FILE

State of Wisconsin\ DEPARTMENT OF NATURAL RESOURCES

Lake Michigan District Headquarters
1125 N. Military Avenue
P.O. Box 10448
Green Bay, WI 54307-0448
TELEPHONE # (414)492-5916
TELEFAX # (414)492-5859

May 27, 1993

Mr. Frank Stoller
Stoller Construction Company, Inc.
1401 Perry Street
Algoma, WI 54201

Subject: Case Closure - Stoller Construction Co., Inc., 1401 Perry St., Algoma, DNR LUST Case #31-844

Dear Mr. Stoller:

The Department of Natural Resources has reviewed the above underground tank investigation case. Based on available information, the DNR is not requiring any further investigation or clean-up at the site at this time.

Please note that this letter does not absolve current or future owners of this property from liability in the event that impacts are discovered in the future or traced back to activities at this site.

The DNR appreciates the cooperation you have shown in this matter. If you have any questions or comments, please call me in Green Bay at (414) 492-5862.

Sincerely,

Matt Hostak

Matt Hostak
Hydrogeologist

cc: Carl Frisque - DILHR, 2331 San Luis Place, Green Bay, 54304
Jeff LaViolette - Robert E. Lee & Associates. P.O. Box 2100, Green Bay, 54306-2100
Day File

WDNR CASE# 31-844

CASE SUMMARY AND CLOSEOUT

PRELIMINARY REVIEW:
HOSTAK MH

REMEDIAL ACTION COMPLETED
CASE CLOSEOUT
DATE: 5-19-93
ROUTE TO:
☑ URBEN
☑ BARNUM
☑ STOLL R.C.

PROJECT MANAGER: UNASSIGNED - NASS

FIRM OR AGENCY: WDNR

DATE: 5-19-93

NAME OF SITE: ~~FRANK~~ STOLLER CONSTRUCTION

LOCATION: ALGOMA COUNTY: KEWAUNEE

TYPE OF DISCHARGE: LUST X Spill ____ Other ____ Unknown ____

CONTAMINATION TYPE: B-TEX ____ Compounds DIESEL

CONTAMINATION PRESENT IN: Soils X Groundwater ____ Other ____

DEGREE OF CONTAMINATION:

SOIL:

Extent Defined: Yes ____ No ____ N/A X

Lab Analysis X Field Analysis ____ No Data ____

Methodology and/or Detection Devices TPH AS DIESEL

Number of Sample Points 2

Contaminant (TPH)	Premediation Concentration Date 12-90	Date	Post-Remediation Concentration Date	Date	Applicable Standards
S-1	ND		NA		
S-2	0.7 ppm		NA		

Remedial Action Taken: NONE TAKEN. LESS THAN 1 ppm DETECTED.

Justifications for Closure: 1) LESS THAN 1 ppm ~~BB~~ TPH DETECTED.
2) ____
3) ____
4) ____

Remedial Action Completed: Yes ____ No NA

This recommendation for case closure is based on all the available data as of this date ____ and submitted by Matt Hostak (Name) of 5-18-93 WDNR. (Firm or Agency)

GROUNDWATER:

Groundwater Encountered: Yes_____ No_____

Depth to Groundwater: _____

Groundwater Impacted: Yes_____ No_____

Extent Defined: Yes _____ No _____ N/A _____

Lab Analysis _____ Field Analysis _____ No Data _____

Methodology and/or detection devices_____

Groundwater Monitoring:

Excavation Water	_____	None _____
Number of Sumps	_____	None _____
Number Temporary Wells	_____	None _____
Number Permanent Wells	_____	None _____
Number Water Supply Wells	_____	None _____

Number of Sample Rounds _____

NA

Contaminant	Premediation Concentration Date	Date	Post-Remediation Concentration Date	Date	Applicable Standard(s)

Remedial Action Taken: _____

Justifications for Closure: 1)_____
2)_____
3)_____
4)_____

Remedial Action Completed: Yes _____ No _____
Has this site been remediated to current standards? Yes_____ No _____

This recommendation for case closure is based on all the available data as of this date_____and submitted by

_____of_____.
(Name) (Firm or Agency)

SUMMARY OF CASE: DIESEL TANK PULLED 12-90. TANK PULL POORLY DOCUMENTED, PARTIES INVOLVED APPEARED MISINFORME ABOUT DILHR/DNR RULES. NONETHELESS NO SIGNIFICANT C'N DETECTED, NO CLEAN-UP REQUIRED.

COMMITTEE RECOMMENDATION:
Remedial Action Completed: Yes X No _____
Further Work Needed: _____

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES
Lake Michigan District Headquarters
P.O. Box 10448
1125 North Military Avenue
Green Bay, WI 54307-0448

TELEFAX NO. 414-492-5913

May 28, 1991

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

COPY

Mr. Frank Stoller
1401 Perry Street
Algoma, WI 54201

Subject: Frank Stoller Construction Co, Inc., 1401 Perry Street, Algoma, WI - LUST Case #31-00844

Dear Mr. Stoller:

The Wisconsin Department of Natural Resources (WDNR) was notified in April 1991 that petroleum contamination was discovered in November or December 1990 at the above-referenced location. Your failure to immediately notify WDNR of the contamination is in noncompliance with Wisconsin Statute 144.76 (see paragraphs #1 and #2 below).

