

## Source Property Information

CLOSURE DATE: 10/25/2013

BRRTS #:

02-51-550426

ACTIVITY NAME:

BLOUNT INC FORESTRY & INDUSTRIAL EQ

PROPERTY ADDRESS:

No address-source is railroad R-O-W

MUNICIPALITY:

Prentice

PARCEL ID #:

NA

FID #:

851033370

DATCP #:

NA

PECFA#:

NA

**\*WTM COORDINATES:**

X:

497471

Y:

562529

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

**WTM COORDINATES REPRESENT:**

Approximate Center Of Contaminant Source

Approximate Source Parcel Center

Please check as appropriate: (BRRTS Action Code)

### CONTINUING OBLIGATIONS

#### Contaminated Media for Residual Contamination:

Groundwater Contamination > ES (236)

Contamination in ROW

Off-Source Contamination

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

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

Contamination in ROW

Off-Source Contamination

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

#### Site Specific Obligations:

Soil: maintain industrial zoning (220)

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

Structural Impediment (224)

Site Specific Condition (228)

Cover or Barrier (222)

Direct Contact

Soil to GW Pathway

Vapor Mitigation (226)

Maintain Liability Exemption (230)

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

#### Monitoring Wells:

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

Yes  No  N/A

*\* Residual Contaminant Level*

*\*\*Site Specific Residual Contaminant Level*

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 #:  (No Dashes) 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.)
- Continuing Obligation Cover Letter** (for property owners affected by residual contamination and/or continuing obligations)
- 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 #: NA Title: NA - Source property is Canadian National (CN) right of way**
- 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 11 x 17 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, 2, 3 Title: Location Map, Certified Survey Map for Blount, Inc, Parcel Boundary Map for Johnson Res.**
- 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 #: 4 & 5 Title: Site Plan (July 2010) and Site plan (1/18/2012)**
- 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:**

BRRTS #: 02-51-550426

ACTIVITY NAME: Blount Inc. Forestry & Industrial Equipment

**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 #: 6 Title: B-101 Boring Log**

**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 #: 7 Title: PCP and Manganese in Groundwater**

- 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 #: 8, 9, 10 Title: Groundwater Flow Direction Map - April 29, 2009, Dec 28 & 29, 2010, & Dec 14 & 15, 2011**

**Figure #: Title:**

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

Tables must be no larger than 11 x 17 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 #: 1 Title: Soil Sample Analytical Results**

- 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 #: 2 & 3 Title: Groundwater Sample Analytical Results Blount Site & Johnson Well**

- 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 #: 4 Title: Monitoring Well Water Level Summary**

**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: Blount Inc. Forestry & Industrial Equipment

**NOTIFICATIONS**

**Source Property**

**Not Applicable**

**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.

**Not Applicable**

**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 Sent to Railroad for Right of Way

**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.

**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:**

**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:**





State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES  
Scott Walker, Governor  
Cathy Stepp, Secretary  
John Gozdzialski, Regional Director

Park Falls Service Center  
875 S. 4th Ave  
Park Falls, Wisconsin 54552  
Telephone 715-762-4684  
FAX 715-762-4348

October 25, 2013

Blount, Inc.  
c/o Mr. Daniel Gustafson  
Stafford Rosenbaum LLP  
222 W Washington Avenue, Suite 900  
Madison, Wisconsin 53701-1784

**KEEP THIS DOCUMENT WITH YOUR PROPERTY RECORDS**

SUBJECT: Final Case Closure with Continuing Obligations  
Blount Inc. Forestry and Industrial Equipment, 474 Birch Street, Prentice, WI  
WDNR BRRTS Activity #: 02-51-550426

Dear Mr. Gustafson:

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

This final closure decision is based on the correspondence and data provided, and is issued under ch. NR 726, Wisconsin Administrative Code. The Northern Region Closure Committee reviewed the request for closure on January 3, 2013. The Closure Committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. A conditional closure letter was issued by the DNR on January 4, 2013, and documentation that the conditions in that letter were met was received on September 13, 2013.

This site had, and still has, groundwater impacted with metals and pentachlorophenol (PCP). Responses included groundwater monitoring. The conditions of closure and continuing obligations required were based on the property being used for industrial purposes.

Continuing Obligations

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

- Groundwater contamination is present above ch. NR 140, Wis. Adm. Code enforcement standards.

The following DNR fact sheet, "Continuing Obligations for Environmental Protection", RR-819, was included with this letter, to help explain a property owner's responsibility for continuing obligations on their property. If the fact sheet is lost, you may obtain a copy at <http://dnr.wi.gov/files/PDF/pubs/rr/RR819.pdf>.

#### GIS Registry

This site will be listed on the Remediation and Redevelopment Program's internet accessible Geographic Information System (GIS) Registry, to provide notice of residual contamination and of any continuing obligations. DNR approval prior to well construction or reconstruction is required for all sites shown on the GIS Registry, in accordance with s. NR 812.09(4) (w), Wis. Adm. Code. This requirement applies to private drinking water wells and high capacity wells. To obtain approval, complete and submit Form 3300-254 to the DNR Drinking and Groundwater program's regional water supply specialist. This form can be obtained on-line at <http://dnr.wi.gov/topic/wells/documents/3300254.pdf> or at the web address listed below for the GIS Registry.

All site information is also on file at the Northern Region Regional DNR office, at 107 Sutliff Avenue, Rhinelander, Wisconsin. This letter and information that was submitted with your closure request application will be included on the GIS Registry in a PDF attachment. To review the site on the GIS Registry web page, visit the RR Sites Map page at <http://dnrmaps.wi.gov/imf/imf.jsp?site=brts2>.

#### Closure Conditions

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

Please send written notifications in accordance with the following requirements to WDNR Park Falls Office, 875 South 4<sup>th</sup> Ave, Park Falls, Wisconsin, to the attention of Phil Richard.

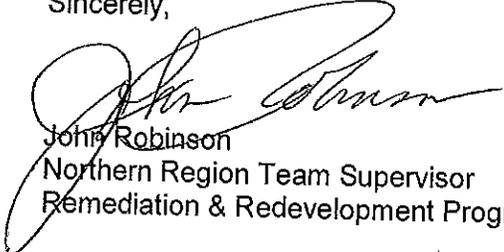
#### Residual Groundwater Contamination (ch. NR 140, 812, Wis. Adm. Code)

Groundwater contamination greater than enforcement standards is indicated on Figure 1, PCP & Manganese in Groundwater, prepared by AECOM, dated January 2012, a copy of which is attached. Affected property owners were notified of the presence of groundwater contamination. If you intend to construct a new well, or reconstruct an existing well, you'll need prior DNR approval.

Please be aware that the case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, or welfare or to the environment.

The DNR appreciates your efforts to restore the environment at this site. If you have any questions regarding this closure decision or anything outlined in this letter, please contact Phil Richard at 715 762 1352.

Sincerely,



John Robinson  
Northern Region Team Supervisor  
Remediation & Redevelopment Program

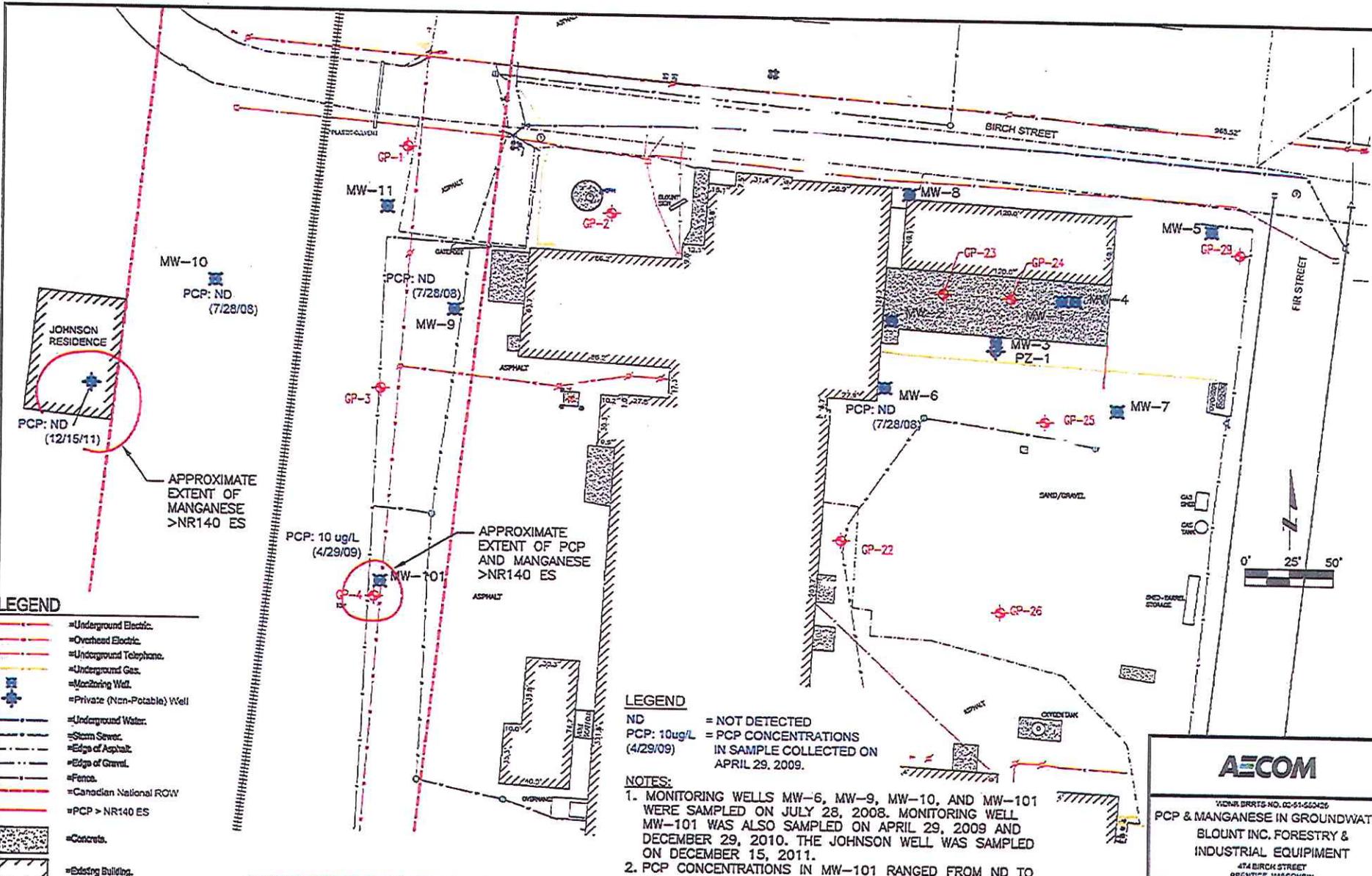
Attachments: Figure 1, PCP & Manganese in Groundwater  
RR 819: Continuing Obligations for Environmental Protection

C. Dave Senfelds  
AECOM  
200 Indiana Avenue  
Stevens Point, WI 54481

Richard Verkler  
CN Environmental Counsel  
17642 South Ashland Avenue  
Homewood, IL 60430

Helen and Duane Johnson  
495 Birch Street  
Prentice, WI 54556

File



**LEGEND**

- = Underground Electric.
- = Overhead Electric.
- = Underground Telephone.
- = Underground Gas.
- = Monitoring Well.
- = Private (Non-Potable) Well.
- = Underground Water.
- = Storm Sewer.
- = Edge of Asphalt.
- = Edge of Gravel.
- = Fence.
- = Canadian National ROW
- = PCP > NR140 ES
- = Concrete.
- = Existing Building.

**LEGEND**

- ND = NOT DETECTED
- PCP: 10ug/L = PCP CONCENTRATIONS IN SAMPLE COLLECTED ON APRIL 29, 2009.

- NOTES:**
- MONITORING WELLS MW-6, MW-9, MW-10, AND MW-101 WERE SAMPLED ON JULY 28, 2008. MONITORING WELL MW-101 WAS ALSO SAMPLED ON APRIL 29, 2009 AND DECEMBER 29, 2010. THE JOHNSON WELL WAS SAMPLED ON DECEMBER 15, 2011.
  - PCP CONCENTRATIONS IN MW-101 RANGED FROM ND TO 10 ug/L

SOURCE (FOR BORING LOCATIONS GP-X): UPS FIGURE 2 DATED 10-5-2007

**AECOM**

10000 BRITS RD. 02-51-520420  
**PCP & MANGANESE IN GROUNDWATER**  
**BLOUNT INC. FORESTRY &**  
**INDUSTRIAL EQUIPMENT**  
 474 BIRCH STREET  
 PRENTICE, WISCONSIN

FILE NAME	DRAWN	PROJECT NO	DATE	FIGURE NO.
	DM	09133953	JAN 2012	1

Drawn By: [unclear] 10/11/11 1:14 PM  
 For the Use of: [unclear] 10/11/11 1:14 PM



# Continuing Obligations for Environmental Protection

## Responsibilities of Wisconsin Property Owners

PUB-RR-819

August 2012

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

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

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

### What Are Continuing Obligations?

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

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

### Background

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

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



## 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*:

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

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

## Changing a Continuing Obligation

A property owner has the option to modify a continuing obligation if environmental conditions change. For example, petroleum contamination can degrade over time and property owners may collect new samples showing that residual contamination is gone. They may then request that DNR modify or remove a continuing obligation. 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.

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

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/topic/Brownfields/Contact.html](http://dnr.wi.gov/topic/Brownfields/Contact.html)).

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

An off-site property owner is someone who owns property that has been affected by contamination that moved through soil, sediment or groundwater from another property. Wisconsin law, s. 292.13, Wis. Stats., provides an exemption from environmental cleanup requirements for owners of "off-site" properties. The DNR will generally not ask off-site property owners to investigate or clean up contamination that came from a different property, as long as the 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/topic/Brownfields/Liability.html](http://dnr.wi.gov/topic/Brownfields/Liability.html).

### Legal Obligations of Off-Site Property Owners

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

## Required Notifications to Off-Site Property Owners

1. The person responsible for cleaning up contamination must notify affected 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/topic/Brownfields/Residual.html](http://dnr.wi.gov/topic/Brownfields/Residual.html).

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



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott Walker, Governor  
Cathy Stepp, Secretary  
John Gozdzialski, Regional Director

Park Falls Service Center  
875 S. 4th Ave  
Park Falls, Wisconsin 54552  
Telephone 715-762-4684  
FAX 715-762-4348

October 25, 2013

Helen and Duane Johnson  
495 Birch Street  
Prentice, WI 54556

SUBJECT: Continuing Obligation and Property Owner Requirements for 495 Birch Street, Prentice Wisconsin  
Parcel Identification Number: Part of 171 1008 07  
Final Case Closure for Blount Inc. Forestry and Industrial Equipment, 474 Birch Street, Prentice, Wisconsin  
WDNR BRRTS Activity #: 02-51-550426

Dear Mr. and Mrs. Johnson:

The purpose of this letter is to notify you that a continuing obligation applies to the property located at 495 Birch Street, Prentice, Wisconsin, (referred to in this letter as the "Property") due to contamination remaining on the Property. The continuing obligation is part of the cleanup and case closure approved for the above referenced case. The continuing obligation that applies to the Property is stated as a condition in the attached closure approval letter, and is consistent with s. 292.12, Wis. Stats., and ch. NR 700, Wis. Adm. Code, rule series. It is meant to limit exposure to any remaining environmental contamination at the Property. This continuing obligation will also apply to future owners of the Property, until the condition 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 [dnrmaps.wi.gov/imf/imf.jsp?site=brrts2](http://dnrmaps.wi.gov/imf/imf.jsp?site=brrts2). How to find further information about the closure and residual contamination for this site can be located at [dnr.wi.gov/topic/Brownfields/clean.html](http://dnr.wi.gov/topic/Brownfields/clean.html).

