

Stoltz, Carrie R - DNR

From: Stoltz, Carrie R - DNR
Sent: Wednesday, May 01, 2024 12:33 PM
To: Diane Messman; JLeader@comrecycling.net
Subject: Former Doberstein Continuing Obligations (CO) Audit Follow up needed
Attachments: Doberstein Cap Maint information.pdf

Good afternoon, Diane, and Jean. On April 22, 2024, I met with you on the former Doberstein property (Bureau of Remediation and Redevelopment Tracking System (BRRTS) # 02-61-000488) to review, discuss and inspect the continuing obligations associated with the closure of this site.

During the site visit, I noticed the protective coating on the Process Building floor needs to be reapplied and the concrete cap adjacent to the Process Building needs repairs to any cracks greater than ¼". Please submit photos when the repairs are completed.

Attached is information about the capped areas for your review and below is a link to the continuing obligations inspection and maintenance log. You may use this log to record your annual inspections.

[Resources for environmental professionals | | Wisconsin DNR](#) Link to the continuing obligations inspection and maintenance log

I sent you a copy of the audit form via USPS last week.

Please feel free to contact me with any questions or concerns. Thank you.

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Carrie Stoltz

Hydrogeologist-Remediation and Redevelopment, EM Division
Wisconsin Department of Natural Resources
107 Sutliff Avenue, Rhinelander, WI 54501
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Carrie.Stoltz@Wisconsin.gov



286481

Document Number

GROUNDWATER USE AND DEED RESTRICTION

Reel 309 Image 547

Declaration of Restrictions

In Re: A parcel of land located in the NW 1/4 SW 1/4 and in the NE 1/4 SW 1/4 Section 29 Township Thirty-one (31) North, Range One (1) East, Town of Medford, Taylor County, State of Wisconsin, more completely set forth as set forth in Exhibit A, attached hereto and incorporated by reference herein (the "property")

REGISTER'S OFFICE } ss.
County of Taylor, Wis. }
Received for record this 31st day of
June, 2001 at 11:46 o'clock A.M.,
and imaged on Reel 309
of Records on image 547-554
Marvel A. Lemke
Marvel A. Lemke, Register of Deeds

Recording Area

Name and Return Address

Bruce Strama, County Clerk
Taylor County Courthouse
224 S, Second St.
Medford, WI 54451 *#24chg*

STATE OF WISCONSIN)
) ss
COUNTY OF TAYLOR)

Parcel Identification Number (PIN)

WHEREAS, Taylor County is the owner of the above-described property.

WHEREAS, one or more Chromate, Copper, and Arsenate (CCA) discharges have occurred on this property. CCA contaminated soil, concrete, and groundwater remains on the property. Chromium contaminated groundwater above ch. NR 140, Wis. Adm. Code, enforcement standards existed on this property at the following location(s) on the following date(s): Chromium contamination was detected at a concentration of 2.83 mg/l in a groundwater sample collected from monitoring well MW-12 on April 16, 2001 and soils and concrete contaminated with arsenic at concentrations greater than site specific soil standards calculated for the property remain within the area identified as Parcel 1 on the attached figure attached hereto as Exhibit B and incorporated by reference herein and more completely described as set forth in Exhibit C attached hereto and incorporated by reference herein.

WHEREAS, natural attenuation has been approved by the Department of Natural Resources to remediate groundwater contamination exceeding ch. NR 140 Wis. Adm. Code groundwater standards within the boundaries of this property.

WHEREAS, construction of wells where the water quality does not comply with drinking water standards in ch. NR 809 is restricted by chs. NR 811 and NR 812, Wis. Adm. Code. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply.

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct additional soil or groundwater remediation activities on the property at the present time.

NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and restrictions:

1. An engineered cap has been constructed as a remedial action to address residual soil and concrete contamination on the property at the following location: within the area identified as on the attached figure Exhibit C and more completely described as set forth in Exhibit D attached hereto and incorporated by reference herein.

