

**GIS REGISTRY INFORMATION**

**SITE NAME:** Taco Johns  
**BRRTS #:** 03-13-207243 **FID # (if appropriate):**  
**COMMERCE # (if appropriate):** 53715-1264-34  
**CLOSURE DATE:** 11 22 2006  
**STREET ADDRESS:** 1234 Regent Street  
**CITY:** Madison

**SOURCE PROPERTY GPS COORDINATES** (meters in WTM91 projection): X= 568277 Y= 288526

**CONTAMINATED MEDIA:** Groundwater  Soil  Both

**OFF-SOURCE GW CONTAMINATION >ES:**  Yes  No

**IF YES, STREET ADDRESS 1:** 1230 Regent Street

**GPS COORDINATES** (meters in WTM91 projection): X= 568300 Y= 288535

**OFF-SOURCE SOIL CONTAMINATION >Generic or Site-Specific RCL (SSRCL):**  Yes  No

**IF YES, STREET ADDRESS 1:**

**GPS COORDINATES** (meters in WTM91 projection): X= Y=

**CONTAMINATION IN RIGHT OF WAY:**  Yes  No

**DOCUMENTS NEEDED:**

- Closure Letter, and any conditional closure letter or denial letter issued
- Copy of any maintenance plan referenced in the final closure letter.
- Copy of (soil or land use) deed notice *if any required as a condition of closure*
- Copy of most recent deed, including legal description, for all affected properties
- Certified survey map or relevant portion of the recorded plat map *(if referenced in the legal description)* for all affected properties
- County Parcel ID number, *if used for county*, for all affected properties
- Location Map which outlines all properties within contaminated site boundaries on USGS topographic map or plat map in sufficient detail to permit the parcels to be located easily (8.5x14" if paper copy). If groundwater standards are exceeded, the map must also include the location of all municipal and potable wells within 1200' of the site.
- Detailed Site Map(s) for all affected properties, showing buildings, roads, property boundaries, contaminant sources, utility lines, monitoring wells and potable wells. (8.5x14", if paper copy) This map shall also show the location of all contaminated public streets, highway and railroad rights-of-way in relation to the source property and in relation to the boundaries of groundwater contamination exceeding ch. NR 140 ESs and soil contamination exceeding ch. NR 720 generic or SSRCLs.
- Tables of Latest Groundwater Analytical Results (no shading or cross-hatching)
- Tables of Latest Soil Analytical Results (no shading or cross-hatching)
- Isoconcentration map(s), *if required for site investigation (SI)* (8.5x14" if paper copy). The isoconcentration map should have flow direction and extent of groundwater contamination defined. If not available, include the latest extent of contaminant plume map.
- GW: Table of water level elevations, with sampling dates, and free product noted if present
- GW: Latest groundwater flow direction/monitoring well location map (should be 2 maps if maximum variation in flow direction is greater than 20 degrees)
- SOIL: Latest horizontal extent of contamination exceeding generic or SSRCLs, with one contour
- Geologic cross-sections, *if required for SI*. (8.5x14" if paper copy)
- RP certified statement that legal descriptions are complete and accurate
- Copies of off-source notification letters (if applicable)
- Letter informing ROW owner of residual contamination (if applicable)(public, highway or railroad ROW)



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Scott Hassett, Secretary  
Lloyd L. Eagan, Regional Director

South Central Region Headquarters  
3911 Fish Hatchery Road  
Fitchburg, Wisconsin 53711-5397  
Telephone 608-275-3266  
FAX 608-275-3338  
TTY Access via relay - 711

November 22, 2006

File Ref: 03-13-207243

Mr Gary Anderson  
Kanso, Incorporated  
PO Box 68  
Spearfish, SD 57783

SUBJECT: Final Case Closure  
Taco Johns, 1234 Regent Street, Madison, WI  
WDNR BRRTS Activity #: 03-13-207243

Dear Mr. Anderson:

On October 31, 2006, the South Central Region Closure Committee reviewed the above referenced case for closure. This committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. You were sent a conditional closure letter on November 3, 2006. On November 16, 2006, the Department received the well abandonment forms for the documentation that the monitoring wells at the site had been properly abandoned. Based on the correspondence and data provided, it appears that your case has been remediated to Department standards in accordance with s. NR 726.05, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation is required at this time.

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. 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. It is the Department's intent to conduct inspections in the future to ensure that the conditions included in this letter including compliance with referenced maintenance plans are met.

Pursuant to s. 292.12(2)(a), Wis. Stats., the asphalt material parking lot and access routes that currently exists in the location shown on the Environmental Compliance Consultants, Inc. Exhibit A Taco Johns SITE LAYOUT/RESIDUAL SOIL AND GROUNDWATER IMPACTS and designated as "Approximate Extent of Soil Impacts above NR 746.06 Table 1 Screening Values" shall be maintained in compliance with the attached maintenance plan in order to minimize the infiltration of water and prevent additional groundwater contamination that would violate the groundwater quality standards in ch. NR 140, Wis. Adm. Code, and to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health. If soil in the specific locations described above is excavated in the future, 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 would be considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable

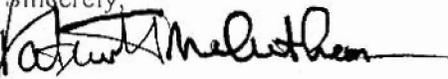
statutes and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken during excavation activities to prevent a health threat to humans.

The following activities are prohibited on any portion of the property where pavement, a building foundation, or other barrier is required as shown on the attached map, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 1) removal of the existing barrier; 2) replacement with another barrier (other than an overlay of new material which does not involve penetration of the existing pavement to ground level); 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; or 6) construction or placement of a building or other structure.

Your site will be listed on the DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites. 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 <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. If your 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://www.dnr.state.wi.us/org/water/dwg/3300254.pdf> or at the web address listed above for the GIS Registry.

The Department 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 Wendell Wojner at (608) 275-3297.

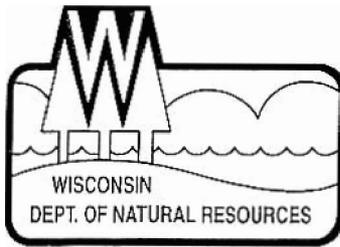
Sincerely,



Patrick McCutcheon

South Central Region Remediation & Redevelopment Team Supervisor

cc: Richard Panosh, Environmental Compliance Consultants, Inc. PO Box 11417, Green Bay, WI 54307  
Mr. Joseph Klinzing, PO Box 6437, Monona, WI 53716



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Scott Hassett, Secretary  
Lloyd L. Eagan, Regional Director

South Central Region Headquarters  
3911 Fish Hatchery Road  
Fitchburg, Wisconsin 53711-5397  
Telephone 608-275-3266  
FAX 608-275-3338  
TTY Access via relay - 711

November 3, 2006

File Ref: 03-13-207243

Mr. Gary Anderson  
Kanso, Incorporated  
PO Box 68  
Spearfish, SD 57783

Subject: Conditional Closure Decision for Taco Johns, 1234 Regent Street, Madison

Dear Mr. Anderson:

On October 31, 2006, the South Central Regional Closure Committee reviewed your request for closure of the case described above. The South Central Regional Closure Committee reviews environmental remediation cases for compliance with state rules and statutes to maintain consistency in the closure of these cases. After careful review of the closure request, the Closure Committee has determined that the petroleum contamination on the site from the vicinity of the former pump islands of the fuel dispensing operation appears to have been investigated and remediated to the extent practicable under site conditions. Your case has been remediated to Department standards in accordance with s. NR 726.05, Wisconsin Administrative Code and will be closed if the following condition is satisfied:

**MONITORING WELL ABANDONMENT**

The monitoring wells at the site must be properly abandoned in compliance with ch. NR 141, Wis. Adm. Code. Documentation of well abandonment must be submitted to me on Form 3300-5B found at [www.dnr.state.wi.us/orp/water/dwg/gw/](http://www.dnr.state.wi.us/orp/water/dwg/gw/) or provided by the Department of Natural Resources.

When the above condition has been satisfied, please submit the appropriate documentation (for example, well abandonment forms, etc.) to verify that applicable conditions have been met, and your case will be closed. Your site will be listed on the DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites. Information that was submitted with your closure request application will be included on the GIS Registry. To review the site on the GIS Registry web page, visit <http://maps.dnr.state.wi.us/brrts>.

Section 101.143, Wis. Stats., requires that PECFA claimants seeking reimbursement of interest costs, for sites with petroleum contamination, submit a final reimbursement claim within 120 days after they receive a closure letter on their site. For claims not received by the PECFA Program within 120 days of the date of this letter, interest costs after 60 days of the date of this letter will not be eligible for PECFA reimbursement. If there is equipment purchased with PECFA funds remaining at the site, contact the Commerce PECFA Program to determine the method for salvaging the equipment.

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.

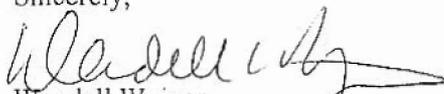
[dnr.wi.gov](http://dnr.wi.gov)  
[wisconsin.gov](http://wisconsin.gov)

Quality Natural Resources Management  
Through Excellent Customer Service



We appreciate your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at (608) 275-3297.

Sincerely,

  
Wendell Woerner

# Cap Maintenance Plan

**Taco John's**  
1234 Regent Street, Madison, Wisconsin  
WDNR BRRTS #03-13-207243

The following *Cap Maintenance Plan* has been prepared in accordance with Wis. Adm. Code ch. NR 724.13 (2). The plan meets the general design and operation & maintenance (O&M) requirements for Migration to Groundwater Cover Systems outlined in WDNR's *Guidance for Cover Systems as Soil Performance Standard Remedies* (PUB-RR-709) dated April 2004.

The *Cap Maintenance Plan* has been prepared to meet the impervious cover requirement outlined in the WDNR's June 8, 2006 *Case Closure Denial* letter. The existing asphalt cover at the site will be maintained in its current condition to protect groundwater quality.

## Responsible Party

Kanso, Incorporated  
P.O. Box 68  
Spearfish, South Dakota 57783  
Mr. Gary Andersen (contact)  
(605) 642-4800

## Property Owner

Mr. Joseph Klinzing  
P.O. Box 6437  
Monona, Wisconsin 53716

## Consultant

Mr. Richard Panosh, P.G.  
Environmental Compliance Consultants, Inc. (ECCI)  
P.O. Box 11417  
Green Bay, Wisconsin 54307-1417  
(920) 434-5031

## Site Location

The Taco John's is located at 1234 Regent Street in the City of Madison, Dane County, Wisconsin. A *Site Layout Map* (Exhibit A) is attached.

The portion of the site subject to this *Cap Maintenance Plan* is the approximate area of residual soil impacts with concentrations above the Wis. Adm. Code ch. NR 746.06 Table 1 screening values shown on the attached *Site Layout/Residual Soil & Groundwater Impacts map* (Exhibit A).

## Nature and Extent of Contamination

Residual petroleum product soil and groundwater impacts resulting from the past usage of underground storage tanks (USTs) have been detected at the site. The highest residual petroleum product soil concentrations, including ethylbenzene, trimethylbenzene and xylene concentrations above the NR 746.06 Table 1 screening

values, were detected at soil sampling locations SB1, SB10, and MW-4. These locations and the approximate extent of the soil impacts above the Table 1 screening values, are shown on Exhibit A.

Periodic groundwater sampling at monitoring wells MW-1, MW-2, and MW-3 have indicated petroleum volatile organic compound (PVOC) impacts to the groundwater above the NR 140 groundwater quality enforcement standards (ESS). In addition, recent (December 2005) groundwater sampling at temporary monitoring wells GP-2 and GP-3 detected benzene and/or naphthalene at near ES concentrations. The monitoring well locations and the approximate extent of the NR 140 ES exceedences are shown on Exhibit A.

### **Normal Operation and Maintenance**

The area on the Taco John's site subject to this *Cap Maintenance Plan* will, at a minimum, be maintained in the current condition to reduce the potential for storm water adversely affecting the degradation and movement of residual impacts. The current surface cover consists of an expanse of asphalt paving in generally good condition. The surface materials and site features are shown in Exhibit A.

The asphalt paving will be inspected once a year, normally in the spring after all snow and ice is gone, for deterioration, cracks, and other potential problems that can cause additional infiltration to the groundwater. The inspections will be performed to evaluate damage due to settling, exposure to the weather, wear from traffic, increasing age, and other factors. A log of the inspections and any repairs will be maintained by the property owner and is included as Exhibit B, *Cap Inspection Log*. The log will include recommendations for necessary repairs and document repairs, when completed.

