

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

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

November 15, 1999

Mr. Tom Reinsch
Condon Oil Company
126 East Jackson Street
Ripon WI 54971

SUBJECT: Conditional Closure of Montello Payless
35 Underwood Dr. Montello WI
BRRTS ID# 03-39-002495

Dear Mr. Reinsch:

The above referenced case file has been reviewed by the WDNR's Northeast Region Case Closure Committee. This panel reviews environmental remediation cases for compliance with state laws, standards, and guidelines to maintain consistency in the closeout of cases. After careful review, the Committee has decided to grant a *conditional* case closure. At this 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 the state.

First Condition: Deed Restriction

The WDNR is requiring no further remedial action at this time; however, *You must file the attached "Declaration of Restriction" with your county Register of Deeds office within 30 days and send proof of this filing to the Department within 60 days of the date of this letter.* The attached restriction also includes maps which must be filed with the text. (The restriction is a Department standard format and has been drafted with oversight from Department attorneys. Please contact me if you have any questions or concerns regarding the restriction as written.)

A second restriction for the Montello State Bank property is also included, please forward this to the bank for signing. A copy of both filed restrictions are required to be sent back to the Department prior to case closure.

Please note that case closure is dependent upon the filing of this deed restriction. *If the restriction is not filed with the County Register of Deeds, the case remains active and continued sampling of the monitoring wells at the site will be required.* A workplan of the sampling schedule and maintenance of the monitoring wells will be required within 90 days of the date of this letter if verification of the restriction filing is not received as indicated above.

Second Condition: Monitoring Well Abandonment

After filing the restriction with the county and sending a copy of the filed restriction to the

Quality Natural Resources Management
Through Excellent Customer Service



Department, all monitoring wells, sumps, and/or boreholes must be abandoned according to Chapter NR 141, Wisconsin Administrative Code. The abandonment forms (#3300-5B) should be sent to my attention.

Until verification of **both** the restriction and abandonment documentation is received, the DNR will continue to track this facility as an active BRR site.

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 to past or future activities at this site. If additional information in the future indicates that further investigation and/or remediation is warranted, the Department will require that appropriate action be taken at that time.

The Department appreciates your efforts to protect and restore the environment at this site. If you have any questions regarding this letter, please contact me at (920) 424-7890.

Sincerely,



Kevin D. McKnight
WDNR, Hydrogeologist
mcknik@dnr.state.wi.us

cc: file

Rick Carney, Delta, 15700 W. Cleveland Ave., New Berlin WI 53151

WHEREAS, construction of wells where the water quality exceeds the drinking water standards in ch. NR 809 is restricted by ch. NR 811 and ch. NR 812. 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 prohibitions or requirements are applicable, prior to constructing or reconstructing a well on this property. No well may be constructed or reconstructed on this property unless applicable requirements are met.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction benefits and is enforceable by, the Wisconsin Department of Natural Resources, its successors and assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that the restrictions set forth in this covenant are no longer required. Upon receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit, with a copy of the Department's written determination, may be recorded to give notice that this groundwater use restriction is no longer binding.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 29th day of November, 1999.

By signing this document, _____ acknowledges that [he/she] is duly authorized to sign this document on behalf of the Estate of Donald B. Condon.

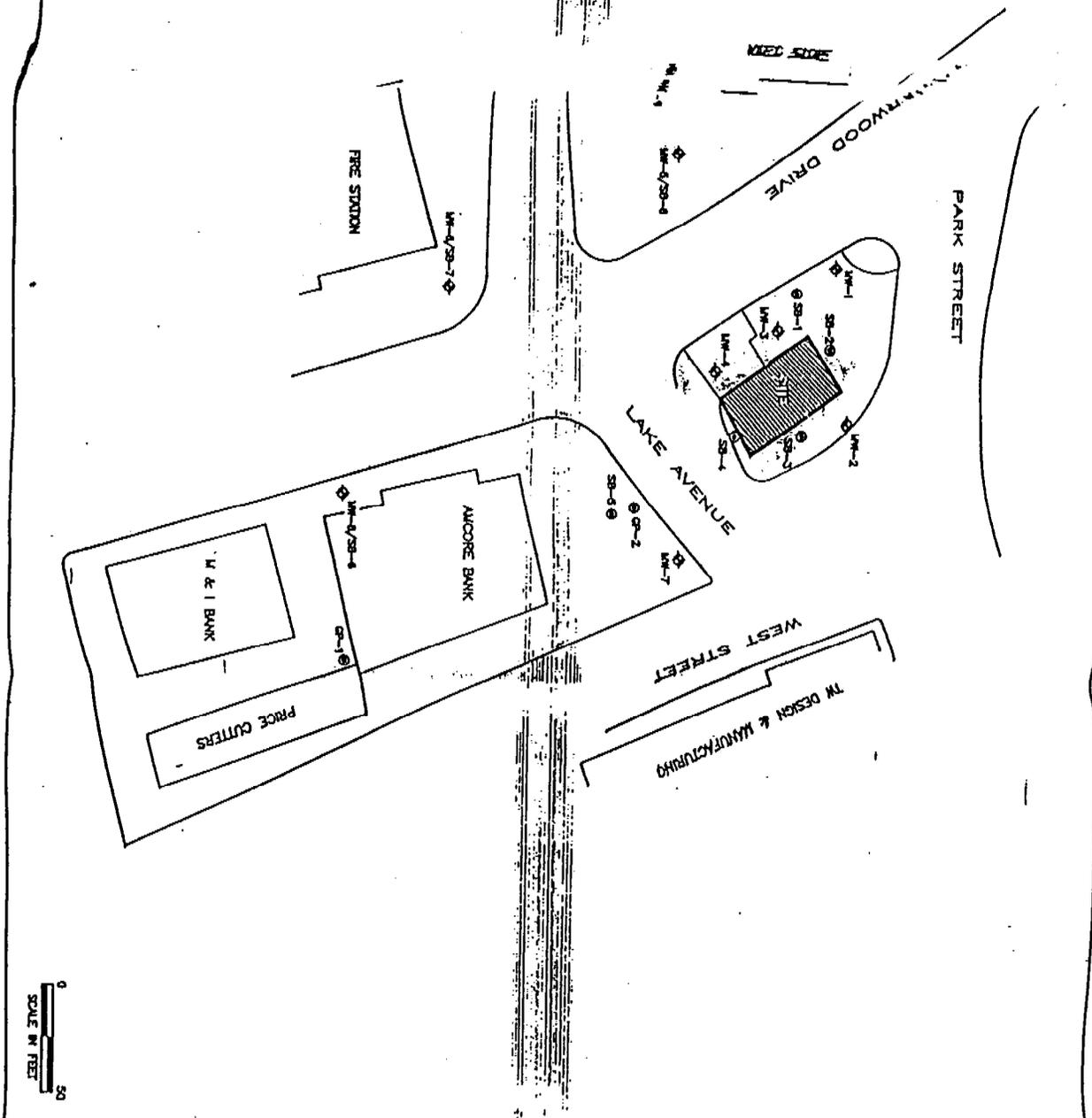
Signature: B. Kent Bauman
Printed Name: B. KENT BAUMAN
Title: OWNER

Signature: _____
Printed Name: _____
Title: _____

Subscribed and sworn to before me
this 29 day of November, 1999.

Christy B. Beckett
Notary Public, State of WI
My commission 5-19-02

This document was drafted by the Wisconsin Department of Natural Resources.



0 50
SCALE IN FEET



LEGEND
 ◆ MONITORING WELL
 ⊙ SOIL BORING

NOTE: ALL SOIL BORING SAMPLES WERE COLLECTED
 FEBRUARY 21, 1998.

FIGURE 1
 SITE MAP

CONDON OIL COMPANY
 MONTELUO PARTNERS
 MONTELUO, WISCONSIN

PROJECT NO.	DATE
DESIGNED BY	DATE
CHECKED BY	DATE
SCALE	DATE
REVISIONS	DATE



Geoprobe 2 (GP-2) with 14 micrograms per liter benzene on June 30. Geoprobe location shown on Figure ? which is 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.

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

VOL 369 PAGE 311

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 Russel L. Kuehn asserts that he/she is duly authorized to sign this document on behalf of The Montello State Bank.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 15 day of December, 19 99.

Signature: Russel L. Kuehn
Printed Name: RUSSEL L. KUEHN
Title: PRESIDENT/CEO

Subscribed and sworn to before me this 20th day of December 19 99.

Deann Stein
Notary Public, State of Wisconsin
My commission August 24 2003

This document was drafted by the Wisconsin Department of Natural Resources.

137621

VOL. 170 PAGE 548

REGISTER'S OFFICE,

Marquette County, Wis.

Received for Record, the 1 day
of June A. D. 1978 at
9:00 o'clock A.M., and recorded in
Vol. 170 of Records on page 548
Bernice M. Wright
Register

This Deed, made between City of Montello
Grantor
and Montello State Bank
Grantee,

Witnesseth, That the said Grantor for a valuable consideration one dollar
and other good and valuable consideration
conveys to Grantee the following described real estate in Marquette County,
State of Wisconsin:

RETURN TO

Walter E. Wright
Montello St. Bk. 12.0000

Tax Key #
This is not homestead property.

Lot No. Two (2) of Certified Survey Map No. 391, as recorded in
Volume 2 of Certified Survey Maps for Marquette County in the office
of the Register of Deeds on Page 184, as Document No. 136927.

TRANSFER

\$ 35.00
FEE

Together with all and singular the hereditaments and appurtenances thereunto belonging or in any wise appertaining:
And City of Montello
warrants that the title is good, indefeasible in fee simple and free and clear of encumbrances except
and will warrant and defend the same.

Executed at Montello, Wisconsin this 21 day of April, 1978.

SIGNED AND SEALED IN PRESENCE OF

CITY OF MONTELLO (SEAL)

BY: Casey Jones, Mayor (SEAL)

ATTEST: Rita Mertely, City Clerk (SEAL)

By resolution adopted by the
Common Council of the
City of Montello (SEAL)

Signatures of

authenticated this day of 19

Title: Member State Bar of Wisconsin or Other Party
Authorized under Sec. 706.06 viz.

STATE OF WISCONSIN
Marquette County, ss.

Personally came before me, this 21st day of April, 1978,
the above named Casey Jones, Mayor and Rita Mertely, City Clerk of the
City of Montello
to me known to be the person... who executed the foregoing instrument and acknowledged the same.

THIS INSTRUMENT WAS DRAFTED BY

Atty. Walter E. Wright

The use of witnesses is optional.

Bernice M. Wright
Bernice M. Wright
Notary Public, Marquette County, Wis.

My commission (expires) (1s) March 21, 1981

Names of persons signing in any capacity should be typed or printed below their signatures.

VOL. 103 PAGE 538

By Corporation

10553

Section 235.16 Wisconsin Statutes

This Indenture, Made this 2nd day of February, A. D., 1966 between The Montello Granite Company, a Corporation located at Montello, Wisconsin, party of the first part, and

THE MONTELLO STATE BANK

, part Y of the second part.

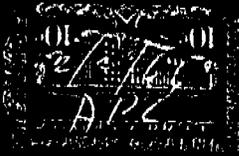
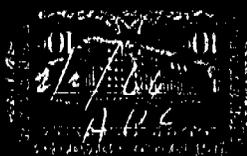
Witnesseth, That the said party of the first part, for and in consideration of the sum of Four Thousand Five Hundred and 00/100 (\$4,500.00)

to it paid by the said part Y of the second part, the receipt whereof is hereby confessed and acknowledged, has given, granted, bargained, sold, remised, released, aliened, conveyed and confirmed, and by these presents does give, grant, bargain, sell, remise, release, alien, convey and confirm unto the said part Y of the second part, its successors and assigns forever, the following described real estate, situated in the County of Marquette and State of Wisconsin, to-wit:

"A parcel of land being a part of the "Old Mill Reserve" in the Northeast quarter of the Southeast quarter (NE 1/4 SE 1/4) of Section eight (8), Township fifteen (15) North, Range ten (10) East in the City of Montello, Marquette County, Wisconsin, which is bounded by a line described as follows:

Commencing at a point of intersection of the North line of the abandoned railroad right-of-way and the East line of West Street marked by an iron pipe; thence South 86° 55' West, 47.35 feet to an existing angle iron property line marker on the North line of land owned by the City of Montello and the point of beginning of this description; thence South 76° 13' West, 92.30 feet to an existing angle iron marker on the North line of said land owned by the City of Montello; thence North 13° 47' West, 84.09 feet; thence North 51° 43' East, 79.37 feet; thence South 23° 31' East, 118.85 feet to the point of beginning, intending to convey all lands lying Northerly of a parcel owned by the City of Montello, Easterly of State Trunk Highway 23, Southerly of Lake Street, and Westerly of West Street in the City of Montello.

Said parcel contains 0.19 acres, more or less."



Together with all and singular the hereditaments and appurtenances therunto belonging or in any wise appertaining; and all the estate, right, title, interest, claim or demand whatsoever, of the said party of the first part, either in law or equity, either in possession or expectancy of, in and to the above bargained premises, and their hereditaments and appurtenances

To Have and to Hold the said premises as above described with the hereditaments and appurtenances, unto the said part Y of the second part, and to its successors and assigns FOREVER.

And the said Montello Granite Company party of the first part, for itself and its successors, does covenant, grant, bargain and agree to and with the said part Y of the second part, its successors and assigns, that the above bargained premises, in the quiet and peaceable possession of the said part Y of the second part, its successors and assigns, against all and every person or persons lawfully claiming the whole or any part thereof, by, through or under said Montello Granite Company party of the first part, and none other, it will forever WARRANT and DEFEND.

In Witness Whereof, the said Montello Granite Company party of the first part, has caused these presents to be signed by Clarence T. Troost, its President, and countersigned by Clarence W. Troost, its Secretary, at Montello, Wisconsin, and its corporate seal to be hereunto affixed, this 2nd day of February, A. D., 1966

Signed and Sealed in Presence of

Andrew P. Cotter

Helen Flynn

MONTELLO GRANITE COMPANY

Clarence T. Troost, President

Clarence W. Troost, Secretary

Personally came before me, this 2nd day of February, A. D., 1966
Clarence T. Troost President, and Clarence W. Troost 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.

Andrew P. Cotter

Andrew P. Cotter

Notary Public, Marquette County, Wis.

My Commission ~~xxxxxx~~ is permanent, 19xx

(Section 59.51 (1) of the Wisconsin Statutes provides that all instruments to be recorded shall have plainly printed or typewritten thereon the names of the grantors, grantees, witnesses and notary).

THIS INSTRUMENT WAS DRAFTED BY
ANDREW P. COTTER, ATTORNEY, MARQUETTE, WIS.

No. *Montello Granite Co.*

TO *Montello State Bank*

DEED

WARRANTY AGAINST CREDITORS

THIS INSTRUMENT SHOULD BE FILED FOR RECORD IMMEDIATELY UPON EXECUTION TO AVOID FUTURE LITIGATION.

