

GWURR Package Cover Sheet

Site Name Withee Garage

Site Address 212 Division St., Withee, WI

BRRTS # 03-10-001092 ^{PDF} Date of Closure Decision 2/23/98

Tax Parcel # Clark Co. # R 191.0284.285

- Groundwater Use Restriction
- Location map
- Detailed site map
- Groundwater flow/~~isoconcentration~~ maps

None Geologic cross sections

- Latest table(s) of analytical results (soil results included only if soil deed restriction is incorporated into groundwater use restriction document)
- Closure letter(s)

472861.0000000 X

497719.9687500 9

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 its successor agency, to determine what specific prohibitions or requirements are applicable and to obtain DNR approval, 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 can be recorded to give notice that this groundwater use restriction is no longer binding.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 19 day of March, 1998.

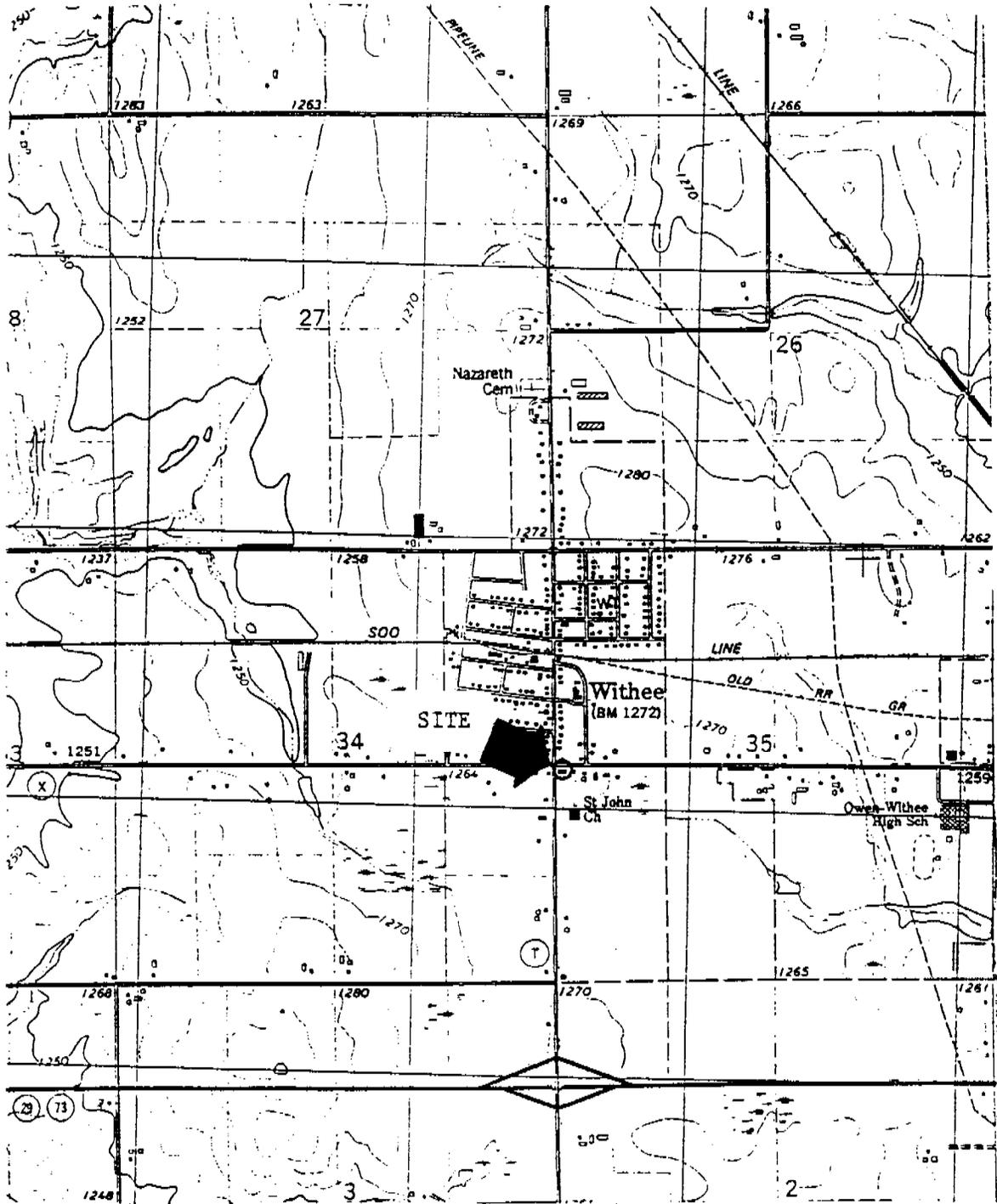
Signature: Alan L. Burhop
Printed Name: ALAN L. BURHOP

Subscribed and sworn to before me
this 19 day of March, 1998

Janet B. Miller
Notary Public, State of WI
My commission 11-13-2001



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



OWEN, WIS.
NE/4 OWEN 15' QUADRANGLE
N4452.5-W9030/7.5

1982

DMA 2873 I NE-SERIES V861

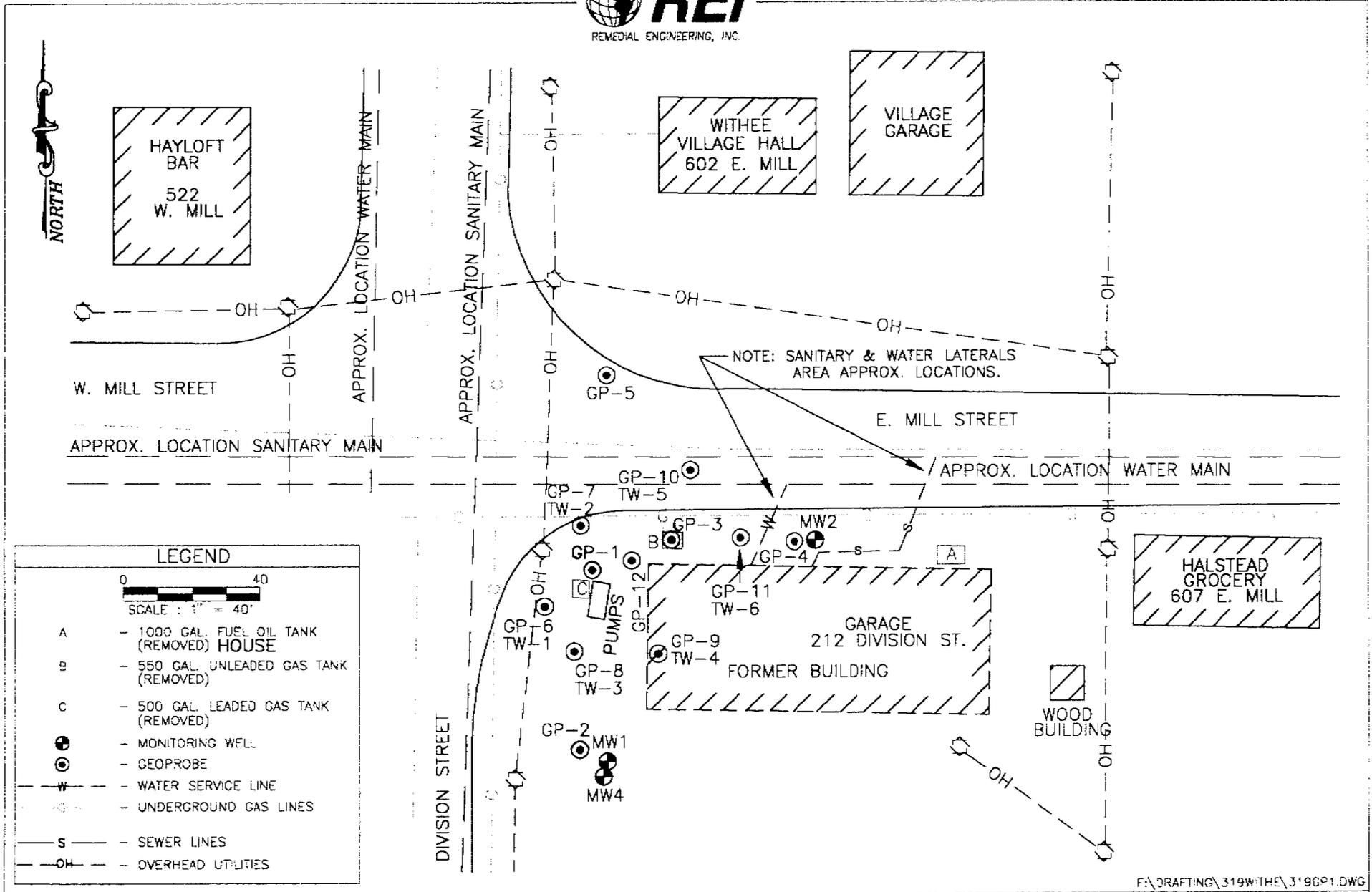
WITHEE GARAGE
WITHEE, WISCONSIN

FIGURE 1 : SITE VICINITY MAP

PROJECT NO. #0319

DRAWN BY:
TAW

DATE:
12/12/97



F:\DRAFTING\319W\THE\319GP1.DWG

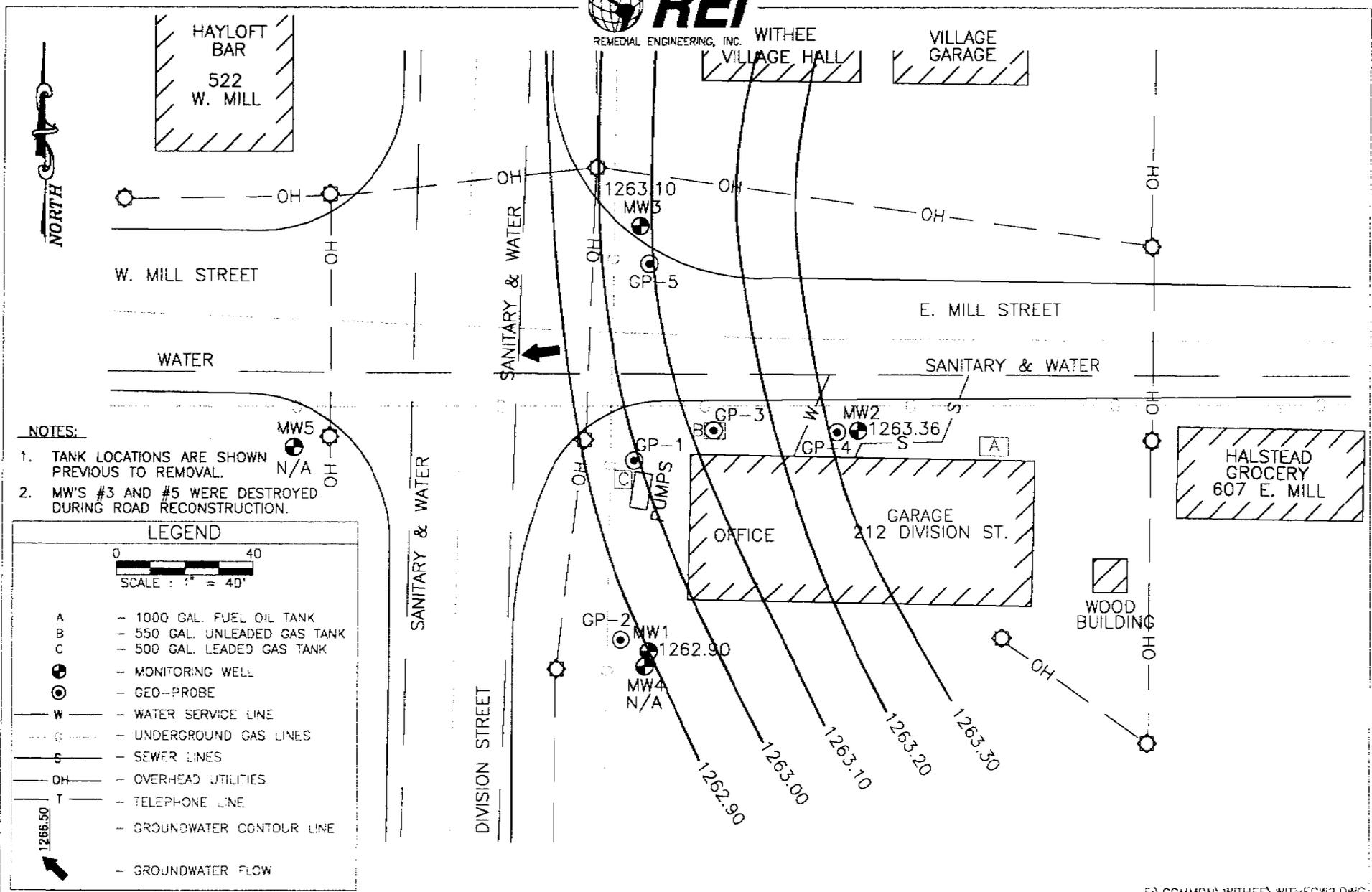
WITHEE GARAGE
WITHEE, WISCONSIN

FIGURE 2 : SITE MAP

PROJECT NO. #0319

DRAWN BY: TODD A. WORZELLA

DATE: 4/16/97



WITHEE GARAGE
WITHEE, WISCONSIN

FIGURE 4b : GROUNDWATER CONTOUR MAP (7/25/94)

| | | |
|----------------------|------------------|------------------|
| PROJECT NO. #0319 | DRAWN BY: TAW | DATE: 7/17/96 |
|----------------------|------------------|------------------|

F:\COMMON\WITHEE\WIT-EGW2.DWG

TABLE 3a

GROUNDWATER ANALYTICAL DATA
WITHEE GARAGE
WITHEE, WISCONSIN

| Parameter | ES | PAL | Monitoring Well #1 | | | | | |
|------------------------|-----|------|--------------------|---------|---------|--------|---------|---------|
| | | | 4/27/94 | 7/25/94 | 7/17/95 | 5/1/96 | 4/18/97 | 9/26/97 |
| GRO | | | X | X | X | NA | NA | X |
| Detected VOC's | | | | | | | | |
| Benzene | 5 | 0.5 | X | X | X | X | X | X |
| Ethylbenzene | 700 | 140 | X | X | X | X | X | X |
| Toluene | 343 | 68.6 | X | X | X | X | X | X |
| Xylenes (Total) | 620 | 124 | X | X | X | X | X | X |
| MTBE | 60 | 12 | X | X | X | X | X | X |
| 1,3,5-Trimethylbenzene | | | X | X | X | X | X | X |
| 1,2,4-Trimethylbenzene | | | X | X | X | X | X | X |
| Lead (Pb) | 15 | 1.5 | 3.51 | X | NA | NA | NA | NA |

Notes:

All values are in ug/L which is equal to parts-per-billion (ppb).

ES = Enforcement Standard

PAL = Preventative Action Limit

NA = Not Analyzed

Exceeds NR 140.10 ES
Exceeds NR 140.10 PAL
X = Not Detected

TABLE 3b

GROUNDWATER ANALYTICAL DATA
WITHEE GARAGE
WITHEE, WISCONSIN

| Parameter | ES | PAL | Monitoring Well #2 | | | | | |
|------------------------|-----|------|--------------------|---------|---------|--------|---------|---------|
| | | | 4/27/94 | 7/25/94 | 7/17/95 | 5/1/96 | 4/18/97 | 9/26/97 |
| GRO | | | 88 | X | X | NA | NA | X |
| Detected VOC's | | | | | | | | |
| Benzene | 5 | 0.5 | X | X | X | X | X | X |
| Ethylbenzene | 700 | 140 | X | X | X | X | X | X |
| Toluene | 343 | 68.6 | 54.7 | X | X | X | X | X |
| Xylenes (Total) | 620 | 124 | X | X | X | X | X | X |
| MTBE | 60 | 12 | X | X | X | X | X | X |
| 1,3,5-Trimethylbenzene | | | X | X | X | X | X | X |
| 1,2,4-Trimethylbenzene | | | X | X | X | X | X | X |
| Lead (Pb) | 15 | 1.5 | 210** | NA | NA | NA | NA | NA |

Notes:

All values are in ug/L which is equal to parts-per-billion (ppb).

ES = Enforcement Standard

PAL = Preventative Action Limit

NA = Not Analyzed

 Exceeds NR 140.10 ES
 Exceeds NR 140.10 PAL

X = Not Detected

** Sample not field filtered

TABLE 3c

GROUNDWATER ANALYTICAL DATA
WITHEE GARAGE
WITHEE, WISCONSIN

| Parameter | ES | PAL | Monitoring Well #3 | | | | | |
|------------------------|-----|------|--------------------|---------|---------|--------|---------|---------|
| | | | 4/27/94 | 7/25/94 | 7/17/95 | 5/1/96 | 4/18/97 | 9/26/97 |
| GRO | | | 5,390 | 1,590 | NS* | NS* | NS* | NS* |
| Detected VOC's | | | | | | | | |
| Benzene | 5 | 0.5 | | | NS* | NS* | NS* | NS* |
| Ethylbenzene | 700 | 140 | 167 | 69.4 | NS* | NS* | NS* | NS* |
| Toluene | 343 | 68.6 | 340 | 326 | NS* | NS* | NS* | NS* |
| Xylenes (Total) | 620 | 124 | 201 | 319 | NS* | NS* | NS* | NS* |
| MTBE | 60 | 12 | X | X | NS* | NS* | NS* | NS* |
| 1,3,5-Trimethylbenzene | | | X | 25.5 | NS* | NS* | NS* | NS* |
| 1,2,4-Trimethylbenzene | | | X | 74.6 | NS* | NS* | NS* | NS* |
| Lead (Pb) | 15 | 1.5 | X | NA | NS* | NS* | NS* | NS* |

Notes:

All values are in ug/L which is equal to parts-per-billion (ppb).

ES = Enforcement Standard

PAL = Preventative Action Limit

NA = Not Analyzed

NS* = MW3 was destroyed during 1995 road reconstruction

 Exceeds NR 140.10 ES
 Exceeds NR 140.10 PAL
 NS = Not Sampled
 X = Not Detected

TABLE 3d

**GROUNDWATER ANALYTICAL DATA
WITHEE GARAGE
WITHEE, WISCONSIN**

| Parameter | ES | PAL | Monitoring Well #4 | | | |
|------------------------|-----|------|--------------------|--------|---------|---------|
| | | | 7/17/95 | 5/1/96 | 4/18/97 | 9/26/97 |
| GRO | | | NA | NA | NA | X |
| Detected VOC's | | | | | | |
| Benzene | 5 | 0.5 | X | X | X | X |
| Ethylbenzene | 700 | 140 | X | X | X | X |
| Toluene | 343 | 68.6 | X | X | X | X |
| Xylenes (Total) | 620 | 124 | X | X | X | X |
| MTBE | 60 | 12 | X | X | X | X |
| 1,3,5-Trimethylbenzene | | | 1 | X | X | X |
| 1,2,4-Trimethylbenzene | | | 2 | X | X | X |
| Lead (Pb) | 15 | 1.5 | NA | NA | NA | NA |

Notes:

All values are in ug/L which is equal to parts-per-billion (ppb).

ES = Enforcement Standard

PAL = Preventative Action Limit

NA = Not Analyzed



Exceeds NR 140.10 ES

Exceeds NR 140.10 PAL

X = Not Detected

TABLE 3e

GROUNDWATER ANALYTICAL DATA
WITHEE GARAGE
WITHEE, WISCONSIN

| Parameter | ES | PAL | Monitoring Well #5 | | | |
|------------------------|-----|------|--------------------|--------|---------|---------|
| | | | 7/17/95 | 5/1/96 | 4/18/97 | 9/26/97 |
| GRO | | | X | NS* | NS* | NS* |
| Detected VOC's | | | | | | |
| Benzene | 5 | 0.5 | X | NS* | NS* | NS* |
| Ethylbenzene | 700 | 140 | X | NS* | NS* | NS* |
| Toluene | 343 | 68.6 | X | NS* | NS* | NS* |
| Xylenes (Total) | 620 | 124 | X | NS* | NS* | NS* |
| MTBE | 60 | 12 | X | NS* | NS* | NS* |
| 1,3,5-Trimethylbenzene | | | X | NS* | NS* | NS* |
| 1,2,4-Trimethylbenzene | | | X | NS* | NS* | NS* |
| Lead (Pb) | 15 | 1.5 | NA | NS* | NS* | NS* |

Notes:

All values are in ug/L which is equal to parts-per-billion (ppb).
 ES = Enforcement Standard
 PAL = Preventative Action Limit
 NS* = MW5 was destroyed during 1996 road reconstruction

 Exceeds NR 140.10 ES
 Exceeds NR 140.10 PAL
 X = Not Detected
 NA = Not Analyzed

TABLE 3f

GROUNDWATER ANALYTICAL DATA
WITHEE GARAGE
WITHEE, WISCONSIN

| Parameter | ES | PAL | Temporary Wells 4/18/97 | | | | | |
|------------------------|-----|------|-------------------------|-----------|-----------|-----------|------------|------------|
| | | | TW1 (GP6) | TW2 (GP7) | TW3 (GP8) | TW4 (GP9) | TW5 (GP10) | TW6 (GP11) |
| GRO | | | X | X | X | X | X | X |
| Detected PVOC's | | | | | | | | |
| Benzene | 5 | 0.5 | X | 0.735 | X | X | X | X |
| Ethylbenzene | 700 | 140 | X | X | X | X | X | X |
| Toluene | 343 | 68.6 | X | 1.48 | 2.67 | 1.33 | 1.5 | X |
| Xylenes (Total) | 620 | 124 | X | X | X | X | 4.13 | X |
| MTBE | 60 | 12 | X | X | X | X | X | X |
| 1,3,5-Trimethylbenzene | | | X | X | X | X | X | X |
| 1,2,4-Trimethylbenzene | | | X | X | X | X | X | X |
| Lead (Pb) | 15 | 1.5 | X | X | X | X | 2.14 | X |

Notes:

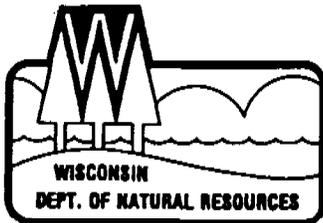
All values are in ug/L which is equal to parts-per-billion (ppb).

ES = Enforcement Standard

PAL = Preventative Action Limit

X = Not Detected

 Exceeds NR 140.10 ES
 Exceeds NR 140.10 PAL



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Scott Humrickhouse, Acting Regional
Director

West Central Region Headquarters
1300 W. Clairemont Avenue
PO Box 4001
Eau Claire, WI 54702-4001
TELEPHONE 715-839-3700
FAX 715-839-6076/1605
TTY 715-839-2786

February 23, 1998

UID# 03-10-001092

Mr. Alan Burhop
P.O. Box 127
212 Division St.
Withee, WI 54498

SUBJECT: CONDITIONAL CLOSURE APPROVAL: Petroleum Contamination at the
Withee Garage, Withee, WI

Dear Mr. Burhop:

On November 24, 1993, the Department of Natural Resources provided a notice to you that the degree and extent of petroleum contamination at the above-referenced site was required to be investigated and remediated. We have since been informed that the required investigation and remediation has been accomplished to the extent practicable.

On February 23, 1998, the above-named site was reviewed by the West Central Region Closeout Committee for a determination as to whether or not the case qualified for close out under ch. NR 726, Wis. Adm. Code.

Based on the investigative and remedial documentation provided to the Department, it appears that the petroleum soil contamination at the above-referenced site has been remediated to the extent practicable under current site conditions. Therefore, the Department considers the case "conditionally closed," having determined that no further action is necessary on the site at this time if the following conditions are met:

1. Due to the fact that the latest groundwater analytical results indicate exceedances of ch. NR 140, Wis. Adm. Code, enforcement standards on the above-referenced property, a groundwater use restriction which meets the requirements of NR 726.05(8)(am), Wis. Adm. Code, must be recorded with the County Register of Deeds within 30 days of the effective date of this letter.

In addition, residual soil contamination remains at the site, which may become accessible at some time in the future if site conditions change. For example, excavation at the depth of contamination may occur for construction or installation of facilities. If the residual contamination is excavated, the property owner, at that time, will be required to sample and analyze the excavated material in order to properly store, treat or dispose of it, and special precautions may need to be taken during

construction to prevent a direct contact threat to humans.

This deed restriction must include a site diagram indicating the location of the groundwater contaminant plume in exceedance of ch. NR 140, Wis. Adm. Code, ESs, and the location of residual soil contamination at the site.

2. The Department's closure approval is also contingent on the requirement that the groundwater monitoring wells associated with this site be properly abandoned in accordance with ch. NR 141, Wis. Adm. Code.

To document that condition 1, above, has been complied with, the property owner must submit to the Department a copy of the recorded deed restriction, with the recording information stamped on it, within 15 days after the County Register of Deeds returns the deed restriction to the property owner.

To document that condition 2, above, has been complied with, the property owner must submit to the Department a copy of the completed Well/Drillhole/Borehole Abandonment Forms 3300-5B (Revised 8-89) to the Department providing abandonment verification once this task has been completed.

Upon receipt of the recorded deed restriction and the well abandonment forms, the Department will assign a final closure status to this site. The deed restriction may be amended in the future with the approval of DNR if conditions change at the site and the residual contamination is remediated.

I appreciate your concern and cooperation in this matter. Should you have additional questions related to this matter, please feel free to contact me at (715) 839-3783.

Sincerely,



Jack Eslien
Hydrogeologist

Enclosure: Example water use deed restriction format

c: Mr. Ray deLong, REI, 4080 N. 20th Ave., Wausau, WI54401



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Scott Humrickhouse, Acting Regional
Director

West Central Region Headquarters
1300 W. Clairemont Avenue
PO Box 4001
Eau Claire, WI 54702-4001
TELEPHONE 715-839-3700
FAX 715-839-6076/1605
TTY 715-839-2786

March 5, 1998

UID# 03-10-001092

Mr. Alan Burhop
P.O. Box 127
212 Division St.
Withee, WI 54498

SUBJECT: Conditional Closure of Withee Garage Site, Withee, WI

Dear Mr. Burhop:

I phoned Mr. Ray deLong of REI (your consultant) today to explain why the WDNR gave the above site a conditional closure. Opposite and northeast of your site the Hayloft Bar site is currently being investigated by Environmental Compliance Consultants (Mr. Tim Baker at 715 284-3366). As part of their investigation they placed a borehole (GP-9) in the northeast corner of the Withee Garage site (see the enclosed Figure 4 and Table 2 of their recent report to the WDNR. GP-9 was found to contain 90 ug/l benzene in the groundwater. This level of benzene is above the NR140 enforcement standard of 5 ug/l for benzene.

If you wish to receive "clean" closure from this Department, you must determine that groundwater on your site is below the NR140 standards. To do this, you may wish your consultant to further investigate groundwater conditions at your site by installing at least one or more groundwater wells.

Please call me at (715) 839-3738 if you have any questions concerning this matter.

Sincerely,

Jack Eslien
Hydrogeologist

c: Mr. Ray deLong, REI, 4080 N. 20th Ave., Wausau, WI 54401

Enclosure



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Scott Humrickhouse, Regional Director

West Central Region Headquarters
1300 W. Clairmont Avenue
PO Box 4001
Eau Claire, WI 54702-4001
TELEPHONE 715-839-3700
FAX 715-839-6076/1605
TTY 715-839-2786

July 7, 1998

UID# 03-10-001092

Mrs. Alan Burhop
P.O. Box 127
212 Division St.
Withee, WI 54498

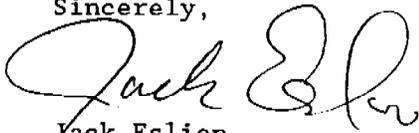
SUBJECT: Conditional Closure of Withee Garage Site, Withee, WI

Dear Mrs. Burhop:

I received a copy of the groundwater use restriction placed on the deed to the Withee Garage property belonging to you and your husband. Please consider this site closed with no further remedial investigation required at this time. Natural attenuation of remaining residual petroleum contamination should be sufficient to remediate any remaining petroleum constituents over time.

Please call me at (715) 839-3738 if you have any questions concerning this matter.

Sincerely,


Jack Eslien
Hydrogeologist