

To: Larry Lester, SCR
From: WJ Wojner
Re: Groundwater Use Restriction
GIS Registry Data

Site Name/Address:

Jeff: Tire
437 Wisconsin Ave
Portage

BRRTS #:

03 11 000230

Date of Closure Decision:

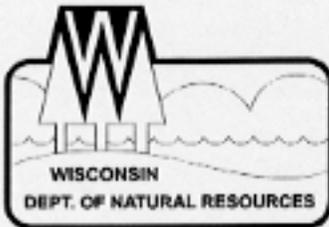
March 5 1999

- Off-site Contamination
 Right-of-way Contamination

Packet Contains:

1. Closure Letter January 26, 2000
2. Conditional closure letter None
3. All property deeds with 140 ES exceedances
4. Metes/bounds legal description (certified survey) *GW use report*
5. Tax parcel number *GW use report*
6. GPS data for each affected property
7. General location map *Figure 1*
8. Detailed location map, showing all parcels affected by 140 ES exceedances, property boundaries, buildings, etc. *Fence Yard GW use*
9. Latest map showing gw flow direction, MW, potable wells. [optional: Isoconcentration maps of compounds => ES]
10. Latest map showing extent or outline of contamination plume and gw flow direction
11. Latest table of analytical results *Table 2*
12. Geologic cross section

FILE



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Ruthe E. Badger, Regional Director

South Central Region Headquarters
3911 Fish Hatchery Road
Fitchburg, Wisconsin 53711-5397
Telephone 608-275-3266
FAX 608-275-3338
TTY 608-275-3231

January 26, 2000

File Ref: 03-11-000230

11 50

Jeff's Tire Place
Attn.: Jeff Grothman
437 W. Wisconsin St.
Portage, WI 53901

Subject: Closure of JEFFS TIRE, 437 Wisconsin Ave., Portage, WI

Dear Mr. Grothman:

On March 5, 1999 the South Central Region Closure Committee reviewed your site for closure. This committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. On March 8, 1999 you were notified that the Closure Committee had granted conditional closure to this case.

On November 8, 1999, the Department received correspondence indicating that you have complied with the conditions of closure. The conditions of closure included the filing of a Groundwater Use Restriction, which was completed on September 28, 1999, and the abandonment of the monitoring wells, which was completed during May of 1999. Based on the correspondence and data provided, it appears that your site has been remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code. The Department considers this case closed and no further investigation, remediation or other action is required at this time.

However, please be aware that this 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 the environment.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at the number below.

Sincerely,

Paul L. Kozol, P.E.
Remediation and Redevelopment Engineer
South Central Region
(608) 275-3301

C: Kristine K. Gallagher - Miller



611844

Document Number

GROUNDWATER USE RESTRICTION

STATE OF WISCONSIN }
COLUMBIA COUNTY } SS
RECEIVED FOR RECORD

SEP 28 1999

Danny Juhl

Reg. of Deeds at 10:45A M

Declaration of Restrictions

In Re: Jeff's Tire Place-Portage, Wisconsin

A part of fractions Block 236 of the recorded plat of the Town of Portage City, now the city of Portage, described as follows: Starting at a point at the Northwest corner of the intersection of Lock Street and Wisconsin Street; thence Northwesterly and along (parallel with) the West line of Lock Street a distance of 164 feet; thence Westerly 62 feet to a point on MacFarland Road which is 72 feet South of the Southeast corner of the intersection Howard Street and MacFarland Road; thence South and along (parallel with) the East line of MacFarland Road a distance of 99 feet to the Northeast corner of the intersection of MacFarland Road and Wisconsin Street; thence Easterly and along (parallel with) the North line of Wisconsin Street a distance of 129.5 feet to the point of beginning

Recording Area

Name and Return Address

*Jeff Grothman
437 W Wisconsin
Portage WI 53901*

STATE OF WISCONSIN)
)
COUNTY OF Columbia) ss

WHEREAS, Robert Heberlein is the owner of the above-described property.

WHEREAS, one or more gasoline discharges have occurred at this property. Benzene contaminated groundwater above NR 140 enforcement standards exists on this property at the following location: a concentration of 32 ug/L benzene was found at the former recovery sump location designated as RS5 (refer to attached Figure 1: *Boring and Monitoring Well Location Plan*), at the sampling date of September 21, 1998.

271-1061
Parcel Identification Number (PIN)

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

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

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

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

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

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

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

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 28 day of September, 1999.

Signature:

Robert W. Heberlein

Printed Name:

ROBERT W. HEBERLEIN

Subscribed and sworn to before me

this 28 day of September, 1999.

Deborah Maguire

Notary Public, State of Wis.

My commission expires 11/04/01

This document was drafted by the Wisconsin Department of Natural Resources.

Department of
 are no longer
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 whether or not
 to give notice that

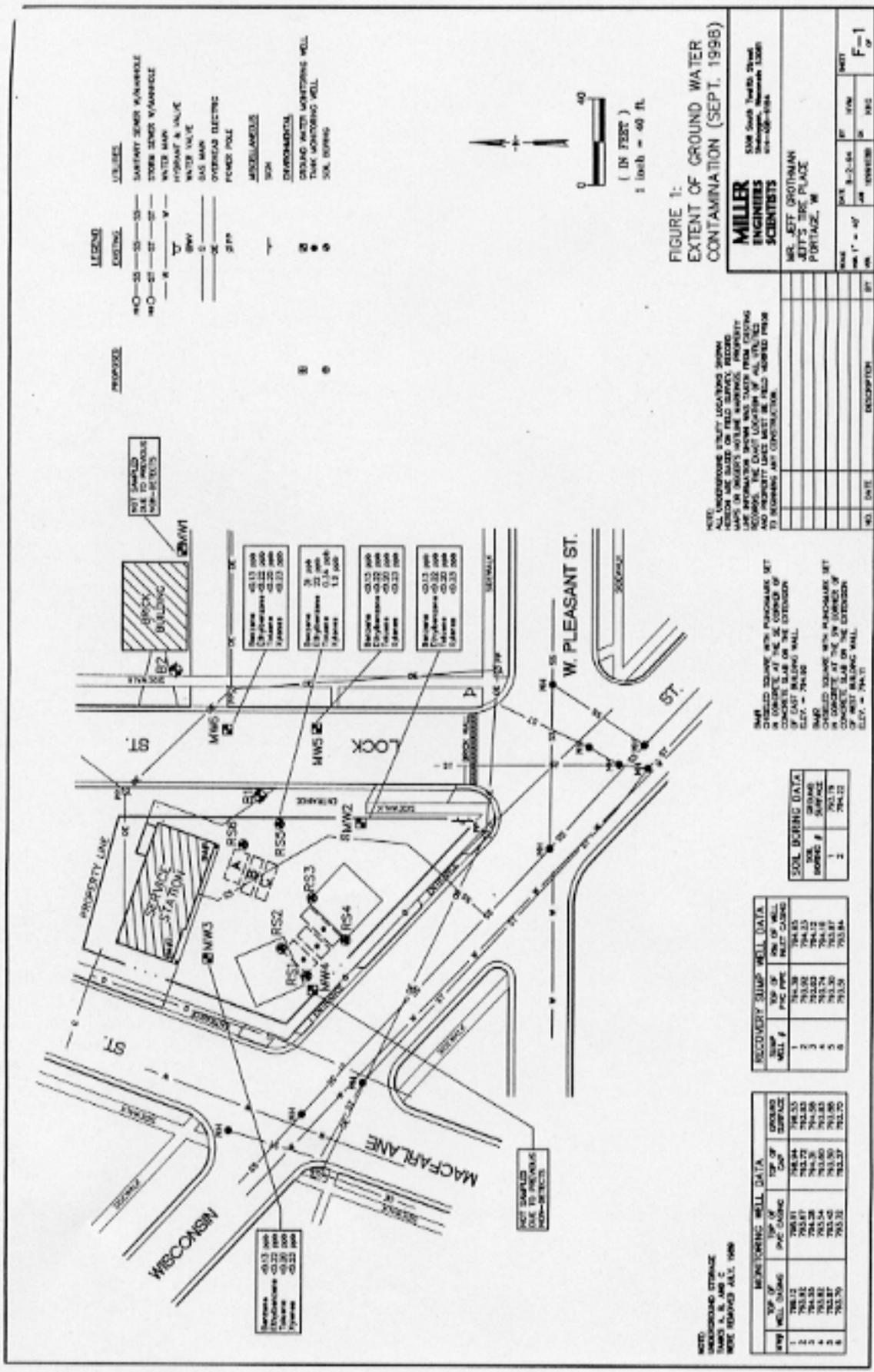


FIGURE 1:
 EXTENT OF GROUND WATER
 CONTAMINATION (SEPT. 1998)

