



February 1, 2018

Leslie Stumpf  
c/o Corey Stumpf  
PO Box 1737  
3030 W. College Ave.  
Appleton, WI 54912

**KEEP THIS DOCUMENT WITH YOUR PROPERTY RECORDS**

**SUBJECT:** Case Closure Addendum – Post Closure Modifications  
Malchow Property (Former), 3221/3223 W. College Ave., TN of Grand Chute, WI  
DNR BRRTS Activity #: 02-45-228649

Dear Mr. Stumpf:

On April 11, 2017, the Department of Natural Resources (DNR) received a *Post-Closure Modification Plan* prepared by McMahon Associates, Inc. ("McMahon") and submitted to the DNR on behalf of Leslie F. Stumpf along with the \$1,050 site modification fee and \$300 soil database fee in accordance with ch. NR 749, Wis. Adm. Code.

The *Post-Closure Modification Plan* described the redevelopment activities proposed to occur on three parcels in the Town of Grand Chute, Outagamie County, Wisconsin:

- 3225 West College Avenue (Former Hardees, BRRTS #03-45-182502),
- 3221/3223 West College Avenue (Malchow Property (Former), BRRTS #02-45-228649), and
- 130 South Bluemound Drive (Ponderosa Restaurant, BRRTS #07-45-231415).

The three parcels at 3225 West College Avenue, 3221/3223 West College Avenue and 130 South Bluemound Drive were combined into Lot 1 of Certified Survey Map (CSM) 7311 and addressed as 3225 West College Avenue (completed in advance of application).

The following redevelopment activities proposed in the *Post-Closure Modification Plan* are specific to the former 3221/3223 West College Avenue footprint (Malchow Property (Former), BRRTS #02-45-228649):

- Remove the asphalt cap over residual soil and groundwater contamination;
- Excavate a portion of residual contaminated soil for grading purposes;
- Replace the asphalt cap over residual soil and groundwater contamination.

The DNR issued a *Notice to Proceed-Post Closure Modification Plan* on April 21, 2017 to move forward with the proposed redevelopment.

DNR received a *Soil Management Documentation and Cap Replacement Report* by McMahon dated October 11, 2017 documenting activities for the entire redevelopment project on October 17, 2017. After review of the documentation, DNR requested revisions to the Cover Maintenance Plan. The DNR received a *Revised Cover Maintenance Plan* dated January 2018 on January 22, 2018 which incorporates covers over residual contamination for both BRRTS #02-45-228649 and BRRTS #03-45-182502. The January 2018 *Revised Cover Maintenance Plan*, attached to this letter, is now in effect and replaces the December 2011 *Cover Maintenance Plan* required for BRRTS #02-45-228649.

Redevelopment activities and continuing obligations specific to the original 3225 West College Avenue footprint (Former Hardees, BRRTS #03-45-182502) are addressed under separate cover.

The DNR issued a final closure letter under ch. NR 726, Wis. Adm. Code for BRRTS #02-45-228649 on January 6, 2012, which included a list of prohibited activities and continuing obligations for:

- residual groundwater contamination,
- residual soil contamination,
- a lost monitoring well,
- a cap maintenance plan over residual contamination, and
- a requirement to contact the DNR in advance of construction due to the potential for vapor intrusion.

All conditions outlined in the January 6, 2012 *Final Case Closure with Continuing Obligations* letter for the Malchow Property (Former) case, BRRTS #02-45-228649, are still in effect.

Note that annual inspection of the asphalt cover is a continuing obligation. The *Continuing Obligations Inspection and Maintenance Log* (Form 4400-303) included in the January 2018 *Revised Cover Maintenance Plan* must be maintained and a copy provided to the DNR upon request.

This site remains included on the Bureau for Remediation and Redevelopment Tracking System (BRRTS on the Web) at <http://dnr.wi.gov/topic/Brownfields/wrrd.html>, to provide public notice of residual contamination and of any continuing obligations. The site can also be viewed on the Remediation and Redevelopment Sites Map (RRSM), a map view, under the Geographic Information System (GIS) Registry layer, at the same web address.

The DNR appreciates your efforts to accurately document redevelopment activities and your continued maintenance and annual inspection of the required cover. If you have any questions regarding this letter or future site work, please contact Jennifer Borski in Oshkosh by calling 920-424-7887, or by email at [jennifer.borski@wisconsin.gov](mailto:jennifer.borski@wisconsin.gov).

Sincerely,



Roxanne N. Chronert  
Team Supervisor, Northeast Region  
Remediation & Redevelopment Program

Attachment: January 2018 *Revised Cover Maintenance Plan*

Cc: Stuart Boerst, McMahon Associates, Inc., [sboerst@mcmgrp.com](mailto:sboerst@mcmgrp.com)

## REVISED COVER MAINTENANCE PLAN

January 2018

**Property Located At:** 3225 W. College Avenue | Town of Grand Chute, Outagamie County, WI

**WDNR BRRTS/Activity** #02-45-228649 (Former Malchow Property)  
#03-45-182502 (Former Hardees)

**Legal Description:** SW¼, SW¼, Section 28, T21N, R17E, Lot 1 of CSM 7311

**Parcel Identification #** 101113702

**Acres:** 2.02

### Introduction

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

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

1. The case file in the DNR Northeast Region Office.
2. At <http://dnr.wi.gov/topic/Brownfields/wrrd.html>, which includes:
  - a. BRRTS on the Web (DNR's internet based data base of contaminated sites) for the link to a PDF for site-specific information at the time of closure and on continuing obligations;
  - b. RR Sites Map for a map view of the site.
3. The DNR project manager for Outagamie County.

### Description of Contamination

Former Malchow Property - The extent of the soil and groundwater contamination is shown on the attached maps: Figure 4 by Alpha Terra, Figure 7 by OMNI and Figure 1 by McMahon Associates, Inc. Unsaturated soil contaminated by past dry cleaning operations (former Malchow property) is located on-site at soil samples SB4-2, E1, E3, E4, E7, E8, E12, E13, GP-09/3.3', GP-10/2.4' and GP-11/1.6'. Groundwater contaminated by chlorinated solvents is located at the water table at MW-2, SMW3, SMW4, SMW5, SMW10 and SMW-9 and to a depth of 30 feet at SP4.

## REVISED COVER MAINTENANCE PLAN

January 2018 | WDNR BRRTS/Activity #02-45-228649 and #03-45-182502

Page 2

Former Hardees Site – Soil sample locations are shown on Figure 1 by McMahon Associates, Inc. Unsaturated petroleum contaminated soil exists in the former dispenser pump island locations in areas outside the excavation area that occurred in March 1999. Soil samples S5, S12, S13, S17 and S18 collected from the walls of the final excavation (13 feet deep) contain some petroleum volatile organic compounds (PVOs) above the Chapter NR 720 Non-Industrial Contact Residual Contaminant Levels (RCLs) and/or Groundwater RCLs.

### **Description of the Cover to be Maintained**

The cover consists of an asphalt parking lot (replaced new in 2017). The cap exists in two locations. The first encompasses the entire former 3223 W. College Avenue property. The second area is a small area associated with the former Hardees leaking underground storage tank (LUST) system, specifically the former dispenser island areas. Both cap areas are shown on Figure 1.

### **Cover Purpose**

The asphalt cover over the contaminated soil and groundwater serve as an infiltration barrier to minimize future soil-to-groundwater contamination migration that would violate the groundwater standards in ch. NR 140, Wisconsin Administrative Code. Based on the current and future use of the property, the new asphalt cover should function as intended unless disturbed.

### **Annual Inspection**

The two asphalt covers overlying the contaminated soil and groundwater on-site and as depicted on Figure 1 will be inspected once a year, normally in the spring after all snow and ice is gone, for deterioration, cracks and other potential problems that can cause additional infiltration into underlying soils. The inspections will be performed by the property owner or their designated representative. The inspections will be performed to evaluate damage due to settling, exposure to the weather, wear from traffic, increasing age and other factors. Any area where soils have become or are likely to become exposed and where infiltration from the surface will not be effectively minimized will be documented. A Form 4400-305 (log) must be completed during each inspection. The log will include recommendations for necessary repair of any areas where underlying soils are exposed and where infiltration from the surface will not be effectively minimized. Once repairs are completed, they will be documented in the inspection log. A copy of the inspection log will be kept at 3225 W. College Avenue and available for submittal or inspection by WDNR representatives upon their request.

### **Maintenance Activities**

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

## REVISED COVER MAINTENANCE PLAN

January 2018 | WDNR BRRTS/Activity #02-45-228649 and #03-45-182502

Page 3

In the event the asphalt cover overlying the contaminated groundwater and soil on-site is removed or replaced, the replacement cover must be equally impervious. Any replacement cover will be subject to the same maintenance and inspection guidelines as outlined in this Cover Maintenance Plan unless indicated otherwise by the DNR or its successor.

The property owner, in order to maintain the integrity of the asphalt cover, will maintain a copy of this Cover Maintenance Plan at 3225 W. College Avenue and make it available to all interested parties (i.e. DNR, on-site employees, contractors, future property owners, etc.) for viewing.

### **Prohibition of Activities and Notification of WDNR Prior to Actions Affecting a Cover**

The following activities are prohibited on any portion of the property where the asphalt cover is required as shown on the attached map (Figure 1), unless prior written approval has been obtained from the WDNR: 1) removal of the existing cover; 2) replacement with another cover; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; 6) construction or placement of a building or other structure; or 7) changing the use or occupancy of the property to a residential exposure setting, which may include certain uses, such as single or multiple family residences, a school, daycare, senior center, hospital, or similar residential exposure settings.

If removal, replacement or other changes to a cover, or a building which is acting as a cover, are considered, the property owner will contact DNR at least 45 days before taking such an action, to determine whether further action may be necessary to protect human health, safety, or welfare or the environment, in accordance with s. NR 727.07, Wis. Adm. Code.

### **Amendment or Withdrawal of Cover Maintenance Plan**

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

*[Reminder of the page left blank intentionally.]*

**REVISED COVER MAINTENANCE PLAN**

January 2018 | WDNR BRRTS/Activity #02-45-228649 and #03-45-182502

Page 4

**Contact Information – January 2018**

**Site Owner:**

Leslie F. Stumpf  
Les Stumpf Ford  
3030 W. College Avenue  
Appleton, WI 54914  
Phone: (920) 731-5211

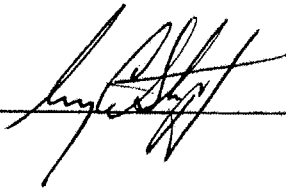
**Consultant:**

Stuart A. Boerst, P.S.S., P.H.  
McMahon Associates, Inc.  
1445 McMahon Drive  
Neenah, WI 54956  
Phone: (920) 751-4200

**WDNR:**

Jennifer Borski  
Remediation &  
Redevelopment Program  
625 E. County Road 'Y', Suite 700  
Oshkosh, WI 54901-9731  
Phone: (920) 424-7887

Signature: \_\_\_\_\_



Date: \_\_\_\_\_

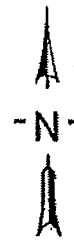
1-18-18

- Attachments: Figure 1 - Cap Maintenance Areas – McMahon  
Figure 4 - Remedial Excavation Soil Chemistry, October 11, 2005 – Alpha Terra  
Figure 7 - Approximate Extent of Groundwater Contamination (10/22/08) – Omni  
Form 4400-305

SMW4



Approximate Extent of Remaining Soil Contamination



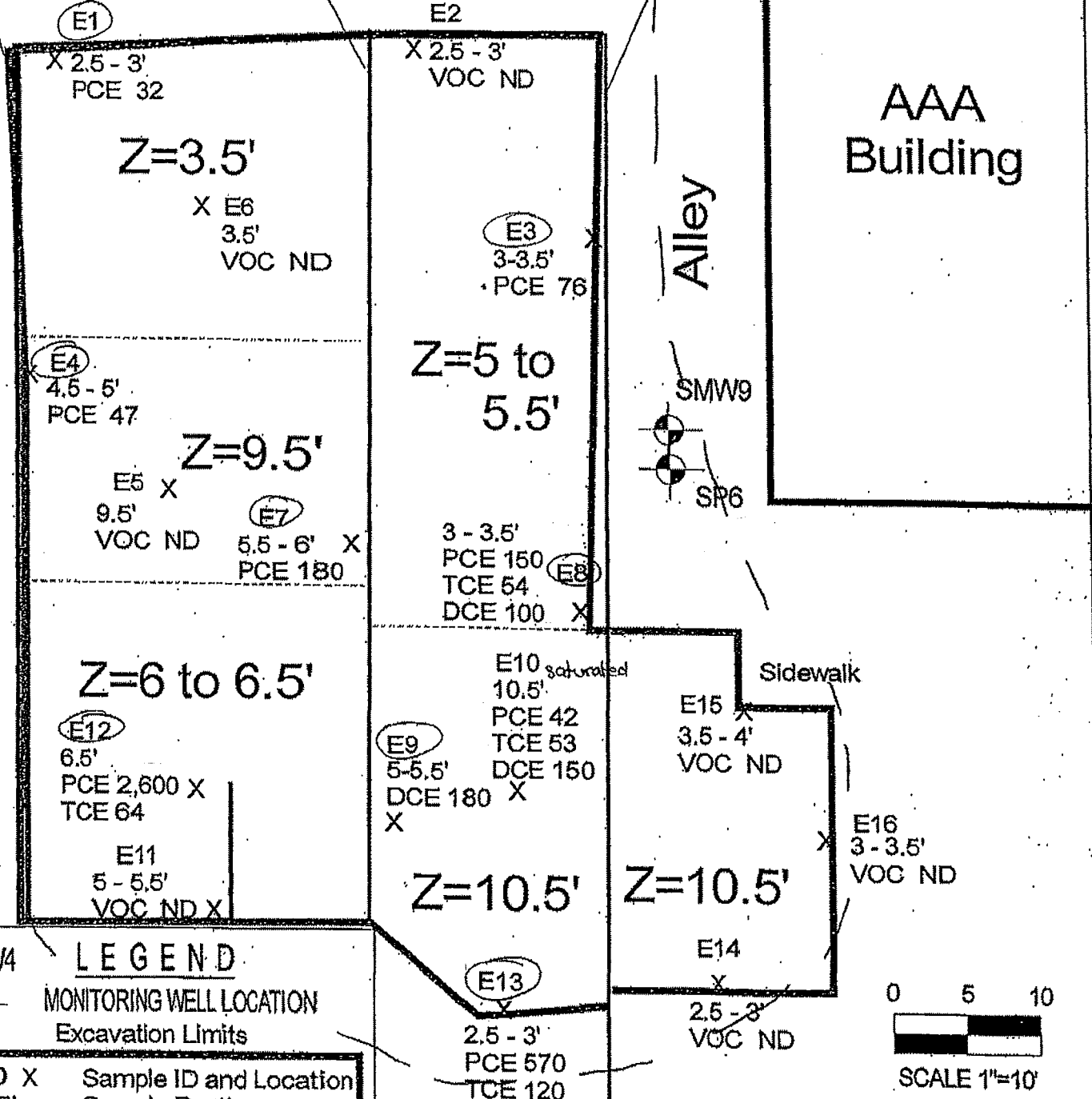
Concrete foundation (1 feet bgs)

Concrete Foundation (5 feet bgs)

Concrete Foundation (3 feet bgs)

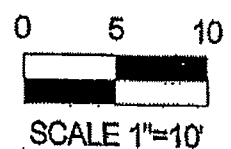
AAA Building

Alley

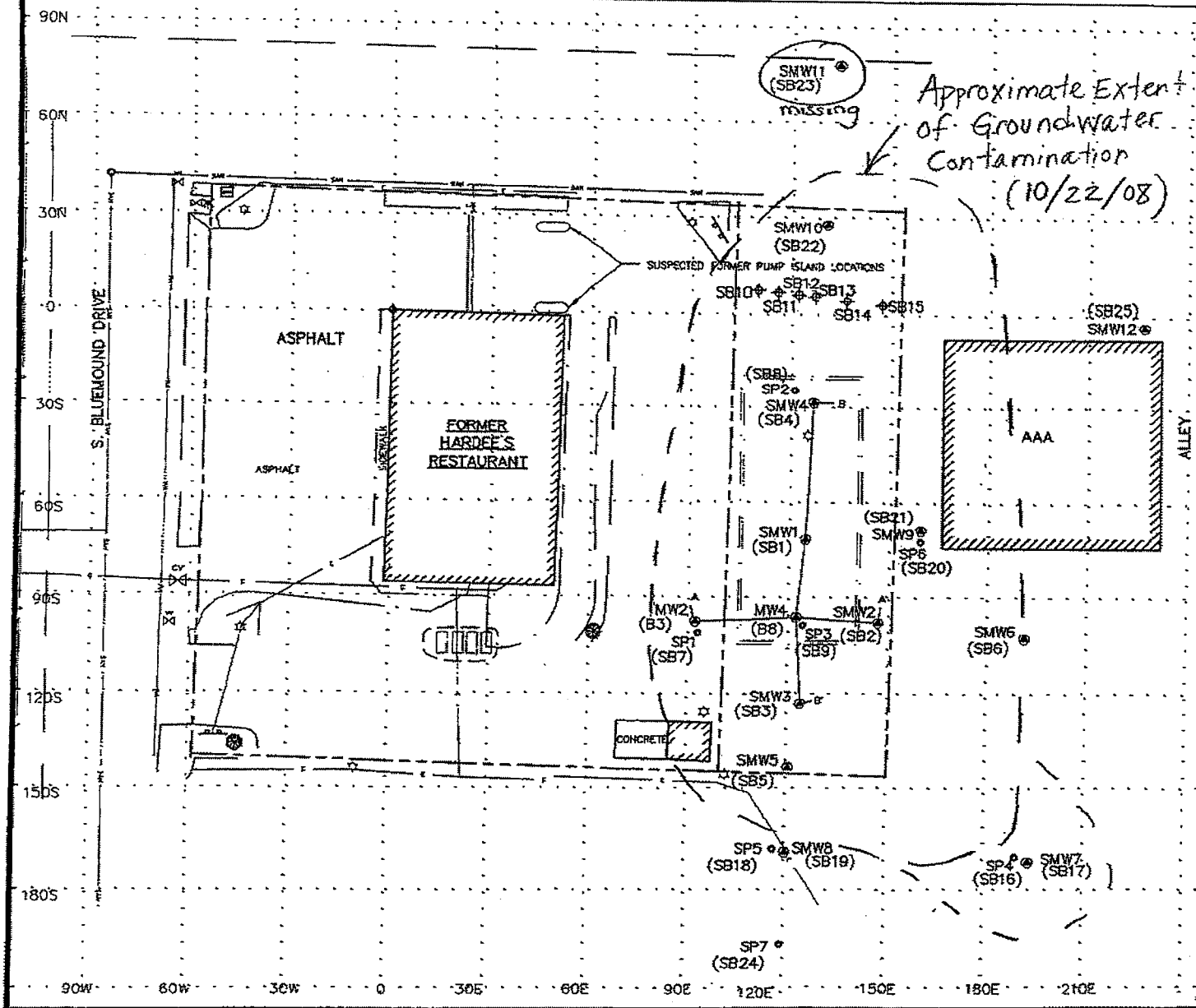


LEGEND  
MONITORING WELL LOCATION  
Excavation Limits

10 X Sample ID and Location  
0.5' Sample Depth  
CE 42 Tetrachloroethene  
CE 53 Trichloroethene  
CE 150 cis-1,2-Dichloroethene  
Z=10.5' Excavation Depth  
All units in ug/kg  
Only Detected Compounds Are Shown



TITLE: REMEDIAL EXCAVATION SOIL CHEMISTRY OCTOBER 11, 2005		ALPHA TERRA SCIENCE
SITE: Malchow Property - Appleton, WI		
DATE: 10/26/05	SCALE: 1"=10'	FILE: DRAWN BY: JPM
		FIGURE #



**LEGEND:**

0 15 30  
SCALE: 1" = 30'  
LOCAL GRID NORTH

- Cross Section
- MW4
- SP4
- SB1
- Former Building Foundation
- Suspected Former Tank Location
- 6,000 Gallon Gasoline USTs
- Property Line
- Approximate Limit of Excavation
- Edge of Asphalt
- Edge of Concrete Pavement
- Building Face
- Hydrant
- Water Valve
- Gas Valve
- Gas Line
- Watermain
- Telephone Cable
- Telephone Booth
- Light Post
- Sanitary Line with Manhole
- Electrical Line
- Reference Point
- Grid Line (30' Interval)

**FIGURE 7**  
**Approximate Extent of Groundwater Contamination (10/22/08)**

VACANT LOT  
 3223 W. COLLEGE AVENUE  
 TOWN OF GRAND CHUTE, WISCONSIN

**OMNI ASSOCIATES**

ONE SYSTEMS DRIVE  
 APPLETON, WI 54911  
 PHONE (920) 735-5900  
 FAX (920) 630-6100

PROJECT MANAGER:	PROJECT NO:	N1556A99
PROJECT ENGINEER:	CAD FILE NO:	N1556A2
DRAWN BY:	DLG SCALE:	1"=30'
REVIEWED BY:	DATE:	4/7/03





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

Activity (Site) Name <b>Les Stumpf Ford Property</b>	BRRTS No. <b>02-45-228649</b>
---	----------------------------------

Inspections are required to be conducted (see closure approval letter): <input checked="" type="radio"/> annually <input type="radio"/> semi-annually <input type="radio"/> other – specify _____	When submittal of this form is required, submit the form electronically to the DNR project manager. An electronic version of this filled out form, or a scanned version may be sent to the following email address (see closure approval letter):
--	---

Inspection Date	Inspector Name	Item	Describe the condition of the item that is being inspected	Recommendations for repair or maintenance	Previous recommendations implemented?	Photographs taken and attached?
10/09/2017	Stuart Boerst	<input type="checkbox"/> monitoring well <input checked="" type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:	Asphalt parking lot- excellent condition - no cracks	No maintenance or repair needed	<input type="radio"/> Y <input type="radio"/> N	<input checked="" type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N

{Click to Add/Edit Image}

Date added: 10/12/2017



Title:

{Click to Add/Edit Image}

Date added: 10/12/2017



Title:

{Click to Add/Edit Image}

Date added: 10/12/2017



Title:

{Click to Add/Edit Image}

Date added:



Title: