

GIS REGISTRY

Cover Sheet

May, 2009
(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")*

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:

- 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 or economic
development corporation)*

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.)
- 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 #: **Title:**
- 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 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 and Local Topography**
- 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 #: **Title: Site Layout**
- 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 #: 3,2 **Title: Soil Boring Location with Estimated Extent of Benzene in Soil, Estimate Extent of Cont..**

BRRTS #: 03-38-114233

ACTIVITY NAME: PHILLIPS 66 FOOD MART

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 #: 5 **Title: Geologic Cross Section A-A'**

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 #: 4 **Title: Monitoring Well Locations with Estimated Extent of MTBE/Contaminant Concentrations**

- 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: Groundwater Water Elevation Contour Map (8/26/98)**

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 #: **Title: Pre-Remedial Soil 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: Groundwater Analytical Results**

- 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: Water Level Data**

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 #: 03-38-114233

ACTIVITY NAME: PHILLIPS 66 FOOD MART

NOTIFICATIONS

Source Property

- 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.

- 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.

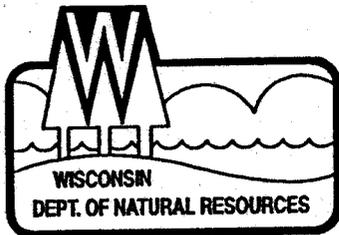
Note: Letters sent to off-source properties regarding residual contamination must contain standard provisions in Appendix A of ch. NR 726.

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:



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary
Ronald W. Kazmierczak, Regional Director

Peshigo Service Center
PO Box 208
101 N. Ogden Road
Peshigo, Wisconsin 54157
Telephone 715-582-5048
FAX 715-582-5005

June 5, 2003

TIM & MARGIE FERMANICH
T & T FERMANICH OIL CO
PO BOX 336
MENOMINEE MI 49858

SUBJECT: Final Case Closure by Closure Committee with Conditions Met
Phillips 66 Food Mart
1011 Marinette Avenue, Marinette, WI
WDNR BRRTS # 03-38-114233

Dear Mr. & Ms. Fermanich:

On August 5, 1999, 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 September 16, 1999, you were notified that the Closure Committee had granted conditional closure to this case.

On February 13, 2003, the Department received correspondence indicating that you have complied with the conditions of closure. On this date, the Department received a copy of the groundwater use and soil deed restriction filed for the above referenced property. The restriction also included the requirement for a performance standard (impermeable cap). Previously, the Department received a cap maintenance plan submitted on your behalf by Northern Environmental on Jun 28, 2002.

Based on the correspondence and data provided, it appears that your case meets the screening criteria of s. NR 746.07 or s. NR 746.08, Wis. Adm. Code, and the requirements of ch. NR 726, Wis. Adm. Code. The Department considers this case closed and no further investigation, remediation or other action is required at this time.

Your site will be listed on the DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites. Information that was submitted with your closure request application will be included on the registry. Inclusion on the DNR's GIS Registry will constitute the public notice requirement of your conditional closure. To review the sites on the GIS Registry web page, visit:

<http://gomapout.dnr.state.wi.us/org/at/ct/geo/gwur/index.htm>

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.

If there is equipment purchased with PECFA funds remaining at the site, contact the Commerce PECFA Program to determine the method for salvaging the equipment.

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 715-582-5048.

Sincerely,



Cathy Rodda
Hydrogeologist
Remediation & Redevelopment Program

cc: Mark Foht – Northern Environmental, 954 Circle Dr., Green Bay, WI 54304
File

Document Number

DEED RESTRICTION

DOC. #: 636961

Recorded
OCT. 22, 2002 AT 12:00PM
MELANTE I HLEMPNER
MARINETTE COUNTY
REGISTER OF DEEDS
Fee Amount: \$19.00

Declaration of Restrictions

In Re: The property at 1011 Marinette Avenue, Marinette, Wisconsin and formerly known as That part of Block 15 in Gilbert's First Addition to the Village (now City) of Marinette, according to the recorded plat thereof, described as: Beginning at the most easterly corner of said Block; thence Southwesterly along the Southeast line thereof, 232 feet; thence Northwesterly parallel with the Southwest line of said Block, 132 feet; thence Northeasterly, parallel with said Southeast line of said Block, 216.8 feet to the Southwest line of the right-of-way of the Chicago, Milwaukee & St. Paul Railway; thence Southeasterly along said right-of-way to the Northeast line of said Block; thence Southeasterly along said Northeast line of said Block to the point of beginning, being otherwise described as Lots 1, 2, 3 and 4 of Bell's Unrecorded Subdivision of Block 15 of Gilbert's First Addition to the Village (now City) of Marinette, Wisconsin; situate in Marinette County, Wisconsin.



Recording Area

Name and Return Address
Tim Fermanich
T & T Fermanich Oil Co.
PO Box 336
Menominee, MI 49858

19

251-02585.000

Parcel Identification Number (PIN)

STATE OF WISCONSIN)
) ss
COUNTY OF MARINETTE)

WHEREAS, T & T Fermanich Oil Co., Inc., a Wisconsin corporation, is the owner of the above-described property.

WHEREAS, one or more petroleum discharges have occurred on this property. Petroleum-contaminated groundwater above ch. NR 140, Wis. Adm. Code enforcement standards existed on this property at the following location(s) on February 2, 1999: At Monitoring Well 1900 (MW-1900) with benzene at 1000 micrograms per liter (µg/L), Methyl-tertiary-butyl-ether (MTBE) at 330 µg/L, Trimethylbenzene at 720 µg/L, and Xylene at 760 µg/L; at MW-2100 with Benzene at 83 µg/L; and at Extraction Well 2000 (EW-2000) with Benzene at 400 µg/L and MTBE at 120 µg/L. Soil contamination existed on the property at the following location(s) on the March 12, 1997: at Boring 1200 (B1200) with Benzene at 3,800 micrograms per kilogram (µg/kg), Ethylbenzene at 9,900 µg/kg, Toluene at 38,000 µg/kg, and Xylene at 150,000 µg/kg. Locations of

monitoring wells and soil borings are provided on Figures 1 and 2, respectively, 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.

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 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.

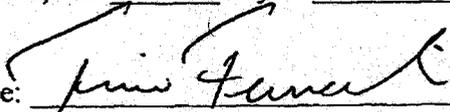
The following activities are prohibited on that portion of the property described above where a cap or cover has been placed, as shown in Figure 2, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources or its successor or assign: (1) Excavating or grading of the land surface; (2) Filling on the capped area; (3) Plowing for agricultural cultivation; and (4) Construction or installation of a building or other structure with a foundation that would sit on or be placed within the cap or cover. In addition, the cap or cover shall be maintained in compliance with a plan prepared and submitted to the Wisconsin Department of Natural Resources by a responsible party, as required by section NR 724.13(2), Wis. Adm. Code (1999).

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.

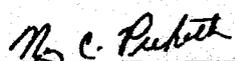
Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that one or more of the restrictions set forth in this covenant is no longer required. Upon the receipt of such a request, the Wisconsin 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.

By signing this document, Tim Fermanich asserts that he is duly authorized to sign this document on behalf of T & T Fermanich Oil Co., Inc.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this _____ day of _____, 20____.

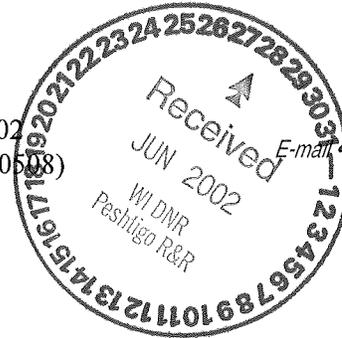
Signature: 
Printed Name: Tim Fermanich

Subscribed and sworn to before me
this 17th day of October, 2002


Notary Public, State of Wisconsin
My commission 12/13/04

This document was drafted by the Wisconsin Department of Natural Resources based on information provided by Northern Environmental, Inc.

June 27, 2002
(TTF-03-1408-0588)



Ms. Cathy Rodda
Wisconsin Department of Natural Resources
Post Office Box 208
Peshtigo, Wisconsin 54157

Re: Barrier Maintenance Plan, T&T Fermanich Oil Company, 1011 Marinette, Avenue, Marinette, Wisconsin; WDNR ID #03-38-114233

Dear Ms. Rodda:

On behalf of Tim Fermanich, Northern Environmental Technologies, Incorporated (Northern Environmental) is submitting a barrier maintenance plan as part of the case closure requirement for T&T Fermanich Oil Company, 1011 Marinette Avenue, Marinette, Wisconsin (the Site).

