GIS REGISTRY INFORMATION

SITE NAME: STURM & JENSEN INC

BRRTS #: 03-69-000804

CLOSURE DATE: 10/07/2002

STREET ADDRESS: 1009 DEPOT STREET

CITY: MANAWA

SOURCE PROPERTY GPS COORDINATES (meters in WTM91 projection): X= 605335 Y= 442949

OFF-SOURCE CONTAMINATION (>ES): [X] Yes [ ] No

IF YES, STREET ADDRESS 1: CITY LOTS 6 & 7 OF BLOCK 12 OF RAILROAD ADDITION

GPS COORDINATES (meters in WTM91 projection): X= 605314 Y= 442955

SOIL CONTAMINATION >GENERIC OR SITE-SPECIFIC RCL: [X] Yes [ ] No

IF YES, STREET ADDRESS 1: 1009 DEPOT STREET

SEE SOIL DEED RESTRICITON

CONTAMINATION IN RIGHT OF WAY: [ ] Yes [X] No

DOCUMENTS NEEDED:

Closure Letter, and any conditional closure letter issued	X
Copy of most recent deed, including legal description, for all affected properties	X
Certified survey map or relevant portion of the recorded plat map (*if referenced in the legal description*) for all affected properties	X
County Parcel ID number, *if used for county*, for all affected properties	
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.	X
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 site-specific residual contaminant levels.	X
Tables of Latest Groundwater Analytical Results (no shading or cross-hatching)	X
Tables of Latest Soil Analytical Results (no shading or cross-hatching)	
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.**	X

GW: Table of water level elevations, with sampling dates, and free product noted if present	X	
GW: Latest groundwater flow direction/monitoring well location map (should be 2 maps if maximum variation in flow direction is greater than 20 degrees)	X	
SOIL: Latest horizontal extent of contamination exceeding generic or site-specific RCLs, with one contour.		
Geologic cross-sections, *if required for SI.* (8.5x14' if paper copy)		
RP certified statement that legal descriptions are complete and accurate	X	See Deed Restriction
Copies of off-source notification letters (if applicable)	X	
Letter informing ROW owner of residual contamination (if applicable)(public, highway or railroad ROW)		
Copy of (soil or land use) deed restriction(s) or deed notice *if any required as a condition of closure.*	X	

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

WISCONSIN
DEPT. OF NATURAL RESOURCES

Scott McCallum, Governor
Darrell Bazzell, Secretary
Ronald W. Kazmierczak, Regional Director

Department of Natural Resources
Oshkosh Office
625 E. County Rd. Y, Suite 700
Oshkosh, WI 54901
Telephone 920-424-3050
FAX 920-424-4404

October 7, 2002

Sturm and Jensen Bulk Plant
Mr. Doug Pink
PO box 548
Lancaster, WI 54913

SUBJECT: Final Case Closure By Closure Committee
Sturm and Jensen Bulk Plant, WDNR BRRTS #: 03-69-000804

Dear Mr. Pink:

On April 8, 2002 the Northeast Region Closure Committee reviewed the site above for closure. This committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases.

On October 4, 2002, the Department received correspondence indicating that you have complied with the conditions of closure. Based on the correspondence and data provided, it appears that your case meets the screening criteria of s. NR 746.07 or s. NR 746.08, Wis. Adm. Code, and the requirements of ch. NR 726, Wis. Adm. Code. The Department considers this case closed and no further investigation, remediation or other action is required at this time.

Your site will be listed on the DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites. Information that was submitted with your closure request application will be included on the registry. To review the sites on the GIS Registry web page, visit
http://gomapout.dnr.state.wi.us/org/at/et/geo/gwur/index.htm

If this is a PECFA site, section 101.143, Wis. Stats., requires that PECFA claimants seeking reimbursement of interest costs, for sites with petroleum contamination, submit a final reimbursement claim within 120 days after they receive a closure letter on their site. For claims not received by the PECFA Program within 120 days of the date of this letter, interest costs after 60 days of the date of this letter will not be eligible for PECFA reimbursement.

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 920-303-5435.

Sincerely,

Cheryl Laatsch

Cheryl Laatsch
Hydrogeologist
Bureau for Remediation & Redevelopment

652145

635067

Exhibit A

Document Number

STATE BAR OF WISCONSIN FORM 1 - 1999

WARRANTY DEED

WAUPACA COUNTY
RECEIVED FOR RECORD

NOV 15 2001

AT 8 O'CLOCK A.M. P.M.
GEORGE E. JORGENSEN
REGISTER OF DEEDS

11

This Deed, made between HRD I, LLC

Grantor,

and Steven R Holzbauer
and Jodi J Holzbauer, husband and wife

Grantee.

Grantor, for a valuable consideration, conveys to Grantee the following described real estate in Waupaca County, State of Wisconsin (the "Property") (if more space is needed, please attach addendum):
Lot Number Four (4) in Block Number Eleven (11) of Railroad Addition to the Village of Manawa, according to the recorded plat thereof, and the North One-half (N 1/2)of Pine Street, vacated by the Village of Manawa, lying South of and adjoining said lot.
Also, the North Ten (10) feet of the South-half (S 1/2) of Pine Street, vacated by the Village of Manawa, which lies North of and adjoining Lot Number Four (4) in Block Number Sixteen (16)of Railroad Addition to the Village of Manawa, according to the recorded plat thereof. Reserving to Grantor its agents and representatives a temporary easement to enter the property to complete the environmental cleanup under*

Together with all appurtenant rights, title and interests.

*the existing PECFA file for the property

Recording Area

Name and Return Address

BAYLAKE BANK
PO BOX 9
STURGEON BAY, WI 54235-0009

31-21-75-3
Parcel Identification Number (PIN)

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

Grantor warrants that the title to the Property is good, indefeasible in fee simple and free and clear of encumbrances except easements and restrictions of record and ordinances. if any, real estate taxes and assessments for 2001 and subsequent years. Grantor makes no warranty concerning environmental matters, and Grantees accept the property "as is"

TRANSFER FEE

Dated this 29 day of October, 2001

HRD I, LLC
* by Douglas Pink
sole member

*

Post-it® Fax Note 7671	Date	# of pages ▶ 8
To Joe Renville	From Cheryl Loatsch	
Co./Dept.	Co.	
Phone #	Phone # 920-303-5435	
Fax # 608-266-6983	Fax #	

AUTHENTICATION

Signature(s)

authenticated this _____ day of _____, _____

*

TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, _____
authorized by §706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY

Attorney William F Mundt

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

Waupaca County.

Personally came before me this 29th day of October, 2001 the above named Douglas Pink member of HRD I, LLC

to me known to be the person Douglas Pink who executed the foregoing instrument and acknowledged the same.

Carol J. Hampton

*

Notary Public, State of Wisconsin
My Commission is permanent. (If not, state expiration date: 11-3-2002)

CAROL J. HAMPTON
NOTARY
PUBLIC
STATE OF WISCONSIN

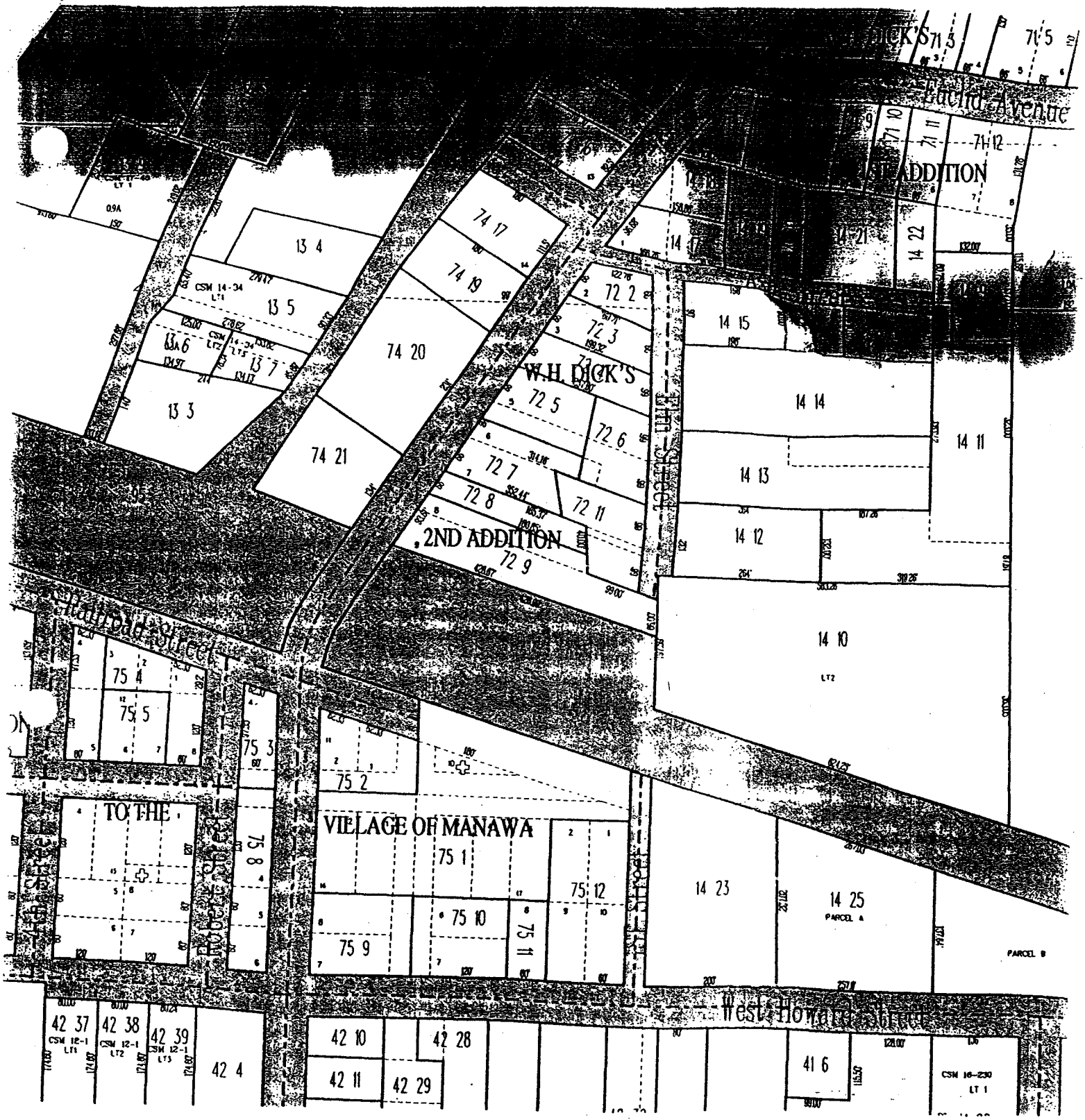
WARRANTY DEED

STATE BAR OF WISCONSIN
FORM No. 1-1999

*Names of persons signing in any capacity must be typed or printed below their signature.

Murphy & Desmond, S. C. 2 East Mifflin, Suite 800, Madison WI 53703
Phone: 6082577181 Fax: 6082572508 Murphy & Desmond, S.C.

Produced with ZipForm™ by RE FormNet, LLC 18025 Fifteen Mile Road, Clinton Township, Michigan 48035, (800) 27[illegible] 27027444.ZFX

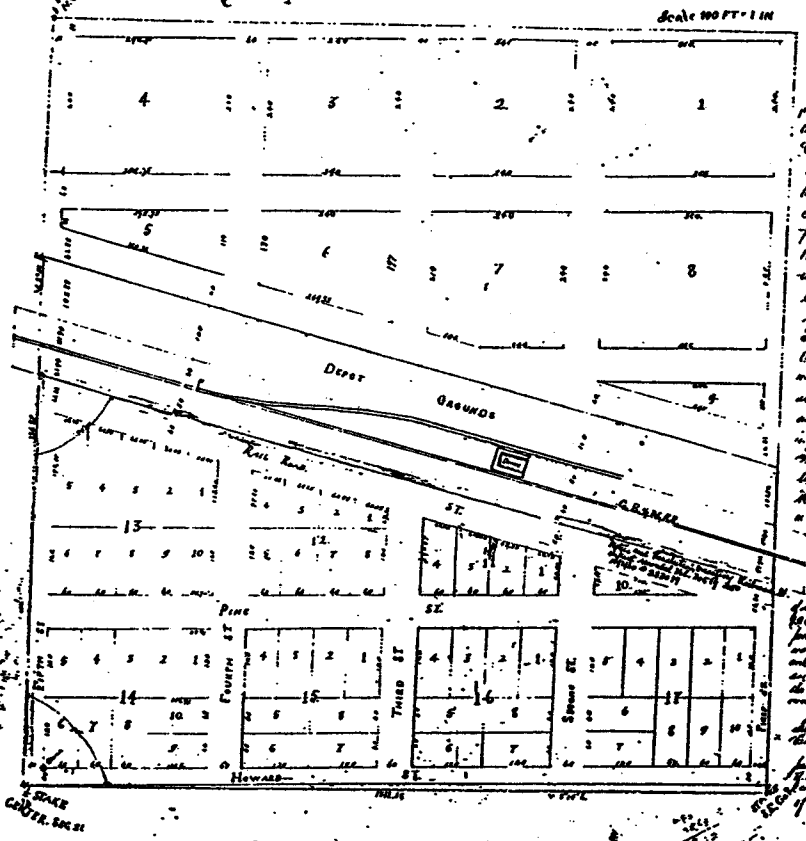

Bachle Avenue
1ST ADDITION
W.H. DICK'S
2ND ADDITION
Railroad Street
VILLAGE OF MANAWA
TO THE
West Howard Street
13 4
13 5
13 6
13 7
13 3
74 17
74 19
74 20
74 21
72 2
72 3
72 5
72 6
72 7
72 8
72 9
72 11
14 15
14 14
14 13
14 12
14 11
14 10
14 23
14 25
PARCEL A
PARCEL B
75 4
75 5
75 3
75 2
75 1
75 8
75 9
75 10
75 11
75 12
42 37
42 38
42 39
42 4
42 10
42 11
42 28
42 29
41 6

S.W.¼-N.E.¼-Sec. 21

T.23 N.—R.13 E.

Rail Road Addition To The Village of Marawa

Scale 100 FT = 1 IN



Know ye, I certify that I have surveyed and staked out all that part of the South East quarter of the North East quarter of Section No. twenty one (21) in Township No. twenty three (23) North of Range No. thirteen (13) West in County of Monroe State of Wisconsin, which lies South of the South boundary line of the right of way of the Green Bay & Minnesota Rail Road to be known as the Railroad addition to the Village of Marawa.

The piece of land included in this survey is represented on the accompanying plat by pink border lines and comprises Blks. No. 10. 11. 12. 13. 14. 15. 16 & 17. The lots and blocks are of the dimensions shown on the accompanying plat. The black dotted lines represent the boundary lines of the 33 acres now laid upon said land.

The west boundary line of said 33 acres track, or under the base line of this survey and all block & lots are laid out parallel with or at right angles to said line. Above plat represents the said 33 acres of land in the E. ½ of the N.E. ¼ of Sec. 21 as shown in said plat from actual measurements made in selecting the survey.

The land shown in the plat inclosed within yellow border lines represents the right of way of the Green Bay & Minnesota Rail Road Company. Attached and dated herewith is a plat representing a plan for the future development of the addition.

The land company the addition is platted, of which I am owner, and platted by his direction.

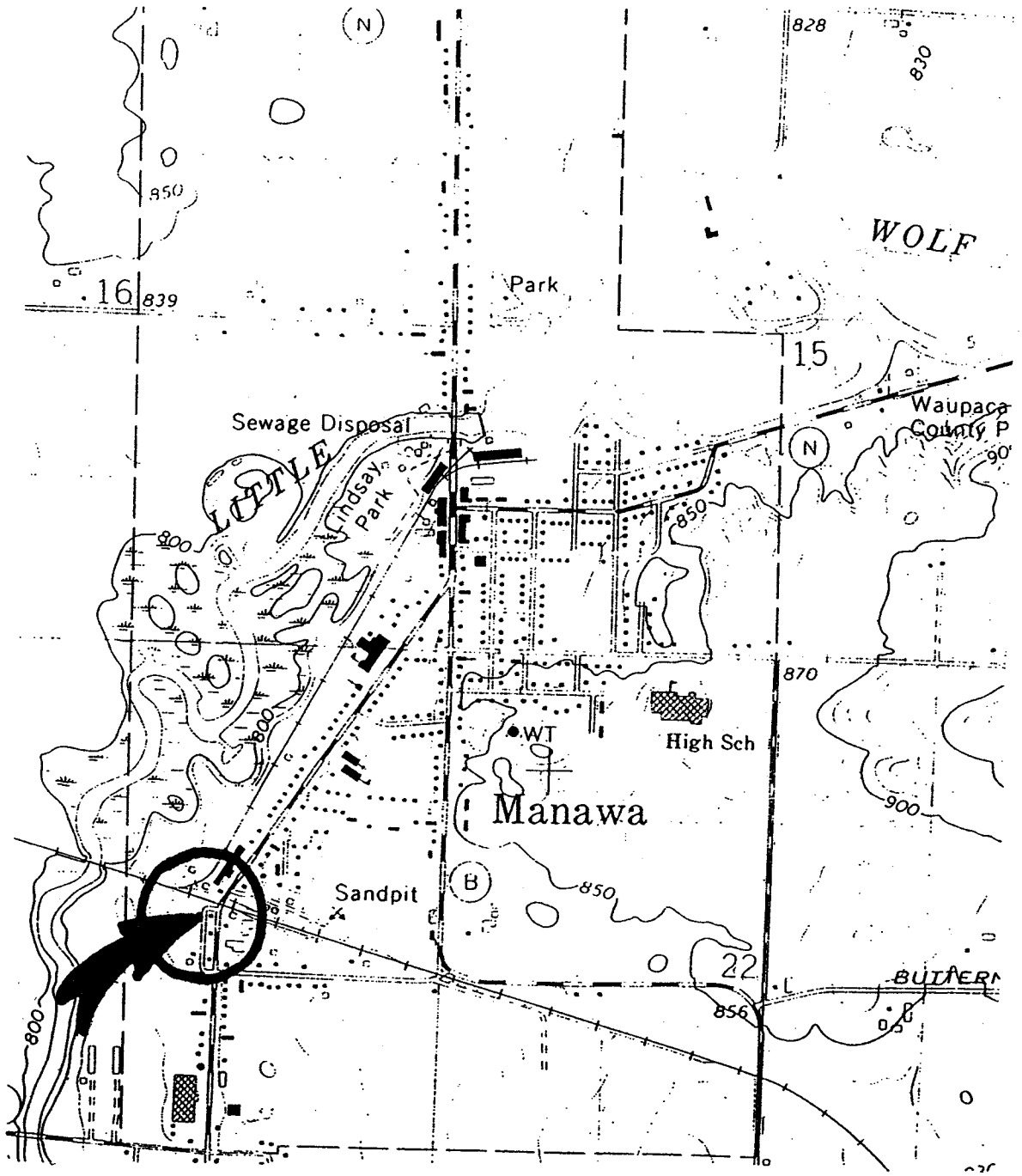
Given day & date, Nov. 7th 1892. J. F. Allen Surveyor

State of Wisconsin } ss
County of Monroe }

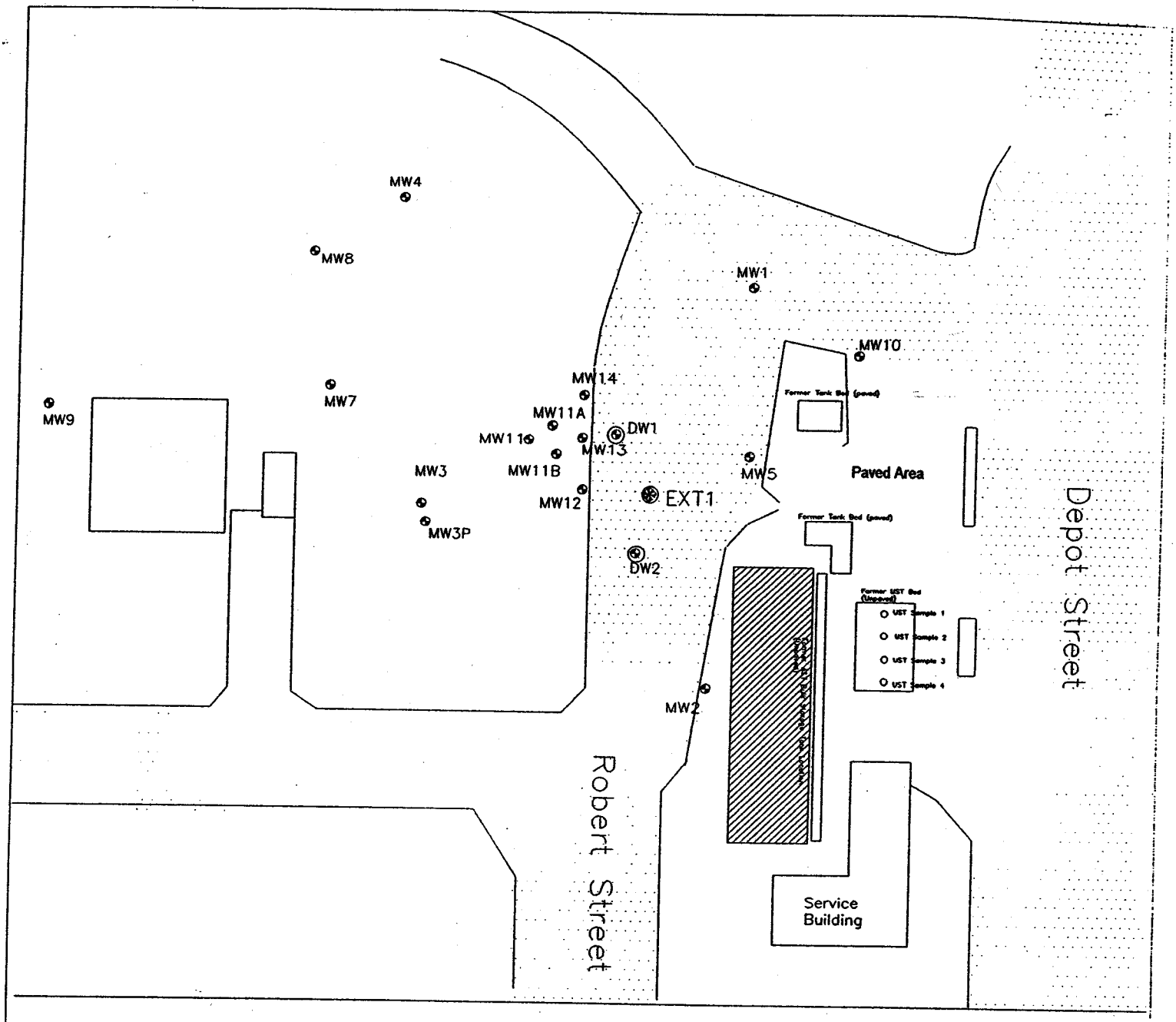
Before me personally appeared the above named J. F. Allen surveyor and the owner of said land, and acknowledged the same to be his free act and deed.

F. M. Kelly,
Notary Public

Registers Office
Sparta Wis. 7th
Received for Record this 15th day of April A.D. 1893 at 1 o'clock P.M.
Ole A. Hakes
Register



ENVIRONMENTAL ASSESSMENTS, INC.	Project/Client SITE LOCATION MAP REGIONAL SCALE STURM & JENSEN MANAWA BULK PLANT	Figure No.	1
		Drawn By	ALS
		Scale	NTS
		Project No.	



Legend

- Extraction Well 1 Location for oxygen delivery (EXT1)
- DW2 — Specified oxygen delivery well
- MW7 — Current Monitoring Well Location
- Area of Groundwater Contamination Exceeding NR 140 PAL

N

50 0 50

ENVIRONMENTAL ASSESSMENTS, INC. APPLETON, WISCONSIN	PROJECT/CLIENT Sturm and Jensen	DRAWN BY *Victoria A. Flowers*
	TITLE Site Layout Map showing Location of UST Removal Soil Sample Locations	SCALE 1" = 50'
		FIGURE NO. 6

Groundwater Laboratory Sampling Results

MW2	Top of Screen Elevation			800.75	Top of Pipe Elevation		825.29	Groundwater Elevation	Depth to Groundwater
Date	Benzene	Ethylbenzene	MTBE	Toluene	Naphthalene	Xylenes	TMB		
05/03/99	<0.32	<0.34	<0.31	<0.35	<0.88	<1	<0.64	800.44	24.85
01/11/00	<0.32	<0.34	<0.31	<0.35	<0.88	<1	<0.64	799.75	25.54
08/15/00	<0.39	<0.4	<0.47	<0.37	<0.53	<1.4	<0.63	801.01	24.28

MW3	Top of Screen Elevation			799.57	Top of Pipe Elevation		826.37	Groundwater Elevation	Depth to Groundwater
Date	Benzene	Ethylbenzene	MTBE	Toluene	Naphthalene	Xylenes	TMB		
12/18/92	<0.6	<2	<0.9	<2	<4.7	<1.5	<3.5	800.67	25.70
11/25/00	<0.39	<0.4	<0.47	<0.37	<0.53	<0.63	<0.79	799.77	26.60
03/19/01	<0.39	<0.4	<0.47	<0.37		<1.4	<0.63	799.77	26.6
12/05/01	<0.21	<0.22	<0.46	<0.41	<0.69	0.32	<0.34	800.75	25.62

MW3P	Top of Screen Elevation			789.65	Top of Pipe Elevation		826.44	Groundwater Elevation	Depth to Groundwater
Date	Benzene	Ethylbenzene	MTBE	Toluene	Naphthalene	Xylenes	TMB		
12/18/92	<0.6	<2	<0.9	<2	<4.7	<1.5	<3.5	800.67	25.77
11/25/00	<0.39	<0.4	<0.47	<0.37	<0.53	<0.63	<0.79	799.75	26.69
03/19/01	<0.39	<0.4	<0.47	<0.37		<1.4	<0.63	799.75	26.69
12/05/01	<0.21	<0.22	<0.46	<0.41	<0.69	<0.43	<0.34	800.74	25.7

MW5	Top of Screen Elevation			800.97	Top of Pipe Elevation		825.66	Groundwater Elevation	Depth to Groundwater
Date	Benzene	Ethylbenzene	MTBE	Toluene	Naphthalene	Xylenes	TMB		
10/14/92	<3	50	<5	184	*20*	511			
12/18/92	<3	62	<5	175	*31*	735			
09/05/95	<3	100	<5	56	**100**	*1230*			
01/22/96	<0.3	*220*	<0.3	85		*2480*		801.14	24.52
05/29/96	<3.2	*220*	<2.8	62	**150**	*1990*			
10/20/97	<0.5	*601*	<0.92	27	**415**	*6030*		800.94	24.72
02/03/99	<2.3	*230*	<3.1	8	**260**	*3000*	**1450**	799.74	25.92
05/03/99	<6.4	*260*	<6.2	8	**280**	*4200*	**1730**	800.36	25.30
01/11/00	<0.32	*160*	<3.1	5.4	**170**	*1890*	**900**	799.71	25.95
08/15/00	<0.39	86	<0.47	14	**120**	*1200*	**560**	800.96	24.70
11/25/00	<0.39	51	<0.47	2.8	74	620	**510**	801.11	24.55
03/19/01	<7.8	*170*	<9.4	7.6		*1600*	**1320**	800.42	25.24
06/18/01	<2.1	*260*	<4.6	<4.1		*2970*	**2600**	800.31	25.35
09/28/01	<11	110	<23	<21	**120**	*1320*	**860**	801.61	24.05
12/05/01	<0.21	56	<0.46	3	**100**	560	**530**	801.11	24.55

MW7	Top of Screen Elevation			798.9	Top of Pipe Elevation		826.05	Groundwater Elevation	Depth to Groundwater
Date	Benzene	Ethylbenzene	MTBE	Toluene	Naphthalene	Xylenes	TMB		
12/18/92	*3.7*	35	<5	9.2	*27*	155			
09/05/95	**14**	110	<5	38	**120**	920			
01/22/96	*4.7*	4.1	<0.2	1.9		62		800.17	25.88
05/29/96	**5.1**	29	<0.5	7.2	*20*	327		791.35	34.7
07/11/96	*0.7*	<0.3	<0.2	<0.2	1.8	4.1			
10/20/97	**55**	4.8	<0.92	1	*22*	25		800.15	25.90
11/04/97	**49**	22	<0.92	5.6		265			
04/21/98	**14**	19	<0.92	4.4	**63**	124		800.73	25.32
07/14/98	**75.3**	27.7	<0.92	39.1	**46.2**	172		800.13	25.92
10/26/98	**32**	9.5	<0.92	1.6	*30*	108	39	799.8	26.25
02/03/99	**21**	16	<0.31	1.9	*15*	100	39	799.91	26.14
05/03/99	**25**	8.5	<0.31	1.5	*14*	90	33	799.95	26.10
07/06/99	**29**	25	<0.31	7	**63**	390	*174*	799.5	26.55
10/09/99	**92**	18	6.1	6	**54**	189	*101*	800.22	25.83
02/21/00	**42**	31	<16	<18		280	*167*	799.63	26.42
03/22/00	**82**	18	8.1	7.9	**83**	130	*128*	800.52	25.53
08/15/00	**160**	13	12	3.6	*28*	110	72	800.22	25.83
03/19/01	**110**	9.2	1.7	2.5		120	51	799.63	26.42
06/18/01	**13**	0.59	0.6	<0.41		2.7	1.16	801.23	24.82
09/28/01	**45**	5.5	<0.46	<0.41	*9.3*	53	16.3	800.8	25.25
12/05/01	**26**	<0.22	<0.46	<0.41	<0.69	1	<0.34	800.62	25.43
NR 140 PAL	0.5	140	12	200	8	1000	96		
NR 140 ES	5	700	60	1000	40	10,000	480		

Notes:

All results are in parts per billion (ppb)

MTBE = Methyl-tert-butyl-ether

TMB = Trimethylbenzenes

Results in italics indicate NR 140 Preventative Action Limit Exceedence

Results in bold indicate NR 140 Enforcement Standard Exceedence

MW8	Top of Screen Elevation			798.79	Top of Pipe Elevation		825.6	Groundwater Elevation	Depth to Groundwater
Date	Benzene	Ethylbenzene	MTBE	Toluene	Naphthalene	Xylenes	TMB		
12/18/92	*1.8*	<0.3	<0.3	<0.5	<1	<1			
09/05/95	<0.6	<0.3	<0.3	<0.5	<1	<1			
01/22/96	*0.6*	43	<0.3	19		180		800.34	25.26
05/29/96	<0.3	<0.3	<0.3	<0.3	6.1	0.3		793.1	32.5
10/26/98	<0.5	35	<0.92	14	*34*	207	72		25.46
05/03/99	<0.32	0.6	<0.31	<0.35	<0.88	2.9	1.6	799.93	25.67
08/15/00	<0.39	3.5	<0.47	0.48	3.2	16	17.8	800.39	25.21
12/05/01	<0.21	2.5	<0.46	0.69	0.93	31	13.7	800.68	24.92

MW11	Top of Screen Elevation			807.25	Top of Pipe Elevation		828.14	Groundwater Elevation	Depth to Groundwater
Date	Benzene	Ethylbenzene	MTBE	Toluene	Naphthalene	Xylenes	TMB		
05/01/96	**25**	2.3	<0.92	4.9	*21*	26.4		801.64	26.50
07/11/96	<0.5	<0.6	<0.92	<0.6	5.7	2.1		802.27	25.87
08/12/96	**32**	1.7	<0.92	7.6	4.4	24		801.94	26.20
10/16/96	**38**	5.7	<0.92	11	**42**	76		801.42	26.72
12/20/96	**17**	3.8	<0.92	6	*29*	42		801.64	26.50
01/22/97	**22**	7.3	<0.92	8	**55**	74		801.42	26.72
02/20/97	**13**	3.5	<0.92	6.8	**48**	100		800.67	27.47
03/21/97	**22**	12	0.5	12	**47**	127		801.29	26.85
05/02/97	*4.5*	4.2	<0.92	3.2	**700**	300		801.92	26.22
06/18/97	**8.3**	7.1	3.1	16	7.2	82		801.84	26.30
08/26/97	**6**	5.3	3.3	32	6.4	58		801.72	26.42
09/18/97	**5.2**	2.4	5.7	3.9	*28*	32		801.4	26.74
04/21/98	*4.7*	7.1	<0.92	7.5	**45**	93		801.24	26.90
07/14/98	*2.76*	6.03	<0.92	5.26	*16.8*	83.3		801.34	26.80
10/26/98	*4.7*	9.2	<0.92	7.6	**56**	112	38	800.8	27.34
02/03/99	**7.7**	11	<3.1	12	**40**	140	39	800.91	27.23
05/03/99	**5**	7.1	<0.31	6.6	*26*	100	26	801.02	27.12
07/06/99	*4.8*	8.3	<0.31	6.5	*28*	100	26.3	800.55	27.59
10/09/99	*4.2*	12	<0.21	6.9	*37*	152	35	800.01	28.13
01/11/00	**5.2**	11	<0.31	8.1	*37*	162	37	801.02	27.12
03/22/00	*4.9*	5.3	<0.47	2.8	*16*	54	10.6	801.55	26.59
08/15/00	**5.9**	13	<0.47	7	**48**	150		800.74	27.40
11/25/00	**7**	9.3	<0.47	6.9	*38*	131	30	801.55	26.59
03/19/01	**8.4**	19	<0.47	10		62	220	800.74	27.4
06/18/01	*3.8*	6.9	<0.46	2.6		69	21.7	802.34	25.8
09/28/01	**5.5**	13	<0.46	5.6	**45**	189	44	801.52	26.62
12/05/01	0.29	2.2	<0.46	0.73	5.3	16.9	5.8	801.72	26.42

MW11A	Top of Screen Elevation			778.25	Top of Pipe Elevation		828.12	Groundwater Elevation	Depth to Groundwater
Date	Benzene	Ethylbenzene	MTBE	Toluene	Naphthalene	Xylenes	TMB		
05/01/96	<0.5	0.5	<0.92	<0.6	4.6	1.3		801.28	26.84
07/11/96	<0.5	<0.6	<0.92	<0.6	2.5	<1.7		801.95	26.17
08/12/96	<0.5	<0.6	<0.92	<0.6	<2.8	<1.7		801.56	26.56
10/16/96	<0.5	<0.6	<0.92	<0.6	1.4	<1.7		801.13	26.99
12/20/96	<0.5	<0.6	<0.92	<0.6	<2.8	<1.7		801.3	26.82
01/22/97	<0.5	<0.6	<0.92	<0.6	1	<1.7		801.09	27.03
02/21/97	<0.5	<0.6	<0.92	<0.6	<2.8	<1.7		800.3	27.82
05/02/97	<0.5	<0.6	<0.92	<0.6	<2.8	<1.7		801.6	26.52
04/21/98	<0.5	<0.6	<0.92	<0.6	<2.8	<1.7		801.42	26.70
07/14/98	<0.5	<0.6	<0.92	<0.6	<2.8	<1.7		801	27.12
10/26/98	<0.5	<0.6	<0.92	<0.6	<2.8	<1.7	<1.7	800.46	27.66
02/03/99	<0.32	<0.34	<0.31	<0.35	<0.8	<1	<0.64	800.69	27.43
07/06/99	<0.25	<0.32	<0.31	<0.38	<0.73	<1	<70	800.21	27.91
10/09/99	<0.25	<0.32	<0.31	<0.38	<0.73	<1	<70	799.7	28.42
01/11/00	<0.32	<0.34	<0.31	<0.35	<0.88	<1	<0.64	801	27.12
03/22/00	<0.39	<0.4	<0.47	<0.37	<0.53	<1.4	<0.63	799.7	28.42
08/15/00	<0.39	<0.4	<0.47	<0.37	<0.53	<1.4	<0.63	801	27.12
12/05/01	<0.21	<0.22	<0.46	<0.41	<0.69	<0.43	<0.34	801.39	26.73
NR 140 PAL	0.5	140	12	200	8	1000	96		
NR 140 ES	5	700	60	1000	40	10,000	480		

Notes:

All results are in parts per billion (ppb)

MTBE = Methyl-tert-butyl-ether

TMB = Trimethylbenzenes

Results in italics indicate NR 140 Preventative Action Limit Exceedence

Results in bold indicate NR 140 Enforcement Standard Exceedence

MW11B	Top of Screen Elevation			790.25	Top of Pipe Elevation		828.15	Groundwater	Depth to
Date	Benzene	Ethylbenzene	MTBE	Toluene	Naphthalene	Xylenes	TMB	Elevation	Groundwater
05/01/96	<0.5	<0.6	<0.92	<0.6	5	4		801.3	26.85
07/11/96	<0.5	<0.6	<0.92	<0.6	5.4	1		801.98	26.17
08/12/96	<0.5	<0.6	<0.92	<0.6	2.3	1		801.6	26.55
10/16/96	<0.5	<0.6	<0.92	<0.6	*8.7*	<1.7		801.16	26.99
12/20/96	<0.5	<0.6	<0.92	<0.6	5.6	<1.7		801.65	26.50
01/22/97	<0.5	<0.6	<0.92	<0.6	*9.5*	<1.7		801.1	27.05
02/21/97	<0.5	<0.6	<0.92	<0.6	1.4	<1.7		800.35	27.80
05/02/97	<0.5	<0.6	<0.92	<0.6	4.6	<1.7		801.62	26.53
04/21/98	<0.5	<0.6	<0.92	<0.6	<2.8	<1.7		801.47	26.68
07/14/98	<0.5	<0.6	<0.92	<0.6	<2.8	<1.7		801.03	27.12
10/26/98	<0.5	<0.6	<0.92	<0.6	<2.8	<1.7	<1.7	800.49	27.66
02/03/99	<0.32	<0.34	<0.31	<0.35	<0.8	<1	<0.64	799.71	28.44
01/11/00	<0.32	<0.34	<0.31	<0.35	<0.88	<1	<0.64	801.02	27.13
03/22/00	<0.39	<0.4	<0.47	<0.37	<0.53	<1.4	<0.63	799.71	28.44
08/15/00	<0.39	<0.4	<0.47	<0.37	<0.53	<1.4	<0.63	801.02	27.13
12/05/01	<0.21	<0.22	<0.46	<0.41	<0.69	<0.43	<0.34	801.41	26.74

MW12	Top of Screen Elevation			800.25	Top of Pipe Elevation		828.11	Groundwater	Depth to
Date	Benzene	Ethylbenzene	MTBE	Toluene	Naphthalene	Xylenes	TMB	Elevation	Groundwater
05/01/96	**36**	9.4	<0.92	7	**94**	118		801.05	27.06
07/11/96	**56**	<0.6	4.2	<0.6	**49**	34		801.69	26.42
08/12/96	**170**	9.1	3.4	3.7	**63**	76		801.33	26.78
10/16/96	**190**	100	<0.92	3.1	**85**	82		800.81	27.30
12/20/96	**180**	15	<0.92	3	**110**	126		801.01	27.10
01/22/97	**150**	12	0.2	2.4	**110**	95		800.68	27.43
02/21/97	**180**	9.2	<0.92	1.7	**89**	73		800	28.11
03/20/97	**200**	97	<0.92	3.2	**85**	96		800.63	27.48
05/02/97	**100**	8.5	<0.92	2	**71**	71		801.27	26.84
06/18/97	**160**	9.3	0.55	61	1.8	74		801.06	27.05
06/26/97	**130**	9.2	<0.92	68	1.7	72		800.79	27.32
08/26/97	**120**	7.4	1.8	*700*	2.1	64		800.71	27.40
09/18/97	**175**	11	3.2	2.6	**101**	91		801.13	26.98
10/20/97	**90**	6.3	4	1.8	**78**	40		800.71	27.40
04/21/98	**118**	7.7	<0.92	1.4	**62**	57		800.14	27.97
07/14/98	**116**	90.4	<0.92	27.8	**67.5**	168		800.25	27.86
10/26/98	**111**	12	<0.92	3.1	**86**	98	71	800.36	27.75
02/03/99	**100**	15	<0.31	4.1	**95**	110	87	800.36	27.75
05/03/99	**86**	8.3	<0.31	6.3	**85**	100	73	799.4	28.71
07/06/99	**93**	7.2	<0.31	4	**57**	56	47	800.69	27.42
10/09/99	**120**	12	0.58	6.1	**90**	101	69	801.52	26.59
01/11/00	**64**	11	<0.31	4.7	**100**	99	78	800.12	27.99
03/22/00	**130**	20	<0.47	7.9	**160**	190	*132*	799.4	28.71
08/15/00	**77**	10	<0.47	5.2	**78**	79	60	800.69	27.42
11/25/00	**74**	9.3	<0.47	6.2	**88**	103	68	801.52	26.59
03/19/01	**80**	14	<0.47	6.8		110	88	800.12	27.99
06/18/01	**31**	2.3	<2.3	2.2		12	20.3	801.69	26.42
09/28/01	**67**	11	<0.46	7.4	**53**	122	54	801.32	26.79
12/05/01	**6.7**	3	<0.46	4.9	*16*	25	23.6	801.07	27.04
NR 140 PAL	0.5	140	12	200	8	1000	96		
NR 140 ES	5	700	60	1000	40	10,000	480		

Notes:

All results are in parts per billion (ppb)

MTBE = Methyl-tert-butyl-ether

TMB = Trimethylbenzenes

Results in italics indicate NR 140 Preventative Action Limit Exceedence

Results in bold indicate NR 140 Enforcement Standard Exceedence

MW13	Top of Screen Elevation			800.08	Top of Pipe Elevation		827.96	Groundwater	Depth to
Date	Benzene	Ethylbenzene	MTBE	Toluene	Naphthalene	Xylenes	TMB	Elevation	Groundwater
05/01/96	<0.5	62	<0.92	9.5	**70**	787		801.03	26.93
07/11/96	*4.2*	120	<0.92	21	**110**	*1230*		801.66	26.30
08/12/96	**9.8**	*170*	<0.92	29	**150**	*1480*		801.3	26.66
10/16/96	**8.3**	120	<0.92	20	**160**	*1170*		800.81	27.15
12/20/96	**26**	*140*	<0.92	21	**160**	*1002*		801	26.96
01/22/97	**10**	87	<0.92	21	**150**	670		800.76	27.20
02/21/97	*1.5*	120	<0.92	20	**130**			800	27.96
05/02/97	*2.9*	70	<0.92	6.1	**130**	630		801.27	26.69
06/18/97	**11**	69	<0.92	98	*15*	630		801.07	26.89
08/26/97	**6.7**	51	6.7	87	*14*	500		800.76	27.20
09/18/97	**10**	75	9.7	17	**141**	760		801.12	26.84
04/21/98	*1.5*	46	<0.92	6.7	**93**	334		801.24	26.72
07/14/98	**14.4**	99.7	<0.92	33.3	**77.7**	581		800.14	27.82
10/26/98	*4.9*	50	<0.92	8.6	**102**	357	*134*	800.24	27.72
02/03/99	*4.7*	60	<0.31	13	**100**	510	*168*	800.36	27.60
05/03/99	*3.9*	53	<0.31	13	**89**	520	*154*	799.88	28.08
07/06/99	*3.3*	42	<0.31	15	**70**	340	*108*	799.39	28.57
10/09/99	*1.9*	49	<0.21	13	**84**	390	*151*	800.69	27.27
01/11/00	*2.5*	35	<0.31	8.4	**59**	299	*135*	800.88	27.08
03/22/00	*3.7*	110	<0.47	12	**140**	*1000*	*213*	800.13	27.83
08/15/00	*2.1*	51	<0.47	11	**70**	440	*126*	801.15	26.81
11/25/00	<0.39	55	<0.47	7.7	**74**	460	*152*	800.88	27.08
03/19/01	*2.2*	66	<0.47	22		540	*132*	800.13	27.83
06/18/01	<0.21	3.7	<0.46	1.2		22	18	801.7	26.26
09/28/01	*0.78*	80	<0.46	11	77	600	*101*	801.32	26.64
12/05/01	*1*	41	<0.46	6.6	**57**	320	77	801.1	26.86

MW14	Top of Screen Elevation			800.13	Top of Pipe Elevation		827.96	Groundwater	Depth to
Date	Benzene	Ethylbenzene	MTBE	Toluene	Naphthalene	Xylenes	TMB	Elevation	Groundwater
05/01/96	<0.5	65	<4.6	65	**120**	*1590*		801.26	26.70
07/11/96	<0.5	37	<4.6	29	**94**	*1830*		801.9	26.06
08/12/96	<0.5	**280**	<4.6	**150**	**200**	*2640*		801.54	26.42
10/16/96	<0.5	**280**	<4.6	**91**	**270**	*2760*		801.05	26.91
12/20/96	<0.5	**160**	<4.6	55	*21*	*1690*		801.23	26.73
01/22/97	**2.6**	87	<4.6	31	**160**	980		800.96	27.00
02/21/97	<0.5	130	<4.6	**110**	**170**	*1700*		800.23	27.73
05/02/97	<0.5	**150**	<4.6	29	**280**	*1630*		801.49	26.47
06/18/97	**2.4**	120	<4.6	**130**	**52**	*1410*		801.28	26.68
08/26/97	**1.9**	140	<4.6	**200**	*36*	*1710*		801.14	26.82
09/18/97	**1.2**	131	<4.6	40	**226**	*1612*		801.34	26.62
04/21/98	**0.71**	67	<4.6	53	**203**	849		800.96	27.00
07/14/98	<0.5	106	<4.6	41.1	**126**	*1180*		800.78	27.18
10/26/98	<2.5	122	<4.6	16	**192**	*1205*	**694**	800.36	27.60
02/03/99	<0.32	60	<0.31	20	**190**	*1300*	**870**	800.46	27.50
05/03/99	<3.2	80	<0.31	20	**170**	*1100*	**620**	800.59	27.37
07/06/99	<0.32	110	<0.31	44	**140**	*1400*	**570**	800.11	27.85
10/09/99	<1.3	100	<1.1	30	**150**	*1140*	**760**	799.62	28.34
01/11/00	<3.2	60	<3.1	22	**150**	*1100*	**750**	800.91	27.05
03/22/00	<7.8	**180**	<9.4	34	**290**	*2700*	**1060**	801.1	26.86
08/15/00	<0.39	89	<0.47	3.1	**91**	*1000*	**560**	800.34	27.62
11/25/00	<0.39	62	<0.47	11	**160**	*1240*	**730**	801.1	26.86
03/19/01	<2	70	<2.4	13		780	**510**	800.34	27.62
06/18/01	<1.1	16	<2.3	4.6		250	[illegible]	801.92	26.04
09/28/01	<2.1	80	<4.6	7.4	**130**	*1470*	**610**	801.51	26.45
12/05/01	<2.1	67	<4.6	6.9	**190**	*1060*	**910**	801.28	26.68

DW1	Top of Screen Elevation			800.3	Top of Pipe Elevation		825.01	Groundwater	Depth to
Date	Benzene	Ethylbenzene	MTBE	Toluene	Naphthalene	Xylenes	TMB	Elevation	Groundwater
03/21/97	<0.5	33	<0.92	14	*29*	*188*		800.69	24.32
05/03/99	<0.32	0.34	<0.31	<0.35	<0.88	1.2	0.91	800.53	24.48
07/06/99	*1.7*	43	4.5	25	55	*290*	56	825.01	
10/09/99									

DW2	Top of Screen Elevation			800.39	Top of Pipe Elevation		824.93	Groundwater	Depth to
Date	Benzene	Ethylbenzene	MTBE	Toluene	Naphthalene	Xylenes	TMB	Elevation	Groundwater
03/21/97	**52**	51	<0.92	*140*	**130**	*420*		800.72	24.21
07/06/99	<0.32	12	<0.31	1.2	*8.8*	78	7.4	800.34	24.59
NR 140 PAL	0.5	140	12	200	8	1000	96		
NR 140 ES	5	700	60	1000	40	10,000	480		

Notes:

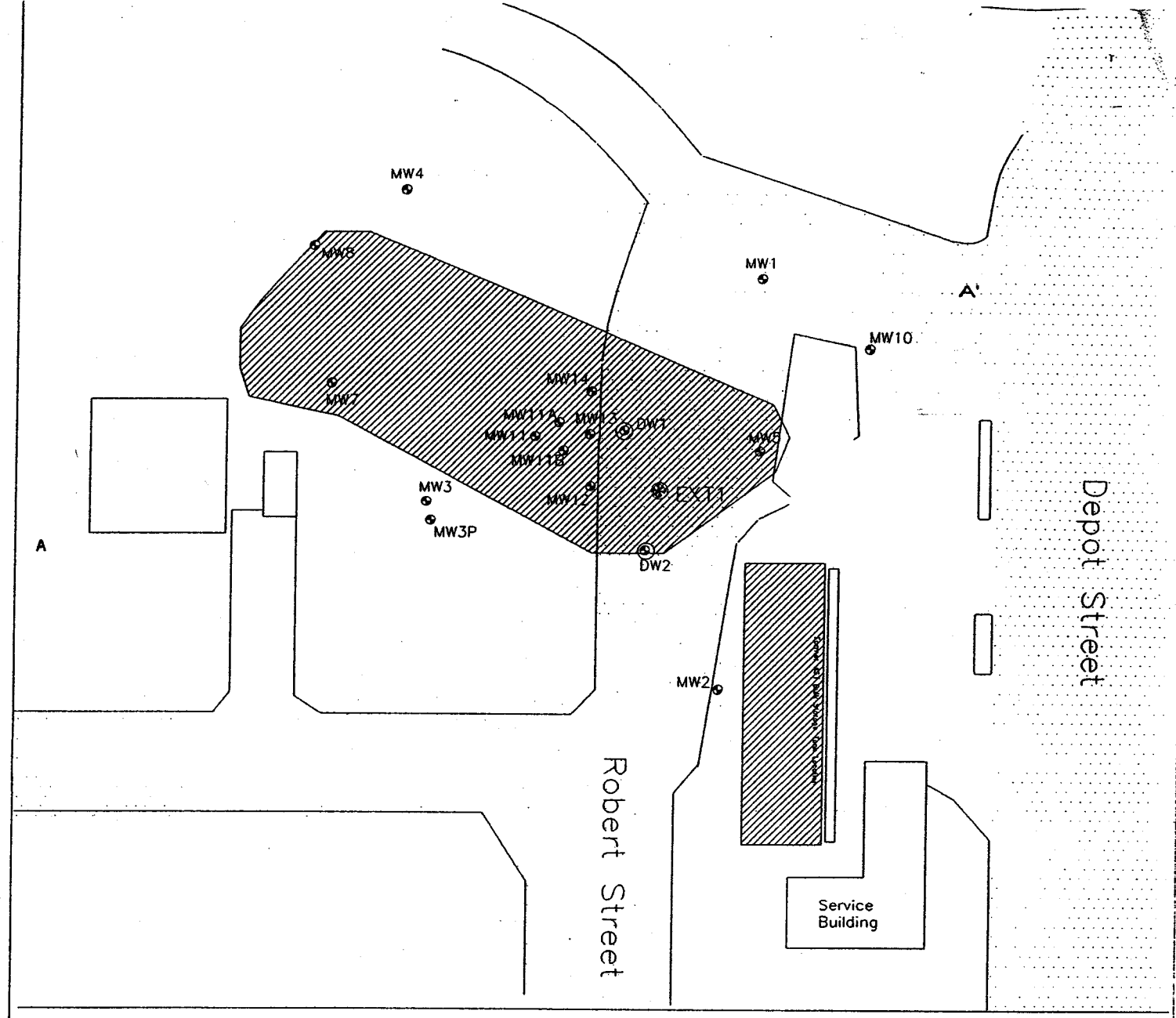
All results are in parts per billion (ppb)

MTBE = Methyl-tert-butyl-ether

TMB = Trimethylbenzenes

Results in italics indicate NR 140 Preventative Action Limit Exceedence

Results in bold indicate NR 140 Enforcement Standard Exceedence



Legend

- Extraction Well 1 Location for oxygen delivery (EXT1)
- DW2 — Specified oxygen delivery well
- MW7 — Current Monitoring Well Location
- Area of Groundwater Contamination Exceeding NR 140 ES

50 0 50

ENVIRONMENTAL ASSESSMENTS, INC. APPLETON, WISCONSIN	PROJECT/CLIENT: Sturm and Jensen	DRAWN BY: Victoria A. Flowers
	TITLE: Site Layout Map showing Groundwater Contamination Plume	SCALE: 1" = 50'
		FIGURE NO. 5

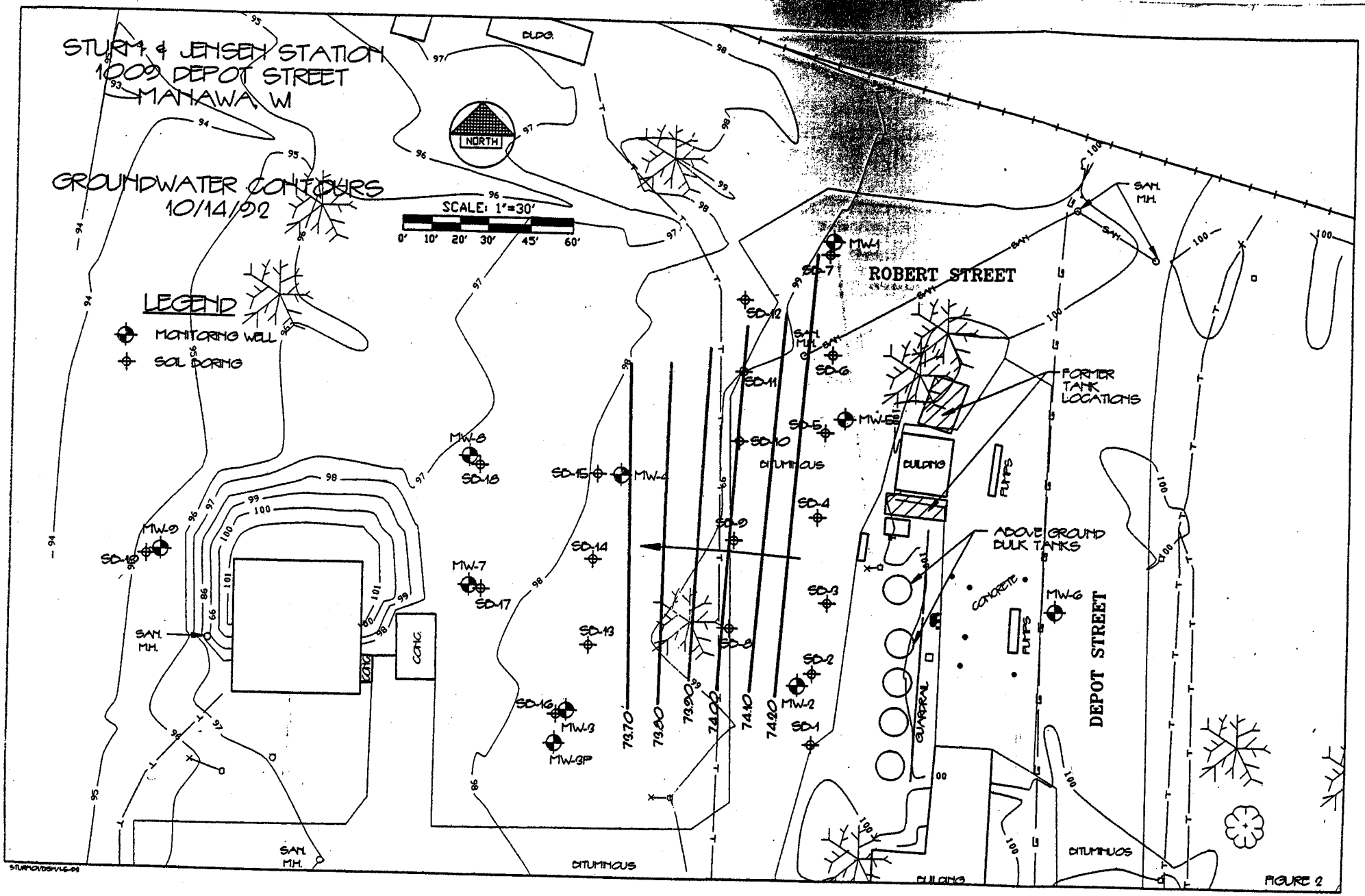

STURM & JENSEN STATION
1009 DEPOT STREET
MANAWA, WI
GROUNDWATER CONTOURS
10/14/92
SCALE: 1"=30'
0' 10' 20' 30' 45' 60'
NORTH
LEGEND
MONITORING WELL
SOIL BORING
ROBERT STREET
DEPOT STREET
FORMER TANK LOCATIONS
ABOVE GROUND BULK TANKS
BUILDING
PUMPS
CONCRETE
GUARDRAIL
BITUMINOUS
CONC.
SAN. M.H.
MW-1
MW-2
MW-3
MW-3P
MW-4
MW-5
MW-6
MW-7
MW-8
MW-9
MW-10
SD-1
SD-2
SD-3
SD-4
SD-5
SD-6
SD-7
SD-8
SD-9
SD-10
SD-11
SD-12
SD-13
SD-14
SD-15
SD-16
SD-17
SD-18
73.70
73.80
73.90
74.00
74.10
74.20

FIGURE 2

ENVIRONMENTAL
ASSESSMENTS, INC.

February 19, 2002

Ms. Cheryl Hass
City Clerk
Manawa City Hall
P.O. Box 248
Manawa, WI 54949

RE: Request for Groundwater GIS restriction

Dear Ms. Hass;

This letter is a requirement for closure. Please read and contact me if you have any questions.

Groundwater contamination that appears to have originated on the property located at 1009 Depot Street, Manawa, Wisconsin has migrated onto your property located known as Lot 6 and 7 of Block 12, of the Railroad Addition to the Village now City of Manawa and an easement for a sewer line across Lot 3 of said Block 12 whose center line lies 6 feet East and parallel to the West line of said Lot 3. The levels of benzene, ethylbenzene, toluene, trimethylbenzenes and xylenes, contamination in the groundwater on your property are above the state groundwater enforcement standards found in chapter NR 140, Wisconsin Administrative Code. However, the environmental consultants who have investigated this contamination have informed me that this groundwater contaminant plume is stable or receding and will naturally degrade over time. I believe that allowing natural attenuation to complete the cleanup at this site will meet the requirement for case closure that are found in chapter NR 726 Wisconsin Administrative Code, and I will be requesting that the Department of Natural Resources accept natural attenuation as the final remedy for this site and grant case closure. Closure means that the Department will not be requiring any further investigation or cleanup action to be taken, other than the reliance on natural attenuation.

Since the source of the groundwater contamination is not on your property, neither you nor any subsequent owner of your property will be held responsible for investigation or cleanup of the groundwater contamination, as long as you and any subsequent owners comply with the requirements of section 292.13, Wisconsin Statutes, including allowing access to your property for environmental investigation or cleanup if access is required. For further information on the requirements of section 292.13, Wisconsin Statutes, you may call 1-800-367-6067 for calls originating in Wisconsin, or 608-264-6020 if you are calling from out of state or within the Madison area, to obtain a copy of the Department of Natural Resources' publication #RR-589, Fact Sheet 1-: Guidance for Dealing the Properties Affected by Off-Site Contamination.

The Department of Natural Resources will not review my closure request for at least 30 days after the date of this letter. As an affected property owner, you have a right to contact the Department to provide any technical information that you may have that indicates that closure should not be granted for this site. If you would like to submit any information to the Department of Natural Resources that is relevant to this closure request, you

P.O. BOX 9127 • APPLETON, WISCONSIN 54911
TELEPHONE: 920-749-9746 • FAX: 920-749-9748

should mail that information to: Mr. Tom Sturm, WDNR, 647 Lakeland Road, Shawano, WI 54116.

If this cased is closed, all properties within the site boundaries where groundwater contamination exceeds chapter NR 140 enforcement standards will be listed on the Department of Natural Resources' geographic information system (GIS) Registry of Closed Remediation Sites. The information on the GIS Registry includes maps showing the location of properties in Wisconsin where groundwater contamination above chapter NR 140 enforcement standards was found at the time that the case was closed. This GIS Registry will be available tot the general public on the Department of Natural Resources' internet web site. Please review the enclosed legal description of your property, and notify me within the next 30 days if the legal description is incorrect.

Should you or any subsequent property owner wish to construct or reconstruct a well on your property, special well construction standards may be necessary to protect the well from the residual groundwater contamination. Any well driller who proposes to construct a well on your property in the future will first need to call the Diggers Hotline (1-800-242-8511) if your property is located outside the service area of a municipally owned water system, or contact the Drinking Water program within the Department of Natural Resources if your property is located within the designated service area of a municipally owned water system, to determine if there is a need for special well construction standards.

Once the Department makes a decision on my closure request, it will be documented in a letter. If the Department grants closure, you may obtain a copy of this letter by requesting a copy from me, by writing to the agency address given above or by accessing the DNR GIS Registry of Closed Remediation Sites on the internet at www.dnr.state.wi.us/org/at/et/geo/gwur. A copy of the closure letter is included as part of the site file on the GIS Registry of Closed Remediation Sites.

If you need more information, you may contact me at (920) 749-9746 or you may contact Mr. Tom Sturm, WDNR, 647 Lakeland Road, Shawano, WI 54116 (715) 526- 4230.

Sincerely,

ENVIRONMENTAL ASSESSMENTS, INC.

Victoria Flowers

Victoria Flowers
Hydrogeologist/Project Manager

attachment

cc: file
Mr. Tom Sturm, WDNR, 647 Lakeland Road, Shawano, WI 54116
Mr. Doug Pink, Haskins Gas & Oil Company, Inc., P.O. Box 548 Lancaster, WI 53813

CITY OF MANAWA
PO BOX 248
MANAWA WI 54949

July 18, 2002

Environmental Assessments, Inc.
PO Box 9127
Appleton, WI 54911

ATTN: Victoria Flowers

Dear Ms. Flowers,

The City of Manawa received your letter providing notification that there is a presence of groundwater contamination in the ROW of Roberts Streets and the lot West of Roberts St. adjacent to municipal supply well number 3.

This has been duly recorded at the City Clerk's officer at 500 S. Bridge St., Manawa.

It is further understood that this contamination is recorded with the State of Wisconsin GIS registry system.

Sincerely,

Cheryl Hass

Cheryl Hass, City Clerk

CITY OF MANAWA
PO BOX 248
500 S. BRIDGE ST
MANAWA, WI 54949
920-596-2577

March 13, 2002

ENVIRONMENTAL ASSESSMENTS, INC,
VICTORIA FLOWERS
PO BOX 9127
APPLETON, WI 54911

Dear Ms. Flowers,

I received your letter dated February 19, 2002 regarding ground water contamination that has migrated from 1009 Depot Street onto City Lots 6 and 7 of Block 12 of the Railroad Addition to the Village now City of Manawa.

I also certify that that is City property.

Please let me know if I need to do anything further.

Sincerely,

Cheryl Hass

Cheryl Hass, City Clerk

ENVIRONMENTAL
ASSESSMENTS, INC.

February 19, 2002

Mr. Steven Holzbauer
406 N. Bridge Street
Manawa, WI 54949

RE: Notification of Groundwater GIS restriction at 1009 Depot St., Manawa, WI

Dear Mr. Holzbauer;

This letter is a requirement for site closure. Please read and contact me if you have any questions.

Groundwater contamination is present at the property located at 1009 Depot Street, Manawa, Wisconsin. The levels of benzene, ethylbenzene, toluene, trimethylbenzenes and xylenes, contamination in the groundwater on your property are above the state groundwater enforcement standards found in chapter NR 140, Wisconsin Administrative Code. However, the environmental consultants who have investigated this contamination have informed me that this groundwater contaminant plume is stable or receding and will naturally degrade over time. I believe that allowing natural attenuation to complete the cleanup at this site will meet the requirement for case closure that are found in chapter NR 726 Wisconsin Administrative Code, and I will be requesting that the Department of Natural Resources accept natural attenuation as the final remedy for this site and grant case closure. Closure means that the Department will not be requiring any further investigation or cleanup action to be taken, other than the reliance on natural attenuation.

Since the source of the groundwater contamination is not on your property, neither you nor any subsequent owner of your property will be held responsible for investigation or cleanup of the groundwater contamination, as long as you and any subsequent owners comply with the requirements of section 292.13, Wisconsin Statutes, including allowing access to your property for environmental investigation or cleanup if access is required. For further information on the requirements of section 292.13, Wisconsin Statutes, you may call 1-800-367-6067 for calls originating in Wisconsin, or 608-264-6020 if you are calling from out of state or within the Madison area, to obtain a copy of the Department of Natural Resources' publication #RR-589, Fact Sheet 1-: Guidance for Dealing the Properties Affected by Off-Site Contamination.

The Department of Natural Resources will not review my closure request for at least 30 days after the date of this letter. As an affected property owner, you have a right to contact the Department to provide any technical information that you may have that indicates that closure should not be granted for this site. If you would like to submit any information to the Department of Natural Resources that is relevant to this closure request, you should mail that information to: Mr. Tom Sturm, WDNR, 647 Lakeland Road, Shawano, WI 54166.

If this cased is closed, all properties within the site boundaries where groundwater contamination exceeds chapter NR 140 enforcement standards will be listed on the Department of Natural Resources' geographic information system (GIS) Registry of Closed Remediation Sites. The information on the GIS Registry includes

P.O. BOX 9127 • APPLETON, WISCONSIN 54911
TELEPHONE: 920-749-9746 • FAX: 920-749-9748

maps showing the location of properties in Wisconsin where groundwater contamination above chapter NR 140 enforcement standards was found at the time that the case was closed. This GIS Registry will be available tot the general public on the Department of Natural Resources' internet web site. Please review the enclosed legal description of your property, and notify me within the next 30 days if the legal description is incorrect.

Should you or any subsequent property owner wish to construct or reconstruct a well on your property, special well construction standards may be necessary to protect the well from the residual groundwater contamination. Any well driller who proposes to construct a well on your property in the future will first need to call the Diggers Hotline (1-800-242-8511) if your property is located outside the service area of a municipally owned water system, or contact the Drinking Water program within the Department of Natural Resources if your property is located within the designated service area of a municipally owned water system, to determine if there is a need for special well construction standards.

Once the Department makes a decision on my closure request, it will be documented in a letter. If the Department grants closure, you may obtain a copy of this letter by requesting a copy from me or by writing to the agency address given above or by accessing the DNR GIS Registry of Closed Remediation Sites on the internet at www.dnr.state.wi.us/org/at/et/geo/gwur. A copy of the closure letter is included as part of the site file on the GIS Registry of Closed Remediation Sites.

If you need more information, you may contact me at (920) 749-9746 or you may contact Mr. Tom Sturm, WDNR, 647 Lakeland Road, Shawano, WI 54166 (715) 526-4230.

Sincerely,

ENVIRONMENTAL ASSESSMENTS, INC.

Victoria Flowers

Victoria Flowers
Hydrogeologist/Project Manager

attachment

cc: file
Mr. Tom Sturm, WDNR, 647 Lakeland Road, Shawano, WI 54116
Mr. Doug Pink, Haskins Gas & Oil Company, Inc., P.O. Box 548 Lancaster, WI 53813

652145

Exhibit D
Page 1 of 5

ENVIRONMENTAL
ASSESSMENTS, INC.

July 12, 2002

Ms. Cheryl Laatsch
Oshkosh Service Center
625 E. Cty. Y
Suite 700
Oshkosh, WI 54901-9731

RE: Operation and Maintenance Plan for Permanent Asphalt Cap, according to 724.13
Sturm & Jensen Bulk Plant (Former), 1009 S. Military Avenue, Green Bay, WI
BRRTs ID# 03-69-000804

Dear Ms. Laatsch;

Attached is a document that serves as an operation and maintenance plan according to 724.13. This plan outlines the methodology that will be used to ensure that the asphalt cap that currently exists over the area defined as being encumbered by the deed restriction placed on this property, is maintained in a manner as to prevent the direct contact of contaminated soils and the infiltration of surface water into the soil.

The purpose of this submittal is to obtain department approval and acknowledgment of the enclosed operation and maintenance plan for the maintenance of the asphalt cap necessary to achieve a case closure or no further action letter from the department.

If you have any questions, please contact me at (920)749-9746.

Sincerely,

ENVIRONMENTAL ASSESSMENTS, INC.

Victoria Flowers

Victoria Flowers
Hydrogeologist/Project Manager

attachment

cc: Haskins Gas & Oil Company, Inc., c/o Mr. Douglas Pink, P.O. Box 548, Lancaster, WI 54813
file

P.O. BOX 9127 • APPLETON, WISCONSIN 54911
TELEPHONE: 920-749-9746 • FAX: 920-749-9748

652145

Document Number

DEED RESTRICTION

WAUPACA COUNTY
RECEIVED FOR RECORD

SEP 2 4 2002

AT 2 O'CLOCK ~~A.M.~~ P.M.
GEORGE E. JORGENSEN
REGISTER OF DEEDS

Recording Area

Name and Return Address
Environmental Assessments, Inc
P.O. Box 9127
Appleton WI

31-21-75-3
Parcel Identification Number (PIN)

Declaration of Restrictions

In Re: The property described in Exhibit A hereby attached and made a part of this restriction.

STATE OF WISCONSIN)
) ss
COUNTY OF WAUPACA)

WHEREAS, Steven R. and Jodi J. Holzbauer are the owners of the above-described property.

WHEREAS, one or more petroleum discharges have occurred on this property. Petroleum-contaminated soil above ch. NR 720 Wis. Adm. Code soil standards remains on this property at the following locations: Soil Boring Soil Sample 3 (SB3) for Gasoline Range Organics (GRO) and Diesel Range Organics (DRO), SB4 for DRO, SB5 for GRO and DRO, SB6 for GRO, Monitoring Well Location 10 (MW10) for DRO, and MW11 for GRO, DRO and Benzene. Levels of remaining contamination and corresponding map identifying the locations of the soil borings and monitoring wells are included as Exhibits B and C, all of which are 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 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 following activities are prohibited on that portion of the property described above where a cap or cover has been placed, as shown on Exhibit C, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources or its successor or assign: (1) Excavating or grading of the land surface; (2) Filling on the capped area; (3) Plowing for agricultural cultivation; and (4) Construction or installation of a building or other structure with a foundation that would sit on or be placed within the cap or cover. In addition, the cap or cover shall be maintained in compliance with a plan, prepared and

submitted to the Wisconsin Department of Natural Resources by a responsible party, as required by section NR 724.13(2), Wis. Adm. Code, 1999.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction inures to the benefit of 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 by the property owner or other interested party to give notice that this deed restriction, or portions of this deed restriction, are no longer binding.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 24th day of September, 2002.

Signature: Steven R. Holbauer
Printed Name: Steven R. Holzbauer

Signature: ——
Printed Name: ——

Subscribed and sworn to before me
this 24th day of September, 2002.

Notary Public, State of WI
My commission 7-24-05

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

652145

Executive Summary

This document provides an operation and maintenance plan for the impermeable cap at the Former Sturm & Jensen Bulk Plant site located at 1009 Depot Street, Manitowoc, Wisconsin. This plan is developed in accordance with s. NR 724.13(2), Wisconsin Administrative Code.

Presently, the location of the former bulk plant site is owned by Mr. Steven Holzbauer who lives at 406 N. Bridge Street, Manawa, WI. On February 19, 2002, Mr. Holzbauer was contacted by certified letter, per NR 726, notifying him of the presence of groundwater contamination at the Former Sturm & Jensen site. Currently the site is being used for storage by Mr. Holzbauer. There are no known underground storage tanks (USTs) or aboveground storage tanks (ASTs) at the site. Previous to this, the site had been the location of a bulk petroleum distribution facility. Historically a total of eighteen USTs and AST for gasoline, diesel fuel and kerosene bulk storage tanks have been recorded for this location. The operation of this location as a bulk and retail distribution facility was discontinued on November 24, 1998 and removal of the last known tanks was performed on June 16, 2001.

This location has also been the subject of a remedial site investigation that was granted conditional case closure on May 22, 2002 with a groundwater use restriction, maintenance of an impermeable cap and notification to the City of Manawa.

SITE DETAILS

The site is approximately 5,838 square feet and contains one building approximately 1,060 square feet situated in the southwestern corner of the property. It is bordered on the west by several vacant lots and the City of Manawa's Municipal Supply Well #3 (MSW3), south by a residence, east by Depot Street and north by Roberts Street and the Chicago Northwestern Railroad track right-of-way. Surface covering of the area of site were most of the groundwater contamination is identified is asphalt.

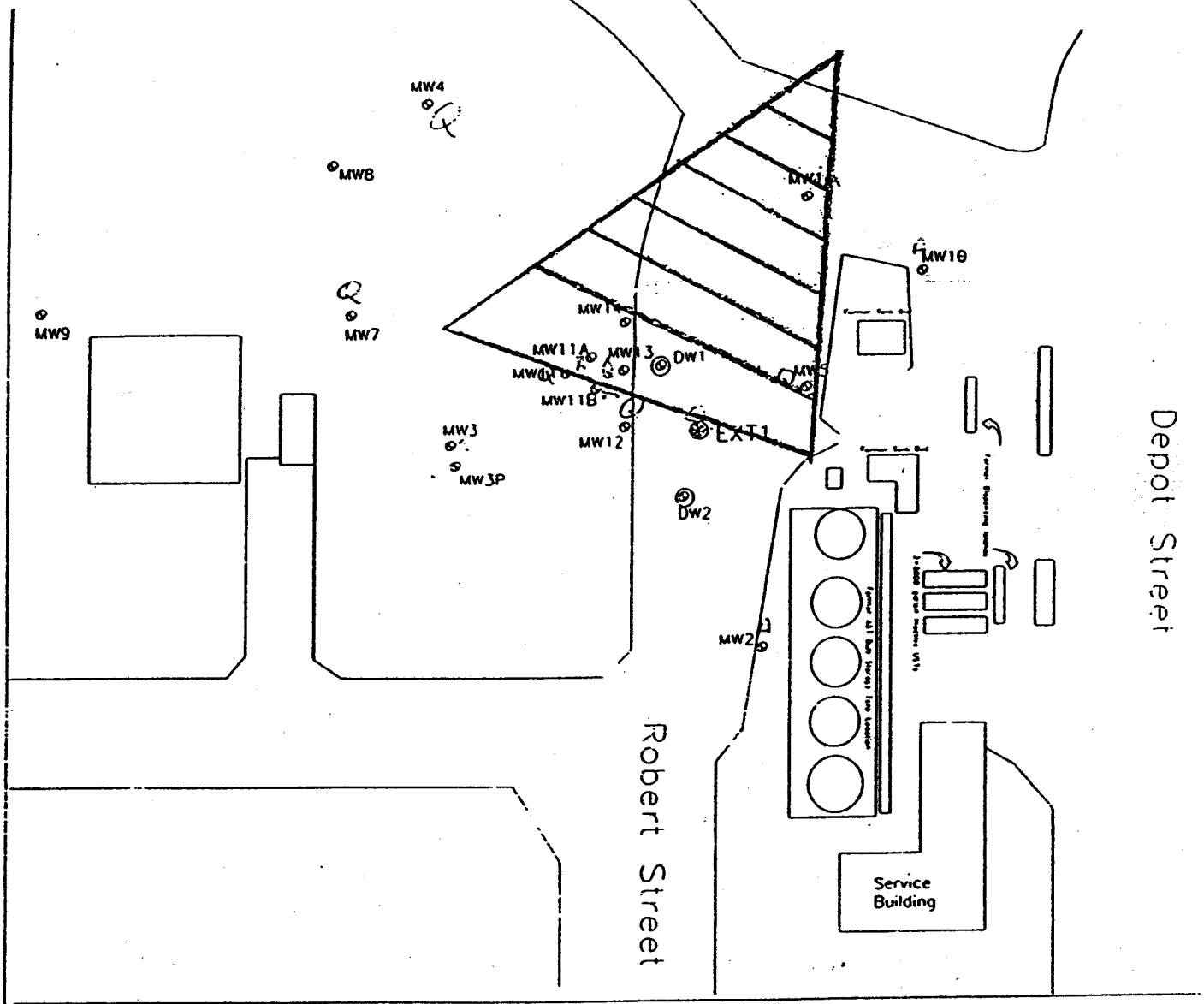
The site address is identified as 1009 Depot Street in the city of Manawa and is described by document number 35067 at the Waupaca County Register of Deeds.

MAINTENANCE PLAN

As a requirement of receiving conditional closure, the WDNR has requested that an operation & maintenance plan containing the elements outlined in NR 724.13 (2) be presented. The observation and maintenance of the impermeable cap will be performed by Haskins Gas & Oil Company, Inc. personnel and the city of Manawa. Routine inspections of the surface will be performed annually during the spring of the year by Haskins and defects in the asphalt will be reported to the city of Manawa. A chart that documents these inspections will be maintained locally at a branch office located at 150 W. Howard Street for review if necessary. The observations made will be whether significant cracks exist to allow for the penetration of groundwater to the soil, or if damage to the surface covering will impair the integrity of the cap. If deficiencies are noted hot tar patch will be applied to correct the problem.

Exhibit B & Exhibit C

652145



Legend

- EXT1 — Extraction Well 1 Location for oxygen delivery (EXT1)
- DW2 — Specified oxygen delivery well
- MW7 — Current Monitoring Well Location

Soil Performance Cap Area, as part of Deed Restriction

N

50 0 50

ENVIRONMENTAL ASSESSMENTS, INC. APPLETON WISCONSIN	PROJECT/CLIENT Sturm and Jensen	DRAWN BY Victoria A. Flowers
		SCALE 1" = 50'
	TITLE Site Layout Map	FIGURE NO. 2