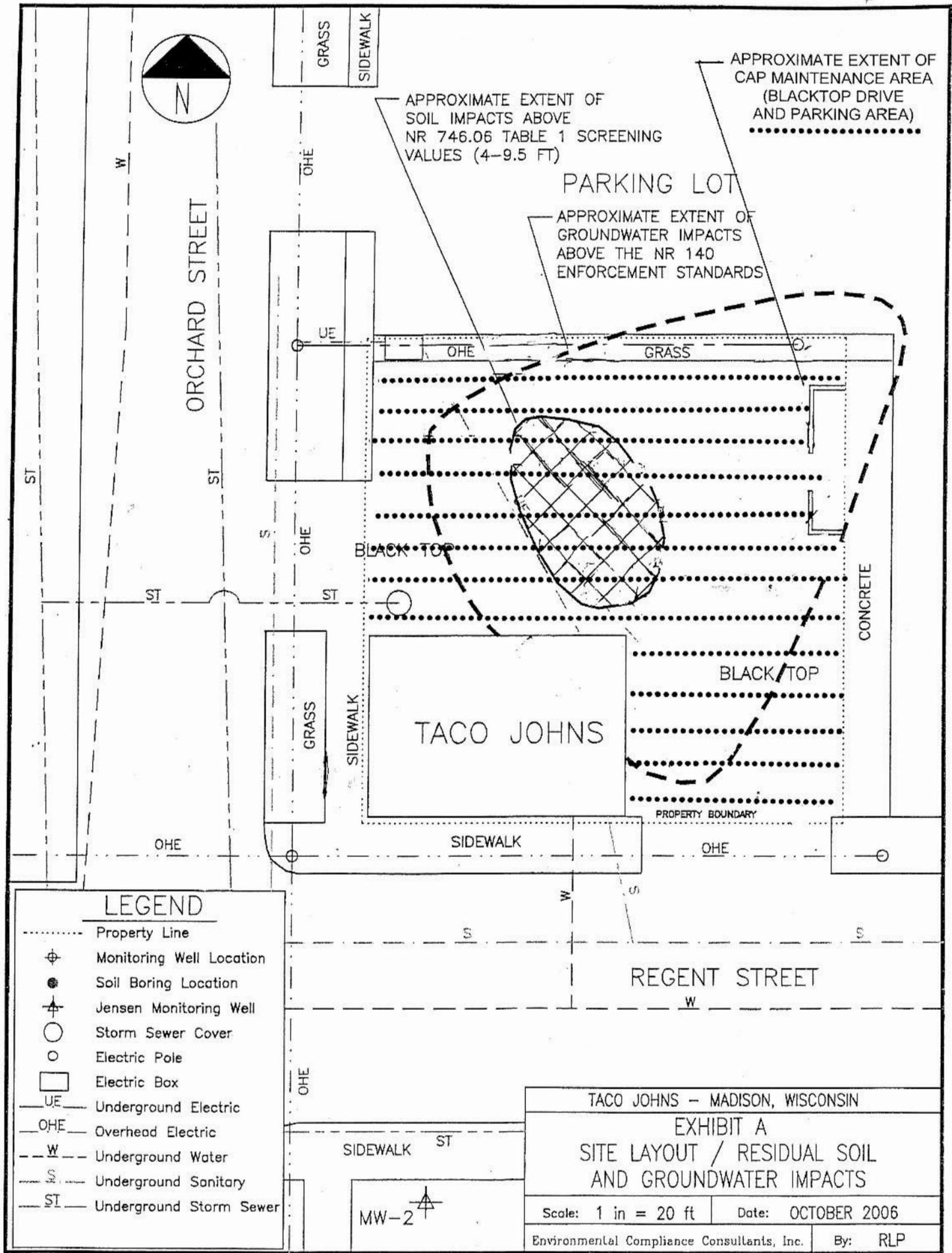
The repair of any noted problems should be scheduled as soon as practical. Repairs can include patching and filling operations or they can include larger resurfacing or construction operations. If in the event the asphalt paving overlying the impacted soil is removed or replaced, the replacement barrier must be equally impervious. Any replacement barrier will be subject to the same maintenance and inspection guidelines as outlined in this *Cap Maintenance Plan* unless indicated otherwise by the WDNR or its successor. If in the future impacted soil and/or groundwater are handled (during construction for example), it will be necessary to properly sample, analyze, and dispose of the material in accordance with applicable local, state, and federal law.

The property owner, in order to maintain the integrity of the asphalt paving, will maintain a copy of this Cap Maintenance Plan on-site and make it available to interested parties (i.e. on-site employees, contractors, future property owners, etc.) for viewing.

### **Routine Monitoring and Analysis**

Long-term soil or groundwater monitoring will not be required as a condition of case closure.

Attachments



APPROXIMATE EXTENT OF  
CAP MAINTENANCE AREA  
(BLACKTOP DRIVE  
AND PARKING AREA)  
.....

APPROXIMATE EXTENT OF  
SOIL IMPACTS ABOVE  
NR 746.06 TABLE 1 SCREENING  
VALUES (4-9.5 FT)

PARKING LOT

APPROXIMATE EXTENT OF  
GROUNDWATER IMPACTS  
ABOVE THE NR 140  
ENFORCEMENT STANDARDS

ORCHARD STREET

BLACK TOP

TACO JOHNS

BLACK TOP

PROPERTY BOUNDARY

REGENT STREET

**LEGEND**

- ..... Property Line
- ⊕ Monitoring Well Location
- Soil Boring Location
- ⊕ Jensen Monitoring Well
- Storm Sewer Cover
- Electric Pole
- Electric Box
- UE Underground Electric
- OHE Overhead Electric
- W Underground Water
- S Underground Sanitary
- ST Underground Storm Sewer

MW-2 ⊕

TACO JOHNS - MADISON, WISCONSIN	
EXHIBIT A	
SITE LAYOUT / RESIDUAL SOIL AND GROUNDWATER IMPACTS	
Scale: 1 in = 20 ft	Date: OCTOBER 2006
Environmental Compliance Consultants, Inc.	By: RLP

**Exhibit B**  
**Cap Inspection Log**  
**Taco John's**  
**1234 Regent Street, Madison, Wisconsin**  
**WDNR BRRTS #03-13-207243**

Date: \_\_\_\_\_

Weather: \_\_\_\_\_

Inspected By: \_\_\_\_\_

Observations of paved areas: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Observations of non-paved areas (if applicable): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Observations of building areas (if applicable): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Other observations, notes, recommendations or actions taken: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_

DANE COUNTY REGISTER OF DEEDS

3224862

06-27-2000 4:51 PM

Trans. Fee 255.00

Rec. Fee 10.00  
Pages 1

000939

THIS SPACE RESERVED FOR RECORDING DATA

NAME & RETURN ADDRESS

KLINZING  
6324 MONONA DRIVE  
MONONA, WI 53716

251-0709-221-1506-3

(Parcel Identification Number)

STATE BAR OF WISCONSIN FORM 2 - 1982  
WARRANTY DEED

DOCUMENT NO.

KANSO, INC. A/K/A KANSO INCORPORATED

conveys and warrants to JOSEPH G. KLINZING

the following described real estate in DANE County,  
State of Wisconsin:

LOTS FIVE (5) AND SIX (6), COYNE REPLAT OF LOTS THIRTEEN (13) TO TWENTYTHREE (23) INCLUSIVE, BLOCK FOURTEEN (14), BROOK'S ADDITION AND THE EAST 30 FEET OF LOT FOURTEEN (14), MORHOFF'S REPLAT, IN THE CITY OF MADISON, DANE COUNTY, WISCONSIN.

This IS NOT homestead property  
(is) (is not)

Exceptions to warranties: Municipal and zoning ordinances, recorded easements for public utilities, recorded building and use restrictions and covenants, and general taxes levied in year of closing.

Dated this 21ST DAY OF JUNE 2000  
KANSO, INC. A/K/A KANSO INCORPORATED  
BY: *Kenneth R. Creasey* (SEAL)  
• KENNETH R. CREASEY, PRESIDENT  
(SEAL)

BY: *Gary L. Anderson* (SEAL)  
• GARY L. ANDERSON, SEC. & TREAS.  
(SEAL)

AUTHENTICATION

Signatures(s).....

authenticated this day of

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

THIS INSTRUMENT WAS DRAFTED BY  
ATTY PETER F. ROE, MADISON, WI, EXCEPT THE  
MANNER WHICH GRANTEE(S) TAKE TITLE  
(Signatures may be authenticated or acknowledged. Both are not necessary.)

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

ACKNOWLEDGMENT

STATE OF WISCONSIN

DANE County, } ss.

Personally came before me this 21ST day of  
JUNE, 2000 the above named  
KENNETH R. CREASEY AND GARY L. ANDERSON

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

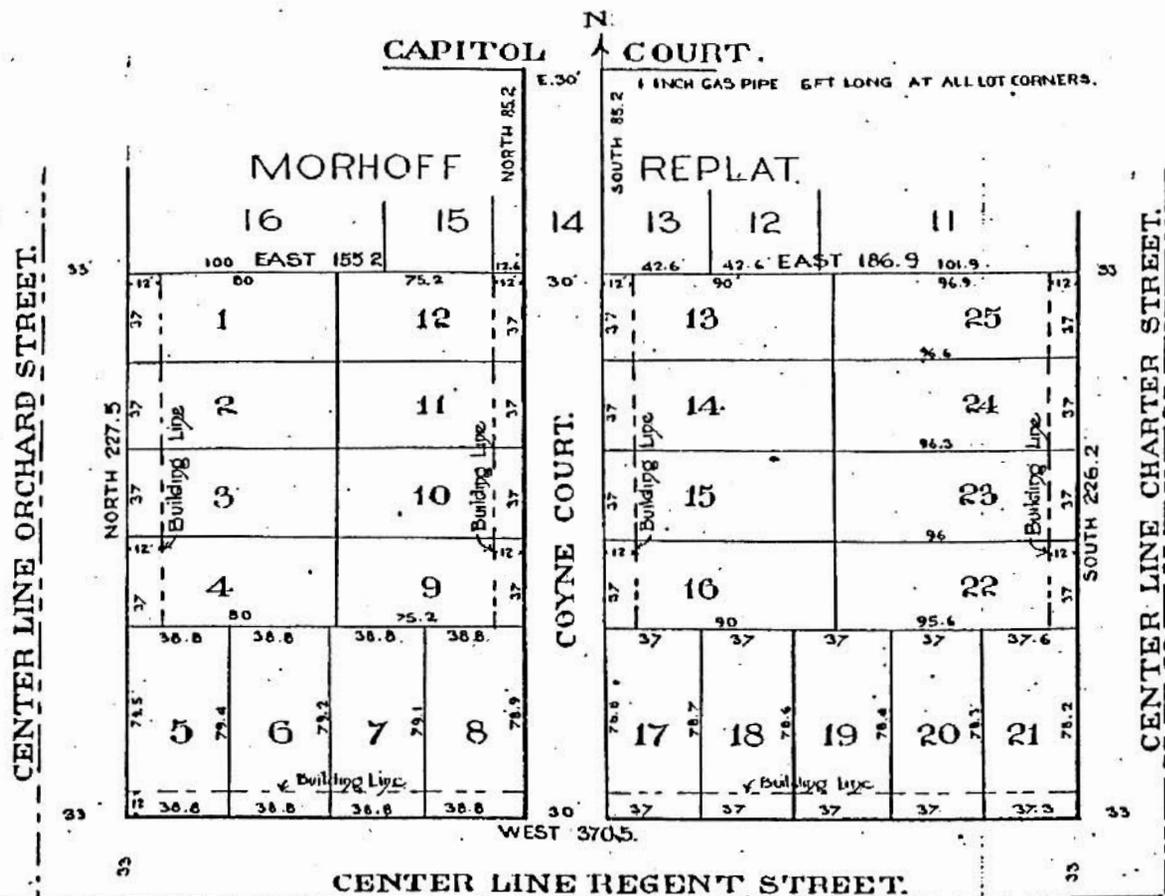
*Laure A. Bollinger*  
• LAURE A. BOLLINGER  
Notary Public DANE County, Wis.

My Commission is permanent. (If not, state expiration  
date: OCTOBER 27, 2002 )



# Coyne Replat

1 INCH = 40 FEET



#480168  
 Correction Official  
 Manual Vol. 52  
 Serial Page 142

I, Theo Rankow do hereby certify that I am a surveyor, and that by direction of W. H. Coyne, I have surveyed, platted and mapped the following described land, to wit: Beginning at the S. E. corner of Block 14, Brooks Addition to the City of Madison, Dane County, Wisconsin, as recorded in the County of Dane, Wisconsin; thence north 227.5 feet to the N. W. corner of Lot 23, Block 14 of said plat; thence east along the North side of lots 25 and 15, 155.2 feet; thence N 85.2 E, thence E 30.1, thence S 85.2 E, thence E 186.9 feet; thence south 226.2 feet to Regent Street; thence West 370.5 feet to place of beginning, said land being lots 13 to 23 inclusive of Block 14 of said Brooks Addition, and the E. 30 feet of lot 14, Morhoff's Replat. I also certify that the within plat is a correct representation of the exterior boundaries of the land surveyed, and the subdivisions thereof made, and that I have fully complied with the provisions of Chapter 101 of the Revised Statutes of Wisconsin, in surveying, subdividing and mapping said land.

State of Wisconsin }  
 County of Dane } I, Theo Rankow, Surveyor, do hereby certify that I have caused the land described in the foregoing certificate of Theo Rankow, Surveyor, to be surveyed, subdivided and mapped as represented on the within map, and that I am the owner of said land.  
 O. S. Morrison, Witness  
 H. C. Dozier, Witness  
 W. H. Coyne, Owner.

State of Wisconsin }  
 County of Dane } I, O. S. Morrison, Notary Public, Dane Co. Wis. do hereby certify that on the 9th day of June 1917, personally appeared before me, W. H. Coyne, to me known to be the person who executed the above foregoing instrument, and acknowledged the execution thereof to be his free act and deed.  
 My commission expires Feb. 10, 1918.  
 My commission as Notary Public expires

It is resolved that a plat known as Coyne's Replat, being a part of block 14 Brooks Addition, be, and hereby is authorized as required by Chapter 225 of the laws of 1905.

State of Wisconsin }  
 County of Dane } I, C. A. Field, City Clerk, Madison, Wis. do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Common Council of the City of Madison, Wisconsin on the 8th day of June 1917. Witness my hand and the Corporate Seal of said City this 9th day of June 1917.  
 Office of Register of Deeds }  
 Dane Co. Wis. }  
 Recorded for record June 9th A.D. 1917 at 10.50 o'clock A.M. and recorded in Vol 3 of Plats on page 52, A.  
 By J. H. Aubrey, Deput.

WARRANTY DEED
STATE BAR OF WISCONSIN FORM 2 - 1982

0958
DANE COUNTY
REGISTER OF DEEDS

Doc No 2849565

1997-04-30 04:25 PM
Trans. Fee EXEMPT #17
Rec. Fee 10.00
Pages 1

Seymour C. Levey and Ruth L. Levey, his wife

conveys and warrants to Roger Charly

the following described real estate in Dane County, State of Wisconsin:

RETURN TO
Attorney James F. Bakken
2828 Marshall Court
Madison, WI 53705

Tax Parcel No: 60-0709-221-1507-1

Lots Three (3), Four (4), Seven (7), Eight (8), Nine (9) and Ten (10), Coyne Replat, in the City of Madison, Dane County, Wisconsin.

This deed is given in fulfillment and satisfaction of that certain land contract by and between the parties hereto dated 6/30/86 and recorded 7/19/86 and recorded at the Dane County Register of Deeds Office in Volume 8386, at page 62 and Document Number 1946460 together with any and all amendments and extension thereto.

This is not homestead property.
XXX (is not)

Exception to warranties: Real estate taxes or assessments for the year 1986 and subsequent years, zoning ordinances and other building use restrictions, easements, restrictions and covenants of record, state and municipal law.

Dated this 29th day of April, 1997

Ruth L. Levey (SEAL)
Ruth L. Levey
Seymour C. Levey (SEAL)
Seymour C. Levey

AUTHENTICATION

Signature(s) Ruth L. Levey and Seymour C. Levey
authenticated this 22 day of April, 1997
TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, authorized by § 706.06, Wis. Stats.)

ACKNOWLEDGMENT

STATE OF WISCONSIN
County
Personally came before me this day of
19 the above named
to me known to be the person who executed the foregoing instrument and acknowledge the same.

THIS INSTRUMENT WAS DRAFTED BY

David J. Schwartz, Attorney at Law
222 South Bedford St., Madison, WI 53703
(Signatures may be authenticated or acknowledged. Both are not necessary.)

