

The following site is being submitted for inclusion into the GIS registry:

This is a:	New Submittal
BRRTS ID (no dashes):	0371000186
Comm # (no dashes):	54901610681
County:	Winnebago
Region:	Commerce
Site name:	Shea's Muffler
Street Address:	1781 W 9th Ave
City:	Oshkosh
Closure Date	2001-10-22
Closure Conditions:	met
Offsite contamination?	No
Right-of-way contamination?	No
Contaminated media:	Groundwater
GPS Coordinates (meters in the <b>WTM91</b> projection)	
Easting (X):	634100.74
Northing (Y):	394021.41
Submitted by:	Cheryl Nelson

Checklist

- Final Closure Letter
- Copy of recorded deed Instrument for any property with GW >NR140 ES
- General Location Map
- Detailed Location Map showing property boundaries, buildings, etc for properties with GW >NR140 ES
- Latest Map(s) showing extent or outline of current GW plume
- GW flow direction
- MW(s) and/or potable wells
- Latest Table of GW results



ENVIRONMENTAL & REGULATORY SERVICES  
2129 Jackson Street  
Oshkosh, Wisconsin 54901  
(920) 424-0025  
TDD #: (608) 264-8777  
www.commerce.state.wi.us

Scott McCallum, Governor  
Philip Edw. Albert, Acting Secretary

October 22, 2001

*Sent 11-12-01*

Mr. Joe Shea  
561 S. Military Road  
Fond du Lac, WI 54935

RE: **Final Closure – Shea’s Muffler**  
1781 w. 9<sup>th</sup> Ave., Oshkosh, WI  
Commerce #54901-6106-81 WDNR BRRTs #03-71-000186

Dear Mr. Shea:

The Wisconsin Department of Commerce (Department) Bureau of PECFA Site Review Section is in receipt of documentation that the conditions necessary for site closure detailed in the CONDITIONAL CASE CLOSURE letter dated March 27, 2000 have been met. The Department considers no further action is necessary and has updated our database to reflect this closure. The Department recommends that all site documents be maintained for future reference.

Thank you for your efforts in restoring Wisconsin’s environment. If you have questions, please contact me at 920-424-0025.

Sincerely,

Thomas Verstegen  
Department of Commerce  
PECFA - Site Review Section

cc: PECFA File – pf\pecfa\549\54901\610681\close-final.doc  
Mr. Christopher Hatfield – Northern Environmental  
Mr. Steve Murphy, GNI of Oshkosh, LLC, 3208 S. Alpine Rd, Rockford IL,  
61109

*Sherris Mutter  
Oshkosh*

1150773

REGISTER'S OFFICE  
WINNEBAGO COUNTY, WI  
RECORDED ON

10-17-2001 04:01 PM

SUSAN WINNINGHOFF  
REGISTER OF DEEDS

RECORDING FEE 17.00  
TRANSFER FEE  
# OF PAGES 4

**NOTICE TO ABANDON  
MONITORING WELLS**

In Re: That parcel of property located in the  
City of Oshkosh, Winnebago County,  
Wisconsin, commonly known as 1781  
West Ninth Street and legally described  
in the attached Exhibit A.

**RECEIVED**  
**OCT 21 2001**  
**ERS DIVISION**

STATE OF WISCONSIN )  
 ) ss.  
COUNTY OF WINNEBAGO )

Return to:  
Atty. Steven P. Krause  
15 Park Place, Suite 500  
Appleton, WI 54914-8250

913-0849-01  
Parcel Identification Number

Section 1. GNI of Oshkosh South L.L.C. is  
the owner of the above-described property.

Section 2. One or more petroleum  
discharges have occurred at this property. The release has been reported to  
the Wisconsin Department of Natural Resources (WDNR) (BRRTS #03-71-  
000186) and the Wisconsin Department of Commerce (WDCOMM) (ID #54901-  
6106-81).

Section 3. In conjunction with an environmental investigation,  
groundwater monitoring wells were constructed on this property. According to  
Wisconsin Administrative Code NR 141.25(1)(b), wells constructed for this  
purpose must be properly abandoned. Upon completion of the remedial action,  
the site was redeveloped and two of these wells could not be located.  
Monitoring wells MW100 and MW200, whose approximate locations are shown  
on Exhibit B attached hereto, and constructed of two (2) inch inside diameter  
PVC piping and extending to approximately fifteen (15) feet below grade, could  
not be located for proper abandonment.

Section 4. 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 limitations and/or restrictions:

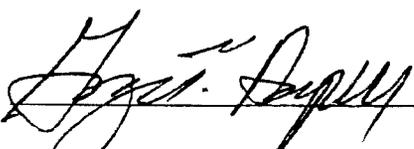
When located, the above described monitoring wells must be abandoned  
according to NR 141.25(2) procedures.

