



February 9, 2017

Ms Alina Satkoski
Madison Kipp Corporation
201 Waubesa Street
Madison WI 53704

KEEP THIS DOCUMENT WITH YOUR PROPERTY RECORDS

SUBJECT: Final Case Closure with Continuing Obligations
Madison Kipp Corporation Soils, 201 Waubesa Street, Madison, Wisconsin
DNR BRRTS Activity Number: 02-13-576860

Dear Ms. Satkoski:

The Department of Natural Resources (DNR) considers the Madison Kipp Soils site closed, with continuing obligations. No further investigation or remediation is required at this time. However, you, future property owners, and occupants of the property must comply with the continuing obligations as explained in the conditions of closure in this letter. Please read this letter closely to ensure that you comply with all conditions and other on-going requirements. Provide this letter and any attachments listed at the end of this letter to anyone who purchases, rents or leases this property from you.

This final closure decision is based on the correspondence and data provided, and is issued under chs. NR 726 and 727, Wis. Adm. Code. The DNR's South Central Region Closure Committee reviewed the request for closure on July 7, 2016. The closure committee reviewed this environmental remediation case for compliance with state laws and standards to maintain consistency in the closure of these cases.

The Madison Kipp Corporation (MKC) property is an aluminum casting facility that has conducted site investigations and cleanups over a number of years; some cleanup activities remain on-going. The property is zoned Traditional Employment District and assessed as manufacturing. The conditions of closure and continuing obligations for the on-site soils were based on the property being used for industrial manufacturing purposes. This closure approval applies to the on-site soil lying beneath the parking lots to the north, southeast, south and southwest of the manufacturing buildings.

This closure also applies to the offsite soils of the residential properties on South Marquette and Waubesa Streets that are adjacent to the MKC property. These parcels are zoned Traditional Residential. Through sampling of off-site locations in the vicinity of the MKC facility, it was demonstrated that the concentrations of polycyclic aromatic hydrocarbons (PAHs) found in the soils on the residential properties represented background PAH concentrations for the area. Therefore no additional investigative or remedial actions were required to address PAH impacted soil.

Remedial excavations were performed to address PCB-related soil contamination. There are no offsite residual soil concentrations that exceed the Department's generic non-industrial health-based criteria (or residual contaminant levels [RCLs]).

The concentrations of volatile organic compounds (VOCs) in soil on the residential properties were below the Department's generic non-industrial residual contaminant levels (RCLs). Site-specific information has shown the concentrations of VOCs in soil *on the residential properties* is also not adversely impacting groundwater at the site. No remedial action was required to address the presence of VOCs on the residential properties.

Although residual contamination from PAHs, PCBs and/or VOCs *may* exist on *some* of the residential properties, these residual contaminant concentrations do not present a threat to human health or the environment.

This closure does not apply to soils in the rain garden and bike path to the north of the MKC property and does not apply to the contaminated soils lying beneath the on-site buildings.

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 on site that must be properly managed should it be excavated or removed.
- A pavement cover must be maintained over contaminated soil on the MKC property and the DNR must be notified and approve any changes to this barrier. There are no barrier or cover requirements for the residential offsite soils.
- Industrial soil criteria were applied for closure of on-site contaminated soils, and industrial zoning is required. Before the land use may be changed from industrial to non-industrial, additional environmental work must be completed. Residential soil criteria were used for the off site adjacent residential properties. Continued residential use of those parcels is acceptable.

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>.

Geographic Information System (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/clean.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 GIS Registry layer, at the same web address.

DNR approval prior to well construction or reconstruction is required for all sites shown on the GIS Registry, in accordance with s. NR 812.09 (4) (w), Wis. Adm. Code. This requirement applies to private drinking water wells and high capacity wells. To obtain approval, complete and submit Form 3300-254 to the DNR Drinking and Groundwater program’s regional water supply specialist. This form can be obtained on-line at <http://dnr.wi.gov/topic/wells/documents/3300254.pdf>.

All site information is also on file at the South Central Regional DNR office, at 3911 Fish Hatchery Road, Fitchburg, Wisconsin. This letter and information that was submitted with your closure request application, including any maintenance plan and maps, can be found as a Portable Document Format (PDF) file in BRRTS on the Web.

