GIS REGISTRY
Cover Sheet

FEB 12 2009

July, 2008
(RR 5367)

Source Property Information

CLOSURE DATE: Feb 10, 2009

BRRTS #: 03-41-546829

ACTIVITY NAME: Regency Auto Mart

FID #: 341127710

PROPERTY ADDRESS: 4800 North 76th Street

DATCP #:

MUNICIPALITY: Milwaukee

COMM #: 53218382500

PARCEL ID #: 212-0867-100-3

***WTM COORDINATES:**

X: 682275 Y: 294453

** Coordinates are in WTM83, NAD83 (1991)*

WTM COORDINATES REPRESENT:

(•) Approximate Center Of Contaminant Source

( ) Approximate Source Parcel Center

Please check as appropriate: (BRRTS Action Code)

Contaminated Media:

☐ Groundwater Contamination > ES *(236)*

- ☐ Contamination in ROW
- ☐ Off-Source Contamination

*(**note:** for list of off-source properties see "Impacted Off-Source Property")*

☒ Soil Contamination > *RCL or **SSRCL *(232)*

- ☒ Contamination in ROW
- ☐ Off-Source Contamination

*(**note:** for list of off-source properties see "Impacted Off-Source Property")*

Land Use Controls:

☐ Soil: maintain industrial zoning *(220)*

*(**note:** soil contamination concentrations between residential and industrial levels)*

☒ Structural Impediment *(224)*

☐ Site Specific Condition *(228)*

☒ Cover or Barrier *(222)*

*(**note:** maintenance plan for groundwater or direct contact)*

☐ Vapor Mitigation *(226)*

☐ Maintain Liability Exemption *(230)*

*(**note:** local government or economic development corporation)*

Monitoring wells properly abandoned? *(234)*

(•) Yes ( ) No ( ) N/A

** Residual Contaminant Level*
*** Site Specific Residual Contaminant Level*

This Adobe Fillable form is intended to provide a list of information that is required for evaluation for case closure. It is to be used in conjunction with Form 4400-202, Case Closure Request. The closure of a case means that the Department has determined that no further response is required at that time based on the information that has been submitted to the Department.

NOTICE: Completion of this form is mandatory for applications for case closure pursuant to ch. 292, Wis. Stats. and ch. NR 726, Wis. Adm. Code, including cases closed under ch. NR 746 and ch. NR 726. The Department will not consider, or act upon your application, unless all applicable sections are completed on this form and the closure fee and any other applicable fees, required under ch. NR 749, Wis. Adm. Code, Table 1 are included. It is not the Department's intention to use any personally identifiable information from this form for any purpose other than reviewing closure requests and determining the need for additional response action. The Department may provide this information to requesters as required by Wisconsin's Open Records law [ss. 19.31 - 19.39, Wis. Stats.].

BRRTS #: 03-41-546829 02-41-552223 PARCEL ID #: 212 0867 100 3

ACTIVITY NAME: REGENCY AUTO PROPERTY WTM COORDINATES: X: 682275 Y: 244453

CLOSURE DOCUMENTS (the Department adds these items to the final GIS packet for posting on the Registry)

- [x] **Closure Letter**
- [x] **Maintenance Plan** *(if activity is closed with a land use limitation or condition (land use control) under s. 292.12, Wis. Stats.)*
- [x] **Conditional Closure Letter**
- [ ] **Certificate of Completion (COC)** for VPLE sites

SOURCE LEGAL DOCUMENTS

- [x] **Deed:** The most recent deed as well as legal descriptions, for the **Source Property** (where the contamination originated). Deeds for other, off-source (off-site) properties are located in the **Notification** section.
  Note: *If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.*
- [x] **Certified Survey Map:** A copy of the certified survey map or the relevant section of the recorded plat map *for those properties where the legal description in the most recent deed refers to a certified survey map or a recorded plat map.* (lots on subdivided or platted property (e.g. lot 2 of xyz subdivision)).

  Figure #: **Title:**
- [x] **Signed Statement:** A statement signed by the Responsible Party (RP), which states that he or she believes that the attached legal description accurately describes the correct contaminated property.

MAPS (meeting the visual aid requirements of s. NR 716.15(2)(h))

Maps must be no larger than 8.5 x 14 inches unless the map is submitted electronically.

- [x] **Location Map:** A map outlining all properties within the contaminated site boundaries on a U.S.G.S. topographic map or plat map in sufficient detail to permit easy location of all parcels. If groundwater standards are exceeded, include the location of all potable wells within 1200 feet of the site.
  Note: *Due to security reasons municipal wells are not identified on GIS Packet maps. However, the locations of these municipal wells must be identified on Case Closure Request maps.*

  Figure #: FIGURE 1 **Title:** SITE LOCATION DIAGRAM
- [x] **Detailed Site Map:** A map that shows all relevant features (buildings, roads, individual property boundaries, contaminant sources, utility lines, monitoring wells and potable wells) within the contaminated area. This map is to show the location of all contaminated public streets, and highway and railroad rights-of-way in relation to the source property and in relation to the boundaries of groundwater contamination exceeding a ch. NR 140 Enforcement Standard (ES), and/or in relation to the boundaries of soil contamination exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Levels (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.

  Figure #: FIG 2 **Title:** SITE FEATURES AND PROBEHOLE/WELL LOCATIONS DIAGRAM
- [x] **Soil Contamination Contour Map:** For sites closing with residual soil contamination, this map is to show the location of all contaminated soil and a single contour showing the horizontal extent of each area of contiguous residual soil contamination that exceeds a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL)as determined under s. NR 720.09, 720.11 and 720.19.

  Figure #: FIG 3 **Title:** SOIL ANALYTICAL RESULTS ABOVE RCLS DIAGRAM
  FIG 4 EXCAVATION LIMITS, SAMPLE LOCATIONS, AND SOIL ANALYTICAL RESULTS ABOVE RCLS DIAGRAM

BRRTS #: 03-41-546829
02-41-552223

ACTIVITY NAME: Regency Auto Property

MAPS (continued)

☐ **Geologic Cross-Section Map:** A map showing the source location and vertical extent of residual soil contamination exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL). If groundwater contamination exceeds a ch. NR 140 Enforcement Standard (ES) when closure is requested, show the source location and vertical extent, water table and piezometric elevations, and locations and elevations of geologic units, bedrock and confining units, if any.

Figure #: **Title:**

Figure #: **Title:**

☑ **Groundwater Isoconcentration Map:** For sites closing with residual groundwater contamination, this map shows the horizontal extent of all groundwater contamination exceeding a ch. NR140 Preventive Action Limit (PAL) and an Enforcement Standard (ES). Indicate the direction and date of groundwater flow, based on the most recent sampling data.
Note: *This is intended to show the total area of contaminated groundwater.*

Figure #: FIG 5 **Title:** GROUNDWATER ANALYTICAL RESULTS ABOVE STANDARDS DIAGRAM

☑ **Groundwater Flow Direction Map:** A map that represents groundwater movement at the site. If the flow direction varies by more then 20° over the history of the site, submit 2 groundwater flow maps showing the maximum variation in flow direction.

Figure #: FIG 6 **Title:** GROUNDWATER ELEVATION CONTOUR DIAGRAM (10-8-07)

Figure #: **Title:**

TABLES (meeting the requirements of s. NR 716.15(2)(h)(3))

Tables must be no larger than 8.5 x 14 inches unless the table is submitted electronically. Tables must not contain shading and/or cross-hatching. The use of **BOLD** or *ITALICS* is acceptable.

☑ **Soil Analytical Table:** A table showing remaining soil contamination with analytical results and collection dates.
Note: This is one table of results for the contaminants of concern. Contaminants of concern are those that were found during the site investigation, that remain after remediation. It may be necessary to create a new table to meet this requirement.

Table #: TABLE 2 **Title:** - METALS AND VOC ANALYTICAL RESULTS - INVESTIGATION SOIL SAMPLES
TABLE 3 - PAH ANALYTICAL RESULTS - INVESTIGATIVE SOIL SAMPLES
TABLE 4 - VOC ANALYTICAL RESULTS - EXCAVATION SOIL SAMPLES

☑ **Groundwater Analytical Table:** Table(s) that show the most recent analytical results and collection dates, for all monitoring wells and any potable wells for which samples have been collected.

Table #: TABLE 5 **Title:** VOC ANALYTICAL RESULTS - GROUNDWATER SAMPLES

☑ **Water Level Elevations:** Table(s) that show the previous four (at minimum) water level elevation measurements/dates from all monitoring wells. If present, free product is to be noted on the table.

Table #: TABLE 6 **Title:** GROUNDWATER ELEVATION MEASUREMENTS

IMPROPERLY ABANDONED MONITORING WELLS

For each monitoring well not properly abandoned according to requirements of s. NR 141.25 include the following documents.
Note: *If the site is being listed on the GIS Registry for only an improperly abandoned monitoring well you will only need to submit the documents in this section for the GIS Registry Packet.*

☑ **Not Applicable**

☐ **Site Location Map:** A map showing all surveyed monitoring wells with specific identification of the monitoring wells which have not been properly abandoned.
Note: *If the applicable monitoring wells are distinctly identified on the Detailed Site Map this Site Location Map is not needed.*

Figure #: **Title:**

☐ **Well Construction Report:** Form 4440-113A for the applicable monitoring wells.

☐ **Deed:** The most recent deed as well as legal descriptions for each property where a monitoring well was not properly abandoned.

☐ **Notification Letter:** Copy of the notification letter to the affected property owner(s).

BRRTS #: 03-41-546-629
02-41-552223

ACTIVITY NAME: Rezoning Area Property

NOTIFICATIONS

Source Property (NA)

NA ☐ **Letter To Current Source Property Owner:** If the source property is owned by someone other than the person who is applying for case closure, include a copy of the letter notifying the current owner of the source property that case closure has been requested.

NA ☐ **Return Receipt/Signature Confirmation:** Written proof of date on which confirmation was received for notifying current source property owner.

Off-Source Property

Group the following information per individual property and label each group according to alphabetic listing on the "Impacted Off-Source Property" attachment.

NA ☐ **Letter To "Off-Source" Property Owners:** Copies of all letters sent by the Responsible Party (RP) to owners of properties with groundwater exceeding an Enforcement Standard (ES), and to owners of properties that will be affected by a land use control under s. 292.12, Wis. Stats.
Note: *Letters sent to off-source properties regarding residual contamination must contain standard provisions in Appendix A of ch. NR 726.*

Number of "Off-Source" Letters:

NA ☐ **Return Receipt/Signature Confirmation:** Written proof of date on which confirmation was received for notifying any off-source property owner.

NA ☐ **Deed of "Off-Source" Property:** The most recent deed(s) as well as legal descriptions, for all affected deeded **off-source property(ies).** This does not apply to right-of-ways.
Note: *If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.*

☒ **Letter To "Governmental Unit/Right-Of-Way" Owners:** Copies of all letters sent by the Responsible Party (RP) to a city, village, municipality, state agency or any other entity responsible for maintenance of a public street, highway, or railroad right-of-way, within or partially within the contaminated area, for contamination exceeding a groundwater Enforcement Standard (ES) and/or soil exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL).

Number of "Governmental Unit/Right-Of-Way Owner" Letters: 1

11-20-08 LETTER TO THE CITY OF MILWAUKEE

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Matthew J. Frank, Secretary
Gloria L. McCutcheon, Regional Director

Southeast Region Headquarters
2300 N. Dr. Martin Luther King, Jr. Drive
Milwaukee, Wisconsin 53212-3128
FAX 414-263-8606
Telephone 414-263-8500
TTY Access via relay - 711

February 10, 2009

4800 North 76th, LLC
Attn: Jeffery Reimer
N178 W9358 Water Tower Place
Menomonee Falls, WI 53051

Subject: Final Case Closure with Land Use Limitations or Conditions for Regency Auto Mart, 4800 North 76th Street, Milwaukee, WI

FID: 341127710
BRRTS: 03-41-546829 & 02-41-552223
PECFA: 53218-3825-00

Dear Mr. Reimer:

On January 8, 2009 the Wisconsin Department of Natural Resources ("the Department") Regional Closure Committee reviewed the above referenced case for closure. This committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. On January 8, 2009, you were notified that the Closure Committee had granted conditional closure to this case.

On February 10, 2009, the Department received correspondence indicating that you have compiled with the requirements of closure. The Department received the groundwater monitoring well abandonment and revised Cap Maintenance Plan.

Based on the correspondence and data provided, it appears that your case meets the requirements of ch. NR 726, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation at this time.

GIS Registry

The conditions of case closure set out below in this letter require that your site be listed on the Remediation and Redevelopment Program's GIS Registry. The specific reasons are summarized below:

- Residual soil contamination exists that must be properly managed should it be excavated or removed.
- If a structural impediment (building) that obstructs a complete site investigation or cleanup is removed or modified, additional environmental work must be completed.
- Pavement, an engineered cover or a soil barrier must be maintained over contaminated soil and the state must approve any changes to this barrier.
- Groundwater contamination is present Above Chapter NR 140 enforcement standards.

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Information that was submitted with your closure request application will be included on the GIS Registry. To review the sites on the GIS Registry web page, visit the RR Sites Map page at: http://dnr.wi.gov/org/aw/rr/gis/index.htm

If your property is listed on the GIS Registry because of remaining contamination and you intend to construct or reconstruct a well, you will need prior Department approval in accordance with s. NR 812.09(4)(w), Wis. Adm. Code. To obtain approval, Form 3300-254 needs to be completed and submitted to the DNR Drinking and Groundwater program's regional water supply specialist. This form can be obtained on-line at http://dnr.wi.gov/org/water/dwg/3300254.pdf or at the web address listed above for the GIS Registry.

Closure Conditions

Please be aware that pursuant to s. 292.12 Wisconsin Statutes, compliance with the requirements of this letter is a responsibility to which you and any subsequent property owners must adhere. If these requirements are not followed or 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 may take enforcement action under s. 292.11 Wisconsin Statutes to ensure compliance with the specified requirements, limitations or other conditions related to the property or this case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code. It is the Department's intent to conduct inspections in the future to ensure that the conditions included in this letter including compliance with referenced maintenance plans are met.

Structural Impediments

Structural impediments existing at the time of cleanup, a building, made complete investigation and remediation of the soil contamination on this property impracticable. Pursuant to s. 292.12(2)(b), Wis. Stats., if the structural impediments on this property that are described above are removed, the property owner shall conduct an investigation of the degree and extent of the petroleum and chlorinated solvent contamination. . If contamination is found at that time, the Wisconsin Department of Natural Resources shall be immediately notified and the contamination shall be properly remediated in accordance with applicable statutes and rules. If soil in the specific locations described above is excavated, the property owner at the time of excavation must sample and analyze the excavated soil to determine if residual contamination remains. If sampling confirms that contamination is present the property owner at the time of excavation will need to determine whether the material would be considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken during excavation activities to prevent a health threat to humans.

Cover or Barrier

Pursuant to s. 292.12(2)(a), Wis. Stats., the building and asphalt parking areas that currently exists in the location shown on the attached map shall be maintained in compliance with **the attached maintenance plan** in order to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health. If soil in the specific locations described above is excavated in the future, the property owner at the time of excavation must sample and analyze the excavated soil to determine if residual contamination remains. If sampling confirms that contamination is present the property owner at the time of excavation will need to determine whether the material would be

considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken during excavation activities to prevent a health threat to humans.

Pursuant to s. 292.12(2)(a), Wis. Stats., the pavement and building cap that currently exists in the location shown on the attached map shall be maintained in compliance with the **attached maintenance plan** 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, and to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health. If soil in the specific locations described above is excavated in the future, the property owner at the time of excavation must sample and analyze the excavated soil to determine if residual contamination remains. If sampling confirms that contamination is present the property owner at the time of excavation will need to determine whether the material would be considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken during excavation activities to prevent a health threat to humans.

The attached maintenance plan and inspection log are to be kept up-to-date and on-site, and the inspection log need only be submitted to the Department upon request.

Prohibited Activities

The following activities are prohibited on any portion of the property where [pavement, a building foundation, soil cover, engineered cap or other barrier] is required as shown on the attached map, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 1) removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; or 6) construction or placement of a building or other structure.

Remaining Residual Groundwater Contamination

Groundwater impacted by petroleum and chlorinated solvents contamination greater than enforcement standards set forth in ch. NR140, Wis. Adm. Code, is present on the contaminated property. For more detailed information regarding the locations where groundwater samples have been collected (i.e., monitoring well locations) and the associated contaminant concentrations, refer to the Remediation and Redevelopment Program's GIS Registry at the RR Sites Map page at http://dnr.wi.gov/org/aw/rr/gis/index.htm.

Vapor Migration

In addition, depending on site-specific conditions, construction over contaminated materials may result in vapor migration into enclosed structures or migration along newly placed underground utility lines. The potential for vapor inhalation and mitigation should be evaluated when planning any future redevelopment, and measures should be taken to ensure the continued protection of public health, safety, welfare and the environment at the site.

If this a PECFA site, section 101.43, Wis. Stats., requires that PECFA claimants seeking reimbursement of interests costs, for sites with petroleum contamination, 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 cost 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.

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 John J. Hnat 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 Program Assistant Vicky Stovall (414-263-8688) at the above address.

Sincerely,

James A. Schmidt

James A. Schmidt
Remediation and Redevelopment Team Supervisor
Southeast Regional Headquarters

Enclosure: Cap Maintenance Plan, 4800 N 76th Street, Milwaukee, WI

C: Monica Weis, Commerce, Milwaukee
Trent Ott, EDS
WDNR SER Files

CAP MAINTENANCE PLAN
4800 N. 76th Street,
Milwaukee, Wisconsin
DNR BRRTS Nos. 03-41-546829 and 02-41-552223
November 20, 2008

This Cap Maintenance Plan (the "Plan") has been prepared in accordance with ch. NR 724.13(2) Wis. Adm. Code, and shall be applicable to the Property located at 4800 N. 76th Street in Milwaukee, Wisconsin (the "Property").

A copy of this Plan shall be kept on file with the current Property owner and its successors. This Plan has been developed for the existing post-remediation surface at the Property that is serving as a direct contact barrier ("Cap") for residual soil impacts at the Property.

1. Property Owner. 4800 North 76th Street, LLC, N178 W9358 Water Tower Place, Menomonee Falls, WI 53051. Attn: Mr. Jeffrey Reimer, (262) 532-6102.

2. Consultant. Environmental & Development Solutions, Inc., 6637 North Sidney Place, Milwaukee, Wisconsin 53209. Richard Frieseke, President - (414) 228-9810.

3. Property Information. 4800 N 76th Street, Milwaukee, Wisconsin. The Property location and features are illustrated on the attached Exhibits A and B.

4. Nature and Extent of Contamination. The Property currently contains a used car dealership and associated parking lot. The Property was formerly occupied by a gasoline service station that utilized underground storage tanks (USTs) for gasoline and waste oil storage. The gasoline USTs were removed from the Property in 1979, and the waste oil UST was removed form the Property in 2007. Site investigation (SI) activities have been conducted at the Property. The SI results indicated the presence of volatile organic compounds (VOCs) in the shallow soils within the top 4 feet at the Property, and VOCs within groundwater in the vicinity of the former waste oil UST at concentrations above the DNR enforcement standards (ESs). A limited soil removal was conducted in 2007 in conjunction with the waste oil UST removal to remediate the soil and

perched water impacts in that area. Based on the SI and post-remediation sampling results, the residual soil impacts will be addressed through maintaining the existing building and asphalt parking areas as a direct contact barrier (Exhibit B). The DNR has reviewed the SI and results of the remediation activities and provided conditional closure in a letter dated January 8, 2009. The conditions of closure included maintaining a Cap over the entire site.

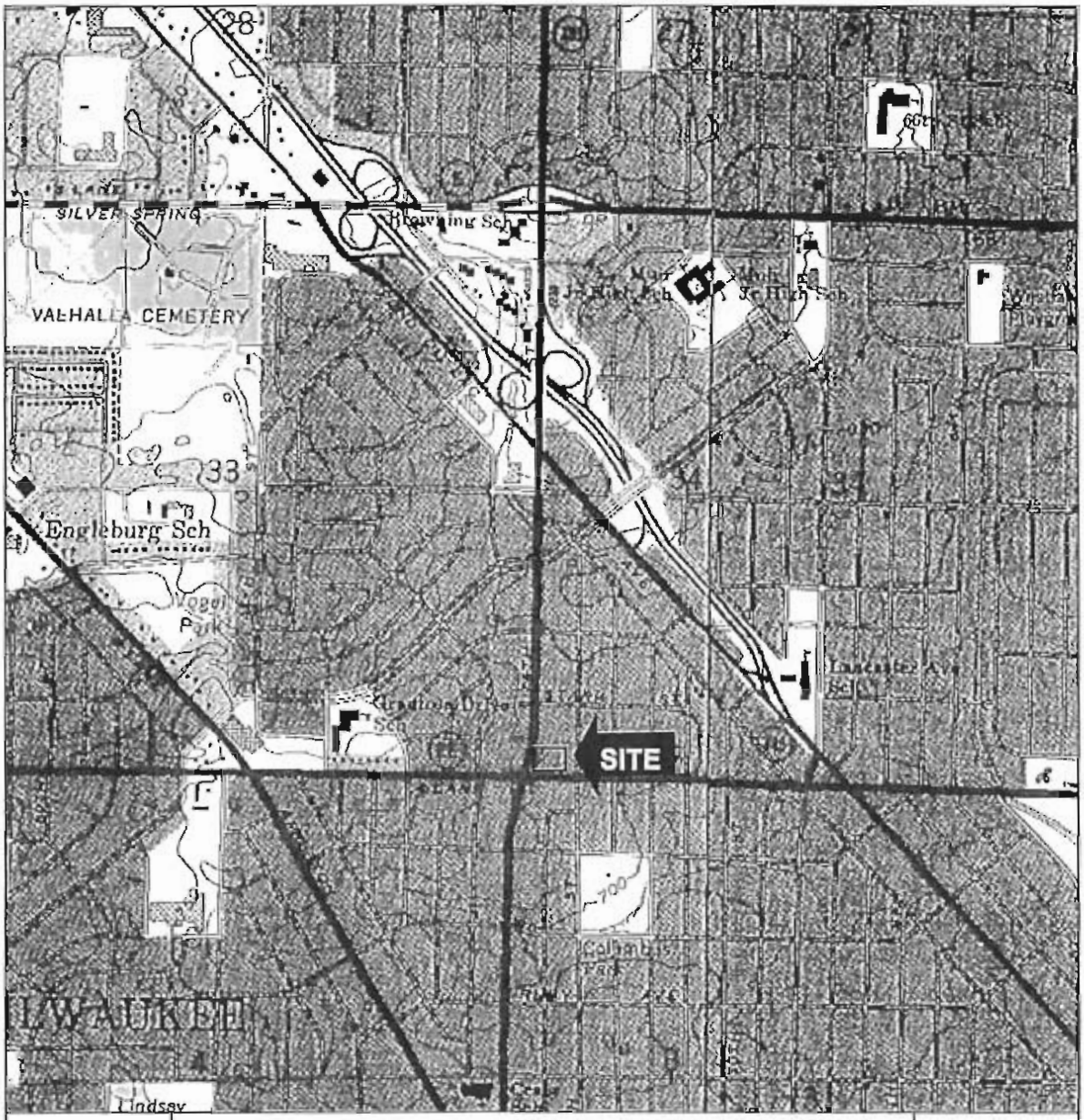
5. Normal Operation and Maintenance – Ch. NR 724.13(2)(b). Per a condition of closure, the Cap must be maintained at the Property. The Cap will be inspected once a year, normally in the spring after the snow and ice are melted. The inspection will be documented on the attached inspection log (Exhibit C). Any disturbances of the Cap noted during the inspection, such as significant rutting or significant erosion, burrowing or other damage will be repaired within a reasonable period of time after discovery. Any alterations or repairs to the Cap shall be documented on the attached inspection log, and the documentation shall be kept on file by the Property owner with a copy of this Plan. A copy of this Plan and any additions to the Plan shall be made available for inspection by representatives of the DNR upon reasonable requests during normal business hours of the Property owner.

6. Cap Removal and Replacement. If it becomes necessary or desirable to remove or alter the existing cap, the cap so removed or altered shall be replaced with another equivalent barrier, and shall be maintained on the Property in compliance with this Plan. If impacted materials are excavated from the Property during the cap removal/alteration, they will require proper handling and/or disposal in accordance with applicable State of Wisconsin regulations.

7. Plan Amendment or Withdrawal. This Plan can be amended or withdrawn by the Property owner or its successors with the written approval of the DNR.

060404m

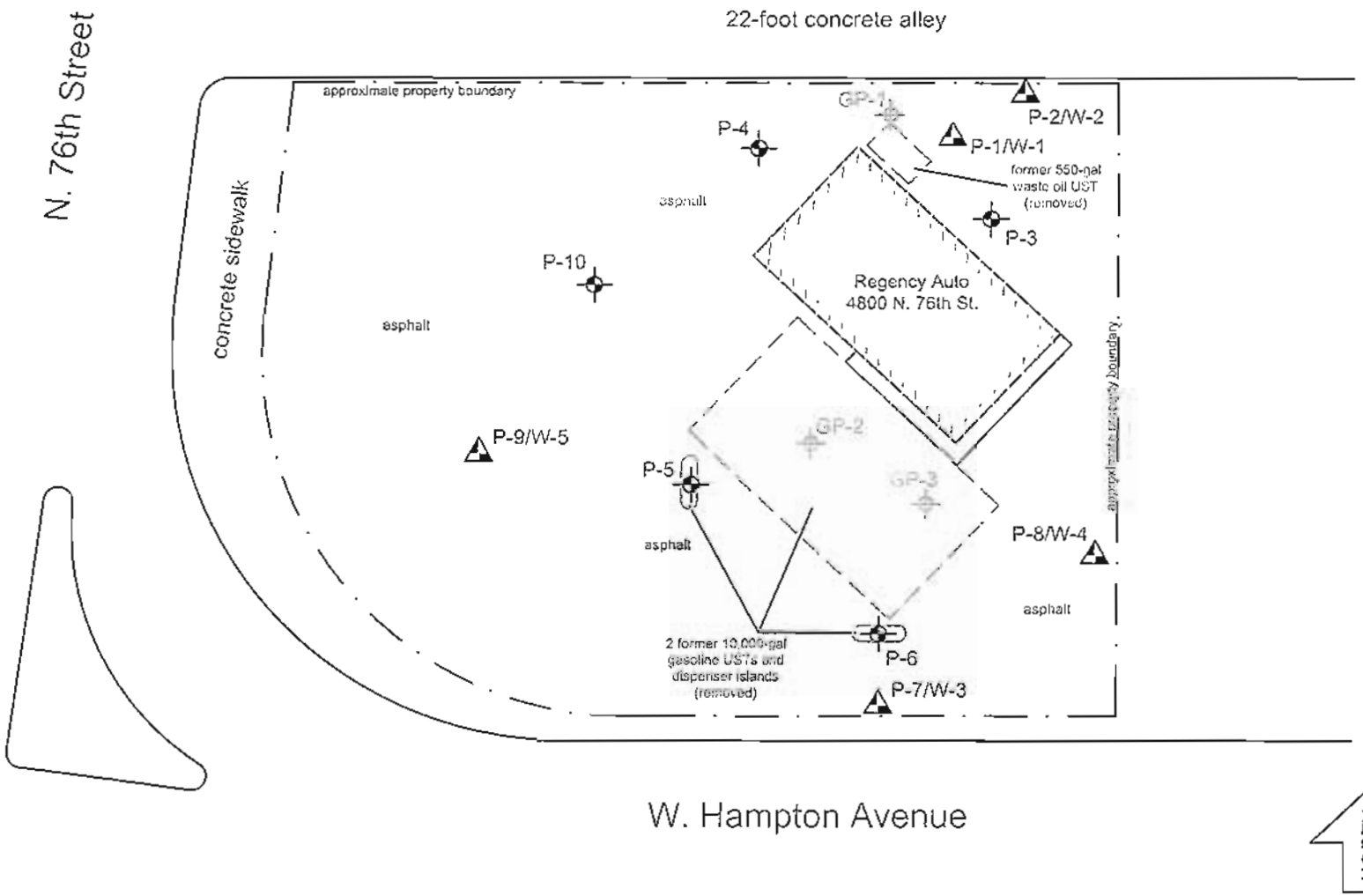
Exhibit A



Approximate Scale 1" = 1,600'	United States Geological Survey Topographic Map Wauwatosa Quadrangle SW 1/4 of SW 1/4 of Sec 34, T8N, R21E	NORTH

environmental & development solutions	**Site Location Diagram** Regency Auto Mart 4800 N. 76th Street Milwaukee, Wisconsin	Figure 1

Exhibit B



environmental & development solutions	File No.: 060404a DWG Date: 11-20-07 Rev Date: 11-21-07 Drawn By: JEB Checked By (PM): RWF	Site Features and Probehole/Well Locations Diagram Regency Auto Mart 4800 N. 76th Street Milwaukee, Wisconsin	Figure 2

Exhibit C

CAP INSPECTION LOG

Regency Auto Property

BRRTS No. 02-41-552223

Inspection Date	Inspector	Condition of Cap	Recommendations and Repairs

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Matthew J. Frank, Secretary
Gloria L. McCutcheon, Regional Director

Southeast Region Headquarters
2300 N. Dr. Martin Luther King, Jr. Drive
Milwaukee, Wisconsin 53212-3128
FAX 414-263-8606
Telephone 414-263-8500
TTY Access via relay - 711

January 8, 2009

4800 North 76th, LLC
ATTN: Jeffery Reimer
N178 W9358 Water Tower Place
Menomonee Falls, WI 53051

Subject: Conditional Closure Decision with Requirements to Achieve Final Closure for Regency Auto Mart, 4800 North 76th Street, Milwaukee, WI 53218

FID: 341127710
BRRTS: 03-41-546829 & 02-41-552223
PECFA: 53218-3825-00

Dear Mr. Reimer:

On January 8, 2009, the Wisconsin Department of Natural Resources ("the Department") Regional Closure Committee reviewed your request for closure of the case described above. The Department reviews environmental remediation cases for compliance with state rules and statutes to maintain consistency in the closure of these cases. After careful review of the closure request, the Department has determined that the petroleum and chlorinated solvent contamination from the former underground waste oil tank that was located on the property appears to have been investigated and remediated to the extent practicable under site conditions. Your case meets the screening criteria of s. NR 746.07 or s. NR 746.08, Wis. Adm. Code, and the requirements of ch. NR 726, Wis. Adm. Code and will be closed if the following conditions are satisfied:

- The groundwater monitoring wells and any other remediation systems at the site must be properly abandoned in compliance with ch. NR 141, Wis. Admin. Code. Documentation of well abandonment must be submitted to this office on Form 3300-5B found at www.dnr.state.wi.us/org/water/dqw/gw within 60-days on receipt of this letter as required in s. NR 726.05(8)(a)1 and s. NR 141.25 Wis. Admin. Code. The Department requires the abandonment of these wells before issuing a final closure letter.

- Have EDS resubmit the final CAP MAINTENANCE PLAN for the site that includes the date of this closure letter as omitted in Paragraph 1, Page 2 of the draft plan.

When the above conditions have been satisfied, please submit the appropriate documentation (for example, well abandonment forms, disposal receipts, copies of correspondence, etc.) to verify 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 GIS Registry. To review the site on the GIS Registry web page, visit http://maps.dnr.state.wi.us/brrts.

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If this is a PECFA site, section 101.143, Wis. Stats., requires that PECFA claimants seeking reimbursement of interest costs, for sites with petroleum contamination, 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.

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 Program Assistant Vicky Stovall (414-263-8688) at the above address.

Sincerely,

John J. Hnat, P.G., C.P.G.
Project Manager\Senior Hydrogeologist
Southeast Region
Remediation and Redevelopment

C: Richard Frieseke, EDS
WDNR SER Files

2.

DOCUMENT NO.

STATE BAR OF WISCONSIN FORM 1-1998
WARRANTY DEED

* 0 9 2 4 0 7 6 9 *

DOC.# 09240769

REGISTER'S OFFICE | SS
Milwaukee County, WI
RECORDED 05/24/2006 08:37AM
JOHN LA FAVE
REGISTER OF DEEDS
AMOUNT: 13.00

THIS DEED made between Burty, LLC ("Grantor")
and 4800 North 76th Street, LLC ("Grantee").
Grantor, for a valuable consideration, conveys to Grantee the following described real estate in Milwaukee County, State of Wisconsin (the "Property"):

RETURN TO
Thomas Cunningham
320 E Buffalo St.
Milwaukee, WI 53202

attached

TRANSFER
$432.00
FEE

212 0867 100 3
Parcel Identification Number (PIN)

This is not homestead property.

Lots Seventeen (17) and Eighteen (18), in Block Ten (10), in Wellington Park No. 2, part of the Southwest One-quarter (1/4) of Section Thirty-four (34), Township Eight (8) North, Range Twenty-one (21) East, in the City of Milwaukee, Milwaukee County Wisconsin.
Also;
All that part of North 76th Street in said Southwest One-quarter (1/4) and the Southeast One-quarter (1/4) of Section Thirty-three (33), Township Eight (8) North, Range Twenty-one (21) East, described as follows:
Commencing at the point of intersection of the North line of West Hampton Avenue and the Southwest corner of said Lot 18; running thence North along the West line of said Lot 18, 116.00 feet to the Northwest corner thereof; thence North 89°26'30" West along the extension of the North line of said Lot 18, 56.74 feet to a point; thence South 13°58'31" West, 27.38 feet to a point of curve; thence Southeasterly 109.25 feet along the arc of said curve, whose center lies to the Southeast with a radius 72.00 feet and whose chord bears South 29°29'39" East, a distance of 99.07 feet to a point; thence South 75°33'44" East, 15.05 feet to the point of commencement. Excepting therefrom that part thereof in the Southeast 1/4 of said Section 33.

Together with all appurtenant rights, title and interests.
Grantor warrants that the title to the Property is good, indefeasible in fee simple and free and clear of encumbrances except Municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utility and municipal services, recorded building and use restrictions and covenants, general taxes levied in the year of closing.

Dated this 8th day of May, 2006.

_____ (SEAL)
*

BURTY, LLC
BY: _____ (SEAL)
* Burton L. Dinkin, Member

_____ (SEAL)
*

_____ (SEAL)
*

AUTHENTICATION

Signature(s) _____

authenticated this ____ day of _____

*
TITLE: MEMBER STATE BAR OF WISCONSIN
(If not authorized by § 706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY
Howard B. Tolkan, Attorney at Law
Bar No. 1016376

(Signatures may be authenticated or acknowledged. Both are not necessary.)

ACKNOWLEDGMENT

STATE OF WISCONSIN
Milwaukee County } ss.

Personally came before me this 8th day of May, 2006 the above named Burton L. Dinkin

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

* Howard B. Tolkan
Notary Public Milwaukee County, Wis.

*Name of person signing in any capacity should be typed or printed below their signature.
WARRANTY DEED
Title

Doc Yr: 2006Doc

Post-it® Fax Note 7671	Date 11-4-08	# of pages ▶ 2
To TOM CUNNINGHAM	From LAND TITLE	
Co./Dept.	Co.	
Phone #	Phone # 259-5060	
Fax #	Fax #	

BURTY, LLC/4800 N 76TH STREET, LLC - GRANTOR
4800 NORTH 76TH STREET, LLC - GRANTEE

Lots Seventeen (17) and Eighteen (18), in Block Ten (10), in Wellington Park No. 2, part of the Southwest One-quarter (1/4) of Section Thirty-four (34), Township Eight (8) North, Range Twenty-one (21) East, in the City of Milwaukee, Milwaukee County, Wisconsin.

Also;

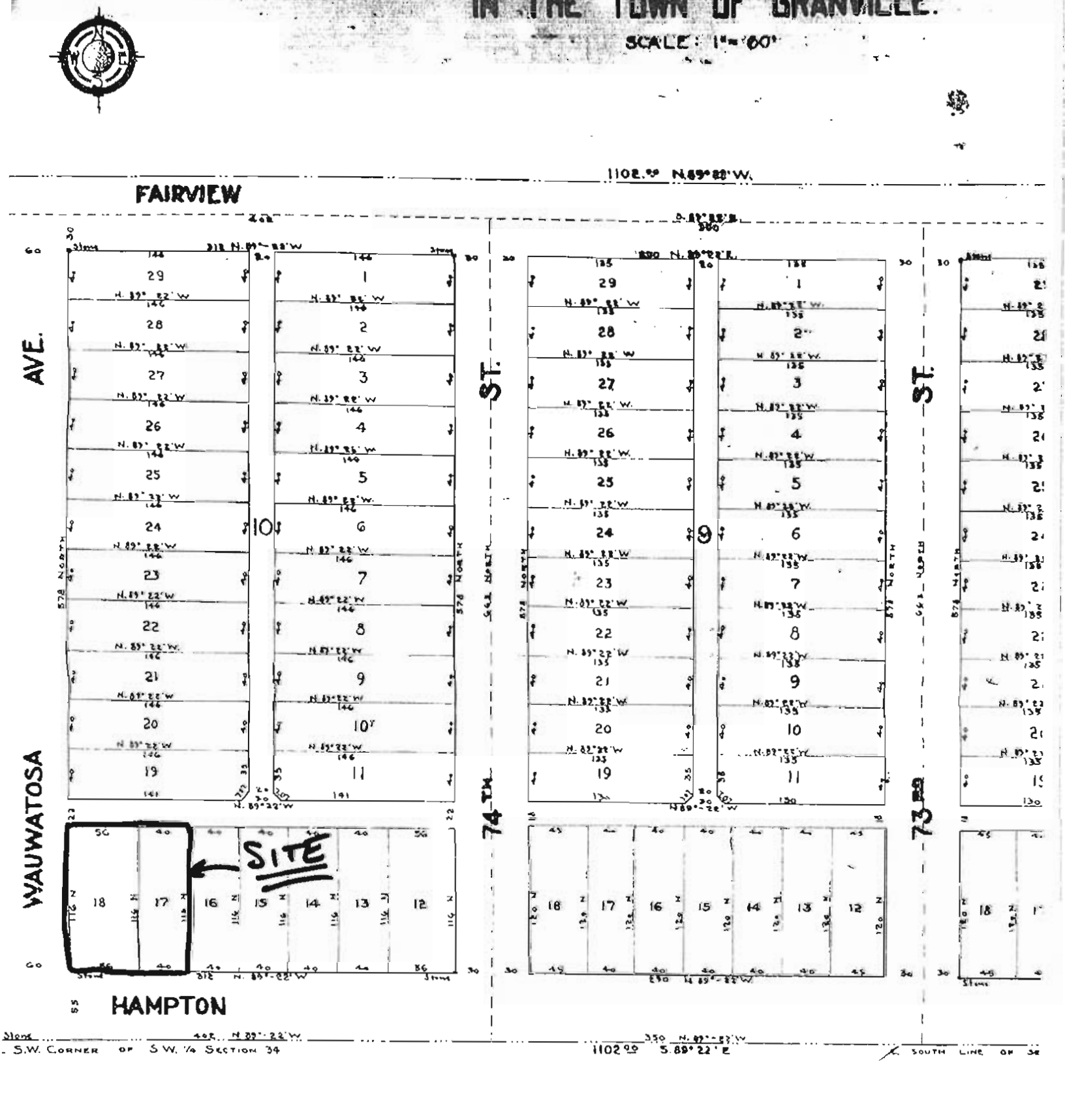
All that part of North 76th Street in said Southwest One-quarter (1/4) and the Southeast One-quarter (1/4) of Section Thirty-three (33), Township Eight (8) North, Range Twenty-one (21) East, described as follows:
Commencing at the point of intersection of the North line of West Hampton Avenue and the Southwest corner of said Lot 18; running thence North along the West line of said Lot 18, 116.00 feet to the Northwest corner thereof; thence North 89°26'30" West, along the extension of the North line of said Lot 18, 56.74 feet to a point; thence South 13°58°31" West, 27.38 feet to a point of curve; thence Southeasterly 109.25 feet along the arc of said curve, whose center lies to the Southeast with a radius 72.00 feet and whose chord bears South 29°29'39" East, a distance of 99.07 feet to a point; thence South 75°33'44" East, 15.05 feet to the point of commencement. Excepting therefrom that part thereof in the Southeast 1/4 of said Section 33.

*

WELLINGTON PARK № 2

PART OF S.W.¼ SECTION 34, T.8N., R.2E.
IN THE TOWN OF GRANVILLE.

SCALE: 1" = 60'



4800 N. 76th Street LLC
C/O ND Auto, Inc.
Post Office Box 80
Menomonee Falls, WI 53052
414 659 6203

November 4. 2008

TO WHOM IT MAY CONCERN;

Please find attached a copy of a deed and legal description for property located at 4800 N. 76th Street, Milwaukee, WI 53218.

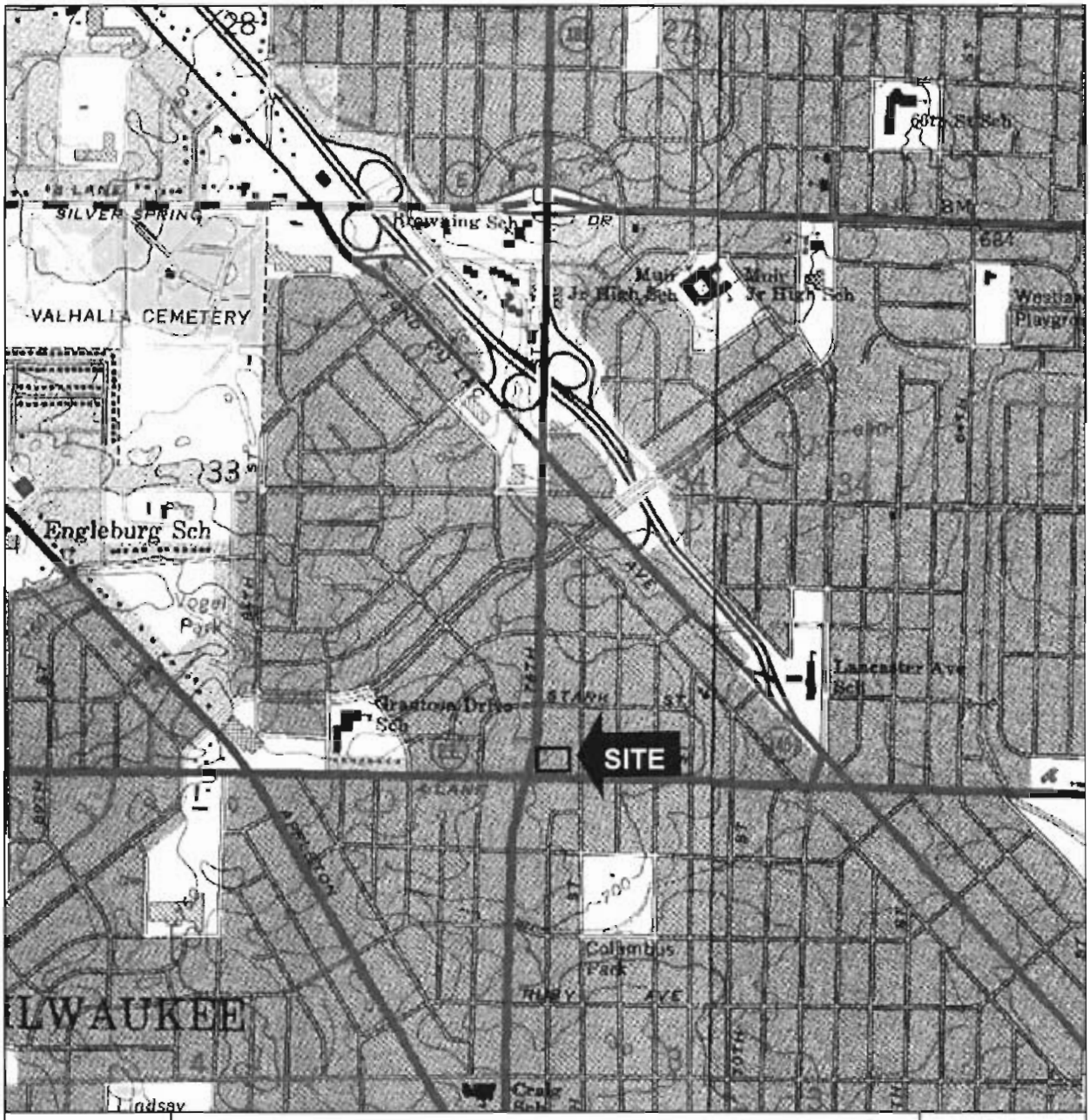
I certify that the documents are true and correct.

If you need further documentation, please contact me at the above.

Sincerely,

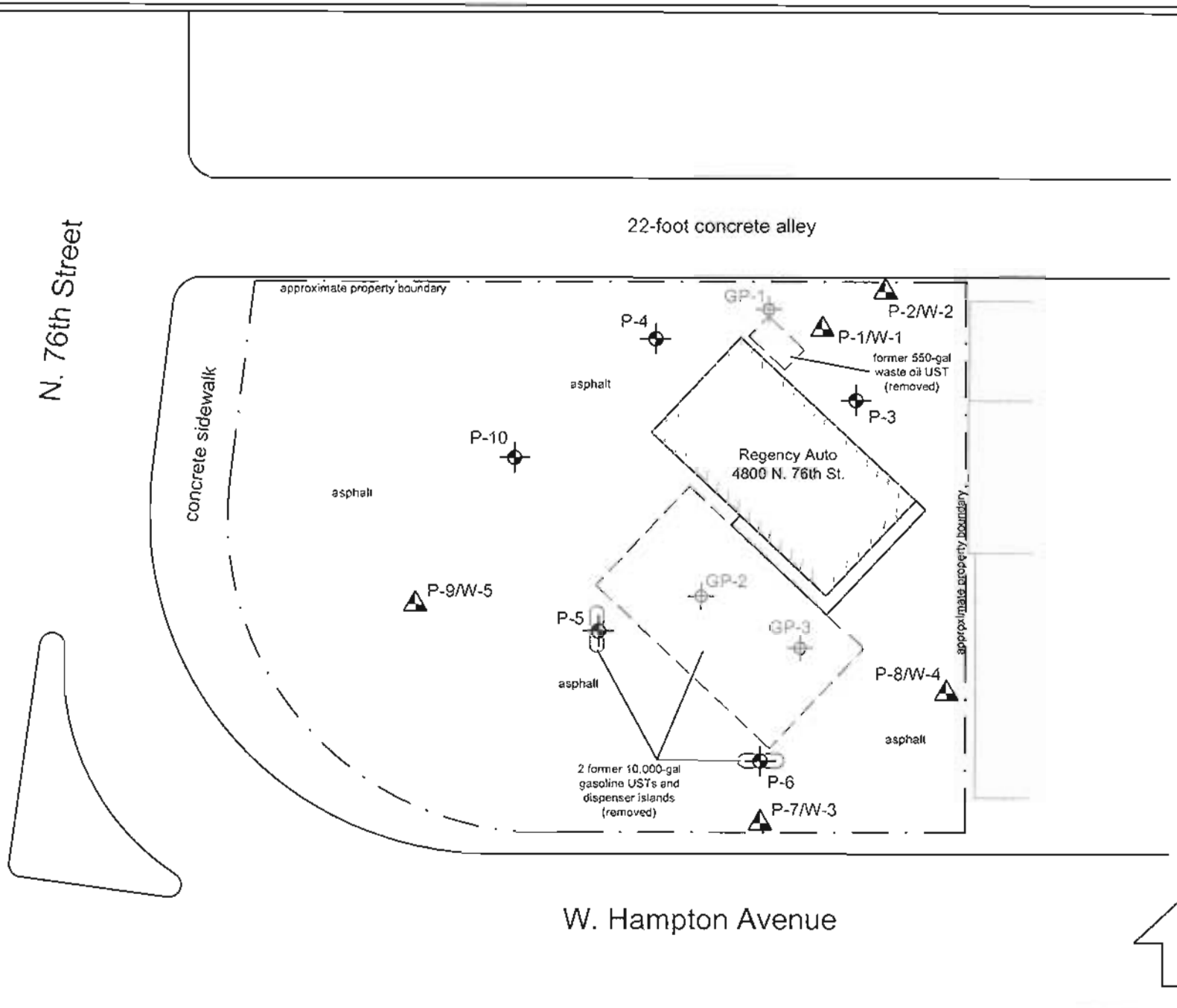
4800 N. 76th Street LLC

Member

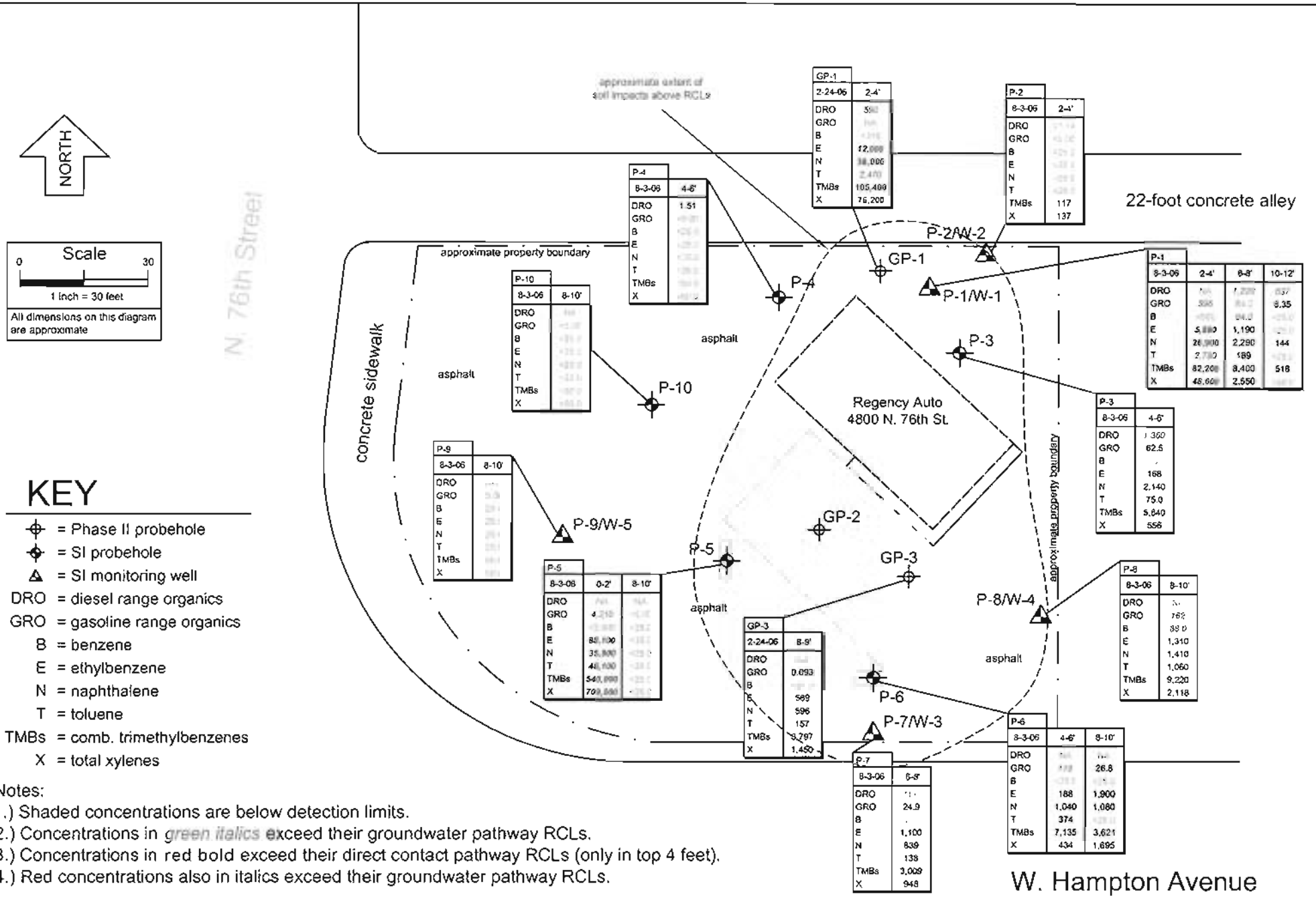


Approximate Scale 1" = 1,600'	United States Geological Survey Topographic Map Wauwatosa Quadrangle SW 1/4 of SW 1/4 of Sec 34, T8N, R21E	NORTH

environmental & development solutions	**Site Location Diagram** Regency Auto Mart 4800 N. 76th Street Milwaukee, Wisconsin	Figure 1



environmental & development solutions	File No.: 060404a DWG Date: 11-20-07 Rev Date: 11-21-07 Drawn By: JEB Checked By (PM): RWF	**Site Features and Probehole/Well Locations Diagram** Regency Auto Mart 4800 N. 76th Street Milwaukee, Wisconsin	Figure 2



KEY

- ⊕ = Phase II probehole
- ⊕ = SI probehole
- △ = SI monitoring well
- DRO = diesel range organics
- GRO = gasoline range organics
- B = benzene
- E = ethylbenzene
- N = naphthalene
- T = toluene
- TMBs = comb. trimethylbenzenes
- X = total xylenes

Notes:

1.) Shaded concentrations are below detection limits.

2.) Concentrations in *green italics* exceed their groundwater pathway RCLs.

3.) Concentrations in red bold exceed their direct contact pathway RCLs (only in top 4 feet).

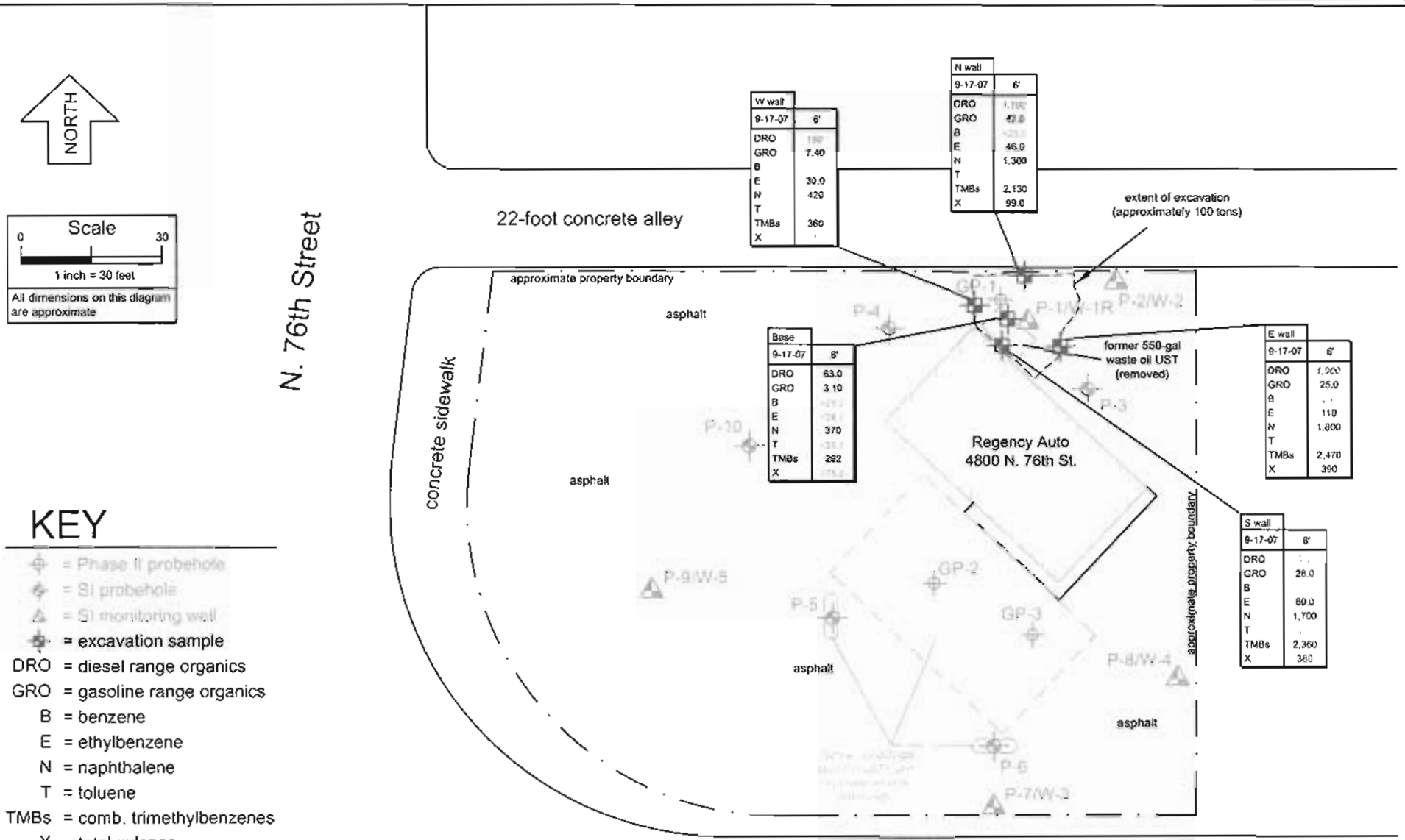
4.) Red concentrations also in italics exceed their groundwater pathway RCLs.

environmental & development solutions

File No.:	060404d
DWG Date:	11-20-08
Rev Date:	
Drawn By:	JEB
Checked By (PM):	RWF

Soil Analytical Results Above RCLs Diagram
Regency Auto Mart
4800 N. 76th Street
Milwaukee, Wisconsin

Figure
3



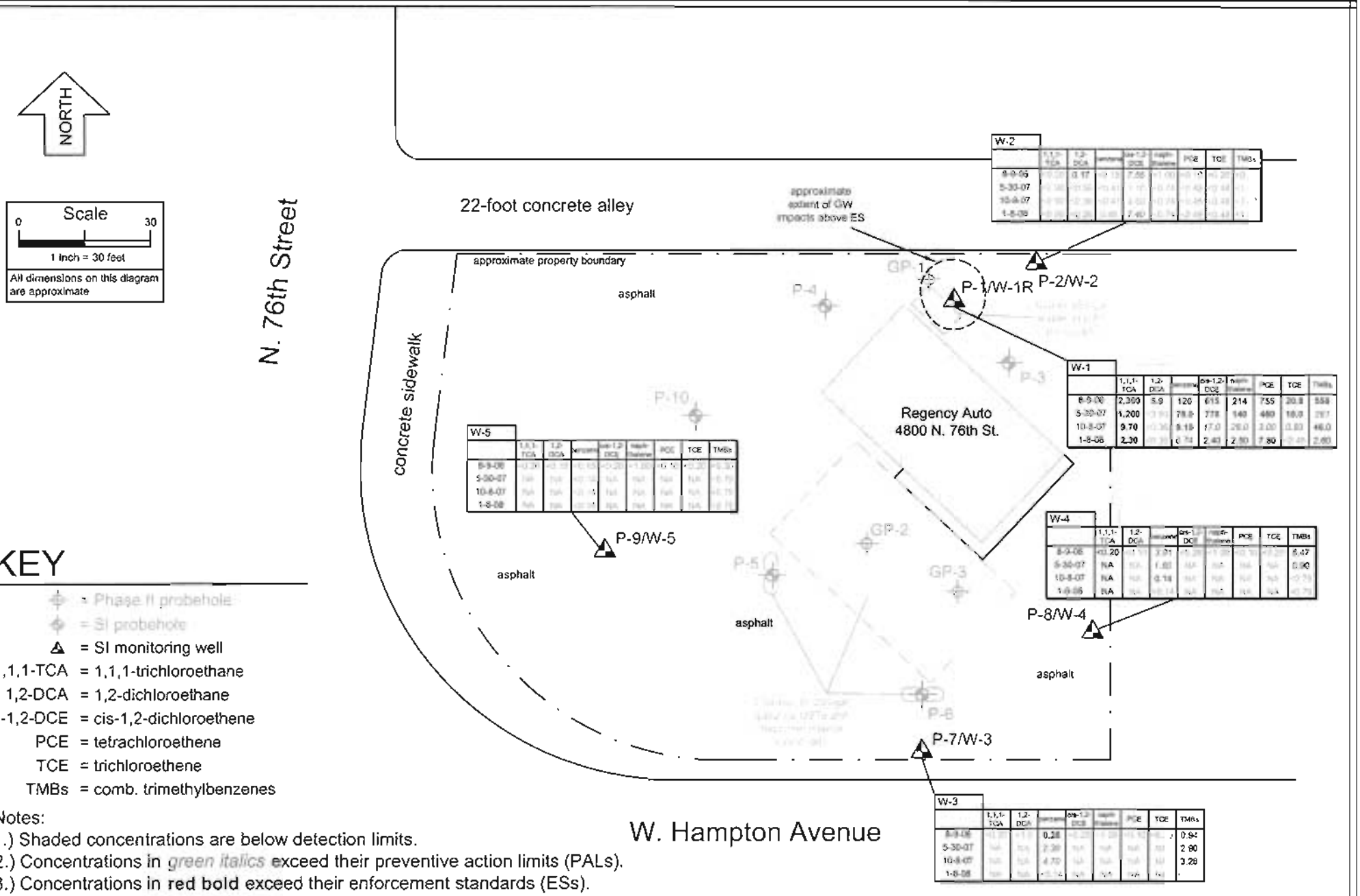
KEY

- = Phase II probehole
- = SI probehole
- = SI monitoring well
- = excavation sample

DRO = diesel range organics
GRO = gasoline range organics
B = benzene
E = ethylbenzene
N = naphthalene
T = toluene
TMBs = comb. trimethylbenzenes
X = total xylenes

Notes:
1.) Shaded concentrations are below detection limits.
2.) Concentrations in *green italics* exceed their groundwater pathway RCLs.
3.) Concentrations in red bold exceed their direct contact pathway RCLs (only in top 4 feet).

environmental & development solutions	File No.: 060404c DWG Date: 11-20-08 Rev Date: Drawn By: JEB Checked By (PM): RWF	**Excavation Limits, Sample Locations, and Soil Analytical Results Above RCLs Diagram** Regency Auto Mart 4800 N. 76th Street Milwaukee, Wisconsin	Figure 4



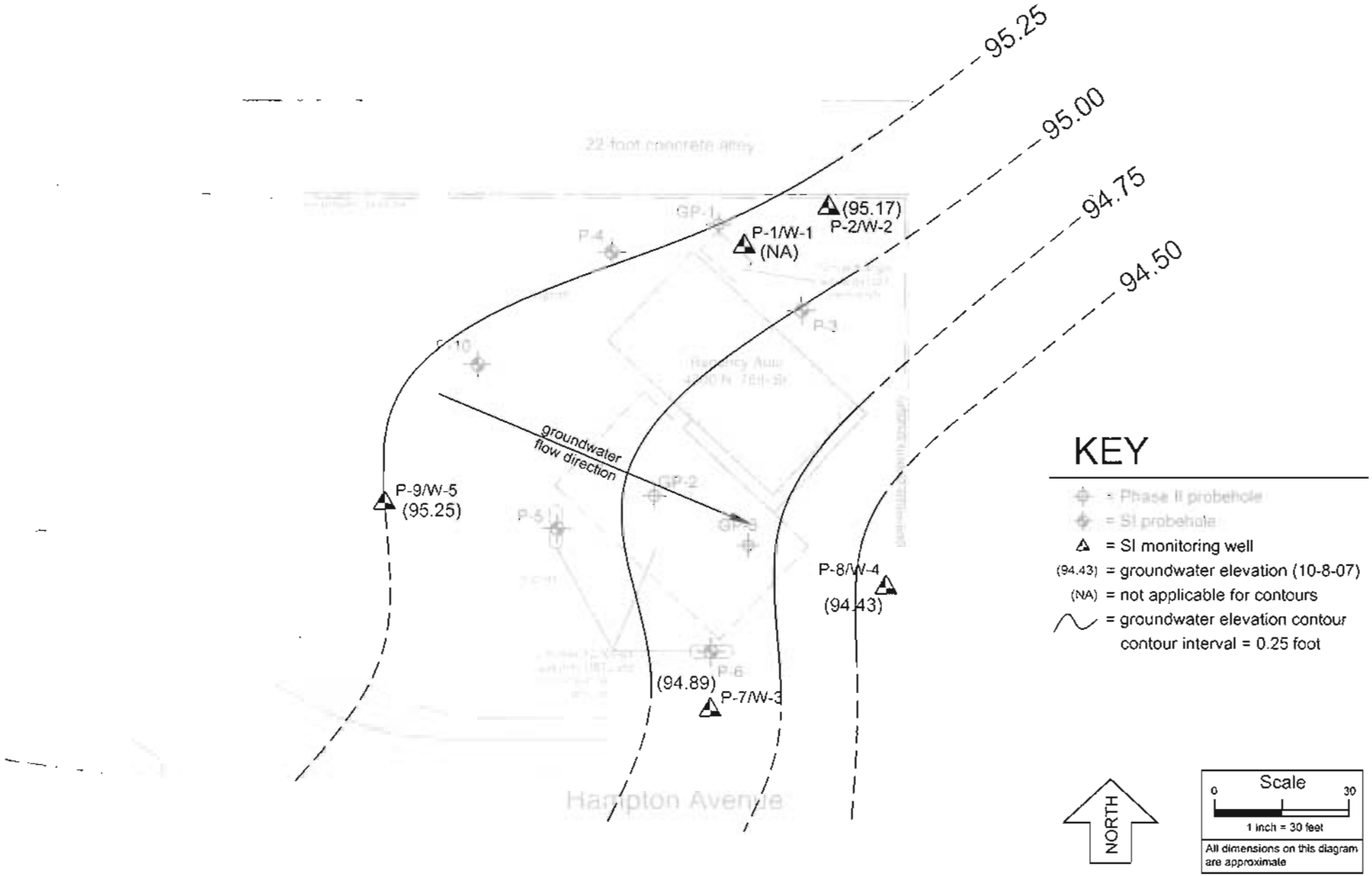
KEY

- = Phase II probehole
- = SI probehole
- = SI monitoring well

1,1,1-TCA = 1,1,1-trichloroethane
1,2-DCA = 1,2-dichloroethane
cis-1,2-DCE = cis-1,2-dichloroethene
PCE = tetrachloroethene
TCE = trichloroethene
TMBs = comb. trimethylbenzenes

Notes:
1.) Shaded concentrations are below detection limits.
2.) Concentrations in *green italics* exceed their preventive action limits (PALs).
3.) Concentrations in **red bold** exceed their enforcement standards (ESs).
4.) Only compounds detected above an ES at least once are shown.

environmental & development solutions	File No.: 060404e DWG Date: 11-21-08 Rev Date: Drawn By: JEB Checked By (PM): RWF	**Groundwater Analytical Results Above Standards Diagram** Regency Auto Mart 4800 N. 76th Street Milwaukee, Wisconsin	Figure 5



File No.: 060404b	
DWG Date: 11-21-07	
Rev Date: 11-21-08	
Drawn By: JEB	
Checked By (PM): RWF	

environmental & development solutions

Groundwater Elevation Contour Diagram (10-8-07)
Regency Auto Mart
4800 N. 76th Street
Milwaukee, Wisconsin

Figure
6

Table 2
Metals and VOC Analytical Results - Investigation Soil Samples
Regency Auto Property
Milwaukee, Wisconsin

Sample Location	Sample Depth (ft)	Sampling Date	PID (iu)	Cadmium (ppm)	Lead (ppm)	DRO (ppm)	GRO (ppm)	Benzene (ppb)	Ethyl-benzene (ppb)	MTBE (ppb)	Naph-thalene (ppb)	Toluene (ppb)	Combined TMBs (ppb)	Total Xylenes (ppb)
GP-1	2-4	2/24/06	136	NA	NA	800	NA	<315	*12,000*	<458	38,000	2,470	105,400	*76,200*
GP-3	8-9	2/24/06	69	NA	NA	NA	0.093	<31.0	569	<45.0	596	157	3,797	1,450
P-1	2-4	8/3/06	185	NA	NA	NA	*596*	<500	*5,890*	<500	26,900	2,780	82,200	*48,600*
	6-8	8/3/06	76	1.41	<6.10	1,220	64.2	*84.0*	1,190	<25.0	2,290	189	8,400	2,550
	10-12	8/3/06	33	NA	NA	837	8.35	<25.0	<25.0	<25.0	144	<25.0	518	<50.0
P-2	2-4	8/3/06	77	NA	NA	<1.14	<5.00	<25.0	<25.0	<25.0	<25.0	<25.0	117	137
P-3	4-6	8/3/06	94	NA	NA	1,360	62.5	<25.0	168	<25.0	2,140	75.0	5,640	556
P-4	4-6	8/3/06	2	NA	NA	1.51	<5.00	<25.0	<25.0	<25.0	<25.0	<25.0	<50.0	<50.0
P-5	0-2	8/3/06	712	NA	35.0	NA	4,210	<2,500	*88,100*	<2,500	35,900	*48,100*	540,000	*709,000*
	10-12	8/3/06	2	NA	NA	NA	<5.00	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0
P-6	4-6	8/3/06	99	NA	<6.12	NA	*119*	<25.0	188	217	1,040	374	7,135	434
	8-10	8/3/06	33	NA	NA	NA	26.8	<25.0	1,900	204	1,080	<25.0	3,621	1,695
P-7	6-8	8/3/06	15	NA	NA	NA	24.9	<25.0	1,100	143	839	138	3,009	948
P-8	8-10	8/3/06	236	NA	NA	NA	*162*	*88.0*	1,310	<25.0	1,410	1,060	9,220	2,118
P-9	8-10	8/3/06	1	NA	NA	NA	<5.00	<25.0	<25.0	<25.0	<25.0	<25.0	<50.0	<50.0
P-10	8-10	8/3/06	2	NA	NA	NA	<5.00	<25.0	<25.0	<25.0	<25.0	<25.0	<50.0	<50.0
NR 720 Generic RCL	-	-	*8*	*50*	*100*	*100*	*5.5*	*2,900*	*NS*	*NS*	*1,500*	*NS*	*4,100*
NR 746 Table 1	-	-	*NS*	*NS*	*NS*	*NS*	*8,500*	*4,600*	*NS*	*2,700*	*38,000*	*83K/11K*	*42,000*
NR 746 Table 2	-	-	*NS*	*NS*	*NS*	*NS*	*1,100*	*NS*	*NS*	*NS*	*NS*	*NS*	*NS*

Notes:
1.) Only detected compounds are presented.
2) Concentrations in green italics exceed their groundwater pathway RCLs.
3.) Concentrations in red bold exceed their Table 1 direct contact pathway RCLs (only within top 4 feet)
4.) Red concentrations also in italics exceed their groundwater pathway RCLs.

Table 3
PAH Analytical Results - Investigation Soil Samples
Regency Auto Property
Milwaukee, Wisconsin

Sample Location	Sampling Date	Acena-phthene (ppb)	Acena-phthylene (ppb)	Anthracene (ppb)	Benzo (a) anthra-cene (ppb)	Benzo (a) pyrene (ppb)	Benzo (b) fluor-anthene (ppb)	Benzo (g,h,i) perylene (ppb)	Benzo (k) fluor-anthene (ppb)	Chrysene (ppb)	Dibenz(a,h) anthracene (ppb)	Fluor-anthrene (ppb)	Fluorene (ppb)	Indeno (1,2,3-cd) pyrene (ppb)	1-Methyl-naph-thalene (ppb)	2-Methyl-naph-thalene (ppb)	Naph-thalene (ppb)	Phen-anthrene (ppb)	Pyrene (ppb)
P-1;6-8	8/3/06	<27.7	<38.9	<18.8	<24.1	<13.5	21.6	44.0	<17.1	<13.5	<15.9	<15.3	<19.4	<13.0	397	807	249	<24.1	<16.6
Suggested GW RCL		*38,000*	*700*	*3,000,000*	*17,000*	*48,000*	*360,000*	*6,800,000*	*870,000*	*37,000*	*38,000*	*500,000*	*100,000*	*680,000*	*23,000*	*20,000*	*400*	*1,800*	*8,700,000*
Suggested DC RCL		*900,000*	*18,000*	*5,000,000*	*88*	*8.8*	*88*	*1,800*	*880*	*8,200*	*8.8*	*600,000*	*600,000*	*88*	*1,100,000*	*600,000*	*20,000*	*18,000*	*500,000*

Notes
Concentrations that exceed their respectrve standards are in bold type.
Suggested standards are for non-industrial property use.

Table 4
VOC Analytical Results - Excavation Soil Samples
Regency Auto Property
Milwaukee, Wisconsin

Sample Location	Sample Depth (ft)	Sampling Date	PID (iu)	DRO (ppm)	GRO (ppm)	Benzene (ppb)	Ethyl-benzene (ppb)	Isopropyl-benzene (ppb)	MTBE (ppb)	Naph-thalene (ppb)	n-Butyl-benzene (ppb)	n-Propyl-benzene (ppb)	p-Isopropyl-toluene (ppb)	s-Butyl-benzene (ppb)	Toluene (ppb)	Combined TMBs (ppb)	Total Xylenes (ppb)
North Wall	6	9/17/07	151	1,700	42.0	<25.0	46.0	30.0	<25.0	1,300	390	120	100	60.0	<25.0	2,130	99.0
South Wall	6	9/17/07	96	900	28.0	<25.0	80.0	NA	<25.0	1,700	NA	NA	NA	NA	<25.0	2,360	380
East Wall	6	9/17/07	121	1,900	25.0	<25.0	110	NA	<25.0	1,800	NA	NA	NA	NA	<25.0	2,470	390
West Wall	6	9/17/07	71	150	7.40	<25.0	30.0	NA	<25.0	420	NA	NA	NA	NA	<25.0	360	<75.0
Base	8	9/17/07	44	63.0	3.10	<25.0	<25.0	NA	<25.0	370	NA	NA	NA	NA	<25.0	292	<75.0
NR 720 Generic RCL	-	-	*100*	*100*	*5.5*	*2,900*	*NS*	*NS*	*NS*	*NS*	*NS*	*NS*	*NS*	*1,500*	*NS*	*4,100*
NR 746 Table 1	-	-	*NS*	*NS*	*8,500*	*4,600*	*NS*	*NS*	*2,700*	*NS*	*NS*	*NS*	*NS*	*38,000*	*83K/11K*	*42,000*

Notes:
1.) Only detected compounds are presented.
2.) Concentrations in green italics exceed their groundwater pathway RCLs.

Table 5
VOC Analytical Results - Groundwater Samples
Regency Auto Property
Milwaukee, Wisconsin

Sample Location	Sampling Date	1,1,1-Tri-chloro-ethane (ppb)	1,1-Dichloro-ethane (ppb)	1,2-Dichloro-ethane (ppb)	2-Chloro-toluene (ppb)	4-Isopropyl-toluene (ppb)	Benzene (ppb)	Carbon Tetra-chloride (ppb)	cis-1,2-Dichloro-ethene (ppb)	Ethyl-benzene (ppb)	Isopropyl-benzene (ppb)	Methylene Chloride (ppb)	MTBE (ppb)	Naph-thalene (ppb)	Tetra-chloro-ethene (ppb)	Toluene (ppb)	trans-1,2-Dichloro-ethene (ppb)	Trichloro-ethene (ppb)	Combined TMBs (ppb)	Total Xylenes (ppb)
W-1	8/9/06	2,300	170	5.9	186	<10.0	120	181	615	123	6.30	775	<5.00	214	755	775	8.80	29.8	578	1,100
	5/30/07	1,200	210	<3.60	110	<7.40	78.8	<4.90	770	52.0	<5.90	<4.30	<6.1	146	460	700	<8.9	18.6	261	690
	10/8/07	9.70	9.70	<0.36	<0.85	NA	9.18	<0.49	174	16.0	1.20	<0.43	0.84	20.9	3.00	5.50	<0.89	0.83	46.0	36.0
	1/8/08	2.30	1.20	<0.36	<0.85	NA	0.74	<0.49	2.40	0.80	<0.59	<0.43	<0.61	2.50	7.80	<0.67	<0.89	<0.48	2.60	4.40
W-2	8/9/06	<0.20	27.9	0.17	<0.10	<0.20	<0.15	<0.20	7.35	<0.10	<0.10	<0.40	2.14	<1.00	<0.10	<0.40	0.55	<0.20	<0.30	<0.50
	5/30/07	<0.90	1.80	<0.36	<0.85	<0.67	<0.41	<0.49	1.10	<0.54	<0.59	<0.43	<0.61	<0.74	<0.45	<0.67	<0.89	<0.48	<1.80	<2.60
	10/8/07	<0.90	3.80	<0.36	<0.85	NA	<0.41	<0.49	3.50	<0.54	<0.59	<0.43	<0.61	<0.74	<0.45	<0.67	<0.89	<0.48	<1.80	<2.63
	1/8/08	<0.90	11.0	<0.36	<0.85	NA	0.48	<0.49	7.40	<0.54	<0.59	<0.43	2.20	<0.74	<0.45	<0.67	<0.89	<0.48	<1.80	<1.63
W-3	8/9/06	<0.20	<0.15	<0.10	<0.10	<0.20	0.26	<0.20	<0.20	1.16	<0.10	<0.40	<0.10	<1.00	<0.10	<0.40	<0.10	<0.20	0.94	3.33
	5/30/07	NA	NA	NA	NA	NA	0.30	NA	NA	3.90	NA	NA	<0.36	NA	NA	0.39	NA	NA	2.90	2.10
	10/8/07	NA	NA	NA	NA	NA	0.70	NA	NA	3.80	NA	NA	0.83	NA	NA	1.10	NA	NA	3.28	5.41
	1/8/08	NA	NA	NA	NA	NA	<0.14	NA	NA	<0.40	NA	NA	<0.36	NA	NA	<0.36	NA	NA	<0.79	<1.10
W-4	8/9/06	<0.20	<0.15	<0.10	<0.10	0.24	3.31	<0.20	<0.20	<0.10	0.52	<0.40	<0.10	<1.00	<0.10	<0.40	<0.10	<0.20	5.47	5.53
	5/30/07	NA	NA	NA	NA	NA	1.60	NA	NA	<0.40	NA	NA	1.10	NA	NA	<0.36	NA	NA	0.60	2.60
	10/8/07	NA	NA	NA	NA	NA	0.14	NA	NA	<0.40	NA	NA	<0.36	NA	NA	<0.36	NA	NA	<0.79	<1.10
	1/8/08	NA	NA	NA	NA	NA	<0.14	NA	NA	<0.40	NA	NA	<0.36	NA	NA	<0.36	NA	NA	<0.79	<1.10
W-5	8/9/06	<0.20	<0.15	<0.10	<0.10	<0.20	<0.15	<0.20	<0.20	<0.10	<0.10	<0.40	<0.10	<1.00	<0.10	<0.40	<0.10	<0.20	<0.30	<0.50
	5/30/07	NA	NA	NA	NA	NA	<0.14	NA	NA	<0.40	NA	NA	<0.36	NA	NA	<0.36	NA	NA	<0.79	<1.10
	10/8/07	NA	NA	NA	NA	NA	<0.14	NA	NA	<0.40	NA	NA	<0.36	NA	NA	0.74	NA	NA	<0.79	<1.10
	1/8/08	NA	NA	NA	NA	NA	<0.14	NA	NA	<0.40	NA	NA	<0.36	NA	NA	<0.36	NA	NA	<0.79	<1.10
ES (ppb)	-	*200*	*850*	*5*	*NS*	*NS*	*5*	*5*	*70*	*700*	*NS*	*5*	*60*	*100*	*5*	*1,000*	*100*	*5*	*480*	*10,000*
PAL (ppb)	-	*40*	*85*	*0.5*	*NS*	*NS*	*0.5*	*0.5*	*7*	*140*	*NS*	*0.5*	*12*	*10*	*0.5*	*200*	*20*	*0.5*	*96*	*1,000*

Notes:
1.) "Only the detected compounds are presented.
2.) Concentrations that exceed their respective PALs are in green italics.
3.) Concentrations that exceed their respective ESs are in red bold.

Table 6
Groundwater Elevation Measurements
Regency Auto Property
Milwaukee, Wisconsin

Well Number	Date	Total Well Depth	Ground Surface Elevation	Top of Casing Elevation	*Depth to Water Below Casing	Depth to Water Below Ground	Groundwater Elevation
P-1/W-1	8/9/2006	12.00	99.49	99.49	NM	NM	NM
	5/30/2007				NM	NM	NM
	10/8/2007	8.00	99.94	99.94	6.59	6.59	93.35
	1/8/2008				1.05	1.05	98.89
P-2W-2	8/9/2006	10.00	98.18	98.18	2.41	2.41	95.77
	5/30/2007				3.27	3.27	94.91
	10/8/2007				3.01	3.01	95.17
	1/8/2008				2.16	2.16	96.02
P-7/W-3	8/9/2006	8.00	99.68	99.68	2.63	2.63	97.05
	5/30/2007				5.30	5.30	94.38
	10/8/2007				4.79	4.79	94.89
	1/8/2008				3.46	3.46	96.22
P-8/W-4	8/9/2006	12.00	99.55	99.55	4.16	4.16	95.39
	5/30/2007				6.14	6.14	93.41
	10/8/2007				5.12	5.12	94.43
	1/8/2008				0.80	0.80	98.75
P-9/W-5	8/9/2006	12.00	100.00	100.00	5.69	5.69	94.31
	5/30/2007				4.69	4.69	95.31
	10/8/2007				4.75	4.75	95.25
	1/8/2008				1.93	1.93	98.07

Notes:

1.) *Measured from the north rim of the top of well casing.

2.) All measurements are presented in feet.

3.) NM = Not measured

Benchmark: Elevations referenced to a benchmark assigned an arbitrary elevation of 100.00 feet.

RIGHT-OF-WAY

414.228.9810 phone
414.228.9840 fax
eds@edsinc.us
6637 North Sidney Pl.
Milwaukee, WI 53209
www.edsinc.us

November 20, 2008

environmental & development solutions, inc.

Mr. Jeffrey Polenske
City of Milwaukee
City Engineer
841 North Broadway
Milwaukee, WI 53202

RE: Notification of Potential Contamination Located Beneath the Public Right-Of-Way Along W. Hampton Avenue and the Public Alley Adjacent to the Property Located at 4800 N. 76th Street in Milwaukee, Wisconsin — DNR BRRTS Nos. 03-41-546829 and 02-41-552223 — EDS Project No. 060404

Dear Mr. Polenske:

On behalf of 4800 North 76th Street, LLC (property owner), ***Environmental & Development Solutions, Inc. (EDS)*** submits this letter as a requirement of the Wisconsin Department of Natural Resources (DNR) to notify you that soil impacts that appear to have originated on the above-referenced property may extend beneath the right-of-ways (ROWs) of W. Hampton Avenue and the public alley adjacent to the site. The levels of certain volatile organic compounds (VOCs) may be present in the soil beneath the right-of-way (illustrated on the attached diagram) at concentrations above the state soil standards found in ch. NR 720 Wis. Adm. Code. The DNR typically relies upon remediation by natural attenuation (RNA) to complete cleanups of this nature to meet the requirements for case closure that are found in ch. NR 726 Wis. Adm. Code. A request for closure will be submitted to the DNR so that they can determine whether they will grant case closure. Closure means that no further investigation or cleanup action is required, other than reliance on RNA.

Once the DNR makes a decision on the closure request, it will be documented in a letter. When the DNR grants closure, you may obtain a copy of this letter by requesting a copy from the DNR, or by accessing the DNR Geographic Information System (GIS) registry on the internet at www.dnr.state.wi.us/org/at/et/geo/gwur. A copy of the closure letter is included as part of the site file on the GIS registry.

RIGHT-OF-WAY

If you need more information, you may contact us at (414) 228-9810, or you may contact Mr. John Hnat at the DNR at (414) 263-8644.

Respectfully,

Environmental & Development Solutions, Inc.

Trenton J. Ott
Project Manager

Richard W. Frieseke, P.E.
President

attachment

060404l