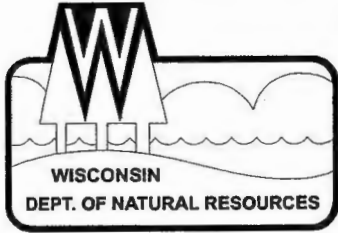


Mike Thompson



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Gloria L. McCutcheon, Regional Director

Southeast Regional Headquarters
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December 1, 2000

Mr. John Urban
dba Jays Fuel Oil
4935 Gunderson Rd.
Waterford, WI 53185

CERTIFIED MAIL
FID 241222520
ERP

Dear Mr. Urban:

Thank you for meeting with us to discuss a hazardous substance discharge which occurred in 1998 on property that you had leased in West Allis. If you are not in agreement with the summary of this meeting please contact the Department.

- Meeting Date: November 27, 2000
- Location: DNR Southeast Region Office.
- In Attendance: John Urban, Atty. Russell Stewart, Debby Roszak, Mike Thompson, Pat Chung

Conference Agreement

Ms. Roszak requested that Mr. Urban notify Mr. Thompson, by letter, no later than January 2, 2001, once he had hired a consulting firm. She also asked that Mr. Urban send a copy of the workplan produced by the consultant to Mr. Thompson's attention, no later than February 1, 2001. Mr. Urban agreed to meet these deadlines.

Summary of Discussion

Debby Roszak stated that John Urban had been requested to take steps to clean up a portion of the Novak Property at 1960 S 67th Place, West Allis, as a result of a fuel oil spill which occurred over a period of days at the site. The fuel had leaked from a truck owned by Mr. Urban and stored at the site. Ms. Roszak stated that the DNR had sent a responsible party letter to Mr. Urban on April 14, 1998, requesting Mr. Urban to clean up the spill. She said that the Department had not heard from Mr. Urban since the letter had been sent, even though the letter had asked that a workplan and schedule for the investigation be completed and sent to the Department by July 8, 1998.

Mr. Stewart and Mr. Urban presented a Limited Phase II Site Assessment report prepared by Key Engineering Group, Ltd.. The report was dated June 5, 1998. Mike Thompson and Ms. Roszak said they had not seen the report. Mr. Urban said that he had thought Key had sent the report to the DNR. Mr. Stewart indicated that Mr. Urban had also notified his insurance company at the time of the incident. Mr. Stewart produced documentation that Jay's Fuel Oil had paid Key Environmental for the report, and had reimbursed the West Allis Fire Department for the fire department's response.



Mr. Urban said that he had been waiting for further direction from his insurance company and/or the Department of Natural Resources before proceeding. Since he had not heard anything, he said that he had forgotten about the incident.

Mr. Thompson summarized the actions that had been taken by the emergency responders at the site. He said that the City of West Allis Police and Fire Departments, Milwaukee County Emergency Management, and the DNR had responded to an estimated 200 gallon fuel oil spill at the site. The West Allis Fire Department spread sorbents to soak up the free product. Puddles of petroleum free product and petroleum stained soil were observed in the area where the Jays delivery trucks were parked and in the driveway.

Mr. Thompson then briefly reviewed the Key report and noted that Key had recommended additional investigation, to determine the best approach to be used at the site. Mr. Thompson added that more investigation would be needed to determine the extent and degree of the contamination caused by Mr. Urban's leaking truck, before cleanup could be completed. Mr. Urban said he was willing to proceed.

Mr. Urban and Mr. Stewart agreed that they would rehire Key to continue with the investigation and cleanup, since Key might have additional records to facilitate the investigation.

Mr. Thompson suggested that Mr. Urban accompany the consultant to the site to clarify the location where Mr. Urban's trucks had been parked on the property prior to the cleanup. He also suggested that Mr. Urban assist in securing access for the consultant. Mr. Urban said access to the site would not be difficult to achieve, since he had parked his trucks on site for two years after the incident. He said he would work with John Novak, owner of the property, to secure access for Key Environmental.

If you have any questions, please contact me at (414) 263-8663 or Mike Thompson at (414) 263-8685. Please find a copy of Mike Thompson's field notes and a map sketch attached, which describe and illustrate the area of concern at the time the spill was reported.

Sincerely,



Pat Chung
Environmental Enforcement
Southeast Region

c: Bureau of Remediation and Redevelopment – RR/3
Mike Thompson – SER
Russell L. Stewart 1962 N. Prospect Ave., Milwaukee, WI 53202