

**REVISED**

4:26 pm, Feb 15, 2011

**GIS REGISTRY  
Cover Sheet**

POST  
CLOSURE

March, 2010  
(RR 5367)

**Source Property Information**

**BRRTS #:**

**ACTIVITY NAME:**

**PROPERTY ADDRESS:**

**MUNICIPALITY:**

**PARCEL ID #:**

**CLOSURE DATE:**

**FID #:**

**DATCP #:**

**COMM #:**

**\*WTM COORDINATES:**

**X:**  **Y:**

*\* 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)*

**Land Use Controls:**

- 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)*

**Monitoring Wells:**

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

- Yes
- No
- N/A

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

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 #:  PARCEL ID #:   
ACTIVITY NAME:  WTM COORDINATES: X:  Y:

**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 #:**                      **Title:**
- 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 #: 1**                      **Title: Site Detail Map (Post-Closure), Site Plan View**
  - 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 #: 5**                      **Title: Soil Benzene Distribution**

BRRTS #: 03-05-000017

ACTIVITY NAME: Ness Service Center - WI DOT

**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 #:**                      **Title:**  
**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 #: 2**                      **Title: Groundwater Benzene Distribution (04/15/02)**
- Groundwater Flow Direction Map:** A map that represents groundwater movement at the site. If the flow direction varies by more than 20° over the history of the site, submit 2 groundwater flow maps showing the maximum variation in flow direction.  
**Figure #: 3**                      **Title: Potentiometric Surface Map (08/31/01)**  
**Figure #: 4**                      **Title: Potentiometric Surface Map (04/15/02)**

**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 Laboratory Analytical Results (Post-Closure/Pre)**
- 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: Groundwater Sample Laboratory Analytical Results**
- 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: Groundwater Elevation Data**

**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 #: 03-05-000017

ACTIVITY NAME: Ness Service Center - WI DOT

## 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:

- 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.
- 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:



POST  
CLOSURE

ENVIRONMENTAL & REGULATORY SERVICES DIVISION  
BUREAU OF PECFA  
375 City Center, Suite I  
Oshkosh, Wisconsin 54901-1805  
TTY: Contact Through Relay  
Fax: (920) 424-0217  
Scott Walker, Governor  
Paul F. Jadin, Secretary

January 19, 2011

Greg Ness  
Greg Ness Inc  
975 W Mason St  
Green Bay, WI 54303-1765

RE: **No Further Action Required**

**Commerce # 54303-1765-75-A DNR BRRTS # 03-05-000017**  
Ness Service Center, 975 W Mason St, Green Bay

Dear Mr. Ness:

The Wisconsin Department of Commerce (Commerce) has reviewed the data submitted by your consultant, Bay Environmental Strategies, for the site referenced above. Commerce has determined that you have completed the required excavation near the former tanks and pump island and no further investigation or remedial action is necessary. This site does not pose a significant threat to human health or the environment and is now listed as "closed" on the Commerce database.

It is in your best interest to keep all documentation related to the environmental activities at your site. If residual contamination is encountered in the future, it must be managed in accordance with all applicable State and federal regulations. If it is determined that any remaining contamination poses a threat, the case may be reopened and further investigation or remediation may be required.

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) 424-0025.

Sincerely,

A handwritten signature in black ink that reads "Tom Verstegen". The signature is written in a cursive style.

Tom Verstegen  
Hydrogeologist – Dept of Commerce  
PECFA - Site Review Section

cc: Erin Mader - Bay Environmental Strategies

POST  
CLOSURE

ENVIRONMENTAL & REGULATORY SERVICES DIVISION  
BUREAU OF PECFA  
375 City Center, Suite I  
Oshkosh, Wisconsin 54901-1805  
TTY: Contact Through Relay  
Fax: (920) 424-0217  
Jim Doyle, Governor  
Aaron Oliver, Secretary



September 23, 2010

Greg Ness  
Greg Ness Inc  
975 W Mason St  
Green Bay, WI 54303-1765

**RE: Reopening Site and PECFA Eligibility - Additional Remediation Required**

**Commerce # 54303-1765-75-A DNR BRRTS # 03-05-000017**  
Ness Service Center, 975 W Mason St, Green Bay

Dear Mr. Ness:

The Wisconsin Department of Commerce (Commerce) has received additional information concerning your site referenced above. That information came to light following a tank pull operation conducted on December 16<sup>th</sup> and 17<sup>th</sup>, 2009. Soil samples obtained during the tank pull indicates that soil contamination exists in an area which was inaccessible during the previous site investigation/remediation. After reviewing the soil sample results, Commerce is requiring additional soil excavation in the area of the former pump islands.

In order to facilitate this work, you will need to hire a consulting company. I will work with them to define the scope of work (SOW) and set a cost cap.

I recommend that you contact Renee Dickey, Senior PECFA Program Specialist, at (608) 264-8765, to reestablish PECFA eligibility.

Your prompt attention to this request is appreciated. If you have any questions, please contact me in writing at the letterhead address or by telephone at (920) 424-0025.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Verstegen". The signature is written in a cursive style.

Tom Verstegen  
Hydrogeologist – Dept of Commerce  
PECFA - Site Review Section

cc: Dennis Greil – Bay Environmental.



ENVIRONMENTAL & REGULATORY SERVICES DIVISION  
BUREAU OF PECFA  
2129 Jackson Street  
Oshkosh, Wisconsin 54901-1805  
TDD #: (608) 264-8777  
Fax #: (920) 424-0217  
Jim Doyle, Governor  
Mary P. Burke, Secretary

August 29, 2005

Mr. Greg Ness  
Ness Service Center  
975 W. Mason Street  
Green Bay, WI 54303-1765

RE: **Final Closure**

**Commerce # 54303-1765-75**      **WDNR BRRTS # 03-05-000017**  
Ness Service Center, 975 W. Mason Street, Green Bay

Dear Mr. Ness:

The Wisconsin Department of Commerce (Commerce) has received all items required as the condition for closure of the site referenced above. This case is now listed as "closed" on the Commerce database and will be included on the Wisconsin Department of Natural Resources (WDNR) Geographic Information System (GIS) Registry of Closed Remediation Sites to address residual soil and groundwater contamination. It is in your best interest to keep all documentation related to the environmental activities that were conducted.

If residual contamination is encountered in the future, it must be managed in accordance with all applicable state and federal regulations. If it is determined that any remaining contamination poses a threat, the case may be reopened and further investigation or remediation may be required.

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) 424-0046.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert H. Klauk". The signature is written in a cursive style with a long, sweeping underline.

Robert H. Klauk  
Hydrogeologist  
Site Review Section

cc: Mark O. Love - Shaw Environmental & Infrastructure, Inc.  
Case File



ENVIRONMENTAL & REGULATORY SERVICES DIVISION  
BUREAU OF PECFA  
2129 Jackson Street  
Oshkosh, Wisconsin 54901-1805  
TDD #: (608) 264-8777  
Fax #: (920) 424-0217  
<http://www.commerce.state.wi.us>  
<http://www.wisconsin.gov>  
Jim Doyle, Governor  
Cory L. Nettles, Secretary

November 5, 2003

Mr. Greg Ness  
Ness Service Center  
975 W. Mason Street  
Green Bay, WI 54303-1765

RE: Conditional Case Closure

Commerce # 54303-1765-75 WDNR BRRTS # 03-05-000017  
Ness Service Center, 975 W. Mason Street, Green Bay

Dear Mr. Ness:

The Wisconsin Department of Commerce (Commerce) has reviewed the request for case closure prepared by Envirogen, Inc. for the site referenced above. It is understood that residual soil and groundwater contamination remain on site. Commerce has determined that this site does not pose a significant threat to the environment and human health. No further investigation or remedial action is necessary.

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

Documentation of abandonment (WDNR Abandonment Form 3300-5B) of monitoring wells MW-1 and MW-10 through MW-14.

This letter serves as your written notice of "no further action." 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 of 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) 424-0046.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert H. Klauk', written over a horizontal line.

Robert H. Klauk, PG  
Hydrogeologist  
Site Review Section

cc: Mark O. Love – Envirogen, Inc.  
Case File



1682941

STATE BAR OF WISCONSIN FORM 2 - 1982  
WARRANTY DEED

DOCUMENT NO.

BROWN COUNTY  
REGISTER OF DEEDS  
CATHY WILLIQUETTE

1999 MAR 22 P 3 12

Gale J. Ness and Leona Ness, husband and wife

conveys and warrants to Greg A. Ness, a single person

For One Dollar (\$1.00) and other good and valuable consideration

the following described real estate in Brown County,  
State of Wisconsin:

The Easterly One Hundred One (101) feet of Lot Two (2), except the Southerly Ten (10) feet of the Easterly Eighty-six and Fifty-four One Hundredths (86.54) feet of Lot Two (2), the Easterly One Hundred Two (102) feet of Lot Three (3); the Easterly One Hundred Two and One-half (102 1/2) feet of Lot Four (4) and the Easterly One Hundred Three (103) feet of Lot Five (5), all in Block Seventy (70), according to the recorded Plat of C.L.A. Tank's Fifth Addition to Fort Howard, in the City of Green Bay, West Side of Fox River, Brown County, Wisconsin, excepting therefrom parts used for street purposes.