Prohibited Activities

Certain activities are prohibited at closed sites because maintenance of a barrier is intended to prevent contact with any remaining contamination. When a barrier is required, the condition of closure requires notification of the DNR before making a change, in order to determine if further action is needed to maintain the protectiveness of the remedy employed. The following activities are prohibited on any portion of the MKC property where pavement is required, as shown in the attached maintenance plan and map, unless prior written approval has been obtained from the DNR:

- removal of the existing barrier or cover;
- replacement with another barrier or cover;

- excavating or grading of the land surface;
- filling on covered or paved areas;
- plowing for agricultural cultivation;
- construction or placement of a building or other structure; or
- changing land use from the current industrial use to a land use other than industrial.

Closure Conditions

Compliance with the requirements of this letter is a responsibility to which you and any subsequent property owners must adhere. DNR staff will conduct periodic prearranged inspections to ensure that the conditions included in this letter and the attached maintenance plan are met. If these requirements are not followed, the DNR may take enforcement action under s. 292.11, Wis. Stats. to ensure compliance with the specified requirements, limitations or other conditions related to the property.

Please send written notifications in accordance with the following requirements to:

Department of Natural Resources
Attn: Remediation and Redevelopment Program Environmental Program Associate
3911 Fish Hatchery Road
Fitchburg, WI 53711

Residual Soil Contamination (ch. NR 718, chs. 500 to 536, Wis. Adm. Code or ch. 289, Wis. Stats.)

Soil contamination remains on the MKC property beneath the various parking lots as indicated on the **attached maintenance plan and map**. If soil in the specific locations described above is excavated in the future, the property owner or right-of-way holder 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 or right-of-way holder 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.

In addition, all current and future owners and occupants of the property and right-of-way holders need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken to prevent a direct contact health threat to humans.

Depending on site-specific conditions, construction over contaminated soils or groundwater may result in vapor migration of contaminants into enclosed structures or migration along newly placed underground utility lines. The potential for vapor inhalation and means of mitigation should be evaluated when planning any future redevelopment, and measures should be taken to ensure the continued protection of public health, safety, welfare and the environment at the site.

Cover or Barrier (s. 292.12 (2) (a), Wis. Stats., s. NR 726.15, s. NR 727.07 Wis. Adm. Code)

The pavement cover that exists in the location shown on the **attached map** shall be maintained in compliance with **the attached maintenance plan** in order to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health. This cover requirement applies only to on site contaminated soils. There are no off site cover or barrier requirements for the continued residential use of those parcels.

The cover approved for this closure was designed to be protective for a commercial or industrial use setting on the MKC property. Before using the property for residential purposes, you must notify the DNR at least 45 days before taking an action, to determine if additional response actions are warranted.

A request may be made to modify or replace a cover or barrier. Before removing or replacing the cover, you must notify the DNR at least 45 days before taking an action. The replacement or modified cover or barrier must be protective of the revised use of the property, and must be approved in writing by the DNR prior to implementation. A cover or barrier for industrial land uses, or certain types of commercial land uses may not be protective if the use of the property were to change such that a residential exposure would apply. This may include, but is not limited to single or multiple family residences, a school, day care, senior center, hospital or similar settings. In addition, a cover or barrier for multi-family residential housing use may not be appropriate for use at a single family residence.

The **attached maintenance plan and inspection log (DNR form 4400-305)** are to be kept up-to-date and on site. Inspections shall be conducted annually in accordance with the attached maintenance plan. Submit the inspection log to the DNR only upon request.

Industrial Soil Criteria (s. NR 726.15, s. NR 727.07, Wis. Adm. Code)

Soil contamination remains on the MKC property as shown in the attached maintenance plan and map. Samples contained volatile organic and polychlorinated biphenyls in concentrations that met the site-specific industrial soil criteria developed for this site.

This property may not be used or developed for a residential, commercial, agricultural or other non-industrial use, unless prior written approval has been obtained from the DNR. The property owner shall notify the DNR at least 45 days before changing the use. An investigation and remedial action to meet applicable soil cleanup criteria may be required at that time.

