

GIS REGISTRY INFORMATION

SITE NAME:	TOWER PAINT		
BRRTS #:	02-71-531835	FID # (if appropriate):	
COMMERCE # (if appropriate):			
CLOSURE DATE:	04/25/2005		
STREET ADDRESS:	922 OREGON STREET		
CITY:	OSHKOSH		
SOURCE PROPERTY GPS COORDINATES (meters in WTM91 projection):	X=	636891	Y= 393976
CONTAMINATED MEDIA:	Groundwater <input checked="" type="checkbox"/>	Soil <input type="checkbox"/>	Both <input type="checkbox"/>
OFF-SOURCE GW CONTAMINATION >ES:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
IF YES, STREET ADDRESS 1:	136 10TH AVENUE		
GPS COORDINATES (meters in WTM91 projection):	X=	636900	Y= 393972
OFF-SOURCE SOIL CONTAMINATION >Generic or Site-Specific RCL (SSRCL):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
IF YES, STREET ADDRESS 1:			
GPS COORDINATES (meters in WTM91 projection):	X=		Y=
CONTAMINATION IN RIGHT OF WAY:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> 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	NA		
County Parcel ID number, if used for county, for all affected properties	X		
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 SSRCLs.	X		
Tables of Latest Groundwater Analytical Results (no shading or cross-hatching)	X		
Tables of Latest Soil Analytical Results (no shading or cross-hatching)	NA		
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)	NA		
SOIL: Latest horizontal extent of contamination exceeding generic or SSRCLs, with one contour	NA		
Geologic cross-sections, if required for SI. (8.5x14" if paper copy)	NA		
RP certified statement that legal descriptions are complete and accurate	X		
Copies of off-source notification letters (if applicable)	X		
Letter informing ROW owner of residual contamination (if applicable)(public, highway or railroad ROW)	NA		
Copy of (soil or land use) deed restriction(s) or deed notice if any required as a condition of closure	NA		



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

Oshkosh Service Center
625 E. CTY Y, Suite 700
Oshkosh, Wisconsin 54901-9731
Telephone 920-424-3050
FAX 920-424-4404

April 25, 2005

Mr. Greg Garl
2946 Manor Drive
Oshkosh WI 54904

SUBJECT: Final Case Closure By Closure Committee
Tower Paint, 922 Oregon St, Oshkosh WI
WDNR BRRTS #: 02-71-531835

Dear Mr. Garl:

On April 19, 2005, the Northeast Region Closure Committee reviewed the above referenced case 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 April 25, 2005 the Department received the monitoring well abandonment form for this 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://dnr.wi.gov/org/aw/rr/gis/index.htm>. If your property is listed on the GIS Registry due to groundwater contamination exceeding ch. NR 140 standards at the time of closure, 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 at the web address listed above.

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 920-424-7890.

Sincerely,

Kevin D. McKnight
Hydrogeologist
Remediation & Redevelopment Program

cc: file
ECCL-via email

VOL 1111 PAGE 210

THIS INDENTURE, Made by Orville E. Luedtke and Ruth E. Luedtke, husband and wife and the survivor of them

grantor S. of Winnebago County, Wisconsin, hereby conveys and warrants to Erwin A. Fashingbauer and Violet G. Fashingbauer, husband and wife as joint tenants

grantee S. of Winnebago County, Wisconsin, for the sum of One Dollar (\$1.00) and other good and valuable considerations----- Dollars,

the following tract of land in Winnebago County, State of Wisconsin:

Lot Thirteen (13) of Block Fifteen (15) in the plat of the Original Third Ward, and now in the THIRD WARD, City of Oshkosh, also described as Lot Thirteen (13) of Block Fifteen (15) in the plat of the ORIGINAL THIRD WARD, in the Ninth Ward, City of Oshkosh, per Leach's Map of 1894, and now in the Third Ward of said City.



(IF NECESSARY, CONTINUE DESCRIPTION ON REVERSE SIDE)

In Witness Whereof, the said grantor S. have hereunto set their hand and seal S. this 29th day of June, A. D., 19 65.

SIGNED AND SEALED IN PRESENCE OF

George W. Radtke

Marcia Redemann

Orville E. Luedtke (SEAL)
Orville E. Luedtke

Ruth E. Luedtke (SEAL)
Ruth E. Luedtke

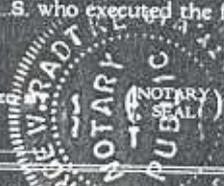
(SEAL)

(SEAL)

State of Wisconsin, Winnebago County, Personally came before me, this 29th day of June, A. D., 19 65, the above named Orville E. Luedtke and Ruth E. Luedtke, husband and wife as joint tenants to me known to be the person S. who executed the foregoing instrument and acknowledged the same.

THIS INSTRUMENT WAS DRAFTED BY

George W. Radtke



George W. Radtke
Notary Public, Winnebago County, Wis.
My commission (expiration) (is) Permanent

Section 99.51 (1) of the Wisconsin Statutes provides that all instruments to be recorded shall have plainly printed or typewritten thereon the names of the grantors, grantees, witnesses and notary. Section 99.513 similarly requires that the name of the person who, or governmental agency which, drafted such instruments, shall be printed, typewritten, stamped or written thereon in a legible manner.

