

G. A.

**Notification of Continuing Obligations
and Residual Contamination**

Form 4400-286 (9/15)

C. I. Page

The affected property is:

- ☐ the source property (the source of the hazardous substance discharge), but the property is not owned by the person who conducted the cleanup (a deeded property)
- ☒ a deeded property affected by contamination from the source property
- ☐ a right-of-way (ROW)
- ☐ a Department of Transportation (DOT) ROW

Include this completed page as an attachment with all notifications provided under sections A and B.**Contact Information****Responsible Party:** The person responsible for sending this form, and for conducting the environmental investigation and cleanup is:Responsible Party Name Village of Bowler

Contact Person Last Name Breitrick	First Kerry	MI	Phone Number (include area code) (715) 793-4910	
Address 107 W Main Street		City Bowler	State WI	ZIP Code 54416
E-mail <u>villageofbowler@frontier.com</u>				

Name of Party Receiving Notification:Business Name, if applicable: Frontier Communications

Title	Last Name	First	MI	Phone Number (include area code) (203) 614-5600	
Address 401 Merritt 7		City Norwalk		State CT	ZIP Code 06851

Site Name and Source Property Information:Site (Activity) Name A to Z Sales & Service

Address 100 W Main Street		City Bowler	State WI	ZIP Code 54416
DNR ID # (BRRTS#) 03-59-190963		(DATCP) ID #		

Contacts for Questions:**If you have any questions regarding the cleanup or about this notification, please contact the Responsible Party identified above, or contact:****Environmental Consultant:** METCO

Contact Person Last Name Anderson	First Ron	MI	Phone Number (include area code) (608) 781-8879	
Address 709 Gillette Street, Suite 3		City La Crosse	State WI	ZIP Code 54603
E-mail <u>rona@metcohq.com</u>				

Department Contact:**To review the Department's case file, or for questions on cleanups or closure requirements, contact:****Department of:** Natural Resources (DNR)

Address 2984 Shawano Ave		City Green Bay	State WI	ZIP Code 54313
Contact Person Last Name James	First Andrew	MI	Phone Number (include area code) (920) 662-5149	
E-mail (Firstname.Lastname@wisconsin.gov) <u>Andrew.James@wisconsin.gov</u>				

Section A: Deeded Property Notification: Residual Contamination and/or Continuing Obligations

KEEP THIS DOCUMENT WITH YOUR PROPERTY RECORDS

401 Merritt 7
Norwalk, CT, 06851

Dear [Enter receiver's name in page 3 section: Contact Information]:

I am providing this letter to inform you of the location and extent of contamination remaining on your property, and of certain long-term responsibilities (continuing obligations) for which you may become responsible.
I have investigated a release of:

Gasoline

on 100 W Main Street, Bowler, WI, 54416 that has shown that contamination has migrated onto your property. I have responded to the release and will be requesting that the Department of Natural Resources (DNR) grant case closure. Closure means that the DNR will not be requiring any further investigation or cleanup action to be taken. However, continuing obligations may be imposed as a condition of closure approval.

You have 30 days to comment on the attached legal description of your property and on the proposed closure request:

Please review the enclosed legal description of your property, and notify Ron Anderson at 709 Gillette Street, Suite 3, La Crosse, WI, 54603 within the next 30 days if the legal description is incorrect.

The DNR will not review my closure request for at least 30 days after the date of receipt of this letter. As an affected property owner, you have a right to contact the DNR to provide any technical information that you may have that indicates that closure should not be granted for this site. If you would like to submit any information that is relevant to this closure request, or if you want to waive the 30 day comment period, you should mail that information to the DNR contact: 2984 Shawano Ave, Green Bay, WI, 54313, or at Andrew.James@wisconsin.gov.

Your Long-Term Responsibilities as a Property Owner and Occupant:

The responses included

Excavation of 1,078 tons of petroleum contaminated soil and groundwater monitoring.

The continuing obligations I am proposing that affect your property are listed below, under the heading **Continuing Obligations**. Under s. 292.12 (5), Wis. Stats., current and future owners and occupants of this property are responsible for complying with continuing obligations imposed as part of an approved closure.

The fact sheet "Continuing Obligations for Environmental Protection" (DNR publication RR 819) has been included with this letter, to help explain the responsibilities you may have for maintenance of a certain continuing obligation, the limits of any liability for investigation and cleanup of contamination, and how these differ. If the fact sheet is lost, you may obtain copies at <http://dnr.wi.gov/files/PDF/pubs/rr/RR819.pdf>.

