



November 10, 2020

Estate of Richard P. Johnson
c/o Ed Francois
128 W. Main Street
Belleville WI 53508

Robert Cusick
15 N. Main St.
Edgerton WI 53534

KEEP THIS DOCUMENT WITH YOUR PROPERTY RECORDS

SUBJECT: Final Case Closure with Continuing Obligations
North Main Citgo, 25 N. Main St., Edgerton WI
DNR BRRTS Activity #: 03-54-176662

Dear Mr. Francois and Mr. Cusick:

The Department of Natural Resources (DNR) considers North Main Citgo closed with continuing obligations. The closure applies to the petroleum volatile organic compounds in soil and groundwater investigated during this project. No further investigation or remediation is required at this time.

However, you, future property owners, and occupants of the property must comply with the continuing obligations as explained in the conditions of closure in this letter. Provide this letter and any attachments listed at the end of this letter to anyone who purchases, rents or leases this property from you. Certain continuing obligations also apply to affected property owners or rights-of-way holders. These are identified within each continuing obligation.

This final closure decision is based on the correspondence and data provided, and is issued under chs. NR 726 and 727, Wis. Adm. Code. The South Central Region Closure Committee reviewed the request for closure on September 17, 2020. The Closure Committee reviewed this environmental remediation case for compliance with state laws and standards to maintain consistency in case closures. DNR sent a letter stating the remaining actions needed on September 29, 2020, and documentation that the conditions in that letter were met was received on October 16, 2020.

This site was a gas station for many years and has been contaminated by petroleum compounds. The continuing obligations are intended to be protective for any potential exposure to the residual contamination. The conditions of closure and continuing obligations required were based on the property being used for commercial or industrial purposes.

Continuing Obligations

The continuing obligations for this site are summarized below. Further details on actions required are found in the section Closure Conditions.

- Groundwater contamination is present at or above ch. NR 140, Wis. Adm. Code enforcement standards.
- Residual soil contamination exists that must be properly managed should it be excavated or removed.
- Pavement or a soil cover must be maintained over contaminated soil, and the DNR must be notified and approve any changes to this barrier.
- If a structural impediment that obstructed a complete site investigation and/or cleanup is removed or modified, additional environmental work must be completed.
- Remaining contamination could result in vapor intrusion if future construction activities occur. Future construction includes expansion or partial removal of current buildings as well as construction of new buildings. Vapor control technologies will be required for occupied buildings unless the property owner assesses the potential for vapor intrusion and the DNR agrees that vapor control technologies are not needed.

The DNR fact sheet “Continuing Obligations for Environmental Protection,” RR-819, helps to explain a property owner’s responsibility for continuing obligations on their property. The fact sheet is available at dnr.wi.gov (search “RR-819”).

DNR Database

This site will be included on the Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web (BOTW) at dnr.wi.gov (search “BOTW”) to provide public notice of residual contamination and of any continuing obligations. The site can also be viewed on the Remediation and Redevelopment Sites Map at dnr.wi.gov (search “RRSM”).

DNR approval prior to well construction or reconstruction is required in accordance with s. NR 812.09(4)(w), Wis. Adm. Code. This requirement applies to private drinking water wells and high capacity wells. To obtain approval, complete and submit Form 3300-254 to the DNR Drinking and Groundwater program’s regional water supply specialist. This form can be obtained on-line at dnr.wi.gov (search “3300-254”).

All site information is also on file at the South Central Region DNR office, 3911 Fish Hatchery Road, Fitchburg, WI. This letter and information that was submitted with your closure request application, including any maintenance plans and maps, can be found as a downloadable PDF document in BOTW.

