

GIS REGISTRY

Cover Sheet

March, 2010
(RR 5367)

Source Property Information

BRRTS #:

ACTIVITY NAME:

PROPERTY ADDRESS:

MUNICIPALITY:

PARCEL ID #:

CLOSURE DATE:

FID #:

DATCP #:

COMM #:

*WTM COORDINATES:

X: Y:

** Coordinates are in
WTM83, NAD83 (1991)*

WTM COORDINATES REPRESENT:

Approximate Center Of Contaminant Source

Approximate Source Parcel Center

Please check as appropriate: (BRRTS Action Code)

Contaminated Media:

Groundwater Contamination > ES (236)

Contamination in ROW

Off-Source Contamination

*(note: for list of off-source properties
see "Impacted Off-Source Property" form)*

Soil Contamination > *RCL or **SSRCL (232)

Contamination in ROW

Off-Source Contamination

*(note: for list of off-source properties
see "Impacted Off-Source Property" form)*

Land Use Controls:

N/A (Not Applicable)

Soil: maintain industrial zoning (220)

*(note: soil contamination concentrations
between non-industrial and industrial levels)*

Structural Impediment (224)

Site Specific Condition (228)

Cover or Barrier (222)

*(note: maintenance plan for
groundwater or direct contact)*

Vapor Mitigation (226)

Maintain Liability Exemption (230)

*(note: local government unit or economic
development corporation was directed to
take a response action)*

Monitoring Wells:

Are all monitoring wells properly abandoned per NR 141? (234)

Yes No N/A

** Residual Contaminant Level*

***Site Specific Residual Contaminant Level*

This Adobe Fillable form is intended to provide a list of information that is required for evaluation for case closure. It is to be used in conjunction with Form 4400-202, Case Closure Request. The closure of a case means that the Department has determined that no further response is required at that time based on the information that has been submitted to the Department.

NOTICE: Completion of this form is mandatory for applications for case closure pursuant to ch. 292, Wis. Stats. and ch. NR 726, Wis. Adm. Code, including cases closed under ch. NR 746 and ch. NR 726. The Department will not consider, or act upon your application, unless all applicable sections are completed on this form and the closure fee and any other applicable fees, required under ch. NR 749, Wis. Adm. Code, Table 1 are included. It is not the Department's intention to use any personally identifiable information from this form for any purpose other than reviewing closure requests and determining the need for additional response action. The Department may provide this information to requesters as required by Wisconsin's Open Records law [ss. 19.31 - 19.39, Wis. Stats.].

BRRTS #: PARCEL ID #:
ACTIVITY NAME: WTM COORDINATES: X: Y:

CLOSURE DOCUMENTS (the Department adds these items to the final GIS packet for posting on the Registry)

- Closure Letter**
- Maintenance Plan** (if activity is closed with a land use limitation or condition (land use control) under s. 292.12, Wis. Stats.)
- Continuing Obligation Cover Letter** (for property owners affected by residual contamination and/or continuing obligations)
- Conditional Closure Letter**
- Certificate of Completion (COC)** (for VPLE sites)

SOURCE LEGAL DOCUMENTS

- Deed:** The most recent deed as well as legal descriptions, for the **Source Property** (where the contamination originated). Deeds for other, off-source (off-site) properties are located in the **Notification** section.
Note: If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.
- Certified Survey Map:** A copy of the certified survey map or the relevant section of the recorded plat map for those properties where the legal description in the most recent deed refers to a certified survey map or a recorded plat map. (lots on subdivided or platted property (e.g. lot 2 of xyz subdivision)).
Figure #: NA Title: Assessor's Plat Number Two; Easement Exhibit
- Signed Statement:** A statement signed by the Responsible Party (RP), which states that he or she believes that the attached legal description accurately describes the correct contaminated property.

MAPS (meeting the visual aid requirements of s. NR 716.15(2)(h))

Maps must be no larger than 11 x 17 inches unless the map is submitted electronically.

- Location Map:** A map outlining all properties within the contaminated site boundaries on a U.S.G.S. topographic map or plat map in sufficient detail to permit easy location of all parcels. If groundwater standards are exceeded, include the location of all potable wells within 1200 feet of the site.
Note: Due to security reasons municipal wells are not identified on GIS Packet maps. However, the locations of these municipal wells must be identified on Case Closure Request maps.
Figure #: NA Title: Site Location
- Detailed Site Map:** A map that shows all relevant features (buildings, roads, individual property boundaries, contaminant sources, utility lines, monitoring wells and potable wells) within the contaminated area. This map is to show the location of all contaminated public streets, and highway and railroad rights-of-way in relation to the source property and in relation to the boundaries of groundwater contamination exceeding a ch. NR 140 Enforcement Standard (ES), and/or in relation to the boundaries of soil contamination exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Levels (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.
Figure #: NA Title: (2) maps: Phase II ESA Site Plan and Detailed Site Map
- Soil Contamination Contour Map:** For sites closing with residual soil contamination, this map is to show the location of all contaminated soil and a single contour showing the horizontal extent of each area of contiguous residual soil contamination that exceeds a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.
Figure #: NA Title: Residual Soil Contamination

BRRTS #: 03-31-555191

ACTIVITY NAME: Bodart Store (Former)

MAPS (continued)

- Geologic Cross-Section Map:** A map showing the source location and vertical extent of residual soil contamination exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL). If groundwater contamination exceeds a ch. NR 140 Enforcement Standard (ES) when closure is requested, show the source location and vertical extent, water table and piezometric elevations, and locations and elevations of geologic units, bedrock and confining units, if any.

Figure #: NA Title: Geologic Cross Section

Figure #: Title:

- Groundwater Isoconcentration Map:** For sites closing with residual groundwater contamination, this map shows the horizontal extent of all groundwater contamination exceeding a ch. NR140 Preventive Action Limit (PAL) and an Enforcement Standard (ES). Indicate the direction and date of groundwater flow, based on the most recent sampling data.

