

LEAKING UNDERGROUND STORAGE TANK (Case Tracking)

Form 4400-146

Rev. 10-92

UID Number

1828

FID Number

PMN Number

County

Richland

Site Name

Duncan Property

Address

Route 4 Box 6 Co Hwy 581

Municipality

Richland Center

Legal Descript.:

1/4 1/4 Sec. T N R (E/W)

Initial Contact Date

2/23/93

Date RP Letter Sent

4/1/93

Date Closure Approved

/ /

Person/Firm Reporting

KEN DUNCAN

Phone Number

608-6547

Priority Screening

- 1 = High
2 = Medium
3 = Low
X 4 = Unknown

Scoring Criteria

1. _____
2. _____
3. _____
4. _____
5. _____

Score _____ Init. _____ Date _____

Funding Source

- X 1 = RP
2 = LTF
3 = EF
4 = Other

Effective Date

- / /
/ /
/ /
/ /

LUST Trust Eligible

- 1 = Federal
X 2 = Non-Federal

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SEP 29 2000

ERS DIVISION

CASE STATUS

Start Date

End Date

- _____ (E) RP Emergency Response
_____ (R) LTF Emergency Response
_____ (L) Long Term Monitoring

/ /
/ /
/ /

/ /
/ /
/ /

Responsible Party:

Company Name

Contact Person

KEN DUNCAN

Address

Route 4 Box 6

Richland Center

53581

Telephone

608/647-6547

CC's:

Impacts:

Enter "P" for potential and "K" for known

- _____ (1) Fire/Explosion Threat
_____ (2) Contaminated Private Well(s) _____ # of Wells
_____ (3) Contaminated Public Well
P (4) Groundwater Contamination
K (5) Soil Contamination
_____ (6) Other: _____
_____ (7) Surface Water Impacts
_____ (9) Floating Product

Consultant:

Company Name

Contact Name

Address

Telephone:

Substances:

Tank(s)

Size

- _____ (1) Leaded Gas
_____ (2) Unleaded Gas
_____ (3) Diesel
+ (4) Fuel Oil
_____ (5) Unkwn Hydrocrbn
_____ (8) Other
_____ (12) Waste Oil

SITE NAME:

03 = NTC of Non Compliance	21 = Contest Case Hearing	34 = Tnk Cls/SA Rpt Appv'd	40 = RA Work Plan Appv'd	46 = Form 4 Denied
04 = Enf. Conference	23 = Referral to DOJ	35 = SI Work Plan Recv'd	41 = RA Report Recv'd	47 = PECFA Reimbursement
14 = Notice of Violation	30 = Notice to Proceed	36 = SI Work Plan Appv'd	42 = RA Report Appv'd	48 = Free Product Recovery
18 = Admin. Order Issued	31 = Tnk Cls/SA Work Plan	37 = SI Report Recv'd	43 = Qrtly/Mthly Status Rpt	49 = Alternate Water Supplied
19 = Admin. Order Modified	32 = Tnk Cls/SA WP Appv'd	38 = SI Report Appv'd	44 = Form 4 Received	
20 = Admin. Order Cancelled	33 = Tnk Cls/SA Rpt Recv'd	39 = RA Work Plan Recv'd	45 = Form 4 Approved	

60 = _____	68 = _____	76 = _____	84 = _____	92 = _____
61 = _____	69 = _____	77 = _____	85 = _____	93 = _____
62 = _____	70 = _____	78 = _____	86 = _____	94 = _____
63 = _____	71 = _____	79 = _____	87 = _____	95 = _____
64 = _____	72 = _____	80 = _____	88 = _____	96 = _____
65 = _____	73 = _____	81 = _____	89 = _____	97 = _____
66 = _____	74 = _____	82 = _____	90 = _____	98 = _____
67 = _____	75 = _____	83 = _____	91 = _____	99 = _____

AC	Date	Comment
----	------	---------

AC	Date	Comment
----	------	---------

02 4 1 23

4 5 9 3

phone call

99 31097

99 321 97

99 41497

99 5297

99 5 14 97

54 52397

99 7 25 97

99 9 12 97

99 12 1797

99 4 24 98

99 5 7 98

99 7298

99 72398

53 7 29 98

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~~SEP 29 2000~~

ERS DIVISION



November 13, 2000

Ken Duncan
1400 Veterans Drive Lot 24
Richland Center, WI 53581

RE: CASE CLOSURE Approved
COMMERCE # 53581-8712-50
Duncan Property, 25450 County Hwy. Y, Richland Center, WI

Dear Mr. Duncan:

The closure request for the above named site was received by the Department on September 29, 2000 and reviewed for closure on October 12, 2000, by the Site Review Staff of the PECFA Bureau. Using the standards established in Chapter NR 700, the Department has determined that this site has been remediated to a level that is protective of human health and the environment. The Department considers this site to meet environmental standards and no further action is necessary.

The case may be re-opened in the future if site conditions indicate that any contamination that might remain poses a threat to human health or the environment. The need for additional remediation would be determined and required if necessary. If subsequent information indicates a need to reopen this case, any original claim under the PECFA fund would also reopen and reimbursed to the extent of any remaining eligibility.

Thank you for your efforts in restoring Wisconsin's environment. If you have any additional questions, please call me at the number listed below.

Sincerely,

Will M. Myers
Site Reviewer
Bureau of PECFA
Phone 608-261-7718, FAX 608-267-1381

Cc. , Ronald Anderson, Metco, La Crosse, WI

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SEP 29 2000

ERS DIVISION

PHONE CONTACT

DATE

4-5-93

SITE NAME

CONTACT NAME

Ken Duncan

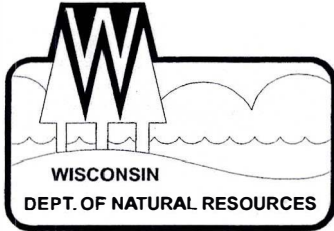
Confused about what he should do
I explained the process.

He is on Soc. Security

He will call me w/questions

m.j.

#53581-8712-50



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Ruthe E. Badger, Regional Director

1500 N. Johns Street
Dodgeville, Wisconsin 53533
Telephone 608-935-3368
FAX 608-935-9652

December 21, 2000

RECEIVED
DEC 27 2000
ERS DIVISION

File Ref: 03-53-001828

Mr. Kenneth Duncan
1400 Veterans Drive, Lot 24
Richland Center, WI 53581

Subject: Extinguishment of Deed Notice, Duncan Property, 25450 Highway Y, Richland Center

Dear Mr. Duncan:

Enclosed please find proof of filing for the "Extinguishment of Deed Notice" we have been discussing. With the filing of this affidavit, the Department of Natural Resources indicates that the contamination on the above-referenced property has been addressed to its satisfaction. As the Department of Commerce states in its November 13, 2000 letter to you, the case may be reopened in the future if site conditions indicate that any contamination that might remain poses a threat to human health or the environment.

We appreciate your efforts in restoring the environment. Thank you for your cooperation in this matter. Please contact me at the number shown below if you have any questions.

Sincerely,

Linda Hanefeld
Hydrogeologist – Dodgeville Service Center
(608) 935-1948

cc: Will Myers, DCOM

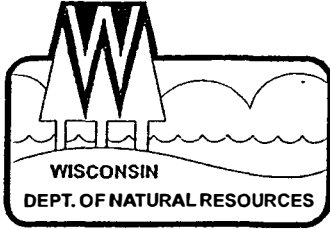


Exhibit A VOL 330 PAGE 780
State of Wisconsin | DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Ruthe E. Badger, Regional Director

1500 N. Johns Street
Dodgeville, Wisconsin 53533
Telephone 608-935-3368
FAX 608-935-9652

November 16, 2000

Mr. Kenneth Duncan
1400 Veterans Drive, Lot 24
Richland Center, WI 53581

File Ref: 03-53-001828

Subject: Extinguishment of Deed Notice, Duncan Property, 25450 Highway Y, Richland Center

Dear Mr. Duncan:

In a letter dated November 13, 2000, the Wisconsin Department of Commerce (DCOM) informed you that, using the standards established in Chapter NR 700, Wisconsin Administrative Code, DCOM has determined that this site has been remediated to a level that is protective of human health and the environment. DCOM considers this site to meet environmental standards and no further action is necessary.

This letter is to inform you that the Department of Natural Resources (DNR) believes you have fulfilled your obligation to "restore the environment to the extent practicable..." in compliance with s. 292.11, Stats., and that the previously uninvestigated contamination found at your property has been addressed to the satisfaction of the Department. Therefore, as a DNR representative, I will be working with our legal staff to extinguish or remove the deed notice that was placed on your property on July 29, 1998 (Richland County Register of Deeds Document Number 229794). That deed notice explained there was uninvestigated contamination on property you own located at 25450 Highway Y, Richland Center, Richland County, Wisconsin. With the investigative activities that have been conducted at the site, and closure of the site by DCOM, the previously uninvestigated contamination has been addressed. As DCOM states in its closure letter, the case may be reopened in the future if site conditions indicate that any contamination that might remain poses a threat to human health or the environment.

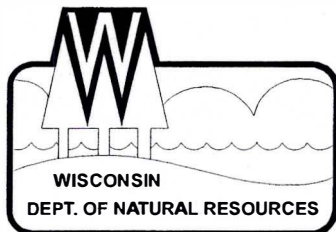
The Department will record a second, superseding affidavit on your property, indicating that the previously uninvestigated contamination has been adequately addressed. The Department will provide you written notice including a copy of the affidavit to be recorded prior to filing the affidavit.

We appreciate your efforts in restoring the environment. Please contact me at the number shown below if you have any questions.

Sincerely,

Linda Hanefeld
Hydrogeologist – Dodgeville Service Center
(608) 935-1948

cc: Will Myers, DCOM



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Ruthe E. Badger, Regional Director

1500 N. Johns Street
Dodgeville, Wisconsin 53533
Telephone 608-935-3368
FAX 608-935-9652

RECEIVED

DEC 12 2000

ERS DIVISION

December 8, 2000

Mr. Kenneth Duncan
1400 Veterans Drive, Lot 24
Richland Center, WI 53581

File Ref: 03-53-001828

Subject: Extinguishment of Deed Notice, Duncan Property, 25450 Highway Y, Richland Center

Dear Mr. Duncan:

Enclosed for your review is a copy of the draft deed affidavit that the Department is expecting to file on your property deed. This draft deed affidavit is intended to "extinguish" the previous deed affidavit that was filed regarding your [then] inability to proceed with environmental clean-up activities on this property.

In a letter dated November 13, 2000, the Wisconsin Department of Commerce (DCOM) informed you that, using the standards established in Chapter NR 700, Wisconsin Administrative Code, DCOM has determined that this site has been remediated to a level that is protective of human health and the environment. DCOM considers this site to meet environmental standards and no further action is necessary.

Within the next 30 days, please review the enclosed draft affidavit and contact me with any concerns you may have. If the content of the affidavit meets with your approval, please provide that approval in writing. Once the language of the draft affidavit has been finalized and your written approval has been received, I will file the affidavit for your property deed with the Richland County Register of Deeds, and provide you with proof of filing.

Please contact me at the number shown below if you have any questions.

Sincerely,

Linda Hanefeld
Hydrogeologist -- Dodgeville Service Center
(608) 935-1948

cc: Will Myers, DCOM
Joe Renville, LS/5

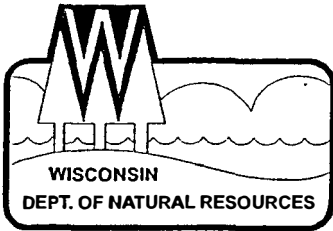


Exhibit A
State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Ruthe E. Badger, Regional Director

1500 N. Johns Street
Dodgeville, Wisconsin 53533
Telephone 608-935-3368
FAX 608-935-9652

November 16, 2000

Mr. Kenneth Duncan
1400 Veterans Drive, Lot 24
Richland Center, WI 53581

File Ref: 03-53-001828

Subject: Extinguishment of Deed Notice, Duncan Property, 25450 Highway Y, Richland Center

Dear Mr. Duncan:

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The Department will record a second, superseding affidavit on your property, indicating that the previously uninvestigated contamination has been adequately addressed. The Department will provide you written notice including a copy of the affidavit to be recorded prior to filing the affidavit.

We appreciate your efforts in restoring the environment. Please contact me at the number shown below if you have any questions.

Sincerely,

Linda Hanefeld
Hydrogeologist – Dodgeville Service Center
(608) 935-1948

cc: Will Myers, DCOM



November 13, 2000

Ken Duncan
1400 Veterans Drive Lot 24
Richland Center, WI 53581

RE: CASE CLOSURE **Approved**
COMMERCE # 53581-8712-50
Duncan Property, 25450 County Hwy. Y, Richland Center, WI

Dear Mr. Duncan:

The closure request for the above named site was received by the Department on September 29, 2000 and reviewed for closure on October 12, 2000, by the Site Review Staff of the PECFA Bureau. Using the standards established in Chapter NR 700, the Department has determined that this site has been remediated to a level that is protective of human health and the environment. The Department considers this site to meet environmental standards and no further action is necessary.

The case may be re-opened in the future if site conditions indicate that any contamination that might remain poses a threat to human health or the environment. The need for additional remediation would be determined and required if necessary. If subsequent information indicates a need to reopen this case, any original claim under the PECFA fund would also reopen and reimbursed to the extent of any remaining eligibility.

Thank you for your efforts in restoring Wisconsin's environment. If you have any additional questions, please call me at the number listed below.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. Myers'.

Will M. Myers
Site Reviewer
Bureau of PECFA
Phone 608-261-7718, FAX 608-267-1381

Cc. , Ronald Anderson, Metco, La Crosse, WI



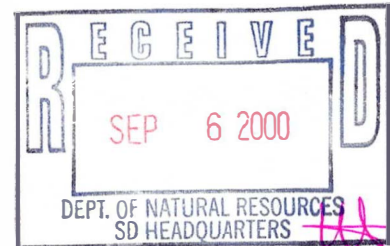
2956 Airport Road ♦ La Crosse, Wisconsin 54603

608-781-8879 ♦ 800-552-2932 ♦ Fax: 608-781-8893 ♦ E-mail: metcohq@metcohq.com

August 21, 2000

Ken Duncan
1400 Veterans Drive Lot 24
Richland Center, WI 53581

RECEIVED
SEP 29 2000
ERS DIVISION



Dear Mr. Duncan,

Enclosed is our completed Additional Sampling Project Report concerning the Duncan Property located in the Civil Town of Richland, Wisconsin. This report presents the complete data from all investigation activities.

A copy of this report will be sent to the Wisconsin Department of Natural Resources (WDNR).

We appreciate the opportunity to be of service to you on this project. Should you have any questions or require additional information, do not hesitate to contact me at our La Crosse office.

Sincerely,

Ronald J. Anderson, P.G.
Senior Hydrogeologist/Project Manager

RJA

c: WDNR

Additional Sampling Project Report

**Duncan Property
Civil Town of Richland, Wisconsin**

**August 21, 2000
by METCO**

Additional Sampling Project Report Duncan Property

Purpose

A Leaking Underground Storage Tank (LUST) Investigation is required by the Wisconsin Department of Natural Resources (WDNR) by authority of Section 144.76 of the Wisconsin Statutes. According to the WDNR, any soil that tests more than 10 ppm Gasoline Range Organics (GRO) or Diesel Range Organics (DRO) requires an investigation. Any soil that tests over the Chapter NR720 Soil Cleanup Standards requires an investigation and possible remediation. Any groundwater that tests over the Preventive Action Limits (PAL) or Enforcement Standards (ES) for compounds listed in Chapter NR140 Groundwater Quality Standards requires an investigation and possible remediation.

