



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

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

February 17, 2006

FILE COPY

MR TRENT SPRAGUE
2116 16 1/2 ST
RICE LAKE WI 54868

Subject: Petroleum Contamination at the Moose Junction Lounge, 13195 S. State Highway 35,
Dairyland, Wisconsin (BRRTS #03-16-000301)

Dear Mr. Sprague:

The Department of Natural Resources' Remediation and Redevelopment program recently reviewed the case file for the above named site and determined that the information is not current. The Department was notified on December 14, 1990 of petroleum contamination encountered at this site during an environmental site assessment conducted for the Department of Transportation. Between 1990 and 1996, investigative and remedial actions were conducted at the site by the previous property owners, but the cleanup actions were incomplete and the case remains open.

The Department has subsequently learned that you are the current owner of this property. As such, we believe that you are also responsible under the hazardous substances spill law to investigate and remediate the contamination at this site. Your legal responsibilities are defined both in statute and in administrative codes. The hazardous substances spill law, Section 292.11 (3) Wisconsin Statutes, states:

- **RESPONSIBILITY.** A person who possesses or controls a hazardous substance which is discharged or who causes the discharge of a hazardous substance shall take the actions necessary to restore the environment to the extent practicable and minimize the harmful effects from the discharge to the air, lands, or waters of the state.

Wisconsin Administrative Code chapters NR 700 through NR 749 establish requirements for emergency and interim actions, public information, site investigations, design and operation of remedial action systems, and case closure. Chapter NR 708 includes provisions for immediate actions in response to limited contamination. Wisconsin Administrative Code chapter NR 140 establishes groundwater standards for contaminants that reach groundwater.

The most recent information in the Department's case file are results of soil and groundwater samples collected by Northern Environmental on November 17, 2003. These results indicate that significant petroleum contamination remains in the groundwater at this site. I explained to you during a telephone conversation on January 27, 2004 that additional groundwater sampling is needed at this site before you can demonstrate that contaminant concentrations are stable or decreasing and the site can be considered for closure. However, the Department has not received any information on the progress of investigative or remedial actions here since Northern Environmental submitted the November 2003 sample results.

Mr. Trent Sprague – February 17, 2006
Page 2

Therefore, the Department is requesting that within the next **30 days**, by March 20, 2006, you provide a summary of investigative and cleanup work that has been performed on this site since the November 2003 samples were collected. You should also provide a schedule for conducting the groundwater monitoring needed here to bring this case to closure. This summary should be submitted in writing to me at the above address.

Reimbursement from the Petroleum Environmental Cleanup Fund (PECFA) should be available for some of the costs of cleaning up contamination at this site. Please refer to the enclosed information sheet entitled "*Information About PECFA*" for more information on eligibility and regulations for this program. For more information on the PECFA program, please call the Department of Commerce at 608-266-2424 or visit their web site at: <http://www.commerce.state.wi.us/COM/Com-Petroleum.html>.

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

Sincerely,



Christopher A. Saari
Hydrogeologist

encl.

cc: Barb Richter – Northern Environmental
Will Myers – Department of Commerce