



February 25, 2015

Mr. Wayne Butz, Reedsburg Cleaners
11328 Jessica Drive
Gulfport, MS 39503

Re: Request for Site Closure/Notification of Continuing Obligations
Spellman Monument, 403 E Main Street, Reedsburg, WI

Dear Mr. Butz:

Enclosed is a form letter prepared at the direction of the Department of Natural Resources. The purpose of the letter is to notify the owner of the parcel at 349 E. Main Street, Reedsburg, that the owner of the Spellman Monument property at 403 E. Main Street is requesting closure of the site from the Department of Natural Resources. As a part of the closure request, notification to all affected properties is required.

You are being notified due to the presence of groundwater contamination from the Spellman Monument property on the southeast portion of your property at 349 E. Main Street. MSA has determined that the contaminant plume is stable to receding, and natural attenuation will eventually degrade the remaining contamination to below State standards.

In addition, the Department of Natural Resources project manager, Randy Maass, has requested that Spellman Monument transfer ownership of monitoring well MW-8, located in front of address 340 E. Main Street, to you for your use in groundwater monitoring at the Reedsburg Cleaners property. I have attached a copy of a monitoring well responsibility agreement for your review and signature. Please sign this form and return it to me indicating that you will be accepting responsibility for the maintenance and eventual abandonment of this well upon closure of the Reedsburg Cleaners property. If you have any questions regarding transfer of this well, please contact the DNR project manager for the Spellman Monument property, Randy Maass, at (608)275-3224, or by email at Randall.Maass@wisconsin.gov or the DNR project manager for your property, Jeff Ackerman, at (608)275-3323, or by email at Jeff.Ackerman@wisconsin.gov.

You have 30 days from the date of this letter to respond with any questions or additional information which may indicate that closure of the Spellman Monument site is not appropriate. Additional information on the site and your continuing obligations is attached. Please contact me with any questions (608-355-8860).

Sincerely,

Jayne A. Englebert, P.G.
Senior Hydrogeologist

Cc: Randy Maass, DNR
Jeff Ackerman, DNR
Mark Mejac, ENVIRON
Richard Lyster, MSA

Offices in Illinois, Iowa, Minnesota, and Wisconsin

1230 SOUTH BOULEVARD • BARABOO, WI 53913
(608) 356-2771 • (800) 362-4505 • FAX: (608) 356-2770
www.msa-ps.com

2-20-2015



February 18, 2015

Mr. Wayne Butz, Reedsburg Cleaners
349 E. Main Street
Reedsburg, WI 53959

Re: Request for Site Closure/Notification of Continuing Obligations
Spellman Monument, 403 E Main Street, Reedsburg, WI

Dear Mr. Butz:

Enclosed is a form letter prepared at the direction of the Department of Natural Resources. The purpose of the letter is to notify the owner of the parcel at 349 E. Main Street, Reedsburg, that the owner of the Spellman Monument property at 403 E. Main Street is requesting closure of the site from the Department of Natural Resources. As a part of the closure request, notification to all affected properties is required.

You are being notified due to the presence of groundwater contamination from the Spellman Monument property on the southeast portion of your property at 349 E. Main Street. MSA has determined that the contaminant plume is stable to receding, and natural attenuation will eventually degrade the remaining contamination to below State standards.

In addition, the Department of Natural Resources project manager, Randy Maass, has requested that Spellman Monument transfer ownership of monitoring well MW-8, located in front of address 340 E. Main Street, to you for your use in groundwater monitoring at the Reedsburg Cleaners property. I have attached a copy of a monitoring well responsibility agreement for your review and signature. Please sign this form and return it to me indicating that you will be accepting responsibility for the maintenance and eventual abandonment of this well upon closure of the Reedsburg Cleaners property. If you have any questions regarding transfer of this well, please contact the DNR project manager for the Spellman Monument property, Randy Maass, at (608)275-3224, or by email at Randall.Maass@wisconsin.gov or the DNR project manager for your property, Jeff Ackerman, at (608)275-3323, or by email at Jeff.Ackerman@wisconsin.gov.

You have 30 days from the date of this letter to respond with any questions or additional information which may indicate that closure of the Spellman Monument site is not appropriate. Additional information on the site and your continuing obligations is attached. Please contact me with any questions (608-355-8860).

Sincerely,

Jayne A. Englebert, P.G.
Senior Hydrogeologist

Cc: Randy Maass, DNR
Jeff Ackerman, DNR
Mark Mejac, Environ
Paul Miller, Spellman Monument
Richard Lyster, MSA

Offices in Illinois, Iowa, Minnesota, and Wisconsin

1230 SOUTH BOULEVARD • BARABOO, WI 53913
(608) 356-2771 • (800) 362-4505 • FAX: (608) 356-2770
www.msa-ps.com



February 18, 2015

Mr. Wayne Butz
Reedsburg Cleaners
349 E. Main Street
Reedsburg, WI 53959

Re: Monitoring Well Responsibility Agreement – MW-8
Spellman Monument, 403 E Main Street, Reedsburg, WI

Dear Mr. Butz:

Randall Maass of the Department of Natural Resources has requested that monitoring well MW-8, installed as part of the investigation at the Spellman Monument property at 403 E. Main Street in Reedsburg, be transferred to the Reedsburg Cleaners site for continued groundwater monitoring at that property. MSA understands that this well has been used by Reedsburg Cleaners to monitor the concentrations from the release at your property, and may be important to developing the information needed for closure of your property. A map showing the location of well MW-8, located in the right of way of Main Street in front of 340 E. Main Street, is attached.

Please sign below and return a copy of this letter to me to indicate that you accept responsibility for ownership of this well, including eventual abandonment of this monitoring well upon closure of the Reedsburg Cleaners site.

Accepted by:

Name (print): _____

Signature: _____

Date: _____

Please contact me with any questions (608-355-8860).

