

GIS REGISTRY INFORMATION

SITE NAME: STH 110 ROW - WI DOT

BRRTS #: 03-69-258708

CLOSURE DATE: 04/23/2003

STREET ADDRESS: STH 110 - RIGHT OF WAY

CITY: FREMONT

SOURCE PROPERTY GPS COORDINATES (meters in WTM91 projection): X= 611804 Y= 421354

OFF-SOURCE CONTAMINATION (>ES): Yes No

IF YES, STREET ADDRESS 1: N560 STH 110

GPS COORDINATES (meters in WTM91 projection): X= 611803 Y= 421354

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

IF YES, STREET ADDRESS 1: _____

GPS COORDINATES (meters in WTM91 projection): _____ Y= _____

CONTAMINATION IN RIGHT OF WAY: Yes No

DOCUMENTS NEEDED:

- Closure Letter, and any conditional closure letter issued
- Copy of most recent deed, including legal description, for all affected properties
- Certified survey map or relevant portion of the recorded plat map (*if referenced in the legal description*) for all affected properties
- 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.
- 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.
- Tables of Latest Groundwater Analytical Results (no shading or cross-hatching)
- 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.**

GW: Table of water level elevations, with sampling dates, and free product noted if present

GW: Latest groundwater flow direction/monitoring well location map (should be 2 maps if maximum variation in flow direction is greater than 20 degrees)

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

Copies of off-source notification letters (if applicable)

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
X
X
X



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

Oshkosh Service Center
625 East County Road, Suite 700
Oshkosh, WI 54901-9731
Telephone 920-424-3050
FAX 920-424-4404
TTY 920-492-5912

April 23, 2002

John Lewis
Dept. of Transportation – BOE
PO Box 7965
Madison, WI 53707-7965



SUBJECT: Final Closure Approval with Groundwater Use Deed
Restriction for STH 110 ROW at Brasch's House of Cheese, Fremont, Wisconsin
WDNR BRRTS # 03-69-258708

Dear Mr. Lewis:

On September 24, 2002, your site as described above was reviewed for closure by the Northeast Regional Closure Committee. This committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. On October 10, 2002, you were notified that the Closure Committee had granted conditional closure to this case.

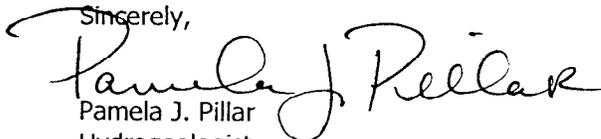
On April 23, 2003 the Department received correspondence indicating that you have complied with the conditions of closure. The soil contamination on site has been documented within the soil deed restriction and a plan has been constructed to maintain the current asphalt and concrete areas of the site. 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.

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>

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 920-303-5424.

Sincerely,


Pamela J. Pillar
Hydrogeologist
Bureau for Remediation & Redevelopment

cc: Kyle Wagoner, EarthTech,
200 Indiana Avenue, Stevens Point, WI 54481

DOCUMENT NO.
443765

WARRANTY DEED
STATE BAR OF WISCONSIN FORM 2-1982
631 436

THIS SPACE RESERVED FOR RECORDING DATA

REGISTER'S OFFICE
WAUPACA COUNTY WI
RECEIVED FOR RECORD

DEC 12 1986

At 8:00 o'clock A.M. and Recorded
in Vol. 631 of Records Page 436
Jesse B. Brien Registrar

RETURN TO

v.p. 3974

Clarence Brasch and Irene Brasch,
his wife

conveys and warrants to DUANE L. KOPLIEN and Patricia
E. Koplien, his wife, or the survivor
of either of them

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

Tax Parcel No: _____

A part of the SW 1/4 SE 1/4 of Section 30-21-14, bounded by a line commencing at a point which is the center of the junction of U.S. Highway 10 and U.S. Highway 110, thence from said point running South along the center of U.S. Highway 110 a distance of 385 feet, thence East at right angles a distance of 293 feet, thence North a distance of 385 feet to a point in the center of U.S. Highway Number 10 which is 230 feet 2 inches Easterly from the place of beginning, thence Westerly along the center of U.S. Highway Number 10 to the place of beginning, containing 2 acres more or less.

The parties hereto hereby agree that the above described real estate is encumbered by an agreement between the Vendor herein and William Warnke, a single man, Werner Warnke and Elva Warnke, his wife, and their successors in title to the effect that each of them shall bear their proportionate share of the expense of cleaning out the drainage ditch which runs along the east side of the premises above described. Said ditch is to be used by the said William Warnke, Werner Warnke and Elva Warnke and the vendors herein and all of their successors in title in common. This provision shall be included in the warranty deed given by the Vendor to the Purchaser at the completion of this land contract.

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

This deed is given in satisfaction of a certain land contract dated June 3, 1980, and recorded in the office of the Register of Deeds in Vol. 546 of Records on page 757 as Document No. 397110, Waupaca County Registry.

Exception to warranties:

Restrictions and easements of record.

Dated this 10th day of December, 1986.

