City of Stoughton Redevelopment Authority, 207 S. Forrest Street, Stoughton WI 53589

RESOLUTION OF THE CITY OF STOUGHTON REDEVELOPMENT AUTHORITY	
Authorizing the submittal of an award application for the Highway Trailer Building property by the City of Stoughton Redevelopment Authority Executive Director for WAM Contractor Services.	
File Number: R-1-2020	**Date Introduced:** July 8, 2020

WHEREAS, the City of Stoughton Redevelopment Authority recognizes that the environmental assessment of brownfields is an important part of protecting Wisconsin's resources; and

WHEREAS, the City of Stoughton Redevelopment Authority will allow employees from the Department of Natural Resources access to inspect the award site or facility and award records; and

NOW THEREFORE BE IT RESOLVED The City of Stoughton Redevelopment Authority requests services and assistance available from the Wisconsin Department of Natural Resources under the WAM Contractor Services Award program and will comply with state and federal rules for the program; and

HEREBY AUTHORIZES the Executive Director to act on the behalf of the City of Stoughton Redevelopment Authority to: submit an application to the State of Wisconsin for contractor services under the WAM program, sign documents, and take necessary action to comply with approved award activities.

Redevelopment Authority Action: ☐ **Adopted** ☐ **Failed** **Vote** _____

_____

Dale Reeves, Chair Date

State of Wisconsin
Department of Natural Resources
PO Box 7921, Madison WI 53707-7921
dnr.wi.gov

Brownfields Federal Assessment Wisconsin Assessment Monies Contractor Services Award Application

Notice: Use of this form is required by the DNR for any Wisconsin Assessment Money (WAM) "contractor services award" federal assessment funds filed pursuant to CERCLA 42 USC 9604 (k) (2), Stats. Personally identifiable information collected will be used for administrative purposes and may be provided to requesters as required by Wisconsin's open records law, ss. 19.31- 19.39, Wis. Stats. Applications must be complete in order to be processed.

DNR Use Only		
Application No.	Region	Project Notes
Project Manager	PM Phone Number	
EPA Approval Date		
Eligible? ○ Yes ○ No	Grant Awarded? ○ Yes Date _____ ○ No	

Instructions: Complete the following information in order to be considered for WAM contractor services. Final determination is done in partnership between DNR and US EPA. Submit two hard copies of the application (including Attachments A-F) and one cd copy of Attachment G. If additional space is needed for narrative sections, please include as an attachment labeled with the corresponding Section and Question numbers. For additional information about this program, visit us on the DNR's web site at http://dnr.wi.gov/topic/Brownfields/wam.html.

Please be aware that, in order to determine eligibility, the DNR will evaluate the following:

1. The site **must meet the federal definition of an "eligible brownfield site."** The project "site" may be made up of separate legal properties, or part of one property. See program web page for more information.
2. The property(ies) that is/are the subject of this application **must meet the WAM project profile of a closed or closing plant.** Service stations, dry cleaners, agricultural co-ops and retail/commercial facilities are not eligible.
3. Access to the site, through an **access agreement or special inspection warrant**, must be provided to the Department and any contractors hired by the Department for the duration of the award. See program web page for sample site access agreement.
4. **For petroleum applications only:** The site must meet petroleum eligibility requirements for EPA assistance AND requested activities must not be eligible for a Petroleum Environmental Cleanup Fund Award (PECFA) (please see Section 5-Part B) .
5. If the applicant is a governmental entity and owns the property(ies) that is/are the subject of this application, a **signed municipal resolution** authorizing the applicant to apply for these services must be submitted with application. See program web page for sample resolution.
6. Activities are not reimbursable under other state programs (e.g. DERF, ACCP, PECFA, etc.)

This Application is for: (check all that apply)

- ☐ **Petroleum Assessment**
- ☐ **Hazardous Substance or Co-Mingled Assessment**
- ☐ **Phase I Environmental Assessment**
- ☒ **Phase II Environmental Assessment**
- ☐ **Limited NR 716 Site Investigation**

Section 1: Applicant Information

Applicant is:

- ○ County
- ○ City
- ○ Town
- ○ Housing Authority under s.66.1201
- ○ Village
- ○ Developer/Private Business
- ◉ Redevelopment Authority under s.66.1333
- ○ Community Development Authority under s.66.1335
- ○ Other (Specify)

