

GIS REGISTRY

Cover Sheet

July, 2008
(RR 5367)

Source Property Information

BRRTS #: 02-35-364194

ACTIVITY NAME: KWATERSKI MILLWORK

PROPERTY ADDRESS: 1111 W JACKSON ST

MUNICIPALITY: MERRILL

PARCEL ID #: 3106-152-0020

CLOSURE DATE: Apr 28, 2009

FID #: 735060150

DATCP #:

COMM #:

*WTM COORDINATES:

X: 542378 Y: 522220

** 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:**
- 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 #: -- **Title: Lincoln County WI Internet Maps & Aerial Photos**
- 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 #: NA **Title:**

BRRTS #: 02-35-364194

ACTIVITY NAME: KWATERSKI MILLWORK

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 #: NA Title:

Figure #: Title:

- 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: Former Kwaterski Millwork

- 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 Direction 4/29/08, 7/24/08, 10/22/08, 1/26/09

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 #: NA Title:

- 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: Sample Results - Groundwater

- 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: Sample Results - Groundwater

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).

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ACTIVITY NAME: KWATERSKI MILLWORK

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: 1**
- 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: NA**

Impacted Off-Source Property Information

Form 4400-246 (R 3/08)

This fillable form is intended to provide a list of information that must be submitted for evaluation for case closure. It is to be used in conjunction with Form 4400-202, Case Closure Request (Section H). 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.

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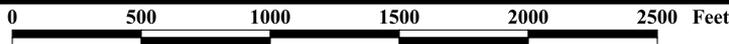
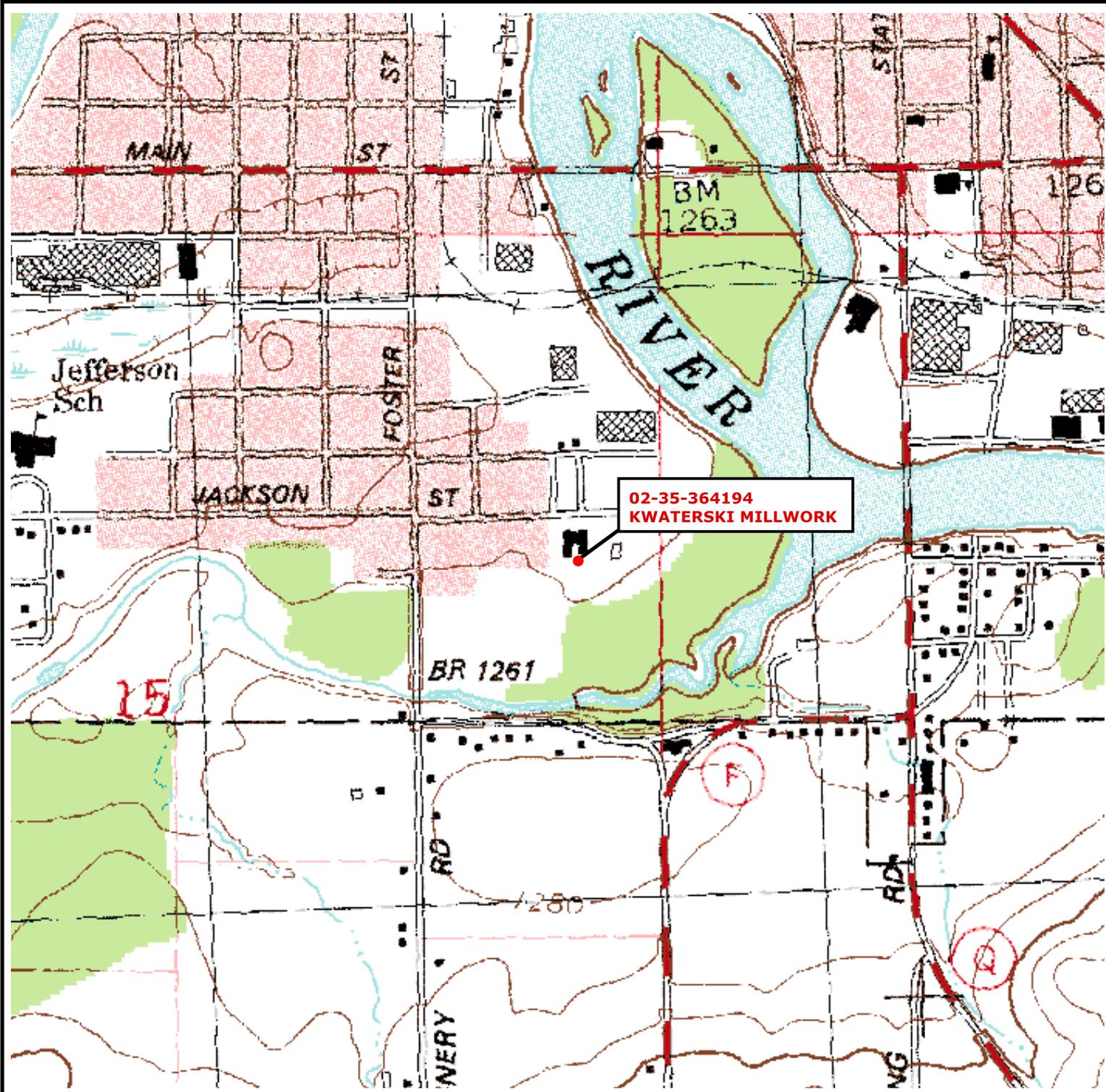
BRRTS #:

02-35-364194

ACTIVITY NAME:

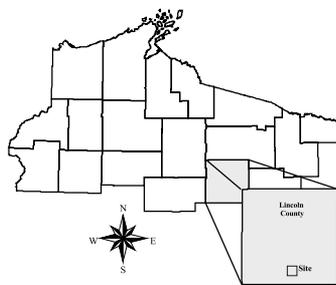
KWATERSKI MILLWORK

ID	Off-Source Property Address	Parcel Number	WTM X	WTM Y
A	1109 W. Jackson St	3106-152-0188	542397	522209
B				
C				
D				
E				
F				
G				
H				
I				



View Scale 1:9000

MERRILL QUADRANGLE
LINCOLN COUNTY, WIS.
7.5 Minute Series (Topographic)
NW/4 Merrill 15' 1982

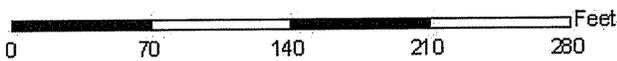
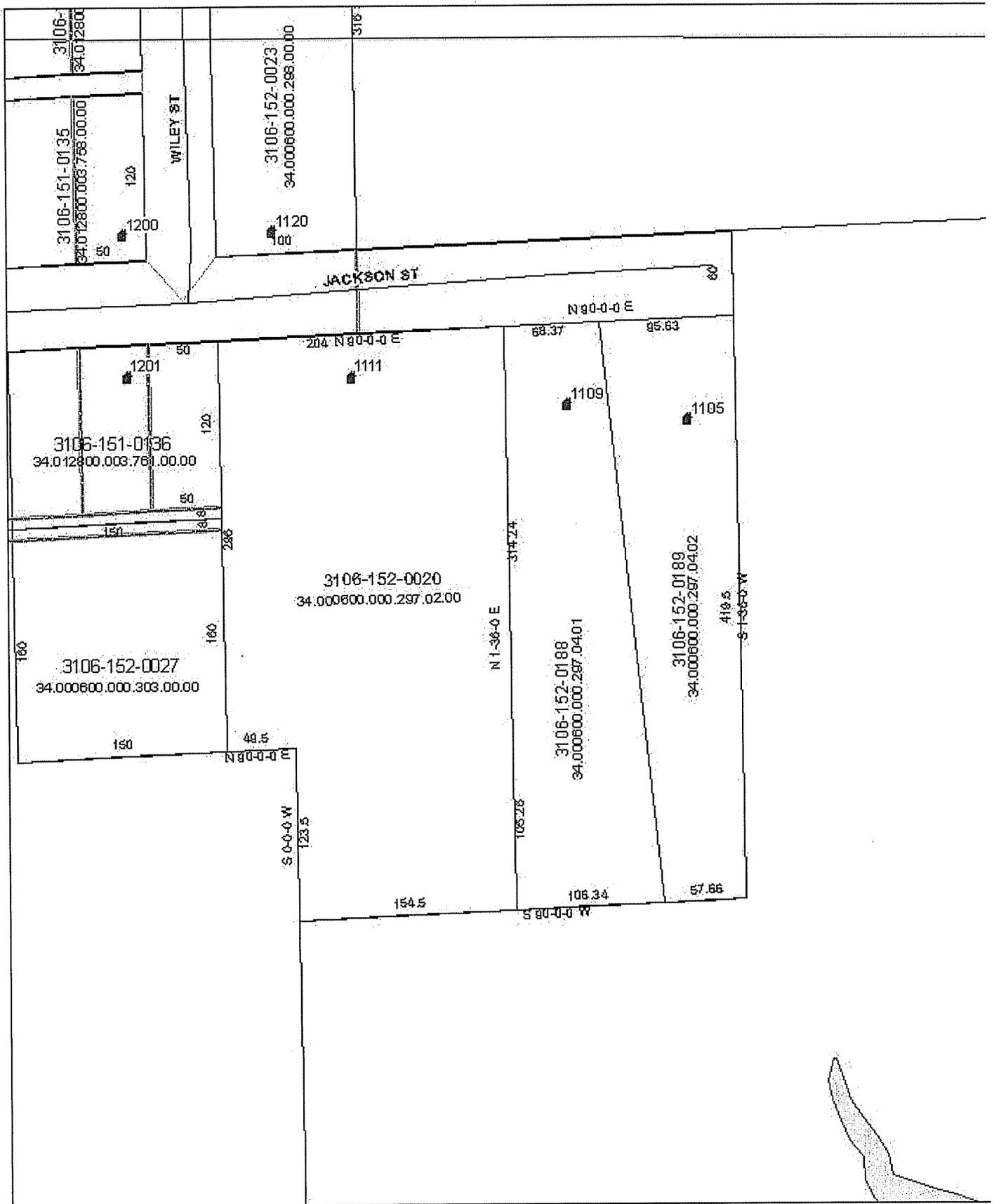


The data shown on this map have been obtained from various sources, and are of varying age, reliability and resolution. This map is not intended to be used for navigation, nor is this map an authoritative source of information about legal land ownership or public access. Users of this map should confirm the ownership of land through other means in order to avoid trespassing. No accuracy, expressed or implied, is made regarding ownership, applicability for a particular use, completeness, or legality of the information depicted on this map.

Figure 1
Site Location Map
02-35-364194
Former Kwaterski Millwork
City of Merrill
Lincoln County, WI



Lincoln County WI Internet Maps



This Map was produced and updated by the Lincoln County Land Information and Conservation Department. The map is based on aerial photography and other base maps. The data layers are a

Address:
Land Information and Conservation

WILEY ST.

JACKSON ST.

MW-1

Extent of Known
Groundwater Above
an NR140 Enforcement
Standard.

MW-2

MW-3

1" = 100' (Feet)

North

FORMER KWATERSKI MILLWORK
MERRILL, WISCONSIN

MSA

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DATE

SHEET of

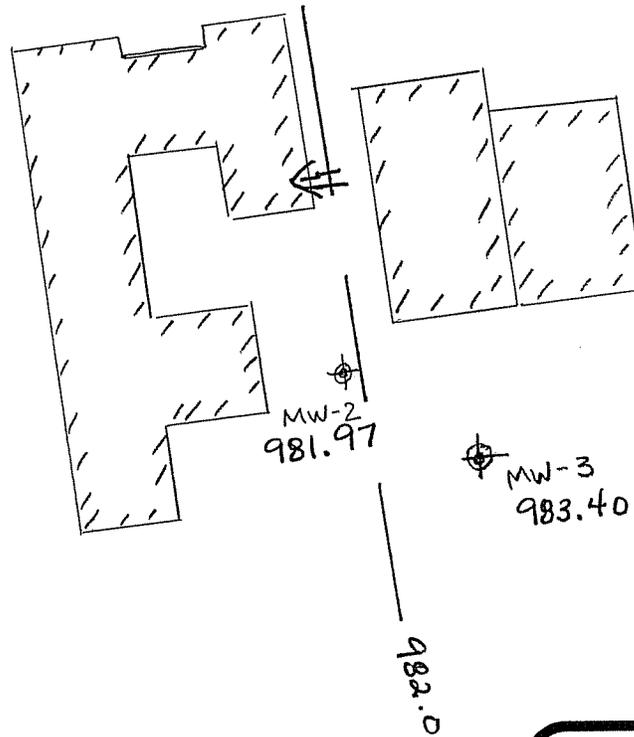
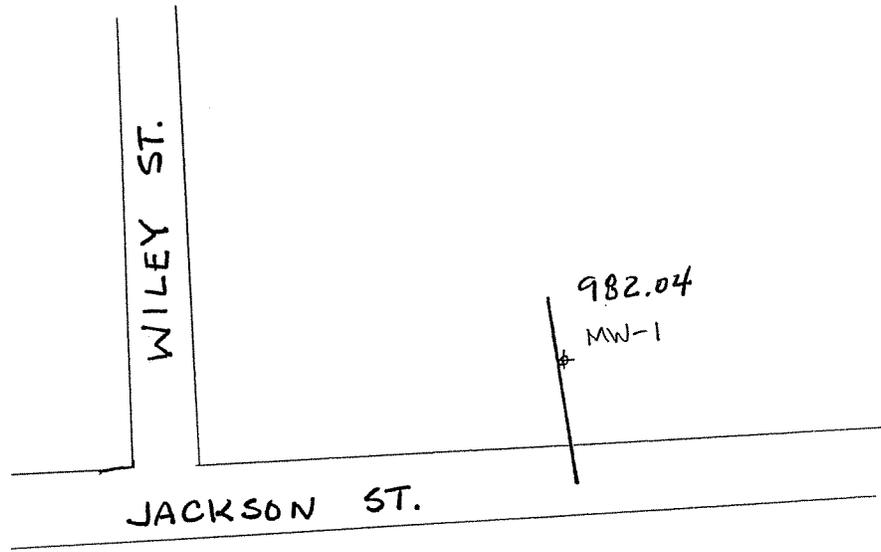
CHECKED BY

SCALE

FILE NO.

1/31/2008
1:31:22 PM

Groundwater Flow Direction
 April 29, 2008



1" = 100' (Feet)

4
 North

FORMER KWATERSKI MILLWORK
 MERRILL, WISCONSIN

MSA

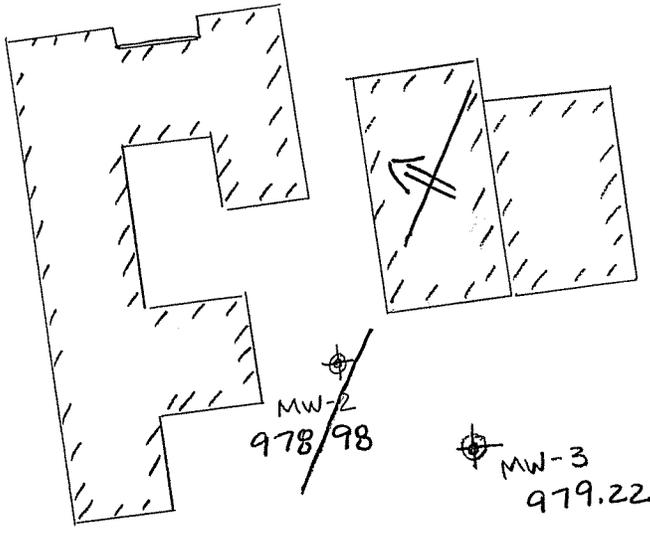
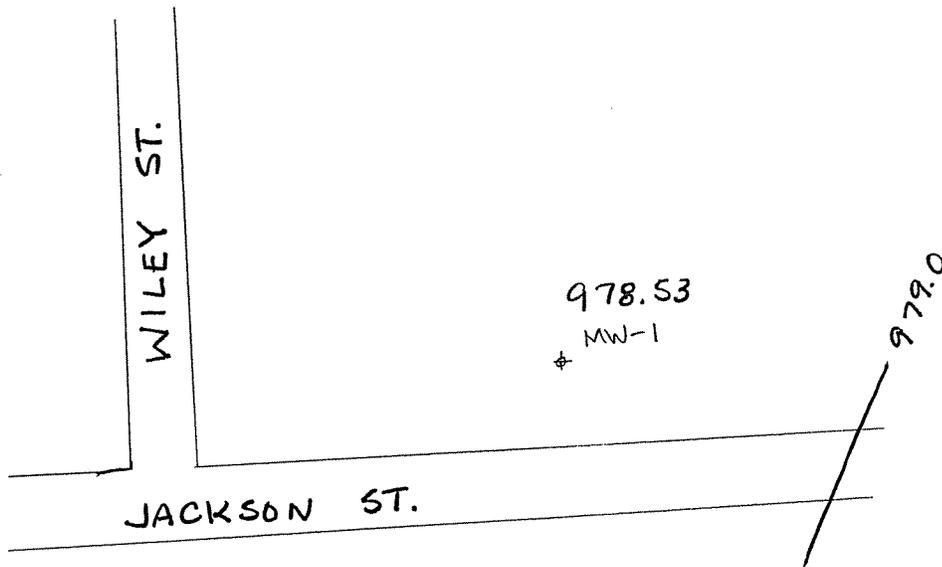
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Groundwater Flow Direction
July 24, 2008



1" = 100' (Feet)



