



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary
John Gozdziński, Regional Director

Ashland Service Center
2501 Golf Course Road
Ashland, Wisconsin 54806
Telephone 715-685-2900
FAX 715-685-2909

May 10, 2006

FILE COPY

MR STEVEN RUSNAK
PO BOX 191
BUTTERNUT WI 54514

Subject: Petroleum Contamination at Steve's Corner Bar, 200 Main Street, Butternut, Wisconsin
(BRRTS #03-02-199424)

Dear Mr. Rusnak:

The Department of Natural Resources' Remediation and Redevelopment Program recently reviewed the case file for the above named site and determined that the information is not current. The Department was notified on September 23, 1998 of petroleum contamination encountered during the removal of two underground storage tanks from this property. The Department then notified you on October 12, 1998 of your responsibilities to investigate the degree and extent of contamination and clean up the site. Your legal responsibilities are defined both in statute and in administrative codes. 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 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.

Since the time that the Department sent you the notification of your responsibilities, we received a letter from Agenda International dated May 3, 1999 indicating that that company had been hired to conduct an investigation of the contamination at this site. However, we have not received any information on the progress of investigative or remedial actions at the site since that time.

Therefore, the Department is requesting that within **30 days**, by June 9, 2006, you provide a summary of investigative and cleanup work that has been performed on this site to date. This summary should be submitted in writing to me at the above address.

Mr. Steven Rusnak – May 10, 2006
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If you are experiencing problems selecting an environmental consultant or if you have other questions concerning the cleanup process, please do not hesitate to write or call me at 715-685-2920. I can also be reached by e-mail at Christopher.Saari@Wisconsin.gov. You should note that failure to take the actions required by s. 292.11, Wis. Stats., to address this contamination might lead me to recommend that this case be reviewed for enforcement actions. Thank you for your attention to this matter.

Sincerely,



Christopher A. Saari
Hydrogeologist

cc: David Blair – Department of Commerce