REGISTER'S OFFICE

State of Wisconsin

Marquette County

Received for Record this 7 day of

March A. D. 1966

at 9:00 o'clock A.M., and recorded in

Vol. 103 of Deedson, page 532

Margaret Beckman
Register of Deeds

By _____
Deputy

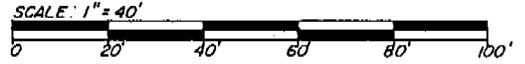
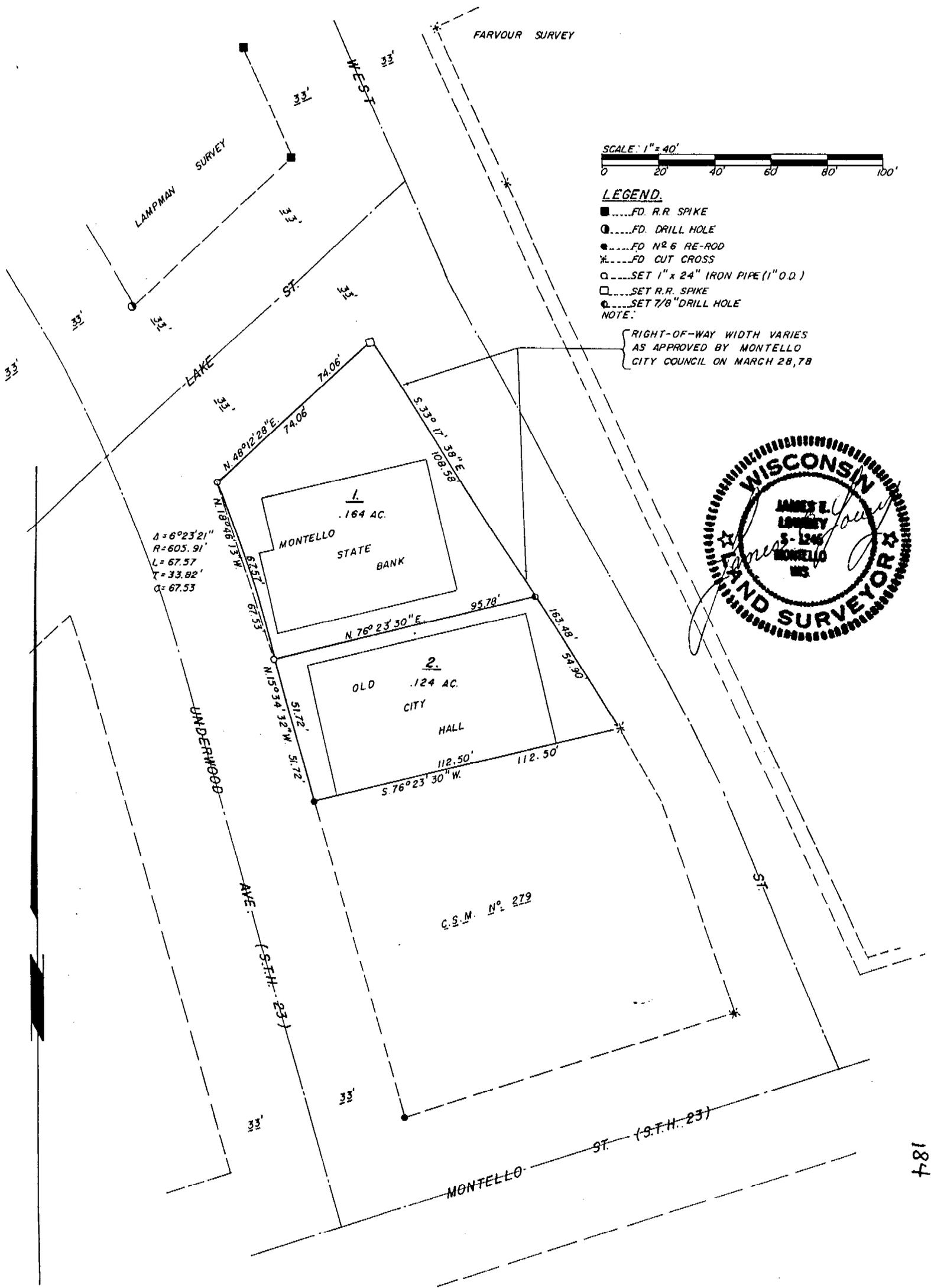
CERTIFIED COPY

This is to hereby Certify that this is a true and correct copy of the record filed in the Register of Deeds Office of Marquette County, Wisconsin.

ISSUED: July 27, 1999

(Seal)

Dennis M. Wegner
Register of Deeds
Marquette County, Wisconsin



- LEGEND.**
-FD. R.R. SPIKE
 -FD. DRILL HOLE
 -FD. N^o 6 RE-ROD
 - *.....FD. CUT CROSS
 -SET 1" x 24" IRON PIPE (1" O.D.)
 -SET R.R. SPIKE
 -SET 7/8" DRILL HOLE
- NOTE:

RIGHT-OF-WAY WIDTH VARIES
AS APPROVED BY MONTELLO
CITY COUNCIL ON MARCH 28, 78

$\Delta = 6^{\circ}23'21''$
 $R = 605.91'$
 $L = 67.57'$
 $T = 33.82'$
 $C = 67.53'$



STATE OF WISCONSIN) S.S.
COUNTY OF MARQUETTE)

I, James E. Lowrey, Registered Land Surveyor, do hereby certify that by the order of the City of Montello, I have made a survey of lands located in the Southeast 1/4 of Section 8, Town 15 North, Range 10 East, City of Montello, Town of Montello, Marquette County, State of Wisconsin, to-wit:

Beginning at the Northwest corner of Certified Survey Map No. 279 as recorded on page 72, Volume 2, on file in the Register of Deeds Office at the Courthouse in Montello, Wisconsin. Said point of beginning also being on the Easterly right-of-way line of Underwood Avenue (State Trunk Highway 23); thence N15°34'32"W along said Easterly right-of-way line of said Underwood Avenue, 51.72 feet to a point of curvature; thence continuing along said Easterly right-of-way line and the arc of a curve to the left having a radius of 605.91 feet and a chord which bears N18°46'13"W, 67.53 feet to a point of tangency. Said point of tangency also being on the Southerly right-of-way line of Lake Street; thence N48°12'28"E along said Southerly right-of-way line, 74.06 feet to the Westerly right-of-way line of West Street; thence S33°17'38"E along said Westerly right-of-way line, 163.48 feet; thence S76°23'30"W, 112.50 feet to the point of beginning. Said parcel contains .288 acres and is subject to any and all easements of record.

I further certify that the within drawing is a correct representation of the boundaries surveyed and that I have fully complied with the provisions of Chapter 236 of the revised statutes of the State of Wisconsin in surveying and mapping the same.

James E. Lowrey
James E. Lowrey
Registered Land Surveyor
Certificate S-1245



March 29, 1978 Job No. 151-0323-78

Prepared by: J. E. LOWREY, INC.
Montello, WI 53949

CITY COUNCIL RESOLUTION

Resolved that this Certified Survey Map in the City of Montello is hereby approved as complying with the regulations of the City of Montello.

April 4, 1978
Date

Cathy Jones, Mayor

Received for record this 4 day of April, 1978, at 10:20 o'clock 9 A.M. and recorded in Volume 2 of Certified Survey Maps for Marquette County in the Office of the Register of Deeds on page 184.

Bernice M. Wegner
Bernice Wegner
Register of Deeds

CERTIFIED COPY

This is to hereby Certify that this is a true and correct copy of the record filed in the Register of Deeds Office of Marquette County, Wisconsin.

ISSUED: July 27, 1999 (Seal) Bernice M. Wegner
Register of Deeds
Marquette County, Wisconsin

173686

REGISTER'S OFFICE,

Marquette County, Wis.

Received for Record the 26 day
of Dec A.D. 1989 at
8:20 o'clock A. M., and recorded in
Vol. 245 of Records on page 535
Bernice M. Wegner
BERNICE M. WEGNER Register

C-B Enterprises, a Wisconsin partnership, by B. Kent Bauman, surviving partner, and Valley Trust Company as Pers. Rep. of Estate of Donald B. Condon, deceased partner quit-claims to Estate of Donald B. Condon, an undivided 85,52685% interest as tenants in common and B. Kent Bauman, an undivided 14.47315% interest as tenants in common

the following described real estate in Marquette County, State of Wisconsin:

Parcel 1:

The South 135' of Lot 9 and South 135' of West 30' of Lot 10, Block D original plat of Village, now City of Montello, this being the same property now leased by Purchaser under lease dated 12/28/67 and recorded Vol. 116, page 59, Instrument #110336.

ALSO a parcel of land located in a part of Lot 9 and 10 of Block "D" of the Original Plat of the City of Montello, Marquette County, Wisconsin; the Northerly 37.5 feet of said Lot 9 and the Northerly 37.5 feet of the westerly 30 feet of said Lot 10.

The intent of this description is to be bounded on the North by a public alley, on the West by Main Street, and on the South by the existing Holiday Station and Store; having an approximate area of 3375 square feet.

RETURN TO
Dempsey, Magnuson, Williams +
Lange
P.O. Box 886
Oshkosh, Wis. \$4.00 pd

Tax Parcel No:

Parcel 2: on reverse side

Rental
Weatherization
FEE
11
EXEMPT # W-3
EXEMPT

This conveyance is a distribution of the assets of C-B Enterprises as a result of the death of Donald B. Condon, and is pursuant and subject to the agreement of the partners, B. Kent Bauman and Donald B. Condon.

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

Dated this 18th day of December, 1989
VALLEY TRUST COMPANY C-B Enterprises, a Wisconsin partnership
By: Thomas C. Chase (SEAL) B. Kent Bauman (SEAL)
* Thomas C. Chase, Vice President and Trust Officer * B. Kent Bauman

Attest: Doloris A. Ladwig (SEAL) Trust Officer (SEAL)

By: Doloris A. Ladwig
Doloris A. Ladwig, Trust Officer

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AUTHENTICATION

Signature(s) B. Kent Bauman

authenticated this 18th day of December, 1989

* Timothy M. Dempsey
TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, authorized by § 706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY

Atty. Timothy M. Dempsey, Oshkosh, WI

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

ACKNOWLEDGMENT

STATE OF WISCONSIN

Fond du Lac County, ss.
Personally came before me this 18th day of December, 1989, the above named Thomas C. Chase, Vice President and Trust Officer and Doloris A. Ladwig, Trust Officer of Valley Trust Company

to me known to be the person(s) who executed the foregoing instrument and acknowledge the same.

[Signature]
NOTARY
Notary Public in and for the State of Wisconsin,
My Commission is permanent. (If not, state expiration date: August 1, 1991)
Fond du Lac County, Wis.

173686

Grantor
Grantee
Tract

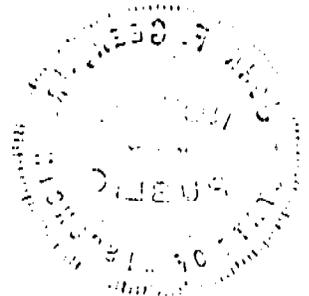
Parcel 2 : Texaco Payless Store
The following described premises, situated, lying and being in the City
of Montello, County of Marquette, State of Wisconsin, to-wit:
Commencing at a point 68 feet in a Northeasterly direction from the Southeast
corner of Lot 1, Block 4, Plat of West Montello, and running thence, in
a Northerly direction 90 feet; thence Easterly 50 feet; thence Southerly
60 feet; thence in a Westerly direction 50 feet to place of beginning;
Also that certain triangular piece of land lying between State Highway
23 on the West; Quarry Street on the North and Northeast and the Railroad
Track of the Milwaukee St. Paul and Sault Ste. Marie Railway Co. on the
South, which has not heretofore been conveyed, all of which is a part of
Lot One (1), Section Eight (8), Township Fifteen (15) Range Ten (10)
East.

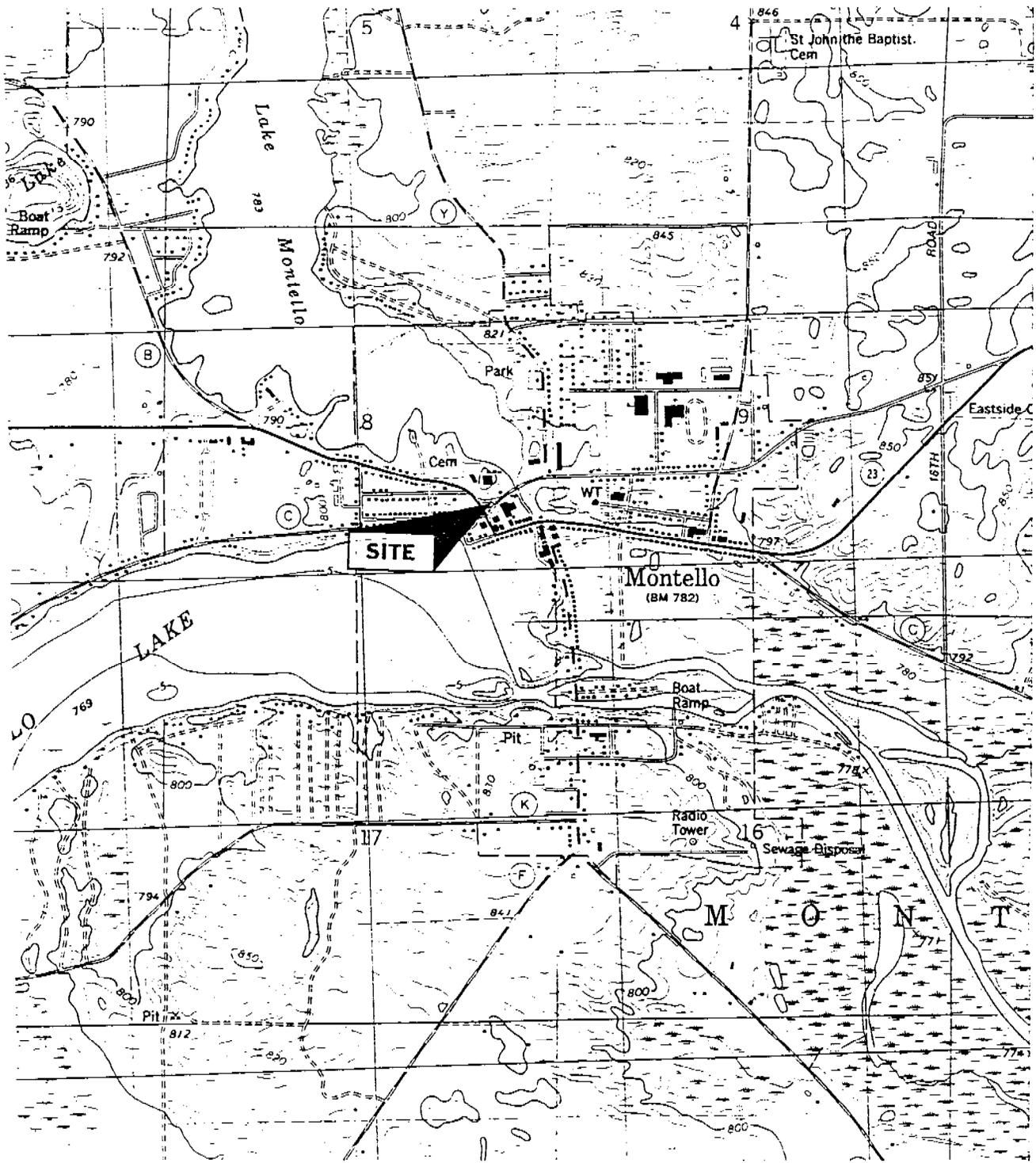
CERTIFIED COPY

This is to hereby Certify that this is a true and correct copy of the record filed
in the Register of Deeds Office of Marquette County, Wisconsin.

ISSUED: _____ (Seal)

Register of Deeds
Marquette County, Wisconsin





MONTELLO QUADRANGLE
 WISCONSIN-MARQUETTE COUNTY
 7.5 MINUTE SERIES (TOPOGRAPHIC)



