State of Wisconsin
Department of Natural Resources
P.O. Box 7921, Madison, WI 53707-7921

**GIS REGISTRY (Cover Sheet)**
Form 4400-280 (R 7/12)

# Source Property Information

CLOSURE DATE: Jun 12, 2013

**BRRTS #:** 03-51-120869 (No Dashes)

FID #: 851054930

ACTIVITY NAME: ANDERSON UPHOLSTERY

DATCP #: NA

PROPERTY ADDRESS: 499 DIVISION ST

PECFA#: 54552116499

MUNICIPALITY: PARK FALLS

PARCEL ID #: 271-1014-09

***WTM COORDINATES:**

X: **484898** Y: **606931**

** Coordinates are in WTM83, NAD83 (1991)*

**WTM COORDINATES REPRESENT:**

- ○ Approximate Center Of Contaminant Source
- ◉ Approximate Source Parcel Center

**Please check as appropriate:** (BRRTS Action Code)

## Contaminated Media:

- ☒ Groundwater Contamination > ES *(236)*
  - ☒ Contamination in ROW
  - ☒ Off-Source Contamination

  (***note:*** *for list of off-source properties see "Impacted Off-Source Property" form)*
- ☒ Soil Contamination > *RCL or **SSRCL *(232)*
  - ☒ Contamination in ROW
  - ☐ Off-Source Contamination

  (***note:*** *for list of off-source properties see "Impacted Off-Source Property" form)*

## Continuing Obligations:

- ☐ N/A (*Not Applicable*)
- ☐ Soil: maintain industrial zoning *(220)*

  (***note:*** *soil contamination concentrations between non-industrial and industrial levels)*
- ☐ Structural Impediment *(224)*
- ☐ Site Specific Condition *(228)*
- ☐ Cover or Barrier *(222)*

  (***note:*** *maintenance plan for groundwater or direct contact)*
- ☐ Vapor Mitigation *(226)*
- ☐ Maintain Liability Exemption *(230)*

  (***note:*** *local government unit or economic development corporation was directed to take a response action )*

***Note:*** *Comments will not print out.*

## Monitoring Wells:

Are all monitoring wells properly abandoned per NR 141? *(234)*

◉ Yes ○ No ○ N/A

** Residual Contaminant Level*
***Site Specific Residual Contaminant Level*

State of Wisconsin
Department of Natural Resources
http://dnr.wi.gov

**PLEASE ASSEMBLE IN THIS ORDER**

# GIS Registry Checklist

Form 4400-245 (R 8/11) 

This Adobe Fillable form is intended to provide a list of information that is required for evaluation for case closure. It is to be used in conjunction with Form 4400-202, Case Closure Request. The closure of a case means that the Department has determined that no further response is required at that time based on the information that has been submitted to the Department.

**NOTICE: Completion of this form is mandatory** for applications for case closure pursuant to ch. 292, Wis. Stats. and ch. NR 726, Wis. Adm. Code, including cases closed under ch. NR 746 and ch. NR 726. The Department will not consider, or act upon your application, unless all applicable sections are completed on this form and the closure fee and any other applicable fees, required under ch. NR 749, Wis. Adm. Code, Table 1 are included. It is not the Department's intention to use any personally identifiable information from this form for any purpose other than reviewing closure requests and determining the need for additional response action. The Department may provide this information to requesters as required by Wisconsin's Open Records law [ss. 19.31 - 19.39, Wis. Stats.].

BRRTS #: 0351120869 *(No Dashes)* PARCEL ID #: 271-1014-09

ACTIVITY NAME: Mark Cummins School for Drummers-Former Ande WTM COORDINATES: X: 484898 Y: 606931

## CLOSURE DOCUMENTS (the Department adds these items to the final GIS packet for posting on the Registry)

- ☒ **Closure Letter**
- ☐ **Maintenance Plan** (*if activity is closed with a land use limitation or condition (land use control) under s. 292.12, Wis. Stats.*)
- ☐ **Continuing Obligation Cover Letter** (for property owners affected by residual contamination and/or continuing obligations)
- ☒ **Conditional Closure Letter**
- ☐ **Certificate of Completion (COC)** (for VPLE sites)

## SOURCE LEGAL DOCUMENTS

☒ **Deed:** The most recent deed as well as legal descriptions, for the **Source Property** (where the contamination originated). Deeds for other, off-source (off-site) properties are located in the **Notification** section.
***Note:*** *If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.*

☒ **Certified Survey Map:** A copy of the certified survey map or the relevant section of the recorded plat map *for those properties where the legal description in the most recent deed refers to a certified survey map or a recorded plat map.* (lots on subdivided or platted property (e.g. lot 2 of xyz subdivision)).

**Figure #:** 0 **Title:** Park Falls Lumber Company's Plat of the Village-Block 16

☒ **Signed Statement:** A statement signed by the Responsible Party (RP), which states that he or she believes that the attached legal description accurately describes the correct contaminated property.

## MAPS (meeting the visual aid requirements of s. NR 716.15(2)(h))

Maps must be no larger than 11 x 17 inches unless the map is submitted electronically.

☒ **Location Map:** A map outlining all properties within the contaminated site boundaries on a U.S.G.S. topographic map or plat map in sufficient detail to permit easy location of all parcels. If groundwater standards are exceeded, include the location of all potable wells within 1200 feet of the site.
***Note:*** *Due to security reasons municipal wells are not identified on GIS Packet maps. However, the locations of these municipal wells must be identified on Case Closure Request maps.*

**Figure #:** 1 **Title:** Site Location Map

☒ **Detailed Site Map:** A map that shows all relevant features (buildings, roads, individual property boundaries, contaminant sources, utility lines, monitoring wells and potable wells) within the contaminated area. This map is to show the location of all contaminated public streets, and highway and railroad rights-of-way in relation to the source property and in relation to the boundaries of groundwater contamination exceeding a ch. NR 140 Enforcement Standard (ES), and/or in relation to the boundaries of soil contamination exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Levels (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.

**Figure #:** 2 **Title:** Site Map

☒ **Soil Contamination Contour Map:** For sites closing with residual soil contamination, this map is to show the location of all contaminated soil and a single contour showing the horizontal extent of each area of contiguous residual soil contamination that exceeds a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL)as determined under s. NR 720.09, 720.11 and 720.19.

**Figure #:** 3 **Title:** Excavation Map

BRRTS #: 0351120869 ACTIVITY NAME: Mark Cummins School for Drummers-Former And

## MAPS (continued)

☒ **Geologic Cross-Section Map:** A map showing the source location and vertical extent of residual soil contamination exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL). If groundwater contamination exceeds a ch. NR 140 Enforcement Standard (ES) when closure is requested, show the source location and vertical extent, water table and piezometric elevations, and locations and elevations of geologic units, bedrock and confining units, if any.

**Figure #:** 4 **Title:** Cross Section

**Figure #:** **Title:**

☒ **Groundwater Isoconcentration Map:** For sites closing with residual groundwater contamination, this map shows the horizontal extent of all groundwater contamination exceeding a ch. NR140 Preventive Action Limit (PAL) and an Enforcement Standard (ES). Indicate the direction and date of groundwater flow, based on the most recent sampling data.
***Note:*** *This is intended to show the total area of contaminated groundwater.*

**Figure #:** 6 **Title:** Estimated Extent of Impacted Ground Water

☒ **Groundwater Flow Direction Map:** A map that represents groundwater movement at the site. If the flow direction varies by more then 20° over the history of the site, submit 2 groundwater flow maps showing the maximum variation in flow direction.

**Figure #:** 5 **Title:** Ground Water Table Contour Map (7/28/11)

**Figure #:** **Title:**

## TABLES (meeting the requirements of s. NR 716.15(2)(h)(3))

Tables must be no larger than 11 x 17 inches unless the table is submitted electronically. Tables must not contain shading and/or cross-hatching. The use of **BOLD** or *ITALICS* is acceptable.

☒ **Soil Analytical Table:** A table showing remaining soil contamination with analytical results and collection dates.
**Note:** This is one table of results for the contaminants of concern. Contaminants of concern are those that were found during the site investigation, that remain after remediation. It may be necessary to create a new table to meet this requirement.

**Table #:** 1 **Title:** Soil Sample Analytical Results

☒ **Groundwater Analytical Table:** Table(s) that show the most recent analytical results and collection dates, for all monitoring wells and any potable wells for which samples have been collected.

**Table #:** 2 **Title:** Ground Water Analytical Data

☒ **Water Level Elevations:** Table(s) that show the previous four (at minimum) water level elevation measurements/dates from all monitoring wells. If present, free product is to be noted on the table.

**Table #:** 3 **Title:** Ground Water Level Measurements

## IMPROPERLY ABANDONED MONITORING WELLS

For each monitoring well not properly abandoned according to requirements of s. NR 141.25 include the following documents.
***Note:*** *If the site is being listed on the GIS Registry for only an improperly abandoned monitoring well you will only need to submit the documents in this section for the GIS Registry Packet.*

☒ **Not Applicable**

☐ **Site Location Map:** A map showing all surveyed monitoring wells with specific identification of the monitoring wells which have not been properly abandoned.
***Note:*** *If the applicable monitoring wells are distinctly identified on the Detailed Site Map this Site Location Map is not needed.*

**Figure #:** **Title:**

☐ **Well Construction Report:** Form 4440-113A for the applicable monitoring wells.

☐ **Deed:** The most recent deed as well as legal descriptions for each property where a monitoring well was not properly abandoned.

☐ **Notification Letter:** Copy of the notification letter to the affected property owner(s).

BRRTS #: 0351120869 ACTIVITY NAME: Mark Cummins School for Drummers-Former Ande

## NOTIFICATIONS

**Source Property**

☒ **Not Applicable**

☐ **Letter To Current Source Property Owner:** If the source property is owned by someone other than the person who is applying for case closure, include a copy of the letter notifying the current owner of the source property that case closure has been requested.

☐ **Return Receipt/Signature Confirmation:** Written proof of date on which confirmation was received for notifying current source property owner.

**Off-Source Property**

Group the following information per individual property and label each group according to alphabetic listing on the "Impacted Off-Source Property" attachment.

☐ **Not Applicable**

☒ **Letter To "Off-Source" Property Owners:** Copies of all letters sent by the Responsible Party (RP) to owners of properties with groundwater exceeding an Enforcement Standard (ES), and to owners of properties that will be affected by a land use control under s. 292.12, Wis. Stats.
***Note:*** *Letters sent to off-source properties regarding residual contamination must contain standard provisions in Appendix A of ch. NR 726.*

**Number of "Off-Source" Letters:** 1

☒ **Return Receipt/Signature Confirmation:** Written proof of date on which confirmation was received for notifying any off-source property owner.

☒ **Deed of "Off-Source" Property:** The most recent deed(s) as well as legal descriptions, for all affected deeded **off-source property(ies).** This does not apply to right-of-ways.
***Note:*** *If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.*

☒ **Certified Survey Map:** A copy of the certified survey map or the relevant section of the recorded plat map *for those properties where the legal description in the most recent deed refers to a certified survey map or a recorded plat map.* (lots on subdivided or platted property (e.g. lot 2 of xyz subdivision)).

**Figure #:** 0 **Title:** Park Falls Lumber Company's Plat of the Village-Block 16

☒ **Letter To "Governmental Unit/Right-Of-Way" Owners:** Copies of all letters sent by the Responsible Party (RP) to a city, village, municipality, state agency or any other entity responsible for maintenance of a public street, highway, or railroad right-of-way, within or partially within the contaminated area, for contamination exceeding a groundwater Enforcement Standard (ES) and/or soil exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL).

**Number of "Governmental Unit/Right-Of-Way Owner" Letters:** 1

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

# Impacted Property Notification Information

Form 4400-246 (R 10/12)

**Notice:** Completion of this form is mandatory for applications for case closure pursuant to ch. 292, Wis. Stats. and ch. NR 726, Wis. Adm. Code, where specific circumstances exist at the time of case closure. This form applies to situations where: (1) the party conducting the cleanup does not own the source property; (2) contamination has impacted a neighboring property to a certain degree; and (3) not all monitoring wells can/will be abandoned at the time of closure. A letter notifying these property owners is required of the responsible party if certain circumstances exist. The DNR's "Guidance on Case Closure and the Requirements for Managing Continuing Obligations" (PUB-RR-606) specifies those notification requirements. A model "Template for Notification of Residual Contamination and Continuing Obligations" (PUB-RR-919) can be downloaded at: http://dnr.wi.gov/files/PDF/pubs/rr/RR919.pdf. The Department will not consider, or act upon your application, unless all applicable sections are completed on this form and the closure fee and any other applicable fees, required under ch. NR 749, Wis. Adm. Code, Table 1 are included. 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.].

| BRRTS No. | Activity Name |
|---|---|
| | |

| | | | | | | Letter Sent To: | | | Reasons Letter Sent: | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| ID | Impacted Property Address | Parcel No. | Date of Letter | WTMX | WTMY | Source Property Owner is not RP | Right of Way Government or Other | Impacted Off-Site Property Owner | Groundwater Exceeds ES | Residual Soil Exceeds Standards | Cap/Engineerd Control | Industrial Use Soil Standards | Vapor System in Place | Vapor Asmt Needed if use Changes | Structural Impediment | Lost, Transferred or Open Wells |
| A | 459 Division Street, Park Falls | 2710-1014-08 | 3/7/13 | 484911 | 606927 | | | X | X | | | | | | | |
| B | Division Street | NA-ROW | 3/7/13 | 484910 | 606938 | | X | | X | X | | | | | | |
| C | | | | | | | | | | | | | | | | |
| D | | | | | | | | | | | | | | | | |
| E | | | | | | | | | | | | | | | | |
| F | | | | | | | | | | | | | | | | |
| G | | | | | | | | | | | | | | | | |
| H | | | | | | | | | | | | | | | | |
| I | | | | | | | | | | | | | | | | |

**STATE OF WISCONSIN**
Department of Safety and Professional Services

375 City Center, Suite J
Oshkosh, Wisconsin 54901-1805

Email: dsps@wisconsin.gov
Web: http://dsps.wi.gov

**Governor Scott Walker** **Secretary Dave Ross**

June 12, 2013

Mr. Mark Cummins
889 Saunders Ave.
Park Falls, WI 54552

RE: **Final Closure**

**PECFA # 54552-1164-99-A** DNR BRRTS # 03-51-120869
Mark Cummins School for Drummers-Former Anderson Upholstery, 499 Division Street, Park Falls

Dear Mr. Cummins:

The Wisconsin Department of Safety and Professional Services (DSPS) received all items required as the conditions for closure of the site referenced above. This site is now listed as "closed" on the DSPS database and will be included on the Department of Natural Resources (DNR) Geographic Information System (GIS) Registry of Closed Remediation Sites to address residual soil and groundwater contamination. To review all sites on the GIS Registry web page, visit http://dnr.wi.gov/topic/Brownfields/rrsm.html. If you intend to construct or reconstruct a potable well on this property, you must get prior DNR approval.

All current and future owners and occupants of the property need to be aware that excavation of contaminated soil may pose a hazard. If soil is excavated, the property owner at the time of excavation must determine whether the material would be considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules.

Costs for sampling and excavation activities conducted after case closure are not eligible for PECFA reimbursement. However, if it is determined that any undisturbed remaining petroleum contamination poses a threat, the case may be reopened and further investigation or remediation may be required. If this case is reopened, any original claim under the PECFA fund would also reopen and you may apply for assistance to the extent of remaining eligibility. It is in your best interest to keep all documentation related to environmental activities at your site.

Thank you for your efforts to bring this case to closure. If you have any questions, please contact me in writing at the letterhead address or by telephone at (920) 303-5410.

Sincerely,

Beth A. Erdman

Beth A. Erdman
Hydrogeologist
PECFA Site Review Section

cc: Kenneth Shimko-Meridian Environmental Consulting, LLC

**STATE OF WISCONSIN**
Department of Safety and Professional Services

375 City Center, Suite J
Oshkosh, Wisconsin 54901-1805

Email: dsps@wisconsin.gov
Web: http://dsps.wi.gov

**Governor Scott Walker** **Secretary Dave Ross**

May 15, 2013

Mr. Mark Cummins
889 Saunders Ave.
Park Falls, WI 54552

RE: **Conditional Case Closure**

**PECFA # 54552-1164-99-A** DNR BRRTS # 03-51-120869
Mark Cummins School for Drummers-Former Anderson Upholstery, 499 Division Street, Park Falls

Dear Mr. Cummins:

The Wisconsin Department of Safety and Professional Services (DSPS) reviewed the request for case closure prepared by your consultant, Meridian Environmental Consulting, LLC, for the site referenced above. It is understood that residual soil and groundwater contamination remains on site. DSPS has determined that this site does not pose a significant threat to human health or the environment. No further investigation or remedial action is necessary.

