

GWURR Package Cover Sheet

Site Name Fairchild Cenex

Site Address 303 N. Front St., Fairchild, WI 54741

BRRTS # 03-18-000738 Date of Closure Decision 5/14/99

Parcel I.D./Tax Parcel # Eau Claire Co. # ?

Groundwater Use Restriction

Location map

Detailed site map

Groundwater flow/isoconcentration maps

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)

Document Number

GROUNDWATER USE RESTRICTION

INDEXED

778809

VOL 1196 PAGE 34-37

Erica & Halverson

'00 JAN 27 AM 9 54

EAU CLAIRE COUNTY
REGISTER OF DEEDS

Declaration of Restrictions

In Re: A 1.5-acre parcel of land in the SE ¼ of Section 34, Township 25 North, Range 5 West, Village of Fairchild, Eau Claire County. See attached legal description (Exhibit 1) for further detail.

STATE OF WISCONSIN)
) ss
COUNTY OF EAU CLAIRE)

Recording Area

Name and Return Address

*PO 1600 Cash Randy Julien
Fairchild Farmers Union Co
303 N. Front St.
Fairchild WI 54741*

WHEREAS, Fairchild Farmers Union; Randy Julien, General Manager is the owner of the above-described property.

Parcel Identification Number (PIN)

WHEREAS, one or more gasoline discharges have occurred at this property. Petroleum contaminated groundwater above NR 140 enforcement standards exists on this property at the following location(s): the sump and pump island area (5.5 ppb benzene, 2/16/99). See attached site map (Exhibit 2). Soil contamination exists at the following location: near the northeast corner of the Cenex Building (near the northwest corner of the former excavation - 190 mg/kg GRO, 4/19/92). See attached site map (Exhibit 2).

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

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 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 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.

If construction is proposed on this property that will require dewatering, or if ground water is to be otherwise extracted from this property, while this ground-water use restriction is in effect, the ground water shall be sampled and analyzed for contaminants that were previously detected on the property and any extracted ground water 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 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.

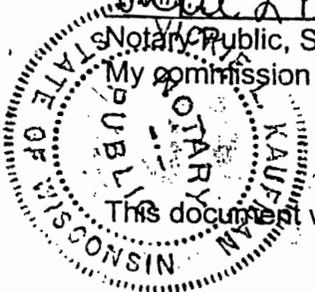
By signing this document, Randy Julien asserts that he/she is duly authorized to sign this document on behalf of Fairchild Farmers Union.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 21st day of January, 2000.

Signature: Randy Julien
Printed Name: Randy Julien

Subscribed and sworn to before me
this 21st day of January, 2000.

Michael L. Kaufman
Notary Public, State of Wisconsin
My commission 8/24/2003



This document was drafted by Eric Witt, Ayres Associates, January 2000.

EXHIBIT 1

PARTIAL
ABSTRACT OF TITLE

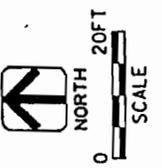
TO

A parcel of land on the North side of Front Street in the Village of Fairchild, Eau Claire County, Wisconsin, beginning at a point in the Northeasterly line of said Front Street at a distance of 104 feet Northwesterly from the intersection of the Northerly boundary line of Oak Street produced and the Northeasterly line of said Front Street; running thence Northeasterly parallel with Oak Street 112 feet, more or less, to the South line of the right-of-way of the Mondovi Branch of the Chicago, St. Paul, Minneapolis and Omaha Railway, thence Northwesterly along the South line of said right-of-way to the West line of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section Thirty-four (34), Township Twenty-five (25) North of Range Five (5) West, thence South to the Northeasterly boundary line of said Front Street; thence Southeasterly along the Northeasterly boundary line of Front Street 260 feet, more or less, to the point of beginning.

This abstract was prepared to cover the period 60 years prior to Nov. 4, 1975, at 1:00 P.M., and shows only those transactions of record from May 20, 1908. Entry and recorded patent are also shown.

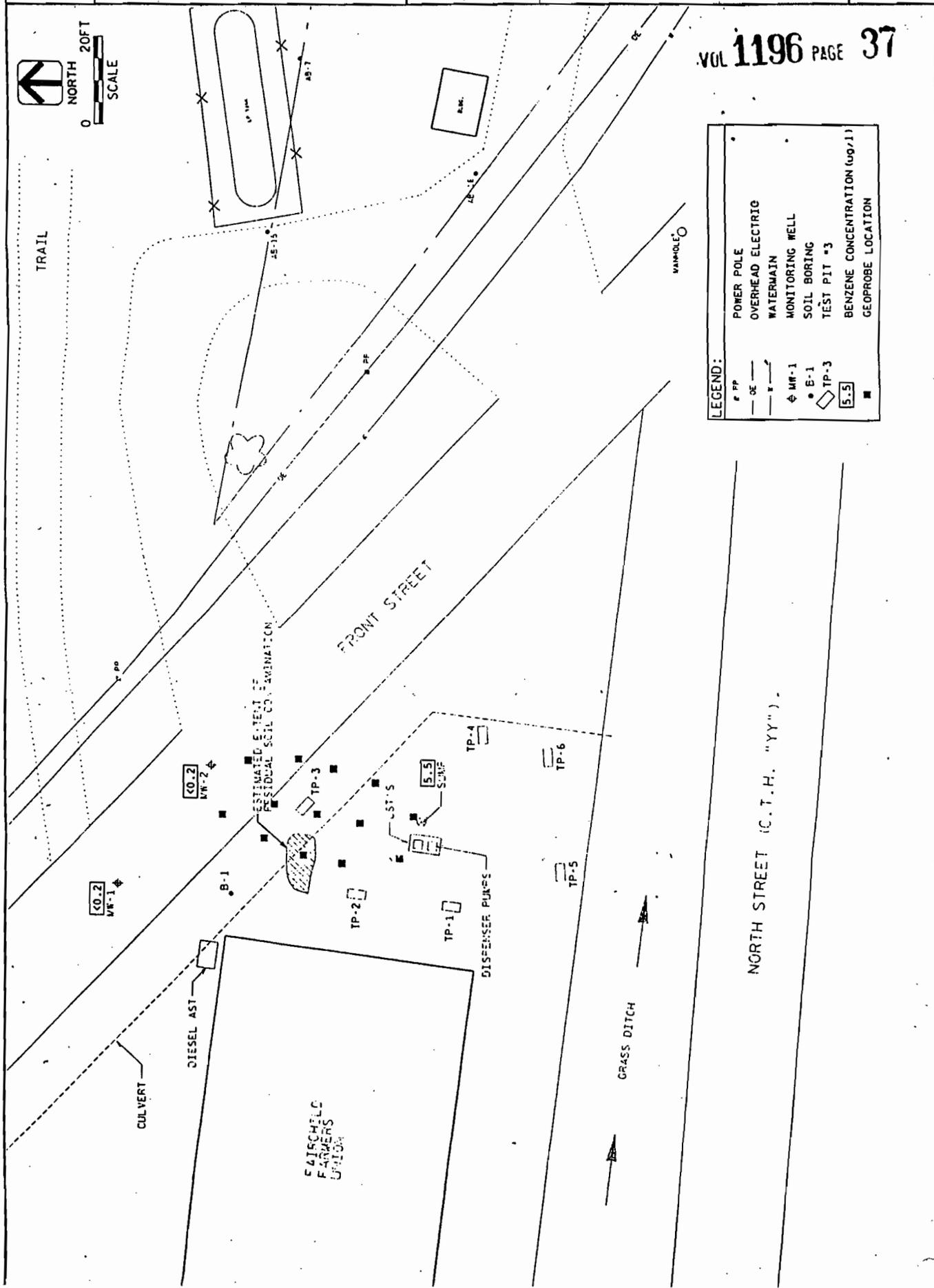
Made by

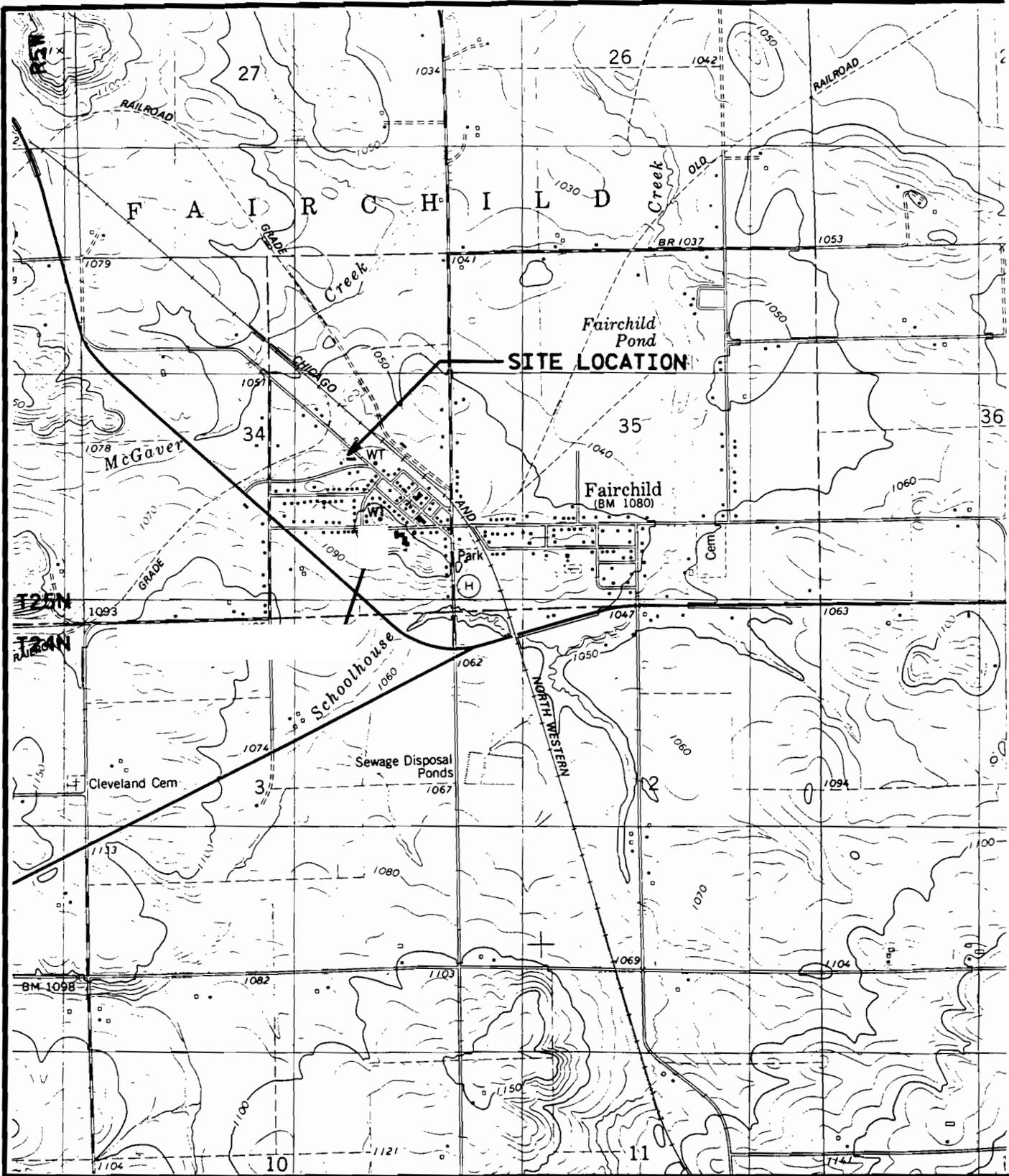
CLARK COUNTY LAND AND TITLE
Neillsville, Wisconsin



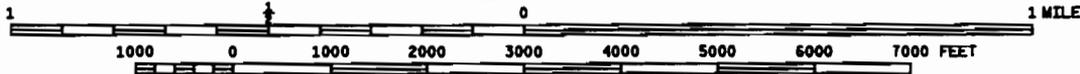
LEGEND:

- PP POWER POLE
- OE OVERHEAD ELECTRIC
- WM WATERMAIN
- MR-1 MONITORING WELL
- B-1 SOIL BORING
- TP-3 TEST PIT #3
- 5.5 BENZENE CONCENTRATION (ug/l)
- GEOPROBE LOCATION





SCALE 1:24000



REMEDIAL INVESTIGATION
 FAIRCHILD FARMERS UNION
 FAIRCHILD, WISCONSIN

DRN. BY: MLE *MLE*

CHK. BY: EBS *EBS*

DATE: APRIL 1994

AVRES
 ASSOCIATES

LOCATION MAP

FIGURE

1

09PM
16 MAR 99
d:\waste\centfair\00908AC.DGN
DON LEVEL

#LEV2
#LEV9
#LEV8
#LEV5
#LEV3

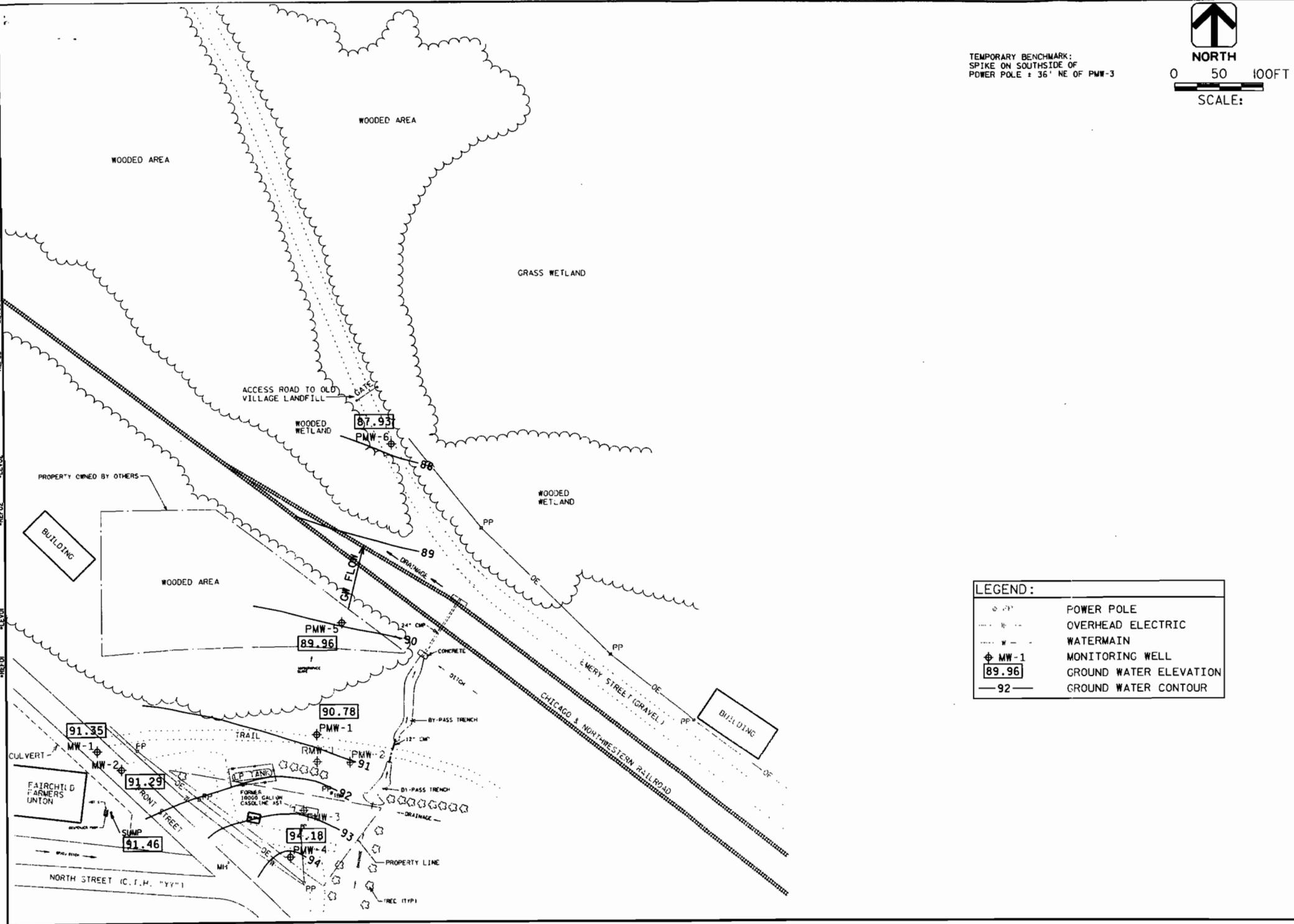
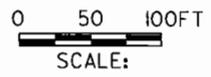
#LEV
#LEV8
#LEV5
#LEV2

#LEV7
#LEV4
#LEV1

#REF0
#REF4
#REF0



TEMPORARY BENCHMARK:
SPIKE ON SOUTHSIDE OF
POWER POLE ± 36' NE OF PMW-3



LEGEND:	
	POWER POLE
	OVERHEAD ELECTRIC
	WATERMAIN
	MONITORING WELL
	GROUND WATER ELEVATION
	GROUND WATER CONTOUR

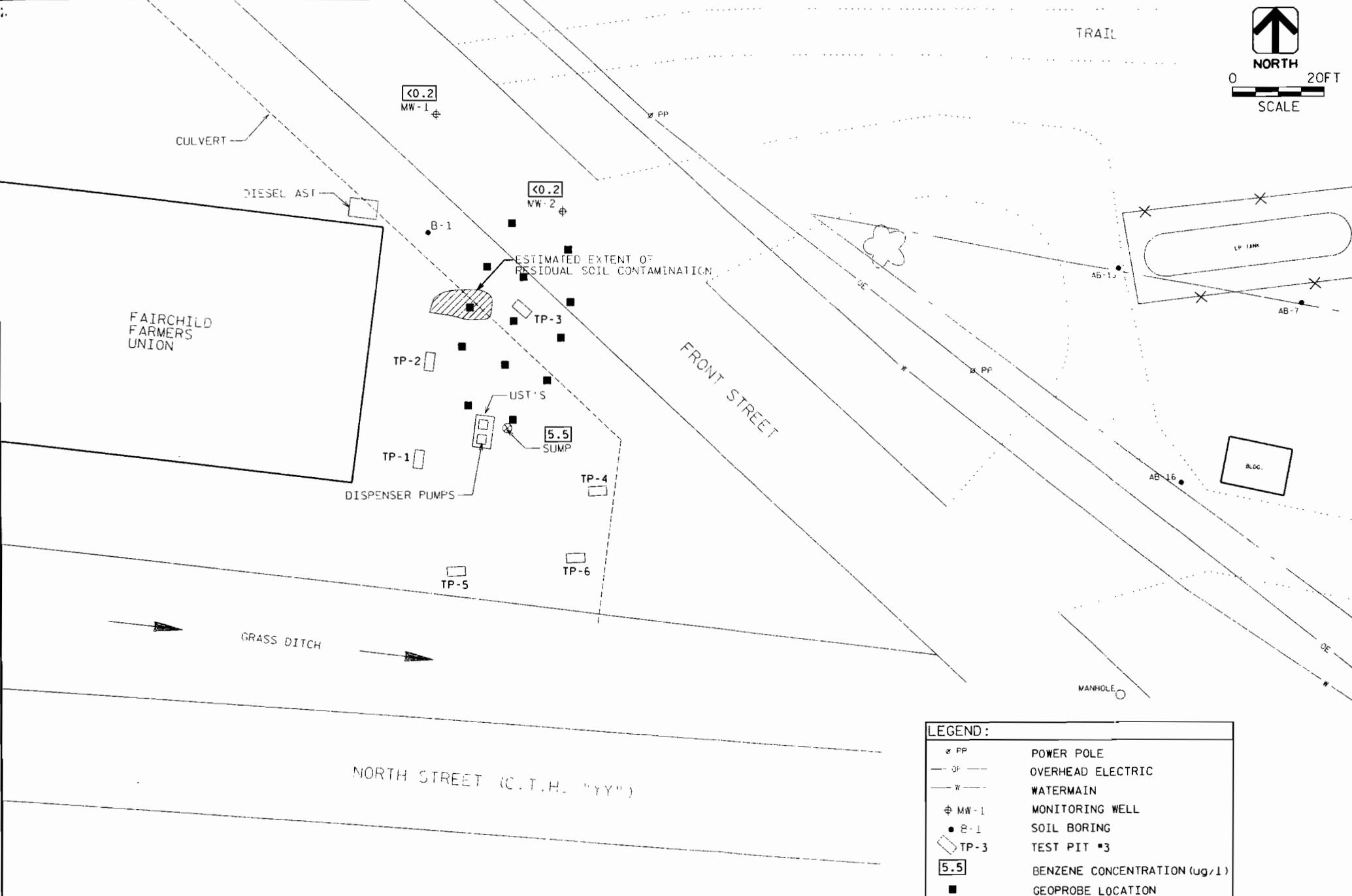
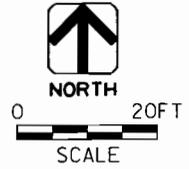
GROUND WATER CONTOURS
FEBRUARY 16, 1999

DRN. BY: MLE TCB
CHK. BY: DMW EMB
DATE: MARCH 1999
AVES ASSOCIATES

REMEDIAL ACTIVITIES
FAIRCHILD FARMERS UNION
AST SITE
FAIRCHILD, WISCONSIN

FIGURE
1

*REF1
 *REF2
 *REF3
 *REF4
 *REF5
 *REF6
 *REF7
 *REF8
 *REF9
 *REF10
 *REF11
 *REF12
 *REF13
 *REF14
 *REF15
 *REF16
 *REF17
 *REF18
 *REF19
 *REF20
 *REF21
 *REF22
 *REF23
 *REF24
 *REF25
 *REF26
 *REF27
 *REF28
 *REF29
 *REF30
 *REF31
 *REF32
 *REF33
 *REF34
 *REF35
 *REF36
 *REF37
 *REF38
 *REF39
 *REF40
 *REF41
 *REF42
 *REF43
 *REF44
 *REF45
 *REF46
 *REF47
 *REF48
 *REF49
 *REF50
 *REF51
 *REF52
 *REF53
 *REF54
 *REF55
 *REF56
 *REF57
 *REF58
 *REF59
 *REF60
 *REF61
 *REF62
 *REF63
 *REF64
 *REF65
 *REF66
 *REF67
 *REF68
 *REF69
 *REF70
 *REF71
 *REF72
 *REF73
 *REF74
 *REF75
 *REF76
 *REF77
 *REF78
 *REF79
 *REF80
 *REF81
 *REF82
 *REF83
 *REF84
 *REF85
 *REF86
 *REF87
 *REF88
 *REF89
 *REF90
 *REF91
 *REF92
 *REF93
 *REF94
 *REF95
 *REF96
 *REF97
 *REF98
 *REF99
 *REF100



LEGEND:	
⊕ PP	POWER POLE
— OF —	OVERHEAD ELECTRIC
— W —	WATERMAIN
⊕ MW-1	MONITORING WELL
● B-1	SOIL BORING
▭ TP-3	TEST PIT #3
5.5	BENZENE CONCENTRATION ($\mu\text{g/l}$)
■	GEOPROBE LOCATION

GROUND WATER PLUME MAP
 BENZENE (FEBRUARY 16, 1999)

DRN. BY: MLE
 CHK. BY: DM
 DATE: MARCH 1999
AVES ASSOCIATES

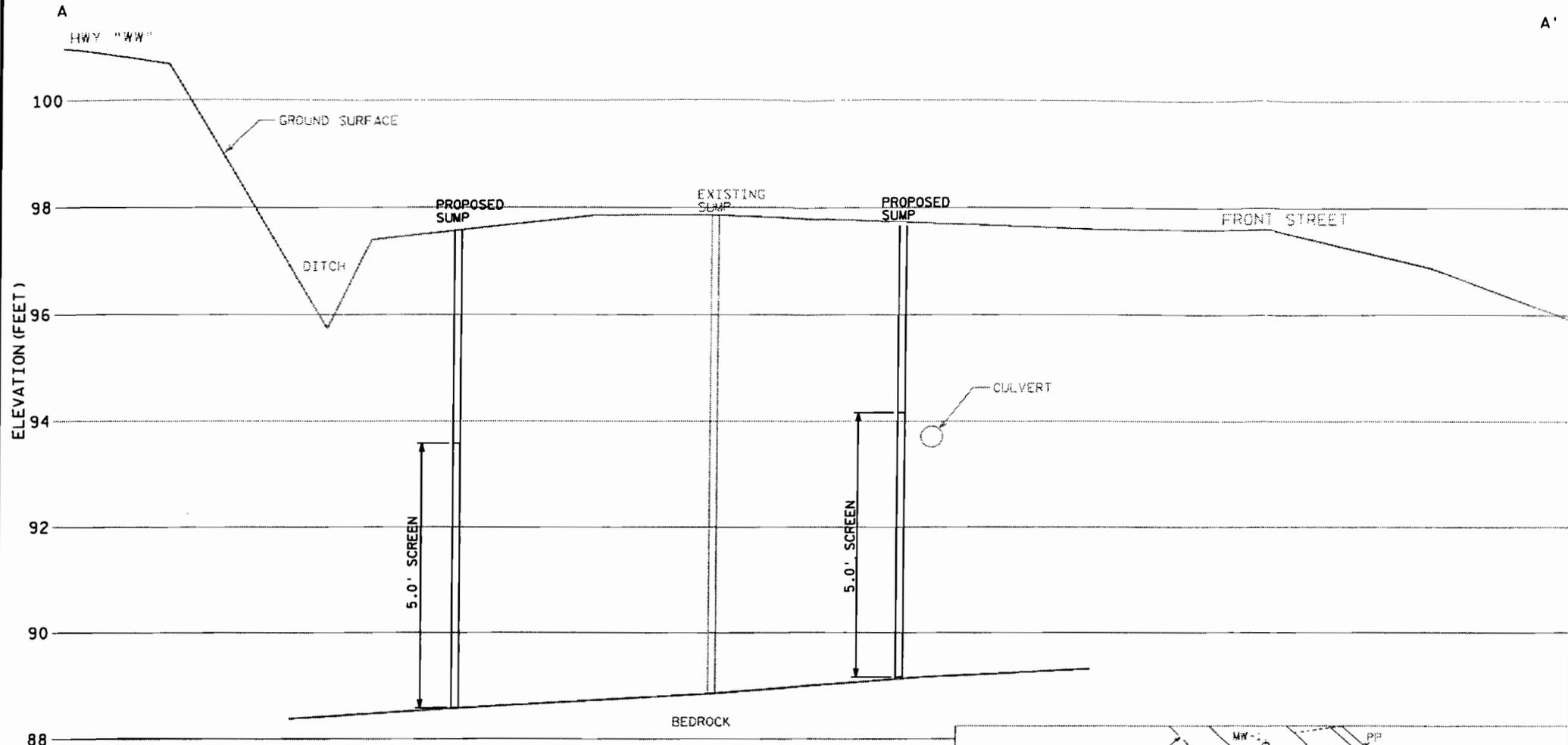
FAIRCHILD FARMERS UNION
 UST SITE
 FAIRCHILD, WISCONSIN

FIGURE
 1

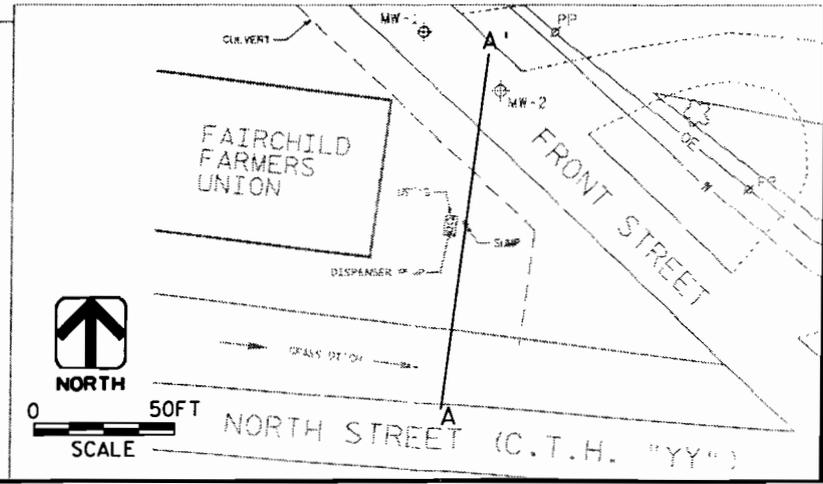
PEN TABLE # sp10721056r#NFULL.TBL
 DATE OF PLDT # 01/20/97
 DESIGN FILE # HWMASTE&CEMFAIR#00599HLOG
 CON LEVELS ON # 143

CONSTRUCTION ON # 143

REVISION ON # 143



SCALE:
 1"=10' HORIZ.
 1"=2' VERT.



CROSS SECTION A-A'

CON. BY TABLE # 143
 DR. BY TABLE # 143
 DATE: JANUARY 1997
AVES ASSOCIATES

REMEDIAL ACTIVITIES
 FAIRCHILD FARMERS UNION
 UST SITE
 FAIRCHILD, WISCONSIN

FIGURE
 3

TABLE 3
GROUND WATER ANALYTICAL RESULTS
FAIRCHILD FARMERS UNION - UST SITE

LOCATION	Date Collected	GRO (ug/L)	Benzene (ug/L)	Toluene (ug/L)	Ethyl-Benzene (ug/L)	Total Xylenes (ug/L)	MTBE (ug/L)	1,3,5 TMB (ug/L)	1,2,4 TMB (ug/L)	Naphthalene (ug/L)	n-Butylbenzene (ug/L)	sec-Butylbenzene (ug/L)	Diisopropyl-ether (ug/L)	cis-1,2-Dichloro-ethene (ug/L)	Iso-propylbenzene (ug/L)	n-Propylbenzene (ug/L)	Tetrachloro-ethene ⁽⁴⁾ (ug/L)	Lead (ug/L)
SUMP	5/19/92	<100	<1.0	1.4	<1.0	4.1	<1.0	<1.0	<1.0	--	--	--	--	--	--	--	--	--
	10/19/93	120	12	7.3	1.1	15.6	<1.0	<1.0	3.1	--	--	--	--	--	--	--	--	--
	11/15/93	150 ⁽³⁾	17	4.4	<1.0	15.4	<1.0	1.5	1.1	--	--	--	--	--	--	--	--	--
	6/14/95	150 ⁽¹⁾	8.4	16	0.9	38	5.4	3.1	3.0	1.4	1.3	0.2 ⁽¹⁾	<0.2	0.9	0.5 ⁽¹⁾	<0.2	8.8	--
	2/12/96	839 ⁽³⁾	14	61	1.0	142	94	8.4 ⁽²⁾	9.6	1.3	3.1	0.4 ⁽¹⁾	3.1	<0.2	<0.2	<0.2	<0.4	--
	10/17/96	306 ⁽³⁾	7.5	13	1.8	24	1.3	2.2 ⁽⁵⁾	5.7	<1.6	<1.2	<0.6	3.7	0.8	<0.4	0.8 ⁽¹⁾	<0.6	--
	12/30/97	<30	0.4	0.3	<0.30	1.9	<0.20	<0.30	0.6	--	--	--	--	--	--	--	--	--
	8/18/98	140	36	2.0	1.2	14.8	2.2	1.4	3.2	--	--	--	--	--	--	--	--	--
	11/16/98	360	70	8.0	3.0	62	<0.40	10	32	--	--	--	--	--	--	--	--	--
	2/16/99	590	5.5	3.0	<0.30	142.4	<0.20	40	1.2	--	--	--	--	--	--	--	--	--
MW-1	8/12/96	<30	<0.2	<0.2	<0.2	<0.6	1.4	<0.6	<0.7	<0.8	<0.4	<0.3	<0.2	<0.2	<0.2	<0.3	<0.3	<1
	10/17/96	<30	<0.2	0.4 ⁽¹⁾	<0.2	<0.6	0.8	<0.6	<0.7	<0.8	<0.4	<0.3	<0.2	<0.2	<0.2	<0.3	<0.3	--
	12/30/97	<30	<0.20	<0.20	<0.30	<0.90	<0.20	<0.30	<0.30	--	--	--	--	--	--	--	--	--
	8/18/98	<30	1.1	<0.20	<0.30	<0.90	<0.20	<0.30	<0.30	--	--	--	--	--	--	--	--	--
	11/16/98	<30	<0.20	<0.20	<0.30	<0.90	<0.20	<0.30	<0.30	--	--	--	--	--	--	--	--	--
	2/16/99	<30	<0.20	<0.20	<0.30	<0.90	<0.20	<0.30	<0.30	--	--	--	--	--	--	--	--	--
MW-2	8/12/96	160	33	<0.2	4.4	7.4	7.0	<0.4	1.0 ⁽¹⁾	<0.8	<0.6	<0.3	0.3 ⁽¹⁾	<0.2	0.3 ⁽¹⁾	<0.3	1.0	<1
	10/17/96	66 ⁽¹⁾	8.9	0.4 ⁽¹⁾	<0.2	<0.6	1.5	<0.4	<0.7	<0.8	<0.6	0.4 ⁽¹⁾	<0.2	<0.2	<0.2	<0.3	0.6 ⁽¹⁾	--
	12/30/97	<30	0.6	<0.20	0.5	<0.90	<0.20	<0.30	0.4	--	--	--	--	--	--	--	--	--
	8/18/98	<30	1.0	<0.20	<0.30	<0.90	<0.20	<0.30	<0.30	--	--	--	--	--	--	--	--	--
	Duplicate	<30	<0.20	<0.20	<0.30	<0.90	<0.20	<0.30	<0.30	--	--	--	--	--	--	--	--	--
	11/16/98	<30	<0.20	<0.20	<0.30	<0.90	<0.20	<0.30	<0.30	--	--	--	--	--	--	--	--	--
2/16/99	<30	<0.20	<0.20	<0.30	<0.90	<0.20	<0.30	<0.30	--	--	--	--	--	--	--	--	--	
NR 140	Enforcement Standard		5	343	700	620	60	NS	NS	40	NS	NS	NS	70	NS	NS	5	NS
	Preventive Action Limit		0.5	68.6	140	124	12	NS	NS	8	NS	NS	NS	20	NS	NS	0.5	NS

NOTES:

- (1) Estimated value, concentration was less than the limit of quantification
- (2) Exceeded calibration criteria for percent difference (>20%)
- (3) Sample contained fractions lighter than GRO
- (4) Tetrachloroethene is also known as tetrachloroethylene, or perchloroethylene (PCE)
- (5) Estimated value due to co-elution

GRO = Gasoline range organics

MTBE = Methyl-tert-butyl ether

TMB = Trimethylbenzene

-  = Concentration exceeds Preventive Action Limit of Wis. Adm. Code NR 140
-  = Concentration exceeds Enforcement Standard of Wis. Adm. Code NR 140
- = Not analyzed
- NS = No standard
- ug/L = Micrograms per liter



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

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

May 25, 1999

BRRTS# 03-18-000738
Eau Claire County

Mr. Randy Julien, General Manager
Fairchild Farmers Union Cooperative
303 North Front St.
Fairchild, WI 54741

SUBJECT: **CONDITIONAL CLOSURE:** Underground Storage Tanks at the Fairchild
Farmers Union, Fairchild, Wisconsin

Dear Mr. Julien:

In my letter dated December 17, 1998, I requested that you submit this site for closure review subsequent to one final round of groundwater sampling. On May 6, 1999, the above named site was reviewed by the West Central Region Close Out Committee for a determination as to whether the case qualified for close out under ch. NR 726, Wis. Adm. Code.

If a groundwater use restriction which meets the requirements of NR 726.05(8)(am), Wis. Adm. Code, is recorded with the County Register of Deeds within **45 days**, the Department will consider the case closed, having determined that no further action is necessary on the site at this time. To document that this condition has been complied with, the property owner must submit to the Department a copy of the recorded affidavit, with the recording information stamped on it, within 15 days after the County Register of Deeds returns the affidavit to the property owner. The affidavit may be amended in the future if conditions change at the site and the residual contamination is defined or remediated. **Prior to recording the groundwater use restriction**, please forward me a draft copy for my review. I will review the draft affidavit and provide you my comments, so that you may avoid placement of a potentially inadequate deed affidavit on your property's deed. I have enclosed a copy of the model groundwater use restriction which the Department recommends you use as your format.

Based on the closure documentation which you provided to the Department, it appears that petroleum contaminated soil remains at this site, and that the residual soil contamination still present at the above-referenced site does not represent a threat to public health, welfare, or safety, or the environment at this time. You should be aware that if this contaminated soil should be excavated or disturbed in the future, it must be properly handled as a solid waste, unless future testing finds this to be unnecessary.

The Department's closure approval is also contingent on the requirement that the site's groundwater monitoring well, MW-1 and the sump well, associated with this site be properly abandoned in accordance with ch. NR 141, Wis. Adm. Code. Subsequent to their abandonment, please submit completed Well/Drillhole/Borehole Abandonment Forms 3300-5B (Revised 8-89) to the Department providing abandonment verification that this task has been



completed so that I may assign this site final closure status.

I appreciate your concern and cooperation in this matter. If you should have additional questions related to this matter please feel free to contact me at (715) 839-1602.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas Joseph". The signature is fluid and cursive, written over the printed name.

Douglas Joseph
Hydrogeologist

attachment: example water use deed restriction format

c: Mr. Eric Witt, Ayres & Assoc., 3433 Oakwood Hills Pkwy., Eau Claire, WI 54701
Ms. Lori Huntoon, Dept. of Commerce, P.O. Box 7838, Madison, WI 53707-7838
Dale Ziege, RR/3



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

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

March 22, 2000

LUST Case 03-18-000738
Eau Claire County

Mr. Randy Julien, General Manager
Fairchild Farmers Union Cooperative
303 North Front St.
Fairchild, WI 54741

SUBJECT: **CASE CLOSURE:** Petroleum Contamination Related to Underground Storage Tanks at the Fairchild Farmers Union, Fairchild, Wisconsin

Dear Mr. Julien:

On May 6, 1999, 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 which you provided to the Department, the Department granted conditional closure status to the site on May 25, 1999, contingent upon your placement of a groundwater use restriction on the property and proper abandonment of the site's groundwater monitoring wells. On February 2, 2000, the Department received a copy of the recorded deed restriction, and on March 1, 2000, the Department received a copy of the monitoring well abandonment forms for the site. The Department therefore considers the case "closed," having determined, pursuant to ch. NR 726, Wis. Adm. Code, that no further action is necessary at the site at this time.

I appreciate your concern and cooperation in this matter. If you should have additional questions related to this matter please feel free to contact me at (715) 839-1602.

Sincerely,

Douglas Joseph
Hydrogeologist

c: Mr. Dean Wirtanen, Ayres & Assoc., 3433 Oakwood Hills Pkwy., Eau Claire, WI 54701
Dale Ziege - RR/3
Lori Huntoon - DOC

