

53941-9532-71

DEPARTMENT OF NATURAL RESOURCES  
BRRS TRACKING FORM 6/97

UID: 03-57-21140 FID: PMN:

RECEIVED  
MAY 10 2010  
ERS DIVISION

Programs: LUST ERP Abandoned Containers ACT 453 Superfund

County Sauk  
Site Name Wiese Property  
Address E2571A CT# G  
Municipality La Valle  
Legal Desc: 1/4 1/4 s t N r EW  
Lat: ° ' " Long. ° ' "

Notification Date 12-16-98  
RP letter Date 1-27-99  
Closure Date \_\_\_\_\_  
Reported by: \_\_\_\_\_  
Phone: \_\_\_\_\_

Priority	Score	Funding
<input type="checkbox"/> HIGH	1. _____	<input type="checkbox"/> RP
<input type="checkbox"/> MED	2. _____	<input type="checkbox"/> LTF
<input type="checkbox"/> LOW	3. _____	<input type="checkbox"/> EF
<input type="checkbox"/> UNK	4. _____	<input type="checkbox"/> OTHER _____
	5. _____	
	Score _____	

*10/24/05 Current owners are:*

**RESPONSIBLE PARTY** *Wayne & Jamie*  
 Name Lawrence Wiese  
*52309 Stoniker Drive, La Valle 53941*  
 Company E2571A CT# G  
 Address La Valle 53941  
 Phone: 608-985-<sup>7279</sup>~~7529~~  
 cc: \_\_\_\_\_

**Impacts**

Cont. Private Well  
 Cont. Public Well  
 Groundwater Contamin.  
 Soil Contamination  
 Surface Water Impacts  
 Direct Contact

**Substances** Leaded

Gasoline  
 Diesel  
 Fuel Oil  
 Waste Oil  
 VOCs  
 Unknown  
 Ag Chem  
 Leachate  
 Metals  
 RCRA HW  
 ChlorSolvents

ACTION CODES	AC	DATE	COMMENT	AC	DATE	COMMENT
01 NOTIFICATION	01	12-16-98				
02 RP LETTER SENT	02	1-27-99				
03 NON	43	2-17-03				
04 ENFORCEMENT CONF	3	4.30.03				
11 CLOSED	43	5.7.03				
14 NOV	200	6.23.05				
18 ADMIN. ORDER	14	10.11.05				
21 CONTEST CASE HEARNG	2	11.7.05	New RP			
23 REFERRAL TO DOJ	59	11.7.05				
30 NOTICE TO PROCEED	200	11.29.06				
33 TANK CLOSURE/SA REPT	3	6.14.07				
35 SI WP RECEIVED	14	8.20.07				
36 SI WP APPROVED	14	1.22.08				
37 SI REPORT RECEIVED	99	4.14.09	notice that dect			
38 SI REPORT APPROVED			affidavit will be filed.			
39 RAP RECEIVED						
40 RAP APPROVED	76	5.6.10				
41 RA REPORT RECEIVED						
42 RA REPORT APPROVED						
43 STATUS REPORT						
44 FORM 4 RECEIVED						
45 FORM 4 APPROVED						
47 PECFA REIMBURSEMENT						
48 CLS W/140 EXEMPTION						
49 ALTERNATE H <sub>2</sub> O SUPPLY						
50 CLS W/GW USE RESTRIC						
51 CLS W/DEED AFFIDAVIT						
52 CLS W/DEED RESTRIC						
53 DEED AFF FOR ENFORC						
54 TRANSFER TO DATCP						
55 CLS W/720.19 STAND.						
58 ENFORCEMENT START						
59 ENFORCEMENT END						
60 REQ FURTHER WORK						
61 LANDSPREAD REQUEST						
62 LANDSPREAD APPR'D						
63 INJECT/INFIL REQUEST						
64 INJECT/INFIL APPROVE						
66 REFER TO ENFRMNT						
70 EMER RESPONSE START						
71 EMER RESPONSE END						
74 LTM START						
75 LTM END						
76 TRANSFER TO DCOM						
77 FREE PROD REM ST						
78 FREE RROD REM END						
79 CLS REVIEW REQUEST						
83 CLS NR 708.09						
84 CONDITIONAL CLOSURE						
85 PERFORMANCE BASED CL						
86 CLS W/SITE SPECIFIC						
87 NR726.07 CLOSURE						
88 IN ABEYANCE						
89 DCOM SITE TO DNR						
92 O & M FRM 4400-194						
99 MISCELLANEOUS						





State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Matthew Frank, Secretary  
Lloyd L. Eagan, Regional Director

South Central Region Headquarters  
3911 Fish Hatchery Road  
Fitchburg, Wisconsin 53711-5397  
Telephone 608-275-3266  
FAX 608-275-3338  
TDD 608-275-3231

May 6, 2010

BRRTS # 03-57-211140

Wayne and Jamie Weise  
S2309 Sloniker Drive  
La Valle WI 53941

**SUBJECT: Transfer of your file: Weise Property, E2571A CTH G La Valle**

Dear Mr. or Ms. Weise:

This letter is to notify you that the Department of Natural Resources has an open file regarding contamination at the above site, and that this file is being transferred to the Department of Commerce. Commerce staff will make the decision with regard to closure.

The State of Wisconsin divides the jurisdiction for sites contaminated by petroleum storage tank systems between the DNR and the Department of Commerce (Commerce). This is based on statutory definitions of high, medium and low risk sites. Under this statute, oversight of sites falling under the definition of "low or medium risk" is the responsibility of Commerce rather than our agency. Your consultant has advised us that your site falls under the definition of "low or medium risk". As such, further reviews of submittals and all technical assistance will need to be provided by staff at Commerce. Thank you for the efforts you have made to date to address the contamination.

All future contacts regarding this site should be directed to Commerce at (608) 266-8516. Correspondence should be directed to this address

WI Department of Commerce  
PO Box 8044  
Madison WI 53707-8044

Please include both your PECFA claim number, if you have one, and your DNR ID# on all correspondence.

Sincerely,

Wendy Weihemuller Program Assistant  
Remediation & Redevelopment  
Telephone: (608) 275-3212

Cc: ->file

Kevin Olson MSA 1230 South Blvd. Baraboo WI 53913



Quality Natural Resources Management  
Through Excellent Customer Service




## Taylor, Brian F - COMMERCE

---

**From:** Greve, Rachel M - DNR  
**Sent:** Thursday, May 27, 2010 9:11 AM  
**To:** Taylor, Brian F - COMMERCE  
**Subject:** FW: permission

Hi Brian,  
We should probably include this email from Mr. Wiese in the Wiese Property file.

Rachel

 Rachel Greve

Hydrogeologist

South Central Region

Bureau of Remediation and Redevelopment

Wisconsin Department of Natural Resources

(☎) phone: (608) 275-3220

(☎) fax: (608) 273-5610

(✉) e-mail: [rachel.greve@wisconsin.gov](mailto:rachel.greve@wisconsin.gov)

---

**From:** Wayne Wiese [<mailto:whiskey@mwt.net>]  
**Sent:** Tuesday, May 25, 2010 10:57 AM  
**To:** Greve, Rachel M - DNR  
**Subject:** permission

Dear Rachel / WDNR

I give permission for the WDNR to place an amendment on my current property deed for the fuel contamination from the former buried fuel tank.

Thank You  
Wayne Wiese

5/27/2010



[Return to Wisconsin's Department of Commerce Home page](#)

Full Name: Lisa Brickson  
Organization Name: BT2  
Phone: (608) 201-0744  
Email: lbrickson@btsquared.com

The requestor identified above is not presently incarcerated and is not committed to a mental health facility.  
The above request pertains to the following records data

- Records relating to site contamination and clean-up.

**Description of Open Records Requested**

Lisa would like to review tech site file 53051-2141-38. ~Kristi Prindle

The above request pertains to records maintained

in hard copy

The request is related to

Other Description: Possible property transaction

I am requesting the records be provided

for inspection at the Department of Commerce.  
in hard copy.

**FEE AUTHORIZATION**

I authorize the Department of Commerce to collect and provide copies of the records described above, to the extent that they are subject to disclosure, so long as the fees associated with the request do not exceed \$0.00

When the estimated cost of collecting and producing the records exceeds this amount, the Department of Commerce will notify the requestor prior to incurring any collection costs.

[Submit and End](#)

[Edit this Info](#)

If you have questions about this page, contact Zach Brandon ([COMOpenRecords@wisconsin.gov](mailto:COMOpenRecords@wisconsin.gov)) of the Secretary of Commerce Office at (608) 261-5402.



PROFESSIONAL SERVICES

TRANSPORTATION • MUNICIPAL  
DEVELOPMENT • ENVIRONMENTAL

April 23, 2010

Hank Kuehling  
Wisconsin Department of Natural Resources  
3911 Fish Hatchery Road  
Fitchburg, WI 53711

Re: Wiese Property

BRRTS #03-57-211140  
PECFA #53941-9532-71

Dear Mr. Kuehling:

The results of the site investigation conducted at the property referenced above are attached. Four soil borings were sampled to a depth of 16 feet, each: one directly through the former tank location and three 20 feet away in accessible directions. One water sample was collected from the potable well that serves the property.

Soil contamination (6,300 mg/kg GRO) was initially discovered in 1998 beneath an underground gasoline storage tank during tank removal. No soil contamination was detected in the four recently completed borings, except for minor contamination from six to eight feet in SB1 (in the former source area). The contamination from six to eight feet in SB1 does not exceed NR 700 GRCLs, Table 1 or Table 2 concentrations. Samples from two to four feet in SB1, and from 12 to 14 feet in SB1 did not contain PVOC, indicating that the vertical extent of the contamination is limited. Field PID readings also indicate the vertical extent of the contamination is limited to the six to eight foot interval. The three lateral bores did not contain PVOC and field PID readings were non-detect, indicating the lateral extent of contamination is limited. No PVOCs were detected in the potable water sample.

On behalf of our client, MSA requests that this case be transferred to the Department of Commerce PECFA program for closure review, and, assuming the case is closed by the PECFA program, we request that DNR file an amended Notice of Contamination with the Sauk County Register of Deeds to update the Notice of Contamination currently on file with the Register of Deeds.

Thank you for your assistance in this matter. Please do not hesitate to call if you have questions or require additional information.

Sincerely,

MSA Professional Services, Inc.

Kevin L. Olson, P.G.  
Project Manager

KLO:bkm



cc: Brian Taylor, PECFA  
Wayne and Jamie Wiese, Owners  
Homer Miller, Prospective Owner

*Offices in Illinois, Iowa, Minnesota, and Wisconsin*

### CLOSE OUT FORM

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04 (1)(m)]

A. Commerce Number: 5 3 9 4 1 - 9 5 3 2 - 7 1 - A  
DNR BRRTS Number: 0 3 - 5 7 - 2 1 1 1 4 0

B. Site Information (property deed required for sites with residual contamination)

Name: Wayne Wiese Farm  
Address: E2571A County Road G  
City: La Valle

Date Received  
(office use only)

C. Responsible Party (RP) Information

Contact Name: Wayne Wiese  
Business Name (if applicable): \_\_\_\_\_  
Mailing Address: S2309 Sloniker Drive  
City, State, Zip Code: La Valle, WI 53941  
Telephone: (608) 985-7278

D. Property Owner Information (if different from RP)

Contact Name: \_\_\_\_\_  
Business Name (if applicable): \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Telephone: \_\_\_\_\_

E. Consulting Firm Information

Contact Name: Kevin Olson  
Firm Name: MSA  
Mailing Address: 1230 South Blvd  
City, State, Zip Code: Baraboo, WI 53913  
Telephone: (608) 356-2771  
Electronic Mail Address: kevin@msa-ps.com

Proposed Public Notification and Fee Payment Confirmation

(Check all that apply)

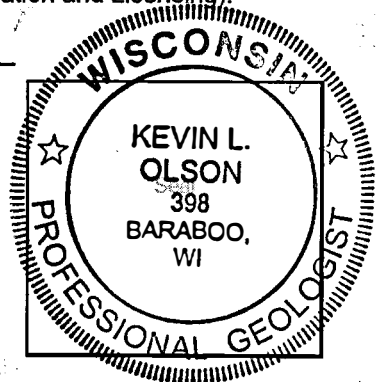
- None
  - DNR Soil GIS Registry  
Registry fee sent to DNR? Yes
  - DNR GW GIS Registry  
Registry fee sent to DNR? Yes
  - DNR GW GIS Registry - improperly abandoned monitoring well(s)  
Registry fee sent to DNR? Yes
- (Only one GW Registry fee per site.)

I certify by my signature that I am the environmental consultant on this site, that I have reviewed all the environmental information relating to the remediation at this site, that the information contained in this form and following correspondence is true and accurate, and that it is my professional opinion that this site meets all regulatory requirements for closure. (Must be signed by a professional listed below that is currently licensed by the Department of Regulation and Licensing).

Consultant Signature: [Signature] Date: 4/21/2010

Check One:

- |                        |                                     |           |            |
|------------------------|-------------------------------------|-----------|------------|
| Professional Engineer  | <input type="checkbox"/>            | License # | _____      |
| Professional Geologist | <input checked="" type="checkbox"/> | License # | <u>398</u> |
| Hydrologist            | <input type="checkbox"/>            | License # | _____      |
| Soil Scientist         | <input type="checkbox"/>            | License # | _____      |

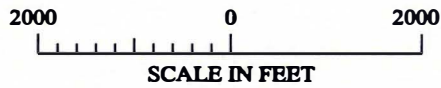
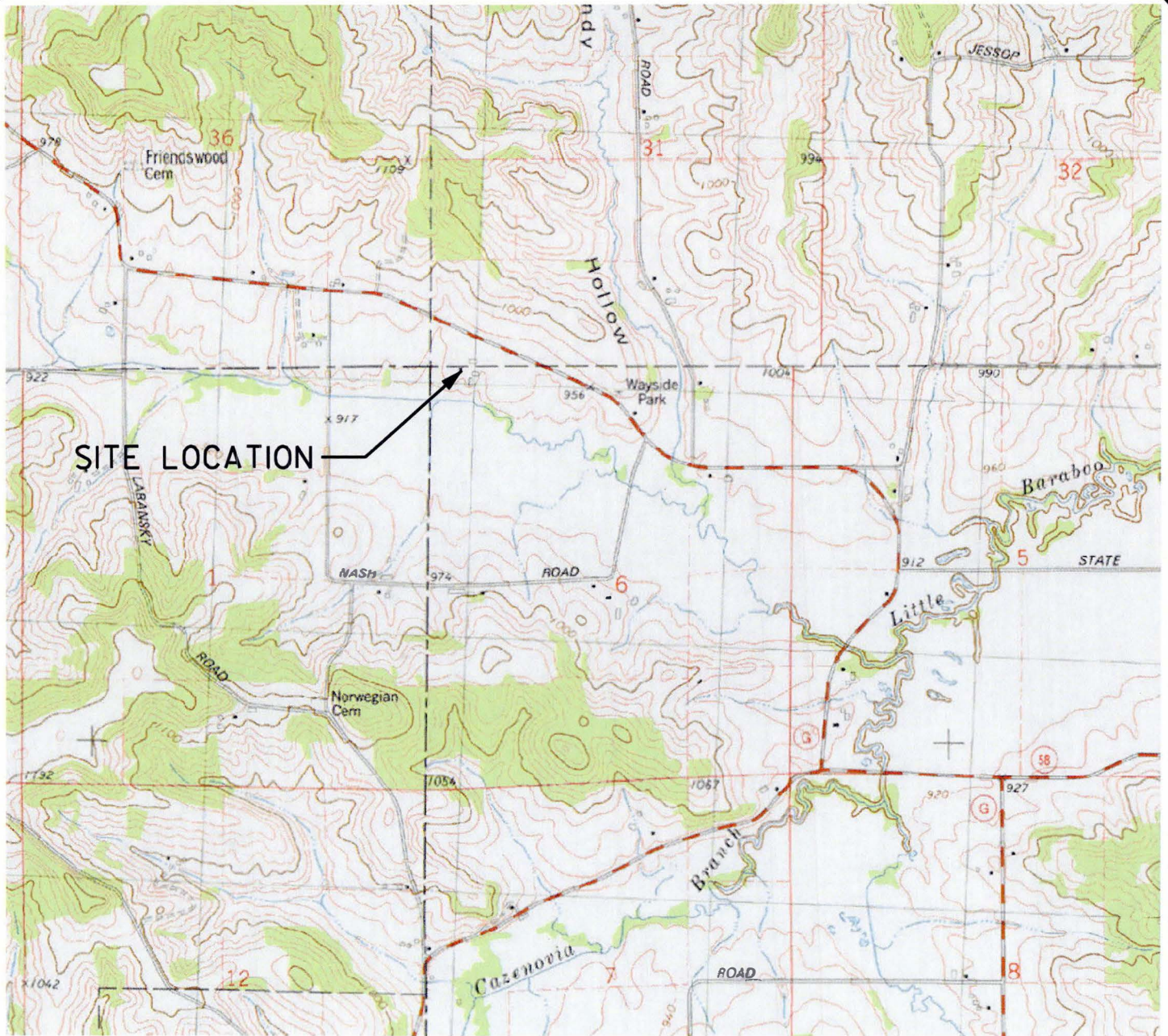


F. Other Interested Party(s) (attach additional sheets if necessary)

Name: Homer Miller  
Mailing Address: E2408 County Road G  
City, State, Zip Code: La Valle, WI 53941  
Telephone: (608) 985-7573

Reason for interest: Prospective purchaser of property





**Reedsburg Quadrangle  
Wisconsin - Sauk County  
7.5 Minute Series (Topographic)**

Contour Interval 20 Feet  
1975

**FIGURE 1  
SITE LOCATION MAP**

**WIESE FARM  
LA VALLE, WI**

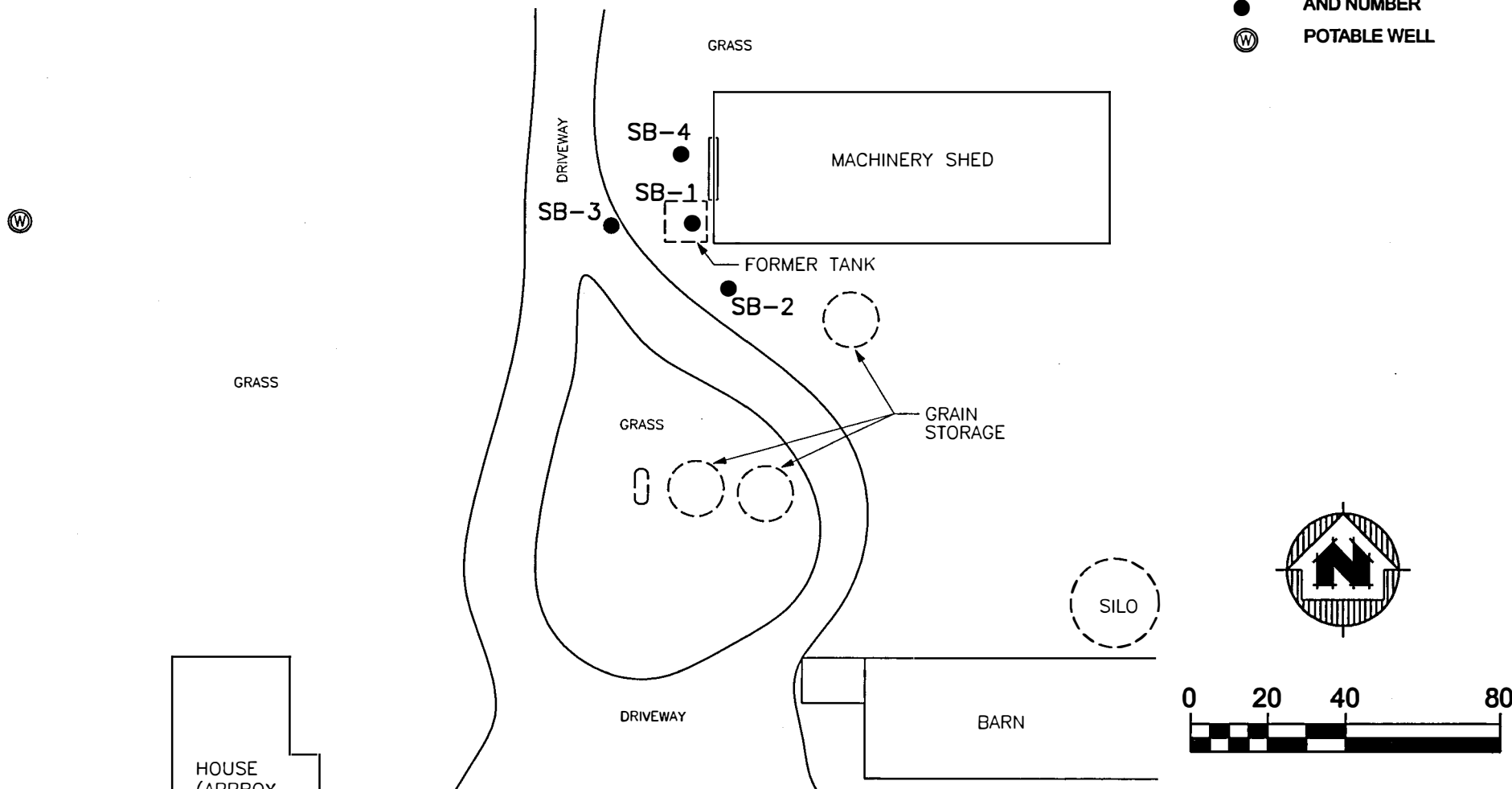
**MSA**

TRANSFORMATION • MUNICIPAL  
DEVELOPMENT • ENVIRONMENTAL  
301 West First Street, Duluth, MN 55802  
218-722-3915 1-800-777-7380 Fax: 218-722-4548  
© MSA PROFESSIONAL SERVICES


COUNTY HIGHWAY G (200' NORTH)

LEGEND

- SB-1 SOIL BORING LOCATION AND NUMBER
- ⊙ POTABLE WELL



**FIGURE 2**  
**SITE LAYOUT AND BORING LOCATION MAP**  
**WIESE FARM**  
**LA VALLE, WI**

		TRANSPORTATION • MUNICIPAL DEVELOPMENT • ENVIRONMENTAL 1835 N. Stevens St. Rhinelander, WI 54501 715-362-3244 1-800-844-7834 Fax: 715-362-4116 © MSA PROFESSIONAL SERVICES	
		F.B.	PROJECT
DRAWN BY <b>CAR</b>	DATE <b>4/14/10</b>	SHEET ..... OF .....	
CHECKED BY <b>KO</b>	SCALE <b>AS SHOWN</b>	FILE NO. <b>213081F2</b>	

**Table 1**  
**Soil Data Summary Table**  
**Wiese Farm, E2571A County Road G**

Location	Depth Interval (feet)	Date	PID	Odor Stains Sheens	Benzene	Ethyl-benzene	Methyl-tert-butyl ether	Toluene	1,2,4- Tri-methyl-benzene	1,3,5- Tri-methyl-benzene	M&P Xylene	O Xylene	Lead
NR 746 Table 1 (Indicative of Residual Product)					8.5	4.6		38	83	11	42*	42*	
NR 746 Table 2 (Direct contact)					1.10								50
NR 720 GRCL's					0.0055	2.9		1.5			4.1*	4.1*	
SB1	2 - 4	13-Apr-10	0	none	< 0.032	< 0.032	< 0.032	< 0.032	< 0.032	< 0.032	< 0.096		25
SB1	6 - 8	13-Apr-10	117	slight odor	< 0.029	0.22	< 0.029	< 0.029	0.86	0.91	0.54		7
SB1	12 - 14	13-Apr-10	0	none	< 0.028	< 0.028	< 0.028	< 0.028	< 0.028	< 0.028	< 0.085		1.7
SB2	2 - 4	13-Apr-10	0	none	< 0.032	< 0.032	< 0.032	< 0.032	< 0.032	< 0.032	< 0.095		
SB2	12 - 14	13-Apr-10	0	none	< 0.028	< 0.028	< 0.028	< 0.028	< 0.028	< 0.028	< 0.084		
SB3	2 - 4	13-Apr-10	0	none	< 0.031	< 0.031	< 0.031	< 0.031	< 0.031	< 0.031	< 0.094		
SB3	12 - 14	13-Apr-10	0	none	< 0.030	< 0.030	< 0.030	< 0.030	< 0.030	< 0.030	< 0.089		
SB4	12 - 14	13-Apr-10	0	none	< 0.026	< 0.026	< 0.026	< 0.026	< 0.026	< 0.026	< 0.079		

All soil concentrations are in mg/Kg (parts per million).

Depths are in feet below ground surface.

PID readings are in ppm as isobutylene.

Blank cells indicate parameter was not analyzed.

\* = concentration is for total xylenes.

Values in BOLD exceed a NR 720 GRCL, or a NR 746 Table 1 or Table 2 value.

NA = Not applicable



**Table 2  
Groundwater Data Summary Table  
Wiese Farm, E2571A County Road G**

		Benzene	Toluene	Ethyl- benzene	Total Xylenes	124 Tri methyl benzene	125 Tri methyl benzene	Methyl- tert-butyl- ether
Units	Date	ug/L	ug/L	ug/L	ug/L	ug/L		ug/L
NR 140 PAL		0.5	200	140	1000	96		12
NR 140 ES		5	1000	700	10000	480		60
Potable Well	13-Apr-10	< 0.25	< 0.25	< 0.22	< 0.39	< 0.25	< 0.19	< 0.23

PAL = Wisconsin Administrative Code NR 140 preventive action limit  
 ES = Wisconsin Administrative Code NR 140 enforcement standard  
 Values in BOLD exceed NR 140 enforcement standard


Route To:  Watershed/Wastewater  Waste Management   
 Remediation/Revelopment  Other

Page \_\_\_\_\_ of \_\_\_\_\_

Facility/Project Name <b>Wiese Farm</b>		License/Permit/Monitoring Number	Boring Number <b>SB1</b>
Boring Drilled By: Name of crew chief (first, last) and Firm First Name: <b>Kevin</b> Last Name: <b>Olson</b> Firm: <b>MSA Professional Services</b>		Date Drilling Started <b>04/12/2010</b>	Date Drilling Completed <b>04/12/2010</b>
WI Unique Well No.	DNR Well ID No.	Well Name	Drilling Method <b>Geoprobe</b>
Local Grid Origin <input type="checkbox"/> (estimated: <input type="checkbox"/> ) or Boring Location <input checked="" type="checkbox"/> State Plane _____ N, _____ E		Final Static Water Level _____ Feet MSL	Surface Elevation _____ Feet MSL
1/4 of _____ 1/4 of Section _____, T _____ N, R _____		Lat <b>43°56'18" N</b> Long <b>90°40'23" W</b>	Borehole Diameter <b>3</b> inches
Facility ID	County <b>Sauk</b>	County Code	Civil Town/City/ or Village <b>La Valle</b>

Sample Number and Type	Length Att. & Recovered (in)	Blow Counts	Depth in Feet (Below ground surface)	Soil/Rock Description And Geologic Origin For Each Major Unit	USCS	Graphic Log	Well Diagram	Soil Properties						RQD/ Comments	
								PID/FID	Compressive Strength	Moisture Content	Liquid Limit	Plasticity Index	P 200		
			0	Topsoil/Grass											
24			2	Brown clay, moist				0							
			4					0							
24			6	Grey clay, slight petroleum odor, moist				0							
			8	Gray sand fine-med, wet				117							
24			10	Brown coarse sand, wet				3							
			12	Brown med sand, moist				0							
24			14					0							
			16	Weathered sandstone rock, reddish brown				0							
				EOB @ 16' - Back-filled with granular bentonite											

I hereby certify that the information on this form is true and correct to the best of my knowledge.

Signature  Firm **MSA**

This form is authorized by Chapters 281, 283, 289, 291, 292, 293, 295, and 299, Wis. Stats. Completion of this form is mandatory. Failure to file this form may result in forfeiture of between \$10 and \$25,000, or imprisonment for up to one year, depending on the program and conduct involved. Personally identifiable information on this form is not intended to be used for any other purpose. NOTE: See instructions for more information, including where the completed form should be sent.

Route To: Watershed/Wastewater  Waste Management   
Remediation/Revelopment  Other

Page 1 of 1

Facility/Project Name <b>Wiese Farm</b>		License/Permit/Monitoring Number	Boring Number <b>SB2</b>
Boring Drilled By: Name of crew chief (first, last) and Firm First Name: <b>Kevin</b> Last Name: <b>Olson</b> Firm: <b>MSA Professional Services</b>		Date Drilling Started <b>04/12/2010</b>	Date Drilling Completed <b>04/12/2010</b>
WI Unique Well No.		DNR Well ID No.	Well Name
Final Static Water Level ____ Feet MSL		Surface Elevation ____ Feet MSL	Borehole Diameter <b>3</b> inches
Local Grid Origin <input type="checkbox"/> (estimated: <input type="checkbox"/> ) or Boring Location <input type="checkbox"/> State Plane _____ N, _____ E		Local Grid Location <input type="checkbox"/> N <input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> W	
1/4 of _____ 1/4 of Section _____, T _____ N, R _____		Lat <b>43.556181</b> " Long <b>90.990323</b> "	
Facility ID	County <b>Sauk</b>	County Code	Civil Town/City/ or Village <b>La Valle</b>

Sample Number and Type	Length Att. & Recovered (in)	Blow Counts	Depth in Feet (Below ground surface)	Soil/Rock Description And Geologic Origin For Each Major Unit	USCS	Graphic Log	Well Diagram	PID/FID	Soil Properties					RQD/ Comments	
									Compressive Strength	Moisture Content	Liquid Limit	Plasticity Index	P 200		
			0	Topsoil (Grass)				0							
	24		2	Brown clay, moist				0							
	24		4					0							
	24		6	Gray clay, moist				0							
	24		8	Gray sand, fine-med, wet				0							
	24		10	Brown sand, wet				0							
	24		12					0							
	24		14					0							
			16	Weathered rock				0							
				EOB @ 16' Backfill w bentonite											

I hereby certify that the information on this form is true and correct to the best of my knowledge.

Signature  Firm **MSA**

This form is authorized by Chapters 281, 283, 289, 291, 292, 293, 295, and 299, Wis. Stats. Completion of this form is mandatory. Failure to file this form may result in forfeiture of between \$10 and \$25,000, or imprisonment for up to one year, depending on the program and conduct involved. Personally identifiable information on this form is not intended to be used for any other purpose. NOTE: See instructions for more information, including where the completed form should be sent.



Route To: Watershed/Wastewater  Waste Management   
Remediation/Revelpment  Other

Page \_\_\_\_\_ of \_\_\_\_\_

Facility/Project Name <b>Wiese Farm</b>		License/Permit/Monitoring Number	Boring Number <b>SB3</b>
Boring Drilled By: Name of crew chief (first, last) and Firm First Name: <b>Kevin</b> Last Name: <b>Olson</b> Firm: <b>MSA Professional Services</b>		Date Drilling Started <b>04/12/2010</b> m m d d y y y y	Date Drilling Completed <b>04/12/2010</b> m m d d y y y y
WI Unique Well No.	DNR Well ID No.	Well Name	Drilling Method <b>Geoprobe</b>
Final Static Water Level _____ Feet MSL		Surface Elevation _____ Feet MSL	Borehole Diameter <b>3</b> inches
Local Grid Origin <input type="checkbox"/> (estimated: <input type="checkbox"/> ) or Boring Location <input type="checkbox"/> State Plane _____ N, _____ E _____ 1/4 of _____ 1/4 of Section _____, T _____ N, R _____		Local Grid Location <input type="checkbox"/> N <input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> W	
Facility ID	County <b>Sauk</b>	County Code	Civil Town/City/ or Village <b>La Valle</b>

Sample Number and Type	Length Att. & Recovered (in)	Blow Counts	Depth in Feet (below ground surface)	Soil/Rock Description And Geologic Origin For Each Major Unit	USCS	Graphic Log	Well Diagram	PID/FID	Soil Properties					RQD/ Comments	
									Compressive Strength	Moisture Content	Liquid Limit	Plasticity Index	P 200		
			2	Gravel (driveway)				0							
	24		4	Brown clay, moist				0							
			6					0							
	24		8	Grey clay, moist				0							
			10					0							
	24		12	Reddish brown sand, med-coars wet				0							
			14	Reddish brown clayey gravel/ gravelly clay				0							
	24		16	End of borehole @ 16' Backfilled w/ clay bentonite granular				0							

I hereby certify that the information on this form is true and correct to the best of my knowledge.

Signature *[Signature]* Firm MSA

This form is authorized by Chapters 281, 283, 289, 291, 292, 293, 295, and 299, Wis. Stats. Completion of this form is mandatory. Failure to file this form may result in forfeiture of between \$10 and \$25,000, or imprisonment for up to one year, depending on the program and conduct involved. Personally identifiable information on this form is not intended to be used for any other purpose. NOTE: See instructions for more information, including where the completed form should be sent.

Route To: Watershed/Wastewater  Waste Management   
Remediation/Revelpment  Other

Page \_\_\_\_\_ of \_\_\_\_\_

Facility/Project Name <b>Wiese Farm</b>		License/Permit/Monitoring Number		Boring Number <b>SB4</b>
Boring Drilled By: Name of crew chief (first, last) and Firm First Name: <b>Kevin</b> Last Name: <b>Olson</b> Firm: <b>MSA Professional Services</b>		Date Drilling Started <b>04/12/2010</b>	Date Drilling Completed <b>04/12/2010</b>	Drilling Method <b>Geoprobe</b>
WI Unique Well No.	DNR Well ID No.	Well Name	Final Static Water Level ____ Feet MSL	Surface Elevation ____ Feet MSL
Local Grid Origin <input type="checkbox"/> (estimated: <input type="checkbox"/> ) or Boring Location <input type="checkbox"/> State Plane _____ N, _____ E		Local Grid Location ____ Feet <input type="checkbox"/> N <input type="checkbox"/> E ____ Feet <input type="checkbox"/> S <input type="checkbox"/> W	1/4 of _____ 1/4 of Section _____, T _____ N, R _____ Lat <b>43° 55' 18.1"</b> Long <b>90° 40' 32.3"</b>	
Facility ID	County <b>Sauk</b>	County Code	Civil Town/City/ or Village <b>La Voie</b>	

Sample		Blow Counts	Depth in Feet (Below ground surface)	Soil/Rock Description And Geologic Origin For Each Major Unit	USCS	Graphic Log	Well Diagram	PIT/PTD	Soil Properties					RQD/ Comments
Number and Type	Length Att. & Recovered (in)								Compressive Strength	Moisture Content	Liquid Limit	Plasticity Index	P 200	
	6		0-2	Topsoil/Grass										
	0		2-4	Brown Clay, moist										
			4-6	Gray Clay, moist										
			6-8											
			8-10											
			10-12											
			12-14	Weathered Rock										
			14-16											
				EOB @ 14'. Backfill w/ bentonite										

I hereby certify that the information on this form is true and correct to the best of my knowledge.

Signature *[Signature]* Firm **MSA**

This form is authorized by Chapters 281, 283, 289, 291, 292, 293, 295, and 299, Wis. Stats. Completion of this form is mandatory. Failure to file this form may result in forfeiture of between \$10 and \$25,000, or imprisonment for up to one year, depending on the program and conduct involved. Personally identifiable information on this form is not intended to be used for any other purpose. NOTE: See instructions for more information, including where the completed form should be sent.

April 21, 2010

Client: MSA Professional Services Inc.  
1230 South Blvd  
Baraboo, WI 53913

Work Order: WTD0449  
Project Name: Wiese Farm; LaValle, WI  
Project Number: 213081

Attn: Mr. Kevin Olson

Date Received: 04/15/10

An executed copy of the chain of custody is also included as an addendum to this report.

If you have any questions relating to this analytical report, please contact your Laboratory Project Manager at 1-800-833-7036

SAMPLE IDENTIFICATION	LAB NUMBER	COLLECTION DATE AND TIME
SB1 2-4'	WTD0449-01	04/13/10 09:00
SB1 6-8'	WTD0449-02	04/13/10 09:05
SB1 12-14'	WTD0449-03	04/13/10 09:10
SB-2 2-4'	WTD0449-04	04/13/10 09:40
SB-2 12-14'	WTD0449-05	04/13/10 09:48
SB-3 2-4'	WTD0449-06	04/13/10 10:05
SB-3 12-14'	WTD0449-07	04/13/10 10:13
SB-4 12-14'	WTD0449-08	04/13/10 10:40
PW1	WTD0449-09	04/13/10 11:00
MeOH Blank	WTD0449-10	04/13/10
Trip Blank	WTD0449-11	04/13/10

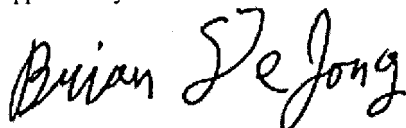
Samples were received on ice into laboratory at a temperature of 0 °C.

Wisconsin Certification Number: 128053530

The Chain(s) of Custody, 2 pages, are included and are an integral part of this report.

*Unless subcontracted, volatiles analyses (including VOC, PVOC, GRO, BTEX, and TPH gasoline) performed by TestAmerica Watertown at 1101 Industrial Drive, Units 9&10. All other analyses performed at the address shown in the heading of this report.*

Approved By:



TestAmerica Watertown  
Brian DeJong For Sandie Fredrick  
Project Manager



MSA Professional Services Inc.  
1230 South Blvd  
Baraboo, WI 53913  
Mr. Kevin Olson

Work Order: WTD0449  
Project: Wiese Farm; LaValle, WI  
Project Number: 213081

Received: 04/15/10  
Reported: 04/21/10 11:16

## ANALYTICAL REPORT

Analyte	Sample Result	Data Qualifiers	Units	MRL	Dilution Factor	Date Analyzed	Analyst	Seq/ Batch	Method
<b>Sample ID: WTD0449-01 (SB1 2-4' - Solid/Soil)</b>						<b>Sampled: 04/13/10 09:00</b>			
General Chemistry Parameters									
% Solids	78		%	NA	1	04/19/10 15:01	pam	10D0466	SM 2540G
Metals									
Lead	25		mg/kg dry	1.5	0.9	04/20/10 11:36	gaf	10D0401	SW 6010B
GC VOLATILES									
Benzene	<32		ug/kg dry	32	1	04/17/10 09:11	lck	10D0422	SW 8021
Ethylbenzene	<32		ug/kg dry	32	1	04/17/10 09:11	lck	10D0422	SW 8021
Methyl tert-Butyl Ether	<32		ug/kg dry	32	1	04/17/10 09:11	lck	10D0422	SW 8021
Toluene	<32		ug/kg dry	32	1	04/17/10 09:11	lck	10D0422	SW 8021
1,2,4-Trimethylbenzene	<32		ug/kg dry	32	1	04/17/10 09:11	lck	10D0422	SW 8021
1,3,5-Trimethylbenzene	<32		ug/kg dry	32	1	04/17/10 09:11	lck	10D0422	SW 8021
Xylenes, total	<96		ug/kg dry	96	1	04/17/10 09:11	lck	10D0422	SW 8021
<i>Surr: 4-Bromofluorobenzene (80-120%)</i>	98 %								
<b>Sample ID: WTD0449-02 (SB1 6-8' - Solid/Soil)</b>						<b>Sampled: 04/13/10 09:05</b>			
General Chemistry Parameters									
% Solids	86		%	NA	1	04/19/10 15:01	pam	10D0466	SM 2540G
Metals									
Lead	7.0		mg/kg dry	1.4	1.0	04/20/10 11:40	gaf	10D0401	SW 6010B
GC VOLATILES									
Benzene	<29		ug/kg dry	29	1	04/17/10 09:48	lck	10D0422	SW 8021
Ethylbenzene	220		ug/kg dry	29	1	04/17/10 09:48	lck	10D0422	SW 8021
Methyl tert-Butyl Ether	<29		ug/kg dry	29	1	04/17/10 09:48	lck	10D0422	SW 8021
Toluene	<29		ug/kg dry	29	1	04/17/10 09:48	lck	10D0422	SW 8021
1,2,4-Trimethylbenzene	860		ug/kg dry	29	1	04/17/10 09:48	lck	10D0422	SW 8021
1,3,5-Trimethylbenzene	910		ug/kg dry	29	1	04/17/10 09:48	lck	10D0422	SW 8021
Xylenes, total	540		ug/kg dry	87	1	04/17/10 09:48	lck	10D0422	SW 8021
<i>Surr: 4-Bromofluorobenzene (80-120%)</i>	94 %								
<b>Sample ID: WTD0449-03 (SB1 12-14' - Solid/Soil)</b>						<b>Sampled: 04/13/10 09:10</b>			
General Chemistry Parameters									
% Solids	88		%	NA	1	04/19/10 15:01	pam	10D0466	SM 2540G
Metals									
Lead	1.7		mg/kg dry	1.3	1.0	04/20/10 11:55	gaf	10D0401	SW 6010B
GC VOLATILES									
Benzene	<28		ug/kg dry	28	1	04/17/10 10:24	lck	10D0422	SW 8021
Ethylbenzene	<28		ug/kg dry	28	1	04/17/10 10:24	lck	10D0422	SW 8021
Methyl tert-Butyl Ether	<28		ug/kg dry	28	1	04/17/10 10:24	lck	10D0422	SW 8021
Toluene	<28		ug/kg dry	28	1	04/17/10 10:24	lck	10D0422	SW 8021
1,2,4-Trimethylbenzene	<28		ug/kg dry	28	1	04/17/10 10:24	lck	10D0422	SW 8021
1,3,5-Trimethylbenzene	<28		ug/kg dry	28	1	04/17/10 10:24	lck	10D0422	SW 8021
Xylenes, total	<85		ug/kg dry	85	1	04/17/10 10:24	lck	10D0422	SW 8021
<i>Surr: 4-Bromofluorobenzene (80-120%)</i>	98 %								

MSA Professional Services Inc.  
1230 South Blvd  
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Mr. Kevin Olson

Work Order: WTD0449  
Project: Wiese Farm; LaValle, WI  
Project Number: 213081

Received: 04/15/10  
Reported: 04/21/10 11:16

Analyte	Sample Result	Data Qualifiers	Units	MRL	Dilution Factor	Date Analyzed	Analyst	Seq/ Batch	Method
<b>Sample ID: WTD0449-04 (SB-2 2-4' - Solid/Soil)</b>						<b>Sampled: 04/13/10 09:40</b>			
General Chemistry Parameters									
% Solids	79		%	NA	1	04/19/10 15:01	pam	10D0466	SM 2540G
GC VOLATILES									
Benzene	<32		ug/kg dry	32	1	04/17/10 11:00	lck	10D0422	SW 8021
Ethylbenzene	<32		ug/kg dry	32	1	04/17/10 11:00	lck	10D0422	SW 8021
Methyl tert-Butyl Ether	<32		ug/kg dry	32	1	04/17/10 11:00	lck	10D0422	SW 8021
Toluene	<32		ug/kg dry	32	1	04/17/10 11:00	lck	10D0422	SW 8021
1,2,4-Trimethylbenzene	<32		ug/kg dry	32	1	04/17/10 11:00	lck	10D0422	SW 8021
1,3,5-Trimethylbenzene	<32		ug/kg dry	32	1	04/17/10 11:00	lck	10D0422	SW 8021
Xylenes, total	<95		ug/kg dry	95	1	04/17/10 11:00	lck	10D0422	SW 8021
<i>Surr: 4-Bromofluorobenzene (80-120%)</i>	96 %								
<b>Sample ID: WTD0449-05 (SB-2 12-14' - Solid/Soil)</b>						<b>Sampled: 04/13/10 09:48</b>			
General Chemistry Parameters									
% Solids	89		%	NA	1	04/19/10 15:01	pam	10D0466	SM 2540G
GC VOLATILES									
Benzene	<28		ug/kg dry	28	1	04/17/10 11:37	lck	10D0422	SW 8021
Ethylbenzene	<28		ug/kg dry	28	1	04/17/10 11:37	lck	10D0422	SW 8021
Methyl tert-Butyl Ether	<28		ug/kg dry	28	1	04/17/10 11:37	lck	10D0422	SW 8021
Toluene	<28		ug/kg dry	28	1	04/17/10 11:37	lck	10D0422	SW 8021
1,2,4-Trimethylbenzene	<28		ug/kg dry	28	1	04/17/10 11:37	lck	10D0422	SW 8021
1,3,5-Trimethylbenzene	<28		ug/kg dry	28	1	04/17/10 11:37	lck	10D0422	SW 8021
Xylenes, total	<84		ug/kg dry	84	1	04/17/10 11:37	lck	10D0422	SW 8021
<i>Surr: 4-Bromofluorobenzene (80-120%)</i>	96 %								
<b>Sample ID: WTD0449-06 (SB-3 2-4' - Solid/Soil)</b>						<b>Sampled: 04/13/10 10:05</b>			
General Chemistry Parameters									
% Solids	80		%	NA	1	04/19/10 15:01	pam	10D0466	SM 2540G
GC VOLATILES									
Benzene	<31		ug/kg dry	31	1	04/17/10 12:13	lck	10D0422	SW 8021
Ethylbenzene	<31		ug/kg dry	31	1	04/17/10 12:13	lck	10D0422	SW 8021
Methyl tert-Butyl Ether	<31		ug/kg dry	31	1	04/17/10 12:13	lck	10D0422	SW 8021
Toluene	<31		ug/kg dry	31	1	04/17/10 12:13	lck	10D0422	SW 8021
1,2,4-Trimethylbenzene	<31		ug/kg dry	31	1	04/17/10 12:13	lck	10D0422	SW 8021
1,3,5-Trimethylbenzene	<31		ug/kg dry	31	1	04/17/10 12:13	lck	10D0422	SW 8021
Xylenes, total	<94		ug/kg dry	94	1	04/17/10 12:13	lck	10D0422	SW 8021
<i>Surr: 4-Bromofluorobenzene (80-120%)</i>	96 %								
<b>Sample ID: WTD0449-07 (SB-3 12-14' - Solid/Soil)</b>						<b>Sampled: 04/13/10 10:13</b>			
General Chemistry Parameters									
% Solids	84		%	NA	1	04/19/10 15:01	pam	10D0466	SM 2540G
GC VOLATILES									
Benzene	<30		ug/kg dry	30	1	04/17/10 12:49	lck	10D0422	SW 8021
Ethylbenzene	<30		ug/kg dry	30	1	04/17/10 12:49	lck	10D0422	SW 8021
Methyl tert-Butyl Ether	<30		ug/kg dry	30	1	04/17/10 12:49	lck	10D0422	SW 8021
Toluene	<30		ug/kg dry	30	1	04/17/10 12:49	lck	10D0422	SW 8021
1,2,4-Trimethylbenzene	<30		ug/kg dry	30	1	04/17/10 12:49	lck	10D0422	SW 8021
1,3,5-Trimethylbenzene	<30		ug/kg dry	30	1	04/17/10 12:49	lck	10D0422	SW 8021
Xylenes, total	<89		ug/kg dry	89	1	04/17/10 12:49	lck	10D0422	SW 8021
<i>Surr: 4-Bromofluorobenzene (80-120%)</i>	99 %								

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Analyte	Sample Result	Data Qualifiers	Units	MRL	Dilution Factor	Date Analyzed	Analyst	Seq/ Batch	Method
<b>Sample ID: WTD0449-08 (SB-4 12-14' - Solid/Soil)</b>						<b>Sampled: 04/13/10 10:40</b>			
General Chemistry Parameters									
% Solids	94		%	NA	1	04/19/10 15:01	pam	10D0466	SM 2540G
GC VOLATILES									
Benzene	<26		ug/kg dry	26	1	04/17/10 13:25	lck	10D0422	SW 8021
Ethylbenzene	<26		ug/kg dry	26	1	04/17/10 13:25	lck	10D0422	SW 8021
Methyl tert-Butyl Ether	<26		ug/kg dry	26	1	04/17/10 13:25	lck	10D0422	SW 8021
Toluene	<26		ug/kg dry	26	1	04/17/10 13:25	lck	10D0422	SW 8021
1,2,4-Trimethylbenzene	<26		ug/kg dry	26	1	04/17/10 13:25	lck	10D0422	SW 8021
1,3,5-Trimethylbenzene	<26		ug/kg dry	26	1	04/17/10 13:25	lck	10D0422	SW 8021
Xylenes, total	<79		ug/kg dry	79	1	04/17/10 13:25	lck	10D0422	SW 8021
<i>Surr: 4-Bromofluorobenzene (80-120%)</i>	96 %								

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Analyte	Sample Result	Data Qualifiers	Units	MDL	MRL	Dilution Factor	Date Analyzed	Analyst	Seq/ Batch	Method
<b>Sample ID: WTD0449-09 (PW1 - Drinking Water)</b>							<b>Sampled: 04/13/10 11:00</b>			
GC VOLATILES										
Benzene	<0.25		ug/L	0.25	0.83	1	04/15/10 23:57	lck	10D0356	SW 8021
Ethylbenzene	<0.22		ug/L	0.22	0.73	1	04/15/10 23:57	lck	10D0356	SW 8021
Methyl tert-Butyl Ether	<0.23		ug/L	0.23	0.77	1	04/15/10 23:57	lck	10D0356	SW 8021
Toluene	<0.25		ug/L	0.25	0.83	1	04/15/10 23:57	lck	10D0356	SW 8021
1,2,4-Trimethylbenzene	<0.25		ug/L	0.25	0.83	1	04/15/10 23:57	lck	10D0356	SW 8021
1,3,5-Trimethylbenzene	<0.19		ug/L	0.19	0.63	1	04/15/10 23:57	lck	10D0356	SW 8021
Xylenes, total	<0.39		ug/L	0.39	1.3	1	04/15/10 23:57	lck	10D0356	SW 8021
<i>Surr: 4-Bromofluorobenzene (80-120%)</i>	92%									

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Analyte	Sample Result	Data Qualifiers	Units	MRL	Dilution Factor	Date Analyzed	Analyst	Seq/ Batch	Method
<b>Sample ID: WTD0449-10 (MeOH Blank - Misc. Liquid)</b>						<b>Sampled: 04/13/10</b>			
<b>GC VOLATILES</b>									
Benzene	<25		ug/kg wet	25	1	04/17/10 14:02	lck	10D0422	SW 8021
Ethylbenzene	<25		ug/kg wet	25	1	04/17/10 14:02	lck	10D0422	SW 8021
Methyl tert-Butyl Ether	<25		ug/kg wet	25	1	04/17/10 14:02	lck	10D0422	SW 8021
Toluene	<25		ug/kg wet	25	1	04/17/10 14:02	lck	10D0422	SW 8021
1,2,4-Trimethylbenzene	<25		ug/kg wet	25	1	04/17/10 14:02	lck	10D0422	SW 8021
1,3,5-Trimethylbenzene	<25		ug/kg wet	25	1	04/17/10 14:02	lck	10D0422	SW 8021
Xylenes, total	<75		ug/kg wet	75	1	04/17/10 14:02	lck	10D0422	SW 8021
<i>Surr: 4-Bromofluorobenzene (80-120%) 95 %</i>									

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Analyte	Sample Result	Data Qualifiers	Units	MDL	MRL	Dilution Factor	Date Analyzed	Analyst	Seq/ Batch	Method
<b>Sample ID: WTD0449-11 (Trip Blank - Water - NonPotable)</b>							<b>Sampled: 04/13/10</b>			
GC VOLATILES										
Benzene	<0.25		ug/L	0.25	0.83	1	04/15/10 23:21	lck	10D0356	SW 8021
Ethylbenzene	<0.22		ug/L	0.22	0.73	1	04/15/10 23:21	lck	10D0356	SW 8021
Methyl tert-Butyl Ether	<0.23		ug/L	0.23	0.77	1	04/15/10 23:21	lck	10D0356	SW 8021
Toluene	<0.25		ug/L	0.25	0.83	1	04/15/10 23:21	lck	10D0356	SW 8021
1,2,4-Trimethylbenzene	<0.25		ug/L	0.25	0.83	1	04/15/10 23:21	lck	10D0356	SW 8021
1,3,5-Trimethylbenzene	<0.19		ug/L	0.19	0.63	1	04/15/10 23:21	lck	10D0356	SW 8021
Xylenes, total	<0.39		ug/L	0.39	1.3	1	04/15/10 23:21	lck	10D0356	SW 8021
<i>Surr: 4-Bromofluorobenzene (80-120%)</i>	<i>91 %</i>									



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## LABORATORY BLANK QC DATA

Analyte	Seq/ Batch	Source Result	Spike Level	Units	MDL	MRL	Dup Result	% REC	Dup %REC	% REC Limits	RPD RPD	RPD Limit	Q
<b>Metals</b>													
Lead	10D0401			mg/kg wet	N/A	1.2	<1.2						
<b>GC VOLATILES</b>													
Benzene	10D0356			ug/L	0.25	2.0	<0.25						
Ethylbenzene	10D0356			ug/L	0.22	2.0	<0.22						
Methyl tert-Butyl Ether	10D0356			ug/L	0.23	2.0	<0.23						
Toluene	10D0356			ug/L	0.25	2.0	<0.25						
1,2,4-Trimethylbenzene	10D0356			ug/L	0.25	2.0	<0.25						
1,3,5-Trimethylbenzene	10D0356			ug/L	0.19	2.0	<0.19						
Xylenes, total	10D0356			ug/L	0.39	6.0	<0.39						
<i>Surrogate: 4-Bromofluorobenzene</i>	<i>10D0356</i>			ug/L					92		80-120		
Benzene	10D0422			ug/kg wet	N/A	25	<25						
Ethylbenzene	10D0422			ug/kg wet	N/A	25	<25						
Methyl tert-Butyl Ether	10D0422			ug/kg wet	N/A	25	<25						
Toluene	10D0422			ug/kg wet	N/A	25	<25						
1,2,4-Trimethylbenzene	10D0422			ug/kg wet	N/A	25	<25						
1,3,5-Trimethylbenzene	10D0422			ug/kg wet	N/A	25	<25						
Xylenes, total	10D0422			ug/kg wet	N/A	75	<75						
<i>Surrogate: 4-Bromofluorobenzene</i>	<i>10D0422</i>			ug/kg wet					98		80-120		

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## CCV QC DATA

Analyte	Seq/ Batch	Source Result	Spike Level	Units	MDL	MRL	Result	Dup Result	% REC	Dup %REC	% REC Limits	RPD RPD	Limit	Q
<b>Metals</b>														
Lead	T000761		5.0	mg/L	N/A	N/A	4.78		96		90-110			
Lead	T000761		5.0	mg/L	N/A	N/A	4.77		95		90-110			
Lead	T000761		5.0	mg/L	N/A	N/A	4.70		94		90-110			
Lead	T000761		5.0	mg/L	N/A	N/A	4.68		94		90-110			
<b>GC VOLATILES</b>														
Benzene	T000716		20	ug/kg wet	N/A	N/A	18.7		93		85-115			
Ethylbenzene	T000716		20	ug/kg wet	N/A	N/A	18.7		94		85-115			
Methyl tert-Butyl Ether	T000716		20	ug/kg wet	N/A	N/A	19.6		98		85-115			
Toluene	T000716		20	ug/kg wet	N/A	N/A	18.7		93		85-115			
1,2,4-Trimethylbenzene	T000716		20	ug/kg wet	N/A	N/A	18.5		92		85-115			
1,3,5-Trimethylbenzene	T000716		20	ug/kg wet	N/A	N/A	18.7		93		85-115			
Xylenes, total	T000716		60	ug/kg wet	N/A	N/A	56.4		94		85-115			
<i>Surrogate: 4-Bromofluorobenzene</i>	<i>T000716</i>			ug/kg wet					<i>94</i>		<i>85-115</i>			
Benzene	T000735		2000	ug/kg wet	N/A	N/A	1880		94		85-115			
Ethylbenzene	T000735		2000	ug/kg wet	N/A	N/A	1890		94		85-115			
Methyl tert-Butyl Ether	T000735		2000	ug/kg wet	N/A	N/A	2020		101		85-115			
Toluene	T000735		2000	ug/kg wet	N/A	N/A	1860		93		85-115			
1,2,4-Trimethylbenzene	T000735		2000	ug/kg wet	N/A	N/A	1870		94		85-115			
1,3,5-Trimethylbenzene	T000735		2000	ug/kg wet	N/A	N/A	1880		94		85-115			
Xylenes, total	T000735		6000	ug/kg wet	N/A	N/A	5750		96		85-115			
<i>Surrogate: 4-Bromofluorobenzene</i>	<i>T000735</i>			ug/kg wet					<i>100</i>		<i>85-115</i>			

MSA Professional Services Inc.  
 1230 South Blvd  
 Baraboo, WI 53913  
 Mr. Kevin Olson

Work Order: WTD0449  
 Project: Wiese Farm; LaValle, WI  
 Project Number: 213081

Received: 04/15/10  
 Reported: 04/21/10 11:16

### LABORATORY DUPLICATE QC DATA

Analyte	Seq/ Batch	Source Result	Spike Level	Units	MDL	MRL	Result	% REC	Dup %REC	% REC Limits	RPD RPD	RPD Limit	Q
<b>General Chemistry Parameters</b>													
QC Source Sample: WTD0543-08													
% Solids	10D0466	94.5		%	N/A	N/A	94.5				0	20	

MSA Professional Services Inc.  
1230 South Blvd  
Baraboo, WI 53913  
Mr. Kevin Olson

Work Order: WTD0449  
Project: Wiese Farm; LaValle, WI  
Project Number: 213081

Received: 04/15/10  
Reported: 04/21/10 11:16

## LCS/LCS DUPLICATE QC DATA

Analyte	Seq/ Batch	Source Result	Spike Level	Units	MDL	MRL	Result	Dup Result	% REC	Dup %REC	% REC Limits	RPD RPD	Limit	Q
<b>Metals</b>														
Lead	10D0401		100	mg/kg wet	N/A	1.2	91.9		92		85-115			
<b>GC VOLATILES</b>														
Benzene	10D0356		20	ug/L	0.25	2.0	18.9	18.9	94	94	80-120	0	20	
Ethylbenzene	10D0356		20	ug/L	0.22	2.0	19.0	18.8	95	94	80-120	1	20	
Methyl tert-Butyl Ether	10D0356		20	ug/L	0.23	2.0	19.6	19.5	98	97	80-120	1	20	
Toluene	10D0356		20	ug/L	0.25	2.0	18.8	18.8	94	94	80-120	0	20	
1,2,4-Trimethylbenzene	10D0356		20	ug/L	0.25	2.0	18.7	18.4	94	92	80-120	2	20	
1,3,5-Trimethylbenzene	10D0356		20	ug/L	0.19	2.0	19.0	18.6	95	93	80-120	2	20	
Xylenes, total	10D0356		60	ug/L	0.39	6.0	57.0	56.7	95	95	80-120	1	20	
<i>Surrogate: 4-Bromofluorobenzene</i>	<i>10D0356</i>			ug/L					<i>94</i>	<i>94</i>	<i>80-120</i>			
Benzene	10D0422		5000	ug/kg wet	N/A	N/A	4650	4560	93	91	80-120	2	20	
Ethylbenzene	10D0422		5000	ug/kg wet	N/A	N/A	4750	4600	95	92	80-120	3	20	
Methyl tert-Butyl Ether	10D0422		5000	ug/kg wet	N/A	N/A	4920	4930	98	99	80-120	0	20	
Toluene	10D0422		5000	ug/kg wet	N/A	N/A	4690	4550	94	91	80-120	3	20	
1,2,4-Trimethylbenzene	10D0422		5000	ug/kg wet	N/A	N/A	4630	4450	93	89	80-120	4	20	
1,3,5-Trimethylbenzene	10D0422		5000	ug/kg wet	N/A	N/A	4690	4480	94	90	80-120	5	20	
Xylenes, total	10D0422		15000	ug/kg wet	N/A	N/A	14300	13800	95	92	80-120	4	20	
<i>Surrogate: 4-Bromofluorobenzene</i>	<i>10D0422</i>			ug/kg wet					<i>100</i>	<i>100</i>	<i>80-120</i>			

MSA Professional Services Inc.  
 1230 South Blvd  
 Baraboo, WI 53913  
 Mr. Kevin Olson

Work Order: WTD0449  
 Project: Wiese Farm; LaValle, WI  
 Project Number: 213081

Received: 04/15/10  
 Reported: 04/21/10 11:16

### MATRIX SPIKE/MATRIX SPIKE DUPLICATE QC DATA

Analyte	Seq/ Batch	Source Result	Spike Level	Units	MDL	MRL	Result	Dup Result	% REC	Dup %REC	% REC Limits	RPD	RPD Limit	Q
<b>Metals</b>														
<b>QC Source Sample: WTD0393-08</b>														
Lead	10D0401	44.0	680	mg/kg dry	N/A	8.2	656	670	89	91	75-125	2	20	

MSA Professional Services Inc.  
1230 South Blvd  
Baraboo, WI 53913  
Mr. Kevin Olson

Work Order: WTD0449  
Project: Wiese Farm; LaValle, WI  
Project Number: 213081

Received: 04/15/10  
Reported: 04/21/10 11:16

### CERTIFICATION SUMMARY

#### TestAmerica Watertown

Method	Matrix	Nelac	Wisconsin
SM 2540G	Solid/Soil	X	X
SW 6010B	Solid/Soil	X	X
SW 8021	Solid/Soil	X	X
SW 8021	Water - NonPotable	X	X



MSA Professional Services Inc.  
1230 South Blvd  
Baraboo, WI 53913  
Mr. Kevin Olson

Work Order: WTD0449  
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Received: 04/15/10  
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---

### DATA QUALIFIERS AND DEFINITIONS

### ADDITIONAL COMMENTS

Results are reported on a wet weight basis unless otherwise noted.



WTDO449

Cooler Receipt Log

Work Order(s): \_\_\_\_\_ Client Name/Project: MSA # of Coolers: 1

How did samples arrive?  Fed-Ex  UPS  TestAmerica  Client  Dunham  Speedy  \_\_\_\_\_

What was the condition of custody seals? .....  Intact  Broken  Not present

Time cooler was opened: 4/15/10 By: [Signature]

Temperature °C 0 Received on ice? ...  Yes  No

Does this Project require RUSH turn around? .....  Yes  No

Are there any short hold time tests? .....  Yes  No

within 1 hr of or  past expiration of hold-time? ..... Provide details in space at bottom of form

48 hours or less	7 days
Coliform Bacteria..... 8/30 hours	Aqueous Organic Prep
Chlorine/Hex Cr..... 24 hours	<u>TS</u>
BOD	TDS
Nitrate ..... (DW is 14 days)	TSS
Nitrite	Sulfide
Orthophosphate)	Volatile Solids

Except for tests with hold times of 48 hrs or less, are any samples

within 2 days of or  past expiration of hold-time? .....  Yes  No Provide details in space at bottom of form

Which Ops Mgr, PM or Analyst was informed of short hold and when? ..... Who \_\_\_\_\_ When \_\_\_\_\_

Is the date and time of collection recorded? ..... Date  Yes  No Time  Yes  No

Were all sample containers listed on the COC received and intact? .....  Yes  No Provide details in space at bottom of form

Do sample IDs match the COC? .....  Yes  No Provide details in space at bottom of form

Are dissolved parameters field filtered or being filtered in the lab? .....  Field  Lab  NA

Are sample volumes adequate and preservatives correct for test requested?.. Vol.  Yes  No Pres.  Yes  No

Are VOC samples free of bubbles >6mm? .....  Yes  No  NA

How were VOC soils received?  Methanol  Sodium Bisulfate  Packed jar  Encore  Water\*  Other

within 48 hrs of sampling  past 48 hrs of sampling  Frozen  Not Frozen

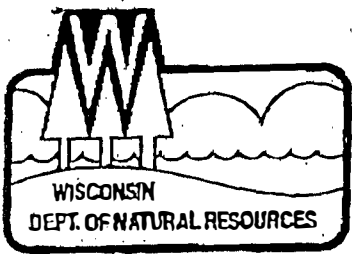
Is an aqueous Trip Blank included?  Yes  No  NA Is a Methanol Trip Blank included?  Yes  No  NA

Are any samples on hold? .....  Yes  No Provide details in space at bottom of form

Are there samples to be subcontracted? .....  Yes  No

If any changes are made to this Work Order after Login, or if comments must be made regarding this cooler, explain them below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



State of Wisconsin | DEPARTMENT OF NATURAL RESOURCES

South Central Region Headquarters  
 3911 Fish Hatchery Road  
 Fitchburg, Wisconsin 53711-5397  
 Telephone 608-275-3266  
 FAX 608-275-3338

FACSIMILE COVER SHEET

Date Sent: 6/22/05  
 No. Pages: 2  
 (including cover sheet)

To Machine #: (608) 356-2770  
 From Machine: (608) 275-3338

PLEASE DELIVER THE FOLLOWING PAGES TO:

Name: Kevin Olson - MSA  
 Phone: \_\_\_\_\_

SENT FROM:

Name: Hank Kuehling  
 Message (if needed) As you requested

If you have trouble receiving the material, call (608) 275-5945.



# Commonwealth Technology, Inc.

Laboratory Division

Accredited Lab Data for Today's Environment

## ANALYTICAL REPORT

1230 Lange Court  
Baraboo, WI 53913-3901  
Phone: 800-228-3012  
Fax: 608-356-2766  
email: tyi@tyienv.com

Page: 1

MARREL INC  
TANYA HERBECK  
E18763 HWY 33  
HILLSBORO, WI 54634

Customer #: LM4000000038  
Work Order: 9811000742  
Report Date: 12/04/98  
Date Received: 11/25/98  
Arrival Temperature: On Ice

Report Submitted By: HTC  
Record Reviewer

Note: None

Project Name: LAWRENCE WIESE

Project Number:

Sample I.D. #: 221506 Sample Description: 1 (15" UNDER TANK NORTH END) Date Sampled: 11/24/98

Analyte	Result	Units	Qualifier	LOD	LOQ	Date Extracted	Date Analyzed	Analyst	Method
Total Percent Solids	84.6	%					11/30/98	ECO	EPA 5030
Gasoline Range Organics	6300	mg/kg	KL	1.3	4.5	11/30/98	12/01/98	RDW	WDNR GRO

WI DNR Lab Certification Number: 157066030 DATCP Certification Number: 000289

Lexington, Kentucky • Louisville, Kentucky • Baraboo, Wisconsin

Printed on recycled paper



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Matthew J. Frank, Secretary  
Lloyd L. Eagan, Regional Director

South Central Region Headquarters  
3911 Fish Hatchery Road  
Fitchburg, Wisconsin 53711-5397  
Telephone 608-275-3266  
FAX 608-275-3338  
TTY Access via relay - 711

### CERTIFIED MAIL – RETURN RECEIPT REQUESTED

April 14, 2009

File Ref: 03-57-211140

Wayne and Jamie Weise  
S2309 Sloniker Dr.  
La Valle, WI 53941

Subject: Notice of Affidavit to be filed for Weise Property, E2571A CTH G, La Valle, WI

Dear Mr. and Ms. Weise:

On January 27, 1999, the Department of Natural Resources ("Department") notified your father, Lawrence Weise, of petroleum contamination in the soils located at the above-named site and of his responsibility to investigate and remediate contamination at the site. In 2005, the Department learned that your father was deceased and that you had inherited the property. On November 5, 2005, the department sent you a letter reminding you of your responsibility to investigate and remediate the contamination on your property. In subsequent letters dated November 29, 2006 and June 14, 2007, the Department attempted to contact you for updates on the required investigation; these letters elicited no response from you. A Notice of Violation (NOV) dated August 20, 2007 was delivered to you by the U.S. Postal Service, but was unclaimed. On January 28, 2008, a second NOV was delivered to you by Warden Horzewski. In February of 2008, the Department received confirmation that you hired an environmental consultant to conduct an investigation of your property. However, you were unresponsive to the consultant's attempts to contact you to schedule field work, and the contract was terminated without any work being carried out.

As you are aware, the extent of the petroleum contamination has not been investigated. This letter serves as a notice to you that the Department intends to file an affidavit with the Sauk County Register of Deeds Office notifying potential purchasers of the contamination.

Ch. NR 728.11(1) of the Wisconsin Administrative Code states, "...the department may...record an affidavit at the office of the register of deeds for the county in which the property is located which specifies the legal description of the property, indicating that contamination from a hazardous substance discharge has been identified on the property which has not been adequately defined or remediated and gives notice to the public, and any prospective purchaser, of the existing contamination and the environmental liability associated with the property."

If you wish to take any action at this site, you have 30 days from the date you receive this letter to respond to the Department in writing indicating you intend to move forward with a site investigation. Failure to respond will be viewed as a negative action and the Department will file an affidavit as described.



## Kuehling, Harlan H - DNR

---

**From:** Pierce, Eileen F - DNR  
**Sent:** Monday, February 23, 2009 4:01 PM  
**To:** Kober, Pamela E - DNR  
**Cc:** Kuehling, Harlan H - DNR  
**Subject:** Wiese Property

Good afternoon Pam,

Just a quick update on the Wiese Property. We have decided to change direction a bit. Instead of preparing a referral at this point, we will initiate the NR 728 process to have a deed affidavit put on the property. Next time we meet I will fill you in on the rationale.

Have a great day. e

Eileen F. Pierce  
DNR South Central Region Air & Waste Leader  
3911 Fish Hatchery Road  
Fitchburg, WI 53711  
desk 608-275-3296  
cell 608-279-5637  
fax 608-273-5610  
eileen.pierce@wi.gov

02/23/09

Next steps for the

Work Property - Conference call w/ Mark Deibel, Eileen R, HK.

We're getting paid to do work. Eileen is the

leading to deal with any agency (see Mark's opinion about con-

Wise: do a deed affidavit with Mark

- Fed. Lab. Union may be paid on their own for action.

- NR 228,11 - see process in code

Keep Ben's loop.

After Mark made their request, I raised the question

about this being consistent with past enforcement

decision. He said he wasn't concerned about precedents.

I then asked that those who ~~thought~~ <sup>thought</sup> out - wait in

are reviewed with me <sup>for</sup> enforcement action. Mark

pointed out that the Wiser will still be "punished"

with the deed affidavit, with the spot that the

property may not be able to be sold.

Eileen also made the point that getting references

through the PNR accounting office is almost im-

possible (they work hard concerns for the DOT attorney).



February 19, 2009

Wayne Wiese  
S2309 Sloniker Drive  
La Valle, WI 53941

Re: Environmental Consulting and Remediation Services  
Wiese Farm, La Valle

BRRTS #03-57-211140

Dear Wayne:

The DNR recently contacted me regarding the status of the work to address petroleum contamination that leaked from an old underground gas tank on your farm. You may recall that work was scheduled to be done last year, but it was cancelled due to our inability to contact you prior to the scheduled soil sampling. The DNR is aware that no work has been done and that none is scheduled and it is reasonable to expect that the DNR will be contacting you in the near future to resolve the matter.

If financial issues are preventing you from proceeding with this matter, you should be aware that the State of Wisconsin has established a PECFA (Petroleum Environmental Cleanup Fund Account) fund to provide financial assistance with these cleanups. The investigations and cleanups can be very expensive and there is no question that you will want to take advantage of the funding available through PECFA.

PECFA normally charges a deductible (\$2,500.00) and copayment (5 percent of the total cost) for investigations and cleanups at eligible farm sites. However, in cases of financial hardship, PECFA can reduce or even eliminate the deductible and copayment and if necessary they can also eliminate the need for you to obtain a loan to finance the work. I highly recommend that you contact the PECFA program to discuss these options if the reason you have not followed through on this work is due to financial issues.

To apply for the financial assistance available through PECFA, you will need to complete the attached forms and submit them to the PECFA program for approval.

Please contact me when you are ready to proceed with the work.

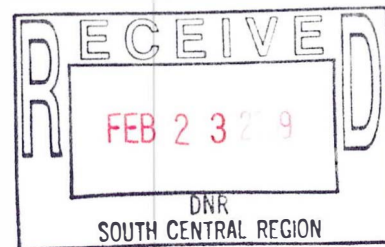
Sincerely,

MSA Professional Services, Inc.

Kevin Olson  
Project Manager

KLO:bkm  
Encl.

cc: **Hank Kuehling, DNR**  
Brian Taylor, PECFA



**Offices in Illinois, Iowa, Minnesota, and Wisconsin**

1230 SOUTH BOULEVARD • BARABOO, WI 53913-2791  
608.356.2771 • 1.800.362.4505 • FAX: 608.356.2770  
www.msa-ps.com





commerce.wi.gov

Upon Completion, Mail this form to:  
ERS Division  
Bureau of PECFA  
PO Box 7838  
Madison WI 53707-7838  
(608) 267-3753 Ph  
(608) 267-1381 Fax

# PECFA Initial Application and Eligibility Request

Please Complete BOTH Sides. Incomplete forms will be returned.

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04 (1)(m)].

Date: \_\_\_\_\_

## CLAIMANT INFORMATION

Company Name: \_\_\_\_\_

Name \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Owner: \_\_\_\_\_ Operator: \_\_\_\_\_

## TANK TYPE (Check all that apply)

Resale (Marketer) AST

Resale (Marketer) UST

Home Heating UST

Non-profit Housing Home Heating

Public School/VTAE Heating

## SITE INFORMATION

Site Name: Wiese Farm

Site Address: E 2571 A CTH G

Site City: La Valle

County: Sauk

9 Digit Zip Code: 53941--9727

[MANDATORY]

Is the Tank System(s) Registered: Yes  No

**Tank registration is a requirement for eligibility and must be completed before applying to PECFA.** Tank registration information is accessible via the Department's web site at: <http://commerce.wi.gov/ER/ER-EN-tanks-info.html> If the tanks have not been registered, complete either the Underground Petroleum Product Tank Inventory Form (ERS-7437) or the Aboveground Petroleum Product Tank Inventory Form (ERS-8731) to obtain tank registration numbers. Upon completion mail to:

PETROLEUM PRODUCTS & TANKS BUREAU  
PO BOX 7837  
MADISON WI 53707-7837

The forms are available from your environmental consultant, The Bureau of Storage Tank Regulation at (608) 267-1384, or by accessing the Departments web site. Only registered tanks have a tank number.

Provide tank registration number(s) for all tank(s) located at this site:

Tank Registration Number	Size of Tank	Product Contained
<u>341073</u>	<u>500</u>	<u>Leaded Gasoline</u>

(If you require additional space for tanks at this site, please attach an additional page.)

**Note: TANK REGISTRATION NUMBER(S) MUST BE INCLUDED FOR A LETTER OF ELIGIBILITY.**





## PECFA FINANCIAL STATEMENT

Submitted for Waiver of Deductible

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].  
 This form is to be submitted with the Application for Waiver of PECFA Deductible form (ERS-10756) to the address listed above.

**COMMERCE NUMBER:** \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
**NAME:** \_\_\_\_\_  
**ADDRESS:** \_\_\_\_\_  
**CITY:** \_\_\_\_\_ **STATE:** \_\_\_\_\_ **ZIP:** \_\_\_\_\_  
**PHONE NUMBER:** \_\_\_\_\_

**INCOME:** (per=weekly, monthly etc.)

Your Gross Salary or Wages                      Pension or Disability                      Spouse Gross Salary/Wages if employed  
 \$ \_\_\_\_\_ per \_\_\_\_\_                      \$ \_\_\_\_\_ per \_\_\_\_\_                      \$ \_\_\_\_\_ per \_\_\_\_\_

<u>Other Income Sources:</u>	<u>Amount</u>	<u>Per</u>
Interest Income:	_____	_____
Dividend Income:	_____	_____
Other:	_____	_____

**ASSETS:**

Personal Residence:                      Monthly Rent or Mortgage Payment:                      If own residence is it paid for?  
 Own \_\_\_\_\_ Rent \_\_\_\_\_                      \$ \_\_\_\_\_ Incl. taxes? yes or no                      Yes \_\_\_\_\_ No \_\_\_\_\_

If residence is not paid for, list mortgage holder/city/state: \_\_\_\_\_ Mortgage balance owed:  
 \$ \_\_\_\_\_

List market value of residence: \$ \_\_\_\_\_ (attach copy of most current tax bill)

Do you own or have interest in any other real estate? Yes \_\_\_\_\_ No \_\_\_\_\_ (If "yes", answer questions below.)

<i>Description of Real Estate</i>	<i>City/County Location</i>	<i>Market Value</i>	<i>Own with others? Whom?</i>

List all financial institutions you and/or your spouse have cash investments in: (type=checking, savings etc.)

<i>Institution Name</i>	<i>Address, City &amp; State</i>	<i>Dollar Amount</i>	<i>Type</i>



List any stocks, bonds, options, notes, or other like property in which you or your spouse have an interest:

<i>Description</i>	<i>Value</i>	<i>Owner Name(s)</i>

Do you have a vested interest in a pension or profit sharing plan? Yes \_\_\_ No \_\_\_ (If "yes", please list below.)

<i>Name of Plan and Address</i>	<i>Dollar Value</i>

List all vehicles, including motorcycles, boats, snowmobiles, trailers, recreation vehicles and all terrain vehicles:

<i>Year</i>	<i>Description</i>	<i>Value</i>	<i>Owner(s)</i>

List other items of personal property which exceed \$500.00 in value which you or your spouse have an interest:

<i>Description of Items</i>	<i>Value</i>	<i>Owner(s)</i>

**EXPENSES:**

List **ALL** your monthly expenses:

<i>Description</i>	<i>Mo. Amt.</i>	<i>Description</i>	<i>Mo. Amt.</i>
<i>Rent/Mortgage Payment</i>		<i>Insurance (Medical, Auto etc.)</i>	
<i>Utilities</i>		<i>Medical/Medicine</i>	
<i>Food</i>		<i>Clothing</i>	
<i>Auto/Transportation</i>		<i>Entertainment</i>	

**LIABILITIES:**

List all liabilities of yourself and your spouse which have not been discharged in a bankruptcy:

<i>Description/Owed to/City/State</i>	<i>Amount owed</i>	<i>Payment amt./List if mo./wk.</i>

Have you ever declared bankruptcy? Yes \_\_\_\_\_ No \_\_\_\_\_ If "yes", when? \_\_\_\_\_  
Are you delinquent in any payment of taxes? Yes \_\_\_\_\_ No \_\_\_\_\_ If so, explain:

**I hereby certify that to the best of my knowledge and belief, this represents a full and accurate disclosure of my assets and liabilities as of the date signed below.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

### APPLICATION FOR WAIVER OF PECFA DEDUCTIBLE

This application is to be completed and submitted with all required attachments to the address listed above.  
 Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

Commerce # \_\_\_\_\_

Claimant's Name	Remedial Action Site Name
Address	Remedial Action Site Address
City, State and Zip	Remedial Action Site City, State and Zip
Telephone # (    )	

**Wisconsin Statutes, Section 101.143(4)(ee), provides the following:**

*Waiver of deductible. Notwithstanding par. (d)2., (dm)2. or (e)2., the department may waive the requirement that an owner or operator pay the deductible amount if the department determines that the owner or operator is unable to pay. If the department waives the requirement that an owner or operator pay the deductible, the department shall record a statement of lien with the register of deeds of the county in which the petroleum product storage system is located. If the department records the statement of lien, the department has a lien on the property on which the petroleum product storage system is located in the amount of the deductible that was waived. The property remains subject to the lien until that amount is paid in full.*

**The following documents must be provided before a decision can be made on an Application for Waiver of a PECFA Deductible:**

- ◆ 1 written denial from a lending institution in response to the applicant's request for a remediation loan. Reason CANNOT be because the bank does not do PECFA loans—must be based on credit worthiness.
- ◆
- ◆ 3 most current years Federal and State tax records.
- ◆
- ◆ A completed PECFA financial statement form (ERS-10774)
- ◆
- ◆ A copy of a document that includes a full legal description of the property for which the waiver of the PECFA deductible is requested. The Deed to the property will include this information.
- ◆
- ◆ A copy of your last tax bill is required.

The undersigned claimant is applying for a waiver of the PECFA deductible. The claimant has read the Wisconsin Statutes, Section 101.143(4)(ee), referenced above. The claimant understands that if the application for waiver of the PECFA deductible is approved, a lien will be placed on the property on which the petroleum product storage tank system is located and for which the waiver of the PECFA deductible is requested. I assume the responsibility for notifying all current owners about this application.

Y. Claimant's Signature(s)	Z. Date Signed
----------------------------	----------------

**For Department Use Only**

Application:  
 APPROVED  
 DENIED - Your financial situation does not meet the requirements of this provision

PECFA Financial Manager

Date

## APPLICATION FOR REDUCTION OF PECFA DEDUCTIBLE

This application is to be completed and submitted with all required attachments to the address listed above.  
 Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

### Commerce # \_\_\_\_\_

Claimant's Name	Remedial Action Site Name
Address	Remedial Action Site Address
City, State and Zip	Remedial Action Site City, State and Zip
Telephone # (    )	County:

**Wisconsin Administrative Code for the Department of Commerce, Comm 47.34, provides the following:**

*Reduction of deductible, based on financial hardship.* (1) The deductible amount specified in s.101.143 (4) (dg), Stats., for underground petroleum product storage systems may be reduced by the department to \$2500, where proof of financial hardship is established in accordance with sub. (2)  
 (2) Financial hardship shall be demonstrated on a form provided by the department, in sufficient detail to enable the department to determine whether the hardship either exists, or will occur if the deductible is not reduced under this section.

**The following documents must be provided before a decision can be made on an Application for Reduction of PECFA Deductible:**

- ◆ A completed PECFA financial statement form (ERS-10774) or comparable financial form.
- ◆ A completed Application of Reduction of Deduction form.
- ◆ 3 most current years Federal and State tax records. If you no longer file taxes due to age and/or income, please state this fact in a letter addressed to the department.
- ◆ Copy of most recent tax bill for property with contamination.

The undersigned claimant is applying for a reduction of PECFA deductible. The claimant has read the Wisconsin Administrative Code, Comm 47.34, referenced above. I assume the responsibility for notifying all current owners about this application.	
Y. Claimant's Signature(s)	Z. Date Signed

<b>For Department Use Only</b>	
Application: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED - Your financial situation does not meet the requirements of this provision	PECFA Financial Manager <hr/> Date

## Kuehling, Harlan H - DNR

---

**From:** Kuehling, Harlan H - DNR  
**Sent:** Tuesday, February 17, 2009 2:47 PM  
**To:** Giesfeldt, Mark F - DNR; Sisbach, Steven L - DNR  
**Cc:** Pierce, Eileen F - DNR; Wolf, Barbara A - DNR; Kober, Pamela E - DNR  
**Subject:** Wiese Property Update

Mark and Steve,

Thanks for the voice message yesterday afternoon, inquiring about what the heck we ever did about the Wiese Property that we came very close to referring to DOJ about a year ago but didn't have to. This was the first site to go through the new (at that time) process of pre-referral evaluation. In January 2008, we decided to have Dave Horzewski, the warden in the La Valle area, deliver an NOV to the current RPs (Wayne and Jamie Wiese) for this site (they had been unresponsive and refused to accept certified letters from us up to that point). This was a last resort effort before referral to DOJ, as I recall. After delivery of the NOV, the RPs were cooperative and hired MSA Professional Services to perform a site investigation, which was to have been done in the spring of last year. In a phone conversation today, Kevin Olson of MSA reported that he tried numerous times to contact the RPs to get their approval to proceed with the field work, but they didn't return his calls. So the work was never done and MSA has terminated the contract.

So this site, while looking like a success story last year, is back where it was before we gave it our attention in January 2008. What's next? Send the Wieses another NOV before we reconsider a DOJ referral? Or can we decide to refer this case to DOJ before we send an NOV so that, if site investigation work is not started by a specific date, the site can be referred to DOJ with a minimum of deliberation on our part again. Other ideas?

Thanks for your attention to this site once again.

Hank

**CONFIDENTIAL**  
**Remediation and Redevelopment Program**  
**Pre-referral Evaluation Form**

**Site Name and Location:** Wiese Property, E2571A CTH G, La Valle, WI 53941

**Responsible Party(ies):** Originally, Lawrence Wiese, who died on October 2, 2003. Current RPs are Wayne and Jamie Wiese.

**Environmental Significance/Receptors/Pathways of Concern:** Soil contamination; possible nearby private drinking water supply well; pathway of concern to groundwater.

**Chronology of Events (Summary):** The original “responsible party” letter was sent to Lawrence Wiese on January 27, 1999. Apparently, no site investigation work was initiated. A “reminder” letter was sent on February 17, 2003; an NON was sent on April 3, 2003; another NON was sent on April 30, 2003. The only response to these letters that was received by the DNR was dated May 6, 2003 from an attorney. A letter requesting the status of required actions was sent on June 23, 2005; a notice of an enforcement conference was sent on October 11, 2005. No response from the owner resulted in some research by DNR staff, which revealed that Lawrence Wiese had died on October 2, 2003.

The Sauk County Treasurer reported that the current owners are Wayne & Jamie Wiese, S2309 Sloniker Drive, La Valle, WI. A “responsible party” letter was sent to Wayne & Jamie Wiese on November 5, 2005. A “reminder” letter was sent to them on November 29, 2006. An NON was sent to them on June 14, 2007, and an NOV with an enforcement conference date was sent on August 20, 2007. This certified mail package was not claimed by the addressees/owners, so the enforcement conference, scheduled for September 27, 2007, was not attended by the owners. The La Valle postmaster verified that the owners’ address used by the DNR is correct. Hank Kuehling of the DNR called the owners on October 2 and October 9, 2007, leaving messages both times requesting that they call me to discuss the situation and mentioning that the next step will be our request for the involvement of WDOJ and that forfeitures may be required. DNR has received no responses from the current owners of the property.

**Timeliness of Actions – Explanation of Any Inactivity for Greater Than 2 Years:** Four DNR project managers have been assigned to this site since notice of the tank removal and the soil sample analytical result were received by the Department in December 1998. Any gaps in activity of two years or more were the probably the result of large workloads for sites that were active and submitting reports and requests with associated deadlines.

**Evaluation of Alternatives (e.g., NR 728 Deed Notice, "Last Chance Letter", etc:**

Both the original owner and certainly the current owners have had many "last chances" to initiate some site investigation efforts, but have not done this and have not, at a minimum, responded to the many Department letters and phone calls.

**Regional Recommendation:** All steps of the enforcement process have been completed, some several times, none resulting in any action by the current responsible parties. The recommendation is referral of this case to the Wisconsin Department of Justice.

**Regional Contacts (Name/Phone):**

**RR Staff:** Hank Kuehling – SCR – 608.275.3286

**Enforcement Staff:** \_\_\_\_\_

**Other, if appropriate:** \_\_\_\_\_

Actions Agreed to: Per discussion on 7-14-08, another NOV will be drafted and hand delivery attempted via Warden Horzewski. Warden Horzewski will also be asked to obtain photo of property and note if other wells are in close proximity to the site. Admin Crawford and Shea briefed on 1-16-08. SCR and CO staff will discuss results of latest NOV attempt.

---

**From:** McCutcheon, Patrick - DNR  
**Sent:** Tuesday, February 12, 2008 1:03 PM  
**To:** Kuehling, Harlan H - DNR; Sisbach, Steven L - DNR  
**Cc:** Wolf, Barbara A - DNR; Pierce, Eileen F - DNR; Giesfeldt, Mark F - DNR  
**Subject:** Wiese enforcement conference

I received in the mail today a letter from Kevin Olson at MSA confirming that they have been hired by Wayne Wiese to conduct an investigation at his property in LaValle. I subsequently called Mr. Wiese and left a message indicating that I was cancelling the enforcement conference we had scheduled for Feb. 27th. I did say that he needed to keep us informed as to what was going on and the results they receive from sampling in order to avoid these enforcement situations in the future.

Looks like this one is moving forward. Thanks for the time you invested in this one.



Patrick McCutcheon  
Remediation & Redevelopment Team Supervisor  
South Central Region  
e-mail  [patrick.mccutcheon@wisconsin.gov](mailto:patrick.mccutcheon@wisconsin.gov)  
telephone  608/275-3241  
fax  608/273-5610



## Kuehling, Harlan H - DNR

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**From:** McCutcheon, Patrick - DNR  
**Sent:** Monday, February 11, 2008 2:36 PM  
**To:** Kuehling, Harlan H - DNR  
**Cc:** Pierce, Eileen F - DNR; Wolf, Barbara A - DNR; Sisbach, Steven L - DNR; Giesfeldt, Mark F - DNR  
**Subject:** Wayne & Jamie Wiese property, E2571A CTH G, LaValle  
**Importance:** High

Wayne Wiese called me today to discuss this property. He stated that he had sent some papers in to MSA Consultants in Baraboo almost 3 months ago but hadn't heard anything. He called Kevin Olson at MSA today and left a message with him. I suggested Wayne contact a couple other firms that could do this work for him and get some type of commitment to do the investigation. I stated that once he got that commitment he should send us something in writing with the name and phone number of the person or firm he is contracting with. We in turn would verify that information and, if true, there would be no need for him to attend the scheduled enforcement conference. I also told him that he could have the consulting firm contact us directly to verify that they have been hired. I did explain the purpose for the conference and that we would leave it scheduled and if he was not able to verify that he had contracted with someone that he needed to attend that conference to discuss the situation with us. He seemed to accept the fact that he needs to do some work there and wants to move forward. He did state that this had been his father's property. We will wait to hear.



Patrick McCutcheon  
Remediation & Redevelopment Team Supervisor  
South Central Region  
e-mail patrick.mccutcheon@wisconsin.gov  
telephone 608/275-3241  
fax 608/273-5610

*2/11/08 On a phone call, Kevin Olson verified that MSA plans to conduct the initial site investigation in the spring. He was at the site when the tank was removed, remembers where the tank was located, and thinks that the release may not be a big problem.*



**PROFESSIONAL SERVICES**  
TRANSPORTATION • MUNICIPAL  
DEVELOPMENT • ENVIRONMENTAL

February 11, 2008

Mr. Pat McCutcheon  
Wisconsin Dept of Natural Resources  
3911 Fish Hatchery Road  
Madison, WI 53711

Re: Consultant Selection Notification and Work Plan  
Wiese Farm, E2571A CTH G  
La Valle, WI

DNR ID# 03-57-211140

Dear Mr. McCutcheon:

MSA Professional Services, Inc. has been hired by Wayne Weiss to investigate and remediate the site referenced above. I received a contract for this service from Mr. Weiss on November 25, 2007. I received assurances in regards to financing and payment from Mr. Weiss today (February 11, 2008) and project work will begin immediately with submission of this letter. This letter also serves as the Work Plan for the site investigation.

The extent of petroleum contamination in the ground will be determined by drilling holes and collecting soil and possibly groundwater samples in the vicinity of the former tank. A minimum of three bores will be drilled, one directly through the former tank bed to determine the depth of contamination and the other two laterally outward to determine the horizontal extent of contamination. Additional bores may be drilled and sampled if necessary to determine the lateral extent of the contamination. Each bore will extend to the bottom of the zone of contamination, to bedrock, or to the water table, whichever comes first. A continuous core will be collected from the soil column and checked for visual contamination. Soil will also be field screened for petroleum odors and organic vapors. One or two samples will be collected from each bore and sent to a laboratory and analyzed for lead and petroleum volatile organic chemicals (PVOC). If groundwater is encountered in any of the bores, groundwater samples will also be collected and sent to a laboratory and analyzed for PVOC. A water sample will be collected from the potable well at the site and analyzed for VOC.

The need for a groundwater investigation, with monitoring wells, will be determined based on the results of the soil investigation. Once the extent of contamination is adequately defined, a plan to address the contamination will be developed and implemented.

Please contact Jayne Englebert or me if you require additional information.

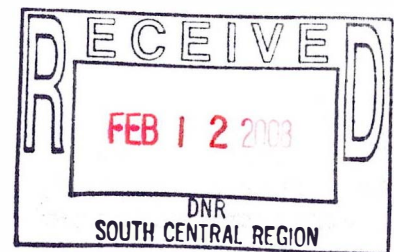
Sincerely,

MSA Professional Services, Inc.

Kevin L. Olson, P.G.

KLO:tjr

cc: Wayne Weiss, Owner  
Jayne Englebert, MSA



**Offices in Illinois. Iowa. Minnesota. and Wisconsin**

1230 SOUTH BOULEVARD • BARABOO, WI 53913-2791  
608.356.2771 • 1.800.362.4505 • FAX: 608.356.2770  
www.msa-ps.com

## Kuehling, Harlan H - DNR

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**From:** Kuehling, Harlan H - DNR  
**Sent:** Monday, February 04, 2008 8:56 AM  
**To:** Horzewski, David G - DNR  
**Subject:** RE: delivery of a Notice of Violation

It's good to know that there are no nearby wells. Checking on the "sale" and occupancy items is a little less important, so feel free to check on them when you can but don't make a special trip. Thanks, Dave.

---

**From:** Horzewski, David G - DNR  
**Sent:** Monday, February 04, 2008 8:33 AM  
**To:** Kuehling, Harlan H - DNR  
**Subject:** RE: delivery of a Notice of Violation

I know where the farm is located. I am not sure is anyone is living there at this time. The closest house would be approximately 1/2 mile away.

I can check on the sale of the property and the living arrangements at the house.

*David G. Horzewski*

Conservation Warden  
Wisconsin Department of Natural Resources  
E5861 Old Town Hall Road  
Reedsburg, WI 53959-1257  
☎ phone: (608) 524-0863  
✉ e-mail: David.Horzewski@wisconsin.gov

*Success is what you do for yourself, Significance is what you do for others. Significance is found in service.*

---

**From:** Kuehling, Harlan H - DNR  
**Sent:** Monday, February 04, 2008 8:31 AM  
**To:** Horzewski, David G - DNR  
**Subject:** RE: delivery of a Notice of Violation

Hi, Dave,

It was a busy week last week so I didn't get back to you sooner. Thanks for the update; I'm glad to hear that the delivery went well.

In addition to asking for the letter delivery in her 01/14/08 e-mail to you, Barb Wolf also mentioned stopping by the property with the violation at E2571A CTH G to see if anyone was living at this address, if a "For Sale" was there, and how close other homes with drinking water supply wells were to the Wiese violation property. Did you have a chance to do that?

Thanks again for all of your help.

Hank

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**From:** Horzewski, David G - DNR  
**Sent:** Monday, January 28, 2008 3:39 PM  
**To:** Kuehling, Harlan H - DNR

**Subject:** RE: delivery of a Notice of Violation

Hank,

I delivered the letter to Mrs. Weise this afternoon. She was real good about it. She stated that there was a tank that here father-in-law was supposed to take care of and never did.

That address on Sloniker was correct.

*David G. Horzewski*

Conservation Warden  
Wisconsin Department of Natural Resources  
E5861 Old Town Hall Road  
Reedsburg, WI 53959-1257  
☎ phone: (608) 524-0863  
✉ e-mail: David.Horzewski@wisconsin.gov

*Success is what you do for yourself, Significance is what you do for others. Significance is found in service.*

---

**From:** Kuehling, Harlan H - DNR  
**Sent:** Wednesday, January 16, 2008 8:02 AM  
**To:** Wolf, Barbara A - DNR; Horzewski, David G - DNR  
**Cc:** McCutcheon, Patrick - DNR  
**Subject:** RE: delivery of a Notice of Violation

Barb and Dave,  
Thanks for sending your e-mail on Monday, Barb. I had hoped to complete the letter this week but this is a week of meetings and deadlines. But I should be able to get the letter to you, Dave, by the middle of next week. I'll send it to the 635 North Pine Street address that I have for you in Reedsburg, unless I hear otherwise.

Thank you!

Hank

 **Hank Kuehling, P.G.**

Remediation & Redevelopment Hydrogeologist  
South Central Region  
3911 Fish Hatchery Road, Fitchburg, WI 53711  
Wisconsin Department of Natural Resources  
☎ phone: (608) 275-3286  
☎ fax: (608) 275-3338  
✉ e-mail: harlan.kuehling@wisconsin.gov

---

**From:** Wolf, Barbara A - DNR  
**Sent:** Monday, January 14, 2008 12:08 PM  
**To:** Horzewski, David G - DNR  
**Cc:** Holmes, David - DNR; McCutcheon, Patrick - DNR; Kuehling, Harlan H - DNR  
**Subject:** delivery of a Notice of Violation

Dave, per our conversation, the R & R staff has been trying to serve a Notice of Violation to Wayne & Jamie Wiese, S2309 Sloniker Drive, La Valle, WI for potential soil and groundwater contamination after a tank was removed at a property they own at E2571A CTH G, LaValle. It has become a

lengthy case, since the previous owner (Wayne's father, Lawrence) died and he is the one who owned the property when the case started. The registered mail that Hank Kuehling has sent to Wayne has gone unclaimed. As a last attempt to make contact with the property owners before referring this case to DOJ, I volunteered that you could hand deliver the Notice. It only involves insuring that it gets to either Wayne & Jamie Wiese, and documenting the date and time back to Hank ("Harlan" above, his # is 608-275-3286). If they have any questions, all the information on who to contact will be in the letter. I think Hank plans to get this letter out to you in the next week. It's not extremely time sensitive so you don't have to run out to deliver it that same day, within a couple days of receipt is fine.

Besides the letter delivery, when you go out that way, can you take a look at the property where the violation is at, E2571A CTH G? Check to see if it appears that anyone currently lives there, if a "for sale" sign is up (we heard they are attempting to sell) and how close other homes are where wells might be impacted.

Thanks much!

**Barbara A. Wolf**  
Regional Warden  
3911 Fish Hatchery Road, Fitchburg WI 53711  
608-273-6277

## Kuehling, Harlan H - DNR

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**From:** Kuehling, Harlan H - DNR  
**Sent:** Tuesday, January 22, 2008 2:19 PM  
**To:** Horzewski, David G - DNR  
**Cc:** Wolf, Barbara A - DNR; McCutcheon, Patrick - DNR  
**Subject:** RE: delivery of a Notice of Violation

Hi, Dave,  
The Wiese letter went in the mail to you this morning. Thanks very much for helping on this case.

Hank

 *Hank Kuehling, P.G.*

Remediation & Redevelopment Hydrogeologist  
South Central Region  
3911 Fish Hatchery Road, Fitchburg, WI 53711  
Wisconsin Department of Natural Resources  
(☎) phone: (608) 275-3286  
(☎) fax: (608) 275-3338  
(✉) e-mail: harlan.kuehling@wisconsin.gov

---

**From:** Horzewski, David G - DNR  
**Sent:** Monday, January 21, 2008 12:20 PM  
**To:** Kuehling, Harlan H - DNR  
**Subject:** RE: delivery of a Notice of Violation

Harlan,

Send it to this address:

E5861 Old Town Hall Road  
Reedsburg, WI 53959

*David G. Horzewski*

Conservation Warden  
Wisconsin Department of Natural Resources  
E5861 Old Town Hall Road  
Reedsburg, WI 53959-1257  
☎ phone: (608) 524-0863  
✉ e-mail: David.Horzewski@wisconsin.gov

*Success is what you do for yourself, Significance is what you do for others. Significance is found in service.*

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**From:** Kuehling, Harlan H - DNR  
**Sent:** Wednesday, January 16, 2008 8:02 AM  
**To:** Wolf, Barbara A - DNR; Horzewski, David G - DNR  
**Cc:** McCutcheon, Patrick - DNR  
**Subject:** RE: delivery of a Notice of Violation

Barb and Dave,  
Thanks for sending your e-mail on Monday, Barb. I had hoped to complete the letter this week but this is a week

of meetings and deadlines. But I should be able to get the letter to you, Dave, by the middle of next week. I'll send it to the 635 North Pine Street address that I have for you in Reedsburg, unless I hear otherwise.

Thank you!

Hank

 **Hank Kuehling, P.G.**

Remediation & Redevelopment Hydrogeologist

South Central Region

3911 Fish Hatchery Road, Fitchburg, WI 53711

Wisconsin Department of Natural Resources

(☎) phone: (608) 275-3286

(☎) fax: (608) 275-3338

(✉) e-mail: harlan.kuehling@wisconsin.gov

---

**From:** Wolf, Barbara A - DNR  
**Sent:** Monday, January 14, 2008 12:08 PM  
**To:** Horzewski, David G - DNR  
**Cc:** Holmes, David - DNR; McCutcheon, Patrick - DNR; Kuehling, Harlan H - DNR  
**Subject:** delivery of a Notice of Violation

Dave, per our conversation, the R & R staff has been trying to serve a Notice of Violation to Wayne & Jamie Wiese, S2309 Sloniker Drive, La Valle, WI for potential soil and groundwater contamination after a tank was removed at a property they own at E2571A CTH G, LaValle. It has become a lengthy case, since the previous owner (Wayne's father, Lawrence) died and he is the one who owned the property when the case started. The registered mail that Hank Kuehling has sent to Wayne has gone unclaimed. As a last attempt to make contact with the property owners before referring this case to DOJ, I volunteered that you could hand deliver the Notice. It only involves insuring that it gets to either Wayne & Jamie Wiese, and documenting the date and time back to Hank ("Harlan" above, his # is 608-275-3286). If they have any questions, all the information on who to contact will be in the letter. I think Hank plans to get this letter out to you in the next week. It's not extremely time sensitive so you don't have to run out to deliver it that same day, within a couple days of receipt is fine.

Besides the letter delivery, when you go out that way, can you take a look at the property where the violation is at, E2571A CTH G? Check to see if it appears that anyone currently lives there, if a "for sale" sign is up (we heard they are attempting to sell) and how close other homes are where wells might be impacted.

Thanks much!

**Barbara A. Wolf**  
**Regional Warden**  
**3911 Fish Hatchery Road, Fitchburg WI 53711**  
**608-273-6277**



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Matthew J. Frank, Secretary  
Lloyd L. Eagan, Regional Director

South Central Region Headquarters  
3911 Fish Hatchery Road  
Fitchburg, Wisconsin 53711-5397  
Telephone 608-275-3266  
FAX 608-275-3338  
TTY Access via relay - 711

January 22, 2008

Wayne and Jamie Wiese  
S2309 Sloniker Dr.  
LaValle, WI 53941

BRRTS#: 03-57-211140  
Sauk County

Subject: **NOTICE OF VIOLATION**  
Wiese Property Site, located at E2571A CTH G, LaValle, Wisconsin

Dear Mr. and Ms. Wiese:

The Department of Natural Resources (Department) has reason to believe that you are in violation of chapter 292, of the Wisconsin Statutes, which requires you to take action to minimize the harmful effects from a discharge of hazardous substances to the air, lands or waters of this state. The property in question is located at E2571A County Highway G in the town of LaValle, in the SW ¼ of the SW ¼ of Section 31, T13N, R3E in Sauk County.

In a letter dated January 27, 1999, to Mr. Lawrence Wiese, the former owner of this property, the Department notified him of his responsibility to investigate the extent of the contamination found on this property during the excavation of an underground petroleum storage tank. In 2005, you apparently inherited this property from him. On November 7, 2005, the Department sent you a letter and pointed out that you, as the current owners, are responsible for the environmental contamination at the above-referenced property.

In subsequent letters to you dated November 29, 2006 and June 14, 2007, the Department requested status updates on the environmental investigation you were required to perform. You failed to respond to these letters and have made no contact with the Department. A notice-of-violation (NOV) that the Department sent to you on August 20, 2007 was delivered by the U.S. Postal Service but was unclaimed by you. The NOV required you to hire an environmental consultant and send a response to the Department within 20 days of the receipt of the document or attend an enforcement conference on September 27, 2007. Based upon your lack of response, it appears you have not made any progress in addressing the contamination on this property.

Section 292.11, Stats., requires that a person who possesses or controls a hazardous substance which is discharged or who causes the discharge of a hazardous substance shall do the following:

- Investigate the degree and extent of contamination
- Take the actions necessary to restore the environment to the extent practical.
- Minimize the harmful effect from the discharge to the air, lands or waters of the state.

The statute also authorizes the Department to enforce these clean-up requirements.

We are providing to you a final opportunity to respond to your responsibilities as the owner of the contaminated property. If you intend to hire an environmental consultant to investigate and clean up



the contamination, please provide a written and signed response to me **within twenty (20) days of the date you receive this letter**. You should include the name and telephone number of any environmental consultant you have hired or are in the process of hiring to conduct the investigation, along with a date for when their work will begin. In lieu of a written response, **I have scheduled an Enforcement Conference for Wednesday, February 27, 2008, at 10:00 a.m., to be held at the address on the letterhead**. The purpose of this conference is to offer you an opportunity to dispute any of the facts that we have on record and to discuss what needs to be done to address the contamination on your property. Please contact me, via either letter or phone, **within twenty (20) days of the date you receive this letter** with your intentions on attending this Enforcement Conference.

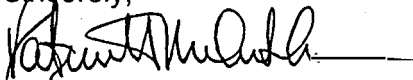
If you are not able to pay for the cost of an investigation or cleanup at your site, you may file an "Ability to Pay" Claim Form. This process requires that you disclose certain financial information to demonstrate that you cannot afford to pay. An information packet and forms are attached to this letter. If you are claiming a financial hardship, **we need the attached forms to be completed by you and submitted within twenty (20) days of the date you receive this letter to the following address:**

Ms. Shelley Fox  
Grants Specialist  
Wisconsin Dept. of Natural Resources  
PO Box 7921  
Madison WI 53707-7921

Please be advised that your failure to respond to this letter, or an inadequate response, will result in a recommendation for further enforcement action. Those actions could include the issuance of an administrative order or a direct referral to the Wisconsin Department of Justice to seek a court-ordered compliance schedule. You should also be advised that any referral to the Department of Justice will result in forfeitures, which range from \$10 to \$5,000 per violation per day, pursuant to s. 292.99, Stats.

If you have technical questions about this matter or how you need to proceed, please call Hank Kuehling, Hydrogeologist, at 608-275-3286. If you have any questions about the Ability to Pay Claim forms, please contact Ms. Fox at 608-266-5798. If you would like to further discuss this letter, please feel free to call me at 608-275-3241.

Sincerely,



Patrick McCutcheon, Team Supervisor  
South Central Region Remediation & Redevelopment Program  
[patrick.mccutcheon@wisconsin.gov](mailto:patrick.mccutcheon@wisconsin.gov)

Enclosures

cc: Hank Kuehling – SCR  
EE Files – SCR  
Shelley Fox – RR/8

## Kuehling, Harlan H - DNR

---

**From:** Kuehling, Harlan H - DNR  
**Sent:** Wednesday, January 23, 2008 12:50 PM  
**To:** Sisbach, Steven L - DNR  
**Cc:** Giesfeldt, Mark F - DNR; Pierce, Eileen F - DNR  
**Subject:** RE: CONFIDENTIAL - Pre-Referral Process for the Wiese Property (BRRTS #03-57-211140)

Thanks for the added notes to the pre-referral form and for the updates noted below, Steve. The current Wiese NOV letter was sent to Warden Horzewski yesterday. In it, we request that the Wieses' attend an enforcement conference on February 27 if they don't start the site investigation process before that date. So we'll wait for up to five weeks for a next step by the RPs.

Hank

---

**From:** Sisbach, Steven L - DNR  
**Sent:** Wednesday, January 16, 2008 2:10 PM  
**To:** Pierce, Eileen F - DNR; McCutcheon, Patrick - DNR; Wolf, Barbara A - DNR; Kuehling, Harlan H - DNR  
**Cc:** Giesfeldt, Mark F - DNR  
**Subject:** FW: CONFIDENTIAL - Pre-Referral Process for the Wiese Property (BRRTS #03-57-211140)

Hi All:

Thanks for meeting the other day. I added a couple of notes to the form. Initial discussion with Susan and AI on the process and also the specific efforts at this site was positive. I have a call into Tom Dawson on idea to further streamline the process.

Thanks for your help.

Steve

---

**From:** Pierce, Eileen F - DNR  
**Sent:** Monday, January 14, 2008 9:22 AM  
**To:** McCutcheon, Patrick - DNR; Giesfeldt, Mark F - DNR; Sisbach, Steven L - DNR; Kuehling, Harlan H - DNR; Wolf, Barbara A - DNR  
**Subject:** Pre-Referral Process for the Wiese Property (BRRTS #03-57-211140)

Reminder - we meet this morning at 11am in room 517 GEF2 to discuss this case. Attached is the pre-referral eval form.

Barb -- Hank and I will drive up town, leaving Nevin at about 10:20am. You are welcome to join us.

<< File: Wiese Property Pre-Rfrl Eval Form Dec 07.doc >>

Eileen F. Pierce  
South Central Region Air & Waste Leader  
Wisconsin Department of Natural Resources  
3911 Fish Hatchery Road  
Fitchburg, WI 53711  
desk: 608-275-3296  
cell: 608-279-5637  
fax: 608-273-5610  
email: eileen.pierce@wisconsin.gov

01/11/08

These Property - Conference in Referral  
Steve Birk, Mark Burdett, Eileen, Pat, KK  
see also in Bureau Crawford are also in etc.  
referred keep

Let records be needed

(Note - Turgon is Tracking Memo)

Steve S. - have we chosen by? No. What  
with a 1/2 mile

What if any the well?

Could plate room

No last chance letter needed

Done Karabegh, as it works in that area,  
probably not for design work (3 year work pass  
on the keep part)

It has been noted on profile

Do I can do an ability to pay etc owner  
cooperation

Bar supports a number of drawings a last chance  
letter

- Adv of Ent. Conf.

- Need ent. conf. attendance

- Complete of ATN forms (circled)

- Want maps etc

- 've been told to get a separate contract

money for

Wansea applies & nearby neighbours

: Adv letter - not - are what Bar needs to Done H ->

maybe contact Sam to coordinate his delivery & site

mail -> send Done H. Adv in the same letter

Location  
& site  
specific  
directional  
info even  
important  
to Steve  
Mark.



Strenuous nature: low to best percentage the 500  
after the 1000 letters  
Post group 100 hours

## Kuehling, Harlan H - DNR

---

**From:** Pierce, Eileen F - DNR  
**Sent:** Thursday, December 13, 2007 1:51 PM  
**To:** McCutcheon, Patrick - DNR; Sisbach, Steven L - DNR; Giesfeldt, Mark F - DNR  
**Cc:** Kuehling, Harlan H - DNR  
**Subject:** RE: Pre-Referral Process for the Wiese Property (BRRTS #03-57-211140)

Good afternoon Pat, Steve, and Mark,

I concur with the recommendation from Hank and Pat. I am available for further discussion. My outlook calendar is up to date -- feel free to schedule a follow up conversation as you see fit. If you would like me to set it up just let me know. Thanks. Have a great day. e

---

**From:** McCutcheon, Patrick - DNR  
**Sent:** Thursday, December 13, 2007 9:52 AM  
**To:** Pierce, Eileen F - DNR; Sisbach, Steven L - DNR; Giesfeldt, Mark F - DNR  
**Cc:** Kuehling, Harlan H - DNR  
**Subject:** Pre-Referral Process for the Wiese Property (BRRTS #03-57-211140)  
**Importance:** High

Please see the attached pre-referral memo outlining the circumstances surrounding our intent to move forward with a referral. Please discuss amongst yourselves and let either me or Hank know if you have any questions or need more information. Thanks.


<< File: Wiese Property Pre-Rfrl Eval Form Dec 07.doc >>


 **Pat**


Patrick McCutcheon

Remediation & Redevelopment Team Supervisor

South Central Region

e-mail  patrick.mccutcheon@wisconsin.gov

telephone  608/275-3241

fax  608/273-5610

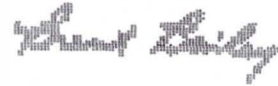
000139

DOC# 1005687

Document Number

NOTICE OF CONTAMINATION

Recorded  
Mar. 19, 2010 AT 08:30AM



REGISTRAR'S OFFICE  
SAUK COUNTY WI  
RECEIVED FOR RECORD  
Fee Amount: \$11.00

Legal Description of the Property:  
SEC. 31 T13N R3E SW1/4 FRAC SW1/4 33.81A

Said lands lying and being in the Town of La Valle, County of Sauk and State of Wisconsin.

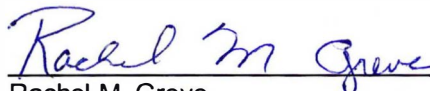
STATE OF WISCONSIN )  
COUNTY OF SAUK )

Recording Area

Name and Return Address:  
Rachel M. Greve  
DNR – South Central Region  
3911 Fish Hatchery Road  
Fitchburg, WI 53711

I, Rachel M. Greve, being first duly sworn, state that:

1. I am a Hydrogeologist, employed by the Wisconsin Department of Natural Resources (hereinafter "the Department") at its South Central Region office. 024-0859-00000  
Parcel Identification Number (PIN)
2. I have personal knowledge of the facts herein set forth and believe the same to be true.
3. The Department has determined that petroleum contaminants discharged to the property (herein "the Property"), which is located at E2571A County Road G, in the Town of La Valle, County of Sauk, and which has the above legal description, have contaminated soil and possibly groundwater in the vicinity.
4. The Department believes that removal or treatment of the contaminated soil, and/or groundwater monitoring, are required on the Property under the authority of s. 292.11(3), Wisconsin Statutes.
5. On January 27, 1999, the Department sent a letter to the Property's owner, Lawrence Weise, advising him of the statutory requirement to restore the environment at that location. An inadequate response to that letter was received by the Department.
6. On November 7, 2005, after discovering that the Property owner at the time of notification of responsibility is now deceased, the Department issued a letter to Wayne and Jamie Weise, who inherited the property from Lawrence Wiese and are the current Property owners. That letter advised them of their statutory responsibility to restore the environment at the Property. An inadequate response to that letter was received by the Department.
7. On April 14, 2009, the Department sent a letter, by certified mail, to Wayne and Jamie Weise, advising that the Department has made the decision to record a notice of contamination for the above-described property at the Sauk County Register of Deeds office.
8. Because the Department believes that petroleum contaminants currently found in the soil on the property with the above legal description will continue to discharge into the environment, subsequent purchasers of the property could be held responsible for investigation and clean-up costs under s. 292.11(3), Wisconsin Statutes.

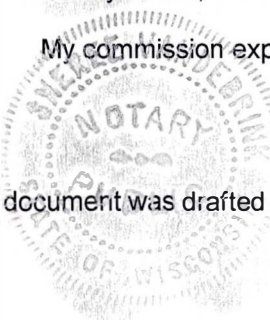


Rachel M. Greve  
Remediation & Redevelopment Program Hydrogeologist  
Department of Natural Resources  
South Central Region

Subscribed and sworn to before me this 18<sup>th</sup> day of March, 2010.

  
Notary Public, State of Wisconsin

My commission expires on: 11/2010



This document was drafted by the Wisconsin Department of Natural Resources.

**Remediation and Redevelopment Program  
Pre-referral Evaluation Form**

*Sent to Prof on 12/12/07 (WORD document in my "LUST" folder)*

**Site Name and Location:** Wiese Property, E2571A CTH G, La Valle, WI 53941

**Responsible Party(ies):** Originally, Lawrence Wiese, who died on October 2, 2003.  
Current RPs are Wayne and Jamie Wiese.

**Environmental Significance/Receptors/Pathways of Concern:** Soil contamination;  
possible nearby private drinking water supply well; pathway of concern to groundwater.

**Chronology of Events (Summary):** The original "responsible party" letter was sent to Lawrence Wiese on January 27, 1999. Apparently, no site investigation work was initiated. A "reminder" letter was sent on February 17, 2003; an NON was sent on April 3, 2003; another NON was sent on April 30, 2003. The only response to these letters that was received by the DNR was dated May 6, 2003 from an attorney. A letter requesting the status of required actions was sent on June 23, 2005; a notice of an enforcement conference was sent on October 11, 2005. No response from the owner resulted in some research by DNR staff, which revealed that Lawrence Wiese had died on October 2, 2003.

The Sauk County Treasurer reported that the current owners are Wayne & Jamie Wiese, S2309 Sloniker Drive, La Valle, WI. A "responsible party" letter was sent to Wayne & Jamie Wiese on November 5, 2005. A "reminder" letter was sent to them on November 29, 2006. An NON was sent to them on June 14, 2007, and an NOV with an enforcement conference date was sent on August 20, 2007. This certified mail package was not claimed by the addressees/owners, so the enforcement conference, scheduled for September 27, 2007, was not attended by the owners. The La Valle postmaster verified that the owners' address used by the DNR is correct. Hank Kuehling of the DNR called the owners on October 2 and October 9, 2007, leaving messages both times requesting that they call me to discuss the situation and mentioning that the next step will be our request for the involvement of WDOJ and that forfeitures may be required. DNR has received no responses from the current owners of the property.

**Timeliness of Actions – Explanation of Any Inactivity for Greater Than 2 Years:**

Four DNR project managers have been assigned to this site since notice of the tank removal and the soil sample analytical result were received by the Department in December 1998. Any gaps in activity of two years or more were probably the result of large workloads for sites that were active and submitting reports and requests with associated deadlines.

**Evaluation of Alternatives (e.g., NR 728 Deed Notice, "Last Chance Letter", etc:**

Both the original owner and certainly the current owners have had many "last chances" to initiate some site investigation efforts, but have not done this and have not, at a minimum, responded to the many Department letters and phone calls.

**Regional Recommendation:** All steps of the enforcement process have been completed, some several times, none resulting in any action by the current responsible parties. The recommendation is referral of this case to the Wisconsin Department of Justice.

*Action Agreed to:*

**Regional Contacts (Name/Phone):**

RR Staff: Hank Kuehling – SCR – 608.275.3286

Enforcement Staff: \_\_\_\_\_

Other, if appropriate: \_\_\_\_\_



**CONFIDENTIAL**

**ENVIRONMENTAL ENFORCEMENT/  
INVESTIGATION WORKSHEET**

Form 4100-189

SCR Version 1-2006

*DRAFT (over document in "LUST" folder)*

<b>FACILITY NAME:</b> Wiese Property <b>ADDRESS:</b> E2571A CTH G, La Valle, WI 53941 <b>COUNTY:</b> Sauk	<table border="1"> <thead> <tr> <th colspan="2">ROUTING</th> <th>Initial/date</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/></td> <td>Env. Team Ldr.</td> <td>___/___/___</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Env. Media Ldr.</td> <td>___/___/___</td> </tr> <tr> <td><input type="checkbox"/></td> <td>B.WOLF</td> <td>___/___/___</td> </tr> <tr> <td><input type="checkbox"/></td> <td>T. COUGHLIN</td> <td>___/___/___</td> </tr> <tr> <td><input type="checkbox"/></td> <td>P. KOBER</td> <td>___/___/___</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Env. Warden</td> <td>___/___/___</td> </tr> <tr> <td><input type="checkbox"/></td> <td>T.KRSNICH</td> <td>___/___/___</td> </tr> </tbody> </table>	ROUTING		Initial/date	<input type="checkbox"/>	Env. Team Ldr.	___/___/___	<input type="checkbox"/>	Env. Media Ldr.	___/___/___	<input type="checkbox"/>	B.WOLF	___/___/___	<input type="checkbox"/>	T. COUGHLIN	___/___/___	<input type="checkbox"/>	P. KOBER	___/___/___	<input type="checkbox"/>	Env. Warden	___/___/___	<input type="checkbox"/>	T.KRSNICH	___/___/___
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<input type="checkbox"/>	Env. Warden	___/___/___																							
<input type="checkbox"/>	T.KRSNICH	___/___/___																							
<b>LEGAL DESCRIPTION:</b> Not Available <b>PERMIT/LICENSE /FID#:</b> BRRTS #03-57211140 <b>FACILITY PHONE:</b> None	<b>CASE NUMBER:</b>  <b>2007 - SCEE -</b> (EE Use Only)																								
<b>RESPONSIBLE OFFICIAL:</b> Wayne & Jamie Wiese (TITLE:) Owners <b>CONTACT PERSON:</b> Same (TITLE:)	<b>CONTACTS:</b>  LC/5 _____ Bureau _____																								
<b>DNR SIGNIFICANT VIOLATOR:</b> No  <b>DNR ENFORCEMENT PRIORITY?</b> Public Health _____ Environmental _____ Yes Program Integrity _____ Other _____	<b>EPA HIGH PRIORITY?</b> Not applicable (HPV, SV, SNC, QNCR, ETC.) Deadline Date:																								
<b>VIOLATION SUMMARY:</b> (SPECIFY STATUTE, CODE, PERMIT OR LICENSE CITATIONS, DATES, CLASS I OR II, AND DISCUSSION AS NEEDED FOR EACH VIOLATION ALLEGED) A leaded gasoline underground storage tank was removed from the property in November 1998, with a soil sample collected from beneath the tank. The sample had a gasoline-range organics result of 6300 mg/kg, indicating a release of a hazardous substance in violation of s. 292.11(3), Stats. To the best of our knowledge, no site contamination investigation has been initiated to comply with ch. NR 716, Wis. Adm. Code.																									
<b>PRIMARY ENFORCEMENT ACTIONS TAKEN TO DATE:</b> (I.E., NON, CALLS, LETTERS; ATTACH COPY DOCUMENTING EACH) The original "responsible party" letter was sent to Lawrence Wiese on January 27, 1999. Apparently, no site investigation work was initiated. A "reminder" letter was sent on February 17, 2003; an NON was sent on April 3, 2003; another NON was sent on April 30, 2003. The only response to these letters that was received by the DNR was dated May 6, 2003 from an attorney. A letter requesting the status of required actions was sent on June 23, 2005; a notice of an enforcement conference was sent on October 11, 2005. No response from the owner resulted in some research by DNR staff, which revealed that Lawrence Wiese had died on October 2, 2003.  The Sauk County Treasurer reported that the current owners are Wayne & Jamie Wiese, S2309 Sloniker Drive, La Valle, WI. A "responsible party" letter was sent to Wayne & Jamie Wiese on November 5, 2005. A "reminder" letter was sent to them on November 29, 2006. An NON was sent to them on June 14, 2007, and an NOV with an enforcement conference date was sent on August 20, 2007. This certified mail package was not claimed by the addressees/owners, so the enforcement conference, scheduled for September 27, 2007, was not attended by the owners. The La Valle postmaster verified that the owners' address used by the DNR is correct. Hank Kuehling of the DNR called the owners on October 2 and October 9, 2007, leaving messages both times requesting that they call me to discuss the situation and mentioning that the next step will be our request for the involvement of WDOJ and that forfeitures may be required. DNR has received no responses from the current owners of the property.																									
<b>COMMENTS:</b> (PAST VIOLATIONS, DEFENSES, DEGREE OF COOPERATION, ENF. PRIORITY, EPA TIMELINE, ETC.) See summary above.																									

<b>ACTION REQUESTED:</b>	<b>NOV</b>	<b>Enf. Conf.</b>	<b>Order</b>
<b>Citation</b>	<b>Referral</b> <b>Yes</b>	<b>Env. Investig</b>	<b>Other</b>

**DESIRED RESULTS: (POSSIBLE SOLUTIONS, CORRECTIVE ACTIONS, ETC.)**  
 The initiation and completion of a site investigation of the area of the property impacted by the former tank to define the degree and extent of the contaminant release from the tank area.

**DATES OF ALLEGED VIOLATIONS:**

Dates:        See summary above.

Locations:

**WERE THERE ANY WITNESSES?** The employees of the company that removed the tank.

Name:        Marell, Inc.

Address:     E18763 STH 33  
                  Hillsboro, WI 54634

**WERE ANY PHOTOS TAKEN?**

The DNR file contains no photos.

**Who is in possession of photos and negatives?**

Name:

Address:

**WERE SAMPLES TAKEN?** One soil sample by the tank removal company.

Sample Type: Soil    Regular: Yes        Enforcement: No

Chain of Custody:        Yes

Name of sampler:        Tanya HGerbeck

Disposition of samples:    Unknown

Sample results:         See notes above

**ARE SAMPLES STILL AVAILABLE?** No, only the results

**WERE ANY OTHER AGENCIES INVOLVED?** No

If Yes, Which ones?

**DID ALLEGED VIOLATOR EXPLAIN PROBLEM?** No

If yes, Date:

In writing?

Who to:

**BRIEFLY SUMMARIZE WHAT EVIDENCE YOU BELIEVE EXISTS TO INDICATE THE ALLEGED VIOLATOR KNEW OF THE PROBLEM? (Use additional sheets if necessary.)**

See summary above, particularly the notes on the DNR letters sent.

**PERSON REQUESTING ACTION :**

Title:                                Remediation & Redevelopment Program Hydrogeologist

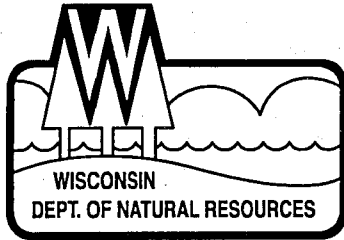
Phone No.:                         (608) 275-3286

Address:                             South Central Region, 3911 Fish Hatchery Road, Fitchburg, WI 53711

**SIGNATURE:** \_\_\_\_\_

Date of Request    [\[Click here\]](#)

*When completed, this document will become part of an official Environmental Enforcement Investigation. Contents, in whole or part, are privileged by s. 905.09, Wis. Stats., and may not be used without express permission of the Office of Environmental Enforcement or appropriate Assistant Attorney General.*



**State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES**

Jim Doyle, Governor  
Scott Hassett, Secretary  
Lloyd L. Eagan, Regional Director

South Central Region Headquarters  
3911 Fish Hatchery Road  
Fitchburg, Wisconsin 53711-5397  
Telephone 608-275-3266  
FAX 608-275-3338  
TTY Access via relay - 711

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

August 20, 2007

Wayne and Jamie Wiese  
S2309 Sloniker Dr.  
LaValle, WI 53941

BRRTS#: 03-57-211140  
Sauk County

Subject: **NOTICE OF VIOLATION**  
Wiese Property Site, located at E2571A CTH G, LaValle, Wisconsin

Dear Mr. and Ms. Wiese:

The Department of Natural Resources (Department) has reason to believe that you are in violation of chapter 292, of the Wisconsin Statutes, which requires you to take action to minimize the harmful effects from a discharge of hazardous substances to the air, lands or waters of this state. The property in question is located at E2571A County Highway G in the town of LaValle, in the SW ¼ of the SW ¼ of Section 31, T13N, R3E in Sauk County.

In a letter dated January 27, 1999, to Mr. Lawrence Wiese, the former owner of this property, the Department notified him of his responsibility to investigate the extent of the contamination found on this property during the excavation of an underground petroleum storage tank. In 2005, you apparently inherited this property from him. On November 7, 2005, the Department sent you a letter and pointed out that you, as the current owners, are responsible for the environmental contamination at the above-referenced property.

In subsequent letters to you dated November 29, 2006 and June 14, 2007, the Department requested status updates on the environmental investigation you were required to perform. You failed to respond to these letters and have made no contact with the Department. Based upon your lack of response, it appears you have not made any progress in addressing the contamination on this property.

Section 292.11, Stats., requires that a person who possesses or controls a hazardous substance which is discharged or who causes the discharge of a hazardous substance shall do the following:

- Investigate the degree and extent of contamination
- Take the actions necessary to restore the environment to the extent practical.
- Minimize the harmful effect from the discharge to the air, lands or waters of the state.

The statute also authorizes the Department to enforce these clean-up requirements.

If you intend to hire an environmental consultant to investigate and clean up the contamination, please provide a written and signed response to me **within twenty (20) days of the date you receive this letter**. You should include the name and telephone number of any environmental consultant you have hired or are in the process of hiring to conduct the investigation, along with

a timeline for when their work will begin. In lieu of a written response, **I have scheduled an Enforcement Conference for Thursday, September 27, 2007, at 10:00 a.m., to be held at the address on the letterhead.** The purpose of this conference is to offer you an opportunity to dispute any of the facts we have on record and to discuss what needs to be done to address the contamination on your property. Please contact me, via either letter or phone, **within twenty (20) days of the date you receive this letter** with your intentions on attending this Enforcement Conference.

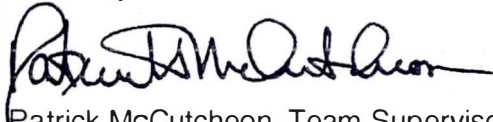
If you are not able to pay for the cost of an investigation or cleanup at your site, you may file an "Ability to Pay" Claim Form. This process requires that you disclose certain financial information to demonstrate that you cannot afford to pay. An information packet and forms are attached to this letter. If you are claiming a financial hardship, **we need the attached forms to be completed by you and submitted within twenty (20) days of the date you receive this letter to the following address:**

Ms. Shelley Fox  
Grants Specialist  
Wisconsin Dept. of Natural Resources  
PO Box 7921  
Madison WI 53707-7921

Please be advised that your failure to respond to this letter, or an inadequate response, will result in a recommendation for further enforcement action. Those actions could include the issuance of an administrative order or a direct referral to the Wisconsin Department of Justice to seek a court ordered compliance schedule. You should also be advised that any referral to the Department of Justice will result in forfeitures, which range from \$10 to \$5,000 per violation per day, pursuant to s. 292.99, Stats.

If you have technical questions about this matter or how you need to proceed, please call Mr. Hank Kuehling, Hydrogeologist, at 608-275-3286. If you have any questions about the Ability to Pay Claim forms, please contact Ms. Fox at 608-266-5798. If you would like to further discuss this letter, please feel free to call me at 608-275-3241.

Sincerely,



Patrick McCutcheon, Team Supervisor  
South Central Region Remediation & Redevelopment  
[patrick.mccutcheon@wisconsin.gov](mailto:patrick.mccutcheon@wisconsin.gov)

Enclosures

cc: Hank Kuehling – SCR  
EE Files – SCR  
Shelley Fox – RR/8



Notes by Cheryl Leatch

2/11/03 Lawrence Wise 1008-985-7527

① Phoned Metro from LaCrosse  
608-781-8879

3/21/03 Ron Anderson Metro  
not phoned

Called Mr. Wise

3/21/03 Will have from Mr. Wise this summer.

Notes by Hank Kuehling

9/24/07 I called the La Valle post office and was told that

the DNR's 6/22/07 certified mail letter was not claimed by

the Wisco. Two notes were given and then the letter was

returned to us by the post office. The post worker in-

cluded that the address is correct and that the Wisco live there

10/29/07 After leaving a message for the Wisco ~~approximately~~  
on 10/29/07 (at 2:05 p.m.)  
I called again, I left another one today, as a courtesy

call, mentioning that our next step will be refer to

the Department of Justice with the real possibility of

possibly fees and legal action regarding the site investi-

gation of the Wisco property. I asked again that they

contact me.



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Scott Hassett, Secretary  
Lloyd L. Eagan, Regional Director

South Central Region Headquarters  
3911 Fish Hatchery Road  
Fitchburg, Wisconsin 53711-5397  
Telephone 608-275-3266  
FAX 608-275-3338  
TTY Access via relay - 711

June 14, 2007

Wayne and Jamie Wiese  
S2309 Sloniker Dr.  
LaValle, WI 53941

Subject: **Notice of Non-compliance** – Chapter 292, Wis. Statutes  
Wiese Property, E2571A CTH G, LaValle, WI, Sauk County; BRRTS #03-57-211140

Dear Mr. and Ms. Wiese:

On November 7, 2005, the Department of Natural Resources (the Department) notified you of your legal responsibility, as owners of the property described above, to investigate and clean up contamination reported at that property. On November 29, 2006, the Department sent you a letter requesting that you provide an update on the status of your efforts to hire an environmental consultant to perform a site investigation on your property. The letter also offered you the opportunity to prove your inability to pay for a site investigation, should you feel that conducting a site investigation would impose a financial hardship on you.

To date, the Department has not received any correspondence from you regarding this site. The Department interprets your failure to respond and hire an environmental consultant as a failure to complete investigation/remediation activities at the Site. Therefore, the Department alleges that you are in violation of s. 292.11(3), Wis. Statutes.

The requirement to hire an environmental consultant to complete a site investigation and, if necessary, remediation of the site remains in effect and must be complied with within 30 days of the date of this letter. Failure to respond in writing within 30 days of the date of this letter will be viewed as a negative response and will result in further enforcement action. Be advised that the Department has the ability to record an affidavit on the property deed for the site, pursuant to s. NR 728.11, Wis. Adm. Code. The intent of the affidavit is to give notice of contamination on the property, and, in particular, to alert potential purchasers of the property of the contamination.

If you have any questions regarding this letter, feel free to contact me at the address listed above, by phone at (608) 275-3220, or at the email address listed below.

Sincerely,

Rachel Greve  
Hydrogeologist, SCR Remediation & Redevelopment Program  
(608) 275-3220  
[rachel.greve@wisconsin.gov](mailto:rachel.greve@wisconsin.gov)

*(file)*

## Phone Log

Date: 6/13/07  
Site Name: Wiese Property (03-57-211140)  
Templin Property (03-57-002197)  
Ward's Corner Garage (03-57-001693)  
Contact Name: Sauk County Treasurer's Office, Lori (608-355-3275)  
Subject: Site Property Ownership/Tax Delinquency

I confirmed the RP information we have for these properties with the Sauk County Treasurer's Office and also got information about tax delinquency status.

- Wiese Property (E2571A County Rd. G, LaValle)  
Wayne and Jamie Wiese, 2006 taxes delinquent
- Templin Property (102 W Maple Ave, Lime Ridge)  
Patricia Templin, 2005-2006 tax delinquent  
*(Patricia Templin passed away in 2005)*
- Ward's Corner Garage (E3309 State Rd 154, Hillpoint)  
Claude and Ella Box, 2004-2006 tax delinquent  
*(both Claude and Ella Box passed away in 2004)*

RG





State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Scott Hassett, Secretary  
Lloyd L. Eagan, Regional Director

South Central Region Headquarters  
3911 Fish Hatchery Road  
Fitchburg, Wisconsin 53711-5397  
Telephone 608-275-3266  
FAX 608-275-3338  
TTY Access via relay - 711

November 29, 2006

Mr. and Ms. Wayne and Jamie Wiese  
S2309 Sloniker Drive  
La Valle, WI 53941

Subject: Legal Responsibilities for the Reported Contamination at the Wiese Property, E2571A  
CTH G, La Valle, WI; Sauk County; BRRTS #03-57-211140

Dear Mr. and Ms. Wiese:

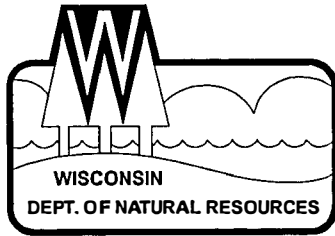
On November 7, 2005, the Department sent a letter to you, as the legal owners of the property described above, in which are described your legal responsibilities for the reported soil contamination at the property. This contamination resulted from a release from a gasoline tank that was removed from the property in November 1998. Also described in the letter, a copy of which is included here, are steps to take in addressing the contamination. The first required step is to submit written verification that you have hired an environmental consultant to investigate the contamination. This verification can be, for example, a letter from the consultant. This verification was due to the Department within 30 days of the date of the letter. We did not receive a response from you. The Department is again requiring that this verification be submitted within 30 days of the date of this letter.

If you believe that the required site investigation would impose a financial hardship on you, you can request that we conduct an ability-to-pay analysis of your financial situation, which would determine whether or not you are able to meet your site investigation responsibilities. In general, this process requires that you submit financial information to us, including your most recent tax records. Note that this information is handled confidentially by the Department.

Sincerely,

Hank Kuehling, P.G.  
Remediation & Redevelopment Program Hydrogeologist  
(608) 275-3286  
[harlan.kuehling@wisconsin.gov](mailto:harlan.kuehling@wisconsin.gov)

enclosure



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Scott Hassett, Secretary  
Ruthe E. Badger, Regional  
Director

South Central Region Headquarters  
3911 Fish Hatchery Road  
Fitchburg, Wisconsin 53711-5397  
Telephone 608-275-3266  
FAX 608-275-3338  
TDD 608-275-3231

November 7, 2005

BRRTS # 03-57-211140

Mr. & Ms. Wayne and Jamie Wiese  
S2309 Sloniker Drive  
La Valle, WI 53941

**SUBJECT: Reported Contamination at: Wiese Property, E2571A CTH G, La Valle, WI 53941**

Dear Mr. and Ms. Wiese:

On December 16, 1998, Merell, Inc. notified the Wisconsin Department of Natural Resources (WDNR) that soil contamination associated with a gasoline tank had been detected at the site listed above. On January 27, 1999, WDNR sent a letter to the previous owner of this property, Mr. Lawrence Wiese, requiring a written verification that an environmental consultant had been hired to investigate the soil and possibly groundwater contamination at the site. According to our information, a consultant was not hired and an investigation was not started.

Based on the information submitted to the WDNR and information obtained from other sources, we believe that you, as the current owners of the property listed above, are responsible for restoring the environment at the referenced site under Section 292, Wisconsin Stats., known as the hazardous substances spills law.

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 also about 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.



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## 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 decrease damage to your property and 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 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 schedule for the investigation. The consultant must follow the DNR administrative codes and technical guidance documents.

Once an investigation has established the type and severity of contamination involved at your site, your consultant will be able to determine whether the Department of Commerce or the WDNR has authority over the case. The decision will be reviewed by agency staff, and you will be notified by mail if the case is being transferred to Commerce. In general, cases involving petroleum products that have leaked from either above ground or underground storage systems will be reviewed by the Commerce, unless high risk criteria are involved.

3. Please inform the appropriate agency of what is being done at your site. If the site meets criteria for a "simple site", progress reports must be submitted semi-annually, beginning 6 months from the initial notification date. If the site meets criteria for a "complex site", a complete site investigation report and a draft remedial options report must be submitted within 30 days of completion. In addition, 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 the agency 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 of your 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.

Unless you are notified that your case has been transferred to Commerce, all correspondence regarding this site should be sent to:

Hank Kuehling  
Remediation and Redevelopment Program  
Wisconsin Department of Natural Resources  
3911 Fish Hatchery Road  
Fitchburg, WI 53711

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

**Information for Site Owners:**

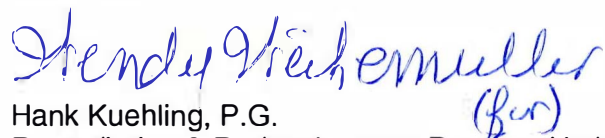
Information to help you select a consultant, and materials on controlling costs, understanding the cleanup process, and choosing a site cleanup method are enclosed. For information on obtaining limited liability under Section 292.15, Wisconsin Stats., please see our website at <http://www.dnr.state.wi.us/org/aw/rr/liability>.

**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.

Thank you for your cooperation.

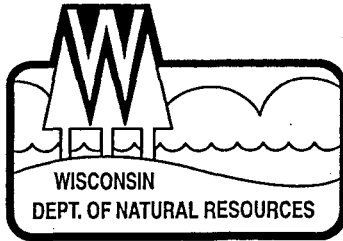
Sincerely,



Hank Kuehling, P.G.  
Remediation & Redevelopment Program Hydrogeologist  
Telephone: (608) 275-3286  
[harlan.kuehling@dnr.state.wi.us](mailto:harlan.kuehling@dnr.state.wi.us)

Enclosures

→ cc: File



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Scott Hassett, Secretary  
Ruthe E. Badger, Regional Director

South Central Region Headquarters  
3911 Fish Hatchery Road  
Fitchburg, Wisconsin 53711-5397  
Telephone 608-275-3266  
FAX 608-275-3338  
TTY Access via relay - 711

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

October 11, 2005

Lawrence Wiese  
E2571A CTH G  
LaValle, WI 53941

Subject: Notification of Enforcement Conference to Discuss Environmental Contamination on Property Located at E2571A CTH G, LaValle, WI; Sauk County; BRRTS Number 03-57-211140

Dear Mr. Wiese:

In a letter dated January 27, 1999, the Department notified you that we believe that you are responsible, under s. 292.76, Wis. Statutes, the Hazardous Substances Spill Law, for environmental contamination at property that you own at E2571A, CTH G. This statute requires you to "take the actions necessary to restore the environment to the extent practicable".

A letter from the Department dated April 30, 2003 from Cheryl Laatsch requested that you provide written notification of your intent to respond to the contamination on your property. A letter, dated May 6, 2003, was received by the Department from attorney L. William Kahler, Jr. stating that you were at that time in contact with an environmental consultant. The Department has received no verification that you have a contract with a consultant to perform work related to the environmental contamination at your property.

The passage of over two years with no contract with a consultant and no work done to address the contamination on your property represents an inadequate response to the Department's April 30, 2003 request. If you believe that there is no environmental contamination on your property, or that your property is not the source of the contamination identified, you should notify the Department within 30 days of this letter's date. If you intend to hire, or have hired, an environmental consultant to investigate and clean up the contamination, please provide a written and signed statement verifying this intention, or the existence of a contract, within 30 days of this letter's date. In the absence of an adequate response from you, I have also scheduled an Enforcement Conference for November 29, 2005 at 10:00 a.m. to be held at the Department's South Central Region headquarters building at 3911 Fish Hatchery Road, Fitchburg, WI. Ask for me at the front desk when you arrive. The purpose of this conference is to offer to you an opportunity to dispute any of the facts that we have and/or to discuss the situation and attempt to reach an agreement on what must be done.

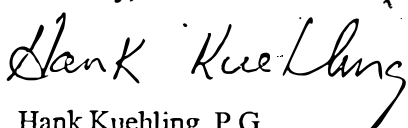
If I do not receive a response from you within 30 days of the date of this letter and if you fail to attend the scheduled Enforcement Conference, I will initiate the process to record at the Sauk County Register of Deeds office, as soon as practicable, an affidavit that gives notice of the contamination on this property. This affidavit will give notice to potential purchasers of the property that the property is the site of

environmental contamination. If the contamination is satisfactorily responded to, the Department will file a second affidavit noting the actions that have been taken to clean up the contamination. In the event that you do not take actions to cleanup this property after the affidavit is recorded, the Department intends to take further actions, which may include appropriate enforcement actions, to restore the environment to the extent practicable at this location.

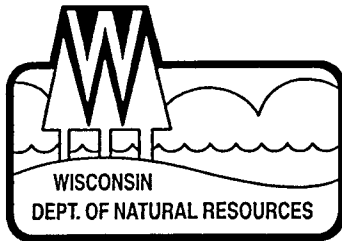
If you are having difficulty financing the investigation and clean-up work at your property, you may provide the Department with required personal financial documents to assist us in evaluating your ability to pay for this work.

If you have any questions about any information in this letter, please contact me at the address listed above, or contact me as indicated below.

Sincerely,

A handwritten signature in cursive script that reads "Hank Kuehling". The signature is written in dark ink and is positioned to the left of the typed name.

Hank Kuehling, P.G.  
Remediation & Redevelopment Program Hydrogeologist  
(608) 275-3286  
[harlan.kuehling@dnr.state.wi.us](mailto:harlan.kuehling@dnr.state.wi.us)



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Scott Hassett, Secretary  
Ruthe E. Badger, Regional Director

South Central Region Headquarters  
3911 Fish Hatchery Road  
Fitchburg, Wisconsin 53711-5397  
Telephone 608-275-3266  
FAX 608-275-3338  
TTY Access via relay - 711

June 23, 2005

Mr. Lawrence Wiese  
E2571A CTH G  
LaValle, WI 53941

Subject: Status of Required Actions to Address the Reported Contamination at the Wiese Property, E2571A CTH G, LaValle; Sauk County; BRRTS# 03-57-211140

Dear Mr. Wiese:

On January 27, 1999, the Department sent a letter to you in response to the reported soil contamination associated with an underground fuel oil storage tank on the property noted above. In that letter, the Department required you to take several initial steps to address the reported contamination. Briefly, those steps are: within 30 days of the date of the letter, submit written verification that you have hired an environmental consultant; and request that the consultant submit a work plan and schedule for a site investigation.

Having not received verification that the requirements of its 1999 letter had been met, the Department sent a letter to you on February 17, 2003 requesting an update on the status of site activities, including site investigation actions and other work associated with the contamination of the site. After receiving no response to the February 17, 2003 letter, the Department sent a "Notice of Non-compliance" to you on April 3, 2003, and a second one on April 30, 2003. The most recent correspondence and the only response received by the Department is a May 6, 2003 letter from your attorney, L. William Kahler, Jr., in which he states that the consulting firm of MSA Professional Services had been contacted.

The information originally required in the Department's 1999 letter has not yet been submitted to the Department. Please submit verification that you have hired an environmental consultant and also submit information on any actions that have been taken to address the contamination at the site. This information must be submitted to me by July 25, 2005.

If you have any questions or comments, you can contact me at the address noted above or as indicated below.

Sincerely,

Hank Kuehling, P.G.  
Remediation & Redevelopment Program Hydrogeologist  
608.275.3286  
[harlan.kuehling@dnr.state.wi.us](mailto:harlan.kuehling@dnr.state.wi.us)



**State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES**

South Central Region Headquarters  
3911 Fish Hatchery Road  
Fitchburg, Wisconsin 53711-5397  
Telephone 608-275-3266  
FAX 608-275-3338

**FACSIMILE COVER SHEET**

Date Sent: 6/22/05

To Machine #: (608) 356-2770

No. Pages: 2  
(including cover sheet)

From Machine: (608) 275-3338

**PLEASE DELIVER THE FOLLOWING PAGES TO:**

Name: Kevin Olson - MSA

Phone: \_\_\_\_\_

**SENT FROM:**

Name: Hank Kuehling

Message (if needed) As you requested

If you have trouble receiving the material, call (608) 275-5945.



## Kuehling, Harlan H.

---

**From:** Kuehling, Harlan H.  
**Sent:** Wednesday, June 22, 2005 2:22 PM  
**To:** 'Kevin Olson'  
**Subject:** RE: Weise Property Case? (BRRTS# 03-57-211140)

I just sent it.

-----Original Message-----

**From:** Kevin Olson [mailto:KEVINO@msa-ps.com]  
**Sent:** Wednesday, June 22, 2005 1:53 PM  
**To:** Kuehling, Harlan H.  
**Subject:** RE: Weise Property Case? (BRRTS# 03-57-211140)

Hank,

If you happen to have the project file on your desk, could you fax or email to me (608-356-2770) any lab result you have from the tank pull?

Thanks,  
Kevin

>>> "Kuehling, Harlan H." <Harlan.Kuehling@dnr.state.wi.us> 6/22/2005  
>>> 12:39:38 PM >>>  
Thanks for the response, Kevin. I'll be contacting Mr. Wiese.

-----Original Message-----

**From:** Kevin Olson [mailto:KEVINO@msa-ps.com]  
**Sent:** Wednesday, June 22, 2005 12:21 PM  
**To:** Kuehling, Harlan H.  
**Subject:** Weise Property Case? (BRRTS# 03-57-211140)

Hi Hank:

I submitted two proposals to Lawrence Wiese in the past six years. The first proposal was probably around 1999 or 2000. The most recent proposal was May 23, 2003. To-date, we have not been contracted to do any work.

Kevin

>>> "Kuehling, Harlan H." <Harlan.Kuehling@dnr.state.wi.us> 6/22/2005  
>>> 11:44:46 AM >>>

Hi, Kevin,

We have nothing in our file for this site that is more recent than May 23, 2003 when Jim Kralick FAXed to you at your request a copy of our January 27, 1999 responsible party notification letter addressed to Lawrence Weise. Indications at that time were that MSA was being hired to conduct a site investigation for this property. Are there any activities since then on which to report for this case?

Thanks.

Hank

P Hank Kuehling, P.G.  
Remediation & Redevelopment Hydrogeologist South Central Region  
3911 Fish Hatchery Road  
Wisconsin Department of Natural Resources  
(\* ) phone: (608) 275-3286  
(\* ) fax: (608) 275-3338  
(\* ) e-mail: harlan.kuehling@dnr.state.wi.us

# FAX COVER PAGE

DEPARTMENT OF NATURAL RESOURCES  
N7725 HIGHWAY 28  
HORICON, WI 53032  
TELEPHONE (920) 387-7860  
FAX (920) 387-7888

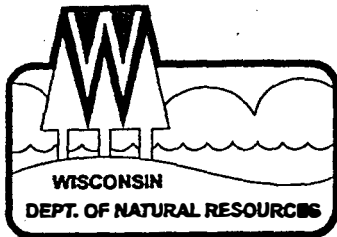
DATE: 5/23/03		
TO: KEVIN OLSON	LOCATION: MSA	FAX #: 608-356-2770
FROM: KRALICK	NO. OF PAGES: (Including Cover Page) 3	
PHONE #: 920-387-7867		

COMMENTS:

KEVIN,

PER OUR PHONE CONVERSATION.

JIM



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor  
George E. Meyer, Secretary  
Ruthe E. Badger, Regional Director

South Central Region Headquarters  
3911 Fish Hatchery Road  
Fitchburg, Wisconsin 53711-5397  
Telephone 608-275-3266  
FAX 608-275-3338  
TDD 608-275-3231

January 27, 1999

File Ref: 03-57-211140

Mr Lawrence Wiese  
E2571A CTH G  
LaValle WI 53941

Subject: Wiese Property, E2571A CTH G, LaValle

Dear Mr. Wiese:

On December 16, 1998, we were contacted regarding the above property. During tank removal activities, contamination was found. As a result of that discovery, an investigation will be necessary.

The spill law authorizes the Department of Natural Resources to enforce cleanup of contaminated sites, under s. 292.11 of the Wisconsin Statutes. As the owner of the property where a hazardous substance discharge has occurred, you are required to determine the horizontal and vertical extent of contamination and clean-up/properly dispose of the contaminants.

Your legal responsibilities are defined both in statute and in administrative rules. The hazardous substance spill law, s. 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 NR 700 through NR 728 establishes requirements for interim actions, public information, site investigation, design and operation of remedial action systems, and case closure. Wisconsin Administrative Code NR 140 establishes groundwater standards.

It is important that an investigation begins at your site as soon as possible. The longer contamination is left in the environment, the farther it can spread and the more difficult and costly it becomes to cleanup. Since this cleanup must comply with Wisconsin laws and rules, professional engineering and hydrogeologic experience is necessary. Therefore, you should hire a professional environmental consultant who can assure you that Department policies and guidelines are being followed.

Your consultant will help you in providing the Department with the following:

- Submit written verification (such as a letter from the consultant) that you have hired an environmental consultant. **Please submit this information within 30 days of the date of this letter.**
- Submit an investigation workplan explaining what work will be



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performed to identify the extent of contamination. This workplan should include a time schedule. Also, please provide documentation of any previous work performed related to this release.

- Submit the investigation report defining the degree and extent of any soil and/or groundwater contamination.
- Provide a remedial action plan outlining the remedy selected.
- Provide a remedial action report with data supporting your consultant's conclusions and recommendations for future work or site closure.

In addition, you will be required to keep the Department informed on site progress by submitting 60 day updates. You will be notified when to provide the status reports at the time you submit your investigation workplan.

There are times when staffing levels do not allow us to keep current with workload demands. However, to maintain your compliance with the spill law and chs. NR 700 through NR 728, investigation and cleanup actions should not be unnecessarily delayed waiting for DNR responses. In the event that you experience delays, please refer to NR 716.09(3) regarding Department review of sites.

Your correspondence and reports regarding this site should be sent to Marilyn Jahnke, Department of Natural Resources, 3911 Fish Hatchery Road, Fitchburg WI 53711. Unless otherwise requested, please send only one copy of all plans and reports. Correspondence should be identified with the site name and address which is listed in the subject of this letter.

I have enclosed a list of environmental consultants and some important tips on selecting one. If you are eligible for Wisconsin's PECFA program (see end of letter), you will need to compare at least three consultant's proposals before making your selection. Also enclosed are materials on controlling costs, understanding the cleanup process, and choosing a site cleanup method. Please read this information carefully.

Reimbursement from the Petroleum Environmental Cleanup Fund (PECFA) is available for the costs of cleaning up the contamination from eligible petroleum storage tanks. The fund is administered by the Department of Commerce. Please contact DCOM at (608) 267-3753 for more information on eligibility and regulations for this program.

If you have any questions about this letter or your responsibilities, please call me at (608) 275-3212.

Sincerely,



Marilyn Jahnke, Program Assistant  
Remediation & Redevelopment  
Telephone: (608) 275-3212  
[jahnkm@dnr.state.wi.us](mailto:jahnkm@dnr.state.wi.us)

cc: Marell Inc, E18763 Hwy 33, Hillsboro WI 54634

performed to identify the extent of contamination. This workplan should include a time schedule. Also, please provide documentation of any previous work performed related to this release.

- Submit the investigation report defining the degree and extent of any soil and/or groundwater contamination.
- Provide a remedial action plan outlining the remedy selected.
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If you have any questions about this letter or your responsibilities, please call me at (608) 275-3212.

Sincerely,



Marilyn Jahnke, Program Assistant  
Remediation & Redevelopment  
Telephone: (608) 275-3212  
[jahnkm@dnr.state.wi.us](mailto:jahnkm@dnr.state.wi.us)

cc: Marell Inc, E18763 Hwy 33, Hillsboro WI 54634

# KAHLER LAW OFFICES

L. William Kahler, Jr.

221 North Park Street  
P.O. Box 89  
Reedsburg, WI 53959-0089

Telephone (608) 524-2969  
Telecopier (608) 524-8895

May 6, 2003

Ms. Cheryl Laatsch  
Department of Natural Resources  
Horicon Service Center  
N7725 STH 28  
Horicon, WI 53032

Re: Wiese Property, 03-57-211140

Dear Ms. Laatsch:

Please accept this letter in response to your recent correspondence to Lawrence Wiese, E2571A CTH G, LaValle, WI 53941. Please be advised that our office is working with Lawrence Wiese with respect to the petroleum contamination of his property. We have contacted MSA Professional Services with respect to the remediation of the property. I will be back in touch with you once my client and I have had a chance to discuss this matter with MSA.

In the meantime, if you need any additional information, please do not hesitate to contact me.

Very truly yours,

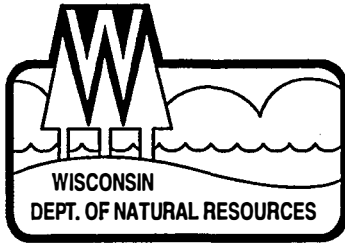
KAHLER LAW OFFICES



L. William Kahler, Jr.

LWK:da

pc: Lawrence Wiese



**State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES**

Jim Doyle, Governor  
Scott Hassett, Secretary  
Ruthe E. Badger, Regional Director

Horicon Service Center  
N7725 STH 28  
Horicon, Wisconsin 53032  
Telephone 920-387-7860  
FAX 920-387-7888

April 30, 2003

Lawrence Wiese  
E2571A CTH G  
LaValle, WI 53941

**SUBJECT:** Notice of Non-compliance – Chapter 292, Wisconsin Statutes  
Wise Property, 03-57-211140

Dear Mr. Wiese:

On January 17, 1999 the Department of Natural Resources (the Department) notified you of your legal responsibility to investigate and cleanup the site listed above. On February 17, 2003 the Department sent you a letter requesting a status update regarding your petroleum contamination.

The Department construes your failure to communicate with the Department and hire an environmental consultant as failure to complete investigation/remediation activities at the Site. Therefore, the Department alleges you are in violation of s. 292.11(3), Wis. Statutes.

Please be advised that violations of s. 292.11(3), Wis. Stats., are enforceable under s. 292.99, Wis. Stats., which provides for forfeitures of not more than \$5,000 for each violation with each day of continuing violation being a separate offense.

The Department is concerned about the extended length of time this issue has remained unresolved. If you fail to respond in writing within 14 days the Department will consider further enforcement action. Please be advised the Department has the ability to record an affidavit on the property deed for the Site, pursuant to s. NR 728.11, Wis. Adm. Code, which gives notice of the contamination. The purpose of the affidavit is to alert potential purchasers that environmental contamination is present at the Site. If the contamination is successfully remediated, the Department will file a second affidavit noting the actions that have been taken to clean up the Site.

If you have any questions concerning this letter, please contact me at (920) 387-7879.

Sincerely,

Cheryl Laatsch  
Hydrogeologist, SCR Remediation & Redevelopment Program



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Scott Hassett, Secretary

Horicon Service Center  
N7725 STH 28  
Horicon, Wisconsin 53032  
Telephone 920-387-7860  
FAX 920-387-7888

April 3, 2003

Mr. Lawrence Wiese  
E2571A CTH G  
LaValle, WI 5341

SUBJECT: **Notice of Non-compliance**, Wiese Property, LaValle  
WDNR BRRTS #03-57-211140

Dear Mr. Wiese:

The Wisconsin Department of Natural Resources sent you a letter dated February 17, 2003, stating that you must update the Department on the status of the above referenced case within 14 days. To date the Department has not received any correspondence from you regarding this case.

Within 14 days of this letter, please provide the Department with a letter detailing the status of this case. Failure to do so will result in further enforcement action.

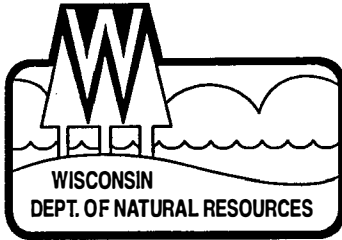
If you do not respond to this letter the Department will issue a notice of violation (NOV). You will be requested to attend an enforcement conference to discuss the status of the above referenced case.

If you have any questions regarding this matter, please contact me at 920-387-7879.

Sincerely,

Cheryl Laatsch  
Bureau for Remediation & Redevelopment





State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Scott Hassett, Secretary  
Ruthe E. Badger, Regional Director

Horicon Service Center  
N7725 STH 28  
Horicon, Wisconsin 53032  
Telephone 920-387-7860  
FAX 920-387-7888

February 17, 2003

Mr. Lawrence Wiese  
E2571A CTH G  
LaValle, Wisconsin 53941

Subject: Site Investigation Wiese Property, LaValle, WI  
BRRTS ID # 03-57-211140

Dear Mr. Wiese:

We have reviewed the file on your petroleum investigation and noted that the information is not current. Your responsibilities under Section 292.11 of the Wisconsin Statutes, commonly referred to as the Spill Law, requires you to determine the extent of contamination, clean up and properly dispose of contaminants until the site is deemed closed by the Department. These activities should occur in a timely manner. It is the responsibility of the Department to ensure that this action occurs.

Within **14 days** of the date of this letter, you are required to submit a status update of site activities including investigative actions taken or other work performed at the site to date. This update should be submitted to me **IN WRITING** at the above address. All correspondence should reference the "Subject" name and file reference number listed above.

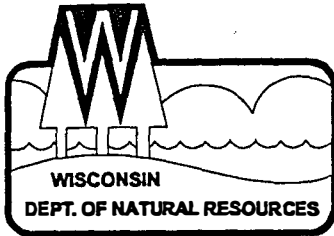
If you do not reply to this letter, we will view that as a negative response and enforcement action will be initiated.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at 920-387-7879, or at the e-mail address below.

Sincerely,

Cheryl Laatsch  
Hydrogeologist, SCR Remediation & Redevelopment Program

Cheryl.laatsch@dnr.state.wi.us  
cc: Horicon - LUST case file



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor  
George E. Meyer, Secretary  
Ruthe E. Badger, Regional Director

South Central Region Headquarters  
3911 Fish Hatchery Road  
Fitchburg, Wisconsin 53711-5397  
Telephone 608-275-3266  
FAX 608-275-3338  
TDD 608-275-3231

January 27, 1999

File Ref: 03-57-211140

Mr Lawrence Wiese  
E2571A CTH G  
LaValle WI 53941

Subject: Wiese Property, E2571A CTH G, LaValle

Dear Mr. Wiese:

On December 16, 1998, we were contacted regarding the above property. During tank removal activities, contamination was found. As a result of that discovery, an investigation will be necessary.

The spill law authorizes the Department of Natural Resources to enforce cleanup of contaminated sites, under s. 292.11 of the Wisconsin Statutes. As the owner of the property where a hazardous substance discharge has occurred, you are required to determine the horizontal and vertical extent of contamination and clean-up/properly dispose of the contaminants.

Your legal responsibilities are defined both in statute and in administrative rules. The hazardous substance spill law, s. 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 NR 700 through NR 728 establishes requirements for interim actions, public information, site investigation, design and operation of remedial action systems, and case closure. Wisconsin Administrative Code NR 140 establishes groundwater standards.

It is important that an investigation begins at your site as soon as possible. The longer contamination is left in the environment, the farther it can spread and the more difficult and costly it becomes to cleanup. Since this cleanup must comply with Wisconsin laws and rules, professional engineering and hydrogeologic experience is necessary. Therefore, you should hire a professional environmental consultant who can assure you that Department policies and guidelines are being followed.

Your consultant will help you in providing the Department with the following:

- Submit written verification (such as a letter from the consultant) that you have hired an environmental consultant. **Please submit this information within 30 days of the date of this letter.**
- Submit an investigation workplan explaining what work will be

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performed to identify the extent of contamination. This workplan should include a time schedule. Also, please provide documentation of any previous work performed related to this release.

- Submit the investigation report defining the degree and extent of any soil and/or groundwater contamination.
- Provide a remedial action plan outlining the remedy selected.
- Provide a remedial action report with data supporting your consultant's conclusions and recommendations for future work or site closure.

In addition, you will be required to keep the Department informed on site progress by submitting 60 day updates. You will be notified when to provide the status reports at the time you submit your investigation workplan.

There are times when staffing levels do not allow us to keep current with workload demands. However, to maintain your compliance with the spill law and chs. NR 700 through NR 728, investigation and cleanup actions should not be unnecessarily delayed waiting for DNR responses. In the event that you experience delays, please refer to NR 716.09(3) regarding Department review of sites.

Your correspondence and reports regarding this site should be sent to Marilyn Jahnke, Department of Natural Resources, 3911 Fish Hatchery Road, Fitchburg WI 53711. Unless otherwise requested, please send only one copy of all plans and reports. Correspondence should be identified with the site name and address which is listed in the subject of this letter.

I have enclosed a list of environmental consultants and some important tips on selecting one. If you are eligible for Wisconsin's PECFA program (see end of letter), you will need to compare at least three consultant's proposals before making your selection. Also enclosed are materials on controlling costs, understanding the cleanup process, and choosing a site cleanup method. Please read this information carefully.

Reimbursement from the Petroleum Environmental Cleanup Fund (PECFA) is available for the costs of cleaning up the contamination from eligible petroleum storage tanks. The fund is administered by the Department of Commerce. Please contact DCOM at (608) 267-3753 for more information on eligibility and regulations for this program.

If you have any questions about this letter or your responsibilities, please call me at (608) 275-3212.

Sincerely,



Marilyn Jahnke, Program Assistant  
Remediation & Redevelopment  
Telephone: (608) 275-3212  
[jahnkm@dnr.state.wi.us](mailto:jahnkm@dnr.state.wi.us)

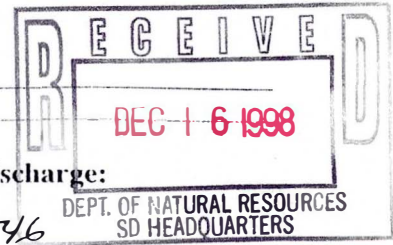
cc: Marell Inc, E18763 Hwy 33, Hillsboro WI 54634

WISCONSIN DEPARTMENT OF NATURAL RESOURCES

Notification of Petroleum Contamination from Underground/Aboveground Storage Tank Systems

Please complete this form and FAX it to the appropriate WDNR contact person (see list on second page) immediately upon discovery of a release from an UST/AST system.

To: WDNR, Attn: Marilyn Jahnke  
FAX #: \_\_\_\_\_



1. Name, company, mailing address and phone number of person reporting the discharge:

Marell Inc  
E18763 Hwy 33  
Hillsboro, WI 54634  
608-489-2546  
Tanya Herbeck

2. Site Information:

Name of site at which discharge occurred (local name of site/business--not responsible party name, unless a residence):

Lawrence Wiese

Location (actual street address, not P.O. Box; if no street address, describe as precisely as possible, i.e., 1/4 mile NW of CTHs 60 & 123 on E side of CTH 60):

E2571A Co Hwy A

Municipality (city, village, township in which the site is located--not mailing address):

Twp of LaValle

County:

Sauk

Legal Description: SW 1/4, SW 1/4, Section 31, Tn 13N, Range 3 E/W

3. Responsible Party (RP) and/or RP Representative Information:

RP/Company Name: Lawrence Wiese

Contact Person (if different):

Mailing Address (include zip code): E2571A Co Hwy G

Telephone Number: LaValle WI 53941

608-985-7529

4. Identity, physical state and quantity of the hazardous substance discharged (check all that apply):

- Unleaded gasoline
- Leaded gasoline
- Diesel
- Fuel oil
- Waste oil
- Other \_\_\_\_\_

5. Impacts to the environment (enter "K" for known or "P" for potential for all that apply):

- |  |  |
|--|--|
| <input type="checkbox"/> Fire/explosion threat                         | <input checked="" type="checkbox"/> Soil contamination |
| <input type="checkbox"/> Contaminated private wells (# of wells) _____ | <input type="checkbox"/> Surface water impacts         |
| <input type="checkbox"/> Contaminated public wells                     | <input type="checkbox"/> Floating product              |
| <input type="checkbox"/> Groundwater contamination                     | <input type="checkbox"/> Other _____                   |

6. Contamination was discovered as a result of:

- Tank closure assessment     Site assessment     Other \_\_\_\_\_

On what date: 11-24-98

Additional Comments:

**FAX Numbers for Reporting Leaking Tank Sites in DNR's Five Regions:**

**Northeast Region: 920-492-5859**

Attention: Janis DeBrock (underground tanks)  
Attention: Roxanne Chronert (aboveground tanks)

Brown, Calumet, Door, Fond du Lac (*except City of Waupun--see South Central Region*), Green Lake, Kewaunee, Manitowoc, Marinette, Marquette, Menomonee, Oconto, Outagamie, Shawano, Waupaca, Waushara, Winnebago Counties

**Northern Region: 715-365-8932**

Attention: Janet Kazda

Ashland, Barron, Bayfield, Burnett, Douglas, Florence, Forest, Iron, Langlade, Lincoln, Polk, Price, Oneida, Rusk, Sawyer, Taylor, Vilas, Washburn Counties

**South Central Region: 608-275-3338**

Attention: Marilyn Jahnke

Columbia, Crawford, Dane, Dodge, Fond du Lac (*City of Waupun only*), Grant, Green, Iowa, Jefferson, Lafayette, Richland, Rock, Sauk Counties

**Southeast Region: 414-229-0810**

Attention: Mike Farley

Kenosha, Milwaukee, Ozaukee, Racine, Sheboygan, Walworth, Washington, Waukesha Counties

**West Central Region: 715-839-6076**

Attention: John Grump

Adams, Buffalo, Chippewa, Clark, Dunn, Eau Claire, Jackson, Juneau, La Crosse, Marathon, Monroe, Pepin, Pierce, Portage, St. Croix, Trempealeau, Vernon, Wood Counties



**Commonwealth  
Technology, Inc.**

Laboratory Division

*Accredited Lab Data for Today's Environment*

**ANALYTICAL REPORT**

MARREL INC  
TANYA HERBECK  
E18763 HWY 33  
HILLSBORO, WI 54634

Note: None

Project Name: **LAWRENCE WIESE**

Project Number:

1230 Lange Court  
Baraboo, WI 53913-3901  
Phone: 800-228-3012  
Fax: 608-356-2766  
email: [fyi@ctienv.com](mailto:fyi@ctienv.com) Page: 1

Customer #: LM4000000038  
Work Order: 9811000742  
Report Date: 12/04/98  
Date Received: 11/25/98  
Arrival Temperature: On Ice

Report Submitted By: *RHC*  
Record Reviewer

Sample I.D. #: 221506    Sample Description: 1 (15" UNDER TANK NORTH END)    Date Sampled: 11/24/98

Analyte	Result	Units	Qualifier	LOD	LOQ	Date		Analyst	Method
						Extracted	Analyzed		
Total Percent Solids	84.6	%					11/30/98	ECO	EPA 5030
Gasoline Range Organics	6300	mg/kg	KL	1.3	4.5	11/30/98	12/01/98	RDW	WDNR GRO

WI DNR Lab Certification Number: 157066030 DATCP Certification Number: 000289

Lexington, Kentucky    •    Louisville, Kentucky    •    Baraboo, Wisconsin

Printed on recycled paper



# Commonwealth Technology, Inc.

Laboratory Division

## Data Qualifiers

1230 Lange Court  
Baraboo, WI 53913-3901  
Phone: 800-228-3012  
Fax: 608-356-2766  
email: fyi@ctienv.com

Accredited Lab Data for Today's Environment

- A Sample analyzed with a dilution. Surrogates were diluted outside the calibration range.  
Applies to all analytes for this method.
- B Analyte detected in associated Method Blank.
- C Sample result confirmed by alternate analysis.
- D Results reported from higher dilution.
- E Analyte concentration exceeded calibration range.
- F Unable to analyze due to sample matrix interference. Applies to all analytes for this method.
- G Insufficient sample for analysis. Applies to all analytes for this method.
- H Sample was received past the established holding time. Applies to all analytes for this method.
- I Sample was analyzed past the established holding time. Applies to all analytes for this method.
- J Reported concentration below the Quantitation Limit.
- K Sample contained lighter hydrocarbon fractions.
- L Sample contained heavier hydrocarbon fractions.
- M Matrix Spike and/or Matrix Spike Duplicate outside acceptance limits.
- O Hydrocarbons atypical of gasoline.
- P Hydrocarbons atypical of diesel #2 fuel.
- Q Laboratory Control Sample outside acceptance limits.
- S Surrogate outside acceptance limits. Applies to all analytes for this method.
- T Sample received exceeding proper preservation criteria. Applies to all analytes for this method.
- V Raised Quantitation Limit due to dilution for background interference. Applies to all analytes for this method.
- W Raised Quantitation Limit due to limited sample volume. Applies to all analytes for this method.
- Y Replicate outside acceptance limits.
- Z Calibration criteria exceeded.
- 
- 1 Safe, No Total Coliform detected.
- 2 Unsafe, Total Coliform detected, no E. coli detected.
- 3 Unsafe, Total Coliform detected, E. coli detected.
- 4 Sample weight was below program minimum. Applies to all analytes for this method.
- 5 Insufficient oxygen depletion.
- 6 Complete oxygen depletion.
- 7 Sliding BOD, toxicity present in sample.

CTI Wisconsin Division Laboratory Certification #'s:

IA DNR: 146

KY Dept. of Environmental Protection: 90110

WI DNR: 157066030

DATCP: 289

H:\MSWORD\DATQUAL.DOC

# Commonwealth Technology, Inc.



Formerly the Laboratory Division of Mid-State Associates, Inc.

742  
1-800-228-3072  
1230 Lange Court  
Baraboo, WI 53913  
(608) 356-2760  
FAX: (608) 356-2766

Is this a PECFA project? (Please indicate "Yes" or "No") \_\_\_\_\_

SAMPLE COLLECTOR: Tanya COMPANY: Marell Inc TELEPHONE # (include area code): 608-489-2346

PROJECT NUMBER: Lawrence Wiese PROJECT NAME: Lawrence Wiese Cavallo

I HEREBY CERTIFY THAT I RECEIVED, PROPERLY HANDLED, AND DISPOSED OF THESE SAMPLES AS NOTED BELOW:

INVOICE ADDRESS (must be completed): E18763 Hwy 33 Hillsboro Wi REPORT ADDRESS (must be completed): E18763 Hwy 33 Hillsboro Wi 54634

DATE & TIME OF RELINQUISHMENT: 11/25/98 8:27 RELINQUISHED BY (signature): Tanya Wiese RECEIVED BY (signature): \_\_\_\_\_ DATE / TIME OF RECEPTION: \_\_\_\_\_

DATE & TIME OF RELINQUISHMENT: \_\_\_\_\_ RELINQUISHED BY (signature): \_\_\_\_\_ RECEIVED BY LABORATORY (signature): [Signature] DATE / TIME OF RECEPTION: 11-25-98

FIELD ID NUMBER	DATE COLLECTED	TIME COLLECTED	SAMPLE		PRESERV. TYPE	LOCATION / DESCRIPTION	TYPE OF ANALYSES REQUIRED (please circle)	LAB USE ONLY PROF. W. MATH? * IF YES	NO. / TYPE OF CONTAINERS	LAB I.D.
			TYPE	DEVICE						
1	11/24	8:10	Soil		Meth	15" under Tank North End	DRG (3PC) DRG/PVCC PVCC Pb Cd Ni SOLIDS FLASH-POINT VOC-LUST VOC-8021 SIEVE #200 SIEVE PAINT FILTER PAH Other (please list):			221 506
							DRG (3PC) DRG/PVCC PVCC Pb Cd Ni SOLIDS FLASH-POINT VOC-LUST VOC-8021 SIEVE #200 SIEVE PAINT FILTER PAH Other (please list):			
							DRG (3PC) DRG/PVCC PVCC Pb Cd Ni SOLIDS FLASH-POINT VOC-LUST VOC-8021 SIEVE #200 SIEVE PAINT FILTER PAH Other (please list):			
							DRG (3PC) DRG/PVCC PVCC Pb Cd Ni SOLIDS FLASH-POINT VOC-LUST VOC-8021 SIEVE #200 SIEVE PAINT FILTER PAH Other (please list):			
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							DRG (3PC) DRG/PVCC PVCC Pb Cd Ni SOLIDS FLASH-POINT VOC-LUST VOC-8021 SIEVE #200 SIEVE PAINT FILTER PAH Other (please list):			

SAMPLE CONDITIONS / COMMENTS: \_\_\_\_\_ CHECKED: \_\_\_\_\_ ARRIVAL TEMPERATURE: \_\_\_\_\_