



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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May 18, 1999

Mr. Wayne Kulhanek
Five Flags
1875 N Stevens St
Rhineland, WI 54501

Subject: Five Flags, 1875 N Stevens St, Rhineland, WI BRRTS # 03-44-120756

Dear Mr. Kulhanek:

The Department of Natural Resources provided a notice to you that the degree and extent of petroleum contamination at the above-named site was required to be investigated and remediated. We have since been informed that the required investigation and remediation has been accomplished.

On May 6, 1999, the above-named site was reviewed by the Northern Region Closeout Committee for a determination as to whether or not the case qualified for close out under ch. NR 726, Wis. Adm. Code.

Based on the investigative and remedial documentation provided to the Department, it appears that the petroleum contamination at the above-named site has been remediated in compliance with the requirements of chs. NR 700 to 724, Wis. Adm. Code. Therefore, the Department considers the case "closed," having determined that no further action is necessary at the site at this time. However, the case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety or welfare or the environment.

The most recent groundwater monitoring data at this site indicates an exceedance of the NR 140 preventive action limit (PAL) for benzene and methyl tert-butyl ether (MTBE) but compliance with the NR 140 enforcement standard (ES). The Department may grant an exemption pursuant to s. NR 140.28(2), Wis. Adm. Code, if the following criteria are met:

- a) The anticipated increase in the concentration of benzene and MTBE will be minimized to the extent technically and economically feasible.
- b) Compliance with the PAL is either not technically or economically feasible.
- c) The ES for benzene and MTBE will not be attained or exceeded at the point of standards application.
- d) Any increase in the concentration of benzene and MTBE above background does not present a threat to public health or welfare.

The Department believes that the above criteria have been or will be met because of the remediation which has occurred at this site. Therefore, pursuant to RN140.28, an exemption for the benzene and MTBE PAL is granted to monitoring wells #MW-4 and MW-5. This letter serves as your exemption. At this time, the



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Department is not requiring any further investigation or other action concerning this specific site.

Please note that this case closure is contingent upon proper documentation of proper abandonment of the monitoring wells on site. If monitoring wells remain at this site, please provide the documentation that this action has been completed, or have your consultant do so. The documentation can be sent to my attention at the above address.

If you have any additional information which was not formerly provided to the Department, and which you feel would significantly impact this closure decision, you may submit that information for our re-evaluation of case closure.

If you have any questions, please call me at 715-365-8990.

Sincerely,
NORTHERN REGION



Janet Kazda
Case Closeout Committee

→ cc: File
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