

From: Mark F. POTRA

Re: Groundwater Use Restriction  
GIS Registry Data

Site Name/Address:

COPPER MUG

W/2473 STH 60

NEOSHO, WI

BRRTS #:

03-14-193900

Date of Closure Decision:

04/11/01

GPS data:

Off-site Contamination  
 Right-of-way Contamination

Packet Contains:

- Closure Letter
- Conditional closure letter
- All property deeds with 140 ES exceedances
- Metes/bounds legal description (certified survey)
- Tax parcel number
- GPS data for each affected property
- General location map
- Detailed location map, showing all parcels affected by 140 ES exceedances, property boundaries, buildings, etc.
- Latest map showing gw flow direction, MW, potable wells. [optional: Isoconcentration maps of compounds => ES]
- Latest map showing extent or outline of contamination plume and gw flow direction
- Latest table of analytical results
- Geologic cross section



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor  
Darrell Bazzell, Secretary  
Ruthe E. Badger, Regional Director

Horicon Service Center  
N7725 STH 28  
Horicon, Wisconsin 53032  
Telephone 920-387-7860  
FAX 920-387-7888

April 11, 2001

Scott and Todd Lazich  
W2473 STH 60  
Neosho, WI 53059

Subject: Final Case Closure, Copper Mug Motel, STH 60  
BRRTS #03-14-193900 Scott and Todd Lazich

Dear Scott and Todd:

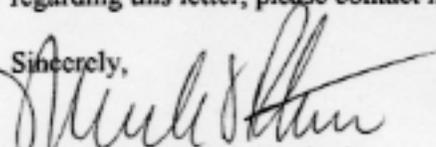
On August 17, 2000 the South Central Region Closure Committee reviewed your site for closure. This committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. On August 18, 2000, you were notified that the Closure Committee had granted conditional closure to this case.

On April 5, 2000, the Department received correspondence indicating that you have complied with the conditions of closure, which were as follows; abandonment of the monitoring wells, and filing of a groundwater use restriction. 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,

  
Mark F. Putra, Hydrogeologist  
Remediation & Redevelopment  
Telephone: (920) 387-7867  
Putram@dnr.state.wi.us

Cc: United Engineering Consultants, Inc. 10617 W. Oklahoma Ave., Suite L2, West Allis, WI 53227



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor  
Darrell Bazzell, Secretary  
Ruthe E. Badger, Regional Director

Horicon Service Center  
N7725 STH 28  
Horicon, Wisconsin 53032  
Telephone 920-387-7860  
FAX 920-387-7888

April 11, 2001

Scott and Todd Lazich  
W2473 STH 60  
Neosho, WI 53059

Subject: Final Case Closure, Copper Mug Motel, STH 60  
BRRTS #03-14-193900 Scott and Todd Lazich

Dear Scott and Todd:

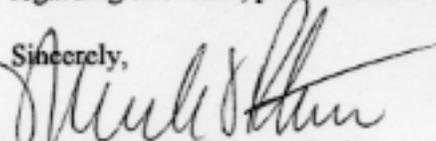
On August 17, 2000 the South Central Region Closure Committee reviewed your site for closure. This committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. On August 18, 2000, you were notified that the Closure Committee had granted conditional closure to this case.

On April 5, 2000, the Department received correspondence indicating that you have complied with the conditions of closure, which were as follows; abandonment of the monitoring wells, and filing of a groundwater use restriction. 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.

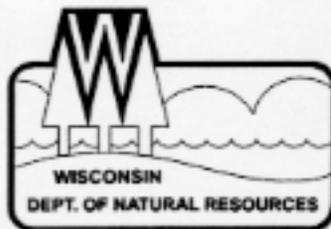
However, please be aware that this case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety or welfare, or the environment.

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,

  
Mark F. Putra, Hydrogeologist  
Remediation & Redevelopment  
Telephone: (920) 387-7867  
Putram@dnr.state.wi.us

Cc: United Engineering Consultants, Inc. 10617 W. Oklahoma Ave., Suite L2, West Allis, WI 53227



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

Horicon Service Center  
N7725 STH 28  
Horicon, Wisconsin 53032  
Telephone 920-387-7860  
FAX 920-387-7888

August 18, 2000 (corrected date)

Scott and Todd Lazich  
W2473 STH 60  
Neosho, WI 53059

SUBJECT: Conditional Case Closure, Copper Mug Motel, STH 60  
BRRTS #03-14-193900

Dear Mr. Lazich:

On August 18, 2000, your request for closure of the case described above was received and on August 10, 2000, it was reviewed by the South Central Region Closure Committee. This committee reviews environmental remediation cases for compliance with state 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 former fuel oil and gasoline underground storage tanks appears to have been investigated and actively remediated to the extent practicable under site conditions. Your case will be closed under s. NR 726.05, Wis. Adm. Code, if the following conditions are satisfied:

1. **MONITORING WELL ABANDONMENT** The monitoring wells and other remediation system wells and piping at the site must be properly abandoned in compliance with ch. NR 141, Wis. Adm. Code, unless long term groundwater monitoring is going to be conducted. If monitoring wells will not be immediately abandoned because future groundwater monitoring is planned, you will need to notify me of your monitoring plans in order to qualify for case closure. Documentation of well abandonment must be submitted to this office on forms provided by the Department of Natural Resources.
2. **WASTE AND SOIL PILE REMOVAL** Any remaining waste and/or soil piles generated as part of site investigation or remediation activities must be removed from the site and disposed of or treated in accordance with Department of Natural Resources' rules. Please send a letter advising me that any remaining waste and/or soil piles have been removed once that work is completed.
3. **GROUNDWATER USE RESTRICTION** Section NR 726.05(2)(b), Wis. Adm. Code, provides that if groundwater contamination still exceeds NR 140 enforcement standards when a closure request is submitted, a case may only be closed if a groundwater use restriction is recorded for each property where enforcement standards are exceeded (including street or highway rights-of-way). Therefore, recording the required groundwater use restriction is an option that the Department can offer to you in order to close this case. If you choose not to accept this option, you may be required to conduct additional groundwater monitoring and may choose to perform additional investigation and cleanup of the remaining contamination in order to qualify for unconditional closure. However, you should note that additional investigation or cleanup work may not be eligible for reimbursement from the Petroleum Environmental Cleanup Fund Award (PECFA) Program. You should contact the Department of Commerce to determine if the additional work will be eligible for reimbursement.



I will prepare a draft groundwater use restriction and have it reviewed by Department legal counsel. Once that is completed I will send the draft groundwater use restriction to you, and you should sign it if you own the property, or have the appropriate property owner sign it, and have it recorded at the Dodge County Register of Deeds Office, and then submit a copy of the recorded document, with the recording information stamped on it, to me. Please be aware that if a groundwater use restriction is recorded for the wrong property because of an inaccurate legal description that you have provided, you will be responsible for recording corrected documents at the Register of Deeds Office to correct the problem.

When the above conditions have been satisfied, please submit a letter to let me know that applicable conditions have been met, and your case will be closed.

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.

We appreciate your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at the address listed above or as indicated below.

Sincerely,

Mark F. Putra, Hydrogeologist  
Remediation & Redevelopment  
Telephone: (920) 387-7867  
Putram@dnr.state.wi.us

cc: T. J. Anderson, UEC, 10617 W. Oklahoma Ave., Suite L2, West Allis, WI 53227

920923

VOL 1104 PAGE 641

18

Office of Register of Deeds  
 Dodge County, WI  
 RECEIVED FOR RECORD  
 DEC 12 2000  
 at 1:49 o'clock P M.  
*Chris Planasch*  
 CHRIS PLANASCH - Registrar

Document Number

GROUNDWATER USE RESTRICTION

Declaration of Restrictions

*wrong ref*  
 In Re: The property described as Parcel 1 in Vol. 741 Page 627, Dodge County Register of Deeds and described in Exhibit A which is hereby attached and made a part of this restriction.

Recording Area

STATE OF WISCONSIN )  
 ) ss  
 COUNTY OF \_\_\_\_\_ )

Name and Return Address  
 TODD J. LAZICH  
 W. 2473 H460  
 NEOSHIO WI. 53059

*14-038-4-1017-1911-001*

WHEREAS, Scott and Todd Lazich are the owners of the above-described property.

Parcel Identification Number (PIN)

WHEREAS, one or more petroleum discharges have occurred on this property. Benzene contaminated groundwater above ch. NR 140, Wis. Adm. Code, enforcement standards existed on this property at the following location(s) on the following date(s): in Monitoring Well 1 (MW-1) at 16 micrograms per liter on January 13, 2000. The location of MW-1 is identified on Exhibit B, hereby attached and made part of this restriction.

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

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

WHEREAS, construction of wells where the water quality does not comply with drinking water standards in ch. NR 809, Wis. Adm. Code, is restricted by chs. NR 811 and NR 812, Wis. Adm. Code. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply.

NOW THEREFORE, the owners hereby declare 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 on this property unless applicable requirements are met.

If construction is proposed on this property that will require dewatering, or if groundwater is to be otherwise extracted from this property, while this groundwater use restriction is in effect, the groundwater shall be sampled and analyzed for contaminants that were previously detected on the property and any extracted groundwater shall be managed in compliance with applicable statutes and rules.

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 or 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 one or more of the restrictions set forth in this covenant is no longer required. Upon the 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, attached to a copy of the Department's written determination, may be recorded to give notice that this deed restriction, or portions of this deed restriction, are no longer binding.

IN WITNESS WHEREOF, the owners of the property have executed this Declaration of Restrictions, this 12<sup>th</sup> day of December, 2000.

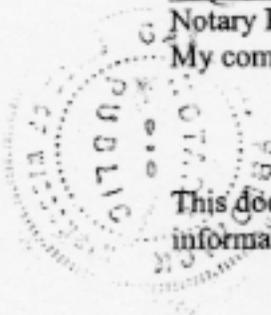
Signature: [Signature]  
 Printed Name: SCOTT LAZICH  
 Title: CO-OWNERS

Signature: [Signature]  
 Printed Name: TOOD J. LAZICH  
 Title: CO-OWNERS

Subscribed and sworn to before me  
this 12<sup>th</sup> day of Dec., 2000

Paul M. Fredrich  
Notary Public, State of Wisconsin  
My commission Jan 11, 2004

This document was drafted by the Wisconsin Department of Natural Resources based on information provided by United Engineering Consultants Inc.



3. VACANT LAND LOT VOL 741 REC 627

EXHIBIT A

Beginning at a point 240 feet West of the Southeast Corner of Section Eighteen (18), Town Ten (10) North, of Range Seventeen (17) East, thence West 195 feet, thence North 700 feet, thence East 195 feet, thence South 700 feet to the point of beginning.

Subject to the following:

The sellers, parties of the first part hereby retain for themselves, their heirs and assigns, a right of way over an existing road across the above described property. The purchasers, parties of the second part, agree to construct and maintain a fence around said property which said fence shall be completed on or before the 1st day of May 1956, and to provide gates for the use of the parties of the first part so that they may use said right of way.

EXCEPT:

Lands heretofore sold for highway purposes as described in Volume 332 on page 296 of deeds.

3.13 acres of vacant land. 1/3 Int. Est FMV 1,300.00

(RESTAURANT)

Parcel 1. A part of the N.E. 1/4 of the N.E. 1/4 of Section 19, in T.10N., R.17E., described as follows:

Commencing at a point 200 feet W. of the N.E. corner of said section - thence S., parallel with the East line of said section, 333 feet., thence E., parallel with the N. line of said section, 200 ft. to the E. line of said section, thence N. along said section line to a point beginning at the curve connecting highway 60 and 67, thence in a N.W.'ly direction following said curve to the N. line of said Sec. 19; thence W. to the place of beginning.

Parcel 2. Part of the N.E. 1/4 of the N.E. 1/4 of Sec. 19, T.10N., R.17E., described as follows:

Commencing at the N.E. corner of said sec.; thence W.'ly along the N. line of said Sec. 90 ft.; thence S.'ly and normal to said N. line 33 ft. to the point of beginning of this description; thence S.E.'ly to a point which is 60 ft. S. 0 deg. 51' 05" E., of the N.E. corner of said sec. and 33 ft. S. 89 deg. 08' 55" W. of the E. line of said sec.; thence S. 0 deg. 51' 05" E., parallel to the E. line of said sec., to a point in the S.W.'ly line of lands described in Vol. 188 of Deeds on Page 235, thence N.W.'ly, on said S.W.'ly line, to a point 33 ft. S.'ly of and normal to the N. line of said N. E. 1/4; thence E.'ly to the point of beginning, and containing approximately .12 acres

It is expressly intended and agreed by and between the parties hereto that: No access will be permitted between the above lands and State Trunk Highways 60 and 67 except as provided for in that certain instrument dated February 7, 1953 and recorded March 8, 1953 in Volume 332 on Page 602 as Document No. 489893, from Joseph L. Zimmer, a single man and Veronica Zimmer, a widow, grantors to Dodge County, grantee.

1/3 Interest Est FMV: \$36,633.34

**FIGURE 2**  
**SITE LOCATION MAP**



One Inch Equals Approximately 0.2 Miles



EXHIBIT B

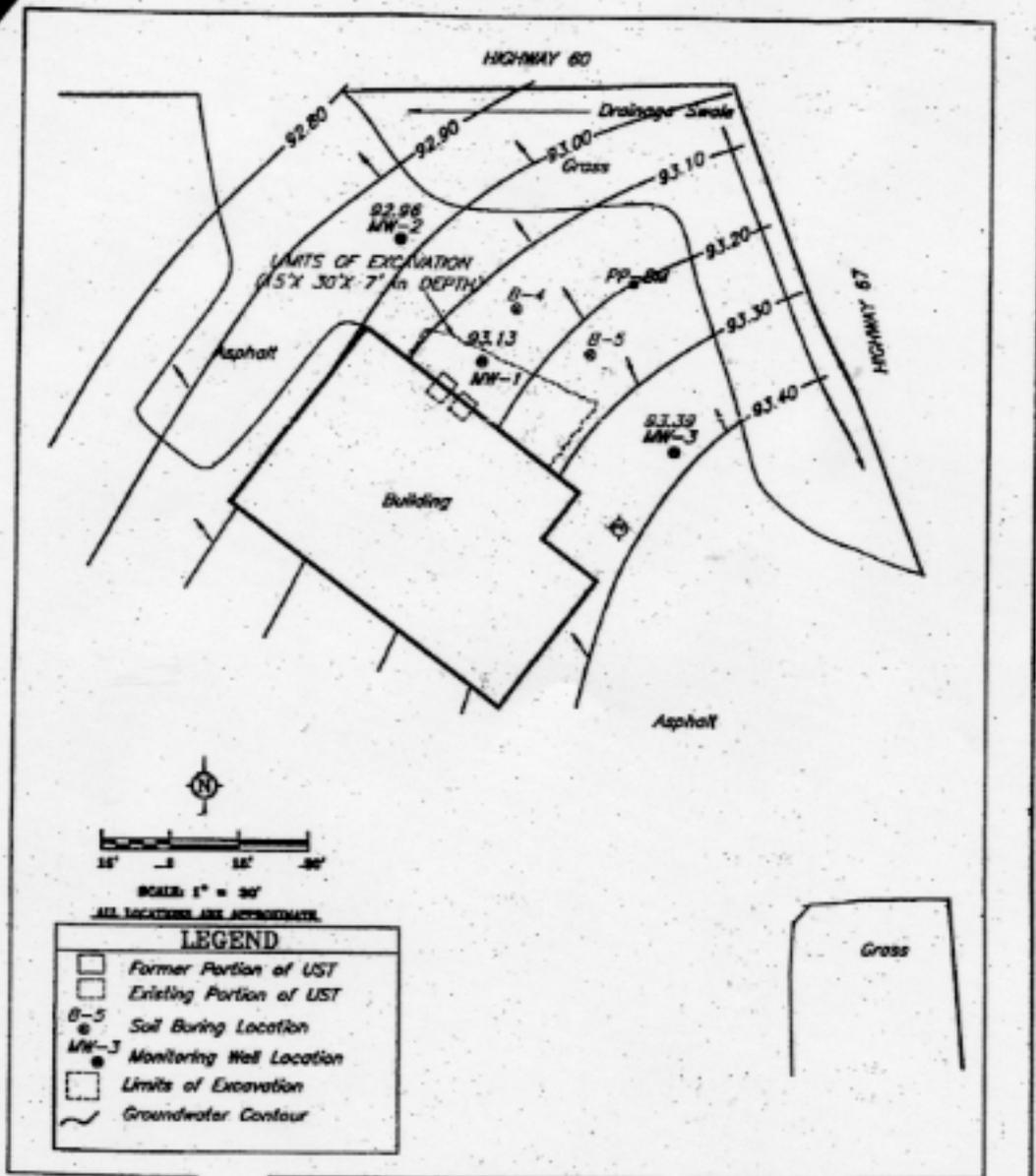


Figure 5 : Approximate Groundwater Contours - December 29, 1998

<b>United Engineering Consultants, Inc.</b> <small>1100 3rd Street, Suite 100          Neosho, MO 64645          TEL: 417-827-8776 • FAX: 417-827-8777</small>	90002 DATE: 01-09-99 BY: JTB	Site Investigation Report Former Copper Mug Motel Neosho, Wisconsin
	ALL LOCATIONS ARE APPROXIMATE	

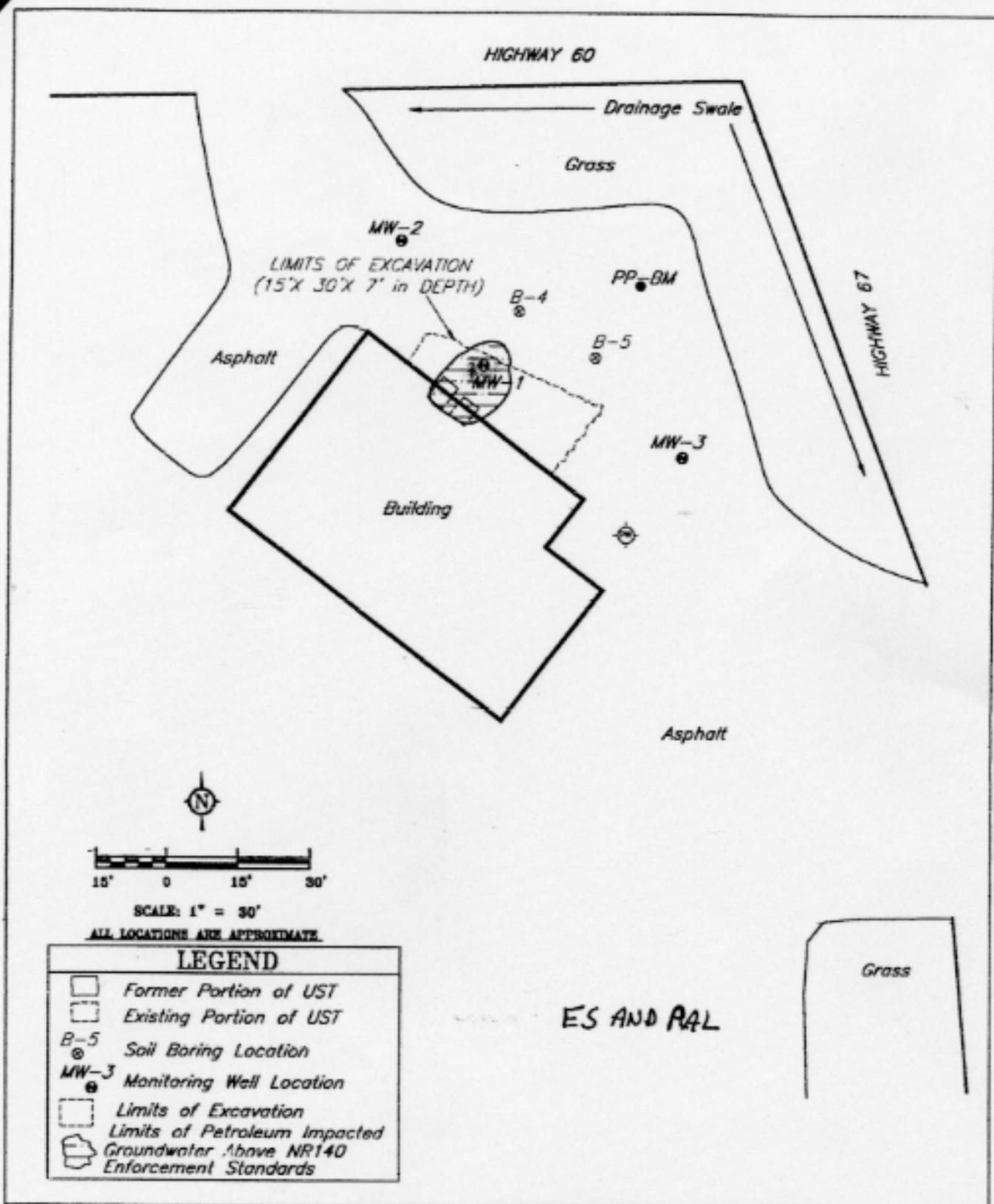


Figure 7 : Approximate Limits of Petroleum Impacted Groundwater Above NR140 Enforcement Standards

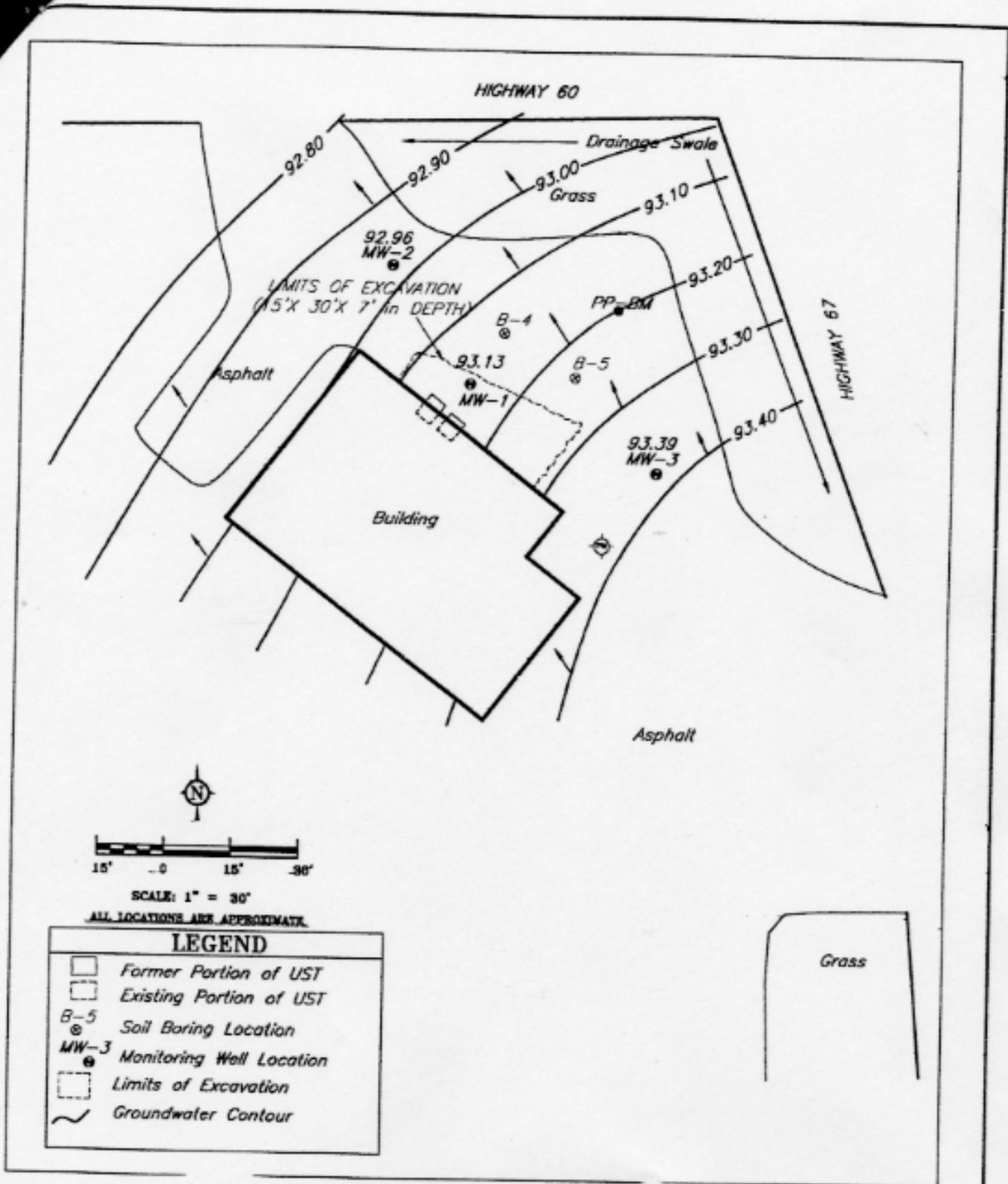


Figure 5 : Approximate Groundwater Contours - December 29, 1998

**United Engineering  
Consultants, Inc.**

1000 W. Wisconsin Ave., Suite 112  
Neosho, MO, 64667  
Tel: (417) 227-8798 • Fax: (417) 227-0798

98028
DATE: 01-08
SCALE: 1/2"=1'
DATE: 01-08

**Site Investigation Report**  
Former Copper Mug Motel  
Neosho, Wisconsin

ES

PAL

**TABLE 4  
 FORMER COPPER MUG MOTEL  
 GROUNDWATER ANALYTICAL RESULTS  
 SEPTEMBER 8, 1998**

Parameter	MW-1	MW-2	MW-3	PAL	ES
Benzene	94	0.33	0.30	0.5	5.0
s-Butylbenzene	2.0	<0.29	<0.29	-	-
n-Butylbenzene	7.0	<0.29	<0.29	-	-
Chloromethane	<0.61	2.2	0.67	0.3	3.0
1,1 - Dichloroethane	14	<0.35	0.36	85	850
Ethylbenzene	47	<0.32	<0.32	140	700
Isopropylbenzene	17	<0.26	<0.26	-	-
p-Isopropyltoluene	3.8	<0.24	<0.24	-	-
Naphthalene	25	<0.35	<0.35	8	40
n-Propylbenzene	24	<0.76	<0.76	-	-
Toluene	5.0	1.2	1.2	68.6	343
1,1,1 - Trichloroethane	0.42	<0.30	<0.61	40	200
1,2,4-Trimethylbenzene	170	<0.22	0.23	-	-
1,3,5-Trimethylbenzene	68	<0.27	<0.27	-	-
Total Xylenes	570	<0.67	0.54	124	620

< - Compound Not Detected at or above laboratory method detection limit  
 PAL - Preventive Action Limit  
 ES - Enforcement Standard  
 All results expressed as ug/l (ppb)

**TABLE 5  
 FORMER COPPER MUG MOTEL  
 GROUNDWATER ANALYTICAL RESULTS  
 DECEMBER 29, 1998**

Parameter	MW-1	MW-2	MW-3	PAL	ES
Benzene	69	<0.26	<0.26	0.5	5.0
Ethylbenzene	13	<0.24	<0.24	140	700
Methyl-tert-butyl-ether	1.2	<0.22	<0.22	12	60
Naphthalene	8.8	-	-	8	40
Toluene	<0.21	<0.21	0.23	68.6	343
1,3,5-Trimethylbenzene	21	<0.54	<0.54	NE	NE
1,2,4-Trimethylbenzene	23	<0.86	<0.86	NE	NE
Total Xylene	57	<0.97	<0.97	124	620

< - Compound Not Detected at or above laboratory method detection limit  
 - Analysis not performed  
 PAL - Preventive Action Limit  
 ES - Enforcement Standard  
 NE-PAL/ES not established  
 All results expressed as ug/l (ppb)

ES

PAL

**TABLE 6**  
**FORMER COPPER MUG MOTEL**  
**GROUNDWATER ANALYTICAL RESULTS**  
**MARCH 4, 1999**

Parameter	MW-1	MW-2	MW-3	PAL	ES
Benzene	53	<0.26	<0.26	0.5	5.0
Ethylbenzene	15	<0.24	<0.24	140	700
Methyl-tert-butyl-ether	<0.22	<0.22	<0.22	12	60
Naphthalene	4.1	-	-	8	40
Toluene	2.6	<0.21	<0.21	68.6	343
1,3,5-Trimethylbenzene	22	<0.54	<0.54	NE	NE
1,2,4-Trimethylbenzene	39	<0.86	<0.86	NE	NE
Total Xylene	57	<0.97	<0.97	124	620

< - Compound Not Detected at or above laboratory method detection limit  
 - Analysis not performed  
 PAL - Preventive Action Limit  
 ES - Enforcement Standard  
 NE-PAL/ES not established  
 All results expressed as ug/l (ppb)

**TABLE 7**  
**FORMER COPPER MUG MOTEL**  
**GROUNDWATER ANALYTICAL RESULTS**  
**January 13, 2000**

Parameter	MW-1	MW-2	MW-3	PAL	ES
Benzene	16	<0.26	<0.26	0.5	5.0
Ethylbenzene	6.4	<0.24	<0.24	140	700
Methyl-tert-butyl-ether	1.5	<0.22	<0.22	12	60
Naphthalene	4.0	-	-	8	40
Toluene	1.4	<0.21	0.23	68.6	343
1,3,5-Trimethylbenzene	6.0	<0.54	<0.54	NE	NE
1,2,4-Trimethylbenzene	28	<0.86	<0.86	NE	NE
Total Xylene	34	<0.97	<0.97	124	620

< - Compound Not Detected at or above laboratory method detection limit  
 - Analysis not performed  
 PAL - Preventive Action Limit  
 ES - Enforcement Standard  
 NE-PAL/ES not established  
 All results expressed as ug/l (ppb)

The results of the analysis indicate the presence of Benzene at MW-1 in exceedance of its ES during all four (4) sampling events. No other compounds were detected at MW-1 or the other wells at or above their respective ES, where established, during the sampling events. In addition, no VOCs or total lead were present at concentrations in excess of their respective detection limits in the potable well during the most recent sampling event on July 26, 1999.

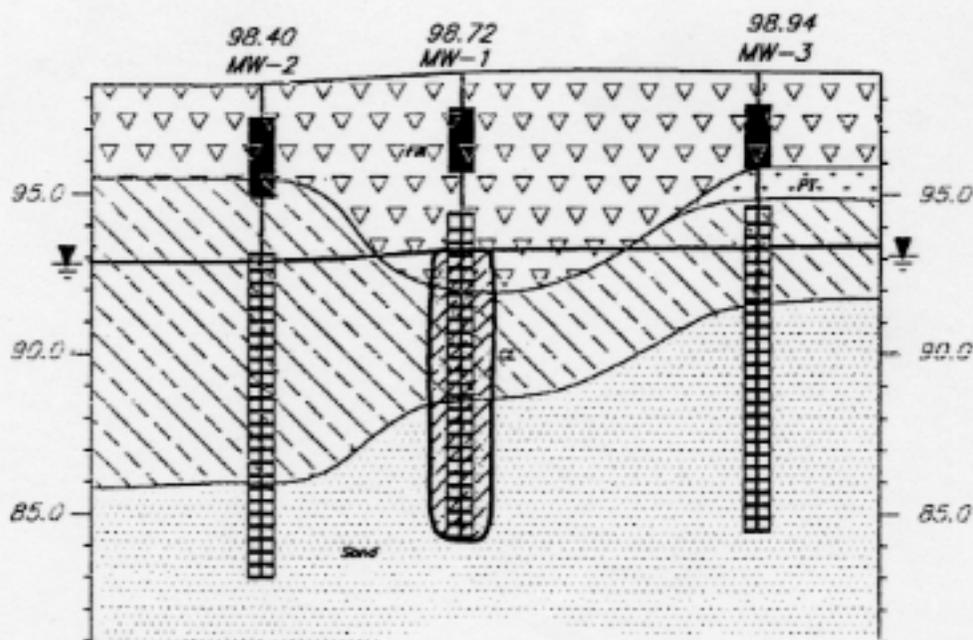
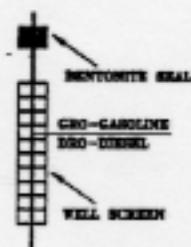
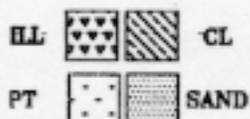
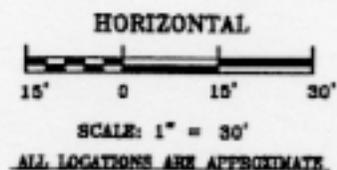
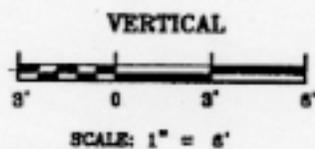
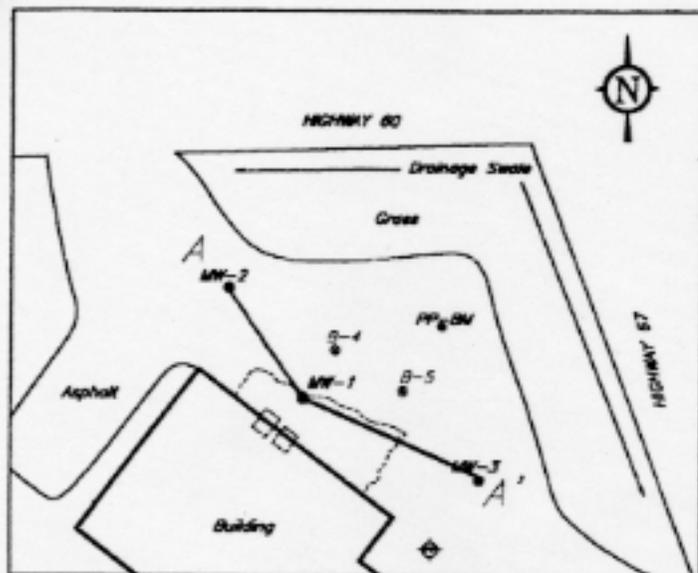


Figure 8 : Subsurface Cross-Section (A-A')

United Engineering  
Consultants, Inc.

98028  
 1001 N. Wisconsin Ave., Suite 112  
 West Allis, WI 53227  
 TEL: (414) 337-8790 • FAX: (414) 337-8791  
 WWW: www.uec.com

Site Investigation Report  
 Former Copper Mug Metal  
 Neosho, Wisconsin