TRANSFER FEE (SEAL)
PAID IN FULL
110.00 (SEAL)

Clarence Brasch (SEAL)
Irene Brasch (SEAL)

AUTHENTICATION

Signature(s) Clarence Brasch and Irene Brasch

authenticated this 10th day of December, 1986

Steven D. Shambeau
TITLE: MEMBER STATE BAR OF WISCONSIN

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

THIS INSTRUMENT WAS DRAFTED BY
JOHNSON AND WERNER, S.C.,
Attorneys at Law
Waupaca, WI 54981

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

ACKNOWLEDGMENT

STATE OF WISCONSIN

Personally came before me this _____ day of _____, 19____ the above named

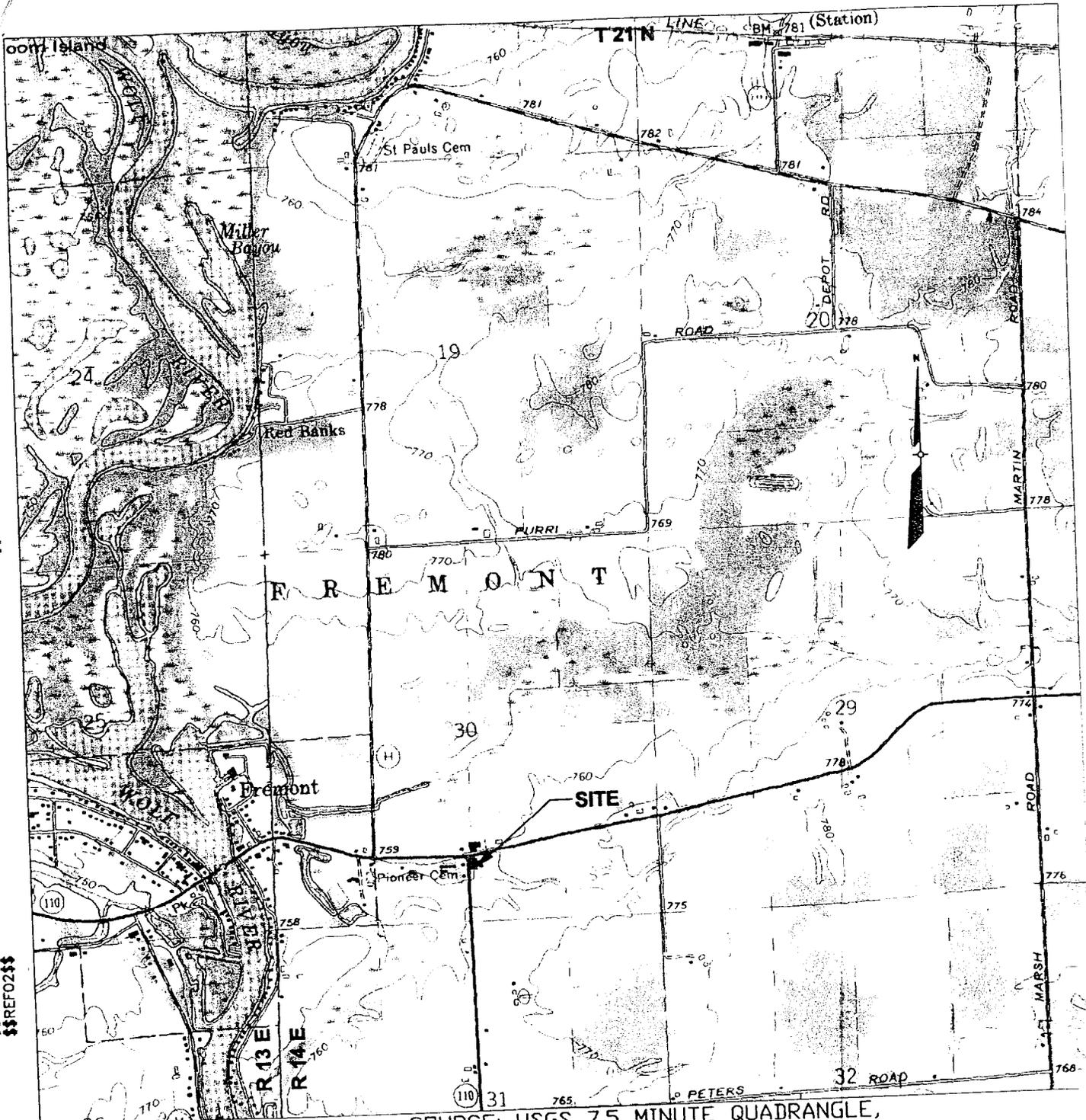
to me known to be the person who executed the foregoing instrument and acknowledge the same.

Notary Public _____ County, Wis.
My Commission is permanent. (If not, state expiration date: _____, 19____.)

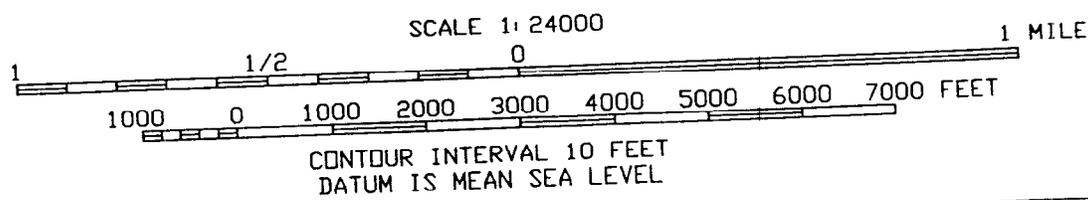
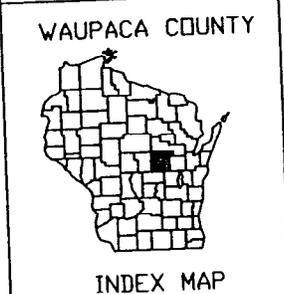
\$\$\$REFO3\$\$\$
\$\$\$REFO4\$\$\$

\$\$\$REFO1\$\$\$
\$\$\$REFO2\$\$\$

\$\$\$PEN\$\$\$
\$\$\$PRF\$\$\$
\$\$\$DATE\$\$\$
\$\$\$DWG\$\$\$



SOURCE: USGS 7.5 MINUTE QUADRANGLE,
READFIELD, WISCONSIN, 1983



EARTH  TECH

FIGURE 1
LOCATION MAP
FORMER 1,000 GAL.-UST STH 110 ROW
FREMONT, WISCONSIN
WISDOT PROJECT ID. 1510-08-77
MARCH 2001 44202

SOIL BORING LOCATIONS

REF033
RF033\$
RF044\$
RF044\$

REF018\$
RF018\$
RF022\$
RF022\$

USEM\$
LEVELS\$
PRF\$
DATE\$

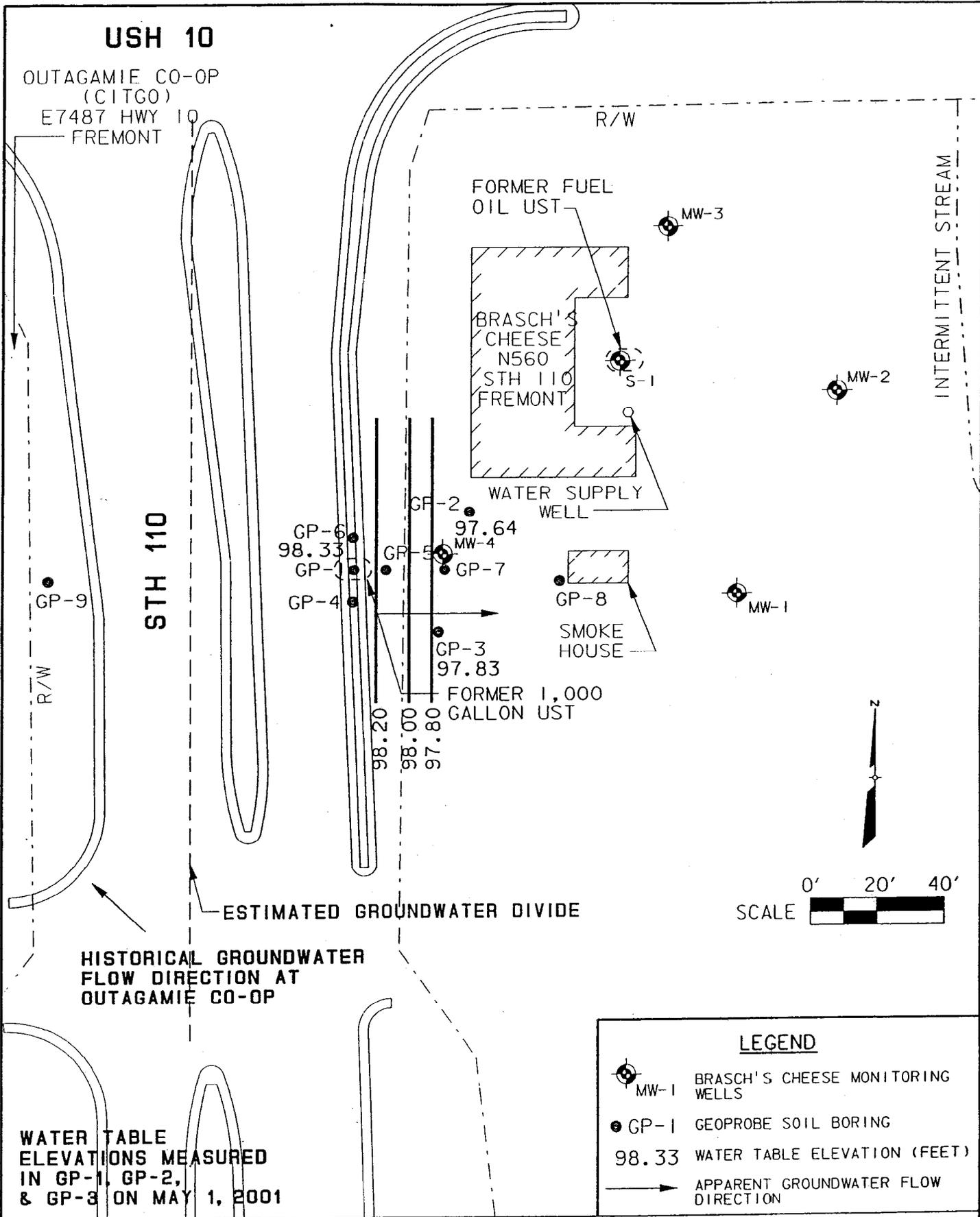


FIGURE 3
WATER TABLE MAP
FORMER 1,000 GAL. UST
STH 110 ROW
FREMONT, WISCONSIN
JUNE 2001 WISDOT PROJECT ID. 1510-08-77 44202



TABLE 2 (cont.)

	Regulatory Standards		Monitoring Well/Date Sampled											
			MW-4 Dup.				MW-5				MW-6			
			NR 140 ES	NR 140 PAL	05/14/01	11/28/01	03/06/02	06/19/02	11/28/01	03/06/02	06/19/02	11/28/01	03/06/02	06/19/02
VOCs/PVOCs (µg/L)														
Benzene	5	0.5	140	55.1	46.4	146	<0.16	<0.31	<0.31	0.202	<0.31	<0.31	<0.31	
Butylbenzenes (total)	NE	NE	117	--	--	--	--	--	--	--	--	--	--	
1,2-Dichloroethane (1,2-DCA)	5	0.5	<12	--	--	--	--	--	--	--	--	--	--	
Ethylbenzene	700	140	690	165	326	670	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	
Isopropylbenzene	NE	NE	43	--	--	--	--	--	--	--	--	--	--	
p-Isopropyltoluene	NE	NE	15	--	--	--	--	--	--	--	--	--	--	
Naphthalene	40	8	120	23.9	84.0	108	<0.8	<0.8	<0.8	<0.8	<0.8	<0.8	<0.8	
n-Propylbenzene	NE	NE	110	--	--	--	--	--	--	--	--	--	--	
Toluene	1,000	200	320	109	69.4	313	<0.4	<0.3	<0.3	<0.4	<0.3	<0.3	<0.3	
Trimethylbenzenes (total)	480	96	720	137	386.6	508	<0.21	<0.71	<0.71	<0.21	<0.71	<0.71	<0.71	
Xylenes (total)	10,000	1,000	1,180	182	312.6	494	<0.21	<0.92	<0.92	<0.21	<0.92	<0.92	<0.92	

Notes:

1. VOCs/PVOCs listed were those detected by the laboratory above the detection limit.
2. Bolding indicates NR 140 PAL exceedence in groundwater samples.
3. Bolding and outlining indicates NR 140 ES exceedence in groundwater samples.
4. -- means not analyzed.
5. NE = Not Established.
6. Well MW-3 was not sampled.

TABLE 2
GROUNDWATER SAMPLE ANALYTICAL RESULTS
NATURAL ATTENUATION MONITORING
STH 110 RIGHT OF WAY
FREMONT, WISCONSIN

VOCs/PVOCs (µg/L)	Regulatory Standards		Monitoring Well No./Date Sampled												
	NR 140 ES	NR 140 PAL	MW-1				MW-2				MW-4				
			05/14/01	11/28/01	03/06/02	06/19/02	05/14/01	11/28/01	03/06/02	06/19/02	05/14/01	11/28/01	03/06/02	06/19/02	
Benzene	5	0.5	<0.21	0.44	<0.31	<0.31	<0.21	<0.16	<0.31	<0.31	<0.31	140	36.1	57.4	150
Buylbenzenes (total)	NE	NE	0.39	<0.54	--	--	<0.54	--	--	--	--	118	--	--	--
1,2-Dichloroethane (1,2-DCA)	5	0.5	1.3	--	--	--	<0.23	--	--	--	--	<12	--	--	--
Ethylbenzene	700	140	<0.22	<0.5	<0.5	<0.5	<0.22	<0.5	<0.5	<0.5	<0.5	650	102	402	683
Isopropylbenzene	NE	NE	<0.19	--	--	--	<0.19	--	--	--	--	40	--	--	--
p-Isopropyltoluene	NE	NE	<0.16	--	--	--	<0.16	--	--	--	--	14	--	--	--
Naphthalene	40	8	<0.69	<0.8	<0.8	<0.8	<0.69	<0.8	<0.8	<0.8	<0.8	110	13.1	79.8	122
n-Propylbenzene	NE	NE	<0.18	--	--	--	<0.18	--	--	--	--	100	--	--	--
Toluene	1,000	200	<0.41	<0.4	<0.3	<0.3	<0.4	<0.4	<0.3	<0.3	<0.3	300	59.9	86.0	330
Trimethylbenzenes (total)	480	96	<0.28	0.18	<0.71	<0.71	<0.60	<0.21	<0.71	<0.71	<0.71	700	84.5	477	553
Xylenes (total)	10,000	1,000	<0.69	0.32	<0.92	<0.92	<0.69	<0.21	<0.92	<0.92	<0.92	1,130	108.7	382.2	504

Notes:

1. VOCs/PVOCs listed were those detected by the laboratory above the detection limit.
2. Bolding indicates NR 140 PAL exceedence in groundwater samples.
3. Bolding and outlining indicates NR 140 ES exceedence in groundwater samples.
4. -- means not analyzed.
5. NE = Not Established.
6. Well MW-3 was not sampled.

TABLE 1
MONITORING WELL DATA AND GROUNDWATER ELEVATIONS
NATURAL ATTENUATION MONITORING
STH 110 RIGHT OF WAY
FREMONT, WISCONSIN

Well No.	Approximate Well Depth (ft BGS)	Screened Interval (ft BGS)	TOC Elevation (ft MSL)	Groundwater Elevation (ft MSL) 05/14/01	Groundwater Elevation (ft MSL) 11/28/01	Groundwater Elevation (ft MSL) 03/06/02	Groundwater Elevation (ft MSL) 06/19/02
Brasch's Cheese Site (BRRTS No. 03-69-183173)							
MW-1	8	3 - 8	94.03	92.99	92.97	91.99	92.03
MW-2	8	3 - 8	94.13	91.09	91.37	90.95	90.32
MW-3	8	3 - 8	95.08	92.93	92.12	--	91.84
MW-4	10	5 - 10	96.18	94.46	93.18	93.05	93.86
WisDOT STH 110 ROW (BRRTS No. 03-69-258708)							
MW-5	13	3 - 13	97.25	--	93.30	93.53	94.38
MW-6	13	3 - 13	95.75	--	93.15	92.96	93.59

Notes:

1. Monitoring Wells MW-1 through MW-4 were installed by Environmental Assessments, Inc. for Brasch's Cheese on May 7, 2001.
2. Monitoring Wells MW-5 and MW-6 were installed by Earth Tech, Inc. for WisDOT on November 1, 2001.
3. All monitoring wells were constructed using 2-inch diameter Schedule 40 PVC.
4. Elevations are based on a benchmark elevation of 100 feet at the southwest corner of Brasch's Cheese.
5. -- Means "not measured."

USH 10

OUTAGAMIE CO-OP
(CITGO)
E7487 HWY 10
FREMONT

R/W

FORMER FUEL
OIL UST

MW-3
91.84

BRASCH'S
CHEESE
N560
STH 110
FREMONT

MW-2
90.32

INTERMITTENT STREAM

WATER SUPPLY
WELL

MW-5
94.38

MW-4
93.86

MW-6
93.59

SMOKE
HOUSE

MW-1
92.03

FORMER 1,000
GALLON UST

91.0

93.0

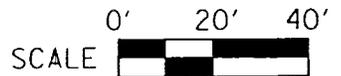
92.0

94.0

APPROXIMATE LIMIT
OF PLUME



ESTIMATED GROUNDWATER DIVIDE



HISTORICAL GROUNDWATER
FLOW DIRECTION AT
OUTAGAMIE CO-OP

WATER TABLE
ELEVATIONS MEASURED
ON JUNE 19, 2002

LEGEND

-  MW-1 MONITORING WELL
- 90.95 WATER TABLE ELEVATION (FEET)
-  APPARENT GROUNDWATER FLOW DIRECTION

EARTH  TECH

FIGURE 1
WATER TABLE MAP
FORMER 1,000 GAL. UST
STH 110 ROW
FREMONT, WISCONSIN
WISDOT PROJECT ID. 1510-08-77 44202

USH 10

OUTAGAMIE CO-OP
(CITGO)
E7487 HWY 10
FREMONT

R/W

FORMER FUEL
OIL UST

MW-3
91.84

BRASCH'S
CHEESE
N560
STH 110
FREMONT

MW-2
90.32

INTERMITTENT STREAM

WATER SUPPLY
WELL

MW-5
94.38

MW-4
93.86

MW-6
93.59

STH 110

SMOKE
HOUSE

MW-1
92.03

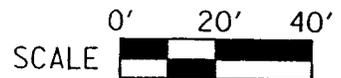
FORMER 1,000
GALLON UST

APPROXIMATE LIMIT
OF PLUME



R/W

ESTIMATED GROUNDWATER DIVIDE



HISTORICAL GROUNDWATER
FLOW DIRECTION AT
OUTAGAMIE CO-OP

WATER TABLE
ELEVATIONS MEASURED
ON JUNE 19, 2002

LEGEND

-  MW-1 MONITORING WELL
- 90.95 WATER TABLE ELEVATION (FEET)
-  APPARENT GROUNDWATER FLOW DIRECTION

EARTH  TECH

FIGURE 1
WATER TABLE MAP
FORMER 1,000 GAL. UST
STH 110 ROW
FREMONT, WISCONSIN
WISDOT PROJECT ID. 1510-08-77

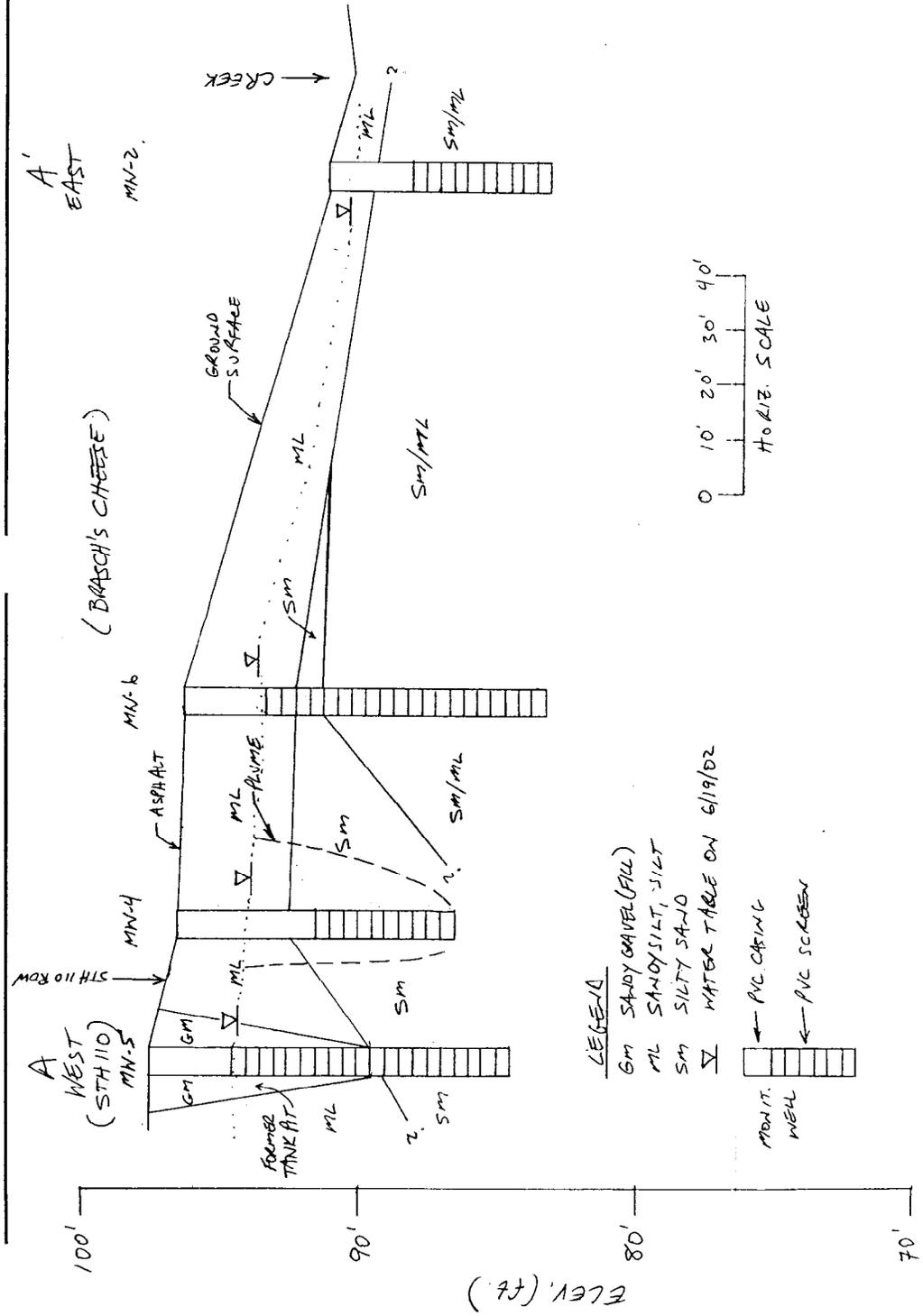
CALCULATION SHEET

PAGE 1 OF 1
 PROJECT NO. 44282
 Prepared by FEW Date 7/31/02
 Reviewed by _____ Date _____
 Approved by _____ Date _____

