



REI

CIVIL & ENVIRONMENTAL
ENGINEERING, SURVEYING

January 31, 2022

WDNR

Attn: Matt Thompson
1300 West Clairemont Avenue
Eau Claire, WI 54701



Subject:

Post-Closure Modification Request
Former Fong Family, LLC
360 & 372 Grand Ave
Wausau, WI 54401
Closed BRRTS #02-37-587441
FID #737254760

Dear Mr. Thompson:

On behalf of Community Partners Campus, Inc. (CPC), REI Engineering, Inc. (REI) is submitting this Post-Closure Modification Request (Form 4400-237) in preparation for redevelopment at the above referenced site in accordance with Wisconsin Administrative Code (WAC) chapter NR 727.07. Planned site work includes earthwork during construction of building addition, utility installation, building footing installation, geo pier installation and potentially other items.

LOCATION

The proposed redevelopment is located in the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of Section Thirty-Six (36), Township Twenty-nine North (29N), Range Seven East (7E), Marathon County, Wisconsin. The property is listed with the street address of 360 & 372 Grand Avenue. The subject property contains 1.65 acres of land and is bound by the right of way of Grand Avenue to the east, a church to the south, a commercial property to the north, two (2) commercial properties to the west, and the right of way of Henrietta Street to the west. The new address for the CPC Center will be 364 Grand Avenue, Wausau, WI. A site location map is included as attachment.

BACKGROUND

Based on historic Sanborn Fire Insurance Maps and aerial photographs the subject property appears to have been developed prior to 1891. Between 1891 and 1974 the eastern portion of the property along Grand Avenue contained multiple small, conjoined structures which varied in use from private residences, stores, and grocery stores. The structure located in the southeast corner of the property was associated with a larger facility to the south that was used as a brewing company, rubber products manufacturer, and electrical repair. Fill appears to have been placed on the property by 1950. Between 1951 and 1974, aerial photographs show additional fill being placed on the subject property and properties to the north and south. The 1980 aerial photograph appears to depict current site elevations present.



RESPONSIVE. EFFICIENT. INNOVATIVE.

4080 N. 20th Avenue Wausau, WI 54401
715-675-9784 REIengineering.com

The current site structure was constructed in 1992 and the current property owner purchased the property in 2008. The site structure was utilized as office space. Currently the subject property is vacant.

American Engineering Testing, Inc. (AET) conducted Geotechnical soil borings on the subject property on March 23rd and April 2nd, 2021. Four (4) soil borings were completed. During the completion of the soil borings, REI personnel collected soil samples from two (2) of the completed soil borings, as part of a limited Phase II Environmental Site Assessment (ESA). Based on findings in the Geotech Report prepared by AET (dated April 7, 2021), fill material was encountered in all four (4) borings advanced at the property ranging from 12 to 48 feet bls. Fill thickness appears to increase across the property from east to west. The source of the fill material is unknown. Laboratory analytical results identified contamination within the unsaturated soils exceeding the WAC Chapter NR720 state soil standards.

The WDNR was notified of the identified contamination on April 6, 2021. On April 26, 2021, the WDNR issued a Responsible Party (RP) letter identifying the property owners' responsibilities in relation to the identified contamination. An Environmental Repair Program (ERP) site listing was opened for the property on the WDNR's BRRTS database. On May 5, 2021, REI submitted a Site Investigation Workplan on behalf of the responsible party.

An Environmental Repair Program (ERP) investigation (BRRTS #02-37-587441) was performed between May & June 2021. The site was closed by WDNR with Continuing Obligations for residual soil contamination and soil cover/cap maintenance requirement on August 27, 2021. The area of soil and groundwater contamination listed at the time of closure is shown on the attached site map (Figure 2).

CONTINUING OBLIGATIONS

The Case Closure with Continuing Obligations letter for Fong Family, LLC (BRRTS #02-37-587441) listed the following continuing obligations:

1. **Residual Soil Contamination:** Soil contamination remains as indicated on the enclosed maps (Figures B.2.b.1, B.2.b.2, and B.2.b.3, Residual Soil Contamination, 7/6/2021). If soil in the location(s) shown on the map 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. If sampling confirms that contamination is present, the property owner or right of way holder at the time of excavation will need to determine if the material is considered solid waste and ensure that any storage, treatment or disposal complies with applicable standards and rules. Contaminated soil may be managed under Wis. Admin. Code ch. NR 718 with prior DNR approval.

In addition, all current and future property owners, occupants and right of way holders need to be aware that excavation of the contaminated soil may impose an inhalation and direct contact hazard; special precautions may be needed to prevent a threat to human health.

2. **Cover for soil (cap maintenance):** The pavement shown on the enclosed map (Figure D.2.d, Location Map, 7/13/2021) shall be maintained in compliance with the enclosed maintenance plan, dated July 14, 2021. The purpose of the cover is to minimize infiltration of water through contaminated soil and prevent direct contact with residual soil contamination that might otherwise pose a threat to human health.

To modify or replace a cover, the property owner must submit a request to the DNR under WAC ch. NR 727. The DNR approval must be obtained before implementation. The replacement or modified cover must be a structure of similar permeability or be protective of the revised use of the property until contaminant levels no longer exceed WAC ch. NR 720 groundwater pathway residual contaminant levels and/or direct contact residual contaminant levels (RCLs).

The following activities are limited on any portion of this property where the cover (exists), without prior WDNR approval:

- Removal of the existing barrier.
- Replacement with another barrier.
- Excavating or grading of the land surface.
- Filling on capped or paved areas.
- Plowing or agricultural cultivation.
- Construction or placement of a building or other structure.
- 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.

POST-CLOSURE MODIFICATIONS

CPC intends on modifying each of the two (2) continuing obligations identified at the subject property including residual soil contamination and cover for soil (cap maintenance).

Soil Management

Soil contamination remains at the subject property in the footprint of the proposed redevelopment exceeding the WAC ch. NR 720 Direct Contact (DC) Residual Contaminant Level (RCL) for Polycyclic Aromatic Hydrocarbons (PAHs), Lead, and Arsenic. Soil contamination remains at the subject property in the footprint of the proposed redevelopment exceeding the WAC ch. NR 720 Groundwater Pathway Protection RCLs for Tetrachloroethylene (PCE), PAHs, Lead, and Arsenic.

Contaminated soil encountered during excavation activities will be hauled off-site by the excavation contractor for disposal at a licensed landfill as a non-hazardous solid waste. An estimated 5,000 cubic yards of soil is anticipated to require landfill disposal. Each load will require an individually signed manifest provided by REI as owner representative.

Cap Modification

CPC formerly requests to modify the cap currently in place at the subject property for the purposes of redevelopment. Asphalt cover removed during redevelopment will be replaced with new asphalt, concrete or building addition as noted attached Figure 2. All areas that are currently under impervious cover will be replaced with an impervious cover. No new green space will be created by this redevelopment.

SCHEDULE

CPC site redevelopment is tentatively scheduled for April to September 2022. REI will be overseeing the soil management throughout the entire project duration. A documentation report including a revised *Maintenance Plan* for the soil cover will also be submitted following project completion.

Please contact me at 715-675-9784 or bbailey@REIengineering.com if you have questions or require further information on this request.

REI Engineering, Inc.



Brian J. Bailey
Scientist/Project Manager

Cc: Community Partners Campus, Inc., Attn: Ms. Cari Logemann

Attachments: Post-Closure Modification Request (Form 4400-237) with \$1350 fee
Figures
Previous Case Closure with Continuing Obligations (WDNR, August 27, 2021)
Cover/Barrier Maintenance Plan

Notice: Use this form to request a **written response (on agency letterhead)** from the Department of Natural Resources (DNR) regarding technical assistance, a post-closure change to a site, a specialized agreement or liability clarification for Property with known or suspected environmental contamination. A fee will be required as is authorized by s. 292.55, Wis. Stats., and NR 749, Wis. Adm. Code., unless noted in the instructions below. Personal information collected will be used for administrative purposes and may be provided to requesters to the extent required by Wisconsin's Public Records law [ss. 19.31 - 19.39, Wis. Stats.].

Definitions

"Property" refers to the subject Property that is perceived to have been or has been impacted by the discharge of hazardous substances.

"Liability Clarification" refers to a written determination by the Department provided in response to a request made on this form. The response clarifies whether a person is or may become liable for the environmental contamination of a Property, as provided in s. 292.55, Wis. Stats.

"Technical Assistance" refers to the Department's assistance or comments on the planning and implementation of an environmental investigation or environmental cleanup on a Property in response to a request made on this form as provided in s. 292.55, Wis. Stats.

"Post-closure modification" refers to changes to Property boundaries and/or continuing obligations for Properties or sites that received closure letters for which continuing obligations have been applied or where contamination remains. Many, but not all, of these sites are included on the GIS Registry layer of RR Sites Map to provide public notice of residual contamination and continuing obligations.

Select the Correct Form

This form should be used to request the following from the DNR:

- Technical Assistance
- Liability Clarification
- Post-Closure Modifications
- Specialized Agreements (tax cancellation, negotiated agreements, etc.)

Do not use this form if one of the following applies:

- Request for an **off-site liability exemption or clarification** for Property that has been or is perceived to be contaminated by one or more hazardous substances that originated on another Property containing the source of the contamination. Use DNR's Off-Site Liability Exemption and Liability Clarification Application Form 4400-201.
- Submittal of an Environmental Assessment for the **Lender Liability Exemption**, s 292.21, Wis. Stats., **if no response or review by DNR is requested**. Use the Lender Liability Exemption Environmental Assessment Tracking Form 4400-196.
- Request for an **exemption to develop on a historic fill site** or licensed landfill. Use DNR's Form 4400-226 or 4400-226A.
- **Request for closure** for Property where the investigation and cleanup actions are completed. Use DNR's Case Closure - GIS Registry Form 4400-202.

All forms, publications and additional information are available on the internet at: dnr.wi.gov/topic/Brownfields/Pubs.html.

Instructions

1. Complete sections 1, 2, 6 and 7 for all requests. Be sure to provide adequate and complete information.
2. Select the type of assistance requested: Section 3 for technical assistance or post-closure modifications, Section 4 for a written determination or clarification of environmental liabilities; or Section 5 for a specialized agreement.
3. Include the fee payment that is listed in Section 3, 4, or 5, unless you are a "Voluntary Party" enrolled in the Voluntary Party Liability Exemption Program **and** the questions in Section 2 direct otherwise. Information on to whom and where to send the fee is found in Section 8 of this form.
4. Send the completed request, supporting materials and the fee to the appropriate DNR regional office where the Property is located. See the map on the last page of this form. A paper copy of the signed form and all reports and supporting materials shall be sent with an electronic copy of the form and supporting materials on a compact disk. For electronic document submittal requirements see: <http://dnr.wi.gov/files/PDF/pubs/rr/RR690.pdf>

The time required for DNR's determination varies depending on the complexity of the site, and the clarity and completeness of the request and supporting documentation.

Technical Assistance, Environmental Liability Clarification or Post-Closure Modification Request

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Section 1. Contact and Recipient Information

Requester Information

This is the person requesting technical assistance or a post-closure modification review, that his or her liability be clarified or a specialized agreement and is identified as the requester in Section 7. DNR will address its response letter to this person.

Last Name Logemann	First Cari	MI	Organization/ Business Name Community Partners Campus, Inc.
Mailing Address PO Box 1403		City Wausau	State WI
		ZIP Code 54402	
Phone # (include area code) (715) 574-3530	Fax # (include area code)	Email cpcwausau@gmail.com	

The requester listed above: (select all that apply)

- Is currently the owner
 Is considering selling the Property
 Is renting or leasing the Property
 Is considering acquiring the Property
 Is a lender with a mortgagee interest in the Property
 Other. Explain the status of the Property with respect to the applicant:

Contact Information (to be contacted with questions about this request)

Select if same as requester

Contact Last Name Logemann	First Cari	MI J	Organization/ Business Name Community Partners Campus, Inc.
Mailing Address PO Box 1403		City Wausau	State WI
		ZIP Code 54402	
Phone # (include area code) (715) 574-3530	Fax # (include area code)	Email cpcwausau@gmail.com	

Environmental Consultant (if applicable)

Contact Last Name Bailey	First Brian	MI J	Organization/ Business Name REI Engineering, Inc.
Mailing Address 4080 North 20th Avenue		City Wausau	State WI
		ZIP Code 54401	
Phone # (include area code) (715) 675-9784	Fax # (include area code)	Email bbailey@reiengineering.com	

Section 2. Property Information

Property Name Fong Family LLC		FID No. (if known) 737254760	
BRRTS No. (if known) 02-37-587441		Parcel Identification Number 291-2907-362-0511	
Street Address 360 & 372 Grand Avenue		City Wausau	State WI
		ZIP Code 54401	
County Marathon	Municipality where the Property is located <input checked="" type="radio"/> City <input type="radio"/> Town <input type="radio"/> Village of Wausau	Property is composed of: <input checked="" type="radio"/> Single tax parcel <input type="radio"/> Multiple tax parcels	Property Size Acres 1.65

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1. Is a response needed by a specific date? (e.g., Property closing date) Note: Most requests are completed within 60 days. Please plan accordingly.

