



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Ronald W. Kazmierczak, Regional Director

Northeast Region Headquarters
1125 N. Military Ave., P.O. Box 10448
Green Bay, Wisconsin 54307-0448
Telephone 920-492-5800
FAX 920-492-5913
TDD 920-492-5912

July 25, 2000

Mr. Thomas Frawley
3455 Bay Highlands Drive
Green Bay, WI 54311

SUBJECT: Case Closure of Thomas Frawley Property, 580 Potts Avenue, Green Bay
WDNR BRRTS ID #03-05-000955

Dear Mr. Frawley:

On April 12, 2000, your request for closure of the case described above was reviewed by the Wisconsin Department of Natural Resources NER Region Closure Committee. This committee reviews environmental remediation cases for compliance with state rules and statutes to maintain consistency in the closure of these cases. After careful review of the closure request, it appears that at this time the site has been investigated and remediated to the extent practicable under current site conditions. The groundwater use restriction and well abandonment forms have been received; therefore, the conditions of closure have been met. Your case has been closed under s. NR 726.05, Wis. Adm. Code on July 24, 2000.

Please be aware that the case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, or welfare or to the environment.

We appreciate your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at (920) 492-5592.

Sincerely,

Roxanne Nelezen Chronet
Hydrogeologist
Bureau for Remediation & Redevelopment

cc: Karl Schuldes, Robert E. Lee & Associates, PO Box 2100, Green Bay, WI 54306-2100

DOCUMENT NO.

1090314

STATE BAR OF WISCONSIN FORM 1—1982
WARRANTY DEED
J 10663 I 06

THIS SPACE RESERVED FOR RECORDING DATA

REGISTER OF DEEDS
BROWN COUNTY

1986 JUL 31 AM 11:52

Cathy Willig
REGISTER OF DEEDS

This Deed, made between John R. Schingen

and Thomas H. Frawley, Grantor,

Witnesseth, That the said Grantor, for a valuable consideration

conveys to Grantee the following described real estate in Brown County, State of Wisconsin:

RETURN TO *Post P.O. Box 11906
Green Bay WI 54307*
(see back)

Tax Parcel No: _____

Any and all interest of Grantor, individually or as a partner of FS & S Company, a partnership, in the real estate described upon the attached Exhibit A.

TRANSFER
\$ 62.10
FEE

This is not homestead property.
(is) (is not)

Together with all and singular the hereditaments and appurtenances thereunto belonging;

And warrants that the title is good, indefeasible in fee simple and free and clear of encumbrances except municipal and zoning ordinances, recorded building and use restrictions, and easements and covenants of record and will warrant and defend the same.

Dated this *July 29* day of _____, 1986.

John R. Schingen (SEAL)
John R. Schingen (SEAL)

AUTHENTICATION

Signature(s) _____

authenticated this _____ day of _____, 19_____

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not authorized by § 706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY

P. N. Hoeft
P. O. Box 11906
Green Bay, WI 54307-1906

(Signatures may be authenticated or acknowledged. Both are not necessary.)

ACKNOWLEDGMENT

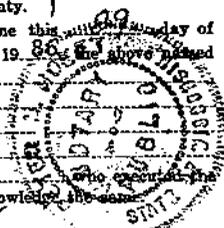
STATE OF WISCONSIN

Brown County, ss.

Personally came before me this *29* day of *July*, 1986, the above named *John R. Schingen*

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

Peter O. Hoff
Notary Public _____ County, Wis.
My Commission is permanent. (If not, state expiration date: _____, 19_____)



*Names of persons signing in any capacity should be typed or printed below their signatures.

1090314

EXHIBIT A

PARCEL 1: That part of Private Claim Fifteen (15), West side of Fox River, as described in Volume 787 Records, page 487, being in the City of Green Bay, Brown County, Wisconsin, said parcel being a part of the premises described in Volume 612 Records, page 484, Brown County Records.

PARCEL 2: That part of Private Claim Sixteen (16), West side of Fox River, formerly in the Town of Ashwaubenon, now in the Village of Ashwaubenon, Brown County, Wisconsin, described as follows:

Commencing at the intersection of the centerline of Ridge Road with the centerline of Private Claim No. 13, West side of Fox River; thence South $25^{\circ} 56' 30''$ West along the centerline of Ridge Road 1358.4 feet; thence south $63^{\circ} 52'$ East 5119.86 feet to a starting point; thence continuing South $63^{\circ} 52'$ East 637.84 feet to the West line of U.S. Highway 41; thence South $35^{\circ} 43'$ West along the Westerly line of said highway 262.82 feet; thence North $63^{\circ} 52'$ West 594.09 feet; thence North $26^{\circ} 08'$ East to the starting point, excepting therefrom the Southerly 35 feet as described in Volume 321 Deeds, page 145, subject to easement described in Volume 801 Records, page 15, Brown County Records.

1760638

Document Number

GROUNDWATER USE RESTRICTION

BROWN COUNTY
REGISTER OF DEEDS
CATHY WILLIQUETTE

2000 JUN 29 P 2:33

Declaration of Restrictions

In Re: The property described as Parcel 2 in Exhibit A,
which is attached and made a part of this restriction.

STATE OF WISCONSIN)

)
) SS
)

COUNTY OF BROWN)

I, Cathy Williquette, Brown County Register of Deeds, do hereby certify that this is a true and correct copy of the original record on file in the Brown County Register of Deeds Office, Green Bay, Wisconsin.

I herewith set my hand and official seal this 29th day of June, A.D. 2000

Cathy Williquette
REGISTER OF DEEDS

Recording Area

1674

Name and Return Address

Thomas Frawley
3455 Bay Highlands Dr.
Green Bay WI 54311

Parcel Identification Number (PIN)

WHEREAS, Thomas H. Frawley is the owner of the above-described property.

WHEREAS, one or more petroleum and chlorinate solvent discharges have occurred on this property. benzene and vinyl chloride-contaminated groundwater above ch. NR 140, Wis. Adm. Code enforcement standards existed on this property at the following location(s) on the following date(s): January 26, 1999, Monitoring Well 1 (MW-1) had vinyl chloride at 2.7 micrograms per liter (ug/L), Monitoring Well 2 (MW-2) had vinyl chloride at 3.8 ug/L and benzene at 7.0 ug/L; February 29, 2000, Monitoring Well 3 (MW-3) had vinyl chloride at 0.72 ug/L. Location of monitoring wells is provided on Figure 1 attached and made part of this restriction.

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

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

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

W THEREFORE, the owner hereby declares that all of the property described above held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and 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 requirements are applicable, prior to constructing or reconstructing a well on this property. No well may be constructed on this property unless applicable requirements are met.

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

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction benefits and is 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 covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that one or more of the restrictions set forth in this covenant 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 extinguished. If the Department determines that the restrictions can be extinguished, an affidavit, attached to a copy of the Department's written determination, may be recorded to give notice that this deed restriction, or portions of this deed restriction, are no longer binding.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 29 day of June, 2000.

Signature: Thomas H Frawley

Printed Name: THOMAS H FRAWLEY

Subscribed and sworn to before me

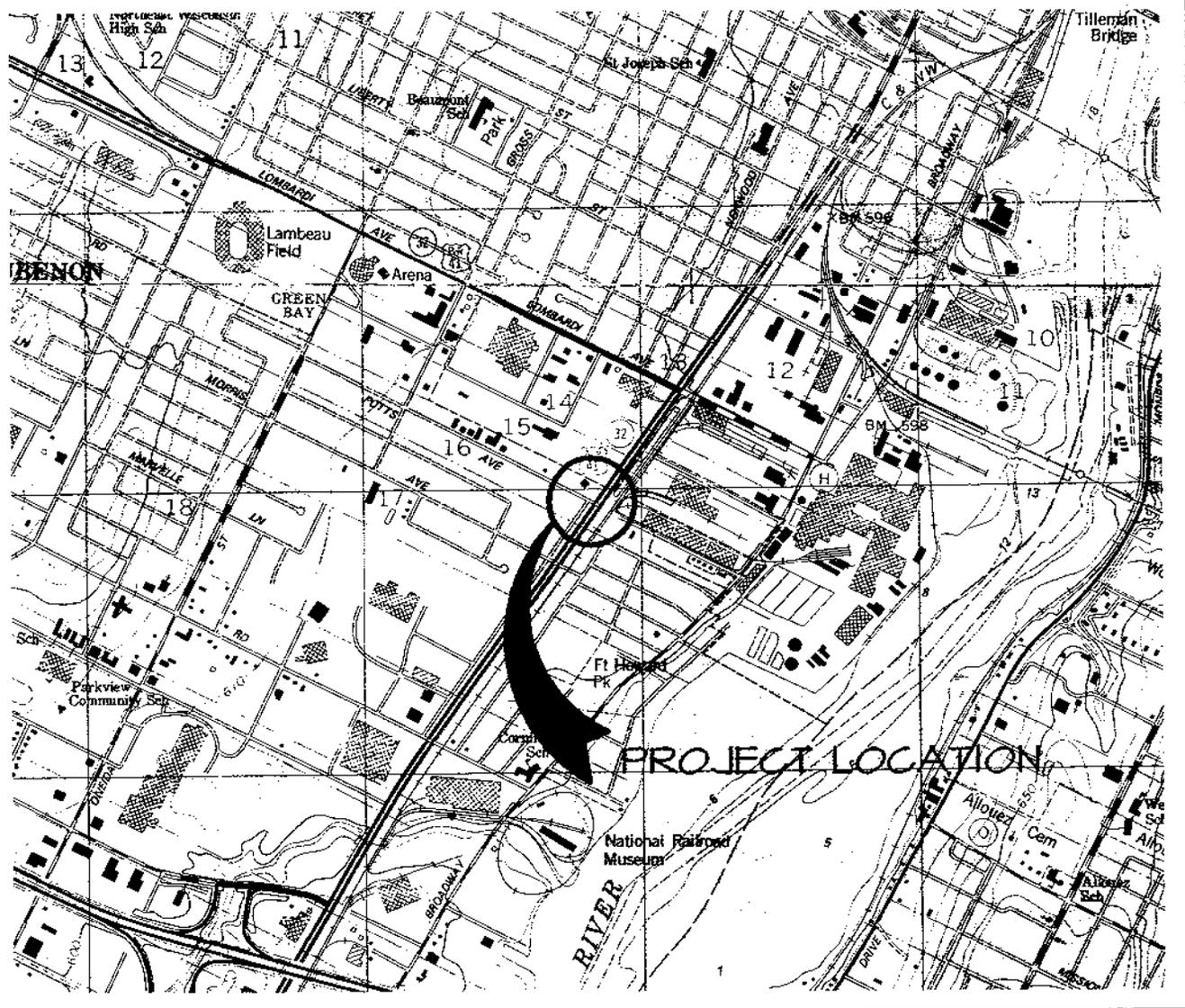
29 day of June, 2000.

