

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

Southeast Regional Headquarters
2300 N. Dr. ML King Drive, PO Box 12436
Milwaukee, Wisconsin 53212-0436
Telephone 414-263-8500
FAX 414-263-8483
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September 28, 1999

In reply refer to FID# 241974700
BRRTS#02-41-199768

Ms. Betsy Green
1020 North Broadway
Suite 111
Milwaukee, WI 53202

Subject: Request for Closure, Betsy Green Property, 3252-3270 South 27th Street, Milwaukee WI.

Dear Ms. Green:

At the request of your environmental consultant, Earth Tech, we have reviewed the Betsy Green Property Site for flexible closure. Based on the information submitted on August 31, 1999 in the report titled "Green Property-Additional Information Submittal" the Department concurs with Earth Tech's recommendation for closure in accordance with NR726 and COMM 46.

The groundwater contamination levels for Benzene at this site are above enforcement standards (ES) promulgated in Ch. NR. 140, Wisconsin Administrative Code within your property boundary, but showing evidence that natural attenuation is controlling the spread of contamination.

To complete the closure of this site, The following information must be supplied to the Department of Natural Resources:

- A groundwater use restriction must be submitted to the Department for approval prior to placing on the property deed at the county register of deeds office. The groundwater use restriction must specify the legal description of the property, the location type and the concentration of the contaminant(s) and includes the following paragraphs:
 - a) *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 water quality exceeds the drinking water standards in ch. NR 809 is restricted by chs. NR 811 and NR 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.*
 - b) *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*

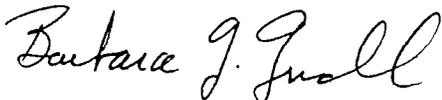
effect, the groundwater shall be sampled and analyzed for contaminants that were previously detected on the property and any extracted groundwater shall be managed in compliance with applicable statutes and rules.

- All Monitoring wells must be abandoned within 60 days in accordance to ch. NR 141.25, WAC.
- After the groundwater use restriction draft is approved, you must submit a certified copy of the groundwater use restriction and monitoring well abandonment documentation to the Department. When these items are received by the Department this site will be in compliance with ch. NR 726, WAC, and will be officially closed and tracked as such on the department's tracking system.
- For expedient processing, please send all future correspondence to my attention Barbara G. Grundl.
- Interim guidance on institutional controls may be found on the DNR's web site (<http://www.dnr.state.wi.us>) by searching "RR PDF Documents" or by calling the publication request line at (608) 264-6009. I have also included a copy of the groundwater use permit format.

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 of the environment. When the WDNR receives a copy of the groundwater use restriction and all of the groundwater monitoring wells at the site are abandoned in accordance with WAC NR 141 and the completed abandonment forms submitted to the department **this case will be tracked as closed on the department's tracking system.** This letter serves as your closure letter, but is technically only valid once we receive the information requested above.

If you have any questions or concerns regarding this letter, please contact me at (414) 263-8546 .

Sincerely,



Barbara G. Grundl, P.G.
Hydrogeologist

cc: Paul Sklar – Earth Tech
SED file

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.

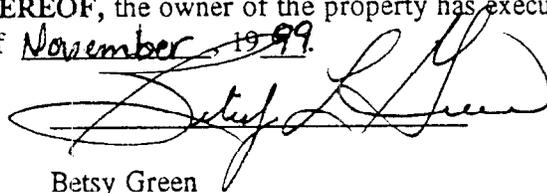
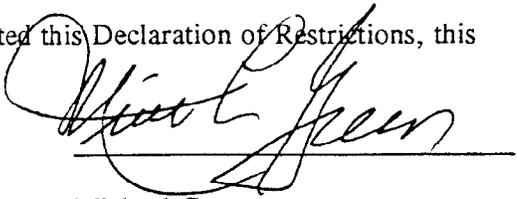
If construction is proposed on this property that will require dewatering, or if groundwater is to be otherwise extracted from this property, while this groundwater use restriction is in effect, the groundwater shall be sampled and analyzed for contaminants that were previously detected on the property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

These restrictions are 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. These restrictions benefit 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 and deed restriction is no longer binding.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 11th day of November, 1999.

Signatures:

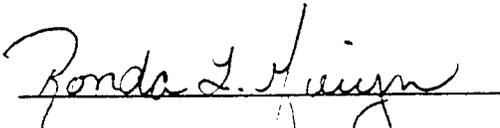



Printed Names:

Betsy Green

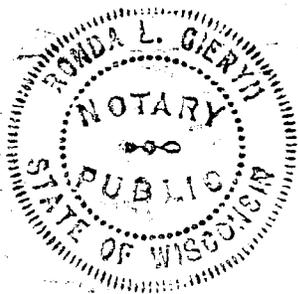
Michael Green

Subscribed and sworn to before me
this 11th day of November, 1999.


Notary Public, State of Wisconsin

My commission 3/9/2003

DRAFTED BY WISCONSIN
DEPARTMENT OF NATURAL RESOURCES



CERTIFICATE NO. **224355**

STATE OF WISCONSIN
MILWAUKEE COUNTY SS.
OFFICE OF
REGISTER OF DEEDS

I, the undersigned,
Register of Deeds of
Milwaukee County,
hereby certify that
this document is a
true and correct copy
of the original on
file or record in
this office.

Witness my hand and
official seal this
NOV 11 1899
Walter R. Barczak
Walter R. Barczak



S. 27th ST.

W. OHIO AVE.

MW 5	7/15/99	8/18/99
BENZENE	1.0	<0.13

MW 3	3/18/99	5/27/99	7/15/99	8/18/99
BENZENE	240	110	85	100

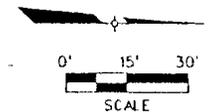
MW 4	7/15/99	8/18/99
BENZENE	3.4	<0.13

MW 1	3/18/99	5/27/99	7/15/99	8/18/99
BENZENE	12	17	23	33
XYLENE	135	19	8.8	33
NAPHTHALENE	1.1	14	16	16

MW 2	3/18/99	5/27/99	7/15/99	8/18/99
BENZENE	100	230	220	210
NAPHTHALENE	0.9	18	16	89

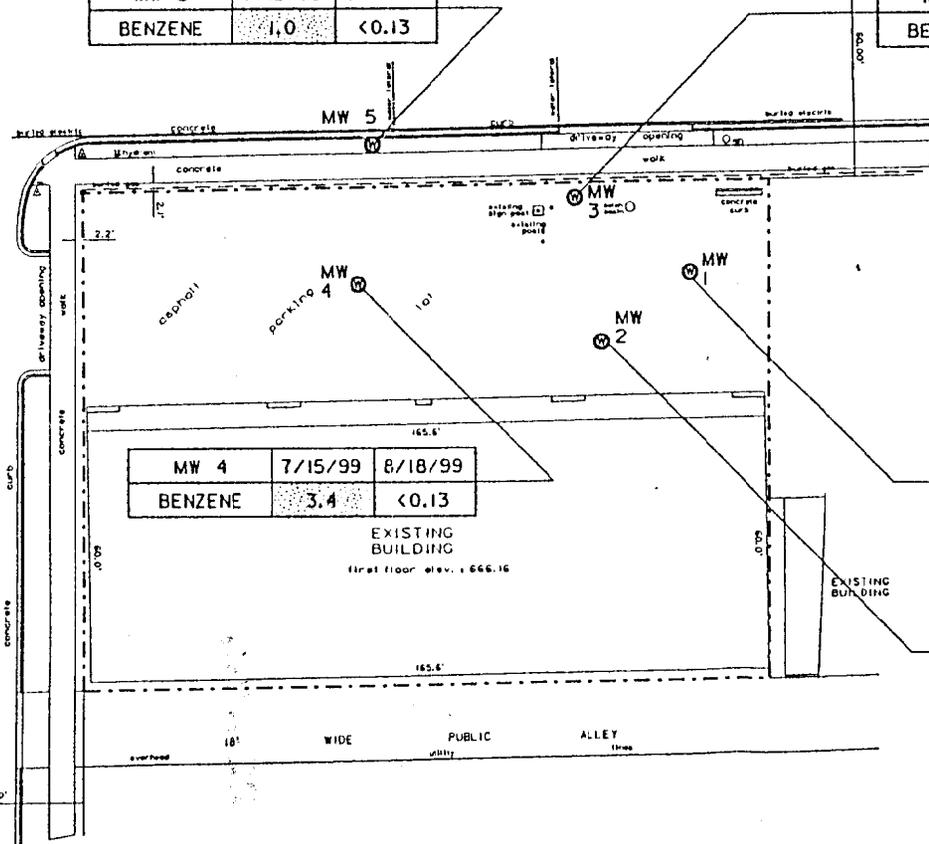
The West line of the
Northwest 1/4 of
Section 18-6-22

The Northwest Corner
of the Northwest 1/4
of Section 18-6-22
Elev. = 667.915, G.C. 2. Datum
N = 367,064.36
E = 2,548,955.09

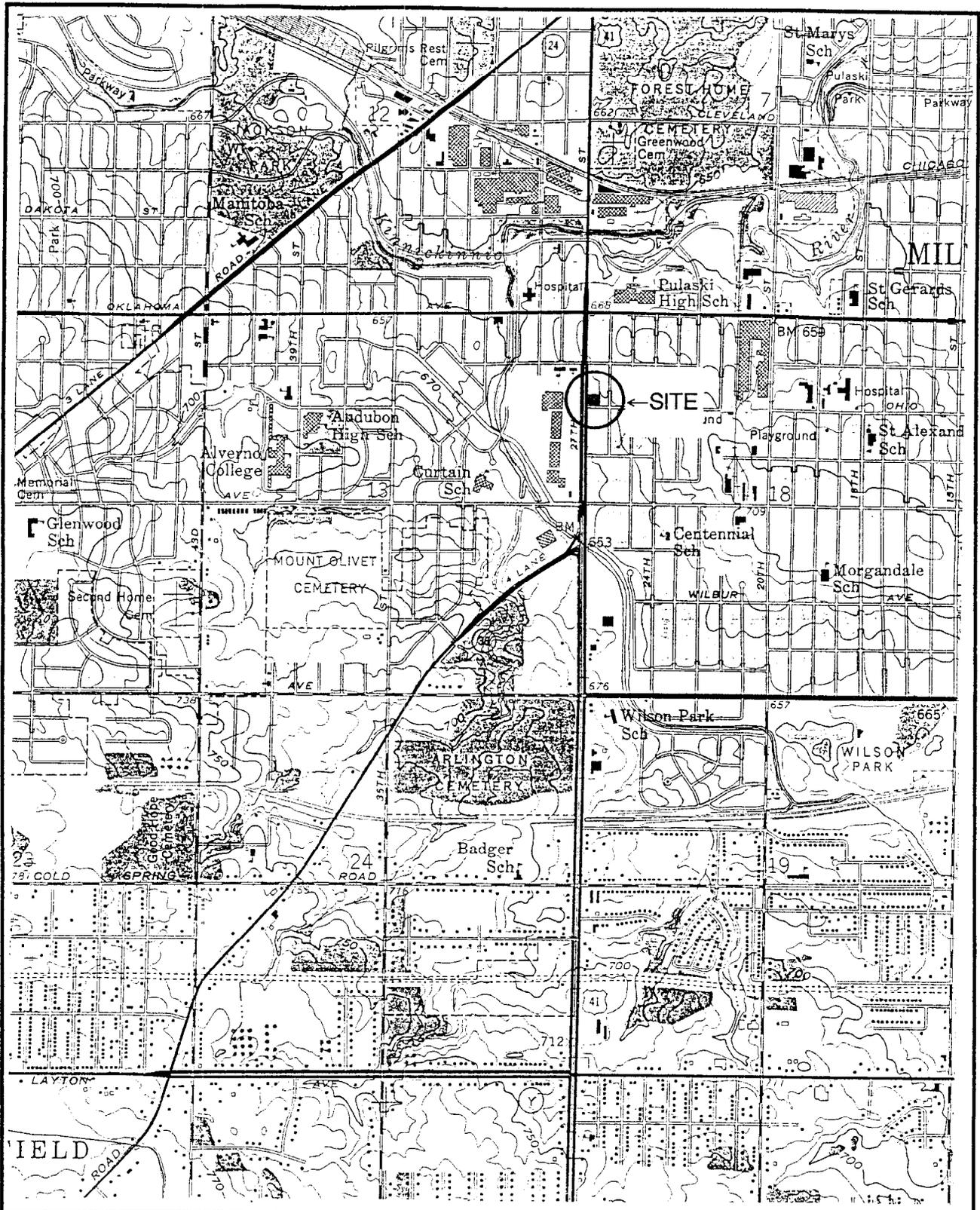


LEGEND

- CONCENTRATION IN UG/L
EXCEEDS NR140 ES
- CONCENTRATION IN UG/L
EXCEEDS NR140 PAL



REFERENCE FILE NO. - 441111.dwg
 DATE - 3/14/00
 DRAWN BY - J. W. BROWN
 CHECKED BY - J. W. BROWN



SITE LOCATION MAP
Green Property
3252-3270 S. 27th Street, Milwaukee, WI



Figure 1

REFERENCE FILE 01 - 1000-2000
 Levels 1 - 12, 0.05, 12, 19, 22, 23, 41, 43, 45, 54
 Levels 1, 14, 15, 20, 21, 41, 42, 43, 45, 54
 Levels 1, 14, 15, 20, 21, 41, 42, 43, 45, 54

DATE: 11/14/99
 BY: J. J. [unclear]
 FILE: 11/14/99 11:45:00
 PLOT: 11/14/99 11:45:00
 DSN: 11/14/99 11:45:00

W. OHIO AVE.

S. 27th ST.

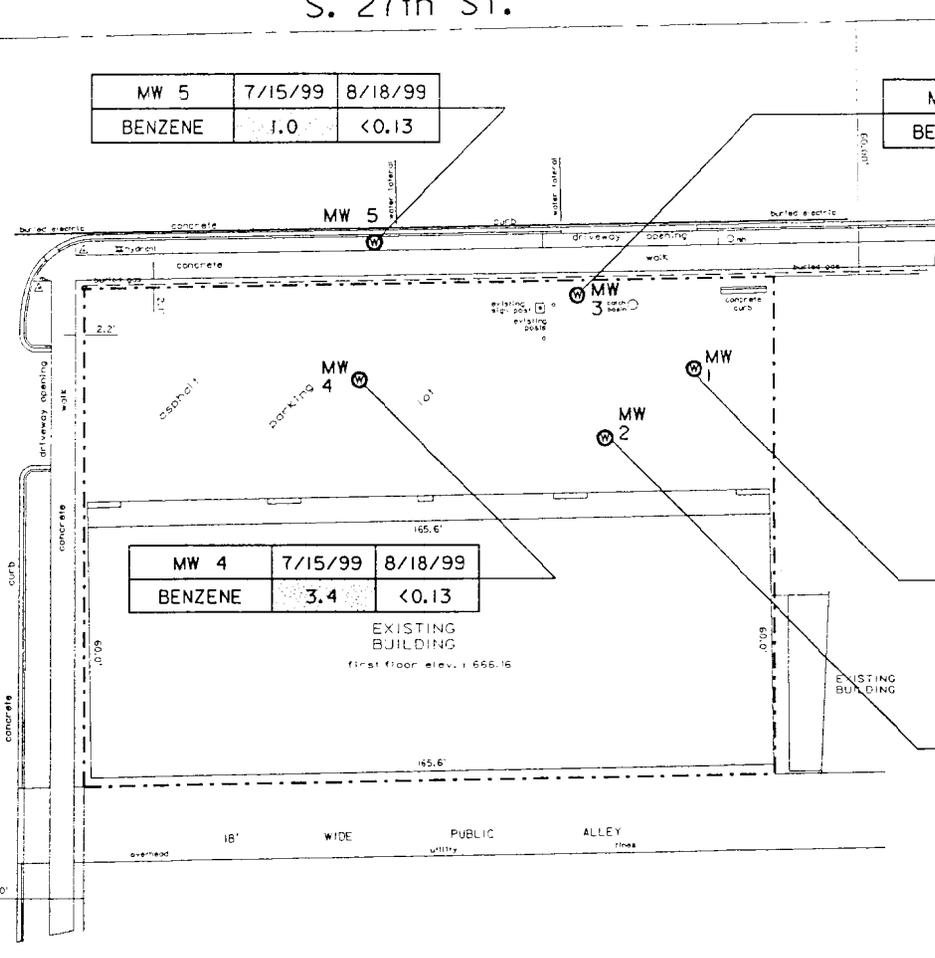
MW 5	7/15/99	8/18/99
BENZENE	1.0	<0.13

MW 3	3/18/99	5/27/99	7/15/99	8/18/99
BENZENE	240	110	85	100

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MW 1	3/18/99	5/27/99	7/15/99	8/18/99
BENZENE	12	17	23	33
XYLENE	135	19	8.8	33
NAPHTHALENE	1.1	14	16	16

MW 2	3/18/99	5/27/99	7/15/99	8/18/99
BENZENE	100	230	220	210
NAPHTHALENE	0.9	18	16	89



The Westline of the Northwest 1/4 of Section 16-22
 The Northwest Corner of the Northwest 1/4 of Section 16-22
 E. 1/2 of Section 16-22, T. 15N, R. 15W, S. 27th St.
 N. 1/2 of Section 16-22, T. 15N, R. 15W, S. 27th St.
 S. 1/2 of Section 16-22, T. 15N, R. 15W, S. 27th St.



LEGEND

- CONCENTRATION IN UG/L EXCEEDS NRI40 ES
- CONCENTRATION IN UG/L EXCEEDS NRI40 PAL

BASEMAP FROM SITE SURVEY, SURVEYING ASSOCIATES, INC. - MARCH 1999



FIGURE 6
 GREEN PROPERTY
 3252-3270 SOUTH 27th STREET
 SUMMARY OF GROUNDWATER QUALITY
 33816
 AUGUST 1999

TABLE 3

SUMMARY OF GROUNDWATER QUALITY DATA
GREEN PROPERTY

3252-3270 S. 27th Street, Milwaukee, WI

Well ID			MW-1	MW-2	MW-2	MW-3	
Sample ID			MW-1	MW-2	MW-2 dup	MW-3	
Date Sampled			03/08/99	03/08/99	03/08/99	03/08/99	
		units					
Conductivity		umhos	5,073	3,180	3,180	6,020	
pH		S.U.	7.0	6.9	6.9	6.9	
Temperature		C	7.6	8.6	8.6	7.4	
	NR 140 ES	NR 140 PAL					
VOCs							
Benzene	5	0.5	ug/L	12	100	99	240
Butylbenzene (total)	none	none	ug/L	5.0	0.97	1.0	2.9
1,2-DCA	5	0.5	ug/L	1.9	20	21	11
Diisopropyl ether	none	none	ug/L	<0.55	1.0 Q	1.2 Q	<1.1
Ethyl benzene	700	140	ug/L	6.0	8.6	7.8	22
Isopropylbenzene	none	none	ug/L	2.1	0.35 Q	0.37 Q	2.7
MTBE	60	12	ug/L	<0.32	<0.32	<0.32	<0.64
Naphthalene	40	8	ug/L	1.1	0.94 Q	0.87 Q	1.3 Q
n-Propylbenzene	none	none	ug/L	2.0	1.3 Q	1.0 Q	4.0 Q
Toluene	343	69	ug/L	3.5	1.6	1.3	4.6
1,3,5-TMB	480	96	ug/L	36	25	25	23
1,2,4-TMB	480	96	ug/L	94	8.3	7.3	71
Xylene (total)	620	124	ug/L	135	30.3	29.3	78

Samples analyzed by En Chem Laboratories; method SW-846-8260

VOCs not listed were not detected

dup = duplicate sample

DCA = dichloroethane

TMB = trimethylbenzene

MTBE = methyl-tert butyl ether

ES = enforcement standard

PAL = preventive action limit

none = no standard for this compound

Q = concentration between level of detection and level of quantitation

12 = exceeds ES
1.9 = exceeds PAL