

**INSTITUTIONAL CONTROL STUDY/PLAN  
FF/NN LANDFILL NPL SITE  
(RIPON CITY LANDFILL)  
Ripon, Wisconsin**

*Prepared for:*

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A handwritten signature in black ink, appearing to read 'Michael R. Noel', written over a horizontal line.

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Remediation &  
Redevelopment

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## **1.0 INTRODUCTION**

### **1.1 Purpose**

The purpose of this plan is to provide a comprehensive approach to limiting human exposure to contaminants from the FF/NN Landfill NPL Site through implementation of institutional controls (ICs) until the principal threat has been eliminated.

This ICs plan provides a summary of site conditions and potential risks as they pertain to human health. This plan also provides a summary of the potential receptors and lists ICs that are suggested for implementation.

### **1.2 Need**

The initial Record of Decision (ROD) for the FF/NN Landfill (EPA 1996) called for ICs as part of the preferred remedy for this site. The ROD remedy included placement of a deed restriction that prohibited disturbing the landfill cap except for maintenance purposes. In addition, the ROD recognized that Section NR 812.08 of the Wis. Adm. Code is an additional IC which forbids construction of a potable or non-potable well within 1200 feet of a landfill. In 2004 the WDNR imposed an additional IC in the form of a well advisory area that specifies potable wells must be constructed or reconstructed to more stringent standards.

The second 5-year review completed in 2006 by the EPA found the IC mechanisms selected and implemented at the FF/NN Landfill property protective of the site remedy and minimize the potential for human and environmental exposure to contaminants. However, the review found that for the properties near the landfill the IC mechanisms are not adequate to protect the site remedy and to minimize the potential human and environmental exposures to contaminants from the aquifer.

The EPA recommended that an IC plan be developed that includes or is based on a study to verify the effectiveness and enforceability of the implemented ICs. The IC study is to evaluate and identify enforceable legal and administrative controls which provide the control mechanism(s) necessary and appropriate to protect the site remedy and to minimize the potential for human and environmental exposure from contaminants in the aquifer. The IC study is to also evaluate administrative mechanisms to implement enforceable ICs.

### **1.3 Site Location**

The FF/NN Landfill occupies approximately 7.3 acres in the northwest corner of Fond du Lac County in the Town of Ripon, Wisconsin (Figure 1). More specifically, it is located in the S ½ of the SE ¼ of Section 7, T16N, R14E, Town of Ripon. The map in Figure 2 shows the Site and some of the area around it. The landfill is bordered on the north by a stand of trees, on the west by a road with a sand and gravel quarry on the other side, on the south by former residential property that now contains a dog park, and on the east by a former quarry. A wetland area is located to the southwest and is a shallow groundwater discharge area.

## 2.0 BACKGROUND

### 2.1 Landfill History

Landfilling activities occurred at the site from 1967 to 1983. The land was leased from the property owner, Mr. Lyle Sauer, and subsequently, Mrs. Arlene Sauer. In 1967, Speed Queen leased the property for disposal of wastes from its facility in Ripon. In 1968, the City of Ripon (City) leased the property. In 1978, the City and Town of Ripon (Town) were signatory to the lease. A license to operate the landfill (#467) was issued by the WDNR to the City in 1969. In 1970, the City and Town contracted to share the costs of operating the landfill. The landfill was operated by the City and Town from 1970 to 1983. Throughout its 16-year history, the landfill accepted municipal, commercial, and industrial solid waste. After landfill operations ceased, the site was capped with a clay cap in 1985. The site was used for growing hay from 1985 to 1993. The City of Ripon is the current owner of the site.

### 2.2 NPL Inclusion

In 1982, the WDNR began evaluating the landfill for possible inclusion on the federal National Priorities List (NPL). In 1993, the FF/NN Landfill was proposed for listing on the NPL by the USEPA and was officially listed on May 31, 1994.

### 2.3 Remedial Investigation

A Remedial Investigation (RI) was conducted at the site by the PRP group and the final RI Report was completed in August, 1994. The RI found that five VOCs exceeded NR 140 Preventive Action Limits (PALs) and two, vinyl chloride and cis-1,2-dichloroethene, were present at concentrations which exceeded NR 140 Enforcement Standards (ESs). The lateral extent of shallow groundwater contamination was approximately 500 feet and was limited to wells immediately adjacent to or downgradient of the landfill. Contaminants present in the deeper groundwater were not shown to extend more than 1000 feet to the south of the landfill. No VOCs were present in any private water supply wells except the former Bosveld well, which was located about 200 feet south of the landfill.

### 2.4 Feasibility Study

In December, 1994, a Feasibility Study (FS) was completed for the site based on the results of the RI. The FS examined alternatives for landfill capping, leachate and gas extraction, and shallow groundwater extraction and treatment.

### 2.5 Record of Decision

A ROD was issued for this site on February 26, 1996. Specifically, the ROD describes the selected remedy as follows:

“The Department of Natural Resources has evaluated remedial alternatives for two operable units at the site: a source control operable unit and a groundwater operable unit. The selected source control remedy is Alternative O, Composite Landfill Cap and Passive Gas Venting in conjunction with a groundwater monitoring plan. Details of the selected source control operable unit remedy can be found in the Feasibility Study. The specific components of the source control operable unit remedy include:

- constructing a composite landfill cover (i.e. a landfill cap made with both a plastic membrane and soil materials) over the entire landfill;



- installing a passive landfill gas venting system as part of the composite cap to effectively vent landfill gas from the waste;
- monitoring of the groundwater quality to determine the effectiveness of the landfill cap towards improving groundwater quality;
- monitoring the landfill gas probes around the landfill to make sure that landfill gas is not migrating away from the site in an uncontrolled manner;
- maintenance of the landfill cap to repair erosion that may develop;
- a deed restriction prohibiting disturbing the landfill cap except for maintenance purposes; and
- fencing of the landfill perimeter to restrict access.

“For the groundwater operable unit, the Department has selected Alternative A, the No Action Alternative. The groundwater contamination that has migrated from this landfill is not severe enough to warrant active groundwater remedial measures to restore groundwater quality. The implementation of the source control operable unit remedy will result in decreased migration of contaminants from the landfill to the groundwater.”

### **2.6 Remedial Action**

In 1996, in compliance with the ROD for this site, a composite membrane/clay cap was constructed on top of the existing clay cap. In addition, a passive gas collection system was installed within the landfill.

### **2.7 Post Remediation Monitoring**

From 1996 to 2001, semi-annual groundwater monitoring with annual monitoring of private water supply wells was conducted. In October 2001, routine sampling detected vinyl chloride in a residential water supply well (Altnau, N8798 S. Koro Rd.). Follow-up sampling detected vinyl chloride in the water supply well of a recently built home (Ehster, W14271 Charles St.). Subsequent groundwater sampling events have confirmed that no detectable VOCs are present in any other private water supply wells located immediately down gradient of the landfill.

### **2.8 Private Water Supply Response Actions**

The FF/NN Landfill PRP Group cooperated fully with the WDNR in responding to the 2001 vinyl chloride detections. Initially, bottled water was provided to the two residences. Subsequently, air strippers with granular activated carbon treatment systems were installed at the two residences with impacted groundwater as an interim measure until the homes were hooked up to the municipal water supply.

In November 2002, a municipal water supply pipeline was extended from the City of Ripon along South Koro Road up to and along Charles Street by Alliant Energy (former owner/operator of Ripon water utility). The two homes with impacted wells (Altnau and Ehster) were connected to this municipal water supply, as well as a third home with a non-impacted water supply (Miller, N8756 S. Koro Rd.). Municipal water was also offered to the other residents on Charles Street. In 2004, the Hadel (W14292 Charles St) and Wiese (N8778 S. Koro Rd) homes were voluntarily connected to municipal water supply and their private wells were converted to piezometers.

### **2.9 Supplemental Groundwater Investigation and Monitoring**

A supplemental groundwater investigation was conducted to better define the horizontal and vertical extent of vinyl chloride impacts. Three deep piezometers were installed in 2002 at two locations downgradient of the landfill. In December 2003, a fourth deep piezometer was installed directly downgradient of the landfill adjacent to the existing 103 well nest.

### **2.10 Landfill Gas Evaluation**

In 2003, the WDNR requested that gas probes be installed outside the limits of waste to observe any off-site migration of landfill gas, and in 2004, 11 gas probes were installed. Methane measurements at the probes and monitoring wells indicated concentrations that exceed 25% of its lower explosive limit (LEL) at several locations outside the limits of the landfill. In addition, analysis of landfill gas samples indicated that vinyl chloride was present in several landfill gas samples, which was believed to serve as the source of vinyl chloride detected in groundwater at the site.

### **2.11 Active Landfill Gas Extraction Interim Action**

The presence of methane at concentrations greater than its LEL in gas probes located outside of the limits of fill exceeds an ARAR for the site, section NR504.04(4)(e) of the Wisconsin Administrative Code (WAC). In response to the elevated methane levels, pilot testing of active gas extraction was performed in June of 2005. The pilot test demonstrated that conversion of the passive gas control system into an active gas extraction system was feasible. Based upon the results of the pilot test the FF/NN Landfill PRP Group performed an Interim Action by installing an active gas removal system which utilizes the existing passive gas collection system in the landfill. The design for this remedial system was submitted to the WDNR for review and was conditionally approved in October, 2005.

The interim active gas extraction system was installed and started up at the site in March, 2006 using temporary above ground piping to connect the existing gas vents and leachate head wells to a blower. In January, 2007 the piping was buried to prevent condensate freezing and facilitate year-round operation. A performance evaluation report was submitted in July, 2007 indicating that the system was performing well and achieving the desired affects:

- System operation had reduced the landfill methane gas concentrations outside the limits of fill to below the LEL,
- Methane concentrations measured within the landfill had been reduced from an average of approximately 52% methane in 2006 down to 11.4% in June 2007,
- Vinyl chloride concentrations within the landfill gas had been reduced in nearly all gas extraction vents and leachate wells, and
- Vinyl chloride concentrations in groundwater indicated decreasing or stable trends in nearly all groundwater monitoring wells.

Based on the results of the performance evaluation it was recommended by the FF/NN Landfill PRP Group that the interim gas extraction system be selected as the final remedy for source control for the FF/NN Landfill (Alternative C1 of the Focused Feasibility Study modified to include the leachate head wells as part of the gas extraction system). The WDNR corresponded in October, 2007 that the landfill gases have been contained within the landfill boundary and are no longer escaping from the sides of the landfill meaning the landfill had returned to compliance with NR507. Regarding the groundwater the WDNR recommended that additional groundwater

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sampling be collected through the April 2008 sampling event. An updated performance evaluation was submitted in July, 2008 demonstrating that since the start-up of the interim gas extraction system, vinyl chloride concentrations in groundwater had decreased in all wells where it was detected except one.

### 3.0 INSTITUTIONAL CONTROLS PROGRAM

#### 3.1 Institutional Controls Program Plan Objectives

There are two primary objectives of this plan:

- Protect the Site remedies
- Minimize the potential for human and environmental exposure to site contaminants

##### 3.1.1 Protect the Site Remedy

This objective consists of enforcing existing controls or implementing new controls to protect the Site remedies implemented at the FF/NN Landfill. This objective includes protection of the current source control remedies including the landfill cap, site fencing and gas control system as well as protection of the groundwater monitoring wells and landfill gas probes which are used for monitoring which is also part of the remedy for the site. This objective also consists of enforcing existing controls or implementing new controls to protect any future changes to the Site remedies that may occur as a result of any ROD amendments.

##### 3.1.2 Minimize Potential for Human and Environmental Exposure to Contaminants

This objective consists of enforcing existing controls or implementing new controls to minimize the potential for human and environmental exposure to contaminants from the FF/NN Landfill site. This objective includes minimizing potential exposure to waste materials, landfill gas, and contaminated groundwater.

#### 3.2 General Information

##### 3.2.1 Summary of Land Use

Most of the land use in the area is zoned exclusive agricultural or agricultural transitional (Figure 3). The landfill parcel and a part of the adjacent parcel to the east are zoned industrial. A sand and gravel pit operation (R&R Wash) is located on a parcel zoned industrial 900 feet to the west. Another sand and gravel pit operation with an asphalt plant (Northeast Asphalt) is located on a parcel zoned industrial 500 feet to the northeast. Additional undeveloped parcels zoned industrial are to the east of the asphalt plant. An area zoned residential or business is located about ¼ mile south southwest of the landfill. Another area zoned residential but undeveloped lies about ½ mile west southwest of the landfill.

##### 3.2.2 Property Ownership Information

The parcels around and in the vicinity of the landfill are shown on Figure 3 and are designated with a parcel identification number. The owners of the parcels are listed on Table 1.

##### 3.2.3 Location of Existing Nearby Wells

Figure 3 shows the locations of private water supply wells within the vicinity of the landfill. A total of 19 wells are noted on Figure 3. Ten of these wells are located in the residential area about ¼ to ½ mile south of the site.

##### 3.2.4 City of Ripon Municipal Water Supply Extension

In 2002 municipal water was extended up Koro Road and down Charles Street (Figure 3). This extension is located in the Town of Ripon and outside the municipal boundary of the City of

Ripon. The extension was made at that time by Alliant Energy who was the owner of the water utility at that time. The City of Ripon now owns the water utility.

### **3.3 General Types of Institutional Controls**

EPA guidance defines four categories of institutional controls: governmental controls, proprietary controls, enforcement and permit tools with IC components and informational devices. Each of these categories is described below.

#### **3.3.1 Government Controls**

Governmental controls are usually implemented and enforced by a state or local government and can include zoning restrictions, ordinances statutes, building permits, or other provisions that restrict land use at a site.

#### **3.3.2 Proprietary Controls**

Proprietary controls are based on State law and use a variety of tools to prohibit activities that may compromise the effectiveness of the remedy or restrict activities or future uses of resources that may result in unacceptable risk to human health or the environment. They may also be used to provide site access for operation and maintenance activities. The most common examples of proprietary controls are easements and covenants.

#### **3.3.3 Enforcement Tools**

Enforcement tools include orders, permits, and consent decrees. These instruments may be issued unilaterally or negotiated to compel a party to limit certain site activities as well as ensure the performance of affirmative obligations (e.g., to monitor and report on an IC's effectiveness).

#### **3.3.4 Informational Devices**

Informational devices provide information or notification about whether a remedy is operating as designed and/or that residual or contained contamination may remain on site. Typical information devices include State registries, deed notices, and advisories.

### **3.4 Summary of Existing Controls and Restrictions**

This section provides a summary of the existing controls and restrictions for the FF/NN Landfill. They include governmental controls and informational devices. The controls are listed on Table 2.

#### **3.4.1 Government Controls**

##### **3.4.1.1 Landfill Cap**

Chapter NR 504.07(9) of the Wisconsin Administrative Code (WAC) prohibits the following activities at solid waste disposal landfills which are no longer in operation unless specifically approved by the department in writing: 1) use of the waste disposal area for agricultural purposes, 2) establishment or construction of any buildings over the waste disposal area or 3) excavation of the final cover or any waste materials. The area of the landfill cap is shown in Figure 3.

**3.4.1.2 Landfill Setback**

Chapter NR 812.08(4)(g)1 (WAC) requires a separation distance of 1200 feet between the landfill and any new potable or nonpotable wells, reservoirs or springs. The 1200-foot setback is shown on Figure 3. If the 1200-foot setback boundary intersects a property, the restriction only applies to the portion of the property inside the restricted area.

**3.4.1.3 Municipal Water Connection Within City Limits**

Chapter 10.24 of the Ripon Municipal Code (RMC) requires that all wells located on premises served by the Ripon water utility water system located within the city of Ripon are to be abandoned in accordance with the terms of this chapter and Chapter NR 812, WAC no later than one year from the date of connection to the municipal water system unless a well operation permit has been obtained by the well owner from the city of Ripon. The area within the city limits served by the Ripon Water Utility is shown on Figure 3.

**3.4.2 Proprietary Controls**

**3.4.2.1 Municipal Water Connection Outside City Limits**

In 2002, municipal water was extended outside the city limits to residents located along South Koro Road and Charles Street in the Town of Ripon. The area served by this extension is shown on Figure 3. Agreements between the homeowners that hooked up to the municipal water and the FF/NN Landfill PRP Group included requirements to have their water supply well abandoned or converted to a groundwater monitoring well (Appendix A).

**3.4.3 Enforcement Tools**

**3.4.3.1 Record of Decision**

The 1996 U.S. EPA Record of Decision (ROD) contains governmental controls as ARARs that restrict land and groundwater use, set applicable cleanup standards and incorporate IC requirements.

**3.4.4 Informational Devices**

**3.4.4.1 Deed Restrictions**

Mrs. Arline Sauer, the former landfill property owner, signed on June 4, 1997, and filed with the Register of Deeds for Fond du Lac County on October 21, 1997, a Declaration of Restrictions on the property containing the Ripon FF/NN Landfill. The following limitations and restrictive covenants were placed on the deed for the landfill property:

1. No water wells, other than groundwater monitoring wells or leachate extraction wells are to be located on the landfill property.
2. The following activities are prohibited on the landfill property, unless prior written approval has been obtained from the WDNR a) excavation of the landfill cover or any waste materials, grading of the land surface, or filling on the capped area, except for those activities necessary to maintain the landfill cover; c) use of the waste disposal area for agricultural purposes; b) construction or installation of buildings or other structures over the waste disposal area.
3. The property owner shall not use the above-described property or take any other action that may damage or impair the effectiveness of any remedial action component constructed for or installed pursuant to ROD (including the landfill cover and gas

extraction system) nor otherwise interfere with the performance of remedial work required by the ROD.

These restrictions were declared to be a covenant running with the land and are fully binding upon any persons acquiring the property. The City of Ripon and the Town of Ripon, both members of the PRP Group, are now the owners of, and possess control over, the landfill property, through a February 2004 Personal Representative's Deed registered with the county. The landfill parcel with the deed restriction is shown on Figure 3. A copy of the deed is included in Appendix B.

