

**GIS REGISTRY**  
**Cover Sheet**

July, 2008  
(RR 5367)

**Source Property Information**

**BRRTS #:**

**ACTIVITY NAME:**

**PROPERTY ADDRESS:**

**MUNICIPALITY:**

**PARCEL ID #:**

**CLOSURE DATE:**

**FID #:**

**DATCP #:**

**COMM #:**

**\*WTM COORDINATES:**

**X:**  **Y:**

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

**WTM COORDINATES REPRESENT:**

- Approximate Center Of Contaminant Source
- Approximate Source Parcel Center

**Please check as appropriate:** (BRRTS Action Code)

**Contaminated Media:**

Groundwater Contamination > ES (236)

Contamination in ROW

Off-Source Contamination

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

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

Contamination in ROW

Off-Source Contamination

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

**Land Use Controls:**

Soil: maintain industrial zoning (220)

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

Structural Impediment (224)

Site Specific Condition (228)

Cover or Barrier (222)

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

Vapor Mitigation (226)

Maintain Liability Exemption (230)

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

**Monitoring wells properly abandoned? (234)**

- Yes  No  N/A

*\* Residual Contaminant Level*

*\*\*Site Specific Residual Contaminant Level*

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

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

BRRTS #:  PARCEL ID #:

ACTIVITY NAME:  WTM COORDINATES: X:  Y:

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

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

**SOURCE LEGAL DOCUMENTS**

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

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

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

- Location Map:** A map outlining all properties within the contaminated site boundaries on a U.S.G.S. topographic map or plat map in sufficient detail to permit easy location of all parcels. If groundwater standards are exceeded, include the location of all potable wells within 1200 feet of the site.  
*Note: Due to security reasons municipal wells are not identified on GIS Packet maps. However, the locations of these municipal wells must be identified on Case Closure Request maps.*  
**Figure #:** ---      **Title:** **Site Location Map**
- Detailed Site Map:** A map that shows all relevant features (buildings, roads, individual property boundaries, 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) or a Site Specific Residual Contaminant Levels (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.  
**Figure #:** ----      **Title:** **Detailed Site Map**
- Soil Contamination Contour Map:** For sites closing with residual soil contamination, this map is to show the location of all 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) or a Site Specific Residual Contaminant Level (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.  
**Figure #:** ----      **Title:** **Soil Contamination Contour Map**

BRRTS #: 02-16-275090

ACTIVITY NAME: ENBRIDGE SUPERIOR TERMINAL

**MAPS (continued)**

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

**Figure #:** --- **Title:** **Geologic Cross Section A - A' & Geologic Cross Section B - B'**

**Figure #:** **Title:** **Geologic Cross Section C - C'**

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

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

**Figure #:** --- **Title:** **Groundwater Isoconcentration Map as of May 2007**

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

**Figure #:** --- **Title:** **Groundwater Flow Regime and Monitoring well Locations**

**Figure #:** **Title:**

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

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

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

**Table #:** --- **Title:** **Remaining Impacted Soil**

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

**Table #:** --- **Title:** **Groundwater Analytical Table**

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

**Table #:** --- **Title:** **Water Level Elevations**

**IMPROPERLY ABANDONED MONITORING WELLS**

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

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

- Not Applicable**

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

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

**Figure #:** **Title:**

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

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

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

BRRTS #: 02-16-275090

ACTIVITY NAME: ENBRIDGE SUPERIOR TERMINAL

**NOTIFICATIONS**

**Source Property**

**Letter To Current Source Property Owner:** If the source property is owned by someone other than the person who is applying for case closure, include a copy of the letter notifying the current owner of the source property that case closure has been requested.

NA

**Return Receipt/Signature Confirmation:** Written proof of date on which confirmation was received for notifying current source property owner.

NA

**Off-Source Property**

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

**Letter To "Off-Source" Property Owners:** Copies of all letters sent by the Responsible Party (RP) to owners of properties with groundwater exceeding an Enforcement Standard (ES), and to owners of properties that will be affected by a land use control under s. 292.12, Wis. Stats.

NA

**Note:** Letters sent to off-source properties regarding residual contamination must contain standard provisions in Appendix A of ch. NR 726.

**Number of "Off-Source" Letters:**

**Return Receipt/Signature Confirmation:** Written proof of date on which confirmation was received for notifying any off-source property owner.

NA

**Deed of "Off-Source" Property:** The most recent deed(s) as well as legal descriptions, for all affected deeded **off-source property(ies)**. This does not apply to right-of-ways.

NA

**Note:** If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.

**Letter To "Governmental Unit/Right-Of-Way" Owners:** Copies of all letters sent by the Responsible Party (RP) to a city, village, municipality, state agency or any other entity responsible for maintenance of a public street, highway, or railroad right-of-way, within or partially within the contaminated area, for contamination exceeding a groundwater Enforcement Standard (ES) and/or soil exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL).

NA

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



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Matthew J. Frank, Secretary  
John Gozdzialski, Regional Director

Northern Region Headquarters  
107 Sutliff Avenue  
Rhineland, Wisconsin 54501-3349  
Telephone 715-365-8900  
FAX 715-365-8932  
TTY Access via relay - 711

January 12, 2010

MR ROBERT STEEDE  
ENBRIDGE ENERGY LP  
119 N 25<sup>TH</sup> ST E  
SUPERIOR WI 54880

SUBJECT: Final Case Closure with Continuing Obligations  
Enbridge Energy Superior Terminal Natural Gas Liquids Densitometer Release  
Superior, Wisconsin  
WDNR BRRTS #02-16-275090

Dear Mr. Steede:

On November 11, 2009, the Department of Natural Resources' Northern Region Closure Committee reviewed the above referenced case for closure. This committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. You were then notified on November 12, 2009 that the Closure Committee had granted conditional closure to this case.

On December 23, 2009, the Department received information or documentation indicating that you have complied with the requirements for final closure. Your company provided a copy of a letter to the City of Superior dated December 2, 2009, providing notification of contamination along the Bardon Avenue right-of-way, along with monitoring well abandonment forms.

Based on the correspondence and data provided, it appears that your case meets the closure requirements in Chapter NR 726, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation is required at this time, however, you and future property owners must comply with certain continuing obligations as explained in this letter.

### GIS Registry

This site will be listed on the Remediation and Redevelopment Program's GIS Registry. The specific reasons are summarized below:

- If a structural impediment that obstructed a complete site investigation or cleanup is removed or modified, additional environmental work must be completed
- Before the land use may be changed from industrial to non-industrial, additional environmental work must be completed
- Groundwater contamination is present above enforcement standards found in ch. NR 140, Wis. Adm. Code

This letter and information that was submitted with your closure request application will be included on the GIS Registry. To review the sites on the GIS Registry web page, visit the RR Sites Map page at <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. If the property is listed on the GIS Registry because of remaining contamination and you intend to construct or reconstruct a well, you will need prior Department approval in accordance with s. NR 812.09(4)(w), Wis. Adm. Code. To obtain approval, Form 3300-254 needs to be completed and submitted to the DNR Drinking and Groundwater program's regional water supply specialist. This form can be obtained on-line at the web address listed above for the GIS Registry or at <http://dnr.wi.gov/org/water/dwg/3300254.pdf>.

### **Closure Conditions**

Please be aware that pursuant to s. 292.12, Wisconsin Statutes, compliance with the requirements of this letter is a responsibility to which you and any subsequent property owners must adhere. You must pass on the information about these continuing obligations to the next property owner or owners. If these requirements are not followed or if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, welfare, or the environment, the Department 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 or this case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code. The Department intends to conduct inspections in the future to ensure that the conditions included in this letter are met.

### **Structural Impediments**

Structural impediments (a buried pipeline and associated infrastructure adjacent to soil samples S-3, S-5, S-6 and S-9) were present at the time of cleanup, as shown on the attached Figure 9: Soil Sample Locations and Cross-Section Transects. These structural impediments made complete remediation of the soil contamination on this property and the adjacent property owned by Murphy Oil USA impracticable. The location of the site is delineated on Figure 1: Site Location Map and Figure 2 Site Layout and Approximate Impacted Extent, which are also attached. Pursuant to s. 292.12(2)(b), Wis. Stats., if the structural impediments on this property that are described above are to be removed, the property owner shall notify the Department of Natural Resources before removal and conduct an investigation of the degree and extent of natural gas liquids (NGL) and crude oil contamination. If contamination is found at that time, the contamination shall be properly remediated in accordance with applicable statutes and rules. If soil in the specific locations described above is excavated, the property owner at the time of excavation must sample and analyze the excavated soil to determine if residual contamination remains. If sampling confirms that contamination is present the property owner 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 statutes and rules. In addition, all current and future owners and occupants of the property 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 during excavation activities to prevent a health threat to humans.

### **Industrial Residual Soil Standards**

Soil samples S-3, S-5, S-6 and S-9 as identified on Figure 9 are representative of remaining soil contamination on this property and the adjacent property owned by Murphy Oil USA, and were collected on January 23, 1999. These samples contained benzene and/or benzo(a)pyrene in concentrations that meet the site-specific industrial soil standards developed for this site.

Therefore, pursuant to s. NR 726.05(8)(b)1., Wis. Adm. Code, this property may not be used or developed for a residential, commercial, agricultural or other non-industrial use, unless (at the time that

the non-industrial use is proposed) the property owner provides notification to the Department of Natural Resources of the change in land use and an investigation is conducted, to determine the degree and extent of NGL and crude oil contamination that remains on the property, and remedial action is taken as necessary to meet all applicable non-industrial soil cleanup standards. If soil in the specific locations shown on the attached map (Figure 9) and described above is excavated in the future, the property owner at the time of excavation must sample and analyze the excavated soil to determine if residual contamination remains. If sampling confirms that contamination is present the property owner 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 statutes and rules. In addition, all current and future owners and occupants of the property 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 during excavation activities to prevent a health threat to humans.

### **Residual Groundwater Contamination**

Groundwater impacted by NGL and crude oil contamination greater than enforcement standards set forth in ch. NR 140, Wis. Adm. Code, is present both on this contaminated property and off this contaminated property as identified on the Groundwater Isoconcentration Map As of May 2007. Off-property owners have been notified of the presence of groundwater contamination. For more detailed information regarding the locations where groundwater samples have been collected (i.e., monitoring well locations) and the associated contaminant concentrations, refer to the Remediation and Redevelopment Program's GIS Registry at the RR Sites Map page at <http://dnr.wi.gov/org/aw/rr/gis/index.htm>.

### **Post-Closure Notification Requirements**

In accordance with ss. 292.12 and 292.13, Wis. Stats., you must notify the Department before making changes that affect or relate to the conditions of closure in this letter. For this case, examples of changed conditions requiring prior notification include, but are not limited to:

- Any activity or construction that results in the removal or modification of a structural impediment that obstructed a complete site investigation or cleanup
- Development, construction or other changes, including zoning changes, that change the land use from industrial to non-industrial

Please send written notifications in accordance with the above requirements to the Northern Region Headquarters office in Rhinelander, to the attention of the Remediation and Redevelopment Program's Environmental Program Associate.

The Department 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 Chris Saari at 715-685-2920, or by e-mail at [Christopher.Saari@Wisconsin.gov](mailto:Christopher.Saari@Wisconsin.gov).

Sincerely,

  
John Robinson  
Northern Region Supervisor  
Remediation & Redevelopment Program

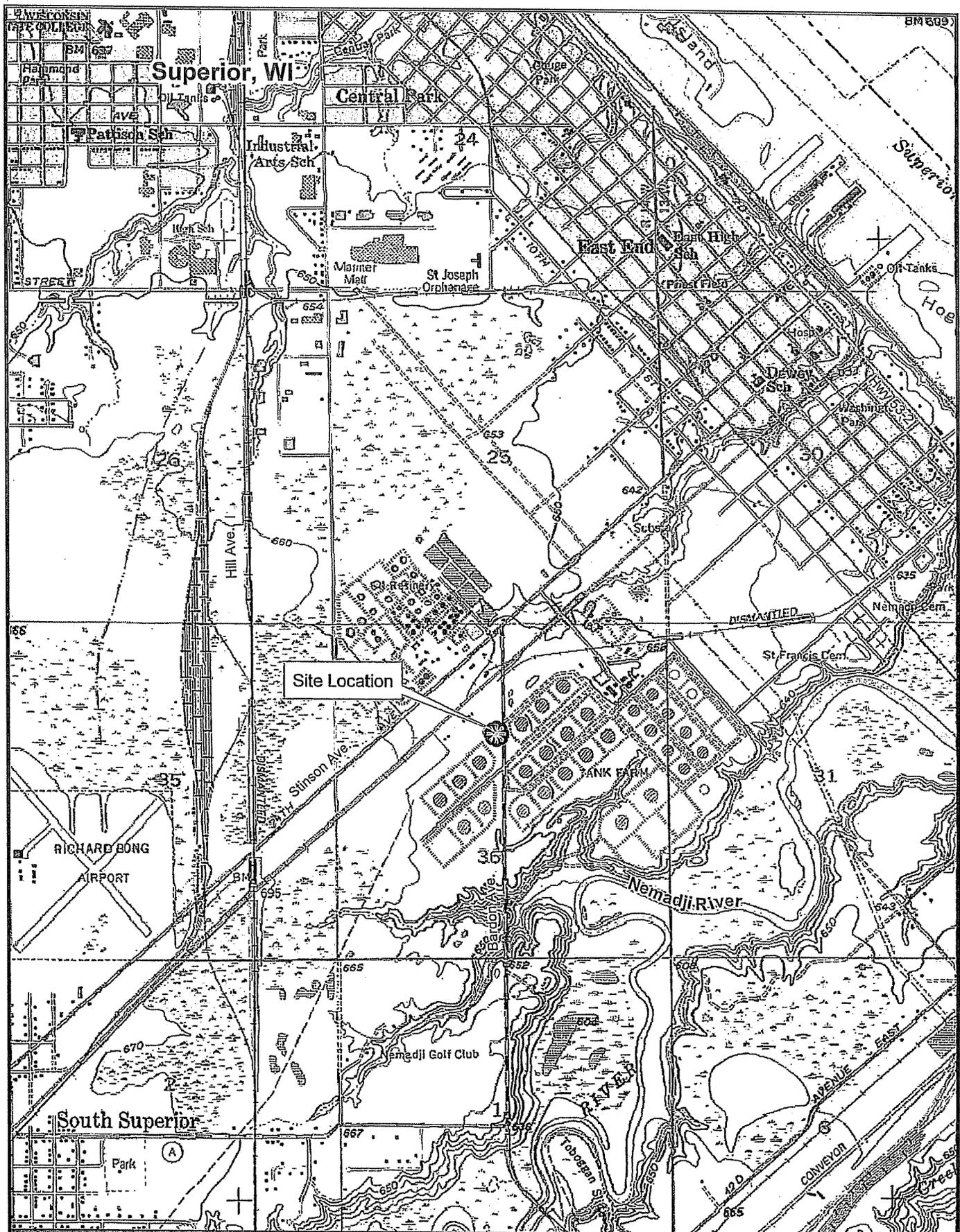
Attachments: Figure 1: Site Location Map

Figure 2: Site Layout and Approximate Impacted Extent  
Figure 9: Soil Sample Locations and Cross-Section Transects  
Groundwater Isoconcentration Map As of May 2007

cc:

Barry Power  
Natural Resources Engineering Co.  
1409 Hammond Ave  
Suite 110  
Superior, WI 54880

David Podratz  
Refinery Manager  
Murphy Oil USA, Inc.  
2407 Stinson Ave.  
Superior, WI 54880

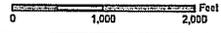


**ENBRIDGE**

Legend



Site



**Enbridge Energy, Limited Partnership  
Superior NGL Densitometer  
Figure 1: Site Location Map**

DATE ISSUED: 6/14/2007	
DATE REVISED:	
SCALE: 1:24,000	Resources
DRAWN BY: JPM	Engineering Co.
SERIES: Superior NGL Densitometer	



**Legend**

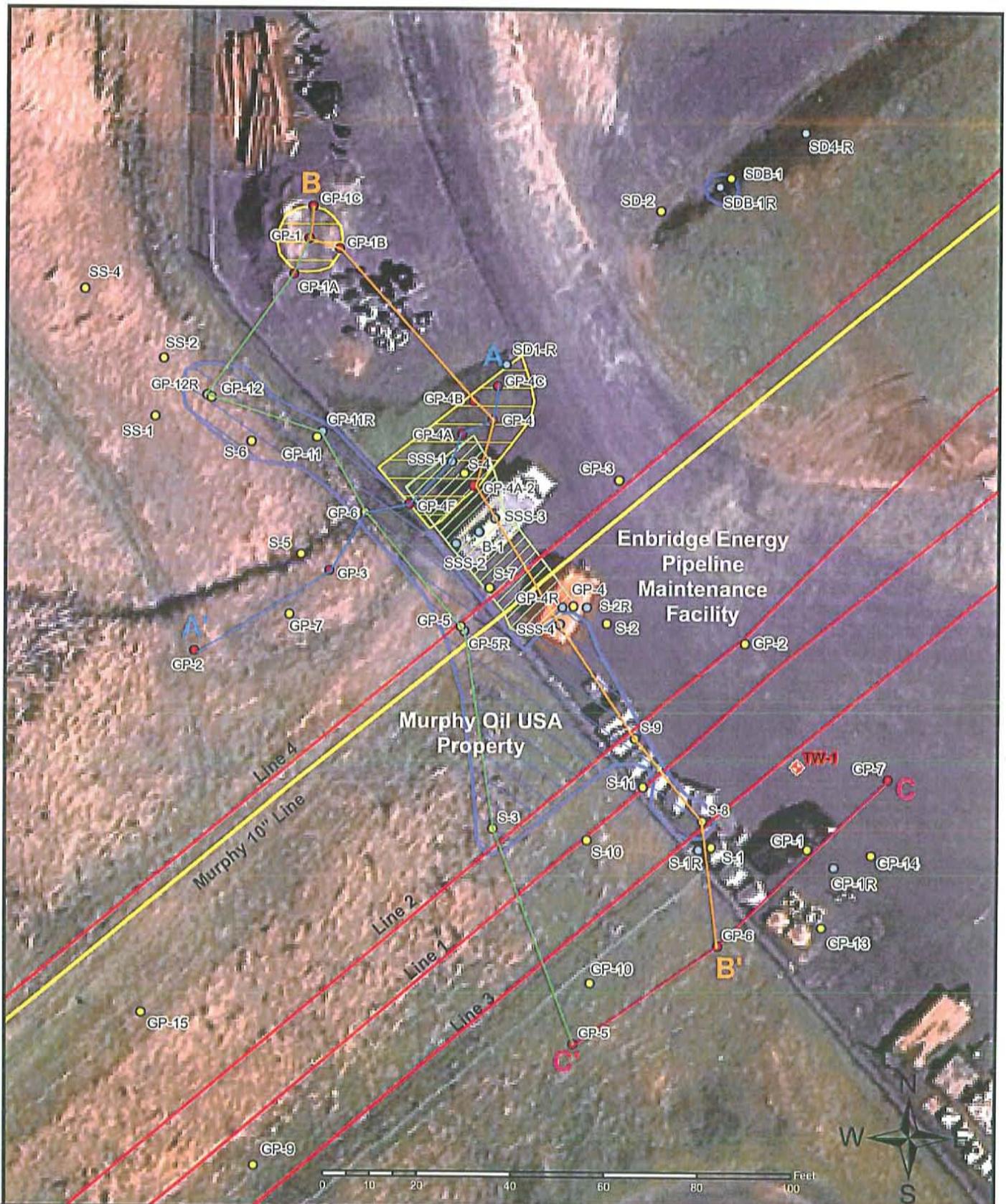
- Overland Flow Direction
- ⊙ Leak Site
- Enbridge Line 1
- Property Line
- ⬡ Approximate Extent of Impacted Area



**Enbridge Energy, Limited Partnership**  
**Superior NGL Densitometer**

**Figure 2: Site Layout and Approximate Impacted Extent**

DATE ISSUED: 6/18/2007	
DATE REVISED: 8/20/2008	
SCALE: 1:2,000	
DRAWN BY: JPM	
SERIES: Superior NGL Densitometer	

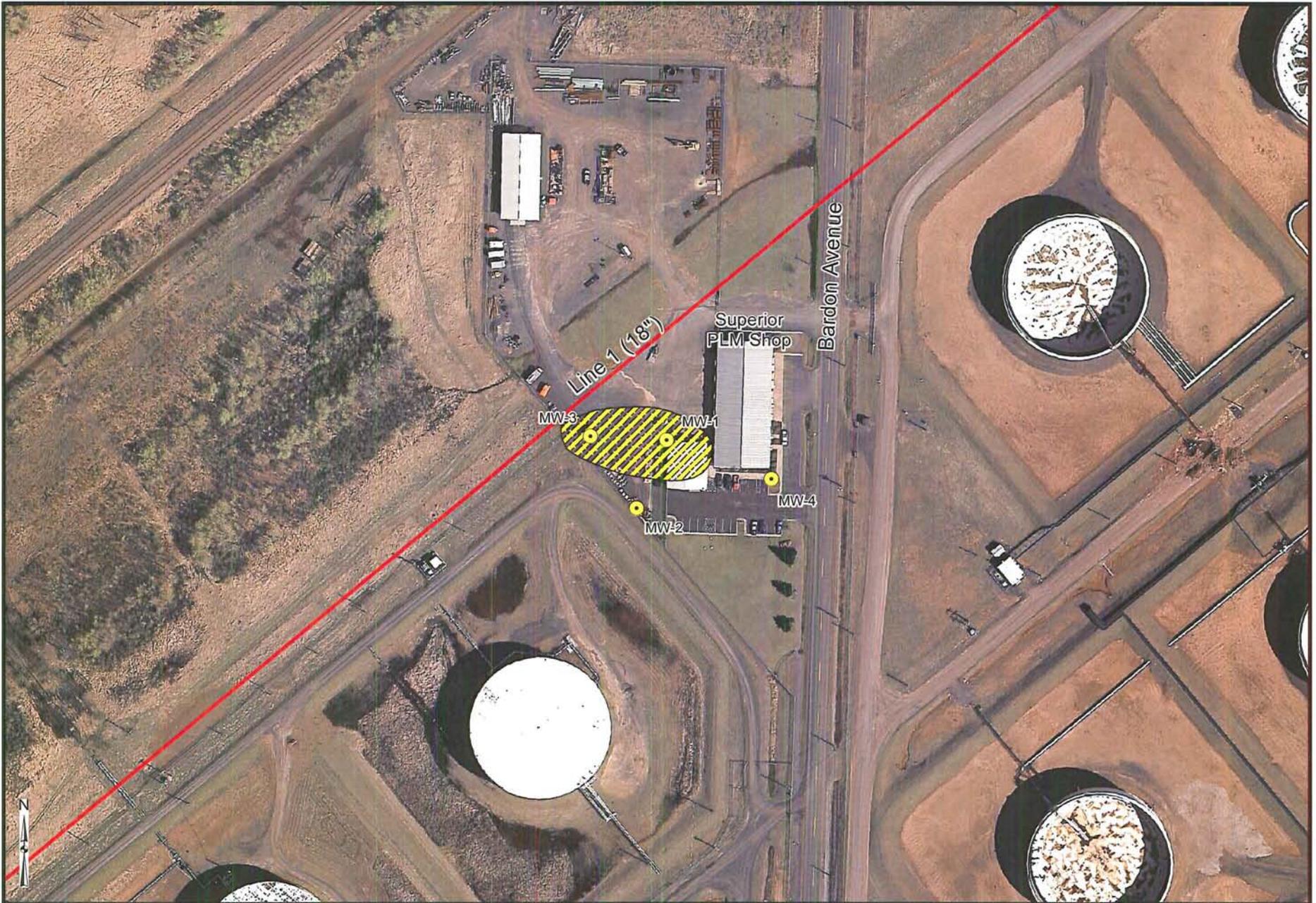


<b>Legend</b> Temporary Monitoring Well Location 1999 Soil Sample Location 2003 Soil Sample Location 2008 Soil Sample Location	NR 720 Exceeding Soil 2003 Excavation Extent 2008 Excavation Extent	Enbridge Pipeline Murphy Pipeline Cross-Section A-A'	Cross-Section B-B' Cross-Section C-C' Cross-Section B-C'



**Enbridge Energy, Limited Partnership**  
 Superior NGL Densitometer  
**Figure 9: Soil Sample Locations and Cross-Section Transects**

DATE ISSUED: 11/21/07	
DATE REVISED: 8/8/08	
SCALE: 1:331	
DRAWN BY: JPM	
SERIES: Superior NGL Densitometer	

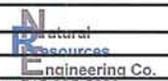


**Legend**

-  Groundwater Monitoring Well Locations
-  Approximate Extent of Groundwater Exceeding Preventive Action Limit (PAL)/Enforcement Standard (ES)

**Enbridge Energy, Limited Partnership**  
**Superior NGL Densitometer**  
**Groundwater Isoconcentration Map As of May 2007**

0 50 100 200 300 400 Feet

DATE ISSUED: 6/7/07	
DATE REVISED:	
SCALE: 1:2,000	
DRAWN BY: JPM	
SERIES: Superior NGL Densitometer 3-395-5690	



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Matthew J. Frank, Secretary  
John Gozdzialski, Regional Director

Northern Region Headquarters  
107 Sutliff Avenue  
Rhineland, Wisconsin 54501-3349  
Telephone 715-365-8900  
FAX 715-365-8932  
TTY Access via relay - 711

January 12, 2010

MR DAVID PODRATZ  
REFINERY MANAGER  
MURPHY OIL USA INC  
2407 STINSON AVE  
SUPERIOR WI 54880

SUBJECT: Continuing Obligations and Property Owner Requirements for 2407 Stinson Avenue  
Parcel Identification Number: 01-801-05132-00  
Final Case Closure for Enbridge Energy Superior Terminal Natural Gas Liquids  
Densitometer Release, 10 Bardon Avenue, Superior, Wisconsin  
WDNR BRRTS #02-16-275090

Dear Mr. Podratz:

The purpose of this letter is to notify you that certain continuing obligations apply to the property at 2407 Stinson Avenue, (referred to in this letter as the "Property") due to contamination remaining on the Property. The continuing obligations are part of the cleanup and case closure approved for the above referenced case, located at 10 Bardon Avenue in Superior. (The case is referenced by the location of the source property, i.e., the property where the original discharge occurred, prior to contamination migrating to the Property.) The continuing obligations that apply to the Property are stated as conditions in the attached closure approval letter, and are consistent with Section 292.12, Wisconsin Statutes, and Chapter NR 700, Wisconsin Administrative Code, rule series. They are meant to limit exposure to any remaining environmental contamination at the Property. These continuing obligations will also apply to future owners of the Property, until the conditions no longer exist at the Property.

It is common for properties with approved cleanups to have continuing obligations as part of cleanup/closure approvals. Information on continuing obligations on properties is shown on the Internet at <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. How to find further information about the closure and residual contamination for this site can be located at <http://dnr.wi.gov/org/aw/rr/clean.htm>.

The Department reviewed and approved the case closure request regarding the natural gas liquids (NGL) and crude oil in soil and groundwater at this site, based on the information submitted by Enbridge Energy LP and Natural Resources Engineering Co. As required by state law, you received notification about the requested closure from the person conducting the cleanup. No further investigation or cleanup is required at this time. However, the closure decision is conditioned on the long-term compliance with certain continuing obligations, as described below.

### **Continuing Obligations Applicable to Your Property**

A number of continuing obligations are described in the attached case closure letter to Mr. Robert Steede of Enbridge Energy LP, dated January 12, 2010. However, only the following continuing obligations apply to your Property.

### **Structural Impediments**

Structural impediments (a buried pipeline and associated infrastructure adjacent to soil samples S-3, S-5, S-6 and S-9) were present at the time of cleanup, as shown on the attached Figure 9: Soil Sample Locations and Cross-Section Transects. These structural impediments made complete remediation of the soil contamination on the source property and the Property impracticable. The location of the site is delineated on Figure 1: Site Location Map and Figure 2 Site Layout and Approximate Impacted Extent, which are also attached. Pursuant to s. 292.12(2)(b), Wis. Stats., if the structural impediments on the Property that are described above are to be removed, the property owner shall notify the Department of Natural Resources before removal and conduct an investigation of the degree and extent of NGL and crude oil contamination. If contamination is found at that time, the contamination shall be properly remediated in accordance with applicable statutes and rules. If soil in the specific locations described above is excavated, the property owner at the time of excavation must sample and analyze the excavated soil to determine if residual contamination remains. If sampling confirms that contamination is present the property owner 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 statutes and rules. In addition, all current and future owners and occupants of the Property 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 during excavation activities to prevent a health threat to humans.

### **Industrial Residual Soil Standards**

Soil samples S-3, S-5, S-6 and S-9 are representative of remaining soil contamination on the source property and the Property, and were collected on January 23, 1999. These samples contained benzene and/or benzo(a)pyrene in concentrations that meet the site-specific industrial soil standards developed for this site.

Therefore, pursuant to s. NR 726.05(8)(b)1., Wis. Adm. Code, the Property may not be used or developed for a residential, commercial, agricultural or other non-industrial use, unless (at the time that the non-industrial use is proposed) the property owner provides notification to the Department of Natural Resources of the change in land use and an investigation is conducted, to determine the degree and extent of NGL and crude oil contamination that remains on the Property, and remedial action is taken as necessary to meet all applicable non-industrial soil cleanup standards. If soil in the specific locations shown on the attached map (Figure 9) and described above is excavated in the future, the property owner at the time of excavation must sample and analyze the excavated soil to determine if residual contamination remains. If sampling confirms that contamination is present the property owner 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 statutes and rules. In addition, all current and future owners and occupants of the Property 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 during excavation activities to prevent a health threat to humans.

### **Residual Groundwater Contamination**

Groundwater impacted by NGL and crude oil contamination greater than enforcement standards set forth in ch. NR 140, Wis. Adm. Code, is present on the Property as identified on the Groundwater

Isoconcentration Map As of May 2007. As required by state law, you received notification about the contamination from the person conducting the cleanup. For more detailed information regarding the locations where groundwater samples have been collected (i.e., monitoring well locations) and the associated contaminant concentrations, refer to the Remediation and Redevelopment Program's GIS Registry at the RR Sites Map page at <http://dnr.wi.gov/org/aw/rr/gis/index.htm>.

### **GIS Registry – Well Construction Approval Needed**

Because of the residual soil and groundwater contamination and the continuing obligations, this site, which includes your Property, will be listed on the Department's internet accessible GIS Registry, at <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. If you intend to construct or reconstruct a well on the Property, you will need to get Department approval in accordance with s. NR 812.09(4) (w), Wis. Adm. Code. To obtain approval, Form 3300-254 needs to be completed and submitted to the DNR Drinking and Groundwater program's regional water supply specialist. A well driller can help with this form. This form can be obtained on-line <http://dnr.wi.gov/org/water/dwg/3300254.pdf>. If at some time, all these continuing obligations are fulfilled, and the remaining contamination is either removed or meets applicable standards, you may request the removal of the Property from the GIS Registry.

### **Property Owner Responsibilities**

The owner (you and any subsequent property owner) of this Property is responsible for compliance with these continuing obligations, pursuant to s. 292.12, Wis. Stats. You are strongly encouraged to pass on the information about these continuing obligations to anyone who purchases this property from you (i.e. pass on this letter). For residential property transactions, you are required to make disclosures under s. 709.02, Wis. Stats. You may have additional obligations to notify buyers of the condition of the property and the continuing obligations set out in this letter and the closure letter.

Please be aware that failure to comply with the continuing obligations may result in enforcement action by the Department. The Department intends to conduct inspections in the future to ensure that the conditions included in this letter, including compliance with referenced maintenance plans, are met.

These responsibilities are the property owner's. A property owner may enter into a legally binding agreement (such as a contract) with someone else (the person responsible for the cleanup) to take responsibility for compliance with the continuing obligations. If the person with whom any property owner has an agreement fails to adequately comply with the appropriate continuing obligations, the Department has the authority to require the property owner to complete the necessary work.

A legal agreement between you and another party to carry out any of the continuing obligations listed in this letter does not automatically transfer to a new owner of the property. If a subsequent property owner cannot negotiate a new agreement, the responsibility for compliance with the applicable continuing obligations resides with that Property owner.

When maintenance of a continuing obligation is required, the Property owner is responsible for inspections, repairs, or replacements as needed. Such actions should be documented by the Property owner and the records kept accessible for the Department to review for as long as the Department directs.

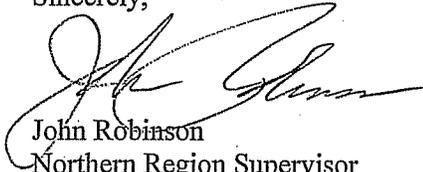
You and any subsequent property owners are responsible for notifying the Department, and obtaining approval, before making any changes to the Property that would affect the obligations applied to the Property. Send all written notifications in accordance with the above requirements to the Northern Region Headquarters office in Rhinelander, to the attention of the Remediation and Redevelopment Program's Environmental Program Associate.

Under s. 292.13, Wis. Stats., owners of properties affected by contamination from another property are generally exempt from investigating or cleaning up a hazardous substance discharge that has migrated onto a property from another property, through the soil, groundwater or sediment pathway. However, the exemption under s. 292.13, Wis. Stats., does not exempt the property owner from the responsibility to maintain a continuing obligation placed on the property in accordance with s. 292.12, Wis. Stats. To maintain this exemption, that statute requires the current property owner and any subsequent property owners, to meet the conditions in the statute, including:

- Granting reasonable access to DNR or responsible party, or their contractors;
- Avoiding interference with response actions taken; and
- Avoiding actions that make the contamination worse (e.g., demolishing a structure and causing or worsening the discharges to the environment).

The Department 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 Chris Saari at 715-685-2920, or by e-mail at [Christopher.Saari@Wisconsin.gov](mailto:Christopher.Saari@Wisconsin.gov).

Sincerely,



John Robinson  
Northern Region Supervisor  
Remediation & Redevelopment Program

Attachments: Figure 1: Site Location Map  
Figure 2: Site Layout and Approximate Impacted Extent  
Figure 9: Soil Sample Locations and Cross-Section Transects  
Groundwater Isoconcentration Map As of May 2007  
Final Case Closure letter to Mr. Robert Steede of Enbridge Energy LP  
RR 819 – Continuing Obligations Fact Sheet

cc:

Robert Steede  
Enbridge Energy LP  
119 N 25<sup>th</sup> St E  
Superior, WI 54880

Barry Power  
Natural Resources Engineering Co.  
1409 Hammond Ave  
Suite 110  
Superior, WI 54880



# Continuing Obligations for Environmental Protection

## Responsibilities of Wisconsin Property Owners

PUB-RR-819

June 2009

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 residual contamination to remain after cleanup of soil or groundwater 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/org/aw/rr/](http://dnr.wi.gov/org/aw/rr/)



## 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 “cap” 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:

1. comply with these property-specific requirements; and
2. 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. A fee is required for DNR’s review of this request (\$500 or \$750, depending on the nature of the request). Fees are subject to change; current fees are found in Chapter NR 749, Wis. Admin. Code, on the web at [www.legis.state.wi.us/rsb/code/nr/nr749.pdf](http://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.

Properties with continuing obligations can generally be located in DNR's *GIS Registry*, part of the *RR Sites Map*. 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.

However, some older cleanups may not be listed in the *GIS Registry*, so please consult DNR's comprehensive database of contaminated and cleaned up sites, *BRRTS on the Web*. This database shows all contamination activities known to DNR.

If a completed cleanup is shown in *BRRTS on the Web* but the site documents can not be found in the *GIS Registry*, 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/org/aw/rr/technical/lists/contact\\_rr.htm](http://dnr.wi.gov/org/aw/rr/technical/lists/contact_rr.htm)).

*BRRTS on the Web* and  
*RR Sites Map* are part of  
**CLEAN**  
(the Contaminated Lands  
Environmental Action Network) at  
[dnr.wi.gov/org/aw/rr/clean.htm](http://dnr.wi.gov/org/aw/rr/clean.htm).

## 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 off-site 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 \$500 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/org/aw/rr/liability/index.htm](http://dnr.wi.gov/org/aw/rr/liability/index.htm).

### 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 off-site 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/org/aw/rr/cleanup/obligations.htm](http://dnr.wi.gov/org/aw/rr/cleanup/obligations.htm).

### Additional Information

For more information about DNR's Remediation and Redevelopment Program, see our web site at [dnr.wi.gov/org/aw/rr/](http://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.

DEED

409027

THIS INDENTURE, MADE BY INTERSTATE OIL PIPE LINE COMPANY

a Delaware corporation, hereby quitclaims to the LAKEHEAD PIPE LINE COMPANY, INC., a Delaware corporation duly authorized to do business in the State of Wisconsin, Grantee, for the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the following described real estate situated in Douglas County, State of Wisconsin, to-wit:

A parcel of land in the City of Superior, contained in the plat of Southwestern Division, in the Townsite of Superior, particularly described as follows: Commencing at the center of Section Thirty-six (36) in Township Forty-nine (49) North of Range Fourteen (14) West; thence Westerly Thirty-three (33.6) feet on the East-West centerline of Section Thirty-six (36) which is the point of beginning; thence North a distance of One Thousand One Hundred Fifty-nine and 35/100 (1159.35) feet; thence Southwesterly at an angle of Forty-eight degrees Thirty-six minutes (48°36') from South to West a distance of One Thousand Seven Hundred Sixty and 55/100 (1760.55) feet; thence Easterly at an angle of Eighty-nine degrees Forty-seven and one-half minutes (89°47.5') from North to East a distance of One Thousand Three Hundred Twenty and 61/100 (1320.61) feet to the point of beginning.

- All of subject to the easement granted the Northern Pacific Railroad Co. for a right of way for its railroad on Newton Ave. Block 13
- All of Southeast Block 14
- All of Northeast Block 15
- All of West Block 16
- All of Southwest Block 17
- All of North Block 18
- All of Southeast Block 19
- All of North Block 20
- All of Southwest Block 21
- All of Southeast Block 22
- All of West Block 23
- All of East Block 24
- All of North Block 25
- All of Southeast Block 26
- All of West Block 27
- All of East Block 28
- All of North Block 29
- All of Southeast Block 30
- All of West Block 31
- All of East Block 32
- All of North Block 33
- All of Southeast Block 34
- All of West Block 35
- All of East Block 36
- All of North Block 37
- All of Southeast Block 38
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- All of North Block 41
- All of Southeast Block 42
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- All of Southeast Block 86
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- All of North Block 89
- All of Southeast Block 90
- All of West Block 91
- All of East Block 92
- All of North Block 93
- All of Southeast Block 94
- All of West Block 95
- All of East Block 96
- All of North Block 97
- All of Southeast Block 98
- All of West Block 99
- All of East Block 100

East part lying East of the East line of Wisconsin Central Railway Company's Block of way of Block 27

That part lying East of the East line of Wisconsin Central Railway Company's right of way of Block 28 all on West Thirty-first Street

Northwest $\frac{1}{4}$	Block 13
subject to the easement granted the Northern Pacific Railroad Co. for a right of way for its railroad on Newton Ave.	
South $\frac{1}{4}$	Block 13
subject to the easement granted the Northern Pacific Railroad Co. for a right of way for its railroad on Newton Ave.	
Northeast $\frac{3}{4}$ except r/w	Block 13
All, except r/w	Fr. Block 14
All of	Block 15
North $\frac{1}{4}$	Block 16
South $\frac{1}{4}$	Block 16
All of	Block 17
Southeast $\frac{1}{4}$	Block 18
North $\frac{1}{4}$	Block 18
Southwest $\frac{3}{4}$	Block 18
All of	Block 19
All of	Block 20
All of	Block 21
All of	Block 22
That part of the South $\frac{1}{4}$ lying East of the East line of Wisconsin Central Railway Company's right of way of	
North $\frac{1}{4}$	Block 23
That part lying East of the East line of Wisconsin Central Railway Company's right of way of	
Northeast $\frac{3}{4}$ , E'ly. of E'ly. line of W. C. Ry. r/w	Block 24
all on West Thirty-third Street	
South $\frac{1}{4}$	Block 13
subject to the easement granted the Northern Pacific Railroad Co. for a right of way for its railroad on Newton Ave.	
All of	Block 14
subject to the easement granted the Northern Pacific Railroad Co. for a right of way for its railroad on Newton Ave.	
All of	Block 15
All of	Block 16
All of	Block 17
Northwest $\frac{1}{4}$	Block 18
Northeast $\frac{1}{4}$	Block 18
South $\frac{1}{4}$	Block 18
East $\frac{1}{4}$	Block 19
West $\frac{1}{4}$	Block 19
That part of the North $\frac{1}{4}$ lying East of the East line of Wisconsin Central Railway Company's right of way of	
Block 20	Block 20
That part of the Southwest $\frac{1}{4}$ lying East of the East line of Wisconsin Central Railway Company's right of way of	
Block 20	Block 20

Southwest 1/2 That part lying East of the East line of Wisconsin Central Railway Company's right of way of all on West Thirty-fifth Street	Block 20  Block 21
All of subject to the easement granted the Northern Pacific Railroad Co. for a right of way for its railroad on Newton Ave.	Block 13
All of North 1/2 West 1/2 of the Southwest 1/4 East 1/2 of the Southwest 1/4 All of Southeast 1/2 North 1/2 Southwest 1/2 except r/w	Block 14 Block 15 Block 15 Block 15 Block 16 Block 17 Block 17 Block 17
That part lying East of the East line of Wisconsin Central Railway Company's right of way of	Block 18
That part lying East of the East line of Wisconsin Central Railway Company's right of way of all on West Thirty-seventh Street	Block 19
All of subject to the easement granted the Northern Pacific Railroad Co. for a right of way for its railroad on Newton Ave.	Block 13
That part of the West 1/2 lying East of the East line of Wisconsin Central Railway Company's right of way of	Block 14
That part lying East of the East line of Wisconsin Central Railway Company's right of way of all on West Thirty-ninth Street	Block 15
That part lying East of the East line of Wisconsin Central Railway Company's right of way, subject to the easement granted the Northern Pacific Railroad Company for a right of way for its railroad on Newton Avenue of on West Forty-first Street	Block 13
All of All of all on East Nineteenth Street	Block 3 Block 4
All of Northeast 1/2 Northwest 1/2 Southeast 1/2 all on East Twenty-first Street	Block 3 Block 4 Block 4 Block 4

All of  
on East Twenty-third Street

Fr. Block 3

All of  
on East Twenty-fourth Street

Fr. Block 3

all the foregoing in the Townsite of Superior;

Lots Thirty-three (33), Thirty-five (35), Thirty-seven (37),  
Thirty-nine (39), Forty-one (41), Forty-three (43), Forty-  
five (45) and Forty-seven (47) on East Twenty-second Street

Lots Thirty-four (34), Thirty-six (36), Thirty-Eight (38),  
Forty (40), Forty-two (42), Forty-four (44), Forty-six (46),  
Forty-eight (48), Fifty (50), Fifty-two (52), Fifty-four (54),  
Fifty-six (56), Fifty-eight (58), Sixty (60), Sixty-two (62)  
and Sixty-four (64) on East Twenty-third Street

All in Sub-division of Block Four (4), East Twenty-third  
Street

according to the recorded plat or plats thereof on file and  
in the office of the Register of Deeds in and for Douglas  
County, Wisconsin.

The following described real estate situated in Douglas  
County, Wisconsin:

South Half (S $\frac{1}{2}$ ) Section Thirty-six (36) Township Forty-nine  
(49) North of Range Fourteen (14) West, except the following  
described tracts of land:

(a) Government Lot One (1)

(b) A strip of land Four Hundred Feet (400') wide  
through the Northwest Quarter Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ )  
lying Southeasterly of and adjacent to the present  
Northern Pacific Railway Company's right of way

(c) A triangular piece lying Northwesterly of Northern  
Pacific Railway Company's right of way, S5D96 and  
109D52

(d) A strip of land Three Hundred Feet (300') in width  
North and South from the South line of said Section and  
further extending from the West line to the East line  
of said Southwest Quarter (SW $\frac{1}{4}$ )

(e) A tract of land described as follows:

Beginning at the Southwest corner of the southeast  
Quarter (SE $\frac{1}{4}$ ) of Section Thirty-six (36) Township  
Forty-nine (49) North of Range Fourteen (14) West,  
and proceeding North along the Quarter Section line  
a distance of One Thousand Four Hundred Eighty-two  
and  $\frac{1}{100}$  (1482.04) feet, thence at an angle of

Ninety Degrees Three and one-half minutes (90°3 $\frac{1}{2}$ ')  
to the right and proceeding for a distance of One  
Thousand Six Hundred Sixty (1660.) feet, thence  
turning at an angle of Forty-Six Degrees Ten Minutes  
Forty Seconds (46°10' 40") to the right, thence pro-  
ceeding to the northerly bank of the Nemadji River  
as now situated, thence proceeding in a westerly  
direction along the bank of the Nemadji River and  
following said bank to the South section line of  
said southeast Quarter (SE $\frac{1}{4}$ ), thence proceeding  
westerly along the South section line to the point  
of beginning, said tract of land containing approx-  
imately Fifty-six and  $\frac{7}{10}$  (56.7) acres more or less

WITNESS the corporate name and seal of said Grantor hereunto affixed by authority of its board of Directors on this 21st day of December, 1951.

INIMSKALE OIL PIPE LINE COMPANY,

By: *Joseph P. Hunter*  
Its President  
Joseph L. Baker

IN THE PRESENCE OF:

*A. J. J. J.*  
Notary Public  
*Frank R. Clark, Jr.*  
Frank R. Clark, Jr.

By: *L. M. Hunter*  
Its Secretary  
P. H. Hunter

\* \* \*

STATE OF Louisiana }  
COUNTY OF Calcasieu } ss:

On this the 21st day of December, 1951, before me, the undersigned Notary Public in and for Calcasieu Parish, Louisiana, State of Louisiana, personally appeared *Joseph L. Baker* and *L. M. Hunter*, who respectively acknowledged themselves to me officers, to wit: President and Secretary of INIMSKALE OIL PIPE LINE COMPANY, a corporation, the Grantor in the foregoing instrument, and that each of them being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of said corporation by the selves as such officers and affixing the corporate seal, with the authority of the board of Directors of said corporation.

IN WITNESS WHEREOF I have hereunto set my hand and official seal.

*Mary J. ...*  
Notary Public,  
State of Louisiana,  
My Commission Expires ...  
Mary J. ...

409027

STATE OF WISCONSIN  
DEPT. OF REVENUE  
JAN 10 1982  
72  
Beards  
D. J. Beards  
Dputy

MIT - CLARK DEED

UNIVERSITY OIL FIELD COMPANY

-to-

LAKELAND OIL FIELD COMPANY

Handwritten notes at bottom left, including "Handwritten" and "See translation of 1/17/82".

**LAKEHEAD PIPE LINE COMPANY, INC.**

**Superior Terminal**

Those areas of Section 35 and 36, Township 49 North, Range 14 West, and Section 31, Township 49 North, Range 13 West, all in Douglass County, Wisconsin, described as follows:

**Parcel No. 1**

Commencing at the Northeast corner of Section 35; thence Southerly along the East boundary of said Section to the centerline of West 30<sup>th</sup> Street to the point of beginning; thence Southeasterly along the center of West 30<sup>th</sup> Street to the North boundary of 25<sup>th</sup> Avenue East; thence Southwesterly along the Northerly boundary of 25<sup>th</sup> Avenue East to the East-West centerline of Section 36; thence Westerly along the East-West centerline of Section 36, to the East boundary of Section 35; thence Southerly along the East boundary of Section 35 to the North boundary of 25<sup>th</sup> Avenue East; thence Southwesterly along the North boundary of 25<sup>th</sup> Avenue East to the East right-of-way line of the Northern Pacific Railroad as presently installed; thence Northerly along the East right-of-way line of the Northern Pacific Railroad as presently installed to the center of West 30<sup>th</sup> Street thence Southeasterly along the center of West 30<sup>th</sup> Street to the point of beginning excepting all street and avenue easements contained therein and the following parcels: the SW 1/4 of Block 25 on West 31<sup>st</sup> Street; the SE 1/4 of Block 17 on West 35<sup>th</sup> Street; the E 1/2 of Block 16 on West 37<sup>th</sup> Street; all that portion of Block 13 on West 35<sup>th</sup> Street lying East and North of Hill Avenue.

**Parcel No. 2 (Pipeline Maintenance Area)**

Commencing at the Northeast corner of Section 36; thence Westerly along the North boundary of Section 36 to the North-South centerline of Section 36, also known as the centerline of Bardon Avenue; thence Southerly along the centerline of Bardon Avenue for a distance of approximately 1,440 feet to a point; said point being the point of beginning; thence Southerly along the centerline of Bardon Avenue along a bearing of S 0° 03' 35" E for a distance of 660.78 feet to a point; thence S 41° 27' 35" E for a distance of 545.66 feet to a point; thence N 48° 32' 25" E for a distance of 436.98 feet to the point of beginning; all begin in Section 36, Township 49 North, Range 14 West. Douglas County, State of Wisconsin.

**SUPERIOR TERMINAL (continued)**

**Parcel No. 3**

Commencing at the Northeast corner of Section 36; thence Southerly along the East boundary of Section 36 to the centerline of East 18<sup>th</sup> Street; thence Southeasterly along the centerline of East 18<sup>th</sup> Street to the North boundary of 28<sup>th</sup> Avenue East; thence Southwesterly along the North boundary of 28<sup>th</sup> Avenue East to its junction with the Easterly boundary of East 18<sup>th</sup> Street being the point of beginning; thence 316.35 feet more or less Southwesterly along the North boundary of 28<sup>th</sup> Avenue East to a point 250 feet perpendicular to the Northern Pacific Railroad as presently installed; thence 1602.57 feet more or less and 34° 10 feet right more or less and 250 feet parallel to the Northern Pacific Railroad as presently installed to a point on the South boundary of 26<sup>th</sup> Avenue East; thence Southwesterly along the South boundary of 26<sup>th</sup> Avenue East, to a point of the East boundary of Bardon Avenue; thence Southerly along the East boundary of Bardon Avenue to a point 1168.79 feet more or less South of the East-West centerline of Section 36; thence 1627.00 feet 89° 56' 30" left; thence 188.00 feet 46° 11' right to a point, more or less on the North boundary of the Nemadji River; thence Easterly along the North boundary of the Nemadji River to a point on the East boundary of Section 36; thence Northerly 670.37 feet more or less along the East boundary of Section 36, to the North boundary of 33<sup>rd</sup> Avenue East; thence Northeasterly along the North boundary of 33<sup>rd</sup> Avenue East to the West boundary of East 18<sup>th</sup> Street; thence Northwesterly along the West boundary of East 18<sup>th</sup> Street to the center of 31<sup>st</sup> Avenue East; thence continuing along the same line but known as West 18<sup>th</sup> Street to the point of beginning. This parcel contains 255.04 acres, more or less. Excepting the portion of East 22<sup>nd</sup> Street bounded on the North by Block 3 of East 21<sup>st</sup> Street, on the South by Block 4 of East 23<sup>rd</sup> Street, on the East by the North boundary of 33<sup>rd</sup> Avenue East and on the West by a line 200 feet perpendicular and parallel to the North boundary of 33<sup>rd</sup> Avenue East.

**Parcel No. 4**

Block 14 on West 21<sup>st</sup> Street, Townsite of Superior, Douglas County, Wisconsin, containing 2.35 acres more or less.

**Parcel No. 5**

The E ½ of the SW ¼ and the SE ¼ of Block 6 on West 17<sup>th</sup> Street; the SW ¼ and the E ½ of the SE ¼ of Block 4 on West 17<sup>th</sup> Street; the S ½ of Block 2 on West 17<sup>th</sup> Street; the SW ¼ and W ½ of the SE ¼ of Block 1 on East 17<sup>th</sup> Street, Townsite of Superior, Douglas County, Wisconsin, containing a total of 4.10 acres more or less.

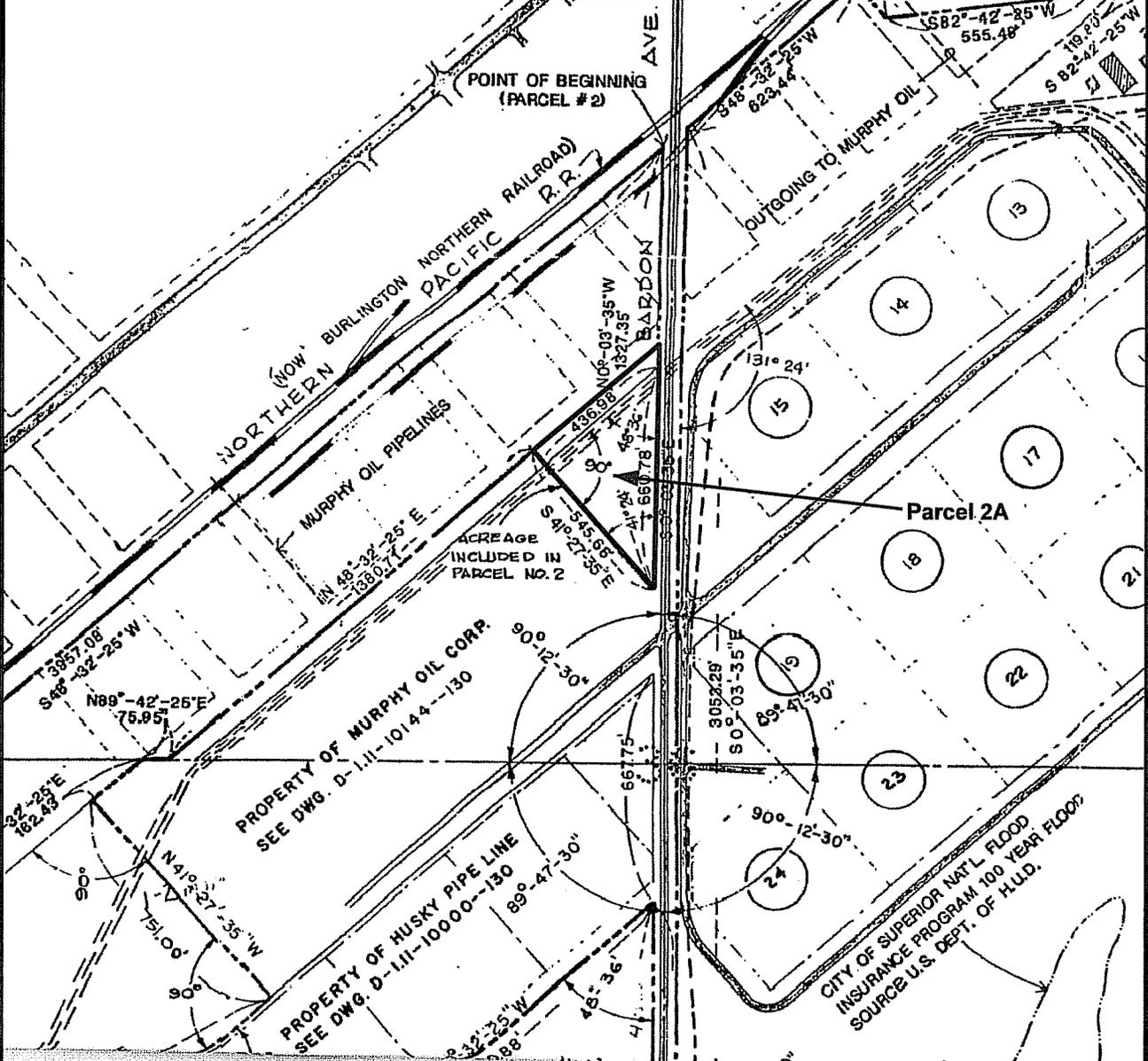
I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF WISCONSIN

*Jack D. Salo*  
DATE 4-5-12 REG NO. S-00643

ADDED 1973 PROPERTY ADDITION BY JACK D. SALO, INC.	4-3-73	HALL	J.D.S.
ADDED HUSKY & MURPHY DWG. REF	11-18-77	DJJ	J.D.S.
ADDED 1969 PROPERTY TRANSACTIONS - JACK D. SALO, INC.	9/28/70		J.D.S.
ADDED INCOMING & OUTGOING PIPE LINES	5/25/80		J.D.S.
ANGLES & DISTANCES ADJUSTED BY JACK D. SALO, INC.	5/7/89		J.D.S.
NO.	DESCRIPTION	DATE	APPR.
	REVISIONS	11/12/91	

**LAKEHEAD PIPE LINE COMPANY, INC.**  
SUPERIOR WISCONSIN  
**SUPERIOR, (Wisc.) TERMINAL**  
**STATION AREA**  
**SURVEY PLAN**

DRAWN	H. R. P.	SCALE	1" = 400'	DATE	2/2/91
CHECKED		APPROVED		DATE	
PARCELS 1-6 1991 UPDATE				DATE	11/12/91
PRELIMINARY			REV. 4-1-93	REV. 3/22/93	JOB NO. L-3477



Parcel 2A Boundary

Enbridge Energy, Limited Partnership  
Superior NGL Densitometer  
Certified Surveyed Map

DATE ISSUED: 6/14/2007  
DATE REVISED: 11/12/91  
SCALE: 1" = 400'  
DRAWN BY: JPM  
SERIES: Superior NGL Densitometer

Enbridge Energy, Limited Partnership  
119 N 25<sup>th</sup> Street East  
Superior, Wisconsin 54880

I, Robert Steede, believe that the contaminated area located at the Enbridge Superior Terminal is located within the legal description described below:

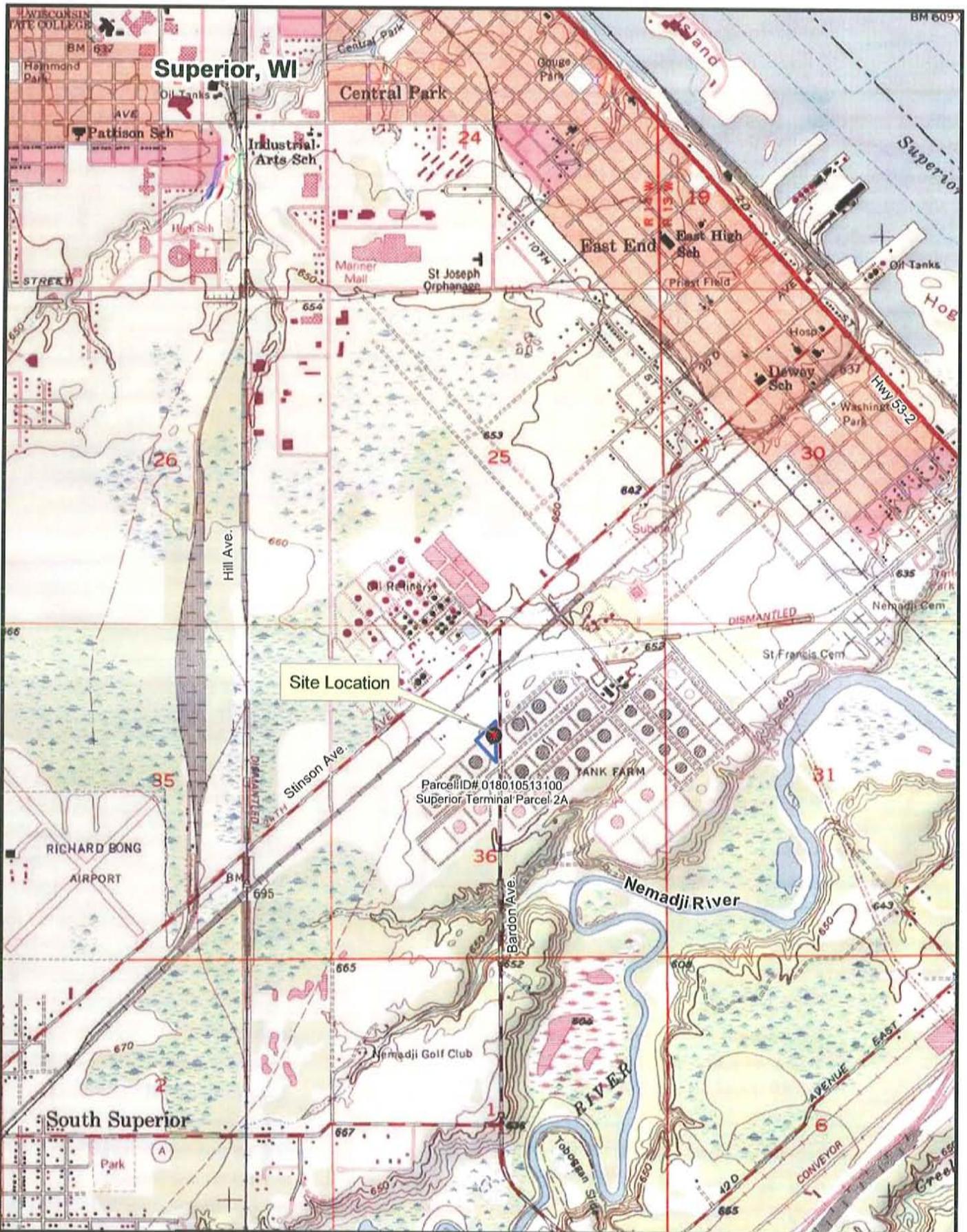
Commencing at the Northeast corner of Section 36; thence Westerly along the North boundary of Section 36 to the North-South centerline of Section 36, also known as the centerline of Bardon Avenue; thence Southerly along the centerline of Bardon Avenue for a distance of approximately 1,440 feet to a point; said point being the point of beginning; thence Southerly along the centerline of Bardon Avenue along a bearing of S 0° 03' 35" E for a distance of 660.78 feet to a point; thence S 41° 27' 35" E for a distance of 545.66 feet to a point; thence N 48° 32' 25" E for a distance of 436.98 feet to the point of beginning; all begin in Section 36, Township 49 North, Range 14 West. Douglas County, State of Wisconsin.

The contaminated parcel ("Parcel 2A"), which is located within the legal description described above, is shown on the attached certified survey map.

Geographic position coordinates: 361907 692410

  
\_\_\_\_\_  
Signature

11/25/08  
Date



**Legend**

- Site
- Terminal Parcel 2A Boundary

0 1,000 2,000 Feet

**Enbridge Energy, Limited Partnership  
Superior NGL Densitometer  
Site Location Map**

DATE ISSUED: 6/14/2007
DATE REVISED:
SCALE: 1:24,000
DRAWN BY: JPM
SERIES: Superior NGL Densitometer



Superior NGL  
Densitometer  
Release Location

Superior  
PLM Shop

Overland Flow Direction

0 50 100 200 300 400 500 Feet

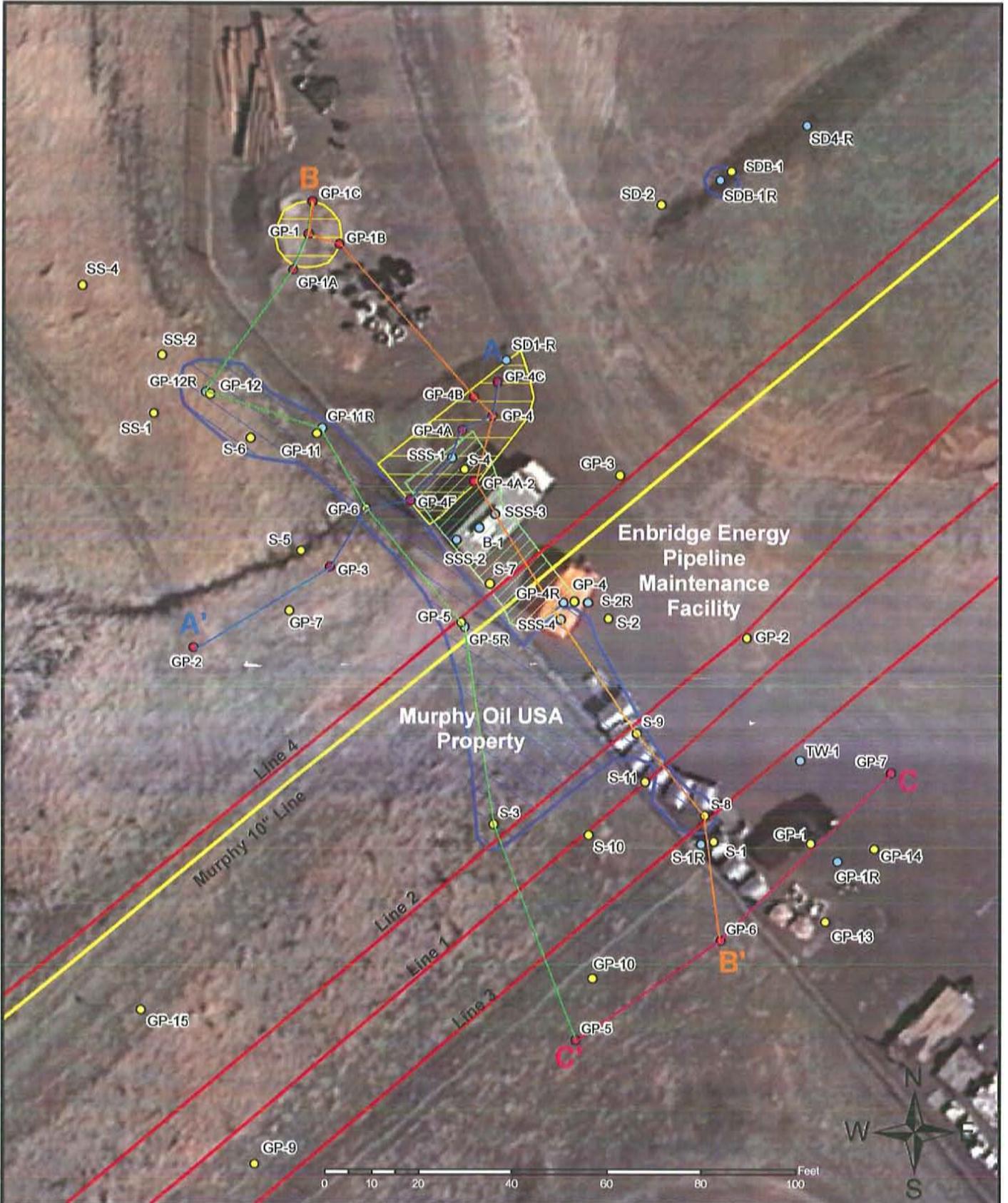


**Legend**

- Overland Flow Direction
- Leak Site
- Enbridge Line 1
- Property Line
- ▨ Extent of Free Product During the 1999 Release

**Enbridge Energy, Limited Partnership**  
**Superior NGL Densitometer**  
**Detailed Site Map**

DATE ISSUED: 6/18/2007	
DATE REVISED: 8/20/2008	
SCALE: 1:2,000	
DRAWN BY: JPM	
SERIES: Superior NGL Densitometer	

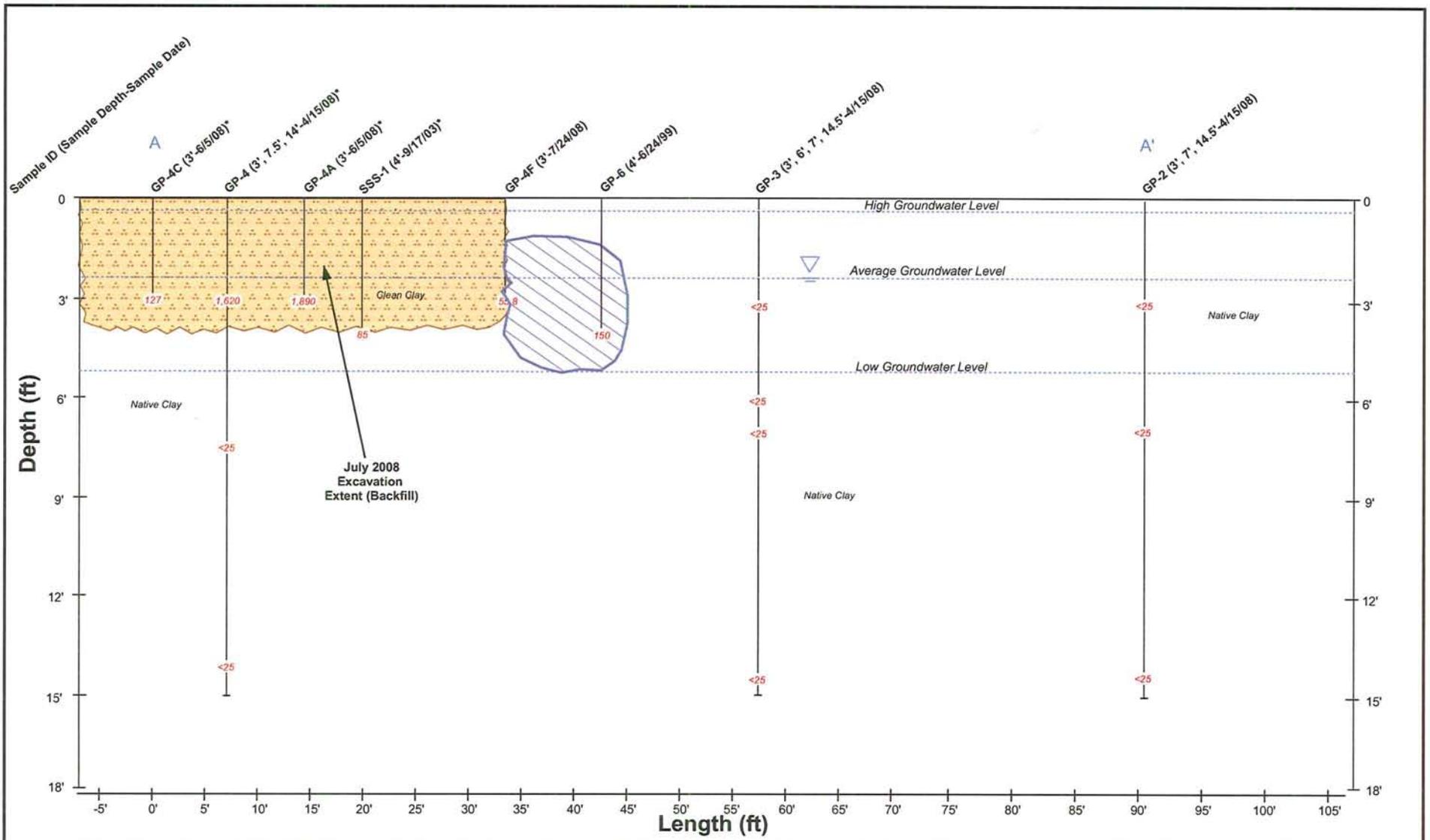


Legend	
● 1999 Soil Sample Location	■ NR 720 Exceeding Soil
● 2003 Soil Sample Location	■ 2003 Excavation Extent
● 2008 Soil Sample Location	■ 2008 Excavation Extent
— Enbridge Pipeline	— Cross-Section B-B'
— Murphy Pipeline	— Cross-Section C-C'
— Cross-Section A-A'	— Cross-Section B-C'



**Enbridge Energy, Limited Partnership**  
**Superior NGL Densitometer**  
**Soil Contamination Contour Map**

DATE ISSUED: 11/21/07	
DATE REVISED: 8/8/08	
SCALE: 1:331	
DRAWN BY: JPM	
SERIES: Superior NGL Densitometer	

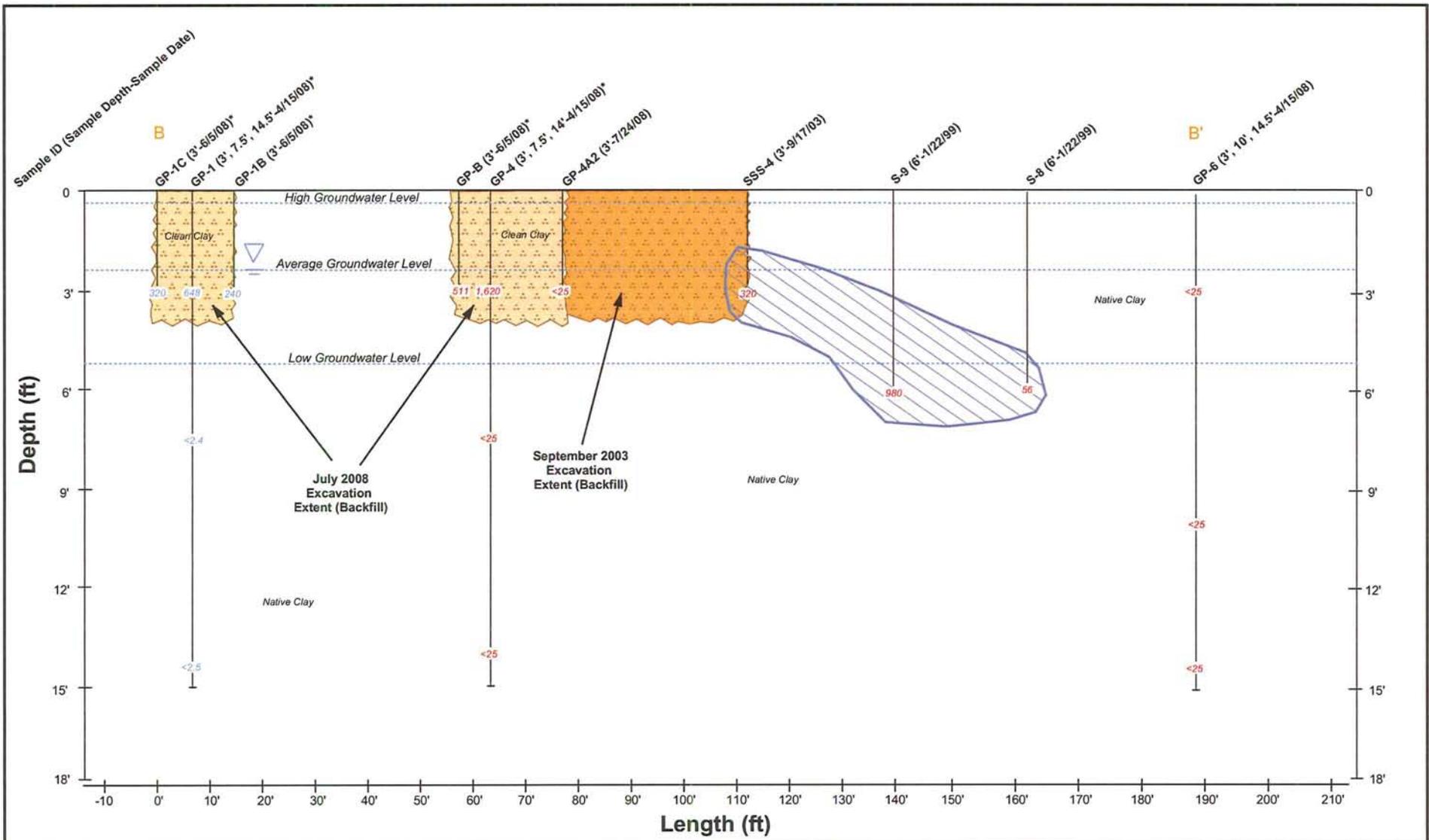


**Legend**

- 150 Soil Boring & Benzene content (ppb)
- Approximate Water Table Elevation
- 2008 Excavation Extent
- NR 720 Exceeding Soil
- \*Benzene figures represent pre-excavation levels.

**Enbridge Energy, Limited Partnership**  
**Superior NGL Densitometer**  
**Geologic Cross-Section A - A' Map**

DATE ISSUED: 8/8/08  
 DATE REVISED:  
 SCALE: NTS  
 DRAWN BY: JPM  
 SERIES: Superior NGL Densitometer



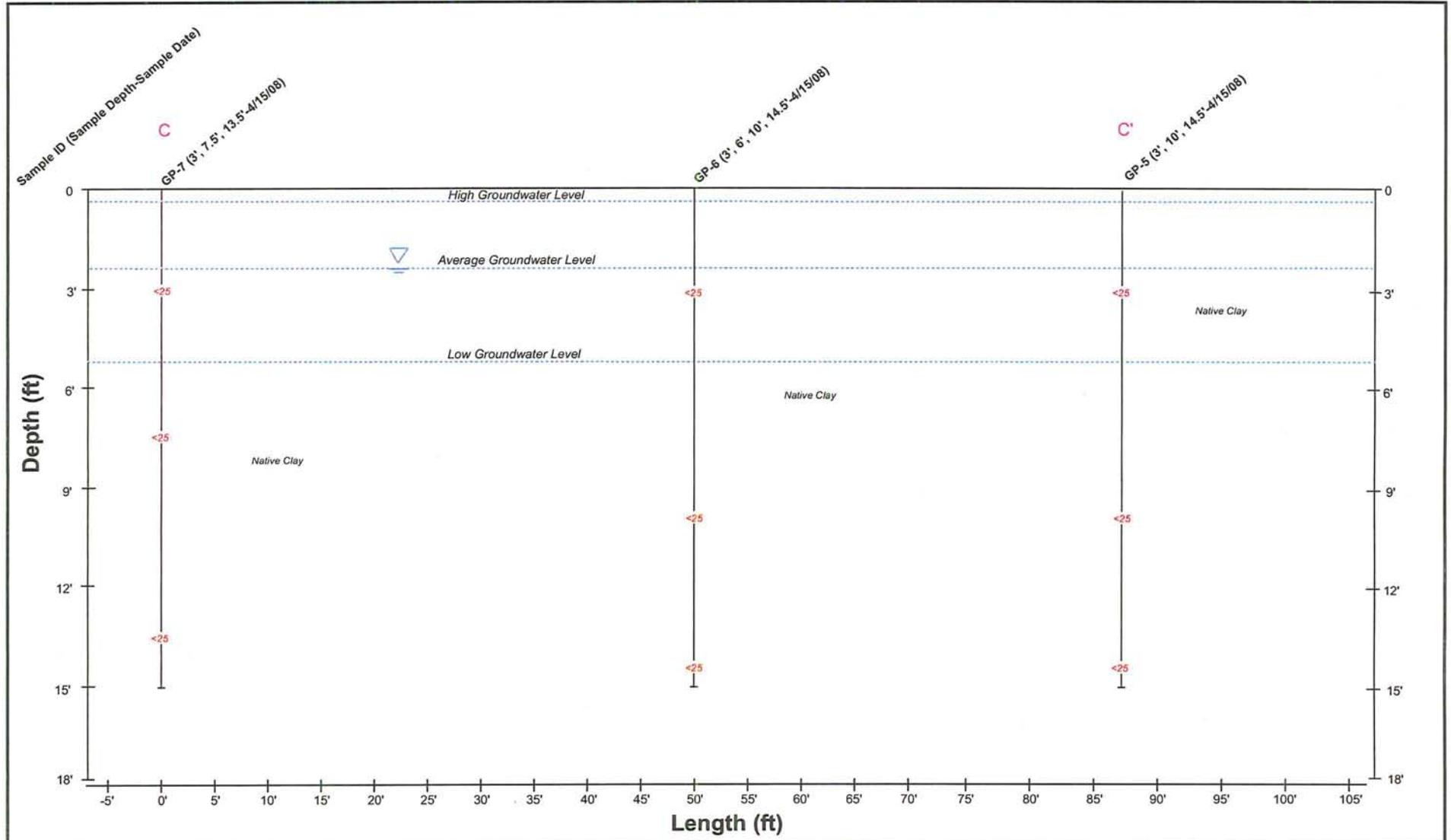
**Legend**

- Soil Boring & Benzene content (ppb)
- Soil Boring & Benzo(a)pyrene content (ppb)
- Approximate Water Table Elevation
- NR 720 Exceeding Soil
- 2003 Excavation Extent
- 2008 Excavation Extent

\*Figures represent pre-excitation levels.

**Enbridge Energy, Limited Partnership**  
**Superior NGL Densitometer**  
**Geologic Cross-Section B - B' Map**

DATE ISSUED: 8/8/08
DATE REVISED:
SCALE: NTS
DRAWN BY: JPM
SERIES: Superior NGL Densitometer



**Legend**

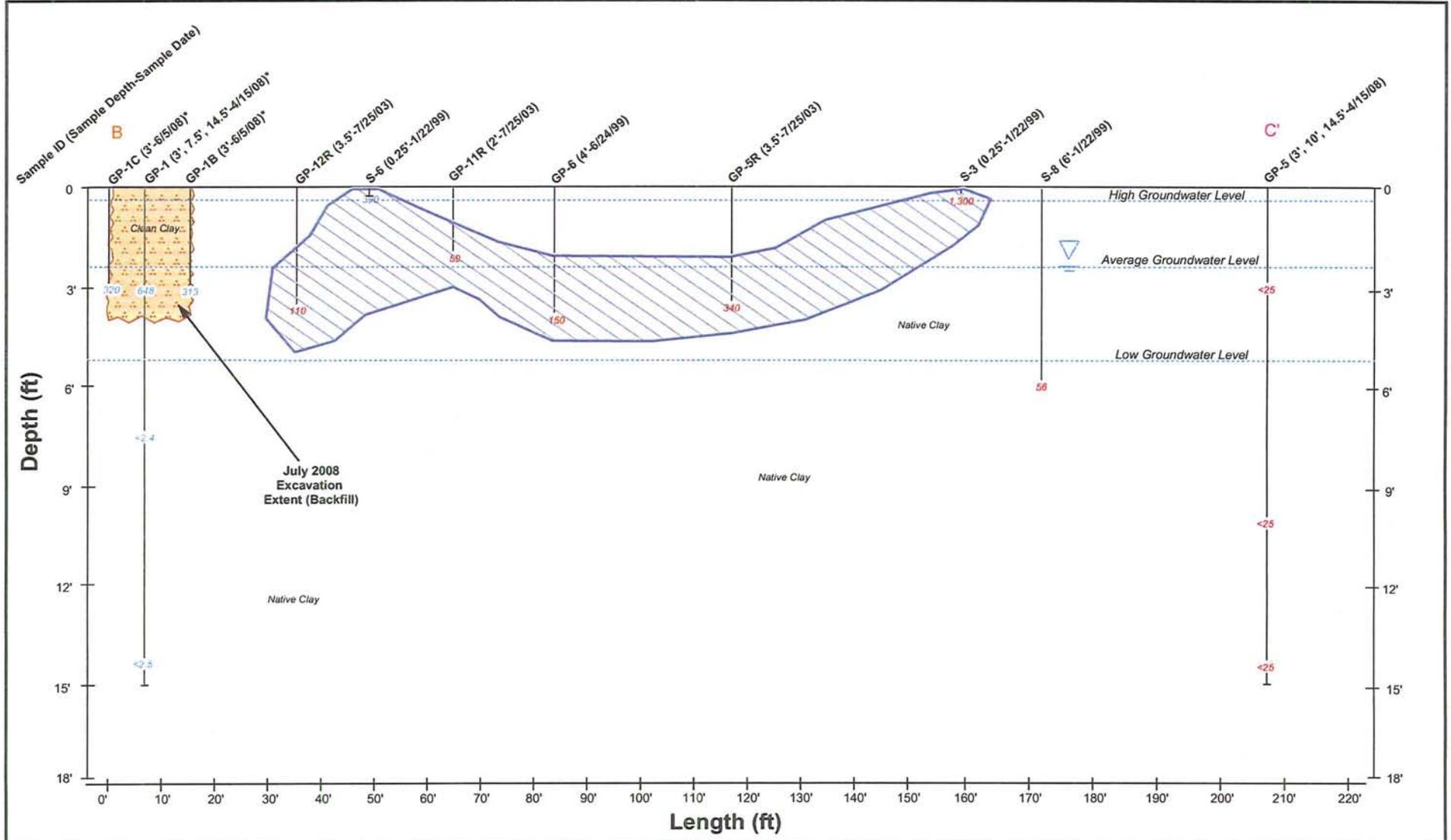
150 Soil Boring & Benzene content (ppb)

Approximate Water Table Elevation

**Enbridge Energy, Limited Partnership**  
**Superior NGL Densitometer**  
**Geologic Cross-Section C - C' Map**

DATE ISSUED: 8/8/08  
 DATE REVISED:  
 SCALE: NTS  
 DRAWN BY: JPM  
 SERIES: Superior NGL Densitometer





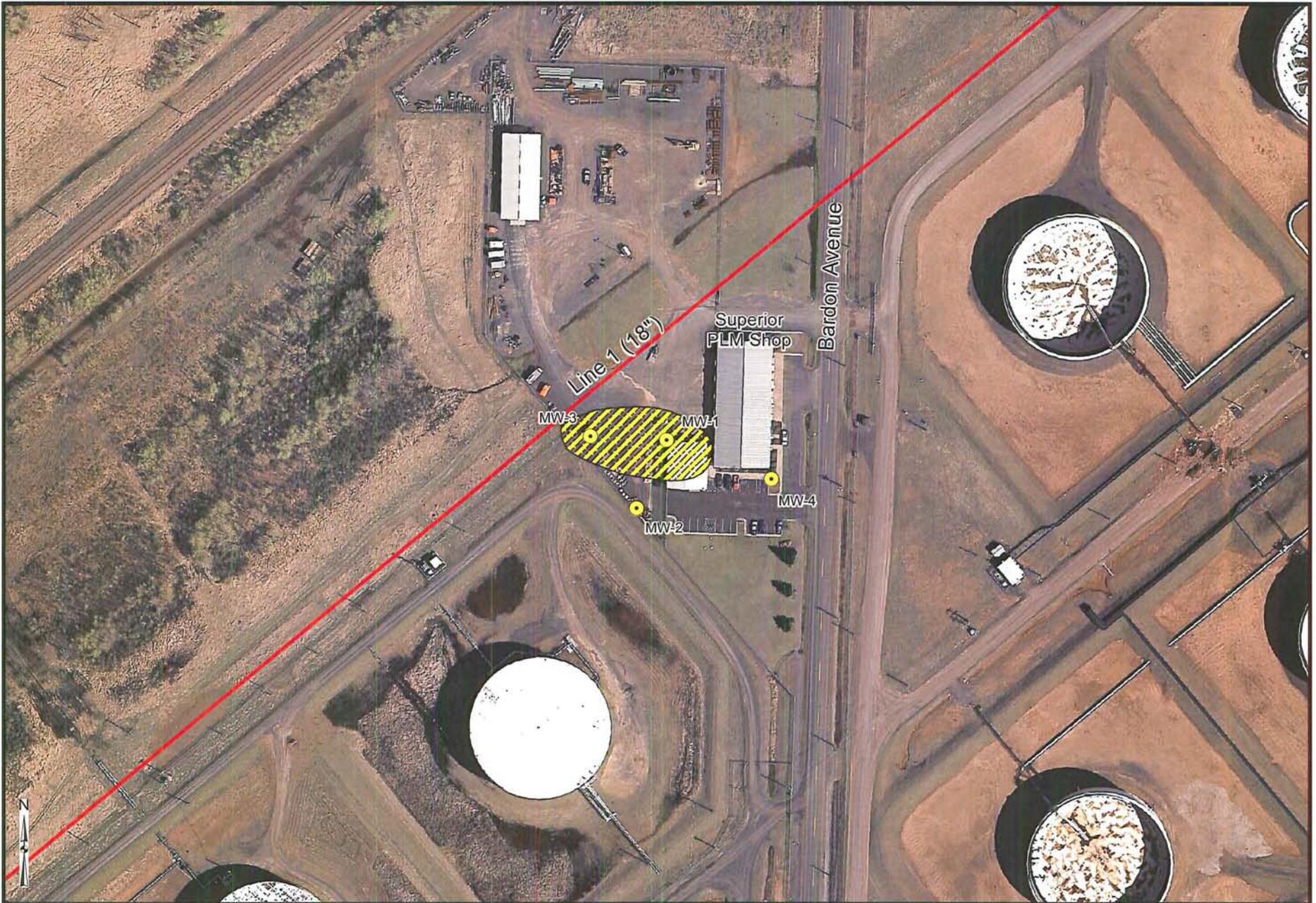
**Legend**

- 150 Soil Boring & Benzene content (ppb)
- 150 Soil Boring & Benzo(a)pyrene content (ppb)
- Approximate Water Table Elevation
- NR 720 Exceeding Soil
- 2008 Excavation Extent

\*Figures represent pre-excavation levels.

**Enbridge Energy, Limited Partnership**  
**Superior NGL Densitometer**  
**Geologic Cross-Section B - C' Map**

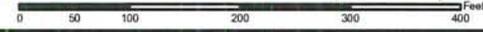
DATE ISSUED: 8/8/08  
 DATE REVISED: [Signature]  
 SCALE: NTS  
 DRAWN BY: JPM  
 SERIES: Superior NGL Densitometer

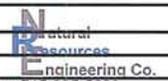


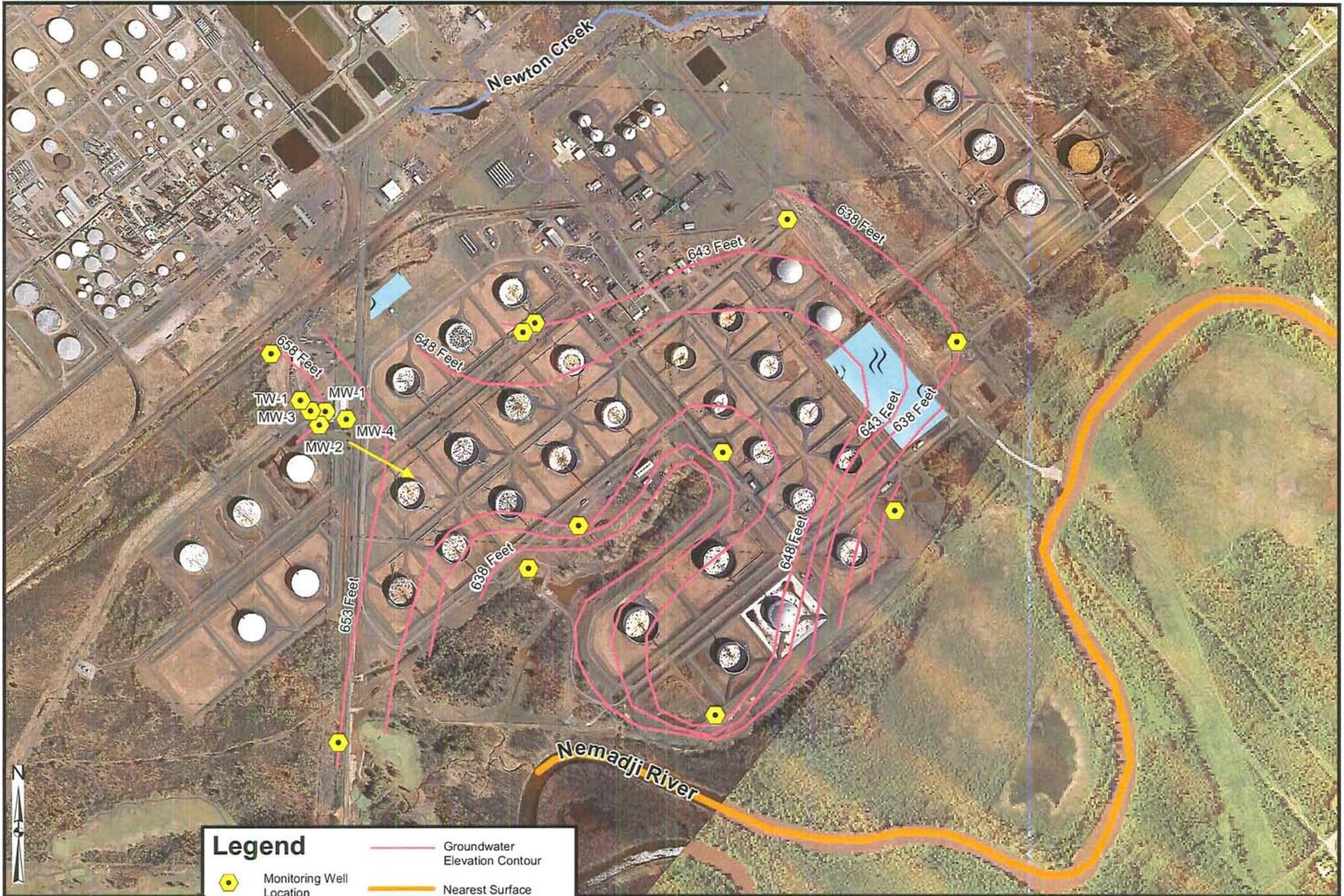
**Legend**

-  Groundwater Monitoring Well Locations
-  Approximate Extent of Groundwater Exceeding Preventive Action Limit (PAL)/Enforcement Standard (ES)

**Enbridge Energy, Limited Partnership**  
**Superior NGL Densitometer**  
**Groundwater Isoconcentration Map As of May 2007**



DATE ISSUED: 6/7/07	
DATE REVISED:	
SCALE: 1:2,000	
DRAWN BY: JPM	
SERIES: Superior NGL Densitometer 3-395-5680	



**Legend**

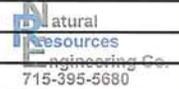
-  Monitoring Well Location
-  Groundwater Elevation Contour
-  Fire Protection Reservoirs
-  Nearest Surface Water Receptor
-  Historic Groundwater Flow Direction
-  Nearest Groundwater Receptor

\*Groundwater elevations based on average levels recorded since January 2005.

**Enbridge Energy, Limited Partnership**  
 Superior NGL Densitometer  
 Groundwater Flow Regime and Monitoring Well Locations



DATE ISSUED: 7/13/07
DATE REVISED: 9/13/08
SCALE: 1:9,854
DRAWN BY: JPM
SERIES: 715-395-5680



**Remaining Impacted Soil Left in Place (Most Recent Analytical Data)  
Enbridge Energy, Limited Partnership - Superior NGL Densitometer Release**

Location	Sample Depth (ft)	Date	Benzene (ug/kg)	Toluene (ug/kg)	m- and p-Xylene (ug/kg)	o-Xylene (ug/kg)	DRO (mg/Kg)	Benzo (a) pyrene (ug/kg)	Naphthalene (ug/kg)
<b>NR 720 Generic RCL (ug/Kg)</b>			<b>5.5</b>	<b>1,500</b>	<b>4,100</b>		<b>250</b>		
<b>Industrial RCL (ug/Kg)*</b>								<b>390</b>	
<b>RR 519 PAH RCL (ug/Kg)*</b>									<b>400</b>
S-3	0.25	1/22/99	1,300	1,600					
S-4	0.25	1/22/99	490				260		
S-5	0.25	1/22/99	1,300	1,800					
S-6	0.25	1/22/99						410	
S-8	6	1/22/99	56						
S-9	6	1/22/99	980	4,700	10,800		1,100		840
GP-6	4	6/24/99	150						
SDB-2	0.25	7/6/99	130						
SDB-3	0.25	7/6/99	95						
SDB1-R	0.25	8/16/01	100						
GP5-R	3.5	7/25/03	340						
GP11-R	2	7/25/03	59						
GP12-R	3.5	7/25/03	110						
S-2R	2	7/25/03	33						
SSS-1	4	9/17/03	85						
SSS-4	3	9/17/03	320						

\* Standards are those listed in "Soil Cleanup Levels for Polycyclic Aromatic Hydrocarbons (PAHs) Interim Guidance"

**Groundwater Analytical Table**  
Enbridge Energy, Limited Partnership - Superior NGL Density Release

Location	Date	Benzene (ug/l)	Ethylbenzene (ug/l)	Methyltert-butylbenzene (ug/l)	Toluene (ug/l)	1,3,5-Trimethylbenzene (ug/l)	1,2,4-Trimethylbenzene (ug/l)	Xylenes (total) (ug/l)	DRO (ug/l)	Acetophenone(ug/l)	Acenaphthylene (ug/l)	Anthracene (ug/l)	Benzo (e) anthracene (ug/l)	Benzo (e) pyrene (ug/l)	Benzo (b) fluoranthene(ug/l)	Benzo (g,h,i) perylene (ug/l)	Benzo (k) fluoranthene (ug/l)	Indene (1,2,3-cd) pyrene (ug/l)	Chrysenes (ug/l)	Dibenz (e,h) anthracene (ug/l)	Fluoranthene (ug/l)	Fluorene (ug/l)	2-methyl naphthalene (ug/l)	1-methyl naphthalene (ug/l)	Naphthalene (ug/l)	Phenanthrene (ug/l)	Pyrene (ug/l)	
<b>PAL (ug/L)</b>		<b>0.5</b>	<b>140</b>	<b>200</b>	<b>96</b>	<b>1,000</b>			<b>120</b>	<b>1</b>	<b>600</b>	<b>0.0048</b>	<b>0.02</b>	<b>0.02</b>	<b>0.096</b>	<b>0.048</b>	<b>0.0348</b>	<b>0.02</b>	<b>0.00048</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>140</b>	<b>10</b>	<b>0.96</b>	<b>50</b>		
<b>ES (ug/L)</b>		<b>5</b>	<b>700</b>	<b>1,000</b>	<b>480</b>	<b>10,000</b>			<b>600</b>	<b>5</b>	<b>3,000</b>	<b>0.048</b>	<b>0.2</b>	<b>1.2</b>	<b>0.48</b>	<b>0.48</b>	<b>0.048</b>	<b>0.2</b>	<b>0.0048</b>	<b>400</b>	<b>400</b>	<b>400</b>	<b>700</b>	<b>100</b>	<b>4.8</b>	<b>250</b>		
MW-1	28-Jan-05	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	300	<0.084	<0.084	0.12	0.33	1.3	1.1	0.80	0.84	0.68	0.88	0.23	1.2	<0.094	0.13	0.14	<0.097	0.25	1.1	
MW-1	14-Apr-05	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	420	< 0.021	< 0.021	<0.019	0.93	0.031	0.031	0.025	0.031	0.02	0.027	<0.024	0.041	<0.023	<0.024	0.022	0.064	<0.022	0.064	
MW-1	20-Jul-05	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	<100	0.032	0.014	0.031	0.11	0.14	0.14	0.11	0.10	0.094	0.11	0.032	0.16	0.026	0.066	0.047	0.061	0.072	0.14	
MW-1	27-Oct-05	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	<100	0.035	0.019	0.041	0.17	0.33	0.32	0.29	0.28	0.24	0.26	0.065	0.24	0.025	0.034	0.022	<0.050	0.078	0.33	
MW-1	1-Feb-06	<0.21	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	120	0.039	0.060	0.13	1.0	1.3	1.2	0.99	0.89	0.80	0.92	0.25	1.1	0.041	0.049	<0.041	<0.050	0.23	1.3	
MW-1	24-Apr-06	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	<100	<0.041	0.049	0.10	0.84	0.92	0.87	0.69	0.75	0.54	0.69	0.18	0.86	<0.045	<0.056	<0.051	<0.062	0.19	0.84	
MW-1	26-Jul-06	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	<100	0.024	0.025	0.074	0.55	0.46	0.45	0.33	0.35	0.26	0.33	0.087	0.46	0.030	0.028	<0.020	0.028	0.11	0.43	
MW-1	30-Oct-06	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	<94	<0.0082	<0.0081	0.015	0.021	0.027	0.031	0.022	0.028	<0.019	0.025	<0.019	0.057	0.020	<0.011	<0.010	<0.012	0.015	0.050	
MW-1	25-Jan-07	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	180	0.012	0.022	0.043	0.31	0.46	0.46	0.35	0.35	0.27	0.32	0.086	0.41	0.017	0.016	<0.010	0.014	0.075	0.42	
MW-1	17-May-07	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	<94	0.039	0.022	0.053	0.27	0.41	0.38	0.28	0.33	0.26	0.30	0.096	0.42	0.020	0.026	<0.020	<0.025	0.120	0.37	
MW-2	28-Jan-05	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	<100	<0.021	<0.021	<0.019	<0.021	<0.019	<0.019	<0.022	<0.020	<0.018	<0.017	<0.023	<0.017	<0.023	<0.024	<0.021	0.034	<0.022	<0.017	
MW-2	14-Apr-05	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	<100	<0.021	<0.021	<0.019	<0.022	<0.020	<0.020	<0.023	<0.021	<0.019	<0.018	<0.024	<0.018	<0.024	<0.025	<0.022	<0.025	<0.023	<0.018	
MW-2	20-Jul-05	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	<100	<0.0087	<0.0087	<0.012	<0.017	<0.020	<0.017	<0.021	<0.021	<0.020	<0.020	<0.020	<0.020	<0.016	<0.0099	0.025	0.014	0.055	<0.012	<0.016
MW-2	27-Oct-05	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	<100	<0.0086	<0.0086	<0.012	<0.017	<0.019	<0.017	<0.020	<0.020	<0.020	<0.020	<0.020	<0.016	<0.0096	<0.012	<0.011	<0.050	<0.012	<0.015	
MW-2	1-Feb-06	<0.21	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	<100	<0.0082	0.0083	<0.012	0.022	0.020	0.019	<0.019	<0.019	<0.019	0.023	<0.019	0.025	<0.0091	<0.011	<0.010	<0.012	<0.011	0.025	
MW-2	24-Apr-06	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	<100	<0.0082	<0.0081	<0.012	<0.016	<0.018	<0.016	<0.019	<0.019	<0.019	<0.019	<0.019	<0.019	<0.015	<0.0091	0.017	<0.010	0.015	<0.011	<0.015
MW-2	26-Jul-06	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	<110	<0.0082	<0.0082	<0.012	<0.016	<0.019	<0.016	<0.019	<0.020	<0.019	<0.019	<0.019	<0.019	<0.016	<0.0091	0.037	0.025	<0.012	0.023	<0.015
MW-2	30-Oct-06	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	<94	<0.0082	<0.0081	<0.012	<0.016	<0.018	<0.016	<0.019	<0.019	<0.019	<0.019	<0.019	<0.019	<0.015	<0.0091	<0.011	<0.010	<0.012	<0.011	<0.015
MW-2	25-Jan-07	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	<94	<0.0082	<0.0081	<0.012	<0.016	<0.018	<0.016	<0.019	<0.019	<0.019	<0.019	<0.019	0.017	<0.0091	<0.011	<0.010	0.017	<0.011	<0.015	
MW-2	17-May-07	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	<94	<0.0082	<0.0081	<0.012	<0.016	<0.018	<0.016	<0.019	<0.019	<0.019	<0.019	<0.019	<0.019	<0.0091	<0.011	<0.010	<0.012	<0.011	<0.015	
MW-3	28-Jan-05	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	240	<0.021	<0.021	<0.019	<0.021	<0.019	<0.019	<0.022	<0.021	<0.018	<0.018	<0.024	<0.018	<0.023	<0.024	<0.021	0.041	<0.022	0.019	
MW-3	14-Apr-05	0.43	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	800	0.022	<0.022	<0.020	<0.022	<0.020	<0.020	<0.023	<0.022	<0.019	<0.018	<0.025	0.020	<0.024	0.031	0.031	0.086	<0.023	0.036	
MW-3	20-Jul-05	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	160	<0.0089	<0.0089	<0.013	0.017	<0.020	<0.017	<0.021	<0.021	<0.021	<0.021	<0.021	0.051	<0.0099	0.047	0.030	0.058	0.024	0.045	
MW-3	27-Oct-05	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	130	0.010	0.013	0.032	0.19	0.23	0.24	0.17	0.18	0.14	0.19	0.051	0.23	0.0097	0.018	0.011	<0.050	0.075	0.26	
MW-3	1-Feb-06	<0.21	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	<100	0.0086	0.013	0.036	0.27	0.33	0.28	0.22	0.23	0.18	0.25	0.060	0.29	<0.0091	0.013	<0.010	<0.012	0.085	0.35	
MW-3	24-Apr-06	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	<100	<0.0082	<0.0081	0.025	0.15	0.22	0.20	0.16	0.18	0.13	0.18	0.042	0.18	<0.0091	0.032	0.015	0.022	0.049	0.21	
MW-3	26-Jul-06	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	<100	<0.0083	<0.0083	0.023	0.16	0.23	0.20	0.14	0.17	0.11	0.17	0.036	0.21	<0.0092	0.013	<0.010	<0.013	0.052	0.20	
MW-3	30-Oct-06	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	<94	<0.0082	<0.0081	<0.012	0.019	0.032	0.030	0.019	0.028	<0.019	0.024	<0.019	0.041	<0.0091	<0.011	<0.010	<0.012	0.015	0.042	
MW-3	25-Jan-07	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	<95	<0.0082	<0.0081	0.022	0.18	0.23	0.21	0.16	0.18	0.12	0.16	0.042	0.21	<0.0091	<0.011	<0.010	<0.012	0.051	0.22	
MW-3	17-May-07	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	100	<0.0082	<0.0081	0.013	0.07	0.11	0.11	0.077	0.08	0.075	0.06	0.024	0.093	<0.0091	0.013	<0.010	<0.012	0.032	0.093	
MW-4	26-Jul-06	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	<100	<0.0082	<0.0081	<0.012	<0.016	<0.018	<0.016	<0.019	<0.019	<0.019	<0.019	<0.019	<0.019	<0.015	0.0099	0.013	<0.010	0.022	0.031	<0.015
MW-4	30-Oct-06	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	<94	<0.0082	<0.0081	<0.012	<0.016	<0.018	<0.016	<0.019	<0.019	<0.019	<0.019	<0.019	<0.019	<0.015	<0.0091	<0.011	<0.010	0.013	<0.011	<0.015
MW-4	25-Jan-07	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	<94	<0.0082	<0.0081	<0.012	<0.016	<0.018	<0.016	<0.019	<0.019	<0.019	<0.019	<0.019	<0.019	<0.015	<0.0091	<0.011	<0.010	0.012	0.018	<0.015
MW-4	17-May-07	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	<94	<0.0082	<0.0081	<0.012	<0.016	<0.018	<0.016	<0.019	<0.019	<0.019	<0.019	<0.019	<0.019	<0.015	<0.0091	<0.011	<0.010	0.012	<0.011	<0.015
Field Blank	28-Jan-05	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	<100	<0.021	<0.021	<0.019	<0.021	<0.019	<0.019	<0.022	<0.020	<0.018	<0.017	<0.023	<0.017	<0.023	<0.024	<0.021	<0.024	<0.022	<0.017	
Field Blank	14-Apr-05	<0.14	<0.40	<0.36	<0.36	<0.40	<0.39	<1.10	<100	<0.021	0.082	<0.019	<0.021	<0.019	<0.019	<0.022	<0.020	<0.018	<0.017	<0.023	<0.017	<0.023	0.11	0.12	0.33	<0.022	<0.017	

**Water Level Elevations**  
**Enbridge Energy, Limited Partnership - Superior NGL Densitometer Release**

<b>MW</b>	<b>Date</b>	<b>Top of Casing Elevation (ft)</b>	<b>Depth to Groundwater (ft)</b>	<b>Groundwater Elevation (feet above sea level)</b>
MW1	1/28/2005	661.37	5.22	656.15
MW1	4/14/2005	661.37	3.89	657.48
MW1	7/20/2005	661.37	4.46	656.91
MW1	10/27/2005	661.37	3.60	657.77
MW1	1/31/2006	661.37	3.80	657.57
MW1	4/24/2006	661.37	4.10	657.27
MW1	5/11/2006	661.37	2.87	658.50
MW1	7/26/2006	661.37	4.56	656.81
MW1	10/30/2006	661.37	3.72	657.65
MW1	1/24/2007	661.37	5.90	655.47
MW1	4/19/2007	661.37	5.10	656.27
MW1	5/16/2007	661.37	3.55	657.82
<b>AVERAGE</b>			<b>4.23</b>	<b>657.14</b>
MW2	1/28/2005	660.57	11.58	648.99
MW2	4/14/2005	660.57	9.74	650.83
MW2	7/20/2005	660.57	5.54	655.03
MW2	10/27/2005	660.57	4.85	655.72
MW2	1/31/2006	660.57	7.40	653.17
MW2	4/24/2006	660.57	5.60	654.97
MW2	5/11/2006	660.57	10.11	650.46
MW2	7/26/2006	660.57	4.51	656.06
MW2	10/30/2006	660.57	4.38	656.19
MW2	1/24/2007	660.57	6.80	653.77
MW2	4/19/2007	660.57	4.60	655.97
MW2	5/16/2007	660.57	5.48	655.09
<b>AVERAGE</b>			<b>6.72</b>	<b>653.85</b>
MW3	1/28/2005	661.44	6.82	654.62
MW3	4/14/2005	661.44	4.59	656.85
MW3	7/20/2005	661.44	3.34	658.10
MW3	10/27/2005	661.44	5.05	656.39
MW3	1/31/2006	661.44	5.50	655.94
MW3	4/24/2006	661.44	4.30	657.14
MW3	5/11/2006	661.44	3.96	657.48
MW3	7/26/2006	661.44	3.18	658.26
MW3	10/30/2006	661.44	5.85	655.59
MW3	1/24/2007	661.44	7.90	653.54
MW3	4/19/2007	661.44	5.95	655.49
MW3	5/16/2007	661.44	5.28	656.16
<b>AVERAGE</b>			<b>5.14</b>	<b>656.30</b>
MW4	7/26/2006	660.92	4.09	656.83
MW4	10/30/2006	660.92	7.65	653.27
MW4	1/24/2007	660.92	7.95	652.97
MW4	4/19/2007	660.92	3.60	657.32
MW4	5/16/2007	660.92	3.75	657.17
<b>AVERAGE</b>			<b>5.41</b>	<b>655.51</b>