QUADRANGLE LOCATION

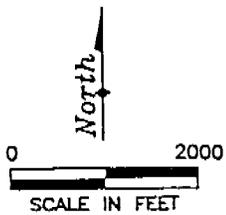
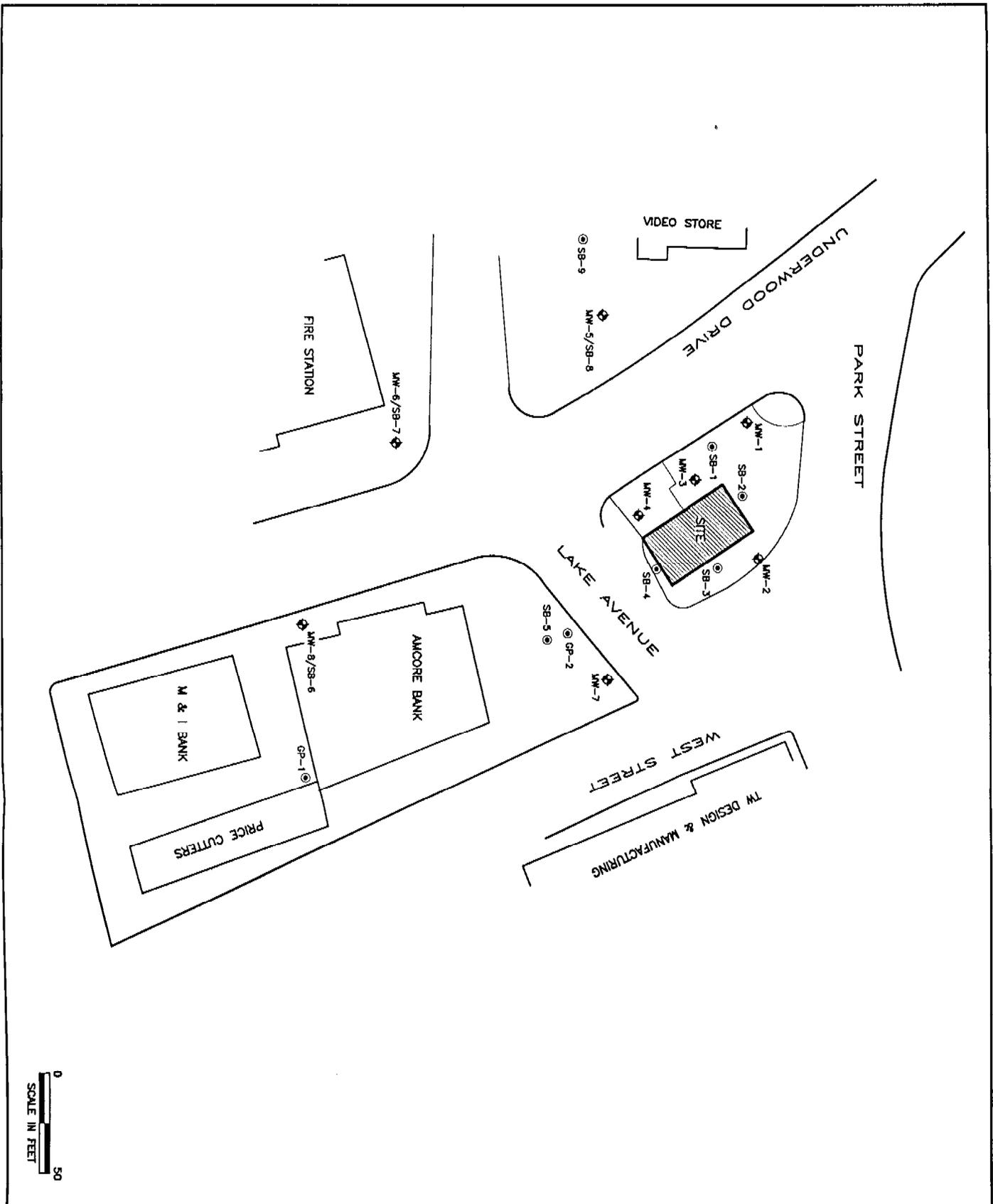