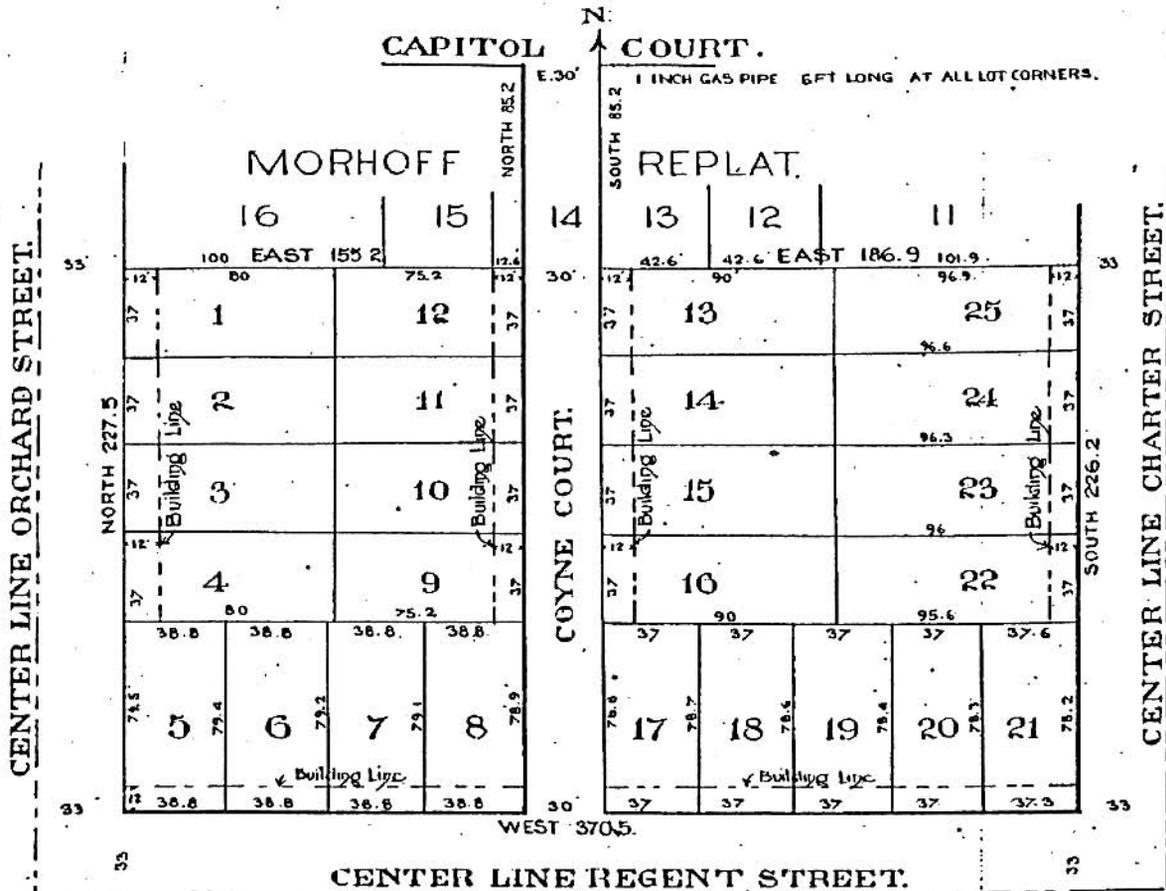
Notary Public County, Wis.
My Commission is permanent. (If not, state expiration date: 19)

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

1/10

# Coyne Replat

1 INCH = 40 FEET



#488168  
Correction Official  
March 1st, 1922  
Incl. Page 152

I, Theo Parkour, do hereby certify that I am a surveyor, and that by direction of W. H. Coyne, I have surveyed, platted and mapped the following described land, to wit: Beginning at the S.E. corner of Block 14, Brooks Addition to the City of Madison, Dane County, Wisconsin, as recorded in the Courthouse of said Dane County; thence north 227.5 feet to the N.W. corner of Lot 23, Block 14 of said plat; thence east along the North side of lots 23 and 13, 155.2 ft.; thence N 85.2 ft.; thence E 30 ft.; thence S 85.2 ft.; thence E 186.9 ft.; thence South 226.2 feet to Regent Street; thence West 370.5 feet to place of beginning; said land being lots 13 to 23 inclusive of block 14 of said Brooks Addition, and the E. 30 feet of lot 14, Morhoff's Replat. I also certify that the within plat is a correct representation of the exterior boundaries of the land surveyed, and the subdivisions thereof made, and that I have fully complied with the provisions of Chapter 101 of the Revised Statutes of Wisconsin, in surveying, subdividing and mapping said land.

Witness my hand and the Corporate Seal of said City of Madison, Wisconsin, on the 8th day of June 1917.

THEO PARKOUR  
Surveyor

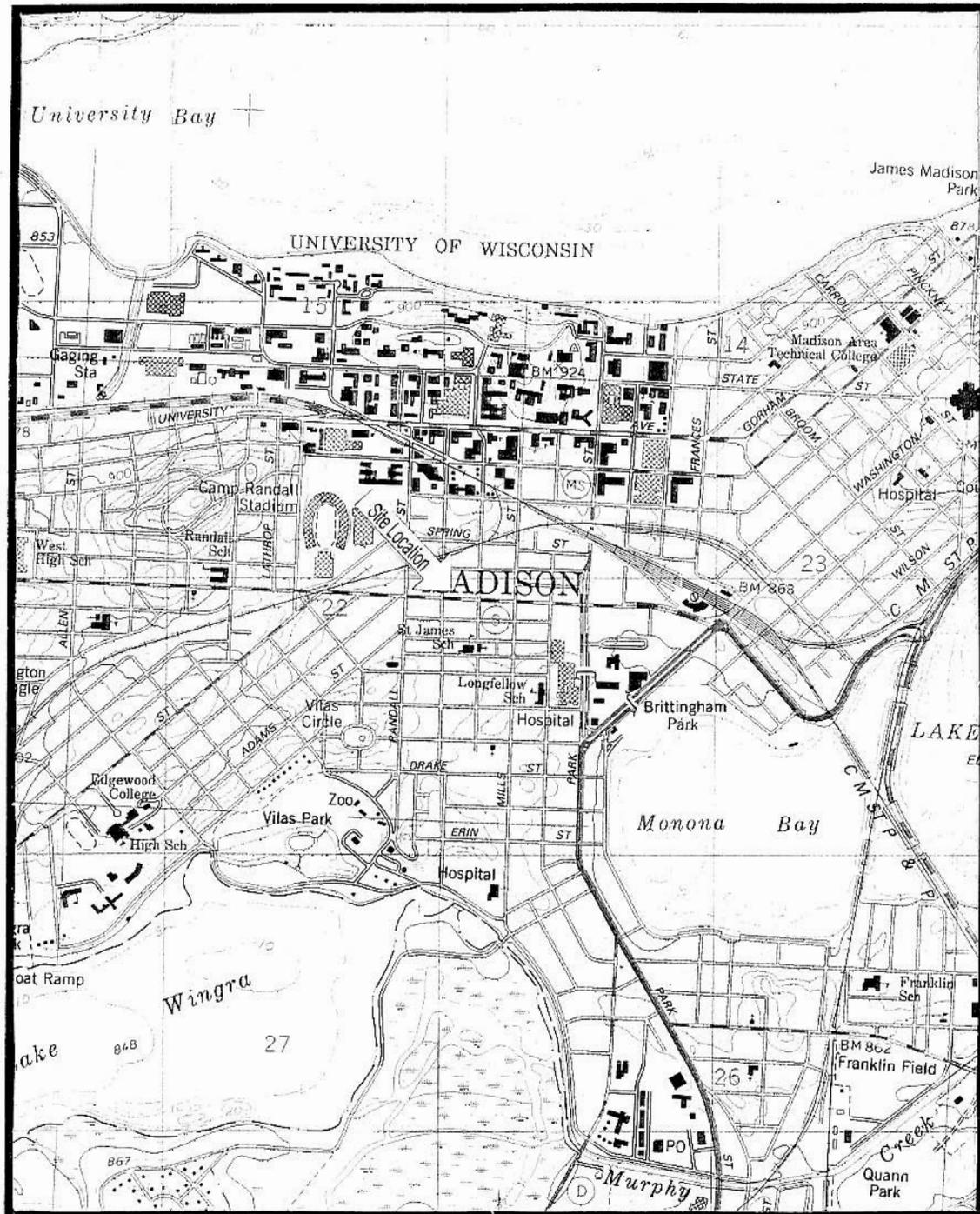
W. H. COYNE  
Owner

O. S. NORSMAN  
Notary Public, Dane Co. Wis.

C. A. FIELD  
City Clerk, Madison, Wis.

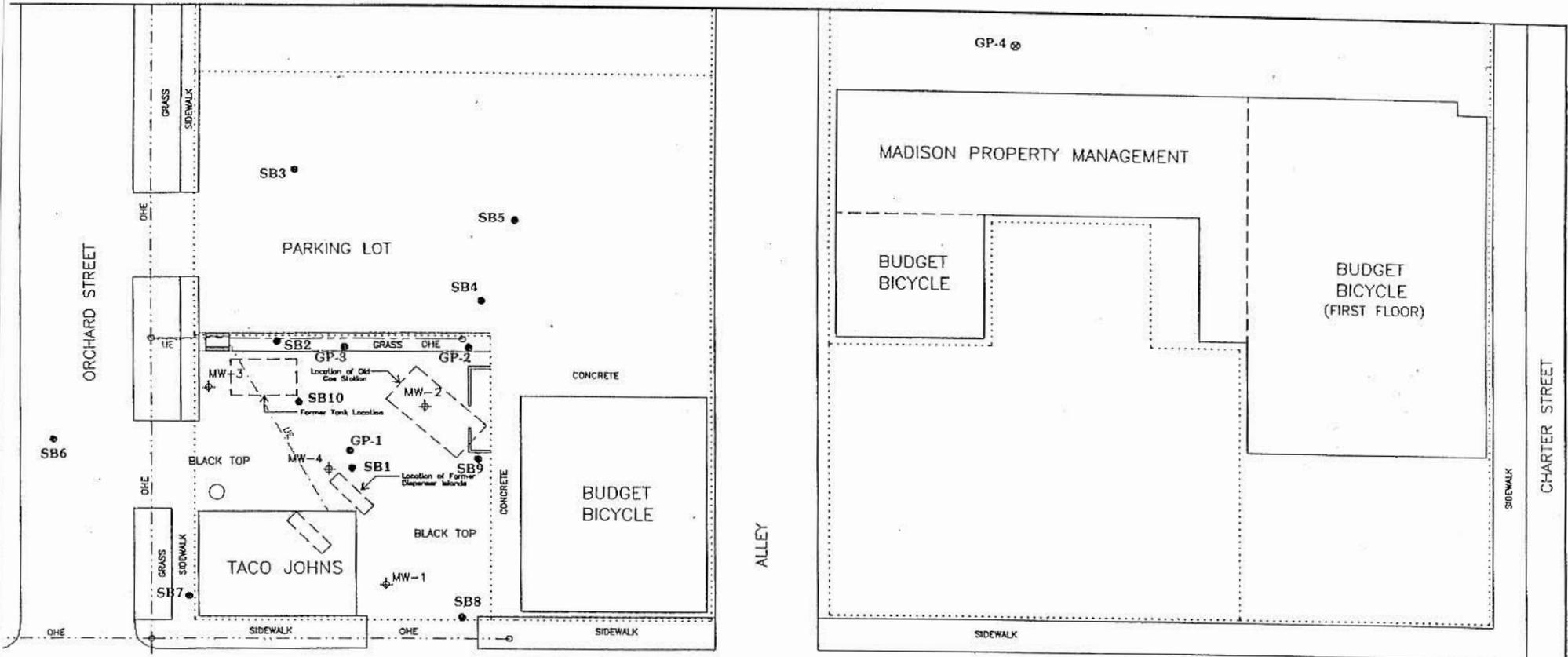
By J. H. Aubrey, Deputy.

RECORDED FOR RECORD June 9th A.D. 1917 at 10.50 o'clock A.M. and recorded in Vol 3 of Plats of Dane Co. Wis. page 52, A.



NOTE: Taken from the  
Madison West, WI  
7.5 Minute USGS  
Topographic Map  
1983

TACO JOHNS - MADISON, WI	
Figure 1 Site Location	
Scale: 1 in = 2000 ft	Date: August 2, 2000
Environmental Compliance Consultants, Inc.	By: A. Wren