MILLER ENGINEERS SCIENTISTS
 6300 South Nevada Street
 Denver, Colorado 80231
 303-755-1000

MR. JEFF GROTHMAN
 JEFF'S TREE PLACE
 PORTAGE, WI

DATE	9-2-98	BY	JTG	SCALE	F=1
NO.	1	DATE	9-2-98	DESCRIPTION	

NOTE:
 ALL UNDERGROUND UTILITY LOCATIONS SHOWN
 HEREON ARE BASED ON FIELD SURVEY RECORDS
 AND ARE NOT GUARANTEED. THE CLIENT ACCEPTS ALL RISK
 AND LIABILITY FOR ANY DAMAGE TO PERSONS OR
 PROPERTY CAUSED BY ANY UTILITY LOCATED
 ON THIS DRAWING AND NOT SHOWN HEREON.

SOIL BORING DATA
 BORING # 1
 ELEV. = 794.80

SOIL BORING DATA
 BORING # 2
 ELEV. = 794.12

WELL #	TOP OF P.C. CASING	TOP OF SURFACE
1	794.38	794.85
2	793.02	794.12
3	792.22	794.12
4	793.28	793.87
5	793.28	793.84

WELL #	TOP OF P.C. CASING	TOP OF SURFACE
1	794.38	794.85
2	793.02	794.12
3	792.22	794.12
4	793.28	793.87
5	793.28	793.84

NOTE:
 MONITORING STORAGE
 TANKS A, B, AND C
 WERE REMOVED JULY 1998

Drawing was reduced

DATE: February 23, 1999

TO: SCR Close Out Committee

FROM: Mark F. Putra

FILE REF: 03-11-000230

1/27

SUBJECT: Jeff's Tire, 437 West Wisconsin St., Portage

In 1989 (2) 3k gasoline and (1) 4k gasoline UST were removed along 135 yards of contaminated soil. Two 4 inch recovery wells were installed in the old UST cavity RS5 and RS6. Three new USTs were installed about 30 feet southwest of the old UST cavity. In 1991 Miller completed a site investigation.

Most of the soil sampling took place at or below the GW. Miller had conducted some intermittent pumping from the sumps, and later recommended SVE and GW extraction, but these were not installed. Subsequent GW sampling indicated the site might be suitable for flexible closure, which is what Miller is seeking. GW contamination is limited to the old UST excavation.

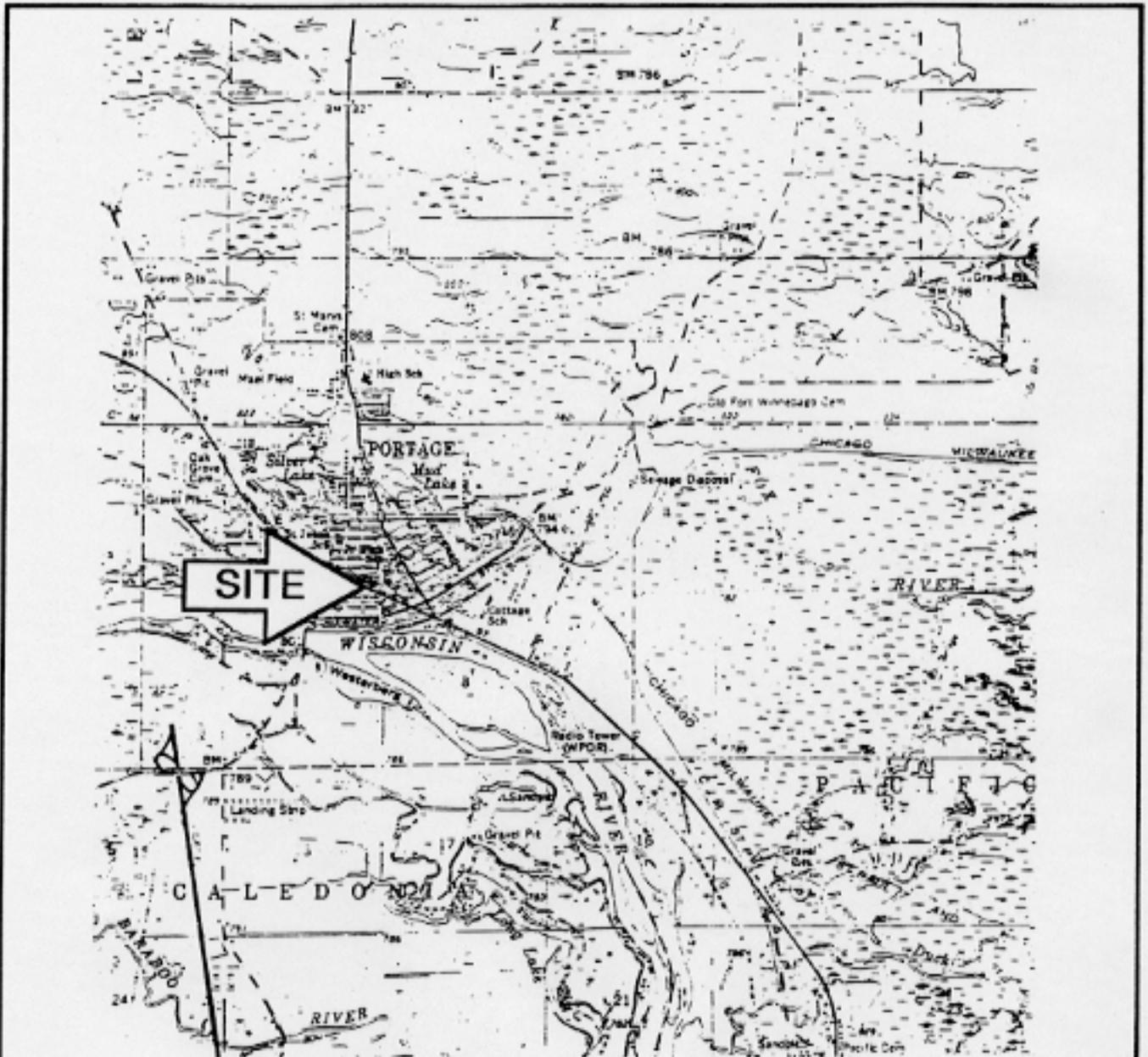
~~GW~~ Groundwater Use Restriction

Stephen M. Ales 3/5/99

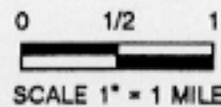
Jim St. John 3/5/99

Robert M. O'Neil 3/5/99

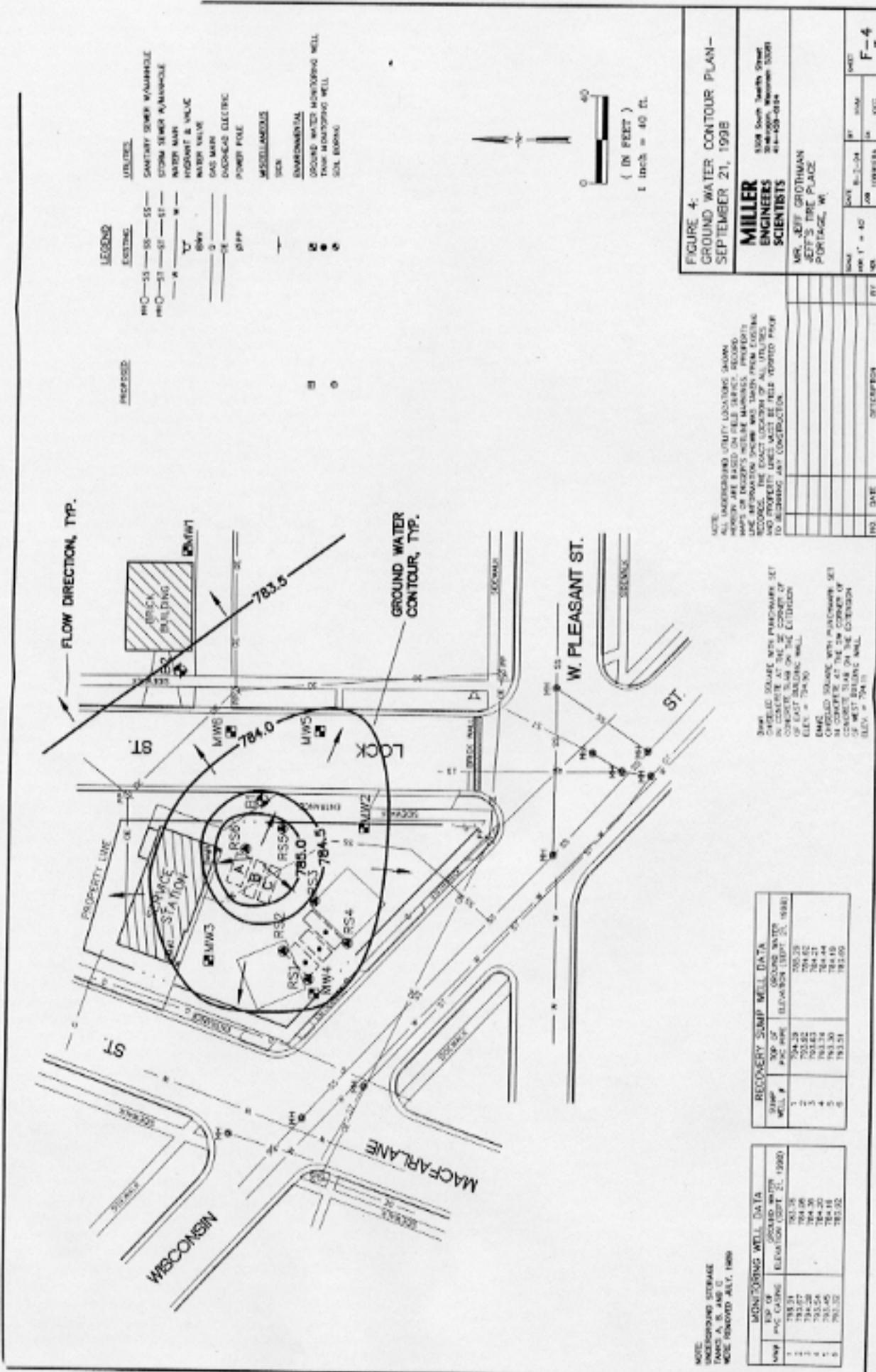
**w/ GW Use Restriction



PORTAGE QUADRANGLE
 WISCONSIN
 15 MINUTE SERIES (TOPOGRAPHIC)



	Date	By	CLIENT: JEFF'S TIRE PLACE JOB: JEFF'S TIRE PLACE - R.I. LOCATION: 437 WEST WISCONSIN STREET PORTAGE, WISCONSIN
	7-31-91	HVM	
	Job No.	Ck	
	10991E	KKG	



LEGEND

EXISTING	PROPOSED
M/C-SS	SS
M/C-ST	ST
M/C-W	W
M/C-G	G
M/C-E	E
M/C-P	P
M/C-M	M
M/C-S	S
M/C-EM	EM
M/C-GMW	GMW
M/C-MW	MW
M/C-RS	RS
M/C-MWZ	MWZ

- UTILITIES**
- Sanitary Sewer Manhole
 - Storm Sewer Manhole
 - Water Main
 - Hydrant & Valve
 - Water Valve
 - Gas Main
 - Ducthead Electric
 - Power Pole
- MISCELLANEOUS**
- Sign
 - Environmental
 - Ground Water Monitoring Well
 - Flow Monitoring Well
 - Soil Boring

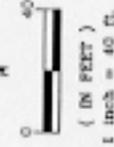


FIGURE 4:
GROUND WATER CONTOUR PLAN—
SEPTEMBER 21, 1998

MILLER ENGINEERS SCIENTISTS
1508 South Tenth Street
Milwaukee, Wisconsin 53208
414-458-0574

MR. KEFF BROTHMAN
SET'S TIME PLACE
PORTAGE, WI

NOTE: ALL UNDERGROUND UTILITY LOCATIONS SHOWN HEREON ARE BASED ON FIELD SURVEY RECORDS AND RECORDS OF THE MILWAUKEE WATER DEPARTMENT. THE EXACT LOCATION OF ALL UTILITIES AND PROPERTY LINES MUST BE FIELD VERIFIED PRIOR TO BEGINNING ANY CONSTRUCTION.

