

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
TDD 414-263-8713

July 6, 1998

Mr. Paul Rose
1721 Mission Hills Road
Northbrook, IL 60062

FID # 241585520
RR
Milwaukee, Co.

RE: **Site Closure**, Paul Rose Property, 2100 South 116th. Street, West Allis, Wisconsin.

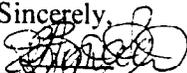
Dear Mr Rose:

The Remediation and Redevelopment Section of the Wisconsin Department of Natural Resources (WDNR), Southeast Region, Milwaukee Service Center has reviewed the report titled, Third and Fourth Quarter Groundwater Sampling Results and Closure Request, Paul Rose Property, 2100 South 116th Street, West Allis, Wisconsin, submitted by Environmental Associates, Inc. and dated September 30, 1997. Your consultant requested for site closure according to ch. NR 726, Wisconsin Administrative Code (WAC).

Based on the above referenced report, there is gasoline contaminated groundwater above ch. NR 140, WAC enforcement standards on this property at the following locations: MW-25 (benzene at 27 ug/l) and MW-20 (benzene at 5.4 ug/l) and soil contamination estimated at 70 cubic yards or 98 tons (clay) that exist at the following locations: S35 (GRO at 520 mg/Kg, DRO at 320 mg/kg and S62 (GRO at 14 mg/Kg) as shown on exhibit A of the DEED document. The Department has mutually agreed with Mr. Paul Rose to conditionally close this site with a groundwater use restriction according to s. NR 726.05 (8) (am) as expressed in the DEED document, # **7531854, REEL 4307 IMAGE 2240 to 2242** with **Parcel Identification Number 481-9993-015**, registered at Milwaukee County on May 13, 1998.

You may apply for unconditional case closure according to s. NR 726.05 (2) (c), WAC or modification of the DEED document according to s. NR 726.05 (8) (b) (note), WAC.

The Department appreciates the efforts you and your Consultant are taking to restore the environment at this site. If you have any questions concerning this conditional site closure, please contact me at (414)263-8607.

Sincerely,

Binyoti P. Amungwafor
Hydrogeologist

CC: Mr. D'Arcy J. Gravelle, Environmental Associates, Inc.
Mr. Thomas P. McElligott, Attorney At Law, Quarles & Brady
Case File



Quality Natural Resources Management
Through Excellent Customer Service



7531854

Document Number

Groundwater Use Restriction

Document Title

REEL 4307 IMAG 2240

REGISTER'S OFFICE } SS
Milwaukee County, WI }
RECORDED AT -3 10 PM

MAY 13 1998 2240 7Z
REEL 4307 IMAGE 2242 in.
Walter R. Berglund REGISTER
OF DEEDS

The Southeast One-quarter (1/4) of Sec. Six (6), Township Six (6) North, Range Twenty-one (21) East, in the City of West Allis, recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin April 12, 1971 in Reel 580 at Images 1859 to 1863 inclusive, as Document No. 4584492.

Declaration of Restrictions

STATE OF WISCONSIN)

COUNTY OF MILWAUKEE)

Whereas, Paul Rose is the owner of the above-described property.

Whereas, one or more diesel fuel and gasoline discharges have occurred at this property. Gasoline contaminated groundwater above ch. NR 140, Wis. Adm. Code enforcement standards exists on this property at the following location(s): monitor well MW-25 (benzene at 27 ug/l) and monitor well MW-20 (benzene at 5.4 ug/l) and soil contamination, estimated at 70 cubic yards or 98 tons exists at the following locations: S35 (GRO at 520 mg/kg, DRO at 320 mg/kg) and S62 (GRO at 14 mg/kg), as shown on Exhibit A attached hereto;

Whereas, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct additional 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 exceeding ch. NR 140, Wis. Adm. Code groundwater standards within the boundaries of this property; and

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

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

Recording Area

Name and Return Address

Thomas P. McElligott
Quarles & Brady
411 East Wisconsin Avenue
Milwaukee, WI 53202

ENV

481-9993-015

Parcel Identification Number (PIN)

7531854 i

RECORD 14.00

1400

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 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 only by the Wisconsin Department of Natural Resources or any governmental authority established by the State of Wisconsin as a successor to the Department of Natural Resources. Only the Department or any governmental authority established by the State of Wisconsin as a successor to the Department of Natural Resources, 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, the Department agrees to execute, deliver and record such affidavit, termination or other document or instrument as may be required to terminate this Groundwater Use Restriction and to give notice on the public record that this Groundwater Use Restriction is terminated and no longer binding.

In Witness Whereof, the owner of the property has executed this Declaration of Restrictions, this 7th day of MAY, 1998.

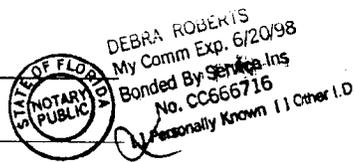
Signature: Paul F. Rose

Printed Name: PAUL F. ROSE

Subscribed and sworn to before me
this 7th day of May, 1998.

Debra Roberts

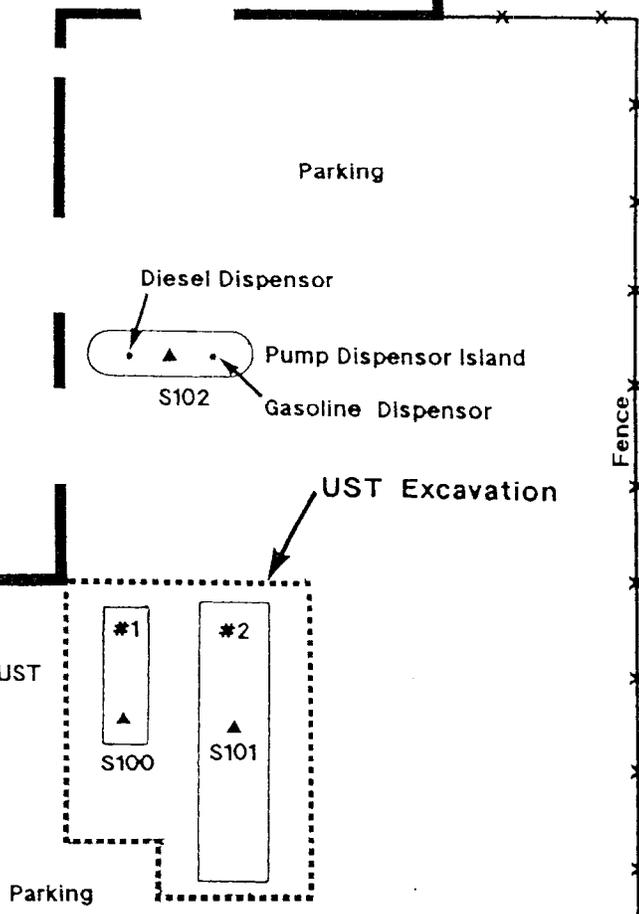
Notary Public, State of _____



My commission: _____

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

Rose Property
 2100 S. 116th St.
 West Allis Wis 53227



LEGEND

▲ Soil Sample Locations
 S 101



FIGURE 2
Site Map
and
UST Locations
and
Soil Sample Locations

Scale 1" = 20'

Environmental Associates of Milwaukee, Inc.

Drawn by:		Checked by:		Drawing number	91-02140-2
		Approved by:			

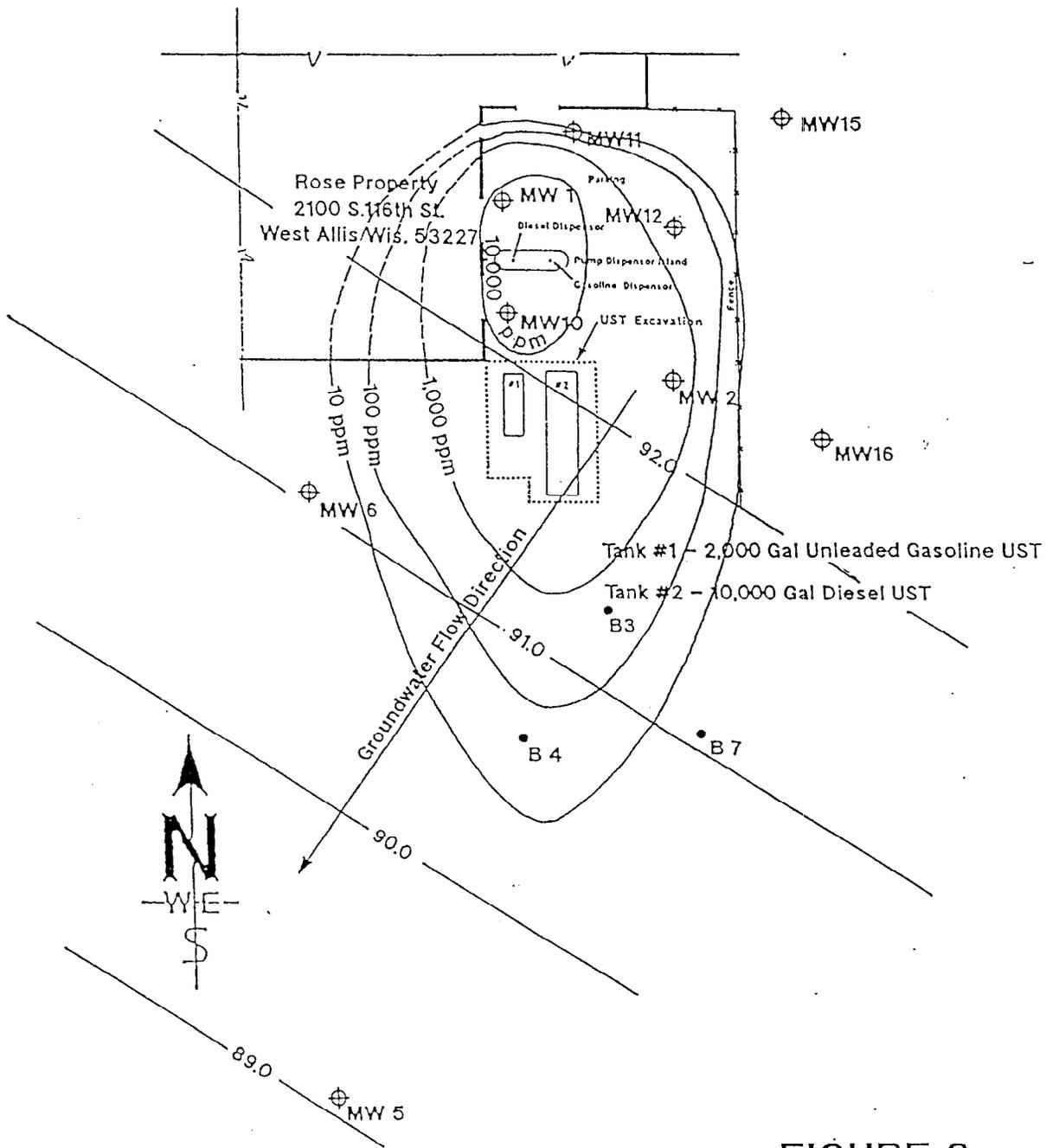


FIGURE 3
Site Map
showing
Soil Contaminant Plume
 Scale 1" = 40'

LEGEND

- MW 5 ⊕ Monitoring Well Locations
- B 4 • Soil Boring Locations

Environmental Associates of Milwaukee, Inc.

Drawn by:	Checked by:	Drawing number:
	Approved by:	91-02140-3

Rosé Property
 2100 S. 116St.
 West Allis, WI 53227

Estimated Remaining
 Extent of
 Soil Contamination

Extent of
 Overexcavation Boundary

MWS

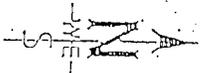
PMW24
 PMW25



PMW23

PMW21
 PMW22

PMW20

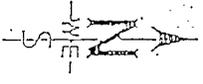


LEGEND:
 MW6 Monitoring Well Locations
 S10 Soil Sample Locations
 Sumps and Trench Locations

Environmental Associates of Milwaukee, Inc.
 Drawn by: R.R.B. Checked by: []
 by: S/S Approved by: []
 Drawing number: 91-02140-5

FIGURE 4
 Location of Installed
 Sumps and Trenches
 for
 Groundwater Treatment
 Scale 1" = 20'

Rose Property
2100 S 116St
West Allis, WI 53227



LEGEND

- MWB: Monitoring Well Locations
- S70: Soil Sample Locations
- Summation: Sump and Trench Locations

Environmental Associates of Milwaukee, Inc.

Drawn	R.R.B.	Checked by:		Drawing	91-02140-5
By:	5/5	Approved by:		number:	

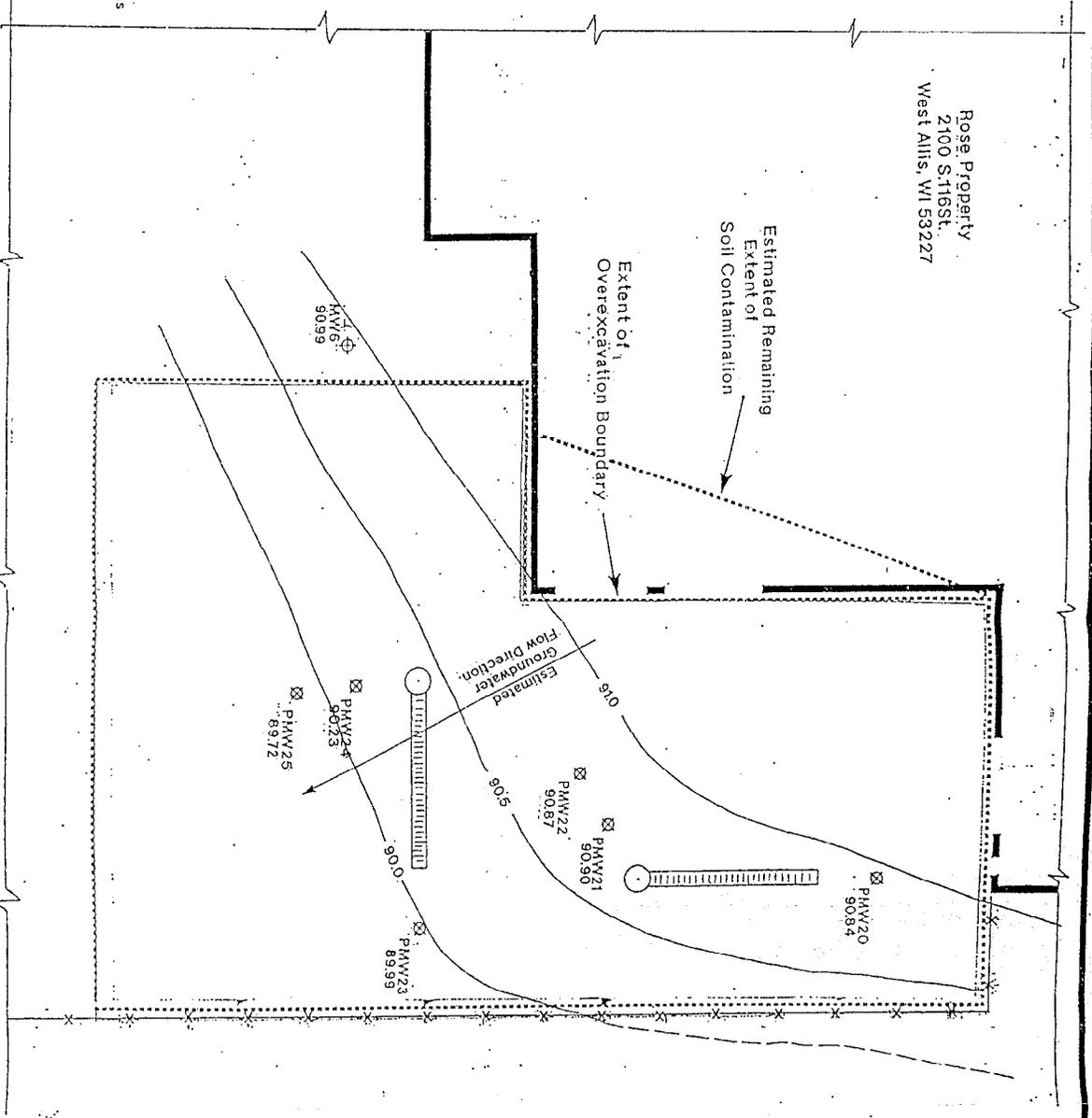


FIGURE 5
Groundwater Table
Elevation Map
November 3rd, 1993
Scale 1" = 20'

Drawn	RRG	Drawing:	91-02140-6
by:	B-28-97	File:	140.12 CVS

Environmental Associates, Inc.

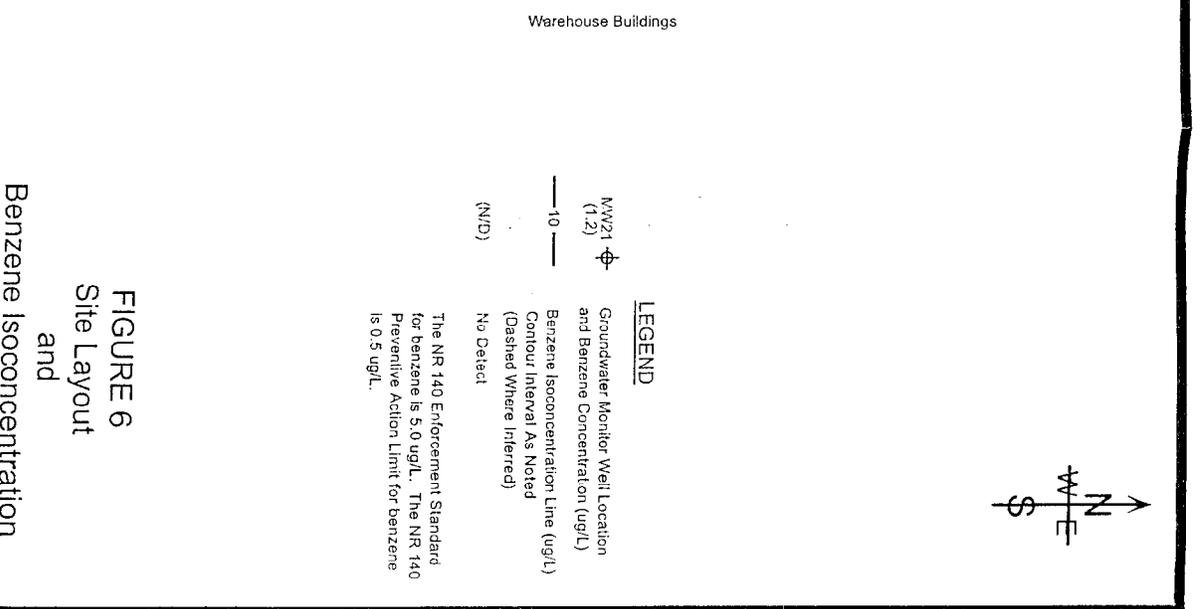
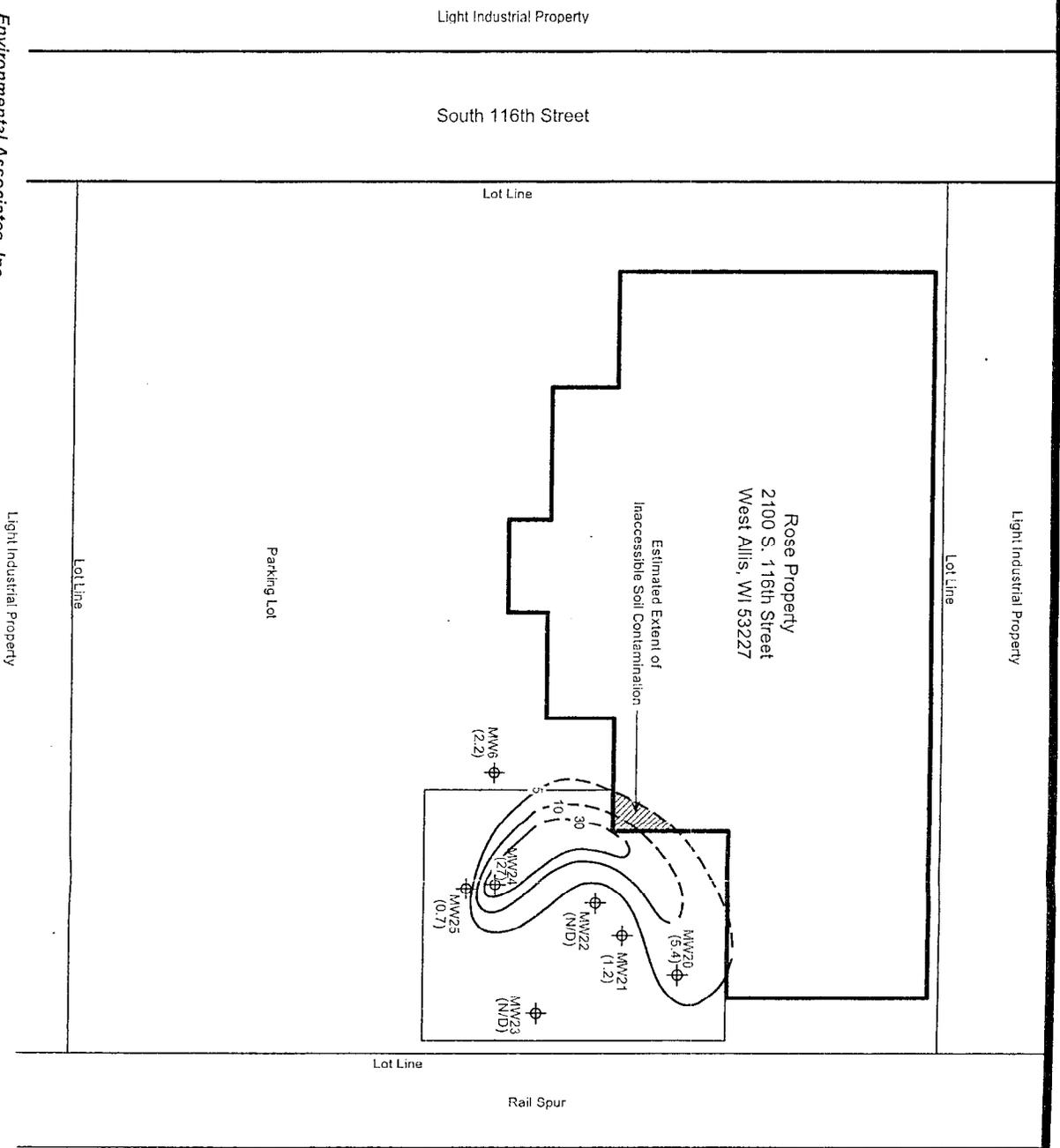


FIGURE 6
Site Layout
and
Benzene Isoconcentration
Map

Scale : 1" = 50'

Table 1
Summary of Groundwater Analytical Results
Rose Property

Parameter	Units	ES	PAL	Date	MW-6	MW-20	MW-21	MW-22	MW-23	MW-24	MW-25	MW-27	MW-28	TRIP
Benzene	ug/L	5	0.5	7/22/93	<1.0	3.8	<1.0	5	<1.0	710	210	630	<1.0	<1.0
				11/3/93	1.03	5.42	1.42	<1.0	45.1	29.6	42.8	<1.0	<1.0	
				7/20/94	2.5	NS	NS	3	37	3.1	NS	NS	<1.0	
				6/29/95	2.2	NS	NS	<0.6	27	0.7	NS	NS	<1.0	
Ethylbenzene	ug/L	700	140	7/22/93	<1.0	1.4	<1.0	6.9	<1.0	730	160	710	<1.0	<1.0
				11/3/93	<1.0	<1.0	2.5	<1.0	32.1	4.6	<1.0	<1.0		
				7/20/94	<1.0	NS	NS	<1.0	<1.0	<1.0	NS	NS	<1.0	
				6/29/95	<1.0	NS	NS	1.5	<1.0	<1.0	NS	NS	<1.0	
Toluene	ug/L	343	68.6	7/22/93	<1.0	<1.0	<1.0	4.6	13	61	3.3	<50	<1.0	<1.0
				11/3/93	<1.0	1.01	5.43	1.31	1.83	1.42	2	<1.0	2.01	
				7/20/94	<1.0	NS	NS	NS	1.6	1.6	NS	NS	<1.0	
				6/29/95	<1.0	NS	NS	NS	2	<1.0	NS	NS	<1.0	
Total Xylenes	ug/L	620	124	7/22/93	<2.0	<2.0	<2.0	39	2.9	4000	340	5200	<2.0	<1.0
				11/3/93	<1.0	<1.0	<1.0	<1.0	35.6	5.34	<1.0	NS	<1.0	
				7/20/94	<1.0	NS	NS	NS	<1.0	<1.0	NS	NS	<1.0	
				6/29/95	<1.0	NS	NS	NS	<1.0	<1.0	NS	NS	<1.0	

Note:
 ES -- Enforcement Standard
 PAL -- Preventive Action Limit
 < -- Below Laboratory Method of Detection
 * MW27 is a Duplicate of MW24
 * MW28 is an Equipment Blank
 NS -- Not Sampled

Table 1
Summary of Groundwater Analytical Results
Rose Property

Parameter	Units	ES	PAL	Date	MW-6	MW-20	MW-21	MW-22	MW-23	MW-24	MW-25	MW-27	MW-28	TRIP	
MTBE	ug/L	60	12	7/22/93	<1.0	<1.0	6.5	1.2	<1.0	<25	3.3	<50	<1.0	<1.0	
				11/3/93	<1.0	3.13	<1.0	7	3.22	<1.0	<1.0	<1.0	<1.0	<1.0	
				7/20/94	<1.0	NS	NS	NS	5.3	1.3	6.8	NS	NS	NS	<1.0
				6/29/95	<1.0	NS	NS	NS	4.5	<1.0	3.3	NS	NS	NS	<1.0
1,2,4-TMB	ug/L	--	--	7/22/93	<1.0	2.3	<1.0	48	2.5	1000	130	1000	<1.0	<1.0	
				11/3/93	<1.0	<1.0	5.87	<1.0	89.7	11.5	<1.0	11	<1.0	<1.0	
				7/20/94	<1.0	NS	NS	NS	<1.0	210	2.2	NS	NS	NS	<1.0
				6/29/95	<1.0	NS	NS	NS	<1.0	<1.0	88	NS	NS	NS	<1.0
1,3,5-TMB	ug/L	--	--	7/22/93	<1.0	3.9	<1.0	17	<1.0	330	53	3000	<1.0	<1.0	
				11/3/93	<1.0	<1.0	1.87	<1.0	19.4	<1.0	<1.0	<1.0	<1.0	<1.0	
				7/20/94	<1.0	NS	NS	NS	<1.0	48	<1.0	NS	NS	NS	<1.0
				6/29/95	<1.0	NS	NS	NS	<1.0	13	<1.0	NS	NS	NS	<1.0

Note:

- ES -- Enforcement Standard
- PAL -- Preventive Action Limit
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