

GIS Registry Disclaimer

This case was closed by the DNR prior to August 1, 2002, when DNR began adding approved cleanups with residual soil contamination into the GIS Registry. Certain documents that are currently required by ch. NR 726, Wis. Adm. Code may therefore not be included in this packet as they were unavailable at the time the original case was closed.

The information contained in this document was assembled by DNR from a previously closed case file, and added to the GIS Registry to provide the public with information on closed sites with residual soil and/or groundwater contamination remaining above applicable state standards.

GIS REGISTRY

Cover Sheet

July, 2008
(RR 5367)

Source Property Information

BRRTS #: 03-71-000657

ACTIVITY NAME: Stokely USA - UST Site #1

PROPERTY ADDRESS: 6610 STH 44

MUNICIPALITY: Pickett

PARCEL ID #: 024062501

CLOSURE DATE: Jul 12, 1994

FID #: 471037270

DATCP #:

COMM #: 54964027940

*WTM COORDINATES:

X: 622178 Y: 388040

** Coordinates are in
WTM83, NAD83 (1991)*

WTM COORDINATES REPRESENT:

- Approximate Center Of Contaminant Source
 Approximate Source Parcel Center

Please check as appropriate: (BRRTS Action Code)

Contaminated Media:

Groundwater Contamination > ES (236)

Contamination in ROW

Off-Source Contamination

*(note: for list of off-source properties
see "Impacted Off-Source Property")*

Soil Contamination > *RCL or **SSRCL (232)

Contamination in ROW

Off-Source Contamination

*(note: for list of off-source properties
see "Impacted Off-Source Property")*

Land Use Controls:

Soil: maintain industrial zoning (220)

*(note: soil contamination concentrations
between residential and industrial levels)*

Structural Impediment (224)

Site Specific Condition (228)

Cover or Barrier (222)

*(note: maintenance plan for
groundwater or direct contact)*

Vapor Mitigation (226)

Maintain Liability Exemption (230)

*(note: local government or economic
development corporation)*

Monitoring wells properly abandoned? (234)

Yes No N/A

** Residual Contaminant Level*

***Site Specific Residual Contaminant Level*

This fillable form is intended to provide a list of information that must be submitted for evaluation for case closure. It is to be used in conjunction with Form 4400-202, Case Closure Request (Section H). The closure of a case means that the Department has determined that no further response is required at that time based on the information that has been submitted to the Department.

NOTICE: Completion of this form is mandatory for applications for case closure pursuant to ch. 292, Wis. Stats. and ch. NR 726, Wis. Adm. Code, including cases closed under ch. NR 746 and ch. NR 726. The Department will not consider, or act upon your application, unless all applicable sections are completed on this form and the closure fee and any other applicable fees, required under ch. NR 749, Wis. Adm. Code, Table 1 are included. It is not the Department's intention to use any personally identifiable information from this form for any purpose other than reviewing closure requests and determining the need for additional response action. The Department may provide this information to requesters as required by Wisconsin's Open Records law [ss. 19.31 - 19.39, Wis. Stats.].

BRRTS #: PARCEL ID #:

ACTIVITY NAME: WTM COORDINATES: X: Y:

CLOSURE DOCUMENTS (the Department adds these items to the final GIS packet for posting on the Registry)

- Closure Letter**
- Maintenance Plan** (if activity is closed with a land use limitation or condition (land use control) under s. 292.12, Wis. Stats.)
- Conditional Closure Letter**
- Certificate of Completion (COC)** for VPLE sites

SOURCE LEGAL DOCUMENTS

- Deed:** The most recent deed as well as legal descriptions, for the **Source Property**. Deeds for other, off-source (off-site) properties are located in the **Notification** section.
Note: If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.
- Certified Survey Map:** A copy of the certified survey map or the relevant section of the recorded plat map for those properties where the legal description in the most recent deed refers to a certified survey map or a recorded plat map. (lots on subdivided or platted property (e.g. lot 2 of xyz subdivision)).
Figure #: **Title:**
- Signed Statement:** A statement signed by the Responsible Party (RP), which states that he or she believes that ALL legal descriptions attached to the statement are complete and accurate.
Note: The point here is that the legal descriptions are describing the correct (i.e., contaminated) properties.

MAPS (meeting the visual aid requirements of s. NR 716.15(2)(h))

Maps must be no larger than 8.5 x 14 inches unless the map is submitted electronically.

- Location Map:** A map outlining all properties within the contaminated site boundaries on a U.S.G.S. topographic map or plat map in sufficient detail to permit easy location of all parcels. If groundwater standards are exceeded, include the location of all potable wells within 1200 feet of the site.
Note: Due to security reasons municipal wells are not identified on GIS Packet maps. However, the locations of these municipal wells must be identified on Case Closure Request maps.
Figure #: 1 **Title: Site Location Map**
- Detailed Site Map:** A map that shows all contaminated properties within site boundaries, showing buildings, roads, property boundaries, contaminant sources, utility lines, monitoring wells and potable wells. This map shows the location of all contaminated public streets, and highway and railroad rights-of-way in relation to the source property and in relation to the boundaries of groundwater contamination exceeding a ch. NR 140 Enforcement Standard (ES), and/or in relation to the boundaries of soil contamination exceeding a Generic Residual Contaminant Level (GRCL) or a Site Specific Residual Contaminant Levels (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.
Figure #: 1.1 & 2 **Title: Site Layout Map & Site/Sample Location Map**
- Soil Contamination Contour Map:** For sites closing with residual soil contamination, this map shows the location of all soil and a single contour showing the horizontal extent of each area of contiguous residual soil contamination that exceeds a Generic Residual Contaminant Level (GRCL) or a Site Specific Residual Contaminant Level (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.
Figure #: 2 **Title: Sample/ Location Map**

BRRTS #: 03-71-000657

ACTIVITY NAME: Stokely USA - UST Site #1

MAPS (continued)

- Geologic Cross-Section Map:** A map showing the source location and vertical extent of residual soil contamination exceeding a Generic Residual Contaminant Level (GRCL) or a Site Specific Residual Contaminant Level (SSRCL). If groundwater contamination exceeds a ch. NR 140 Enforcement Standard (ES) when closure is requested, show the source location and vertical extent, water table and piezometric elevations, and locations and elevations of geologic units, bedrock and confining units, if any.

