

WEST ALLIS POLICE DEPARTMENT

INCIDENT: 19900000

11301 W. Lincoln Ave. West Allis, WI 53227 Telephone (414)302-8000 Fax (414)303-8099

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INCIDENT/OFFENSE NARRATIVE

REPORT FOR RECORD

DATE: 02/26/98
TIME: 1043

LOCATION: 1960 S 67th Pl West Allis WI 53218

INVESTIGATING OFFICER: Ptm. Anthony R Ball #129
ROAD SUPERVISOR: Sgt Mark Sura
ASSISTING SQUADS:

Case Synopsis: Jon Novak of Novak Industries requested aid from the West Allis Fire Department in dealing with a fuel oil spill which was created by a Jays Fuel Oil tanker truck. Milwaukee County Emergency Government and The Wisconsin Department of Natural Resources were contacted and will be dealing with the situation. The spill was estimated to be in excess of 100 gallons of fuel oil.

Complainant: Jon A. Novak, M/W, DOB 05/18/35 of 2550 S 85th St West Allis WI 53227 HP# 543-7740 W# 545-1845

Business: Novak Industries, 1960 S 67th Pl. West Allis WI 53218 B# 545-1845 (Where spill occurred)

Driver of tanker truck: Jesse J. Urban, M/W, DOB 11/07/75 of 4935 Gundersen St Waterford WI 53185 HP# 895-6728 W# 679-3662

Business: Jays Fuel Oil of 1571 S 62nd St. West Allis WI 53218 B# 679-4709 (Owner of tanker truck)

Mechanic of tanker truck: Gilbert T. Mueller, M/W, DOB 01/07/31 of N26 W22417 Greenwood Ln. Pewaukee WI 53186 HP# 547-6627

DNR REPRESENTATIVE: Michael C. Thompson B# 229-0838

M.C.E.G. REPRESENTATIVE: Carl Stenbol B# 278-4709

Ball reports....

Upon arriving at the scene I spoke with Deputy Fire Chief Westover regarding a fuel oil spill. The Fire Chief pointed out an area near building #2 of Novak Industries where several vehicle were parked. Notably a gray Chevy with Wisconsin Registration Plates "RKK 282" which listed to Jesse J Urban of Waterford.

It appeared that this vehicle was owned by the driver of the Jays Fuel Oil tanker truck. This was later confirmed by the company, Jays Fuel Oil.

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The vehicle was parked in a substantially large puddle of fuel oil and the area around the parked vehicle was saturated with fuel oil. There was a very noticeable odor of fuel oil in the general area of the fuel leak.

Fire Chief Westover's concerns were that the driver of the tanker not only knew of the leak but neglected to do anything about the leak and was therefore negligent. He was also concerned that the driver was still operating the tanker which was the source of the leak and which had not been repaired.

I requested that a road supervisor respond to the scene and take photographs of the area. Sgt. Sura responded to the scene. See his attached report. (Note: The fire department had already begun initial clean up efforts prior to Sgt. Sura's arrival and the photographs reflect this.)

I was advised by Deputy Chief Westover that Milwaukee County Emergency Government (MCEG) had been notified and that the Wisconsin Department of Natural Resources (DNR) had also been notified.

Carl Stenbol of M.C.E.G. was the first to arrive at the scene.

He initially surveyed the scene and we were assisting him with this survey when Gilbert T Mueller arrived at the scene. Gilbert identified himself as an employee of Jays Fuel Oil and stated that he had been dispatched to this location to repair a tanker truck and assist the driver in cleaning up the area.

Within a few minutes the tanker truck, Driven by Jesse J Urban, arrived at the scene.

Jesse stated that the truck had been leaking fuel oil for the past several days. He stated that he had attempted to repair the leak himself to no avail. He did not have a reason for not taking the truck out of service until it was repaired.

A photograph was taken of the damaged meter which was leaking severely. A photograph was taken of the three puddles which were created by the tanker truck while it was parked for approximately five minutes while the driver, Jesse, was being interviewed.

As I was speaking with Jesse, Michael Thompson of the DNR arrived at the scene. He was advised of the situation and stated that he would take over the investigation along with Carl Stenbol.

Jesse was advised that this incident would be reviewed by Capt. Richard Polaski to determine if municipal or state charges would be filed against him.

This file was reviewed by Capt. Polaski who determined that this matter should be turned over to The Department of Natural Resources and that The West Allis Police Department would take no additional actions, other than creating a report for record, unless directed to do so by the DNR.