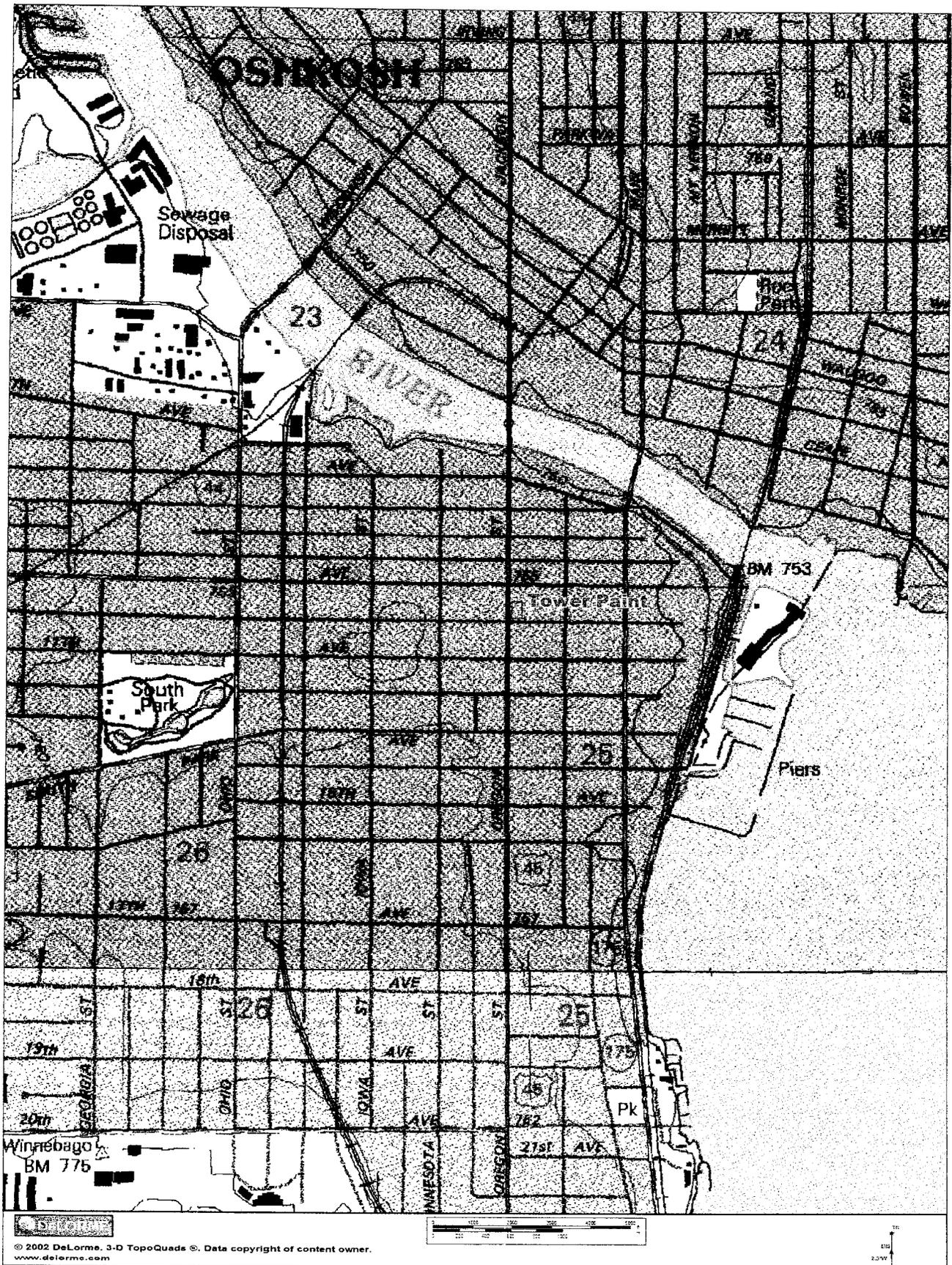
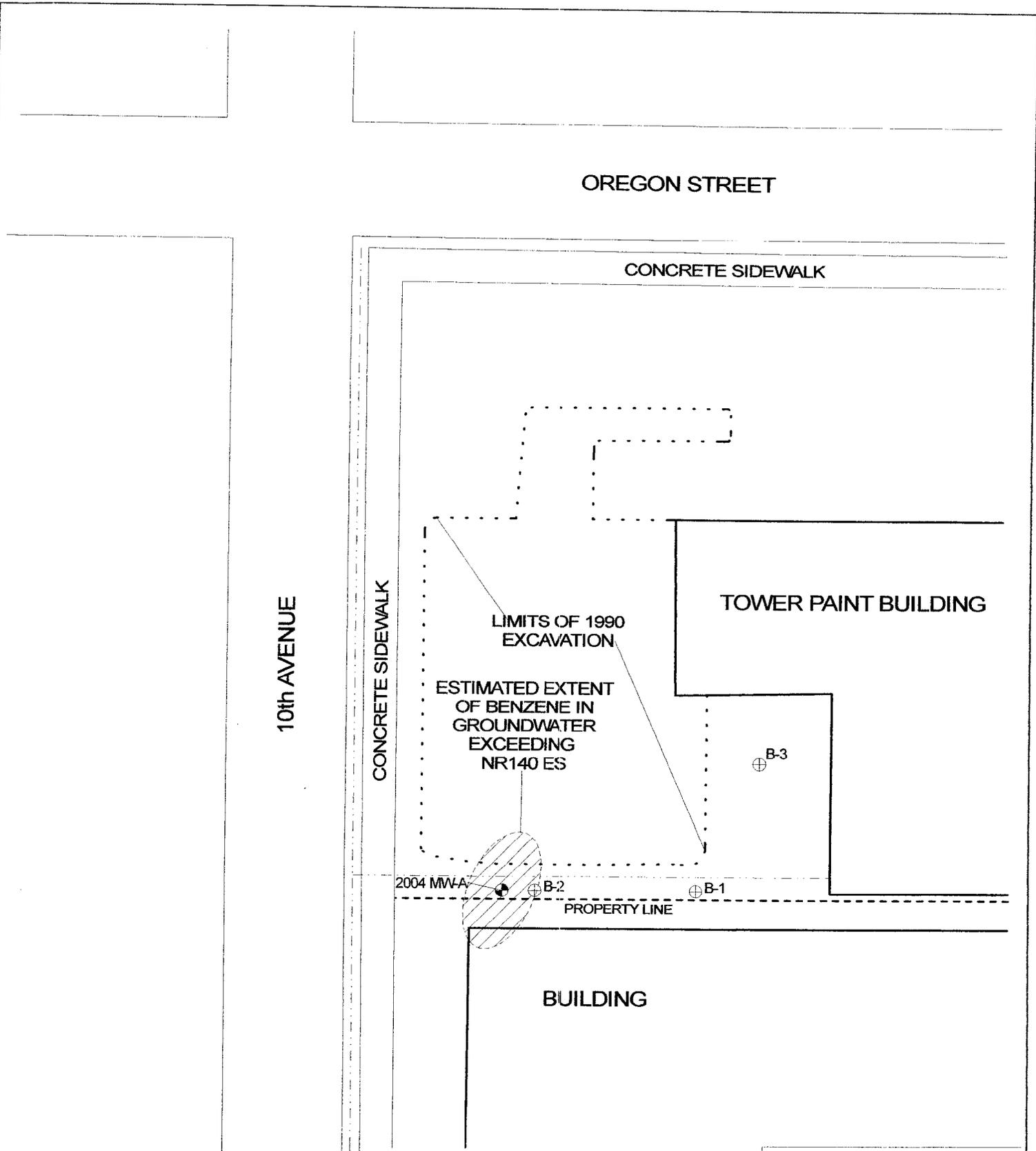
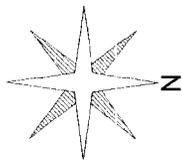


