

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

Oshkosh Service Center
625 E. County Rd Y, Suite 700
Oshkosh, Wisconsin 54901-9731
Telephone 920-424-3050
FAX 920-424-4404

December 7, 2000

Mr. Tom Reinsch
Condon Total Comfort
P.O. Box 184
Ripon, WI. 54971

SUBJECT: Final LUST Case Closure, Condon Total Comfort, 11 Blackburn Street, Ripon, WI
BRRTS # 03-20-000486

Dear Mr. Reinsch:

We have received the monitoring well abandonment forms for MW-1 and MW-3 and the groundwater us
restriction as required in the September 16, 1999 conditional closure letter. The completion of these two
requirements allows us to give final closure for the leaky underground storage tank (LUST) portion of this
site.

However, due to the presence of chlorinated compounds in the groundwater, monitoring wells 2, 4 and 4a
will need to remain open and maintained for further investigation for a period of 5 years. A second
responsible party letter was issued on August 17, 1998. A site number has been issued for this
investigation in our BRRTS tracking system (# 02-20-194726).

Thank you for your efforts to protect human health. If you have any questions regarding this letter, please
contact me at (920) 303-5447.

Sincerely,

Jennie Pelczar (handwritten signature)

Jennie Pelczar
Hydrogeologist
Remediation and Redevelopment Program

cc: Todd Grunwald -- Miller Engineers and Scientists
NER file



DOCUMENT NO.

487122

WARRANTY DEED  
STATE BAR OF WISCONSIN FORM 2 — 1982

THIS SPACE RESERVED FOR RECORDING DATA

RECORDED

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JAN 8 1 14 PM '91

*Mary C. Brickle*  
REGISTER OF DEEDS  
FOND DU LAC COUNTY, WI

B. KENT BAUMAN

conveys and warrants to CONDON TOTAL COMFORT, INC.

RETURN TO *Dempsey LAW FIRM*  
*PO Box 886*  
*OSHKOSH, WI*  
*Atty. Tim Dempsey 54902*

the following described real estate in Fond du Lac County,  
State of Wisconsin:

Tax Parcel No: .....

Those parts of Lot 2 and 3 in Block 1 of the Village (now City) of Ripon, County of Fond du Lac, Wisconsin, bounded and described as follows, to wit: Beginning at the Southwest corner of said Block 1; thence North along the West line of said Block 1, said line being also the East line of Blackburn Street, a distance of 90 feet; thence Southeasterly to a point in the South line of said Block 1; said line being also the North line of Jackson Street; distant 90 feet East from the Southwest corner of said Block 1; thence West along the South line of said Block 1, a distance of 90 feet to the point of beginning, containing 4050 square feet, more or less, being in the South East 1/4 of the North West 1/4 of Section 21-16-14.

TRANSFER  
\$ 105<sup>00</sup>  
FEE

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

Exception to warranties: restrictions and easements of record, municipal and zoning ordinances, current taxes and assessments not yet made.

Dated this 20<sup>th</sup> day of NOV, 1990

(SEAL)

*B. Kent Bauman*

(SEAL)

B. Kent Bauman

(SEAL)

(SEAL)

AUTHENTICATION

ACKNOWLEDGMENT

Signature(s) B. Kent Bauman

STATE OF WISCONSIN

Authenticated this 20<sup>th</sup> day of NOV, 1990

Timothy M. Dempsey  
TITLE: MEMBER STATE BAR OF WISCONSIN  
(If not, \_\_\_\_\_  
authorized by § 706.08, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY  
Attorney Timothy M. Dempsey  
1 Pearl Ave., Oshkosh, WI 54902  
(414) 235-7300  
(Signatures may be authenticated or acknowledged. Both  
are not necessary.)

County. } ss.  
Personally came before me this \_\_\_\_\_ day of  
\_\_\_\_\_, 19\_\_\_\_ the above named  
\_\_\_\_\_  
\_\_\_\_\_  
to me known to be the person \_\_\_\_\_ who executed the  
foregoing instrument and acknowledge the same.

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.



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 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 prohibitions or requirements are applicable and to obtain Department approval, 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.

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 and 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 the restrictions set forth in this covenant are no longer required. Upon 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, with a copy of the Department's written determination can be recorded to give notice that this groundwater use restriction or portions of this groundwater use restriction are no longer binding.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 22<sup>ND</sup> day of ~~SEPTEMBER~~ SEPTEMBER 1999.

By signing this document, B. KENT BAUMAN acknowledges that [he/she] is duly authorized to sign this document on behalf of Condon Total Comfort, Inc.

Signature: B. Kent Bauman

Printed Name: B. KENT BAUMAN

Title: CORP. SEC

Subscribed and sworn to before me

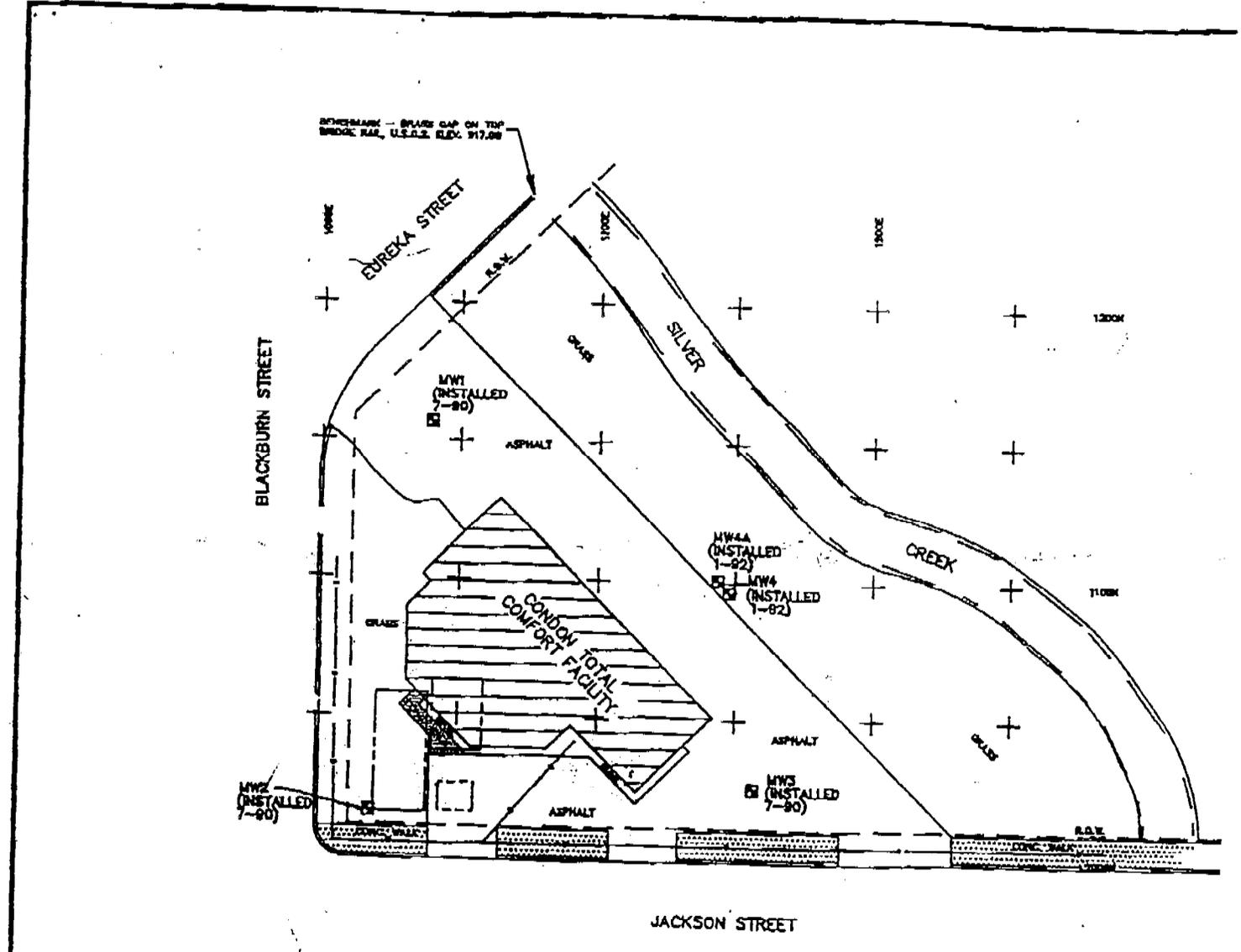
this 22 day of September, 1999.

Christy L. Bennett

Notary Public, State of Wisconsin

My commission 5-19-02

This document was drafted by the Wisconsin Department of Natural Resources



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MAY 29, 1997		
MONITORING POINT	GROUND WATER ELEVATION	BENZENE CONCENTRATION ug/l
MW1	903.36	<0.41
MW2	906.83	<0.41
MW3	903.31	30
MW4	902.81	58
MW4A	886.45	<0.41
MW11	901.81	<0.41

BENCHMARK - BRASS CAP ON TOP  
BRIDGE RAIL, U.S.C.S. ELEV 917.06

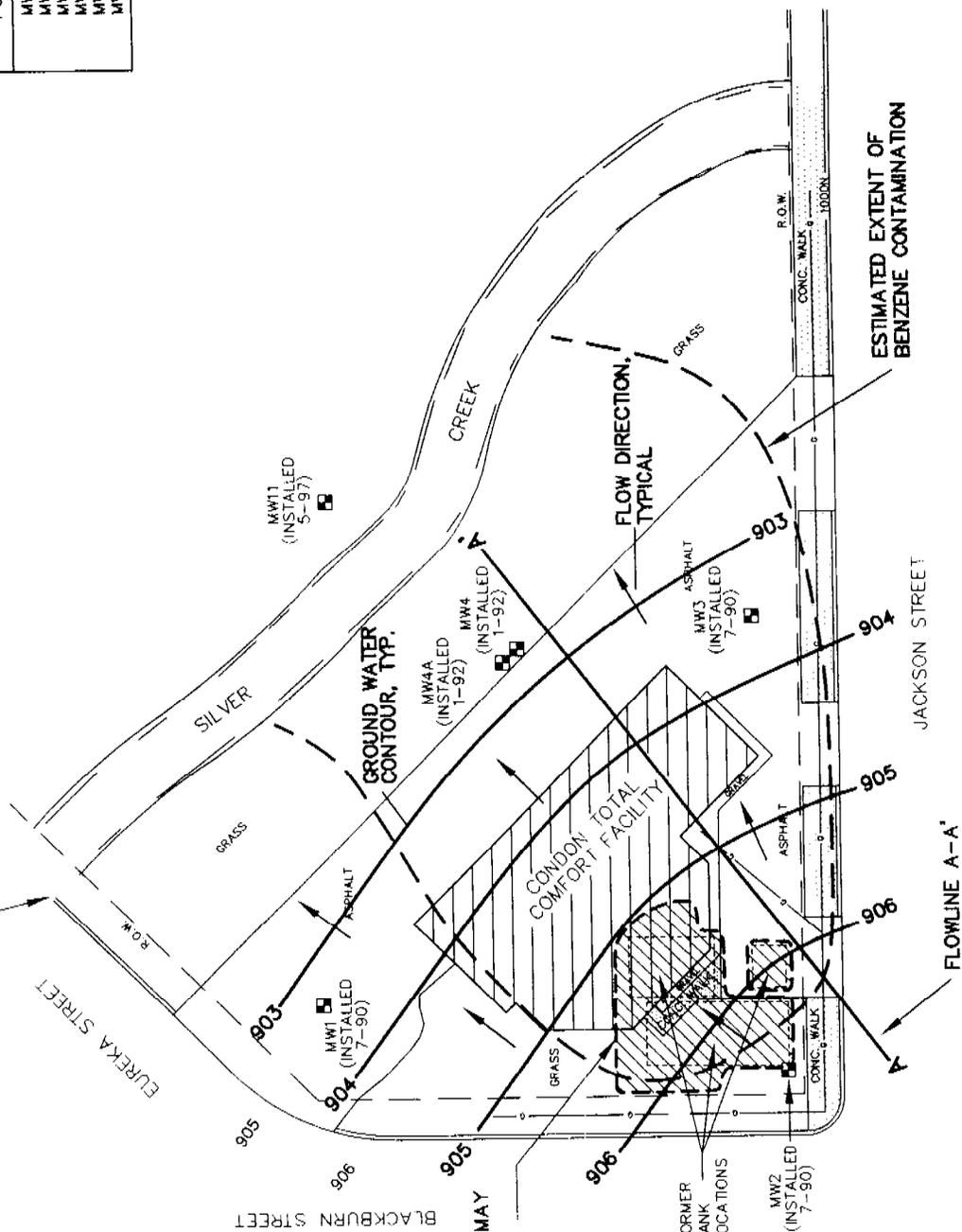


FIGURE 1 - ESTIMATED GROUND WATER CONTOUR PLAN (5-29-97)

**MILLER ENGINEERS**

5308 South Twelfth Street  
Shaboygan, Wisconsin, 53081  
414-458-6164

CONDON COMPANIES  
TOTAL COMFORT FACILITY  
RIPON, WISCONSIN

SCALE	DATE	BY	SHEET
1" = 40'	9-19-97	SAB	F-1
NO.	JOB	CR.	OF
1089.3EBB	TWC		

TABLE 1

*Historic Ground Water Analytic Test Results (µg/L)*

Condon Oil Company  
 Condon Total Comfort  
 Project # 10893E

## MW1

ES/PAL Date	<u>Benzene</u>	Ethyl- <u>benzene</u>	<u>Toluene</u>	Total <u>Xylenes</u>	Tetrachloro- <u>ethene (PCE)</u>	Trichloro- <u>ethene (TCE)</u>	<u>GRO</u>	<u>DRO</u>
	5/0.5	700/140	343/68.6	620/124	5/0.5	5/0.5	NA/NA	NA/NA
16-Jul-90	ND	ND	ND	ND	ND	ND	--	--
06-Jan-92	ND	ND	ND	ND	ND	ND	ND	ND
13-Mar-92	ND	ND	ND	ND	--	--	--	--
23-Jun-92	2.2	1.9	ND	12	--	--	--	--
10-Sep-92	ND	ND	ND	ND	--	--	--	--
09-Dec-92	ND	ND	ND	ND	--	--	--	--
25-Mar-93	ND	ND	ND	ND	--	--	--	--
27-Sep-93	ND	ND	ND	ND	--	--	--	--
22-Dec-93	ND	ND	ND	ND	--	--	--	--
22-Mar-94	ND	ND	ND	ND	--	--	--	--
20-Jun-94	ND	ND	ND	ND	--	--	--	--
19-Sep-94	ND	ND	ND	ND	--	--	--	--
26-Jan-95	ND	ND	ND	ND	--	--	--	--
19-Apr-95	ND	ND	ND	ND	--	--	--	--
31-Oct-95	ND	ND	ND	ND	--	--	--	--
18-Mar-96	ND	ND	ND	ND	--	--	--	--
29-May-97	<0.41	<0.23	0.37	<0.79	--	--	--	--

## MW2

ES/PAL Date	<u>Benzene</u>	Ethyl- <u>benzene</u>	<u>Toluene</u>	Total <u>Xylenes</u>	Tetrachloro- <u>ethene (PCE)</u>	Trichloro- <u>ethene (TCE)</u>	<u>GRO</u>	<u>DRO</u>
	5/0.5	700/140	343/68.6	620/124	5/0.5	5/0.5	NA/NA	NA/NA
16-Jul-90	21	57	8.1	151	ND	ND	--	--
06-Jan-92	ND	ND	ND	ND	28	24	200	ND
13-Mar-92	ND	ND	ND	ND	4.4	ND	100	100
23-Jun-92	12	75	2.9	56.6	18	20	950	490
10-Sep-92	2.8	40	ND	22	4.4	3.9	990	400
09-Dec-92	1.2	3.4	ND	ND	26	2.9	130	110
25-Mar-93	ND	ND	ND	ND	14	2.8	230	ND
27-Sep-93	14	347	ND	143	14D	ND	3750	1290
22-Dec-93	6.7	82	1.0	16.4	2.9	7.7	839	964
22-Mar-94	2.6	19	ND	3.7	13	4.8	497	--
20-Jun-94	2.5	23	0.9	4.9	1.5	2.7	1140	388
19-Sep-94	ND	4.0	ND	ND	23	2.0	1700	320
26-Jan-95	0.49	1.1	ND	ND	1.3	1.3	--	--
19-Apr-95	3.5	82	2.4	36	9.3	18	--	--
31-Oct-95	0.41	8.1	0.69	1.3	14	3.8	--	--
18-Mar-96	1.1	12	ND	1.4	13	3.9	--	--
29-May-97	<0.41	2.7	<0.28	<0.51	17	1.9	--	--

**TABLE 1: Historic Ground Water Analytic Test Results (µg/L) (Continued)**

**MW3**

ES/PAL Date	<u>Benzene</u>	<u>Ethyl- benzene</u>	<u>Toluene</u>	<u>Total Xylenes</u>	<u>Tetrachloro- ethene (PCE)</u>	<u>Trichloro- ethene (TCE)</u>	<u>GRO</u>	<u>DRO</u>
	5/0.5	700/140	343/68.6	620/124	5/0.5	5/0.5	NA/NA	NA/NA
16-Jul-90	89	96	13	125.1	ND	ND	--	--
06-Jan-92	120	200	ND	ND	ND	ND	4300	700
13-Mar-92	28	57	12	ND	ND	ND	2200	200
23-Jun-92	158	468	12	31	ND	ND	2210	230
10-Sep-92	58	118	ND	9.2	ND	ND	3500	3500
09-Dec-92	66	72	5.7	2.7	ND	1.6	350	1500
25-Mar-93	84	130	11	7.0	ND	ND	3300	500
27-Sep-93	38	26	1.7D	ND	ND	ND	1350	136
22-Dec-93	44	6.5	2.9	ND	ND	1.6	511	276
22-Mar-94	59	20	4.9	ND	ND	2.7	1340	--
20-Jun-94	42	2.2	4.8	ND	ND	2.0	--	--
19-Sep-94	33	4.0	ND	ND	ND	1.2	--	--
26-Jan-95	140	8.0	5.0	ND	ND	3.3	--	--
19-Apr-95	2.6	0.38	0.25	ND	ND	ND	--	--
31-Oct-95	ND	0.29	ND	ND	ND	ND	--	--
18-Mar-96	79	9.2	1.7	2	ND	3	--	--
29-May-97	30	31	1.4	5.7	<0.27	4.2	--	--

**MW4**

ES/PAL Date	<u>Benzene</u>	<u>Ethyl- benzene</u>	<u>Toluene</u>	<u>Total Xylenes</u>	<u>Tetrachloro- ethene (PCE)</u>	<u>Trichloro- ethene (TCE)</u>	<u>GRO</u>	<u>DRO</u>
	5/0.5	700/140	343/68.6	620/124	5/0.5	5/0.5	NA/NA	NA/NA
21-Feb-92	ND	ND	ND	ND	8.1	ND	ND	ND
13-Mar-92	63	37	20	81	4.3	ND	2800	200
23-Jun-92	130	136	4.6	113.9	19	ND	ND	ND
10-Sep-92	85		4.4	53.2	6.2	ND	1100	ND
09-Dec-92	110	47	2.9	12.0	13.0	2.1	290	110
25-Mar-93	1.8	ND	ND	ND	ND	ND	ND	ND
27-Sep-93	7.7	ND	ND	ND	ND	ND	--	--
22-Dec-93	48	6.5	1.6	2.7	17	5.5	--	--
22-Mar-94	56	3.4	1.1	ND	14	2.7	--	--
20-Jun-94	32	2.2	ND	ND	8.9	3.6	--	--
19-Sep-94	0.9	ND	ND	ND	ND	ND	--	--
26-Jan-95	1.6	ND	0.19	ND	2.1	0.80	--	--
19-Apr-95	ND	ND	ND	ND	ND	ND	--	--
31-Oct-95	ND	0.24	ND	ND	14	1.6	--	--
18-Mar-96	ND	ND	ND	ND	ND	ND	--	--
29-May-97	58	4.7	1.9	2.82	0.44	2.3	--	--

**TABLE 1: Historic Ground Water Analytic Test Results (µg/L) (Continued)**

**MW4A**

ES/PAL Date	<u>Benzene</u>	<u>Ethyl- benzene</u>	<u>Toluene</u>	<u>Total Xylenes</u>	<u>Tetrachloro- ethene (PCE)</u>	<u>Trichloro- ethene (TCE)</u>	<u>GRO</u>	<u>DRO</u>
	5/0.5	700/140	343/68.6	620/124	5/0.5	5/0.5	NA/NA	NA/NA
21-Feb-92	ND	ND	ND	ND	37	ND	ND	ND
13-Mar-92	ND	ND	ND	ND	ND	ND	100	100
23-Jun-92 *	129	111	5.5	98.7	4.7	ND	890	ND
10-Sep-92	ND	ND	ND	ND	13	ND	ND	ND
09-Dec-92	ND	ND	ND	ND	22	ND	ND	ND
25-Mar-93	ND	ND	ND	ND	18	ND	ND	ND
27-Sep-93	ND	ND	ND	ND	20	ND	--	--
22-Dec-93	ND	ND	ND	ND	20	1.5	--	--
22-Mar-94	ND	ND	ND	ND	14	0.7	--	--
20-Jun-94	ND	ND	ND	ND	17	1.1	--	--
19-Sep-94	ND	ND	ND	ND	20	1.4	--	--
26-Jan-95	ND	ND	ND	ND	ND	1.4	--	--
19-Apr-95	ND	ND	ND	ND	11	0.94	--	--
31-Oct-95	0.47	0.55	0.65	ND	1.2	7.3	--	--
18-Mar-96	ND	ND	ND	ND	14	1.1	--	--
29-May-97	<0.41	<0.23	<0.28	<0.79	27	2.2	--	--

ND = Not Detected

< = Below Level of Detection

-- = Not Tested

\* The MW4A sample results for June 23, 1992 appear to be in error, based on laboratory information, and should be discounted.

ES = NR 140 Enforcement Standard

PAL = NR 140 Preventive Action Limit