Maintenance Plan

The existing asphalt and concrete barrier will be inspected on a quarterly basis by the Site owner. Paved areas will be examined for evidence of cracking, settling, potholes, erosion, and other damage. Damaged areas will be repaired within 30 days of discovery. A report describing the nature and extent of any damage to the barrier and subsequent repairs will be submitted to the Wisconsin Department of Natural Resources upon completion of these activities. Completed copies of written inspections will be maintained on-site. An example of the inspection form is enclosed.

We trust this information meets your needs. Please contact us at 920-592-8400 if you have any questions.

Sincerely,
**Northern Environmental
Technologies, Incorporated**

Mark A. Foht
Senior Project Manager

MAF/amk
Enclosure

c: Mr. Tim Fermanich, T&T Fermanich Oil Company

©2002 Northern Environmental Technologies, Inc.

Quarterly Impermeable Barrier Inspection Report
1011 Marinette Avenue
Marinette, Wisconsin

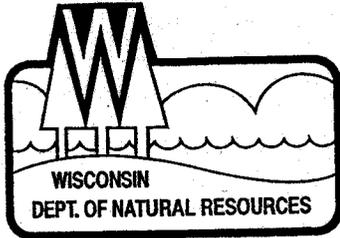
Date: _____ Weather _____

Inspected By: _____

Observations of paved areas: _____

Signature: _____

file



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor
Darrell Bazzell, 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
TTY 920-492-5912

March 13, 2001

Mr. Tim Fermanich
T & T Fermanich
1011 Marinette Avenue
Marinette, WI 54143

SUBJECT: Case Closure with a Soil & Groundwater Use Restriction and Soil Performance Standard (Impermeable Cap),
Phillips 66 Food Mart, 1011 Marinette Ave, Marinette, WI
WDNR BRRTS # 03-08-114233

Dear Mr. Fermanich:

On August 5, 1999, the Bureau for Remediation and Redevelopment's Northeast Region Closure Committee met to discuss the above referenced site. The committee has agreed to close this site pending the completion and filing of a soil and groundwater use deed restriction and the placement of an impermeable cap at your site. The soil and groundwater use deed restriction will state that petroleum groundwater contamination remains on the property and additional remedial action is not feasible at this time. It will also state that the existing impermeable asphalt cap must be maintained to minimize contaminant infiltration to groundwater and direct contact concerns. You should be aware that the cap is to be maintained in accordance with a plan prepared and submitted to the Department pursuant to s. NR 724.13(2), Wis. Adm. Code.

In accordance with ss. NR 714.07(5) and 722.0992(a)2, Wis. Adm. Code, you are required to provide a Class 1 public notice under ch. 985, Stats., concerning the impermeable petroleum cap you propose to place on your property. Please refer to s. NR 714.07(5), Wis. Adm. Code, for details on the required content of the public notice. An example of a Class 1 public notice for your use has been provided with this letter. Also enclosed is a list of newspapers in which the public notice can be published. The Department requires that you submit proof (a photocopy) of the published notice.

Only when the soil and groundwater use deed restriction has been finalized and filed with Marinette County and proof of the filing of the deed restriction and the public notice are received by the Department, can this site be closed. To expedite the completion of the restriction and closure process, the Department has enclosed a draft restriction for your perusal. If the draft deed restriction is accurate and acceptable, please sign it, file it with the Register of Deeds office and return a copy of the signed and filed restriction along with proof of filing of the Class 1 public notice to the Department for our records. The Department must also receive documentation of proper abandonment of any and all monitoring wells, extraction wells, sumps, piezometers and

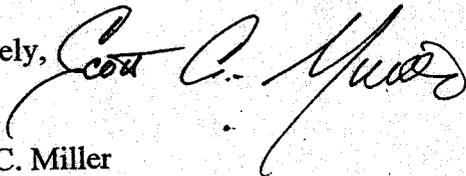
soil venting systems if you do not intend to perform long term monitoring at your site. Once all this information has been received, this case will be conditionally closed.

This soil and groundwater use deed restriction and the placement of the impermeable cap are options that the Department can offer in order to conditionally close this site. If you choose not to accept these options, you will need to perform additional investigation and cleanup of the remaining contamination. Within **14 days** of receipt of this notice, please submit a letter to the Department documenting your intentions.

If you have any additional relevant information concerning this matter that has not been formerly provided to the Department, you should submit this information to the Department for reevaluation.

The Department appreciates the actions you and your environmental consultant have undertaken to restore the environment at this site. If you have any questions, please contact me in Green Bay at (920) 492-5871.

Sincerely,



Scott C. Miller
Hydrogeologist
Bureau for Remediation & Redevelopment

Enclosure: Newspapers for Public Notices
 Example Public Notice

cc: Mark Foht, Northern Environmental Technologies, Inc., 954 Circle Drive, Green Bay,
 WI 54304

DOCUMENT NO.

WARRANTY DEED
STATE OF WISCONSIN - FORM 9

THIS SPACE RESERVED FOR RECORDING DATA

531866

J4898 143

1994 AUG -3 PM 12:31

THIS INDENTURE, Made by JOHN STEPHEN TORGERSEN,
1629 S.W. 77th Terrace, Gainesville, Florida
32606

grantor of County: WISCONSIN,
hereby conveys and warrants to T & T FERMANICH OIL CO., INC.
a Wisconsin corporation, of 1011 Marinette
Ave., Marinette, Wisconsin 54143

REGISTER OF DEEDS
OF MARINETTE COUNTY, WIS.

grantee of
Marinette County, Wisconsin for the sum of
One (\$1.00) Dollar and other good and valuable
considerations

10.00

RETURN TO
Farmers & Merchants Bank & Trust
Marinette, WI 54143

the following tract of land in Marinette County,
Wisconsin:

Parcel #251-02585.000

That part of Block 15 in Gilbert's First Addition to the Village (now City) of Marinette, according to the recorded plat thereof, described as: Beginning at the most easterly corner of said Block; thence Southwesterly along the Southeast line thereof, 232 feet; thence Northwesterly parallel with the Southwest line of said Block, 132 feet; thence Northeasterly, parallel with said Southeast line of said Block, 216.8 feet to the Southwest line of the right-of-way of the Chicago, Milwaukee & St. Paul Railway; thence Southeasterly along said right-of-way to the Northeast line of said Block; thence Southeasterly along said Northeast line of said Block to the point of beginning; being otherwise described as Lots 1, 2, 3 and 4 of Bell's Unrecorded Subdivision of Block 15 of Gilbert's First Addition to the Village (now City) of Marinette, Wisconsin; situate in Marinette County, Wisconsin.

This deed is given in fulfillment of that certain Land Contract dated April 21, 1987, recorded April 28, 1987 in Jacket 2384 Images 19-21, #466433. The Grantor does not warrant the premises against acts or omissions of the Grantee from and after the date of said Land Contract. The Grantee, pursuant thereto, assumes and agrees to pay all taxes and assessments levied and assessed on and after the date of said Land Contract.

TRANSFER
390.00
MARINETTE
COUNTY

531866

The conveyed premises are non-homestead premises as respects the grantor.