Applicant (Individual or Organization Name)	County	
Stoughton Redevelopment Authority	Dane	
Address: 207 S. Forrest St.		
City: Stoughton	State: WI	ZIP Code: 53589
Web Site (if applicable): www.stoughtonrda.org		

Section 2: Contact Information for Applicant

Authorized Representative

Last Name	First Name	Title		
Friedl	Jamin	Executive Director		
Mailing Address		City	State	ZIP Code
207 S. Forrest St.		Stoughton	WI	53589
Phone Number		Fax Number		
(608) 873-6677				
E-mail Address				
jfriedl@ci.stoughton.wi.us				

Contact Person (if different from above)

Last Name	First Name	Title		
Mailing address		City	State	ZIP Code
Phone Number		Fax Number		
E-mail Address				

Section 3: Site Information

Name of Site			
Highway Trailer Site			
Site Address(es)			
501 E. South St.			
County	City	State	ZIP Code
Dane	Stoughton	WI	53589
Size of Site (acres)	Tax Parcel #s		
2.25	281/0511-081-6522-7		
State Assembly District			
46			
State Senate District			
16			

1. Provide recent, dated and labeled photograph(s) of the site or facility as ***Attachment A***.
2. Is/was there a facility at this site?
   - (●) Yes Size of facility (sq ft) 43000
   - ( ) No
3. Provide a brief, written history of the site.

The site was used by the Moline Plow Company from 1889 to at least 1918 for manufacturing and truck assembly. The site was also used for manufacturing and assembling of truck bodies between the 1931 and 1946. During that time period the property was owned by the city of Stoughton and leased to Highway Trailer. Some areas were used by the city to store tobacco plants in 1946, under a legal agreement with Highway Trailer. Although the city owned the property in the 1930's and 1940's, to our knowledge, they were never a causer of contamination and, other than use for tobacco storage, only leased the property. The property was sold in 1948 to Highway Trailer who continued operations until 1957. In 1957, TCJ trailer purchased the property from Highway Trailer and it is believed that they used the property for warehouse storage of truck parts and manufacturing equipment until selling the property to Donald Wahlin in 1979. The property was minimally used by Wahlin for storage related to his Stoughton Trailers

business. The Stoughton RDA acquired the property in November 2012 as part of the assembly of blighted industrial riverfront properties for redevelopment.

4. Past and most recent land uses (Put a "P" for past use or a "C" for current use; select all that apply):

☐ service station		☐ agricultural co-op		☐ salvage yard		☐ pipeline	
☐ coal gas manufacturer		☐ electroplater		☒ manufacturing	P	☐ dry cleaner	
☐ petroleum bulk plant		☐ tannery		☐ landfill		☐ unknown	
☐ Other (Specify)							

5. What is the current status of the property?
   ○ Business is closing. Anticipated date:
   ◉ Business has closed. Date: 11/30/2012
   a. Is the property currently vacant? ◉ Yes ○ No
   b. What is the current zoning for the property?
   MR-24 - high density multi-family residential
6. Describe the existing site conditions, including existing buildings.
   All structures on the site have been demolished. The site is clear and level.

7. Check any of the following activities that have been conducted on the site. List the dates the activities occurred and include one cd copy of the reports with the application.
   ☐ Phase I Environmental Assessment(s) Date(s):
   ☒ Phase II Environmental Assessment(s) Date(s): August 29, 2009
   ☐ NR 716 Site Investigation(s) Date(s):
   ☐ Other information about possible contamination at the site

   Date _____

8. Has environmental contamination been confirmed through sampling and analysis at the site? ◉ Yes ○ No ○ Inconclusive
   a. If no, proceed to c. If yes, what contaminants are known to be present?
   PAH, arsenic and lead
   b. Has the State of Wisconsin been notified of the discharge of hazardous substance(s) at the site or facility? ◉ Yes ○ No
   If yes, when? 12/16/2009 DNR BRRTS Number(s) (if known): 02-13-554724
   c. Explain how the actual and perceived contamination is impacting the property use and redevelopment. If no environmental contamination has been confirmed, why is the site or facility suspected to be contaminated?
   The RDA has a developer who is interested in developing the site. When the previous Phase II was conducted the building was still on the site. Now that the building is demolished, the RDA and developer must know whether there was additional contamination under the building footprint. The nature and extent of any additional contamination must be known before the developer is able to make an investment decision.