Note: This is intended to show the total area of contaminated groundwater.

Figure #: Title:

- Groundwater Flow Direction Map:** A map that represents groundwater movement at the site. If the flow direction varies by more than 20° over the history of the site, submit 2 groundwater flow maps showing the maximum variation in flow direction.

Figure #: Title:

Figure #: Title:

TABLES (meeting the requirements of s. NR 716.15(2)(h)(3))

Tables must be no larger than 11 x 17 inches unless the table is submitted electronically. Tables must not contain shading and/or cross-hatching. The use of **BOLD** or *ITALICS* is acceptable.

- Soil Analytical Table:** A table showing remaining soil contamination with analytical results and collection dates.
Note: This is one table of results for the contaminants of concern. Contaminants of concern are those that were found during the site investigation, that remain after remediation. It may be necessary to create a new table to meet this requirement.

Table #: 1 Title: Soil Sample Laboratory Analytical Results

- Groundwater Analytical Table:** Table(s) that show the most recent analytical results and collection dates, for all monitoring wells and any potable wells for which samples have been collected.

Table #: Title:

- Water Level Elevations:** Table(s) that show the previous four (at minimum) water level elevation measurements/dates from all monitoring wells. If present, free product is to be noted on the table.

Table #: Title:

IMPROPERLY ABANDONED MONITORING WELLS

For each monitoring well not properly abandoned according to requirements of s. NR 141.25 include the following documents.

Note: If the site is being listed on the GIS Registry for only an improperly abandoned monitoring well you will only need to submit the documents in this section for the GIS Registry Packet.

- Not Applicable**

- Site Location Map:** A map showing all surveyed monitoring wells with specific identification of the monitoring wells which have not been properly abandoned.

Note: If the applicable monitoring wells are distinctly identified on the Detailed Site Map this Site Location Map is not needed.

Figure #: Title:

- Well Construction Report:** Form 4440-113A for the applicable monitoring wells.

- Deed:** The most recent deed as well as legal descriptions for each property where a monitoring well was not properly abandoned.

- Notification Letter:** Copy of the notification letter to the affected property owner(s).

BRRTS #: 03-31-555191

ACTIVITY NAME: Bodart Store (Former)

NOTIFICATIONS

Source Property

Not Applicable

Letter To Current Source Property Owner: If the source property is owned by someone other than the person who is applying for case closure, include a copy of the letter notifying the current owner of the source property that case closure has been requested.

Return Receipt/Signature Confirmation: Written proof of date on which confirmation was received for notifying current source property owner.

Off-Source Property

Group the following information per individual property and label each group according to alphabetic listing on the "Impacted Off-Source Property" attachment.

Not Applicable

Letter To "Off-Source" Property Owners: Copies of all letters sent by the Responsible Party (RP) to owners of properties with groundwater exceeding an Enforcement Standard (ES), and to owners of properties that will be affected by a land use control under s. 292.12, Wis. Stats.

Note: Letters sent to off-source properties regarding residual contamination must contain standard provisions in Appendix A of ch. NR 726.

Number of "Off-Source" Letters:

Return Receipt/Signature Confirmation: Written proof of date on which confirmation was received for notifying any off-source property owner.

Deed of "Off-Source" Property: The most recent deed(s) as well as legal descriptions, for all affected deeded **off-source property(ies)**. This does not apply to right-of-ways.

Note: If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.

Letter To "Governmental Unit/Right-Of-Way" Owners: Copies of all letters sent by the Responsible Party (RP) to a city, village, municipality, state agency or any other entity responsible for maintenance of a public street, highway, or railroad right-of-way, within or partially within the contaminated area, for contamination exceeding a groundwater Enforcement Standard (ES) and/or soil exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL).

Number of "Governmental Unit/Right-Of-Way Owner" Letters: 1



May 4, 2010

Kenneth B Deprey
Deprey's Kwik Stop Inc
N8780 Cty Hwy DK
Luxemburg, WI 54217-8668

RE: **Final Closure**

Commerce # 54217-8668-80-B DNR BRRTS # 03-31-555191
Bodart Store (Former), N8780 State Hwy 57, Luxemburg

Dear Mr. Deprey:

The Wisconsin Department of Commerce (Commerce) has reviewed the request for case closure prepared by your consultant, Mach IV Engineering, for the site referenced above. Commerce has determined that this site does not pose a significant threat to human health or the environment. No further investigation or remedial action is necessary.

This case is now listed as "closed" on the Commerce database and will be included on the Department of Natural Resources (DNR) Geographic Information System (GIS) Registry of Closed Remediation Sites to address residual soil contamination. To review sites on the GIS Registry web page, visit <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. If you intend to construct or reconstruct a potable well on this property, you must get prior DNR approval.

All current and future owners and occupants of the property need to be aware that excavation of contaminated soil may pose a hazard. Special precautions may be needed to prevent inhalation, ingestion or dermal contact with the residual contamination when it is removed. If soil is excavated, the property owner at the time of excavation must determine if residual contamination remains. If contamination is present, the property owner at the time of excavation must determine whether the material would be considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable State regulations and standards.

Costs for sampling and excavation activities conducted after case closure are not eligible for PECFA reimbursement. However, if it is determined that any undisturbed remaining petroleum contamination poses a threat, the case may be reopened and further investigation or remediation may be required. If this case is reopened, any original claim under the PECFA fund would also reopen and you may apply for assistance to the extent of remaining eligibility.

Thank you for your efforts to protect Wisconsin's environment. If you have any questions, please contact me in writing at the letterhead address or by telephone at (920) 424-0025.

Sincerely,

A handwritten signature in black ink that reads "Tom Verstegen". The signature is written in a cursive, flowing style.

