



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Southern District Headquarters
3911 Fish Hatchery Road
Fitchburg, Wisconsin 53711
TELEPHONE 608-275-3266
TELEFAX 608-275-3338

George E. Meyer
Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

August 22, 1994

FILE REF: 613
UST - Richland County

Mr Jack Mausser
Box 241
Richland Center WI 53581

*DNR front
desk signed
for this RP
not rec'd*

Subject: NOTICE OF VIOLATION
Former McGlynn Property, Hwy 80, Hub City

Dear Mr. Mausser:

On September 17, 1993, we notified you of your spill law responsibilities for the above site. When we did not receive a response to that letter, we sent a Notice of Noncompliance on November 12, 1993 giving you an additional ten days to comply. Because we have not heard from you, we can only assume that you are not taking the actions necessary to address the contamination at this site.

Within the next fourteen (14) days of the date of this letter, you must notify me in writing of the name of the qualified environmental consultant hired to conduct the investigation. Within thirty (30) days of the date of this letter, the consultant must commence investigative work at the site. Within one hundred twenty (120) days of the date of this letter, the investigation report must be completed and submitted to me.

If you fail to comply with this letter, we will request that the District Environmental Enforcement Specialist take immediate enforcement action. Enforcement action may include an Administrative Order or a request for prosecution under Section 144.76 of the Wisconsin Statutes.

Because you are the owner of the property where a hazardous substance has been discharged, you are responsible for determining the extent of contamination, and cleaning up and properly disposing of the contaminants.

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

Mr Jack Mausser - August 22, 1994

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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.

Please feel free to contact me at (608) 275-3297.

Sincerely,



Wendell J. Wojner
LUST Coordinator

WJW:mjj

cc: Bob Swartz, WDOT, District Five, 3550 Mormon Coulee Rd,
LaCrosse WI 54602
Pat McCutcheon, SD
Tim Coughlin, SD