



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 26, 2007

Mr. Tom Whowell
Gordy's Lakefront Marine, Inc.
P.O. Box 320
Fontana, WI 53125

RE: **Final Closure**

Commerce # 53125-0320-30-A DNR BRRTS # 03-65-005226
Gordy's Lakefront Marine, 330 Lake Avenue, Fontana

Dear Mr. Whowell:

The Wisconsin Department of Commerce (Commerce) has received all items required as the condition for closure of the site referenced above. This case is now listed as "closed" on the Commerce database and will be included on the Department of Natural Resources (DNR) Geographic Information System (GIS) Registry of Closed Remediation Sites to address residual soil 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) 220-5376.

Sincerely,

A handwritten signature in black ink, appearing to read "L.M.", followed by a long, horizontal, wavy line that extends to the right.

Linda M. Michalets
Senior Hydrogeologist
Site Review Section

cc: Mr. Robert Langdon, BT², Inc.



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

December 5, 2006

Mr. Tom Whowell
Gordy's Lakefront Marine, Inc.
P.O. Box 320
Fontana, WI 53125

RE: **Conditional Case Closure**

Commerce # 53125-0320-30 DNR BRRTS # 03-65-005226
Gordy's Lakefront Marine, 330 Lake Avenue, Fontana

Dear Mr. Whowell:

The Wisconsin Department of Commerce (Commerce) has reviewed the request for case closure prepared by your consultant, BT², Inc., for the site referenced above. It is understood that residual soil 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.

During the final groundwater sampling event conducted on December 4, 2001, the preventive action limit (PAL) for benzene was exceeded at monitoring wells MW-3 and MW-6, at 3 and 1.3 parts per billion, respectively. Commerce is issuing a PAL exemption, per NR 140.28 (2), Wis. Adm. Code, for benzene at the referenced property.

The following condition must be satisfied to obtain final closure:

- The six monitoring wells must be properly abandoned and the appropriate documentation 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 (if applicable) 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) 220-5376.

Sincerely,

A handwritten signature in black ink, appearing to read "L.M.", followed by a stylized flourish.

Linda M. Michalets
Senior Hydrogeologist
Site Review Section

cc: Mr. Robert Langdon, BT², Inc.

Map created Tue Sep 12 16:24:12 CDT 2006

Legend

Sites Closed with Residual Contamination

-  Groundwater
-  Soil
-  Groundwater and Soil
-  Offsource Contamination
-  County Boundary
-  24K Open Water Municipalities



Scale: 1:492
DO NOT USE FOR NAVIGATION

DOCUMENT NO.

698356

VOL 146 PAGE 488

STATE BAR OF WISCONSIN - FORM 3
QUIT CLAIM DEED
THIS SPACE RESERVED FOR RECORDING DATA

RECORDED IN VOL 146
PAGE 488

75 OCT 31 AM 11 30

LOIS M. BETTERHAGEN
REG. OF DEEDS
WALWORTH COUNTY, WIS.
2-00

By This Deed, GORDON W. WHOWELL

Grantor
quit-claims to LAKE FRONT MARINE, INC., a Wisconsin Corporation

Grantee, for a valuable consideration

the following described real estate in Walworth County, State of Wisconsin:

Lot 1 in Block 6 in D. A. Reid's Addition to Reid's Park in the Village of Fontana on Geneva Lake, Walworth County, Wisconsin, according to the recorded Plat of said D. A. Reid's Addition of record in the Office of the Register of Deeds in and for Walworth County, Wisconsin, including any and all rights and interests of Seller in and to the property located East of this property along shore of Geneva Lake, but subject to municipal and zoning ordinances and recorded easements for public utilities or any easements or rights of way of any kind, and building restrictions, of record.

RETURN TO

J. Graves

Tax Key # _____
This is _____ homestead property.

Executed at Elkhorn, Wisconsin this 1st day of January, 19 75

SIGNED AND SEALED IN PRESENCE OF

Gordon W. Howell (SEAL)
Gordon W. Howell

FSG
6-7
EXEMPT

(SEAL)
(SEAL)
(SEAL)

Signatures of Gordon W. Whowell

authenticated this 1st day of JANUARY, 19 75

Title: Member State Bar of Wisconsin or Other Party
Authorized under Sec. 706.06 vis.

STATE OF WISCONSIN

Walworth County

Personally came before me, this 6th day of May, 19 75
the above named Gordon W. Whowell

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

THIS INSTRUMENT WAS DRAFTED BY

Atty. John P. Graves of the Law Firm of Korf, Pfeil & Graves

The use of witnesses is optional.

Margaret Strassburg
Margaret Strassburg

Notary Public, Walworth County, Wis.

My commission (expires) 300 February 6, 1977

Names of persons signing in any capacity should be typed or printed below their signatures.

374320

VOL. 652 PAGE 4423

WARRANTY DEED

Document Number

RECORDED IN VOL. 652
PAGE 4423

'98 FEB 12 AM 11 36

LOIS M. HENRICHSEN
REGISTER OF DEEDS
WALWORTH COUNTY, WI

FONTANA BAY CORPORATION, a Wisconsin corporation, ("Grantor") conveys and warrants to FONTANA HOLDING COMPANY, a Wisconsin corporation, ("Grantee") the following described real estate in Walworth County, State of Wisconsin:

Lot 1 of Reid's Park, according to the plat thereof recorded in the office of the Register of Deeds in and for the County of Walworth, Wisconsin on the 23rd day of October, 1890 in Volume 4 of Plats on page 40.

Recording Area
Name and Return Address

10-00

See Tract to 35859

SR 00001
(Parcel Identification Number)

Exception to warranties: general and special taxes and assessments for the year 1998 and subsequent years; easements, covenants, conditions and restrictions of record; public or private rights, if any, to such portion of the premises as may be used, laid out or dedicated for street, highway or road purposes; rights of the public to that portion of the above described premises lying below the ordinary high water mark of Geneva Lake; rights of the public in and to the foot path around Geneva Lake; municipal building and zoning codes.

This is NOT homestead property.

Dated this 31ST day of January, 1998.

[Signature]
JOHN C. TRACY, President
[Signature]
WILLIAM SCHEY, Vice President

AUTHENTICATION

Signature(s) of John C. Tracy
authenticated this 31ST day of January, 1998.

[Signature]
Timothy P. Swatek
Type or Print Name

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

TRANSFER
\$1,884.00
FFE

ACKNOWLEDGMENT

State of ILLINOIS
County of LAKE

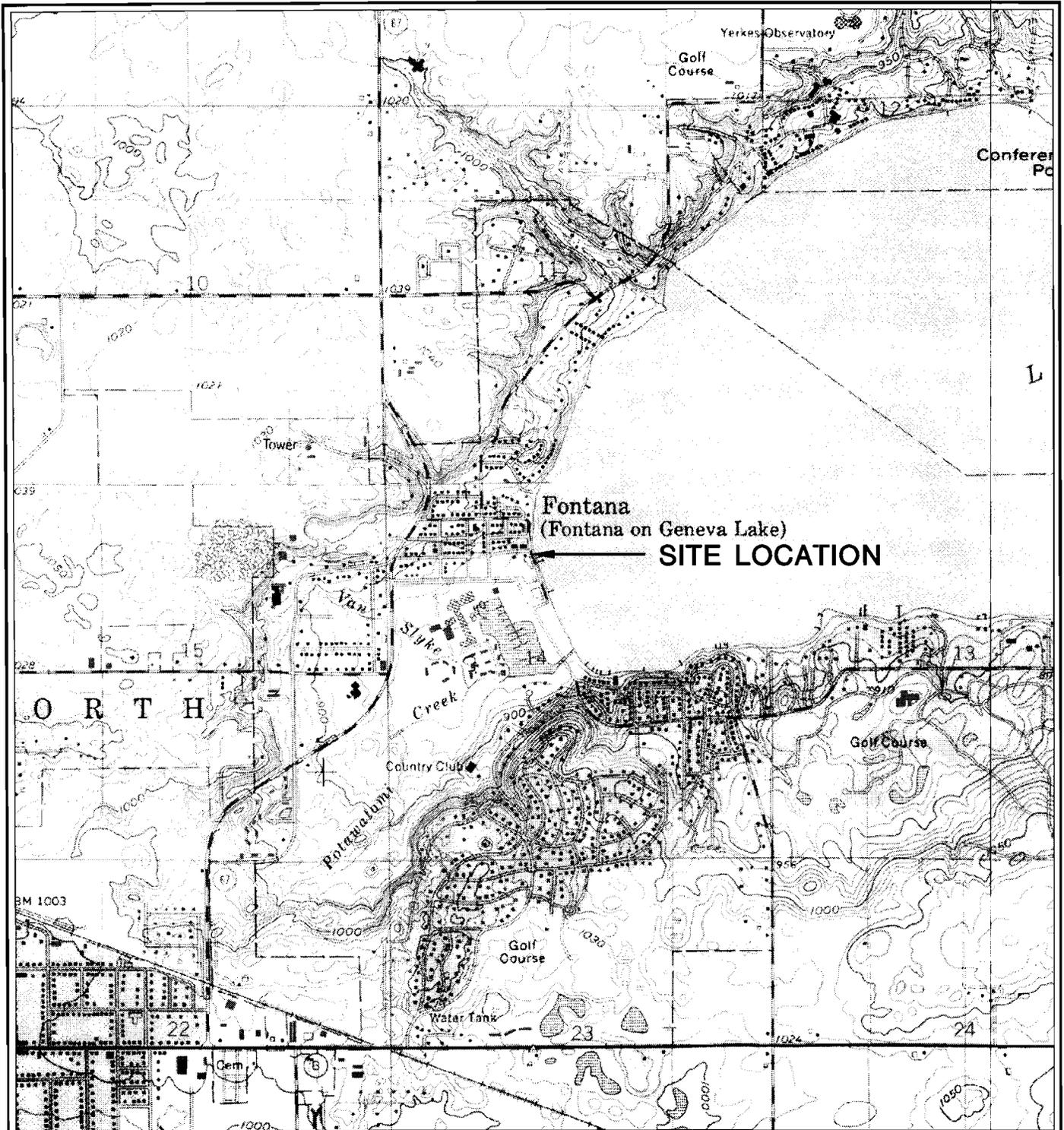
Personally came before me this 30 day of January, 1998, the above named WILLIAM SCHEY to me known to be the person who executed the foregoing instrument and acknowledge the same.

[Signature]
Notary Public, Lake County, Illinois (Walworth County, Wisconsin)
My commission is permanent (expires): 3-23-00

THIS INSTRUMENT WAS DRAFTED BY
Attorney Timothy P. Swatek
Lake Geneva, WI 53147

*Names of persons signing in any capacity should be typed or printed below their signatures.

I hereby certify that I have on this 13th day of February, 1998 microphotographed the above document in accordance with standards established by Sec. 228.03 (1) of Statutes and with established procedures,
Pet Kern, Camera Operator

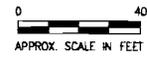
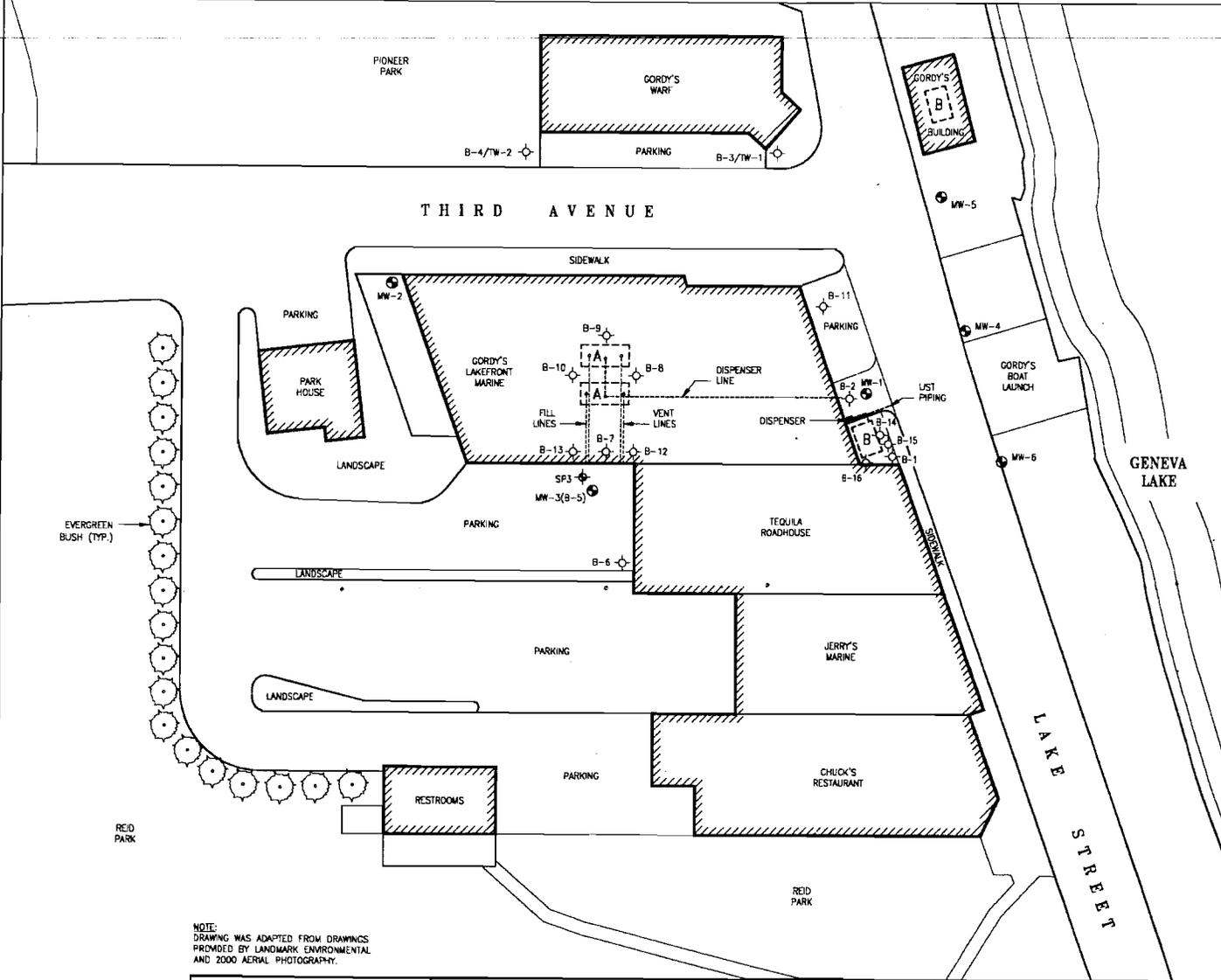


WALWORTH QUADRANGLE
 WISCONSIN-WALWORTH CO.
 7.5 MINUTE SERIES (TOPOGRAPHIC)
 SE/4 DELAVAN 15' QUADRANGLE
 1994
 SCALE: 1" = 2,000'



CLIENT	GORDY'S LAKEFRONT MARINE 320 LAKE STREET FONTANA, WISCONSIN	SITE	GORDY'S LAKEFRONT MARINE 320 LAKE STREET FONTANA, WISCONSIN	ENGINEER		2830 DAIRY DRIVE MADISON, WI 53718-6751 PHONE: (608) 224-2830 FAX: (608) 224-2839	FIGURE 1
	PROJECT NO. 3080		DRAWN BY: KP				
	DRAWN: 07/10/06		CHECKED BY: RL				
	REVISED: 07/21/06		APPROVED BY: <i>REL</i>				

NO.	REVISIONS	DATE	BY	CHKD



LEGEND	
	MONITORING WELL LOCATION
	SOIL BORING LOCATION
	SANDPOINT WELL LOCATION
	5,000 GALLON PREMIUM GASOLINE UST
	3,000 GALLON UNLEADED GASOLINE UST

NOTE:
DRAWING WAS ADAPTED FROM DRAWINGS
PROVIDED BY LANDMARK ENVIRONMENTAL
AND 2000 AERIAL PHOTOGRAPHY.

Handex
OF WISCONSIN
16940 VICTOR ROAD
NEW BERLIN, WI 53151
(262) 641-9011

GORDY'S LAKEFRONT MARINE
330 Lake Street
Fontana, Wisconsin

SOIL BORING/MONITORING WELL LOCATION MAP
GORDY'S LAKEFRONT MARINE
330 LAKE STREET
FONTANA, WALWORTH COUNTY, WISCONSIN

DRAWN BY:	M. SMITH
CHECKED BY:	-
SCALE:	1" = 40'
DATE:	12/01/02
DRAWING FILE:	124736

FIGURE
2

TABLE 1

HISTORICAL SOIL ANALYTICAL RESULTS

**GORDY'S LAKEFRONT MARINE
320 LAKE AVENUE
FONTANA, WI**

Boring Number	Boring Date	Sample Depth (ft.)	Benzene (µg/kg)	Ethyl-benzene (µg/kg)	Toluene (µg/kg)	Xylenes (µg/kg)	MTBE (µg/kg)	1,3,5 TMB (µg/kg)	1,2,4 TMB (µg/kg)	Lead (mg/kg)	GRO (mg/kg)
B-7	02/27/96	3-5	<25.0	<25	190	950	<25	390	2100	260	110
B-8	02/27/96	4	<25.0	31	<25	268	<25	<25	<25	47	<2.8
B-9	02/27/96	4	<25.0	26	<25	227	<25	<25	31	8	<2.6
B-10	02/27/96	4	<25.0	<25	<25	88	<25	<25	<25	59	<2.7
MW-1	04/05/96	16	82	14	140	----	----	----	----	----	2112
	04/05/96	19	ND	8	5	ND	----	----	----	----	19
	04/05/96	25	ND	ND	3	4	----	----	----	----	411
MW-4	04/09/96	4	<25.0	<25	<25	<25	<25	<25	<25	<3.7	<2.8
	04/05/96	10-12	ND	34	ND	ND	ND	----	----	----	278
	04/05/96	15-17	ND	ND	ND	ND	ND	----	----	----	ND
MW-6	04/09/96	4-6	29	<25	94	90	33	<25	44	----	<2.5
	04/05/96	4-6	ND	21	ND	ND	ND	----	----	----	184
B-12	04/09/96	4	----	----	----	----	----	----	----	71	----
B-13	04/09/96	4	----	----	----	----	----	----	----	57	----
B-14	04/09/96	4	1800	9100	23000	84000	2000	16000	48000	8.6	620
B-15	04/09/96	4	14000	67000	200000	440000	4400	62000	190000	12	3300
B-16	04/09/96	4	52	<25	92	30	<25	<25	<25	56	<2.9
TP-North	04/05/96	4.5	73	<25	65	124	120	28	30	160	5
TP-South	04/05/96	3.5	<25	<25	530	950	280	130	150	9.2	2.9
TP-East	04/05/96	3.5	34	<25	170	1090	190	360	470	37	10
TP-West	04/05/96	3.5	98	<25	120	470	310	510	170	390	11
TP-Bottom	04/05/96	6	<25.0	<25	<25	42	<25	<25	<25	250	<2.9
RCL			5.5	2900	1500	4100	N/A	N/A	N/A	500	100
Notes: DRO = Diesel Range Organics GRO = Gasoline Range Organics TMB = Trimethylbenzene MTBE = Methyl Tert Butyl Ether											

Table 1
Soil Analytical Results Summary
Lakeshore Marine Corporation, Fontana, WI / BT² Project #2645
(Results are in µg/kg, except where noted otherwise)

Sample	Date	Depth (feet)	PID (ppm)	Lab Notes	DRO (mg/kg)	GRO (mg/kg)	Benzene	Ethylbenzene	Toluene	Xylenes	1,2,4-TMB	1,3,5-TMB	MTBE	Lead (mg/kg)
B-1 (JM)MW1	2/9/94	5	250	---	NA	500	<2,500	4,300	<2,500	15,000	7,100	8,600	<2,500	NA
B-2 (JM)MW2	2/8/94	6	NR	--	NA	<5.0	<50	<50	<50	<150	<50	<50	<50	NA
B-3 (JM)MW3	2/8/94	8	ND	--	NA	<5.0	<50	<50	<50	<150	<50	<50	<50	NA
SP3	8/3/95	--	--	(2)	43	710	2,200	740	1,400	8,200	12,000	6,400	<120 #	320
NR 720 Residual Contaminant Level (RCL)					100	100	5.5	2,900	1,500	4,100	NE	NE	NE	50
NR 746 Table 1					NE	NE	8,500	4,600	38,000	42,000	83,000	11,000	NE	NE
NR 746 Table 2					NE	NE	1,100	NE	NE	NE	NE	NE	NE	NE

ABBREVIATIONS:

µg/kg = micrograms per kilogram or parts per billion (ppb)
GRO = Gasoline Range Organics
NE = Not Established
PID = Photoionization Detector

mg/kg - milligrams per kilogram or parts per million (ppm)
TMB = Trimethylbenzene
NA = Not Analyzed
ND = Not Detected

DRO = Diesel Range Organics
MTBE = Methyl-tert-butyl ether
-- = Not Applicable
NR = No Significant Sample Recovery

NOTES:

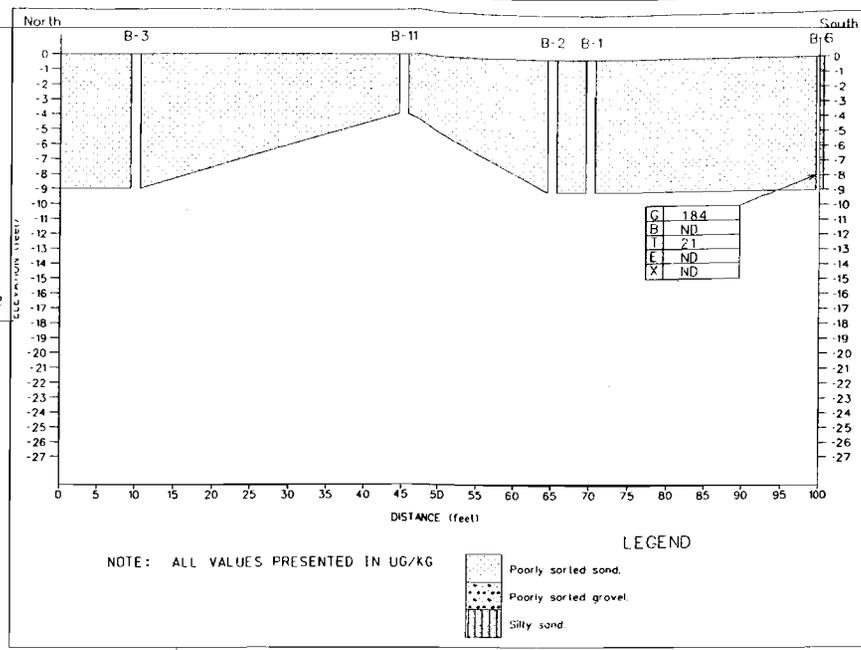
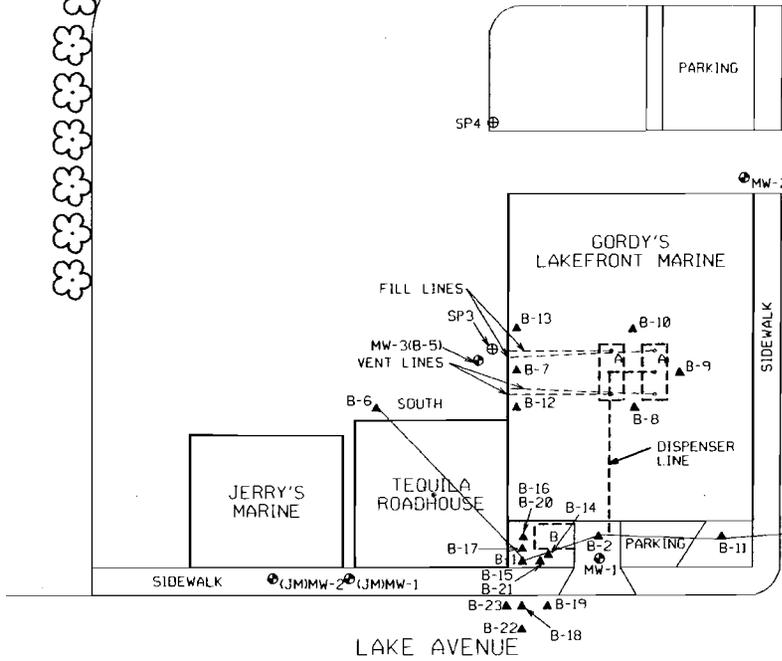
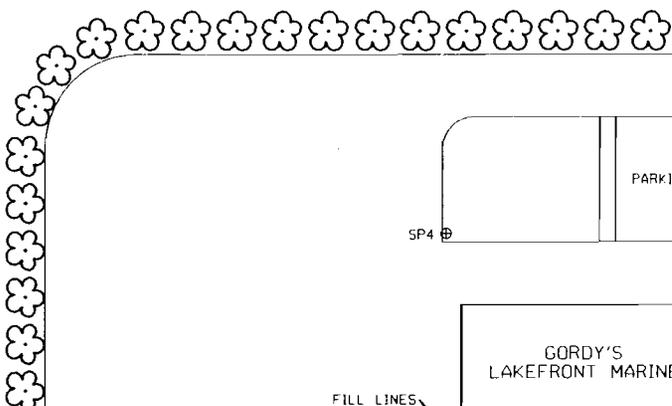
Bold values exceed NR 720 RCLs.
NR 720 RCL - Wisconsin Administrative Code (WAC), Chapter NR 720 Residual Contaminant Level.
NR 746 Table 1 - WAC, Chapter NR 746.06(2)(b) Table 1 - Indicators of Residual Petroleum Product in Soil Pores.
NR 746 Table 2 - WAC, Chapter NR 746.06(2)(b) Table 2 - Protection of Human Health from Direct Contact with Contaminated Soil.

LABORATORY NOTES:

= Due to sample concentration.
D = Detected below the Quantitation Limit.
H = Late eluting hydrocarbons present.
(1) DRO analysis - Other lighter hydrocarbons present before the DRO window. The DRO GC chromatogram does not match the diesel standard pattern.
Other heavier hydrocarbons present after the GRO window.
(2) DRO analysis - Significant baseline rise in DRO sample chromatogram. The DRO GC chromatogram does not match the diesel standard pattern.
Other lighter hydrocarbons present before the DRO window. Other heavier hydrocarbons present after the GRO window.

Created by: LMH 8/26/04
Checked by: JSP 8/27/04

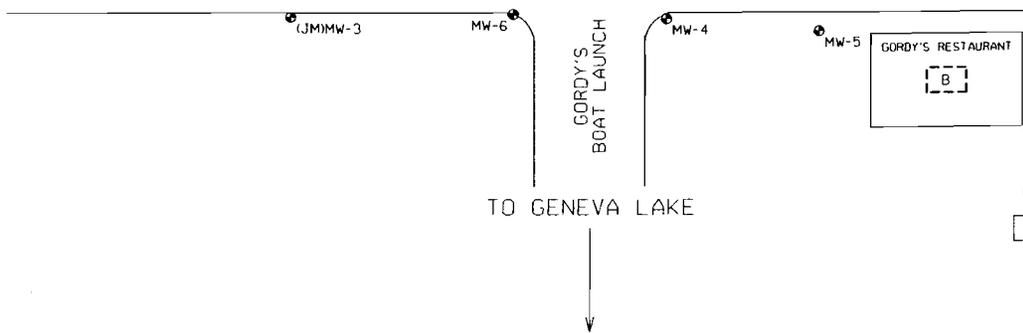
I:\3080\Tables-General\Soil_PVOCs1.xls\Soil VOCs



NOTE: ALL VALUES PRESENTED IN UG/KG

LEGEND

- Poorly sorted sand.
- Poorly sorted gravel.
- Silty sand.



- LEGEND**
- SP3 - EXISTING SAND POINT WELL
 - ▲ - BORING LOCATION
 - MW-1 - MONITOR WELL
 - A - 5,000 GALLON PREMIUM GASOLINE LUST
 - B - 3,000 GALLON UNLEADED GASOLINE LUST
 - C - GASOLINE RANGE ORGANICS
 - B - BENZENE
 - T - TOLUENE
 - E - ETHYLBENZENE
 - X - TOTAL XYLENE ISOMERS

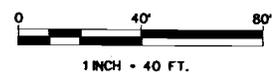


FIGURE 11

LANDMARK
ENVIRONMENTAL & ENGINEERING SOLUTIONS

115 West Main Street
Benton Harbor, Michigan 49022
(616) 927-1366

1375 South US 27
DeWitt, Michigan 48820
(517) 669-7761

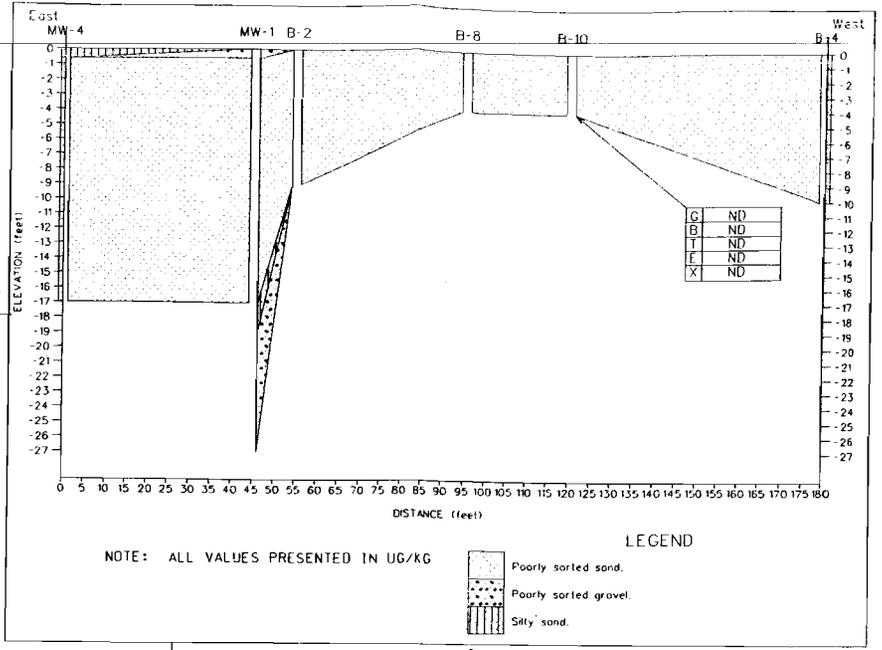
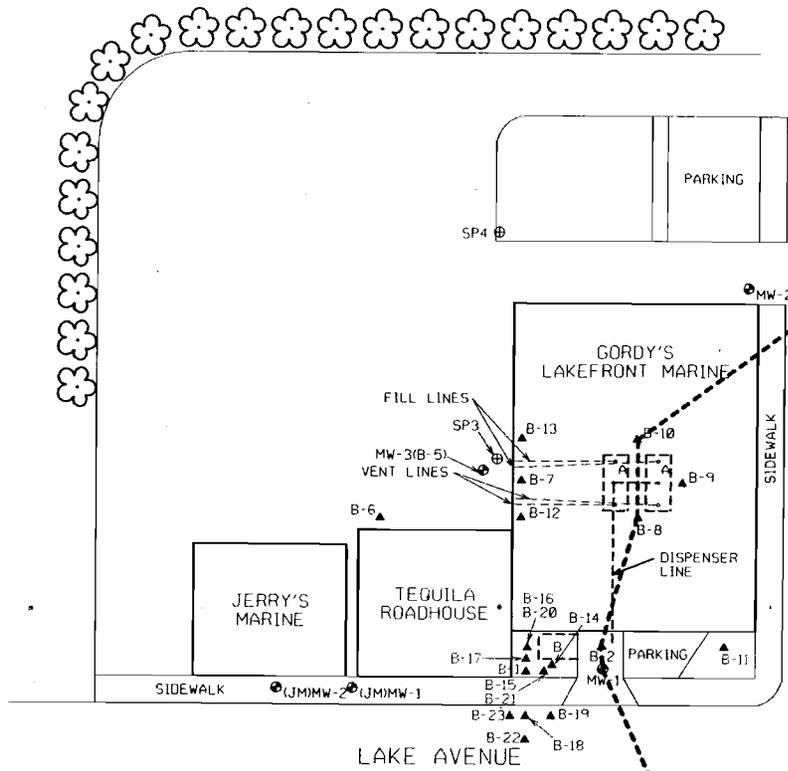
319 South Jefferson Avenue
Chicago, Illinois 60606
(312) 922-8011

18577 East Beach Drive
Lake Geneva, Wisconsin 53147
(414) 249-8970

NORTH-SOUTH SOIL CROSS-SECTION

GORDY'S LAKEFRONT MARINE
330 LAKE AVENUE
FONTANA, WISCONSIN

REVISION	DATE: 13 JAN 97	APPROVED: A MILLER
DATE: 6 JAN 98	BY: VEC	DRAWN: MSJ
		JOB NO: 96-031



- LEGEND**
- SP3 ⊕ = EXISTING SAND POINT WELL
 - ▲ = BORING LOCATION
 - MW-1 ⊙ = MONITOR WELL
 - [A] = 5,000 GALLON PREMIUM GASOLINE UST
 - [B] = 3,000 GALLON UNLEADED GASOLINE UST
 - G = GASOLINE RANGE ORGANICS
 - B = BENZENE
 - T = TOLUENE
 - E = ETHYLBENZENE
 - X = TOTAL XYLENE ISOMERS

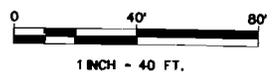


FIGURE 10

LANDMARK
ENVIRONMENTAL & ENGINEERING SOLUTIONS

115 West Main Street
Benton Harbor, Michigan 49022
(661) 927-3366

319 South Jefferson Avenue
Chicago, Illinois 60606
(312) 922-8011

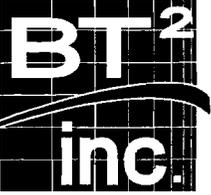
MW 77 East Beach Drive
Lake Geneva, Wisconsin 53147
(414) 249-0970

EAST-WEST SOIL CROSS-SECTION

GORDY'S LAKEFRONT MARINE
330 LAKE AVENUE
FONTANA, WISCONSIN

REVISION	DATE: 13 JUN 97	APPROVED: A. MILLER
DATE: 6 JAN 98	BY: KED	DRAWN: MBZ

P:\B\100\A\B\3\EGD\FIN.DWG



July 31, 2006

Ms. Kelly Hayden-Staggs
Village Administrator
P.O. Box 200
Fontana, WI 53125

**SUBJECT: Notification of Residual Soil Contamination in Right-of-Way
320 Lake Street, Fontana, Wisconsin
WDNR #03-65-005226
PECFA Claim #53125-0320-30
BT² Project #3080**

Dear Ms. Hayden-Staggs:

On behalf of Gordy's Lakefront Marine, Inc., BT², Inc., is providing notification of residual petroleum contamination in soil within the Lake Street right-of-way. This information is being provided in accordance with chapter NR 726.05(2)(a) 4., Wisconsin Administrative Code (WAC).

Gordy's Lakefront Marine is requesting that the Wisconsin Department of Commerce (Commerce) close the 320 Lake Street leaking underground storage tank property by accepting natural attenuation as a final remedy for the remediation of petroleum-impacted soil. The 320 Lake Street property will be added to the WDNR geographical information system (GIS) Registry of Closed Remediation Sites per chapter NR 726(2)(a) 3., WAC.

Soil sampling analytical results indicate that petroleum-impacted soil above chapter NR 720, WAC, Residual Contaminant Levels (RCLs) is present in the Lake Street right-of-way. The concentrations and limits of petroleum organics in soil are shown on **Figure 1**.

If you need more information, you may contact me at (608) 224-2830.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Langdon", is written over a white background.

Robert Langdon
Project Manager

Enclosures: Figure 1 – Soil Analytical Results Map

cc: Gordy's Lakefront Marine, Inc.

I:\3080\Correspondence - Other\Staggs_row_notification_060731_ltr.doc



HANDEX[®]

Practical Environmental Solutions

December 23, 2002

Mr. Thomas W. Whowell
Gordy's Lakefront Marine
P.O. Box 320
Fontana, WI 53125

RE: Legal Property Description

Gordy's Lakefront Marine
320 Lake Avenue
Fontana, Wisconsin
Commerce #53125-0320-30

Dear Mr. Whowell:

The *GIS Registry Package Requirements* include a statement signed by the responsible party certifying that the legal description included for properties being added to the GIS registry are complete and accurate. The purpose of this correspondence is to comply with that requirement.

By signing below you assert that, to the best of your knowledge, the legal property description attached to this letter as Exhibit "A" completely and accurately describes the above-mentioned site.

Name: Tom Whowell

Title: PRESIDENT

Signature: 

Date: 12/23/2002

Enclosure: Exhibit A - Legal Property Description

EXHIBIT "A"

Lot 1 in Block 6 in D. A. Reid's Addition to Reid's Park in the Village of Fontana on Geneva Lake, Walworth County, Wisconsin, according to the recorded Plat of said D. A. Reid's Addition of record in the Office of the Register of Deeds in and for Walworth County, Wisconsin, including any and all rights and interests of Seller in and to the property located East of this property along shore of Geneva Lake, but subject to municipal and zoning ordinances and recorded easements for public utilities or any easements or rights of way of any kind, and building restrictions, of record.