SUBJECT GEOLOGIC CROSS SECTION A-A'

PROJECT STH 110 ROW (MARKS #D3-69-258708)

WISDOT - SOE



August 5, 2002

John Lewis
WisDOT-BOE
PO Box 7965
Madison, WI 53707-7965

Subject: Natural Attenuation Monitoring Report No. 3
Former UST Site, STH 110 ROW
Fremont, Wisconsin
WisDOT Project ID 1510-08-77
DNR BRRTS No. 03-69-258708
Earth Tech Project No. 44202

Dear John:

Earth Tech, Inc. is submitting the third and final Natural Attenuation Monitoring Report for the above-referenced site. The enclosed analytical results are associated with groundwater sampling conducted on June 19, 2002. The goal of the monitoring program is to determine if groundwater remediation by natural attenuation is a feasible method to achieve regulatory case closure. This report also includes site investigation documentation not previously submitted.

Telephone
715.341.8110
Facsimile
715.341.7390

GROUNDWATER ELEVATIONS

Groundwater elevations were measured in Monitoring Wells MW-1 through MW-6. Groundwater occurs beneath the site under unconfined, water table conditions and was encountered at depths ranging from approximately 2 to 4 feet below ground surface (bgs). Water table elevation measurements made on June 19, 2002, indicate that groundwater apparently flows to the northeast. There was a difference in the water table elevation of 4.06 feet over a horizontal distance of approximately 160 feet from MW-5 to MW-2, resulting in a hydraulic gradient of 0.02 feet per foot. Water table contours for June 19, 2002, are shown in Figure 1. Well construction data and groundwater elevations are summarized in Table 1.

GROUNDWATER SAMPLE ANALYTICAL RESULTS

Groundwater samples collected on June 19, 2002, were analyzed by U.S. Filter/Enviroscan, Rothschild, Wisconsin. Laboratory results are summarized in Table 2, along with data from previous monitoring events. Well purging and sampling records, laboratory analytical reports, and chain of custody forms are enclosed.

Water samples collected from Monitoring Wells MW-1, MW-2, MW-4, MW-5, and MW-6 were laboratory analyzed for petroleum volatile organic compounds (PVOCs) and naphthalene. Water samples were not collected from Monitoring Well MW-3 because that well is beyond the limit of the contaminant plume. A duplicate sample collected from MW-4 and a trip blank sample were also analyzed for PVOCs and naphthalene for quality control purposes.



A **tyco** INTERNATIONAL LTD. COMPANY

Highlights of the water sample analytical results for June 19, 2002, are summarized below:

1. Benzene, trimethylbenzenes and naphthalene were detected at concentrations exceeding their respective NR 140 Enforcement Standards (ES) in the primary and duplicate water samples collected from MW-4.
2. Ethylbenzene and toluene were detected at concentrations exceeding their respective NR 140 Preventive Action Limits (PAL), but below the ES, in the primary and duplicate water samples collected from MW-4.
3. PVOCs and naphthalene were not detected in the water samples collected from MW-1, MW-2, MW-5, and MW-6.

NATURAL ATTENUATION PARAMETER RESULTS

Natural attenuation parameters, including dissolved oxygen (DO) and oxidation-reduction potential (ORP) were measured in the field for the purpose of establishing a secondary line of evidence that impacted groundwater can be remediated naturally. Natural attenuation analytical results are summarized in Table 3. The natural attenuation field measurements are documented on the enclosed sample collection forms. Highlights of the natural attenuation parameter results are as follows:

1. DO concentrations measured in the monitoring wells sampled ranged from 0.88 milligrams per liter (mg/L) in MW-5 to 7.38 mg/L in MW-2. Anaerobic conditions (DO <1.5 mg/L) were present immediately downgradient of the contaminant plume at MW-6. The DO concentration for MW-5 indicates anaerobic conditions were also present upgradient of the plume, which is contradictory to conditions detected during previous monitoring events. Therefore, the DO result for MW-5 on June 19, 2002, is considered anomalous. Slightly aerobic conditions were present within the plume at the location of MW-4. Naturally-occurring microorganisms prefer to use DO, when available, as an electron acceptor in the biodegradation of petroleum hydrocarbons. Typically, the inverse relationship between elevated petroleum hydrocarbon concentrations and low DO concentrations can be used as a primary indicator of biodegradation.
2. ORP levels measured in the monitoring wells sampled ranged from -4 millivolts (mV) in MW-4 to 188 mV in MW-1. Groundwater ORP is a measure of the relative tendency of a solution to donate or accept electrons. The ORP of a groundwater system depends upon and influences rates of biodegradation. Measuring ORP levels upgradient and within a plume can identify zones where intrinsic bioremediation (especially anaerobic processes) is lowering the ORP.

SITE INVESTIGATION DOCUMENTATION

Site investigation documents not previously submitted are enclosed and include:

1. Soil boring logs and borehole abandonment forms for Geoprobe™ Borings GP-1 through GP-9 sampled in May 2001.
2. Laboratory analytical reports and chain of custody records for soil and water samples collected from Geoprobe™ Borings GP-1 through GP-9.
3. Soil boring logs, construction records and development forms for Monitoring Wells MW-5 and MW-6 installed in November 2001.
4. A geologic cross section and associated index map depicting subsurface conditions along apparent groundwater flow direction.

A site map indicating the locations of Geoprobe™ Borings GP-1 through GP-9 and tabulated analytical results for soil and water samples collected from the borings were previously submitted to WisDOT and the DNR with the Site Investigation Status Report prepared by Earth Tech, dated October 11, 2001.

CONCLUSIONS

Based on field and analytical results obtained through June 2002, conclusions regarding groundwater quality beneath the site include the following:

1. The depth to groundwater, apparent groundwater flow direction and hydraulic gradient for June 2002 were similar to conditions measured during previous monitoring events.
2. Concentrations of PVOCs and naphthalene detected in groundwater samples collected from MW-4 in June 2002 were greater than in March 2002; however, the enclosed Mann-Kendall spreadsheet (DNR Form 4400-215) indicates statistically stable trends for each compound based on the four rounds of analytical results obtained since May 2001.
3. Groundwater is apparently not impacted by PVOCs and naphthalene at the locations of MW-1, MW-2, MW-5 and MW-6.
4. The natural attenuation parameter results obtained in the field and laboratory establish a secondary line of evidence that biodegradation of petroleum hydrocarbons in groundwater is occurring.

OPINIONS

Regulatory case closure is justified for the following reasons:

1. Petroleum hydrocarbon impacted groundwater is naturally attenuating through a process of biodegradation that is sometimes aerobic and sometimes anaerobic.
2. Concentrations of PVOCs and naphthalene detected in water samples collected from MW-4 have stabilized.
3. Groundwater is not impacted above the NR 140 PAL for dissolved lead based on Geoprobe™ sample analytical results.
4. The downgradient extent of the contaminant plume exceeding the NR 140 ES for benzene, naphthalene and trimethylbenzenes apparently lies beneath the parking lot at Brasch's Cheese and is not expected to migrate further because:
 - a. The release source, a 1,000-gallon leaking UST discovered within the STH 110 right of way, and approximately 24 tons of petroleum hydrocarbon impacted soil was removed in June 2000.
 - b. The age of the release associated with the former UST is relatively old and natural attenuation has probably been occurring for several decades.
5. Soil at the former UST location within the STH 110 right of way is apparently not impacted above the NR 720 generic Residual Contaminant Levels (RCL) for DRO, GRO, PVOCs, and lead.
6. Soil beyond the STH 110 right of way is apparently not impacted above the NR 720 generic RCLs for GRO, DRO, PVOCs, and lead.
7. Soil beyond the STH 110 right of way is apparently not impacted above the COMM 46 Table 1 Soil Screening Levels and Table 2 Soil Contaminant Concentrations.

Regulatory case closure must address the presence of contaminated groundwater remaining beneath the site. A one-time fee of \$1,000 must be paid to the DNR in accordance with the Table 1-Fee Schedule in NR 749 when a request for closure review is made for a case with groundwater contamination exceeding an ES. Since benzene, naphthalene and trimethylbenzenes exceed their respective NR 140 ES beneath the Brasch's Cheese Property, case closure concerning contaminated groundwater can be achieved as follows:

1. Register the property with the DNR's Geographic Information System (GIS) Registry of Closed Remediation Sites.



John Lewis - 44202
WisDOT-BOE
August 5, 2002
Page 5

Earth Tech appreciates the opportunity to assist WisDOT-BOE with this project. There are no further groundwater monitoring events planned at this time. If you have any questions, please call Kyle Wagoner at (715) 342-3038.

Very truly yours,

Earth Tech, Inc.



Kyle W. Wagoner, P.G., CHMM
Project Manager

Enclosures: As Noted

c: Janet Smith, WisDOT-4, w/encl.
→ Duane Koplien, Brasch's House of Cheese, w/encl.
Pamela Pillar, WDNR – Oshkosh, w/encl.

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NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and restrictions:

Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor agency, to determine what specific requirements are applicable, prior to constructing or reconstructing a well on this property. No well may be constructed on this property unless applicable requirements are met.

If construction is proposed on this property that will require dewatering, or if groundwater is to be otherwise extracted from this property, while this groundwater use restriction is in effect, the groundwater shall be sampled and analyzed for contaminants that were previously detected on the property and any extracted groundwater shall be managed in compliance with applicable statutes and rules.

The following activities are prohibited on that portion of the property described above where a cap or cover has been placed, as shown as the gravel and asphalt areas on Figure 3, 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 benefits and is enforceable by the Wisconsin Department of Natural Resources, its successors or assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

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

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 3 day of October, 2002.

Signature: Duane L. Koplien

Printed Name: Duane L. Koplien

Signature: Patricia E. Koplien

Printed Name: Patricia E KOPLIEN

Subscribed and sworn to before me this 3 day of October, 2002

Diane M. Sindlar
Notary Public, State of Wisconsin
My commission 2-6-2005

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

653153

Road Right of Way

ST. HWY. 10

Creek

Road Right of Way

MW3

S-1

MW2

Bench

MW4

MW1

Petroleum Contaminated Groundwater remains near the former location of monitoring well 4 (MW4) and Soil Contamination remains near the former locations of test pits #1-4 (TP#1-4) and TP#4-4.



Legend

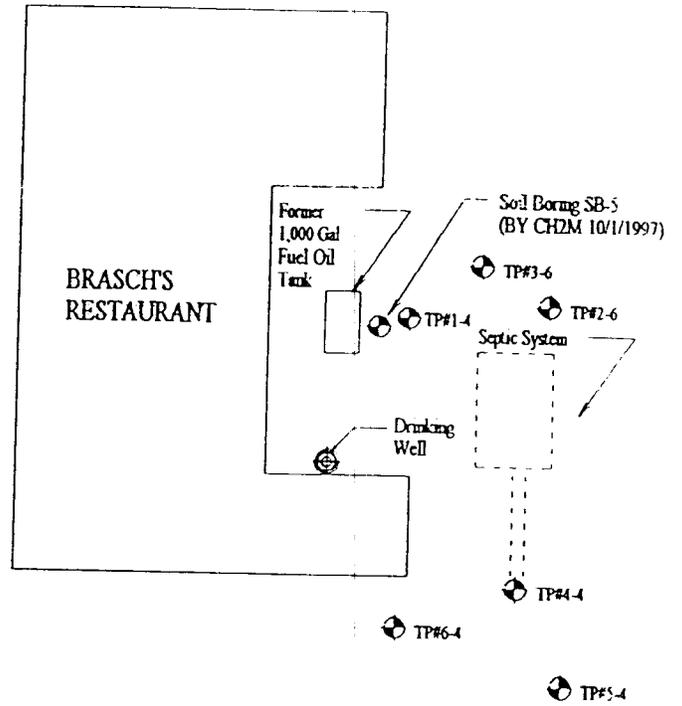
- Designated Benchmark 100.00'
- ⊕ Soil boring / groundwater monitoring well location

Environmental Assessments, Inc. P.O. Box 9127 Appleton, Wisconsin (920) 749-9746 Fax (920) 749-9748	Title: Site Map	Figure 1
	Project: Brasch Cheese Freemont, Wisconsin	Scale: 1" = 30'
		Drafted By: M. Johnson

STH 110



Road Right of Way



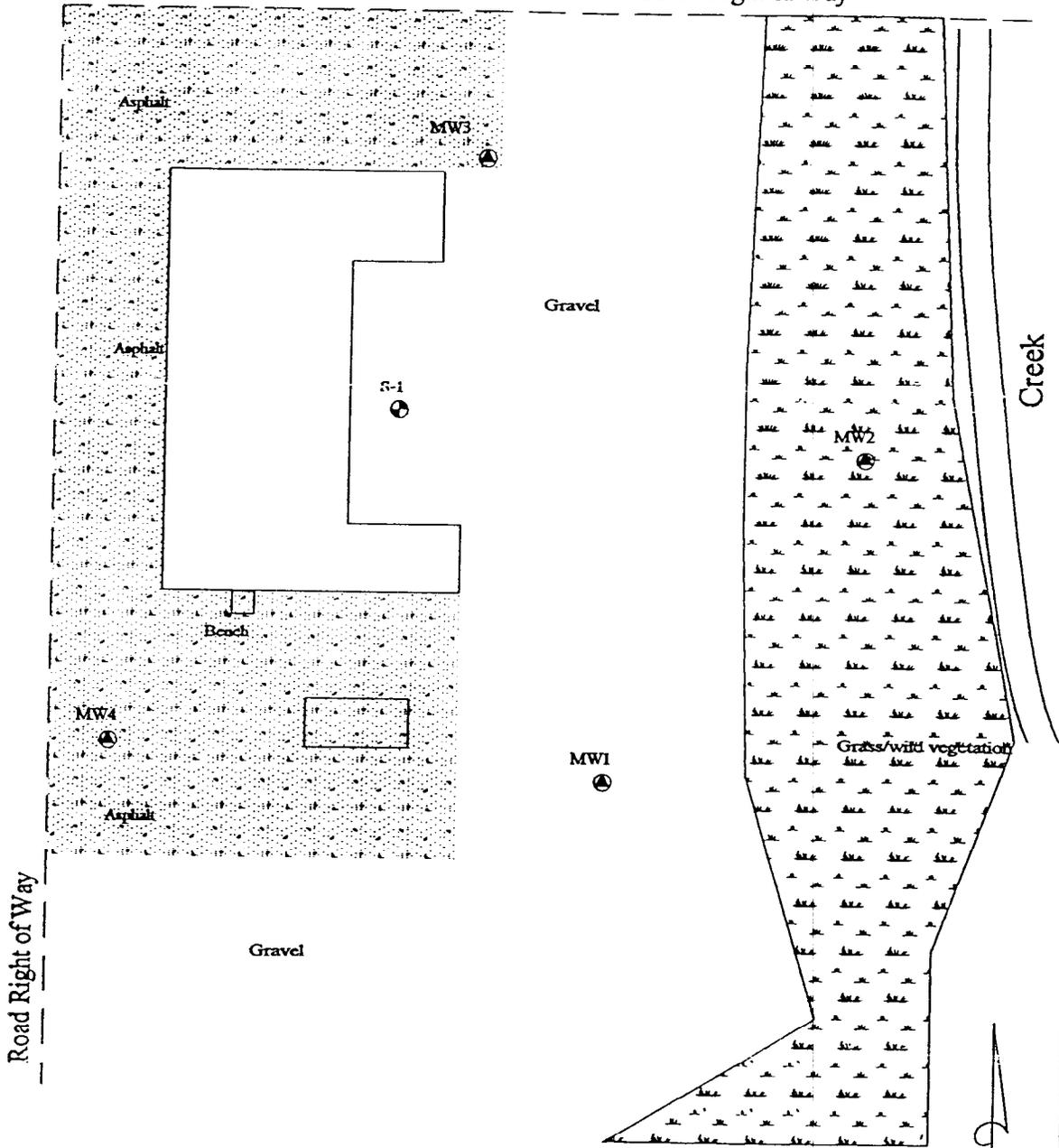
Petroleum Contaminated Groundwater remains near the former location of monitoring well 4 (MW4) and Soil Contamination remains near the former locations of test pits #1-4 (TP#1-4) and TP#4-4.

ENVIRONMENTAL ASSESSMENTS, INC. P.O. BOX 9127 APPLETON, WISCONSIN (920) 749-9746 Fax (920) 749-9748	Title:	Site Features Map	<h2>Figure 2</h2>
	Project:	Brasch's House of Cheese N560 STH 110 Fremont, Wisconsin	
	Drawn By:	Ayad Taofik	Revised By:

653153

ST. HWY. 10

Road Right of Way



N

Legend

- Designated Benchmark 100.00'
- ⊙ Soil boring / groundwater monitoring well location

Environmental Assessments, Inc. P.O. Box 9127 Appleton, Wisconsin (920) 749-9746 Fax (920) 749-9748	Title: Site Map Showing Surface Covering	Figure 3
	Project: Brasch Cheese Freemont, Wisconsin	Scale: 1" = 30'
	Drafted By: M. Johnson	