Contract for responsibility for continuing obligation:

Before I request closure, I will need to inform the DNR as to whom will be responsible for the continuing obligation/s on your property.

[Indicate which party will be responsible for the continuing obligation(s) on the property, and whether an agreement/contract has been worked out between the RP and affected party.]

Under s. 292.12, Wis. Stats., the responsibility for maintaining all necessary continuing obligations for your property 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 on the responsibility for the continuing obligations on your Property, you may request additional time from the DNR contact identified in **Contact Information**.

(Note: Future property owners would need to negotiate a new agreement.)

Remaining Contamination:

Soil Contamination:

Soil contamination remains at :
102 W Main Street

The remaining contaminants include:
Lead

at levels which exceed the soil standards found in ch. NR 720, Wis. Adm. Code. The following steps have been taken to address any exposure to the remaining soil contamination.

Excavation of 1,078 tons of petroleum contaminated soil and groundwater monitoring.

Groundwater Contamination:

Groundwater contamination originated at the property located at 100 W Main Street, Bowler, WI, 54416 .
Contaminated groundwater has migrated onto your property at:

102 W Main Street

The levels of

Benzene, Ethylbenzene, Naphthalene, Toluene, Trimethylbenzenes, and Xylene

contamination in the groundwater on your property are above the state groundwater enforcement standards found in ch. NR 140, Wis. Adm. Code.

However, the environmental consultants who have investigated this contamination have informed me that this groundwater contaminant plume is stable or receding and will naturally degrade over time. I believe that allowing natural attenuation, or the breakdown of contaminants in groundwater due to naturally occurring processes, to complete the cleanup at this site will meet the case closure requirements of ch. NR 726, Wis. Adm. Code. As part of my request for case closure, I am requesting that the DNR accept natural attenuation as the final remedy for this site.

The following DNR fact sheet (RR 671, "What Landowners Should Know: Information About Using Natural Attenuation to Clean Up Contaminated Groundwater") has been included with this notification, 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>.

Continuing Obligations on Your Property: As part of the cleanup, I am proposing that the following continuing obligations be used at your property, to address future exposure to residual contamination. If my closure request is approved, you will be responsible for the following continuing obligations.

To construct a new well or to reconstruct an existing well, the property owner at the time of construction or reconstruction will need to obtain prior approval from the DNR. See the paragraph **GIS Registry and Well Construction Requirements**. Typically, this results in casing off a portion of the aquifer during drilling, when needed, to protect the water supply.

Residual Soil Contamination:

If soil is excavated from the areas with residual contamination, the property owner at the time of excavation will be responsible for the following:

- determine if contamination is present
- determine whether the material would be considered solid or hazardous waste
- ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules.

Contaminated soil may be managed in-place, in accordance with ch. NR 718, Wis. Adm. Code, with prior DNR approval. In addition, all current and future property 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 during excavation activities to prevent a health threat to humans.

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

Maintenance and Audits of Continuing Obligations:

If compliance with a maintenance plan is required as part of a continuing obligation, an inspection log will need to be filled out periodically, and kept available for inspection by the DNR. Submittal of the inspection log may also be required. You will also need to notify any future owners or occupants of this property of the need to maintain the continuing obligation and to document that maintenance in the inspection log. Periodic audits of these continuing obligations may be conducted by the DNR, to ensure that potential exposure to residual contamination is being addressed. The DNR provides notification before conducting site visits as part of the audit.

GIS Registry and Well Construction Requirements:

If this site is closed, all properties within the site boundaries where contamination remains, or where a continuing obligation is applied, will be listed on the Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web, at <http://dnr.wi.gov/topic/Brownfields/clean.html>. Inclusion on this database provides public notice of remaining contamination and of any continuing obligations. Documents can be viewed on this database, and include final closure letters, site maps and any applicable maintenance plans. The location of the site may also be viewed on the Remediation and Redevelopment Sites Map (RR Sites Map), on the "GIS Registry" layer, at the same internet address listed above.

