

GIS Registry Disclaimer

This case was closed by the DNR prior to August 1, 2002, when DNR began adding approved cleanups with residual soil contamination into the GIS Registry. Certain documents that are currently required by ch. NR 726, Wis. Adm. Code may therefore not be included in this packet as they were unavailable at the time the original case was closed.

The information contained in this document was assembled by DNR from a previously closed case file, and added to the GIS Registry to provide the public with information on closed sites with residual soil and/or groundwater contamination remaining above applicable state standards.

GIS REGISTRY

Cover Sheet

July, 2008
(RR 5367)

Source Property Information

BRRTS #: 03-36-001687

ACTIVITY NAME: Harvey Inc

PROPERTY ADDRESS: 1617 12th St

MUNICIPALITY: Two Rivers

PARCEL ID #: 000-095-012-6

CLOSURE DATE: Aug 15, 2002

FID #: 436109740

DATCP #:

COMM #: 54241350717

*WTM COORDINATES:

X: 714305 Y: 410723

** 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")*

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

Contamination in ROW

Off-Source Contamination

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

Land Use Controls:

Soil: maintain industrial zoning (220)

*(note: soil contamination concentrations
between residential 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 or economic
development corporation)*

Monitoring wells properly abandoned? (234)

Yes No N/A

** Residual Contaminant Level*

***Site Specific Residual Contaminant Level*

This fillable form is intended to provide a list of information that must be submitted for evaluation for case closure. It is to be used in conjunction with Form 4400-202, Case Closure Request (Section H). 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.)
- 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**. 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 #: **Title:**
- Signed Statement:** A statement signed by the Responsible Party (RP), which states that he or she believes that ALL legal descriptions attached to the statement are complete and accurate.
Note: The point here is that the legal descriptions are describing the correct (i.e., contaminated) properties.

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

Maps must be no larger than 8.5 x 14 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 #: 1 **Title: Site Location**
- Detailed Site Map:** A map that shows all contaminated properties within site boundaries, showing buildings, roads, property boundaries, contaminant sources, utility lines, monitoring wells and potable wells. This map shows 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 Generic Residual Contaminant Level (GRCL) or a Site Specific Residual Contaminant Levels (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.
Figure #: 2 **Title: Final Site Plan**
- Soil Contamination Contour Map:** For sites closing with residual soil contamination, this map shows the location of all soil and a single contour showing the horizontal extent of each area of contiguous residual soil contamination that exceeds a Generic Residual Contaminant Level (GRCL) or a Site Specific Residual Contaminant Level (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.
Figure #: **Title:**

BRRTS #: 03-36-001687

ACTIVITY NAME: Harvey Inc

MAPS (continued)

- Geologic Cross-Section Map:** A map showing the source location and vertical extent of residual soil contamination exceeding a Generic Residual Contaminant Level (GRCL) 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 #: **Title:**

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 8.5 x 14 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 Excavation Sampling Result

- 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 #: 03-36-001687

ACTIVITY NAME: Harvey Inc

NOTIFICATIONS

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

- 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 the RP received confirmation for notifying current source property owner.
- 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 the RP received confirmation 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 boundaries of the contaminated site, for contamination exceeding a groundwater Enforcement Standard (ES) and/or soil exceeding a Generic Residual Contaminant Level (GRCL) or a Site Specific Residual Contaminant Level (SSRCL).

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



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor
Darrell Bazzell, Secretary
Ronald W. Kazmierczak, Regional Director

Remediation and Redevelopment
1125 North Military Avenue
P.O. Box 10448
Green Bay, Wisconsin 54307-0448
Telephone 920-492-5916
FAX 920-492-5859
TTY 920-492-5812

August 15, 2002

Mr. Mike Harvey
Harvey Inc. of Sheboygan Falls
1436 South 15th Street
Sheboygan, WI 53081

SUBJECT: Final Case Closure By Closure Committee With Conditions Met
Harvey, Inc., 1617 12th Street5, Two Rivers, Wisconsin
WDNR BRRTS #: 03-36-001687

Dear Mr. Harvey:

On January 5, 1998, your site as described above was reviewed for closure by the Northeast Region Closure Committee. This committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. On January 12, 1998, you were notified that the Closure Committee had granted conditional closure to this case.

