

The following site is being submitted for inclusion into the GIS registry:

This is a:	New Submittal
BRRTS ID (no dashes):	0305000775
Comm # (no dashes):	54302362614
County:	Brown
Region:	Commerce
Site name:	Newtols Service
Street Address:	2014 University Ave
City:	Green Bay
Closure Date	2000-05-17
Closure Conditions:	met
Offsite contamination?	No
Right-of-way contamination?	No
Contaminated media:	Groundwater
GPS Coordinates (meters in the WTM91 projection)	
Easting (X):	681177.342950287
Northing (Y):	450799.324663939
Submitted by:	Cheryl Nelson

Checklist

- Final Closure Letter
- Copy of recorded deed Instrument for any property with GW >NR140 ES
- General Location Map
- Detailed Location Map showing property boundaries, buildings, etc for properties with GW >NR140 ES
- Latest Map(s) showing extent or outline of current GW plume
- GW flow direction
- MW(s) and/or potable wells
- Latest Table of GW results



February 23, 2000

Mr. Cletus Newtols
P.O. Box 370
Goodman Wi 54125

May 17, 2000

See text box on page 2 for updated status based on receipt of requested information.

RE: **Commerce # 54302-3626-14**
Newtol's Service Station, 2014 University Avenue, Green Bay, WI

Case Closure (conditional upon receipt of documentation)

Dear Mr. Newtols:

On January 12, 2000 the Wisconsin Department of Natural Resources transferred this site to the Wisconsin Department of Commerce for regulatory oversight. On behalf of the Wisconsin Department of Commerce, I am reviewing this case for closure.

Using the standards established in NR 700, and the risk criteria of Comm 46, the Department has determined that this site does not pose a significant threat to the environment and human health, and no further investigation or remedial action is necessary. In making this determination, I reviewed the following documents prepared by Environmental Assessments, as well as other correspondence in the case file:

- *Tank Removal Certification for UST's*, February 13, 1991
- *UST Site Characterization Report*, November 21, 1994
- *Remedial Action Plan*, February 28, 1995
- *Summary of Remediation Activities*, October 23, 1995
- *Groundwater Monitoring Reports/Project Updates* dated April 28, 1995, July 19, 1995, February 26, 1997, January 28, 1998, January 20, 1999
- *Case Summary and Closure Request*, January 25, 1999 and December 15, 1999

If, in the future, site conditions indicate that any contamination that might remain poses a threat, the need for further remediation would be determined and required if necessary. If subsequent information indicates a need to reopen this case, any original claim under the PECFA fund would also reopen and you may apply for assistance to the extent of remaining eligibility.

RE: **Commerce # 54302-3626-14**
Newtol's Service Station
2014 University Avenue, Green Bay, WI

February 23, 2000

Page 2

IMPORTANT: we cannot list this case as "closed" on our computer database until we receive the following items.

- A notification must be placed on the property deed addressing residual groundwater impacts. For case closure we will need a copy of the deed notification that contains the County Register of Deeds' recording information. Enclosed an example of a "Notice of Contamination to Property" for your use. If you wish to modify the language, submit a copy to this office for review prior to filing.
- Documentation of the abandonment of monitoring wells MW-4, 5, 6, 7, S1 and S2. One form for each. Please submit abandonment documentation to the Department at the letterhead address.

Thank you for your efforts in the protection of the environment. If you have any questions, please call me at (920) 424-0046.

Sincerely,

Dee Zoellner
Hydrogeologist
PECFA Site Review Section

enclosure

cc: Vicky Flowers, Environmental Assessments (with enclosure)
electronic case file

After review of the requested information submitted on May 11, 2000 by Environmental Assessments, Inc., the Department concludes that no further action is required at the above referenced site and is listed as closed on the Department of Commerce computer tracking system.

Dee Zoellner
Dee Zoellner May 17, 2000
Hydrogeologist

1753048

BROWN COUNTY
REGISTER OF DEEDS
CATHY WILLIQUETTE

Document Number

GROUNDWATER USE RESTRICTION

2000 MAY 11 A 9:42

Declaration of Restrictions

Legal Description of the Property: Part of Lot 77, Newberry's Addition Subdivision No. 1, according to the recorded Plat thereof, in the City of Green Bay, East Side of Fox River, Brown County, Wisconsin, described as: Commencing at the Northeast corner of Lot 77 and running thence South 85°26' 34" West along the South line of the Cedar Creek Road 104.4 feet to a STARTING POINT; thence continuing South 85°26'34" East 75.0 feet, thence North 0°12'26" West 270.00 feet to the starting point.