No Yes

Date requested by: 03/15/2022

Reason: Construction to begin in April

2. Is the "Requester" enrolled as a Voluntary Party in the Voluntary Party Liability Exemption (VPLE) program?

No. **Include the fee that is required for your request in Section 3, 4 or 5.**

Yes. **Do not include a separate fee.** This request will be billed separately through the VPLE Program.

Fill out the information in Section 3, 4 or 5 which corresponds with the type of request:

Section 3. Technical Assistance or Post-Closure Modifications;

Section 4. Liability Clarification; or Section 5. Specialized Agreement.

Section 3. Request for Technical Assistance or Post-Closure Modification

Select the type of technical assistance requested: [Numbers in brackets are for WI DNR Use]

- No Further Action Letter (NFA) (Immediate Actions) - NR 708.09, [183] - Include a fee of \$350. Use for a written response to an immediate action after a discharge of a hazardous substance occurs. Generally, these are for a one-time spill event.
- Review of Site Investigation Work Plan - NR 716.09, [135] - **Include a fee of \$700.**
- Review of Site Investigation Report - NR 716.15, [137] - **Include a fee of \$1050.**
- Approval of a Site-Specific Soil Cleanup Standard - NR 720.10 or 12, [67] - **Include a fee of \$1050.**
- Review of a Remedial Action Options Report - NR 722.13, [143] - **Include a fee of \$1050.**
- Review of a Remedial Action Design Report - NR 724.09, [148] - **Include a fee of \$1050.**
- Review of a Remedial Action Documentation Report - NR 724.15, [152] - **Include a fee of \$350**
- Review of a Long-term Monitoring Plan - NR 724.17, [25] - **Include a fee of \$425.**
- Review of an Operation and Maintenance Plan - NR 724.13, [192] - **Include a fee of \$425.**

Other Technical Assistance - s. 292.55, Wis. Stats. [97] (For request to build on an abandoned landfill use Form 4400-226)

- Schedule a Technical Assistance Meeting - **Include a fee of \$700.**
- Hazardous Waste Determination - **Include a fee of \$700.**
- Other Technical Assistance - **Include a fee of \$700.** Explain your request in an attachment.

Post-Closure Modifications - NR 727, [181]

- Post-Closure Modifications: Modification to Property boundaries and/or continuing obligations of a closed site or Property; sites may be on the GIS Registry. This also includes removal of a site or Property from the GIS Registry. **Include a fee of \$1050, and:**
 - Include a fee of \$300 for sites with residual soil contamination; and
 - Include a fee of \$350 for sites with residual groundwater contamination, monitoring wells or for vapor intrusion continuing obligations.

Attach a description of the changes you are proposing, and documentation as to why the changes are needed (if the change to a Property, site or continuing obligation will result in revised maps, maintenance plans or photographs, those documents may be submitted later in the approval process, on a case-by-case basis).

Section 4. Request for Liability Clarification

Select the type of liability clarification requested. Use the available space given or attach information, explanations, or specific questions that you need answered in DNR's reply. Complete Sections 6 and 7 of this form. [Numbers in brackets are for DNR Use]

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"Lender" liability exemption clarification - s. 292.21, Wis. Stats. [686]

❖ **Include a fee of \$700.**

Provide the following documentation:

- (1) ownership status of the real Property, and/or the personal Property and fixtures;
- (2) an environmental assessment, in accordance with s. 292.21, Wis. Stats.;
- (3) the date the environmental assessment was conducted by the lender;
- (4) the date of the Property acquisition; for foreclosure actions, include a copy of the signed and dated court order confirming the sheriff's sale.
- (5) documentation showing how the Property was acquired and the steps followed under the appropriate state statutes.
- (6) a copy of the Property deed with the correct legal description; and,
- (7) the Lender Liability Exemption Environmental Assessment Tracking Form (Form 4400-196).
- (8) If no sampling was done, please provide reasoning as to why it was **not** conducted. Include this either in the accompanying environmental assessment or as an attachment to this form, and cite language in s. 292. 21(1)(c)2.,h.-i., Wis. Stats.:
 - h. The collection and analysis of representative samples of soil or other materials in the ground that are suspected of being contaminated based on observations made during a visual inspection of the real Property or based on aerial photographs, or other information available to the lender, including stained or discolored soil or other materials in the ground and including soil or materials in the ground in areas with dead or distressed vegetation. The collection and analysis shall identify contaminants in the soil or other materials in the ground and shall quantify concentrations.
 - i. The collection and analysis of representative samples of unknown wastes or potentially hazardous substances found on the real Property and the determination of concentrations of hazardous waste and hazardous substances found in tanks, drums or other containers or in piles or lagoons on the real Property.

"Representative" liability exemption clarification (e.g. trustees, receivers, etc.) - s. 292.21, Wis. Stats. [686]

❖ **Include a fee of \$700.**

Provide the following documentation:

- (1) ownership status of the Property;
- (2) the date of Property acquisition by the representative;
- (3) the means by which the Property was acquired;
- (4) documentation that the representative has no beneficial interest in any entity that owns, possesses, or controls the Property;
- (5) documentation that the representative has not caused any discharge of a hazardous substance on the Property; and
- (6) a copy of the Property deed with the correct legal description.

Clarification of local governmental unit (LGU) liability exemption at sites with: (select all that apply)

- hazardous substances spills - s. 292.11(9)(e), Wis. Stats. [649];
- Perceived environmental contamination - [649];
- hazardous waste - s. 292.24 (2), Wis. Stats. [649]; and/or
- solid waste - s. 292.23 (2), Wis. Stats. [649].

❖ **Include a fee of \$700, a summary of the environmental liability clarification being requested, and the following:**

- (1) clear supporting documentation showing the acquisition method used, and the steps followed under the appropriate state statute(s).
- (2) current and proposed ownership status of the Property;
- (3) date and means by which the Property was acquired by the LGU, where applicable;
- (4) a map and the ¼, ¼ section location of the Property;
- (5) summary of current uses of the Property;
- (6) intended or potential use(s) of the Property;
- (7) descriptions of other investigations that have taken place on the Property; and
- (8) (for solid waste clarifications) a summary of the license history of the facility.

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Section 4. Request for Liability Clarification (cont.)

- Lease liability clarification - s. 292.55, Wis. Stats. [646]
- ❖ **Include a fee of \$700 for a single Property, or \$1400 for multiple Properties and the information listed below:**
- (1) a copy of the proposed lease;
 - (2) the name of the current owner of the Property and the person who will lease the Property;
 - (3) a description of the lease holder's association with any persons who have possession, control, or caused a discharge of a hazardous substance on the Property;
 - (4) map(s) showing the Property location and any suspected or known sources of contamination detected on the Property;
 - (5) a description of the intended use of the Property by the lease holder, with reference to the maps to indicate which areas will be used. Explain how the use will not interfere with any future investigation or cleanup at the Property; and
 - (6) all reports or investigations (e.g. Phase I and Phase II Environmental Assessments and/or Site Investigation Reports conducted under s. NR 716, Wis. Adm. Code) that identify areas of the Property where a discharge has occurred.

General or other environmental liability clarification - s. 292.55, Wis. Stats. [682] - Explain your request below.

- ❖ **Include a fee of \$700 and an adequate summary of relevant environmental work to date.**

- No Action Required (NAR) - NR 716.05, [682]

- ❖ **Include a fee of \$700.**

Use where an environmental discharge has or has not occurred, and applicant wants a DNR determination that no further assessment or clean-up work is required. Usually this is requested after a Phase I and Phase II environmental assessment has been conducted; the assessment reports should be submitted with this form. This is not a closure letter.

- Clarify the liability associated with a "closed" Property - s. 292.55, Wis. Stats. [682]

- ❖ **Include a fee of \$700.**

- Include a copy of any closure documents if a state agency other than DNR approved the closure.

Use this space or attach additional sheets to provide necessary information, explanations or specific questions to be answered by the DNR.

Detailed in cover letter.

Section 5. Request for a Specialized Agreement

Select the type of agreement needed. Include the appropriate draft agreements and supporting materials. Complete Sections 6 and 7 of this form. More information and model draft agreements are available at: dnr.wi.gov/topic/Brownfields/Igu.html#tabx4.

- Tax cancellation agreement - s. 75.105(2)(d), Wis. Stats. [654]

- ❖ **Include a fee of \$700, and the information listed below:**

- (1) Phase I and II Environmental Site Assessment Reports,
- (2) a copy of the Property deed with the correct legal description.

- Agreement for assignment of tax foreclosure judgement - s.75.106, Wis. Stats. [666]

- ❖ **Include a fee of \$700, and the information listed below:**

- (1) Phase I and II Environmental Site Assessment Reports,
- (2) a copy of the Property deed with the correct legal description.

- Negotiated agreement - Enforceable contract for non-emergency remediation - s. 292.11(7)(d) and (e), Wis. Stats. [630]

- ❖ **Include a fee of \$1400, and the information listed below:**

- (1) a draft schedule for remediation; and,
- (2) the name, mailing address, phone and email for each party to the agreement.

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Section 6. Other Information Submitted

Identify all materials that are included with this request.

Send both a paper copy of the signed form and all reports and supporting materials, and an electronic copy of the form and all reports, including Environmental Site Assessment Reports, and supporting materials on a compact disk.

Include one copy of any document from any state agency files that you want the Department to review as part of this request. The person submitting this request is responsible for contacting other state agencies to obtain appropriate reports or information.

- Phase I Environmental Site Assessment Report - Date: _____
- Phase II Environmental Site Assessment Report - Date: _____
- Legal Description of Property (required for all liability requests and specialized agreements)
- Map of the Property (required for all liability requests and specialized agreements)

Analytical results of the following sampled media: Select all that apply and include date of collection.

- Groundwater
- Soil
- Sediment
- Other medium - Describe: _____

Date of Collection: _____

- A copy of the closure letter and submittal materials
- Draft tax cancellation agreement
- Draft agreement for assignment of tax foreclosure judgment
- Other report(s) or information - Describe: _____

For Property with newly identified discharges of hazardous substances only: Has a notification of a discharge of a hazardous substance been sent to the DNR as required by s. NR 706.05(1)(b), Wis. Adm. Code?

- Yes - Date (if known): _____
- No

Note: The Notification for Hazardous Substance Discharge Form - Non-Emergency Only (Form 4400-225) is accessible through the RR Program Submittal Portal application. Directions for using the form and the Submittal Portal application are available on the [Submittal Portal web page](#).

Section 7. Certification by the Person who completed this form

- I am the person submitting this request (requester)
- I prepared this request for: Community Partners Campus, Inc.
Requester Name

I certify that I am familiar with the information submitted on this request, and that the information on and included with this request is true, accurate and complete to the best of my knowledge. I also certify I have the legal authority and the applicant's permission to make this request.



Signature

1-31-2022

Date Signed

Scientist/Project Manager

(715) 675-9784

Title

Telephone Number (include area code)

Technical Assistance, Environmental Liability Clarification or Post-Closure Modification Request

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Section 8. DNR Contacts and Addresses for Request Submittals

Send or deliver one paper copy and one electronic copy on a compact disk of the completed request, supporting materials, and fee to the region where the property is located to the address below. Contact a [DNR regional brownfields specialist](#) with any questions about this form or a specific situation involving a contaminated property. For electronic document submittal requirements see: <http://dnr.wi.gov/files/PDF/pubs/rr/RR690.pdf>.

