

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

This is a:	New Submittal
BRRTS ID (no dashes):	0305178601
Comm # (no dashes):	54302392095
County:	Brown
Region:	Commerce
Site name:	Hardee's Of Main St
Street Address:	1995 Main St
City:	Green Bay
Closure Date	2001-07-23
Closure Conditions:	met
Offsite contamination?	No
Right-of-way contamination?	Yes
Contaminated media:	Groundwater
GPS Coordinates (meters in the <b>WTM91</b> projection)	
Easting (X):	681095.996175992
Northing (Y):	448344.481854479
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

July 23, 2001

Mr. Thomas Purdy  
HARD KOR, LLC  
3601 Commerce Court  
Appleton, WI 54911

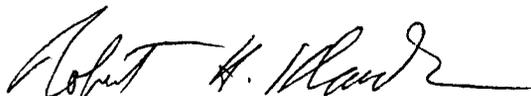
**RE: CASE CLOSURE APPROVED**  
Hardee's, 1995 Main Street, Green Bay  
Commerce # 54302-3920-95  
BRRTS # 03-05-178601

Dear Mr. Purdy:

The Wisconsin Department of Commerce (Department) Bureau of PECFA is in receipt of documentation that the conditions necessary for site closure detailed in the **CASE CLOSURE CONDITIONAL UPON RECEIPT OF DOCUMENTATION** letter dated May 13, 2001 have been met. The Department considers no further action is necessary and has updated our database to reflect this closure.

Thank you for your efforts in restoring Wisconsin's environment. If you have questions, please contact me at 920-424-0046.

Sincerely,



Robert H. Klauk, P.G.  
Hydrogeologist  
Site Review Section  
Bureau of PECFA

cc. Stuart J. Gross – Northern Environmental Technologies, Inc.

1827306

**NOTICE OF  
CONTAMINATION TO PROPERTY**

In Re: That parcel of property located in the City of Green Bay, Brown County, Wisconsin, commonly known as 1995 Main Street and legally described in the attached Exhibit A.

RECEIVED

JUL 23 2001

ERS DIVISION  
OSHKOSH

BROWN COUNTY  
REGISTER OF DEEDS  
CATHY WILLIQUETTE

2001 JUL 16 P 1:12

EVANS TITLE

14<sup>00</sup>  
3

STATE OF WISCONSIN )  
 ) ss.  
COUNTY OF OUTAGAMIE )

Return to:  
Atty Steven P. Krause  
15 Park Place, Suite 500  
Appleton, WI 54914-8250

Section 1. GNI of Wayne, L.L.C. is the owner of the above-described property.

Section 2. One or more petroleum discharges have occurred at this property. The release has been reported to the WDNR (BRRTS #03-05-178601) and the WDCOMM (ID #54302-3920-95). Gasoline Range Organics, Benzene, ethylbenzene, toluene, and total xylenes soil contamination above Wisconsin Administrative Code Chapter NR 720 residual contamination levels is present in the 30 foot sanitary and storm sewer easement crossing the property (owned by the City of Green Bay), the road right-of-way of Main Street, and on the southwest corner of this property. Furthermore, benzene, ethylbenzene, toluene, naphthalene, and trimethylbenzenes groundwater contamination exceeding Wisconsin Administrative Code NR 140 enforcement standards are present in the 30 foot wide sanitary and storm sewer easement crossing the property (owned by the City of Green Bay), the road right-of-way of Main Street, and on the southwest corner of this property. In a May 31, 2001, letter, the WDCOMM stated that "the Site has been investigated/remediated to a level protective of the environmental and human health. The Department considers the Site to meet environmental standards and no further action is necessary."

21-1328-1  
Parcel Identification Number

Section 3. 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 constructing or

reconstructing a well on this property. No well may be constructed or reconstructed on this property unless applicable requirements are met.