AND

Commencing at the Northeast corner of Lot 77 running thence South 85°26' West 104.4 feet; thence South 0°12'26" East 270 feet; thence North 85°26'34" East 104.4 feet to the line of said Lot 77; thence North 0°12'26" West 270 feet to the point commenced at.

Recording Area

1400

Name and Return Address

Little Store L.L.C.
c/o Bruce Barbiaux
2030 University Ave.
Green Bay, WI 54302

STATE OF WISCONSIN)
) ss
COUNTY OF BROWN)

Parcel Identification Number (PIN)
21-2224 and 21-2224-1

Section 1. WHEREAS, Little Store, L.L.C., is the owner of the above-described property.

Section 2. WHEREAS, one or more petroleum based discharges have occurred at this property. Petroleum contaminated groundwater above Chapter NR 140 Enforcement Standards of the Wisconsin Administrative Code (NR 140 ES) for Benzene, Toluene, Ethylbenzene, Xylenes (BTEX) and Trimethylbenzenes (TMB) exists in the area of S1 at the northern edge of the property near the University Avenue road right-of-way (ROW); and for Benzene in the area of MW6 and S2 along the western property boundary near the Newtols ROW (Exhibit A).

Section 3. WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct additional soil or groundwater remediation activities on the property at the present time.

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

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

met.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Commerce, or its successor, issue a determination that the restrictions set forth in this covenant are no longer required. That property owner shall provide any and all necessary information to the Department in order for the Department to be able to make a determination. Upon receipt of such a request, the Department shall determine whether or not the restrictions contained herein can be extinguished. Conditions under which a restriction may be extinguished will be determined in accordance with the site specific standards, rules and laws for this property. If the Department determines that the restrictions can be extinguished, an affidavit, with a copy of the Department's written determination, may be recorded to give notice that this restriction, or portions of this restriction are no longer binding. Any restriction placed upon this property shall not be extinguished without the Department's written determination.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of
Restrictions, this day of 2000.

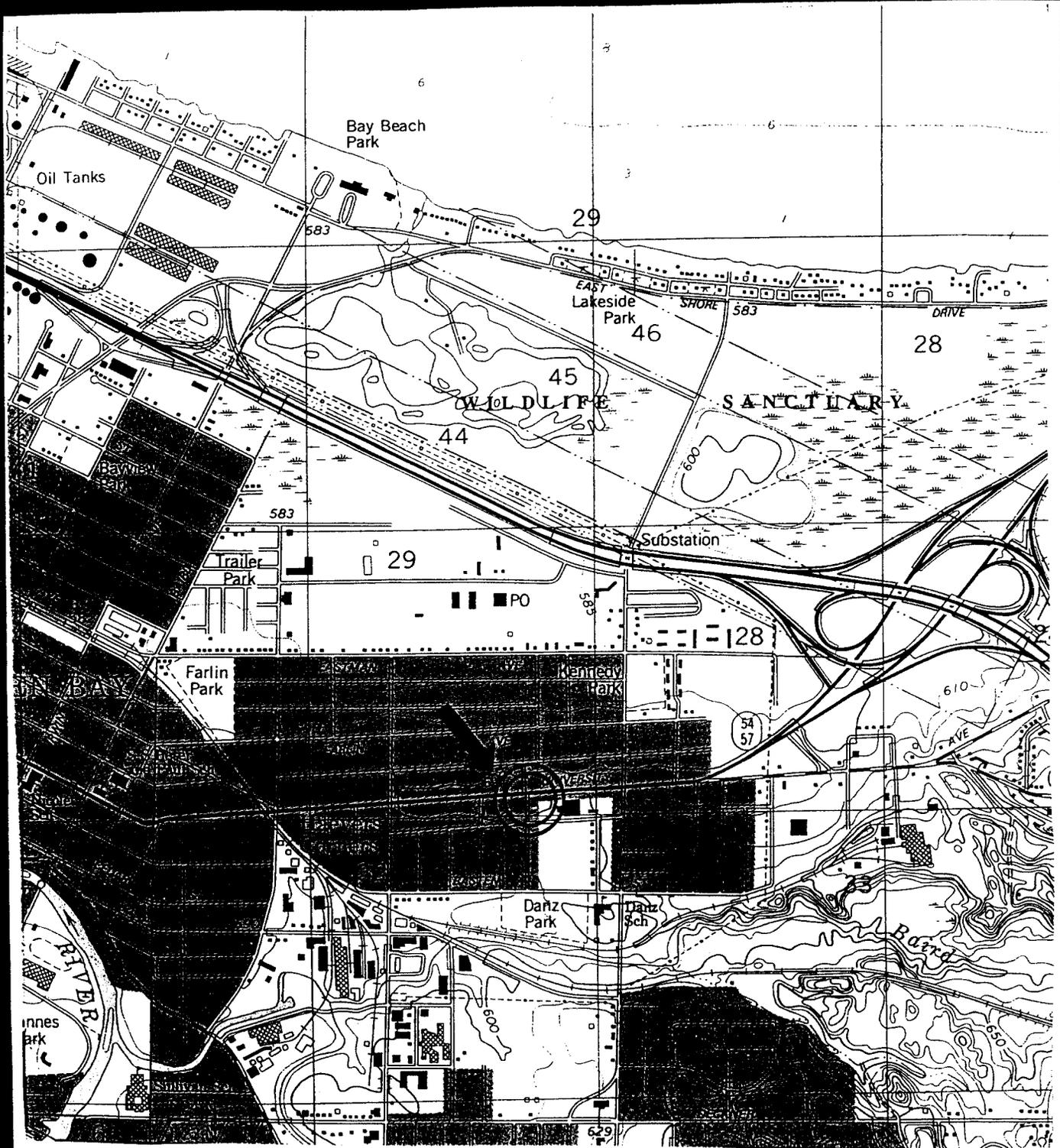
Signature: *Bruce Barbiaux*
Printed Name: *Bruce Barbiaux*

Subscribed and sworn to before me
this 16th day of *March*, 2000.

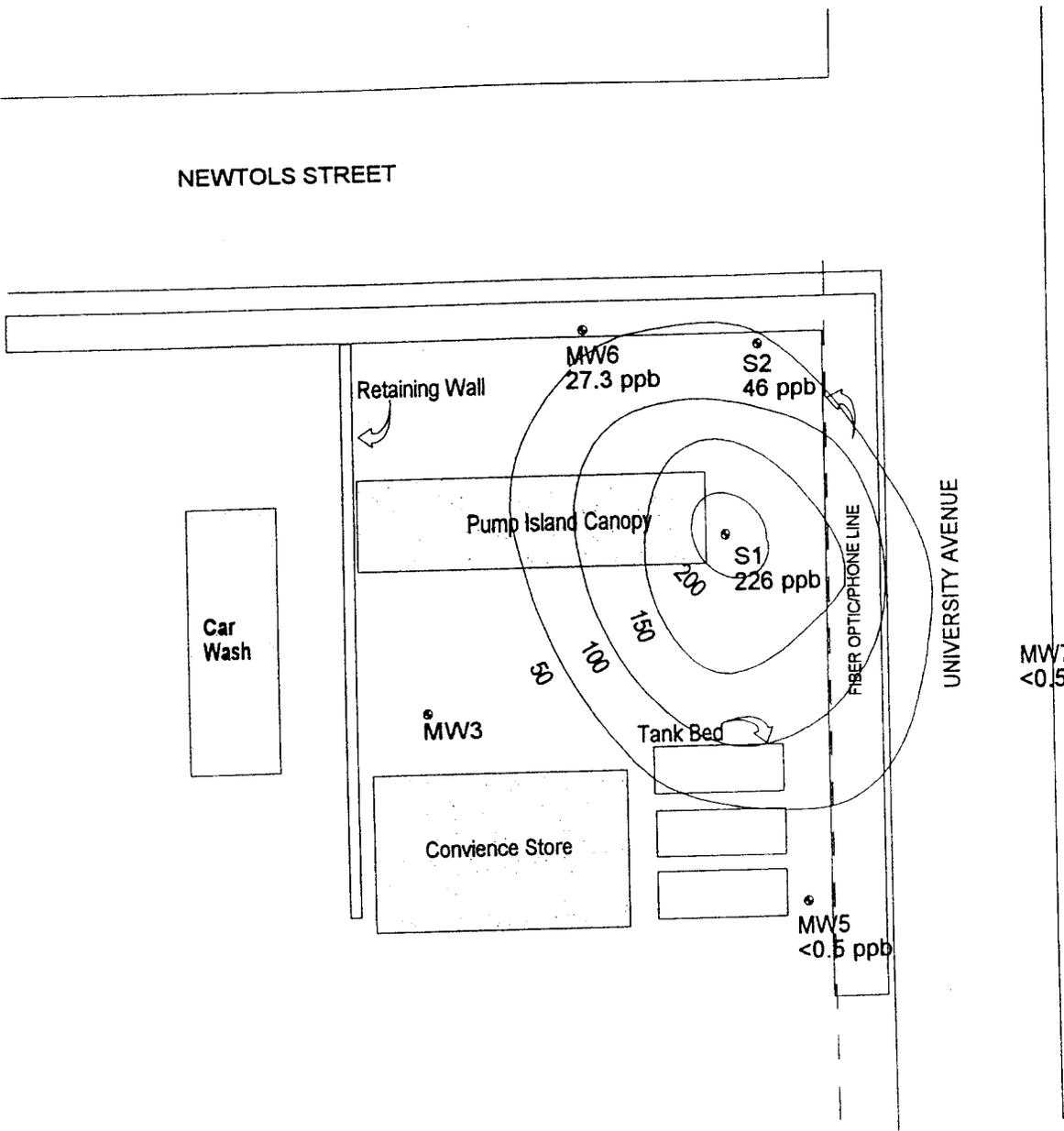
Jean A. Wanish *Jean A.*
wanish

Notary Public, State of *WI*
My commission expires *4/6/2003*

This document was drafted by the Wisconsin Department of Commerce.



ENVIRONMENTAL ASSESSMENTS, INC.	Project/Client SITE LOCATION MAP NEWTOL'S 76 SERVICE STATION GREEN BAY, WISCONSIN	Figure No. 1
	(Map Source: USGS 7.5' Series Topographic Quad of Neenah)	Drawn By VAF
		Scale 1" = 1,500'
		Project No. 20087010594