FORMER KWATERSKI MILLWORK
MERRILL, WISCONSIN

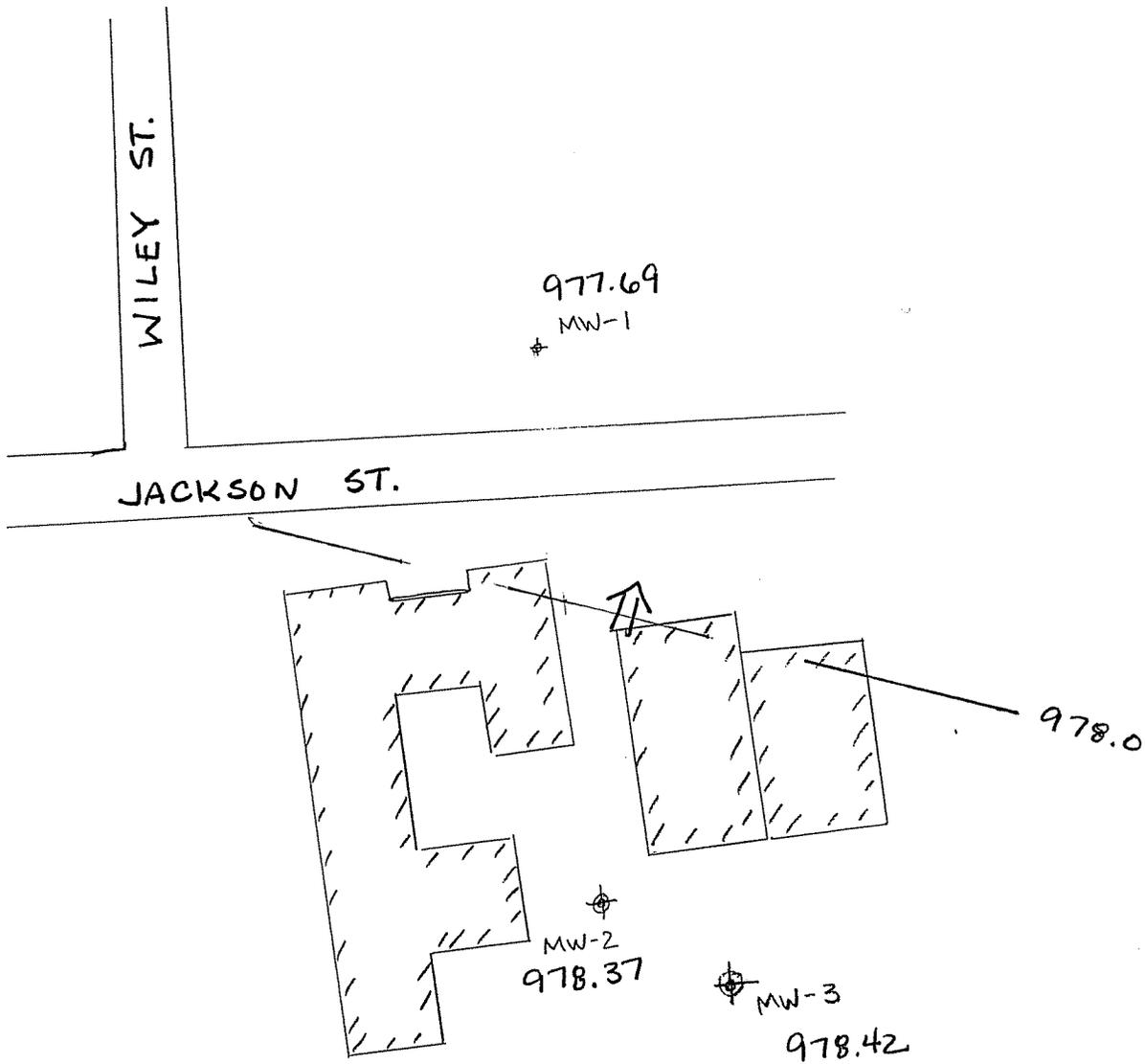


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1/31/2008
1:31:22 PM

Groundwater Flow Direction
October 22, 2008



1" = 100' (Feet)



FORMER KWATERSKI MILLWORK
MERRILL, WISCONSIN

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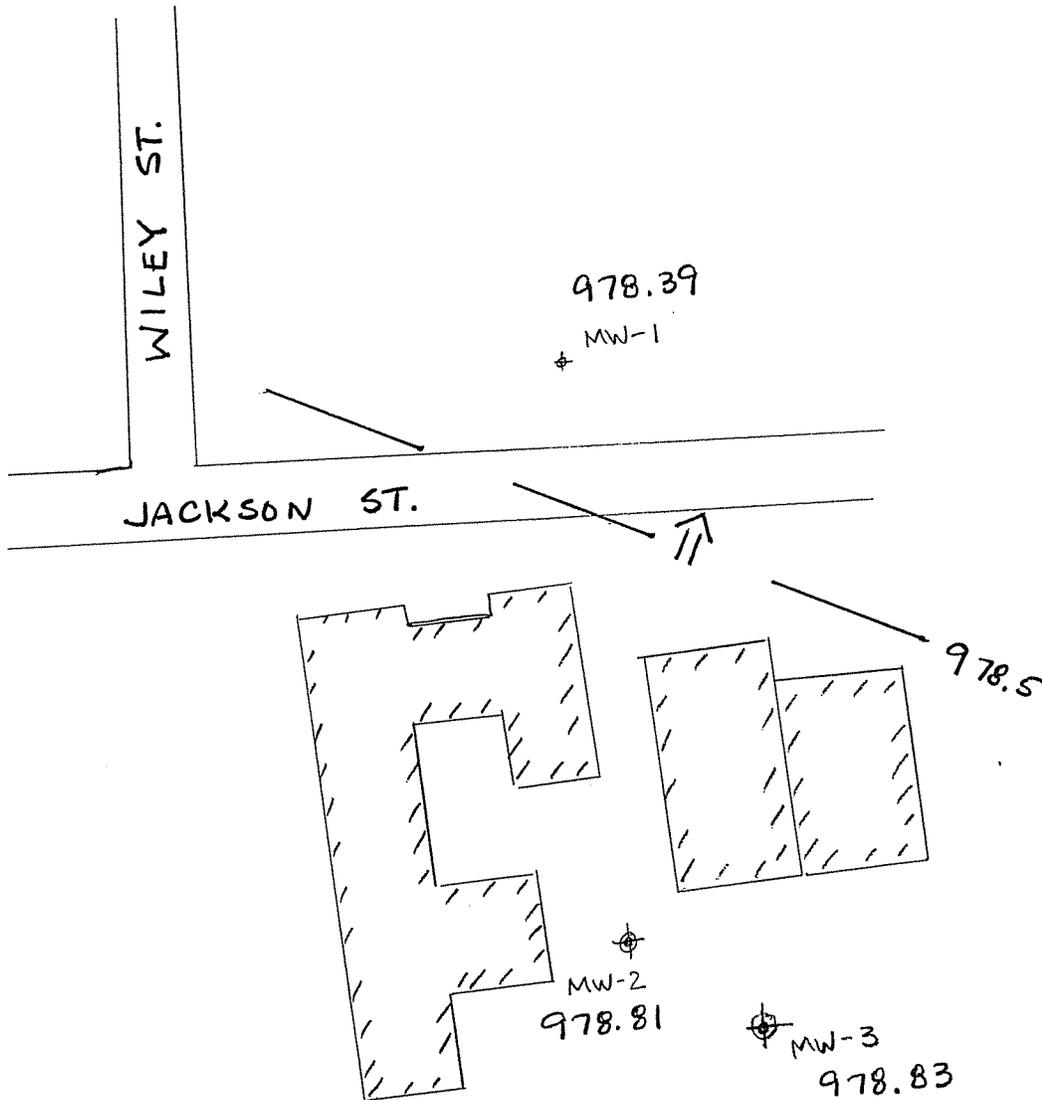
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SHEET _____ of _____
FILE NO.