FIGURE 1
SITE LOCATION MAP
CONDON OIL COMPANY
MONTELLO PAYLESS
MONTELLO, WISCONSIN

PROJECT NO. 1095-108	PREPARED BY EKO
DATE 7/30/96	REVIEWED BY





LEGEND

- ◊ MONITORING WELL
- ⊙ SOIL BORING

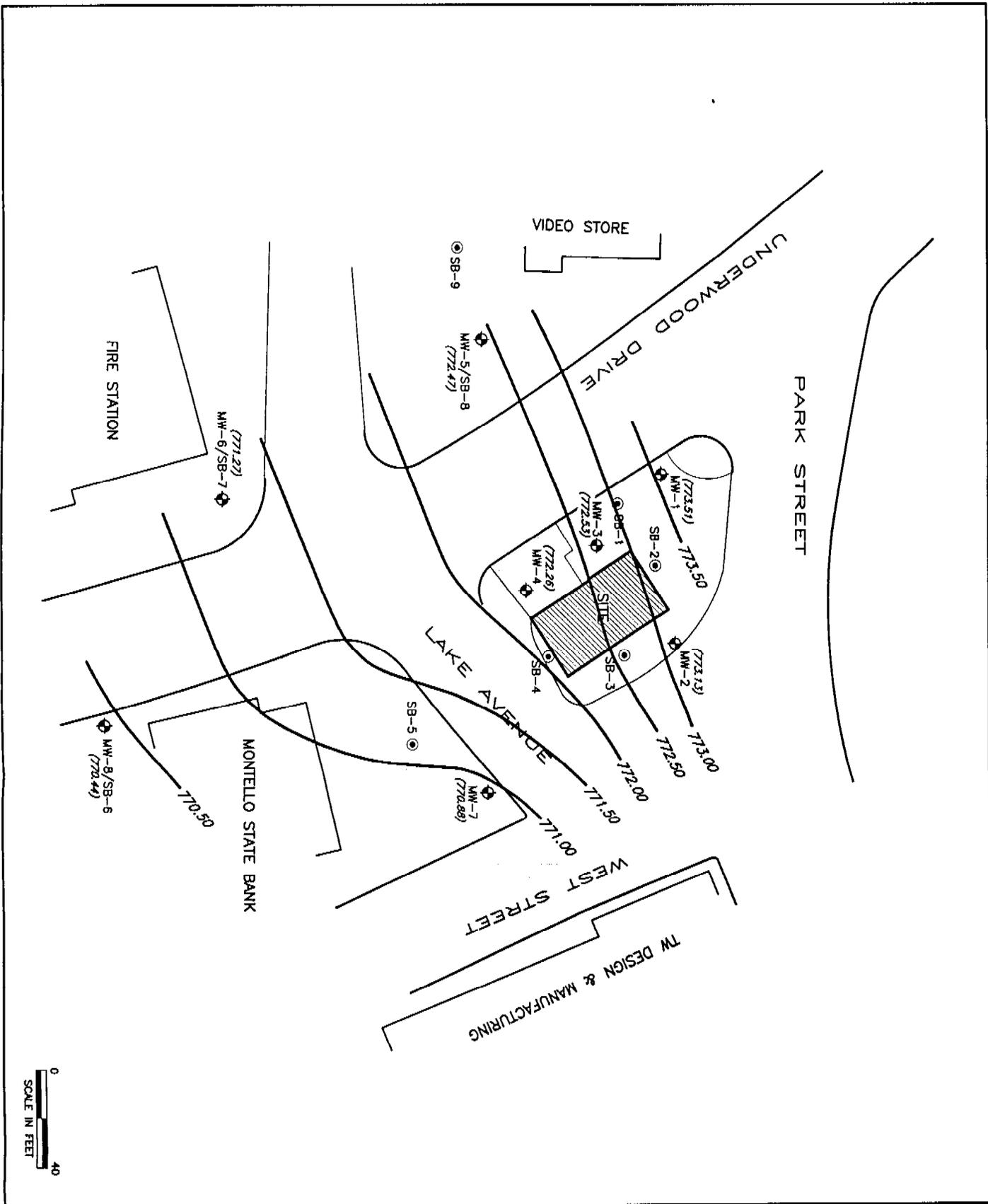
NOTE: ALL SOIL BORING SAMPLES WERE COLLECTED FEBRUARY 23, 1996.

FIGURE 1
SITE MAP

CONDON OIL COMPANY
MONTELLO PAYLESS
MONTELLO, WISCONSIN

PROJECT NO:	095-108	ISSUE NO:	01
PREPARED BY:	DM	DATE:	7/19/96
FILE NAME:	95108NS		





LEGEND

- ◆ MONITORING WELL
- SOIL BORING
- (773.51) GROUND WATER ELEVATION (IN FEET)
- 771.00 GROUND WATER CONTOUR LINE
CONTOUR INTERVAL = 0.50 FEET

FIGURE 3
GROUND WATER ELEVATION CONTOUR MAP
DECEMBER 9, 1998

CONDON OIL COMPANY
MONTELLA PAYLESS
MONTELLA, WISCONSIN

PROJECT NO.:	095-108
PREPARED BY:	JZ
DATE:	1/28/99
FILE NAME:	951085
DRAWN BY:	DD





July 29, 1999

Mr. Kevin D. McKnight
Wisconsin Department of Natural Resources
905 Bay Shore Drive
P.O. Box 2565
Oshkosh, Wisconsin 54903

Subject: **Case Closure Addendum**
Montello Payless 
35 Underwood Drive
Montello, Wisconsin
WDNR File Ref. No. 03-39-0002495
Delta Project Nos. 1095-108

Dear Mr. McKnight:

On behalf of Condon Oil Company, Delta Environmental Consultants, Inc. (Delta) is submitting this Case Closure Addendum to the Wisconsin Department of Natural Resources (WDNR) for the above referenced site. Delta has completed the scope of work outlined in our March 18, 1999 letter responding to WDNR denial of our earlier request for case closure. The results obtained in this supplemental investigation support case closure at this time.

On June 30, 1999, Delta supervised the completion of two offsite geoprobe borings; one in the driveway of the M & I Bank, southeast of the Amcore Bank (GP-1), and one adjacent to soil boring SB-5 on the northern side of the Amcore Bank property (GP-2). Figure 1 illustrates the locations of geoprobe borings GP-1 and GP-2.

Silty fine sand with a trace of clay was encountered in both borings. This is consistent with subsurface conditions previously logged in the site area. No staining or discolored soil was observed. Appendix A contains complete boring logs for borings GP-1 and GP-2. Appendix B contains the boring abandonment forms.

Groundwater samples were collected from each boring using dedicated 0.75-inch PVC screens. The samples were submitted to TestAmerica, Inc. of Watertown, Wisconsin for analysis of PVOCs by USEPA Method 8020. No PVOC constituents were detected at boring GP-1 above the individual analyte method detection limits. Benzene (14 ug/L), toluene (0.20 ug/L), trimethylbenzene (0.70 ug/L, total), xylenes (4.7 ug/L, total), and MTBE (5.2 ug/L) were detected at boring GP-2. Appendix C contains the complete laboratory report for the June 30, 1999 groundwater sampling event.

Based on the results outlined above and our telephone conversation on July 7, 1999, the subject site investigation can be closed if a groundwater use restriction is added to the Amcore Bank deed. Delta has contacted Amcore Bank and they are willing to have this restriction added. A certified copy of the property deed and a plat map are attached to this report.

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