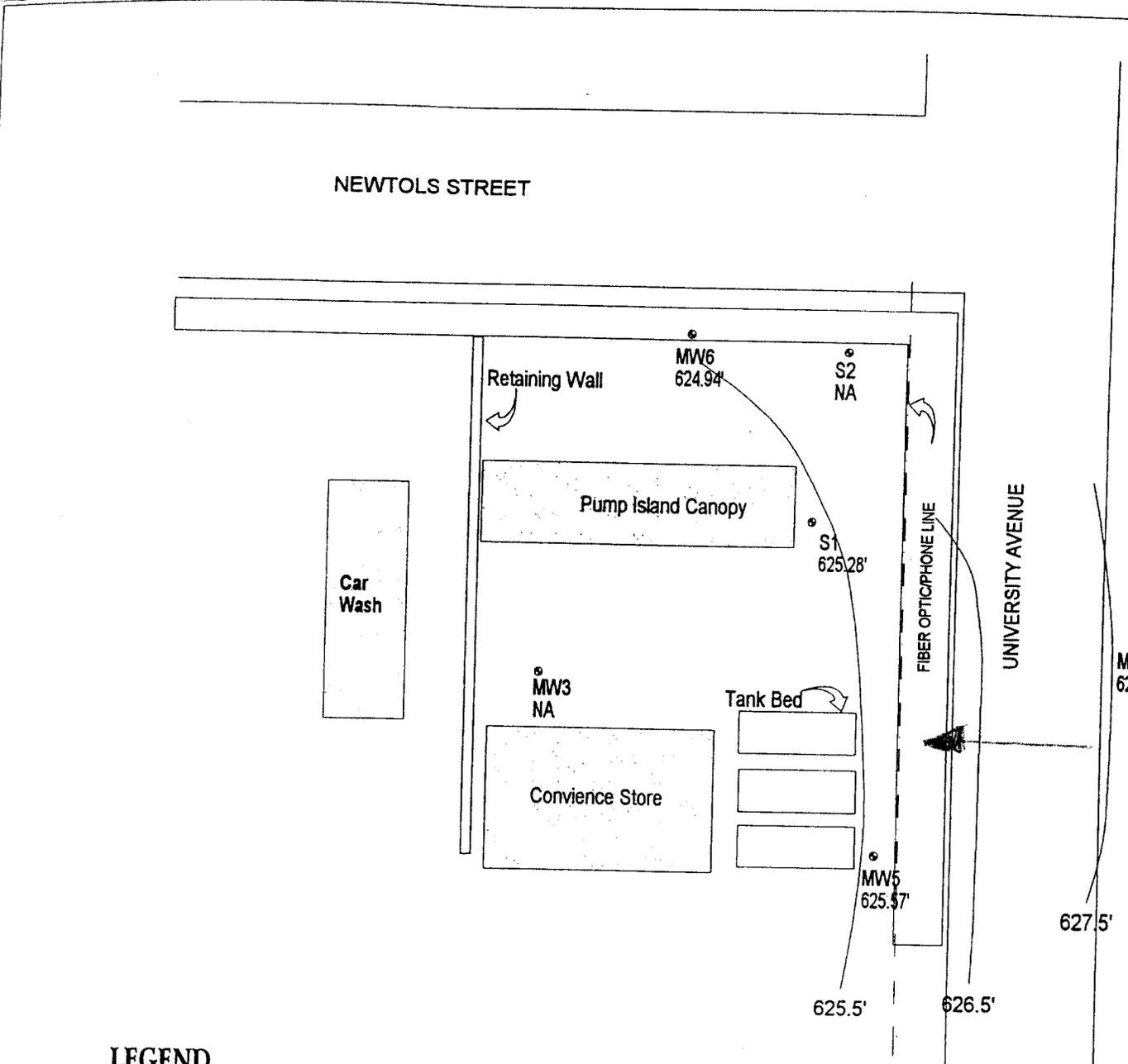


LEGEND

⊕ Monitoring Well ID



ENVIRONMENTAL ASSESSMENTS, INC. APPLETON, WISCONSIN	PROJECT/CLIENT	Former Newto's 76 Service Station	DRAWN BY	Victoria Flowers
	TITLE	1998 Average Benzene Concentrations (Current Site Layout)	SCALE	1" = 50'
			FIGURE NO	10



LEGEND

 Monitoring Well ID with groundwater elevation data
 S1
 625.28'



ENVIRONMENTAL ASSESSMENTS, INC. APPLETON, WISCONSIN	PROJECT/CLIENT	DRAWN BY	<i>Victoria Flowers</i>	
		Former Newtol's 76 Service Station	SCALE	1" = 50'
	TITLE	Groundwater Flow Direction (1/7/98)	FIGURE NO	//

Table 5 - Groundwater Analytical Results

Well ID	Date	Benzene	Ethylbenzene	MTBE	Toluene	Total Xylenes	TMB
MW1 (S1)	01/20/95	1980	1920	**	1580	1340	
	01/24/95	520	480	44	750	2520	1110
	03/23/95	550	550	68	890	2650	
	06/22/95	2600	1800	**	13000	8400	
	09/13/95	574	787	<135	2160	3940	859
	12/19/95	351	1410	**	668	3510	
	05/24/96	300	1590	<135	275	2700	2191
	11/05/96	150	520	79	150	598	940
	01/03/97	260	930	150	720	2340	1310
	09/15/97	281	345	118	56	666	838
	01/07/98	265	353	34	720	1094	557
	05/05/98	134	196	15	12	331	382
	08/27/98	242	687	41	543	1256	989
	11/06/98	263	941	<9.2	1000	3293	1358
05/28/99	260	1100	14	930	3800	1450	
11/16/99	170	510	8.1	340	1200	910	
S2	09/13/95	311	187	<135	69	538	<85
	11/05/96	<0.6	<1	<1	<1	<1	<1
	09/15/97	42	<0.6	62	0.74	34.1	14.6
	01/07/98	106	11	17	2.4	2.1	9.4
	05/05/98	19	3.9	3.5	<0.6	<1.7	2.7
	08/27/98	13	2.1	6.3	<0.6	<1.7	3.4
	05/28/99	7.6	2.5	3.3	1.5	<1	6.4
MW2	01/20/95	34	234	50	216	1128	
	03/23/95	15	110	29	7.1	156	
	06/22/95	77	190	**	170	1300	
	09/13/95	52	249	<135	180	1250	464
	12/19/95	115	297	**	516	3050	
	05/24/96	60	195	<135	65	1250	451
MW3	01/20/95	**	**	8.3	**	**	
	01/03/97	<0.2	<0.3	110	<0.4	<0.9	<0.3
MW4	01/20/95	285	867	50	70	1370	
	03/23/95	40	110	31	**	410	
	06/22/95	16	3.3	21	**	6.4	
	09/13/95	8.7	0.8	23	<0.6	<1.7	26
	12/19/95	8.5	**	21	**	**	
MW5	01/20/95	**	**	14	**	**	
	01/03/97	<0.2	<0.3	9.5	<0.4	<0.9	<0.3
	01/07/98	<0.5	<0.6	2.3	<0.6	<1.7	<1.7
	05/05/98	<0.5	<0.6	<0.92	<0.6	<1.7	<1.7
	08/27/98	<0.5	<0.6	8	<0.6	<1.7	<1.7
	11/06/98	<0.5	<0.6	10	<0.6	<1.7	<1.7
	05/28/99	<0.32	<0.34	4.5	<0.35	<1	<0.64
	11/16/99	<0.32	<0.34	9	<0.35	<1	<0.64
WDNR PAL	0.5	140	12	68.6	124	96	
WDNR ES	5	700	60	343	620	480	

Notes:

All results in parts per billion (ppb)

WDNR PAL = WDNR NR 140 preventive action limit

WDNR ES = WDNR NR 140 enforcement standard

** = result is less than the laboratory method detection limit

< = result is less than the laboratory method detection limit

Bolded value indicates NR 140 PAL exceedance**Shaded value indicates NR 140 ES exceedance**

Thick line designates results obtained following removal of contaminated soils and site upgrade.

Well ID	Date	Benzene	Ethylbenzene	MTBE	Toluene	Total Xylenes	TMB
MW6	01/20/95	111	5.6	**	3.2	78.6	
	01/24/95	350	43	57	28	1127	436
	03/23/95	410	46	40	30	1231	
	06/22/95	100	4.8	17	4.5	89	
	09/13/95	162	7.5	<27	9.3	227	129
	12/19/95	13	6.1	**	**	43	
	05/24/96	5.6	0.9	<2.7	<0.6	5.5	8
	11/05/96	24	<1	3.6	<1	<1	<1
	01/03/97	29	0.5	19	0.4	2.4	1.8
	09/15/97	<0.5	<0.6	35	<0.6	<1.7	<1.7
	01/07/98	35	2.4	14	<0.6	5.83	37.2
	05/05/98	1.2	<0.6	<0.92	<0.6	<1.7	<1.7
	08/27/98	51	2.1	12	0.79	3.5	71
	11/06/98	22	0.86	16	<0.6	0.6	45
	05/28/99	65	1	11	0.37	<1	28
11/16/99	8.9	<0.34	12	0.39	<1	0.63	
MW7	01/20/95	**	**	5.9	**	**	
	01/03/97	<0.2	<0.3	3.7	<0.4	<0.9	<0.3
	01/07/98	<0.5	<0.6	6.2	<0.6	<1.7	<1.7
	11/06/98	<0.5	<0.6	7.7	<0.6	<1.7	<1.7
	05/28/99	<0.32	<0.34	3.1	<0.35	<1	<0.64
	11/16/99	<0.32	<0.34	5.5	<0.35	<1	<0.64
MW8	01/20/95	**	**	32	**	**	
	03/23/95	**	**	**	**	**	
	06/22/95	**	**	14	**	**	
	09/13/95	<0.5	<0.6	15	<0.6	<1.7	<1.7
	12/19/95	**	**	16	**	**	
WDNR PAL		0.5	140	12	68.6	124	96
WDNR ES		5	700	60	343	620	480

Notes:

All results in parts per billion (ppb)

WDNR PAL = WDNR NR 140 preventive action limit

WDNR ES = WDNR NR 140 enforcement standard

** = result is less than the laboratory method detection limit

< = result is less than the laboratory method detection limit

Bolded value indicates NR 140 PAL exceedance

Shaded value indicates NR 140 ES exceedance

Thick line designates results obtained following removal of contaminated soils and site upgrade.