Figure 1: Location of subject site (Tower Point) shown on U.S. Geological Survey topographic map of the Oshkosh, Wisconsin, quadrangle.



Legend

- ⊕ ECCI Phase II Soil Borings
- ECCI Monitoring Well
- - - - Natural Gas Line



Site Diagram
Tower Paint
Oshkosh, Wisconsin



Environmental Compliance
Consultants, Inc.

FIGURE 1

Drawn By:
JRV
Reviewed By:
RJM

March 2005

**Groundwater Analytical Results
Tower Paint
Temporary Monitoring Wells**

Sample Date	Benzene	Ethylbenzene	Acetone	Toluene	MTBE	Xylenes (total)	TMBs (total)	Naphthalene	1,2 Dichloroethane	DO (mg/L)	Temperature (O C)	Ph	water level
TW-1 Top of Well Screen (msl):													
5-May-04	<0.41	<0.54	22	<0.67	<0.61	<2.63	<1.71	<0.74	<0.36	NM	NM	NM	
TW-2 Top of Well Screen (msl):													
5-May-04	<i>1.1</i>	2.3	60	2.7	<0.61	2.4	<1.71	<0.74	5.7	NM	NM	NM	
TW-3 Top of Well Screen (msl):													
5-May-04	<0.41	<0.54	17	<0.67	<0.61	<2.63	<1.71	<0.74	<0.36	NM	NM	NM	
NR 140 ES	5	700	200	1,000	60	10,000	480	40					
NR 140 PAL	<i>0.5</i>	<i>140</i>	<i>1000</i>	<i>200</i>	<i>12</i>	<i>1,000</i>	<i>96</i>	<i>8</i>					

Bold font = NR 140 ES exceedance

Italics = NR 140 PAL exceedance

NA=Not Analyzed

NM= Not Measured

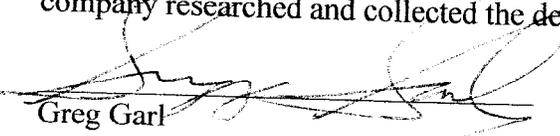
All analytical results given in micrograms/liter (ug/L) unless otherwise noted