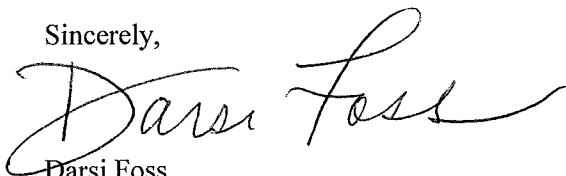
In Closing

Please be aware that the case may be reopened pursuant to s. NR 727.13, Wis. Adm. Code, for any of the following situations:

- 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,
- if the property owner does not comply with the conditions of closure, with any deed restrictions applied to the property, or with a certificate of completion issued under s. 292.15, Wis. Stats., or
- a property owner fails to maintain or comply with a continuing obligation (imposed under this closure approval letter).

The DNR appreciates your efforts to restore the environment at this site. If you have any questions regarding this closure decision or anything outlined in this letter, please contact Michael Schmoller at 608-275-3303.

Sincerely,



Darsi Foss
Director, Bureau of Remediation and Redevelopment
Remediation & Redevelopment Program

Attachments:

Cap Maintenance Plan with map

cc: David Crass Dewitt, Ross and Stevens
David Ross, WDOJ

COVER or BARRIER MAINTENANCE PLAN
(to be included in Form 4400-202, as Attachment D)

February 10, 2016

Property Located at:

201 Waubesa St., Madison, WI 53704

DNR BRRTS/Activity 02-13-576860, FID # 113125320

Parcel ID: 071005308012

Introduction

This document is the Maintenance Plan for a cap at the above-referenced property in accordance with the requirements of s. NR 724.13 (2), Wis. Adm. Code. The maintenance activities relate to the existing cap which addresses or occupies the area over the contaminated groundwater plume or soil.

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

- The case file in the DNR Madison office
- [BRRTS on the Web](#) (DNR'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;
- [RR Sites Map/GIS Registry layer](#) for a map view of the site, and
- The DNR project manager for Dane County.

D.1. Descriptions:

(Form 4400-202, Attachment D, Part D1. – brief description of the type, depth and location of residual contamination, description of the system/cover/barrier to be maintained, and its location on the site, maintenance activities, and contact information.)

Description of Contamination

VOCs- soil VOC concentrations were reported above the industrial direct contact RCL generally near the former oil shed in the upper 2 feet of soil. Soil VOC concentrations were reported above the soil to groundwater pathway RCL in the north parking lot.

PCBs - soil PCB concentrations were reported above the industrial direct contact RCL at depths from 0 to 4 feet bls and greater than 4 feet bls. PCB concentrations were generally observed along the western property line and in the north parking lot in the upper 4 feet of soil. Residual PCB concentrations are less than 50 mg/kg on Site and will remain under a cap. Residual PCB concentrations at the site boundary are less than 1 mg/kg.

PAH- Soil PAH concentrations were reported above the industrial direct contact RCL from 0 to 4 feet and at two soil borings advanced to depths greater than 4 feet.

RCRA Metals - Arsenic was detected in all soil samples analyzed with concentrations ranging from 0.37 to 100 mg/kg. The average and geometric mean for the arsenic concentrations were 6.3 mg/kg and 4.5 mg/kg, respectively. Based on the widespread distribution of arsenic in the soil within such a narrow range of concentrations, the presence of arsenic appears to represent naturally occurring background conditions.

Soil RCRA metal concentrations, excluding arsenic, were reported above the industrial direct contact RCL in Soil Boring B-54 in the north parking lot for lead (5,600 mg/kg) and mercury (19 mg/kg). These metals were delineated vertically by soil samples analyzed from the same borings or an adjacent boring and horizontally by adjacent borings and/or off-Site soil samples collected from the adjacent residential properties. Soil metal concentrations were reported above the soil to groundwater pathway RCL in 10 soil borings for barium, mercury, lead, or selenium from depths greater than 4 feet bls.

Description of the Barrier to be Maintained

The cap consists of 6" asphalt in the north parking lot, 3" asphalt in the southeast parking lot and 3" concrete in along the east side of the facility building as shown on Figure D.2.

Barrier Purpose

The asphalt and concrete cap over the contaminated soil serves as a barrier to prevent direct human contact with residual soil contamination that might otherwise pose a threat to human health. The cover/barrier also acts as a partial infiltration barrier to minimize future soil-to-groundwater contamination migration that would violate the groundwater standards in ch. NR 140, Wisconsin Administrative Code. Based on the current use of the property, industrial, the barrier should function as intended unless disturbed.