**The following condition must be satisfied to obtain final closure:**

- Temporary wells T-8 and T-9, monitoring wells MW-1 through MW-4, MW-20 and piezometers PZ-1 through PZ-3 must be properly abandoned within 60 days and the appropriate documentation forwarded to DSPS at the letterhead address within 120 days of the date of this letter. Noncompliance with the abandonment requirement and deadline can result in enforcement action and financial penalties.

Information submitted with your closure request will be included on the Department of Natural Resources (DNR) GIS Registry of Closed Remediation Sites. All sites on the Registry can be viewed via the Remediation and Redevelopment (RR) Sites Map at http://dnr.wi.gov/topic/Brownfields/rrsm.html. Because residual contamination remains at the time of case closure, if you intend to construct or reconstruct a potable well on this property, you must get prior DNR approval.

All current and future owners and occupants of the property need to be aware that excavation of contaminated soil may pose a hazard. If soil is excavated, the property owner at the time of excavation must determine whether the material would be considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules. Costs for sampling and excavation activities conducted after the date of this letter are not eligible for PECFA reimbursement.

Timely filing of your final PECFA claim (if applicable) is encouraged. If your claim is not received within 120 days of the date of this letter, interest costs incurred after 60 days from the date of this letter will not be eligible for PECFA reimbursement.

Thank you for your efforts to protect Wisconsin's environment. If you have any questions, please contact me in writing at the letterhead address or by telephone at (920) 303-5410.

Sincerely,

Beth A. Erdman

Beth A. Erdman
Hydrogeologist
PECFA Site Review Section

cc: Kenneth Shimko-Meridian Environmental Consulting, LLC

5/28/13 MW-20 is already abandoned from a different Cleanup + road construction per Phil Richard DNR. BAE

322635 **WARRANTY DEED**

Document No. Document Title

Dorothy Anderson, a widow conveys and warrants to Robert M. Cummins and Nicole J. Cummins, husband and wife, as survivorship marital property, the following described real estate in Price County, State of Wisconsin:

The East Forty (40) feet of the West Sixty (60) feet of Lots Two (2) and Three (3), Block Sixteen (16), Park Falls Lumber Company's Plat of the Village, now City of Park Falls.

This is NOT homestead property.

Exception to warranties:
1. Subject to easements, exceptions, reservations and restrictions of record, if any.
2. Subject to town and Price County Zoning, Sanitary Code and Subdivision Control Ordinances.
3. Subject to Flood Plain Zoning Ordinances, if any.

11:50.

REGISTER OF DEEDS OFFICE
PRICE COUNTY, WIS.
Received for Record

DEC 8 2003

9:35 AT O'CLOCK A M. DULY RECORDED IN VOL 531 OF RECORDS ON PAGE 128

REGISTER OF DEEDS

Name and Return Address

Coldwell Banker/Larson Realty
Post Office Box 108
Park Falls, WI 54552

271-1014-09
Parcel Identification Number

Dated this 1st day of December, 2003.

TRANSFER
$ 4.20
FEE

Dorothy Anderson (SEAL)
Dorothy Anderson

**ACKNOWLEDGMENT**

STATE OF WISCONSIN )
)ss.
COUNTY OF *PRICE )

Personally came before me this 1st day of December, 2003, the above named, Dorothy Anderson, to me known to be the person(s) who executed the foregoing instrument and acknowledge the same.

Elaine M. Vanderlice

Notary Public Price County, State of Wisconsin
My Commission expires 06-07-03 (is permanent)

ELAINE M. VANDERLICE NOTARY PUBLIC STATE OF WISCONSIN

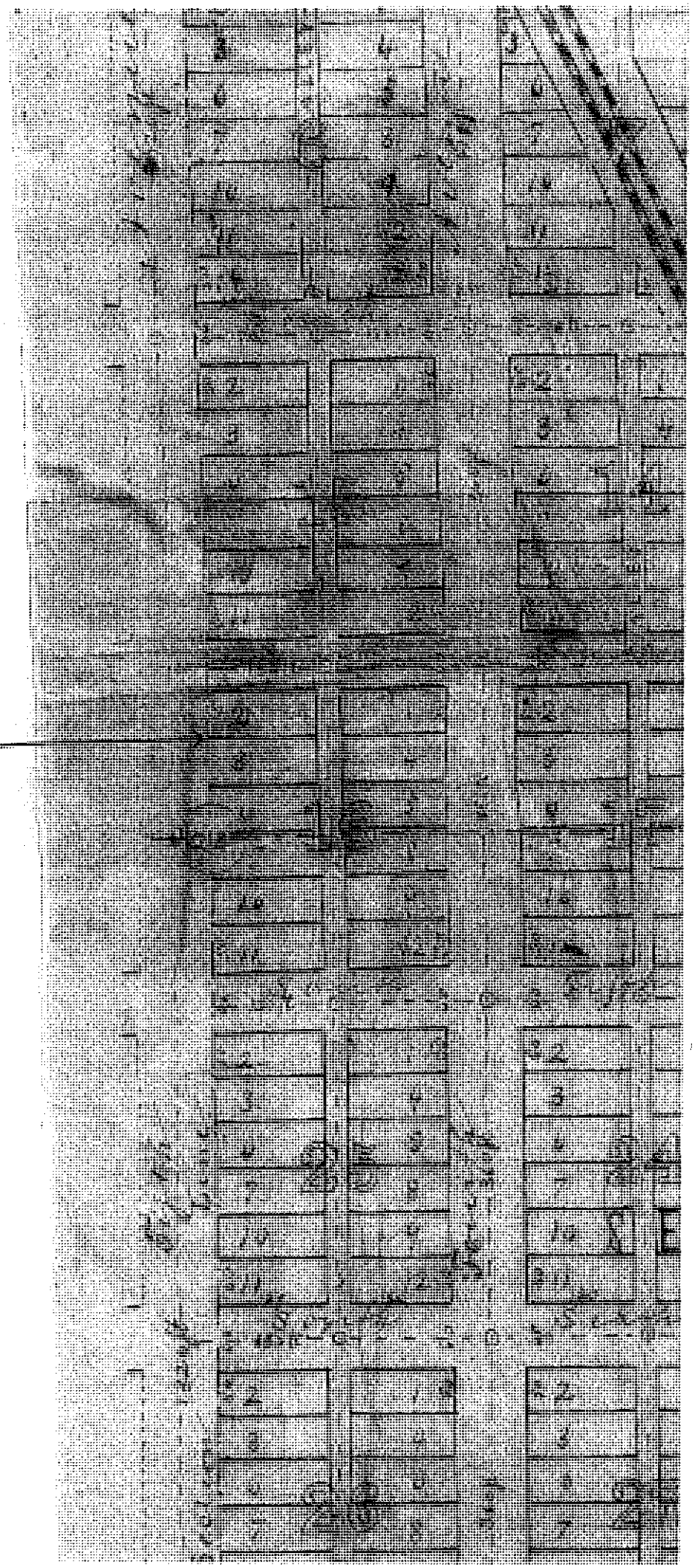
THIS INSTRUMENT WAS DRAFTED BY:
Scott A. Reinhard
Slaby, Deda, Marshall & Reinhard LLP
Park Falls, WI 54552
(715) 762-3268

coldwellanderson-cummins wd

THIS INSTRUMENT WAS DRAFTED BASED UPON INFORMATION PROVIDED BY AND AT THE DIRECTION OF:
Coldwell Banker/Larson Realty
Post Office Box 108
Park Falls, Wisconsin 54552
(715)762-2232

Figure Ø

Park Falls Lumber Company's Plat of the Village - Block 16



To the best of my knowledge, the attached Warranty Deed (No. 322635) is for the property known as 499 Division Street, Park Falls, Wisconsin 54552 where environmental work was completed.

R Mark Cuming Date 2-24-13

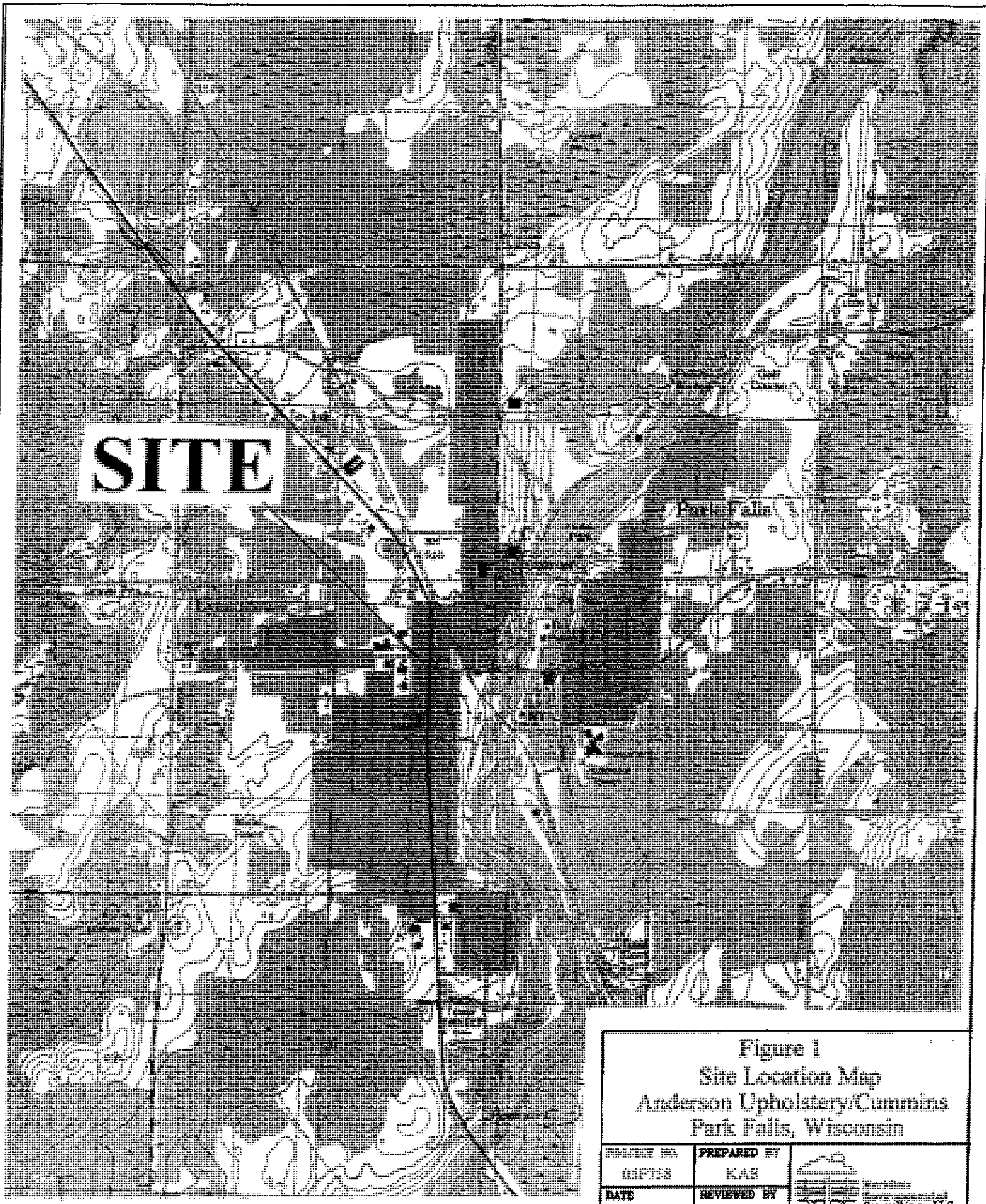



Figure 1
Site Location Map
Anderson Upholstery/Cummins
Park Falls, Wisconsin

| PROJECT NO. | PREPARED BY |
|---|---|
| 09P158 | KAS |
| DATE | REVIEWED BY |
| 10/6/09 | KAS |

Consulting, LLC

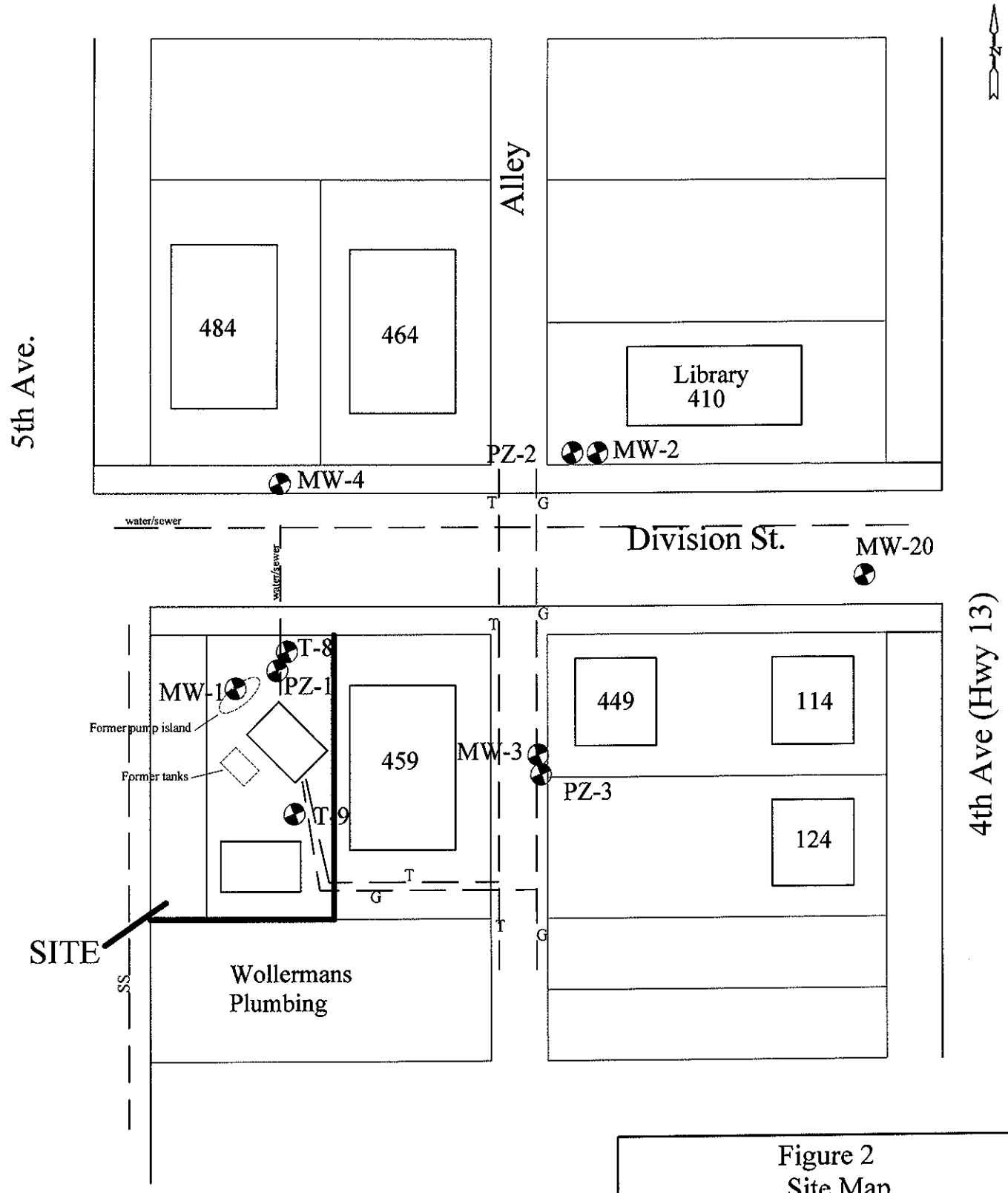
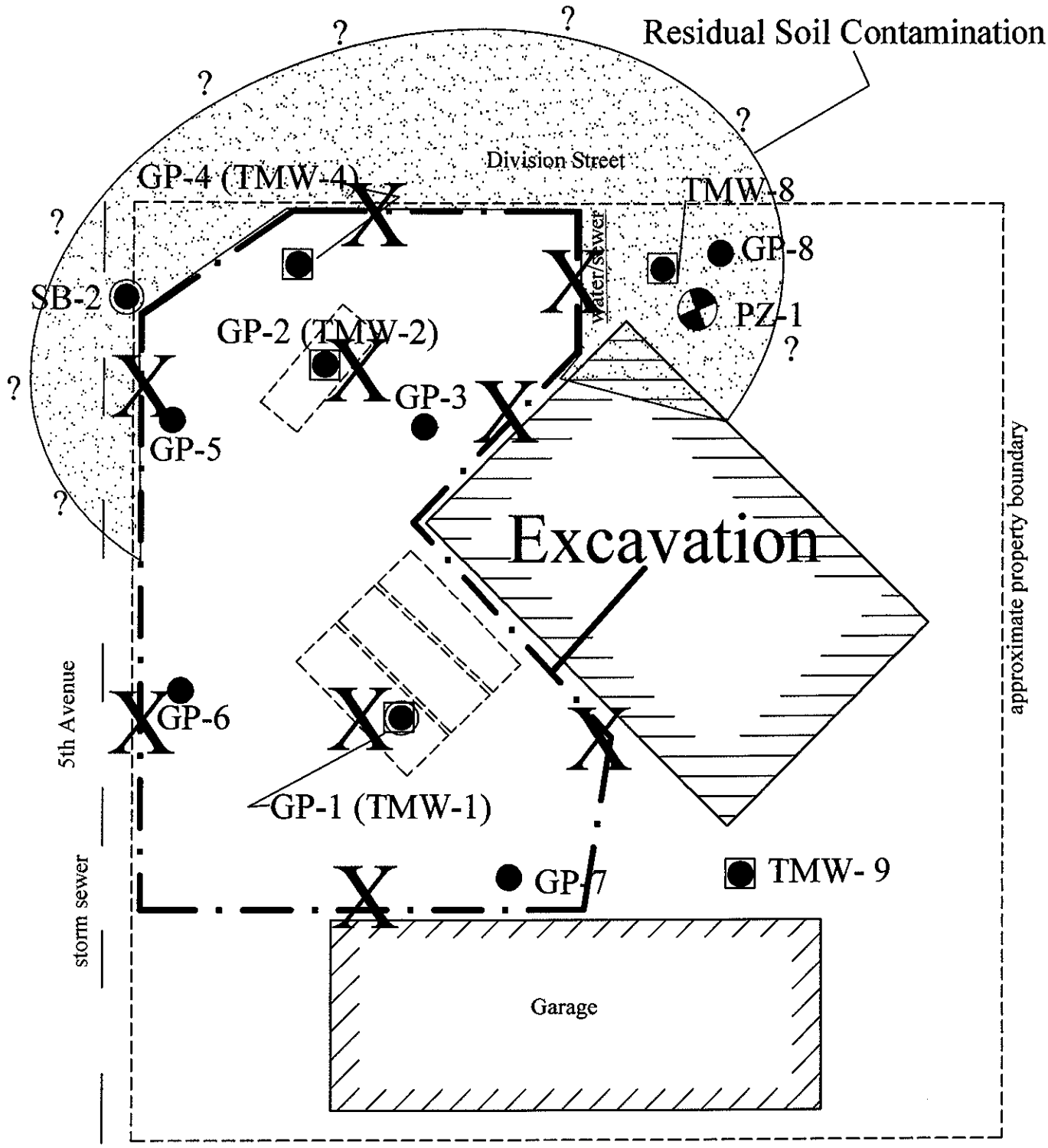



Figure 2
Site Map
Anderson Upholstery/Cummins
Park Falls, WI

| PROJECT NO. | PREPARED BY |
|---|---|
| 05F758 | KAS |
| DATE | REVIEWED BY |
| 3/31/11 | KAS |

Meridian Environmental Consulting, LLC




## Legend

- X Confirmation Sample
- Geoprobe boring
- Geoprobe boring/Temporary Well
- Monitoring well

N

0 10 FEET

Approximate Scale

Figure 3
Excavation Map
Anderson Upholstery/Cummins
Park Falls, Wisconsin

| PROJECT NO. | PREPARED BY |
|---|---|
| 05F758 | KAS |
| DATE | REVIEWED BY |
| 4/11/11 | KAS |

Meridian Environmental Consulting, LLC

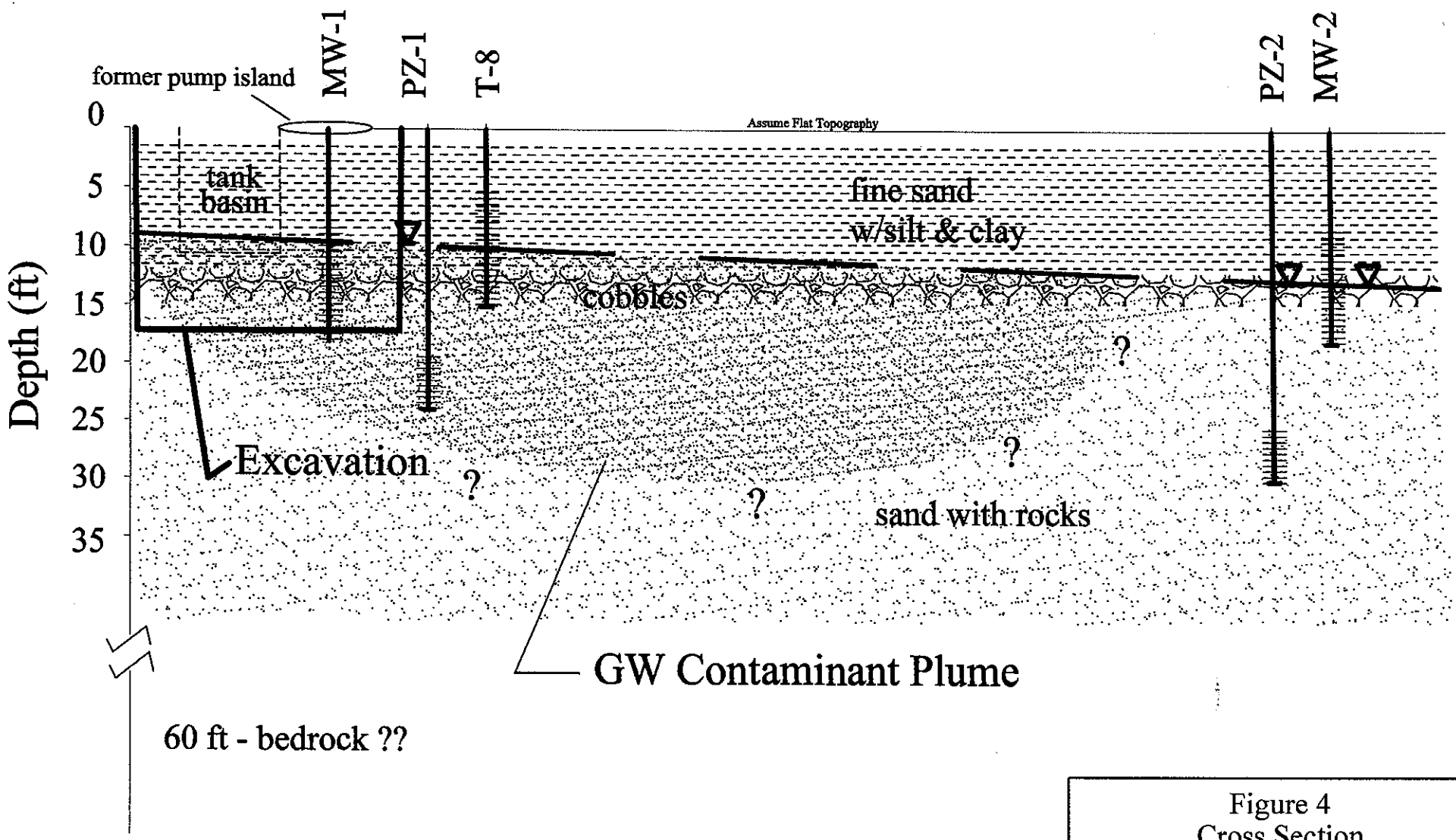
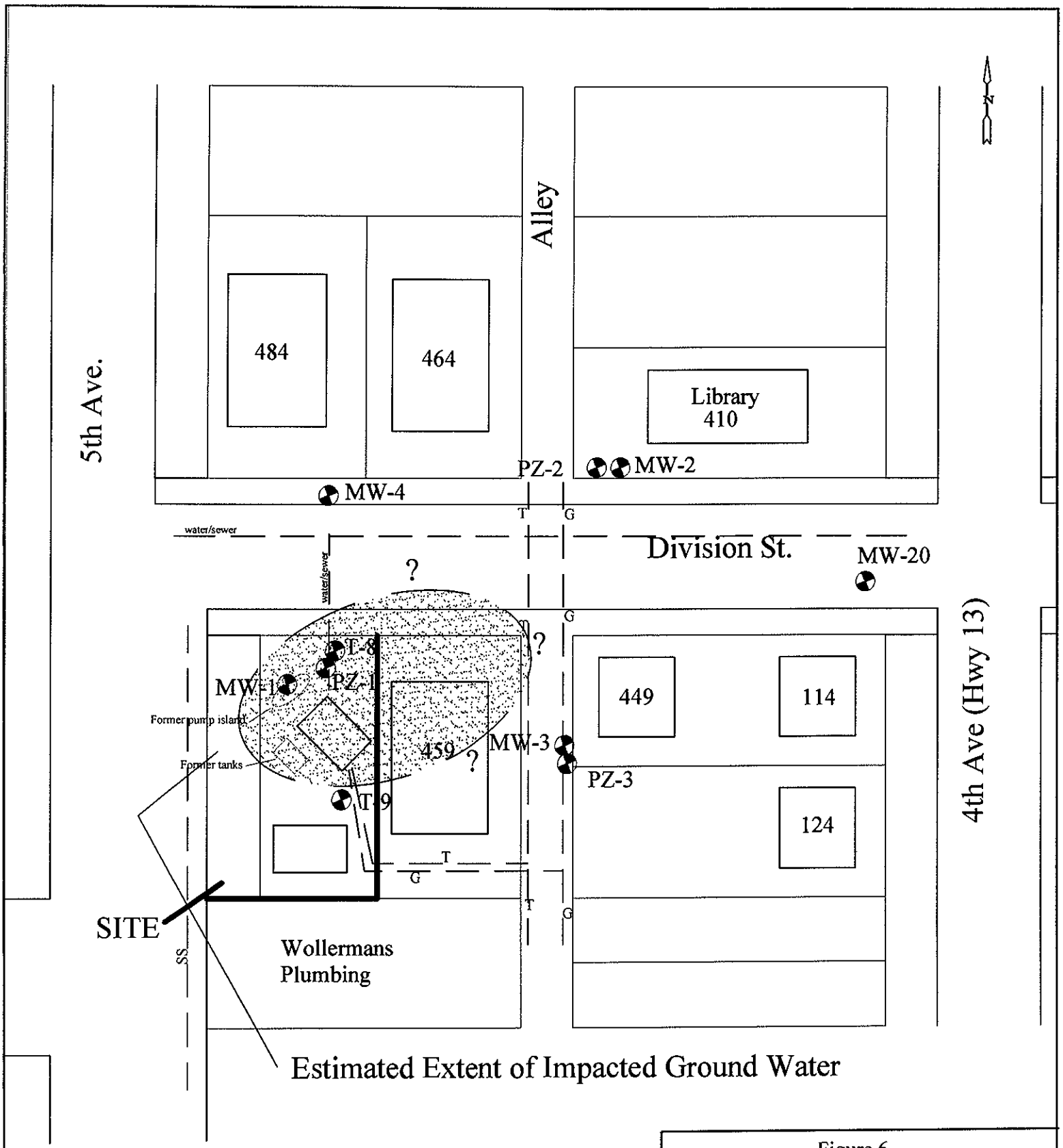



Figure 4
Cross Section
Anderson Upholstery/Cummins
Park Falls, WI

| PROJECT NO. | PREPARED BY |
|---|---|
| 05F758 | KAS |
| DATE | REVIEWED BY |
| 3/31/11 | KAS |

Meridian Environmental Consulting, LLC




10 0 10 20 30 40 50

approximate scale (ft)

—— —— Buried utilities
(G - gas, T - telephone, SS - storm sewer)

Figure 6
Estimated Extent of Impacted Ground Water
Anderson Upholstery/Cummins
Park Falls, WI

| PROJECT NO. | PREPARED BY |
|---|---|
| 05F758 | KAS |
| DATE | REVIEWED BY |
| 2/12/12 | KAS |

Meridian Environmental Consulting, LLC

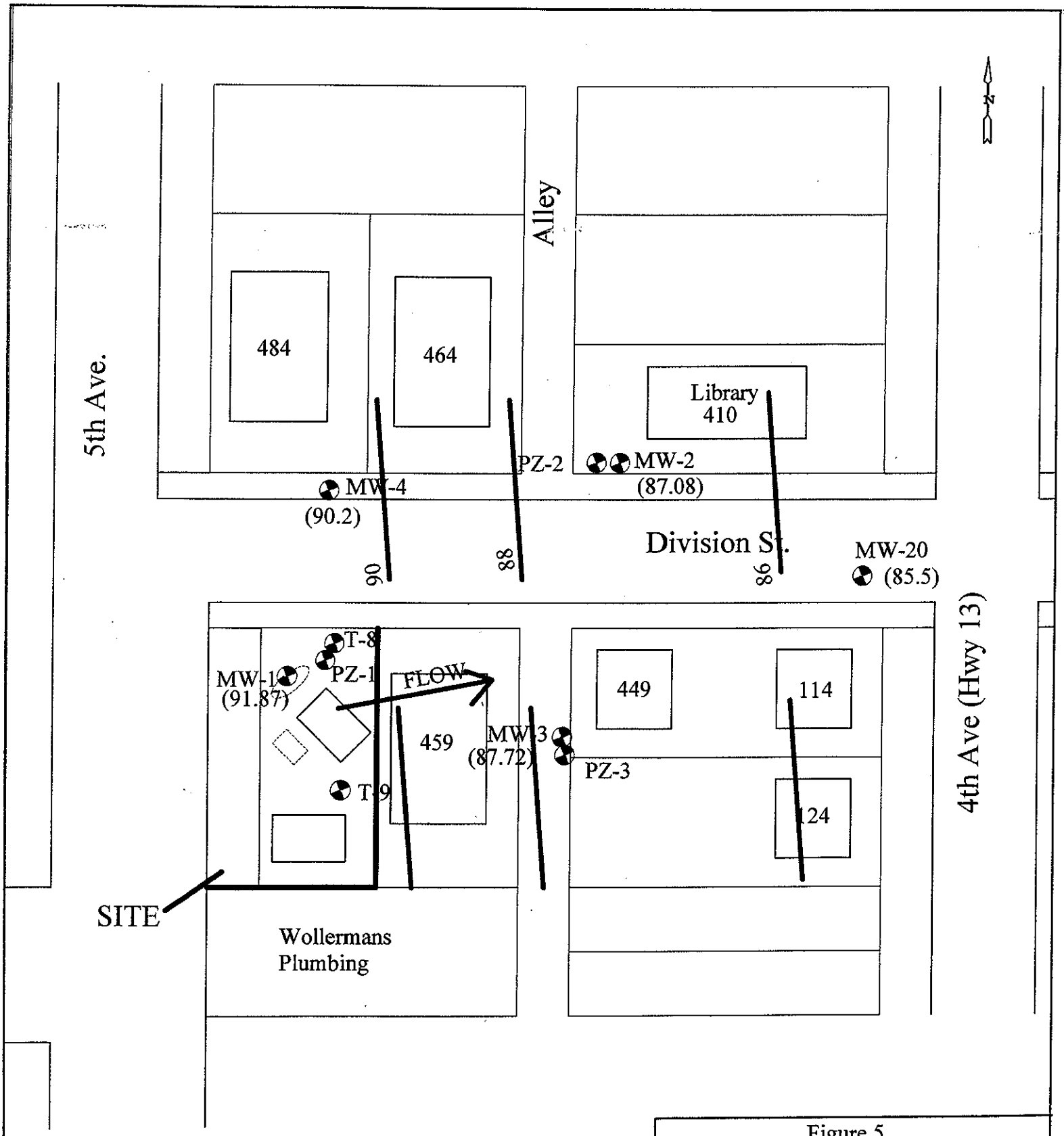



Figure 5
Ground Water Table Contour Map (7/28/11)
(Monitoring Wells Only)
Anderson Upholstery/Cummins
Park Falls, WI