Prohibited Activities

Certain activities are prohibited at closed sites because maintenance of a barrier is intended to prevent contact with any remaining contamination. When a barrier is required, the condition of closure requires notification of the DNR before making a change, in order to determine if further action is needed to maintain the protectiveness of the remedy employed. The following activities are prohibited on any portion of the property where pavement or a soil cover is required, as shown on the attached map (Figure D.2., Cap Location Map, 6/19/2020), unless prior written approval has been obtained from the DNR:

- removal of the existing barrier or cover;

- replacement with another barrier or cover;
- excavating or grading of the land surface;
- filling on covered or paved areas;
- plowing for agricultural cultivation;
- construction or placement of a building or other structure;
- changing the use or occupancy of the property to a residential exposure setting, which may include certain uses, such as single or multiple family residences, a school, day care, senior center, hospital, or similar residential exposure settings.

Closure Conditions

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

Send written notifications in accordance with the following requirements to:

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

Residual Groundwater Contamination (ch. NR 140, 812, Wis. Adm. Code)

Groundwater contamination greater than enforcement standards is present both on this contaminated property and off this contaminated property, as shown on the attached map (Figure B.3.b., Groundwater Isoconcentration (5/28/2020), 6/19/2020). If you intend to construct a new well, or reconstruct an existing well, you'll need prior DNR approval. Affected property owners and right-of-way holders were notified of the presence of groundwater contamination. This continuing obligation also applies to the owners of 15 North Main Street and the right-of-way (ROW) holders for East Canal Street and US Highway 51 (North Main Street).

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

Soil contamination remains in the G-4 and MW-2 areas, the areas south and southwest of the existing building, and the sidewalk on the western edge of the site and adjacent right-of-way, as indicated on the attached map (Figure B.2.b, Residual Soil Contamination Map, 6/19/2020). If soil in the specific locations described above is excavated in the future, the property owner or right-of-way holder at the time of excavation must sample and analyze the excavated soil to determine if contamination remains. If sampling confirms that contamination is present, the property owner or right-of-way holder at the time of excavation will need to determine whether the material is considered solid or hazardous waste and ensure that any storage, treatment or disposal complies with applicable standards and rules. Contaminated soil may be managed in accordance with ch. NR 718, Wis. Adm. Code, with prior DNR approval. This continuing obligation also applies to the owners of 15 North Main Street and the ROW holder for US Highway 51 (North Main Street).

In addition, all current and future owners and occupants of the property and right-of-way holders need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard

and as a result special precautions may need to be taken to prevent a direct contact health threat to humans.

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

The pavement and soil cover that exists in the location shown on the attached map (Figure D.2., Cap Location Map, 6/19/2020) shall be maintained in compliance with the attached maintenance plan in order to minimize the infiltration of water and prevent additional groundwater contamination that would violate the groundwater quality standards in ch. NR 140, Wis. Adm. Code, and to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health.

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

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

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

Structural Impediments (s. 292.12 (2) (b), Wis. Stats., s. NR 726.15, s. NR 727.07, Wis. Adm. Code)

The remaining building, canopy, subsurface utilities and sidewalk, as shown on the attached map (Figure B.2.b, Residual Soil Contamination Map, 6/19/2020), made complete investigation and/or remediation of the soil contamination on this property impracticable. If a structural impediment is to be removed, the property owner shall notify the DNR at least 45 days before removal and investigate the degree and extent of petroleum contamination below the structural impediment(s). If contamination is found at that time, the contamination shall be properly remediated in accordance with applicable statutes and rules.

Vapor Mitigation or Evaluation (s. 292.12 (2), Wis. Stats., s. NR 726.15, s. NR 727.07, Wis. Adm. Code)

Vapor intrusion is the movement of vapors coming from volatile chemicals in the soil or groundwater, into buildings where people may breathe air contaminated by the vapors. Vapor mitigation systems are used to interrupt the pathway, thereby reducing or preventing vapors from moving into the building.

Future Concern: Petroleum volatile organic compounds remain in soil and groundwater at 15. Main Street, as shown on the attached maps (Figure B.2.b, Residual Soil Contamination Map, 6/19/2020 and Figure B.3.b., Groundwater Isoconcentration (5/25/2020)) levels that may be of concern for vapor intrusion in the future, depending on construction and occupancy of a building. The site currently has a

slab-on-grade building for commercial use. Therefore, before a building is constructed and/or an existing building is modified, the property owner must notify the DNR at least 45 days before the change. Vapor control technologies are required for construction of occupied buildings unless the property owner assesses the vapor pathway and the DNR agrees that vapor control technologies are not needed.