On August 14, 2002, the Department received correspondence indicating that you have complied with the conditions of closure (i.e. the filing of a soil deed restriction with the Manitowoc County Register of Deeds). Based on the correspondence and data provided, it appears that your case has been remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code. The Department considers this case closed and no further investigation, remediation or other action is required at this time.

If this is a PECFA site, section 101.143, Wis. Stats., requires that PECFA claimants seeking reimbursement of interest costs, for sites with petroleum contamination, submit a final reimbursement claim within 120 days after they receive a closure letter on their site. For claims not received by the PECFA Program within 120 days of the date of this letter, interest costs after 60 days of the date of this letter will not be eligible for PECFA reimbursement.

Please be aware that this 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 the environment.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at 920-492-5921.

Sincerely,


Keld Lauridsen *KD*

Hydrogeologist
Bureau for Remediation & Redevelopment

cc: Linda Fellenz, Kapur & Associates, Inc.
7711 North Port Washington Road, Milwaukee, WI 53217

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 inures to the benefit of 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.

The Wisconsin Department of Natural Resources has issued a closure letter on the project dated January 12, 1998.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 6th day of March, 1998.

HARVEY INC. OF SHEBOYGAN FALLS
By:

Kathryn Harvey Pres
Kathryn Harvey, President

Michael J. Harvey Sec.
Michael J. Harvey, Secretary

STATE OF WISCONSIN)
) ss
SHEBOYGAN COUNTY)

Personally came before me this 6 day of MARCH, 1998, Kathryn Harvey, President, and Michael J. Harvey, Secretary, of the above-named Corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such President and Secretary of said Corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said Corporation, by its authority.

Edward R. Moede
Edward R. Moede
Notary Public, Sheboygan County, Wisconsin.
My Commission: 3-15-98

This document was drafted
by Robert C. Hahn.
(8570)

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Table 1 - Soil Excavation Sampling Results

Samples	GRO mg/kg	DRO mg/kg	Lead mg/kg	Benzene ug/kg	Ethyl Benzene ug/kg	MTBE ug/kg	Toluene ug/kg	124 TMB ug/kg	135 TMB ug/kg	Xylenes (ug/kg)	
										m,p	o
TR1	ND	ND	38	ND	ND	ND	ND	2.5	23	ND	1.6
TR4	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
TR5	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
TR15	ND	ND	ND	ND	ND	ND	ND	24	9.7	12	ND
TR16	3000	16000	ND	ND	6400	ND	ND	80000	45000	32000	9100
TR17	7.3	57	ND	ND	ND	ND	ND	130	70	ND	ND
TR18	2100	11000	ND	ND	3100	ND	ND	30000	33000	9800	3300
TR20	ND	19	ND	ND	ND	ND	ND	ND	ND	ND	ND
TR23	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
TR24	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
TR25	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
TR26	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
William R. Selbig, Regional Director

Northeast Region Headquarters
Bureau of Remediation and Redevelopment
1125 N. Military Avenue, PO Box 10448
Green Bay, WI 54307-0448
TELEPHONE 920-492-5916
FAX 920-492-5859

January 12, 1998

Mr. Mike Harvey
Harvey Inc. of Sheboygan Falls
1436 South 15th St.
Sheboygan, WI. 53081

COPY

SUBJECT: Closure of WDNR ERRP/LUST Case with Groundwater Standard Exemption and Deed restriction for Harvey Inc., 1617 12th St., Two Rivers, WI .
WDNR ERRP/LUST ID # 36-001687

Dear Mr. Harvey;

The Department's Case Closeout Committee in the Northeast Region completed a review of the above referenced contamination case and has approved it for closure. Your case closure letter has the following three significant parts:

1. General case closure criteria
2. Exemption issued to State Groundwater Quality Standard (NR 140)
3. Deed Restriction

Please read this entire letter. It addresses each of these topics with subtitled indented paragraphs.

