State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

WISCONSIN
DEPT. 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 30, 1999

Mr. George Rosenberger
8107 West North Avenue
Wauwatosa, WI 53213

Subject: Final Closure for Rosenberger's Auto, 8107 West North Avenue, Wauwatosa, WI FID: 241888570, BRRTS: 03-41-107098.

Dear Mr. Rosenberger:

This letter acknowledges the receipt of the groundwater use/deed restriction and well abandonment forms submitted by Foley & Lardner dated July 27, 1999. 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.

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 Brenda Brown (263-8680) at the above address.

Sincerely,

John J. Hnat
Hydrogeologist
Remediation and Redevelopment

C: Joel Clemence, Fluid Management
Bruce Keys, Foley & Lardner
WDNR SER Files

7776535

REGISTER'S OFFICE | SS
Milwaukee County, WI |

RECORDED AT 2:03 PM

07-21-1999

REEL_____IMAGE_____

WALTER R. BARCZAK
REGISTER OF DEEDS

AMOUNT 18.00

Recording Area

Document Number

GROUNDWATER USE RESTRICTION

The North Sixty-Five (65) feet of Lots numbered One (1) and Two (2) in Block numbered One (1) in Alamo Park, being a Resubdivision of a part of Assessor's Plat No. 6, in the North East One-Quarter (1/4) of Section numbered Twenty-One (21), in Township numbered Seven (7) North, Range numbered Twenty-One (21) East, in the City of Wauwatosa, County of Milwaukee and State of Wisconsin.

Foley & Lardner
Attn: Mario J. Tarara
777 East Wisconsin Avenue
Milwaukee, Wisconsin 53202
Name and Return Address

343-0096-00
Parcel Identification No.

Declaration of Restrictions:

STATE OF WISCONSIN

COUNTY OF MILWAUKEE

WHEREAS, George F. Rosenberger, Jr. and Althea M. Rosenberger are the joint owners of the above described property.

WHEREAS, one or more Petroleum-related discharges have occurred at this property. Petroleum-related contaminated groundwater above ch. NR 140 enforcement standards exists on this property at the following location(s): **benzene at 91 micrograms per liter in the location of monitoring well, MW-3, identified on the map (Figure 1), attached and hereby made part of the document.** Petroleum-related soil contamination exists at the following locations: **diesel range organics (DRO) and gasoline range organics (GRO) distributions are illustrated in Figures 2 and 3, respectively, attached and hereby made part of the document.**

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.

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:

> 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 construction or reconstruction 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, 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 owner of the property has executed this Declaration of Restrictions, this 18th day of July, 1999

Signature: George F. Rosenberger Jr. Althea M. Rosenberger

Printed Name: George F. Rosenberger Jr. Althea M. Rosenberger

Subscribed and sworn to before me

this 18th day of July 1999

Notary Public State of Wisconsin

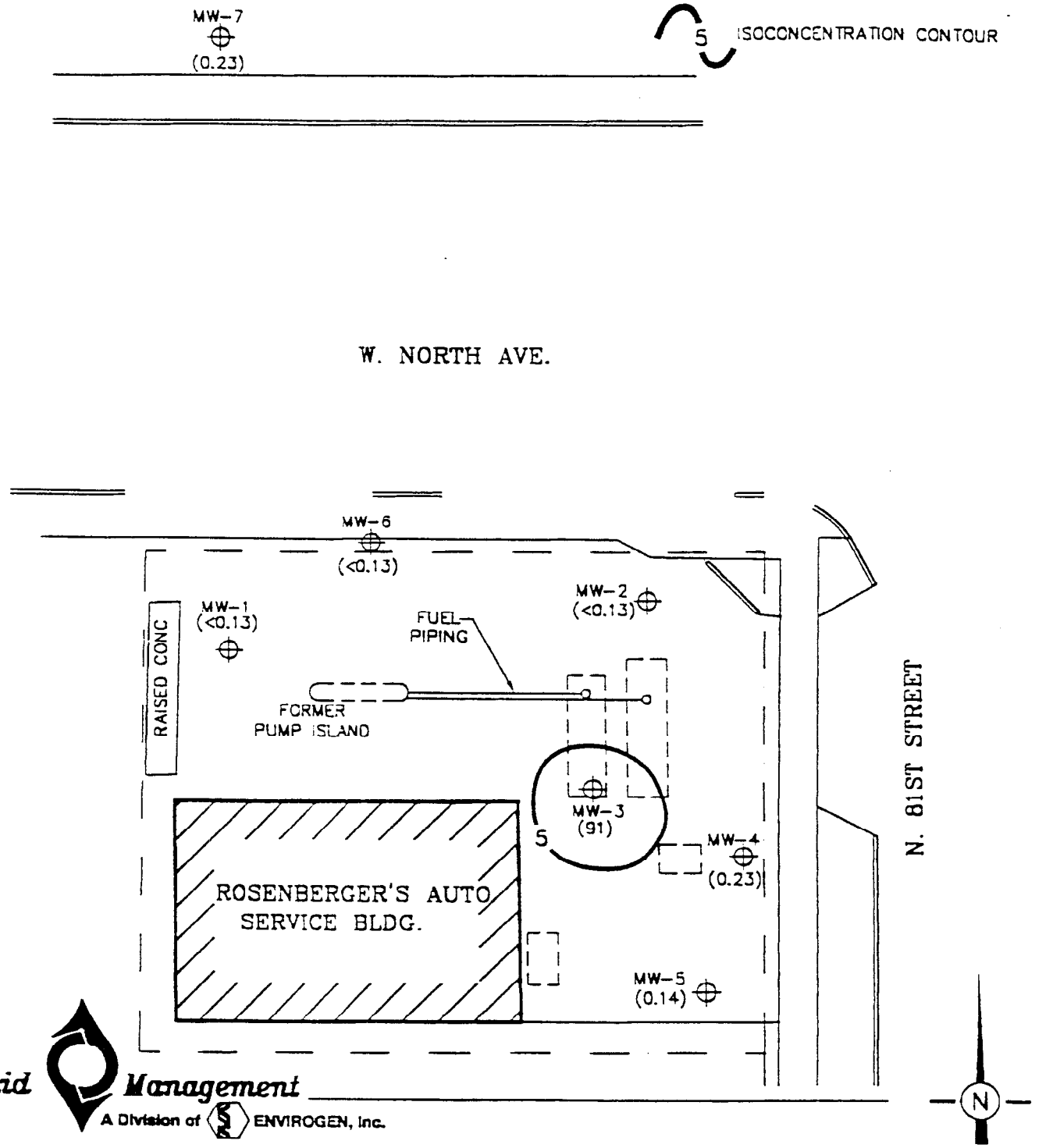
My commission is permanent

Drafted by: Mr. Joel Clemence, Envirogen
2835 North Grandview Boulevard
Pewaukee, Wisconsin 53072-0090

NOTES: ALL UST AND PIPING LOCATIONS ARE APPROXIMATE.
THE NR140 ENFORCEMENT STANDARD FOR BENZENE IS 5.0 ppb.

LEGEND

- FORMER UST CAVITY
- MONITORING WELL
- ( ) BENZENE CONCENTRATION IN ppb
- 5 ISOCONCENTRATION CONTOUR



Fluid Management
A Division of ENVIROGEN, Inc.

SCALE
0 10' 20'

Groundwater Benzene Distribution (3/2/98)
Rosenberger's Auto Service Site
Wauwatosa, Wisconsin

FIGURE NO.
1

DRAWING NO. 93.931L3 | DRAWN BY: LME | 5/12/98 | CHECKED BY: | APPROVED BY: | 8-12-9

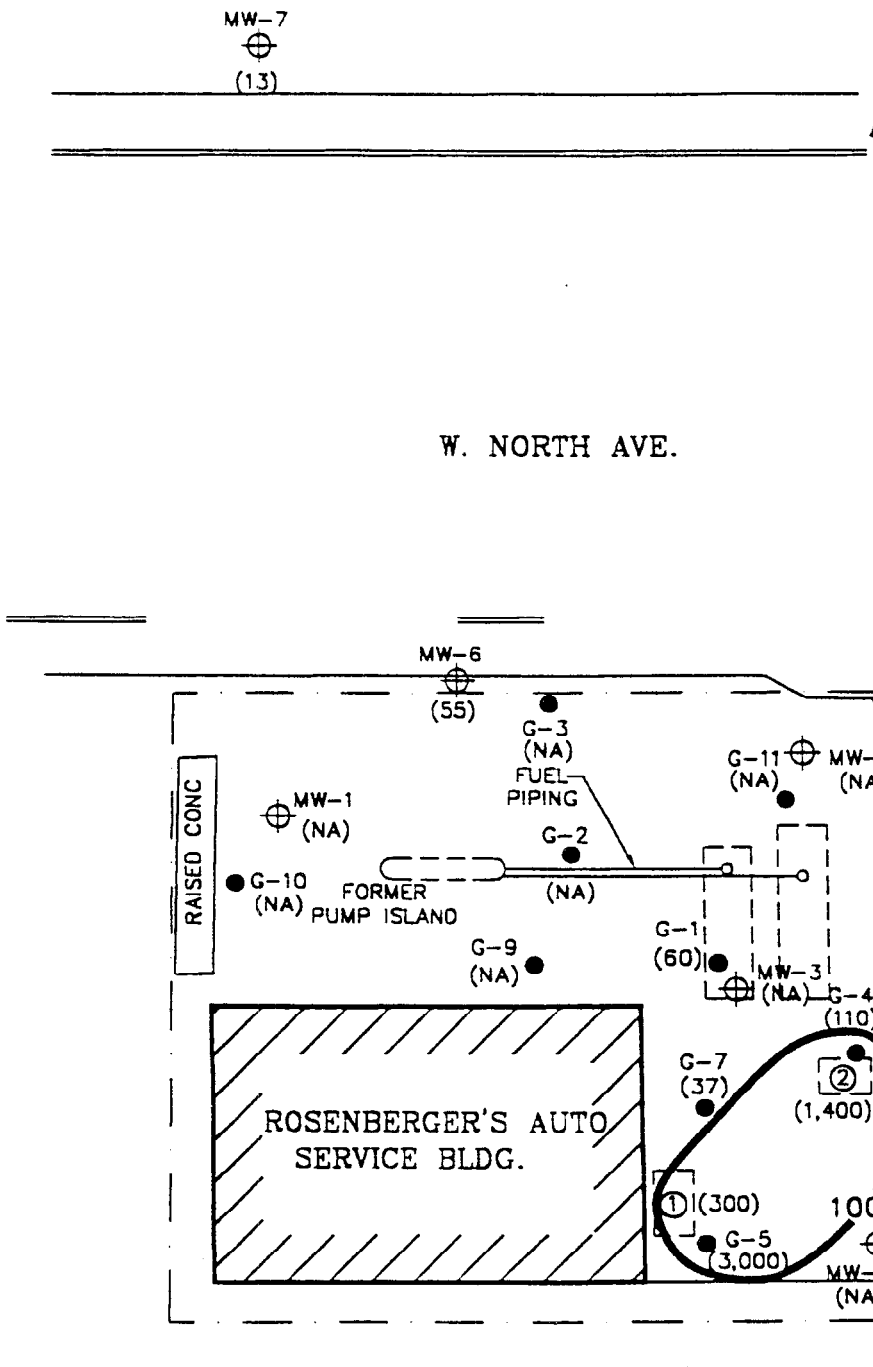
THE INTERPRETATIONS IN THIS FIGURE ARE BASED ON KNOWN POINTS IN TIME AND SPACE AND ARE INTEGRAL TO A WRITTEN REPORT AND SHOULD BE REVIEWED IN THAT CONTEXT.

NOTE: ALL UST AND PIPING LOCATIONS ARE APPROXIMATE.
THE NR720 GENERIC SOIL STANDARD FOR DRO IS 100 ppm.

LEGEND

- FORMER UST CAVITY
- MONITORING WELL
- GEOPROBE POINT
- (NA) NOT ANALYZED
- ( ) CONCENTRATION IN ppm
- 100 ISOCONCENTRATION CONTOUR
- ① UST REMOVAL SOIL SAMPLE LOCATION

N



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

SCALE
0 10' 20'

SOIL DRO DISTRIBUTION
(6/24/96, 1/27-29/97, 2/10/97, & 6/10/97)
ROSENBERGER'S AUTO SERVICE SITE
WAUWATOSA, WISCONSIN

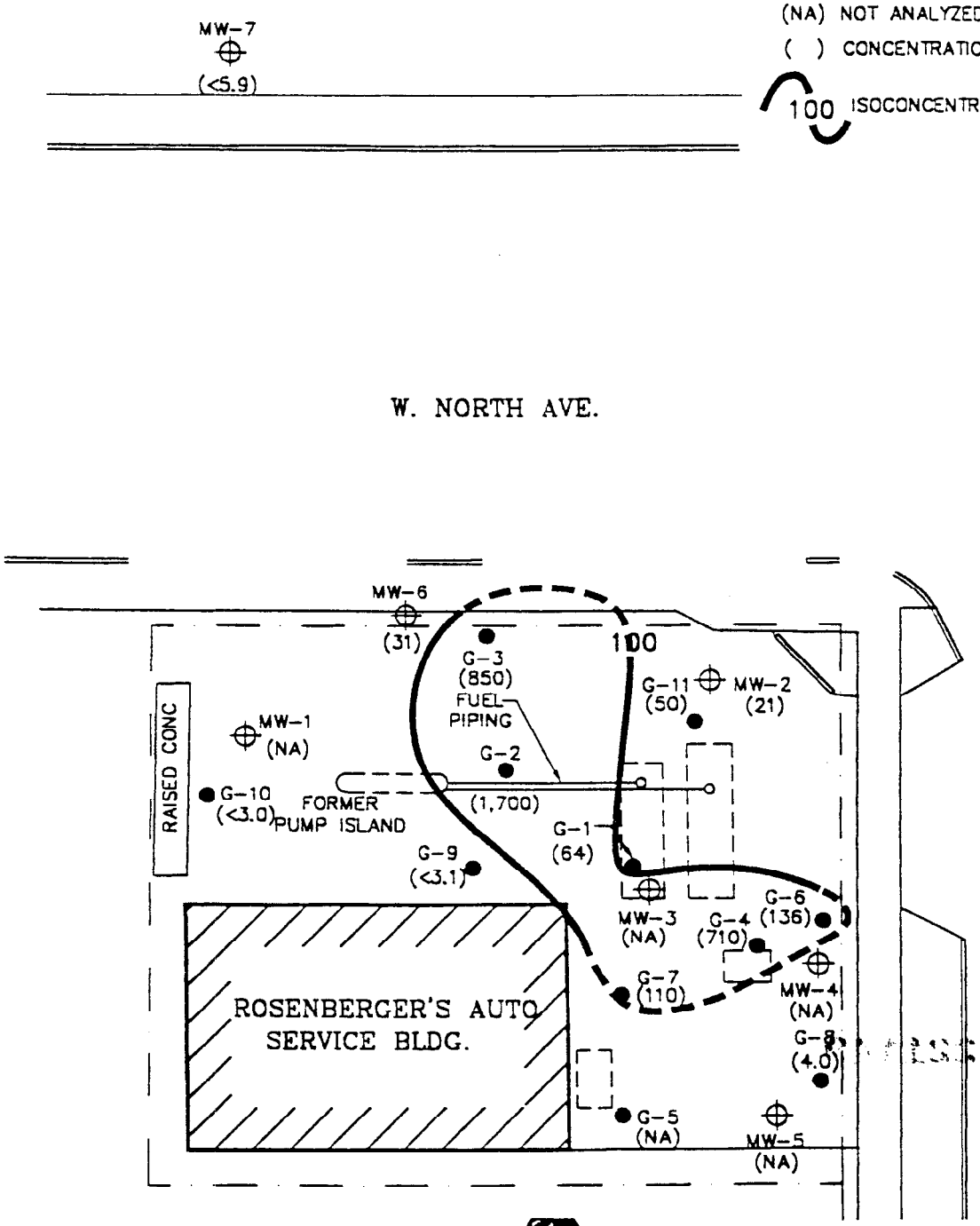
FIGURE NO. 2

DRAWING NO.	93.931.2	DRAWN BY:	LME	CHECKED BY:	4/22/99	APPROVED BY:	REVISIONS:	ENGINEER	DATE	ENGINEER	DATE

NOTE: ALL UST AND PIPING LOCATIONS ARE APPROXIMATE.
THE NR720 GENERIC SOIL STANDARD FOR GRO IS 100 ppm.

LEGEND
- FORMER UST CAVITY
- MONITORING WELL
- GEOPROBE POINT
- (NA) NOT ANALYZED
- ( ) CONCENTRATION IN ppm
- 100 ISOCONCENTRATION CONTOUR

N



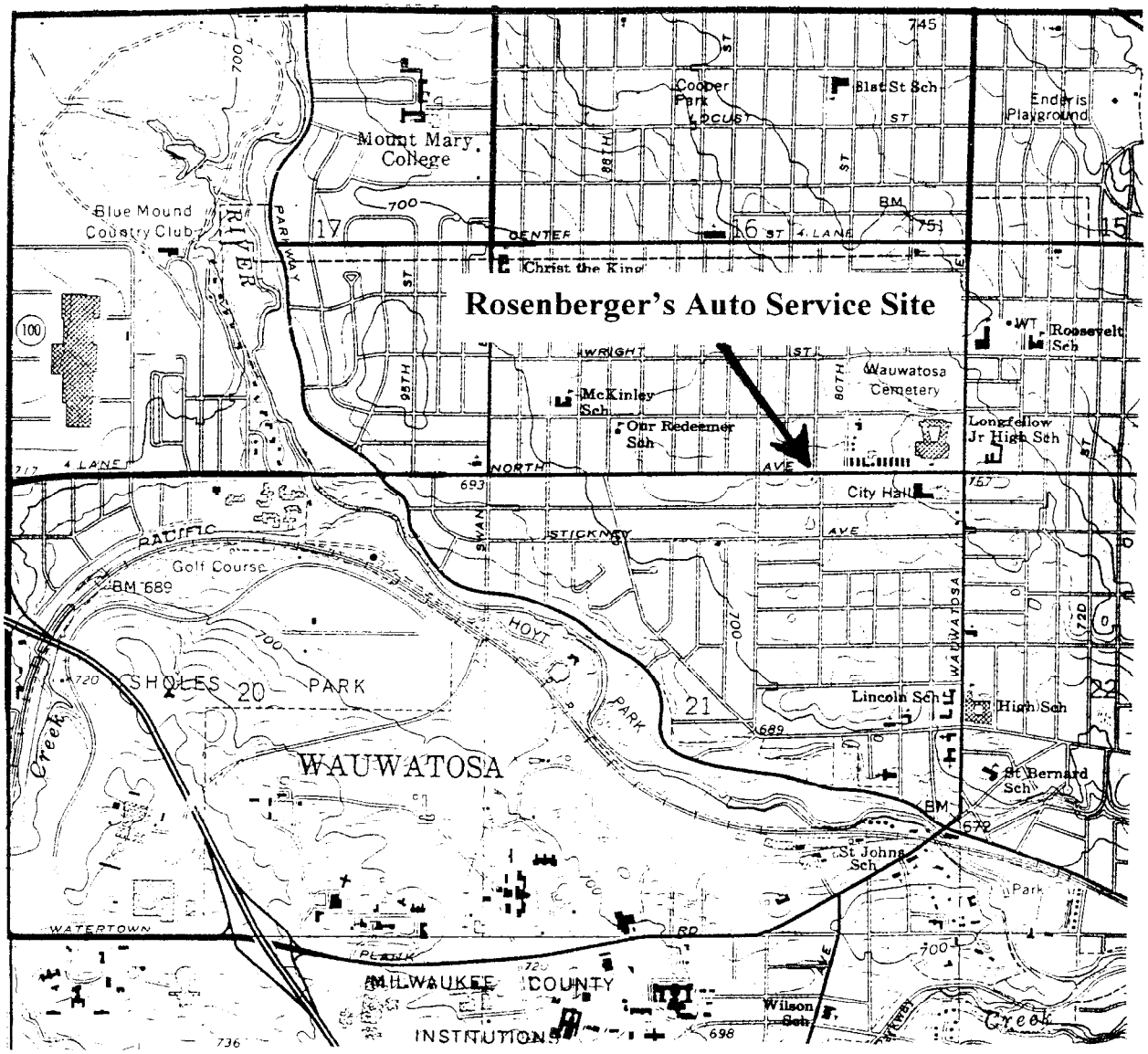
ENVIROGEN
COST EFFECTIVE LEADERSHIP FOR A CLEANER ENVIRONMENT
2835 North Grandview Blvd.
Pewaukee, Wisconsin 53072-0090

SCALE
0 10' 20'

SOIL GRO DISTRIBUTION
(1/27-29/97, 2/10/97, & 6/10/97)
ROSENBERGER'S AUTO SERVICE SITE
WAUWATOSA, WISCONSIN

FIGURE NO. 3

DRAWING NO.	93.931.1	DRAWN BY:	LME	CHECKED BY:	4/22/99	APPROVED BY:	REVISIONS:	ENGINEER	DATE	ENGINEER	DATE



(USGS [1958] 1976)

SCALE
1:24000

1/2 0 1 MILE

1000 0 1000 2000 3000 4000 5000 6000 7000 FEET

1 .5 0 1 KILOMETER

CONTOUR INTERVAL 10 FEET

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N

LOCATION

Site Location Map
Rosenberger's Auto Service Site
Wauwatosa, Wisconsin

FIGURE NO.

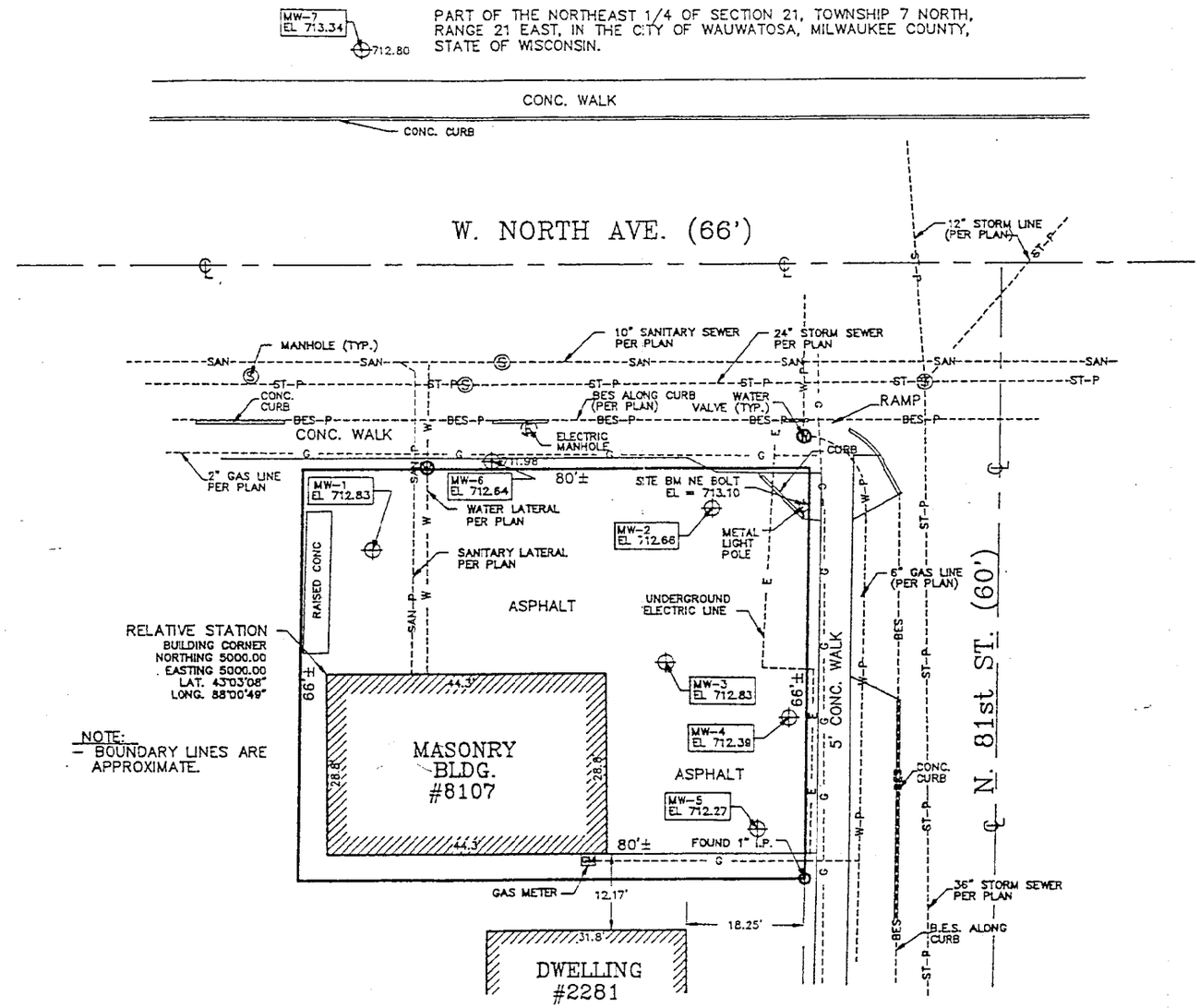
1

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

DRAWING NO.	DRAWN BY:	CHECKED BY:	APPROVED BY:
93.931L1	LME	5/12/98	

SITE MAP

PART OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, STATE OF WISCONSIN.



NOTE:
- BOUNDARY LINES ARE APPROXIMATE.

ADDED WELLS 02-27-97

MW-1	N 5019.95	E 5007.04
	TC 712.48	EL 712.83
MW-2	N 5026.74	E 5060.99
	TC 712.45	EL 712.66
MW-3	N 5001.87	E 5053.80
	TC 712.39	EL 712.83
MW-4	N 4993.09	E 5073.10
	TC 712.13	EL 712.39
MW-5	N 4975.32	E 5068.08
	TC 711.97	EL 712.27

ADDED 07-09-97

MW-6	N 5034.31	E 5025.95
	TC 711.98	EL 712.64
MW-7	N 5100.46	E 5005.36
	TC 712.80	EL 713.34

WISCONSIN
MARK L. WERTZ
S-1915
Milwaukee, Wis.
LAND SURVEYOR

REVISION: 07-09-97 ADDED MW'S 6 & 7 AND SOUTH BLDG CORNER.(96-1260-03) C.L.H.
REVISION: 02-27-97 ADDED MW'S 1 THRU 5 (96-1260-02) E.L.M.
ORIGINAL: 11-07-96 (96-1260-01) C.L.H.

ROSENBERGER'S AUTO SERVICE
8107 W. NORTH AVE. WAUWATOSA, WI 53213

LAND INFORMATION SERVICES, INC.
ENGINEERS, SURVEYORS & CONSULTANTS
200 EAST MICHIGAN STREET
MILWAUKEE, WISCONSIN 53202
414-291-9488

1. UNDERGROUND SEWER AND UTILITY INFORMATION IS OBTAINED FROM THE RECORDS OF MUNICIPALITY AND LOCAL UTILITY COMPANIES. THE ACCURACY OF WHICH CAN NOT BE GUARANTEED OR CERTIFIED TO.
2. THE LOCATIONS OF EXISTING UTILITY INSTALLATIONS AS SHOWN ON THIS SURVEY ARE APPROXIMATE. THERE MAY BE OTHER UNDERGROUND UTILITY INSTALLATIONS WITHIN TH PROJECT AREA THAT ARE NOT SHOWN.
3. VERTICAL DATUM IS BASED AT MEAN SEA LEVEL, 1929 ADJUSTMENT.

0 10 20
1 Inch = 20 FEET

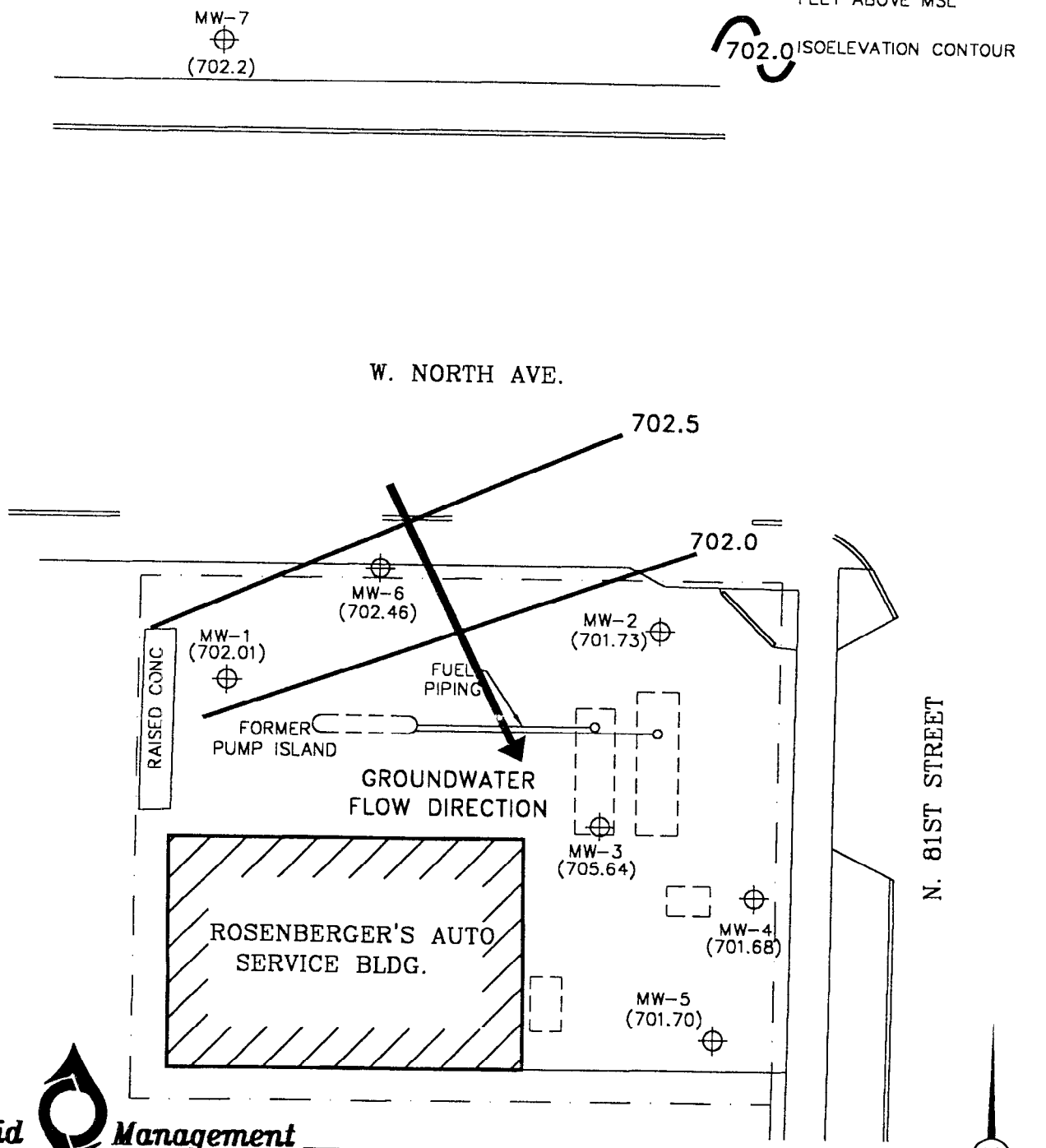
DRAWN/CHK'D	CLH/MLW.
LIS JOB NO.:	96-1260-03
FMI JOB No.:	93.931
DATE:	07-09-97

NOTES: ALL UST AND PIPING LOCATIONS ARE APPROXIMATE.

THE GROUNDWATER ELEVATION DATA FOR MW-3 WAS NOT USED IN DETERMINING THE FLOW DIRECTION. THE ELEVATION APPEARS TO BE AFFECTED BY GROUNDWATER MOUNDING IN THE FORMER TANK CAVITY AREA.

LEGEND

- FORMER UST CAVITY
- MONITORING WELL
- ( ) GROUNDWATER ELEVATION IN FEET ABOVE MSL
- 702.0 ISOELEVATION CONTOUR



Fluid Management
A Division of ENVIROGEN, Inc.

SCALE
0 10' 20'

Potentiometric Surface Map (3/2/98)
Rosenberger's Auto Service Site
Wauwatosa, Wisconsin

FIGURE NO. 4

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

DRAWING NO.	DRAWN BY:	CHECKED BY:	APPROVED BY:
93.931L4	LME 6/24/98	6/26/98	6-26-98

TABLE 3

Groundwater Quality Analytical Data
Rosenberger's Auto Service Site
Wauwatosa, Wisconsin

Monitoring Well	Sample Date	Parameters									
		Benzene	Ethylbenzene	Toluene	Xylenes	1,2,4-TMB	1,3,5-TMB	MTBE	Naphthalene	DRO (ppm)	GRO
MW-1	2/14/97	<0.31	<0.26	<0.48	<1.04	<0.27	<0.18	<0.66	<0.49	<100	<50
	7/10/97	<0.13	<0.22	<0.20	<0.23	<0.22	<0.29	<0.16	NA	<100	<50
	11/10/97	<0.13	<0.22	<0.20	<0.23	<0.22	<0.29	<0.16	NA	NA	NA
	3/02/98	<0.13	<0.22	<0.20	<0.23	<0.22	<0.29	<0.16	NA	NA	NA
MW-2	2/14/97	<0.31	<0.26	<0.48	<1.04	**2**	0.73	<0.66	<0.49	<100	<50
	7/10/97	<0.13	<0.22	<0.20	<0.23	<0.22	<0.29	<0.16	NA	<100	<50
	11/10/97	<0.13	<0.22	<0.20	<0.23	<0.22	<0.29	<0.16	NA	NA	NA
	3/02/98	<0.13	<0.22	<0.20	0.28	0.24	<0.29	<0.16	NA	NA	NA
MW-3	2/14/97	**8.5**	**3.2**	<0.48	**5.6**	**3.8**	**0.81**	<0.66	**0.62**	<100	**68**
	7/10/97	**74**	**20**	**0.73**	**40**	**29**	**1.2**	**15**	NA	**320**	**620**
	11/10/97	<0.13	<0.22	<0.20	<0.23	<0.22	<0.29	**6.1**	NA	NA	NA
	3/02/98	**91**	**35**	**1.2**	**57**	**35**	**1**	**8.5**	NA	NA	NA
MW-4	2/14/97	<0.31	<0.26	<0.48	<1.04	**0.47**	<0.18	<0.66	<0.49	**480**	<50
	7/10/97	**0.74**	<0.22	<0.20	<0.23	<0.22	<0.29	<0.16	NA	**270**	<50
	11/10/97	**0.16**	<0.22	<0.20	<0.23	<0.22	<0.29	<0.16	NA	NA	NA
	3/02/98	**0.23**	<0.22	<0.20	**0.33**	<0.22	<0.29	M <2.8	NA	NA	NA
MW-5	2/14/97	<0.31	<0.26	<0.48	<1.04	**1.1**	<0.18	<0.66	**1.1**	**210**	<50
	7/10/97	<0.13	<0.22	<0.20	<0.23	<0.22	<0.29	<0.16	NA	**480**	<50
	11/10/97	<0.13	<0.22	<0.20	<0.23	<0.22	<0.29	<0.16	NA	NA	NA
	3/02/98	**0.14**	<0.22	<0.20	0.24	<0.22	<0.29	M <1.9	NA	NA	NA
MW-6	2/14/97	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
	7/10/97	<0.13	<0.22	0.27	<0.23	<0.22	<0.29	<0.16	NA	<100	<50
	11/10/97	<0.13	<0.22	<0.20	<0.23	<0.22	<0.29	<0.16	NA	NA	NA
	3/02/98	<0.13	<0.22	<0.20	<0.23	<0.22	<0.29	M <0.38	NA	NA	NA
MW-7	2/14/97	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
	7/10/97	<0.13	<0.22	<0.20	<0.23	<0.22	<0.29	<0.16	NA	<100	<50
	11/10/97	<0.13	<0.22	<0.20	<0.23	<0.22	<0.29	<0.16	NA	NA	NA
	3/02/98	**0.23**	**0.26**	<0.20	**0.36**	**0.26**	<0.29	M <0.21	NA	NA	NA
NR 140 ES		5.0	700	343	620	NS	NS	60	40	NS	NS
NR 140 PAL		0.5	140	68.6	124	NS	NS	12	8	NS	NS

Notes:

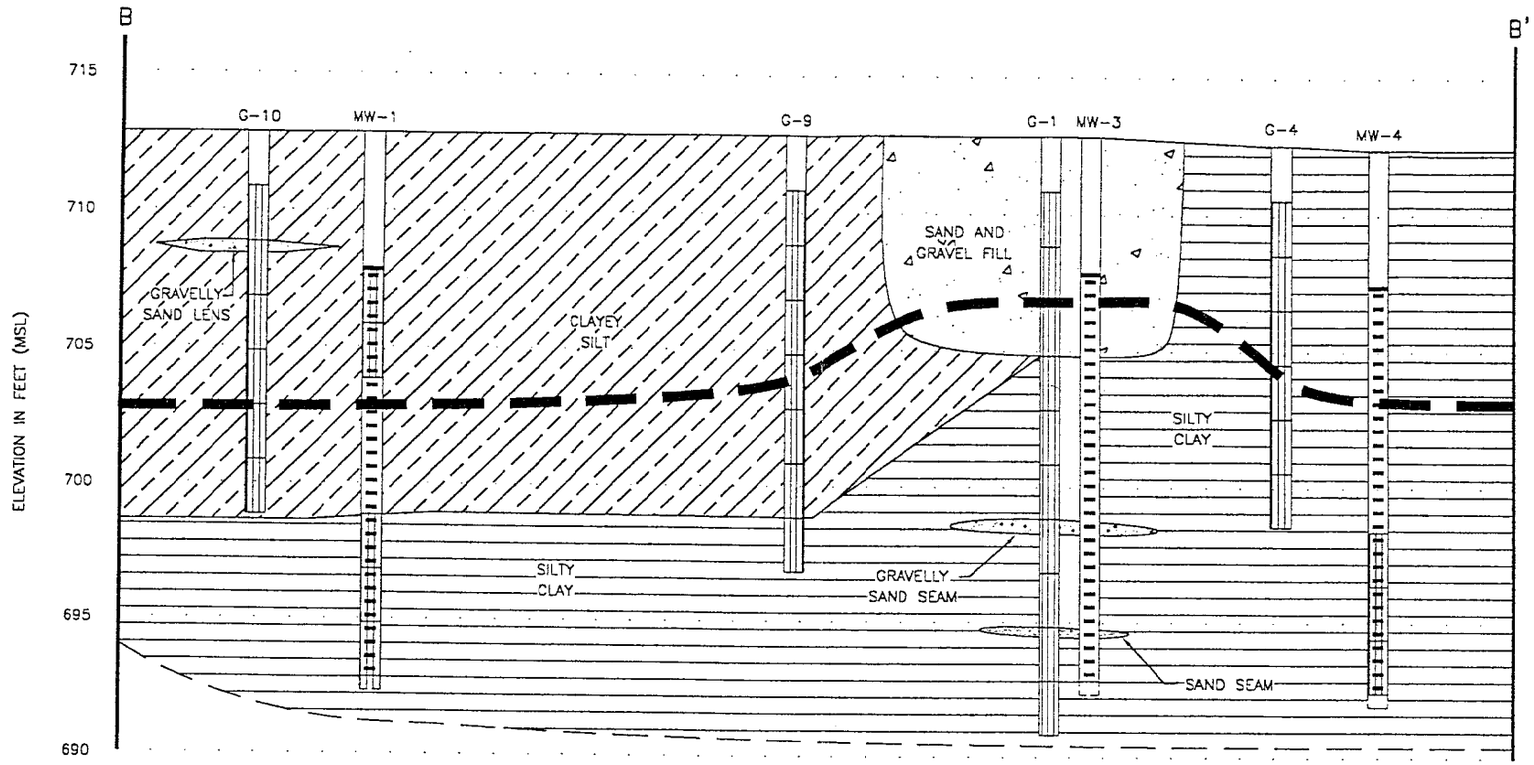
Concentrations in ppb unless otherwise noted.

Shading indicates value equals or exceeds the NR 140 enforcement standard

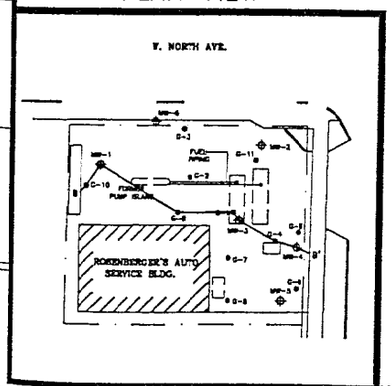
Cross hatching indicates value equals or exceeds the NR 140 preventive action limit

PAL: Preventive Action Limit established in NR 140 WAC
ES: Enforcement Standard Established in NR 140 WAC
DRO: Diesel range organics
GRO: Gasoline range organics
MTBE Methyl t-butyl ether
TMB: Trimethylbenzene
NA: Not analyzed
NS: No standard

Checked by: _____ Approved by: _____ 6 26 98



PLAN VIEW



LEGEND

SAMPLE INTERVAL

WELL SCREEN

GROUNDWATER TABLE (7/10/97)

Fluid Management
A Division of ENVIROGEN, Inc.

SCALE

HORIZONTAL: 1" = 10'

VERTICAL: 1" = 5'

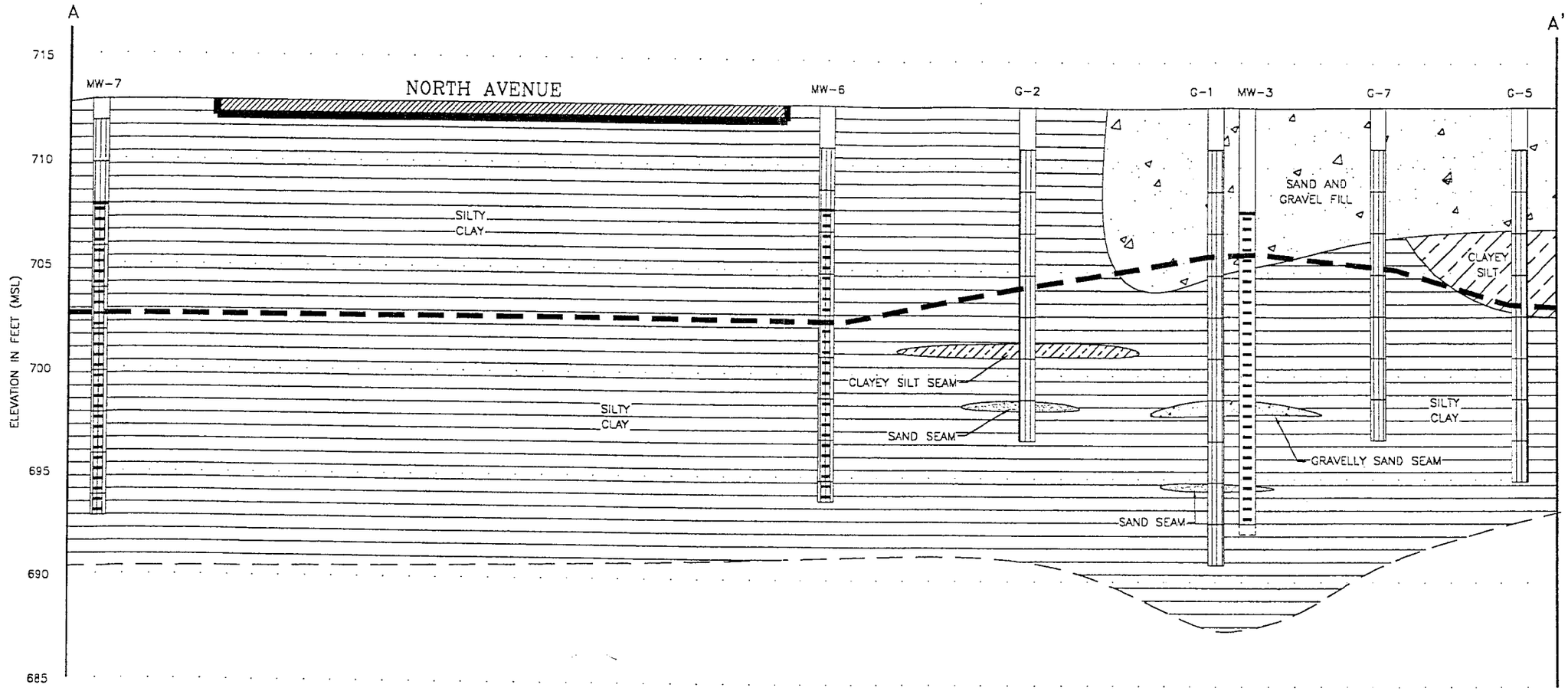
Geologic Cross-Section B-B'
Rosenberger's Auto Service Site
Wauwatosa, Wisconsin

FIGURE NO.

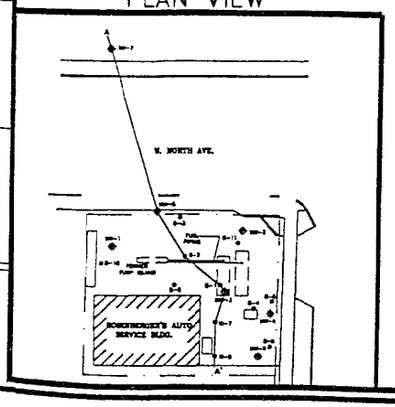
8

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

DRAWING NO.	DRAWN BY:	CHECKED BY:	APPROVED BY:
93.931RB	LME	9/4/97	



PLAN VIEW



LEGEND

SAMPLE INTERVAL

WELL SCREEN

GROUNDWATER TABLE (7/10/97)

Fluid Management
A Division of ENVIROGEN, Inc.

SCALE

HORIZONTAL: 1" = 10'

VERTICAL: 1" = 5'

Geologic Cross-Section A-A'
Rosenberger's Auto Service Site
Wauwatosa, Wisconsin

FIGURE NO.
7

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

DRAWING NO.	DRAWN BY:	CHECKED BY:	APPROVED BY:
93.931R7	LME 9/5/97		