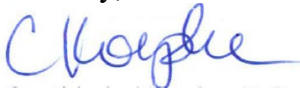
In Closing

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

- if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, or welfare or to the environment,
- if the property owner does not comply with the conditions of closure, with any deed restrictions applied to the property, or with a certificate of completion issued under s. 292.15, Wis. Stats., or
- a property owner fails to maintain or comply with a continuing obligation (imposed under this closure approval letter).

If you have any questions regarding this closure decision or anything outlined in this letter, please contact Cindy Koepke at 608-219-2181 or cynthia.koepke@wisconsin.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "C. Koepke", is written over a horizontal line.

for

Steven L. Martin, P.G.

South Central Region Team Supervisor

Remediation & Redevelopment Program

Attachments:

Residual Soil Contamination Map, Figure B.2.b, 6/19/2020 (also shows structural impediments)
Groundwater Isoconcentration (5/28/2020), Figure B.3.b, 6/19/2020
Cap Maintenance Plan, Attachment D, 6/19/2020
Location Map, Figure D.2, 6/19/2020
Inspection Log, DNR Form 4400-305

copy: Jason Powell, METCO
Suzanne Johnson, 5128 N. Waverly Dr., Milton WI 53563

B.2.b RESIDUAL SOIL CONTAMINATION MAP

NORTH MAIN CITGO

709 Grid St, Ste. 3

La Crosse, WI 54603

Tel: (608) 781-4879

Fax: (608) 781-4893

EDGERTON, WISCONSIN

DRAWN BY: RW

DATE: 8/19/2020

NOTE: INFORMATION BASED ON AVAILABLE DATA. ACTUAL CONDITIONS MAY DIFFER

- - - - - = PROPERTY BOUNDARY
- - - - - = PRODUCT LINES (REMOVED)
- ===== = OVERHEAD LINES
- - - - - = BURIED ELECTRICAL LINE
- - - - - = SANITARY SEWER LINE
- - - - - = WATER LINE
- - - - - = NATURAL GAS LINE

- ⊕ = ABANDONED MONITORING WELL HALVERSON'S 66
- ⊗ = UVOST-HP BORING LOCATION
- = GEOPROBE BORING LOCATION
- ⊕ = MONITORING WELL LOCATION
- ▲ = UST CLOSURE SOIL SAMPLING LOCATION
- = SUB SLAB VAPOR SAMPLE LOCATION

KEY TO UST CLOSURE SAMPLES

- #1 - BUILDING WEST SIDE
- #2 - NORTH SIDE WALL
- #3 - WEST SIDE WALL
- #4 - SOUTH SIDEWALL WEST
- #5 - SOUTH SIDEWALL EAST
- #6 - BUILDING SOUTH

KEY TO UST SYSTEMS

- A - REMOVED 10,000 GAL. UNLEADED GASOLINE UST (REMOVED 2015)
- B - REMOVED 10,000 GAL PREMIUM GASOLINE UST (REMOVED 2015)
- C - REMOVED 10,000 GAL. DIESEL UST (REMOVED 2015)
- D - REMOVED 2,000 GAL. KEROSENE UST (REMOVED 2015)
- E - REMOVED 550 GAL. KEROSENE UST (REMOVED 1998)
- F - REMOVED 550 GAL. WASTE OIL UST (REMOVED 1998)

- [] = UST CLOSURE EXCAVATION EXTENT (CURRENTLY GRAVEL COVERED)

SCALE:
1 INCH = 30 FEET

B.3.b GROUNDWATER ISOCONCENTRATION (5/28/2020)

