

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:

- | | |
|---|--|
| <input type="checkbox"/> <u>Groundwater Contamination > ES (236)</u> | <input checked="" type="checkbox"/> <u>Soil Contamination > *RCL or **SSRCL (232)</u> |
| <input type="checkbox"/> Contamination in ROW | <input checked="" type="checkbox"/> Contamination in ROW |
| <input type="checkbox"/> Off-Source Contamination | <input type="checkbox"/> Off-Source Contamination |
| <i>(note: for list of off-source properties see "Impacted Off-Source Property")</i> | <i>(note: for list of off-source properties see "Impacted Off-Source Property")</i> |

Land Use Controls:

- | | |
|--|---|
| <input type="checkbox"/> Soil: maintain industrial zoning (220) | <input type="checkbox"/> Cover or Barrier (222) |
| <i>(note: soil contamination concentrations between residential and industrial levels)</i> | <i>(note: maintenance plan for groundwater or direct contact)</i> |
| <input type="checkbox"/> Structural Impediment (224) | <input type="checkbox"/> Vapor Mitigation (226) |
| <input type="checkbox"/> Site Specific Condition (228) | <input type="checkbox"/> Maintain Liability Exemption (230) |
| | <i>(note: local government or economic development corporation)</i> |

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 #: 03-16-550607

PARCEL ID #: 04-804-000735-00

ACTIVITY NAME: CHARTER FILMS (AQUILA INC)

WTM COORDINATES: X: 359213 Y: 697087

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 #: 2 **Title: GIS Property 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 #: 1 **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 #: 2 **Title: Site Plan**
- 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 #: 4 & 5 **Title: DRO & Benzene Contaminant Extents**

BRRTS #: 03-16-550607

ACTIVITY NAME: CHARTER FILMS (AQUILA INC)

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 #: 3 & 3a Title: Cross Section Index and A - A' Cross Sections

Figure #: 3 & 3b Title: Cross Section Index and B - B' Cross Sections

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

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

Figure #: Title:

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

Figure #: Title:

Figure #: Title:

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

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

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

Table #: 3 Title: Push Probe Soil Sampling Analytical Results Table

- 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 #: NA Title:

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

Table #: NA Title:

IMPROPERLY ABANDONED MONITORING WELLS

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

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

- Not Applicable**

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

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

Figure #: Title:

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

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

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

BRRTS #: 03-16-550607

ACTIVITY NAME: CHARTER FILMS (AQUILA INC)

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

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.

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.
- Deed of "Off-Source" Property:** The most recent deed(s) as well as legal descriptions, for all affected deeded **off-source property(ies)**. This does not apply to right-of-ways.
Note: If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.

- Letter To "Governmental Unit/Right-Of-Way" Owners:** Copies of all letters sent by the Responsible Party (RP) to a city, village, municipality, state agency or any other entity responsible for maintenance of a public street, highway, or railroad right-of-way, within or partially within the 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).

Number of "Governmental Unit/Right-Of-Way Owner" Letters: 1



March 24, 2009

Paul Senst
RJS Real Estate Group
5300 Stinson Avenue
Superior, WI 54880

RE: **Final Closure**

Commerce # 54880-1432-01-C DNR BRRTS # 03-16-550607
Charter Films (Former Aquila Inc), 1901 Winter St, Superior

Dear Mr. Senst:

The Wisconsin Department of Commerce (Commerce) has reviewed the request for case closure prepared by your consultant, Environmental Troubleshooters, for the site referenced above. Commerce has determined that this site does not pose a significant threat to human health or the environment. No further investigation or remedial action is necessary.

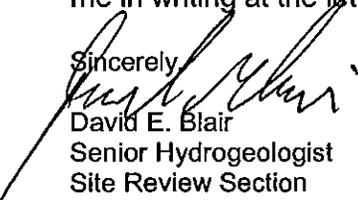
This case is now listed as "closed" on the Commerce database and will be included on the Department of Natural Resources (DNR) Geographic Information System (GIS) Registry of Closed Remediation Sites to address residual contamination. To review the sites on the GIS Registry web page, visit <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. If you intend to construct or reconstruct a potable well on this property, you must get prior DNR approval.

All current and future owners and occupants of the property need to be aware that excavation of contaminated soil may pose a hazard. Special precautions may be needed to prevent inhalation, ingestion or dermal contact with the residual contamination when it is removed. If soil is excavated, the property owner at the time of excavation must have the soil sampled and analyzed to determine if residual contamination remains. If sampling confirms that contamination is present, the property owner at the time of excavation must determine whether the material would be considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable State regulations and standards.

Costs for sampling and excavation activities conducted after case closure are not eligible for PECFA reimbursement. However, if it is determined that any undisturbed remaining petroleum contamination poses a threat, the case may be reopened and further investigation or remediation may be required. If this case is reopened, any original claim under the PECFA fund would also reopen and you may apply for assistance to the extent of remaining eligibility.

Thank you for your efforts to protect Wisconsin's environment. If you have any questions, please contact me in writing at the letterhead address or by telephone at (608) 261-2515.