Therefore, the following activities are prohibited on that portion of the property described above where a cap has been placed, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources or its successor or assign: (1) Excavating or grading of the land surface; (2) Filling on the capped area; (3) Plowing for agricultural cultivation; (4) Construction or installation of a building or other structure with a foundation that would sit on or be placed within the cap. (5) Removal of existing floor slab. (6) Well installation. (7) Any other activities that would disturb the cap and expose underlying soil.

Furthermore, the engineered cap (or subsequent covers or buildings as approved in writing by the Wisconsin Department of Natural Resources) shall be maintained and inspected by the property owner on an annual basis to assure its long-term effectiveness as a barrier to the capped soil and concrete contamination, in compliance with a plan prepared and submitted to the Wisconsin Department of Natural Resources as required by Section NR 724.13 (2), Wis. Adm. Code (1997).

2. The portion of the property described as undeveloped greenspace on the figure attached hereto as Exhibit E and incorporated by reference herein must remain undeveloped greenspace unless, at the time that development is proposed, an investigation is conducted to determine the degree and extent of CCA contamination remaining on the portion of the property being proposed for development, and, further, that remedial action is taken as necessary to meet all applicable soil standards for the proposed property use.

3. The portion of the property described as industrial / commercial on the figure Exhibit E must remain in industrial and / or commercial use, unless at the time that a change in use is proposed, an investigation is conducted to determine the degree and extent of any CCA contamination remaining on the portion of the property being proposed for development, and, further, that remedial action is taken as necessary to meet all applicable soil standards for the proposed property use.

4. If residential or recreational use is proposed for any area of the property, an investigation must be conducted to verify that the degree and extent of any CCA contamination remaining on the portion of the property being proposed for residential or recreational use does not exceed applicable residential soil standards and, further, that remedial action is taken as necessary to meet all applicable soil standards for residential property use.

5. Soil generated during property improvements or construction that is to be transported off the property shall be sampled and analyzed for contaminants that were previously detected on the property and any excavated soil that is to be transported off the property shall be managed in compliance with applicable statutes and rules.

6. Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor agency, to determine what specific requirements are applicable, prior to constructing or reconstructing a well on this property. No well may be constructed on this property unless applicable requirements are met.

7. If construction is proposed on this property that will require dewatering, or if groundwater is to be otherwise extracted from this property, while this groundwater use restriction is in effect, the groundwater shall be sampled and analyzed for contaminants that were previously detected on the property and any extracted groundwater shall be managed in compliance with applicable statutes and rules.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction inures to the benefit of and is enforced by the Wisconsin Department of Natural Resources, its successors or assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that one or more of the restrictions set forth in this covenant are no longer required. Upon the receipt of such request, the Wisconsin Department of Natural Resources shall determine

whether or not the restrictions can be extinguished. If the Department determines that the restrictions; can be extinguished, an affidavit, attached to a copy of the Department of Natural Resource's written determination, may be recorded by the property owner or other interested parties that this deed restriction or a portion of this deed restriction is no longer binding.

By signing this document, Timothy Peterson & Bruce Strama asserts that he/she is duly authorized to sign this document on behalf of Taylor County, Wisconsin.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 21st day of June, 2001.

x Timothy Peterson (SEAL)
Timothy Peterson, County Board Chairman

Bruce Strama
Bruce Strama, County Clerk (SEAL)



ACKNOWLEDGEMENT

State of Wisconsin,

Taylor County.

Personally came before me this 21st day of June, 2001, the above named Timothy Peterson,

County Board Chair and Bruce Strama, County Clerk

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

Everett B. Hale

* Everett B. Hale

Notary Public, State of Wisconsin
My commission is permanent.



This document was drafted by the Wisconsin Department of Natural Resources based on information provided by Taylor County and STS Consultants, Inc.

Exhibit A

The Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4), Section Twenty-Nine (29), Township Thirty-one (31) North, Range One (1) East, EXCEPTING a piece or parcel of land in the Northeast corner of said forty, described as follows: Beginning in the center of Highway 64, at the Northeast corner of said forty; thence south on the East forty line 680 feet; thence West parallel with the North forty line 165 feet; thence North parallel with the East forty line 680 feet to the center of State Highway 64, thence East along the center of said Highway 64, 165 feet to the place of beginning.