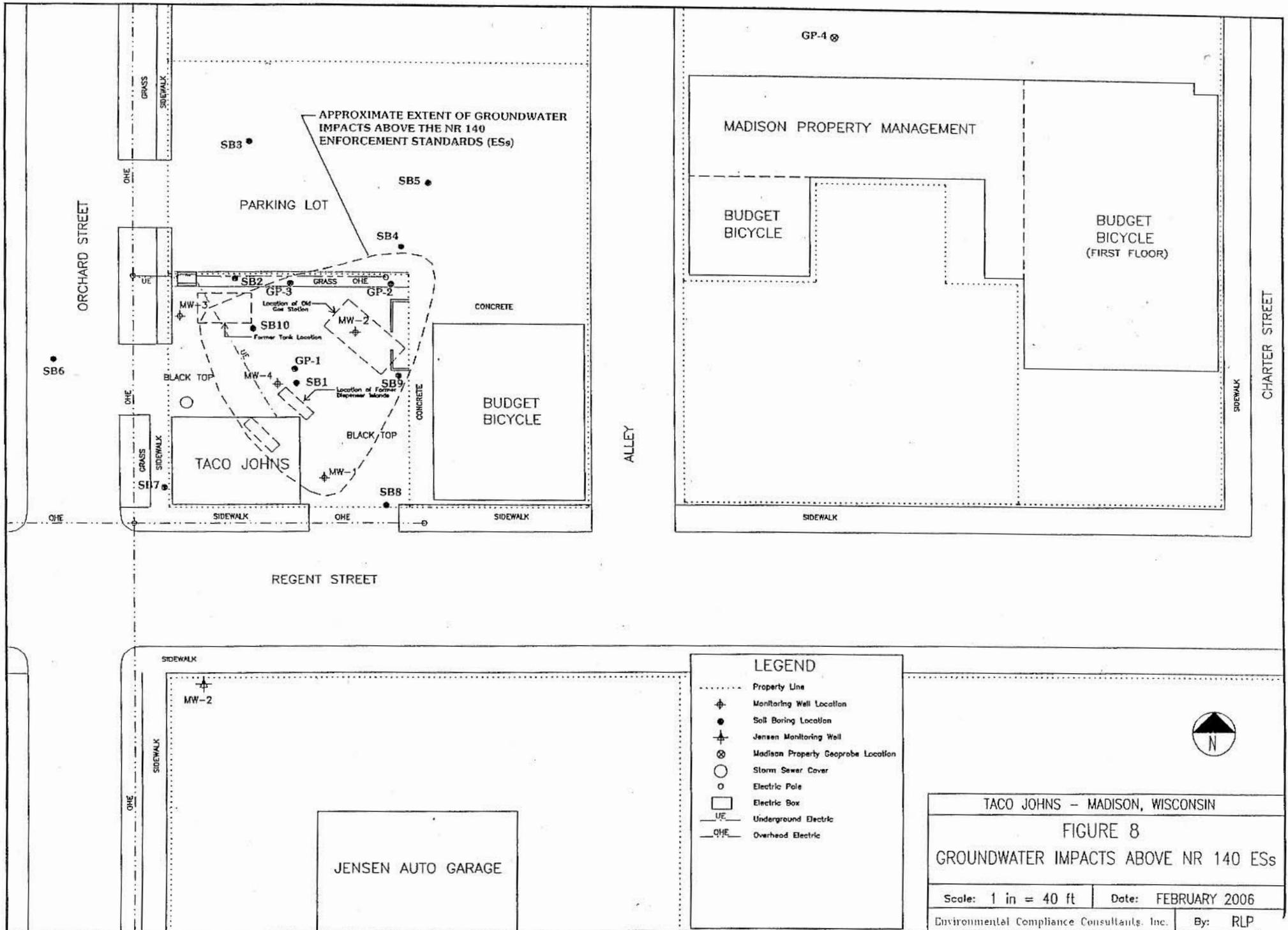


**LEGEND**

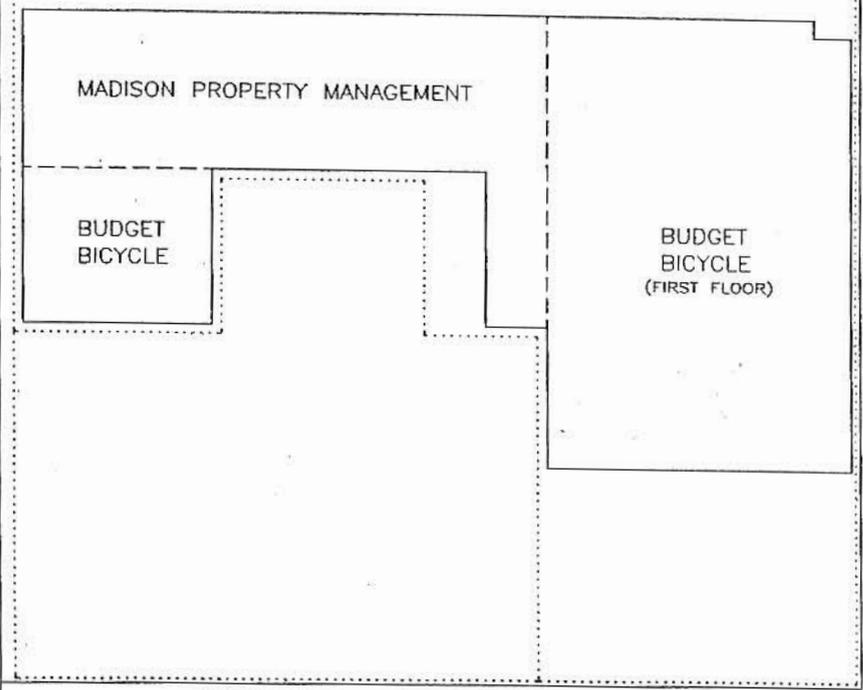
- Property Line
- ⊕ Monitoring Well Location
- Soil Boring Location
- ⊕ Jensen Monitoring Well
- ⊗ Madison Property Geoprobe Location
- Storm Sewer Cover
- Electric Pole
- Electric Box
- U/E Underground Electric
- OHE Overhead Electric



TACO JOHNS - MADISON, WISCONSIN	
<b>FIGURE 2</b> SITE VICINITY	
Scale: 1 in = 40 ft	Date: FEBRUARY 2006
Environmental Compliance Consultants, Inc.	By: RLP



APPROXIMATE EXTENT OF GROUNDWATER IMPACTS ABOVE THE NR 140 ENFORCEMENT STANDARDS (ESs)



**LEGEND**

- Property Line
- ⊕ Monitoring Well Location
- Soil Boring Location
- ⊕ Jensen Monitoring Well
- ⊕ Madison Property Geoprobe Location
- Storm Sewer Cover
- Electric Pole
- Electric Box
- UE Underground Electric
- OHE Overhead Electric

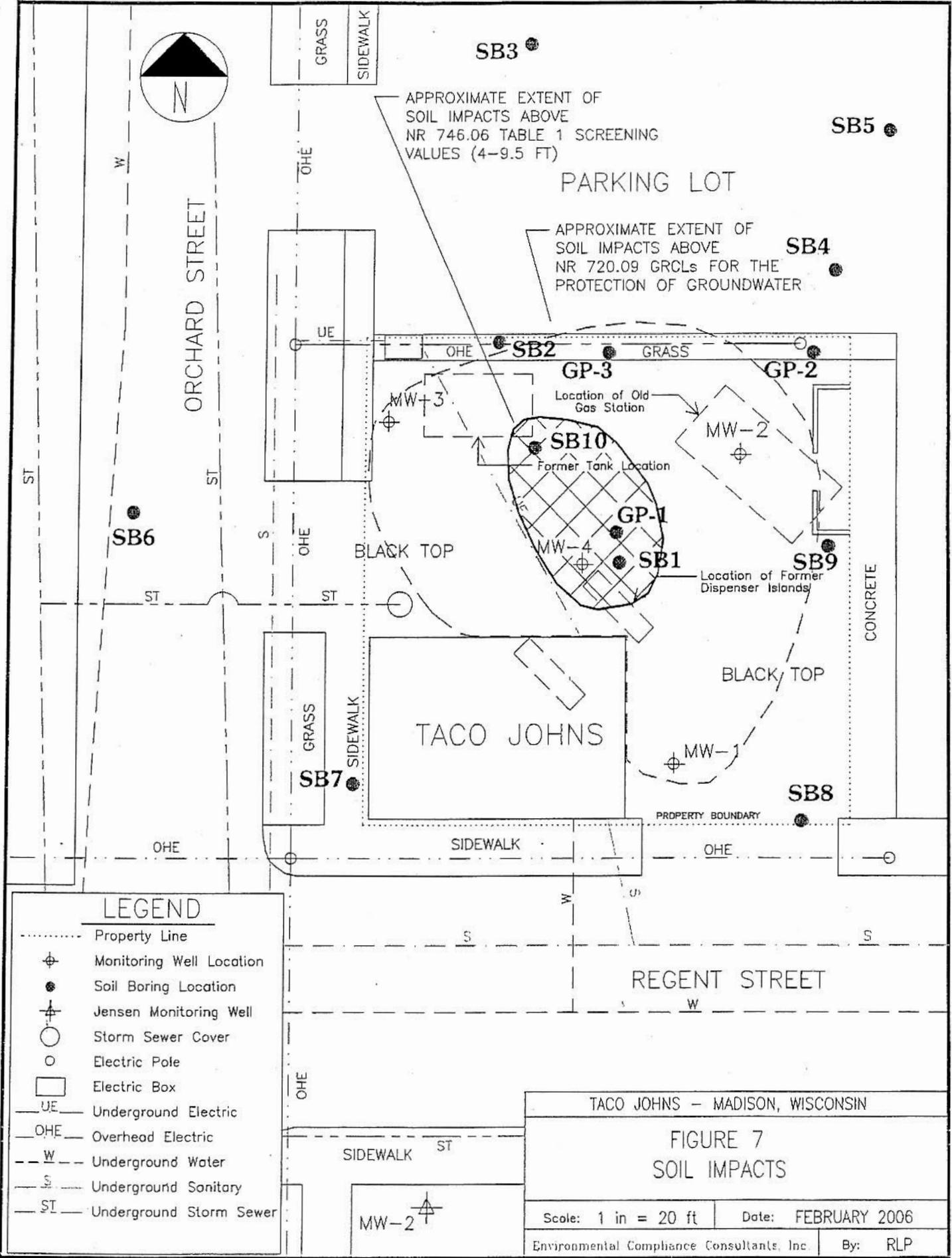
TACO JOHNS - MADISON, WISCONSIN

**FIGURE 8**

GROUNDWATER IMPACTS ABOVE NR 140 ESs

Scale: 1 in = 40 ft      Date: FEBRUARY 2006

Environmental Compliance Consultants, Inc.      By: RLP



SB3 ●

APPROXIMATE EXTENT OF  
SOIL IMPACTS ABOVE  
NR 746.06 TABLE 1 SCREENING  
VALUES (4-9.5 FT)

SB5 ●

PARKING LOT

APPROXIMATE EXTENT OF  
SOIL IMPACTS ABOVE  
NR 720.09 GRCLs FOR THE  
PROTECTION OF GROUNDWATER

SB4 ●

GRASS  
SIDEWALK

OHE

UE

OHE

SB2 ●

GRASS

GP-3

GP-2

Location of Old Gas Station

MW-3

MW-2

SB10 ●

Former Tank Location

GP-1

MW-4

SB1 ●

Location of Former Dispenser Islands

SB9 ●

CONCRETE

BLACK TOP

BLACK TOP

TACO JOHNS

MW-1

SB8 ●

PROPERTY BOUNDARY

SIDEWALK

OHE

**LEGEND**

- ..... Property Line
- ⊕ Monitoring Well Location
- Soil Boring Location
- ⊕ Jensen Monitoring Well
- Storm Sewer Cover
- Electric Pole
- Electric Box
- UE — Underground Electric
- OHE — Overhead Electric
- W — Underground Water
- S — Underground Sanitary
- ST — Underground Storm Sewer

REGENT STREET

SIDEWALK

ST

MW-2

TACO JOHNS - MADISON, WISCONSIN

**FIGURE 7  
SOIL IMPACTS**

Scale: 1 in = 20 ft      Date: FEBRUARY 2006

Environmental Compliance Consultants, Inc.      By: RLP

**Table 4**  
**Groundwater Sampling Analytical Results**  
**Taco John's**  
**1234 Regent Street - Madison, Wisconsin**

Well ID	Sample Date	Dissolved Lead	GRO	Benzene	Ethylbenzene	Toluene	Xylenes (total)	TMBs (total)	MTBE	Naphthalene	EDB	1,2-DCA	t-Butylbenzene	n-Butylbenzene	s-Butylbenzene	Isopropylbenzene	n-Propylbenzene	p-Isopropyltoluene
<b>Source Property Geoprobe</b>																		
SB1	09-Nov-98	na	na	1100	1900	150	9500	2050	<32	na	na	na	na	na	na	na	na	na
GP-2	01-Dec-05	na	na	17	62	24	54	136	<4.4	48	na	na	na	na	na	na	na	na
GP-3	01-Dec-05	na	na	<2.4	88	23	55	77	<2.2	46	na	na	na	na	na	na	na	na
<b>Source Property Monitoring Wells</b>																		
MW-1	28-Dec-00	2.6	22000	[15]	2300	[170]	9100	3790	<10	1000	<21	<10	<12	73	<10	92	370	<12
MW-1	29-Mar-01	2.5	na	440	2200	200	9000	3460	[22]	960	na	na	na	na	na	na	na	na
MW-1	29-Jun-01	3.3	na	51	1800	210	6300	2470	[9.9]	760	na	na	na	na	na	na	na	na
MW-1	29-Oct-01	3.7	na	<9.0	1700	120	6100	2260	[18]	650	na	na	na	na	na	na	na	na
MW-1	07-Feb-02	2.4	na	[19]	1400	110	4400	3480	[18]	730	na	na	na	na	na	na	na	na
MW-1	14-Apr-04	1.5	na	76	2000	210	6700	2970	22	710	na	na	na	na	na	na	na	na
MW-1	09-Mar-05	1.7	na	26.2	1970	68.1	7130	3227	<6.0	645	na	na	na	na	na	na	na	na
MW-2	28-Dec-00	2.3	31000	1500	3100	[150]	15,800	3220	81	840	<21	<10	390	76	<10	85	240	<12
MW-2	29-Mar-01	2.0	na	690	2300	110	11,300	2930	78	850	na	na	na	na	na	na	na	na
MW-2	29-Jun-01	3.1	na	1200	1900	97	8800	2580	77	780	na	na	na	na	na	na	na	na
MW-2	29-Oct-01	2.5	na	1500	2000	73	9400	2500	65	880	na	na	na	na	na	na	na	na
MW-2	07-Feb-02	1.5	na	1600	2200	90	9600	2850	56	780	na	na	na	na	na	na	na	na
MW-2	14-Apr-04	4.5	na	360	2000	54	8640	2810	[11]	970	na	na	na	na	na	na	na	na
MW-2	09-Mar-05	1.0	na	599	1960	40.7	7364	2767	<6.0	827	na	na	na	na	na	na	na	na
MW-3	28-Dec-00	<0.18	3800	[0.62]	13	<2.2	66.7	396	<0.40	12	<0.84	<0.42	<0.46	48	28	9.8	63	19
MW-3	29-Mar-01	na	na	[0.67]	<0.37	<0.38	20	64.4	6.4	<0.44	na	na	na	na	na	na	na	na
MW-3	29-Jun-01	na	na	4.5	20	<0.68	41	140	5.8	42	na	na	na	na	na	na	na	na
MW-3	29-Oct-01	na	na	1.9	15	<0.68	26	53.4	5.9	32	na	na	na	na	na	na	na	na
MW-3	07-Feb-02	na	na	0.92	11	<1.4	24	52.6	4.3	40	na	na	na	na	na	na	na	na
MW-3	14-Apr-04	na	na	1	7.8	<0.36	14	17.9	[0.54]	35	na	na	na	na	na	na	na	na
MW-3	09-Mar-05	na	na	[0.742]	4.42	5.08	5.43	13.74	<0.3	27	na	na	na	na	na	na	na	na
MW-4	28-Dec-00	[0.55]	29000	2200	2600	[55]	8700	3170	<10	920	<21	<10	<12	94	<10	97	390	<12
MW-4	29-Mar-01	na	na	1000	2300	64	7850	2440	[25]	790	na	na	na	na	na	na	na	na
MW-4	29-Jun-01	na	na	930	2300	[75]	7840	2670	<22	960	na	na	na	na	na	na	na	na
MW-4	29-Oct-01	na	na	1200	1600	120	5240	6700	[14]	770	na	na	na	na	na	na	na	na
MW-4	07-Feb-02	na	na	550	1600	55	5540	2080	[15]	770	na	na	na	na	na	na	na	na
MW-4	14-Apr-04	na	na	710	1400	48	4400	1500	[15]	830	na	na	na	na	na	na	na	na
MW-4	09-Mar-05	na	na	848	1440	42.9	3226.3	1360	<6.0	905	na	na	na	na	na	na	na	na
<b>Off-Source Property Geoprobes</b>																		
SB5	24-Dec-98	na	na	<0.26	[0.37]	[0.55]	[1.82]	[2.82]	<0.22	na	na	na	na	na	na	na	na	na
GP-4 <sup>1</sup>	24-Jan-05	na	na	nd	<0.5	<0.3	nd	<0.71	nd	nd	nd	nd	nd	<0.36	<0.4	<0.31	<0.3	nd
<b>Off-Source Property Monitoring Well</b>																		
MW-2 <sup>2</sup>	09-Mar-05	na	na	<0.31	<0.5	[0.335]	<0.92	<0.71	<0.3	na	na	na	na	na	na	na	na	na
NR 140 ES		15		5	700	1,000	10,000	480	60	40	0.05	5						
NR 140 PAL		1.5		0.5	140	200	1,000	96	12	8	0.005	0.5						

**Bold** = NR 140 ES exceedence

*Italics* = NR 140 PAL exceedence

All analytical results given in micrograms/liter (ug/L) unless otherwise noted

na = not analyzed

nd = not detected but detection limit not provided

<sup>1</sup>Soil probe installed and sampled by Gannett Fleming for Phase II ESA at 10 North Charter Street site.

<sup>2</sup>MW-2 is upgradient off-source property well installed as part of Jensen's Auto SI located across street at 1233 Regent Street.

Bracketed values [ ] were detected between the limit of detection (LOD) and the limit of quantitation (LOQ).

**Table 3**  
**Soil Sampling Analytical Results**  
**Taco John's**  
**1234 Regent Street - Madison, Wisconsin**

Sample Location	Sample Date	Sample Depth	GRO	Benzene	Ethylbenzene	MTBE	Toluene	1,2,4-TMB	1,3,5-TMB	Total Xylenes
		feet		ug/kg						
<b>Source Property Geoprobe</b>										
SB1-2	09-Nov-98	4-8	3200	3800	82000	<1000	<1000	250000	81000	357000
SB2-3	24-Dec-98	8-12	<2.9	<25	<25	<25	<25	<25	<25	<50
SB2-5	24-Dec-98	16-20	<3.0	<25	49	<25	<25	<25	<25	<50
SB7-2	24-Dec-98	4-8	<2.8	<25	<25	<25	<25	<25	<25	<50
SB7-3	24-Dec-98	8-12	<2.7	<25	<25	<25	<25	<25	<25	<50
SB8-2	24-Dec-98	4-8	<2.8	<25	<25	<25	<25	<25	<25	<50
SB8-3	24-Dec-98	8-12	<3.2	<25	<25	<25	<25	<25	<25	<50
SB9-2	24-Dec-98	4-8	<3.2	<25	<25	<25	<25	<25	<25	<50
SB9-3	24-Dec-98	8-12	3.9	<25	<25	<25	<25	<25	<25	<50
SB10-2	24-Dec-98	4-8	1200	<500	6000	<500	<500	95000	35000	30600
GP-1	01-Dec-05	3-4	na	1000	4500	<180	1000	<110	990	2800
GP-2	01-Dec-05	3-4	na	<15	<14	<18	110	<11	<13	<55
GP-2	01-Dec-05	14-15	na	<15	420	<18	150	450	470	280
GP-3	01-Dec-05	3-4	na	120	<14	<18	94	98	<13	120
GP-3	01-Dec-05	12-13	na	<15	480	<18	150	<11	600	390
<b>Source Property HSA</b>										
MW-1	26-Dec-00	7.5-9.5	310	<100	1700	<100	<100	3400	4500	5400
MW-2	26-Dec-00	7.5-9.5	430	<130	2100	<130	<130	7200	6300	6700
MW-3	26-Dec-00	7.5-9.5	150	<62	370	<62	<62	4400	2900	1400
MW-4	26-Dec-00	7.5-9.5	3300	<2000	90000	<2000	<2000	280000	100000	403000
<b>Off-Source Property Geoprobe</b>										
SB3-3	24-Dec-98	8-12	<3.0	<25	<25	<25	<25	<25	<25	<50
SB4-2	24-Dec-98	4-8	<2.8	<25	<25	<25	<25	<25	<25	<50
SB5-2	24-Dec-98	4-8	<3.0	<25	<25	<25	<25	<25	<25	<50
SB6-2	24-Dec-98	4-8	<2.8	<25	<25	<25	<25	<25	<25	<50
SB6-3	24-Dec-98	8-12	<2.9	<25	<25	<25	<25	<25	<25	<50
GP-4 <sup>1</sup>	24-Jan-05	8-12	<5.95	<25	<25	<25	<25	<25	<25	<25
NR 746.06 Table 1				8500	4600		38000	83000	11000	42000
NR 746.06 Table 2 -> DC				1100						
NR 720.11 Table 2 GRCL->DC										
NR 720.09 GRCL->GW			100	5.5	2900		1500			4100

*Italic font indicates the conc. is > the NR 746.06 Table 1 values - (screening level) Indicators of Residual Petroleum Product in Soil Pores.*

**Bold values indicate the conc. is > the NR 746.06 Table 2 values - Protection of Human Health from Direct Contact (in the 0-4' interval).**

Boxed values indicate the concentration is greater than the NR 720.09 generic residual cleanup level (GRCL) for the protection of groundwater.

na = not analyzed

HSA=hollow stem auger drilling w/split-spoon soil sampling

<sup>1</sup>Soil probe installed and sampled by Gannett Fleming for Phase II ESA at 10 North Charter Street site.

**Table 1**  
**Groundwater Elevation Summary**  
**Taco John's**  
**1234 Regent Street - Madison, Wisconsin**

DATE	MW-1			MW-2			MW-3			MW-4			MW-2 <sup>2</sup>		
	WL	WT	FEET (BG)	WL	WT	FEET (BG)	WL	WT	FEET (BG)	WL	WT	FEET (BG)	WL	WT	FEET (BG)
28-Dec-00	9.31	84.75	9.7	9.98	84.62	10.3	9.62	84.75	10.0	9.13	84.72	9.5	na	na	na
29-Mar-01	9.34	84.72	9.7	10.10	84.50	10.5	9.62	84.75	10.0	9.14	84.71	9.5	na	na	na
29-Jun-01	8.71	85.35	9.1	9.50	85.10	9.9	9.00	85.37	9.4	8.53	85.32	8.9	na	na	na
29-Oct-01	8.33	85.73	8.7	9.28	85.32	9.6	8.69	85.68	9.1	8.17	85.68	8.5	na	na	na
07-Feb-02	9.05	85.01	9.4	9.88	84.72	10.2	9.33	85.04	9.7	8.86	84.99	9.2	na	na	na
14-Apr-04	8.11	85.95	8.5	8.78	85.82	9.1	8.40	85.97	8.8	7.87	85.98	8.2	na	na	na
09-Mar-05	7.89	86.17	8.2	8.58	86.02	8.9	8.20	86.17	8.6	7.71	86.14	8.0	8.70	86.20	~9.0

Well#	Top of Casing <sup>1</sup>	Ground Surface	Top of Screen	Bottom of Well
MW-1	94.06	94.4	89.2	79.2
MW-2	94.60	95.0	89.5	79.5
MW-3	94.37	94.8	89.3	79.3
MW-4	93.85	94.2	88.7	78.7
MW-2 <sup>2</sup>	94.90	~95.2	86.0	76.0

All Results in feet

na = Data not available

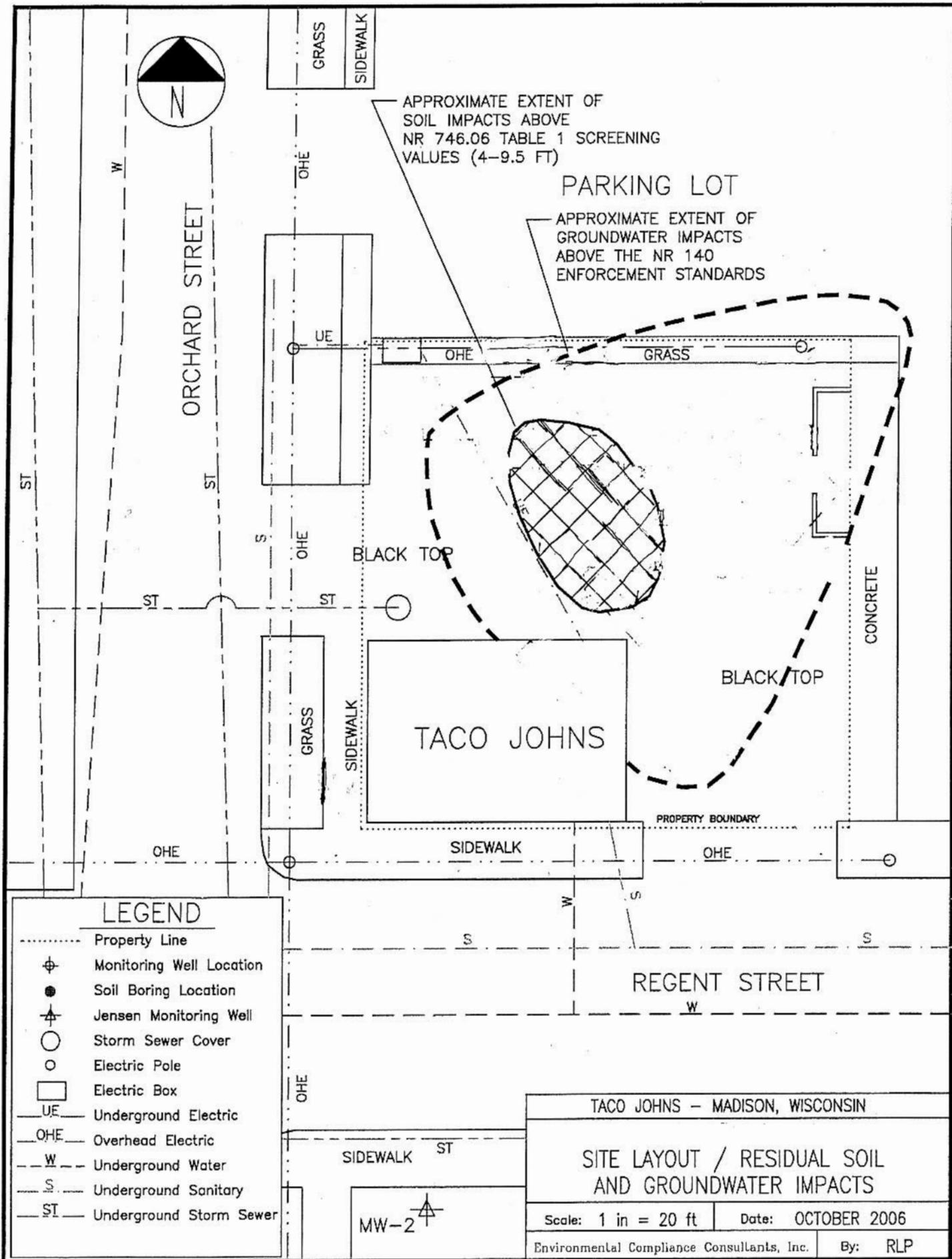
BG = Feet Below Grade

WL = Water Level as measured from the TOC or other relevant reference point.

WT = Water Table Elevation calculated value.

<sup>1</sup>Used a site datum to establish relative TOC values.

<sup>2</sup>Upgradient off-source property well installed for Jensen's Auto SI.



APPROXIMATE EXTENT OF  
SOIL IMPACTS ABOVE  
NR 746.06 TABLE 1 SCREENING  
VALUES (4-9.5 FT)

PARKING LOT

APPROXIMATE EXTENT OF  
GROUNDWATER IMPACTS  
ABOVE THE NR 140  
ENFORCEMENT STANDARDS

**LEGEND**

- Property Line
- ⊕ Monitoring Well Location
- Soil Boring Location
- ▲ Jensen Monitoring Well
- Storm Sewer Cover
- Electric Pole
- Electric Box
- UE Underground Electric
- OHE Overhead Electric
- W Underground Water
- S Underground Sanitary
- ST Underground Storm Sewer

MW-2 ▲

TACO JOHNS - MADISON, WISCONSIN	
SITE LAYOUT / RESIDUAL SOIL AND GROUNDWATER IMPACTS	
Scale: 1 in = 20 ft	Date: OCTOBER 2006
Environmental Compliance Consultants, Inc.	By: RLP



GRASS

SIDEWALK

SB3

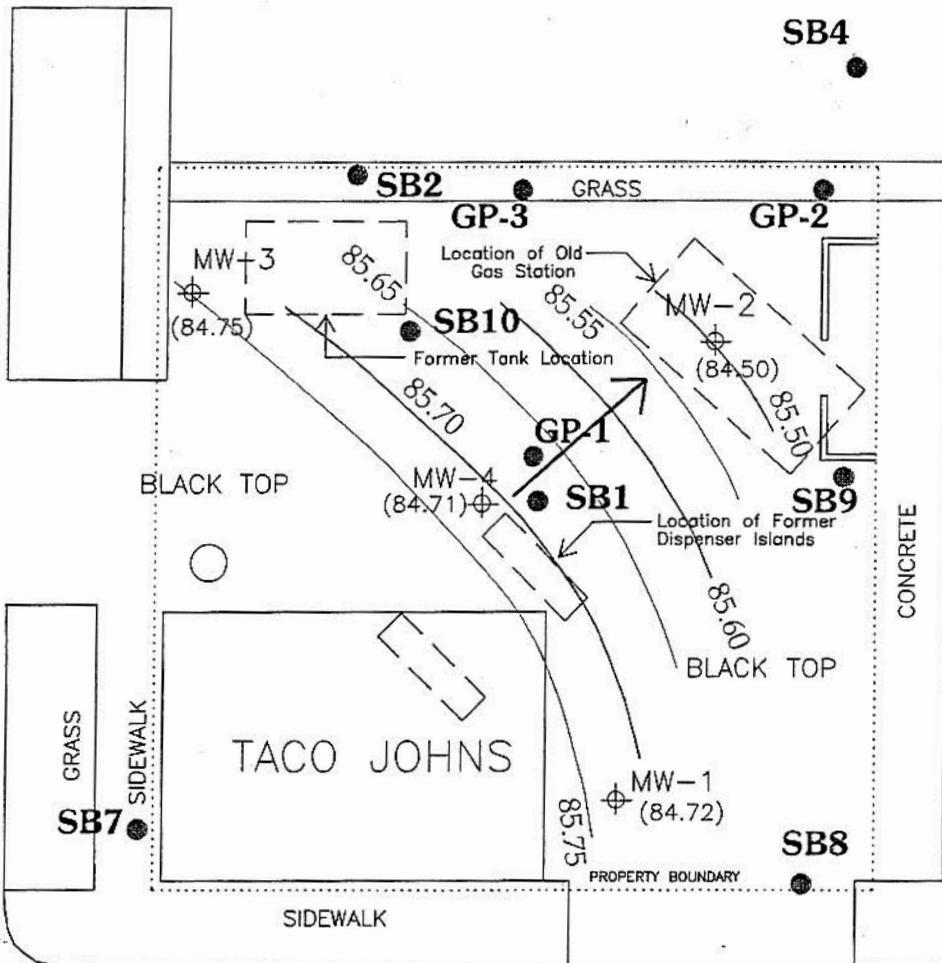
SB5

PARKING LOT

ORCHARD STREET

SB4

SB6



BLACK TOP

GRASS

SIDEWALK

TACO JOHNS

SB7

SIDEWALK

SIDEWALK

PROPERTY BOUNDARY

REGENT STREET

CONCRETE

### LEGEND

- Property Line
- ⊕ Monitoring Well Location
- Soil Boring Location
- ⊕ Jensen Monitoring Well
- Storm Sewer Cover

### GROUNDWATER LEGEND

- Groundwater Flow Direction
- Groundwater Contour
- (85.01) Recorded Groundwater Elevation
- 84.85 Groundwater Elevation

TACO JOHNS - MADISON, WISCONSIN

### FIGURE 6A GROUNDWATER CONTOUR MAP (3/29/01 SAMPLING EVENT)

Scale: 1 in = 20 ft

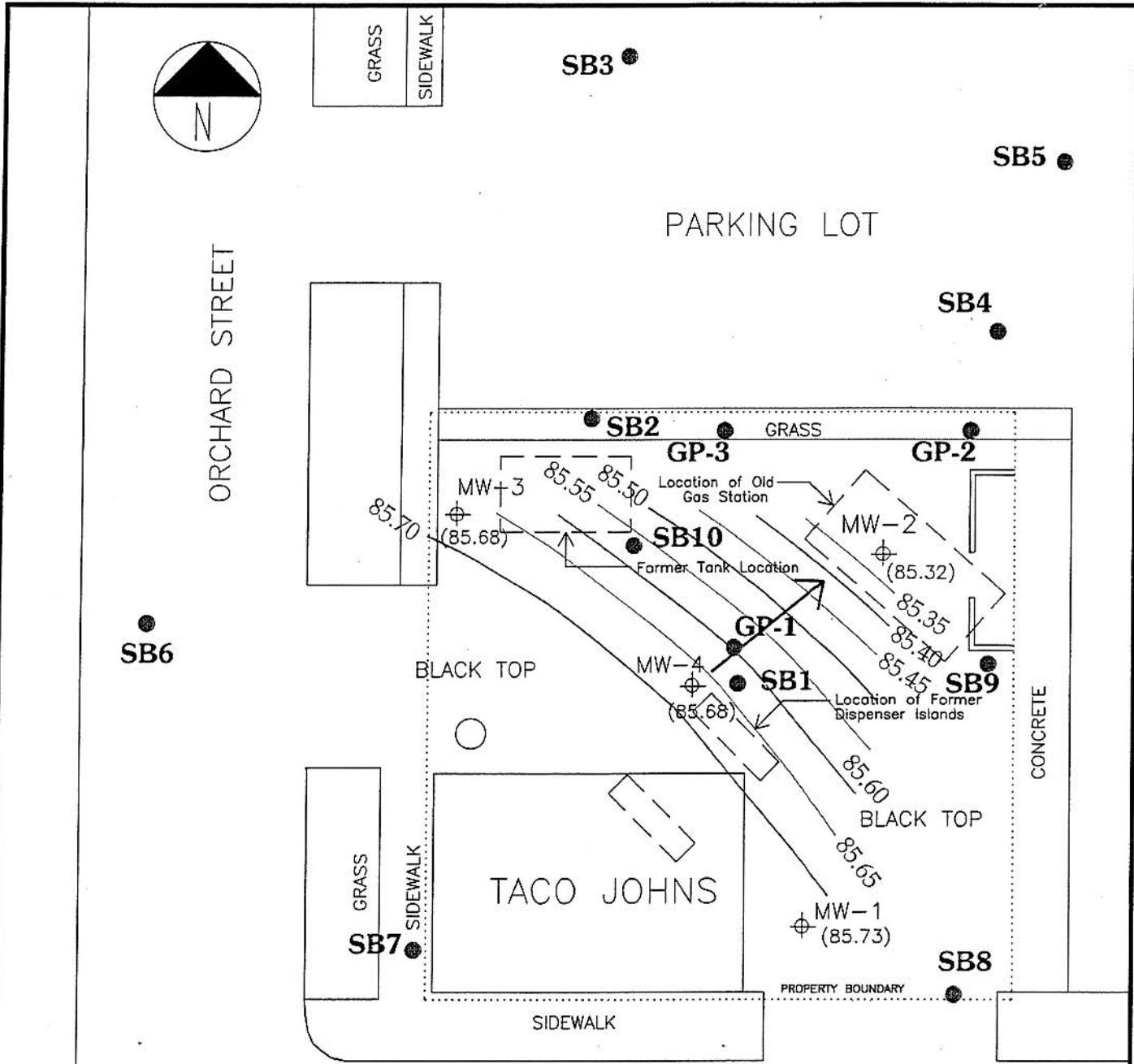
Date: FEBRUARY 2006

Environmental Compliance Consultants, Inc. By: RLP

SIDEWALK

MW-2



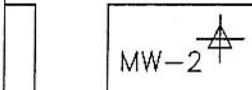


**LEGEND**

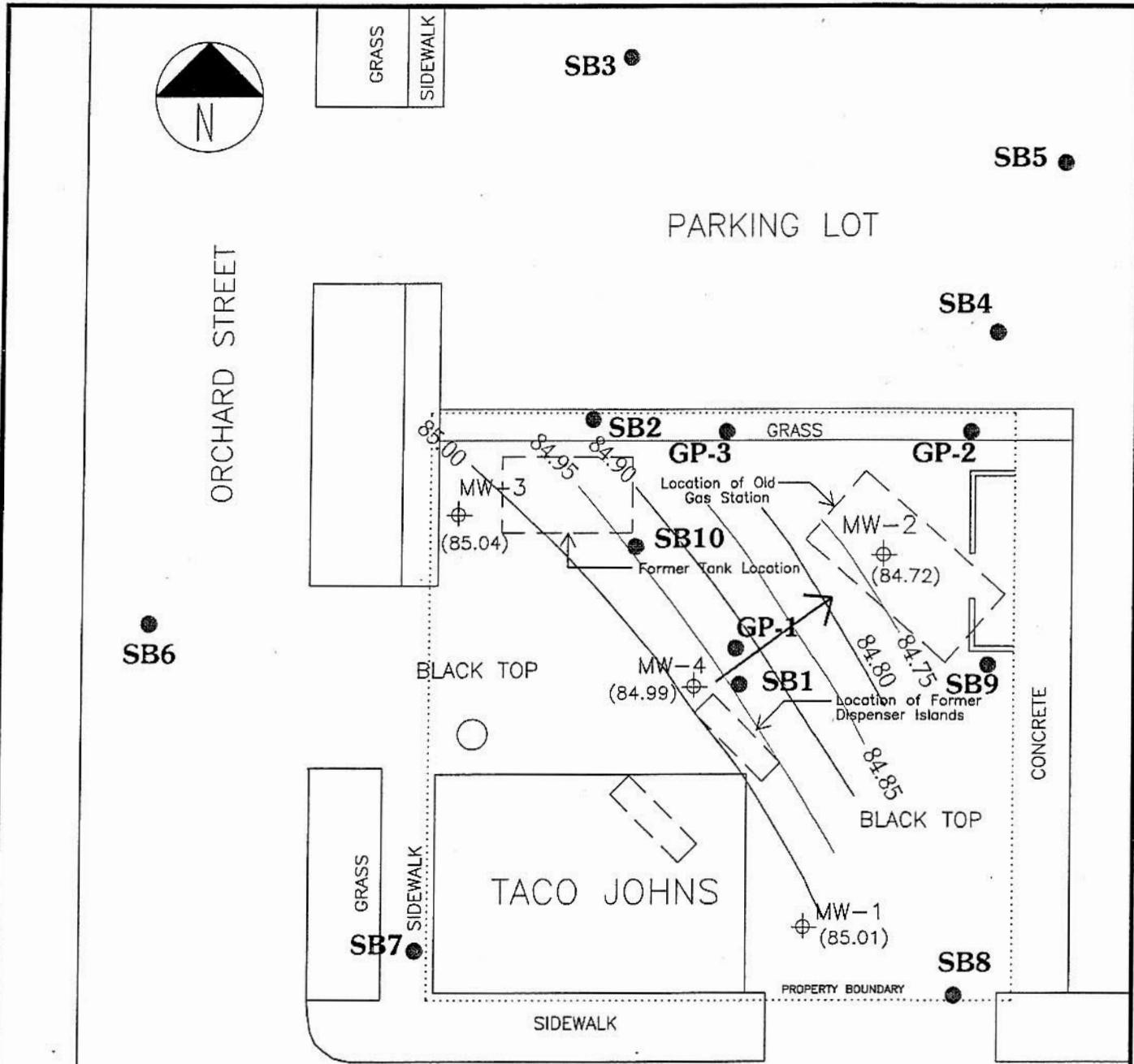
- Property Line
- ⊕ Monitoring Well Location
- Soil Boring Location
- ⊕ Jensen Monitoring Well
- Storm Sewer Cover

**GROUNDWATER LEGEND**

- Groundwater Flow Direction
- Groundwater Contour
- (85.01) Recorded Groundwater Elevation
- 84.85 Groundwater Elevation



TACO JOHNS - MADISON, WISCONSIN	
FIGURE 6C GROUNDWATER CONTOUR MAP (10/29/01 SAMPLING EVENT)	
Scale: 1 in = 20 ft	Date: FEBRUARY 2006
Environmental Compliance Consultants, Inc.	By: RLP



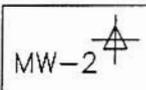
**LEGEND**

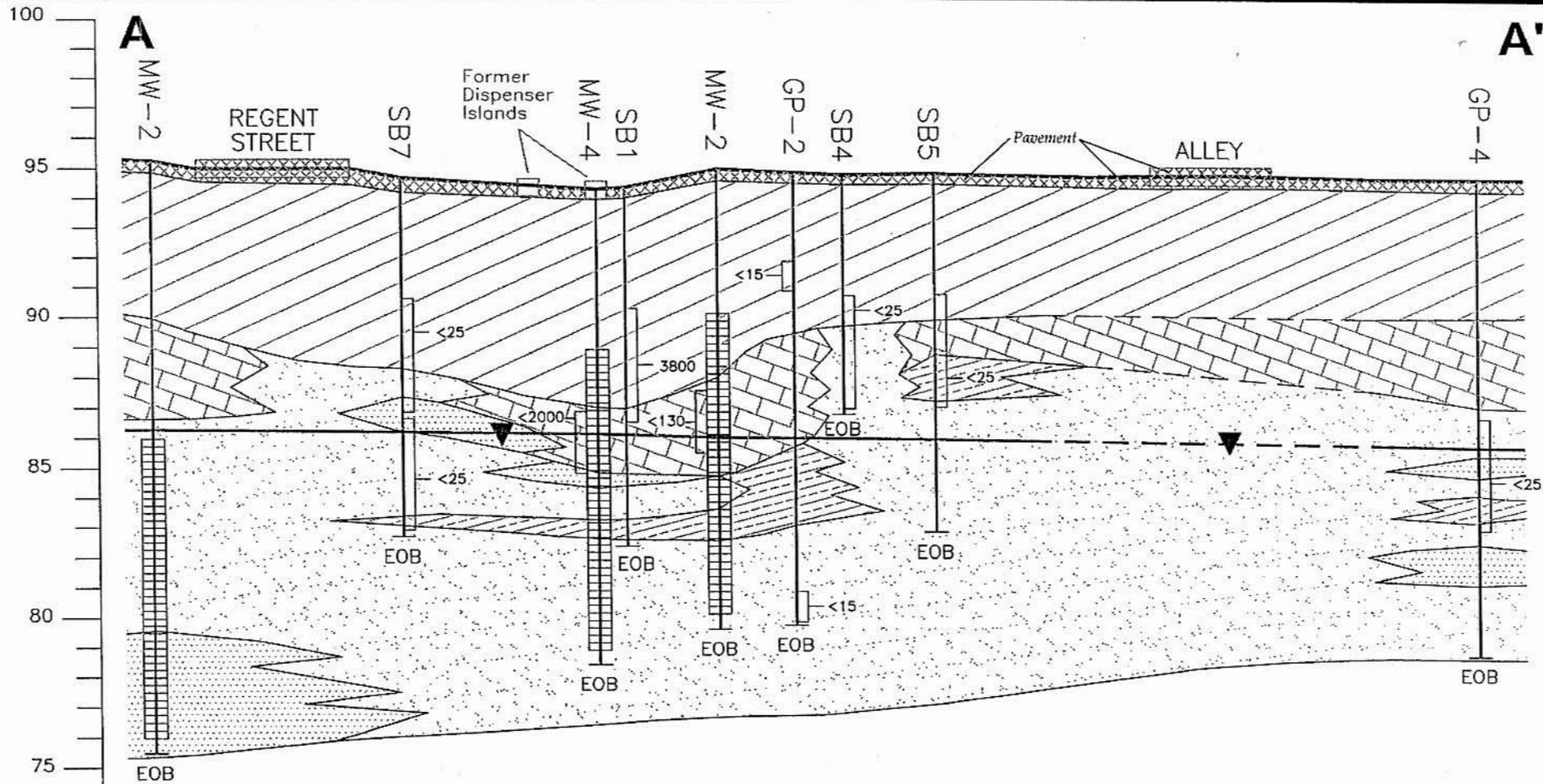
- Property Line
- ⊕ Monitoring Well Location
- Soil Boring Location
- ⊕ Jensen Monitoring Well
- Storm Sewer Cover

**GROUNDWATER LEGEND**

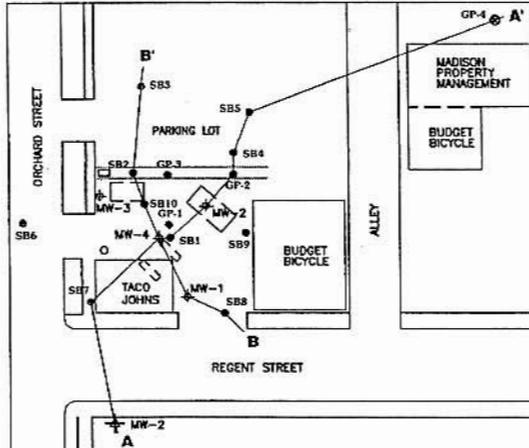
- Groundwater Flow Direction
- Groundwater Contour
- (85.01) Recorded Groundwater Elevation
- 84.85 Groundwater Elevation

TACO JOHNS - MADISON, WISCONSIN	
FIGURE 6D GROUNDWATER CONTOUR MAP (2/7/02 SAMPLING EVENT)	
Scale: 1 in = 20 ft	Date: FEBRUARY 2006
Environmental Compliance Consultants, Inc.	By: RLP

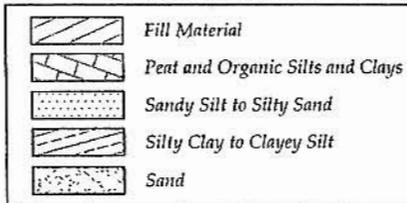




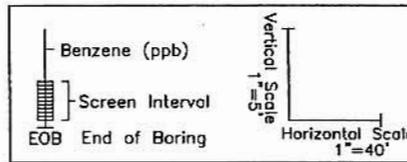
**Cross Section Inset**



**GEOLOGY LEGEND**



**LEGEND**



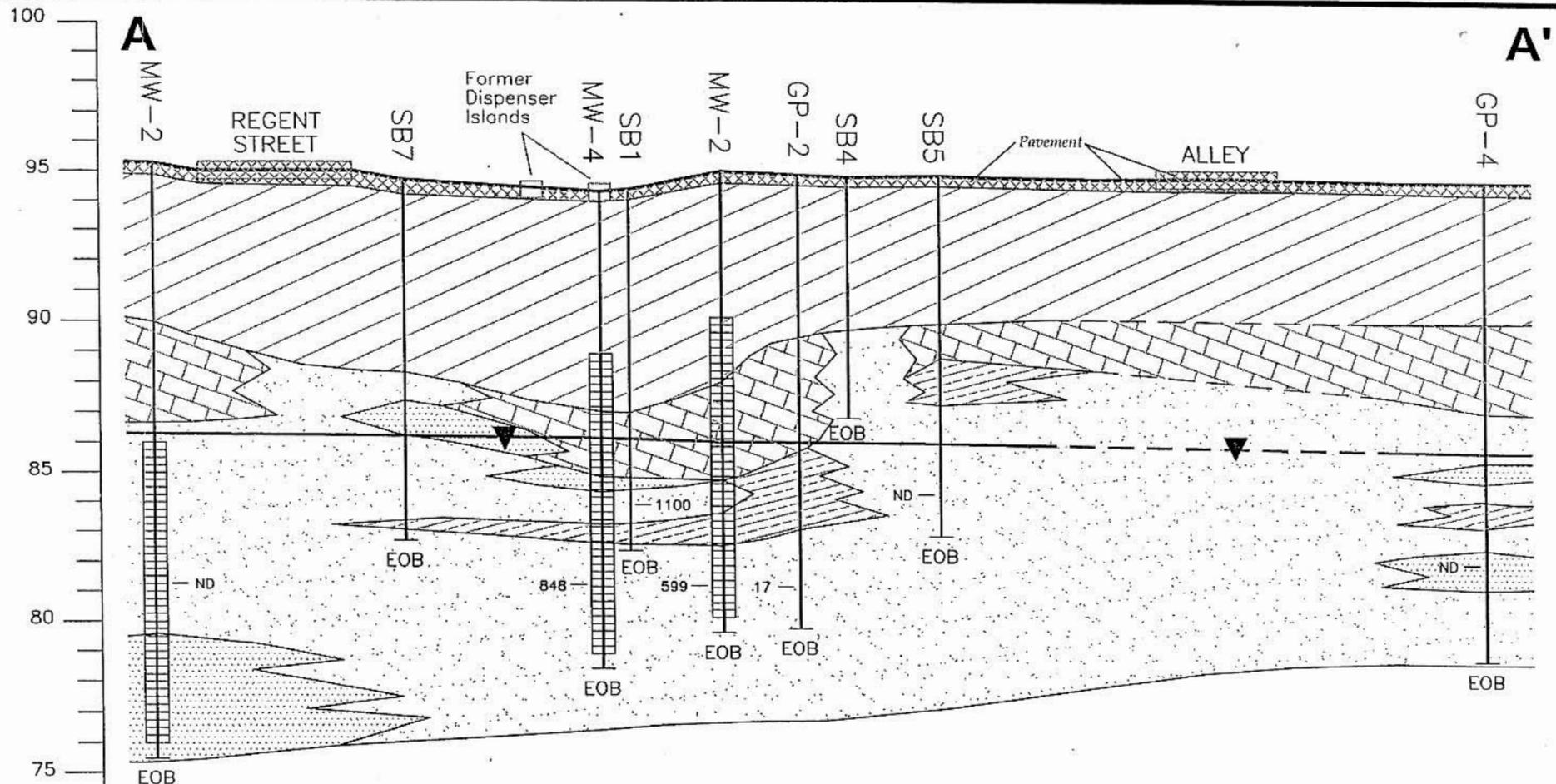
NOTE: Soil Boring SB1 was installed 11/9/98  
 Soil Borings SB2 through SB10 were installed 12/24/98  
 GP-2 was installed 12/1/05  
 GP-4 was installed 1/24/05  
 Groundwater measurement from 3/9/05

TACO JOHNS - MADISON, WISCONSIN

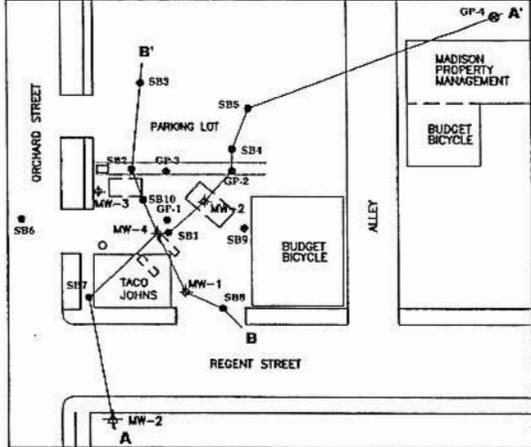
**FIGURE 4A  
 GEOLOGIC CROSS SECTION A-A'  
 WITH SOIL ANALYTICAL RESULTS**

Scale: SEE GRAPHIC SCALE Date: FEBRUARY 2006

Environmental Compliance Consultants, Inc. By: RLP



**Cross Section Inset**



**GEOLOGY LEGEND**

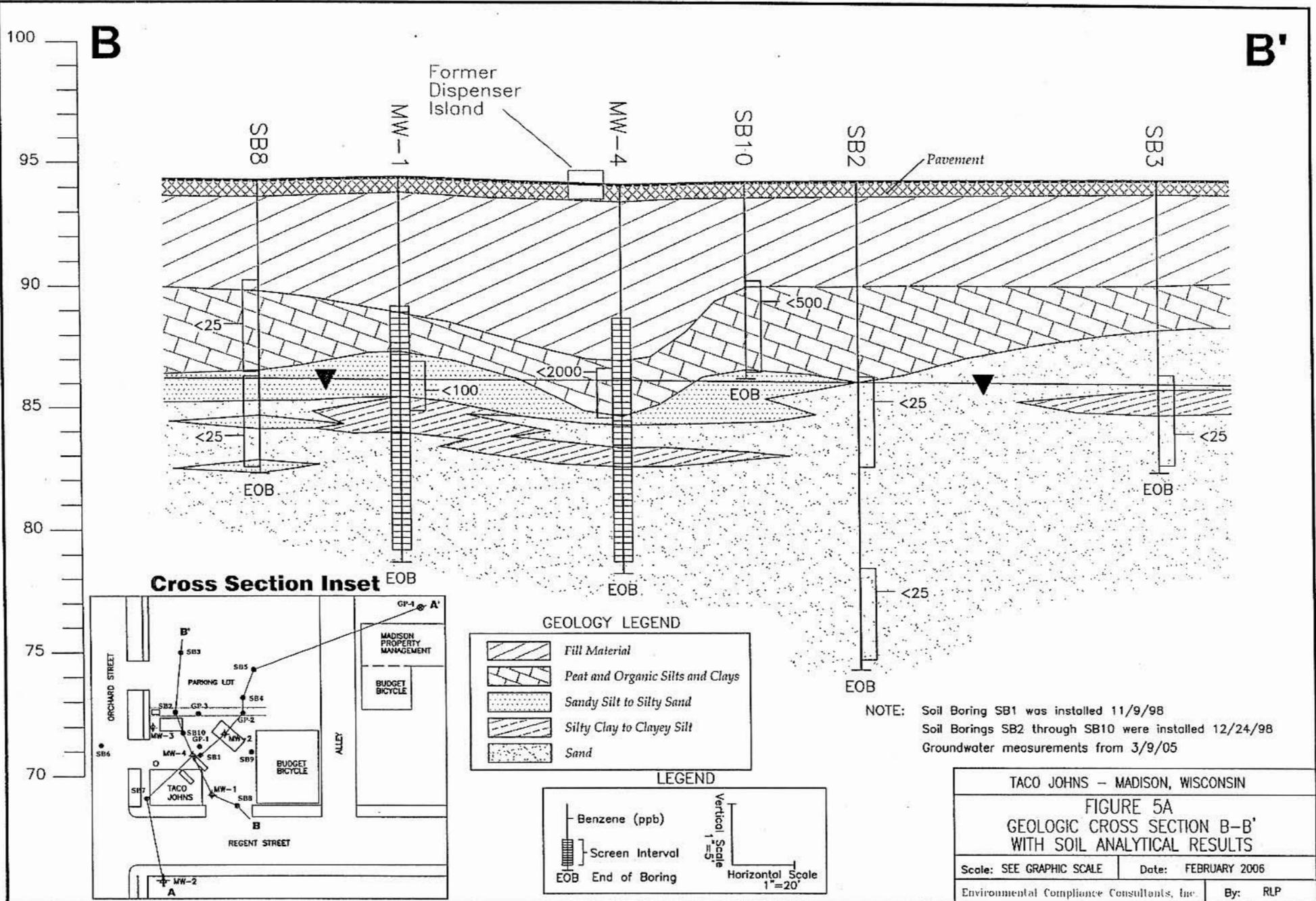
- Fill Material
- Peat and Organic Silts and Clays
- Sandy Silt to Silty Sand
- Silty Clay to Clayey Silt
- Sand

**LEGEND**

- Benzene (ppb)
- Screen Interval
- EOB End of Boring
- Vertical Scale 1"=5'
- Horizontal Scale 1"=40'

NOTE: MW-2 and MW-4 analytical results from 3/9/05  
 GP-2 analytical results from Dec. 2005  
 GP-4 analytical results from Jan. 2005  
 SB5 analytical results from Dec. 1998  
 SB1 analytical results from Nov. 1998  
 ND - No Detect  
 Groundwater measurements from 3/9/05

TACO JOHNS - MADISON, WISCONSIN	
FIGURE 4C GEOLOGIC CROSS SECTION A-A' WITH GROUNDWATER ANALYTICAL RESULTS	
Scale: SEE GRAPHIC SCALE	Date: FEBRUARY 2006
Environmental Compliance Consultants, Inc	By: RLP



100  
95  
90  
85  
80  
75  
70

**B**

**B'**

Former  
Dispenser  
Island

SB8

MW-1

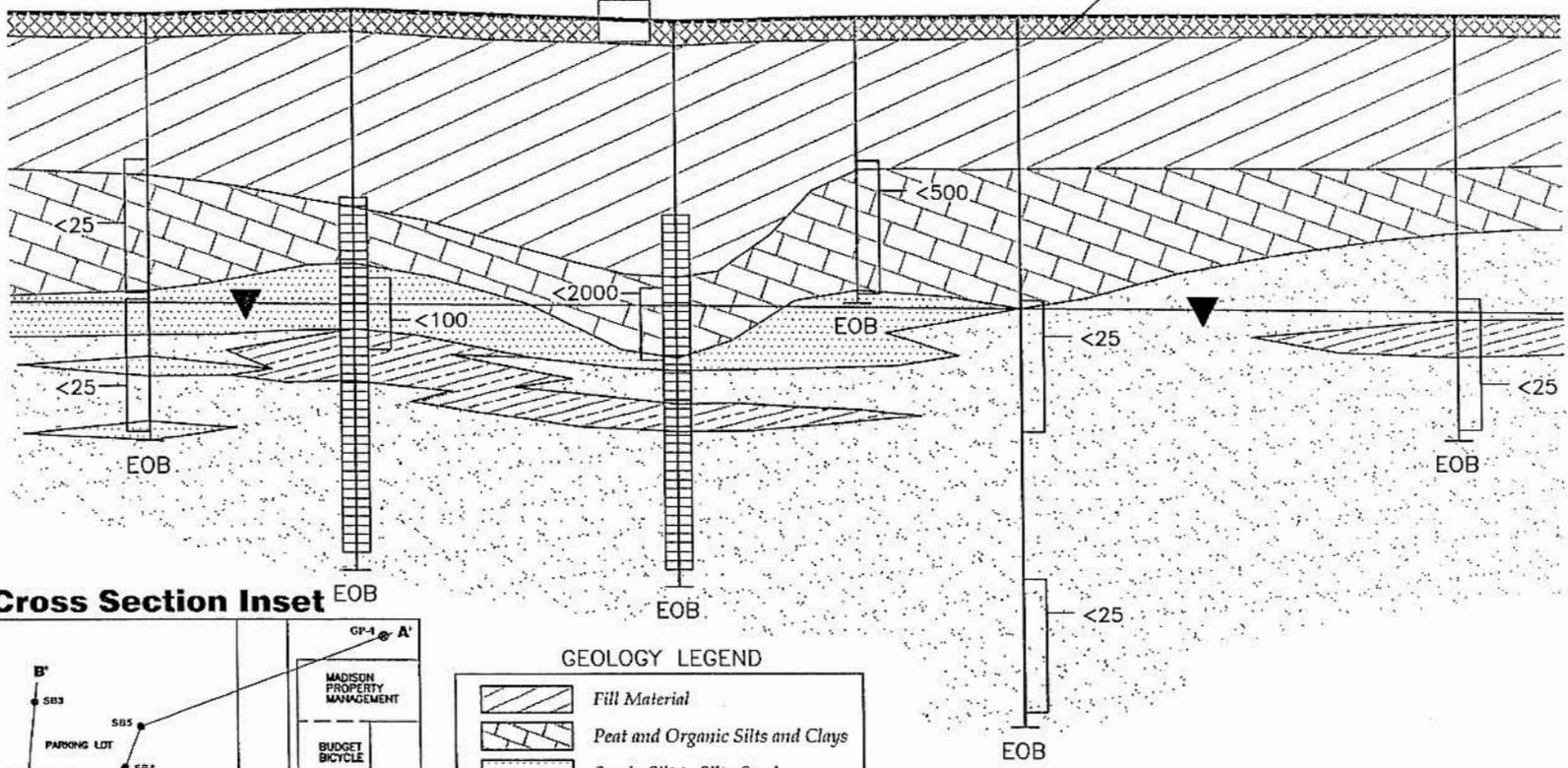
MW-4

SB10

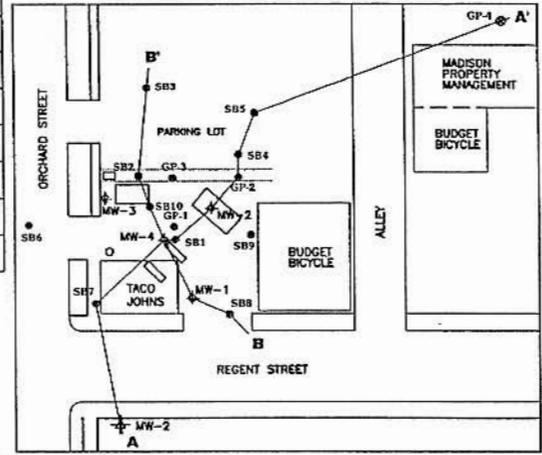
SB2

SB3

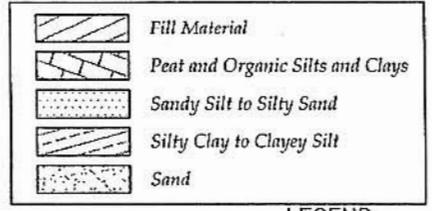
Pavement



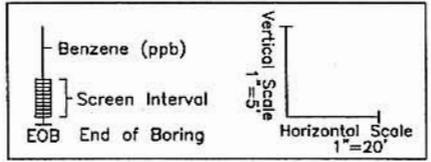
**Cross Section Inset**



**GEOLOGY LEGEND**

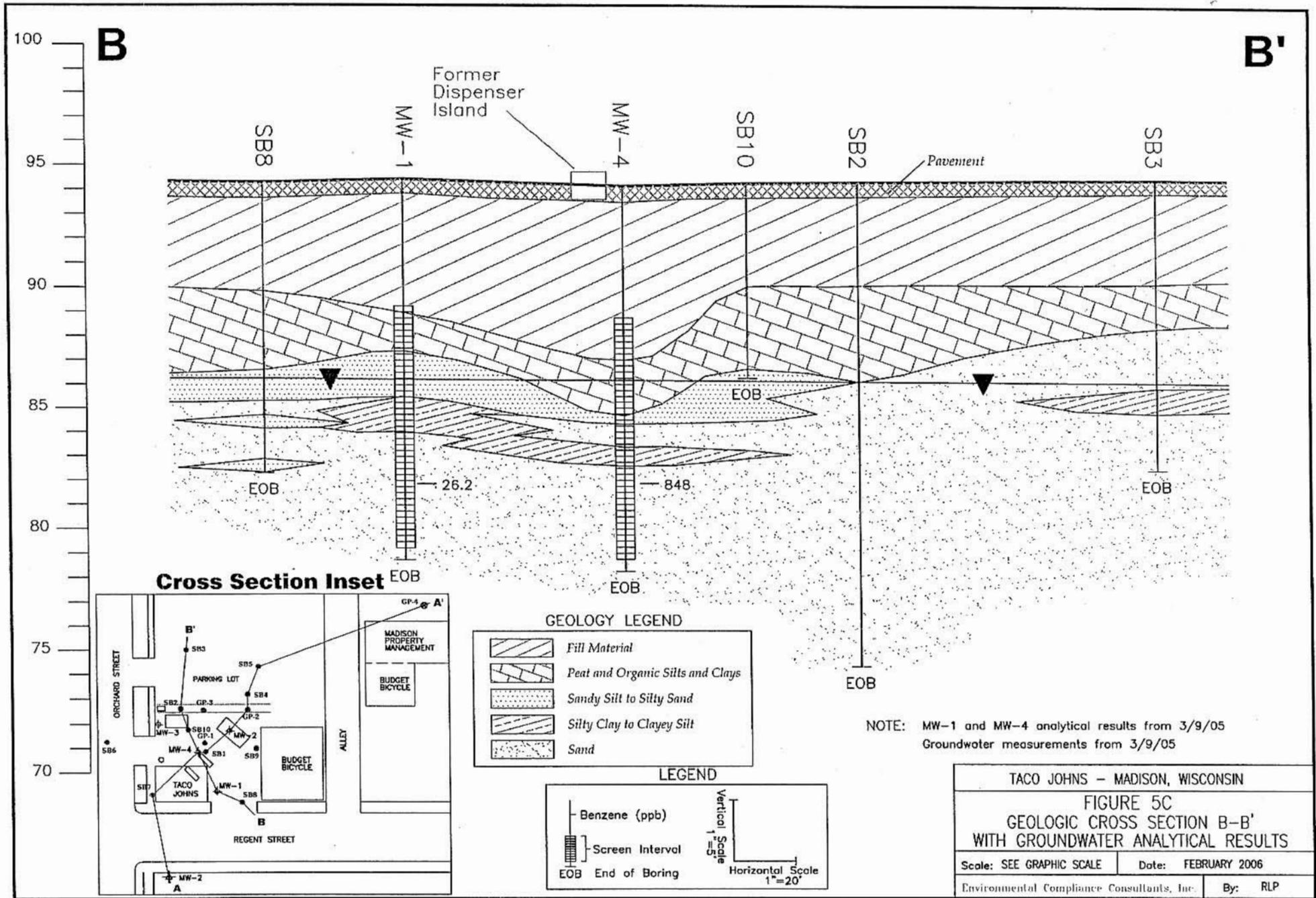


**LEGEND**



NOTE: Soil Boring SB1 was installed 11/9/98  
Soil Borings SB2 through SB10 were installed 12/24/98  
Groundwater measurements from 3/9/05

TACO JOHNS - MADISON, WISCONSIN	
FIGURE 5A GEOLOGIC CROSS SECTION B-B' WITH SOIL ANALYTICAL RESULTS	
Scale: SEE GRAPHIC SCALE	Date: FEBRUARY 2006
Environmental Compliance Consultants, Inc.	By: RLP



*Kanso, Inc.*  
*P.O. Box 68*  
*Spearfish, SD 57783*  
*(605) 642-4800*

ECCI  
COPY

April 17, 2006

Mr. Roger Charly  
Budget Bicycle Center  
1230 Regent Street  
Madison, WI 53715

CERTIFIED MAIL #7002 0510 0000 6061 0408  
RETURN RECEIPT REQUESTED

Dear Mr. Charly:

***Re: Notification of Groundwater Exceeding the NR 140 Enforcement Standard***

Petroleum compounds that originated on the Taco Johns property located at 1234 Regent Street, Madison, appear to have migrated onto your property located at 1230 Regent Street. The levels of benzene and naphthalene determined from analysis of groundwater in soil borings GP-2 and GP-3, drilled in the northeast corner and on the northern property line of the Taco Johns property are slightly above the state groundwater Enforcement Standards (ES) found in chapter NR 140, Wisconsin Administrative Code. Since these locations are very close to your property line (see enclosed figure), it is likely that groundwater beneath your property also exceeds state standards.

The environmental consultants who have investigated the Taco Johns property have informed me that the plume of impacted groundwater is stable or receding, and will naturally degrade over time and recede from your property. Groundwater analytical data collected to date indicate that natural attenuation (NA) will complete the cleanup at this site, which meets the requirements for case closure that are found in chapter NR 726, Wisconsin Administrative Code. I am requesting that the Department of Natural Resources (DNR) accept natural attenuation as the final remedy for this site and grant case closure. Closure means that the DNR will not be requiring any further investigation or cleanup action to be taken, other than the reliance on NA (see enclosed DNR Fact Sheet on NA).

Since the source of the groundwater petroleum compounds 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, as long as you and 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 608-264-6020 if you are calling from out of state or within the Madison area. I have also enclosed a copy of DNR publication #RR-589, *Fact Sheet 10: Guidance for Dealing with Properties Affected by Off-Site Contamination*.

Mr. Roger Charly  
Budget Bicycle Center  
April 17, 2006  
Page 2

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The DNR will not review my closure request for at least 30 days from the date of this letter. As an affected property owner, you have the right to contact the department to provide any technical information you may have indicating 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: Mr. Wendell Wojner, Wisconsin Department of Natural Resources, 3911 Fish Hatchery Road, Madison, WI 53711.

If this case is closed, all properties within the site boundaries where petroleum compounds exceed the chapter NR 140 groundwater ES 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 petroleum compounds above the chapter NR 140 ES were found at the time the case was closed. This GIS Registry will be available to the general public on the DNR's Internet website. The Registry will include a copy of your most recent property deed (see enclosed), which includes the legal description of the property and a plat map as referenced in the deed.

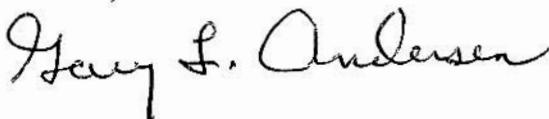
Should you or any subsequent property owner wish to construct or reconstruct a well on your property, special well construction standards may be necessary to protect the well from the residual petroleum compounds. Any well driller who proposes to construct a well on your property in the future will first need to call Diggers' Hotline (1-800-242-8511) if your property is located outside of the service area of a municipally owned water system, or contact the Drinking Water program within the DNR if your property is located within the designated service area of a municipally owned water system, to determine if there is a need for special well construction standards.

Once the department makes a decision on the Taco Johns 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's GIS Registry of Closed Remediation Sites on the Internet at [www.dnr.state.wi.us/org/at/et/geo/gwur](http://www.dnr.state.wi.us/org/at/et/geo/gwur). A copy of the closure letter is included as part of the site file on the GIS Registry of Closed Remediation Sites.

If you need more information, you may contact me at the letterhead address (605-642-4800), or you may contact Mr. Wendell Wojner at the DNR at the address mentioned above, or call him at (608) 275-3297.

Sincerely,

KANSO, INC.



Gary L. Andersen  
Secretary/Treasurer

Enclosures (4)



April 12, 2006

Larry Nelson, City Engineer  
City of Madison Engineering, Room 115  
210 Martin Luther King Jr. Blvd.  
Madison, WI 53703

CERTIFIED MAIL #7002 0510 0000 6061 0385  
RETURN RECEIPT REQUESTED

Mr. Nelson:

***Re: Groundwater and Soil Impacts within the Rights-of-Way on Regent and Orchard Streets,  
Adjacent to Taco Johns, Located at 1234 Regent Street, Madison, Wisconsin***

Kanso, Inc., the responsible party of the Taco Johns property, located at the above-referenced address, is hereby notifying the city of Madison of the potential for petroleum-product Volatile Organic Compounds to be present in the groundwater and soil within the public right-of-ways (ROWs) on Regent and Orchard streets, adjacent to the property located on the northeast corner of the intersection. This notification is required as a condition of site closure for the Taco Johns leaking underground storage tank project. The enclosed Figure 1 shows the site vicinity.

Soil and groundwater sampling conducted on the Taco Johns property detected residual petroleum-product impacts close to the property boundaries common with both Regent and Orchard streets. Therefore, soil impacts above NR 720.09 Generic Residual Contaminant Levels for the protection of groundwater quality for Gasoline Range Organics, benzene, and xylenes may be present within the ROWs. The enclosed Figure 2 shows the location of the soil and groundwater sampling locations and the approximate extent of the soil impacts. Table 1 presents the soil sampling analytical results.

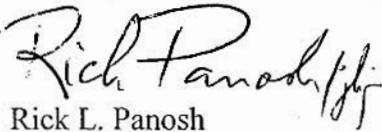
In addition, groundwater impacted above the NR 140 Enforcement Standards for benzene, ethylbenzene, trimethylbenzenes, and naphthalene may also be present in the Regent Street ROW. The enclosed Figure 3 shows the approximate extent of the groundwater impacts. Table 2 presents the groundwater sampling analytical results.

Depending upon the actual residual concentration(s) of Petroleum Volatile Organic Compounds (PVOCs) in the soil and/or groundwater at the time of any subsurface work, the excavation of potentially impacted soil or groundwater may pose inhalation or direct contact hazards. In addition, encountering impacted soil and/or groundwater may require sampling and analysis, as well as proper

storage, treatment, or disposal of any excavated materials. If you have any questions, please contact me at 920-434-5031.

Sincerely,

ENVIRONMENTAL COMPLIANCE CONSULTANTS, INC.



Rick L. Panosh  
Project Manager

RLP/jkg  
Enclosures (5)

cc: Wendell Wojner, DNR, Fitchburg  
Gary Andersen, Kanso, Inc.

*KANSO, INC.*  
*P.O. Box 68*  
*Spearfish, SD 57783*  
*(605) 642-4800*

To Whom It May Concern:

I, Gary L. Andersen, do hereby certify that, to the best of my knowledge, the enclosed legal descriptions attached to this document, including the property located at 1230 Regent Street, Madison, Wisconsin, are complete and accurate.

Gary L. Andersen

4-17-06  
Date

Gary L. Andersen  
Name (Please Print)

Secretary/Treasurer  
Title