NOTE: CHANGED SQUARE WITH PERMANENT SET IN CENTER IS AT THE SE CORNER OF EAST BUILDING WELL. ELEV. = 784.00

NOTE: CHANGED SQUARE WITH PERMANENT SET IN CORNER AT THE SW CORNER OF EAST BUILDING WELL. ELEV. = 784.00

WELL #	TOP OF P.C. CASE	TOP OF GROUND WATER	ELEVATION (FOOT) (21, 1998)
1	784.28	784.28	784.28
2	784.52	784.52	784.52
3	784.83	784.83	784.83
4	784.18	784.18	784.18
5	783.51	783.51	783.51

WELL #	TOP OF P.C. CASE	TOP OF GROUND WATER	ELEVATION (FOOT) (21, 1998)
1	784.28	784.28	784.28
2	784.52	784.52	784.52
3	784.83	784.83	784.83
4	784.18	784.18	784.18
5	783.51	783.51	783.51

NOTE: MONITORING WELLS DATA
TOP OF GROUND WATER
ELEVATION (FOOT) (21, 1998)

NO.	DATE	DESCRIPTION
01		

TABLE 2
Historic Ground Water Analytic Test Results

Jeff's Tire Place
Project # 10991E

MW1

<u>DATE</u>	<u>Benzene (ppb)</u>	<u>Ethylbenzene (ppb)</u>	<u>MTBE (ppb)</u>	<u>Toluene (ppb)</u>	<u>1,2,4 Trimethyl benzene (ppb)</u>	<u>1,3,5 Trimethyl benzene (ppb)</u>	<u>Xylenes (ppb)</u>	<u>Total PVOC (ppb)</u>
08-Mar-91	ND	ND	ND	ND	ND	ND	ND	ND
20-Mar-93	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<2.0	ND
21-Sep-93	<0.6	<1.0	<1.0	<1.0	<1.0	<1.0	<2.5	ND
21-Jul-94	<0.6	<0.5	<1.0	<0.6	<0.7	<0.6	<1.2	ND
10-Feb-97	Not Sampled							
22-Jun-98	Not Sampled							
21-Sep-98	Not Sampled							

MW2

<u>DATE</u>	<u>Benzene (ppb)</u>	<u>Ethylbenzene (ppb)</u>	<u>MTBE (ppb)</u>	<u>Toluene (ppb)</u>	<u>1,2,4 Trimethyl benzene (ppb)</u>	<u>1,3,5 Trimethyl benzene (ppb)</u>	<u>Xylenes (ppb)</u>	<u>Total PVOC (ppb)</u>	<u>Dis Fe (ppm)</u>	<u>Dis Mn (ppm)</u>
08-Mar-91	ND	ND	ND	ND	ND	ND	ND	ND		
20-Mar-93	3.8	<1.0	1.4	<1.0	<1.0	<1.0	<2.0	5.2		
21-Sep-93	3.5	<1.0	1.4	<1.0	<1.0	<1.0	<2.5	17.5		
21-Jul-94	<0.6	<0.5	3.6	<0.6	<0.7	<1.1	<1.2	3.6		
10-Feb-97	<0.2	<0.68	41	<1.5	<1.0	<0.9	<0.85	41		
22-Jun-98	0.15	<0.22	3.6	<0.20	0.28	<0.29	<0.23	4.0	<0.19	0.15
21-Sep-98	<0.13	<0.22	<2.5	<0.20	<0.22	<0.29	<0.23	ND		

MW3

<u>DATE</u>	<u>Benzene (ppb)</u>	<u>Ethylbenzene (ppb)</u>	<u>MTBE (ppb)</u>	<u>Toluene (ppb)</u>	<u>1,2,4 Trimethyl benzene (ppb)</u>	<u>1,3,5 Trimethyl benzene (ppb)</u>	<u>Xylenes (ppb)</u>	<u>Total PVOC (ppb)</u>
08-Mar-91	ND	ND	ND	ND	19	8.2	12.1	39.3
20-Mar-93	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<2.0	ND
21-Sep-93	<0.6	<1.0	<1.0	<1.0	<1.0	<1.0	<2.5	ND
21-Jul-94	<0.6	<0.5	<1.0	<0.6	<0.7	<0.6	<1.2	ND
10-Feb-97	<0.2	<0.68	<0.15	<1.5	<1.0	<0.9	<0.85	ND
22-Jun-98	Not Sampled							
21-Sep-98	<0.13	<0.22	<0.16	<0.20	<0.22	<0.29	<0.23	ND

MW4

<u>DATE</u>	<u>Benzene (ppb)</u>	<u>Ethylbenzene (ppb)</u>	<u>MTBE (ppb)</u>	<u>Toluene (ppb)</u>	<u>1,2,4 Trimethyl benzene (ppb)</u>	<u>1,3,5 Trimethyl benzene (ppb)</u>	<u>Xylenes (ppb)</u>	<u>Total PVOC (ppb)</u>
08-Mar-91	ND	ND	ND	ND	ND	ND	ND	ND
20-Mar-93	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<2.0	ND
21-Sep-93	<0.6	<1.0	<1.0	<1.0	<1.0	<1.0	<2.5	ND
21-Jul-94	<0.6	<0.5	<1.0	<0.6	<0.7	<0.6	<1.1	ND
10-Feb-97	Not Sampled							
22-Jun-98	Not Sampled							
21-Sep-98	Not Sampled							

TABLE 2: Historic Ground Water Test Results (Continued)

MW5

DATE	Benzene (ppb)	Ethylbenzene (ppb)	MTBE (ppb)	Toluene (ppb)	1,2,4 Trimethyl benzene (ppb)	1,3,5 Trimethyl benzene (ppb)	Xylenes (ppb)	Total PVOC (ppb)
21-Jul-94	<0.6	<0.5	<1.0	<0.6	<0.7	<0.6	<1.2	ND
10-Feb-97	<0.2	<0.68	<0.15	<1.5	<1.0	<0.9	<0.85	ND
22-Jun-98	Not Sampled							
21-Sep-98	<0.13	<0.22	<0.16	<0.20	<0.22	<0.29	<0.23	ND

MW6

DATE	Benzene (ppb)	Ethylbenzene (ppb)	MTBE (ppb)	Toluene (ppb)	1,2,4 Trimethyl benzene (ppb)	1,3,5 Trimethyl benzene (ppb)	Xylenes (ppb)	Total PVOC (ppb)
21-Jul-94	<0.6	<0.5	<1.0	<0.6	<0.7	<0.6	<1.2	ND
10-Feb-97	<0.2	<0.68	<0.15	<1.5	<1.0	<0.9	<0.85	ND
22-Jun-98	Not Sampled							
21-Sep-98	<0.13	<0.22	<0.16	<0.20	<0.22	<0.29	<0.23	ND

RS1

DATE	Benzene (ppb)	Ethylbenzene (ppb)	MTBE (ppb)	Toluene (ppb)	1,2,4 Trimethyl benzene (ppb)	1,3,5 Trimethyl benzene (ppb)	Xylenes (ppb)	Total PVOC (ppb)
08-Mar-91	ND	ND	ND	ND	ND	ND	ND	ND
20-Mar-93	3.9	<1.0	5.7	1.1	<1.0	1.4	9.1	21.2
21-Sep-93	<0.6	<1.0	<1.0	<1.0	<1.0	<1.0	<2.5	ND
21-Jul-94	<0.6	<0.5	<2.1	<0.6	<0.7	<0.6	<1.2	ND
10-Feb-97	Not Sampled							
22-Jun-98	Not Sampled							
21-Sep-98	Not Sampled							

RS5

DATE	Benzene (ppb)	Ethylbenzene (ppb)	MTBE (ppb)	Toluene (ppb)	1,2,4 Trimethyl benzene (ppb)	1,3,5 Trimethyl benzene (ppb)	Xylenes (ppb)	Total PVOC (ppb)	Dis Fe (ppm)	Dis Mn (ppm)
08-Mar-91	ND	ND	ND	ND	ND	ND	26	26		
20-Mar-93	110	200	67	<5.0	27	<5.0	8.0	412		
21-Sep-93	120	230	54	<1.0	15	<1.0	1.9	421		
21-Jul-94	211	604	120	13.3	1610	350	952	3860		
10-Feb-97	390	920	90	<150	2900	1200	6200	11700		
22-Jun-98	16	19	<11	<0.40	2.7	<0.58	1.5	39.2	27	2.5
21-Sep-98	31	22	16	0.34	1.2	<0.29	1.9	72.4		

11-10991604WRESULT.WOC