AND

That part of the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4), Section Twenty-nine (29), Township Thirty-one (31) North, Range One (1) East, described as follows: Commencing at the NE corner of said forty, in the center of Highway 64; thence West along the North line of said forty 208 feet; thence South, parallel with the East forty line, 190 feet; thence West, parallel with the North forty line 75 feet; thence South, parallel with the East forty line, to the South line of said forty; thence East along the South forty line 283 feet, to the SE corner of said forty, thence North along the East forty line, to the NE corner of said forty, being the place of beginning.

Township of Medford, County of Taylor, State of Wisconsin.

EXCEPT

A strip or parcel of land 100 feet in width located across the SE 1/4 - NW 1/4 and NE 1/4 - SW 1/4, all of Section 29, Township 31 N, Range 1 East, in the Town of Medford, Taylor County, Wisconsin, lying within lines that are 50 feet distant at right angles on each side of and parallel to the following described centerline of a highway survey: Beginning at a point on the West line of said Section 29, said point being 2,669 feet south of the Northwest corner thereof; thence N. 86° 12' E. 4,937.66 feet to the point of tangency to a 5,729.65 foot radius (1°) curve to the right; thence on said curve 623.33 feet to the point of tangency to a line bearing S. 87° 34' E. Said curve intersects the east line of the SE 1/4 - NE 1/4 of said Section 29, 1,334.2 feet south of the Northeast corner thereof.

From the above described lands is excepted the North 17 feet beginning at the east line of said SE 1/4 NW 1/4 and extending West 288.5 feet.

From the above described lands is also excepted the South 17 feet beginning 325.5 feet West of the East line of said NE 1/4 SW 1/4 and extending thence West 263 feet.

Excepting that portion contained within the limits of the present public highway, included herewith, the above described lands contained 0.81 acres more or less.

EXCEPT

All lands located across the NW 1/4 - SE 1/4-29-31-1 East, in the Town of Medford, Taylor County, Wisconsin, lying north of a line that is 50 feet distant at right angles south of and parallel to the following described centerline of a highway survey: Beginning at a point of the west line of said Section 29, said point being 2,669 feet south of the northwest corner thereof; thence N. 86° 12' E. 4,937.66 feet to the point of tangency to a 5,729.65 foot radius 1° curve to the right; thence on said curve 623.33 feet to the point of tangency to a line bearing S. 87° 34' E. Said curve intersects the east line of the SE 1/4 NE 1/4 of said Section 29 1,334.2 feet south of the northeast corner thereof.

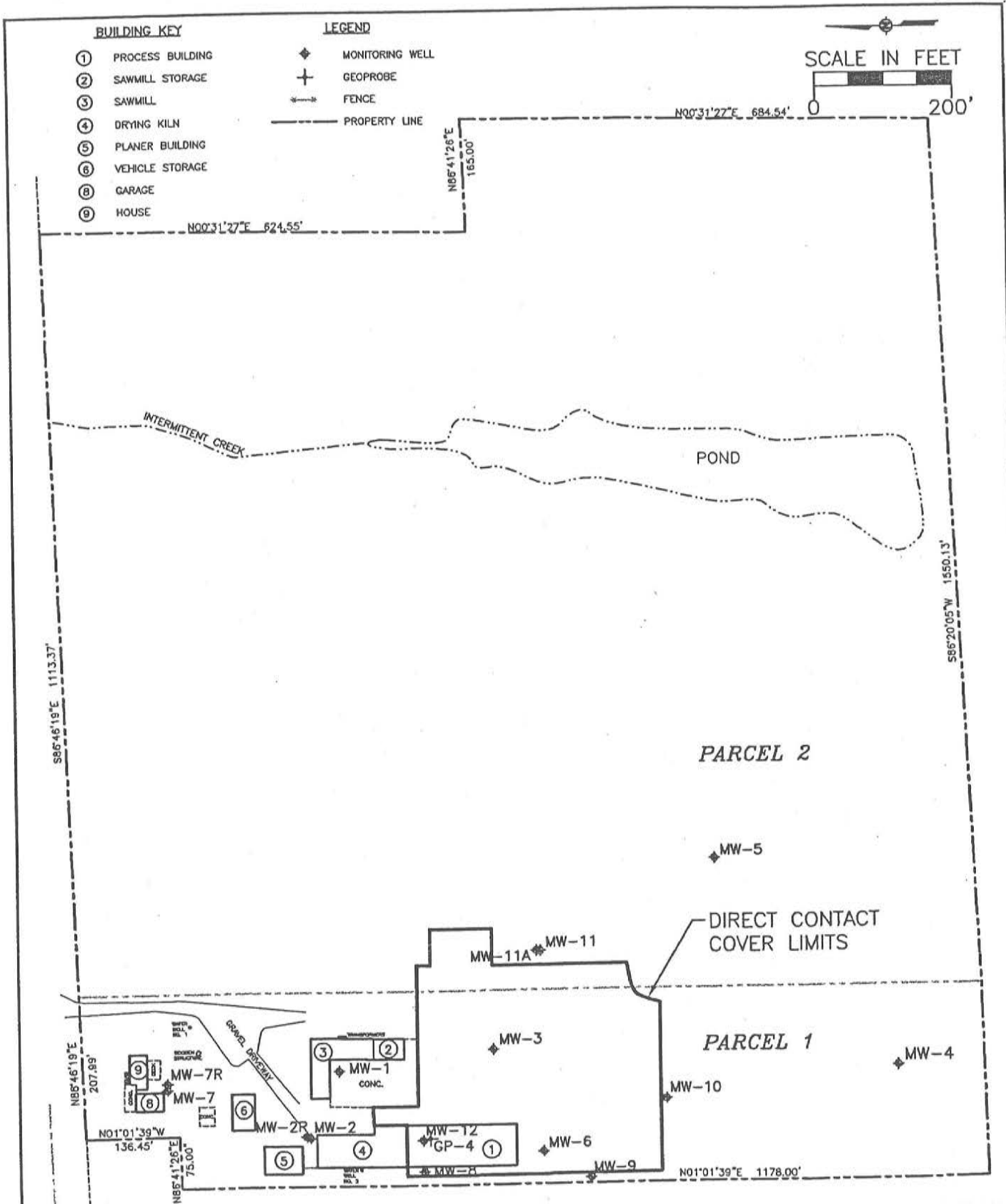
Excepting that portion contained within the limits of the present public highway included herewith, the above described lands contain 0.50 acres more or less.

EXCEPT

All lands located in Township 31 North, Range 1 East, Section 29, across the West 734.5 feet of the NE 1/4 SW 1/4 thereof, lying northerly of a line that is 60 feet distant at right angles southerly from and parallel to the following described reference line: Beginning on the west line of said Section 29 a distance of 2670.4 feet south of the northwest corner of said Section; thence N86° 15' E. 2700 feet.

Also all lands in said NE 1/4 SW 1/4 across the east 263 feet of the west 997.5 feet thereof, lying northerly of a line that is 45 feet distant at right angles southerly from and parallel to the above described reference line.

Containing 0.25 acres, more or less, exclusive of lands heretofore released for highway purposes.



MAP SOURCE: MODIFIED FROM MAP PREPARED BY ROBERT D. MEYER, REGISTERED LAND SURVEYOR.