Groundwater Flow Direction
January 26, 2009



1" = 100' (Feet)

↑
North

FORMER KWATERSKI MILLWORK
MERRILL, WISCONSIN

MSA

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SHEET _____ of _____
FILE NO.

Sample Results - Groundwater
Former Kwaterski Millwork, Merrill, Wisconsin
BRRTS # 02-35-364194

	Acetone	Benzene	n-Butyl- benzene	sec-Butyl- benzene	tert-Butyl- benzene	Carbon Disulfide	Chloro- benzene	Chloro-ethane	Chloroform	Chloro- methane	1,2-Dichloro- benzene	1,4-Dichloro- benzene	Dichloro- difluoro- methane	cis-1,2- Dichloro- ethene	1,2-Dichloro- propane	Ethyl-benzene	Isopropyl- benzene	p-Isopro- pytoluene	Methylene chloride	Naph-thalene	n-Propyl- benzene	Toluene	1,2,3-Trichloro- propane	1,2,4-Tri- methyl- benzene	1,3,5-Tri- methyl- benzene	Vinyl Chloride	m&p Xylene	o-Xylene	
NR 140 ES	1000	5				1000		400	6	3	600	75	1000	70	5	700			5	100		1000		480*	480*	0.2	10000'	10000'	
NR 140 PAL	200	0.5				200		80	0.6	0.3	60	15	200	7	0.5	140			0.5	10		200		96*	96*	0.02	1000'	1000'	
MW-1																													
29-Apr-08	<7.0	<0.16	<0.24	<0.29	<0.23	<0.50	<0.30	<0.40	<0.22	<0.30	<0.40	<0.50	<0.40	<0.40	<0.21	<0.28	<0.20	<0.17	<0.50	<0.60	<0.20	<0.20	<0.30	<0.24	<0.19	<0.15	<0.50	<0.50	
24-Jul-08	<7.0	<0.16	<0.24	<0.29	<0.23	<0.50	<0.30	<0.40	<0.22	<0.30	<0.40	<0.50	<0.40	<0.40	<0.21	<0.28	<0.20	<0.17	<0.50	<0.60	<0.20	<0.20	<0.30	<0.24	<0.19	<0.15	<0.50	<0.50	
22-Oct-08	<7.0	<0.16	<0.24	<0.29	<0.23	<0.50	<0.30	<0.40	<0.22	<0.30	<0.40	<0.50	<0.40	<0.40	<0.21	<0.28	<0.20	<0.17	<0.50	<0.60	<0.20	<0.20	<0.50	<0.24	<0.19	<0.15	<0.50	<0.50	
26-Jan-09	<7.0	<0.16	<0.24	<0.29	<0.23	2.2	<0.30	<0.40	<0.22	0.36	<0.40	<0.50	<0.40	<0.40	<0.21	<0.28	<0.20	<0.17	<0.50	<0.60	<0.20	<0.20	<0.30	<0.24	<0.19	<0.15	<0.50	<0.50	
MW-2																													
Sep-07		16							1.9																				
29-Apr-08	23	18	<0.24	0.65	<0.23	<0.50	2.9	0.45	<0.22	<0.30	<0.40	12	4.7	<0.40	14	22	2.6	0.66	<0.50	5.8	0.79	1.8	<0.30	11	4.9	1.6	400	110	
24-Jul-08	<14	15	2.0	1.8	<0.46	<1.0	1.9	<0.80	<0.44	<0.60	<0.80	7.3	2.2	<0.80	1.7	6.1	3.4	2.3	<1.0	5.3	0.76	0.80	<0.60	7.7	4.5	1.2	120	23	
22-Oct-08	<7.0	17	<0.24	0.60	<0.23	<0.50	2.2	0.57	<0.22	<0.30	0.44	7.9	3.3	<0.40	1.8	4.1	2.3	0.53	<0.50	4.4	0.55	0.39	<0.30	2.3	3.1	1.9	38	4.0	
26-Jan-09	<7.0	15	<0.24	0.65	<0.23	2.2	2.3	0.52	<0.22	<0.30	<0.40	8.4	2.9	<0.40	<0.21	<0.28	1.3	<0.17	<0.50	2.8	<0.20	<0.20	<0.30	<0.24	1.2	1.9	1.8	<0.50	
MW-3																													
Sep-07		34							27																				
29-Apr-08	<7.0	24	<0.24	2.6	0.50	<0.50	2.2	0.73	<0.22	<0.30	1.7	8.3	1.1	0.77	0.81	12	12	2.1	<0.50	21	12	1.5	0.35	100	32	1.8	500	6.9	
24-Jul-08	<14	17	2.9	2.8	1.9	<1.0	2.0	<0.80	<0.44	<0.60	1.1	8.2	2.6	<0.80	<0.42	17	6.7	3.4	<1.0	6.4	6.9	1.2	<0.60	58	18	0.53	280	8.2	
22-Oct-08	<35	21	2.4	2.0	<1.2	<2.5	3.0	<2.0	<1.1	<1.5	<2.0	7.5	3.5	<2.0	<1.1	<1.4	8.7	<0.85	8.0	7.1	9.4	<1.0	<1.5	75	29	<0.75	81	<2.5	
26-Jan-09	<7.0	23	4.7	3.3	0.78	2.2	3.3	<0.40	<0.22	0.39	1.9	8.5	2.2	<0.40	<0.21	1.6	11	3.2	<0.50	11	14	0.52	<0.50	31	37	<0.15	48	<0.50	
Dup(MW-2)																													
29-Apr-08	21	18	<0.24	0.57	<0.23	<0.50	2.9	0.52	<0.22	<0.30	0.41	11	4.1	<0.40	12	20	2.5	0.62	<0.50	5.2	0.68	1.7	<0.30	9.6	4.5	1.6	360	97	
22-Oct-08	<7.0	16	<0.24	0.57	<0.23	<0.50	2.4	0.43	<0.22	<0.30	<0.40	7.4	3.7	<0.40	1.6	3.9	2.5	<0.17	<0.50	4.7	0.51	<0.20	<0.30	1.9	3.1	1.7	32	3.6	
Trip Blank																													
29-Apr-08	<7.0	<0.16	<0.24	<0.29	<0.23	<0.50	<0.30	<0.40	<0.22	<0.30	<0.40	<0.50	<0.40	<0.40	<0.21	<0.28	<0.20	<0.17	<0.50	<0.60	<0.20	<0.20	<0.30	<0.24	<0.19	<0.15	<0.50	<0.50	
22-Oct-08	<7.0	<0.16	<0.24	<0.29	<0.23	<0.50	<0.30	<0.40	<0.22	0.30	<0.40	<0.50	<0.40	<0.40	<0.21	<0.28	<0.20	<0.17	3.2	<0.60	<0.20	<0.20	<0.30	<0.24	<0.19	<0.15	<0.50	<0.50	

* = standard is for total trimethylbenzenes

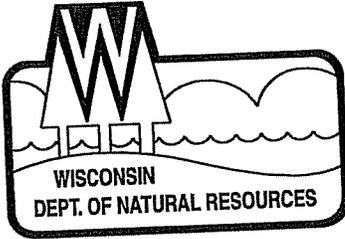
' = standard is for total xylenes

Concentrations in BOLD exceed a Wisconsin Administrative Code NR 140 enforcement standard

Sample Results - Groundwater
Former Kwaterski Millwork, Merrill, Wisconsin
BRRTS # 02-35-364194

Units	Ground Water Elevation feet	Color	Odor	Field Conductivity	Field pH	Temp Degrees C	Hardness mg/L	Turbidity NTU
MW-1	Top of Casing Elevation = 999.24							
29-Apr-08	982.04	tan	no odor	NO	6.29	5.11	19.5	1412
24-Jul-08	978.53	lt. brown	no odor	312	6.33	11	150	yes, sediment
22-Oct-08	977.69	lt. brown	no odor	387	6.2	9.4	121	yes, some sediment
26-Jan-09	978.39	cloudy brown	no odor	351	6.29	8.49	120	yes, cloudy
MW-2	Top of Casing Elevation = 999.58							
29-Apr-08	981.97	brown	no odor	NO	6.68	8.98	369	96.2
24-Jul-08	978.98	lt. brown	slight odor	829	6.18	10.7	374	yes, some sediment
22-Oct-08	978.37	lt. brown	yes	822	6.1	10.3	353	yes, some sediment
26-Jan-09	978.81	light tan	no odor	662	6.22	9.39	401	yes, cloudy
MW-3	Top of Casing Elevation = 1002.49							
29-Apr-08	983.40	gray	odor	NO	6.11	9.97	424	840
24-Jul-08	979.22	brown-gray	leachate	1073	6.26	11	366	yes, some sediment
22-Oct-08	978.42	none	leachate	1316	6.27	9.6	398	yes
26-Jan-09	978.83	none	yes	1288	6.47	8.67	412	yes, cloudy

Water elevations are based on a site datum of 1,000 feet.
 NO = not operational; field meter did not meet calibration criteria



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

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

February 24, 2009

REGISTERED MAIL

Duane Yorde
Lincoln Leasing
1111 W. Jackson Street
Merrill, WI 54452

Subject: Former Kwaterski Millwork Site Located along the 1100 bock of Jackson Street,
Merrill, WI (BRRTS # 02-35-364194)

Dear Mr. Yorde:

This letter is to give you a brief description of the work that the WDNR has done at the above referenced site, and notify you of our intentions to seek closure of the petroleum solvent release site (BRRTS # 02-35-364194). The closure we are seeking is not associated with any potential liability associated with the old closed landfill also associated with your properties.

In August and September of 2007 the WDNR in conjunction with USEPA conducted a Preliminary Assessment (PA) and Site Investigation (SI) of the illegal dumping in the 1990s of petroleum solvents in the area south of the building at 1109 and 1111 W. Jackson Avenue. The PA/SI consisted of obtaining soil samples from six soil borings and three wetland locations. In addition, groundwater samples from three monitoring wells were collected. Results of the initial sampling have shown that the known dumping of petroleum solvents in the area is not a major concern for the health and welfare of the general public or the environment. Sampling results did show the soils and groundwater to be above the State clean-up standards. These exceedences in the State clean-up standards are most likely a result of the combination from the dumping of solvents and the closed landfill in the area. Soil cores retrieved from our sampling did contain refuse from the old landfill site.

In an attempt to move the petroleum solvent release site to closure under State regulations, in 2008 the WDNR elected to conduct four additional rounds of groundwater sampling in the hope that the remaining contamination would be shown to be stable or decreasing and natural attenuation will ultimately clean-up the site. The additional sampling at the site has now shown this to be true. Closure of the site concerning the dumping of the solvents requires placing the location on a GIS registry of closed sites indicating that the area still has groundwater contamination remaining above an NR 140 enforcement standard.

Before closure can be considered, state regulations require that a notification be given to landowners whose property has groundwater contamination that exceeds NR 140 enforcement standards at the time site closure is sought. Please read the following notification carefully:

NOTIFICATION

Groundwater contamination appears to have originated on the property located at 1109 and 1111 W. Jackson Avenue due to the illegal dumping and burning of petroleum solvents by a previous owner (Eugene Waterski) on the properties. The levels of benzene and vinyl chloride contamination in the groundwater on your property are above the state groundwater enforcement standards found in chapter NR 140, Wisconsin Administrative Code. However, upon my review I believe that this groundwater contaminant plume is stable and will naturally degrade over time. I believe that allowing natural attenuation to complete the cleanup at this site will meet the requirements for case closure that are found in chapter NR 726, Wisconsin Administrative Code, and I will be requesting that the Department of Natural Resources accept natural attenuation as the 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, other than the reliance on natural attenuation.

The Department of Natural Resources will not review this 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 Natural Resources that is relevant to this closure request, you should mail that information to me at the above address.

If this case is closed, all properties within the site boundaries where groundwater contamination exceeds chapter NR 140 groundwater enforcement standards 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 groundwater contamination above chapter NR 140 enforcement standards 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 website.

Once the Department grants closure, you may obtain a copy of all closure documentation by accessing the DNR GIS Registry of Closed Remediation Sites on the internet at <http://www.dnr.wi.gov/org/aw/rr/gis/index.htm>.

