

TO: Eric Sandin, GEF II, Geo/8

Groundwater Use Registry Buckslip

Site Name BAGINSKI FARMS

Address N3502 Highway H
Antigo, WI

BRRTS # 03-34-112856

GPS Location: _____ latitude _____ longitude

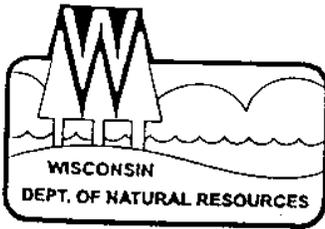
Date of Closure Decision 8/12/99

Required

- Closure Letter
- Deeds for all properties with ES exceedance in Groundwater
- GPS location (latitude and longitude)
- Location map
- Detailed Site Map
- Groundwater Flow Direction Diagram including location of monitoring wells and all drinking water wells
- Latest Groundwater Plume Map with Groundwater Flow Direction
- Latest Table of Analytical Results for Groundwater

If Available, include the following:

- Metes and Bounds Legal Description
- Tax Parcel Number
- Geologic cross sections showing soil and groundwater contaminant source extent and location, isoconcentrations for all groundwater contaminants that exceed NR 140 enforcement standards, water table and piezometric elevations, and the extent, location and elevation of geologic units, bedrock, and confining unites



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
William H. Smith, Regional Director

Northern Region Headquarters
107 Sulliff Ave.
Rhineland, Wisconsin 54501-0818
Telephone 715-365-8900
FAX 715-365-8932
TDD 715-365-8957

March 25, 1999

Mr. Ted Baginski
T. Baginski and Sons, Inc
N3502 CTH H
Antigo, WI 54409

Subject: Baginski Farms, N3502 CTH H, Antigo, WI, BRRTS # 03-34-112856

Dear Mr. Baginski:

The Department of Natural Resources provided a notice to you that the degree and extent of gasoline and fuel oil contamination at the above-named site was required to be investigated and remediated. We have since been informed that the required investigation and remediation has been accomplished.

Based on the investigative and remedial documentation provided to the Department, it appears that the gasoline and fuel oil contamination at the above-named site has been remediated to the extent practicable under current site conditions. Therefore, the Department considers the case "closed," having determined that no further action is necessary on the site at this time. However, due to the presence of residual contamination remaining at the site which may become accessible in the future if structural barriers on the property are removed, a condition of the closeout of the case is that the owner sign and record a deed restriction for the property. To document that this condition has been complied with, the property owner must submit to the Department a copy of the recorded deed restriction, with the recording information stamped on it, within 15 days after the County Register of Deeds returns the deed restriction to the property owner. The deed restriction may be amended in the future with the approval of DNR if conditions change at the site and the residual contamination is remediated.

In addition, due to the presence of residual contamination remaining in the groundwater, a condition of the closeout of the case is that the owner sign and record a Groundwater Use Restriction for the property.

Enclosed is an example of a Groundwater Use Restriction. Please draft a specific Groundwater Use Restriction for this site and submit the draft to me. Department of Natural Resources attorneys will review the draft and return it to you with revisions. After you have made the revisions, you should sign and record the restriction with the Langlade County Register of Deeds. To document that this condition has been complied with, the property owner must submit to the Department a copy of the recorded Groundwater Use Restriction, with the recording information stamped on it, within 15 days after the Register of Deeds returns the Groundwater Use Restriction to the property owner. The Groundwater Use Restriction may be amended in the future with the approval of DNR if conditions change at the site and the residual contamination is remediated.

Enclosed is an example of a deed restriction. Please ask your attorney to draft a specific deed restriction for this site and submit the draft to me. Department of Natural Resources attorneys will review the draft and return it to your attorney with revisions. After your attorney has made the revisions, you may sign



Quality Natural Resources Management
Through Excellent Customer Service



and record the restriction with the County Register of Deeds. A copy of the recorded restriction must be then filed with the Department of Natural Resources.

Please note that this case closure is contingent upon proper documentation of proper abandonment of the monitoring wells on site. If monitoring wells remain at this site, please provide the documentation that this action has been completed, or have your consultant do so. The documentation can be sent to my attention at the above address.

If you have any additional information which was not formerly provided to the Department, and which you feel would significantly impact this closure decision, you may submit that information for our re-evaluation of case closure.

If you have any questions, please call me at 715-365-8990.

Sincerely,
NORTHERN REGION



Janet Kazda
Case Closeout Committee

cc: File

Dale Ziege, RR/3

 Sally Kefer, RR/3

Lynelle Caine
Northern Environmental Technologies
954 Circle Dr
Green Bay, WI 54304

339466

Document Number

GROUNDWATER USE RESTRICTION

Declaration of Restrictions

In Re: A parcel of land located in the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) and the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section Twenty-three (23), Township Thirty-one (31) North, of Range Ten (10) East, described as follows:

Commencing at the intersection of County Trunk Highway H and the forty line dividing the above named forties, thence due west on the forty line a distance of two hundred (200) feet to the place of beginning; thence North parallel with County Trunk Highway H a distance of two hundred (200) feet, thence West a distance of three hundred twenty (320) feet; thence South a distance of four hundred (400) feet; thence East a distance of three hundred twenty (320) feet; thence North a distance of two hundred (200) feet to the place of the beginning.

STATE OF WISCONSIN)
) ss
COUNTY OF LANGLADE)

Recording Area

Name and Return Address
Ted Baginski & Sons, Inc.
N3502 Highway H
Antigo, Wisconsin 54409

LANGLADE COUNTY, WI
RECEIVED FOR RECORD
'99 AUG 9 PM 3 06
REGISTER OF DEEDS
Monika J. Jankovic
TRANSFER FEE _____
RECORDING FEE *0.12*
GRANTOR _____ GRANTEE _____
TRACT _____

Parcel Identification Number (PIN)

WHEREAS, Ted Baginski & Sons, Inc., a Wisconsin Corporation, is the owner of the above-described property.

WHEREAS, one or more petroleum discharges have occurred at this property. Petroleum-contaminated soil exists from approximately 4 to 7 feet below grade at the following location as shown in Attachment 1, identified as Figure 2, hereby attached to and made a part of this document: Gasoline Range Organics (GRO) concentration of 870 milligrams per kilogram (mg/kg); Diesel Range Organics (DRO) concentration of 550 mg/kg; xylenes concentration of 4260 micrograms per kilogram (µg/kg) at soil boring B500, located approximately 11 feet west and 9 feet south of the southeast corner of the Shop building. Petroleum-contaminated groundwater above ch. NR 140 Wis. Adm. Code enforcement standards exists on this property at the following location as shown in Attachment 2, identified as Figure 3, hereby attached to and made a part of this document: monitoring well MW800, benzene concentration at 15 micrograms per liter (µg/L) and naphthalene concentration at 79 µg/L.

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

WHEREAS, natural attenuation has been approved by the Department of Natural Resources to remediate groundwater exceeding ch. NR 140 groundwater standards within the boundaries of this property.

WHEREAS, construction of wells where the water quality exceeds the drinking water standards in ch. NR 809, Wis. Adm. Code is restricted by ch. NR 811, Wis. Adm. Code and ch. NR 812, Wis. Adm. Code. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply.

NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied, and improved subject to the following limitations and restrictions:

Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor agency, to determine what specific prohibitions or requirements are applicable and to obtain Department approval, prior to constructing or reconstructing a well on this property. No well may be constructed or reconstructed on this property unless applicable requirements are met.

If construction is proposed on this property that will require dewatering, or if groundwater is to be otherwise extracted from this property, while this groundwater use restriction is in effect, the groundwater shall be sampled and analyzed for contaminants that were previously detected on the property and any extracted groundwater shall be managed in compliance with applicable statutes and rules.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase, or otherwise. This restriction benefits and is enforceable by, the Wisconsin Department of Natural Resources, its successors and assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that the restrictions set forth in this covenant are no longer required. Upon receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit, with a copy of the Department's written determination, may be recorded to give notice that this groundwater use restriction is no longer binding.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this ~~1998~~ day of Aug, 1999.

By signing this document, Theodore Baginski acknowledges that he is dully authorized to sign this document on behalf of Ted Baginski & Sons, Inc., a Wisconsin Corporation.

Signature: Theodore Baginski

Printed Name: Theodore Baginski
Title: President

Subscribed and sworn to before me
this 9th day of August, 1999.

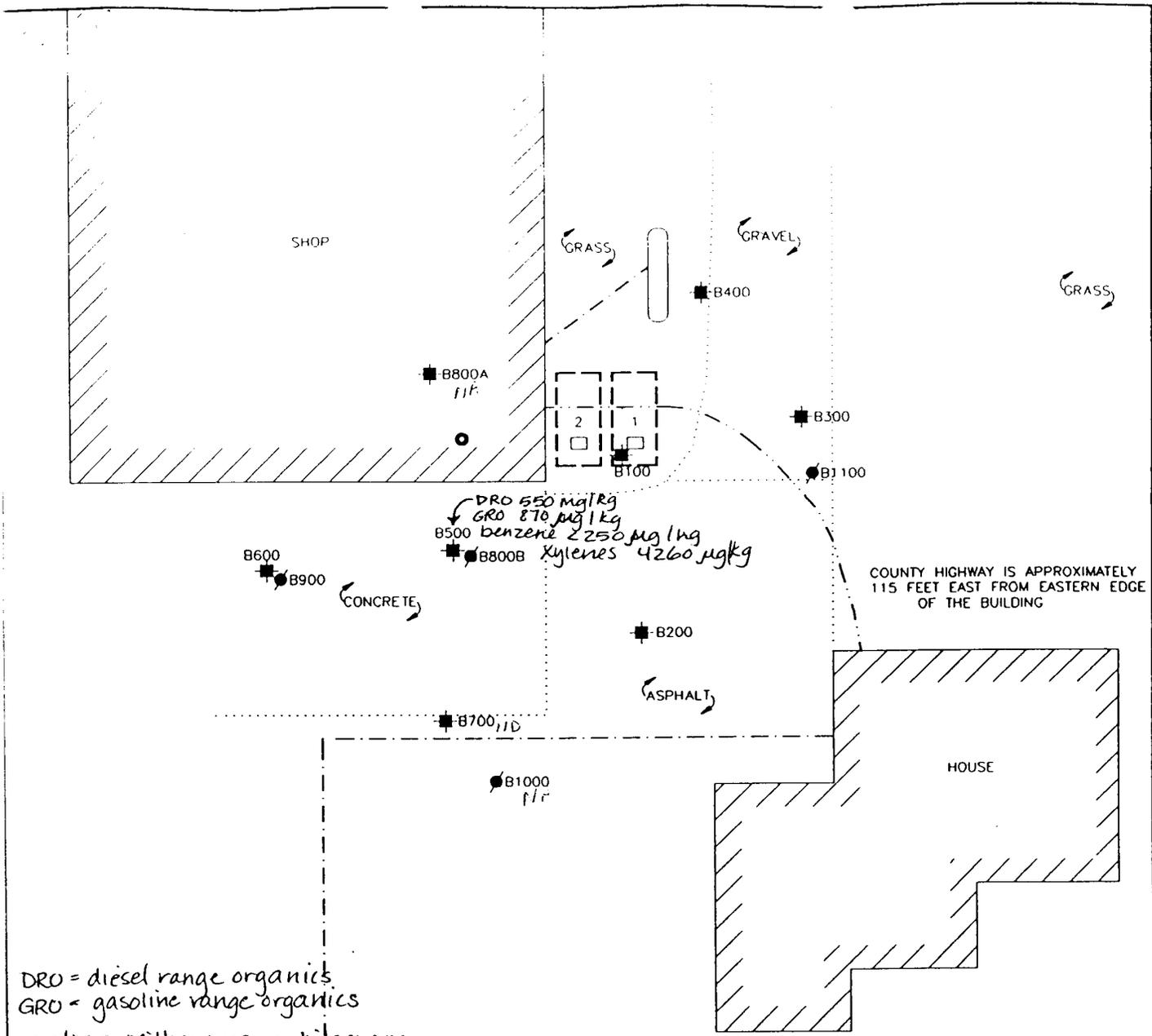
Juni Washatko
Notary Public, State of WI