The Department reviewed and approved the case closure request regarding the metals and pentachlorophenol (PCP) in groundwater at this site, based on the information submitted by AECOM. 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 one continuing obligation, as described below.

Continuing Obligation Applicable to Your Property

One continuing obligation is described in the attached case closure letter to Daniel Gustafson, dated October 25, 2013. The following continuing obligation applies to your Property.

Residual Groundwater Contamination (ch. NR 140, 812, Wis. Adm. Code)

Groundwater contamination greater than enforcement standards is indicated on Figure 1, PCP & Manganese in Groundwater, prepared by AECOM, dated January 2012 impacted your property which is displayed on Figure 1 Parcel Boundary Map Johnson Residence prepared by AECOM in December 2012, copies of which are attached. If you intend to construct a new well, or reconstruct an existing well, you'll need prior DNR approval.

GIS Registry – Well Construction Approval Needed

Because of the residual groundwater contamination and the continuing obligation, this site, which includes your Property, will be listed on the Department's internet accessible GIS Registry, at [dnrmaps.wi.gov/imf/imf.jsp?site=brrts2](http://dnrmaps.wi.gov/imf/imf.jsp?site=brrts2). 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 at [dnr.wi.gov/topic/wells/documents/3300254.pdf](http://dnr.wi.gov/topic/wells/documents/3300254.pdf). If at some time, the continuing obligation is 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 the continuing obligation, pursuant to s. 292.12, Wis. Stats. You are strongly encouraged to pass on the information about the continuing obligation 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 Wis. Stats. s. 709.02. You may have additional obligations to notify buyers of the condition of the property and the continuing obligation set out in this letter and the closure letter.

Please be aware that failure to comply with the continuing obligation 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 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 obligation. If the person with whom any property owner has an agreement fails to adequately comply with the appropriate continuing obligation, 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 the continuing obligation 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 continuing obligation resides with that Property owner.

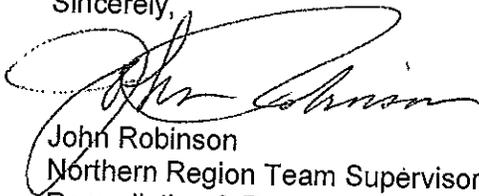
When maintenance of a continuing obligation is required, the Property owner is responsible for inspections, repairs, or replacements as needed. Such actions should be documented by the Property owner and the records kept accessible for the Department to review for as long as the Department directs.

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 obligation applied to the Property. Send all written notifications in accordance with the above requirements to Park Falls Office, 875 South 4<sup>th</sup> Avenue, to the attention of Phil Richard.

The following DNR fact sheet, RR-819, "Continuing Obligations for Environmental Protection" has been included with this letter, to help explain a property owner's responsibility for continuing obligations on their property. If the fact sheet is lost, you may obtain a copy at [dnr.wi.gov/files/PDF/pubs/rr/RR819.pdf](http://dnr.wi.gov/files/PDF/pubs/rr/RR819.pdf).

The Department appreciates your efforts. If you have any questions regarding this closure decision or anything outlined in this letter, please contact Phil Richard at 715 762 1352.

Sincerely,



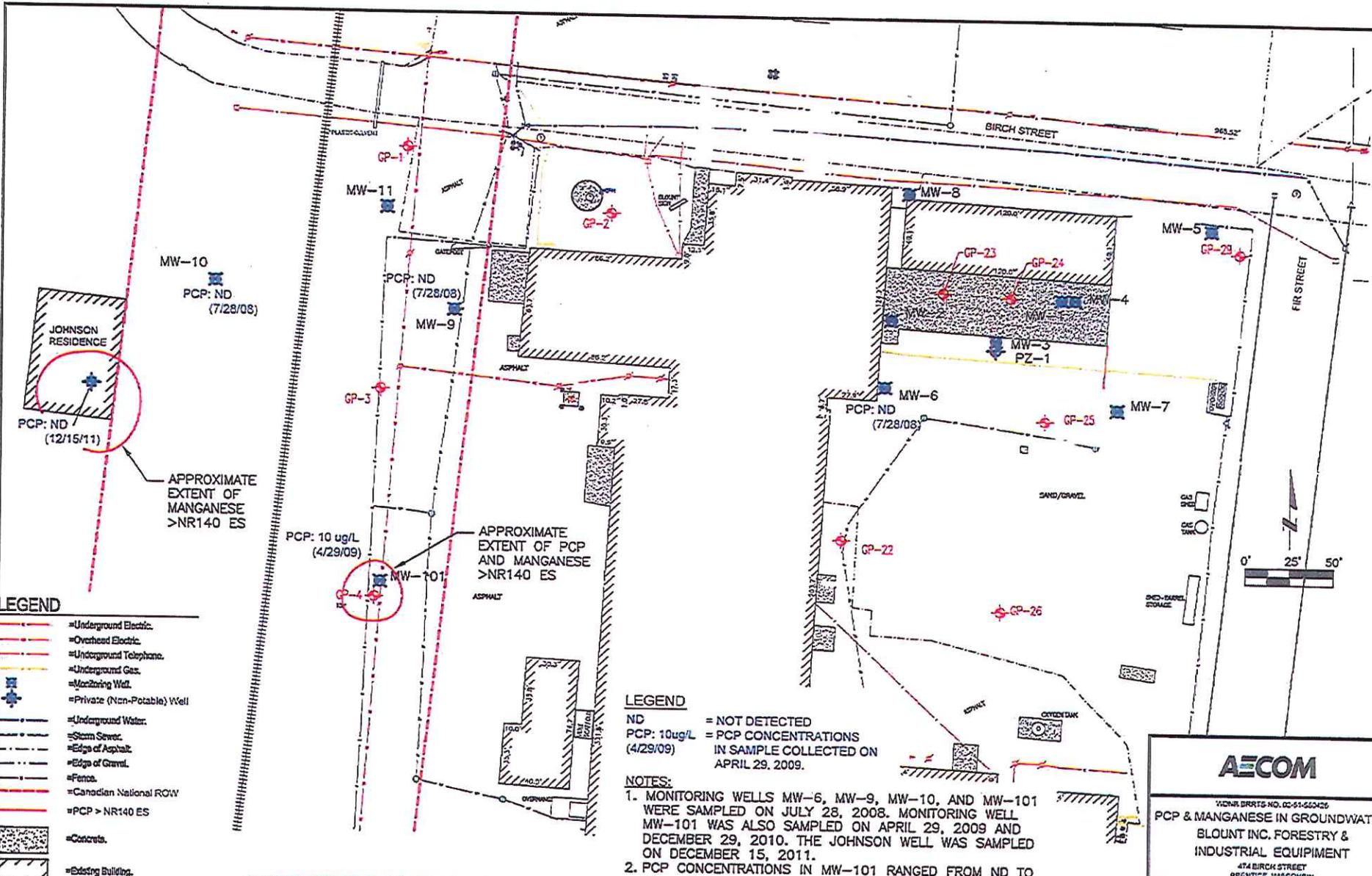
John Robinson  
Northern Region Team Supervisor  
Remediation & Redevelopment Program

Attachments: Figure 1 Parcel Boundary Map Johnson Residence  
Figure 1 PCP & Manganese in Groundwater  
Final case closure letter, Blount Inc. Forestry and Industrial Equipment  
RR 819: Continuing Obligations for Environmental Protection

C. Dave Senfelds  
AECOM  
200 Indiana Avenue  
Stevens Point, WI 54481

Blount, Inc.  
c/o Mr. Daniel Gustafson  
Stafford Rosenbaum LLP  
222 W Washington Avenue, Suite 900  
Madison, Wisconsin 53701-1784

File



**LEGEND**

- = Underground Electric.
- = Overhead Electric.
- = Underground Telephone.
- = Underground Gas.
- = Monitoring Well.
- = Private (Non-Potable) Well
- = Underground Water.
- = Storm Sewer.
- = Edge of Asphalt.
- = Edge of Gravel.
- = Fence.
- = Canadian National ROW
- = PCP > NR140 ES
- = Concrete.
- = Existing Building.

**LEGEND**

- ND = NOT DETECTED
- PCP: 10ug/L = PCP CONCENTRATIONS IN SAMPLE COLLECTED ON APRIL 29, 2009.

- NOTES:**
- MONITORING WELLS MW-6, MW-9, MW-10, AND MW-101 WERE SAMPLED ON JULY 28, 2008. MONITORING WELL MW-101 WAS ALSO SAMPLED ON APRIL 29, 2009 AND DECEMBER 29, 2010. THE JOHNSON WELL WAS SAMPLED ON DECEMBER 15, 2011.
  - PCP CONCENTRATIONS IN MW-101 RANGED FROM ND TO 10 ug/L

SOURCE (FOR BORING LOCATIONS GP-X): UPS FIGURE 2 DATED 10-5-2007

**AECOM**

10000 BRITS RD. 02-51-520426  
**PCP & MANGANESE IN GROUNDWATER**  
**BLOUNT INC. FORESTRY &**  
**INDUSTRIAL EQUIPMENT**  
 474 BIRCH STREET  
 PRENTICE, WISCONSIN

FILE NAME	DWG	PROJECT NO	DATE	FIGURE NO.
	00A	00133953	JAN 2012	1

Printed By: M. Brown  
 Date: 1/10/12 10:14 AM  
 Path: C:\Users\m.brown\Documents\00133953\Figures\Fig1.dwg

Filename: L:\WORK\PROJECTS\105450\GSA\FIG\_JOHNSON\_RES.DWG



DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

IMAGE SOURCE: PRICE COUNTY GIS



PARCEL BOUNDARY MAP  
JOHNSON RESIDENCE  
495 BIRCH STREET  
PRENTICE, WISCONSIN

FILE NAME:	DRN	PROJECT NO.	DATE	FIGURE NO.
FIG_JOHNSON_RES.dwg	DMA	105450	DEC 2012	1



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES  
Scott Walker, Governor  
Cathy Stepp, Secretary  
John Gozdzialski, Regional Director

Park Falls Service Center  
875 S. 4th Ave  
Park Falls, Wisconsin 54552  
Telephone 715-762-4684  
FAX 715-762-4348

October 25, 2013

Blount, Inc.  
c/o Mr. Daniel Gustafson  
Stafford Rosenbaum LLP  
222 W Washington Avenue, Suite 900  
Madison, Wisconsin 53701-1784

**KEEP THIS DOCUMENT WITH YOUR PROPERTY RECORDS**

SUBJECT: Final Case Closure with Continuing Obligations  
Blount Inc. Forestry and Industrial Equipment, 474 Birch Street, Prentice, WI  
WDNR BRRTS Activity #: 02-51-550426

Dear Mr. Gustafson:

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

This final closure decision is based on the correspondence and data provided, and is issued under ch. NR 726, Wisconsin Administrative Code. The Northern Region Closure Committee reviewed the request for closure on January 3, 2013. The Closure Committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. A conditional closure letter was issued by the DNR on January 4, 2013, and documentation that the conditions in that letter were met was received on September 13, 2013.

This site had, and still has, groundwater impacted with metals and pentachlorophenol (PCP). Responses included groundwater monitoring. The conditions of closure and continuing obligations required were based on the property being used for industrial purposes.

Continuing Obligations

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

- Groundwater contamination is present above ch. NR 140, Wis. Adm. Code enforcement standards.

The following DNR fact sheet, "Continuing Obligations for Environmental Protection", RR-819, was included with this letter, to help explain a property owner's responsibility for continuing obligations on their property. If the fact sheet is lost, you may obtain a copy at <http://dnr.wi.gov/files/PDF/pubs/rr/RR819.pdf>.

#### GIS Registry

This site will be listed on the Remediation and Redevelopment Program's internet accessible Geographic Information System (GIS) Registry, to provide notice of residual contamination and of any continuing obligations. DNR approval prior to well construction or reconstruction is required for all sites shown on the GIS Registry, in accordance with s. NR 812.09(4) (w), Wis. Adm. Code. This requirement applies to private drinking water wells and high capacity wells. To obtain approval, complete and submit Form 3300-254 to the DNR Drinking and Groundwater program's regional water supply specialist. This form can be obtained on-line at <http://dnr.wi.gov/topic/wells/documents/3300254.pdf> or at the web address listed below for the GIS Registry.

All site information is also on file at the Northern Region Regional DNR office, at 107 Sutliff Avenue, Rhinelander, Wisconsin. This letter and information that was submitted with your closure request application will be included on the GIS Registry in a PDF attachment. To review the site on the GIS Registry web page, visit the RR Sites Map page at <http://dnrmaps.wi.gov/imf/imf.jsp?site=brts2>.

#### Closure Conditions

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

Please send written notifications in accordance with the following requirements to WDNR Park Falls Office, 875 South 4<sup>th</sup> Ave, Park Falls, Wisconsin, to the attention of Phil Richard.

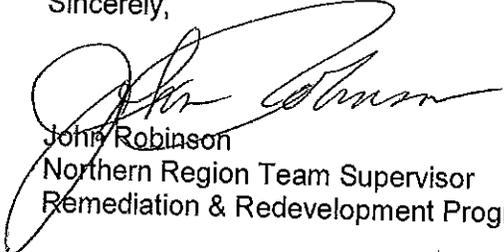
#### Residual Groundwater Contamination (ch. NR 140, 812, Wis. Adm. Code)

Groundwater contamination greater than enforcement standards is indicated on Figure 1, PCP & Manganese in Groundwater, prepared by AECOM, dated January 2012, a copy of which is attached. Affected property owners were notified of the presence of groundwater contamination. If you intend to construct a new well, or reconstruct an existing well, you'll need prior DNR approval.

Please be aware that the case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, or welfare or to the environment.

The DNR appreciates your efforts to restore the environment at this site. If you have any questions regarding this closure decision or anything outlined in this letter, please contact Phil Richard at 715 762 1352.

Sincerely,



John Robinson  
Northern Region Team Supervisor  
Remediation & Redevelopment Program

Attachments: Figure 1, PCP & Manganese in Groundwater  
RR 819: Continuing Obligations for Environmental Protection

C. Dave Senfelds  
AECOM  
200 Indiana Avenue  
Stevens Point, WI 54481

Richard Verkler  
CN Environmental Counsel  
17642 South Ashland Avenue  
Homewood, IL 60430

Helen and Duane Johnson  
495 Birch Street  
Prentice, WI 54556

File



# Continuing Obligations for Environmental Protection

## Responsibilities of Wisconsin Property Owners

PUB-RR-819

August 2012

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

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

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

### What Are Continuing Obligations?

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

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

## Background

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

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



## 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*:

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

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

## Changing a Continuing Obligation

A property owner has the option to modify a continuing obligation if environmental conditions change. For example, petroleum contamination can degrade over time and property owners may collect new samples showing that residual contamination is gone. They may then request that DNR modify or remove a continuing obligation. 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.

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

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/topic/Brownfields/Contact.html](http://dnr.wi.gov/topic/Brownfields/Contact.html)).

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

An off-site property owner is someone who owns property that has been affected by contamination that moved through soil, sediment or groundwater from another property. Wisconsin law, s. 292.13, Wis. Stats., provides an exemption from environmental cleanup requirements for owners of "off-site" properties. The DNR will generally not ask off-site property owners to investigate or clean up contamination that came from a different property, as long as the 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/topic/Brownfields/Liability.html](http://dnr.wi.gov/topic/Brownfields/Liability.html).

### Legal Obligations of Off-Site Property Owners

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

## Required Notifications to Off-Site Property Owners

1. The person responsible for cleaning up contamination must notify affected 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/topic/Brownfields/Residual.html](http://dnr.wi.gov/topic/Brownfields/Residual.html).

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


**State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES**

Scott Walker, Governor  
 Cathy Stepp, Secretary  
 John Gozdziński, Regional Director

Park Falls Service Center  
 875 S. 4th Ave  
 Park Falls, Wisconsin 54552  
 Telephone 715-762-4684  
 FAX 715-762-4348

October 25, 2013

Richard Verkler  
 CN Environmental Counsel  
 17642 South Ashland Avenue  
 Homewood, IL 60430

**SUBJECT:** Continuing Obligation and Property Owner Requirements for Wisconsin Central Limited right-of-way, Prentice Wisconsin  
 Final Case Closure for Blount Inc. Forestry and Industrial Equipment, 474 Birch Street, Prentice, Wisconsin  
 WDNR BRRTS Activity #: 02-51-550426

Dear Mr. Verkler:

The purpose of this letter is to notify you that a continuing obligation applies to the Wisconsin Central Limited property that is currently leased to Caterpillar Inc. adjacent to 474 Birch Street, Prentice, Wisconsin, (referred to in this letter as the "Property") due to contamination remaining on the Property. The continuing obligation is part of the cleanup and case closure approved for the above referenced case. The continuing obligation that applies to the Property is stated as a condition in the attached closure approval letter, and is consistent with s. 292.12, Wis. Stats., and ch. NR 700, Wis. Adm. Code, rule series. It is meant to limit exposure to any remaining environmental contamination at the Property. This continuing obligation will also apply to future owners of the Property, until the condition 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 [dnrmaps.wi.gov/imf/imf.jsp?site=brrts2](http://dnrmaps.wi.gov/imf/imf.jsp?site=brrts2). How to find further information about the closure and residual contamination for this site can be located at [dnr.wi.gov/topic/Brownfields/clean.html](http://dnr.wi.gov/topic/Brownfields/clean.html).

The Department reviewed and approved the case closure request regarding the metals and pentachlorophenol (PCP) in groundwater at this site, based on the information submitted by AECOM. 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 one continuing obligation, as described below.

Continuing Obligation Applicable to Your Property

One continuing obligation is described in the attached case closure letter to Daniel Gustafson, dated October 25, 2013. The following continuing obligation applies to your Property.

#### Residual Groundwater Contamination (ch. NR 140, 812, Wis. Adm. Code)

Groundwater contamination greater than enforcement standards is indicated on Figure 1, PCP & Manganese in Groundwater, prepared by AECOM, dated January 2012, a copy of which is attached. The impacts are in the area identified as Canadian National ROW on the map. If you intend to construct a new well, or reconstruct an existing well, you'll need prior DNR approval.

#### GIS Registry – Well Construction Approval Needed

Because of the residual groundwater contamination and the continuing obligation, this site, which includes your Property, will be listed on the Department's internet accessible GIS Registry, at [dnrmaps.wi.gov/imf/imf.jsp?site=brrts2](http://dnrmaps.wi.gov/imf/imf.jsp?site=brrts2). 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 at [dnr.wi.gov/topic/wells/documents/3300254.pdf](http://dnr.wi.gov/topic/wells/documents/3300254.pdf). If at some time, the continuing obligation is 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 the continuing obligation, pursuant to s. 292.12, Wis. Stats. You are strongly encouraged to pass on the information about the continuing obligation 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 Wis. Stats. s. 709.02. You may have additional obligations to notify buyers of the condition of the property and the continuing obligation set out in this letter and the closure letter.

Please be aware that failure to comply with the continuing obligation 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 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 obligation. If the person with whom any property owner has an agreement fails to adequately comply with the appropriate continuing obligation, 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 the continuing obligation 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 continuing obligation 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

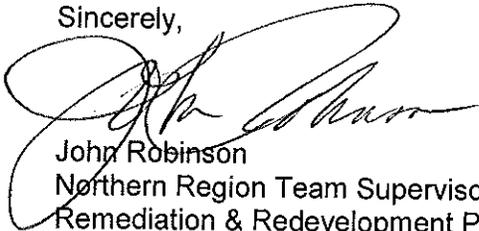
Property owner and the records kept accessible for the Department to review for as long as the Department directs.

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 obligation applied to the Property. Send all written notifications in accordance with the above requirements to Park Falls Office, 875 South 4<sup>th</sup> Avenue, to the attention of Phil Richard.

The following DNR fact sheet, RR-819, "Continuing Obligations for Environmental Protection" has been included with this letter, to help explain a property owner's responsibility for continuing obligations on their property. If the fact sheet is lost, you may obtain a copy at [dnr.wi.gov/files/PDF/pubs/rr/RR819.pdf](http://dnr.wi.gov/files/PDF/pubs/rr/RR819.pdf).

The Department appreciates your efforts. If you have any questions regarding this closure decision or anything outlined in this letter, please contact Phil Richard at 715 762 1352.

Sincerely,



John Robinson  
Northern Region Team Supervisor  
Remediation & Redevelopment Program

Attachments: Figure 1 PCP & Manganese in Groundwater  
Final case closure letter, Blount Inc. Forestry and Industrial Equipment  
RR 819: Continuing Obligations for Environmental Protection

C. Dave Senfelds  
AECOM  
200 Indiana Avenue  
Stevens Point, WI 54481

Blount, Inc.  
c/o Mr. Daniel Gustafson  
Stafford Rosenbaum LLP  
222 W Washington Avenue, Suite 900  
Madison, Wisconsin 53701-1784

File

**ELK RIVER SURVEY COMPANY, INC.**  
 SURVEYING • PLATTING • PERCOLATION TESTING  
 POST OFFICE BOX 8, PHILLIPS, WISC.  
 PH. 715-339-2678

1278

267562

DRAWN BY A.B.S. JOB NO. 300-93 FIELD BOOK NO. 18-58 DATE JULY 22, 1993

CERTIFIED SURVEY MAP FOR BLOUNT, INC.  
 LOCATED IN W 1/2-NW 1/4, SEC 7, T35N, R2E  
 VILLAGE OF PRENTICE, PRICE COUNTY, WISCONSIN

REGISTER OF DEEDS OFFICE  
 PRICE COUNTY, WIS.  
 Received for Record

JUL 28 1993

AT 1 O'CLOCK P.M. DAILY RECORDED IN  
 VOL. 4 REGISTER OF DEEDS ON PAGE 35  
 REGISTER OF DEEDS

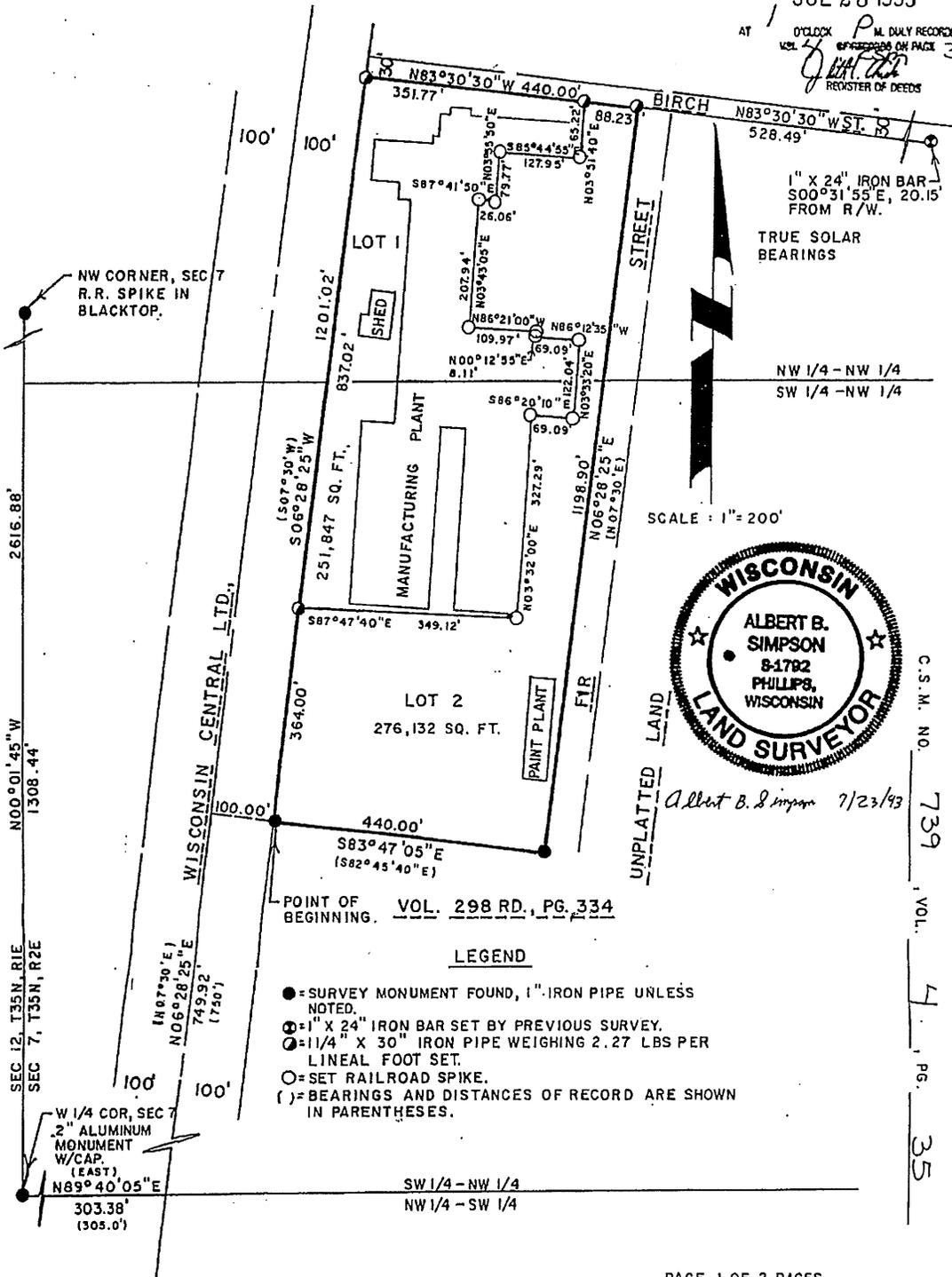


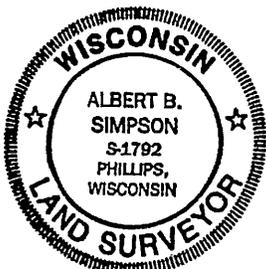
FIGURE 2  
 CERTIFIED SURVEY MAP  
 BLOUNT, INC.

(CERTIFIED SURVEY MAP FOR BLOUNT, INC.)

SURVEYOR'S CERTIFICATE:

I hereby certify that in full compliance with the provisions of Section 236.34 of the Wisconsin Statutes, I have prepared this certified survey of a parcel of land located in the West Half of the Northwest Quarter (W ½-NW ¼), Section Seven (7), Township Thirty-five (35) North, Range Two (2) East, Village of Prentice, Price County, Wisconsin, and bounded by the following described line using true solar bearings:

Commencing at the west quarter corner of said Section 7; thence N 89° 40' 05" E on the south line of the Southwest Quarter of the Northwest Quarter of Section 7, a distance of 303.38 feet to the centerline of the Wisconsin Central, Ltd.; thence N 06° 28' 25" E on said centerline, 749.92 feet; thence S 83° 47' 05" E, 100.00 feet to a 1 inch iron pipe found in place on the east line of the Wisconsin Central, Ltd. and the point of beginning; thence S 83° 47' 05" E, 440.00 feet to a 1 inch iron pipe found in place; thence N 06° 28' 25" E, 1198.90 feet to the south line of Birch Street; thence N 83° 30' 30" W on said south line, 440.00 feet to the east line of the Wisconsin Central, Ltd.; thence S 06° 28' 25" W on said east line, 1201.02 feet to the point of beginning.



*Albert B. Simpson 7/23/93*

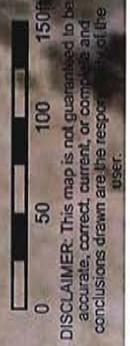
C.S.M. NO. 739, VOL. 4, PG. 36

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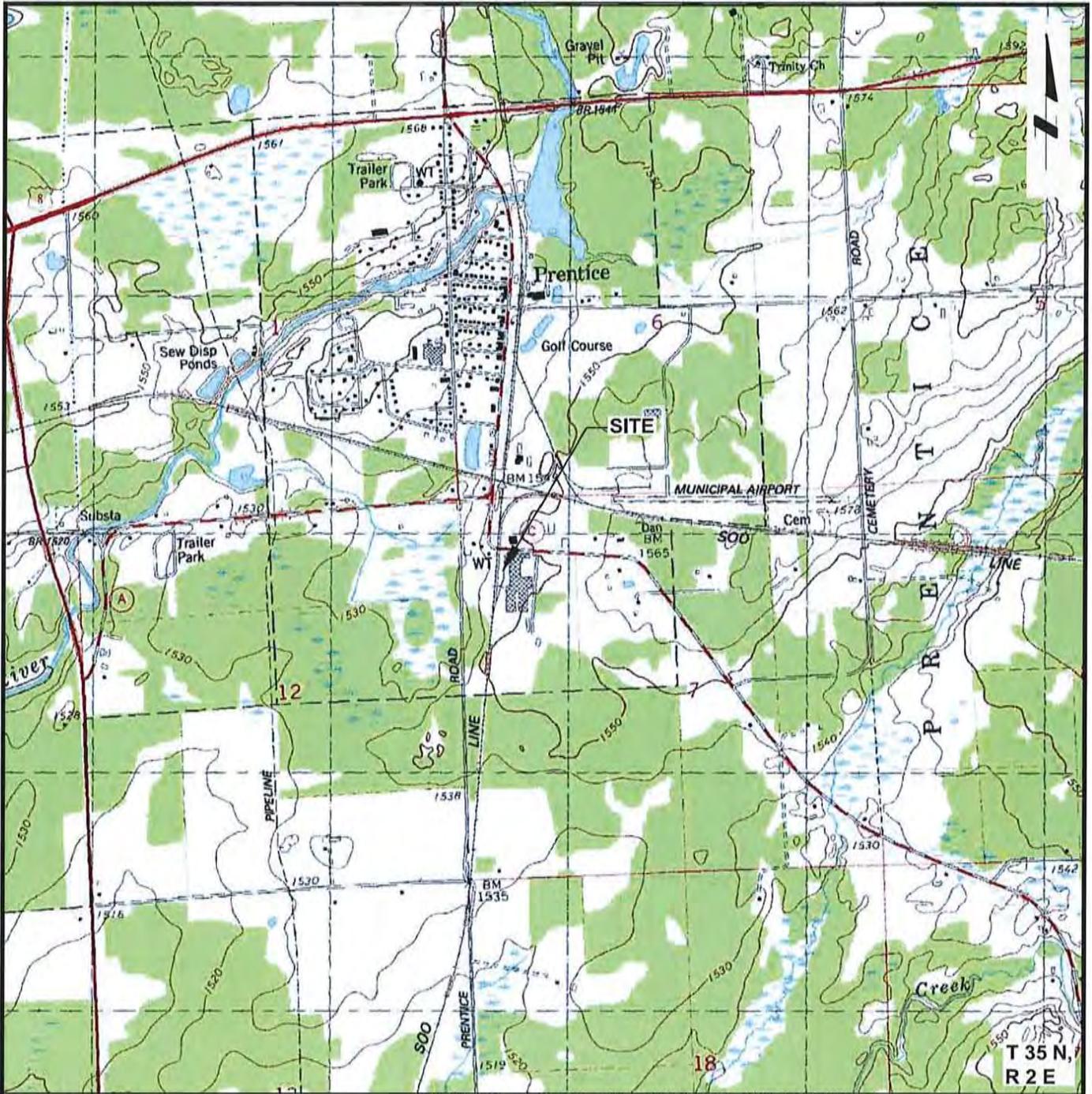
PARCEL BOUNDARY MAP  
JOHNSON RESIDENCE  
495 BIRCH STREET  
PRENTICE, WISCONSIN



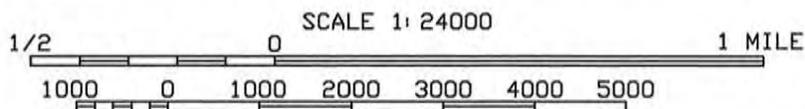
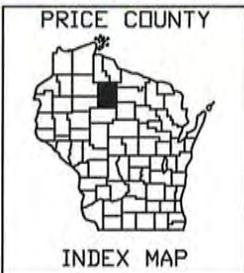
DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

IMAGE SOURCE: PRICE COUNTY GIS

FILE NAME:	DRN	PROJECT NO.	DATE	FIGURE NO.
FIG_JOHNSON_RES.dwg	DMA	105450	DEC 2012	3



SOURCE: USGS 7.5 MINUTE QUADRANGLE,  
PRENTICE, WISCONSIN, 1984

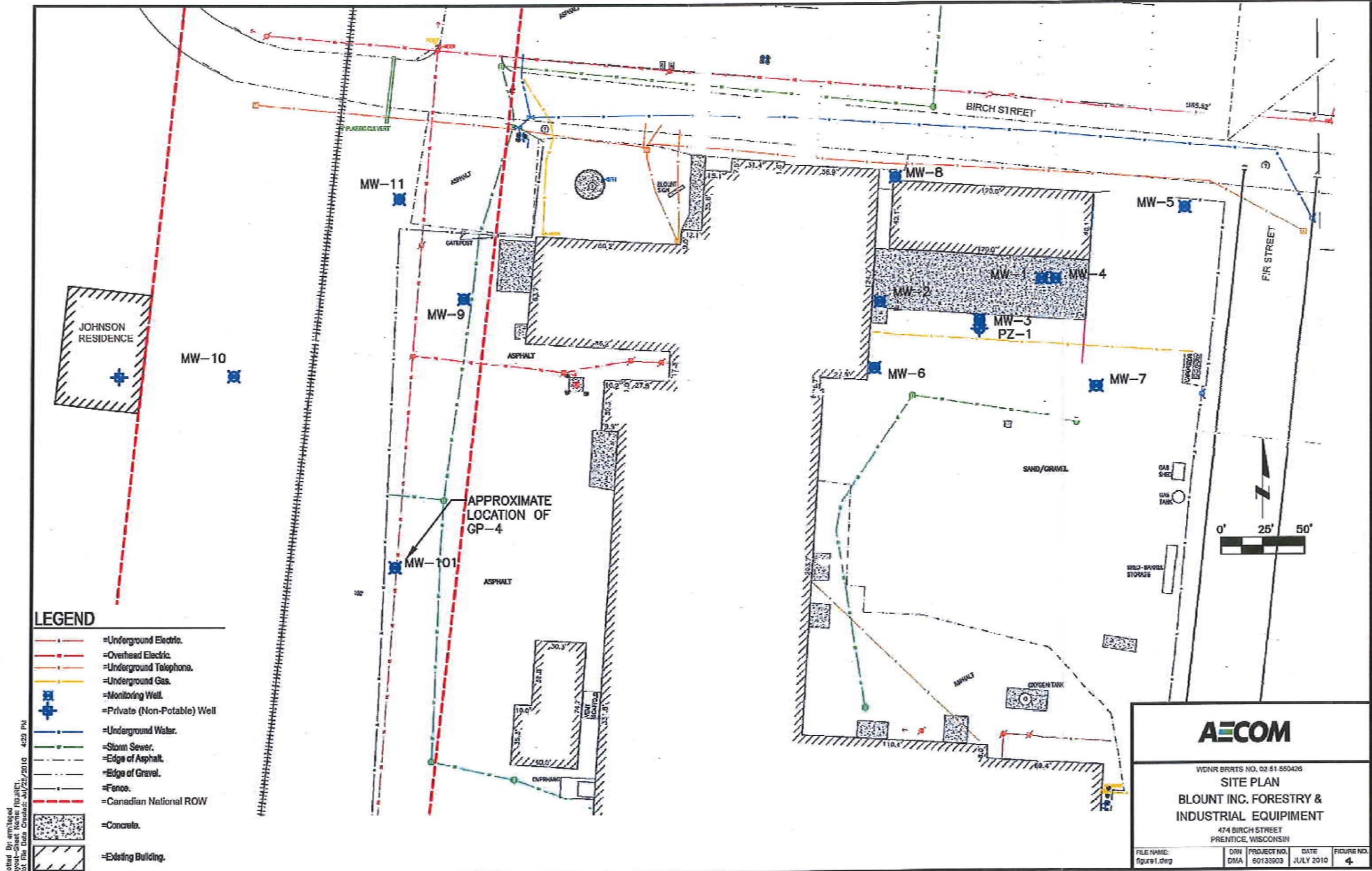


CONTOUR INTERVAL 10 FEET  
DATUM IS MEAN SEA LEVEL

**AECOM**

WDNR BRRTS NO. 02-51-196394  
LOCATION MAP  
BLOUNT INC. FORESTRY &  
INDUSTRIAL EQUIPMENT  
PRENTICE, WISCONSIN

FILE NAME:	DRN	PROJECT NO.	DATE	FIGURE NO.
FigureA1.dwg	DMA	60133903	JULY 2010	1



- LEGEND**
- - - - - =Underground Electric.
  - - - - - =Overhead Electric.
  - - - - - =Underground Telephone.
  - - - - - =Underground Gas.
  - ⊕ =Monitoring Well.
  - ⊕ =Private (Non-Potable) Well
  - - - - - =Underground Water.
  - - - - - =Storm Sewer.
  - - - - - =Edge of Asphalt.
  - - - - - =Edge of Gravel.
  - - - - - =Fence.
  - - - - - =Canadian National ROW
  - [Hatched Box] =Concrete.
  - [Hatched Box] =Existing Building.

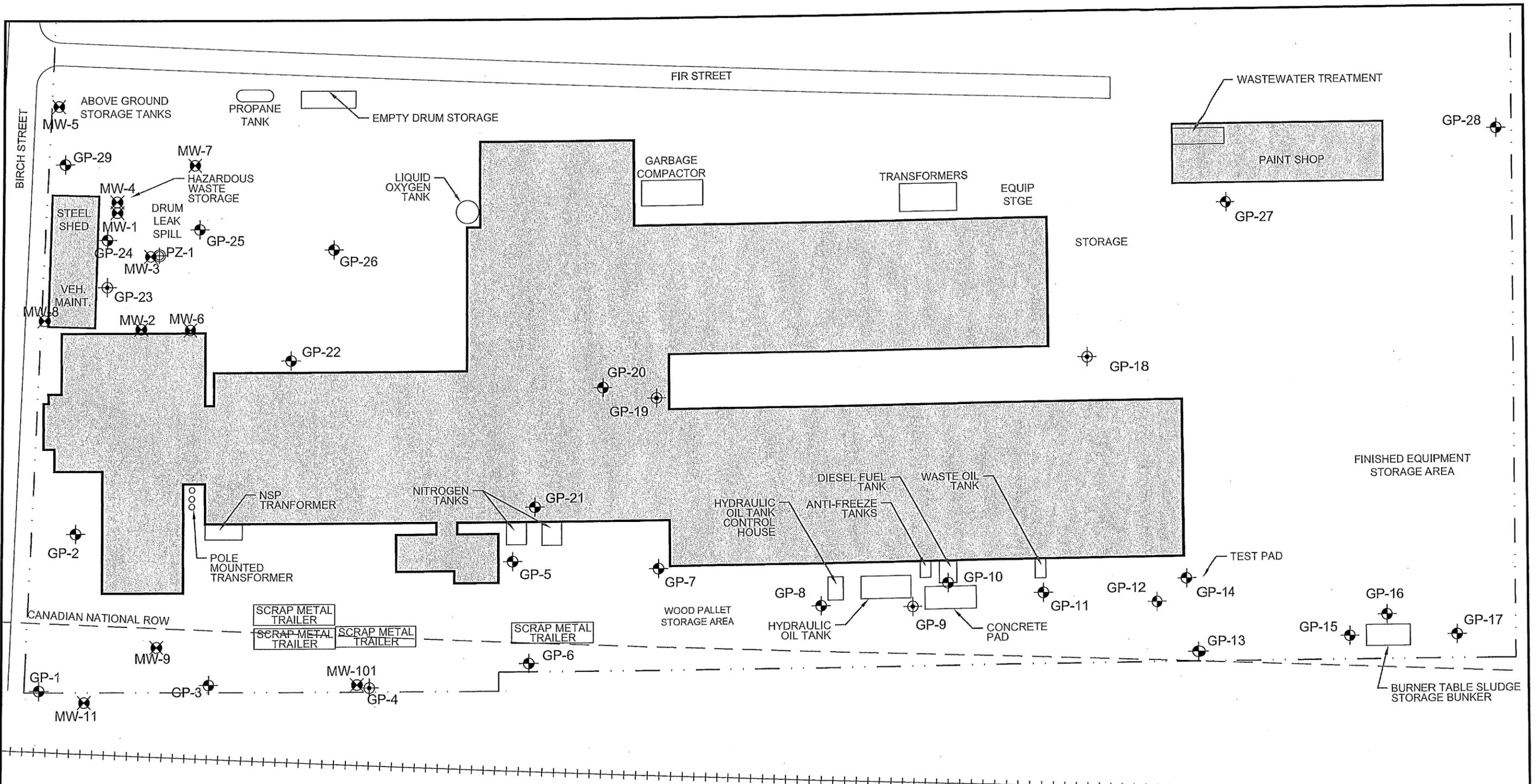
**AECOM**

WONR BRITS NO. 02-51-550426  
**SITE PLAN**  
**BLOUNT INC. FORESTRY & INDUSTRIAL EQUIPMENT**  
 474 BIRCH STREET  
 PRENTICE, WISCONSIN

FILE NAME: figure1.dwg	DWN DMA	PROJECT NO. 60133903	DATE JULY 2010	FIGURE NO. <b>4</b>
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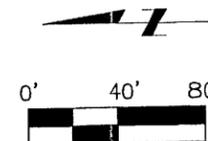
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File: L:\Work\Projects\105450\gra\60133903\CombBoringLoc.dwg Layout: FIGURE 2 User: mittelsteadtk Plotted: Jan 24, 2012 - 9:25am



**LEGEND**

- ++++ RAILROAD TRACKS
- - - - SITE BOUNDARY
- GP-9 TEMPORARY WELL AND BORING LOCATIONS
- GP-1 BORING LOCATION
- MW-1 MONITORING WELL
- PRIVATE NON-POTABLE WELL
- PIEZOMETER



NOTE:  
BASE MAP: URS FIGURE 2 DATED 10-9-2007

<b>AECOM</b>			
W DNR BRRTS NO. 02-51-550426			
SITE PLAN			
BLOUNT INC.			
FORESTRY & INDUSTRIAL EQUIPMENT			
474 BIRCH STREET			
PRENTICE, WISCONSIN			
PROJECT NO. 60133903	DRAWN BY: KAM	DATE: 01/18/2012	<b>FIGURE 5</b>

Route To:  Watershed/Wastewater  Waste Management   
 Remediation/Revelopment  Other

Page 1 of 2

Facility/Project Name: FORMER BROWN INDUSTRIES SITE License/Permit/Monitoring Number: \_\_\_\_\_ Boring Number: B-101

Boring Drilled By: Name of crew chief (first, last) and Firm  
First Name: ADAM Last Name: SWEET Date Drilling Started: 07/14/2008 Date Drilling Completed: 07/14/2008 Drilling Method: DIRECT PUSH / HSA

Firm: HORIZON CONSTRUCT & TEST  
 Unique Well No.: PP884 DNR Well ID No.: \_\_\_\_\_ Well Name: MW-101 Final Static Water Level: \_\_\_\_\_ Feet MSL  
 Surface Elevation: \_\_\_\_\_ Feet MSL Borehole Diameter: 3 1/8" inches

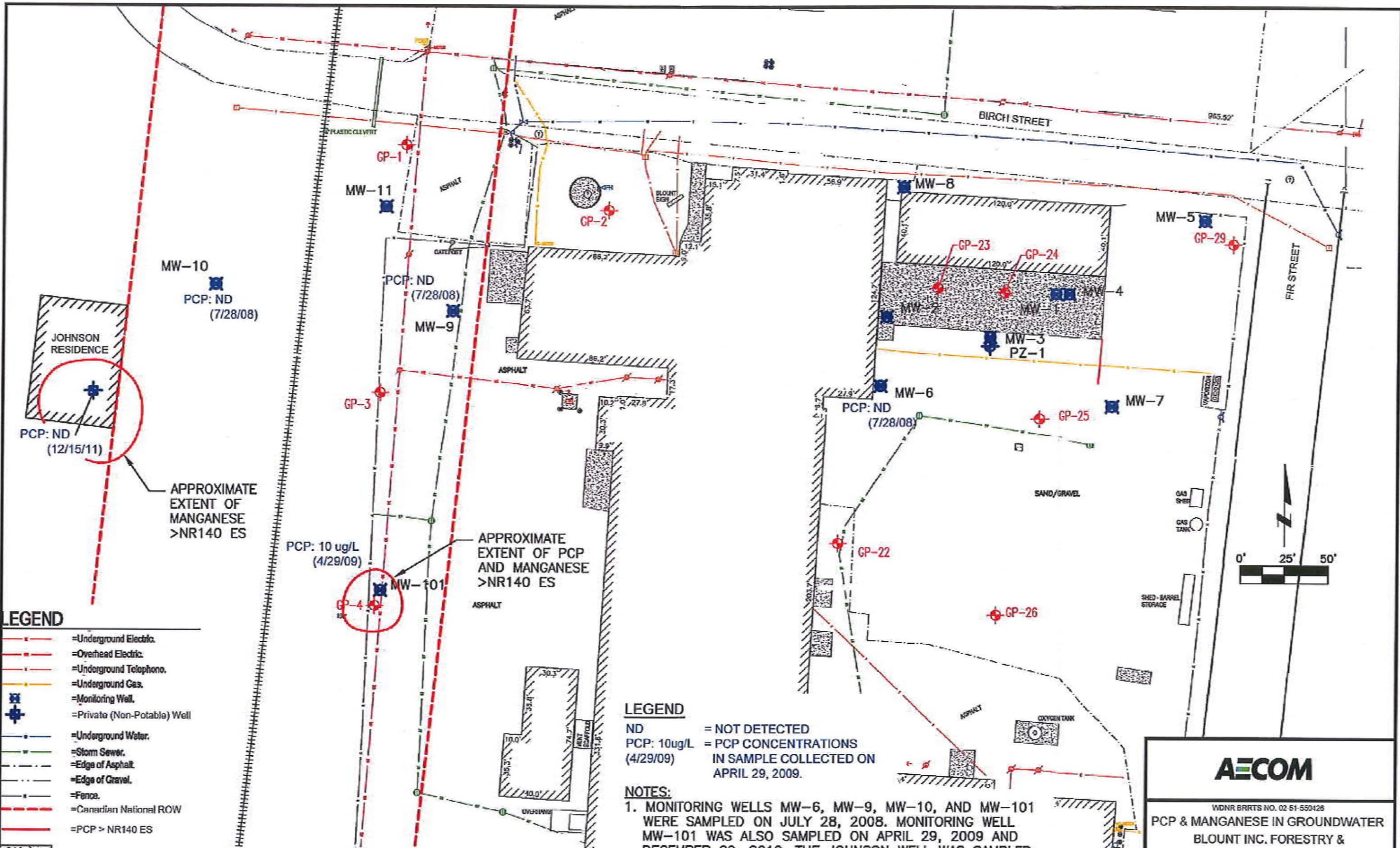
Local Grid Origin  (estimated: ) or Boring Location   
 State Plane: \_\_\_\_\_ N. \_\_\_\_\_ E S/C/N Lat: 0 ' " Local Grid Location: \_\_\_\_\_  
SW 1/4 of SW 1/4 of Section 6, T. 35 N, R. 2 EW Long: 0 ' "  N  E  
 Facility ID: \_\_\_\_\_ County: PRICE County Code: 51 Civil Town/City/ or Village: PRENTICE

Sample No.	Sample Type	Length Att. & Recovered (in)	Blow Counts	Depth in Feet (Below ground surface)	Soil/Rock Description And Geologic Origin For Each Major Unit	USCS	Graphic Log	Well Diagram	PID	Soil Properties				RQD/ Comments
										Compressive Strength	Moisture Content	Shrinkage Limit	Plasticity Index	
					<u>ASPHALT COVERED</u>									
-1	60/132			0.2 to 0.9	<u>LOOSE REDDISH BROWN (10YR 4/3) GRAVELLY FILL</u>									
				0.9 to 1.4	<u>BLACK TOPSOIL</u>									
				1.4 to 5.0	<u>SOFT TO FIRM (10YR 2.5/3) GRAVELLY SANDY SILT, MOIST, COHESIVE</u>	<u>ML</u>					<u>MOIST</u>	<u>NON</u>		<u>10-2.0 PCR METALS 11:40</u>
				5.0 to 10.0	<u>SAA, MORE SAND LESS GRAVEL</u>									
Z	60/240			10.0 to 14.0	<u>SAA MORE GRAVEL, SOFT @ 14.0</u>	<u>ML</u>								<u>6.7 PCR METALS 11:45</u>
				11.0 to 15.0	<u>SOFT, BROWN (10YR 7/3) SILTY GRAVELLY SAND</u>	<u>SM</u>					<u>MOIST</u>	<u>NON</u>		<u>11:50</u>
				12										<u>11.5-12.5 PCR METALS</u>

I hereby certify that the information on this form is true and correct to the best of my knowledge.  
 Signature: Phil Cooper Firm: EARTH TECH, INC FIGURE 6

This form is authorized by Chapters 281, 283, 289, 291, 292, 293, 295, and 299, Wis. Stats. Completion of this form is mandatory. Failure to file this form may result in forfeiture of between \$10 and \$25,000, or imprisonment for up to one year, depending on the program and conduct involved. Personally identifiable information on this form is not intended to be used for any other purpose. NOTE: See instructions for more information, including where the completed form should be sent.





**LEGEND**

	=Underground Electric.
	=Overhead Electric.
	=Underground Telephone.
	=Underground Gas.
	=Monitoring Well.
	=Private (Non-Potable) Well
	=Underground Water.
	=Storm Sewer.
	=Edge of Asphalt.
	=Edge of Gravel.
	=Fence.
	=Canadian National ROW
	=PCP > NR140 ES
	=Concrete.
	=Existing Building.

**LEGEND**

ND = NOT DETECTED  
 PCP: 10ug/L = PCP CONCENTRATIONS  
 (4/29/09) IN SAMPLE COLLECTED ON  
 APRIL 29, 2009.

- NOTES:**
1. MONITORING WELLS MW-6, MW-9, MW-10, AND MW-101 WERE SAMPLED ON JULY 28, 2008. MONITORING WELL MW-101 WAS ALSO SAMPLED ON APRIL 29, 2009 AND DECEMBER 29, 2010. THE JOHNSON WELL WAS SAMPLED ON DECEMBER 15, 2011.
  2. PCP CONCENTRATIONS IN MW-101 RANGED FROM ND TO 10 ug/L.

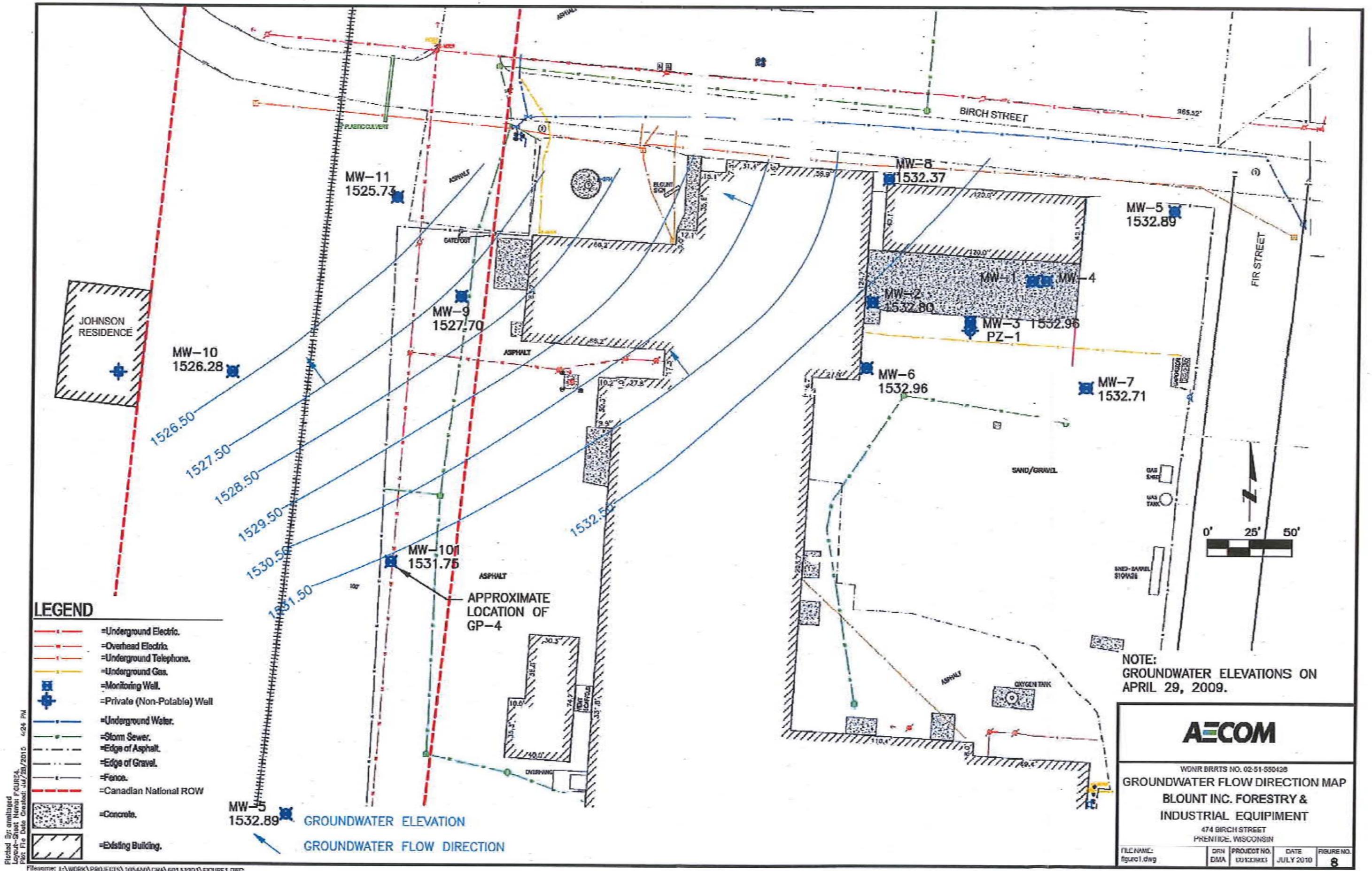
SOURCE (FOR BORING LOCATIONS GP-X): URS FIGURE 2 DATED 10-9-2007

**AECOM**

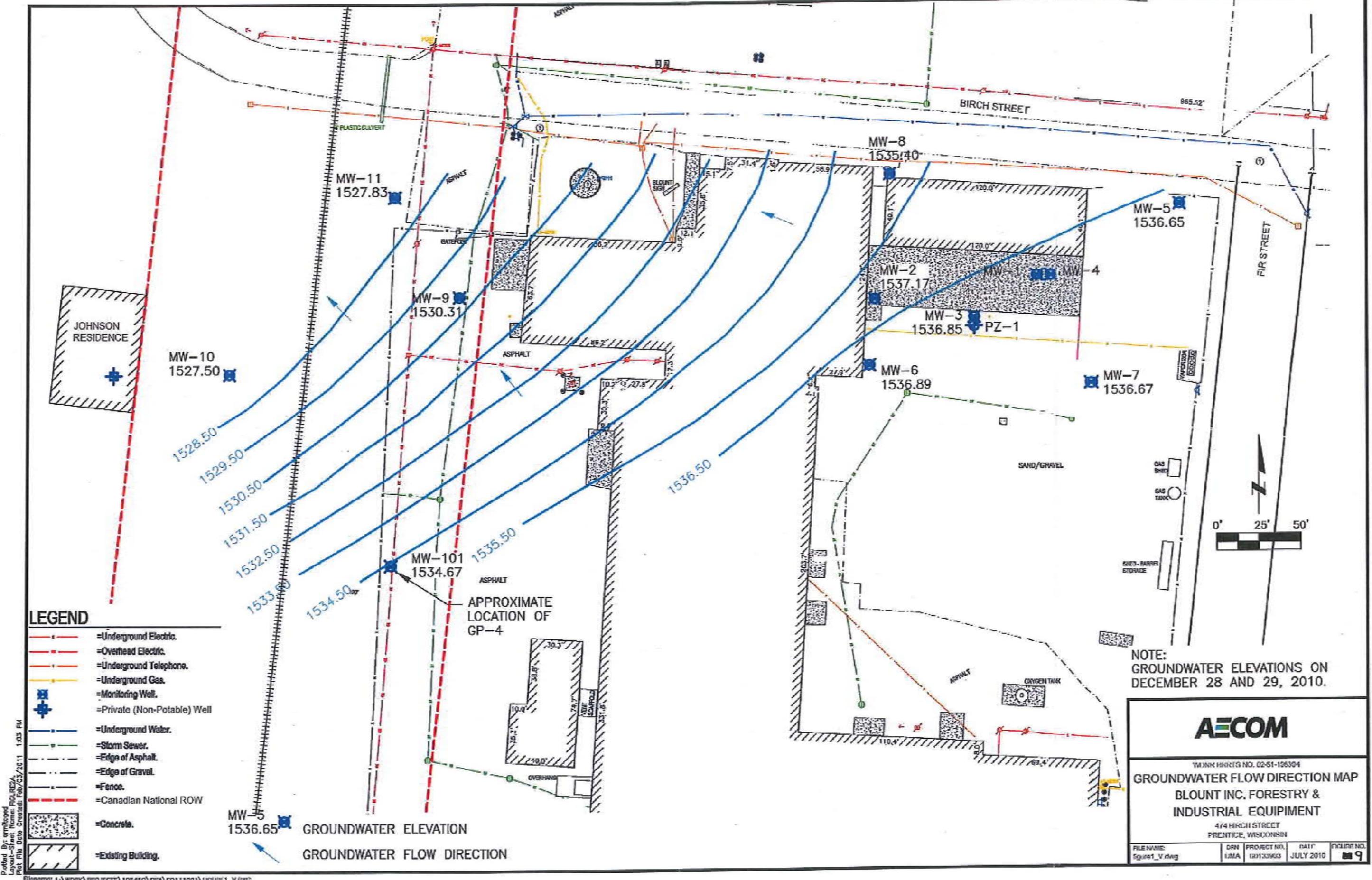
WDNR BRRTS NO. 02 51-550428  
 PCP & MANGANESE IN GROUNDWATER  
 BLOUNT INC. FORESTRY &  
 INDUSTRIAL EQUIPMENT  
 474 BIRCH STREET  
 PRENTICE, WISCONSIN

FILE NAME Figure 1-4.dwg	DRN DMA	PROJECT NO. 00133903	DATE JAN 2012	FIGURE NO. 7
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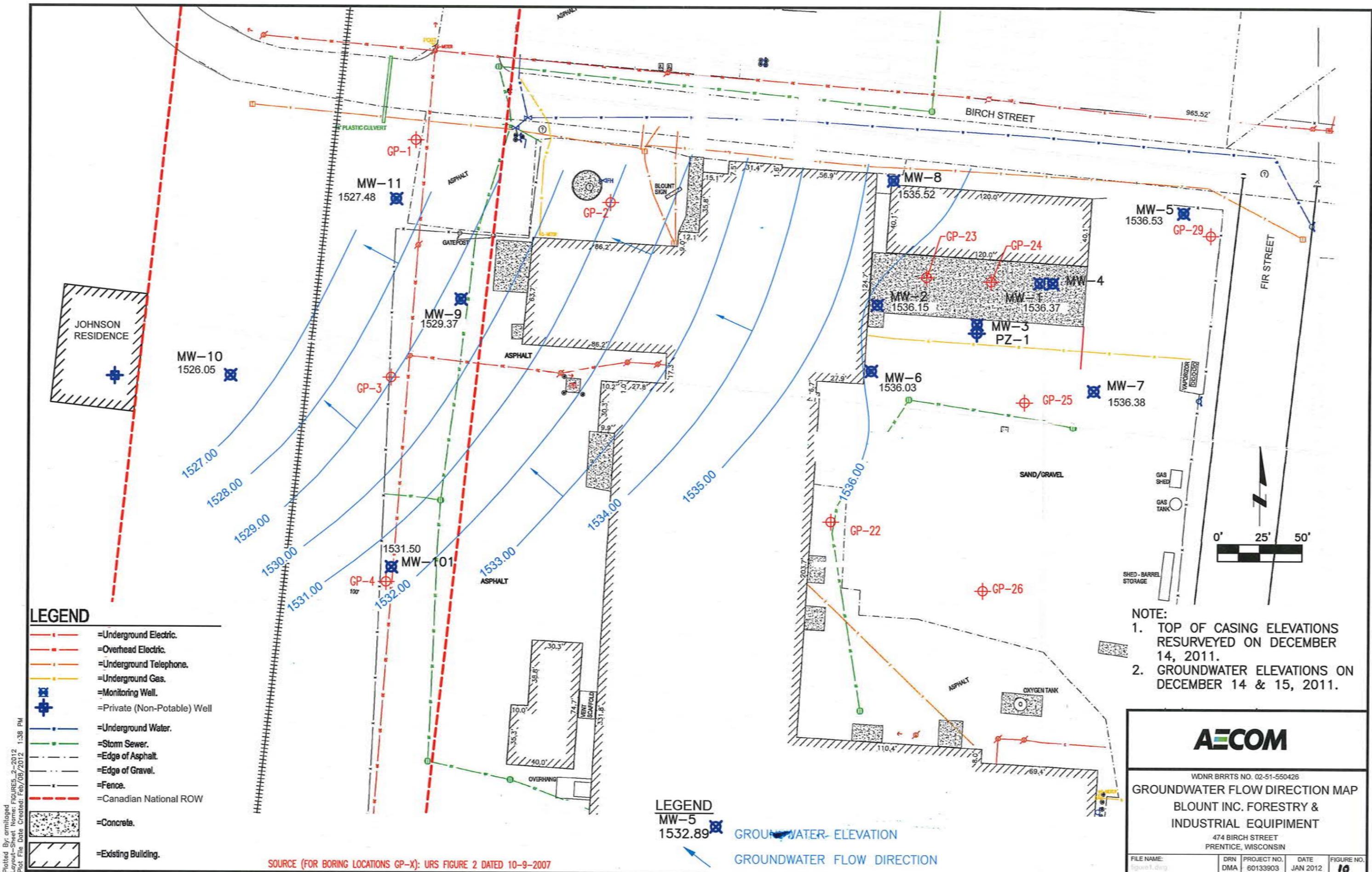
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Picked by: emh/abp  
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 Layout-Sheet Name: FIGURE1  
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- LEGEND**
- =Underground Electric.
  - =Overhead Electric.
  - =Underground Telephone.
  - =Underground Gas.
  - + =Monitoring Well.
  - + =Private (Non-Potable) Well
  - =Underground Water.
  - =Storm Sewer.
  - =Edge of Asphalt.
  - =Edge of Gravel.
  - =Fence.
  - =Canadian National ROW
  - =Concrete.
  - =Existing Building.

- NOTE:**
1. TOP OF CASING ELEVATIONS RESURVEYED ON DECEMBER 14, 2011.
  2. GROUNDWATER ELEVATIONS ON DECEMBER 14 & 15, 2011.

WDNR BRRTS NO. 02-51-550426

**GROUNDWATER FLOW DIRECTION MAP**

**BLOUNT INC. FORESTRY & INDUSTRIAL EQUIPMENT**

474 BIRCH STREET  
PRENTICE, WISCONSIN

FILE NAME: fgw1.dwg	DRN DMA	PROJECT NO. 60133903	DATE JAN 2012	FIGURE NO. <b>16</b>
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**LEGEND**

MW-5 1532.89 + **GROUNDWATER ELEVATION**

--- **GROUNDWATER FLOW DIRECTION**

Plotted By: armlaged  
 Layout-Sheet Name: FIGURES\_2-2012  
 Plot File Date Created: Feb/08/2012 1:38 PM  
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SOURCE (FOR BORING LOCATIONS GP-X): URS FIGURE 2 DATED 10-9-2007

**TABLE 1**  
**SOIL SAMPLE ANALYTICAL RESULTS**  
**FORMER BLOUNT INDUSTRIES SITE**  
**PRENTICE, WISCONSIN**  
**WDNR BRRTS NO. 02-51-550426**

Soil Boring No.:		B-101			
Sample Depth (feet):		1.0-2.0	6.0-7.0	11.5-12.5	
Date Collected:		7/14/2008	7/14/2008	7/14/2008	
RCL					
Analyte	Non-Industrial	Industrial	Results		
<b>Metals - Total (mg/kg)</b>					
Aluminum	NE	NE	21200	15200	11200.0
Arsenic	0.039	1.6	<0.382	1.58 <sup>J</sup>	<0.364
Barium	NE	NE	81.7	72.3	36.4
Beryllium	NE	NE	0.7	0.4	0.360 <sup>J</sup>
Cadmium	NE	NE	0.0650	<0.0623	<0.0619
Calcium	NE	NE	3020	4320	4500
Chromium	NE	NE	29.2	30.1	24.0
Cobalt	NE	NE	9.7	10.4	10.1 <sup>DUP</sup>
Copper	NE	NE	25.9	26.3	23.3 <sup>S1L,S2L</sup>
Iron	NE	NE	26300	30000	24300
Lead	50	500	5.15	5.15	3.75
Magnesium	NE	NE	4390	5880	4540
Manganese	NE	NE	281	316	311
Nickel	NE	NE	19.2	22.6	19.0
Potassium	NE	NE	1100	1290	1020
Selenium	NE	NE	<0.688	<0.660	<0.655
Silver	NE	NE	<0.229	<0.220	<0.218
Sodium	NE	NE	172	244	286
Vanadium	NE	NE	59.0	57.1	57.6 <sup>S1L</sup>
Zinc	NE	NE	31.3	30.9	28.7
<b>Herbicide (mg/kg)</b>					
Pentachlorophenol (PCP)	NE	NE	<0.77	<0.74	<0.73

Notes:

1. RCL - Residual Contaminant Level identified in Wisconsin Administrative Code, Chapter NR 720, Table 2.
2. J means "Estimated concentration below laboratory quantitation level."
3. S1L means "First sample matrix spike recovery was low."
4. S2L means "Second sample matrix spike recovery was low."
5. DUP means "Result of duplicate sample analysis in this quality assurance batch exceeds the limits for precision."

**TABLE 2**  
**GROUNDWATER SAMPLE ANALYTICAL RESULTS**  
**FORMER BLOUNT INDUSTRIES SITE**  
**PRENTICE, WISCONSIN**  
**WDNR BRRTS NO. 02-51-550426**

Well No.	MW-6	MW-9	MW-10	MW-101								
				1st Draw	Purged	Filtered	1st Draw	Purged				
Date Collected:	7/28/2008	7/28/2008	7/28/2008	7/28/2008	4/1/2009	4/29/2009	4/29/2009	4/29/2009	12/29/2010	12/29/2010		
<b>Analyte</b>	ES	PAL										
<b>Herbicide (µg/L)</b>												
Pentachlorophenol (PCP)	1	0.1	<2.00	<2.00	<2.00	<2.00	9.6	<0.22*	10**	9.3 ***	<0.12#	2.2 **

Notes:

1. ES - Enforcement Standard identified in Wisconsin Administrative Code, Chapter NR 140, Tables 1 and 2.
2. PAL - Preventive Action Limit identified in Wisconsin Administrative Code, Chapter NR 140, Tables 1 and 2.
3. **Bold** data indicates exceedence of PAL.
4. **Bold** and **outlined** data indicates exceedence of ES.
5. \* Sample was collected as a first draw prior to purging.
6. \*\* Sample was collected after the well was purged dry and allowed to recharge.
7. \*\*\* Sample was field filtered with a 1.0 micron capsule filter.
8. # Sample hold time to extraction was exceeded by 15 days. It is believed that the effect on the reported results was negligible.

**TABLE 2 (CONTINUED)**  
**GROUNDWATER SAMPLE ANALYTICAL RESULTS**  
**FORMER BLOUNT INDUSTRIES SITE**  
**PRENTICE, WISCONSIN**  
**WDNR BRRTS NO. 02-51-550426**

Well No.		MW-6	MW-101	MW-9	MW-10	
Date Collected:		7/28/2008	7/28/2008	7/28/2008	7/28/2008	
Analyte	ES	PAL				
<b>Metals - Total (µg/L)</b>						
Arsenic (mg/L)	10	1	<0.60	<0.60	<0.60	<0.60
Aluminum	NE	NE	0.0021 <sup>CSH, S1L, J</sup>	0.0076 <sup>CSH</sup>	<0.0020 <sup>CSH</sup>	0.0172 <sup>CSH</sup>
Barium	2,000	400	30.1	57.2	25.6	71.4
Beryllium	4	0.4	0.13 <sup>J</sup>	0.14 <sup>J</sup>	0.13 <sup>J</sup>	0.15 <sup>J</sup>
Cadmium	5	0.5	<0.20	<0.20	<0.20	<0.20
Calcium (mg/L)	NE	NE	66.5 <sup>S1H</sup>	102	58.2	15.4
Chromium	100	10	<1.60	<1.60	<1.60	<1.60
Cobalt	40	8	1.40 <sup>J</sup>	6.35	0.95 <sup>J</sup>	0.92 <sup>J</sup>
Copper	1,300	130	1.88 <sup>J</sup>	8.98	<0.60	2.49
Iron (mg/L)	0.3	0.15	<0.010	0.014 <sup>J</sup>	<0.010	0.020 <sup>J</sup>
Lead	15	1.5	<0.30	<0.30	<0.30	<0.30
Magnesium (mg/L)	NE	NE	29.6	49.8	22.9	5.12
Manganese (mg/L)	0.050	0.025	<b>0.0617</b>	<b>0.877</b>	0.0068	0.0042
Nickel	100	20	6.78	14.4	1.37 <sup>J</sup>	2.52
Potassium (mg/L)	NE	NE	<1.0	1.68	<1.00	13.5
Selenium	50	10	<0.60	<0.60	<0.60	<0.60
Silver	50	10	<0.20	<0.20	<0.20	<0.20
Sodium (mg/L)	NE	NE	21.5	15.5	14.8	13.5
Vanadium	30	6	<1.0	<1.0	1.7 <sup>J</sup>	<1.0
Zinc	5,000	2,500	4.73 <sup>J</sup>	4.29 <sup>J</sup>	2.38 <sup>J</sup>	7.44

Notes:

1. ES - Enforcement Standard identified in Wisconsin Administrative Code, Chapter NR 140, Tables 1 & 2.
2. PAL - Preventive Action Limit identified in Wisconsin Administrative Code, Chapter NR 140, Tables 1 & 2.
3. NE - Not Established.
4. **Bold** data indicates exceedence of PAL.
5. **Bold and outlined** data indicates exceedence of ES.
6. CSH means "Check standard for this analyte exhibited a high bias. Sample results may also be biased high."
7. J means "Estimated concentration below laboratory quantitation level."
8. S1L means "First sample matrix spike recovery was low."
9. S1H means "First sample matrix spike recovery was high."

<b>Table 3</b> <b>Groundwater Sample Analytical Results</b> <b>Non-Potable Residential Water Well</b> <b>Johnson Residence</b> <b>495 Birch Street</b> <b>Prentice, Wisconsin</b> <b>WDNR BRRTS No. 02-51-550426</b>			
Soil Boring No.:			Johnson Well
Date Collected:			12/14/2011
Analyte	ES	PAL	
<b>VOCs (µg/l)</b>			
No VOCs Detected **			ND
<b>Pentachlorophenol (PCP) (µg/l)</b>			
No PCP Detected	1	0.1	<0.041
<b>Metals (µg/l)</b>			
Dissolved manganese	300	60	<b>687 *</b>

Notes:

1. µg/l: micrograms per liter
2. VOCs: Volatile Organic Compounds
3. ES means Enforcement Standard as listed in Wisconsin Administrative Code, Chapter NR 140 Table 1, December 2010.
4. PAL means Preventative Action Limit as listed in Wisconsin Administrative Code, Chapter NR 140 Table 1, December 2010.
5. ND: Not detected. VOC detection limits can be found on the laboratory analytical reports.
6. **Bold and outlined** data indicates exceedence of ES.
7. \* Chapter NR 140 ES exceedence is believed to be the result of natural processes and conditions.
8. \*\* Methylene chloride, a common laboratory contaminant, was detected at an estimated concentration of 0.48 µg/l, which was between the Limit of Detection and the Limit of Quantitation.

**TABLE 4**  
**MONITORING WELL WATER LEVEL SUMMARY**  
**LIMITED FOLLOW-UP INVESTIGATION**  
**FORMER BLOUNT INDUSTRIES SITE**  
**PRENTICE, WISCONSIN**  
**DNR BRRTS No. 02-51-550426**

Well No.	Well Installation Date	Sample Date	TOC Elevation (ft above msl)	Total Depth (feet bgs)	Depth to Water (ft)	Groundwater Elevation (ft above msl)
MW-1	6/26/1990	7/25/2006	1,546.14	27.4	9.81	1,536.33
		10/10/2006			10.08	1,536.06
		5/1/2007			10.47	1,535.67
		7/24/2007			10.06	1,536.08
		11/13/2007			9.66	1,536.48
		6/4/2008			8.82	1,537.32
		9/11/2008			9.98	1,536.16
		11/13/2008			9.91	1,536.23
		4/1/2009 *			11.63	1,534.51
		4/29/2009 *			11.14	1,535.00
		12/29/2010 *			7.06	1,539.08
		12/14/2011 *	1,543.69	7.30	1,536.39	
MW-4	6/27/1990	7/25/2006	1,546.65	11.9	9.42	1,537.23
		10/10/2006			9.74	1,536.91
		5/1/2007			10.10	1,536.55
		7/24/2007			9.72	1,536.93
		11/13/2007			9.39	1,537.26
		6/4/2008			8.48	1,538.17
		9/11/2008			9.75	1,536.90
		11/13/2008			9.56	1,537.09
		4/1/2009 *			9.36	1,537.29
		4/29/2009 *			10.49	1,536.16
		12/29/2010 *			6.94	1,539.71
		12/14/2011 *	1,543.49	2.23**	1,541.26**	
MW-2	6/27/1990	7/25/2006	1,544.15	19.9	9.73	1,534.42
		10/10/2006			10.04	1,534.11
		5/1/2007			10.37	1,533.78
		7/24/2007			9.96	1,534.19
		11/13/2007			9.65	1,534.50
		6/4/2008			8.66	1,535.49
		9/11/2008			9.91	1,534.24
		11/13/2008			9.90	1,534.25
		4/1/2009 *			11.35	1,532.80
		4/29/2009 *			11.00	1,533.15
		12/29/2010 *			6.98	1,537.17
		12/14/2011 *	1,543.37	7.22	1,536.15	
MW-3	6/27/1990	7/25/2006	1,543.52	17.4	9.32	1,534.20
		10/10/2006			9.63	1,533.89
		5/1/2007			9.98	1,533.54
		7/24/2007			9.60	1,533.92
		11/13/2007			9.23	1,534.29
		6/4/2008			8.31	1,535.21
		9/11/2008			9.56	1,533.96
		11/13/2008			9.51	1,534.01
		4/1/2009 *			10.96	1,532.56
		4/29/2009 *			10.66	1,532.86
		12/29/2010 *			6.67	1,536.85
		12/15/2001 *	1,543.20	7.04	1,536.16	
PZ-1	6/10/1991	7/25/2006	1,543.61	34	9.46	1,534.15
		10/10/2006			9.69	1,533.92
		5/1/2007			10.10	1,533.51
		7/24/2007			9.75	1,533.86
		11/13/2007			NA	
		6/4/2008			8.56	1,535.05
		9/11/2008			9.75	1,533.86
		11/13/2008			9.79	1,533.82
		4/1/2009 *			11.41	1,532.20
		4/29/2009 *	10.61	1,533.00		

4  
TABLE 1 (cont.)

Well No.	Well Installation Date	Sample Date	TOC Elevation (ft above msl)	Total Depth (feet bgs)	Depth to Water (ft)	Groundwater Elevation (ft above msl)
MW-5	6/6/1991	7/25/2006	1,547.30	16	13.03	1,534.27
		10/10/2006			13.33	1,533.97
		5/1/2007			13.68	1,533.62
		7/24/2007			13.36	1,533.94
		11/13/2007			13.01	1,534.29
		6/4/2008			12.14	1,535.16
		9/11/2008			13.03	1,534.27
		11/13/2008			13.38	1,533.92
		4/1/2009 *			14.83	1,532.47
		4/29/2009 *			14.41	1,532.89
		12/28/2010 *			10.65	1536.65
		12/14/2011 *	10.77		1,536.53	
MW-6	6/6/1991	7/25/2006	1,543.13	16.5	8.94	1,534.19
		10/10/2006			9.22	1,533.91
		5/1/2007			9.55	1,533.58
		7/24/2007			9.18	1,533.95
		11/13/2007			8.87	1,534.26
		6/4/2008			8.05	1,535.08
		9/11/2008			9.12	1,534.01
		11/13/2008			9.20	1,533.93
		4/1/2009 *			10.46	1,532.67
		4/29/2009 *			10.17	1,532.96
		12/29/2010 *			6.24	1536.89
		12/15/2011 *			6.48	1,536.03
		MW-7	6/7/1991		NA	1,542.80
NA	NA					
NA	NA					
NA	NA					
NA	NA					
NA	NA					
NA	NA					
NA	NA					
NA	NA					
4/29/2009 *	10.09			1,532.71		
12/29/2010 *	6.13			1,536.67		
12/14/2011 *	6.37			1,536.38		
MW-8	6/7/1991			7/25/2006	1,547.50	16
		10/10/2006	14.42	1,533.08		
		5/1/2007	14.80	1,532.70		
		7/24/2007	14.44	1,533.06		
		11/13/2007	14.18	1,533.32		
		6/4/2008	13.10	1,534.40		
		9/11/2008	14.39	1,533.11		
		11/13/2008	14.37	1,533.13		
		4/1/2009 *	15.88	1,531.62		
		4/29/2009 *	15.13	1,532.37		
		12/28/2010 *	12.1	1535.40		
		12/14/2011 *	12.12	1,535.52		
		MW-9	6/10/1991	7/25/2006	1,542.21	
10/10/2006	14.28			1,527.93		
5/1/2007	14.08			1,528.13		
7/24/2007	13.97			1,528.24		
11/13/2007	13.59			1,528.62		
6/4/2008	12.81			1,529.40		
9/11/2008	14.51			1,527.70		
11/13/2008	14.21			1,528.00		
4/1/2009	15.13			1,527.08		
4/29/2009 *	14.51			1,527.70		
12/29/2010 *	11.90			1530.31		
12/14/2011 *	12.20			1,529.37		

4  
TABLE 4 (cont.)

Well No.	Well Installation Date	Sample Date	TOC Elevation (ft above msl)	Total Depth (feet bgs)	Depth to Water (ft)	Groundwater Elevation (ft above msl)
MW-10	NA	7/25/2006	1,539.71	15.5	14.45	1,525.26
		10/10/2006			14.20	1,525.51
		5/1/2007			13.39	1,526.32
		7/24/2007			13.84	1,525.87
		11/13/2007			13.38	1,526.33
		6/4/2008			12.71	1,527.00
		9/11/2008			14.79	1,524.92
		11/13/2008			14.08	1,525.63
		4/1/2009 *			14.26	1,525.45
		4/29/2009 *			13.43	1,526.28
		12/28/2010 *	12.21	1527.50		
	12/14/2011 *	1,538.54		12.49	1,526.05	
MW-11	8/5/2003	7/25/2006	1,542.54	20	17.07	1,525.47
		10/10/2006			16.91	1,525.63
		5/1/2007			16.54	1,526.00
		7/24/2007			16.64	1,525.90
		11/13/2007			16.19	1,526.35
		6/4/2008			15.44	1,527.10
		9/11/2008			17.39	1,525.15
		11/13/2008			16.93	1,525.61
		NA			NA	
		4/29/2009 *			16.81	1,525.73
		12/29/2010 *			14.71	1527.83
		12/14/2011 *			1,542.48	
			4/1/2009 *			11.29
MW-101	7/14/2008	4/29/2009 *	1,539.39	19	10.79	1,531.75
		12/29/2010 *			7.87	1534.67
		12/14/2011 *	1,539.35		7.85	1,531.50

Notes:

1. TOC means Top of Casing.
2. TOC elevations were surveyed by Montgomery Watson November 5, 1997, following well repair. All elevations were referenced to MW-5 TOC.
3. Depth to water measurements for 2006 through 2008 obtained by Environmental Audits, Technical Management group, Brookfield, Wisconsin.
4. NA means Not Available
5. \* Depth to water measurements obtained by AECOM, Stevens Point, Wisconsin.
6. Monitoring wells MW-7, MW-11, and MW-101 were surveyed by AECOM on April 29, 2009, using MW-5 TOC as reference.
7. TOC elevations resurveyed by AECOM on December 14, 2011, using the MW-5 TOC as the reference point.
8. \*\* The depth to water measurement is considered to be an anomaly due to precipitation entering the well casing.



Daniel P. Gustafson

222 West Washington Avenue, Suite 900  
P.O. Box 1784  
Madison, WI 53701-1784  
dgustafson@staffordlaw.com  
608.259.2647

March 4, 2011

VIA EMAIL AND U.S. MAIL

Atty. Richard A. Verkler  
CN-Environmental Counsel  
17642 South Ashland Avenue  
Homewood, IL 60430

Re: Draft Case Closure Request - PCP Contamination  
Former Blount Inc. Site  
474 Birch Street, Prentice, Wisconsin  
WDNR BRRTS No. 02-51-196394

Dear Mr. Verkler:

This letter serves as notification that Blount International, Inc. (Blount) is prepared to request case closure of the pentachlorophenol (PCP) contamination case at the above referenced site. As you know, PCP was detected in groundwater in a single monitoring well (MW-101) located on the portion of the Wisconsin Central Ltd. right-of-way that is currently leased to Caterpillar, Inc. The levels of PCP in MW-101 exceeded the state groundwater Enforcement Standard for PCP of 1.0 ug/l as listed in Chapter NR 140 of the Wisconsin Administrative Code. Groundwater sampling results indicate that PCP concentrations have ranged from 10 ug/l on April 29, 2009, to 2.2 ug/l when the well was last sampled on December 29, 2010.

As we have previously discussed, if case closure is approved by the Wisconsin Department of Natural Resources (WDNR), the portion of the railroad right-of-way adjacent to the former Blount site and currently leased to Caterpillar, Inc., will be listed on the WDNR's geographic information system (GIS) Registry of Closed Remediation Sites. The information on the GIS Registry includes maps showing the location of

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0304111337

**Madison Office**

222 West Washington Avenue 608.256.0226  
P.O. Box 1784 888.655.4752  
Madison, Wisconsin Fax 608.259.2600  
53701-1784 www.staffordlaw.com

**Metro Milwaukee Office**

325 North Corporate Drive 262.439.2888  
Suite 190 888.655.4752  
Brookfield, Wisconsin Fax 262.794.0307  
53045-5801 www.staffordlaw.com

March 4, 2011

Page 2

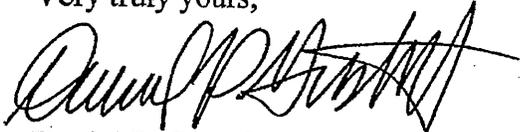
properties in Wisconsin where groundwater contamination remained above the Chapter NR 140 ES when the case was closed. The GIS Registry is available to the general public on the WDNR website. You have indicated that CN has no objection to the listing of the right-of-way on the GIS Registry.

Should you or any subsequent property owner wish to construct or reconstruct a well on the right-of-way, special well construction standards may be necessary to protect the well from residual groundwater contamination. Any well driller who proposes to construct a well on your property in the future will first need to obtain approval from a regional water supply specialist in the WDNR Drinking Water and Groundwater Program.

Enclosed are copies of Blount's draft Case Closure Request and GIS Registry Application for your review. Please contact me with any comments or concerns regarding these documents at your earliest convenience.

When the WDNR approves closure of this case, it will be documented in a letter to Blount. Blount will provide a copy of the closure letter to you upon receipt. A copy of the closure letter will also be included as part of the site file on the GIS Registry of Closed Remediation Sites.

Very truly yours,



Daniel P. Gustafson

DPG:rjd

Enclosures

cc: Julie Solmer Stine  
Chad Paulson  
David Senfelds



AECOM  
200 Indiana Avenue  
Stevens Point, WI 54481  
www.aecom.com

715 341 8110 tel  
715 341 7390 fax

October 26, 2012

Helen A. Johnson  
Duane Johnson  
495 Birch Street  
Prentice, WI 54556

**Subject: Notification of GIS Registry  
Elevated Manganese Levels in Groundwater  
WDNR BRRTS No. 02-51-550426  
AECOM Project No. 105450**

Dear Mr. and Mrs. Johnson:

As you know, for the past several years, AECOM has been conducting an investigation of chlorinated volatile organic compounds (CVOCs), pentachlorophenol (PCP), and metals in the soil and groundwater at the former Blount, Inc., facility, located east of your property and the railroad tracks, in Prentice, Wisconsin. This investigation involves two open matters at the Department of Natural Resources (DNR). The DNR file numbers are BRRTS Nos. 02-51-196394 (CVOCs) and 02-51-550426 (PCP and metals). As part of that investigation, AECOM sampled your private well on December 15, 2011. Although your private well has since been abandoned, and is no longer a potential source of potable water, we want to reiterate that no CVOCs or PCP were detected in the sample from your well, as we have previously reported. Dissolved manganese was detected, however, at a concentration of 687 micrograms per liter ( $\mu\text{g/L}$ ) or parts per billion (ppb), which is above the state groundwater enforcement standard for manganese of 300  $\mu\text{g/L}$  found in Chapter NR 140, Wisconsin Administrative Code.

Although there is no conclusive evidence to indicate whether the elevated manganese levels detected in your well are naturally occurring, or related to conditions on the railroad right-of-way or the former Blount property, Wisconsin law requires that we provide you with this notice letter.

If the source of the elevated manganese in groundwater is not on your property, neither you nor any subsequent owner of your property will be held responsible for investigation or cleanup of this groundwater condition, as long as you or any subsequent owners comply with the requirements of section 292.13, Wisconsin Statutes, including allowing access to your property for environmental investigation or cleanup if access is required. For further information on the requirements of section 292.13, Wisconsin Statutes, you may call 1-800-367-6076 for calls originating in Wisconsin, or 1-608-264-6020 if you are calling from out of state or within the Madison area, to obtain a copy of the Department of Natural Resources' publication #RR-589, Fact Sheet 10: Guidance for Dealing with Properties Affected by Off-Site Contamination.

Because the PCP and metals do not pose an existing or anticipated threat to public health, safety or welfare, or the environment, AECOM, on behalf of Blount, Inc., has requested that the DNR grant case closure for BRRTS No. 02-51-550426. Closure means that the Department will not be requiring any further investigation or cleanup action to be taken.

The DNR will not make a final decision whether to grant our 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 DNR that is relevant to this closure



request, you should mail that information to: Phil Richard, 875 South 4<sup>th</sup> Avenue, Park Falls, Wisconsin 54552.

If this case is closed, all properties within the site boundaries where groundwater concentrations exceed chapter NR 140 groundwater enforcement standards will be listed on the DNR's 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 concentrations 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 DNR's internet web site. Please review the enclosed legal description of your property and notify me within the next 30 days if the legal description is incorrect.

Once the Department makes a decision on our 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 <http://www.dnr.wi.gov/org/aw/rr/gis/index.htm>. A copy of the closure letter is included as part of the site file on the GIS Registry of Closed Remediation Sites.

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 avoid groundwater with manganese concentrations above the chapter NR 140 groundwater enforcement standard. Any well driller who proposes to construct a well on your property in the future will first need to obtain approval from a regional water supply specialist in DNR's Drinking Water and Groundwater Program. The well construction application, Form 3300-254, is on the internet at <http://www.dnr.wi.gov/org/water/dwg/3300254.pdf> or may be accessed through the GIS Registry web address in the preceding paragraph.

If you need more information, you may contact me at AECOM, 200 Indiana Avenue, Stevens Point, Wisconsin 54481; telephone number (715) 342-3039; or you may contact Phil Richard, DNR, at 875 South 4<sup>th</sup> Avenue, Park Falls, Wisconsin 54552; telephone number (715) 762-1352.

Sincerely,

David S. Senfelds, P.E., CHMM  
Project Manager

c: Chad Paulson, Blount International, Inc.  
Dan Gustafson, Stafford Rosenbaum LLP

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Helen Johnson  
Duane Johnson  
495 Birch Street  
Prentice WI 54556

105450

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
X *Helen Johnson*  Agent  Addressee

B. Received by (Printed Name) C. Date of Delivery  
*Helen Johnson* *10-30-12*

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number  
(Transfer from service label)

7010 3090 0001 4224 5062

Notice: Completion of this report is required by chs. 160, 281, 283, 289, 291-293, 295, and 299, Wis. Stats., and ch. NR 141, Wis. Adm. Code. In accordance with chs. 281, 289, 291-293, 295, and 299, Wis. Stats., failure to file this form may result in a forfeiture of between \$10-25,000, or imprisonment for up to one year, depending on the program and conduct involved. Personally identifiable information on this form is not intended to be used for any other purpose. Return form to the appropriate DNR office and bureau. See instructions on reverse for more information.