Sharon A. Noel



Notary Public, State of WI
My commission 9.9.2001

This document was drafted by the Wisconsin Department of Natural Resources based on information provided by Robert E. Lee and Associates.



LOCATION MAP

THOMAS FRAWLEY PROPERTY
580 POTTS AVENUE
GREEN BAY, WISCONSIN

3002

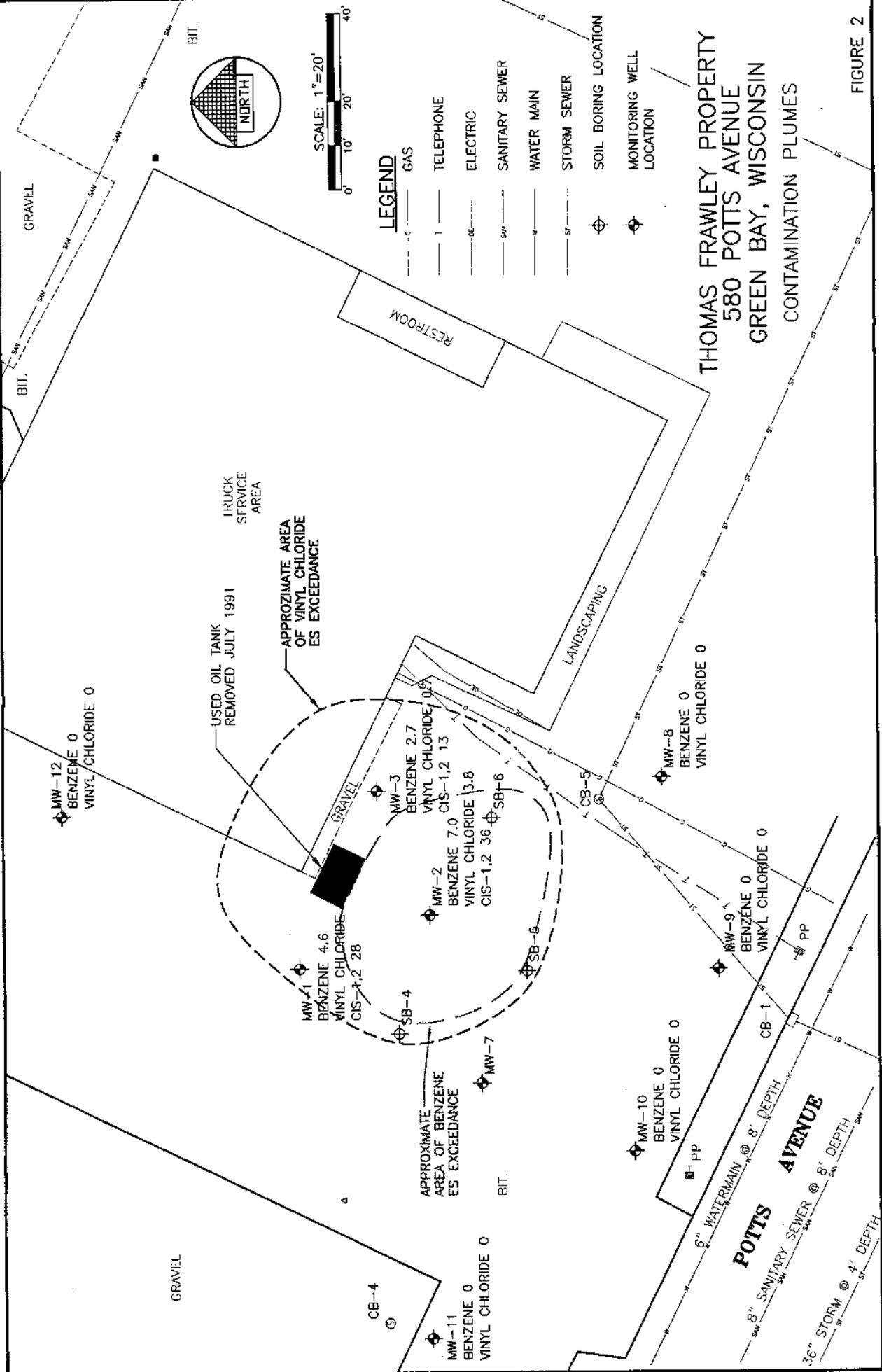
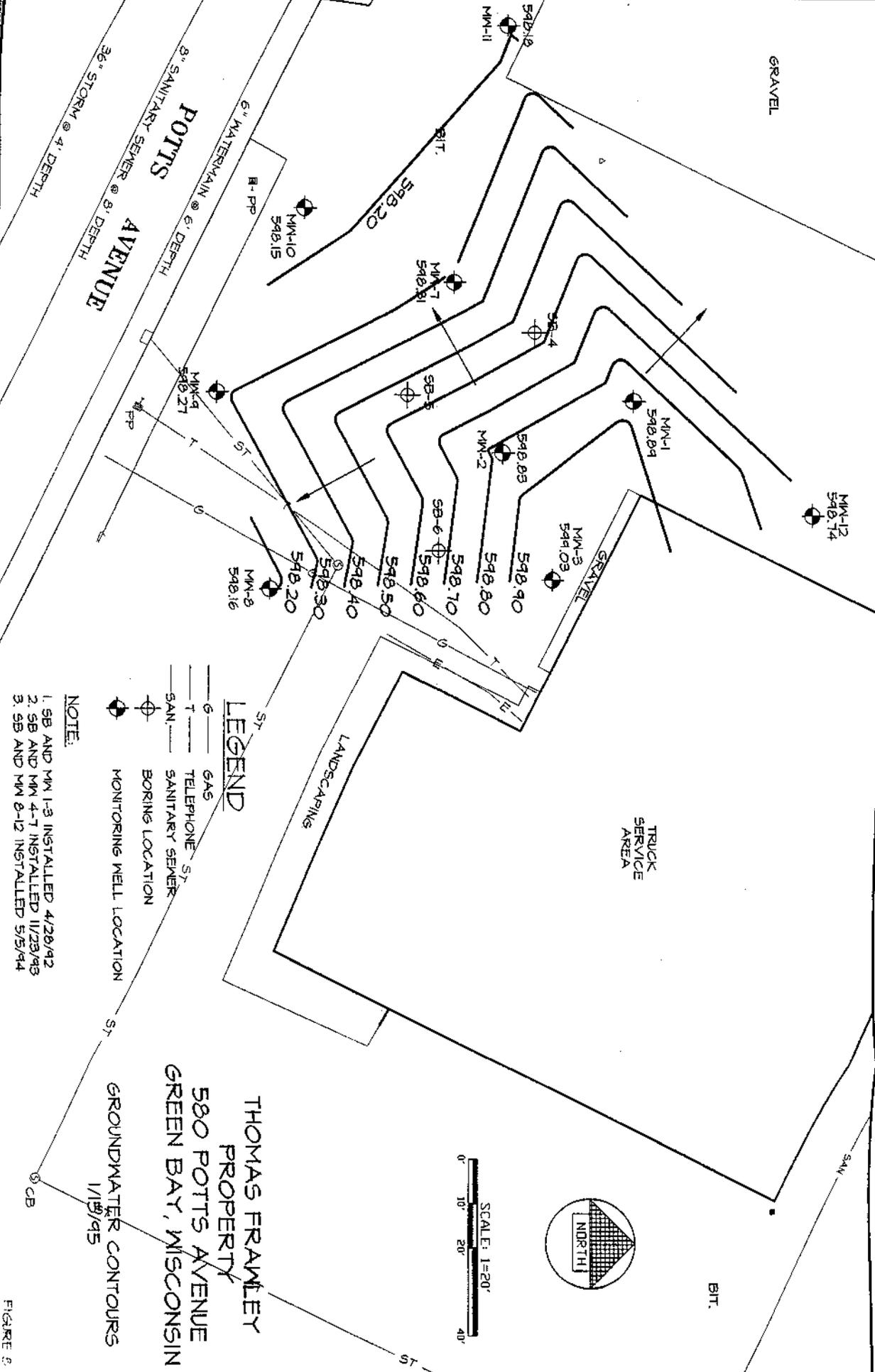


FIGURE 2

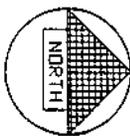


GRAVEL

MM-12
548.74

TRUCK
SERVICE
AREA

BIT.



THOMAS FRAWLEY
PROPERTY
580 POTTS AVENUE
GREEN BAY, WISCONSIN

GROUNDWATER CONTOURS
1/15/95

LEGEND

- GAS
- TELEPHONE - ST
- SANITARY SEWER
- BORING LOCATION
- MONITORING WELL LOCATION

NOTE:

1. SB AND MM 1-3 INSTALLED 4/28/92
2. SB AND MM 4-7 INSTALLED 11/23/93
3. SB AND MM 8-12 INSTALLED 5/5/94

POTTS AVENUE
6" WATER MAIN @ 6' DEPTH
36" SANITARY SEWER @ 3' DEPTH
36" STORM @ 4' DEPTH

LANDSCAPING

MM-8
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MM-9
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MM-10
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MM-11
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MM-12
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MM-1
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MM-2
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THOMAS FRAWLEY PROPERTY Groundwater Analysis

Parameter	ES	PAL	7/29/97								
			MW-1	MW-2	MW-3	MW-7	MW-8	MW-9	MW-10	MW-11	MW-12
Benzene	5	0.5	4.1	10.1	1.2	ND	ND	ND	ND	ND	ND
cis-1,2-Dichloroethene	70	7	39.0	77.8	23.2	ND	ND	ND	ND	ND	7.2
Chloromethane*	3	0.3	3.7	ND	3.8	8.6	14.8	7.9	63.5	3.5	4.0
Vinyl Chloride	.2	0.02	6.3	6.3	2.0	ND	ND	ND	ND	ND	0.3

Parameter (ug/l)	ES	PAL	MW-1					
			11/18/97	2/16/98	4/22/98	7/2/98	10/19/98	1/26/99
Benzene	5	0.5	3.76	7.51	4.59	5.44	5.29	4.6
Dichlorodifluoromethane	1,000	200	2.07	<2.0	NA	<2.0	<2.0	<0.47
cis-1,2-Dichloroethene	70	7	34.7	44.4	NA	37.8	33.2	2.8
trans-1,2-Dichloroethene	100	20	<0.5	<1.0	NA	<1.0	<1.0	<0.79
Naphthalene	8	40	ND	ND	ND	ND	ND	1.2
Toluene	343	68.6	ND	ND	ND	ND	ND	0.73
Total Trimethylbenzenes	480	96	ND	ND	ND	ND	ND	0.90
Vinyl Chloride	.2	0.02	3.07	3.19	NA	3.31	2.69	2.7
Total Xylene	620	124	ND	ND	ND	ND	ND	1.04
RNA Parameters								
Nitrate	10	2	NA	NA	NA	<0.3	<0.3	0.048
Sulfate			NA	NA	NA	82.6	82.2	79
Dissolved Oxygen			NA	NA	NA	0.6	1.0	2.0
Iron			NA	NA	NA	3.0	4.0	4.0

Parameter (ug/l)	ES	PAL	MW-2					
			11/18/97	2/16/98	4/22/98	7/2/98	10/19/98	1/26/99
Benzene	5	0.5	10.5	15.5	11.7	12.9	27.4	7.0
Dichlorodifluoromethane	1,000	200	2.47	<2.0	NA	<2.0	<2.0	<0.47
cis-1,2-Dichloroethene	70	7	48.2	40.1	NA	45.6	45.3	36
trans-1,2-Dichloroethene	100	20	3.78	3.05	NA	3.22	2.76	2.2
Ethylbenzene	700	140	ND	ND	ND	ND	3.66	<0.32
Naphthalene	40	8	ND	ND	ND	ND	1.94	<0.35
Toluene	343	68.6	ND	ND	ND	ND	12.3	<0.27
Total Trimethylbenzene	480	96	ND	ND	ND	ND	3.26	0.35
Vinyl Chloride	.2	0.02	<0.5	3.90	NA	4.06	4.09	3.8
Total Xylene	620	124	ND	ND	ND	ND	17.11	<0.43
RNA Parameters								
Nitrate	10	2	NA	NA	NA	<0.3	<0.3	0.49
Sulfate			NA	NA	NA	55.4	56.7	61
Dissolved Oxygen			NA	NA	NA	0.3	1.0	0.5
Iron			NA	NA	NA	2.0	4.5	5.0

Exceedance of NR 140 Preventive Action Limit

Exceedance of NR 140 Enforcement Standard

Note: Only VOC compounds that were detected are listed
 ND = Not Detected
 NA = Not Analyzed

THOMAS FRAWLEY PROPERTY

Groundwater Analysis

Parameter (ug/l)	ES	PAL	MW-3							
			11/18/97	2/16/98	4/22/98	7/2/98	10/19/98	1/26/99	10/27/99	2/29/00
Benzene	5	0.5	1.93	3.76	1.38	2.06	2.93	2.3	2.8	2.7
Dichlorodifluoromethane	1,000	200	2.26	<2.0	NA	<2.0	<2.0	<0.47	<0.47	<0.47
cis-1,2-Dichloroethene	70	7	22.9	27.2	NA	23.2	22.2	18	15	13
trans-1,2-Dichloroethene	100	20	<0.5	<1.0	NA	0.60	<1.0	<0.79	<0.79	<0.79
Naphthalene	40	8	ND	ND	ND	ND	2.41	0.60	0.91	<0.35
Toluene	343	68.6	ND	ND	ND	ND	ND	0.56	<0.27	0.31
Total Trimethylbenzene	480	96	ND	ND	ND	ND	1.07	0.40	0.28	0.25
Vinyl Chloride	.2	0.02	0.944	0.762	NA	1.62	1.07	1.2	0.84	0.72
Total Xylene	620	124	ND	ND	ND	ND	ND	0.46	<0.43	<0.43
RNA Parameters										
Nitrate	10	2	NA	NA	NA	<0.3	<0.3	0.045	NS	NS
Sulfate			NA	NA	NA	49.6	50.1	46	NS	NS
Dissolved Oxygen			NA	NA	NA	0.4	1.4	1.2	1.3	0.2
Iron			NA	NA	NA	2.0	2.0	3.0	4.0	3.5

Parameter (ug/l)	ES	PAL	MW-8	
			10/27/99	2/29/00
Naphthalene	40	8	ND	0.39
Toluene	343	68.6	0.28	<0.27
Trimethylbenzene	480	96	ND	0.25
RNA Parameters				
Dissolved Oxygen			1.1	0.6
Iron			0.2	0.2

Parameter (ug/l)	ES	PAL	MW-9		
			1/26/99	10/27/99	2/29/00
Naphthalene	40	8	ND	ND	0.41
Trimethylbenzene	480	96	ND	ND	0.25
RNA Parameters					
Nitrate	10	2	<0.090	NS	NS
Sulfate			63	NS	NS
Dissolved Oxygen			0.5	1.4	0.6
Iron			0.1	0.2	0.2

 Exceedance of NR 140 Preventive Action Limit

 Exceedance of NR 140 Enforcement Standard

Note: Only VOC compounds that were detected are listed
 ND = Not Detected
 NA = Not Analyzed

THOMAS FRAWLEY PROPERTY Groundwater Analysis

Parameter (ug/l)	ES	PAL	MW-10	
			10/27/99	2/29/00
No VOCs detected				
RNA Parameters				
Dissolved Oxygen			0.1	0.7
Iron			0.3	0.2

