

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Gloria L. McCutcheon, Regional Director

Southeast Region
Milwaukee Service Center
2300 N. Dr. ML King Drive, PO Box 12436
Milwaukee, Wisconsin 53212-0436
Telephone 414-263-8500
FAX 414-263-8716
TDD 414-263-8713

August 11, 1999

Mr. Wallace Rieger
9825 West Ridge Road
Hales Corners, Wisconsin 53130

SUBJECT: Request for no further action, Jim's Service Center, 9856 West Forest Home Avenue, Hales Corners, Wisconsin. BRR-LUST FID#241942030.

Dear Mr. Rieger:

We have reviewed the data presented by your environmental consultant, AES Consultants, Inc., (AES). Based on this data we are requiring no further action in connection with the former underground storage tanks at this site. As always, the department reserves the right to reopen this case pursuant to s. NR 726.09, WAC, should additional information regarding site conditions indicate that contamination on or from the site poses a threat to public health, safety or welfare or the environment.

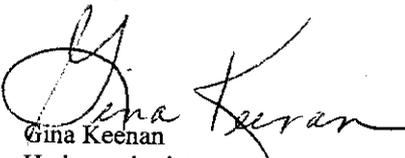
To complete closure of this site, a groundwater use restriction must be placed on the property deed at the county register of deeds office. This restriction must specify the legal description of the property, the location, type and concentration of the contaminants and include the following language:

"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. construction of wells where the water quality exceeds the drinking water standards in ch. NR 809 is restricted by chs. NR 811 and 812. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply. 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 to determine what specific requirements are applicable prior to constructing or reconstructing a well on this property."

Within sixty days, all of the groundwater monitoring wells at the site must be abandoned in accordance with ch. NR 141 and the completed abandonment forms must be submitted to the department, along with the soil boring logs for the monitoring wells. Once the department receives the abandonment forms and documentation that the groundwater use restriction has been placed on the deed, this case will be tracked as closed on the department's tracking system.

If you have any questions regarding this letter, you may contact me at the above address or at (414) 263-8689.

Sincerely,


Gina Keenan
Hydrogeologist

c: AES Consultants, Inc.
SER case file

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 prohibitions or requirements are applicable and to obtain DNR approval, 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 can be recorded to give notice that this groundwater use restriction is no longer binding.

IN WITNESS WHEREOF, the owner of the property has excited this Declaration of Restrictions, this 26 day of AUGUST, 1997

Signature: [Handwritten Signature]

Printed Name: DOM RIGAN (DWR GM)

Subscribed and sworn to before me this 26 day of AUGUST, 1997.

[Handwritten Signature]
Notary Public, State of Wisconsin
My commission [Handwritten Signature]

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

REGISTER
OF DEEDS
WALTER R. BARCZAK
09-07-1999 10:58 AM

7799626 RESTRICTIONS 14.00

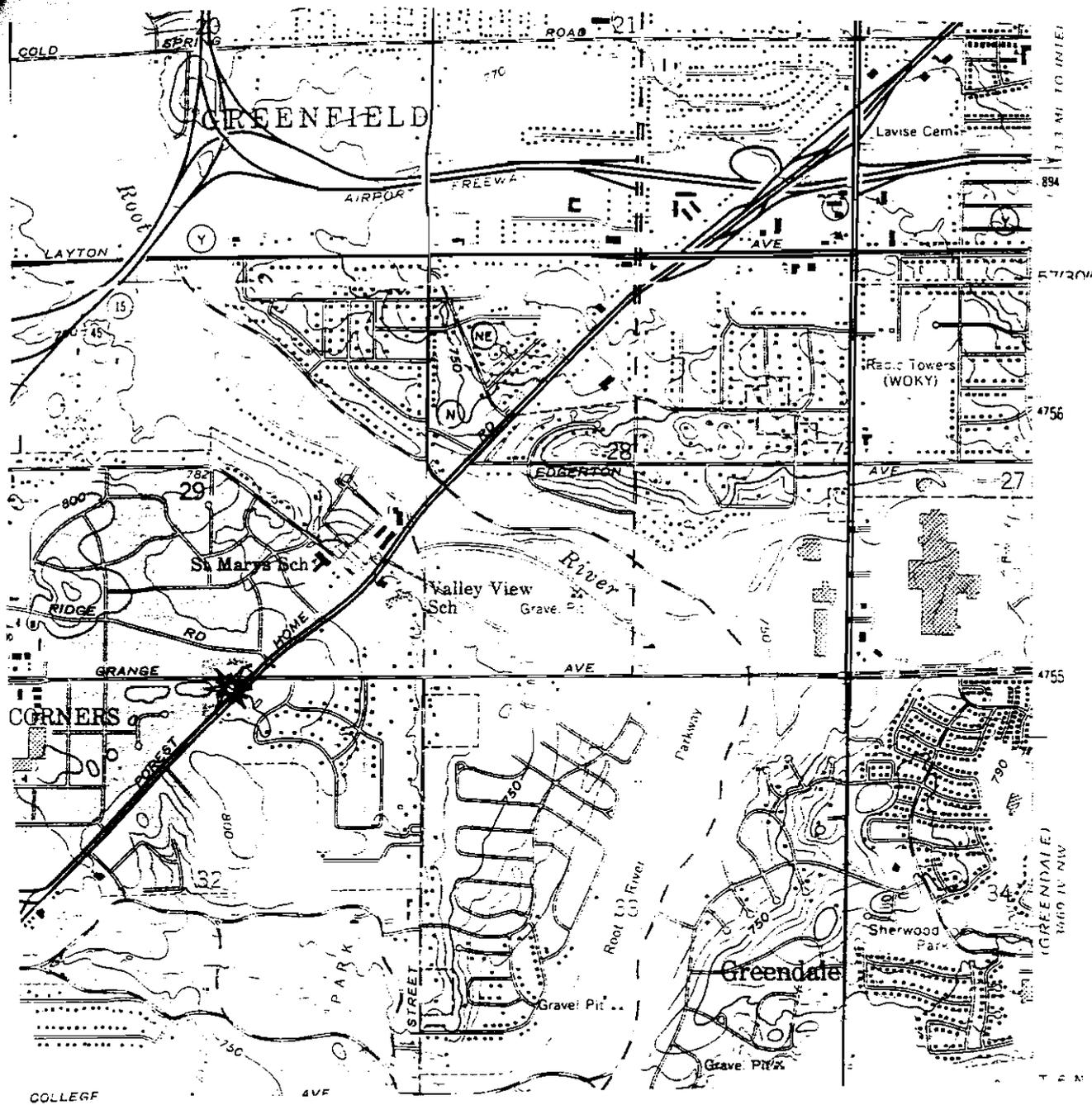
0

RECORDING FEE: 14.00

TOTAL: 14.00

CASH: 20.00
REFUND: -6.00

PHONE # 278-4005
014979



LEGEND:



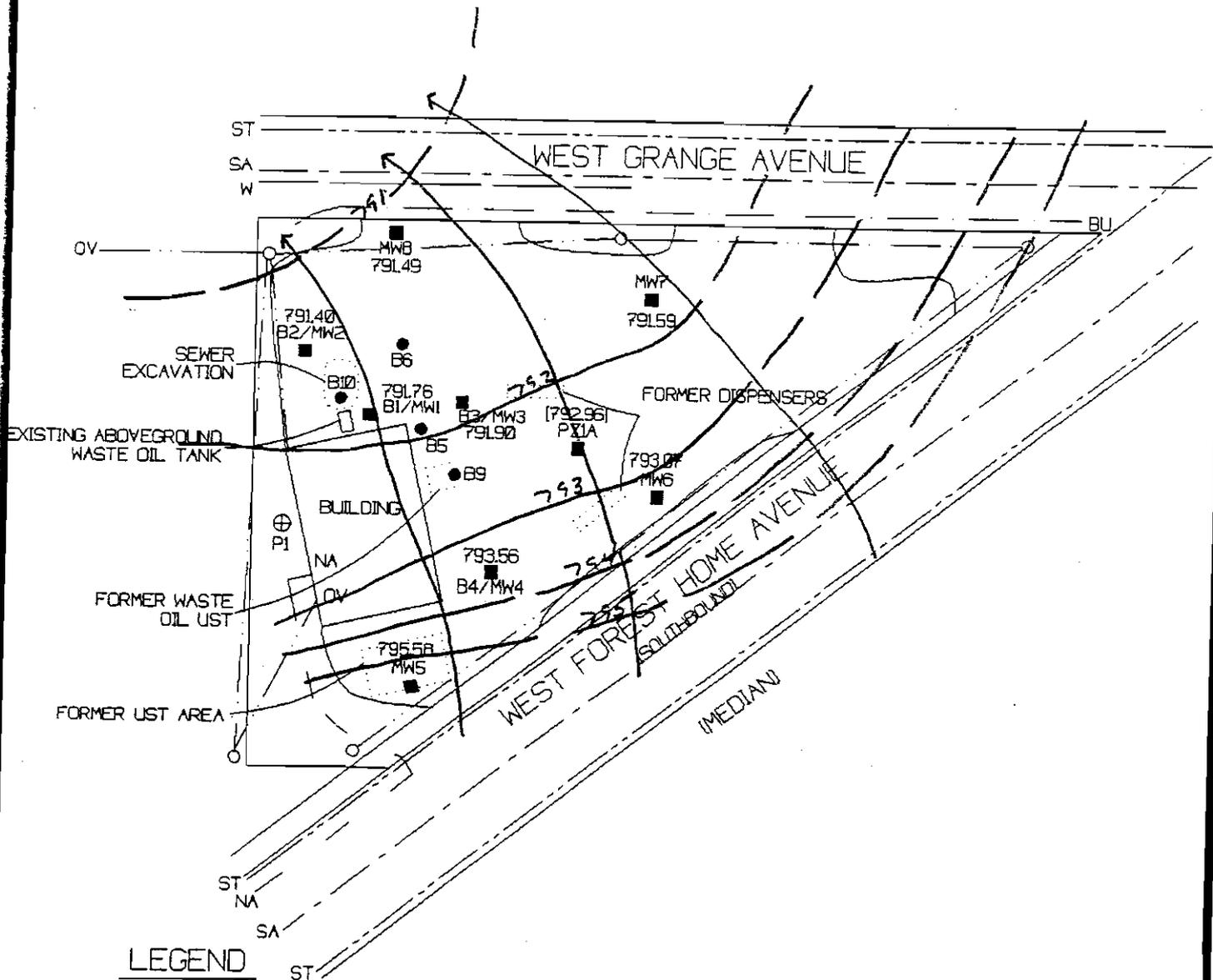
SITE LOCATION

SOURCE:

U.S.G.S. 75 MINUTE SERIES
 TOPOGRAPHIC MAP - MILWAUKEE
 QUADRANGLE, 1976



FIGURE 1	
SITE LOCATION	
JIM'S SERVICE CENTER HALES CORNERS, WISCONSIN	
JOB NUMBER 97031	DWG FILE NAME 97031.S
SCALE: 1" = 2000'	DATE: MARCH 10, 1998
AES CONSULTANTS, LTD.	BY: KS

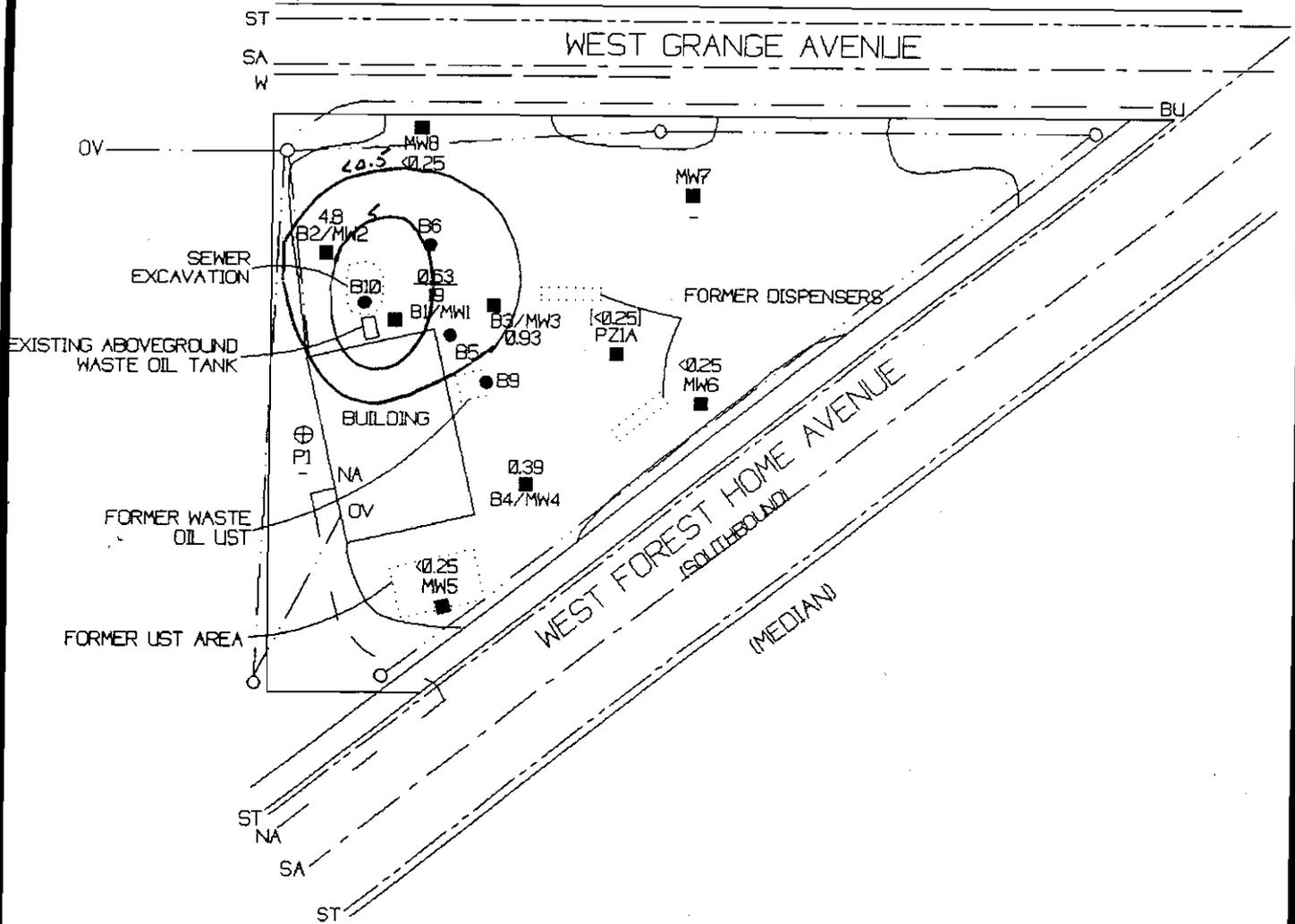


LEGEND

- SOIL BORING
- MONITORING WELL
- ⊕ POTABLE WELL
- NA NATURAL GAS
- - - ST STORM SEWER
- - - SA SANITARY SEWER
- - - W WATER
- - - OV OVERHEAD ELECTRIC & TELEPHONE
- - - BU BURIED ELECTRIC
- 79L76 - WATER TABLE ELEVATION (FT.MSL)
- (792.96) - DEEP WATER TABLE ELEVATION (FT.MSL)
- ➔ DIRECTION OF GROUNDWATER FLOW



FIGURE 3 GROUNDWATER FLOW DIRECTION (MARCH 25, 1999)	
JIM'S SERVICE CENTER HALES CORNERS, WISCONSIN	
JOB NUMBER 97031	DWG FILE NAME 97031GF
SCALE: 1" = 40'	DATE: MAY 18, 1999
AES CONSULTANTS, LTD.	BY: KS



LEGEND

- SOIL BORING
- MONITORING WELL
- ⊕ POTABLE WELL
- NA NATURAL GAS
- - - ST STORM SEWER
- - - SA SANITARY SEWER
- W WATER
- - - OV OVERHEAD ELECTRIC & TELEPHONE
- - - BU BURIED ELECTRIC
- 0.63 BENZENE CONCENTRATION (ug/L)
- [<0.25] - DEEP PIEZOMETER BENZENE CONCENTRATION (ug/L)



NOTES

L ES=5.0 ug/L
 PAL=0.5 ug/L

FIGURE 4

EXTENT OF BENZENE GROUNDWATER CONTAMINATION
 (FEBRUARY 8, 1999)

JIM'S SERVICE CENTER
 HALES CORNERS, WISCONSIN

JOB NUMBER 97031

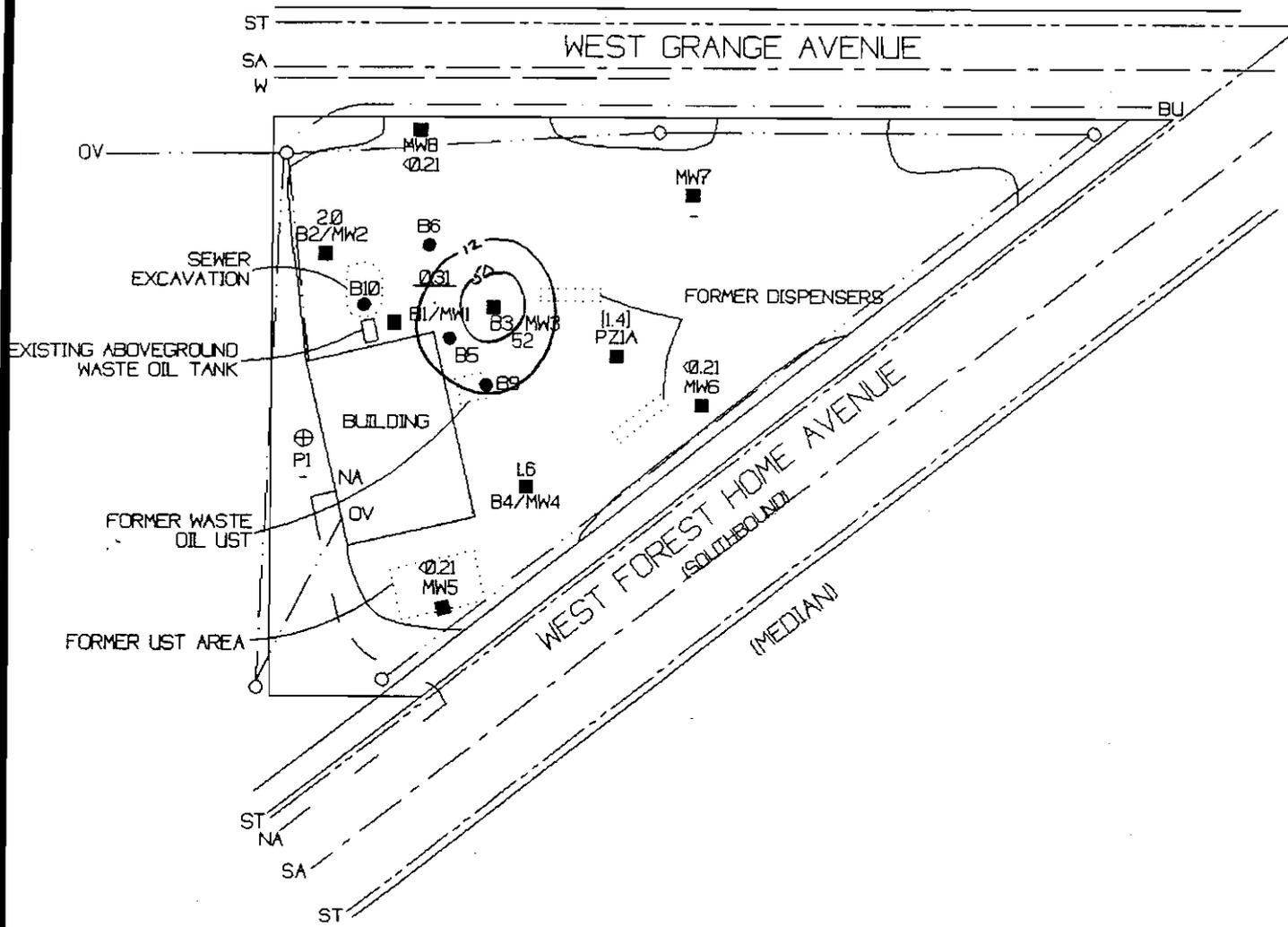
DWG FILE NAME 97031EE2

SCALE: 1" = 40'

DATE: MAY 18, 1999

AES CONSULTANTS, LTD.

BY: KS



LEGEND

- SOIL BORING
- MONITORING WELL
- ⊕ POTABLE WELL
- NA NATURAL GAS
- ST STORM SEWER
- SA SANITARY SEWER
- W WATER
- OV OVERHEAD ELECTRIC & TELEPHONE
- BU BURIED ELECTRIC
- 0.13 MTBE CONCENTRATION (ug/L)
- [L4] - DEEP PIEZOMETER MTBE CONCENTRATION (ug/L)



NOTES

L ES=600 ug/l
PAL=120 ug/L

FIGURE 5	
EXTENT OF MTBE GROUNDWATER CONTAMINATION (FEBRUARY 8, 1999)	
JIM'S SERVICE CENTER HALES CORNERS, WISCONSIN	
JOB NUMBER 97031	DWG FILE NAME 97031EC2
SCALE: 1" = 40'	DATE: MAY 18, 1999
AES CONSULTANTS, LTD.	BY: KS