#### **3.4.4.2 WDNR Well Advisory Area**

The WDNR imposed controls through two memorandums dated July 15, 2004, to Wisconsin licensed well drillers (Appendix C). These memoranda, issued pursuant to Section NR 812.12(3) (WAC), impose a "Special Well Casing Pipe Depth Area" for an area surrounding and containing the landfill that cover approximately 1.5 square miles. This well advisory area is subdivided into two primary segments. The "Outer Area" is located within Sections 7, 8, 17, and 18, T16N, R14E, Town of Ripon, Fond du Lac and the "Inner Area" is a rectangular inset within the Outer Area and located within Sections 7 and 18, T16N, R14E. The Inner and Outer well advisory areas are shown on Figure 3.

The WDNR does not advise the construction of new wells or the reconstruction of existing wells within the Inner Area. Although not advised, the following types of well construction are allowed within the Inner Area: 1) unconsolidated aquifer wells outside the 1200-foot radius from the landfill boundary and constructed according to the minimum requirements of NR 812, or 2) Precambrian bedrock wells cased and cement-grouted down to at least the top the Precambrian crystalline bedrock (>300 feet deep). For any new or reconstructed well a water sample is to be collected and analyzed for VOCs at the time of construction and, thereafter, during each subsequent alternate year. If the water sample is contaminated with VOCs, a water treatment device approved by the Wisconsin Department of Commerce is to be installed for the water supply.

Within the Outer Area the construction of new wells and the reconstruction of existing wells may be accomplished by first attempting to construct or reconstruct a well that withdraws water only from the unconsolidated aquifer and that is constructed according to the minimum requirements of NR 812. If an unconsolidated aquifer formation well does not produce a sufficient quantity of water or produces contaminated water, a well cased and cement-grouted at least to the top of the Cambrian Sandstone may be constructed or reconstructed, but only with prior written Department approval. For any new or reconstructed well a water sample is to be collected and analyzed for VOCs at the time of construction.

The WDNR may remove the casing area restrictions once the contamination is gone and there is no further threat of contamination in the designated areas. At this site, that would likely not occur for many, many years.

**3.4.4.3 Town of Ripon Building Permit**

Section 13.2 of Article XIII of the Town of Ripon zoning ordinance requires a permit for any building, structure or mobile home. On January 21, 2011, a request was submitted to the Town Board that the Ripon FF/NN Landfill RPs be notified if the board receives an application for a building permit for any parcel within the south ½ of Section 7 or the north ½ of Section 18 T16N, R14E. This is a backup control to make sure the permit requester is aware of the well casing advisory. The Town Board approved the request and will provide notifications as applicable.

**3.4.4.4 Town of Ripon Special Use Permit**

Sections 6.4 and 11.2 of the Town of Ripon zoning ordinance require a permit when requesting a use not permitted by an Ordinance in a Zoning District. On January 21, 2011 a request was submitted to the Town Board that the Ripon FF/NN Landfill RPs be notified if the board receives an application for a special use permit for any parcel within Sections 7, 8, 17 or 18 T16N, R14E that involves surface water or groundwater dewatering activities such as mineral extraction operations. This is a control that provides a mechanism to make sure public comments can be submitted during the public notice period. An example of this occurred in June, 2009 when the WDNR and Ripon FF/NN Landfill RPs were able to submit comments to the Town Board regarding a special use permit application submitted for a sand and gravel pit operation on the Roger Washkovic property (Parcel 14 on Figure 3) located southeast of the landfill. The Town Board approved the request and will provide notifications as applicable.

**3.4.4.5 WPDES Permit for Non-Metallic Mining Operations**

Submittal of a completed Notice of Intent Information Summary for Nonmetallic Mining Operations (Form 3400-179) to the WDNR is mandatory for any owner or operator of a nonmetallic mining operation that must apply for a permit in accordance with 40 CFR Part 122 or Chapter 283, WI Statutes. Information requested on this form is used by the WDNR to determine if process wastewater and/or stormwater discharges from nonmetallic mining operations are eligible for coverage under the Wisconsin Pollutant Discharge Elimination System (WPDES) generalized permit No. WI 0046515-3. A request will be submitted to the WDNR Bureau of Watershed Management that the Ripon FF/NN Landfill RPs be notified if the Department receives a Notice of Intent for any parcel within Sections 7, 8, 17 or 18 T16N, R14E. This is a backup control to for the Town of Ripon special use permit control (Section 3.4.3.4).

Northeast Asphalt, Inc. (NEA), located east of the FF/NN Landfill, has a general permit and in 2002 conducted extensive dewatering activities that had a negative impact on the groundwater at the landfill by changing the direction of groundwater flow and causing the spread of contamination into previously non-impacted areas. The WDNR advised NEA that by pumping the surface water from their on-site pit at high levels over a period of time and altering the groundwater flow they could become part of the potentially responsible party (PRP) group. A subsequent pumping event occurred in 2008 although the pumping was stopped before the groundwater flow direction was altered. In correspondence dated October 14, 2008, the WDNR once again warned NEA not to conduct pumping that could result in a reversal of groundwater flow (Appendix D). To monitor compliance with the WDNR request, annual discharge monitoring reports filed by NEA will be reviewed each year.



**3.4.4.6 WDNR GIS Registry**

The FF/NN Landfill is identified on the WDNR GIS Registry site map as a site with ongoing cleanup that has continuing obligations (Appendix E). Requirements for all properties with continuing obligations include: 1) contaminated soil be properly managed if it is excavated (sample and arrange appropriate treatment or disposal) and 2) WDNR approval if a water supply well will be constructed or reconstructed. A site-specific requirement indicates that a "cap" over the contaminated area must be maintained. At this time the GIS registry does not show the extent of the groundwater plume but the WDNR is working on changes that will allow posting of this type of information for NPL sites.

#### 4.0 EFFECTIVENESS OF INSTITUTIONAL CONTROLS

##### 4.1 Protection of Site Remedy

The current site remedy is, for the most part, located on the landfill property and includes the landfill cap, site fencing and the interim gas control system. For the property containing the landfill, the ICs are protective of the remedy. The City of Ripon and Town of Ripon are the owners of and possess control over the landfill property. The City of Ripon and Town of Ripon are also part of the PRP Group for the site. This makes enforcement of the site restrictions identified in the property deed and in NR 504 straightforward. The site fencing and signage also discourages unauthorized site access and is protective of the remedy. The Site is also located on the WDNR GIS Registry of contaminated sites and is identified as having ongoing cleanup with continuing obligations.

Groundwater monitoring wells and landfill gas probes are protected with lockable steel casings that prevent vandalism and tampering. Protective fences are placed around the wells/probes located on the City property used as a dog park south of the landfill. Access agreements are in place for the monitoring wells (P-113 to P-116) located on private residential properties. Access agreements for the monitoring wells on Alliant Energy property (MW-3a and MW-3B) and the David Sauer properties (MW-101, MW-102, MW-106 and MW-108) are in the process of being obtained.

The selected groundwater remedy in the 1996 ROD was the no action alternative. In 2002 and to a lesser extent in 2008, the adjacent property owner NEA had implemented an aquifer dewatering program that adversely affected the hydrology at and around the landfill site. NEA has a WPDES general permit for its non-metallic mining operation but there is no restriction on discharge rate although they are required to report annually. The adverse pumping events indicate that the current ICs are ineffective to prevent this from happening.

The WDNR informed NEA in an October 14, 2008 non-compliance letter regarding their general WPDES water discharge permit that they should restrict their pumping rate so as not to alter the direction of the groundwater flow near the site. The letter states that NEA could become a responsible party and part of the group cleaning up the site if their pumping causes contaminated groundwater to move into new areas. To date, this warning seems to have been effective.

In 2009 a public notice was received from the Town of Ripon regarding a special use permit to operate a sand and gravel pit on property adjacent to the southeast part of the landfill. Such an operation could have had an adverse affect on the hydrology. Comments were submitted by the WDNR and the FF/NN Landfill PRP Group which resulted in the Town denying the permit. The Town of Ripon special use permitting process was effective and enforceable in this case.

##### 4.2 Minimizing Potential Exposure

Most of the institutional controls for the Site are for minimizing the potential for human and environmental exposure to site contaminants. Many of these ICs are layered to provide redundant coverage and minimize the potential breach of any one control. NR 812 prohibits water supply

well installations within 1200 feet of the landfill. The WDNR well advisory area overlaps and extends beyond the 1200-foot setback with well casing depth and construction restrictions. Both the 1200-foot landfill setback requirement and the special casing area requirement are enforceable by the WDNR Drinking and Groundwater Program. The primary mechanism of compliance and enforcement, if necessary, is through licensed well drillers. All water supply well drillers have received or should be aware of the well advisory area notice and therefore should notify anyone wanting to install a well in the affected area. The WDNR may also enforce the requirements on property owners if a new non-compliant well is installed. The Town of Ripon requires building permits for any new building, structure or mobile home. Such construction may include construction of a new well. The Town of Ripon has agreed to notify the FF/NN Landfill PRP Group of any such permits that include well construction so that the permittee can be informed about the restrictions and advisories.

City of Ripon ordinance Section 10.24 requires abandonment of private wells located on premises served by the Ripon water utility water system located within the city of Ripon unless a well operation permit has been obtained by the well owner from the city of Ripon. This control is effective and enforceable for properties within the city limits but it does not apply to the area the water was extended to in the Town of Ripon.

In 2002, the municipal water supply was extended to serve properties along S. Koro Road and Charles Street in the Town of Ripon. The municipal water provides an alternative water supply to those on private wells that have or may become contaminated. The contract agreement between a property owner and the FF/NN Landfill PRP Group requires abandonment of the private well or retrofit/conversion of the private well into groundwater monitoring well for anyone that hooks up. This IC is effective but the requirement to hook up is not enforceable. In addition those properties in the Town of Ripon with a city water line in front of them could still construct a new private well unless there is a contract to prevent it, but they would be subject to the WDNR special casing zone restrictions.

## 5.0 MONITORING OF INSTITUTIONAL CONTROLS

A process that routinely and critically evaluates the ICs will ensure their long-term effectiveness. The monitoring of ICs is designed to determine: 1) whether the IC mechanism remains in place and 2) whether the ICs are providing the protection required by the remedy. The components of monitoring include site groundwater monitoring, landfill gas monitoring, O&M monitoring and ICs monitoring.

### 5.1 Groundwater Plume Monitoring

Plume monitoring is performed to define the three dimensional area where groundwater has been impacted by releases from the FF/NN Landfill. Defining the boundaries of the plume is based on groundwater monitoring of VOC concentrations, primarily vinyl chloride, since this is the principal contaminant of concern at the FF/NN Landfill site. Monitoring is used to update the defined boundaries and concentrations within the plume which may vary with time.

Monitoring is also performed to understand the plume migration pathway and potential routes of exposure to groundwater contaminants. Plume monitoring data is used to maintain protection of human health of potential receptors by evaluating if potential receptors have the possibility of coming in contact with impacted groundwater.

#### 5.1.1 Monitoring Well Sampling

Samples from groundwater monitoring wells on and around the landfill have been collected since 1993 at most of the wells and since 2002 for wells further downgradient or deeper. The current program includes quarterly monitoring of selected wells to maintain an up to date delineation of the vinyl chloride plume and to track and assess the attenuation of the plume. The current plume extends approximately 1,600 feet south southwest of the landfill as shown in Figure 3. The historical monitoring results show that the vinyl chloride concentrations in the plume have been decreasing and that the plume front is stable or receding. Vinyl chloride is currently detected in only four monitoring wells with a maximum concentration of 5.1 ug/L. The monitoring plan may change over time as the results become more and more predictable regarding concentration trends.

#### 5.1.2 Private Drinking Water Well Sampling

Private wells in the residential area south of the landfill along S. Koro Road and Charles Street have been sampled in the past and as part of the ongoing monitoring program for the site. Residents with water supply wells that contained site contaminants (Altnau and Ehster) were connected to the municipal water extension in 2002 as well as a third home with a non-impacted water supply (Miller). Municipal water was also offered to the other residents on Charles Street and S. Koro Road and in 2004 two homes (Wiese and Hadel) were voluntarily connected to municipal water supply and their private wells were converted to piezometers (P-115 and P-116, respectively). Three private wells nearest the groundwater plume that have not hooked up to municipal water (Gaastra, Perry and Rhode) continue to be sampled on a quarterly basis and have not shown any contamination.

### **5.2 Landfill Gas System Inspection and Gas Monitoring**

The landfill gas system is routinely inspected by City of Ripon personnel to make sure the system is operational and running smoothly. The system operation is also monitored remotely by Tetra Tech GEO via telephone autodialing system that reports system operational status.

Landfill gas samples are collected from perimeter probes to ensure landfill gas is not exceeding limits outside the landfill. Gas being extracted from the landfill is also analyzed to document the removal of landfill gas containing vinyl chloride and the reduction of vinyl chloride levels over time.

### **5.3 Operation and Maintenance Inspections**

City of Ripon personnel conduct a drive-by inspection of the landfill property and fencing weekly. Site inspections of the gas/leachate wells, gas probes and groundwater monitoring wells are performed during each monitoring event. The landfill cap is formally inspected once a year.

### **5.4 Other Institutional Controls Monitoring**

Monitoring of other institutional controls is summarized on Table 2 and described herein.

#### **5.4.1 Town of Ripon Permitting Queries**

On January 21, 2011 a formal request was submitted to the Town of Ripon requesting that they flag any building or special use permit applications they receive for any parcel within the WDNR well advisory area on an on-going basis and to notify the FF/NN Landfill PRP Group if the permit involves a private well installation/reconstruction or non-metallic mining operation. For proposed private well installations the Group will make sure the permittee is aware of the applicable ICs including well advisory and setback requirements. For proposed non-metallic mining operations the Group will evaluate the location and proposed activities and provide comments to the Town regarding the potential for adverse hydraulic impacts on the groundwater plume. The Town Board approved the request and will provide notifications as applicable.

#### **5.4.2 WDNR Permitting and Variance Queries**

The WDNR Drinking Water System Well Construction Report website will be checked annually for any wells ([http://prodoasext.dnr.wi.gov/inter1/watr\\$.startup](http://prodoasext.dnr.wi.gov/inter1/watr$.startup)) that have been constructed or reconstructed within the advisory or setback areas. If new or reconstructed wells are identified on the website the WDNR Division of Water will be contacted to make sure the wells have written variances.

The WDNR Division of Water, Bureau of Watershed Management will be contacted annually to identify any Notice of Intent or WPDES general permit applications for non-metallic mining operations that have been submitted. For proposed non-metallic mining operations the Group will evaluate the location and proposed activities and provide comments to the WDNR regarding the potential for adverse hydraulic impacts on the groundwater plume.

Annual Discharge Monitoring Reports (DMRs) submitted for the NEA Ripon Gravel Operation Nonmetallic Mining Operations General Permit No. WI-0046515-04 will be reviewed annually to evaluate any events or trends in dewatering that have the potential for adverse hydraulic impacts on the groundwater plume. If so, the WDNR will be notified.

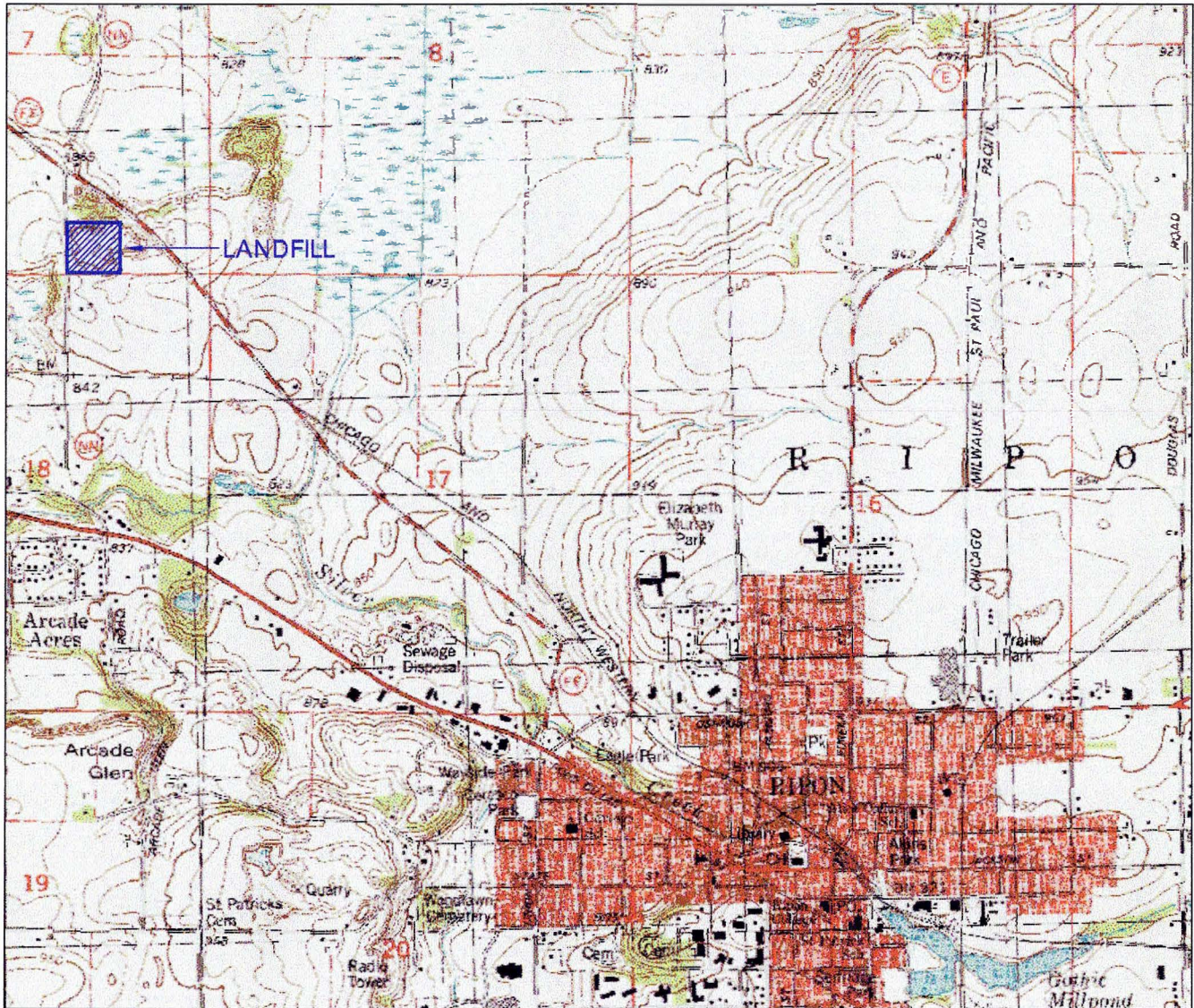
The WDNR WPDES Permits on Public Notice website will be checked quarterly to identify any new applications (<http://dnr.wi.gov/org/water/wm/ww/drafts/pubnot.htm>) within the advisory area that include activities that could potentially have adverse hydraulic impacts on the groundwater plume. If so, comments will be provided to the WDNR during the public comment period.