NORTH MAIN CITGO



709 Gilette St. Ste. 3
La Crosse, WI 54603
Tel: (608) 781-8878
Fax: (608) 781-8893

EDGERTON, WISCONSIN

DRAWN BY: RW

DATE: 6/19/2020



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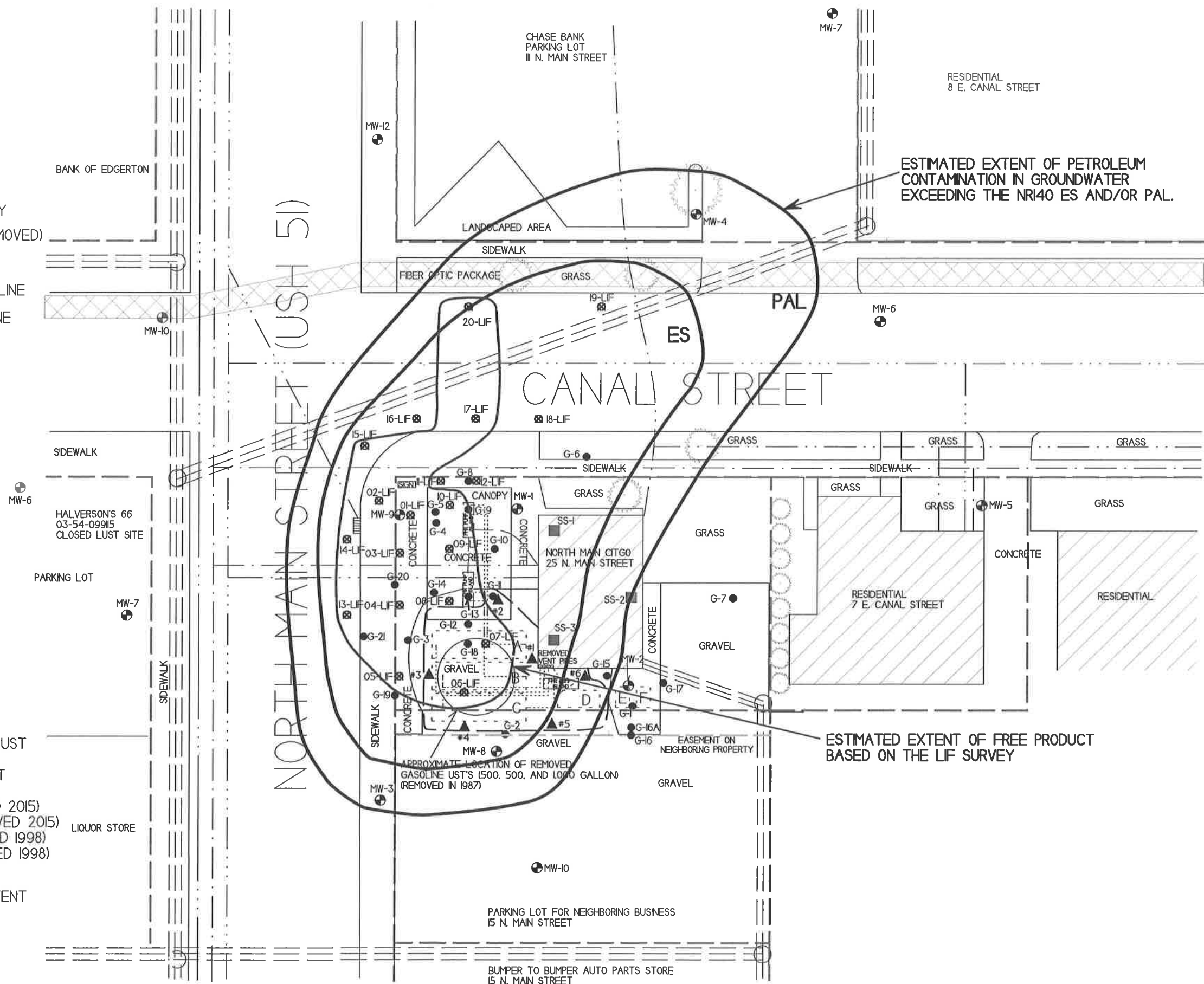
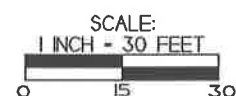
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D.1 Description of Maintenance Action(s)