| PROJECT NO. | PREPARED BY |
|---|---|
| 05F758 | KAS |
| DATE | REVIEWED BY |
| 2/12/12 | KAS |

Meridian Environmental Consulting, LLC

**Table 1: Soil Sample Analytical Results**
Former Anderson Upholstery
Park Falls, Wisconsin
Meridian No. 05F758

| Sample | Units | 1,2,4-TMB | 1,3,5-TMB | 1,2-dibromo ethane | 1,2 DCA | Benzene | Ethyl benzene | m,p-Xylenes | o-xylenes | Total Xylenes | MTBE | Naph thalene | Toluene | 1,2,3-trichloro propane | 4-isopropylt oluene | chloro benzene | dibromo chloro methane | hexa chloro butadiene | isopropyl benzene (cumene) | Trichloro fluoro methane |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| GP-1: 3-4 | ug/kg | <36 | <14 | <27 | <20 | <10 | <15 | <50 | <50 | <50 | <84 | <17 | 45.4 | <49 | <35 | <11 | <29 | <35 | <14 | 34.4 |
| GP-1: 7-8 | ug/kg | 11100 | 3680 | <27 | <20 | <10 | 255 | 600 | 87.6 | 687.6 | <84 | 506 | <41 | <49 | 522 | 140 | 57.2 | <35 | 416 | <28 |
| GP-1: 11-12 | ug/kg | 486 | 141 | <27 | <20 | <10 | 228 | 834 | 193 | 1027 | <84 | 90.9 | 237 | <49 | <35 | <11 | <29 | <35 | 31.1 | <28 |
| GP-2: 3-4 | ug/kg | **92500** | **39600** | <270 | <200 | <100 | 1370 | 35100 | 33700 | **68800** | <840 | **11200** | 3900 | <490 | 3760 | <110 | <290 | 425 | <140 | <280 |
| GP-2: 7-8 | ug/kg | **321000** | **107000** | <270 | <200 | **1150** | **15600** | 19800 | 132000 | **151800** | <840 | **41700** | **28600** | 5630 | 17000 | <110 | 787 | <350 | 2210 | <280 |
| GP-2: 10-12 | ug/kg | 7830 | 2300 | <27 | <20 | **2090** | **3120** | 12400 | 4500 | **16900** | <84 | 1290 | **8440** | <49 | 244 | <11 | <29 | <35 | 311 | <28 |
| GP-2: 14-15 | ug/kg | 261 | 64.1 | 56.5 | <20 | **1710** | 226 | 728 | 366 | 1094 | <84 | 73.2 | 1970 | <49 | <35 | <11 | <29 | <35 | <14 | <28 |
| GP-3: 3-4 | ug/kg | 49.8 | <14 | NA | <20 | <10 | <15 | 58.9 | <50 | 58.9 | <84 | <17 | <41 | NA | NA | NA | NA | NA | NA | NA |
| GP-3: 7-8 | ug/kg | 1820 | 587 | NA | <20 | **127** | 341 | 1200 | 637 | 1837 | <84 | 404 | 359 | NA | NA | NA | NA | NA | NA | NA |
| GP-4: 3-4 | ug/kg | <36 | <14 | NA | <20 | <10 | <15 | <50 | <50 | <50 | <84 | 53.5 | <41 | NA | NA | NA | NA | NA | NA | NA |
| GP-4: 7-8 | ug/kg | **92200** | **26300** | NA | <200 | **2720** | **41300** | 160000 | 65300 | **225300** | <840 | **14400** | **57700** | NA | NA | NA | NA | NA | NA | NA |
| GP-5: 7-8 | ug/kg | **178000** | **49700** | NA | <500 | **7690** | **76400** | 298000 | 114000 | **412000** | <2100 | **33700** | **144000** | NA | NA | NA | NA | NA | NA | NA |
| GP-6: 3-4 | ug/kg | 56 | <14 | NA | <20 | <10 | <15 | 60.2 | <50 | 60.2 | <84 | <17 | <41 | NA | NA | NA | NA | NA | NA | NA |
| GP-6: 7-8 | ug/kg | **84400** | **29100** | NA | <200 | <100 | **10700** | 41400 | 6850 | **48250** | <840 | **4370** | **4600** | NA | NA | NA | NA | NA | NA | NA |
| GP-7: 3-4 | ug/kg | <36 | <14 | NA | <20 | <10 | <15 | <50 | <50 | <50 | <84 | <17 | <41 | NA | NA | NA | NA | NA | NA | NA |
| GP-7: 7-8 | ug/kg | <36 | <14 | NA | <20 | <10 | <15 | <50 | <50 | <50 | <84 | <17 | <41 | NA | NA | NA | NA | NA | NA | NA |
| GP-7: 11-12 | ug/kg | 1150 | 2550 | NA | <20 | <10 | 1090 | 1690 | <50 | 1690 | <84 | 297 | 52.5 | NA | NA | NA | NA | NA | NA | NA |
| GP-8: 3-4 | ug/kg | <36 | <14 | NA | <20 | <10 | <15 | <50 | <50 | <50 | <84 | <17 | <41 | NA | NA | NA | NA | NA | NA | NA |
| GP-8: 7-8 | ug/kg | <36 | <14 | NA | <20 | <10 | <15 | <50 | <50 | <50 | <84 | <17 | <41 | NA | NA | NA | NA | NA | NA | NA |
| GP-8: 11-12 | ug/kg | 1860 | 4750 | NA | <40 | <20 | 272 | 305 | <100 | 305 | <168 | 433 | <82 | NA | NA | NA | NA | NA | NA | NA |
| **Excavation Confirmation Samples** | | | | | | | | | | | | | | | | | | | | |
| Tank S (4 ft) | mg/kg | 0.092 | <.019 | NA | NA | <.017 | <.019 | 0.185 | <.017 | 0.185 | <.012 | **<.019** | 0.098 | NA | NA | NA | NA | NA | NA | NA |
| Tank W (4 ft) | mg/kg | 5.76 | 3.11 | NA | NA | <.086 | 0.756 | 1.63 | <.086 | 1.63 | <.059 | **0.488** | 0.748 | NA | NA | NA | NA | NA | NA | NA |
| Tank Bottom (17 ft) | mg/kg | 0.127 | 0.087 | NA | NA | **0.164** | 0.113 | 0.309 | 0.134 | 0.443 | <.012 | **<.019** | 0.56 | NA | NA | NA | NA | NA | NA | NA |
| Tank E (4 ft) | mg/kg | 0.138 | 0.116 | NA | NA | <.018 | <.02 | 0.187 | <.018 | 0.187 | <.012 | **0.107** | 0.098 | NA | NA | NA | NA | NA | NA | NA |
| Bldg Door (4 ft) | mg/kg | <.013 | <.018 | NA | NA | <.016 | 0.079 | 0.198 | <.016 | 0.198 | <.011 | **<.018** | 0.095 | NA | NA | NA | NA | NA | NA | NA |
| P.I. E (4 ft) | mg/kg | 295 | 102 | NA | NA | <1.78 | 26.9 | 219 | 125 | 344 | <1.22 | **48** | 29.1 | NA | NA | NA | NA | NA | NA | NA |
| P.I. N (4 ft) | mg/kg | 244 | 83.7 | NA | NA | <1.67 | 29.6 | 144 | 67.5 | 211.5 | <1.15 | **39.7** | 28.5 | NA | NA | NA | NA | NA | NA | NA |
| P.I. Floor (16 ft) | mg/kg | 2.49 | 0.861 | NA | NA | **0.385** | 0.617 | 2.19 | 0.912 | 3.102 | <.014 | **0.722** | 1.14 | NA | NA | NA | NA | NA | NA | NA |
| P.I. W (4 ft) | mg/kg | 340 | 113 | NA | NA | **10.3** | 104 | 398 | 138 | 536 | <1.21 | **49** | 115 | NA | NA | NA | NA | NA | NA | NA |
| **Regulatory Standards** | | | | | | | | | | | | | | | | | | | | |
| NR720 | ug/kg | | | | 4.9 | 5.5 | 2900 | | | 4100 | | | 4100 | | | | | | | |
| NR746 Table 1 | ug/kg | 83000 | 11000 | | 600 | 8500 | 4600 | | | 42000 | | 2700 | 38000 | | | | | | | |
| NR746 Table 2 | ug/kg | | | | 540 | 1100 | | | | | | | | | | | | | | |

**100** concentration exceeds regulatory standard

**Table 2: Ground Water Analytical Data**
Former Anderson Upholstery
Park Falls, Wisconsin
Meridian No. 05F758

| Well | Date | Depth to Water (ft) | Screened Interval (ft) | 1,2,4 TMB | 1,3,5 TMB | Total TMBs | Benzene | Ethylbenzene | m&p-Xylene | o-Xylene | Total Xylenes | MTBE | Naphthalene | Toluene | EDB |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *NR140 ES* | | | | | | *480* | *5* | *700* | | | *2000* | *60* | *100* | *800* | *0.05* |
| *NR140 PAL* | | | | | | *96* | *0.5* | *140* | | | *400* | *12* | *10* | *160* | *0.005* |
| *Units* | | | | *ug/l* | *ug/l* | *ug/l* | *ug/l* | *ug/l* | *ug/l* | *ug/l* | *ug/l* | *ug/l* | *ug/l* | *ug/l* | *ug/l* |
| TMW-1 | installed 10/27/09 | | 2-12 | | | | | | | | | | | | |
| | 11/13/2009 | 4.65 | | 17.4 | 15.6 | 33 | 2.66 | <.5 | 3.37 | 2.63 | 6 | <.3 | <.8 | <.37 | NA |
| | 3/23/2010 | 5.06 | | <.4 | <.44 | <.44 | <.31 | <.5 | <.62 | <.77 | <.77 | <.3 | <.8 | <.37 | NA |
| | *Abandoned 9/27/10 for excavation* | | | | | | | | | | | | | | |
| TMW-2 | installed 10/27/09 | | 7-17 | | | | | | | | | | | | |
| | 11/13/2009 | 8.78 | | 11700 | 3530 | 15230 | 17700 | 7170 | 27300 | 11100 | 38400 | 675 | 2050 | 37900 | NA |
| | 3/23/2010 | 10.6 | | 16900 | 5000 | 21900 | 18000 | 8520 | 33400 | 14200 | 47600 | 245 | 4030 | 34900 | NA |
| | *Abandoned 9/27/10 for excavation* | | | | | | | | | | | | | | |
| TMW-4 | installed 10/27/09 | | 3-8 | | | | | | | | | | | | |
| | 11/13/2009 | 5.6 | | 3360 | 1110 | 4470 | 223 | *607* | 3030 | 2810 | 5840 | <15 | 675 | 1070 | NA |
| | 3/23/2010 | 5.41 | | 649 | 563 | 1212 | 143 | *279* | 1050 | 1230 | 2280 | <15 | 262 | 801 | NA |
| | *Abandoned 9/27/10 for excavation* | | | | | | | | | | | | | | |
| TMW-8 | installed 2/23/10 | | 5-15 | | | | | | | | | | | | |
| | 3/23/2010 | 11.48 | | 902 | 307 | 1209 | <3.1 | *608* | 1670 | 403 | 2073 | *31.9* | 223 | *685* | NA |
| | 10/13/2010 | 6.9 | | 2.24 | 1.9 | 4.14 | <.31 | <.5 | <.62 | <.77 | <.77 | <.3 | <2 | <.37 | NA |
| | 1/31/2011 | could not locate | | | | | | | | | | | | | |
| | 4/25/2011 | 6.22 | | <.4 | <.44 | <.44 | <.31 | <.5 | <.62 | <.77 | <.77 | <.3 | <2 | <.37 | NA |
| TMW- 9 | installed 3/9/10 | | | | | | | | | | | | | | |
| | 3/23/2010 | 10.32 | 3.5-13.5 | 722 | 250 | 972 | <3.1 | 76.6 | *854* | *203* | *1057* | *48.3* | 137 | 47.2 | NA |
| | 10/13/2010 | 6.53 | | 0.722 | <.44 | 0.722 | <.31 | <.5 | 0.89 | <.77 | 0.89 | <.3 | <2 | <.37 | NA |
| | 1/31/2011 | 10.2 | | 15.2 | 2.66 | 17.86 | *0.805* | 11 | 40.5 | 2.27 | 42.77 | 2.24 | *12.4* | 5.03 | NA |
| | 4/25/2011 | 6.48 | | <.4 | <.44 | <.44 | <.31 | <.5 | <.62 | <.77 | <.77 | <.3 | <2 | <.37 | NA |
| | 7/28/2011 | 8.98 | | 2.72 | 0.539 | 3.259 | <.31 | 2.54 | 5.95 | <.77 | 5.95 | <.3 | <2 | 0.432 | NA |
| MW-1 | installed 10/6/10 | | 8-18 | | | | | | | | | | | | |
| | 10/13/2010 | 6.6 | | 348 | 133 | 481 | 229 | *169* | 653 | *414* | *1067* | <10 | *56.9* | *472* | 14.9 |
| | 1/31/2011 | | | Inaccessible | | | | | | | | | | | |
| | 4/25/2011 | 6.69 | | *186* | *93.7* | *279.7* | 473 | *288* | *641* | *553* | *1194* | <6 | *76.6* | *616* | NA |
| | 7/28/2011 | 7.65 | | 18.1 | 34.3 | 52.4 | 69.8 | 31.4 | 39.5 | 1.37 | 40.87 | 2.91 | *34* | 4.23 | NA |
| MW-2 | installed 10/6/10 | | 8-18 | | | | | | | | | | | | |
| | 10/13/2010 | 10.68 | | <.2 | <.2 | <.2 | <.2 | <.2 | <.4 | <.2 | <.4 | <.5 | <1 | <.4 | <.3 |
| | 1/31/2011 | 13 | | <.4 | <.44 | <.44 | <.31 | <.5 | <.62 | <.77 | <.77 | <.3 | <2 | <.37 | NA |
| | 4/25/2011 | 11.37 | | <.4 | <.44 | <.44 | <.31 | <.5 | <.62 | <.77 | <.77 | <.3 | <2 | <.37 | NA |
| | 7/28/2011 | 12.05 | | <.4 | <.44 | <.44 | <.31 | <.5 | <.62 | <.77 | <.77 | <.3 | <2 | <.37 | NA |
| MW-3 | installed 10/6/10 | | 10-20 | | | | | | | | | | | | |
| | 10/13/2010 | 12.5 | | <.2 | <.2 | <.2 | <.2 | <.2 | <.4 | <.2 | <.4 | <.5 | <1 | <.4 | <.3 |
| | 1/31/2011 | 15.09 | | <.4 | <.44 | <.44 | <.31 | <.5 | <.62 | <.77 | <.77 | <.3 | <2 | <.37 | NA |
| | 4/25/2011 | 13.88 | | <.4 | <.44 | <.44 | <.31 | <.5 | <.62 | <.77 | <.77 | <.3 | <2 | <.37 | NA |
| MW-4 | installed 10/6/10 | | | | | | | | | | | | | | |
| | 10/13/2010 | 8.28 | 8-18 | <.2 | <.2 | <.2 | <.2 | <.2 | <.4 | <.2 | <.4 | <.5 | <1 | <.4 | <.3 |
| | 1/31/2011 | 10.36 | | <.4 | <.44 | <.44 | <.31 | <.5 | <.62 | <.77 | <.77 | <.3 | <2 | <.37 | NA |
| | 4/25/2011 | 8.41 | | <.4 | <.44 | <.44 | <.31 | <.5 | <.62 | <.77 | <.77 | <.3 | <2 | <.37 | NA |
| PZ-1 | installed 2/23/10 | | 19-24 | | | | | | | | | | | | |
| | 3/23/2010 | 12.08 | | 1440 | 378 | 1818 | 7630 | 2540 | 7830 | 3440 | 11270 | 59.1 | 506 | 12100 | NA |
| | 10/13/2010 | 7.46 | | 1470 | 328 | 1798 | 5310 | 1870 | 7420 | 3140 | 10560 | 405 | 586 | 7550 | NA |
| | 1/31/2011 | 9.14 | | 1590 | 434 | 2024 | 4770 | 1850 | 8580 | 3200 | 11780 | 83 | 564 | 14100 | NA |
| | 4/25/2011 | 8.48 | | 1670 | 513 | 2183 | 5520 | 2170 | 8110 | 3240 | 11350 | 167 | 753 | 16200 | NA |
| | 7/28/2011 | 8.98 | | 1480 | 432 | 1912 | 4710 | 2340 | 7460 | 2640 | 10100 | <75 | 586 | 13400 | NA |
| PZ-2 | installed 10/6/10 | | 25-30 | | | | | | | | | | | | |
| | 10/13/2010 | 10.8 | | 0.27 | <.2 | 0.27 | <.2 | <.2 | <.4 | <.2 | <.4 | <.5 | <1 | <.4 | <.3 |
| | 1/31/2011 | 13.02 | | <.4 | <.44 | <.44 | <.31 | <.5 | <.62 | <.77 | <.77 | <.3 | <2 | <.37 | NA |
| | 4/25/2011 | 11.41 | | <.4 | <.44 | <.44 | <.31 | <.5 | <.62 | <.77 | <.77 | <.3 | <2 | <.37 | NA |
| PZ-3 | installed 10/6/10 | | 25-30 | | | | | | | | | | | | |
| | 10/13/2010 | 12.7 | | 0.2 | <.2 | 0.2 | <.2 | <.2 | <.4 | <.2 | <.4 | <.5 | <1 | <.4 | <.3 |
| | 1/31/2011 | 15.15 | | <.4 | <.44 | <.44 | <.31 | <.5 | <.62 | <.77 | <.77 | <.3 | <2 | <.37 | NA |
| | 4/25/2011 | 13.91 | | <.4 | <.44 | <.44 | <.31 | <.5 | <.62 | <.77 | <.77 | <.3 | <2 | <.37 | NA |
| MW-20 | installed by Flambeau Oil prior to this site investigation | | | | | | | | | | | | | | |
| | 7/28/2011 | 12.78 | 11.5 - 21.5 | <.4 | <.44 | <.44 | <.31 | <.5 | <.62 | <.77 | <.77 | <.3 | <2 | <.37 | NA |