DNR approval prior to well construction or reconstruction is required for all sites included in the GIS Registry, in accordance with s. NR 812.09 (4) (w), Wis. Adm. Code. This requirement applies to private drinking water wells and high capacity wells. Special well construction standards may be necessary to protect the well from the remaining contamination. Well drillers need to first obtain approval from a regional water supply specialist in DNR's Drinking Water and Groundwater Program. The well construction application, form 3300-254, is on the internet at <http://dnr.wi.gov/topic/wells/documents/3300254.pdf>.

Site Closure:

If the DNR grants closure, you will receive a letter which defines the specific continuing obligations on your property. The status of the site (open or closed) may also be checked by searching BRRTS on the Web. You may view or download a copy of the closure letter (sent to the responsible party) from BRRTS on the Web. You may also request a copy of the closure letter from the **responsible party** or by writing to the DNR contact, at Andrew James, Andrew.James@wisconsin.gov, (920) 662-5149. The final closure letter will contain a description of the continuing obligation, any prohibitions on activities and will include any applicable maintenance plan.

If you have any questions regarding this notification, I can be reached at: (608) 781-8879
rona@metcohq.com



Signature of responsible party/environmental consultant for the responsible party

Date Signed

5/14/20

Attachments

Contact Information

Legal Description for each Parcel:

Factsheets:

RR 819, Continuing Obligations for Environmental Protection

RR 671, What Landowners Should Know: Information About Using Natural Attenuation to Clean Up Contaminated Groundwater

WARRANTY DEED.

STATE OF WISCONSIN—FORM No. 1

NUMBER

202744

This Indenture, Made this 8th day of November, A. D., 1942

between Eddie Schenk and Viola Schenk, his wife

Urban Telephone Company, Clintonville, Wisconsin

parties of the first part, and

part Y of the second part.

WITNESSETH, That the said part 1st of the first part, for and in consideration of the sum of One Dollar and other good and valuable consideration to them in hand paid by the said part Y of the second part, the receipt whereof is hereby confessed and acknowledged, have given, granted, bargained, sold, remised, released, aliened, conveyed and confirmed, and by these presents do give, grant, bargain, sell, remise, release, alien, convey and confirm unto the said part Y of the second part, its heirs and assigns forever, the following described real estate, situated in the County of Shawano, and State of Wisconsin, to-wit:

LOT TWO (2) BLOCK ONE (1) OF SCHENK'S PLAT OF THE VILLAGE OF BOWLER.

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging or in any wise appertaining; and all the estate, right, title, interest, claim or demand whatsoever, of the said part 1st of the first part, either in law or equity, either in possession or expectancy of, in and to the above bargained premises, and their hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises as above described with the hereditaments and appurtenances, unto the said part Y of the second part, and to its heirs and assigns FOREVER.

AND THE SAID Eddie Schenk and Viola Schenk, his wife for themselves, their heirs, executors and administrators, do covenant, grant, bargain and agree to and with the said part Y of the second part, its heirs and assigns, that at the time of the enrolling and delivery of these presents they are well seized of the premises above described, as of a good, sure, perfect, absolute and indefeasible estate of inheritance in the law, in fee simple, and that the same are free and clear from all incumbrances whatever.

and that the above bargained premises in the quiet and peaceable possession of the said part Y of the second part, its heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof, they will forever WARRANT AND DEFEND.

IN WITNESS WHEREOF, the said part 1st of the first part has hereunto set their hand and seal this 8th day of December, A. D., 1942

Signed and Sealed in Presence of

Milton W. Voelz

Hiram H. Carley

STATE OF WISCONSIN,

Shawano County.

ss. Personally came before me, this 8th day of December, A. D., 1942, the above named Eddie Schenk and Viola Schenk, his wife

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

Received for Record this 5th day of

Jan. A. D., 1943, at 9 o'clock A.M.

Register of Deeds.

Deputy.

Notary Seal

Notary Public, Milton W. Voelz, Shawano County, Wis.

