

Source Property Information

CLOSURE DATE: 09/05/2014

BRRTS #: 03-02-544842
ACTIVITY NAME: ASHLAND TRAVEL CENTER ICO (SPUR)
PROPERTY ADDRESS: 1802 E LAKESHORE DR
MUNICIPALITY: ASHLAND
PARCEL ID #: 201-03422-2000

FID #: 802071930
DATCP #: NA
PECFA#: NA

***WTM COORDINATES:**

X: 453937 Y: 681282

** 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)

CONTINUING OBLIGATIONS

Contaminated Media for Residual Contamination:

Groundwater Contamination > ES (236)

Contamination in ROW

Off-Source Contamination

*(note: for list of off-source properties
see "Impacted Off-Source Property Information,
Form 4400-246")*

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

Contamination in ROW

Off-Source Contamination

*(note: for list of off-source properties
see "Impacted Off-Source Property Information,
Form 4400-246")*

Site Specific Obligations:

Soil: maintain industrial zoning (220)

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

Structural Impediment (224)

Site Specific Condition (228)

Cover or Barrier (222)

Direct Contact

Soil to GW Pathway

Vapor Mitigation (226)

Maintain Liability Exemption (230)

*(note: local government unit or economic
development corporation was directed to
take a response action)*

Monitoring Wells:

Are all monitoring wells properly abandoned per NR 141? (234)

Yes No N/A

** Residual Contaminant Level*

***Site Specific Residual Contaminant Level*



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott Walker, Governor
Cathy Stepp, Secretary

Wausau Service Center
5301 Rib Mountain Drive
Wausau, Wisconsin 54401
Telephone 715-359-4522
FAX 715-355-5253

September 5, 2014

MR DOUGLAS LARSON
HIGHWAY 2 PROPERTIES LLC
2710 SHADY PINE LN
MENOMONIE WI 54751

KEEP THIS DOCUMENT WITH YOUR PROPERTY RECORDS

SUBJECT: Final Case Closure with Continuing Obligations
Former Ashland Travel Center, 1802 Lakeshore Drive East, Ashland, Wisconsin
DNR BRRTS Activity #03-02-544842
FID #802071930

Dear Mr. Larson:

The Department of Natural Resources (DNR) considers the former Ashland Travel Center site closed, with continuing obligations. No further investigation or remediation is required at this time. However, you, future property owners, and occupants of the property must comply with the continuing obligations as explained in the conditions of closure in this letter. Please read over this letter closely to ensure that you comply with all conditions and other on-going requirements. Provide this letter and any attachments listed at the end of this letter to anyone who purchases, rents or leases this property from you.

This final closure decision is based on the correspondence and data provided, and is issued under chs. NR 726 and 727, Wis. Adm. Code. The Department's Northern Region Closure Committee reviewed the request for closure on September 4, 2014. The Closure Committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases.

This former gas station has soil contaminated with petroleum products, but the contaminated soil remaining under the pavement and building foundation does not pose a threat to human health or the environment under existing conditions. The conditions of closure and continuing obligations required were based on the property being used for commercial purposes.

Continuing Obligations

The continuing obligations for this site are summarized below. Further details on actions required are found in the section Closure Conditions.

- Residual soil contamination exists that must be properly managed should it be excavated or removed.
- If a structural impediment that obstructed a complete site investigation or cleanup is removed or modified, additional environmental work must be completed.

The DNR fact sheet, "Continuing Obligations for Environmental Protection", RR-819, helps to explain a property owner's responsibility for continuing obligations on their property. The fact sheet is attached and may also be obtained at <http://dnr.wi.gov/files/PDF/pubs/rr/RR819.pdf>.

GIS Registry

This site will be included on the Bureau for Remediation and Redevelopment Tracking System (BRRTS on the Web) at <http://dnr.wi.gov/topic/Brownfields/clean.html>, to provide public notice of residual contamination and of any continuing obligations. The site can also be viewed on the Remediation and Redevelopment Sites Map (RRSM), a map view, under the Geographic Information System (GIS) Registry layer, at the same web address.

DNR approval prior to well construction or reconstruction is required for all sites shown on the GIS Registry, in accordance with s. NR 812.09 (4) (w), Wis. Adm. Code. This requirement applies to private drinking water wells and high capacity wells. To obtain approval, complete and submit Form 3300-254 to the DNR Drinking and Groundwater program's regional water supply specialist. This form can be obtained on-line at <http://dnr.wi.gov/topic/wells/documents/3300254.pdf>.

All site information is also on file at the Northern Regional DNR office, at 107 Sutliff Avenue in Rhinelander. This letter and information that was submitted with your closure request application, including any maintenance plan and maps, can be found as a Portable Document Format (PDF) in BRRTS on the Web.

Closure Conditions

Compliance with the requirements of this letter is a responsibility to which you and any subsequent property owners must adhere. DNR staff will conduct periodic prearranged inspections to ensure that the conditions included in this letter and the attached maintenance plan are met. If these requirements are not followed, the DNR may take enforcement action under s. 292.11, Wis. Stats. to ensure compliance with the specified requirements, limitations or other conditions related to the property.

Please send written notifications in accordance with the following requirements to:

Department of Natural Resources
Attn: Remediation and Redevelopment Program Environmental Program Associate
223 E. Steinfest Rd.
Antigo, WI 54409

Residual Soil Contamination (ch. NR 718, chs. 500 to 536, Wis. Adm. Code or ch. 289, Wis. Stats.)

Soil contamination remains as shown on the attached figures B.2.a. (Part 1 and Part 2), prepared by Coleman Engineering Company and dated 8/15/14. If soil in the specific locations described above is excavated in the future, the property owner or right-of-way holder at the time of excavation must sample and analyze the excavated soil to determine if contamination remains. If sampling confirms that contamination is present, the property owner or right-of-way holder at the time of excavation will need to determine whether the material is considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable standards and rules. Contaminated soil may be managed in accordance with ch. NR 718, Wis. Adm. Code, with prior DNR approval.

In addition, all current and future owners and occupants of the property and right-of-way holders need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard

and as a result special precautions may need to be taken to prevent a direct contact health threat to humans.

Depending on site-specific conditions, construction over contaminated soils or groundwater may result in vapor migration of contaminants into enclosed structures or migration along newly placed underground utility lines. The potential for vapor inhalation and means of mitigation should be evaluated when planning any future redevelopment, and measures should be taken to ensure the continued protection of public health, safety, welfare and the environment at the site.

Structural Impediments (s. 292.12 (2) (b), Wis. Stats., s. NR 726.15, s. NR 727.07, Wis. Adm. Code)

The foundation of the 2005 building addition as shown on the attached figures B.2.a. (Part 1 and Part 2), prepared by Coleman Engineering Company and dated 8/15/14, made complete investigation and/or remediation of the soil contamination on this property impracticable. If the structural impediment is to be removed, the property owner shall notify the DNR at least 45 days before removal, and conduct an investigation of the degree and extent of petroleum contamination below the structural impediment. If contamination is found at that time, the contamination shall be properly remediated in accordance with applicable statutes and rules.

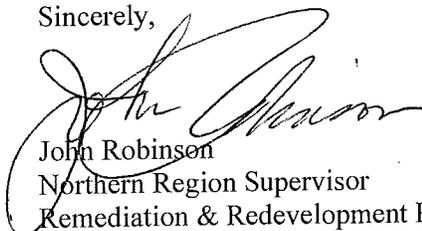
In Closing

Please be aware that the case may be reopened pursuant to s. NR 727.13, Wis. Adm. Code, for any of the following situations:

- if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, or welfare or to the environment,
- if the property owner does not comply with the conditions of closure, with any deed restrictions applied to the property, or with a certificate of completion issued under s. 292.15, Wis. Stats, or
- a property owner fails to maintain or comply with a continuing obligation (imposed under this closure approval letter).

The DNR appreciates your efforts to restore the environment at this site. If you have any questions regarding this closure decision or anything outlined in this letter, please contact project manager Chris Saari at 715-685-2920, or by email at Christopher.Saari@Wisconsin.gov.

Sincerely,



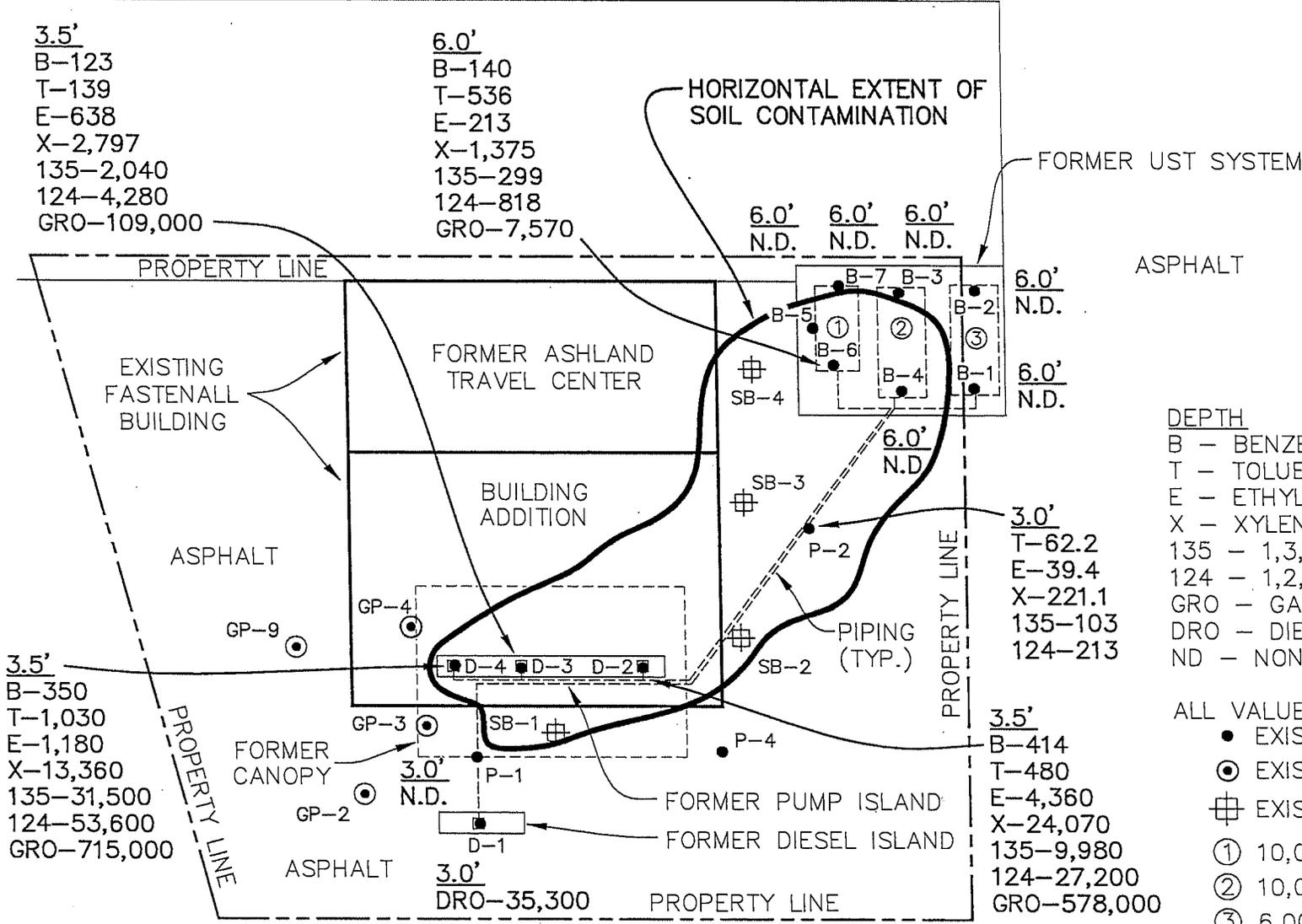
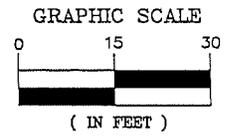
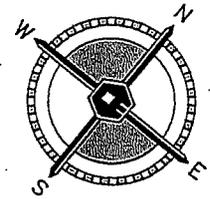
John Robinson
Northern Region Supervisor
Remediation & Redevelopment Program

Attachments:

- Figures B.2.a. (Part 1 and Part 2)
Continuing Obligations for Environmental Protection, RR-819

cc: Charles Saari
Coleman Engineering Company
635 Circle Drive
Iron Mountain, MI 49801

U.S. HIGHWAY 2 / LAKE SHORE DRIVE



LEGEND

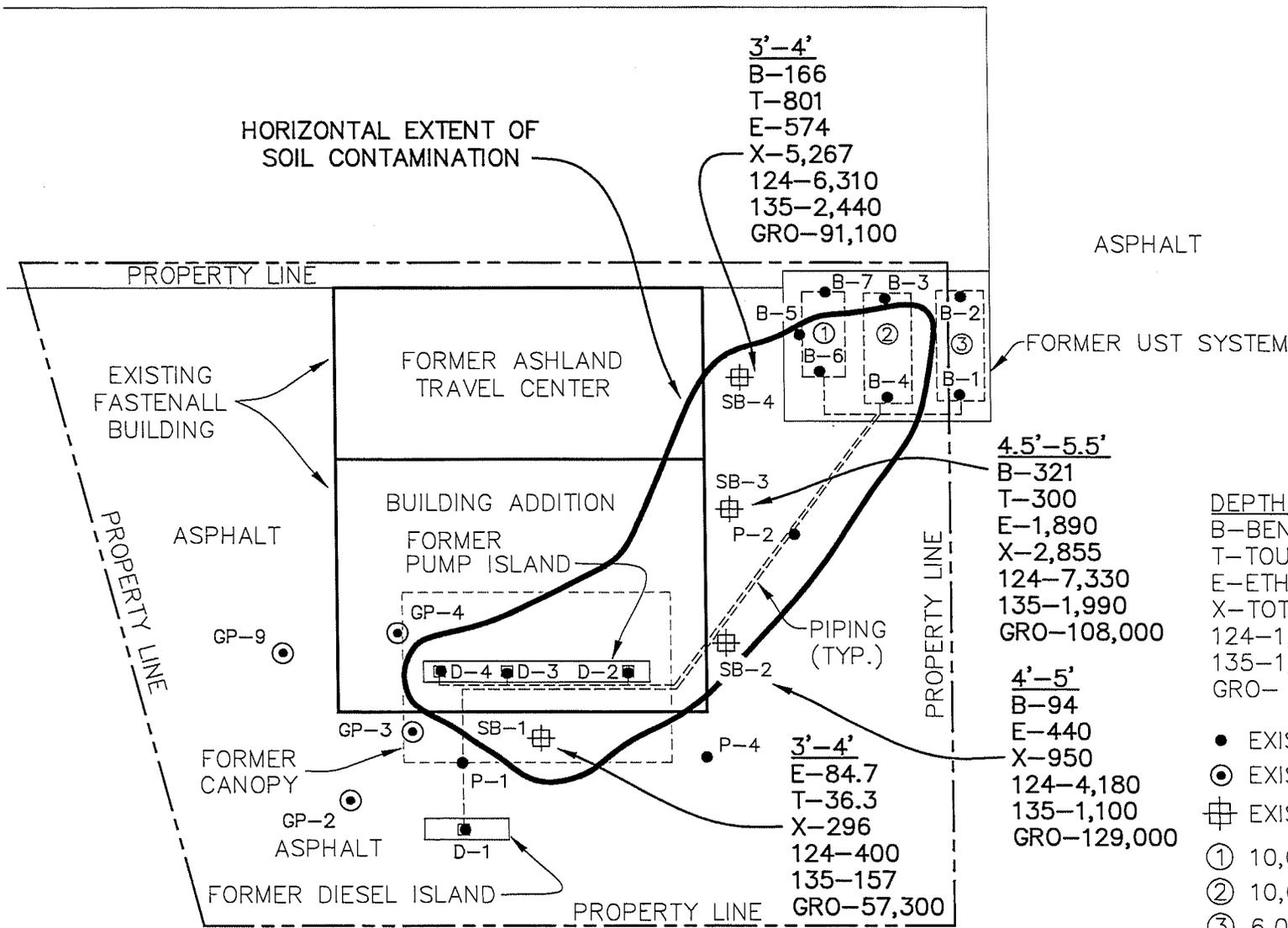
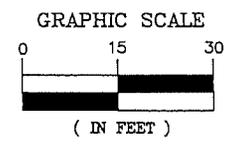
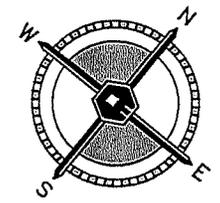
- DEPTH**
 B - BENZENE
 T - TOLUENE
 E - ETHYLBENZENE
 X - XYLENES
 135 - 1,3,5-ETHYLBENZENE
 124 - 1,2,4-ETHYLBENZENE
 GRO - GASOLINE RANGE ORGANICS
 DRO - DIESEL RANGE ORGANICS
 ND - NON DETECT
- ALL VALUES IN PARTS PER BILLION
- EXISTING SOIL SAMPLE
 - ⊙ EXISTING PROBE
 - ⊕ EXISTING SOIL BORING
 - ① 10,000 GALLON GASOLINE UST
 - ② 10,000 GALLON DIESEL UST
 - ③ 6,000 GALLON GASOLINE UST

FIGURE B.2.a - PRE-REMEDIAL SOIL CONTAMINATION (PART 1)
FORMER ASHLAND TRAVEL CENTER
1302 EAST LAKESHORE DRIVE
ASHLAND, WI

 **COLEMAN ENGINEERING COMPANY**
 635 CIRCLE DRIVE - IRON MOUNTAIN, MICHIGAN 49801 (906) 774-3440
 200 EAST AYER STREET - IRONWOOD, MICHIGAN 49938 (906) 932-5048

DATE 8/15/14
 JOB NO 13308-B
 CADD FILE 13308-B2a-SOIL1.DWG
 PDF FILE 13308-B2a-SOIL1.PDF

U.S. HIGHWAY 2 / LAKE SHORE DRIVE



3'-4'
 B-166
 T-801
 E-574
 X-5,267
 124-6,310
 135-2,440
 GRO-91,100

4.5'-5.5'
 B-321
 T-300
 E-1,890
 X-2,855
 124-7,330
 135-1,990
 GRO-108,000

3'-4'
 E-84.7
 T-36.3
 X-296
 124-400
 135-157
 GRO-57,300

4'-5'
 B-94
 E-440
 X-950
 124-4,180
 135-1,100
 GRO-129,000

LEGEND

- DEPTH
 B-BENZENE
 T-TOULENE
 E-ETHYLBENZE
 X-TOTAL XYLENES
 124-1,2,4 TRIMETHYLBENZENE
 135-1,3,5 TRIMETHYLBENZENE
 GRO-
- EXISTING SOIL SAMPLE
 - ⊙ EXISTING PROBE
 - ⊕ EXISTING SOIL BORING
 - ① 10,000 GALLON GASOLINE UST
 - ② 10,000 GALLON DIESEL UST
 - ③ 6,000 GALLON GASOLINE UST

FIGURE B.2.a - PRE-REMEDIAL SOIL CONTAMINATION (PART 2)

**FORMER ASHLAND TRAVEL CENTER
 1302 EAST LAKESHORE DRIVE
 ASHLAND, WI**



COLEMAN ENGINEERING COMPANY
 635 CIRCLE DRIVE - IRON MOUNTAIN, MICHIGAN 49801 (906) 774-3440
 200 EAST AYER STREET - IRONWOOD, MICHIGAN 49938 (906) 932-5048

DATE 8/15/14
 JOB NO 13308-B
 CADD FILE 13308-B2a-SOIL2.DWG
 PDF FILE 13308-B2a-SOIL2.PDF



Continuing Obligations for Environmental Protection

Responsibilities of Wisconsin Property Owners

PUB-RR-819

November 2013

This fact sheet is intended to help property owners understand their legal requirements under s. 292.12, Wis. Stats., regarding continuing obligations that arise due to the environmental condition of their property.

The term “continuing obligations” refers to certain actions for which property owners are responsible following a completed environmental cleanup. They are sometimes called environmental land use controls or institutional controls. These legal obligations, such as a requirement to maintain pavement over contaminated soil, are most often found in a cleanup approval letter from the state.

Less commonly, a continuing obligation may apply where a cleanup is not yet completed but a cleanup plan has been approved, or at a property owned by a local government that is exempt from certain cleanup requirements.

What Are Continuing Obligations?

Continuing obligations are legal requirements designed to protect public health and the environment in regard to contamination that remains on a property.

Continuing obligations still apply after a property is sold. Each new owner is responsible for complying with the continuing obligations.

Background

Wisconsin, like most states, allows some contamination to remain after cleanup of soil or groundwater contamination (residual contamination). This minimizes the transportation of contamination and reduces cleanup costs while still ensuring that public health and the environment are protected.

The Department of Natural Resources (DNR), through its Remediation and Redevelopment (RR) Program, places sites or properties with residual contamination on a public database in order to provide notice to interested parties about the residual contamination and any associated continuing obligations. Please see the “Public Information” section on page 3 to learn more about the database. (Prior to June 3, 2006, the state used deed restrictions recorded at county courthouses to establish continuing obligations, and those deed restrictions have also been added into the database.)



Wisconsin Department of Natural Resources
P.O. Box 7921, Madison, WI 53707
dnr.wi.gov, search “brownfield”



Types of Continuing Obligations

1. Manage Contaminated Soil that is Excavated

If the property owner intends to dig up an area with contaminated soil, the owner must ensure that proper soil sampling, followed by appropriate treatment or disposal, takes place. Managing contaminated soil must be done in compliance with state law and is usually done under the guidance of a private environmental professional.

2. Manage Construction of Water Supply Wells

If there is soil or groundwater contamination and the property owner plans to construct or reconstruct a water supply well, the owner must obtain prior DNR approval to ensure that well construction is designed to protect the water supply from contamination.

Other Types of Continuing Obligations

Some continuing obligations are designed specifically for conditions on individual properties. Examples include:

- keeping clean soil and vegetation over contaminated soil;
- keeping an asphalt “cover” over contaminated soil or groundwater;
- maintaining a vapor venting system; and
- notifying the state if a structural impediment (e.g. building) that restricted the cleanup is removed. The owner may then need to conduct additional state-approved environmental work.

It is common for properties with approved cleanups to have continuing obligations because the DNR generally does not require removal of all contamination.

Property owners with the types of continuing obligations described above will find these requirements described in the state’s cleanup approval letter or cleanup plan approval, and *must*:

- comply with these property-specific requirements; and
- obtain the state’s permission before changing portions of the property where these requirements apply.

The requirements apply whether or not the person owned the property at the time that the continuing obligations were placed on the property.

Changing a Continuing Obligation

A property owner has the option to modify a continuing obligation if environmental conditions change. For example, petroleum contamination can degrade over time and property owners may collect new samples showing that residual contamination is gone. They may then request that DNR modify or remove a continuing obligation. Fees are required for DNR’s review of this request and for processing the change to the database (\$1050 review fee, \$300/\$350 database fee). Fees are subject to change; current fees are found in Chapter NR 749, Wis. Adm. Code, on the web at www.legis.state.wi.us/rsb/code/nr/nr749.pdf.

Public Information

The DNR provides public information about continuing obligations on the Internet. This information helps property owners, purchasers, lessees and lenders understand legal requirements that apply to a property. DNR has a comprehensive database of contaminated and cleaned up sites, *BRRTS on the Web*. This database shows all contamination activities known to DNR. Site specific documents are found under the *Documents* section. The information includes maps, deeds, contaminant data and the state's closure letter. The closure letter states that no additional environmental cleanup is needed for past contamination and includes information on property-specific continuing obligations. If a cleanup has not been completed, the state's approval of the remedial action plan will contain the information about continuing obligations.

Properties with continuing obligations can generally be located in DNR's *GIS Registry*, part of the *RR Sites Map*. *RR Sites Map* provides a map view of contaminated and cleaned up sites, and links to *BRRTS on the Web*.

If a completed cleanup is shown in *BRRTS on the Web* but the site documents cannot be found in the Documents section, DNR's closure letter can still be obtained from a regional office. For assistance, please contact a DNR Environmental Program Associate (see the RR Program's Staff Contact web page at dnr.wi.gov/topic/Brownfields/Contact.html).

BRRTS on the Web and
RR Sites Map are part of
CLEAN
(the Contaminated Lands
Environmental Action Network) at
dnr.wi.gov/topic/Brownfields/clean.html

Off-Site Contamination: When Continuing Obligations Cross the Property Line

An off-site property owner is someone who owns property that has been affected by contamination that moved through soil, sediment or groundwater from another property. Wisconsin law, s. 292.13, Wis. Stats., provides an exemption from environmental cleanup requirements for owners of "off-site" properties. The DNR will generally not ask off-site property owners to investigate or clean up contamination that came from a different property, as long as the property owner allows access to his or her property so that others who are responsible for the contamination may complete the cleanup.

However, off-site property owners are legally obligated to comply with continuing obligations on their property, even though they did not cause the contamination. For example, if the state approved a cleanup where the person responsible for the contamination placed clean soil over contamination on an off-site property, the owner of the off-site property must either keep that soil in place or obtain state approval before disturbing it.

Property owners and others should check the *Public Information* section above if they need to:

- determine whether and where continuing obligations exist on a property;
- review the inspection, maintenance and reporting requirements, and
- contact the DNR regarding changing that portion of the property. The person to contact is the person that approved the closure or remedial action plan.

Option for an Off-Site Liability Exemption Letter

In general, owners of off-site properties have a legal exemption from environmental cleanup requirements. This exemption does not require a state approval letter. Nonetheless, they may request a property-specific liability exemption letter from DNR if they have enough information to show that the source of the contamination is not on their property. This letter may be helpful in real estate transactions. The fee for this letter is \$700 under Chapter NR 749, Wis. Adm. Code. For more information about this option, please see the RR Program's Liability web page at dnr.wi.gov/topic/Brownfields/Liability.html.

Legal Obligations of Off-Site Property Owners

- Allow access so the person cleaning up the contamination may work on the off-site property (unless the off-site owner completes the cleanup independently).
- Comply with any required continuing obligations on the off-site property.

Required Notifications to Off-Site Property Owners

1. The person responsible for cleaning up contamination must notify affected property owners of any proposed continuing obligations on their off-site property **before** asking the DNR to approve the cleanup. This is required by law and allows the off-site owners to provide the DNR with any technical information that may be relevant to the cleanup approval.

When circumstances are appropriate, an off-site neighbor and the person responsible for the cleanup may enter into a "legally enforceable agreement" (i.e. a contract). Under this type of private agreement, the person responsible for the contamination may also take responsibility for maintaining a continuing obligation on an off-site property. This agreement would not automatically transfer to future owners of the off-site property. The state is not a party to the agreement and can not enforce it.

2. If a cleanup proposal that includes off-site continuing obligations is approved, DNR will send a letter to the off-site owners detailing the continuing obligations that are required for their property. Property owners should inform anyone interested in buying their property about maintaining these continuing obligations. For residential property, this would be part of the real estate disclosure obligation.

More Information

For more information, please visit the RR Program's Continuing Obligations web site at dnr.wi.gov/topic/Brownfields/Residual.html.

For more information about DNR's Remediation and Redevelopment Program, see our web site at dnr.wi.gov/org/aw/rr/. This document contains information about certain state statutes and administrative rules but does not include all of the details found in the statutes and rules. Readers should consult the actual language of the statutes and rules to answer specific questions.

The Wisconsin Department of Natural Resources provides equal opportunity in its employment, programs, services, and functions under an Affirmative Action Plan. If you have any questions, please write to Equal Opportunity Office, Department of Interior, Washington, D.C. 20240. This publication is available in alternative format upon request. Please call 608-267-3543 for more information.

SUBMIT AS UNBOUND PACKAGE IN THE ORDER SHOWN

Notice: Pursuant to ch. 292, Wis. Stats., and chs. NR 726 and 746, Wis. Adm. Code, this form is required to be completed for case closure requests. The closure of a case means that the Department of Natural Resources (DNR) has determined that no further response is required at that time based on the information that has been submitted to the DNR. All sections of this form must be completed unless otherwise directed by the Department. Incomplete forms will be considered "administratively incomplete" and processing of the request will stop until required information is provided. Any section of the form not relevant to the case closure request must be fully filled out or explained on a separate page and attached to the relevant section of this form. DNR will consider your request administratively complete when the form and all sections are completed, all attachments are included, and the applicable fees required under ch. NR 749, Wis. Adm. Code, are included, and sent to the proper destinations. Personal information collected will be used for administrative purposes and may be provided to requesters to the extent required by Wisconsin's Open Records Law (ss. 19.31 - 19.39, Wis. Stats.).

