

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
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June 3, 1999

Mr. Jim Loehndorf
JRD Investments, Inc.
152-B 116th Street
West Allis, Wisconsin 53214

SUBJECT: Request for closure, JRD Investments, Inc., 16500 West Glendale Drive, New Berlin, Wisconsin.
BRR-LUST FID#268404400.

Dear Mr. Loehndorf:

At the request of your environmental consultant, Environmental Associates, Inc. (EA), we have reviewed the referenced case file for closure. Based on the information presented, we concur with your EA's recommendation that no further action is necessary in connection with the former gasoline and diesel underground storage tanks. 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 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 and confirmation that the groundwater use restriction has been placed on the title of the deed, this case will be tracked as closed on our computer 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
Hydrogeologist

c: Environmental Associates, Inc.
SER case file

JAN 4 00 0 0 0 0 1 9

2529140



WC2529140-004

REGISTER'S OFFICE
WAUKESHA COUNTY, WI
RECORDED ON

01-04-2000 8:44 AM

MICHAEL J. HASSLINGER
REGISTER OF DEEDS

REC. FEE: 10.00
REC. FEE-CO: 4.00
REC. FEE-ST: 2.00
TRAN. FEE:
TRAN. FEE--STATE:
PAGES: 4

DOCUMENT NO.

GROUNDWATER USE RESTRICTION

THIS SPACE RESERVED FOR RECORDING DATA

NAME AND RETURN ADDRESS
Godfrey & Kahn, S.C.
c/o Pamela E. Barker
780 North Water Street
Milwaukee, WI 53202

1190-028-005
Parcel Identification Number

pd
16

This instrument was drafted by:

Wisconsin Department of Natural Resources

JAN 4 00 0 0 0 0 2 1

NOW THEREFORE, JRD Investment Company 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 restriction:

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

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 the restrictions set forth in this covenant are no longer required. Upon 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, with a copy of the Department's written determination, may be recorded to give notice that this groundwater use restriction is no longer binding.

IN WITNESS WHEREOF, JRD Investment Company has executed this Declaration of Restrictions, as of the 21st day of December, this ~~_____~~ day of August, 1999.

JRD INVESTMENT COMPANY

James Loehndorf
James Loehndorf, ~~President~~ PARTNER

State of Wisconsin)

ss

County of Waukesha)

Personally came before me this 21st day of December, 1999 the above named James Loehndorf, to me known to be the President of JRD Investment Company to me known to be the person who executed the foregoing instrument and acknowledged the same on behalf of JRD Investment Company.

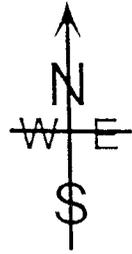
Subscribed and sworn to before me
this 21st day of December, 1999

OTTO R. RADKE
Notary Public, State of Wisconsin
My commission Expires 7-13-03
Otto R. Radke



This document was drafted by the Wisconsin Department of Natural Resources

JRD Investment
 Company Property
 (Market Days, Inc.)
 16500 W. Glendale Dr.
 New Berlin, WI 53151-2846



Notes:

1. JRD Investment Company Property is located at 16500 W. Glendale Drive in the City of New Berlin, Waukesha County, Wisconsin in the NE 1/4 of the NE 1/4 of Section 10, Township 6N, Range 20 of the Hales Corners 7.5 minute quadrangle map.
2. The base map was prepared from field measurements conducted by Environmental Associates, Inc.
3. The groundwater monitor wells were installed by Environmental Associates, Inc. as part of the site environmental investigation.

LEGEND

- B-6 • Soil Boring Location
- MW-1/B-1 ◊ Groundwater Monitor Well/Soil Boring Location
- Underground Natural Gas Line
- Underground Water Line
- Underground Sanitary Sewer
- x-x-x-x- Underground Telephone Line
- - - - - Overhead Utility Line
- o Utility Pole
- ===== Overhead Doors

SITE BENCHMARK LOCATION :
 NW bolt on flange on fire hydrant at
 south end of property = 853.42' MSL

FIGURE 2
Site Map
and
**Soil Boring/
 Monitor Well Locations**
 Scale : 1" = 75'

Environmental Associates, Inc.

Drawn by:	RRG	Checked by:		Drawing File	91-02187-2
	2-16-98	Approved by:			187-fa.cvs

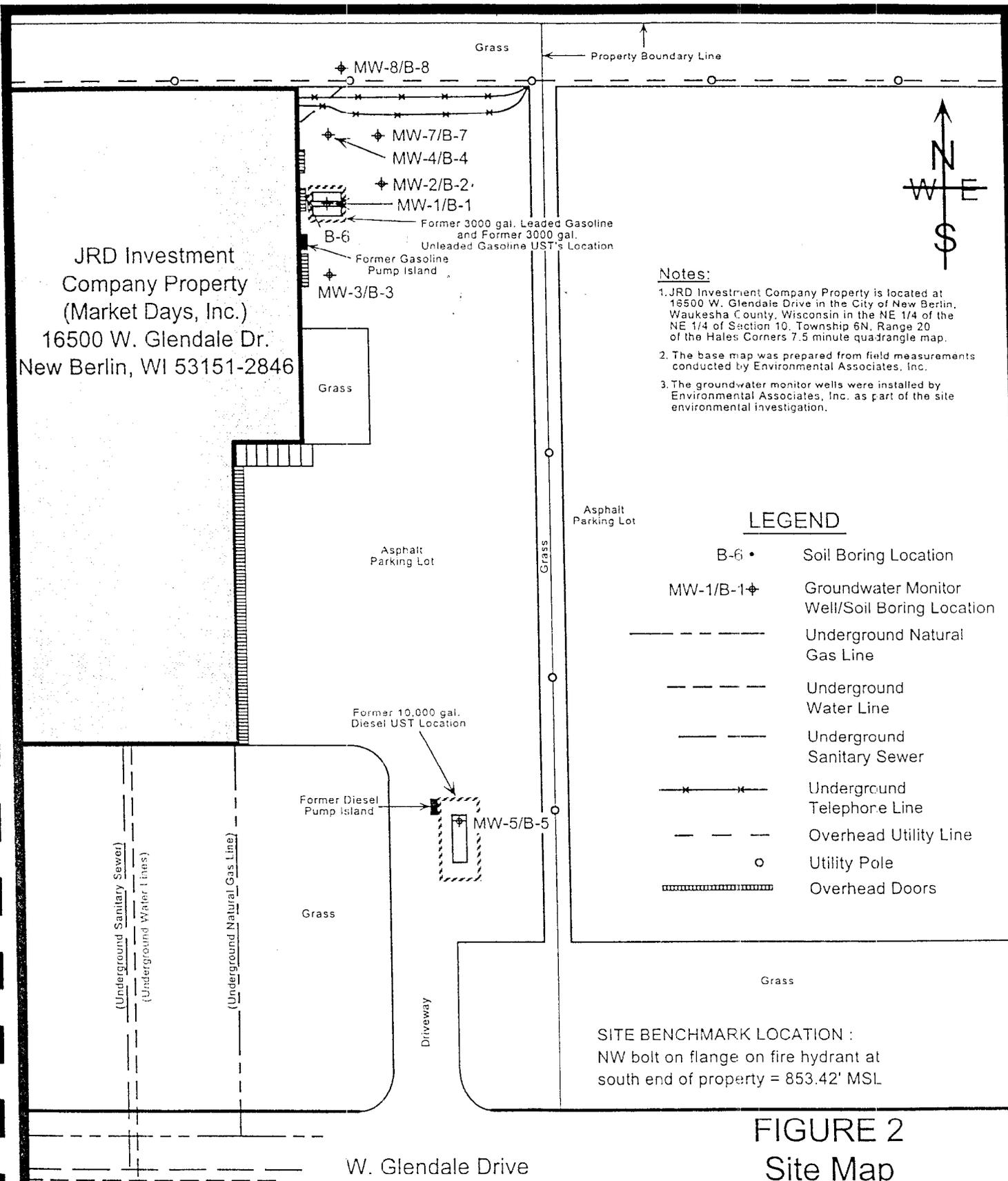


Table 1:
Summary of Groundwater Analytical Results, JRD Investments, 16500 West Glendale Drive, New Berlin, Wisconsin 53151-2848

Parameter	Units	ES	PAL	Date	MW-1	MW-2	MW-3	MW-4	MW-5	MW-7	MW-8
Benzene	ug/L	5	0.5	4/24/96	64	<0.6	<0.6	41	<0.6	NI	NI
				7/17/96	26	<0.6	<0.6	47	NA	<0.6	<0.6
				10/14/96	21	NA	<0.6	56	NA	<0.6	<0.6
				12/5/96	32	<0.6	<0.6	35	NA	<0.6	NA
				2/21/97	NA	NA	NA	NA	NA	<0.21	<0.21
				7/2/97	13	NA	<0.21	35	NA	<0.21	<0.21
				9/24/97	8	<0.21	<0.21	26	NA	<0.21	<0.21
				12/30/97	21	<0.21	<0.21				
Ethylbenzene	ug/L	700	140	4/24/96	360	<1.0	<1.0	25	<1.0	NI	NI
				7/17/96	130	<1.0	<1.0	30	NA	<1.0	<1.0
				10/14/96	100	NA	<1.0	42	NA	<1.0	<1.0
				12/5/96	140	<1.0	<1.0	23	NA	<1.0	NA
				2/21/97	NA	NA	NA	NA	NA	<0.68	<0.68
				7/2/97	27	NA	<0.68	23	NA	<0.68	<0.68
				9/24/97	28	<0.68	<0.68	27	NA	<0.68	<0.68
				12/30/97	76	<0.68	<0.68	15	NA	<0.68	<0.68
1,2-Dichloroethane	ug/L	5	0.5	4/24/96	<10	<1.0	<1.0	2.3	<1.0	NI	NI
				7/17/96	<2.0	<1.0	<1.0	2.2	NA	<1.0	<1.0
				10/14/96	<5.0	NA	<1.0	1.9	NA	<1.0	<1.0
				12/5/96	<2.0	<1.0	<1.0	2.1	NA	<1.0	NA
				2/21/97	NA	NA	NA	NA	NA	<0.14	<0.14
				7/2/97	<0.14	NA	<0.14	0.84	NA	<0.14	<0.14
				9/24/97	0.18^	<0.14	<0.14	1.3	NA	<0.14	<0.14
				12/30/97	<3.1	<0.14	<0.14	0.41^	NA	<0.14	<0.14

See Attached Footnotes

Table 1:
Summary of Groundwater Analytical Results, JRD Investments, 16500 West Glendale Drive, New Berlin, Wisconsin 53151-2848

Parameter	Units	ES	PAL	Date	MW-1	MW-2	MW-3	MW-4	MW-5	MW-7	MW-8	
MTBE	ug/L	60	12	4/24/96	<10	17	<1.0	15	<1.0	NI	NI	
				7/17/96	<2.0	20	<1.0	17	NA	<1.0	<1.0	
				10/14/96	<5.0	NA	<1.0	14	NA	NA	<1.0	
				12/5/96	2.5	19	<1.0	13	NA	NA	<5.0	
				2/21/97	NA	NA	NA	NA	NA	NA	<0.15	
				7/2/97	0.67	NA	<0.21	12	NA	NA	NA	
				9/24/97	<0.21	23	<0.21	11	NA	NA	<0.21	
				12/30/97	<2.1	56	<0.21	11	NA	NA	<0.21	
Naphthalene	ug/L	40	8	4/24/96	64	<1.0	<1.0	<1.0	4.3	NI	NI	
				7/17/96	56	<1.0	<1.0	<1.0	NA	<1.0	<1.0	
				10/14/96	40	NA	<1.0	<1.0	NA	NA	<1.0	
				12/5/96	56	<1.0	<1.0	<1.0	NA	NA	<1.0	
				2/21/97	NA	NA	NA	NA	NA	NA	<1.0	
				7/2/97	29	NA	<1.0	<1.0	NA	NA	<1.0	
				9/24/97	24	<1.0	<1.0	<1.0	NA	NA	<1.0	
				12/30/97	41	<1.0	<1.0	<1.0	NA	NA	<1.0	
Toluene	ug/L	343	68.6	4/24/96	88	<1.0	<1.0	5.3	1.2	NI	NI	
				7/17/96	99	<1.0	<1.0	5.2	NA	<1.0	<1.0	
				10/14/96	77	NA	<1.0	6.1	NA	NA	<1.0	
				12/5/96	99	<1.0	<1.0	3.4	NA	NA	<5.0	
				2/21/97	NA	NA	NA	NA	NA	NA	<1.5	
				7/2/97	35	NA	<1.5	2.8	NA	NA	<1.5	
				9/24/97	33	<1.5	<1.5	2.7	NA	NA	<1.5	
				12/30/97	73	<1.5	<1.5	1.9	NA	NA	<1.5	

See Attached Footnotes

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 Summary of Groundwater Analytical Results, JRD Investments, 16500 West Glendale Drive, New Berlin, Wisconsin 53151-2848

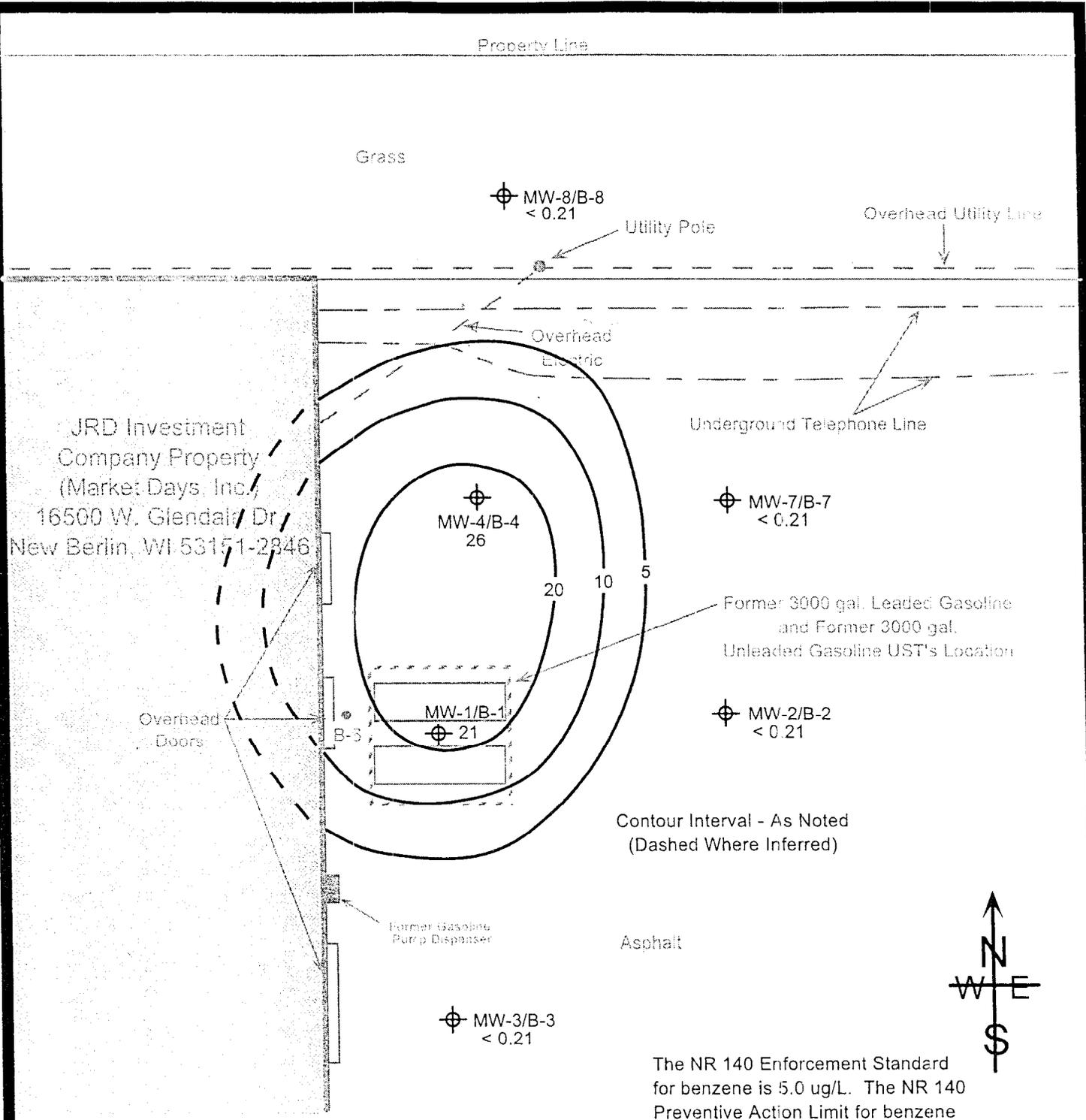
Parameter	Units	ES	PAL	Date	MW-1	MW-2	MW-3	MW-4	MW-5	MW-7	MW-8				
1,2,4-TMB	ug/L	--	--	4/24/96	160	<1.0	<1.0	<1.0	<1.0	NI	NI				
				7/17/96	240	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0			
				10/14/96	160	NA	<1.0	<1.0	<1.0	12	<1.0	<1.0	<1.0		
				12/5/96	240	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	NA		
				2/21/97	NA	NA	NA	NA	<1.0	<1.0	<1.0	<1.0	<1.0		
				7/2/97	69	NA	NA	NA	<1.0	<1.0	<1.0	<1.0	<1.0		
				9/24/97	70	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0		
				12/30/97	170	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0		
				1,3,5-TMB	ug/L	--	--	4/24/96	24	<1.0	<1.0	<1.0	<1.0	NI	NI
								7/17/96	85	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
10/14/96	61	NA	<1.0					<1.0	<1.0	8.1	<1.0	<1.0	<1.0		
12/5/96	86	<1.0	<1.0					<1.0	<1.0	<1.0	<1.0	<1.0	NA		
2/21/97	NA	NA	NA					NA	<0.86	<0.86	<0.86	<0.86	<0.86		
7/2/97	35	NA	NA					NA	<0.86	<0.86	<0.86	<0.86	<0.86		
9/24/97	33	<0.86	<0.86					<0.86	<0.86	<0.86	<0.86	<0.86	<0.86		
12/30/97	59	<0.86	<0.86					<0.86	<0.86	<0.86	<0.86	<0.86	<0.86		
Total Xylenes	ug/L	620	124					4/24/96	1040	<2.0	<2.0	<2.0	<2.0	71	1.5
								7/17/96	430	<2.0	<2.0	<2.0	<2.0	84	NA
				10/14/96	536	NA	NA	<2.0	<2.0	123	NA	NA			
				12/5/96	530	<2.0	<2.0	<2.0	<2.0	65	NA	17.1			
				2/21/97	NA	NA	NA	NA	NA	NA	<0.85	<0.85	NA		
				7/2/97	130	NA	NA	<1.78	<1.78	79	NA	NA	<1.78		
				9/24/97	134	<1.78	<1.78	<1.78	<1.78	95	NA	<1.78	<1.78		
				12/30/97	366	<1.78	<1.78	<1.78	<1.78	58	NA	<1.78	<1.78		

See Attached Footnotes

Table 1:
 Summary of Groundwater Analytical Results, JRD Investments, 16500 West Glendale Drive, New Berlin, Wisconsin 53151-2848

Parameter	Units	ES	PAL	Date	MW-1	MW-2	MW-3	MW-4	MW-5	MW-7	MW-8				
Lead	ug/L	15	1.5	4/24/96	<2.0	<2.0	<2.0	<2.0	NA	NI	NI				
				7/17/96	<2.0	<2.0	<2.0	<2.0	NA	<2.0	<2.0				
				10/14/96	NA	NA	NA	NA	NA	NA	NA	NA			
				12/5/96	<2.0	<2.0	<2.0	<2.0	<2.0	<2.0	<2.0	<2.0			
				2/21/97	NA	NA	NA	NA	NA	NA	NA	NA			
				7/2/97	NA	NA	NA	NA	NA	NA	NA	NA			
				9/24/97	<1.0	2^	<1.0	<1.0	<1.0	1^	<1.0	<1.0			
				12/30/97	1^	<1.0	2^	<1.0	<1.0	<1.0	NA	<1.0			
				GRO	ug/L	--	--	4/24/96	4300	<50	<50	250	NA	NI	NI
								7/17/96	2000	51	<50	300	NA	<50	<50
10/14/96	NA	NA	NA					NA	NA	NA	NA	NA			
12/5/96	2300	<50	<50					220	NA	<50	<50				
2/21/97	NA	NA	NA					NA	NA	NA	NA	NA			
7/2/97	NA	NA	NA					NA	NA	NA	NA	NA			
9/24/97	570	<100	<100					250	NA	<100	<100				
12/30/97	1800	110	<100					190	NA	<100	<100				
DRO	ug/L	--	--					4/24/96	NA	NA	NA	NA	1800	NI	NI
								7/17/96	NA	NA	NA	NA	NA	NA	NA
				10/14/96	NA	NA	NA	NA	NA	NA	NA				
				12/5/96	NA	NA	NA	NA	NA	NA	NA				
				2/21/97	NA	NA	NA	NA	NA	NA	NA				
				7/2/97	NA	NA	NA	NA	NA	NA	NA				
				9/24/97	NA	NA	NA	NA	NA	NA	NA				
				12/30/97	NA	NA	NA	NA	NA	NA	NA				

Footnotes:
 ES -- Enforcement Standard
 PAL -- Preventive Action Limit
 < -- Below Laboratory Method of Detection
 * -- Proposed Standards
 NA -- Parameter Not Analyzed
 NI -- Well Not Installed
 ^ -- Analyte Detected Between Laboratory Limit of Detection and Limit of Quantification



LEGEND

- B-6 ● Soil Boring Location
- MW-4/B-4 ⊕ Groundwater Monitor Well/Soil Boring Location
- 26 Groundwater Benzene Concentration (ug/L)
- 5 — Benzene Isoconcentration Line (ug/L)

FIGURE 8
Extent of Benzene
Groundwater Contamination
(December 30, 1997)

Environmental Associates, Inc.

Drawn by:	RRG	Checked by:		Drawing File	91-02187-8 187-bnz3.cvs
	2-16-98	Approved by:			

Scale : 1" = 20'

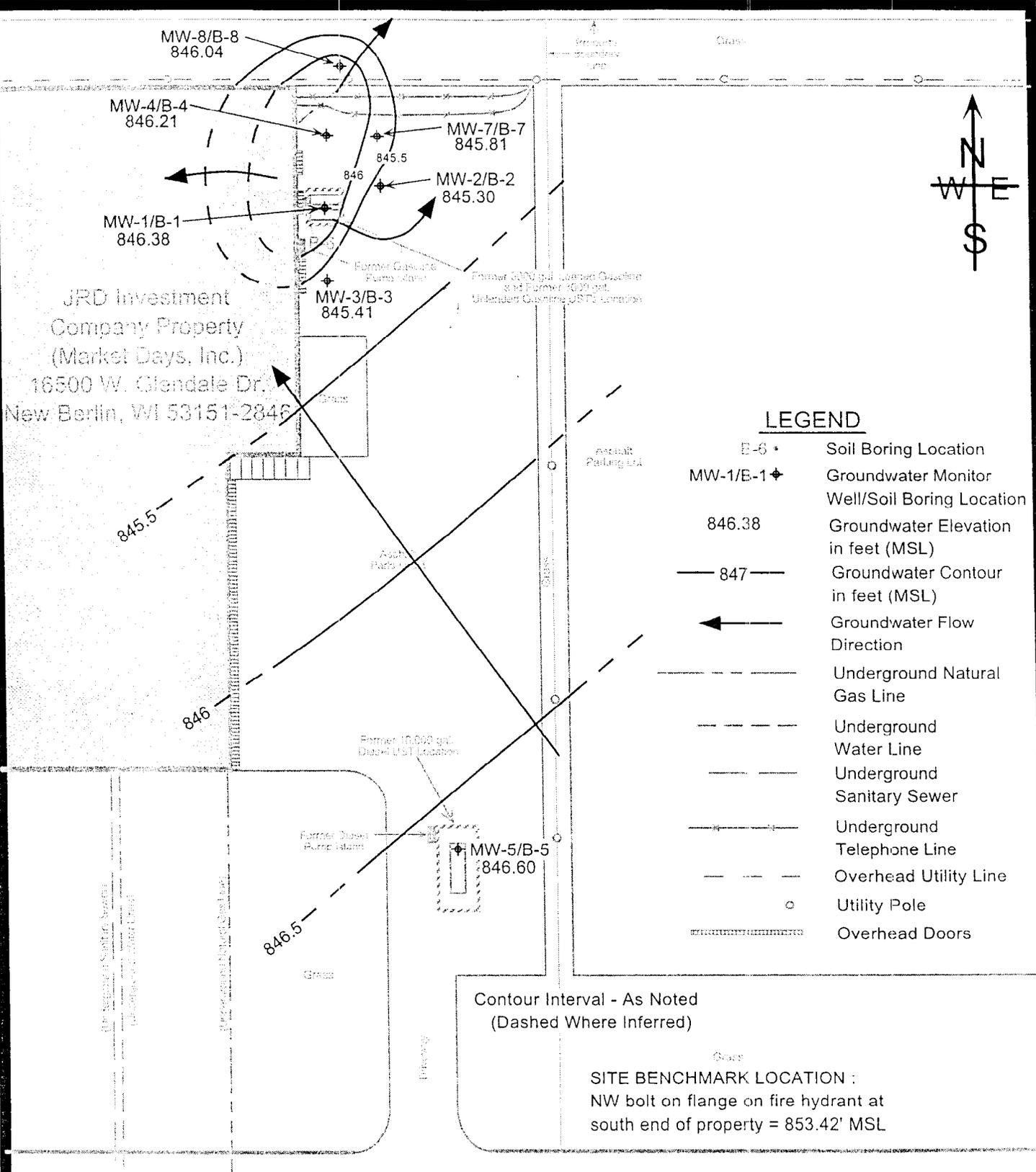


FIGURE 11
Groundwater Contour Map
and Flow Direction
(December 30, 1997)

Environmental Associates, Inc.

Drawn by:	RRG	Checked by:		Drawing File	91-02187 187-gfd4.cvs
	2-16-98	Approved by:			

Scale : 1" = 75'