EPA Region 5 Records Ctr.
303479

Five-Year Review Report

Third Five-Year Review Report
for
Schmalz Dump
Town of Harrison
Calumet County, Wisconsin

August 2008

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Table of Contents

List of Acronyms 4
Executive Summary 5
Five-Year Review Summary Form 6

I. Introduction 8

II. Site Chronology 9

III. Background 10
Physical Characteristics 10
Land and Resource Use 11
History of Contamination 11
Initial Response 11
Basis for Taking Action 12

IV. Remedial Actions 12
Remedy Selection 12
Remedy Implementation 15
Institutional Controls 16
System Operations/Operation and Maintenance (O&M) 17

V. Progress Since the Last Five-Year Review 18
Protectiveness Statements From Last Review 18
Status of Recommendations and Follow-up Actions From Last Review 18
Results of Implemented Actions 19
Status of Any Other Prior Issues 19

VI. Five-Year Review Process 19
Administrative Components of Five-Year Review Process 19
Community Notification 19
Document Review 20
Data Review and Evaluation 21
Site Inspection 21
Site Interviews 22

VII. Technical Assessment 22
Question A: Is the remedy functioning as intended by the decision documents? 22
Question B: Are the exposure assumptions, toxicity data, cleanup levels, and remedial action objectives (RAOs) used at the time of the remedy still valid? 22

Question C: Has any other information come to light that could

call into question the protectiveness of the remedy? 23
Technical Assessment Summary 23

VIII. Issues 23

IX. Recommendations and Follow-up Actions 24

X. Protectiveness Statement(s) 24

XI. Next Review 24

Table

Table 1 - Chronology of Site Events 9
Table 2 - Institutional Controls Summary 17
Table 3 - Issues 23
Table 4 - Recommendations and Follow-up Actions 24

Attachments

Attachment 1 - Site Plan
Attachment 2 - 1991 Court Order
Attachment 3 - Deed Restrictions
Attachment 4 - Survey Map
Attachment 5 - Newspaper Ad
Attachment 6 - Documents Reviewed
Attachment 7 - Groundwater Monitoring Data
Attachment 8 - Inspection Checklist

List of Acronyms

ARAR	Applicable or Relevant and Appropriate Requirement
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
CWM	Chemical Waste Management
EPA	Comprehensive Environmental Response, Compensation, and Liability Act
ES	Enforcement Standards
ESD	Explanation of Significant Difference
IC	Institutional Controls
MCL	Maximum Contaminant Level
MCLG	Maximum Contaminant Level Goal
Mg/kg	Milligrams per kilogram
NCP	National Contingency Plan
NPL	National Priorities List
O&M	Operation and Maintenance
PAL	Preventative Action Levels
PCB	Polychlorinated Biphenyl
PRG	Preliminary Remediation Goal
RA	Remedial Action
RAO	Remedial Action Objective
RCRA	Resource Conservation Recovery Act
RI/FS	Remedial Investigation/Feasibility Study
RPM	Remedial Project Manager
ROD	Record of Decision
SDWA	Safe Drinking Water Act
USACE	United States Army Corps of Engineers
UU/UE	Unlimited Use Unrestricted Exposure
WAC	Wisconsin Administrative Code
WDNR	Wisconsin Department of Natural Resources

Executive Summary

The purpose of this five-year review is to determine if the remedy selected to address the contamination problem at the Schmalz Dump site in the Town of Harrison, Calumet County, Wisconsin, is protective of human health and the environment. The remedy included the removal of polychlorinated biphenyl (PCB) contaminated sediment and debris in 1988, construction of a clay cap over the waste fill area in 1993, and groundwater monitoring. The site achieved construction completion with the signing of the Preliminary Closeout Report on September 24, 1993.

The assessment of this five-year review found that the remedy was constructed in accordance with the Record of Decision (ROD) and is functioning as designed.

The remedy is protective in the short term of human health and the environment because groundwater protection standards have been met and in the interim, exposure pathways that could result in unacceptable risks are being controlled. The remedy eliminates the principal threat posed by the Site by preventing direct contact with contaminated materials, the removal and capping of contaminated soils, and groundwater monitoring. However, in order for the remedy to be protective in the long term annual groundwater monitoring according to the provisions in the ROD need to be completed to ensure compliance with groundwater protection standards. In addition institutional controls (ICs), such as deed restrictions, need to be obtained if the Site is transferred to a new owner. Long term protectiveness of the remedy requires compliance with effective ICs. Compliance with effective ICs will be ensured through long term stewardship by maintaining and monitoring effective ICs as well as maintaining the site remedy components.

Five-Year Review Summary Form

SITE IDENTIFICATION		
Site name ***(from WasteLAN)*****:** Schmalz Dump Superfund Site		
EPA ID ***(from WasteLAN)*****:** WID980820096		
Region: 5	**State:** WI	**City/County:** Menasha/Calumet
SITE STATUS		
NPL status: Final NPL		
Remediation status (choose all that apply): Complete		
Multiple OUs?* Yes – 2	**Construction completion date:** 9/24/1993	
Has site been put into reuse? NO		
REVIEW STATUS		
Lead agency: United State Environmental Protection Agency		
Author name: Pamela Molitor		
Author title: Remedial Project Manager	**Author affiliation:** US EPA Region 5	
Review period:** 10/1/2007 to 9/30/2008		
Date(s) of site inspection: 6/24/2008		
Type of review: Post-SARA		
Review number: 3 (Three)		
Triggering action: Previous Five-Year Review Report		
Triggering action date ***(from WasteLAN)*****:** 09/29/2003		
Due date ***(five years after triggering action date)*****:** 09/29/2008		

* ["OU" refers to operable unit.]
** [Review period should correspond to the actual start and end dates of the Five-Year Review in WasteLAN.]

Five-Year Review Summary Form, cont'd.

Issues:

1) Annual sampling has not been conducted since 2004. Conduct annual groundwater sampling in accordance with the provisions of the ROD
2) Monitoring wells have not been surveyed.
3) Implement institutional controls, such as deed restrictions, if the Site is transferred to a new owner.

Recommendations and Follow-up Actions:

1) Return to annual groundwater monitoring for three years then consider the potential for changing the sampling frequency consistent with the recommendation from the previous five year review.
2) Survey the monitoring wells.
3) An IC Plan will be prepared which will plan for long-term stewardship and will include steps necessary to ensure that effective ICs are implemented, monitored, maintained and enforced. The IC Plan will include provisions to ensure long-term protectiveness.

Protectiveness Statement:

The remedy is protective in the short term of human health and the environment because groundwater protection standards have been met and in the interim, exposure pathways that could result in unacceptable risks are being controlled. The remedy eliminates the principal threat posed by the Site by preventing direct contact with contaminated materials, the removal and capping of contaminated soils, and groundwater monitoring. However, in order for the remedy to be protective in the long term annual groundwater monitoring according to the provisions in the ROD need to be completed to ensure compliance with groundwater protection standards. In addition institutional controls, such as deed restrictions, need to be obtained if the Site is transferred to a new owner. Long term protectiveness of the remedy requires compliance with effective ICs. Compliance with effective ICs will be ensured through long term stewardship by maintaining and monitoring effective ICs as well as maintaining the site remedy components.

Other Comments:

Date of last Regional review of human health Exposure Indicator (from WasteLAN): 09/28/2006
Human Exposure Survey Status (from WasteLAN): Current HE under control and protective
Date of last Regional review of Groundwater Migration Indicator (from WasteLAN): 06/12/2007
Groundwater Migration Survey Status (from WasteLAN): Contaminated Groundwater Migration under control
Ready for Reuse Determination Status (from WasteLAN): Unused

Schmalz Dump
Town of Harrison, Calumet County, Wisconsin
Second Five-Year Review Report

I. Introduction

The purpose of the five-year review is to determine whether the remedy at a site is protective of human health and the environment. The methods, findings, and conclusions of reviews are documented in Five-Year Review reports. In addition, Five-Year Review reports identify issues found during the review, if any, and identify recommendations to address them.

The United States Environmental Protection Agency (EPA) Region 5 is preparing this Five-Year Review report pursuant to CERCLA §121 and the National Contingency Plan (NCP). CERCLA §121 states:

> *If the President selects a remedial action that results in any hazardous substances, pollutants, or contaminants remaining at the site, the President shall review such remedial action no less often than each five years after the initiation of such remedial action to assure that human health and the environment are being protected by the remedial action being implemented. In addition, if upon such review it is the judgment of the President that action is appropriate at such site in accordance with section [104] or [106], the President shall take or require such action. The President shall report to the Congress a list of facilities for which such review is required, the results of all such reviews, and any actions taken as a result of such reviews.*

The EPA interpreted this requirement further in the NCP; 40 CFR §300.430(f)(4)(ii) states:

> *If a remedial action is selected that results in hazardous substances, pollutants, or contaminants remaining at the site above levels that allow for unlimited use and unrestricted exposure, the lead agency shall review such action no less often than every five years after the initiation of the selected remedial action.*

The EPA conducted this five-year review of the remedy implemented at the Schmalz Dump in the Town of Harrison, Calumet County, Wisconsin. This review was conducted by Pamela Molitor, Remedial Project Manager (RPM) for the site. This report documents the results of the review.

This is the third five-year review for the Schmalz Dump. The triggering action for this statutory review is the completion of the second Five-Year on September 29, 2003. A five-year review is required due to the fact that hazardous substances, pollutants, or contaminants remain at the site above levels that allow for unlimited use and unrestricted exposure.

II. Site Chronology

Table 1 - Chronology of Site Events

Event	Date
Filling begins at the site. This included car bodies, stone, trees, waste wood chips, pulp and mash from paper manufacture.	1968
Fly ash and bottom ash from Menasha Utility is deposited.	1972 & 1973
Demolition debris from Allis-Chalmers Corporation facility is deposited.	1978 & 1979
On-site sampling identified PCB contamination within the area of the Allis-Chalmers debris disposal area.	1979
Final listing on EPA National Priorities List.	9/21/1984
Remedial Investigation/Feasibility Study (RI/FS) initiated.	4/1985
Record of Decision (ROD) for the PCB operable unit (OU1) requiring fence around the PCB OU and removal and off-site disposal of PCB contaminated sediments and debris in an approved landfill.	8/13/1985
Fence constructed.	1985
Record of Decision (ROD) for the capping operable unit (OU2) requiring the installation of a low permeability, compacted earth material cap over approximately seven acres of lead and chromium contaminated soil, implementation of groundwater monitoring for lead and chromium, propose a voluntary well abandonment program.	9/30/1987
Removal and disposal of the PCB contaminated debris and sediments. The solids went to an EPA approved landfill. Follow-up sampling confirmed remaining sediments were below action level of 1 mg/kg.	1987-1988
WDNR, EPA Region 5, and Army Corps of Engineers developed design documents. The approved design was a soil cap.	1988-1992
Contractor initiated clearing and grubbing of the site for construction.	1992
Cap placement, final grading and seeding of the site.	1993-1994
Quarterly groundwater sampling.	1993-1994
Final inspection of the site by the Army Corps of Engineers, USEPA and WDNR.	1994
Contractor's responsibility for maintaining the cap ends and final inspection.	6/1/1995
WDNR became responsible for maintenance and monitoring of the site cover.	6/1/1995
WDNR inspection and groundwater sampling.	4/21/1998

Event	Date
WDNR inspection and groundwater sampling.	7/21/1998
WDNR inspection and groundwater sampling	11/2/1998
EPA first Five Year Review	1998
WDNR inspection.	7/7/1999
WDNR inspection.	7/14/2000
WDNR inspection.	7/18/2000
WDNR inspection.	8/2/2000
WDNR inspection.	8/8/2001
WDNR inspection.	5/31/2002
WDNR inspection / Second 5 Year Review	9/29/2003
WDNR inspection and groundwater sampling.	10/12/2004
WDNR inspection	4/18/2005
WDNR inspection	7/10/2006
WDNR inspection	12/04/2007
EPA inspection / Third 5 Year Review	6/24/2008

III. Background

Physical Characteristics

The Schmalz Dump is located in the SE ¼ of the NW ¼ of Section 18, T20N, R18E, in the Town of Harrison, Calumet County, Wisconsin. A copy of the Schmalz Dump Site Plan is included as Attachment 1. The Town of Harrison has approximately 5,756 residents (2000 census). The dump is situated about 500 feet north of the north shore of Lake Winnebago and about 700 feet south of the City of Menasha. The City of Menasha has approximately 16,331 residents (2000 census). The ten and one-half acre site includes the capped seven-acre dump, three acres of adjacent property, and a half-acre wetland. The property adjacent to the dump does not contain waste material from the dump and is not covered by the impermeable cap. The site is bound to north and west by what were historically wetlands that have been filled for commercial development. The fill contains waste materials, mostly fly ash, bottom ash, and construction debris. A wetland borders the east side of the site. A railroad right-of-way is on the southern border. South of the railroad tracks is a residential area called Waverly Beach. Waverly Beach was created by dredging sand from Lake Winnebago to fill the wetlands. In 1984, all residences in the Waverly Beach area were connected to the City of Menasha water system. A number of residents still have private wells, but use them only for watering yards and other outdoor purposes, although incidental drinking water ingestion could continue to occur.

Land and Resource Use

The fenced area that comprises the Schmalz Dump consists of three parcels. The Schmalz property is approximately 5.7 acres in size. Two adjacent properties are about 4.8 acres. The Schmalz property is still owned by Gregory A. Schmalz and has been tax delinquent since 1985. The two adjacent properties are owned by William P. Bojarski and Theodore J. Pawlowski. The lands surrounding these three parcels are owned by a number of different property owners. With the exception of the land immediately to the east that is a wetland, all of the surrounding properties are developed, residentially to the south and east, commercially to the north and west. With the exception of existing wetlands to the east, all surrounding properties have all been filled with a wide variety of materials. The site is completely fenced. Access to the site is restricted through two gates. All of the remaining waste mass is contained beneath an impermeable cap that covers about seven acres.

Municipal water serves the area surrounding the Schmalz Dump. Some of the private residences have private wells that are used for lawns and gardens. These wells would get water from the fractured dolomite aquifer underlying the site. The dominant groundwater flow direction in the shallow aquifer is south towards Lake Winnebago.

History of Contamination

The site and the surrounding area were part of a wooded wetland prior to filling. Filling on the site began in 1968. The long-range objective of the filling was to develop the property for residential usage. Available information indicates that wastes disposed on the site at that time included car bodies, stone, trees, waste wood chips, pulp and mash from paper manufacture. In 1972 and 1973, fly ash and bottom ash from Menasha Utility was disposed. In 1978 and 1979, demolition debris from an Allis-Chalmers Corporations facility was disposed at the site.

In 1979, on-site soil sampling identified PCB contamination within the area of the Allis-Chalmers debris disposal. PCB concentrations were as high as 3100 milligrams per kilogram (mg/kg).

Initial Response

After reviewing data from the Schmalz Dump site, the Wisconsin Department of Natural Resources (WDNR) recommended to the EPA that the site be included on the National Priorities List (NPL). The site was placed on the NPL on September 21, 1984. A Remedial Investigation/Feasibility Study (RI/FS) was initiated in April 1985. A ROD for operational unit one (OU1) was issued in 1985 to address the public health threat from PCB contamination. That ROD required a fence to be constructed around the PCB contaminated debris; and removal and off-site disposal of the PCB contaminated sediments and debris in an approved landfill. The fence was constructed in 1985 and the removal and disposal of the PCB contaminated debris and sediments was started in 1987 and completed in 1988. Follow-up sampling confirmed that the remaining sediments were below the action level of 1 mg/kg of PCBs, but were still contaminated with lead and chromium.

With the removal of the PCB contamination, the remaining public health threats were exposure to lead and chromium in soils and groundwater. A second ROD was issued in 1987 to address the risks due to lead and chromium. The capping for OU2 was completed in 1994.

Basis for Taking Action

Contaminants

Hazardous substances that have been released at the site in each media include:

Soil
PCBs
Lead
Chromium

Groundwater
Lead
Chromium

Sediment
PCBs
Lead
Chromium

Surface Water
PCBs
Lead
Chromium

Waste
PCBs
Lead
Chromium

Exposures to exposed waste, contaminated soil/sediments, contaminated groundwater or contaminated surface water are associated with significant human health risks, due to exceedance of EPA's risk management criteria for either the average or the reasonable maximum exposure scenarios. Risks from exposure were significant due to the presence of PCBs and metals.

IV. Remedial Actions

Remedy Selections

OU1 – PCB Operable Unit

The ROD for OU1 was signed on August 13, 1985. This first ROD addressed the threat of PCB contamination at the site. Construction debris and sediments containing elevated concentrations of PCBs were removed from the site and disposed in an approved landfill. The water/solids mixture in the sediments was separated, with the solids going to an EPA approved hazardous waste landfill. The water went through treatment prior to being discharged to the pond on the Schmalz Dump property. The 1985 ROD also required that fencing be placed around OU1. The

fence was placed in 1985 and the removal of the PCB contaminated sediments and debris was completed in 1988.

OU2- Soils and Groundwater Operable Unit

The ROD for the OU2 was signed on September 30, 1987. The ROD required construction of a low permeability soil cap over approximately seven acres of the contaminated soil, and implementation of a groundwater monitoring program, and evaluation of whether a corrective action is necessary in case of any increase in groundwater concentrations of chromium or lead. The ROD also proposed a voluntary well abandonment program for residents between the site and Lake Winnebago, and evaluation of adjacent property under the pre-remedial program. However, these proposals were not to address risks caused by the site.

The EPA, WDNR, and the United States Army Corps of Engineers (USACE) developed the design documents during 1988 through 1992. The approved design provided for a cap consisting of enough clean soil (one to ten feet thick) to provide the proper grade. This would be covered with two feet of compacted clay, which would be covered by six inches of topsoil to establish vegetative growth. The contract for construction for the 1987 ROD included the following components:

- abandonment of 12 existing monitoring wells;
- installation of six new monitoring wells;
- placement and compaction of 38,000 cubic yards of low permeability clay soil;
- placement of 4,300 cubic yards of topsoil;
- establishment of turf and landscaping;
- installation of a perimeter security fence;
- maintenance of the site for one year starting from the date of completion of seeding; and
- four quarters of groundwater monitoring.

The remedial design was completed in 1992 with the resulting soil cap being completed in 1994. The lead for the site was then passed from the EPA to the WDNR in 1995.

Remedial Action Objectives (RAOs) were developed as a result of data collected during the Remedial Investigation to aid in the development and screening of remedial alternatives to be considered for the RODs. The RAOs for the Schmalz Dump were divided into the following groups:

Source Control Response Objectives

- Minimize the risks to human health and the environment by removal of the most hazardous and contaminated waste mass;

- Minimize the migration of contaminants from the dump site that could degrade groundwater quality by reducing infiltration of liquids through the remaining waste mass;

- Minimize the migration of contaminants from the dump site that could degrade surface water quality by reducing runoff of liquids from the remaining waste mass;

- Reduce risks to human health by preventing direct contact with, and ingestion of, contaminants in the remaining waste mass; and

- Reduce risks to the environment by monitoring groundwater for compliance with the Safe Drinking Water Act (SDWA) and State groundwater protection standards.