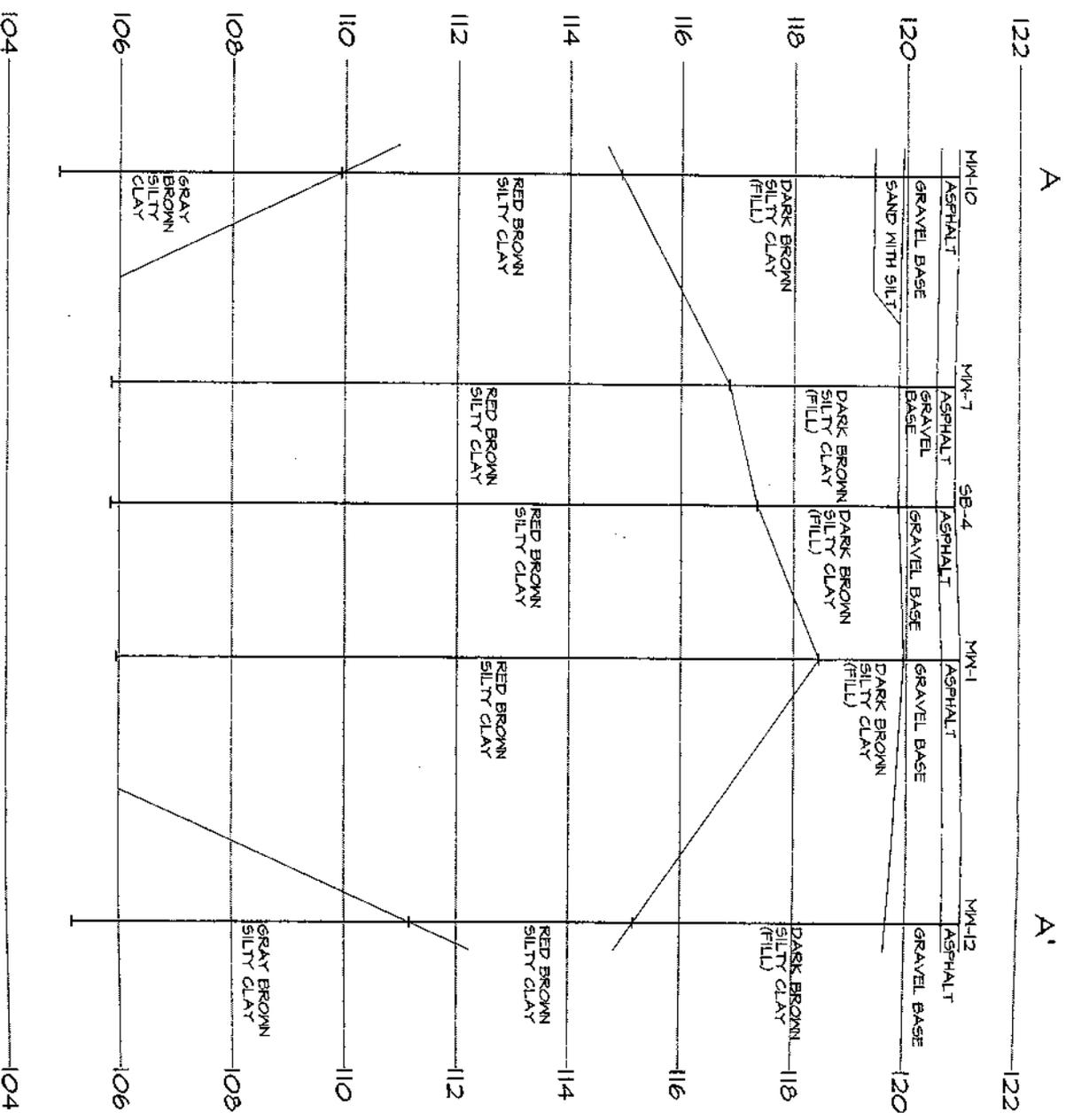
Parameter (ug/l)	ES	PAL	MW-11		
			1/26/99	10/27/99	2/29/00
No VOCs detected					
RNA Parameters					
Nitrate	10	2	<0.090	NS	NS
Sulfate			140	NS	NS
Dissolved Oxygen			0.7	0.0	0.3
Iron			0.1	0.3	0.2

Parameter (ug/l)	ES	PAL	MW-12							
			11/18/97	2/16/98	4/22/98	7/2/98	10/19/98	1/26/99	10/27/99	2/29/00
Benzene	5	0.5	<0.5	<0.5	<0.5	<0.5	<0.5	0.30	<0.27	<0.27
Dichlorodifluoromethane	1,000	200	1.54	<2.0	NA	<0.5	<2.0	<0.47	<0.47	<0.47
cis-1,2-Dichloroethene	70	7	4.09	<1.0	NA	3.82	3.79	3.8	3.7	3.1
trans-1,2-Dichloroethene	100	20	<0.5	3.02	NA	<0.5	<1.0	<0.79	<0.79	<0.79
Naphthalene	40	8	ND	ND	ND	ND	ND	0.51	<0.35	0.38
Toluene	620	124	ND	ND	ND	ND	41.4	5.1	<0.27	<0.27
Total Trimethylbenzene	480	96	ND	ND	ND	ND	ND	0.69	<0.27	0.30
Vinyl Chloride	.2	0.02	<0.5	<0.2	NA	<0.5	<2.0	<0.20	<0.20	<0.20
Total Xylene	620	124	ND	ND	ND	ND	ND	1.35	<0.43	<0.43
RNA Parameters										
Nitrate	10	2	NA	NA	NA	<0.3	<0.3	0.087	NS	NS
Sulfate			NA	NA	NA	170	50.1	170	NS	NS
Dissolved Oxygen			NA	NA	NA	0.0	0.0	0.0	0.0	0.0
Iron			NA	NA	NA	0.1	0.4	0.8	1.0	2.0

