



January 15, 2021

RUTH ANN OLSON
W5030 ERICKA'S WAY
MEDFORD, WI 54451

SUBJECT: Status Update Request Letter
Perry's Corner
N6097 State Highway 73, Hannibal, Wisconsin
BRRTS # 03-61-168823

Dear Ms. Olson:

On September 9, 1997, the Department of Natural Resources (DNR) notified you of your responsibility to investigate and, as needed, clean up the contamination located at the above-referenced property. This site was eligible for funding under the Petroleum Environmental Clean-up Fund Act (PECFA) Program. The PECFA Program ended on June 30, 2020. Because of the impending PECFA deadline, the site was reviewed and on July 3, 2020, it was determined the site is not ready for closure, because additional groundwater monitoring is needed to demonstrate stable or decreasing trends and closure packet revisions are needed. On August 14, 2020, a Case Closure Not Recommended letter was sent. A copy of this letter is attached for your review.

In your October 6, 2020 response letter, you mentioned other properties you felt may have contributed to the contamination on your site. The former Witkowski property, located at 14416 Scott Avenue and Bill's Feed Service (Closed BRRTS # 03-61-000286) were previously investigated and it was determined that they were not contributing factors to the contamination on your property. The latest sampling results for the private well serving the former Witkowski property had benzene detects greater than the Preventative Action Limits (PALs) but were less than Enforcement Standards (ES). Your suggestion of placing a filtration system on this well as a solution is not a viable option, because the DNR will not close sites with water treatment systems as continuing obligations due to public health concerns. Further monitoring of this well is needed to document stable trends and to ensure the detection levels will not increase to Enforcement Standard (ES) levels. Lastly, you stated you do not have the funds to continue the investigation. Even though the PECFA Program has ended, your responsibilities as the responsible party are outlined in Section 292.11(3), Wisconsin Stats., also known as the hazardous substances spills law. Section 292.11(3) 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 Code chapters NR 700 through NR 749 establish requirements for emergency and interim actions, public information, site investigations, design and operation of remedial action systems, and case closure. Wisconsin Administrative Code chapter NR 140 establishes groundwater standards for contaminants that reach groundwater.

Please be advised, this site will remain open until the above-mentioned items are addressed.

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Please contact me within thirty (30) days of this date with an update. I can be reached at (715) 360-1966, email: Carrie.Stoltz@Wisconsin.gov, or you may send an update in writing to my attention at the address listed above. Thank you for your cooperation in this matter.

Sincerely,



Carrie Stoltz
Hydrogeologist
Remediation & Redevelopment Program

Enclosure: Case Closure Not Recommended Letter, dated August 14, 2020

cc: Anna Beckmann-Cedar Corporation (via email)

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
2501 Golf Course Road
Ashland WI 54806

Tony Evers, Governor
Preston D. Cole, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



August 14, 2020

MS RUTH ANN OLSON
W5030 ERICKAS WAY
MEDFORD WI 54451

COPY

MR GLEN WEBSTER
N6097 STATE HIGHWAY 73
GILMAN WI 54433

SUBJECT: Case Closure under Wis. Admin. Code ch. NR 726 Not Recommended
Perry's Corner, N6097 State Highway 73, Gilman, Wisconsin
DNR BRRTS Activity #03-61-168823

Dear Ms. Olson and Mr. Webster:

On June 26, 2020, the Department of Natural Resources (DNR) reviewed the closure request for the case identified above. As you are aware, the DNR reviews environmental remediation cases for compliance with applicable laws, including Wis. Stat. ch. 292 and Wis. Admin. Code chs. NR 700 – 754, and whether any further threat to public health, safety or welfare or the environment exists at the site or facility, per Wis. Admin. Code § NR 726.13 (2) (b). The DNR project manager, Carrie Stoltz, discussed this decision with your consultant, Cedar Corporation on July 7th, Ms. Olson (responsible party) on July 13th and Mr. Webster (current property owner) on July 15, 2020. Case closure is not recommended because additional legal requirements must be met. The purpose of this letter is to inform you of the remaining requirements for obtaining closure. We request that within 60 days of this letter, you provide us with the information requested or your written response regarding the necessary work and a schedule for completion of this work.

Additional Requirements Needed for Case Closure Under Wis. Admin. Code ch. NR 726

As noted above, additional work is necessary to meet the requirements for case closure because additional groundwater monitoring is warranted.

Need to Conduct Additional Groundwater Monitoring

Additional groundwater monitoring is needed to establish compliance with the closure criteria of Wis. Admin. Code § NR 726.05 (6). If monitored natural attenuation is to be used as a remedial action, additional groundwater monitoring is needed to demonstrate natural attenuation is an applicable and effective remedial action in this case, in compliance with Wis. Admin. Code §§ NR 726.05 (6) (a) 6., (b), (c) and (d). Analytical results from groundwater samples collected from monitoring wells MW-2P and MW-4P indicate continued Wis. Admin. Code ch. NR140 Enforcement Standard exceedances. Groundwater monitoring at these locations to date has not shown stable or decreasing groundwater contamination trends. Also, recent sampling of the Glen Webster private well, located at N6091 State Highway 73 in Gilman, has shown increasing concentrations of benzene and methyl tert-butyl ether (MTBE).

Schedule

Within 60 days of the date of this letter, respond in writing with a schedule of your plans to meet these requirements.

Until requirements are met, your site will remain “open” and you are required to submit semi-annual progress reports, per Wis. Admin. Code § NR 700.11. You are also responsible for any operation and maintenance activities required under Wis. Admin. Code § NR 724.13. Once the additional work has been completed, documentation should be submitted to the DNR to demonstrate that the applicable requirements have been met, per the timelines above. For more information on the closure reconsideration process, please see DNR publication, RR-102, “Wis. Admin. Code ch. NR 726 Case Closure Reconsideration Process” by visiting dnr.wi.gov, search: RR-102, for more information.

We appreciate your efforts to restore the environment at this site. If you have any questions regarding the information in this letter, please contact Carrie Stoltz at (715) 365-8942 or by email at Carrie.Stoltz@Wisconsin.gov. You can also contact me at (715) 685-2920 or by email at Christopher.Saari@Wisconsin.gov.

Sincerely,



Christopher A. Saari
Northern Region Team Superior
Remediation and Redevelopment Program

cc: Anna Beckman – Cedar Corp (via email)
WDOT HazMat Unit (via email)
Carrie Stoltz – DNR Rhinelander (via email)