



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor
Darrell Bazzell, Secretary
Gloria L. McCutchen, Regional Director

Waukesha Service Center
407 Pilot Court, Suite 100
Waukesha, Wisconsin 53188
Telephone 262-574-2100
FAX 262-574-2117

December 23, 2002

FID# 267136870
BRRTS# 03-67-004360

Mr. Tom Oelhafen
5144 Highway D
West Bend, WI 53090

SUBJECT: Final Case Closure, Oelhafen Farm Site, 7271 Hwy. W, Town of Addison, WI

Dear Mr. Oelhafen:

On May 4, 2000, you were notified that the Wisconsin Department of Natural Resources had granted conditional closure to your case. The Department reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in closing cases.

The Department has since received correspondence indicating that you have completed all the conditions of closure. A groundwater use restriction has been filed with Washington County and all well abandonment forms have been submitted to the Department. Based on the correspondence and data provided, it appears that your site has been remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code. Therefore, the Department considers this case closed and no further investigation, remediation or other action is required at this time.

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

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at the letterhead address or (262) 574-2145.

Sincerely,

James C. Delwiche, P.G.
Hydrogeologist
Bureau for Remediation & Redevelopment

cc: SER Case File
Ronald J. Engel – Engel & Associates



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

Southeast Region Headquarters
2300 N. Dr. ML King, Jr. Drive, Box 12436
Milwaukee, Wisconsin 53212-0436
TELEPHONE 414-263-8500
FAX 414-263-8716
TDD 414-263-8713

May 4, 2000

Mr. Thomas Oelhafen
5144 Hwy D
West Bend Wisconsin 53090

SUBJECT: Request for closure, Oelhafen Farm, 7171 Hwy W, Addison Wisconsin.
FID# 267136870 BRRTS# 03-67-004360

Dear Mr. Oelhafen:

At the request of your environmental consultant, Engel & Associates, (Engel) we have reviewed the referenced case file for closure. Engel has requested closure of this site under the closure flexibility regulations, because groundwater monitoring wells MW-B1, MW-B11, MW-B12 and RW-1 contain benzene concentrations above the § NR 140, Wisconsin Administrative Code (WAC) enforcement standard (ES). The concentration of benzene in monitoring wells MW-B1, MW-B11, MW-B12 and RW-1 were 7.2, 11, 21 , and 17 parts per billion (ppb), respectively, during the last groundwater sampling round conducted in December 15, 1999.

Based on the information provided, we concur with Engel's recommendation of case closure and require no further action at this site based on the following:

1. The source of contamination has been removed to the extent practicable.
2. The contaminant concentrations in monitoring wells MW-B1, MW-B11, MW-B12 and RW-1 appears to be stable and is defined, based on the groundwater monitoring data provided.
3. Based on the information provided by Engel, the contaminants should naturally attenuate to concentrations below the ch. NR 140 ES within a reasonable period of time, without causing an exceedance of the preventative action level for contaminants detected beyond the property boundary.
4. The potable well located on site is approximately 147 feet deep, cased to 80 feet and located side gradient from the ES exceedences. This well had a preventative action limit exceedence in 1994 (pre-remediation) and has no exceedences post-remediation.

To complete the closure of this site, you must place a groundwater use restriction on the property deed at the county register of deeds office which specifies the legal description of the property, the location, type and concentration of the contaminants and includes the following language:

*Quality Natural Resources Management
Through Excellent Customer Service*



"Natural attenuation has been approved by the Department of Natural Resources to remediate groundwater exceeding ch. NR 140 groundwater standards within the boundaries of this property. Construction of wells where the water quality exceeds the drinking water standards in ch. NR 809 is restricted by chs. NR 811 and 812. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply. 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 to determine what specific requirements are applicable prior to constructing or reconstructing a well on this property."

Within sixty days, all of the groundwater monitoring wells at the site must be abandoned in accordance with ch. NR 141 and the completed abandonment forms must be submitted to the department, along with the soil boring logs for the monitoring wells. Once the department receives the abandonment forms and documentation that the groundwater use restriction has been placed on the deed, this case will be tracked as closed on the department's tracking system.

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

If you have any questions regarding this letter, you may contact me at the above address or at (414) 229-0847.

Sincerely,

Pat Klages
Hydrogeologist

c: Engel Associates, Inc.
SER case file

GROUNDWATER USE RESTRICTION

DOC#: 876552



Recorded
FEB. 19, 2001 AT 09:00AM

DOROTHY C. GONNERING
REGISTER OF DEEDS
WASHINGTON COUNTY, WI
Fee Amount: \$12.00

Declaration of Restrictions

In Re: Lot 1 of CSM No. 3482 recorded on the Office of the Register of Deeds for Washington County in Volume 21 of Certified Survey Maps on Pages 118-120, as Document No. 552873. Being a part of the Northeast ¼ of Section 4, Township 11 North, Range 18 East, Town of Addison, Washington County, Wisconsin.

STATE OF WISCONSIN)
) ss
COUNTY OF WASHINGTON)

Name and Return Address

Engel & Associates, Inc.
N4737 Hwy 175 S.
Fond du Lac, WI 54937

12-2

WHEREAS, Donna Mae Kind is the owner of the above-described property.

T1-0070-00A

WHEREAS, one or more petroleum discharges have occurred on this property. Petroleum-contaminated groundwater above ch. NR 140, Wis. Adm. Code, enforcement standards existed on this property at the following location(s) on December 15, 1999: benzene concentration of 7.2 ug/l at MW-B1; benzene concentration of 11 ug/l at MW-B11; benzene concentration of 21 ug/l in MW-B12; benzene concentration of 17 ug/l at RW-1. Location of recovery and monitoring wells is provided on Figure 1 attached and made part of this restriction.

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct further 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 ch. NR 140, Wis. Adm. Code, groundwater standards within the boundaries of this property.

WHEREAS, construction of wells where the water quality does not comply with drinking water standards in ch. NR 809, Wis. Adm. Code, is restricted by chs. 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's 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.

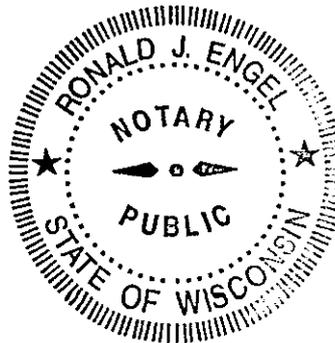
This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction benefits and is enforceable by the Wisconsin Department of Natural Resources, 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. Document Drafted by Pat Klages, Department of Natural Resources.

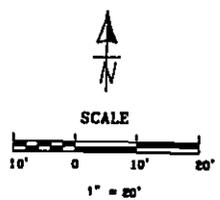
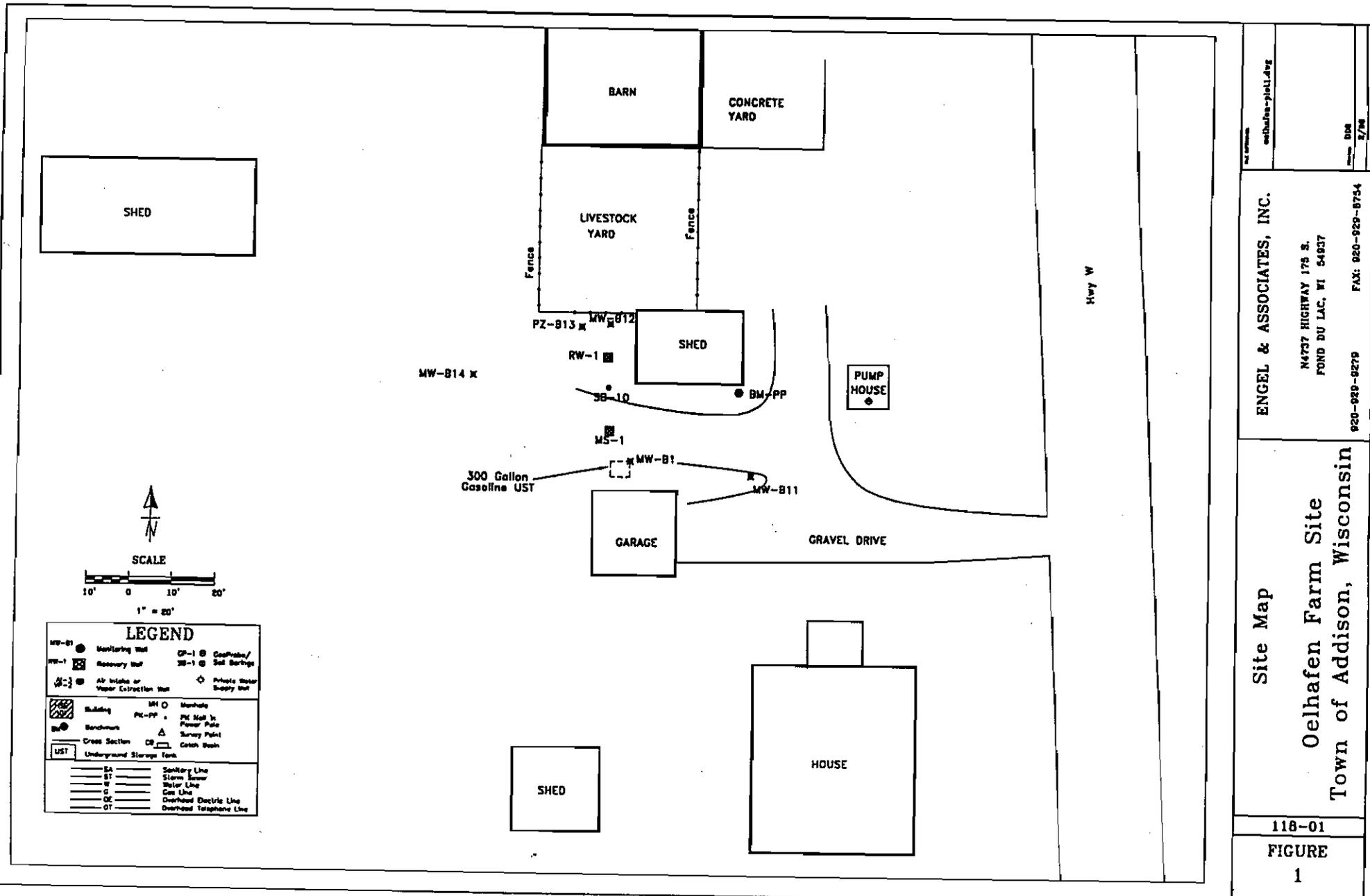
IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 10th day of Feb, 2001.

Signature: *Donna Mae Kind*
Printed Name: DONNA MAE KIND

Subscribed and sworn to before me
this 10 day of Feb, 2001.
Ronald J. Engel
Notary Public, State of Wisconsin
My commission 7/27/03

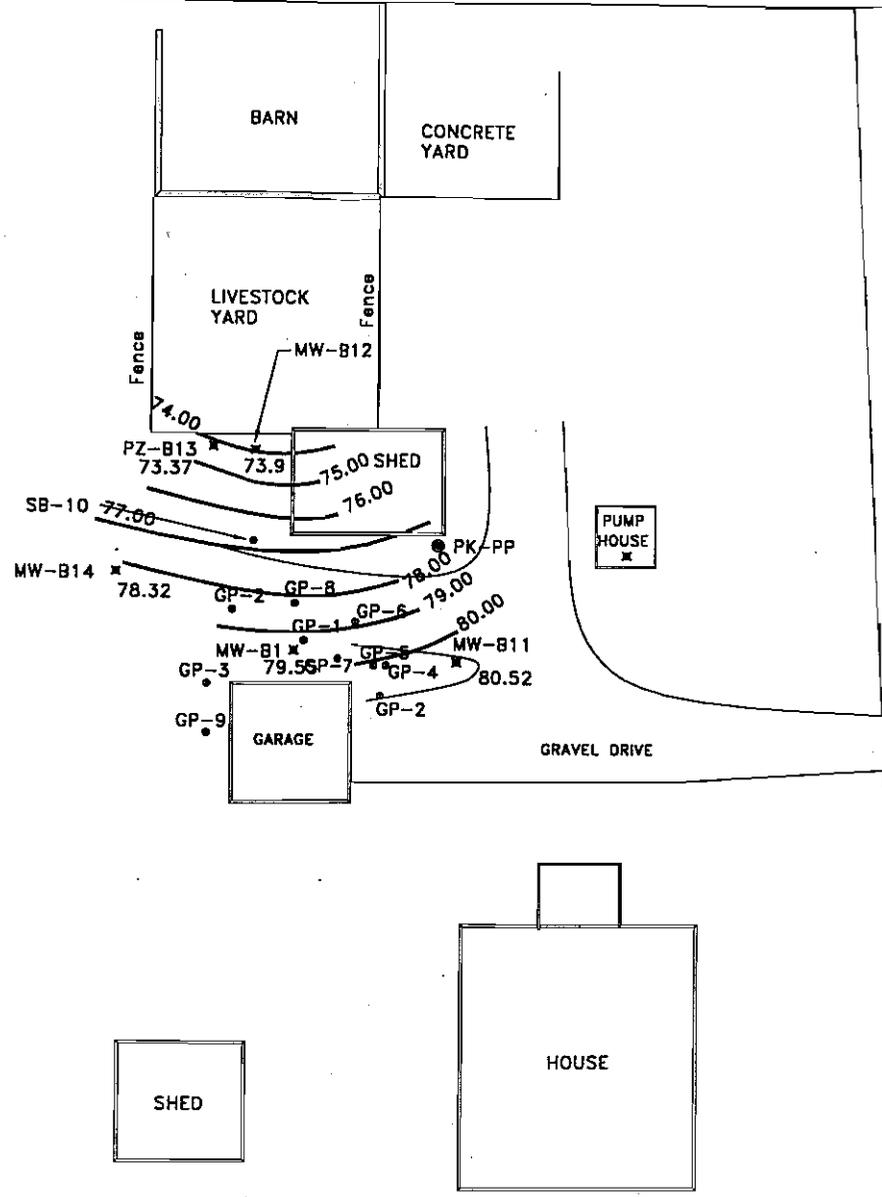
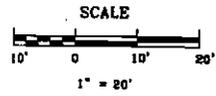


MUST BE ENLARGED 1.5X' s TO REFLECT ACTUAL SCALE



LEGEND			
MW-B1	Monitoring Well	CP-1	GasProbe/
RW-1	Recovery Well	SB-1	Soil Batches
AW-1	Air Intake or Water Extraction Well	PM-PP	Private Water Supply Well
SH	Shed	MS	Manhole
BM	Benchmark	PP	Private Well In Power Pole
CS	Cross Section	SP	Survey Point
UST	Underground Storage Tank	CB	Catch Basin
SA	Sanitary Line		
ST	Storm Sewer		
W	Water Line		
G	Gas Line		
OE	Overhead Electric Line		
OT	Overhead Telephone Line		

Site Map Oelhafen Farm Site Town of Addison, Wisconsin		ENGEL & ASSOCIATES, INC. N4737 HIGHWAY 175 S. FOND DU LAC, WI 54637 920-829-8279 FAX: 920-829-8754	118-01 FIGURE 1
---	--	---	------------------------------



HWY W

K-1	118-01	Groundwater Levels June 6, 1996 Oelhafen Farm Site Town of Addison, WI	ENGEL & ASSOCIATES, INC. N4737 HIGHWAY 175 S. FOND DU LAC, WI 54937 414-929-9279 FAX: 414-929-8754	4g/june6 DHS 8/12/97