The major components of the source control operable unit remedy selected in the ROD included the following:

- Removal of the PCB contaminated debris, sediment and soil with off-site disposal in an approved landfill;

- Construction of a clay cap over the remaining waste mass in accordance with State solid waste regulations. Clean soil fill would be needed to level the waste mass. A low permeability soil cap consisting of 2 feet of compacted earth would be required with six inches of top soil over it for vegetation, a 2 percent slope, and measures to divert surface water; and

Ground Water Response Objectives

- Establish groundwater monitoring program to monitor long-term compliance with the SDWA and State groundwater protection standards for lead and chromium;

- Eliminate or minimize the potential future threat posed to human health and the environment by preventing exposure to groundwater contaminants;

Because groundwater at the Site did not exceed State or federal standards the selected remedy did not require treatment of groundwater and did not establish a cleanup standard for groundwater. The major components of the ground water operable unit remedy selected in the ROD include:

- Groundwater monitoring for lead and chromium of existing monitoring wells on the Schmalz Dump and adjacent properties;

- A voluntary well abandonment program for nearby wells; and

- Five-year site reviews to assess site conditions, contaminant distributions, and any associated site hazards.

Remedy Implementation

The Remedial Action (RA) consisted of two separate phases; one for fencing of the site and

removal of the mass of PCB contaminated materials OU1, and a second phase for the capping of the site and implementation of groundwater monitoring OU2. A fence was placed around the site in 1985. Removal of the PCB contaminated material began in 1987 and was completed in 1988. The major components of this phase of this portion of the RA were the following:

- Placement of a security fence around most of the Schmalz Dump and parts of two adjacent properties;

- Consolidation and removal of more than 3,500 cubic yards of the PCB contaminated waste mass with disposal in an EPA approved landfill;

The second phase of remedial action began in October of 1992 with the clearing and grubbing of the site. Actual placement of the cap occurred between May and September of 1993. Final grading and seeding occurred in May of 1994. Major components for this phase of the RA include the following:

- Placement and compaction of a clay cap overlain by rooting zone material and topsoil;

- Seeding and mulching the finished slopes; and

- Establishment of a groundwater monitoring program.

Chemical Waste Management (CWM) was selected as the construction contractor. CWM prepared a Contractor Quality Control Plan, and the Site Health and Safety Plan, which included separate Dust Control, Spill Control, and Precipitation/Groundwater Control Plans. These plans were reviewed and approved by the USACE after necessary revisions were made.

The Record of Decision did not require institutional controls such as deed restrictions on the Schmalz Dump. EPA obtained a court order dated November 15, 1991, against Gregory Schmalz, the owner of the capped and fenced area of the site that grants EPA and the state access to the site and prevents Mr. Schmalz from interfering with the remedy or disturbing the cap (see Attachment 2). In addition, the owners of the two adjacent lots outside the capped and fenced area have granted EPA and the state continuing access for operation and maintenance. This agreement for access is documented in a warranty deed from John Schmalz and H.J. Jennerjohn, Inc., to Theodore Pawlowski, William Bojarski and Lawerence O. Love, recorded on July 22, 1999 (see Attachment 3). The deed to the Schmalz property acknowledges that a portion of the subject property has been determined hazardous to human health or welfare or the environment by the United States Environmental Protection Agency. The neighboring Bojarski & Pawlowski property has an easement agreement with EPA and the deed to the property acknowledges that a portion of the subject property has been determined hazardous to human health or welfare or the environment by EPA.

In October 1992, CWM initiated the contract work by clearing and grubbing for the construction. Actual placement of the cap was completed between May and September 1993, and final grading and seeding was completed in May 1994. In addition to the planned work, the USACE approved

the removal and disposal of an underground tank and its contents. An interim final inspection was conducted in October 1993 and, a final inspection in September 1994. These inspections included attendance by CWM, USACE, EPA and WDNR representatives. RA construction activities were performed according to specifications.

CWM conducted quarterly groundwater sampling in August 1993, November 1993, February 1994, and June 1994. CWM's period for maintenance of the cap ended in May 1995, when a final mowing and inspection was conducted. In 1995, after CWM's contract expired, WDNR became responsible for maintenance and monitoring of the site cover. The final contract price was approximately $600,000.

Institutional Controls

ICs are required to ensure the protectiveness of the remedy. ICs are those non-engineered instruments, such as administrative and/or legal controls, that help minimize the potential for human exposure to contamination and/or protect the integrity of a remedy by limiting land or resource use. Although it is EPA's expectation that treatment or engineering controls will be the primary mechanism in addressing most of the threat posed by release of hazardous substances at a given site, ICs can play an important role in the function of a given remedy. ICs may be used when contamination is first discovered, and when remedies are ongoing and residual contamination remains at levels that do not allow for unrestricted land use and unlimited exposure, even though other cleanup measures may be operating. The National Contingency Plan (NCP) emphasizes that ICs are meant to supplement engineering controls, and that ICs will rarely be the sole remedy at a site.

Analysis of Existing ICs and Need for Additional ICs in the Future

The Record of Decision did not require institutional controls such as deed restrictions on the Schmalz Dump. Although in order to be protective in the long-term, the remedy requires compliance with effective ICs. In 1991, when the property owner, Mr. Gregory Schmalz, refused to voluntarily restrict the use of his land, EPA litigated and the court issued an order enjoining him from "obstructing or interfering with EPA or its authorized representatives from entry onto the Schmalz Dump Site, in conducting the response activities, and from disturbing any of the work done as part of the response activities." The court order, dated November 15, 1991 and issued by Judge Reynolds in the United States District Court for the Eastern District of Wisconsin, can be enforced against Mr. Schmalz if he attempts to disturb the cap. A copy of the Order is included at Attachment 2. The Order does not bind future owners, however, and if the site is sold or otherwise transferred it will be necessary to obtain ICs, such as deed restrictions, from the new owner to ensure the protectiveness of the remedy. In addition to the property owned by Gregory Schmalz and controlled by the Order, the Site encompasses portions of an adjacent property. By Warranty Deed dated 1989, the buyers purchased the adjacent property subject to an EPA Access Agreement and easements and restrictions pertaining to the remedy. In 1999, when the adjacent property was subsequently sold, by Warranty Deed the current owners accepted the restrictions and EPA's right of entry as provided in an access agreement the sellers signed on February 7, 1992. The warranty deeds memorializing the restrictions and

access are included at Attachment 3. The table below summarizes institutional controls for these restricted areas that do not support unlimited use and unrestricted exposure.

Table 2: Institutional Controls Summary Table

Media, Engineered Controls, & Areas that Do Not Support UU/UE Based on Current Conditions.	**IC Objective**	**Title of Institutional Control Instrument Implemented (note if planned)**
Schmalz Dump – Landfill cap **A)** Property owned by Gregory Schmalz **B)** Adjacent Property	Grants EPA and the State access and prohibits disturbing or interfering with any of the work done as part of the response activities.	**A)** Court Order issued by Judge Reynolds in the United States District Court for the Eastern District of Wisconsin and dated November 15, 1991 (deed restrictions will need to be implemented if the property is transferred) **B)** Warranty Deed J 5174 I 67 recorded in Calumet County, Wisconsin on July 22, 1999.

A map which depicts the current conditions of the site and areas which do not allow for unlimited use/unrestricted exposure (UU/UE) is included in Attachment 4.

Current Compliance: There are currently no known IC compliance issues at the Site.
Access to the site is restricted by a fence. Also, based on inspections and interviews, EPA is not aware of site or media uses which are inconsistent with the stated objectives of the ICs. The remedy appears to be functioning as intended.

Evaluation of Current Conditions, Existing ICs and Planning for Long-Term Stewardship

At this time initial IC evaluation activities have determined that all non UU/UE areas are addressed effectively by the court order of November 15, 1991 and the Warranty Deed recorded in Calumet County, Wisconsin on July 22, 1999 which ensure the integrity of the remedy (Attachment 2). Alternative protections can also be found in Wisconsin's legislative acts and administrative regulations. W.S.A. §292.11(3), (4) and (7) allows the State to take corrective action and to order preventive measures to stop the discharge of hazardous substances. These provisions can be used to stop on-site activities such as excavation or drilling into the cap. Additionally, as identified in the ROD, Wisconsin's Shoreland Management Program is applicable to the site. That program requires counties to adopt zoning and subdivision regulations for the protection of shorelands. The county planning department would likely disapprove any construction at the site due to its designation as shoreland under the program and because of its Superfund status. Finally, the state plans to add the site to its GIS Registry that will give any potential buyer of the site notice of the cap and CERCLA response, including ongoing operation and maintenance activities and that contamination remains on the site that prohibits unlimited use of the property.

To assure that the remedy remains protective, follow-up actions are required. Long-term Site stewardship is needed to ensure that effective ICs are maintained, monitored and enforced. An IC Plan will be prepared by WDNR which will plan for long-term stewardship and will include steps necessary to ensure that effective ICs are implemented, monitored, maintained and enforced. The IC Plan will include provisions to further evaluate the Warranty Deed, to examine the title work to confirm ownership and no prior-in-time encumbrances exist which could interfere with the ICs contingency provision to implement additional ICs, such as deed restrictions, if the property (owned by Mr. Schmalz) is transferred to a new owner and assure that the ICs are maintained and monitored by modifying the monitoring plan which is in effect, as is discussed below.

Long Term Stewardship: Long term protectiveness at the Site requires compliance with use restrictions to assure the remedy continues to function as intended. To assure proper maintenance and monitoring of effective ICs, long term stewardship procedures will be reviewed and a plan developed. The plan would include regular inspection of ICs at the site and annual certification to EPA that ICs are in place and effective. Additionally, use of a communications plan and use of one-call system should be explored for long term stewardship.

System Operation/Operation and Maintenance

The WDNR is responsible for conducting long-term maintenance and monitoring of the Schmalz Dump which consists of annual inspection, monitoring (groundwater sampling) and any needed maintenance activities. The 1987 ROD called for one year of quarterly monitoring, to provide a baseline of water quality at the site; followed by annual monitoring for the next four years, with the monitoring to be re-evaluated at the end of the five year period. WDNR initiated inspection and quarterly groundwater sampling at the site in April 1998. Inspection and sampling was repeated in July and November of 1998. However, groundwater monitoring was stopped temporarily in December of 1998 due to two scheduling errors. A change of Project Managers occurred in December of 1998, and as a result, the fourth quarter monitoring in early 1999 was not collected. The second error occurred when the new Project Manager delayed sampling until September 2003, believing that the monitoring schedule had been changed to correspond with the five-year review.

The primary activities associated with operations and maintenance (O&M) includes the following:

- Visual inspection of the cap with regard to vegetative cover, settlement, stability, and any need for corrective action;
- Inspection of the drainage swales and ditches for blockage, erosion and instability, and any need for corrective action;
- Visual inspection of the fence for structural integrity;

- Inspection of the condition of groundwater monitoring wells; and
- Environmental monitoring of the groundwater.

V. Progress Since the Last Five-Year Review

Protectiveness Statements From Last Review

No significant issues were identified during the previous Five Year Review. The protectiveness statement from the previous Review stated the following:

"The remedy is expected to be protective of human health and the environment when groundwater standards have been met. The exposure pathways that could result in unacceptable risks are being controlled by preventing exposure to, or the ingestion of, contaminated soil and groundwater. All threats at the site have been addressed through the removal and capping of contaminated waste materials, and monitoring.

Long-term protectiveness of the remedial action will be verified by obtaining additional groundwater samples to fully evaluate potential migration of the contaminant plume downgradient from the dump and towards Lake Winnebago. Current monitoring data indicate that the remedy is functioning as required. "

Status of Recommendations and Follow-up Actions from Last Review

The recommendations from the previous review stated the following:

"It is recommended that the remedy continue to be implemented in accordance with the provisions of the RODs. The site cap is effectively preventing direct contact exposures to the contaminated soils. The WNDR has established a program to provide annual inspections of the site cover, and as needed, to make cap repairs, conduct mowing and take other actions to maintain the integrity of the site cover. Annual site inspection by the WDNR should continue. Groundwater monitoring should go from being done on an annual basis to corresponding with the five-year reviews. Repairs to the monitoring well collars should be made. Removal of small trees and shrubs adjacent to the fence and soil cap should be done. The current monitoring wells should be properly surveyed in for location purposes. The WDNR will remain the lead agency for inspection and maintenance.

The WDNR should continue to pursue development of the site. If development of the site is being considered, WDNR and EPA intend to work together to evaluate how and whether the development can proceed while still assuring the protection of public health and the environment. In addition, WDNR and EPA will work together to modify the ROD if necessary. The Agencies should show flexibility in response to requests to develop the site, but development options that minimize excavating into the contaminated soil should be preferred. "

Since the last Five Year Review, annual groundwater monitoring was completed in 2003 and 2004 only. Data from the last event in 2004 indicates that contaminant concentrations in the vicinity of the Site are at low levels and remain stable. WDNR stated that sampling events for the years 2005 through 2007 were not completed due to scheduling conflicts however groundwater was sampled in June 2008 and EPA is awaiting the results. EPA has expressed concern that annual monitoring is not being performed as required by the provisions of the ROD. Annual sampling for four consecutive years is required by the provisions of the ROD at which time EPA can evaluate the sampling data and determine whether to modify the ROD to change the frequency of the O& M sampling. WDNR stated its intent to monitor according to the ROD requirements. Repairs to the monitoring well collars, removal of small trees and shrubs adjacent to the fence and soil cap, and survey of the current monitoring wells were not completed.

Results of Implemented Actions

There were no other follow-up actions.

Status of Any Other Prior Issues

There were no other prior issues.

VI. Five-Year Review Process

Administrative Components of the Five Year Review Process

The Schmalz Dump five-year review was prepared by Pamela Molitor, EPA Remedial Project Manager. The five-year review consisted of a review of relevant site documents and monitoring data, discussions with WDNR and a site inspection.

Community Notification and Involvement

A public notice was placed in the Appleton Post Cresent on June 24, 2008 announcing that a five-year review was to be performed for the Site. Notice of the completed five-year review will be placed in the Appleton Post Cresent and the final report will be available at the information repository. The information repository for the Site is located at the University of Wisconsin, West Building, Fox Valley Public Library, 1478 Midway Road, Menasha, Wisconsin. A copy of the ad is included as Attachment 5.

Document Review

The five-year review consisted of a review of relevant documents including the 1987 ROD, the first (1998) and second (2003) Five Year Reviews, the Addendum to the 1998 Five Year Review, the Preliminary Close out Report, and O&M sampling submittals by WDNR. The list of documents reviewed is provided in Attachment 6.

The standards identified in the 1987 ROD as applicable or relevant and appropriate requirements (ARARs) were reviewed for changes that could affect protectiveness. For groundwater that may be used as drinking water the Safe Drinking Water Act (SDWA) Maximum Contaminant Levels (MCLs) were identified as relevant and appropriate. In addition, the groundwater protection standards at NR 140 of the Wisconsin Administrative Code (WAC) were identified as applicable to Superfund activities in Wisconsin. There have been changes to both the MCLs and the NR 140 standards for lead and chromium since the issuance of the ROD; however, as discussed below, these changes do not affect the protectiveness of the remedy. ARARs related to monitoring and landfill capping (described below) have not changed since issuance of the ROD.

Chemical-Specific ARARs

Chemical-Specific ARARs regulate the release to the environment of specific substances having certain chemical characteristics. The ROD considered the groundwater at the site to be in compliance with the SDWA but required that any increase in concentrations of existing levels of chromium or lead be evaluated to determine if a corrective action would be necessary. The SDWA mandates that EPA establish regulations to protect human health from contaminants in drinking water. The drinking water standard, or MCL, for both chromium and lead was 50ug/L. Since the date of the ROD, the MCL for chromium has been relaxed to 100ug/L, while federal cleanup requirement for lead has been made more stringent to 15ug/L. WAC NR 140 provides for: 1) a Preventative Action Level (PAL), which serves as an early warning concentration to indicate that actions should be taken to investigate groundwater conditions; and 2) an Enforcement Standard (ES) which is an action level requiring initiation and maintenance of a cleanup response to restore groundwater quality to the PAL. If it is not economically or technically feasible to restore groundwater to the PAL, then the cleanup action must restore groundwater to the ES. The ES for both chromium and lead were 50 ug/L while the PALs were 5ug/L. Since the date of the ROD, both the ES and PAL for chromium have been changed to 100ug/L and 10ug/L respectively. The ES for lead has been changed to 15ug/L, and the PAL has changed to 1.5ug/L.

Location-Specific ARARs

Location-Specific ARARs are those requirements that relate to the geographic position of the Site. There have been no significant changes in these ARARs since the 1987 ROD. WAC115: Under the State of Wisconsin regulation, the action must comply with Wisconsin's Shoreland Management Program Administrative Rule by requiring approval by the County Planning Commission. It was expected that this approval would be gained by implementing proper erosion controls.

Action-Specific ARARs

Action-Specific ARARs are requirements that define acceptable treatment and disposal procedures for hazardous substances. Resource Conservation and Recovery Act (RCRA) Subtitle C regulations regarding landfill closure in 40 CFR 264.111, 264.117, and 264.310; and WAC 181.13(12) regulations which relate to hazardous waste handling, treatment, and disposal, were not applicable but were considered to be relevant and appropriate. The RCRA requirements considered to be relevant and appropriate included construction of a site cover that would minimize infiltration; function with minimum maintenance; promote drainage and

minimize erosion; accommodate settling; and have permeability less than the underlying soils. In addition, generally a 30-year monitoring and post closure maintenance period is required.

Data Review and Evaluation

Groundwater monitoring conducted at the Schmalz Dump is presented in Attachment 7. The last sampling event conducted by WDNR occurred in October 2004. Sampling analysis results from the October 2004 event indicated that concentration levels were consistent with historical data and that the levels were stable. The monitoring wells were purged via bailer on October 12, 2004. With the exception of monitoring wells MW-1 and MW-6 (both background wells) all remaining wells had dedicated bailers. Groundwater samples were collected via bailer on October 12, 2004. The samples were filtered and analyzed for metals.

Chromium and lead were identified in the1987 ROD for OU2 as the contaminants of concern.

The 2004 sampling results, for background wells MW-1 and MW-6 indicate all parameters are below their respective MCLs and are consistent with general historical data. In 2003, lead in MW-6 was found to be above the PAL. However, results from the 2004 sampling event, indicate that lead was below the PAL. No immediate explanation for the temporary rise in 2003 is available.

The levels of chromium and lead in monitoring wells other than background wells are consistent with historical data. The level of chromium is above the PAL in MW-2, MW-4 and MW-5. It should be noted that in as much as no hexavalent chromium was detected (at a reported detection limit of 10ug/L) during RI/FS phase II sampling, the chromium in the groundwater and soil must be in the trivalent state. Trivalent chromium is much less toxic that hexavalent chromium. Additionally, neither trivalent nor hexavalent chromium are considered carcinogenic via the oral exposure route (EPA 2001). There were no exceedances for lead in any of the on-site (MW-5) or downgradient wells (MW-2, MW-3 and MW-4) in the 2004 sampling round. The level of barium in MW-5 was consistent with historical data and continues to be above the PAL. Cadmium in MW-3 was again above the PAL as it was in 2003. While barium and cadmium continue to be above the PALs, they are below the EPA Preliminary Remediation Goals which are the risk based clean up levels for non-carcinogenic contaminants. Barium and cadmium are also below the MCLs and ES. The analysis results indicate that the levels of contaminants have stabilized and are consistent with previous monitoring.

Site Inspection

A site inspection was conducted on June 24, 2008, by Pamela Molitor, the EPA Remedial Project Manager and Alan Nass, the WDNR Project Manager. The purpose of the inspection was to assess the protectiveness of the remedy, including the maintenance of the perimeter fence, the integrity of the cap, and the condition of the monitoring wells. A copy of the site inspection checklist is included as Attachment 8.

The cap and vegetative cover were in good condition. The perimeter fence was in good condition except for a two foot hole that was cut on the south side. The hole should be repaired to prevent trespassing. The gates were locked. The fence lacked warning signs. Signage should be placed around the perimeter of the fence. Small trees and shrubs have grown through/close to the fence in several areas and should be removed. Vines and shrubs have grown around the gates and should be cleared. Additionally, the area around the one on-site well MW-5 should be mowed. Small bushes and trees were also noted to be located close to, but not in the soil cap. These should also be removed. All of the monitoring wells were secure. However, the concrete collars on two wells (on-site MW-5 and background MW-1) were cracked. The collar on the background well MW-1 should be replaced.

Site Interviews

Mr. Ted Pawlowski, owner of the adjacent property was interviewed. His only concern was to see the property redeveloped someday.

VII. Technical Assessment

Question A: Is the remedy functioning as intended by the decision documents?

Yes. The review of documents, ARARs, risk assumptions, the results of the site inspection, and the analysis results of the groundwater monitoring indicate that the remedy is functioning as intended by the RODs. The removal and proper disposal of the PCB contaminated wastes and sediment and the capping of the remaining contaminated wastes within the landfill has achieved the remedial objectives to minimize the migration of contaminants to groundwater and surface water and prevent direct contact with, or ingestion of, contaminants in waste materials. Maintenance of the cap has been effective. The monitoring well network provides sufficient data to assess the status of the groundwater. No activities were observed that would have compromised the integrity of the remedy. The cap and the surrounding area were in good repair, there were no signs of unauthorized access, and no new uses of groundwater were observed. The gate to the site is intact and in good repair. At this time, initial IC evaluation activities have determined that all non UU/UE areas are addressed effectively by the court order of November 15, 1991 and the Warranty Deed recorded in Calumet County, Wisconsin on July 22, 1999. The effective implementation of institutional controls has prevented exposure to, or ingestion of, site-related contaminants in the soil and groundwater and therefore, the remedy is functioning as intended. Follow-up actions are required to assure that the remedy remains protective; an IC Plan will be prepared to address the follow-up actions.

Question B: Are the exposure assumptions, toxicity data, cleanup levels, and remedial action objectives (RAOs) used at the time of the remedy selection still valid?

Yes. There have been no changes in the physical conditions of the site that would affect the protectiveness of the remedy.

ARARs that still must be met at this time and that have been evaluated include: NR 140, WAC; the SDWA (40 CFR 141.11-141.16) [Maximum Contaminant Levels (MCLs), and MCL Goals (MCLGs)]; and ARARs related to monitoring and landfill capping. There have been changes in these ARARs due to the ES and PAL changes for lead and chromium however the changes do not affect the protectiveness of the remedy. The ES for both chromium and lead were 50 ug/L while the PALs were 5ug/L. Since the date of the ROD, both the ES and PAL for chromium have been changed to 100ug/L and 10ug/L respectively. The ES for lead has been changed to 15ug/L, and the PAL has changed to 1.5ug/L. It should be noted that no hexavalent chromium was detected during RI/FS phase II sampling and trivalent chromium is much less toxic than hexavalent chromium. Additionally, neither hexavalent nor trivalent chromium is carcinogenic via the oral exposure route. There were no exceedences for lead in either the on-site or background wells in the last sampling event. The groundwater monitoring sampling analysis results are consistent with historical data and indicate that the levels of contaminants have stabilized.

The exposure assumptions used to develop the Human Health Risk Assessment included both current exposures (older child trespasser, adult trespasser) and potential future exposures (young and older future child resident, future adult resident and future adult worker). There have been no changes in the toxicity factors for the contaminants of concern that were used in the baseline risk assessment. These assumptions are considered to be conservative and reasonable in evaluating risk and developing risk-based cleanup levels. No change to these assumptions or the cleanup levels developed from them is warranted. There has been no change to the standardized risk assessment methodology that could affect the protectiveness of the remedy. The remedy is progressing as expected.

Question C: Has any other information come to light that could call into question the protectiveness of the remedy?

No. There is no information generated during the 5-year review process or other information that calls into question the protectiveness of the remedy. While several groundwater monitoring events have been missed since 1998, the analysis results from the September 9, 2003 and October 2004 groundwater monitoring indicate that the levels of contaminants have stabilized and are consistent with previous monitoring.

Technical Assessment Summary

According to the data reviewed and the site inspection, the remedy is functioning as intended by the RODs. There have been no changes in the physical conditions of the site that would affect the protectiveness of the remedy. There has been no changes in the toxicity factors for the contaminants of concern that were used in the baseline risk assessment, and there have been no change to the standardized risk assessment methodology that could affect the protectiveness of the remedy. There is no other information that calls into question the protectiveness of the remedy.

VIII. Issues

1) Annual groundwater monitoring/sampling has not been conducted since 2004. Conduct annual groundwater sampling in accordance with the provisions of the ROD.
2) Monitoring wells have not been surveyed.
3) Implement institutional controls, such as deed restrictions, if the Site is transferred to a new owner.

Table 3: Issues

Issues	Affects Current Protectiveness (Y/N)	Affects Future Protectiveness (Y/N)
Conduct annual groundwater monitoring	**N**	**Y**
Survey monitoring wells	**N**	**Y**
Implement institutional controls, such as deed restrictions, if the Site is transferred to a new owner.	**N**	**Y**

During the site inspection, some issues were noted that do not affect the protectiveness of the remedy. The hole in the perimeter fence on the south side of the property should be repaired and signage should be placed on the fence. Small trees and shrubs should be cleared and the area around the one on-site well MW-5 should be mowed. Additionally the concrete collar on the background well MW-1 should be repaired.

IX. Recommendations and Follow-Up Actions

1) Return to annual groundwater monitoring for three years then consider the potential for changing the sampling frequency consistent with the recommendation from the previous five year review.
2) Survey the monitoring wells.
3) An IC Plan will be prepared which will plan for long-term stewardship and will include steps necessary to ensure that effective ICs are implemented, monitored, maintained and enforced. The IC Plan will include provisions to ensure long-term protectiveness.

Table 4: Recommendations and Follow-up Actions

Issue	Recommendations and Follow-up Actions	Party Responsible	Oversight Agency	Milestone Date	Affects Protectiveness (Y/N)	
					Current	Future
1	**Evaluate frequency of groundwater monitoring**	**EPA**	**EPA**	**September 2011**	**N**	**Y**
2	**Survey monitoring wells**	**WDNR**	**EPA**	**September 2008**	**N**	**Y**

Issue	Recommendations and Follow-up Actions	Party Responsible	Oversight Agency	Milestone Date	Affects Protectiveness (Y/N)	
					Current	Future
3	**An IC Plan will be prepared which will plan for long-term stewardship and will include steps necessary to ensure that effective ICs are implemented, monitored, maintained and enforced. The IC Plan will include provisions* to ensure long-term protectiveness.**	WDNR	EPA	September 2009	N	Y

* The IC Plan will include provisions to further evaluate the Warranty Deed, to examine title work to confirm ownership and no prior-in-time encumbrances exist which could interfere with the ICs, a contingency provision to implement additional ICs, such as deed restrictions, if the property (owned by Mr. Schmalz) is transferred to a new owner and assuring that the ICs are maintained and monitored by modifying the monitoring plan.

X. Protectiveness Statement

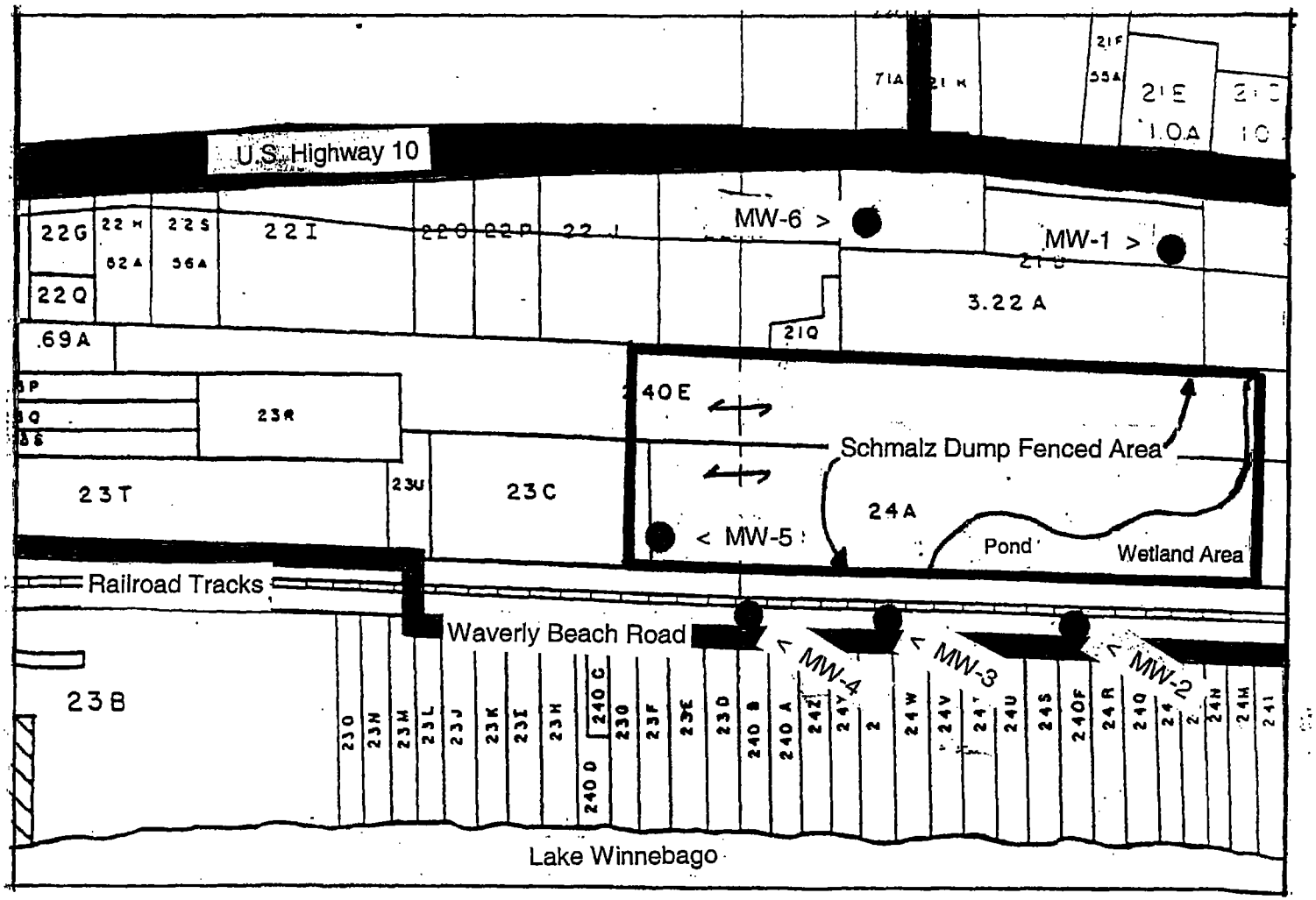
The remedy is protective in the short term of human health and the environment because groundwater protection standards have been met and in the interim, exposure pathways that could result in unacceptable risks are being controlled. The remedy eliminates the principal threat posed by the Site by preventing direct contact with contaminated materials, the removal and capping of contaminated soils, and groundwater monitoring. However, in order for the remedy to be protective in the long term annual groundwater monitoring according to the provisions in the ROD need to be completed to ensure compliance with groundwater protection standards. In addition institutional controls, such as deed restrictions, need to be obtained if the Site is transferred to a new owner. Long term protectiveness of the remedy requires compliance with effective ICs. Compliance with effective ICs will be ensured through long term stewardship by maintaining and monitoring effective ICs as well as maintaining the site remedy components.

XI. Next Review

The next five-year review for the Schmalz Dump is required within five years from the date of this review.

Attachment 1

Site Plan



Schmalz Dump Site Plan

Showing Location Of Monitoring Wells MW-1 Through MW-6 And Boundary Of Site Fence
Scale: 1 Inch = Approximately 300 Feet / North Is At Top Of Page
Plan Taken From Property Identification Map

Schmalz Dump

County Boundary
Railroad
Roads and Highways
US Hwy
State Hwy
County Hwy
Roads
Alley
Private
Ramp
Lakes
Buildings
Parcels
Unincorporated Community
2005 Color Aerials
Municipalities
city
township
village
Parcel Location IDs

DISCLAIMER: This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only.
SOURCES: Calumet County, Plansight LLC;September 2006 for County Data, Aerial Imagery as specified

Attachment 2

1991 Court Order

United States District Court

EASTERN DISTRICT OF WISCONSIN

TRANSCRIPT OF JUDGMENT DOCKET

Name of Judgment Debtor: Gregory Schmalz

Address of Judgment Debtor: Appleton, WI

Name of Judgment Creditor: United States of America

Address of Judgment Creditor:

Amount of damages with costs: SEE ATTACHED ORDER.

Date of entry of Judgment: November 15, 1991

Attorney for Judgment Creditor: Steven D. Ellis, Jerome Kujawa, Bill Haubold

UNITED STATES DISTRICT COURT)
) SS.
EASTERN DISTRICT OF WISCONSIN)

I, the undersigned Clerk of said court, do hereby certify that I have compared the foregoing with the original docket, now of record in my office, and that it is a correct transcript therefrom and of the whole thereof in a certain action entitled:

UNITED STATES OF AMERICA,
Plaintiff(s),
v. *Case No.* 90-C-941

GREGORY A. SCHMALZ, et al.,
Defendant(s).

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of said Court at Milwaukee, Wisconsin, this 8th *day of January, 1999.*

SOFRON B. NEDILSKY
Clerk, United States District Court
Eastern District of Wisconsin

BY: Valerie Hass
Deputy Clerk

STATE OF WISCONSIN
COUNTY OF CALUMET
THIS DOCUMENT IS A FULL, TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE AND OF RECORD IN MY OFFICE AND HAS BEEN COMPARED BY ME.
DATE February 12 1999
Barbara Hale by R Gruescher
DEPUTY
99-TJ-8

U.S. DIST. COURT EAST DIST. WISC.
FILED
at _____ o'clock _____ m
SOFRON B. NEDILSKY

NOV 15 1991

ORIGINAL FOR COURT FILE
COPY RETAINED FOR JUDGE'S FILE

Copy mailed to attorneys for parties by the Court pursuant to Fed. R. Civ. P.77(d).
11-15-91

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v. Civil Action No. 90-C-0941

GREGORY A. SCHMALZ,
GERALD W. SCHMALZ,
MARIE A. SCHMALZ,
MENASHA ELECTRIC AND WATER UTILITIES, a Wisconsin Municipal Utility, also known as MENASHA ELECTRIC AND WATER UTILITIES, INC.,

Defendants.

I hereby certify that this is a true and correct copy of the original on file of record in my office.
Sofron B. Nedilsky, Clerk
DEC 21 1998 By V. Hace Deputy

ORDER FOR DEFAULT JUDGMENT

This matter having come before the Court regarding the United States' Motion for Default Judgment; and the Court having found that the United States has satisfied the requisites of Federal Rule of Civil Procedure 55; it is hereby ORDERED that:

1. Judgment is hereby entered in favor of the United States of America and against Defendant Gregory Schmalz for all unreimbursed costs, incurred by the United States in conducting its response activities in connection with the Schmalz Dump Site, together with interest thereon and all costs, legal fees, and expenses associated with this civil action, the amount of such costs to be determined at a later time, and liability for such judgment to be joint and several with such parties, if any, that may be found liable for such costs in the future.

2. Pursuant to CERCLA Section 104(e)(5)(B)(i), 42 U.S.C. §9604(e)(5)(B)(i), the United States Environmental Protection

202

Agency ("EPA") and its representatives are hereby authorized to enter onto and remain on the property of Gregory Schmalz, located at the Schmalz Dump Site, in the Town of Harrison, Calumet County, State of Wisconsin, for the purposes of completing the response activities on the Schmalz Dump Site pursuant to EPA's Record of Decision signed September 30, 1987. Access for EPA and its representatives is granted until such time as EPA and its representatives complete the response activities as set forth in EPA's Record of Decision signed September 30, 1987. Defendant Gregory Schmalz is hereby enjoined from obstructing or interfering with EPA or its authorized representatives from entry onto the Schmalz Dump Site, in conducting the response activities, and from disturbing any of the work done as part of the response activities.

3. Declaratory judgment is hereby awarded to the United States and against defendant Gregory Schmalz for all costs incurred in the future by the United States, not inconsistent with the National Contingency Plan, 40 C.F.R. Part 300, in connection with response activities by EPA and its representatives at the Schmalz Dump Site, liability for such costs to be joint and several with such parties, if any, that may be found liable for such costs in the future.

4. This Order for Default Judgment does not constitute a resolution of any factual issue relating to the Plaintiff's claims against the City of Menasha or any other defendants, and shall not be relied upon in resolving the Plaintiff's claims against Menasha or any other defendants. This Order for Default

Judgment also does not constitute a resolution of or have any effect on any defense raised by the City of Menasha in its pleadings.

DATED this 15th day of Nov, 1991

BY THE COURT:

John W. Reynolds
District Court Judge

JUDGMENT ENTERED THIS 15th DAY OF November 1991.

SOFRON B. NEDILSKY, Clerk of Court

By: Rita Ness Deputy Clerk

Attachment 3

Deed Restrictions

J 4765 I 67

294684

DOCUMENT NO.

STATE BAR OF WISCONSIN FORM 2 – 1982
WARRANTY DEED

REGISTER'S OFFICE
CALUMET COUNTY, WI
Received for Record 22
day of JULY A.D. 19 99
11:30 o'clock A M., and Recorded in
Jacket 4765 Image 67
Register

THIS SPACE RESERVED FOR RECORDING DATA

NAME AND RETURN ADDRESS
H.J.Jennerjohn
P.O.Box 274
Hortonville, WI 54944

See ** below.
PARCEL IDENTIFICATION NUMBER

John E. Schmalz and H. J. Jennerjohn, Inc., a Wisconsin Corporation,

conveys and warrants to Theodore Pawlowski, William Bojarski and Lawrence O. Lowe, joint tenants, with right of survivorship,

TRANSFER
$ 33.00

the following described real estate in Calumet County, State of Wisconsin: FEE

Lot Two (2) of Certified Survey Map No. 2135 recorded in the office of the Register of Deeds for Calumet County, Wisconsin on September 30, 1998 in Volume 15 of Survey Maps on page 220, as Document No. 283184. Said lot being part of Government Lots 3 and 4 of Section 18, Township 20 North, Range 18 East, Town of Harrison, Calumet County, Wisconsin.

This deed is given subject to easements of record, including but not limited to the ingress and egress easement granted to Grant and Laurie Fulcer in Jacket 4595, Image 61, as Document No. 289812.

Buyers have further agreed to and are purchasing this property subject to a portion of the property having been determined hazardous to human health or welfare or to the environment. Buyers understand that the United States Environmental Protection Agency, the United States Army Corp of Engineers and the State of Wisconsin Department of Natural Resources have continued jurisdiction over that portion of the property and have been granted legal entry and access to the property by virtue of a consent signed by Sellers on February 7, 1992. Sellers make no warranties or represeentations regarding the environmental condition of the property or the status of the on going cleanup. In that regard, Buyers are accepting the property "AS IS".

This is not homestead property.
(is) (is not)

Exception to warranties: any easements or restrictions of record, including the reservations set forth above.

**010-0000-0000000-000-0-201818-05-040R (Loc. ID 06297)
010-0000-0000000-000-0-201818-05-040U (Loc. ID 06300)
010-0000-0000000-000-0-201818-05-03AE (Loc. ID 06331)

Dated this 29th day of June, A.D., 19 99

John E. Schmalz (SEAL)
John E. Schmalz

(SEAL)

H. J. JENNERJOHN, INC.
By: Herman J. Jennerjohn (SEAL)
Herman J. Jennerjohn, President

(SEAL)

AUTHENTICATION

Signature(s) _____

authenticated this _____ day of _____, 19____

TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, authorized by s.706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY
Attorney Robert E. Sorenson
Hortonville, Wisconsin

(Signatures may be authenticated or acknowledged. Both are not necessary.)

ACKNOWLEDGMENT

State of Wisconsin,
Calumet County, } ss

Personally came before me this 29th day of June, 19 99, the above named John E. Schmalz and Herman J. Jennerjohn

to me known to be the person ___ who executed the foregoing instrument and acknowledge the same.

Barry Jennerjohn
Barry Jennerjohn

Notary Public, Outagamie County, Wis
My commission is permanent. (If not, state expiration date: Jan. 6 2003)

* Names of persons signing in any capacity should be typed or printed below their signatures.

WARRANTY DEED

STATE BAR OF WISCONSIN
Form No. 2 – 1982

Wisconsin Legal Blank Co., Inc.
Madison, Wis.

I CERTIFY THAT THIS DOCUMENT WAS MICROFILMED ACCORDING TO WI STATUTE 16.61(7). TAMI ALTEN, CALUMET COUNTY MICROFILM OPERATOR.

II. Grantee

Bojarski, William Social Security No: 393-58-0129

331 7th Street, Neenah, WI 54956

III. 16. LEGAL DESCRIPTION

Lot 2 of Certified Survey Map No. 2135 recorded in the office of the Register of Deeds for Calumet County, Wisconsin on September 30, 1998 in Volume 15 of Survey Maps on page 220, as Document No. 283184. Said lot being part of Government Lots 3 and 4 of Section 18, Township 20 North, Range 18 East, Town of Harrison, Calumet County, Wisconsin.

Excepting the portion of the property described as follows:

A parcel of land being part of Government Lot 4 and part of the Northwest 1/4 of the Northwest 1/4 of Section 18, Township 20 North, Range 18 East, Town of Harrison, Calumet County, Wisconsin, bounded and described as follows: Commencing at the Northwest Corner of said Section 18; thence S00°-23'-22"E, 1320.25 feet along the West Line of the Northwest 1/4 of Section 18 to the North line of Government Lot 4; thence S86°-42'-32"E, 530.00 feet along said North Line; thence N00°-23'-22"W, 209.85 feet to the South right-of-way line of U.S.H. "10" and U.S.H. "114"; thence S85°-58'-20"E, 375.34 feet along said South right-of-way line; thence S00°-23'-22"E, 205.01 feet to the North Line of Government Lot 4 and to the point of beginning; thence S06°-47'-49"E, 183.15 feet to the West line of lands described in Jacket 3600, Image 17; thence S00°-23'-22"E, 230.06 feet along the West line of lands described in Jacket 3600, Image 17 to the North right-of-way line of the Wisconsin Central Limited Railroad; thence N87°-11'-53"W, 75.00 feet along said North Line to the East Line of lands described in Jacket 1910, Image 33; thence N00°-23'-22"W, 250.00 feet along said East line and its extension Northerly; thence N18°-36'-13"E, 167.29 feet to the point of beginning.

LEGIBILITY IMPAIRED

J 5174 I 16

I CERTIFY THAT THIS DOCUMENT HAS MICROFILMED ACCORDING TO WI STATUTE 16.61(7). TAMI ALTEN, CALUMET COUNTY MICROFILM OPERATOR

STATE BAR OF WISCONSIN FORM 3 - 1998

QUIT CLAIM DEED

Document Number

305741

State of Wisconsin Calumet Co.
Received and Filed
At A.M. 11:20 P.M.
JUL 26 '00
Ellen Propson
Register of Deeds
Pg 1 of 2 #15-16

J 5174 I 15

This Deed, made between Lawrence O. Lowe

Grantor, and William Bojarski and Theodore Pawlowski

Grantee.

Grantor, quit claims to Grantee the following described real estate in Calumet County, State of Wisconsin

See Attached

Recording Area

Name and Return Address
Attorney Gordon E. Stillings
P.O. Box 98
Neenah, WI. 54956

Parcel Identification Number (PIN)

This is not homestead property.
(is) (is not)

Tax Key Nos. 010-0000-000-0-201818-05-040R; 010-0000-0000000-000-0-201818-05-040U; 010-0000-0000000-000-0-201818-05-03AE

TRANSFER
$ 4.50
FEE

Together with all appurtenant rights, title and interests

Dated this 21 day of June 2000

Lawrence O. Lowe

Lawrence O. Lowe

AUTHENTICATION

Signature(s) Lawrence O. Lowe

authenticated this 23 day of June 2000

Gordon E. Stillings
TITLE: MEMBER STATE BAR OF WISCONSIN
(and/or and by § 706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY
Attorney Gordon E. Stillings

(Signatures may be authenticated or acknowledged. Both are not necessary.)

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) ss
County.)
Personally came before me this day of the above named

to me known to be the person(s) who executed the foregoing instrument and acknowledge the same

Notary Public, State of Wisconsin
My Commission is permanent (if not, state expiration date

*Names of persons signing in any capacity should be typed or printed below their signatures

QUIT CLAIM DEED

STATE BAR OF WISCONSIN
FORM No. 3 - 1998

I CERTIFY THAT THIS DOCUMENT WAS MICROFILMED ACCORDING TO WI STATUTE 16.61(7). TAMI ALTEN, CALUMET COUNTY MICROFILM OPERATOR.

DOCUMENT NO.

203544

WARRANTY DEED
STATE OF WISCONSIN · FORM

THIS SPACE RESERVED FOR RECORDING DATA

REGISTERS OFFICE
CALUMET COUNTY WI
Received for Record 25
day of Oct. A.D. 19 89
10:55 o'clock A M. and Recorded in
Jacket 1398 Image 24-27
Donna Schommer
Register
Rd. 10.00

RETURN TO VAN HOOF, VAN HOOF & CORNETT
200 East Main Avenue
P.O. Box 27
Little Chute, WI 54140-0027

This indenture, Made this 20th day of October A. D., 19 89, between BANK OF LITTLE CHUTE, a Corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, located at Little Chute, Wisconsin, party of the first part, and John E. Schmalz and H. J. Jenner John, Inc., as tenants in common, part of the second part.

Witnesseth, That the said party of the first part, for and in consideration of the sum of $1.00 and other good and valuable consideration to it paid by the said part ies of the second part, the receipt whereof is hereby confessed and acknowledged, has given, granted, bargained, sold, remised, released, aliened, conveyed and confirmed, and by these presents does give, grant, bargain, sell, remise, alien, convey, and confirm unto the said part ies of the second part, their heirs and assigns forever, the following described real estate, situated in the County of Calumet, State of Wisconsin, to-wit:

SEE RIDER ATTACHED

TRANSFER

$ 225.00
FEE

(IF NECESSARY, CONTINUE DESCRIPTION ON REVERSE SIDE)

Together with all and singular the hereditaments and appurtenances thereunto belonging or in any wise appertaining; and all the estate, right, title, interest, claim or demand whatsoever, of the said party of the first part, either in law or equity, either in possession or expectancy of, in and to the above bargained premises, and their hereditaments and appurtenances.

To have and to hold the said premises as above described with the hereditaments and appurtenances, unto the said part ies of the second part, and to their heirs and assigns FOREVER.

And the said Bank of Little Chute party of the first part, for itself and its successors, does covenant, grant, bargain and agree to and with the said part ies of the second part, their heirs and assigns, that at the time of the ensealing and delivery of these presents it is well seized of the premises above described, as of a good, sure, perfect, absolute and indefeasible estate of inheritance in the law, in fee simple, and that the same are free and clear from all encumbrances whatever, except EPA Access Agreement and easements and restrictions of record.

Buyers acknowledge that a portion of the subject property has been determined hazardous to human health or welfare or the environment by the United States Environmental Protection Agency.

and that the above bargained premises in the quiet and peaceable possession of the said part ies of the second part, their heirs, and assigns, against all and every person or persons lawfully claiming the whole or any part thereof, it will forever WARRANT and DEFEND.

In Witness Whereof, the said Bank of Little Chute party of the first part, has caused these presents to be signed by T. F. DeBruin its President, and countersigned by Gerald DeBruin, its Vice President ~~XXX Secretary~~ at Little Chute, Wisconsin, and its corporate seal to be hereunto affixed, this 20th day of October, A. D., 19 89.

SIGNED AND SEALED IN PRESENCE OF

BANK OF LITTLE CHUTE
Corporate Name

T. F. DeBruin
President

T. F. DeBruin

COUNTERSIGNED:

Gerald DeBruin
Vice President ~~XXXXXX~~

Gerald DeBruin

STATE OF WISCONSIN
OUTAGAMIE County. } ss.

Personally came before me, this 20th day of October, A. D., 19 89, T. F. DeBruin, President, and Gerald DeBruin, Secretary of the above named Corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such President and Secretary of said Corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said Corporation, by its authority.

Paul M. Cornett
Paul M. Cornett
Notary Public, State of Wisconsin, Wis.
My commission ~~expires~~ is permanent

THIS INSTRUMENT WAS DRAFTED BY
Paul M. Cornett, Attorney

NOTARY SEAL

(Section 59.31 (1) of the Wisconsin Statutes provides that all instruments to be recorded shall have legibly printed or typewritten thereon the names of the grantors, grantees, witnesses and notary. Section 59.513 similarly requires that the name of the person who, or governmental agency which, drafted such instrument, shall be printed, typewritten, stamped or written thereon in a legible manner.)

WARRANTY DEED — By Corporation
STATE OF WISCONSIN
FORM No. 1
Wisconsin Legal Blank Co. Inc.
Milwaukee, Wis.

DOCUMENT PHOTOGRAPHED IN ACCORDANCE WITH STANDARDS ESTABLISHED BY 869.30 (3) (b) THIS 25 DAY OF Oct 1989 CALUMET COUNTY MICROFILM DEPARTMENT

A parcel of land in that part of the West 60.0 acres of the North 1/2 of the Northwest 1/4, lying South of the South line of the Public Highway, in Section 18, T20N, R18E, Town of Harrison, Calumet County, Wisconsin, more particularly described as follows:
Beginning at a point in the South line of the Public Highway, such point being 530.0 feet Easterly of the intersection of said South line with the West line of said West 60.0 acres; thence South on a line that is parallel to the west line of said West 60 acres, 262.5 feet more or less to the South line of the said N½ of the said NW¼, thence East on said South line a distance of 300.0 feet; thence North on a line that is parallel to the Westerly line of the parcel as herein described, a distance of 275.00 feet, more or less, to the South line of the Public Highway, thence Westerly on the South line of the Public Highway, a distance of 300.00 feet to the place of beginning.
ALSO
A parcel of land in that part of the West 60.0 acres of the North 1/2 of the Northwest 1/4, lying South of the South line of the Public Highway, in Section 18, T20N, R18E, Town of Harrison, Calumet County, Wisconsin, more particularly described as follows:
Beginning at a point in the South line of the Public Highway, such point being 830.0 feet Easterly of the intersection of said South line with the West line of said West 60.0 acres; thence South on a line that is parallel to the West line of said West 60.0 acres, a distance of 275.00 feet more or less, to the South line of the said N½ of the said NW¼, thence East on said South line a distance of 75 feet; thence North on a line that is parallel to the Westerly line of a parcel as herein described, a distance of 287.0 feet, more or less, to a point on the South line of the public highway, thence Westerly on the South line of the Public highway a distance of 75.00 feet to the place of beginning.
Excepting therefrom: All that part of the NW¼ NW¼, Section 18, T20N, R18E, as described in Volume 79 of Deeds page 275, that is bounded on the North by the South line of USH 10 and STH 114 as it now exists and is bounded on the South by a line described as follows: Commencing at a point on the West line of said Section 18, a distance of 1063 feet S 0°48'W of the Northwest corner thereof; thence N89°11'E along the right of way reference line of USH 10 and STH 114, a distance of 400 feet to a perpendicular line hereinafter referred to as "Line A"; thence N89°11'E 674.7 feet; thence on a line of a 1°00' curve to the right, 558.3 feet to a radial line; thence Southerly along said radial line, 189 feet to the point of beginning; thence Westerly to a point on "Line A", 75 feet South of said reference line.
Said parcel contains 0.60 acres, more or less, exclusive of all lands previously acquired or now used for highway purposes.

All that part of Fractional Government Lots 3 and 4 of Section 18, T20N, R18E, Town of Harrison, Calumet County, Wisconsin, more fully described as follows:
The West 75 feet of the following described premises:
Beginning at a point on the North right of way line of the Chicago, Milwaukee and St. Paul Railroad that is 850 feet East of the West line of Fractional Lot 4, said West line being the West line of Section 18; thence North 180 feet parallel with the West line of Fractional Lot 4; thence Easterly parallel with the North right of way line of said railroad 20 feet; thence North 50 feet parallel with the West line of Fractional Lot 4, thence Easterly parallel with the North right of way line of said railroad 450.5 feet; thence South 230 feet parallel with the West line of Fractional Lot 4, thence Westerly along the railroad right of way line 470.5 feet to the point of beginning, reserving the Southerly 40 feet thereof for roadway purposes.

A parcel of land in Lot 4, Section 18, T20N, R18E, Town of Harrison, Calumet County, Wisconsin, described as follows:
Beginning at the intersection of the North line of the Milwaukee and Northern Railroad Company right-of-way (now Chicago, Milwaukee and St. Paul Railway) and the East line of the County Line Road right-of-way and extending North 0°51' West 180.0 feet to a point; thence North 87°16' East 502.0 feet to a point of beginning; thence North 87°16' East 335.0 feet to a point; thence North 0°51' West 50.0 feet to a point; thence South 87°16' West 335.0 feet to a point; thence South 0°51' East 50.0 feet to the point of beginning.

DOCUMENT PHOTOGRAPHED IN ACCORDANCE WITH STANDARDS ESTABLISHED BY 889.30 (3) (b) THIS 25 DAY OF Oct 1989 CALUMET COUNTY MICROFILM DEPARTMENT

A piece of land in Government Lot 4 of Section 18, T20N, R18E, Town of Harrison, Calumet County, Wisconsin, more fully described as follows: Commencing at a point where the North line of the right of way of the C.N. and St. P. R.R. intersects the East line of the County Line road, thence North 230 feet along the East line of said County Line road, thence East along the South line of lands now owned by parties of the first part, 497 feet being the place of beginning, thence North parallel with the East line of said County Line road, 50 feet, thence East along the North line of lands now owned by parties of the first part, 373 feet, thence South parallel with the East line of the County Line road, 50 feet, thence West along the South line of lands now owned by parties of the first part, 373 feet, to the place of beginning.

ALSO

A parcel of land in Government Lot 4 of Section 18, T20N, R18E, Town of Harrison, Calumet County, Wisconsin, described as follows:
Commencing at the intersection of the East line of the County Line road, and the North line of the right of way of the C.N. and St. P. and P. R.R. right of way, thence North 280 feet along the East line of said County Line road, thence Easterly along the South boundary of lands now owned by parties of the first part, to a point which is 497 feet East of the East line of said County Line road, being the place of commencement, thence North parallel with the East line of the County Line road, 50 feet, thence East along the North line of lands now owned by parties of the first part, 373 feet, thence South parallel with the East line of the County Line road, 50 feet, thence West along the South line of lands now owned by parties of the first part, 373 feet, to the place of beginning.

ALSO

A parcel of land in Government Lot 4, of Section 18, T20N, R18E, Town of Harrison, Calumet County, Wisconsin, described as follows:
Commencing at a point where the West line of said Section 18, intersects the Southerly line of State Trunk Highway #114 as now laid out, thence East along the Southerly line of said State Trunk Highway #114, a distance of 530 feet, thence South on a line that is parallel to the West line of Section 18, a distance of 233 feet, more or less, to the North line of said Government Lot 4, said point to be the point or place of beginning of the premises herein described: thence East a distance of 375 feet, thence South on a line that is parallel to the West line of said Section 18, to the Southerly line of Grantors land as described in a deed recorded in Volume 86 of Deeds on page 314, of Calumet County Records, thence in a Northwesterly direction along the Southerly line of Grantors land a distance of 35 feet, more or less, thence north 100 feet along the line of Grantors land as described in 86 Deeds 314; thence West along the line of Grantors land as referred to above, a distance of 340 feet; thence North parallel with the West line of Section 18, to the point of beginning.

ALSO

A parcel of land in Government Lots 3 and 4 in Section 18, T20N, R18E, Town of Harrison, Calumet County, Wisconsin, described as follows:
Commencing at a point where the West line of Section 18 intersects the North right-of-way of the Chicago, Milwaukee and St. Paul Railroad; thence East along said right-of-way a distance of 2568 feet to the East line of said Government Lot 3; thence North along the East line of said Lot 3 a distance of 230 feet to a point which shall be the place of beginning, thence West a distance of 1663 feet, more or less, to the East line of the property conveyed by Grantors to Grantees by Warranty Deed recorded in Vol. 88 of Deeds on page 436; thence North on a line parallel to the West line of said Section 18 to the North line of said Government Lot 4; thence East along the North lines of Government Lots 4 and 3 to the Easterly line of said Government Lot 3; thence South along the East line of said Lot 3 to the place of beginning, less the East 250 feet of the described property, it being the intention of the Grantors, by this instrument, to convey all of the remaining land to which they hold title in said Government Lots 3 and 4.

DOCUMENT PHOTOGRAPHED IN ACCORDANCE WITH STANDARDS ESTABLISHED BY 889.30 (3) (b) THIS 25 DAY OF Oct 1989 CALUMET COUNTY MICROFILM DEPARTMENT

Also all existing, future or potential common law or statutory easements or rights of access between the right of way of the highway, currently designated as USH 10 and STH 114 and all of the abutting remaining real property of the owners, whether acquired by separate conveyance or otherwise, where the following described real estate abuts on the said highway: The NW¼ NW¼, Section 18, T20N, R18E, as described in Volume 79 of Deeds, page 275.

Except the right of access to said highway from abutting lands on the South side of the highway by means of one access point pursuant to the provisions of Section 86.07(2), Wis. Stats.

Also limited highway easements for the right to construct and maintain drainage sections including for such purpose the right to operate necessary equipment thereon, the right of ingress and egress, as long as required for such public purpose, including the right to preserve, protect, remove or plant thereon any vegetation that the highway authorities may deem desirable to prevent erosion of the soil, in and to the following tracts of land in Calumet County, Wisconsin, described as: A strip of land 50 feet in width extending through said owners lands in Gov. Lot 3, Section 18, T20N, R18E, the West line of said strip being described as follows: Commencing at a point on the West line of said Section 18, a distance of 1063 feet South of the Northwest corner thereof; thence N89°11'E, 906.1 feet to a point hereinafter referred to a "Point B"; thence N89°11'E, 168.6 feet; thence on a line of a 1°00' curve to the right, 558.3 feet; thence S85°4'E, 345.67 feet to the point of beginning; thence S1°43'W, to the South line of said owners lands.

Also a strip of land 50 feet in width extending through said owners lands in Gov. Lot 4, Section 18, T20N, R18E, the West line of said strip being described as follows: Beginning at "Point B"; thence S1°06'W, 337.5 feet; thence S2°26'E, 414.9 feet.

DOCUMENT PHOTOGRAPHED IN ACCORDANCE WITH STANDARDS ESTABLISHED BY 889.30 (3) (b) THIS 25 DAY OF Oct 1989 CALUMET COUNTY MICROFILM DEPARTMENT

DOCUMENT NO.

165884

STATE BAR OF WISCONSIN — FORM 2
WARRANTY DEED

THIS SPACE RESERVED FOR RECORDING DATA
REGISTERS OFFICE
CALUMET COUNTY, WI
Received for Record 21
day of October A.D., 19 82
4:25 o'clock P M. and Recorded in
Volume 250 Page 1
Register

TJF
$4.00

RETURN TO Attorney David K. Sparr
CURTIS, MACKENZIE & VANDER LOOP, S.C.
P.O. Box 735
Oshkosh, WI 54902

Tax Key No. _____

Gerald W. Schmalz and Marie A. Schmalz,
husband and wife, and each in their own right,
for a good and valuable consideration

conveys and warrants to Gregory A. Schmalz

the following described real estate in Calumet County, State of Wisconsin: All that part of Fractional Lots Three (3) and Four (4) of Section Eighteen (18), Township Twenty (20) North, Range Eighteen (18) East, Town of Harrison, Calumet County, Wisconsin described as follows:

Beginning at a point on the North right-of-way line of the Chicago, Milwaukee and St. Paul Railroad that is One Thousand Three Hundred Twenty and Five Tenths Feet (1,320.5') East of the West line of Fractional Lot Four (4) said West line being the West line of Section Eighteen (18); thence North Two Hundred Thirty Feet (230') parallel with the West line of Fractional Lot Four (4); thence Easterly parallel with the North right-of-way line of said railroad One Thousand Two Hundred Forty-seven and Five Tenths Feet (1,247.5'); thence South Two Hundred Thirty Feet (230'); thence Westerly along the railroad right-of-way line One Thousand Two Hundred Forty seven and Five Tenths Feet(1,247.5') to the point of beginning. Also the right-of-ingress and egress over a portion of land described as follows:

Beginning at a point on the North Right-of-way line of the Chicago, Milwaukee & St. Paul Railroad that is One Thousand Three Hundred Twenty and Five Tenths Feet (1,320.5') East of the West line of Fractional Lot Four (4); thence Westerly Four Hundred Seventy and Five Tenths Feet (470.5') along the North line of said railroad; thence North Forty Feet (40'); thence Easterly parallel with the North line of said Railroad Four Hundred Seventy and Five Tenths Feet (470.5'); thence South Forty Feet (40') to the point of beginning.

This is homestead property.
(is) (is not)

Exception to warranties:

FEE

77.25(8)
EXEMPT

Dated this 10 day of October, 19 82

_____ (SEAL)
_____ (SEAL)

Gerald W. Schmalz (SEAL)
GERALD W. SCHMALZ
Marie A. Schmalz (SEAL)
MARIE A. SCHMALZ

AUTHENTICATION

Signatures authenticated this 10 day of October, 19 82

David K. Sparr

TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, _____
authorized by § 706.06, Wis. Stats.)

This instrument was drafted by
Attorney David K. Sparr

(Signatures may be authenticated or acknowledged. Both are not necessary.)

*Names of persons signing in any capacity must be typed or printed below their signatures.

ACKNOWLEDGEMENT

STATE OF WISCONSIN
_____ County. } ss.

Personally came before me, this _____ day of _____, 19____, _____ the above named _____ _____ _____ _____ _____ to me known to be the person ___ who executed the foregoing instrument and acknowledged the same.

Notary Public _____ County, Wis.
My Commission is permanent. (If not, state expiration date: _____, 19____.)

WARRANTY DEED — STATE BAR OF WISCONSIN, FORM NO. 2 — 1977

Stock No. 11142

428 (12/80)

Wisconsin Banker's Association

165885

Prepared for and intended for use by commercial banks in transactions governed by Wisconsin Law

REGISTER'S OFFICE
[illegible] COUNTY, WI

Received for Record 21
day of October A.D., 19 82
4:25 o'clock P.M. and Recorded in
Volume 258 Image 2-4
[illegible]
Register

REAL ESTATE MORTGAGE

(May use for (1) business purpose loan, (2) loan to an organization, (3) loan exceeding $25,000 or (4) loan of $25,000 or less if not governed by the Wisconsin Consumer Act.)

Gregory A. Schmalz

("Mortgagor", whether one or more) mortgages, conveys and warrants to Valley Northern Bank ("Lender") in consideration of the sum of Five Thousand and no/100- Dollars ($ 5,000.00), loaned or to be loaned to Gregory A. Schmalz ("Borrower", whether one or more), evidenced by Borrower's note(s) dated October 18, 1982, the real estate described below, together with all privileges, hereditaments, easements and appurtenances, all rents, leases, issues and profits, all awards and payments made as a result of the exercise of the right of eminent domain, and all existing and future improvements and fixtures (all called the "Property").

RETURN TO
Valley Northern Bank
402 E. Wisconsin Ave.
Appleton, WI 54911

1. **Description of Property.** (This Property is not (is) (is not) the homestead of Mortgagor.) Tax Key # _____

SEE ATTACHED EXHIBIT "A".

"The obligation secured hereby, at the option of the holader of the note, shall become due and payable immediately, without notice, upon transfer of the mortgagors' interest in the property mortgaged herein by deed, land contract, or any other means of conveyance or transfer."

☐ If checked here, description is continued on reverse side or attached sheet.

2. **Title.** Mortgagor warrants title to the Property, excepting only restrictions and easements of record, municipal and zoning ordinances, current taxes and assessments not yet due and none.

3. **Escrow. Interest** _____ (will) (will not) be paid on escrowed funds required under paragraph 7(a) on the reverse side.

4. **Additional Provisions.** Mortgagor shall observe and comply with the Additional Provisions on the reverse side, which are incorporated herein, and shall not permit an event of default to occur.

The undersigned acknowledges receipt of an exact copy of this Mortgage.

Signed and Sealed this 18th day of October, 19 82.

SEE REVERSE SIDE FOR ADDITIONAL PROVISIONS

_____ (SEAL)
(_____)

By: _____ (SEAL)
(_____)

Attest: _____ (SEAL)
(_____)

[Witnesses not required]

Gregory A. Schmalz (SEAL)
Gregory A. Schmalz

_____ (SEAL)

_____ (SEAL)

AUTHENTICATION OR ACKNOWLEDGMENT

Signatures of _____

authenticated this _____ day of _____, 19__

Title: Member State Bar of Wisconsin or _____ authorized under Sec. 706.06, Wis. Stats.

This instrument was drafted by
Thomas E. Nooyen
*Type or print name signed above

STATE OF WISCONSIN
Outagamie County } ss.

Personally came before me, this 18 day of Oct. 19 82 the above named Gregory A. Schmalz

to me known to be the person who executed the foregoing instrument and acknowledged the same.

Thomas E. Nooyen
Notary Public Outagamie County, Wis
My Commission (Expires) (is) Aug. 21, 1983

ADDITIONAL PROVISIONS

4. **Mortgage As Security.** This Mortgage is given to secure prompt payment to Lender of the sum stated in the first paragraph of this Mortgage, plus interest and charges, according to the terms of a promissory note(s) of Borrower to Lender identified on the reverse side, and any extensions, renewals or modifications, and any additional sums loaned by Lender to any Mortgagor, to any Mortgagor and another or to another guaranteed or endorsed by any Mortgagor agreed to be secured by this Mortgage except credit the granting of which is subject to the Wisconsin Consumer Act, plus interest and charges (all called the "Note"), and the performance of all convenants, conditions and agreements contained in this Mortgage, and to the extent not prohibited by law costs and expenses of collection or enforcement. If the Note is paid according to its terms, and all other payments are made and all other terms, conditions, covenants, and agreements contained in this Mortgage and the Note are performed then this Mortgage ceases and is void.

5. **Taxes.** To the extent not paid to Lender under §7(b), Mortgagor shall pay before they become delinquent all taxes, assessments and other charges which may be levied or assessed against the Property, or against Lender upon this Mortgage or the Note or other debt secured by this Mortgage, or upon Lender's interest in the Property, and deliver to Lender receipts showing timely payment.

6. **Insurance.** Mortgagor shall keep the improvements on the Property insured against direct loss or damage occasioned by fire, extended coverage perils and such other hazards as Lender may require, through insurers approved by Lender, in amounts, without co-insurance, not less than the unpaid balance of the Note or the full replacement value, whichever is less, and shall pay the premiums when due. The policies shall contain the standard mortgage clause in favor of Lender and, unless Lender otherwise agrees in writing, the original of all policies covering the Property shall be deposited with Lender. Mortgagor shall promptly give notice of loss to insurance companies and Lender. All proceeds from such insurance shall be applied, at Lender's option, to the installments of the Note in the inverse order of their maturities (without penalty for prepayment) or to the restoration of the improvements on the Property. In the event of foreclosure of this Mortgage or other transfer of title to the Property, in extinguishment of the indebtedness secured hereby, all right, title, and interest of Mortgagor in and to any insurance then in force shall pass to the purchaser or grantee.

7. **Mortgagor's Covenants.** Mortgagor convenants:

(a) **Escrow.** To pay Lender sufficient funds at such times as Lender designates, to pay (1) the estimated annual real estate taxes and assessments on the Property, (2) all property insurance premiums when due, and (3) if payments owed under the Note are guaranteed by mortgage guaranty insurance, the premiums necessary to pay for such insurance which Lender may cancel at any time. Upon demand, Mortgagor shall pay Lender such additional sums as are necessary to pay these items in full when due. Lender shall apply these amounts against the taxes, assessments and insurance premiums when due. Escrowed funds may be commingled with Lender's general funds;

(b) **Condition and Repair.** To keep the Property in good and tenantable condition and repair, and to restore or replace damaged or destroyed improvements and fixtures;

(c) **Liens.** To keep the Property free from liens and encumbrances superior to the lien of this Mortgage;

(d) **Waste.** Not to commit waste or permit waste to be committed upon the Property;

(e) **Conveyance.** Not to sell, assign, lease, mortgage, convey or otherwise transfer any legal or equitable interest in all or part of the Property, or permit the same to occur without the prior written consent of Lender and, without notice to Mortgagor, Lender may deal with any transferee as to his interest in the same manner as with Mortgagor, without in any way discharging the liability of Mortgagor hereunder or upon the Note hereby secured;

(f) **Alteration or Removal.** Not to remove, demolish or materially alter any part of the Property, without Lender's prior written consent, except Mortgagor may remove a fixture, provided the fixture is promptly replaced with another fixture of at least equal utility;

(g) **Condemnation.** To pay to Lender all compensation received for the taking of the Property, or any part, by condemnation proceedings (including payments in compromise of condemnation proceedings), and all compensation received as damages for injury to the Property, or any part. The compensation shall be applied in such manner as Lender determines to rebuilding of the Property or to installments of the Note in the inverse order of their maturities (without penalty for prepayment);

(h) **Ordinances; Inspection.** To comply with all laws, ordinances and regulations affecting the Property. Lender and its authorized representatives may enter the Property at reasonable times to inspect it and, at Lender's option, repair or restore it;

(i) **Subrogation.** That the Lender is hereby subrogated to the lien of any mortgage or other lien discharged, in whole or in part, by the proceeds of the Note.

8. **Authority of Lender to Perform for Mortgagor.** If Mortgagor fails to perform any of Mortgagor's duties set forth in this Mortgage, Lender may perform the duties or cause them to be performed, including without limitation signing Mortgagor's name or paying any amount so required, and the cost shall be due on demand and secured by this Mortgage, bearing interest at the highest rate stated in any Note but not in excess of the maximum rate permitted by law from the date of expenditure by Lender to the date of payment by Mortgagor.

9. **Default; Acceleration; Remedies.** If, (a) there is a failure to make a payment under the Note when due and such default continues for a period of ten days, (b) Mortgagor fails timely to observe or perform any of Mortgagor's convenants contained in this Mortgage, (c) any representation or warranty made in this Mortgage or otherwise to induce Lender to extend credit to Mortgagor is false in any material respect when made, or (d) Mortgagor or a surety for the Note dies, ceases to exist or becomes insolvent or the subject of bankruptcy or other insolvency proceedings, the Note will, at the option of Lender and without notice, which is hereby waived, be payable immediately, and Lender may collect the same in a suit at law or by foreclosure of this Mortgage by action or advertisement or by the exercise of any other remedy available at law or equity

10. **Waiver.** Lender may waive any default without waiving any other subsequent or prior default by Mortgagor.

11. **Power of Sale.** In the event of foreclosure, Lender may sell the Property at public sale and execute and deliver to the purchasers deeds of conveyance pursuant to statute.

12. **Receiver.** Upon the commencement or during the pendency of an action to foreclose this Mortgage, or enforce any other remedies of Lender under it, without regard to the adequacy or inadequacy of the Property as security for the Note, the court may appoint a receiver of the Property (including homestead interest) without bond, and may empower the receiver to take possession of the Property and collect the rents, issues and profits of the Property and exercise such other powers as the court may grant until the confirmation of sale, and may order the rents, issues and profits, when so collected, to be held and applied as the court may direct.

13. **Foreclosure Without Deficiency Judgment.** If the Property is a one to four family residence that is owner-occupied at the commencement of a foreclosure, a farm, a church or owned by a tax exempt charitable organization, Mortgagor agrees to the provisions of sec. 846.101, Wis. Stats., and as the same may be amended or renumbered from time to time, permitting Lender, upon waiving the right to judgment for deficiency, to hold the foreclosure sale of real estate of 20 acres or less six months after a foreclosure judgment is entered. If the Property is other than a one to four family residence that is owner-occupied at the commencement of a foreclosure, a farm, a church or a tax exempt charitable organization, Mortgagor agrees to the provisions of sec. 846.103, Wis. Stats., and as the same may be amended or renumbered from time to time, permitting Lender, upon waiving the right to judgment for deficiency, to hold the foreclosure sale of real estate three months after a foreclosure judgment is entered.

14. **Expenses.** To the extent not prohibited by law, Mortgagor shall pay all reasonable costs and expenses, including without limitation attorneys' fees and expenses of obtaining title evidence, incurred by Lender in foreclosing this Mortgage.

15. **Severability.** Invalidity or unenforceability of any provision of this Mortgage shall not affect the validity or enforceability of any other provision.

16. **Successors and Assigns.** The obligations of all Mortgagors are joint and several. This Mortgage benefits Lender, its successors and assigns, and binds Mortgagor(s) and their respective heirs, personal representatives, successors and assigns.

EXHIBIT "A"

State of Wisconsin. All that part of Fractional Lots Three (3) and Four (4) of Section Eighteen (18), Township Twenty (20) North, Range Eighteen (18) East, Town of Harrison, Calumet County, Wisconsin described as follows:

Beginning at a point on the North right-of-way line of the Chicago, Milwaukee and St. Paul Railroad that is One Thousand Three Hundred Twenty and Five Tenths Feet (1,320.5') East of the West line of Fractional Lot Four (4) said West line being the West line of Section Eighteen (18); thence North Two Hundred Thirty Feet (230') parallel with the West line of Fractional Lot Four (4); thence Easterly parallel with the North right-of-way line of said railroad One Thousand Two Hundred Forty-seven and Five Tenths Feet (1,247.5'); thence South Two Hundred Thirty Feet (230'); thence Westerly along the railroad right-of-way line One Thousand Two Hundred Forty seven and Five Tenths Feet (1,247.5') to the point of beginning. Also the right-of-ingress and egress over a portion of land described as follows:

Beginning at a point on the North Right-of-way line of the Chicago, Milwaukee & St. Paul Railroad that is One Thousand Three Hundred Twenty and Five Tenths Feet (1,320.5') East of the West line of Fractional Lot Four (4); thence Westerly Four Hundred Seventy and Five Tenths Feet (470.5') along the North line of said railroad; thence North Forty Feet (40'); thence Easterly parallel with the North line of said Railroad Four Hundred Seventy and Five Tenths Feet (47[illegible].5'); thence South Forty Feet (40') to the point of beginning.

Attachment 4

Survey Map

CERTIFIED SURVEY MAP NO. 2135

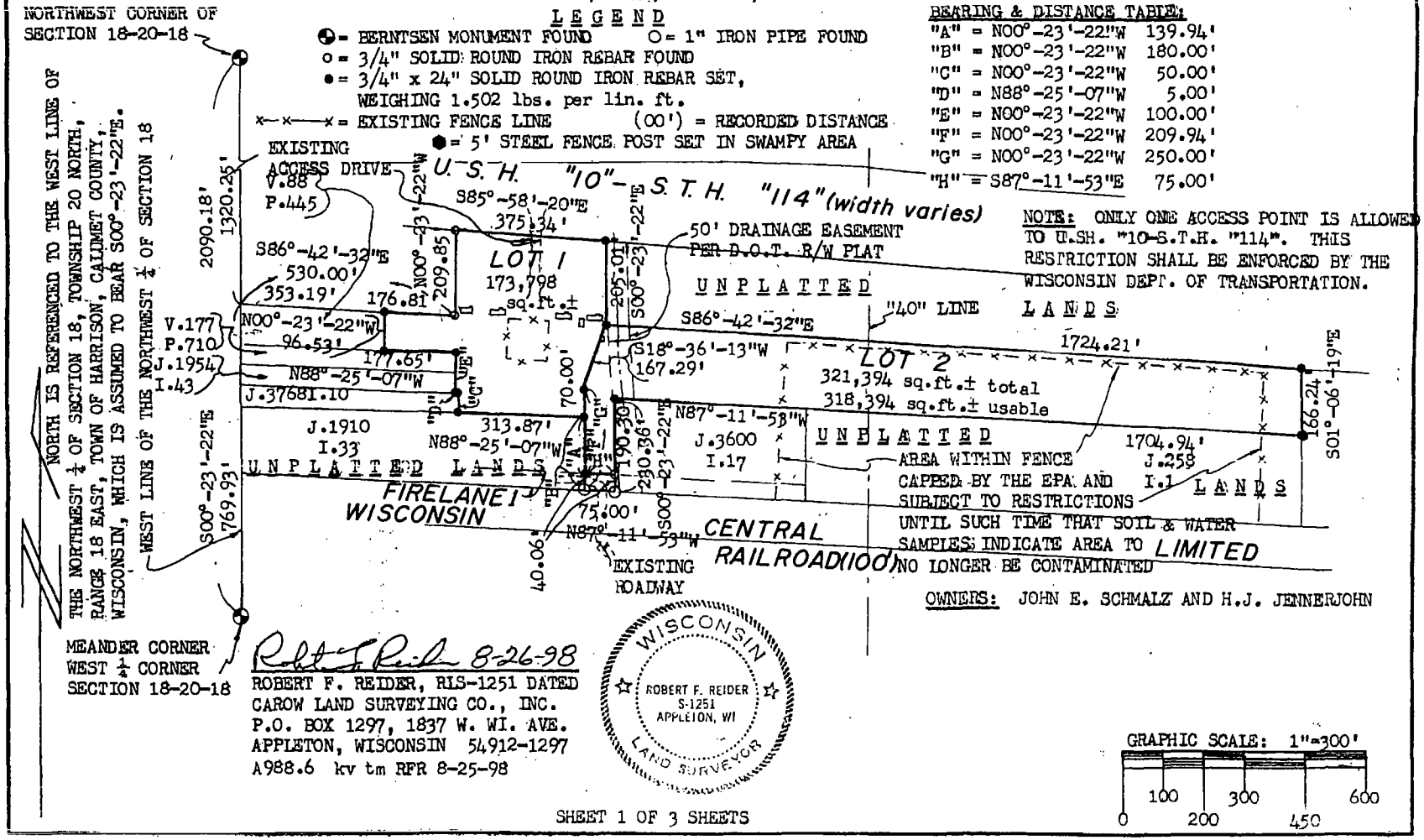
BEING PART OF GOVERNMENT LOTS 3 AND 4 AND PART OF THE NORTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 18, TOWNSHIP 20 NORTH, RANGE 18 EAST, TOWN OF HARRISON, CALUMET COUNTY, WISCONSIN.

LEGEND

- ⊕ = BERNTSEN MONUMENT FOUND
- O = 1" IRON PIPE FOUND
- o = 3/4" SOLID ROUND IRON REBAR FOUND
- ● = 3/4" x 24" SOLID ROUND IRON REBAR SET, WEIGHING 1.502 lbs. per lin. ft.
- x—x—x = EXISTING FENCE LINE
- (00') = RECORDED DISTANCE
- ● = 5' STEEL FENCE POST SET IN SWAMPY AREA

BEARING & DISTANCE TABLE:

"A"	= N00°-23'-22"W	139.94'
"B"	= N00°-23'-22"W	180.00'
"C"	= N00°-23'-22"W	50.00'
"D"	= N88°-25'-07"W	5.00'
"E"	= N00°-23'-22"W	100.00'
"F"	= N00°-23'-22"W	209.94'
"G"	= N00°-23'-22"W	250.00'
"H"	= S87°-11'-53"E	75.00'



NOTE: ONLY ONE ACCESS POINT IS ALLOWED TO U.S.H. "10-S.T.H. "114". THIS RESTRICTION SHALL BE ENFORCED BY THE WISCONSIN DEPT. OF TRANSPORTATION.

OWNERS: JOHN E. SCHMALZ AND H.J. JENNERJOHN

Robert F. Reider 8-26-98

ROBERT F. REIDER, RLS-1251 DATED
CAROW LAND SURVEYING CO., INC.
P.O. BOX 1297, 1837 W. WI. AVE.
APPLETON, WISCONSIN 54912-1297
A988.6 kv tm RFR 8-25-98

WISCONSIN ROBERT F. REIDER S-1251 APPLETON, WI LAND SURVEYOR

GRAPHIC SCALE: 1"=300'
0 100 200 300 450 600

SHEET 1 OF 3 SHEETS

FORM NO. 195-A

CERTIFIED SURVEY MAP NO. 2135

SURVEYOR'S CERTIFICATE:

I, ROBERT F. REIDER, REGISTERED WISCONSIN LAND SURVEYOR, CERTIFY THAT I HAVE SURVEYED, DIVIDED AND MAPPED PART OF GOVERNMENT LOTS 3 AND 4 AND PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 20 NORTH, RANGE 18 EAST, TOWN OF HARRISON, CALUMET COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 18; THENCE S00-23-22E, 1320.25 FEET ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 18 TO THE NORTH LINE OF GOVERNMENT LOT 4; THENCE S86-42-32E, 353.19 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING; THENCE CONTINUING S86-42-32E, 176.81 FEET ALONG SAID NORTH LINE; THENCE N00-23-22W, 209.85 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF U.S.H. "10" AND U.S.H. "114"; THENCE S85-58-20E, 375.34 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE; THENCE S00-23-22E, 205.01 FEET TO THE NORTH LINE OF GOVERNMENT LOT 4; THENCE S86-42-32E, 1724.21 FEET ALONG SAID NORTH LINE AND THE NORTH LINE OF GOVERNMENT LOT 3; THENCE S01-06-19E, 166.24 FEET TO THE NORTH LINE OF LANDS DESCRIBED IN JACKET 258, IMAGE 1; THENCE N87-11-53W, 1704.94 FEET ALONG SAID NORTH LINE AND THE NORTH LINE OF LANDS DESCRIBED IN JACKET 3600, IMAGE 17 TO THE WEST LINE OF SAID DESCRIBED LANDS; THENCE S00-23-22E, 230.06 FEET ALONG THE WEST LINE OF LANDS DESCRIBED IN JACKET 3600, IMAGE 17 TO THE NORTH RIGHT-OF-WAY LINE OF THE WISCONSIN CENTRAL LIMITED RAILROAD; THENCE N87-11-53W, 75.00 FEET ALONG SAID NORTH LINE TO THE EAST LINE OF LANDS DESCRIBED IN JACKET 1910, IMAGE 33; THENCE N00-23-22W, 180.00 FEET ALONG SAID EAST LINE TO THE NORTH LINE OF SAID DESCRIBED LANDS; THENCE N88-25-07W, 313.87 FEET ALONG SAID NORTH LINE TO THE EAST LINE OF LANDS DESCRIBED IN JACKET 3768, IMAGE 10; THENCE N00-23-22W, 50.00 FEET ALONG SAID EAST LINE AS EVIDENCED TO THE NORTH LINE OF SAID DESCRIBED LANDS; THENCE N88-25-07W, 5.00 FEET ALONG SAID NORTH LINE TO THE EAST LINE OF LANDS DESCRIBED IN JACKET 1951, IMAGE 43 AS EVIDENCED; THENCE N00-23-22W, 100.00 FEET ALONG SAID EAST LINE AND THE EAST LINE OF LANDS DESCRIBED IN VOLUME 177, PAGE 710 AS EVIDENCED TO THE NORTH LINE OF LANDS DESCRIBED IN VOLUME 177, PAGE 710 AS EVIDENCED; THENCE N88-25-07W, 177.65 FEET ALONG SAID NORTH LINE TO THE EAST LINE OF LANDS DESCRIBED IN VOLUME 88, PAGE 445; THENCE N00-23-22W, 96.53 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

THAT I HAVE MADE SUCH SURVEY UNDER THE DIRECTION OF H.J. JENNERJOHN, P.O. BOX 274, HORTONVILLE, WISCONSIN 54944.

THAT THIS MAP IS A CORRECT REPRESENTATION OF THE EXTERIOR BOUNDARY LINES OF THE LANDS SURVEYED.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATUTES AND THE SUBDIVISION ORDINANCES OF CALUMET COUNTY.

WISCONSIN ROBERT F. REIDER S-1251 APPLETON, WI LAND SURVEYOR

Robt F Reider 8-28-98

ROBERT F. REIDER, RLS-1251 DATED
CAROW LAND SURVEYING CO., INC.
1837 W. WISCONSIN AVE., P.O. BOX 1297
APPLETON, WISCONSIN 54912-1297
A988.6 kv tm RFR 8-26-98

COUNTY TREASURER CERTIFICATE:

I HEREBY CERTIFY THAT THERE ARE NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS ON ANY OF THE LANDS INCLUDED IN THIS MINOR SUBDIVISION AS OF THIS 15th DAY OF September, 1998.

Peter A Wittek

TREASURER, CALUMET COUNTY

TOWN TREASURER CERTIFICATE:

I HEREBY CERTIFY THAT THERE ARE NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS ON ANY OF THE LANDS INCLUDED IN THIS MINOR SUBDIVISION AS OF THIS 9 DAY OF September, 1998.

Gilmer Schauer

TREASURER, TOWN OF HARRISON

SHEET 2 OF 3 SHEETS

I CERTIFY THAT THIS DOCUMENT WAS MICROFILMED ACCORDING TO WI STATUTE 16.61(7). TAMI ALTEN, CALUMET COUNTY MICROFILM OPERATOR.

25X 32X

FORM NO. 985-A

CERTIFIED SURVEY MAP NO. 2135

PLANNING COMMITTEE CERTIFICATE:
PURSUANT TO THE LAND SUBDIVISION REGULATIONS OF THE COUNTY OF CALUMET, WISCONSIN, ALL THE REQUIREMENTS FOR APPROVAL HAVE BEEN FULFILLED. THIS MINOR SUBDIVISION WAS APPROVED BY THE CALUMET COUNTY PLANNING AND ZONING COMMITTEE ON THE 30th DAY OF September, 1998.

CHAIRPERSON, PLANNING AND ZONING COMMITTEE

DIRECTOR, CALUMET COUNTY PLANNING DEPARTMENT

OWNER'S CERTIFICATE:
JOHN E. SCHMALZ AND H.J. JENNERJOHN, AS OWNERS, HEREBY CERTIFIES THAT THEY CAUSED THE LAND DESCRIBED ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED AND MAPPED AS REPRESENTED HEREON. THEY ALSO CERTIFY THAT THIS MAP IS REQUIRED BY SECTIONS 236.10 OR 236.12 OF THE WISCONSIN STATUTES TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL: COUNTY OF CALUMET AND TOWN OF HARRISON.
WITNESS THE HAND AND SEAL OF SAID OWNER(S) THIS 11th DAY OF September, 1998.

JOHN E. SCHMALZ

H.J. JENNERJOHN

STATE OF WISCONSIN)
)SS
COUNTY OF CALUMET)

PERSONALLY CAME BEFORE ME THIS 11th DAY OF September, 1998, THE ABOVE NAMED PERSON(S) TO ME KNOWN TO BE THE PERSON(S) WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

NOTARY PUBLIC

MY COMMISSION EXPIRES January 6th, 2002

WISCONSIN ROBERT F. REIDER S-1251 APPLETON, WI LAND SURVEYOR

8-26-98
ROBERT F. REIDER, RLS-1251 DATED
CAROW LAND SURVEYING CO., INC.
P.O. BOX 1297, 1837 W. WISCONSIN AVE.
APPLETON, WISCONSIN 54912-1297
A988.6 kv tm RFR 8-26-98

SHEET 3 OF 3 SHEETS

I CERTIFY THAT THIS DOCUMENT WAS MICROFILMED ACCORDING TO WI STATUTE 16.61(7). TAMI ALTEN, CALUMET COUNTY MICROFILM OPERATOR.

25× 32×

253184

Certified Survey Map # 2135

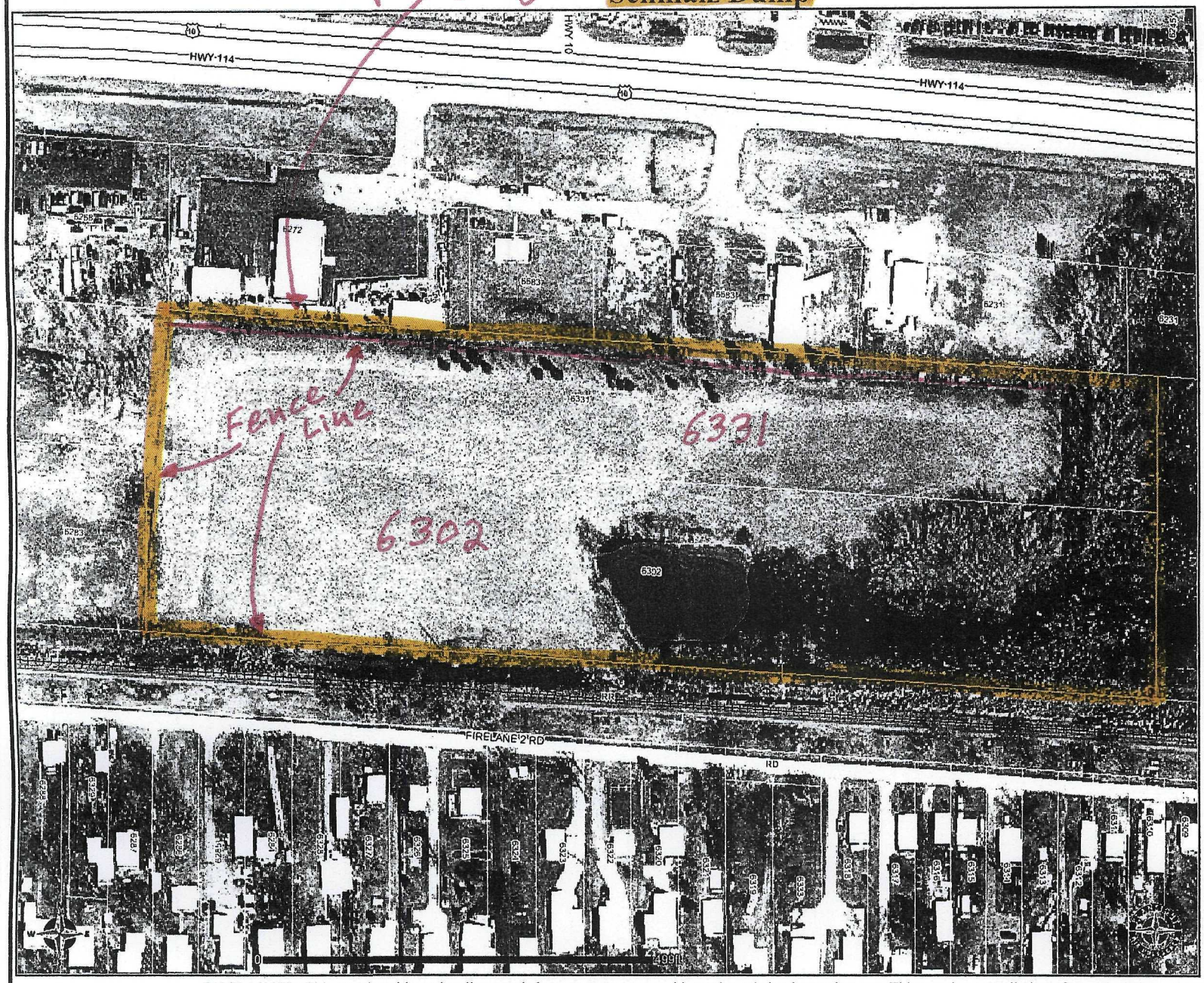
REGISTER'S OFFICE
CALUMET COUNTY, WI
Received for Record 30
day of Sept A.D. 19 98
3:30 o'clock P M. and Recorded in
Vol 15 Page 220
Survey Map
Donna Schommer
Register
Chg $4.

T.

I CERTIFY THAT THIS DOCUMENT WAS MICROFILMED ACCORDING TO WI STATUTE 16.61(7). TAMI ALTEN, CALUMET COUNTY MICROFILM OPERATOR.

25X 32X

Schmalz Dump



DISCLAIMER: This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only.
SOURCES: Calumet County, Plansight LLC;September 2006 for County Data, Aerial Imagery as specified

Attachment 5

Newspaper Ad

the wire

Tuesday, June 24, 2008
THE POST-CRESCENT

QUOTE OF THE DAY:

VOLATILE VOTE

"We can't ask the people to cast their vote on June 27 when that vote will cost their lives."

MORGAN TSVANGIRAI, Zimbabwe opposition leader, pulling out of the violence-wracked presidential runoff

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EPA To Review Schmalz Dump Superfund Site

Calumet County, Wisconsin

U.S. Environmental Protection Agency is conducting a status review of the Schmalz Dump Superfund site, town of Harrison, Calumet County, Wis. The Superfund law requires regular reviews of sites (at least every five years) where the cleanup is complete but hazardous waste remains managed on-site. These reviews are done to ensure that the cleanup continues to protect human health and the environment.

The review will include a summary of:

- Site information.
- How the cleanup was done.
- Effectiveness of the cleanup and any anticipated future actions.
- Ways for EPA to operate more efficiently.

EPA selected several actions for the site in 1987:

- A cover over contaminated soil.
- A ground-water monitoring program.
- A fence around the landfill.

This is the third five-year review for Schmalz Dump. The previous review was done in 2003.

A five-year review report, which will be available in September, will detail the site's progress.

Site-related documents are available for review at:

UW-Fox Valley Library
1478 Midway Road
Menasha

Further information can be obtained by contacting:

Susan Pastor
Community Involvement. Coord.
pastor.susan@epa.gov

Pamela Molitor
Remedial Project Mgr.
molitor.pamela@epa.gov

EPA Region 5 Toll-Free: 800-621-8431, weekdays 9 a.m. – 4:30 p.m.

U.S. Envir.

son, Lois P.
Schultz)

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22, 2008, at Cherry
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geous battle with can-

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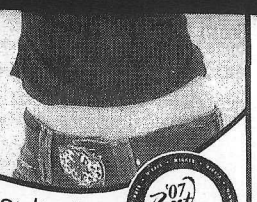

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EPA To Review Schmalz Dump Superfund Site
Calumet County, Wisconsin

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Susan Pastor
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Pamela Molitor
Remedial Project Mgr.
molitor.pamela@epa.gov

EPA Region 5 Toll-Free: 800-621-8431, weekdays 9 a.m. – 4:30 p.m.

5000688845

Appleton Post Crescent
6/24/08

THE POST-CRESCENT

Attachment 6

Documents Reviewed

Documents Reviewed

Declaration for the Record of Decision, Schmalz Dump, Harrison, Wisconsin, September 30, 1987.

Preliminary Close out Report, 1993.

Five-Year Review Report, Schmalz Dump, Harrison, Wisconsin, EPA Region 5, Superfund Division, 1998.

Addendum to 1998 Five Year Review Report, EPA Region 5, Superfund Division 2001.

Second Five-Year Review Report, Schmalz Dump, Harrison, Wisconsin, EPA Region 5, Superfund Division, 2003.

Wisconsin Department of Natural Resources inspection reports 2003 through 2007.

Wisconsin Department of Natural Resources groundwater sampling data 2003 through 2007.

Attachment 7

Groundwater Monitoring Data

Analytical Results for MW-1
Schmalz Dump Superfund Site

TABLE 1

PARAMETER	UNITS	8/93	11/93	2/94	6/94		4/21/1998	7/21/1998	11/2/1998		9/9/2003	10/12/2004	6/1/2008	NR 140	NR 140
Metals, dissolved						Duplicate			LF-NF	LF-F				PAL	ES
Arsenic	ug/l	< 3.0	< 100	< 100	< 100	< 100	< 0.6	0.8	< 0.8	1.1	-	<1		5	50
Barium	ug/l	280	240	220	230	300	110	240	250	250	244	220		400	2000
Cadmium	ug/l	< 10	< 10	< 10	< 10	< 10	< 0.02	0.08	0.04	0.05	<0.05	0.05		0.5	5
Chromium	ug/l	2	< 10	< 10	< 10	**10**	1.7	2	3	3	2	1.9		10	100
Lead	ug/l	< 50	< 50	< 50	< 50	< 50	< 0.4	< 0.8	< 0.8	< 0.8	<1.0	<1		1.5	15
Mercury	ug/l	< 0.20	< 0.20	< 0.20	< 0.20	< 0.20	NA	NA	NA	NA	<0.03	<0.03		0.2	2
Selenium	ug/l	< 3	< 100	< 100	< 100	< 100	< 1	< 1	< 1	< 1	-			10	50
Silver	ug/l	< 10	< 10	< 10	< 10	< 10	0.28	< 0.2	< 0.2	< 0.2	<0.1	<0.1		10	50
Common Anions															
Fluoride	mg/l	< 3.2	< 3.2	< 3.2	< 3.2	< 3.2	NA	NA	NA	NA	NA	NA	NA	NS	NS
Chloride	mg/l	13	12	12	10	10	NA	NA	NA	NA	NA	NA	NA	125	250
Nitrite as N	mg/l	< 0.11	< 0.11	< 0.11	< 0.11	< 0.11	NA	NA	NA	NA	NA	NA	NA	0.2	1
Bromide	mg/l	< 0.11	0.11	0.14	0.14	0.13	NA	NA	NA	NA	NA	NA	NA	NS	NS
Nitrate as N	mg/l	< 0.028	< 0.025	< 0.025	0.043	0.043	NA	NA	NA	NA	NA	NA	NA	2	10
Sulfate	mg/l	**210**	**170**	**180**	**170**	**170**	NA	NA	NA	NA	NA	NA	NA	125	250
PCBs															
PCB 1016	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
PCB 1221	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
PCB 1232	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
PCB 1242	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
PCB 1248	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
PCB 1254	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
PCB 1260	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
Pesticides	ug/l	NA	NA	NA	ND	NA	NA	NA	NA	NA	NA	NA	NA	*	*
Miscellaneous															
TOX	ug/l	29.6	50	390	113.2	22.3	NA	NA	NA	NA	NA	NA	NA	NS	NS
TOC	mg/l	35.8	53.4	59	156	105	NA	NA	NA	NA	NA	NA	NA	NS	NS
TSS	mg/l	27	23	10	110	130	NA	NA	NA	NA	NA	NA	NA	NS	NS
Phenol	mg/l	< 0.020	< 0.020	< 0.020	0.0338	NA	NA	NA	NA	NA	NA	NA	NA	1.2	6

LF-NF=Low Flow Sampling Technique and Not Filtered
LF-F=Low Flow Sampling Technique and Filtered

- = Not avail. at print
NA = Not Analyzed
ND = Not Detected > PQL
PQL = Practical Quantitation Limit
NS = No Standard
Bold Type = NR 140 PAL Exceedance
Bold Italic Type = ES Exceedance
* = See NR 140 for Pesticide Standards

Analytical Results for MW-2
Schmalz Dump Superfund Site

TABLE 1 (continued)

PARAMETER	UNITS	8/93	11/93		2/94		6/94		4/21/1998	7/21/1998	11/2/1998		9/9/2003	10/12/2004	6/1/2008	NR 140	NR 140
Metals, dissolved				Duplicate		Duplicate		Duplicate			LF-NF	LF-F				PAL	ES
Arsenic	ug/l	< 3.0	< 100	< 100	< 100	< 100	< 100	< 100	< 0.6	1.6	< 0.8	< 0.8	-	<1		5	50
Barium	ug/l	240	280	280	240	270	300	280	270	310	410	430	329	269		400	2000
Cadmium	ug/l	< 10	< 10	< 10	< 10	< 10	< 10	< 10	< 0.02	0.15	0.07	0.08	0.25	0.07		0.5	5
Chromium	ug/l	**19**	**13**	**10**	**10**	**14**	**14**	**15**	7.2	**10**	**11**	**12**	**14**	12.1		10	100
Lead	ug/l	< 50	< 50	< 50	< 50	< 50	< 50	< 50	< 0.4	< 0.8	< 0.8	< 0.8	<1.0	<1		1.5	15
Mercury	ug/l	< 0.20	< 0.20	< 0.20	< 0.20	< 0.20	< 0.20	< 0.20	NA	NA	NA	NA	<0.03	<0.03		0.2	2
Selenium	ug/l	< 3	< 100	< 100	< 100	< 100	< 100	< 100	2	< 2	< 1	< 1	-	<1		10	50
Silver	ug/l	< 10	< 10	< 10	< 10	< 10	< 10	< 10	0.16	0.2	0.25*	0.3	<0.1	<0.1		10	50
Common Anions																	
Fluoride	mg/l	< 4.0	< 4.0	< 4.0	< 4.0	< 4.0	< 4.0	< 4.0	NA	NA	NA	NA	NA	NA	NA	NS	NS
Chloride	mg/l	71	73	73	73	73	83	84	NA	NA	NA	NA	NA	NA	NA	125	250
Nitrite as N	mg/l	<0.36	< 0.36	< 0.36	< 0.72	< 0.72	< 0.72	< 0.72	NA	NA	NA	NA	NA	NA	NA	0.2	1
Bromide	mg/l	0.12	< 0.20	0.11	0.11	0.11	0.11	0.13	NA	NA	NA	NA	NA	NA	NA	NS	NS
Nitrate as N	mg/l	< 0.028	< 0.025	< 0.025	< 0.025	< 0.025	< 0.025	< 0.025	NA	NA	NA	NA	NA	NA	NA	2	10
Sulfate	mg/l	***920***	***1,100***	***1,100***	***1,200***	***1,200***	***1,200***	***1,200***	NA	NA	NA	NA	NA	NA	NA	125	250
PCBs																	
PCB 1016	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
PCB 1221	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
PCB 1232	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
PCB 1242	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
PCB 1248	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
PCB 1254	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
PCB 1260	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
Pesticides	ug/l	NA	NA	NA	NA	NA	ND	NA	NA	NA	NA	NA	NA	NA	NA	*	*
Miscellaneous																	
TOX	ug/l	49.4	37	27.4	450	1,400	25.8	30.5	NA	NA	NA	NA	NA	NA	NA	NS	NS
TOC	mg/l	53	69	72.9	69	69	99.7	132	NA	NA	NA	NA	NA	NA	NA	NS	NS
TSS	mg/l	4	46	49	57	100	66	70	NA	NA	NA	NA	NA	NA	NA	NS	NS
Phenol	mg/l	< 0.020	< 0.020	< 0.020	< 0.020	< 0.020	0.0247	0.0306	NA	NA	NA	NA	NA	NA	NA	1.2	6

LF-NF=Low Flow Sampling Technique and Not Filtered
LF-F=Low Flow Sampling Technique and Filtered
* Matrix Spike QC Exceeded

- = Not avail. at print
NA = Not Analyzed
ND = Not Detected > PQL
PQL = Practical Quantitation Limit
NS = No Standard
Bold Type = NR 140 PAL Exceedance
Bold Italic Type = NR 140 ES Exceedance
* = See NR 140 for Pesticide Standards

Analytical Results for MW-3
Schmalz Dump Superfund Site

TABLE 1 (continued)

PARAMETER	UNITS	8/93		11/93	2/94	6/94	4/21/1998	7/21/1998	11/2/1998		9/9/2003	10/12/2004	6/1/2008	NR 140	NR 140
Metals, dissolved			Duplicate						LF-NF	LF-F				PAL.	ES
Arsenic	ug/l	< 3.0	< 3.0	< 100	< 100	< 100	< 0.6	< 0.8	< 0.8	< 0.8	-	<1		5	50
Barium	ug/l	240	250	250	250	210	230	240	220	220	241	270		400	2000
Cadmium	ug/l	< 10	< 10	< 10	< 10	< 10	0.1	0.14	0.15	0.16	**1.62**	**0.91**		0.5	5
Chromium	ug/l	3.9	4.1	< 10	**13**	< 10	2.3	5	2	1	2	2.7		10	100
Lead	ug/l	< 50	< 50	< 50	< 50	< 50	< 0.4	< 0.8	< 0.8	< 0.8	<1.0	<1		1.5	15
Mercury	ug/l	< 0.20	< 0.20	< 0.20	< 0.20	< 0.20	NA	NA	NA	NA	<0.03	<0.03		0.2	2
Selenium	ug/l	< 3	< 3	< 100	< 100	< 100	3	< 1	< 1	< 1	-	<1		10	50
Silver	ug/l	< 10	< 10	< 10	< 10	< 10	< 0.4	< 0.2	< 0.2*	< 0.2	0.1	<0.1		10	50
Common Anions															
Fluoride	mg/l	< 1.6	< 1.6	< 1.6	< 1.6	< 1.6	NA	NA	NA	NA	NA	NA	NA	NS	NS
Chloride	mg/l	22	22	23	22	21	NA	NA	NA	NA	NA	NA	NA	125	250
Nitrite as N	mg/l	< 0.18	< 0.18	< 0.18	< 0.18	< 0.18	NA	NA	NA	NA	NA	NA	NA	0.2	1
Bromide	mg/l	< 0.11	< 0.11	0.11	< 0.10	0.4	NA	NA	NA	NA	NA	NA	NA	NS	NS
Nitrate as N	mg/l	0.3	0.27	0.075	0.056	0.044	NA	NA	NA	NA	NA	NA	NA	2	10
Sulfate	mg/l	**230**	**220**	**230**	**220**	**240**	NA	NA	NA	NA	NA	NA	NA	125	250
PCBs															
PCB 1016	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
PCB 1221	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
PCB 1232	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
PCB 1242	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
PCB 1248	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
PCB 1254	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
PCB 1260	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
Pesticides	ug/l	NA	NA	NA	NA	ND	NA	NA	NA	NA	NA	NA	NA	*	*
Miscellaneous															
TOX	ug/l	15.9	18.3	58	350	23.7	NA	NA	NA	NA	NA	NA	NA	NS	NS
TOC	mg/l	27.8	78	45.6	38	24.4	NA	NA	NA	NA	NA	NA	NA	NS	NS
TSS	mg/l	30	32	140	170	68	NA	NA	NA	NA	NA	NA	NA	NS	NS
Phenol	mg/l	< 0.020	< 0.020	< 0.020	< 0.020	0.0129	NA	NA	NA	NA	NA	NA	NA	1.2	6

LF-NF=Low Flow Sampling Technique and Not Filtered
LF-F=Low Flow Sampling Technique and Filtered
* = Matrix Spike QC Exceeded

- = Not avail. at print
NA = Not Analyzed
ND = Not Detected > PQL
PQL = Practical Quantitation Limit
NS = No Standard
Bold Type = NR 140 PAL Exceedance
Bold Italic Type = NR 140 ES Exceedance
* = See NR 140 for Pesticide Standards

Analytical Results for MW-4
Schmalz Dump Superfund Site

TABLE 1 (continued)

PARAMETER	UNITS	8/93	11/93	2/94		6/94	4/21/1998	7/21/1998	11/2/1998		9/9/2003	10/12/2004	6/1/2008	NR 140	NR 140
Metals, dissolved					Duplicate				LF-NF	LF-F				PAL	ES
Arsenic	ug/l	< 3.0	< 100	< 100	< 100	< 100	0.7	< 0.8	2	1.7	-	<1		5	50
Barium	ug/l	200	190	320	280	220	220	240	310	310	317	346		400	2000
Cadmium	ug/l	< 10	< 10	< 10	< 10	< 10	< 0.02	0.05	0.09	< 0.04	0.28	<0.03		0.5	5
Chromium	ug/l	**18**	< 10	**19**	**23**	**15**	**29**	**31**	**33**	**30**	**35**	**13.5**		10	100
Lead	ug/l	< 50	< 50	< 50	< 50	< 50	< 0.4	< 0.8	< 0.8	< 0.8	<1.0	<1		1.5	15
Mercury	ug/l	< 0.20	< 0.20	< 0.20	< 0.20	< 0.20	NA	NA	NA	NA	<0.03	<0.03		0.2	2
Selenium	ug/l	< 3	< 100	< 100	< 100	< 100	1	< 1	< 1	< 1	-	<1		10	50
Silver	ug/l	< 10	< 10	< 10	< 10	< 10	0.1	< 0.2	< 0.2*	< 0.2	<0.1	<0.1		10	50
Common Anions															
Fluoride	mg/l	< 8.0	< 8.0	< 8.0	< 8.0	< 8.0	NA	NA	NA	NA	NA	NA	NA	NS	NS
Chloride	mg/l	48	49	45	39	47	NA	NA	NA	NA	NA	NA	NA	125	250
Nitrite as N	mg/l	<0.36	< 0.36	< 0.36	< 0.36	< 0.36	NA	NA	NA	NA	NA	NA	NA	0.2	1
Bromide	mg/l	0.2	0.23	0.18	0.13	0.48	NA	NA	NA	NA	NA	NA	NA	NS	NS
Nitrate as N	mg/l	< 0.028	< 0.025	< 0.025	< 0.025	< 0.025	NA	NA	NA	NA	NA	NA	NA	2	10
Sulfate	mg/l	***1,100***	***1000***	***780***	***680***	***1,100***	NA	NA	NA	NA	NA	NA	NA	125	250
PCBs															
PCB 1016	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
PCB 1221	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
PCB 1232	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
PCB 1242	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
PCB 1248	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
PCB 1254	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
PCB 1260	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
Pesticides	ug/l	NA	NA	NA	NA	ND	NA	NA	NA	NA	NA	NA	NA	*	*
Miscellaneous															
TOX	ug/l	36	37.5	720	550	36	NA	NA	NA	NA	NA	NA	NA	NS	NS
TOC	mg/l	112.1	67.2	89	63	62.7	NA	NA	NA	NA	NA	NA	NA	NS	NS
TSS	mg/l	72	280	780	1400	220	NA	NA	NA	NA	NA	NA	NA	NS	NS
Phenol	mg/l	<0.020	< 0.020	< 0.020	< 0.020	0.0477	NA	NA	NA	NA	NA	NA	NA	1.2	6

LF-NF=Low Flow Sampling Technique and Not Filtered
LF-F=Low Flow Sampling Technique and Filtered
* = Spike QC Exceeded, Spike Recovery is 16.6%

- = Not avail. at print
NA = Not Analyzed
ND = Not Detected > PQL
PQL - Practical Quantitation Limit
NS = No Standard
Bold Type = NR 140 PAL Exceedance
Bold Italic Type = NR 140 ES Exceedance
* = See NR 140 for Pesticide Standards

Analytical Results for MW-5
Schmalz Dump Superfund Site

TABLE 1 (continued)

PARAMETER	UNITS	8/93	11/93		2/94	6/94	04/21/1998		07/21/1998		11/02/1998				09/09/2003		NR 140	NR 140	10/12/04	Duplicate
Metals, dissolved				Duplicate				Duplicate		Duplicate	LF-NF	Duplicate	LF-F	Duplicate	LF-F	Duplicate	PAL	ES		
Arsenic	ug/l	< 3.0	< 100	< 100	< 100	< 100	2	2.9	3.3	1.5	3.9	2.8	2.5	5.1	-	-	5	50	3.1	3.4
Barium	ug/l	350	370	370	310	320	**460**	**470**	**460**	**450**	**550**	**520**	**540**	**550**	**482**	**486**	400	2000	496	491
Cadmium	ug/l	< 10	< 10	< 10	< 10	< 10	0.02	0.04	0.2	0.08	0.17	0.25	0.06	< 0.04	<0.05	<0.05	0.5	5	0.08	0.05
Chromium	ug/l	***340***	***210***	***200***	***190***	***200***	***160***	***170***	***170***	***170***	***180***	***170***	***170***	***170***	***182***	***180***	10	100	236	233
Lead	ug/l	< 50	< 50	< 50	< 50	< 50	< 0.4	< 0.4	< 0.8	< 0.8	< 0.8	< 0.8	< 0.8	< 0.8	<1.0	<1.0	1.5	15	<1	<1
Mercury	ug/l	< 0.20	< 0.20	< 0.20	< 0.20	< 0.20	NA	NA	NA	NA	NA	NA	NA	NA	<0.03	<0.03	0.2	2	<0.03	<0.03
Selenium	ug/l	< 3	< 100	< 100	< 100	< 100	6	2	3	< 1	< 1	< 1	< 1	< 1	-	-	10	50	<1	<1
Silver	ug/l	< 10	< 10	< 10	< 10	< 10	0.2	0.3	< 0.2	< 0.2	< 0.2*	< 0.2*	< 0.2	< 0.2	<0.1	<0.1	10	50	<0.1	<0.1
Common Anions																				
Fluoride	mg/l	< 8.0	< 8.0	< 8.0	< 8.0	< 8.0	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NS	NS	NA	
Chloride	mg/l	60	65	65	59	56	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	125	250		
Nitrite as N	mg/l	< 0.36	< 0.36	< 0.36	< 0.36	< 0.45	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	0.2	1		
Bromide	mg/l	0.18	0.19	0.2	0.17	0.36	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NS	NS		
Nitrate as N	mg/l	< 0.028	< 0.025	< 0.025	< 0.025	< 0.025	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	2	10		
Sulfate	mg/l	***430***	***400***	***400***	***350***	***360***	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	125	250		
PCBs																				
PCB 1016	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	0.003	0.03		
PCB 1221	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	0.003	0.03		
PCB 1232	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	0.003	0.03		
PCB 1242	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	0.003	0.03		
PCB 1248	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	0.003	0.03		
PCB 1254	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	0.003	0.03		
PCB 1260	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	0.003	0.03		
Pesticides	ug/l	NA	NA	NA	NA	ND	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	*	*		
Miscellaneous																				
TOX	ug/l	109	206	73.2	99	42.8	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NS	NS		
TOC	mg/l	182	316	247	360	259	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NS	NS		
TSS	mg/l	34	140	24	7	23	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NS	NS		
Phenol	mg/l	< 0.020	< 0.020	< 0.020	< 0.020	0.0384	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	1.2	6		

LF-NF=Low Flow Sampling Technique and Not Filtered
LF-F=Low Flow Sampling Technique and Filtered
* = Matrix Spike QC Exceeded
- = Not avail. at print
NA = Not Analyzed
ND = Not Detected > PQL
PQL = Practical Quantitation Limit
NS = No Standard
Bold Type = NR 140 PAL Exceedance
Bold Italic Type = NR 140 ES Exceedance
* = See NR 140 for Pesticide Standards

Analytical Results for MW-6
Schmalz Dump Superfund Site

TABLE 1 (continued)

PARAMETER	UNITS	8/93		11/93	2/94	6/94	4/21/1998	7/21/1998	11/2/1998		9/9/2003	10/12/2004	6/1/2008	NR 140	NR 140
Metals, dissolved			Duplicate						LF-NF	LF-F				PAL	ES
Arsenic	ug/l	< 3.0	< 3.0	< 100	< 100	< 100	< 0.6	< 0.8	< 0.8	< 0.8	-	<1		5	50
Barium	ug/l	310	350	310	280	220	260	320	320	340	348	334		400	2000
Cadmium	ug/l	< 10	< 10	< 10	< 10	< 10	< 0.02	0.04	0.36	< 0.04	<0.05	0.08		0.5	5
Chromium	ug/l	3	3	< 10	< 10	< 10	2.9	3	4	1	2	1.5		10	100
Lead	ug/l	< 50	< 50	< 50	< 50	< 50	< 0.4	< 0.8	< 0.8	< 0.8	**4**	<1		1.5	15
Mercury	ug/l	< 0.20	< 0.20	< 0.20	< 0.20	< 0.20	NA	NA	NA	NA	<0.03	<0.03		0.2	2
Selenium	ug/l	< 3	< 3	< 100	< 100	< 100	4	< 1	< 1	< 1	-	<1		10	50
Silver	ug/l	< 10	< 10	< 10	< 10	< 10	0.23	< 0.2	0.08*	< 0.2	0.1	<0.1		10	50
Common Anions															
Fluoride	mg/l	< 5.2	< 5.2	< 5.2	< 5.2	< 3.2	NA	NA	NA	NA	NA	NA	NA	NS	NS
Chloride	mg/l	49	49	48	48	45	NA	NA	NA	NA	NA	NA	NA	125	250
Nitrite as N	mg/l	< 0.36	< 0.36	< 0.36	< 0.36	< 0.36	NA	NA	NA	NA	NA	NA	NA	0.2	1
Bromide	mg/l	0.41	0.39	0.38	0.4	0.4	NA	NA	NA	NA	NA	NA	NA	NS	NS
Nitrate as N	mg/l	0.031	< 0.025	< 0.025	< 0.025	< 0.025	NA	NA	NA	NA	NA	NA	NA	2	10
Sulfate	mg/l	**240**	***280***	**240**	**220**	**240**	NA	NA	NA	NA	NA	NA	NA	125	250
PCBs															
PCB 1016	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
PCB 1221	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
PCB 1232	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
PCB 1242	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
PCB 1248	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
PCB 1254	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
PCB 1260	ug/l	< 0.50	< 0.50	< 0.50	< 0.50	< 0.50	NA	NA	NA	NA	NA	NA	NA	0.003	0.03
Pesticides	ug/l	NA	NA	NA	NA	ND	NA	NA	NA	NA	NA	NA	NA	*	*
Miscellaneous															
TOX	ug/l	230	66	64.9	140	75.2	NA	NA	NA	NA	NA	NA	NA	NS	NS
TOC	mg/l	61.6	45.9	72.1	82	47.8	NA	NA	NA	NA	NA	NA	NA	NS	NS
TSS	mg/l	27	30	49	120	220	NA	NA	NA	NA	NA	NA	NA	NS	NS
Phenol	mg/l	< 0.020	< 0.020	< 0.020	< 0.020	0.0738	NA	NA	NA	NA	NA	NA	NA	1.2	6

LF-NF=Low Flow Sampling Technique and Not Filtered
LF-F=Low Flow Sampling Technique and Filtered
* = Matrix Spike QC Exceeded

- = Not avail. at print
NA = Not Analyzed
ND = Not Detected > PQL
PQL = Practical Quantitation Limit
NS = No Standard
Bold Type = NR 140 PAL Exceedance
Bold Italic Type = NR 140 ES Exceedance
* = See NR 140 for Pesticide Standards

Attachment 8

Inspection Checklist

Please note that "O&M" is referred to throughout this checklist. At sites where Long-Term Response Actions are in progress, O&M activities may be referred to as "system operations" since these sites are not considered to be in the O&M phase while being remediated under the Superfund program.

Five-Year Review Site Inspection Checklist (Template)

(Working document for site inspection. Information may be completed by hand and attached to the Five-Year Review report as supporting documentation of site status. "N/A" refers to "not applicable.")

I. SITE INFORMATION	
Site name: Schmalz Dump	**Date of inspection:** 6/24/2008
Location and Region: Wisconsin R5	**EPA ID:** WID980820096
Agency, office, or company leading the five-year review: US EPA Region 5	**Weather/temperature:**

Remedy Includes: (Check all that apply)

- ✓ Landfill cover/containment
- ✓ Access controls
- Institutional controls
- Groundwater pump and treatment
- Surface water collection and treatment
- Other _____
- Monitored natural attenuation
- Groundwater containment
- Vertical barrier walls

Attachments: Inspection team roster attached ✓ Site map attached

II. INTERVIEWS (Check all that apply)

1. **O&M site manager** ALAN NASS _____ _____
   Name Title Date
   Interviewed (at site) at office by phone Phone no. _____
   Problems, suggestions; Report attached _____

2. **O&M staff** _____ _____ _____
   Name Title Date
   Interviewed at site at office by phone Phone no. _____
   Problems, suggestions; Report attached _____

3. **Local regulatory authorities and response agencies** (i.e., State and Tribal offices, emergency response office, police department, office of public health or environmental health, zoning office, recorder of deeds, or other city and county offices, etc.) Fill in all that apply.

Agency _____
Contact _____ _____ _____ _____
Name Title Date Phone no.
Problems; suggestions; Report attached _____

Agency _____
Contact _____ _____ _____ _____
Name Title Date Phone no.
Problems; suggestions; Report attached _____

Agency _____
Contact _____ _____ _____ _____
Name Title Date Phone no.
Problems; suggestions; Report attached _____

Agency _____
Contact _____ _____ _____ _____
Name Title Date Phone no.
Problems; suggestions; Report attached _____

4. **Other interviews** (optional) Report attached.

Ted Pawlowski – property owner of Parcel 6331

III. ON-SITE DOCUMENTS & RECORDS VERIFIED (Check all that apply)

1.	**O&M Documents**			
	O&M manual	Readily available	Up to date	N/A
	As-built drawings	Readily available	Up to date	N/A
	Maintenance logs	Readily available	Up to date	N/A
	Remarks			
2.	**Site-Specific Health and Safety Plan**	Readily available	Up to date	N/A
	Contingency plan/emergency response plan	Readily available	Up to date	N/A
	Remarks			
3.	**O&M and OSHA Training Records**	Readily available	Up to date	N/A
	Remarks			
4.	**Permits and Service Agreements**			
	Air discharge permit	Readily available	Up to date	N/A
	Effluent discharge	Readily available	Up to date	N/A
	Waste disposal, POTW	Readily available	Up to date	N/A
	Other permits	Readily available	Up to date	N/A
	Remarks			
5.	**Gas Generation Records**	Readily available	Up to date	N/A
	Remarks			
6.	**Settlement Monument Records**	Readily available	Up to date	N/A
	Remarks			
7.	**Groundwater Monitoring Records**	Readily available	Up to date	N/A
	Remarks			
8.	**Leachate Extraction Records**	Readily available	Up to date	N/A
	Remarks			
9.	**Discharge Compliance Records**			
	Air	Readily available	Up to date	N/A
	Water (effluent)	Readily available	Up to date	N/A
	Remarks			
10.	**Daily Access/Security Logs**	Readily available	Up to date	N/A
	Remarks			

IV. O&M COSTS

1. **O&M Organization**
   - ✓ State in-house
   - PRP in-house
   - Federal Facility in-house
   - Other_____
   - Contractor for State
   - Contractor for PRP
   - Contractor for Federal Facility

2. **O&M Cost Records**
   - Readily available Up to date
   - Funding mechanism/agreement in place
   - Original O&M cost estimate_____ Breakdown attached

   Total annual cost by year for review period if available

   From_____ To_____ _____ Breakdown attached
   Date Date Total cost
   From_____ To_____ _____ Breakdown attached
   Date Date Total cost
   From_____ To_____ _____ Breakdown attached
   Date Date Total cost
   From_____ To_____ _____ Breakdown attached
   Date Date Total cost
   From_____ To_____ _____ Breakdown attached
   Date Date Total cost

3. **Unanticipated or Unusually High O&M Costs During Review Period**
   Describe costs and reasons: _____

V. ACCESS AND INSTITUTIONAL CONTROLS Applicable N/A

A. Fencing

1. **Fencing damaged** Location shown on site map Gates secured N/A
   Remarks hole cut in fence on South side

B. Other Access Restrictions

1. **Signs and other security measures** Location shown on site map N/A
   Remarks need signage

C. Institutional Controls (ICs)

1. **Implementation and enforcement**

Site conditions imply ICs not properly implemented — Yes (No) N/A
Site conditions imply ICs not being fully enforced — Yes (No) N/A

Type of monitoring (*e.g.*, self-reporting, drive by) Site INSPECTION
Frequency ANNUAL
Responsible party/agency STATE WDNR
Contact _____ _____ _____ _____
Name Title Date Phone no.

Reporting is up-to-date — (Yes) No N/A
Reports are verified by the lead agency — (Yes) No N/A

Specific requirements in deed or decision documents have been met — (Yes) No N/A
Violations have been reported — Yes (No) N/A
Other problems or suggestions: Report attached

2. **Adequacy** ICs are adequate ICs are inadequate N/A
Remarks The NOVEMBER 15, 1991 Court Order prohibits MR Schmalz from interfering with the remedy

D. General

1. **Vandalism/trespassing** Location shown on site map No vandalism evident
Remarks Vandals cut a hole in fence on South side of property

2. **Land use changes on site** (N/A)
Remarks

3. **Land use changes off site** (N/A)
Remarks

VI. GENERAL SITE CONDITIONS

A. Roads Applicable (N/A)

1. **Roads damaged** Location shown on site map Roads adequate N/A
Remarks

B. Other Site Conditions

Remarks_____

VII. LANDFILL COVERS Applicable N/A

A. Landfill Surface

1. **Settlement** (Low spots) Location shown on site map Settlement not evident
   Areal extent_____ Depth_____
   Remarks_____

2. **Cracks** Location shown on site map Cracking not evident
   Lengths_____ Widths_____ Depths_____
   Remarks_____

3. **Erosion** Location shown on site map Erosion not evident
   Areal extent_____ Depth_____
   Remarks_____

4. **Holes** Location shown on site map Holes not evident
   Areal extent_____ Depth_____
   Remarks_____

5. **Vegetative Cover** Grass Cover properly established No signs of stress
   Trees/Shrubs (indicate size and locations on a diagram)
   Remarks_____

6. **Alternative Cover (armored rock, concrete, etc.)** N/A
   Remarks_____

7. **Bulges** Location shown on site map Bulges not evident
   Areal extent_____ Height_____
   Remarks_____

8.	**Wet Areas/Water Damage**	Wet areas/water damage not evident	
	Wet areas	Location shown on site map	Areal extent_____
	Ponding	Location shown on site map	Areal extent_____
	Seeps	Location shown on site map	Areal extent_____
	Soft subgrade	Location shown on site map	Areal extent_____
	Remarks_____		
9.	**Slope Instability** Slides	Location shown on site map	No evidence of slope instability
	Areal extent_____		
	Remarks_____		

B. Benches Applicable N/A

(Horizontally constructed mounds of earth placed across a steep landfill side slope to interrupt the slope in order to slow down the velocity of surface runoff and intercept and convey the runoff to a lined channel.)

1.	**Flows Bypass Bench**	Location shown on site map	N/A or okay
	Remarks_____		
2.	**Bench Breached**	Location shown on site map	N/A or okay
	Remarks_____		
3.	**Bench Overtopped**	Location shown on site map	N/A or okay
	Remarks_____		

C. Letdown Channels Applicable N/A

(Channel lined with erosion control mats, riprap, grout bags, or gabions that descend down the steep side slope of the cover and will allow the runoff water collected by the benches to move off of the landfill cover without creating erosion gullies.)

1.	**Settlement**	Location shown on site map	No evidence of settlement
	Areal extent_____	Depth_____	
	Remarks_____		
2.	**Material Degradation**	Location shown on site map	No evidence of degradation
	Material type_____	Areal extent_____	
	Remarks_____		
3.	**Erosion**	Location shown on site map	No evidence of erosion
	Areal extent_____	Depth_____	
	Remarks_____		

4. **Undercutting** Location shown on site map No evidence of undercutting
Areal extent_____ Depth_____
Remarks_____

5. **Obstructions** Type_____ No obstructions
Location shown on site map Areal extent_____
Size_____
Remarks_____

6. **Excessive Vegetative Growth** Type_____
No evidence of excessive growth
Vegetation in channels does not obstruct flow
Location shown on site map Areal extent_____
Remarks_____

D. Cover Penetrations Applicable (N/A)

1. **Gas Vents** Active Passive
Properly secured/locked Functioning Routinely sampled Good condition
Evidence of leakage at penetration Needs Maintenance
N/A
Remarks_____

2. **Gas Monitoring Probes**
Properly secured/locked Functioning Routinely sampled Good condition
Evidence of leakage at penetration Needs Maintenance N/A
Remarks_____

3. **Monitoring Wells** (within surface area of landfill)
(Properly secured/locked) (Functioning) Routinely sampled Good condition
Evidence of leakage at penetration (Needs Maintenance) N/A
Remarks WDNR should continue to conduct annual sampling - now around well

4. **Leachate Extraction Wells**
Properly secured/locked Functioning Routinely sampled Good condition
Evidence of leakage at penetration Needs Maintenance (N/A)
Remarks_____

5. **Settlement Monuments** Located Routinely surveyed (N/A)
Remarks_____

E. Gas Collection and Treatment Applicable N/A

1. **Gas Treatment Facilities**
   Flaring Thermal destruction Collection for reuse
   Good condition Needs Maintenance
   Remarks_____

2. **Gas Collection Wells, Manifolds and Piping**
   Good condition Needs Maintenance
   Remarks_____

3. **Gas Monitoring Facilities** (*e.g.*, gas monitoring of adjacent homes or buildings)
   Good condition Needs Maintenance N/A
   Remarks_____

F. Cover Drainage Layer Applicable N/A

1. **Outlet Pipes Inspected** Functioning N/A
   Remarks_____

2. **Outlet Rock Inspected** Functioning N/A
   Remarks_____

G. Detention/Sedimentation Ponds Applicable N/A

1. **Siltation** Areal extent_____ Depth_____ N/A
   Siltation not evident
   Remarks_____

2. **Erosion** Areal extent_____ Depth_____
   Erosion not evident
   Remarks_____

3. **Outlet Works** Functioning N/A
   Remarks_____

4. **Dam** Functioning N/A
   Remarks_____

H. Retaining Walls Applicable N/A

1. **Deformations** Location shown on site map Deformation not evident
   Horizontal displacement_____ Vertical displacement_____
   Rotational displacement_____
   Remarks_____

2. **Degradation** Location shown on site map Degradation not evident
   Remarks_____

I. Perimeter Ditches/Off-Site Discharge Applicable N/A

1. **Siltation** Location shown on site map Siltation not evident
   Areal extent_____ Depth_____
   Remarks_____

2. **Vegetative Growth** Location shown on site map N/A
   Vegetation does not impede flow
   Areal extent_____ Type_____
   Remarks_____

3. **Erosion** Location shown on site map Erosion not evident
   Areal extent_____ Depth_____
   Remarks_____

4. **Discharge Structure** Functioning N/A
   Remarks_____

VIII. VERTICAL BARRIER WALLS Applicable N/A

1. **Settlement** Location shown on site map Settlement not evident
   Areal extent_____ Depth_____
   Remarks_____

2. **Performance Monitoring** Type of monitoring_____
   Performance not monitored
   Frequency_____ Evidence of breaching
   Head differential_____
   Remarks_____

IX. GROUNDWATER/SURFACE WATER REMEDIES	Applicable	N/A

A. Groundwater Extraction Wells, Pumps, and Pipelines	Applicable	N/A

1. **Pumps, Wellhead Plumbing, and Electrical**
   Good condition All required wells properly operating Needs Maintenance N/A
   Remarks_____

2. **Extraction System Pipelines, Valves, Valve Boxes, and Other Appurtenances**
   Good condition Needs Maintenance
   Remarks_____

3. **Spare Parts and Equipment**
   Readily available Good condition Requires upgrade Needs to be provided
   Remarks_____

B. Surface Water Collection Structures, Pumps, and Pipelines	Applicable	N/A

1. **Collection Structures, Pumps, and Electrical**
   Good condition Needs Maintenance
   Remarks_____

2. **Surface Water Collection System Pipelines, Valves, Valve Boxes, and Other Appurtenances**
   Good condition Needs Maintenance
   Remarks_____

3. **Spare Parts and Equipment**
   Readily available Good condition Requires upgrade Needs to be provided
   Remarks_____

C. Treatment System Applicable N/A

1. **Treatment Train** (Check components that apply)
   Metals removal Oil/water separation Bioremediation
   Air stripping Carbon adsorbers
   Filters_____
   Additive (*e.g.*, chelation agent, flocculent)_____
   Others_____
   Good condition Needs Maintenance
   Sampling ports properly marked and functional
   Sampling/maintenance log displayed and up to date
   Equipment properly identified
   Quantity of groundwater treated annually_____
   Quantity of surface water treated annually_____
   Remarks_____

2. **Electrical Enclosures and Panels** (properly rated and functional)
   N/A Good condition Needs Maintenance
   Remarks_____

3. **Tanks, Vaults, Storage Vessels**
   N/A Good condition Proper secondary containment Needs Maintenance
   Remarks_____

4. **Discharge Structure and Appurtenances**
   N/A Good condition Needs Maintenance
   Remarks_____

5. **Treatment Building(s)**
   N/A Good condition (esp. roof and doorways) Needs repair
   Chemicals and equipment properly stored
   Remarks_____

6. **Monitoring Wells** (pump and treatment remedy)
   Properly secured/locked Functioning Routinely sampled Good condition
   All required wells located Needs Maintenance N/A
   Remarks_____

D. Monitoring Data

1. Monitoring Data
   Is routinely submitted on time Is of acceptable quality

2. Monitoring data suggests:
   Groundwater plume is effectively contained Contaminant concentrations are declining

D. Monitored Natural Attenuation

1. **Monitoring Wells** (natural attenuation remedy)
   Properly secured/locked Functioning Routinely sampled Good condition
   All required wells located Needs Maintenance N/A
   Remarks

X. OTHER REMEDIES

If there are remedies applied at the site which are not covered above, attach an inspection sheet describing the physical nature and condition of any facility associated with the remedy. An example would be soil vapor extraction.

XI. OVERALL OBSERVATIONS

A. Implementation of the Remedy

Describe issues and observations relating to whether the remedy is effective and functioning as designed. Begin with a brief statement of what the remedy is to accomplish (i.e., to contain contaminant plume, minimize infiltration and gas emission, etc.).

B. Adequacy of O&M

Describe issues and observations related to the implementation and scope of O&M procedures. In particular, discuss their relationship to the current and long-term protectiveness of the remedy.

WDNR should mow in area by gate and onsite well - remove scrub - bushes, site -
Repair hole in fence.
Put signs on fence

C.	**Early Indicators of Potential Remedy Problems**
	Describe issues and observations such as unexpected changes in the cost or scope of O&M or a high frequency of unscheduled repairs, that suggest that the protectiveness of the remedy may be compromised in the future.

D.	**Opportunities for Optimization**
	Describe possible opportunities for optimization in monitoring tasks or the operation of the remedy.