

GIS REGISTRY INFORMATION

SITE NAME: Burlington Northern Railroad Spill

BRRTS #: 02-32-000035 **FID # (if appropriate):** 632086290

COMMERCE # (if appropriate): 54603-2326-45

CLOSURE DATE: 16-Nov-01

STREET ADDRESS: BNSF La Crosse Railyard/Onalaska Street

CITY: La Crosse

SOURCE PROPERTY GPS COORDINATES (meters in WTM91 projection): X= 420873 Y= 375957

CONTAMINATED MEDIA: Groundwater Soil Both

OFF-SOURCE GW CONTAMINATION >ES: Yes No

IF YES, STREET ADDRESS 1: See next page

GPS COORDINATES (meters in WTM91 projection): X= _____ Y= _____

OFF-SOURCE SOIL CONTAMINATION >Generic or Site-Specific RCL (SSRCL): Yes No

IF YES, STREET ADDRESS 1: See next page

GPS COORDINATES (meters in WTM91 projection): X= _____ Y= _____

CONTAMINATION IN RIGHT OF WAY: Yes No

DOCUMENTS NEEDED:

- Closure Letter, and any conditional closure letter or denial letter issued X
- Copy of most recent deed, including legal description, for all affected properties
- Certified survey map or relevant portion of the recorded plat map (if referenced in the legal description) for all affected properties X
- County Parcel ID number, if used for county, for all affected properties X
- Location Map which outlines all properties within contaminated site boundaries on USGS topographic map or plat map in sufficient detail to permit the parcels to be located easily (8.5x14" if paper copy). If groundwater standards are exceeded, the map must also include the location of all municipal and potable wells within 1200' of the site. X
- Detailed Site Map(s) for all affected properties, showing buildings, roads, property boundaries, contaminant sources, utility lines, monitoring wells and potable wells. (8.5x14", if paper copy) This map shall also show the location of all contaminated public streets, highway and railroad rights-of-way in relation to the source property and in relation to the boundaries of groundwater contamination exceeding ch. NR 140 ESs and soil contamination exceeding ch. NR 720 generic or SSRCLs. X
- Tables of Latest Groundwater Analytical Results (no shading or cross-hatching) X
- Tables of Latest Soil Analytical Results (no shading or cross-hatching) X
- Isoconcentration map(s), if required for site investigation (SI) (8.5x14" if paper copy). The isoconcentration map should have flow direction and extent of groundwater contamination defined. If not available, include the latest extent of contaminant plume map. X
- GW: Table of water level elevations, with sampling dates, and free product noted if present
- GW: Latest groundwater flow direction/monitoring well location map (should be 2 maps if maximum variation in flow direction is greater than 20 degrees) X
- SOIL: Latest horizontal extent of contamination exceeding generic or SSRCLs, with one contour
- Geologic cross-sections, if required for SI. (8.5x14' if paper copy) NA
- RP certified statement that legal descriptions are complete and accurate NA
- Copies of off-source notification letters (if applicable) X
- Letter informing ROW owner of residual contamination (if applicable)(public, highway or railroad ROW) X
- Copy of (soil or land use) deed restriction(s) or deed notice if any required as a condition of closure X
- Copy of any maintenance plan referenced in the deed restriction. NA

Burlington Northern Railroad Spill (BRRTS #02-32-000035)
Properties affected by offsource groundwater and soil contamination

		WTM83/91	
Address	Legal Description	Coordinates (X,Y)	Tax Parcel Number
1802 Onalaska Ave.	Johnson Addition Lot 7 Blk 9	420779, 375886	17-10246-20
1621 Gohres St.	Johnson Addition Lots 8 & 9 Blk 9 and vac alley adj on E and all that prt of vac alleys lyg Sly of S Ln Lots 10 & 11 & S Ln Lots Extd to W R/W Ln RR	420824, 375887	17-10246-30
1618 North St.	Johnson Addition Lots 10 & 11 Blk 9 and vac alley adj on E ex that prt lyg Sly of Lots 10 & 11 Extd to Wly R/W Ln RR	420825, 375970	17-10246-40
1730 Onalaska Ave.	Johnson Addition Lot 1 Blk 10	420779, 375850	17-10246-50
1726 Onalaska Ave.	Johnson Addition Lot 2 Blk 10	420779, 375837	17-10246-60
1720 Onalaska Ave.	Johnson Addition Lot 3 Blk 10	420779, 375822	17-10246-70
1716 Onalaska Ave.	Johnson Addition Lot 4 Blk 10	420779, 375808	17-10246-80
1710 Onalaska Ave.	Johnson Addition Lot 5 Blk 10	420779, 375792	17-10246-90
1704 Onalaska Ave.	Johnson Addition Lot 6 Blk 10	420779, 375779	17-10246-100
1700 Onalaska Ave.	Johnson Addition Lot 7 Blk 10	420779, 375757	17-10246-110
1735 Credit Union Ct.	Johnson Addition Lot 8 & the S 53 ft of Lots 9 & 10 & the vac E-W alley lyg S of Lots 9 & 10 & N of Lot 8 & the W 5.5 ft of vac alley abutting the S 53 ft of Lot 10 the E-W vac alley & the N 12.5 ft of Lot 8 on the E Blk 10	420818, 375816	17-10246-120
1618 Gohres St.	Johnson Addition N 110.5 ft Lots 9 and 10 & W 5.5 ft of N 110.5 ft of vac alley on E Blk 10	420815, 375845	17-10246-130
1727 Onalaska Ave.	Losey Addition Lot 3 Blk 24	420737, 375830	17-10179-10



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor
Darrell Bazzell, Secretary

101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921
Telephone 608-266-2621
FAX 608-267-3579
TTY 608-267-6897

November 16, 2001

Mr. Greg Jeffries
Burlington Northern and Santa Fe RR
80 -44th Ave. NE
Minneapolis, MN 55421-2559

UID# 02-32-000035

Subject: Closure of the North LaCrosse Burlington Northern and Santa Fe Railway Yard

Dear Mr. Jeffries:

I have reviewed the additional remedial investigative documentation regarding the site investigation of the petroleum-contaminated soil and groundwater at the above location. I received copies of the well abandonment forms today. Contamination of the groundwater appears to be decreasing and the plume is receding due to natural attenuation.

Although product thickness above 0.01 feet continues to be detected in on-site wells MW-15, piezometers PZ-2 and PZ-4 as of April 1999, no free product exists in off-site wells. Free-phase fuel was never detected off-site at a thickness greater than 0.01 feet from 1990 to 1999. The last groundwater sampling round was collected on April 28, 1999 by your consultant, West Central Environmental Consultants. This sampling indicated benzene levels above the NR140 Enforcement Standard (ES) at MW-13 and in the duplicate MW-14 sample. No off-site samples were at or above the NR140 ES for benzene. Naphthalene was detected in many on and off-site wells but at concentrations below the NR140 ES. Other PAHs were detected in some wells above the NR140 Preventive Action Limits (PAL) but below the NR140 ES.

Therefore, the Wisconsin Department of Natural Resources (WDNR) grants closure with a groundwater use restriction on the North La Crosse Burlington Northern and Santa Fe Railway Yard. Should you wish to obtain "clean closure" of your property, you will need to remediate to below NR140 groundwater standards.

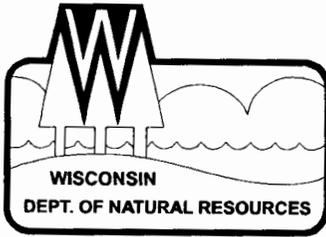
It was a pleasure working with you, your consultants, and your attorneys over the years. The WDNR appreciates the effort and expense the BN/SF RR has devoted to reduce the groundwater contamination at its La Crosse facility. Please call me at (715) 839-3738 if you have any questions regarding this matter.

Sincerely,

Jack Eslien
WDNR Hydrogeologist

cc: Mr. Scott Knudson - Briggs and Morgan, 2200 First National Bank Bldg., St. Paul, MN 55421-2559
Mr. Paul Carter - WCEC, 7871 Hickory St. NE, Fridley, MN 55432





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

September 13, 1999

Mr. Greg Jeffries, Environmental Mgr.
Engineering Field Operations
4105 N. Lexington Ave.
Arden Hills, MN 55126-6181

UID# 02-32-000035

**Subject: Closure Denial of Burlington Northern Santa Fe Railway Diesel Spill Site,
North La Crosse, Wisconsin**

Dear Mr. Jeffries:

On August 31, 1999, the West Central Regional Closure Committee met with you and Mr. Paul Carter, engineering consultant for the Burlington Northern Santa Fe Railway Company, at our Eau Claire office to discuss potential closure of the railroad's diesel spill site in North La Crosse. The Closure Committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases.

The Closure Committee cannot approve closure of the above site at this time. However, we will reconsider closure of this case if the following conditions are addressed:

1. The Wisconsin Department of Natural Resources NR 720.19(5) requires the responsible party to determine residual contaminant levels in order to protect the public from direct contact. During our meeting, we discussed direct contact from potential exposure to diesel constituents entering residential basements. The Stein (1802 Onalaska Street) and Chase (1726 Onalaska Street) properties have basements which may allow the entry of diesel constituents should groundwater rise to levels observed during flooding the events of 1978 and 1993. Because of this concern, we therefore request that measures be taken to prevent this from occurring if you wish to close this case without continued monitoring. The railroad owns the Chase house which could be sold or rented in its present condition thus exposing the new owners to potential health risks. One alternative would be to fill the basement with concrete and erect an attached structure to the house which would accommodate the furnace, hot water heater, etc. Mrs. Stein is currently attempting to sell her house and the Department has had inquiries regarding the potential for future direct contact of contaminants. Perhaps the railroad could find a way to take the same, precautionary measures as mentioned for the Chase house. Another option would be to purchase the Stein residence and demolish both houses. A deed instrument would be required on both properties restricting any further purchasers from constructing basements.

Due to direct discharge of contaminated groundwater to the infiltration pond, the Committee requires that the railroad investigate direct exposure conditions to the public. This may be accomplished by collecting soil samples in the pond area to a depth of at least four feet (see s. Comm 46.07(3)(c) Risk Assessment Screening). Should contaminants be found within the four foot area, the railroad would need to remove the contaminated soil and backfill with clean soil. The railroad would be required to manage the

contaminated soil under NR 718. An alternative to excavation would be to maintain a protective barrier between contaminated soil and the surface in order to eliminate the direct contact threat.

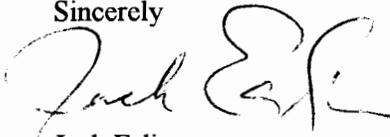
2. The Department requires the recording of Groundwater Use Restrictions placed on the railroad property and all properties within the contaminated plumes having NR 140 enforcement standard exceedances. I have enclosed a copy of a Groundwater Use Restriction. Please draft Groundwater Use Restrictions specific for the above sites and submit the drafts to me. Department attorneys will then review the drafts and return them to you with possible revisions. After you have made the revisions, you should have them signed and record the restrictions with the La Crosse County Register of Deeds. To document that this condition has been complied with, the property owners must submit to the Department copies of the recorded Groundwater Use Restriction, with the recording information stamped on them, within fifteen days after the Register of Deeds returns the Groundwater Use Restrictions to the property owners. The Groundwater Use Restriction may be amended in the future with the approval of the Department if conditions change at the site and the residual contamination is remediated.

Please do not abandon any of the monitoring wells, piezometers, recovery wells, or bioremediation system until closure is finally approved by the Committee.

It has been a pleasure to work with you, the railroad's consultant, and attorneys over the many years of site investigation and remediation. The Department appreciates Burlington's cooperation in their endeavor to reduce health risk to the public and damage to the environment.

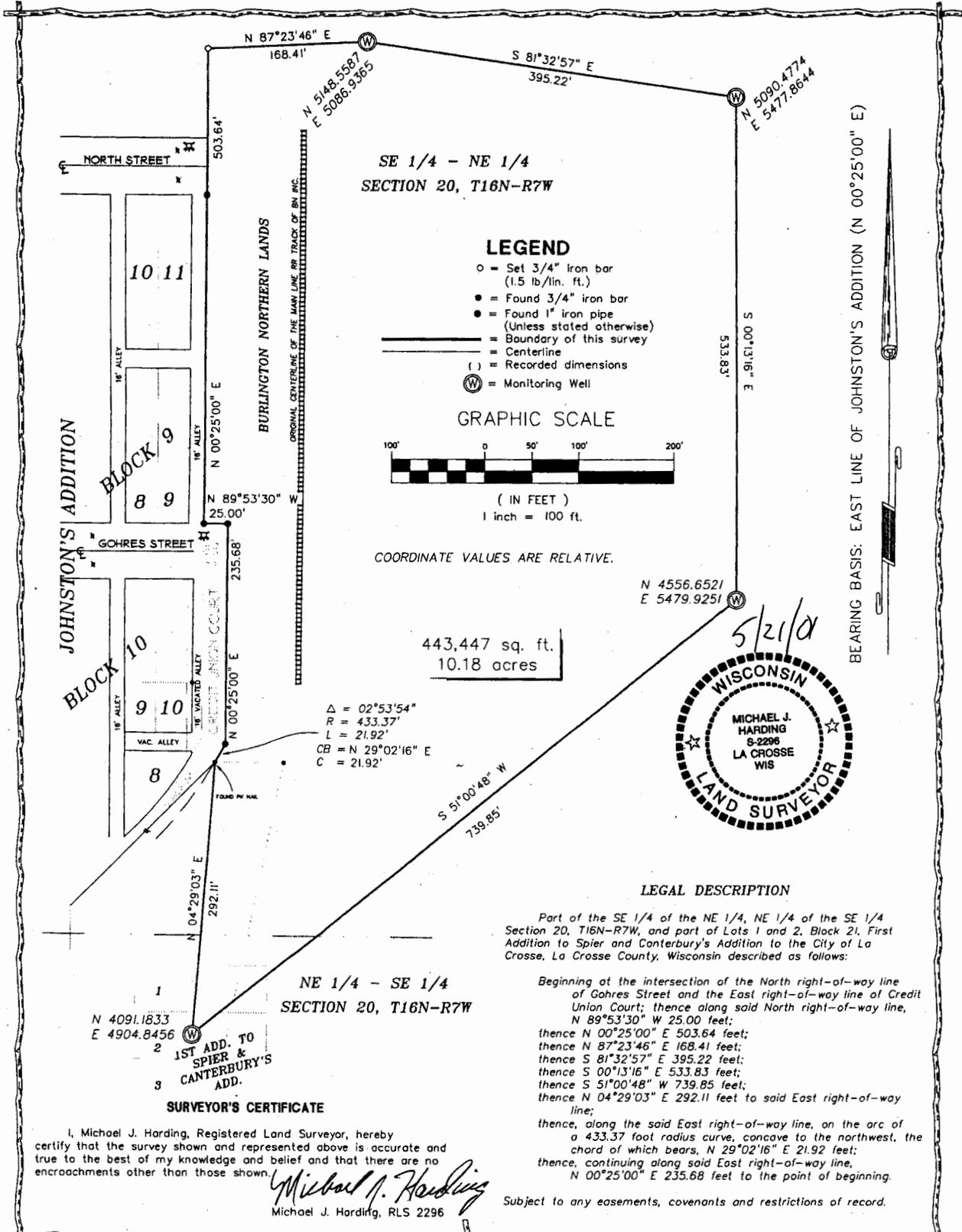
Please call me at (715) 839-3738 if you have any questions regarding this matter.

Sincerely



Jack Eslien
WDNR Hydrogeologist

C: Mr. Scott Knudson, Briggs and Morgan, 2200 First National Bank Bldg., 332 Minnesota Street
Saint Paul, MN 55101
Mr. Paul Carter, West Central Environmental Consultants, Inc., 7871 Hickory Street, NE
Fridley, MN 55432
Bill Evans, West Central Region R&R Program Supervisor



SURVEYOR'S CERTIFICATE

I, Michael J. Harding, Registered Land Surveyor, hereby certify that the survey shown and represented above is accurate and true to the best of my knowledge and belief and that there are no encroachments other than those shown.

Michael J. Harding
Michael J. Harding, RLS 2296

SURVEY FOR
WCEC ENVIRONMENTAL CONSULTANTS

PART OF SE-NE, NE-SE, SEC. 20, T16N - R7W
PART OF LOTS 1 & 2, BLOCK 21 IN
SPIER AND CANTERBURY'S ADDITION
CREDIT UNION COURT

DRAWN BY:	DATE:
MJ, JS	5/21/2001
REVISED BY:	DATE:
SCALE:	1" = 100'
PROJECT NO.:	FIELD CREW:
S - 2016D	JS, TR

SHEET 1 OF 1

COULEE REGION LAND SURVEYORS, LLC

917 SOUTH 4TH STREET - P.O. BOX 1954
LA CROSSE, WISCONSIN 54601

PHONE (608) 784-1614 FAX (608) 784-1408

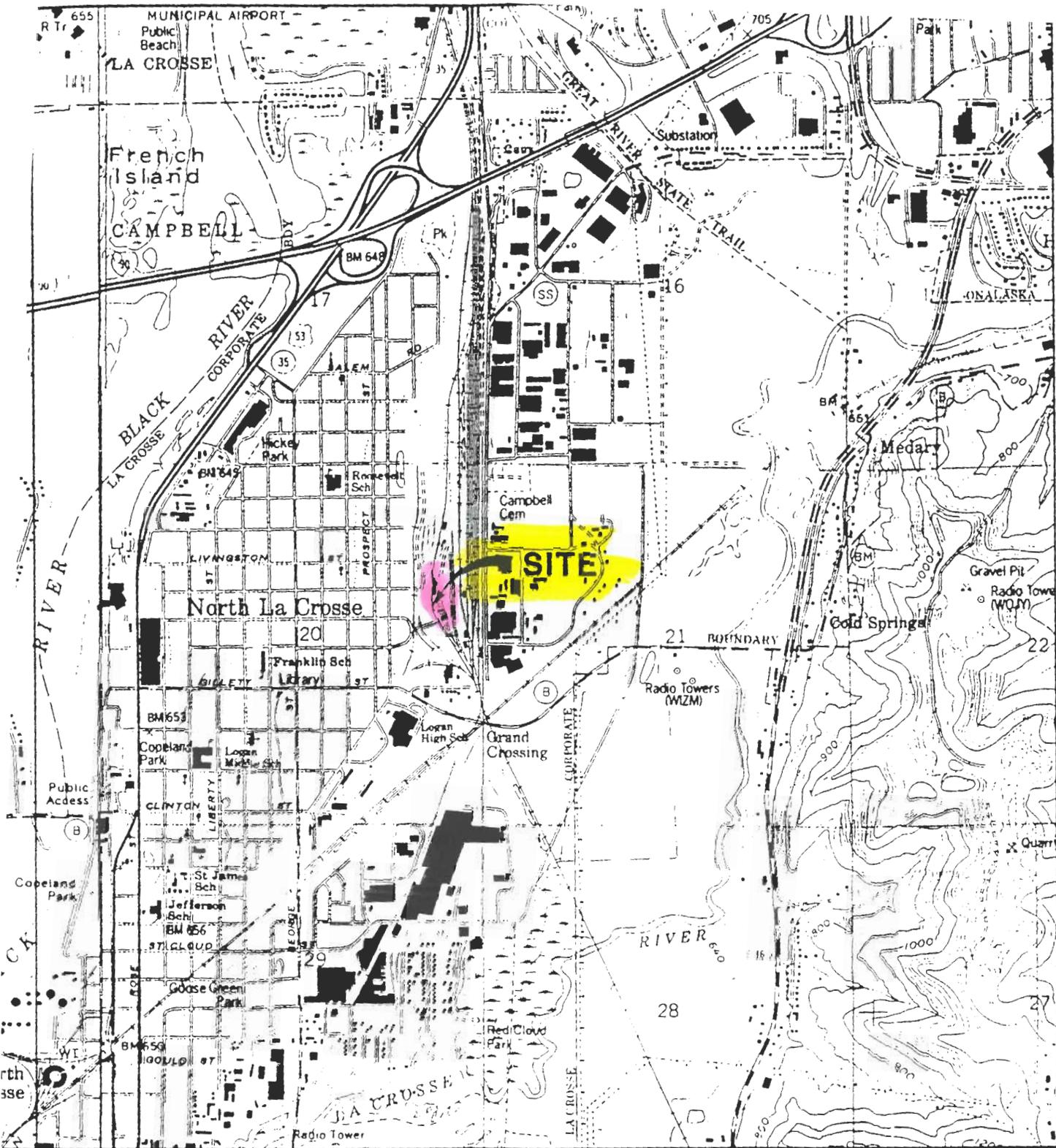
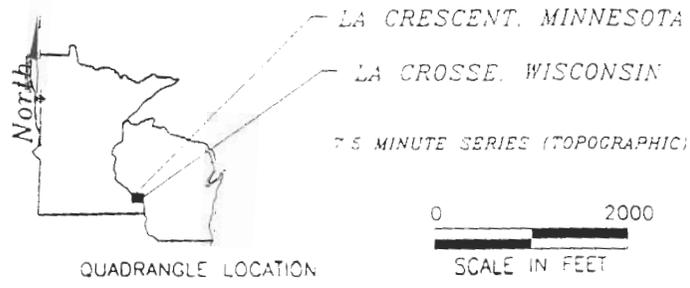
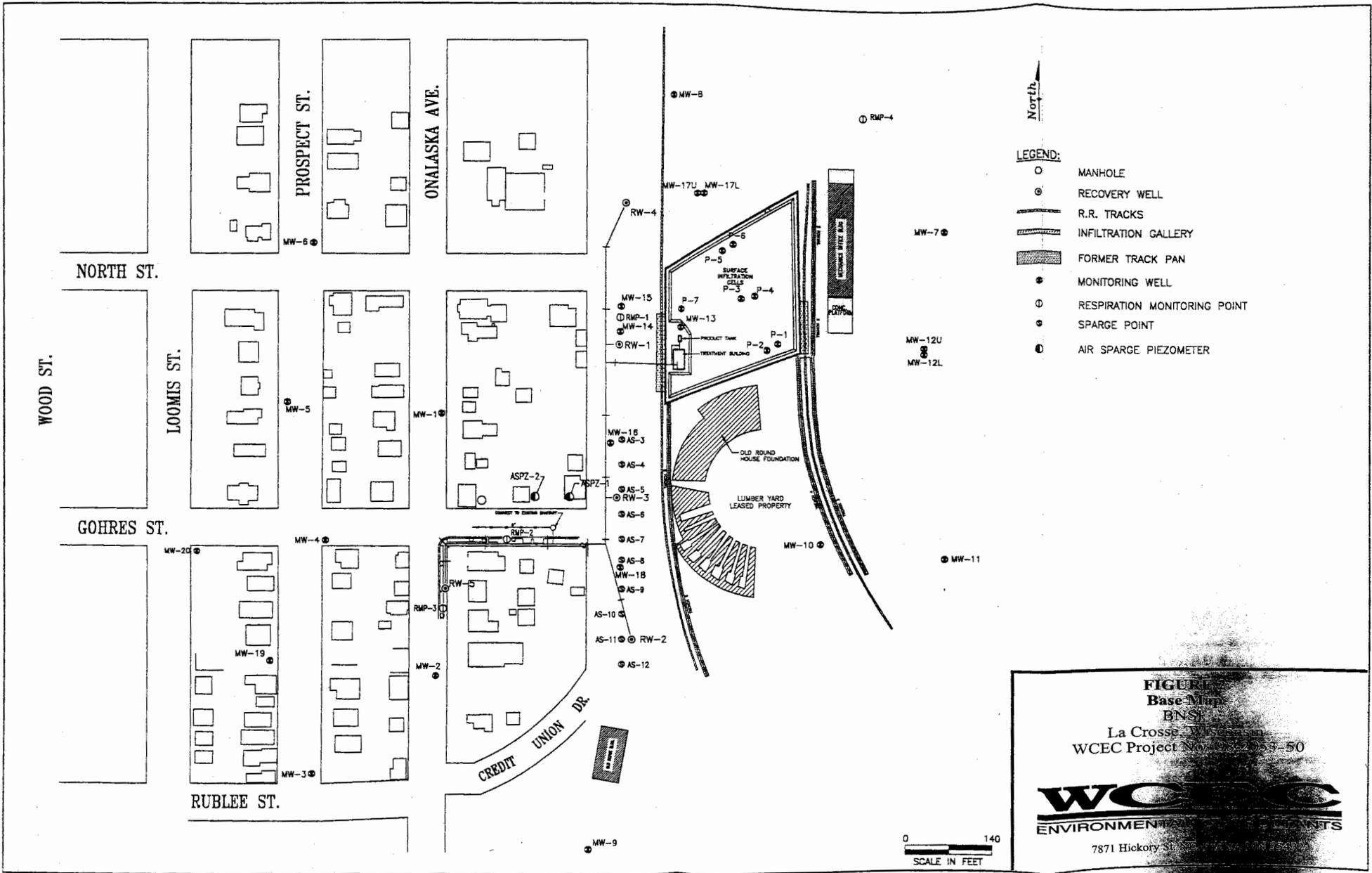


FIGURE 1
SITE LOCATION MAP
BNSF
LA CROSSE, WISCONSIN



PROJECT NO	PREPARED BY
DATE	GP SJR
	REVIEWED BY
7/9/98	





LEGEND:

- MANHOLE
- ⊙ RECOVERY WELL
- R.R. TRACKS
- ▨ INFILTRATION GALLERY
- ▨ FORMER TRACK PAN
- MONITORING WELL
- ⊙ RESPIRATION MONITORING POINT
- ⊙ SPARGE POINT
- ⊙ AIR SPARGE PIEZOMETER

FIGURE 2
Base Map
 BNSF
 La Crosse Station
 WCEC Project No. 2053-50



7871 Hickory St.

0 140
 SCALE IN FEET

TABLE 1

**BURLINGTON NORTHERN RAILROAD
LaCROSSE, WISCONSIN**

MATRIX PROJECT NO. 94120

ANALYTE	SAMPLE LOCATION							
	GP-1 7'-9' UG/L ¹	GP-2 7'-9' UG/L	GP-3 7'-9' UG/L	GP-4 7'-9' UG/L	GP-5 7'-9' UG/L	GP-6 7'-9' UG/L	GP-7 7'-9' UG/L	GP-8 7'-9' UG/L
BENZENE ²	<1.0 ³	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
TOLUENE	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
ETHYLBENZENE	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
XYLENES	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
TPH AS FUEL OIL	<100.	<100.	<100.	<100.	<100.	<100.	<100.	<100.
4- BROMOFLUOROBENZENE ⁴	98.2%	88.1%	96.6%	80.9%	98.5%	78.3%	86.1%	74.8%

- ¹ - Water sample results reported in micrograms per liter (ug/L).
² - Analyte and TPH as fuel oil results quantified in accordance with US EPA Method 8020.
³ - <1.0 represents less than the method practical quantitation limit.
⁴ - Surrogate standard added to confirm retention time and concentration accuracy.

Date(s): NOVEMBER 10 & 11, 1994

TABLE 1**BURLINGTON NORTHERN RAILROAD
LaCROSSE, WISCONSIN****MATRIX PROJECT NO. 94120**

ANALYTE	SAMPLE LOCATION							
	GP-9 7'-9' UG/L ¹	GP-10 7'-9' UG/L	GP-11 7'-9' UG/L	GP-12 7'-9' UG/L	GP-13 7'-9' UG/L	GP-14 7'-9' UG/L	GP-15 7'-9' UG/L	GP-16 7'-9' UG/L
BENZENE ²	<1.0 ³	<1.0	4.2	<1.0	<1.0	<1.0	<1.0	<1.0
TOLUENE	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
ETHYLBENZENE	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
XYLENES	<1.0	<1.0	2.2	<1.0	<1.0	<1.0	<1.0	<1.0
TPH AS FUEL OIL	<100.	<100.	460.	<100.	<100.	<100.	<100.	<100.
4- BROMOFLUOROBENZENE ⁴	89.%	92.5%	89.4%	85.%	96.6%	98.2%	97.%	82.6%

- ¹ - Water sample results reported in micrograms per liter (ug/L).
² - Analyte and TPH as fuel oil results quantified in accordance with US EPA Method 8020.
³ - <1.0 represents less than the method practical quantitation limit.
⁴ - Surrogate standard added to confirm retention time and concentration accuracy.

Date(s): NOVEMBER 10 & 11, 1994

TABLE 1

**BURLINGTON NORTHERN RAILROAD
LaCROSSE, WISCONSIN**

MATRIX PROJECT NO. 94120

ANALYTE	SAMPLE LOCATION							
	GP-17 7'-9' UG/L ¹	GP-18 7'-9' UG/L	GP-19 7'-9' UG/L	GP-20 7'-9' UG/L	GP-20 12'-14' UG/L	GP-21 7'-9' UG/L		
BENZENE ²	<1.0 ³	<1.0	<1.0	2.7	2.9	<1.0		
TOLUENE	<1.0	<1.0	<1.0	2.2	2.4	<1.0		
ETHYLBENZENE	<1.0	<1.0	<1.0	7.4	<1.0	<1.0		
XYLENES	<1.0	<1.0	<1.0	17.	3.5	<1.0		
TPH AS FUEL OIL	<100.	<100.	<100.	2100.	960.	<100.		
4- BROMOFLUOROBENZENE ⁴	99.4%	113.%	93.4%	95.7%	100.%	90.1%		

- ¹ - Water sample results reported in micrograms per liter (ug/L).
- ² - Analyte and TPH as fuel oil results quantified in accordance with US EPA Method 8020.
- ³ - <1.0 represents less than the method practical quantitation limit.
- ⁴ - Surrogate standard added to confirm retention time and concentration accuracy.

Date(s): NOVEMBER 10 & 11, 1994

TABLE 1**BURLINGTON NORTHERN RAILROAD
LaCROSSE, WISCONSIN****MATRIX PROJECT NO. 94134**

ANALYTE	SAMPLE LOCATION							
	GP-22 7'-9' (ug/L) ¹	GP-23 7'-9' (ug/L)	GP-24 7'-9' (ug/L)	GP-25 7'-9' (ug/L)	GP-26 7'-9' (ug/L)	GP-27 7'-9' (ug/L)	GP-28 7'-9' (ug/L)	GP-29 7'-9' (ug/L)
BENZENE ²	<1.0 ³	<1.0	<5.0	<1.0	<1.0	<1.0	<1.0	<1.0
TOLUENE	<1.0	<1.0	<5.0	<1.0	<1.0	<1.0	<1.0	<1.0
ETHYLBENZENE	<1.0	<1.0	5.0	<1.0	<1.0	<1.0	<1.0	<1.0
XYLENES	<1.0	<1.0	22.	3.7	<1.0	<1.0	<1.0	<1.0
TPH AS FUEL OIL	<100.	<100.	7000.	2500.	430.	<100.	200.	<100.
4-BROMOFLUOROBENZENE ⁴	95.1%	103.%	112.%	116.%	104.%	95.9%	102.%	101.%

- ¹ - Water sample results reported in micrograms per liter (ug/L).
² - Analyte and TPH as fuel oil results quantified in accordance with US EPA Method 8020.
³ - <1.0 represents less than the method practical quantitation limit.
⁴ - Surrogate standard added to confirm retention time and concentration accuracy.

Date(s): December 1 & 2, 1994

TABLE 1

**BURLINGTON NORTHERN RAILROAD
LaCROSSE, WISCONSIN**

MATRIX PROJECT NO. 94134

ANALYTE	SAMPLE LOCATION							
	GP-30 9'-11' (UG/L) ¹	GP-31 8.5'- 10.5' (UG/L)	GP-32 8.5'- 10.5' (UG/L)	GP-33 8.5'- 10.5' (UG/L)	GP-34 9'-11' (UG/L)	GP-35 8.5'- 10.5' (UG/L)	GP-36 8.5'- 10.5' (UG/L)	GP-37 8.5'- 10.5' (UG/L)
BENZENE ²	<1.0 ³	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
TOLUENE	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
ETHYLBENZENE	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
XYLENES	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
TPH AS FUEL OIL	<100.	<100.	<100.	<100.	<100.	<100.	<100.	<100.
4- BROMOFLUOROBENZENE ⁴	99.7%	102.%	103.%	103.%	98.4%	101.%	100.%	101.%

- ¹ - Water sample results reported in micrograms per liter (ug/L).
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³ - <1.0 represents less than the method practical quantitation limit.
⁴ - Surrogate standard added to confirm retention time and concentration accuracy.

Date(s): December 1 & 2, 1994

TABLE 1

**BURLINGTON NORTHERN RAILROAD
LaCROSSE, WISCONSIN**

MATRIX PROJECT NO. 94134

ANALYTE	SAMPLE LOCATION							
	GP-38 8'-10' (ug/L) ¹	GP-39 8'-10' (ug/L)	GP-40 8'-10' (ug/L)	GP-41 8'-10' (ug/L)	GP-42 8'-10' (ug/L)	GP-43 8'-10' (ug/L)	GP-44 8'-10' (ug/L)	GP-47 9'-11' (ug/L)
BENZENE ²	<1.0 ³	<100.	<1.0	<10.	<10.	<1.0	<1.0	<1.0
TOLUENE	<1.0	<100.	<1.0	<10.	<10.	<1.0	5.0	<1.0
ETHYLBENZENE	<1.0	<100.	<1.0	<10.	<10.	<1.0	27.	<1.0
XYLENES	<1.0	500.	3.0	25.	<10.	<1.0	130.	<1.0
TPH AS FUEL OIL	320.	290000.	4800.	14000.	2900.	180.	20000.	<100.
4- BROMOFLUOROBENZENE ⁴	98.3%	111.%	105.%	92.3%	91.8%	94.9%	* ⁵	92.4%

- ¹ - Water sample results reported in micrograms per liter (ug/L).
² - Analyte and TPH as fuel oil results quantified in accordance with US EPA Method 8020.
³ - <1.0 represents less than the method practical quantitation limit.
⁴ - Surrogate standard added to confirm retention time and concentration accuracy.
⁵ - * - Not quantifiable due to sample interference.

Date(s): December 1 & 2, 1994

TABLE 1**BURLINGTON NORTHERN RAILROAD
LaCROSSE, WISCONSIN****MATRIX PROJECT NO. 94134**

ANALYTE	SAMPLE LOCATION							
	GP-48 9'-11' (ug/L) ¹	GP-49 9'-11' (ug/L)	GP-50 10'-12' (ug/L)	GP-51 11'-13' (ug/L)	GP-52 10'-12' (ug/L)	GP-54 10'-12' (ug/L)		
BENZENE ²	<1.0 ³	<1.0	<1.0	<1.0	<1.0	<1.0		
TOLUENE	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0		
ETHYLBENZENE	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0		
KYLENES	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0		
TPH AS FUEL OIL	<100.	<100.	<100.	<100.	<100.	<100.		
4- BROMOFLUOROBENZENE ⁴	97.3%	118.%	121.%	99.9%	98.6%	99.9%		

- ¹ - Water sample results reported in micrograms per liter (ug/L).
² - Analyte and TPH as fuel oil results quantified in accordance with US EPA Method 8020.
³ - <1.0 represents less than the method practical quantitation limit.
⁴ - Surrogate standard added to confirm retention time and concentration accuracy.

Date(s): December 1 & 2, 1994

WOOD ST.

LOOMIS ST.

PROSPECT ST.

ONALASKA AVE.

NORTH ST.

GOHRES ST.

RUBLEE ST.

CREDIT UNION DR.

MW-8

MW-17U MW-17L

MW-7

MW-12U
MW-12L

MW-11

LEGEND:

- MONITORING WELL
- GEOPROBE
- ⊕ RECOVERY WELL
- MANHOLE
- R.R. TRACKS
- ▬ INFILTRATION GALLERY
- 1730 RESIDENTIAL ADDRESS
- ▨ FORMER TRACK PAN

GROUNDWATER QUALITY RESULTS

- (ND) NOT DETECTED ABOVE PQL
- (FP) FREE PRODUCT
- (4.6) GEOPROBE DRO RESULTS (mg/l)
- {3100} LAB RESULTS > PQL (g/l)
- [7.3] LAB DRO RESULTS > PQL (mg/l)
- PQL = PRACTICAL QUANTIFICATION LIMIT = 0.1 mg/L

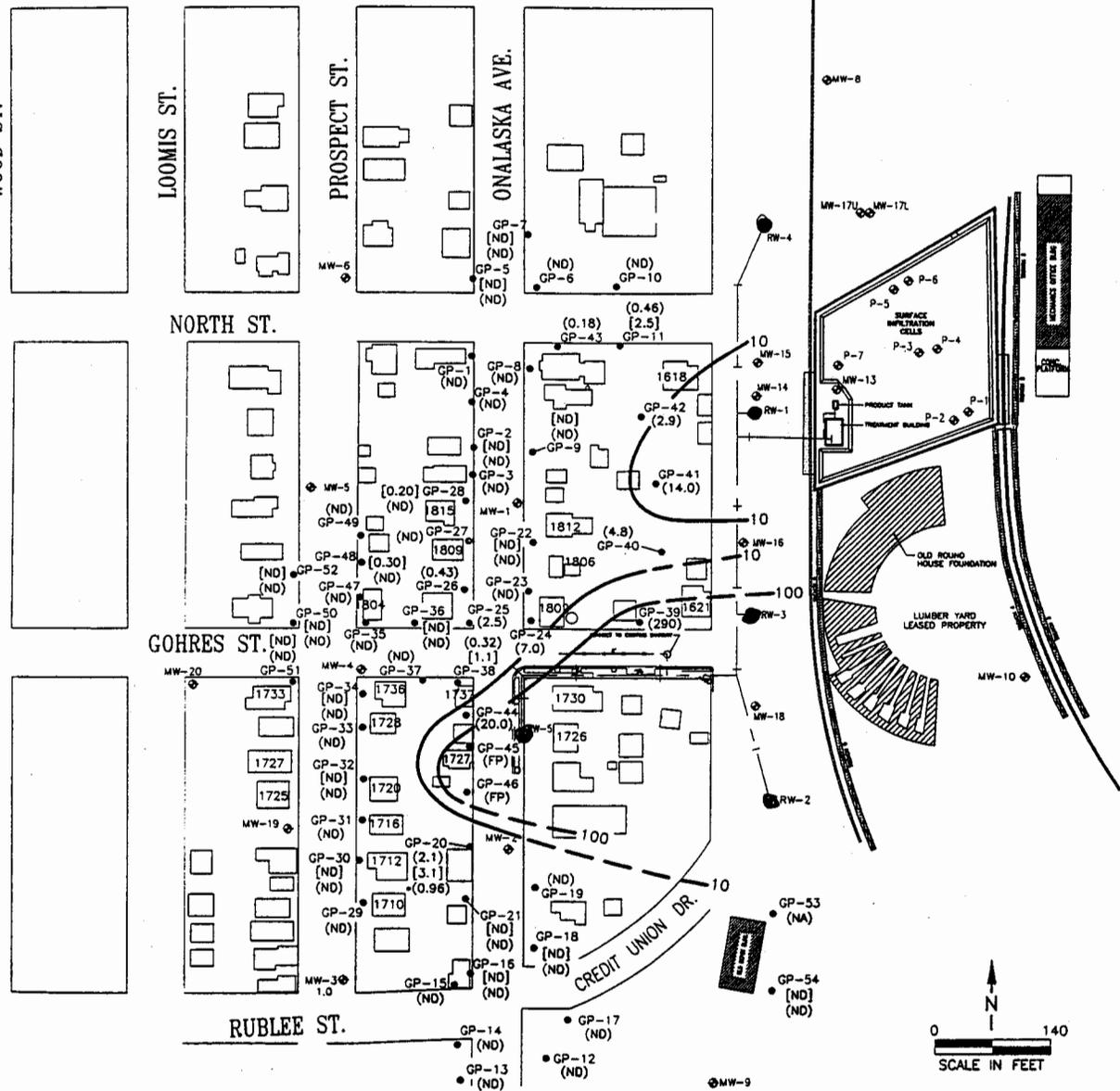
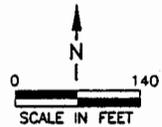
— 100 ESTIMATED DIESEL RANGE ORGANICS ISOCONCENTRATION LINE (mg/L)

• (GP-20) 0.96 mg/l AT 12-14 FEET

NOTE: GEOPROBE SURVEY PERFORMED NOVEMBER 10 & 11 AND DECEMBER 1 & 2, 1994.

FIGURE 12
 GEOPROBE SURVEY GROUND WATER CHEMISTRY RESULTS - DIESEL RANGE ORGANICS BURLINGTON NORTHERN RAILROAD LaCROSSE, WISCONSIN

PROJECT NO. A089-378	PREPARED BY JPP	DRAWN BY DD/SJR	
DATE 3/19/97	REVIEWED BY RJC	FILE NAME 89378-GP	



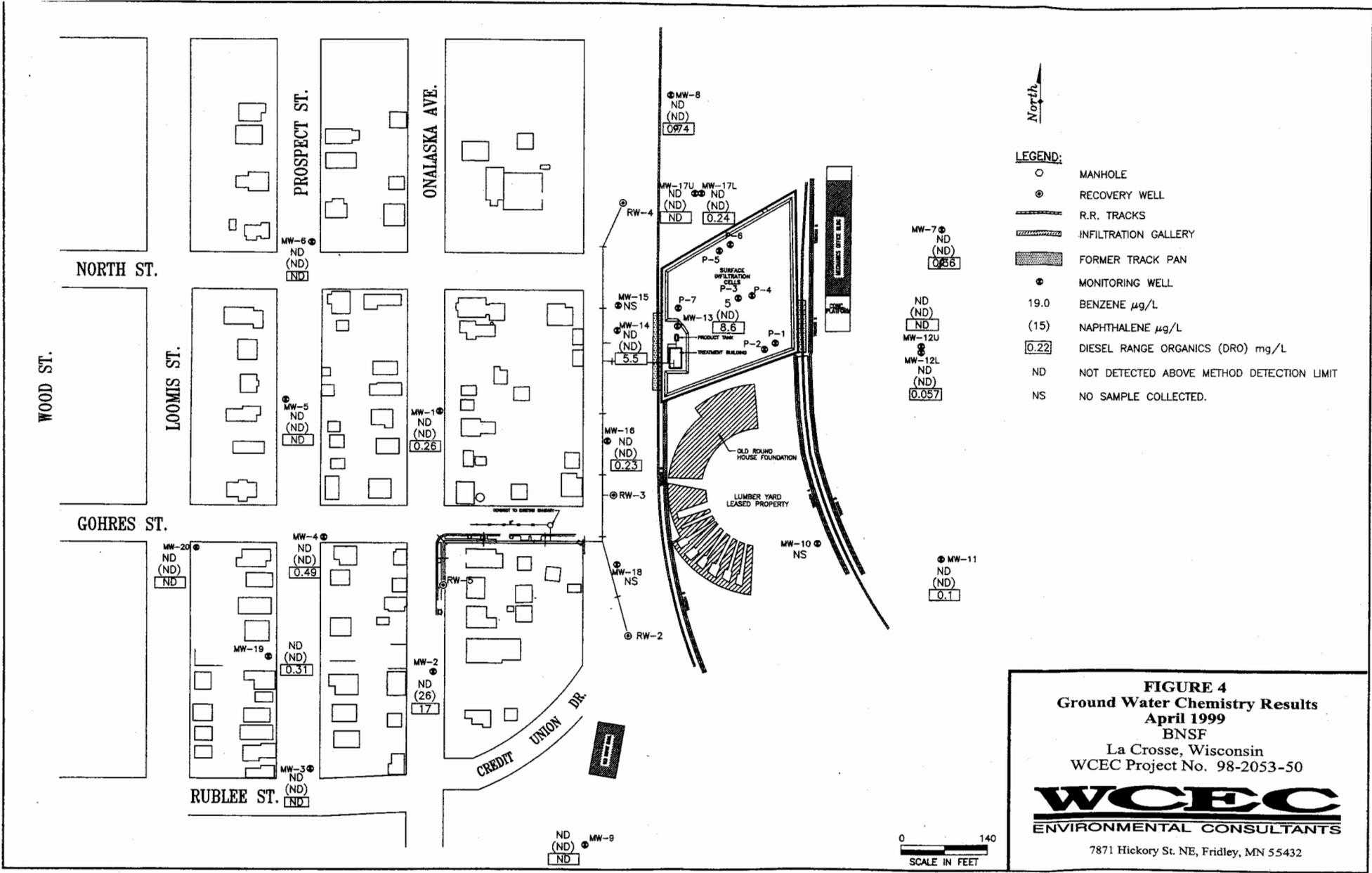
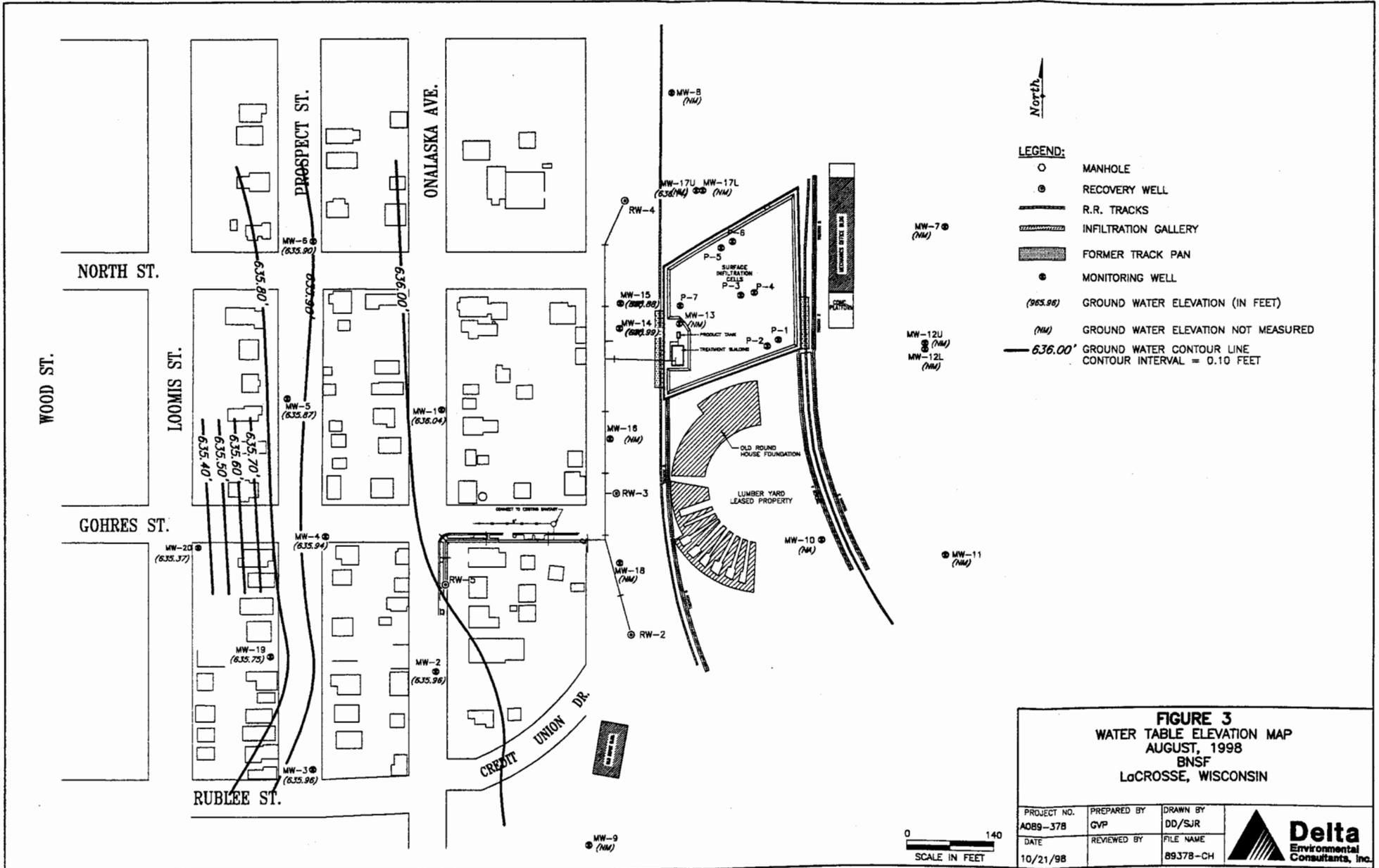


FIGURE 4
Ground Water Chemistry Results
April 1999
 BNSF
 La Crosse, Wisconsin
 WCEC Project No. 98-2053-50

WCEC
 ENVIRONMENTAL CONSULTANTS

7871 Hickory St. NE, Fridley, MN 55432



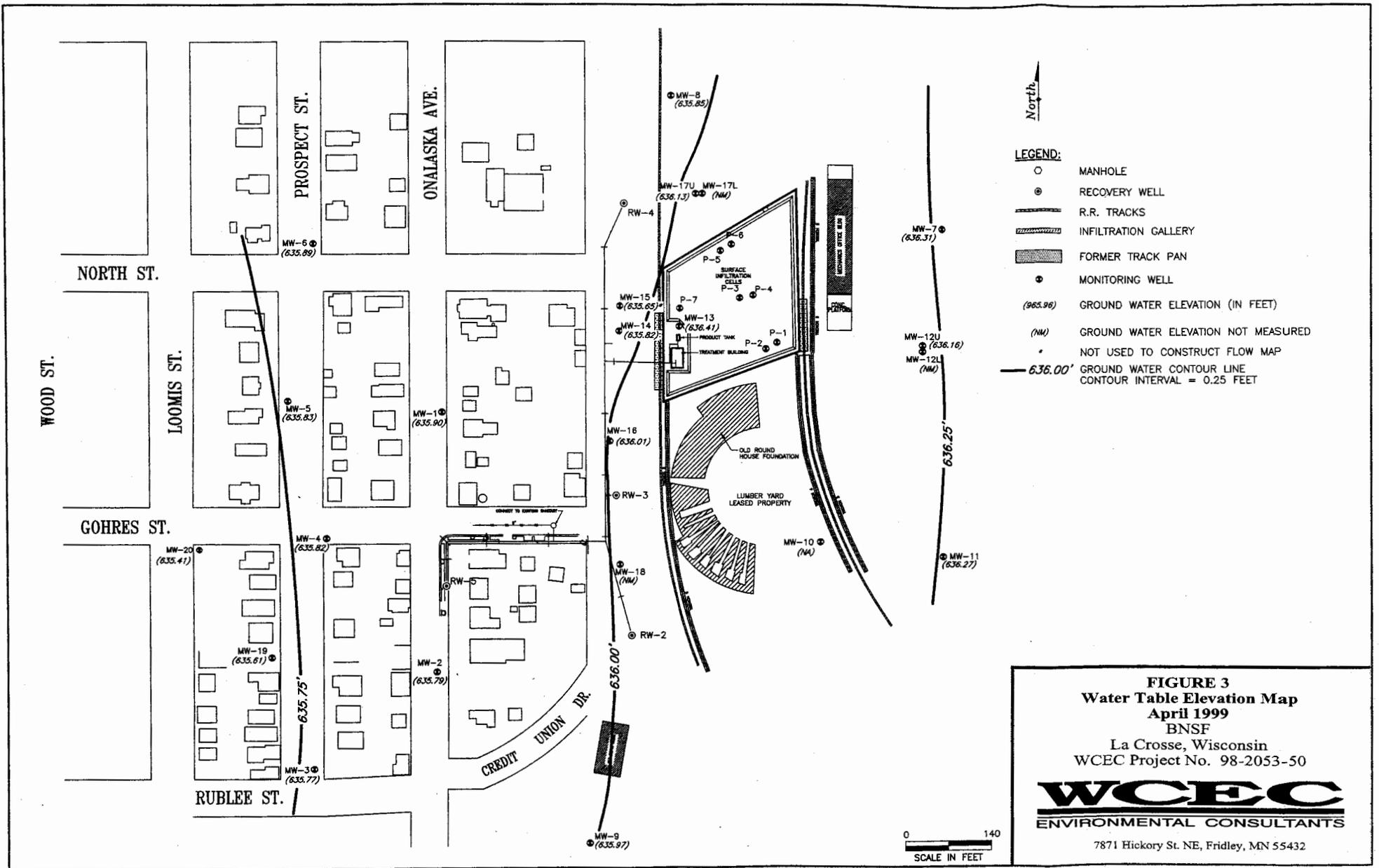


TABLE 1**BURLINGTON NORTHERN RAILROAD
LaCROSSE, WISCONSIN****MATRIX PROJECT NO. 94120**

ANALYTE	SAMPLE LOCATION							
	GP-1 6'-8' UG/KG ¹	GP-2 6'-8' UG/KG	GP-3 6'-8' UG/KG	GP-4 6'-8' UG/KG	GP-5 6'-8' UG/KG	GP-6 6'-8' UG/KG	GP-7 6'-8' UG/KG	GP-8 6'-8' UG/KG
BENZENE ²	<5.0 ³	<5.0	<5.0	<5.0	<5.0	<5.0	<5.0	<5.0
TOLUENE	<5.0	<5.0	<5.0	<5.0	<5.0	<5.0	<5.0	<5.0
ETHYLBENZENE	<5.0	<5.0	<5.0	<5.0	<5.0	<5.0	<5.0	<5.0
XYLENES	<5.0	<5.0	<5.0	<5.0	<5.0	<5.0	<5.0	<5.0
TPH AS FUEL OIL	<200.	<200.	<200.	<200.	<200.	<200.	<200.	<200.
4- BROMOFLUOROBENZENE ⁴	104.%	85.9%	96.1%	98.4%	102.%	103.%	80.5%	94.2%

- ¹ - Soil sample results reported in micrograms per kilogram (ug/Kg).
² - Analyte and TPH as fuel oil results quantified in accordance with US EPA Method 8020.
³ - <5.0 represents less than the method practical quantitation limit.
⁴ - Surrogate standard added to confirm retention time and concentration accuracy.

Date(s): NOVEMBER 10 & 11, 1994

TABLE 1

**BURLINGTON NORTHERN RAILROAD
LACROSSE, WISCONSIN**

MATRIX PROJECT NO. 94120

ANALYTE	SAMPLE LOCATION							
	GP-9 6'-8' UG/KG ¹	GP-10 6'-8' UG/KG	GP-11 6'-8' UG/KG	GP-12 6'-8' UG/KG	GP-13 6'-8' UG/KG	GP-14 6'-8' UG/KG	GP-20 6'-8' UG/KG	
BENZENE ²	<5.0 ³	<5.0	<5.0	<5.0	<5.0	<5.0	<5.0	
TOLUENE	<5.0	<5.0	<5.0	<5.0	<5.0	<5.0	<5.0	
ETHYLBENZENE	<5.0	<5.0	<5.0	<5.0	<5.0	<5.0	<5.0	
XYLENES	<5.0	<5.0	<5.0	<5.0	<5.0	<5.0	<5.0	
TPH AS FUEL OIL	<200.	<200.	<200.	<200.	<200.	<200.	<200.	
4- BROMOFLUOROBENZENE ⁴	101.%	81.7%	89.7%	114.%	94.1%	78.9%	84.2%	

- ¹ - Soil sample results reported in micrograms per kilogram (ug/Kg).
² - Analyte and TPH as fuel oil results quantified in accordance with US EPA Method 8020.
³ - <5.0 represents less than the method practical quantitation limit.
⁴ - Surrogate standard added to confirm retention time and concentration accuracy.

Date(s): NOVEMBER 10 & 11, 1994

*boundaries of
the BNSF RR
gw use restrictions*

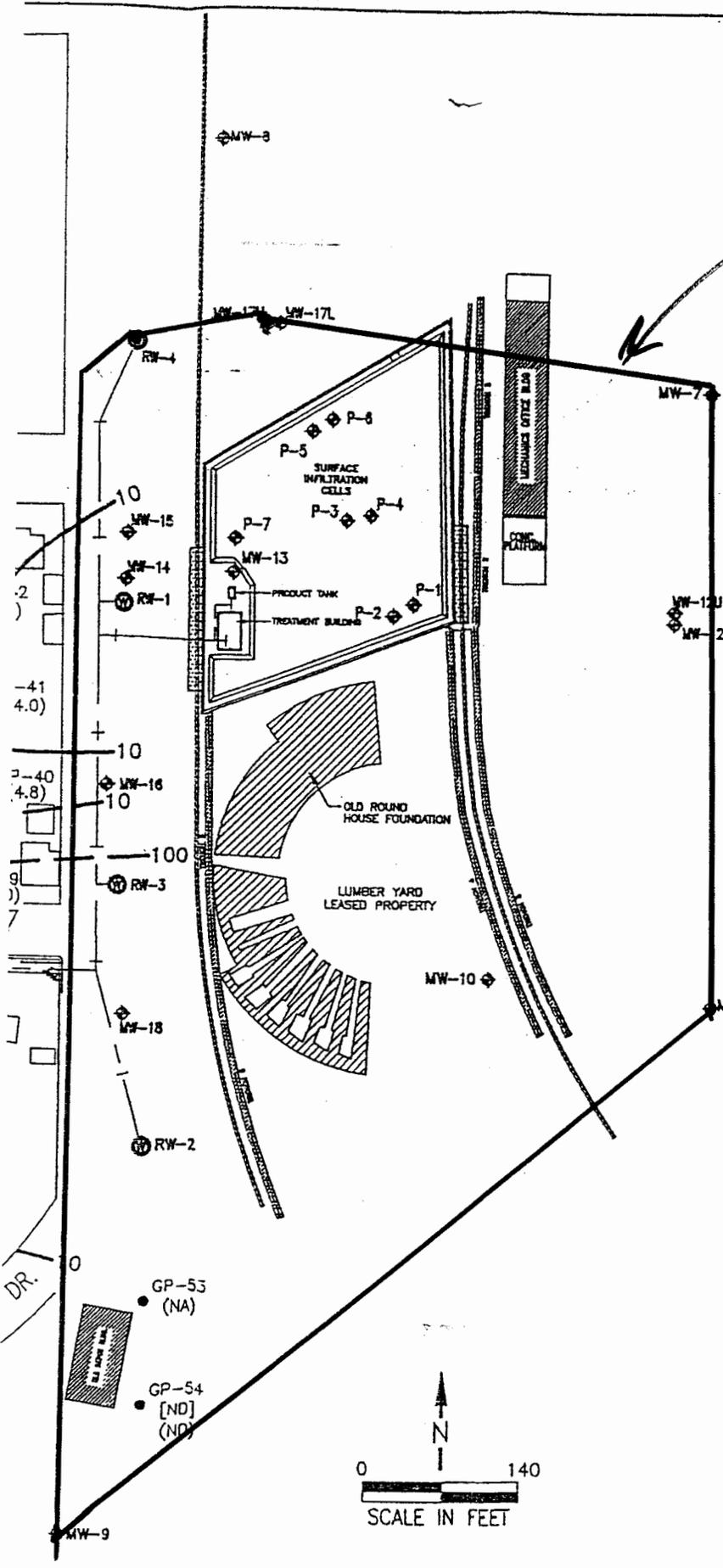


FIGURE 9
 GEOPROBE SURVEY GROUND WATER CHEMIST
 RESULTS - DIESEL RANGE ORGANICS
 BURLINGTON NORTHERN RAILROAD
 LaCROSSE, WISCONSIN

PROJECT NO. A089-378	PREPARED BY JPP	DRAWN BY DD
DATE 2/6/95	REVIEWED BY PJC	FILE NAME 89378-GP



1278613

LACROSSE COUNTY, WI
REGISTER OF DEEDS
DEBORAH J. FLOCK

RECORDED ON 06-12-2001
AT 12:44 PM

REC. FEE: 14.00
TRANSFER FEE:

PAGES: 3

VCL 1469 PAGE 858

Document Number	GROUNDWATER USE RESTRICTION
<u>Declaration of Restrictions</u>	
In Re: Vicinity of Gohres Street and Credit Union Court	
STATE OF WISCONSIN)
) ss.
COUNTY OF LA CROSSE) _____
WHEREAS, The Burlington Northern and Santa Fe Railway Company is the owner of the property legally described on Exhibit A attached hereto.	
Drafted by, Name and Return Address: Scott G. Knudson, Briggs and Morgan 2200 First National Bank Building 332 Minnesota Street Saint Paul, MN 55101	

Recording Area

WHEREAS, one or more discharges of diesel fuel have occurred at the above-described La Crosse rail yard owned by The Burlington Northern and Santa Fe Railway Company, and diesel fuel contaminated groundwater may exist on this property.

Parcel Identification Number (PIN)

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 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.

WHEREAS, this property is served by municipal water from the City of La Crosse and under city ordinance no. 4.20, placement of a well on this property is forbidden.

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 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 reconstruction a well on this property.

That Part of the SE ¼ of the NE ¼, NE ¼ of the SE ¼ Section 20, T16N-R7W, and part of Lots 1 and 2, Block 21, First Addition to Spier and Canterbury's Addition to the City of La Crosse, La Crosse County, Wisconsin described as follows:

Beginning at the intersection of the North right-of-way line of Gohres Street and the East right-of-way line of Credit Union Court; thence along said North right-of-way line, N 89°53'30" W 25.00 feet; thence N 00°25'00" E 503.64 feet; thence N 87°23'46" E 168.41 feet; thence S 81°32'57" E 395.22 feet; thence S 00°13'16" E 533.83 feet; thence S 51°00'48" W 739.85 feet; thence N 04°29'03" E 292.11 feet to said East right-of-way line of Credit Union Court; thence, along said East right-of-way line, on the arc of a 433.37 foot radius curve, concave to the northwest, the chord of which bears N 29°02'16" E 21.92 feet; thence, continuing along said East right-of-way line, N 00°25'00" E 235.68 feet to the point of beginning.

Subject to any easements, covenants and restrictions of record.
Containing 10.18 acres.

BRIGGS AND MORGAN

PROFESSIONAL ASSOCIATION

WRITER'S DIRECT DIAL

(651) 223-6571
WRITER'S E-MAIL

knusco@briggs.com

April 7, 2000

Jack Eslien
State of Wisconsin
Department of Natural Resources
P.O. Box 4001
Eau Claire, WI 54702

RECEIVED
APR 10 2000
DNR-WCR

Re: Groundwater Use Restrictions

Dear Jack:

Here are Groundwater Use Restrictions executed and recorded on the following

Richard and Rita Johnston	1730 Onalaska
Richard and Carol Treakle	1720 Onalaska
Donald and Rita Kowalke	1716 Onalaska
Renae Lakey	1704 Onalaska
Patrick and Amy Strupp	1700 Onalaska
Donna Stein	1802 Onalaska
Albert Ceason	1727 Onalaska
Margaret and Michael Marshall	1710 Onalaska
Ronald And Bonnie Arentz	1618 Gohres

The form we used is from one that we obtained initially from WDNR.

Please call if you have any questions.

Very truly yours,



Scott G. Knudson
of Briggs and Morgan

SGK:jr

DEBORAH J. FLOCK
REGISTER OF DEEDS
LA CROSSE COUNTY

1238825

10-12-1999 2:21 PM

RECORDING FEE: 12.00
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PAGES: 2

VOL 1346 PAGE 646

RECEIVED

APR 10 2000

DNR-WC

Document Number

GROUNDWATER USE RESTRICTION

Declaration of Restrictions

In Re: 1720 Onalaska Avenue

STATE OF WISCONSIN)

) ss.

COUNTY OF LA CROSSE)

WHEREAS, Richard and Carol Treacle are the owners of the above-described property.

Recording Area

Name and Return Address Scott G. Knudson
Briggs & Morgan P.A.
2200 1st Nat'l Bank Bldg.

332 Minnesota Street
St. Paul, MN 55101

17-10246-070

Parcel Identification Number (PIN)

WHEREAS, one or more discharges of diesel fuel have occurred at the nearby La Crosse rail yard owned by the Burlington Northern Sante Fe Railway Company, diesel fuel contaminated groundwater exists on this property at the following location:

1720 Onalaska Avenue

La Crosse, Wisconsin

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 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.

WHEREAS, this property is served by municipal water from the City of La Crosse and under city ordinance no. 4.20, placement of a well on this property is forbidden.

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 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 reconstruction a well on this property. No well may be constructed or reconstructed on this property unless applicable city and state requirements are met.

If construction is proposed on this property that will require dewatering or if contaminated groundwater is otherwise extracted from this property in the future, the groundwater must be sampled and analyzed and must be managed in compliance with applicable laws and regulations. The property owner will need to apply for a WPDES permit if extracted groundwater from this property is proposed to be discharged.

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 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, the owner of the property has executed this Declaration of Restrictions, this 9th day of ~~June~~, 1999.

~~July,~~
Signature: *Richard L. Treagle*
Printed Name: Richard Treagle

VOL 1346 PAGE 647

Subscribed and sworn to before me this 9th day of ~~June~~, 1999.

~~July,~~
Notary Public, State of Wisconsin
My commission is permanent

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 9th day of ~~June~~, 1999.

~~July,~~
Signature: *Carol M. Treagle*
Printed Name: Carol Treagle

Subscribed and sworn to before me this 9th day of ~~June~~, 1999.

~~July,~~
Notary Public, State of Wisconsin
My commission is permanent

This document was approved by the Wisconsin Department of Natural Resources

Legal Description - Johnston Addition Lot 3 Block 10

This Document Drafted By Scott G. Knudson, Attorney
Briggs and Morgan, P. A.

DEBORAH J. FLOCK
REGISTER OF DEEDS
LA CROSSE COUNTY

1238826

10-12-1999 2:21 PM

RECORDING FEE: 12.00
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PAGES: 2

VOL 1346 PAGE 648

Document Number

GROUNDWATER USE RESTRICTION

Declaration of Restrictions

RECEIVED
APR 10 2000

In Re: 1730 Onalaska Avenue

STATE OF WISCONSIN)
) ss.
COUNTY OF LA CROSSE) _____

WHEREAS, Richard and Rita Johnston are the owners of the above-described property.

Recording Area

Name and Return Address Scott G. Knudson
Briggs & Morgan P.A.
2200 1st Nat'l Bank Bldg.

332 Minnesota Street
St. Paul, MN 55101

17-10246-050

Parcel Identification Number (PIN)

WHEREAS, one or more discharges of diesel fuel have occurred at the nearby La Crosse rail yard owned by the Burlington Northern Sante Fe Railway Company, diesel fuel contaminated groundwater exists on this property at the following location:

1730 Onalaska Avenue
La Crosse, Wisconsin

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 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.

WHEREAS, this property is served by municipal water from the City of La Crosse and under city ordinance no. 420, placement of a well on this property is forbidden.

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 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 reconstruction a well on this property. No well may be constructed or reconstructed on this property unless applicable city and state requirements are met.

If construction is proposed on this property that will require dewatering or if contaminated groundwater is otherwise extracted from this property in the future, the groundwater must be sampled and analyzed and must be managed in compliance with applicable laws and regulations. The property owner will need to apply for a WPDES permit if extracted groundwater from this property is proposed to be discharged.

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.

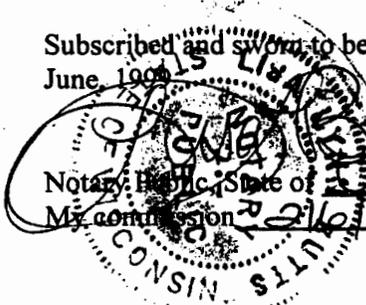
Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that the restrictions set forth in this covenant are no longer required. Upon receipt of such a request, the Wisconsin Department of 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, the owner of the property has executed this Declaration of Restrictions, this 15th day of June, 1999.

VOL 1346 PAGE 649

Signature: Richard L. Johnston
Printed Name: Richard Johnston

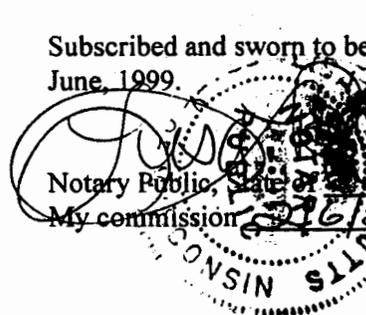
Subscribed and sworn to before me this 15th day of June, 1999.


Notary Public, State of Wisconsin
My commission expires 2/16/2000

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 15th day of June, 1999.

Signature: Rita Johnston
Printed Name: Rita Johnston

Subscribed and sworn to before me this 15th day of June, 1999.


Notary Public, State of Wisconsin
My commission expires 2/16/2000

This document was approved by the Wisconsin Department of Natural Resources

Legal Description - Johnston Addition Lot 1 Block 10

This Document Drafted By Scott G. Knudson, Attorney
Briggs and Morgan, P. A.

1238827

10-12-1999 2:21 PM

RECORDING FEE: 12.00
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PAGES: 2

VOL 1346 PAGE 650

RECEIVED
APR 10 2000
DNR-WCR

Document Number	GROUNDWATER USE RESTRICTION
<u>Declaration of Restrictions</u>	
In Re: 1716 Onalaska Avenue	
STATE OF WISCONSIN)
) ss.
COUNTY OF LA CROSSE) _____
WHEREAS, Donald and Rita Kowalke are the owners of the above-described property.	

Recording Area

Name and Return Address Scott G. Knudson
Briggs & Morgan P.A.
2200 1st Nat'l Bank Bldg.

WHEREAS, one or more discharges of diesel fuel have occurred at the nearby La Crosse rail yard owned by the Burlington Northern Sante Fe Railway Company, diesel fuel contaminated groundwater exists on this property at the following location:

1716 Onalaska Avenue
La Crosse, Wisconsin

332 Minnesota Street
St. Paul, MN 55101
17-10246-080

Parcel Identification Number (PIN)

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 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.

WHEREAS, this property is served by municipal water from the City of La Crosse and under city ordinance no. 4.20, placement of a well on this property is forbidden.

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 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 reconstruction a well on this property. No well may be constructed or reconstructed on this property unless applicable city and state requirements are met.

If construction is proposed on this property that will require dewatering or if contaminated groundwater is otherwise extracted from this property in the future, the groundwater must be sampled and analyzed and must be managed in compliance with applicable laws and regulations. The property owner will need to apply for a WPDES permit if extracted groundwater from this property is proposed to be discharged.

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 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.

~~June~~ ^{July} IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 7th day of ~~June~~, 1999.

Signature: *Donald Kowalke*
Printed Name: Donald Kowalke

VOL 1346 PAGE 651

~~June~~ ^{July} Subscribed and sworn to before me this 7th day of ~~June~~, 1999.

Notary Public, State of Wisconsin
My commission 2/2/2000

~~June~~ ^{July} IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 7th day of ~~June~~, 1999.

Signature: *Rita Kowalke*
Printed Name: Rita Kowalke

~~June~~ ^{July} Subscribed and sworn to before me this 7th day of ~~June~~, 1999.

Notary Public, State of Wisconsin
My commission 2/2/2000

This document was approved by the Wisconsin Department of Natural Resources

Legal Description - Johnston Addition Lot 4 Block 10

This Document Drafted By Scott G. Knudson, Attorney
Briggs and Morgan, P. A.

Document Number

GROUNDWATER USE RESTRICTION

1238828

Declaration of Restrictions

APR 10 2000

10-12-1999 2:21 PM

In Re: 1704 Onalaska Avenue

RECORDING FEE: 12.00

TRANSFER FEE:

PAGES: 2

STATE OF WISCONSIN)

) ss.

COUNTY OF LA CROSSE)

VOL 1346 PAGE 652

Recording Area

Name and Return Address Scott G. Knudson
Briggs & Morgan P.A.
2200 1st Nat'l Bank Bldg.

WHEREAS, Renee Lakey is the owner of the above-described property.

332 Minnesota Street
St. Paul, MN 55101
17-10246-100

Parcel Identification Number (PIN)

WHEREAS, one or more discharges of diesel fuel have occurred at the nearby La Crosse rail yard owned by the Burlington Northern Sante Fe Railway Company, diesel fuel contaminated groundwater exists on this property at the following location:

1704 Onalaska Avenue

La Crosse, Wisconsin

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 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.

WHEREAS, this property is served by municipal water from the City of La Crosse and under city ordinance no.4.20, placement of a well on this property is forbidden.

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 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 reconstruction a well on this property. No well may be constructed or reconstructed on this property unless applicable city and state requirements are met.

If construction is proposed on this property that will require dewatering or if contaminated groundwater is otherwise extracted from this property in the future, the groundwater must be sampled and analyzed and must be managed in compliance with applicable laws and regulations. The property owner will need to apply for a WPDES permit if extracted groundwater from this property is proposed to be discharged.

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 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, the owner of the property has executed this Declaration of Restrictions, this 12th day of June, 1999.

Signature: Renee Lakey
Printed Name: Renee Lakey

VAL 1346 PAGE 653

Subscribed and sworn to before me this 12th day of June, 1999

Michael P. Stoker
Notary Public, State of Wisconsin
My commission is permanent

This document was approved by the Wisconsin Department of Natural Resources

Legal Description - Johnston Addition Lot 6 Block 10

This Document Drafted By Scott G. Knudson, Attorney
Briggs and Morgan, P. A.

DEBORAH J. FLOCK
REGISTER OF DEEDS
LA CROSSE COUNTY

Document Number

GROUNDWATER USE RESTRICTION

1238829

10-12-1999 2:21 PM

RECORDING FEE: 12.00
TRANSFER FEE:
PAGES: 2

VOL 1346 PAGE 654

Declaration of Restrictions

In Re: 1700 Onalaska Avenue

STATE OF WISCONSIN)

) ss.

COUNTY OF LA CROSSE)

WHEREAS, Patrick and Amy Strupp are the owners of the above-described property.

Recording Area

Name and Return Address Scott G. Knudson
Briggs & Morgan P.A.
2200 1st Nat'l Bank Bldg.

332 Minnesota Street
St. Paul, MN 55101
17-10246-110

Parcel Identification Number (PIN)

WHEREAS, one or more discharges of diesel fuel have occurred at the nearby La Crosse rail yard owned by the Burlington Northern Sante Fe Railway Company, diesel fuel contaminated groundwater exists on this property at the following location:

1700 Onalaska Avenue
La Crosse, Wisconsin

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 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.

WHEREAS, this property is served by municipal water from the City of La Crosse and under city ordinance no. 420, placement of a well on this property is forbidden.

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 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 reconstruction a well on this property. No well may be constructed or reconstructed on this property unless applicable city and state requirements are met.

If construction is proposed on this property that will require dewatering or if contaminated groundwater is otherwise extracted from this property in the future, the groundwater must be sampled and analyzed and must be managed in compliance with applicable laws and regulations. The property owner will need to apply for a WPDES permit if extracted groundwater from this property is proposed to be discharged.

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 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, the owner of the property has executed this Declaration of Restrictions, this 17th day of June, 1999.

Signature: *Patrick Strupp*
Printed Name: Patrick Strupp

VOL 1346 PAGE 655

Subscribed and sworn to before me this 17th day of June, 1999.

William Kallgren
Notary Public, State of WISCONSIN
My commission expires 10-10-97

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this _____ day of June, 1999.

Signature: *Amy S Strupp*
Printed Name: Amy Strupp

Subscribed and sworn to before me this 17th day of June, 1999.

Notary Public, State of Wisconsin
My commission permanent

This document was approved by the Wisconsin Department of Natural Resources

Legal Description - Johnston Addition Lot 7 Block 10

This Document Drafted By Scott G. Knudson, Attorney
Briggs and Morgan, P. A.

Document Number

GROUNDWATER USE RESTRICTION

1238830

10-12-1999 2:21 PM

RECORDING FEE: 12.00
TRANSFER FEE:
PAGES: 2

Declaration of Restrictions

RECEIVED
APR 10 2000
DNR-WCR

VOL 1346 PAGE 656

In Re: 1802 Onalaska Avenue

STATE OF WISCONSIN)

) ss.

COUNTY OF LA CROSSE)

Recording Area

Name and Return Address Scott G. Knudson
Briggs & Morgan P.A.
2200 1st Nat'l Bank Bldg.

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

332 Minnesota Street
St. Paul, MN 55101
17-10246-020

Parcel Identification Number (PIN)

WHEREAS, one or more discharges of diesel fuel have occurred at the nearby La Crosse rail yard owned by the Burlington Northern Sante Fe Railway Company, diesel fuel contaminated groundwater exists on this property at the following location:

1802 Onalaska Avenue

La Crosse, Wisconsin

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 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.

WHEREAS, this property is served by municipal water from the City of La Crosse and under city ordinance no. 4.20, placement of a well on this property is forbidden.

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 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 reconstruction a well on this property. No well may be constructed or reconstructed on this property unless applicable city and state requirements are met.

If construction is proposed on this property that will require dewatering or if contaminated groundwater is otherwise extracted from this property in the future, the groundwater must be sampled and analyzed and must be managed in compliance with applicable laws and regulations. The property owner will need to apply for a WPDES permit if extracted groundwater from this property is proposed to be discharged.

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 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, the owner of the property has executed this Declaration of Restrictions, this ____ day of June, 1999.

Signature: Donna Stein
Printed Name: Donna Stein

VOL 1346 PAGE 657

Subscribed and sworn to before me this 14th day of June, 1999.

Michael F. Stober
Notary Public, State of Wisconsin
My commission is permanent

This document was approved by the Wisconsin Department of Natural Resources

Legal Description - Johnston Addition Lot 7 Block 9

This Document Drafted By Scott G. Knudson, Attorney
Briggs and Morgan, P. A.

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 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, the owner of the property has executed this Declaration of Restrictions, this 15 day of June, 1999.

Signature: *Albert Ceason*
Printed Name: Albert Ceason

VAL 1346 PAGE 659

Subscribed and sworn to before me this 15th day of June, 1999.

Michael R. Baker
Notary Public, State of Wisconsin
My commission is permanent

This document was approved by the Wisconsin Department of Natural Resources

Legal Description - Losey's Addition Lot 3 Block 24

This Document Drafted By Scott G. Knudson, Attorney
Briggs and Morgan, P. A.

DEBORAH J. FLOCK
REGISTER OF DEEDS
LA CROSSE COUNTY

1238832

10-12-1999 2:21 PM

RECORDING FEE: 12.00
TRANSFER FEE:
PAGES: 2

VOL **1346** PAGE **660**

Document Number

GROUNDWATER USE RESTRICTION

Declaration of Restrictions

In Re: 1618 Gohres Street

STATE OF WISCONSIN)

) ss.

COUNTY OF LA CROSSE) _____

WHEREAS, Ronald and Bonnie Arentz are the owners of the above-described property.

Recording Area

Name and Return Address Scott G. Knudson
Briggs & Morgan P.A.
2200 1st Nat'l Bank Bldg.

332 Minnesota Street
St. Paul, MN 55101
17-10246-130

Parcel Identification Number (PIN)

WHEREAS, one or more discharges of diesel fuel have occurred at the nearby La Crosse rail yard owned by the Burlington Northern Sante Fe Railway Company, diesel fuel contaminated groundwater exists on this property at the following location:

1618 Gohres Street
La Crosse, Wisconsin

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 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.

WHEREAS, this property is served by municipal water from the City of La Crosse and under city ordinance no. 4.20, placement of a well on this property is forbidden.

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 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 reconstruction a well on this property. No well may be constructed or reconstructed on this property unless applicable city and state requirements are met.

If construction is proposed on this property that will require dewatering or if contaminated groundwater is otherwise extracted from this property in the future, the groundwater must be sampled and analyzed and must be managed in compliance with applicable laws and regulations. The property owner will need to apply for a WPDES permit if extracted groundwater from this property is proposed to be discharged.

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 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, the owner of the property has executed this Declaration of Restrictions, this 26th day of July, 1999.

VOL 1346 PAGE 661

Signature: Ronald G. Arentz
Printed Name: Ronald Arentz

Subscribed and sworn to before me this 26th day of July, 1999
Michael J. Stokes
Notary Public, State of Wisconsin
My commission is permanent

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 26th day of July, 1999.

Signature: Bonnie J. Arentz
Printed Name: Bonnie Arentz

Subscribed and sworn to before me this 26th day of July, 1999
Michael J. Stokes
Notary Public, State of Wisconsin
My commission is permanent

This document was approved by the Wisconsin Department of Natural Resources

Legal Description - Johnston Addition North 110.5 Feet of Lot 9 & 10, the West 5.5 Feet of the North 110.5 Feet of Vacated Alley on the East Block 10

This Document Drafted By Scott G. Knudson, Attorney
Briggs and Morgan, P. A.

Document Number

GROUNDWATER USE RESTRICTIONS

1238833

10-12-1999 2:21 PM

RECORDING FEE: 12.00
TRANSFER FEE:
PAGES: 2

Declaration of Restrictions

In Re: 1710 Onalaska Avenue

STATE OF WISCONSIN)

) ss.

COUNTY OF LA CROSSE)

WHEREAS, Michael and Marguerite Marshall are the owners of the above-described property.

RECEIVED
APR 10 2000
DNR-WCS

VOL 1346 PAGE 662

Recording Area

Name and Return Address Scott G. Knudson
Briggs & Morgan P.A.
2200 1st Nat'l Bank Bldg.

332 Minnesota Street
St. Paul, MN 55101

17-10246-090

Parcel Identification Number (PIN)

WHEREAS, one or more discharges of diesel fuel have occurred at the nearby La Crosse rail yard owned by the Burlington Northern Sante Fe Railway Company, diesel fuel contaminated groundwater exists on this property at the following location:

1710 Onalaska Avenue

La Crosse, Wisconsin

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 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.

WHEREAS, this property is served by municipal water from the City of La Crosse and under city ordinance no.4.20, placement of a well on this property is forbidden.

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 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 reconstruction a well on this property. No well may be constructed or reconstructed on this property unless applicable city and state requirements are met.

If construction is proposed on this property that will require dewatering or if contaminated groundwater is otherwise extracted from this property in the future, the groundwater must be sampled and analyzed and must be managed in compliance with applicable laws and regulations. The property owner will need to apply for a WPDES permit if extracted groundwater from this property is proposed to be discharged.

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 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, the owner of the property has executed this Declaration of Restrictions, this ____ day of June, 1999.

Signature: *Michael Marshall*
Printed Name: Michael Marshall

VOL 1346 PAGE 663

Subscribed and sworn to before me this 14th day of ~~June~~, 1999.

July

Notary Public, State of Wisconsin
My commission expires 10/30/00

[Signature]

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 14th day of ~~June~~, 1999.

July

Signature: *Marguerite Marshall*
Printed Name: Marguerite Marshall

Subscribed and sworn to before me this 14th day of ~~June~~, 1999.

July

Notary Public, State of Wisconsin
My commission expires 10/30/00

[Signature]

This document was approved by the Wisconsin Department of Natural Resources

Legal Description - Johnston Addition Lot 5 Block 10

This Document Drafted By Scott G. Knudson, Attorney
Briggs and Morgan, P. A.

2200 FIRST NATIONAL BANK BUILDING
332 MINNESOTA STREET
SAINT PAUL, MINNESOTA 55101
TELEPHONE (651) 223-6600
FACSIMILE (651) 223-6450

BRIGGS AND MORGAN

PROFESSIONAL ASSOCIATION

WRITER'S DIRECT DIAL

(651) 223-6571

WRITER'S E-MAIL

sknudson@briggs.com

December 3, 2001

Patrick Houlihan
City Attorney
Patrick Caffrey
Director of Public Works
City of La Crosse
400 La Crosse Street
La Crosse, WI 54601

RECEIVED
DEC 06 2001
DNR-WCH

Re: Notification Requested by Wisconsin Department of Natural Resources

Gentlemen:

In a letter dated November 16, 2001, Jack Eslien, a hydrogeologist for the Wisconsin Department of Natural Resources, notified The Burlington Northern and Santa Fe Railway Company that the WDNR had granted closure on the remediation site BNSF had on its La Crosse rail yard.

Mr. Eslien separately requested that we provide him with a file copy of any disclosure BNSF made to the City of La Crosse of the existence of groundwater contamination under Gohres Street and Onalaska Avenue. Given the various public meetings and the litigation that arose out of the contamination, we are confident that the City was in fact well aware of the contamination. The City may have received additional notice in various correspondence from BNSF or its consultants, but those records are in storage. Accordingly, to ensure that the City indeed has notice, I am enclosing a map showing the results of a groundwater survey done in March 1997. As shown on the map the survey indicated low levels of dissolved diesel range organics under Gohres and North Streets and Onalaska Avenue. Some free product was also seen at that time under a part of Onalaska Avenue.

This map should meet Mr. Eslien's request. Please call me if you have any questions about the map or need additional information.

Very truly yours,



Scott G. Knudson
of Briggs and Morgan

SGK/jr
Enclosure

cc: Jack Eslien

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