General Case Closure

The case closure panel reviews environmental remediation cases for compliance with state laws, standards, and guidelines to maintain consistency in the closeout of cases. At the present time it appears that actions have been taken to the extent practicable to restore the environment and minimize the harmful effects from this discharge to the air, lands, and waters of this state. Please be aware that this letter does not absolve the current, or any future owner of this property from future decisions regarding this site or impacts which may be discovered and/or traced back to past or future activities at this site. If additional information in the future indicates that further investigation or cleanup is warranted, the Department will require that appropriate action be taken at that time.

Groundwater Quality Exemption

The most recent groundwater monitoring data at this site indicates an exceedance of the NR 140 preventive action limit (PAL) for **benzene** but compliance with the NR 140 enforcement standard. The Department may grant an exemption pursuant to NR 140.28(2), Wis. Adm. Code, if the following criteria are met:

*Quality Natural Resources Management
Through Excellent Customer Service*



COPY

- a) The anticipated increase in the concentration of benzene will be minimized to the extent technically and economically feasible.
- b) Compliance with the PAL is either not technically or economically feasible.
- c) The enforcement standard for benzene will not be attained or exceeded at the point of standards application.
- d) Any increase in the concentration of benzene above background does not present a threat to public health or welfare.

Deed Restriction

Because contaminated soils were left on site in excess of NR 720 soil standards the closure committee has determined that a deed restriction shall be placed on the property as a condition of site closure. Attached is a copy of a model deed restriction. Please complete a draft of the restriction using option #1 - complete cleanup of soil contamination is impracticable. When the draft is reviewed and determined to be acceptable by the Department legal staff, you may proceed to file the restriction with the Manitowoc County Registry of Deeds. A copy of the filed deed restriction would be submitted to the Department.

The Department believes that the above criteria have been or will be met because of the remediation which has occurred at this site. Therefore, pursuant to NR 140.28, an exemption for the benzene PAL is granted to monitoring well MW-13. This letter serves as your exemption. At this time the Department is not requiring any further investigation or other action concerning this specific site.

The Department appreciates the actions you have undertaken to restore the environment at this site. This case will appear as closed on the Department's case tracking system after our receipt of the monitoring well abandonment forms (Form 3300-05B) for all the site wells and the filed deed restriction. If you have questions regarding this letter please do not hesitate to contact me in Green Bay at (920) 492-5864.

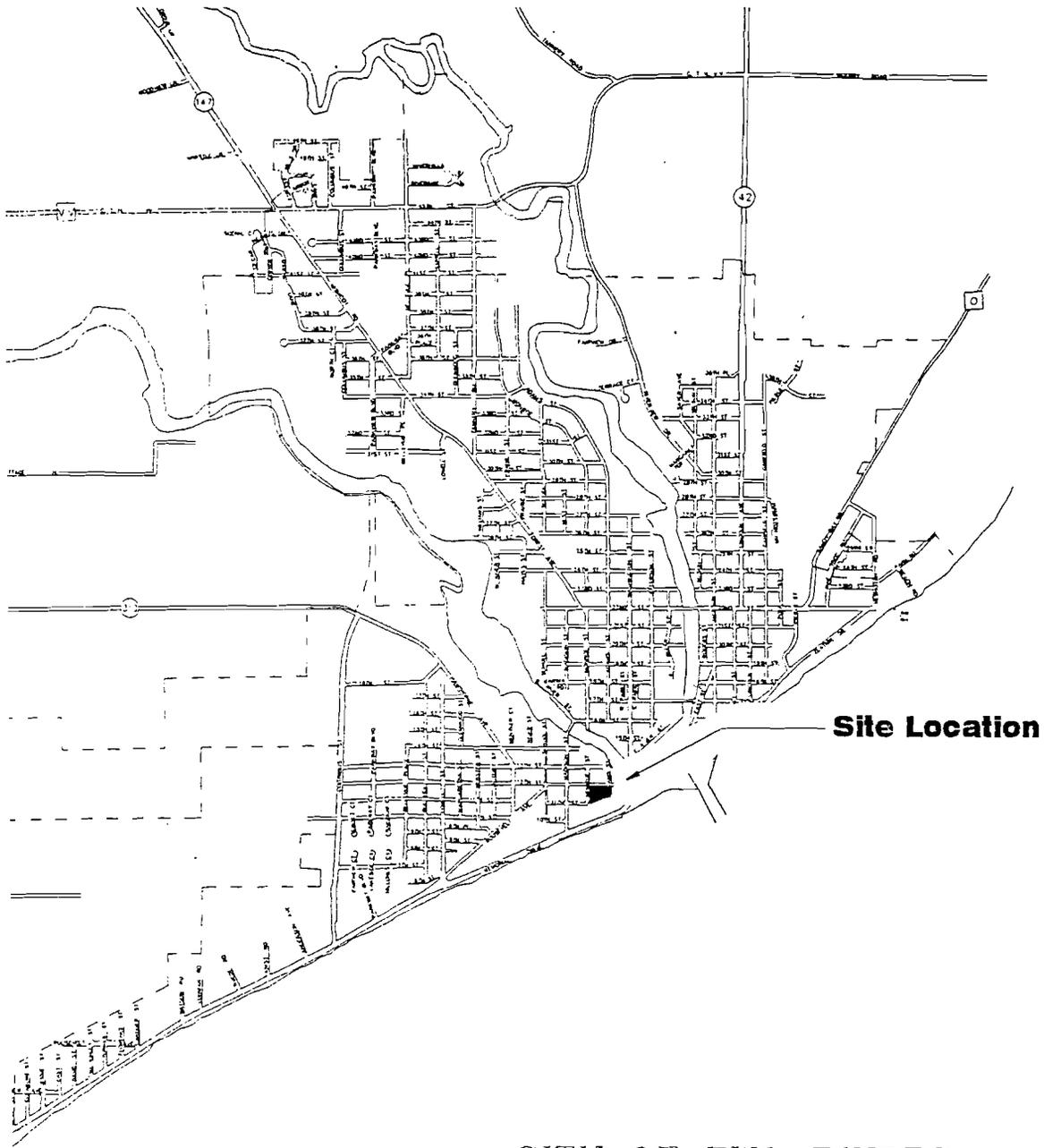
Sincerely,



James Reyburn
Hydrogeologist

NR 140 Exemption Approval R. C. Stoll 1-14-98
Richard C. Stoll (Date)
District Hydrogeologist, PG

cc: Rick Stoll, DG-~~NER~~
→ William Lantz - Agenda International Inc., 2130 S 17th St., Sheboygan, WI. 53081
Steve Kanklins DG/2