Petroleum-contaminated soil was encountered and removed from the property and residual petroleum-contaminated soil remains near the southwest corner of the site, the easement, and road right-of-way of Main Street. If petroleum-contaminated soil is excavated in the future, it may be considered a solid waste and will need to be disposed in accordance with all applicable laws.

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 document, this 12th day of July, 2001.

By signing this document, the undersigned acknowledges that he is duly authorized to sign this document on behalf of GNI of Wayne, L.L.C.

Signature: *Steven Murphy*  
Printed Name: Steven Murphy  
Title: Member

Signature of Steven Murphy authenticated this 13th day of July, 2001.

*Steven P. Krause*  
Steven P. Krause  
Member: State Bar of Wisconsin.

This document was drafted by Northern Environmental Technologies, Incorporated.

Drafted by: Steven P. Krause

1827306

**EXHIBIT A**

Lot Two (2) of Certified Survey Map No. 6093 as recorded in the office of the Register of Deeds for Brown County, Wisconsin, on February 25, 2000, at 12:26 P.M. in Volume 40 of Certified Survey Maps on page 183 as Document No. 1741413, being part of Lots 1 and 2, Volume 8 Certified Survey Maps, Page 147, part of Lot "A", Volume 3 Certified Survey Maps, page 245, part of Lots 9 and 10, Plat of Private Claims No's. 3, 4, 5, 6, and 7, East side of Fox River, and part of vacated St. Bernard Drive, all in the City of Green Bay, Brown County, Wisconsin.

(The property upon which the discharges occurred was, at the time of such discharges, described as follows and known as Tax Parcel No. 21-1328-1:

**PARCEL I:**

That part of Lots Nine (9) and Ten (10), according to the recorded Plat of Private Claim No's 3, 4, 5, 6 and 7, East side of Fox River, in the City of Green Bay, Brown County, Wisconsin, described as follows:

Commencing at the Northwestern corner of Lot 25 of said Plat of Private Claim No's. 3, 4, 5, 6 and 7, East side of Fox River; thence South 64°41'40" East along the Northerly line of Lots 25 and 26 of the said Plat of Private Claim No's 3, 4, 5, 6 and 7, East side of Fox River, 692.37 feet; thence North 25°08'00" East 234.50 feet to a point in the Northerly right-of-way line of East Mason Street, said point being the point of beginning; thence along the said Northerly right-of-way line on a curve concave Southerly chord South 85°51'01" West 89.62 feet, radius 264.21 feet, central angle 19°31'44", 90.05 feet to the Northeasterly right-of-way line of Main Street; thence North 32°18'00" West along the said right-of-way line 142.85 feet; thence North 25°08'00" East along the Northwestern line of the property described in Volume 962 Records page 431, Brown County Records and the extension thereof 182.04 feet to the Northeasterly line of the property described in Volume 962 Records page 431, Brown County Records; thence South 32°18'00" East along the said Northeasterly line 235.60 feet to the Southeasterly line of the property described in Volume 962 Records page 431, Brown County Records; thence South 25°08'00" West along the said Southeasterly line 88.27 feet to the point of beginning.

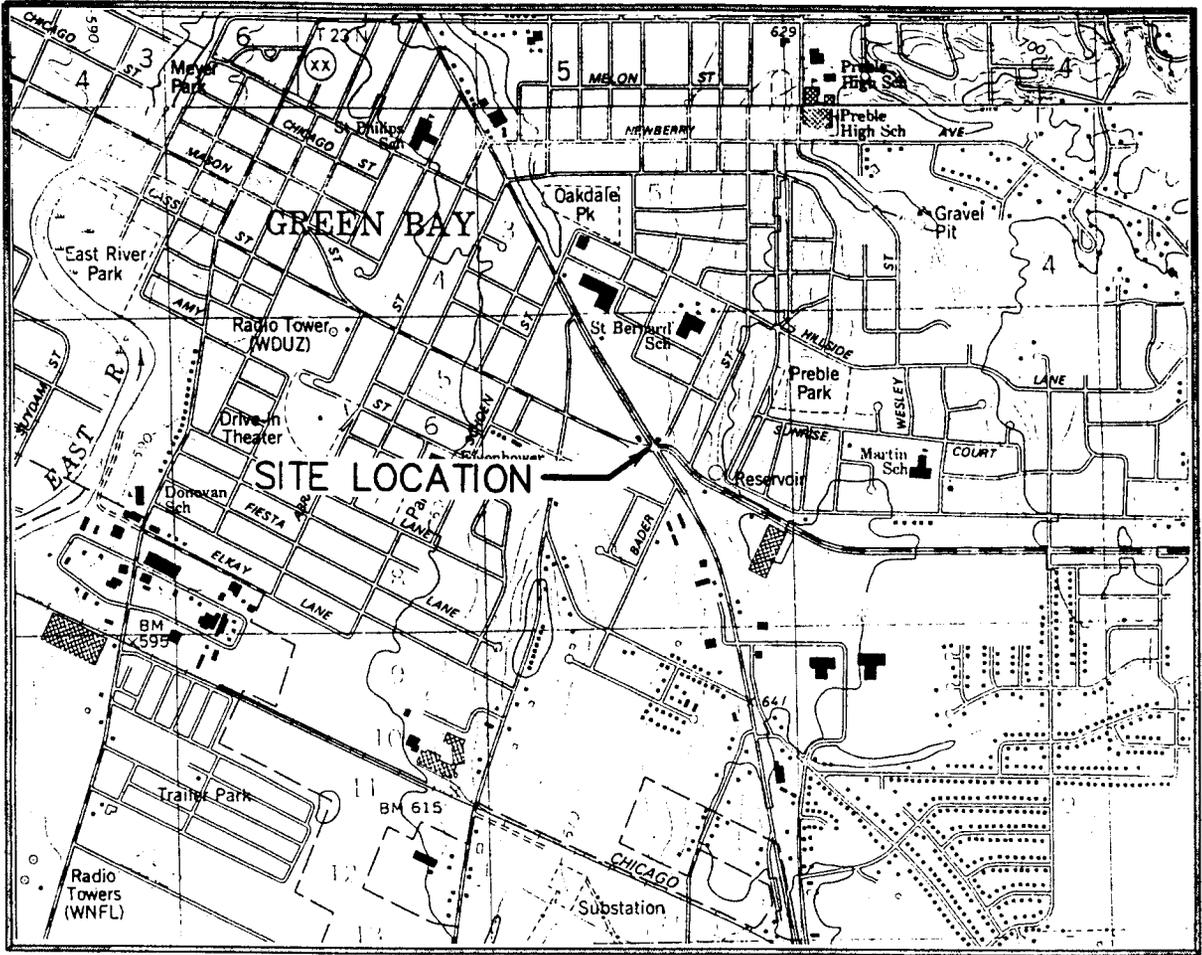
Together with an Easement for Ingress and Egress recorded in Jacket 26106 Records Image 39, as Document No. 1481070, and amended by Amended and Restated Easement dated January 31, 1997 and recorded February 11, 1997, as Document No. 1538198.

**PARCEL II:**

*map # 808*  
That part of Lot A, Volume 3 Certified Survey Maps, page 245, said map being part of Lot Nine (9), according to the recorded Plat of Private Claim No's. 3, 4, 5, 6 and 7, East side of Fox River; part of Lot Ten (10), according to the recorded Plat of Private Claim No's. 3, 4, 5, 6 and 7, East side of Fox River; and part of vacated St. Bernard Drive, in the City of Green Bay, Brown County, Wisconsin, described as follows:

Commencing at the Southwest corner of Lot 1, Volume 8 Certified Survey Maps, page 147, Brown County Records; thence North 25°08'00" East 88.27 feet along the West line of said Lot 1, to the point of beginning; thence North 32°18'00" West, 235.60 feet to a Southeast corner of Lot A, Volume 3 Certified Survey Maps, page 245, Brown County Records; thence North 25°08'00" East, 47.86 feet; thence South 32°03'55" East, 236.22 feet to the West line of said Lot 1, Volume 8 Certified Survey Maps, page 147, Brown County Records; thence South 25°08'00" West, 46.71 feet along said West line to the point of beginning.

Such property is now incorporated within the above described Lot 2 of CSM 6093.)



SCALE IN FEET

1" = 2000'



CONTOUR INTERVAL 10 FEET  
NATIONAL GEODETIC VERTICAL DATUM OF 1929



BASE MAP SOURCE: USGS BELLEVUE AND GREEN BAY EAST, WISCONSIN 7.5 MINUTE TOPOGRAPHIC MAP

QUADRANGLE LOCATION

DRAWN BY: DAM PROJECT: HAR830223 DATE: 1/21/98

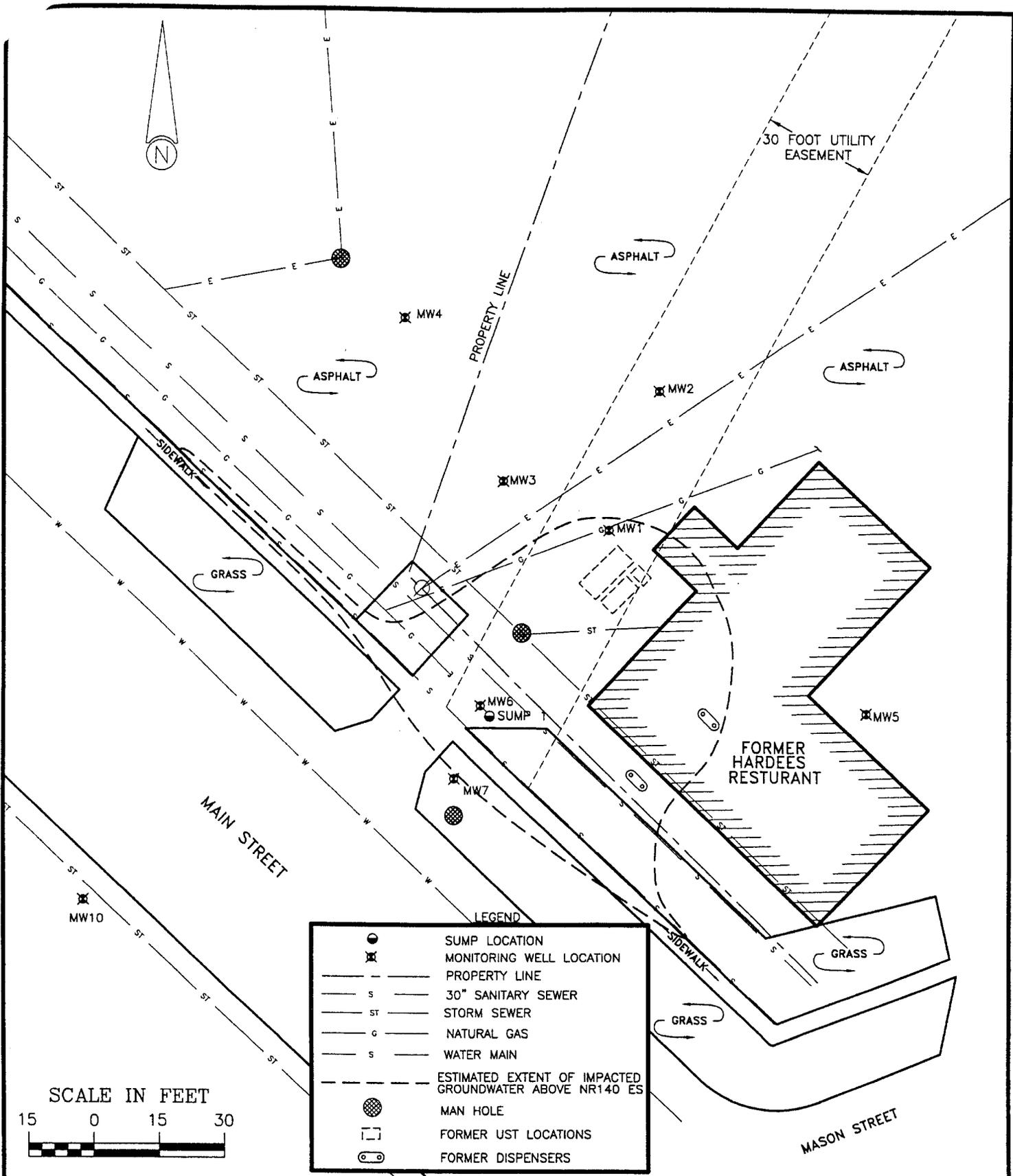
REV. DATE

THIS DRAWING AND ALL INFORMATION CONTAINED THEREON IS THE PROPERTY OF NORTHERN ENVIRONMENTAL INCORPORATED AND SHALL NOT BE COPIED OR USED EXCEPT FOR THE PURPOSE FOR WHICH IT IS EXPRESSLY FURNISHED.

FIGURE 1  
SITE LOCATION AND LOCAL TOPOGRAPHY  
HARDEE'S RESTAURANT  
1995 MAIN STREET, GREEN BAY

 Northern Environmental<sup>SM</sup>  
Hydrologists • Engineers • Geologists

FOR: HARD-KOR, LLC



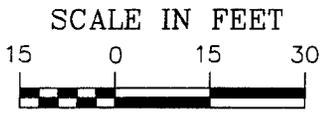
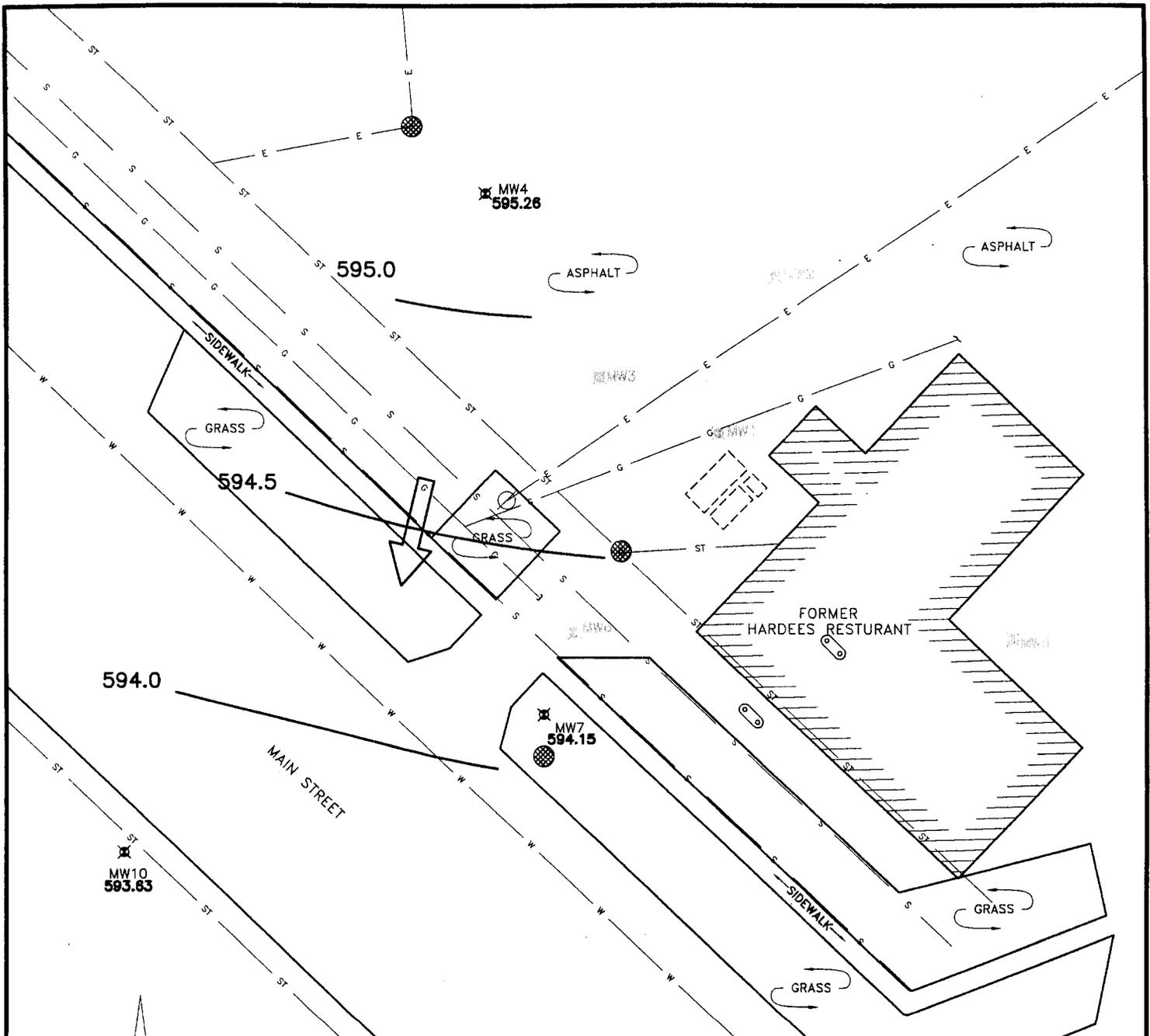
DRAWN BY: KTK PROJECT: HAR08-1408-0223 DATE: 07/16/99

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FIGURE 1  
ESTIMATED EXTENT OF IMPACTED GROUNDWATER  
FORMER HARDEE'S RESTAURANT  
1995 MAIN STREET GREEN BAY, WISCONSIN

**Northern Environmental** SM  
Hydrologists • Engineers • Geologists

FOR: HARD-KOR, LLC



**LEGEND**

	MONITORING WELL LOCATION WITH GROUNDWATER ELEVATION		FORMER DISPENSERS
	ABANDON MONITORING WELL		GROUNDWATER ELEVATION CONTOUR - CONTOUR INTERVAL = 0.5 FEET
	30" SANITARY SEWER		GROUNDWATER FLOW DIRECTION
	STORM SEWER		
	NATURAL GAS		
	WATER MAIN		
	MAN HOLE		
	FORMER UST LOCATIONS		

NOTE: 1. ALL ELEVATIONS REFERENCED TO FEET ABOVE MEAN SEA LEVEL (MSL)  
 2. MEAN SEA LEVEL REFERENCED TO FIRE HYDRANT LOCATED NORTHEAST OF THE SITE ON ST. BERNARD, DRIVE

DRAWN BY: DAM PROJECT: HAR08-1408-0223 DATE: 05/03/01

REV. DATE THIS DRAWING AND ALL INFORMATION CONTAINED THEREON IS THE PROPERTY OF NORTHERN ENVIRONMENTAL INCORPORATED AND SHALL NOT BE COPIED OR USED EXCEPT FOR THE PURPOSE FOR WHICH IT IS EXPRESSLY FURNISHED.