My commission 6-17-01

This document was drafted by the Wisconsin Department of Natural Resources (WDNR) and Northern Environmental Technologies, Incorporated

339466

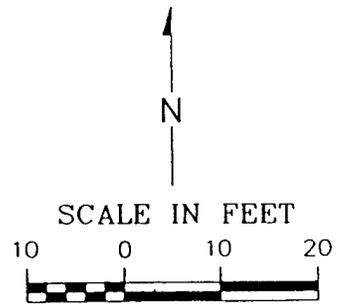
ATTACHMENT 1



DRO = diesel range organics
 GRO = gasoline range organics
 mg/kg = milligrams per kilogram
 µg/kg = micrograms per kilogram

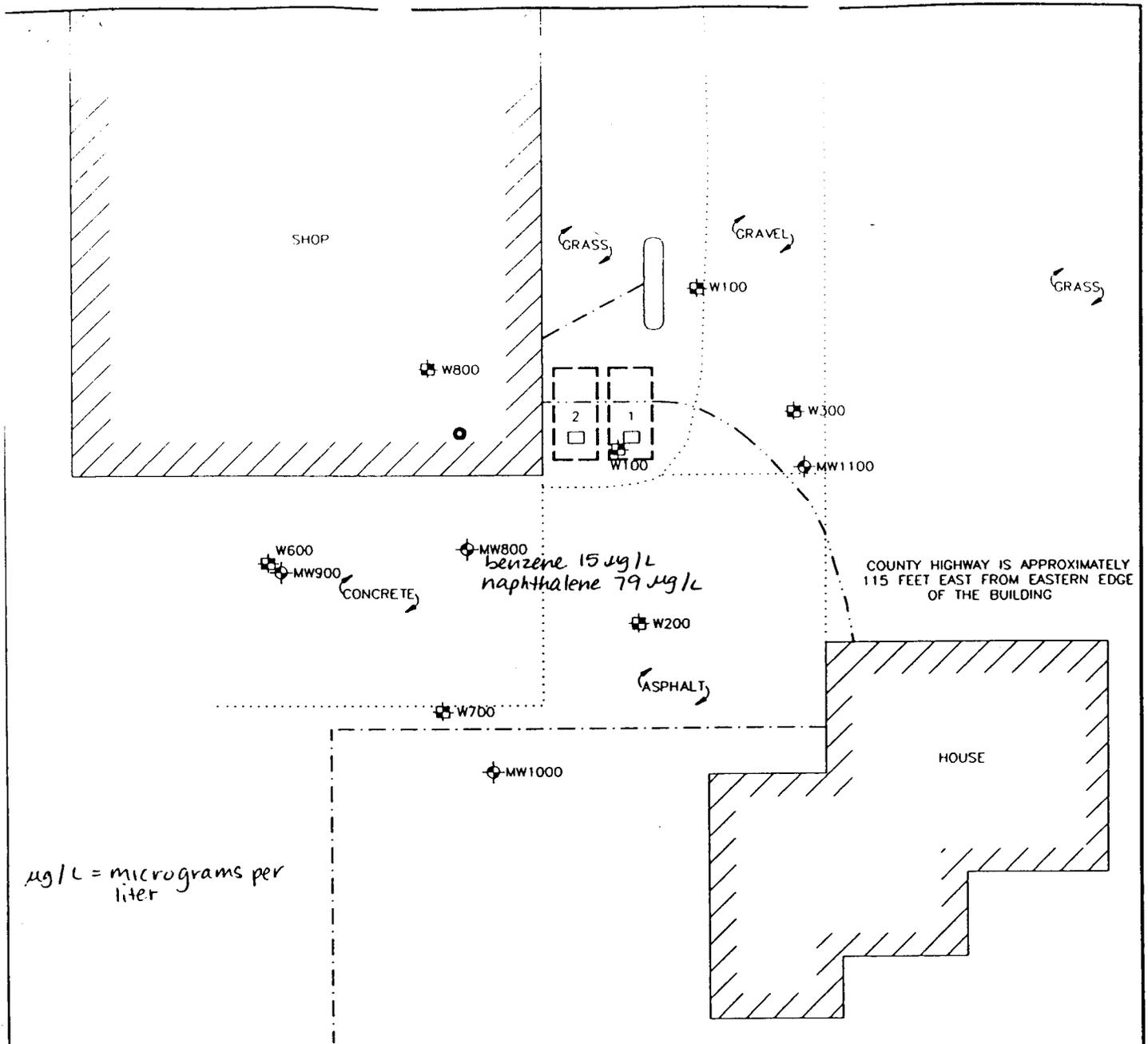
LEGEND

- B800 HOLLOW STEM AUGER SOIL BORING LOCATION AND NUMBER
- B100 GEOPROBE SOIL BORING LOCATION AND BORING NUMBER
- FORMER DISPENSER LOCATION
- SAND POINT
- ▭ EXISTING PROPANE AST (ABOVE GROUND STORAGE TANK)
- ▭ # FORMER UST (UNDERGROUND STORAGE TANK) LOCATION
 UST1: 2000 GALLON DIESEL
 UST2: 2000 GALLON UNLEADED GASOLINE
- ⋯ BOUNDARY BETWEEN DIFFERING SURFACE MATERIALS
- - - BURIED TELEPHONE LINE
- - - BURIED PROPANE LINE