Section 4: Applicant & Site Eligibility *If the applicant owns the site, answer the questions in parts A and B in this section. If the applicant does not own the site, answer the questions in parts A and C in this section.*

Section 4 - Part A: Additional Liability and Property Information *All applicants must fill out all questions in this section.*

1. Is the person who caused or is suspected to have caused the environmental contamination financially able to contribute to the assessment and/or cleanup? ○ Yes ◉ No
   a. If yes, describe any reasons the Department would want to participate in this project. What would the overall benefit be to the community?
   b. What commitments are there from the causer or property owner to contribute to assessment and/or cleanup costs at this property?

c. Explain why assistance under this program is needed and what is the likely result if such assistance cannot be provided.
With no available responsible party to pay the costs of investigation and remediation and the RDA's and City's interest in seeing a reuse of this important site, financial assistance is needed to investigate contamination on the now cleared site. Assistance will also likely be needed for any required remediation.

Section 4 - Part B: Applicant Ownership *If the applicant owns the site, complete all the questions in this section.*

1. Did the applicant cause or contribute to the contamination on the site? ○ Yes ◉ No
   a. If yes, provide details.

   b. If no, describe the possible causers of contamination, and their ability to clean it up.

2. Date of property acquisition 11/30/2012

3. **Local governments only**: Did you acquire the property consistent with s.292.11(9)(e), Wis. Stats.?
   ◉ Yes (Select all that apply)
   - ☐ tax delinquency (deed/foreclosure)
   - ☐ bankruptcy order
   - ☐ condemnation
   - ☐ eminent domain according to ch. 32, Wis. Stats.
   - ☐ escheat
   - ☒ slum clearance or blight elimination according to s. 66.133, Wis. Stats
   - ☐ using DNR Stewardship funds
   - ☐ acquisition from another eligible LGU

   ○ No. If no, proceed to Section 4-Part B, question 4.

4. How and when did you acquire the site?
   ◉ Simple purchase ○ Transfer ○ Donation ○ Lender foreclosure or security interest
   ○ Other _____

Section 4 - Part C: Other Entity Ownership *If the applicant does not own the site, complete all the questions in this section*

1. Who currently owns this site:
   ☐ Local unit of government (name and contact information:
   _____)
   ☐ Non-profit Organization (name and contact information:
   _____)
   ☐ Business or Private Owner (name and contact information:
   _____)

2. Does the applicant plan to acquire the site? ○ Yes ○ No
   a. If yes, when and by what means?

Section 5 - Part A: Applicant Liability for Hazardous Substance or Co-Mingled Assessment *Fill out this section only if applying for hazardous substance assessment. Skip to Section 5, Part B if applying for petroleum assessment.*

1. Sites must meet the following criteria in order to be eligible. Check all that apply.
   ☒ The site is not subject to a planned or ongoing federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) removal action
   ☒ The site is not listed on the Superfund National Priorities List, and is not proposed for listing.

☒ The site is not the subject of a federal unilateral administrative order, a court order, or an administrative order on consent or judicial consent decree that has been issued or entered into.

☒ The site is not undergoing RCRA corrective action for hazardous waste per an order, permit or closure plan.

☒ The site is not a facility that is subject to the jurisdiction, custody, or control of a department, agency or instrumentality of the United States, except for land held in trust by the United States by an Indian tribe.

Section 5 - Part B: Applicant Liability for Petroleum Substance Assessment *Follow instructions in this section only if applying for petroleum assessment.*

1. Has the site received LUST trust fund monies for assessment or cleanup? ○ Yes ◉ No
   a. If yes, please provide details:

2. Is the site currently subject to a response under the Oil Pollution Act (OPA)? ○ Yes ◉ No
3. Is the site subject to a corrective action under RCRA for underground storage tanks? ○ Yes ◉ No
4. Has a responsible party been identified for the site through any of the actions below? (please check all that apply)

   ☐ An unresolved judgment rendered in a court of law or an administrative order that would require any party (including the applicant) to assess, investigate or clean up the site

   ☐ An unresolved enforcement action by federal or state authorities that would require any party (including the applicant) to assess, investigate, or cleanup the site

   ☐ An unresolved citizen suit, contribution action or other third party claim brought against the current or immediate past owner for the site that would, if successful, require either party to assess, investigate or cleanup the site

5. If the property was acquired through lender foreclosure or involuntarily by a local government unit, please attach documentation of the acquisition method as **Attachment C**. If the property was acquired through some other means, please attach a completed *Determination of Viable Responsible Party Attachment* as **Attachment C**. The checklist can be found on the program website.