In Witness Whereof, the said grantor has hereunto set his hand and seal this 19th day of July, A. D. 1994

SIGNED AND SEALED IN PRESENCE OF
Sha A McDonald
Sharica P McDonald
Theresa Y Hadley
Theresa Y Hadley

John Stephen Torgersen (SEAL)
John Stephen Torgersen (SEAL)

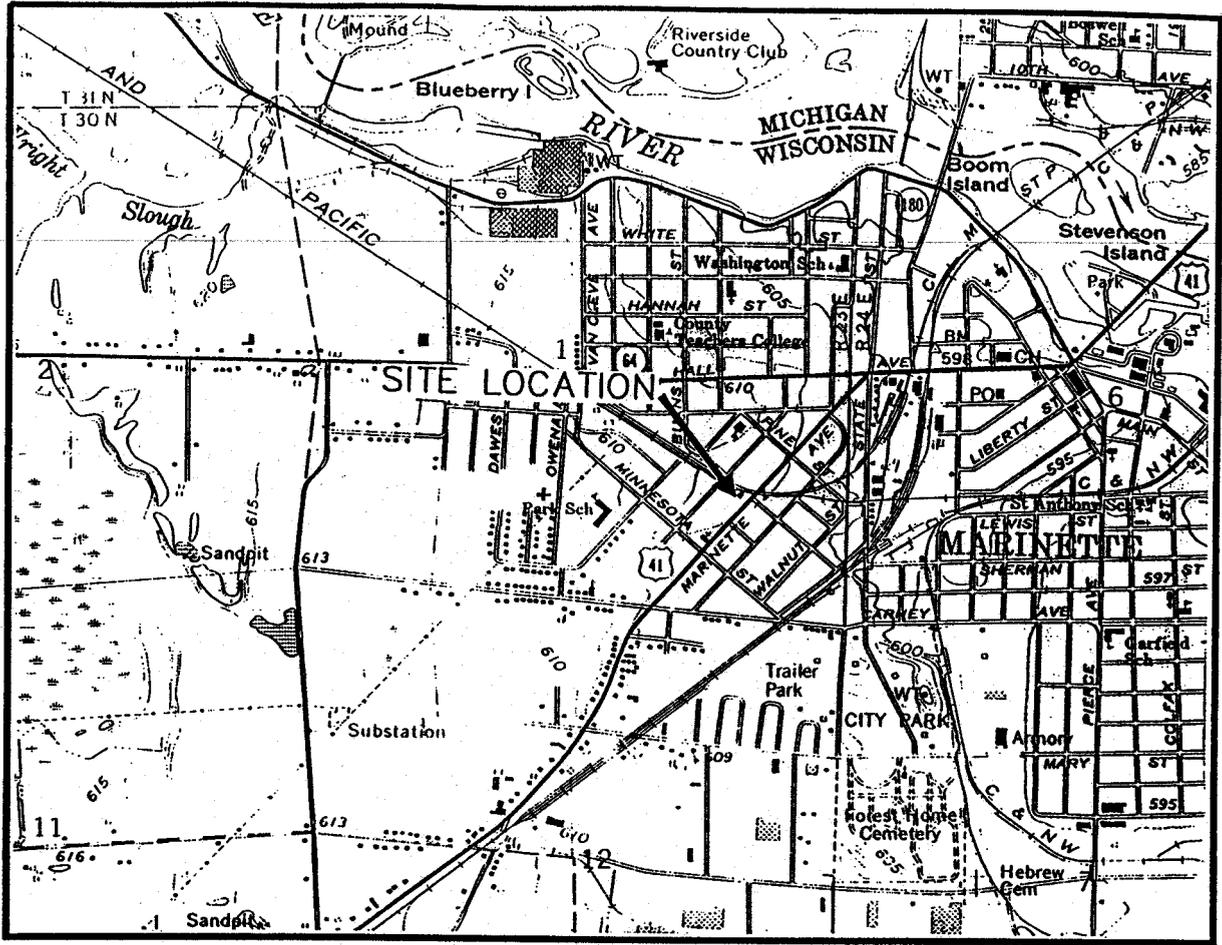
THESE Y. HADLEY (SEAL)
MY COMMISSION # CC 133673
EXPIRES: March 2, 1996
Bonded Thru Notary Public Underwriters (SEAL)

Florida }
State of Alachua County, } Personally came before me, this 10th day of July, A. D. 1994
the above named John Stephen Torgersen
to me known to be the person who executed the foregoing instrument and acknowledged the same

THIS INSTRUMENT WAS DRAFTED BY
George R. Faller, Attorney NOTARY SEAL
at Law, Marinette, Wisconsin

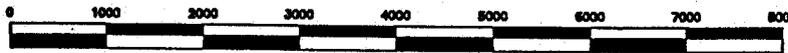
Notary Public, Alachua County, FL

My commission (expires) (is) 3-2-95



SCALE IN FEET

1" = 2000'



CONTOUR INTERVAL 10 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929



BASE MAP SOURCE: USGS MARINETTE WEST, WISCONSIN 7.5 MINUTE QUADRANGLE (REVISED 1976)

QUADRANGLE LOCATION

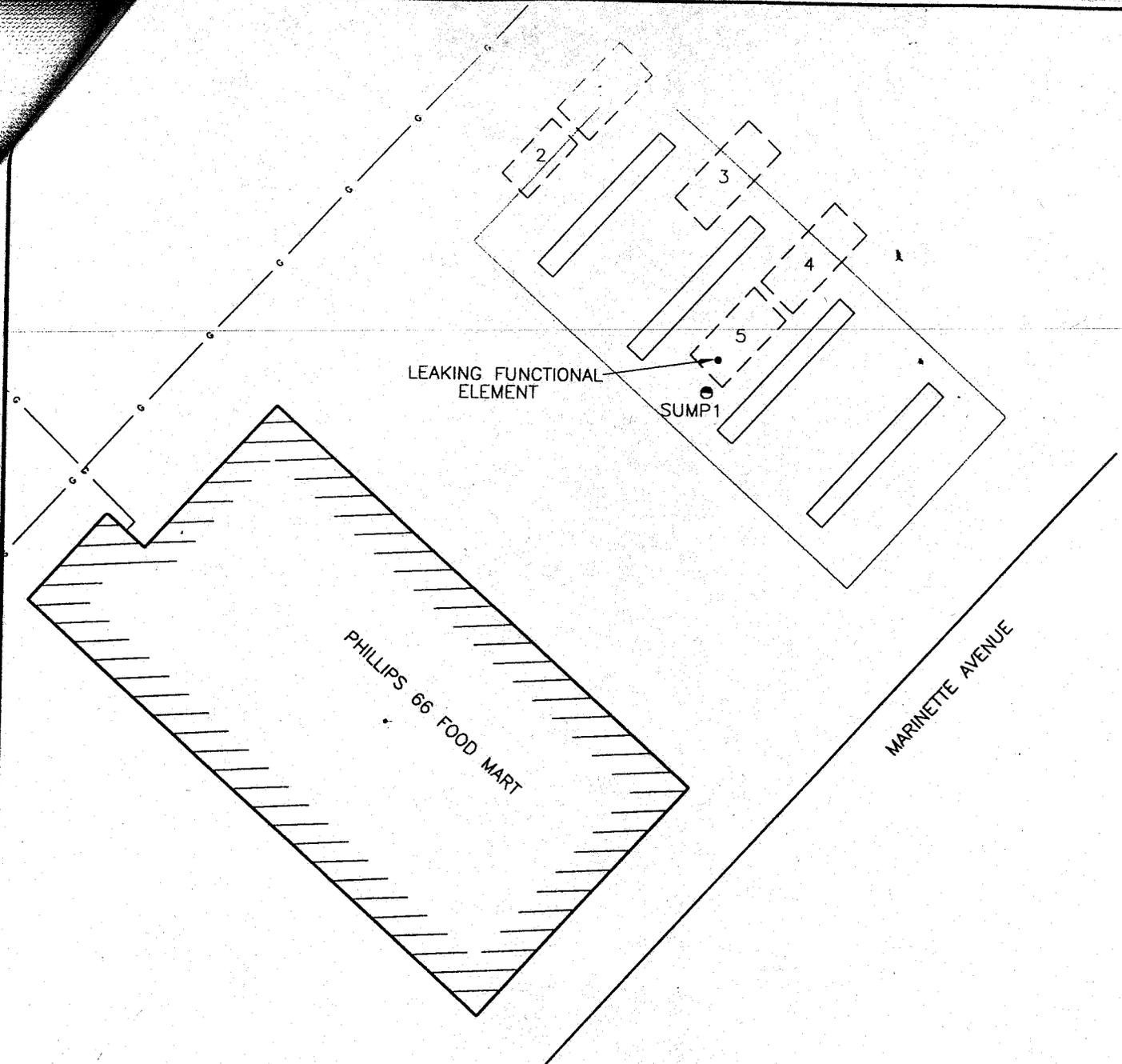
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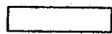
FIGURE 1
SITE LOCATION AND LOCAL TOPOGRAPHY
PHILLIPS 66 FOOD MART
MARINETTE, WISCONSIN

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FOR: T & T FERMANICH OIL CO.



LEGEND

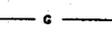


DISPENSER ISLAND
CANOPY



UST LOCATION

- 1 = 8,000 GALLON DIESEL
- 2 = 4,000 GALLON DIESEL
- 3 = 10,000 GALLON GASOLINE
- 4 = 10,000 GALLON GASOLINE
- 5 = 8,000 GALLON GASOLINE



NATURAL GAS LINE

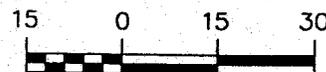


SUMP LOCATION



N

SCALE IN FEET



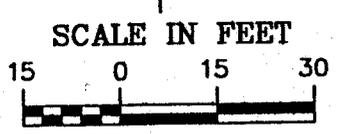
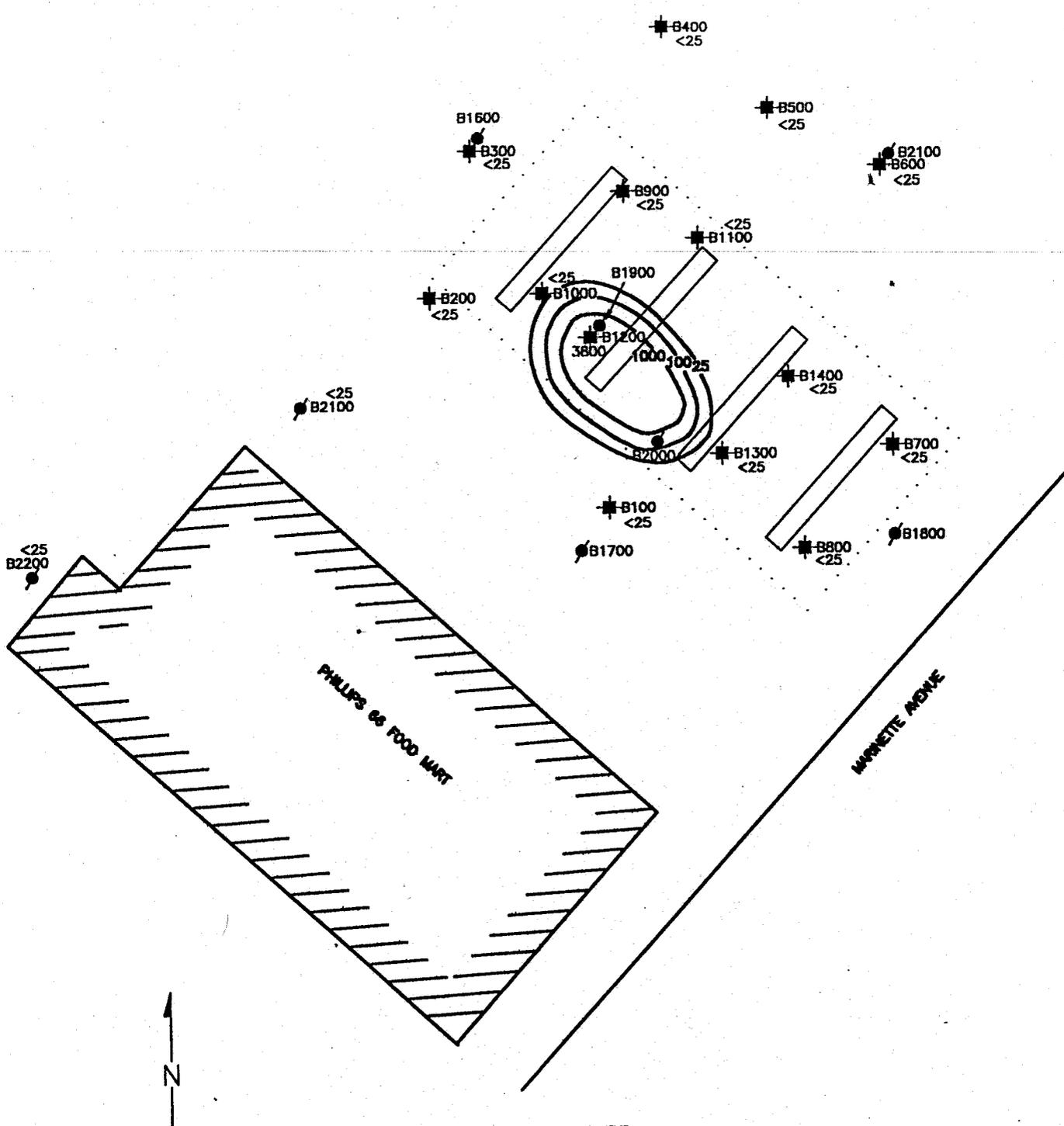
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SITE LAYOUT
PHILLIPS 66 FOOD MART
MARINETTE, WISCONSIN



FOR: T&T FERMANICH



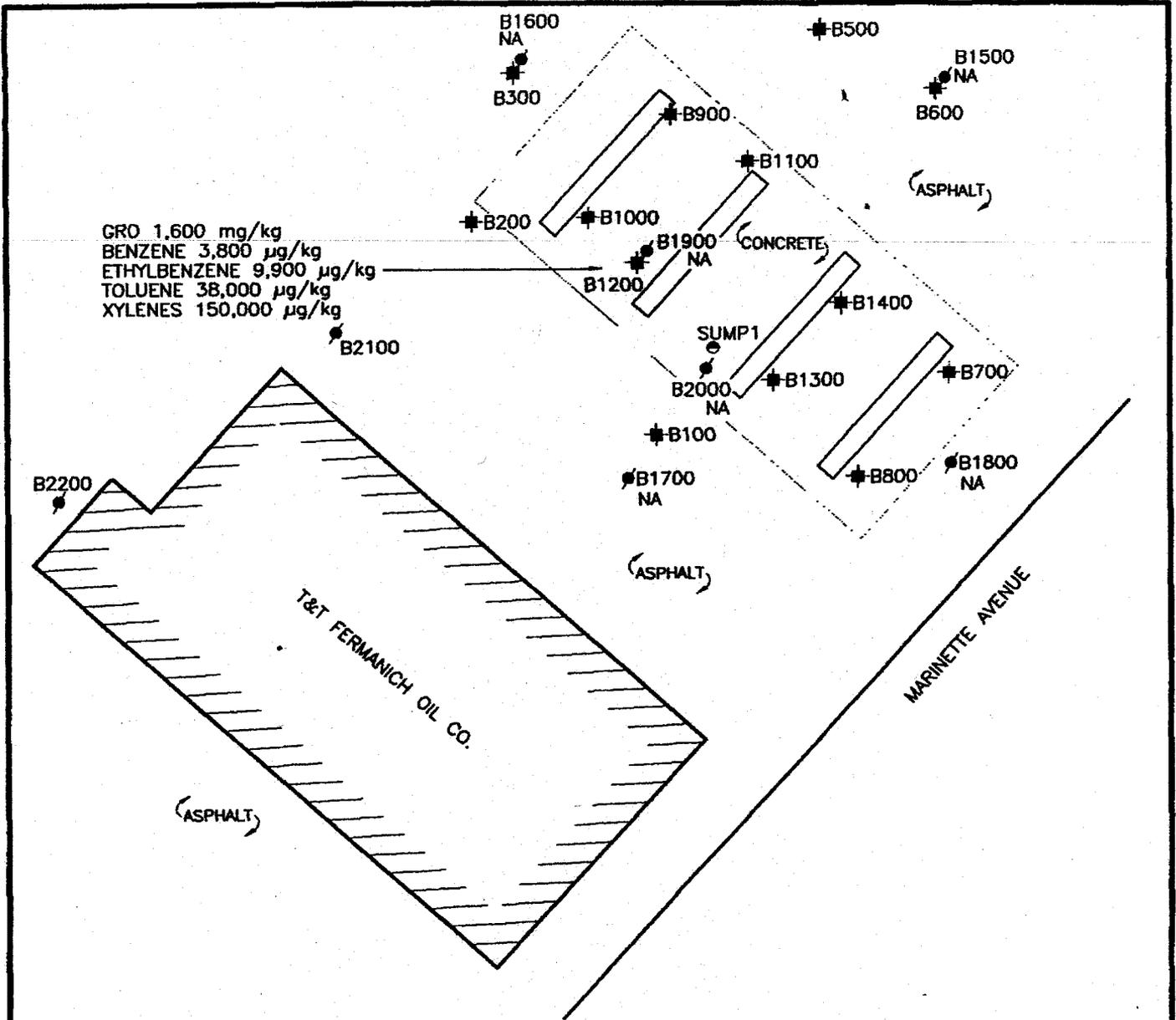
LEGEND

-  DISPENSER ISLAND CANOPY
-  B100
GEOPROBE SOIL BORING LOCATION WITH BORING NUMBER
BENZENE CONCENTRATIONS IN MICROGRAMS PER KILOGRAM (mg/kg)
-  B1500
SOIL BORING LOCATION WITH BORING NUMBER
ESTIMATED EXTENT OF BENZENE IN SOIL

DRAWN BY: LFC	PROJECT: TTF330508	DATE: 5/6/97
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FIGURE 3
SOIL BORING LOCATIONS WITH ESTIMATED
EXTENT OF BENZENE IN SOIL
PHILLIPS 66 FOOD MART
MARINETTE, WISCONSIN

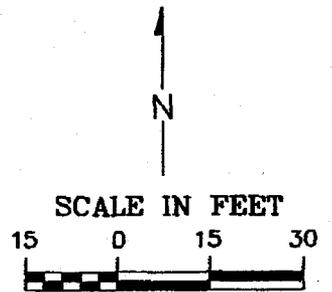
FOR: T&T FERMANICH



NOTE: NO PETROLEUM COMPOUNDS WERE DETECTED IN THE OTHER LABORATORY ANALYZED SOIL SAMPLES

LEGEND

- DISPENSER ISLAND
- CANOPY
- B200 GEOPROBE SOIL BORING LOCATION
- B1000 HSA SOIL BORING LOCATION
- NA = NOT LABORATORY ANALYZED
- SUMP1 SUMP LOCATION
- ESTIMATED EXTENT OF REMAINING SOIL CONTAMINATION



DRAWN BY: SXM PROJECT: TTF-0508 DATE: 3/19/99

REV. DATE 6/28/02 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.

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FIGURE 2
 SOIL BORING LOCATIONS AND
 ESTIMATED EXTENT OF REMAINING SOIL CONTAMINATION
 MARINETTE, WISCONSIN

FOR: T&T FERMANICH

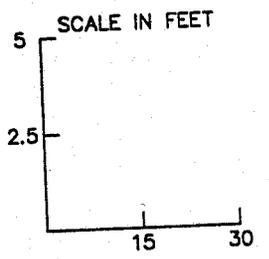
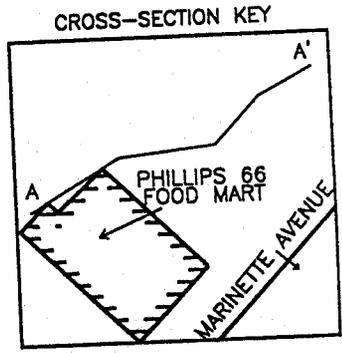
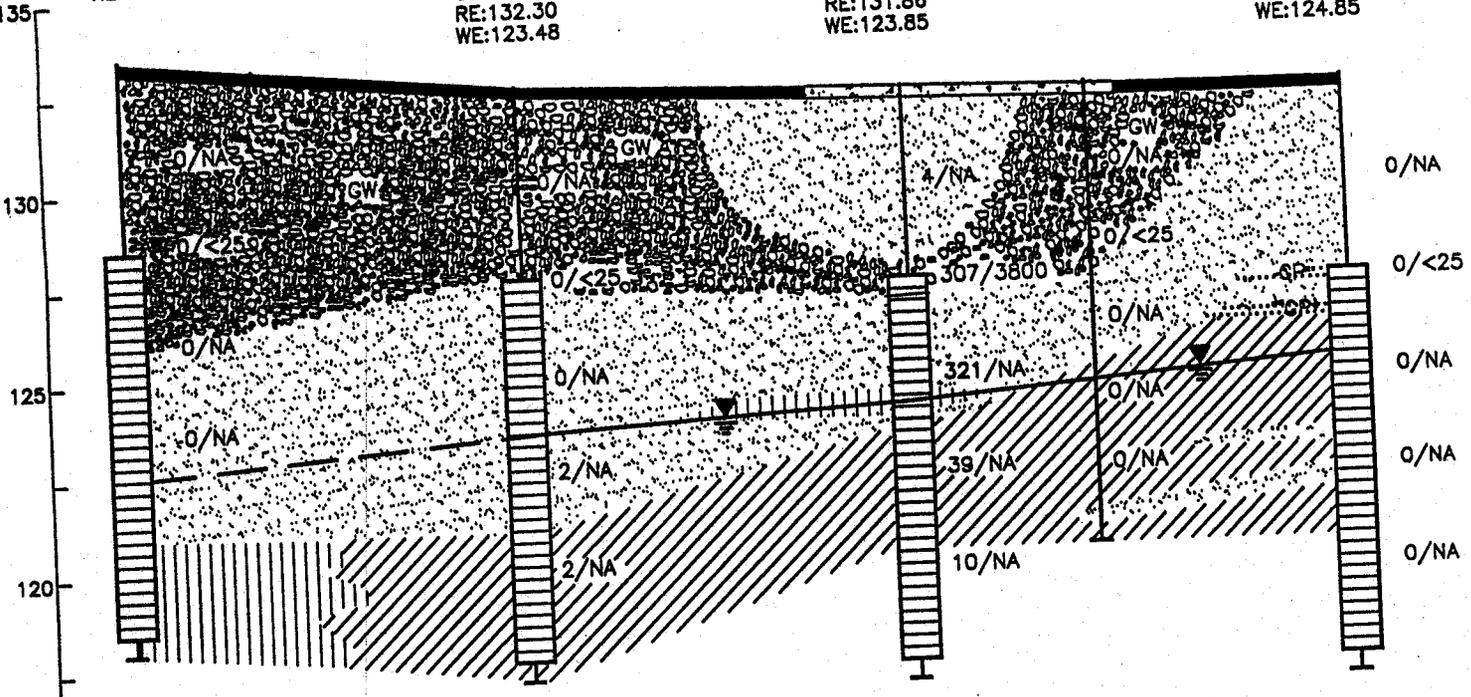
A
B2200/MW2200
GE:133.42
RE:133.05

B2100/MW2100
GE:132.64
RE:132.30
WE:123.48

B1200/MW1900
GE:132.37
RE:131.86
WE:123.85

B1100

A'
B600/MW1500
GE:132.09
RE:131.83
WE:124.85



LEGEND

PID/BENZENE RESULT
PID = PHOTOIONIZATION DETECTOR READING MEASURED
IN INSTRUMENT UNITS AS ISOBUTYLENE (iui)
BENZENE = MEASURED IN MICROGRAMS PER KILOGRAM (ug/kg)
NA = NOT ANALYZED

WATER TABLE ELEVATION; DASHED WHERE INFERRED
GROUND ELEVATION (IN FEET)
WATER ELEVATION (IN FEET)
RISER ELEVATION (IN FEET)

- ASPHALT
- ▨ CONCRETE
- ▧ CL = INORGANIC CLAYS
- ▩ GP = POORLY GRADED GRAVELS
- ▤ GW = WELL GRADED GRAVELS
- ▥ ML = INORGANIC SILTS
- ▦ SP = POORLY GRADED SANDS