DNR NORTHERN REGION

Attn: RR Program Assistant
Department of Natural Resources
223 E Steinfest Rd Antigo, WI 54409

DNR NORTHEAST REGION

Attn: RR Program Assistant
Department of Natural Resources
2984 Shawano Avenue
Green Bay WI 54313

DNR SOUTH CENTRAL REGION

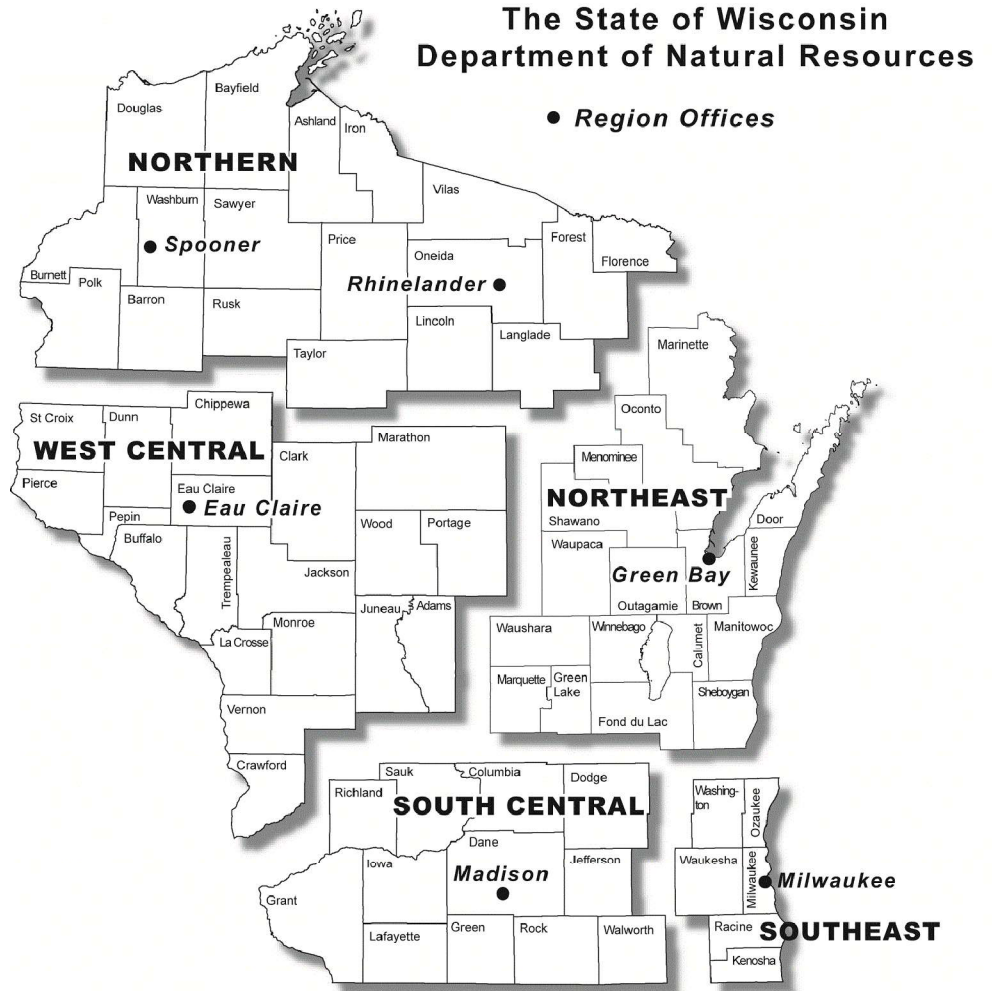
Attn: RR Program Assistant
Department of Natural Resources
3911 Fish Hatchery Road
Fitchburg WI 53711

DNR SOUTHEAST REGION

Attn: RR Program Assistant
Milwaukee DNR Office
1027 West St. Paul Ave
Milwaukee WI 53233

DNR WEST CENTRAL REGION

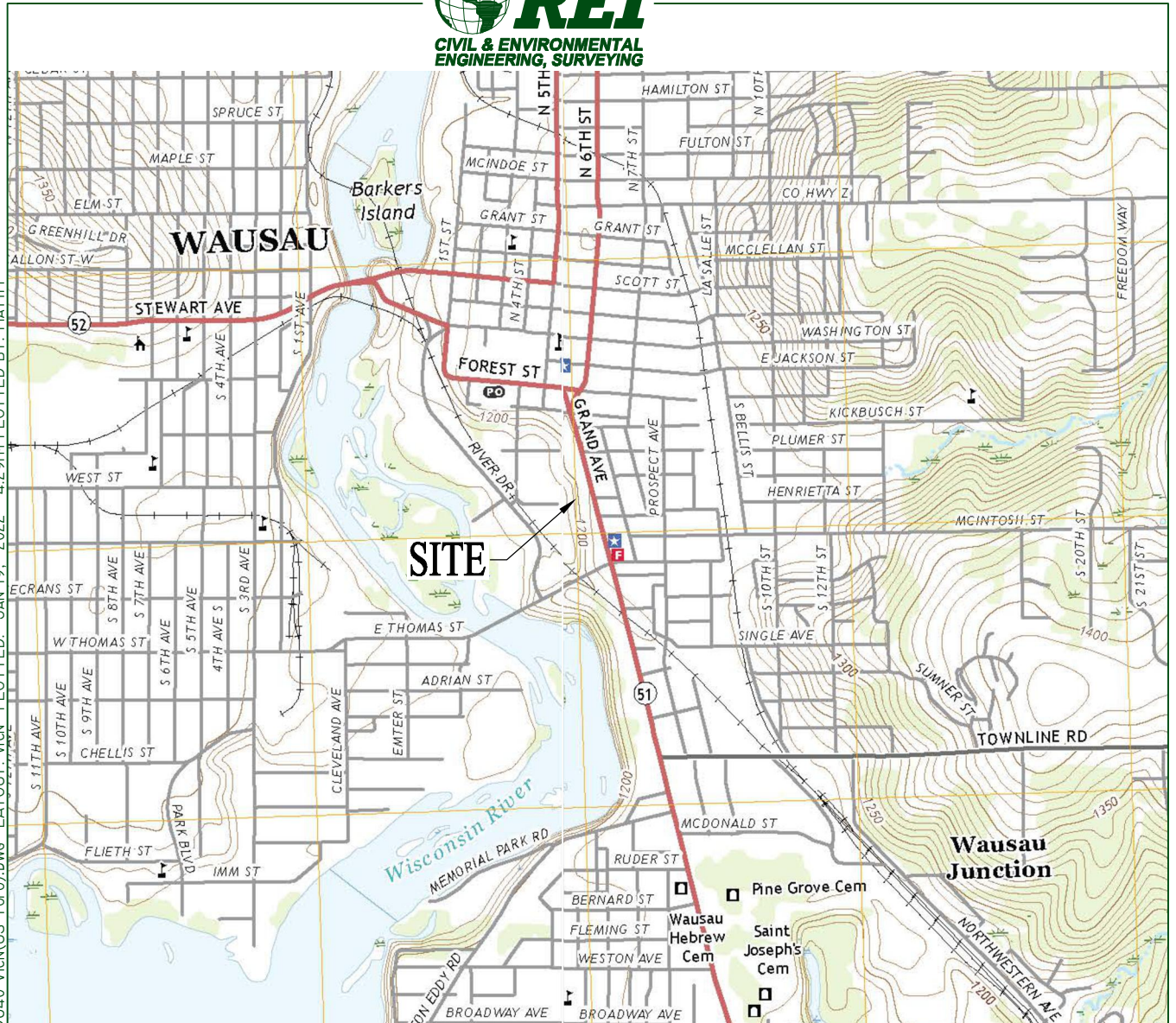
Attn: RR Program Assistant
Department of Natural Resources
1300 Clairemont Ave.
Eau Claire WI 54702



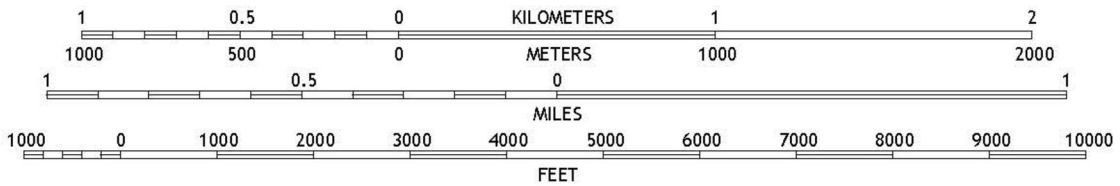
Note: These are the Remediation and Redevelopment Program's designated regions. Other DNR program regional boundaries may be different.

DNR Use Only			
Date Received	Date Assigned	BRRTS Activity Code	BRRTS No. (if used)
DNR Reviewer		Comments	
Fee Enclosed? <input type="radio"/> Yes <input type="radio"/> No	Fee Amount \$	Date Additional Information Requested	Date Requested for DNR Response Letter
Date Approved	Final Determination		

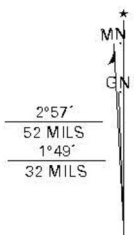
DRAWING FILE: P:\19600-9699\19640 - COMMUNITY PARTNERS\DWG\ENVIRONMENTAL\19640-VIGN(US Topo).DWG LAYOUT: VIGN PLOTTED: JAN 19, 2022 - 4:29PM PLOTTED BY: MATTY



SCALE 1:24 000



CONTOUR INTERVAL 10 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988



UTM GRID AND 2019 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

WAUSAU EAST QUADRANGLE
WISCONSIN - MARATHON COUNTY
7.5-MINUTE SERIES



QUADRANGLE LOCATION

WAUSAU EAST, WI
2016

REI ENGINEERING, INC.

COMMUNITY PARTNERS CAMPUS
364 GRAND AVENUE
WAUSAU, WI 54403



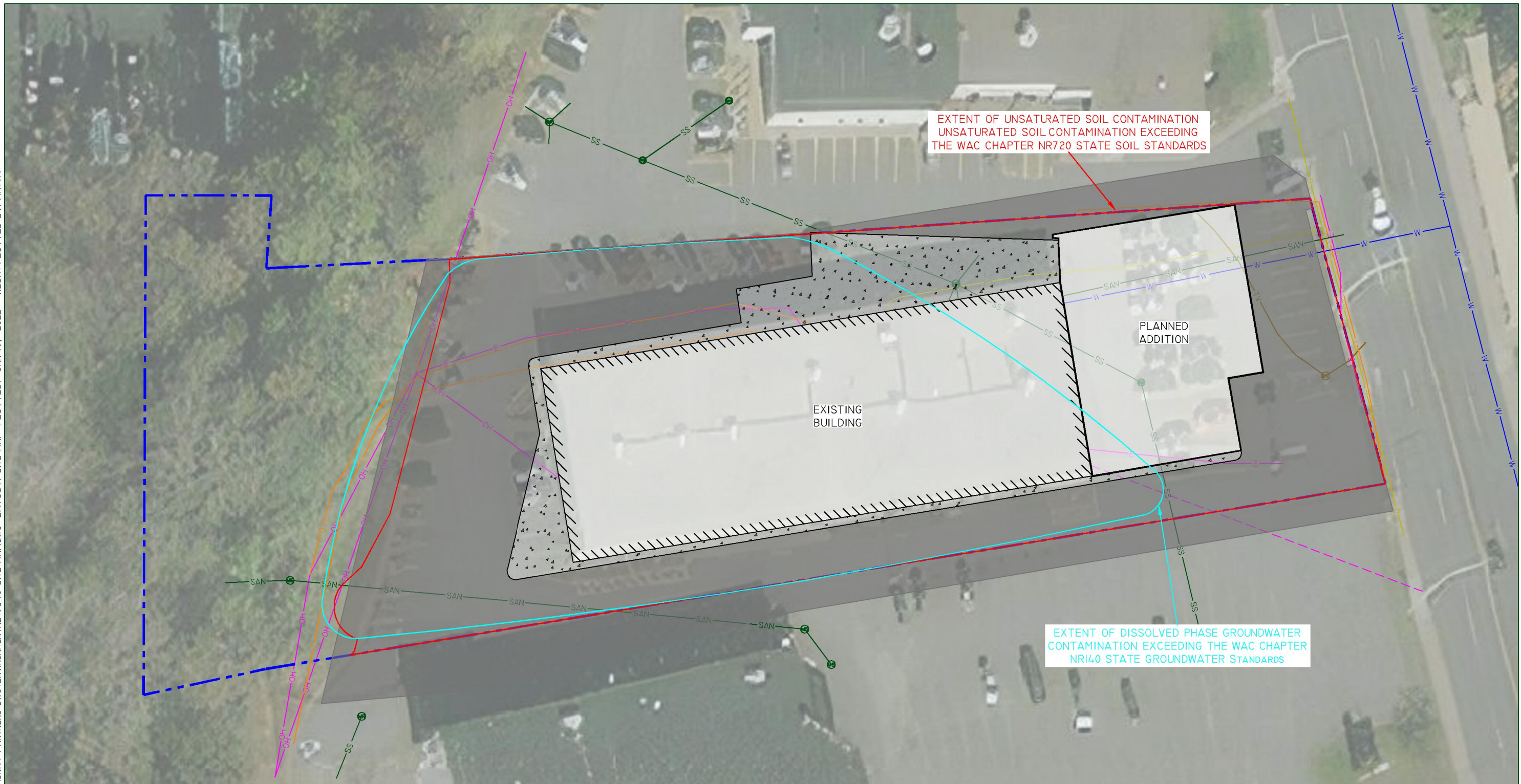
FIGURE I : LOCATION MAP

PROJECT NO.
9640

DRAWN BY:
MCM

DATE:
1/19/2022

DRAWING FILE: P:\9600-9699\9640 - COMMUNITY PARTNERS\DWG\ENVIRONMENTAL\9640-SITE MAP.DWG LAYOUT: SITE MAP PLOTTED: JAN 19, 2022 - 4:26PM PLOTTED BY: MATTH



LEGEND

		<p>PLANNED GROUND SURFACE COVERS</p>	
<ul style="list-style-type: none"> CATCH BASIN - STORM WATER MANHOLE - STORM WATER MANHOLE - SANITARY SEWER MANHOLE - CABLE PROPERTY BOUNDARY (APPROXIMATE) BURIED UTILITY LINE - UNKNOWN WATER LINE 	<ul style="list-style-type: none"> SANITARY SEWER LINE STORM WATER LINE NATURAL GAS LINE ELECTRICAL LINE (BURIED) FIBER OPTIC LINE (BURIED) OVERHEAD UTILITY LINE TELECOMMUNICATION LINE (BURIED) CABLE LINE (BURIED) 	<ul style="list-style-type: none"> SITE STRUCTURE CONCRETE ASPHALT 	



COMMUNITY PARTNERS CAMPUS
364 GRAND AVENUE
WAUSAU, WI 54403

FIGURE 2: SITE MAP

PROJECT No. 9640	DRAWN BY: MCM	DATE: 1/19/2022
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REI Engineering, INC.



August 27, 2021

Fong Family, LLC.
Attn: John Rosemurgy
PO Box 1966
Wausau, WI 54403

KEEP THIS LEGAL DOCUMENT WITH YOUR PROPERTY RECORDS

Subject: Case Closure with Continuing Obligations
Fong Family, LLC., Wausau, WI 54701
BRRTS #: 02-37-587441

Dear Mr. Rosemurgy:

The Wisconsin Department of Natural Resources (DNR) is pleased to inform you that the Fong Family, LLC case identified above met the requirements of Wisconsin Administrative (Wis. Admin.) Code chs. NR 700 to 799 for case closure with continuing obligations (COs). COs are legal requirements to address potential exposure to remaining contamination. No further investigation or remediation is required at this time for the reported hazardous substance discharge and/or environmental pollution.

However, you, future property owners and occupants of the property must comply with the COs as explained in this letter, which may include maintaining certain features and notifying the DNR and obtaining approval before taking specific actions. You must provide this letter and all enclosures to anyone who purchases, rents or leases this property from you.

This case closure decision is issued under Wis. Admin. Code chs. NR 700 to 799 and is based on information received by the DNR to date. The DNR reviewed the case closure request for compliance with state laws and standards and determined the case closure request met the notification requirements of Wis. Admin. Code ch. NR 725, the response action goals of Wis. Admin. Code § NR 726.05(4), and the case closure criteria of Wis. Admin. Code §§ NR 726.05, 726.09 and 726.11, and Wis. Admin. Code ch. NR 140.

The Fong Family, LLC site was investigated for a discharge of hazardous substances and/or environmental pollution from historic fill located throughout much of the property. Case closure is granted for the contaminants investigated as documented in the case file. The site investigation and/or remedial action addressed soil, groundwater, and vapor. Contamination remains in historic fill at the site.

The case closure decision and COs required were based on the current use of the site for commercial purposes. The site is currently zoned commercial. Based on the land use and zoning, the site meets the non-industrial land use classification under Wis. Admin. Code § NR 720.05(5) for application of residual contaminant levels in soil.

SUMMARY OF CONTINUING OBLIGATIONS

COs are applied at the following locations:

ADDRESS (CITY, WI)	COS APPLIED	DATE OF MAINTENANCE PLAN(S)
360 & 372 Grand Avenue, Wausau (Source Property)	<ul style="list-style-type: none"> • Residual Soil Contamination • Cover (for soil) 	July 14, 2021

CLOSURE CONDITIONS

Closure conditions are legally required conditions which include both COs and other requirements for case closure (Wis. Stat. § 292.12(2)). Under Wis. Stat. § 292.12(5), you, any subsequent property owners and occupants of the property must comply with the closure conditions as explained in this letter. The property owner must notify occupants for any condition specified in this letter under Wis. Admin. Code §§ NR 726.15(1)(b) and NR 727.05(2). If an occupant is responsible for maintenance of any closure condition specified in this letter, you and any subsequent property owner must include the condition in the lease agreement under Wis. Admin. Code § NR 727.05(3) and provide the maintenance plan to any occupant that is responsible.

DNR staff may conduct periodic pre-arranged inspections to ensure that the conditions included in this letter and the maintenance plan dated July 14, 2021 are met (Wis. Stat. § 292.11(8)). If these requirements are not followed, the DNR may take enforcement action under Wis. Stat. ch. 292 to ensure compliance with the closure conditions.

SOIL

Continuing Obligations to Address Soil Contamination

Residual Soil Contamination (Wis. Admin. Code chs. NR 718, NR 500 to 599, and § NR 726.15(2)(b) and Wis. Stat. ch. 289)

Soil contamination remains as indicated on the enclosed maps (Figures B.2.b.1, B.2.b.2, and B.2.b.3, Residual Soil Contamination, 7/6/2021). If soil in the location(s) shown on the map 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. If sampling confirms that contamination is present, the property owner or right of way holder at the time of excavation will need to determine if the material is considered solid waste and ensure that any storage, treatment or disposal complies with applicable standards and rules. Contaminated soil may be managed under Wis. Admin. Code ch. NR 718 with prior DNR approval.

In addition, all current and future property owners, occupants and right of way holders need to be aware that excavation of the contaminated soil may pose an inhalation and direct contact hazard; special precautions may be needed to prevent a threat to human health.

Cover (for soil) (Wis. Stat. § 292.12(2)(a), Wis. Admin. Code §§ NR 724.13(1) and (2), NR 726.15(2)(d) and/or (e), NR 727.07(1))

The pavement as shown on the enclosed map (Figure D.2.d, Location Map, 7/13/2021) shall be maintained in compliance with the enclosed maintenance plan, dated July 14, 2021. The purpose of the cover is to minimize the infiltration of water through contaminated soil and prevent direct contact with residual soil contamination that might otherwise pose a threat to human health.

To modify or replace a cover, the property owner must submit a request to the DNR under Wis. Admin. Code ch. NR 727. The DNR approval must be obtained before implementation. The replacement or modified cover must be a structure of similar permeability or be protective of the revised use of the property until contaminant levels no longer exceed Wis. Admin. Code ch. NR 720 groundwater pathway residual contaminant levels and/or direct contact residual contaminant levels (RCLs).

GROUNDWATER

Recent groundwater monitoring data at this site indicates that for the contaminants arsenic, benzene, and tetrachloroethene, levels exceed the NR 140 preventive action limit (PAL) but are below the enforcement standard (ES), as shown on the enclosed map (Figure B.3.b., Groundwater Isoconcentration, 7/6/2021). The DNR may grant an exemption to a PAL for a substance of public health concern, other than nitrate, under Wis. Admin. Code § NR 140.28(2)(b) if all the following criteria are met:

1. The measured or anticipated increase in the concentration of the substance will be minimized to the extent technically and economically feasible.
2. Compliance with the PAL is either not technically or economically feasible.
3. The enforcement standard for that substance will not be attained or exceeded at the point of standards application. (Note: at this site the point of standards application is all points where groundwater is monitored.)
4. Any existing or projected increase in the concentration of the substance above the background concentration does not present a threat to public health or welfare.

Based on the information you provided, the DNR believes that these criteria have been or will be met. Therefore, under Wis. Admin. Code § NR 140.28, an exemption to the PAL is granted for arsenic, benzene, and tetrachloroethene. This letter serves as your exemption.

OTHER CLOSURE REQUIREMENTS

Maintenance Plan and Inspection Log (Wis. Admin. Code §§ NR 726.11(2), NR 726.15(1)(d), NR 727.05(1)(b)3., Wis. Admin. Code § NR 716.14(2) for monitoring wells)

The property owner is required to comply with the enclosed maintenance plan dated July 14, 2021 for the cover, to conduct inspections annually and to use the inspection log (DNR Form 4400-305 or Form 4400-321 VMS Inspection Log) to document the required inspections. The maintenance plan and inspection log are to be kept up-to-date and on-site. The property owner shall submit the inspection log to the DNR only upon request using the RR Program Submittal Portal. See the DNR Notification and Approval Requirements section below for more information on how to access the Submittal Portal.

The limitations on activities are identified in the enclosed maintenance plan(s). The following activities are prohibited on any portion of this property where the cover, without prior DNR approval.

- removal of the existing barrier.
- replacement with another barrier.
- excavating or grading of the land surface.
- filling on capped or paved areas.
- plowing for agricultural cultivation.
- construction or placement of a building or other structure.
- 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.

Pre-Approval Required for Well Construction (Wis. Admin. Code § NR 812.09(4)(w))

DNR approval is required before well construction or reconstruction for all sites identified as having residual contamination and/or COs. This requirement applies to private drinking water wells and high capacity wells. To obtain approval, the property owner is required to complete and submit Form 3300-254, Continuing Obligations/Residual Contamination Well Approval Application, to the DNR Drinking and Groundwater program's regional water supply specialist. A well driller can help complete this form. The form can be obtained online at dnr.wi.gov, search "3300-254." Additional casing may be necessary to help prevent contamination of the well.

General Wastewater Permits for Construction-related Dewatering Activities (Wis. Admin. Code ch. NR 200)

The DNR's Water Quality Program regulates point source discharges of contaminated water, including discharges to surface waters, storm sewers, pits, or to the ground surface. This includes discharges from construction-related dewatering activities, including utility work and building construction.

If the property owner or any other person plans to conduct such activities, that person must contact the Water Quality Program and, if necessary, apply for the required discharge permit. If residual soil or groundwater contamination is likely to affect water collected in a pit/trench that requires dewatering, a general permit for discharge of *Contaminated Groundwater from Remedial Action Operations* may be needed. If water collecting in a pit/trench that requires dewatering is expected to be free of pollutants other than suspended solids, oil and grease, a general permit for pit/trench *Dewatering Operations* may be needed. Additional information can be obtained by visiting the DNR website at "dnr.wi.gov," search "wastewater general permits."

DNR NOTIFICATION AND APPROVAL REQUIREMENTS

Certain activities are limited at closed sites to maintain protectiveness to human health and the environment. The property owner is required to notify the DNR at least 45 days before and obtain approval from the DNR prior to removing or modifying the asphalt cover (Wis. Admin. Code §§ NR 727.07, NR 726.15 (2), Wis. Stat. § 292.12(6)).

The DNR may require additional investigation and/or cleanup actions if necessary, to be protective of human health and the environment. The case may be reopened under Wis. Admin. Code § NR 727.13 if additional information indicates that contamination on or from the site poses a threat, or for a lack of compliance with a CO or closure requirement.

SUBMITTALS AND CONTACT INFORMATION

Site, 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."

Send written notifications to the DNR using the RR Program Submittal Portal at dnr.wi.gov, search "RR submittal portal" (<https://dnr.wi.gov/topic/Brownfields/Submittal.html>). Questions on using this portal can be directed to the Project Manager below or to the environmental program associate (EPA) for the regional DNR office. Visit dnr.wi.gov, search "RR contacts" and select the EPA tab (<https://dnr.wi.gov/topic/Brownfields/Contact.html>).

CLOSING

The DNR appreciates your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact DNR project manager Matt Thompson, 715-492-2304, email:

matthewa.thompson@wisconsin.gov.