Tom Verstegen
Department of Commerce
PECFA - Site Review Section

cc: Chad Fradette - Mach IV Engineering

DOCUMENT NO.	WARRANTY DEED	THIS SPACE RESERVED FOR RECORDING DATA
<u>Rosemary Beaurain</u> <hr/> <hr/> conveys and warrants to <u>Kenneth B. Deprey and Judith A. Deprey, his wife</u> <hr/> <hr/>		COPY
the following described real estate in <u>Kewaunee</u> County, State of Wisconsin:		RETURN TO DALEBROUX LAW OFFICE P.O. Box 217 Casco, WI 54205

Tax Parcel No. 31 018 ASR PLT 2
22

Lot Two (2), Block Three (3), Assessor's Plat No. 2, Town of Red River, Kewaunee County, Wisconsin, subject to a well easement as described in Volume 70 of Deeds on Page 4 and also subject to a driveway easement as described in Volume 70 of Deeds on Page 8

This Deed is given in fulfillment of a certain Land Contract between Anna Bodart, a/k/a Annie Bodart, and Kenneth B. Deprey and Judith A. Deprey, his wife, dated April 6, 1981 and recorded April 13, 1981 in Volume 191 of Records on Page 410 as Document No. 282398. The Vendor's interest in said Land Contract was subsequently assigned to Rosemary Beaurain by virtue of an Assignment of Land Contract dated April 18, 1989 and recorded April 19, 1989 in Volume 239 of Records on Page 47 as Document No. 316236. Said Land Contract was subsequently extended by virtue of an Extension of Land Contract dated May 22, 1992 and recorded May 28, 1992 in Volume 260 of Records on Page 586 as Document No. 329763.

Rental Weatherization Exclusion Code: W-7

This is not homestead property

Exceptions to warranties: Any liens or encumbrances created or suffered to be created by the acts or defaults of the Grantee.

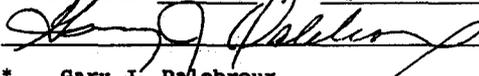
Dated this June 24 day of June, 1993

(SEAL)	(SEAL)
* <u>Rosemary Beaurain</u>	*
<u>Rosemary Beaurain</u> (SEAL)	(SEAL)
* <u>ROSEMARY BEAURAIN</u>	*

AUTHENTICATION

Signature(s) of Rosemary Beaurain

authenticated this 24th day of June, 1993



* Gary J. Dalebroux
TITTLE: MEMBER STATE BAR OF WISCONSIN
(If not, _____
authorized by § 706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY

Gary J. Dalebroux

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

ACKNOWLEDGMENT

STATE OF WISCONSIN

County.

Personally came before me this _____ day of
June, 1993 the above named
Rosemary Beaurain

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____)

1" X 24" IRON PIPE, 1.68 lbs./L.F.
 ALL DISTANCES SHOWN
 ARE TO HUNDRETHS OF
 A FOOT.

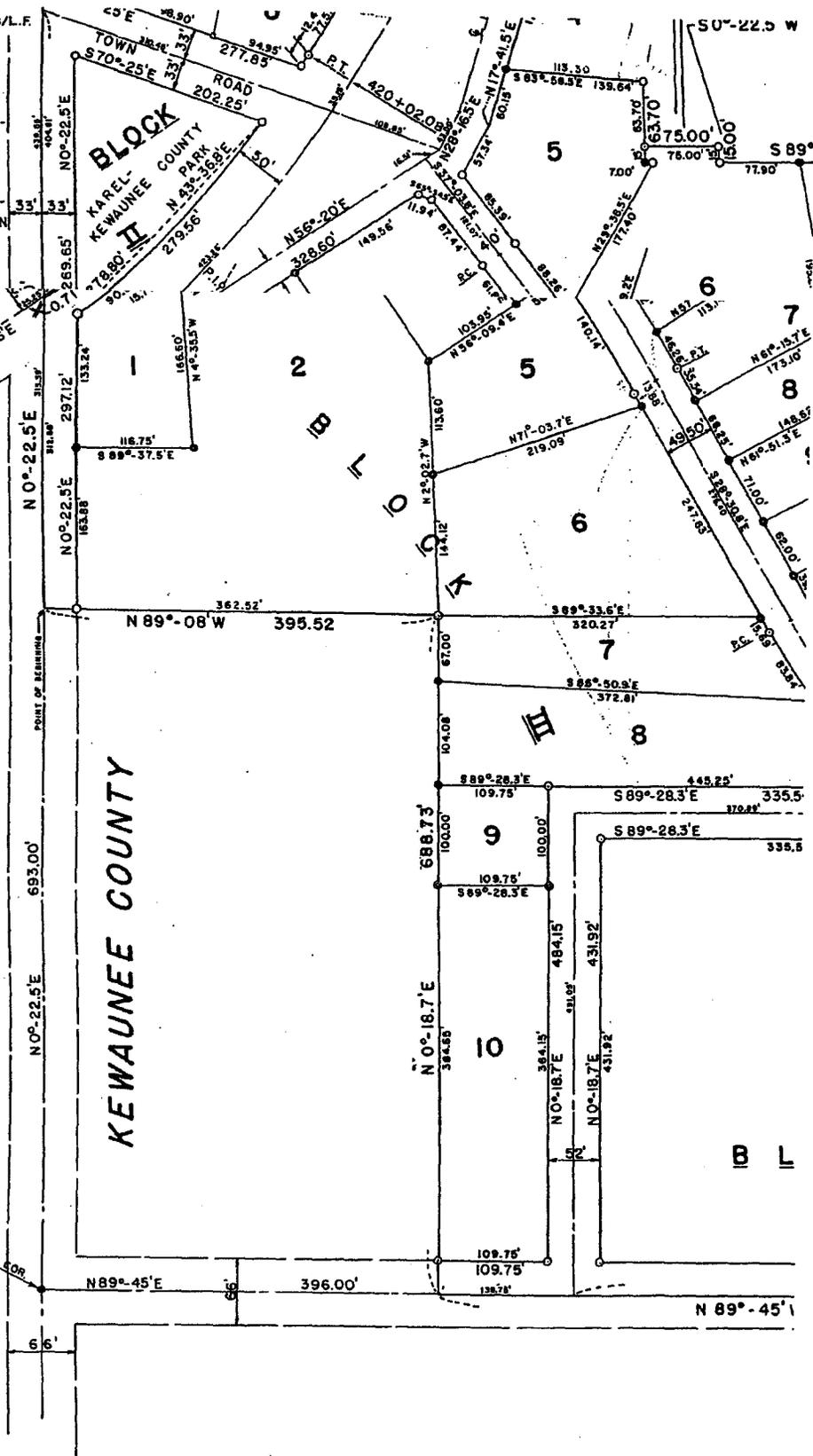
ALL ANGLES AND BEAR-
 INGS SHOWN ARE TO
 TENTHS OF A MINUTE.

