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Secretary

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Southeast District - Annex Building

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ERR/ERP

Mr. Gregory M. Rose
Supervisor, Environmental Remediation
Chrysler Corporation
2301 Featherstone Road
Auburn Hills, MI 48326-2808

SUBJECT: Soil and groundwater contamination at the Kenosha Engine Plant, 5555 30th Avenue,
Kenosha

Dear Mr. Rose:

Within the past year, the Wisconsin Department of Natural Resources (WDNR) has been notified by Chrysler of several areas of soil and/or groundwater contamination found on the Engine Plant property during construction activities. Contaminants found include petroleum constituents, solvent compounds and heavy metals. The following written notifications have been received, which identify the areas where contaminated soil and/or groundwater were discovered:

- Letter regarding the notification of a release of petroleum product from an underground storage tank system, dated November 2, 1994; - *D.L. 6/ 02-30-108645 release*
- Letter regarding the notification of a release of petroleum product from an underground storage tank system in Building 23, dated March 20, 1995;
- Letter regarding the notification of a release of petroleum product from an underground storage tank system in the former Building 44 basement, dated June 19, 1995;
- Letter regarding the Solid Waste Storage Exemption for stockpiled soils, dated June 6, 1995;
- Letter regarding the classification of excavated soil, dated July 5, 1995;
- WDNR copy of a letter regarding the existing profile extension request, dated August 17, 1995 (addressed to Ms. Barbara Schmitt, Pheasant Run Recycling and Disposal Facility);
- WDNR copy of a letter regarding the existing profile extension request, dated September 1, 1995 (addressed to Ms. Barbara Schmitt); and
- WDNR copy of a letter regarding the existing profile extension request (No.2), dated October 4, 1995 (addressed to Ms. Barbara Schmitt).

Based on the information received by the Department of Natural Resources, we believe Chrysler Corporation is responsible for restoring the environment from this and other past releases at this site under Section 144.76, Wisconsin Stats., known as the hazardous substances spills law. Utilizing information submitted to the Department, this case has been assigned to a lower priority ranking group.

WDNR SE District Review Prioritization Policy

Due to the WDNR workload, it is necessary to rank all contamination cases for review priority. The highest priority sites have assigned WDNR project managers who are actively reviewing and approving investigation and remediation plans. Lower priority cases do not always have assigned WDNR project managers, however, responsible parties are required to proceed with investigation and clean-up efforts. Based on the information currently known about this site, the WDNR has assigned it

a lower priority status. Although your case will not likely receive direct WDNR oversight, you should proceed to submit all reports, as well as quarterly status updates, to this office. The WDNR will notify you if active oversight is to be given to your site.

Your responsibilities include investigating the extent of the contamination and then selecting and implementing the most appropriate remedial action. Enclosed is information to help you understand what you need to do to ensure your compliance with the spills law.

The purpose of this letter is threefold: 1) to describe your legal responsibilities, 2) to explain what you need to do to investigate and clean up the contamination, and 3) to provide you with information about cleanups, possible financial assistance, and working cooperatively with the Department of Natural Resources.

Legal Responsibilities:

Your legal responsibilities are defined both in statute and in administrative codes. The hazardous substances spill law, Section 144.76 (3) Wisconsin Statutes, states:

* **RESPONSIBILITY.** A person who possesses or controls a hazardous substance which is discharged or who causes the discharge of a hazardous substance shall take the actions necessary to restore the environment to the extent practicable and minimize the harmful effects from the discharge to the air, lands, or waters of the state.

Wisconsin Administrative Codes chapters NR 700 through NR 728 establish requirements for emergency and interim actions, public information, site investigations, design and operation of remedial action systems, and case closure. Chapter NR 708 includes provisions for immediate actions in response to limited contamination. Wisconsin Administrative Code chapter NR 140 establishes groundwater standards for contaminants that reach groundwater.

Steps to Take:

The longer contamination is left in the environment the farther it can spread and the more it may cost to clean up. Quick action may lessen damage to your property and to neighboring properties and reduce your costs in investigating and cleaning up the contamination. To ensure that your cleanup complies with Wisconsin's laws and administrative codes, you should hire a professional environmental consultant who understands what needs to be done. These are the first three steps to take:

1. By December 11, 1995, your consultant must submit a workplan and a schedule for conducting the investigation. The consultant must follow the Department's administrative codes and our technical guidance documents. Please include with your workplan a copy of any previous information that has been completed (such as an underground tank removal report or a preliminary soil excavation report).
2. Please keep us informed of what is being done at your site. You or your consultant must provide us with a brief report at least every 90 days, starting after your workplan is submitted. These quarterly reports should summarize the work completed since the last report. Quarterly reports need only include one or two pages of text, plus any relevant maps and tables. However, please note that should conditions at your site warrant, you may receive a letter requiring more frequent contacts with the Department.
3. When the site investigation is complete, your consultant must submit a full report on the extent and degree of soil and groundwater contamination and a proposal for cleaning up the contamination.

Due to the number of contaminated sites and our staffing levels, we will be unable to respond to each report. To maintain your compliance with the spills law and chs. NR 700 through NR 728, do not delay the investigation and cleanup of your site by waiting for DNR responses. We have provided detailed technical guidance to environmental consultants. Your consultant is expected to be familiar with our technical procedures and administrative codes and should be able to answer your questions on

meeting Wisconsin's cleanup requirements.

Your correspondence and reports regarding this site should be sent to the Department at the following address:

Ms. Pam Mylotta, c/o ERR/ERP, Wisconsin Department of Natural Resources,
4041 North Richards Street, P.O. Box 12436, Milwaukee, Wisconsin 53212

Unless otherwise requested, please send only one copy of all plans and reports. Correspondence should be identified with the assigned DNR facility identification number (FID#, ERR/ERP) which is listed at the top of this letter.

Information for Site Owners:

If you are eligible for reimbursement of costs under Wisconsin's PECFA program (see last paragraph) you will need to compare at least three consultants' proposals before hiring a consultant. Consultants and laboratories working in the PECFA program are required to carry errors and omissions insurance to help protect you against unsuitable work. Also enclosed are materials on controlling costs, understanding the cleanup process, and choosing a site cleanup method. This information has been prepared to help you understand your responsibilities and what your environmental consultant needs to do. Please read this information carefully.

If you are interested in obtaining the protection of limited liability under s. 144.765, Stats., please contact Mark Giesfeldt at (608) 267-7562 or Darsi Foss at (608) 267-6713, in the Department of Natural Resources' Madison office for more information. The liability exemption under s. 144.765, Stats., is available to persons who meet the definition of "purchaser" in s. 144.765(1)(c) and receive Department approval for the response actions taken at the property undergoing cleanup. The Department will determine eligibility for this program on a case-by-case basis, prior to the "purchaser" developing a scope of work for conducting a ch. NR 716 site investigation at the property.

Financial Information:

Reimbursement from the Petroleum Environmental Cleanup Fund (PECFA) is available for the costs of cleaning up contamination from eligible petroleum storage tanks. The fund is administered by the Department of Industry, Labor, and Human Relations (DILHR). Please contact DILHR at (608) 266-2424 for more information on eligibility and regulations for this program.

If you have any questions about this letter or your responsibilities, please call me at (414) 229-0801.

Thank you for your cooperation.

Sincerely,



Julie Hanrahan
Program Assistant

c: SED Casefile