6. Activities covered under this grant cannot be eligible for reimbursement by other state programs. **If you are requesting petroleum assessment services for a site with confirmed contamination (through previous sampling activities)**, please attach a Petroleum Environmental Cleanup Fund Act (PECFA) Initial Application and Eligibility Request Form (4400-296) as **Attachment D**. Form 4400-296 can be found here http://dnr.wi.gov/files/PDF/forms/4400/4400-296.pdf.

Section 6: Required Attachments

Include the following attachments at the end of your completed application form

☐ **Narrative Attachments.** If more space is needed for narrative questions, please include as an attachment and label with the corresponding Section and Question number(s).

☒ A. **Current Photographs.** Recent, dated and labeled photograph(s) of the site and/or facility and surrounding area.

☒ B. **Site Access Authority**. Written consent for site access to perform the assessment activities. Access to the site must be provided to the Department and any contractors hired by the Department for the duration of the award. Access can be granted through an **access agreement signed by the current property owner OR through a special inspection warrant**. A model access agreement can be found on the program website.

☐ C. **Documentation Method of Acquisition OR Determination of Viable Responsible Party.** Determination of Viable Responsible Party Attachment can be found at http://dnr.wi.gov/topic/Brownfields/documents/wam/wamviable.doc . **(PETROLEUM ONLY)**

☐ D. **PECFA Eligibility Form**. Attach a PECFA Eligibility Form (4400-296) found here http://dnr.wi.gov/files/PDF/forms/4400/4400-296.pdf **(PETROLEUM CONFIRMED CONTAMINATION ONLY)**

☒ E. **Map.** Include a map (plat map preferred) that shows the location of the facility. If applying for petroleum funding, please also attach a map indicating the location of any former or current ASTs, USTs, or other petrol-related containers.

☒ F. **Municipal Resolution**. A signed copy of an ordinance or resolution authorizing the applicant to apply for this award. **(LOCAL GOVERNMENT SITE OWNERS ONLY)**

☒ G. **Existing Assessment Reports**. Please include one cd copy of any Phase I, Phase II or site investigation reports already completed at the site.

Section 7: Self-Certification

☒ I certify that information in this application and all its attachments are true and correct and in conformity with applicable Wisconsin and Federal Statutes

☒ I certify that to the best of my knowledge and belief that neither the entity applying for a contractor services award, nor any individual, partnership, company or corporation related to the applicant through common ownership or control,

(a) has violated any provision of the Federal, state or local environmental laws or regulations relating to the proposed brownfield project site;

(b) has been suspended, debarred or otherwise declared ineligible to receive federal funds.

Print Name of Authorized Representative

Signature of Authorized Representative	Date

I hereby give my permission to the Wisconsin Department of Natural Resources and its employees, duly authorized representatives, agents and contractors, to enter upon and have access at reasonable times to the property that is owned by the City of Stoughton Redevelopment Authority more commonly known as 501 E. South Street, Stoughton, WI 53589 for the following purposes, so that the Department of Natural Resources may:

(1) Conduct a site visit to complete a Phase I and Phase II Environmental Site Assessment;
(2) Install and maintain permanent or temporary groundwater monitoring wells;
(3) Collect soil samples and water samples;
(4) Properly abandon the groundwater monitoring wells installed by the WDNR when the wells are no longer needed (if applicable).

The permission that is granted herein shall remain in effect until July 31, 2021, when the investigation is expected to be completed. After July 31, 2021, if the property owner wishes to withdraw permission for continued access, the property owner shall notify the Department of Natural Resources of that fact. The Department shall, within 90 days after receiving such notice, either abandon any wells installed by the WDNR that remain on the property or obtain a court order to allow continued access.

When soil or water samples are collected on the property described above, split samples will be provided to the property owner, if the property owner requests split samples and provides sample bottles before the samples are collected.

The property owner agrees not to damage or interfere with the use of any monitoring well that is installed as permitted herein and agrees to notify third parties who plan to conduct any activity on the property described above that monitoring wells have been installed on the property.

IN WITNESS WHEREOF:

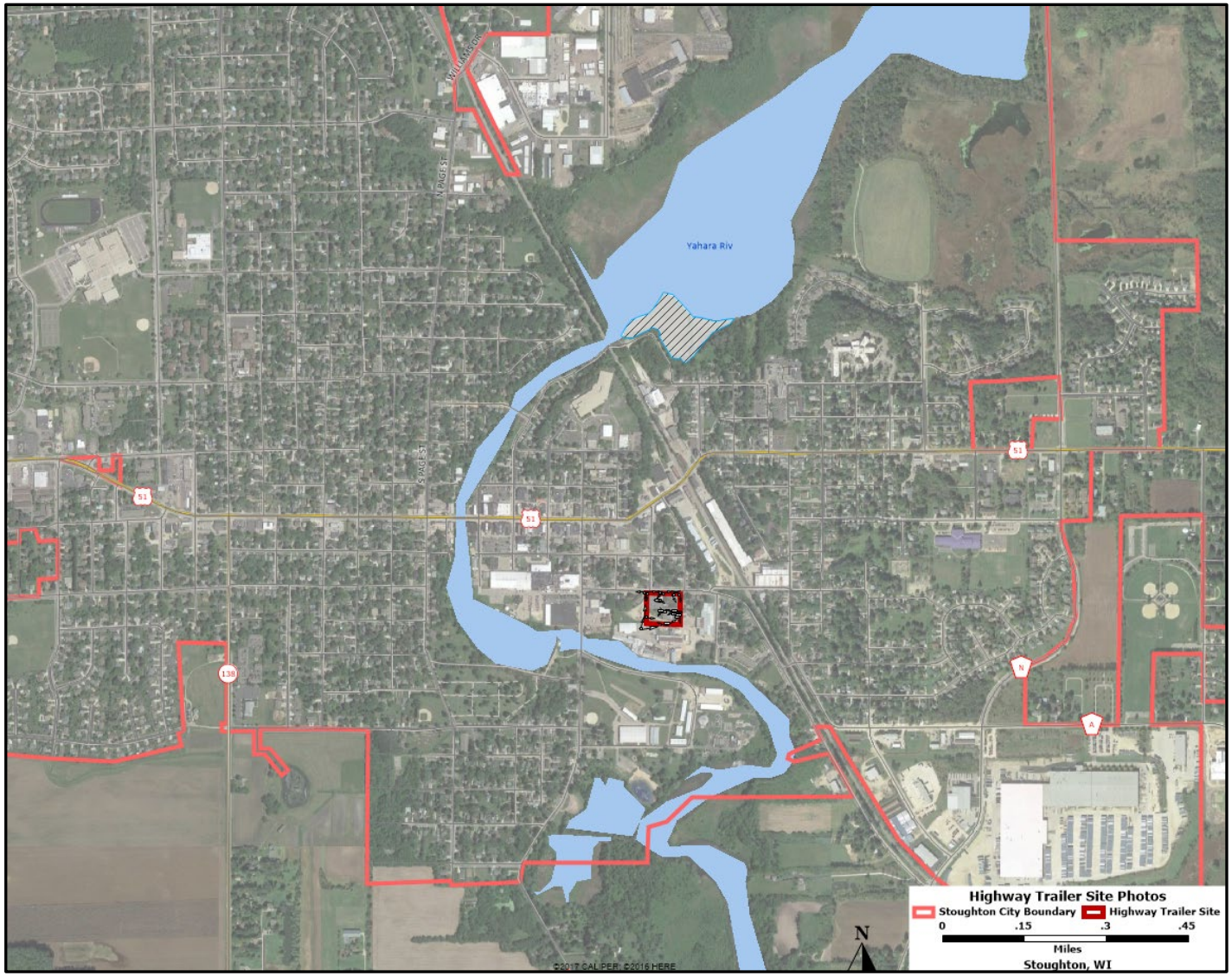
_____ _____
Signature of Property Owner Date

207 S. Forrest Street, Stoughton, WI 53589
Mailing Address of Owner

(608) 873-6691
Area Code and Telephone Number

jfriedl@ci.stoughton.wi.us
Email Address

Attachment A: Site Photos Highway Trailers Redevelopment Authority of Stoughton Wisconsin
Photos taken June 23, 2020 by Gary W. Becker, GWB Professional Services.



Location of Highway Trailer site, 501 E. South St. relative to City boundary.

Attachment A: Site Photos Highway Trailers Redevelopment Authority of Stoughton Wisconsin
Photos taken June 23, 2020 by Gary W. Becker, GWB Professional Services.

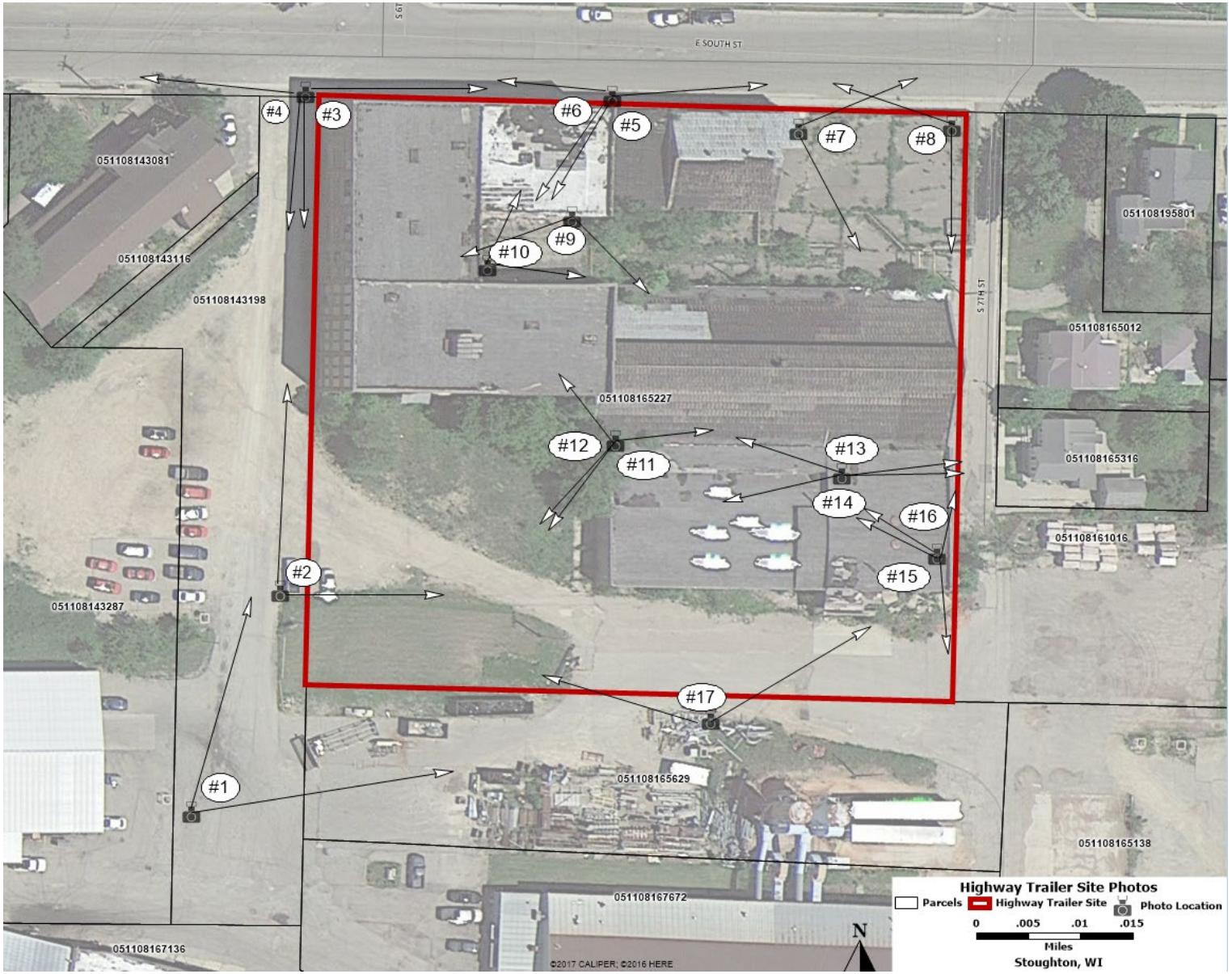


Photo Location Reference Map. Number on map correlates to numbered images on the following pages.

Attachment A: Site Photos Highway Trailers Redevelopment Authority of Stoughton Wisconsin
Photos taken June 23, 2020 by Gary W. Becker, GWB Professional Services.

#1: Looking northeast at the southwest corner of Highway Trailer - red line marking site. South Street runs horizontally in front of the large two-story white structure.

#2: Looking northeast along southwestern edge of Highway Trailer site.

Attachment A: Site Photos Highway Trailers Redevelopment Authority of Stoughton Wisconsin
Photos taken June 23, 2020 by Gary W. Becker, GWB Professional Services.

#3: Looking east and south along northwest border of Highway Trailer site. East South Street is on the left.

Attachment A: Site Photos Highway Trailers Redevelopment Authority of Stoughton Wisconsin
Photos taken June 23, 2020 by Gary W. Becker, GWB Professional Services.

#4: Looking west along East South Street from the northwest corner of the Highway Trailer site.

Attachment A: Site Photos Highway Trailers Redevelopment Authority of Stoughton Wisconsin
Photos taken June 23, 2020 by Gary W. Becker, GWB Professional Services.

#5: Looking east and south from center of the north edge of the Highway Trailer site. East South Street is on the left.

Attachment A: Site Photos Highway Trailers Redevelopment Authority of Stoughton Wisconsin
Photos taken June 23, 2020 by Gary W. Becker, GWB Professional Services.

#6: Looking west along East South Street from center of north boundary of Highway Trailer site.

Attachment A: Site Photos Highway Trailers Redevelopment Authority of Stoughton Wisconsin
Photos taken June 23, 2020 by Gary W. Becker, GWB Professional Services.

#7: Looking east near northeast corner of Highway Trailer site. East South Street is along the left edge of the image. The house in the center right of the image is along 7th Street.

Attachment A: Site Photos Highway Trailers Redevelopment Authority of Stoughton Wisconsin
Photos taken June 23, 2020 by Gary W. Becker, GWB Professional Services.

#8: Looking west and south from the northeast corner of the Highway Trailer site. East South Street is along the right edge of the image.

Attachment A: Site Photos Highway Trailers Redevelopment Authority of Stoughton Wisconsin
Photos taken June 23, 2020 by Gary W. Becker, GWB Professional Services.

#9: Looking southwest across Highway Trailer site from the northeast corner area. The Yahara River and Mandt Park are in the distance.

Attachment A: Site Photos Highway Trailers Redevelopment Authority of Stoughton Wisconsin
Photos taken June 23, 2020 by Gary W. Becker, GWB Professional Services.

#10: Looking east from the north-central area of the Highway Trailer site. East South runs along the top third of the image where the truck is. The house in the top right of the image is along 7th St.

Attachment A: Site Photos Highway Trailers Redevelopment Authority of Stoughton Wisconsin
Photos taken June 23, 2020 by Gary W. Becker, GWB Professional Services.

#11: Looking east and south from the center of the Highway Trailer site. The house in the image is along 7th Street, the eastern edge of the site.

#12: Looking southwest from center of Highway Trailer site. East South Street is along the top right of the image. The Yahara River and Mandt Park are in the top left of the image.

Attachment A: Site Photos Highway Trailers Redevelopment Authority of Stoughton Wisconsin
Photos taken June 23, 2020 by Gary W. Becker, GWB Professional Services.

#13: Looking north from east-center area of the Highway Trailer site. East South Street is along the horizon line of the image. 7th Street is along the top right edge of the image.

#14: Looing south from east central area of the Highway Trailer site. 7th Street is along the left edge of the image. Mandt Park and the Yahara River are in the distance.

Attachment A: Site Photos Highway Trailers Redevelopment Authority of Stoughton Wisconsin
Photos taken June 23, 2020 by Gary W. Becker, GWB Professional Services.