On February 23, 1998, the WDNR was notified that a residential heating oil UST (now removed) had released petroleum into the environment. The WDNR subsequently required a LUST Investigation be completed.

In 1998, a notice was placed on the deed to this property showing that contamination exists.

Water samples have been collected from the on site private well in 1998 and 2000. No petroleum related compounds were detected.

On July 5, 2000, METCO was hired to collect soil samples to determine the extent of soil contamination from the former heating oil UST. This report presents data of the Additional Sampling Project conducted at the Duncan Property by METCO. No PECFA Funds were used for our work.

Client

Ken Duncan
1400 Veterans Drive Lot 24
Richland Center, WI 53581
608-647-3479

Site Location

25450 County Trunk Highway Y
Civil Town of Richland, Wisconsin

Geology

From surface to approximately 15 feet exists a brown silt/clay. From approximately 15 feet to 20 feet exists a tan to green silty sand with gravel. At approximately 20 feet exists sandstone bedrock.

Groundwater was not encountered, but is expected to exist approximately 40-50+ feet below ground surface.

Sampling and Analytical Results

METCO

La Crosse, WI (608)781-8879 Hillsboro, WI (608)489-2198

Additional Sampling Project Report Duncan Property

On July 20, 2000, two Geoprobe borings were completed with six soil samples collected for DRO, PVOC, and PAH analysis. The DETECTIONS were as follows:

Boring G-1 (completed in former tank area)

G-1-1 = 0.0054 ppm Benzo(a)pyrene and 0.0011 ppm Benzo(b)fluoranthene at 2-4 feet below ground surface.

G-1-2 = 220 ppm DRO, 1.5 ppm 1-Methylnaphthalene, 4.7 ppm 2-Methylnaphthalene, 1.6 ppm Acenaphthylene, 2.7 ppm Fluoranthene, 0.58 ppm Fluorene, 0.61 ppm Naphthalene, 1.8 ppm Phenanthrene, 8.6 ppm Pyrene, 0.13 Ethylbenzene, 0.069 ppm Toluene, 2.4 ppm 1,2,4-Trimethylbenzene, 0.79 ppm 1,3,5-Trimethylbenzene, 0.57 ppm m&p-Xylene, and 0.36 ppm o-Xylene at 10-12 feet below ground surface.

G-1-3 = 35 ppm DRO and 0.46 ppm Acenaphthylene at 18-20 feet below ground surface (bedrock refusal).

Boring G-2 (completed 8 feet out from former tank area)

G-2-1 = 0.0074 ppm Indeno(1,2,3-cd)pyrene at 2-4 feet below ground surface.

G-2-2 = No DRO/PVOC/PAH detections at 10-12 feet below ground surface.

G-2-3 = 0.21 ppm Acenaphthylene and 0.0081 ppm Indeno(1,2,3-cd)pyrene at 16-18 feet below ground surface (bedrock refusal).

See included site map for boring locations.

Sampling methods and procedures

The Geoprobe consists of a truck-mounted, hydraulically driven unit that advances interconnected, 1-inch diameter, 3-foot long, stainless steel rods into the subsurface.

The procedure consisted of advancing an assembled stainless steel sampler to the top of the interval to be sampled. A stop-pin was then removed, and the sampler driven until filled. The rods were retracted from the hole and the sample recovered.

The volume of sample, size of container, and type of sample preservation was dependent on the specific parameter for which the sample was to be analyzed.

All samples were collected in a manner as to maintain the quality of the sample and to eliminate any possible cross contamination. METCO did not deviate from any WDNR or laboratory recommended procedures for sample collection, preservation, or transportation on this project.

Equipment advanced into the subsurface was cleaned between sampling locations. Cleaning consisted of washing with a biodegradablealconox solution and rinsing with potable water. Disposable equipment was not cleaned, but immediately disposed of after use.

All samples were constantly kept on ice in a cooler and immediately hand delivered to the laboratory.

METCO

La Crosse, WI (608)781-8879 Hillsboro, WI (608)489-2198

Additional Sampling Project Report Duncan Property

Conclusions/Recommendations

METCO recommends that the Duncan Property LUST site be given a status of "CLOSED" by the WDNR Closure Committee for the following reasons:

- 1) None of the collected soil samples exceeded the COMM 46 Table 1 or 2 values.
- 2) The on-site private well has tested "clean" both in 1998 and 2000.
- 3) Due to geology (silt and bedrock), depth to groundwater (40-50+ feet), and low level contaminants, it is unlikely that groundwater or private well has been or will be impacted by the release.
- 4) Due to bedrock and surface characteristics, further investigation would be difficult and expensive. This site is not currently eligible for PECFA.

PLEASE NOTE THAT UPON CLOSURE, THE CURRENT DEED NOTICE NEEDS TO BE CHANGED TO REFLECT THAT A PROPER INVESTIGATION HAS BEEN CONDUCTED AND THAT THE SITE IS LISTED AS "CLOSED" BY THE WDNR.

Additional Sampling Project Report Duncan Property

Standard of Care

The analysis and conclusions expressed in this report are based upon data obtained from the indicated subsurface locations and from other sources discussed in this report. Actual subsurface conditions may vary and may not become evident without further assessment.

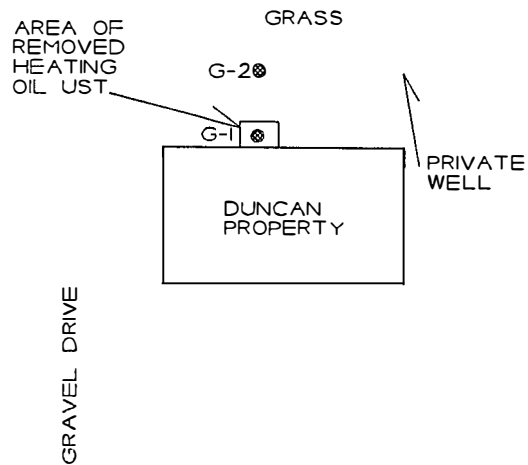
All work conducted by METCO is in accordance with currently accepted hydrogeologic and engineering practices and they neither imply nor intend warranty.

We appreciate the opportunity to be of service to you. If you have any questions or require additional information, please do not hesitate to contact us.

"I Ronald J. Anderson, hereby certify that I am a hydrogeologist as that term is defined in s.NR 712.03 (1), Wis. Adm. Code, and that, to the best of my knowledge, all of the information contained in this document is correct and the document was prepared in compliance with all applicable requirements in chs. NR 700 to 726, Wis. Adm. Code."

Ronald J. Anderson P.G.
Senior Hydrogeologist/Project Manager

Date

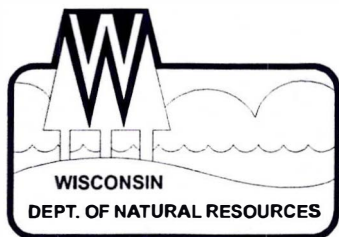


COUNTY TRUNK
HIGHWAY Y

⊗ - GEOPROBE BORING LOCATION

SITE LAYOUT MAP ADDITIONAL SAMPLING PROJECT CONDUCTED ON 7/20/00		
DUNCAN PROPERTY CIVIL TOWN OF RICHLAND, WISCONSIN		
	SCALE: 1 INCH = 30 FEET DRAWN BY: RA DATE: 8/20/00 JOB NO:	

NOTE: THIS IS NOT A SURVEYED MAP.
MEASUREMENTS AND SPACIAL
RELATIONSHIPS MAY BE INCORRECT.



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Ruthe E. Badger, Regional Director

1500 N. Johns Street
Dodgeville, Wisconsin 53533
Telephone 608-935-3368
FAX 608-935-9652

53581-8712-50

RECEIVED

SEP 29 2000

ERS DIVISION

File Ref: 03-53-001828

September 21, 2000

Mr. Ken Duncan
1400 Veterans Drive, Lot 24
Richland Center, WI 53581

Subject: Additional Sampling Project Report, Duncan Property, County Highway Y, Richland Center

Dear Mr. Duncan:

On September 6, 2000, this Department received the "Additional Sampling Project Report" submitted on your behalf by Metco, and dated August 21, 2000. This report contains information regarding additional soil sampling and analyses that had been performed at property you own located at 25450 County Trunk Highway Y, Richland Center.

Based upon the information provided, it appears the closure decision for this site falls under the jurisdiction of the Department of Commerce. Therefore, by transmission of this letter, this site its associated file will be transferred to the Department of Commerce, 201 West Washington Avenue, P.O. Box 8044, Madison, Wisconsin, 53708. Any decisions regarding closure and/or additional actions to be taken at this site will be made by Department of Commerce representatives.

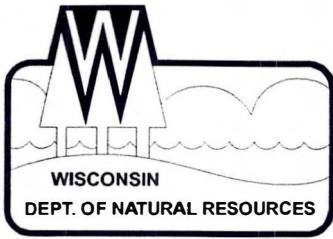
After the site has been granted closure, you should once again contact me at the address above (or the telephone number below) so I can work with you to rescind the deed affidavit regarding contamination located on property you own located at 25450 County Trunk Highway Y, Richland Center.

Please contact me if you have any questions regarding this letter or the transfer of your site to the Department of Commerce. Thank you for your efforts to bring this site to closure.

Sincerely,

Linda Hanefeld
Hydrogeologist, Dodgeville Service Center
(608) 935-1948

cc: Sarah Spiwak, SCR RR Program Asst.
Will Myers, DCOM



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Ruthe E. Badger, Regional Director

South Central Region Headquarters
3911 Fish Hatchery Road
Fitchburg, Wisconsin 53711-5397
Telephone 608-275-3266
FAX 608-275-3338
TDD 608-275-3231

August 28, 2000

File Ref: 03-53-001828

Mr. Ken Duncan
1400 Veterans Drive
Lot 24
Richland Center, WI 53581

RECEIVED
SEP 29 2000
ERS DIVISION

SUBJECT: Transfer of your file, Duncan Property, CTY Y, Richland Center, WI 53581

Dear Mr Duncan:

This letter is to notify you that the Department of Natural Resources has an open file regarding contamination at the above site, and that this file is being transferred to the Department of Commerce. The decision with regard to closure will be made by Commerce staff.

The Department of Commerce is responsible for governmental oversight of environmental cleanup activities at properties contaminated by petroleum storage systems when certain environmental factors are not present even though groundwater may be impacted.

Information presented to the DNR to date shows that this site falls into the group of sites identified for transfer. Therefore, we are transferring your file to the Department of Commerce effective immediately. Commerce will provide all future oversight of your cleanup at this property, including determination of file closure. Thank you for the efforts you have made to date to address the contamination.

All future contacts regarding this site should be directed to Commerce at (608) 266-8516. Correspondence should be directed to this address:

WI Department of Commerce
PO Box 8044
Madison WI 53707-8044

Please include both your PECFA claim number, if you have one, and your DNR ID# on all correspondence.

Sincerely,


Patrick McCutcheon, Team Supervisor
Remediation & Redevelopment
Telephone: (608) 275-3241

cc: METCO, 2956 Airport Road, La Crosse, WI 54603



Quality Natural Resources Management
Through Excellent Customer Service





2956 Airport Road ♦ La Crosse, Wisconsin 54603

608-781-8879 ♦ 800-552-2932 ♦ Fax: 608-781-8893 ♦ E-mail: metcohq@metcohq.com

October 10, 2000

RECEIVED

OCT 13 2000

ERS DIVISION

Will Myers
WDCOMM
201 West Washington Avenue
P.O. Box 8044
Madison, WI 53708-8044

RE: Duncan Property

Dear Mr. Myers:

Per our recent phone conversation, here is the additional information you requested.

According to the "Richland County Soil Survey", the soil type found on this specific property is known as the Fayette Silt Loam (exclusively silt and clay). It clearly states that this soil has a "high moisture-supplying capacity". This is characteristic of soils that have a very low Hydraulic Conductivity. I have included a photocopy of the description found in the soil survey.

I am currently unaware of any other resources that could be used to further describe the site specific soil type.

If you have any questions or need further information, please call me at 1-608-781-8879.

Sincerely,

Ronald J. Anderson PG
Senior Hydrogeologist/Project Manager

the valley slopes. The soil occupies slopes of up to 15 percent but is mostly on slopes of 7 to 15 percent. Except that the B horizon is not so well developed, this soil is similar to the Fayette soils on ridges. Most of it has lost more than one-fourth of its original surface soil through erosion.

Profile description:

- A 0 to 8 inches, grayish-brown friable silt loam; medium granular structure; contains many roots and earthworm casts; pH 6.5.
- 8 to 15 inches, pale-brown to brown friable silt loam; platy structure; contains worm channels; pH 6.0.
- B 15 to 30 inches, yellowish-brown to brown heavy silt loam to light silty clay loam; weak subangular blocky structure; pH 5.8.
- C 30 to 44 inches, dark yellowish-brown friable silt loam; structure weak subangular blocky but becomes massive with depth; underlain in places by either yellowish or greenish glauconitic sandstone at depths greater than 42 inches; pH 5.8.

In some areas on the upper slopes just below a sandstone escarpment, there is a thin surface layer of loamy fine sand. In some areas stones and boulders are scattered on the surface and throughout the profile. These sandy and rocky areas are indicated by symbols on the soil map.

The soil has a high moisture-supplying capacity and is moderately high in fertility. The erosion hazard is moderate.

Mapped with this soil are a few small areas in which the surface soil is darker colored than in the typical soil.

Use and suitability (management group 3A).—This soil is well suited to corn, small grains, hay, and pasture. If the fertility is maintained and erosion is controlled, good crop yields are obtained. Yields of corn and oats will improve if supplemental nitrogen is applied. Lime is needed for legumes. The soil needs protection from runoff from the soils on the steeper slopes above. Other good management practices are stripcropping and using crop rotations that include close-growing crops. The included stony and sandy areas need careful management suited to stony or sandy soils.

Fayette silt loam, valleys, steep, eroded (Fe).—This soil occupies slopes of 16 to more than 30 percent. Except that it is on steeper slopes and has a more friable B horizon, it is similar to Fayette silt loam, valleys, sloping, eroded.

This soil has a high moisture-supplying capacity. It is moderately fertile, but the erosion hazard is high.

Included are a few areas of cultivated soil that have lost all or nearly all of the original surface layer. Some small areas mapped with this soil have a darker colored surface layer than the typical soil.

Use and suitability (management group 4A).—This soil is not so well suited to cultivated crops as Fayette silt loam, valleys, sloping, eroded. It is better used for permanent pasture or meadow. The pastures can be renovated easily and will respond well to fertilizer. If the soil is cultivated, it is best to keep it in hay at least 3 years out of 4. Areas that are forested need protection from fire. They should not be grazed, and the trees should be cut selectively.

The included areas in which all or nearly all of the original surface layer has been lost need more careful management than the typical soil. The small included areas in which the surface layer is darker colored than

normal should be used and managed the same as the typical soil.

