



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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BRRTS# 02-67-220908
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City Administrator
City of Hartford
109 N. Main Street
Hartford, WI 53027

SUBJECT: Reported Contamination at 28 S. Main Street, Hartford

On November 11, 1998, Montgomery Watson notified the Department of Natural Resources that contamination had been detected in the soil and groundwater at a site located at 23 S Main Street in Hartford. A recent review of the file has determined that contamination was also located in the right of way adjacent to 28 S. Main Street.

Based on the information submitted to the Wisconsin Department of Natural Resources (WDNR), we believe you are responsible for restoring the environment at the referenced site under Section 292, Wisconsin Stats., known as the hazardous substances spills law. Utilizing information submitted to the Department, this case has been assigned an unknown ranking due to the lack of information concerning soil and groundwater contamination.

Due to the WDNR workload, it is necessary to rank all contamination cases for review priority. Lower priority cases do not have assigned project managers, however, responsible parties are required to proceed with investigation and clean-up efforts. Until a priority has been assigned to this site, you should proceed with the required response work, submitting all plans and reports, along with status reports, to this office. The WDNR will notify you if your site will receive active oversight.

Your responsibilities include investigating the extent of the contamination and then selecting and implementing the most appropriate remedial action. Enclosed is information to help you understand what you need to do to ensure your compliance with the spills law.

The purpose of this letter is to describe your legal responsibilities, to explain what you need to do to investigate and clean up the contamination, and to provide you with information about cleanups, environmental consultants, possible financial assistance, and working cooperatively with the Department of Natural Resources.

Legal Responsibilities:

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 Codes chapters NR 700 through NR 728 establish requirements for emergency and interim actions, public information, site investigations, design and operation of remedial action systems, and case closure. Chapter NR 708 includes provisions for immediate actions in response to limited contamination. Wisconsin Administrative Code chapter NR 140 establishes groundwater standards for contaminants that reach groundwater.

Steps to Take:

The longer contamination is left in the environment the farther it can spread and the more it may cost to clean up. Quick action may lessen damage to your property and neighboring properties and reduce your costs in investigating and cleaning up the contamination. To ensure that your cleanup complies with Wisconsin's laws and administrative codes, you should hire a professional environmental consultant who understands what needs to be done. These are the first four steps to take:

1. By July 2, 1999, please submit written verification (such as a letter from the consultant) that you have hired an environmental consultant. You will need to work quickly to meet this timeline.
2. By August 13, 1999, your consultant must submit a workplan and schedule for the investigation. The consultant must follow the DNR administrative codes and technical guidance documents. Please include with your workplan a copy of any previous information that has been completed (such as an underground tank removal report or a preliminary excavation report).
3. Please inform DNR of what is being done at your site. Submittal requirement timelines depend on the contaminants at the site. As described in s. NR 700.11, 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", the site investigation report and a draft remedial options report must be submitted to DNR within 30 days of completion of both reports. Your consultant must clearly document the extent and degree of soil and groundwater contamination and submit a proposal for cleaning it up.
4. For complex sites, per s. NR 724.13(3), you or your consultant must provide a brief report at least every 90 days, starting after the remediation system begins operation. The reports should summarize the work completed since the last report. Quarterly reports need only include one or two pages of text, plus any relevant maps and tables. However, should conditions at your site warrant, we may require more frequent contacts with the Department.

Due to the number of contaminated sites and our staffing levels in DNR's Southeast Region, we will be unable to provide workplan approvals for investigations or remedial actions. To maintain your compliance with the spills law and chs. NR 700 through NR 728, do not delay the investigation and cleanup of your site by waiting for DNR 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.

Your correspondence and reports regarding this site should be sent to:

Program Assistant
Remediation and Redevelopment Program
Wisconsin Department of Natural Resources
Box 12436
Milwaukee WI 53212

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

Thank you for your cooperation.

Sincerely,



Pat Chung
Program Specialist
414-263-8688

c: file