**FIGURE 1**  
 GROUNDWATER ELEVATION AND FLOW DIRECTION  
 MARCH 27, 2001  
 HARDEE'S RESTAURANT  
 1995 MAIN STREET GREEN BAY, WISCONSIN

**Northern Environmental**  
 Hydrologists • Engineers • Geologists

FOR: HARD-KOR, LLC

Table 1: Historical Ground-Water Quality Results, Former Hardee's Restaurant, Main Street, Green Bay, Wisconsin

Well ID	Date Sampled	Lead	Benzene	n-Butylbenzene	sec-Butylbenzene	Ethylbenzene	Isopropylbenzene	Naphthalene	n-Propylbenzene	Toluene	Total Trimethylbenzene	Xylenes
Wis. Adm. Code Chapter NR 140 PAL	Wis. Adm. Code Chapter NR 140 ES	2	1	NE	NE	140	NE	8	NE	200	95	1000
		15	5	NE	NE	700	NE	40	NE	1000	480	10000
MW1	01/27/98	5	400	81	9.5	1800	36	74	150	24000	1470	11800
	05/05/98		310			2000				16000	1800	13000
	03/17/99		15			81				280	90	470
	07/14/99		410			2900		270	1800	19000	1830	15000
	11/03/99		460			2200		110 J	24000	24000	1580	13000
MW2	01/27/98		< 0.21	21	< 0.6	< 0.68	< 0.38	< 1	< 0.4	< 1.5	3.1	1.5
	05/05/98		< 0.32			< 0.34				< 0.35	< 0.64	< 1
	03/17/99		< 0.32			< 0.34		< 0.88		< 0.35	< 0.64	< 1
	07/14/99		< 0.32			< 0.34		< 0.88		< 0.35	< 0.64	< 1
MW3	01/27/98		< 0.21	22	< 0.6	2.5	0.42	1.1 J	1.4	< 1.5	11.8	2.1
	05/05/98		0.51 J			5.9				0.5 J	11.5	5.4
	03/17/99		< 0.32			13		2.9		< 0.35	158	10
	07/14/99		< 0.32			35		10		< 0.35	340	13
	11/03/99		0.51 J			25		8.8		< 0.35	75	3.1 J
MW4	01/27/98		< 0.21	0.49	< 0.6	< 0.68	< 0.38	< 1	< 0.4	< 1.5	< 1	< 1.78
	05/05/98		< 0.32			< 0.34				< 0.35	< 0.64	< 1
	03/17/99		< 0.32			< 0.34		< 0.88		< 0.35	< 0.64	< 1
	07/14/99		< 0.32			< 0.34		< 0.88		0.5 J	< 0.64	< 1
	11/03/99		< 0.40			< 0.40		< 1.0		1	< 0.40	< 0.70
MW5	01/27/98		< 0.21	0.62	< 0.6	< 0.68	< 0.38	< 1	< 0.4	< 1.5	1	< 1.78
	05/05/98		< 0.32			< 0.34				< 0.35	< 0.64	< 1
	03/17/99		< 0.32			< 0.34		< 0.88		< 0.35	< 0.64	< 1
	07/14/99		< 0.32			< 0.34		< 0.88		< 0.35	< 0.64	< 1
MW6	01/27/98	10000	10000	220	< 30	2600	86	310	300	1500	2900	12000
	05/05/98	3400	3400			1200				2400	960	5700
	03/17/99	3000	3000			800		48 J	48 J	180	770	3300
	07/14/99	3400	3400			1200		91 J	91 J	200	960	4300
	11/03/99	4500	4500			1400		110 J	110 J	330	1210	5300
MW7	05/05/98		< 0.32	0.09 J	< 0.34	3.1	< 0.36	< 0.88	0.67 J	< 0.35	3.6	8.3
	03/17/99		< 0.32			< 0.34		< 0.88		0.41 J	< 0.64	< 1
	07/14/99		< 0.32			< 0.34		< 0.88		0.5 J	< 0.64	< 1
	11/03/99		5			2.0		< 0.88		1 J	6.8	1 J
	03/27/01		1.8			2.0		< 1.0		3.4	1.1	0.83
MW10	05/05/98		< 0.32	< 0.23	< 0.34	< 0.34	< 0.34	< 0.88	< 0.3	< 0.35	< 0.64	< 0.98
	03/17/99		< 0.32			0.35 J		< 0.88		< 0.35	1.6	< 1
	07/14/99		< 0.32			< 0.34		< 0.88		< 0.35	< 0.64	< 1
	03/27/01		< 0.40			< 0.40		< 1.0		0.74	< 0.40	< 0.70
SUMP-1	05/10/00		210	210		1800	1800	340	340	2800	2830	9400