Site Location

CITY OF TWO RIVERS
 MANITOWOC COUNTY
 WISCONSIN



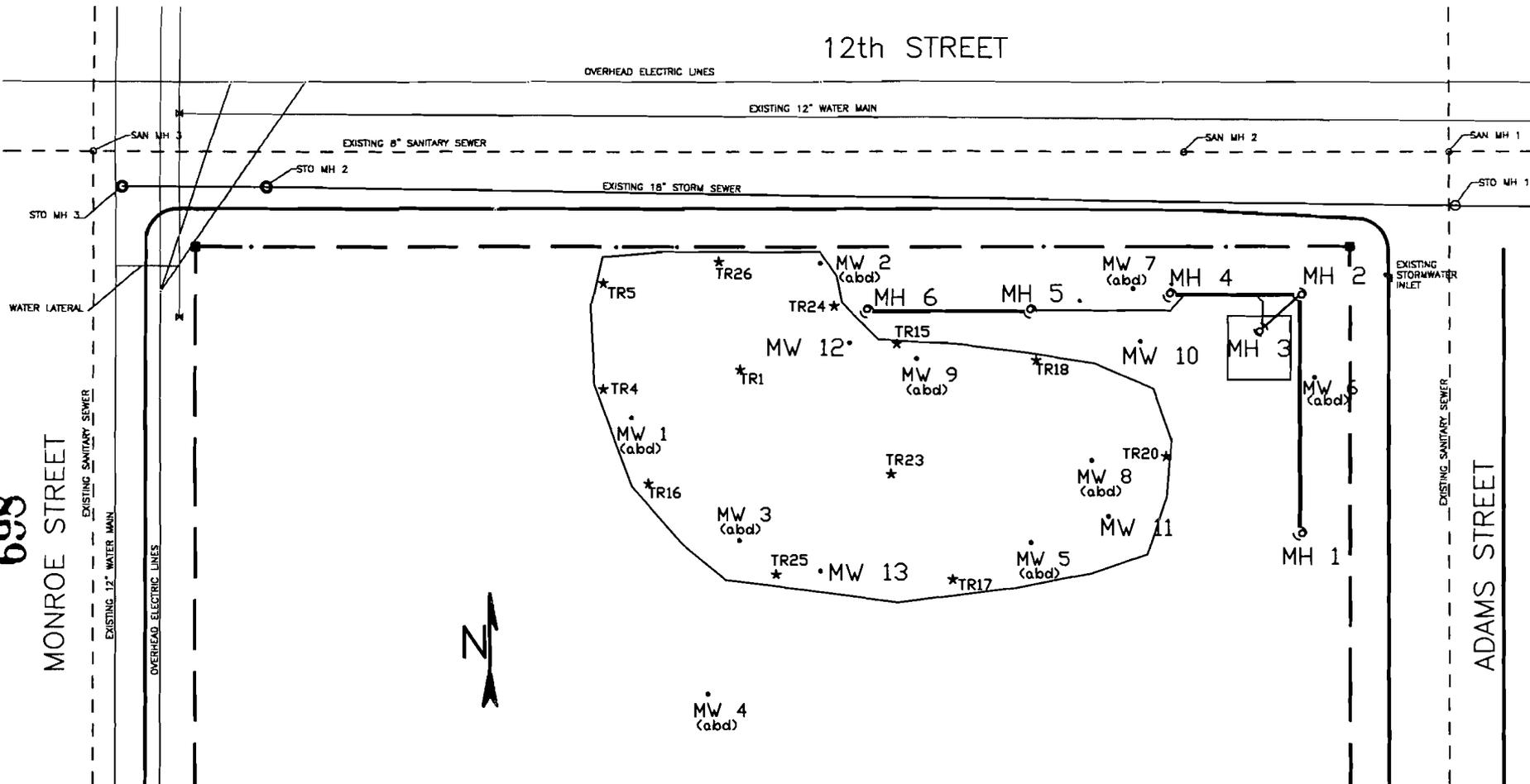
PREPARED BY
 MANITOWOC COUNTY PLANNING AND PARK COMMISSION

Title:	Figure 1 - Site Location
Project:	Remedial Investigation
Client:	Harvey, Inc

ALPHA TERRA SCIENCE		SIZE	DWG NO.
		A	
DRAWN PER	CHECK	SCALE	DATE

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MONROE STREET



ADAMS STREET

EXHIBIT NUMBER ONE

Harvey Inc.				agenda International, Inc.	
1617 12th St, Two Rivers					
Remediation					
Final Site Plan				DATE: 7/97	FILE: HTRFNL.skd
REV	DATE	DESCRIPTION	BY	BY:	SCALE: 1' = 50'
1					FIGURE 2
2					

Table 1 - Soil Excavation Sampling Results

Samples	GRO mg/kg	DRO mg/kg	Lead mg/kg	Benzene ug/kg	Ethyl Benzene ug/kg	MTBE ug/kg	Toluene ug/kg	124 TMB ug/kg	135 TMB ug/kg	Xylenes (ug/kg)	
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TR17	7.3	57	ND	ND	ND	ND	ND	130	70	ND	ND
TR18	2100	11000	ND	ND	3100	ND	ND	30000	33000	9800	3300
TR20	ND	19	ND	ND	ND	ND	ND	ND	ND	ND	ND
TR23	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
TR24	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
TR25	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
TR26	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND