



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny, Secretary

Southern District Headquarters
3911 Fish Hatchery Road
Fitchburg, WI 53711
TELEFAX NO. 608-275-3338

October 30, 1990

File Ref: 4440
(UST - Richland County)

Mr. Thaddeus McGlynn
RFD 3
Richland Center, WI 53581

Subject: McGlynn Property Subsurface Contamination

Dear Mr. McGlynn:

On October 24, 1990, the Department received a Site Assessment report for the above named site. The report was prepared by Aqua-Tech, Inc. for the Department of Transportation. Soil and groundwater contamination exist at the site at levels which exceed the 10 parts per million (ppm) guideline for total petroleum hydrocarbons (TPH) for soil and the health advisory standards for groundwater. Further investigation is needed at the site to determine the extent of contamination. Existing tanks should be excavated properly.

Section 144.76 of the Wisconsin Statutes requires that, "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 this state." The Statute also authorizes the Department of Natural Resources to enforce clean-up requirements.

Releases from underground storage tanks regulated under Subtitle I of the Resource Conservation and Recovery Act require compliance with the provisions of 40 CFR Parts 280 and 281. This is federal law administered by the Environmental Protection Agency (EPA). EPA has the authority to take enforcement action at any time, but will generally not take action against parties cooperating with the state.

The fire department must be notified immediately of any possible explosive vapors in buildings or utilities resulting from the release. Known or potential impacts to drinking water supplies must be identified.

Because you are the owner of the property where a hazardous substance has been discharged, you are responsible for:

1. Determining the horizontal and vertical extent of contamination.
2. Cleaning up the contamination.
3. Proper disposal of all petroleum contaminants.

The Department of Industry, Labor and Human Relations (DILHR) administers a cost-sharing program (PECFA) which covers many releases from underground tank systems. More information on this program may be obtained by calling (608) 267-4545 or 267-7538.

Remediation of petroleum contamination requires professional engineering and hydrogeologic experience. Within 30 days, your consultant must submit a proposal to investigate the full extent of contamination.

Due to the number of petroleum releases which have been reported, the Department may be unable to provide timely review of your consultant's proposal. Nonetheless, you must proceed to determine the extent of soil and groundwater contamination, and to remediate the site in accordance with state groundwater standards as specified in ch. NR 140, Wisconsin Administrative Code.

Enclosed is the following information to assist you:

- Petroleum Environmental Clean-up Fund Program (PECFA).
- Environmental Consultant's Listing.
- Application to Treat or Dispose of Petroleum Contaminated Soil.

If you have any LUST questions or would like any of the information on the enclosed "LUST Technical Fact Sheet," please call me at the number shown below.

Sincerely,

Wendell J. Wojner

Wendell J. Wojner
LUST Coordinator
Telephone: (608) 275-3297

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Enc.

cc: Mr. Bill Morrissey, DILHR, Bureau of Petroleum Inspection, Room 103,
201 East Washington Avenue, P.O. Box 7969, Madison, WI 53707
Mr. Kevin Gehrman, Risk and Safety Management Section, DOT, Room 103,
201 East Washington Avenue, P. O. Box 7969, Madison, WI 53707
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