




MARINETTE COUNTY HIGHWAY DEPARTMENT

501 Pine Street, Peshtigo WI 54157
Eric J. Burmeister – Highway Commissioner

January 30, 2020

To: Ron Anderson, METCO; Thomas Verstegen, Wisconsin DNR

From: Eric Burmeister, Highway Commissioner 

RE: Notification of Continuing Obligations and Residual Contamination

Mr. Anderson:

I received a Notice of Continuing Obligations and Residual Contamination form from Ron Anderson, METCO on 01-16-2020. The form indicates that property in my charge specifically Right of Way (ROW) property located along County Trunk Highway P in the Town of Beaver contains contamination discovered during an environmental investigation.

In reviewing the document it appears that an environmental clean-up was performed at the W8317 CTH P address but not within the County Trunk Highway P ROW. Contamination was found in ROW and it is not clear if any attempt was made to remove the contamination.

The Marinette County Highway Department is opposed to the closure of this complaint and is not willing to become a responsible party for continuing obligations as the result contamination by another party. The Marinette County Highway Department is willing to give the responsible party and their environmental company access to the County Trunk Highway ROW to remove contamination and return the ROW to acceptable County Trunk Highway standards.

Notification of Continuing Obligations and Residual Contamination

Form 4400-286 (9/15)

C. I. Page

The affected property is:

- the source property (the source of the hazardous substance discharge), but the property is not owned by the person who conducted the cleanup (a deeded property)
- a deeded property affected by contamination from the source property
- a right-of-way (ROW)
- a Department of Transportation (DOT) ROW

Include this completed page as an attachment with all notifications provided under sections A and B.

Contact Information

Responsible Party: The person responsible for sending this form, and for conducting the environmental investigation and cleanup is:

Responsible Party Name Dennis Kopatz c/o Craig Kopatz

Contact Person Last Name Kopatz	First Craig	MI	Phone Number (include area code) (920) 819-6750
Address N4510 Schacht Road	City Marinette	State WI	ZIP Code 54143
E-mail <u>kopatzc@yahoo.com</u>			

Name of Party Receiving Notification:

Business Name, if applicable: Marinette County - Highway Commissioner

Title Mr.	Last Name Burmeister	First Eric	MI	Phone Number (include area code) (715) 582-3771
Address 501 Pine Street	City Peshtigo	State WI	ZIP Code 54157	

Site Name and Source Property Information:

Site (Activity) Name Kopatz/Cronce Property

Address W8317 County Highway P	City Beaver	State WI	ZIP Code 54114
DNR ID # (BRRTS#) 03-38-231379	(DATCP) ID #		

Contacts for Questions:

If you have any questions regarding the cleanup or about this notification, please contact the Responsible Party identified above, or contact:

Environmental Consultant: METCO

Contact Person Last Name Anderson	First Ron	MI	Phone Number (include area code) (608) 781-8879
Address 709 Gillette St., Ste #3	City La Crosse	State WI	ZIP Code 54603
E-mail <u>rona@metcohq.com</u>			

Department Contact:

To review the Department's case file, or for questions on cleanups or closure requirements, contact:

Department of: Natural Resources (DNR)

Address 625 E County Rd Y STE 700	City Oshkosh	State WI	ZIP Code 54901
Contact Person Last Name Verstegen	First Tom	MI	Phone Number (include area code) (920) 424-0025
E-mail (Firstname.Lastname@wisconsin.gov) <u>Thomas.Verstegen@wisconsin.gov</u>			

**Notification of Continuing Obligations
and Residual Contamination**

Form 4400-286 (9/15)

Section B: ROW Notification: Residual Contamination and/or Continuing Obligations - Non-DOT ROWs

KEEP THIS DOCUMENT WITH YOUR PROPERTY RECORDS

501 Pine Street
Peshtigo, WI, 54157

Dear Mr. Burmeister:

I am providing this notification to inform you of the location and extent of contamination remaining in a right-of-way for which you are responsible, and of certain long-term responsibilities (continuing obligations) for which town of Beaver may become responsible. I investigated a release of:

Petroleum

on W8317 County Highway P, Beaver, WI, 54114 that has shown that contamination has migrated into the right-of-way for which county of Marinette is responsible.

I have responded to the release, and will be requesting that the Department of Natural Resources (DNR) grant case closure. Closure means that the DNR will not be requiring any further investigation or cleanup action to be taken. However, continuing obligations may be imposed as a condition of closure approval.

You have 30 days to comment on the proposed closure request:

The DNR will not review my closure request for at least 30 days after the date of this letter. As an affected right-of-way holder, you have a right to contact the DNR to provide any technical information that you may have that indicates that closure should not be granted for this site. If you would like to submit any information to the DNR that is relevant to this closure request, you should mail that information to the DNR contact: 625 E County Rd Y STE 700, Oshkosh, WI, 54901, or at Thomas.Verstegen@wisconsin.gov.

Residual Contamination:

Groundwater Contamination:

Groundwater contamination originated at the property located at: W8317 County Highway P, Beaver, WI, 54114.

The levels of Benzene, Naphthalene, and Trimethylbenzenes.

contamination in the groundwater on your property are above the state groundwater enforcement standards found in ch. NR 140, Wis. Adm. Code.

Soil Contamination:

Soil contamination remains at:

To the north of the building at W8317 County Highway P extending into the right-of-way of County Highway P.

The remaining contaminants include :

Benzene, Naphthalene, and Trimethylbenzenes.

at levels which exceed the soil standards found in ch. NR 720, Wis. Adm. Code. The following steps have been taken to address any exposure to the remaining soil contamination.

Excavation of 1,192.36 tons of petroleum contaminated soil and groundwater monitoring.

If residual soil or groundwater contamination is likely to affect water collected in a pit/trench that requires dewatering, a general permit for Discharge of Contaminated Groundwater from Remedial Action Operations may be needed. If you or any other person plan to conduct utility or building construction for which dewatering will be necessary, you or that person must contact the DNR's Water Quality Program, and if necessary, apply for the necessary discharge permit. Additional information regarding discharge permits is available at <http://dnr.wi.gov/topic/wastewater/GeneralPermits.html>.

Continuing Obligations on the Right-of-Way (ROW) : As part of the response actions, I am proposing that the following continuing obligations be used at the affected ROW. If my closure request is approved, you will be responsible for the following continuing obligations:

Residual Soil Contamination:

If soil is excavated from the areas with residual contamination, the right-of-way holder at the time of excavation will be responsible for the following:

- determine if contamination is present,
- determine whether the material would be considered solid or hazardous waste,
- ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules.
Contaminated soil may be managed in-place, in accordance with s. NR 718, Wis. Adm. Code, with prior Department approval.

The right-of-way holder needs to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken during excavation activities to prevent a health threat to humans from ingestion, inhalation or dermal contact.

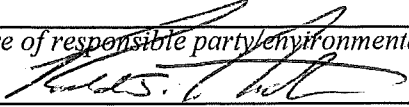
Depending on site-specific conditions, construction over contaminated soils or groundwater may result in vapor migration of contaminants into enclosed structures or migration along newly placed underground utility lines. The potential for vapor inhalation and means of mitigation should be evaluated when planning any future redevelopment, and measures should be taken to ensure the continued protection of public health, safety, welfare and the environment at the site.

GIS Registry and Well Construction Requirements:

If this site is closed, all properties within the site boundaries where contamination remains, or where a continuing obligation is applied, will be listed on the Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web, at <http://dnr.wi.gov/topic/Brownfields/clean.html>. Inclusion on this database provides public notice of remaining contamination and of any continuing obligations. Documents can be viewed on this database, and include final closure letters, site maps and any applicable maintenance plans. The location of the site may also be viewed on the Remediation and Redevelopment Sites Map (RR Sites Map), on the "GIS Registry" layer, at the same internet address listed above.

DNR approval prior to well construction or reconstruction is required for all sites included in the GIS Registry, in accordance with s. NR 812.09 (4) (w), Wis. Adm. Code. This requirement applies to private drinking water wells and high capacity wells. Special well construction standards may be necessary to protect the well from the remaining contamination. Well drillers need to first obtain approval from a regional water supply specialist in DNR's Drinking Water and Groundwater Program. The well construction application, form 3300-254, is on the internet at <http://dnr.wi.gov/topic/wells/documents/3300254.pdf>.

If you have any questions regarding this notification, I can be reached at: (608) 781-8879
rona@metcohq.com

<i>Signature of responsible party/environmental consultant for the responsible party</i> 	Date Signed 1/10/20
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Attachments

Contact Information

Legal Description for each Parcel: