

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

September 19, 2000

Mr. Carl Schultz
26645 Oak Lane
Wind Lake, WI 53185

Subject: Final Closure Letter for Carl Schultz Site, 7500 S. North Cape Rd., Franklin, WI
FID: 241864700, BRRTS: 03-41-095752.

Dear Mr. Schultz:

I have received the receipt from the register of deeds #7960948 that you sent on September 15, 2000, for the groundwater use restriction that was filed on September 14, 2000. Based on the investigation and remedial documentation provided to the Department, it appears that the above-named site is in compliance with the requirements of Chs. NR 700 to 724, Wis. Admin. Code. Therefore, the Department considers the case closed and tracked as such, having determined that no further action is necessary at the site at this time. However, the case may be reopened pursuant to S. NR 726.09, Wis. Admin. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, welfare, or the environment.

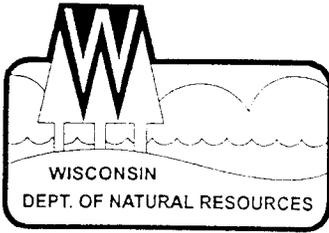
Please forward a copy of the filed document when available for our records.

The Department appreciates the actions you have taken to investigate and remediate the contamination at this site. If you have any questions or comments, please feel free to contact me at the above address or at (414) 263-8644. Please refer to the FID number at the top of this letter in any future correspondence. Future correspondence should be sent directly to the Remediation and Redevelopment programs assistant (263-8680) at the above address.

Sincerely,

John J. Hnat
Hydrogeologist
Remediation and Redevelopment

C: Kevin Hedinger, Envirogen
WDNR SER Files



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September 21, 2000

Mrs. Carl Schultz
26645 Oak Lane
Wind Lake, WI 53185

Subject: Addendum - Final Closure Letter for Carl Schultz Site, 7500 S. North Cape Rd., Franklin, WI FID: 241864700, BRRTS: 03-41-095752.

Dear Mrs. Schultz:

This letter addresses the contaminated soil left in-place for the above-named site, which I forgot to include in the final closure letter I sent you dated September 19, 2000. The conditional closure letter I sent on July 18, 2000 included this item that had to be addressed when I issued the final closure letter. I apologize for the inconvenience and the delay in this matter.

Contaminated Soil

All soil analytical results were compared with the risk screening criteria in ch. NR 746.06 Table 1 and Table 2 soil contaminate concentration values. After review it was found that:

1. No soil contamination is present at the site that exceeds any of the soil screening levels in Table 1, and,
2. There is no soil contamination within 4 feet of the ground surface that exceeds any of the direct contact soil contaminant concentrations for the substances listed in Table 2.

Therefore, Item 4 listed in my letter date July 18, 2000 addressing the contaminated soils left in-place is not required for this site.

The Department appreciates the actions you have taken to investigate and remediate the contamination at this site. If you have any questions or comments, please feel free to contact me at the above address or at (414) 263-8644.

Sincerely,

John J. Hnat
Hydrogeologist
Remediation and Redevelopment

C: Kevin Hedinger, Envirogen
WDNR SER Files

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 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.

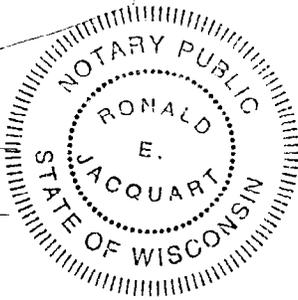
Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that the restrictions set forth in this covenant are no longer required. Upon receipt of such a request, the Wisconsin Department of 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 restriction is no longer binding.

IN WITNESS WHEREOF, the owners of the property have executed this Declaration of Restrictions, this 14th day of September, 2000.

Signature: Carl E. Schultz
Printed Name: Carl E. Schultz

Signature: Pearl H. Schultz
Printed Name: Pearl H. Schultz

Subscribed and sworn to before me
this 14th day of Sept, 2000.



Notary Public, State of Wisconsin
My commission Is permanent

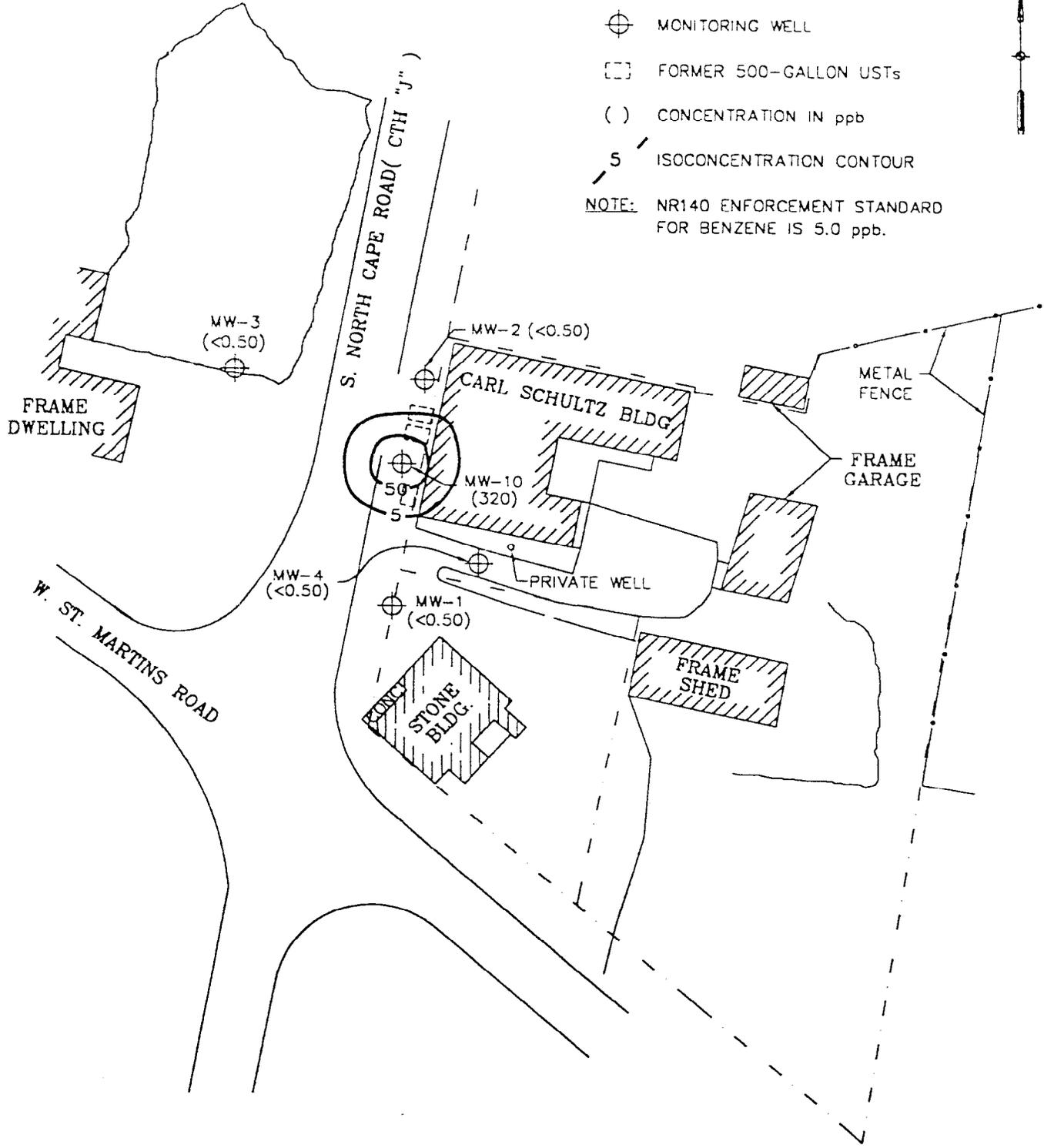
This document was drafted by Joseph W. Scherwenka based on information provided the Wisconsin Department of Natural Resources (revised August 25, 1999).

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LEGEND

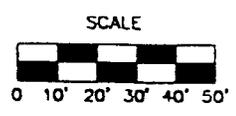
-  MONITORING WELL
-  FORMER 500-GALLON USTs
-  () CONCENTRATION IN ppb
-  5 ISOCONCENTRATION CONTOUR

NOTE: NR140 ENFORCEMENT STANDARD FOR BENZENE IS 5.0 ppb.

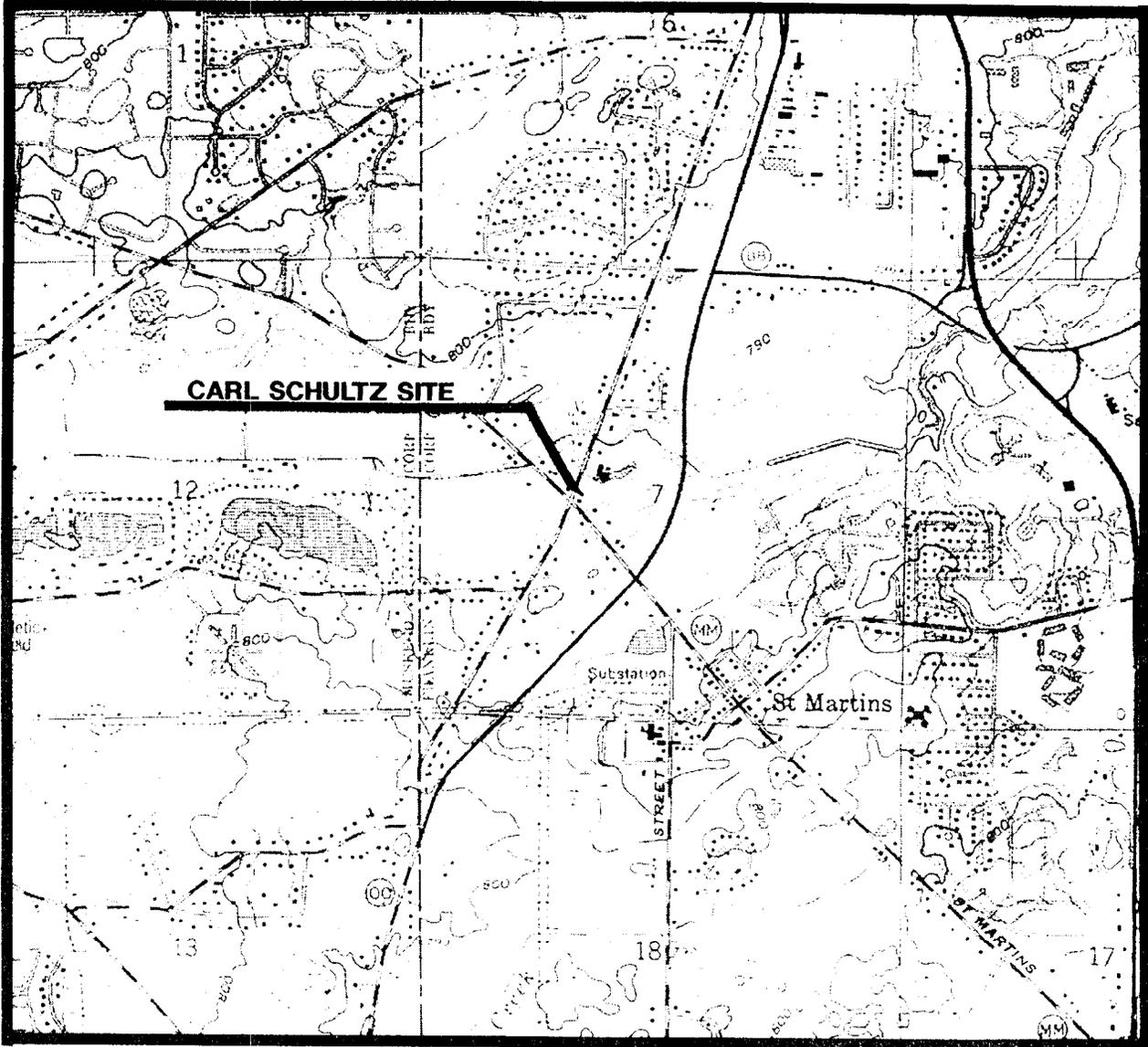


DATE	
ENGINEER	
DATE	
ENGINEER	
REVISIONS:	
APPROVED BY:	[Signature]
CHECKED BY:	
DATE	7/12/99
RRT	
DRAWN BY:	
DRAWING NO.	96.08.115

ENVIROGEN
 COST EFFECTIVE LEADERSHIP FOR A CLEANER ENVIRONMENT
 2835 North Grandview Blvd.
 Pewaukee, Wisconsin 53072-0090

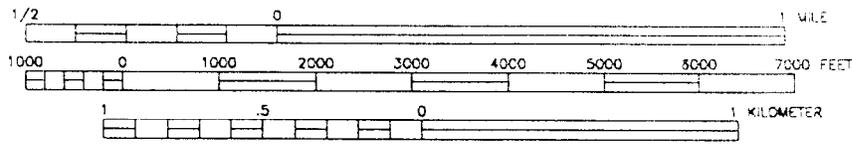


GROUNDWATER BENZENE DISTRIBUTION (12/16/96)	FIGURE NO. 1
CARL SCHULTZ - 7500 S NORTH CAPE ROAD SITE FRANKLIN, WISCONSIN	



(USGS [1959] 1994)
HALES CORNERS QUADRANGLE

SCALE
1:24000



CONTOUR INTERVAL 10 FEET



ENVIROGEN

COST EFFECTIVE LEADERSHIP FOR A CLEANER ENVIRONMENT

2035 North Granview Blvd.
Pewaukee, Wisconsin 53072-0000

SITE LOCATION MAP	FIGURE NO. 1
CARL SCHULTZ - 7500 S. NORTH CAPR ROAD SITE FRANKLIN, WISCONSIN	

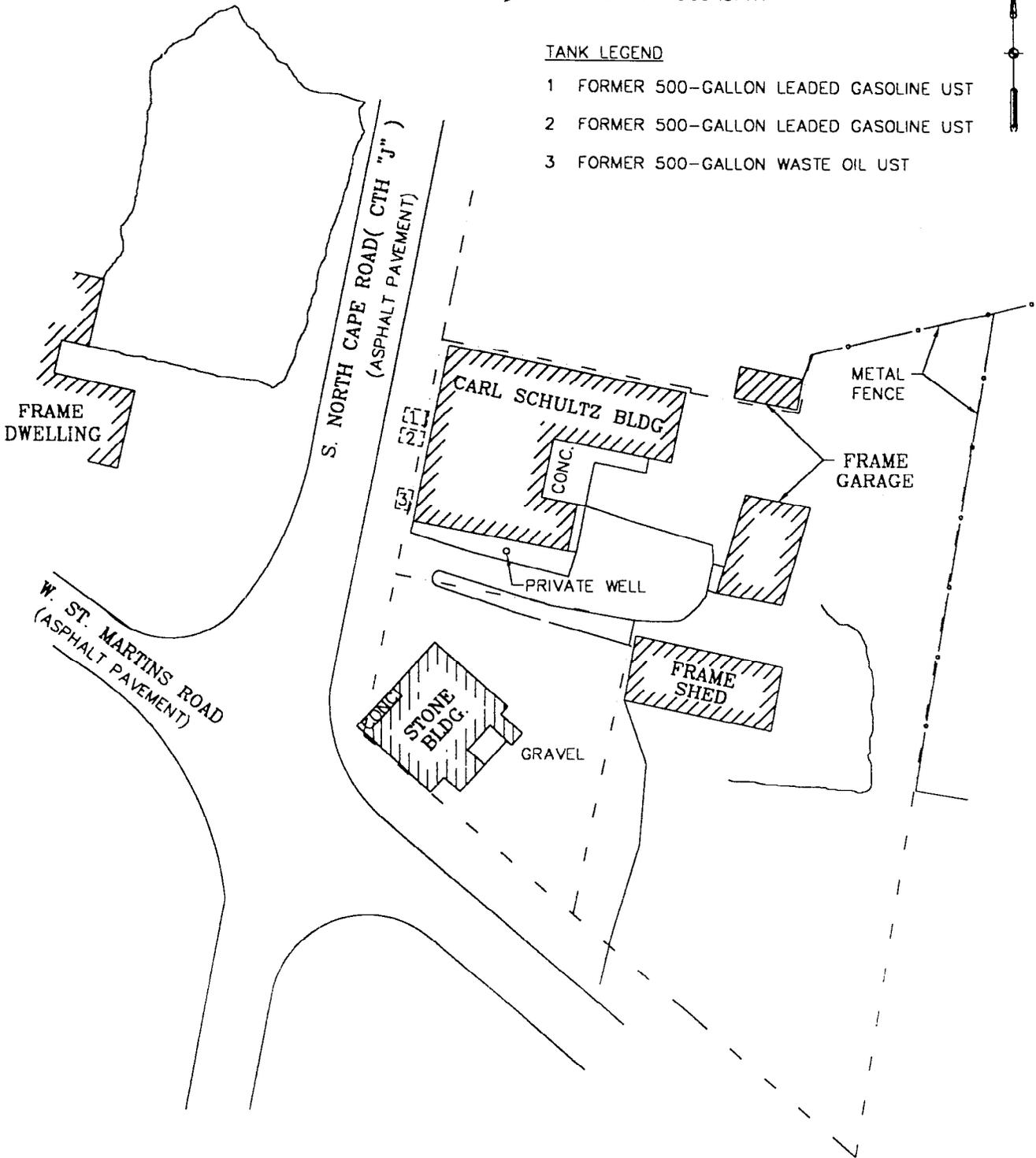
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ENGINEER	DATE
APPROVED BY: <i>[Signature]</i>	REVISIONS:
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DRAWN BY: RRT	96.08.11
DRAWING NO.	

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--- PROPERTY BOUNDARY

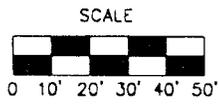
TANK LEGEND

- 1 FORMER 500-GALLON LEADED GASOLINE UST
- 2 FORMER 500-GALLON LEADED GASOLINE UST
- 3 FORMER 500-GALLON WASTE OIL UST



ENGINEER	DATE
ENGINEER	DATE
APPROVED BY: KTH	REVISIONS: 1/1/99
CHECKED BY:	7/12/99
DRAWN BY: RRT	
DRAWING NO. 96.081L2	

ENVIROGEN
 GOVT EFFECTIVE LEADERSHIP FOR A CLEANER ENVIRONMENT
 2835 North Grandview Blvd.
 Pewaukee, Wisconsin 53072-0090

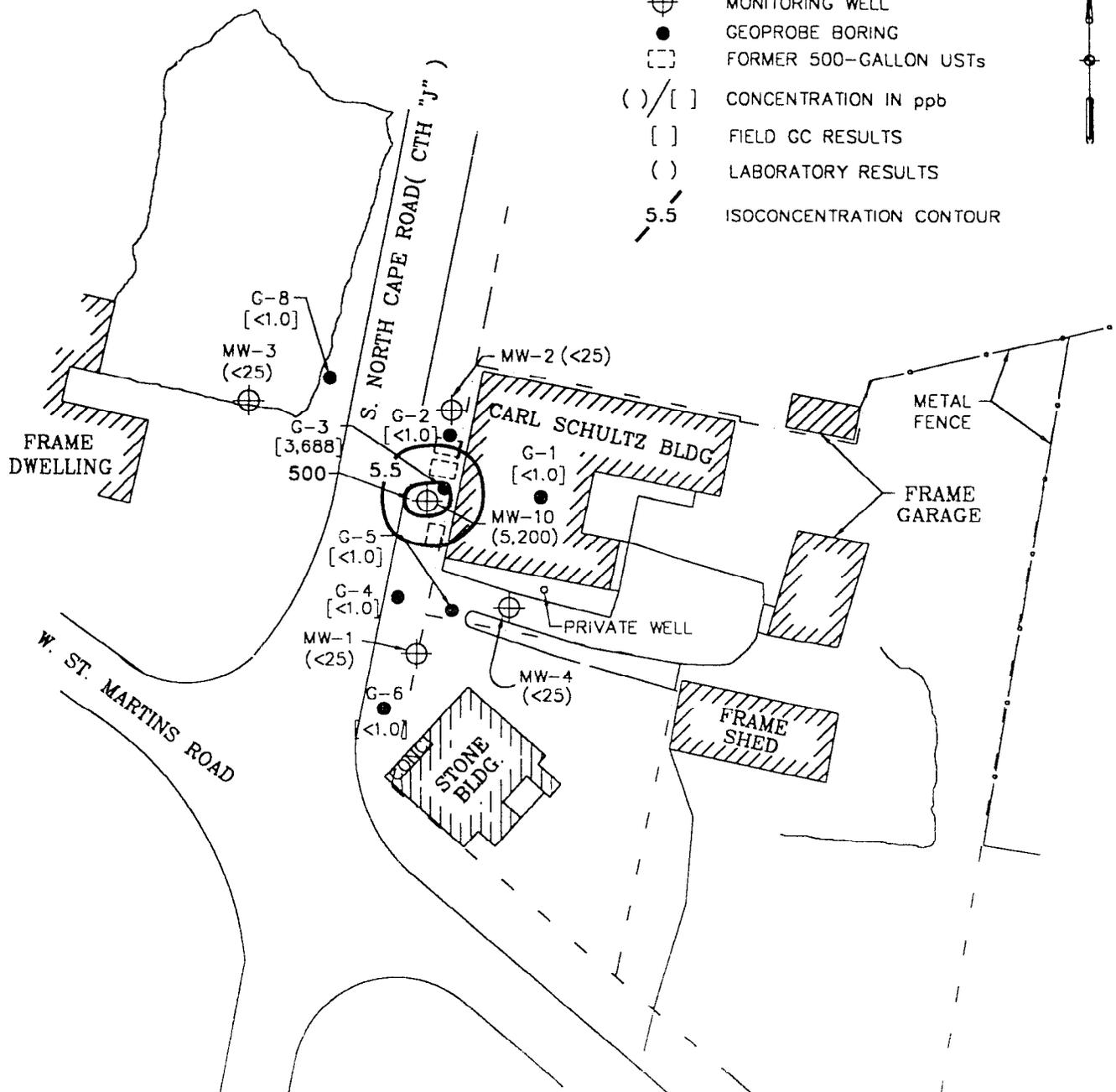


SITE PLAN VIEW
 CARL SCHULTZ-7500 S NORTH CAPE ROAD SITE
 FRANKLIN, WISCONSIN

FIGURE NO.
2

LEGEND

- ⊕ MONITORING WELL
- GEOPROBE BORING
- FORMER 500-GALLON USTs
- ()/[] CONCENTRATION IN ppb
- [] FIELD GC RESULTS
- () LABORATORY RESULTS
- 5.5 ISOCONCENTRATION CONTOUR

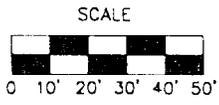


NOTES: NR720 GENERIC SOIL STANDARD FOR BENZENE IS 5.5 ppb
 THE OFFICIAL WDNR REPORTING LIMIT FOR SAMPLES COLLECTED AFTER 3/1/96 IS 25 ppb.



ENVIROGEN
 COST EFFECTIVE LEADERSHIP FOR A CLEANER ENVIRONMENT

2835 North Grandview Blvd.
 Pewaukee, Wisconsin 53072-0090

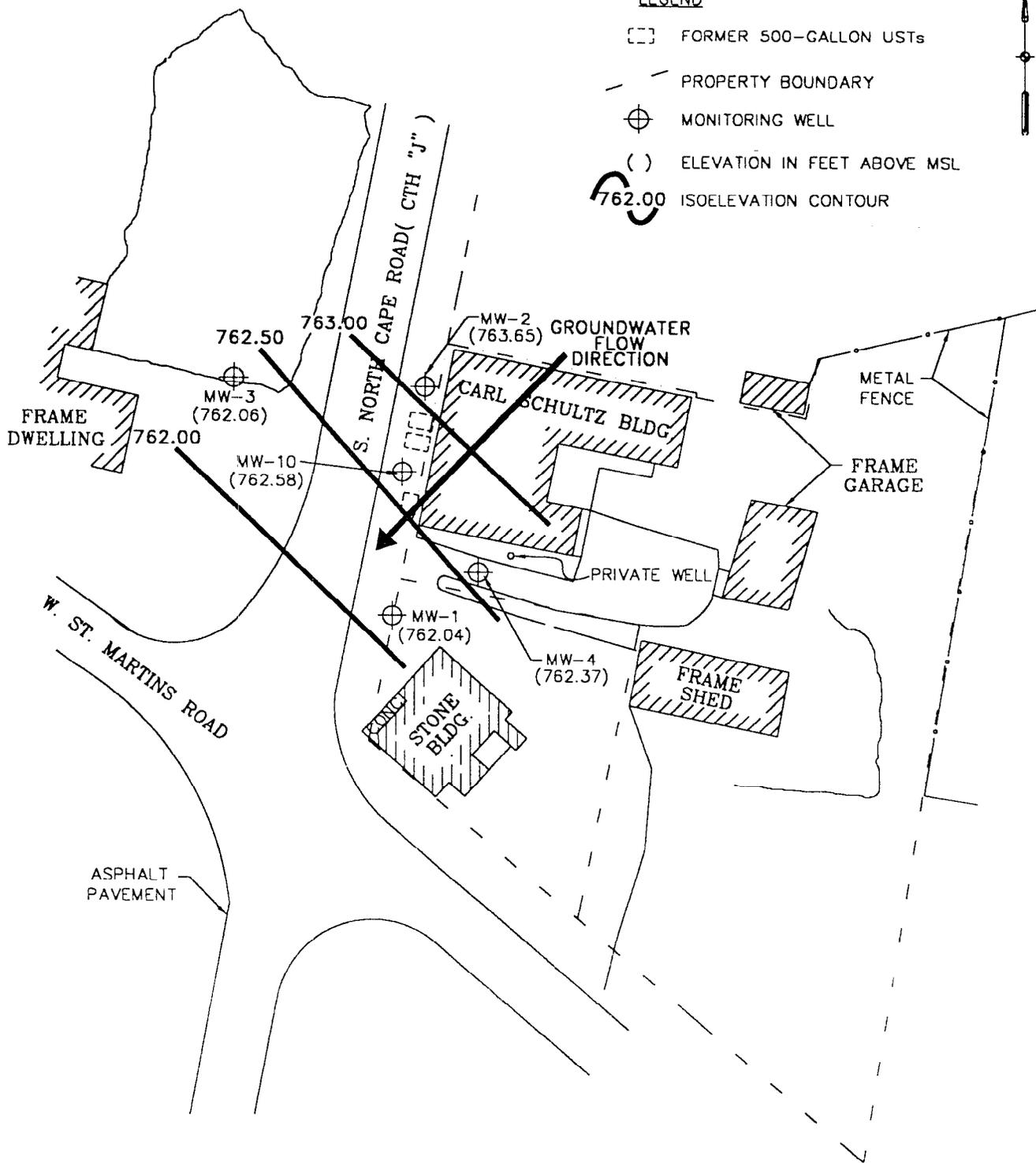


SOIL BENZENE DISTRIBUTION (7/30, 9/18 & 10/09/96) CARL SCHULTZ - 7500 S NORTH CAPE ROAD SITE FRANKLIN, WISCONSIN	FIGURE NO. 3
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DATE	ENGINEER	DATE	ENGINEER	REVISIONS:
				1/21/99
CHECKED BY:	RRT	7/12/99	APPROVED BY:	[Signature]
DRAWN BY:				
DRAWING NO.	96.08113			

LEGEND

-  FORMER 500-GALLON USTs
-  PROPERTY BOUNDARY
-  MONITORING WELL
-  ELEVATION IN FEET ABOVE MSL
-  ISOELEVATION CONTOUR



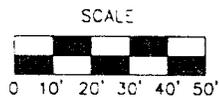
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REVISIONS:	
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CHECKED BY:	
7/12/99	
RRT	
DRAWN BY:	
96.08.17	
DRAWING NO.	



ENVIROGEN

COST EFFECTIVE LEADERSHIP FOR A CLEANER ENVIRONMENT

2835 North Grandview Blvd.
Pewaukee, Wisconsin 53072-0090

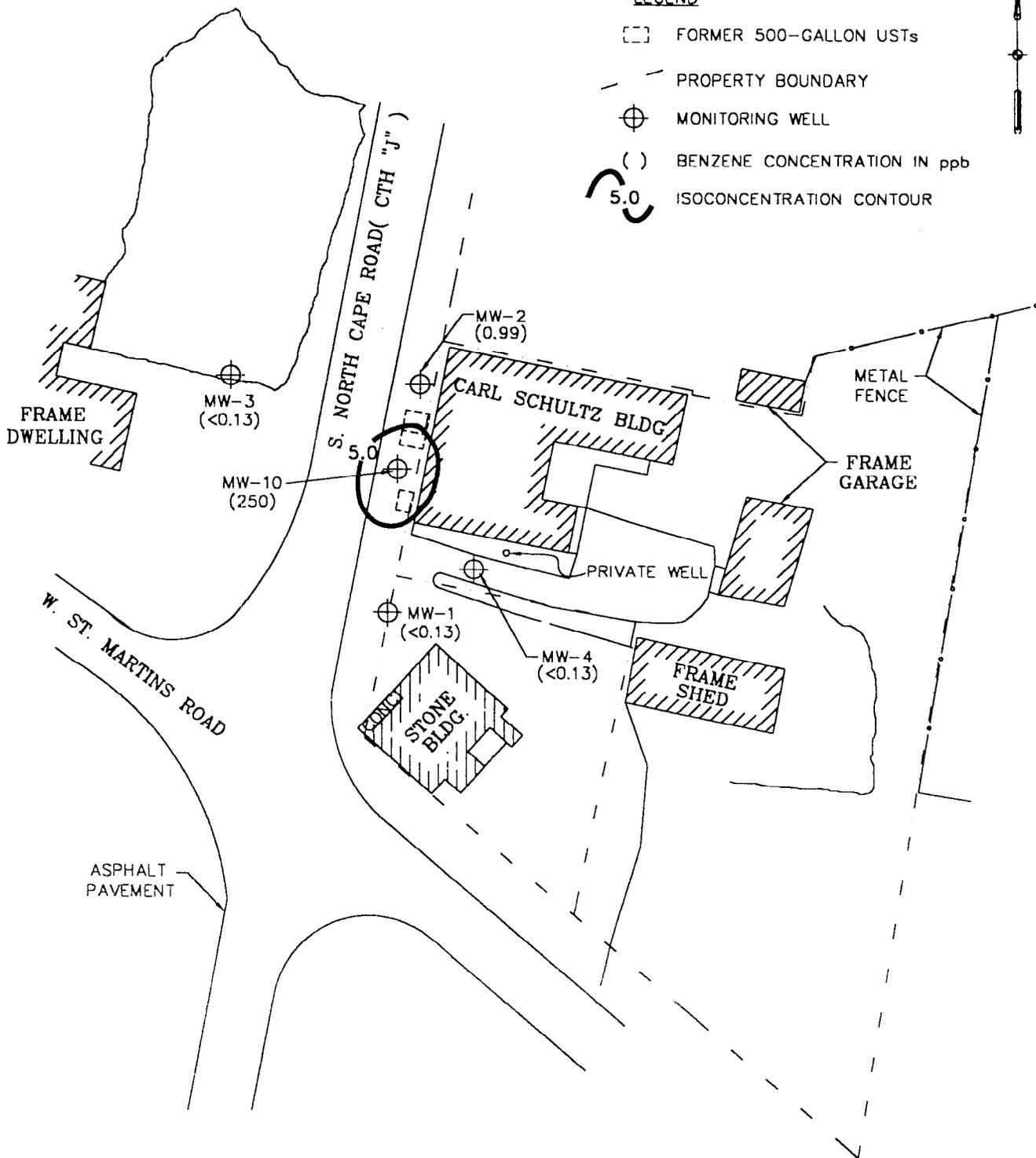


POTENTIOMETRIC SURFACE MAP (5/09/97)	FIGURE NO.
CARL SCHULTZ - 7500 S NORTH CAPE ROAD SITE FRANKLIN, WISCONSIN	7



LEGEND

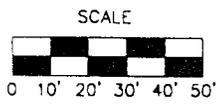
- FORMER 500-GALLON USTs
- PROPERTY BOUNDARY
- MONITORING WELL
- BENZENE CONCENTRATION IN ppb
- 5.0 ISOCONCENTRATION CONTOUR



ENGINEER	DATE
ENGINEER	DATE
APPROVED BY: <i>K. Wit</i>	REVISIONS: <i>7/12/99</i>
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96.08.11G	
DRAWING NO.	



2835 North Grandview Blvd.
Pewaukee, Wisconsin 53072-0090



GROUNDWATER BENZENE DISTRIBUTION
(8/12/97)
CARL SCHULTZ - 7500 S NORTH CAPE ROAD SITE
FRANKLIN, WISCONSIN

FIGURE NO.

6

TABLE 2

Summary of Groundwater Analytical Results
 Carl Schultz Site
 Franklin, Wisconsin

Well	Date	GRO	Benzene	Ethylbenzene	MTBE	naphthalene	Toluene	1,2,4-TMB	1,3,5-TMB	Xylenes	Lead
MW-1	9/24/96	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
	12/16/96	<50	<0.5	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<3.0	<1.5
	2/21/97	NA	<0.13	<0.22	0.97	NA	<0.20	<0.22	<0.29	<0.23	NA
	5/9/97	NA	<0.13	<0.22	<0.16	NA	<0.20	<0.22	<0.29	<0.23	NA
	8/12/97	NA	<0.13	<0.22	<0.16	NA	<0.20	<0.22	<0.29	<0.23	NA
MW-2	9/24/96	930	<0.50	<2.0	<2.0	<2.0	<2.0	4.9	<2.0	<6.0	NA
	12/16/96	720	<0.50	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<3.0	<1.5
	2/21/97	NA	<0.13	<5.5	<0.16	NA	1.5	<0.22	<0.29	<0.23	NA
	5/9/97	NA	0.32	0.90	<0.16	NA	1.1	0.89	<0.29	0.79	NA
	8/12/97	NA	0.99	<0.22	<0.16	NA	<0.20	0.97	<0.29	<9.0	NA
MW-3	9/24/96	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
	12/16/96	<50	<0.50	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<3.0	<1.5
	2/21/97	NA	<0.13	<0.22	0.46	NA	<0.20	<0.22	<0.29	<0.23	NA
	5/9/97	NA	<0.13	<0.22	<0.16	NA	<0.20	<0.22	<0.29	<0.23	NA
	8/12/97	NA	<0.13	<0.22	<0.16	NA	<0.20	<0.22	<0.29	<0.23	NA
MW-4	9/24/96	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
	12/16/96	<50	<0.50	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<3.0	<1.5
	2/21/97	NA	<0.13	<0.22	0.43	NA	<0.20	<0.22	<0.29	<0.23	NA
	5/9/97	NA	<0.13	<0.22	<0.16	NA	<0.20	<0.22	<0.29	<0.23	NA
	8/12/97	NA	<0.13	<0.22	<0.16	NA	<0.20	<0.22	<0.29	<0.23	NA
MW-10	9/24/96	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
	12/16/96	5,400	320	62	<5.0	24	37	420	170	130	2.8
	2/21/97	NA	84	<22	<0.80	NA	26	130	44	<3.5	NA
	5/9/97	NA	190	41	<0.80	NA	39	220	98	67	NA
	8/12/97	NA	250	120	<0.80	16	40	210	55	64	NA
NR 140 ES		NS	5	700	60	40	343	NS	NS	620	15

Notes:

(Continued)

All results are in ppb
 GRO: Gasoline Range Organics
 TMB: Trimethylbenzene
 NA: Not Analyzed
 NS: Not Sampled
 MTBE: Methyl-t-butyl ether

TABLE 3

Summary of Secondary Natural Attenuation Parameters
 Carl Schultz Site
 Franklin, Wisconsin

Well	Date	Nitrate (ppm)	Sulfate (ppm)	Dissolved Iron (ppm)	Dissolved Oxygen (ppm)	Alkalinity (ppm)	ORP (mV)	pH	Specific Conductance (μs/cm)	Temperature (°C)
MW-1	2/21/97	0.066	76	0.18	1.39	370	71.1	6.87	1470	8.62
	5/9/97	0.050	85	6.6	1.34	380	164.9	7.13	1319	8.92
	8/12/97	0.030	60	0.11	NA	380	NA	NA	NA	NA
MW-2	2/21/97	0.094	78	0.66	0.57	370	-30.4	6.81	1285	9.86
	5/9/97	0.56	86	1.1	0.45	360	175.8	7.15	784	8.84
	8/12/97	0.017	65	0.28	NA	360	NA	NA	NA	NA
MW-3	2/21/97	1.9	81	0.48	2.13	350	76.1	6.88	809	9.54
	5/9/97	1.7	85	1.0	2.95	350	176.6	7.17	671	8.85
	8/12/97	1.8	83	<0.019	5.34	340	265.5	6.74	756	10.89
MW-4	2/21/97	0.078	71	0.036	1.21	380	71.3	6.80	2500	4.52
	5/9/97	0.81	92	3.2	0.52	410	217.8	6.88	6737	8.43
	8/12/97	1.2	100	<0.019	1.62	400	291.4	6.34	8189	11.33
MW-10	2/21/97	0.11	64	0.80	0.33	390	-178.5	6.95	1107	10.76
	5/9/97	0.11	26	3.0	0.51	430	-136.4	7.23	2693	8.70
	8/12/97	0.042	42	1.0	NA	440	NA	NA	NA	NA

Notes:

ORP: Oxidation -Reduction Potential
 NA: Not Analyzed

TABLE 4

**Summary of Feasibility Soil Analytical Results
Carl Schultz Site
Franklin, Wisconsin**

Boring	Depth, feet	Benzene	Ethylbenzene	Toluene	Xylenes	MTBE	1,2,4-TMB	1,3,5-TMB	Lead
PZ-1	1-3	<12	<29	<29	<88	<29	282	623	9.6
Generic Soil Standards		5.5	2,900	1,500	4,100	NS	NS	NS	50

Notes:

All results are in $\mu\text{g}/\text{kg}$, except lead result is in mg/kg .

MTBE: Metyl t-butyl ether

TMB: Trimethylbenzene

TABLE 6

**Summary of Feasibility Groundwater Analytical Results
Carl Schultz Site
Franklin, Wisconsin**

Well	Date	Benzene	Ethylbenzene	Toluene	Xylene	MTBE	1,2,4-TMB	1,3,5-TMB
PZ-1	8/12/97	12	18	14	6.1	<0.80	18	<1.4
NR 140 Enforcement Standards		5	700	343	620	60	480	480

Notes:

All results are in ppb.

TMB: Trimethylbenzene

MTBE: Methyl-t-butyl ether

TABLE 7

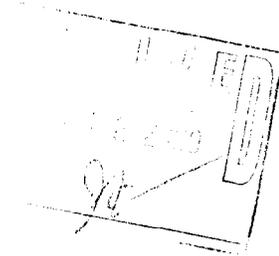
**Summary of Potable Well Analytical Results
Carl Schultz Site
Franklin, Wisconsin**

Well	Date	Benzene	Ethylbenzene	Toluene	Xylene
7500 N. Care Road	2/21/97	<0.50	<1.0	<1.0	<2.0
	8/12/97	<0.40	<0.40	<0.32	<1.03
7508 N. Cape Road	2/21/97	<0.50	<1.0	<1.0	<2.0
	8/12/97	<0.40	<0.40	<0.32	<1.03
11950 W. St. martin Road	2/21/97	<0.50	<1.0	<1.0	<2.0
	8/12/97	<0.40	<0.40	<0.32	<1.03

August 8, 2000

Mr. William Heinemann
Milwaukee County Director of Public Works
907 North 10th Street
Room 305
Milwaukee, Wisconsin 53233

Re: Soil Contamination in the Right of Way
7500 South North Cape Road
Franklin, Wisconsin
WDNR BRRTS No. 03-41-095752



Dear Mr. Heinemann:

The purpose of this letter is to notify Milwaukee County that soil and groundwater contamination above the Wisconsin Department of Natural Resources (WDNR) standards has been left in place in the right of way adjacent to North Cape Road at the above-referenced property.

This property was used as a gasoline service station until approximately 1960 when gasoline retail service was discontinued. There were underground storage tanks left in place at the time the service station was closed. In December 1995, the underground storage tanks were abandoned in place by cleaning the tanks and filling them with an inert material. A subsequent investigation was conducted in accordance with Wisconsin Administrative Code NR 716 and identified soil and groundwater contamination in the right of way along South North Cape Road. Maps showing the approximate location of the soil and groundwater contamination are attached.

Four groundwater sampling events were conducted following the completion of the site investigation to assess the dynamics of the soil and groundwater contamination. Based on the results of the sampling, natural attenuation was selected as the remedial alternative for the site. Natural attenuation can be applied to a site if it can be demonstrated that the soil and groundwater do not present a threat to public health and the environment.

The information collected from all the activities at the site in relation to the USTs were compiled in a Closure Assessment Report in compliance with WAC NR726 and were submitted to the WDNR for review. Recently, the WDNR reviewed the information submitted and concurred with the recommendation of closure of the site using natural attenuation. One of the conditions of the closure was that the property owner would notify the municipality that maintains the right of way along North Cape Road. This letter is intended to serve as the notification of soil and groundwater contamination in the right of way along North Cape Road and to identify the extent of the contamination.

The petroleum soil contamination above NR720 and NR 746 standards is present at depths of 5 to 20 feet below land surface and extends from 20 feet south of the southwest corner of the building to 30 feet north of the southwest corner of the building.

Groundwater at the site was encountered at a depth of approximately 15 feet below land surface. The petroleum groundwater contamination above the NR 140 enforcement standards extends from the southwest corner of the building north for approximately 35 feet.

If Milwaukee County does not maintain the right of way along North Cape Road or if you should have any questions regarding this information please contact myself at (262) 895-6194 or Kevin Hedinger of Envirogen at (262) 549-6898.

Sincerely,

A handwritten signature in black ink, appearing to read "Carl Schultz". The signature is written in a cursive, somewhat stylized font.

Carl Schultz

5/25/97

APPROVED BY: HMO

5/25/97

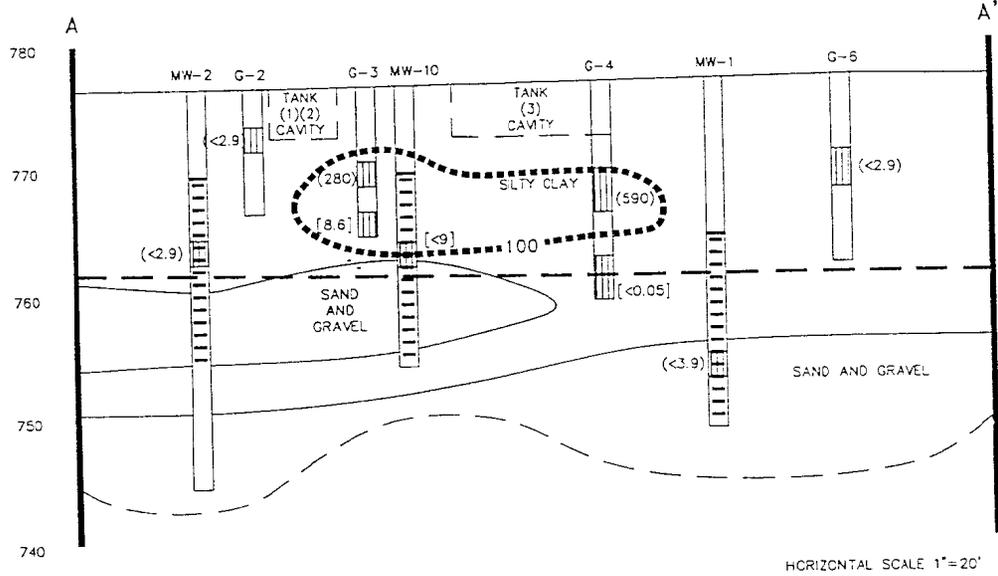
CHECKED BY: TRS

5/22/97

DRAWN BY: KMA

DRAWING NO. 96.081R48

VERTICAL SCALE 1"=10'
ELEVATIONS IN FEET ABOVE MSL



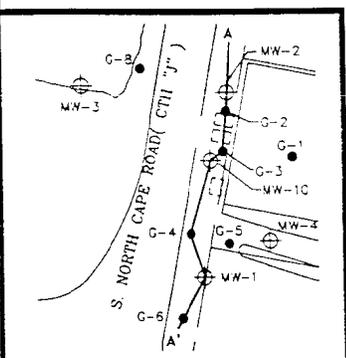
HORIZONTAL SCALE 1"=20'

LEGEND

- SAMPLE INTERVAL
- SCREENED INTERVAL
- GROUNDWATER TABLE (12/23/96)
- LABORATORY GRO CONCENTRATION IN ppm
- FIELD GRO CONCENTRATION IN ppm
- 100 ISOCONCENTRATION CONTOUR

NOTES: THE NR720 GENERIC SOIL STANDARD FOR GRO IS 100 ppm.

PLAN VIEW



Soil GRO Distribution
Cross-Section A-A'
7500 S. North Cape Road Site
Franklin, Wisconsin

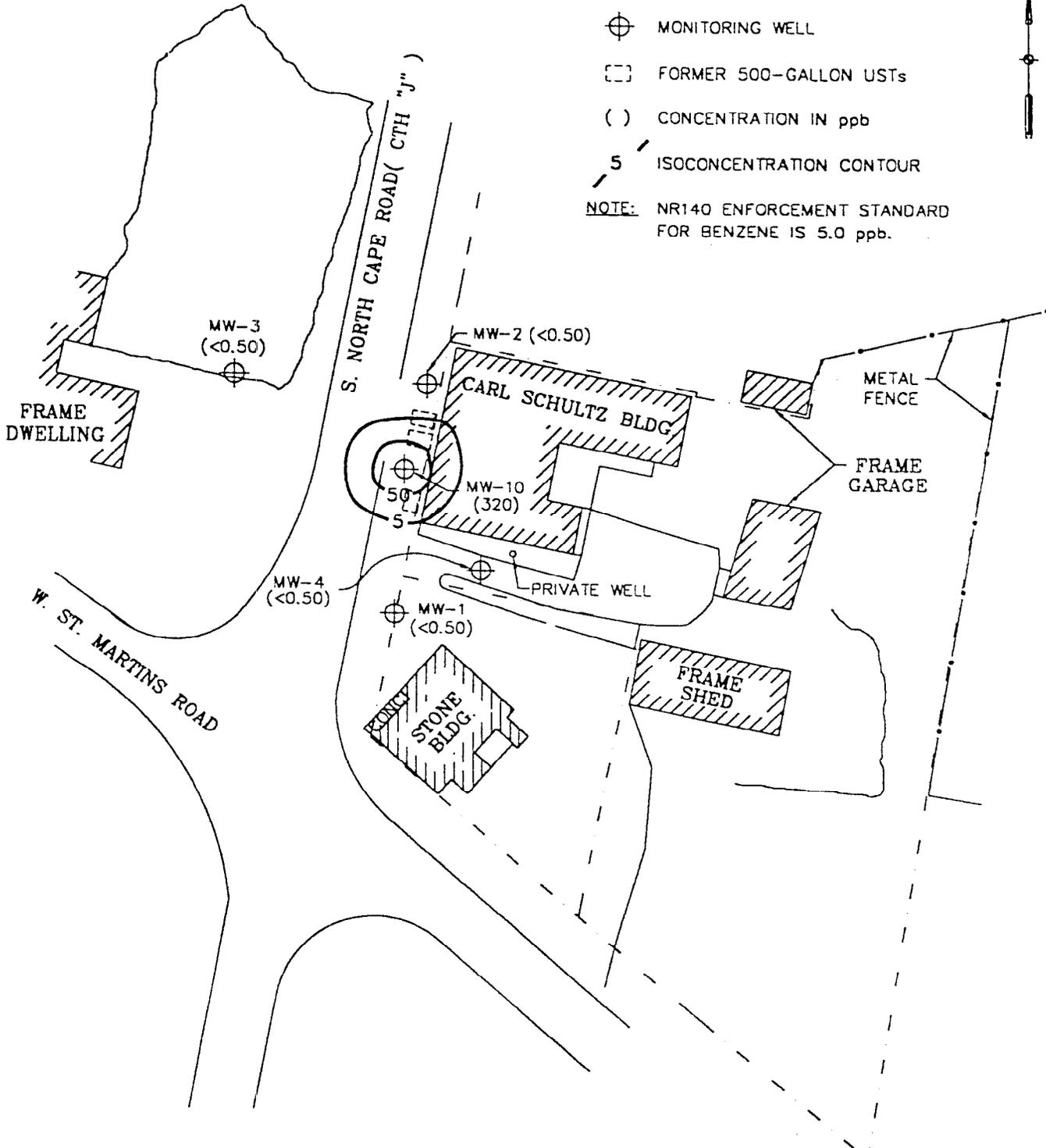
FIGURE NO.

ALL INTERPRETATIONS IN THIS FIGURE ARE BASED ON KNOWN POINTS IN TIME AND SPACE AND ARE INTEGRAL TO A WHITTEN REPORT AND SHOULD BE REVIEWED IN THAT CONTEXT.

LEGEND

- ⊕ MONITORING WELL
- [] FORMER 500-GALLON USTs
- () CONCENTRATION IN ppb
- 5 --- ISOCONCENTRATION CONTOUR

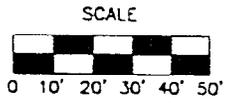
NOTE: NR140 ENFORCEMENT STANDARD FOR BENZENE IS 5.0 ppb.



ENGINEER	DATE
ENGINEER	DATE
REVISIONS:	
APPROVED BY: K.H.H.	
CHECKED BY:	
7/12/99	
RRT	
DRAWN BY:	
96.08115	
DRAWING NO.	

ENVIROGEN
 COST EFFECTIVE LEADERSHIP FOR A CLEANER ENVIRONMENT

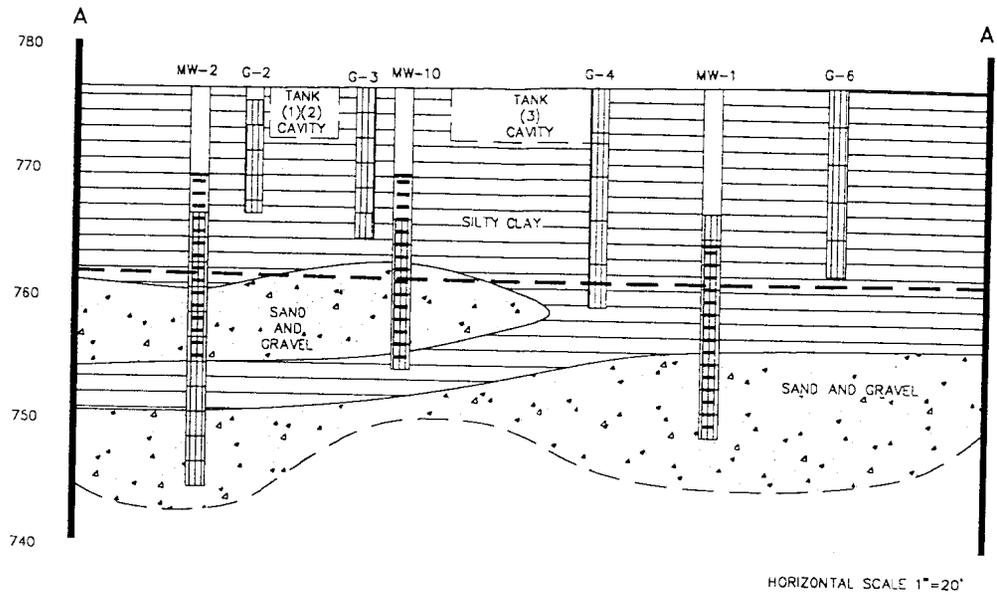
2835 North Grandview Blvd.
 Pewaukee, Wisconsin 53072-0090



GROUNDWATER BENZENE DISTRIBUTION
 (12/16/96)
 CARL SCHULTZ - 7500 S NORTH CAPE ROAD SITE
 FRANKLIN, WISCONSIN

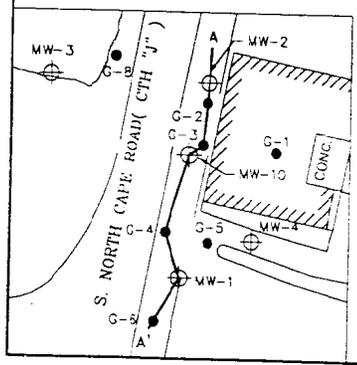
FIGURE NO.

VERTICAL SCALE 1"=10'
ELEVATIONS IN FEET ABOVE MSL



HORIZONTAL SCALE 1"=20'

PLAN VIEW



- LEGEND
-  SAMPLE INTERVAL
 -  SCREENED INTERVAL
 -  GROUNDWATER TABLE (12/23/98)

ENVIROGEN
 MOST EFFECTIVE LEADERSHIP FOR A CLEANER ENVIRONMENT
 2535 North Grandview Drive
 Pewaukee, Wisconsin 53072-0000

GEOLOGIC CROSS-SECTION A-A'
 CARL SCHULTZ - 7500 S. NORTH CAPE ROAD SITE
 FRANKLIN, WISCONSIN

DATE	
NUMBER	
REVISIONS:	
APPROVED BY:	KMH
CHECKED BY:	
DATE	7/12/99
DRAWN BY:	KST
DRAWING NO.	SIG 08114

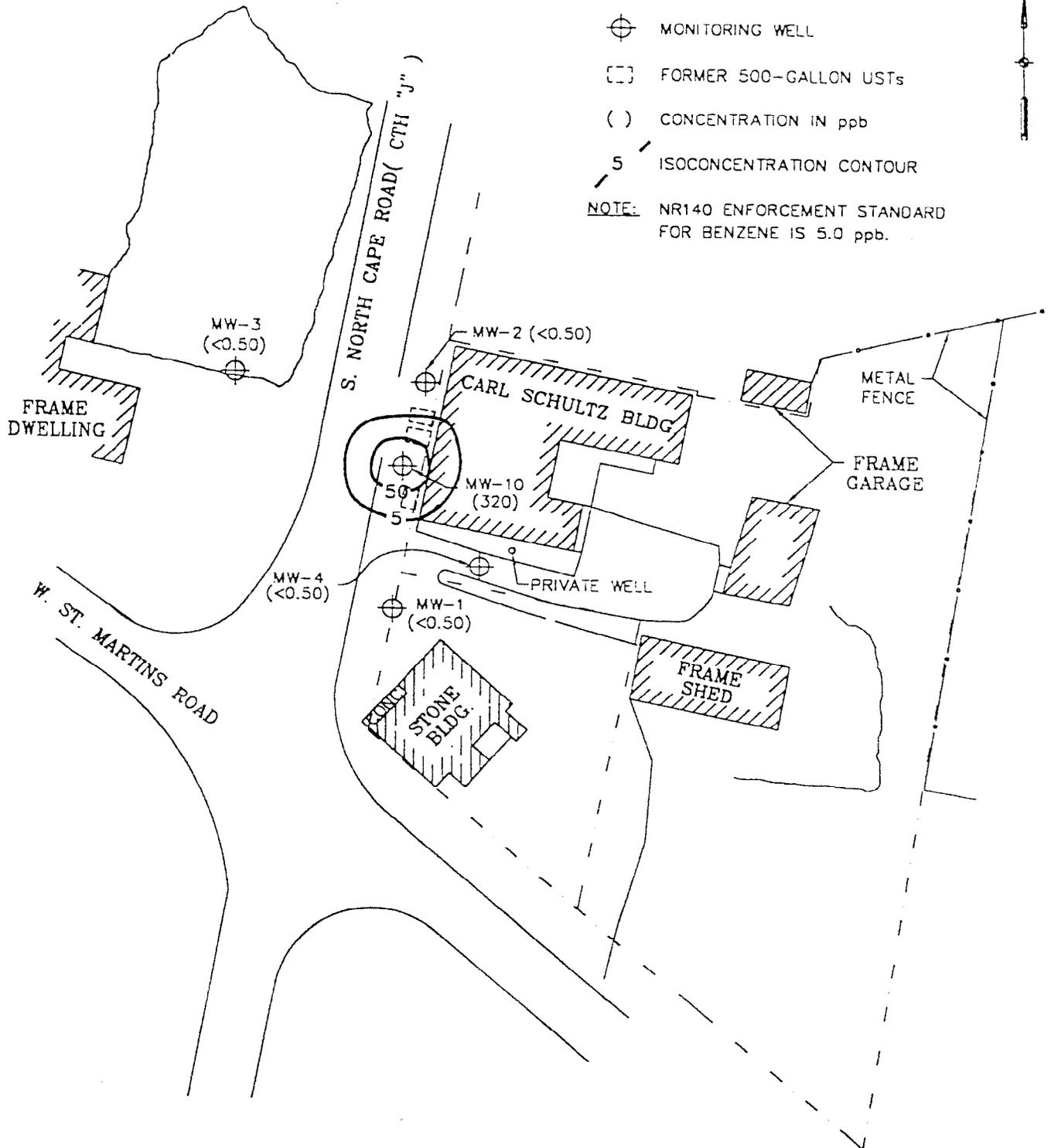
LEGEND

-  MONITORING WELL
-  FORMER 500-GALLON USTs
-  CONCENTRATION IN ppb
-  ISOCONCENTRATION CONTOUR

NOTE: NR140 ENFORCEMENT STANDARD FOR BENZENE IS 5.0 ppb.



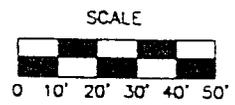
DATE	
ENGINEER	
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ENGINEER	
REVISIONS:	
APPROVED BY:	
CHECKED BY:	
7/12/99	
KKI	
DRAWN BY:	
96.06115	
DRAWING NO.	



ENVIROGEN

COST EFFECTIVE LEADERSHIP FOR A CLEANER ENVIRONMENT

2835 North Grandview Blvd.
Pewaukee, Wisconsin 53072-0090



GROUNDWATER BENZENE DISTRIBUTION (12/16/96)	FIGURE NO. 1
CARL SCHULTZ - 7500 S NORTH CAPE ROAD SITE FRANKLIN, WISCONSIN	