BEARING DATUM=WISCON-
 SIN HIGHWAY COMMISSION
 PROJ. F 03-3(111)



BROWN COUNTY

KEWAUNEE COUNTY



Assessor's Plat Number Two

Wisconsin Department of Commerce

April 26, 2010

Ken Deprey
N8780 CTH DK
Luxemburg, Wisconsin 54217

RE: Bodart Store (Former) GIS Packet, 03-31-555191
N8780 CTH DK, Town of Red River, Kewaunee County, Wisconsin

The legal description described below and on the attached deed accurately describes the correct contaminated property.

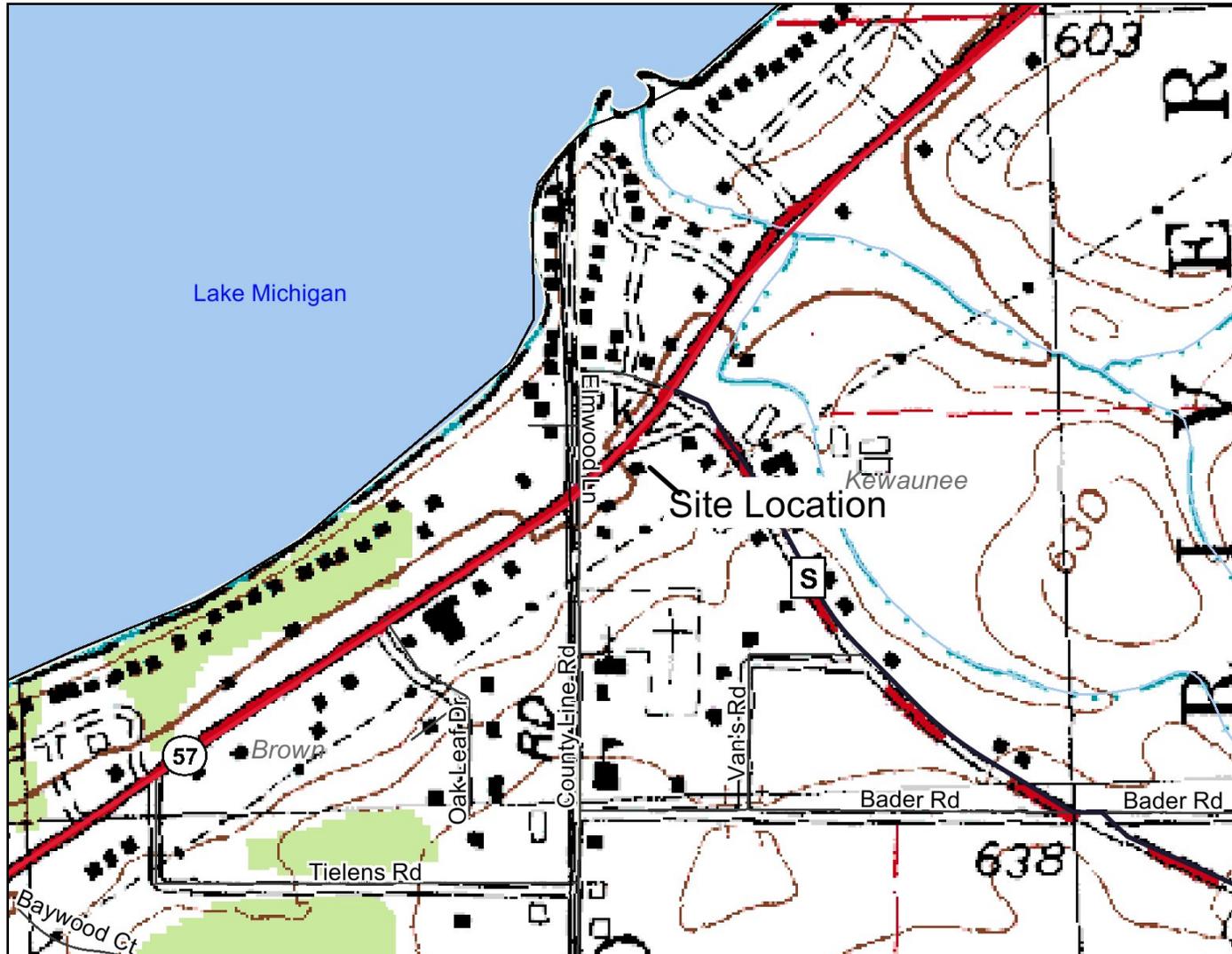
Lot 2 of Block 3 of the recorded plat of "Assessor's Plat Number Two", located in the Southwest ¼ of the Northwest ¼ of Section 18, T25N-R23E, Town of Red River, Kewaunee County, Wisconsin.

Regards,

A handwritten signature in black ink, appearing to read "Ken Deprey", with a long, sweeping flourish extending to the right.

Ken Deprey
Kenneth & Judith Deprey Trust
Responsible Party

Site Location



- ### Legend
- County Boundary
 - ✕ Railroads
 - County Roads (WDOT)
 - County Trunk Highway
 - State and U.S. Highways (WDOT)
 - State Trunk Highway
 - US Highway
 - Interstate Highways (WDOT)
 - Interstate Highway
 - Local Roads (WDOT)
 - Civil Towns
 - Civil Town
 - 24K Open Water
 - 24K Rivers and Shorelines
 - Municipalities

0 600 1200 1800 ft.