Should you or any subsequent property owner wish to construct or reconstruct a well on your property, special well construction standards may be necessary to protect the well from the residual groundwater contamination. Any well driller who proposes to construct a well on your property (or within 1200 feet of the old landfill) in the future will first need to obtain approval from DNR's Waste and Materials Management Program. The application for a variance to construct a water supply well within 1200 feet of a landfill, form 3300-209, is on the internet at <http://dnr.wi.gov/org/aw/rr/rbrownfields/Form%203300-209.pdf>

Residual soil contamination and solid waste remains at the locations associated with the closed landfill as shown on the attached figure. The remaining contaminants include municipal and industrial solid waste. The old landfill has been covered with a soil cap to prevent direct contact with any associated contamination. No building or excavation of soils associated with the areas of the old landfill is allowed without prior written DNR approval. Any person who proposes to disturb the soil cover on your property in the future will first need to obtain approval from the DNR's Waste and Materials Management Program. Information for "Development on Historic Fill Sites and Licensed Landfills" and the application, form 3300-254, is on the internet at http://dnr.wi.gov/org/aw/rr/rbrownfields/historic_fill.htm.

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 restrictions in disturbing the existing soil cover and installing potable wells in the area are required to prevent a health threat to humans.

If you have questions concerning this letter, or the notification you can contact me at the address above or by telephone at (715) 365-8965.

Sincerely,



William Schultz, Project Manager
Bureau of Remediation and Redevelopment



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

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

February 24, 2009

Lee Kusseron
W 3608 CTH "P"
Merrill, WI 54452

REGISTERED MAIL

Subject: Former Kwaterski Millwork Site Located along the 1100 bock of Jackson Street,
Merrill, WI
(BRRTS # 02-35-364194)

Dear Mr. Kusseron:

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If you have questions concerning this letter, or the notification you can contact me at the address above or by telephone at (715) 365-8965.

Sincerely,



William Schultz, Project Manager
Bureau of Remediation and Redevelopment

386241

Document Number

This Deed, made between Merrill Millwork, Inc. by William Bauman, President Stanley F. Bauman a/k/a Stanley Bauman and Lydia Bauman, Grantor, and Cotnduf, Inc.

LINCOLN COUNTY, WIS

Received for Record the 5th day of May A.D. 2000 at 2:30 o'clock P. M. and Recorded in Vol. 665 of RECORDS on page 533
Jolene Callahan
REGISTER OF DEEDS

Grantor, for a valuable consideration, conveys to Grantee the following described real estate in Lincoln County, State of Wisconsin (the "Property"): Lot One (1) of Certified Survey Map No. 941, dated May 31, 1996, recorded June 12, 1996 in Vol. 4 of Certified Surveys on page 312 as Document No. 349958, being a part of Assessor's Plat No. 606 of the City of Merrill, Lincoln County, Wisconsin.

41000 Rd. Leon Kusserow
Recording Area
Name and Return Address # 11347

But
NTS

34.0006.000.297.04.00

Parcel Identification Number (PIN)
This is not homestead property.
(is) (is not)

TRANSFER
\$ 120.00
FEE

Together with all appurtenant rights, title and interests.

Grantor warrants that the title to the Property is good, indefeasible in fee simple and free and clear of encumbrances except

Dated this 17th day of April, 2000.

William H. Bauman (SEAL)
* Merrill Millwork, William Bauman
President (SEAL)
*

Stanley F. Bauman (SEAL)
* Stanley F. Bauman
Lydia Bauman (SEAL)
* Lydia Bauman

AUTHENTICATION

ACKNOWLEDGMENT

Signature(s) _____

State of Wisconsin,

authenticated this _____ day of _____

Lincoln County, } ss.
Personally came before me this 17th day of April, 2000, the above named William Bauman, Stanley F. Bauman Lydia Bauman

* TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, _____
authorized by §706.06, Wis. Stats.)

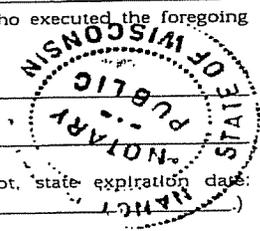
_____ to
me known to be the person is who executed the foregoing
instrument and acknowledge the same.

THIS INSTRUMENT WAS DRAFTED BY

Nancy M. Hayes
Nancy M. Hayes

Leon E. Kusserow

* Notary Public, State of Wisconsin
My commission is permanent. (If not, state expiration date: 18, 2000)



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

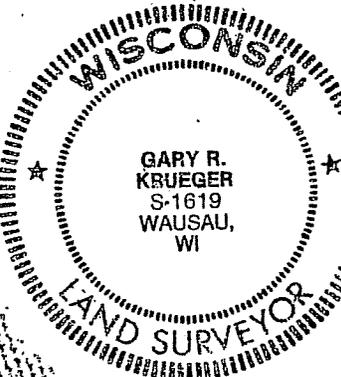
VOL. 665 PAGE 533

* Names of persons signing in any capacity must be typed or printed below their signature.