Site Information

BRRTS No. 03-02-544842		Parcel ID No. 201-03422-2000	
BRRTS Activity (Site) Name Former Ashland Travel Center		WTM Coordinates X 453932.1 Y 681283.1	
Street Address 1802 Lakeshore Drive East		City Ashland	State ZIP Code WI 54806
Responsible Party (RP) Name Douglas Larson			
Company Name Highway 2 Ashland Properties, LLC			
Street Address 2710 Shady Pine Lane		City Menomonie	State ZIP Code WI 54751
Phone Number (715) 556-0244		Email larsonenterprises@sbcglobal.com	

Check here if the RP is the owner of the source property.

Environmental Consultant Name Charles Saari			
Consulting Firm Coleman Engineering Company			
Street Address 635 Circle Drive		City Iron Mountain	State ZIP Code MI 49801
Phone Number (906) 774-3440		Email csaari@coleman-engineering.com	
Acres Ready For Use 0.46		Voluntary Party Liability Exemption Site? <input type="radio"/> Yes <input checked="" type="radio"/> No	

Fees and Mailing of Closure Request

If any section is not relevant to the case closure request, you must fully explain the reasons why and attach that explanation to the relevant section of the form. All information submitted shall be legible. Providing illegible information may result in a submittal being considered incomplete until corrected.

1. **Send a copy of page one** of this form and the applicable ch. NR 749, Wis. Adm. Code, fee(s) to the DNR regional Environmental Program Associate at <http://dnr.wi.gov/topic/Brownfields/Contact.html>. Check all fees that apply:

- \$1,050 Closure Fee \$300 Database Fee for Soil
 \$350 Database Fee for Groundwater or Other Condition (MW Not Abandoned)

Total Amount of Payment \$ \$1,350.00

2. **Send one paper copy and one e-copy on compact disk of the entire closure package** to the Regional Project Manager assigned to your site. Submit as *unbound, separate documents* in the order and with the titles prescribed by this form. For electronic document submittal requirements, see <http://dnr.wi.gov/files/PDF/pubs/rr/RR690.pdf>.

Site Summary

If any section is not relevant to the case closure request, you must fully explain the reasons why and attach that explanation to the relevant section of the form. All information submitted shall be legible. Providing illegible information may result in a submittal being considered incomplete until corrected.

1. General Site Information and Site History

- A. **Site Location:** Describe the physical location of the site, both generally and specific to its immediate surroundings.
The site is located on 1802 Lakeshore Drive East on the south side of the highway and is occupied by a one-story brick building on a concrete slab. The area surrounding the building serves as a parking lot for the building and a strip mall located directly adjacent to the property to the south.
- B. **Prior and current site usage:** Specifically describe the current and historic occupancy and types of use.
Prior site usage was a gasoline retail station and a convenience store (Ashland Travel Center) operated by Bay Area, LLC. After the tanks were removed in 2005, the building was expanded and was rented to Fastenal for a period of time. The building is presently being used as a Goodwill Store.
- C. Describe how and when site contamination was discovered.
Contamination was discovered during the removal of the USTs in 2005 as part of the closure of the station. Soil samples collected during the removal indicated contaminants had been released from the system.
- D. Describe the type(s) and source(s) or suspected source(s) of contamination.
Based on the location of the contaminants, the release had occurred beneath the pump islands and the 10,000 gallon unleaded gasoline tank.
- E. Other relevant site description information (or enter Not Applicable).
A release was reported in the 1990's from a previous UST system and those USTs had been replaced by the USTs eventually removed in 2005. The site was closed under a restrictive covenant and the USTs that were removed in 2005 were installed in the same location as the USTs.
- F. List BRRTS activity site name and number for all other BRRTS activities at this property, including closed cases.
The BRRTS for the former release in 1992 was 03-02-000841 and was also listed under the Ashland Travel Center.
- G. List BRRTS activity/site name(s) and number(s) for all properties immediately adjacent to this site, and those impacted by contamination from this site.
None.
- H. **Current zoning** (e.g. industrial, commercial, residential) for the site and for neighboring properties, and how verified (Provide documentation in Attachment G).
The current zoning is commercial.

2. General Site Conditions

- A. Soil/Geology
- i. Describe soil type(s) and relevant physical properties, thickness of soil column across the site, vertical and lateral variations in soil types.
Soil on the site consists of 2-3 feet of fill sand, 1-2 feet of sand over a red clay extending to 10 feet below ground surface or deeper.
 - ii. Describe the composition, location and lateral extent, and depth of fill or waste deposits on the site.
According to the soil borings, fill sand extends between 2-3 feet across the site except for the former UST excavations where the depth of fill sand extends to 12 feet.
 - iii. Depth to bedrock, bedrock type, and whether or not it was encountered during the investigation.
Not encountered.
 - iv. Describe the nature and locations of current surface cover(s) across the site (e.g. natural vegetation, landscaped areas, gravel, hard surfaces, and buildings).
The entire site is covered with asphalt and the building rests on a concrete slab with a flower bed surrounding the north, east, and southern walls.
- B. Groundwater
- i. **Discuss depth to groundwater and piezometric elevations.** Describe and explain depth variations, and whether free product affects measurement or water table elevation. Describe the stratigraphic unit(s) where water table was found or which were measured for piezometric levels.
Groundwater was not encountered on the property.

- ii. Discuss groundwater flow direction(s), shallow and deep. Describe and explain flow variations, including fracture flow if present.
Groundwater was not encountered during the investigation, and therefore, a flow direction could not be determined. The presence of a deep aquifer is unknown.
- iii. Discuss groundwater flow characteristics: hydraulic conductivity, flow rate and permeability, or state why this information was not obtained.
Groundwater was not encountered during the investigation, and therefore, the hydraulic conductivity, flow rate, and permeability in the subsurface could not be determined.
- iv. Identify and describe locations/distance of potable and/or municipal Wells within 1200 feet of the site.
Municipal wells are greater than 1,200 feet from the site.

3. Site Investigation Summary

A. General

- i. Provide a brief summary of the site investigation history. Reference previous submittals by name and date. Describe site investigation activities undertaken since the last submittal for this project and attach the appropriate documentation in Attachment C, if not previously provided.
The site investigation history for this release consists of a Site Assessment Report prepared by ICECOR Environmental Corporation on November 20, 2005 and a Site Investigation Report submitted by Coleman Engineering Company on October 1, 2013.
- ii. Identify whether contamination extends beyond the source property boundary, describe the off-site media (e.g., soil, groundwater, etc.) impacted, and the vertical and horizontal extent of off-site impacts.
Contamination does not extend beyond the property boundary.
- iii. Identify any structural impediments to the completion of site investigation and/or remediation and whether these impediments are on the source property or off the source property. Identify the type and location of any structural impediment (e.g., structure) that also serves as the performance standard barrier for protection of the direct contact or the groundwater pathway.
The building was expanded after the USTs were removed in 2005 and the former pump island location is beneath the slab of the building. The slab protects against exposure from direct contact with contamination related to the former pump islands.

B. Soil

- i. Describe degree and extent of **soil contamination** at and from this site. Relate this to known or suspected sources and known or potential receptors/migration pathways.
Soil contamination extends beneath the building and below the asphalt in the parking area.
- ii. Describe the level and types of **soil contaminants** found in the upper four feet of the soil column.
Contaminants are present in the upper 4 feet of the soil in the area of the former pump island. Contaminants were not found in the fill material. Benzene, ethylbenzene, total xylenes, and Gasoline Range Organic (GRO) concentrations exceeded the Residual Contaminant Level for Protection of Groundwater. However, groundwater is not an issue at this site and this parameter is not applicable to site cleanup.
- iii. Identify the ch. NR 720, Wis. Adm. Code, method used to establish the soil cleanup standards for this site. This includes a soil performance standard established in accordance with s. NR 720.08, a Residual Contaminant Level (RCL) established in accordance with s. NR 720.10 that is protective of groundwater quality, or an RCL established in accordance with s. NR 720.12 that is protective of human health from direct contact with contaminated soil. Identify the land use classification that was used to establish cleanup standards. Provide a copy of the supporting calculations/information in Attachment C.
Contaminant concentrations compared to criteria is provided in Table 1 in Attachment C.

C. Groundwater

- i. Describe degree and extent of groundwater contamination at or from this site. Relate this to known or suspected sources and known or potential receptors/migration pathways. Specifically address any potential or existing impacts to water supply wells or interception with building foundation drain systems.
Groundwater was not encountered at this site.
- ii. Describe the presence of free product at the site, including the thickness, depth, and locations.
Free Product was not encountered at this site.

D. Vapor

- i. Describe how the vapor migration pathway was assessed, including locations where vapor or indoor air samples were collected. If the vapor pathway was not assessed, explain reasons why.
Soil contaminant concentrations do not exceed Federal Statutes for Vapor Inhalation and the building is on a concrete slab. A comparison to Federal Statutes is provided in Table 1, Attachment C.
- ii. Identify the applicable DNR action levels and the land use classification used to establish them. Describe where the DNR action levels were reached or exceeded (e.g., sub slab, indoor air or both).
See above.

E. Surface Water and Sediment

- i. Identify whether surface water and/or sediment was assessed and describe the impacts found. If this pathway was not assessed, explain why.
The contaminants have no mechanism to reach surface water bodies as groundwater is not present.
- ii. Identify any surface water and/or sediment action levels used to assess the impacts for this pathway and how these were derived. Describe where the DNR action levels were reached or exceeded.
See above.

4. Remedial Actions Implemented and Residual Levels at Closure

- A. General: Provide a brief summary of the remedial action history. List previous remedial action report submittals by name and date. Identify remedial actions undertaken since the last submittal for this project and provide the appropriate documentation in Attachment C.
There were no remedial actions implemented for this release.
- B. Describe any immediate or interim actions taken at the site under ch NR 708, Wis. Adm. Code.
None.
- C. Describe the *active* remedial actions taken at the site, including: type of remedial system(s) used for each media impacted; the size and location of any excavation or in-situ treatment; the effectiveness of the systems to address the contaminated media and substances; operational history of the systems; and summarize the performance of the active remedial actions. Provide any system performance documentation in Attachment A.7.
None.
- D. Provide a discussion of the nature, degree and extent of residual contamination that will remain at the site or on off-site affected properties after case closure.
Soil contamination will remain on-site at the present levels and there is no mechanism for migration off site.
- E. Describe the remaining soil contamination within four feet of ground surface (direct contact zone) that attains or exceeds Residual Contaminant Levels established under s. NR 720.12, the ch. NR720, Wis. Adm. Code, for protection of human health from direct contact.
Contaminants are present in the upper 4 feet of the soil in the area of the former pump island. Contaminants were not found in the fill material. Benzene, ethylbenzene, total xylenes, and Gasoline Range Organic (GRO) concentrations exceeded the Residual Contaminant Level for Protection of Groundwater. However, groundwater is not an issue at this site and this parameter is not applicable to site cleanup.
- F. Describe the remaining soil contamination in the vadose zone that attains or exceeds the soil standard(s) for the groundwater pathway.
Groundwater was not present on the site.
- G. Describe how the residual contamination will be addressed, including but not limited to details concerning: covers, engineering controls or other barrier features; use of natural attenuation of groundwater; and vapor mitigation systems or measures.
Residual soil contamination will remain in place, covered by the building slab or asphalt parking lot.
- H. If using natural attenuation as a groundwater remedy, describe how the data collected supports the conclusion that natural attenuation is effective in reducing contaminant mass and concentration, (e.g. stable or receding groundwater plume).
Groundwater was not encountered during the site investigation, and therefore, natural attenuation is not a remedy for reducing contaminant mass and concentrations.
- I. Identify how all exposure pathways were removed and/or adequately addressed by immediate and/or remedial action(s) described above in paragraphs, B, C, D, E and F.
The Protection of Groundwater pathway is excluded by the absence of groundwater, direct contact and indoor inhalation by

less than criteria concentrations.

- J. Identify any system hardware anticipated to be left in place after site closure, and explain the reasons why it will remain.
None
- K. Identify the need for a ch. NR 140, Wis. Adm. Code, groundwater Preventive Action Limit (PAL) or Enforcement Standard (ES) exemption, and identify the affected monitoring points and applicable substances.
Groundwater was not encountered during the site assessment or the site investigation, and therefore, no monitoring points or applicable substances were identified.
- L. If a DNR action level for vapor intrusion was exceeded (for indoor air, sub slab, or both) describe where it was exceeded and how the pathway was addressed.
Action Levels were not exceeded.
- M. Describe the surface water and/or sediment contaminant concentrations and areas after remediation. If a DNR action level was exceeded, describe where it was exceeded and how the pathway was addressed.
Surface water and sediments were not encountered during the site investigation, and therefore, remedial activities were not undertaken and the pathway is not relevant.

5. Continuing Obligations: Situations where a maintenance plan(s) and inclusion on DNR's GIS Registry are required.

Directions: Check all that apply to this case closure request:

	This scenario Applies to this Case Closure		Case Closure Scenario: Maintenance Plans and GIS Registry	Maintenance Plan (s) Required in Attachment D	GIS Registry Listing
	A. On-Site	B. Off-Site			
i.	<input type="checkbox"/>	<input type="checkbox"/>	Engineering Control/Barrier for Direct Contact	✓	✓
ii.	<input type="checkbox"/>	<input type="checkbox"/>	Engineering Control/Barrier for Groundwater Infiltration	✓	✓
iii.	<input type="checkbox"/>	<input type="checkbox"/>	Vapor Mitigation - post closure passive system	✓	✓
iv.	<input type="checkbox"/>	<input type="checkbox"/>	Vapor Mitigation - post closure active system	✓	✓
v.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	None of the above scenarios apply to this case closure	NA	NA

6. Continuing Obligations: Situations where inclusion on DNR's GIS Registry is required.

Directions: Check all that apply to this case closure request:

	This scenario Applies to this Case Closure		Case Closure Scenario: GIS Registry Only	GIS Registry Listing
	A. On-Site	B. Off-Site		
i.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Residual soil contamination exceeds ch. NR 720 generic or site-specific RCLs	✓
ii.	<input type="checkbox"/>	<input type="checkbox"/>	Sites with groundwater contamination equal to or greater than the ch. NR 140, enforcement standards (ES)	✓
iii.	<input type="checkbox"/>	<input type="checkbox"/>	Monitoring wells: lost, transferred or remaining in use	✓
iv.	<input type="checkbox"/>	<input type="checkbox"/>	Structural Impediment (not as a performance standard)	✓
v.	<input type="checkbox"/>	<input type="checkbox"/>	Residual soil contamination remaining at ch. NR 720 Industrial Use levels	✓
vi.	<input type="checkbox"/>	<input type="checkbox"/>	Vapor intrusion may be future, post-closure issue if building use or land use changes	✓
vii.	<input type="checkbox"/>	<input type="checkbox"/>	None of the above scenarios apply to this case closure	NA

7. Underground Storage Tanks

- A. Were any tanks, piping or other associated tank system components removed as part of the investigation or remedial action? Yes No
- B. Do any upgraded tanks meeting the requirements of ch. SPS 310, Wis. Adm. Code, exist on the property? Yes No
- C. If the answer to question 7b is yes, is the leak detection system currently being monitored? Yes No

Data Tables (Attachment A)

If any section is not relevant to the case closure request, you must fully explain the reasons why and attach that explanation to the relevant section of the form. All information submitted shall be legible. Providing illegible information may result in a submittal being considered incomplete until corrected.

General directions for Data Tables:

- Use bold and italics font on information of importance on tables and figures. Use **bold font** for ch. NR 140, Wis. Adm. Code, groundwater enforcement standard (ES) attainments or exceedances, and *italicized font* for ch. NR 140, Wis. Adm. Code, groundwater preventive action limit (PAL) standard attainments or exceedances.
- Do not use shading or highlighting on the analytical tables.
- Include on Data Tables the level of detection for results which are below the detection level (i.e. do not just list as no detect (ND)).
- Include the units on data tables.
- Summaries of all data must include information collected by previous consultants.
- Do not submit lab data sheets unless these have not been submitted in a previous report. Tabulate all data required in s. NR 716.15 (3)(c), Wis. Adm. Code, in the format required in s. NR 716.15(4)(e), Wis. Adm. Code.
- Include in Attachment A all of the following tables, in the order prescribed below, with the specific Closure Form titles noted on the separate attachments (e.g., Title: A.1. Groundwater Analytical Table; A.2. Pre-remedial Soil Analytical Table, etc).
- For required documents, each table (e.g., A.1., A.2., etc.,) should be a separate PDF.

A. Data Tables

- A.1. **Groundwater Analytical Table(s):** Table(s) showing the analytical results and collection dates, for all groundwater sampling points e.g. monitoring wells, temporary wells, sumps, extraction wells, any potable wells and any other wells, extraction wells and any potable wells for which samples have been collected.
- A.2. **Pre-remedial Soil Analytical Table(s):** Table(s) showing the soil analytical results and collection dates - prior to conducting the interim and/or remedial action. Indicate if sample was collected above or below the all-time low water table (unsaturated verses saturated).
- A.3. **Post-remedial Soil Analytical Table(s):** Table(s) showing the post-remedial action soil analytical results and collection dates. Indicate if sample was collected above or below the all-time low water table (unsaturated verses saturated).
- A.4. **Pre and Post Remaining Soil Contamination Soil Analytical Table(s):** Table(s) showing only the pre and post remedial action soil analytical results that exceed a Residual Contaminate Level (RCL) or a Site-Specific Residual Level (SSRCL).
- A.5. **Vapor Analytical Table:** Table(s) showing type(s) of samples, sample collection methods, analytical method, sample results, date of sample collection, time period for sample collection, method and results of leak detection, and date, method and results of communication testing.
- A.6. **Other Media of Concern (e.g., sediment or surface water):** Table(s) showing type(s) of sample, sample collection method, analytical method, sample results, date of sample collection, time period for sample collection, method and results sampling.
- A.7. **Water Level Elevations:** Table(s) showing all water level elevation measurements and dates from all monitoring wells. If present, free product should be noted on the table.
- A.8. **Other:** This attachment should include: 1) any available tabulated natural attenuation data; 2) data tables pertaining to engineered remedial systems that document operational history, demonstrate system performance and effectiveness, and display emissions data; and (3) any other data tables relevant to case closure not otherwise noted above. If this section is not applicable, please explain the reasons why.

Maps and Figures (Attachment B)

If any section is not relevant to the case closure request, you must fully explain the reasons why and attach that explanation to the relevant section of the form. All information submitted shall be legible. Providing illegible information may result in a submittal being considered incomplete until corrected.

General Directions for all Maps and Figures:

- If any map or figure is not relevant to the case closure request, you must fully explain the reason(s) why and attach that explanation (properly labeled with the map/ figure title) in Attachment B.
- Provide on paper no larger than 11 x 17 inches, unless otherwise directed by the Department. Maps and figures may be submitted in a larger electronic size than 11x17 inches, in a portable document format (pdf) readable by the Adobe Acrobat Reader. However, those larger-size documents must be legible when printed.
- Prepare visual aids, including maps, plans, drawings, fence diagrams, tables and photographs according to the applicable portions

of ss. NR 716.15(4), 726.09(2) and 726.11(3), (5) and (6), Wis Adm. Code.

- Do not use shading or highlights on any of the analytical tables.
- Include all sample locations.
- Contour lines should be clearly labeled and defined.
- Include in Attachment B all of the following maps and figures, in the order prescribed below, with the specific Closure Form titles noted on the separate attachments (e.g., Title: B.1. Location Map; B.2. Detailed Site Map, etc).
- For the electronic copies that are required, each map (e.g., B.1.a., B.2.a, etc.,) should be a separate PDF.

B.1. Location Maps

- B.1.a. **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 impacted and/or adjacent parcels. If groundwater standards are exceeded, include the location of all potable wells, including municipal wells, within 1200 feet of the area of contamination.
- B.1.b. **Detailed Site Map:** A map that shows all relevant features (buildings, roads, current ground surface cover, individual property boundaries for on-site and applicable off-site properties, contaminant sources, utility lines, monitoring wells and potable wells) within the contaminated area. This map is to show 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 Residual Contaminant Level (RCL) established in accordance with the provisions contained in s. NR 720.10 or s. NR 720.12, Wis. Adm. Code.
- B.1.c. **RR Site Map:** From RR Sites Map ([http://dnrm.wisconsin.gov/sli/?Viewer=RR Sites](http://dnrm.wisconsin.gov/sli/?Viewer=RR%20Sites)) attach a map depicting the source property, and all open and closed BRRTS sites within a half-mile radius or less of the property.

B.2. Soil Figures

- B.2.a. **Pre-remedial Soil Contamination:** Figure(s) showing the sample location of all pre-remedial, unsaturated contaminated soil and a single contour showing the horizontal extent of each area of contiguous residual soil contamination that exceeded a Residual Contaminant Level (RCL) established in accordance with the provisions contained in s. NR 720.10 or s. NR 720.12, Wis. Adm. Code.
- B.2.b. **Post-remedial Soil Contamination :** Figure(s) showing the sample location of all post-remedial, unsaturated contaminated soil and a single contour showing the horizontal extent of each area of contiguous residual soil contamination that exceeds a Residual Contaminant Level (RCL) established in accordance with the provisions contained in s. NR 720.10 or s. NR 720.12, Wis. Adm. Code. A separate contour line should be used to indicate the extent of residual direct contact exceedances.
- B.2.c. **Pre/Post Remaining Soil Contamination:** Figure(s) showing the only location of all pre and post remedial residual soil sample location(s) where unsaturated contaminated soil remains after remediation and a single contour showing the horizontal extent of each area of contiguous residual soil contamination that exceeds a Residual Contaminant Level (RCL) established in accordance with the provisions contained in s. NR 720.10 or s. NR 720.12, Wis. Adm. Code. A separate contour line should be used to indicate the extent of residual direct contact exceedances.

B.3. Groundwater Figures

- B.3.a. **Geologic Cross-Section Figure(s):** One or more cross-section diagrams showing soil types and correlations across the site, water table and piezometric elevations, and locations and elevations of geologic rock units, if encountered. Display on one or more figures all of the following:
 - Source location(s) and vertical extent of residual soil contamination exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL).
 - Source location(s) and lateral and vertical extent if groundwater contamination exceeds a ch. NR 140 Enforcement Standard (ES)
 - Surface features, including buildings and basements, and show surface elevation changes.
 - Any areas of active remediation within the cross section path, such as excavations or treatment zones.
 - Include a map displaying the cross-section location(s), if they are not displayed on the Detailed Site Map (Map B.1b)
- B.3.b. **Groundwater Isoconcentration:** Figure(s) showing the horizontal extent of the post-remedial groundwater contamination exceeding a ch. NR 140, Wis. Adm. Code, Preventive Action Limit (PAL) and/or an Enforcement Standard (ES). Indicate the date and direction of groundwater flow based on the most recent sampling data.
- B.3.c. **Groundwater Flow Direction:** Figure(s) representing groundwater movement at the site. If the flow direction varies by more than 20° over the history of the site, submit two groundwater flow maps showing the maximum variation in flow direction.
- B.3.d. **Monitoring Wells:** Figure(s) showing all monitoring wells, with well identification number. Clearly designate any wells that: (1) are proposed to be abandoned; (2) cannot be located; (3) are being transferred; (4) will be retained for further sampling, or (5) have been previously abandoned.

B.4. Vapor Maps and Other Media

- B.4.a. **Vapor Intrusion Map:** Map(s) showing all locations and results for samples taken to investigate the vapor intrusion pathway, in relation to remaining soil and groundwater contamination, including sub-slab, indoor air, soil vapor,

ambient air, and communication testing. Show locations and footprints of affected structures and utility corridors, and/or where residual contamination poses a future risk of vapor intrusion.

- B.4.b. **Other media of concern (e.g., sediment or surface water):** Map(s) showing all sampling locations and results for other media investigation. Include the date of sample collection and identify where any standards are exceeded.
- B.4.c. **Other:** Include any other relevant maps and figures not otherwise noted above. (This section may remain blank)

Documentation of Remedial Action (Attachment C)

If any section is not relevant to the case closure request, you must fully explain the reasons why and attach that explanation to the relevant section of the form. All information submitted shall be legible. Providing illegible information may result in a submittal being considered incomplete until corrected.

General Directions:

- Include in Attachment C all of the following documentation, in the order prescribed below, with the specific Closure Form titles noted on the separate attachments (e.g., Title: C.1. Site Investigation Documentation; C.2. Investigative Waste, etc).
- If the documentation requested below is "not applicable" to the site-specific circumstances, include a brief explanation to support that conclusion.
- If the documentation requested below has already been submitted to the Department, please note the title and date of the report for that particular document requested.

- C.1. **Site investigation documentation**, that has not otherwise been previously submitted.
- C.2. **Investigative waste** disposal documentation.
- C.3. **Provide a description of the methodology used along with all supporting documentation if the Residual Contaminant Levels are different than those contained in the Department's RCL Spreadsheet available at: <http://dnr.wi.gov/topic/Brownfields/Professionals.html>.**
- C.4. **Construction documentation** or as-built report for any constructed remedial action or portion of, or interim action specified in s. NR 724.02(1), Wis. Adm. Code.
- C.5. **Decommissioning of Remedial Systems.** Include plans to properly abandon any systems or equipment upon receiving conditional closure.
- C.6. **Photos.** For sites or facilities with a cover or other performance standard, a structural impediment or a vapor mitigation system. Include one or more photographs documenting the condition and extent of the feature at the time of the closure request. Pertinent features should be visible and discernible. Photographs must be labeled with the site name, the features shown, location and the date on which the photograph was taken.
- C.7. **Other.** Include any other relevant documentation not otherwise noted above. (This section may remain blank)

Maintenance Plan(s) and Photographs (Attachment D)

If any section is not relevant to the case closure request, you must fully explain the reasons why and attach that explanation to the relevant section of the form. All information submitted shall be legible. Providing illegible information may result in a submittal being considered incomplete until corrected.

When one or more "maintenance plans" are required for a site closure, include in each maintenance plan all required information listed below, and attach the plan(s) in Attachment D. The following "model" maintenance plans can be located at: (1) Maintenance plan for an engineering control or cover: <http://dnr.wi.gov/topic/Brownfields/documents/maintenance-plan.pdf>; and (2) Maintenance plan for vapor intrusion: http://dnr.wi.gov/topic/Brownfields/documents/appendix5_606.pdf.

- D.1. **Location map(s)** which show(s): (1) the feature that requires maintenance; (2) the location of the feature(s) that require(s) maintenance - on and off the source property; (3) the extent of the structure or feature(s) to be maintained, in relation to other structures or features on the site; (4) the extent and type of residual contamination; and (5) and all property boundaries.
- D.2. **Brief descriptions** of the type, depth and location of residual contamination.
- D.3. **Description of maintenance action(s)** required for maximizing effectiveness of the engineered control, vapor mitigation system, feature or other action for which maintenance is required.
- D.4. **Inspection log**, to be maintained on site, or at a location specified in the maintenance plan or approval letter.
- D.5. **Contact information**, including the name, address and phone number of the individual or facility who will be conducting the maintenance.
- D.6. Photographs
 - D.6.a. For site or facilities with a cover or other performance standard, a structural impediment or a vapor mitigation system, include one or more photographs documenting the condition and extent of the feature at the time of the closure request. Pertinent features shall be visible and discernible.
 - D.6.b. Photographs shall be submitted with a title related to the site name and location, and the date on which it was taken.

Monitoring Well Information (Attachment E)

If any section is not relevant to the case closure request, you must fully explain the reasons why and attach that explanation to the relevant section of the form. All information submitted shall be legible. Providing illegible information may result in a submittal being considered incomplete until corrected.

General Directions:

Attach monitoring well construction and development forms (DNR FORM 4400-113 A and B: http://dnr.wi.gov/topic/groundwater/documents/forms/4400_113_1_2.pdf) for all wells that will remain in-use, be transferred to another party or that could not be located. A figure of these wells should be included in Attachment B.3.d.

Select One:

- No monitoring wells were required as part of this response action.
- All monitoring wells have been located and will be properly abandoned upon the DNR granting conditional closure to the site
- Select One or More:**
 - Not all monitoring wells can be located, despite good faith efforts. Attachment E must include description of efforts made to locate the "lost" wells.
 - One or more wells will be transferred to another owner upon case closure being granted. Attachment E should include documentation identifying the name, address and email for the new owner(s).
 - One or more wells will remain in use at the site after this closure. Attachment E must include documentation as to the reason(s) the well(s) will remain in use.

Notifications to Owners of Impacted Properties (Attachment F)

If any section is not relevant to the case closure request, you must fully explain the reasons why and attach that explanation to the relevant section of the form. All information submitted shall be legible. Providing illegible information may result in a submittal being considered incomplete until corrected.

General Directions:

- State law requires that the responsible party provide a 30-day, written advance notice (i.e., a letter) to certain persons prior to applying for case closure. This requirement applies if: (1) the person conducting the response action does not own the source property; (2) the contamination has migrated onto another property; and/or (3) one or more monitoring wells will not be abandoned.
- Use of Form 4400-286, Notification of Residual Contamination and Continuing Obligations, is required under ch. NR 725 for notifying property owners and right-of-way holders about residual contamination affecting their properties, and of continuing obligations which may be imposed. This form can be downloaded at <http://dnr.wi.gov/files/PDF/forms/4400/4400-286.pdf>.

Check all that apply to the site-specific circumstances of this case closure:

	A. Impacted Source Property and Owner is not Conducting Cleanup	B. Impacted Right of Way	C. Impacted Off-Site Property Owner	Impacted Property Notification Situations: Ch. NR 726 Appendix A Letter
1.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Residual groundwater contamination exceeds Ch. NR 140 Wis. Administrative Code enforcement standards.
2.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Residual soil contamination that attains or exceeds standards is present after the remedial action is complete, and must be properly managed should it be excavated or removed.
3.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	An engineered cover or a soil barrier (e.g. pavement) must be maintained over contaminated soil for direct contact or groundwater infiltration concerns.
4.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Industrial land use soil standards were used for the clean-up standard.
5.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A vapor mitigation system (or other specific vapor protection) must be operated and maintained.
6.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Vapor assessment needed if use changes.
7.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Structural impediment.
8.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Lost, transferred or open monitoring wells.
9.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Not Applicable.

If any of the previous boxes in rows 1 thru 8 were checked, include the following as part of Attachment F:

- FORM 4400-246;
- Copy of each letter sent, 30 days or more prior to requesting closure; and
- Proof of receipt for each letter.
- For this site closure, 0 (number) property (ies) has/have been impacted, the owners have been notified, and copies of the letters and receipts are included in Attachment F.

Save ..

Source Legal Documents (Attachment G)

If any section is not relevant to the case closure request, you must fully explain the reasons why and attach that explanation to the relevant section of the form. All information submitted shall be legible. Providing illegible information may result in a submittal being considered incomplete until corrected.

Include all of the following documents, in this order, in Attachment G:

- G.1. Deeds - Source Property and Other Impacted Properties: The most recent deed with legal descriptions clearly labeled for (1) the Source Property (where the contamination originated) and (2) all off-source (off-site) properties where letters were required to be sent per the ch. NR 700, Wis. Adm. Code, rule series (e.g., off-site cover maintenance required, lost monitoring well, off-site cover property impacts to groundwater exceeding the ch. NR 140, Wis. Adm. Code. 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.
G.2. 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)).
G.3. Verification of Zoning: Documentation (e.g., official zoning map or letter from municipality) of the property's or properties' current zoning status.
G.4. Signed Statement: A statement signed by the Responsible Party (RP), which states that he or she believes that the attached legal description(s) accurately describe(s) the correct contaminated property or properties.

Signatures and Findings for Closure Determination

If any section is not relevant to the case closure request, you must fully explain the reasons why and attach that explanation to the relevant section of the form. All information submitted shall be legible. Providing illegible information may result in a submittal being considered incomplete until corrected.

Check the correct box for this case closure request, and have either a professional engineer or a hydrogeologist, as defined in ch. NR 712, Wis. Adm. Code, sign this document.

- [] A response action(s) for this site addresses groundwater contamination (including natural attenuation remedies).
[X] The response action(s) for this site addresses media other than groundwater.

Engineering Certification

I Steven Friberg hereby certify that I am a registered professional engineer in the State of Wisconsin, registered in accordance with the requirements of ch. A-E 4, Wis. Adm. Code; that this case closure request has been prepared by me or prepared under my supervision in accordance with the Rules of Professional Conduct in ch. A-E 8, Wis. Adm. Code; and that, to the best of my knowledge, all information contained in this case closure request is correct and the document was prepared in compliance with all applicable requirements in chs. NR 700 to 726, Wis. Adm. Code. Specifically, with respect to compliance with the rules, in my professional opinion a site investigation has been conducted in accordance with ch. NR 716, Wis. Adm. Code, and all necessary remedial actions have been completed in accordance with chs. NR 140, NR 718, NR 720, NR 722, NR 724 and NR 726, Wis. Adm. Codes."

Steven Friberg

Printed Name

Project Manager

Title

Handwritten signature of Steven Friberg

Signature

Handwritten date 8/18/14

Date

P.E. Stamp and Number



Hydrogeologist Certification

I, Charles A. Saari hereby certify that I am a hydrogeologist as that term is defined in s. NR 712.03 (1), Wis. Adm. Code, and that, to the best of my knowledge, all of the information contained in this case closure request is correct and the document was prepared by me or prepared by me or prepared under my supervision and, in compliance with all applicable requirements in chs. NR 700 to 726, Wis. Adm. Code. Specifically, with respect to compliance with the rules, in my professional opinion a site investigation has been conducted in accordance with ch. NR 716, Wis. Adm. Code, and all necessary remedial actions have been completed in accordance with chs. NR 140, NR 718, NR 720, NR 722, NR 724 and NR 726, Wis. Adm. Codes."

Charles A. Saari

Geological Engineer

Printed Name

Title



8/18/14

Signature

Date

ATTACHMENT A

- A-1 Groundwater was not encountered on the site, and therefore, Groundwater Analytical Tables were not prepared.
- A-2 A Pre-Remediation Table is included in this Attachment
- A-3 Remediation was not performed on this site, and therefore, a Post-Remedial Analytical Table was not prepared.
- A-4 A Pre-Remediation Remaining Soil Contamination Table is included in this Attachment, but a Post-Remediation Remaining Soil Contamination Table was not prepared as no remediation was performed.
- A-5 A Vapor Analytical Table was not included in this Attachment as vapors did not exceed preliminary screenings.
- A-6 There were no other media of concern affected, and, therefore, tables were not prepared.
- A-7 Water Table Elevations were not recorded and presented in a table as groundwater was not encountered on the site.
- A-8 There are no other concerns on this property in which tables would be prepared.

A.2 Pre-Remedial Soil Analytical Table
Former Ashland Travel
Ashland, Wisconsin

SAMPLE ID:	Chemical Abstract Service Number	NR720 Standards			B-1	B-2	B-3	B-4	B-5	B-6	B-7	D-1
		Indicator of Residual Petroleum Product in Pores	Indoor Inhalation in Contaminated Soil**	Direct Contact with Contaminated Soil	6.0'	6.0'	6.0'	6.0'	6.0'	6.0'	6.0'	3.0'
Sample Depth (feet)												
SAMPLE DATE:					8/17/2005	8/17/2005	8/17/2005	8/17/2005	8/17/2005	8/17/2005	8/17/2005	8/17/2005
Source of Data					ICECOR							
Volatiles (ug/Kg)												
Benzene	71432	8,500	1,100	1,490	<25	<25	*	*	<25	140	<25	*
Toluene	108883	38,000	500,000	818,000	<25	<25	*	*	<25	536	<25	*
Ethylbenzene	100414	4,600	5,400	7,470	<25	<25	*	*	<25	213	<25	*
Total Xylenes	1330207	42,000	69,000	258,000	34.7	<25	*	*	<25	1,375	<25	*
Methyl-tert-butyl ether (MTBE)	1634044	NS	43,000	NS	<25	<25	*	*	<25	<25	<25	*
1,3,5-Trimethylbenzene	108678	11,000	78,000	182,000	<25	<25	*	*	<25	299	<25	*
1,2,4-Trimethylbenzene	95636	83,000	64,000	89,800	<25	<25	*	*	<25	818	<25	*
Gasoline Range Organics (GRO)	NS	NS	NS	NS	<5,610	<6,170	*	*		7,570	<6,150	*
Semivolatiles (ug/Kg)												
Diesel Range Organics (DRO)	NS	NS	NS	NS	*	*	<6,020	<5,370	*	*	*	35,300
Metals (ug/Kg)												
Lead	7439921	NA	NA	NA	*	*	*	*	*	*	*	*

Criteria Footnotes

Notes:

RCL = Residual Contaminant Level

< = Results are less than the LOD

Bolded results exceed Chapter NR 720 Soil Cleanup Standards

NS = No Chapter NR720 Soil Cleanup Standard

* = Not analyzed or no data available.

**= Per EPA Regional Screening Level, November 2013

Laboratory Footnotes:

LOD = Limit of Detection

LOQ = Limit of Quantification

J = Analyte detected between LOD and LOQ.

Q = The analyte has been detected between the limit of detection (LOD) and the limit of quantification (LOQ). The results are qualified due to the uncertainty of the analyte concentrations within this range.

Source of Data:

WisDOT - Wisconsin Department of Transportation

CEC - Coleman Engineering Company

A.2 Pre-Remedial Soil Analytical Table
Former Ashland Travel
Ashland, Wisconsin

SAMPLE ID:	Chemical Abstract Service Number	NR720 Standards			P-1	D-2	D-3	D-4	P-2	SB-1	SB-2	SB-3	SB-4
		Indicator of Residual Petroleum Product in Pores	Indoor Inhalation in Contaminated Soil**	Direct Contact with Contaminated Soil	3.0'	3.5'	3.5'	3.5'	3.0'	2.0'-3.0'	4.0'-5.0'	4.5'-5.5'	4.0'-5.0'
Sample Depth (feet)													
SAMPLE DATE:					8/17/2005	8/17/2005	8/17/2005	8/17/2005	8/18/2005	8/8/2013	8/8/2013	8/8/2013	5/5/2010
Source of Data					ICECOR	ICECOR	ICECOR	ICECOR	ICECOR	CEC	CEC	CEC	CEC
Volatiles (ug/Kg)													
Benzene	71432	8,500	1,100	1,490	*	414	123	350	<25	<25.0	93.8J	321	166
Toluene	108883	38,000	500,000	818,000	*	480	139	1,030	62.2	36.6J	<50.0	300	801
Ethylbenzene	100414	4,600	5,400	7,470	*	4,360	638	1,180	39.4	87.4	440	1,890	574
Total Xylenes	1330207	42,000	69,000	258,000	*	24,070	2,767	13,360	221.1	296	950	2,855	5,267
Methyl-tert-butyl ether (MTBE)	1634044	NS	43,000	NS	*	<100	<25	<100	<25	<25.0	<50.0	<50	<25
1,3,5-Trimethylbenzene	108678	11,000	78,000	182,000	*	9,980	2,040	31,500	103	157	1,100	1,990	2,440
1,2,4-Trimethylbenzene	95636	83,000	64,000	89,800	*	27,200	4,280	53,600	213	400	4,180	7,330	6,310
Gasoline Range Organics (GRO)	NS	NS	NS	NS	*	578,000	109,000	715,000	<5,310	57,300	129,000	108,000	91,100
Semivolatiles (ug/Kg)													
Diesel Range Organics (DRO)	NS	NS	NS	NS	<5,800	*	*	*	*	*	*	*	*
Metals (ug/Kg)													
Lead	7439921	NA	NA	NA	*	*	*	*	*	*	*	*	*

Criteria Footnotes

Notes:

RCL = Residual Contaminant Level

< = Results are less than the LOD

Bolded results exceed Chapter NR 720 Soil Cleanup Standards

NS = No Chapter NR720 Soil Cleanup Standard

* = Not analyzed or no data available.

**= Per EPA Regional Screening Level, November 2013

Laboratory Footnotes:

LOD = Limit of Detection

LOQ = Limit of Quantification

J = Analyte detected between LOD and LOQ.

Q = The analyte has been detected between the limit of detection (LOD) and the limit of quantification (LOQ). The results are qualified due to the uncertainty of the analyte concentrations within this range.

Source of Data:

WisDOT - Wisconsin Department of Transportation

CEC - Coleman Engineering Company

ATTACHMENT B

B.1 Location Maps

- B.1.a Location Map is provided in this Attachment
- B.1.b A detailed Site Map is provided in this Attachment
- B.1.c The RR Site Map is provided in this Attachment

B.2 Soil Figures

- B.2.a Pre-Remedial Soil Contamination (Parts 1 and 2) are provided in this Attachment
- B.2.b Post Remedial Soil Contamination is the same as the B.2.a, as remediation was not necessary
- B.2.c Pre/Post Remedial Contamination is not presented as remediation was not conducted at this site (see above)

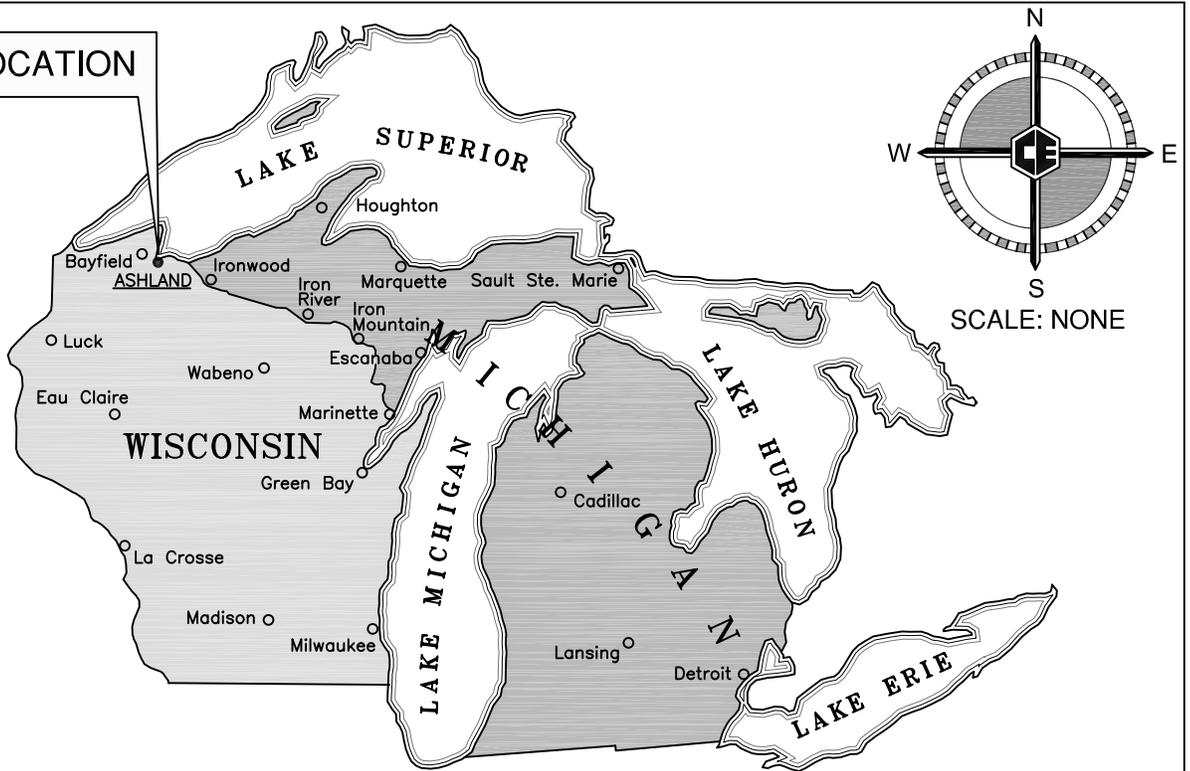
B.3 Groundwater

- B.3.a Cross-sections – Groundwater was not encountered on the site
- B.3.b Groundwater Isoconcentrations – Groundwater was not encountered on the site
- B.3.c Groundwater Flow Direction – Groundwater was not encountered on the site
- B.3.d Monitoring Wells – Not installed

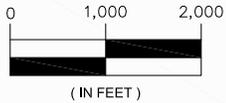
B.4 Vapor Maps and Other Data

- B.4.a Vapor Intrusion Map – There are no soil concentrations that exceed indoor air criteria, and, therefore, a Vapor Intrusion Map is not applicable.
- B.4.b Other Media of Concern – There are no other media of concern at this property.
- B.4.c Other – There are no other media of concerns at this property

PROJECT LOCATION



GRAPHIC SCALE



SITE LOCATION

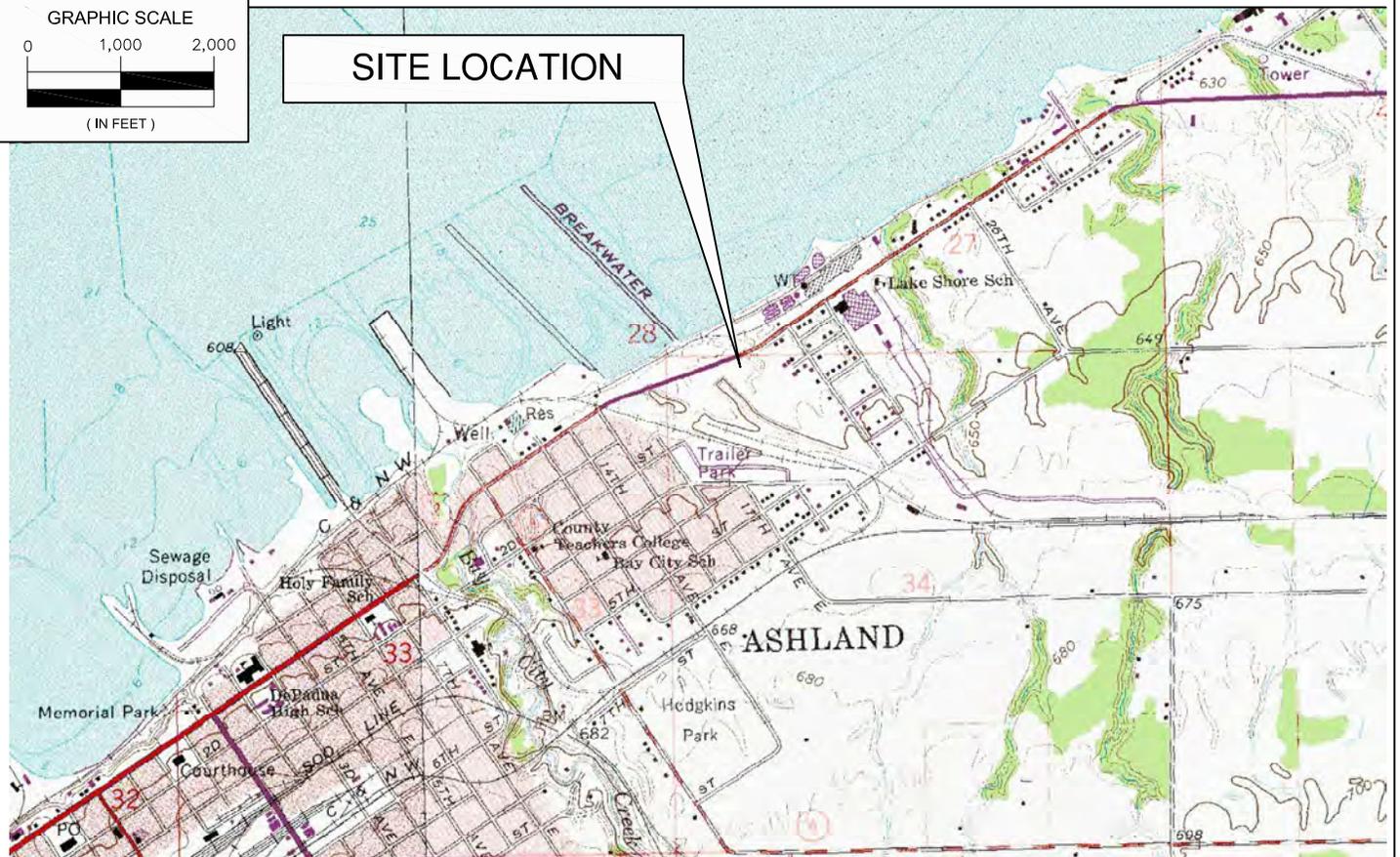


FIGURE B.1.a - LOCATION MAP
FORMER ASHLAND TRAVEL CENTER
1302 EAST LAKESHORE DRIVE
ASHLAND, WI

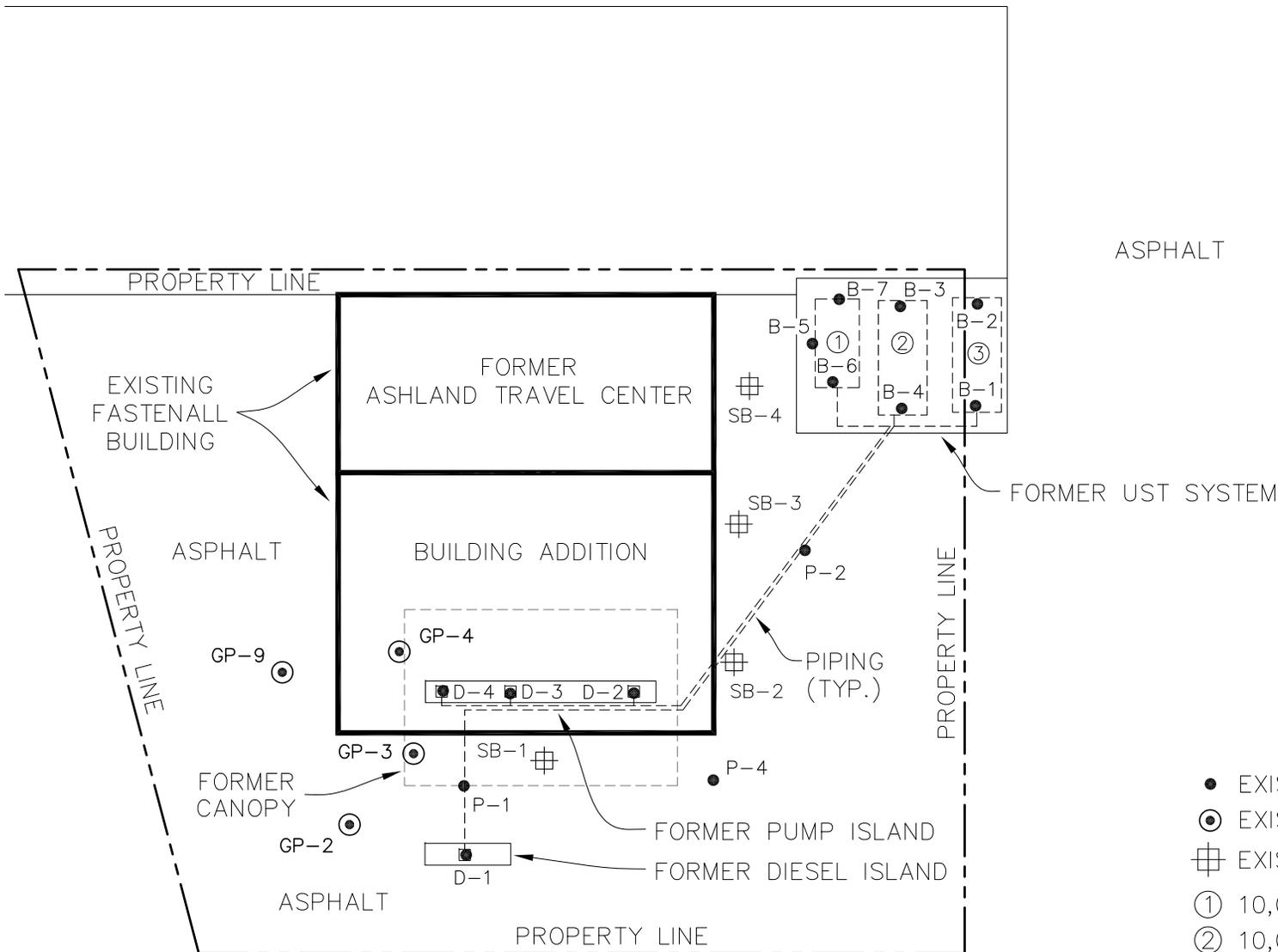
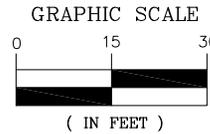
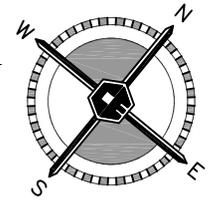


COLEMAN ENGINEERING COMPANY

635 CIRCLE DRIVE • IRON MOUNTAIN, MI 49801 • PHONE: 906-774-3440
 200 EAST AYER STREET • IRONWOOD, MI • PHONE: 906-932-5048

DATE 8/15/14
 JOB NO 13308-B
 CADD FILE 13308-B1a-WIW-WIQ.DWG
 PDF FILE 13308-B1a-WIW-WIQ.PDF

U.S. HIGHWAY 2 / LAKE SHORE DRIVE



LEGEND

- EXISTING SOIL SAMPLE
- ⊙ EXISTING PROBE
- ⊞ EXISTING SOIL BORING
- ① 10,000 GALLON GASOLINE UST
- ② 10,000 GALLON DIESEL UST
- ③ 6,000 GALLON GASOLINE UST

FIGURE B.1.b - DETAILED SITE MAP
FORMER ASHLAND TRAVEL CENTER
1302 EAST LAKESHORE DRIVE
ASHLAND, WI

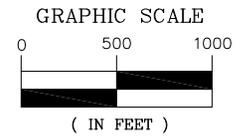
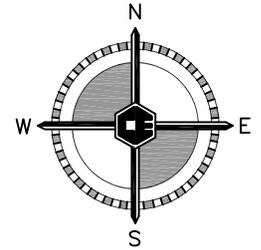


COLEMAN ENGINEERING COMPANY
 635 CIRCLE DRIVE - IRON MOUNTAIN, MICHIGAN 49801 (906) 774-3440
 200 EAST AYER STREET - IRONWOOD, MICHIGAN 49938 (906) 932-5048

DATE 8/15/14
 JOB NO 13308-B
 CADD FILE 13308-B1b-SITE.DWG
 PDF FILE 13308-B1b-SITE.PDF

Legend

- ◆ Open Site (ongoing cleanup)
- Open Site Boundary
- ◆ Closed Site (completed cleanup)
- Closed Site Boundary
- Airport
- 2010 Air Photos (WROC)
- Cities
- Villages



DISCLAIMER: The information shown on these maps has been obtained from various sources, and are of varying age, reliability and resolution. These maps are not intended to be used for navigation, nor are these maps an authoritative source of information about legal land ownership or public access. No warranty, expressed or implied, is made regarding accuracy, applicability for a particular use, completeness, or legality of the information depicted on this map. For more information, see the DNR Legal Notices web page: <http://dnt.wi.gov/org/legal/>

Note: Not all sites are mapped.

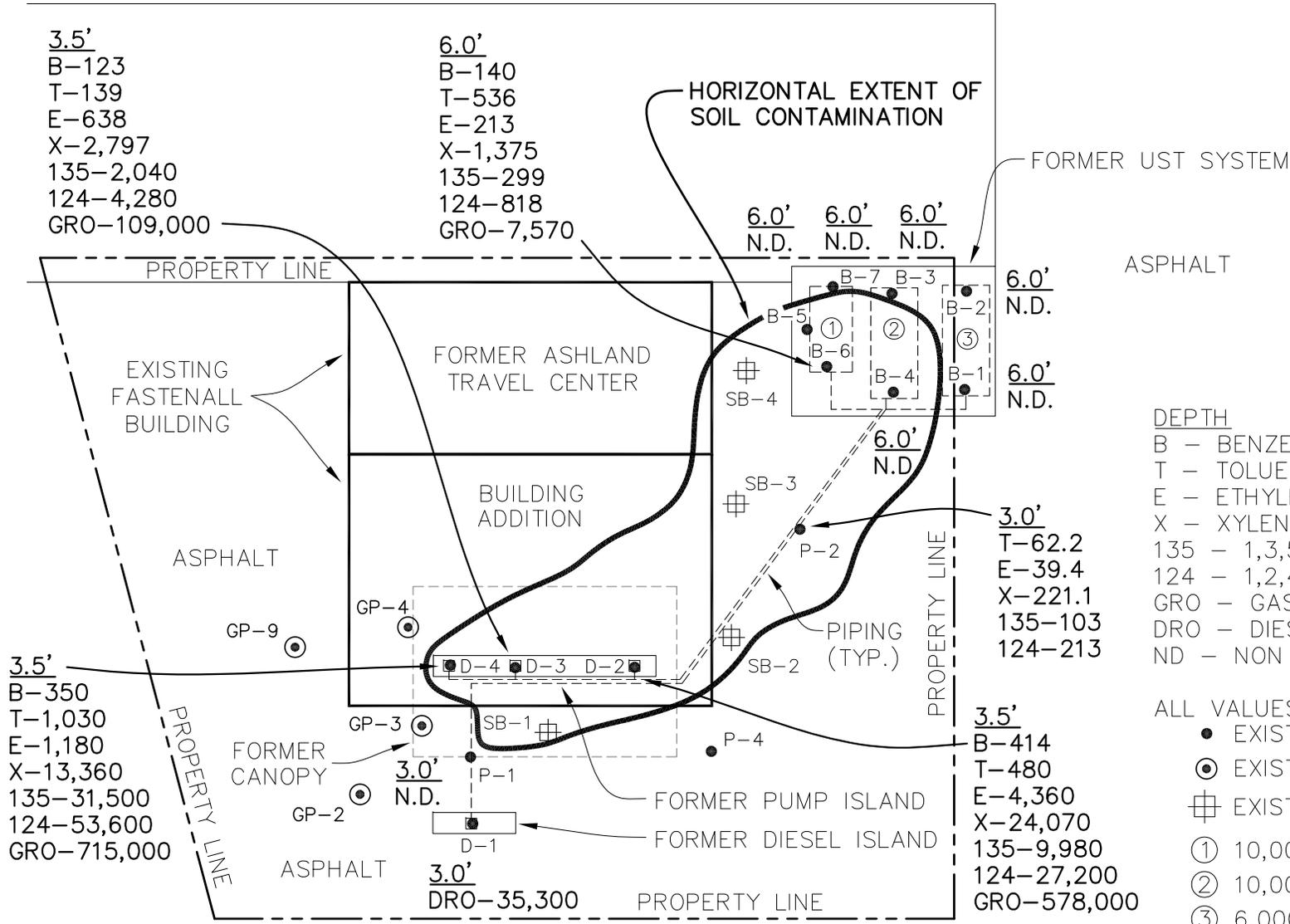
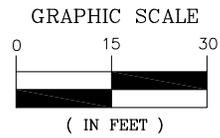
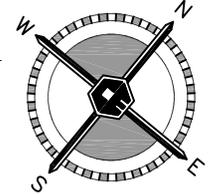
**FIGURE B.1.c - R.R. SITES MAP
FORMER ASHLAND TRAVEL CENTER
1302 EAST LAKESHORE DRIVE
ASHLAND, WI**



COLEMAN ENGINEERING COMPANY
635 CIRCLE DRIVE - IRON MOUNTAIN, MICHIGAN 49801 (906) 774-3440
200 EAST AYER STREET - IRONWOOD, MICHIGAN 49938 (906) 932-5048

DATE 8/15/14
JOB NO 13308-B
CADD FILE 13308-B1c-RR SITES.DWG
PDF FILE 13308-B1c-RR SITES.PDF

U.S. HIGHWAY 2 / LAKE SHORE DRIVE



LEGEND

- DEPTH**
 B - BENZENE
 T - TOLUENE
 E - ETHYLBENZENE
 X - XYLENES
 135 - 1,3,5-ETHYLBENZENE
 124 - 1,2,4-ETHYLBENZENE
 GRO - GASOLINE RANGE ORGANICS
 DRO - DIESEL RANGE ORGANICS
 ND - NON DETECT

- ALL VALUES IN PARTS PER BILLION
- EXISTING SOIL SAMPLE
 - ⊙ EXISTING PROBE
 - ⊞ EXISTING SOIL BORING
 - ① 10,000 GALLON GASOLINE UST
 - ② 10,000 GALLON DIESEL UST
 - ③ 6,000 GALLON GASOLINE UST

FIGURE B.2.a - PRE-REMEDIAL SOIL CONTAMINATION (PART 1)

**FORMER ASHLAND TRAVEL CENTER
 1302 EAST LAKESHORE DRIVE
 ASHLAND, WI**

Documentation of Remedial Action (Attachment C)

DISCLAIMER

Documents contained in Attachment C of the Case Closure – GIS Registry (Form 4400-202) are not included in the electronic version (GIS Registry Packet) available on RR Sites Map to limit file size.

For information on how to obtain a copy or to review the file, please contact the Remediation & Redevelopment (RR) Environmental Program Associate (EPA) at dnr.wi.gov/topic/Brownfields/Contact.html



ATTACHMENT C

Documentation of Remedial Action

- C.1 Site Investigation Documentation – All information has been previously submitted.
- C.2 Investigative Waste – There is no investigative waste associated with this investigation.
- C.3 Documentation – Soil Spread Sheets are included in this Attachment.
- C.4 Construction Documentation – There was no construction of remedial systems for this project.
- C.5 Decommissioning of Remedial Systems – There were no remedial systems to be decommissioned as none were installed.
- C.6 Photographs – Photographs were not taken for this site.
- C.7 Other – There were no other remedial actions taken at this site.

ATTACHMENT D

Maintenance Plans

- D.1 Location Maps – The location of contamination is presented in Attachment C.
- D.2 Brief Description – Soil contamination associated with unleaded gasoline is located in native soils from three (3.0) to six (6.0) feet below ground surface in sand to four (4.0) feet below ground surface and clay to six (6.0) feet below ground surface.
- D.3 Maintenance Actions – Contaminant concentrations do not exceed criteria, and therefore, maintenance actions are not necessary.
- D.4 Inspection Log – Inspection logs are not necessary as an engineering barrier is not necessary
- D.5 Contact Information – Contact information is not necessary as a Maintenance Plan is not required.
- D.6 Photographs – Photographs are not available.

ATTACHMENT E

Monitoring Well Information

Monitoring wells were not installed on this site.

ATTACHMENT F

Notifications to Owners of Impacted Properties

There is no impact to off-site property owners.

ATTACHMENT G

Source Legal Documents

- G.1 Deeds
- G.2 Certified Survey Map
- G.3 Verification of Zoning
- G.4 Signed Statement

State Bar of Wisconsin Form 6-2003
SPECIAL WARRANTY DEED

Document Number

Document Name

THIS DEED, made between Michael W. Rohr, Receiver for BMO Harris Bank, N.A., successor by merger to M&I Marshall & Ilsley Bank under Ashland County Case No. 12CV33 and Bay Area, LLC

("Grantor," whether one or more), and HWY 2 ASHLAND PROPERTIES, LLC

("Grantee," whether one or more).

Grantor for a valuable consideration, conveys to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Ashland County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):

See Attached Addendum

Address: 1802 Lake Shore Drive E, 1804 Lake Shore Drive E and 1810 Lake Shore Drive E

DOCUMENT NO 329515

Received for Record
at 11:00 AM duly recorded in
Vol. 722 on Page 969-970
of Records
April 15 2013

KAREN M. MILLER
REGISTER OF DEEDS
ASHLAND COUNTY, WI

Recording Area

Name and Return Address

Doug Larson
2710 Shady Pine Lane
Menomonie, WI 54751

201 03422 2000 and 201 03422 0000

Parcel Identification Number (PIN)

This is not homestead property.

(is) (is not)

TRANSFER FEE

\$ 1185.00

Grantor warrants that the title to the Property is good, indefeasible, in fee simple and free and clear of encumbrances arising by, through, or under Grantor, except:

Municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utility and municipal services, recorded building and use restrictions and covenants, general taxes levied in the year of closing, and any existing encroachments, ingress/egress easements, or other non-conformities.

Dated April 1, 2013

Michael W. Rohr, Receiver for BMO Harris Bank, N.A., successor by merger to M&I Marshall & Ilsley Bank under Ashland County Case No. 12CV33 and Bay Area, LLC

(SEAL)

(SEAL)

* Michael W. Rohr, Receiver

(SEAL)

(SEAL)

AUTHENTICATION

Signature(s) MICHAEL W. ROHR, RECEIVER

authenticated on APRIL 1, 2013

* THOMAS G. COLLIER

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not,

authorized by Wis. Stat. § 706.06)

ACKNOWLEDGMENT

STATE OF _____)

) ss.

_____ COUNTY)

Personally came before me on _____,

the above-named _____

to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

* _____
Notary Public, State of _____

My commission (is permanent) (expires: _____)

THIS INSTRUMENT DRAFTED BY:

ATTORNEY MICHAEL W. ROHR

SBN: 1011930

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

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATION TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.

SPECIAL WARRANTY DEED

©2003 STATE BAR OF WISCONSIN

FORM NO. 6-2003

*Type name below signatures.

SPECIAL WARRANTY DEED
Legal Description Addendum

Parcel Identification Numbers: 201 03422 2000 and 201 03422 0000

A parcel of land located in Block Twenty-seven (27), of Lake Shore Addition to the City of Ashland, located in the Northwest One-quarter (1/4) of the Northwest One-quarter (1/4), Section Thirty-four (34), Township Forty-eight (48) North, Range Four (4) West, Ashland County, Wisconsin, more particularly described as follows: Starting at the Northwest corner of Section Thirty-four (34), Township Forty-eight (48) North, Range Four (4) West; thence South $0^{\circ}21'0''$ West, 327.69 feet along the West line of Section Thirty-four (34), to a point on the South Right-of-Way line of U.S. Highway 2; thence North $73^{\circ}01'50''$ East, 342.86 feet along said Southerly Right-of-Way line to a 1 inch iron pipe which is the point of beginning; thence continue on said Right-of-Way line, 410.43 feet to a point; thence continuing on said Right-of-Way line, along the arc of a curve to the left, having a central angle of $00^{\circ}13'20''$, a radius of 1,499.19 feet and a chord which bears North $72^{\circ}55'10''$ East and measures 5.81 feet to a point; thence South $17^{\circ}54'59''$ East, 531.40 feet to a point; thence South $79^{\circ}26'28''$ West, 224.22 feet to a point; thence North $87^{\circ}55'59''$ West, 73.92 feet to an iron pipe; thence North $32^{\circ}19'00''$ West, 500 feet to the point of beginning.

EXCEPT a parcel of land located in Block Twenty-seven (27), of Lake Shore Addition to the City of Ashland, Wisconsin, described as follows: to locate the point of beginning, commence at the Northwest corner of Section Thirty-four (34), Township Forty-eight (48) North, Range Four (4) West; thence South $32^{\circ}18'30''$ West, 230.06 feet to the Northeasterly corner of Block Fifty-one (51) of Ellis Division of the City of Ashland, Wisconsin; thence South $32^{\circ}19'00''$ East, 168.76 feet along the Easterly line of said Block Fifty-one (51), to a 1 1/4 inch iron pipe on the Southerly Right-of-Way line of U.S. Highway 2; thence leaving said Easterly line and along said Southerly Right-of-Way line, North $73^{\circ}01'50''$ East, 569.27 feet to a 1 inch iron pipe, which is the point of beginning; thence from said point of beginning by metes and bounds: Leaving said Right-of-Way line, South $17^{\circ}54'59''$ East, 106.00 feet to a 1 inch iron pipe; thence North $73^{\circ}01'50''$ East, 223.94 feet, parallel with said Southerly Right-of-Way line, to a 1 inch iron pipe; thence North $17^{\circ}54'59''$ West, 90.00 feet to a 1 inch iron pipe; thence South $73^{\circ}01'50''$ West, 25.00 feet parallel with said Southerly Right-of-Way line, to a 1 inch iron pipe; thence North $17^{\circ}54'59''$ West, 16.00 feet to a 1 inch iron pipe on said Southerly Right-of-Way line; thence along said Southerly Right-of-Way line, South $73^{\circ}01'50''$ West, 198.94 feet to the point of beginning.

Address: 1802 Lake Shore Drive E, 1804 Lake Shore Drive E and 1810 Lake Shore Drive E



Ashland

WISCONSIN

DEPARTMENT OF
PLANNING &
DEVELOPMENT

601 Main Street West
Ashland, WI 54806
Phone: 715.682.7041

April 22, 2014

Re: Zoning Confirmation for Parcel 201-03422-2000 (Former Ashland Travel Center)

To Whom it May Concern:

This letter is to confirm the zoning district information for Parcel 201-03422-2000, known as the former Ashland Travel Center. The parcel is zoned within the City Of Ashland as Regional Commercial (RC). Please see attached pages from our Unified Development Ordinance which outlines the intent, permitted and conditional uses, and setbacks and measurements for this district.

Feel free to contact me if you have any questions. My email address is ecruz@coawi.org and my phone number is 715-682-7583.

Thank you.

Sincerely,

Elise Cruz
City Planner
Department of Planning & Development

- c. Exceptions to parcel requirements. Public parks, public open space, and utility and communication uses shall be exempt from the parcel requirements of this section.
2. **Setback requirements for principal building.** The minimum setback requirements for principal buildings from parcel lines shall be as follows, except as may be modified pursuant to *Section 6.1, B.: Setbacks.*
 - a. Minimum principal building setback from front parcel line. Ten (10) feet.
 - b. Minimum principal building setback from corner street side parcel line. Ten (10) feet.
 - c. Minimum principal building setback from interior side parcel line. Ten (10) feet.
 - d. Minimum principal building setback from rear parcel line. Twenty-five (25) feet.
3. **Maximum height of principal building.** Thirty-five (35) feet, as measured pursuant to *Section 6.1, C.: Building Height.*
4. **Setback and height requirements for accessory buildings.** The setback and height requirements for accessory buildings shall be as specified in *Section 5.6, A.: Accessory Building.*
5. **Maximum building coverage of the parcel.** Fifty (50) percent.
6. **Maximum impervious coverage.** Seventy (70) percent, except as may be modified pursuant to *Section 6.1, D.: Impervious Coverage.*
7. **Buffer requirements between different uses.** Wherever a more intense proposed use (or expansion of a more intense existing use) in the NC Neighborhood Convenience District abuts a less intense existing use, the more intense use shall provide a landscaped buffer pursuant to *Section 6.4: Landscaping, Buffers, and Screening.*

Section 4.16 RC Regional Commercial District

A. Intent

The intent of the RC Regional Commercial District is to provide areas for commercial uses along major streets and highways in the city for the convenience of travelers, tourists, and the residents of Ashland. The district is intended to provide for a full range of commercial uses to be located on sites with immediate access to arterial or collector streets. It is also the intent of the district to allow the continuation of existing residential uses in the district, while allowing the sensitive conversion of residential parcels to appropriate commercial uses that can benefit from the district's proximity to arterial or collector streets. Commercial uses in the RC District are not intended to weaken the commercial vitality of the CC City Center District. It is also the intent of the RC Regional Commercial District to conditionally allow the continuation of existing industrial uses in the district, while encouraging the industrial uses to relocate to an appropriate industrial district in the city.

B. Uses

1. **Permitted uses.** The following uses are permitted in the RC Regional Commercial District pursuant to all specific use standards.
 - a. Residential uses.
 - (1) Residential uses in existence prior to the adoption of this ordinance.
 - (2) Dwelling combined with a permitted use

b. Commercial uses.

- (1) Animal boarding, animal training, or animal grooming, except that no outdoor kennels nor outdoor runs shall be allowed
- (2) Artist studio
- (3) Assembly hall
- (4) Bank or financial institution
- (5) Business service
- (6) Car wash
- (7) Day care center: commercial, pursuant to *Section 5.2, C.: Day Care Center: Commercial*
- (8) Dry cleaning and laundry, drop off and pick up, but excluding processing
- (9) Funeral home
- (10) Garden supply or landscaping center
- (11) Home improvement center
- (12) Household maintenance and repair establishment
- (13) Laundromat
- (14) Lodging establishment: short stay
- (15) Lodging establishment: extended stay
- (16) Office
- (17) Personal service
- (18) Recreation facility: commercial indoor
- (19) Recreation facility: commercial outdoor
- (20) Restaurant: carry-out, fast food, or sit-down.
- (21) Retail: convenience
- (22) Retail: general
- (23) Tavern
- (24) Theater
- (25) Tool and equipment rental facility
- (26) Vehicle repair and/or service
- (27) Vehicle sales and/or rental
- (28) Veterinary clinic: small animal, except that no outdoor kennels nor outdoor runs shall be allowed

c. Public, civic, and institutional uses.

- (1) Clinic
- (2) Clubs and associations

- (3) Government or community service use
 - (4) Museum
 - (5) Public park
 - (6) Religious institution
 - (7) School: primary or secondary, specialty or personal instruction
 - d. Utility and communication uses.
 - (1) Communication service
 - (2) Essential services
 - e. Open space uses.
 - (1) Open space: public or private
 - f. Temporary, seasonal, or land filling/excavation uses.
 - (1) Land filling and/or excavation (excluding mining) pursuant to *Section 6.1, H.: Grading, land filling, and/or excavation.*
 - (2) Land filling: temporary
 - (3) Seasonal market, pursuant to *Section 5.5, D.: Seasonal Market*
 - g. Other uses.
 - (1) Drive-through window associated with a permitted or conditional use
 - (2) Other uses not specifically listed in this Ordinance, but for which Zoning Administrator or Designated Authorized Agent has determined that the use is consistent with the intent of conditional uses in this district.
2. **Conditional uses.** The following conditional uses are allowed in a RC Regional Commercial District subject to the issuance of a conditional use permit as specified in *Section 3.9: Conditional Use Permit* and all applicable specific use standards.
- a. Residential uses.
 - (1) Adult family home, pursuant to *Section 5.1, A.: Adult Family Home*
 - (2) Bed and breakfast establishment, pursuant to *Section 5.1, B.: Bed and Breakfast Establishment*, and provided that is associated with a permitted residential use or a residential use in existence prior to the adoption of this ordinance
 - (3) Boarding or rooming house
 - (4) Community living arrangement, pursuant to *Section 5.1, C.: Community Living Arrangement* and provided that fifteen (15) or fewer persons are served
 - (5) Convent, rectory, or monastery, pursuant to *Section 5.1, D.: Convent, Rectory, or Monastery*
 - (6) Dwelling combined with a conditional use
 - (7) Dwelling: accessory, pursuant to *Section 5.1, E.: Dwelling: Accessory*, and provided that it is associated with a detached single-family residence that was in existence prior to the adoption of this ordinance

- (8) Emergency residential facility
 - (9) Home occupation, if the use exceeds the pertinent standards specified in *Section 5.1, F.: Home Occupation*
 - (10) Rehabilitation center/transitional living facility, pursuant to *Section 5.1, J.: Rehabilitation Center/Transitional Living Facility*
 - (11) Tourist home, pursuant to *Section 5.1, K.: Tourist Home*, and provided that it is associated with a detached single-family residence that was in existence prior to the adoption of this ordinance
- b. Commercial uses.
- (1) Adult entertainment establishment, pursuant to *Section 5.2, A.: Adult Entertainment Establishment*
 - (2) Adult retail establishment
 - (3) Agricultural services
 - (4) Animal boarding, animal training, or animal grooming, with an outdoor kennel and/or outdoor run
 - (5) Currency exchange, payday loan establishment, or title loan agency, pursuant to *Section 5.2, B.: Currency Exchange Establishment, Payday Loan Establishment, Title Loan Agency, Pawn Shop, Rent-to-Own Establishment, or Similar Use*
 - (6) Dry cleaning and/or laundry: onsite processing
 - (7) Filling station
 - (8) Freight terminal: local
 - (9) Manufactured home dealer, sales and display, pursuant to *Section 5.2, E.: Manufactured Home Dealer, Sales and Display*
 - (10) Outdoor merchandise sales, pursuant to *Section 5.2, F.: Outdoor Merchandise Sales*
 - (11) Pawn shop, pursuant to *Section 5.2, B.: Currency Exchange Establishment, Payday Loan Establishment, Title Loan Agency, Pawn Shop, Rent-to-Own Establishment, or Similar Use*
 - (12) Rent-to-own establishment, pursuant to *Section 5.2, B.: Currency Exchange Establishment, Payday Loan Establishment, Title Loan Agency, Pawn Shop, Rent-to-Own Establishment, or Similar Use*
 - (13) Social services, pursuant to *Section 5.2, G.: Social Services*
 - (14) Veterinary clinic: large animal
 - (15) Warehouse: self-storage
- c. Industrial uses.
- (1) Any industrial use (as determined by the Zoning Administrator or Designated Authorized Agent of the City) that was in existence on the subject parcel prior to the adoption of this ordinance (and was a conforming use at that time) shall

be a conditional use on the subject parcel provided that the use has not lapsed for more than twelve (12) consecutive months

- d. Public, civic, and institutional uses.
 - (1) Nursing home
 - e. Agricultural uses.
 - (1) Agricultural services
 - f. Utility and communication uses.
 - (1) Communication equipment: major, provided that it is located on a parcel for which the principal use is a public, civic, institutional, or communication service use, and pursuant to *Section 5.4, A.: Communication Equipment: Major*
 - (2) Utility facilities, pursuant to *Section 5.4, C.: Utility Facilities*
 - (3) Wind energy facility, pursuant to *Section 5.4, D. Wind Energy Facility*
 - g. Temporary, seasonal, or land filling/excavation uses.
 - h. Other uses.
 - (1) Accessory building, if the accessory building exceeds the pertinent standards specified in *Section 5.6, A.: Accessory Building*
 - (2) Parking lot as a principal use
 - (3) Other uses not specifically listed in this Ordinance, but for which the Zoning Administrator or Designated Authorized Agent has determined that the use is consistent with the intent of conditional uses in this district.
3. **Accessory uses.** The following are permitted as an accessory use to a permitted or conditional use in the RC Regional Commercial District, pursuant to all applicable specific use standards.
- (1) Accessory buildings, pursuant to *Section 5.6, A.: Accessory Building*
 - (2) Animals: keeping domestic animals, pursuant to *Section 5.6, C.: Animals: Keeping of*
 - (3) Communication equipment: minor, pursuant to *Section 5.4, B.: Communication Equipment: Minor*
 - (4) Composting, pursuant to *City of Ashland Ordinance 750, Section 750.B.7.*
 - (5) Day care: family home, pursuant to *Section 5.6, D.: Day Care: Family Home*
 - (6) Fence, pursuant to *Section 6.5: Fences*
 - (7) Foster care: family home
 - (8) Home occupation, pursuant to *Section 5.1, F.: Home Occupation*
 - (9) Landscaping and/or gardening, pursuant to *Section 6.4: Landscaping, Buffers, and Screening*
 - (10) Off-street parking, loading, and access drives, pursuant to *Section 6.3: Parking and Loading*

- (11) Outdoor mechanical and electrical equipment, pursuant to *Section 5.6, E.: Outdoor Mechanical Equipment*
- (12) Patio, deck, terrace, and similar uses, pursuant to *Section 5.6, G.: Patio, Deck, Terrace, and Similar Uses*
- (13) Signs, pursuant to *Section 6.6: Signs*
- (14) Solar equipment, pursuant to *Section 5.6, J.: Solar Equipment and Solar Rights*
- (15) Sport court for private recreation use, pursuant to *Section 5.6, K.: Sport Court, Play Equipment, and Similar Uses*
- (16) Swimming pool, pursuant to *Section 5.6, L.: Swimming Pool*
- (17) Temporary construction building, pursuant to *Section 5.5, B.: Temporary Construction Building*
- (18) Other accessory uses incidental and customary to permitted and conditional uses of this district as determined by the Zoning Administrator or Designated Authorized Agent.

C. Dimensional Requirements

1. **Parcel requirements.** The minimum parcel requirements in the RC Regional Commercial District shall be as follows, except as may be modified pursuant to *Section 10.3: Nonconforming Parcels*.
 - a. **Minimum parcel area.** Twenty thousand (20,000) square feet.
 - b. **Minimum parcel width.** One hundred fifty (150) square feet.
 - c. **Exceptions to parcel requirements.** Public parks, public open space, and utility and communication uses shall be exempt from the parcel requirements of this section.
2. **Setback requirements for principal building.** The minimum setback requirements for principal buildings from parcel lines shall be as follows, except as may be modified pursuant to *Section 6.1, B.: Setbacks*.
 - a. **Minimum principal building setback from front parcel line.** Thirty (30) feet.
 - b. **Minimum principal building setback from corner street side parcel line.** Thirty (30) feet.
 - c. **Minimum principal building setback from interior side parcel line.** Fifteen (15) feet.
 - d. **Minimum principal building setback from rear parcel line.** Thirty (30) feet.
3. **Maximum height of principal building.** Thirty-five (35) feet, as measured pursuant to *Section 6.1, C.: Building Height*.
4. **Setback and height requirements for accessory buildings.** The setback and height requirements for accessory buildings shall be as specified in *Section 5.6, A.: Accessory Building*.
5. **Maximum building coverage of the parcel.** Fifty (50) percent.
6. **Maximum impervious coverage.** Seventy (70) percent, except as may be modified pursuant to *Section 6.1, D.: Impervious Coverage*.

7. **Buffer requirement between different uses.** Wherever a more intense proposed use (or expansion of a more intense existing use) in the RC Regional Commercial District abuts a less intense existing use, the more intense use shall provide a landscaped buffer pursuant to *Section 6.4: Landscaping, Buffers, and Screening*.

D. Special Requirements

1. **Gateway Overlay District requirements.** Parcels that have frontage on a U.S. or State Highway shall meet the gateway overlay requirements specified in *Section 4.47 GTWY-O Gateway Overlay District*.
2. **Design standards.** All uses shall meet the design standards specified in *Section 6.2: General Building Design Standards and Guidelines*.

Section 4.17 CC City Center District

A. Intent

The intent of the CC City Center District is to encourage and foster the further development and enhancement of the downtown (city center) area. The district requirements recognize the unique characteristics of the city center area as the heart of the city. The city center provides a mix of traditional downtown uses that are consistent with the vision for the area as expressed in the Comprehensive Plan, including retail, entertainment, offices, services, government facilities, and a mixture of residential uses. However, the district also includes a variety of industrial uses, some of which may not be compatible with the City's vision for the district. Should an existing industrial use in this district cease to exist, it is the intent of this district to encourage the parcel to transition to a use consistent with the vision of the area as expressed in the Comprehensive Plan.

B. Uses

1. **Permitted uses.** The following are permitted uses in the CC City Center District.
 - a. Residential uses.
 - (1) Residential use, provided that the use was in existence prior to the adoption of this ordinance and provided that the use has not lapsed for more than twelve (12) consecutive months since the date of adoption of this ordinance.
 - (2) Bed and breakfast establishment, pursuant to *Section 5.1, B.: Bed and Breakfast Establishment*
 - (3) Dwelling combined with a permitted use
 - b. Commercial uses.
 - (1) Animal boarding, animal training, or animal grooming, except that no outdoor kennels nor outdoor runs shall be allowed
 - (2) Artist studio
 - (3) Assembly hall
 - (4) Bank or financial institution
 - (5) Business service
 - (6) Conference center
 - (7) Day care center: commercial, pursuant to *Section 5.2, C.: Day Care Center: Commercial*

April 23, 2014

To whom it may concern:

The attached map shows parcel number 201034222000. This is the property formerly known as the Ashland Travel Center. The map and the Deed both describe the contaminated property, although the deed includes an adjacent property which was purchased at the same time, and the adjacent property is not contaminated. This is true to the best of my understanding.

Mark Gutteter

A handwritten signature in black ink, appearing to read 'Mark Gutteter', written in a cursive style.

Member

Hwy 2 Ashland Properties LLC.

