WISCONSIN
DEPT. OF NATURAL RESOURCES

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

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

June 30, 1998

Mr. Chuck Van Zeeland
Van Zeeland Oil Company
400 Moasis Drive
Little Chute, WI 54140

SUBJECT: Northgate 76, 105 Northland Avenue, Appleton, Wisconsin
WDNR LUST CASE#03-45-001092

Dear Mr. Van Zeeland:

On January 15, 1992, the Wisconsin Department of Natural Resources provided a notice to you that the degree and extent of the petroleum contamination at the above-named site was required to be investigated and remediated. We have since been informed that the required investigation and remediation has been accomplished.

On February 2, 1998, the above-named site was reviewed by the Northeast Region Closure Committee for a determination as to whether or not the case qualified for closeout under ch. NR 726, Wis. Adm. Code.

The Department has received a copy of the completed Deed Restriction for the Northgate 76 (Outagamie County property) 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 contamination at the above-named site has been remediated to the extent practicable under current site conditions. Therefore, closure of this site has been granted and no further action is necessary at this time. In the future, this deed restriction may be amended with approval from the Department if conditions change at the site and the residual contamination has been remediated.

The Department's records will reflect final "closure." If you have any questions regarding this determination, please contact me in Green Bay at (920) 492-5943.

Sincerely,

Kristin Nell
Hydrogeologist
Remediation and Redevelopment Program

cc: Alvin Geurts, Outagamie County
1313 Holland Road, Appleton, WI 54911
Karen Burkman, Fischer Environmental
P.O. Box 127, Kaukauna, WI 54130

RECEIVED
JUN 26 1998
LMD SOLID WASTE

1277574
Document Number

GROUNDWATER USE RESTRICTION

OUTAGAMIE COUNTY
RECEIVED FOR RECORD

JUN 24 1998

AT 11:30 O'CLOCK A.M. ~~P.M.~~
GRACE HERB
REGISTER OF DEEDS

Legal Description of the Property as it Appears on the Most Recent Deed

Deed unobtainable from Outagamie County Registrar of Deeds.

Outagamie County Right-of-Way at the southwest corner of County Highway OO and Oneida Street, Appleton, Wisconsin.

Recording Area

Name and Return Address

Outagamie County
Mr. ~~Mike Marsden~~ Alvin Geurts
1313 Holland Road
Appleton, Wisconsin 54911

pd. 16.00

Property Identification Number (PIN):

Declaration of Restrictions

STATE OF WISCONSIN)
) ss
COUNTY OF Outagamie

WHEREAS, Outagamie County is the owner of the above-described property.

WHEREAS, one or more petroleum hydrocarbon discharges have migrated to this property. Petroleum-contaminated groundwater above NR 140 enforcement standards exists on this property at the following location(s): near the southwest corner of County Highway OO and Oneida Street near the former location of monitoring well MW-2 as located on the accompanying map, as identified as Figure 1 (1,2-Dichloroethane at 0.58 parts per billion and Methyl-tert-Butyl Ether at 65 parts per billion on November 7, 1997).

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct additional soil or groundwater remediation activities on the property at the present time.

WHEREAS, natural attenuation has been approved by the Department of Natural Resources to remediate groundwater exceeding ch. NR 140 groundwater standards within the boundaries of this property.

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 and to obtain DNR approval, 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 can 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 2nd day of JUNE, 1998.

By signing this document, ALVIN J. GEURTS acknowledges that he/she is duly authorized to sign this document on behalf of Outagamie County.

Signature: Alvin Geurts

Printed Name: ALVIN J. Geurts

Subscribed and sworn to before me
this 2nd day of JUNE, 1998.

Cynthia R. Robert

Notary Public, State of Wisconsin

My commission 2-18-2001

This document was drafted by the DNR.

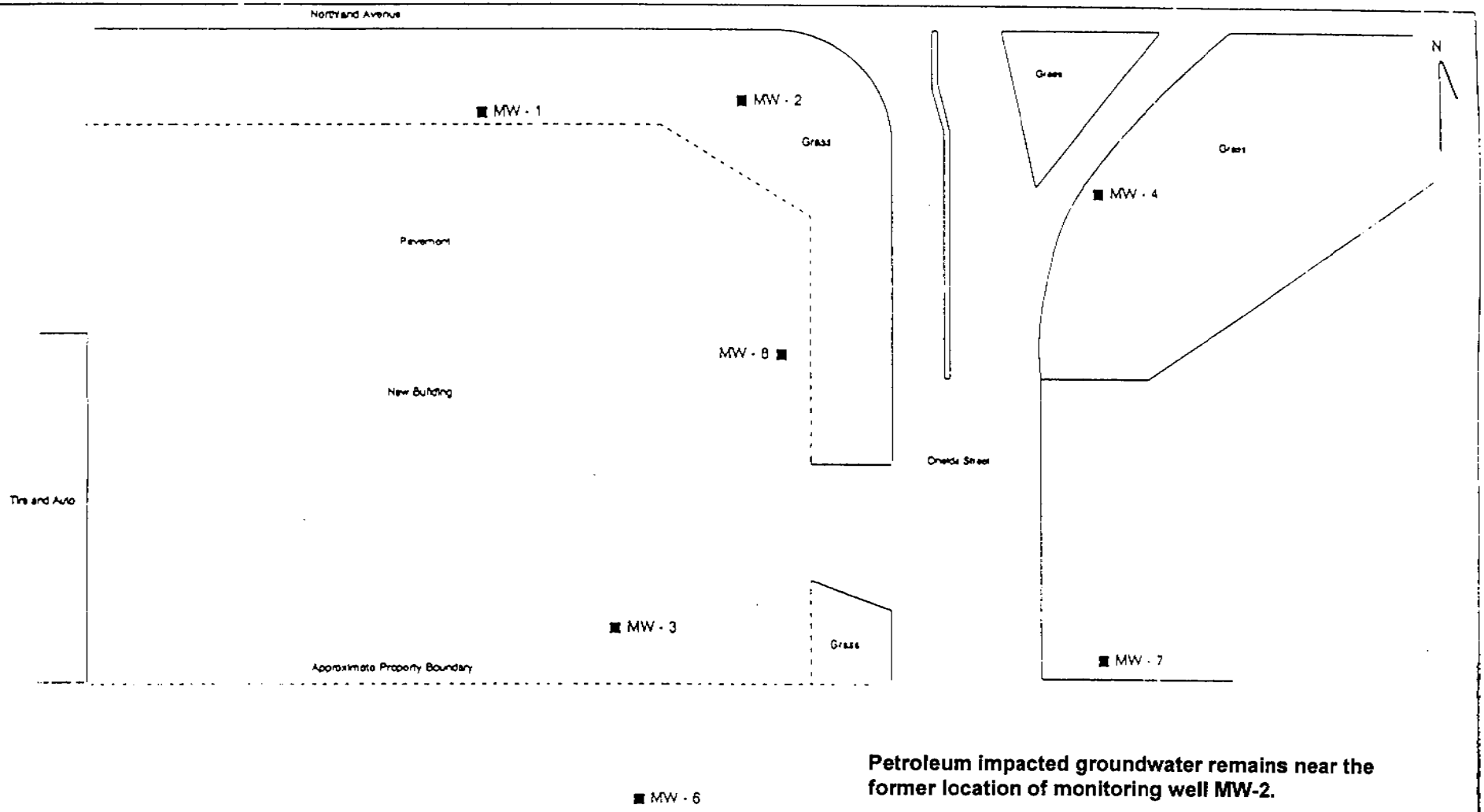
CAROW LAND SURVEYING
COMPANY, INCORPORATED

1837 West Wisconsin Ave.
P.O. Box 1297
Appleton, Wisconsin 54912-1297
Phone (920) 731-4168
Fax (920) 731-5673

APRIL 22, 1998

RE: A909.68-98 VAN ZEELAND OIL CO.
FISCHER ENVIRONMENTAL CONSULTING, LLC.

DESCRIPTION OF STRIP OF LAND BETWEEN RIGHT-OF-WAY LINE AND BACK OF CURB:
THAT PART OF THE NORTHEAST OF THE NORTHWEST 1/4 OF SECTION 23, TOWNSHIP 21 NORTH, RANGE 17 EAST, IN THE CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF LOT 2 OF CERTIFIED SURVEY MAP NO. 667 AS RECORDED IN VOLUME 4 OF CERTIFIED SURVEY MAPS ON PAGE 667; THENCE S89-38-07E, 80 FEET ALONG THE NORTH LINE OF LOT 2 TO THE POINT OF BEGINNING; THENCE CONTINUING S89-38-07E, 19.73 FEET ALONG SAID NORTH LINE; THENCE S43-59-03W, 44.50 FEET ALONG THE NORTHEASTERLY LINE OF SAID LOT 2; THENCE S89-38-07E TO THE BACK OF THE CURB ON THE WEST SIDE OF ONEIDA STREET; THENCE NORTHERLY AND WESTERLY ALONG THE BACK OF CURB ONEIDA STREET AND NORTHLAND AVENUE TO A POINT DUE NORTH OF THE POINT OF BEGINNING; THENCE DUE SOUTH TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.



Petroleum impacted groundwater remains near the former location of monitoring well MW-2.

Figure 1

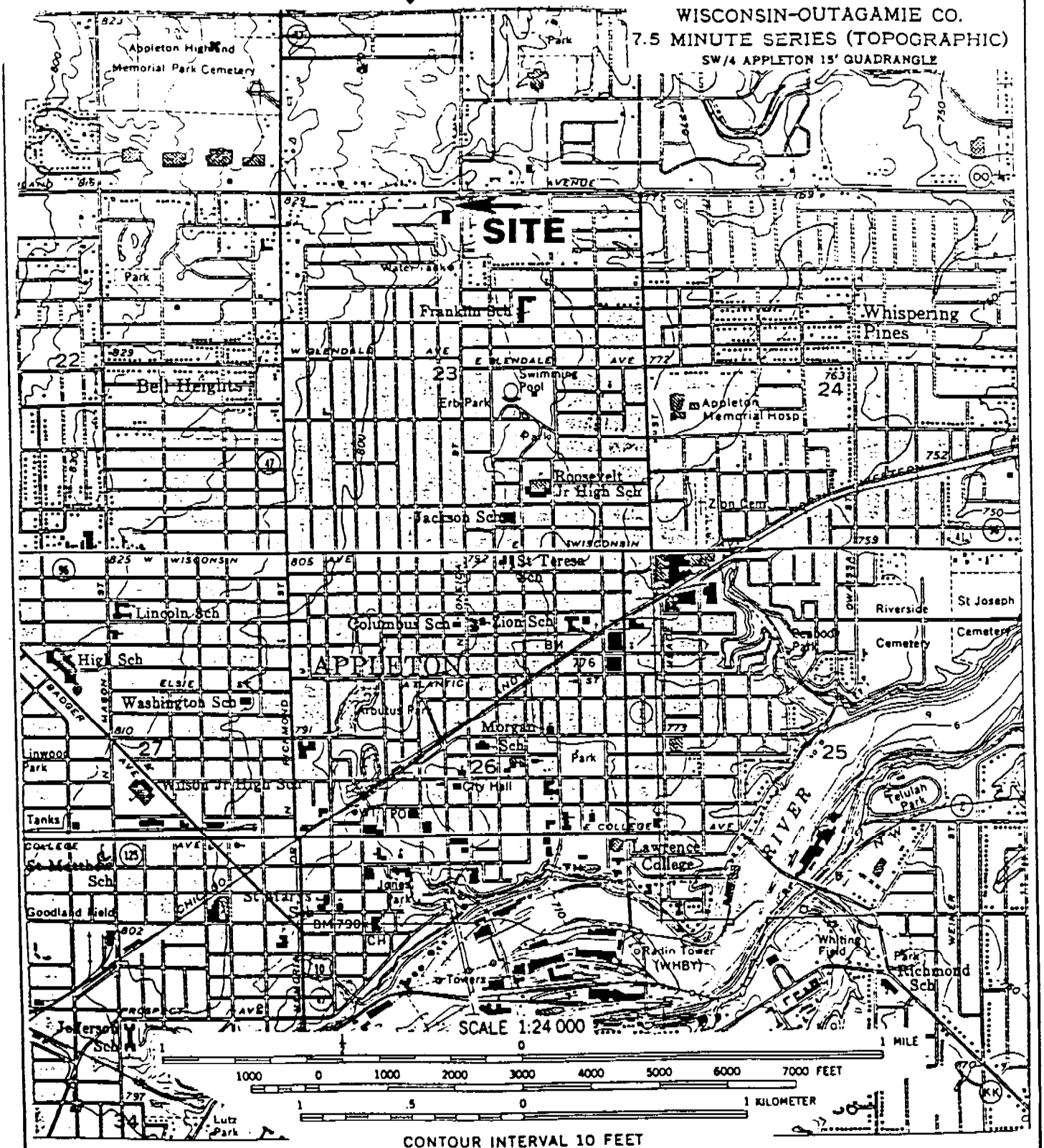
Monitoring Well Locations

▪ Monitoring Well Locations

Approximate Scale - 1" = 48 ft.

twin city testing corporation

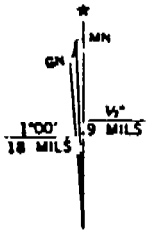
APPLETON QUADRANGLE
WISCONSIN-OUTAGAMIE CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)
SW/4 APPLETON 15' QUADRANGLE



CONTOUR INTERVAL 10 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

SITE LOCATION MAP
NORTHGATE 76
APPLETON, WISCONSIN

QUADRANGLE LOCATION



UTM GRID AND 1984 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

FIGURE 1	JOB NO. 4231 02-6331	SCALE: AS NOTED	DRAWN BY JMS	CHECKED BY

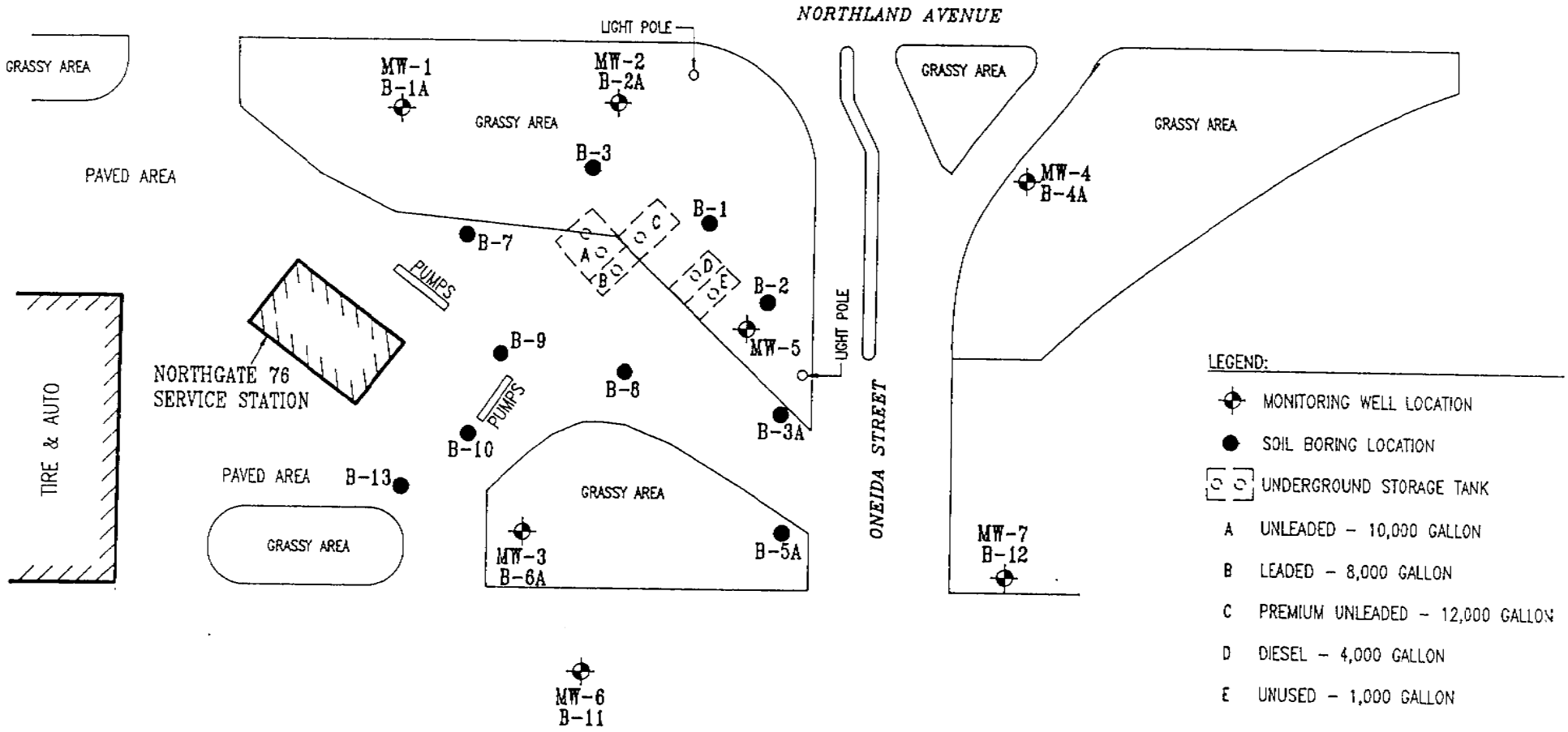
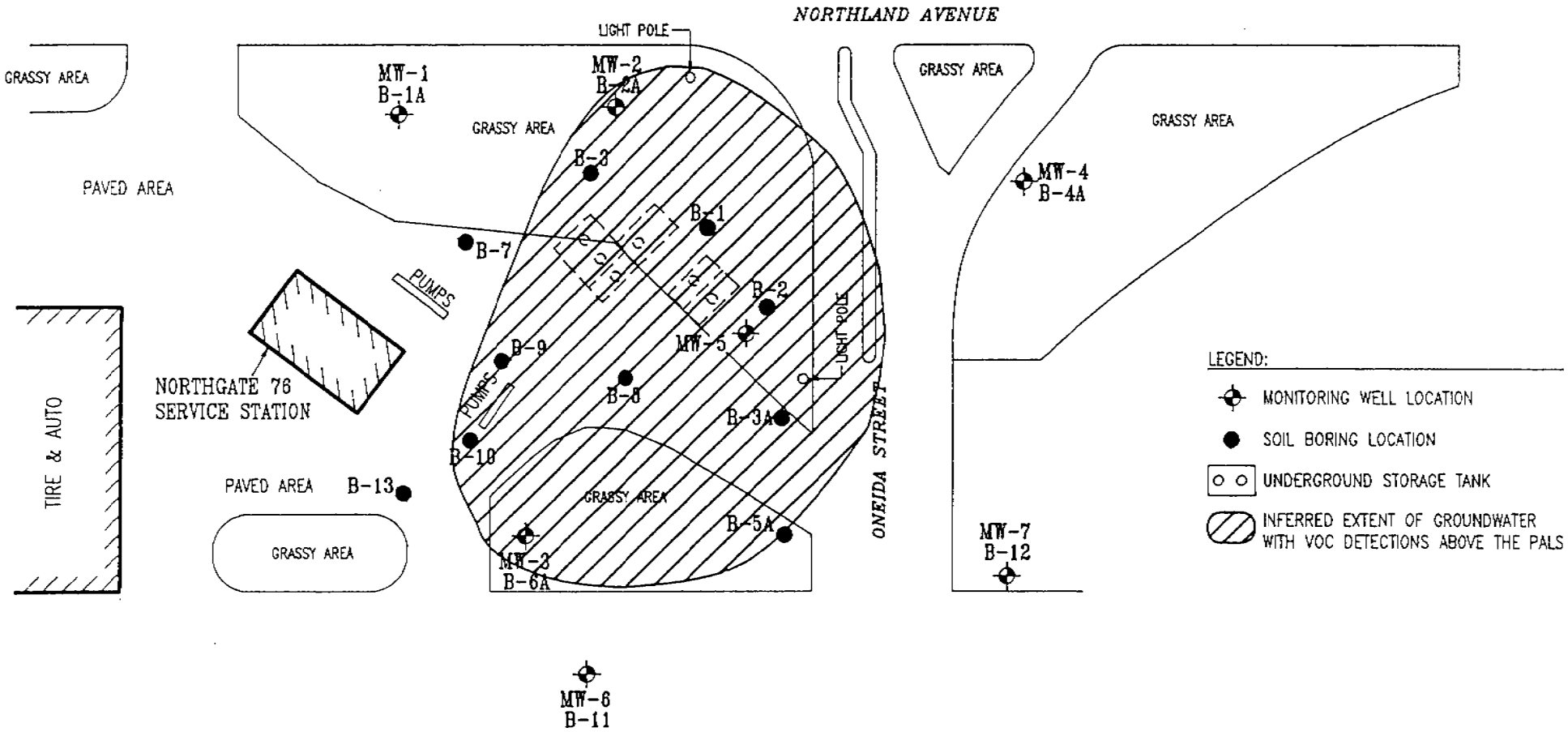


FIGURE NUMBER: 2	DATE: 3/16/94 REV
SITE MAP	PROJECT NO. 8500 93-0187
NORTHGATE 76	DRAWN BY: LINDA SIMMONS
APPLETON, WISCONSIN	REVIEWED BY: BOB MARXEN
	SCALE: 1 INCH = 60 FEET
	AUTOCAD DWG: 4231\93-0187



NORTH

FIGURE NUMBER: 5	DATE: 3/16/94 REV
INFERRED EXTENT OF GROUNDWATER CONTAMINATION NORTHGATE 76 APPLETON, WISCONSIN	PROJECT NO. 8500 93-0187
	DRAWN BY: LINDA SIMMONS
	REVIEWED BY: BOB MARXEN
	SCALE: 1 INCH = 60 FEET
	AUTOCAD DWG: 4231\93-0187

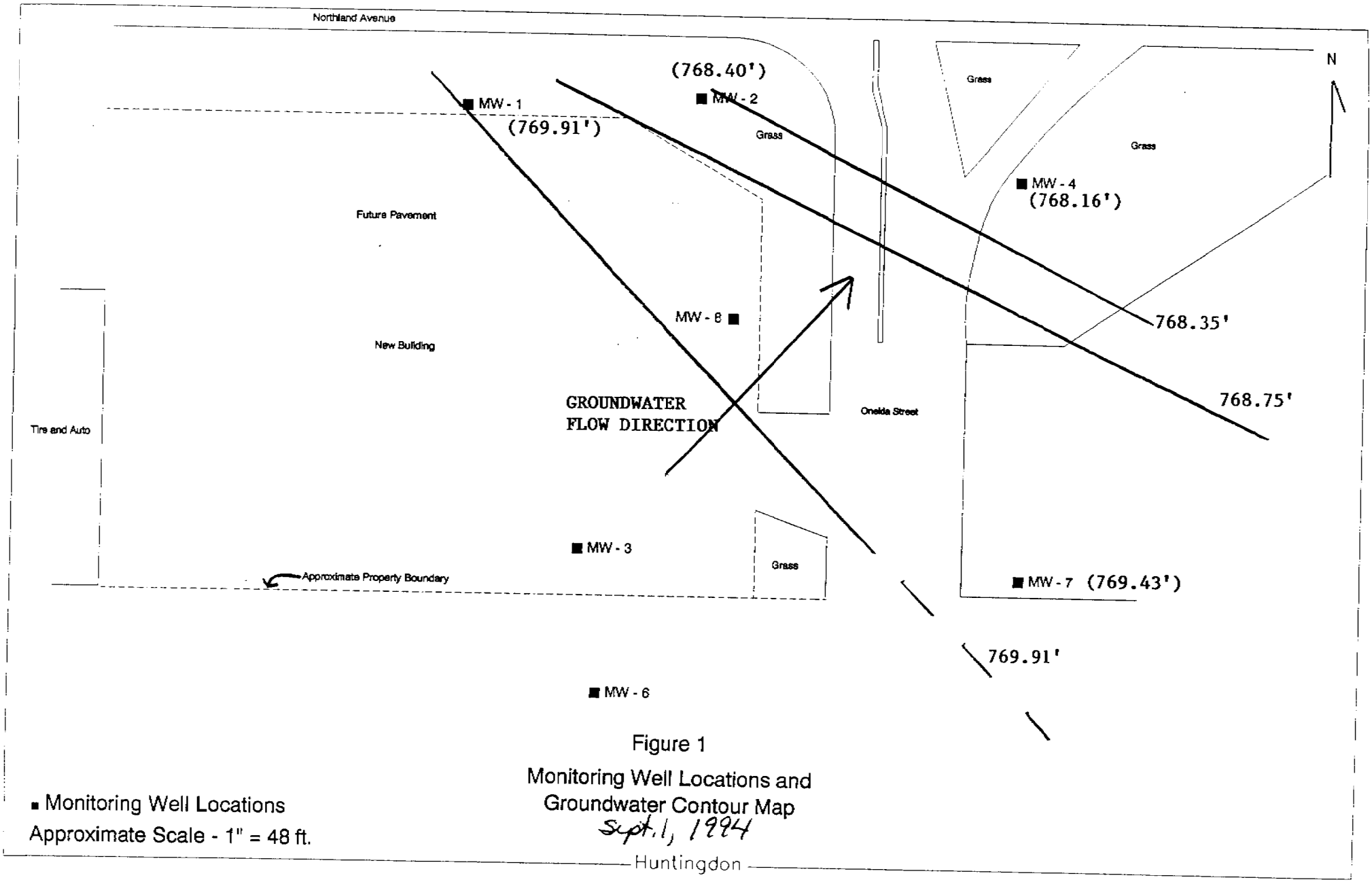


Figure 1

Monitoring Well Locations and
Groundwater Contour Map
Sept. 1, 1994

▪ Monitoring Well Locations
Approximate Scale - 1" = 48 ft.

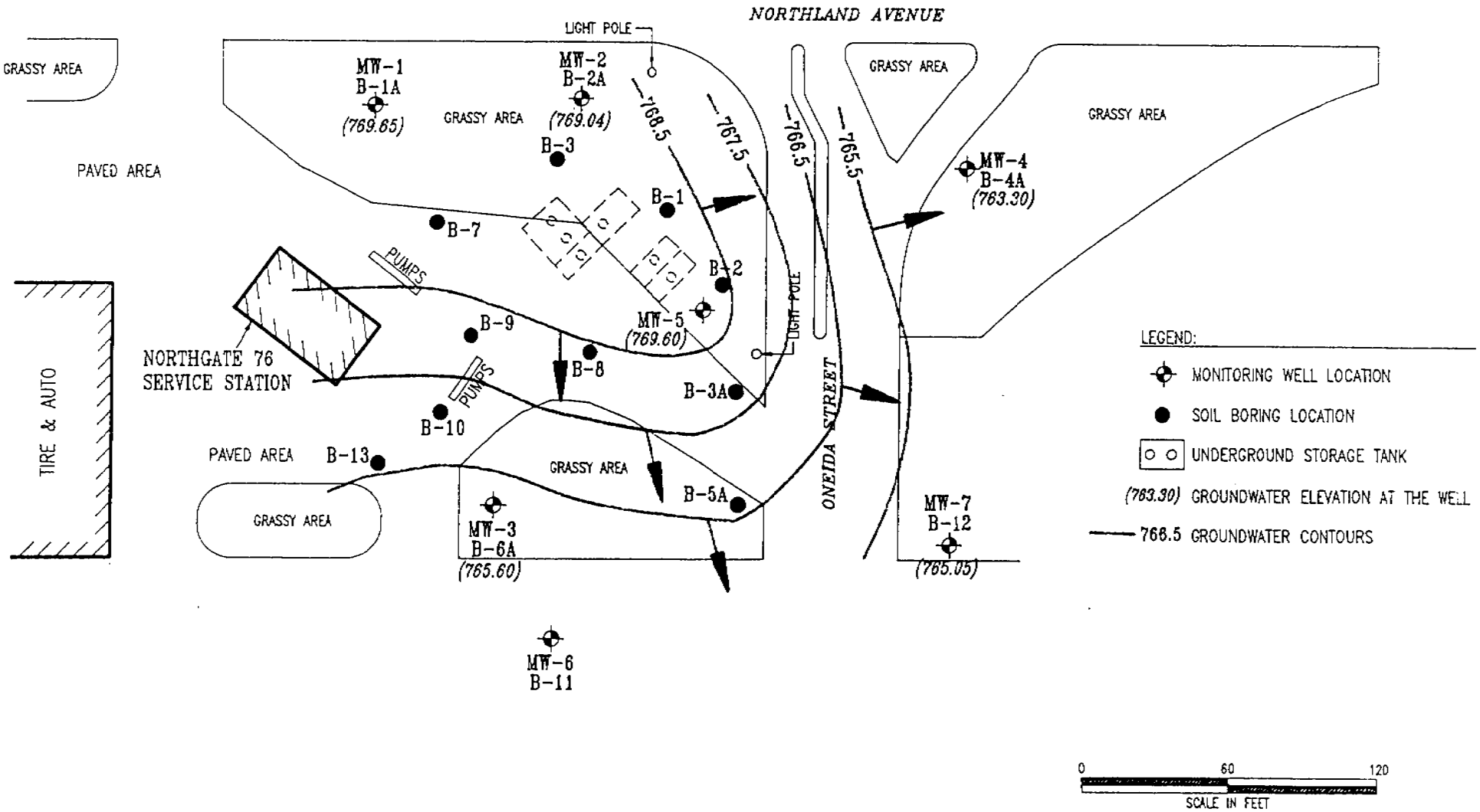


FIGURE NUMBER: 3	DATE: 3/16/94 REV
GROUNDWATER CONTOUR MAP 3/4/94 GROUNDWATER ELEVATIONS NORTHGATE 76 APPLETON, WISCONSIN	PROJECT NO. 8500 93-0187
	DRAWN BY: LINDA SIMMONS
	REVIEWED BY: BOB MARXEN
	SCALE: 1 INCH = 60 FEET
	AUTOCAD DWG: 4231\93-0187

GROUND-WATER LEVEL DATA SHEET

Project: Northgate 76
Measurements Taken By: Fischer

Project Number: 397084.003
Weather Conditions:

Well No.	Date	Time	Depth to GW (Ft.)	TOC Reference Elevation (Ft.)	GW Elevation	Well Depth (Ft.)	Height of Water Column (Ft.)	Comments
MW-1	8/26/97		7.14	777.65	770.51			
MW-2	8/26/97		8.98	777.74	766.98			**
MW-3**	8/26/97		9.32	774.60	765.28			**
MW-4**	8/26/97		6.86	775.56	768.70			surface runoff in well
MW-6	8/26/97			771.77				
MW-7	8/26/97		3.32	772.05	768.73			
MW-1	11/7/97			777.65				
MW-2	11/7/97		10.76	777.74	766.98			**
MW-3**	11/7/97		9.30	774.60	765.30			**
MW-4**	11/7/97			775.56				
MW-6	11/7/97			771.77				
MW-7	11/7/97			772.05				

Northgate 76
Post-it® Fax Note 7671

Date 1-14-98	# of pages ▶ 1
To Kristenwell	From Karen B
Co./Dept. WDNR	Co. Fischer
Phone #	Phone #
Fax #	Fax #

Notes: All depths measured from Top of Casing (TOC).
GW=ground water **Elevations for MW-3 and MW-4 probably incorrect due to well damage and heaving.
Elevations in feet above mean sea level. 2/26/97 TOC elevations.

FISCHER ENVIRONMENTAL CONSULTING, LLC.
P.O. Box 127, Kaukauna, WI 54130 Tel. (920) 766-2069 FAX (920) 759-2669

TABLE 1

Summary of Groundwater Monitoring Well Results (compounds detected) - MW-1
Northgate 76

Parameter (ug/l)	ES	PAL	4/30/92	12/9/92	2/16/94	9/1/94	12/6/94	4/11/95	8/17/95	3/20/96	6/13/96	2/26/97	5/30/97
Lead	15	1.5	6Total	NS	ND	NS	NS	NS	NS	NS	NS	NS	NS
Cadmium	5	0.5	ND	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
GRO	NE	NE	ND	ND	ND	ND	ND	ND	ND	ND	ND	NS	NS
DRO	NE	NE	ND	NS	ND	ND	ND	275	ND	ND	ND	NS	NS
Petroleum Volatile Organic Compounds													
Methyl-Tert-Butyl-Ether	60	12	ND	ND	10	3.6	ND	ND	ND	ND	ND	ND	ND
Toluene	343	69	ND	ND	ND	ND	ND	ND	ND	5.9	ND	ND	ND
Polynuclear Aromatic Hydrocarbons													
			ND	NS	ND	NS	NS	NS	NS	NS	NS	NS	NS

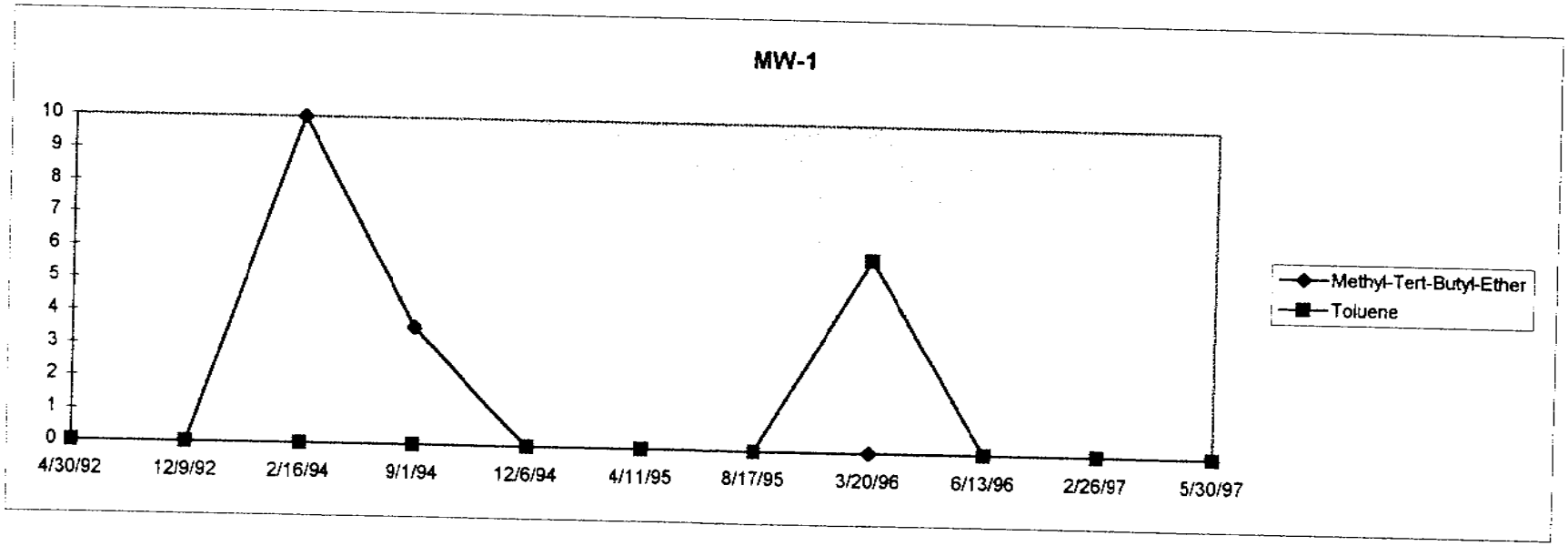


TABLE 1

Summary of Groundwater Monitoring Well Results (compounds detected) - MW-2
Northgate 76

Parameter (ug/l)	ES	PAL	4/30/92	12/9/92	2/15/94	9/1/94	12/6/94	4/11/95	8/17/95	3/20/96	6/13/96	2/26/97	5/30/97
Lead	15	1.5	5Total	NS	ND	NS	NS	NS	NS	NS	NS	NS	NS
Cadmium	5	0.5	ND	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
GRO	NE	NE	660	43	ND	ND	ND	ND	ND	ND	ND	NS	NS
DRO	NE	NE	ND	NS	890	58	ND	127	ND	ND	ND	ND	ND
Petroleum Volatile Organic Compounds													
1,2 -Dichloroethane	5	0.5	ND	6	ND	8.7	3.4	ND	1.7		1.1	ND	1.8
Methyl-Tert-Butyl-Ether	60	12	ND	98	100	57	55	64	69	70	70	79.8	50
Polynuclear Aromatic Hydrocarbons													
			ND	NS	ND	NS	NS	NS	NS	NS	NS	NS	NS

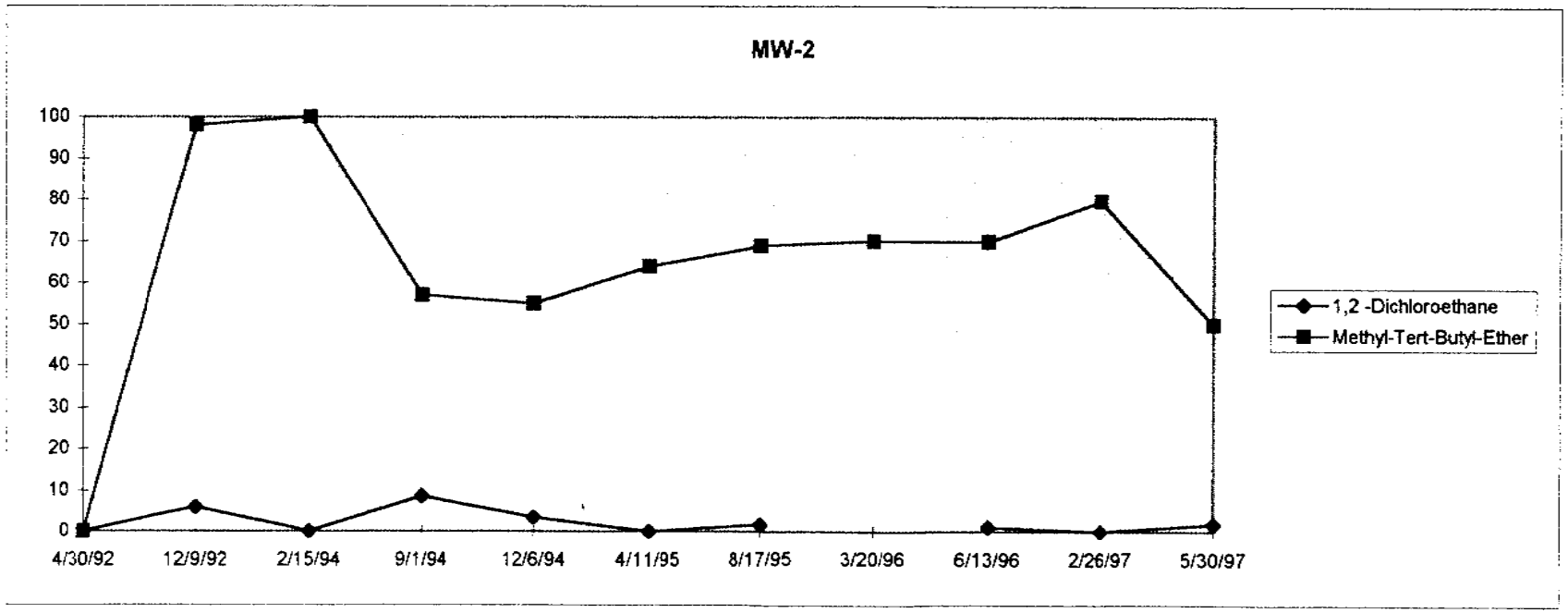


TABLE 1

Summary of Ground-water Monitoring Well Results (compounds detected) - MW-2
Northgate 76

Parameter (ug/l)	ES	PAL	4/30/92	12/9/92	2/15/94	9/1/94	12/6/94	4/11/95	8/17/95	3/20/96	6/13/96	2/26/97	5/30/97	8/26/97	11/7/97
Lead	15	1.5	5Total		ND										
Cadmium	5	0.5	ND												
GRO	NE	NE	660	43	ND	ND	ND	ND	ND	ND	ND				
DRO	NE	NE	ND		890	58	ND	127	ND	ND	ND	ND	ND		
Petroleum Volatile Organic Compounds															
1,2 -Dichloroethane	5	0.5	ND	6	ND	8.7	3.4	ND	1.7		1.1	ND	1.8		0.58
Methyl-Tert-Butyl-Ether	60	12	ND	98	100	57	55	64	69	70	70	79.8	50	58	65
Polynuclear Aromatic Hydrocarbons															
			ND		ND										

TABLE 1

Summary of Groundwater Monitoring Well Results (compounds detected) - MW-3
Northgate 76

Parameter (ug/l)	ES	PAL	5/1/92	12/9/92	2/15/94	10/13/94	12/6/94	4/11/95	8/17/95	3/20/96	6/13/96	2/26/97
Lead	15	1.5	12Total	NS	ND	NS	NS	NS	NS	NS	NS	NS
Cadmium	5	0.5	0.6Total	NS	NS	NS	NS	NS	NS	NS	NS	NS
GRO	NE	NE	ND	510	130	181	ND	ND	ND	ND	ND	ND
DRO	NE	NE	ND	NS	310	40	31	117	NS	ND	130	NS
Petroleum Volatile Organic Compounds												
Benzene	5	0.5	1	250	ND	11	ND	ND	ND	ND	ND	ND
1,2 -Dichloroethane	5	0.5	ND	ND	1	ND	ND	ND	ND	ND	ND	ND
Ethylbenzene	700	140	ND	2	ND	ND	ND	ND	ND	ND	ND	ND
Methyl-Tert-Butyl-Ether	60	12	ND	51	480	92	ND	12	40	13	5.1	12.6
Toluene	343	68.6	ND	1	ND	ND	ND	ND	ND	ND	ND	ND
Isopropylbenzene	NE	NE	ND	2	ND							
n-Propylbenzene	NE	NE	ND	2	ND							
Di-isopropyl Ether	NE	NE	ND	4	ND							
Polynuclear Aromatic Hydrocarbons												
			ND	NS	ND	NS	NS	NS	NS	NS	NS	NS

TABLE 1

Summary of Ground-water Monitoring Well Results (compounds detected) - MW-3
Northgate 76

Parameter (ug/l)	ES	PAL	5/1/92	12/9/92	2/15/94	10/13/94	12/6/94	4/11/95	8/17/95	3/20/96	6/13/96	2/26/97	8/26/97	11/7/97
Lead	15	1.5	12Total		ND									
Cadmium	5	0.5	0.6Total											
GRO	NE	NE	ND	510	130	181	ND	ND	ND	ND	ND	ND		
DRO	NE	NE	ND	NS	310	40	31	117		ND	130			
Petroleum Volatile Organic Compounds														
Benzene	5	0.5	1	250	ND	11	ND	ND	ND	ND	ND	ND	ND	ND
1,2 -Dichloroethane	5	0.5	ND	ND	1	ND	ND	ND	ND	ND	ND	ND		ND
Ethylbenzene	700	140	ND	2	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Methyl-Tert-Butyl-Ether	60	12	ND	51	480	92	ND	12	40	13	5.1	12.6	14	45
Toluene	343	68.6	ND	1	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Isopropylbenzene	NE	NE	ND	2	ND									
n-Propylbenzene	NE	NE	ND	2	ND									
Di-isopropyl Ether	NE	NE	ND	4	ND									
Polynuclear Aromatic Hydrocarbons														
			ND		ND									

TABLE 1

Summary of Groundwater Monitoring Well Results (compounds detected) - MW-4
Northgate 76

Parameter (ug/l)	ES	PAL	4/30/92	12/9/92	2/16/94	9/1/94	12/6/94	4/11/95	8/17/95	3/20/96	6/13/96	2/26/97	5/30/97
Lead	15	1.5	ND	NS	ND	NS	NS	NS	NS	NS	NS	NS	NS
Cadmium	5	0.5	ND	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
GRO	NE	NE	ND	170	ND	ND	ND	ND	ND	ND	ND	NS	NS
DRO	NE	NE	ND	NS	ND	298	ND	75	ND	NS	ND	NS	NS
Petroleum Volatile Organic Compounds													
Methyl-Tert-Butyl-Ether	60	12	ND	ND	2	ND	ND	ND	ND	ND	ND	ND	ND
Polynuclear Aromatic Hydrocarbons													
			ND	NS	ND	NS	NS	NS	NS	NS	NS	NS	NS

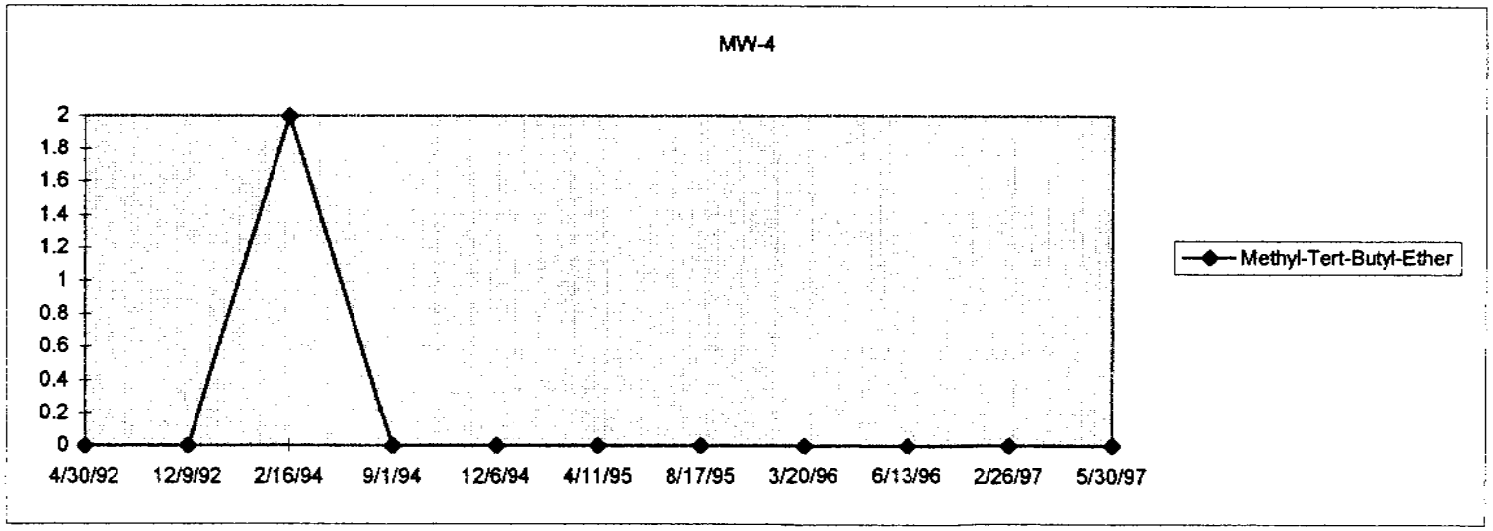


TABLE 1

Summary of Groundwater Monitoring Well Results (compounds detected) - MW-5
Northgate 76

Parameter (ug/l)	ES	PAL	4/30/92	12/9/92	2/15/94
Lead	15	1.5	9Total	NS	ND
Cadmium	5	0.5	ND	NS	NS
GRO	NE	NE	23000	26000	31000
DRO	NE	NE	4.6	NS	3800
Volatile Organic Compounds					
Benzene	5	0.5	900	3600	3800
1,2 -Dichloroethane	5	0.5	ND	5	ND
Ethylbenzene	700	140	ND	2100	2600
Methyl-Tert-Butyl-Ether	60	12	ND	380	1100
Toluene	343	68.6	970	2900	2800
Trimethylbenzenes	NE	NE	2000	930	1720
Xylenes, Total	620	124	17300	6200	7700
Isopropylbenzene	NE	NE	ND	44	ND
n-Propylbenzene	NE	NE	140	120	ND
p-Isopropyltoluene	NE	NE	ND	9	ND
Di-isopropyl Ether	NE	NE	ND	190	ND
sec-Butylbenzene	NE	NE	290	5	ND
Hexachlorobutadiene	NE	NE	2800	ND	ND
Vinyl chloride	0.2	0.02	590	ND	ND
n-Butylbenzene	NE	NE	ND	68	ND
Polynuclear Aromatic Hydrocarbons					
Napthalene	40	8	210	2	600
Acenaphthalene	NE	NE	57		30
Fluorene	400	80	2.7		ND
Pyrene	NE	NE	0.21		ND
Benzo(a)anthracene	NE	NE	0.02		ND
Chysene	NE	NE	0.12		ND
Benzo(a)pryene	0.2	0.02	0.09		ND
Dibenzo(a,h)anthracene	NE	NE	0.06		ND
Benzo(ghi)perylene	NE	NE	0.13		ND
Methylnaphthalene	NE	NE	ND		113

TABLE 1

Summary of Groundwater Monitoring Well Results (compounds detected) - MW-6
Northgate 76

Parameter (ug/l)	ES	PAL	9/1/94	12/6/94	4/11/95	8/17/95	3/20/96	2/26/97	5/30/97
GRO	NE	NE	ND	ND	ND	ND	ND	NS	NS
DRO	NE	NE	33	ND	106	ND	ND	NS	NS
Petroleum Volatile Organic Compounds									
			ND	ND	ND	ND	ND	ND	ND

TABLE 1

Summary of Groundwater Monitoring Well Results (compounds detected) - MW-7
Northgate 76

Parameter (ug/l)	ES	PAL	3/3/94	9/1/94	12/6/94	4/11/95	8/17/95	5/30/97
Lead	15	1.5	ND	NS	NS	NS	NS	NS
GRO	NE	NE	ND	ND	ND	ND	ND	NS
DRO	NE	NE	ND	34	191	79	ND	NS
Petroleum Volatile Organic Compounds								
Trimethylbenzenes	NE	NE	1	ND	ND	ND	ND	ND
Xylenes, Total	620	124	1	ND	ND	ND	ND	ND

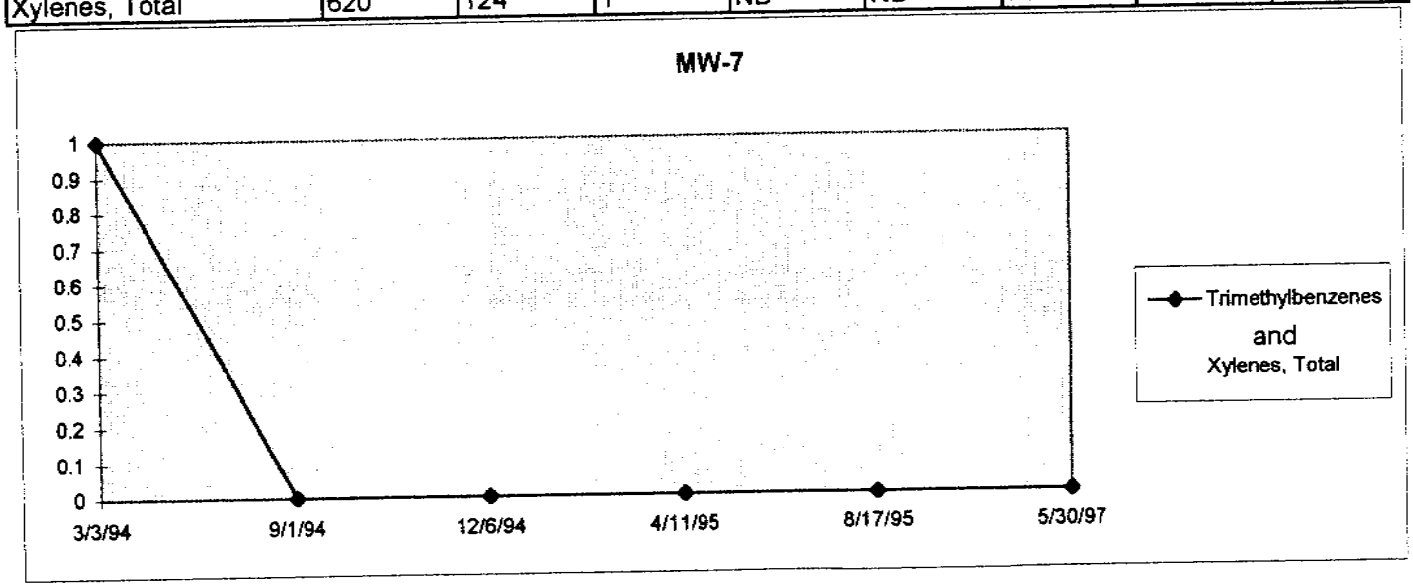


TABLE 1

Summary of Groundwater Monitoring Well Results (compounds detected) - MW-8 (sump)
Northgate 76

Parameter (ug/l)	ES	PAL	12/6/94	4/11/95	8/17/95	3/20/96
GRO	NE	NE	ND	ND	ND	ND
DRO	NE	NE	ND	117	129	ND
Petroleum Volatile Organic Compounds						
Benzene	5	0.5	0.7	ND	ND	ND
Methyl-Tert-Butyl-Ether	60	12	ND	36	16	3.9

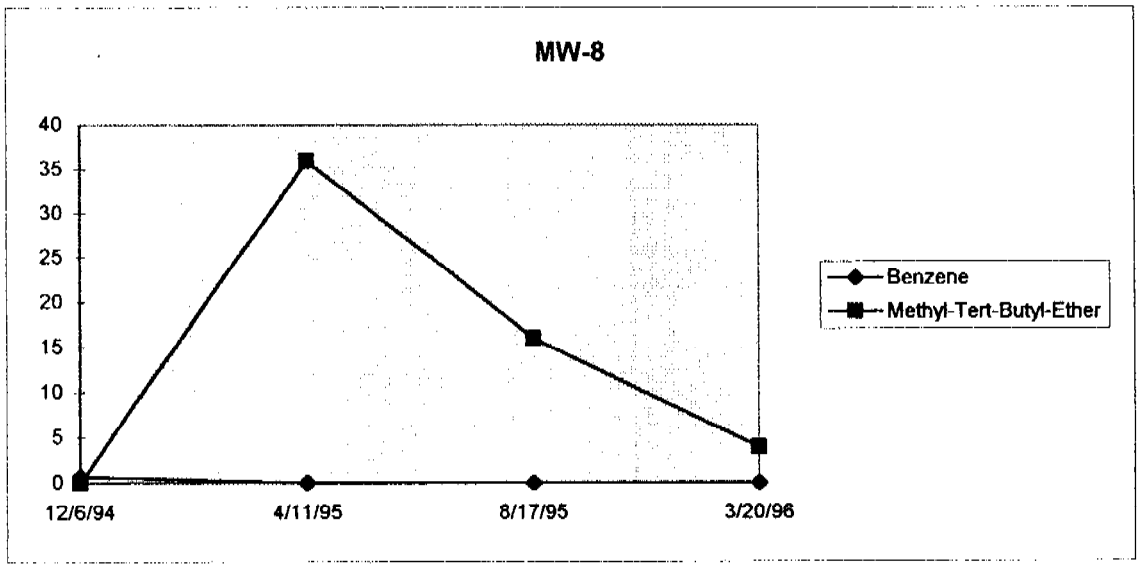
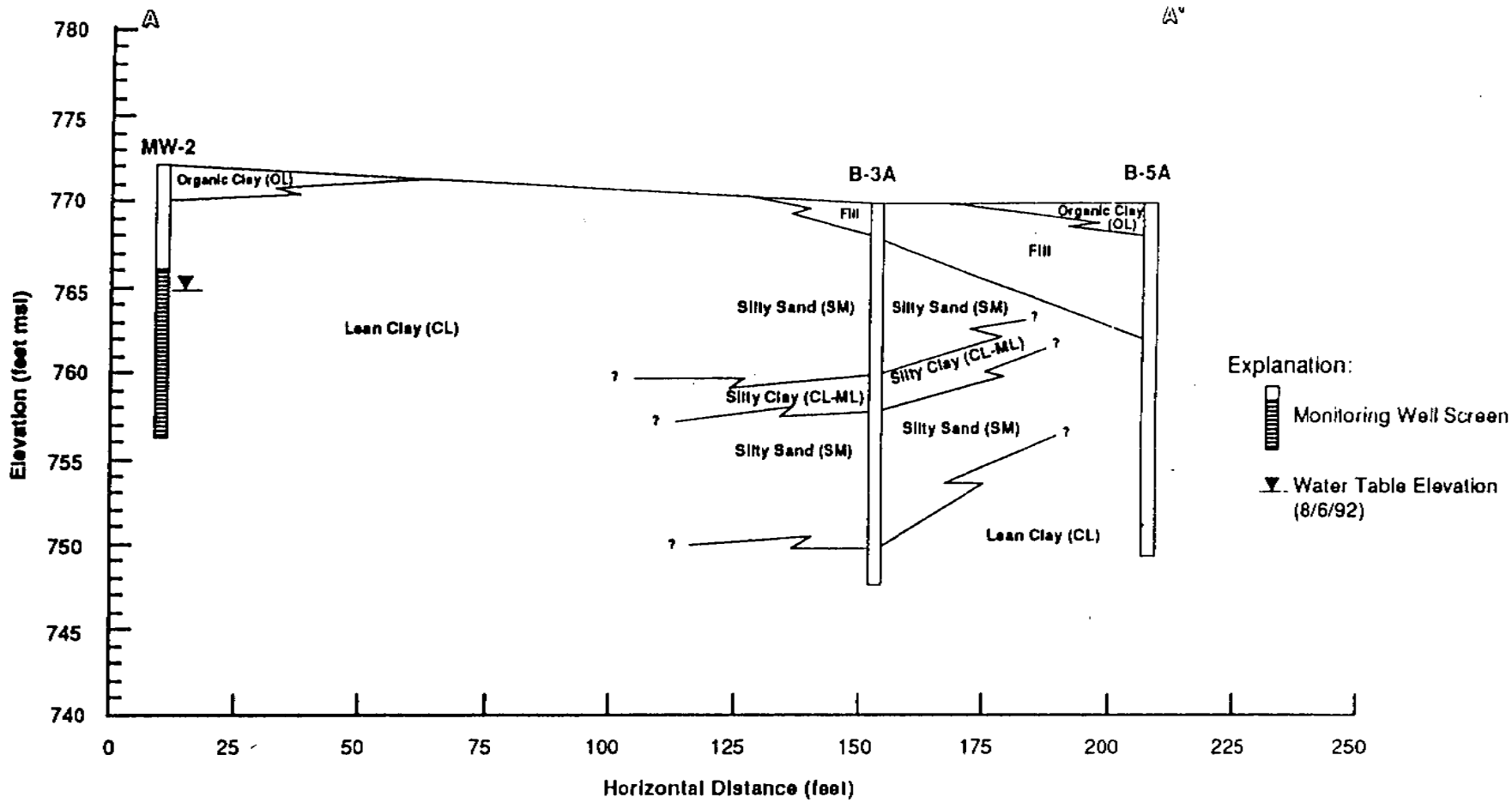


TABLE 1

Summary of Ground-water Monitoring Well Results (compounds detected) - MW-8 (sump)
Northgate 76

Parameter (ug/l)	ES	PAL	12/6/94	4/11/95	8/17/95	3/20/96	8/26/97	11/7/97
GRO	NE	NE	ND	ND	ND	ND		
DRO	NE	NE	ND	117	129	ND		
Petroleum Volatile Organic Compounds								
Benzene	5	0.5	0.7	ND	ND	ND	ND	ND
Methyl-Tert-Butyl-Ether	60	12	ND	36	16	3.9	ND	0.83

GENERALIZED CROSS SECTION

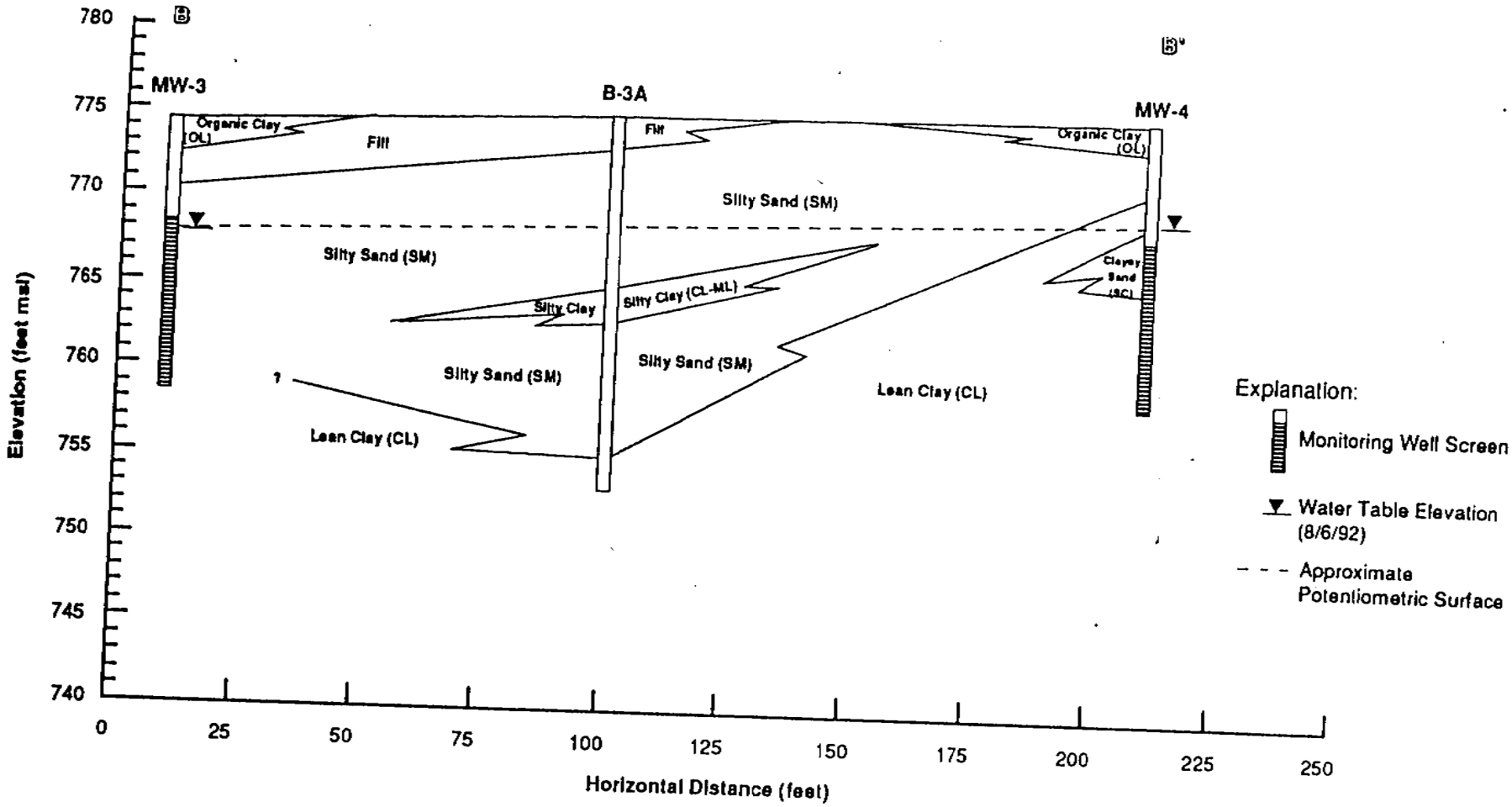


** See Figure 4 for location of cross-section*

FIGURE 5		
CROSS SECTION A - A' NORTHGATE 76 APPLETON, WISCONSIN	DATE:	August 5, 1992
	PROJECT #:	4231 02-6332
	DRAWN BY:	M. Rivard
	REVIEWED BY:	B. Sullivan
	SCALE	NA

twin city testing corporation

GENERALIZED CROSS SECTION



** See Figure 4 for location of cross-section*

FIGURE 6

CROSS SECTION B - B'
NORTHGATE 76
APPLETON, WISCONSIN

DATE:	August 3, 1992
PROJECT #:	4231 02-6335
DRAWN BY:	M. Rivard
REVIEWED BY:	B. Sullivan
SCALE	NA

twin city testing corporation