



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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April 14, 2005

Harland Erfurth  
1688 Washington Street  
Verona, WI 53593

Subject: Re-opening of the former Erfurth's Citgo case in Mt Vernon  
(COMMERCE # 53593-9470-88, DNR BRRTS # 03-13-187588)

Dear Mr Erfurth:

In May of 2004, following heavy rains, water accumulated in the basement of a house at 8639 Davis Street in Mt Vernon. As the water began to build up, the owner noticed a strong gasoline odor. Upon checking the basement, they found gasoline floating on the water. They then called the Mount Horeb Fire Department. The fire department responded, ordered the electricity to the house shut off and the LP gas line disconnected. The owner was forced to temporarily move out, hire an environmental cleanup contractor to pump water out of the basement and remove the gasoline.

When the owner returned to the home in early June, water was no longer accumulating in the basement but gasoline vapors persisted. The owner then contacted the Department of Health and Family Services and the Department of Natural Resources for assistance. In August, 2004, the Department of Natural Resources hired a firm to conduct a limited soil and groundwater investigation in the vicinity of the affected residence on Davis Street. No source of gasoline was found on the lot or adjacent to the lot at 8639 Davis Street. Contaminated groundwater was found at several locations in the area. However, the highest levels were found in a boring on the south corner of the intersection of Davis Street with State Highway 92. This information suggested that the source of gasoline was most likely north of STH 92.

During an investigation in the vicinity of the former Citgo station in 1999, Key Engineering concluded that groundwater flow was to the northwest. Given the steep local topography, groundwater flow to the northwest seems unlikely. In October 2004, DNR began a second investigation to confirm groundwater flow direction. Four monitoring wells were installed in December in the vicinity of the affected residence on Davis Street. Late in March 2005, we received a report summarizing the results of that groundwater investigation. The report concludes 1) that groundwater flow in this area is to the southeast and 2) the former Citgo Station located on the northern corner of STH 92 and CTH G appears to be the source of gasoline product and vapors that surfaced in the basement of the home at 8639 Davis Street.

Based on these investigation results and as owner of the former Citgo station, we believe you are responsible for restoring the environment at the affected residence on Davis Street and surrounding area. This letter describes your legal responsibilities, explains what you need to do to investigate and clean up the contamination, and provides you with information about cleanups, environmental consultants, possible financial assistance, and working cooperatively with the Departments of Natural Resources and Commerce.

**Legal Responsibilities:**

Your legal responsibilities are defined both in statute and in administrative codes. The hazardous substances spill law, Section 292.11 (3) Wisconsin Stats, 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. 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:**

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. Within the next 30 days, you must submit written verification (such as a letter from the consultant) that you have hired an environmental consultant.
2. Within the next 60 days, your consultant must submit a workplan and a schedule for 1) further investigating the problem and 2) remedial steps that will prevent further migration of gasoline product and vapors into the residence at 8639 Davis Street. The consultant must follow the DNR administrative codes and technical guidance documents.
3. Please keep us informed on what is being done at your site on a regular basis. You or your consultant must provide a brief report at least every 90 days. Quarterly reports need only include one or two pages of text, plus any relevant maps and tables. Should conditions at your site warrant, we may require more frequent contacts.

If you want a formal response from our Department on a specific submittal, please be aware that a review fee is required in accordance with s. NR 749, Wis. Adm. Code. If a fee is not submitted with your reports, you should proceed under the advice of your consultant to complete the site investigation to maintain your compliance with the spills law and chs. NR 700 through NR 749. **Do not delay the investigation or remediation of the site by waiting for an agency response.** We have provided detailed technical guidance to environmental consultants. Your consultant is expected to know our technical procedures and administrative codes and should be able to answer your questions on meeting cleanup requirements." All correspondence regarding this site should be sent to:

Larry Lester  
Remediation and Redevelopment Program  
Wisconsin Department of Natural Resources  
3911 Fish Hatchery Road  
Madison, WI 53711

Unless otherwise requested, please send only one copy of plans and reports. To speed processing, correspondence should reference the BRRTS numbers shown at the top of this letter.

**Information for Site Owners:**

Information to help you select a consultant, and materials on controlling costs, understanding the cleanup process, and choosing a site cleanup method are enclosed. For information on obtaining limited liability under Section 292.15, Wisconsin Stats., please see our website at <http://www.dnr.state.wi.us/org/aw/rr/liability>.

**Financial Assistance:**

Reimbursement from the Petroleum Environmental Cleanup Fund (PECFA) is available for the costs of cleaning up contamination from eligible petroleum storage tanks. Please refer to the enclosed information sheet entitled *Site Remediation Using PECFA* for more information on eligibility and regulations for this program.

If you or your consultant wishes to review or discuss the results of our recent investigation, feel free to contact us.

Sincerely,



Theodore Amman

Telephone: (608) 275-3332

Enclosures