**5.4.3 Area-Wide Drive-By Inspection**

A drive-by inspection will be performed every year throughout the WDNR well advisory area to identify if any new private water wells have been installed or if non-metallic mining operations or dewatering activities have been initiated or expanded that could adversely affect the hydrology of the area. If new wells are identified during the drive-by the WDNR Division of Water will be contacted to make sure the wells have written variances.


*FIGURES*

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QUADRANGLE LOCATION



TITLE: <b>FF/NN LANDFILL SITE LOCATION AND LOCAL TOPOGRAPHY</b>			
LOCATION: <b>RIPON, WISCONSIN</b>			
 <b>TETRA TECH</b>	CHECKED	MRN	FIGURE: <b>1</b>
	DRAFTED	HJW	
	PROJECT	117-2202040	
	DATE	11/18/10	



# EXPLANATION

- P-104  
MONITOR WELL, PIEZOMETER LOCATION, DESIGNATION
- MW-104  
LEACHATE HEAD WELL LOCATION, DESIGNATION
- LC-2  
OUTLINE OF CLOSED LANDFILL
- GP-1  
GAS PROBE LOCATION AND DESIGNATION
- GV-1  
GAS VENT LOCATION AND DESIGNATION



BASEMAP FROM FOND DU LAC COUNTY PLANNING DIVISION, SPRING 2000.

TITLE:

FF/NN LANDFILL  
SITE LAYOUT

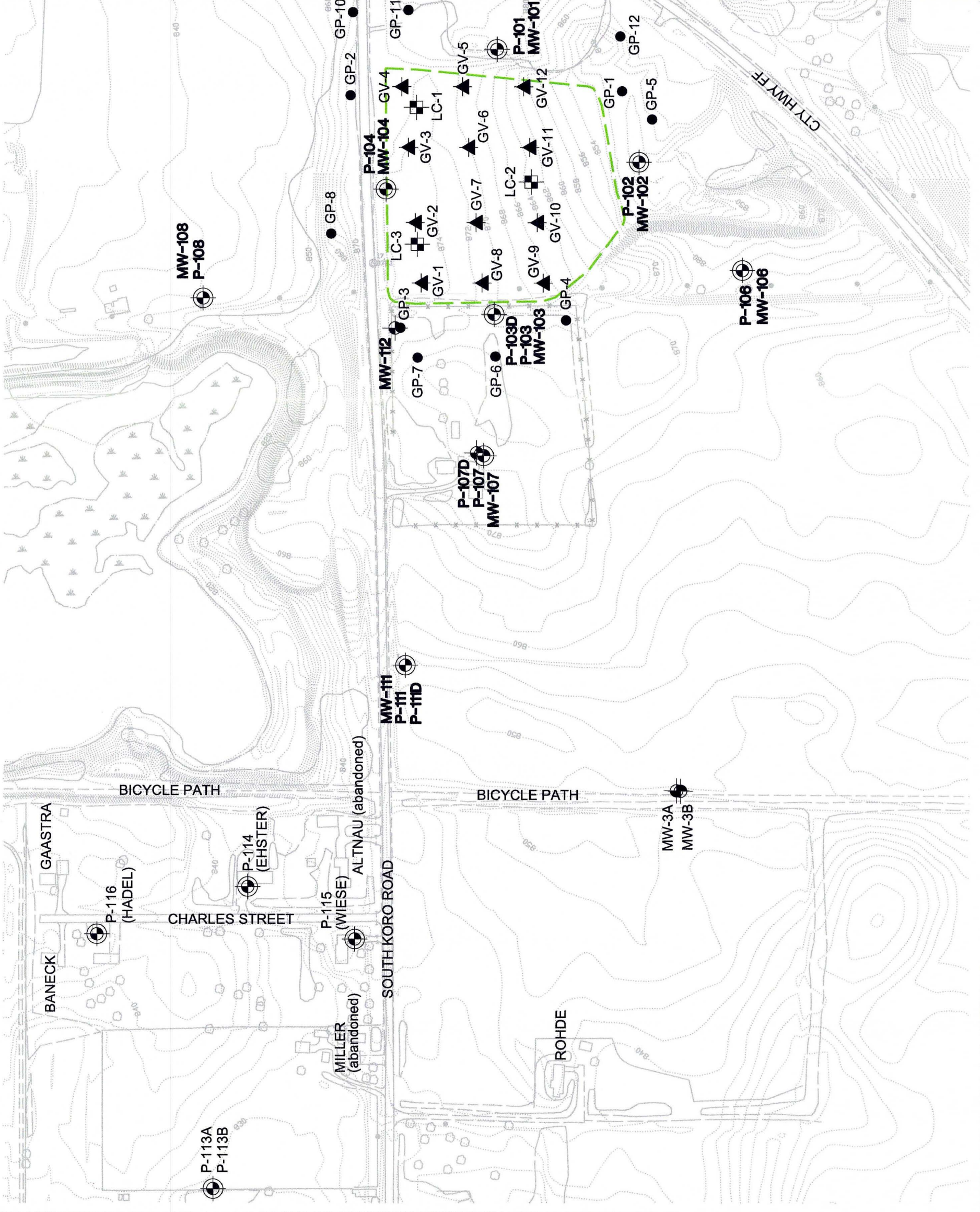
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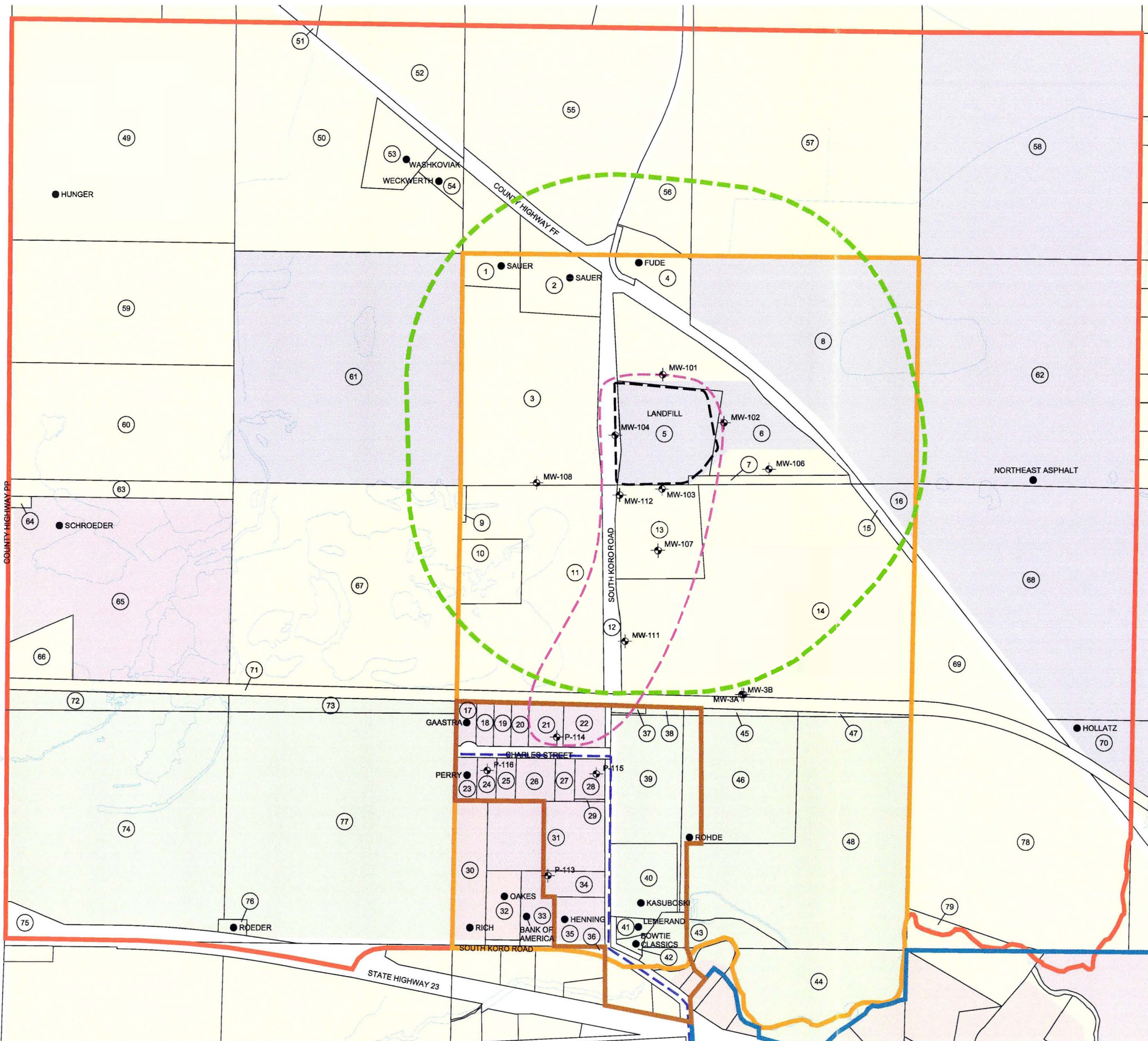
RIPON, WISCONSIN



**TETRA TECH**

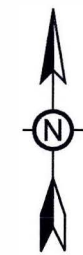
CHECKED	MRN	FIGURE:
DRAFTED	HJW	2
PROJECT	117-2202040	
DATE	11/18/10	





### EXPLANATION

- WDNR WELL ADVISORY AREA - OUTER
  - WDNR WELL ADVISORY AREA - INNER
  - - - - CLOSED LANDFILL
  - - - - 1200-FOOT LANDFILL BUFFER
  - - - - GROUNDWATER VOC PLUME
  - - - - MUNICIPAL WATER LINE
  - AREA SERVED BY MUNICIPAL WATER WITHIN CITY LIMITS
  - AREA WITH MUNICIPAL WATER AVAILABLE OUTSIDE CITY LIMITS
  - ⊕ MW-101 MONITORING WELL
  - HUNGER PRIVATE WATER SUPPLY WELL
  - (31) PARCEL IDENTIFICATION NUMBER
- ZONING:**
- EXCLUSIVE AGRICULTURAL
  - AGRICULTURAL TRANSITIONAL
  - RESIDENTIAL
  - BUSINESS
  - INDUSTRIAL



TITLE: <b>FF/NN LANDFILL INSTITUTIONAL CONTROLS</b>									
LOCATION: <b>RIPON, WISCONSIN</b>									
<b>TETRA TECH</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">CHECKED: <b>MRN</b></td> <td style="width: 50%;">FIGURE: <b>3</b></td> </tr> <tr> <td>DRAFTED: <b>HJW</b></td> <td></td> </tr> <tr> <td>PROJECT: <b>117-2202040</b></td> <td></td> </tr> <tr> <td>DATE: <b>2/24/11</b></td> <td></td> </tr> </table>	CHECKED: <b>MRN</b>	FIGURE: <b>3</b>	DRAFTED: <b>HJW</b>		PROJECT: <b>117-2202040</b>		DATE: <b>2/24/11</b>	
CHECKED: <b>MRN</b>	FIGURE: <b>3</b>								
DRAFTED: <b>HJW</b>									
PROJECT: <b>117-2202040</b>									
DATE: <b>2/24/11</b>									



Table 1. Parcel Identification and Summary of Institutional Controls  
 FF/NN Landfill NPL Site  
 Ripon, Wisconsin

Map ID	Parcel Identification Number	Property Owner	Street Address	Municipality	Within Plume Boundary	Source of Drinking Water	PDW Abandoned	Current ICs	Proposed ICs
<b>All Parcels Within FF/NN Landfill Plume Boundary</b>									
5	T17-16-14-07-16-004-00	CITY OF RIPON	N8901 S KORO RD	TOWN OF RIPON	Yes	UND	UND	WAA-Inner LFSB LFCAP LFDR	TRBP TRSUP WPDES
6	T17-16-14-07-16-005-00	DAVID L SAUER ETAL		TOWN OF RIPON	Yes	UND	UND	WAA-Inner LFSB	TRBP TRSUP WPDES
7	T17-16-14-07-16-003-00	ROGER J WASHKOVICK		TOWN OF RIPON	Yes	UND	UND	WAA-Inner LFSB	TRBP TRSUP WPDES
11	T17-16-14-18-02-001-00	JJ MATERIALS LLC		TOWN OF RIPON	Yes	UND	UND	WAA-Inner LFSB	TRBP TRSUP WPDES
12	T17-16-14-18-02-080-00	FOND DU LAC COUNTY		TOWN OF RIPON	Yes	Koro Road	Koro Road	WAA-Inner LFSB	TRBP TRSUP WPDES
13	T17-16-14-18-02-006-00	CITY OF RIPON	N8863 S KORO RD	TOWN OF RIPON	Yes	UND	UND	WAA-Inner LFSB	TRBP TRSUP WPDES
14	T17-16-14-18-01-001-00	ROGER J WASHKOVICK		TOWN OF RIPON	Yes	UND	UND	WAA-Inner LFSB	TRBP TRSUP WPDES
15	T17-16-14-18-01-080-00	FOND DU LAC COUNTY		TOWN OF RIPON	Yes	County Hwy FF	County Hwy FF	WAA-Inner LFSB	TRBP TRSUP WPDES
21	T17-16-14-18-03-021-00	ALAN C EHSTER	W14271 CHARLES ST	TOWN OF RIPON	Yes	MW	No- Mon. Well	WAA-Inner MWPA	TRBP TRSUP WPDES
22	T17-16-14-18-03-022-00	RONALD L ALTNAU	N8798 S KORO RD	TOWN OF RIPON	Yes	MW	Yes	WAA-Inner MWPA	TRBP TRSUP WPDES
37	T17-16-14-18-02-005-00	LAVADA TORREY		TOWN OF RIPON	Yes	UND	UND	WAA-Inner MWPA Available	TRBP TRSUP WPDES
38	T17-16-14-18-02-004-00	HUBERT L ROHDE		TOWN OF RIPON	Yes	UND	UND	WAA-Inner MWPA Available	TRBP TRSUP WPDES
39	T17-16-14-18-03-001-00	HUBERT L ROHDE	N8745 S KORO RD	TOWN OF RIPON	Yes	UND	UND	WAA-Inner MWPA Available	TRBP TRSUP WPDES
71	T17-16-14-18-16-099-00	WIS POWER & LIGHT		TOWN OF RIPON	Yes	Bike Trail	Bike Trail	WAA-Outer	TRBP TRSUP WPDES

Table 1. Parcel Identification and Summary of Institutional Controls  
 FF/NN Landfill NPL Site  
 Ripon, Wisconsin

Map ID	Parcel Identification Number	Property Owner	Street Address	Municipality	Within Plume Boundary	Source of Drinking Water	PDW Abandoned	Current ICs	Proposed ICs
All Parcels Outside FF/NN Landfill Plume Boundary With Municipal Water Hook-up or Available									
17	T17-16-14-18-03-016-00	JEFFERY A GAASTRA	W14297 CHARLES ST	TOWN OF RIPON	No	PDW	No	WAA-Inner MWPA Available	TRBP TRSUP WPDES
18	T17-16-14-18-03-017-00	DONALD A STATZ		TOWN OF RIPON	No	UND	UND	WAA-Inner MWPA Available	TRBP TRSUP WPDES
19	T17-16-14-18-03-018-00	DONALD A STATZ		TOWN OF RIPON	No	UND	UND	WAA-Inner MWPA Available	TRBP TRSUP WPDES
20	T17-16-14-18-03-019-00	DONALD A STATZ		TOWN OF RIPON	No	UND	UND	WAA-Inner MWPA Available	TRBP TRSUP WPDES
23	T17-16-14-18-03-011-00	BRIAN K PERRY	W14298 CHARLES ST	TOWN OF RIPON	No	PDW	No	WAA-Inner MWPA Available	TRBP TRSUP WPDES
24	T17-16-14-18-03-012-00	WILLIAM H HADEL	W14292 CHARLES ST	TOWN OF RIPON	No	MW	No- Mon. Well	WAA-Inner MWPA	TRBP TRSUP WPDES
25	T17-16-14-18-03-013-00	WILLIAM H HADEL		TOWN OF RIPON	No	UND	UND	WAA-Inner MWPA Available	TRBP TRSUP WPDES
26	T17-16-14-18-03-014-00	WILLIAM H HADEL		TOWN OF RIPON	No	UND	UND	WAA-Inner MWPA Available	TRBP TRSUP WPDES
27	T17-16-14-18-03-015-01	HAROLD WIESE		TOWN OF RIPON	No	UND	UND	WAA-Inner MWPA Available	TRBP TRSUP WPDES
28	T17-16-14-18-03-015-02	HAROLD O WIESE	N8778 S KORO RD	TOWN OF RIPON	No	MW	No- Mon. Well	WAA-Inner MWPA	TRBP TRSUP WPDES
29	T17-16-14-18-03-005-01	WILLIAM J MILLER		TOWN OF RIPON	No	UND	UND	WAA-Inner MWPA Available	TRBP TRSUP WPDES
31	T17-16-14-18-03-005-00	WILLIAM J MILLER	N8756 S KORO RD	TOWN OF RIPON	No	MW	Yes	WAA-Inner MWPA	TRBP TRSUP WPDES
34	T17-16-14-18-03-006-00	DENNIS D MILLER	N8728 S KORO RD	TOWN OF RIPON	No	UND	UND	WAA-Inner MWPA Available	TRBP TRSUP WPDES
40	T17-16-14-18-03-002-00	JAMES L KASUBOSKI TRUST	N8711 S KORO RD	TOWN OF RIPON	No	PDW	No	WAA-Inner MWPA Available	TRBP TRSUP WPDES
41	T17-16-14-18-03-003-00	CHARLES C LEMERAND	N8705 S KORO RD	TOWN OF RIPON	No	PDW	No	WAA-Inner MWPA Available	TRBP TRSUP WPDES
42	T17-16-14-18-03-004-00	BOWTIE CLASSICS LLC	N8697 S KORO RD	TOWN OF RIPON	No	PDW	No	WAA-Inner MWPA Available	TRBP TRSUP WPDES
46	T17-16-14-18-04-002-00	HUBERT L ROHDE		TOWN OF RIPON	No	PDW	No	WAA-Inner MWPA Available	TRBP TRSUP WPDES