O/NA

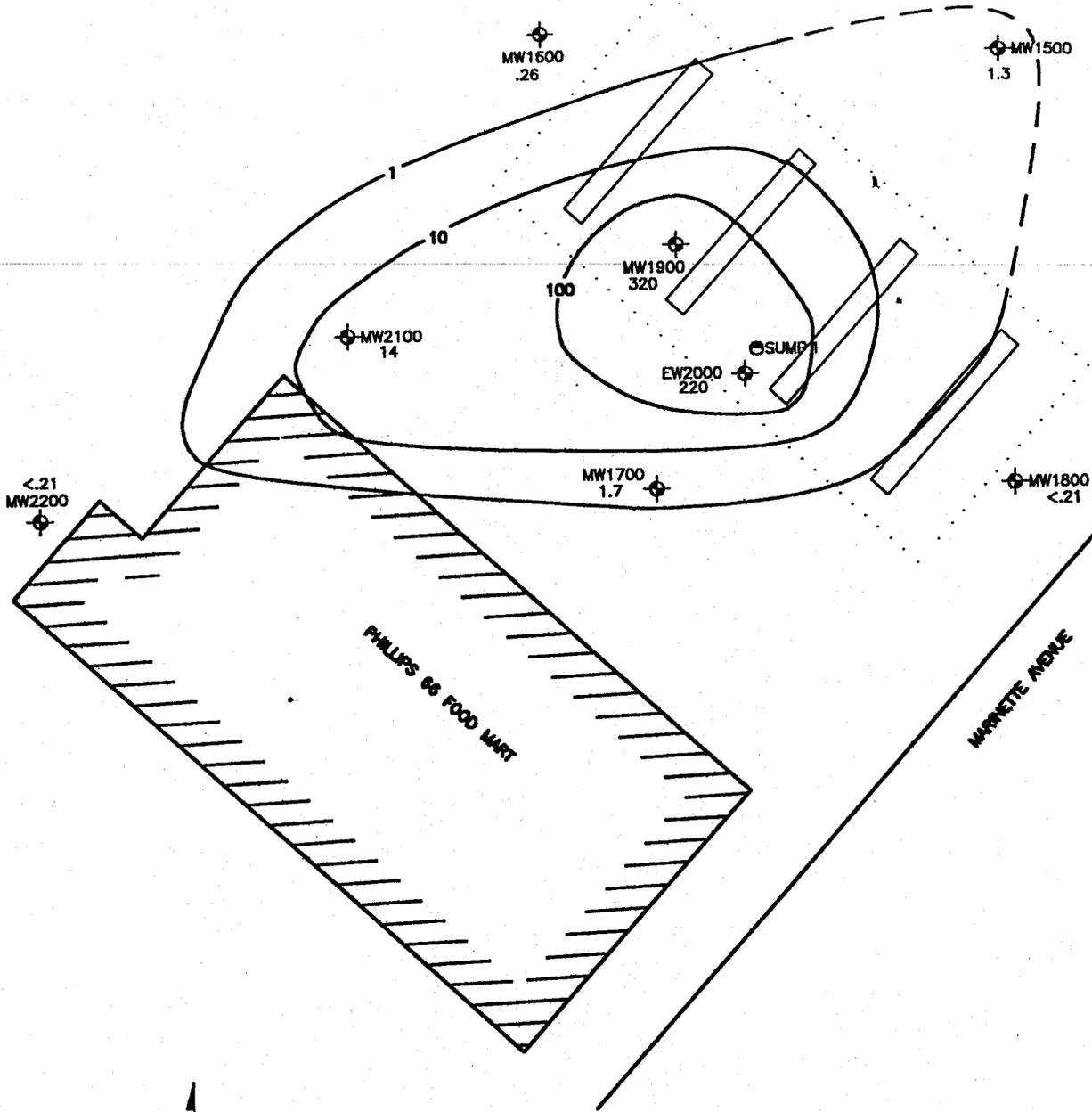


NOTE:
• WATER MEASUREMENTS TAKEN 8/19/97
• ELEVATIONS REFERENCED TO SITE DATUM
• COLUMN WIDTHS ARE NOT TO SCALE
• B1100 ELEVATION IS INFERRED

DRAWN BY: LFC	PROJECT: TTF1408 0508	DATE: 3/18/98
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FIGURE 5
GEOLOGIC CROSS SECTION A-A'
PHILLIPS 66 FOOD MART
MARINETTE, WISCONSIN

FOR: T&T FERMANICH



<.21
MW2200

MW1600
.26

MW1500
1.3

MW2100
14

MW1900
320

EW2000
220

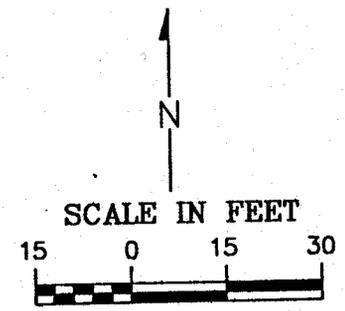
SUMP1

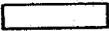
MW1700
1.7

MW1800
<.21

PHILLIPS 66 FOOD MART

MARQUETTE AVENUE



- LEGEND**
-  DISPENSER ISLAND CANOPY
 -  MW1600 .26
MONITORING WELL LOCATION WITH WELL NUMBER AND MTBE CONCENTRATION IN MILLIGRAMS PER LITER (ug/l)
 -  SUMP1
SUMP LOCATION
 -  10
ESTIMATED EXTENT OF MTBE IN GROUND WATER

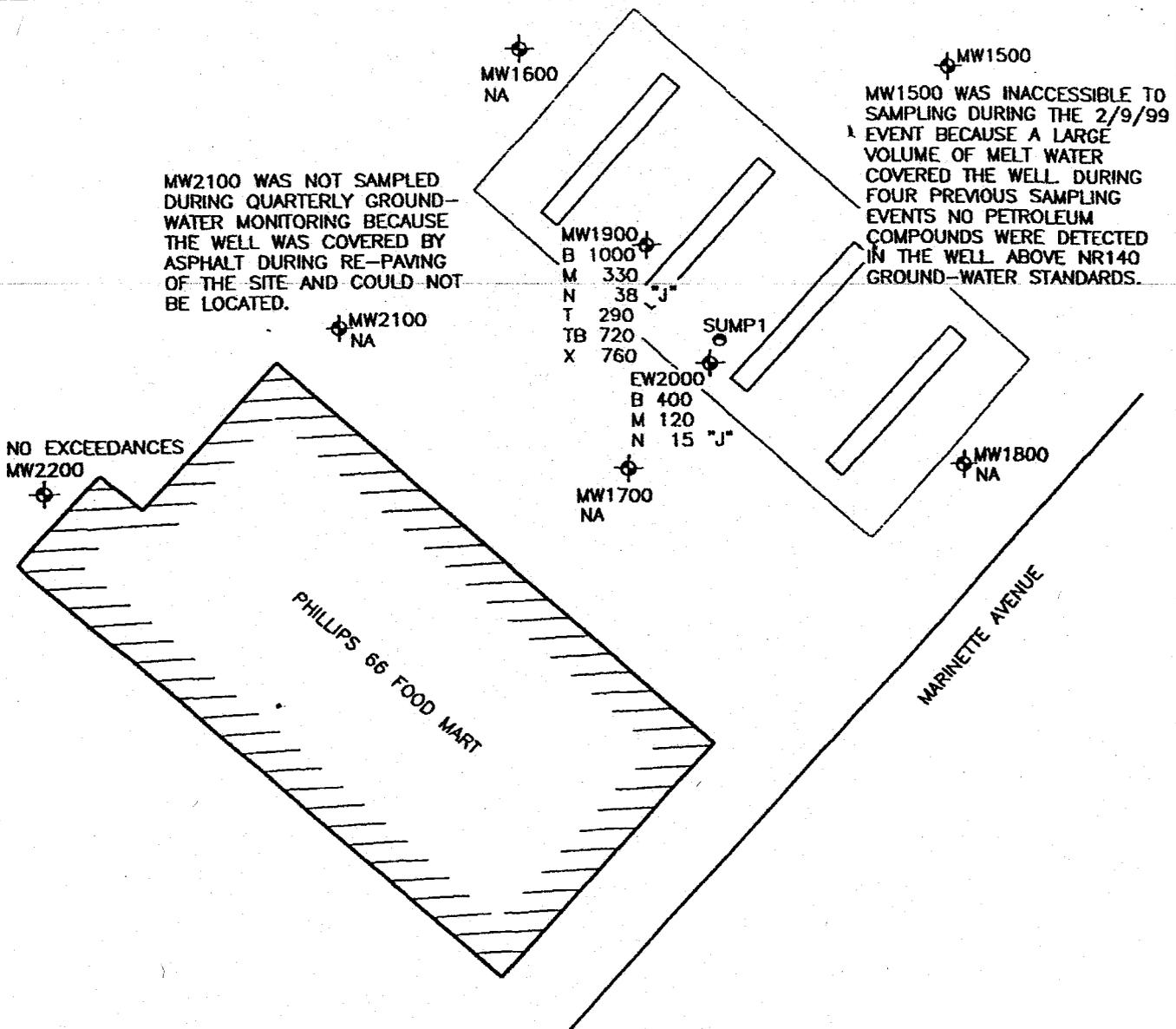
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FIGURE 4
MONITORING WELL LOCATIONS WITH
ESTIMATED EXTENT OF MTBE IN GROUND WATER
PHILLIPS 66 FOOD MART
MARINETTE, WISCONSIN

FOR: T&T FERMANICH



MW2100 WAS NOT SAMPLED DURING QUARTERLY GROUND-WATER MONITORING BECAUSE THE WELL WAS COVERED BY ASPHALT DURING RE-PAVING OF THE SITE AND COULD NOT BE LOCATED.