 Exceedance of NR 140 Preventive Action Limit

 Exceedance of NR 140 Enforcement Standard

Note: Only VOC compounds that were detected are listed
 ND = Not Detected
 NA = Not Analyzed



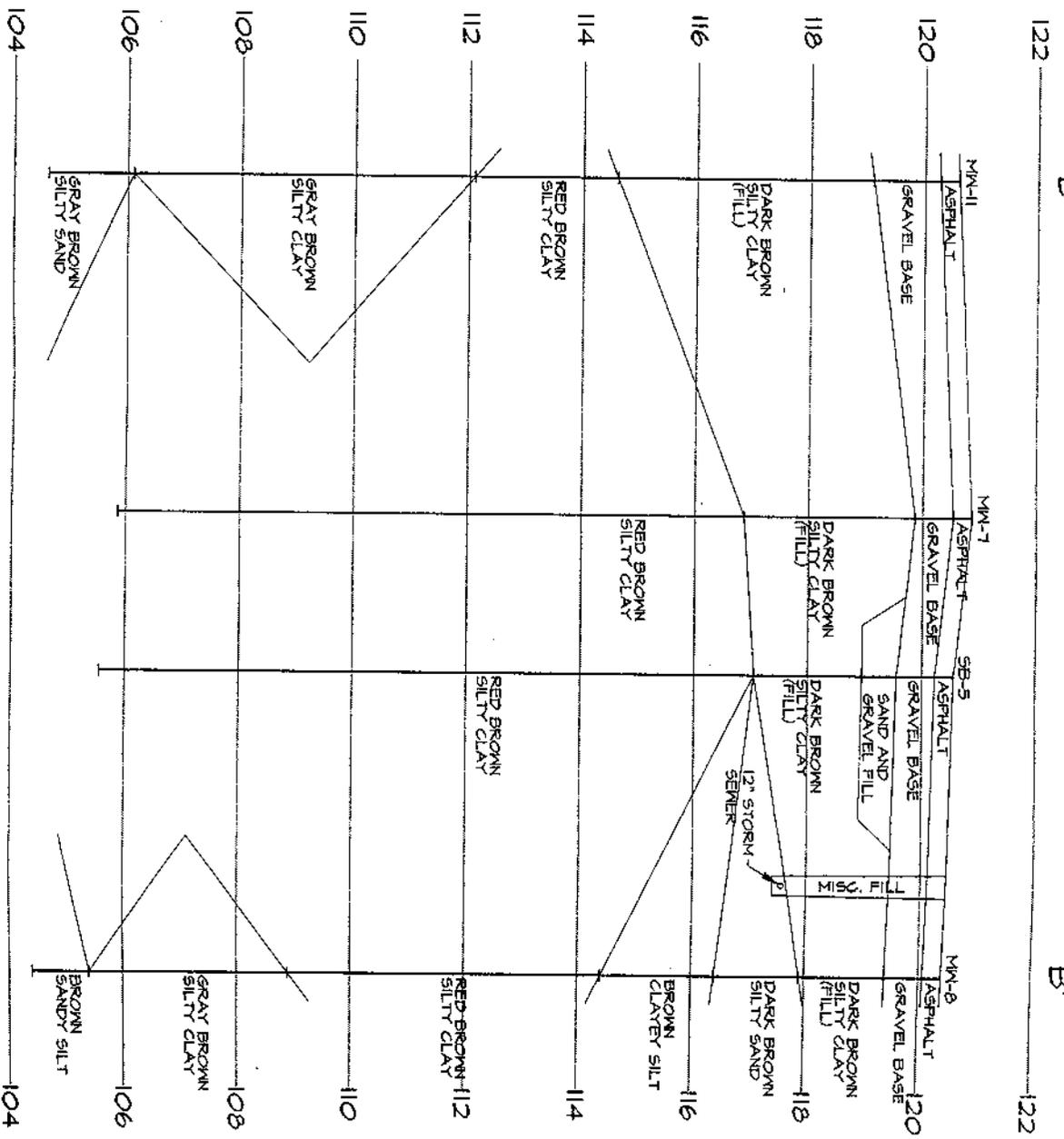
THOMAS FRAWLEY
 PROPERTY
 580 POTTS AVENUE
 GREEN BAY, WISCONSIN

CROSS SECTION
 A-A'

SCALE:
 HORIZONTAL - 1"=20'
 VERTICAL - 1"=2'

B

B'



THOMAS FRAWLEY
 PROPERTY
 580 POTTS AVENUE
 GREEN BAY, WISCONSIN

CROSS SECTION
 B-B'

SCALE:
 HORIZONTAL - 1"=20'
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