1 Concentration present above method detection limit
100 concentration exceeds regulatory standard

Additional parameters detected below NR140 Enforcement Standards - see lab reports

## Table 3: Ground Water Level Measurements

Former Anderson Upholstery
Park Falls, Wisconsin
Meridian No. 05F758

**MW-1**

| Surface Elevation (ft) | | 99.5 |
|---|---|---|
| Top of Casing elevation (ft) | | 99.52 |
| Top of Screen Elevation (ft) | | 91.52 |
| Bottom of Screen Elevation (ft) | | 81.52 |
| Well Diameter | | 2 inch |
| | *Installed* | *10/6/2010* |
| Meas. Date | Depth to Water (ft) | GW Elev (ft) |
| 10/13/2010 | 6.6 | 92.92 |
| 1/31/2011 | inaccessible - frozen gravel | |
| 4/25/2011 | 6.69 | 92.83 |
| 7/28/2011 | 7.65 | 91.87 |
| | | |

**MW-2**

| Surface Elevation (ft) | | 99.25 |
|---|---|---|
| Top of Casing elevation (ft) | | 99.13 |
| Top of Screen Elevation (ft) | | 91.13 |
| Bottom of Screen Elevation (ft) | | 81.13 |
| Well Diameter | | 2 inch |
| | *Installed* | *10/6/2010* |
| Meas. Date | Depth to Water (ft) | GW Elev (ft) |
| 10/13/2010 | 10.68 | 88.45 |
| 1/31/2011 | 13 | 86.13 |
| 4/25/2011 | 11.37 | 87.76 |
| 7/28/2011 | 12.05 | 87.08 |
| | | |

**MW-3**

| Surface Elevation (ft) | | 102 |
|---|---|---|
| Top of Casing elevation (ft) | | 101.8 |
| Top of Screen Elevation (ft) | | 91.8 |
| Bottom of Screen Elevation (ft) | | 81.8 |
| Well Diameter | | 2 - inch |
| | *Installed* | *10/6/2010* |
| Meas. Date | Depth to Water (ft) | GW Elev (ft) |
| 10/13/2010 | 12.5 | 89.3 |
| 1/31/2011 | 15.09 | 86.71 |
| 4/25/2011 | 13.88 | 87.92 |
| 7/28/2011 | 14.08 | 87.72 |
| | | |

**MW-4**

| Surface Elevation (ft) | | 99.75 |
|---|---|---|
| Top of Casing elevation (ft) | | 99.6 |
| Top of Screen Elevation (ft) | | 91.6 |
| Bottom of Screen Elevation (ft) | | 81.6 |
| Well Diameter | | 2 inch |
| | *Installed* | *10/6/2010* |
| Meas. Date | Depth to Water (ft) | GW Elev (ft) |
| | | |
| 10/13/2010 | 8.28 | 91.32 |
| 1/31/2011 | 10.36 | 89.24 |
| 4/25/2011 | 8.41 | 91.19 |
| 7/28/2011 | 9.4 | 90.2 |
| | | |

**T-8**

| Surface Elevation (ft) | | 99.5 |
|---|---|---|
| Top of Casing elevation (ft) | | 99.43 |
| Top of Screen Elevation (ft) | | 94.43 |
| Bottom of Screen Elevation (ft) | | 84.43 |
| Well Diameter | | 1 inch |
| | *Installed* | *2/23/2010* |
| Meas. Date | Depth to Water (ft) | GW Elev (ft) |
| 3/23/2010 | 11.48 | 87.95 |
| 10/13/2010 | 6.9 | 92.53 |
| 1/31/2011 | Could not locate | |
| 4/25/2011 | 6.22 | 93.21 |
| 7/28/2011 | 8.05 | 91.38 |
| | | |

**T-9**

| Surface Elevation (ft) | | 100.2 |
|---|---|---|
| Top of Casing elevation (ft) | | 99.93 |
| Top of Screen Elevation (ft) | | 96.43 |
| Bottom of Screen Elevation (ft) | | 86.43 |
| Well Diameter | | 2 - inch |
| | *Installed* | *3/9/2010* |
| Meas. Date | Depth to Water (ft) | GW Elev (ft) |
| 3/23/2010 | 10.32 | 89.61 |
| 10/13/2010 | 6.53 | 93.4 |
| 1/31/2011 | 10.2 | 89.73 |
| 4/25/2011 | 6.48 | 93.45 |
| 7/28/2011 | 8.98 | 90.95 |
| | | |

**PZ-1**

| Surface Elevation (ft) | | 100 |
|---|---|---|
| Top of Casing elevation (ft) | | 99.26 |
| Top of Screen Elevation (ft) | | 81 |
| Bottom of Screen Elevation (ft) | | 76 |
| Well Diameter | | 1 - inch |
| | *Installed* | *2/23/2010* |
| Meas. Date | Depth to Water (ft) | GW Elev (ft) |
| 3/23/2010 | 12.08 | 87.18 |
| 10/13/2010 | 7.46 | 91.8 |
| 1/31/2011 | 9.14 | 90.12 |
| 4/25/2011 | 8.48 | 90.78 |
| 7/28/2011 | 8.98 | 90.28 |
| | | |

**PZ-2**

| Surface Elevation (ft) | | 99.25 |
|---|---|---|
| Top of Casing elevation (ft) | | 99.11 |
| Top of Screen Elevation (ft) | | 74.11 |
| Bottom of Screen Elevation (ft) | | 69.11 |
| Well Diameter | | 1 -inch |
| | *Installed* | *3/9/2010* |
| Meas. Date | Depth to Water (ft) | GW Elev (ft) |
| | | |
| 10/13/2010 | 10.8 | 88.31 |
| 1/31/2011 | 13.02 | 86.09 |
| 4/25/2011 | 11.41 | 87.7 |
| 7/28/2011 | 12.1 | 87.01 |
| | | |

**PZ-3**

| Surface Elevation (ft) | | 102 |
|---|---|---|
| Top of Casing elevation (ft) | | 101.75 |
| Top of Screen Elevation (ft) | | 76.75 |
| Bottom of Screen Elevation (ft) | | 71.75 |
| Well Diameter | | 2 - inch |
| | *Installed* | *2/23/2010* |
| Meas. Date | Depth to Water (ft) | GW Elev (ft) |
| | | |
| 10/13/2010 | 12.7 | 89.05 |
| 1/31/2011 | 15.15 | 86.6 |
| 4/25/2011 | 13.91 | 87.84 |
| 7/28/2011 | 14.2 | 87.55 |
| | | |

**MW-20 (installed by Flambeau Oil)**

| Surface Elevation (ft) | | 98.5 |
|---|---|---|
| Top of Casing elevation (ft) | | 98.28 |
| Top of Screen Elevation (ft) | | 87 |
| Bottom of Screen Elevation (ft) | | 77 |
| Well Diameter | | 2 - inch |
| | *Installed* | *5/29/1992* |
| Meas. Date | Depth to Water (ft) | GW Elev (ft) |
| 7/28/2011 | 12.78 | 85.5 |
| | | |
| | | |

OFF-SOURCE
A
PROPERTY

March 7, 2013

Mr. Mark S. Tuma
P.O. Box 1793
Elko, NV 89803

Subject: **GIS Notification for 459 Division St, Park Falls, Wisconsin 54552**
DNR BRRTS No. 03-51-120869
PECFA No. 54552-1164-99
Meridian No. 05F758

Dear Mr. Tuma:

I am writing because you own the property located at 459 Division St, Park Falls, Wisconsin 54552. This property is adjacent to 499 Division St, Park Falls, Wisconsin. The adjacent property (499 Division St) formerly sold gasoline. Over the years, the petroleum system released gasoline into the soil and ground water. The impacted ground water appears to extend eastward underneath your property (at 459 Division St). Therefore, I am required to send you this notification. You do not need to do anything in response to this letter. However, if you have any questions, please do not hesitate to contact me.

The remainder of this letter provides standard language required for this notification.

I have conducted an investigation and cleanup in cooperation with the Wisconsin Department of Natural Resources (DNR) and the Wisconsin Department of Safety and Professional Services (DSPS). I am requesting the DSPS grant "Closure" of this case. Closure means that the DSPS will not be requiring any further investigation or cleanup action be taken.

The DSPS will not review the Closure Request for at least 30 days after the date of this letter. As an affected property owner, you have a right to contact DSPS to provide any technical information that indicates Closure should not be granted. If you would like to submit any information to DSPS that is relevant to this Closure request, you should mail that information to Beth Erdman, Wisconsin DSPS, 375 City Center, Suite I, Oshkosh, WI 54901-4877. You can also call her at 920-303-5410.

If closure is approved, the following continuing obligation (re: well construction) applies to your property.

Ground water contamination that appears to have originated on the property located at 499 Division St has migrated onto your property at 459 Division St. The levels of ground water contamination are above the state ground water enforcement standards found in chapter NR140, Wisconsin Administrative Code.

The environmental consultants who have investigated this contamination have informed me that this ground water contamination is stable or receding and will naturally degrade over time. They

OFF-SOURCE
A
PROPERTY



believe allowing natural attenuation to complete the cleanup at this site will meet the requirements for case closure that are found in chapter NR726, Wisconsin Adminstrative Code. Therefore, I am requesting DSPS accept natural attenuation as the final remedy for this site and grant case closure.

The following DNR fact sheet (RR671 – "What Landowners Should Know: Information about Using Natural Attenuation to Clean Up Contaminated Ground Water") has been included with this letter, to help explain the use of natural attenuation as a remedy. If the fact sheet is lost, you may obtain a copy at http://dnr.wi.gov/files/PDF/pubs/rr/RR671.pdf

The continuing obligation referenced herein is: *Should you or any subsequent property owner wish to construct or reconstruct a well on your property, special well construction standards may be necessary to protect the well from the remaining contamination.* Any well driller who proposes to construct a well on your property in the future will first need to obtain approval from a regional water supply specialist in DNR's Drinking Water and Ground Water Program. The well construction application, form 3300-254, is on the internet at http://dnr.wi.gov/org/water/dwg/forms/3300254.pdf or may be accessed through the GIS Registry web address.

Before I request closure, I will need to inform the Department as to who will be responsible for the continuing obligation on your property regarding construction of water supply wells. Under s. 292.12, Wis. Stats., the responsibility for maintaining all necessary continuing obligations for your property (i.e., contact DNR prior to constructing a water supply well) will fall on you or any subsequent property owner, unless another person has a legally enforceable responsibility to comply with the requirements of the final closure letter. If you need more time to finalize an agreement for this responsibility, you will need to request additional time from DSPS.

Under s. 292.12(5), Wis. Stats., occupants of this property are also responsible for complying with any continuing obligations. Please notify any current and future occupants that may be affected by this continuing obligation, by supplying them with a copy of this letter. The DNR Fact Sheet, RR-819, "Continuing Obligations for Environmental Protection" has been included with this letter, to help explain a property owner's responsibility for continuing obligations on their property. If the fact sheet is lost, you may obtain a copy at http://dnr.wi.gov/files/PDF/pubs/rr/RR819.pdf

Once the Department makes a decision on my Closure request, it will be documented in a letter. If the Department grants Closure, you will receive a copy of the Closure letter. If you need to, you may also obtain a copy of the Closure letter by requesting a copy from me, by writing to the DSPS contact (Beth Erdman), or by accessing the DNR Geographic Information System (GIS) Registry (via RR Sites Map) at http://dnr.wi.ogv/topic/Brownfields/clean.html. The final closure letter will contain a description of the continuing obligation. The final closure letter and a map of the properties affected will be included as part of the site file attached on the GIS Registry.

If this case is closed, all properties within the site boundaries where ground water contamination attains or exceeds chapter NR140 ground water enforcement standards will be listed on the publically accessible Bureau of Remediation and Redevelopment Tracking System on the Web (BOTW) to provide public notice of remaining contamination and of any continuing obligations. In addition, information will be displayed on the RR Sites Map under the GIS Registry theme. This GIS Registry is available to the general public on the DNR web site. DNR approval prior to well construction or reconstruction is required for all sites shown on the GIS Registry.

OFF-SOURCE
A
PROPERTY



Please review the following legal description of your property, and notify me within the next 30 days if the legal description is incorrect.

*East half (1/2) of Lots 2&3, Block 16, Park Falls Lumber Co. Plat of the Village, now City of Park Falls, Wisconsin, Price County*

If you need more information about the proposed cleanup completion and request for closure, you may contact me at 889 Saunders Ave, Park Falls, WI 54552. Or you may also contact the DSPS Project Manager: Beth Erdman, Wisconsin DSPS, 375 City Center, Suite I, Oshkosh, WI 54901-4877. You can also call her at 920-303-5410.

Sincerely,

Mark Cummins
889 Saunders Ave
Park Falls, WI 54552

# Using Natural Attenuation to Clean Up Contaminated Groundwater:
## What Landowners Should Know

PUB-RR-671 September 2012

### What Is Natural Attenuation?
Natural attenuation makes use of natural processes in soil and groundwater to contain the spread of contamination and to reduce the amount of contamination from chemical releases.

Natural attenuation is an *in-situ* treatment method. This means that contaminants are left in place while natural attenuation works on them. Natural attenuation is relied upon to clean up contamination that remains after the source of the contamination is removed. An example of a source of contamination would be a leaking underground petroleum tank.

### How Does Natural Attenuation Work?
Natural attenuation processes work at many sites, but the rate and degree of effectiveness varies from property to property, depending upon the type of contaminants present and the physical, chemical and biological characteristics of the soil and groundwater.

Natural attenuation processes can be divided into two broad categories – destructive and non-destructive. Destructive processes destroy contaminants. The most common destructive process is **biodegradation**.

Non-destructive processes do not destroy the contaminant, but reduce contaminant concentrations in groundwater through **dilution**, **dispersion** or **adsorption**.

### Biodegradation
Biodegradation is a process in which microorganisms that naturally occur in soil and groundwater (e.g. yeast, fungi, or bacteria), break down, or degrade, hazardous substances to less toxic or non-toxic substances. Microorganisms, like humans, eat and digest organic compounds for nutrition and energy (organic compounds contain carbon and hydrogen atoms).

Some types of microorganisms can digest organic substances such as fuels or solvents that are hazardous to humans. Microorganisms break down the organic contaminants into harmless products – mainly carbon dioxide and water. Once the contaminants are degraded, the microorganism populations decline because they have used their food sources. These small populations of microorganisms pose no contaminant or health risk.

Many organic contaminants, like petroleum, can be biodegraded by microorganisms in the underground environment. For example, biodegradation processes can effectively cleanse soil and groundwater of hydrocarbon fuels such as gasoline and benzene, toluene, ethylbenzene, and xylene – known as the BTEX compounds, under certain conditions.

Biodegradation can also breakdown other contaminants in groundwater such as trichloroethylene (TCE), a chlorinated solvent used in metal cleaning. However, the processes involved are harder to predict and are less effective at contaminant removal compared to petroleum-contaminated sites

WISCONSIN DEPT. OF NATURAL RESOURCES

Wisconsin Department of Natural Resources
P.O. Box 7921, Madison, WI 53707
dnr.wi.gov/topic/Brownfields

Partnership Environment Remediation and Redevelopment Program Cleanup Redevelopment

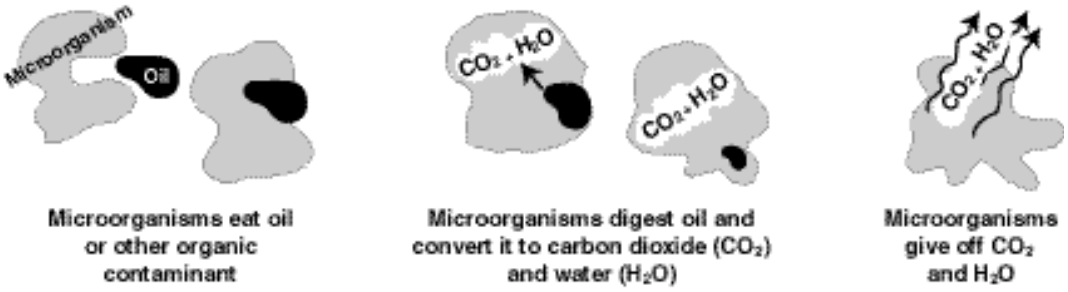



**Figure 1. Schematic Diagram of Aerobic Biodegradation in Soil**

## Dilution and Dispersion

The effects of dilution and dispersion reduce contaminant concentrations but do not destroy contaminants. Clean water from the surface seeps underground to mix with and dilute contaminated groundwater.

Other processes that lead to reduced concentrations of contaminants include clean groundwater flowing into contaminated areas, and the dispersion of pollutants as they spread out and away from the main path of the contaminated plume.

## Adsorption

Adsorption occurs when contaminants attach or "sorb" to underground particles. Most oily substances (like petroleum compounds) repel water and escape from the groundwater by attaching to organic matter and clay minerals in the subsurface.

This process holds back or retards contaminant movement and reduces the concentration of contaminants in the groundwater. However, like dilution and dispersion, adsorption does not destroy contaminants.

## Why Consider Natural Attenuation To Clean Up Soil And Groundwater?

In certain situations, natural attenuation is an effective, inexpensive cleanup option and the most appropriate way to remediate some contamination problems. Natural attenuation focuses on confirming and monitoring natural remediation processes rather than relying on engineered or "active" technologies (such as pumping groundwater, treating it above ground, then disposing of the treated water).

Contaminants from petroleum are good candidates for natural attenuation because they are among the most easily destroyed by biodegradation. Natural attenuation is non-invasive, which allows treatment to go on below ground, while the surface can continue to be used.

Natural attenuation can also be less costly than active engineered treatment options, and requires no special equipment, energy source, or disposal of treated soil or groundwater.

## Will Natural Attenuation Work At My Property?

Whether natural attenuation will work at a particular location is determined by investigating the soil and groundwater. These investigations determine the type of contaminants present, the levels of contamination, and the physical and chemical conditions that lead to biodegradation of the contaminants.

In order to rely on natural attenuation, responsible parties are required to confirm that natural attenuation processes are working by monitoring the soil and groundwater over a period of time to show that the contaminant concentrations are decreasing and that the contamination is no longer spreading.

Those conducting the cleanup need to know whether natural attenuation, or any proposed remedy, will reduce the contaminant concentrations in the soil and groundwater to legally acceptable limits within a reasonable period of time.

Natural attenuation may be an acceptable option for sites where active remediation has occurred and has reduced the concentration of contaminants (for instance, removing leaking underground tanks and contaminated soil).

However, natural attenuation is not an appropriate option at all sites. If the contamination has affected a drinking water well, or has entered a stream or lake, active cleanup options may be necessary to make sure people and the environment are protected from direct contact with the contamination.

The speed or rate of natural attenuation processes is typically slow. Monitoring is necessary to show that concentrations decrease at a sufficient rate to ensure that contaminants will not become a health threat in the future.

## Closure Of Contaminated Sites Using Natural Attenuation As A Final Remedy

When contamination is discovered at a property (such as a gas station with leaking underground tanks), the person who is responsible for causing the contamination, and persons having possession or control of hazardous substances that have been discharged, have the responsibility to remove the source of contamination and investigate and clean up the contamination that has escaped into the soil and groundwater.

The contaminant release must be reported to the Wisconsin Department of Natural Resources (DNR) and the site investigation and cleanup are overseen by a state agency. Depending on the type of contaminant, the oversight agency could be the Department of Agriculture, Trade and Consumer Protection; Department of Commerce; or Department of Natural Resources.

When the cleanup has complied with state standards, the person responsible for the contamination will ask the state agency for closure of the case. If natural attenuation is relied upon to finish cleaning up a contaminated property after closure, the responsible person will need to show that contaminant concentrations are not spreading, that contaminant concentrations are stable or decreasing, and that the concentrations will decrease in the future until state groundwater standards are met.

Because natural attenuation processes are slow, it may take many years before the properties with contamination are clean. State rules require that all owners of properties where groundwater contamination has spread must be informed of the contamination below their property.

In addition, the properties with groundwater contamination exceeding state groundwater enforcement standards must be listed on a database to notify future owners and developers of the presence of contamination. If future monitoring occurs and shows that natural attenuation processes have removed the contaminants to state-required cleanup levels, then the properties can be removed from the database.

The state agency will grant closure if the site investigation and monitoring shows that natural attenuation will clean up groundwater to state standards within a reasonable period of time. All state rules for cleanup must be met and the person who is responsible for the contamination must comply with all conditions of the state's closure approval.

## For More Information

The following publications provide additional information on natural attenuation. Web sites where these can be downloaded free of charge are also listed.

- *A Citizen's Guide to Bioremediation*, April 2001, EPA 542-F-01-001; http://www.epa.gov/swertio1/download/citizens/bioremediation.pdf

- *Commonly Asked Questions Regarding the Use of Natural Attenuation for Petroleum-Contaminated Sites at Federal Facilities,* http://www.afcee.af.mil/shared/media/document/AFD-071211-036.PDF

- *Monitored Natural Attenuation of Petroleum Hydrocarbons: U.S. EPA Remedial Technology Fact Sheet,* May 1999, EPA 600-F-98-021; http://www.clu-in.org/download/remed/pet-hyd.pdf

- *Monitored Natural Attenuation of Chlorinated Solvents*, May 1999, EPA 600-F-98-0022; http://www.clu-in.org/download/remed/chl-solv.pdf

- *Guidance on Natural Attenuation for Petroleum Releases, WI DNR, Bureau for Remediation and Redevelopment*, March 2003, PUB-RR-614; http://dnr.wi.gov/files/PDF/pubs/rr/RR614.pdf

## DNR Contacts

**Central Office**
Terry Evanson, Hydrogeologist
608-266-0941
theresa.evanson@wisconsin.gov

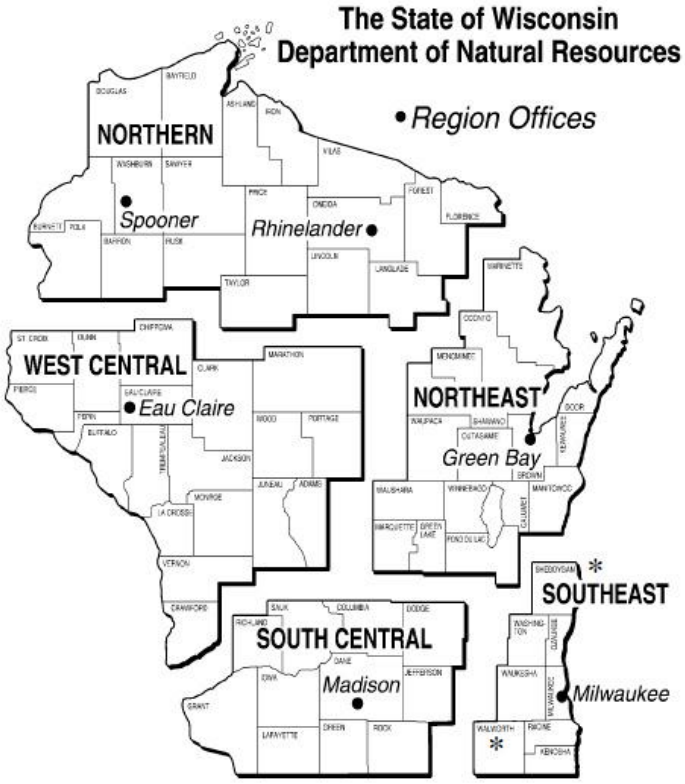
**Northern Region**
Chris Saari, Hydrogeologist
715-685-2920
christopher.saari@wisconsin.gov

**Northeast Region**
Keld Lauridsen
920-662-5420
Keld.lauridsen@wisconsin.gov

**South Central Region**
Denise Nettesheim, Hydrogeologist
608-275-3209

**Southeast Region**
Pam Mylotta, Hydrogeologist
414-263-8758
pamela.mylotta@wisconsin.gov

**West Central Region**
Lisa Gutknecht, Hydrogeologist
715-359-6514
lisa.gutknecht@wisconsin.gov




* Note: For remediation assistance in Sheboygan County, contact our Northeast Regional Office. For Walworth County, contact our South Central Regional Office.

# Continuing Obligations for Environmental Protection

## Responsibilities of Wisconsin Property Owners

PUB-RR-819 August 2012

This fact sheet is intended to help property owners understand their legal requirements under s. 292.12, Wis. Stats., regarding continuing obligations that arise due to the environmental condition of their property.

The term "continuing obligations" refers to certain actions for which property owners are responsible following a completed environmental cleanup. They are sometimes called environmental land use controls or institutional controls. These legal obligations, such as a requirement to maintain pavement over contaminated soil, are most often found in a cleanup approval letter from the state.

Less commonly, a continuing obligation may apply where a cleanup is not yet completed but a cleanup plan has been approved, or at a property owned by a local government that is exempt from certain cleanup requirements.

**What Are Continuing Obligations?**

Continuing obligations are legal requirements designed to protect public health and the environment in regard to contamination that remains on a property.

Continuing obligations still apply after a property is sold. Each new owner is responsible for complying with the continuing obligations.

## Background

Wisconsin, like most states, allows some contamination to remain after cleanup of soil or groundwater contamination (residual contamination). This minimizes the transportation of contamination and reduces cleanup costs while still ensuring that public health and the environment are protected.

The Department of Natural Resources (DNR), through its Remediation and Redevelopment (RR) Program, places sites or properties with residual contamination on a public database in order to provide notice to interested parties about the residual contamination and any associated continuing obligations. Please see the "Public Information" section on page 3 to learn more about the database. (Prior to June 3, 2006, the state used deed restrictions recorded at county courthouses to establish continuing obligations, and those deed restrictions have also been added into the database.)

WISCONSIN DEPT. OF NATURAL RESOURCES

Wisconsin Department of Natural Resources
P.O. Box 7921, Madison, WI 53707
dnr.wi.gov/topic/Brownfields

## Types of Continuing Obligations

1. **Manage Contaminated Soil that is Excavated**
   If the property owner intends to dig up an area with contaminated soil, the owner must ensure that proper soil sampling, followed by appropriate treatment or disposal, takes place. Managing contaminated soil must be done in compliance with state law and is usually done under the guidance of a private environmental professional.

2. **Manage Construction of Water Supply Wells**
   If there is soil or groundwater contamination and the property owner plans to construct or reconstruct a water supply well, the owner must obtain prior DNR approval to ensure that well construction is designed to protect the water supply from contamination.

**Other Types of Continuing Obligations**
Some continuing obligations are designed specifically for conditions on individual properties. Examples include:

- keeping clean soil and vegetation over contaminated soil;
- keeping an asphalt "cap" over contaminated soil or groundwater;
- maintaining a vapor venting system; and
- notifying the state if a structural impediment (e.g. building) that restricted the cleanup is removed. The owner may then need to conduct additional state-approved environmental work.

It is common for properties with approved cleanups to have continuing obligations because the DNR generally does not require removal of all contamination.

Property owners with the types of continuing obligations described above will find these requirements described in the state's cleanup approval letter or cleanup plan approval, and *must*:

- comply with these property-specific requirements; and
- obtain the state's permission before changing portions of the property where these requirements apply.

The requirements apply whether or not the person owned the property at the time that the continuing obligations were placed on the property.

## Changing a Continuing Obligation

A property owner has the option to modify a continuing obligation if environmental conditions change. For example, petroleum contamination can degrade over time and property owners may collect new samples showing that residual contamination is gone. They may then request that DNR modify or remove a continuing obligation. A fee is required for DNR's review of this request ($500 or $750, depending on the nature of the request). Fees are subject to change; current fees are found in Chapter NR 749, Wis. Admin. Code, on the web at www.legis.state.wi.us/rsb/code/nr/nr749.pdf.

## Public Information

The DNR provides public information about continuing obligations on the Internet. This information helps property owners, purchasers, lessees and lenders understand legal requirements that apply to a property.

Properties with continuing obligations can generally be located in DNR's *GIS Registry*, part of the *RR Sites Map*. The information includes maps, deeds, contaminant data and the state's closure letter. The closure letter states that no additional environmental cleanup is needed for past contamination and includes information on property-specific continuing obligations. If a cleanup has not been completed, the state's approval of the remedial action plan will contain the information about continuing obligations.

However, some older cleanups may not be listed in the *GIS Registry*, so please consult DNR's comprehensive database of contaminated and cleaned up sites, *BRRTS on the Web*. This database shows all contamination activities known to DNR.

*BRRTS on the Web* and
*RR Sites Map* are part of
**CLEAN**
(the Contaminated Lands
Environmental Action Network***)*** at
dnr.wi.gov/topic/Brownfields/clean.html

If a completed cleanup is shown in *BRRTS on the Web* but the site documents can not be found in the *GIS Registry*, DNR's closure letter can still be obtained from a regional office. For assistance, please contact a DNR Environmental Program Associate (see the RR Program's Staff Contact web page at dnr.wi.gov/topic/Brownfields/Contact.html).

## Off-Site Contamination: When Continuing Obligations Cross the Property Line

An off-site property owner is someone who owns property that has been affected by contamination that moved through soil, sediment or groundwater from another property. Wisconsin law, s. 292.13, Wis. Stats., provides an exemption from environmental cleanup requirements for owners of "off-site" properties. The DNR will generally not ask off-site property owners to investigate or clean up contamination that came from a different property, as long as the off-site owner allows access to his or her property so that others who are responsible for the contamination may complete the cleanup.

However, off-site property owners are legally obligated to comply with continuing obligations on their property, even though they did not cause the contamination. For example, if the state approved a cleanup where the person responsible for the contamination placed clean soil over contamination on an off-site property, the owner of the off-site property must either keep that soil in place or obtain state approval before disturbing it.

Property owners and others should check the *Public Information* section above if they need to:

- determine whether and where continuing obligations exist on a property;
- review the inspection, maintenance and reporting requirements, and
- contact the DNR regarding changing that portion of the property. The person to contact is the person that approved the closure or remedial action plan.