Annual Inspection

The asphalt and concrete cap overlying the contaminated soil and as depicted in Figure D.2 will be inspected once a year, normally in the spring after all snow and ice is gone, for deterioration, cracks and other potential problems that can 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, increasing age and other factors. Any area where 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 D.4, Form 4400-305, Continuing Obligations Inspection and Maintenance Log. The log will include recommendations for necessary repair of any areas where underlying soils are exposed and where infiltration from the surface will not be effectively minimized. Once repairs are completed, they will be documented in the inspection log. A copy of the maintenance plan and inspection log will be kept at the site; or, if there is no acceptable place (for example, no building is present) to keep it at the site, at the address of the property owner and available for submittal or inspection by Wisconsin Department of Natural Resources (DNR) representatives upon their request.

[Note: The DNR may, in some instances, require in the case closure letter that the inspection log be submitted at least annually after every inspection. If the case closure letter requires that, then add the following sentence to the paragraph above: A copy of the inspection log must be submitted electronically to the DNR after every inspection, at least annually.]

Maintenance Activities

(Form 4400-202, Attachment D, Part D1. – Description of Maintenance Actions required for maximizing effectiveness of the cover/barrier/engineered control, feature or other action for which maintenance is required.)

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 asphalt and concrete cap overlying the contaminated soil are removed or replaced, the replacement barrier must be equally impervious. Any replacement barrier will be subject to the same maintenance and inspection guidelines as outlined in this Maintenance Plan unless indicated otherwise by the DNR or its successor.

The property owner, in order to maintain the integrity of the asphalt and concrete cap, will maintain a copy of this Maintenance Plan at the site; or, if there is no acceptable place to keep it at the site (for example, no building is present), at the address of the property owner 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 DNR Prior to Actions Affecting a Cover/Barrier

The following activities are prohibited on any portion of the property the engineered cap is required as shown on the attached map, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 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; 6) construction or placement of a building or other structure; 7) changing the use or occupancy of the property to a residential exposure setting, which may include certain uses, such as single or multiple family residences, a school, day care, senior center, hospital, or similar residential exposure settings;

If removal, replacement or other changes to a cover, or a building which is acting as a cover, are considered, the property owner will contact DNR at least 45 days before taking such an action, to determine whether further action may be necessary to protect human health, safety, or welfare or the environment, in accordance with s. NR 727.07, Wis. Adm. Code.

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 DNR.

Contact Information

(Form 4400-202, Attachment D, Part 1.) Contact Information, including the name, address and phone number of the individual or facility who will be conducting the maintenance.)

February 2016

Site Owner and Operator: Madison-Kipp Corporation
201 Waubesa St., Madison, WI 53704
608-242-5200



Signature:

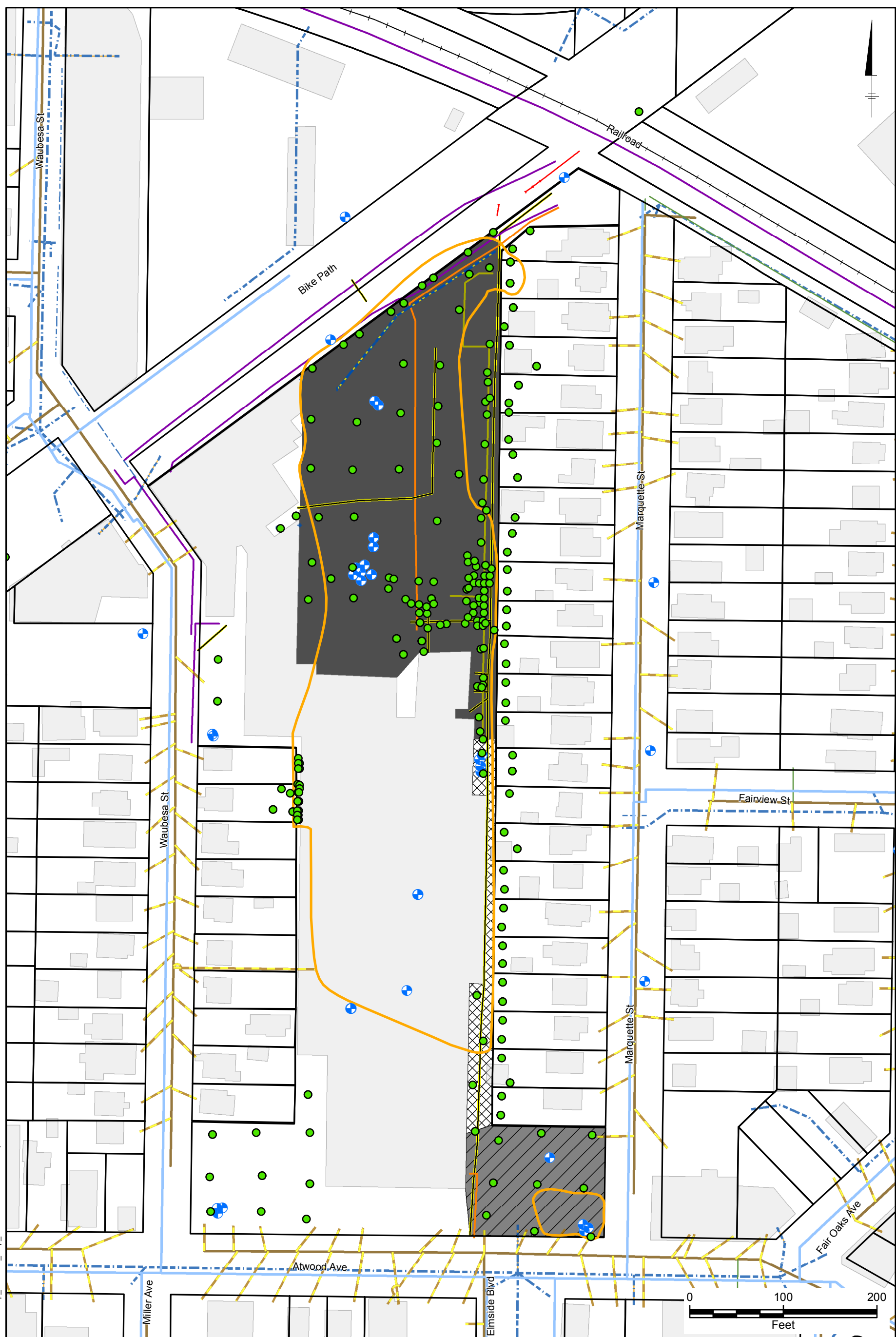
(DNR may request signature of affected property owners, on a case-by-case basis)

Property Owner: Madison-Kipp Corporation
201 Waubesa St., Madison, WI 53704
608-242-5200

Consultant: Arcadis, U.S.
126 N Jefferson St. Suite 400, Milwaukee, WI 53202
414-276-7742

DNR: Michael Schmoller
Wisconsin Department of Natural Resources
South Central Region
3911 Fish Hatchery Road
Fitchburg, WI 53711

CITY: MKE DIV: GROUP: IM DB: GM LD: CK MADISON-KIPP
 Z: GISPROJECTS_LEN\MadisonKipp\ArcMap\2016-07\Cap_Location_Map_20160711.mxd 7/11/2016, 7:55:11 AM

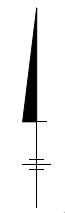
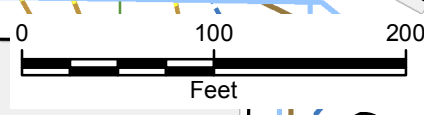


LEGEND					
●	REMAINING SOIL SAMPLE	—	WATER MAIN	—	ELECTRIC
⊕	MONITORING WELL	- - -	ABANDONED SANITARY MAIN	—	GROUND TENSION WIRE
	3 INCH CONCRETE CAP	—	SANITARY LATERALS	—	GAS
	3 INCH ASPHALT CAP	—	SANITARY MAINS	- - -	SVE TRENCH
	6 INCH ASPHALT CAP	- - -	ABANDONED STORM MAINS	—	COMMUNICATIONS
	RESIDUAL NON-INDUSTRIAL DIRECT CONTACT RCL EXCEEDANCES	- - -	PRIVATE STORM PIPES	- - -	STORM WATER
		- - -	ONSITE STORM WATER DISCHARGE		BUILDING FOOTPRINTS

