State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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South Central Region Headquarters
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October 25, 2010

Ms. Catherine Cerny
Trostel, Ltd.
901 Maxwell St.
Lake Geneva, WI 53147

SUBJECT: Final Case Closure with Continuing Obligations
Trostel, Ltd., 901 Maxwell Street, Lake Geneva, WI
WDNR BRRTS Activity #: 02-65-554144

Dear Ms. Cerny:

On September 1, 2010, the DNR South Central Region's Closure Committee reviewed the above referenced case for closure. This committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases.

On October 21, 2010, the Department received documentation indicating that you have complied with the requirements for final closure. The final condition of closure was incorporating the results from past investigations into the GIS registry package.

The Department reviewed the case closure request regarding the chlorinated compounds, polynuclear aromatic hydrocarbons (PAHs), and petroleum constituents in soil and groundwater at the site. Based on the correspondence and data provided, it appears that your case meets the closure requirements in ch. NR 726, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation is required at this time. However, you and future property owners must comply with certain continuing obligations as explained in this letter.

GIS Registry

This site will be listed on the Remediation and Redevelopment Program's GIS Registry. The specific reasons are summarized below:

- Residual soil contamination exists that must be properly managed should it be excavated or removed
- If the structural impediment that obstructed a complete site investigation or cleanup is removed or modified, additional environmental work must be completed
- Pavement, an engineered cover or a soil barrier must be maintained over contaminated soil and the state must approve any changes to this barrier
- Groundwater contamination is present above Chapter NR 140 enforcement standards

This letter and information that was submitted with your closure request application will be included on the GIS Registry. To review the sites on the GIS Registry web page, visit the RR Sites Map page at http://dnr.wi.gov/org/aw/rr/gis/index.htm.

If you or any future owner intend to construct or reconstruct a water supply well, prior Department approval in accordance with s. NR 812.09(4)(w), Wis. Adm. Code, must be obtained.

Closure Conditions

Please be aware that pursuant to s. 292.12 Wisconsin Statutes, compliance with the requirements of this letter is a responsibility to which you and any subsequent property owners must adhere. You must pass on the information about these continuing obligations to the next property owner or owners. If these requirements are not followed or if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, welfare, or the environment, the Department may take enforcement action under s. 292.11 Wisconsin Statutes to ensure compliance with the specified requirements, limitations or other conditions related to the property or this case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code. The Department intends to conduct inspections in the future to ensure that the conditions included in this letter, including compliance with the referenced maintenance plan, are met.

Structural Impediments

Structural impediments existing at the time of cleanup, including interior walls, and other access-limiting features, made complete investigation and remediation of the soil contamination on this property impracticable. Pursuant to s. 292.12(2)(b), Wis. Stats., if the structural impediments to investigation and remediation at this property are to be removed, the property owner shall notify the Department of Natural Resources before removal and conduct an investigation of the degree and extent of chlorinated compound, PAH and petroleum contamination.

If contamination is found at that time, the contamination shall be properly remediated in accordance with applicable statutes and rules. If soil beneath the former lubricant drum storage room or near the abandoned underground storage tank is excavated, the property owner at the time of excavation must sample and analyze the excavated soil to determine if residual contamination remains. If sampling confirms that contamination is present the property owner at the time of excavation will need to determine whether the material is considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken during excavation activities to prevent a health threat to humans.

Engineered Cap Required

Pursuant to s. 292.12(2)(a), Wis. Stats., the concrete building foundation that currently exists shall be maintained in compliance with the attached maintenance plan in order to minimize the infiltration of water and prevent additional groundwater contamination that would violate the groundwater quality standards in ch. NR 140, Wis. Adm. Code.

The maintenance plan and inspection log are to be kept up-to-date and on-site. Please submit the inspection log to the Department only upon request.

Prohibited Activities

The following activities are prohibited on any portion of the property where the building foundation is required, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 1) removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; 6) construction or placement of a building or other structure.

Residual Groundwater Contamination

Groundwater impacted by chlorinated compound contamination greater than enforcement standards set forth in ch. NR140, Wis. Adm. Code, has been detected on this contaminated property. For more detailed information regarding the locations where groundwater samples have been collected (i.e., monitoring well locations) and the associated contaminant concentrations, refer to the GIS package for the site, which is posted on the Remediation and Redevelopment Program's GIS Registry at the RR Sites Map page at http://dnr.wi.gov/org/aw/rr/gis/index.htm.

Post-Closure Notification Requirements

In accordance with ss, 292.12 and 292.13, Wis. Stats., you must notify the Department before making changes that affect or relate to the conditions of closure in this letter. For this case, examples of changed conditions requiring prior notification include, but are not limited to:

- Any activity or construction that results in the removal or modification of a structural impediment that obstructed a complete site investigation or cleanup
- Disturbance, construction on, change or removal in whole or part of pavement, an engineered cover or a soil barrier that must be maintained over contaminated soil

Please send written notifications in accordance with the above requirements to the DNR's Fitchburg office location, to the attention of Wendy Weihemuller.

The following DNR fact sheet, RR-819, "Continuing Obligations for Environmental Protection" has been included with this letter, to help explain a property owner's responsibility for continuing obligations on their property. If the fact sheet is lost, you may obtain a copy at http://dnr.wi.gov/org/aw/rr/archives/pubs/RR819.pdf.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this closure decision or anything outlined in this letter, please contact Jeff Ackerman at (608) 275-3323.

Sincerely,

Linda Hanefeld, Team Supervisor
South Central Remediation & Redevelopment Program

Attach: Cap/Barrier Maintenance Plan
"Continuing Obligations for Environmental Protection" DNR fact sheet

cc: Snejana Karakis and Jeanne Tarvin, AECOM

Trostel, Ltd.

Cap/Barrier Maintenance Plan

901 Maxwell Street
Lake Geneva, Walworth County, Wisconsin (Site)

WDNR BRRTS #02-65-554144
Date: August 2009

Introduction

The purpose of this document is to establish a Maintenance Plan for the concrete building foundation ("cap/barrier") at the Trostel, Ltd. (Trostel) facility, located at the above-referenced property (Site), according to the requirements of Wisconsin Administrative Code (WAC) Chapters (Chs) NR 720.19(2) and 724.13(2). The maintenance activities relate to an existing concrete cap/barrier over an area with soils containing residual contaminant concentrations exceeding the WAC Ch NR 720 Residual Contaminant Levels (RCLs). The dimension of the cap area is approximately 3,025 square feet, including the entire former lubricant drum storage room and extending 20 feet beyond each of the walls of the storage room. The extent of the cap requiring maintenance is illustrated on Figure 1.

Cap/Barrier Construction and Purpose

The existing concrete building foundation is approximately 8 to 10 inches thick and is underlain by approximately 6 inches of fill. Under the fill material are native clay and sand deposits. Bedrock is expected at depths greater than 50 to 100 feet below grade. The building foundation will serve as a cap and barrier between the residual soil impacts and the general public who may access the Site to preclude the direct-contact exposure route and to control precipitation infiltration. As the Site is located in an industrialized area and is operated as a commercial facility, the cap/barrier should function as intended unless it is disturbed or not maintained.

Cap/Barrier Maintenance

In order to maintain the integrity of the concrete cap/barrier, Trostel, and subsequent Site owners, will maintain a copy of this Maintenance Plan at the Site, available for inspection by any interested parties (on-site employees, contractors, future Site owners, *etc.*). If the cap/barrier becomes damaged or degraded, exposing the underlying impacted soil, the following actions will be taken:

- Notify the Site Manager within 24 hours;
- Restore the damaged area of the cap/barrier as soon as possible, in coordination with the Site Manager, to specifications matching or exceeding those of the current barriers; and
- Record the damage and the restoration activities on a maintenance tracking log to be kept with the Maintenance Plan.

If the disturbance to the cap/barrier is planned (*i.e.,* as a result of utility installation, construction, remodeling, repair, *etc.*), the following actions will be taken by the Site Manager or his designee:

- Notify the Wisconsin Department of Natural Resources (WDNR) in advance of any planned disturbance or change to the cap/barrier.

- Provide a copy of this Maintenance Plan to all private and public utilities installing or upgrading utilities and all contractors and/or on-site employees conducting construction, remodeling, repair, or decommissioning activities in the area of the residual impacted soils;

- Monitor the excavation of subsurface soil in the areas designated as containing residual impacted soils by field observations and/or laboratory analysis of soil samples, as appropriate;

- Dispose of all impacted soil excavated from the restricted area (or otherwise, based on in-field observations and laboratory results) in accordance with applicable solid waste rules and regulations;

- Restore the excavated area to specifications matching or exceeding those of the current barriers;

- Record the cap/barrier disturbance, disposal of the impacted soils, and the cap/barrier restoration activities on a maintenance tracking log (or similar, as developed by the Site Manager) to be kept with the Maintenance Plan; and

- Provide the WDNR with documentation regarding changes and/or repairs made to the cap/barrier as a result of the planned disturbance.

This Maintenance Plan may be amended or withdrawn by the current Site owner and their successors if it is determined that the residual soils no longer present a risk to human health or the environment and that presence of the cap/barrier is no longer required. Written approval from the WDNR will be required.

Inspection and Reporting Requirements

Either Trostel or its successors shall conduct annual inspections of the concrete cap over the impacted soil areas to assess damage and restoration needs. The Site owner will maintain an Annual Inspection Log recording the results of the inspection and reference any follow-up action taken (recorded on a Maintenance Tracking Log) to be kept on file with this Maintenance Plan. The maintenance and inspection logs will be maintained as long as the concrete cap is required to address impacted soils at the Site. The logs will be available upon request by the WDNR during Site inspections. This Maintenance Plan may be amended or withdrawn by the current Site owner and its successors, if it is determined that the impacted soils no longer present a potential risk to human health or the environment and that presence of the concrete cap is no longer required. Written approval from the WDNR will be required.