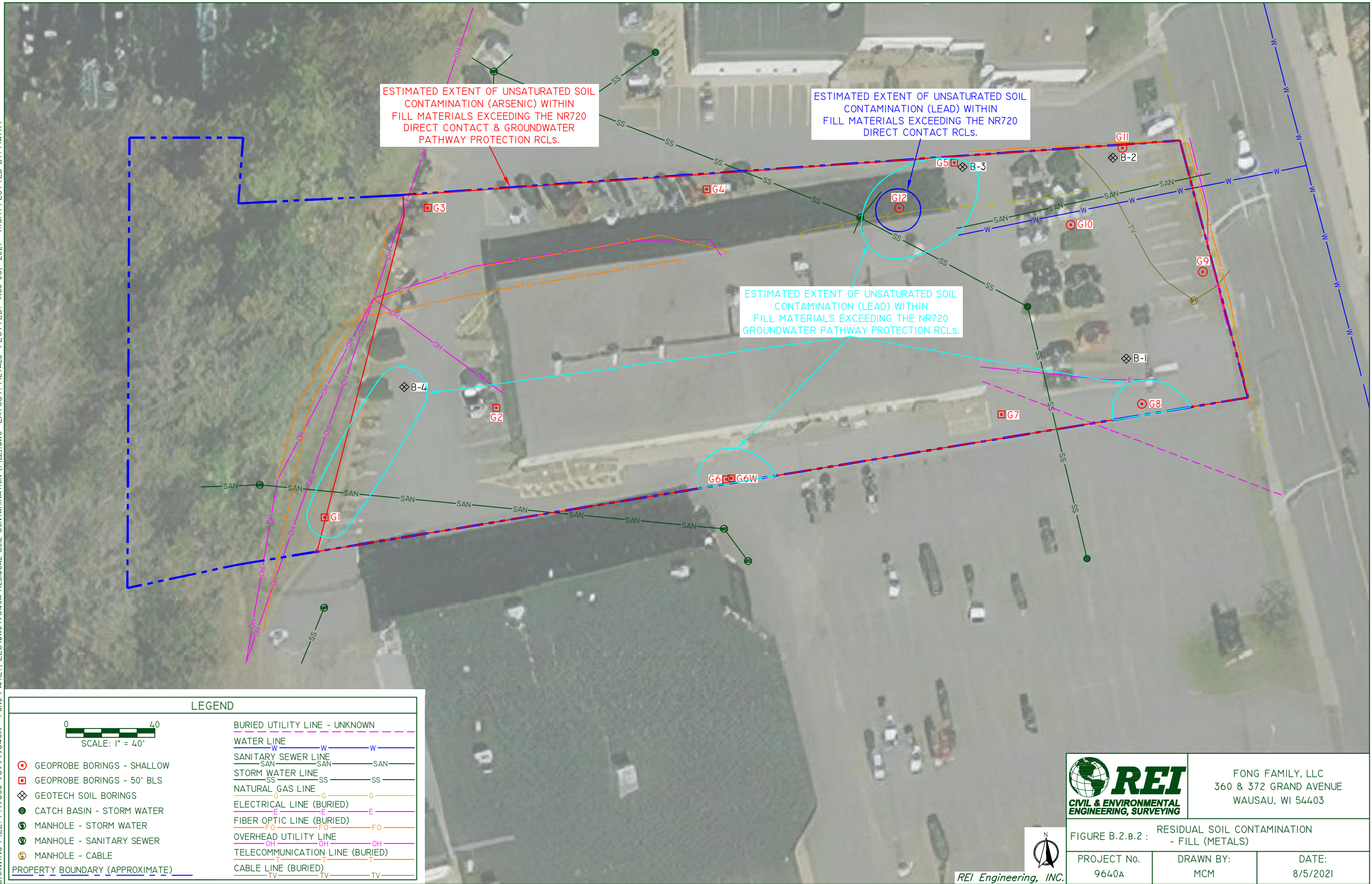
Sincerely,

Dave Rozeboom
West Central Region Team Supervisor
Remediation & Redevelopment Program

Attachments:

Figure B.3.b, Groundwater Isoconcentration, July 6, 2021
Figure B.2.b., Residual Soil Contamination, July 6, 2021
Attachment D, Maintenance Plan, July 14, 2021

DRAWING FILE: P:\19600-9699\9640A - FONG FAMILY, LLC\DWG\19640A-RESIDUAL SOIL CONTAMINATION (FILL).DWG LAYOUT: METALS PLOTTED: AUG 05, 2021 - 1:16PM PLOTTED BY: MATTM



ESTIMATED EXTENT OF UNSATURATED SOIL CONTAMINATION (ARSENIC) WITHIN FILL MATERIALS EXCEEDING THE NR720 DIRECT CONTACT & GROUNDWATER PATHWAY PROTECTION RCLs.

ESTIMATED EXTENT OF UNSATURATED SOIL CONTAMINATION (LEAD) WITHIN FILL MATERIALS EXCEEDING THE NR720 DIRECT CONTACT RCLs.

ESTIMATED EXTENT OF UNSATURATED SOIL CONTAMINATION (LEAD) WITHIN FILL MATERIALS EXCEEDING THE NR720 GROUNDWATER PATHWAY PROTECTION RCLs.

LEGEND

	GEOPROBE BORINGS - SHALLOW
	GEOPROBE BORINGS - 50' BLS
	GEOTECH SOIL BORINGS
	CATCH BASIN - STORM WATER
	MANHOLE - STORM WATER
	MANHOLE - SANITARY SEWER
	MANHOLE - CABLE
	PROPERTY BOUNDARY (APPROXIMATE)
	BURIED UTILITY LINE - UNKNOWN
	WATER LINE
	SANITARY SEWER LINE
	STORM WATER LINE
	NATURAL GAS LINE
	ELECTRICAL LINE (BURIED)
	FIBER OPTIC LINE (BURIED)
	OVERHEAD UTILITY LINE
	TELECOMMUNICATION LINE (BURIED)
	CABLE LINE (BURIED)



FONG FAMILY, LLC
360 & 372 GRAND AVENUE
WAUSAU, WI 54403

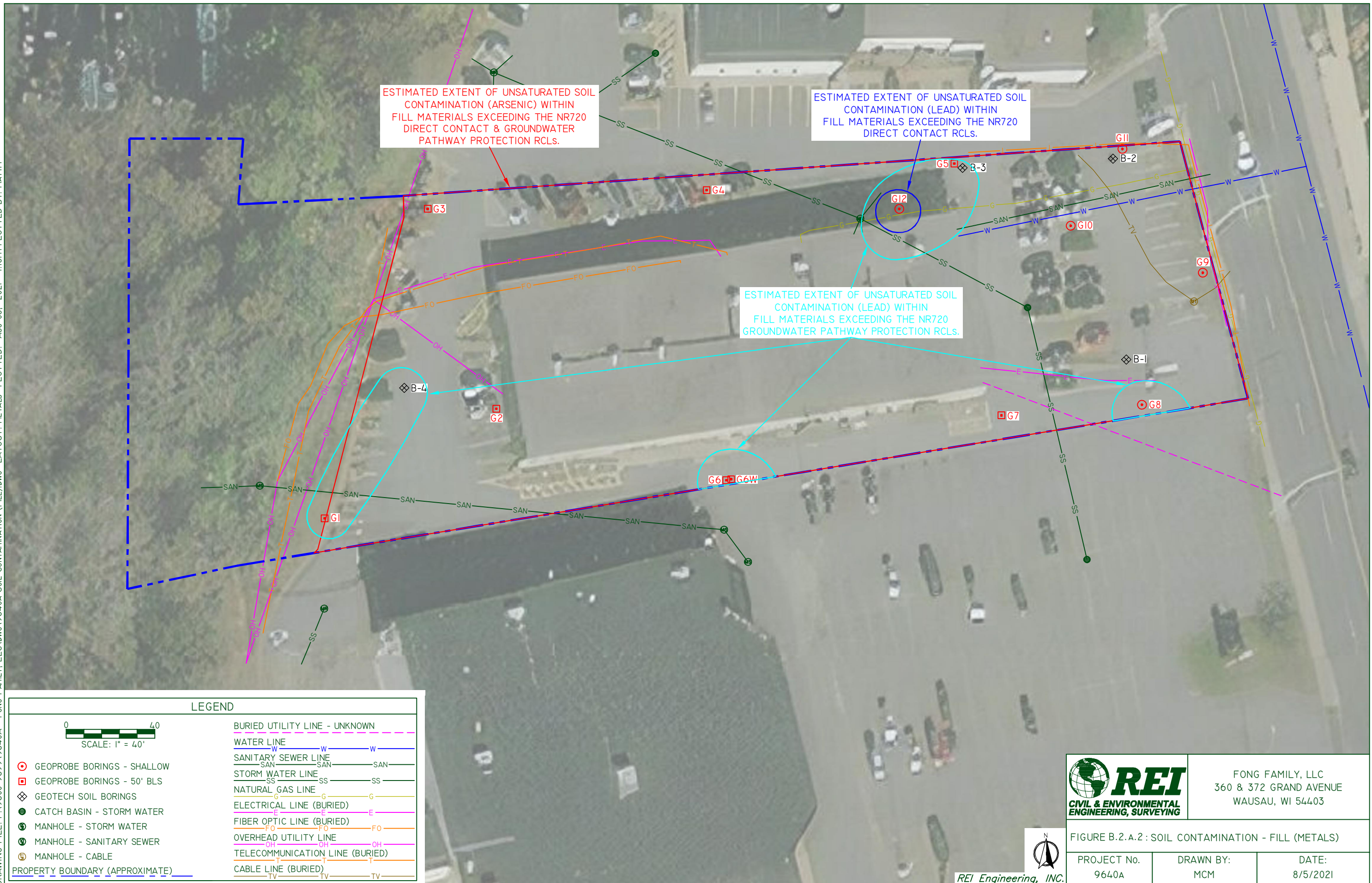
FIGURE B.2.B.2 : RESIDUAL SOIL CONTAMINATION - FILL (METALS)		
PROJECT No. 9640A	DRAWN BY: MCM	DATE: 8/5/2021



REI Engineering, INC.

MCM 8/5/2021
MCM 8/5/21

DRAWING FILE: P:\19600-9699\9640A - FONG FAMILY, LLC\DWG\19640A-SOIL CONTAMINATION (FILL).DWG LAYOUT: METALS PLOTTED: AUG 05, 2021 - 1:15PM PLOTTED BY: MATTM



ESTIMATED EXTENT OF UNSATURATED SOIL CONTAMINATION (ARSENIC) WITHIN FILL MATERIALS EXCEEDING THE NR720 DIRECT CONTACT & GROUNDWATER PATHWAY PROTECTION RCLs.

ESTIMATED EXTENT OF UNSATURATED SOIL CONTAMINATION (LEAD) WITHIN FILL MATERIALS EXCEEDING THE NR720 DIRECT CONTACT RCLs.

ESTIMATED EXTENT OF UNSATURATED SOIL CONTAMINATION (LEAD) WITHIN FILL MATERIALS EXCEEDING THE NR720 GROUNDWATER PATHWAY PROTECTION RCLs.

LEGEND



- GEOPROBE BORINGS - SHALLOW
- GEOPROBE BORINGS - 50' BLS
- ◇ GEOTECH SOIL BORINGS
- CATCH BASIN - STORM WATER
- ⊕ MANHOLE - STORM WATER
- ⊕ MANHOLE - SANITARY SEWER
- ⊕ MANHOLE - CABLE
- PROPERTY BOUNDARY (APPROXIMATE)

- BURIED UTILITY LINE - UNKNOWN
- WATER LINE
- SANITARY SEWER LINE
- STORM WATER LINE
- NATURAL GAS LINE
- ELECTRICAL LINE (BURIED)
- FIBER OPTIC LINE (BURIED)
- OVERHEAD UTILITY LINE
- TELECOMMUNICATION LINE (BURIED)
- CABLE LINE (BURIED)



FONG FAMILY, LLC
360 & 372 GRAND AVENUE
WAUSAU, WI 54403

FIGURE B.2.A.2 : SOIL CONTAMINATION - FILL (METALS)

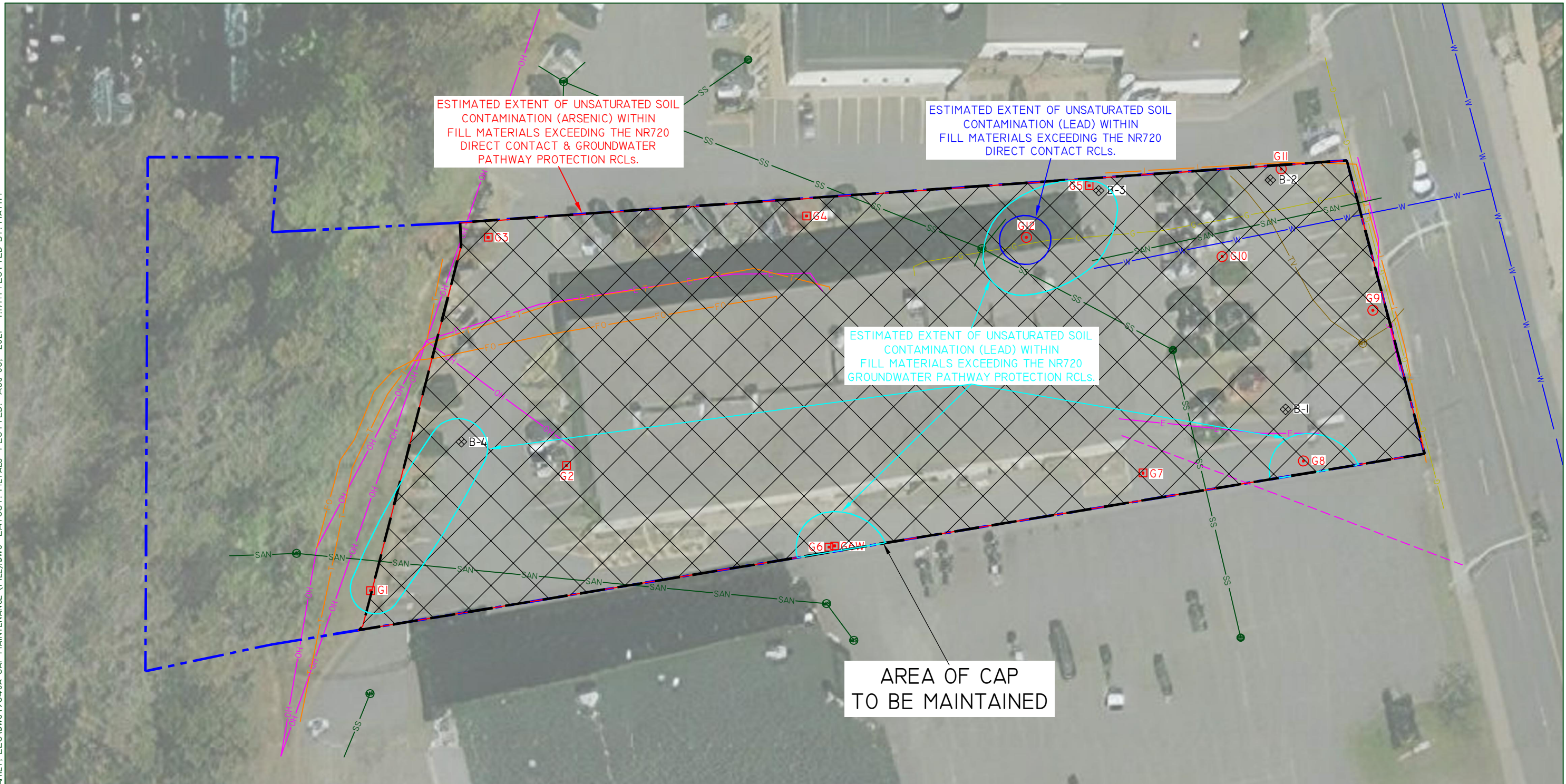
PROJECT No. 9640A	DRAWN BY: MCM	DATE: 8/5/2021
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REI Engineering, INC.

mcm 8/5/2021
MCM 8/5/21

DRAWING FILE: P:\19600-9699\9640A - FONG FAMILY, LLC\DWG\19640A-CAP MAINTENANCE (FILL).DWG LAYOUT: METALS PLOTTED: AUG 05, 2021 - 1:17PM PLOTTED BY: MATTM



ESTIMATED EXTENT OF UNSATURATED SOIL CONTAMINATION (ARSENIC) WITHIN FILL MATERIALS EXCEEDING THE NR720 DIRECT CONTACT & GROUNDWATER PATHWAY PROTECTION RCLs.

ESTIMATED EXTENT OF UNSATURATED SOIL CONTAMINATION (LEAD) WITHIN FILL MATERIALS EXCEEDING THE NR720 DIRECT CONTACT RCLs.

ESTIMATED EXTENT OF UNSATURATED SOIL CONTAMINATION (LEAD) WITHIN FILL MATERIALS EXCEEDING THE NR720 GROUNDWATER PATHWAY PROTECTION RCLs.

AREA OF CAP TO BE MAINTAINED

LEGEND	
	BURIED UTILITY LINE - UNKNOWN
	WATER LINE
	SANITARY SEWER LINE
	STORM WATER LINE
	NATURAL GAS LINE
	ELECTRICAL LINE (BURIED)
	FIBER OPTIC LINE (BURIED)
	OVERHEAD UTILITY LINE
	TELECOMMUNICATION LINE (BURIED)
	CABLE LINE (BURIED)



FONG FAMILY, LLC
360 & 372 GRAND AVENUE
WAUSAU, WI 54403

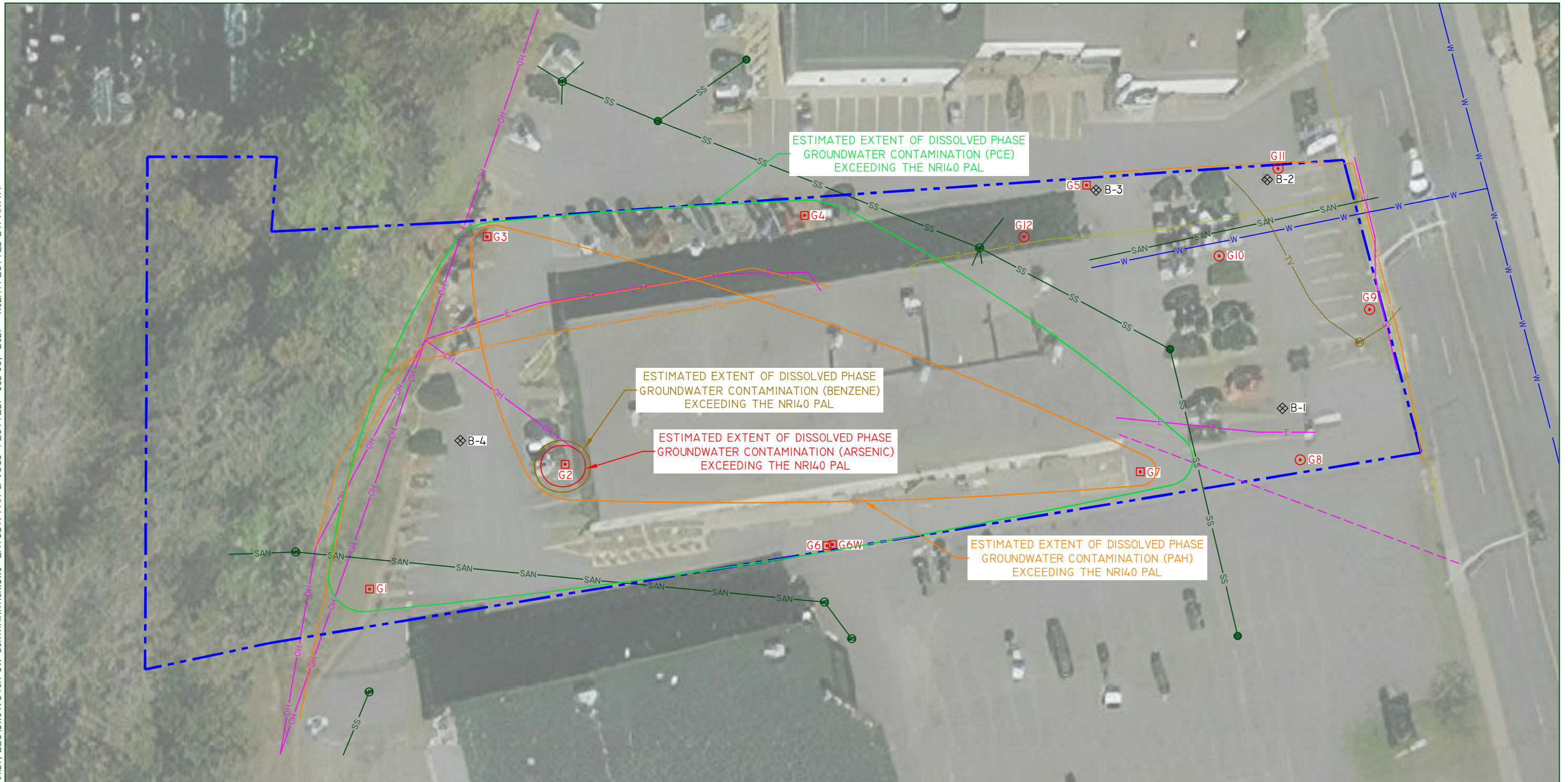
FIGURE D.2.B: LOCATION MAP
SOIL CONTAMINATION - FILL (METALS)

PROJECT No. 9640A	DRAWN BY: MCM	DATE: 8/5/2021
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MCM 8/5/21
MCM 8/5/21

DRAWING FILE: P:\9600-9699\9640A - FONG FAMILY, LLC\DWG\9640A-GW CONTAMINATION.DWG LAYOUT: PAH & VOCs PLOTTED: JUL 06, 2021 - 4:02PM PLOTTED BY: MATTM



LEGEND	
	BURIED UTILITY LINE - UNKNOWN
	WATER LINE
	SANITARY SEWER LINE
	STORM WATER LINE
	NATURAL GAS LINE
	ELECTRICAL LINE (BURIED)
	FIBER OPTIC LINE (BURIED)
	OVERHEAD UTILITY LINE
	TELECOMMUNICATION LINE (BURIED)
	CABLE LINE (BURIED)
	PROPERTY BOUNDARY (APPROXIMATE)
	GEOPROBE BORINGS - SHALLOW
	GEOPROBE BORINGS - 50' BLS
	GEOTECH SOIL BORINGS
	CATCH BASIN - STORM WATER
	MANHOLE - STORM WATER
	MANHOLE - SANITARY SEWER
	MANHOLE - CABLE

ESTIMATED EXTENT OF DISSOLVED PHASE GROUNDWATER CONTAMINATION (PCE) EXCEEDING THE NRI40 PAL

ESTIMATED EXTENT OF DISSOLVED PHASE GROUNDWATER CONTAMINATION (BENZENE) EXCEEDING THE NRI40 PAL

ESTIMATED EXTENT OF DISSOLVED PHASE GROUNDWATER CONTAMINATION (ARSENIC) EXCEEDING THE NRI40 PAL

ESTIMATED EXTENT OF DISSOLVED PHASE GROUNDWATER CONTAMINATION (PAH) EXCEEDING THE NRI40 PAL



FONG FAMILY, LLC
360 & 372 GRAND AVENUE
WAUSAU, WI 54403

FIGURE B.3.B: GROUNDWATER ISOCONCENTRATION

PROJECT No. 9640A	DRAWN BY: MCM	DATE: 7/6/2021
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REI Engineering, INC.

D.1. COVER/BARRIER MAINTENANCE PLAN

July 14, 2021

Property Located at:

Fong Family, LLC

360 & 372 Grand Avenue

Wausau, WI 54403

FID #: 737254760

WDNR BRRTS #: 02-37-587441

Parcel Identification #: 291-2907-362-0511

Introduction

This document is the Maintenance Plan for a barrier 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 asphalt, concrete and building foundation which addresses or occupies the area over the contaminated soil.

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

- The case file in the DNR West Central Region office.
- At <http://dnr.wi.gov/topic/Brownfields/wrrd.html>, which includes:
 - 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 for a map view of the site.
- The DNR project manager for Marathon County.

Description of Contamination

Unsaturated soil contamination exceeding the WAC Chapter NR720 state soil standards and dissolved phase groundwater contamination exceeding the WAC Chapter NR140 PAL at this property appear to be associated with historic fill placed on the property between approximately 1950 and 1980. Fill materials appear to have been placed along the Grand Avenue corridor to the north of south of this property around the same period and were likely from the same source. Soil contaminated with volatile organic compounds (VOC), polycyclic aromatic hydrocarbons (PAH), and metals is located at depths ranging from at least two (2) feet below land surface (bls) and extending to depths ranging from eight (8) to seventeen (17)

D.1. COVER/BARRIER MAINTENANCE PLAN

feet bls on the eastern portion of the property and extending up to forty-eight (48) feet bls on the central and western portions of the property. The extent of the soil contamination is shown on the attached Figures D.2.a, D.2.b, and D.2.c.

Description of the Barrier to be Maintained

The barrier consists of the existing asphalt and concrete ground surface covers along with the foundation of the slab on-grade structure located on the property. It is located entirely on the subject property as shown on the attached Figures D.2.a, D.2.b, D.2.c, and D.2.d.

