

**GIS REGISTRY INFORMATION**

**SITE NAME:** Cecil Shell (former)

**BRRTS #:** 03-59-000626 **FID # (if appropriate):** \_\_\_\_\_

**COMMERCE # (if appropriate):** \_\_\_\_\_

**CLOSURE DATE:** 02/28/2006

**STREET ADDRESS:** 100 N. Warrington Ave

**CITY:** Cecil

**SOURCE PROPERTY GPS COORDINATES** (meters in WTM91 projection): X= 642498 Y= 483002

**CONTAMINATED MEDIA:** Groundwater  Soil  Both

**OFF-SOURCE GW CONTAMINATION >ES:**  Yes  No

**IF YES, STREET ADDRESS 1:** \_\_\_\_\_

**GPS COORDINATES** (meters in WTM91 projection): X= \_\_\_\_\_ Y= \_\_\_\_\_

**OFF-SOURCE SOIL CONTAMINATION >Generic or Site-Specific RCL (SSRCL):**  Yes  No

**IF YES, STREET ADDRESS 1:** \_\_\_\_\_

**GPS COORDINATES** (meters in WTM91 projection): X= \_\_\_\_\_ Y= \_\_\_\_\_

**CONTAMINATION IN RIGHT OF WAY:**  Yes  No

**DOCUMENTS NEEDED:**

Closure Letter, and any conditional closure letter or denial letter issued	<b>x</b>
Copy of most recent deed, including legal description, for all affected properties	<b>x</b>
Certified survey map or relevant portion of the recorded plat map (if referenced in the legal description) for all affected properties	<b>x</b>
County Parcel ID number, if used for county, for all affected properties	<b>x</b>
Location Map which outlines all properties within contaminated site boundaries on USGS topographic map or plat map in sufficient detail to permit the parcels to be located easily (8.5x14" if paper copy). If groundwater standards are exceeded, the map must also include the location of all municipal and potable wells within 1200' of the site.	<b>x</b>
Detailed Site Map(s) for all affected properties, showing buildings, roads, property boundaries, contaminant sources, utility lines, monitoring wells and potable wells. (8.5x14", if paper copy) This map shall also show the location of all contaminated public streets, highway and railroad rights-of-way in relation to the source property and in relation to the boundaries of groundwater contamination exceeding ch. NR 140 ESs and soil contamination exceeding ch. NR 720 generic or SSRCLs.	<b>x</b>
Tables of Latest Groundwater Analytical Results (no shading or cross-hatching)	<b>x</b>
Tables of Latest Soil Analytical Results (no shading or cross-hatching)	<b>x</b>
Isoconcentration map(s), if required for site investigation (SI) (8.5x14" if paper copy). The isoconcentration map should have flow direction and extent of groundwater contamination defined. If not available, include the latest extent of contaminant plume map.	<b>x</b>
GW: Table of water level elevations, with sampling dates, and free product noted if present	<b>x</b>
GW: Latest groundwater flow direction/monitoring well location map (should be 2 maps if maximum variation in flow direction is greater than 20 degrees)	<b>x</b>
SOIL: Latest horizontal extent of contamination exceeding generic or SSRCLs, with one contour	<b>x</b>
Geologic cross-sections, if required for SI. (8.5x14" if paper copy)	<b>x</b>
RP certified statement that legal descriptions are complete and accurate	<b>x</b>
Copies of off-source notification letters (if applicable)	<b>na</b>
Letter informing ROW owner of residual contamination (if applicable)(public, highway or railroad ROW)	<b>x</b>
Copy of (soil or land use) deed restriction(s) or deed notice if any required as a condition of closure	<b>x</b>
Copy of any maintenance plan referenced in the deed restriction.	<b>x</b>



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

Shawano Field Office  
647 Lakeland Rd.  
Shawano, Wisconsin 54166  
Telephone 715-524-2183  
FAX 715-524-3214  
TTY Access via relay - 711

February 28, 2006

David and Kathleen Dole  
2416 River St.  
Two Rivers, WI 54244

Subject: Case Closure for Dole Property (Former Cecil Shell), 100 North Warington St.,  
Cecil, WI 54111; DNR # 03-59-000626

Dear Mr. and Mrs. Dole:

On August 12, 2005, the Northeast Region Closure Committee reviewed your request for closure of the case described above. The Committee reviews environmental remediation cases for compliance with state rules and statutes to maintain consistency in the closure of these cases

~~On August 30, 2005, you were notified that the Closure Committee had denied closure and requested additional documentation be submitted~~

On February 22, 2006 the Department received correspondence indicating that you have complied with the requirements of closure –specifically a copy of the filed deed restriction and monitoring well abandonment forms. Based on the correspondence and data provided, it appears that your case has been remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code. The Department considers this case closed and no further investigation, remediation or other action is required at this time.

### **FUTURE EXCAVATION OF RESIDUAL CONTAMINATED SOIL**

Residual soil contamination remains at the site as indicated in the information submitted to the Department of Natural Resources. If soil in these specific locations is excavated in the future, the property owner at the time of excavation will be required to sample and analyze the excavated soil to determine whether the contamination still remains. If contamination remains, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard at the time of excavation. **Special precautions may need to be taken during excavation activities to prevent a direct contact health threat to humans.** Based upon the results of sample analysis, the current owner will also have to properly store, treat, or dispose of any excavated materials, in accordance with state and federal laws.

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 GIS Registry. To review the sites on the GIS Registry web page, visit <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. If your property is listed on the GIS Registry and you

intend to construct or reconstruct a well, you will need Department approval. Department approval is required before construction or reconstruction of a well on a property listed on the GIS Registry, in accordance with s. NR 812.09(4)(w). To obtain approval, Form 3300-254 needs to be completed and submitted to the DNR Drinking and Groundwater program's regional water supply specialist. This form can be obtained on-line <http://www.dnr.state.wi.us/org/water/dwg/3300254.pdf> or at the web address listed above for the GIS Registry.

Your site was closed with the requirement that a deed restriction for the impermeable cap be recorded at the county Register of Deeds office, and that maintenance of the cap be conducted as described in the maintenance and inspection plan, dated February 1, 2006. The maintenance plan and inspection log are to be kept up-to-date and on-site, and the inspection log need only be submitted to the Department upon request. A copy of the deed restriction and the referenced maintenance plan can be found in the Department's regional files, or they can be viewed on the GIS Registry for this site, at <http://dnr.wi.gov/org/aw/tr/gis/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.

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 715-526-4230.

Sincerely,



Tom Sturm

Hydrogeologist

Remediation & Redevelopment Program

[Thomas.Sturm@dnr.state.wi.us](mailto:Thomas.Sturm@dnr.state.wi.us)

cc: Shelly Giese – Robert E. Lee and Associates, 4664 Golden Pond Park Court, Oneida, WI 54155



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

Shawano Field Office  
647 Lakeland Rd.  
Shawano, Wisconsin 54166  
Telephone 715-524-2183  
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TTY Access via relay - 711

August 30, 2005

Mr. David Dole  
2416 River St.  
Two Rivers, WI 54244

Subject: Case Closure Denial for David Dole Property, 100 North  
Warrington St., Cecil, WI 54111  
DNR # 03-59-000626

Dear Mr. Dole:

On August 12, 2005, the Northeast Region Closure Committee reviewed your request for closure of the case described above. The Committee reviews environmental remediation cases for compliance with state rules and statutes to maintain consistency in the closure of these cases. After careful review of your closure request, the closure committee has denied closure because additional requirements must be met. The purpose of this letter is to inform you of the remaining requirements for obtaining closure, and to request your written response within 60 days of receiving this letter.

Your site was denied closure because no deed restriction was provided, which is required in order to comply with state law and administrative codes. It appears your site has been adequately investigated and may be eligible for case closure if certain minimum closure requirements are met. Once you complete the tasks below, your site will be reconsidered for closure.

### **DEED RESTRICTION FOR CONTAMINATED SOIL**

To close this site, the Department requires that a deed restriction be signed and recorded to address remaining soil contamination associated with the site. You can find a model deed restriction on our web site at <http://www.dnr.state.wi.us/org/aw/rr/technical/index.htm>. This section of our web site includes a link labeled "Institutional Controls Guidance," which leads to an electronic copy of PUB\_RR\_606, "Guidance on Case Close Out and the Requirements for Institutional Controls and VPLE Environmental Insurance." This guidance document includes a model deed restriction that you should use to satisfy this closure requirement. Other helpful information on deed restrictions may also be accessed on this web page. However, if you are unable to obtain this from our web site, please contact me and I will send you a copy of an applicable model deed restriction.

The purpose of a deed restriction at this site is to:

- (1) maintain a surface barrier over the remaining soil contamination to:
  - (a) prevent contamination from impacting human health through direct contact.
  - (b) prevent contamination from impacting groundwater due to the infiltration of precipitation.  
(See Option 3 in the model deed restriction in the appendix of PUB\_RR\_606.)

Sincerely,

A handwritten signature in black ink that reads "Tom Sturm". The signature is written in a cursive style with a large, sweeping "T" and "S".

Tom Sturm  
Hydrogeologist  
Remediation & Redevelopment Program

A hand-drawn arrow in black ink, pointing from the right towards the text below it.

cc: Karl Schuldes – Robert E. Lee and Associates, 4664 Golden Pond Park Court, Green Bay, WI 54155

DOCUMENT NO.

412919

WARRANTY DEED  
STATE BAR OF WISCONSIN FORM 2—1982

Vol 636 PAGE 704

THIS SPACE RESERVED FOR RECORDING DATA

Anthony T. Rominski and Bernice J. Rominski,  
his wife,

conveys and warrants to David R. Dole and Cathleen J.  
Dole, his wife.

REGISTERS OFFICE  
SHAWANO COUNTY, WIS.

Received for Record this 4th  
day of May, A.D. 1987 at 10:15  
o'clock A.M. Recorded in Vol 636  
of Records, Page 704  
Patty Redman Register

RETURN TO

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

Tax Parcel No:

All of Lot 8 in Block 1 of Freeborn's Addition to the Village of Cecil, Shawano County, Wisconsin, excepting the following: Beginning at the Southwest corner of said Lot; thence Northeasterly along Warrington Street 36.45 feet; thence Easterly parallel with the South line of said Lot 8, 112.5 feet; thence angle 71°-26' to the right 38.2 feet to an iron stake in the South line of said Lot 8; thence Westerly along the South line of said Lot 8, 128.8 feet to place of beginning.

This Warranty Deed is given in satisfaction of a Land Contract between the above-named parties dated October 5, 1984 and recorded October 10, 1984 at 11:35 a.m. in Volume 602 of Shawano County Records at pages 459-460 as Document No. 396750.

TRANSFER  
\$ 75.00  
FEE

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

Exception to warranties: Easements and restrictions of record.

Dated this 17th day of April, 1987.

(SEAL) Anthony T. Rominski (SEAL)  
Anthony T. Rominski  
(SEAL) Bernice J. Rominski (SEAL)  
Bernice J. Rominski

AUTHENTICATION

Signature(s)

authenticated this day of, 19

TITLE: MEMBER STATE BAR OF WISCONSIN

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

THIS INSTRUMENT WAS DRAFTED BY

Attorney Steven E. Aschenbrener,  
Shawano, Wisconsin 54166

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

ACKNOWLEDGMENT

STATE OF WISCONSIN

Shawano County, ss.

Personally came before me this 17th day of

April, 1987

the above named

Anthony T. Rominski and

Bernice J. Rominski, his wife

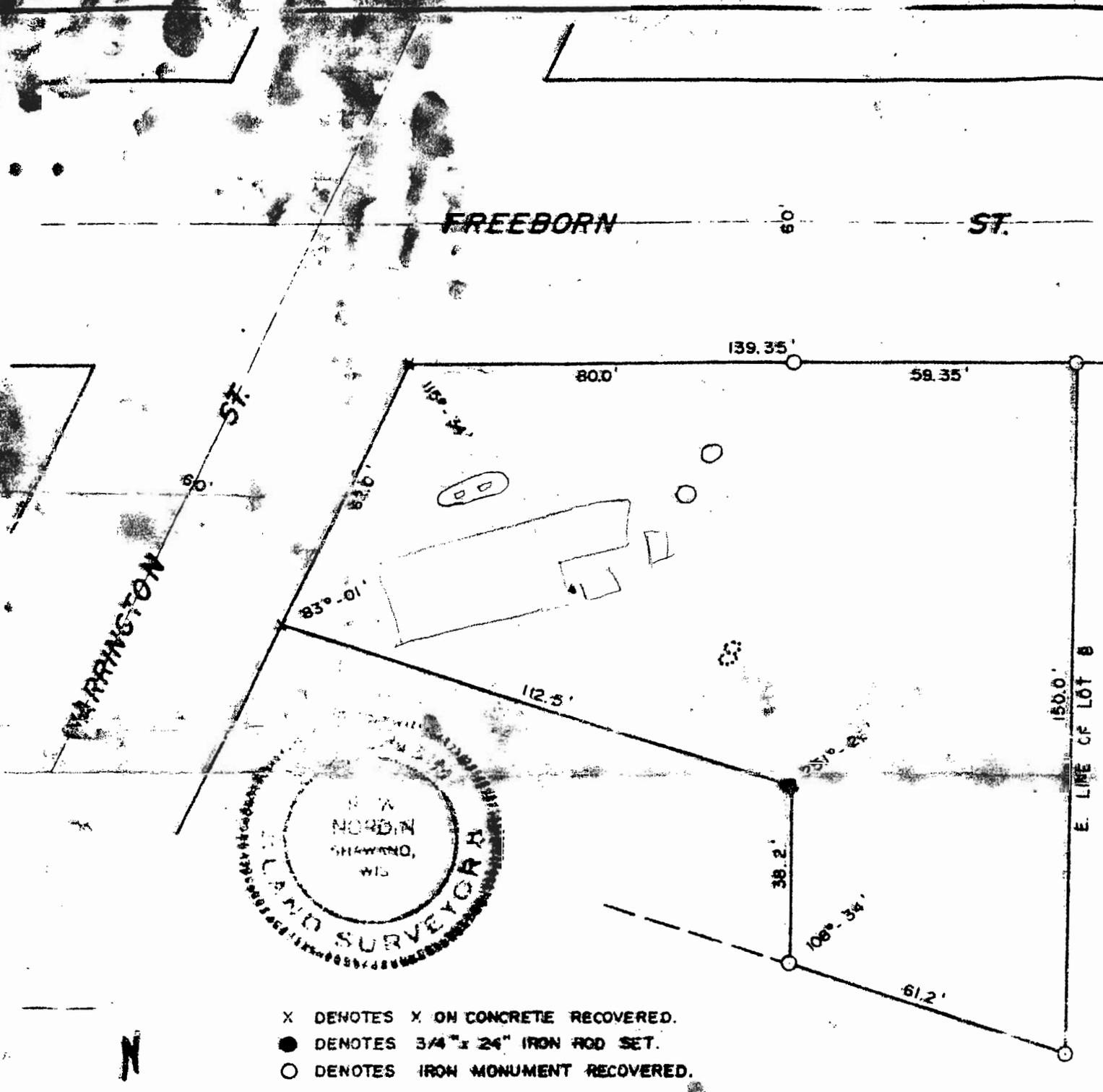
to me known to be the person(s) who executed the foregoing instrument and acknowledge the same.

JAMES F. BLESER

Notary Public, Shawano County, Wis.

My Commission is permanent. (If not, state expiration date: January 20, 1991.)

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



- X DENOTES X ON CONCRETE RECOVERED.
- DENOTES 3/4" x 24" IRON ROD SET.
- DENOTES IRON MONUMENT RECOVERED.



**R. W. NORDIN**

**PROFESSIONAL LAND SURVEYOR**  
SHAWANO, WISCONSIN

**MAP OF PART OF LOT B, BLK. 1, FREEBORN'S ADDITION TO THE VILLAGE OF CECIL, SHAWANO CO., WISCONSIN.**

DWG. BY	CRP
CHKD. BY	
FB	
SCALE	1" = 20'

DATE 11 / 28 / 93

DWG. NO. 2108



County Disclaimer: Information depicted on the following maps was interpreted from digital orthophotography and various other land records. An attempt was made to accurately represent the information shown hereon, however, recent changes in the physical and cultural landscape may not be represented. These maps are intended for planning and general use only, please refer to the original source documents for detailed information. Please contact the Shawano County Planning Development Office if you discover any discrepancies on this map.

PIN: 111500500080

Owner Name: DAVID R. CATHLEEN

Site Address: DOLE

100 WARRINGTON AVE

**Mailing Information:**

Primary Addr.: 5429 MAYFLOWER LANE

Secondary Addr.:

CTY/ST/ZIP: GILLET WI 541240000

Section: 20 Total Acreage: 1

Township: 27 Total Land Value: \$9000

Range: 17 Total Improved Value: \$4500

Total Value: \$13500

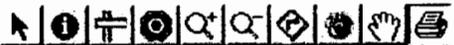
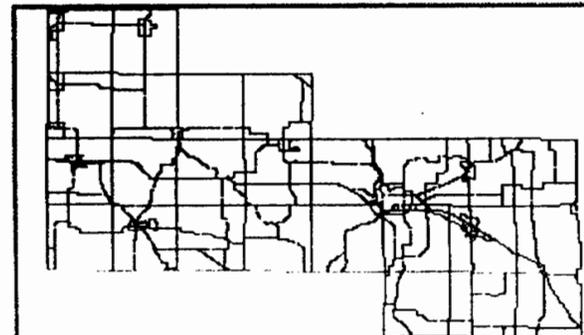
**Legal Description:**

1/4 MIL OF CECIL FREEBORNS ADD  
 LOT 8 BLK 1 EX COM SW COR  
 LOT 8 TH NE ALG ST 36.45TH  
 SE PARA 5 LN LOT 8 112.5TH

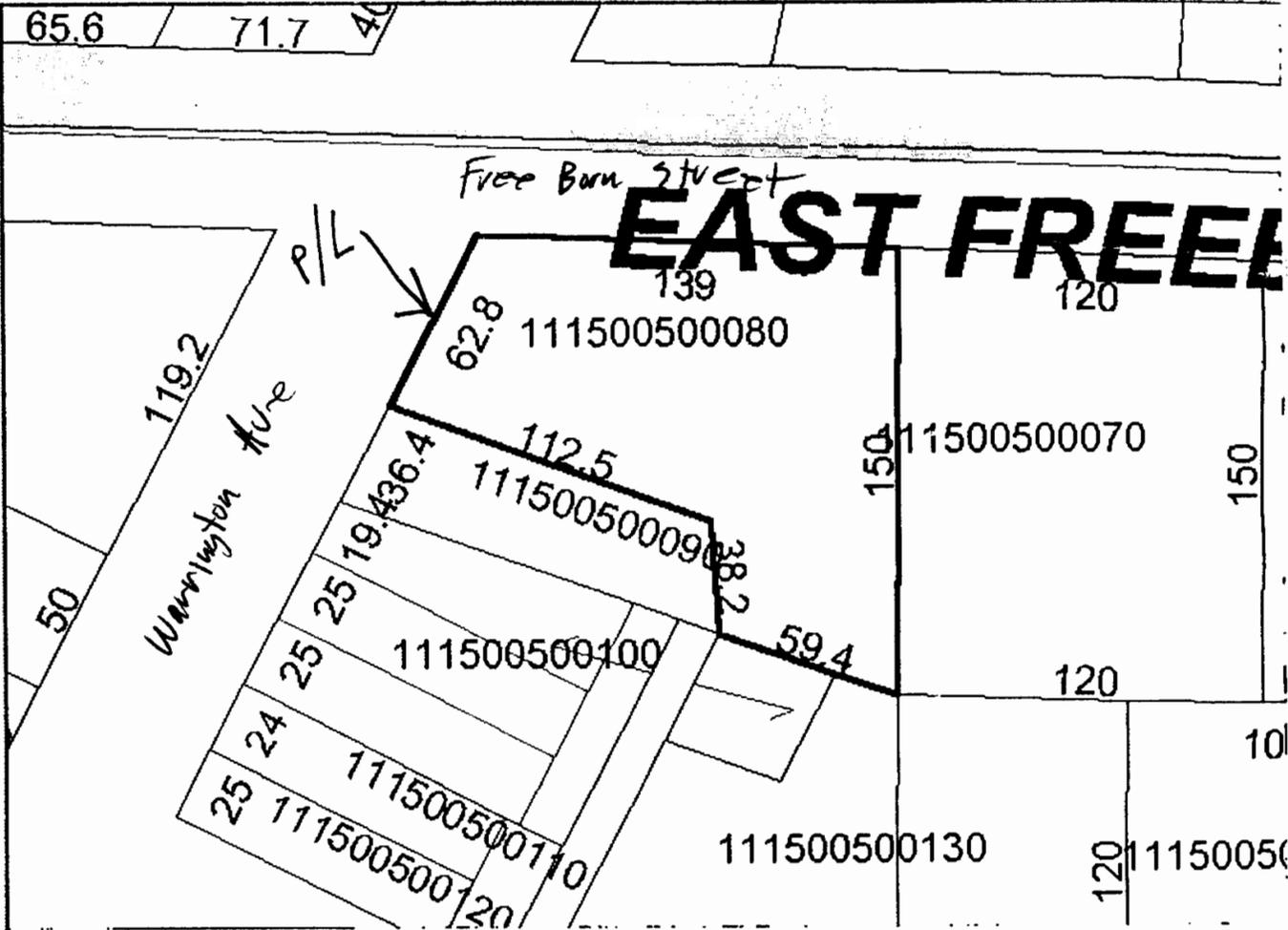
Deed Volume Deed Page

School Districts:

BONDUEL SCHOOL DISTRICT

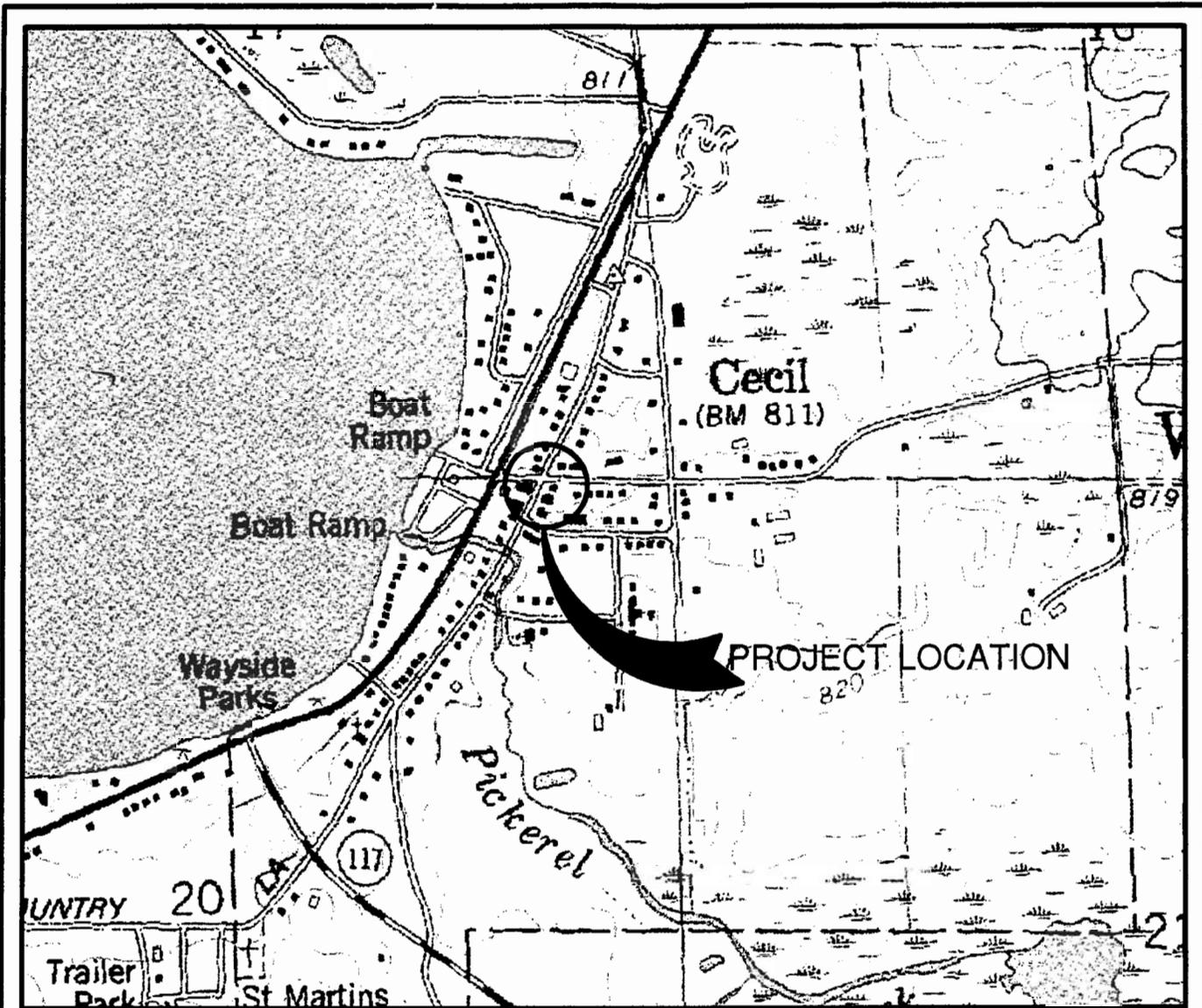


Distance 526 ft. Buffer Radius 300 ft.



Layers below shown in white are not viewable until zoomed to appropriate scale. Scale: 1"=59'

Contours   
  Soils - Prime/High   
  Soils - Septic Soil   
  Watershed  
 Floodplains   
  Soils - Erodability   
  Orthophotos   
  Wetlands  
 Soils - Hydric   
  Subdivisions



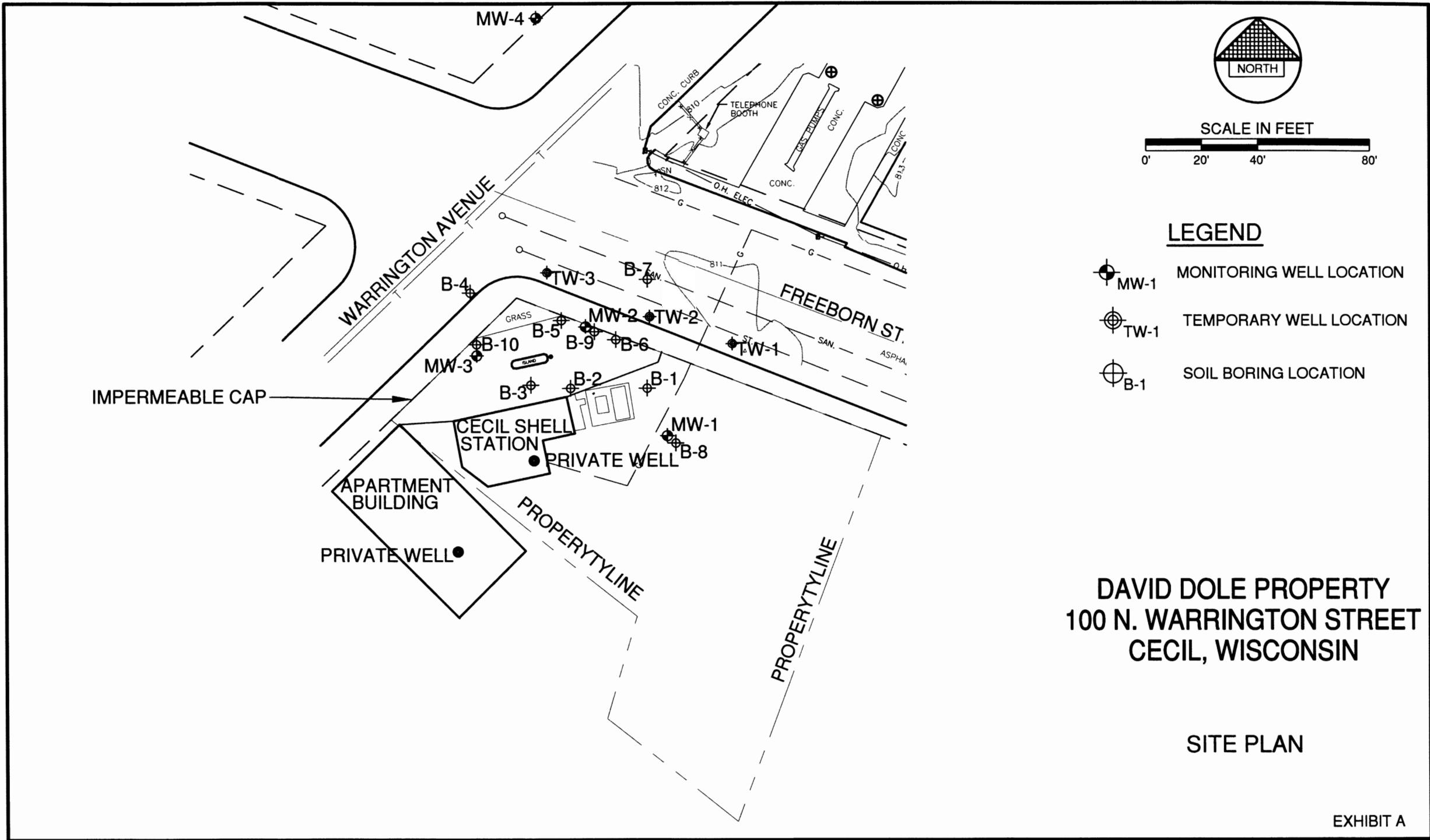
## LOCATION MAP

DAVID DOLE PROPERTY  
 100 N. WARRINGTON STREET  
 CECIL, SHAWANO COUNTY, WISCONSIN



1" = 1000'

FIGURE 1



**LEGEND**

-  MW-1 MONITORING WELL LOCATION
-  TW-1 TEMPORARY WELL LOCATION
-  B-1 SOIL BORING LOCATION

**DAVID DOLE PROPERTY  
100 N. WARRINGTON STREET  
CECIL, WISCONSIN**

**SITE PLAN**

EXHIBIT A

### GROUNDWATER ANALYSIS

Parameter (µg/l)	ES	PAL	MW-1						
			1/3/95	4/29/99	3/21/01	11/29/02	2/5/03	4/21/03	7/30/03
Lead	15	1.5	ND	<1.6	NA	NA	NA	NA	NA
<b>VOCs</b>									
Benzene	5	.5	ND	<0.27	<0.29	<0.25	<0.61	7.4	<0.11
1,2-DCA	5	.5	ND	<0.37	<0.21	<0.55	NA	<0.20	<0.14
Ethylbenzene	700	140	ND	<0.32	<0.57	<0.53	<0.63	6.6	<0.11
MTBE	60	12	ND	<0.32	<0.20	<0.87	<0.62	<0.11	<0.15
Toluene	1000	200	ND	<0.27	<0.13	<0.84	<0.64	4.2	<0.14
Trimethylbenzenes	480	96	ND	<0.27	<0.34	<0.69	<0.66	7.4	<0.14
Xylene	10000	1000	ND	<0.43	<0.35	<1.1	<1.5	23.6	<0.24

Parameter (µg/l)	ES	PAL	MW-2							
			11/8/94	4/29/99	5/31/00	3/21/01	11/29/02	2/5/03	4/21/03	7/30/03
Lead	15	1.5	ND	<1.6	.31	NA	NA	NA	NA	NA
<b>VOCs</b>										
Benzene	5	.5	378	6500	5900	8000	4600	5300	5100	4100
1,2-DCA	5	.5	136	<18	<18	<10	<28	NA	<0.20	<70
1,2-Dichloropropane	5	.5	0.7	NA	NA	NA	NA	NA	NA	NA
Ethylbenzene	700	140	1.4	2000	1500	800	2000	890	2100	1900
MTBE	60	12	ND	<16	<16	<10	<44	<25	<0.11	<76
Toluene	1000	200	9.0	1800	940	350	150	78	1600	330
Trimethylbenzenes	480	96	ND	1630	1240	760	2030	960	2210	1970
Xylene	10000	1000	3.8	7200	4900	2480	6300	2089	6800	5700

Parameter (µg/l)	ES	PAL	MW-3						
			4/29/99	11/8/94	3/21/01	11/29/02	2/5/03	4/21/03	7/30/03
Lead	15	1.5	<1.6	ND	NA	NA	NA	NA	NA
<b>VOCs</b>									
Benzene	5	.5	<0.27	ND	<0.29	<0.25	<0.61	<0.23	<0.11
1,2-DCA	5	.5	<0.37	ND	2.0	<0.55	NA	0.52	0.17
Ethylbenzene	700	140	<0.32	ND	<0.57	<0.53	<0.63	<0.21	<0.11
MTBE	60	12	<0.32	ND	0.66	<0.87	<0.62	0.12	<0.15
Toluene	1000	200	<0.27	ND	<0.13	<0.84	1.3	<0.23	<0.14
Trimethylbenzenes	480	96	<0.27	ND	<0.34	<0.69	<0.66	<0.27	<0.14
Xylene	10000	1000	<0.43	ND	<0.35	<1.1	1.5	<0.37	<0.24

  = ES exceedance

0.0 = PAL exceedance

## GROUNDWATER ANALYSIS

Parameter (µg/l)	ES	PAL	MW-4			
			11/29/02	2/5/03	4/21/03	7/30/03
Benzene	5	.5	<0.25	<0.61	0.53	<0.11
1,2-DCA	5	.5	<0.55	NA	<0.20	<0.14
Ethylbenzene	700	140	<0.53	<0.63	0.76	<0.11
MTBE	60	12	<0.87	<0.62	<0.11	0.25
Toluene	1000	200	<0.84	1.3	<0.23	<0.14
Trimethylbenzenes	480	96	11.6	<0.66	107	7.5
Xylene	10000	1000	4.6	<1.5	10.99	1.2

= ES exceedance

0.0 = PAL exceedance

### SOIL SAMPLES FROM TEMPORARY WELL BORINGS

Parameter (µg/kg)	NR 720	TW-1 8'-10'	TW-2 8'-10'	TW-3 6'-8'
		6/28/99	6/28/99	6/28/99
Lead (mg/kg)	500	6.2	<3.8	<3.7
GRO (mg/kg)	250	<2.7	<2.8	<2.8
Benzene	5.5	<25	25	<25
1,2-DCA	4.9	<25	31	<25
Ethylbenzene	2900	<25	<25	<25
MTBE	--	<25	<25	<25
Toluene	1500	<25	<25	<25
Trimethylbenzenes	--	<25	<25	<25
Xylene	4100	<25	<25	<25

= NR 720 Soil Standard Exceedance

### GROUNDWATER SAMPLES FROM TEMPORARY WELLS

Parameter (µg/l)	ES	PAL	TW-1	TW-2	TW-3
			7/19/99	7/19/99	7/19/99
Lead	15	1.5	12	<2.8	6.5
<b>VOCs</b>					
Benzene	5	.5	<0.27	1.2	1.2
1,2-DCA	5	.5	<0.37	13	4.3
Ethylbenzene	700	140	<0.32	<0.32	1.4
MTBE	60	12	<0.32	3.4	0.38
Toluene	1000	200	2.5	6.7	8.9
Trimethylbenzenes	480	96	1.07	2.25	3.16
Xylene	10000	1000	<0.43	2.3	5.6

= ES exceedance

0.0 = PAL exceedance

**DAVID DOLE PROPERTY  
SOIL LABORATORY RESULTS  
APRIL 25, 2001**

Parameter (µg/kg)	NR 746 Table 1 Std	NR 746 Table 2 Std	B-2		B-9	
			HA-11 0'-2'	HA-11 2'-4'	HA-12 0'-2'	HA-12 2'-4'
Benzene	8500	1100	<630	<310	140	830
1,2-DCA	600	540	<630	<310	<25	<100
Ethylbenzene	4600	--	40000	28000	350	5800
MTBE	--	--	<630	<310	<25	<100
Toluene	38000	--	4200	5500	<25	180
1,2,4-Trimethylbenzene	83000	--	110000	71000	890	20000
1,3,5-Trimethylbenzene	11000	--	35000	21000	480	6100
Xylene	42000	--	163000	119000	240	13200

  = NR 746 Table 1 exceedance

0.0 = NR 746 Table 2 exceedance

**GROUNDWATER ELEVATIONS**

Well	PVC Elev.	4/29/99		5/31/00		11/29/02	
		Water Depth	Water Elev.	Water Depth	Water Elev.	Water Depth	Water Elev.
MW-1	815.38	6.47	808.91	5.04	810.34	5.57	809.81
MW-2	811.95	3.31	808.64	2.62	809.33	4.28	807.67
MW-3	812.30	3.25	809.05	2.55	809.75	4.05	808.25
MW-4	—	—	—	—	—	3.05	—

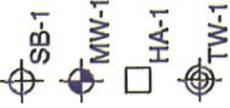
Well	PVC * Elev.	2/5/03		4/21/03		7/30/03	
		Water Depth	Water Elev.	Water Depth	Water Elev.	Water Depth	Water Elev.
MW-1	815.39	7.55	807.84	7.10	808.29	5.52	809.87
MW-2	812.11	7.35	804.76	0.50	811.61	2.68	809.43
MW-3	812.57	7.45	805.12	1.50	811.07	3.15	809.42
MW-4	808.46	4.88	803.58	1.68	806.78	3.00	805.46

\* Re-Shot PVC Elevations



**LEGEND**

- SOIL BORING LOCATION
- MONITORING WELL LOCATION
- HAND AUGER LOCATION
- TEMPORARY WELL LOCATION

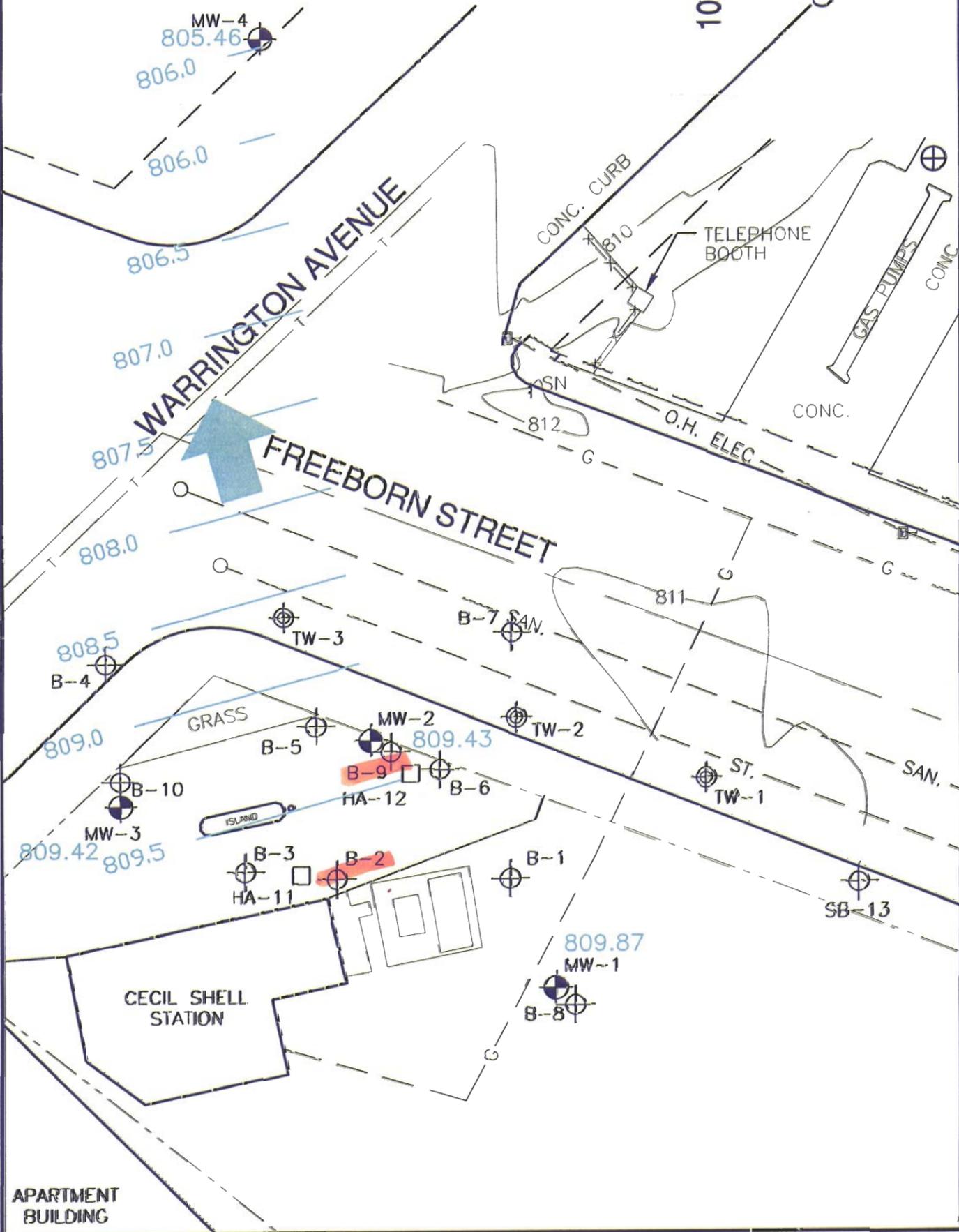


DAVID DOLE PROPERTY  
100 N. WARRINGTON STREET  
CECIL, WISCONSIN

GROUNDWATER CONTOURS  
07/30/2003

FIGURE 1

*Soil exceeded*



R:\3600\3661\3661002\dwg\gw073003.dwg - KPK - 07/01/2005



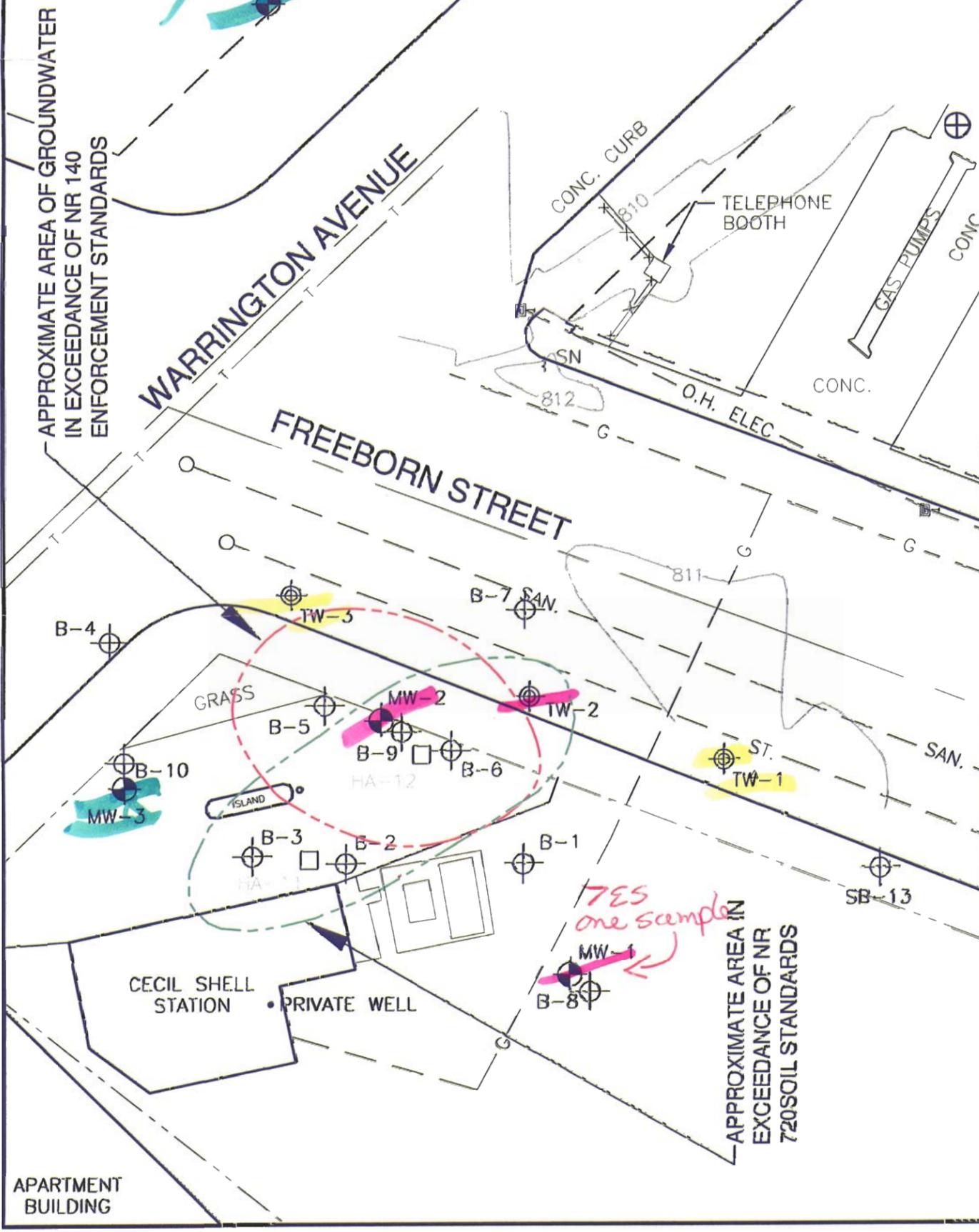
**LEGEND**

- SOIL BORING LOCATION
- MONITORING WELL LOCATION
- HAND AUGER LOCATION
- TEMPORARY WELL LOCATION
- BELOW NR720 SOIL STANDARDS
- NR720 SOIL STANDARD EXCEEDANCE

**DAVID DOLE PROPERTY**  
**100 N. WARRINGTON STREET**  
**CECIL, WISCONSIN**

**SITE PLAN**

FIGURE 1



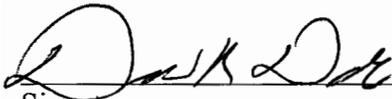
R:\3600\3661\3661002\dwg\13661SITE.dwg - RPK - 11/06/2004

**Soil Profile**

Boring depth (Ft.)	SB-8	SB-9	SB-10	TW-1	TW-2	TW-3
0	No sample	<b>Hand auger HA-12, no exceedances</b>	4" asphalt	Asphalt	Asphalt	Asphalt
			2" gravel	Basecourse	Basecourse	Basecourse
2.5			8" brown Silty clay			
5.0	Brown silty Clay	Brown silty Clay <b>Hand auger HA-12, soil exceedances</b>	Brown Silty Clay	Brown silty Clay	Brown Silty Clay	Sandy clay
7.5	Brown silty Clay	Brown silty Clay	Brown silty clay 2" sand			
10.0	Brown silty Clay	Brown silty Clay	Tan silt	Sand seam	<b>8-10' Soil exceedance</b>	
				<b>8-10' No soil exceedances</b>		
12.5	Brown silty clay EOB	Gray silty Clay EOB	Tan silt	Brown silty Clay		
			Br. Silty clay EOB			
15.0				EOB	EOB	EOB

**STATEMENT OF PROPERTY LEGAL DESCRIPTION**

As required by s. NR 726.05(3) of the Wisconsin Administrative Code, I am providing this signed statement that to the best of my knowledge the attached legal description is complete and accurate for the property identified by the Wisconsin Department of Natural Resources BRRTTS #03-59-000626, located in Cecil, Wisconsin.

  
Signature

7-31-05  
Date

DAVID B. DOLIE  
Name

Owner  
Title

  
Signature

7-31-05  
Date

CATHLEEN J. DOLIE  
Name

Owner  
Title



**Robert E. Lee & Associates, Inc.**  
Engineering, Surveying, Environmental Services

July 1, 2005

**Green Bay Office**  
4664 Golden Pond Park Ct.  
Oneida, WI 54155  
920-662-9641  
FAX 920-662-9141  
E Mail rel@releinc.com

Village Clerk Office  
VILLAGE OF CECIL  
111 East Hofman Street  
Cecil, WI 54111

RE: Possible Groundwater Contamination in Roadway  
David Dole Property  
100 North Warrington Street, Cecil, WI 54111  
WDNR BRRTS #03-59-000626  
PECFA #54111-9999-00

To Whom It May Concern:

This letter is to inform the Village of Cecil that there may be soil and groundwater contamination in the right-of-way of Freeborn Street at the above-named address. The site has been investigated and remediated for a gasoline spill. The investigation was conducted under the supervision of the Wisconsin Department of Natural Resources. We have enclosed a map showing the approximate limits of soil and groundwater contamination.

If you have any questions or comments, please contact this office.

Sincerely,

ROBERT E. LEE & ASSOCIATES, INC.

Karl A. Schuldes  
Environmental Scientist II

KAS/lja

ENC.

617402

Document Number

DEED RESTRICTION

Declaration of Restrictions

In Re: All of Lot 8 in Block 1 of Freeborn's Addition to the Village of Cecil, Shawano County, Wisconsin, excepting the following: Beginning at the southwest corner of said Lot; thence northeasterly along Warrington Street 36.45 feet; thence easterly parallel with the south line of said Lot 8, 112.5 feet; thence angle 71°-26' to the right 38.2 feet to an iron stake in the south line of said Lot 8; thence westerly along the south line of said Lot 8, 128.8 feet to place of beginning.

The Warranty Deed is filed in Volume 636, page 704, Document Number 412919, Shawano County Register of Deeds.

STATE OF WISCONSIN )  
 ) ss  
COUNTY OF Shawano )

WHEREAS, David R. Dole and Cathleen J. Dole are the owners of the above-described property.

WHEREAS, one or more petroleum discharges have occurred on this property when soil samples were collected. Contaminated soil remains on this property at the following locations: B-2 sampled on February 25, 2001, Ethylbenzene concentration of 40,000 micrograms per kilogram (ug/kg), 1,2,4-Trimethylbenzene at 110,000 ug/kg, 1,3,5-Trimethylbenzene at 35,000 ug/kg, and Xylene at 163,000 ug/kg; B-3 sampled on February 12, 1990, Ethylbenzene concentration of 13,500 ug/kg, Benzene at 800 ug/kg, Toluene at 15,500 ug/kg, and Xylene at 74,000 ug/kg; B-6 sampled on February 12, 1990, Ethylbenzene concentration of 46,600 ug/kg, Benzene at 12,500 ug/kg, Toluene at 120,000 ug/kg, and Xylene at 300,000 ug/kg; B-9 sampled on February 25, 2001, Ethylbenzene concentration of 5800 ug/kg; and TW-2 sampled on June 28, 1999, Benzene concentration of 25 ug/kg and 1,2-dichloroethane at 31 ug/kg. Sample locations are presented in Exhibit A, incorporated and made part, of this restriction.

REGISTER OF DEEDS OFFICE  
SHAWANO COUNTY, WI  
RECORDED ON

FEB 20 2006

AT 1:05 O'CLOCK P M  
Amy Dilleburg REGISTER

Recording Area

Name and Return Address

Cathleen Dole

2416 W River St.

Two Rivers WI 54241

\$25.00 CASH 1:05 P.M.

Parcel Identification Number

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 soil remediation activities on the property at the present time.

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:

The impermeable cap that existed on the above-described property in the location shown on the attached map, labeled "Exhibit A" on the date that this restriction was signed shall be maintained in compliance with the "David Dole Property Maintenance Plan" dated February 1, 2006, labeled "Exhibit B" as required by section NR 724.13(2), Wis. Adm. Code (1999). A copy of the maintenance plan can be found at 100 North Warrington Street, Cecil, Wisconsin. This pavement or other impervious cap must be maintained in order to minimize the infiltration of water and prevent additional groundwater contamination that would violate the groundwater quality standards in ch. NR 140, Wis. Adm. Code, and to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health. If soil that remains on the property in the location or locations described above where there is residual contamination is excavated in the future, the soil must be sampled and analyzed, may be considered solid or hazardous waste if residual contamination remains and must be stored, treated, and disposed in compliance with applicable statutes and rules.

In addition, the following activities are prohibited on any portion of the above-described property where an impervious cap has been placed or where impervious surfaces exist (Exhibit A), unless prior written approval has been obtained from the Wisconsin Department of Natural Resources (WDNR) or its successor or assign: (1) Replacement with another barrier; (2) Excavating or grading of the land surface; (3) Filling on capped or paved areas; (4) Plowing for agricultural cultivation; and (5) Construction or placement of a building or other structure in an area where impervious surface is required.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase, or otherwise. This restriction inures to the benefit of and is enforceable by the WDNR, its successors or assigns. The WDNR, 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 WDNR 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 WDNR shall determine whether or not the restrictions contained herein can be extinguished. If the WDNR determines that the restrictions can be extinguished, an affidavit, attached to a copy of the WDNR's written determination, may be recorded by the property owner or other interested party to give notice that this deed restriction, or portions of this deed restriction, are not longer binding.

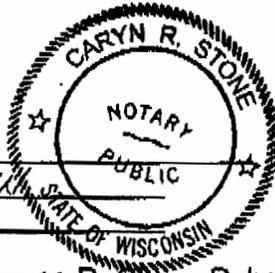
Subscribed and sworn to before me

This 20 day of Feb, 2006

Cathleen J. Dole  
David R. Dole  
Power of Attorney for  
DAVID R. DOLE

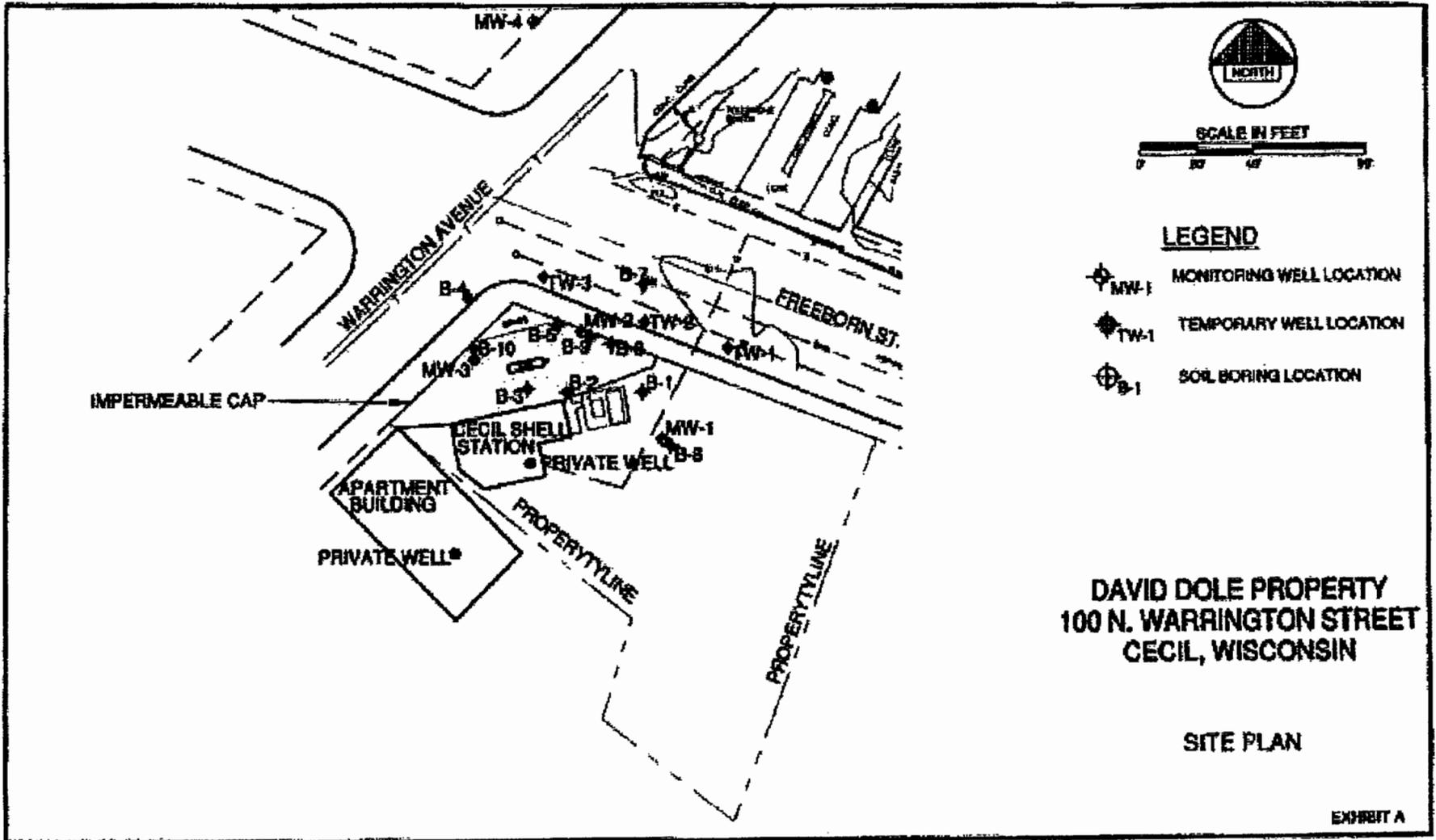
Cathleen J. Dole  
Cathleen J. Dole

Caryn B. Stone  
Notary Public, State of WISCONSIN  
My commission expires: 3/25/07



This document was drafted by: James P. Caine, Robert E. Lee & Associates, Inc. and the Wisconsin Department of Natural Resources.

ATTACHMENT A



**LEGEND**

-  MW-1 MONITORING WELL LOCATION
-  TW-1 TEMPORARY WELL LOCATION
-  B-1 SOIL BORING LOCATION

**DAVID DOLE PROPERTY  
100 N. WARRINGTON STREET  
CECIL, WISCONSIN**

**SITE PLAN**

EXHIBIT A

Small text at the bottom left corner, likely a file path or reference code.

**EXHIBIT B****PAVEMENT COVER AND BUILDING BARRIER MAINTENANCE PLAN**

**February 1, 2006  
David Dole Property  
Property Located At:**

**100 North Warrington Street, Cecil, WI  
WDNR BRRTS #03-59-000626**

In Re: All of Lot 8 in Block 1 of Freeborn's Addition to the Village of Cecil, Shawano County, Wisconsin, excepting the following: Beginning at the southwest corner of said Lot; thence northeasterly along Warrington Street 36.45 feet; thence easterly parallel with the south line of said Lot 8, 112.5 feet; thence angle 71°-26' to the right 38.2 feet to an iron stake in the south line of said Lot 8; thence westerly along the south line of said Lot 8, 128.8 feet to place of beginning. This Warranty Deed is recorded in Volume 636, page 704, Document Number 412919, Shawano County Register of Deeds.

**INTRODUCTION**

This document is the Maintenance Plan for a pavement cover and building barrier at the above-referenced property in accordance with the requirements of s. NR 724.13(2), Wisconsin Administrative Code. The maintenance activities relate to the existing slab on grade, building, and other paved surfaces occupying the area over the contaminated groundwater plume or soil on the property. The contaminated groundwater plume and soil is impacted by petroleum compounds. The location of the paved surfaces and building to be maintained in accordance with this Maintenance Plan are identified in the attached map (Attachment A).

**COVER AND BUILDING BARRIER PURPOSE**

The paved surfaces and the building foundation over the contaminated groundwater plume and soil serve as a barrier to prevent direct human contact with residual soil contaminants that might otherwise pose a threat to human health. These paved surfaces and building foundation also act as a partial infiltration barrier to minimize future soil-to-groundwater contaminant migration that would violate the groundwater standards in ch. NR 140, Wisconsin Administrative Code. Based on the current and future use of the property, the barrier should function as intended unless disturbed.

**ANNUAL INSPECTION**

The paved surfaces and building foundation overlying the contaminated groundwater plume and soil and as depicted in Attachment A will be inspected once a year (normally in the spring after all snow and ice is gone) for deterioration, cracks and other potential problems that can cause additional infiltration into, or exposure to, underlying soils. The inspections will be performed to evaluate damage due to settling, exposure to the weather, wear from traffic, increasing age, and other factors. Any area where soils have become, or are likely to become, exposed will be documented. A log of the inspections and any repairs will be maintained by the property owner.

and is included as Attachment B, Cap Inspection Log. The log will include recommendations for necessary repair of any areas where underlying soils are exposed. Once repairs are completed, they will be documented in the inspection log.

## **MAINTENANCE ACTIVITIES**

If problems are noted during the annual inspections or at any other time during the year, repairs will be scheduled as soon as practical. Repairs can include patching and filling operations or they can include larger resurfacing or construction operations. In the event that necessary maintenance activities expose the underlying soil, the owner must inform maintenance workers of the direct contact exposure hazard and provide them with appropriate personal protection equipment (PPE). The owner must also sample any soil that is excavated from the site or property prior to disposal to ascertain if contaminants remain. The soil must be treated, stored, and disposed of by the owner in accordance with applicable local, state, and federal law.

In the event the paved surfaces and/or the building overlying the contaminated groundwater plume and soil are removed or replaced, the replacement barrier must be, at a minimum, equally impervious as the original paved surfaces and/or building. Any replacement barrier will be subject to the same maintenance and inspection guidelines as outlined in this Maintenance Plan unless indicated otherwise by the WDNR or its successor.

The property owner, in order to maintain the integrity of the paved surfaces and/or the building, will maintain a copy of this Maintenance Plan at the property or on site and make it available to all interested parties (i.e., on-site or on-property employees, contractors, future property owners, etc.) for viewing.

## **AMENDMENT OR WITHDRAWAL OF MAINTENANCE PLAN**

This Maintenance Plan can be amended or withdrawn by the property owner and its successors with the written approval of WDNR.

## **CONTACT INFORMATION**

February 2006

Site or Property Owner and Operator: David Dole  
2416 River St.  
Two Rivers, WI 54244

WDNR: Tom Sturm  
647 Lakeland Rd, Shawano, WI 54166  
(715) 526-4230