Note  
 VOCs = Volatile Organic Compounds  
 ug/l = micrograms per liter  
 < L = not detected above laboratory detection limit  
 - = not analyzed  
 J = Analyte detected between Limit of Detection and Limit of Quantitation  
 PAL = Residential Site Specific Action Limit  
 ES = Environmental Site Specific Action Limit  
 NE = Not Established  
 NE = Not Established in Wisconsin Administrative Code

11800  
13000  
15000  
13000

12000

**Table 2: Historical Ground-Water Elevations, Hardees of Main Street, Green Bay, Wisconsin**

Well Number	Date	Ground Elevation	Riser Elevation	Depth to Water (feet below riser)	Depth to Water (feet below grade)	Water Table Elevation
MW1	01/28/98	605.25	604.99	9.43	9.69	595.56
	01/29/98			9.43	9.69	595.56
	02/04/98			9.37	9.63	595.62
	05/08/98			7.36	7.62	597.63
	03/17/99			8.86	9.12	596.13
	07/14/99			8.63	8.89	596.36
	11/03/99			9.77	10.03	595.22
MW2	01/28/98	605.62	605.34	9.27	9.55	596.07
	01/29/98			9.28	9.56	596.06
	02/04/98			9.25	9.53	596.09
	05/08/98			7.17	7.45	598.17
	03/17/99			8.66	8.94	596.68
	07/14/99			8.53	8.81	596.81
	11/03/99			9.64	9.92	595.70
MW3	01/28/98	605.13	604.81	9.40	9.72	595.41
	01/29/98			9.41	9.73	595.40
	02/04/98			9.33	9.65	595.48
	05/08/98			7.38	7.70	597.43
	03/17/99			8.93	9.25	595.88
	07/14/99			8.68	9.00	596.13
	11/03/99			9.84	10.16	594.97
MW4	01/28/98	602.91	602.56	7.08	7.43	595.48
	01/29/98			7.07	7.42	595.49
	02/04/98			6.91	7.26	595.65
	05/08/98			5.00	5.35	597.56
	03/17/99			6.33	6.68	596.23
	07/14/99			6.54	6.89	596.02
	11/03/99			7.38	7.73	595.18
MW5	01/28/98	606.07	605.89	9.70	9.88	596.19
	01/29/98			9.68	9.86	596.21
	02/04/98			9.67	9.85	596.04
	05/08/98			7.76	7.94	598.31
	03/17/99			9.44	9.62	596.45
	07/14/99			9.31	9.49	596.58
	11/03/99			10.29	10.47	595.60
MW6	01/28/98	605.06	604.79	10.15	10.42	594.64
	01/29/98			10.13	10.40	594.66
	02/04/98			10.05	10.32	594.47
	05/08/98			8.45	8.72	596.34
	03/17/99			9.96	10.23	594.83
	07/14/99			9.67	9.94	595.12
	11/03/99			10.63	10.90	594.16
MW7	05/08/98	604.86	604.61	8.46	8.71	596.15
	03/17/99			9.96	10.21	594.65
	07/14/99			9.74	9.99	594.87
	11/03/99			10.67	10.92	593.94
	03/27/01			10.46	10.71	594.15
MW10	05/08/98	604.41	604.04	9.46	9.83	594.58
	03/17/99			10.29	10.66	593.75
	07/14/99			10.03	10.40	594.01
	11/03/99			10.40	10.77	593.64
	03/27/01			10.41	10.78	593.63

**NOTES:**

All Elevations are referenced to an estimated feet above mean sea level

Local benchmark is top nut of fire hydrant located northwest of property