Sincerely,


David E. Blair
Senior Hydrogeologist
Site Review Section

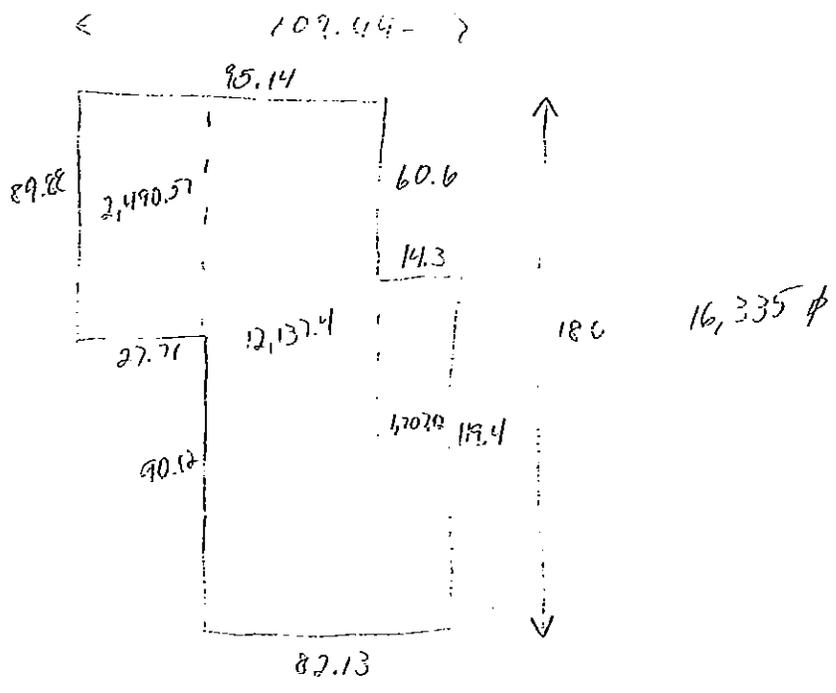
cc: Tom Muhich, Environmental Troubleshooters

EXHIBIT "A"

Property Description

All that part of Lots Six (6) through Ten (10), inclusive, Block Seventy-five (75), in the "Subdivision of Lot A", West Superior First Division, City of Superior, Douglas County, Wisconsin, subject to a building encroachment of approximately 6 inches along the East side of the Southerly ±120 feet of said Lot 6, included in the following described traverse:

Commencing at the Southeast (SE) corner of said Block 75; thence N 90°00' W, along the South line of said Block 75 a distance of 100.00 feet to the SE corner of said Lot 6 and the place of beginning; thence continuing N 90°00' W along the South line of said Block 75 a distance of 82.13 feet; thence N 00°00' E, 90.12 feet; thence N 90°00' W, 27.71 feet to the face of an existing building; thence N 00°15'26" E, along said building face a distance of 89.88 feet; thence N 90°00' E, 95.14 feet; thence S 00°00' W, 60.6 feet; thence S 90°00' E, 14.3 feet to the East line of said Lot 6; thence S 00°00' W, along the East line of said Lot 6 a distance of 119.4 feet to the place of beginning.





REUBEN JOHNSON & SON, INC.