DRAWN BY: LFC	PROJECT: TBS330540	DATE: 10/2/97	FIGURE 2 SOIL BORING LOCATIONS BAGINSKI FARMS ANTIGO, WISCONSIN
REV. DATE	THIS DRAWING AND ALL INFORMATION CONTAINED THEREON IS THE PROPERTY OF NORTHERN ENVIRONMENTAL INCORPORATED AND SHALL NOT BE COPIED OR USED EXCEPT FOR THE PURPOSE FOR WHICH IT IS EXPRESSLY FURNISHED.		
Northern Environmental SM Hydrologists • Engineers • Geologists			FOR: TED BAGINSKI & SONS, INC.

ATTACHMENT 2



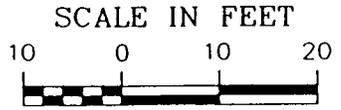
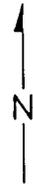
µg/L = micrograms per liter

MW800
benzene 15 µg/L
naphthalene 79 µg/L

COUNTY HIGHWAY IS APPROXIMATELY 115 FEET EAST FROM EASTERN EDGE OF THE BUILDING

LEGEND

- ⊕ MW1000 MONITORING WELL LOCATION AND WELL NUMBER
- ⊕ W700 TEMPORARY WELL LOCATION WITH WELL NUMBER
- FORMER DISPENSER LOCATION
- SAND POINT
- ⎓ EXISTING PROPANE AST (ABOVE GROUND STORAGE TANK)
- ⎓ # FORMER UST (UNDERGROUND STORAGE TANK) LOCATION
UST1: 2000 GALLON DIESEL
UST2: 2000 GALLON UNLEADED GASOLINE
- ⋯ BOUNDARY BETWEEN DIFFERING SURFACE MATERIALS
- ⋯ BURIED TELEPHONE LINE
- ⋯ BURIED PROPANE LINE



DRAWN BY: LFC		PROJECT: TBS330540	DATE: 10/2/97	<p>FIGURE 3 MONITORING WELL AND GEOPROBE GROUND WATER SAMPLE LOCATIONS BAGINSKI FARMS ANTIGO, WISCONSIN</p>
REV. DATE	THIS DRAWING AND ALL INFORMATION CONTAINED THEREON IS THE PROPERTY OF NORTHERN ENVIRONMENTAL INCORPORATED AND SHALL NOT BE COPIED OR USED EXCEPT FOR THE PURPOSE FOR WHICH IT IS EXPRESSLY FURNISHED.			
<p>Northern Environmental SM Hydrologists • Engineers • Geologists</p>				FOR: TED BAGINSKI & SONS, INC.

DOCUMENT NO.

242440

THIS INDENTURE, Made by Theodore Baginski and Kathryn Baginski, his wife,

grantor s of Langlade County, Wisconsin, hereby quit-claims to Ted Baginski & Sons, Inc., a Wisconsin corporation,

QUIT CLAIM DEED STATE OF WISCONSIN--FORM 13 THIS SPACE RESERVED FOR RECORDING DATA

RECORDED IN VOLUME 375 PAGE 13 APR 29 1977

grantee of Langlade County, Wisconsin, for the sum of One Dollar (\$1.00) and other valuable consideration the following tract of land in Langlade County, State of Wisconsin:

A parcel of land located in the Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4), and the Northeast Quarter (NE1/4) of the Southwest Quarter (SW1/4) of Section Twenty-three (23), Township Thirty-one (31) North, of Range Ten (10) East, described as follows:

Commencing at the intersection of County Trunk Highway II and the forty line dividing the above named forties; thence due north on the forty line a distance of two hundred (200) feet to the place of beginning; thence North parallel with County Trunk Highway II a distance of two hundred (200) feet; thence West a distance of three hundred twenty (320) feet; thence South a distance of four hundred (400) feet; thence East a distance of three hundred twenty (320) feet; thence North a distance of two hundred (200) feet to the place of beginning.

Together with easement from County Trunk Highway II over present driveway as the same is now located and used to the above described property.

This deed is executed for the purpose of correcting that previous instrument as recorded in Volume 375 at Page 13 Langlade County Records.

This conveyance exempt from Wisconsin transfer fee pursuant to provisions of Section 77.25 (3) Wisconsin Statutes.

IN WITNESS WHEREOF, the said grantor s have VC hereunto set their hands and seals this 29th day of April, A. D., 1977.

SIGNED AND SEALED IN PRESENCE OF

Theodore Baginski (SEAL) Theodore Baginski Kathryn Baginski (SEAL) Kathryn Baginski (SEAL) (SEAL)

STATE OF WISCONSIN, Langlade County.