Gotham loamy fine sand (Ga).—This soil is on low terraces near the larger streams. It is associated with the Plainfield soils. It has a darker colored surface layer than the Plainfield soils and a coherent B horizon that is not well defined. Most of this soil occurs on slopes of 1 to 2 percent, but some is on slopes of up to 6 percent.

Profile observed in the northeast quarter of section 31, Buena Vista Township:

- A 0 to 8 inches, very dark grayish-brown friable loamy fine sand; weak fine granular structure; pH 7.0.
- 8 to 15 inches, dark yellowish-brown friable loamy fine sand; weak medium subangular blocky structure; pH 6.8.
- B 15 to 41 inches, dark yellowish-brown to yellowish-brown friable light sandy loam; weak coarse blocky structure; pH 6.4.
- C 41 inches+, strong-brown to yellowish-brown loose fine sand; single grain; pH 6.0.

This soil is permeable and has a moderately low moisture-holding capacity. It is moderate in fertility. The hazard of wind erosion is moderate.

Use and suitability (management group 4C).—This soil is used for corn, small grains, hay, and pasture, and fair yields are obtained. The crops respond well to applications of manure and commercial fertilizer. They may be damaged by drought during prolonged dry spells. Alfalfa and other legumes grow well if properly fertilized and if the water table is 6 to 12 feet from the surface. Trees planted as windbreaks will help to prevent damage from erosion.

Hixton loam, sloping, eroded (Hd).—This soil has formed from fine-grained sandstone that contains little glauconite. It occurs on valley slopes in association with Norden and Fayette soils. It occupies slopes of 1 to 15 percent, but most of it is on slopes of 7 to 15 percent. In some places it lies in strips between areas of Stony land, steep, and the Norden soils. In other places the areas lie between drainageways. Most of the cultivated soil has lost from one-fourth to three-fourths of the original surface soil. Some included areas are even more severely eroded.

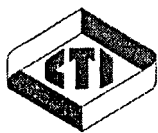
Profile description:

- A 0 to 5 inches, grayish-brown friable loam; weak granular structure; contains many fine roots; pH 6.4.
- 5 to 12 inches, brown friable fine sandy loam; weak thick platy structure; pH 5.8.
- B 12 to 24 inches, yellowish-brown friable heavy loam to sandy clay loam; moderate medium blocky structure; contains some large roots and root channels; pH 5.6.
- C 24 inches+, pale-yellow loose fine sand; single grain; gradual transition to fine-grained yellowish sandstone that occurs at varying depths; pH 7.0.

The permeability is moderately rapid, and the moisture-supplying capacity is moderate. The soil is moderately fertile.

Use and suitability (management group 3A).—This soil is well suited to corn, small grains, hay, and pasture. During prolonged droughty spells, yields of corn and of the second cutting of hay are lowered. Crops on this soil respond well to complete fertilizer. Corn and oats, however, will make better yields if supplemental nitrogen is added during the growing season. Lime is needed in most areas. Good management will include using suitable crop rotations and practicing erosion control.

Hixton loam, steep, eroded (He).—This soil occupies slopes of 16 to more than 30 percent. Its surface soil is



Commonwealth
Technology, Inc.
Laboratory Division

1230 Lange Court
Baraboo, WI 53913-3109
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EMail: bld@ctienv.com

METCO
RON ANDERSON
2956 AIRPORT RD
LACROSSE, WI 54603

Project Name: DUNCAN PROPERTY

Sample Date: 7/20/00

Log Date: 7/21/00

Project Number:

Report Date: 8/8/00

Dear RON ANDERSON :

Enclosed are the laboratory results for samples submitted to Commonwealth Technology, Inc. for analysis. All tests were performed in accordance with applicable EPA and WI DNR guidelines and methodologies.

Copies of the report, as well as all original analytical data, are retained by the laboratory for a minimum of three years from the date of analysis. Samples submitted to the laboratory will be disposed of by procedures acceptable to regulatory agencies, unless prior arrangements are made by the submitting client for their return.

Thank you for the opportunity to serve you. Should any questions or concerns arise, please feel free to contact me.

Sincerely,
Commonwealth Technology, Inc.

Program/Project Manager

RON ANDERSON

WI DNR Lab Certification Number: 157066030 DATCP Certification Number: 000289



ANALYTICAL REPORT

1 of 8

RON ANDERSON
2956 AIRPORT RD
LACROSSE, WI 54603

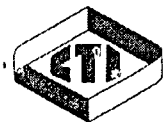
Project Name: DUNCAN PROPERTY
Contract #: 1455
Project #:
Folder #: 7365
Purchase Order #:
Arrival Temperature Deg. C: 5.8
Report Date: 8/8/00
Date Received: 7/21/00

Copy: RON ANDERSON

CTI LAB#:	28985	Sample Description:	G-1-1	Sampled:	7/20/00	1035
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Analyte	Result	Units	LOD	LOQ	Dilution	Qualifier	Prep Date	Analysis Date	Analyst	Method
Inorganic Results										
Solids, Percent	81.00	%	N/A	N/A	1			7/24/00	NMP	EPA 5030A
Organic Results										
Diesel Range Organics	<1.7	mg/kg	1.7	5.8	1		7/29/00	8/2/00	LMG	WDNR DRO
1-Methylnaphthalene	<0.020	mg/kg	0.020	0.067	1		7/30/00	8/1/00	SHU	EPA 8310
2-Methylnaphthalene	<0.022	mg/kg	0.022	0.073	1		7/30/00	8/1/00	SHU	EPA 8310
Acenaphthene	<0.086	mg/kg	0.086	0.27	1		7/30/00	8/1/00	SHU	EPA 8310
Acenaphthylene	<0.022	mg/kg	0.022	0.077	1		7/30/00	8/1/00	SHU	EPA 8310
Anthracene	<0.0033	mg/kg	0.0033	0.011	1		7/30/00	8/1/00	SHU	EPA 8310
Benzo(a)anthracene	<0.0020	mg/kg	0.0020	0.0063	1		7/30/00	8/1/00	SHU	EPA 8310
Benzo(a)pyrene	0.0054	mg/kg	0.0049 *	0.016	1		7/30/00	8/1/00	SHU	EPA 8310
Benzo(b)fluoranthene	0.0011	mg/kg	0.00080 *	0.0027	1		7/30/00	8/1/00	SHU	EPA 8310
Benzo(g,h,i)perylene	<0.0040	mg/kg	0.0040	0.014	1		7/30/00	8/1/00	SHU	EPA 8310
Benzo(k)fluoranthene	<0.00089	mg/kg	0.00089	0.0030	1		7/30/00	8/1/00	SHU	EPA 8310
Chrysene	<0.0037	mg/kg	0.0037	0.012	1		7/30/00	8/1/00	SHU	EPA 8310
Dibenzo(a,h)anthracene	<0.021	mg/kg	0.021	0.070	1		7/30/00	8/1/00	SHU	EPA 8310
Fluoranthene	<0.0030	mg/kg	0.0030	0.0094	1		7/30/00	8/1/00	SHU	EPA 8310
Fluorene	<0.0099	mg/kg	0.0099	0.033	1		7/30/00	8/1/00	SHU	EPA 8310
Indeno(1,2,3-cd)pyrene	<0.0057	mg/kg	0.0057	0.019	1		7/30/00	8/1/00	SHU	EPA 8310
Naphthalene	<0.020	mg/kg	0.020	0.065	1		7/30/00	8/1/00	SHU	EPA 8310
Phenanthrene	<0.0032	mg/kg	0.0032	0.012	1		7/30/00	8/1/00	SHU	EPA 8310
Pyrene	<0.011	mg/kg	0.011	0.036	1		7/30/00	8/1/00	SHU	EPA 8310

WI DNR Lab Certification Number: 157066030
DATCP Certification Number: 289



Commonwealth
Technology, Inc.
Laboratory Division

METCO

Contract #: 1455

Folder #: 7365

Project Name: DUNCAN PROPERTY

Project #:

2 of 8

CTI LAB#:	28985	Sample Description:	G-1-1	Sampled:	7/20/00	1035
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Analyte	Result	Units	LOD	LOQ	Dilution	Qualifier	Prep Date	Analysis Date	Analyst	Method
Benzene	<0.025	mg/kg	0.010	0.030	1		7/25/00	8/3/00	JBB	EPA 8020
Ethylbenzene	<0.025	mg/kg	0.010	0.040	1		7/25/00	8/3/00	JBB	EPA 8020
Methyl tert-butyl ether	<0.025	mg/kg	0.0090	0.030	1		7/25/00	8/3/00	JBB	EPA 8020
Toluene	<0.025	mg/kg	0.010	0.040	1		7/25/00	8/3/00	JBB	EPA 8020
1,2,4-Trimethylbenzene	<0.025	mg/kg	0.010	0.040	1		7/25/00	8/3/00	JBB	EPA 8020
1,3,5-Trimethylbenzene	<0.025	mg/kg	0.010	0.040	1		7/25/00	8/3/00	JBB	EPA 8020
m & p-Xylene	<0.025	mg/kg	0.020	0.070	1		7/25/00	8/3/00	JBB	EPA 8020
o-Xylene	<0.025	mg/kg	0.0090	0.030	1		7/25/00	8/3/00	JBB	EPA 8020

CTI LAB#:	28986	Sample Description:	G-1-2	Sampled:	7/20/00	1045
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Analyte	Result	Units	LOD	LOQ	Dilution	Qualifier	Prep Date	Analysis Date	Analyst	Method
Inorganic Results										
Solids, Percent	87.40	%	N/A	N/A	1			7/24/00	NMP	EPA 5030A
Organic Results										
Diesel Range Organics	220	mg/kg	8.0	27	5	L	7/29/00	8/3/00	LMG	WDNR DRO

Qualifiers applying to all Analytes of Method EPA 8310: V

1-Methylnaphthalene	1.5	mg/kg	0.18	0.62	10		7/30/00	8/2/00	SHU	EPA 8310
2-Methylnaphthalene	4.7	mg/kg	0.21	0.68	10		7/30/00	8/2/00	SHU	EPA 8310
Acenaphthene	<0.80	mg/kg	0.80	2.5	10		7/30/00	8/2/00	SHU	EPA 8310
Acenaphthylene	1.6	mg/kg	0.21	0.71	10		7/30/00	8/2/00	SHU	EPA 8310
Anthracene	<0.031	mg/kg	0.031	0.10	10		7/30/00	8/2/00	SHU	EPA 8310
Benzo(a)anthracene	<0.018	mg/kg	0.018	0.058	10		7/30/00	8/2/00	SHU	EPA 8310
Benzo(a)pyrene	<0.046	mg/kg	0.046	0.15	10		7/30/00	8/2/00	SHU	EPA 8310
Benzo(b)fluoranthene	<0.0074	mg/kg	0.0074	0.025	10		7/30/00	8/2/00	SHU	EPA 8310
Benzo(g,h,i)perylene	<0.037	mg/kg	0.037	0.13	10		7/30/00	8/2/00	SHU	EPA 8310
Benzo(k)fluoranthene	<0.0082	mg/kg	0.0082	0.027	10		7/30/00	8/2/00	SHU	EPA 8310
Chrysene	<0.034	mg/kg	0.034	0.11	10		7/30/00	8/2/00	SHU	EPA 8310
Dibenzo(a,h)anthracene	<0.19	mg/kg	0.19	0.65	10		7/30/00	8/2/00	SHU	EPA 8310
Fluoranthene	2.7	mg/kg	0.027	0.087	10	Q	7/30/00	8/2/00	SHU	EPA 8310
Fluorene	0.58	mg/kg	0.092	0.31	10		7/30/00	8/2/00	SHU	EPA 8310

WI DNR Lab Certification Number: 157066030
DATCP Certification Number: 289

Solid sample results reported on a Dry Weight Basis



Commonwealth
Technology, Inc.
Laboratory Division

METCO

Project Name: DUNCAN PROPERTY
Project #:

Contract #: 1455

Folder #: 7365

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CTI LAB#:	28986	Sample Description:	G-1-2	Sampled:	7/20/00	1045
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Analyte	Result	Units	LOD	LOQ	Dilution	Qualifier	Prep Date	Analysis Date	Analyst	Method
Indeno(1,2,3-cd)pyrene	<0.053	mg/kg	0.053	0.17	10		7/30/00	8/2/00	SHU	EPA 8310
Naphthalene	0.61	mg/kg	0.18	0.61	10		7/30/00	8/2/00	SHU	EPA 8310
Phenanthrene	1.8	mg/kg	0.030	0.11	10		7/30/00	8/2/00	SHU	EPA 8310
Pyrene	8.6	mg/kg	0.10	0.33	10		7/30/00	8/2/00	SHU	EPA 8310

Qualifiers applying to all Analytes of Method EPA 8020: V

Benzene	<0.050	mg/kg	0.050	0.15	5		7/25/00	7/28/00	JBB	EPA 8020
Ethylbenzene	0.13	mg/kg	0.050 *	0.20	5		7/25/00	7/28/00	JBB	EPA 8020
Methyl tert-butyl ether	<0.045	mg/kg	0.045	0.15	5		7/25/00	7/28/00	JBB	EPA 8020
Toluene	0.069	mg/kg	0.050 *	0.20	5		7/25/00	7/28/00	JBB	EPA 8020
1,2,4-Trimethylbenzene	2.4	mg/kg	0.050	0.20	5		7/25/00	7/28/00	JBB	EPA 8020
1,3,5-Trimethylbenzene	0.79	mg/kg	0.050	0.20	5		7/25/00	7/28/00	JBB	EPA 8020
m & p-Xylene	0.57	mg/kg	0.10	0.35	5		7/25/00	7/28/00	JBB	EPA 8020
o-Xylene	0.36	mg/kg	0.045	0.15	5		7/25/00	7/28/00	JBB	EPA 8020

CTI LAB#:	28987	Sample Description:	G-1-3	Sampled:	7/20/00	1100
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Analyte	Result	Units	LOD	LOQ	Dilution	Qualifier	Prep Date	Analysis Date	Analyst	Method
Inorganic Results										
Solids, Percent	86.60	%	N/A	N/A	1			7/24/00	NMP	EPA 5030A
Organic Results										
Diesel Range Organics	35	mg/kg	1.6	5.4	1		7/29/00	8/2/00	LMG	WDNR DRO
1-Methylnaphthalene	<0.018	mg/kg	0.018	0.062	1		7/30/00	8/1/00	SHU	EPA 8310
2-Methylnaphthalene	<0.021	mg/kg	0.021	0.068	1		7/30/00	8/1/00	SHU	EPA 8310
Acenaphthene	<0.081	mg/kg	0.081	0.25	1		7/30/00	8/1/00	SHU	EPA 8310
Acenaphthylene	0.46	mg/kg	0.021	0.072	1		7/30/00	8/1/00	SHU	EPA 8310
Anthracene	<0.0031	mg/kg	0.0031	0.010	1		7/30/00	8/1/00	SHU	EPA 8310
Benzo(a)anthracene	<0.0018	mg/kg	0.0018	0.0059	1		7/30/00	8/1/00	SHU	EPA 8310
Benzo(a)pyrene	<0.0046	mg/kg	0.0046	0.015	1		7/30/00	8/1/00	SHU	EPA 8310
Benzo(b)fluoranthene	<0.00075	mg/kg	0.00075	0.0025	1		7/30/00	8/1/00	SHU	EPA 8310
Benzo(g,h,i)perylene	<0.0037	mg/kg	0.0037	0.013	1		7/30/00	8/1/00	SHU	EPA 8310

WI DNR Lab Certification Number: 157066030
DATCP Certification Number: 289

Solid sample results reported on a Dry Weight Basis



Commonwealth
Technology, Inc.
Laboratory Division

METCO

Project Name: DUNCAN PROPERTY
Project #:

Contract #: 1455

Folder #: 7365

4 of 8

CTI LAB#:	28987	Sample Description:	G-1-3	Sampled:	7/20/00	1100
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Analyte	Result	Units	LOD	LOQ	Dilution	Qualifier	Prep Date	Analysis Date	Analyst	Method
Benzo(k)fluoranthene	<0.00083	mg/kg	0.00083	0.0028	1		7/30/00	8/1/00	SHU	EPA 8310
Chrysene	<0.0035	mg/kg	0.0035	0.011	1		7/30/00	8/1/00	SHU	EPA 8310
Dibenzo(a,h)anthracene	<0.020	mg/kg	0.020	0.066	1		7/30/00	8/1/00	SHU	EPA 8310
Fluoranthene	<0.0028	mg/kg	0.0028	0.0088	1		7/30/00	8/1/00	SHU	EPA 8310
Fluorene	<0.0092	mg/kg	0.0092	0.031	1		7/30/00	8/1/00	SHU	EPA 8310
Indeno(1,2,3-cd)pyrene	<0.0053	mg/kg	0.0053	0.017	1		7/30/00	8/1/00	SHU	EPA 8310
Naphthalene	<0.018	mg/kg	0.018	0.061	1		7/30/00	8/1/00	SHU	EPA 8310
Phenanthrene	<0.0030	mg/kg	0.0030	0.012	1		7/30/00	8/1/00	SHU	EPA 8310
Pyrene	<0.011	mg/kg	0.011	0.033	1		7/30/00	8/1/00	SHU	EPA 8310
Benzene	<0.025	mg/kg	0.010	0.030	1		7/25/00	7/28/00	JBB	EPA 8020
Ethylbenzene	<0.025	mg/kg	0.010	0.040	1		7/25/00	7/28/00	JBB	EPA 8020
Methyl tert-butyl ether	<0.025	mg/kg	0.0090	0.030	1		7/25/00	7/28/00	JBB	EPA 8020
Toluene	<0.025	mg/kg	0.010	0.040	1		7/25/00	7/28/00	JBB	EPA 8020
1,2,4-Trimethylbenzene	<0.025	mg/kg	0.010 *	0.040	1		7/25/00	7/28/00	JBB	EPA 8020
1,3,5-Trimethylbenzene	<0.025	mg/kg	0.010	0.040	1		7/25/00	7/28/00	JBB	EPA 8020
m & p-Xylene	<0.025	mg/kg	0.020	0.070	1		7/25/00	7/28/00	JBB	EPA 8020
o-Xylene	<0.025	mg/kg	0.0090	0.030	1		7/25/00	7/28/00	JBB	EPA 8020

CTI LAB#:	28988	Sample Description:	G-2-1	Sampled:	7/20/00	1200
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Analyte	Result	Units	LOD	LOQ	Dilution	Qualifier	Prep Date	Analysis Date	Analyst	Method
Inorganic Results										
Solids, Percent	80.80	%	N/A	N/A	1			7/24/00	NMP	EPA 5030A
Organic Results										
Diesel Range Organics	<1.7	mg/kg	1.7	5.8	1		7/29/00	8/2/00	LMG	WDNR DRO
1-Methylnaphthalene	<0.020	mg/kg	0.020	0.067	1		7/30/00	8/1/00	SHU	EPA 8310
2-Methylnaphthalene	<0.022	mg/kg	0.022	0.073	1		7/30/00	8/1/00	SHU	EPA 8310
Acenaphthene	<0.087	mg/kg	0.087	0.27	1		7/30/00	8/1/00	SHU	EPA 8310
Acenaphthylene	<0.022	mg/kg	0.022	0.077	1		7/30/00	8/1/00	SHU	EPA 8310
Anthracene	<0.0033	mg/kg	0.0033	0.011	1		7/30/00	8/1/00	SHU	EPA 8310

WIDNR Lab Certification Number: 157066030
DATCP Certification Number: 289

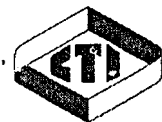


CTI LAB#:	28988	Sample Description:	G-2-1	Sampled:	7/20/00	1200
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Analyte	Result	Units	LOD	LOQ	Dilution	Qualifier	Prep Date	Analysis Date	Analyst	Method
Benzo(a)anthracene	<0.0020	mg/kg	0.0020	0.0063	1		7/30/00	8/1/00	SHU	EPA 8310
Benzo(a)pyrene	<0.0050	mg/kg	0.0050	0.016	1		7/30/00	8/1/00	SHU	EPA 8310
Benzo(b)fluoranthene	<0.00080	mg/kg	0.00080	0.0027	1		7/30/00	8/1/00	SHU	EPA 8310
Benzo(g,h,i)perylene	<0.0040	mg/kg	0.0040	0.014	1		7/30/00	8/1/00	SHU	EPA 8310
Benzo(k)fluoranthene	<0.00089	mg/kg	0.00089	0.0030	1		7/30/00	8/1/00	SHU	EPA 8310
Chrysene	<0.0037	mg/kg	0.0037	0.012	1		7/30/00	8/1/00	SHU	EPA 8310
Dibenzo(a,h)anthracene	<0.021	mg/kg	0.021	0.071	1		7/30/00	8/1/00	SHU	EPA 8310
Fluoranthene	<0.0030	mg/kg	0.0030	0.0094	1		7/30/00	8/1/00	SHU	EPA 8310
Fluorene	<0.0099	mg/kg	0.0099	0.033	1		7/30/00	8/1/00	SHU	EPA 8310
Indeno(1,2,3-cd)pyrene	0.0074	mg/kg	0.0057 *	0.019	1		7/30/00	8/1/00	SHU	EPA 8310
Naphthalene	<0.020	mg/kg	0.020	0.066	1		7/30/00	8/1/00	SHU	EPA 8310
Phenanthrene	<0.0032	mg/kg	0.0032	0.012	1		7/30/00	8/1/00	SHU	EPA 8310
Pyrene	<0.011	mg/kg	0.011	0.036	1		7/30/00	8/1/00	SHU	EPA 8310
Benzene	<0.025	mg/kg	0.010	0.030	1		7/25/00	7/28/00	JBB	EPA 8020
Ethylbenzene	<0.025	mg/kg	0.010	0.040	1		7/25/00	7/28/00	JBB	EPA 8020
Methyl tert-butyl ether	<0.025	mg/kg	0.0090	0.030	1		7/25/00	7/28/00	JBB	EPA 8020
Toluene	<0.025	mg/kg	0.010	0.040	1		7/25/00	7/28/00	JBB	EPA 8020
1,2,4-Trimethylbenzene	<0.025	mg/kg	0.010	0.040	1		7/25/00	7/28/00	JBB	EPA 8020
1,3,5-Trimethylbenzene	<0.025	mg/kg	0.010	0.040	1		7/25/00	7/28/00	JBB	EPA 8020
m & p-Xylene	<0.025	mg/kg	0.020	0.070	1		7/25/00	7/28/00	JBB	EPA 8020
o-Xylene	<0.025	mg/kg	0.0090	0.030	1		7/25/00	7/28/00	JBB	EPA 8020

CTI LAB#:	28989	Sample Description:	G-2-2	Sampled:	7/20/00	1230
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Analyte	Result	Units	LOD	LOQ	Dilution	Qualifier	Prep Date	Analysis Date	Analyst	Method
Inorganic Results										
Solids, Percent	86.00	%	N/A	N/A	1			7/24/00	NMP	EPA 5030A
Organic Results										
Diesel Range Organics	<1.6	mg/kg	1.6	5.5	1		7/29/00	8/2/00	LMG	WDNR DRO
1-Methylnaphthalene	<0.019	mg/kg	0.019	0.063	1		7/30/00	8/1/00	SHU	EPA 8310

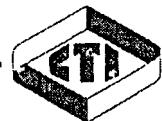


CTI LAB#:	28989	Sample Description:	G-2-2	Sampled:	7/20/00	1230
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Analyte	Result	Units	LOD	LOQ	Dilution	Qualifier	Prep Date	Analysis Date	Analyst	Method
2-Methylnaphthalene	<0.021	mg/kg	0.021	0.069	1		7/30/00	8/1/00	SHU	EPA 8310
Acenaphthene	<0.081	mg/kg	0.081	0.26	1		7/30/00	8/1/00	SHU	EPA 8310
Acenaphthylene	<0.021	mg/kg	0.021	0.072	1		7/30/00	8/1/00	SHU	EPA 8310
Anthracene	<0.0031	mg/kg	0.0031	0.010	1		7/30/00	8/1/00	SHU	EPA 8310
Benzo(a)anthracene	<0.0019	mg/kg	0.0019	0.0059	1		7/30/00	8/1/00	SHU	EPA 8310
Benzo(a)pyrene	<0.0047	mg/kg	0.0047	0.015	1		7/30/00	8/1/00	SHU	EPA 8310
Benzo(b)fluoranthene	<0.00076	mg/kg	0.00076	0.0026	1		7/30/00	8/1/00	SHU	EPA 8310
Benzo(g,h,i)perylene	<0.0037	mg/kg	0.0037	0.013	1		7/30/00	8/1/00	SHU	EPA 8310
Benzo(k)fluoranthene	<0.00084	mg/kg	0.00084	0.0028	1		7/30/00	8/1/00	SHU	EPA 8310
Chrysene	<0.0035	mg/kg	0.0035	0.012	1		7/30/00	8/1/00	SHU	EPA 8310
Dibenzo(a,h)anthracene	<0.020	mg/kg	0.020	0.066	1		7/30/00	8/1/00	SHU	EPA 8310
Fluoranthene	<0.0028	mg/kg	0.0028	0.0088	1		7/30/00	8/1/00	SHU	EPA 8310
Fluorene	<0.0093	mg/kg	0.0093	0.031	1		7/30/00	8/1/00	SHU	EPA 8310
Indeno(1,2,3-cd)pyrene	<0.0053	mg/kg	0.0053	0.017	1		7/30/00	8/1/00	SHU	EPA 8310
Naphthalene	<0.019	mg/kg	0.019	0.062	1		7/30/00	8/1/00	SHU	EPA 8310
Phenanthrene	<0.0030	mg/kg	0.0030	0.012	1		7/30/00	8/1/00	SHU	EPA 8310
Pyrene	<0.011	mg/kg	0.011	0.034	1		7/30/00	8/1/00	SHU	EPA 8310
Benzene	<0.025	mg/kg	0.010	0.030	1		7/25/00	7/28/00	JBB	EPA 8020
Ethylbenzene	<0.025	mg/kg	0.010	0.040	1		7/25/00	7/28/00	JBB	EPA 8020
Methyl tert-butyl ether	<0.025	mg/kg	0.0090	0.030	1		7/25/00	7/28/00	JBB	EPA 8020
Toluene	<0.025	mg/kg	0.010 *	0.040	1		7/25/00	7/28/00	JBB	EPA 8020
1,2,4-Trimethylbenzene	<0.025	mg/kg	0.010	0.040	1		7/25/00	7/28/00	JBB	EPA 8020
1,3,5-Trimethylbenzene	<0.025	mg/kg	0.010	0.040	1		7/25/00	7/28/00	JBB	EPA 8020
m & p-Xylene	<0.025	mg/kg	0.020	0.070	1		7/25/00	7/28/00	JBB	EPA 8020
o-Xylene	<0.025	mg/kg	0.0090	0.030	1		7/25/00	7/28/00	JBB	EPA 8020

CTI LAB#:	28990	Sample Description:	G-2-3	Sampled:	7/20/00	1:00
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Analyte	Result	Units	LOD	LOQ	Dilution	Qualifier	Prep Date	Analysis Date	Analyst	Method
Inorganic Results										
Solids, Percent	85.50	%	N/A	N/A	1			7/24/00	NMP	EPA 5030A



CTI LAB#:	28990	Sample Description:	G-2-3	Sampled:	7/20/00	1:00
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Analyte	Result	Units	LOD	LOQ	Dilution	Qualifier	Prep Date	Analysis Date	Analyst	Method
Organic Results										
Diesel Range Organics	<1.6	mg/kg	1.6	5.5	1		7/29/00	8/2/00	LMG	WDNR DRO
1-Methylnaphthalene	<0.019	mg/kg	0.019	0.063	1		7/30/00	7/31/00	SHU	EPA 8310
2-Methylnaphthalene	<0.021	mg/kg	0.021	0.069	1		7/30/00	7/31/00	SHU	EPA 8310
Acenaphthene	<0.082	mg/kg	0.082	0.26	1		7/30/00	7/31/00	SHU	EPA 8310
Acenaphthylene	0.21	mg/kg	0.021	0.073	1		7/30/00	7/31/00	SHU	EPA 8310
Anthracene	<0.0032	mg/kg	0.0032	0.010	1		7/30/00	7/31/00	SHU	EPA 8310
Benzo(a)anthracene	<0.0019	mg/kg	0.0019	0.0060	1		7/30/00	7/31/00	SHU	EPA 8310
Benzo(a)pyrene	<0.0047	mg/kg	0.0047	0.015	1		7/30/00	7/31/00	SHU	EPA 8310
Benzo(b)fluoranthene	<0.00076	mg/kg	0.00076	0.0026	1		7/30/00	7/31/00	SHU	EPA 8310
Benzo(g,h,i)perylene	<0.0037	mg/kg	0.0037	0.013	1		7/30/00	7/31/00	SHU	EPA 8310
Benzo(k)fluoranthene	<0.00084	mg/kg	0.00084	0.0028	1		7/30/00	7/31/00	SHU	EPA 8310
Chrysene	<0.0035	mg/kg	0.0035	0.012	1		7/30/00	7/31/00	SHU	EPA 8310
Dibenzo(a,h)anthracene	<0.020	mg/kg	0.020	0.067	1		7/30/00	7/31/00	SHU	EPA 8310
Fluoranthene	<0.0028	mg/kg	0.0028	0.0089	1		7/30/00	7/31/00	SHU	EPA 8310
Fluorene	<0.0094	mg/kg	0.0094	0.032	1		7/30/00	7/31/00	SHU	EPA 8310
Indeno(1,2,3-cd)pyrene	0.0081	mg/kg	0.0054 *	0.018	1		7/30/00	7/31/00	SHU	EPA 8310
Naphthalene	<0.019	mg/kg	0.019	0.062	1		7/30/00	7/31/00	SHU	EPA 8310
Phenanthrene	<0.0030	mg/kg	0.0030	0.012	1		7/30/00	7/31/00	SHU	EPA 8310
Pyrene	<0.011	mg/kg	0.011	0.034	1		7/30/00	7/31/00	SHU	EPA 8310
Benzene	<0.025	mg/kg	0.010	0.030	1		7/25/00	7/28/00	JBB	EPA 8020
Ethylbenzene	<0.025	mg/kg	0.010	0.040	1		7/25/00	7/28/00	JBB	EPA 8020
Methyl tert-butyl ether	<0.025	mg/kg	0.0090	0.030	1		7/25/00	7/28/00	JBB	EPA 8020
Toluene	<0.025	mg/kg	0.010	0.040	1		7/25/00	7/28/00	JBB	EPA 8020
1,2,4-Trimethylbenzene	<0.025	mg/kg	0.010	0.040	1		7/25/00	7/28/00	JBB	EPA 8020
1,3,5-Trimethylbenzene	<0.025	mg/kg	0.010	0.040	1		7/25/00	7/28/00	JBB	EPA 8020
m & p-Xylene	<0.025	mg/kg	0.020	0.070	1		7/25/00	7/28/00	JBB	EPA 8020
o-Xylene	<0.025	mg/kg	0.0090	0.030	1		7/25/00	7/28/00	JBB	EPA 8020



Commonwealth
Technology, Inc.
Laboratory Division

METCO

Project Name: DUNCAN PROPERTY
Project #:

Contract #: 1455

Folder #: 7365

8 of 8

CTI LAB#: 28992 Sample Description: MEOH BLANK Sampled: 7/20/00

Analyte	Result	Units	LOD	LOQ	Dilution	Qualifier	Prep Date	Analysis Date	Analyst	Method
Organic Results										
Benzene	<0.025	mg/kg	0.010	0.030	1		7/25/00	7/28/00	JBB	EPA 8020
Ethylbenzene	<0.025	mg/kg	0.010	0.040	1		7/25/00	7/28/00	JBB	EPA 8020
Methyl tert-butyl ether	<0.025	mg/kg	0.0090	0.030	1		7/25/00	7/28/00	JBB	EPA 8020
Toluene	<0.025	mg/kg	0.010 *	0.040	1		7/25/00	7/28/00	JBB	EPA 8020
1,2,4-Trimethylbenzene	<0.025	mg/kg	0.010	0.040	1		7/25/00	7/28/00	JBB	EPA 8020
1,3,5-Trimethylbenzene	<0.025	mg/kg	0.010	0.040	1		7/25/00	7/28/00	JBB	EPA 8020
m & p-Xylene	<0.025	mg/kg	0.020	0.070	1		7/25/00	7/28/00	JBB	EPA 8020
o-Xylene	<0.025	mg/kg	0.0090	0.030	1		7/25/00	7/28/00	JBB	EPA 8020

Notes: * Indicates Value in between LOD and LOQ.

All samples were received intact and properly preserved unless otherwise noted. The results reported relate only to the samples tested. This report shall not be reproduced, except in full, without written approval of this laboratory. The Chain of Custody is attached.

Submitted by: 

Record Reviewer

WI DNR Lab Certification Number: 157066030
DATCP Certification Number: 289

Solid sample results reported on a Dry Weight Basis

QC Qualifiers

<u>Code</u>	<u>Description</u>
B	Analyte detected in associated Method Blank.
C	Toxicity present in BOD sample.
E	Safe, No Total Coliform detected.
F	Unsafe, Total Coliform detected, no E. Coli detected.
G	Unsafe, Total Coliform detected and E. Coli detected.
H	Holding time exceeded.
J	Estimated value. The result is less than the reporting limit, but greater than the MDL.
L	Significant peaks were detected outside the chromatographic window.
M	Matrix spike and/or Matrix Spike Duplicate recovery outside acceptance limits.
N	Insufficient BOD oxygen depletion.
O	Complete BOD oxygen depletion.
P	Concentration of analyte differs more than 40% between GC columns.
Q	Laboratory Control Sample outside acceptance limits.
S	Surrogate and/or internal standard recovery outside acceptance limits due to apparent matrix effects.
T	Sample received with improper preservation or temperature.
V	Raised Quantitation or Reporting Limit due to limited sample amount or dilution for matrix background interference.
W	Sample amount received was below program minimum.
X	Analyte exceeded calibration range.
Y	Replicate/Duplicate precision outside acceptance limits.
Z	Calibration criteria exceeded.

Commonwealth Technology, Inc.



Formerly the Laboratory Division of Mid-State Associates, Inc.

1-800-228-3072
1230 Lange Court
Baraboo, WI 53913
(608) 356-2760
FAX: (608) 356-2766

Is this a PECFA project? (Please indicate "Yes" or "No") _____

SAMPLE COLLECTOR: <i>Ron Anderson</i>			COMPANY: <i>METCO</i>			TELEPHONE # (include area code): <i>608-781-8879</i>		
PROJECT NUMBER:			PROJECT NAME: <i>Duncan Property</i>					
I HEREBY CERTIFY THAT I RECEIVED, PROPERLY HANDLED, AND DISPOSED OF THESE SAMPLES AS NOTED BELOW:								
INVOICE ADDRESS (must be completed): <i>METCO</i> <i>2956 Airport Road, LaCrosse WI 54603</i>			REPORT ADDRESS (must be completed): <i>Same</i>					
DATE & TIME OF RELINQUISHMENT: <i>7/21/00 10:20</i>			RELINQUISHED BY (signature): <i>Delia Wink</i>			RECEIVED BY (signature): <i>Charles F. Bongard</i>		
DATE & TIME OF RELINQUISHMENT:			RELINQUISHED BY (signature):			RECEIVED BY LABORATORY (signature): <i>RAT. Letterer</i>		
DATE & TIME OF RELINQUISHMENT:			RELINQUISHED BY (signature):			DATE / TIME OF RECEPTION: <i>7-21-00 10:20 AM</i>		
DATE & TIME OF RELINQUISHMENT:			RELINQUISHED BY (signature):			DATE / TIME OF RECEPTION: <i>7-21-2000 1411</i>		

FIELD ID NUMBER	DATE COLLECTED	TIME COLLECTED	SAMPLE		PRESERV. TYPE	LOCATION / DESCRIPTION	TYPE OF ANALYSES REQUIRED (please circle)	LAB USE ONLY PROF. W/MQH? * IF YES	NO. / TYPE OF CONTAINERS	LAB I.D.
			TYPE	DEVICE						
G-1-1	7/20/00	10:35	Soil	Geo Probe	MeOH	Boring G-1	<input checked="" type="checkbox"/> GRO <input type="checkbox"/> GRO/PVOC <input checked="" type="checkbox"/> PVOC Pb Cd <input checked="" type="checkbox"/> SOLIDS FLASHPOINT VOC-LUST VOC-8021 SIEVE #200 SIEVE PAINT FILTER <input checked="" type="checkbox"/> PAH Other (please list):		4	28985
G-1-2	7/20/00	10:45	S	GP	MeOH	Boring G-1	<input checked="" type="checkbox"/> GRO <input type="checkbox"/> GRO/PVOC <input checked="" type="checkbox"/> PVOC Pb Cd <input checked="" type="checkbox"/> SOLIDS FLASHPOINT VOC-LUST VOC-8021 SIEVE #200 SIEVE PAINT FILTER <input checked="" type="checkbox"/> PAH Other (please list):		4	28986
G-1-3	7/20/00	11:00	S	GP	MeOH	Boring G-1	<input checked="" type="checkbox"/> GRO <input type="checkbox"/> GRO/PVOC <input checked="" type="checkbox"/> PVOC Pb Cd <input checked="" type="checkbox"/> SOLIDS FLASHPOINT VOC-LUST VOC-8021 SIEVE #200 SIEVE PAINT FILTER <input checked="" type="checkbox"/> PAH Other (please list):		4	28987
G-2-1	7/20/00	12:00	S	GP	MeOH	Boring G-2	<input checked="" type="checkbox"/> GRO <input type="checkbox"/> GRO/PVOC <input checked="" type="checkbox"/> PVOC Pb Cd <input checked="" type="checkbox"/> SOLIDS FLASHPOINT VOC-LUST VOC-8021 SIEVE #200 SIEVE PAINT FILTER <input checked="" type="checkbox"/> PAH Other (please list):		4	28988
G-2-2	7/20/00	12:30	S	GP	MeOH	Boring G-2	<input checked="" type="checkbox"/> GRO <input type="checkbox"/> GRO/PVOC <input checked="" type="checkbox"/> PVOC Pb Cd <input checked="" type="checkbox"/> SOLIDS FLASHPOINT VOC-LUST VOC-8021 SIEVE #200 SIEVE PAINT FILTER <input checked="" type="checkbox"/> PAH Other (please list):		4	28989
G-2-3	7/20/00	1:00	S	GP	MeOH	Boring G-2	<input checked="" type="checkbox"/> GRO <input type="checkbox"/> GRO/PVOC <input checked="" type="checkbox"/> PVOC Pb Cd <input checked="" type="checkbox"/> SOLIDS FLASHPOINT VOC-LUST VOC-8021 SIEVE #200 SIEVE PAINT FILTER <input checked="" type="checkbox"/> PAH Other (please list):		4	28990
MeOH Blank	7/20/00	10:00	-	-	-	MeOH Blank	DRO GRO GRO/PVOC PVOC Pb Cd % SOLIDS FLASHPOINT VOC-LUST VOC-8021 SIEVE #200 SIEVE PAINT FILTER PAH Other (please list):			28992
							DRO GRO GRO/PVOC PVOC Pb Cd % SOLIDS FLASHPOINT VOC-LUST VOC-8021 SIEVE #200 SIEVE PAINT FILTER PAH Other (please list):			

SAMPLE CONDITIONS / COMMENTS: <i>If possible, please have results within 3 weeks. Thanks a bunch, Ron Anderson</i>								CHECKED _____	ARRIVAL TEMPERATURE <i>5.8</i>
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Document Number

DEED NOTICE

In Re: A part of the Southwest quarter (SW ¼) of the Northwest quarter (NW ¼) of Section Twenty (20), Township Ten (10) North, Range One (1) East, Richland County, Wisconsin described as follows:

Beginning at a point on the West line of Count Trunk Highway "Y", which point is South, 85° 40' West, 396.7 feet, North 231 feet and North, 45° 33' East, 16.5 feet from the Southeast corner of said forty; thence Northwesterly, at right angles to said highway, 149 feet 3 inches; thence Southwesterly, parallel to said highway, 77 feet 8 inches to land owned by Eudora Schmitz; thence Southeasterly, along the Eudora Schmitz line, 149 feet 3 inches to beginning.

STATE OF WISCONSIN)
) ss
COUNTY OF RICHLAND)

Recording Area

Name and Return Address

Jennifer Toblas, DNR/SCR
3911 Fish Hatchery Road
Fitchburg, WI 53711

Kenneth Duncan, being first duly sworn, on oath deposes and says:

1. I am the owner of the property described above.
2. The Department of Natural Resources has determined that fuel oil contaminants discharged to my property, which is located at 25450 Hwy Y, Richland Center, Wisconsin, and which has the above captioned legal description, has contaminated the soil and/or groundwater in the vicinity.
3. The Department of Natural Resources believes that removal of the fuel oil contaminated soil, and/or groundwater monitoring and/or treatment, are required on the property under the authority of s. 292.11, Wis Stats.
4. On April 1, 1993, the Department of Natural Resources advised me of the statutory requirement to restore the environment at that location.
5. On May 23, 1997, an enforcement conference was held to discuss what needed to be done. I agreed to file a deed affidavit for the above stated property due to my inability to proceed.

Parcel Identification Number (PIN)

Signature: Kenneth L. Duncan

Printed Name: Kenneth L. Duncan

Subscribed and sworn to before me this 28th day of July, 1998.

Notary Public

Notary Public, State of Wisconsin

My commission is permanent

This document was drafted by the Wisconsin Department of Natural Resources

State Laboratory of Hygiene
University of Wisconsin Center for Health Sciences
465 Henry Mall, Madison, WI 53706

R.H. Laessig, Ph.D., Director S.L. Inhorn, M.D., Medical Director

Environmental Science Section (608) 262-2797 DNR LAB ID 113133790
Organic chemistry (#2 of 3 on 05/01/98, unseen)

Id: Point/Well/..: IW571 Field #: DUNCAN Route: WS10
Collection Date: 04/22/98 Time: 13:10 County: 52 (Racine)
From: 11 HWY Y, RICHLAND CENTER, WI 53581
Description: KITCHEN TAP
To: WDNR -SCR, 3911 FISH HATCHERY RD, FITCHBURG, WI 53711
Account number: DG015 Collected by: TOBIAS
Date Received: 04/22/98 Labslip #: OI002498 Reported: 04/30/98

---- test: VOCS IN WATER BY PURGE AND TRAP - EPA METHOD 8260

ACETONE	ND (LOD=2.4 UG/L)
BENZENE	ND (LOD=0.15 UG/L)
BROMOBENZENE	ND (LOD=0.30 UG/L)
BROMOCHLOROMETHANE	ND (LOD=0.30 UG/L)
BROMODICHLOROMETHANE	ND (LOD=0.15 UG/L)
BROMOFORM	ND (LOD=0.30 UG/L)
BROMOMETHANE	ND (LOD=1.5 UG/L)
N-BUTYLBENZENE	ND (LOD=0.30 UG/L)
SEC-BUTYLBENZENE	ND (LOD=0.15 UG/L)
TERT-BUTYLBENZENE	ND (LOD=0.30 UG/L)
CARBON DISULFIDE	ND (LOD=0.15 UG/L)
CARBON TETRACHLORIDE	ND (LOD=0.15 UG/L)
CHLOROBENZENE	ND (LOD=0.15 UG/L)
CHLORODIBROMOMETHANE	ND (LOD=0.30 UG/L)
CHLOROETHANE	ND (LOD=0.30 UG/L)
CHLOROFORM	ND (LOD=0.15 UG/L)
CHLOROMETHANE	ND (LOD=0.45 UG/L)
2-CHLOROTOLUENE	ND (LOD=0.30 UG/L)
4-CHLOROTOLUENE	ND (LOD=0.30 UG/L)
1,2-DIBROMO-3-CHLOROPROPANE	ND (LOD=0.45 UG/L)
1,2-DIBROMOETHANE (EDB)	ND (LOD=0.30 UG/L)
DIBROMOMETHANE	ND (LOD=0.15 UG/L)
1,2-DICHLOROETHANE	ND (LOD=0.30 UG/L)
1,3-DICHLOROETHANE	ND (LOD=0.30 UG/L)
1,4-DICHLOROETHANE	ND (LOD=0.45 UG/L)
DICHLORODIFLUOROMETHANE	ND (LOD=1.2 UG/L)
1,1-DICHLOROETHANE	ND (LOD=0.15 UG/L)
1,2-DICHLOROETHANE	ND (LOD=0.15 UG/L)
1,1-DICHLOROETHYLENE	ND (LOD=0.15 UG/L)
CIS-1,2-DICHLOROETHYLENE	ND (LOD=0.15 UG/L)
TRANS-1,2-DICHLOROETHYLENE	ND (LOD=0.45 UG/L)
1,2-DICHLOROPROPANE	ND (LOD=0.15 UG/L)
1,3-DICHLOROPROPANE	ND (LOD=0.30 UG/L)
2,2-DICHLOROPROPANE	ND (LOD=0.15 UG/L)
1,1-DICHLOROPROPENE	ND (LOD=0.15 UG/L)

State Laboratory of Hygiene
University of Wisconsin Center for Health Sciences
465 Henry Mall, Madison, WI 53706

R.H. Laessig, Ph.D., Director S.L. Inhorn, M.D., Medical Director

Environmental Science Section (608) 262-2797 DNR LAB ID 113133790
... continuing Labslip # OI002498, Field # DUNCAN

CIS-1,3-DICHLOROPROPENE	ND (LOD=0.15 UG/L)
TRANS-1,3-DICHLOROPROPENE	ND (LOD=0.30 UG/L)
DIISOPROPYL ETHER	ND (LOD=0.15 UG/L)
ETHYLBENZENE	ND (LOD=0.30 UG/L)
HEXACHLOROBUTADIENE	ND (LOD=0.30 UG/L)
N-HEXANE	ND (LOD=0.30 UG/L)
ISOPROPYLBENZENE	ND (LOD=0.15 UG/L)
P-ISOPROPYLTOLUENE	ND (LOD=0.15 UG/L)
METHYL ETHYL KETONE (MEK)	ND (LOD=1.8 UG/L)
METHYL ISOBUTYL KETONE (MIBK)	ND (LOD=0.30 UG/L)
METHYL-TERT-BUTYL ETHER (MTBE)	ND (LOD=0.15 UG/L)
METHYLENE CHLORIDE	ND (LOD=0.45 UG/L)
NAPHTHALENE	ND (LOD=1.5 UG/L)
N-PROPYLBENZENE	ND (LOD=0.15 UG/L)
STYRENE	ND (LOD=0.15 UG/L)
1,1,1,2-TETRACHLOROETHANE	ND (LOD=0.30 UG/L)
1,1,2,2-TETRACHLOROETHANE	ND (LOD=0.30 UG/L)
TETRACHLOROETHYLENE	ND (LOD=0.30 UG/L)
TETRAHYDROFURAN (THF)	ND (LOD=1.0 UG/L)
TOLUENE	ND (LOD=0.15 UG/L)
1,2,3-TRICHLOROBENZENE	ND (LOD=0.30 UG/L)
1,2,4-TRICHLOROBENZENE	ND (LOD=0.30 UG/L)
1,1,1-TRICHLOROETHANE	ND (LOD=0.15 UG/L)
1,1,2-TRICHLOROETHANE	ND (LOD=0.30 UG/L)
TRICHLOROETHYLENE	ND (LOD=0.15 UG/L)
TRICHLOROFLUOROMETHANE	ND (LOD=0.30 UG/L)
1,2,3-TRICHLOROPROPANE	ND (LOD=0.30 UG/L)
1,1,2-TRICHLOROTRIFLUOROETHANE	ND (LOD=0.15 UG/L)
1,2,4-TRIMETHYLBENZENE	ND (LOD=0.15 UG/L)
1,3,5-TRIMETHYLBENZENE	ND (LOD=0.15 UG/L)
VINYL CHLORIDE	ND (LOD=0.15 UG/L)
M/P-XYLENE	ND (LOD=1.0 UG/L)
O-XYLENE	ND (LOD=0.15 UG/L)
VOCS IN WATER BY GCMS - PREP - EPA METHOD 8260B	C

---- test: TEMPERATURE ON RECEIPT-ICED - 0950

TEMPERATURE ON RECEIPT-ICED ICED

VOCS IN WATER BY GCMS - PREP - EPA METHOD 8260B C

State Laboratory of Hygiene
University of Wisconsin Center for Health Sciences
465 Henry Mall, Madison, WI 53706
R.H. Laessig, Ph.D., Director S.L. Inhorn, M.D., Medical Director

Environmental Science Section (608) 262-2797 DNR LAB ID 113133790
Organic chemistry (#1 of 1 on 05/06/98, unseen)

Id: Point/Well/..: IW571 Field #: DUNCAN Route: WS10
Collection Date: 04/22/98 Time: 13:10 County: 52 (Racine)
From: 11 HWY Y, RICHLAND CENTER, WI 53581
Description: KITCHEN TAP
To: WDNR - SCR, 3911 FISH HATCHERY RD, FITCHBURG, WI 53711
Account number: DG015 Collected by: TOBIAS
Date Received: 04/22/98 Labslip #: OI002500 Reported: 05/05/98

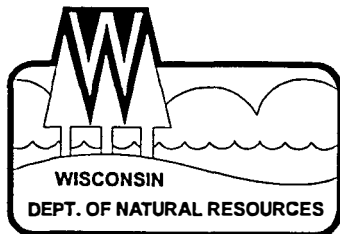
---- test: TEMPERATURE ON RECEIPT-ICED - 0950
TEMPERATURE ON RECEIPT-ICED ICED

---- test: PAHS IN WATER HPLC-SW846-METHOD 8310
ACENAPHTHENE ND (LOD=0.048 UG/L)
ACENAPHTHYLENE ND (LOD=0.044 UG/L)
ANTHRACENE ND (LOD=0.015 UG/L)
BENZO(A)ANTHRACENE ND (LOD=0.059 UG/L)
BENZO(A)PYRENE ND (LOD=0.041 UG/L)

BENZO(B)FLUORANTHENE ND (LOD=0.073 UG/L)
BENZO(G,H,I)PERYLENE ND (LOD=0.050 UG/L)
BENZO(K)FLUORANTHENE ND (LOD=0.059 UG/L)
CHRYSENE ND (LOD=0.030 UG/L)
DIBENZO(A,H)ANTHRACENE ND (LOD=0.019 UG/L)

FLUORANTHENE ND (LOD=0.098 UG/L)
FLUORENE ND (LOD=0.12 UG/L)
INDENO(1,2,3-C,D)PYRENE ND (LOD=0.078 UG/L)
NAPHTHALENE ND (LOD=0.054 UG/L)
PHENANTHRENE ND (LOD=0.035 UG/L)

PYRENE ND (LOD=0.063 UG/L)
PAHS IN WATER-PREP-SW846-METHOD 8310 C
SINGLE SAMPLE PREPARATION 21 C



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Ruthe E. Badger, Regional Director

South Central Region Headquarters
3911 Fish Hatchery Road
Fitchburg, Wisconsin 53711-5397
Telephone 608-275-3266
FAX 608-275-3338
TDD 608-275-3231

SENT CERTIFIED MAIL - RETURN RECEIPT REQUESTED

July 23, 1998

File Ref: 03-53-001828

Mr. Kenneth Duncan
PO Box 85
Richland Center, WI 53581

and

Ms. Kay Duncan
25450 Hwy Y
Richland Center, WI 53581

Subject: Environmental Contamination located at 25450 Hwy Y, Richland Center, WI

Dear Mr. & Ms. Duncan:

In a letter dated April 1, 1993, the Department of Natural Resources notified you that we believe you are responsible, under section 292.11 of the Wisconsin Statutes (Hazardous Substance Spill Law), for environmental contamination at property you own, located at 25450 Hwy Y, Richland Center in Wisconsin.

The Department has made the finding that fuel oil discharged to the Duncan property, located at 25450 Hwy Y, Richland Center, in the Township of Richland, County of Richland, is the source of soil and/or groundwater contamination in the vicinity. The Department has concluded that fuel oil is a "hazardous substance" as defined in s. 292.01(5) Wis. Stats. The Department believes that removal of the contaminated soil and/or groundwater and groundwater monitoring and/or treatment are required on the property under the authority of s. 292.11 Wis. Stats.

In a second letter dated May 19, 1997, you were notified that we did not receive an adequate response to our initial letter and that the Department had scheduled an enforcement conference to be held on May 23, 1997. In that meeting, you stated that you are unable to fund a clean-up and agreed to record a deed notice with the Richland County Register of Deeds Office. The notice to be recorded is enclosed.

Because the Department believes that fuel oil previously found in the soil on the property named above will continue to discharge into the environment, subsequent purchasers of the property could be held responsible for clean-up costs under s. 292.11 Wis. Stats. The recording of this notice is necessary to protect future owners and/or operators of this property by notifying them that contamination remains which has not been properly addressed according to chapters NR 700 to 726 of the Wisconsin Administrative Code.

You have 30 days from the date you receive this letter to record the enclosed deed notice with the Richland County Register of Deeds Office in Richland Center and provide the Department with a copy of the notarized and recorded deed notice. Please be advised that your failure to carry out the required actions will result in a recommendation for further enforcement actions to be initiated. Those actions could include a direct referral to the Attorney General's Office




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Through Excellent Customer Service*



seeking a court ordered schedule for completion of the necessary work. You should also be advised that referrals to the Attorney General's Office for prosecution typically result in forfeitures for these violations.

If you have any questions, please call me at the number below.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Tobias". The signature is fluid and cursive, with the first name "Jennifer" written in a larger, more prominent script than the last name "Tobias".

Jennifer Tobias
Hydrogeologist
Remediation & Redevelopment Program
(608) 275-3292

cc: Tim Coughlin, DNR Enforcement Specialist

Document Number**DEED NOTICE**

In Re: A part of the Southwest quarter (SW ¼) of the Northwest quarter (NW ¼) of Section Twenty (20), Township Ten (10) North, Range One (1) East, Richland County, Wisconsin described as follows:

Beginning at a point on the West line of Count Trunk Highway "Y", which point is South, 85° 40' West, 396.7 feet, North 231 feet and North, 45° 33' East, 16.5 feet from the Southeast corner of said forty; thence Northwesterly, at right angles to said highway, 149 feet 3 inches; thence Southwesterly, parallel to said highway, 77 feet 8 inches to land owned by Eudora Schmitz; thence Southeasterly, along the Eudora Schmitz line, 149 feet 3 inches to beginning.

STATE OF WISCONSIN)
) ss
COUNTY OF RICHLAND)

Recording Area**Name and Return Address**

Jennifer Tobias, DNR/SCR
3911 Fish Hatchery Road
Fitchburg, WI 53711

Kenneth Duncan, being first duly sworn, on oath deposes and says:

1. I am the owner of the property described above.
2. The Department of Natural Resources has determined that fuel oil contaminants discharged to my property, which is located at 25450 Hwy Y, Richland Center, Wisconsin, and which has the above captioned legal description, has contaminated the soil and/or groundwater in the vicinity.
3. The Department of Natural Resources believes that removal of the fuel oil contaminated soil, and/or groundwater monitoring and/or treatment, are required on the property under the authority of s. 292.11, Wis Stats.
4. On April 1, 1993, the Department of Natural Resources advised me of the statutory requirement to restore the environment at that location.
5. On May 23, 1997, an enforcement conference was held to discuss what needed to be done. I agreed to file a deed affidavit for the above stated property due to my inability to proceed.

Parcel Identification Number (PIN)

Signature: _____

Printed Name: _____

Subscribed and sworn to before me this _____ day of _____, 1998.

Notary Public, State of _____

My commission _____

This document was drafted by the Wisconsin Department of Natural Resources



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Ruthe E. Badger, Regional Director

South Central Region Headquarters
3911 Fish Hatchery Road
Fitchburg, Wisconsin 53711-5397
Telephone 608-275-3266
FAX 608-275-3338
TDD 608-275-3231

RECEIVED
SEP 29 2000
ERS DIVISION

SENT CERTIFIED MAIL - RETURN RECEIPT REQUESTED

July 23, 1998

File Ref: 03-53-001828

Mr. Kenneth Duncan
PO Box 85
Richland Center, WI 53581

and

Ms. Kay Duncan
25450 Hwy Y
Richland Center, WI 53581

Subject: Environmental Contamination located at 25450 Hwy Y, Richland Center, WI

Dear Mr. & Ms. Duncan:

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Through Excellent Customer Service*



seeking a court ordered schedule for completion of the necessary work. You should also be advised that referrals to the Attorney General's Office for prosecution typically result in forfeitures for these violations.

If you have any questions, please call me at the number below.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jennifer Tobias". The signature is fluid and cursive, with the first name "Jennifer" written in a larger, more prominent script than the last name "Tobias".

Jennifer Tobias
Hydrogeologist
Remediation & Redevelopment Program
(608) 275-3292

cc: Tim Coughlin, DNR Enforcement Specialist

Document Number**DEED NOTICE**

In Re: A part of the Southwest quarter (SW ¼) of the Northwest quarter (NW ¼) of Section Twenty (20), Township Ten (10) North, Range One (1) East, Richland County, Wisconsin described as follows:

Beginning at a point on the West line of Count Trunk Highway "Y", which point is South, 85° 40' West, 396.7 feet, North 231 feet and North, 45° 33' East, 16.5 feet from the Southeast corner of said forty; thence Northwesterly, at right angles to said highway, 149 feet 3 inches; thence Southwesterly, parallel to said highway, 77 feet 8 inches to land owned by Eudora Schmitz; thence Southeasterly, along the Eudora Schmitz line, 149 feet 3 inches to beginning.

STATE OF WISCONSIN)
) ss
COUNTY OF RICHLAND)

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3. The Department of Natural Resources believes that removal of the fuel oil contaminated soil, and/or groundwater monitoring and/or treatment, are required on the property under the authority of s. 292.11, Wis Stats.
4. On April 1, 1993, the Department of Natural Resources advised me of the statutory requirement to restore the environment at that location.
5. On May 23, 1997, an enforcement conference was held to discuss what needed to be done. I agreed to file a deed affidavit for the above stated property due to my inability to proceed.

Signature: _____

Printed Name: _____

Subscribed and sworn to before me this _____ day of _____, 1998.

Notary Public, State of _____

My commission _____

This document was drafted by the Wisconsin Department of Natural Resources

Recording Area**Name and Return Address**

Jennifer Tobias, DNR/SCR
3911 Fish Hatchery Road
Fitchburg, WI 53711

Parcel Identification Number (PIN)

03-53-001828
Duncan Property

DOCUMENT NO.

190844

STATE BAR OF WISCONSIN FORM 5 — 1982
PERSONAL REPRESENTATIVE'S DEED

VOL. 193 PAGE 427
THIS SPACE RESERVED FOR RECORDING DATA

RECORDED
AT 3:35 O'CLOCK P. M.

AUG 1 0 1987

VOL. 193 OF RECORDS PAGE 427
SY. MILLER, REGISTER OF DEEDS
RICHLAND COUNTY, WISCONSIN

BY Susan Shiggy, Deputy

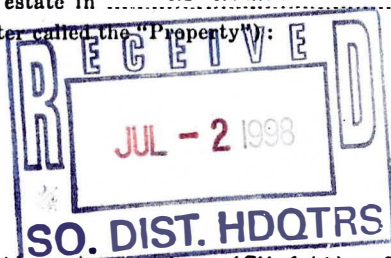
Richard W. Batterson and Gail Surrem

, as Personal Representative of the estate of
Dorothy Antoinette Batterson

("Decedent"),

for a valuable consideration conveys, without warranty, to
Kenneth L. Duncan and Kay Duncan, as survivorship
marital property

the following described real estate in Richland County,
State of Wisconsin (hereinafter called the "Property"):



RETURN TO David M. Houser
P.O. Box 532, 440 S. Church
Richland Center, WI 53581

Tax Parcel No: _____

A part of the Southwest quarter (SW 1/4) of the Northwest quarter (NW 1/4) of
Section Twenty (20), Township Ten (10) North, Range One (1) East, Richland
County, Wisconsin, described as follows:

Beginning at a point on the West line of County Trunk Highway "Y", which
point is South, 85° 40' West, 396.7 feet, North 231 feet and North, 45° 33'
East, 16.5 feet from the Southeast corner of said forty; thence North 45° 33'
East, 77 feet 8 inches along the West line of said highway; thence Northweas-
terly, at right angles to said highway, 149 feet 3 inches; thence Southwesterly,
parallel to said highway, 77 feet 8 inches to land owned by Eudora Schmitz;
thence Southeasterly, along the Eudora Schmitz line, 149 feet 3 inches to
beginning.



Personal Representative by this deed does convey to Grantee all of the estate and interest in the Property which
the Decedent had immediately prior to Decedent's death, and all of the estate and interest in the Property which the
Personal Representative has since acquired.

Dated this 10 day of August, 1987.

Richard W. Batterson (SEAL)

* Richard W. Batterson
Personal Representative

Gail Surrem (SEAL)

* Gail Surrem
Personal Representative

AUTHENTICATION

Signature(s) _____

authenticated on 10th day of August, 1987

David M. Houser

* David M. Houser

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, _____
authorized by § 706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY

David M. Houser, Attorney

Richland Center, WI

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

ACKNOWLEDGMENT

STATE OF WISCONSIN

ss.

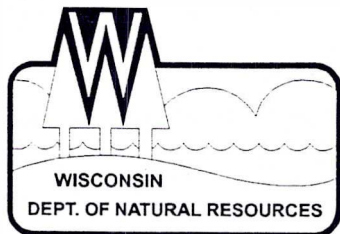
County.

Personally came before me this _____ day of
_____, 19____ the above named

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

* _____
Notary Public _____ 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.



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Ruthe E. Badger, Regional Director

South Central Region Headquarters
3911 Fish Hatchery Road
Fitchburg, Wisconsin 53711-5397
Telephone 608-275-3266
FAX 608-275-3338
TDD 608-275-3231

May 7, 1998

UWID: IW571

File Ref: 03-53-001828

Kay Duncan
25450 Hwy Y
Richland Center, WI 53581

RECEIVED

SEP 29 2000

ERS DIVISION

Subject: Water Sample Results

Dear Ms. Duncan:

On April 22, 1998, water samples were collected from your water supply for analysis of Volatile Organic Compounds (VOC's) and Polynuclear Aromatic Hydrocarbons (PAH's). VOC's are compounds found in gasoline, fuel oil and other industrial cleaners and chemicals. PAH's are mostly characteristic of oils, such as fuel oil.

On February 23, 1993, a fuel oil release next to your well was reported to us. The Department was concerned for the potential contamination in your water. As the enclosed laboratory reports show, **none of the compounds were detected**. In order to assist you in interpreting the results, the following is an explanation of the format and abbreviations. The compounds are listed alphabetically, with the following information for each compound:

Name	Detect	Limit of Detection (LOD)
------	--------	--------------------------

For example:

Benzene	no detect (ND)	(LOD=0.15 UG/L)
---------	----------------	-----------------

This means that a minimum concentration of 0.15 UG/L (micrograms of contamination per liter of water) for Benzene must be present before the lab can detect it, and that no detection for Benzene was found in your water. As you look at the results, you will see that each compound was below the lab's limit of detection, indicating no contamination in your water.

I have also reviewed your file and found that the agreed deed affidavit has not yet been filed. It is important to submit this as soon as possible. Until this is accomplished, your property will remain a potential health threat and a site of concern for the Department. The first step in this process is to mail me a complete copy of your deed. You can obtain the deed at the County Register of Deeds office in the County Courthouse in Richland Center. Once your deed has been submitted, an affidavit will be written regarding the fuel oil contamination on your property and you will receive additional instructions to complete this process.



Quality Natural Resources Management
Through Excellent Customer Service



If you have any questions regarding this letter, please feel free to call me at the number below.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Tobias". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Jennifer Tobias
Drinking Water & Ground Water Program
Water Supply Specialist
608-275-3292

Enclosures 2

cc: Ken Duncan, PO Box 85, Richland Center, WI 53581
Remediation & Redevelopment Program file
Drinking Water & Ground Water Program file

4/24/98

Duncan Property
03-53-001828

New Address:

Kay Duncan
25450 Hwy Y
Richland Center
608-647-6547

RECEIVED

SEP 29 2000

ERS DIVISION

Sampled PW on 4/22/98 for VOC's & PAH's.

Ken Duncan lives at a different address.

Ph # 608-647-3479

Unique Well ID assigned: UWID: 1W571

Jennifer T. Gias

Duncan Property

12/17/97
RECEIVED

SEP 29 2000

ERS DIVISION

Duncan Property

03-53-001828

Pat and I had an enforcement conference with this guy on 5/23/97 and he agreed to supply a deed to the property for the purpose of our filing a deed affidavit. He has not done any investigation for his fuel oil tank leak due to a lack of funds, but did himself excavate much of the soil. He responded to my letter asking him to submit his intentions to follow through by leaving a message on my voice mail stating that he needed more time as they are still deciding who gets the house as a result of the divorce. He does not mind if Joe L. samples the private well. I tried to call him back and got his machine, he did not return my call. Someone should follow up on this.

Spoke w/ Joe L. today - said sampling would most likely take place sometime in January.

Myongseukong



PHONE CONTACT

DATE 9/16/97

SITE NAME Duncan Property CONTACT NAME Ken Duncan

608/647-3479

I called + left message. Call not returned.

RECEIVED

SEP 29 2000

ERS DIVISION

Darry Congo



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Ruthe E. Badger, Regional Director

South Central Region Headquarters
and Madison Fish Hatchery Office
3911 Fish Hatchery Road
Fitchburg, Wisconsin 53711
TELEPHONE 608-275-3266
FAX 608-275-3338
TDD 608-275-3231

September 12, 1997

RECEIVED
SEP 29 2000
ERS DIVISION

FILE REF: 03-53-001828

Mr. Ken Duncan
PO Box 85
Richland Center, WI 53581

SUBJECT: Deed Affidavit at Duncan Property, 11 Hwy Y, Richland Center

Dear Mr. Duncan:

On May 23, 1997, we met to discuss the fuel oil release at your property located at 11 Hwy Y, Richland Center. You indicated that you are unable to finance an investigation or remediation. The Department suggested that your recording a deed affidavit in lieu of a cleanup would be acceptable to the Department as long as you are unable to finance a cleanup. By this action, any potential purchasers would be notified of the environmental issues at this property.

You indicated that this would be acceptable, and said that you would send the Department a copy of the deed to the property. I have tried to contact you by telephone, but my messages have not been returned. I am writing this letter to ask that you state your intentions with regards to this site.

Within 15 days of the date of this letter, please submit in writing your intentions to follow through with submitting a copy of the deed for the property to the Department for the purpose of preparing a deed affidavit which you will then record at the county register of deeds office.

I have given your name and telephone number to Joe Lourigan of our Department. He will contact you in the near future to ask if you would be willing to give him permission to sample your private well that is located on this property. He would sample this well for petroleum compounds that have health standards, and there would be no cost to you. I encourage you to give him permission to do this sampling.

If you have any questions, please feel free to contact me at the number listed below.

Sincerely,

Darcy Congo
Remediation & Redevelopment Hydrogeologist
(608) 275-3224

cc: Ms. Kay Duncan 11 Hwy Y Richland Center WI 53581

RECEIVED

SEP 29 2000

ERS DIVISION

PHONE CONTACT

DATE

8/11/97

SITE NAME

Duncan Property

CONTACT NAME

Ken Duncan

647-3479

I called + left message on his answering machine 1:15 PM.

9/5/97

I called + left message on his answering machine.

Darcy Congo

From: DNRVAX::RENVIJ "Joe Renville 608-266-9454" 20-MAY-1997 10:16:49.94
To: DNRWD::MEYERLL
CC: DNRSD::MCCUTP, OHMJ, JOHNSD,RENVIJ
Subj: Question on Use of Deed Affidavit

Linda, under s. NR 728.11, the Dept. can put a deed affidavit on a property which has contamination existing which has not been addressed. The rule identifies contamination caused by a discharge from a fuel oil tank as an exception where we cannot file a deed affidavit.

My question is this, in a situation where we have contamination from a fuel oil tank remaining at a property, could we have the property owner sign an affidavit which specifies that contamination remains that has not been adequately addressed?

Your thoughts on this will be appreciated, thanks,

Joe

RECEIVED
SEP 29 2000
ERS DIVISION

From: DNRWD::MEYERLL "Linda Meyer 715-839-2785" 20-MAY-1997 14:04:30.25
To: DNRVAX::RENVIJ
CC: DNRVAX::OHMJ, DNRVAX::JOHNSD, DNRVAX::MEYERLL, DNRSD::MCCUTP
Subj: RE: Question on Use of Deed Affidavit

Are you asking about a case closeout situation, Joe? Or a case where the property owner is unwilling or unable to conduct the required investigation and/or cleanup? If you are talking about a case closeout situation, s. NR 726.05(8)(b) applies, not s. NR 728.11, and we clearly can require the property owner to record a deed affidavit giving notice of residual fuel oil contamination from a residential fuel oil tank, just like any other contamination from any other source, if DNR staff believe that a deed notice is necessary. However, if you are talking about a situation where the fuel oil contamination on the property has not been "adequately defined or remediated" and DNR will be keeping the case open because further investigation, and perhaps remediation, will be needed in the future, we can not require the property owner to record a deed affidavit and we can not record a deed affidavit ourselves where the fuel oil contamination came from a residential fuel oil tank. We could, I suppose, ask the property owner to voluntarily record a deed affidavit, even though we have no authority to require it, but I would be nervous about advocating such an approach. I'd be afraid that our "request" for "voluntary" action might be interpreted by a property owner as a requirement, or that a judge might construe a letter that was meant to be a "request" as a demand that DNR did not have the authority to make. Let me know if you have any further questions.

From: SMTP%"McCutP@mail01.dnr.state.wi.us" "McCutcheon, Patrick" 20-MAY-1997 14:44:22.
To: "'\"DNRWD::MEYERLL%DNRSD.decnet\"@dnr.state.wi.us'" <"DNRWD::MEYERLL%DNRSD.decnet"@dnr.
CC: "Renville, Joseph W" <RenviJ@dnr.state.wi.us>, "Congo, Darcy" <congod@dnr.state.wi.us>
Subj: RE: Question on Use of Deed Affidavit

Received: from mail01.dnr.state.wi.us [168.236.3.5] by dnrmal.dnr.state.wi.us
with SMTP-OpenVMS via TCP/IP; Tue, 20 May 1997 14:44 CDT
Received: by mail01.dnr.state.wi.us with SMTP (Microsoft Exchange Server Internet Mail Connecto
id <01BC652C.BE3E1F80@mail01.dnr.state.wi.us>; Tue, 20 May 1997 14:47:30 -0500
Received: from FITCHBUR by mail01.dnr.state.wi.us with SMTP (Microsoft Exchange Internet Mail C
id LQVWM2ZM; Tue, 20 May 1997 14:47:24 -0500
Received: by fitchbur.dnr.state.wi.us with SMTP (Microsoft Exchange Server Internet Mail Connec
id <01BC652C.B3B792D0@fitchbur.dnr.state.wi.us>; Tue, 20 May 1997 14:47:12 -0500
Message-ID: <c=US%a=_p=State-of-Wiscons%l=Internet_Mail-970520194729Z-3623@mail01.dnr.state.wi
From: "McCutcheon, Patrick" <McCutP@mail01.dnr.state.wi.us>
To: "'\"DNRWD::MEYERLL%DNRSD.decnet\"@dnr.state.wi.us'" <"DNRWD::MEYERLL%DNRSD.decnet"@dnr.stat
Cc: "Renville, Joseph W" <RenviJ@dnr.state.wi.us>, "Congo, Darcy"
<congod@dnr.state.wi.us>
Subject: RE: Question on Use of Deed Affidavit
Date: Tue, 20 May 1997 14:47:11 -0500
X-Mailer: Microsoft Exchange Server Internet Mail Connector Version 4.0.994.63
MIME-Version: 1.0
Content-Type: text/plain; charset="us-ascii"
Content-Transfer-Encoding: 7bit

Linda, this guy would like to record an affidavit. We would explain to him that we can't require him to when we bring him in, although he has already told us he is willing. Given that, can we ALLOW him to record an affidavit and then we do nothing? I realize this is a touchy issue, so if you feel we shouldn't because of what the NRB decided on this rule we won't. HOWEVER, then we will be forced to issue this guy an Administrative Order which more than likely won't accomplish a thing. Let me know what you think. A related issue is, he is divorced and his exwife lives in the house, although it is still in his name and he makes the payments. Does she need to sign the affidavit too? My gut tells me yes, which also may kill this whole approach. Then what???? Thanks.

From: "DNRWD::MEYERLL%DNRSD.decnet"@dnr.state.wi.us [SMTP:"DNRWD::MEYERLL%DNRSD.decnet"@dnr.state.wi.us]
Sent: Tuesday, May 20, 1997 2:04 PM
To: McCutcheon, Patrick
Subject: RE: Question on Use of Deed Affidavit

Are you asking about a case closeout situation, Joe? Or a case where the property owner is unwilling or unable to conduct the required investigation and/or cleanup? If you are talking about a case closeout situation, s.
NR
726.05(8)(b) applies, not s. NR 728.11, and we clearly can require the property owner to record a deed affidavit giving notice of residual fuel oil contamination from a residential fuel oil tank, just like any other contamination from any other source, if DNR staff believe that a deed notice is

ecessary. However, if you are talking about a situation where the
uel oil contamination on the property has not been "adequately
efined
r
emediated" and DNR will be keeping the case open because further
nvestigation, and perhaps remediation, will be needed in the future,
e
an
ot require the property owner to record a deed affidavit and we can
ot
ecord
a deed affidavit ourselves where the fuel oil contamination came from
t
esidential fuel oil tank. We could, I suppose, ask the property
owner
.o
voluntarily record a deed affidavit, even though we have no authority
.o
require it, but I would be nervous about advocating such an approach.
d be
afraid that our "request" for "voluntary" action might be interpreted
y
t
roperty owner as a requirement, or that a judge might construe a
etter
hat
as meant to be a "request" as a demand that DNR did not have the
authority to
ake. Let me know if you have any further questions.

From: DNRWD::MEYERLL "Linda Meyer 715-839-2785" 21-MAY-1997 09:49:03.47
To: DNRSD::DNRMAI::SMTP%"McCutP@mail01.dnr.state.wi.us"
CC: DNRVAX::RENVIJ, DNRVAX::MEYERLL, DNRVAX::OHMJ, DNRVAX::JOHNSD
Subj: RE: Question on Use of Deed Affidavit

Hello, Pat. In my opinion, the residential fuel oil exemption that was imposed on us by the Natural Resources Board does not preclude DNR staff taking the existence of a deed affidavit into account in deciding what enforcement action, if any, is necessary, in situations where the property owner voluntarily records an affidavit. We should not have to issue an administrative order in this case if the person that you are describing does in fact record an affidavit that gives notice of the existence of the contamination. If the property is in fact "in his name," he clearly would have no reason to obtain his ex-wife's signature on an affidavit. If the property is held in joint tenancy with the ex-wife or if the title to the property is a matter that is currently pending before a court, he should talk to his lawyer to make sure that he wouldn't be violating any court order or agreement that he may have with his ex-wife by recording an affidavit. Generally, anyone may sign and record an affidavit that is drafted in the format required for recording documents at the Register of Deeds office (as long as it contains accurate information). Deed restrictions (that impose restrictions on the use of the property), in contrast, can only be recorded by the property owner. But, it does not sound like you are talking about a deed restriction situation. Call me if you have any other questions on this matter.