Sincerely,







Jayne A. Englebert, P.G.
Senior Hydrogeologist

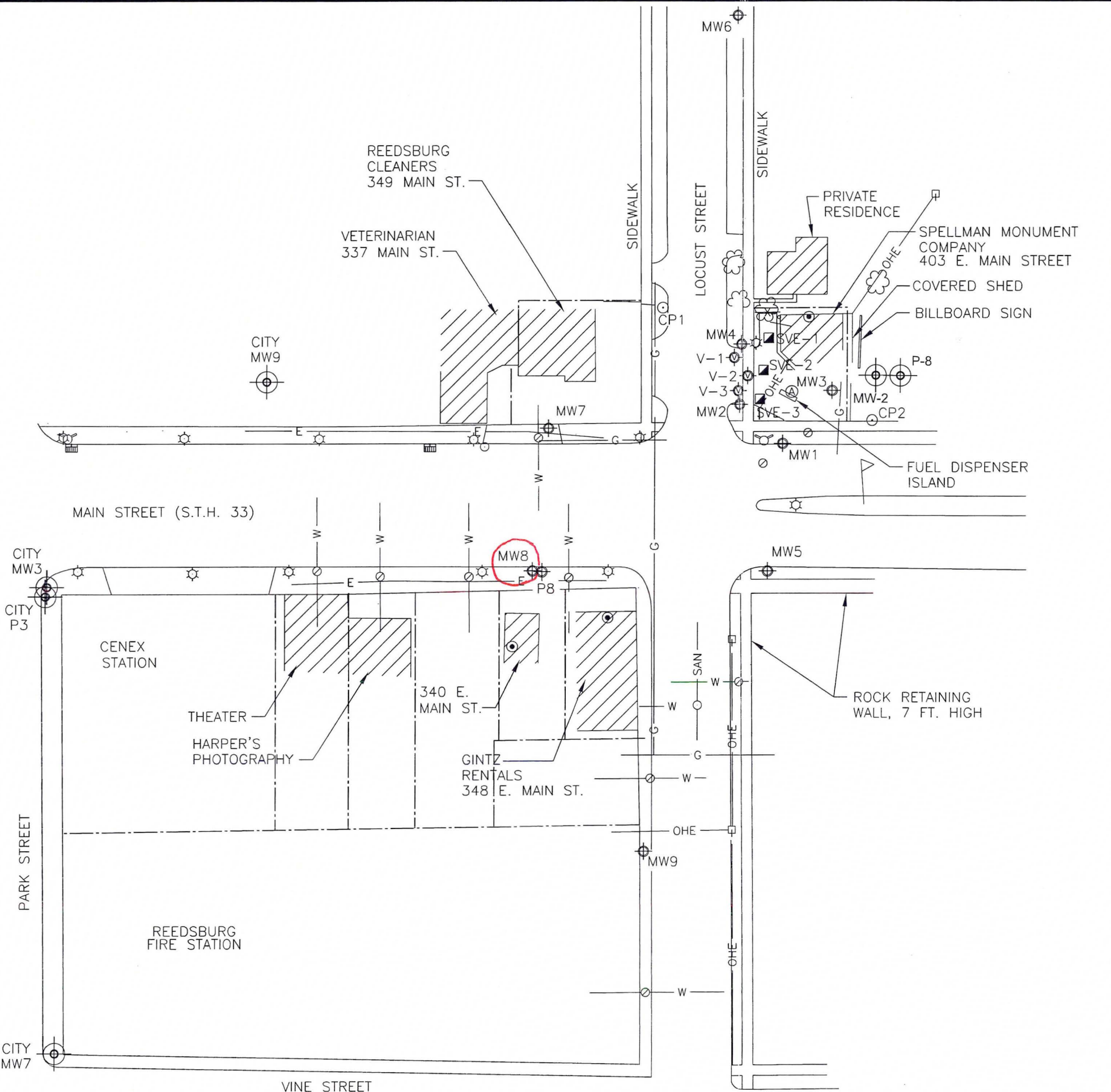
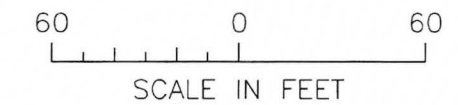
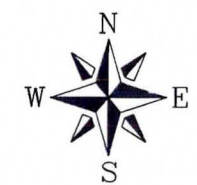
Cc: Randy Maass, DNR
Jeff Ackerman, DNR
Mark Mejac, ENVIRON
Paul Miller, Spellman Monument
Steve Zibell, City of Reedsburg
Richard Lyster, MSA

Offices in Illinois, Iowa, Minnesota, and Wisconsin

1230 SOUTH BOULEVARD • BARABOO, WI 53913
(608) 356-2771 • (800) 362-4505 • FAX: (608) 356-2770
www.msa-ps.com

LEGEND

- MW2 (883.48)  MONITORING WELL LOCATION AND GROUNDWATER ELEVATION IN FEET (MSL) ON JANUARY 9, 2003
-  MONITORING WELL BY OTHERS
-  VAPOR PROBE LOCATION
-  APPROXIMATE PARCEL BOUNDARIES
-  SOIL VAPOR EXTRACTION SYSTEM WELL
-  VACUUM/PRODUCT EXTRACTION WELLS



ATTACHMENT B.3.d
MONITORING WELL LOCATIONS
 SPELLMAN MONUMENT COMPANY
 403 E. MAIN STREET
 REEDSBURG, WISCONSIN

MSA		TRANSPORTATION • MUNICIPAL DEVELOPMENT • ENVIRONMENTAL	
1835 N. Stevens St. Rhinelander, WI 54501		715-362-3244 1-800-844-7854 Fax: 715-362-4116	
Web Address: www.msa-ps.com		© MSA Professional Services, Inc.	
DRAWN BY	CAR	DATE	2/2015
CHECKED BY	JE	SCALE	AS SHOWN
		SHEET NO.	XX
		FILE NO.	1018000

Section A: Deeded Property Notification: Residual Contamination and/or Continuing Obligations

KEEP THIS DOCUMENT WITH YOUR PROPERTY RECORDS

349 E. Main Street
Reedsburg, WI, 53959

Dear Mr. Butz:

I am providing this letter to inform you of the location and extent of contamination remaining on your property, and of certain long-term responsibilities (continuing obligations) for which you may become responsible.

I have investigated a release of
petroleum contamination

on 403 E. Main Street, Reedsburg, WI, 53959

that has shown that contamination has migrated onto your property. I have conducted a cleanup, and will be requesting that the Department of Natural Resources (DNR) grant case closure. Closure means that the DNR will not be requiring any further investigation or cleanup action to be taken. However, continuing obligations may be imposed as a condition of closure approval.

You have 30 days to comment on the attached legal description of your property and on the proposed closure request:

Please review the enclosed legal description of your property, and notify Jayne Englebert at 1230 South Boulevard, Baraboo, WI, 53913 within the next 30 days if the legal description is incorrect.

The DNR will not review my closure request for at least 30 days after the date of receipt of this letter. As an affected property owner, you have a right to contact the DNR to provide any technical information that you may have that indicates that closure should not be granted for this site. If you would like to submit any information that is relevant to this closure request, you should mail that information to the DNR contact: Randy Maass at 3911 Fish Hatchery Road, Fitchburg, WI, 53711.

Your Long-Term Responsibilities as a Property Owner and Occupant:

The cleanup included

a soil vapor extraction system and free product removal through bailing and pumping.

The continuing obligations I am proposing that affect your property are listed below, under the heading **Continuing Obligations**. Under s. 292.12 (5), Wis. Stats., current and future owners and occupants of this property are responsible for complying with continuing obligations imposed as part of an approved closure.

The fact sheet "Continuing Obligations for Environmental Protection" (DNR publication RR 819) has been included with this letter, to help explain the responsibilities you may have for maintenance of a certain continuing obligation, the limits of any liability for investigation and cleanup of contamination, and how these differ. If the fact sheet is lost, you may obtain copies at <http://dnr.wi.gov/files/PDF/pubs/rr/RR819.pdf>.

Contract for responsibility for continuing obligations:

Before I request closure, I will need to inform the DNR as to whom will be responsible for the continuing obligation on your property.

The DNR has requested that monitoring well MW-8, installed in front of 340 E. Main Street, be transferred to your ownership for use in the Reedsburg Cleaners groundwater monitoring.

Under s. 292.12, Wis. Stats., the responsibility for maintaining all necessary continuing obligations for your property will fall on you or any subsequent property owner, unless another person has a legally enforceable responsibility to comply with the requirements of the final closure letter. If you need more time to finalize an agreement on the responsibility for transfer of monitoring well MW-8 to Reedsburg Cleaners site, BRRTS # 02-57-001682

, you may request additional time from the DNR contact identified in **Contact Information**.

(Note: Future property owners would need to negotiate a new agreement.)

Remaining Contamination:

Groundwater Contamination:

Groundwater contamination originated at the property located at 403 E. Main Street, Reedsburg, WI, 53959 .
Contaminated groundwater has migrated onto your property at
349 Main Street, City of Reedsburg

The levels of
petroleum

contamination in the groundwater on your property are above the state groundwater enforcement standards found in
ch. NR 140, Wis. Adm. Code

However, the environmental consultants who have investigated this contamination have informed me that this
groundwater contaminant plume is stable or receding and will naturally degrade over time. I believe that allowing
natural attenuation, or the breakdown of contaminants in groundwater due to naturally occurring processes, to
complete the cleanup at this site will meet the case closure requirements of ch. NR 726, Wis. Adm. Code. As part of
my request for case closure, I am requesting that the DNR accept natural attenuation as the final remedy for this site.

The following DNR fact sheet (RR 671, "What Landowners Should Know: Information About Using Natural
Attenuation to Clean Up Contaminated Groundwater") has been included with this notification, to help explain the
use of natural attenuation as a remedy. If the fact sheet is lost, you may obtain a copy at [http://dnr.wi.gov/files/PDF/
pubs/rr/RR671.pdf](http://dnr.wi.gov/files/PDF/pubs/rr/RR671.pdf).

Continuing Obligations on Your Property: As part of the cleanup, I am proposing that the following continuing
obligations be used at your property, to address future exposure to residual contamination. If my closure request is
approved, you will be responsible for the following continuing obligations.

To construct a new well or to reconstruct an existing well, the property owner at the time of construction or
reconstruction will need to obtain prior approval from the DNR. See the paragraph **GIS Registry and Well
Construction Requirements**. Typically, this results in casing off a portion of the aquifer during drilling, when needed,
to protect the water supply.

Continued Sampling of Monitoring Wells:

Continued monitoring of well/s (*identify wells*) has been requested.

A sampling plan was approved on _____

Yearly inspections for well integrity will be required. Documentation may be required to be submitted. Once
monitoring is no longer needed or required, the well/s need to be filled and sealed in accordance with ch. NR 141, Wis.
Adm. Code. Documentation of well filling and sealing needs to be provided to the DNR on form 3300-005, at [http://
dnr.wi.gov/topic/DrinkingWater/documents/forms/3300005.pdf](http://dnr.wi.gov/topic/DrinkingWater/documents/forms/3300005.pdf).

A map, Figure B.3.D., is attached, which shows the location of well /s # MW-8 .

Maintenance and Audits of Continuing Obligations:

If compliance with a maintenance plan is required as part of a continuing obligation, an inspection log will need to be
filled out periodically, and kept available for inspection by the DNR.

Submittal of the inspection log may also be required. You will also need to notify any future owners or occupants of this
property of the need to maintain the continuing obligation and to document that maintenance in the inspection log.

Periodic audits of these continuing obligations may be conducted by the DNR, to ensure that potential exposure to
residual contamination is being addressed. The DNR provides notification before conducting site visits as part of the
audit.

GIS Registry and Well Construction Requirements:

If this site is closed, all properties within the site boundaries where contamination remains, or where a continuing
obligation is applied, will be listed on the Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the
Web, at <http://dnr.wi.gov/topic/Brownfields/clean.html>. Inclusion on this database provides public notice of remaining
contamination and of any continuing obligations. Documents can be viewed on this database, and include final closure
letters, site maps and any applicable maintenance plans. The location of the site may also be viewed on the Remediation
and Redevelopment Sites Map (RR Sites Map), on the "GIS Registry" layer, at the same internet address listed above.

DNR approval prior to well construction or reconstruction is required for all sites included in the GIS Registry, in
accordance with s. NR 812.09 (4) (w), Wis. Adm. Code. This requirement applies to private drinking water wells and
high capacity wells. Special well construction standards may be necessary to protect the well from the remaining
contamination. Well drillers need to first obtain approval from a regional water supply specialist in DNR's Drinking

Notification of Continuing Obligations and Residual Contamination


Form 4400-286 (10/13)

Page 7 of 11

Water and Groundwater Program. The well construction application, form 3300-254, is on the internet at <http://dnr.wisconsin.gov/topic/wells/documents/3300254.pdf>.

Site Closure. If the DNR grants closure, you will receive a letter which defines the specific continuing obligations on your property. The status of the site (open or closed) may also be checked by searching BRRTS on the Web. You may view or download a copy of the closure letter (sent to the responsible party) from BRRTS on the Web. You may also request a copy of the closure letter from the **responsible party** or by writing to the DNR contact, at Randy Maass, Randall.Maass@wisconsin.gov, (608) 275-3224 . The final closure letter will contain a description of the continuing obligation, any prohibitions on activities and will include any applicable maintenance plan.

If you have any questions regarding this notification, I can be reached at (608) 643-8241, [E-mai].

<i>Signature of responsible party/environmental consultant for the responsible party</i> 	Date Signed 2-18-2015
---	--------------------------

Attachment: Contact Information

Legal Description for each Parcel:

Checklist of Documents to Submit

Maps:

Sampling of wells - Well Location Map

A map, Figure B.3.d.

Factsheets:

RR 819, Continuing Obligations for Environmental Protection

RR 671, What Landowners Should Know: Information About Using Natural Attenuation to Clean Up Contaminated Groundwater

**Notification of Continuing Obligations
and Residual Contamination**

Form 4400-286 (10/13)

Page 3 of 11

Include this completed page as an attachment with all notifications provided under sections A and B.

Contact Information

Responsible Party: The person responsible for sending this form, and for conducting the environmental investigation and cleanup is:

Responsible Party Name Spellman Monument Company, LLC

Contact Person Last Name Miller	First Paul	MI	Phone Number (include area code) (608) 643-8241
Address P.O. Box 515	City Sauk City	State WI	ZIP Code 53583
E-mail			

Name of Party Receiving Notification:

Title Mr.	Last Name Butz	First Wayne	MI	Phone Number (include area code)
Address 349 E. Main Street	City Reedsburg	State WI	ZIP Code 53959	

Site Name and Source Property Information:

Site (Activity) Name Spellman Monument

Address 403 E. Main Street	City Reedsburg	State WI	ZIP Code 53959
DNR ID # (BRRTS#) 03-57-001103	(DATCP) ID #		

Contacts for Questions:

If you have any questions regarding the cleanup or about this notification, please contact the Responsible Party identified above, or contact:

Environmental Consultant: MSA Professional Services, Inc.

Contact Person Last Name Englebert	First Jayne	MI	Phone Number (include area code) (608) 355-8860
Address 1230 South Boulevard	City Baraboo	State WI	ZIP Code 53913
E-mail jenglebert@msa-ps.com			

Department Contact:

To review the Department's case file, or for questions on cleanups or closure requirements, contact:

Department of: Natural Resources (DNR)

Address 3911 Fish Hatchery Road	City Fitchburg	State WI	ZIP Code 53711
Contact Person Last Name Maass	First Randy	MI	Phone Number (include area code) (608) 275-3224
E-mail (Firstname.Lastname@wisconsin.gov) Randall.Maass@wisconsin.gov			

The affected property is:

- the source property (the source of the hazardous substance discharge), but the property is not owned by the person who conducted the cleanup (a deeded property)
- a deeded property affected by contamination from the source property
- a right-of-way (ROW)
- a Department of Transportation (DOT) ROW

Sauk County

Owner (s):
BUTZ, WAYNE D

Location:
Section, Sect. 10, T12N, R4E

Mailing Address:
**WAYNE D BUTZ
349 E MAIN ST
REEDSBURG, WI 53959-0000**

School District:
4753 - Sch D of Reedsburg

Tax Parcel ID Number:
0935-00000

Tax District:
276-City of Reedsburg

Status: Acres:
Active 0.0000

Description - Comments (Please see Documents tab below for related documents. For a complete legal description, see recorded document.):
CITY OF REEDSBURG ORIG PLAT COM AT SE COR LOT 8, TH N 68', TH W 69.3', TH S 30.6', TH WLY 9', TH S37.4' TH ELY TO PT OF BEG, PRT LOT 8, BLK 15

Site Address (es): *(Site address may not be verified and could be incorrect. DO NOT use the site address in lieu of legal description.)*
349 E MAIN ST

SPECIAL WARRANTY DEED

THIS INDENTURE, Made this 17th day of September 1975, between ATLANTIC RICHFIELD COMPANY, a Pennsylvania corporation, authorized to transact business in the State of Illinois having a business office at 903 Commerce Drive, Oak Brook, Illinois 60521 Grantor, and Wayne D. Butz, 134 Main Street, Mauston, Wisconsin, 53948
Grantee:

W I T N E S S E T H:

That the said Grantor, for and in consideration of the sum of Ten and no/100----- (\$10.00-----) DOLLARS and other good and valuable considerations to it in hand paid by the Grantee, the receipt of which is hereby acknowledged, by these presents does grant, bargain, sell, remise, release and convey unto the Grantee, the following described real estate, situate in the City of Reedsburg, County of Sauk and State of Wisconsin, to-wit:

That part of lots seven and eight, block fifteen, Original Plat of the City of Reedsburg, described as beginning at the point of intersection of the north line of Main Street and the west line of Locust Street, thence north on the west line of Locust Street sixty-eight feet, thence westerly on a line parallel with Main Street sixty-nine and three-tenths feet, thence south on a line parallel with Locust Street thirty and six tenths feet, thence westerly on a line parallel with Main Street nine and seven-tenths feet, thence southwesterly thirteen feet to a point that is twenty-eight feet northerly from the north line of Main Street and eighty-eight and three-tenths feet westerly from the west line of Locust Street, and parallel therewith, thence south twenty-eight feet on a line parallel with Locust Street to the north line of Main Street, thence easterly eighty-eight and three-tenths feet to the point of beginning, including the building and improvements thereon;

together with easement over a strip of land two feet in width adjoining the north line of the south sixty-eight feet of the east sixty-nine and three-tenths feet of said lot eight for the purpose of constructing and maintaining a retaining wall of such type and dimensions as may be necessary to retain the ground adjoining the north side of said wall, it being understood that the south face of said wall is to be on the line with the south line of said easement and that said wall shall be built and maintained at approximately the same height as the adjoining ground on the north side thereof, as granted by instrument recorded on May 19, 1936 in Volume 160 of Miscellaneous on page 36;

under and subject to an easement for driveway and passageway purposes reserved in deed dated May 1, 1947 and recorded in Sauk County Records in Deed Book 199 page 590.

Being the same premises which Rupert G. Schweke and Minnie Schweke, his wife, by Deed dated May 1, 1947 and recorded in Sauk County Records in Deed Book 199 Page 590 granted and conveyed unto Sinclair Refining Company, which company was merged into Sinclair Oil Corporation on October 1, 1968, and which latter company was merged into Atlantic Richfield Company on March 4, 1969.

403512
REGISTER'S OFFICE
SAUK COUNTY, WIS.
RECEIVED FOR RECORD

TRANSFER
\$1400
FEE

OCT 7 1975

AT 4:19 O'CLOCK P.M. RECORDED IN
VOL. 390 OF REEDSBURG PAGE 599
Bank of Mauston #00

together with all rights, privileges, tenements, hereditaments, easements and appurtenances thereunto belonging;

SUBJECT to all restrictions and easements of record; unrecorded easements, if any; party wall rights or agreements, if any; real estate taxes for the year 19 75 and subsequent years, special taxes or assessments for improvements not yet completed; roads and highways, if any, local zoning laws and any condition which an accurate and complete survey would disclose.

And the said Grantor does hereby warrant specially the title to said real estate hereby conveyed, except as to those matters hereinabove set forth to which this conveyance is subject, and will defend said title against the lawful claims of all persons claiming by, through or under it.

IN WITNESS WHEREOF, said Grantor has caused its name to be signed to these presents by a duly authorized representative of Grantor, duly attested, and has caused its corporate seal to be hereunto affixed the day and the year first above written.

ATTEST:
Helen Wozno
ASSISTANT SECRETARY

ATLANTIC RICHFIELD COMPANY
BY Robert R. Chambers JRB.
Vice President

THIS INSTRUMENT PREPARED BY L.R. BERKOWITZ
ATTORNEY AT LAW
PHILADELPHIA, PA.

COMMONWEALTH OF PENNSYLVANIA
~~STATE OF CALIFORNIA~~)
) SS.
~~COUNTY OF LOS ANGELES~~
COUNTY OF PHILADELPHIA

Personally came before me this 17th day of September, A.D. 19 75, Robert R. Chambers personally known to me to be a Vice President of ATLANTIC RICHFIELD COMPANY, A Corporation and Helen Wozno, personally known to me to be an Assistant Secretary of said Corporation and personally known to me to be the same persons who executed the foregoing instrument and acknowledged the same to be their free and voluntary act and deed and the free and voluntary act and deed of said Corporation for the uses and purposes therein set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Notarial Seal in the City of Philadelphia, State of Pennsylvania the date and year last above written.