Personally came before me, this 29th day of April, A. D., 1977 the above named Theodore Baginski and Kathryn Baginski, his wife,

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

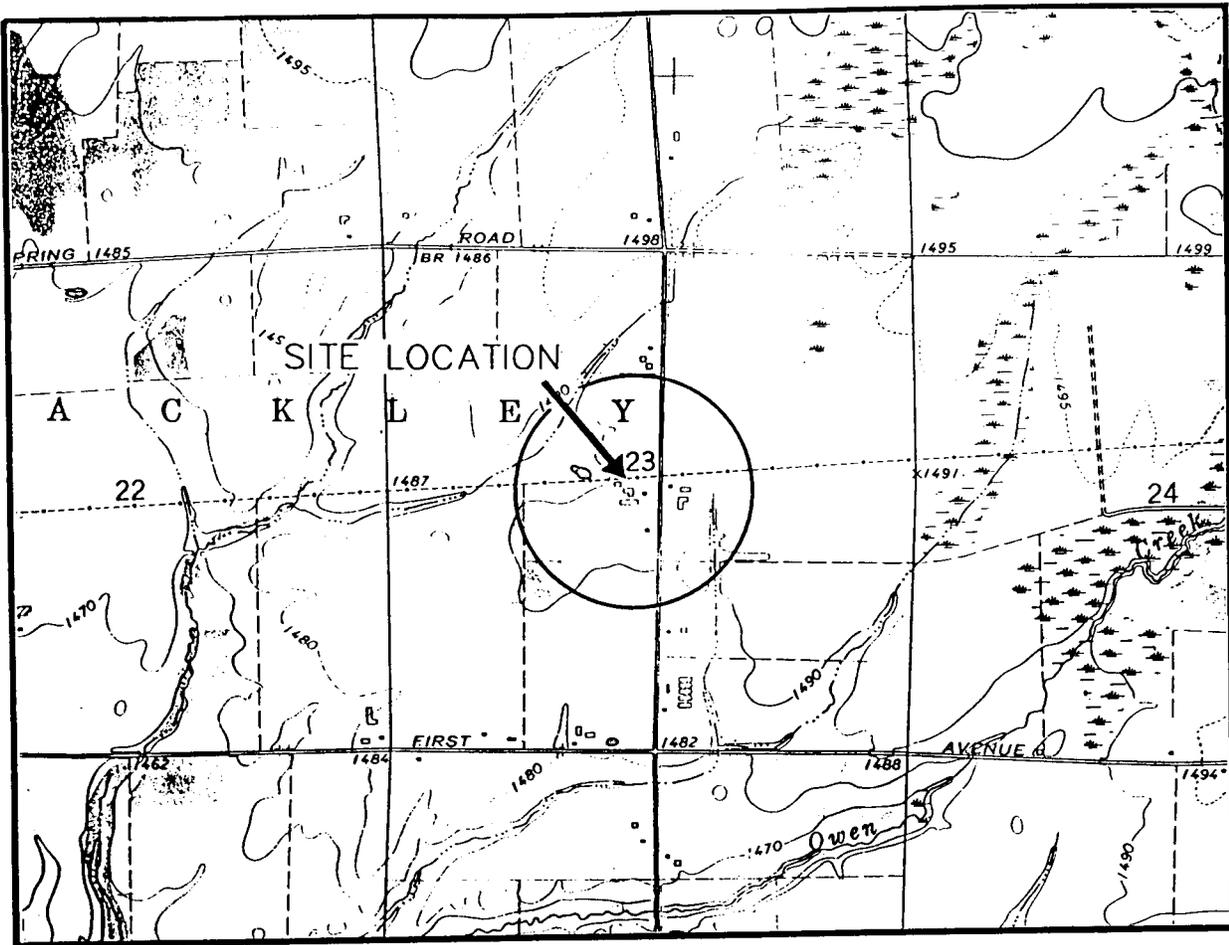


Richard M. Oik Notary Public Langlade County, Wis.

This instrument drafted by Oik & Jansen, S. C.

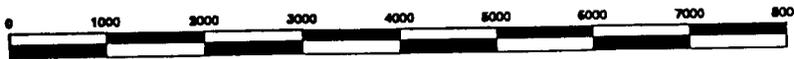
My Commission (Expires) (is) permanent

(Section 93.31 (1) of the Wisconsin Statutes provides that all instruments to be recorded shall have plainly printed or typewritten thereon the names of the grantors, grantees, witnesses and notary).



SCALE IN FEET

1" = 2000'



CONTOUR INTERVAL 10 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

- LEGEND**
- BOUNDARY FOR WATER SUPPLY WELLS WITHIN A 1200' RADIUS OF SITE
 - PROBABLE LOCATION OF WATER SUPPLY WELLS



BASE MAP SOURCE: USGS ANTIGO, WISCONSIN 7.5 MINUTE QUADRANGLE (REVISED 1973)

