

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
William R. Selbig, Regional Director

Northeast Region
Remediation & Redevelopment
PO Box 10448, 1125 N. Military Avenue
Green Bay, WI 54307-0448
TELEPHONE 920-492-5916
TELEFAX 920-492-5859

July 2, 1998

Mr. Jeff Thoma
69 Brix Street
Clintonville, WI 54929

SUBJECT: Petroleum Contamination from Underground Storage Tank System
A Two Z Sales & Service, 100 W. Main Street, Bowler
WDNR LUST ID #03-59-190963

Dear Mr. Thoma:

On June 8, 1998, the Department of Natural Resources (DNR) received notification from Gerald Johnson of Fluid Management that petroleum contamination was discovered on May 21, 1998, while performing a site assessment at the above-referenced location..

Based on the information received by the DNR, we believe that you are responsible for restoring the environment at this site under Section 292.11, Wisconsin Statutes (hazardous substances spills law). This responsibility includes first investigating the extent of the contamination, then selecting and implementing the most appropriate remedial action. Enclosed is information to help you understand what you need to do to ensure your compliance with the spills law.

The purpose of this letter is threefold: (1) to describe your legal responsibilities; (2) to explain what you need to do to investigate and clean up the contamination; and (3) to provide you with information about cleanups, environmental consultants, and working cooperatively with the DNR.

Legal Responsibilities

Your legal responsibilities are defined both in statute and administrative code. The hazardous substances spill law, Section 292.11(3) Wisconsin Statutes, 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 Codes NR 700 through NR 728 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 NR 140 establishes groundwater standards for contaminants that reach groundwater.



Steps to Take

The longer contamination is left in the environment, the farther it can spread and the more it may cost to clean up. Quick action may lessen damage to your property and to neighboring properties and reduce your costs in investigating and cleaning up the contamination. 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 four steps to take:

1. **By August 5, 1998**, please submit written verification (such as a letter from the consultant) that you have hired an environmental consultant (we would like a contact name, mailing address and phone number). If you cannot meet this timeline, please send a request for an extension, in writing, to the name listed at the bottom of this page, indicating the reason why the timeline cannot be met and when you expect to be able to meet this requirement.
2. **By September 5, 1998**, your consultant must submit a workplan and a schedule for conducting the investigation. The consultant must follow the Department's administrative codes and our technical guidance documents. Please include with the workplan a copy of any previous information that has been completed for your site (such as an underground tank removal report or a preliminary soil excavation report).
3. Please keep us informed of what is being done at your site. You or your consultant must provide us with a brief report at least every 90 days starting after your workplan is submitted. These quarterly reports should summarize the work completed since the last report. Quarterly reports need only include one or two pages of text, plus any relevant maps and tables. Should conditions at your site warrant, you may receive a letter requiring more frequent contacts with the Department.
4. When the site investigation is complete, your consultant must submit a full report on the extent and degree of soil and groundwater contamination and a proposal for cleaning up the contamination.

Due to the number of contaminated sites and our staffing levels, we will be unable to respond to each report. To maintain your compliance with the spills law and chapters NR 700 through NR 728, do not delay the investigation and cleanup by waiting for DNR responses. We have provided detailed technical guidance to environmental consultants. Your consultant is expected to be familiar with our technical procedures and administrative codes and should be able to answer your questions on meeting Wisconsin's cleanup requirements.

Though a WDNR project manager has not been assigned to this case, your correspondence and reports regarding this site should be sent to the Department at the following address:

Wisconsin Department of Natural Resources
Attn: Thomas Sturm (715-526-4230)
647 Lakeland Road
Shawano, WI 54166

If the contamination doesn't include groundwater, the responsibility for governmental oversight of this site will be transferred to the Wisconsin Department of Commerce in accordance with Wisconsin Act 27.

Unless otherwise requested, please send only one duplexed copy of all plans and reports. Correspondence and reports should be identified with the assigned WDNR ID number and name of the site, which can be found on the first page of this letter.

Information for Site Owners

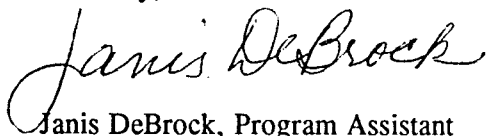
Enclosed is a list of environmental consultants and some important tips on selecting a consultant. If you are eligible for reimbursement of costs under Wisconsin's PECFA program (see last paragraph), you will need to compare at least three consultants' proposals before hiring a consultant. Consultants and laboratories working in the PECFA program are required to carry errors and omissions insurance to help protect you against unsuitable work. Also enclosed are materials on controlling costs, understanding the cleanup process, and choosing a site cleanup method. This information has been prepared to help you understand your responsibilities and what your environmental consultant needs to do. Please read this information carefully.

Financial Information

Reimbursement from the Petroleum Environmental Cleanup Fund (PECFA) is available for the costs of cleaning up contamination from eligible petroleum storage tanks. The fund is administered by the Wisconsin Department of Commerce (DCOM). Please contact DCOM at (608) 266-2424 for more information on eligibility and regulations for this program.

Thank you for your cooperation.

Sincerely,



Janis DeBrock, Program Assistant
(920-492-5878)

Enc: Selecting An Environmental Consultant; Consultant List
 Controlling UST Cleanup Costs Factsheets
 Quarterly Updates for Cleanup of Contaminated Properties
 Cleanup Process for Emergency & Remedial Response Program
 Cleanup Methods for Petroleum Contaminated Soil & Groundwater

cc: Gerald Johnson, Fluid Management Inc, 850 Hwy 153, Suite F, Mosinee, WI 54544