This deed is given in full and complete satisfaction of that certain Land Contract dated on the 5th day of December, 1990 and recorded December 7, 1990 at 10:14 A.M. in Jacket 16345 Records Image 17 as Doc. No. 1231950.

THIS SPACE RESERVED FOR RECORDING DATA

NAME AND RETURN ADDRESS

STEVEN R. BOEX  
ATTORNEY AT LAW  
1077 W. Mason St.  
Green Bay, WI 54303

3-585 & 3-583  
PARCEL IDENTIFICATION NUMBER

FEE  
77.25 (17)  
EXEMPT

This is not homestead property.  
(is) (is not)

Exception to warranties: excepting municipal and zoning ordinances, easements of record, recorded building and use restrictions and covenants, if any.

Dated this 18th day of March, A.D., 19 99

(SEAL)

Gale J. Ness (SEAL)

Gale J. Ness

(SEAL)

Leona Ness (SEAL)

Leona Ness

AUTHENTICATION

Signature(s) \_\_\_\_\_

authenticated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

TITLE: MEMBER STATE BAR OF WISCONSIN  
(If not, \_\_\_\_\_  
authorized by §706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY  
Attorney Steven R. Boex

(Signatures may be authenticated or acknowledged. Both are not necessary.)

ACKNOWLEDGMENT

State of Wisconsin,

Brown County, } ss.

Personally came before me this 18th day of March, 19 99, the above named

Gale J. Ness and Leona Ness, husband and wife

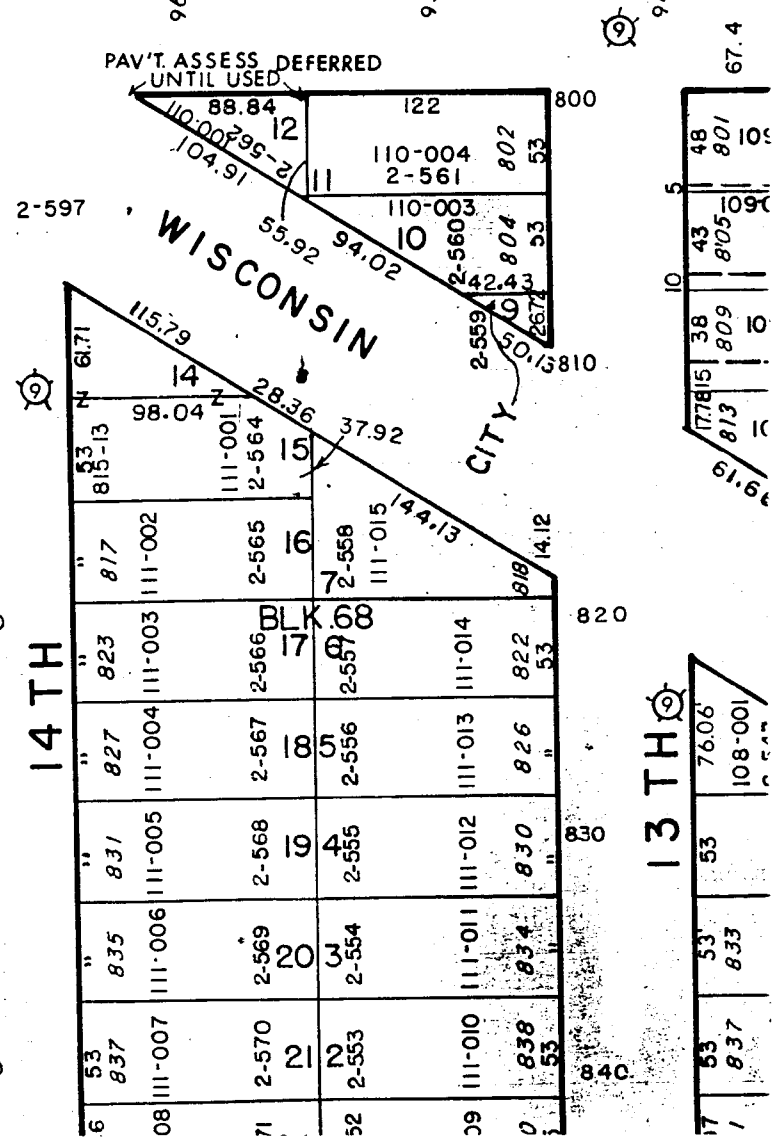
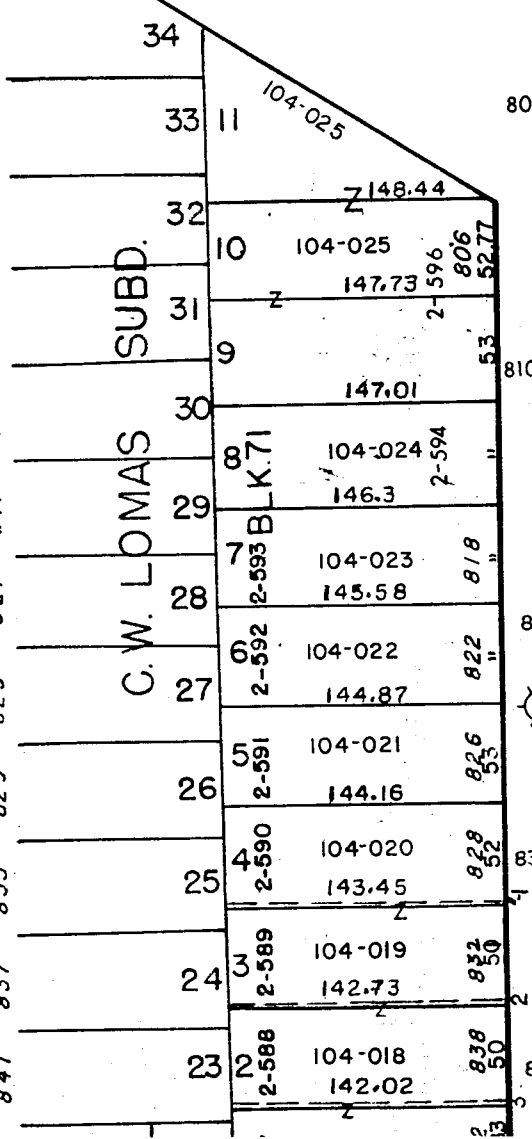
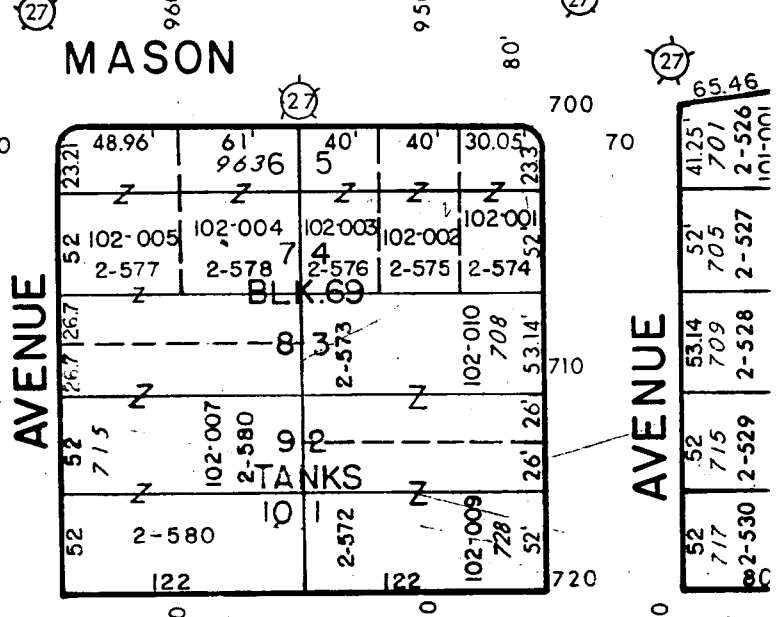
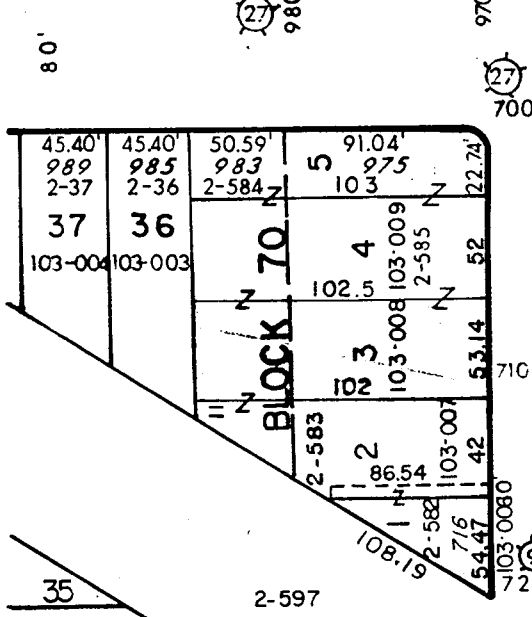
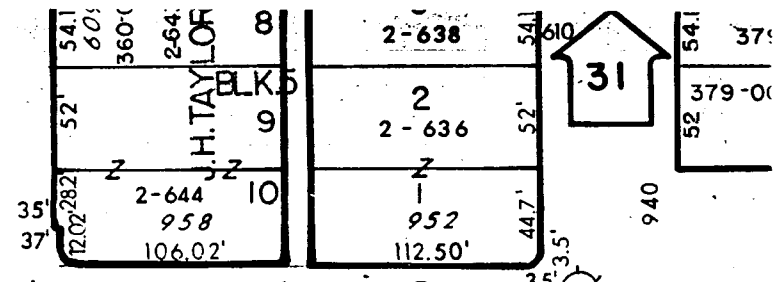
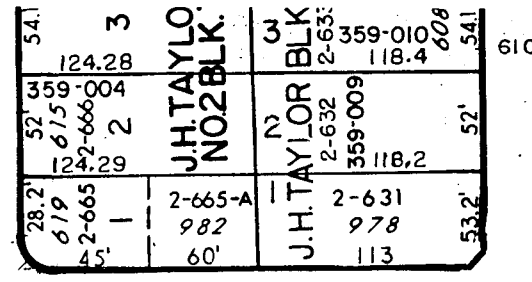
to me known to be the person S who executed the foregoing instrument and acknowledge the same.

Steven R. Boex  
Steven R. Boex

Notary Public, Brown County, Wis.

My commission is permanent. (If not, state expiration date: \_\_\_\_\_, 19 \_\_\_\_\_)

\* Names of persons signing in any capacity should be typed or printed below their signatures.



80' 90' 70' 70' 940' 940' 80' 700' 700' 720' 800' 800' 820' 820' 830' 830' 840' 840'

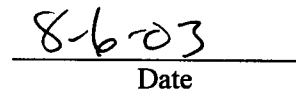
## CERTIFICATE OF LEGAL DESCRIPTION

I hereby certify on behalf of Mr. Greg Ness, the responsible party, the legal description provided below is a true and accurate description of the property located at 975 West Mason Street, Green Bay, Wisconsin.

The Easterly One Hundred One (101) feet of Lot Two (2), except the Southerly Ten (10) feet of the Easterly Eighty-six and Fifty-four One Hundredths (86.54) feet of Lot Two (2), the Easterly One Hundred Two (102) feet of Lot Three (3); the Easterly One Hundred Two and One-half (102 ½) feet of Lot Four (4) and the Easterly One Hundred Three (103) feet of Lot Five (5), all in Block Seventy (70), according to the recorded Plat of C.L.A. Tank's Fifth Addition to Fort Howard, in the City of Green Bay, West Side of Fox River, Brown County, Wisconsin, excepting therefrom parts used for street purposes.

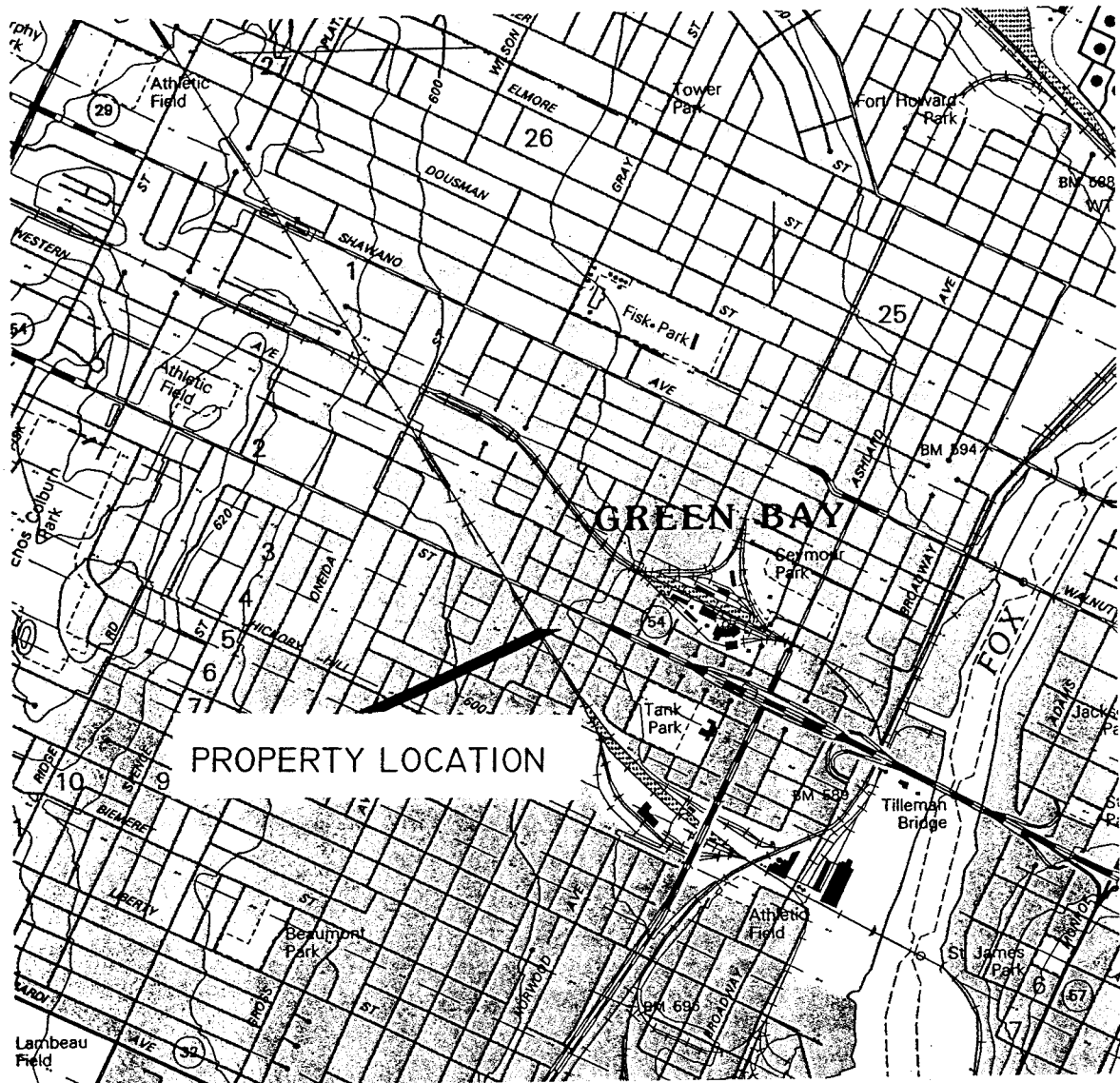
PARCEL I. D. NUMBER 2-585

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Date

## GEOGRAPHIC POSTIONING

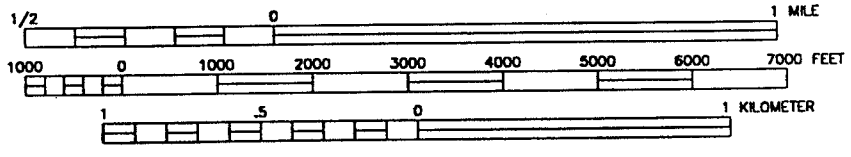
The Geographic Position of the contaminated site boundary based upon the WTM91 Interactive Map is 675897, 450900.



PROPERTY LOCATION

(USGS 1982)  
GREEN BAY WEST QUADRANGLE

SCALE  
1:24000



CONTOUR INTERVAL 10 FEET



**ENVIROGEN**  
COST EFFECTIVE LEADERSHIP FOR A CLEANER ENVIRONMENT

790 Marvella Lane  
Green Bay, Wisconsin 54304

SITE LOCATION MAP  
NESS SERVICE CENTER SITE  
GREEN BAY, WISCONSIN

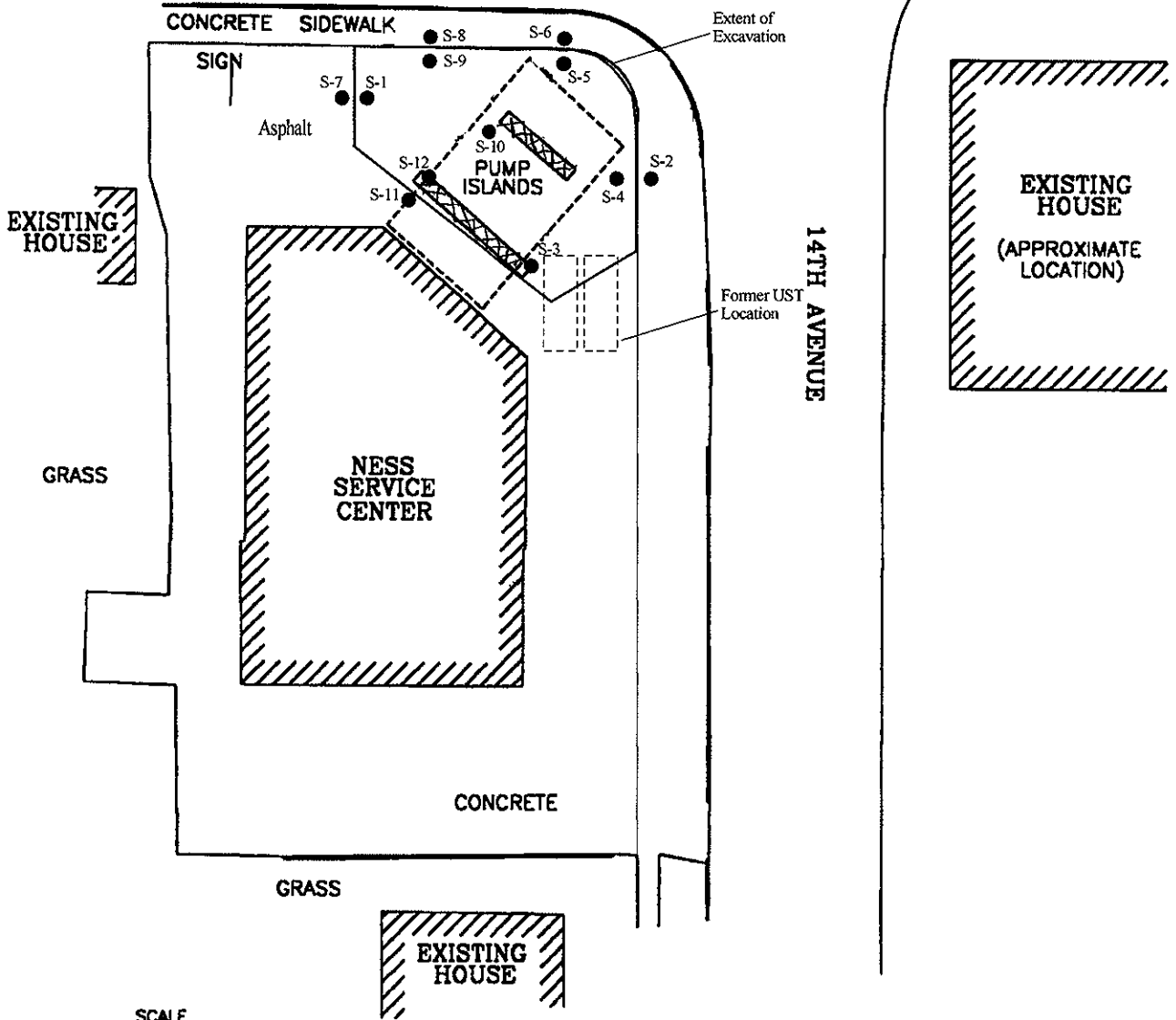
FIGURE NO.  
1

APPROVED BY: <i>Mo</i>	ENGINEER	DATE
CHECKED BY:	ENGINEER	DATE
DRAWN BY: RRT	ENGINEER	DATE
DRAWING NO. 99.423.1	ENGINEER	DATE

POST  
CLOSURE



WEST MASON STREET

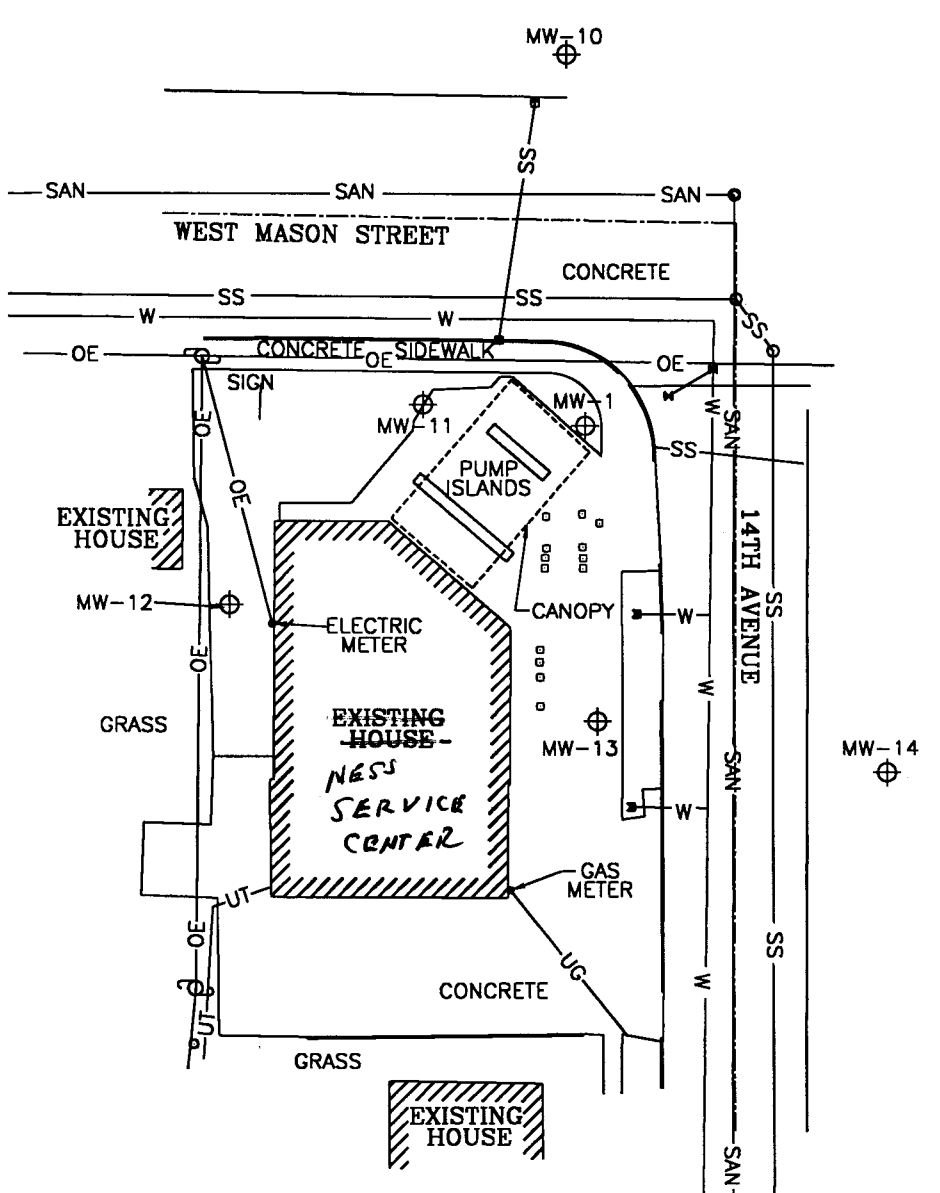
CONCRETE



SCALE

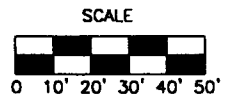


Figure:	Figure 1 Site Detail Map	
Site Location:	Ness Service Center 975 W. Mason Street Green Bay, Wisconsin	
Source:	Envirogen Site Map	Date: December 2010
		Scale: See Scale
		Drawn By: EEM



**LEGEND**

- ⊕ ROAD CENTERLINE
- ⊕ MONITORING WELL
- PUMP ACCESS, FILL RISER, OR EXTRACTION WELL
- ⊕ FIRE HYDRANT
- ⊕ UTILITY POLE
- ⊕ GUY
- SANITARY SEWER MANHOLE
- STORM SEWER INLET
- STORM SEWER MANHOLE
- ⊕ WATER VALVE
- ⊕ WATER STOP BOX
- OE— OVERHEAD ELECTRIC
- SAN— SANITARY SEWER
- SS— STORM SEWER
- UT— UNDERGROUND TELEPHONE
- UG— UNDERGROUND GAS
- W— WATER LINE



**ENVIROGEN**

COST EFFECTIVE LEADERSHIP FOR A CLEANER ENVIRONMENT

790 Marvella Lane  
Green Bay, Wisconsin 54304

SITE PLAN VIEW

NESS SERVICE STATION SITE  
GREEN BAY, WISCONSIN

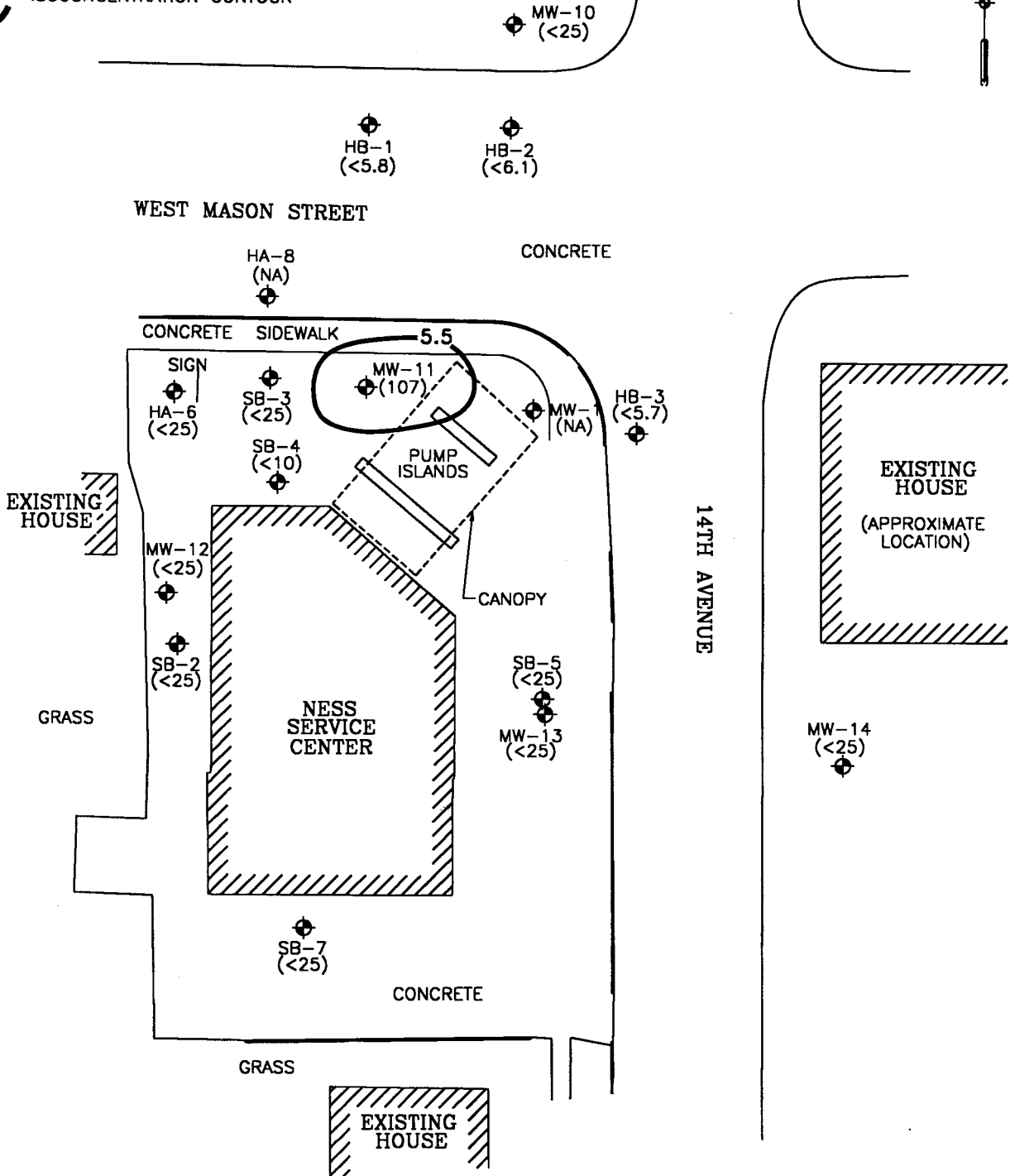
FIGURE NO.  
1

DRAWING NO.	990423.301	DRAWN BY:	KFT	CHECKED BY:	01/09/03
APPROVED BY:		REVISIONS:		ENGINEER:	DATE:

**LEGEND**

⊕ SOIL BORING

5.5 ISOCONCENTRATION CONTOUR



ENGINEER	DATE
ENGINEER	DATE
REVISIONS:	
APPROVED BY:	
CHECKED BY:	
01/09/03	
KFT	
DRAWN BY:	
990423.305	
DRAWING NO.	

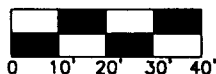


**ENVIROGEN**

COST EFFECTIVE LEADERSHIP FOR A CLEANER ENVIRONMENT

790 Marvella Lane  
Green Bay, Wisconsin 54304

SCALE



SOIL BENZENE DISTRIBUTION

FIGURE NO.

NESS SERVICE STATION SITE  
GREEN BAY, WISCONSIN

5

**LEGEND**

- ⊕ MONITORING WELL
- ( ) BENZENE CONCENTRATION IN ppb
- 5.0 ISOCONCENTRATION CONTOUR



⊕ MW-10  
( $<0.43$ )

WEST MASON STREET

CONCRETE

5.0

CONCRETE SIDEWALK

50

SIGN

MW-11  
(650)

MW-1  
(100)

PUMP ISLANDS

EXISTING HOUSE

MW-12  
( $<0.43$ )

14TH AVENUE

EXISTING HOUSE  
(APPROXIMATE LOCATION)

CANOPY

GRASS

⊕ MW-13  
( $<0.43$ )

NESS SERVICE CENTER

⊕ MW-14  
( $<0.43$ )

CONCRETE

GRASS

EXISTING HOUSE

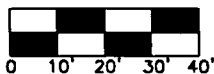


**ENVIROGEN**

COST EFFECTIVE LEADERSHIP FOR A CLEANER ENVIRONMENT

790 Marvella Lane  
Green Bay, Wisconsin 54304

SCALE



GROUNDWATER BENZENE DISTRIBUTION

(04/15/02)

NESS SERVICE STATION SITE  
GREEN BAY, WISCONSIN

FIGURE NO.

2

DATE	ENGINEER	DATE	ENGINEER	REVISIONS:	APPROVED BY:	CHECKED BY:	01/09/03	KFT	DRAWN BY:	9423.302	DRAWING NO.
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**LEGEND**

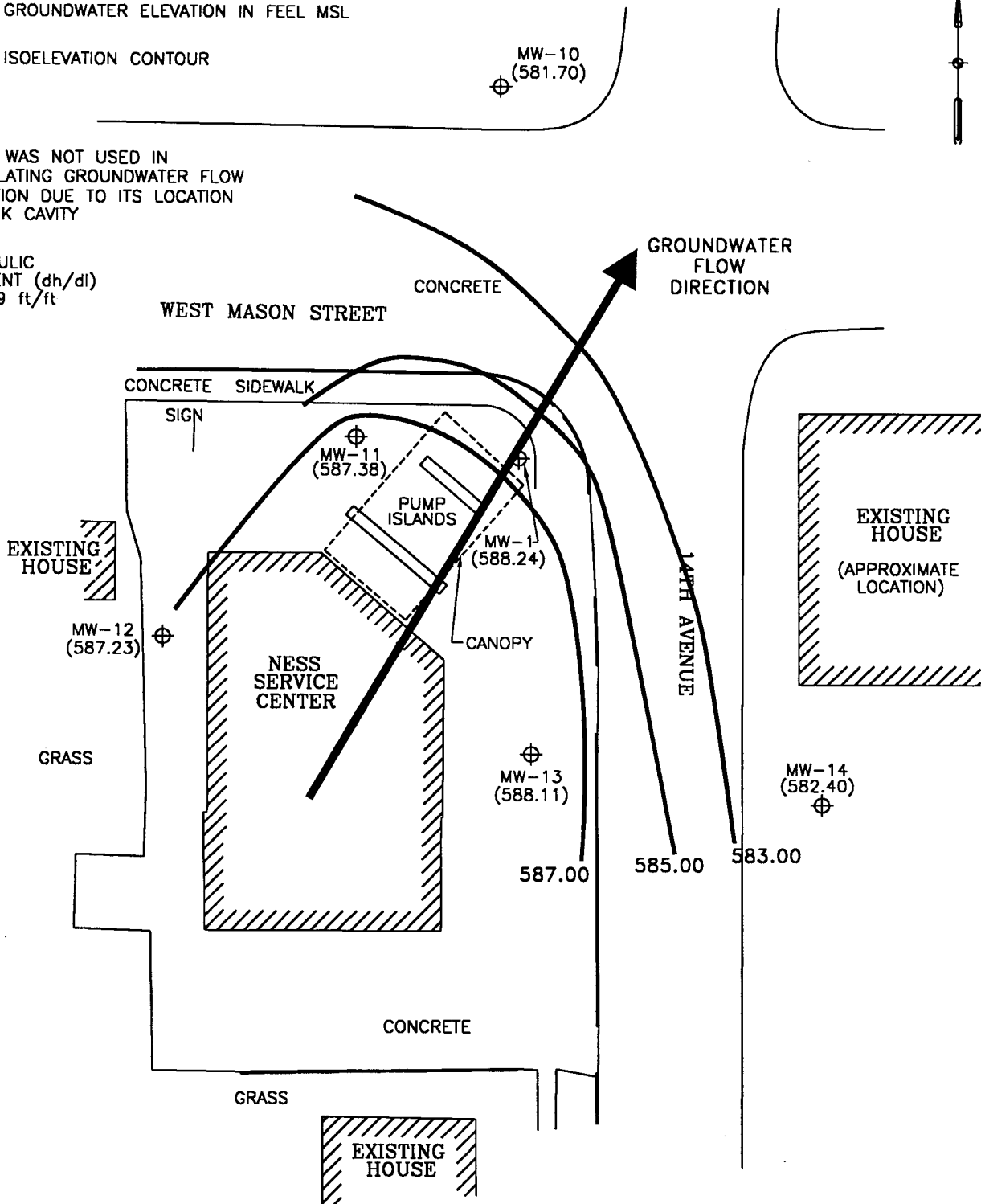
- ⊕ MONITORING WELL
- ( ) GROUNDWATER ELEVATION IN FEEL MSL

587.00 ISOELEVATION CONTOUR

**NOTE:**

MW-1 WAS NOT USED IN CALCULATING GROUNDWATER FLOW DIRECTION DUE TO ITS LOCATION IN TANK CAVITY

HYDRAULIC GRADIENT (dh/dl) = 0.09 ft/ft

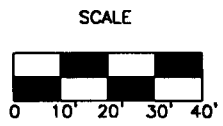


ENGINEER	DATE
ENGINEER	DATE
REVISIONS:	
APPROVED BY:	
CHECKED BY:	
01/09/03	KFT
DRAWN BY:	
990423.303	



**ENVIROGEN**  
 COST EFFECTIVE LEADERSHIP FOR A CLEANER ENVIRONMENT

790 Marvella Lane  
 Green Bay, Wisconsin 54304



POTENTIOMETRIC SURFACE MAP  
 (08/31/01)  
 NESS SERVICE STATION SITE  
 GREEN BAY, WISCONSIN

FIGURE NO.  
**3**

**LEGEND**

- ⊕ MONITORING WELL
- ( ) GROUNDWATER ELEVATION IN FEEL MSL

587.00 ISOELEVATION CONTOUR

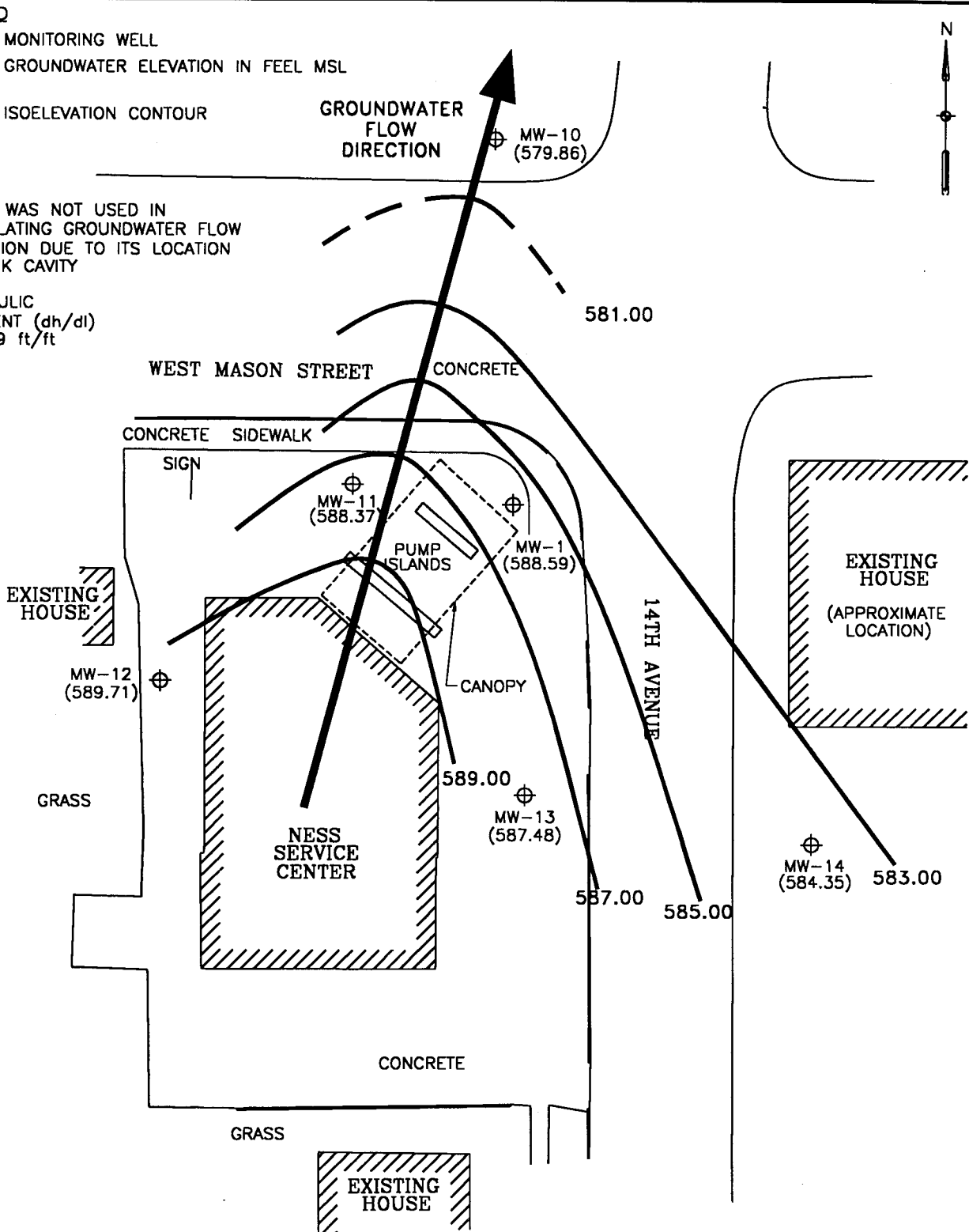
GROUNDWATER FLOW DIRECTION



**NOTE:**

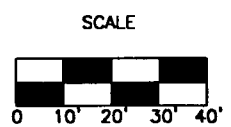
MW-1 WAS NOT USED IN CALCULATING GROUNDWATER FLOW DIRECTION DUE TO ITS LOCATION IN TANK CAVITY

HYDRAULIC GRADIENT (dh/dl) = 0.09 ft/ft



DATE	
ENGINEER	
DATE	
ENGINEER	
REVISIONS:	
APPROVED BY:	
CHECKED BY:	
06/25/02	
KFT	
DRAWN BY:	
990423.304	

**ENVIROGEN**  
 COST EFFECTIVE LEADERSHIP FOR A CLEANER ENVIRONMENT  
 790 Marvella Lane  
 Green Bay, Wisconsin 54304



POTENTIOMETRIC SURFACE MAP  
 (04/15/02)  
 NESS SERVICE STATION SITE  
 GREEN BAY, WISCONSIN

FIGURE NO.  
**4**

POST  
CLOSURE

Table 1  
Soil Sample Laboratory Analytical Results  
Ness Service Center, 975 W. Mason Street  
Green Bay, Wisconsin

Sample ID	Sample Date	Sample Interval (ft bgs)	PID (ppm eq)	GRO	Benzene	Ethyl-benzene	MTBE	Naphthalene	Toluene	Total Xylenes	1,2,4-TMB	1,3,5-TMB
<b>Excavation Closure Samples- South of On Site Building</b>												
S-1 W Base	12/7/2010	9	115.0	28.9	<b>2,570.0</b>	171.0	67.7	102.0	70.9	1,011.9	580.0	55.8J
S-2 E Sidewall	12/7/2010	4	1,350.0	<b>1,590.0</b>	<b>11,800.0</b>	<b>34,900.0</b>	764J	7,950.0	<b>73,100.0</b>	<b>139,100.0</b>	67,200.0	23,100.0
S-3 S Base	12/7/2010	9	118.0	14.5	<b>394.0</b>	307.0	<25.0	605.0	<25.0	155.0	65.5J	113.0
S-4 E Base	12/7/2010	9	244.0	77.9	<b>1,480.0</b>	<b>3,270.0</b>	68.6	1,270.0	284.0	3,796.0	3,430.0	1,090.0
S-5 NE Base	12/7/2010	9	135.0	75.8	<b>1,380.0</b>	1,070.0	60.4J	765.0	1,410.0	<b>4,780.0</b>	3,700.0	1,340.0
S-6 NE Sidewall	12/7/2010	4	721.0	<b>234.0</b>	<b>3,060.0</b>	<b>5,760.0</b>	74.7J	3,260.0	<b>10,700.0</b>	<b>23,140.0</b>	13,500.0	4,680.0
S-7 W Sidewall	12/7/2010	4	146.0	33.3	<b>251.0</b>	1,580.0	<25.0	935.0	101.0	<b>4,697.0</b>	2,950.0	881.0
S-8 NE Sidewall	12/7/2010	4	721.0	<b>146.0</b>	<b>2,620.0</b>	<b>4,520.0</b>	61.2J	2,230.0	<b>7,310.0</b>	<b>15,350.0</b>	8,020.0	2,520.0
S-9 NW Base	12/7/2010	9	34.3	8.7	<b>140.0</b>	67.6J	34.3J	38.5J	31.3J	250.6	204.0	87.8
S-10 Center Base	12/7/2010	9	53.8	4.0	<25.0	104.0	<25.0	62.2J	73.3	534.0	320.0	103.0
S-11 SW Sidewall	12/7/2010	4	2,507.0	<b>1,110.0</b>	<250	<b>14,500.0</b>	<250	7,590.0	763.0	<b>71,200.0</b>	51,500.0	19,200.0
S-12 SW Base	12/7/2010	9	13.8	<2.8	<25.0	31.7J	<25.0	<25.0	37.2J	152.2J	78.4	<25.0
<b>NR 720.09 RCLs</b>				<b>100</b>	<b>5.5</b>	<b>2,900</b>	<b>NS</b>	<b>NS</b>	<b>1,500</b>	<b>4,100</b>	<b>NS</b>	<b>NS</b>
NR 746.06 Table 1 (free product indicator)				NS	8,500	4,600	NS	2,700	38,000	42,000	83,000	11,000
NR 746.06 Table 2 (direct contact standard)				NS	1,100	NS	NS	NS	NS	NS	NS	NS

Notes:

All concentrations reported in parts per billion, except GRO is reported in parts per million

**Bold value** represents an exceedence of the WDNR NR720 Generic Soil Standard

bgs: below ground surface  
ppm eq: part per million equivalent  
DRO: diesel range organics  
GRO: gasoline range organics  
TMB: trimethylbenzene  
MTBE: methyl tert-butyl ether  
NA: not analyzed/not applicable  
NS: no standard  
WDNR: Wisconsin Department of Natural Resources

J: Estimated concentration above the adjusted method detection limit and below the adjusted reporting limit.

**TABLE 1**  
**Soil Sample Laboratory Analytical Results**  
**Ness Service Center Site**  
**Green Bay, Wisconsin**

Sample	Date	Sample Depth (feet bls)	PID (ppmv)	DRO (ppm)	GRO (ppm)	Benzene	Ethyl-benzene	MTBE	Naphthalene	Toluene	1,2,4-TMB	1,3,5-TMB	Total Xylenes	Lead (ppm)
MW-10	9/26/00	11-13	<10	<5.7	<5.7	<25	<25	<25	<5.8	<25	<25	<25	<25	5.19
MW-10	9/26/00	15-17	<10	<5.9	<5.9	<25	<25	<25	<5.7	<25	<25	<25	<25	5.01
MW-11	9/26/00	7-9	256	8.59	68.4	<b>107</b>	1,290	91.9	80.3	1,340	3,590	1,210	<b>5,190</b>	2.46
MW-11	9/26/00	13-15	66.4	<5.9	<5.9	<25	<25	<25	<5.9	<25	<25	<25	<25	4.40
MW-12	9/26/00	9-11	<10	<5.7	<5.7	<25	<25	<25	<5.7	<25	61.2	<25	80.1	5.51
MW-12	9/26/00	15-17	<10	<5.9	<5.9	<25	<25	<25	<6.2	<25	<25	34.7	25.1	4.37
MW-13	9/26/00	5-7	<10	6.72	9.07	<25	170	<25	<7.0	118	634	199	694	6.11
MW-13	9/26/00	15-17	<10	<5.8	<5.8	<25	<25	<25	<5.9	<25	<25	<25	<25	4.95
MW-14	9/26/00	11-13	<10	<5.8	<5.8	<25	<25	<25	<5.8	<25	<25	<25	<25	4.10
MW-14	9/26/00	15-17	<10	<5.8	<5.8	<25	<25	<25	<5.9	<25	<25	<25	<25	3.18
NR 720 Generic Soil Standard				100	100	5.5	2,900	NS	NS	1,500	NS	NS	4,100	50

Notes: All results are reported in ppb, unless otherwise noted  
**Bold** indicates value equals or exceeds the NR720 generic soil standard

bls:	Below land surface	MTBE:	Methyl t-butyl ether
PID:	Photoionization detector	TMB:	Trimethylbenzene
DRO:	Diesel Range Organics	NA:	Not analyzed
GRO:	Gasoline Range Organics	NS:	No standard
DCA:	Dichloroethane		

Checked by: \_\_\_\_\_  
Approved by: \_\_\_\_\_

TABLE 1

**Soil Sample Laboratory Analytical Results  
Robert E. Lee and Associates Soil Borings  
Ness Service Center Site  
Green Bay, Wisconsin**

Sample	Date	Sample Depth (feet bls)	DRO (ppm)	GRO (ppm)	Benzene	Ethyl-benzene	Toluene	Total Xylenes	MTBE	Naphthalene	1,2,4-TMB	1,3,5-TMB	Lead (ppm)	
HB-1	3/29/95	5-6	<10	<10	<5.8	<5.8	<5.8	<17.8	<5.8	<0.33	<5.8	<5.8	6.96	
HB-2		4-5	<10	<10	<6.1	<6.1	<6.1	<18.1	<6.1	<0.33	<6.1	<6.1	3.57	
HB-3		4.5-5	<10	50	<5.7	780	370	<b>4,200</b>	31	<0.33	5,300	1,900	4.27	
SB-2*	5/9-11/95 & 8/18/95	6-8	<10	<10	<25	<25	<25	<75	<25	<25	<25	<25	3.51	
SB-3*		6-8	22	26	<25	<25	170	<75	<50	<25	<25	<25	3.22	
SB-4*		2-4	<10	<10	<25	<25	<25	<75	<25	<25	<25	<25	2.49	
SB-5*		4-6	<10	<10	<25	<25	<25	<75	<25	<25	<25	<25	3.74	
SB-7*		4-6	<10	<10	<25	<25	<25	<75	<25	<25	<25	<25	3.35	
HA-6*		4-5	<10	<10	<25	<25	<25	<75	<25	<25	<25	<25	2.60	
HA-8*		4-5	10	12	NA	NA	NA	NA	NA	NA	NA	NA	2.25	
NR 720 Generic Soil Standards			100	100	5.5	2,900	1,500	4,100	NS	NS	NS	NS	50	

Notes: All results are reported in ppb, unless otherwise noted

**Bold** indicates sample value equals or exceeds the NR 720 generic soil standard.

bls: below land surface

DRO: Diesel range organics

GRO: Gasoline range organics

MTBE: Methyl t-butyl ether

TMB: Trimethylbenzene

NA: Not analyzed

NS: No standard

Checked by: \_\_\_\_\_

Approved by: \_\_\_\_\_

**TABLE 2**  
**Groundwater Sample Laboratory Analytical Results**  
**Ness Service Center Site**  
**Green Bay, Wisconsin**