From: DNRWD::MEYERLL "Linda Meyer 715-839-2785" 21-MAY-1997 09:59:30.31
To: DNRSD::DNRMAI::SMTP%"McCutP@mail01.dnr.state.wi.us"
CC: DNRVAX::RENVIJ, DNRVAX::OHMJ, DNRVAX::JOHNSD, DNRVAX::MEYERLL
Subj: RE: Question on Use of Deed Affidavit

Pat: I had one additional thought on this case: If, for some reason, the property owner in this case believes that he needs to obtain his ex-wife's signature or permission before he records an affidavit giving notice of the contamination, I feel strongly that we should not tell the ex-wife (orally or in writing) that she has the choice of either approving of the affidavit or being issued an administrative order. I think that the members of the Natural Resources Board would view such a contact as an attempt by DNR staff to circumvent the prohibition in s. NR 728.11.

CORRESPONDENCE/MEMORANDUM**State of Wisconsin**

DATE: May 23, 1997

FILE REF: 03-53-001828

TO: File

RECEIVED

CC: Pat McCutcheon

SEP 29 2000From: Darcy Congo *DC***ERS DIVISION**

SUBJECT: Enforcement Conference, Duncan Property, Co. CHY Y,
Richland Center

On May 23, 1997, Mr. Ken Duncan (KD) came in to discuss the situation at the above noted property. Pat McCutcheon sat in on this conference with Darcy Congo.

We began by discussing the facts. In 1993, KD reported a release. While the furnace was running, oil seeped through the wall. They replaced the furnace with a natural gas furnace. The insurance company gave them something to get rid of the odor and clean up the oil.

KD was gone when the release occurred. 1 week before he had left, he filled the 200 gallon tank. While he was gone, the furnace went out so his son had 100 gals put in the tank.

KD pumped out the fuel oil remaining in the tank. He put the fuel oil in somebody else's oil tank. The tank was cut open with a chisel and left to drain and dry out for 6-7 months. He removed 15-30 cy of impacted soil (by visual and olfactory observation) to a DOT stockpile on Hwy 14. He left the excavation open for 1 month. Odor was gone, so he believes he removed all of the impacted soil. No water was encountered during this excavation.

A water supply well is located nearby on the property. He has had it tested and believes it to be clean. However, the water was likely only sampled for bacteria or nitrates.

KD had talked to a site assessor (Carl Oman) and found the cost estimate of \$10,000 prohibitive. He is only on Social Security (\$800/month). He has not filed taxes in the past few years.

We discussed options. The house is on the market, though not formally. Mrs. Kay Duncan lives in the house currently. They both own it. Pat indicated that Mr. Duncan did not need to pursue attempting to get a loan, based on the information he gave us on his financial situation--the best way to proceed would be if KD files an affidavit notifying any potential buyers of contamination. Pat stated that this could affect the property value. KD should discuss the situation with the divorce attorney to be sure this will not cause legal problems.

Pat stated that this (deed affidavit) is one way we could handle the situation. We could issue an Admin. Order, but this would not accomplish much.

KD stated he was willing to file the affidavit.

KD will send me a copy of the deed to the property. I will prepare a deed affidavit, and if Mr. Duncan agrees it is acceptable he will file it and send me a copy.

End



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Ruth E. Badger, Regional Director

South Central Region Headquarters
and Madison Fish Hatchery Office
3911 Fish Hatchery Road
Fitchburg, Wisconsin 53711
TELEPHONE 608-275-3266
FAX 608-275-3338
TDD 608-275-3231

RECEIVED

SEP 29 2000

ERS DIVISION

FILE REF: 03-53-001828

May 19, 1997

Sent Certified Mail. Return Receipt Requested.

Mr. Ken Duncan
PO Box 85
Richland Center WI 53581

SUBJECT: Enforcement Conference, Duncan Property, CHYY, Richland Center

Dear Mr. Duncan:

I would like to apologize for sending this letter so late. We had agreed on Friday, May 23, at 11:00 A.M. as a good time to meet and discuss this site here at the South Central Regional Headquarters. However, I realize the timing of this letter is poor. If you would like to reschedule our meeting, please contact me at the number shown below. If I do not hear from you, I will assume that you still plan to attend this meeting.

In a letter dated April 1, 1993, the Department notified you that we believe you are responsible for environmental contamination at property you own, located at Route 4 Box 6, Richland Center, under s.292.11, Wis. Stats. This statute requires you to "take the actions necessary to restore the environment to the extent practicable". The April 1, 1993 letter requested that you provide written notification of your intent to respond to the contamination on your property.

I have had several conversations with you about this situation. You have indicated that you feel you are not financially able to fund an environmental investigation on this property. If you believe that there is not environmental contamination on your property, or that your property is not the source of the contamination identified, you should notify the Department. If you intend on hiring an environmental consultant to investigate and clean up the contamination, please provide a written and signed statement to that effect as soon as possible. I have scheduled an Enforcement Conference for Friday, May 23, at 11:00 to be held at the letterhead address. The purpose of this conference is to offer you an opportunity to dispute any of the facts we have and/or to discuss the situation and attempt to reach agreement on what needs to be done.

If you fail to attend the scheduled Enforcement Conference, or I do not receive a response from you within 30 days after the date of this letter, enforcement action may be initiated by the Department.

You have indicated you are having difficulty financing the investigation and cleanup of this property. You may provide a net worth statement and a written statement regarding your attempts to find funding to undertake an investigation and cleanup in order to substantiate this. These statements will be placed in your case file as a record of your efforts to respond to the contamination.

If you have any questions, please feel free to contact me at the number listed below.

Sincerely,

Darcy Congo
Remediation & Redevelopment Hydrogeologist
(608) 275-3224

cc: Ms. Kay Duncan 11 Hwy Y Richland Center WI 53581

RECEIVED

SEP 29 2000

ERS DIVISION

PHONE CONTACT

DATE

5-2-97

SITE NAME

Duncan Prop

CONTACT NAME

Ken Duncan

75% reimbursement. Not to exceed \$7500.00
(\$10,000 dollars total)

SS. Does not feel can afford this sampling.
\$200 - 300 /month for medications.

Fri May 23 11:00. This would be a good time for him.
I suggested we meet to discuss this, & resolve it
so he doesn't need to think about it any more.
He agreed.

I noted I'd send him a letter, & told him
what it would include. He should provide
documentation of net worth & attempt to get
funding.

Darcy Long



George E. Meyer
Secretary

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Southern District Headquarters
3911 Fish Hatchery Road
Fitchburg, Wisconsin 53711
TELEPHONE 608-275-3266
TELEFAX 608-275-3338

RECEIVED

SEP 29 2000

ERS DIVISION

File Ref: 1828

UST - Richland County

April 1, 1993

Mr Ken Duncan
Route 4 Box 6
Richland Center WI 53581

Subject: Duncan Property, Co Hwy SR, Richland Center

Dear Mr. Duncan:

You notified the Department of the discovery of contamination at your property listed above. A fuel oil underground storage tank is believed to be the source of the release. An investigation will be necessary to determine the extent of the contamination.

The Spill Law authorizes the Department of Natural Resources to enforce clean-up of contaminated sites. Section 144.76 of the Wisconsin Statutes (Spill Law) requires that,

"A person who possesses or controls a hazardous substance which is discharged or who causes the discharge of a hazardous substance shall take the actions necessary to restore the environment to the extent practicable and minimize the harmful effects from the discharge to the air, lands or waters of this state."

As the owner of the property where a petroleum release has occurred, you are required to determine the horizontal and vertical extent of contamination and clean-up/properly dispose of the contaminants. The fire department must be notified immediately of any possible explosive vapors in buildings or utilities resulting from the release. Known or possible contaminated drinking water supplies must be identified.

Owners of federally-regulated tanks must comply with federal underground storage tank requirements (40 Code of Federal Regulations Parts 280 & 281). The federal Environmental Protection Agency (EPA) has the authority to enforce those requirements, but will generally not take action against parties cooperating with the state. You will be able to fulfill your responsibilities under federal law by working with a qualified environmental consultant who follows Department of Natural Resources' guidance and codes.

It is important that an investigation begins at your site as soon as possible. The longer contamination is left in the environment, the farther it can spread and the more difficult it becomes to cleanup. Remediation of petroleum contamination requires professional engineering and hydrogeologic experience. Within 30 days, you must submit verification that you have hired a consultant

Mr Ken Duncan - April 1, 1993

2.

(such as a letter from the firm) and indicate the date the consultant will begin the investigation.

This site will be considered an on-going site. When you and your consultant feel that cleanup has occurred, you can request that the site be reviewed by the Closeout Committee. Following review by the DNR Closeout Committee, you will be notified in writing if the Department deems the site closed and no further work is required. Until you have a closure letter from the Department of Natural Resources, the site is considered active.

Financial assistance to owners of eligible underground storage tanks is offered through the state's Petroleum Storage Remedial Action Fund, commonly called PECFA. This fund is administered by the Wisconsin Department of Industry, Labor and Human Relations (DILHR). Please contact DILHR at (608) 267-3753 to determine your eligibility for this program or for more information.

You should also know that cleanup must be conducted according to the new PECFA regulations contained in chapter ILHR 47 in order for you to be eligible for PECFA reimbursement. You should confirm that your consultant knows and understands these regulations.

Enclosed are materials to aid you in your search for a consultant and additional information about the LUST process.

If you have any questions, please call me at the number shown below.

Sincerely,



Marilyn Jahnke, Program Assistant
Emergency & Remedial Response Program
Telephone: (608) 275-3212

Enc.

cc: Mr. Bill Morrissey, DILHR, Bureau of Petroleum Inspection, Room 103,
201 East Washington Avenue, P.O. Box 7969, Madison, WI 53707

NOTE: DO NOT USE THIS FORM WHEN DOCUMENTING INSPECTIONS AT HAZARDOUS WASTE AND SOLID WASTE FACILITIES.
SEE BACK SIDE OF THIS FORM FOR MORE INFORMATION.

RECEIVED SEP 29 2000 ERS DIVISION				License Number _____	
ATTN: _____ <input type="checkbox"/> Residuals Management SW/3 <input type="checkbox"/> District <input type="checkbox"/> Hazardous Waste Management SW/3 Unit _____ <input type="checkbox"/> Environmental Enforcement EE/5 <input type="checkbox"/> Systems Management SW/3 <input type="checkbox"/> _____				EPA ID Number _____	
Facility/Company Name _____				City, State, Zip Code _____	
Location (Address or 1/4 1/4) _____				Facility ID Number _____	
Facility Type	District	County	Contact Method	Date	Time (24-Hour Clock)
UST	SOD	Richland	<input checked="" type="checkbox"/> Telephone <input type="checkbox"/> In-Person	2/23/93 M M D D Y Y	_____
Facility Representative Contacted		Title or Position of Representative		Telephone Number (include area code)	
Ken Duncan		Route 4 Box 6 Richland Center		() _____	

Home 608 647 6547

Social Security on

Wife has emphysema

Oil seeped through walls when furnace is started Stain wall and stain on floor

Switched to electric heater

Having new furnace put in

Spray from cleaning solution is worse than oil

PECFA 758

Had put 200 gallons in furnace 11 days tank was dry (*) Possible

Pumped tank out

Will contact Fire Chief

Will wait for letter from DNR

Check if additional sheets attached ☐

By _____

RECEIVED

SEP 29 2000

ERS DIVISION

PHONE CONTACT

DATE 4-14-97

SITE NAME

Duncan Property

CONTACT NAME

Ken Duncan

(608) 647-~~8087~~
8087

Postbox 85
Richland Center

Lowndes hill 3 yrs ago.

Rentend a backhoe

took 15-20-30 cu of dirt to contaminated pile
by hwy 14.

Replaced with other dirt.

Had a guy, could not afford.
dirt, \$700 per mth. reactivation

When new house in - pile by old bakery.
Didn't tell anyone about this.

DOT was responsible for this pile.

No probs w/ fumes now. Walls leak.

Open heart surgery 4r ago.

hard rain - water seeps in. built up to start
water gushing from house.
Smells to be sure.

Pile sat for over 1 yr.

Darryl Longo

over

house tied up for us?

I said no.

Explained deed affidavit process.

On zoning board, County board.

A few people have been introduced to house - he tells them about the spill.

Has the well tested - was OK. (not sure what for)
Compounds.



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Ruthe E. Badger, Regional Director

South Central Region Headquarters
and Madison Fish Hatchery Office
3911 Fish Hatchery Road
Fitchburg, Wisconsin 53711
TELEPHONE 608-275-3266
FAX 608-275-3338
TDD 608-275-3231

March 21, 1997

FILE REF: 03-53-001828

Mrs. Kay Duncan
11 Hwy Y
Richland Center WI 53581

Mr. Ken Duncan
Rt. 3 B. 145
Richland Center WI 53581

RECEIVED
SEP 29 2000
ERS DIVISION

SUBJECT: Duncan Property, CHY Y

Dear Mr. & Mrs. Duncan:

I recently tried to contact you by letter and had the letter returned as I had used the wrong address. Aaron Walters of the Department followed up to determine the correct address. I understand that you are currently living at separate addresses.

I would like to follow up and summarize the letter I attempted to send. In 1993 you received a letter from the Department advising you of your responsibilities under the Wisconsin Spill Law s. 292.11 (formerly 144.76) Wisconsin Statutes. This was in response to a report that you had a heating oil tank and associated piping leaking heating oil through the wall when the furnace was started.

Since the Department informed you of your responsibilities and gave you 30 days to hire an environmental consultant, the Department has not received any information to indicate you have taken any action. I understand that both of you currently own this property. Under the Spill Law, you would both be considered responsible to address this contamination.

Please respond within 15 days of the date of this letter as to your intentions to take action to remediate this site. I have enclosed a list of consultants along with tips on selecting one. If you have any questions, please contact me at the number listed below.

Sincerely,

Darcy Congo
Remediation & Redevelopment Hydrogeologist
(608) 275-3224



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Ruthe E. Badger, Regional Director

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3911 Fish Hatchery Road
Fitchburg, Wisconsin 53711
TELEPHONE 608-275-3266
FAX 608-275-3338
TDD 608-275-3231

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SEP 29 2000

LRS DIVISION

March 10, 1997

FILE REF: 03-53-001828

Mr. Ken Duncan
Route 4 Box 6
Richland Center WI 53581

Did not reach RP

Kay Duncan Ken Duncan
~~647-6547~~ 647-8087
11 Hwy Y
53581

Rt. 3 Block 145
53581

Contamination at
Rt. 4 Block 6
Kay lives there now

SUBJECT: Duncan Property, CHY Y, Richland Center

Dear Mr. Duncan:

The Department contacted you by letter in 1993 and advised you of your responsibilities under the Wisconsin Spill Law s. 292.11 Wisconsin Statutes. You were given 30 days to hire a consultant and submit a proposal to investigate the full extent of contamination. You had a telephone conversation with Marilyn Jahnke of the Department on April 5, 1993, discussing the process. As of the date of this letter, the Department has not received a response from you as to your intentions to address the contamination at your site..

We are requiring you to respond in writing within 15 days from the date of this letter outlining your intentions for conducting an investigation of your property. Please be advised that failure to respond will be viewed as a negative response.

Sincerely,

Darcy Congo

Darcy Congo
Remediation & Redevelopment Hydrogeologist
(608) 275-3224