State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Gloria L. McCutcheon, Regional Director

Southeast Region Annex
4041 North Richards Street
PO Box 12436
Milwaukee, Wisconsin 53212-0436
Telephone 414-229-0800
FAX 414-229-0810

November 27,2000

Troy Batzel
KWIK TRIP, INC.
1626 Oak street
P.O. Box 2107
La Crosse, WI 54602-2107

SUBJECT: Case Closure: Kwik Trip Property 1423 North 13th Street, Sheboygan, WI.
WDNR FID#: 4601124390

Dear Mr. Batzel:

On October 14, 1999, the Wisconsin Department of Natural Resources reviewed your request for closure of the case described above. After careful review of the closure request, the Department has determined that the petroleum contamination on the site from the underground storage tanks appears to have been investigated and remediated to the extent practicable under site conditions. Your case will be closed under s. NR 726.05, Wis. Adm. Code.

Please be aware that the case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, or welfare or to the environment.

We appreciate your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me in at 414-229-0870.

Sincerely,

Barbara G. Grundl, PG
Hydrogeologist
Bureau for Remediation & Redevelopment

Cc: SER Case File

WISCONSIN
DEPT. OF NATURAL RESOURCES

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Gloria L. McCutcheon, Regional Director

Southeast Regional Headquarters
2300 N. Dr. ML King Drive, PO Box 12436
Milwaukee, Wisconsin 53212-0436
Telephone 414-263-8500
FAX 414-263-8483
TDD 414-263-8713

October 14, 1999

Mr. Greg Sebranek
Kwik Trip, Inc.
1626 Oak Street
P.O. Box 2107
La Crosse, Wisconsin 54602-2107

SUBJECT: Request for closure, Kwik Trip Store #361, 1423 North 13th Street, Sheboygan, Wisconsin. BRR-LUST FID#460124390.

Dear Mr. Sebranek:

Based on the investigative and remedial documentation provided to the department, it appears that the above-named site is in compliance with the requirements of chs. NR 700 to 724, Wis. Adm. Code. Therefore, the department considers the case **conditionally** closed, having determined that no further action is necessary at the site at this time. However, the case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety or welfare or the environment.

The conditions for the closure of this case are that a groundwater use restriction be placed on the deed to the property. The groundwater use restriction language is found in the department's guidance on deed restrictions. Your environmental consultant should have this information; if not, the information is available on the department's web site.

Please have the monitoring wells at the site properly abandoned in accordance with ch. NR141. Once the department receives the well abandonment forms and confirmation that the restriction has been placed on the deed to the property, this case will be tracked as closed on the department's tracking system. If you have any questions regarding this letter, you may contact me at the above address or at (414) 263-8589.

Sincerely,

Gina Keenan

Gina Keenan
Hydrogeologist

c: Braun Intertec
SER case file

VOL 1755 PAGE 505
1577909

SHEBOYGAN COUNTY, WI
RECORDED ON
08-25-2000 11:26 AM
DARLENE J. NAVIS
REGISTER OF DEEDS
RECORDING FEE: 14.00
TRANSFER FEE:
043094 6

Document Number | GROUNDWATER USE RESTRICTION

Recording Area

Name and Return Address
Thomas J. Kieffer
1626 Oak Street
La Crosse, Wisconsin 54603

700420

Parcel Identification Number (PIN)

Declaration of Restrictions

In Re: All of Lot Number Six (6) and the West Nineteen (19) feet of Lot Number Five (5), Block Number Twenty-Four (24), original plat of the City of Sheboygan.

STATE OF WISCONSIN)
) ss
COUNTY OF LA CROSSE)

WHEREAS, ZRH, A Wisconsin General Partnership is the owner of the above-described property.

WHEREAS, one or more petroleum hydrocarbon discharges have occurred on this property. Methyl Tertiary Butyl Ether contaminated groundwater above NR 140 preventive action limits and Benzene contaminated groundwater above NR 140 enforcement standards existed on site 10/18/99; see Exhibit A.

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct further groundwater or soil remediation activities on the property at the present time.

WHEREAS, natural attenuation has been approved by the Department of Natural Resources to remediate groundwater contamination exceeding NR 140 groundwater standards within the boundaries of this property.

WHEREAS, construction of wells where the water quality does not comply with drinking water standards in NR 809 is restricted by NR 811 and NR 812, Wis. Adm. Code. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply.

NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and restrictions:

> Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or it successor agency, to determine what specific requirements are applicable, prior to constructing or reconstructing a well on this

property. No well may be constructed on this property unless applicable requirements are met.

If construction is proposed on this property that will require dewatering, or if groundwater is to be otherwise extracted from this property, while this groundwater use restriction is in effect, the groundwater shall be sampled and analyzed for contaminants that were previously detected on the property and any extracted groundwater shall be managed in compliance with applicable statutes and rules.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction benefits and is enforceable by the Wisconsin Department of Natural Resources, its successors or assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that one or more of the restrictions set forth in this covenant is no longer required. Upon the receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit, attached to a copy of the Department's written determination, may be recorded to give notice that this deed restriction, or portions of this deed restriction, are no longer binding.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 16th day of August, 2000.

ZRH, a Wisconsin General Partnership

Signature: Steven D. Zietlow

Printed Name: Steven D. Zietlow
Managing Partner

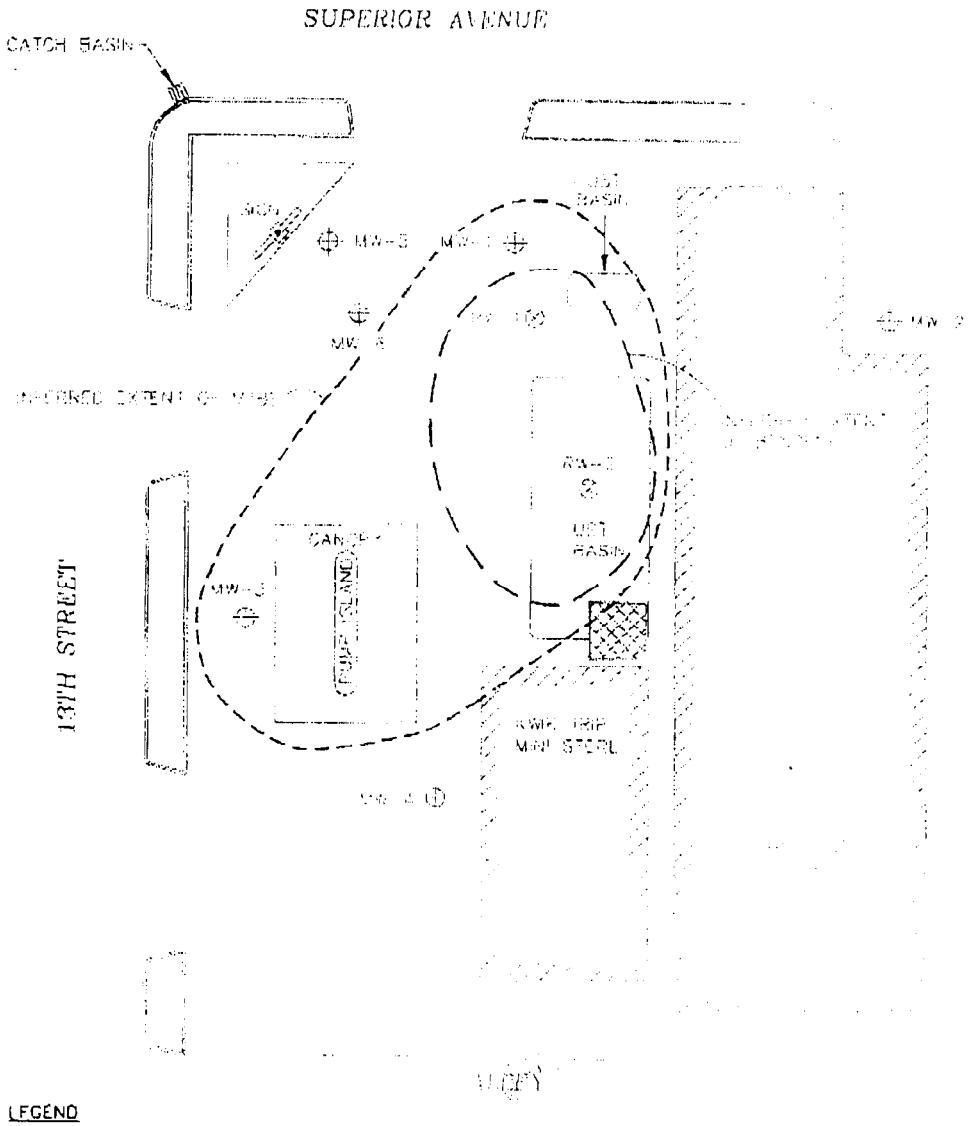
Subscribed and sworn to before me
this 16th day of August, 2000.

Thomas J. Kuffer

Notary Public, State of Wisconsin
My commission is permanent

This document was drafted by Kwik Trip, Inc., based on comments from the Wisconsin Department of Natural Resources.

VOL 1755 PAGE 507



LEGEND

Legibility Impaired

N

EXHIBIT A

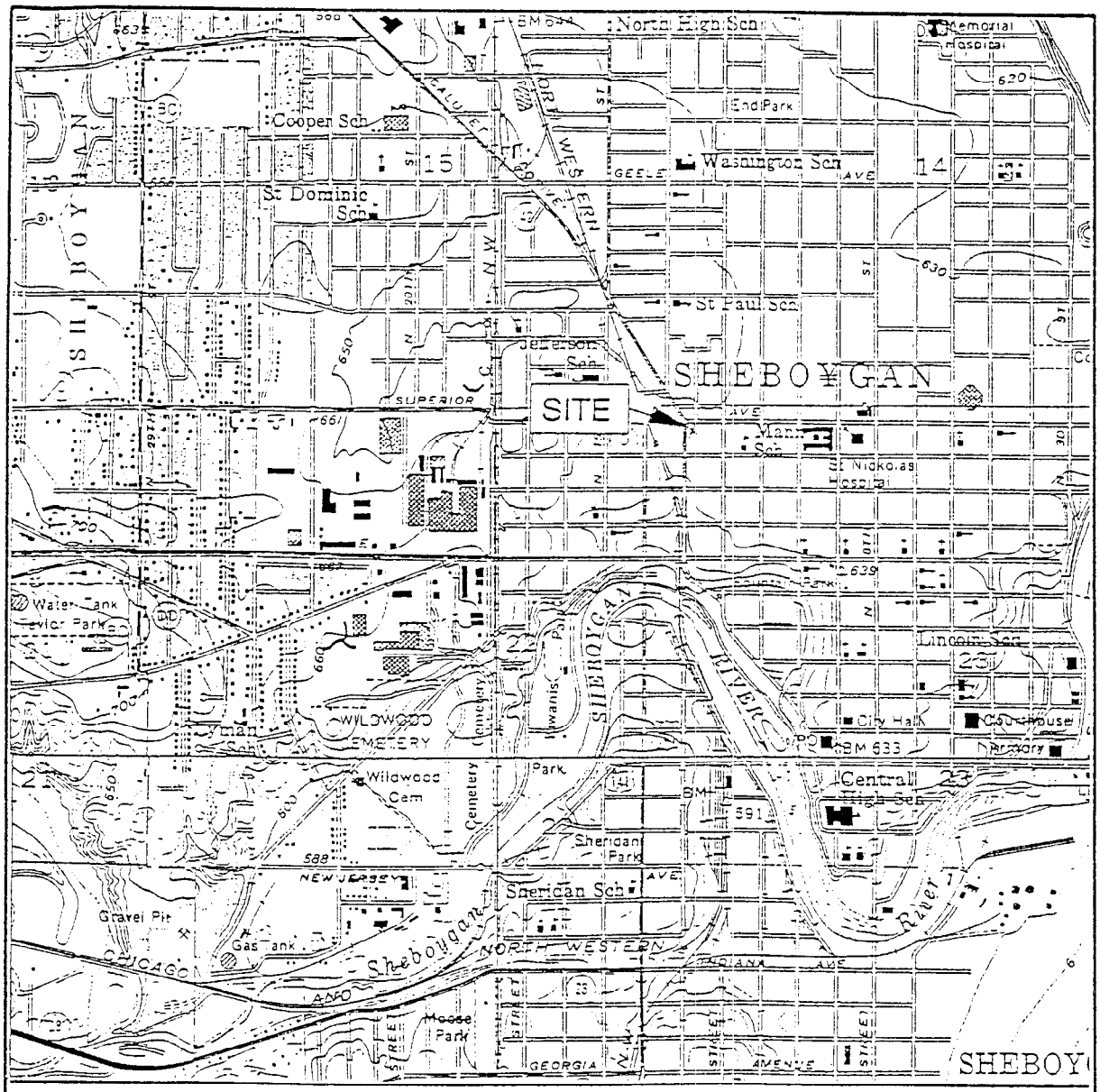
15' 0 30

SCALE 1"=30'

BRAUN INTERTEC

INFERRED EXTENT OF GROUNDWATER CONTAMINATION
CLOSURE REQUEST SUBMITTAL
KWIK TRIP STORE NO. 361
SHEBOYGAN, WISCONSIN

INT	REVISION	SHEET
DRAWN BY: LOL	11-29-94	
APP'D BY: RMF	10-18-99	OF
JOB NO. CNEX-95-361K		
DWG. NO. LE2002C	FIGURE NO.	
SCALE 1"= 30'		



QUADRANGLE LOCATION

N

SHEBOYGAN NORTH, WIS.

SW/4 SHEBOYGAN NORTH 15' QUADRANGLE

N4345—W8737.5/7.5

SCALE 1:24 000

1 ½ 0 1 MILE

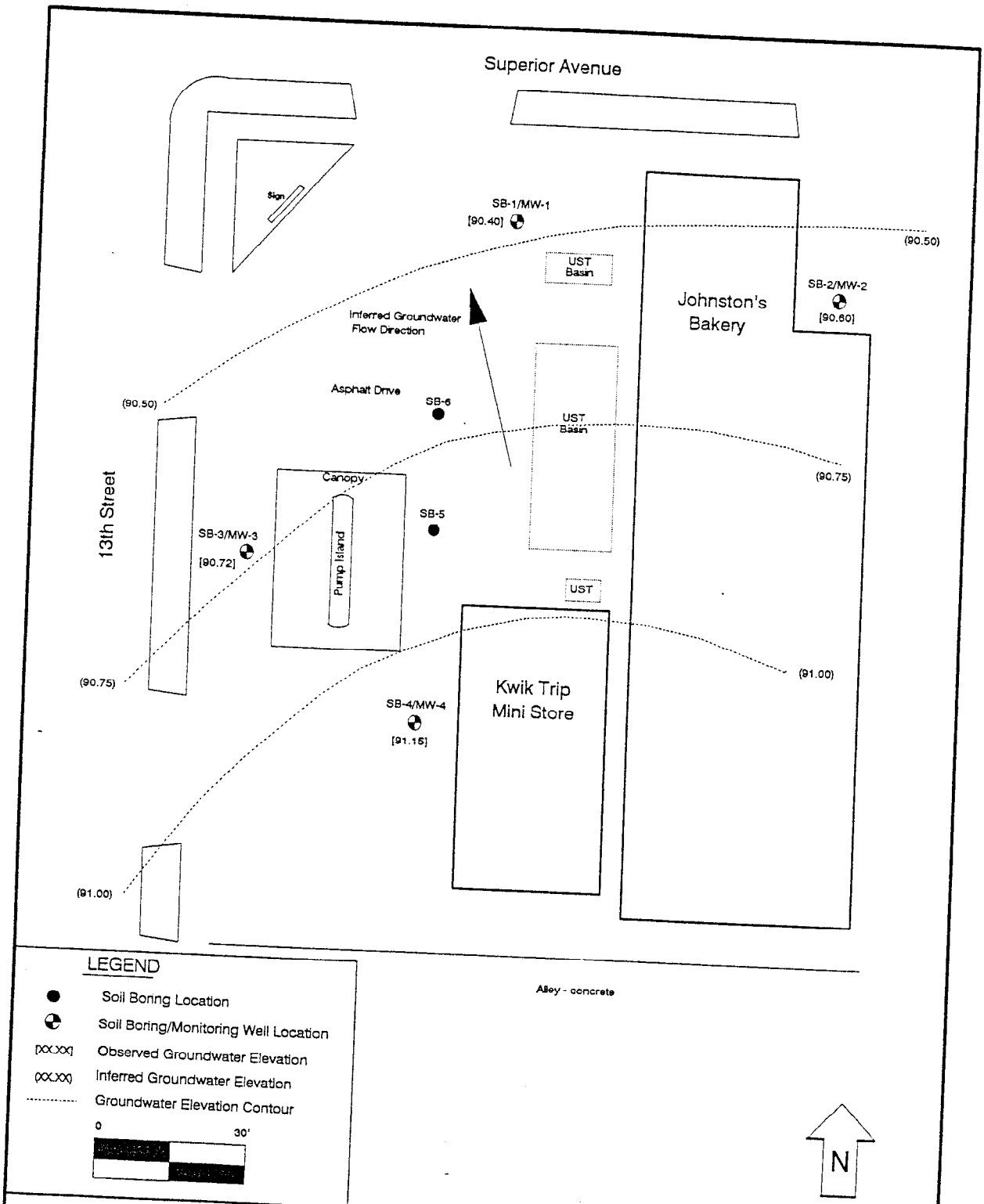
1000 0 1000 2000 3000 4000 5000 6000 7000 FEET

BRAUN INTERTEC

FIGURE 1: SITE LOCATION MAP

Environmental Site Assessment
Kwik Trip
1423 N. 13th Street
Sheboygan, Wisconsin

	INT	DATE	SHEET
DRAWN BY:	BKH	3-16-92	1
APP'D BY:	ETF		OF
JOB No.	CLEX-92-002A		1
DWG No.			FIGURE #
SCALE	1 : 24,000		1



BRAUN INTERTEC

FIGURE 6: GROUNDWATER ELEVATION CONTOUR MAP

Environmental Site Assessment
Kwik Trip
1423 N. 13th Street
Sheboygan, Wisconsin

	INT	DATE	SHEET
DRAWN BY:	BKH	12-22-92	1
APP'D BY:	ETF		OF
JOB No.	CLEX-92-002A		1
DWG No.			FIGURE #
SCALE	1" = 30 feet		6

CNEX-95-361K Kwik Trip Petroleum Release Site
Sheboygan, Wisconsin

Groundwater Treatment System Monitoring Summary

MW-1

Organics (µg/L):	03/09/92	07/23/92	01/21/93	05/25/93	08/12/93	10/21/93	01/31/94	02/21/94	04/18/94	08/08/94	12/05/94
Benzene	36	160	39	69	6.9	<1.0	Not	<1.0	<1.0	<1.0	<1.0
Ethyl Benzene	2	<1.0	2.7	1.3	2.2	<1.0	Sampled	<1.0	<1.0	<1.0	<1.0
Toluene	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0		<1.0	<1.0	<1.0	<1.0
Xylenes, Total	5.7	3.8	<1.0	1.8	<1.0	<1.0		<1.0	<1.0	<1.0	<1.0
Methyl Tertiary Butyl Ether	220	250	270	300	220	150		130	120	76	31
Diesel Range Organics	760	0.8	0.3	NA	NA	0.5		<.10	<.10	<.10	1.0
Gasoline Range Organics	260	180	<100	340	250	<100		<100	<100	<100	<100

Organics (µg/L):	04/20/95	07/05/95	10/02/95	03/27/96	07/01/96	05/07/97	07/15/97	10/28/97	07/15/98
Benzene	<1.0	<1.0	<0.5	<0.5	<0.5	<0.13	NS	NS	<0.13
Ethyl Benzene	<1.0	<1.0	<1.0	<1.0	<1.0	<0.22	NS	NS	<0.22
Toluene	<1.0	<1.0	<1.0	<1.0	<1.0	<0.20	NS	NS	<0.20
Xylenes, Total	<1.0	<1.0	<3.0	<3.0	<3.0	<0.23	NS	NS	<0.23
Methyl Tertiary Butyl Ether	27	28	18	19	15	7.3	NS	NS	3.8
Diesel Range Organics	<.10	NA	NA	NA	NA	NA	NS	NS	NA
Gasoline Range Organics	<100	<100	<50	<50	<50	<50	NS	NS	<50

NA = Not analyzed.

CNEX-95-361K Kwik Trip Petroleum Release Site
Sheboygan, Wisconsin

Groundwater Treatment System Monitoring Summary

MW-2

Organics (µg/L):	03/09/92	07/23/92	01/21/93	05/25/93	08/12/93	10/21/93	01/31/94	04/18/94	08/08/94	12/05/94
Benzene	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
Ethyl Benzene	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
Toluene	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
Xylenes, Total	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
Methyl Tertiary Butyl Ether	<5.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
Diesel Range Organics	<100	1	<0.1	NA	NA	<0.1	<0.1	<0.1	<0.1	<0.1
Gasoline Range Organics	<100	<100	<100	<100	<100	<100	<100	<100	<100	<100

Organics (µg/L):	04/20/95	07/05/95	10/02/95	03/27/96	07/01/96	05/07/97	07/15/97	10/28/97	07/15/98
Benzene	<1.0	<1.0	<0.5	<0.5	<0.5	<0.13	NS	NS	<0.13
Ethyl Benzene	<1.0	<1.0	<1.0	<1.0	<1.0	<0.22	NS	NS	<0.22
Toluene	<1.0	<1.0	<1.0	<1.0	<1.0	<0.20	NS	NS	<0.20
Xylenes, Total	<1.0	<1.0	<3.0	<3.0	<3.0	<0.23	NS	NS	<0.23
Methyl Tertiary Butyl Ether	<1.0	<1.0	<1.0	<1.0	<1.0	<0.16	NS	NS	<0.16
Diesel Range Organics	0.2	NA	NA	NA	NA	NA	NS	NS	NA
Gasoline Range Organics	<100	<100	<50	<50	<50	<50	NS	NS	<50

NA = Not analyzed.

CNEX-95-361K Kwik Trip Petroleum Release Site
Sheboygan, Wisconsin

Groundwater Treatment System Monitoring Summary

MW-3

Organics (µg/L):	03/09/92	07/23/92	01/21/93	05/25/93	08/12/93	10/21/93	01/31/94	02/21/94	04/18/94	08/08/94
Benzene	<1.0	1.3	<1.0	<1.0	<1.0	<1.0	NOT	<1.0	<1.0	<1.0
Ethyl Benzene	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	SAMPLED	<1.0	<1.0	<1.0
Toluene	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0		<1.0	<1.0	<1.0
Xylenes, Total	<1.0	<1.0	<1.0	<1.0	<1.0	1.2		<1.0	<1.0	<1.0
Methyl Tertiary Butyl Ether	60	76	90	44	36	39		62	72	70
Diesel Range Organics	<100	0.5	<0.1	NA	NA	<0.1		<0.1	<0.1	<0.1
Gasoline Range Organics	<100	<100	<100	<100	<100	<100		<100	<100	<100

Organics (µg/L):	12/05/94	04/20/95	07/05/95	10/02/95	03/27/96	07/01/96	05/07/97	07/15/97	10/28/97	07/15/98
Benzene	<1.0	<1.0	<1.0	<0.5	<0.5	<0.5	<0.13	NS	NS	<0.13
Ethyl Benzene	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<0.22	NS	NS	<0.22
Toluene	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<0.20	NS	NS	<0.20
Xylenes, Total	<1.0	<1.0	<1.0	<3.0	<3.0	<3.0	<0.23	NS	NS	<0.23
Methyl Tertiary Butyl Ether	42	42	60	37	50	53	58	NS	NS	45
Diesel Range Organics	<0.1	0.2	NA	NA	NA	NA	NA	NS	NS	NA
Gasoline Range Organics	<100	<100	<100	<50	<50	<50	<50	NS	NS	<50

NA = Not analyzed.

CNEX-95-361K Kwik Trip Petroleum Release Site
Sheboygan, Wisconsin

Groundwater Treatment System Monitoring Summary

MW-4

Organics (µg/L):	03/09/92	Duplicate 03/09/92	07/23/92	01/21/93	05/25/93	08/12/93	10/21/93	01/31/94	04/18/94	08/08/94
Benzene	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
Ethyl Benzene	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
Toluene	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
Xylenes, Total	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
Methyl Tertiary Butyl Ether	<5.0	<5.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
Diesel Range Organics	<100	<100	0.1	<0.1	NA	NA	<0.1	<0.1	<0.1	<0.1
Gasoline Range Organics	<100	<100	<100	<100	<100	<100	<100	<100	<100	<100

Organics (µg/L):	12/05/94	04/20/95	07/05/95	10/02/95	03/27/96	07/01/96	05/07/97	07/15/97	10/28/97	07/15/98
Benzene	<1.0	<1.0	<1.0	<0.5	<0.5	<0.5	<0.13	NS	NS	<0.13
Ethyl Benzene	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<0.22	NS	NS	<0.22
Toluene	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<0.20	NS	NS	<0.20
Xylenes, Total	<1.0	<1.0	<1.0	<3.0	<3.0	<3.0	<0.23	NS	NS	<0.23
Methyl Tertiary Butyl Ether	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<0.16	NS	NS	<0.16
Diesel Range Organics	<0.1	0.1	NA	NA	NA	NA	NA	NS	NS	NA
Gasoline Range Organics	<100	<100	<100	<50	<50	<50	<50	NS	NS	<50

NA = Not analyzed.

CNEX-95-361K Kwik Trip Petroleum Release Site
Sheboygan, Wisconsin

Groundwater Treatment System Monitoring Summary

MW-5

Organics (µg/L):	03/09/92	07/23/92	01/21/93	05/25/93	08/12/93	10/21/93	01/31/94	04/18/94	08/08/94	12/05/94
Benzene	NA	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
Ethyl Benzene	NA	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
Toluene	NA	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
Xylenes, Total	NA	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
Methyl Tertiary Butyl Ether	NA	7.6	<1.0	3.6	3.9	3.4	3.6	4.4	3.6	<1.0
Diesel Range Organics	NA	0.7	<0.1	NA	NA	<0.1	NA	NA	NA	0.1
Gasoline Range Organics	NA	<100	<100	<100	<100	<100	<100	<100	<100	<100

Organics (µg/L):	04/20/95	07/05/95	10/02/95	03/27/96	07/01/96	05/07/97	07/15/97	10/28/97	07/15/98
Benzene	<1.0	<1.0	<0.5	<0.5	<0.5	<0.13	NS	NS	<0.13
Ethyl Benzene	<1.0	<1.0	<1.0	<1.0	<1.0	<0.22	NS	NS	<0.22
Toluene	<1.0	<1.0	<1.0	<1.0	<1.0	<0.20	NS	NS	<0.20
Xylenes, Total	<1.0	<1.0	<3.0	<3.0	<3.0	<0.23	NS	NS	<0.23
Methyl Tertiary Butyl Ether	<1.0	1.1	<1.0	1.7	1.3	0.5	NS	NS	<0.16
Diesel Range Organics	<0.1	NA	NA	NA	NA	NA	NS	NS	NA
Gasoline Range Organics	<100	<100	<50	<50	<50	<50	NS	NS	<50

NA = Not analyzed.

CNEX-95-361K Kwik Trip Petroleum Release Site
Sheboygan, Wisconsin

Groundwater Treatment System Monitoring Summary

MW-6

Organics (µg/L):	04/18/94	08/08/94	12/05/94	04/20/95	07/05/95	10/02/95	03/27/96	07/01/96	05/07/97
Benzene	120	120	Not	Not	Not	Not	<0.5	77	Not
Ethyl Benzene	140	150	Sampled	Sampled	Sampled	Sampled	<1.0	33	Sampled
Toluene	460	36					<1.0	6.9	
Xylenes, Total	2630	930	No	No	No	No	<3.0	91	No
Methyl Tertiary Butyl Ether	<1.0	10	Water	Water	Water	Water	<1.0	<5.0	Water
			Present	Present	Present	Present			Present
Diesel Range Organics	5.1	4.4					NA	NA	NOTE:
Gasoline Range Organics	11000	9600					<50	930	Well Damaged
									Riser Cracked,
									Bentonite in casing
									MW abandoned

NA = Not analyzed.

CNEX-95-361K Kwik Trip Petroleum Release Sit
Sheboygan, Wisconsin

Groundwater Treatment System Monitoring Summ y

RW-1

Organics (µg/L):	03/09/92	07/23/92	01/22/93	05/25/93	08/03/93	09/08/93	09/22/93	10/05/93	10/21/93	11/05/93
Benzene	NS	NS	6100	NS	370	3300	940	1700	350	670
Ethyl Benzene	NS	NS	720	NS	12	130	35	29	6.5	30
Toluene	NS	NS	5700	NS	460	2200	750	580	85	150
Xylenes, Total	NS	NS	11700	NS	920	2600	750	750	212	630
Methyl Tertiary Butyl Ether	NS	NS	6000	NS	1200	4100	1600	4300	2400	2600
Diesel Range Organics	NS	NS	28	NS	NA	NA	NA	NA	1.5	NA
Gasoline Range Organics	NS	NS	51000	NS	3100	12000	4600	4900	2300	5700

RW-1

Organics (µg/L):	11/19/93	12/07/93	12/21/93	01/31/94	02/11/94	03/21/94	01/22/96	02/28/96	03/27/96	07/01/96
Benzene	1000	1600	1000	1700	2200	60	1800	2100	3300	65
Ethyl Benzene	33	78	20	53	55	6.2	39	120	180	3.1
Toluene	770	900	540	1300	1400	41	430	1200	930	2.4
Xylenes, Total	780	1350	870	1210	1690	92	530	1700	1300	11
Methyl Tertiary Butyl Ether	840	2400	2700	380	5400	680	4600	2500	5400	110
Diesel Range Organics	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Gasoline Range Organics	4800	6000	6900	8100	9600	600	5700	8400	11000	150

RW-1

Organics (µg/L):	10/03/96	01/15/97	05/07/97	07/15/97	10/28/97	01/20/98	04/27/98	07/15/98	10/14/98	01/28/99
Benzene	4100	590	600	NS	3300	2800	2400	2400	2200	170
Ethyl Benzene	160	30	33	NS	190	140	210	200	140	8
Toluene	120	23	150	NS	520	140	410	79	90	3
Xylenes, Total	450	160	270	NS	1600	960	1500	1100	1050	188
Methyl Tertiary Butyl Ether	8300	1400	3600	NS	5600	5900	3500	3700	3500	2500
Diesel Range Organics	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Gasoline Range Organics	9000	2000	3000	NS	9700	8400	8300	6800	7000	650

NA = Not analyzed.
NS = Not sampled.