Any person who is or becomes owner of the property described above may  
request that the Wisconsin Department of Commerce, or its successor, issue a

determination that the restrictions set forth in this covenant are no longer required. That property owner shall provide any and all necessary information to the Department in order for the Department to be able to make a determination. Upon receipt of such a request, the Department shall determine whether or not the restrictions contained herein can be extinguished. Conditions under which a restriction may be extinguished will be determined in accordance with the site specific standards, rules and laws for this property. If the Department determines that the restrictions can be extinguished, an affidavit, with a copy of the Department's written determination, may be recorded to give notice that this restriction, or portions of this restriction are no longer binding. Any restriction placed upon this property shall not be extinguished without the Department's written determination.

IN WITNESS WHEREOF, the owner of the property has executed this document, this 16th day of October, 2001.

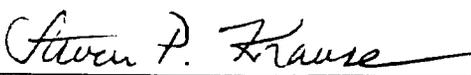
By signing this document, the undersigned acknowledges that he is duly authorized to sign this document on behalf of GNI of Oshkosh L.L.C.

Signature: 

Printed Name: George T. Ralph

Title: Member

Signature of George T. Ralph authenticated this 17<sup>th</sup> day of October, 2001.



Steven P. Krause

TITLE: MEMBER STATE BAR OF WISCONSIN

This document was drafted by Attorney Steven P. Krause.

**EXHIBIT A**

That part of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 27, Township 18 North, Range 16 East, in the Thirteenth Ward, City of Oshkosh, Winnebago County, Wisconsin, described as follows:

Commencing at the Northwest corner of Lot 28, West Addition To Armory Place Plat; thence North  $0^{\circ}27'$  East, along the extended West line of West Addition To Armory Place Plat, 160.0 feet to the point of beginning; thence North  $89^{\circ}5'$  West 227.05 feet to a point on the Easterly right-of-way line of a service road; thence along the Easterly right-of-way line of said service road 137.82 feet along the arc of a  $35^{\circ}0'$  curve, concave to the left, the chord of which bears North  $18^{\circ}52'$  East and measures 135.65 feet; thence North  $1^{\circ}13'$  East, along the Easterly right-of-way line of said service road, 2.88 feet to a point on the South right-of-way line of Ninth Street; thence North  $89^{\circ}2'$  East, along the South right-of-way line of Ninth Street, 184.21 feet to a point on the extended West line of West Addition To Armory Place Plat, said point being 32.0 feet South  $0^{\circ}27'$  West of the original centerline of Ninth Street; thence South  $0^{\circ}27'$  West, along the extended West line of West Addition To Armory Place Plat, 138.0 feet to the point of beginning, less premises conveyed to the City of Oshkosh by Warranty Deed recorded as Document No. 792905.



Petroleum-contaminated soil was encountered and removed from the property and no petroleum-contaminated soil is known to remain on the property. Some soil that contains measurable concentrations of petroleum that originated from the release at this property may remain beneath the street on municipal property. If petroleum-contaminated soil is excavated in the future, it may be considered a solid waste and will need to be disposed in accordance with all applicable laws.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Commerce, or its successor, issue a determination that the restrictions set forth in this covenant are no longer required. That property owner shall provide any and all necessary information to the Department in order for the Department to be able to make a determination. Upon receipt of such a request, the Department shall determine whether or not the restrictions contained herein can be extinguished. Conditions under which a restriction may be extinguished will be determined in accordance with the site specific standards, rules and laws for this property. If the Department determines that the restrictions can be extinguished, an affidavit, with a copy of the Department's written determination, may be recorded to give notice that this restriction, or portions of this restriction are no longer binding. Any restriction placed upon this property shall not be extinguished without the Department's written determination.

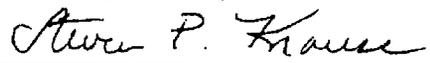
IN WITNESS WHEREOF, the owner of the property has executed this document, this 12th day of July, 2001.

By signing this document, the undersigned acknowledges that he is duly authorized to sign this document on behalf of GNI of Oshkosh South L.L.C.

Signature: 

Printed Name: Steven Murphy  
Title: Member

Signature of Steven Murphy authenticated this 13th day of July, 2001.