CAP MAINTENANCE PLAN

June 19, 2020

Property Located at:
25 North Main Street
Edgerton, WI 53534

WDNR BRRTS# 03-54-176662

TAX KEY# 221135007

Introduction

This document is the Maintenance Plan for a concrete/gravel cap at the above-referenced property in accordance with the requirements of s. NR 724.13(2), Wisconsin Administrative Code. The maintenance activities relate to the existing cap occupying the area over the contaminated soil and groundwater on-site.

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

- The case file in the DNR South Central regional office
- BRRTS on the Web (DNR's internet based data base of contaminated sites):
<http://dnr.wi.gov/botw/SetUpBasicSearchForm.do>
- GIS Registry PDF file for further information on the nature and extent of contamination and
- The DNR project manager for Rock County.

Description of Contamination

Soil contaminated by Polynuclear Aromatic Hydrocarbons (PAH) is located at a depth of 0-4 feet below ground surface (bgs) in the areas of the former pump islands and removed 550 gallon waste oil and kerosene UST's. The extent of the soil contamination is shown on Attachment D.2.

Description of the Cap to be maintained

The caps consist of concrete (approximately 4-6 inches thick) and gravel (approximately 6-8 inches thick) extending up to the southeast edge of the on-site building, as well as the area near the canopy between the building and US Highway 51, as shown on Figure D.2.

Cover Barrier Purpose

The concrete/gravel cap over the contaminated soil serves as a barrier to prevent direct human contact with residual soil contamination that might otherwise pose a threat to human health. Based on the current and future use of the property, the barrier should function as intended unless disturbed.

Annual Inspection

The concrete/gravel caps overlying the contaminated soil and as depicted in Figure D.2 will be inspected once a year, normally in the spring after all snow and ice is gone, for deterioration, cracks and other potential problems that can cause exposure to underlying soils or additional infiltration through concrete or gravel. The inspections will be performed by the property owner or their designated representative. The inspections will be performed to evaluate damage due to settling, exposure to the weather, wear from traffic, increasing age and other factors. Any area where soils have become or are likely to become exposed and where infiltration from the surface will not be effectively minimized will be documented. A log of the inspections and any repairs will be maintained by the property owner and is included as Form 4400-305 Continuing Obligations and Maintenance Log. The log will include recommendations for necessary repair of any areas where underlying soils are exposed and where infiltration from the surface will not be effectively minimized. Once repairs are completed, they will be documented in the inspection log. A copy of the inspection log will be kept at the address of the property owner and available for submittal or inspection by Wisconsin Department of Natural Resources ("WDNR") representatives upon their request.

Note: The WDNR may, in some instances, require in the case closure letter that the inspection log be submitted at least annually after every inspection. If the case closure letter requires that, then a copy of the inspection log must be submitted to the WDNR at least annually after every inspection.

Maintenance Activities

If problems are noted during the annual inspections or at any other time during the year, repairs will be scheduled as soon as practical. Repairs can include patching and filling or larger resurfacing or construction operations. In the event that necessary maintenance activities expose the underlying soil, the owner must inform maintenance workers of the direct contact exposure hazard and provide them with appropriate personal protection equipment ("PPE"). The owner must also sample any soil that is excavated from the site prior to disposal to ascertain if contamination remains. The soil must be treated, stored and disposed of by the owner in accordance with applicable local, state and federal law.

In the event the concrete/gravel caps overlying the contaminated soil plume are removed or replaced, the replacement barrier must be equally impervious. Any replacement barrier will be subject to the same maintenance and inspection guidelines as outlined in this Maintenance Plan unless indicated otherwise by the WDNR or its successor.

