



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor  
Darrell Bazzell, Secretary  
Gloria L. McCutcheon, Regional Director

Southeast Region Headquarters  
2300 N. Dr. Martin Luther King, Jr. Drive  
PO Box 12436  
Milwaukee, Wisconsin 53212-0436  
Telephone 414-263-8500  
FAX 414-263-8483  
TTY 414-263-8713

May 28, 2002

In Reply Refer To: FID# 241646240  
BRRTS# 03-41-003563  
County of Milwaukee  
BRR-LUST

Mr. Michael Schneider  
Schneider Fuel & Supply  
3438 W Forest Home Ave  
Milwaukee, WI 53215

SUBJECT: Final Closure of the *Schneider Fuel #2 Site*, 3560 W Leeds Place,  
Milwaukee, WI

Dear Mr. Schneider:

The Wisconsin Department of Natural Resources (WDNR) previously reviewed the case file for the above referenced site to determine if case closure could be granted for the site. A letter was issued on August 18, 1999, stating that a groundwater use restriction and monitoring well abandonment forms were required in order to obtain final closure for this site.

The WDNR received an official copy of the required groundwater use restriction on February 7, 2000. The WDNR received the monitoring well abandonment forms on May 15, 2002. Based upon the information in the case file, it appears that the degree and extent of contamination has been determined in the soil and groundwater at the site. It appears that the contamination at the above-named site has been remediated in compliance with the requirements of chs. NR 700 to 724, Wis. Adm. Code. Therefore, the Department considers the case "closed," having determined that no further remedial action is necessary at the site at this time. However, 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 the environment.

The WDNR appreciates the actions you have taken to restore the environment at this site. If you have any questions regarding this letter you may contact me at (414) 263-8541. Please refer to the FID and BRRTS numbers on the top of this letter in any future correspondence.

Sincerely,

  
Andrew Boettcher  
Hydrogeologist

cc: Gary Genteman - Sigma Environmental  
SER File

Groundwater Use Restriction

7830212

REGISTER'S OFFICE | SS  
Milwaukee County, WI

RECORDED AT 3:48 PM

11-01-1999

REEL \_\_\_\_\_ IMAGE \_\_\_\_\_

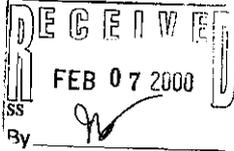
WALTER R. BARCZAK  
REGISTER OF DEEDS

AMOUNT 16.00

Declaration of Restrictions

In Re: Parcel 3, of Certified Survey Map No. 5960, being a division of Parcel 2 in Certified Survey Map No. 3365, and lands in the SW 1/4 of the NE 1/4, the SE 1/4 of the NW 1/4, the NE 1/4 of the SW 1/4 and the NW 1/4 of the SE 1/4 of Section 12, T 6 N, R 21 E, in the City of Milwaukee, Milwaukee County, Wisconsin.

*See attached CS M*  
*MNS*



STATE OF WISCONSIN )  
COUNTY OF MILWAUKEE )

Recording Area

Name and Return Address

Schneider Fuel and Supply Company  
3438 West Forest Home Avenue  
Milwaukee, WI 53215

493-0023-007

Parcel Identification Number (PIN)

WHEREAS, Schneider Fuel and Supply Company is the owner of the above-described property.

WHEREAS, one or more petroleum product discharges have occurred at this property. The groundwater at monitoring wells MW05, MW08, and EW01 has been found to be contaminated with petroleum volatile organic compounds (PVOC) in excess of NR 140 groundwater enforcement standards (ES). Groundwater quality samples collected on April 16, 1998 exhibited the following ES exceedances: a benzene concentration of 410 ug/l at MW05, 1,800 ug/l at MW08, and 110 ug/l at EW01; a toluene concentration of 450 ug/l at MW08; and a total xylene concentration of 890 ug/l at MW08. The locations of MW05, MW08, and EW01 are shown on Exhibit A.

WHEREAS, it is the desire and intention of the Property owner to impose on the Property restrictions which will make it unnecessary to conduct further soil or groundwater 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 groundwater standards within the boundaries of this Property. Construction of wells where the water does not comply with drinking water standards in NR 809 is restricted by 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 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:

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 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.

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.

By signing this document, Mr. Michael Schneider asserts that he is duly authorized to sign this document on behalf of Schneider Fuel and Supply Company.

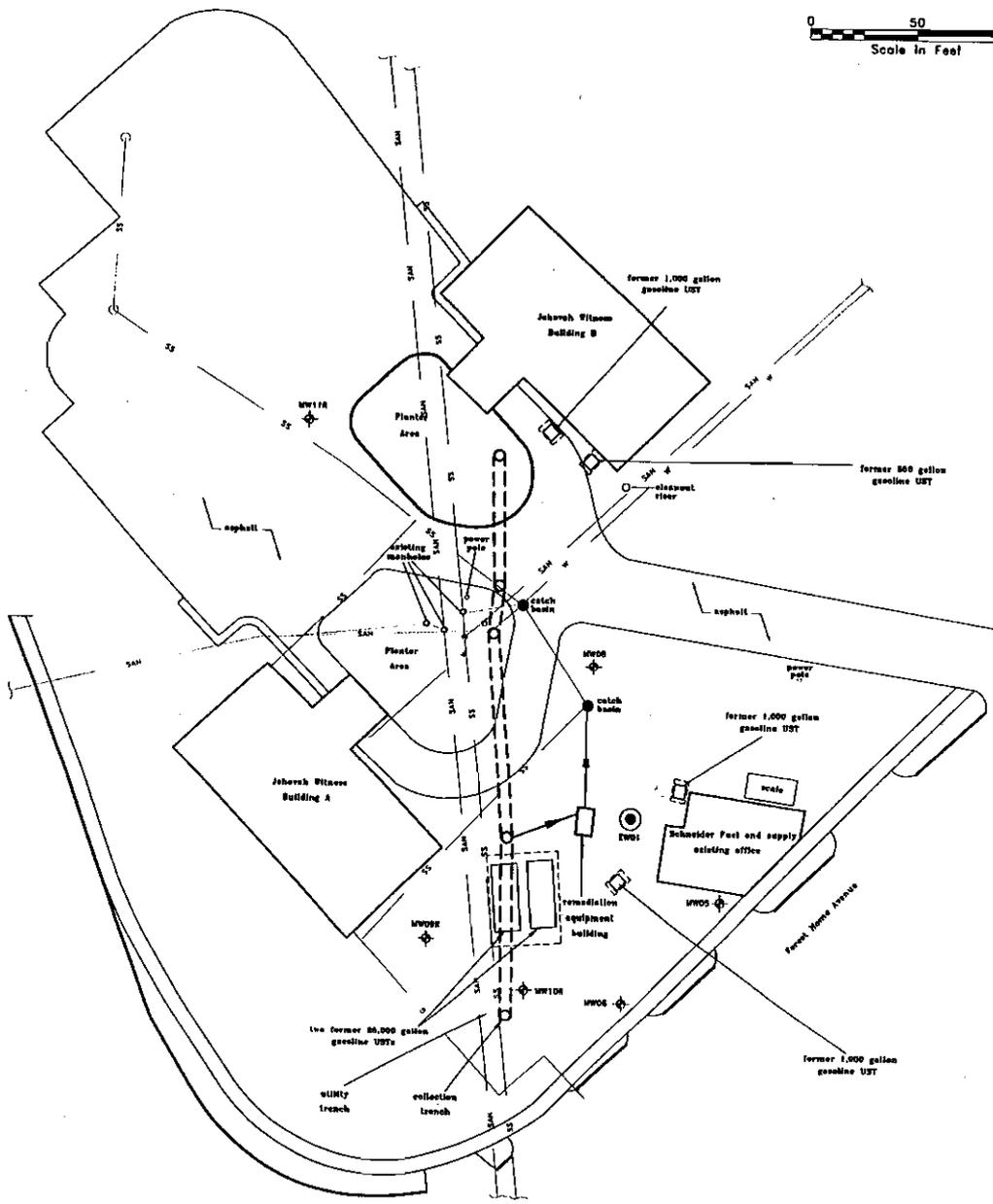
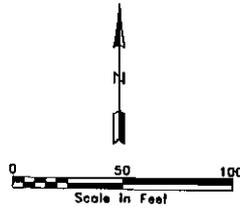
IN WITNESS WHEREOF, the owner has executed this Declaration of Restrictions, this 22nd day of October 1999.

*Michael Schneider*  
Mr. Michael Schneider  
President

Subscribed and Sworn to before me  
this 22nd day of October 1999.

*[Signature]*  
Notary Public, Wisconsin  
My Commission Expires PERMANENT

This document was drafted by  
Wisconsin Department of Natural Resources



- EWO1 = extraction well location and I.D.
- MW100 = existing monitoring well location and I.D.
- NG = natural gas line
- SAN = sanitary sewer line
- SS = storm sewer line
- W = watermain line

**EXHIBIT A**

**SITE LAYOUT**

**Schneider Fuel and Supply Co.**

**3438 West Forest Home Avenue**

**Milwaukee, WI**

date:	drafted by:	checked by:	approved by:

**Cooper**

Environmental & Engineering Resources Inc.  
1414 North Main Street, West Bend, Wisconsin, 53095

file: C: STLAYOUT

RECORDED  
CERTIFIED SURVEY MAP

TAX KEY NO. 494-0782, 494-9989, 494-9995-100  
510-9970-110

Zoning: I/D/60, I/C/60, M/D/40 & M/C/60

CERTIFIED SURVEY MAP NO. 5960 PAGE 1 OF 5 PAGES

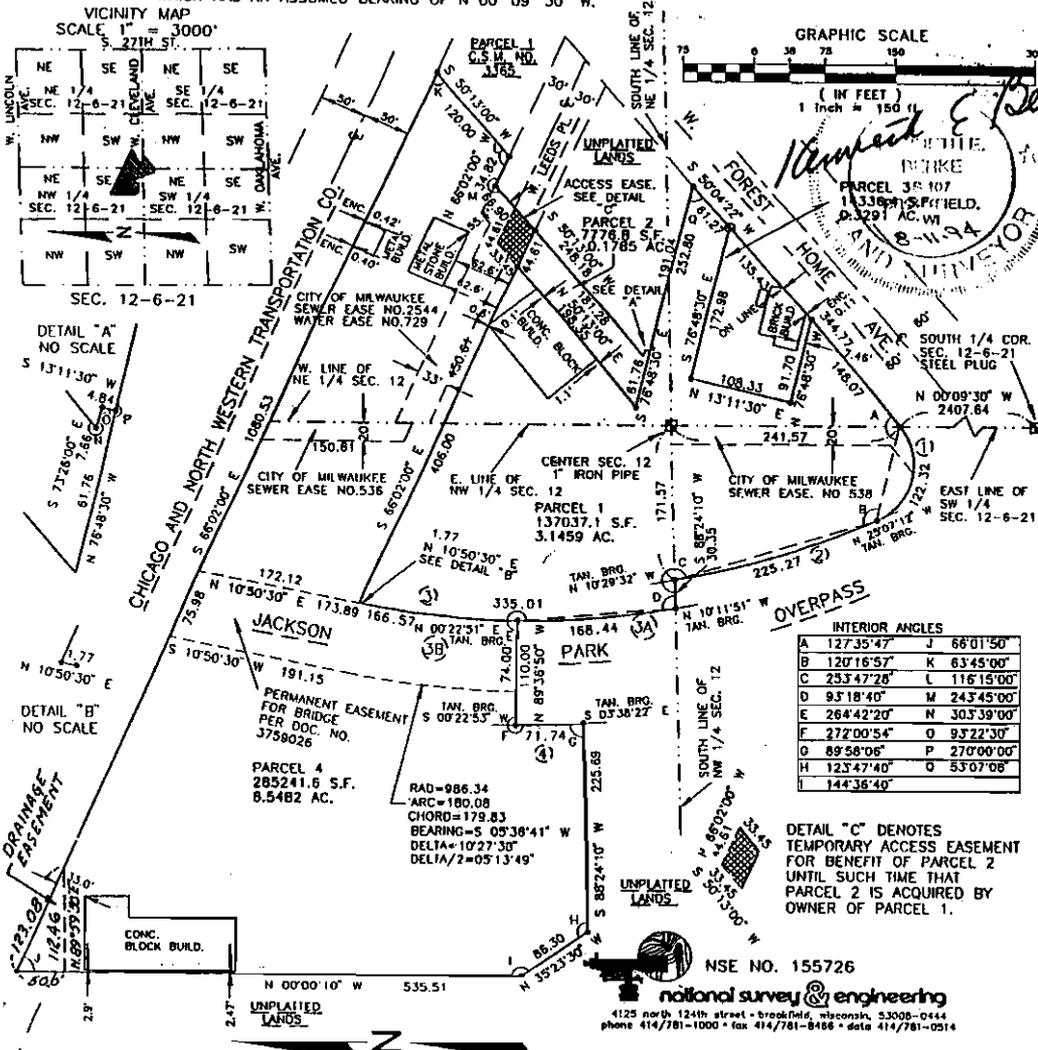
BEING A DIVISION OF PARCEL 2 IN CERTIFIED SURVEY MAP NO. 3365 AND LANDS IN THE SW 1/4 OF THE NE 1/4, THE SE 1/4 OF THE NW 1/4, THE NE 1/4 OF THE SW 1/4 THE NW 1/4 OF THE SE 1/4 OF SECTION 12, T 6 N, R 21 E, IN THE CITY OF MILWAUKEE, MILWAUKEE COUNTY, WISCONSIN.

CURVE	RADIUS	ARC	CHORD	BEARING	DELTA	DELTA/2
1	66.87	122.32	105.97	N 77°31'25" W	104°48'26"	52°24'13"
2	882.34	223.27	224.66	N 17°48'22" W	14°37'41"	07°18'50.5"
3	912.34	335.01	333.13	S 00°19'20" W	21°02'21"	10°31'10.5"
3A	912.34	168.44	168.20	N 04°54'30" W	10°34'42"	05°17'21"
3B	912.34	166.57	166.34	N 05°36'40" E	10°27'39"	05°13'49.5"
4	1022.34	71.74	71.73	S 01°37'44" E	04°01'15"	02°00'37.5"



12-27-93

• INDICATES 1" DIA IRON PIPE 24" IN LENGTH, WT. 1.13 LBS. PER LINEAL FOOT.  
⊙ INDICATES CROSS SET IN CONCRETE.  
ALL DIMENSIONS SHOWN ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.  
ALL BEARINGS SHOWN ARE REFERENCED TO THE EAST LINE OF THE SW 1/4 SEC 12-6-21 WHICH HAS AN ASSUMED BEARING OF N 00° 09' 30" W.



INTERIOR ANGLES

A	127°35'47"	J	68°01'50"
B	120°16'57"	K	63°45'00"
C	253°47'28"	L	116°15'00"
D	93°18'40"	M	243°45'00"
E	264°42'20"	N	303°39'00"
F	272°00'54"	O	93°22'30"
G	89°58'06"	P	270°00'00"
H	123°47'40"	Q	53°07'08"
	144°38'40"		

DETAIL "C" DENOTES TEMPORARY ACCESS EASEMENT FOR BENEFIT OF PARCEL 2 UNTIL SUCH TIME THAT PARCEL 2 IS ACQUIRED BY OWNER OF PARCEL 1.

national survey & engineering  
4125 north 124th street - brookfield, wisconsin, 53008-0444  
phone 414/781-1000 • fax 414/781-8486 • data 414/781-0514

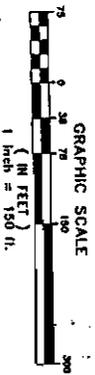
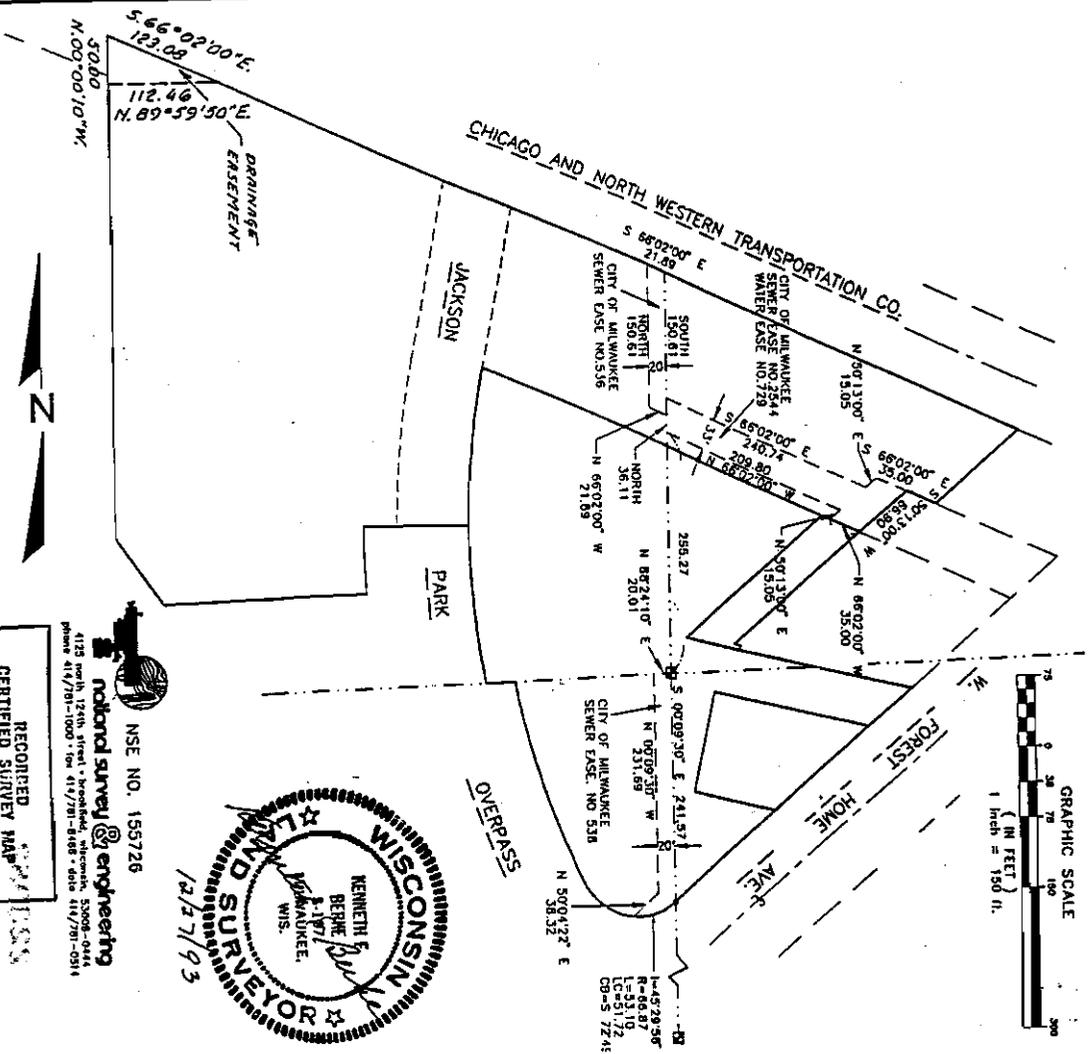
RECEIVED  
DEC 28 1993  
DEPT. OF  
City Development

DEPT. OF CITY DEVELOPMENT OF MILWAUKEE  
FEB 7 1994  
STAFF APPROVED  
*[Signature]*

BUREAU OF ENGINEERS  
*[Signature]* 1-31-94  
CHIEF DRAFTSMAN  
*[Signature]* 1/31/94  
ENGR. IN CHARGE SEWER ENGR. DIV.  
CORRECT  
*[Signature]*  
CITY ENGINEER  
APPROVED 2-1-94

**CERTIFIED SURVEY MAP NO. 5960** PAGE 2 OF 5 PAGES  
 BEING A DIVISION OF PARCEL 2 IN CERTIFIED SURVEY MAP NO. 3365 AND LANDS IN THE SW 1/4 OF THE NE 1/4, THE SE 1/4 OF THE NW 1/4, THE NE 1/4 OF THE SW 1/4 AND THE NW 1/4 OF THE SE 1/4 OF SECTION 12, T 6 N, R 21 E, IN THE CITY OF MILWAUKEE, MILWAUKEE COUNTY, WISCONSIN.

**Sewer Easement Details**



NSR NO. 155726  
 national survey & engineering  
 4125 South 125th Street • Brookfield, Wisconsin 53005-0444  
 phone 414/781-1000 • fax 414/781-8488 • 800 414/781-0514

RECORDED  
 CERTIFIED SURVEY MAP  
 MAR 16 1994  
 DATE RECORDED  
 5960  
 MAP NO. 6922464  
 DOCUMENT NO. 1  
 CITY OF MILWAUKEE  
 DEPARTMENT OF  
 CITY DEVELOPMENT  
 603 N. BROADWAY ST.  
 MILWAUKEE, WIS. 53202  
 PHONE 223-5718