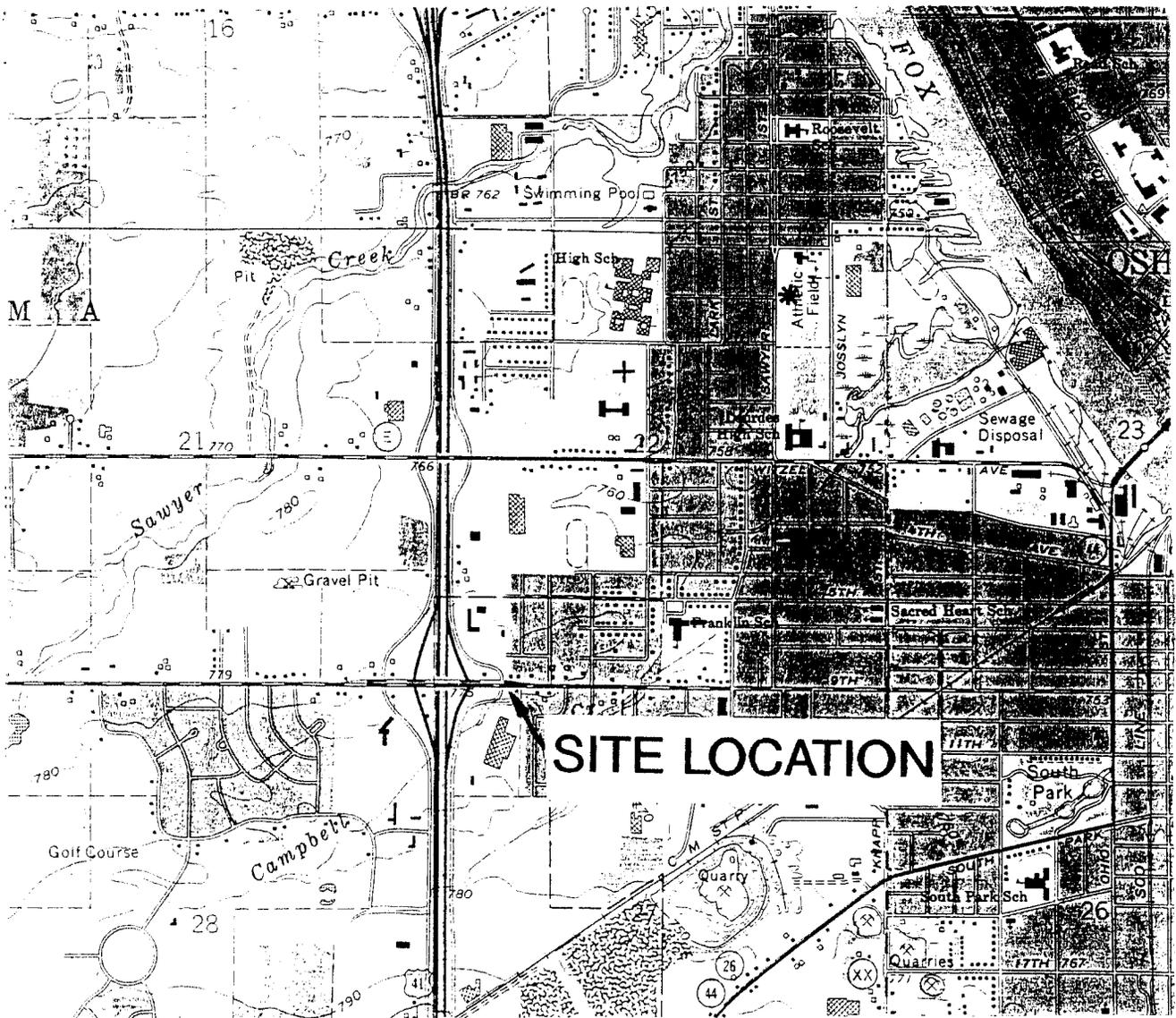
Steven P. Krause  
Member: State Bar of Wisconsin.

This document was drafted by Northern Environmental Technologies, Incorporated.

**EXHIBIT A**

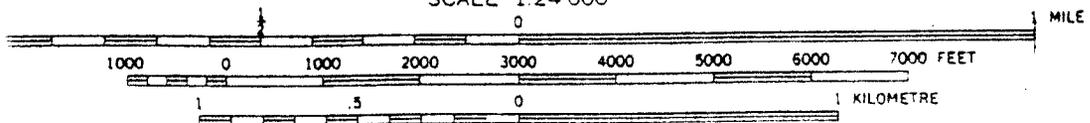
That part of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 27, Township 18 North, Range 16 East, in the Thirteenth Ward, City of Oshkosh, Winnebago County, Wisconsin, described as follows:

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**SITE LOCATION**

SCALE 1:24 000



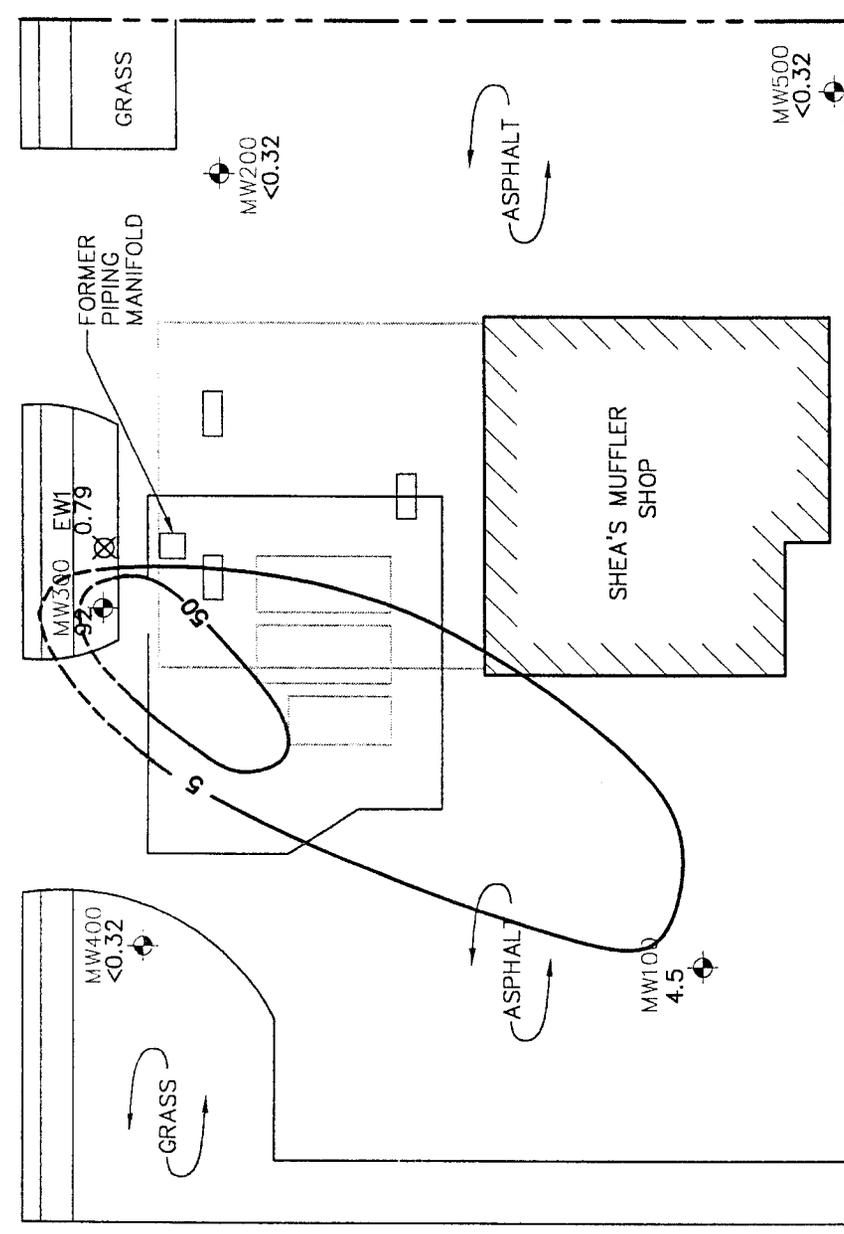
QUADRANGLE LOCATION

BASE MAP SOURCE: OSHKOSH WISCONSIN 7.5 MINUTE QUADRANGLE, 1961, PHOTOREVISED 1976

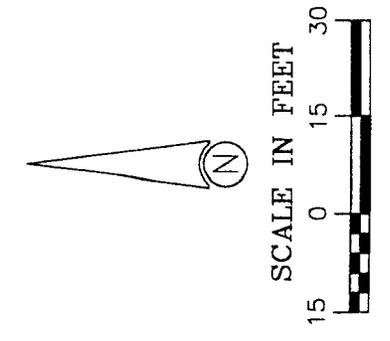
REV 7/7	PROJECT: SMS 131237	DATE:	<p align="center"><b>1781 WEST NINTH AVENUE OSHKOSH, WISCONSIN</b></p>
<p>THIS DRAWING AND ALL INFORMATION CONTAINED THEREON IS THE PROPERTY OF NORTHERN ENVIRONMENTAL INCORPORATED AND SHALL NOT BE COPIED OR USED EXCEPT FOR THE PURPOSE FOR WHICH IT IS EXPRESSLY FURNISHED THE DRAWING AND ANY COPIES THEREOF SHALL BE RETURNED TO THE OWNER ON DEMAND</p>			
<p align="center"><b>▲ Northern Environmental</b> Hydrologists • Engineers • Geologists</p>			<p align="center"><b>SITE LOCATION AND LOCAL TOPOGRAPHY</b></p>