**Soil Sampling-4/30/04
Tower Paint**

Boring	Depth (feet)	DRO (ppm)	GRO (ppm)	Benzene (ppb)	Ethyl- benzene (ppb)	MTBE (ppb)	Toluene (ppb)	1,2,4-TMB (ppb)	1,3,5-TMB (ppb)	Total Xylenes (ppb)
NR 746 Table 1				8500	4600		38000	83000	11000	42000
NR 746 Table 2				1100						
NR 720 RCL--> D		100	100	5.5	2900		1500	4100		
Sample Name										
B1-2	2-4	91	<3.0	<25	<25	<25	<25	<25	<25	<75
B2-2	2-4	9	3.4	<25	<25	<25	<25	<25	<25	<75
B3-2	2-4	30	<3.1	<25	<25	<25	<25	<25	<25	<75

Italic Indicates the exceedance of NR 746 Table 1 values - Indicators of Residual Petroleum Products in Soil
 derlined Cell indicates exceedence of NR 746 Table 2 values - Protection of Human Health from Direct Contact

I believe that the deed information provided for the properties included in this GIS package is correct. My environmental consultant prepared a list of affected properties, and a local title company researched and collected the deed information for each property.



Greg Garl

3-21-05
Date

COPY



ENVIRONMENTAL COMPLIANCE CONSULTANTS, INC.

P.O. Box 1612 • OSHKOSH, WI 54903-1612 • 920-231 5090 (VOICE) • 920-231-1193 (FAX)

February 25, 2005

Prast Properties LLC
2043 Trissino Way
Green Bay, WI 54313

Dear Property Owner:

Environmental Compliance Consultants, Inc. (ECCI) is writing to you on behalf of our client, Mr. Greg Garl. Mr. Garl is the responsible party for identified petroleum-impacted soils and groundwater at 922 Oregon Street, otherwise known as Tower Paint.

As you are aware, petroleum-impacted groundwater was discovered at this address in 2004 during an environmental screen for a property transaction. These current impacts appear to be remnants of release(s) from petroleum underground storage tank systems that existed on the property up until the early 1990's, when they were removed during a site investigation and remediation project. While the currently reported benzene concentrations exceed the NR 140 groundwater quality enforcement standards (ES), they now appear to be declining with time and should not be a cause for worry. At this time we are preparing a closure request document for the DNR to consider site close-out under Wisconsin Administrative Code NR 726, assuming that the remaining petroleum impacts to the ground water will go away in a reasonable time frame, using natural attenuation as a final remedy. One of the DNR closure requirements is that our client, or ECCI on his behalf, must send you this letter, which gives you 30 days to provide the DNR with any technical information that you feel would warrant keeping this case open.

In addition, we must confirm that the legal property description enclosed with this letter is accurate. A local title company obtained this information.

If the DNR decides to close this case, they will include a copy of our closure documentation, as well as a legal description for each impacted property, on a State of Wisconsin run geographic information system. As described in more detail below, all this posting really does, is require that you or future property owners notify appropriate entities at the DNR if you wish to install a drinking water well on your property. Since your property is located within the city limits and connected to city water, this requirement, of course, is a moot point—no potable wells will ever be drilled on your property. (And, as I said, even if such a well were to be drilled, the posting requirement would not forbid it. Instead, it simply would require that the well be constructed in a manner that seals off the shallow impacted water from entering the well intake.)

The following paragraphs in italics include "boilerplate" language that the DNR, per Chapter NR 726, Wis. Adm. Code, requires to be included in this letter. I apologize if some of it is redundant to what I have already said.

The Department of Natural Resources will not review this 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. Kevin McKnight, WDNR BRR, 625 East Cty Rd Y, Suite 700, Oshkosh, WI 54901.

If this case is closed, all properties within the site boundaries where ground water contamination exceeds chapter NR 140 ground water enforcement standards will be listed on the Department of Natural Resources' geographic information system (GIS) Registry of Closed Sites. The information on the GIS Registry, includes maps showing the location of properties in Wisconsin where ground water contamination above chapter NR 140 enforcement standards was found at the time that the case was closed. This GIS Registry will be available to 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 ground water 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 of a 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 a 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 this 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 have questions, you may contact me at (920)-231-5090, Mr. Kevin McKnight of the DNR in Oshkosh at (920)-424-7890.

