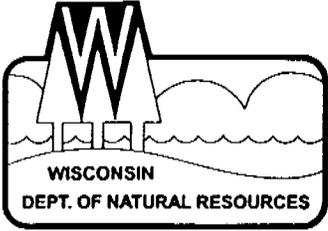


File



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary

Appleton Field Station
Agricultural Services Center
3369 W. Brewster Street
Appleton, Wisconsin 54914-1602
Telephone 920-832-1803
FAX 920-832-1800

June 14, 2000

Mr. Kenneth R. Schwebke
Lunda Construction Co.
P.O. Box 228
Little Chute, WI 54140

SUBJECT: Case Closure, Lunda Construction, ^{7 JBM} X01 Moasis Drive, Little Chute, Wisconsin,
WDNR BRRTS #03-45-000213

Dear Mr. Schwebke:

On September 14, 1999, the above named site was reviewed by the Remediation and Redevelopment's Northeast Region Closure Committee for a determination as to whether or not the case qualified for closeout under ch. NR 726, Wis. Adm. Code.

On March 6, 2000, the Department received a copy of the completed groundwater use restriction for the above referenced site and proof of filing this record with the Outagamie County Register of Deeds. Based on the investigative and remedial documentation provided to the Department, it appears that the petroleum and related contamination at the above named site has been remediated to the extent practicable under current site conditions. Therefore, conditional closure of this site has been granted and no further action is necessary at this time. In the future, this groundwater use restriction may be amended with approval from the Department if conditions change at the site and the residual contamination has been remediated.

If you have any additional relevant information concerning this matter which was not formerly provided to the Department, you should submit this information to the Department for reevaluation. The Department's records will reflect that final closure of remedial activities were effective on March 6, 2000. If you have any questions regarding this determination, please contact me in Appleton at (920) 832-1803.

Sincerely,

Jennifer Huffman, P.G.
Hydrogeologist
Remediation and Redevelopment Program

cc: Karen Chopp – Environmental Assessments – P.O. Box 9127, Appleton, WI 54911



961382

WARRANTY DEED
J 9499 I 4

REGISTER'S OFFICE
OUTAGAMIE COUNTY, WI
RECEIVED AND RECORDED ON

JUN 27 1989

INDEXED

AT 2 O'CLOCK P.M.
JACKET 9499 IMAGE 4
Grace Herb mal

RETURN TO
LUNDA CONSTRUCTION COMPANY
P.O. Box 228
Little Chute, Wisconsin 54140

Tax Parcel No: 26-0-1297-7 &
26-0-1297-10-1

pd.
400
825.00

This Deed, made between William St. Aubin, Robert J. St. Aubin and Roger L. St. Aubin

Grantor, and Lunda Construction Company, a Wisconsin corporation

Witnesseth, That the said Grantor, for a valuable consideration of One Dollar and other valuable consideration conveys to Grantee the following described real estate in Outagamie County, State of Wisconsin:

Lots One (1) and Four (4) of Certified Survey Map in Volume One (1), Page One Hundred Seventy-six (176), being part of the Southeast Quarter of the Northwest Quarter (SE 1/4 of the NW 1/4) and Southwest Quarter of the Northwest Quarter (SW 1/4 of the NW 1/4) of Section 15, Township Twenty-one North, Range Eighteen East (T21N, R18E), Village of Little Chute, Outagamie County, Wisconsin.

TRANSFER
\$ 825.00
FEE

This is not homestead property.

Together with all and singular the hereditaments and appurtenances thereunto belonging; And William St. Aubin, Robert J. St. Aubin and Roger L. St. Aubin warrants that the title is good, indefeasible in fee simple and free and clear of encumbrances except easements, covenants, conditions and restrictions of record

and will warrant and defend the same.

