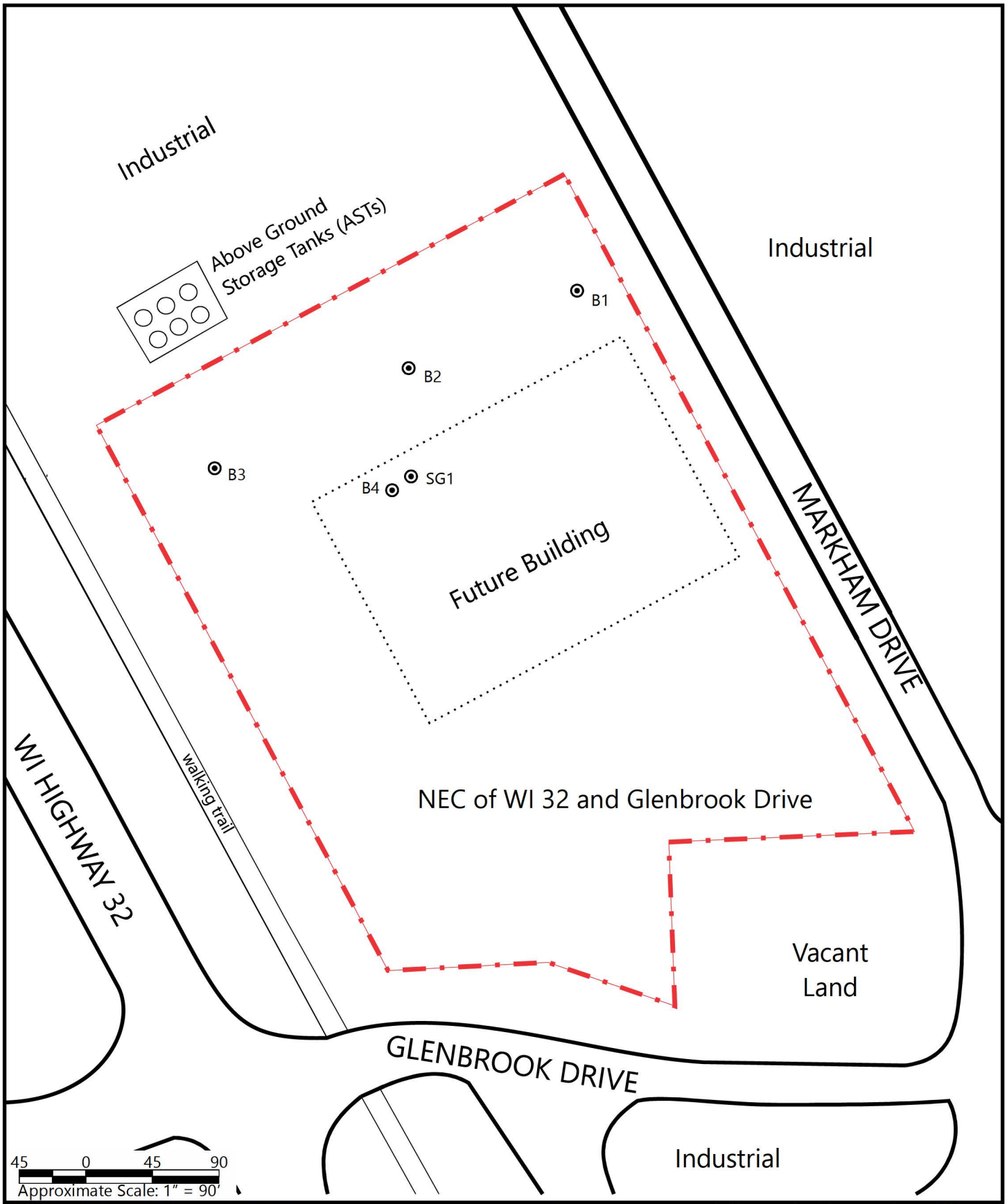
DRAWN BY: KRE	PROJECT: PCC-1192	DATE: 10/04/01
REV. DATE 3/31/03	THIS DRAWING AND ALL INFORMATION CONTAINED THEREON IS THE PROPERTY OF NORTHERN ENVIRONMENTAL INCORPORATED AND SHALL NOT BE COPIED OR USED EXCEPT FOR THE PURPOSE FOR WHICH IT IS EXPRESSLY FURNISHED.	PULASKI CHASE COOPERATIVE BULK PLANT PULASKI, WISCONSIN
Northern Environmental℠ Hydrologists · Engineers · Geologists		SITE LAYOUT

FIGURE 2



PARTNER
450 East 22nd Street, Suite 200
Lombard, Illinois 60148

Project Number: 25-497496.4

Legend

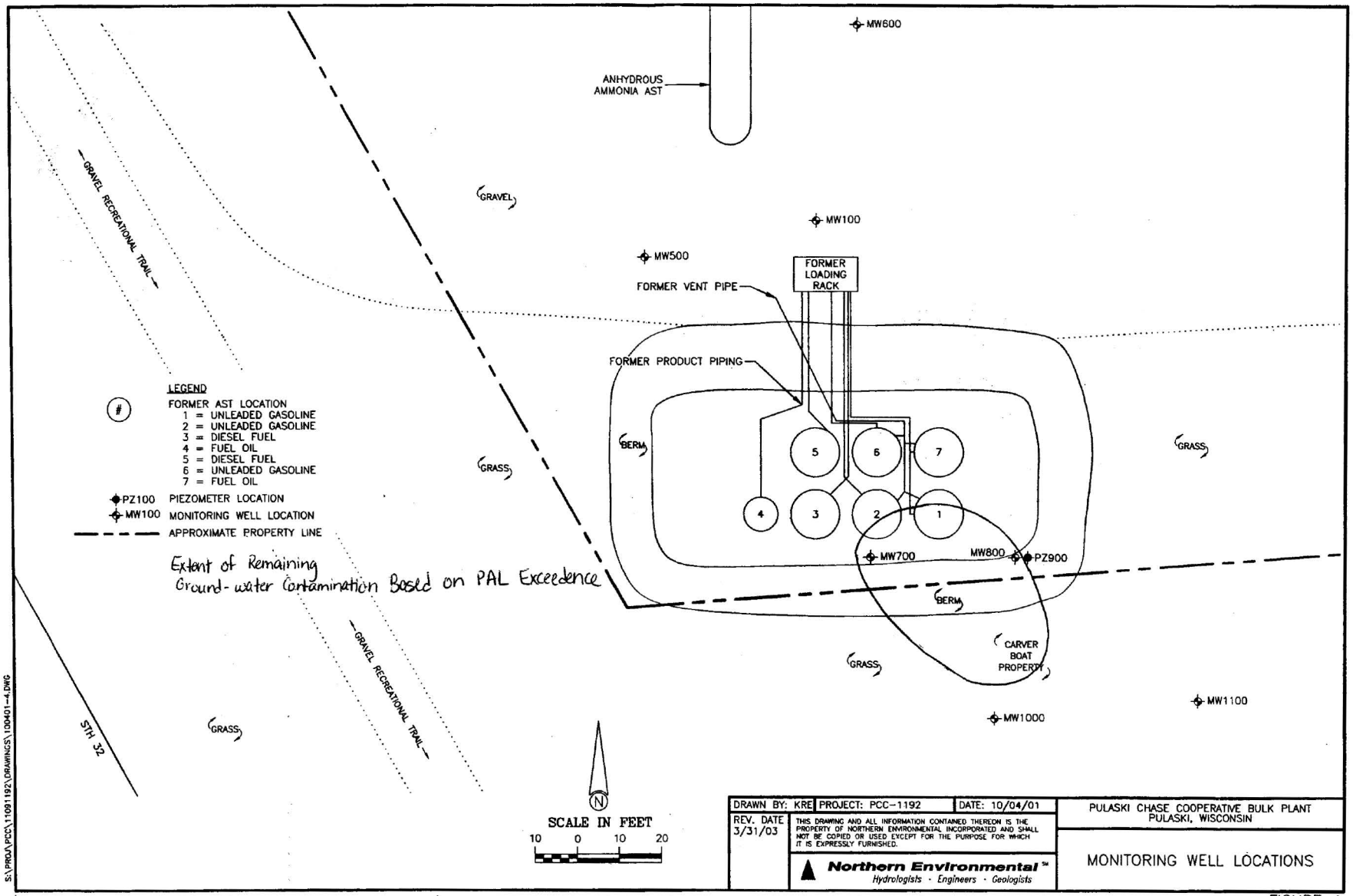
Subject Property

Boring Location

Sample Location Map

Figure	Prepared By	Date
3	M. McCarthy	August 2025

NEC of WI 32 and Glenbrook Drive
Pulaski, Wisconsin 54162


MW600
ANHYDROUS AMMONIA AST
GRAVEL RECREATIONAL TRAIL
GRAVEL
MW100
MW500
FORMER LOADING RACK
FORMER VENT PIPE
FORMER PRODUCT PIPING
BERM
GRASS
5
6
7
4
3
2
1
MW700
MW800
PZ900
BERM
CARVER BOAT PROPERTY
GRASS
MW1100
MW1000
GRAVEL RECREATIONAL TRAIL
STH 32
GRASS
LEGEND
FORMER AST LOCATION
1 = UNLEADED GASOLINE
2 = UNLEADED GASOLINE
3 = DIESEL FUEL
4 = FUEL OIL
5 = DIESEL FUEL
6 = UNLEADED GASOLINE
7 = FUEL OIL
PZ100 PIEZOMETER LOCATION
MW100 MONITORING WELL LOCATION
APPROXIMATE PROPERTY LINE
Extent of Remaining Ground-water Contamination Based on PAL Exceedence
N
SCALE IN FEET
10 0 10 20
S:\PROJ\PCC\1109192\DRAWINGS\100401-4.DWG
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PROJECT: PCC-1192
DATE: 10/04/01
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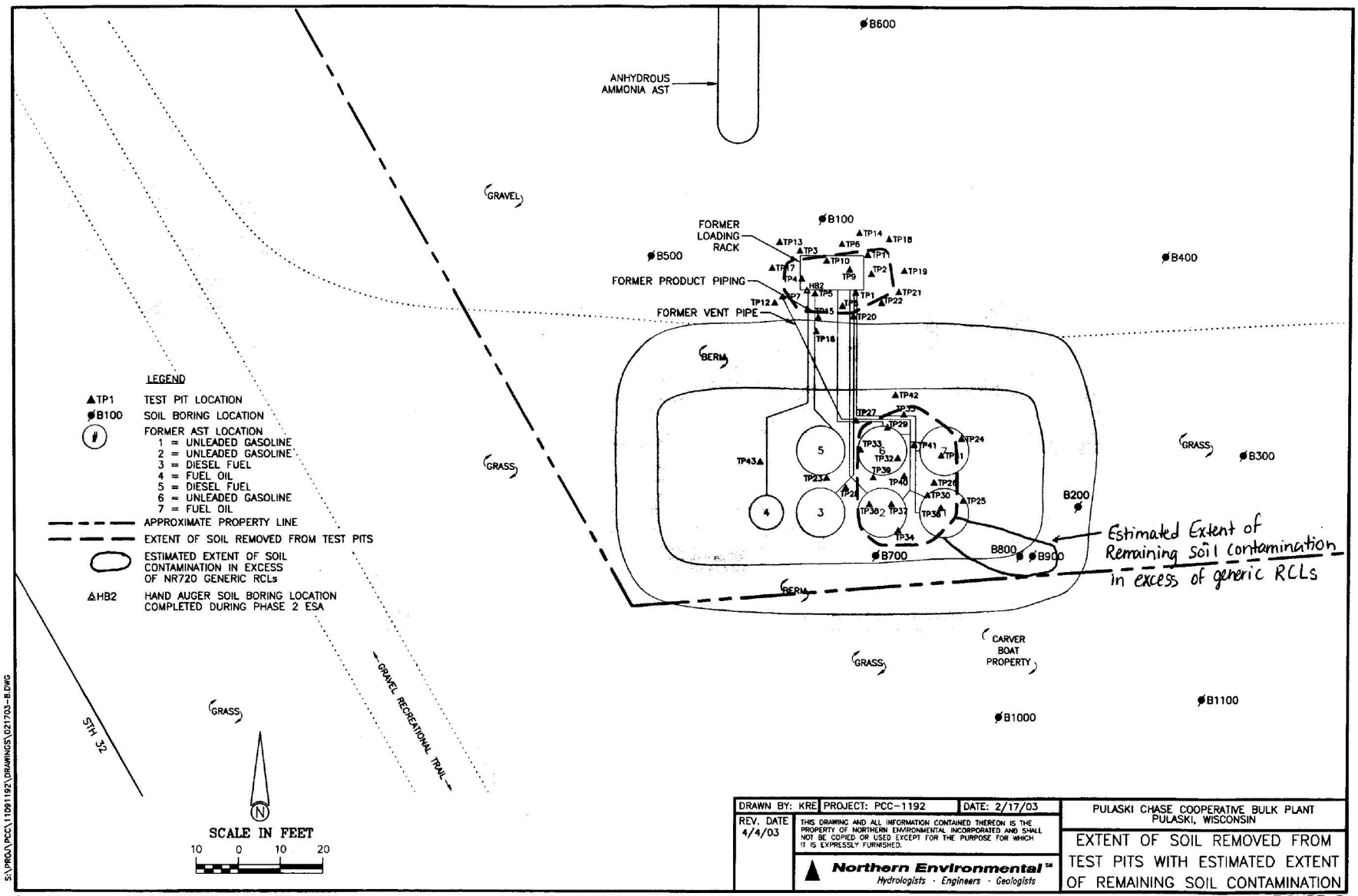
Northern Environmental℠
Hydrologists · Engineers · Geologists
PULASKI CHASE COOPERATIVE BULK PLANT
PULASKI, WISCONSIN
MONITORING WELL LOCATIONS

FIGURE 4



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Northern Environmental℠ Hydrologists · Engineers · Geologists		EXTENT OF SOIL REMOVED FROM TEST PITS WITH ESTIMATED EXTENT OF REMAINING SOIL CONTAMINATION

FIGURE 8

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