Cover/Building/Slab/Barrier Purpose

The existing asphalt, concrete and building foundation over the contaminated soil serve as a barrier to prevent direct human contact with residual soil contamination that might otherwise pose a threat to human health. The 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, commercial, the barrier should function as intended unless disturbed.

Annual Inspection

The barrier overlying the soil and as depicted in Figures D.2.a, D.2.b, D.2.c, and D.2.d 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 or additional infiltration into the 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 or where infiltration from the surface will not be effectively minimized 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

D.1. COVER/BARRIER MAINTENANCE PLAN

(WDNR) representatives upon their request.

Maintenance Activities

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 barrier or part of the barrier overlying the contaminated soil is 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 barrier, 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 where [pavement, a building foundation, soil cover, engineered cap or other barrier] 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.

D.1. COVER/BARRIER MAINTENANCE PLAN

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.

D.1. COVER/BARRIER MAINTENANCE PLAN

Contact Information

July 2021

Property Owner:

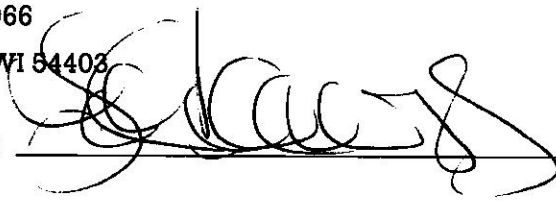
Fong Family, LLC

Attn: Mr. John Rosemurgy

PO Box 1966

Wausau, WI 54403

Signature: _____

A handwritten signature in black ink, appearing to read "John Rosemurgy", is written over a horizontal line. The signature is cursive and somewhat stylized.

Environmental Consultant:

REI Engineering, Inc.

Attn: Mr. Brian J. Bailey

4080 North 20th Avenue

Wausau, Wisconsin 54401

Phone (715) 675-9784

Regulatory Contact:

Wisconsin Department of Natural Resources

Remediation and Redevelopment Program

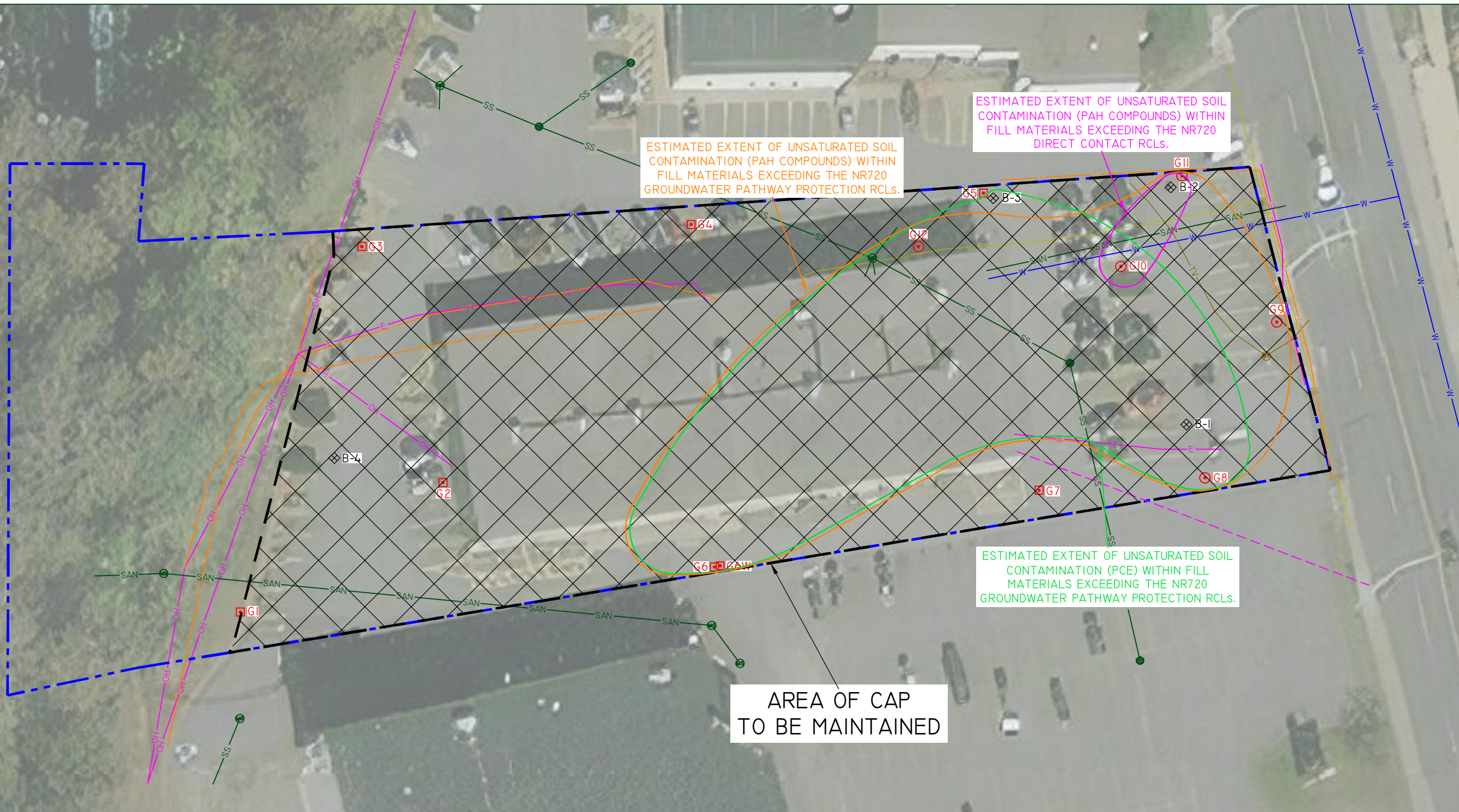
Attn: Mr. Matt Thompson

West Central Regional Office

1300 W. Clairemont Avenue

Eau Claire, WI 54701

DRAWING FILE: P:\19600-9699\19640A - FONG FAMILY, LLC\DWG\19640A-CAP MAINTENANCE (FILL).DWG LAYOUT: PAH & VOCs PLOTTED: JUL 19, 2021 - 8:29AM PLOTTED BY: MATTM



ESTIMATED EXTENT OF UNSATURATED SOIL CONTAMINATION (PAH COMPOUNDS) WITHIN FILL MATERIALS EXCEEDING THE NR720 GROUNDWATER PATHWAY PROTECTION RCLs.

ESTIMATED EXTENT OF UNSATURATED SOIL CONTAMINATION (PAH COMPOUNDS) WITHIN FILL MATERIALS EXCEEDING THE NR720 DIRECT CONTACT RCLs.

ESTIMATED EXTENT OF UNSATURATED SOIL CONTAMINATION (PCE) WITHIN FILL MATERIALS EXCEEDING THE NR720 GROUNDWATER PATHWAY PROTECTION RCLs.

AREA OF CAP TO BE MAINTAINED

LEGEND	
	BURIED UTILITY LINE - UNKNOWN
	WATER LINE
	SANITARY SEWER LINE
	STORM WATER LINE
	NATURAL GAS LINE
	ELECTRICAL LINE (BURIED)
	FIBER OPTIC LINE (BURIED)
	OVERHEAD UTILITY LINE
	TELECOMMUNICATION LINE (BURIED)
	CABLE LINE (BURIED)
	PROPERTY BOUNDARY (APPROXIMATE)

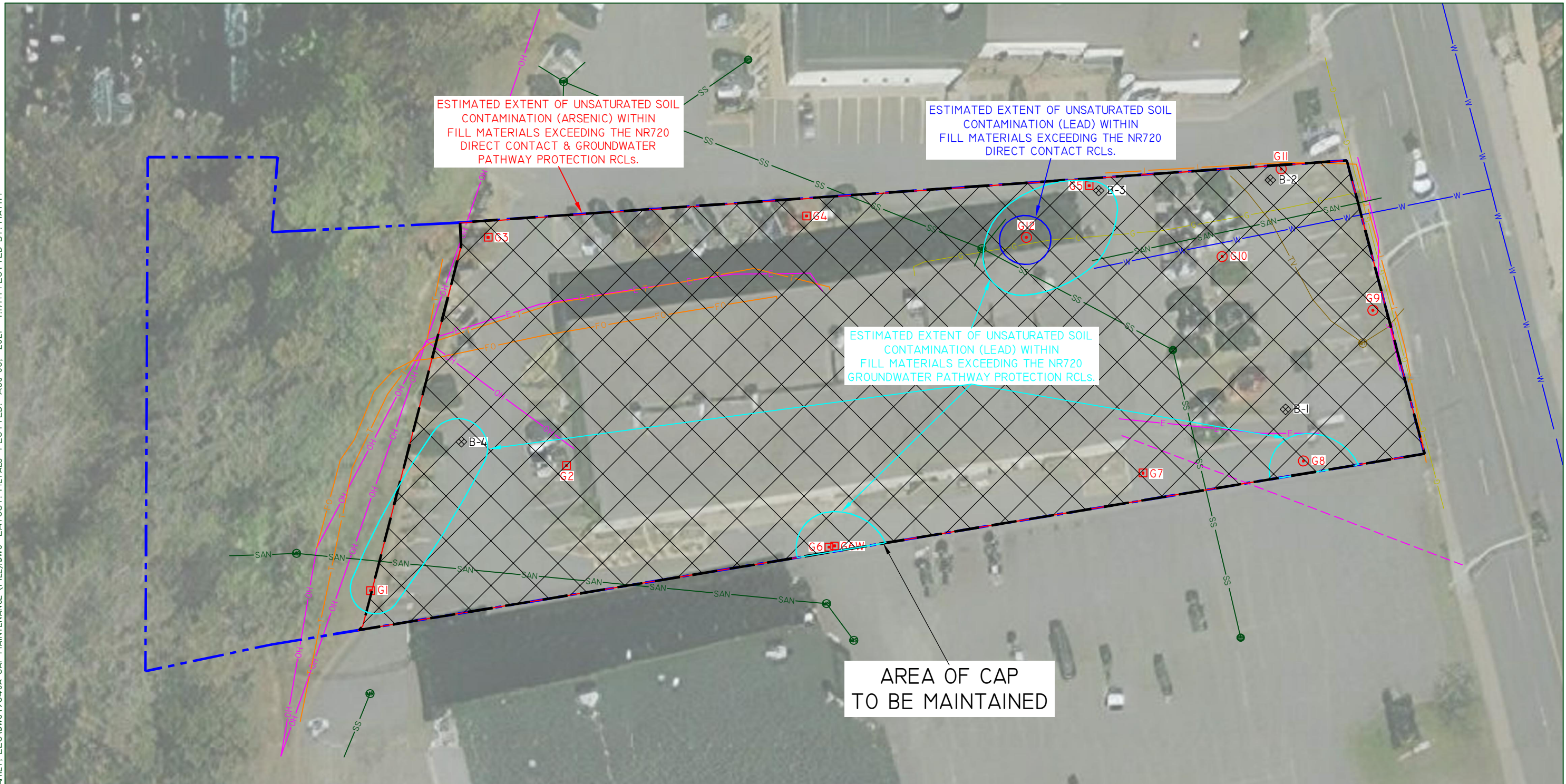


FONG FAMILY, LLC
360 & 372 GRAND AVENUE
WAUSAU, WI 54403

LOCATION MAP		
FIGURED.2.A: SOIL CONTAMINATION - FILL (VOC & PAH)		
PROJECT No. 9640A	DRAWN BY: MCM	DATE: 7/13/2021

REI Engineering, INC.

DRAWING FILE: P:\19600-9699\9640A - FONG FAMILY, LLC\DWG\19640A-CAP MAINTENANCE (FILL).DWG LAYOUT: METALS PLOTTED: AUG 05, 2021 - 1:17PM PLOTTED BY: MATTM



ESTIMATED EXTENT OF UNSATURATED SOIL CONTAMINATION (ARSENIC) WITHIN FILL MATERIALS EXCEEDING THE NR720 DIRECT CONTACT & GROUNDWATER PATHWAY PROTECTION RCLs.

ESTIMATED EXTENT OF UNSATURATED SOIL CONTAMINATION (LEAD) WITHIN FILL MATERIALS EXCEEDING THE NR720 DIRECT CONTACT RCLs.

ESTIMATED EXTENT OF UNSATURATED SOIL CONTAMINATION (LEAD) WITHIN FILL MATERIALS EXCEEDING THE NR720 GROUNDWATER PATHWAY PROTECTION RCLs.

AREA OF CAP TO BE MAINTAINED

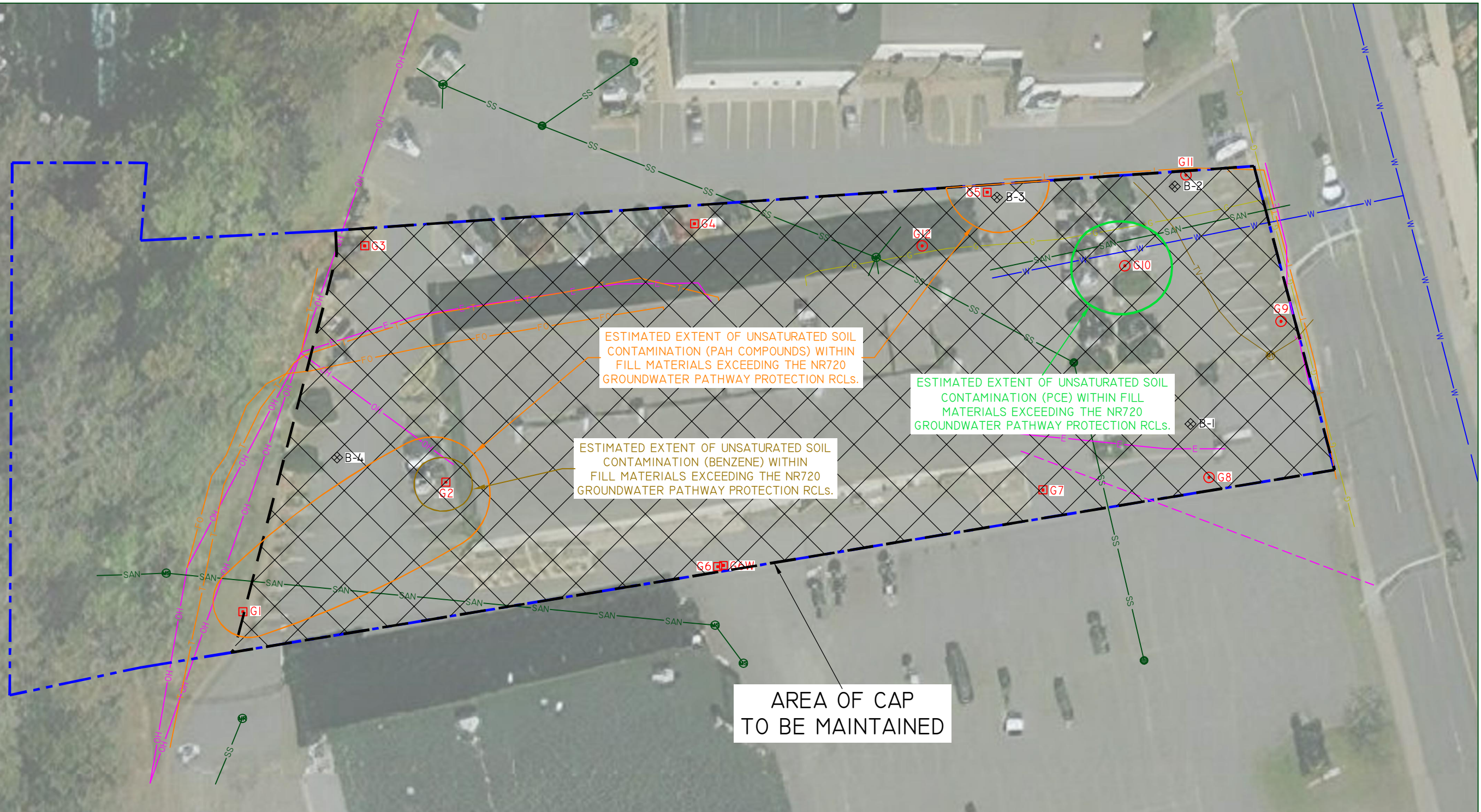
LEGEND	
	BURIED UTILITY LINE - UNKNOWN
	WATER LINE
	SANITARY SEWER LINE
	STORM WATER LINE
	NATURAL GAS LINE
	ELECTRICAL LINE (BURIED)
	FIBER OPTIC LINE (BURIED)
	OVERHEAD UTILITY LINE
	TELECOMMUNICATION LINE (BURIED)
	CABLE LINE (BURIED)
	PROPERTY BOUNDARY (APPROXIMATE)

<p>CIVIL & ENVIRONMENTAL ENGINEERING, SURVEYING</p>	FONG FAMILY, LLC 360 & 372 GRAND AVENUE WAUSAU, WI 54403	
	FIGURE D.2.B: LOCATION MAP SOIL CONTAMINATION - FILL (METALS)	
PROJECT No. 9640A	DRAWN BY: MCM	DATE: 8/5/2021

REI Engineering, INC.

MCM 8/5/2021
MCM 8/5/2021

DRAWING FILE: P:\19600-9699\19640A - FONG FAMILY, LLC\DWG\19640A-CAP MAINTENANCE (NATIVE).DWG LAYOUT: PAH & VOCs PLOTTED: JUL 14, 2021 - 9:11AM PLOTTED BY: MATTY



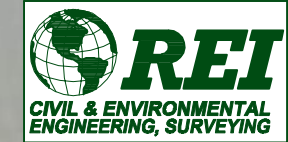
ESTIMATED EXTENT OF UNSATURATED SOIL CONTAMINATION (PAH COMPOUNDS) WITHIN FILL MATERIALS EXCEEDING THE NR720 GROUNDWATER PATHWAY PROTECTION RCLs.

ESTIMATED EXTENT OF UNSATURATED SOIL CONTAMINATION (PCE) WITHIN FILL MATERIALS EXCEEDING THE NR720 GROUNDWATER PATHWAY PROTECTION RCLs.

ESTIMATED EXTENT OF UNSATURATED SOIL CONTAMINATION (BENZENE) WITHIN FILL MATERIALS EXCEEDING THE NR720 GROUNDWATER PATHWAY PROTECTION RCLs.

AREA OF CAP TO BE MAINTAINED

LEGEND	
	BURIED UTILITY LINE - UNKNOWN
	WATER LINE
	SANITARY SEWER LINE
	STORM WATER LINE
	NATURAL GAS LINE
	ELECTRICAL LINE (BURIED)
	FIBER OPTIC LINE (BURIED)
	OVERHEAD UTILITY LINE
	TELECOMMUNICATION LINE (BURIED)
	CABLE LINE (BURIED)

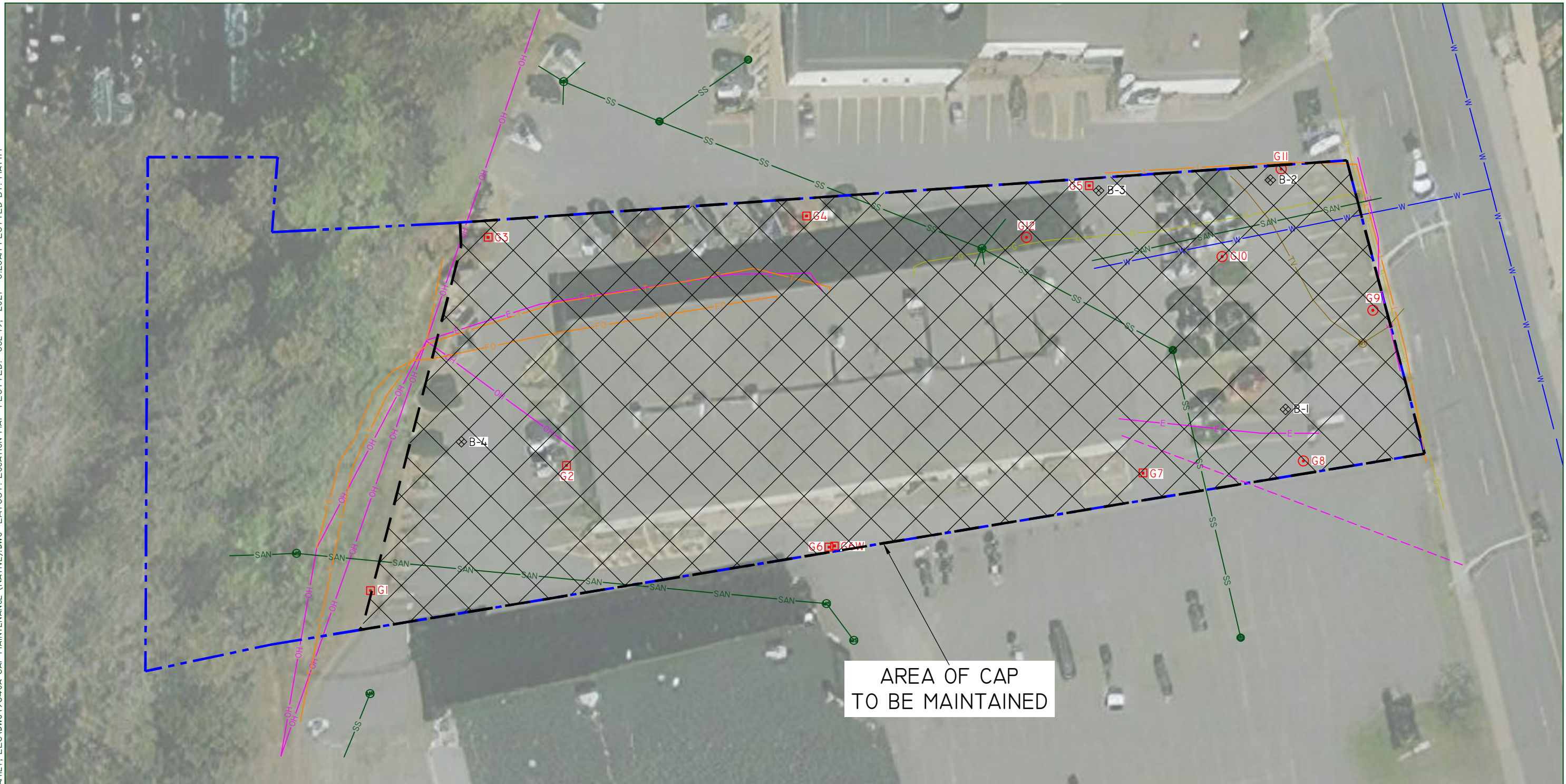


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WAUSAU, WI 54403

FIGURE 2.c: LOCATION MAP SOIL CONTAMINATION - NATIVE		
PROJECT No. 9640A	DRAWN BY: MCM	DATE: 7/13/2021

REI Engineering, INC.

DRAWING FILE: P:\19600-9699\19640A - FONG FAMILY, LLC\DWG\19640A-CAP MAINTENANCE (NATIVE).DWG LAYOUT: LOCATION MAP PLOTTED: JUL 19, 2021 - 8:28 AM PLOTTED BY: MATTHEW



AREA OF CAP
TO BE MAINTAINED

LEGEND	
	GEOPROBE BORINGS - SHALLOW
	GEOPROBE BORINGS - 50' BLS
	GEOTECH SOIL BORINGS
	CATCH BASIN - STORM WATER
	MANHOLE - STORM WATER
	MANHOLE - SANITARY SEWER
	MANHOLE - CABLE
	PROPERTY BOUNDARY (APPROXIMATE)
	BURIED UTILITY LINE - UNKNOWN
	WATER LINE
	SANITARY SEWER LINE
	STORM WATER LINE
	NATURAL GAS LINE
	ELECTRICAL LINE (BURIED)
	FIBER OPTIC LINE (BURIED)
	OVERHEAD UTILITY LINE
	TELECOMMUNICATION LINE (BURIED)
	CABLE LINE (BURIED)



FONG FAMILY, LLC
360 & 372 GRAND AVENUE
WAUSAU, WI 54403

FIGURE D.2.D: LOCATION MAP

PROJECT No. 9640A	DRAWN BY: MCM	DATE: 7/13/2021
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REI Engineering, INC.



View northwest toward on-site structure.



View southwest toward on-site structure.



View northeast toward on-site structure.



View southeast toward on-site structure.

D.3. Photographs - Fong Family, LLC	Photographs
360 & 372 Grand Avenue, Wausau, WI 54403	REI No. 9640a



View west along northern property boundary.



View south along western property boundary.



View north along western property boundary.



View west along southern property boundary.

D.3. Photographs - Fong Family, LLC	Photographs
360 & 372 Grand Avenue, Wausau, WI 54403	REI No. 9640a



View east along southern property boundary.



View north along western edge of parking lot.



View south along western edge of parking lot.



View east along northern property boundary.

D.3. Photographs - Fong Family, LLC	Photographs
360 & 372 Grand Avenue, Wausau, WI 54403	REI No. 9640a

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 Fong Family, LLC	BRRTS No. 02-37-587441
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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