Drafted by
ATTORNEY John Dithmar

Mary Ellen Blum
NOTARY PUBLIC
WIS. (WPR)

MY COMMISSION EXPIRES:
August 21, 1978

(N.B.-Ch. 59 Wis. Stats. provides that all instruments to be recorded shall have plainly printed or typewritten thereon the names of Grantors, Grantees, Witnesses and Notary.)

CERTIFICATE

I, *Helmut Wozno*, Assistant Secretary of ATLANTIC RICHFIELD COMPANY, a Pennsylvania corporation, do hereby certify that at a meeting of the Board of Directors of said Company held at Chicago, Illinois, May 6, 1975, at which meeting a quorum was present and voting throughout, the following resolution was duly adopted:

RESOLVED, That the Chairman of the Board, the President, any Vice President and the Treasurer of the Company be and each of them hereby is severally authorized and empowered in the name and on behalf of the Company to make, execute, authenticate, acknowledge and deliver any contract, agreement, release, assignment, lease, conveyance, deed, transfer of real or personal property, tax return, tax election, proxy, power of attorney with full and general or limited authority, with power of substitution, or any other instrument similar or dissimilar to the preceding, which he may deem necessary or proper in connection with the business of the Company, without further act or resolution of this Board, and the Secretary or any Assistant Secretary be and each of them hereby is severally authorized and empowered to affix the corporate seal to any such papers or documents and to attest the same in cases where such action is necessary or appropriate.

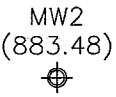


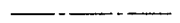
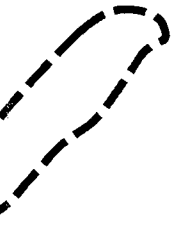

I further certify that the foregoing resolution is still in full force and effect and has not been amended nor rescinded.

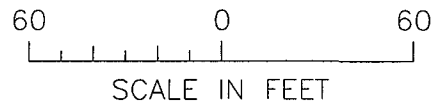
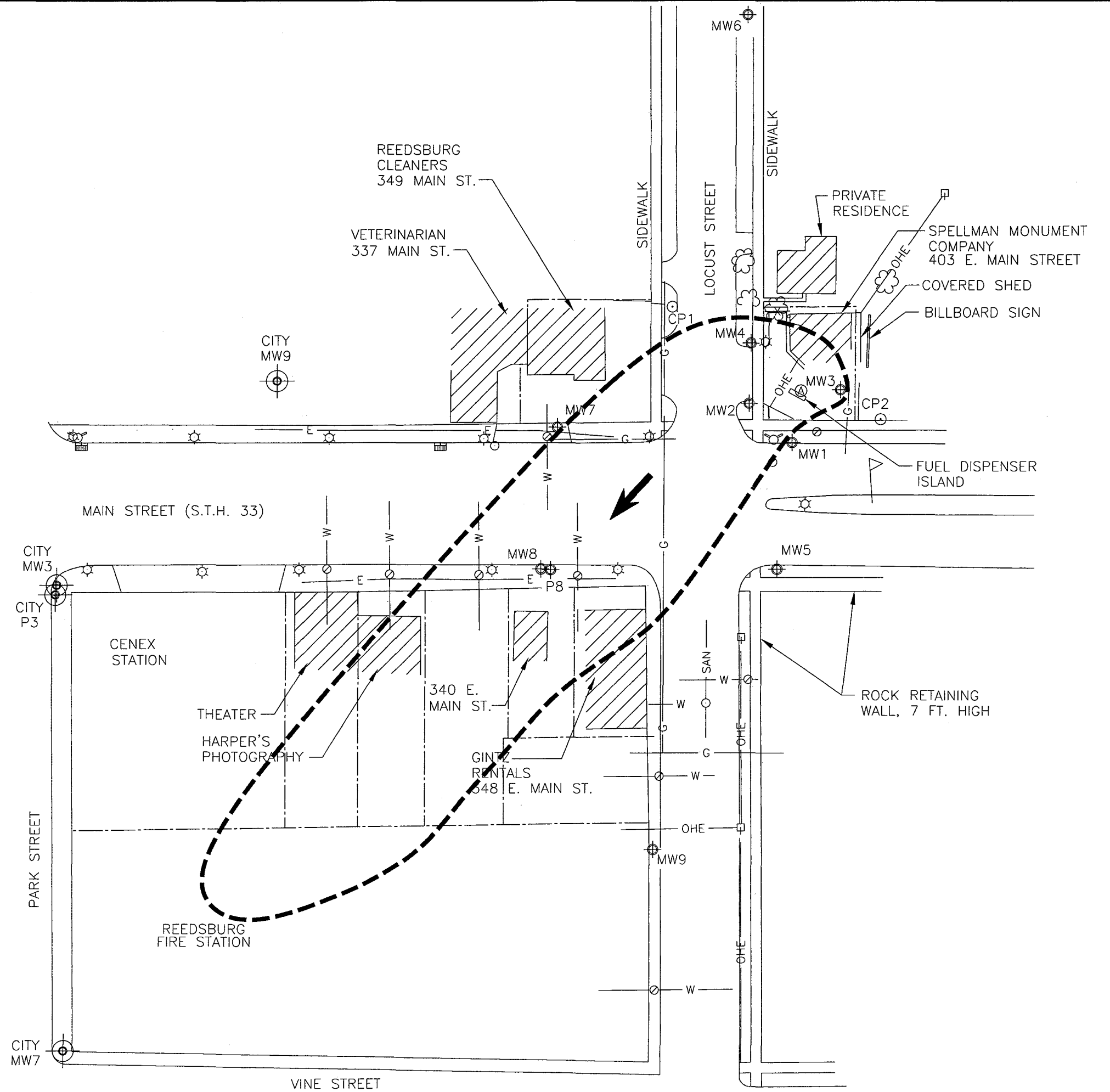
WITNESS my hand and the seal of this corporation this 17th day of September, 19 75.

Helmut Wozno
Assistant Secretary

JER

LEGEND

- 
 MW2 (883.48)
 MONITORING WELL LOCATION AND GROUNDWATER ELEVATION IN FEET (MSL) ON JANUARY 9, 2003
- 
 MONITORING WELL BY OTHERS
- 
 VAPOR PROBE LOCATION
- 
 APPROXIMATE PARCEL BOUNDARIES
- 
 APPROXIMATE EXTENT OF GROUNDWATER CONTAMINATION EXCEEDING WISCONSIN ADMINISTRATIVE CODE NR140 ENFORCEMENT STANDARD
- 
 GROUNDWATER FLOW DIRECTION



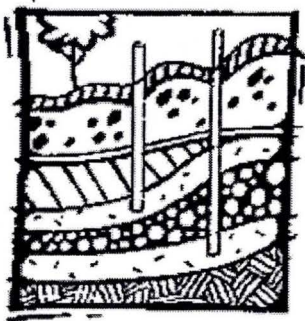
ATTACHMENT B.3.b

GROUNDWATER ISOCONCENTRATION MAP

SPELLMAN MONUMENT COMPANY
403 E. MAIN STREET
REEDSBURG, WISCONSIN

MSA
TRANSPORTATION • MUNICIPAL DEVELOPMENT • ENVIRONMENTAL
1835 N. Stevens St. Rhinelander, WI 54501
715-362-3244 1-800-844-7854 Fax: 715-362-4116
Web Address: www.msa-ps.com
© MSA Professional Services, Inc.