P.O. Box 3068 • 5300 Stinson Avenue • Superior, Wisconsin 54880

Telephone (715) 394-7771
FAX (715) 394-7776

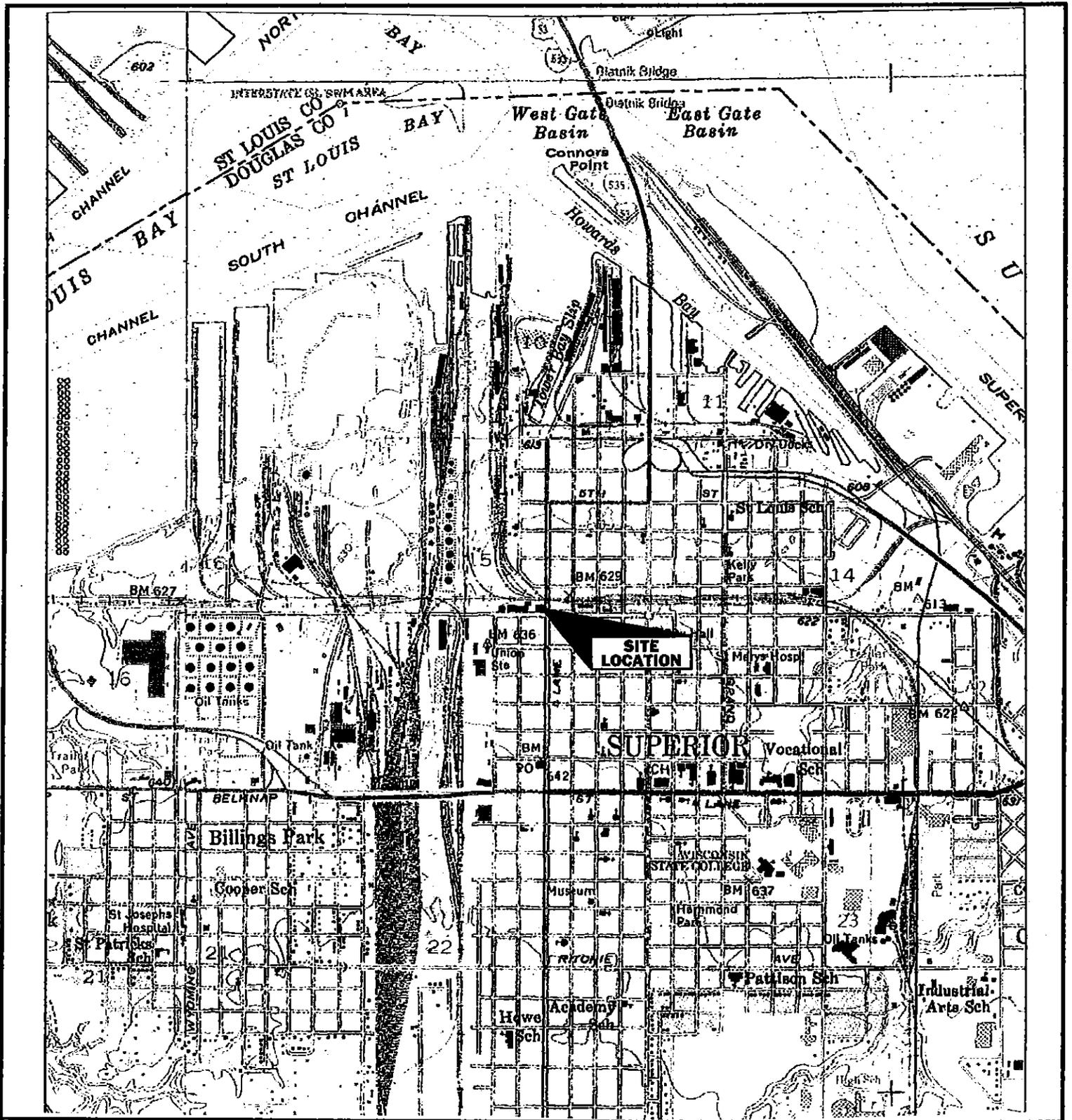
Statement

I, David M. Lemke, believe that the legal description has been attached for each property that is within the site boundry.

David M. Lemke
Vice President
Reuben Johnson and Son, Inc.

Serving the Midwest for Over Forty Years • An Equal Opportunity Employer





LEGEND:

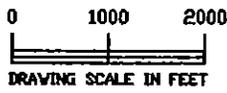


FIGURE 1

Site Location Map

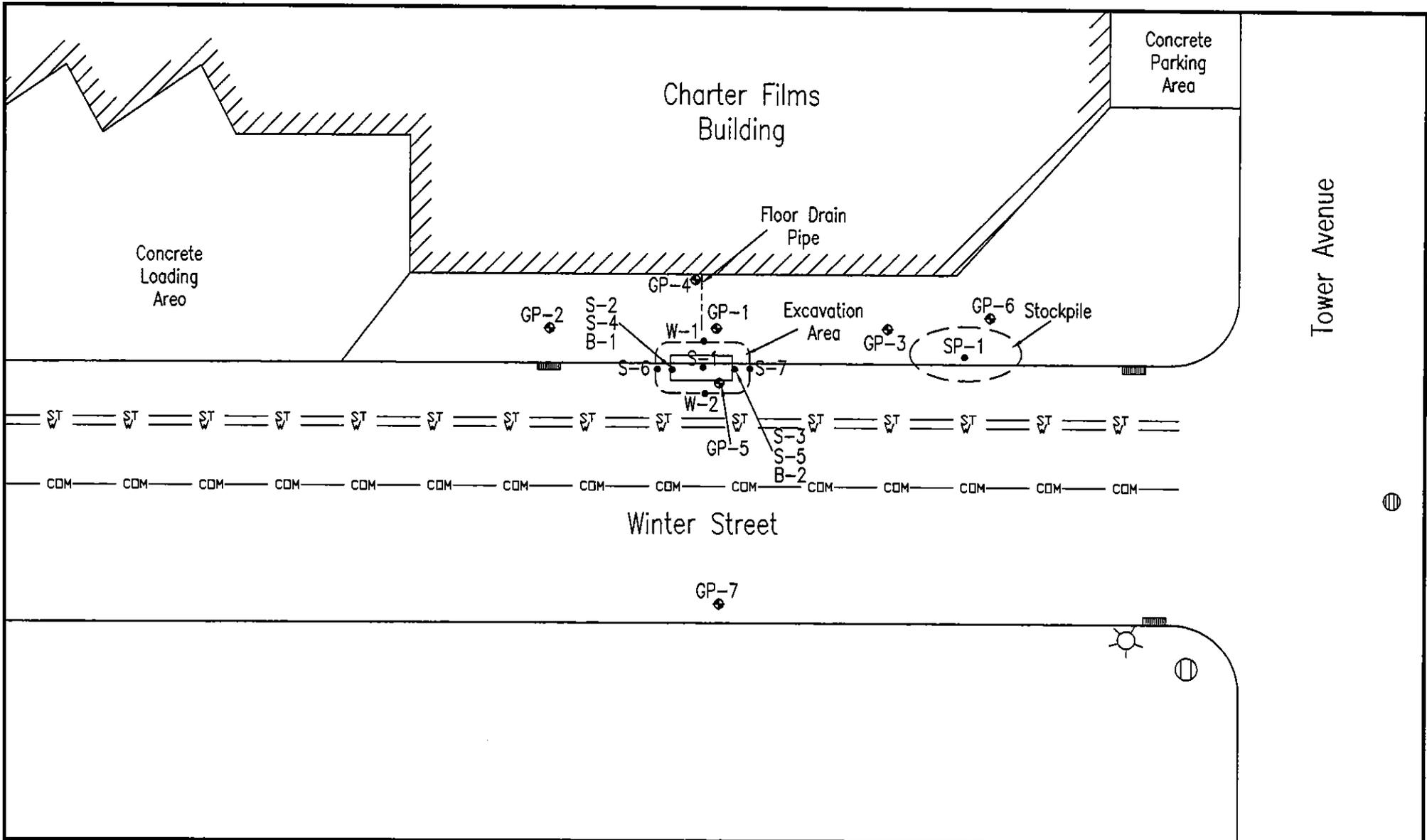
Charter Films ROW UST
Superior, Wisconsin