QUADRANGLE LOCATION

DRAWN BY: NLL PROJECT: TBS330540 DATE: 5/16/97

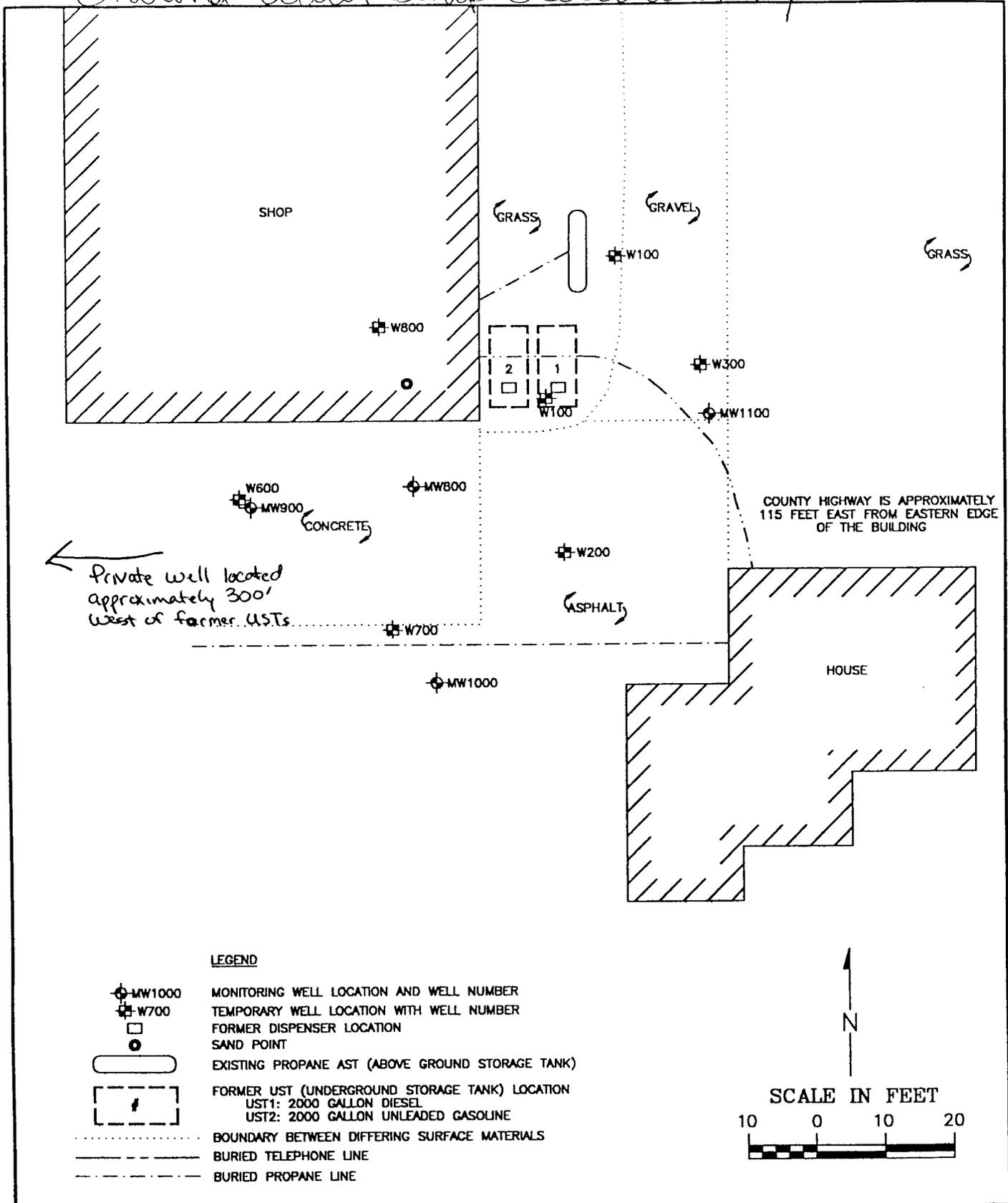
REV. DATE THIS DRAWING AND ALL INFORMATION CONTAINED THEREON IS THE PROPERTY OF NORTHERN ENVIRONMENTAL INCORPORATED AND SHALL NOT BE COPIED OR USED EXCEPT FOR THE PURPOSE FOR WHICH IT IS EXPRESSLY FURNISHED.

FIGURE 1
SITE LOCATION AND LOCAL TOPOGRAPHY
BAGINSKI FARMS
ANTIGO, WISCONSIN

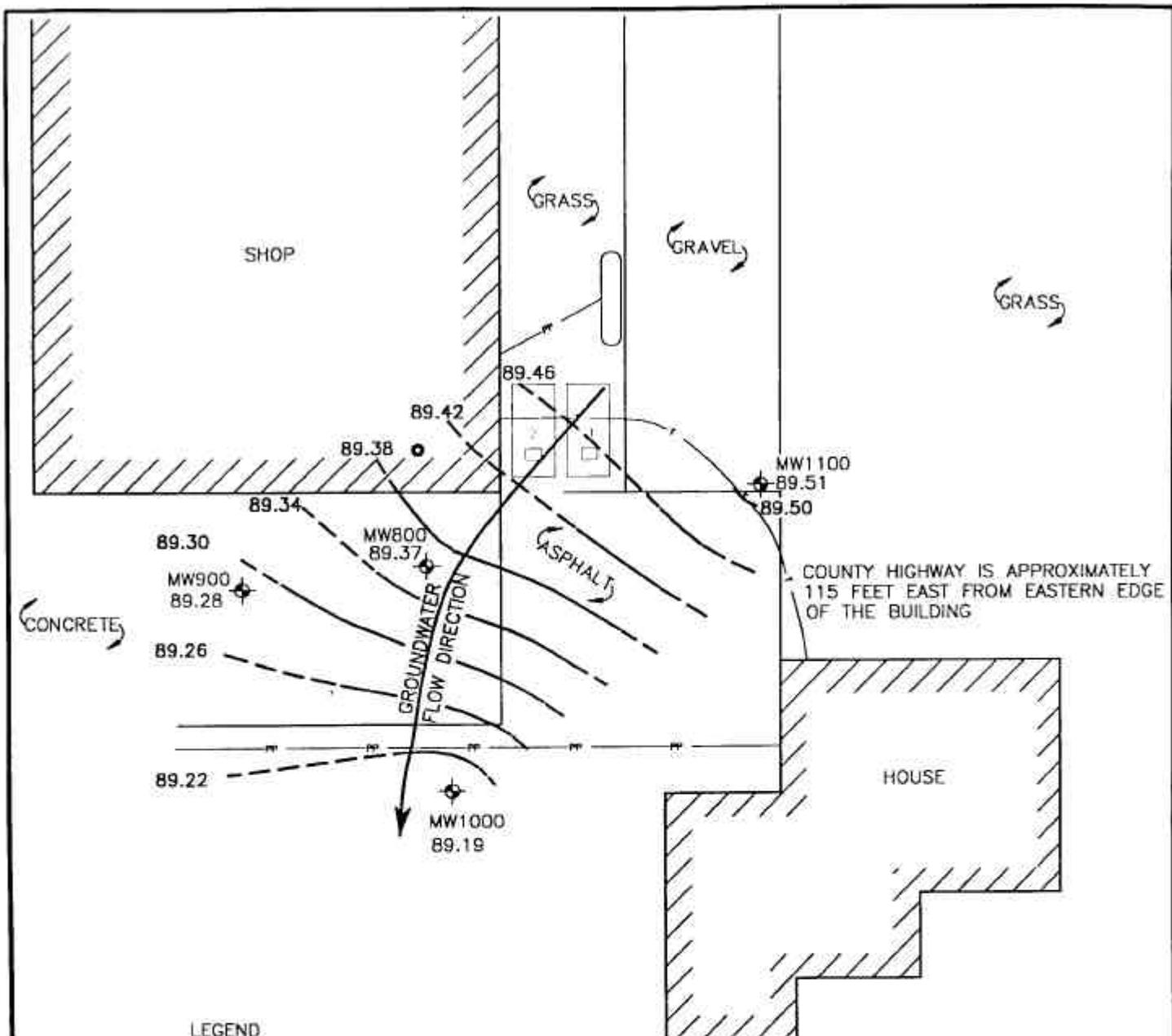
Northern EnvironmentalSM
Hydrologists • Engineers • Geologists