Figure #: **Title:**

Figure #: **Title:**

- Groundwater Isoconcentration Map:** For sites closing with residual groundwater contamination, this map shows the horizontal extent of all groundwater contamination exceeding a ch. NR140 Preventive Action Limit (PAL) and an Enforcement Standard (ES). Indicate the direction and date of groundwater flow, based on the most recent sampling data.

Note: *This is intended to show the total area of contaminated groundwater.*

Figure #: **Title:**

- Groundwater Flow Direction Map:** A map that represents groundwater movement at the site. If the flow direction varies by more than 20° over the history of the site, submit 2 groundwater flow maps showing the maximum variation in flow direction.

Figure #: **Title:**

Figure #: **Title:**

TABLES (meeting the requirements of s. NR 716.15(2)(h)(3))

Tables must be no larger than 8.5 x 14 inches unless the table is submitted electronically. Tables must not contain shading and/or cross-hatching. The use of **BOLD** or *ITALICS* is acceptable.

- Soil Analytical Table:** A table showing remaining soil contamination with analytical results and collection dates.
Note: This is one table of results for the contaminants of concern. Contaminants of concern are those that were found during the site investigation, that remain after remediation. It may be necessary to create a new table to meet this requirement.

Table #: 1 Title: PID Screening and Laboratory Results

- Groundwater Analytical Table:** Table(s) that show the most recent analytical results and collection dates, for all monitoring wells and any potable wells for which samples have been collected.

Table #: **Title:**

- Water Level Elevations:** Table(s) that show the previous four (at minimum) water level elevation measurements/dates from all monitoring wells. If present, free product is to be noted on the table.

Table #: **Title:**

IMPROPERLY ABANDONED MONITORING WELLS

For each monitoring well not properly abandoned according to requirements of s. NR 141.25 include the following documents.

Note: *If the site is being listed on the GIS Registry for only an improperly abandoned monitoring well you will only need to submit the documents in this section for the GIS Registry Packet.*

- Not Applicable**

- Site Location Map:** A map showing all surveyed monitoring wells with specific identification of the monitoring wells which have not been properly abandoned.

Note: *If the applicable monitoring wells are distinctly identified on the Detailed Site Map this Site Location Map is not needed.*

Figure #: **Title:**

- Well Construction Report:** Form 4440-113A for the applicable monitoring wells.

- Deed:** The most recent deed as well as legal descriptions for each property where a monitoring well was not properly abandoned.

- Notification Letter:** Copy of the notification letter to the affected property owner(s).

BRRTS #: 03-71-000657

ACTIVITY NAME: Stokely USA - UST Site #1

NOTIFICATIONS

Group the following information per individual property and label each group according to alphabetic listing on the "Impacted Off-Source Property" attachment.

- Letter To Current Source Property Owner:** If the source property is owned by someone other than the person who is applying for case closure, include a copy of the letter notifying the current owner of the source property that case closure has been requested.
- Return Receipt/Signature Confirmation:** Written proof of date on which the RP received confirmation for notifying current source property owner.
- Letter To Off-Source Property Owners:** Copies of all letters sent by the Responsible Party (RP) to owners of properties with groundwater exceeding an Enforcement Standard (ES), and to owners of properties that will be affected by a land use control under s. 292.12, Wis. Stats.
Note: Letters sent to off-source properties regarding residual contamination must contain standard provisions in Appendix A of ch. NR 726.

Number of "Off-Source" Letters:

- Return Receipt/Signature Confirmation:** Written proof of date on which the RP received confirmation for notifying any off-source property owner.
- Deed of "Off-Source" Property:** The most recent deed(s) as well as legal descriptions, for all affected deeded **off-source property(ies)**. This does not apply to right-of-ways.
Note: If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.
- Letter To Governmental Unit/Right-Of-Way Owners:** Copies of all letters sent by the Responsible Party (RP) to a city, village, municipality, state agency or any other entity responsible for maintenance of a public street, highway, or railroad right-of-way, within or partially within the boundaries of the contaminated site, for contamination exceeding a groundwater Enforcement Standard (ES) and/or soil exceeding a Generic Residual Contaminant Level (GRCL) or a Site Specific Residual Contaminant Level (SSRCL).

Number of "Governmental Unit/Right-Of-Way Owner" Letters:

Declaration of Restrictions and Covenants

In Re: A part of the NE ¼ of the SE ¼ of Section 29, Town 17 N, Range 15 E, Town of Utica, Winnebago County, Wisconsin, being described as follows: Beginning at the NE corner of the NE ¼ SE ¼; thence West along the North line of the NE ¼ SE ¼ to the East line of the railroad right of way; thence SWLY along the East line of the railroad right of way to a point which is 21.44 rods NELY from the point of intersection of the East line of the railroad right of way and the center line of County Trunk Highway M; thence SELY on a line to a point of intersection with the North right of way line of State Trunk Highway 44; thence NELY along the North right of way line of State Trunk Highway 44, 57 rods, more or less, to the East line of the NE ¼ of the SE ¼; thence North along the East line of the NE ¼ SE ¼ to the place of beginning.

STATE OF WISCONSIN)

COUNTY OF WINNEBAGO)

WHEREAS, Stokely USA is the owner of the above-described property; and

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:

One or more petroleum-related discharges have occurred at this property. Structural impediments existing at the time of clean-up made complete remediation of the contamination impracticable. Petroleum contaminated soil may remain on this property at the following locations: small cement block building located approximately 450' northeast of the office building and 150' southeast of the building labeled warehouse (see attached maps for specific locations). Pursuant to the requirements of s. 144.76, Stats., any future subsurface work on this property which removes the structural impediments which currently exist shall provide for an investigation of the degree and extent of petroleum-related contamination. To the extent that contamination is found at that time, the Wisconsin Department of Natural Resources shall be immediately notified and the contamination shall be properly treated or disposed of in accordance with applicable laws.

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.

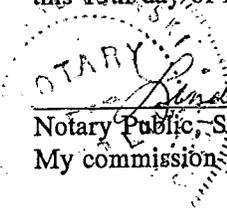
This document is recorded to correct an error in the description of that certain Declaration of Restrictions and Covenants dated 10/21/94 and recorded in the Winnebago County Registry on November 4, 1994 as Document No. 890931.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions and Covenants, this 14th day of November, 1994.

Signature: Robert Brill

Printed Name: Robert Brill

Subscribed and sworn to before me
this 14th day of November, 1994.

 Notary Public, State of Wisconsin
My commission exp 3/15/98
Rinda M. Kuplinski

This document was drafted by the Wisconsin Department of Natural Resources.

Return to: Robert Brill
Stokely USA, Inc.
P.O. Box 248
1055 Corporate Center Dr.
Oconomowoc, WI 53066-0248

Register's Office

Winnebago County, Wis.

Received for record

this 16th Day of

November

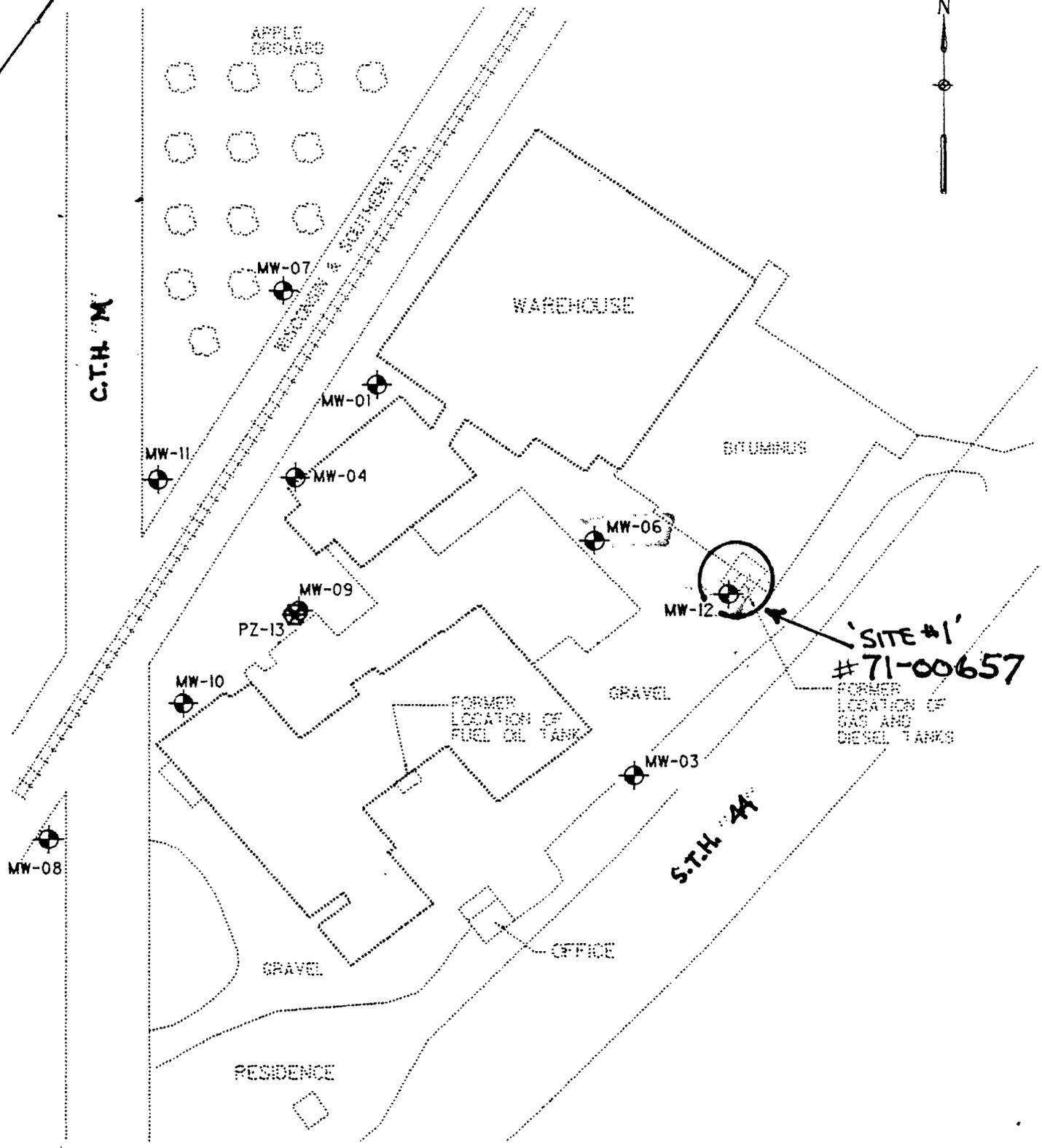
A.D. 1924 at

8:44 o'clock AM

Marjorie Dalmeid
REGISTER OF DEEDS

*Pl 04
14*

*Pl. address
provided*



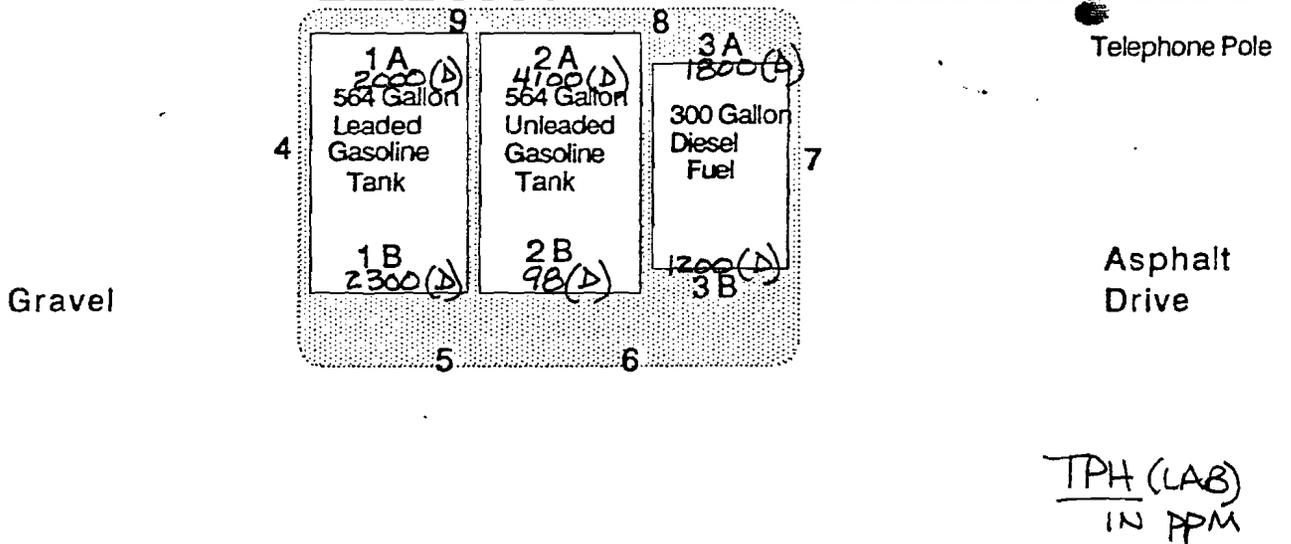
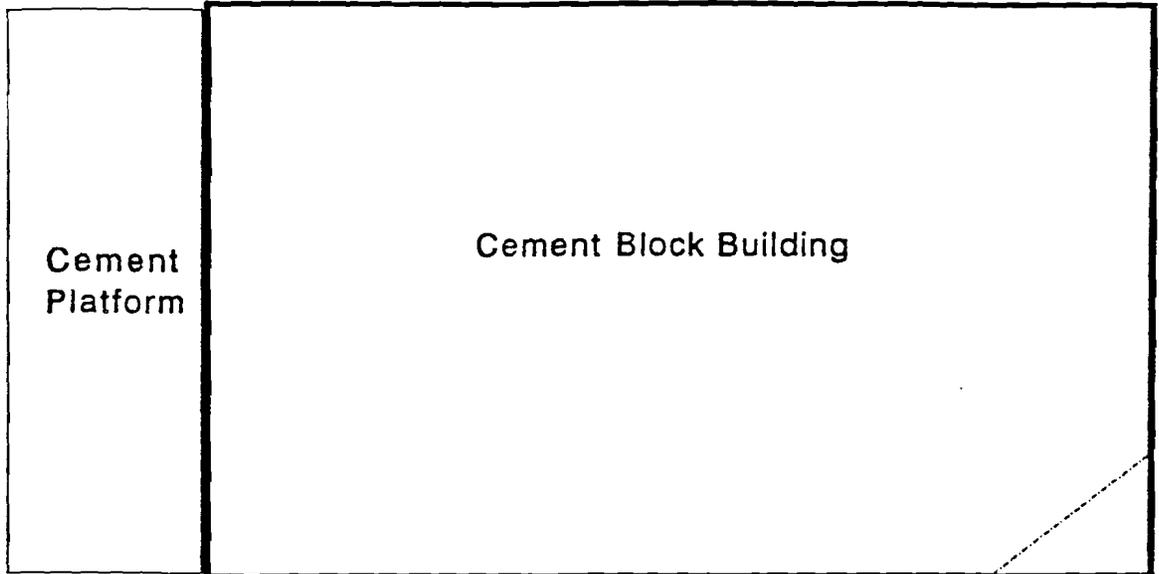
LEGEND

-  MW-12 MONITORING WELL NUMBER AND LOCATION
-  PZ-13 PIEZOMETER NUMBER AND LOCATION

NW¹/₄ SE¹/₄ SE¹/₄ SEC 29-T17N-R15E

STOKELY USA, INC.		
FIGURE 1-1 SITE LAYOUT MAP PICKETT, WISCONSIN		
Scale:	1" = 150'	Date: MARCH, 1994
Prepared By:	Foth & Van Dyke	By: JRB

Corn Cob and Husk
Compost Pile



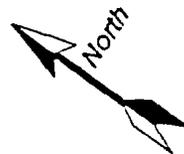
TPH (LAB)
IN PPM

FIGURE 2

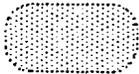
Approximate Scale
0 5 Feet

SITE/SAMPLE LOCATION MAP

Stokely USA, Incorporated
7740 Ripon Road
Pickett, Wisconsin



LEGEND

-  Excavation
-  Telephone Line

KED = LAB SOIL TPH (ppm)

BR@S

#71-00657

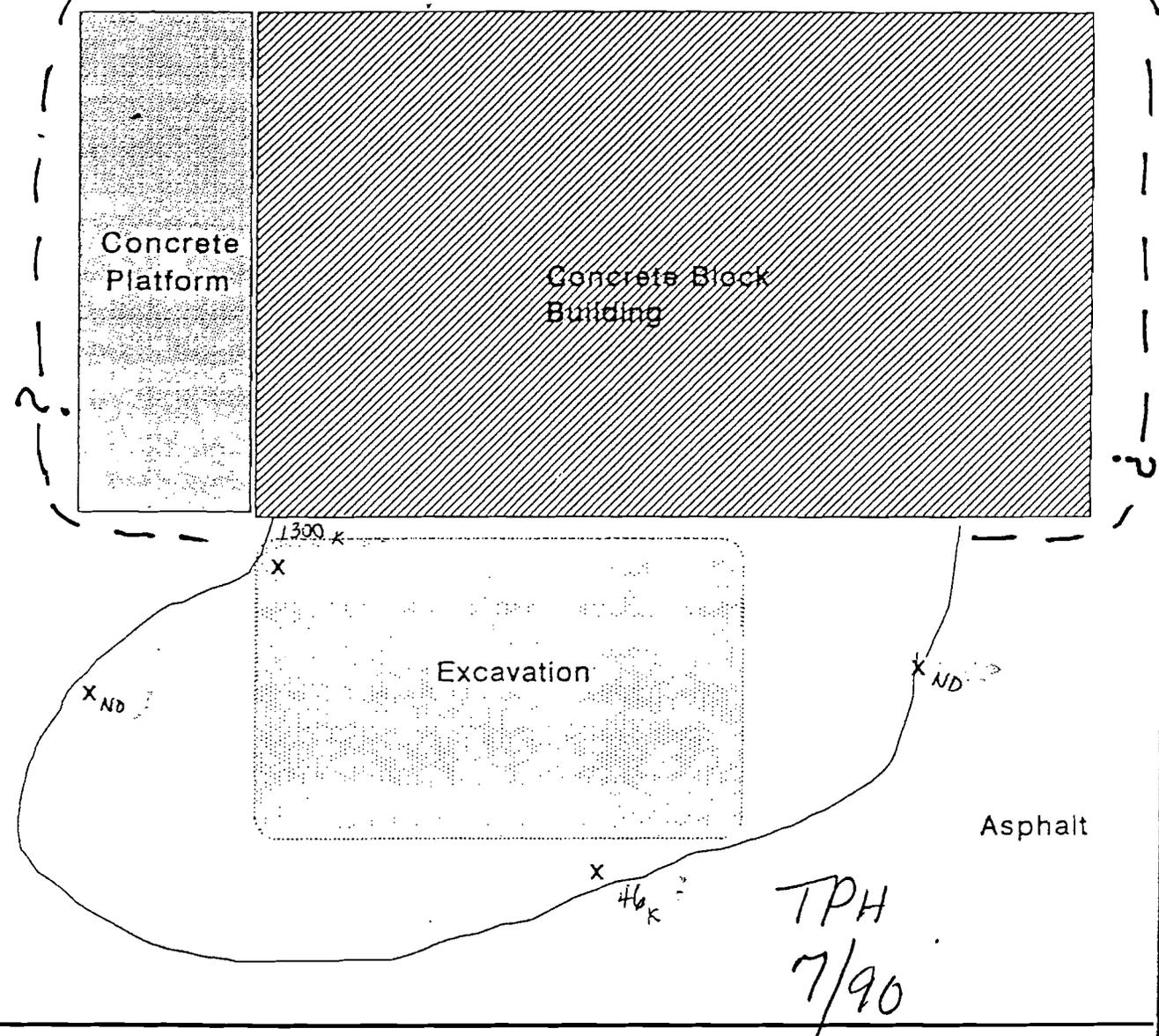
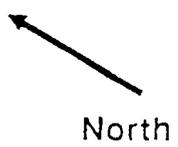


FIGURE 2

SAMPLE/LOCATION MAP

Stokely, USA
7740 Ripon Road
Pickett, Wisconsin

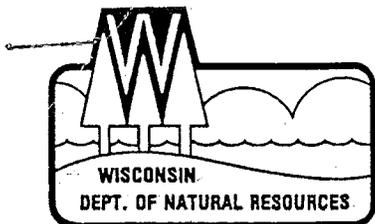


Approximate Scale



LEGEND

- x Sample Locations
- Tank Excavation
- ◊ Extent of Overexcavation



George E. Meyer, Secretary
William R. Selbig, District Director

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Oshkosh Area Office
905 Bayshore Drive
Box 2565
Oshkosh, Wisconsin 54903
Telephone #: (414)424-3050
Telefax #: (414)424-4404

October 26, 1994

Mr. Doug Hahn
Stokely USA
1055 Corporate Center Drive
Oconomowoc, WI 53066

SUBJECT: Closure of WDNR LUST Case #71-00657
Stokely USA-Site #1, 3 Small USTs, Pickett Plant

Dear Mr. Hahn:

The above referenced case file has been reviewed by the WDNR's Lake Michigan District Case Closure Committee. This panel reviews environmental remediation cases for compliance with state laws, standards, and guidelines to maintain consistency in the closeout of cases. At this time, it appears that actions have been taken to the extent practicable to restore the environment and minimize the harmful effects from this discharge to the air, lands and waters of the state.

After careful review, the Committee has decided to grant a *conditional* case closure. The WDNR is requiring no further remedial action at this time; however, a deed restriction must be filed with the County. *You must file the attached "Declaration of Restriction" (including the attached maps) with your county Register of Deeds office within 30 days and send proof of this filing to the Department within 45 days. Please make sure to verify the legal description accurately reflects the description on the deed.* This case will appear as closed on the WDNR's Leaking Underground Storage Tank computer tracking system as soon as we receive documentation that the deed restriction has been filed.

Please be aware that this letter does not absolve the current, or any future owner of this property, from future decisions regarding this site or impacts which may be discovered and/or traced to past or future activities at this site. If additional information in the future indicates that further investigation and/or remediation is warranted, the Department will require that appropriate action be taken at that time.

You should note that this letter does not constitute Department "certification" under s. 144.765 (2) (a) 3, Stats., as created by 1993 Wisconsin Act 453 (May 12, 1994). Persons who meet the definition of "purchaser" in s. 144.765 (1) (c) must receive Department pre-approval prior to conducting a site investigation in order to be eligible for the liability exemption under s. 144.765, Stats.

The Department appreciates your efforts to protect and restore the environment at this site. If you have any questions regarding this letter, please contact me at (414) 424-0399.

Sincerely,

Kathleen M. Sylvester
Hydrogeologist
Leaking Underground Storage Tank Program

Attach. - Declaration of Restriction

cc: **Case File - OSH**
Bruce Urban/Rick Stoll/Dan Helf - LMD
Joe Renville - LC/5
PECFA Program, DILHR, P.O. Box 7969, Madison, WI 53707
Lanette Altenbach, Foth & Van Dyke, 2737 S. Ridge Road, PO Box 19012,
Green Bay, WI 54307-9012

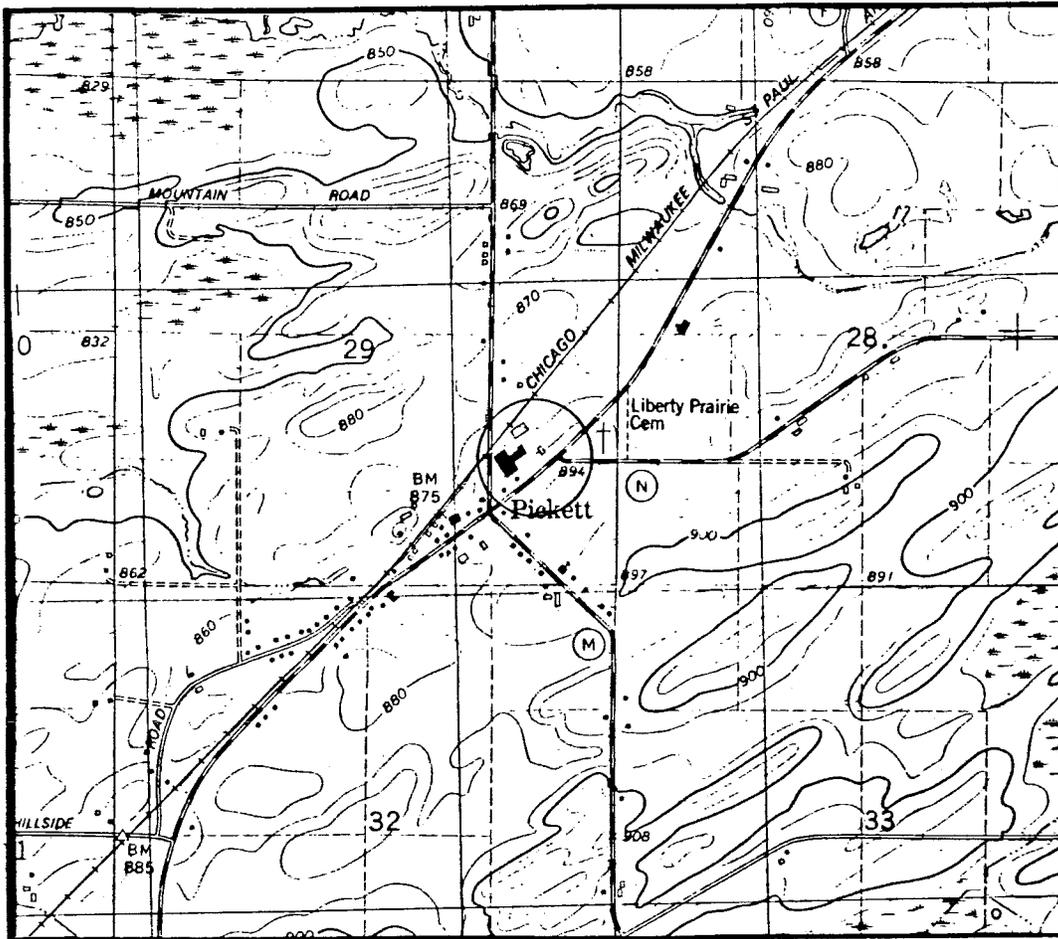
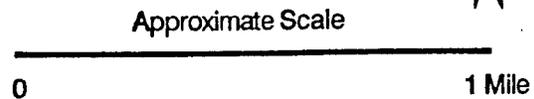


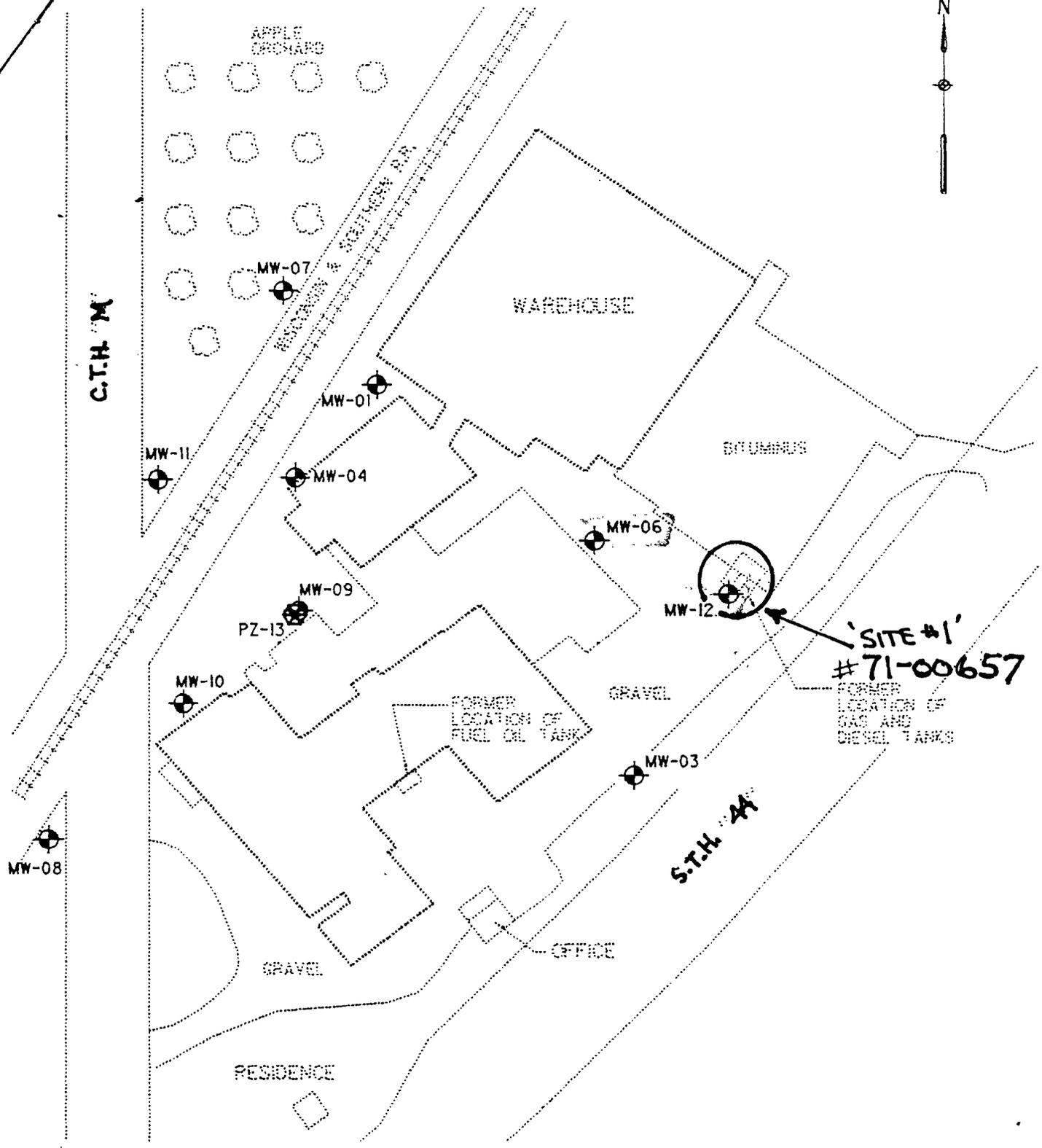
FIGURE 1

SITE LOCATION MAP

Stokely USA
 7740 Ripon Road
 Pickett, Wisconsin



Adapted from U.S.G.S. 7.5 Minute Series, Pickett Quadrangle, 1980



LEGEND

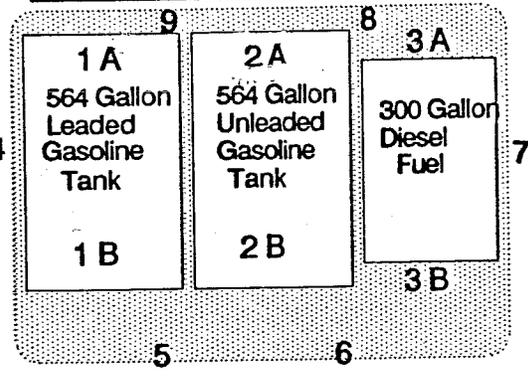
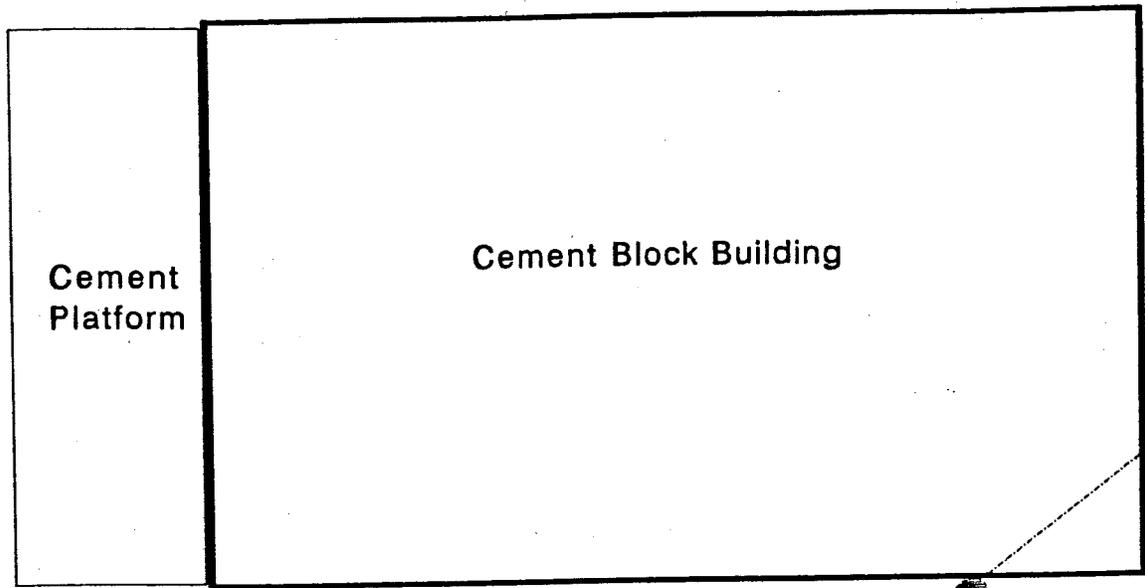
-  MW-12 MONITORING WELL NUMBER AND LOCATION
-  PZ-13 PIEZOMETER NUMBER AND LOCATION

NW¹/₄ SE¹/₄ SE¹/₄ SEC 29-T17N-R15E

STOKELY USA, INC.		
FIGURE 1-1 SITE LAYOUT MAP PICKETT, WISCONSIN		
Scale:	1" = 150'	Date: MARCH, 1994
Prepared By:	Foth & Van Dyke	By: JRB

RED = SOIL TPH₆ (ppm) FROM LAB

Corn Cob and Husk
Compost Pile



Gravel

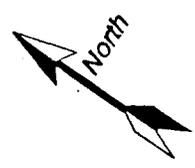
Telephone Pole

Asphalt
Drive

FIGURE 2
Approximate Scale
0 5 Feet

SITE/SAMPLE LOCATION MAP

Stokely USA, Incorporated
7740 Ripon Road
Pickett, Wisconsin



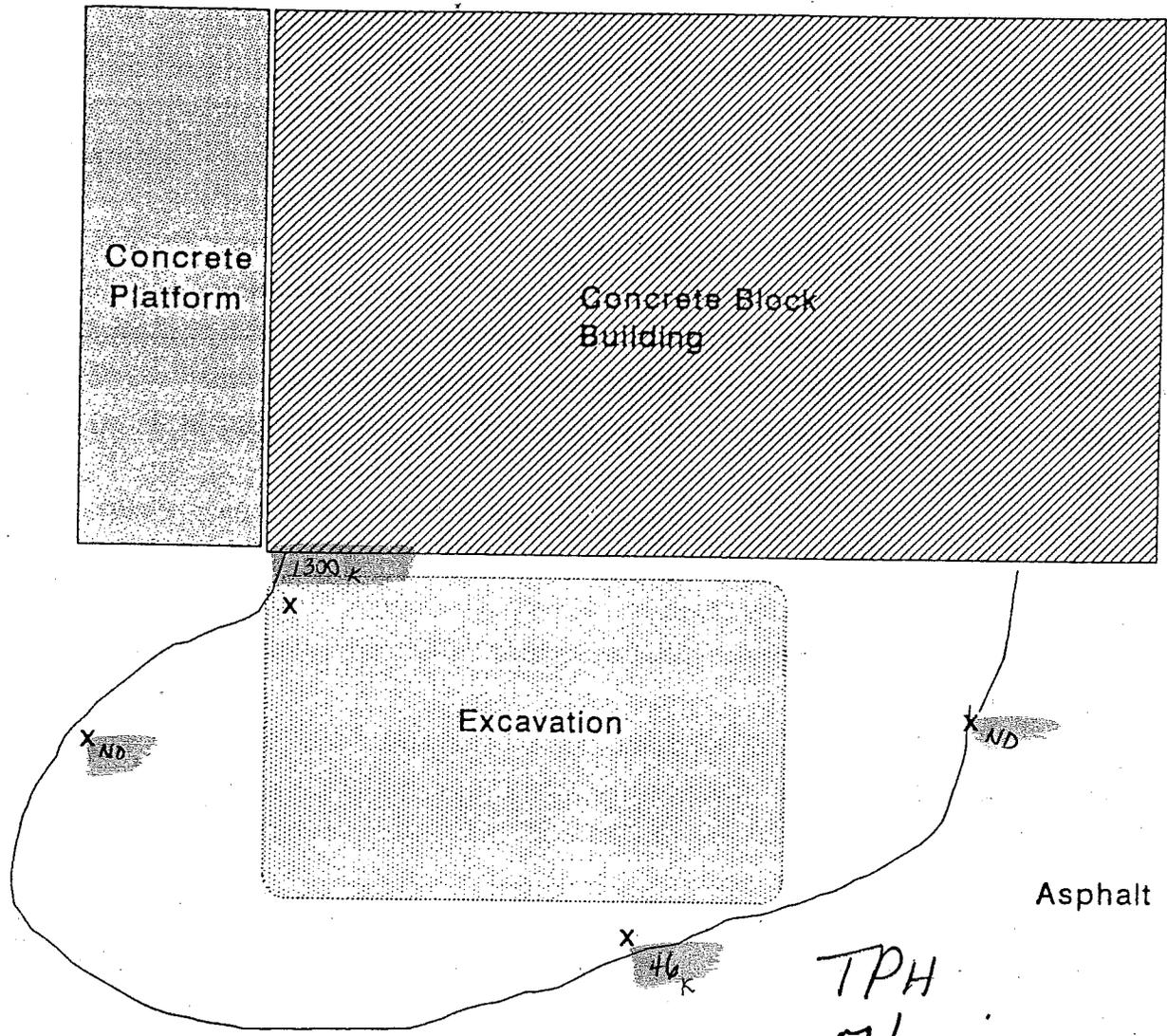
LEGEND

-  Excavation
-  Telephone Line

RED = LAB SOIL TPH (ppm)

BR@S

#71-00657

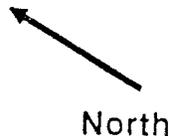


TPH
7/90

FIGURE 2

SAMPLE/LOCATION MAP

Stokely, USA
7740 Ripon Road
Pickett, Wisconsin



Approximate Scale



LEGEND

- x Sample Locations
-  Tank Excavation
-  Extent of Overexcavation

TABLE 1

PID SCREENING AND LABORATORY RESULTS
 FROM SOIL SAMPLES COLLECTED AT
 THE STOKELY PLANT IN PICKETT, WISCONSIN

<u>ID</u>	<u>Sample Location</u>	<u>Depth (Feet)</u>	<u>PID Results (ppm)</u>	<u>Total Petroleum Hydrocarbons (ppm)</u>
1A	Base East	6	109	2000
1B	Base West	6	467	2300
2A	Base East	6	N/D	4100
2B	Base West	6	N/D	98
3A	Base East	6	297	1800
3B	Base West	6	37.5	1200
4	North Wall	4	N/D	<4.0
5	West Wall	2	N/D	<4.0
6	West Wall	2	N/D	22
7	South Wall	4	N/D	N/A
8	East Wall	3	N/D	N/A
9	East Wall	4	N/D	N/A

Laboratory results are presented as Appendix A.

TABLE 1

PID SCREENING AND LABORATORY RESULTS
FROM SOIL SAMPLES COLLECTED AT
THE STOKELY PLANT IN PICKETT, WISCONSIN

<u>Sample Location</u>	<u>Depth (Feet)</u>	<u>PID Results (ppm)</u>	<u>Total Petroleum Hydrocarbons (ppm)</u>
Northeast	5	481	1300
West	5	106	<4.0
South	5	79.8	46
North	5	2.0	<4.0

SOIL CHEM.

REDUCTION IN O