**FIGURE 1**

WEST NINTH STREET



- EXPLANATION**
- EW1 0.79
  - EXTRACTION WELL WITH BENZENE CONCENTRATION (ug/l)
  - MW400 <math><0.32</math>
  - MONITORING WELL WITH BENZENE CONCENTRATION (ug/l)
  - EXTENT OF REMEDIAL EXCAVATION AND FORMER UST LOCATIONS
  - OUTLINE OF DISPENSERS AND DISPENSER ISLAND CANOPY
  - BENZENE ISOCONCENTRATION DASHED WHERE INFERRED



DRAWN BY: PXW PROJECT: SMS-1237 DATE: 10/28/99

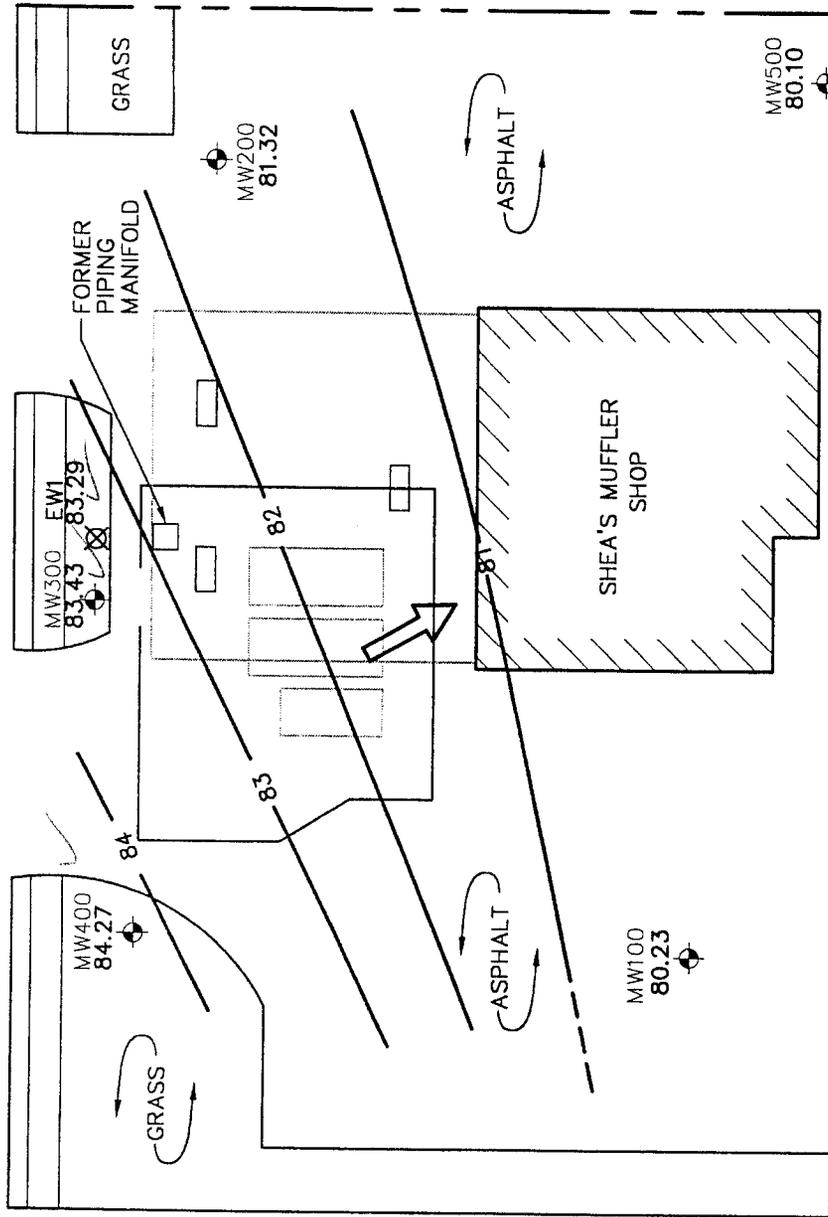
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**Northern Environmental**<sup>SM</sup>  
 Hydrologists • Engineers • Geologists

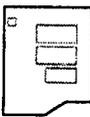
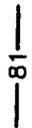
SHEA'S MUFFLER SHOP  
 OSHKOSH, WISCONSIN