Well	Sample Date	DRO	GRO	Benzene	1,2-DCA	Ethyl-benzene	MTBE	Naphthalene	Toluene	1,2,4-TMB	1,3,5-TMB	Total Xylenes	Dissolved Lead
MW-1	10/24/00	1.17	3,740	<b>187</b>	<0.5	<i>105</i>	<0.1	<b>45</b>	<5	23.2	48.1	67	NA
	11/30/00	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
	5/8/01	NA	1,200	<b>32</b>	NA	<i>94</i>	<i>13</i>	<i>16</i>	<i>2</i>	<i>12</i>	<i>2.3</i>	<i>14</i>	NA
	12/10/01	NA	NA	<b>38</b>	NA	<i>63</i>	<i>12</i>	<i>14</i>	<i>2.5</i>	<i>0.82</i>	<i>0.62</i>	<i>5.2</i>	NA
	4/15/02	NA	NA	<b>100</b>	NA	<i>150</i>	<i>43</i>	<i>32</i>	<i>6</i>	<i>18</i>	<i>3</i>	<i>34</i>	NA
MW-10	10/24/00	DRY	DRY	DRY	DRY	DRY	DRY	DRY	DRY	DRY	DRY	DRY	DRY
	11/30/00	DRY	DRY	DRY	DRY	DRY	DRY	DRY	DRY	DRY	DRY	DRY	DRY
	5/8/01	NA	NA	<0.21	<0.23	<0.22	<0.46	<0.69	<0.41	<0.26	<0.34	<0.69	NA
	12/10/01	NA	NA	<0.21	NA	<i>0.3</i>	<0.46	NA	<0.41	<i>0.51</i>	<i>0.42</i>	<i>2.2</i>	NA
	4/15/02	NA	NA	<0.43	NA	<0.49	<0.49	NA	<0.63	<0.42	<0.72	<1.5	NA
MW-11	10/24/00	1.22	12,100	<b>1,460</b>	<12.3	<i>322</i>	<2.53	<20	<b>4,470</b>	<b>191</b>	<b>546</b>	<b>2,800</b>	NA
	11/30/00	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
	5/8/01	NA	2,400	<b>860</b>	NA	<i>220</i>	<i>12</i>	<i>18</i>	<i>13</i>	<b>46</b>	<i>47</i>	<i>110</i>	NA
	12/10/01	NA	NA	<b>800</b>	NA	<i>88</i>	<i>11</i>	<i>14</i>	<i>7</i>	<i>15</i>	<i>3.7</i>	<i>36.5</i>	NA
	4/15/02	NA	NA	<b>650</b>	NA	<i>210</i>	<i>16</i>	<i>20</i>	<i>47</i>	<i>48</i>	<7.2	<i>86</i>	NA
MW-12	10/24/00	<0.1	<50	<0.5	<0.5	<5	<0.1	<8	<5	<5	<5	<5	NA
	11/30/00	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
	5/8/01	NA	<100	<0.21	NA	<i>0.32</i>	<0.46	NA	<0.41	<0.26	<0.34	<0.69	NA
	12/10/01	NA	NA	<0.21	NA	<0.22	<0.46	NA	<0.41	<i>0.63</i>	<i>0.37</i>	<i>1.31</i>	NA
	4/15/02	NA	NA	<0.43	NA	<0.49	<0.49	NA	<0.63	<0.42	<0.72	<1.5	NA
MW-13	10/24/00	<0.1	<50	<0.5	<0.5	<5	5.87	<8	<5	<5	<5	<5	NA
	11/30/00	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
	5/8/01	NA	<100	<0.21	NA	<0.22	<i>2.4</i>	NA	<0.41	<0.26	<0.34	<0.69	NA
	12/10/01	NA	NA	<0.21	NA	<i>0.37</i>	<i>1.2</i>	NA	<0.41	<i>1.4</i>	<i>.65</i>	<i>2.85</i>	NA
	4/15/02	NA	NA	<0.43	NA	<0.49	<i>1.1</i>	NA	<0.63	<0.42	<0.72	<1.5	NA
MW-14	10/24/00	DRY	DRY	DRY	DRY	DRY	DRY	DRY	DRY	DRY	DRY	DRY	DRY
	11/30/00	NA	<50	<0.5	<0.5	NA	<0.5	<8	<5	<5	<5	<5	NA
	5/8/01	NA	<100	<0.21	NA	<0.22	<0.46	NA	<0.41	<0.26	<0.34	<0.69	NA
	12/10/01	NA	NA	<0.21	NA	<i>0.33</i>	<0.46	NA	<0.41	<i>1</i>	<i>0.51</i>	<i>2.31</i>	NA
	4/15/02	NA	NA	<0.43	NA	<0.49	<0.49	NA	<0.63	<0.42	<0.72	<1.5	NA
NR 140 ES		NS	NS	5	5	700	60	40	1,000	480*		10,000	15
NE 140 PAL		NS	NS	0.5	0.5	140	12	8	200	96*		1,000	1.5

Notes: All results are reported in ppb, unless otherwise noted  
**Bold** indicates value equals or exceeds the NR 140 Enforcement Standards.  
*Italics* indicates value equals or exceeds the NR 140 Preventive Action Limit.

(\*): NR 140 Enforcement Standard and NR 140 Preventive Action Limit based on total TMB concentrations.  
DRO: Diesel Range Organics                      NA: Not Analyzed  
GRO: Gasoline Range Organics                NS: No Standard  
DCA: Dichloroethane                            ES: Enforcement Standard  
MTBE: Methyl t-butyl ether                    PAL: Preventive Action Limit  
TMB: Trimethylbenzene

Checked by: \_\_\_\_\_  
Approved by: \_\_\_\_\_

**TABLE 3  
Groundwater Elevation Data  
Ness Service Center Site  
Green Bay, Wisconsin**

<b>Well</b>	<b>Top-of-Casing Elevation</b>	<b>Top-of-Screen Elevation</b>	<b>Date</b>	<b>Top-of-Casing to Water (feet)</b>	<b>Groundwater Elevation</b>
MW-1	590.67	588.17	10/24/00	4.01	586.66
			11/30/00	NA	NA
			5/8/01	2.25	588.42
			8/31/01	2.43	588.24
			12/10/01	2.93	587.74
			3/6/02	2.92	587.75
			4/15/02	2.08	588.59
MW-10	590.56	583.06	10/24/00	DRY	DRY
			11/30/00	DRY	DRY
			5/8/01	6.25	584.31
			8/31/01	8.86	581.70
			12/10/01	9.51	581.05
			3/6/02	NA	NA
			4/15/02	10.70	579.86
MW-11	590.94	585.54	10/24/00	5.02	585.92
			11/30/00	4.75	586.19
			5/8/01	2.34	588.60
			8/31/01	3.56	587.38
			12/10/01	2.79	588.15
			3/6/02	NA	NA
			4/15/02	2.57	588.37
MW-12	592.04	584.54	10/24/00	6.00	586.04
			11/30/00	5.90	586.14
			5/8/01	1.13	590.91
			8/31/01	4.81	587.23
			12/10/01	4.40	587.64
			3/6/02	NA	NA
			4/15/02	2.33	589.71
MW-13	591.12	583.72	10/24/00	6.15	584.97
			11/30/00	5.35	585.77
			5/8/01	3.95	587.17
			8/31/01	3.01	588.11
			12/10/01	3.40	587.72
			3/6/02	NA	NA
			4/15/02	3.64	587.48
MW-14	591.06	583.96	10/24/00	DRY	DRY
			11/30/00	16.53	574.53
			5/8/01	6.63	584.43
			8/31/01	8.66	582.40
			12/10/01	7.47	583.59
			3/6/02	NA	NA
			4/15/02	6.71	584.35

Notes:

NA:

Not analyzed

Checked by: \_\_\_\_\_

Approved by: \_\_\_\_\_



RIGHT-OF-WAY

790 Marvella Lane  
Green Bay, WI 54304

Tel: 920/497-8910  
Fax: 920/497-8065  
www.envirogen.com

January 29, 2003

Mr. Carl Weber  
Green Bay City Engineering Department  
Room 300 City Hall  
100 N. Jefferson Street  
Green Bay, Wisconsin 54301

**Re: The Ness Service Center site  
975 West Mason Street  
Envirogen Project No. 990423  
PECFA ID No. 54303-1765-75  
WDNR ID No. 03-05-00017**

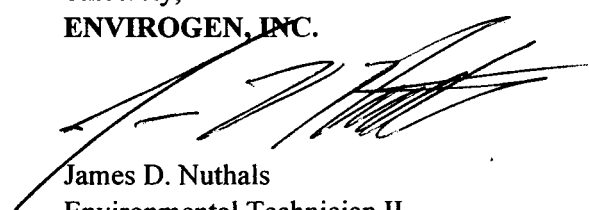
Dear Mr. Weber:

Envirogen, Inc. (Envirogen) submitted a Site Investigation Report/Closure Assessment Report (SIR/CAR) to the Wisconsin Department of Commerce (COMM) for closure review of the above referenced site. Data from Envirogen's SIR/CAR indicate that residual soil and groundwater petroleum contamination remains within the Mason Street right-of-way of 975 West Mason Street, City of Green Bay, Brown County, Wisconsin. COMM is requiring that Envirogen notify the City of Green Bay that residual petroleum contamination does exist in the right-of-way of these properties.

The residual petroleum contamination does not pose a threat to public health, safety or welfare, or the environment. Remaining soil contamination is located at depth or beneath asphalt and is inaccessible to direct human contact. Routes of contaminant exposure to negatively affect human health of the environment are minimal. If the land use conditions change in the future and contaminated soil is disturbed, appropriate measures must be implemented to ensure any residual contamination is managed following all applicable State of Wisconsin regulations and standards.

If you have any questions please do not hesitate to contact me at (920) 497-8910.

Sincerely,  
**ENVIROGEN, INC.**



James D. Nuthals  
Environmental Technician II

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RIGHT-OF-WAY



TITLETOWN USA

Law Department

Timothy J. Kelley  
City Attorney

January 20, 2003

Envirogen  
Attn: James D. Nuthals  
790 Marvella Lane  
Green Bay, WI 54304

RE: 975 West Mason Street, Green Bay, WI (Ness Service Center)  
PECFA Claim No. 54303-1765-75; WDNR ID No. 03-05-00017

Dear Mr. Nuthals:

Your letter dated January 3, 2003, addressed to Carl Weber of our Public Works Department has been forwarded to me for review. The City of Green Bay acknowledges the potential for petroleum contamination in City right-of-way in the area of 975 West Mason Street, Green Bay, WI. We understand that appropriate health and safety precautions may need to be instituted in the event that the petroleum-impacted soil and groundwater is exposed in the future.

This letter is written as a service to the property owner at 975 West Mason Street, Green Bay, Wisconsin, to help obtain closure to the site from the Wisconsin Department of Natural Resources. This letter is not intended to act as a bar to any claim or suit against any party as a result of possible petroleum contamination beneath the 975 West Mason Street right-of-way. If the City of Green Bay is in the future required to investigate, cleanup, remove, or otherwise remediate under any Federal, State, or Local rule, then the City of Green Bay may seek reimbursement and indemnification or contribution for its costs from any responsible party.

Sincerely,

Jerry H. Hanson  
Assistant City Attorney

JHH/lm

cc: Tom Giese