Sincerely:


Robert J. Meller, P.G.

enc.



ENVIRONMENTAL COMPLIANCE CONSULTANTS, INC.

P.O. Box 1612 • OSHKOSH, WI 54903-1612 • 920-231-5090 (VOICE) • 920-231-1193 (FAX)

February 25, 2005

COPY

Mr. Erwin Fashingbauer
2140 9th Avenue
Oshkosh, WI 54904-7235

Dear Mr. Fashingbauer:

Environmental Compliance Consultants, Inc. (ECCI) is writing to you on behalf of our client, Mr. Greg Garl. Mr. Garl is the responsible party for identified petroleum impacted soils and groundwater at 922 Oregon Street, otherwise known as Tower Paint.

Petroleum-impacted groundwater was discovered at this address in 2004 during an environmental screen for a property transaction. As I am sure you are aware, being a long-time owner of the property at 136 10th Avenue, the Tower Paint property is the site of a former gasoline station at which environmental investigation and cleanup operations were originally undertaken in the early 1990s. These current impacts appear to be remnants of that release and do not appear to be a cause for worry. However, they do extend for at least a short distance into the western edge of your property.

At this time we are preparing a closure request document for the DNR to consider site close-out under Wisconsin Administrative Code NR 726, assuming that the remaining petroleum impacts to the ground water will go away in a reasonable time frame, using natural attenuation as a final remedy. One of the DNR closure requirements is that our client, or ECCI on his behalf, must send you this letter, which gives you 30 days to provide the DNR with any technical information that you feel would warrant keeping this case open.

In addition, we must confirm that the enclosed legal property description, enclosed with this letter, is accurate. A local title company obtained this information.

If the DNR decides to close this case, they will include a copy of our closure documentation, as well as a legal description for each impacted property, on a State of Wisconsin run geographic information system. As described in more detail below, all this posting really does, is require that you or future property owners notify appropriate entities at the DNR if you wish to install a drinking water well on your property. Since your property is located within the city limits and connected to city water, this

requirement is a moot point—no potable wells will ever be drilled on your property. (And, as I said, even if such a well were to be drilled, the posting requirement would not forbid it. Instead, it simply would require that the well be constructed in a manner that seals off the shallow impacted water so that it cannot enter the well intake.)

The following paragraphs in italics include “boilerplate” language that the DNR, per Chapter NR 726, Wis. Adm. Code, requires to be included in this letter. I apologize if some of it is redundant to what I have already said.

Since the source of the ground water contamination is not on your property, neither you nor any subsequent owner of your property will be held responsible for investigation or clean up of this ground water 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 1-800-367-6076 for calls originating in Wisconsin, or 608-262-6020 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 10: Guidance for Dealing with Properties Affected by Off-Site Contamination. The Department of Natural Resources will not review this 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. Kevin McKnight, WDNR BRR, 625 East Cty Rd Y, Suite 700, Oshkosh, WI 54901.

If this case is closed, all properties within the site boundaries where ground water contamination exceeds chapter NR 140 ground water enforcement standards will be listed on the Department of Natural Resources’ geographic information system (GIS) Registry of Closed Sites. The information on the GIS Registry, includes maps showing the location of properties in Wisconsin where ground water contamination above chapter NR 140 enforcement standards was found at the time that the case was closed. This GIS Registry will be available to 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 ground water 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 of a 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 a 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 this 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 have questions, you may contact me at (920)-231-5090, Mr. Kevin McKnight of the DNR in Oshkosh at (920)-424-7890.

Sincerely:

A handwritten signature in cursive script that reads "Robert J. Meller". The signature is written in black ink and is positioned above the printed name.

Robert J. Meller, P.G.

enc.