The property owner, in order to maintain the integrity of the concrete/gravel caps, will maintain a copy of this Maintenance Plan on-site and make it available to all interested parties (i.e. on-site employees, contractors, future property owners, etc.) for viewing.

Prohibition of Activities and Notification of DNR Prior to Actions Affecting a Cover or Cap

The following activities are prohibited on any portion of the property where the concrete/gravel caps is required as shown on the attached map, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 1) removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on

capped or paved areas; 5) plowing for agricultural cultivation; or 6) construction or placement of a building or other structure.

Amendment or Withdrawal of Maintenance Plan

This Maintenance Plan can be amended or withdrawn by the property owner and its successors with the written approval of WDNR.

Contact Information

September 2018

Current Site Owner:

Robert Cusick
15 N Main Street
Edgerton, WI 53534
608-884-1900

Signature: 

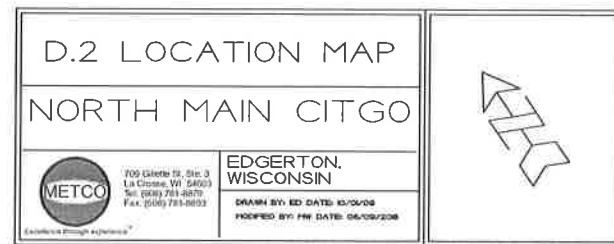
(DNR may request signature of affected property owners, on a case-by-case basis)

Consultant:

METCO
Ron Anderson
709 Gillette Street, Suite 3
La Crosse, WI 54603
(608) 781-8879

WDNR:

Cindy Koepke
3911 Fish Hatchery Road
Fitchburg, WI 53711
(608) 275-3257



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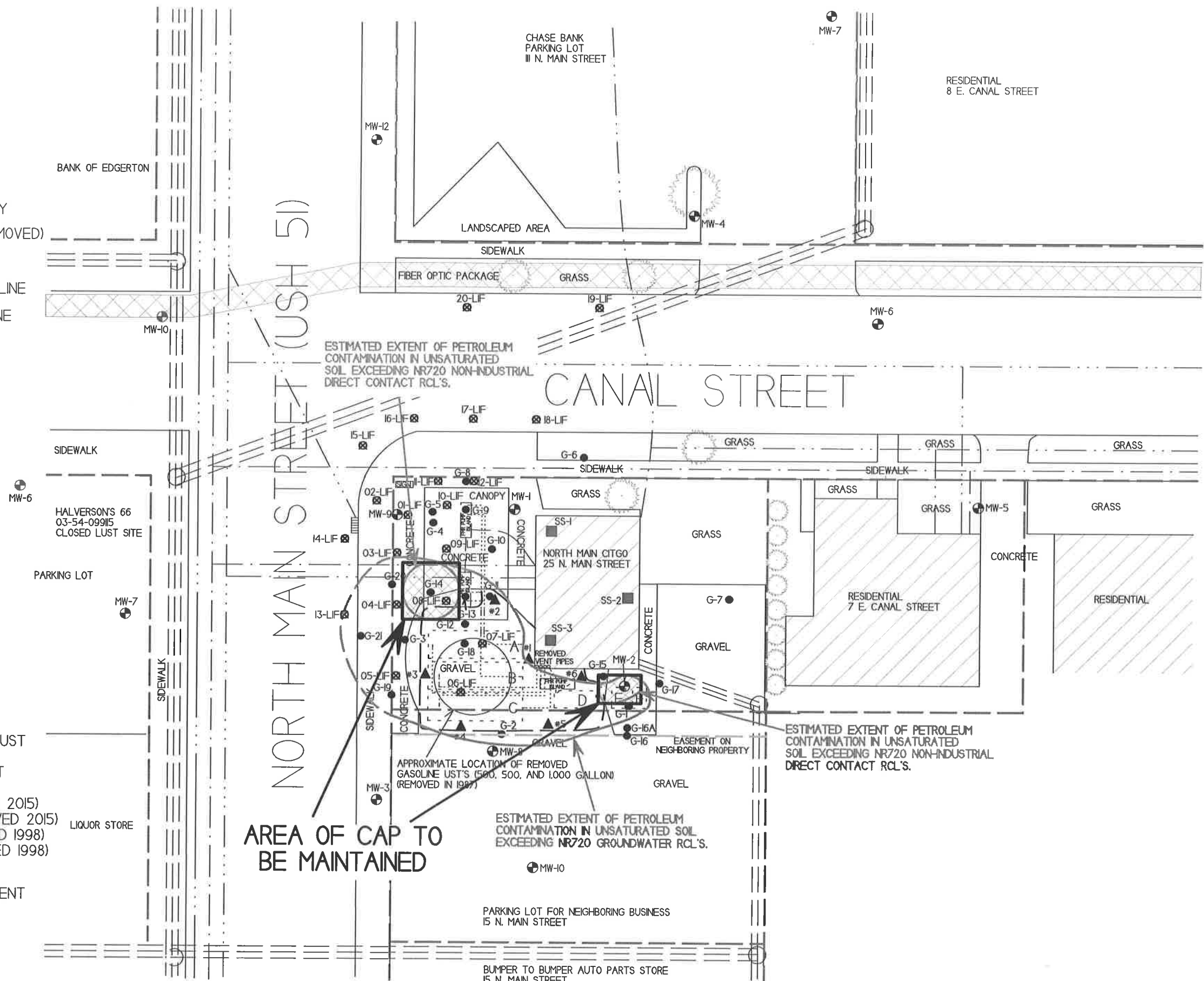
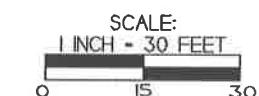
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D.3 Photographs

{Click to Add/Edit Image}

Date added: 09/20/2018



Title: Photo #1: Area of Northwest Cap to be maintained (looking northeast)

{Click to Add/Edit Image}

Date added: 05/16/2016



Title: Photo #3: Area of Southeast Cap to be maintained (looking north)

{Click to Add/Edit Image}

Date added: 05/16/2016



Title: Photo #2: Area of Southeast Cap to be maintained (looking east)

{Click to Add/Edit Image}

Date added: 09/20/2018



Title: Photo #4: Area of Northwest Cap to be maintained (looking east)

Continuing Obligations Inspection and Maintenance Log

Form 4400-305 (2/14)

Page 1 of 2

Directions: In accordance with s. NR 727.05 (1) (b) 3., Wis. Adm. Code, use of this form for documenting the inspections and maintenance of certain continuing obligations is required. Personal information collected will be used for administrative purposes and may be provided to requesters to the extent required by Wisconsin's Open Records law [ss. 19.31-19.39, Wis. Stats.]. When using this form, identify the condition that is being inspected. See the closure approval letter for this site for requirements regarding the submittal of this form to the Department of Natural Resources. A copy of this inspection log is required to be maintained either on the property, or at a location specified in the closure approval letter. Do NOT delete previous inspection results. This form was developed to provide a continuous history of site inspection results. The Department of Natural Resources project manager is identified in the closure letter. The project manager may also be identified from the database, BRRTS on the Web, at <http://dnr.wi.gov/botw/SetUpBasicSearchForm.do>, by searching for the site using the BRRTS ID number, and then looking in the "Who" section.

Activity (Site) Name

North Main Cirgo

BRRTS No.

03-54-176662

Inspections are required to be conducted (see closure approval letter):

- ☒ annually
☐ semi-annually
☐ other – specify _____

When submittal of this form is required, submit the form electronically to the DNR project manager. An electronic version of this filled out form, or a scanned version may be sent to the following email address (see closure approval letter):

Inspection Date	Inspector Name	Item <input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:	Describe the condition of the item that is being inspected	Recommendations for repair or maintenance	Previous recommendations implemented?	Photographs taken and attached?
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
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		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N

D.4 Inspection Log