

## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor  
George E. Meyer, Secretary  
William R. Selbig, Regional Director

Oshkosh Service Center  
905 Bay Shore Drive., P.O. Box 2565  
Oshkosh, Wisconsin 54903  
TELEPHONE 920-424-3050  
FAX 920-424-4404

March 9, 1998

Mr. Richard Mueller  
ARCEM Corporation  
P.O. Box 1127  
Oshkosh, WI 54902

SUBJECT: Conditional Case Closure for Reisterer & Schnell  
*WDNR BRRTS ID#03-71-106851*

Dear Mr. Mueller:

The above referenced case file has been reviewed by the WDNR's Northeast Region 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. After careful review, the Committee has decided to grant a *conditional* case closure. 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.

The WDNR is requiring no further remedial action at this time; however, *You must file the attached "Groundwater Use Restriction" with your county Register of Deeds office within 30 days and send proof of this filing to the Department within 45 days.* This case will appear as closed on the WDNR's Bureau of Remediation & Redevelopment computer tracking system as soon as we receive documentation that the deed restriction has been filed.

**Note:** Please use the enclosed model restriction for this site. The Groundwater Use Restriction **must be approved by the Department prior to filing** with the Register of Deeds. When the document is drafted please submit it to this office for approval prior to filing.

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.

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) 424-7890.

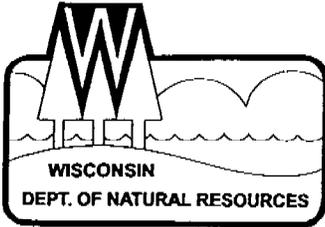
Sincerely,

Kevin D. McKnight, Hydrogeologist  
Bureau for Remediation and Redevelopment  
email: mcknik@mail01.dnr.state.wi.us

enclosure

cc: Case File - OSH

Stacy Dehne, Northern Environmental, 1203 Storbeck Dr, Waupun WI 53963



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Oshkosh Service Center  
905 Bay Shore Drive  
P.O. Box 2565  
Oshkosh, Wisconsin 54903  
Telephone 920-424-3050  
FAX 920-424-4404

April 30, 1998

Mr. Richard Mueller  
ARCEM Corporation  
P.O. Box 1127  
Oshkosh, WI 54902

**SUBJECT:** Closure of Reister & Schnell , Menasha  
Case ID# 03-71-106851

Dear Mr. Mueller:

The Department has received a copy of the GW Use Restriction filed for the above referenced property. At this time the Department requires that the monitoring wells be abandoned. Upon receipt of the abandonment forms this case will be closed on our tracking system.

Thank you for your cooperation in keeping our environment clean. If you have any questions please contact me at (920) 424-7890.

Sincerely,

Kevin D. McKnight, Hydrogeologist  
Bureau for Remediation and Redevelopment  
email: mcknik@mail01.dnr.state.wi.us

cc: Case File - OSH  
Stacy Dehne, Northern Environmental, 1203 Storbeck Dr., Waupun WI 53963

DOCUMENT NO.

STATE BAR OF WISCONSIN FORM 1-1981  
WARRANTY DEED

THIS SPACE RESERVED FOR RECORDING DATA

This Deed, made between Arcon Corporation, a Wisconsin corporation

Grantor  
and Ricsterer Properties, L.L.C., a Wisconsin limited liability company.

Grantee  
Witnesseth, That the said Grantor, for a valuable consideration of One Dollar and other good and valuable consideration conveys to Grantee the following described real estate in Winnebago County, State of Wisconsin:

Register's Office  
Winnebago County, Wis.  
Received for record  
this 1st Day of March  
A.D. 19 96 at  
10:22 o'clock A.M.  
Susan Whittinghoff  
REGISTER OF DEEDS

RETURN TO  
Steinhilber, Swanson, Mares, Mernitz & McDermott  
377 Park Plaza, P.O. Box 617  
Oshkosh, WI 54902-0617

9285506

Tax Parcel No.: 008-0256-02

That part of the Southwest 1/4 of the Northeast 1/4 and of Government Lot 1, Section 9, Town 20 North, Range 17 East, Town of Menasha, Winnebago County, Wisconsin, described as follows:

Commencing at the center of said Section 9: thence North 00 degrees 01 minutes 36 seconds West along the Easterly line of the Northeast 1/4 of said Section 9 a distance of 1177.00 feet (previously recorded as 1179.32 feet); thence North 89 degrees 36 minutes 34 seconds East, 1282.35 feet to the point of beginning; thence continuing North 89 degrees 36 minutes 34 seconds East along the Southerly right of way line of Gus Street, 339.60 feet; thence South 01 degrees 10 minutes 14 seconds West along the Westerly line of a parcel described in Volume 1354 Page 207 of the Winnebago County Registry, 60.00 feet; thence North 89 degrees 36 minutes 34 seconds East along the Southerly line of said parcel described in Volume 1354 Page 207 of the Winnebago County Registry, 94.91 feet; thence along the Westerly right of way line of U.S.H. "41" a distance of 210.14 feet along the arc of a curve to the right having a radius of 7539.44 feet and a chord of 210.13 feet that bears South 21 degrees 59 minutes 21 seconds West; thence South 89 degrees 48 minutes 14 seconds West along the Northerly line of a parcel described in Document No. 780492 of the Winnebago County Registry, 360.89 feet (previously recorded as 361.83 feet); thence North 05 degrees 23 minutes 22 seconds West along the Easterly right of way line of American Drive, 18.00 feet; thence along said Easterly right of way line of American Drive 235.97 feet along the arc of a curve to the right having a radius of 921.93 feet and a chord of 235.33 feet that bears North 01 degrees 56 minutes 35 seconds East; to the point of beginning.

044264

This is not homestead property.  
Together with all and singular the hereditaments and appurtenances thereunto belonging:  
And Grantor

warrants that the title is good, indefeasible in fee simple and free and clear of encumbrances except recorded restrictions and easements of record

and will warrant and defend the same.

Dated this 2nd day of February, 1996.

TRANSFER  
\$ 600.00  
FEE

ENERGY  
CODE

W-7

Richard C. Mueller (SEAL)  
\* Arcon Corporation  
By: Richard C. Mueller, President

Helen G. Mueller (SEAL)  
\* Attest: Helen G. Mueller, Secretary

AUTHENTICATION

ACKNOWLEDGMENT

Signature(s) \_\_\_\_\_

STATE OF FLORIDA

authenticated this \_\_\_\_\_ day of \_\_\_\_\_, 1996

Okaloosa County  
Personally came before me this  
February, 1996  
Richard C. Mueller  
Helen G. Mueller  


TITLE: MEMBER STATE BAR OF WISCONSIN  
(if not, \_\_\_\_\_  
authorized by § 706.06, Wis. Stats.)

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

THIS INSTRUMENT WAS DRAFTED BY  
Attorney L. Thomas McDermott  
Attorney at Law

Lora Osborne Shock  
Notary Public Okaloosa County, Fla.  
My Commission is permanent. (If not, state  
expiration date: Aug. 7, 1998.)

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



Document Number

GROUNDWATER USE RESTRICTION

1005779

REGISTER'S OFFICE  
WINNEBAGO COUNTY, WI  
RECORDED ON

1998-04-21 10:13 AM

SUSAN WINNINGHOFF  
REGISTER OF DEEDS

Rec. Fee: 12.00  
Tran. Fee: 0.00  
Number of Pages: 2

Name and Return Address  
Attorney J. Thomas McDermott  
P.O. Box 617  
Oshkosh, WI 54902-0617

Tax Key No. = 008-0256-02  
Parcel Identification Number (PIN)

Declaration of Restrictions

In Re: That part of the Southwest 1/4 of the Northeast 1/4 and of Government Lot 1, Section 9, Town 20 North, Range 17 East, Town of Menasha, Winnebago County, Wisconsin described as follows:

Commencing at the center of said Section 9; thence North 00 degrees 01 minutes 36 seconds West along the Easterly line of the Northeast 1/4 of said Section 9 a distance of 1177.00 feet (previously recorded as 1179.32 feet); thence North 89 degrees 36 minutes 34 seconds East, 1282.35 feet to the point of beginning; thence continuing North 89 degrees 36 minutes 34 seconds East along the Southerly right of way line of Gas Street, 339.69 feet; thence South 01 degrees 10 minutes 14 seconds West along the Westerly line of a parcel described in Volume 1354 Page 207 of the Winnebago County Registry, 60.00 feet; thence North 89 degrees 36 minutes 34 seconds East along the Southerly line of said parcel described in Volume 1354 Page 207 of the Winnebago County Registry, 94.91 feet; thence along the Westerly right of way line of U.S.H. "41" a distance of 210.14 feet along the arc of a curve to the right having a radius of 7339.44 feet and a chord of 210.13 feet that bears South 21 degrees 59 minutes 21 seconds West; thence South 89 degrees 48 minutes 14 seconds West along the Northerly line of a parcel described in Document No. 780492 of the Winnebago County Registry, 360.89 feet (previously recorded as 361.83 feet); thence North 05 degrees 23 minutes 22 seconds West; along the Easterly right of way line of American Drive, 18.00 feet; thence along said Easterly right of way line of American Drive 235.97 feet along the arc of a curve to the right having a radius of 921.93 feet and a chord of 235.33 feet that bears North 01 degrees 56 minutes 35 seconds East; to the point of beginning.

STATE OF WISCONSIN )

COUNTY OF WINNEBAGO )

55

WHEREAS, RIESTERER PROPERTIES, L.L.C., a Wisconsin Limited Liability Company is the owner of the above-described property,

WHEREAS, one or more petroleum discharges have occurred at this property. Petroleum contaminated groundwater above NR 140 enforcement standards (ES) exists on this property at the following location(s): A benzene concentration of 67 micrograms per liter (ug/l) was detected in a ground water sample collected October 9, 1997 from monitoring well MW100 at the property. The concentration of benzene at that time was above the NR 140 ES of 5 ug/l for benzene. The depth to water in monitoring well MW100 on that date was approximately six feet below grade. Additionally, a soil sample collected from 16-18 feet deep in a geoprobe boring on November 13, 1996 detected a concentration of benzene at 44 micrograms per kilogram (ug/kg). This concentration is above the NR 720 residual contaminant level of 5.3 mg/kg for benzene. Over time, the benzene concentrations in both the soil and ground water are expected to naturally attenuate until they drop below their respective standards.

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct additional soil or groundwater remediation activities on the property at the present time.

WHEREAS, natural attenuation has been approved by the Department of Natural Resources to remediate groundwater exceeding ch.

NR140 groundwater standards within the boundaries of this property.

WHEREAS, construction of wells where the water quality exceeds the drinking water standards in ch. NR809, Wis. Adm. Code is restricted by ch. NR811, Wis. Adm. Code and ch. NR812, Wis. Adm. Code. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply.

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 that specific prohibitions or requirements are applicable, prior to constructing or reconstructing a well on this property. No well may be constructed or reconstructed on this property unless applicable requirements are met.

This restriction is hereby declared to be a covenant running with 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 and 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 the restrictions set forth in this covenant are no longer required. Upon 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, with a copy of the Department's written determination, may be recorded to give notice that this groundwater use restriction is no longer binding.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 17 day of April, 1998.

By signing this document, John W. Riesterer acknowledges that (he/she) is duly authorized to sign this document on behalf of Riesterer Properties, L.L.C., a Wisconsin Limited Liability Company

Signature: [Handwritten Signature]

Printed Name: John W. Riesterer, managing member

Title: MEMBER

Subscribed and sworn to before me

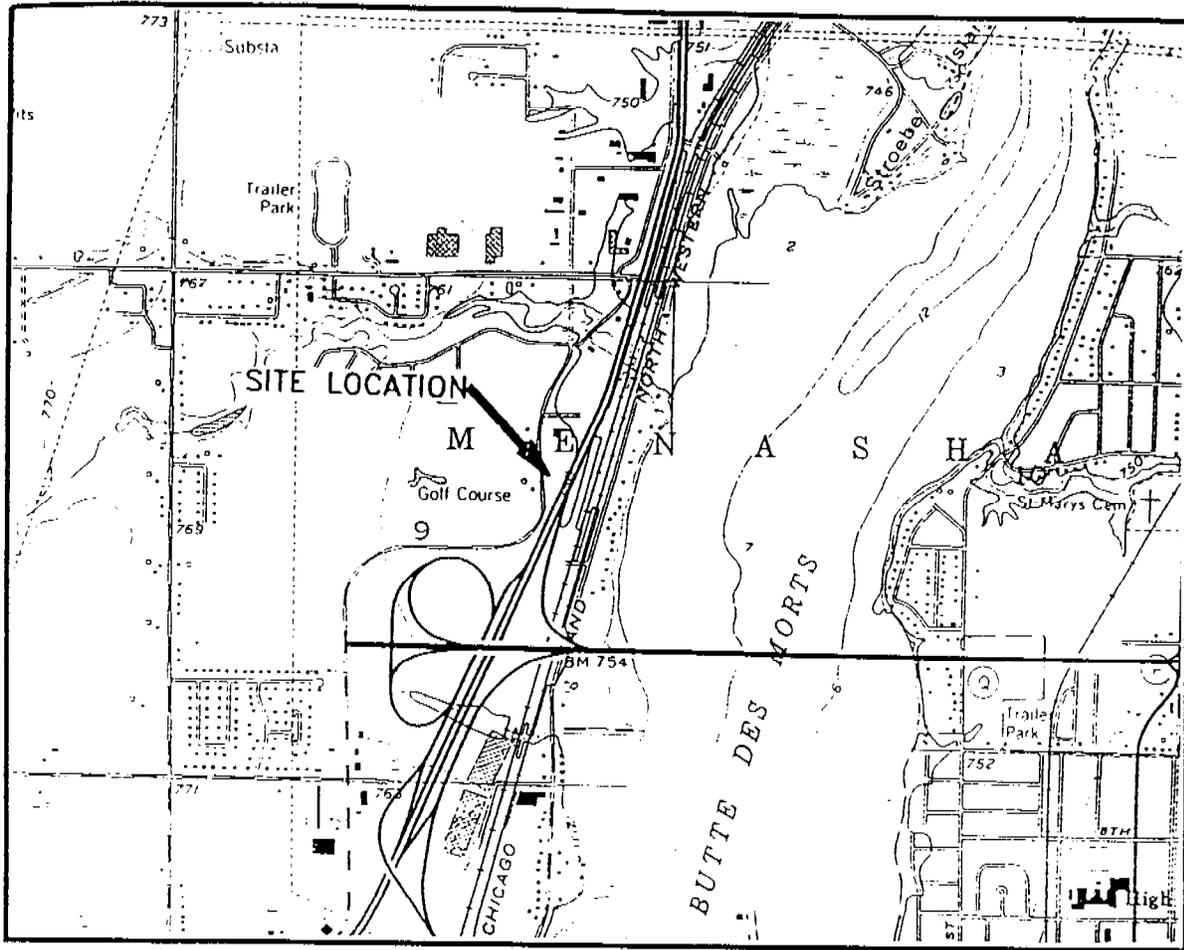
this 17 day of April, 1998

[Handwritten Signature]

Notary Public, State of Wisconsin

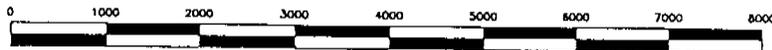
My commission May 27, 2001

This document was drafted by the Wisconsin Department of Natural Resources



SCALE IN FEET

1" = 2000'



CONTOUR INTERVAL 10 FEET  
NATIONAL GEODETIC VERTICAL DATUM OF 1929



BASE MAP SOURCE: USGS NEENAH, WISCONSIN 7.5 MINUTE QUADRANGLE (REVISED 1984)

QUADRANGLE LOCATION

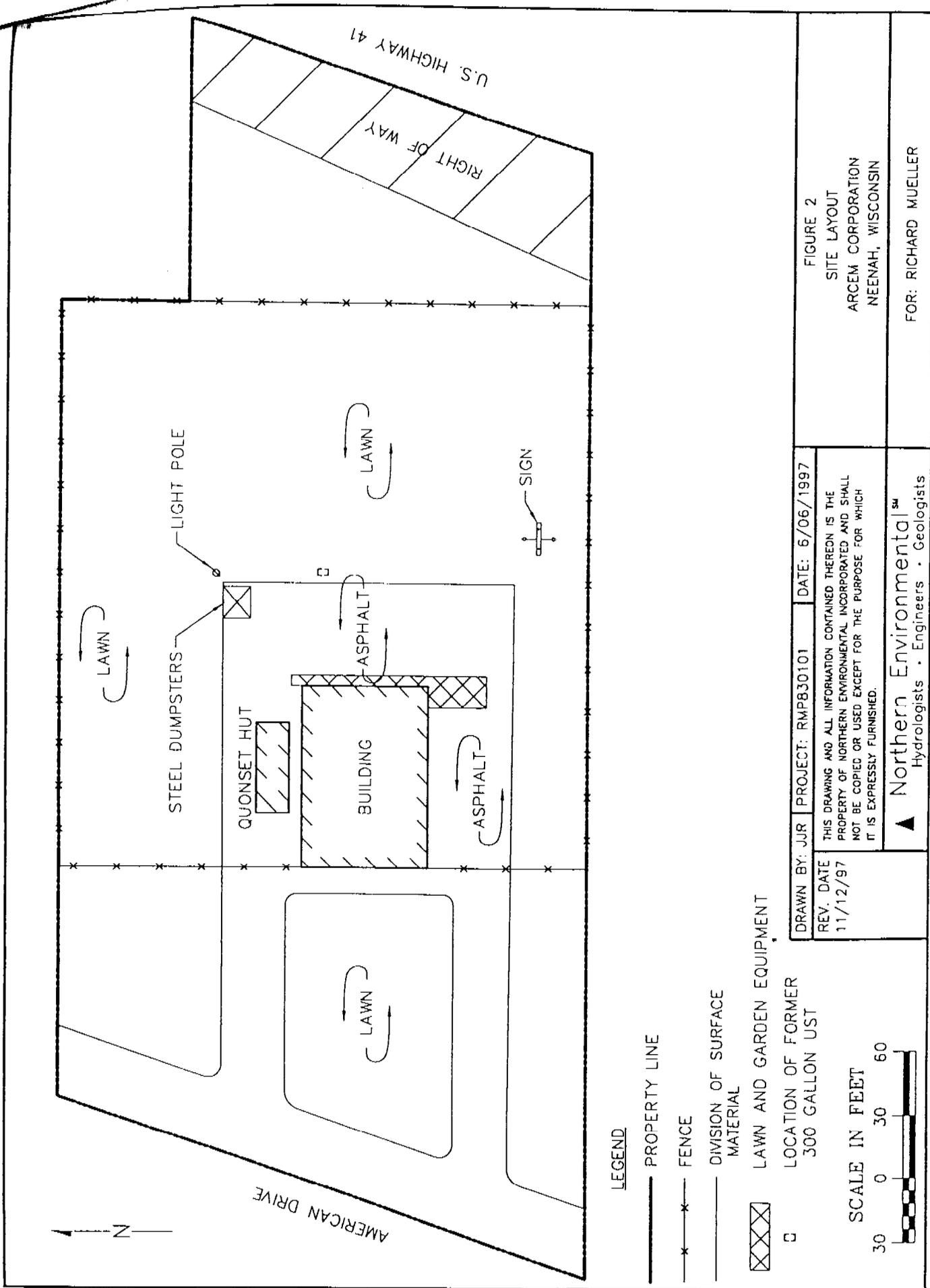
DRAWN BY: JJR PROJECT: RMP830101 DATE: 10/21/96

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.

FIGURE 1  
SITE LOCATION AND LOCAL TOPOGRAPHY  
ARCEM CORPORATION  
NEENAH, WISCONSIN

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

FOR: RICHARD MUELLER



**LEGEND**

— PROPERTY LINE

—x— FENCE

- - - DIVISION OF SURFACE MATERIAL

▨ LAWN AND GARDEN EQUIPMENT

□ LOCATION OF FORMER 300 GALLON UST

SCALE IN FEET



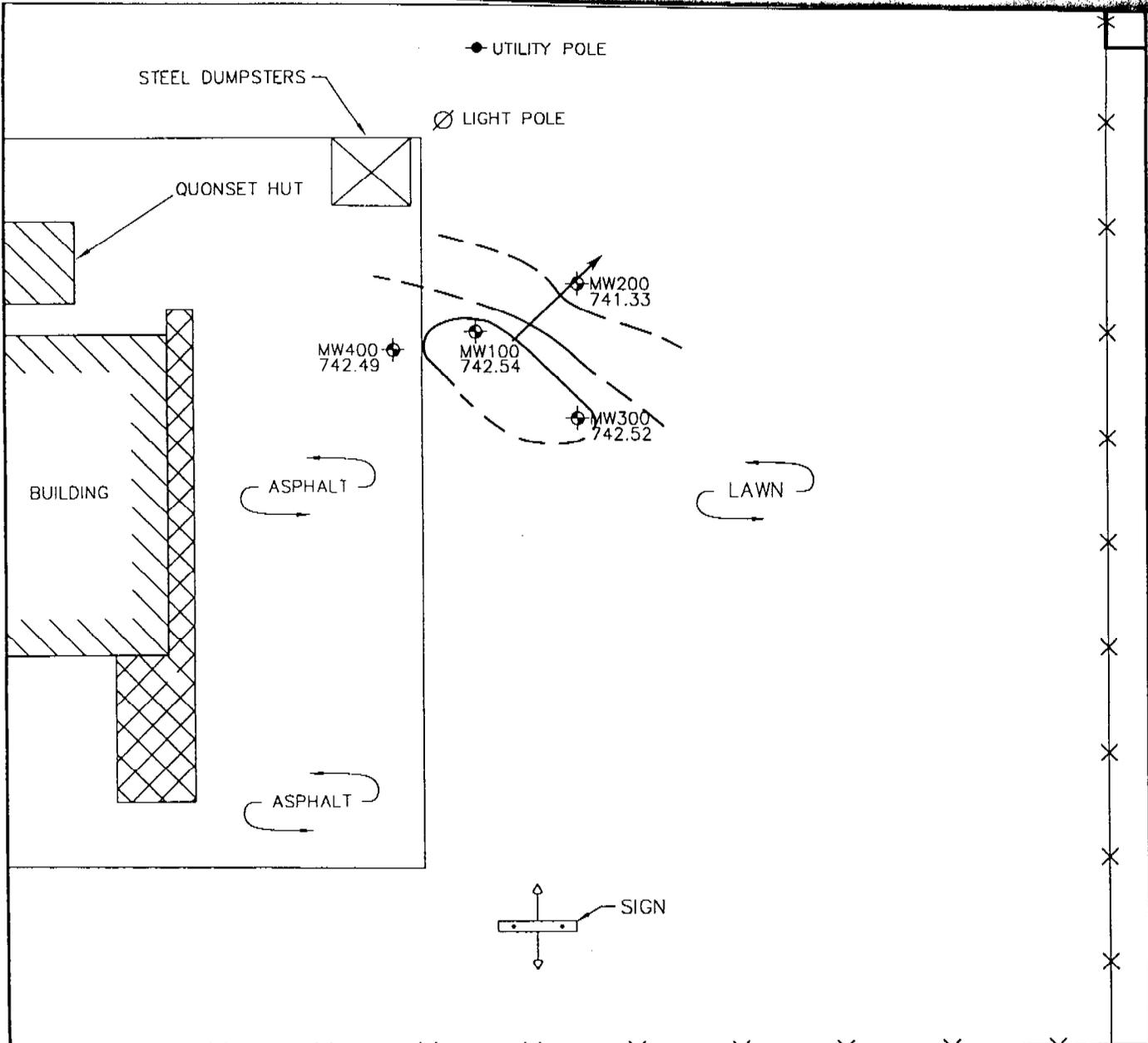
DRAWN BY: JJR PROJECT: RMPB30101 DATE: 6/06/1997

REV. DATE 11/12/97  
 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.

FIGURE 2  
 SITE LAYOUT  
 ARCEM CORPORATION  
 NEENAH, WISCONSIN

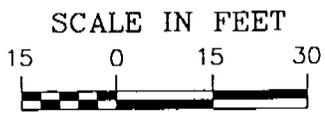
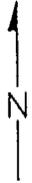
FOR: RICHARD MUELLER

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



**LEGEND**

- PROPERTY LINE
- FENCE
- DIVISION OF SURFACE MATERIAL
- MONITORING WELL LOCATION WITH GROUND-WATER ELEVATION
- LAWN AND GARDEN EQUIPMENT
- GROUND-WATER ELEVATION LINE  
CONTOUR INTERVAL = 0.5 FEET
- DASHED = INFERRED
- GROUND-WATER FLOW DIRECTION



DRAWN BY: DAM		PROJECT: RMP830101	DATE: 6/06/97	GROUND-WATER ELEVATION CONTOURS OCTOBER 9, 1997 ARCEM CORPORATION NEENAH, WISCONSIN
REV. DATE 1/8/98	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.			
Northern Environmental <sup>SM</sup> Hydrologists • Engineers • Geologists			FOR: RICHARD MUELLER	



600  
Table included in  
January 8, 1998  
classroom  
Submittal

Ground-Water Contaminants, Reisterer & Schnell, Neenah, Wisconsin

GW Data

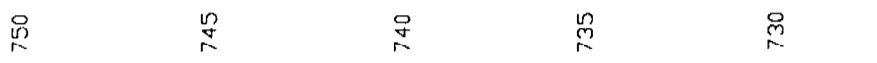
Well ID	Date	Concentrations of Analytes Detected (µg/l)										
		CRD	Lead	Benzene	1,2-Dichloroethane	Ethylbenzene	MIBK	Methyltoluene	Toluene	Xylenes		
Chapter NR 140, WAC Preventive Action Limit (PAL)												124
Chapter NR 140, WAC Enforcement Standard (ES)												670
GP100	11/13/96	NE	1.5	0.5	0.5	740	12	6	68.6			
MW100	01/20/97	---	---	496	< 6.6	210	30	53	130	263		
	01/20/97	---	---	250	1.8	190	23	50	71	690		
	07/14/97	---	---	240	1.8	190	21	49	70	670		
	10/09/97	---	---	91	0.78	63	12	4.4	3.2	62.2		
MW200	01/20/97	---	---	67	< 0.31	64	33	6.7	1.7	38.4		
	07/14/97	---	---	< 0.2	0.66	< 0.68	0.71	< 0.28	< 1.5	< 0.85		
	10/09/97	---	---	< 0.21	---	< 0.68	0.68	---	< 1.5	< 1.8		
MW300	01/20/97	---	---	< 0.21	< 0.31	< 0.68	0.75	< 1	< 1.5	< 1.78		
	07/14/97	---	---	< 0.2	< 0.14	< 0.68	< 0.15	< 0.28	< 1.5	< 0.85		
	10/09/97	---	---	< 0.21	---	< 0.68	< 0.21	---	< 1.5	< 1.6		
MW400	01/20/97	---	---	< 0.2	< 0.14	38	< 0.15	4.8	< 1.5	42.9		
	07/14/97	---	---	< 0.21	---	21	< 0.21	---	< 1.5	7.8		
	10/09/97	---	---	< 0.21	< 0.31	4.6	< 0.21	< 1	< 1.5	< 1.83		

Note  
 CRD = gasoline range organics  
 MIBK = Methyl-Tertiary-Butyl-Ether  
 µg/l = micrograms per kilogram  
 NE = not established by Wisconsin Department of Natural Resources (WDNR)  
 J\* = Analyte detected between Limit of Detection and Limit of Quantitation  
 --- = not analyzed  
 32 = Wisconsin Administrative Code (WAC) Preventive Action Limit Exceeded  
 22 = WAC Enforcement Standard (ES) Exceeded

FEET ABOVE  
MEAN SEA LEVEL

A  
WEST

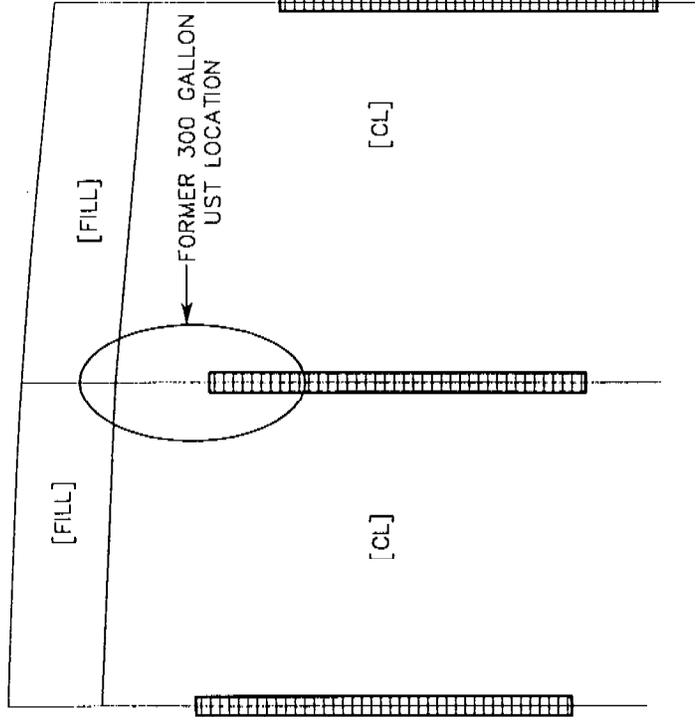
A'  
EAST



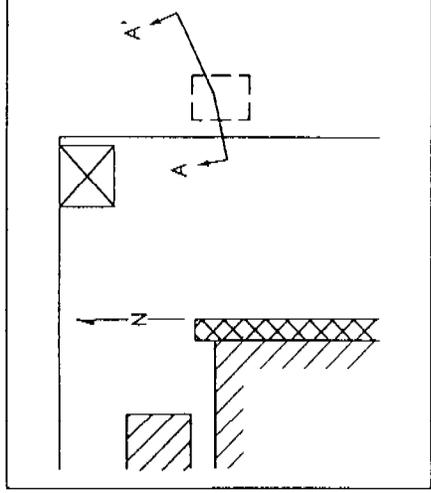
MW 400  
GE: 747.4

MW100  
GE: 747.0

MW200  
GE: 746.1



CROSS SECTION KEY



LEGEND

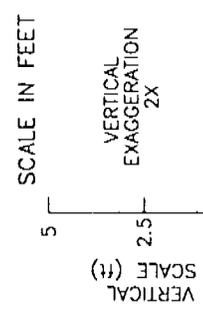
MW1400 MONITORING WELL

GE: GROUND ELEVATION

— LINE BETWEEN DIFFERENT  
SEDIMENT TYPES (DASHED WHERE  
INFERRED OR NOT KNOWN)

CL CLAY

NOTES: ALL ELEVATIONS REFERENCED TO  
FEET ABOVE MEAN SEA LEVEL



DRAWN BY: DAM PROJECT: RMP830101 DATE: 11/11/97

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.

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

FIGURE 7  
GEOLOGIC CROSS SECTION  
ARCEM CORPORATION  
NEENAH, WISCONSIN

FOR: RICHARD MUELLER