Table 1. Parcel Identification and Summary of Institutional Controls  
 FF/NN Landfill NPL Site  
 Ripon, Wisconsin

Map ID	Parcel Identification Number	Property Owner	Street Address	Municipality	Within Plume Boundary	Source of Drinking Water	PDW Abandoned	Current ICs	Proposed ICs
<b>All Parcels Outside FF/NN Landfill Plume Boundary With Private Drinking Water Wells</b>									
1	T17-16-14-07-15-003-00	KURTIS ALLEN SAUER	N9002 COUNTY ROAD FF	TOWN OF RIPON	No	PDW	No	WAA-Inner LFSB	TRBP TRSUP WPDES
2	T17-16-14-07-15-004-00	MARY E SAUER	N8980 S KORO RD	TOWN OF RIPON	No	PDW	No	WAA-Inner LFSB	TRBP TRSUP WPDES
4	T17-16-14-07-14-003-00	JEFFREY A FUDE	N9005 S KORO RD	TOWN OF RIPON	No	PDW	No	WAA-Inner LFSB	TRBP TRSUP WPDES
30	T17-16-14-18-03-010-00	RANDY L RICH	W14293 S KORO RD	TOWN OF RIPON	No	PDW	No	WAA-Inner	TRBP TRSUP WPDES
32	T17-16-14-18-03-009-00	MICHAEL A OAKES	W14273 S KORO RD	TOWN OF RIPON	No	PDW	No	WAA-Inner	TRBP TRSUP WPDES
33	T17-16-14-18-03-008-00	BANK OF AMERICA NA	W14265 S KORO RD	TOWN OF RIPON	No	PDW	No	WAA-Inner	TRBP TRSUP WPDES
35	T17-16-14-18-03-007-00	JAMES E HENNING	W14255 S KORO RD	TOWN OF RIPON	No	PDW	No	WAA-Inner	TRBP TRSUP WPDES
49	T17-16-14-18-10-001-00	JEFFREY L HUNGER		TOWN OF RIPON	No	PDW	No	WAA-Outer	TRBP TRSUP WPDES
53	T17-16-14-07-09-004-00	JESSE L WASHKOVIK	N9074 COUNTY ROAD FF	TOWN OF RIPON	No	PDW	No	WAA-Outer	TRBP TRSUP WPDES
54	T17-16-14-07-09-003-00	WILBERT E WECKWERTH	N9062 COUNTY ROAD FF	TOWN OF RIPON	No	PDW	No	WAA-Inner LFSB	TRBP TRSUP WPDES
65	T17-16-14-18-06-001-00	DAVID R SCHROEDER	N8851 COUNTY ROAD PP	TOWN OF RIPON	No	PDW	No	WAA-Outer	TRBP TRSUP WPDES
70	T17-16-14-17-07-001-00	JUDITH A HOLLATZ	N8789 COUNTY ROAD FF	TOWN OF RIPON	No	PDW	No	WAA-Outer	TRBP TRSUP WPDES
76	T17-16-14-18-08-002-00	FERD A ROEDER	W14391 STATE RD 23-49	TOWN OF RIPON	No	PDW	No	WAA-Outer	TRBP TRSUP WPDES

Table 1. Parcel Identification and Summary of Institutional Controls  
 FF/NN Landfill NPL Site  
 Ripon, Wisconsin

Map ID	Parcel Identification Number	Property Owner	Street Address	Municipality	Within Plume Boundary	Source of Drinking Water	PDW Abandoned	Current ICs	Proposed ICs
All Parcels Outside FF/NN Landfill Plume Boundary Without Private Drinking Water Wells (Undeveloped) and Without Municipal Water Available									
3	T17-16-14-07-15-005-00	DAVID L SAUER ETAL		TOWN OF RIPON	No	UND	UND	WAA-Inner LFSB	TRBP TRSUP WPDES
8	T17-16-14-07-16-001-00	JUDITH A HOLLATZ	N8969 COUNTY ROAD FF	TOWN OF RIPON	No	UND	UND	WAA-Inner LFSB	TRBP TRSUP WPDES
9	T17-16-14-18-02-002-00	JJ MATERIALS LLC		TOWN OF RIPON	No	UND	UND	WAA-Inner LFSB	TRBP TRSUP WPDES
10	T17-16-14-18-02-003-00	JJ MATERIALS LLC		TOWN OF RIPON	No	UND	UND	WAA-Inner LFSB	TRBP TRSUP WPDES
16	T17-16-14-18-01-002-00	JUDITH A HOLLATZ		TOWN OF RIPON	No	UND	UND	WAA-Inner LFSB	TRBP TRSUP WPDES
36	T17-16-14-18-14-006-00	CITY OF RIPON		TOWN OF RIPON	No	Koro Road	Koro Road	WAA-Inner	TRBP TRSUP WPDES
43	T17-16-14-18-04-003-00	CITY OF RIPON		TOWN OF RIPON	No	UND	UND	WAA-Inner	TRBP TRSUP WPDES
44	T17-16-14-18-13-002-00	CITY OF RIPON		TOWN OF RIPON	No	UND	UND	WAA-Inner	TRBP TRSUP WPDES
45	T17-16-14-18-01-004-00	HUBERT L ROHDE		TOWN OF RIPON	No	UND	UND	WAA-Inner	TRBP TRSUP WPDES
47	T17-16-14-18-01-003-00	FERD A ROEDER		TOWN OF RIPON	No	UND	UND	WAA-Inner	TRBP TRSUP WPDES
48	T17-16-14-18-04-001-00	FERD A ROEDER		TOWN OF RIPON	No	UND	UND	WAA-Inner	TRBP TRSUP WPDES
50	T17-16-14-07-09-002-00	JJ MATERIALS LLC		TOWN OF RIPON	No	UND	UND	WAA-Inner LFSB	TRBP TRSUP WPDES
51	T17-16-14-07-08-003-00	ROY F TIMM	N9129 COUNTY ROAD FF	TOWN OF RIPON	No	UND	UND	WAA-Outer	TRBP TRSUP WPDES
52	T17-16-14-07-09-001-00	DAVID J KONRAD		TOWN OF RIPON	No	UND	UND	WAA-Outer	TRBP TRSUP WPDES
55	T17-16-14-07-14-001-00	DAVID L SAUER ETAL		TOWN OF RIPON	No	UND	UND	WAA-Inner LFSB	TRBP TRSUP WPDES
56	T17-16-14-07-14-004-00	RIPON RIFLE & PISTOL		TOWN OF RIPON	No	UND	UND	WAA-Inner LFSB	TRBP TRSUP WPDES
57	T17-16-14-07-13-001-00	RIPON RIFLE & PISTOL		TOWN OF RIPON	No	UND	UND	WAA-Inner LFSB	TRBP TRSUP WPDES

Table 1. Parcel Identification and Summary of Institutional Controls  
 FF/NN Landfill NPL Site  
 Ripon, Wisconsin

Map ID	Parcel Identification Number	Property Owner	Street Address	Municipality	Within Plume Boundary	Source of Drinking Water	PDW Abandoned	Current ICs	Proposed ICs
58	T17-16-14-07-10-001-00	WALTER H KOLBERG	N9009 COUNTY ROAD PP	TOWN OF RIPON	No	UND	UND	WAA-Outer	TRBP TRSUP WPDES
59	T17-16-14-07-11-001-00	JJ MATERIALS LLC		TOWN OF RIPON	No	UND	UND	WAA-Outer	TRBP TRSUP WPDES
60	T17-16-14-07-11-002-00	JJ MATERIALS LLC		TOWN OF RIPON	No	UND	UND	WAA-Outer	TRBP TRSUP WPDES
61	T17-16-14-07-12-001-00	JJ MATERIALS LLC		TOWN OF RIPON	No	UND	UND	WAA-Inner LFSB	TRBP TRSUP WPDES
62	T17-16-14-08-11-001-00	JUDITH A HOLLATZ		TOWN OF RIPON	No	UND	UND	WAA-Inner LFSB	TRBP TRSUP WPDES
63	T17-16-14-18-06-005-00	JJ MATERIALS LLC	N8889 COUNTY ROAD PP	TOWN OF RIPON	No	UND	UND	WAA-Outer	TRBP TRSUP WPDES
64	T17-16-14-18-06-004-00	JJ MATERIALS LLC		TOWN OF RIPON	No	UND	UND	WAA-Outer	TRBP TRSUP WPDES
66	T17-16-14-18-06-006-00	JOSEPHINE WASHKOVICK		TOWN OF RIPON	No	UND	UND	WAA-Outer	TRBP TRSUP WPDES
67	T17-16-14-18-05-001-00	JJ MATERIALS LLC		TOWN OF RIPON	No	UND	UND	WAA-Inner LFSB	TRBP TRSUP WPDES
68	T17-16-14-17-06-001-00	JUDITH A HOLLATZ	N8885 COUNTY ROAD FF	TOWN OF RIPON	No	UND	UND	WAA-Inner LFSB	TRBP TRSUP WPDES
69	T17-16-14-17-06-002-00	DONNA MAE DOCTA		TOWN OF RIPON	No	UND	UND	WAA-Outer	TRBP TRSUP WPDES
72	T17-16-14-18-06-002-00	RICKY W ZWOLSKI		TOWN OF RIPON	No	UND	UND	WAA-Outer	TRBP TRSUP WPDES
73	T17-16-14-18-05-002-00	FERD A ROEDER		TOWN OF RIPON	No	UND	UND	WAA-Outer	TRBP TRSUP WPDES
74	T17-16-14-18-07-001-00	FERD A ROEDER		TOWN OF RIPON	No	UND	UND	WAA-Outer	TRBP TRSUP WPDES
75	T17-16-14-18-07-080-00	FOND DU LAC COUNTY		TOWN OF RIPON	No	UND	UND	WAA-Outer	TRBP TRSUP WPDES
77	T17-16-14-18-08-001-00	FERD A ROEDER	W14391 STATE RD 23-49	TOWN OF RIPON	No	UND	UND	WAA-Outer	TRBP TRSUP WPDES
78	T17-16-14-17-07-002-00	DONNA MAE DOCTA		TOWN OF RIPON	No	UND	UND	WAA-Outer	TRBP TRSUP WPDES
79	T17-16-14-17-07-003-00	KEVIN GRATTON		TOWN OF RIPON	No	UND	UND	WAA-Outer	TRBP TRSUP WPDES



Table 1. Parcel Identification and Summary of Institutional Controls

FF/NN Landfill NPL Site

Ripon, Wisconsin

Map ID	Parcel Identification Number	Property Owner	Street Address	Municipality	Within Plume Boundary	Source of Drinking Water	PDW Abandoned	Current ICs	Proposed ICs
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Notes:

- LFDR Landfill Property Deed Restriction
- LFSB Property within 1200-ft setback distance from landfill (restricted well installation)  
If boundary intersects a property, the restriction only applies to the portion of the property inside the restricted area
- LCAP Covered Landfill Cap (prohibited agricultural use, establishment or construction of buildings, and excavation of the final cover)
- WAA-Inner WDNR Well Advisory Area Inner Area
- WAA-Outer WDNR Well Advisory Area Outer Area
- MWCL Municipal Water (City Limits) - Mandatory connection to City water
- MWPA Municipal Water (Private Agreement) - Connected to City water per private agreement with RPs
- TRBP Town of Ripon Building Permit
- TRSUP Town of Ripon Special Use Permit
- WPDES WDNR General WPDES Permit for Non-Metallic Mining
- ABD Abandon Existing Private Domestic Well.
- PDW Private Domestic Well
- UND Undeveloped Parcel

Table 2. Institutional Controls Description, Monitoring and Compliance Plan  
 FF/NN Landfill NPL Site  
 Ripon, Wisconsin

No.	Institutional Control	Type	Description	Regulatory Citation	Monitoring Method	Monitoring/Reporting Frequency
1	Landfill Cap (LFCAP)	Government Control	Prohibits agricultural use, establishment or development of buildings, and excavation of final cover.	State of Wisconsin Administrative Code - Chapter NR 504.07(9)	Inspect landfill cap to check for unauthorized uses.	Annually
2	Landfill Site Fencing and Signage (LFFS)	Government Control	Landfill site is fenced and posted with warning signs "Caution: Do Not Enter" State statute prohibits trespass	Wisconsin statutory trespass rules (Wis. Stat. §943.13(1m)(a)) imposes a fine on a trespasser for violating the statute.	City of Ripon performs drive-by inspection	Weekly
3	Landfill Setback (LFSB)	Government Control	Prohibits well installation within 1200-ft from a landfill site.	State of Wisconsin Administrative Code - Chapter NR 812.08(4)(g)1	Check for any new building and well construction within the setback zone. Check the WDNR Drinking and Groundwater web site electronic scans of newly submitted well construction forms located in the setback zone: <a href="http://prodoasext.dnr.wi.gov/inter1/watr\$.startup">http://prodoasext.dnr.wi.gov/inter1/watr\$.startup</a> Contact WDNR Division of Water, Drinking Water and Groundwater, Private Water Supply Section (current contact is Elizabeth Heinen, 920-993-7056) for information about new well construction variances and make sure all new wells have written variances.	Annually
4	Municipal Water Connection (within City Limits) (MWCL)	Government Control	Prohibits use of private domestic wells; Requires City-approved operation permit or abandonment of private wells; Prohibits new domestic well installation.	City Ordinance Section 10.24	Contact Municipal Water Utility to confirm connections; Conduct well inventory to evaluate abandonment status of potential former private wells; Check the WDNR Drinking and Groundwater website electronic of newly submitted well construction forms located in the area of concern: <a href="http://prodoasext.dnr.wi.gov/inter1/watr\$.startup">http://prodoasext.dnr.wi.gov/inter1/watr\$.startup</a>	Water Connections: Annually; Well Abandonment: One-time confirmation; Well Construction Permits: Annually
5	Municipal Water Connection (outside City Limits) (MWPA)	Proprietary Control	Requires abandonment of private well or retrofit/conversion of private well into groundwater monitoring well	Private Access Agreements between Property Owners and RPs; State of Wisconsin Administrative Code - Chapter NR 811.10; Public Service Commission (PSC of Wisconsin) regulations.	Contact Municipal Water Utility to confirm connections; Conduct well inventory to evaluate abandonment status of former private wells; Check the WDNR Drinking and Groundwater website electronic scans of newly submitted well construction forms located in the area of concern: <a href="http://prodoasext.dnr.wi.gov/inter1/watr\$.startup">http://prodoasext.dnr.wi.gov/inter1/watr\$.startup</a>	Water Connections: Annually; Well Abandonment: One-time confirmation; Well Construction Permits: Annually
6	Record of Decision (ROD)	Enforcement Tool	Contains governmental controls as ARARs that restrict land and groundwater use, set applicable cleanup standards and incorporate IC requirements	Record of Decision, Ripon City Landfill, EPA ID: WID980610190, OU-1, Fond du Lac County, WI, 3/27/96	Monitoring and O&M with regular progress reports submitted to WDNR.	Quarterly to Semiannually

Table 2. Institutional Controls Description, Monitoring and Compliance Plan

FF/NN Landfill NPL Site

Ripon, Wisconsin

No.	Institutional Control	Type	Description	Regulatory Citation	Monitoring Method	Monitoring/Reporting Frequency
7	Deed Restriction (LFDR)	Informational Device	Prohibits installing water wells, other than monitoring or leachate wells, prohibits certain specified Site uses, and prohibits any use that might damage or impair the effectiveness of any remedial action component constructed at the Site and any interference with the performance of the remedial work.	The Declaration of Restrictions run with the land and are recorded with the Fond du Lac County Register of Deeds.	Inspect landfill cap to check for unauthorized uses.	Annually
8	WDNR Well Advisory Area (WAA-Inner) (WAA-Outer)	Informational Device	Inner Area: Does not allow for construction of new or reconstruction of existing wells except for unconsolidated aquifer wells outside 1200' NR 812 setback and Precambrian bedrock wells. Outer Area: Allows for construction of new or reconstruction of existing wells for unconsolidated aquifer wells or for Cambrian sandstone wells if unconsolidated wells produce insufficient quantity or quality water.	Special Well Casing Pipe Depth Area Ripon FF/NN Landfill Site & Surrounding Area Part of the Town of Ripon, Fond du Lac County, WI	Visually inspect properties for unauthorized well installations/developments (to be conducted during routine sampling events); Check the WDNR Drinking and Groundwater website electronic scans of newly submitted well construction forms located in the area of concern: <a href="http://prodoasext.dnr.wi.gov/inter1/watr\$.startup">http://prodoasext.dnr.wi.gov/inter1/watr\$.startup</a>	Annually
9	Town of Ripon Building Permit (TRBP)	Informational Device	Requires building permit for anyone seeking to build a structure within the area of the defined contaminant plume.	Town of Ripon Zoning Ordinance	Submit formal request to Town of Ripon Building Inspector/Permit Issuer (currently Barry VandeBrink, 920-572-6460) to notify FF/NN Landfill RPs of any permit applications or building permits within the defined plume area.	On-going
10	Town of Ripon Special Use Permit (TRSUP)	Informational Device	Requires a Special Use Permit when requesting a use not permitted by an Ordinance in a Zoning District.	Town of Ripon Zoning Ordinance	Submit formal request to Town of Ripon Plan Commission/Zoning Board of Appeals (currently Barry VandeBrink, 920-572-6460) to notify FF/NN Landfill RPs of any special use permit applications for properties within one-half mile of the landfill (e.g. R&R Wash or Northeast Asphalt).	On-going
11	Wisconsin Pollutant Discharge Elimination System Permit for Non-Metallic Mining Operations (WPDES)	Informational Device	WPDES general permits that cover non-metallic mining operations where wash water, pit dewatering, dust control and non-contact cooling wastewaters are discharged to surface waters or seepage systems. The permit also contains stormwater requirements in accordance with NR 216.	Chapter 283, Wisconsin Statutes	Contact WDNR Division of Water, Bureau of Watershed Management (current contact for Northeast Asphalt is Michael Reif, 920-424-4401) for information about new Notices of Intent or changes to existing permits. Review NEA's annual discharge report.	Annually
12	WDNR GIS Registry	Informational Device	As of June 2006, the Wisconsin Department of Natural Resources (WDNR) uses its Global Information System (GIS) Registry to track contaminated sites that have been partially remediated and closed with land use restrictions. In the future the WDNR may include NPL sites on this registry.	Site is located on GIS registry with notice of on-going cleanup with continuing obligations. WDNR BRRTS #: 0220000915	No monitoring of GIS registry is required.	None