BENZENE ISOCONCENTRATION MAP  
 NOVEMBER 16, 1998

WEST NINTH STREET



KOELLER AVENUE

- EW1 83.29  EXPLANATION  
EXTRACTION WELL
- MW400 84.27  MONITORING WELL WITH GROUND WATER ELEVATION IN FEET
-  EXTENT OF REMEDIAL EXCAVATION AND FORMER UST LOCATIONS
-  OUTLINE OF DISPENSERS AND DISPENSER ISLAND CANOPY
- 81—  GROUND—WATER ELEVATION CONTOUR LINE
-  GROUND—WATER FLOW DIRECTION



NOTE: MW100, MW200, AND MW300 WERE INSTALLED IN 1989 BY MILLER ENGINEERS AND SCIENTISTS

DRAWN BY: PWM PROJECT: SMS-1237 DATE: 10/28/99  
 REV. DATE THIS DRAWING AND ALL INFORMATION CONTAINED THEREON IS THE PROPERTY OF NORTHERN ENVIRONMENTAL INCORPORATED AND SHALL NOT BE COPIED OR USED EXCEPT FOR THE PURPOSE FOR WHICH IT IS EXPRESSLY FURNISHED.

SHEA'S MUFFLER SHOP  
 OSHKOSH, WISCONSIN

GROUND—WATER ELEVATION  
 CONTOUR MAP  
 NOVEMBER 16, 1998

**Northern Environmental**<sup>SM</sup>  
 Hydrologists • Engineers • Geologists

Table 3 Ground-Water Laboratory Analysis Results, Shea's Muffler Shop, Oshkosh, Wisconsin

Monitoring Well	Date	GRO µg/l	Benzene µg/l	n-Butyl- benzene µg/l	sec-Butyl- benzene µg/l	1,2-Dichloro- ethane µg/l	Ethylbenzene µg/l	Isopropyl- benzene µg/l	MTBE µg/l	Naphthalene µg/l	n-Propyl- benzene µg/l	Toluene µg/l	Trimethyl- benzene µg/l	Xylenes µg/l	Lead µg/l
MW100	10/25/89	-	<1.0	-	-	<0.5	<0.5	-	-	-	-	<1.0	-	<1.0	-
	11/08/89	-	<1.0	-	-	<0.5	<0.5	-	-	-	-	2	-	<1.0	-
	04/19/93	<100	<0.6	<2.0	<1.0	<1.0	<1.0	<1.0	12	<2.0	<1.0	<1.0	<2.0	<1.5	<1
	02/18/94	<100	<0.6	<2.0	<1.0	1.0	<1.0	<1.0	35	<2.0	<1.0	<1.0	<2.0	-	2
	04/22/94	<100	<0.6	-	-	-	<1.0	-	7.4	-	-	<1.0	<2.0	<2.5	-
	12/29/94	-	3.2	-	-	-	<1.0	-	39	-	-	<1.0	<2.0	<2.5	<1
	04/12/96	<100	5.4	<0.7	-	-	<0.7	-	25	-	-	<1.0	<2.0	<2.5	-
	03/19/97	<100	1.7	-	-	-	<0.68	-	11	-	-	<1.0	<1.9	<2	-
	06/03/97	-	2.8	-	-	-	<0.68	-	14	-	-	<1.5	<1.86	<1.8	-
	04/01/98	-	1.2	-	-	-	<0.34	-	14	-	-	<1.5	<1.86	<1.8	-
	07/09/98	-	6.4	-	-	-	<0.34	-	16	-	-	1.3	<0.99	<1	-
	* 07/09/98	-	5.5	-	-	-	<0.34	-	15	-	-	<0.35	<0.99	<0.98	-
	11/16/98	-	4.5	-	-	-	<0.34	-	14	-	-	<0.35	<0.99	<1	-
	* 11/16/98	-	4.3	-	-	-	<0.34	-	16	-	-	<0.35	<0.99	<1	-
MW200	10/25/89	-	<1.0	-	-	<0.5	<0.5	-	-	-	-	1	-	2	-
	11/08/89	-	<1.0	-	-	<0.5	0.6	-	-	-	-	3	-	11	-
	04/19/93	<100	<0.6	<2.0	<1.0	<1.0	<1.0	<1.0	19	<2.0	<1.0	<1.0	<2.0	<1.5	<2
	02/18/94	<100	<0.6	<2.0	<1.0	<1.0	<1.0	<1.0	16	<2.0	<1.0	<1.0	<2.0	-	3
	04/22/94	<100	<0.6	-	-	-	<1.0	-	11	-	-	<1.0	<2.0	<2.5	-
	12/29/94	<100	<0.6	-	-	-	<1.0	-	<1.0	-	-	<1.0	<2.0	<1.0	<1
	04/12/96	<100	<0.7	-	-	-	<0.7	-	12	-	-	<1	<1.9	<2	-
	03/19/97	<100	<0.21	-	-	-	<0.68	-	7.7	-	-	<1.5	<1.86	<1.8	-
	06/03/97	-	<0.21	-	-	-	<0.68	-	5.8	-	-	<1.5	<1.86	<1.8	-
	04/01/98	-	<0.32	-	-	-	<0.34	-	6.5	-	-	0.61"J"	-	-	-
	07/09/98	-	<0.32	-	-	-	<0.34	-	4.6	-	-	<0.35	<0.99	<0.98	-
11/16/98	-	<0.32	-	-	-	<0.34	-	8.5	-	-	<0.35	<0.99	<1	-	
MW300	10/25/89	-	320	-	-	35	43	-	-	-	-	65	-	260	-
	11/08/89	-	250	-	-	<50	940	-	-	-	-	2300	-	12,000	-
	04/19/93	240,000	950	360	28	<1.0	810	48	45	280	200	50	1280	535	1
	* 04/19/93	-	1000	390	30	<10.0	920	58	42	250	240	33	1400	52	-
	02/18/94	19,000	1300	280	27	<1.0	1500	69	42	200	220	790	1760	3320	5
	* 02/18/94	28,000	420	58	6.1	<1.0	375	18	9.4	110	57	249	473	1130	16
	04/22/94	17,000	1200	-	-	-	1000	-	27	-	-	690	1240	2400	7