349958

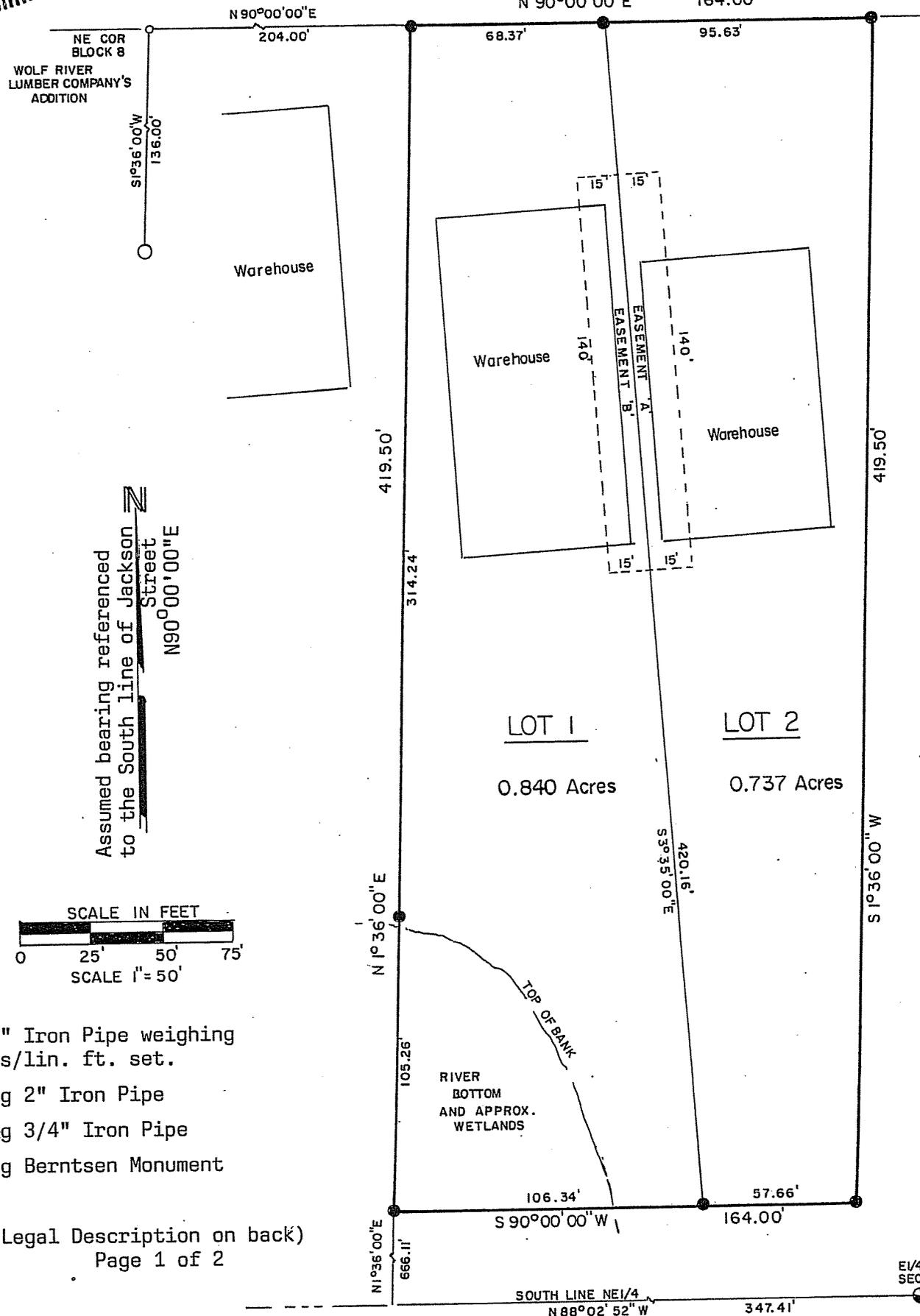
CERTIFIED SURVEY MAP # 941

SE $\frac{1}{4}$, NE $\frac{1}{4}$, Sec. 15, T31N, R6E, City of Merrill, Lincoln Co., WI

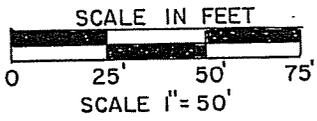


Gary R. Krueger
5-31-96

30' JACKSON STREET



Assumed bearing referenced to the South line of Jackson Street N 90°00'00"E



- 1" x 24" Iron Pipe weighing 1.68 lbs/lin. ft. set.
- Existing 2" Iron Pipe
- Existing 3/4" Iron Pipe
- ⊕ Existing Berntsen Monument

(Legal Description on back)
Page 1 of 2

E $\frac{1}{4}$ COR SEC. 15

CERTIFIED SURVEY MAP FOR STANLEY BAUMAN

I, Gary R. Krueger, Registered Land Surveyor, do hereby certify: That I have surveyed, divided and mapped by the order of Stanley Bauman, a parcel of land located in the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 15; Township 31 North, Range 6 East, City of Merrill, Lincoln County, Wisconsin described as follows:

Commencing at the Northeast corner of Block 8 of Wolf River Lumber Company's Addition to the City of Merrill; thence $N90^{\circ}00'00''E$, along the extension of the South line of Jackson Street, 204.00 feet to the point of beginning; thence continuing $N90^{\circ}00'00''E$, along the South line of Jackson Street extended, 164.00 feet; thence $S1^{\circ}36'00''W$, 419.50 feet; thence $S90^{\circ}00'00''W$, 164.00 feet; thence $N1^{\circ}36'00''E$, 419.50 feet to the point of beginning.

Subject to all roadways and easements of record.

That such plat is a correct representation of all exterior boundaries of the land surveyed.

That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes, Chapter A-E7 of the Wisconsin Administrative Code and the Land Division Regulations of the County of Lincoln and the City of Merrill in surveying, dividing and mapping the same.

Together with the following described easements:

EASEMENT 'A'

Commencing at the Northwest corner of Lot 2 as shown hereon; thence $S3^{\circ}35'00''E$, along the line common to Lots 1 and 2 as shown hereon, 55.09 feet to the point of beginning; thence continuing $S3^{\circ}35'00''E$, along the common Lot line, 140.00 feet; thence $N86^{\circ}25'00''E$, 15.00 feet; thence $N3^{\circ}35'00''W$, 140.00 feet; thence $S86^{\circ}25'00''W$, 15.00 feet to the point of beginning.

EASEMENT 'B'

Commencing at the Northwest corner of Lot 2 as shown hereon; thence $S3^{\circ}35'00''E$.



STATE OF WISCONSIN
DEPARTMENT OF JUSTICE

J.B. VAN HOLLEN
ATTORNEY GENERAL

Raymond P. Taffora
Deputy Attorney General

17 W. Main Street
P.O. Box 7857
Madison, WI 53707-7857
www.doj.state.wi.us

Thomas J. Dawson
Assistant Attorney General
dawsonstj@doj.state.wi.us
608/266-8987
FAX 608/266-2250

April 6, 2009

Ms. Michelle DeBrock Owens
Wisconsin Department of Natural Resources
107 Sutliff Avenue
Rhineland, WI 54501

Re: State of Wisconsin v. Eugene E. Kwaterski and Kwaterski Millwork, Inc.
Lincoln County Case No. 99-CV-147

Dear Ms. DeBrock-Owens:

Pursuant to your recent request regarding the above-referenced case, this letter confirms that the Wisconsin Department of Justice will not take or pursue any further or additional action on the above-referenced case. This confirmation is based upon an April 2, 2009, e-mail you provided to us from Mr. William P. Schultz, P.E. of the DNR, which states, in part, the following:

On April 2, 2009, the Kwaterski Millwork Environmental Repair Site (BRRTS #02-33-364194) was brought before the NOR Bureau of Remediation and Redevelopment's Closure Committee. The Closure Committee now believes that the petroleum solvent release is not a risk to human health or the environment, and the Environmental Repair Site (BRRTS #02-33-364194) should be closed.

(Please note that I believe the BRRTS site number should be 02-35-364194)

This letter constitutes confirmation that the enforcement file in this case will be closed. A copy of this letter will be included in the Department of Justice case file. If you have any further questions, please feel free to contact me.

Sincerely,



Thomas J. Dawson
Assistant Attorney General

TJD:pkw
c: William P. Schultz, PE