FOR: TED BAGINSKI & SONS, INC.

Ground-Water Sample Location Map

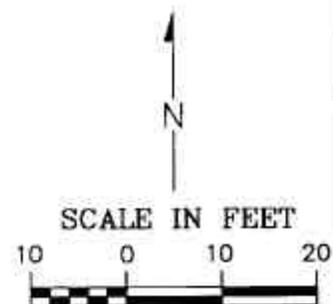


DRAWN BY: LFC	PROJECT: TBS330540	DATE: 10/2/97	<p>FIGURE 3 MONITORING WELL AND GEOPROBE GROUND WATER SAMPLE LOCATIONS BAGINSKI FARMS ANTIGO, WISCONSIN</p>
REV. DATE	<p>THIS DRAWING AND ALL INFORMATION CONTAINED THEREON IS THE PROPERTY OF NORTHERN ENVIRONMENTAL INCORPORATED AND SHALL NOT BE COPIED OR USED EXCEPT FOR THE PURPOSE FOR WHICH IT IS EXPRESSLY FURNISHED.</p>		
<p>Northern Environmental Hydrologists • Engineers • Geologists</p>			<p>FOR: TED BAGINSKI & SONS, INC.</p>



LEGEND

-  MW1000 89.19 MONITORING WELL LOCATION WITH GROUND WATER ELEVATION ON 8/28/98
 CONTOUR LINE INTERVAL = 0.04 FEET
-  FORMER DISPENSER LOCATION
-  SAND POINT WELL LOCATION
-  EXISTING PROPANE AST (ABOVEGROUND STORAGE TANK)
-  FORMER UST (UNDERGROUND STORAGE TANK) LOCATION
 UST1: 2000 GALLON DIESEL
 UST2: 2000 GALLON UNLEADED GASOLINE
-  BOUNDARY BETWEEN DIFFERING SURFACE MATERIALS
-  BURIED TELEPHONE LINE
-  BURIED PROPANE LINE
-  89.30 GROUNDWATER CONTOUR LINE



DRAWN BY: SXM	PROJECT: TBS-0540	DATE: 12/2/98	FIGURE 2 GROUNDWATER ELEVATION MAP (8/28/98) BAGINSKI FARMS ANTIGO, WISCONSIN
REV. DATE 12/4/98	THIS DRAWING AND ALL INFORMATION CONTAINED THEREON IS THE PROPERTY OF NORTHERN ENVIRONMENTAL INCORPORATED AND SHALL NOT BE COPIED OR USED EXCEPT FOR THE PURPOSE FOR WHICH IT IS EXPRESSLY FURNISHED.		
 Northern Environmental™ Hydrologists • Engineers • Geologists			FOR: TED BAGINSKI & SONS, INC.