PROJECT #: 07-1107

DATE: 12/31/2007

FILE NAME:
Z:/2007/CharterFilms07-1107(fig1,2)





LEGEND:

- Fire Hydrant
- Geoprobe Boring Location
- Excavation Sample Location
- Storm Sewer Manhole
- Sanitary Sewer Manhole
- Storm Sewer Grate
- Buried Storm Sewer Line
- Buried Water Main
- Buried Communication Line

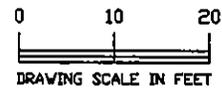


FIGURE 2

Site Plan View

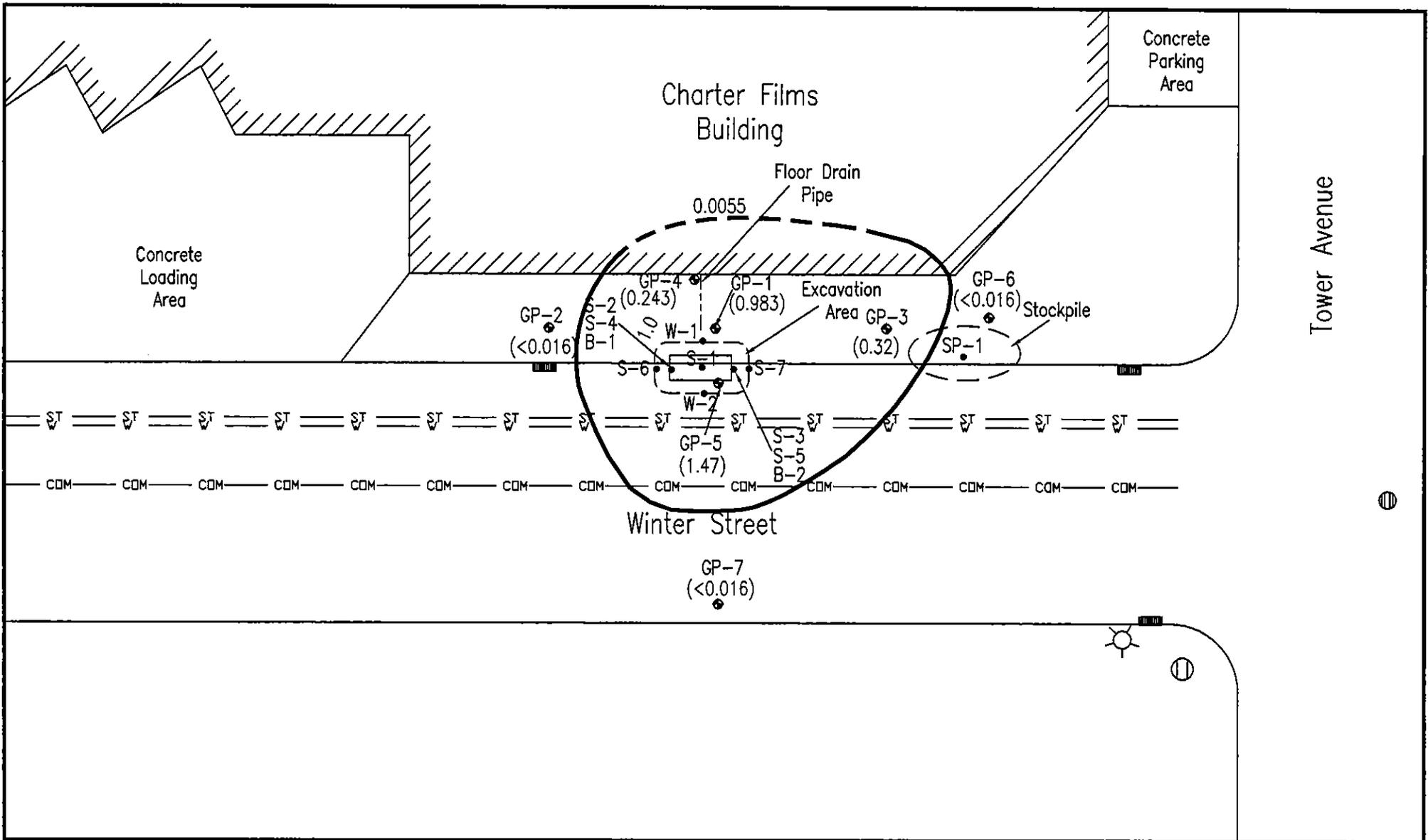
Charter Films ROW UST
Superior, Wisconsin

PROJECT #: 07-1107

DATE: 12/31/2007

FILE NAME:
Z:/2007/CharterFilms07-1107(fig2a)





LEGEND:

- Fire Hydrant
- Excavation Sample Location
- Storm Sewer Manhole
- Sanitary Sewer Manhole
- Storm Sewer Grate
- Geoprobe Boring Location
- Buried Storm Sewer Line
- Buried Water Main
- Buried Communication Line

() Benzene Concentration mg/kg
 0.0055 Soil Benzene RCL Isoconcentration Contour

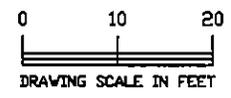
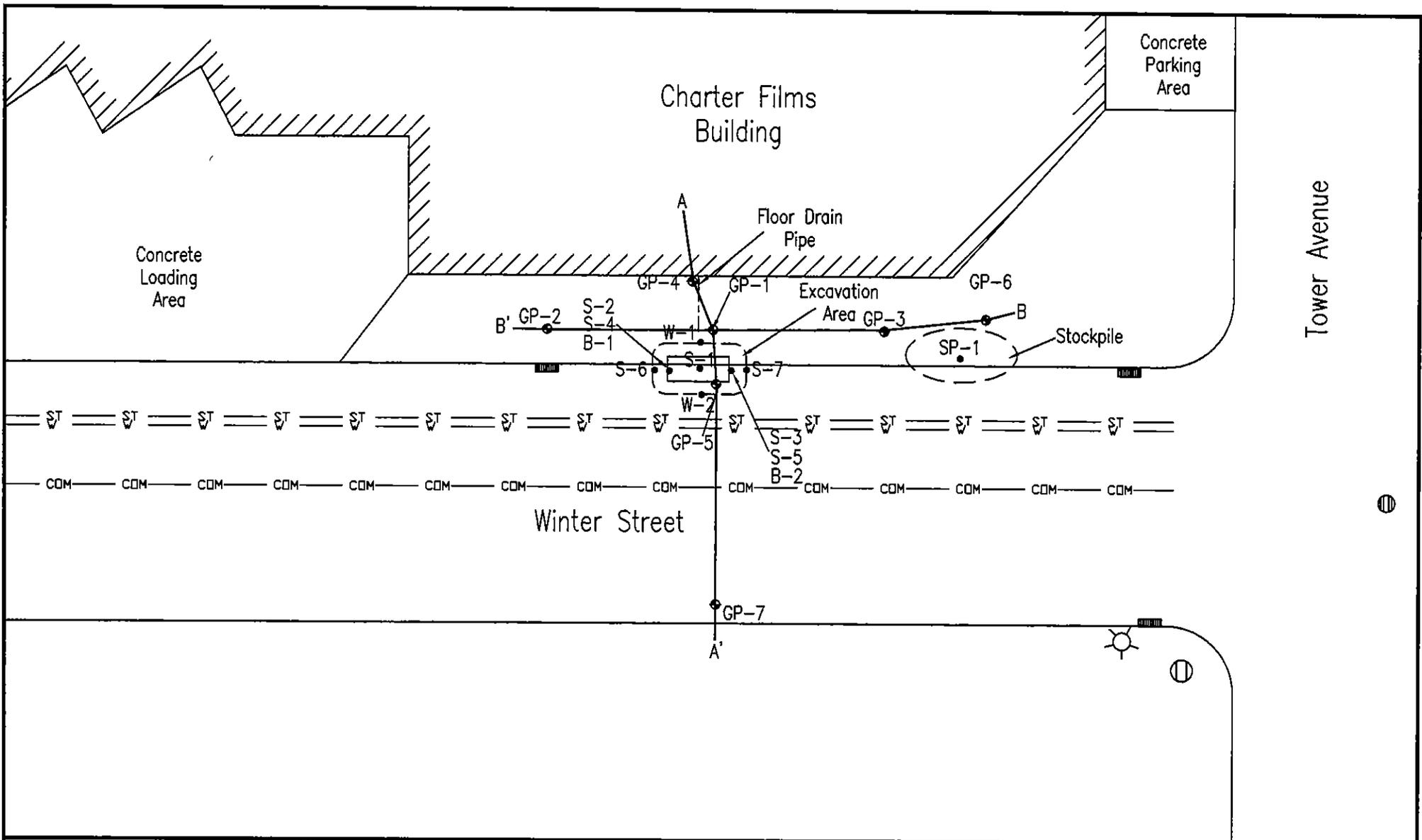


FIGURE 5a
 Soil Benzene RCL Concentration Contour Map

Charter Films ROW UST
 Superior, Wisconsin

PROJECT #: 07-1107
 DATE: 9/26/08
 FILE NAME:
 Z:/2007/CharterFilms07-1107(fig5)





LEGEND:

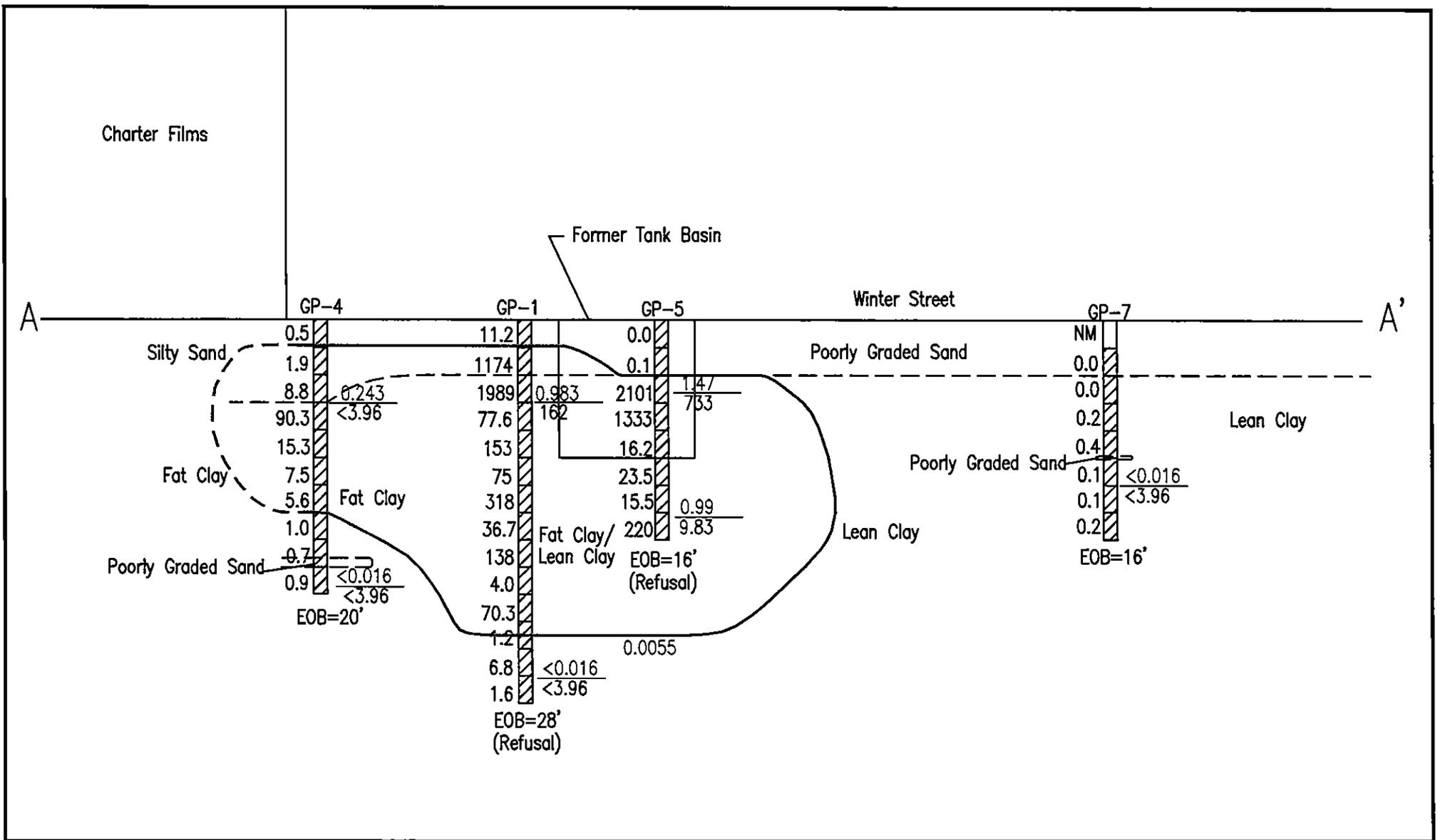
- Fire Hydrant
- Excavation Sample Location
- Storm Sewer Manhole
- Sanitary Sewer Manhole
- Storm Sewer Grate
- Geoprobe Boring Location
- Buried Storm Sewer Line
- Buried Water Main
- Buried Communication Line
- Benzene Concentration mg/L
- Soil Benzene Isoconcentration Contour

DRAWING SCALE IN FEET

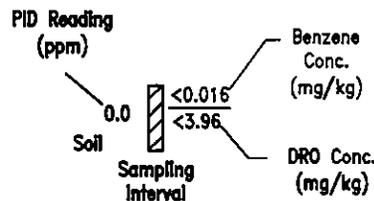
FIGURE 3
Cross Section Index

Charter Films ROW UST
Superior, Wisconsin

PROJECT #: 07-1107	
DATE: 9/26/08	
FILE NAME: Z:/2007/CharterFilms07-1107(fig3)	



LEGEND:



0.0055
Benzene RCL
Concentration Contour

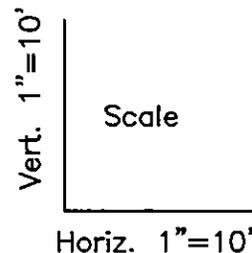


FIGURE 3a

Geologic Cross Section A-A'

Charter Films ROW UST

Superior, Wisconsin

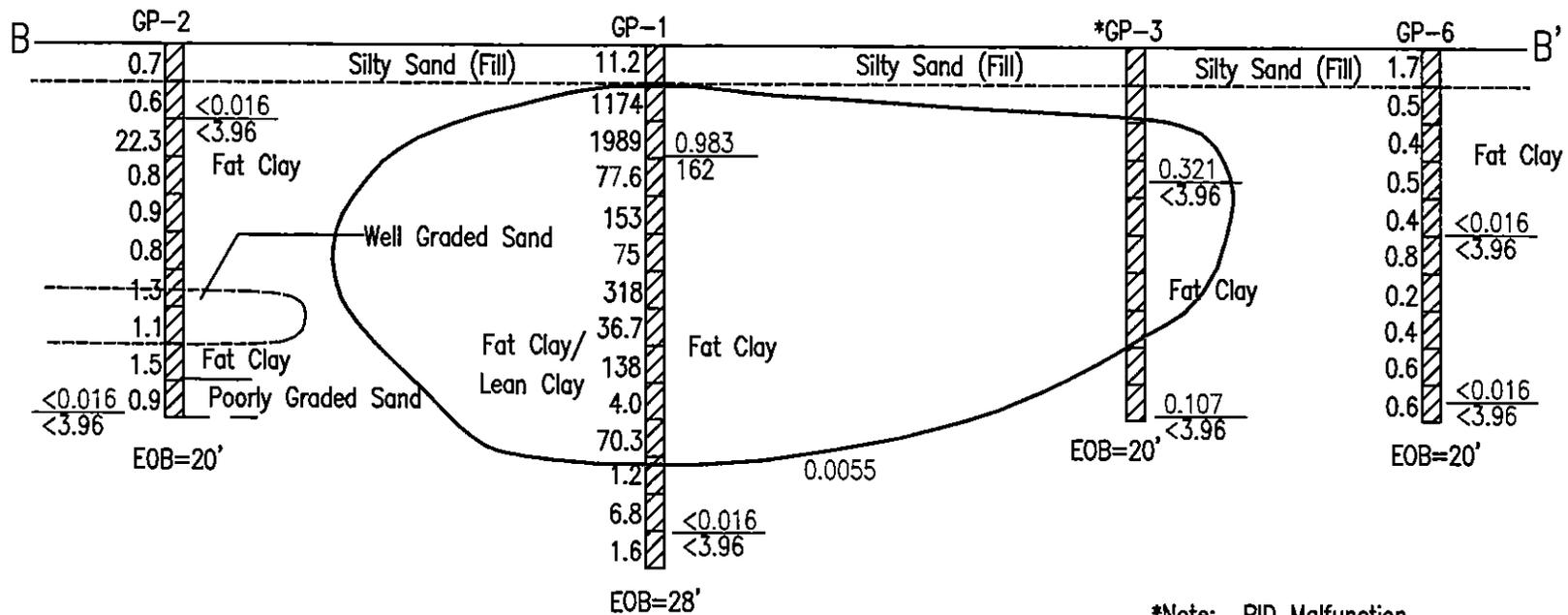
PROJECT #: 07-1107

DATE: 11/11/08

FILE NAME:

Z:/projectfile/projectname07-1010(fig2)





*Note: PID Malfunction

LEGEND:

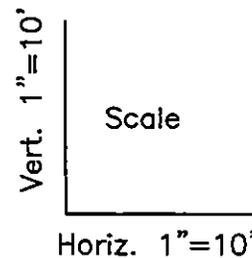
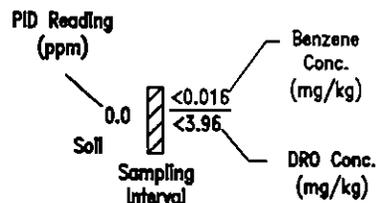


FIGURE 3b

Geologic Cross Section B-B'

Charter Films ROW UST
Superior, Wisconsin

PROJECT #: 07-1107

DATE: 11/12/08

FILE NAME:
Figure 3b



Table 3
 Push Probe Soil Sampling Analytical Results
 Charter Films R.O.W Tank
 Superior, Wisconsin
 BRRTs No. 03-16-550607

Sample Depth (ft)	Date Sampled	Benzene	Toluene	Ethyl-Benzene	Xylenes	MTBE	1,2,4-TMB	1,3,5-TMB	DRO
GP-1 (4-6')	4/22/2008	0.983	0.37	1.24	2.291	<0.011	2.83	1.34	162
GP-1 (26-28')	4/22/2008	<0.016	<0.017	<0.018	<0.037	<0.011	<0.013	<0.018	<3.96
GP-2 (4-6')	4/22/2008	<0.016	<0.017	<0.018	<0.037	<0.011	<0.013	<0.018	<3.96
GP-2 (18-20')	4/22/2008	<0.016	<0.017	<0.018	<0.037	<0.011	<0.013	<0.018	<3.96
GP-3 (6-8')	4/22/2008	0.321	<0.017	0.225	0.251	<0.011	0.547	0.169	<3.96
GP-3 (18-20')	4/22/2008	0.107	0.206	0.094	0.262	<0.011	<0.013	<0.018	<3.96
GP-4 (6-8')	4/22/2008	0.243	0.147	0.505	0.316	<0.011	0.305	0.444	7.92
GP-4 (18-20')	4/22/2008	<0.016	<0.017	<0.018	<0.037	<0.011	<0.013	<0.018	<3.96
MeOH Blank	4/22/2008	<0.016	<0.017	<0.018	<0.037	<0.011	<0.013	<0.018	N/A
GP-5 (4-6')*	5/21/2008	1.470*	0.873*	7.75*	10.142*	<0.011	14.7*	7.08*	733
GP-5 (14-16')	5/21/2008	0.990	0.081	0.406	0.304	<0.011	0.694	0.424	9.83
GP-6 (10-12')	5/21/2008	<0.016	<0.017	<0.018	<0.037	<0.011	<0.013	<0.018	<3.96
GP-6 (18-20')	5/21/2008	<0.016	<0.017	<0.018	<0.037	<0.011	<0.013	<0.018	<3.96
GP-7 (14-16')	5/21/2008	<0.016	0.032	<0.018	0.042	<0.011	<0.013	<0.018	<3.96
MeOH Blank	5/21/2008	<0.016	<0.017	<0.018	<0.037	<0.011	<0.013	<0.018	N/A
NR 720.09 RCLs		0.0055	1.5	2.9	4.1	NS	NS	NS	250
NR 746.06 Table 1 (Free product indicator)		8.5	38	4.6	42	NS	83	11	NS
NR 746.06 Table 2(Direct contact standard)		1.1	NS	NS	NS	NS	NS	NS	NS