Table 3 Ground-Water Laboratory Analysis Results, Shea's Muffler Shop, Oshkosh, Wisconsin

Monitoring Well	Date	GRO µg/l	Benzene µg/l	n-Butyl- benzene µg/l	sec-Butyl- benzene µg/l	1,2-Dichloro- ethane µg/l	Ethylbenzene µg/l	Isopropyl- benzene µg/l	MTBE µg/l	Naphthalene µg/l	n-Propyl- benzene µg/l	Toluene µg/l	Trimethyl- benzene µg/l	Xylenes µg/l	Lead µg/l
MW300 Continued	12/29/94	-	1100	180	<50	<50	1600	68	<50	460	220	340	1640	3330	<1
	04/12/96	17,000	120	-	-	-	1300	-	65	-	-	230	2900	2300	<1
	03/19/97	11,000	118	-	-	-	700	-	17	-	-	16	1560	1050	-
	06/03/97	-	120	-	-	-	800	-	<2.1	-	-	22	2190	1310	-
	06/03/97	-	109	-	-	-	740	-	<2.1	-	-	<15	2040	1190	-
	04/01/98	-	110	-	-	-	470	-	<3.1	-	-	12	1440	480	-
	04/01/98	-	100	-	-	-	440	-	<3.1	-	-	12"J"	1420	450	-
	07/09/98	-	77	-	-	-	490	-	<3.1	-	-	8.8	1280	370	-
	11/16/98	-	92	-	-	-	400	-	<6.2	-	-	19"J"	1070	260	-
	02/18/94	<100	2	<2.0	<1.0	<1.0	<1.0	<1.0	2.5	<2.0	<1.0	1.1	<2.0	-	2
04/22/94	<100	<0.6	-	-	-	<1.0	<1.0	<1.0	-	-	<1.0	<2.0	<2.5	-	
12/29/94	-	<0.6	-	-	-	<1.0	-	<1.0	-	-	<1.0	<2.0	<2.5	-	
04/12/96	<100	<0.7	-	-	-	<0.7	-	<0.5	-	-	<1	<1.9	<2	-	
03/19/97	<100	<0.21	-	-	-	<0.68	-	<0.21	-	-	<1.5	<1.86	<1.8	-	
06/03/97	-	<0.21	-	-	-	<0.68	-	<0.21	-	-	<1.5	<1.86	<1.8	-	
04/01/98	-	<0.32	-	-	-	<0.34	-	<0.31	-	-	<0.35	<0.99	<1	-	
07/09/98	-	<0.32	-	-	-	<0.34	-	<0.31	-	-	<0.35	<0.99	<0.98	-	
11/16/98	-	<0.32	-	-	-	<0.34	-	<0.31	-	-	<0.35	<0.99	<1	-	
MW500	02/18/94	<100	1.9	<2.0	<1.0	4.2	<1.0	<1.0	110	<2.0	<1.0	1.5	<2.0	-	2
	04/22/94	<100	0.5	-	-	1.1	<1.0	-	42	-	-	-	<2.0	-	-
	04/22/94	<100	<0.6	-	-	<1.0	<1.0	-	35	-	-	<1.0	<2.0	<1.5	-
	12/29/94	-	<0.6	<2.0	<1.0	<1.0	<1.0	<1.0	12	<2.0	<1.0	<1.0	<2.0	<1.5	-
	04/12/96	<100	<0.7	-	-	<1.0	<0.7	-	12	-	-	<1	<1.9	<2	-
	03/19/97	<100	<0.21	-	-	-	<0.68	-	1.9	-	-	<1.5	<1.86	<1.8	-
	06/03/97	-	<0.21	-	-	-	<0.68	-	7.4	-	-	<1.5	<1.86	<1.8	-
	04/01/98	-	<0.32	-	-	-	<0.34	-	4.9	-	-	1.1"J"	<0.99	<1	-
	07/09/98	-	<0.32	-	-	-	<0.34	-	<0.31	-	-	<0.35	<0.99	<0.98	-
	11/16/98	-	<0.32	-	-	-	0.42"J"	-	1.5	-	-	<0.35	0.73"J"	<1	-
EW1	04/12/96	340	31	-	-	-	120	-	84	-	-	4.4	12.4	12	-
	03/19/97	920	54	-	-	-	260	-	37	-	-	5.7	8.7	20	-
	06/03/97	-	48	-	-	-	230	-	22	-	-	4.1	9.7	12	-
	04/01/98	-	6.6	-	-	-	19	-	14	-	-	1"J"	<1.35	<1	-
	07/09/98	-	12	-	-	-	70	-	2.6	-	-	<0.35	1.42"J"	<0.98	-
	11/16/98	-	0.79"J"	-	-	-	13	-	9.3	-	-	1.1"J"	82.7	14	-