Contact Information as of ~~August 2009~~ Oct. 2010 JH 10-25-10

Site Manager:
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WDNR:

State of Wisconsin
Department of Natural Resources
dnr.wi.gov

Printed on Recycled Paper

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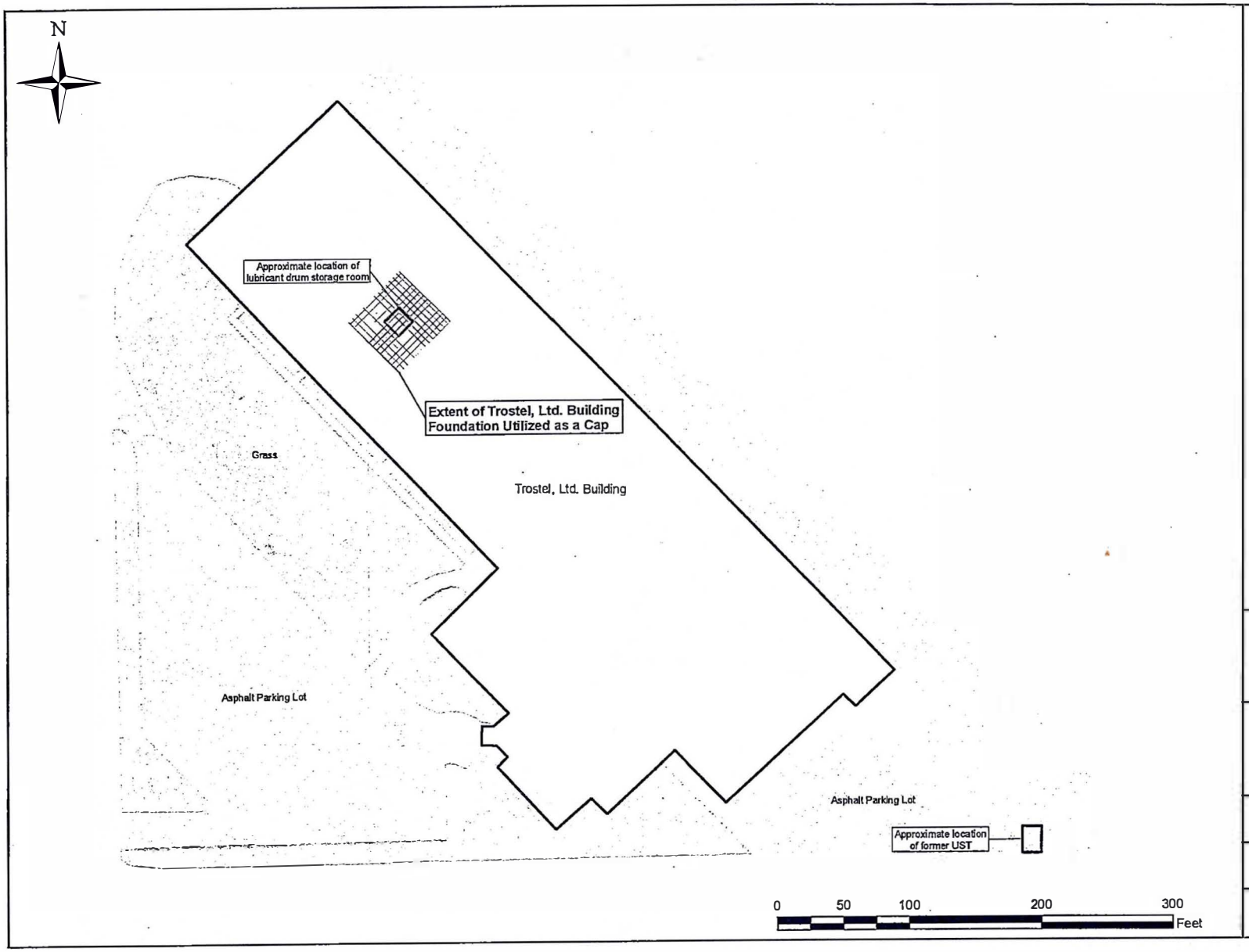
AECOM

Concrete Cap Maintenance Inspection Log

901 Maxwell Street
Lake Geneva, Walworth County, Wisconsin
WDNR BRRTS #02-65-554144

Inspection Date	Inspector Name & Signature	Observations	Actions



Legend

Grass

Buildings

Asphalt

Extent of Cap
901 Maxwell Street
Lake Geneva, WI

AECOM

Trostel, Ltd.

Project 10721-006
July 2009

Figure 1