All results in mg/kg, equivalent to parts per million (ppm)

NA - not analyzed for this compound

MeOH - methanol (used as sample preservative)

Bold indicates contaminants which exceed NR 720 Generic Soil Standards or Residual Contaminant Levels (RCLs) (NR 720.09 and 720.11) only.

*Surrogate recovery was high. Result for sample may be biased high.

DRO - Diesel range organics

MTBE - Methyl t-butyl ether

TMB - Trimethylbenzene

March 2, 2009

Jeff Goetzman
Assistant Director of Public Works
City of Superior
1316 N. 14th Street
Superior, WI 54880

RE: Notification of Case Closure Request for
Remaining Soil Contamination
Charter Films Right of Way Tank Site, 1901 Winter Street, Superior, WI
BRRTs No. 03-16-550607; Comm. No. 54880-1432-01-C

Dear Mr. Goetzman:

This letter is being sent to inform you that case closure is being requested for the Charter Films Right of Way Tank site located immediately south of 1901 Winter Street, Superior, Wisconsin. Soil contamination that appears to have originated at 1901 Winter Street and the adjacent right of way remains in the Winter Street right of way. The levels of benzene, ethylbenzene, xylenes, and diesel range organics (DRO) are above the state generic residual contaminant levels (RCLs) found in chapter NR 720, Wisconsin Administrative Code. However, the environmental consultants who have investigated this contamination have informed me that soil contamination within the top four (4) feet is below direct contact standards found in chapter NR 746.06 Table 2. Remaining soil contamination is inaccessible under the building and under the Winter Street roadway. I will be requesting that the Department of Commerce accept a soil performance standard as final remedy for this site and grant case closure. Closure means that the Department will not be requiring any further investigation or cleanup action to be taken.

The Department of Commerce will not review my case closure request for at least 30 days after the date of this letter. As an affected property owner, you have a right to contact the Department to provide any technical information that you may have that indicates that closure should not be granted for this site. If you would like to submit any information to the Department of Commerce that is relevant to this closure request, you should mail that information to: David Blair, Wisconsin Department of Commerce, P.O. Box 8044, Madison, WI 53708-8044.

If this case is closed, all properties within the site boundaries where soil contamination exceeds chapter NR 720 generic residual contaminant levels will be listed on the Department of Natural Resources' geographic information system (GIS) Registry of Closed Remediation Sites. The information on the GIS Registry includes maps showing

the location of properties in Wisconsin where soil contamination above chapter NR 720 generic residual contaminant levels was found at the time that the case was closed. This GIS Registry will be available to the general public on the Department of Natural Resources' internet web site.

Once the Department makes a decision on my closure request, it will be documented in a letter. If the Department grants closure, you may obtain a copy of this letter by requesting a copy from me, by writing to the agency address given above or by accessing the DNR GIS Registry of Closed Remediation Sites on the internet at www.dnr.state.wi.us/org/at/et/geo/gwur. A copy of the closure letter is included as part of the site file on the GIS Registry of Closed Remediation Sites.

If you need more information, you may contact me at 5300 Stinson Avenue, Superior, WI 54880, Phone (715) 394-0121 or you may contact David Blair, Wisconsin Department of Commerce, P.O. Box 8044, Madison, WI 53708-8044, Phone (608) 261-2515.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Sens", with a long horizontal line extending to the right.

Paul Sens
RJS Real Estate Group
5300 Stinson Ave.
Superior, WI 54880

ENVIRONMENTAL TROUBLESHOOTERS, INC.



416 FAYAL ROAD, SUITE A
EVELETH, MN 55734
TEL: (218) 744-0128
FAX: (218) 744-0771

March 17, 2009

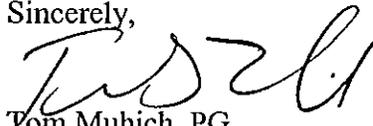
Anna Kazda
Wisconsin Dept. of Natural Resources
107 Sutliff Ave.
Rhineland, WI 54501-3349

**RE: GIS Registry Review Fee
Charter Films Right of Way Tank Site, 1901 Winter St., Superior, WI 54880
BRRTs No. 03-16-550607; Comm. No. 54880-1432-01-C**

Dear Ms. Kazda:

Enclosed please find the review fee of \$200.00 for the GIS Registry of soil contamination at the Charter Films Right of Way Tank site located at 1901 Winter Street, Superior, Wisconsin. The first page of the close out form is also attached. The BRRTs number has been inserted on the memo line of the check.

Sincerely,


Tom Muhich, PG
Regional Manager

Enclosure

Cc: David Blair, Wisconsin Dept. of Commerce
File