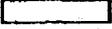
MW1500 WAS INACCESSIBLE TO SAMPLING DURING THE 2/9/99 EVENT BECAUSE A LARGE VOLUME OF MELT WATER COVERED THE WELL. DURING FOUR PREVIOUS SAMPLING EVENTS NO PETROLEUM COMPOUNDS WERE DETECTED IN THE WELL ABOVE NR140 GROUND-WATER STANDARDS.

NO EXCEEDANCES
MW2200

PHILLIPS 66 FOOD MART

MARINETTE AVENUE

LEGEND



DISPENSER ISLAND
CANOPY



MONITORING WELL LOCATION WITH BENZENE (B), MTBE (M), NAPHTHALENE (N), TOLUENE (T), TRIMETHYLBENZENES (TB), AND XYLENES (X) MEASURED IN MICROGRAMS PER LITER ($\mu\text{g/l}$)

"J" = ANALYTE DETECTED BETWEEN LIMIT OF DETECTION AND LIMIT OF QUANTITATION

NA = NOT ANALYZED

RED = ES EXCEEDANCE

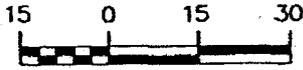
BLUE = PAL EXCEEDANCE

NOTE: MW1600, MW1800, AND MW2100 WERE DAMAGED DURING ASPHALT PAVING AT THE SITE AND ARE UNREPAIRABLE

SUMP1 SUMP LOCATION



SCALE IN FEET



DRAWN BY: SXM PROJECT: TTF-0508 DATE: 3/19/99

REV. DATE
4/22/99

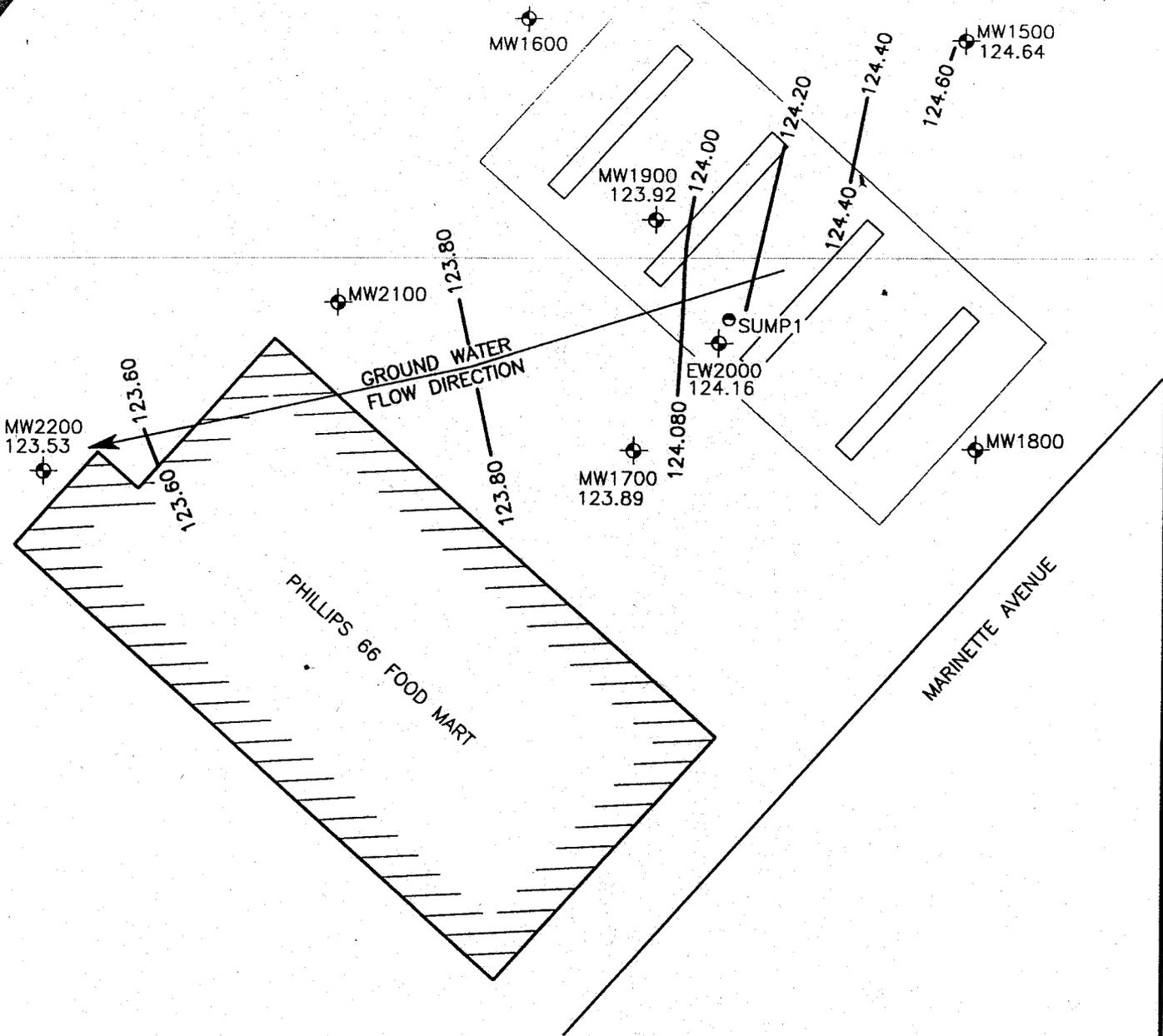
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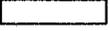
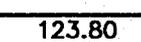
MONITORING WELL LOCATIONS WITH
CONTAMINANT CONCENTRATIONS (2/9/99)
PHILLIPS 66 FOOD MART
MARINETTE, WISCONSIN

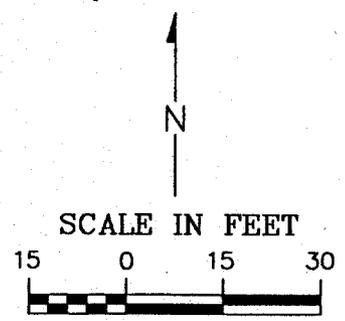
FOR: T&T FERMANICH

Figure 1



LEGEND

-  DISPENSER ISLAND
-  CANOPY
-  MW1900 MONITORING WELL LOCATION WITH WELL NUMBER
123.92 GROUND WATER ELEVATION ON 8/26/98
-  SUMP1 SUMP LOCATION
-  123.80 GROUND WATER CONTOUR LINE
CONTOUR LINE INTERVAL = 0.20 FEET



DRAWN BY: SXM PROJECT: TTF-0508 DATE: 4/22/99		GROUND WATER ELEVATION CONTOUR MAP (8/26/98) PHILLIPS 66 FOOD MART MARINETTE, WISCONSIN
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.	
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Pre-Remedial Soil Analytical Results, Phillips 66 Food Mart, Marinette, Wisconsin

Boring Number	Sample Number	Date Sampled	DRO (mg/kg)	GRO (mg/kg)	Relevant and Significant Analytical Results (µg/kg)						
					Benzene	Ethylbenzene	MTBE	Toluene	1,2,4-Trimethylbenzene	1,3,5-Trimethylbenzene	Xylenes
WAC Residual Contaminant Level			100	100	5.5	2900	NE	1500	NE	NE	4100
B400	S104	03/12/97	--	< 10	< 25	< 25	< 25	< 25	< 25	< 25	< 50
B200	S203	03/12/97	< 10	--	< 25	< 25	< 25	< 25	< 25	< 25	< 50
B300	S302	03/12/97	< 10	--	< 25	< 25	< 25	< 25	< 25	< 25	< 50
B400	S402	03/12/97	< 10	--	< 25	< 25	< 25	< 25	< 25	< 25	< 50
B500	S502	03/12/97	--	< 10	< 25	< 25	< 25	< 25	< 25	< 25	< 50
B600	S602	03/12/97	--	< 10	< 25	< 25	< 25	< 25	< 25	< 25	< 50
B700	S702	03/12/97	--	< 10	< 25	< 25	< 25	< 25	< 25	< 25	< 50
B800	S802	03/12/97	--	< 10	< 25	< 25	< 25	< 25	< 25	< 25	< 50
B900	S902	03/12/97	< 10	< 10	< 25	< 25	< 25	< 25	< 25	< 25	< 50
B1000	S1002	03/12/97	< 10	< 10	< 25	< 25	< 25	< 25	< 25	< 25	< 50
B1100	S1102	03/12/97	--	< 10	< 25	< 25	< 25	< 25	< 25	< 25	< 50
461 B1200	S1202	03/12/97	--	1600	3800	9900	< 250	38000	130000	45000	150000
B1300	S1302	03/12/97	--	< 10	< 25	< 25	< 25	< 25	< 25	< 25	< 50
B1400	S1402	03/12/97	--	< 10	< 25	< 25	< 25	< 25	< 25	< 25	< 50
B2100	S2102	08/19/97	< 10	< 10	< 25	< 25	< 25	< 25	< 25	< 25	< 50
B2200	S2202	12/17/97	10	< 10	< 25	< 25	< 25	< 25	< 25	< 25	< 50