My Commission expires April 21, A. D., 1946



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

RR-671

December 2016

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 micro-organisms 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 Department of Natural Resources
P.O. Box 7921, Madison, WI 53707
dnr.wi.gov, search "brownfield"



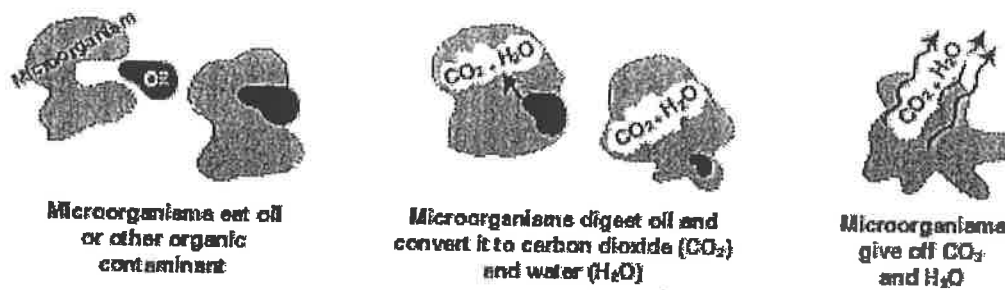


Figure 1. Schematic Diagram of Aerobic Biodegradation in Soil

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 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.

Publications

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

- *A Citizen's Guide to Bioremediation*, September 2012, EPA 542-F-12-003; https://www.epa.gov/sites/production/files/2015-04/documents/a_citizens_guide_to_bioremediation.pdf
- *Commonly Asked Questions Regarding the Use of Natural Attenuation for Petroleum-Contaminated Sites at Federal Facilities*, www.clu-in.org/download/techfocus/na/na-petrol.pdf
- *Monitored Natural Attenuation of Petroleum Hydrocarbons: U.S. EPA Remedial Technology Fact Sheet*, May 1999, EPA 600-F-98-021; www.clu-in.org/download/remed/pet-hyd.pdf
- *Monitored Natural Attenuation of Chlorinated Solvents*, May 1999, EPA 600-F-98-0022; 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; dnr.wi.gov/files/PDF/pubs/rr/RR614.pdf

Contact Information

If you have questions about natural attenuation contact a DNR Environmental Program Associate (EPA) in your local DNR regional office. The EPA can direct you to a project manager.



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

This document is intended solely as guidance and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. This guidance does not establish or affect legal rights or obligations and is not finally determinative of any of the issues addressed. This guidance does not create any rights enforceable by any party in litigation with the State of Wisconsin or the Department of Natural Resources. Any regulatory decisions made by the Department of Natural Resources in any matter addressed by this guidance will be made by applying the governing statutes and administrative rules to the relevant facts.



Remediation and Redevelopment Program

June 2017

Continuing Obligations for Environmental Protection Responsibilities of Wisconsin Property Owners Wis. Stat. § 292.12

Purpose

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.

Introduction

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.)

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 “cover” 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 the DNR modify or remove a continuing obligation. Fees are required for the DNR’s review of this request and for processing the change to the database (\$1050 review fee, \$300/\$350 database fee). Fees are subject to change; current fees are found in Wis. Admin. § NR 749 online at http://docs.legis.wisconsin.gov/code/admin_code/nr/700/749.

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. The DNR has a comprehensive database of contaminated and cleaned up sites, *BRRTS on the Web*. This database shows all contamination activities known to the DNR. Site specific documents are found under the *Documents* section. 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.

Properties with continuing obligations can generally be located in the DNR's *RR Sites Map*. RR Sites Map provides a map view of contaminated and cleaned up sites, including sites with continuing obligations, and links to BRRTS on the Web. *BRRTS on the Web* and *RR Sites Map* are part of the Wisconsin Remediation and Redevelopment Database (WRRD) at <http://dnr.wi.gov/topic/Brownfields/wrrd.html>.

If a completed cleanup is shown in *BRRTS on the Web* but the site documents cannot be found in the documents section, the 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. Wis. Stat. § 292.13 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 property 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 the 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 \$700 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 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 cannot enforce it.

2. If a cleanup proposal that includes off-site continuing obligations is approved, the 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 website at dnr.wi.gov/topic/Brownfields/Residual.html.

This document is intended solely as guidance and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. This guidance does not establish or affect legal rights or obligations and is not finally determinative of any of the issues addressed. This guidance does not create any rights enforceable by any party in litigation with the State of Wisconsin or the Department of Natural Resources. Any regulatory decisions made by the Department of Natural Resources in any matter addressed by this guidance will be made by applying the governing statutes and administrative rules to the relevant facts.

The Wisconsin Department of Natural Resources provides equal opportunity in its employment, programs, services, and functions under an Affirmative Action Plan. If you have any questions, please write to Chief, Public Civil Rights, Office of Civil Rights, U.S. Department of the Interior, 1849 C. Street, NW, Washington, D.C. 20240.

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FORMER GAS STATION
AND CLOSED LUST SITE
MARY'S PLACE
BRRTS # 03-59-177843
101 W MAIN STREET

REMOVED
USTS

MW-3R

FHR PUMP ISLAND

N ALMON STREET
(CTH A)

RESIDENCE
101 E MAIN STREET

W MAIN STREET (CTH D)

E MAIN STREET

B.3.b. GROUNDWATER
ISOCONCENTRATION (2/11/2020)

A TO Z SALES & SERVICE



709 Gillette St. Suite 3
La Crosse, WI 54601
Tel: (608) 781-8879
Fax: (608) 781-8893

BOWLER,
WISCONSIN

DRAWN BY: ED DATE: 2/20/16
MODIFIED BY: MM DATE: 6/21/17
MODIFIED BY: ED DATE: 5/12/20

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

SCALE:
1 INCH = 40 FEET

PROPERTY BOUNDARY
WATER LINE
SANITARY SEWER LINE
STORM SEWER LINE
FIBER OPTIC LINE
TELEPHONE/CABLE LINE
BURIED ELECTRICAL
OVERHEAD UTILITIES
NATURAL GAS LINE

- - UTILITY POLE
- ⊕ - MANHOLE
- - SOIL BORING LOCATION (DOT PHASE 2)
- ⊕ - FORMER MONITORING WELL LOCATION - MARY'S PLACE
- - GEOPROBE BORING LOCATION
- ⊕ - MONITORING WELL LOCATION
- ⊕ - ABANDONED MONITORING WELL LOCATION
- ✕ - EXCAVATION CONFIRMATION SAMPLE LOCATION
- ▲ - SUB SLAB VAPOR SAMPLE LOCATION

ESTIMATED EXTENT OF
PETROLEUM CONTAMINATION
IN GROUNDWATER EXCEEDING
THE NR40 ES AND/OR PAL

AREA OF SOIL
EXCAVATION
TO 4 FEET

AREA OF SOIL
EXCAVATION
TO 10 FEET

AREA OF FORMER
STANDARD OIL
BULK PETROLEUM
STORAGE FACILITY

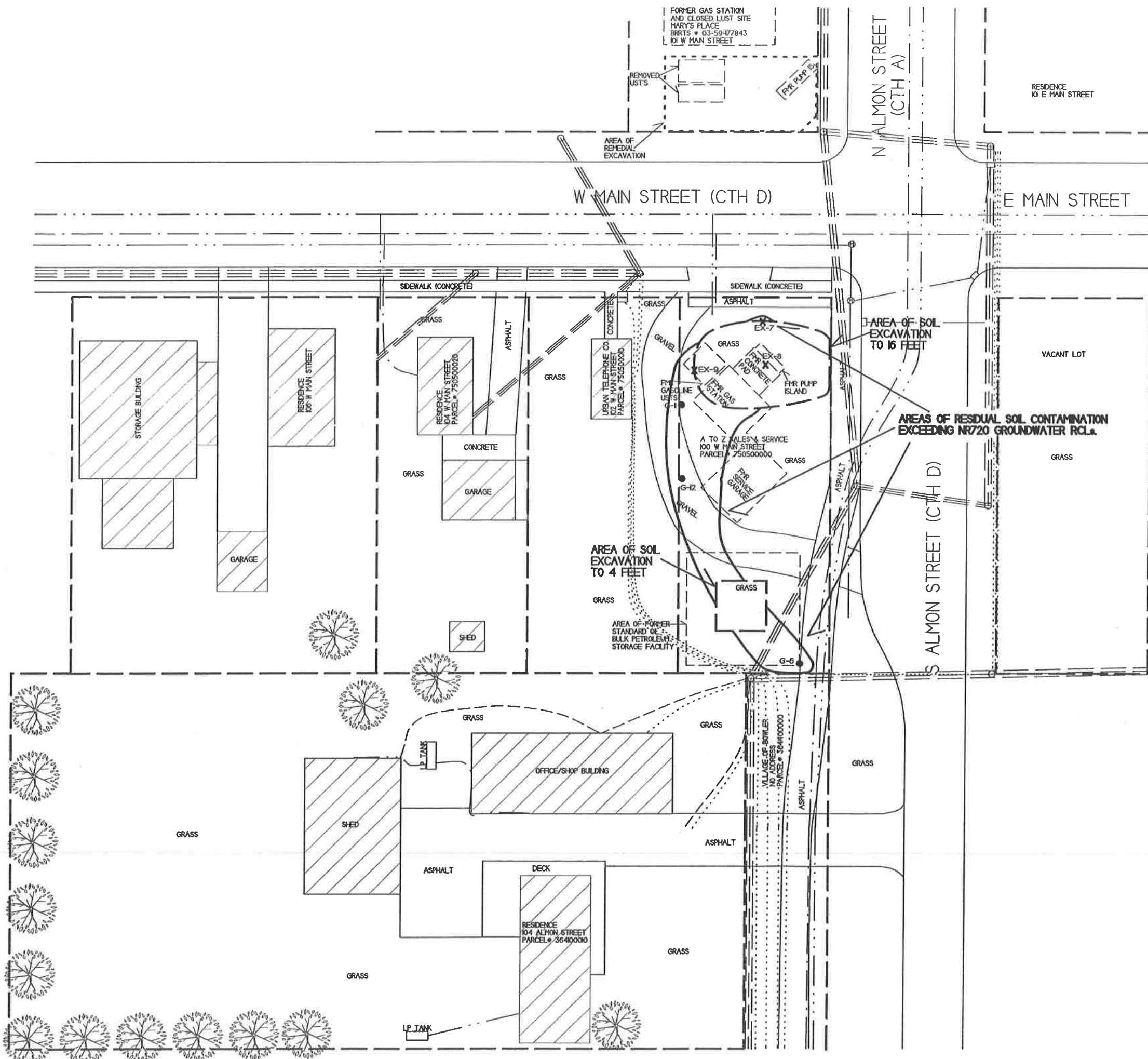
VILLAGE OF BOWLER
NO ADDRESS
PARCEL # 304400000

OFFICE/SHOP BUILDING

DECK

RESIDENCE
104 ALMON STREET
PARCEL # 36400000

LP TANK



B.2.b. RESIDUAL
SOIL CONTAMINATION
A TO Z SALES & SERVICE



709 Gillette St. Suite 3
La Crosse, WI 54603
Tel: (608) 781-8879
Fax: (608) 781-8893

BOWLER,
WISCONSIN

DRAWN BY: ED DATE: 12/20/16
MODIFIED BY: MM DATE: 6/21/17
MODIFIED BY: ED DATE: 5/12/20

NOTE: INFORMATION BASED ON AVAILABLE
DATA ACTUAL CONDITIONS MAY DIFFER

SCALE:
1 INCH = 40 FEET

PROPERTY BOUNDARY
WATER LINE
SANITARY SEWER LINE
STORM SEWER LINE
FIBER OPTIC LINE
TELEPHONE/CABLE LINE
BURIED ELECTRICAL
OVERHEAD UTILITIES
NATURAL GAS LINE

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- ⊕ - ABANDONED MONITORING WELL LOCATION
- ✕ - EXCAVATION CONFIRMATION SAMPLE LOCATION
- ▲ - SUB SLAB VAPOR SAMPLE LOCATION

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Frontier Communications
401 Merrit 7
Norwalk, CT 06851



9590 9403 0958 5223 6400 07

2 Article Number (Transfer from service label)

7013 0600 0000 9414 4922

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X FRONTIER COMMUNICATIONS ☐ Agent
401 MERRIT 7 ☐ Addres

B. Received by (Printed Name) C. Date of Deliv.

NORWALK, CONNECTICUT 06851

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- | | |
|--|---|
| <input type="checkbox"/> Adult Signature | <input type="checkbox"/> Priority Mail Express® |
| <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail™ |
| <input checked="" type="checkbox"/> Certified Mail® | <input type="checkbox"/> Registered Mail Restricted Delivery |
| <input type="checkbox"/> Certified Mail Restricted Delivery | <input type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Collect on Delivery | <input type="checkbox"/> Signature Confirmation™ |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Insured Mail | |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) | |

Domestic Return Receipt

G.A.I. Deed

NUMBER

202744

WARRANTY DEED.

STATE OF WISCONSIN--FORM No. 1

This Indenture,

Made this 8th day of November, A. D., 1942
between Eddie Schenk and Viola Schenk, his wife

Urban Telephone Company, Clintonville, Wisconsin

part 88 of the first part, and

part Y of the second part.

WITNESSETH, That the said part 123 of the first part, for and in consideration of the sum of One Dollar and other good and valuable consideration to them in hand paid by the said part Y of the second part, the receipt whereof is hereby confessed and acknowledged, he V. S. given, granted, bargained, sold, remised, released, aliened, conveyed and confirmed, and by these presents do give, grant, bargain, sell, remise, release, alien, convey and confirm unto the said part Y of the second part, its heirs and assigns forever, the following described real estate, situated in the County of Shawano, and State of Wisconsin, to-wit:

LOT TWO (2) BLOCK ONE (1) OF SCHENK'S PLAT OF THE VILLAGE OF BOWLER.

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging or in any wise appertaining; and all the estate, right, title, interest, claim or demand whatsoever, of the said part 123 of the first part, either in law or equity, either in possession or expectancy of, in and to the above bargained premises, and their hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises as above described with the hereditaments and appurtenances, unto the said part Y of the second part, and to its heirs and assigns FOREVER.

AND THE SAID Eddie Schenk and Viola Schenk, his wife for themselves, their heirs, executors and administrators, do covenant, grant, bargain and agree to and with the said part Y of the second part, its heirs and assigns, that at the time of the enrolling and delivery of these presents they are well seized of the premises above described, as of a good, sure, perfect, absolute and indefeasible estate of inheritance in the law, in fee simple, and that the same are free and clear from all incumbrances whatever.

and that the above bargained premises in the quiet and peaceable possession of the said part Y of the second part, its heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof, they will forever WARRANT AND DEFEND.

IN WITNESS WHEREOF, the said part 123 of the first part has hereunto set their hand and seal this 8th day of December, A. D., 1942

Signed and Sealed in Presence of

Milton W. Voelz

Hiram H. Carley

STATE OF WISCONSIN,

Shawano County.

Personally came before me, this 8th day of December, A. D., 1942, the above named Eddie Schenk and Viola Schenk, his wife to me known to be the person 8 who executed the foregoing instrument and acknowledged the same.

Received for Record this 5th day of

Jan., A. D., 1943, at 9 o'clock A. M.

Albin J. Menden
Register of Deeds.

Deputy.

EDDIE SCHENK

(SEAL)

VIOLA SCHENK

(SEAL)

VIOLA SCHENK

(SEAL)

VIOLA SCHENK

(SEAL)

Notary Seal

Notary Public, Shawano County, Wis.