## Option for an Off-Site Liability Exemption Letter

In general, owners of off-site properties have a legal exemption from environmental cleanup requirements. This exemption does not require a state approval letter. Nonetheless, they may request a property-specific liability exemption letter from DNR if they have enough information to show that the source of the contamination is not on their property. This letter may be helpful in real estate transactions. The fee for this letter is $500 under Chapter NR 749, Wis. Adm. Code. For more information about this option, please see the RR Program's Liability web page at dnr.wi.gov/topic/Brownfields/Liability.html.

**Legal Obligations of Off-Site Property Owners**

- Allow access so the person cleaning up the contamination may work on the off-site property (unless the off-site owner completes the cleanup independently).
- Comply with any required continuing obligations on the off-site property.

## Required Notifications to Off-Site Property Owners

1. The person responsible for cleaning up contamination must notify affected off-site property owners of any proposed continuing obligations on their off-site property **before** asking the DNR to approve the cleanup. This is required by law and allows the off-site owners to provide the DNR with any technical information that may be relevant to the cleanup approval.

   When circumstances are appropriate, an off-site neighbor and the person responsible for the cleanup may enter into a "legally enforceable agreement" (i.e. a contract). Under this type of private agreement, the person responsible for the contamination may also take responsibility for maintaining a continuing obligation on an off-site property. This agreement would not automatically transfer to future owners of the off-site property. The state is not a party to the agreement and can not enforce it.

2. If a cleanup proposal that includes off-site continuing obligations is approved, DNR will send a letter to the off-site owners detailing the continuing obligations that are required for their property. Property owners should inform anyone interested in buying their property about maintaining these continuing obligations. For residential property, this would be part of the real estate disclosure obligation.

## More Information

For more information, please visit the RR Program's Continuing Obligations web site at dnr.wi.gov/topic/Brownfields/Residual.html.

## Ken Shimko

**From:** "Erdman, Beth A - DSPS" <Beth.Erdman@Wisconsin.gov>
**To:** "'Ken Shimko'" <kshimko.meridianenv@gmail.com>
**Sent:** Tuesday, April 02, 2013 12:37 PM
**Subject:** RE: Cummins - Park Falls 54552-1164-99

Thank you Ken,

I spoke with DNR. We believe that by doing what you have done you have fulfilled your obligation to notify the offsite property owner.

That said, include a copy of this email in your submittal and that portion of the requirement is done.

Have a good day,

Beth

*Beth A. Erdman*
Wisconsin Department of Safety and Professional Services
375 City Center, Suite J
Oshkosh, WI 54901
phone: 920-303-5410
fax: 920-424-0217
email: beth.erdman@wisconsin.gov

---

**From:** Ken Shimko [mailto:kshimko.meridianenv@gmail.com]
**Sent:** Monday, April 01, 2013 3:46 PM
**To:** Erdman, Beth A - DSPS
**Subject:** Cummins - Park Falls 54552-1164-99

Beth

got your letter re: revisions. pretty straight-forward...will get to you as soon as I can

I have question re: Return Receipt/Signature Confirmation for adjacent property. I sent letter Certified Mail to address (Nevada) listed on tax roll (house is empty). No response received. Not sure what more we can do...I have documentation that letter was sent Certified Mail (included with material sent to you).

Please let me know what is done in this situation.

thanks

Kenneth Shimko, P.G.
Meridian Environmental Consulting, LLC
2711 North Elco Road
Fall Creek, WI 54742
(715)832-6608
(715)832-6797 FAX
(715)579-0723 Cell
email: kshimko.meridianenv@gmail.com

OFF-SOURCE
A
PROPERTY

STATE BAR OF WISCONSIN FORM 2 - 1998

# WARRANTY DEED

320131
DOCUMENT NO.

REGISTER OF DEEDS OFFICE
PRICE COUNTY, WIS.
Received for Record

JUL 3 0 2003

3:25 P M DULY RECORDED IN VOL 519 OF RECORDS ON PAGE 375-377

REGISTER OF DEEDS

This Deed, made between GERALD G. BOETTCHER, DAVID M. BOETTCHER, and ROBERT J. BOETTCHER

Grantor,

and MARK S. TUMA

Grantee.

Recording Area

NAME AND RETURN ADDRESS
Birchland Realty Inc.
P.O. Box 388
Park Falls, Wisconsin 54552

Grantor, for a valuable consideration, conveys and warrants to Grantee the following described real estate in Price County, State of Wisconsin:

The East One-half (E1/2) of Lots Two (2) and Three (3) of Block Sixteen (16) of Park Falls Lumber Company's Plat of the Village, now City, of Park Falls.

271-1014-08
Parcel Identification Number (PIN)
This is not homestead property.

TRANSFER
$ 75.00
FEE

Exceptions to warranties: Subject to Price County Sanitary Code and Subdivision Control Ordinances; 2. Subject to easements, exceptions, reservations and restrictions of record, if any; and 3. Subject to flood plain zoning ordinances.

Dated this 23rd day of July A.D., 2003.

_____ (SEAL)
*

Robert J. Boettcher (SEAL)
* ROBERT J. BOETTCHER

_____ (SEAL)
*

_____ (SEAL)
*

**AUTHENTICATION**

Signature(s) _____

authenticated this ____ day of ____ 2003.

*
TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, _____
authorized by §706.6, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY
Birchland Realty Inc.
P.O. Box 388, Park Falls, WI 54552
By Pete Bushman per instructions by the Grantor.
(Signatures may be authenticated or acknowledged. Both are not necessary.)

**ACKNOWLEDGMENT**

State of ~~Minnesota~~ WI )
) ss.
Eau Claire County. )

Personally came before me this 23rd day of July 2003, the above named Robert J. Boettcher

to me known to be the person who executed the foregoing instrument and acknowledge the same.

* Linda Johnson
Notary Public, State of ~~Minnesota~~ WI
My commission is permanent. (If not, state expiration date: 3/12/06

* Names of persons signing in any capacity must be typed or printed below their signature.

STATE BAR OF WISCONSIN
FORM NO. 2-1998

OFF-SOURCE
A
PROPERTY

7011 0110 0002 4474 1884

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| Return Receipt Fee (Endorsement Required) | 2.55 |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | $ 6.97 |

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SEP 7 2010
EAU CLAIRE WI 54703

Sent To: Mr. Mark Tuma
Street, Apt. No., or PO Box No.: PO Box 1793
City, State, ZIP+4: ELKO NV 89803

PS Form 3800, August 2006 — See Reverse for Instructions

RIGHT-OF-WAY

March 7, 2013

Scott Hilgart
City of Park Falls
P.O. Box 146
Park Falls, WI 54552

Subject: **GIS Notification for 5th Avenue and Division St, Park Falls, Wisconsin 54552**
DNR BRRTS No. 03-51-120869
PECFA No. 54552-1164-99
Meridian No. 05F758

Dear Scott:

I am writing to provide notification of petroleum impacted soil and ground water beneath 5th Avenue and Division St in Park Falls. As you know, the adjacent property (499 Division St) formerly sold gasoline. Over the years, the petroleum system released gasoline into the soil and ground water. The impacted soil and ground water appears to extend underneath 5th Avenue and Division St. (see enclosed maps). Therefore, I am required to send you this notification. You do not need to do anything in response to this letter. However, if you have any questions, please do not hesitate to contact me.

The remainder of this letter provides standard language required for this notification.

I have conducted an investigation and cleanup in cooperation with the Wisconsin Department of Natural Resources (DNR) and the Wisconsin Department of Safety and Professional Services (DSPS). I am requesting the DSPS grant "Closure" of this case. Closure means that the DSPS will not be requiring any further investigation or cleanup action be taken.

The DSPS will not review the Closure Request for at least 30 days after the date of this letter. As an affected property owner, you have a right to contact DSPS to provide any technical information that indicates Closure should not be granted. If you would like to submit any information to DSPS that is relevant to this Closure request, you should mail that information to Beth Erdman, Wisconsin DSPS, 375 City Center, Suite I, Oshkosh, WI 54901-4877. You can also call her at 920-303-5410.

If closure is approved, the following continuing obligation (re: well construction and soil excavation) applies to your property.

Ground water contamination that appears to have originated on the property located at 499 Division St has migrated onto your property (beneath 5th Avenue and Division St). The levels of ground water contamination are above the state ground water enforcement standards found in chapter NR140, Wisconsin Administrative Code.

RIGHT-OF-WAY

The environmental consultants who have investigated this contamination have informed me that this ground water contamination is stable or receding and will naturally degrade over time. They believe allowing natural attenuation to complete the cleanup at this site will meet the requirements for case closure that are found in chapter NR726, Wisconsin Adminstrative Code. Therefore, I am requesting DSPS accept natural attenuation as the final remedy for this site and grant case closure.

The following DNR fact sheet (RR671 – "What Landowners Should Know: Information about Using Natural Attenuation to Clean Up Contaminated Ground Water") has been included with this letter, to help explain the use of natural attenuation as a remedy. If the fact sheet is lost, you may obtain a copy at http://dnr.wi.gov/files/PDF/pubs/rr/RR671.pdf

In addition, residual soil contamination remains at 499 Division St and beneath 5th Avenue and Division St. The remaining contaminants include petroleum. Please recall that most of the impacted soil was excavated from the site in September 2010.

If soil in the specific locations described above is excavated, the property owner (City of Park Falls) at the time of excavation must sample and analyze the excavated soil to determine if residual contamination remains. If sampling confirms that contamination is present the property owner at the time of excavation will need to determine whether the material would be considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken during excavation activities to prevent a health threat to humans.

The continuing obligations referenced in this letter are: *1) Should you or any subsequent property owner wish to construct or reconstruct a well on your property, special well construction standards may be necessary to protect the well from the remaining contamination and 2) properly handle excavated soil from the affected area.*

Any well driller who proposes to construct a well on your property in the future will first need to obtain approval from a regional water supply specialist in DNR's Drinking Water and Ground Water Program. The well construction application, form 3300-254, is on the internet at http://dnr.wi.gov/org/water/dwg/forms/3300254.pdf or may be accessed through the GIS Registry web address.

Before I request closure, I will need to inform the Department as to who will be responsible for the continuing obligation on your property regarding construction of water supply wells. Under s. 292.12, Wis. Stats., the responsibility for maintaining all necessary continuing obligations for your property (i.e., contact DNR prior to constructing a water supply well) will fall on you or any subsequent property owner, unless another person has a legally enforceable responsibility to comply with the requirements of the final closure letter. If you need more time to finalize an agreement for this responsibility, you will need to request additional time from DSPS.

Under s. 292.12(5), Wis. Stats., occupants of this property are also responsible for complying with any continuing obligations. Please notify any current and future occupants that may be affected by this continuing obligation, by supplying them with a copy of this letter. The DNR Fact Sheet, RR-819, "Continuing Obligations for Environmental Protection" has been included with this letter, to help explain a property owner's responsibility for continuing obligations on

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their property. If the fact sheet is lost, you may obtain a copy at http://dnr.wi.gov/files/PDF/pubs/rr/RR819.pdf

Once the Department makes a decision on my Closure request, it will be documented in a letter. If the Department grants Closure, you will receive a copy of the Closure letter. If you need to, you may also obtain a copy of the Closure letter by requesting a copy from me, by writing to the DSPS contact (Beth Erdman), or by accessing the DNR Geographic Information System (GIS) Registry (via RR Sites Map) at http://dnr.wi.ogv/topic/Brownfields/clean.html. The final closure letter will contain a description of the continuing obligation. The final closure letter and a map of the properties affected will be included as part of the site file attached on the GIS Registry.

If this case is closed, all properties within the site boundaries where ground water contamination attains or exceeds chapter NR140 ground water enforcement standards will be listed on the publically accessible Bureau of Remediation and Redevelopment Tracking System on the Web (BOTW) to provide public notice of remaining contamination and of any continuing obligations. In addition, information will be displayed on the RR Sites Map under the GIS Registry theme. This GIS Registry is available to the general public on the DNR web site. DNR approval prior to well construction or reconstruction is required for all sites shown on the GIS Registry.

Please review the following legal description of your property, and notify me within the next 30 days if the legal description is incorrect.

*Division Street and 5th Avenue, Block 16, Park Falls Lumber Co. Plat of the Village, now City of Park Falls, Wisconsin, Price County*

If you need more information about the proposed cleanup completion and request for closure, you may contact me at 889 Saunders Ave, Park Falls, WI 54552. Or you may also contact the DSPS Project Manager: Beth Erdman, Wisconsin DSPS, 375 City Center, Suite I, Oshkosh, WI 54901-4877. You can also call her at 920-303-5410.

Sincerely,

Mark Cummins
889 Saunders Ave
Park Falls, WI 54552

# Using Natural Attenuation to Clean Up Contaminated Groundwater:
## What Landowners Should Know

PUB-RR-671 September 2012

### What Is Natural Attenuation?
Natural attenuation makes use of natural processes in soil and groundwater to contain the spread of contamination and to reduce the amount of contamination from chemical releases.

Natural attenuation is an *in-situ* treatment method. This means that contaminants are left in place while natural attenuation works on them. Natural attenuation is relied upon to clean up contamination that remains after the source of the contamination is removed. An example of a source of contamination would be a leaking underground petroleum tank.

### How Does Natural Attenuation Work?
Natural attenuation processes work at many sites, but the rate and degree of effectiveness varies from property to property, depending upon the type of contaminants present and the physical, chemical and biological characteristics of the soil and groundwater.

Natural attenuation processes can be divided into two broad categories – destructive and non-destructive. Destructive processes destroy contaminants. The most common destructive process is **biodegradation**.

Non-destructive processes do not destroy the contaminant, but reduce contaminant concentrations in groundwater through **dilution**, **dispersion** or **adsorption**.

### Biodegradation
Biodegradation is a process in which microorganisms that naturally occur in soil and groundwater (e.g. yeast, fungi, or bacteria), break down, or degrade, hazardous substances to less toxic or non-toxic substances. Microorganisms, like humans, eat and digest organic compounds for nutrition and energy (organic compounds contain carbon and hydrogen atoms).

Some types of microorganisms can digest organic substances such as fuels or solvents that are hazardous to humans. Microorganisms break down the organic contaminants into harmless products – mainly carbon dioxide and water. Once the contaminants are degraded, the microorganism populations decline because they have used their food sources. These small populations of microorganisms pose no contaminant or health risk.

Many organic contaminants, like petroleum, can be biodegraded by microorganisms in the underground environment. For example, biodegradation processes can effectively cleanse soil and groundwater of hydrocarbon fuels such as gasoline and benzene, toluene, ethylbenzene, and xylene – known as the BTEX compounds, under certain conditions.

Biodegradation can also breakdown other contaminants in groundwater such as trichloroethylene (TCE), a chlorinated solvent used in metal cleaning. However, the processes involved are harder to predict and are less effective at contaminant removal compared to petroleum-contaminated sites

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Wisconsin Department of Natural Resources
P.O. Box 7921, Madison, WI 53707
dnr.wi.gov/topic/Brownfields

Partnership Environment Remediation and Redevelopment Program Cleanup Redevelopment

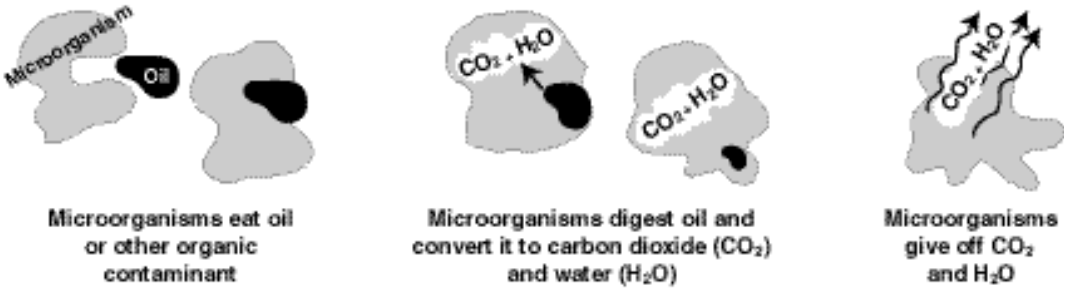


**Figure 1. Schematic Diagram of Aerobic Biodegradation in Soil**

## Dilution and Dispersion

The effects of dilution and dispersion reduce contaminant concentrations but do not destroy contaminants. Clean water from the surface seeps underground to mix with and dilute contaminated groundwater.

Other processes that lead to reduced concentrations of contaminants include clean groundwater flowing into contaminated areas, and the dispersion of pollutants as they spread out and away from the main path of the contaminated plume.

## Adsorption

Adsorption occurs when contaminants attach or "sorb" to underground particles. Most oily substances (like petroleum compounds) repel water and escape from the groundwater by attaching to organic matter and clay minerals in the subsurface.

This process holds back or retards contaminant movement and reduces the concentration of contaminants in the groundwater. However, like dilution and dispersion, adsorption does not destroy contaminants.

## Why Consider Natural Attenuation To Clean Up Soil And Groundwater?

In certain situations, natural attenuation is an effective, inexpensive cleanup option and the most appropriate way to remediate some contamination problems. Natural attenuation focuses on confirming and monitoring natural remediation processes rather than relying on engineered or "active" technologies (such as pumping groundwater, treating it above ground, then disposing of the treated water).

Contaminants from petroleum are good candidates for natural attenuation because they are among the most easily destroyed by biodegradation. Natural attenuation is non-invasive, which allows treatment to go on below ground, while the surface can continue to be used.

Natural attenuation can also be less costly than active engineered treatment options, and requires no special equipment, energy source, or disposal of treated soil or groundwater.

## Will Natural Attenuation Work At My Property?

Whether natural attenuation will work at a particular location is determined by investigating the soil and groundwater. These investigations determine the type of contaminants present, the levels of contamination, and the physical and chemical conditions that lead to biodegradation of the contaminants.

In order to rely on natural attenuation, responsible parties are required to confirm that natural attenuation processes are working by monitoring the soil and groundwater over a period of time to show that the contaminant concentrations are decreasing and that the contamination is no longer spreading.

Those conducting the cleanup need to know whether natural attenuation, or any proposed remedy, will reduce the contaminant concentrations in the soil and groundwater to legally acceptable limits within a reasonable period of time.

Natural attenuation may be an acceptable option for sites where active remediation has occurred and has reduced the concentration of contaminants (for instance, removing leaking underground tanks and contaminated soil).

However, natural attenuation is not an appropriate option at all sites. If the contamination has affected a drinking water well, or has entered a stream or lake, active cleanup options may be necessary to make sure people and the environment are protected from direct contact with the contamination.

The speed or rate of natural attenuation processes is typically slow. Monitoring is necessary to show that concentrations decrease at a sufficient rate to ensure that contaminants will not become a health threat in the future.

## Closure Of Contaminated Sites Using Natural Attenuation As A Final Remedy

When contamination is discovered at a property (such as a gas station with leaking underground tanks), the person who is responsible for causing the contamination, and persons having possession or control of hazardous substances that have been discharged, have the responsibility to remove the source of contamination and investigate and clean up the contamination that has escaped into the soil and groundwater.

The contaminant release must be reported to the Wisconsin Department of Natural Resources (DNR) and the site investigation and cleanup are overseen by a state agency. Depending on the type of contaminant, the oversight agency could be the Department of Agriculture, Trade and Consumer Protection; Department of Commerce; or Department of Natural Resources.

When the cleanup has complied with state standards, the person responsible for the contamination will ask the state agency for closure of the case. If natural attenuation is relied upon to finish cleaning up a contaminated property after closure, the responsible person will need to show that contaminant concentrations are not spreading, that contaminant concentrations are stable or decreasing, and that the concentrations will decrease in the future until state groundwater standards are met.

Because natural attenuation processes are slow, it may take many years before the properties with contamination are clean. State rules require that all owners of properties where groundwater contamination has spread must be informed of the contamination below their property.

In addition, the properties with groundwater contamination exceeding state groundwater enforcement standards must be listed on a database to notify future owners and developers of the presence of contamination. If future monitoring occurs and shows that natural attenuation processes have removed the contaminants to state-required cleanup levels, then the properties can be removed from the database.

The state agency will grant closure if the site investigation and monitoring shows that natural attenuation will clean up groundwater to state standards within a reasonable period of time. All state rules for cleanup must be met and the person who is responsible for the contamination must comply with all conditions of the state's closure approval.

## For More Information

The following publications provide additional information on natural attenuation. Web sites where these can be downloaded free of charge are also listed.

- *A Citizen's Guide to Bioremediation*, April 2001, EPA 542-F-01-001; http://www.epa.gov/swertio1/download/citizens/bioremediation.pdf

- *Commonly Asked Questions Regarding the Use of Natural Attenuation for Petroleum-Contaminated Sites at Federal Facilities,* http://www.afcee.af.mil/shared/media/document/AFD-071211-036.PDF

- *Monitored Natural Attenuation of Petroleum Hydrocarbons: U.S. EPA Remedial Technology Fact Sheet,* May 1999, EPA 600-F-98-021; http://www.clu-in.org/download/remed/pet-hyd.pdf

- *Monitored Natural Attenuation of Chlorinated Solvents*, May 1999, EPA 600-F-98-0022; http://www.clu-in.org/download/remed/chl-solv.pdf

- *Guidance on Natural Attenuation for Petroleum Releases, WI DNR, Bureau for Remediation and Redevelopment*, March 2003, PUB-RR-614; http://dnr.wi.gov/files/PDF/pubs/rr/RR614.pdf

## DNR Contacts

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Terry Evanson, Hydrogeologist
608-266-0941
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**Northern Region**
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**Southeast Region**
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**West Central Region**
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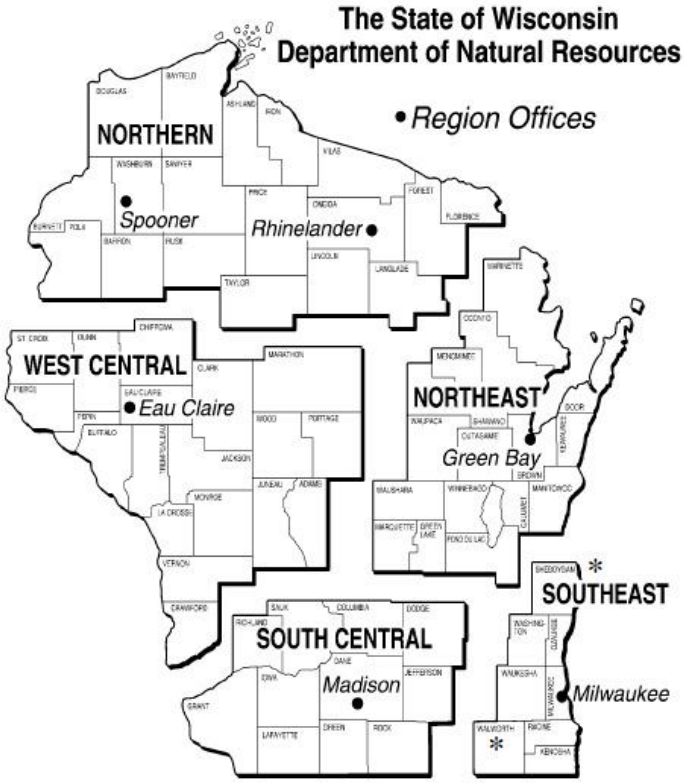


* Note: For remediation assistance in Sheboygan County, contact our Northeast Regional Office. For Walworth County, contact our South Central Regional Office.

# Continuing Obligations for Environmental Protection

## Responsibilities of Wisconsin Property Owners

PUB-RR-819 August 2012

This fact sheet is intended to help property owners understand their legal requirements under s. 292.12, Wis. Stats., regarding continuing obligations that arise due to the environmental condition of their property.

The term "continuing obligations" refers to certain actions for which property owners are responsible following a completed environmental cleanup. They are sometimes called environmental land use controls or institutional controls. These legal obligations, such as a requirement to maintain pavement over contaminated soil, are most often found in a cleanup approval letter from the state.

Less commonly, a continuing obligation may apply where a cleanup is not yet completed but a cleanup plan has been approved, or at a property owned by a local government that is exempt from certain cleanup requirements.

**What Are Continuing Obligations?**

Continuing obligations are legal requirements designed to protect public health and the environment in regard to contamination that remains on a property.

Continuing obligations still apply after a property is sold. Each new owner is responsible for complying with the continuing obligations.

## Background

Wisconsin, like most states, allows some contamination to remain after cleanup of soil or groundwater contamination (residual contamination). This minimizes the transportation of contamination and reduces cleanup costs while still ensuring that public health and the environment are protected.

The Department of Natural Resources (DNR), through its Remediation and Redevelopment (RR) Program, places sites or properties with residual contamination on a public database in order to provide notice to interested parties about the residual contamination and any associated continuing obligations. Please see the "Public Information" section on page 3 to learn more about the database. (Prior to June 3, 2006, the state used deed restrictions recorded at county courthouses to establish continuing obligations, and those deed restrictions have also been added into the database.)

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P.O. Box 7921, Madison, WI 53707
dnr.wi.gov/topic/Brownfields

## Types of Continuing Obligations

1. **Manage Contaminated Soil that is Excavated**
   If the property owner intends to dig up an area with contaminated soil, the owner must ensure that proper soil sampling, followed by appropriate treatment or disposal, takes place. Managing contaminated soil must be done in compliance with state law and is usually done under the guidance of a private environmental professional.

2. **Manage Construction of Water Supply Wells**
   If there is soil or groundwater contamination and the property owner plans to construct or reconstruct a water supply well, the owner must obtain prior DNR approval to ensure that well construction is designed to protect the water supply from contamination.

**Other Types of Continuing Obligations**
Some continuing obligations are designed specifically for conditions on individual properties. Examples include:

- keeping clean soil and vegetation over contaminated soil;
- keeping an asphalt "cap" over contaminated soil or groundwater;
- maintaining a vapor venting system; and
- notifying the state if a structural impediment (e.g. building) that restricted the cleanup is removed. The owner may then need to conduct additional state-approved environmental work.

It is common for properties with approved cleanups to have continuing obligations because the DNR generally does not require removal of all contamination.

Property owners with the types of continuing obligations described above will find these requirements described in the state's cleanup approval letter or cleanup plan approval, and *must*:

- comply with these property-specific requirements; and
- obtain the state's permission before changing portions of the property where these requirements apply.

The requirements apply whether or not the person owned the property at the time that the continuing obligations were placed on the property.

## Changing a Continuing Obligation

A property owner has the option to modify a continuing obligation if environmental conditions change. For example, petroleum contamination can degrade over time and property owners may collect new samples showing that residual contamination is gone. They may then request that DNR modify or remove a continuing obligation. A fee is required for DNR's review of this request ($500 or $750, depending on the nature of the request). Fees are subject to change; current fees are found in Chapter NR 749, Wis. Admin. Code, on the web at www.legis.state.wi.us/rsb/code/nr/nr749.pdf.

## Public Information

The DNR provides public information about continuing obligations on the Internet. This information helps property owners, purchasers, lessees and lenders understand legal requirements that apply to a property.

Properties with continuing obligations can generally be located in DNR's *GIS Registry*, part of the *RR Sites Map*. The information includes maps, deeds, contaminant data and the state's closure letter. The closure letter states that no additional environmental cleanup is needed for past contamination and includes information on property-specific continuing obligations. If a cleanup has not been completed, the state's approval of the remedial action plan will contain the information about continuing obligations.

However, some older cleanups may not be listed in the *GIS Registry*, so please consult DNR's comprehensive database of contaminated and cleaned up sites, *BRRTS on the Web*. This database shows all contamination activities known to DNR.

*BRRTS on the Web* and
*RR Sites Map* are part of
**CLEAN**
(the Contaminated Lands
Environmental Action Network***)*** at
dnr.wi.gov/topic/Brownfields/clean.html

If a completed cleanup is shown in *BRRTS on the Web* but the site documents can not be found in the *GIS Registry*, DNR's closure letter can still be obtained from a regional office. For assistance, please contact a DNR Environmental Program Associate (see the RR Program's Staff Contact web page at dnr.wi.gov/topic/Brownfields/Contact.html).

## Off-Site Contamination: When Continuing Obligations Cross the Property Line

An off-site property owner is someone who owns property that has been affected by contamination that moved through soil, sediment or groundwater from another property. Wisconsin law, s. 292.13, Wis. Stats., provides an exemption from environmental cleanup requirements for owners of "off-site" properties. The DNR will generally not ask off-site property owners to investigate or clean up contamination that came from a different property, as long as the off-site owner allows access to his or her property so that others who are responsible for the contamination may complete the cleanup.

However, off-site property owners are legally obligated to comply with continuing obligations on their property, even though they did not cause the contamination. For example, if the state approved a cleanup where the person responsible for the contamination placed clean soil over contamination on an off-site property, the owner of the off-site property must either keep that soil in place or obtain state approval before disturbing it.

Property owners and others should check the *Public Information* section above if they need to:

- determine whether and where continuing obligations exist on a property;
- review the inspection, maintenance and reporting requirements, and
- contact the DNR regarding changing that portion of the property. The person to contact is the person that approved the closure or remedial action plan.

## Option for an Off-Site Liability Exemption Letter

In general, owners of off-site properties have a legal exemption from environmental cleanup requirements. This exemption does not require a state approval letter. Nonetheless, they may request a property-specific liability exemption letter from DNR if they have enough information to show that the source of the contamination is not on their property. This letter may be helpful in real estate transactions. The fee for this letter is $500 under Chapter NR 749, Wis. Adm. Code. For more information about this option, please see the RR Program's Liability web page at dnr.wi.gov/topic/Brownfields/Liability.html.

**Legal Obligations of Off-Site Property Owners**

- Allow access so the person cleaning up the contamination may work on the off-site property (unless the off-site owner completes the cleanup independently).
- Comply with any required continuing obligations on the off-site property.

## Required Notifications to Off-Site Property Owners

1. The person responsible for cleaning up contamination must notify affected off-site property owners of any proposed continuing obligations on their off-site property **before** asking the DNR to approve the cleanup. This is required by law and allows the off-site owners to provide the DNR with any technical information that may be relevant to the cleanup approval.

   When circumstances are appropriate, an off-site neighbor and the person responsible for the cleanup may enter into a "legally enforceable agreement" (i.e. a contract). Under this type of private agreement, the person responsible for the contamination may also take responsibility for maintaining a continuing obligation on an off-site property. This agreement would not automatically transfer to future owners of the off-site property. The state is not a party to the agreement and can not enforce it.

2. If a cleanup proposal that includes off-site continuing obligations is approved, DNR will send a letter to the off-site owners detailing the continuing obligations that are required for their property. Property owners should inform anyone interested in buying their property about maintaining these continuing obligations. For residential property, this would be part of the real estate disclosure obligation.

## More Information

For more information, please visit the RR Program's Continuing Obligations web site at dnr.wi.gov/topic/Brownfields/Residual.html.

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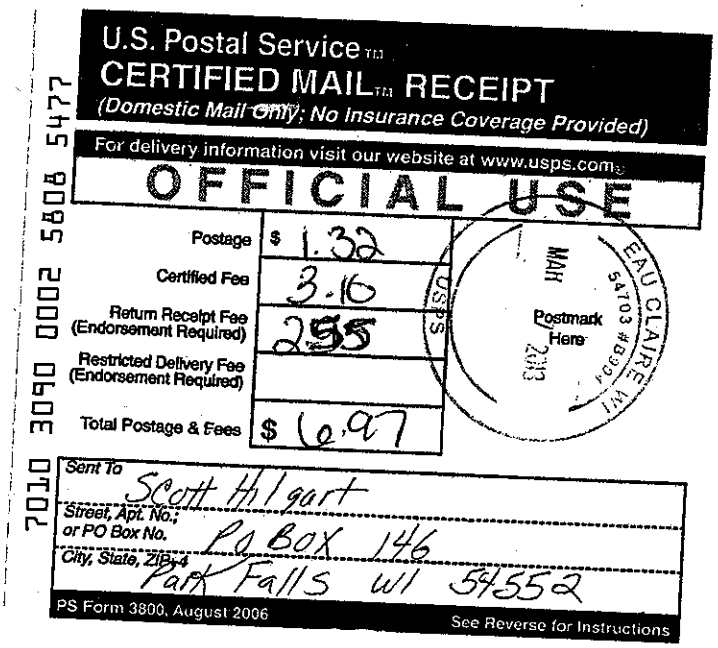

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