Dated this 27th day of April June, 1989

(SEAL) Robert J. St. Aubin (SEAL)
William St. Aubin Robert J. St. Aubin
(SEAL) Roger L. St. Aubin (SEAL)

AUTHENTICATION

ACKNOWLEDGMENT

Signature(s)

STATE OF WISCONSIN

authenticated this day of 19

Outagamie County, ss.
Personally came before me this 27th day of April June, 1989 the above named William St. Aubin, Robert J. St. Aubin and Roger L. St. Aubin

TITLE: MEMBER STATE BAR OF WISCONSIN

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

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

Daniel R. Oudebloren
Notary Public Outagamie County, Wis.
My Commission is permanent. (If not, state expiration date: 06-27-89, 19)

THIS INSTRUMENT WAS DRAFTED BY
Dennis M. Wydeven
Attorney at Law
Kaukauna, WI 54130
(Signatures may be authenticated or acknowledged. Both are not necessary.)

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 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, KENNETH R. SCHWEBER asserts that he/she is duly authorized to sign this document on behalf of Lunda Construction Company, a Wisconsin corporation.

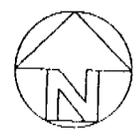
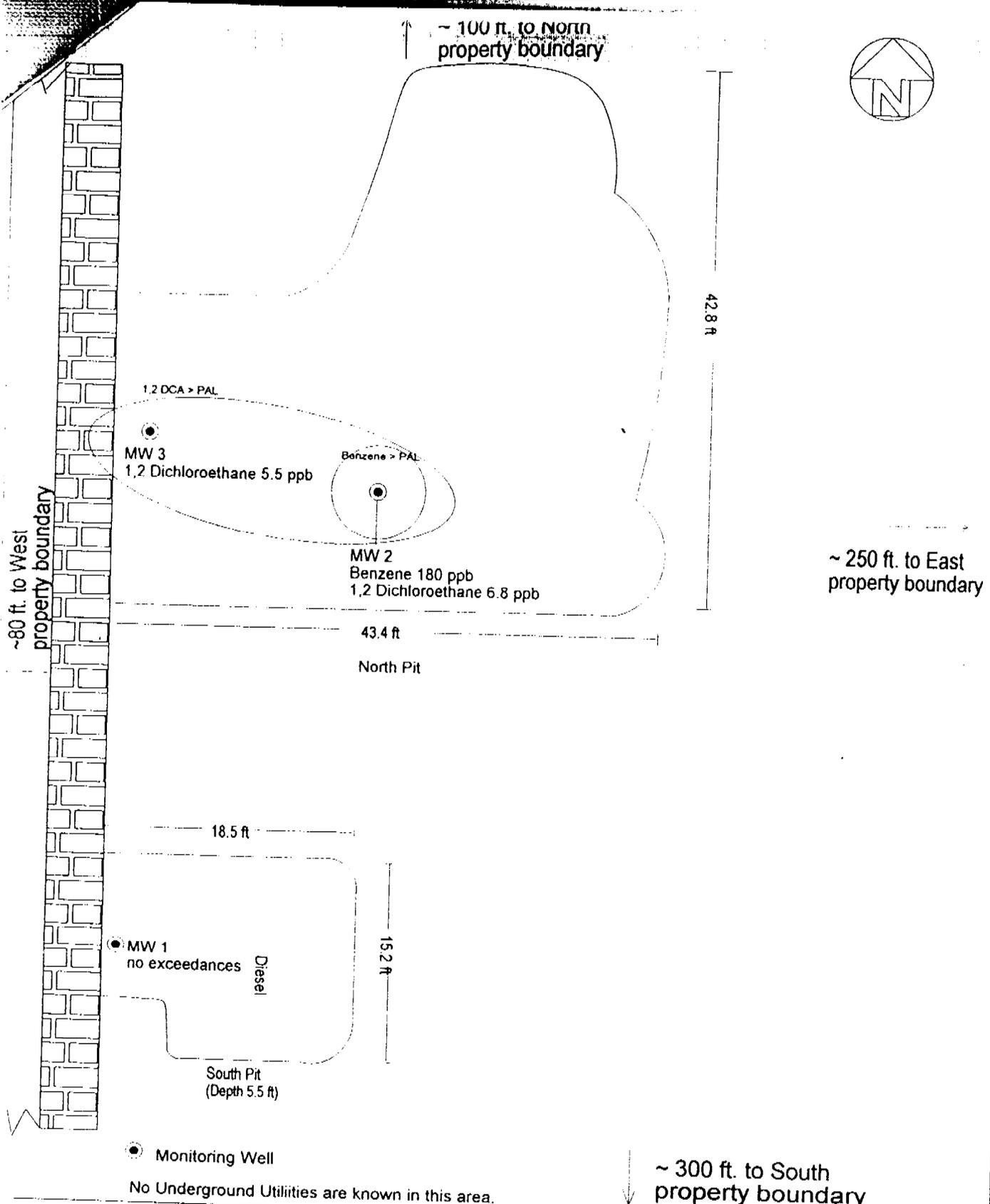
IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 18th day of FEBRUARY, 2000.

Signature: Kenneth R. Schwabe
Printed Name: KENNETH R. SCHWABE
Title: DIVISION MANAGER

Subscribed and sworn to before me
this 18th day of February, 2000.

Daniel L. Oudehoren
Notary Public, State of Wisconsin
My commission 05/04/03

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



**ENVIRONMENTAL
ASSESSMENTS, INC.
APPLETON, WI**

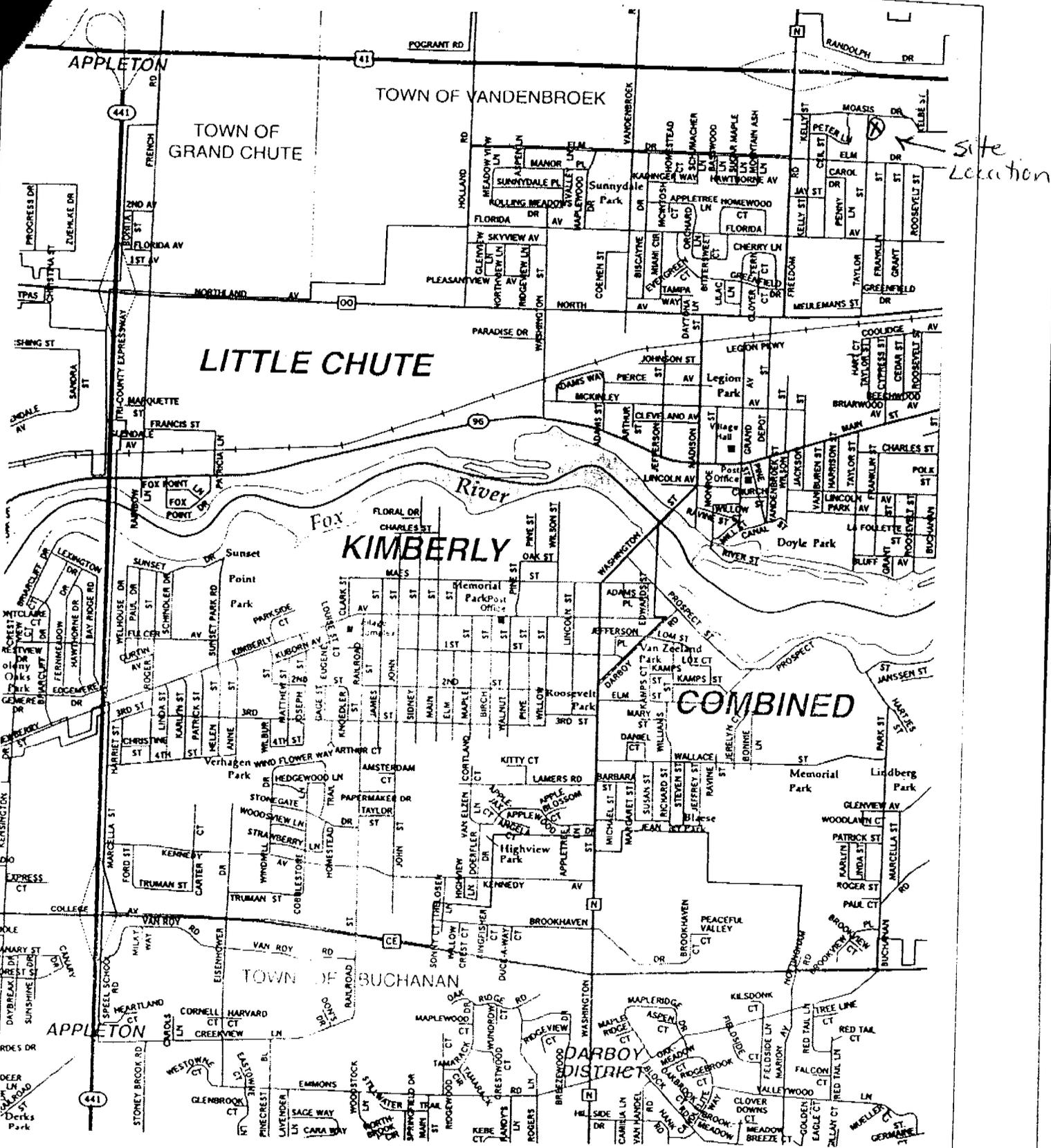
Title : Site Layout/Monitoring
Wells >PAL on 4/1/99

Project : Lunda Construction

Exhibit 1

Scale: 1"=10'

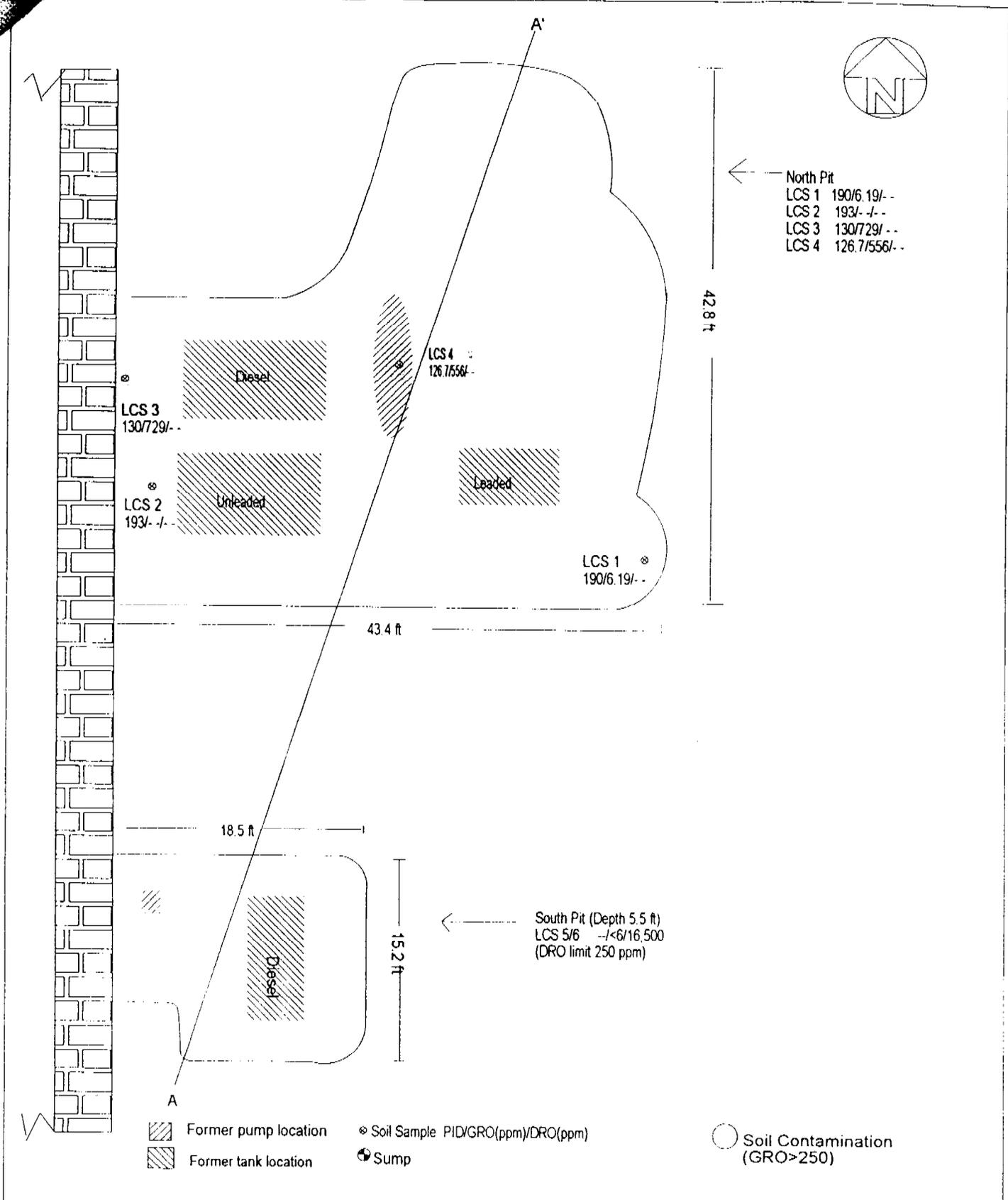
Drawn by: Karen Chopp



ENVIRONMENTAL
ASSESSMENTS, INC.
APPLETON, WI

Title : Site Location
Project : Lunda Construction

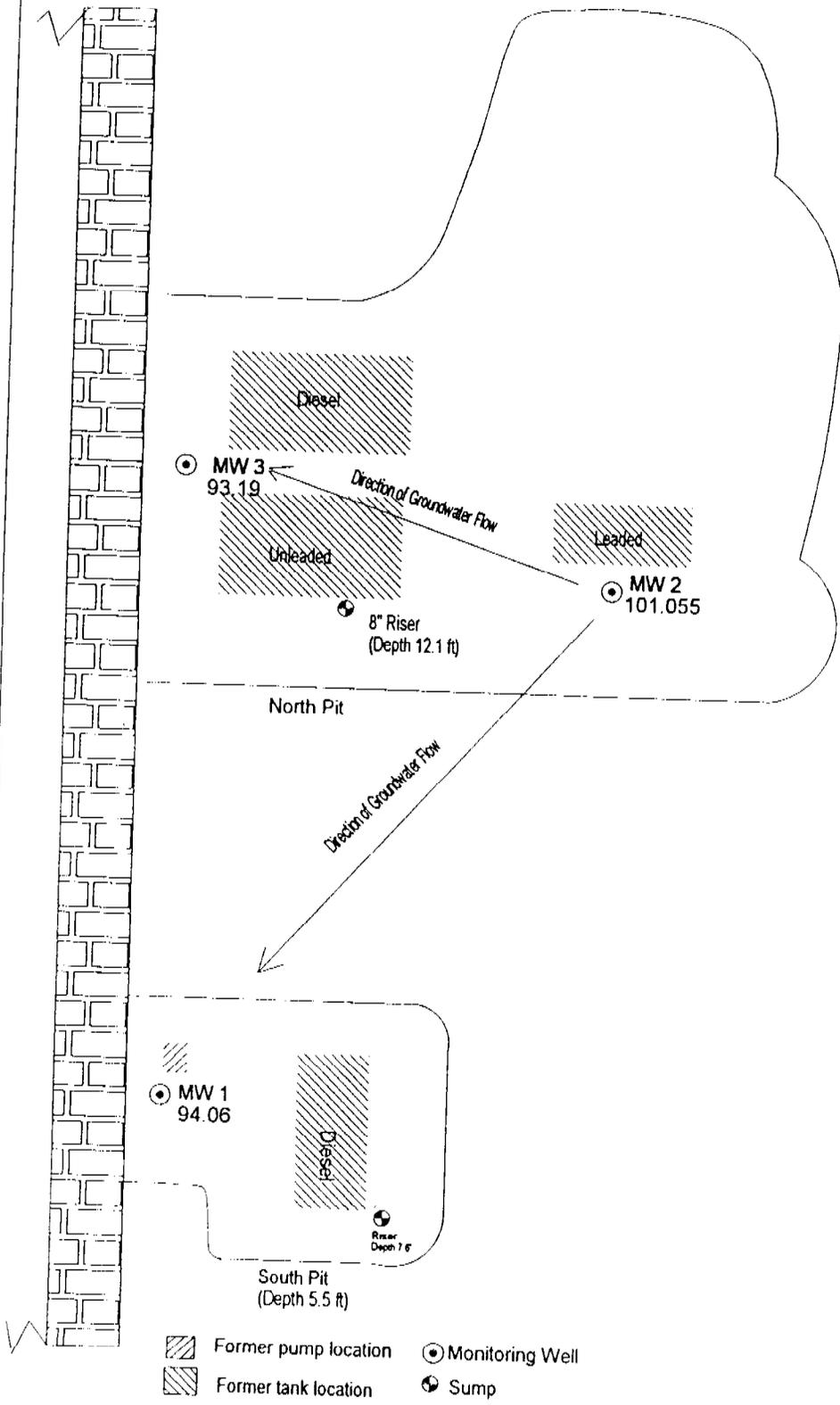
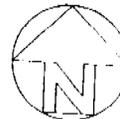
Figure # 1
Scale: None noted
Drawn by: Karen Chopp



ENVIRONMENTAL ASSESSMENTS, INC.
 APPLETON, WI

Title : Pre Remediation
 Soil Contamination
 (exact locations unknown)
 Project : Lunda Construction

Figure # 1
 Scale: 1"=10'
 Drawn by: Karen Chopp



ENVIRONMENTAL
ASSESSMENTS, INC.
APPLETON, WI

Title : Groundwater
Elevation
(4/1/99)

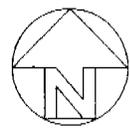
Project : Lunda Construction

Figure # 2

Scale: 1"=10'

Drawn by: Karen Chopp

~ 100 ft. to North property boundary



42.8 ft

1,2 DCA > PAL

MW 3
1,2 Dichloroethane 5.5 ppb

Benzene > PAL

MW 2
Benzene 180 ppb
1,2 Dichloroethane 6.8 ppb

~ 250 ft. to East property boundary

~80 ft. to West property boundary

43.4 ft

North Pit

18.5 ft

MW 1
no exceedances

Diesel

15.2 ft

South Pit
(Depth 5.5 ft)

Monitoring Well

No Underground Utilities are known in this area.

~ 300 ft. to South property boundary

ENVIRONMENTAL ASSESSMENTS, INC.
APPLETON, WI

Title : Site Layout/Monitoring Wells >PAL on 4/1/99

Project : Lunda Construction

Exhibit 1

Scale: 1"=10'

Drawn by: Karen Chopp

Table I. Groundwater Contamination Summary
(ppb unless noted)

	DRO (ppm)	GRO (ppm)	Benzene	Toluene	Ethyl benzene	Total Xylenes	Naphthalene	MTBE	TMBs	1,2 DCA	Lead
PAL	NE	NE	0.5	68.6	140	124	8	12	96	0.5	1.5
ES	NE	NE	5	343	700	620	40	60	480	5	15
PRE-REMEDATION											
5/10/89											
LCW 10			9960	3330	650	1480					
LCW-South ¹			11.7	5.6	ND	44.6					
LCW East			12,200	18,800	1120	5900					
LCW West			17,000	21,700	2060	10,120					
POST REMEDIATION											
MW 1											
9/9/93	3.92	<1									
9/24/93	0.7	<0.1	<0.2	1.1	<0.2	<0.53		<0.4		<0.2	<0.6
1/25/94	0.3	<0.1	<0.2	<0.2	<0.2	<0.6		<0.4		<0.2	<0.6
5/2/95*	187	<50	0.7	<0.2	<0.2	<0.4	<0.3	<0.2	<0.4	<0.2	<1
7/6/95	128	<50	<0.2	<0.2	<0.2	<0.4	<0.3	<0.3	<0.4	<0.2	<1
10/27/95**	106	<50	0.5	<0.2	<0.2	<0.4		8.3		5.1	<1
3/28/96			<0.2	<0.2	<0.2	<0.4	<0.3	<0.2	<0.4	<0.2	
4/1/99			<0.32	<0.35	<0.34	<0.98	<0.88	<0.31	<0.99	<0.36	
MW 2											
9/9/93	2.85	<1									
9/24/93	0.4	0.2	18	<0.19	1.1	0.7		5.5		<0.2	<0.6
1/25/94	Frozen										
5/2/95	1823	731	65	6.6	<0.2	34.9	7.5	28	2.8	12	<1
7/6/95 ¹	2040	197	<0.2	<0.2	0.6	<0.4	<0.3	20	<0.4	28	<1
10/27/95	585	55.9	<0.2	<0.2	<0.2	<0.4	<0.3	<0.3		<0.2	<1
3/28/96			76	26	5.1	19.3				4.8	
4/1/99			180	13	7.2	6.8	<0.88	5.9	1.6	6.8	

¹ Groundwater from the diesel pit (south)

MW 3	DRO	GRO	Benzene	Toluene	Ethyl benzene	Xylene	Naphthalene	MTBE	TMBs	1,2-DCA	PD
9/9/93	2.65	<1									
9/24/93	0.3	<0.1	<0.2	<0.19	<0.2	<0.53		0.8		1.9	<0.6
1/25/94	0.3	<0.1	<0.2	<0.2	<0.2	<0.6		4.3		9.3	0.7
5/2/95	111	<50	<0.2	<0.2	<0.2	<0.4	<0.3	2.3		10	<1
7/6/95	<100	<50	<0.2	<0.2	<0.2	<0.4	<0.3	1.5	<0.4	4.7	2.1
10/27/95	<100	<50	<0.2	<0.2	<0.2	<0.4	<0.3	<0.3		<0.2	<1
3/28/96			<0.2	<0.2	<0.2	<0.4				5.9	
4/1/99			<0.32	<0.35	<0.34	<0.98	<0.88	1.6	<0.99	5.5	

Inorganic Indicators of Biological Activity (4/1/99)				
ppm				
	Dissolved Oxygen	Sulfate	Iron (II)	Nitrate
MW 1	4.15	>100	0.3	1.5
MW 2	0.53	>100	>10	9.7
MW 3	7.51	>100	0.25	2.4

Notes:

Screened interval: MW 1 - 4.3-14.3 fbg, MW 2 - 4.4-14.4 fbg, MW 3 - 8.7-18.7 fbg.

* Also detected (ppb) were; MW 1 - chloromethane 0.4, dichlorodifluoromethane 0.4, methylene chloride 0.6, trichlorofluoromethane 0.4, vinyl chloride 0.7. MW 2 - n-butylbenzene 1.1 ppb.

** Also detected was n-butylbenzene 20 ppb.

+ Also detected (ppb) was n-butylbenzene 0.5, chloroethane 0.3, di isopropylether 0.4, isopropylbenzene 0.3.

DRO = diesel related organics

GRO = gasoline related organics

MTBE = methyl-tert-butyl-ether

TMB = trimethylbenzene

DCA = dichloroethane

Light shade = PAI. exceedance

Dark shade = ES exceedance

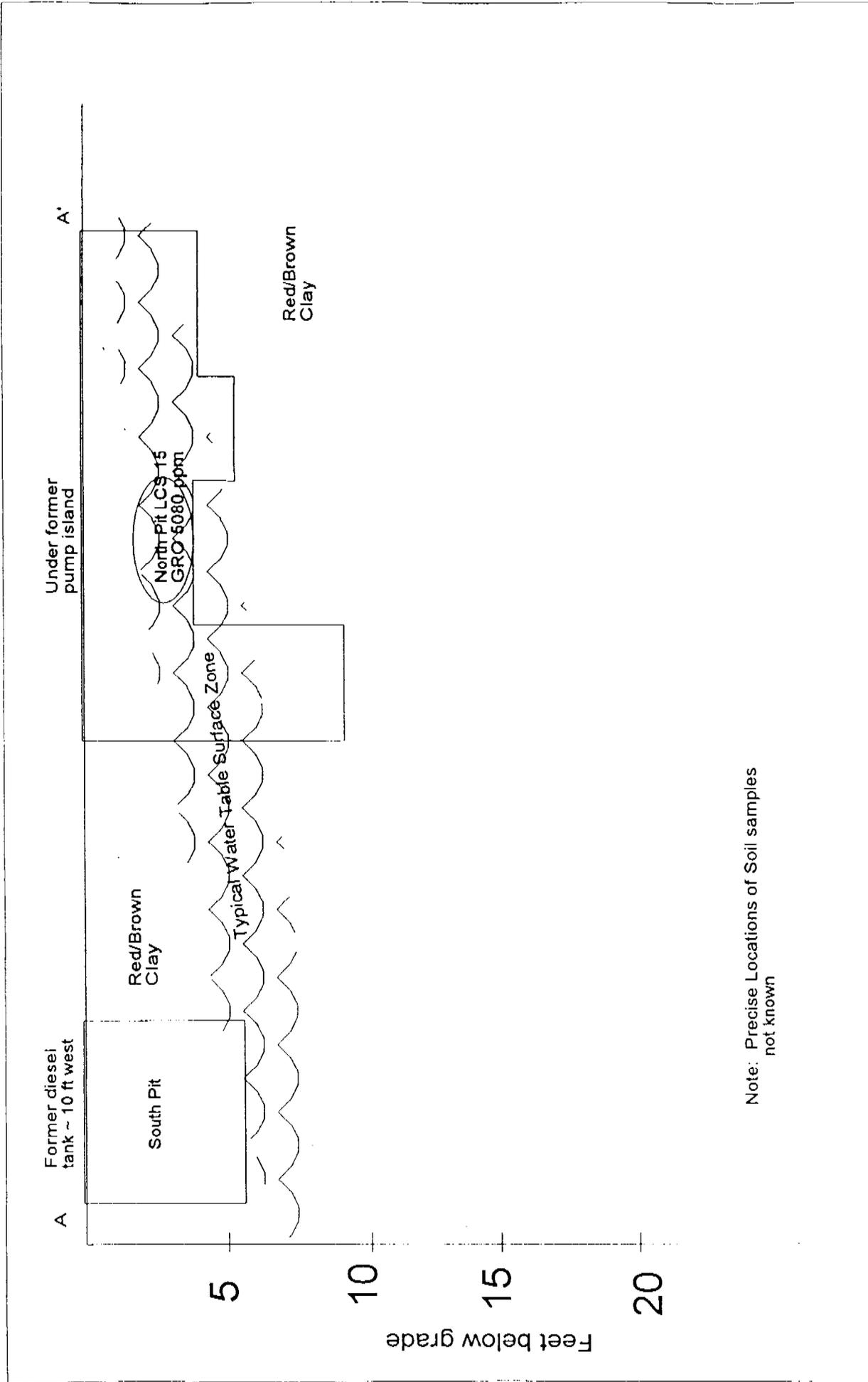


Figure # 2

Scale: 1" = 10 ft. (horizontal)

Drawn by: Karen Chopp

Title : Cross Section A-A'
Post remediation

Project : Lunda Construction

**ENVIRONMENTAL
ASSESSMENTS, INC.
APPLETON, WI**