My Commission expires April 21, A. D., 1946

G.A. 2. Certified Survey Map

No. 74928

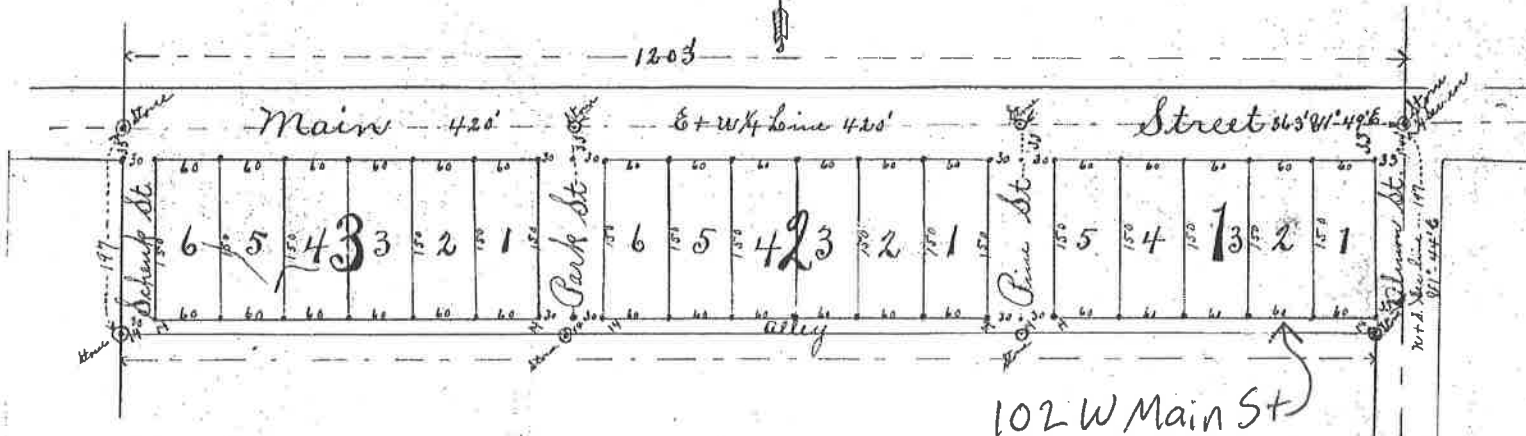
11

SCHENK'S PLAT OF ALMON

SHAWANO COUNTY WISCONSIN

SCALE: 1"=100'

W E



State of Wisconsin } ss. F. J. A. Melendy, County Surveyor, in and for the County and State aforesaid do hereby certify
County of Shawano } that I have surveyed and subdivided into Blocks, Lots, Streets and Alleys the following described
tract of land to wit: The north one hundred and ninety seven (197) feet of the east twelve hundred and three (1203) feet of the
north east quarter of the south east quarter of section 36 thirty six (36) of Township Twenty eight (28) north, of range 20
twelve (12) east in Shawano County and State of Wisconsin, as shown on the above plat and to be known as Schenk's
Plat of Almon. That said survey and subdivision was made by direction of Chas. Schenk, the owner of the land
so surveyed and platted. That the map above drawn is a correct representation of all the exterior boundaries of the
land surveyed, and of the divisions thereon made, and that in surveying, subdividing and mapping the same, I have
fully complied with the provisions of Chapter one hundred and one (101) of the Wisconsin Statutes of 1898. Surveyed
the 25th & 26th days of April and dated this 1st day of May, 1906.

J. A. Melendy
County Surveyor
By J. J. Melendy
Deputy

State of Wisconsin } ss. I hereby certify that I caused the land described in the foregoing certificate of J. A. Melendy
County of Shawano } Surveyor, to be surveyed and mapped as represented on the above map
signed in the presence of
George Smith
G. Schinner Schlytter.

State of Wisconsin } ss. Personally came before me this second day of August, 1906 the above named
County of Shawano } Chas. Schenk, to me known to be the person who executed the foregoing instrument
and acknowledged the same.



G. Schinner Schlytter
Notary Public Shawano Co. Wis.
Commission expires July 21, 1917

Register's Office }
Shawano Co. Wis. } (Filed for record Aug. 2, 1906 at 10 o'clock P.M.)

P. F. Nolan Register

State of
County of
4 of the
of Almon
Shawano
79 ft. to S.
N. 51° 30' E.
to plat of
That said
That said
101 of the

G.A.3. Verification of Zoning

Shawano County
Ascent Land Records SuiteAccess Type: Public
Choose Category: Real estate property & taxWhat do you want to do? Assessments
Help ?[Browser Setup Help](#)[Return to search results](#)[Property Summary](#)

Owner (s): URBAN TELEPHONE COMPANY, TAX EXEMPT		Location: Section, Sect. 36, T28N, R13E	
Mailing Address: TAX EXEMPT URBAN TELEPHONE COMPANY 102 W MAIN STREET BOWLER, WI 54416-0000		School District: 0623 - BOWLER SCHOOL DISTRICT	
Tax Parcel ID Number: 750500010	Tax District: 108-VILLAGE OF BOWLER	Status: Active	
Alternate Tax Parcel Number:		Acres: 0.0000	
Description - Comments (Please see Documents tab below for related documents. For a complete legal description, see recorded document.): VIL OF BOWLER SCHENK'S PLAT LOT 2 BLK 1 & N 7' OF VACATED ALLEY			
Site Address (es): (Site address may not be verified and could be incorrect. DO NOT use the site address in lieu of legal description.) 102 W MAIN ST BOWLER, WI 54416			

Select Detail --> Assessments

[Make Default Detail](#)[Printer Friendly Page](#)[View Interactive Map](#)

Tax Year: 2019

Real Estate Assessments

Code	Description	Acres	Land Value	Improvement Value	Total Value
4	Exempt Other (Other)	0	\$0	\$0	\$0
Total:		0.00	\$0	\$0	\$0

Estimated Fair Market Value: - Average Assessment Ratio: 0.898076658 * MFL and PFC values are not included in the total.

Special Assessments

Assessment	Amount
------------	--------

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