Map created on May 19, 2010

Note: Not all RR Sites have been geo-located yet.



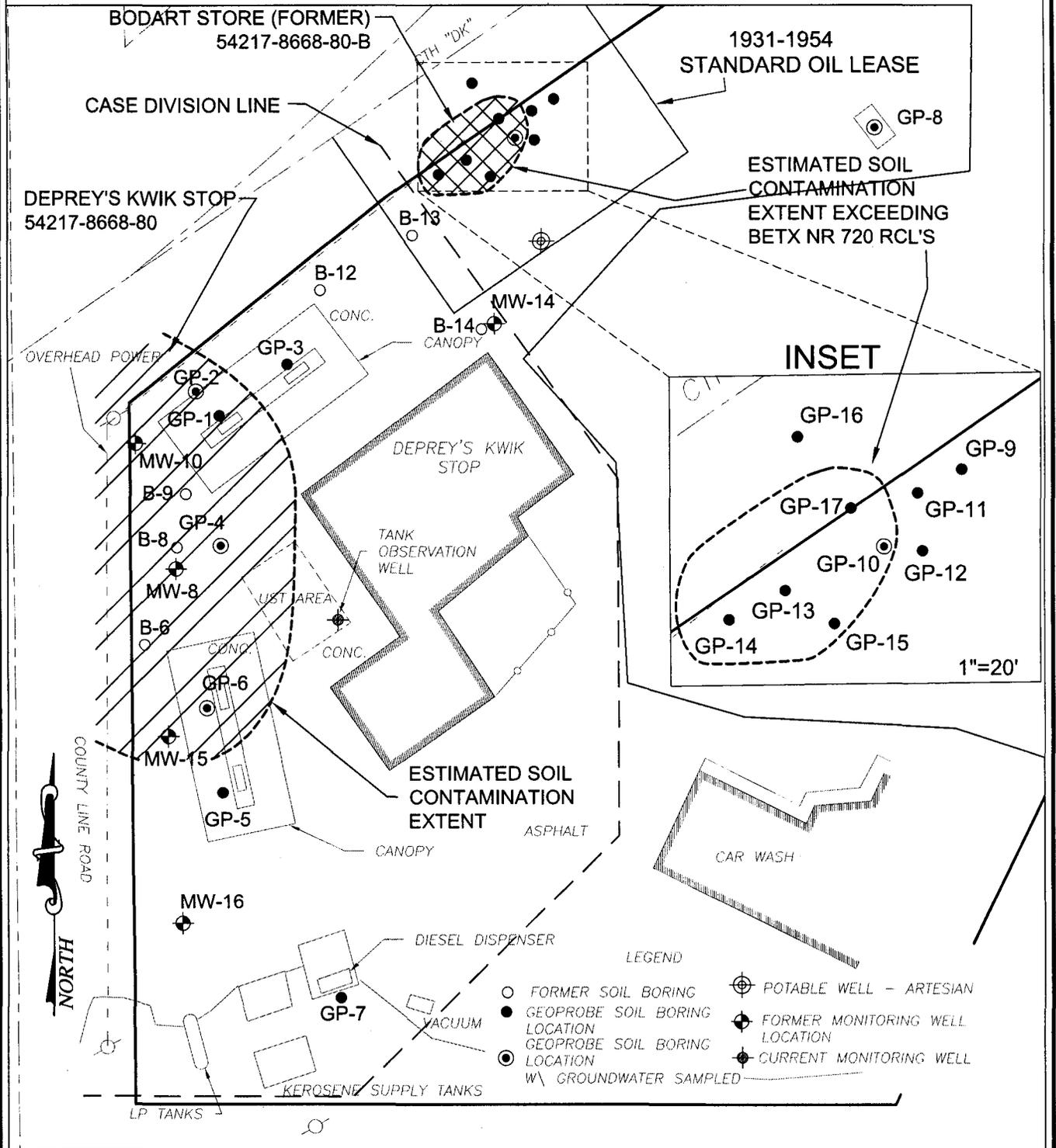
Scale: 1:6,378

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Phase II ESA Site Plan

SOIL CONTAMINATION

Deprey's Kwik Stop



Mach IV

Engineering & Surveying LLC
2701 Larson Rd. Green Bay, WI 54303
Ph: 920-369-3765 Fax: 920-369-3767