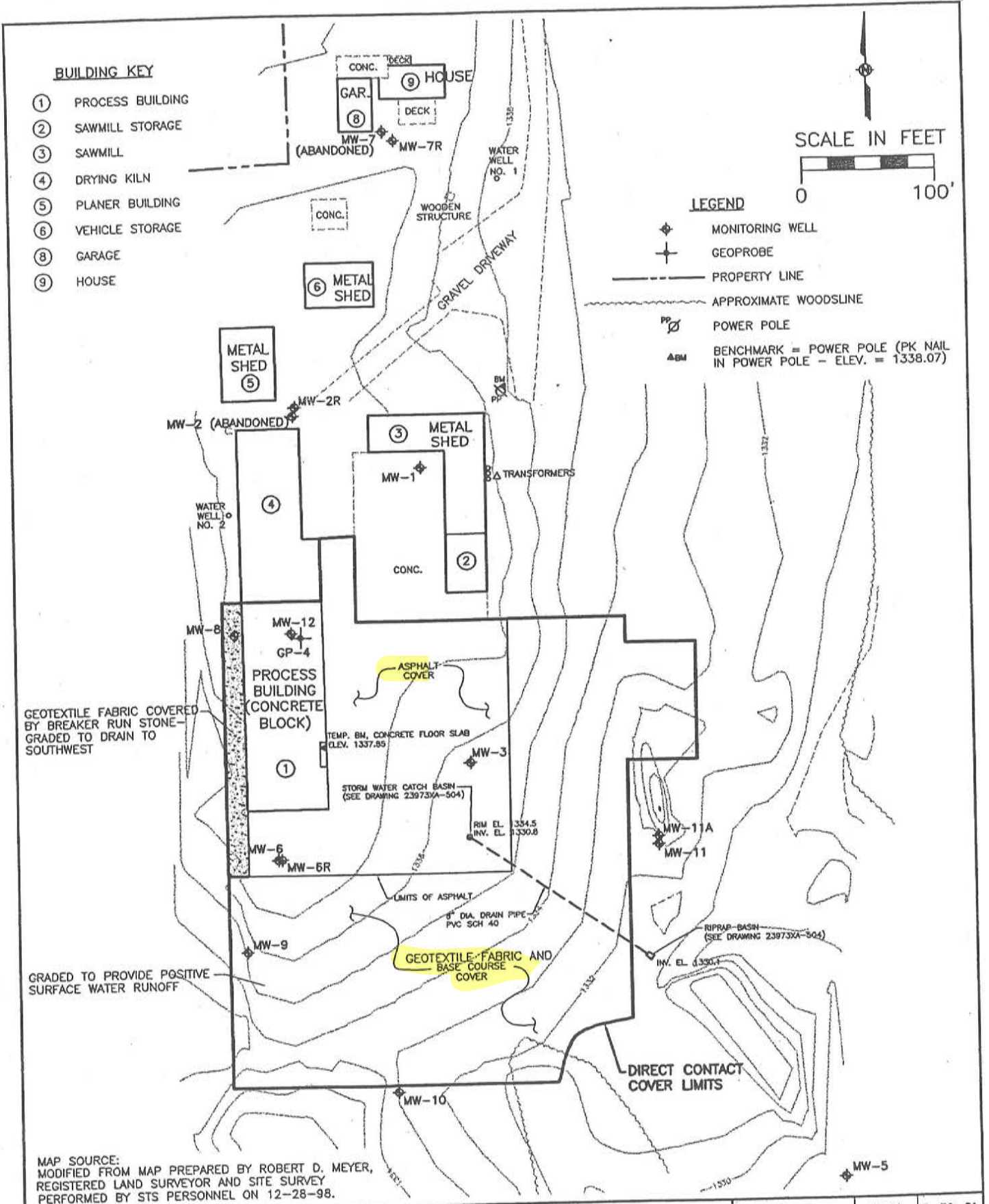
PROJECTS\DWG2000\23973\X\MEXHIBITB.dwg, 06/01/01 02:12:16 PM, Pamperin



STS Consultants Ltd.
Consulting Engineers
1035 Kepler Dr.
Green Bay, WI 54311
920.468.1978

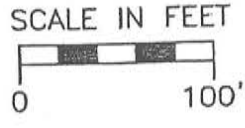
FORMER DOBERSTEIN LUMBER &
FENCE COMPANY
TAYLOR COUNTY, WISCONSIN
EXHIBIT B

DESIGNED BY	RCK	5-30-01
DRAWN BY	PDP	5-30-01
APPROVED BY	PJK	5-30-01
CADFILE	SCALE	
EXHIBITB	AS SHOWN	
STS PROJECT NO.	FIGURE NO.	
23973XA	B	



- BUILDING KEY**
- ① PROCESS BUILDING
 - ② SAWMILL STORAGE
 - ③ SAWMILL
 - ④ DRYING KILN
 - ⑤ PLANER BUILDING
 - ⑥ VEHICLE STORAGE
 - ⑧ GARAGE
 - ⑨ HOUSE

- LEGEND**
- ◆ MONITORING WELL
 - + GEOPROBE
 - PROPERTY LINE
 - - - APPROXIMATE WOODLINE
 - PP ⚡ POWER POLE
 - BM ▲ BENCHMARK = POWER POLE (PK NAIL IN POWER POLE - ELEV. = 1338.07)



GEOTEXTILE FABRIC COVERED BY BREAKER RUN STONE - GRADED TO DRAIN TO SOUTHWEST

GRADED TO PROVIDE POSITIVE SURFACE WATER RUNOFF

MAP SOURCE:
 MODIFIED FROM MAP PREPARED BY ROBERT D. MEYER,
 REGISTERED LAND SURVEYOR AND SITE SURVEY
 PERFORMED BY STS PERSONNEL ON 12-28-98.



STS Consultants Ltd.
 Consulting Engineers
 1035 Kepler Dr.
 Green Bay, WI 54311

FORMER DOBERSTEIN LUMBER &
 FENCE COMPANY
 TAYLOR COUNTY, WISCONSIN
 EXHIBIT C

DESIGNED BY	RCK	5-30-01
DRAWN BY	PDP	5-30-01
APPROVED BY	PJK	5-30-01
CADFILE	SCALE	AS SHOWN
EXHIBIT C		
STS PROJECT NO.	FIGURE NO.	
23973XA	C	

PROJECTS\dwg2000\23973XA\EXHIBITC.dwg, 06/01/01 01:43:46 PM, Pamperin

EXHIBIT D

A parcel of land located in part of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and part of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ all in Section 29, Township 31 North, Range 1 East, Town of Medford, Taylor County, Wisconsin and more particularly described as:

Commencing at the West $\frac{1}{4}$ corner of Section 29, Township 31 North, Range 1 East; THENCE North 86 degrees 41 minutes 26 seconds East for a distance of 2648.76 feet along the East/West $\frac{1}{4}$ line of said Section 29; to the center $\frac{1}{4}$ corner of said Section 29; THENCE South 01 degrees 01 minutes 39 seconds East for a distance of 53.85 feet to a point on the South line of State Trunk Highway "64"; THENCE South 86 degrees 46 minutes 19 seconds West along the said South line of State Trunk Highway "64", a distance of 207.99 feet; THENCE South 01 degrees 01 minutes 39 seconds East for a distance of 136.45 feet; THENCE South 86 degrees 41 minutes 26 seconds West for a distance of 75.00 feet; THENCE South 01 degrees 01 minutes 39 seconds East for a distance of 330.30 feet; THENCE North 89 degrees 02 minutes 10 seconds East for a distance of 12.39 feet to the Point of Beginning of a parcel described for deed restriction purposes; THENCE North 89 degrees 02 minutes 10 seconds East for a distance of 75.00 feet; THENCE North 01 degrees 03 minutes 59 seconds West for a distance of 47.00 feet; THENCE South 87 degrees 57 minutes 38 seconds East for a distance of 27.03 feet; THENCE South 00 degrees 00 minutes 02 seconds West for a distance of 65.00 feet; THENCE South 89 degrees 55 minutes 17 seconds East for a distance of 205.00 feet; THENCE South 01 degrees 03 minutes 59 seconds East for a distance of 20.00 feet; THENCE South 89 degrees 55 minutes 17 seconds East for a distance of 53.00 feet; THENCE South 01 degrees 03 minutes 59 seconds East for a distance of 90.00 feet; THENCE North 89 degrees 55 minutes 17 seconds West for a distance of 53.00 feet; THENCE South 01 degrees 03 minutes 59 seconds East for a distance of 196.07 feet; THENCE along the arc of a curve, concave Southeasterly, whose long chord bears South 44 degrees 30 minutes 22 seconds West and has a radius of 47.00 feet for a distance of 65.80 feet ; THENCE North 89 degrees 55 minutes 17 seconds West for a distance of 258.80 feet; THENCE North 01 degrees 03 minutes 59 seconds West for a distance of 370.64 feet to the Point of Beginning.