



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary
Gloria L. McCutcheon, Regional Director

Southeast Region Headquarters
2300 N. Dr. Martin Luther King, Jr. Drive
Milwaukee, Wisconsin 53212-0436
Telephone 414-263-8500
FAX 414-263-8606
TTY 414-263-8713

August 29, 2005

Mr. Norval Adams
4910 West Vollmer Avenue
Greenfield, WI 53219

Subject: Final Case Closure - Muffler's Plus Facility
9200 West National Avenue, West Allis, WI, 53227
WDNR BRRTS #: 03-41-225189; FID #: 241994940

Dear Mr. Adams:

On March 4, 2003, your request for closure of the case described above was reviewed by the Department of Natural Resources (Department). The Department reviews environmental remediation cases for compliance with state rules and statutes to maintain consistency in the closure of these cases. Information submitted to the Department for closure request included: soil and groundwater documents for GIS registry and notification letter to the City of West Allis regarding soil and groundwater contamination on the right-of-way of 92nd Street. After review of the closure request, the Department granted conditional closure to the subject site (re: letter of March 11, 2003) and requested additional information to satisfy the conditions of closure.

On February 14, 2005, the Department received correspondence indicating that you have satisfied the conditions of closure. The conditions of closure required the responsible party to: a) sign and record a deed restriction on the property; and b) abandon the groundwater monitoring wells. Based on the correspondence provided, it appears that your site has been remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code. The Department considers this case closed and no further investigation, remediation or other action is required at this time.

Your site will be listed on the DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites. Information that was submitted with your closure request application will be included on the registry. To review the sites on the GIS Registry web page, visit <http://maps.dnr.state.wi.us/brrts>

Please be aware that this 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 Department appreciates your efforts to restore the environment at this site to productive use. If you have any questions regarding this letter, please contact me at (414) 263-8639.

Sincerely,


Eric Amadi
Hydrogeologist - SER/Milwaukee

cc: Christian Mielke - E²M Environmental and Engineering, Mgt., LLC.
SER Case File #: 03-41-225189



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2300 N. Dr. Martin Luther King, Jr. Drive
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Milwaukee, Wisconsin 53212-0436
Telephone 414-263-8500
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March 11, 2003

Mr. Norval Adams
4910 West Vollmer Avenue
Greenfield, WI 53219

Subject: Conditional Case Closure - Muffler's Plus Facility
9200 West National Avenue, West Allis, WI, 53227
WDNR BRRTS #: 03-41-225189; FID #: 241994940

Dear Mr. Adams:

On March 4, 2003, your request for closure of the case described above was reviewed by the Department of Natural Resources (Department). The Department reviews environmental remediation cases for compliance with state rules and statutes to maintain consistency in the closure of these cases. Information submitted to the Department for closure request include: soil and groundwater documents for GIS registry and notification letter to the City of West Allis regarding soil and groundwater contamination on the right-of-way of 92nd Street. After careful review of the closure request, the Department has determined that the petroleum and non petroleum contamination on the site from the vicinity of the former underground storage tanks located on the property appear to have been investigated and remediated to the extent practicable under site conditions. Your case will be closed under s. NR 726.05, Wis. Adm. Code, if the following conditions are satisfied:

MONITORING WELL ABANDONMENT

The monitoring wells at the site must be properly abandoned in compliance with ch. NR 141, Wis. Adm. Code. Documentation of well abandonment must be submitted to the Department on Form 3300-5B found at www.dnr.state.wi.us/org/water/dgw/gw/ or provided by the Department.

DEED RESTRICTION FOR CONTAMINATED SOIL

The closure committee has required that a deed restriction be signed and recorded to address the issue of the remaining soil contamination associated with the site. The purpose of the restriction is to maintain the on-site cap or surface barrier over the remaining soil contamination to prevent it from impacting human health and the environment, and/or require that the owner of the property investigate the degree and extent of residual contamination that is currently inaccessible, if structural impediments that currently exist on the property are removed.

You will need to submit a draft deed restriction to me before the document is signed and recorded. You may find a model deed restriction enclosed for your use or visit our web site at www.dnr.state.wi.us/org/rr. To assist us in our review of the deed restriction, you should submit a copy of the property deed to me along with the draft document. After the Department has reviewed the draft document for completeness, you should sign it if you own the property, or have the appropriate property owner sign it, and have it recorded by the Milwaukee County Register of Deeds. Then submit a copy of the recorded document, with the recording information stamped on it, to me. Please be aware that if a deed restriction is recorded for the wrong property because of an inaccurate legal description that you have provided, you will be responsible for recording corrected documents at the Register of Deeds Office to correct the problem.

Mr. Norval Adams
4910 West Vollmer Avenue
Greenfield, WI 53219
Page 2.

The cap will need to be maintained, if it is effective in limiting surface water infiltration and providing a barrier to direct contact, in accordance with a maintenance plan requiring regular inspections.

When the above conditions have been satisfied, please submit a letter to let me know that applicable conditions have been met, and your case will be closed.

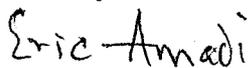
Your site will be listed on the DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites. Information that was submitted with your closure request application will be included on the registry. To review the sites on the GIS Registry web page, visit <http://gomapout.dnr.state.wi.us/org/at/et/geo/gwur/index.htm>

State Statute 101.143 requires that PECFA claimants seeking reimbursement of interest costs, submit a final reimbursement claim within 120 days after they receive a closure letter on their site. For claims not received by the PECFA Program within 120 days of the date of this letter, interest costs after 60 days of the date of this letter will not be eligible for PECFA reimbursement.

Please be aware that 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 to the environment.

We appreciate your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at (414) 263-8639.

Sincerely,



Eric Amadi
Hydrogeologist - SER/Milwaukee
Bureau for Remediation & Redevelopment

xc: Christian Mielke - E²M Environmental and Engineering, Mgt., LLC
SER Case File #: 03-41-225189

DEED 4020 441

This Article of Agreement,

Made and concluded this 28th day of NOVEMBER, A. D., 1956, by and between

KANDS, INC.

fully organized and existing under and by virtue of the laws of the State of Wisconsin, located at Milwaukee
party of the first part, and LOUIS ADAMS and N. ADAMS

Witnesseth: First, That the said parties of the second part hereby agree and bind themselves and their legal representatives, to pay, or cause to be paid, to the said party of the first part, its successors, representatives or assigns, the sum of Twelve Thousand, Nine Hundred - (\$12,900) - Dollars in the manner following: Ten (\$10.00) - Dollars at the execution hereof; And payments of One Hundred (\$100.00) Dollars per month on the first day of each and every month, commencing January 1, 1957, last monthly payment of One Hundred (\$100.00) Dollars to be on or before December 1, 1965. The remaining balance due on this contract will become due and payable on or before December 31, 1965. This contract is to bear interest at the rate of 6% per annum on the unpaid balance. In addition to the monthly payments on the principal, the parties of the second part shall deposit One Hundred (\$100.00) Dollars per month at the time of payment on the principal, said payment to be applied on interest and taxes with adjustments and appropriate credit made at the end of each year. The parties of the second part are to have the privilege of pre-payment without penalty.

The said payments to be made to the party of the first part, at 4760 North 27th Street, Milwaukee, Wisconsin

and the same being intended to apply, when fully completed as the purchase money for the following tract, piece or parcel of land, situated in the County of Milwaukee and State of Wisconsin, to-wit:

Lot number Twelve (12) and the east 4 ft. of Lot number Thirteen (13) in Block number One (1) in McGeoch Highlands, being a part of the Southeast One-quarter (SE $\frac{1}{4}$) of Section Five (5), Township Six (6) North, Range Twenty-one (21) East, in the City of West Allis.

This land contract executed in substitution and replacement for land contract executed October 27, 1951, which has been cancelled.

Land Contract signed and acknowledged by the parties October 24, 1951 and concluded on October 27, 1951, and received in the office of the Register of Deeds on November 16, 1951 at 8:30 o'clock AM, and recorded in Volume 2952 of Deeds, page 441, is declared paid and cancelled upon execution of this contract.

The said parties of the second part further agree that they will pay, when due and payable, all taxes and assessments levied or levied on the above described premises since the 1st day of January, A. D. 1956, and also all taxes and assessments levied or levied upon the interest of said party of the first part in said premises; and also all taxes and assessments levied or levied against any mortgage which may exist against said premises, or against the notes or the interest of said party of the first part, or against the interest in said premises, or any party holding a mortgage against said premises during the term of this contract, and the interest of any party holding a mortgage against said real estate during the term of this contract shall be assessed and taxed together, without separate valuation, as unincumbered real estate, and shall be paid by the said party of the first part, and the said parties of the second part hereby waive all rights of offsets or deductions because of the payment of such assessments, until the aforesaid purchase money shall be fully paid, in the manner above stated.

The parties of the second part further agree that the said party of the first part shall insure and keep insured against fire and lightning now on said premises, and such as may hereafter be erected thereon, during the life of this contract, for the sum of Twelve Thousand, Nine Hundred (\$12,900) against loss or damage by fire.

... it is distinctly agreed and understood by and between the parties hereto, that, if the said part 108 of the second part shall fail to pay any of the payments of purchase money and interest above specified, at the times and in the manner above specified, or fail to pay the assessments, or fail to insure and keep insured the premises herein as above stipulated, or fail to pay any or all insurance premiums as herein specified, or violate any other terms or conditions herein contained, this agreement shall, at the option of the said party of the first part, be henceforth utterly void, without any notice whatsoever, and all payments thereon forfeited, subject to be recovered only by the act of the party of the first part, or the mutual agreement of both parties; and whenever such default or violation shall occur, the party of the second part shall have no further right to collect rents from tenants, if any, of the said real estate or any part thereof, but such rents shall be collected by, and belong to the party of the first part.

The said part 108 of the second part further promise and agree that in case of the commencement of an action to foreclose this mortgage and also in case of the foreclosure thereof, they will pay, in addition to the taxable costs and expenses of such foreclosure, a reasonable sum of money as attorney's fees.

In Witness Whereof, the said **KANDS, INC.** has caused these presents to be signed by **Alice May Kern**, its President, and countersigned by **Charles E. Stoffel**, Secretary, at **Milwaukee**, Wisconsin, this **28th** day of **NOVEMBER**, A. D. 19**56**.

WITNESSED AND SEALED IN PRESENCE OF

Kenneth W. Miller
Kenneth W. Miller
Milton E. Litow
Milton E. Litow
Joseph J. Belmeczki
Joseph J. Belmeczki
Evelyn Pertulla
Evelyn Pertulla

KANDS, INC.
Corporate Name
Alice May Kern
Alice May Kern
President
COUNTERSIGNED:
Charles E. Stoffel
Charles E. Stoffel
Secretary
Louis Adams
Louis Adams
N. Adams
H. Adams

State of Wisconsin, } ss.

Milwaukee County, }

Personally came before me this **28** day of **November**, A. D. 19**56**, **Alice May Kern**, President and **Charles E. Stoffel**

of the above named Corporation, to me known to be the persons who executed the foregoing instrument and to me known to be such President and Secretary of said Corporation, and acknowledged that they executed the foregoing instrument as such officers of said Corporation, by its authority.

Milton E. Litow
Milton E. Litow
Notary Public, Milwaukee County, Wis.
My commission expires **July 8, 1957**, A. D. 19**57**

State of Wisconsin, } ss.

Milwaukee County, }

Personally came before me this **28** day of **November**, A. D. 19**56**, **Louis Adams and H. Adams**

to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Harry J. Belmeczki
Harry J. Belmeczki
Notary Public, Milwaukee County, Wis.
My commission expires **March 20, 1960**, A. D. 19**60**

CLERK/TREASURER
CITY OF WEST ALLIS
7525 W GREENFIELD AVE
WEST ALLIS, WI 53214

REAL ESTATE TAXES FOR 2002

KEY # 442-0710-000
ADAMS NORVAL & DOROTHY
1224 S 85 ST

UNITS: 001 7 4

CITY OF WEST ALLIS
COUNTY OF MILWAUKEE
STATE OF WISCONSIN

CORRESPONDENCE SHOULD REFER TO THE ABOVE TAX KEY NUMBER

ASSESSED VALUE OF LAND	ASSESSED VALUE OF IMPROVEMENTS	ASSESSED VALUE TOTAL	AVG ASSESS. RATIO	ESTIMATED FAIR MARKET VALUE OF LAND	ESTIMATED FAIR MARKET VALUE OF IMPROVEMENTS	ESTIMATED FAIR MARKET VALUE TOTAL	STAR IN BOX MEANS UNPAID PRIOR YEAR AMOUNT - CONTACT TREAS.
18,700	71,600	90,300	.9786	19,100	73,200	92,300	COUNTY
TAXING JURISDICTION	EST. STATE AIDS ALLOCATED TO FUNDST. FOR 2001	EST. STATE AIDS ALLOCATED TO FUNDST. FOR 2002	NET TAX 2001	NET TAX 2002	% CHANGE NET TAX	NET PROPERTY TAX	
ST OF WIS MILW CNTY	4,491,628	4,684,326	17.29	18.45	6.71	2,512.60	
CITY OF WA METRO SEW WA SCHOOL MATC	13,268,513	13,398,771	582.11	588.67	1.13		
	35,771,550	37,216,339	893.18	946.64	5.99		
	1,667,222	1,673,530	146.92	156.87	6.77		
TOTALS	55,198,913	56,972,966	767.76	736.01	4.14-		
			175.21	185.22	5.71		
MILWAUKEE COUNTY SALES TAX CREDIT			2,582.47	2,631.86	1.91		
PROPERTY TAX BEFORE LOTTERY CREDIT			116.87	119.26	2.05		
LOTTERY CREDIT			2,465.60	2,512.60	1.91		
NET PROPERTY TAX AFTER LOTTERY CREDIT			.00	.00	.00		
			2,465.60	2,512.60	1.91		
PAY TO TREASURER, CITY OF WEST ALLIS ON OR BEFORE JANUARY 31			TOTAL DUE FOR FULL PAYMENT			2,512.60	

PAY TO TREASURER, CITY OF WEST ALLIS ON OR BEFORE JANUARY 31
TOTAL DUE FOR FULL PAYMENT 2,512.60

OR PAY THE FOLLOWING INSTALLMENTS TO TREASURER, CITY OF WEST ALLIS ON OR BEFORE THE LAST DAY OF THE MONTHS SHOWN

1-31-03	838.60
3-31-03	837.00
5-31-03	837.00

IMPORTANT: BE SURE THIS DESCRIPTION COVERS YOUR PROPERTY NOT IF THAT THIS DESCRIPTION IS FOR TAX BILL ONLY AND MAY NOT BE A FULL LEGAL DESCRIPTION

SCHOOL TAXES REDUCED BY SCHOOL LEVY TAX CREDITS	NET ASSESSED VALUE RATE (Does Not Reflect Lottery Credit)
149.01	27.8250

FAIRSIDE PARK LOT 16 & S 4.30 FT LOT 17 BLK 4 & LOT 2 BLK 10 ASSESSORS PLAT 258

ADAMS NORVAL & DOROTHY
4910 W VOLLMER AVE
GREENFIELD WI 53219

DO NOT REMOVE BOTTOM OF FORM



Key # 442-0710-000

REAL ESTAT 442 0710 000 7 4
ADD 002025679000 10/27/02

Make checks payable to Treasurer, City of West Allis
WARNING: If not paid by due dates, interest free installment option is lost and total unpaid amount is delinquent and due subject to interest of 1% and penalty of 5% per month (fraction of a month counts as a whole month) from February 1 until paid. Any unpaid amount August 1 is turned over to Milwaukee County Treasurer for further collection.

SEE BACK FOR ADDITIONAL INFORMATION

TEUTEBERG INCORPORATED (414) 257-4400

89342 89342

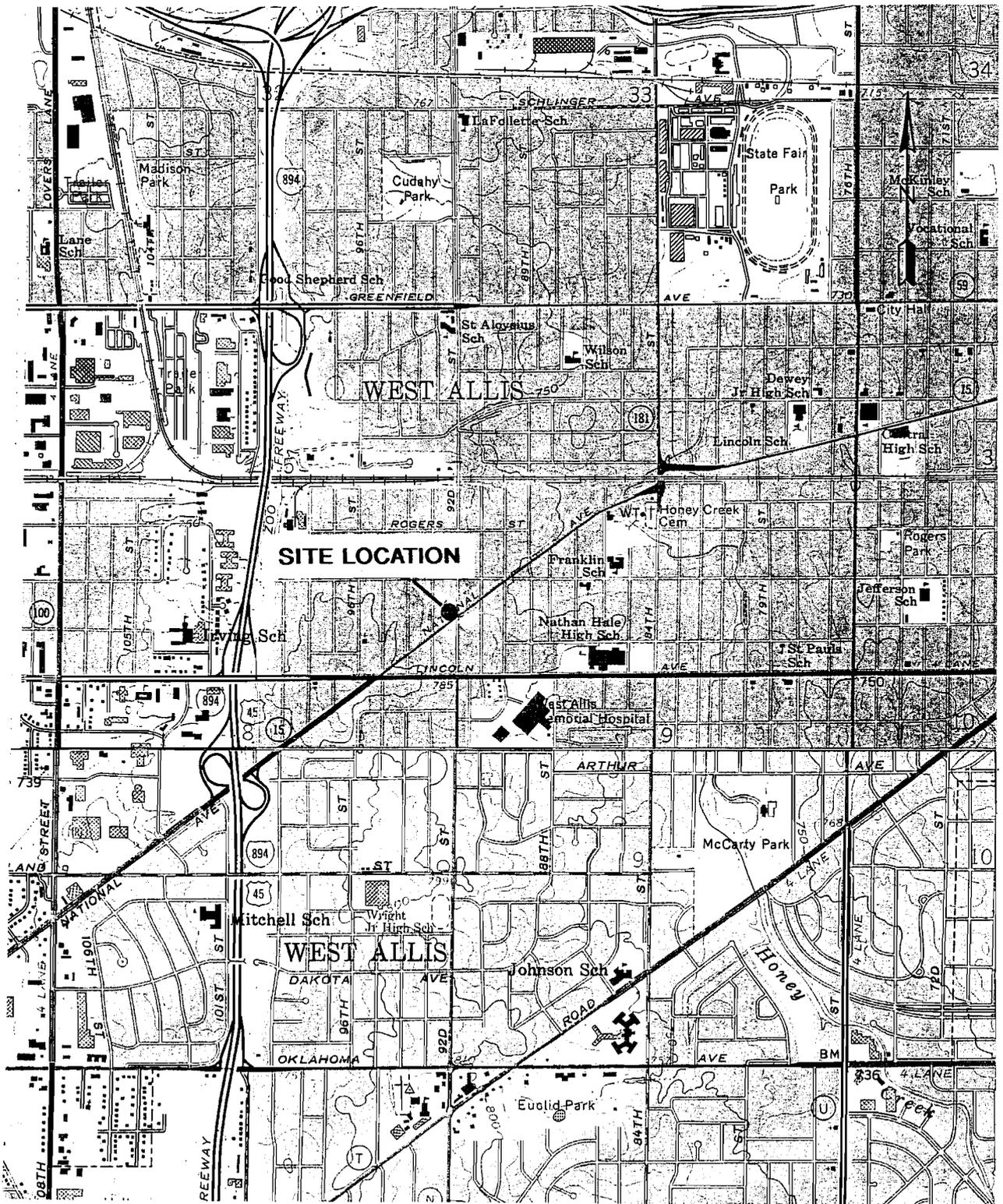


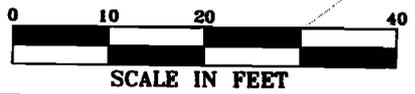
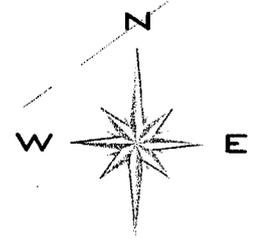
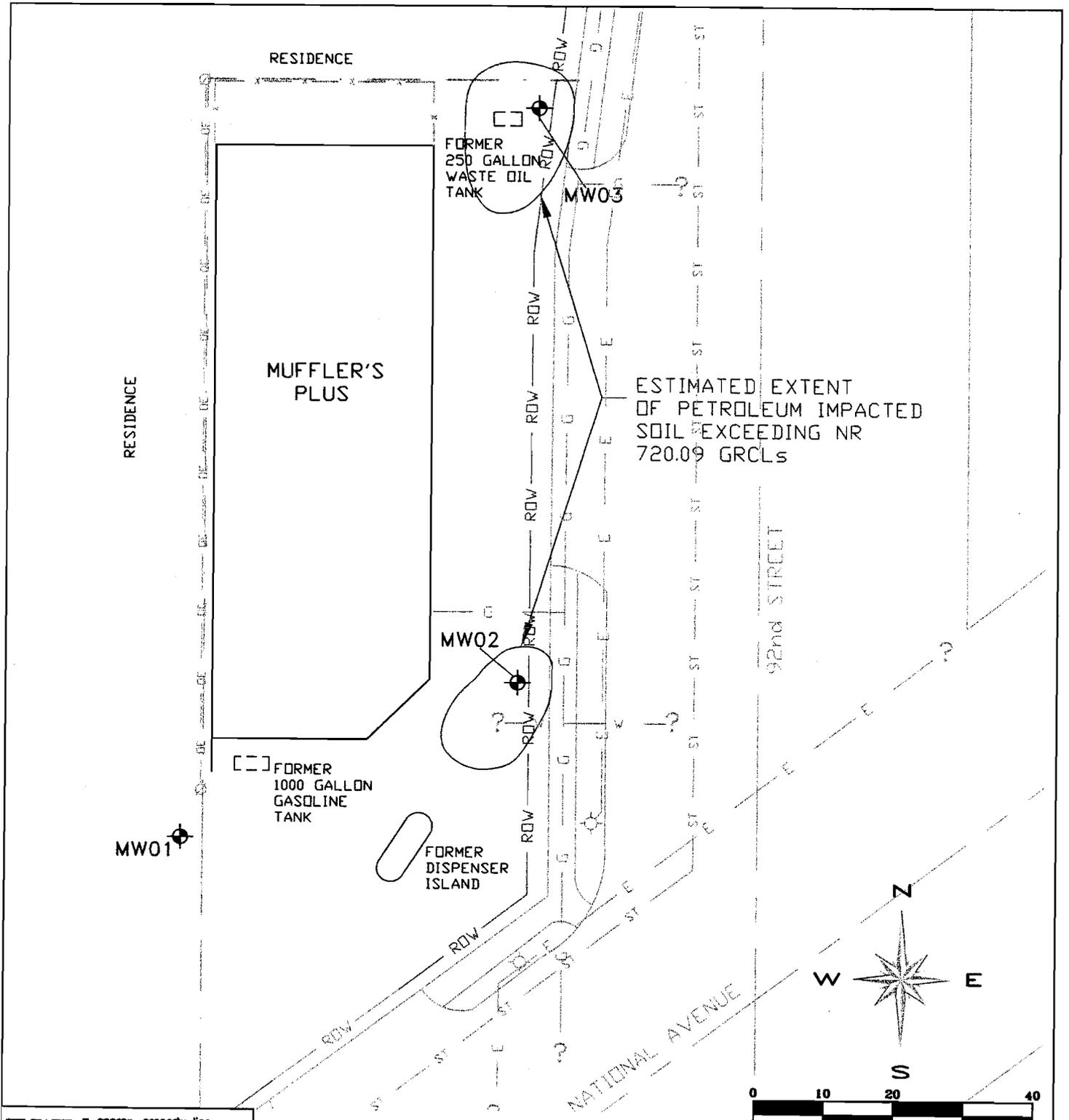
Figure 1
SITE LOCATION

Muffler's Plus
9200 West National Avenue
West Allis, WI

source: USGS 7.5' Quadrangle; (Wauwatosa, WI 1994)
USGS 7.5' Quadrangle; (Hales Corner, WI 1976)
scale: 1" = 2,000' contour interval = 10 feet

date:	drafted by:	checked by:	approved by:
02/01/00			CAM

Cooper
Environmental and Engineering Resources, Inc.
1411 North Main Street, West Bend, Wisconsin, 53090



- = approx. property line
- = center line
- = fence
- = underground natural gas
- = overhead electric
- = storm sewer
- = underground electric
- = water
- ⊕ = fire hydrant
- ⊙ = traffic light
- ⊗ = telephone pole
- ⊕ = monitoring well location w/ID

Figure B-2
**MONITORING WELL
 LOCATION**

Muffler's Plus
 9200 West National Avenue
 West Allis, WI

E2M
 Environmental & Engineering Management LLC
 W223 N7343 Carole Court, Sussex, WI 53089

DATE	DRAFTED BY:	APPROVED BY:	REV NO.
01/11/03	CAM		

SCALE: 1" = 20' FILE: mp_base.dwg

Table B-1
Monitoring Well Groundwater Contaminant Analytical Results
Detected Compounds Only
Muffler's Plus
West Allis, Wisconsin

Well Number	Date Sampled	Sample ID	DRO (mg/L)	Total Xylenes	1,2-Dichloroethane	Vinyl Chloride	Lead
MW01	02/27/01	MP/MW01/2-27-01	0.176	—	—	—	—
	02/28/01	MP/MW01/2-28-01	—	ND(<0.5)	ND(<0.5)	ND(<0.170)	—
	06/01/01*	MP/MW01-06/01	—	ND	ND(<0.21)	ND(<0.19)	—
	Abandoned: September 2001						
MW02	02/27/01	MP/MW02/2-27-01	0.298	—	—	—	—
	02/28/01	MP/MW02/2-28-01	—	0.671	ND(<0.5)	ND(<0.170)	—
	06/01/01*	MP/MW02-06/01	—	ND	ND(<0.21)	ND(<0.19)	—
	07/24/02	MP/MW02-7/02	—	ND(<0.500)	ND(<0.500)	ND(<0.17)	<u>6.76</u>
	10/23/02	MP/MW02/10-02	—	ND(<0.500)	ND(<0.500)	ND(<0.17)	ND(<0.500)
MW03	02/27/01	MP/MW03/2-27-01	0.353	—	—	—	—
	02/28/01	MP/MW03/2-28-01	—	ND(<0.5)	6.36	0.703	—
	06/01/01*	MP/MW03-06/01	—	ND	<u>2.3</u>	ND(<0.19)	—
	07/24/02	MP/MW03-7/02	—	ND(<0.500)	<u>4.2</u>	ND(<0.17)	ND(<0.500)
	10/23/02	MP/MW03/10-02	—	ND(<0.500)	6.34	ND(<0.17)	<u>14.1</u>
NR 140 ES			NA	10,000	5	0.2	15
NR140 PAL			NA	1,000	0.5	0.02	1.5

Notes: all concentrations reported in ug/L unless noted
ND() = Not detected above quantification limit (detection limit)
6.36 = Enforcement Standard Exceedence
2.3 = Preventive Action Limit Exceedence
ES = NR 140 Enforcement Standard
PAL = NR 140 Preventive Action Limit

* = methylene chloride (MC) was detected in each sample from 06/01/01. However, MC is considered a common laboratory contaminant and therefore is not presumed present in the groundwater at this site.

Table B-2
 Historic Water Table Levels
 Muffler's Plus
 West Allis, Wisconsin

Well ID Number	Sample Date	Depth to Groundwater (ft.)	Elevation of Groundwater (ft.)	Elevation Top of Riser (ft.)
MW01	02/27/01	—	—	100.83
	06/01/01	3.78	97.05	
	Abandoned, September 2001			
MW02	02/27/01	—	—	99.44
	06/01/01	4.95	94.49	
	07/24/02	6.05	93.39	
	10/23/02	5.50	93.94	
MW03	02/27/01	—	—	97.54
	06/01/01	2.19	95.35	
	07/24/02	1.28	96.26	
	10/23/02	3.12	94.42	

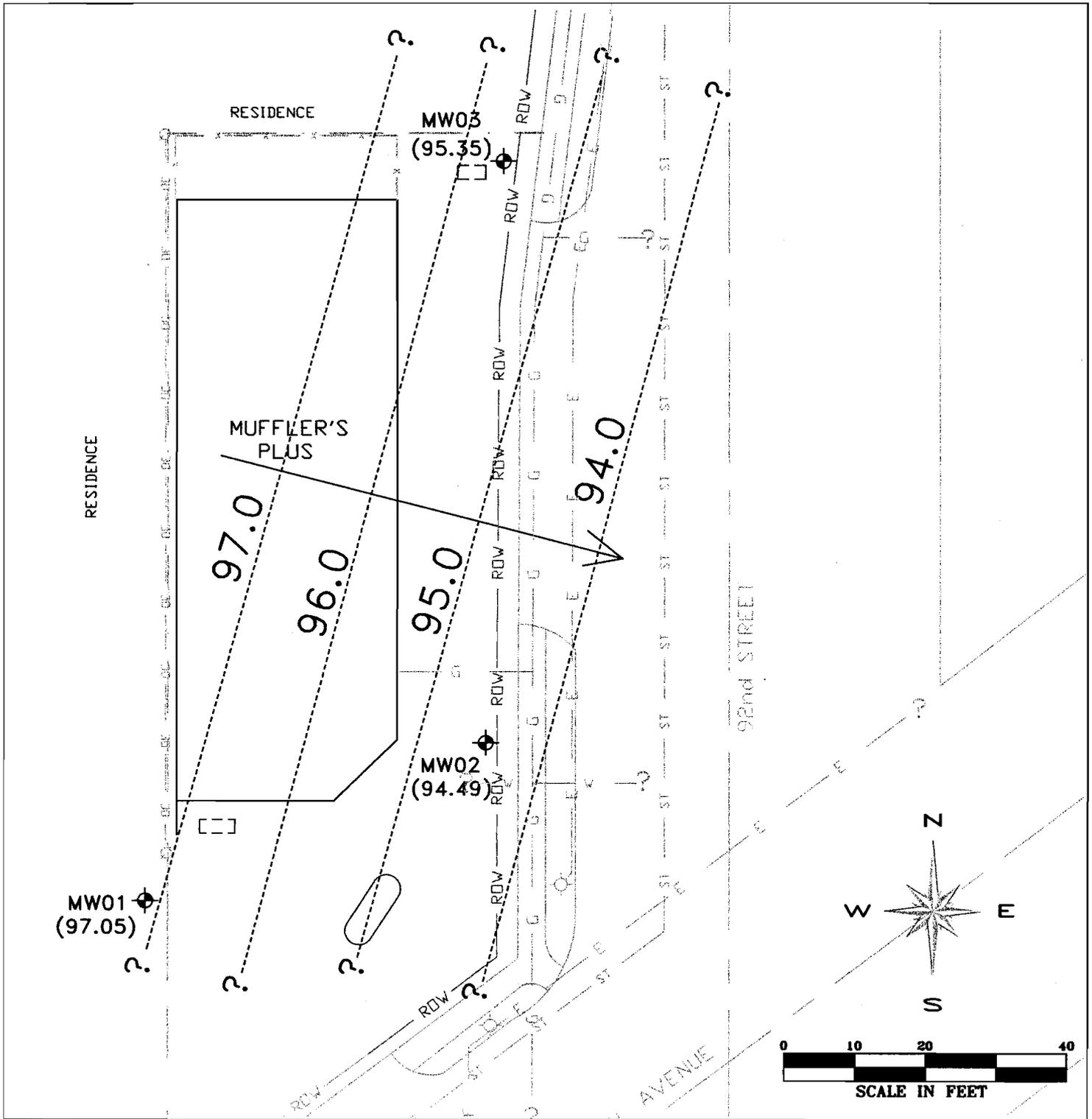
Notes:

Bench Mark: fire hydrant located on southeast corner of
 92nd Street and national Ave.; set equal to 100 feet

Depth to groundwater measured from top of PVC elevation

ft = Elevation in feet referenced to site datum

— = groundwater elevation not obtained



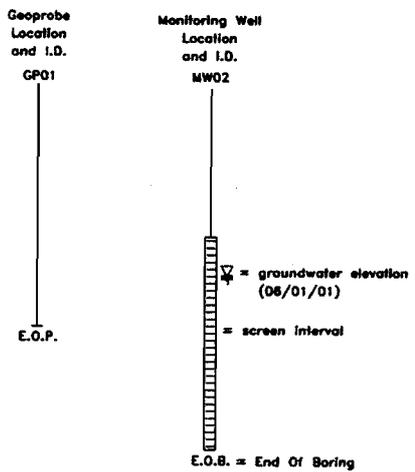
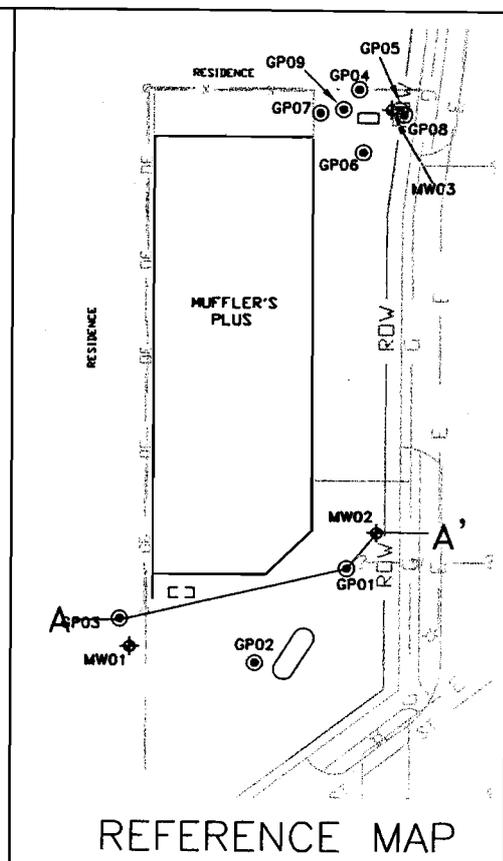
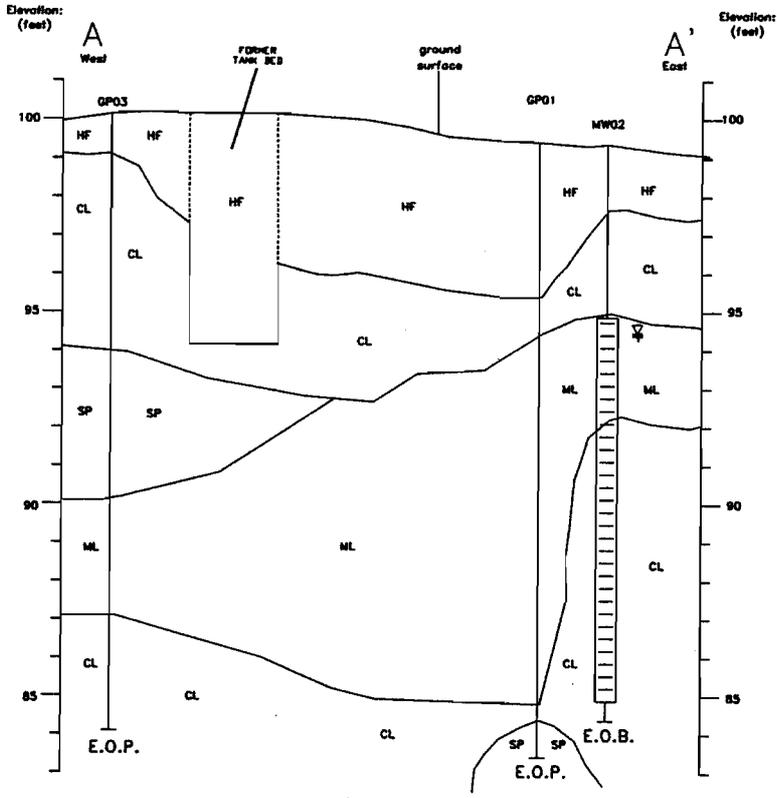
- = approx. property line
- = center line
- - - = fence
- G - = underground natural gas
- E - = overhead electric
- ST - = storm sewer
- ⊕ = fire hydrant
- ⊕ = traffic light
- ⊕ = telephone pole
- ⊕ = monitoring well location w/ID
- (86.68) = static water elevation (06/01/01)
- ? 87.00 = groundwater contour line question mark where inferred
- = groundwater flow direction

Figure B-3
**INTERPRETED
 GROUNDWATER FLOW**
 (June 01, 2001)

Muffler's Plus
 9200 West National Avenue
 West Allis, WI

E2M
 Environmental & Engineering Management LLC
 W223 N7343 Carole Court, Sussex, WI 53089

DATE	DRAFTED BY:	APPROVED BY:	REV NO.
01/12/02	CAM		
SCALE: 1" = 20'		FILE: mp_base.dwg	



USCS SOIL CLASSIFICATION

COARSE-GRAINED SOILS			FINE-GRAINED SOILS		
CLEAN GRAVELS (LITTLE OR NO FINES)	GW	WELL-GRADED GRAVELS, GRAVEL-SAND MIXTURES, LITTLE OR NO FINES	SILTS AND CLAYS LIQUID LIMIT LESS THAN 50	ML	INORGANIC SILTS AND VERY FINE SANDS, SODDY FLOORS, SILTY OR CLAYEY FINE SANDS OR CLAYEY SILTS WITH SLIGHT PLASTICITY
	GP	POORLY-GRADED GRAVELS, GRAVEL-SAND MIXTURES, LITTLE OR NO FINES		CL	INORGANIC CLAYS OF LOW TO MEDIUM PLASTICITY, GRAVELLY CLAYS, SANDY CLAYS, SILTY CLAYS, LEAN CLAYS
GRAVELS WITH FINES (APPRECIABLE AMOUNT OF FINES)	GM	SILTY GRAVELS, GRAVEL-SAND-SILT MIXTURES		OL	ORGANIC SILTS OF LOW TO MEDIUM PLASTICITY
	GC	CLAYEY GRAVELS, GRAVEL-SAND-CLAY MIXTURES	SILTS AND CLAYS LIQUID LIMIT (GREATER THAN 50)	MH	INORGANIC SILTS AND ORGANIC SILTY CLAYS OF LOW PLASTICITY
CLEAN SANDS (LITTLE OR NO FINES)	SW	WELL-GRADED SANDS, GRAVELLY SANDS, LITTLE OR NO FINES		CH	INORGANIC CLAYS OF HIGH PLASTICITY, FAT CLAYS
	SP	POORLY-GRADED SANDS, GRAVELLY SANDS, LITTLE OR NO FINES	DH	ORGANIC CLAYS OF MEDIUM TO HIGH PLASTICITY, ORGANIC SILTS	
SANDS WITH FINES (APPRECIABLE AMOUNT OF FINES)	SM	SILTY SANDS, SAND-SILT MIXTURES	HIGHLY ORGANIC SOILS	PT	PEAT, MARLS, SWAMP SOILS, WITH HIGH ORGANIC CONTENTS
	SC	CLAYEY SANDS, SAND-CLAY MIXTURES	FILL	HF	NON-HOMOGENEOUS FILL MATERIAL

Horizontal Scale: 1" = 20'
 Vertical Scale: 1" = 5'
 Vertical Exaggeration = 4 Times

- = approx. property line
- = center line
- = fence
- = underground natural gas
- = overhead electric
- = storm sewer
- ⊕ = fire hydrant
- ⊕ = traffic light
- ⊕ = telephone pole
- ⊕ = monitoring well location w/I.D.
- ⊕ = soil probe location w/I.D.

Figure B-5
 GEOLOGIC
 CROSS-SECTION
 A-A'
 Muffler's Plus
 9200 West National Avenue
 West Allis, WI

E2M
 Environmental & Engineering Management LLC
 W223 N7343 Carole Court, Sussex, WI 53089

DATE 01/20/02	DRAFTED BY: CAM	APPROVED BY:	REV NO.
SCALE: see above		FILE: mp_base.dwg	

12/27/02

To whom it may concern this
is the most recent deed.

~~I~~ have owned the property since
the late 1950's

Thank you
W. L. Adams



Environmental and Engineering Management LLC

W223 N7343 Carole Court, Sussex, Wisconsin 53089

Phone/Fax: 262.820.3719

FILE

January 29, 2003

Mr. Paul Zeihler
Acting City Clerk-Treasurer
7525 West Greenfield Avenue
West Allis, Wisconsin 53214

RE: Notification of Residual Soil Contamination in the City of West Allis Right-of-Way at, Muffler's Plus, 9200 West National Avenue, West Allis, Wisconsin.

Dear Mr. Zeihler:

E2M Environmental and Engineering Management LLC (E2M) has been contracted by Mr. Norval Adams (OWNER) to conduct a soil investigation at the Muffler's Plus, 9200 West National Avenue (re: Site). E2M has completed the site investigation activities at the Site. Based on the analysis of data collected, the Site meets closure criteria outlined in Wisconsin Administrative Code (WAC) Chapter NR 726 and NR 746 for closure. The approximate extent of residual petroleum impacted soil exceeding WAC NR 720.09 generic residual contaminant levels (GRCLs) is illustrated on Figure 1.

As illustrated in Figure 1, petroleum impacted soil, exceeding WAC Chapter NR 720.09 GRCLs, remains in the City of West Allis right-of-way. As required by WAC NR 726.05 (2) (a) (4), E2M and the OWNER are notifying the City of West Allis that residual petroleum impacted soil remains in the City of West Allis right-of-way.

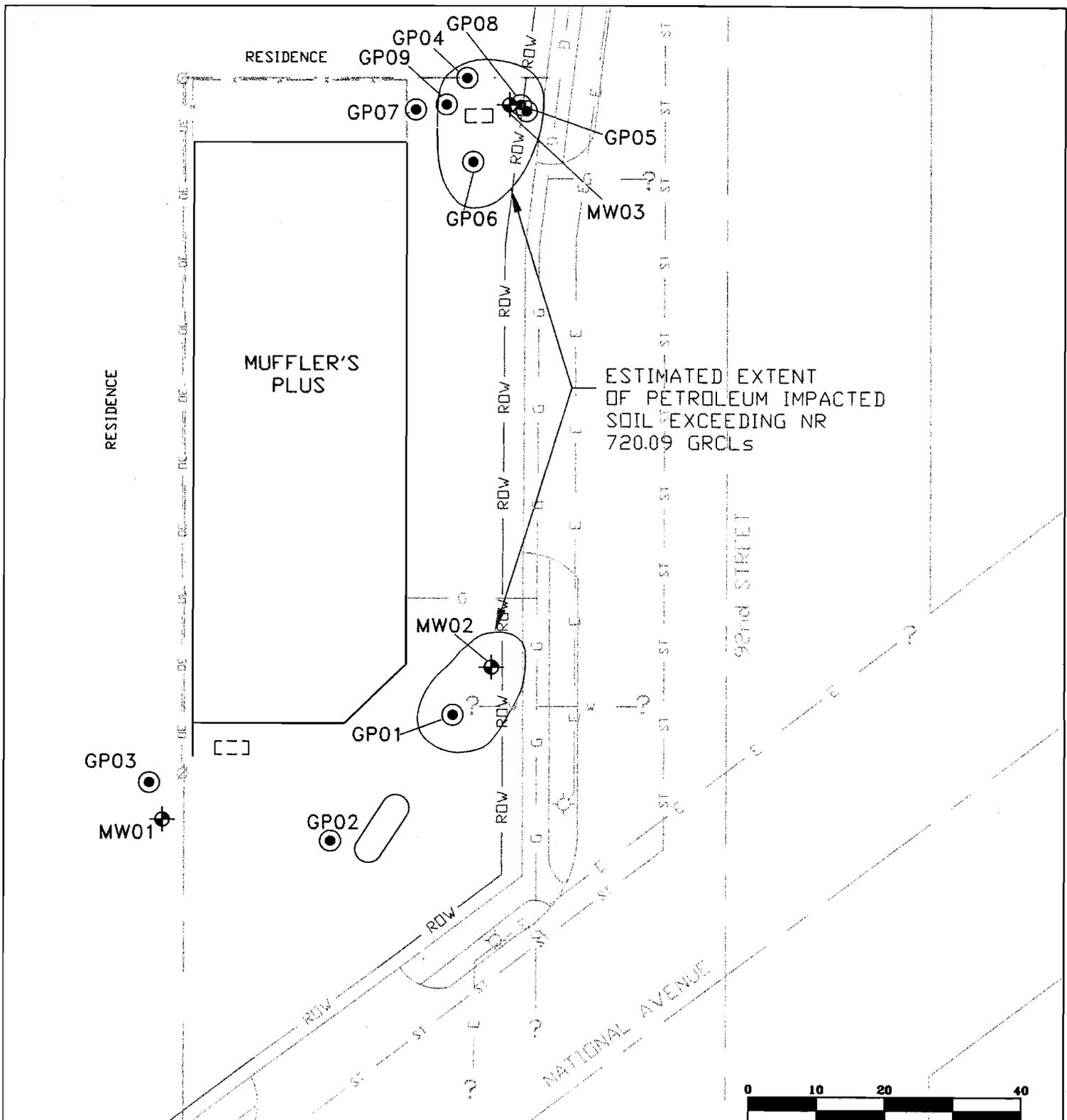
Please direct all inquires to E2M Environmental and Engineering Management LLC at 262.820.3719.

Sincerely,
E2M Environmental and Engineering Management LLC

Christian A. Mielke, P.E.
Member/Project Manager

CAM
Enclosure

c: Mr. Gary Kirchner, Superintendent of Sanitation and Streets, City of West Allis
Mr. Norval Adams, Property Owner



- = approx. property line
- = center line
- x- = fence
- s- = underground natural gas
- e- = overhead electric
- st- = storm sewer
- c- = underground electric
- v- = water
- ⊕ = fire hydrant
- ⊙ = traffic light
- ⊗ = telephone pole
- ⊕ = monitoring well location w/ID
- ⊙ = soil probe location w/ID

Figure 1
ESTIMATED EXTENT OF SOIL EXCEEDING NR 720 GRCL
 Muffler's Plus
 9200 West National Avenue
 West Allis, WI

E2M
 Environmental & Engineering Management LLC
 W223 N7343 Carole Court, Sussex, WI 53089

DATE	DRAFTED BY:	APPROVED BY:	REV NO.
01/11/03	CAM	<i>[Signature]</i>	
SCALE: 1" = 20'		FILE: mp_base.dwg	

Table 1
 UST Closure Soil Sample Analytical Results
 NR 720, NR746 and Detected Compounds Only
 Muffler's Plus
 West Allis, Wisconsin

Probe ID Number	Sample ID Number	Sample Date	WDNR MOD, mg/kg		VOCs, ug/kg							
			GRO	DRO	Benzene	1,2-dichloroethane	Naphthalene	Ethylbenzene	Toluene	Total Xylene	1,2,4 TMB	1,3,5 TMB
Waste Oil UST	275	02/16/99	1000	5,200	ND(<2,500)	--	--	13,000	46,000	72,000	48,000	18,000
Gasoline UST	1000	02/16/99	45	--	ND(<25)	--	--	64	450	130	250	83
NR 720 GRCL			100	100	5.5*			2,900	1,500	4,100		
NR 746 Table 1 - Soil Porosity					8,500	600	2,700	4,600	38,000	42,000	83,000	11,000
NR 746 Table 2 - Direct Contact Zone					1,100	540						
<p>Notes: ND() = Not detected above quantification limit (detection limit) -- = parameter not analyzed for GRCL = NR 720 generic residual contaminant level * = The GRCL for benzene is 5.5 ug/kg unless the sample is preserved with methanol then accepted GRCL is the detection limit of 25 ug/kg 33.2 = regulatory exceedance</p>												

Table D-1
 Soil Investigation Sampling Analytical Results
 Lead and Detected PAH Compounds Only
 Muffler's Plus
 West Allis, Wisconsin

Probe ID Number	Sampling Interval, ft bgs	Sample ID Number	Sample Date	Field OVM Readings, i.u.	PAHs, mg/kg		Lead (mg/kg)
					Benzo (a) pyrene	Dibenz (a,h) anthracene	
GP08	0-2	MP/GP08-8-10'	07/31/02	0.0	<u>0.0251</u>	<u>0.0223</u>	13.0
	2-4			0.0			
	4-6			0.0			
	6-8	0.4	MP/GP08-12-14'	07/31/02	<u>0.00897</u>	ND(<0.00736)	
	8-10	4.2					
	10-12	3.4					
12-14	6.6	MP/GP08-12-14'	07/31/02	1.8	9.52		
14-15	1.8						
GP09	0-2	MP/GP08-12-14'	07/31/02	2.8	ND(<0.00572)	ND(<0.00736)	11.2
	2-4			4.8			
	4-6			1.9			
	6-8	2.4	MP/GP08-12-14'	07/31/02	0.00643	ND(<0.00736)	
	8-10	6.7					
	10-12	6.1					
12-14	7.3	MP/GP08-12-14'	07/31/02	7.3	7.43		
14-15	7.3						
<u>Suggested GRCLs</u> ¹							
Protection of Groundwater (mg/kg):					48	38	x
Direct Contact - Non-Industrial (mg/kg):					0.0088	0.0088	x
NR 720.11, Table 2, GRCL, Non-industrial (mg/kg)					x	x	50
Notes: ND() = Not detected above quantification limit (detection limit) ¹ Generic Residual Contaminant Levels have been obtained from "Soil Cleanup Levels for... (PAHs) Interim Guidance", April 1997 (corrected), WDNR Pub. RR-519-97 <u>0.0251</u> = exceedance of suggested GRCL							

Table 3
Soil Sampling Analytical Results
NR 720, NR746 and Detected Compounds Only
Muffler's Plus
West Allis, Wisconsin

Probe ID Number	Sampling Interval, ft bgs	Sample ID Number	Sample Date	Field OVM Readings, i.u.	WDNR MOD, mg/kg		VOCs, ug/kg										Lead (mg/kg)		
					GRO	DRO	Benzene	n-Butylbenzene	sec-Butylbenzene	p-Isopropyltoluene	1,2-dichloroethane	Naphthalene	Ethylbenzene	Toluene	Total Xylene	1,2,4 TMB		1,3,5 TMB	
GP01	0-2	GP01 6-8	07/07/00	0	ND(<5.71)	-	28	-	-	-	-	-	-	ND(<25)	ND(<25)	ND(<25)	ND(<25)	ND(<25)	-
	2-4			0															
	4-6			0															
	6-8			3.0															
	8-10			0															
	10-12			3.0															
	12-14			2.0															
14-16	1.0																		
GP02	0-2	GP02 10-12	07/07/00	1.0	ND(<5.65)	-	ND(<25)	-	-	-	-	-	-	ND(<25)	ND(<25)	33.9	ND(<25)	ND(<25)	-
	2-4			0															
	4-6			0															
	6-8			0															
	8-10			0															
	10-12			0															
	12-14			0															
14-16	0																		
GP03	0-2	GP03 8-10	07/07/00	0	ND(<5.64)	-	ND(<25)	-	-	-	-	-	-	ND(<25)	ND(<25)	ND(<25)	ND(<25)	ND(<25)	-
	2-4			0															
	4-6			0															
	6-8			0															
	8-10			1.0															
	10-12			0															
	12-14			0															
14-16	0																		
NR 720 GRCL (blank space = no standard)					100	100	5.5*						2,900	1,500	4,100			50	
NR 746 Table 1 - Soil Porosity (blank space = no standard)							8,500				600	2,700	4,600	38,000	42,000	83,000	11,000		
NR 746 Table 2 - Direct Contact Zone (blank space = no standard)							1,100				540								
Notes: ND() = Not detected above quantification limit (detection limit) - = parameter not analyzed for GRCL = NR 720 generic residual contaminant level * = The GRCL for benzene is 5.5 ug/kg unless the sample is preserved with methanol then accepted GRCL is the detection limit of 25 ug/kg 33.2 = NR 720 GRCL exceedance																			

Table 3, continued
 Soil Sampling Analytical Results
 NR 720, NR746 and Detected Compounds Only
 Muffler's Plus
 West Aills, Wisconsin

Probe ID Number	Sampling Interval, ft bgs	Sample ID Number	Sample Date	Field OVM Readings, l.u.	WDNR MOD, mg/kg		VOCs, ug/kg										Lead (mg/kg)	
					GRO	DRO	Benzene	n-Butylbenzene	sec-Butylbenzene	p-Isopropyltoluene	1,2-dichloroethane	Naphthalene	Ethylbenzene	Toluene	Total Xylene	1,2,4 TMB		1,3,5 TMB
GP04	0-2	GP04 12-14	07/07/00	0	ND(<5.50)	ND(<5.50)	28.2	--	--	--	--	--	ND(<25)	33.4	44.3	26.2	ND(<25)	--
	2-4			0														
	4-6			0														
	6-8			0														
	8-10			0														
	10-12			0														
	12-14			0														
14-16	0																	
GP05	0-2	GP05 4-6	07/07/00	0	24.1	362	34.2	--	--	--	--	--	344	83.5	239	845	355	--
	2-4			26														
	4-6			51														
	6-8			2.0														
	8-10			2.0														
	10-12			0														
	12-14			0														
	14-16			0														
	16-18			0														
	18-20			0														
	GP06			0-2														
2-4		51																
4-6		52																
6-8		1.0																
8-10		1.0																
10-12		0																
12-14		0																
14-15	0																	
NR 720 GRCL (blank space = no standard)					100	100	5.5*					2,900	1,500	4,100			50	
NR 746 Table 1 - Soil Porosity (blank space = no standard)							8,500				600	2,700	4,600	38,000	42,000	83,000	11,000	
NR 746 Table 2 - Direct Contact Zone (blank space = no standard)							1,100				540							

Notes: ND() = Not detected above quantification limit (detection limit)
 -- = parameter not analyzed for
 GRCL = NR 720 generic residual contaminant level
 * = The GRCL for benzene is 5.5 ug/kg unless the sample is preserved with methanol then accepted GRCL is the detection limit of 25 ug/kg
 33.2 = NR 720 GRCL exceedance

Table 4
 Temporary Well Point Groundwater Contaminant Analytical Results
 Detected Compounds Only
 Muffler's Plus
 West Allis, Wisconsin

Well Number	Date Sampled	Sample ID	Toluene	Total Xylenes	1,2-Dichloro-ethane	Tetrachloro-ethene	Vinyl Chloride
TW01	07/07/00	GP-TW01	0.514	ND(<0.5)	ND(<0.5)	ND(<0.5)	ND(<0.170)
TW02	07/07/00	GP-TW02	0.631	ND(<0.5)	ND(<0.5)	ND(<0.5)	ND(<0.170)
TW03	07/07/00	GP-TW03	0.902	ND(<0.5)	ND(<0.5)	<u>0.597</u>	ND(<0.170)
TW04	07/07/00	GP-TW04	0.639	ND(<0.5)	25.3	ND(<0.5)	ND(<0.170)
TW05	07/11/00	GP-TW05	ND(<0.5)	0.546	ND(<0.5)	ND(<0.5)	3.11
NR 140 ES			1,000	10,000	5	5	0.2
NR140 PAL			200	1,000	0.5	0.5	0.02

Notes: all concentrations reported in ug/L unless noted
 ND() = Not detected above quantification limit (detection limit)
25.3 = Enforcement Standard Exceedence
0.597 = Preventive Action Limit Exceedence
 ES = NR 140 Enforcement Standard
 PAL = NR 140 Preventive Action Limit



DOC. # 08937329

REGISTER'S OFFICE | SS
Milwaukee County, WI

RECORDED 01/17/2005 12:46PM

JOHN LA FAVE
REGISTER OF DEEDS

AMOUNT: 41.00

Document Number | **DEED RESTRICTION**

In Re:

Lot number Twelve (12) and the east 4 ft. of Lot number Thirteen (13) in Block number One (1) in McGeoch Highlands, being a part of the Southeast One-quarter (SE¼) of Section Five (5), Township Six (6) North, Range Twenty-one (21) East, in the City of West Allis.

Recording Area

Name and Return Address

Mr. Norval Adams
4910 West Vollmer Avenue
Greenfield, Wisconsin 53219

Declaration of Restrictions

STATE OF WISCONSIN)
) ss
COUNTY OF MILWAUKEE)

WHEREAS, Louis Adams and N. Adams are the owners of the above-described property.

442-0710-000
Tax Key Number

WHEREAS, one or more Polycyclic Aromatic Hydrocarbons (PAH) discharges have occurred on this property, and as of August 7, 2003 when soil samples were collected on this property, PAH-contaminated soil remained on this property at the location identified in attached Exhibit A (table of soil data). Sample locations and location of site cap are identified in the attached Exhibit B (site map). Exhibits A and B are hereby made part of this restriction.

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 remediation activities on the property at the present time.

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:

The paved surfaces in the asphalt parking lot that existed on the above-described property on the date that this restriction was signed form a barrier that must be maintained in order to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health. These structures are also required in order to minimize the infiltration of water and prevent additional groundwater contamination that would violate the groundwater quality standards in ch. NR 140, Wis. Adm. Code. The asphalt cap shall be maintained on the above-described property in the locations shown on the attached map, labeled Exhibit B, unless another barrier, with an infiltration rate of 10^{-7} cm/sec or less, is installed and maintained in their place. The existing structures, and any replacement barrier with an infiltration rate of 10^{-7} cm/sec or less, shall be maintained on the above-described property in compliance with the Operation and Maintenance Plan dated March 24, 2004 that was submitted to the Wisconsin Department of Natural Resources by Mr. Norval Adams, as required by section NR 724.13(2), Wis. Adm. Code (1999).

The following activities are prohibited on any portion of the above-described property where an impervious cap (asphalt parking lot) has been placed or where impervious surfaces exist (re: Exhibit B), unless prior written approval has been obtained from the Wisconsin Department of Natural Resources or its successor or assign: (1) Excavating or grading of the land surface; (2) Filling on capped areas and areas with impervious surfaces; (3) Plowing for agricultural cultivation; and (4) Construction or installation of a building or other structure with a foundation that would sit on or be placed within the cap or impervious surface.

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 inures to the benefit of 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 by the property owner or other interested party to give notice that this deed restriction, or portions of this deed restriction, are no longer binding.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration

of Restrictions, this 17 day of JAN, 2005.

Signature: Norval L. Adams

Printed Name: NORVAL L. ADAMS

Subscribed and sworn to before me

this 17th day of January, 2005.

Robert J. Burger Jr.
Notary Public, State of Wisconsin

My commission expires 11/30/08

This document was drafted by E2M Environmental and Engineering Management LLC.

2.0 OPERATION AND MAINTENANCE PLAN

2.1 Impermeable Cap

The existing asphalt pavement shall serve as an impermeable cap to protect the health, safety and welfare of the general public from direct contact with the residual soil contamination remaining on-site. At a minimum the impermeable cap needs to cover the area illustrated on Figure 2.

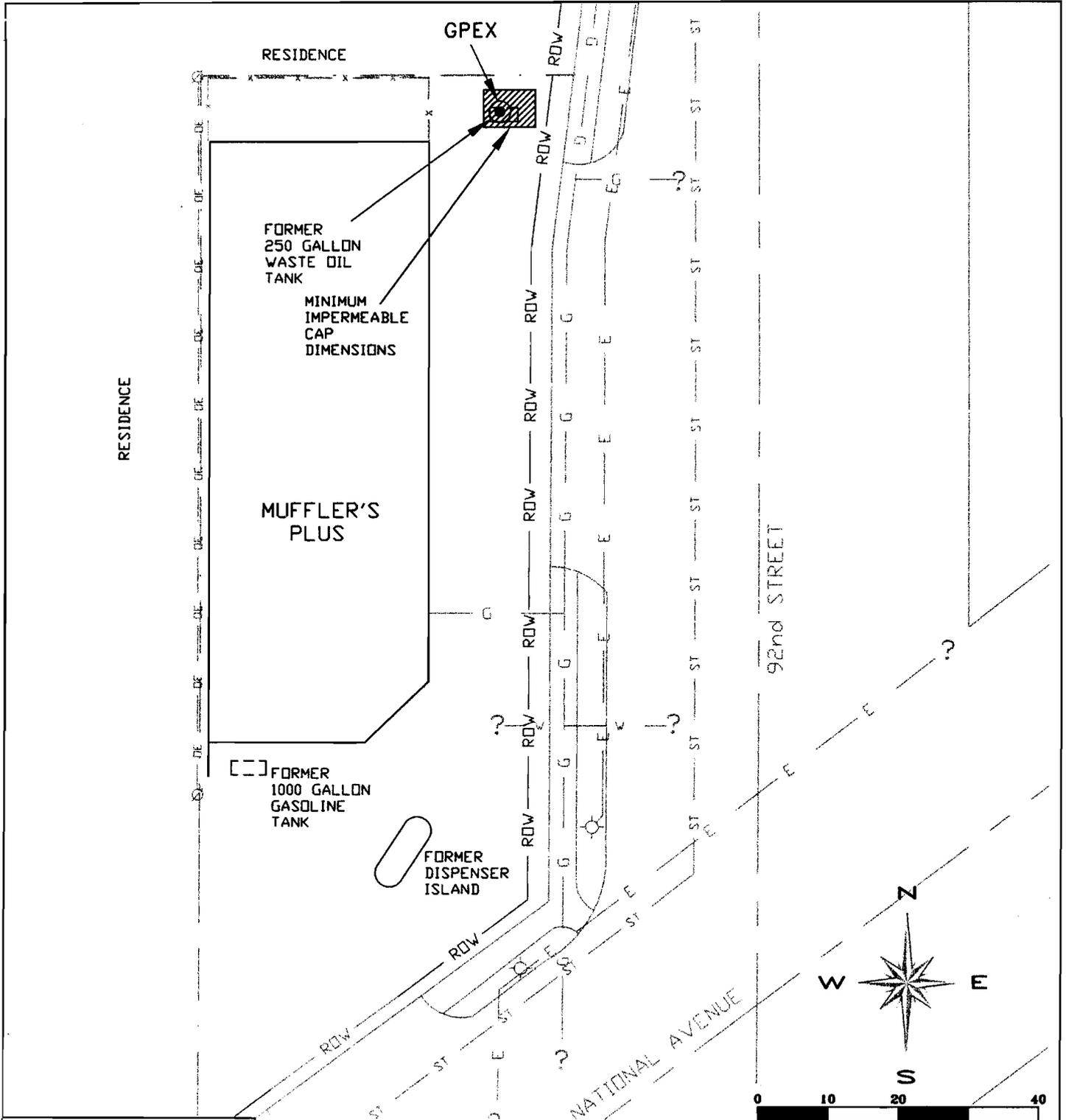
2.2 Monitoring/Maintenance

The Property Owner shall be responsible for the monitoring and maintenance of the asphalt cap. The Property Owner shall conduct an annual inspection of the integrity of the impermeable cap. The inspections shall be documented and kept on file at the Site. The records shall include the date and results of the inspection and any maintenance performed to preserve the integrity of the cap.

The Property Owner shall notify and obtain approval from the Wisconsin Department of Natural Resources, (WDNR) prior to the removal of the existing asphalt cap. Notification shall include a schedule of events for the removal and replacement of the impermeable cap.

Exhibit A
 Soil Investigation Sampling Analytical Results
 Detected PAH Compounds Only
 Muffler's Plus
 West Allis, Wisconsin

Probe ID Number	Sampling Interval, ft bgs	Sample ID Number	Sample Date	Field OVM Readings, l.u.	PAHs, mg/kg											
					Acena- phthene	Benz (a) Anthracene	Benzo (a) pyrene	Benzo (ghi) perylene	Chrysene	Flou- anthene	I-pyrene	1-methyl naphthalene	2-methyl naphthalene	Naphthalene	Phenan- threne	Pyrene
GPEX	0-2 2-4	MP/GPEX-2-4'	06/07/03	-- 141	0.398	0.0699	0.136	0.114	0.235	0.400	0.0800	0.912	1.32	0.497	0.173	0.320
Suggested GRCLs ¹																
Protection of Groundwater (mg/kg):					38	17	48	6800	37	500	680	23	20	0.4	1.8	8700
Direct Contact - Non-Industrial (mg/kg):					900	0.088	0.0088	1.8	8.8	600	0.088	1100	600	20	18	500
<p>Notes: ND () = Not detected above quantification limit (detection limit) I-pyrene = indeno(1,2,3-cd) pyrene ¹ Generic Residual Contaminant Levels have been obtained from "Soil Cleanup Levels for...(PAHs) Interim Guidance", April 1997 (corrected), WDNR Pub. RR-519-97 0.136 = exceedance of suggested GRCL</p>																



- = approx. property line
- = center line
- x- = fence
- s- = underground natural gas
- e- = overhead electric
- st- = storm sewer
- c- = underground electric
- w- = water
- ⊕ = fire hydrant
- ⊕ = traffic light
- ⊕ = telephone pole
- ⊙ = soil probe location w/D

Exhibit B
SITE LAYOUT

 Muffler's Plus
 9200 West National Avenue
 West Allis, WI

E2M

Environmental & Engineering Management LLC
 W223 N7343 Carole Court, Sussex, WI 53089

DATE	DRAFTED BY:	APPROVED BY:	REV NO.
01/05/04	CAM		

SCALE: 1" = 20'	FILE: mp_base.dwg
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