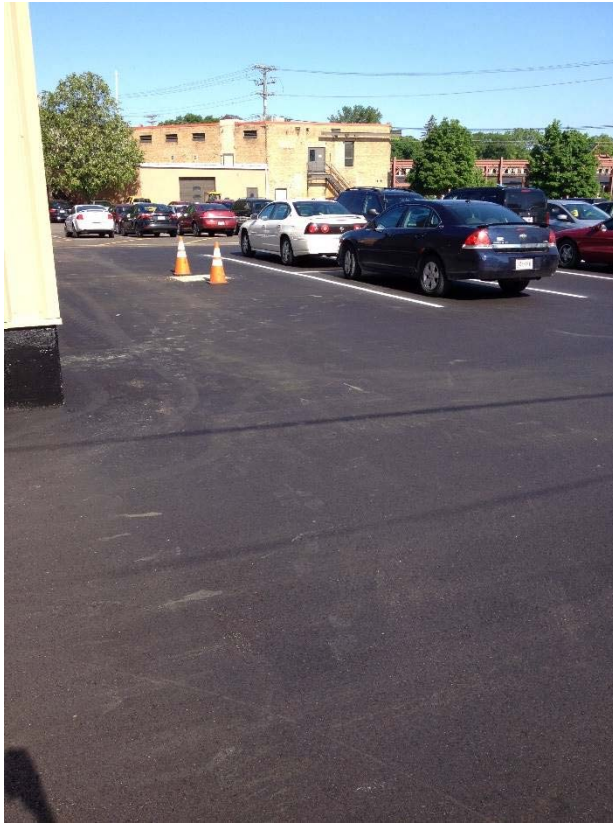
MADISON-KIPP CORPORATION
 201 WAUBESA STREET
 MADISON, WISCONSIN

LOCATION MAP

ARCADIS | **FIGURE D.2**



Madison-Kipp Corporation
Madison, Wisconsin

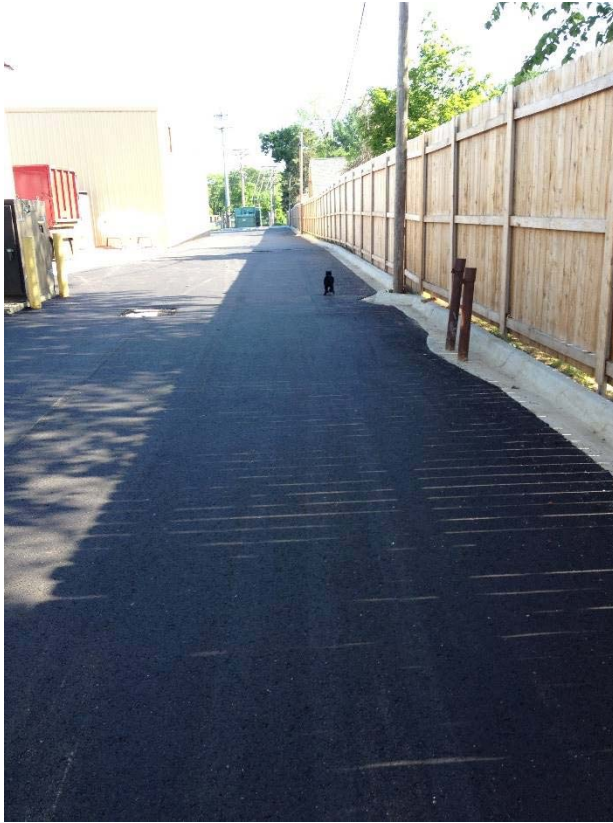


6-inch cap in north
parking lot (facing west)
Photo: June 8, 2015



6-inch cap in north
parking lot (facing north)
Photo: June 8, 2015

Madison-Kipp Corporation
Madison, Wisconsin



6-inch cap in north
parking lot (facing north)
Photo: June 8, 2015



3-inch concrete cover
along east property
boundary(facing north)
Photo: January 30, 2016

Madison-Kipp Corporation
Madison, Wisconsin



3-inch cap in southeast
parking lot (facing
southeast)
Photo: January 30, 2016



3-inch cap in southeast
parking lot (facing west)
Photo: January 30, 2016

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.
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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?
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N

Continuing Obligations Inspection and Maintenance Log

Form 4400-305 (2/14)

Page 2 of 2

BRRTS No. _____

Activity (Site) Name _____

{Click to Add/Edit Image}

Date added:

Title:

{Click to Add/Edit Image}

Date added:

Title: