



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

Southeast Region Annex
4041 N. Richards Street, Box 12436
Milwaukee, WI 53212-0436
TELEPHONE 414-229-0800
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January 15, 1998

Bill Raferty
Kelly-Tufseal
W183 S8253 Racine Avenue
Muskego, WI 53150

Dear Mr. Rafferty:

Subject: Case closure, Kelly Doors, W183, S8253 Racine Avenue,
Muskego, file reference FID #268270420 RR-LUST

I have reviewed your file based on documents submitted by your consultants. I agree with McLaren Hart in that no further work is needed. The department reserves the right to reopen this case pursuant to s. NR726.09, Wisconsin Administrative Code (WAC), should additional information regarding site conditions indicate contamination on or from the site poses a threat to public health, safety or welfare or the environment.

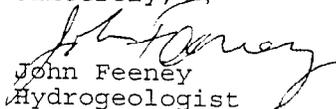
To complete the closure of this site, you must place a groundwater use restriction on the property deed at the county register of deeds office which specifies the legal description of the property, the location, type, and concentration of the contaminants and includes the following language:

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 water quality exceeds the drinking water standards in ch. NR809 is restricted by chs. NR811 and NR812. 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 60 days all of the groundwater monitoring wells at the site having to do with this case must be abandoned in accordance with WAC NR 141 and the completed abandonment forms must be submitted to the department. Once the department receives the abandonment forms, this case will be tracked as closed on our computer tracking system. Please also have the groundwater recovery sumps abandoned.

If you have any questions about this letter, call me at 414-229-0850.

Sincerely,


John Feeney
Hydrogeologist

cc: McLaren Hart, Inc.

Quality Natural Resources Management
Through Excellent Customer Service



GROUNDWATER USE RESTRICTION

Declaration of Restrictions

In Re: W183 S8253 RACINE AV PT NW1/4 SEC 16 T5N R20E COM W1/4 COR NO 28°E 155.41 FT N55 20°E 597.93 FT S34 39°E 300FT THE BGN N55 20°E 460 FT ALG CURVE. BENZO(a)PYRENE WAS DETECTED IN ONE GROUNDWATER MONITORING WELL (MW-4; FIGURE ATTACHED).

STATE OF WISCONSIN

COUNTY OF WAUKESHA

WHEREAS, Kelley Tufseal Company is the owner of the above-described property; and

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

WHEREAS, two underground storage tanks were removed from the property in 1991, contaminated soils, soil cuttings and purge water were removed from the property in 1994, and groundwater testing has determined a slight NR 140 Enforcement Standard exceedance for benzo(a)pyrene (0.27 µg/L; Enforcement Standard 0.20 µg/L) in one monitoring well (MW-4; Figure attached), and no Enforcement Standard exceedances were noticed in any other project monitoring wells (including a down gradient well).

WHEREAS, 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.

Whereas, construction of wells where the water quality exceeds the drinking water standards in ch. NR 809 is restricted by ch. NR 811 and ch. NR 812. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply.

NOW THEREFOR, 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 is subject to the following limitations and restrictions:

- 1) 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 its successor agency, to determine what specific prohibitions or requirements are applicable prior to constructing or reconstructing a well on this property.

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 and 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 request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this _____ day of _____, 19__.

Signature: _____

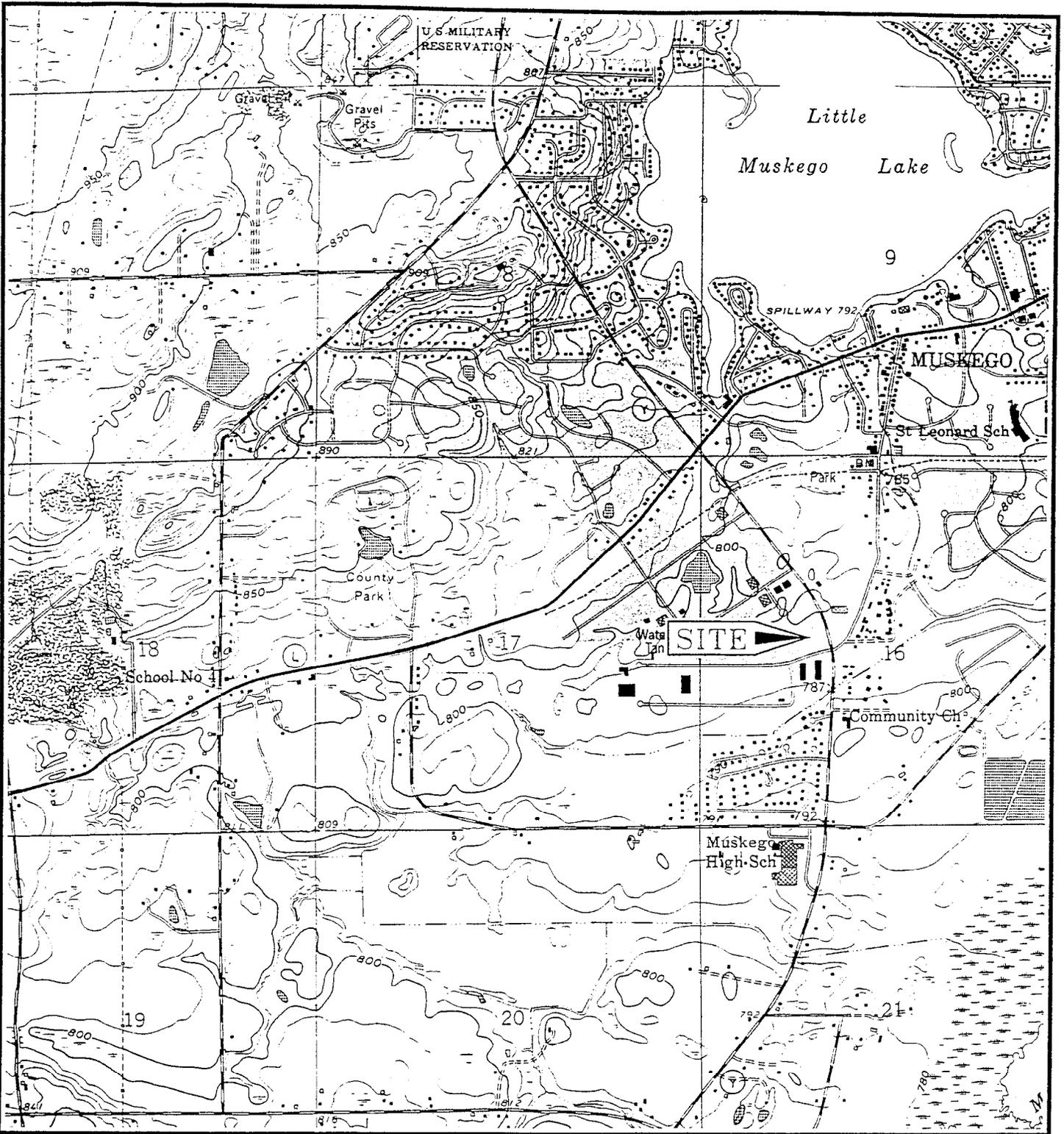
Printed Name: _____

Subscribed and sworn to be me this _____ day of _____, 19__.

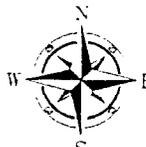
Notary Public, State of _____

My commission _____

This document was drafted by the Wisconsin Department of Natural Resources.



SOURCE: USGS 7.5-MINUTE SERIES TOPOGRAPHIC MAP
 MUSKEGO, WIS (1959)



APPROXIMATE SCALE



FIGURE 1

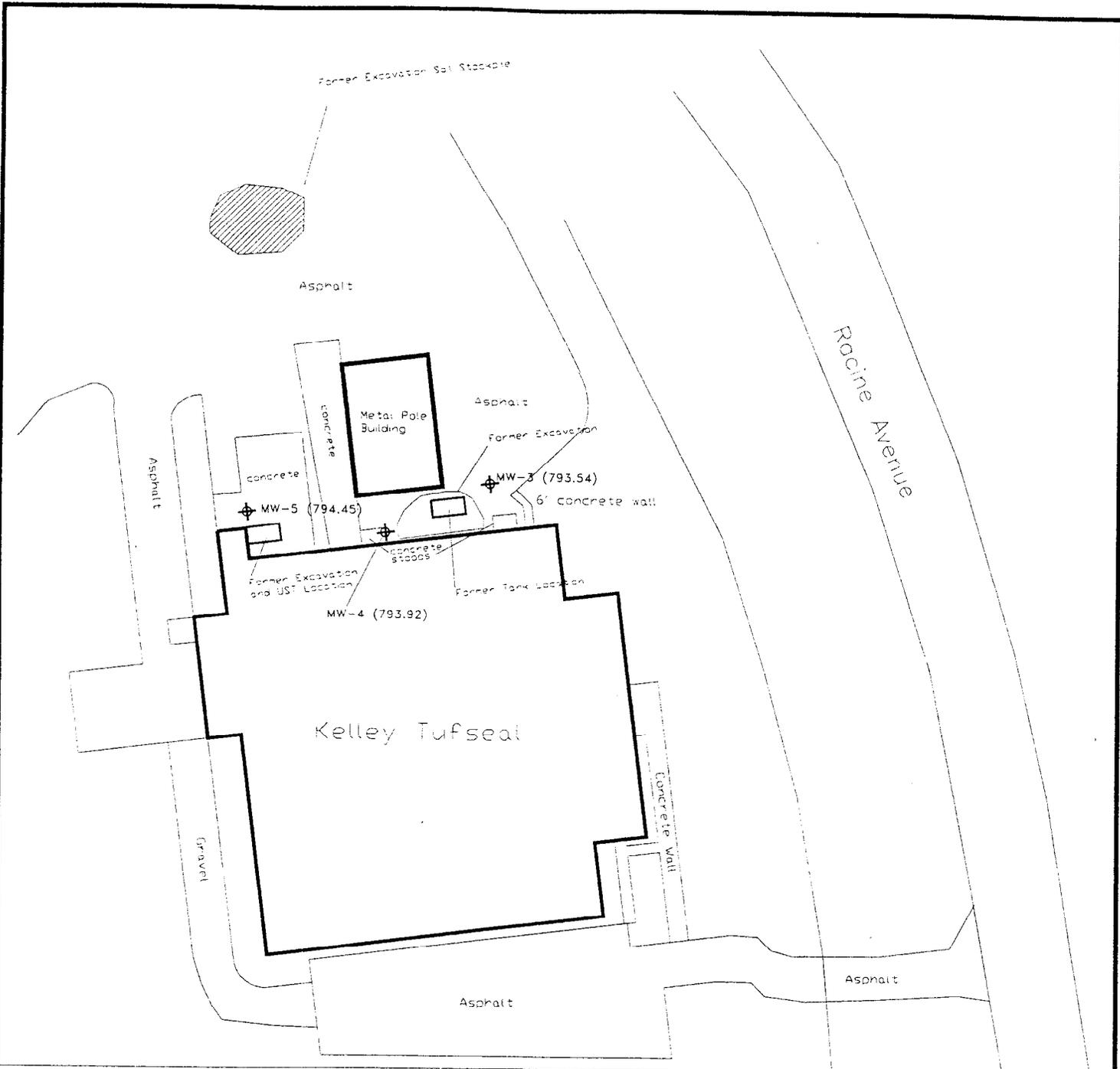
SITE LOCATION MAP

KELLEY TUFSEAL FACILITY
 MUSKEGO, WIS

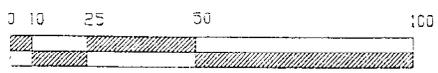
Mclaren Hart ENVIRONMENTAL
 ENGINEERING
 CORPORATION

DRWN: KMC	C-KID: GJS
JOS#: 10260 3848.003	DATE: 09-03-97

DWG: SITE.LIC



⊕ MW-3 = Monitoring Well Location
 (793.54) = Groundwater Elevation (ft) on August 1, 1997




McClaren Hart ENVIRONMENTAL ENGINEERING CORPORATION

DRWN: ITB	CHK'D: GB
JOB#: 1008-3646-001-002	DATE: 08-21-97

FIGURE 2
 SITE DIAGRAM
 KELLEY TUFSEAL FACILITY
 MUSKEGO, WI

Table 1
GROUNDWATER ANALYTICAL RESULTS

Site Investigation
KELLEY TUFSEAL FACILITY
W183 S8253 Racine Avenue
Muskego, Wisconsin

ANALYTES	Sample Identification and Date						NR 140 PAL	NR 140 ES
	MW-3 8/14/97	MW-4 12/8/93	MW-4 10/11/94	MW-4 8/14/97	MW-5 12/8/93	MW-5 8/14/97		
Anthracene	ND	ND	ND	0.032	ND	ND	NE	NE
Benzo(a)anthracene	0.044	0.365	ND	0.27	ND	0.022	NE	NE
Benzo(a)pyrene	0.053	0.401	ND	0.27	ND	0.03	0.02	0.2
Benzo(b)fluoranthene	0.062	0.528	ND	0.31	ND	0.045	NE	NE
Benzo(g,h,i)perylene	0.072	0.502	ND	0.38	ND	0.043	NE	NE
Benzo(k)fluoranthene	0.034	0.208	ND	0.18	ND	0.023	NE	NE
Chrysene	0.078	0.445	ND	0.46	ND	0.049	NE	NE
Dibenzo(a,h)anthracene	0.028	0.395	ND	0.13	ND	0.019	NE	NE
Fluoranthene	0.069	1.83	ND	0.61	ND	0.056	NE	NE
Indeno(1,2,3-cd)pyrene	0.093	0.276	ND	0.45	ND	0.11	NE	NE
Phenanthrene	ND	0.618	ND	0.28	ND	ND	NE	NE
Pyrene	0.075	2	ND	0.43	ND	0.044	NE	NE

Notes:

All sample concentrations and PAL/ES concentrations in µg/l.

NR 140 PAL and ES from Wisconsin Administrative Code NR 140, rev. Oct. 1996, No. 490.

Bold indicates NR 140 PAL exceedance.

Shade indicates NR 140 ES exceedance.

Only positive detections (i.e., > level of detection) shown.

ND: Not detected above level of detection.

NE: No NR 140 standard established.