

GIS REGISTRY INFORMATION

SITE NAME:	Bruisers Pizza (Frmr Burlington Self Serve)								
BRRTS #:	03-52-305274			FID #	(if appropriate):				
COMMERCE # (if appropriate):	53105-1345-89								
CLOSURE DATE:	April 21, 2006								
STREET ADDRESS:	689 Milwaukee Ave								
CITY:	Burlington								
SOURCE PROPERTY GPS COORDINATES (meters in WTM91 projection):	X =	661432	Y =	247303					
CONTAMINATED MEDIA:	Groundwater	<input type="checkbox"/>	Soil	<input type="checkbox"/>	Both	<input checked="" type="checkbox"/>			
OFF-SOURCE GW CONTAMINATION >ES:	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>					
• IF YES, STREET ADDRESS:	681 Milwaukee Ave., Burlington								
• GPS COORDINATES (meters in WTM91 projection):	X =		Y =						
OFF-SOURCE SOIL CONTAMINATION >Generic or Site-Specific RCL (SSRCL):	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>					
• IF YES, STREET ADDRESS 1:									
• GPS COORDINATES (meters in WTM91 projection):	X =		Y =						
CONTAMINATION IN RIGHT OF WAY:	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>					
<u>DOCUMENTS NEEDED</u>									
Closure Letter, and any conditional closure letter issued or denial letter issued.									<input checked="" type="checkbox"/>
Copy of most recent deed, including legal description, for all affected properties									<input checked="" type="checkbox"/>
Certified survey map or relevant portion of the recorded plat map (if referenced in the legal description) for all affected properties									<input checked="" type="checkbox"/>
County Parcel ID number, if used for county, for all affected properties									<input checked="" type="checkbox"/>
Location Map which outlines all properties within contaminated site boundaries on USGS topographic map or plat map in sufficient detail to permit the parcels to be located easily (8.5x14" if paper copy). If groundwater standards are exceeded, the map must also include the location of all municipal and potable wells within 1200' of the site.									<input checked="" type="checkbox"/>
Detailed Site Map(s) for all affected properties , showing buildings, roads, property boundaries, contaminant sources, utility lines, monitoring wells and potable wells. (8.5x14", if paper copy) This map shall also show the location of all contaminated public streets, highway and railroad rights-of-way in relation to the source property and in relation to the boundaries of groundwater contamination exceeding ch. NR 140 ESs and soil contamination exceeding ch. NR 720 generic or SSRCLs.									<input checked="" type="checkbox"/>
Tables of Latest Groundwater Analytical Results (no shading or cross-hatching)									<input checked="" type="checkbox"/>
Tables of Latest Soil Analytical Results (no shading or cross-hatching)									<input checked="" type="checkbox"/>
Isoconcentration map(s), if required for site investigation (SI) (8.5x14" if paper copy). The isoconcentration map should have flow direction and extent of groundwater contamination defined. If not available, include the latest extent of contaminant plume map.									<input checked="" type="checkbox"/>
GW: Table of water level elevations, with sampling dates, and free product noted if present									<input checked="" type="checkbox"/>
GW: Latest groundwater flow direction/monitoring well location map (should be 2 maps if maximum variation in flow direction is greater than 20 degrees)									<input checked="" type="checkbox"/>
SOIL: Latest horizontal extent of contamination exceeding generic or SSRCLs, with one contour									<input checked="" type="checkbox"/>
Geologic cross-sections, if required for SI. (8.5x14" if paper copy)									<input checked="" type="checkbox"/>
RP certified statement that legal descriptions are complete and accurate.									<input checked="" type="checkbox"/>
Copies of off-source notification letters (if applicable)									<input checked="" type="checkbox"/>
Letter informing ROW owner of residual contamination (if applicable)(public, highway or railroad ROW)									<input type="checkbox"/> na
Copy of (soil or land use) deed restriction (s) or deed notice if any required as a condition of closure									<input type="checkbox"/> na
Copy of any maintenance plan referenced in the deed restriction									<input type="checkbox"/> na



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
101 West Pleasant Street, Suite 100A
Milwaukee, Wisconsin 53212-3963
TDD #: (608) 264-8777
Fax #: (414) 220-5374
Jim Doyle, Governor
Mary P. Burke, Secretary

April 21, 2006

Mr. Brian J. McMahon, Personal Representative
Estate of Richard R. Tomek
C/O Goepel Law Office
216 6th St.
Racine, WI 53403-1214

RE: **Final Closure**

Commerce # 53105-1345-89 **WDNR BRRTS # 03-52-305274**
Bruisers Pizza (Fmr. Burlington Self Serve), 689 Milwaukee Ave., Burlington

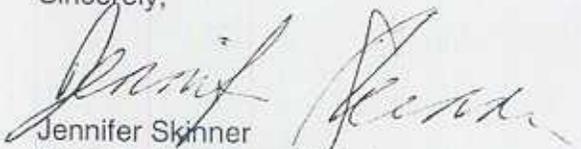
Dear Mr. McMahon:

The Wisconsin Department of Commerce (Commerce) has received all items required as conditions for closure of the site referenced above. This case is now listed as "closed" on the Commerce database and will be included on the Wisconsin Department of Natural Resources (WDNR) Geographic Information System (GIS) Registry of Closed Remediation Sites to address residual contamination. It is in your best interest to keep all documentation related to the environmental activities that were conducted.

If residual contamination is encountered in the future, it must be managed in accordance with all applicable state and federal regulations. If it is determined that any remaining contamination poses a threat, the case may be reopened and further investigation or remediation may be required.

Thank you for your efforts to bring this case to closure. If you have any questions, please contact me in writing at the letterhead address or by telephone at (414) 220-5373.

Sincerely,


Jennifer Skinner
Advanced Hydrogeologist
Regional Technical Specialist
Site Review Section

cc: Anthony Schram, Environ International Corporation
Electronic File



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
101 West Pleasant Street, Suite 100A
Milwaukee, Wisconsin 53212-3963
TDD #: (608) 264-8777
Fax #: (414) 220-5374
Jim Doyle, Governor
Mary P. Burke, Secretary

January 25, 2006

Brian McMahon
Pers. Rep. for Estate of Richard R. Tomek
C/O Goepel Law Office
216 6th St.
Racine, WI 53403-1214

RE: **Conditional Case Closure**

Commerce # 53105-1345-89 **WDNR BRRTS # 03-52-305274**
Bruisers Pizza (Fmr. Burlington Self Serve), 689 Milwaukee Ave., Burlington

Dear Mr. McMahon:

The Wisconsin Department of Commerce (Commerce) has reviewed the request for case closure prepared by your consultant, Environ International Corporation, for the site referenced above. It is understood that residual soil and groundwater contamination remains on-site. Commerce has determined that this site does not pose a significant threat to the environment and human health. No further investigation or remedial action is necessary.

The following must be satisfied to obtain final closure:

- All 6 monitoring wells must be properly abandoned. The appropriate documentation must be forwarded to me at the letterhead address.

This letter serves as your written notice of "no further action". Timely filing of your final PECFA claim is encouraged. If your claim is not received within 120 days of the date of this letter, interest costs incurred after 60 days of the date of this letter will not be eligible for PECFA reimbursement.

Thank you for your efforts to protect Wisconsin's environment. If you have any questions, please contact me in writing at the letterhead address or by telephone at (414) 220-5373.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Skinner".

Jennifer Skinner
Advanced Hydrogeologist
Regional Technical Specialist
Site Review Section

cc: Gina Seegers Szablewski, Environ International Corporation

ENVIRON

December 13, 2005

Jennifer Skinner
Wisconsin Department of Commerce
101 West Pleasant Street
Suite 100A
Milwaukee, WI 53212-3963

RECEIVED
DEC 16 2005
ERS DIVISION

RE: Bruisers Pizza, 689 Milwaukee Avenue, Burlington
Commerce # 53105-1345-89
WDNR BRRTS # 03-52-305274

Dear Ms. Skinner,

Enclosed please find the Case Summary and Close Out Form, along with the GIS Registry Information for the Bruisers Pizza site in Burlington, Wisconsin (see Figure 1). ENVIRON, on behalf of the Richard Tomek Estate, is requesting closure of the site's soil and ground water contamination via NR 746.07. The extent of soil exceeding NR 720 residual contaminant levels is limited to the Site, is located four feet below ground surface, and is covered by asphalt. Ground water exceeding NR140 Enforcement Standards and Preventive Action Limits likely extends beyond the property, but as modeled, will not exceed applicable surface water quality criteria for Echo Lake/White River.

Included below is the description of the fate and transport modeling, as requested in your September 2005 letter to the Estate.

GROUND WATER

Ground water exceeding Chapter NR 140 Enforcement Standards (ESs) for five volatile organic compounds (VOCs); including benzene, ethylbenzene, methyl tert butyl ether, toluene, and 1,2,4-trimethylbenzene) remains in three of the six wells at the Site. 1,3,5-trimethylbenzene and xylenes also have historically been detected exceeding their respective ESs in the ground water at the Site. Overall, concentrations of VOCs in individual wells have remained relatively stable. Total VOCs concentrations decrease both downgradient and sidegradient from monitoring well MW-4, which is located on the upgradient side of the Site and samples from which have historically had the highest concentrations of VOCs. Free product was measured during one occasion at a thickness of 0.01 feet in monitoring well MW-3 in December 2003, but has not been recorded on any other date or in any other well.

Ground water at the Site flows in a general south to southwesterly direction toward Echo Lake. Potable wells are not located within 1,000 feet of the Site and no known ESs are exceeded in the bedrock, located at approximately 40 feet below ground surface, and

approximately 20 to 25 feet below the known maximum depth of contamination. The potential receptors of the contaminated ground water at the Site include the onsite sewer corridor and Echo Lake. The excavation and installation of the sanitary sewer on the eastern portion of the Site occurred in 1998. At that time, no incidence of contamination or petroleum odors was recorded. No additional evaluation of this route of exposure is included.

The most likely migration route of the contaminated ground water at the Site is toward and into Echo Lake. A steady-state ground water attenuation advection-dispersion equation from Domenico, and taken from Title 35 Part 742 of the Illinois Environmental Protection Agency's Tiered Approach to Corrective Action Objectives (TACO), was used to estimate the concentration of the contaminants historically exceeding the ESs in the Site ground water seeping into Echo Lake. The key parameters used are described below, and all parameters used in the calculation are presented in Table 1. The referenced TACO equations and parameters are included as Attachment A to this letter.

- The source area was defined as the area around monitoring wells that exceeded the ESs. The region, as shown in Figure 2, is a semi-oval area with a maximum source width (S_w) of 40 feet perpendicular to flow. The source depth (S_d) was taken from cross-sections drawn of the Site and is the maximum estimated thickness of the contaminated ground water of 10 feet.
- TACO Equations R16-R18 were used to calculate horizontal and vertical dispersivities using the parameters shown on Table 1.
- The decay constants were selected from Table E of Appendix C of TACO.
- A hydraulic conductivity of 6.7×10^{-5} cm/second was taken from the results of the slug test conducted in monitoring well MW-6 in October 2005, which are included in Attachment B of this letter.
- A site-specific hydraulic gradient of 0.04 ft/ft is the average gradient for the Site from ground water elevations recorded from 2002 through 2005.
- The greatest concentration of the contaminant of concern for each well was determined using the Site data from 2002 through 2004. The concentration detected during the ground water monitoring was selected for each compound detected above the ESs. These values, representing worst case conditions, are listed in Table 1.
- The distance from the source of contamination to Echo Lake (X) was determined from each well as the shortest direct route in the direction of ground water migration to the lake.

- Using equation R26 from Table C of Appendix C of TACO, the concentration of each contaminant of concern (C_x) at distance X was determined.
- As indicated by WNDR personal, the White River/Echo Lake is not a public water supply and is classified by default as a warm water sport fish community. As such, the applicable Human Threshold Criteria from Table 8 of NR 105.08 are included in Table 1.

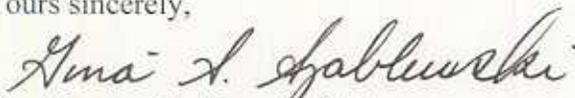
Table 2 summarizes the calculated concentration of the contaminants of concern from each applicable well as they seep into Echo Lake. Benzene is the only contaminant of concern, as concentrations of benzene in ground water samples obtained on the Site exceed the surface water criteria of 610 ug/l. The maximum estimated concentration of benzene reaching Echo Lake is from MW-6 at a concentration of 7.85 ug/l, two orders of magnitude below its applicable surface water criteria.

The surface water criteria for both ethylbenzene and toluene at 12,000 ug/l and 76,000 ug/l, respectively, are not exceeded in the Site ground water samples; because there is no indication that contaminant concentrations increase above maximum detected concentration as they migrate downgradient, these two contaminants are not considered of concern. No published surface water criteria for methyl tert-butyl ether, the trimethylbenzenes, and xylenes are available at this time.

Table 2 also includes a summarized sensitivity analysis for the ground water model, which demonstrates that increases in the size of the contaminant source and changes in both the ground water gradient and soil porosity at the Site do not result in significantly different estimated contaminant concentrations, nor in concentrations exceeding surface water criteria, seeping into Echo Lake.

ENVIRON, on behalf of the Richard Tomek Estate, is requesting closure of this Site. Contaminated soil and ground water is primarily confined to the Site itself and will not result in exposure to human health and the environment. Please feel free to call me or my colleague, Jim Kane, should you have any questions regarding this request or the material contained within.

Yours sincerely,



Gina Seegers Szablewski, P.G.

GSS/klo

M:\Client Project Files_CLOSED\Goepel - Brusier's Pizza (21-11210A)\2005 Closure Request Documents\closure request and model letter.doc

Cc: Robert Goepel
Brian McMahon

DOCUMENT NO.

VOL 792 PAGE 176

WARRANTY DEEDS
STATE OF WISCONSIN - FORM 11

THIS SPACE RESERVED FOR RECORDING DATA

Recorder's Office
County, Wis. } CR.
Received for Record _____ day of
_____ A.D. 19____
at _____ and recorded at Volume _____
at _____ on page _____

Stanley J. Bielacki
Register of Deeds

THIS INDENTURE, Made this 4th day of April A.D. 1963
between William Sekeres and Patricia T. Sekeres,
his wife,

Richard R. Tomek

part _____ of the first part, and
part _____ of the second part.
Witnesseth, That the said part _____ of the first part, for and in consideration
of the sum of one dollar and other good and valuable
consideration

to them, in hand paid by the said part _____ of the second part, the receipt
whereof is hereby confessed and acknowledged, have given, granted, bargained, sold, remised, released, and quit-claimed,
and by these presents do give, grant, bargain, sell, remise, release, and quit-claim unto the said part _____ of the
second part, and to his heirs and assigns forever, the following described real estate, situated in the County of
Racine and State of Wisconsin, to-wit: An undivided one-half interest, as tenant
in common, in and to the following described lands:

Beginning at the center of Section 29, T. 3 N., R. 19 E. of the 4th P.M.,
Township of Burlington, County of Racine, State of Wisconsin; run thence South,
on the North and South 1/4 line, 1686.22 feet to a point, thence S. 79°09' E.,
along the center line of a Public Highway, 883.34 feet to a point and the place
of beginning of parcel of land hereinafter described; thence continue S. 79°09'
E., along the center line of said Highway 43.09 feet to a point, thence on an
arc, the chord of which is S. 32° E. (Radius 64.93 ft.) 95.21 feet to a point
in the center line of S.T.R. #36 and #83, thence S. 15°09' W., along the center
line of said Highway, 58.09 feet to a point, thence N. 74°05' W., 112.75
feet to a point, thence N. 15°09' E., 118.09 feet to a point and the place of
beginning. Said parcel of land is located in the S.E. 1/4 of Section 29, T. 3
N., R. 19 E. of the 4th P.M., City of Burlington, County of Racine, State of
Wisconsin;

SAVE AND EXCEPT: Part of the Southwest 1/4 of the Southeast 1/4 of Sec-
tion 29, T. 3 N., R. 19 E. of the 4th P.M. described as follows: Commencing
at the center of said Section 29; thence South along the N/S 1/4 section line,
1686.22 feet to an iron stake in the center line of Grove Street; thence S.
79°09' E., along the center line of Grove Street, 926.43 feet to a point;
thence S. 10°51' W., 33.00 feet to an iron stake; thence S. 32°00' E., 46.75
feet to an iron stake in the Westerly line of Milwaukee Avenue; thence S. 15°09'
W. along the Westerly line of Milwaukee Avenue, 27.18 feet to an iron stake
which is the place of beginning of the parcel hereinafter described; thence S.

IF NECESSARY, CONTINUE DESCRIPTION ON REVERSE SIDE

To Have and to Hold the same, together with all and singular the appurtenances and privileges thereunto
belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the said
parties of the first part, either in law or equity, either in possession or expectancy of, to the only proper use, benefit
and behoof of the said part of the second part, its successors and assigns forever.

In Witness Whereof, the said part _____ of the first part have hereunto set their hand and seal,
this 4th day of April A.D. 1963.

SIGNED AND SEALED IN PRESENCE OF

Adeline Whaples
Adeline Whaples
John J. Byrnes
John J. Byrnes

William Sekeres (SEAL)
William Sekeres

Patricia T. Sekeres (SEAL)
Patricia T. Sekeres

(SEAL)

(SEAL)

State of Wisconsin,
Walworth County, Personally came before me, this 4th day of April A.D. 1963,
the above named William Sekeres and Patricia T. Sekeres

to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

THIS INSTRUMENT WAS DRAFTED BY

John J. Byrnes, Elkhorn, Notary Public, Walworth County, Wis.
My commission expires: permanent



Section 19.51 (1) of the Wisconsin Statutes provides that any instrument to be recorded shall have plainly printed or typewritten thereon
the names of the grantor, grantee, witness and notary. Section 19.57 similarly requires that the name of the person who, or govern-
mental agency which, drafted such instrument, shall be printed, typewritten, stamped or written thereon in a legible manner.

QUIT CLAIM DEED - STATE OF WISCONSIN - Form No. 11

15°09' W. along the Westerly line of Milwaukee Avenue, 30.45 feet to an iron stake; thence N. 74°05' W., 5.14 feet to an iron stake; thence Northeasterly along the arc of a curve whose radius is 969.37 feet and subtended chord is N. 24°44' E., 30.90 feet to the place of beginning, containing .0036 acres, more or less. All of the above being in the City of Burlington, Racine County, Wisconsin.

Together with an easement for driveway purposes over that parcel described as follows: Beginning at the center of Section 29, T. 3 N., R. 19 E. of the 4th P.M., Township of Burlington, County of Racine, State of Wisconsin; run thence South, on the North and South 1/4 section line, 1686.22 feet to a point, thence S. 79°09' E., along the center line of a Public Highway, 883.34 feet to a point, thence S. 15°09' W., 118.09 feet to a point and the place of beginning of easement hereinafter described; run thence S. 74°05' E., 112.75 feet to a point in the center line of S.T.R. #36 and #83, thence S. 15°09' W., along the center of said Highway, 10.00 feet to a point, thence N. 74°05' W., 112.75 feet to a point, thence N. 15°09' E., 10.00 feet to a point and the place of beginning. Said easement is located in the S.E. 1/4 of Section 29, T. 3 N., R. 19 E. of the 4th P.M., City of Burlington, County of Racine, State of Wisconsin.

Also an easement over and across part of the Southwest 1/4 of the Southeast 1/4 of Section 29, T. 3 N., R. 19 E. of the 4th Principal Meridian described as follows: Commencing at the center of said Section 29; thence South along the N/S 1/4 section line 1686.22 feet to an iron stake in the center line of Grove Street; thence S. 79°09' E., along the center line of Grove Street, 926.43 feet to a point; thence S. 10°51' W., 33.00 feet to an iron stake; thence S. 32°00' E., 46.75 feet to an iron stake in the Westerly line of Milwaukee Avenue; thence S. 15°09' W. along the Westerly line of Milwaukee Avenue, 27.18 feet to an iron stake; thence S. 15°09' W. along the Westerly line of Milwaukee Avenue, 30.45 feet to an iron stake; thence N. 74°05' W. 5.14 feet to an iron stake, which is the point of beginning of the parcel hereinafter described; thence N. 74°05' West 35.00 feet to a point; thence in a South-easterly direction to a point on the Westerly line of Milwaukee Avenue which is 20.00 feet Southerly of the point of beginning, thence in a Northerly direction along the Westerly line of Milwaukee Avenue 20.00 feet to the point of beginning. All of the above being in the City of Burlington, Racine County, Wisconsin.

Subject to easements and rights of way of record; and subject also to existing mortgage running to The Burlington National Bank, Burlington, Wisconsin.



No. 757285
 William Sakeres and Patricia
 T. Sakeres TO
 Richard K. Tomak

Quit Claim Deed

This instrument should be immediately placed upon record to avoid future claims and litigation.

REGISTER'S OFFICE,
 State of Wisconsin,
 Racine County.

Received for Record this 11th day of
 June, 2004, A. D. 19
 at Racine, Wis., and recorded in
 Vol. 792 of Deeds, two pages.

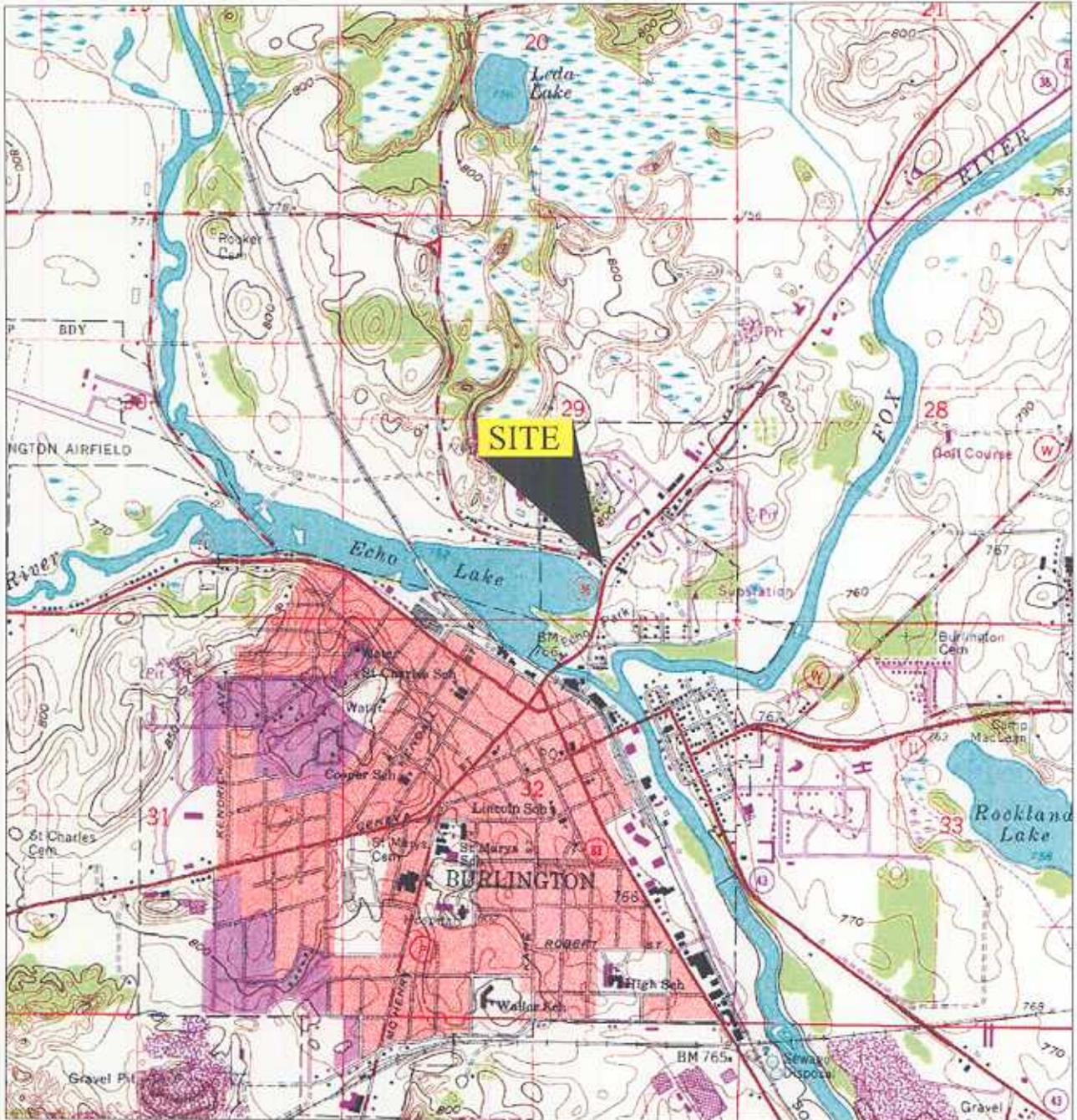
Handwritten Signature
 Register of Deeds

Deputy
 RETURN TO
 William Sakeres
 1234 5th St
 Racine, WI 53401

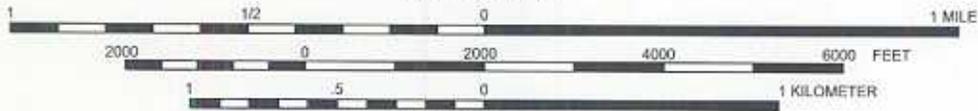
**Bruiser's Pizza Site
Burlington, Wisconsin
BRRTS# 03-52-305274**

Parcel identification number: 206 031929075000

Geographic position data (WTM83/91 projection):
661432, 247303



SCALE 1:24000



CONTOUR INTERVAL 10 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

SOURCE: U.S.G.S. 7.5 minute series (topographic)
Burlington Quadrangle, Wisconsin 1960;
Photorevised 1971 and Photoinspected 1987

ENVIRON

SITE LOCATION MAP
BRUISER'S PIZZA
BURLINGTON, WISCONSIN

Figure
1

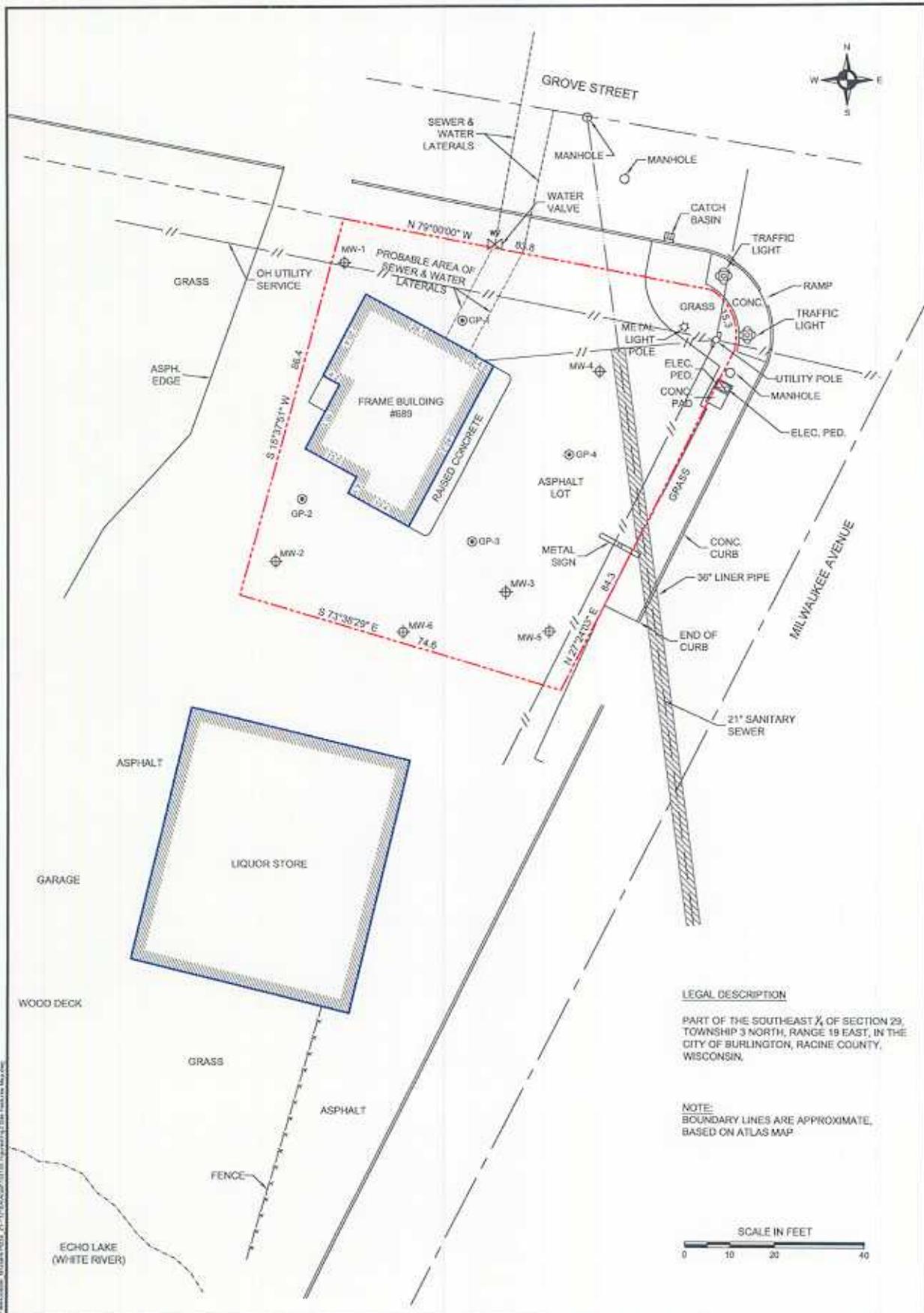
Drafter: APR

Date: 5/11/04

Contract Number: 21-11210A

Approved:

Revised:



LEGAL DESCRIPTION
 PART OF THE SOUTHEAST 1/4 OF SECTION 29,
 TOWNSHIP 3 NORTH, RANGE 19 EAST, IN THE
 CITY OF BURLINGTON, RACINE COUNTY,
 WISCONSIN.

NOTE:
 BOUNDARY LINES ARE APPROXIMATE,
 BASED ON ATLAS MAP



K:\Client\Projects\2005\05-01-05\05-01-05\05-01-05.dwg
 21-11210A.dwg
 10/31/05
 10:31:05 AM
 10/31/05
 10:31:05 AM
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 10:31:05 AM

ENVIRON

**SITE FEATURES MAP
 BRUISER'S PIZZA
 BURLINGTON, WISCONSIN**

**FIGURE
 2**

TABLE 1
SOIL ANALYTICAL RESULTS
BRUISERS PIZZA SITE
BURLINGTON, WISCONSIN

Sample Date Sample Depth (feet) Units	WDNR Standards ¹		11/1/2001				4/22/2002				2/25/2003
	NR 746 ² ug/kg	NR 720 ³ ug/kg	GP-1	GP-2	GP-3	GP-4	MW-1-4	MW2-6	MW3-5	MW-4-5	B-5/S-6
			10-12 ug/kg	14-16 ug/kg	10-12 ug/kg	4-5.5 ug/kg	10-12 ug/kg	10-12 ug/kg	8-10 ug/kg	8-10 ug/kg	11-13 ug/kg
GRO	100,000	NS	NA	NA	NA	NA	NA	NA	NA	NA	145,000
Lead	50,000	NS	NA	NA	NA	NA	NA	NA	NA	NA	1,210
Volatile Organic Compounds											
Benzene	8,500	5.5	324	<25	5,320	360	<25	<25	<25	214	834
n-Butylbenzene	NS	NS	NA	NA	NA	NA	NA	NA	NA	NA	2,580
sec-Butylbenzene	NS	NS	NA	NA	NA	NA	NA	NA	NA	NA	687
tert-Butylbenzene	NS	NS	NA	NA	NA	NA	NA	NA	NA	NA	129
Di-isopropyl Ether	NS	NS	NA	NA	NA	NA	NA	NA	NA	NA	400
Ethylbenzene	4,600	2,900	1,990	72	10,700	1,440	<25	<25	<25	335	3,970
Isopropylbenzene	NS	NS	NA	NA	NA	NA	NA	NA	NA	NA	625
p-Isopropyltoluene	NS	NS	NA	NA	NA	NA	NA	NA	NA	NA	144
Methyl tert-butyl ether	NS	NS	290	<25	1,130	<25	<25	<25	<25	36	<50
Naphthalene	2,700	NS	NA	NA	NA	NA	NA	NA	NA	NA	2,180
n-Propylbenzene	NS	NS	NA	NA	NA	NA	NA	NA	NA	NA	2,200
Toluene	38,000	1,500	870	<25	23,000	417	<25	<25	<25	<25	61
1,2,4-Trimethylbenzene	83,000	NS	15,700	89.1	24,600	9,630	<25	<25	<25	1,490	7,670
1,3,5-Trimethylbenzene	11,000	NS	5,870	237	9,260	2,620	<25	<25	<25	98	3,320
Total Xylenes	42,000	4,100	11,000	221	54,300	8,620	<25	27	<25	527	3,550
Total VOCs			36,044	620	128,310	23,087	-	27	-	2,701	28,350

Notes:

¹ GRO and lead standards based on generic RCLs in NR 720.

² NR 746.06 Table 1 standards

³ NR 720.09 Table 1 RCLs

Bolded results exceed the NR 746 standard

Outlined results exceed the NR 720 standard

WDNR - Wisconsin Department of Natural Resources

ug/kg - micrograms per kilogram

NS - no standard

NA - not analyzed

RCL - residual contaminant level

< - concentration, if any, below the specified quantitation limit

TABLE 2

GROUND WATER ANALYTICAL RESULTS
FROM NOVEMBER 2001 THROUGH NOVEMBER 2004
BRUISERS PIZZA SITE
BURLINGTON, WISCONSIN
(page 1 of 2)

Date	WDNR		11/4/2001	5/2/2002					3/26/2003					
	ES	PAL		GP-1-GW*	MW-1	MW-1D	MW-2	MW-3	MW-4	MW-1	MW-2	MW-3	MW-4	MW-10
Sample	ug/l	ug/l	ug/l	ug/l	ug/l	ug/l	ug/l	ug/l	ug/l	ug/l	ug/l	ug/l	ug/l	ug/l
Gasoline Range Organics	NS	NS	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Lead (dissolved)**	15	1.5	NA	<5	<5	<5	<5	<5	12.4	9.11	6.55	6.34	NA	<5
Volatile Organic Compounds														
Benzene	5	0.5	2,540	<0.488	<0.488	<0.488	2,780	12,000	<0.500	<0.500	3,540	10,600	11,000	160
n-Butylbenzene	NS	NS	NA	<5.00	<5.00	<5.00	62.9	<5.00	<0.500	<0.500	25.7	<10.0	<125	46
Chloromethane	3	0.3	NA	<0.835	<0.835	<0.835	16.8	9.64	<0.600	<0.600	<12.0	<12.0	<150	<6.00
1,2-Dichloroethane	5	0.5	NA	<0.207	<0.207	<0.207	<0.207	<0.207	<0.500	<0.500	108	<10.0	<125	5.11
Di-isopropyl ether	NS	NS	NA	<5.00	<5.00	<5.00	<5.00	7.17	<0.500	<0.500	<100	106	<1250	<5.00
Ethylbenzene	700	140	1,950	<5.00	<5.00	<5.00	1,190	342	<0.500	<0.500	536	1,070	1,040	349
Isopropylbenzene	NS	NS	NA	<5.00	<5.00	<5.00	<5.00	7.12	<0.500	<0.500	<10.0	26.4	<125	7.98
p-Isopropyltoluene	NS	NS	NA	<5.00	<5.00	<5.00	8.58	<5.00	<0.500	<0.500	22.2	<10.0	<125	<5.00
Methyl tert-butyl ether	60	12	113	<0.386	<0.386	<0.386	88.4	3,390	<0.200	<0.200	475	2,210	2,240	74.6
Naphthalene	40	8	NA	<8.00	<8.00	<8.00	121	27.7	<2.00	<2.00	46.7	87.6	<500	<20.0
n-Propylbenzene	NS	NS	NA	<5.00	<5.00	<5.00	157	12.4	<0.500	<0.500	21.2	49	<125	14.9
Toluene	1,000	200	516	<5.00	<5.00	<5.00	182	2,400	<0.500	<0.500	362	3,870	3,860	159
1,2,4-Trimethylbenzene	480	96	3,630	<5.00	<5.00	<5.00	1,130	<250	<1.00	<1.00	75.5	447	466	166
1,3,5-Trimethylbenzene	480	96	1,270	<5.00	<5.00	<5.00	69.0	54.9	<1.00	<1.00	20.2	118	<250	155
Total Xylenes	10,000	1,000	6,360	<5.00	<5.00	<5.00	1,590	1,210	<0.500	<0.500	569	3,910	3,940	361

Notes:

*Grab sample from a temporary monitoring well installed in soil probe boring.

**Lead samples collected 3/26/03 not field filtered

WDNR - Wisconsin Department of Natural Resources

ES - WDNR Chapter NR 140 Enforcement Standard

PAL - WDNR Chapter NR 140 Preventive Action Limit

ug/l - micrograms per liter

NS - no standard

NA - not analyzed

< - concentration, if any, below the specified quantitation limit

Bolded results exceed the respective PAL

Outlined results exceed the respective ES

TABLE 2

GROUND WATER ANALYTICAL RESULTS
FROM NOVEMBER 2001 THROUGH NOVEMBER 2004
BRUISERS PIZZA SITE
BURLINGTON, WISCONSIN
(page 2 of 2)

Date	WDNR		9/10/2003						12/16/2003					3/28/2004					11/29/2004	
Sample	ES	PAL	MW-1	MW-2	MW-3	MW-4	MW-4Dup	MW-5	MW-1	MW-1D	MW-2	MW-4	MW-5	MW-1	MW-2	MW-3	MW-4	MW-5	MW-5D	MW-6
Units	ug/l	ug/l	ug/l	ug/l	ug/l	ug/l	ug/l	ug/l	ug/l	ug/l	ug/l	ug/l	ug/l	ug/l	ug/l	ug/l	ug/l	ug/l	ug/l	ug/l
Gasoline Range Organics	NS	NS	<50	<50	26,000	38,000	38,000	680	<50	<50	<50	43,000	400	<50	<50	20,000	31,000	3,700	3,700	11,000
Lead (dissolved)**	15	1.5	<1.2	<1.3	NA	<1.3	<1.3	<1.3	0.43	NA	0.45	0.95	0.43	1.2	0.64	2.0	0.79	0.78	NA	NA
Volatile Organic Compounds																				
Benzene	5	0.5	<0.30	<0.30	3,700	14,000	13,000	31	<0.30	<0.30	<0.30	12,000	15	<0.14	<0.14	5,400	12,000	64	63	3,700
n-Butylbenzene	NS	NS	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Chloromethane	3	0.3	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
1,2-Dichloroethane	5	0.5	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Di-isopropyl ether	NS	NS	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Ethylbenzene	700	140	<0.60	<0.60	1,400	1,500	1,400	34	<0.60	<0.60	<0.60	1,400	19	<0.40	<0.40	1,200	1,400	230	230	1,100
Isopropylbenzene	NS	NS	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
p-Isopropyltoluene	NS	NS	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Methyl tert-butyl ether	60	12	<0.58	<0.58	340	2,300	2,300	2.5	<0.58	<0.58	<0.58	2,000	2.8	<0.36	<0.36	400	1,900	16	16	22
Naphthalene	40	8	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
n-Propylbenzene	NS	NS	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Toluene	1,000	200	<0.58	<0.58	960	6,800	6,600	<0.58	<0.58	<0.58	<0.58	7,000	0.87	<0.36	<0.36	650	4,800	2.7	2.4	660
1,2,4-Trimethylbenzene	480	96	<0.66	<0.66	2,200	690	670	47	<0.66	<0.66	<0.66	790	18	<0.39	<0.39	1,400	700	410	400	240
1,3,5-Trimethylbenzene	480	96	<0.52	<0.52	670	180	170	29	<0.52	<0.52	<0.52	220	7.9	<0.40	<0.40	410	190	190	180	120
Total Xylenes	10,000	1,000	<1.2	<1.2	4,100	4,800	5,700	23	<1.84	<1.84	<1.84	6,000	8.61	<1.10	<1.10	2,800	5,700	183.8	184.2	1,370

Notes:

*Grab sample from a temporary monitoring well installed in soil probe boring.

**Lead samples collected 3/26/03 not field filtered.

WDNR - Wisconsin Department of Natural Resources

ES - WDNR Chapter NR 140 Enforcement Standard

PAL - WDNR Chapter NR 140 Preventive Action Limit

ug/l - micrograms per liter

NS - no standard

NA - not analyzed

< - concentration, if any, below the specified quantitation limit

Bolded results exceed the respective PAL

Outlined results exceed the respective ES

TABLE 3
GROUND WATER ELEVATIONS
BRUISER'S PIZZA SITE
BURLINGTON, WISCONSIN

	Well	MW-1	MW-2	MW-3	MW-4	MW-5	MW-6
Casing	Elevation	771.90	771.00	771.65	771.85	771.06	771.35
Ground	Elevation	772.51	771.64	771.97	772.18	771.61	771.67
Top of Screen	Elevation	764.30	763.40	764.20	764.90	765.61	763.67
Bottom of Screen	Elevation	754.30	753.40	754.20	754.90	755.61	753.67
5/2/2002	Depth	7.40	8.20	10.11	8.69	NM	NM
	Elevation	764.50	762.80	761.54	763.16	NM	NM
2/26/2003	Depth	13.45	13.55	14.29	12.38	NM	NM
	Elevation	758.45	757.45	757.36	759.47	NM	NM
3/26/2003	Depth	12.19	13.17	14.78	12.00	12.35	NM
	Elevation	759.71	757.83	756.87	759.85	758.71	NM
8/15/2003	Depth	10.05	12.59	14.65	10.85	9.84	NM
	Elevation	761.85	758.41	757.00	761.00	761.22	NM
9/10/2003	Depth	12.95	13.66	15.19	11.37	11.57	NM
	Elevation	758.95	757.34	756.46	760.48	759.49	NM
12/16/2003	Depth	9.30	9.90	15.40	10.30	7.00	NM
	Elevation	762.60	761.10	756.25	761.55	764.06	NM
3/28/2004	Depth	8.20	8.69	12.57	9.41	7.45	NM
	Elevation	763.70	762.31	759.08	762.44	763.61	NM
11/23/2004	Depth	10.15	11.15	15.85	10.68	8.30	13.98
	Elevation	761.75	759.85	755.80	761.17	762.76	757.37
11/30/2004	Depth	9.27	10.68	14.85	10.46	8.08	13.78
	Elevation	762.63	760.32	756.80	761.39	762.98	757.57
1/19/2005	Depth	9.28	9.35	11.65	9.82	8.36	12.92
	Elevation	762.62	761.65	760.00	762.03	762.70	758.43

Notes:

NM = not measured because well did not exist on this date
 Depth - to ground water from top of casing measured in feet
 Elevation - feet above mean sea level

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ENVIRON

GROUND WATER FLOW DIRECTION - JANUARY 19,2005
BRUISER'S PIZZA
BURLINGTON, WISCONSIN

Figure

6

Drafter: APR

Date: 10/31/05

Contract Number: 21-11210A

Approved:

Revised:



NOTE: WATER ELEVATIONS FROM MW-3 AND MW-4 HAVE NOT BEEN USED TO CREATE THIS MAP.



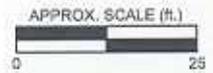
ENVIRON

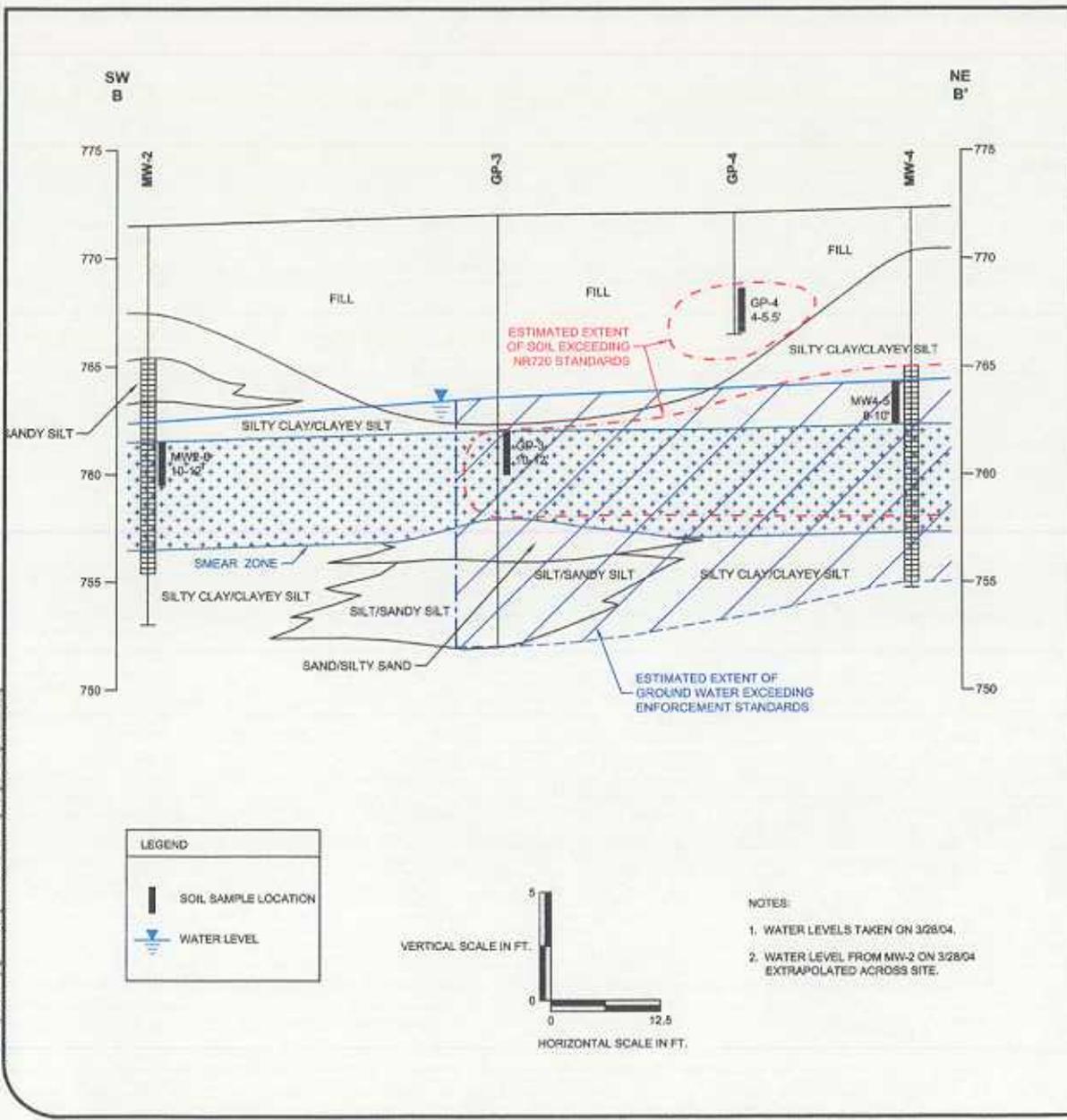
GROUND WATER FLOW DIRECTION - DECEMBER 16, 2003
 BRUISER'S PIZZA
 BURLINGTON, WISCONSIN

Figure
 7

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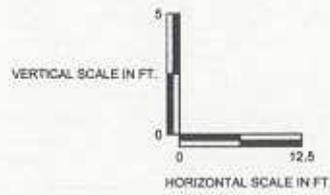
R:\Client\Project Files\Goope\ Bruisers Pizza_21-11210A\Visual\Fig 5 Soil Samples Locs. & Extent of Contamination.dwg





LEGEND

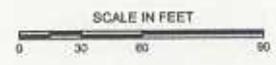
	SOIL SAMPLE LOCATION
	WATER LEVEL



- NOTES:**
1. WATER LEVELS TAKEN ON 3/28/04.
 2. WATER LEVEL FROM MW-2 ON 3/28/04 EXTRAPOLATED ACROSS SITE.



CROSS-SECTION LOCATION MAP



ENVIRON			
GEOLOGIC CROSS-SECTION B-B' BRUISER'S PIZZA BURLINGTON, WISCONSIN			
DATE 10/31/05	CONTRACT NUMBER 21-11210A	SHEET 4	
DRAWN APR	APPROVED	REVISIONS	

K:\2004\Project\Burlington\Burlington_Pizza_21-11210A\Drawings\Geologic\B-B'.dwg, 10/31/05, 10:00 AM, T. Sullivan

**Statement of Belief that All Relevant
Property Legal Descriptions Have Been Attached**

I believe that the correct legal description has been attached for the property that is contained within the contaminated site boundary (Bruiser's Pizza Site located at 689 Milwaukee Avenue, Burlington, Wisconsin).

A handwritten signature in black ink, appearing to read "Paul A. Tomak", written over a horizontal line.

For the Richard R. Tomak Estate

ENVIRON

June 8, 2004

COPY

Patricia T. Sekeres
220 West 2nd Avenue
Elkhorn, WI 53121

RE: Notification of Ground Water Contamination at
689 Milwaukee Avenue, Burlington, Wisconsin

Dear Ms. Sekeres:

On behalf of the Richard R. Tomek Estate, ENVIRON International Corporation (ENVIRON) is notifying you that petroleum volatile organic compound-impacted ground water exists beneath the property located at 689 Milwaukee Avenue in Burlington, Wisconsin. This notification is a requirement of the Wisconsin Administrative Code (WAC) NR 726.05 and is required by the Wisconsin Department of Natural Resources (WDNR) to obtain approval of closure of the above-referenced site.

Enclosed please find a map showing the monitoring well locations, along with the approximate extent of ground water exceeding WAC enforcement standards at the site. The concentrations of benzene, ethyl benzene, methyl tert-butyl ether, toluene, 1,2,4- and 1,3,5-trimethylbenzene, and xylene contamination in the ground water along the eastern half of the property are above the state ground water enforcement standards found in Chapter NR 140 of the WAC. However, ENVIRON has determined that this ground water contaminant plume is effectively contained and not migrating off the site.

We are requesting case closure under NR 746.07 of the WAC. Closure of the site means that the WDNR will not require any further investigation or clean-up actions. The case may be reopened if additional information regarding site conditions indicates that contamination originating from the site poses a threat to the environment or to public health, safety, and/or welfare.

As an affected property owner, you have a right to contact the WDNR to provide any technical information indicating that closure should not be granted for this site. If you would like to submit any information to the WDNR that is relevant to this site closure,

you should mail that information to Ms. Shanna Laube at 9531 Rayne Road, Sturtevant, Wisconsin, 53177.

As part of case closure for this site, all associated properties within the site boundaries where ground water contamination exceeds Chapter NR 140 ground water enforcement standards will be listed on the WDNR's geographic information system (GIS) Registry of Closed Remediation Sites. The information on the GIS Registry includes maps showing the location of properties in Wisconsin where ground water contamination above Chapter NR 140 enforcement standards was found at the time that the case was closed. This GIS Registry is available to the general public on the WDNR's Internet web site.

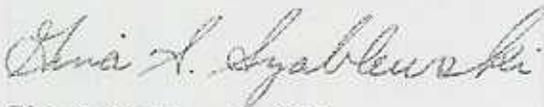
Should you or any subsequent property owner wish to construct or reconstruct a well on your property, special well construction standards may be necessary to protect the well from the residual ground water contamination. Any well driller who proposes to construct a well on your property in the future will first need to contact the Drinking Water Program within the WDNR to determine if there is a need for special well construction standards.

Once the WDNR makes a decision on this closure request, the final closure will be documented by the WDNR in a letter, a copy of which you may obtain by requesting one from me, by writing to the agency address given above, or by accessing WDNR's GIS Registry of Closed Remediation Sites 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 of Closed Remediation Sites.

If you need more information, you may contact me or Jim Kane at 414-456-1210.

Sincerely,

ENVIRON International Corporation



Gina S. Szablewski, P.G.
Associate

GSS

ENVIRON

December 2, 2005

Mr. Mike Dawson
Rice Liquor
691 Milwaukee Avenue
Burlington, WI 53105

RE: Notification of Ground Water Contamination at
681 Milwaukee Avenue Burlington, Wisconsin

Dear Mr. Dawson:

On behalf of the Richard R. Tomek Estate, ENVIRON International Corporation (ENVIRON) is notifying you that petroleum volatile organic compound-impacted ground water likely exists beneath the property located at 681 Milwaukee Avenue in Burlington, Wisconsin. Existing ground water contamination at the neighboring property to the northeast located at 689 Milwaukee Avenue likely is migrating towards Echo Lake and likely is crossing your property. This notification is a requirement of the Wisconsin Administrative Code (WAC) NR 726.05, and is required by the Wisconsin Department of Natural Resources (WDNR) and the Wisconsin Department of Commerce (DCOMM) to obtain approval of closure of the above-referenced site.

Enclosed please find a map showing the monitoring well locations, along with the approximate extent of ground water exceeding WAC enforcement standards at the site. The concentrations of benzene, ethyl benzene, methyl tert-butyl ether, toluene, 1,2,4- and 1,3,5-trimethylbenzene, and xylene contamination in the ground water along the eastern half of the property (i.e., 689 Milwaukee Avenue) are above the state ground water enforcement standards found in Chapter NR 140 of the WAC. However, ENVIRON has determined that this ground water contaminant plume is effectively contained and natural attenuation will restore the ground water to NR140 standards within a reasonable time period.

We are requesting case closure under NR 746.07 of the WAC. Closure of the site means that the DCOMM will not require any further investigation or clean-up actions. The case may be reopened if additional information regarding site conditions indicates that contamination originating from the site poses a threat to the environment or to public health, safety, and/or welfare.

As an affected property owner, you have a right to contact the DCOMM to provide any technical information indicating that closure should not be granted for this site. If you would like to submit any information to the DCOMM that is relevant to this site closure, you should mail that information to Ms. Jennifer Skinner at 101 West Pleasant Street, Suite 100A, Milwaukee, Wisconsin 53212-3963.

Since the source of the contamination is not on your property, neither you nor any subsequent owner of your property will be held responsible for investigation or clean up of this contamination, as long as you and any subsequent owners comply with the requirements of Section 292.13, Wisconsin Statutes, including allowing access to your property for environmental investigation or clean up if access is required. For further information on the requirements of Section 292.13, Wisconsin Statutes,

you may call 1-800-367-6076 to obtain a copy of WDNR's publication #RR-589, Fact Sheet 10: *Guidance for Dealing with Properties Affected by Off-Site Contamination*, or go to www.dnr.state.wi.us/org/aw/rr/archives/pubs/RR589.pdf.

As part of case closure for this site, all associated properties within the site boundaries where ground water contamination exceeds Chapter NR 140 ground water enforcement standards will be listed on the WDNR's geographic information system (GIS) Registry of Closed Remediation Sites. The information on the GIS Registry includes maps showing the location of properties in Wisconsin where ground water contamination above Chapter NR 140 enforcement standards was found at the time that the case was closed. This GIS Registry is available to the general public on the WDNR's Internet web site. A legal description of your property is required for the GIS Registry documentation. At this time, we are requesting a copy of the property deed for 691 Milwaukee Avenue in order to obtain the legal description. Please let us know if you will be unable to provide this information.

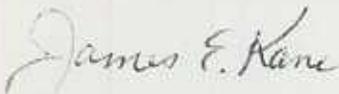
Should you or any subsequent property owner wish to construct or reconstruct a well on your property, special well construction standards may be necessary to protect the well from the residual ground water contamination. Any well driller who proposes to construct a well on your property in the future will first need to contact the Drinking Water Program within the WDNR to determine if there is a need for special well construction standards.

Once the DCOMM makes a decision on this closure request, the final closure will be documented by the DCOMM in a letter, a copy of which you may obtain by requesting one from me, by writing to the agency address given above, or by accessing WDNR's GIS Registry of Closed Remediation Sites 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 of Closed Remediation Sites.

If you need more information, you may contact me or Gina Szablewski at 414-456-1210.

Sincerely,

ENVIRON International Corporation



James E. Kane, P.E.
Senior Manager

JEK/klo

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Off-Site Properties Affected by Residual Ground Water Contamination Exceeding Enforcement Standards at 689 Milwaukee Avenue, Burlington, Wisconsin

- 681 Milwaukee Avenue, Burlington, Wisconsin