Table 1 Ground-Water Analytical Results, Baginski Farms, Antigo, Wisconsin

Well ID	Date Sampled	Relevant and Significant Analytical Results (ug/l)																												
		DRO	GRO	Lead	Benzene	n-Butylbenzene	sec-Butylbenzene	Ethylbenzene	Isopropylbenzene	MTBE	Naphthalene	n-Propylbenzene	Tetrachloroethene	Toluene	1,2,4-Trimethylbenzene	1,3,5-Trimethylbenzene	Xylenes	Acenaphthene	Anthracene	Benzo(A)Pyrene	Benzo(B)Fluoranthene	Benzo(K)Fluoranthene	Fluoranthene	Fluorene	1-Methyl Naphthalene	2-Methyl Naphthalene	Naphthalene	Phenanthrene	Pyrene	
WDNR PAL (ug/l)	NE	NE	1.5	0.5	NE	NE	140	NE	NE	12	8	NE	0.5	68.6	NE	NE	124	NE	NE	0.02	NE	NE	NE	NE	80	NE	NE	8	NE	NE
WDNR ES (ug/l)	NE	NE	15	5	NE	NE	700	NE	NE	90	40	NE	5	343	NE	NE	620	NE	NE	0.2	NE	NE	NE	400	NE	NE	40	NE	NE	
MM800	07/31/97	1200	<100	2-J*	1.3	3.3	<0.68	0.6	<0.68	<0.21	4.1	0.6	<0.13	<1.5	2.4	1.3	2.74	1.5	0.17	<0.07	<0.05	<0.008	4	1.2	9	11	4	1.8	<0.18	
	10/29/97	...	...	...	17	...	<6.8	...	<6.8	3.4-J*	3.5	...	<1.5	<1.5	29	<6.8	39	1.1	0.2	<0.073	<0.045	<0.008	<1.3	2.2	17	17	13	5	<0.18
	03/08/98	...	...	...	<0.21	...	<0.68	...	<0.68	0.7-J*	85	...	<1.5	2	44	6.5	27	...	...	...	...	...	...	...	...	...	...	...	...
	08/28/98	...	...	...	9.8	...	5.8	...	<0.38	1.1	79	...	0.62	<1.5	35	3.4	31	...	...	...	...	...	...	...	...	...	...	...	...
MM900	11/13/98	<100	<100	3-J*	<0.21	<0.38	<0.68	<0.1	<0.098	<0.21	<1	<0.4	<0.22	<0.062	<0.063	<0.1	<1.74	...	...	...	...	...	...	...	...	...	...	...	...
	07/31/97	...	...	...	<0.1	<0.12	<0.07	<0.1	<0.098	<0.18	<0.15	<0.1	<0.35	<0.35	<0.35	<0.64	<0.98	...	...	...	...	...	...	...	...	...	...	...	...
	10/29/97	...	...	...	<0.32	<0.34	<0.34	<0.34	<0.34	<0.31	<0.88	<0.3	<0.35	<0.35	<0.35	<0.34	<0.98	...	...	...	...	...	...	...	...	...	...	...	...
	08/28/98	4500	420	...	<0.21	22	2.8	<0.68	1.2	<0.21	42.3	2.1	<0.13	<1.5	17	1.3	5.1	6	0.8	0.25	0.3	<0.008	9	4	50	60	8	9	<0.18	
MM1000	07/31/97	...	...	...	<0.21	...	...	...	...	<0.21	7.3	...	<1.5	5.1	1.2	1.2	<1.8	<2.5	0.074	<0.073	<0.045	<0.008	<1.3	0.84	5	0.88	1	0.87	0.22
	09/11/97	...	...	...	<0.21	...	...	...	...	<0.21	4.2	...	<1.5	2.1	<0.88	<1.8	<1.8	<0.25	0.044	<0.073	<0.045	<0.008	...	...	...	...	...	...	...
	10/29/97	...	...	...	0.7T	...	<0.68	...	...	<0.21	4.2	...	<1.5	2.1	<0.88	<1.8	<1.8	<0.25	0.044	<0.073	<0.045	<0.008	...	...	...	...	...	...	...
	03/08/98	...	...	...	<0.32	<0.23	<0.34	<0.34	<0.34	<0.31	<0.88	<0.3	<0.35	<0.35	<0.35	<0.35	<0.64	<0.98	...	...	...	...	...	...	...	...	...	...	...
	08/28/98	...	...	...	<0.25	...	<0.32	...	...	<0.21	<0.73	...	<0.38	<0.38	<0.34	<0.36	<1.0	...	...	...	...	...	...	...	...	...	...	...	...
	11/13/98	...	...	...	<0.21	...	<0.68	...	...	<0.21	<1	...	<0.35	<0.35	<0.35	<0.64	<0.98	...	...	...	...	...	...	...	...	...	...	...	...
MM1100	07/31/97	<100	<100	<1	<0.21	<0.38	<0.6	<0.68	<0.38	<0.21	<1	<0.4	<0.13	<1.5	<1	<0.88	<1.78	...	...	...	...	...	...	...	...	...	...	...	...
	10/29/97	...	...	...	<0.21	...	...	...	...	<0.21	<1	<0.4	<0.13	<1.5	<1	<0.88	<1.78	...	...	...	...	...	...	...	...	...	...	...	...
	06/11/97	...	...	...	<0.21	<0.38	<0.6	<0.68	<0.38	<0.21	<1	<0.4	<0.13	<1.5	<1	<0.88	<1.78	...	...	...	...	...	...	...	...	...	...	...	...
Sand Point	10/29/97	...	...	...	<0.21	...	...	...	...	<0.21	<1	<0.4	<0.13	<1.5	<1	<0.88	<1.78	...	...	...	...	...	...	...	...	...	...	...	...
	06/11/97	...	...	...	<0.21	...	...	...	...	<0.21	<1	<0.4	<0.13	<1.5	<1	<0.88	<1.78	...	...	...	...	...	...	...	...	...	...	...	...
	10/29/97	...	...	...	<0.21	...	...	...	...	<0.21	<1	<0.4	<0.13	<1.5	<1	<0.88	<1.78	...	...	...	...	...	...	...	...	...	...	...	...
	03/08/98	...	...	...	<0.21	...	...	...	...	<0.21	<1	<0.4	<0.13	<1.5	<1	<0.88	<1.78	...	...	...	...	...	...	...	...	...	...	...	...
	08/28/98	...	...	...	<0.32	...	...	...	...	<0.31	<0.88	...	<0.35	<0.35	<0.64	<0.98	<1.8	...	...	...	...	...	...	...	...	...	...	...	...
	11/13/98	...	...	...	<0.25	...	...	...	...	<0.21	<0.73	...	<0.38	<0.38	<0.34	<0.36	<1.0	...	...	...	...	...	...	...	...	...	...	...	...

Key:
 GRO = Gasoline Range Organics
 DRO = Diesel Range Organics
 MTBE = methyl-tertiary-butyl-ether
 ug/l = micrograms per liter
 WDNR = Wisconsin Department of Natural Resources
 PAL = Preventive Action Limit
 ES = Enforcement Standard
 NE = Not established by WDNR
 ... = Not analyzed
 323 = WDNR PAL Exceeded
 32 = WDNR ES Exceeded

