

GIS Registry Disclaimer

This case was closed by the DNR prior to August 1, 2002, when DNR began adding approved cleanups with residual soil contamination into the GIS Registry. Certain documents that are currently required by ch. NR 726, Wis. Adm. Code may therefore not be included in this packet as they were unavailable at the time the original case was closed.

The information contained in this document was assembled by DNR from a previously closed case file, and added to the GIS Registry to provide the public with information on closed sites with residual soil and/or groundwater contamination remaining above applicable state standards.

GIS REGISTRY

Cover Sheet

July, 2008
(RR 5367)

Source Property Information

BRRTS #: 03-64-000751

ACTIVITY NAME: EAGLE RIVER FIRE STATION

PROPERTY ADDRESS: 104 E PINE ST

MUNICIPALITY: EAGLE RIVER

PARCEL ID #: 221-634-51 & 221-634-52

CLOSURE DATE: 08/26/1999

FID #: 764134470

DATCP #:

COMM #: 54521999904

*WTM COORDINATES:

X: 578045 Y: 604753

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

WTM COORDINATES REPRESENT:

Approximate Center Of Contaminant Source

Approximate Source Parcel Center

Please check as appropriate: (BRRTS Action Code)

Contaminated Media:

Groundwater Contamination > ES (236)

Contamination in ROW

Off-Source Contamination

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

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

Contamination in ROW

Off-Source Contamination

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

Land Use Controls:

Soil: maintain industrial zoning (220)

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

Structural Impediment (224)

Site Specific Condition (228)

Cover or Barrier (222)

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

Vapor Mitigation (226)

Maintain Liability Exemption (230)

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

Monitoring wells properly abandoned? (234)

Yes No N/A

** Residual Contaminant Level*

***Site Specific Residual Contaminant Level*

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

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

BRRTS #: 03-64-000751 PARCEL ID #: 221-634-51 & 221-634-52

ACTIVITY NAME: EAGLE RIVER FIRE STATION WTM COORDINATES: X: 578045 Y: 604753

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

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

SOURCE LEGAL DOCUMENTS

- Deed:** The most recent deed as well as legal descriptions, for the **Source Property** (where the contamination originated). Deeds for other, off-source (off-site) properties are located in the **Notification** section.
Note: If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.
- Certified Survey Map:** A copy of the certified survey map or the relevant section of the recorded plat map for those properties where the legal description in the most recent deed refers to a certified survey map or a recorded plat map. (lots on subdivided or platted property (e.g. lot 2 of xyz subdivision)).
Figure #: -- Title: Map No. 3756; Vol 13CS, pgs 151-152
- Signed Statement:** A statement signed by the Responsible Party (RP), which states that he or she believes that the attached legal description accurately describes the correct contaminated property.

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

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

- Location Map:** A map outlining all properties within the contaminated site boundaries on a U.S.G.S. topographic map or plat map in sufficient detail to permit easy location of all parcels. If groundwater standards are exceeded, include the location of all potable wells within 1200 feet of the site.
Note: Due to security reasons municipal wells are not identified on GIS Packet maps. However, the locations of these municipal wells must be identified on Case Closure Request maps.
Figure #: 1 Title: Site Location Map
- Detailed Site Map:** A map that shows all relevant features (buildings, roads, individual property boundaries, contaminant sources, utility lines, monitoring wells and potable wells) within the contaminated area. This map is to show the location of all contaminated public streets, and highway and railroad rights-of-way in relation to the source property and in relation to the boundaries of groundwater contamination exceeding a ch. NR 140 Enforcement Standard (ES), and/or in relation to the boundaries of soil contamination exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Levels (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.
Figure #: 2 Title: Site Layout Map
- Soil Contamination Contour Map:** For sites closing with residual soil contamination, this map is to show the location of all contaminated soil and a single contour showing the horizontal extent of each area of contiguous residual soil contamination that exceeds a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.
Figure #: 5 Title: Approximate Horizontal Extent of Soil Contamination

BRRTS #: 03-64-000751

ACTIVITY NAME: EAGLE RIVER FIRE STATION

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: Vertical Extent of Petroleum Contamination A - A'**

Figure #: 7 **Title: Vertical Extent of Petroleum Contamination B - B'**

- 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 #: NA **Title:**

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

Figure #: NA **Title:**

Figure #: **Title:**

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

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

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

Table #: 2 & 3 **Title: Laboratory Results - Soil Samples & Laboratory Results - Soil Samples**

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

Table #: NA **Title:**

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

Table #: NA **Title:**

IMPROPERLY ABANDONED MONITORING WELLS

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

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

- Not Applicable**

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

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

Figure #: **Title:**

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

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

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

BRRTS #: 03-64-000751

ACTIVITY NAME: EAGLE RIVER FIRE STATION

NOTIFICATIONS

Source Property

- Letter To Current Source Property Owner:** If the source property is owned by someone other than the person who is applying for case closure, include a copy of the letter notifying the current owner of the source property that case closure has been requested.
- Return Receipt/Signature Confirmation:** Written proof of date on which confirmation was received for notifying current source property owner.

Off-Source Property

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

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

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

Number of "Off-Source" Letters: NA

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

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

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



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

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

August 26, 2009

Mr. Jeffrey A. Hyslop
Mayor - City of Eagle River
525 E. Maple Street
Eagle River, WI 54521

SUBJECT: Final Case Closure with Continuing Obligations
Eagle River Fire Station, 104 E PINE ST, Eagle River, WI
WDNR BRRTS Activity #: 03-64-000751
Fid: 764134470

Dear Mr. Hyslop:

On August 26, 2009, the Wisconsin Department of Natural Resources (Department) completed the review of the results of the additional environmental investigation at the former Eagle River Fire Station site.

When the site was initially closed on August 26, 1999 the Department conditioned the closure on the recording of a deed restriction requiring the property owner to conduct an investigation of the degree and extent of the petroleum contamination if the structural impediment was removed. The structural impediment consisted of a concrete building slab that existed on top of petroleum impacted soil. The additional investigation was required due to the removal of the fire station building and the requirement was conveyed to the City in a letter dated June 28, 2005.

The results of the additional investigation activities were submitted to the Department on January 17, 2008 on your behalf by MSA Professional Services, Inc. The investigation included collection of soil samples from three borings (GP-1, GP-2, & GP-3) performed within the footprint of the former fire station building. The results of the investigation indicate that the degree and extent of the petroleum impacted soil contamination beneath the former fire station building is defined.

The WDNR has determined that the City of Eagle River has satisfied the Declaration of Restrictions on the property deed by investigating the contamination beneath the former fire station building and addressing the residual soil contamination with the posting of the information on the WDNR GIS Registry of Closed Remediation sites. Therefore, the Declaration of Restrictions is no longer required and may be extinguished.

The Declaration of Restrictions allows the property owner or other interested party to record a deed notice with a copy of written determination attached, to give notice that this Deed Restriction is no longer binding. Attached is a draft deed notice and written determination (Exhibit A) that needs to be recorded with the Vilas County Register of Deeds.

The WDNR determined that no further investigation is required to comply with the requirements of the deed restriction and considers this case closed and no further investigation or remediation is required at this time, however, you and future property owners must comply with certain continuing obligations as explained in this letter.

GIS Registry

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

- Residual soil contamination exists that must be properly managed should it be excavated or removed

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

Closure Conditions

Please be aware that pursuant to s. 292.12 Wisconsin Statutes, compliance with the requirements of this letter is a responsibility to which you and any subsequent property owners must adhere. You must pass on the information about these continuing obligations to the next property owner or owners. If these requirements are not followed or if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, welfare, or the environment, the Department may take enforcement action under s. 292.11 Wisconsin Statutes to ensure compliance with the specified requirements, limitations or other conditions related to the property or this case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code. The Department intends to conduct inspections in the future to ensure that the conditions included in this letter are met.

Residual Soil Contamination

Residual soil contamination remains at the location of SS1 and SS2 as indicated on the attached map, Figure 5: Approximate Horizontal Extent of Soil Contamination prepared by MSA, and in information submitted to the Department of Natural Resources.

If soil in the specific locations described above is excavated in the future, then pursuant to ch. NR 718 or, if applicable, ch. 289, Stats., and chs. 500 to 536, the property owner at the time of excavation must sample and analyze the excavated soil to determine if residual contamination remains. If sampling confirms that contamination is present the property owner at the time of excavation will need to determine whether the material is considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable standards and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken to prevent a direct contact health threat to humans.

The Department appreciates your efforts to investigate the remaining contamination on the property. If you have any questions regarding this closure decision or anything outlined in this letter, please contact Greer Lundquist at (715) 365-8970.

Sincerely,

John Robinson by Connie Antonuk

John Robinson
Northern Region Team Supervisor
Remediation & Redevelopment Program

Attachments: Figure 5: Approximate Horizontal Extent of Soil Contamination
Draft Deed Notice
Exhibit A Written Determination by the WDNR Regarding Deed Restriction Satisfaction

cc: Debra A. Brown, Clerk/Treasurer, 525 E. Maple Street, Eagle River, WI 54521
Brian Hegge, MSA Professional Services, Inc. 1835 N. Stevens Street, Rhineland, WI 54501
file

MSA

CONSULTING SERVICES

TRANSPORTATION • MUNICIPAL • REMEDIATION
DEVELOPMENT • ENVIRONMENTAL

P.O. BOX 1026 1835 N. STEVENS ST. RHINELANDER, WI 54501
715-362-3244 1-800-844-7854 Fax: 715-362-4116

LEGEND

- MW1  MONITORING WELL
- SB1  SOIL BORING PERFORMED IN JANUARY 1993
- GP1  SOIL BORING PERFORMED IN OCTOBER 1992
- SS-1  POST REMEDIAL SOIL BORING PERFORMED IN MAY 1998

NOTE: REFER TO FIGURE 2 FOR ADDITIONAL LEGEND

 APPROXIMATE HORIZONTAL EXTENT OF SOIL CONTAMINATION GREATER THAN WIS. ADMIN. CODE CH. NR 720 CRCL'S. PRIOR TO STARTUP

 APPROXIMATE HORIZONTAL EXTENT OF SOIL CONTAMINATION GREATER THAN WIS. ADMIN. CODE CH. NR 720 CRCL'S. FOLLOWING SYSTEM SHUTDOWN

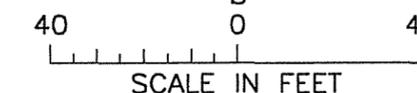


FIGURE 5
APPROXIMATE HORIZONTAL EXTENT OF SOIL CONTAMINATION
EAGLE RIVER FIRE STATION U.S.T. SITE
EAGLE RIVER, WISCONSIN

SPUR GAS STATION

WDOT R/W
(APPROX.)

MW5

TRAFFIC CONTROL BOX

RAILROAD STREET

MW4

WDOT R/W
(APPROX.)

RETAIL PAINT & GLASS STORE

PINE STREET / STH 17 & 70

GP12

GP13

SS-3

GP4

GP5

GP6

GP7

GP8

GP9

GP10

GP11

GP12

GP13

SS-1

SS-2

SS-3

SS-4

SS-5

SS-6

SS-7

SS-8

SS-9

SS-10

SS-11

SS-12

SS-13

SS-14

SS-15

SS-16

SS-17

SS-18

SS-19

SS-20

SS-21

SS-22

MW2

B2

SS-4

MW3

MW6

MW7

MW8

MW9

MW10

MW11

MW12

MW13

MW14

MW15

MW16

MW17

MW18

MW19

MW20

MW21

MW22

MW23

MW24

MW25

MW26

MW27

MW28

MW29

MW30

MW31

MW32

MW33

MW34

MW35

MW36

MW37

MW38

FORMER LOCATION OF TWO 1000 GALLON GASOLINE USTs

FIRE STATION

DAIRY QUEEN

APPROXIMATE PROPERTY BOUNDARY

ABANDONED RAILROAD CORRIDOR OWNED BY THE CITY OF EAGLE RIVER

EAGLE RIVER FIRE STATION PROPERTY

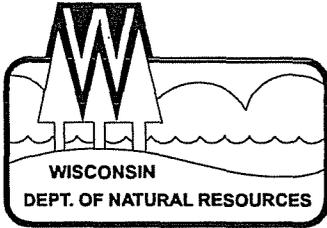
BULK PETROLEUM STORAGE FACILITY



APPROXIMATE LOCATION OF ABOVE GROUND STORAGE TANKS



NOTE:
BASE MAP DEVELOPED FROM SURVEYS PERFORMED IN 1991 BY JAMES WILL, JANUARY 1991 BY MSA, AND UNDATED WDOT SURVEY DATA.



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

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

August 26, 1999

Mr. Daniel Meyer
City of Eagle River
PO Box 1269
Eagle River, WI

Subject: Eagle River Fire Station, 104 E Pine St, Eagle River, WI BRRTS # 03-64-000751

Dear Mayor Meyer:

The Department of Natural Resources provided a notice to you that the degree and extent of leaded gasoline contamination at the above-named site was required to be investigated and remediated. We have since been informed that the required investigation and remediation has been accomplished. Your consultant provided documentation that confirms groundwater in the area of monitoring wells MW-4 and MW-5 is in compliance with enforcement standards.

On July 29, 1999, the above-named site was reviewed by the Northern Region Closeout Committee for a determination as to whether or not the case qualified for close out under ch. NR 726, Wis. Adm. Code.

Based on the investigative and remedial documentation provided to the Department, it appears that the leaded gasoline contamination at the above-named site has been remediated to the extent practicable under current site conditions, and that no further action is necessary at this time. However, some contaminated soil remains. Therefore, the Department will consider the case "closed," pursuant to NR 726.05(8), if the responsible party sign and record a deed restriction for the property. To document that this condition has been complied with, the responsible party must submit to the Department a copy of the recorded deed restriction, with the recording information stamped on it, within 15 days after the Vilas County Register of Deeds returns the deed restriction to the responsible party. The deed restriction may be amended in the future with the approval of DNR if conditions change at the site and the residual contamination is remediated.

The deed restriction is an option that the Department can offer to you in order to close this site. If you choose not to accept this option, you may perform additional investigation and cleanup of the remaining contamination. Note that this additional work may not be eligible for reimbursement through the Petroleum Environmental Cleanup Fund Award (PECFA) Program. You should contact the Department of Commerce to determine eligibility of the additional work for reimbursement.

You submitted three draft deed restrictions to the Department, and only one of them is required. Enclosed is a copy of the deed restriction that has been approved by the Department as it was submitted. You should record this restriction after you have signed it. A copy of the recorded restriction must be then filed with the Department of Natural Resources.

Please note that this case closure is contingent upon proper documentation of proper abandonment of the



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monitoring wells on site that will not be used to monitor the Krueger and Oestrich site. If monitoring wells remain at this site, please provide the documentation that this action has been completed, or have your consultant do so. Please complete Form 3300-5B and send it to my attention at the above address. The Department understands that the City will monitor, manage and remediate any groundwater contamination remaining on the Eagle River Fire Station site under the investigation and remediation being conducted by the City at the Krueger and Oestrich site.

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

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

Sincerely,
NORTHERN REGION



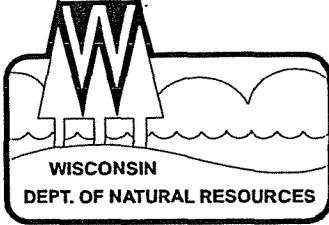
Janet Kazda
Case Closeout Committee

→ cc: File
Lori Huntoon, Dept of Commerce
Chuck Weister, Rhineland

Brian Hegge
Midstate Associates, Inc
PO Box 1026
Rhineland, WI 54501

Jeff Lynott
Environmental Compliance Consultants, Inc
PO Box 614
Rhineland, WI 54501

Fred Indermuehle
City of Eagle River
PO Box 1269
Eagle River, WI 54521



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
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Northern Region Headquarters
107 Sutliff Ave.
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Telephone 715-365-8900
FAX 715-365-8932
TDD 715-365-8957

April 22, 1999

WDNR UID # 03-64-000751

Fred Indermuehle
City of Eagle River
Eagle River, WI

Subject: Former Eagle River Fire Station

Dear Mr. Indermuehle:

The Department of Natural Resources provided a notice to the City of Eagle River that the degree and extent of gasoline contamination at the above-named site was required to be investigated and remediated. We have received a request for closure of the site on your behalf from MSA Professional Services based on their belief that the required investigation and remediation has been accomplished. The original closure request was received by us on February 12, 1999 with supplemental information provided March 18, 1999.

The Department's Northern Region Close-out Committee reviewed the closure request on April 8, 1999, to determine if the site qualified for closure under Chapter NR 726, Wisconsin Administrative Code. The conclusions of our review are:

The majority of soil contamination present on the former Eagle River Fire Department (ERFD) site has been remediated; however, some contaminated soil remains at the site near the former tank bed and building foundation. To obtain closure for the site, a deed restriction will have to be prepared to acknowledge the presence of this residual soil contamination.

Groundwater contamination from an off-site source has migrated onto the ERFD site. The presence of this off-site contamination on the ERFD site makes it impossible to determine the precise source of the groundwater contamination remaining at the ERFD site. It appears that the majority of groundwater contamination originating from the ERFD site has been remediated.

The closure committee will approve closure of the ERFD site if additional sampling of the two off-site downgradient monitoring wells (MW-4 and MW-5) confirms groundwater at this location is below the enforcement standards. Based on the current trend of contaminant levels in the two wells, collection of one additional sample below



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enforcement standards would be sufficient justification for closure.

The City of Eagle River owns the upgradient property which is the source of the off-site contamination migrating onto the former ERFD site. The property is known as the Kreuger & Oestreich Oil site (03-64-001129). Environmental Compliance Consultants Inc., (ECCI) is currently managing a remediation effort at the site.

Representatives of the city have indicated the city is willing to monitor, manage and remediate any contamination that remains on the ERFD site under the investigation/remediation effort being conducted at the Kreuger & Oestreich site. This understanding needs to be documented by the city in writing. It will be necessary to leave the monitoring wells in tact on the ERFD site. These wells could then be abandoned when the Krueger & Oestreich Oil site is closed. The City of Eagle River would have to incorporate all provisions of the investigation\remediation arrangement into any property transactions made impacting the ERFD or Kreuger & Oestreich sites.

In summary, the request for closure cannot be approved at this time based on the need for additional groundwater monitoring data from the two downgradient monitoring wells. In an effort to keep costs at a minimum, these wells could be sampled through the quarterly sampling completed for the Krueger & Oestreich site if long term monitoring is required to justify closure. In addition, a deed restriction for the residual soil contamination will be required for closure.

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

Please contact me at 715-365-8941 if you have any questions.

Sincerely,
NORTHERN REGION



Charles L. Weister
Hydrogeologist

Copies:

Brian Hegge, MSA Professional Services, 1835 North Stevens Street, Rhinelander, WI 54501
Jeff Lynott, ECCI, 158 S Anderson, Rhinelander, WI 54501

362162

VOL: 916 PAGE 611

STATE BAR OF WISCONSIN FORM 1 - 1999
WARRANTY DEED

Document Number

This Deed, made between the City of Eagle River, Wisconsin, a Wisconsin municipality,

Grantor, and Dennis G. Brown, an individual,

Grantee. Grantor, for a valuable consideration, conveys to Grantee the following described real estate in Vilas County, State of Wisconsin (if more space is needed, please attach addendum):

SEE ADDENDUM HERETO FOR LEGAL DESCRIPTION

FEE

#77.25 (2)
EXEMPT

Together with all appurtenant rights, title and interests.

Grantor warrants that the title to the Property is good, indefeasible in fee simple and free and clear of encumbrances except easements, restrictions and reservations of record as disclosed in Northern Title & Abstract Corporation of Vilas County Commitment Number 25894-FP dated May 3, 2000.

Dated this 10 day of May, 2000.

RECORDED

MAY 11 2000

3:05 pm

John Hansen
REGISTER OF DEEDS, VILAS CO., WI

Recording Area

Name and Return Address

Steven C. Garbowicz
O'Brien, Anderson, Burgy, Garbowicz & Brown
P.O. Box 639
Eagle River, WI 54521

NTAC 25894 3:05 12:00

Parcel Identification Number (PIN)

This is not homestead property.

(six) (is not)

* _____
* _____

Daniel L. Meyer
* Daniel L. Meyer, Mayor

Debbie A. Brown
* Debbie A. Brown, Clerk

AUTHENTICATION

Signature(s) _____

authenticated this _____ day of _____

* Steven C. Garbowicz

ACKNOWLEDGMENT

STATE OF WISCONSIN)

Vilas _____ County)

Personally came before me this 10 day of May, 2000, the above named Daniel L. Meyer, as Mayor of the City of Eagle River, and Debbie A. Brown, as the Clerk of the City of Eagle River,

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

Steven C. Garbowicz
STEVEN C. GARBOWICZ

Notary Public, State of Wisconsin

My Commission is permanent. (If not, state expiration date: _____)

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

HKS INSTRUMENT WAS DRAFTED BY
Steven C. Garbowicz
State Bar ID # 1018485

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

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

Information Professionals Company, Fond du Lac, WI
870-625-2021

WARRANTY DEED

STATE BAR OF WISCONSIN
FORM No. 1 - 1999

ADDENDUM TO WARRANTY DEED

CITY OF EAGLE RIVER, GRANTOR

DENNIS G. BROWN, GRANTEE

LEGAL DESCRIPTION

Former Fire Station Parcel plus 40 feet:

A parcel of land being a part of Block 6 of the Plat of the NE-NW; a part of the vacated portions of Main and Railroad Streets; and a part of the abandoned Chicago & Northwestern Railroad grade and located in the NE ¼-NW1/4, Section 33, Township 40 North, Range 10 East, City of Eagle River, Vilas County, Wisconsin, and being more particularly described as follows:

Commencing at the Northwest corner of Block 5 of said Plat of NE-NW being marked by an iron pipe on the Southerly R/W line of Pine Street and on the Easterly R/W line of said vacated Main Street and the PLACE OF BEGINNING; thence Due South 179.74 feet along the Westerly line of said Block 5 and along the Easterly R/W line of said vacated Main Street to an iron pipe; thence Due West 131.35 feet (130.88 feet of record) to an iron pipe on the Easterly R/W line of the abandoned Chicago & Northwestern railroad grade and on the Westerly R/W line of said vacated Railroad Street; thence S 70° 18' 20" W 40.00 feet to an iron pipe; thence N 19° 41' 40" W 160.65 feet parallel with the Easterly R/W line of said abandoned railroad grade to an iron pipe on the Southerly line of Pine Street also being State Trunk Hwy. 70 and U.S. Hwy. 45; thence along said Southerly line Northeasterly 170.16 feet along the arc of a 343.23 foot radius curve to the Right (chord bearing N 75° -37' -56" E 168.42 feet) to the point of tangency of said curve and N 89° 50' 04" E 60.00 feet back to the PLACE OF BEGINNING.

Subject to said Pine Street (U.S. Hwy. 45 and State Trunk Hwy. 70 By-Pass) Right-of-Way.

Also subject to an easment for ingress and egress 19 feet in width over the Westerly 19 feet of said vacated Railroad Street.

The Grantor hereby reserves a strip ten (10) feet in width adjacent to and along the eastern boundary of the above-described property for a utility easement due to the fact that there is an underground utility line in the area of the easement stated.

479485

Document Number

VOL 1651 PAGE 616

AFFIDAVIT
Title of Document

City of Eagle River Deed Restriction Satisfaction

RECORDED

SEP 09 2009

8:00 am

Jean Hansen

REGISTER OF DEEDS, VILAS CO., WI

Recording Area

Name and Return Address

City of Eagle River 17th Chg.

P.O. Box 1269

Eagle River, WI 54521

(Pick-Up)

221-634-51 & 221-634-52

Parcel Identification Number (PIN)

**THIS PAGE CONTAINS RECORDING INFORMATION
AND IS PART OF THE LEGAL DOCUMENT
DO NOT REMOVE**

whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit, attached to a copy of the Department's written determination, may be recorded by the property owner or other interested party to give notice that this deed restriction, or portions of this deed restriction, are no longer binding.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 27 day of Sept, 1999.

By signing this document, _____ acknowledges that [he/she] is duly authorized to sign this document on behalf of the City of Eagle River, Wisconsin.

Signature: Daniel L. Meyer

Printed Name: Daniel L. Meyer

Title: Mayor

Subscribed and sworn to before me

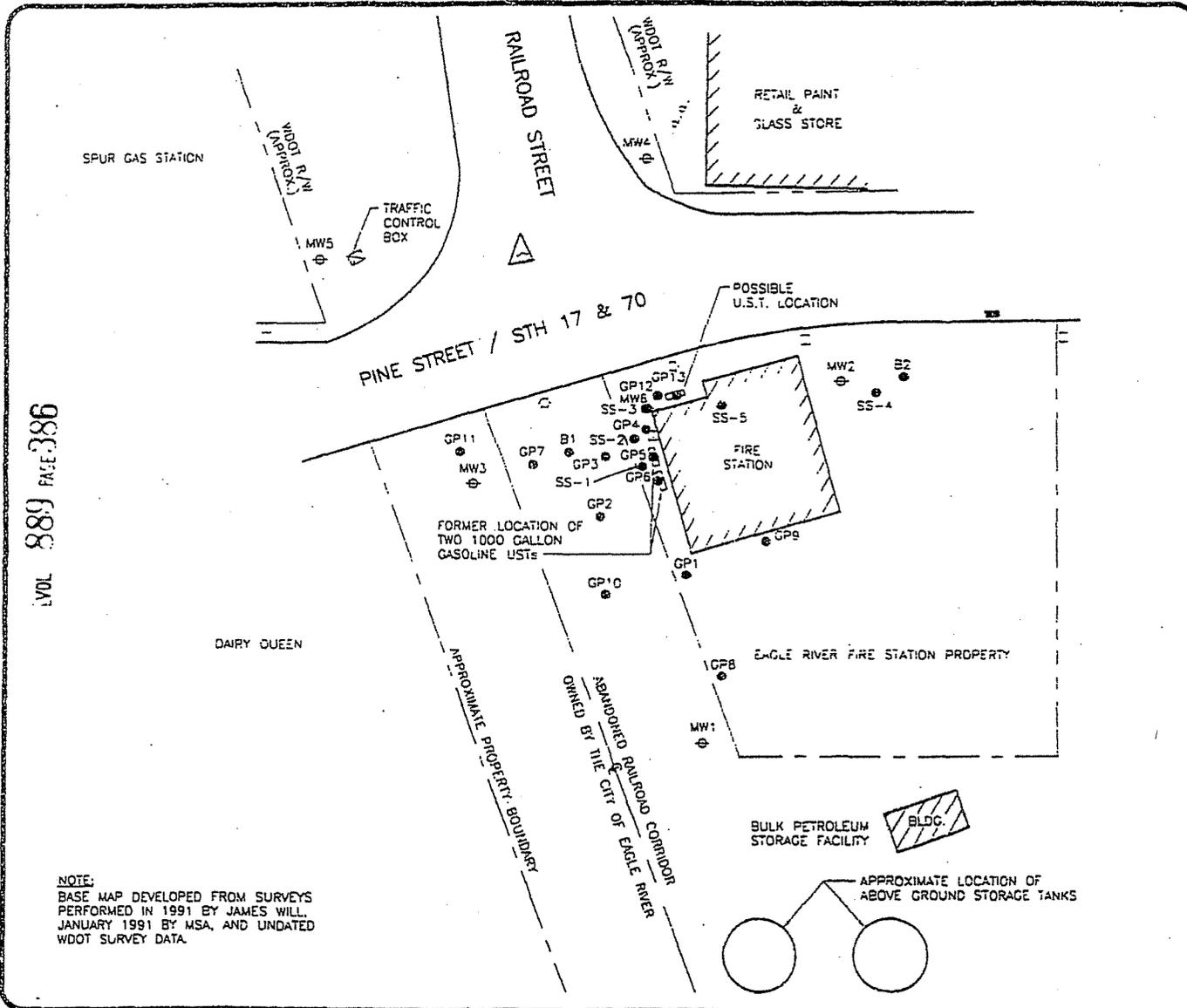
this 27 day of Sept., 1999.

Abra A Brown

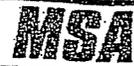
Notary Public, State of Wis

My commission 7-22-01

This document was drafted by the Wisconsin Department of Natural Resources and completed by MSA Professional Services, Inc., 1855 N. Stevens Street, Rhinelander, WI 54501.



NOTE:
 BASE MAP DEVELOPED FROM SURVEYS
 PERFORMED IN 1991 BY JAMES WILL,
 JANUARY 1991 BY MSA, AND UNDATED
 WDOT SURVEY DATA.



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LEGEND

- MW1 MONITORING WELL INSTALLED IN JANUARY 1993
- SB1 SOIL BORING PERFORMED IN JANUARY 1993
- GP1 GEOPROBE BORING PERFORMED IN OCTOBER 1992
- SS-1 SOIL BORING LOCATION

NOTE REFER TO FIGURE 2 FOR ADDITIONAL LEGEND



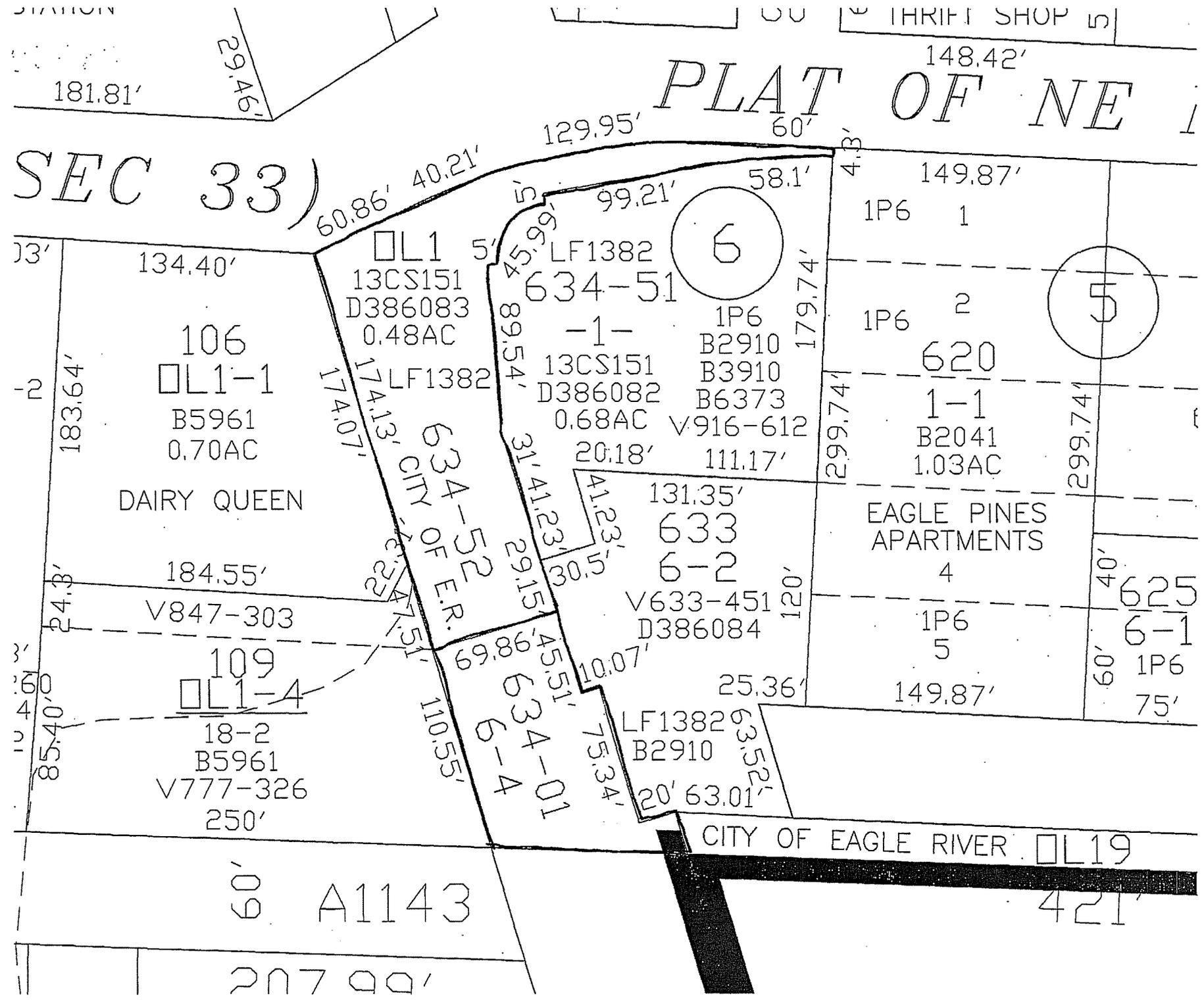
40 0 40
 SCALE IN FEET

FIGURE 4
SOIL BORING AND
MONITORING WELL LOCATIONS
 EAGLE RIVER FIRE STATION U.S.T. SITE
 EAGLE RIVER, WISCONSIN

THRIFT SHOP

PLAT OF NE 1

SEC 33

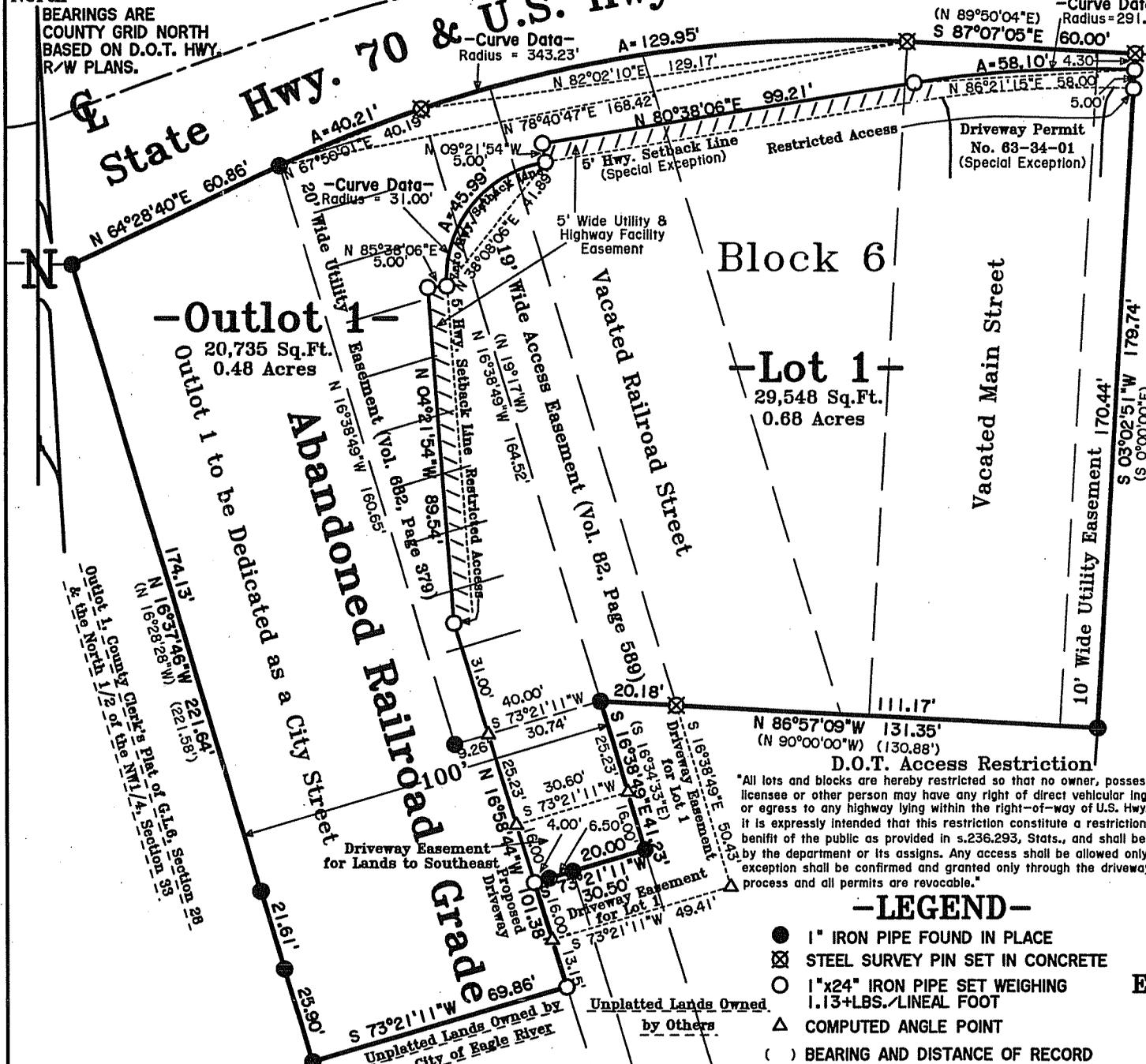


VOL 1057 PAGE 580

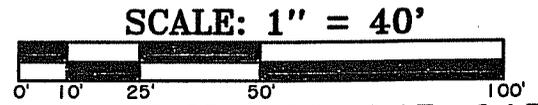
County Sheet 1 of 2
Grid North

BEARINGS ARE COUNTY GRID NORTH BASED ON D.O.T. HWY. R/W PLANS.

State Hwy. 70 & U.S. Hwy. 45 Certified Survey Map No. 3756



Being a Part of
Vacated Main & Railroad Streets
And Part of
Block 6, Plat of NE-NW
And Part of The
NE1/4-NW1/4, Section 33
T 40 N, R 10 E
City of Eagle River
Vilas County, Wisconsin



D.O.T. Approval No. 63-045-0157-01

D.O.T. Highway Setback Line Restrictions
* No improvements or structures are allowed between the right-of-way line and the highway setback line. Improvements and structures include, but are not limited to signs, parking areas, driveways, wells, septic systems, drainage facilities, buildings and retaining walls. It is expressly intended that this restriction is for the benefit of the public as provided in Section 236.293, Wisconsin Statutes, and shall be enforceable by the Wisconsin Department of Transportation or its assigns. Contact the Wisconsin Department of Transportation for more information. The phone number may be obtained by contacting the County Highway Department. Utilities and Highway Facilities are exempt from the above Restriction, and are allowed to be placed within the 5' Highway setback.

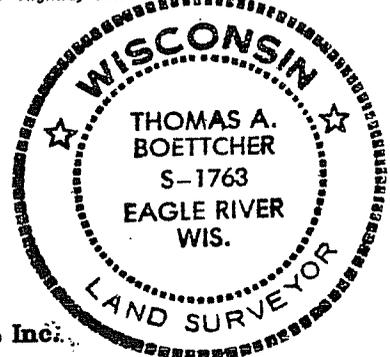
D.O.T. Access Restriction
All lots and blocks are hereby restricted so that no owner, possessor, user licensee or other person may have any right of direct vehicular ingress from or egress to any highway lying within the right-of-way of U.S. Hwy. 45 & S.T. Hwy. 70. It is expressly intended that this restriction constitute a restriction for the benefit of the public as provided in s.236.293, Stats., and shall be enforceable by the department or its assigns. Any access shall be allowed only by special exception shall be confirmed and granted only through the driveway permitting process and all permits are revocable.

- LEGEND-**
- 1" IRON PIPE FOUND IN PLACE
 - ⊗ STEEL SURVEY PIN SET IN CONCRETE
 - 1"x24" IRON PIPE SET WEIGHING 1.13+LBS./LINEAL FOOT
 - △ COMPUTED ANGLE POINT
 - () BEARING AND DISTANCE OF RECORD

DATED THIS 1st DAY OF APRIL, 2002.

Thomas A. Boettcher
THOMAS A. BOETTCHER, R.L.S. 1763

Eagle Landmark Surveying, Inc.
5035 Highway 70 West
EAGLE RIVER, WI. 54521
Survey No. E9429-DOT



Unplatted Lands Owned by City of Eagle River
Unplatted Lands Owned by Others

SURVEYOR'S CERTIFICATE

I, Thomas A. Boettcher, registered land surveyor #1763, hereby certify that I have surveyed, divided and mapped this certified survey being a part of Block 6 of the Plat of the NE-NW; a part of the vacated portions of Main and Railroad Streets; and a part of the abandoned Chicago & Northwestern Railroad grade and located in the NE1/4-NW1/4, Section 33, T 40 N, R 10 E, City of Eagle River, Vilas County, Wisconsin, and bounded and described as follows:

Commencing at the Northwest corner of Block 5 of said Plat of NE-NW being marked by a steel survey pin on the Southerly R/W line of Pine Street and on the Easterly R/W line of said vacated Main Street and the Place of Beginning, thence S 3°-02'-51" W 179.74 feet along the Westerly line of said Block 5 and along the Easterly R/W line of said vacated Main Street to an iron pipe, thence N 86°-57'-09" W 131.35 feet to an iron pipe on the Easterly R/W line of the abandoned Chicago & Northwestern railroad grade and on the Westerly R/W line of said vacated Railroad Street, thence S 16°-38'-49" E 41.23 feet along said Easterly R/W line to an iron pipe, thence S 73°-21'-11" W 30.50 feet to an iron pipe, thence S 16°-58'-44" E 29.15 feet to an iron pipe, thence S 73°-21'-11" W 69.86 feet to an iron pipe on the Westerly R/W line of the abandoned Chicago & Northwestern railroad grade, thence N 16°-37'-46" W 221.64 feet along said Westerly R/W line to an iron pipe on the Southerly line of Pine Street also being State Trunk Hwy. 70 and U.S. Hwy. 45, thence along said Southerly line N 64°-28'-40" E 60.86 feet to an iron pipe, Northeasterly 170.16 feet along the arc of a 343.23 foot radius curve to the Right (chord bearing N 78°-40'-47" E 168.42 feet) to the point of tangency of said curve being marked by a steel survey pin and S 87°-07'-05" E 60.00 feet back to the Place of Beginning. Subject to and including the easements shown on Sheet 1 of 2 of this Certified Survey.

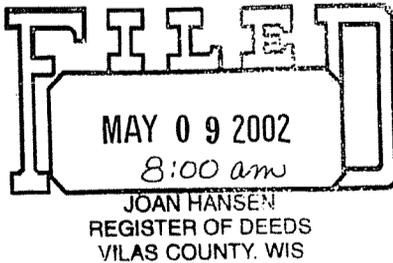
Subject to any other easements, restrictions or reservations of record.

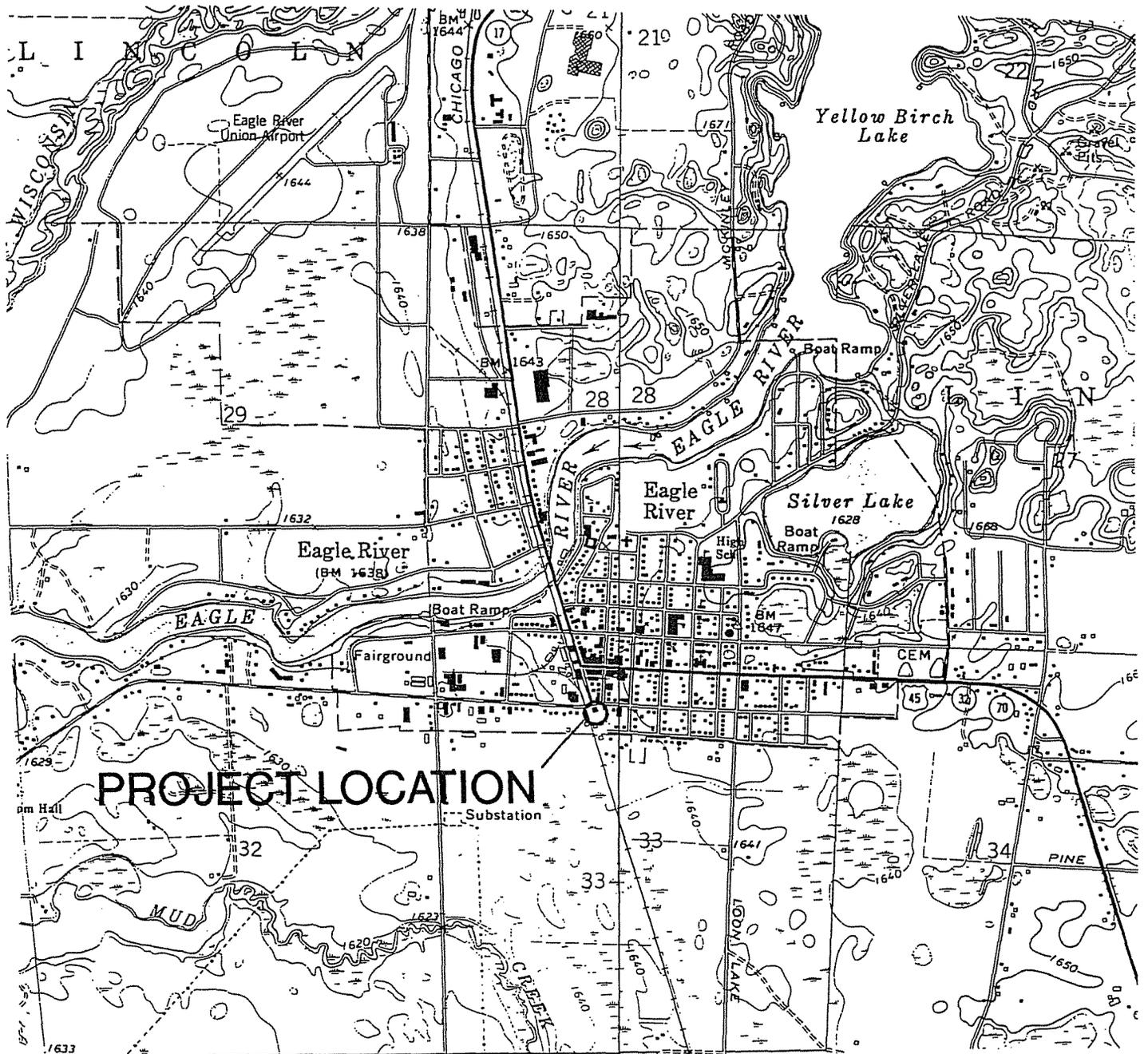
That I, Thomas A. Boettcher, have made said map and survey at the direction of Dennis Brown and the City of Eagle River, owners; that said map is a true and correct representation of all the exterior boundaries of the land surveyed and division thereof, and that I have complied with the provisions of Section 236.34 of the Wisconsin Statutes.

Dated this 1st day of April, 2002.

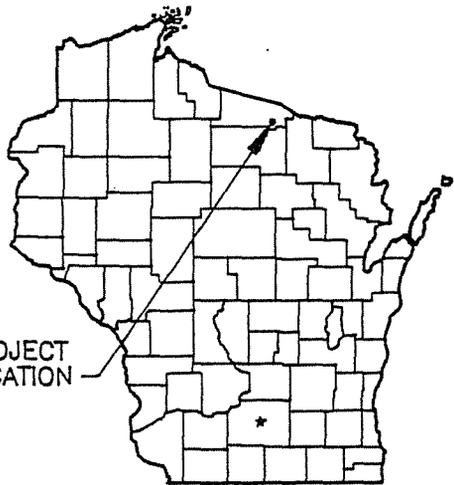


Thomas A. Boettcher, R.L.S.#1763
Eagle Landmark Surveying, Inc. 13' chg
Eagle River, WI. 54521

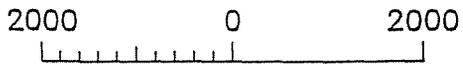




PROJECT LOCATION



PROJECT LOCATION



SCALE IN FEET
1 INCH = 2000 FT.



Eagle River East & West Quadrangles
Wisconsin-Vilas Co.
7.5 Minute Series (Topographic)
Contour Interval 10 Feet
1982

**FIGURE 1
SITE LOCATION MAP**

EAGLE RIVER FIRE STATION UST SITE
EAGLE RIVER, WISCONSIN



LEGEND

- — — — — PROPERTY LINE
- UTILITY POLE
- ⊙ TRAFFIC SIGNAL
- ⊕ BENCH MARK
- ▣ CATCH BASIN
- p — SIGN

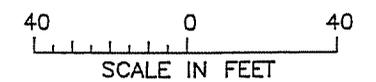
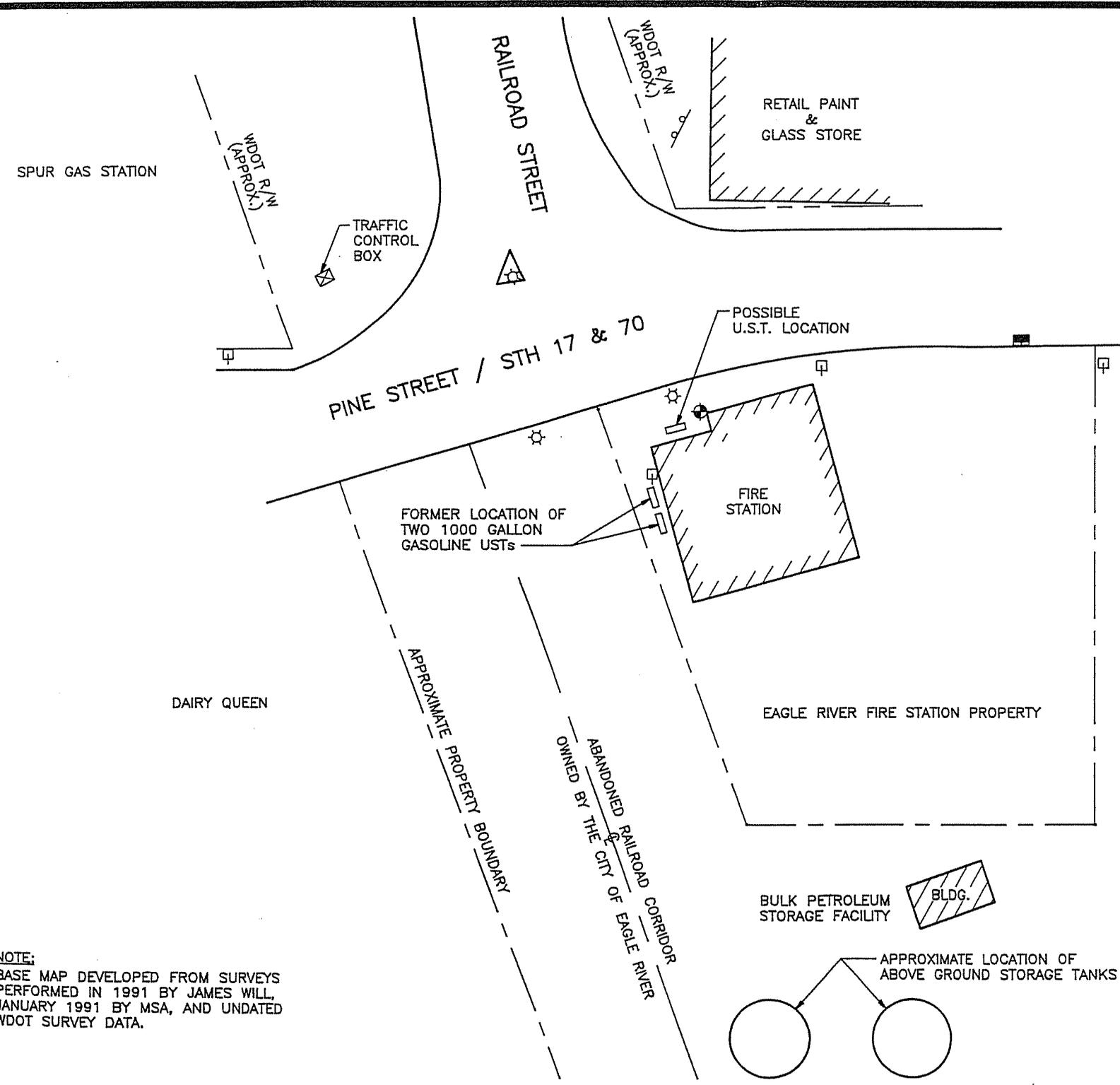


FIGURE 2
SITE LAYOUT MAP
EAGLE RIVER FIRE STATION U.S.T. SITE
EAGLE RIVER, WISCONSIN



NOTE:
BASE MAP DEVELOPED FROM SURVEYS PERFORMED IN 1991 BY JAMES WILL, JANUARY 1991 BY MSA, AND UNDATED WDOT SURVEY DATA.

MSA

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LEGEND

- MW1  MONITORING WELL
- SB1  SOIL BORING PERFORMED IN JANUARY 1993
- GP1  SOIL BORING PERFORMED IN OCTOBER 1992
- SS-1  POST REMEDIAL SOIL BORING PERFORMED IN MAY 1998

NOTE: REFER TO FIGURE 2 FOR ADDITIONAL LEGEND

 APPROXIMATE HORIZONTAL EXTENT OF SOIL CONTAMINATION GREATER THAN WIS. ADMIN. CODE CH. NR 720 CRCL'S. PRIOR TO STARTUP

 APPROXIMATE HORIZONTAL EXTENT OF SOIL CONTAMINATION GREATER THAN WIS. ADMIN. CODE CH. NR 720 CRCL'S. FOLLOWING SYSTEM SHUTDOWN



40 0 40
SCALE IN FEET

FIGURE 5
APPROXIMATE HORIZONTAL EXTENT OF SOIL CONTAMINATION
EAGLE RIVER FIRE STATION U.S.T. SITE
EAGLE RIVER, WISCONSIN

SPUR GAS STATION

WDOT R/W
(APPROX.)

MW5

TRAFFIC CONTROL BOX

RAILROAD STREET

MW4

WDOT R/W
(APPROX.)

RETAIL PAINT &
GLASS STORE

PINE STREET / STH 17 & 70

GP12

GP13

GP4

GP5

GP6

GP7

GP8

GP9

GP10

GP11

GP12

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GP14

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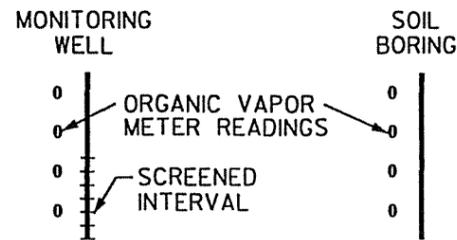
GP287

GP288

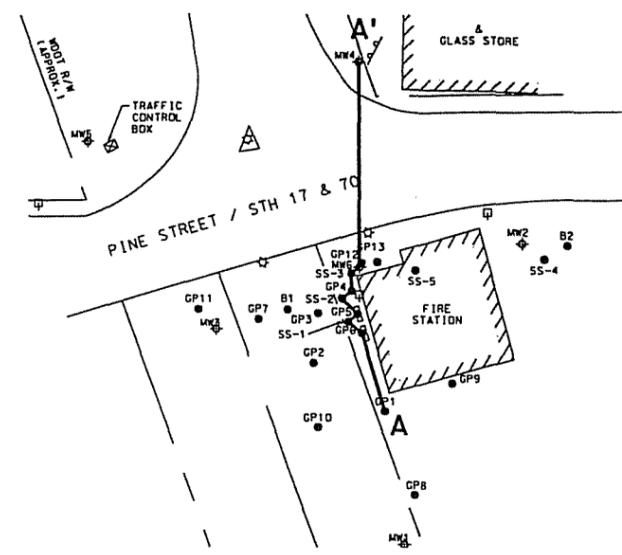
NOTES:

1. INFORMATION BETWEEN SOIL BORINGS IS INTERPRETED BASED UPON AVAILABLE DATA. ACTUAL CONDITIONS BETWEEN SOIL BORINGS ARE UNKNOWN
2. GROUNDWATER ELEVATIONS WERE MEASURED ON OCTOBER 1, 1998.
3. FOR THE PURPOSE OF ILLUSTRATING SUBSOIL CONDITIONS ON THE CROSS SECTIONS, SOME OF THE BORING LOGS HAVE BEEN SIMPLIFIED. FOR A DETAILED DESCRIPTION OF SUBSURFACE CONDITIONS AT INDIVIDUAL BORINGS REFER TO SOIL BORING LOGS.
4. GRO & DRO RESULTS IN mg/Kg AND PVOC RESULTS IN µg/Kg.
 - LABORATORY SAMPLE
 - ND NOT DETECTED
 - PVOC PETROLEUM VOLATILE ORGANIC COMPOUNDS
 - GRO GASOLINE RANGE ORGANICS
 - BENZ BENZENE
 - TOL TOLUENE
 - EB ETHYLBENZENE
 - XY XYLENE
 - TMB TOTAL TRIMETHYLBENZENE

EXPLANATION



HYDROGEOLOGIC CROSS SECTION



LEGEND

- FILL brown, fine grained sand with trace concrete and cinders
- SAND brown, fine grained sand
- SILTY SAND brown, interbedded silt and fine sand
- GRAVEL

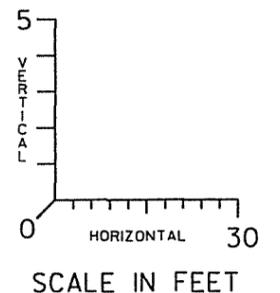
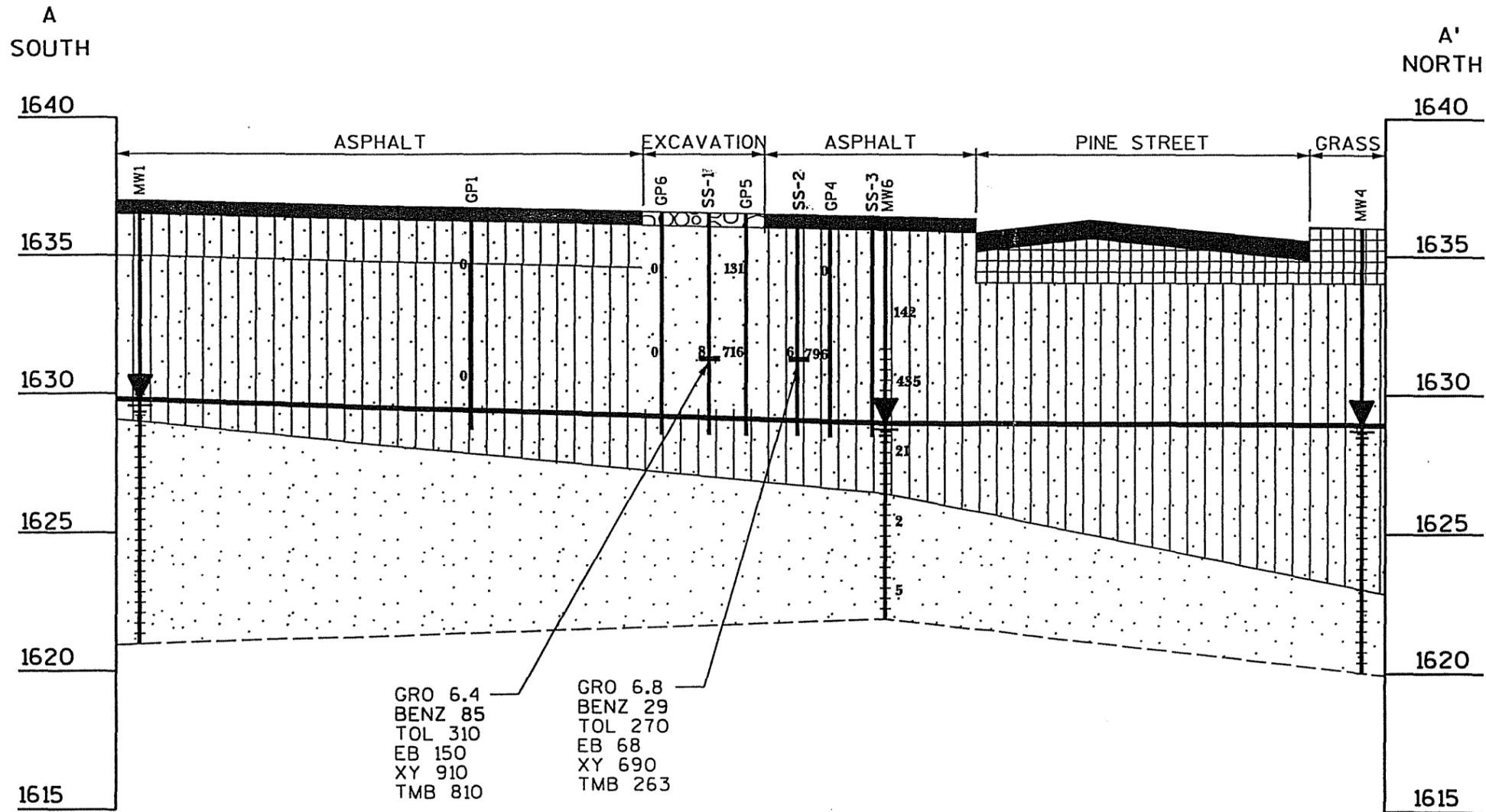


FIGURE 6
VERTICAL EXTENT OF PETROLEUM CONTAMINATION A-A'
 EAGLE RIVER FIRE STATION
 EAGLE RIVER, WI

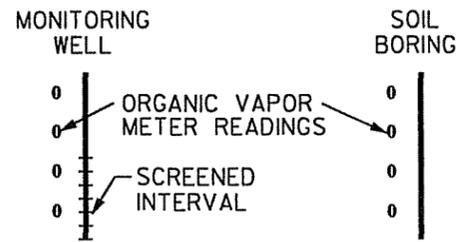
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 715-883-3244 1-800-844-7854 Fax: 715-883-4118

DRAWN BY PJK DATE _____ SHEET _____ of _____
 CHECKED BY GL SCALE _____ FILE NO. _____

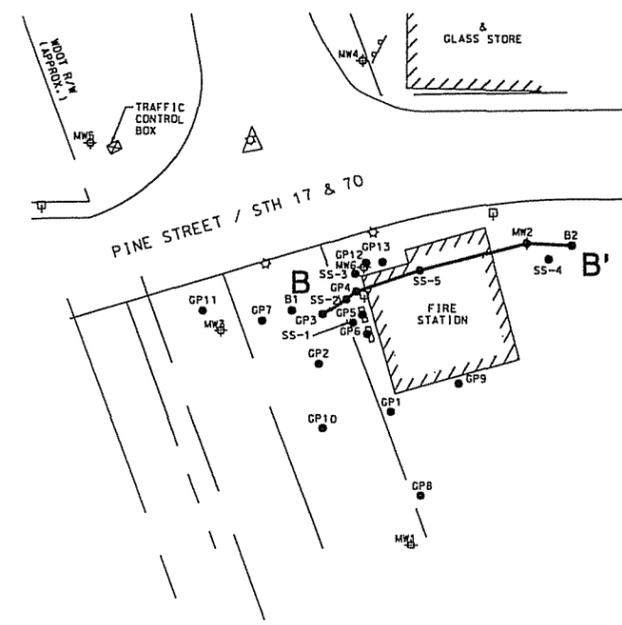
NOTES:

1. INFORMATION BETWEEN SOIL BORINGS IS INTERPRETED BASED UPON AVAILABLE DATA. ACTUAL CONDITIONS BETWEEN SOIL BORINGS ARE UNKNOWN
2. GROUNDWATER ELEVATIONS WERE MEASURED ON OCTOBER 1, 1998.
3. FOR THE PURPOSE OF ILLUSTRATING SUBSOIL CONDITIONS ON THE CROSS SECTIONS, SOME OF THE BORING LOGS HAVE BEEN SIMPLIFIED. FOR A DETAILED DESCRIPTION OF SUBSURFACE CONDITIONS AT INDIVIDUAL BORINGS REFER TO SOIL BORING LOGS.
4. GRO & DRO RESULTS IN mg/Kg AND PVOC RESULTS IN $\mu\text{g}/\text{kg}$.
 - LABORATORY SAMPLE
 - ND NOT DETECTED
 - PVOC PETROLEUM VOLATILE ORGANIC COMPOUNDS
 - GRO GASOLINE RANGE ORGANICS
 - BENZ BENZENE
 - TOL TOLUENE
 - EB ETHYLBENZENE
 - XY XYLENE
 - TMB TOTAL TRIMETHYLBENZENE

EXPLANATION



HYDROGEOLOGIC CROSS SECTION



LEGEND

- FILL** brown, fine grained sand with trace concrete and cinders
- SAND** brown, fine grained sand
- SILTY SAND** brown, interbedded silt and fine sand
- SANDY CLAY** red-brown, sandy, lean clay
- GRAVEL**

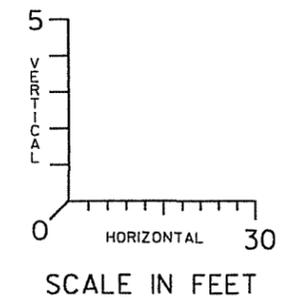
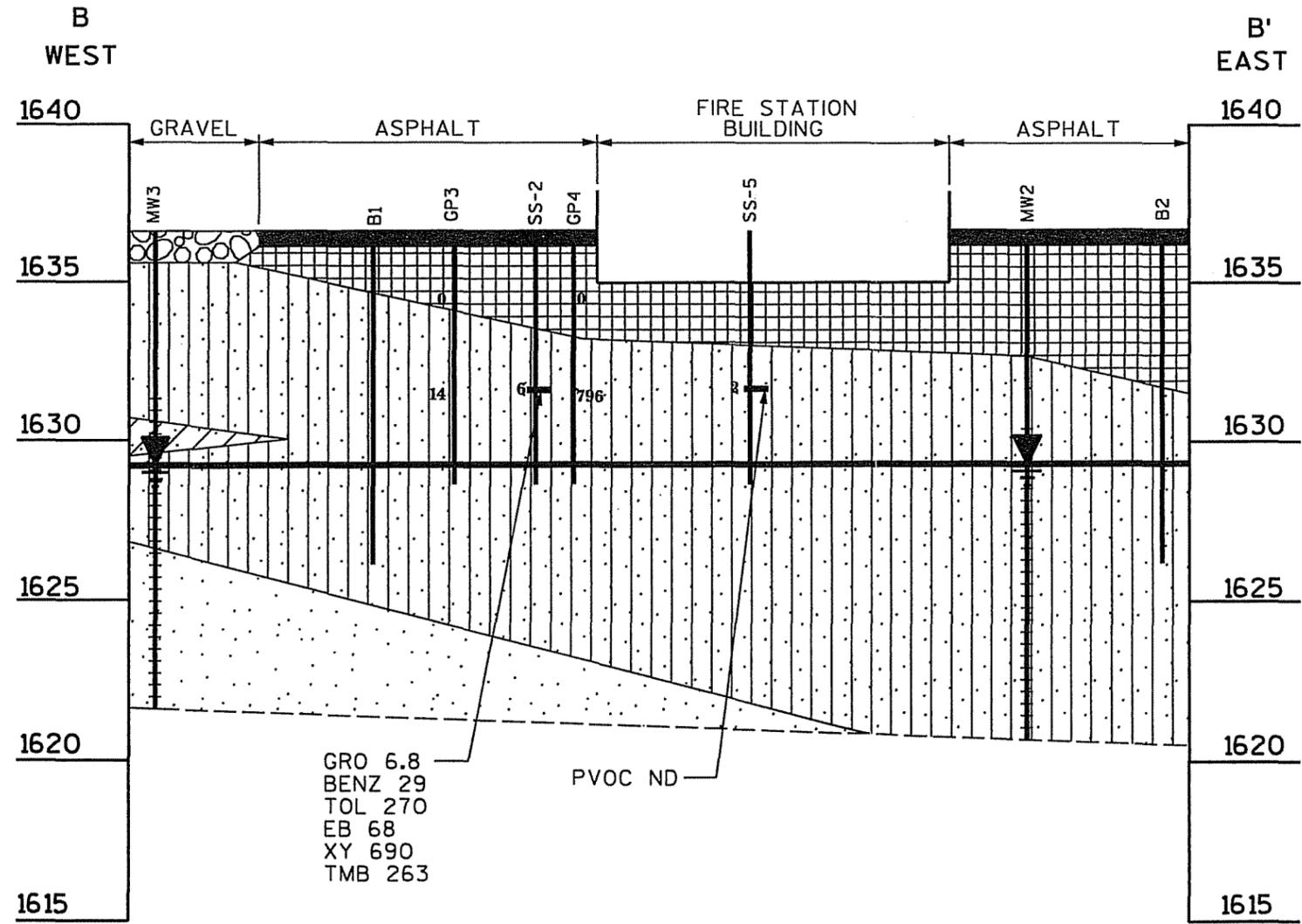


FIGURE 7

VERTICAL EXTENT OF PETROLEUM CONTAMINATION B-B'

EAGLE RIVER FIRE STATION
EAGLE RIVER, WI

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1835 N. Stevens St. Rhinelander, WI 54601
715-303-3344 1-800-844-7854 Fax: 715-303-4115

DRAWN BY PJK	DATE	SHEET of
CHECKED BY GJ	SCALE	FILE NO.

TABLE 2
 LABORATORY RESULTS - SOIL SAMPLES: GEOPROBE INVESTIGATION
 EAGLE RIVER FIRE STATION
 EAGLE RIVER, WISCONSIN

BOREHOLE NUMBER	GP-1	GP-3	GP-4	GP-5	GP-6	GP-12	GP-13	
SAMPLE NUMBER	GP1-5	GP3-5	GP4-5	GP5-6	GP6-5	GP12-6	GP13-3	GP13-6.5
SAMPLE DEPTH (feet below ground)	4-6	4-6	4-6	4-6	4-6	4-6	1-3	4-6
OVM READING	0	14	796	716	0	1131	134	1100
ANALYTE (mg/Kg)								
Gasoline Range Organics (GRO)	--	--	1100	3800	--	850	23	280
PVOCs								
Benzene	--	--	--	--	--	--	--	--
Toluene	--	--	--	--	--	0.42	0.11	0.25
Ethylbenzene	--	--	4.6	12	--	17	0.28	2.4
M&P Xylene	--	--	7.0	120	--	31	0.70	32
O Xylene	--	--	8.1	70	--	6.1	0.37	8.6
1,3,5-Trimethylbenzene	--	--	53	170	--	30	0.48	35
1,2,4-Trimethylbenzene	--	--	81	490	--	97	0.98	120
Methyl-tert-butyl-ether	--	--	--	--	--	--	--	--

NOTES:

1. Refer to Figure 3 for geoprobe locations.
2. "--" indicates below laboratory method quantification.
3. Samples collected on September 30, 1992.
4. OVM is a Thermo Environmental Organic Vapor Monitor PID calibrated with an isobutylene span gas.

TABLE 3
 LABORATORY RESULTS - SOIL SAMPLES: MONITORING WELL AND SOIL BORINGS
 EAGLE RIVER FIRE STATION
 EAGLE RIVER, WISCONSIN

BOREHOLE NUMBER	MW-2	MW-3	MW-4	MW-5	B-1		B-2	
SAMPLE NUMBER	MW2-3	MW3-3	MW4-4	MW5-3	B1-2	B1-3	B2-3	B2-4
SAMPLE DEPTH (feet below ground)	6-8	6-8	8.5-10.5	6-8	3.5-5.5	6-8	6-8	6-8
ANALYTE (mg/Kg)								
Gasoline Range Organics (GRO)	31	--	--	--	--	--	--	--
PVOCs								
Benzene	--	--	--	--	--	--	--	--
Toluene	--	--	--	--	--	--	--	--
Ethylbenzene	0.66	--	--	--	0.023	--	--	--
M&P Xylene	--	--	--	--	0.035	0.022	--	--
O Xylene	0.052	--	--	--	--	--	--	--
1,3,5-Trimethylbenzene	0.30	--	--	--	--	--	--	--
1,2,4-Trimethylbenzene	0.23	--	--	--	0.02	--	--	--
Methyl-tert-butyl-ether	--	--	--	--	--	--	--	--

NOTES:

1. "--" indicates below laboratory method quantification limit.
2. Refer to Figure 3 for soil boring locations.
3. Samples collected on January 18 and 19, 1993.