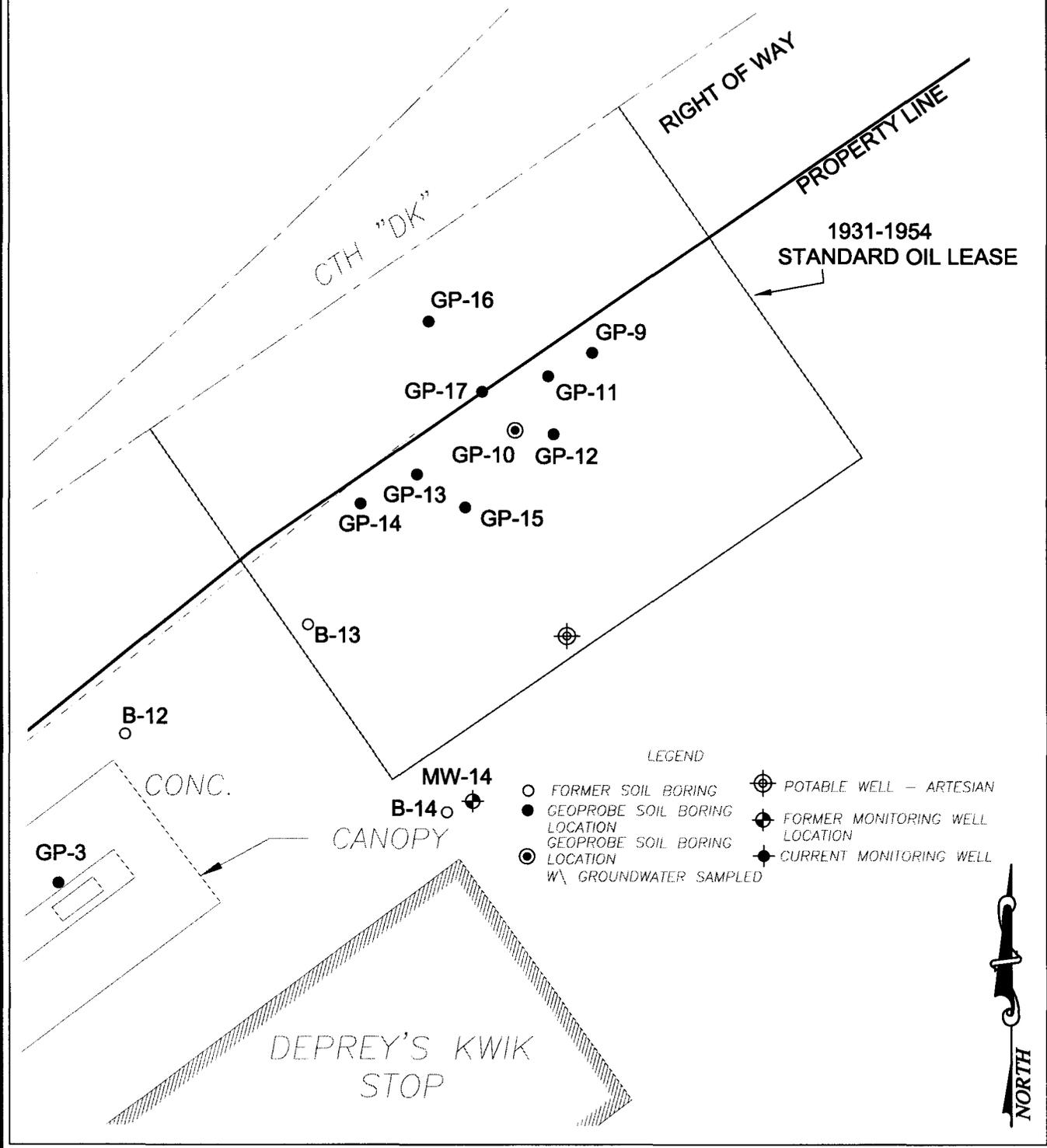
Client: Deprey's Kwik Stop
Drafted By: JJM
Date: 4/15/2010

Scale:
1"=40'

Sheet One of Two
Project No. 0237-03-09
Drawing No.

Detailed Site Map

FORMER BODART STORE



LEGEND

- FORMER SOIL BORING LOCATION
- GEOPROBE SOIL BORING LOCATION
- ◎ GEOPROBE SOIL BORING LOCATION
- ⊕ POTABLE WELL - ARTESIAN
- ⊕ FORMER MONITORING WELL LOCATION
- ⊕ CURRENT MONITORING WELL LOCATION
- ⊕ W\ GROUNDWATER SAMPLED



Mach IV
 Engineering & Surveying LLC
 2701 Larson Rd. Green Bay, WI 54303
 Ph: 920-569-5765 Fax: 920-569-5767

Client: Ken Deprey
 Drafted By: MJK
 Date: 4/26/2010

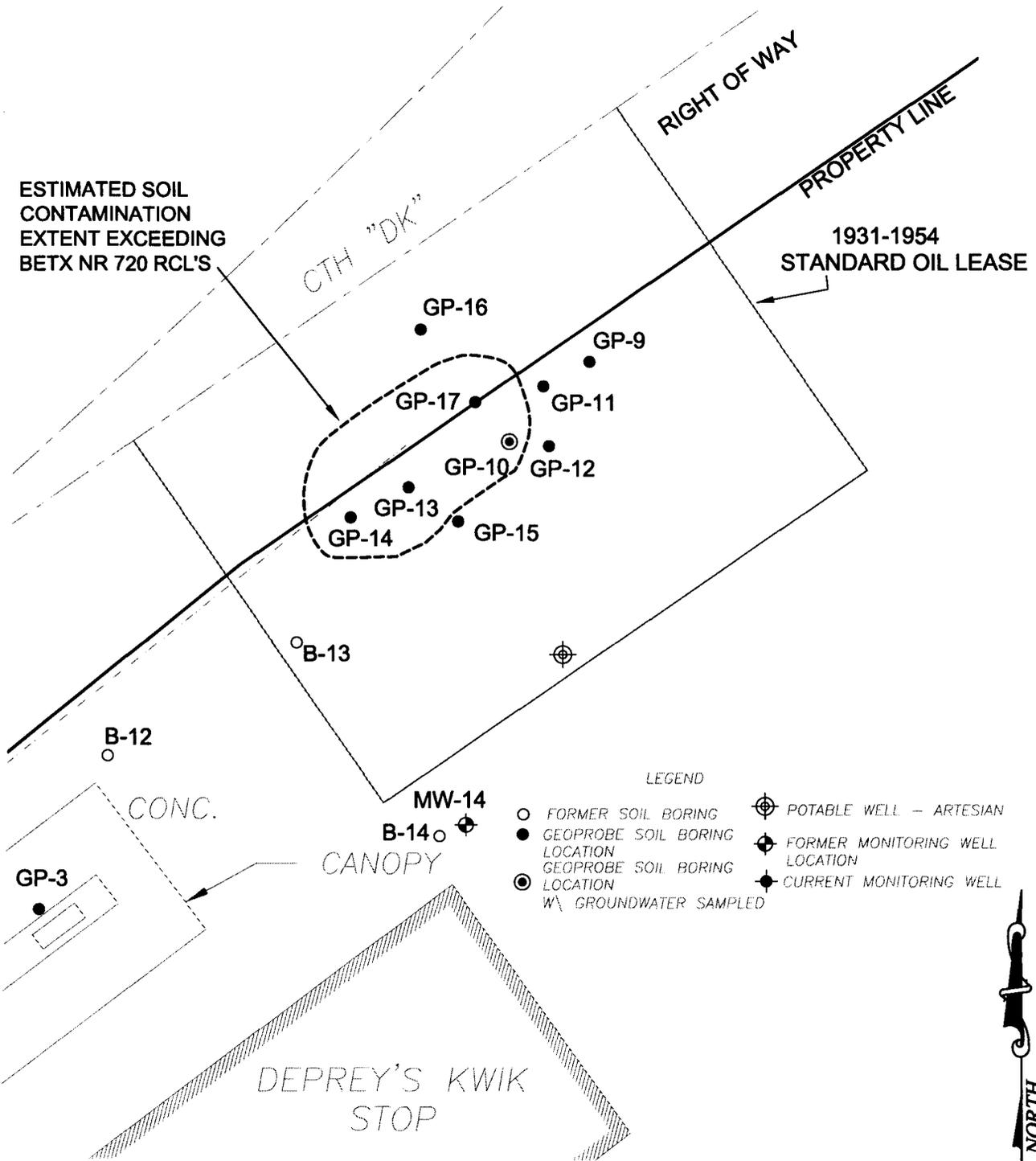
Scale:
 1"=20'

Sheet One of Two
 Project No. 0237-03-09
 Drawing No.

Residual Soil Contamination

FORMER BODART STORE

ESTIMATED SOIL CONTAMINATION EXTENT EXCEEDING BETX NR 720 RCL'S



Mach IV

Engineering & Surveying LLC
2701 Larson Rd. Green Bay, WI 54303
Ph: 920-569-5765 Fax: 920-569-5767

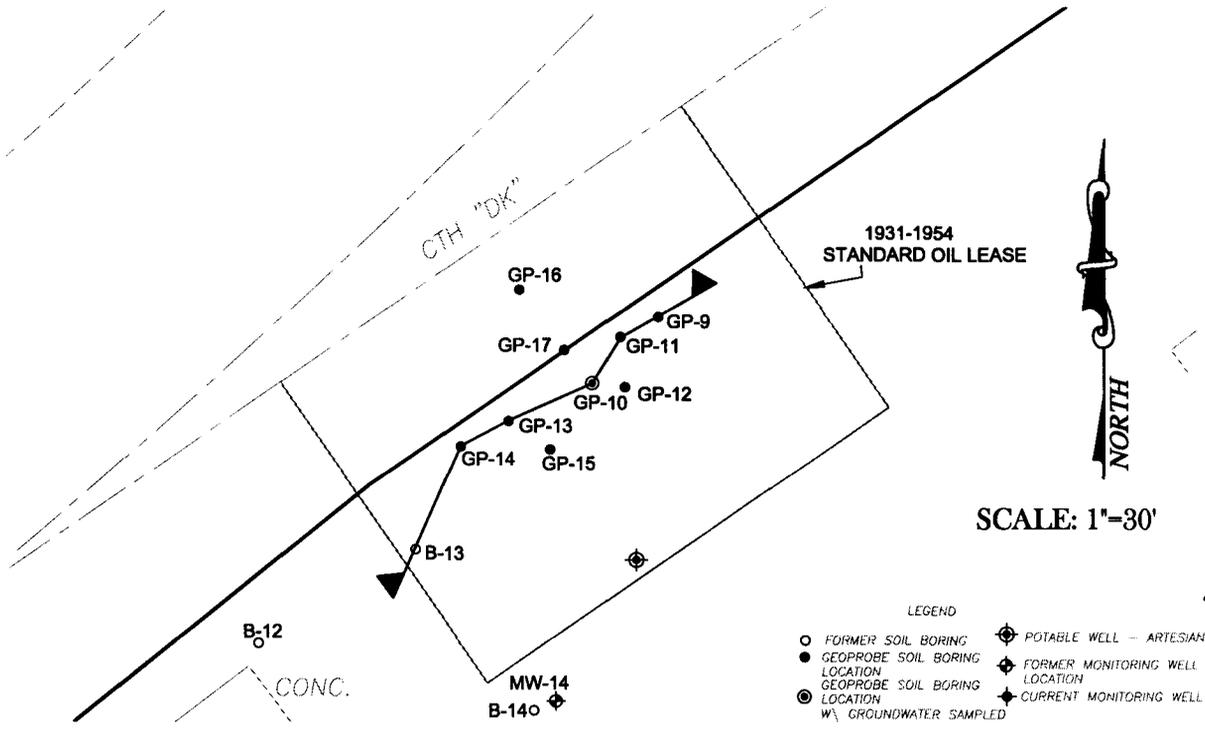
Client: Ken Deprey
Drafted By: MJK
Date: 4/26/2010

Scale:
1"=20'

Sheet One of Two
Project No. 0237-03-09
Drawing No.