DRAWN BY	CAR	DATE	7/2014
CHECKED BY	JE	SCALE	AS SHOWN
SHEET NO.			XX
FILE NO.			1018000



Using Natural Attenuation to Clean Up Contaminated Groundwater: What Landowners Should Know

PUB-RR-671

August 2014

What Is Natural Attenuation?

Natural attenuation makes use of natural processes in soil and groundwater to contain the spread of contamination and to reduce the amount of contamination from chemical releases.

Natural attenuation is an *in-situ* treatment method. This means that contaminants are left in place while natural attenuation works on them. Natural attenuation is relied upon to clean up contamination that remains after the source of the contamination is removed. An example of a source of contamination would be a leaking underground petroleum tank.

How Does Natural Attenuation Work?

Natural attenuation processes work at many sites, but the rate and degree of effectiveness varies from property to property, depending upon the type of contaminants present and the physical, chemical and biological characteristics of the soil and groundwater.

Natural attenuation processes can be divided into two broad categories – destructive and non-destructive. Destructive processes destroy contaminants. The most common destructive process is **biodegradation**.

Non-destructive processes do not destroy the contaminant, but reduce contaminant concentrations in groundwater through **dilution, dispersion or adsorption**.

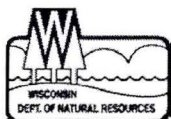
Biodegradation

Biodegradation is a process in which micro-organisms that naturally occur in soil and groundwater (e.g. yeast, fungi, or bacteria), break down, or degrade, hazardous substances to less toxic or non-toxic substances. Microorganisms, like humans, eat and digest organic compounds for nutrition and energy (organic compounds contain carbon and hydrogen atoms).

Some types of microorganisms can digest organic substances such as fuels or solvents that are hazardous to humans. Microorganisms break down the organic contaminants into harmless products – mainly carbon dioxide and water. Once the contaminants are degraded, the microorganism populations decline because they have used their food sources. These small populations of microorganisms pose no contaminant or health risk.

Many organic contaminants, like petroleum, can be biodegraded by microorganisms in the underground environment. For example, biodegradation processes can effectively cleanse soil and groundwater of hydrocarbon fuels such as gasoline and benzene, toluene, ethylbenzene, and xylene – known as the BTEX compounds, under certain conditions.

Biodegradation can also breakdown other contaminants in groundwater such as trichloroethylene (TCE), a chlorinated solvent used in metal cleaning. However, the processes involved are harder to predict and are less effective at contaminant removal compared to petroleum-contaminated sites



Wisconsin Department of Natural Resources
P.O. Box 7921, Madison, WI 53707
dnr.wi.gov, search "brownfield"

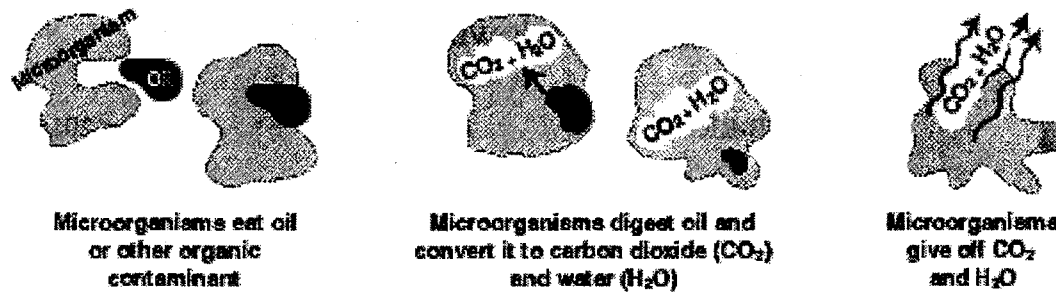


Figure 1. Schematic Diagram of Aerobic Biodegradation in Soil

Dilution and Dispersion

The effects of dilution and dispersion reduce contaminant concentrations but do not destroy contaminants. Clean water from the surface seeps underground to mix with and dilute contaminated groundwater.

Other processes that lead to reduced concentrations of contaminants include clean groundwater flowing into contaminated areas, and the dispersion of pollutants as they spread out and away from the main path of the contaminated plume.

Adsorption

Adsorption occurs when contaminants attach or “sorb” to underground particles. Most oily substances (like petroleum compounds) repel water and escape from the groundwater by attaching to organic matter and clay minerals in the subsurface.

This process holds back or retards contaminant movement and reduces the concentration of contaminants in the groundwater. However, like dilution and dispersion, adsorption does not destroy contaminants.

Why Consider Natural Attenuation To Clean Up Soil And Groundwater?

In certain situations, natural attenuation is an effective, inexpensive cleanup option and the most appropriate way to remediate some contamination problems. Natural attenuation focuses on confirming and monitoring natural remediation processes rather than relying on engineered or “active” technologies (such as pumping groundwater, treating it above ground, then disposing of the treated water).

Contaminants from petroleum are good candidates for natural attenuation because they are among the most easily destroyed by biodegradation. Natural attenuation is non-invasive, which allows treatment to go on below ground, while the surface can continue to be used.

Natural attenuation can also be less costly than active engineered treatment options, and requires no special equipment, energy source, or disposal of treated soil or groundwater.

Will Natural Attenuation Work At My Property?

Whether natural attenuation will work at a particular location is determined by investigating the soil and groundwater. These investigations determine the type of contaminants present, the levels of contamination, and the physical and chemical conditions that lead to biodegradation of the contaminants.

In order to rely on natural attenuation, responsible parties are required to confirm that natural attenuation processes are working by monitoring the soil and groundwater over a period of time to show that the contaminant concentrations are decreasing and that the contamination is no longer spreading.

Those conducting the cleanup need to know whether natural attenuation, or any proposed remedy, will reduce the contaminant concentrations in the soil and groundwater to legally acceptable limits within a reasonable period of time.

Natural attenuation may be an acceptable option for sites where active remediation has occurred and has reduced the concentration of contaminants (for instance, removing leaking underground tanks and contaminated soil).

However, natural attenuation is not an appropriate option at all sites. If the contamination has affected a drinking water well, or has entered a stream or lake, active cleanup options may be necessary to make sure people and the environment are protected from direct contact with the contamination.

The speed or rate of natural attenuation processes is typically slow. Monitoring is necessary to show that concentrations decrease at a sufficient rate to ensure that contaminants will not become a health threat in the future.

Closure Of Contaminated Sites Using Natural Attenuation As A Final Remedy

When contamination is discovered at a property (such as a gas station with leaking underground tanks), the person who is responsible for causing the contamination, and persons having possession or control of hazardous substances that have been discharged, have the responsibility to remove the source of contamination and investigate and clean up the contamination that has escaped into the soil and groundwater.

The contaminant release must be reported to the Wisconsin Department of Natural Resources (DNR) and the site investigation and cleanup are overseen by a state agency. Depending on the type of contaminant, the oversight agency could be the Department of Agriculture, Trade and Consumer Protection or Department of Natural Resources.

When the cleanup has complied with state standards, the person responsible for the contamination will ask the state agency for closure of the case. If natural attenuation is relied upon to finish cleaning up a contaminated property after closure, the responsible person will need to show that contaminant concentrations are not spreading, that contaminant concentrations are stable or decreasing, and that the concentrations will decrease in the future until state groundwater standards are met.

Because natural attenuation processes are slow, it may take many years before the properties with contamination are clean. State rules require that all owners of properties where groundwater contamination has spread must be informed of the contamination below their property.

In addition, the properties with groundwater contamination exceeding state groundwater enforcement standards must be listed on a database to notify future owners and developers of the presence of contamination. If future monitoring occurs and shows that natural attenuation processes have removed the contaminants to state-required cleanup levels, then the properties can be removed from the database.

The state agency will grant closure if the site investigation and monitoring shows that natural attenuation will clean up groundwater to state standards within a reasonable period of time. All state rules for cleanup must be met and the person who is responsible for the contamination must comply with all conditions of the state's closure approval.

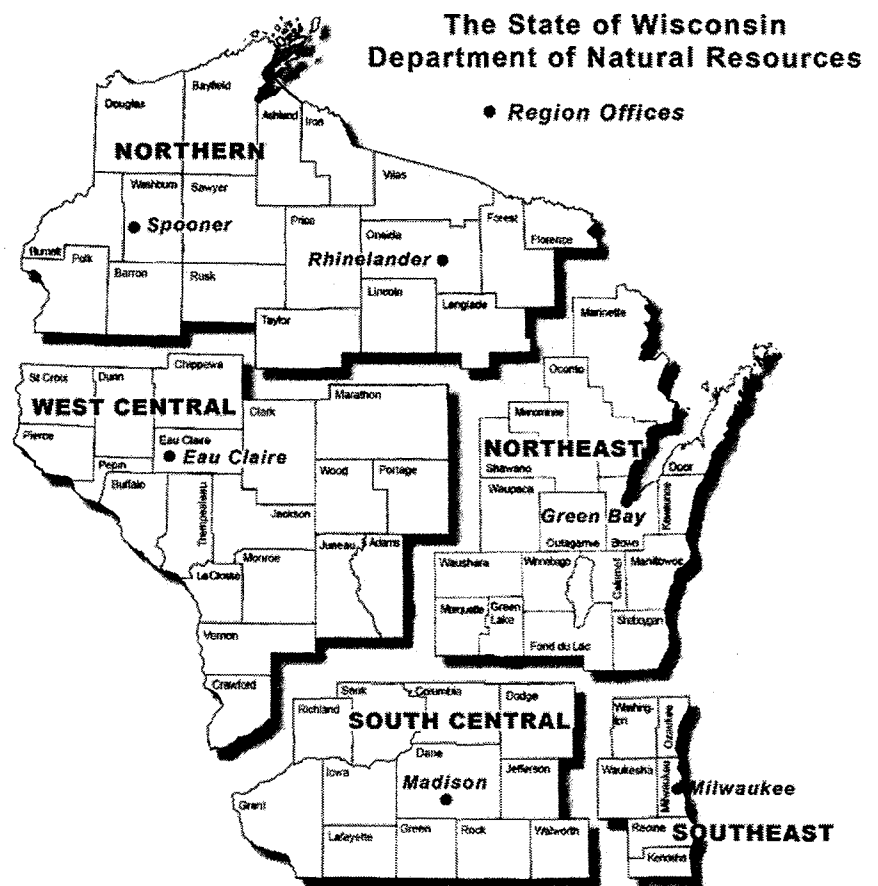
Publications

The following publications provide additional information on natural attenuation. Websites where these can be downloaded free of charge are also listed.

- *A Citizen's Guide to Bioremediation*, September 2012, EPA 542-F-12-003; www.epa.gov/tio/download/citizens/a_citizens_guide_to_bioremediation.pdf
- *Commonly Asked Questions Regarding the Use of Natural Attenuation for Petroleum-Contaminated Sites at Federal Facilities*, www.clu-in.org/download/techfocus/na/na-petrol.pdf
- *Monitored Natural Attenuation of Petroleum Hydrocarbons: U.S. EPA Remedial Technology Fact Sheet*, May 1999, EPA 600-F-98-021; www.clu-in.org/download/remed/pet-hyd.pdf
- *Monitored Natural Attenuation of Chlorinated Solvents*, May 1999, EPA 600-F-98-0022; www.clu-in.org/download/remed/chl-solv.pdf
- *Guidance on Natural Attenuation for Petroleum Releases, WI DNR, Bureau for Remediation and Redevelopment*, March 2003, PUB-RR-614; dnr.wi.gov/files/PDF/pubs/rr/RR614.pdf

Remediation & Redevelopment Program Contacts

If you have questions about natural attenuation contact a [DNR Environmental Program Associate \(EPA\)](#) in your local DNR regional office. The EPA can direct you to a project manager.



Note: These are the Remediation and Redevelopment Program's designated regions. Other DNR program regional boundaries may be different.

This document contains information about certain state statutes and administrative rules but does not necessarily include all of the details found in the statutes and rules. Readers should consult the actual language of the statutes and rules to answer specific questions. The Wisconsin Department of Natural Resources provides equal opportunity in its employment, programs, services, and functions under an Affirmative Action Plan. If you have any questions, please write to Equal Opportunity Office, Department of Interior, Washington, D.C. 20240. This publication is available in alternative format upon request. Please call 608-267-3543 for more information.



Continuing Obligations for Environmental Protection

Responsibilities of Wisconsin Property Owners

PUB-RR-819

November 2013

This fact sheet is intended to help property owners understand their legal requirements under s. 292.12, Wis. Stats., regarding continuing obligations that arise due to the environmental condition of their property.

The term “continuing obligations” refers to certain actions for which property owners are responsible following a completed environmental cleanup. They are sometimes called environmental land use controls or institutional controls. These legal obligations, such as a requirement to maintain pavement over contaminated soil, are most often found in a cleanup approval letter from the state.

Less commonly, a continuing obligation may apply where a cleanup is not yet completed but a cleanup plan has been approved, or at a property owned by a local government that is exempt from certain cleanup requirements.

What Are Continuing Obligations?

Continuing obligations are legal requirements designed to protect public health and the environment in regard to contamination that remains on a property.

Continuing obligations still apply after a property is sold. Each new owner is responsible for complying with the continuing obligations.

Background

Wisconsin, like most states, allows some contamination to remain after cleanup of soil or groundwater contamination (residual contamination). This minimizes the transportation of contamination and reduces cleanup costs while still ensuring that public health and the environment are protected.

The Department of Natural Resources (DNR), through its Remediation and Redevelopment (RR) Program, places sites or properties with residual contamination on a public database in order to provide notice to interested parties about the residual contamination and any associated continuing obligations. Please see the “Public Information” section on page 3 to learn more about the database. (Prior to June 3, 2006, the state used deed restrictions recorded at county courthouses to establish continuing obligations, and those deed restrictions have also been added into the database.)



Wisconsin Department of Natural Resources
P.O. Box 7921, Madison, WI 53707
dnr.wi.gov, search “brownfield”



Types of Continuing Obligations

1. Manage Contaminated Soil that is Excavated

If the property owner intends to dig up an area with contaminated soil, the owner must ensure that proper soil sampling, followed by appropriate treatment or disposal, takes place. Managing contaminated soil must be done in compliance with state law and is usually done under the guidance of a private environmental professional.

2. Manage Construction of Water Supply Wells

If there is soil or groundwater contamination and the property owner plans to construct or reconstruct a water supply well, the owner must obtain prior DNR approval to ensure that well construction is designed to protect the water supply from contamination.

Other Types of Continuing Obligations

Some continuing obligations are designed specifically for conditions on individual properties. Examples include:

- keeping clean soil and vegetation over contaminated soil;
- keeping an asphalt “cover” over contaminated soil or groundwater;
- maintaining a vapor venting system; and
- notifying the state if a structural impediment (e.g. building) that restricted the cleanup is removed. The owner may then need to conduct additional state-approved environmental work.

It is common for properties with approved cleanups to have continuing obligations because the DNR generally does not require removal of all contamination.

Property owners with the types of continuing obligations described above will find these requirements described in the state’s cleanup approval letter or cleanup plan approval, and *must*:

- comply with these property-specific requirements; and
- obtain the state’s permission before changing portions of the property where these requirements apply.

The requirements apply whether or not the person owned the property at the time that the continuing obligations were placed on the property.

Changing a Continuing Obligation

A property owner has the option to modify a continuing obligation if environmental conditions change. For example, petroleum contamination can degrade over time and property owners may collect new samples showing that residual contamination is gone. They may then request that DNR modify or remove a continuing obligation. Fees are required for DNR’s review of this request and for processing the change to the database (\$1050 review fee, \$300/\$350 database fee). Fees are subject to change; current fees are found in Chapter NR 749, Wis. Adm. Code, on the web at www.legis.state.wi.us/rsb/code/nr/nr749.pdf.

Public Information

The DNR provides public information about continuing obligations on the Internet. This information helps property owners, purchasers, lessees and lenders understand legal requirements that apply to a property. DNR has a comprehensive database of contaminated and cleaned up sites, *BRRTS on the Web*. This database shows all contamination activities known to DNR. Site specific documents are found under the *Documents* section. The information includes maps, deeds, contaminant data and the state's closure letter. The closure letter states that no additional environmental cleanup is needed for past contamination and includes information on property-specific continuing obligations. If a cleanup has not been completed, the state's approval of the remedial action plan will contain the information about continuing obligations.

Properties with continuing obligations can generally be located in DNR's *GIS Registry*, part of the *RR Sites Map*. *RR Sites Map* provides a map view of contaminated and cleaned up sites, and links to *BRRTS on the Web*.

If a completed cleanup is shown in *BRRTS on the Web* but the site documents cannot be found in the *Documents* section, DNR's closure letter can still be obtained from a regional office. For assistance, please contact a DNR Environmental Program Associate (see the *RR Program's Staff Contact* web page at dnr.wi.gov/topic/Brownfields/Contact.html).

BRRTS on the Web and
RR Sites Map are part of
CLEAN
(the Contaminated Lands
Environmental Action Network) at
dnr.wi.gov/topic/Brownfields/clean.html

Off-Site Contamination: When Continuing Obligations Cross the Property Line

An off-site property owner is someone who owns property that has been affected by contamination that moved through soil, sediment or groundwater from another property. Wisconsin law, s. 292.13, Wis. Stats., provides an exemption from environmental cleanup requirements for owners of "off-site" properties. The DNR will generally not ask off-site property owners to investigate or clean up contamination that came from a different property, as long as the property owner allows access to his or her property so that others who are responsible for the contamination may complete the cleanup.

However, off-site property owners are legally obligated to comply with continuing obligations on their property, even though they did not cause the contamination. For example, if the state approved a cleanup where the person responsible for the contamination placed clean soil over contamination on an off-site property, the owner of the off-site property must either keep that soil in place or obtain state approval before disturbing it.

Property owners and others should check the *Public Information* section above if they need to:

- determine whether and where continuing obligations exist on a property;
- review the inspection, maintenance and reporting requirements, and
- contact the DNR regarding changing that portion of the property. The person to contact is the person that approved the closure or remedial action plan.

Option for an Off-Site Liability Exemption Letter

In general, owners of off-site properties have a legal exemption from environmental cleanup requirements. This exemption does not require a state approval letter. Nonetheless, they may request a property-specific liability exemption letter from DNR if they have enough information to show that the source of the contamination is not on their property. This letter may be helpful in real estate transactions. The fee for this letter is \$700 under Chapter NR 749, Wis. Adm. Code. For more information about this option, please see the RR Program's Liability web page at dnr.wi.gov/topic/Brownfields/Liability.html.

Legal Obligations of Off-Site Property Owners

- Allow access so the person cleaning up the contamination may work on the off-site property (unless the off-site owner completes the cleanup independently).
- Comply with any required continuing obligations on the off-site property.

Required Notifications to Off-Site Property Owners

1. The person responsible for cleaning up contamination must notify affected property owners of any proposed continuing obligations on their off-site property **before** asking the DNR to approve the cleanup. This is required by law and allows the off-site owners to provide the DNR with any technical information that may be relevant to the cleanup approval.

When circumstances are appropriate, an off-site neighbor and the person responsible for the cleanup may enter into a "legally enforceable agreement" (i.e. a contract). Under this type of private agreement, the person responsible for the contamination may also take responsibility for maintaining a continuing obligation on an off-site property. This agreement would not automatically transfer to future owners of the off-site property. The state is not a party to the agreement and can not enforce it.

2. If a cleanup proposal that includes off-site continuing obligations is approved, DNR will send a letter to the off-site owners detailing the continuing obligations that are required for their property. Property owners should inform anyone interested in buying their property about maintaining these continuing obligations. For residential property, this would be part of the real estate disclosure obligation.

More Information

For more information, please visit the RR Program's Continuing Obligations web site at dnr.wi.gov/topic/Brownfields/Residual.html.

For more information about DNR's Remediation and Redevelopment Program, see our web site at dnr.wi.gov/org/aw/rr/. This document contains information about certain state statutes and administrative rules but does not include all of the details found in the statutes and rules. Readers should consult the actual language of the statutes and rules to answer specific questions.

The Wisconsin Department of Natural Resources provides equal opportunity in its employment, programs, services, and functions under an Affirmative Action Plan. If you have any questions, please write to Equal Opportunity Office, Department of Interior, Washington, D.C. 20240. This publication is available in alternative format upon request. Please call 608-267-3543 for more information.