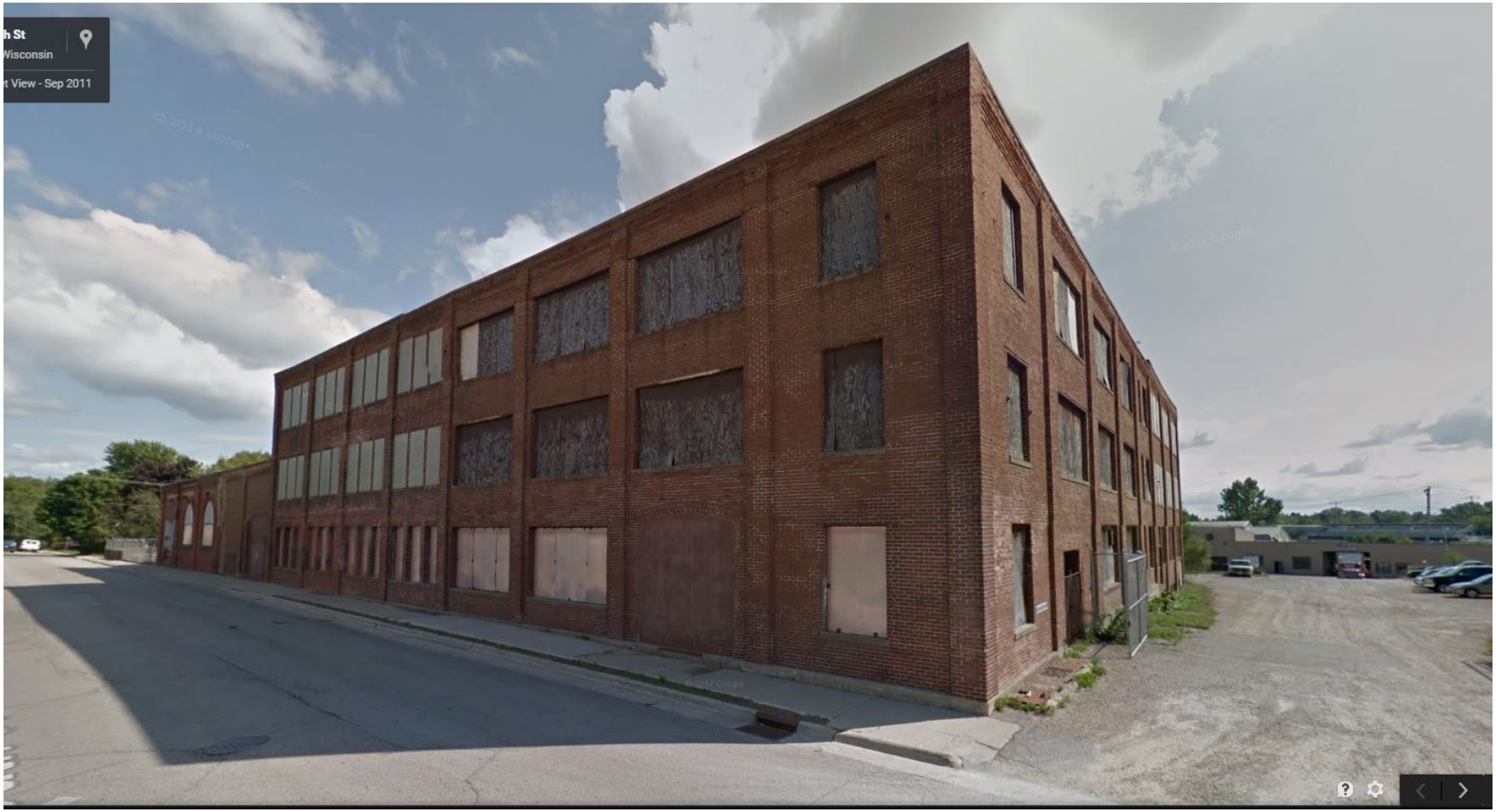
#15: Looking south and west from south east corner of Highway Trailer site. East South Street is in the top right of the image. 7th Street is along the left edge of the image. Mandt Park and the Yahara River are in the distance.

#16: Looking north and west along east edge of Highway Trailer site. 7th Street is along the right edge of the image.

Attachment A: Site Photos Highway Trailers Redevelopment Authority of Stoughton Wisconsin
Photos taken June 23, 2020 by Gary W. Becker, GWB Professional Services.

#17: Looking north at Highway Trailer site from the southern edge of the property.

Attachment A: Site Photos Highway Trailers Redevelopment Authority of Stoughton Wisconsin
Photos taken June 23, 2020 by Gary W. Becker, GWB Professional Services.



Google Maps street view of northwest corner of Highway Trailer building in September 2011. East South Street is along the lower left side of the image. The driveway past the Highway Trailer building remains and can be seen in the current site photos.

Attachment A: Site Photos Highway Trailers Redevelopment Authority of Stoughton Wisconsin
Photos taken June 23, 2020 by Gary W. Becker, GWB Professional Services.

Google Maps street view of northeast corner of Highway Trailer building in September 2011. East South Street runs along the bottom and right side of the image. 7th Street runs along the left side of the image next to the Highway Trailer building.