**Verification Only of Fill and Seal**

**Route to:**  
 Drinking Water       Watershed/Wastewater       Remediation/Redevelopment  
 Waste Management       Other: \_\_\_\_\_

<b>1. Well Location Information</b>			<b>2. Facility / Owner Information</b>		
County <u>Price</u>	WI Unique Well # of Removed Well _____	Hicap # _____	Facility Name _____		
Latitude / Longitude (Degrees and Minutes) <u>45° 33' 38.6" N</u> <u>89° 45' 7.33" W</u>		Method Code (see instructions) _____	Facility ID (FID or PWS) _____		
1/4 1/4 <u>NW</u> or Gov't Lot #	Section <u>NW</u>	Township <u>35 N</u>	Range <u>2</u>	License/Permit/Monitoring # _____	
Well Street Address <u>495 Birch Street</u>		Original Well Owner _____	Present Well Owner <u>Helen Johnson</u>		
Well City, Village or Town <u>Prentice</u>		Well ZIP Code <u>54556</u>	Mailing Address of Present Owner <u>495 Birch Street</u>		
Subdivision Name _____		Lot # _____	City of Present Owner <u>Prentice</u>		State <u>WI</u>
Reason For Removal From Service <u>city water</u>		WI Unique Well # of Replacement Well _____	ZIP Code <u>54556</u>		

<b>3. Well / Drillhole / Borehole Information</b>		<b>4. Pump, Liner, Screen, Casing &amp; Sealing Material</b>			
<input type="checkbox"/> Monitoring Well	Original Construction Date (mm/dd/yyyy) <u>unknown</u>	Pump and piping removed?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
<input checked="" type="checkbox"/> Water Well	If a Well Construction Report is available, please attach. _____	Liner(s) removed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> N/A
<input type="checkbox"/> Borehole / Drillhole		Screen removed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> N/A
Construction Type: <input checked="" type="checkbox"/> Drilled <input type="checkbox"/> Driven (Sandpoint) <input type="checkbox"/> Dug <input type="checkbox"/> Other (specify): _____		Casing left in place?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Formation Type: <input checked="" type="checkbox"/> Unconsolidated Formation <input type="checkbox"/> Bedrock		Was casing cut off below surface?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Total Well Depth From Ground Surface (ft.) <u>46</u>	Casing Diameter (in.) <u>6</u>	Did sealing material rise to surface?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Lower Drillhole Diameter (in.) _____	Casing Depth (ft.) <u>46</u>	Did material settle after 24 hours?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> N/A
Was well annular space grouted? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown	Depth to Water (feet) <u>12</u>	If yes, was hole retopped? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	If bentonite chips were used, were they hydrated with water from a known safe source? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A		
Required Method of Placing Sealing Material: <input type="checkbox"/> Conductor Pipe-Gravity <input type="checkbox"/> Conductor Pipe-Pumped <input checked="" type="checkbox"/> Screened & Poured (Bentonite Chips) <input type="checkbox"/> Other (Explain): _____		Sealing Materials: <input type="checkbox"/> Neat Cement Grout <input type="checkbox"/> Clay-Sand Slurry (11 lb./gal. wt.) <input type="checkbox"/> Sand-Cement (Concrete) Grout <input type="checkbox"/> Bentonite-Sand Slurry " " <input type="checkbox"/> Concrete <input checked="" type="checkbox"/> Bentonite Chips			
For Monitoring Wells and Monitoring Well Boreholes Only: <input type="checkbox"/> Bentonite Chips <input type="checkbox"/> Bentonite - Cement Grout <input type="checkbox"/> Granular Bentonite <input type="checkbox"/> Bentonite - Sand Slurry					

5. Material Used To Fill Well / Drillhole		From (ft.)	To (ft.)	No. Yards, Sacks Sealant or Volume (circle one)	Mix Ratio or Mud Weight
<u>3/8" Bentonite Chips</u>		Surface	<u>46</u>	<u>12.5 sacks</u>	

**6. Comments**  
\_\_\_\_\_

<b>7. Supervision of Work</b>				<b>DNR Use Only</b>	
Name of Person or Firm Doing Filling & Sealing <u>Komarek Well Drig</u>	License # <u>6010</u>	Date of Filling & Sealing (mm/dd/yyyy) <u>10/10/2012</u>	Date Received _____	Noted By _____	
Street or Route <u>N11690 State Hwy 13</u>		Telephone Number <u>715767-5469</u>	Comments _____		
City <u>Opema</u>	State <u>WI</u>	ZIP Code <u>54459</u>	Signature of Person Doing Work <u>[Signature]</u>	Date Signed <u>10-25-12</u>	

362721

30<sup>th</sup>

DECLARATION OF RESTRICTION

This Declaration of Restriction is made as of this 27<sup>th</sup> day of Sept., 2012 by Helen A. Johnson (the "Owner").

RECITALS

- A. Owner owns property located at 495 Birch Street, Prentice, Wisconsin (the "Property"). The Property is described in the legal description attached hereto and incorporated herein as Exhibit A. Duane Johnson is the Owner's husband and consents to the terms and conditions of this Declaration of Restriction.
B. The Property is served by the public water supply of the Village of Prentice, Wisconsin but also has a private well that provides water to a single outdoor tap.
C. Blount, Inc. ("Blount") formerly owned real estate (the "Neighboring Property") located near the Property. Blount has conveyed the Neighboring Property to Caterpillar Forest Products, Inc. ("Caterpillar").
D. As part of an agreement with Blount, the Owner and Duane Johnson have agreed to abandon the existing well on the Property and to prohibit the installation or construction of any new wells on the Property.

NOW, THEREFORE, in consideration of the mutual benefits passing to and from the Owner and those who may thereafter acquire all or part of the Property, the Owner declares as follows:

1. Wells Prohibited. The Owner and any future owner of all or part of the Property are prohibited from installing or constructing any wells on the Property for the purpose of withdrawing water.

2. Declaration Runs with the Land. This Declaration of Restriction and all of its terms and conditions shall constitute covenants running with the land and shall be binding upon the Owner, the Owner's heirs, successors, and assigns, and all future persons or entities owning all or any part of the Property, including lessees.

3. Enforcement. This Declaration of Restriction shall be enforceable at law or in equity by Blount and/or Caterpillar and their successors and assigns against the

REGISTER OF DEEDS OFFICE PRICE COUNTY, WIS. Received for Record

OCT 24 2012 9:40 A AT 9:40 A O'CLOCK M. DULY RECORDED J. M. ... REGISTER OF DEEDS

THIS SPACE RESERVED FOR RECORDING DATA

RETURN TO:

Daniel P. Gustafson Stafford Rosenbaum LLP P.O. Box 1784 Madison, WI 53701-1784

P.I.N.

Part of 171 1008 07

Owner and any party who acquires any interest in the Property. Enforcement of this Declaration of Restriction shall be at the discretion of Blount and/or Caterpillar, and any forbearance, delay, or omission by either to exercise its rights under this Declaration of Restriction shall not be deemed or construed to be a waiver of either's right to enforce this Declaration of Restriction at any time. In the event that Blount, Caterpillar or their successors and assigns take action to enforce this Declaration of Restriction, the enforcing party shall be entitled to receive its actual enforcement costs and expenses, including attorney fees, from the person or entity against whom this Declaration of Restriction is enforced.

4. **Termination, Cancellation, and Amendment.** This Declaration of Restriction shall not be terminated, cancelled, or amended without the express written consent of Blount and Caterpillar, or their successors or assigns, which consent may be withheld or conditioned at Blount's, Caterpillar's or their successors and assigns' sole discretion. Any termination, cancellation, or amendment to this Declaration of Restriction shall be recorded with the Price County Register of Deeds.

5. **Recording.** This Declaration of Restriction shall be recorded with the Price County Register of Deeds. Blount or Caterpillar may re-record this Declaration of Restriction with the Price County Register of Deeds at any time.

IN WITNESS WHEREOF, the Owner has executed this Declaration of Restriction as of the year and date first written above.

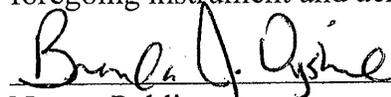
  
\_\_\_\_\_  
Helen A. Johnson

ACKNOWLEDGEMENT

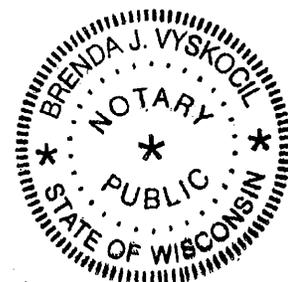
STATE OF WISCONSIN

COUNTY OF PRICE

Personally came before me this 27<sup>th</sup> day of September, 2012, the above-named Helen A. Johnson, to me known to be the person who executed the foregoing instrument and acknowledged the same.

  
\_\_\_\_\_  
Notary Public  
Name: Brenda J. Vyskocil  
My Commission: 6-2-13

(Please print)



CONSENT OF DUANE JOHNSON

I, Duane Johnson, consent to the terms and conditions of this Declaration of Restriction.

Duane Johnson  
Duane Johnson

ACKNOWLEDGEMENT

STATE OF WISCONSIN

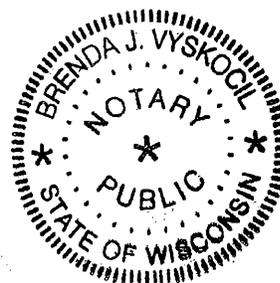
COUNTY OF PRICE

Personally came before me this 27<sup>th</sup> day of September, 2012, the above-named Duane Johnson, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Brenda J. Vyskocil  
Notary Public

Name: Brenda J. Vyskocil (Please print)

My Commission: 6-2-13



**ACKNOWLEDGEMENT BY BLOUNT**

Blount recognizes and acknowledges this Declaration of Restriction and its rights pursuant to this Declaration of Restriction.

BLOUNT, INC.

10/1/12  
Date

By [Signature]  
Chad E. Paulson, General Counsel

**ACKNOWLEDGEMENT**

STATE OF OREGON

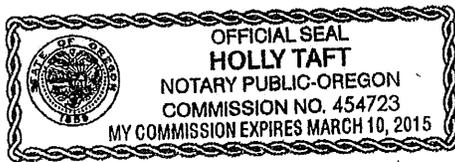
COUNTY OF CLACKAMAS

Personally came before me this 1<sup>st</sup> day of October, 2012, the above-named Chad E. Paulson, to me known to be the person who executed the foregoing instrument and acknowledged the same.

[Signature]  
Notary Public

Name: HOLLY TAFT (Please print)

My Commission: 3-10-15



**ACKNOWLEDGEMENT BY CATERPILLAR**

Caterpillar Forest Products, Inc. recognizes and acknowledges this Declaration of Restriction and its rights pursuant to this Declaration of Restriction.

Caterpillar Forest Products, Inc.

10/10/12  
Date

By Julie S. Stine  
Julie S. Stine, Attorney - Environmental

**ACKNOWLEDGEMENT**

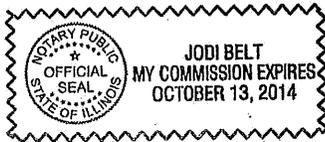
STATE OF ILLINOIS

COUNTY OF PEORIA

Personally came before me this 10<sup>th</sup> day of October, 2012, the above-named Julie S. Stine, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Jodi Belt

Notary Public  
Name: Jodi Belt (Please print)  
My Commission: 10-13-14



Attachment:  
Exhibit A – Legal Description of Property

This instrument was drafted by:  
Daniel P. Gustafson  
Stafford Rosenbaum LLP  
P.O. Box 1784  
Madison, WI 53701-1784  
608.256.0226

## EXHIBIT A

### LEGAL DESCRIPTION OF PROPERTY

A parcel of land located in the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4), Section Seven (7), Township Thirty-Five (35) North, Range Two (2) East, and more particularly described as follows:

Commencing at the Southeast corner of that certain parcel described in 162 of Records on Page 191, the same being the place of beginning; thence South along the West boundary line of the Wisconsin Central Railway Company right-of-way 60 feet to a point; thence West at right angles 50 feet to a point; thence North parallel with the West boundary line of the Wisconsin Central Railway Company, 60 feet to a point; thence East along the South line of said parcel described in 162 of Records, Page 191 and continuation thereof, 50 feet to the place of beginning.

319025

STATE BAR OF WISCONSIN FORM 2 - 1998  
WARRANTY DEED

1178

Document Number

This Deed, made between FRANKLIN REGNER and JOSEPHINE REGNER, husband and wife, and each in his or her own right,

Grantor,  
and HELEN A. JOHNSON, an adult woman,

Grantee.  
Grantor, for a valuable consideration, conveys and warrants to Grantee the following described real estate in Price County, State of Wisconsin:

A parcel of land located in the Northwest Quarter (NW 4) of the Northwest Quarter (NW 4), Section Seven (7), Township Thirty-five (35) North, Range Two (2) East, and more particularly described as follows:

Commencing at the Southeast corner of that certain parcel described in 162 of Records on Page 191, the same being the place of beginning; thence South along the West boundary line of the Wisconsin Central Railway Company right-of-way 60 feet to a point; thence West at right angles 50 feet to a point; thence North parallel with the West boundary line of the Wisconsin Central Railway Company, 60 feet to a point; thence East along the South line of said parcel described in 162 of Records, Page 191 and continuation thereof, 50 feet to the place of beginning.

The Grantors agree to pay the entire 2003 real estate taxes when due.

- Exceptions to warranties:
- 1) Subject to building, zoning and sanitary code ordinances, if any;
  - 2) Subject to flood plain zoning ordinances, if any; and
  - 3) Subject to easements, exceptions, reservations and restrictions of record, if any.

Dated this 5<sup>th</sup> day of June 2003

\_\_\_\_\_  
(SEAL)  
\_\_\_\_\_  
(SEAL)  
\_\_\_\_\_

Franklin Regner (SEAL)  
• FRANKLIN REGNER  
Josephine Regner (SEAL)  
• JOSEPHINE REGNER

AUTHENTICATION

Signature(s) \_\_\_\_\_  
authenticated this \_\_\_\_\_ day of \_\_\_\_\_

ACKNOWLEDGMENT

State of Wisconsin, } ss.  
Price \_\_\_\_\_ County 5<sup>th</sup> day of  
Personally came before me this June 2003, the above named  
FRANKLIN REGNER and JOSEPHINE REGNER

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

THIS INSTRUMENT WAS DRAFTED BY

Dale E. Onchuck - ONCHUCK LAW OFFICE, S.C.

135 North Lake Avenue, Phillips, WI 54555  
(Signatures may be authenticated or acknowledged. Both are not necessary.)

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

Dale E. Onchuck  
Notary Public, State of Wisconsin  
My commission is permanent. (If not, state expiration date: \_\_\_\_\_)

REGISTER OF DEEDS OFFICE  
PRICE COUNTY, WIS.  
Received for Record

JUN 6 2003

9:40  
AT 9:40 O'CLOCK A.M. DULY RECORDED IN  
VOL 513 OF RECORDS ON PAGE 168  
John W. Onchuck  
REGISTER OF DEEDS

Recording Also

Name and Return Address

Onchuck Law Office, S.C.

Part of 171 1008 07

Parcel Identification Number (PIN)

This is not homestead property.  
(#) (is not)

TRANSFER  
\$ 3.00  
FEE

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