Table 3 Ground-Water Laboratory Analysis Results, Shea's Muffler Shop, Oshkosh, Wisconsin

Monitoring Well	Date	GRO µg/l	Benzene µg/l	n-Butyl- benzene µg/l	sec-Butyl- benzene µg/l	1,2-Dichloro- ethane µg/l	Ethylbenzene µg/l	Isopropyl- benzene µg/l	MTBE µg/l	Naphthalene µg/l	n-Propyl- benzene µg/l	Toluene µg/l	Trimethyl- benzene µg/l	Xylenes µg/l	Lead µg/l
Field Blank	02/18/94	-	<0.6	<2.0	<1.0	<1.0	<1.0	<1.0	<1.0	<2.0	<1.0	<1.0	<2.0	-	-
	04/22/94	<100	<0.6	-	-	<1.0	<1.0	-	<1.0	-	-	<1.0	<2.0	<2.5	-
	12/29/94	-	<0.6	-	-	-	<1.0	-	<1.0	-	-	<1.0	<2.0	<2.5	-
	04/12/96	<100	-	-	-	-	-	-	-	-	-	-	-	-	-
Trip Blank	04/19/93	-	<0.6	<2.0	<1.0	<1.0	<1.0	<1.0	<1.0	<2.0	<1.0	<1.0	<2.0	<1.5	-
	02/18/94	<100	<0.6	<2.0	<1.0	<1.0	<1.0	<1.0	<1.0	<2.0	<1.0	<1.0	<2.0	-	-
	04/22/94	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	12/29/94	-	<0.6	-	-	-	<1.0	-	<1.0	-	-	<1.0	<2.0	<2.5	-
	04/12/96	<100	-	-	-	-	-	-	-	-	-	-	-	-	-
	04/01/98	-	<0.32	-	-	-	<0.34	-	<0.31	-	-	<0.35	<0.99	<1	-
07/09/98	-	<0.32	-	-	-	<0.34	-	<0.31	-	-	<0.35	<0.99	<0.98	-	
11/16/98	-	<0.32	-	-	-	<0.34	-	<0.31	-	-	<0.35	<0.99	<1	-	
NR 140, Wis. Adm. Code ES		NR	5	NR	NR	5	700	NR	60	40	NR	343	480	620	15
NR 140, Wis. Adm. Code PAL		NR	0.5	NR	NR	0.5	140	NR	12	8	NR	68.6	96	124	1.5

Note:

- GRO = gasoline range organics
- µg/l = micrograms per liter
- MTBE = methyl-tertiary-butyl-ether
- = not analyzed
- <x = amount detected is greater than x
- "J" = results detected between the limit of detection and limit of quantitation
- \* = duplicate sample
- NR = not regulated

xxx = exceeds Chapter NR 140, Wisconsin Administrative Code (NR 140, Wis. Adm. Code enforcement standard (ES)

xxx = exceeds NR 140, Wis. Adm. Code preventive action limit (PAL)