KEY:

- DRO = Diesel Range Organics
- GRO = Gasoline Range Organics
- MTBE = Methyl-Tertiary-Butyl-Ether
- mg/kg = milligrams per kilogram
- µg/kg = micrograms per kilogram
- = Not Analyzed
- NE = Not Established by Wisconsin Administrative Code (WAC)
- 120 = WAC Residual Contaminant Level Exceeded

Ground-Water Analytical Results, Phillips 66 Food Mart, Marinette, Wisconsin

Well ID	Date Sampled	Relevant and Significant Analytical Results (µg/l)															
		DRO	GRO	Benzene	n-Butylbenzene	sec-Butylbenzene	1,2-Dichloroethane	Di-Isopropyl Ether	Ethylbenzene	Isopropylbenzene	p-Isopropyltoluene	MTBE	Naphthalene	n-Propylbenzene	Toluene	Trimethylbenzene	Xylenes
WAC NR140 PAL (µg/l)		NE	NE	0.5	NE	NE	0.5	NE	140	NE	NE	12	8	NE	68.6	96	124
WAC NR140 ES (µg/l)		NE	NE	5	NE	NE	5	NE	700	NE	NE	60	40	NE	343	480	620
MW1500	05/02/97	< 100	< 100	< 0.21	< 0.38	< 0.6	< 0.14	< 0.28	< 0.68	< 0.38	< 0.37	1.3	< 1	< 0.4	< 1.5	< 1.86	< 1.78
	05/07/98	---	---	< 0.32	---	---	---	---	< 0.34	---	---	< 0.31	< 0.88	---	< 0.35	< 0.99	< 1
	08/26/98	---	---	< 0.32	---	---	---	---	< 0.34	---	---	< 0.31	< 0.88	---	< 0.35	< 0.99	< 0.98
	11/23/98	---	---	< 0.32	---	---	---	---	< 0.34	---	---	< 0.31	< 0.88	---	< 0.35	< 0.99	< 0.98
MW1600	05/02/97	< 100	< 100	< 0.21	2.2	< 0.6	< 0.14	< 0.28	< 0.68	< 0.38	< 0.37	0.26 "J"	< 1	< 0.4	< 1.5	1.4	< 1.78
MW1700	05/02/97	< 100	< 100	< 0.21	2.5	< 0.6	< 0.14	< 0.28	< 0.68	< 0.38	< 0.37	1.7	< 1	< 0.4	< 1.5	2.6	9.63
MW1800	05/02/97	< 100	< 100	0.47 "J"	0.75	< 0.6	< 0.14	< 0.28	0.92	< 0.38	< 0.37	< 0.21	< 1	< 0.4	< 1.5	< 1.86	1.98
MW1900	05/02/97	860	4500	690	23	2	5.6	< 0.28	53	3.9	0.72	220	5.5	5.1	980	207	660
	05/07/98	---	---	4100	180	26	< 6.8	52	290	15 "J"	< 6.2	1600	68	30	3600	1580	4700
	08/26/98	---	---	2400	---	---	---	---	280	---	---	610	< 17.6	---	520	550	930
	11/23/98	---	---	1400	---	---	---	---	230	---	---	600	12 "J"	---	450	510	1000
	02/09/99	---	---	1000	---	---	---	---	89	---	---	330	38 "J"	---	290	720	760
EW2000	05/02/97	< 100	170	18	< 0.38	< 0.6	< 0.14	2.1	< 0.68	< 0.38	< 0.37	320	< 1	< 0.4	3.5	< 1.86	< 1.78
	05/07/98	---	---	890	---	---	---	---	94	---	---	120	< 8.8	---	82	59	110
	08/26/98	---	---	1300	---	---	---	---	270	---	---	320	138 "J"	---	80	51	110
	11/23/98	---	---	660	---	---	---	---	130	---	---	270	15 "J"	---	20	17	31 "J"
	02/09/99	---	---	400	---	---	---	---	65	---	---	120	15 "J"	---	26	20	32 "J"
MW2100	08/19/97	250	130	83	< 0.38	< 0.6	< 0.14	< 0.28	< 0.68	< 0.38	< 0.37	14	1.99 "J"	< 0.4	1.7	0.89	1.7
MW2200	12/17/97	< 100	< 100	< 0.21	1.2	< 0.6	< 0.14	< 0.28	< 0.68	< 0.38	< 0.37	< 0.21	< 1	< 0.4	< 1.5	1	< 1.78
	05/07/98	---	---	< 0.32	---	---	---	---	< 0.34	---	---	< 0.31	< 0.88	---	< 0.35	< 0.99	< 1
	08/26/98	---	---	< 0.32	---	---	---	---	< 0.34	---	---	0.53 "J"	< 0.88	---	< 0.35	< 0.99	< 0.98
	11/23/98	---	---	< 0.32	---	---	---	---	< 0.34	---	---	3.5	< 0.88	---	< 0.35	< 0.99	< 0.98
	02/09/99	---	---	< 0.32	---	---	---	---	< 0.34	---	---	1.9	< 0.88	---	< 0.35	< 0.99	< 1

Note:
 GRO = Gasoline Range Organics
 DRO = Diesel Range Organics
 MTBE = Methyl-Tertiary-Butyl-Ether
 µg/l = micrograms per liter
 WAC = Wisconsin Administrative Code
 PAL = Preventive Action Limit
 ES = Enforcement Standard
 NE = Not established by WAC
 "J" = Analyte detected between Limit of Detection and Limit of Quantitation
32 = WAC Preventive Action Limit Exceeded
32 = WAC Enforcement Standard Exceeded

Water Level Data, Phillips 66 Food Mart, Marinette, Wisconsin

Well I.D.	Ground Surface Elevation (feet)	Reference Point Elevation (feet)	Date	Depth to Water (feet)		Water Table Elevation (feet)
				Below Riser	Below Grade	
MW1500	132.09	131.83	04/16/97	6.36	6.62	125.47
			04/22/97	6.42	6.68	125.41
			05/02/97	5.14	5.40	126.69
			06/03/97	5.41	5.67	126.42
			07/16/97	6.16	6.42	125.67
	132.40*	131.83*	08/19/97	6.98	7.24	124.85
			01/19/98	8.97	9.54	122.86
			05/07/98	5.65	6.22	126.18
			08/26/98	7.19	7.76	124.64
			11/23/98	7.54	8.11	124.29
MW1600	132.65	132.26	04/16/97	7.02	7.41	125.24
			04/22/97	7.95	8.34	124.31
			05/02/97	6.80	7.19	125.46
			06/03/97	7.14	7.53	125.12
			07/16/97	7.88	8.27	124.38
			08/19/97	8.61	9.00	123.65
	132.77*	132.31*	01/19/98	dry	dry	dry
MW1700	132.05	131.79	04/16/97	dry	dry	dry
			04/22/97	8.68	8.94	123.11
			05/02/97	7.07	7.33	124.72
			06/03/97	6.88	7.14	124.91
			07/16/97	7.49	7.75	124.30
	132.03*	131.79*	08/19/97	8.07	8.33	123.72
			01/19/98	8.35	8.59	123.44
			05/07/98	7.00	7.24	124.79
			08/26/98	7.90	8.14	123.89
			11/23/98	8.41	8.65	123.38
			02/09/99	8.38	8.62	123.41