**APPENDIX A**

**RESIDENTIAL CONTRACTS FOR MUNICIPAL WATER OUTSIDE CITY LIMITS**

## CONTRACT

The FF/NN Landfill PRP Group by the Chairman of its Steering Committee (the "Group") and Lori and Alan Ehster (the "Ehsters") agree as follows:

1. The Ehsters have applied to Alliant Energy to connect their residence at W14271 Charles Street to the waterline main extension that is being or has been constructed along South Koro Road and Charles Street in the Town of Ripon (the "Waterline Main Extension.")
2. The Group has provided Alliant Energy with a check in the amount of \$590.00 made payable to Alliant Energy in behalf of the Ehsters and has also provided Alliant Energy with a letter whereby the Group waived its claim to reimbursement of the connection charge of \$5,116.20. The payment covers the cost of the curb stop lateral *i.e.*, the pipe which extends from the waterline main to the point on the Ehster property where the road right-of-way ends.
3. The Group will arrange and at its sole expense pay for the trenching/plumbing work that is needed to properly connect the Curb Stop Lateral to the plumbing in the Ehsters' residence at W14271 Charles Street. The trenching/plumbing work shall be completed within one (1) month of the installation of the Curb Stop Lateral.
4. The Group will arrange and at its sole expense pay for the proper disconnection of the private water supply well that currently serves the W14271

residence from the water piping in said residence. At the Group's discretion, said private well shall be either abandoned pursuant to ch. NR 141, Wis. Admin. Code or converted (or retrofitted) so that said well may be used as a groundwater quality monitoring well, all at the Group's sole cost. The disconnection and abandonment or conversion (retrofitting) shall be completed within thirty (30) days following the completion of the trenching/plumbing or the commencement of water being available through the Waterline Main Extension, whichever is later, except in the event the conversion/retrofitting is delayed by the DNR approval process, unfavorable climate conditions or similar *force majeure* events. The Group shall be responsible, at its sole expense, for the abandonment of a converted/retrofitted well when said well is no longer required for monitoring groundwater quality associated with the FF/NN Landfill. Any transferee of title to the Ehster property shall take title to the property subject to the obligations to allow the converted/retrofitted well to continue in use by the Group.

5. The Ehsters agree that following commencement of water being supplied through the Waterline Main Extension, the Group (and its members individually) has (have) no responsibility either for the payment of their water bills or thereafter for the maintaining of the water system serving the W14271 Charles Street residence from the Curb Stop Lateral to the residence, including but not limited to the costs thereof. The Ehsters further agree that as a condition of the transfer of ownership of said residence that the transferee will be required to accept the condition of this paragraph upon the transfer, said condition being one

that runs with the land. The Ehsters shall cause notice of this condition to be recorded with the Register of Deeds.

6. The Group agrees further that it will, at its sole expense, remove the water treatment system now installed at the Ehster residence and repair any damage to the walls, ceilings or roof of the said residence that resulted from the installation or results from the removal.

7. The Ehsters hereby grant to the Group or its agents access to their property and residence to carryout the connecting, trenching, plumbing, installing, abandoning (or converting/retrofitting) and repairing described above.

8. This Contract sets forth the entire agreement between Ehsters and the Group with respect to its subject matter. All prior negotiations and dealings regarding the subject matter are superseded by and merged into this Contract.

This Contract shall control and govern the conditions for access by

Representatives of Alliant Energy or the Group for the work of constructing, connecting, disconnecting, removing, retrofitting/convertng and abandoning the Ehsters' Property.

ON  
A.E./L.C.  
R.M.R.

9. To the extent permitted by law, this Contract shall be governed by the laws of Wisconsin.

Dated: 12-2-02

Alan Ehster

Signature

Print Name: Alan Ehster/Husband

Title: Owner

Dated: 12-2-02

Lori M. Ehster

Signature

Print Name: Lori Ehster/Wife

Title: Owner

FF/NN GROUP

Dated: November 7, 2002

By: R. M. Roder

Print Name: Raymond M. Roder

Title: Chairman of FF/NN Landfill  
Steering Committee

This instrument was drafted by:  
Raymond M. Roder, Esq.  
Reinhart Boerner Van Deuren s.c.  
22 East Mifflin Street, Suite 600  
P.O. Box 2018  
Madison, Wisconsin 53701-2018

By signing this contract we do NOT waive the right to seek any compensation someday in the future. Alan Ehster / Lori M. Ehster



## CONTRACT

The FF/NN Landfill PRP Group by the Chairman of its Steering Committee (the "Group") and Iona and Ronald Altnau (the "Altnaus") agree as follows:

1. The Altnaus have applied to Alliant Energy to connect their residence at N8798 South Koro Road to the waterline main extension that is being or has been constructed along South Koro Road and Charles Street in the Town of Ripon (the "Waterline Main Extension.")

2. The Group has provided Alliant Energy with a check in the amount of \$590.00 made payable to Alliant Energy in behalf of the Altnaus and has also provided Alliant Energy with a letter whereby the Group waived its claim to reimbursement of the connection charge of \$5,116.20. The payment covers the cost of the curb stop lateral *i.e.*, the pipe which extends from the waterline main to the point on the Altnau property where the road right-of-way ends.

3. The Group will arrange and at its sole expense pay for the trenching/plumbing work that is needed to properly connect the Curb Stop Lateral to the plumbing in the Altnaus' residence at N8798 S. Koro. The trenching/plumbing work shall be completed within one (1) month of the installation of the Curb Stop Lateral.

4. The Group will arrange and at its sole expense pay for the proper disconnection and abandonment pursuant to ch. NR 141, Wis. Admin. Code of the Altnaus' water supply well which currently serves the N8798 residence. The

disconnection and abandonment shall be completed within thirty (30) days following the completion of the trenching/ plumbing or the commencement of water being available through the Waterline Main Extension, whichever is the later.

5. The Altnaus agree that following commencement of water being supplied through the Waterline Main Extension, the Group (and its members individually) has (have) no responsibility either for the payment of the Altnaus' water bills or thereafter for the maintaining of the water system serving the N8798 S. Koro residence from the Curb Stop Lateral to the residence, including but not limited to the costs thereof. Any transfer of ownership of the N8798 residence shall be made contingent upon the transferee accepting the Altnaus' obligations under this paragraph. This condition of transfer shall run with the land. The Altnaus shall cause notice of this condition to be recorded with the Register of Deeds.

6. The Group agrees further that it will, at its sole expense, remove the water treatment system now installed at the Altnau residence and repair any damage to the walls, ceilings or roof of the Altnaus' residence that resulted from the installation or results from its removal.

7. The Altnaus hereby grant to the Group or its agents access to their property and residence to carryout the connecting, disconnecting, trenching, plumbing, installing, removing, abandoning and repairing described above.

8. This Contract sets forth the entire agreement between the Altnaus and the Group with respect to its subject matter. All prior negotiations and dealings regarding the subject matter are superseded by and merged into this Contract. This Contract shall control and govern the conditions for access by Representatives of Alliant Energy or the Group for the work on the Altnaus' property for the constructing, connecting, disconnecting, removing, repairing and abandoning described above.

9. To the extent permitted by law, this Contract shall be governed by and enforceable under the laws of Wisconsin.

Dated: 11-8-02

Iona L. Altnau

Signature

Print Name: Iona Altnau/Wife

Title: Owner

Dated: 11-8-02

Ronald Altnau

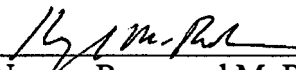
Signature

Print Name: Ronald Altnau/Husband

Title: Owner

FF/NN GROUP

Dated: November 7, 2002

By:   
Print Name: Raymond M. Roder  
Title: Chairman of FF/NN Landfill  
Steering Committee

This instrument was drafted by:  
Raymond M. Roder, Esq.  
Reinhart Boerner Van Deuren s.c.  
22 East Mifflin Street, Suite 600  
P.O. Box 2018  
Madison, Wisconsin 53701-2018

## ACCESS AGREEMENT

This ACCESS AGREEMENT ("Agreement") is made this 19<sup>th</sup> day of August, 2002 by and between the FF/NN Landfill PRP Group (the "FF/NN Group") and William Miller ("Miller"), as owner of the property at N 8756 S. Koro Road, Town of Ripon, Fond du Lac County, Wisconsin (the "Property").

WHEREAS, the FF/NN Group has been requested by the Wisconsin Department of Natural Resources ("DNR") to define the extent of the contaminant plume migrating from the FF/NN Landfill;

WHEREAS, GeoTrans, Inc. ("GeoTrans"), which is acting as the FF/NN Group's environmental consultant, has recommended a location for groundwater monitoring wells that can properly serve to assess the extent of the contaminant plume and act as sentries for contamination upgradient of private water supply wells in the vicinity;

WHEREAS, GeoTrans' recommended location corresponds approximately to the middle of the Property along the southern fence line,

WHEREAS, GeoTrans is recommending a two well nest with the deeper well extending approximately two hundred eighty (280) feet below ground surface ("bgs"), (the "Wells");

WHEREAS, GeoTrans (or its successors) will undertake or oversee the constructing, sampling, maintaining and abandoning (the "Activities") of the Wells; and

WHEREAS, Miller is willing to grant the FF/NN Group and its Environmental Consultant access for such Activities, provided the Activities do not damage the Property and the placement of the Wells does not unreasonably interfere with Miller's customary use of the Property.

NOW, THEREFORE, in consideration of the mutual benefits to the parties and other good and valuable consideration, Miller hereby grants the FF/NN Group and its Environmental Consultants a non-exclusive right of access on and under the Property for the sole purpose of conducting the Activities, on the following terms and conditions:

1. Constructing, Sampling, Maintaining and Abandoning.

(a) Miller agrees that the FF/NN Group may carry out the Activities described above for the purposes described above provided they occur at the location shown on the site plan attached hereto ("Site Plan"). (A copy of the Site Plan showing the location of the Well is attached hereto.)

(b) The FF/NN Group and its Environmental Consultants will comply with all applicable environmental laws and regulations with respect to the Activities on the Property.

(c) The FF/NN Group shall provide Miller with copies of all test results relating to the Activities on the Property.

(d) The right of access shall not expire until DNR authorizes abandonment of the Well.

(e) GeoTrans shall, to the extent practicable and consistent with sound engineering practice, undertake the Activities in a manner that will not unreasonably interfere with Miller's use of the Property.

(f) The construction shall not occur earlier than August 19, 2002, with access by the drilling equipment to the cropped field being through Miller's lower driveway.

(g) The FF/NN Group shall cause a gate to be placed in the fence nearest the Wells; the gate shall be equipped with a lock so that access for sampling can be attained without crossing over or through Miller's cropped field. A key to the lock shall be available only to the Group's environmental consultants and DNR.

(h) The Wells will be placed along the south fence line approximately 435 feet from the road, spaced approximately five feet apart and protected by bumper posts approximately one foot from the stick up shield of each well. The Wells will be placed as close as feasible to the fence.

(i) As compensation for access and the Activities, the FF/NN Group shall subsidize the assessment of Miller by Alliant for the right to hook up the Property's water supply system to the water supply line being extended north on S. Koro Road and west on Charles Street. The subsidy shall be such that Miller will not pay more than \$500 for the assessment. The subsidy shall not apply to the charge for the curb stop pipe under Alliant's tariff. Nor shall the subsidy apply to any charge by a plumber to attach the curb stop to the water supply system in Miller's house. In the event Miller's private well becomes contaminated with chemicals associated with the FF/NN Landfill, Miller will be reimbursed by the PRPs any amount paid by him for the assessment, service stop tariff or hook up of the service stop to his home's water supply pipes.

(j) The FF/NN Group shall require GeoTrans and each of its subcontractors to carry professional liability insurance to cover damages to the Property in the minimum amount of \$1M (million) per occurrence.

2. Purpose of Agreement. This Agreement being solely for the purpose of facilitating determination of the extent of the contaminant plume and as a sentry for water quality in downgradient water supply wells neither the FF/NN Group nor its

Environmental Consultant may use the Property for any purposes except the Activities and shall not have the right to assign this agreement to any third party without the prior written consent of Miller.

3. Repairs. After the completion of any Activities authorized under this Agreement, the FF/NN Group through its Environmental Consultant will replace or repair any portion of the Property damaged by equipment or operations associated with the Activities or any unauthorized activity by the FF/NN Group or its Environmental Consultants.


4. Indemnity. The FF/NN Group agrees to be responsible for and reimburse Miller for any and all damage caused or allowed by the Environmental Consultants, their employees, agents, invitees or contractors to the surface or underground facilities on the Property and to be responsible for the investigation and remediation of any and all environmental contamination caused or contributed to by the Activities. The FF/NN Group also agrees to indemnify and defend Miller from any and all claims for personal injury or property damage caused by the negligence of the Environmental Consultants in the performance of the Activities or any unauthorized activities on the Property by the FF/NN Group or its Environmental Consultants unless caused in whole or in part by the negligence of Miller, his agents or invitees or by third parties. If such personal injury or property damage is the result of joint negligence or willful misconduct, each parties' duty of indemnification shall be in proportion to its allocable share of such joint negligence or willful misconduct.

5. Attorney's Fees. In connection with any litigation arising out of or relating to this Agreement, the prevailing party shall be entitled to recover all reasonable costs and expenses incurred, including reasonable attorney's fees. For purposes of this



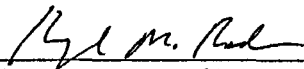
paragraph, "prevailing party" shall mean that party which obtains any of the relief requested on any one or more claims, counterclaims, or cross-claims. If there is more than one prevailing party, then costs, expenses and attorneys' fees provided for herein shall be awarded to each prevailing party only to the extent the costs, expenses and fees relate to each party's successful claim(s).

Dated: 7-25-02

  
Signature  
Print Name: William Miller  
Title: Owner

FF/NN GROUP

Dated: July 30, 2002

By:   
Print Name: Raymond M. Roder  
Title: Chairman of FF/NN  
Steering Committee

This instrument was drafted by:

Raymond M. Roder, Esq.  
Reinhart Boerner Van Deuren s.c.  
22 East Mifflin Street, Suite 600  
P.O. Box 2018  
Madison, Wisconsin 53701-2018

## CONTRACT

The FF/NN Landfill PRP Group by the Chairman of its Steering Committee (the "Group") and William J. Miller agree as follows:

1. William J. Miller ("Miller") will apply to Alliant Energy to connect his residence at N8756 South Koro Road to the waterline main extension that is being or has been constructed along South Koro Road and Charles Street in the Town of Ripon.
2. The Group will provide Miller with a check in the amount of \$4,796.20 made payable to Alliant Energy. Payment in this amount will result in Miller paying only \$500 for his assessment of the waterline main extension pursuant to that certain access agreement dated July 25, 2002.
3. Miller will promptly thereafter make payment to Alliant Energy in the amount of \$5,706.20 comprised of the following: the Group's check as described in ¶ 2 above and a payment by Miller through check, money order or cash in the amount of \$1,090. (The \$1,090 being Miller's payment for a one inch (1") SVC Pipe & Valve attached to the main extension (also referred to herein as the Curb Stop Lateral) and Miller's portion of the water customer assessment associated with connection.)
4. Miller will arrange and at his sole expense pay for the trenching/plumbing work that is needed to properly connect the Curb Stop Lateral to the plumbing in his residence at N8756 S. Koro. The trenching/plumbing work shall be completed within three (3) months of the installation of the Curb Stop Lateral.
5. Miller will arrange and at his sole expense pay for the proper disconnection and abandonment of the water supply well which currently serves the N8756 residence. The disconnection and abandonment shall be completed within sixty (60) days following the completion of the trenching/plumbing.
6. Miller agrees that the Group (and its members individually) has (have) no responsibility either for the payment of his water bills upon connection or for the maintaining of the water system serving the N8756 S. Koro residence including but not limited to the costs thereof.

7. This Contract sets forth the entire agreement between Miller and the Group with respect to its subject matter. All prior negotiations and dealings regarding the subject matter are superseded by and merged into this Contract. This Contract shall control and govern the conditions of payment by the Group for access by Representatives of the Group to construct, sample, maintain and abandon the monitoring wells on the Miller Property.

8. The provisions of this Contract are not severable.

9. To the extent permitted by law, this Contract shall be governed by the laws of Wisconsin.

Dated: Oct. 25- 2002

William J. Miller

Signature

Print Name: William J. Miller

Title: Owner

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FF/NN GROUP

Dated: October 23, 2002

By: R. M. Roder

Print Name: Raymond M. Roder

Title: Chairman of FF/NN Landfill  
Steering Committee

This instrument was drafted by:  
Raymond M. Roder, Esq.  
Reinhart Boerner Van Deuren s.c.  
22 East Mifflin Street, Suite 600  
P.O. Box 2018  
Madison, Wisconsin 53701-2018

## CONTRACT

The FF/NN Landfill PRP Group by the Chairman of its Steering Committee (the "Group") and Harold and Nancy Wiese agree as follows:

1. Harold and Nancy Wiese (the "Wieses") will apply to Alliant Energy to connect their residence at N8778 S Koro Road to the waterline main extension that has been constructed along South Koro Road and Charles Street in the Town of Ripon.

2. The Group will provide the Wieses with a completed application and a check payable to Alliant Energy in an amount sufficient to cover the assessment for the waterline main extension and installation of a one inch (1") SVC Pipe & Valve attached to the main extension (also referred to herein as the Curb Stop Lateral).

3. The Group will arrange at its sole expense to pay for the trenching/plumbing work that is needed to properly connect the Curb Stop Lateral to the plumbing in the Wieses' residence at N8778 S. Koro Road. The trenching/plumbing work shall be completed within one (1) month of the installation of the Curb Stop Lateral.

4. The Group will arrange at its sole expense to pay for the proper disconnection of the water supply well which currently serves the residence and its conversion to a groundwater quality monitoring well. The disconnection and conversion shall be completed within thirty (30) days following the completion of

the trenching/plumbing, except in the event the conversion is delayed by the DNR approval process, unfavorable climate conditions or similar *force majeure* events.

5. The Group shall be responsible, at its sole expense, for the abandonment of the converted well when said well is no longer required for monitoring groundwater quality associated with the FF/NN Landfill.

6. The Wieses hereby grant to the Group or its agents and Alliant Energy access to their property and residence at N8778 S. Koro Road to carryout the connecting, trenching, plumbing, installing, converting, abandoning and repairing described above.

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~~7. The Wieses agree that neither the Group nor its members~~  
individually has any responsibility either for the payment of their water bills upon connection or for the maintaining of the water system serving the N8778 S. Koro Road residence including but not limited to the costs thereof.

8. Any transferee of title to the Wieses' property at N8778 S. Koro Road shall take title to the property subject to the obligations to allow the converted well to continue in use by the Group until abandoned as noted herein. The Wieses further agree that as a condition of the transfer of ownership of said residence that the transferee will be required to accept the condition of this paragraph upon the transfer, said condition being one that runs with the land. The Group shall cause notice of this condition to be recorded with the Register of Deeds. The Wieses shall cooperate fully in the Group's recording of the Notice with the Register of Deeds.

9. This Contract sets forth the entire agreement between the Wieses and the Group with respect to its subject matter. All prior negotiations and dealings regarding the subject matter are superseded by and merged into this Contract. This Contract shall control and govern the conditions of payment by the Group for access by Representatives of the Group to convert to a monitoring well the Wieses' water supply well; sample, maintain, repair and abandon pursuant to ch. NR 141, Wis. Admin. Code the monitoring well on the Wieses' Property.

10. The provisions of this Contract are not severable.

11. By signing this Contract each signator thereby declares and confirms her or his authority to act as owners of the entirety of the real estate and improvements at N8778 S. Koro Road (the Wieses) or on behalf of the Group (the Chairman), respectively.

12. To the extent permitted by law, this Contract shall be governed by the laws of Wisconsin.

FOR THE WIESES AND HIMSELF

Dated: 10-30-03

Harold Wiese  
Signature: Harold Wiese

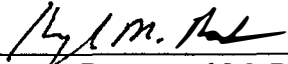
FOR THE WIESES AND HERSELF

Dated: 10-30-03

Nancy Wiese  
Signature: Nancy Wiese

FF/NN LANDFILL GROUP

Dated: October 28, 2003

By:   
Signature: Raymond M. Roder  
Title: Chairman of FF/NN Landfill  
Steering Committee

This instrument was drafted by:  
Raymond M. Roder, Esq.  
Reinhart Boerner Van Deuren s.c.  
22 East Mifflin Street, Suite 600  
P.O. Box 2018  
Madison, Wisconsin 53701-2018

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## CONTRACT

The FF/NN Landfill PRP Group by the Chairman of its Steering Committee (the "Group") and William and Diane Hadel agree as follows:

1 William and Diane Hadel (the "Hadels") will apply to Alliant Energy to connect their residence at W14292 Charles Street to the waterline main extension that has been constructed along South Koro Road and Charles Street in the Town of Ripon.

2. The Group will provide the Hadels with a completed application and a check payable to Alliant Energy in an amount sufficient to cover the assessment for the waterline main extension and installation of a one inch (1") SVC Pipe & Valve attached to the main extension (also referred to herein as the Curb Stop Lateral). The Group will waive any assessment for connection to the Alliant Energy water supply system that is payable to the Group as the result of such connection.

3. The Group will arrange at its sole expense to pay for the trenching/plumbing work that is needed to properly connect the Curb Stop Lateral to the plumbing in the Hadels' residence at W14292 Charles Street. The trenching/plumbing work shall be completed within one (1) month of the installation of the Curb Stop Lateral.

4. The Group will arrange at its sole expense to pay for the proper disconnection of the water supply well which currently serves the residence and its



conversion to a groundwater quality monitoring well. The disconnection and conversion shall be completed within thirty (30) days following the completion of the trenching/plumbing, except in the event the conversion is delayed by the DNR approval process, unfavorable climate conditions or similar *force majeure* events.

5. The Group shall be responsible, at its sole expense, for the abandonment of the converted well when said well is no longer required for monitoring groundwater quality associated with the FF/NN Landfill.

6. As further consideration for agreeing that the Group may convert, use, maintain and abandon the well for exclusive use as a monitoring well, the Group will pay the Hadels the sum of \$600<sup>00</sup>, <sup>RMR 1/9/04  
WHH DMH</sup> provided the fact and amount of said payment shall be maintained in confidence by the Hadels unless and until the payment becomes public information through no act or omission of the Hadels or to the extent a court is asked to enforce or interpret the terms and conditions hereof, in which case the Parties will disclose the terms *in camera* to the extent permitted by the Court. In the event such confidence is broken by the Hadels, they shall promptly refund the entire payment. Said refund is to be made by check payable to the City of Ripon and sent to the Chairman of the Group at the following address: Reinhart Boerner Van Deuren s.c., P.O. Box 2018, Madison, WI 53701-2018.

7. The Hadels hereby grant to the Group or its agents and Alliant Energy access to their property and residence at W14292 Charles Street to

carryout the connecting, trenching, plumbing, installing, converting, abandoning and repairing described above.

8. The Hadels agree that neither the Group nor its members individually has any responsibility either for the payment of their water bills upon connection or for the maintaining of the water system serving the W14292 Charles Street residence including but not limited to the costs thereof.

9. Any transferee of title to the Hadels' property at W14292 Charles Street shall take title to the property subject to the obligations to allow the converted well to continue in use by the Group until abandoned as noted herein. The Hadels further agree that as a condition of the transfer of ownership of said residence that the transferee will be required to accept the condition of this paragraph upon the transfer, said condition being one that runs with the land. The Group shall cause notice of this condition to be recorded with the Register of Deeds. The Hadels shall cooperate fully in the Group's recording of the Notice with the Register of Deeds.

10. This Contract sets forth the entire agreement between the Hadels and the Group with respect to its subject matter. All prior negotiations and dealings regarding the subject matter are superseded by and merged into this Contract. This Contract shall control and govern the conditions of payment by the Group for access by Representatives of the Group to convert to a monitoring well the Hadels' water supply well; sample, maintain, repair and abandon pursuant to ch. NR 141, Wis. Admin. Code the monitoring well on the Hadels' Property.

11. The provisions of this Contract are not severable except that a breach of confidentiality as set forth in ¶ 6 above shall not be cause for recession of any other paragraph of this Contract..

12. By signing this Contract each signator thereby declares and confirms her or his authority to act as owners of the entirety of the real estate and improvements at W14292 Charles Street (the Hadel) or on behalf of the Group (the Chairman), respectively.

12. To the extent permitted by law, this Contract shall be governed by the laws of Wisconsin.

---

Dated: 1-9-04

William Hadel

Signature

Print Name: William Hadel

Title: Co-Owner

Dated: 1-9-04

Diane M. Hadel

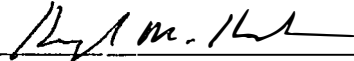
Signature

Print Name: Diane Hadel

Title: Co-Owner

FF/NN GROUP

Dated: 1/9/04

By:   
Print Name: Raymond M. Roder  
Title: Chairman of FF/NN Landfill  
Steering Committee

This instrument was drafted by:  
Raymond M. Roder, Esq.  
Reinhart Boerner Van Deuren s.c.  
22 East Mifflin Street, Suite 600  
P.O. Box 2018  
Madison, Wisconsin 53701-2018

**APPENDIX B**  
**LANDFILL PARCEL DEED RESTRICTION**

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RECEIVED FOR RECORD

VOL 1336 PAGE 217-219

97 OCT 21 AM 8:18

*Mary L. Brick*  
REGISTER OF DEEDS  
FOND DU LAC COUNTY, WI

EPA Region 5 Records Ctr.



269676

624756

DECLARATION OF RESTRICTIONS

Document Number

Document Title

Declaration of Restrictions

In Re: A parcel of land in the SE Quarter (¼) of Section 7, Township 16N, Range 14E, Town of Ripon, Fond du Lac County, Wisconsin, that is known as the Ripon FF/NN Landfill, more particularly described as:

Lot 1 of C.S.M. 3634 recorded in Volume 20 of Certified Survey Maps of Fond du Lac County at Pages 33 and 33A as Document No. 459730.

Recording Area

Name and Return Address

David Goluba  
Attorney at Law  
P.O. Box 261  
Ripon, WI 54971

14

State of Wisconsin  
County of Fond du Lac ss

T17-16-14-07-16-004-00

Parcel Identification Number

WHEREAS, Arline Sauer is the owner of the above-described property upon which is located a landfill commonly known as the Ripon FF/NN Landfill. This landfill accepted municipal and industrial wastes between 1967 and 1983;

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which are consistent with the Record of Decision for this property that was signed by the Secretary of the Wisconsin Department of Natural Resources on February 26, 1996 and which will make it unnecessary to conduct further environmental remediation activities on the above-described property at the present time; and

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 limitations and restrictive covenants:

DR


- (1) No water wells, other than groundwater monitoring wells or leachate extraction wells, shall be located on the above-described property.
- (2) The following activities are prohibited on the above-described property, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources or its successor or assign: (1) Excavation of the landfill cover or any waste materials, grading of the land surface, or filling on the capped area, except for those activities necessary to maintain the landfill cover; (2) Use of the waste disposal area for agricultural purposes; (3) Construction or installation of buildings or other structures over the waste disposal area. Landfill cover maintenance activities may include mowing, fixing soil erosion problems and fixing problems that may develop with the passive landfill gas venting system.
- (3) The property owner shall not use the above-described property or take any other action that may damage or impair the effectiveness of any remedial action component constructed for or installed pursuant to the above-referenced Record of Decision (including the landfill cover and the passive gas venting system) nor otherwise interfere with the performance of remedial work required by the above-referenced Record of Decision.

These restrictions are 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. These restrictions inure to the benefit of and are enforceable 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 restrictive 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 restrictive covenant is no longer required. Upon the receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be modified or terminated.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 4<sup>th</sup> day of June, 1997.

  
Arline Sauer

Subscribed and sworn to before me this 4<sup>th</sup> day of June, 1997 by Arline Sauer.

My commission is permanent.

  
Notary Public  
Fond du Lac County, Wisconsin



This document was drafted by:  
David Goluba  
Attorney at Law  
State Bar No.: 01019274  
P.O. Box 261  
Kipon, WI 54971  
Telephone: (414) 748-5001



**APPENDIX C**  
**WDNR WELL ADVISORY AREA**



**State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES**

Jim Doyle, Governor  
Scott Hassett, Secretary

101 S. Webster St.  
Box 7921  
Madison, Wisconsin 53707-7921  
Telephone 608-266-2621  
FAX 608-267-3579  
TTY 608-267-6897

July 15, 2004

**To: Wisconsin Licensed Well Drillers**

**Subject: Establishment of "Special Well Casing Pipe Depth Area"  
Ripon FF/NN Landfill Site & Surrounding Area  
Part of the Town of Ripon, Fond du Lac County, Wisconsin**

Dear Wisconsin Licensed Well Driller:

A "Special Well Casing Pipe Depth Area" has been established for a 1-½ square mile area including the *Ripon FF/NN Landfill Site* and a surrounding area, located just northwest of the City of Ripon. This area includes portions of Sections 7, 8, 17 & 18, T16N, R14E, Town of Ripon, Fond du Lac County. Attached please find the memo describing in detail this new "Special Well Casing Pipe Depth Area" and its requirements. This area has been established as a result of contamination of several wells and the groundwater of this area with Volatile Organic Compounds (VOCs).

Effective August 15, 2004, the construction of new private wells and the reconstruction of existing private wells within this "Special Well Casing Pipe Depth Area" shall only be undertaken according to the standards specified in the attached memo. In addition, upon completion of any newly constructed or reconstructed well, the well water shall be sampled and analyzed for (VOCs) at a certified laboratory, also as indicated in the attached memo.

Consuming water containing VOCs has been shown to pose a hazard to human health. This "Special Well Casing Pipe Depth Area" has been established under the provisions of Section NR 812.12(3) and is designed to reduce the risk that new wells, constructed or reconstructed according to the requirements of this 'Area', produce water contaminated with VOCs.

Consultation with the Department's Northeast Region's Drinking Water Program Staff is recommended, prior to construction, to help determine if a proposed well will meet the more stringent standards of this area.

Sincerely,

Mark F. Putra, R.S. Chief  
Private Water Systems Section  
Bureau of Drinking Water & Groundwater  
Attachments

cc: Statewide Drinking Water & Groundwater Program Staff  
Fond du Lac County Health Department  
City of Ripon

July 15, 2004

TO: Wisconsin Licensed Well Drillers

FROM: Mark Putra – Chief, Private Water Systems Section  
Bureau of Drinking Water & Groundwater

SUBJECT: “SPECIAL WELL CASING PIPE DEPTH AREA”  
*Ripon FF/NN (County Highways) Landfill Site & surrounding area;*  
Including parts of Sections 7, 8, 17 & 18, T16N, R14E, Town of Ripon,  
Fond du Lac County.

A “Special Well Casing Pipe Depth Area” is herewith established for the area including and surrounding the *Ripon FF/NN Landfill Site*, described in detail below. Within this area new wells shall be constructed or reconstructed to more stringent standards. In addition, a water sample shall be collected from each newly constructed or reconstructed well and the sample shall be analyzed at a certified laboratory for Volatile Organic Compounds, as indicated below. (Note: Compliance with the requirements of this “Special Well Casing Pipe Depth Area” does not alleviate the requirement to obtain a variance to construct a new well or reconstruct an existing well within 1,200 feet of this landfill.)

**Effective Date:** This “Special Well Casing Pipe Depth Area” becomes effective August 15, 2004.

This “Special Well Casing Pipe Depth Area” includes an area approximately 1-½ square miles in extent and includes parts of four Sections within T16N, R14E, Town of Ripon. This area is located just northwest of the City of Ripon. The establishment of this “Special Well Casing Pipe Depth Area” is based on contamination of the groundwater in this area, primarily by vinyl chloride and cis-1,2-Dichloroethylene (DCE). Both of these chemicals are Volatile Organic Compounds (VOCs). These compounds have been found in the groundwater of both the unconsolidated surficial aquifer and the bedrock aquifers in this area. This “Special Well Casing Pipe Depth Area” is located adjacent to and surrounding the Ripon landfill located near County Highways FF & NN. Included in this “Special Well Casing Pipe Depth Area” is the landfill itself and the area within the 1,200-foot distance radius established as a set-back requirement for landfills by the Fourth Edition of The State Private Well Code (then NR 112) in October of 1975. (The landfill proper is located just north of the centerline of the south boundary of the SE ¼ of Section 7, T16N, R14E, Town of Ripon.) The detailed description of the entire area included in this “Special Well Casing Pipe Depth Area” is listed below. (Also see enclosed map.)

This “Special Well Casing Pipe Depth Area” is established to reduce the risk wells constructed or reconstructed within this area produce water contaminated with these chemical compounds. This area is established under the Department’s authority provided by Section NR 812.12(3), Wis. Admin. Code (State Private Well Construction & Pump Installation Code).

## LOCATION

This “Special Well Casing Pipe Depth Area” is subdivided into two primary segments as listed below. Each segment has specific well construction and water sampling requirements. (See Enclosed Map) The “**Inner Area**” is a rectangular area located within Sections 7 and 18, T16N, R14E, Town of Ripon, Fond du Lac County and includes the following:

- The S ½ of the SE ¼ of Section 7;
- The N ½ of the NE ¼ of Section 18; and
- That portion of the S ½ of the NE ¼ of Section 18 lying north of both Silver Creek and S. Koro Road.
- That portion of the N ½ of the SE ¼ of Section 18 lying north of both Silver Creek.

The “**Outer Area**” is located within Sections 7, 8, 17, and 18, T16N, R14E, Town of Ripon, Fond du Lac County and includes:

- The S ½ of Section 7 except for the S ½ of the SE ¼ thereof;
- The W ½ of the SW ¼ of Section 8;
- That portion of the W ½ of the NW ¼ of Section 17 lying north of Silver Creek and west of Silver Creek’s northern tributary;
- That portion of the NW ¼ of Section 18 lying north of both Silver Creek & S. Koro Road and north of Highway 23/49; and
- None of the area described above within the “Inner Area”.

## CONTAMINANTS

Vinyl chloride; cis-1,2-Dichloroethylene (DCE) and/or other Volatile Organic Compounds (VOCs).

## WELL CONSTRUCTION SPECIFICATIONS AND SAMPLING REQUIREMENTS

Within this “Special Well Casing Pipe Depth Area” the construction of new wells and reconstruction of existing wells shall only be undertaken according to the following specifications:

**Inner Area:** The department does **not** advise the construction of new wells or the reconstruction of existing wells within this inner area. (Existing well water sample results indicate the Cambrian Sandstone layers are contaminated with VOCs throughout their vertical extent within much of this inner area.) Although not advised, construction of new wells and reconstruction of existing wells is allowed within this inner area, but only as indicated below.

The following types of well construction are allowed within this inner area:

- **Unconsolidated aquifer wells.** Wells completed in the unconsolidated surficial aquifer (primarily glacial drift) – lying above the first bedrock -- are allowed, but only if they are located outside the 1,200-foot radius of the landfill boundary. Such unconsolidated formation wells may be constructed according to the minimum requirements of NR 812.
- **Precambrian bedrock wells.** Precambrian bedrock wells are allowed if they are constructed to be cased and cement-grouted down to at least the top the Precambrian crystalline bedrock. In this area the Precambrian bedrock lies below the Cambrian Sandstone and will be encountered at depths exceeding 300 feet. This dense ‘basement’ bedrock does not usually yield sufficient quantities of water for a household so property owners should be made aware of this problem before attempting this type of well. Hydrofracturing of crystalline bedrock wells is **not** allowed in this area because this process can cause migration of contaminated water down into the Precambrian.

For any new well construction or existing well reconstruction within this “Inner Area”, a water sample shall be collected and analyzed for VOCs at the time of construction and, thereafter, during each subsequent alternate year. The water sample shall be analyzed according to the requirements of an approved Safe Drinking Water Act analytical method in accordance with Section NR 809.725, Table B, Wis. Admin. Code. If the water sample is contaminated with VOCs, a water treatment device approved by the Wisconsin Department of Commerce shall be installed for the water supply. The installation of the device shall be approved by the Department; Or, as an alternative, the residence shall be connected to a bacteriologically safe & uncontaminated water supply. (Such a connection can be to either an existing Code-complying private water supply or to a community water supply, if available.)

**Outer Area:** Within this outer area the construction of new wells and the reconstruction of existing wells shall be accomplished as follows:

An attempt shall first be made to construct or reconstruct a well that withdraws water only from the unconsolidated, surficial (glacial) aquifer. Such an unconsolidated formation well may be constructed according to the minimum requirements of NR 812.

When an unconsolidated aquifer formation well does not produce a sufficient quantity of water or produces contaminated water, a well cased and cement-grouted at least to the top of the Cambrian Sandstone may be constructed or reconstructed, but only with prior written Department approval. Such Cambrian Sandstone wells will be allowed **only** as a secondary choice and shall have site-specific construction specifications provided by the Department, prior to construction or reconstruction.

(The Department does not advise the construction or reconstruction of bedrock wells extending into the Precambrian crystalline ‘basement’ bedrock in this outer area. This is because it is difficult to obtain water in a sufficient quantity from this bedrock. Further hydrofracturing the well, in an attempt to increase the yield of water, is **not** allowed in this area.)

All new wells constructed or existing wells reconstructed in this outer area shall also be sampled for VOCs at the completion of the well. The water sample shall be analyzed according to the requirements of an approved Safe Drinking Water Act analytical method in accordance with Section NR 809.725, Table B, Wis. Admin. Code.

(Within both the Inner & Outer Areas, the Department may -- for any specific well -- require additional well water sampling, water treatment or permanent abandonment of the well. At the time of future property transfer, disclosure of the information about the well, water quality, water sampling requirements or any maintenance requirements for water treatment equipment, is the responsibility of the property owner. Any cross-contamination of aquifer strata caused by migration from a contaminated well may be the responsibility of the well owner.)

### **JUSTIFICATION FOR ESTABLISHING THIS “SPECIAL WELL CASING PIPE DEPTH AREA”**

Justification for establishing this “Special Well Casing Pipe Depth Area” is as follows:

- Vinyl chloride and cis-1,2-Dichloroethylene (DCE) and other Volatile Organic Compounds have been found in water samples from private supply wells and from monitoring wells in this area near the Ripon FF/NN (County Highways) Landfill. Concentrations of vinyl chloride in the water samples from several of these wells exceeded the State Groundwater (NR 140) Enforcement Standard of

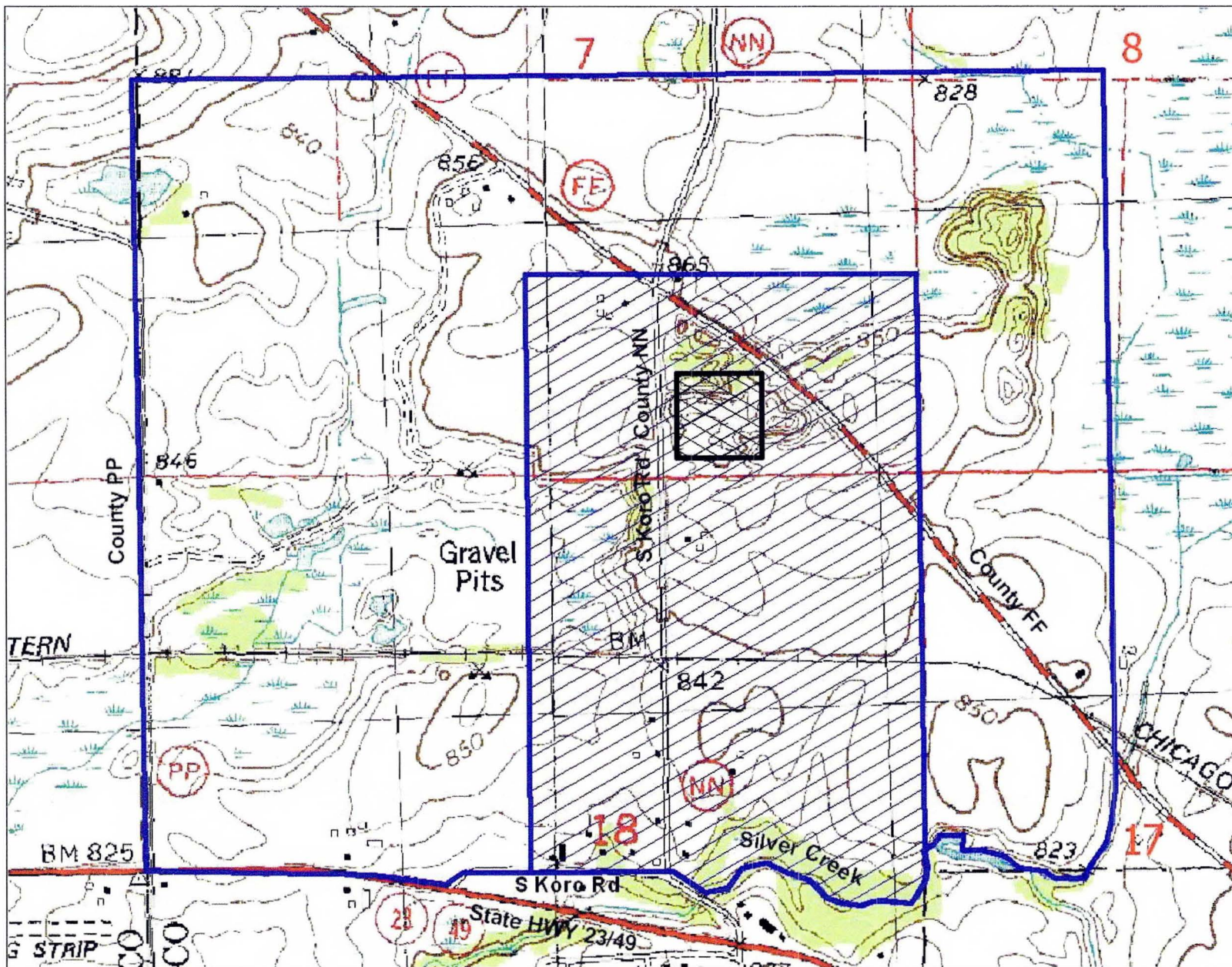
0.2 µg/L. The highest concentration of vinyl chloride found in a private well was 7.0 µg/L, which is 14 times the Enforcement Standard.

- The approximate landfill boundary and its geographic location are indicated on the accompanying map. According to Department files, this site was operated as a licensed landfill from 1969 to 1983. The entire site (approximately 7.3 acres) was used for disposal of commercial, municipal and industrial solid wastes. Further, approximately 3.3 million gallons of processed sludge from the Ripon Wastewater Treatment Facility was disposed of in this landfill. The approved Landfill Abandonment Plan required testing of groundwater from five on-site monitoring wells. In 1984, vinyl chloride was detected in a residential well located 350 feet south of the landfill. Further testing of wells confirmed the presence of vinyl chloride with some concentrations exceeding the Groundwater (NR 140, Wis. Adm. Code) Enforcement Standard. (The City of Ripon acquired this property on February 13, 2004.)
- In 1989 a replacement well was constructed for a private residential property with funding from a grant from the Well Compensation Program. This well was installed to replace an existing contaminated well on this property. The existing well was contaminated with vinyl chloride. The new well was installed 450 feet south of the landfill. It was constructed with cement-grouted casing extending to a depth of 300 feet. Although the construction and grouting of this well went perfectly according to plan, water from this deeply cased & grouted well was also contaminated with vinyl chloride. This well subsequently had to be abandoned and the property was condemned since there was no alternate water supply available to serve the residence.
- The Ripon FF/NN Landfill was placed on the Superfund National Priorities list on May 31, 1994. A *Record of Decision* was issued on February 1996 to specify a requirement for remedial action. A new composite cap and additional monitoring wells were installed during this remedial action in the summer of 1996. A 5-year review was completed on May 22, 2001. In October and November of 2001, vinyl chloride was found in two down-gradient private wells. Both of these well owners were supplied with bottled water. In addition, water treatment systems were installed on the drinking water supply line of each of these wells. In November of 2002 a privately owned municipal water line was connected to each of these households, one located south of Koro road and the other located along Charles Street).
- This “Special Well Casing Pipe Depth Area” takes into account possible increased migration of the contaminant plume, within the aquifers, extending down-gradient from the landfill site to the south and west. This is possible due to increased pumping associated with a greater well density caused by future real estate development in this area.
- This “Special Well Casing Pipe Depth Area” includes the entire area within the 1,200-foot radius ‘set-back’ well location requirement specified by s. NR 812.08(4)(g).
- Much of the area included in this “Special Well Casing Pipe Depth Area” contains gravel pits and wetlands. Volatile organic compounds were not detected in a sample of the surface water collected in this area.

# Special Well Casing Depth Area

T16N, R14E, Town of Ripon, Fond du Lac County

July 15, 2004



Scale 1:12000



**APPENDIX D**

**WDNR CORRESPONDENCE TO NEA, OCTOBER 14, 2008**





## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Mathew Frank, Secretary  
Ronald W. Kazmierczak, Regional Director

Oshkosh Service Center  
625 E. Co. Rd. Y, Suite 700  
Oshkosh, Wisconsin 54901  
Telephone 920-424-4401  
FAX 920-424-4404

October 14, 2008

Paul Budzynski, Plant Manager  
Northeast Asphalt, Inc.  
W6380 Design Drive  
Greenville, WI 54942

Re: Notification of Noncompliance  
Nonmetallic Mining Operations General Permit No. WI-0046515-04-01  
NORTHEAST ASPHALT INC RIPON CONTROL 56-Gravel Operation  
Pit located at N8885 HWY FF, Ripon

Dear Mr. Budzynski:

This Notification is regarding noncompliances of the Nonmetallic Mining Operations General Permit No. WI-0046515-04 that was observed in an inspection by the Department of the Northeast Asphalt Inc Ripon Gravel Operation on September 24, 2008.

During the inspection the Department identified an outfall and an additional settling pond about which the Department was not informed. The outfall was from a corrugated pipe located in the east part of what is identified in the stormwater plan as Pond 2. This outfall was discharging to the NE during this inspection. The pond the Department was not informed about was located immediately to the north of Pond 2. For the purposes of this NON it will be identified as Pond 4. Pond 4 was not on a summer 2006 aerial photo available to the Department during the inspection. You indicated during the inspection that Pond 4 was constructed about 2 years ago. Since the Department was not informed about this outfall nor Pond 4 or its purpose Northeast Asphalt is in noncompliance of Sec. 6. Standard Requirements. 6.6. Planned Changes where the permittee is required to report to the Department any process modifications.

In response to this NON it is necessary that you inform the Department with the following:

1. When Pond 4 was constructed and put into service;
2. When the outfall mentioned above was installed in Pond 2 and include any data collected from that outfall;
3. Provide the Department with a new updated description of these settling ponds with diagram(s) and how they are to be operated.

The Department has also reviewed your DMRs submitted for the NEA Ripon Gravel Operation for 2001 through 2007. These DMRs list an outfall 1 and an outfall 2. It is my understanding that outfall 1 is the surface water discharge from what I am calling Pond 3. The discharge observed was large and coming from two black corrugated pipes. The discharge was toward the S and appeared to end up in the large wetland complex to the east of the NEA Ripon Gravel Operation. It is my understanding that outfall 2 is the seepage discharge from all ponds to groundwater. It doesn't appear that the outfall I described in paragraph 2 has data submitted in these DMRs. Whenever there is a discharge to surface water during a quarter TSS must be sampled according to the Nonmetallic Mining Operations General Permit. Outfall 001 TSS data are missing from these DMRs for quarters 2, 3 and 4 for 2006. Also pH is required for all NMM discharges to surface water for any discharge during a quarter. These data are also missing from the same quarters as the TSS. Also, pH is missing from the 4<sup>th</sup> quarter of 2005. It is necessary that NEA supply these data if available and/or explain why they are missing. Failure to submit these data on the DMR by Feb. 15 of the year following discharge are noncompliances of Sec. 5 Table 2 of the Nonmetallic Mining Operations General Permit. If the outfall that the additional surface water outfall described in paragraph 2 were discharging in any quarter after it was installed and the data from the same Table 2 were not submitted that would also be a noncompliance of the Nonmetallic Mining General Permit sampling and data submittal requirements of Table 2.

The Department responded during this inspection to the pumping from a pond fed by groundwater and surface water to the settling ponds mentioned above. Normally it is my understanding that this surface water pond is used as a source of water to wash gravel with final discharge to the settling ponds. However, in talking with you it was being pumped during this inspection to lower the pond to do gravel excavation. The following paragraph describes Department concerns regarding this.

### Remediation and Redevelopment Program Concerns

The Remediation and Redevelopment program Hydrogeologist Jennie Easterly had spoken to Northeast Asphalt (NEA) representatives in regards to the dangers of pumping large quantities of water from the on site surface water pit at this location historically on May 30th, 2002 (just after pumping had ceased) and just recently on September 24, 2008 (when active pumping was ongoing). Just to the South of your operations there is a Superfund landfill site on Koro Road called the Ripon FF/NN landfill. This landfill has vinyl chloride groundwater contamination emanating from it and flowing mainly in a South-Westerly direction in the sand and gravel aquifer. Historically, the pumping at NEA in 2002 had reversed the groundwater flow, caused clean up gradient monitoring wells at the landfill to become contaminated and water levels dropped 20 feet in the monitoring well network at the landfill. It is apparent that the pumping from the surface water pit on the NEA property is hydraulically connected with the groundwater plume at the landfill. It took quite some time for the groundwater flow, water levels and contaminant concentrations to revert back to pre-pumping conditions. Although we have not yet been able to determine if this type of groundwater reversal from this recent drawdown event has occurred, it was upsetting to see that dewatering was once again occurring even though the Department specifically warned you back in 2002 against conducting this type of activity next to the Ripon FF/NN Landfill Superfund site. We understand that you are not responsible for the groundwater contamination plume at the Ripon FF/NN landfill, however, by pumping the surface water from your on-site pit at high levels over a period of time and altering the groundwater flow you could become part of the potentially responsible party (PRP) group. By completing this type of activity you are potentially "taking control" of this groundwater plume under Wis Stats. 292.11 and could become part of the Potentially Responsible Party (PRP) Group that is responsible for financing and conducting the cleanup at the site. We strongly suggest that this type of pumping cease and no longer be implemented at this property to avoid this situation.

Due to the concern of how much water being pumped affects the groundwater gradient it is important that NEA report in writing to the Department the amount of water that had been pumped from the pond used as a water source. This should include the number of days pumping had occurred.

It is necessary that Northeast Asphalt respond within 14 days of the above in writing as to the understanding of all information and requirements described in this letter. It is necessary that within 30 days Northeast Asphalt answer all questions included above and submit all data available. These written responses shall be to:

Michael D. Reif, Wastewater Specialist  
Wis. Dept. of Nat. Res.  
625E. Co. Rd. Y, Suite 700  
Oshkosh, WI 54901.

If you have any questions please contact me at 920-424-4401 or email me at [michael.reif@wisconsin.gov](mailto:michael.reif@wisconsin.gov).

Sincerely,

Michael D. Reif  
Wastewater Specialist

Cc: NER WW Files-DNR, Oshkosh  
Jennie Easterly-DNR, Oshkosh  
Jim Mertes, NEA CRM  
Judith A. Hollatz, Owner of the NEA Quarried Property









**APPENDIX E**

**WDNR GIS REGISTRY FOR FF/NN LANDFILL**

# Ripon FF/NN Landfill



## Legend

-  Open Sites (ongoing cleanups)
-  Open Sites (ongoing cleanups) - site boundaries shown
-  Closed Sites (completed cleanups)
-  Closed Sites (completed cleanups) - site boundaries shown
-  County Boundary
-  Railroads
-  County Roads (WDOT)
-  County Trunk Highway
-  State and U.S. Highways (WDOT)
-  State Trunk Highway
-  US Highway
-  Interstate Highways (WDOT)
-  Interstate Highway
-  Local Roads (WDOT)
-  Civil Towns
-  Civil Town
-  24K Open Water
-  24K Rivers and Shorelines
-  Municipalities

0 1000 2000 3000 ft.

Map created on Nov 18, 2010

Note: Not all RR Sites have been geo-located yet.



Scale: 1:10,417

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

# Ongoing Cleanups with Continuing Obligations Cover Sheet

April, 2010  
(RR 5391)

## Purpose

This cover sheet summarizes continuing obligations regarding environmental conditions on this property. Continuing obligations are legal mechanisms that:

- 1) Require or restrict certain actions to protect human health or the environment.
- 2) Minimize human and natural resource exposure to contamination, and/or
- 3) Give notice of the **existence** of residual contamination

Learn more about continuing obligations at <http://dnr.wi.gov/org/aw/rr/cleanup/obligations.htm>

## DNR Property Information:

DNR Approval Date: Mar 27, 1996

<b>BRRTS #:</b>	<b>02-20-000915</b>	<b>FID #:</b>	<b>420013660</b>
<b>ACTIVITY NAME:</b>	Ripon City LF (SF)		
<b>PROPERTY ADDRESS:</b>	S of CTH FF		
<b>MUNICIPALITY:</b>	Ripon		
<b>PARCEL ID #:</b>	T-17-16-14-07-16-004-00		

### \*WTM COORDINATES:

X: **610713** Y: **377706**

\*Coordinates are in WTM83, NAD83 (1991)

### WTM COORDINATES REPRESENT:

- Approximate Center Of Continuing Obligations  
 Approximate Source Parcel Center

Please use the CLEAN system at <http://dnr.wi.gov/org/aw/rr/clean.htm> for additional DNR site information.

## EPA Superfund Information (if applicable):

EPA ID: **WID980610190** To view more information click on the EPA ID.

SITE NAME: Ripon City Landfill

## Requirements for all properties with Continuing Obligations

1. Properly manage contaminated soil if it is excavated. Sample and arrange appropriate treatment or disposal.
2. DNR approval is required if a water supply well will be constructed or reconstructed.

### Site-Specific Requirement(s) - (BRRTS Action Code)

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> A "cap" over the contaminated area must be: (222)<br><input type="checkbox"/> Constructed & Maintained <input checked="" type="checkbox"/> Maintained | <input type="checkbox"/> A structural impediment (e.g. building) is present which inhibited investigation/cleanup. Further environment work may be required if the impediment is removed. (224)   |
| <input type="checkbox"/> A vapor mitigation system must be: (226)<br><input type="checkbox"/> Constructed & Maintained <input type="checkbox"/> Maintained                                | <input type="checkbox"/> DNR has directed a local government unit (LGU) to take an action and a LGU liability exemption applies. This exemption does not transfer to future private owners. (230) |
| <input type="checkbox"/> The need for vapor control technology must be evaluated if a building will be constructed. (228)   | <input type="checkbox"/> Another type of continuing obligation has been established in DNR's remedial action plan approval. (228)<br><i>Explain:</i>  |
| <input type="checkbox"/> The approved soil cleanup level is suitable for industrial use of the property. (220)  |   |
| <input type="checkbox"/> DNR has approved construction on an abandoned landfill and certain maintenance requirements apply. (402) or (404)  |   |


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## WDNR BRRTS on the Web

### RIPON CITY LF (SF) Remediation Activity Details

[PRINT](#) | [HELP](#)

Activity Number and Name		Activity Type		Status	
<b>02-20-000915 RIPON CITY LF (SF)</b>		<b>ERP</b>		<b>OPEN</b>	
Facility ID	Start Date	Location Name <a href="#">View other activities at this Location</a>			
<b>420013660</b>	09/09/1983	<b>RIPON TN RIPON CTY</b>			
Commerce Number	End Date	Address <a href="#">View on Google Maps™</a> [Exit DNR]	Municipality		
NONE	00/00/0000	S OF CTH FF	RIPON TN		
EPA CERCLIS ID	Date of Last Action	County	DNR Region		
WID980610190	08/06/2010	FOND DU LAC	NORTHEAST		
Agency Jurisdiction	Petroleum Risk	Other Location Info		Plot Size (Acres)	
<b>DNR-RR</b>	HIGH	NONE		UNKNOWN	
Public Land Survey System Description			<a href="#">DNR RR Sites Map</a>		
SW 1/4 of the SE 1/4 of Sec 07, T16N, R14E			<a href="#">View Activity on Map</a>		
Comments					
THERE IS ONE REMEDIATION ACTIVITY AND 2 WASTE ACTIVITIES AT THIS LOCATION. CLICK ON THE LOCATION NAME LINK TO VIEW LOCATION DETAILS AND VIEW OTHER ACTIVITIES AT THIS LOCATION.					
Characteristics					
EPA NPL Site?	Commerce Tracked?	Eligible for PECFA Funds?	Above Ground Storage Tank?	Drycleaner?	Co-Contamination?
<b>Yes</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
Actions					
Place Cursor Over Code to View Description					
Date	Code	Name	Comment		
05/01/1983	<b>350</b>	Superfund Preliminary Assessment	-		
09/09/1983	<b>43</b>	Status Report Received	LANDFILL ABANDONMENT PLAN		
09/09/1983	<b>301</b>	Superfund NPL, NPL-proposed or Superfund Alternatives Site	301 DATE BASED ON FINAL NPL LISTING DATE		
09/09/1983	<b>805</b>	Licensed Landfill or Historic Fill Site	-		
07/25/1984	<b>1</b>	Notification	-		
12/19/1985	<b>43</b>	Status Report Received/2	EPA INSPECTION REPORT		
06/28/1990	<b>43</b>	Status Report Received/3	EPA SITE SUMMARY		
08/07/1992	<b>43</b>	Status Report Received/4	DNR CONTRACT W/ PRP #SF-92-01		
07/23/1993	<b>43</b>	Status Report Received/5	PRIVATE WELL SAMPLING		

DNR BRRTS on the Web - Activity Details

08/11/1993	<u>43</u>	Status Report Received/6	LEACHATE SAMPLING
08/25/1994	<u>37</u>	SI Report Received (w/out Fee)	-
03/30/1995	<u>43</u>	Status Report Received/7	PRELIMINARY HEALTH ASSESSMENT BY DHFS
01/11/1996	<u>147</u>	Remedial Design Report Received (w/out Fee)	-
01/25/1996	<u>39</u>	Remedial Action Options Report received (w/out Fee)	-
01/26/1996	<u>40</u>	Remedial Action Options Report Approved	-
01/26/1996	<u>149</u>	Remedial Action Design Report Approved	-
02/29/1996	<u>43</u>	Status Report Received/7	RECORD OF DECISION ACCEPTED BY DNR/EPA
10/07/1996	<u>43</u>	Status Report Received/8	EPA PRELIMINARY CLOSEOUT REPORT
06/25/1997	<u>43</u>	Status Report Received/9	AS BUILT FOR LANDFILL CAP
07/10/1997	<u>43</u>	Status Report Received/9	PRIVATE WELL SAMPLE RESULTS
12/19/1997	<u>43</u>	Status Report Received/10	PRIVATE WELL SAMPLE RESULTS
01/07/1998	<u>43</u>	Status Report Received/11	SEMI ANNUAL REPORT
07/22/1998	<u>43</u>	Status Report Received/13	PRIVATE WELL SAMPLE RESULTS
07/24/1998	<u>43</u>	Status Report Received/14	SEMI ANNUAL REPORT
12/18/1998	<u>43</u>	Status Report Received/15	SEMI ANNUAL AND PRIVATE WELL SAMPLES
05/21/1999	<u>43</u>	Status Report Received	-
12/07/1999	<u>43</u>	Status Report Received/17	PRIVATE WELL SAMPLE RESULTS
12/14/1999	<u>43</u>	Status Report Received/17	SEMI ANNUAL REPORT
06/26/2000	<u>43</u>	Status Report Received/2	SEMI ANNUAL REPORT, PRIVATE WATER RESULTS
11/30/2000	<u>43</u>	Status Report Received/20	PRIVATE WELL SAMPLE
01/12/2001	<u>43</u>	Status Report Received/21	FIVE YEAR REPORT
05/29/2001	<u>99</u>	Miscellaneous	EPA FIVE YEAR REPORT APPROVAL
06/08/2001	<u>43</u>	Status Report Received/22	SPRING SAMPLING-PRIVATE WELLS
07/09/2001	<u>43</u>	Status Report Received/23	SEMI-ANNUAL REPORT - SPRING 2001
07/18/2001	<u>99</u>	Miscellaneous/2	FIVE YEAR REPORT RESPONSE FROM DNR
10/16/2001	<u>99</u>	Miscellaneous/3	WDNR LETTER - RESPONSE TO RP ABOUT 5 YEAR REVIEW
12/18/2001	<u>99</u>	Miscellaneous/4	WDNR LETTER - INTERIM MEASURES NEEDED BY RP
12/28/2001	<u>43</u>	Status Report Received/24	FALL 2001 SEMI-ANNUAL REPORT
01/22/2002	<u>43</u>	Status Report Received/25	EHSTER TREATMENT SYSTEM APPLICATION
01/30/2002	<u>35</u>	Site Investigation Workplan Received (w/out Fee)	WORKPLAN FOR ADDITIONAL WORK
02/01/2002	<u>99</u>	Miscellaneous/5	WDNR COMMENTS ON WORKPLAN
03/27/2002	<u>43</u>	Status Report Received/25	GW SAMPLING RESULTS - FEB. 2002
04/25/2002	<u>99</u>	Miscellaneous/6	WDNR COMMENTS ON RP'S STATUS UPDATE
05/06/2002	<u>43</u>	Status Report Received/27	INSTALLATION OF P-111D
05/07/2002	<u>35</u>	Site Investigation Workplan Received (w/out Fee)/2	WP FOR ADDITIONAL SI
05/13/2002	<u>43</u>	Status Report Received/28	ALTNAU TREATMENT SYSTEM APPLICATION
06/12/2002	<u>99</u>	Miscellaneous/7	WDNR COMMENTS ON RP'S SI WORKPLAN
07/09/2002	<u>43</u>	Status Report Received/26	REBUTTAL TO WORKPLAN COMMENTS FROM DNR
07/19/2002	<u>43</u>	Status Report Received/27	REPORT ON ALTNAU & EHSTER TREATMENT SYSTEM UPDATE
07/24/2002	<u>43</u>	Status Report Received/26	MAY 2002 STATUS REPORT
09/20/2002	<u>43</u>	Status Report Received/32	AUGUST 2002 GW RESULTS
11/07/2002	<u>43</u>	Status Report Received/33	AUGUST 2002 GW DATA


01/10/2003	<u>43</u>	Status Report Received/34	FEASIBILITY WORKPLAN
01/29/2003	<u>43</u>	Status Report Received/34	DEC 2002 GW REPORT
02/24/2003	<u>43</u>	Status Report Received/36	PLAN MOD. CHANGE REQUEST
05/16/2003	<u>43</u>	Status Report Received/37	RESPONSE TO 03/13/2003 WDNR LETTER
07/14/2003	<u>43</u>	Status Report Received/38	APRIL 2003 STATUS REPORT
09/04/2003	<u>43</u>	Status Report Received/39	JULY 2003 STATUS REPORT
11/03/2003	<u>43</u>	Status Report Received/40	RESPONSE TO DNR LETTER/MEETING
12/22/2003	<u>99</u>	Miscellaneous/8	DNR WORKPLAN APPROVAL (PARTIAL)
01/09/2004	<u>43</u>	Status Report Received/41	OCT 2003 GW SAMPLING RESULTS
01/15/2004	<u>43</u>	Status Report Received/42	RESPONSE TO 12/22/03 DNR LETTER
02/03/2004	<u>97</u>	Request for Technical Assistance Received with Fee	TECH ASSISTANCE- DOG PARK
02/03/2004	<u>98</u>	Technical Assistance Provided	TECH ASSISTANCE- DOG PARK
03/23/2004	<u>99</u>	Miscellaneous/9	CITY/TOWN NOW OWN LANDFILL - NEW DEED
03/26/2004	<u>43</u>	Status Report Received/43	JAN. 2004 GW SAMPLING EVENT REPORT
07/27/2004	<u>43</u>	Status Report Received/44	PROPOSED GAS INVESTIGATION
07/27/2004	<u>43</u>	Status Report Received/44	APRIL 2004 SAMPLING
07/27/2004	<u>99</u>	Miscellaneous/10	SPECIAL WELL CASING ADVISORY
08/06/2004	<u>99</u>	Miscellaneous/11	CONDITIONAL APPROVAL FOR MONITORING
08/31/2004	<u>43</u>	Status Report Received/46	RESPONSE TO AUG 6-04 DNR COND APPROVAL
09/10/2004	<u>43</u>	Status Report Received/47	JULY 2004 GW SAMPLING
12/01/2004	<u>43</u>	Status Report Received/48	STATUS REPORT ENDING OCT 31, 2004
03/08/2005	<u>43</u>	Status Report Received/49	JAN '05 SAMPLING REPORT
05/26/2005	<u>99</u>	Miscellaneous/12	SENT PRIVATE WELL LETTERS - RESULTS OF SAMPLING
06/15/2005	<u>43</u>	Status Report Received/50	STATUS REPORT
07/01/2005	<u>43</u>	Status Report Received/51	GAS EXTRACTION PILOT TEST REPORT
08/08/2005	<u>41</u>	Remedial Action Report Received	INTERIM GAS EXTRACTION DESIGN
10/17/2005	<u>99</u>	Miscellaneous/13	CONDITIONAL APPROVAL OF GAS EXTRACTION PLAN - FOR 1 (ONE) YEAR.
10/25/2005	<u>43</u>	Status Report Received/52	AUGUST 2005 SAMPLING REPORT
11/01/2005	<u>39</u>	Remedial Action Options Report received (w/out Fee)/2	FEASIBILITY STUDY REPORT
01/04/2006	<u>99</u>	Miscellaneous/14	PRIVATE WELL LETTERS SENT
01/17/2006	<u>43</u>	Status Report Received/53	OCT 2005 QUARTERLY REPORT
04/07/2006	<u>43</u>	Status Report Received/54	JAN 2006 GW SAMPLING REPORT
05/01/2006	<u>43</u>	Status Report Received/55	FIVE YEAR SUMMARY REPORT (2000-2005)
08/03/2006	<u>43</u>	Status Report Received/56	APRIL 2006 QUARTERLY REPORT
10/03/2006	<u>43</u>	Status Report Received/57	EPA COMPLETES 2ND 5 YEAR REVIEW REPORT
12/05/2006	<u>99</u>	Miscellaneous/15	DESIGN REPORT/SPECIFICATIONS FOR PERMANENT GAS EXTRACTION SYSTEM
01/30/2007	<u>43</u>	Status Report Received/58	QUARTERLY REPORT FOR OCTOBER 2006 MONITORING
04/20/2007	<u>43</u>	Status Report Received/59	JAN 2007 QTRLY REPORT
07/06/2007	<u>43</u>	Status Report Received/60	QUARTERELY GROUNDWATER REPORT
07/06/2007	<u>43</u>	Status Report Received/60	GAS EXTRACTION PERFORMANCE EVALUATION REPORT
07/26/2007	<u>99</u>	Miscellaneous/16	GROUNDWATER MONITORING PLAN CHANGES
09/18/2007	<u>43</u>	Status Report Received/62	PRIVATE WELL LETTERS SENT



10/04/2007	<b>99</b>	Miscellaneous/17	WDNR LETTER TO EXTEND INTERIM GAS EXTRACTION STUDY
10/09/2007	<b>43</b>	Status Report Received/63	AUGUST 2007 QUARTERLY REPORT
01/08/2008	<b>43</b>	Status Report Received/64	OCTOBER 2007 QUARTERLY REPORT
04/17/2008	<b>43</b>	Status Report Received/65	JANUARY 2008 QUARTERLY REPORT
06/05/2008	<b>99</b>	Miscellaneous/18	E-MAIL RESPONSE
07/16/2008	<b>43</b>	Status Report Received/66	QUARTERLY STATUS REPORT MAY 2008 SAMPLING ROUND.
07/22/2008	<b>43</b>	Status Report Received/67	PRIVATE WELL MONITORING RESULTS/LETTERS
07/23/2008	<b>43</b>	Status Report Received/68	PERFORMANCE EVALUATION OF GAS SYSTEM
11/18/2008	<b>43</b>	Status Report Received/69	QUARTERLY REPORT FOR OCTOBER 2008
04/20/2009	<b>43</b>	Status Report Received/71	STATUS REPORT FOR JANUARY 2009 SAMPLING EVENT
06/01/2009	<b>43</b>	Status Report Received/72	PRIVATE WELL RESULTS
09/15/2009	<b>43</b>	Status Report Received/73	PRIVATE WATER SAMPLE RESULTS FOR JULY 2009
10/16/2009	<b>43</b>	Status Report Received/74	APRIL 2009 PROGRESS REPORT
01/19/2010	<b>43</b>	Status Report Received/74	EMAIL COPY OF OCT 2009 SUMMARY REPORT (NO APPENDICES ATTACHED)
01/21/2010	<b>43</b>	Status Report Received/74	PRIVATE WELL LETTERS
01/22/2010	<b>99</b>	Miscellaneous/19	EMAIL RESPONSE TO REDUCED MONITORING REQUEST ONLY
01/28/2010	<b>43</b>	Status Report Received/76	SECOND SEMI ANNUAL REPORT FOR 2009
05/24/2010	<b>43</b>	Status Report Received/77	FEBRUARY 2010 STATUS REPORT
08/06/2010	<b>43</b>	Status Report Received/78	MAY 2010 SAMPLING REPORT

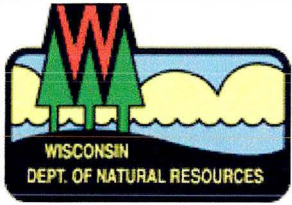
Impacts	
Type	Comment
<b>Contam Within 1 Meter of Bedrock</b>	-
<b>Contaminated Private Well</b>	-
<b>Expanding Plume</b>	-
<b>Groundwater Contamination</b>	-

Substances		
Substance	Substance Type	Amount Released
<b>Chlorinated Solvents</b>	<b>VOC</b>	
<b>Volatile Organic Compounds</b>	<b>VOC</b>	
<b>Chlorinated Solvents</b>	<b>VOC</b>	

Who	
Project Manager:	<b>JENNIE EASTERLY</b>  625 E COUNTY RD Y OSHKOSH, WI 54901
Owner:	<b>RIPON CTY</b> 100 E JACKSON ST RIPON, WI 54971
Owner:	<b>RIPON, TN OF</b> W14255 COOMBE ST RIPON, WI 54971
RP Contact/Agent:	<b>NELSON OLAVARRIA</b> 600 TRAVIS ST, # 5800 HOUSTON, TX 77002

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