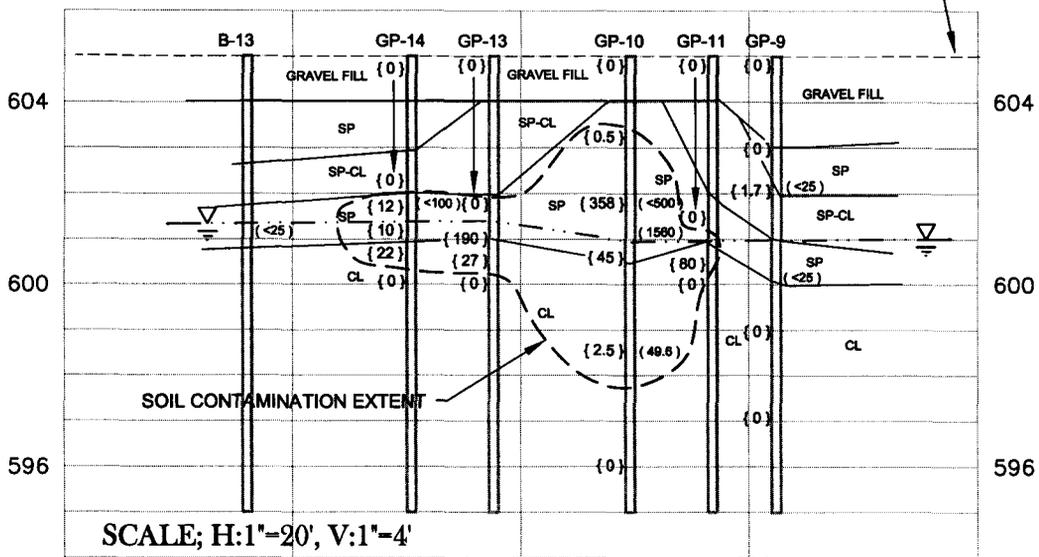
Geological Cross Section

DEPREY'S KWIK STOP
FORMER BODART STORE



{PID} (BENZENE)

EXISTING GROUND



Mach IV

Engineering & Surveying LLC
2701 Larson Rd. Green Bay, WI 54303
Ph: 920-569-5765 Fax: 920-569-5767

Client: Ken Deprey
Drafted By: MJK
Date: 4/26/2010

Scale:
VARIES

Sheet One
Project No. 0237-03-09
Drawing No.

Table 1
Soil Sample Laboratory Analytical Results
Deprey's Kwik Stop
Dykesville, Town of Red River, Wisconsin

Sample ID	Sample Date	Sample Interval (ft bgs)	PID (ppm eq)	GRO	DRO	Benzene	Ethyl-benzene	MTBE	Toluene	Total Xylenes	1,2,4-TMB	1,3,5-TMB	Naphthalene	Lead
Phase II ESA Samples														
B-13	May-96	3.0 - 5.0	Unknown	27	NA	<25	<25	<25	320	32	55	230	NA	3.48
GP-9, S-2	4/8/2010	2.0 - 3.0	1.7	<3.0	NA	<25.0	<25.0	<25.0	<25.0	<75.0	<25.0	<25.0	NA	NA
GP-9, S-3	4/8/2010	4.0 - 6.0	0.0	<2.9	NA	<25.0	<25.0	<25.0	<25.0	<75.0	<25.0	<25.0	NA	NA
GP-10, S-2	4/8/2010	2.5 - 4.5	358	1,560	NA	<500	6,010	<500	<500	13,120	12,500	12,600	NA	9.4
GP-10, S-3	4/8/2010	5.0 - 7.5	2.5	47.3	NA	49.6	87.4	<25.0	54.6	1,479	1,510	510	NA	5.5
GP-12, S-2	4/8/2010	2.5 - 4.5	19	218	NA	<50.0	952	<50.0	<50.0	2,044	1,390	1,520	NA	6.6
GP-14, S-2	4/8/2010	2.5 - 3.5	12	488	NA	<100	1,950	<100	<100	4,190	4,070	<100	NA	6.9
GP-16, S-2	4/8/2010	2.5 - 4.5	52	321	NA	<125	1,520	<125	<125	2,502	4,240	2,900	NA	6.3
NR 720.09 RCLs				100	100	5.5	2,900	NS	1,500	4,100	NS	NS	NS	50
NR 746.06 Table 1 (free product indicator)				NS	NS	8,500	4,600	NS	38,000	42,000	83,000	11,000	2,700	NS
NR 746.06 Table 2 (direct contact standard)				NS	NS	1,100	NS	NS	NS	NS	NS	NS	NS	NS

Notes:

All concentrations reported in parts per billion, except DRO and Lead reported in parts per million

Bold value represents an exceedence of the WDNR NR720 Generic Soil Standard

bgs: below ground surface
 ppm eq: part per million equivalent
 GRO: gasoline range organics
 DRO: diesel range organics
 TMB: trimethylbenzene
 MTBE: methyl tert-butyl ether
 NA: not analyzed/not applicable
 NS: no standard

Mach IV

Engineering & Surveying LLC

RIGHT-OF-WAY

April 26, 2010

Kewaunee County Highway Department
E4280 CTH F
Kewaunee, WI 54216

ATTN: Mr. Dale Jandrain "Highway Commissioner"

RE: Contamination Case Closure
Former Bodart Store, N8780 CTH DK, Town of Red River, Kewaunee County

Mr. Jandrain:

This letter is in regards to soil contamination that appears to have originated on the property located at N8780 County Highway DK and has migrated onto the CTH DK road right-of-way. This portion of the property was historically the Bodart Store which also operated as a gas station from 1931 to 1954.

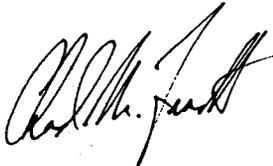
The levels of petroleum contamination in the soil in the right-of-way are above the state residual contaminant levels found in chapter NR 720, Wisconsin Administrative Code. Groundwater contamination has not been encountered. Mach IV will be requesting that the Department of Commerce grant case closure.

Once the Department makes a decision on the closure request, it will be documented in a letter. If the Department grants closure, you may obtain a copy of this letter by requesting a copy from me, by writing to the agency address given above or by accessing the DNR GIS Registry of Closed Remediation Sites on the internet at <http://www.dnr.wi.gov/org/aw/rr/gis/index.htm>. A copy of the closure letter is included as part of the site file on the GIS Registry of Closed Remediation Sites.

Attached is information related to the soil contamination encountered on this site and the right-of-way.

If you need more information, you may contact Mach IV Engineering & Surveying, 2701 Larsen Rd, Green Bay WI, 54303, or 920-569-5765, or you may contact the Wisconsin Department of Commerce, Robert Klauk (920-303-5410), 375 City Center, Suite 1, Oshkosh WI 84901-4877.

Regards,



Chad M. Fradette
Director of Environmental Services

Enclosures