Based on the site-specific information provided, this case has been assigned to the **LOW PRIORITY** rank group. The purpose of this letter is to inform you of your legal responsibilities to address this situation.

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. The Environmental Protection Agency (EPA) has the authority to take enforcement action at any time, but will generally not take action against parties cooperating with the state. The WDNR proceeds in LUST cases under the authority of s. 144.76, Wisconsin Statutes, commonly referred to as Wisconsin's Hazardous Substance Spill Law. The definition of "hazardous substance" as found in s. 144.01(4m), Stats., includes petroleum products.

1. Wisconsin Statute 144.76(2a) states: "A person who possesses or controls a hazardous substance or who causes the discharge of a hazardous substance shall notify the Department immediately of any discharge not exempt under sub. (9)."

2. Wisconsin Statute 144.76(3) states: "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."

Because you possess or control a hazardous substance that has been released to the environment, the Department identifies you as the party responsible for taking the actions necessary to restore the environment. You are required to:

1. Immediately notify your WDNR project manager, should emergency conditions involving explosive vapors and/or well contamination develop.

2. Conduct an investigation to determine the extent of soil and groundwater contamination.

3. Remediate all of the environmental impacts caused by this situation.

4. Properly dispose of all petroleum contaminants.

The Department suggests that you have a qualified environmental engineer or hydrogeologist direct the remedial investigation, assess the environmental impact, and coordinate the implementation of a cleanup program. Within 90 days, your consultant should submit a work plan to conduct a remedial investigation.

Final documentation of the investigation and cleanup should be prepared according to the guidance enclosed and sent to your WDNR project manager on completion of compliance with all applicable federal, state, and local laws and regulations. Remedial actions must adequately clean up contaminated soil and/or groundwater to current WDNR guidelines and/or standards. All product, soils, wastewater, and sludge must be disposed of in compliance with all applicable federal, state, and local laws and regulations. All groundwater remediation projects which discharge to surface or groundwater (including all discharges to storm sewers) must be covered by a WPDES Discharge Permit. The only discharges not requiring a permit are those to a sanitary sewer; however, in those cases, the treatment facility receiving the discharge and the owner of the sewer system must be contacted for approval. An application must be submitted as early as possible to allow time for needed monitoring or additional data collection prior to discharge. The permit will contain discharge limits for pollutants of concern, along with sampling frequency and test methods.

Before any contaminated soil can be treated or disposed, the enclosed form (No. 4400-120, "Application to Treat or Dispose of Petroleum Contaminated Soil") must be completed and approved by the DNR. Until the contaminated soils can be treated or disposed of, they should be stored on an impermeable surface, bermed to prevent runoff and runon, and covered with an impermeable cover material such as plastic.

Because the Department is experiencing a backlog of leaking underground storage tank cases of emergency status, and your case is not currently ranked as an emergency, your submittals will be reviewed as time permits. Investigation and cleanup should not, however, be delayed pending WDNR review. 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 Chapter NR 140, Wisconsin Administrative Code.

You are encouraged to contact the Department of Industry, Labor & Human Relations (DILHR), the state agency that administers the Petroleum Environmental Cleanup Fund (PECFA). This fund may reimburse you for eligible costs associated with the remedial investigation and cleanup. DILHR should be contacted at (608) 267-4545 to obtain current information regarding the PECFA program.

Failure to comply with these requirements could subject you to further enforcement action. Your cooperation in this matter will be appreciated. Please be aware that your ability to use PECFA funds is dependant on your cooperation in adequately addressing this problem.

CORRESPONDENCE AND REPORTS SHOULD BE DIRECTED TO YOUR WDNR PROJECT MANAGER AT THE FOLLOWING ADDRESS:

Alan Nass, DNR, 1125 Military Avenue, PO Box 10448,
Green Bay, WI 54307-0448

Sincerely,

Janis DeBrock

Janis DeBrock, Program Assistant
Leaking Underground Storage Tank Unit

Enc.: Table 1 - LUST Program Analytes
Well/Drill Hole/Borehole Abandonment (3300-5B)
Groundwater Monitoring Well Information Form (4400-89)
Monitoring Well Construction/Development (4400-113 A&B)
Applic. to Treat/Dispose of Petroleum Contaminated Soil (4400-120)
Soil Boring Log Information (4400-122)
Remedial Investigation Checklist

cc: Jeff LaViolette, Robert E. Lee & Associates, Box 2100, Green Bay, WI 54306
Paul Cedergren, DILHR, 2331 San Luis Place, Green Bay, WI 54304

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

GREEN BAY, WI 543 PM 31 MAY 1991

NATIONAL CHILDREN'S DENTAL HEALTH WEEK

U.S.MAIL

PENALTY FOR PRIVATE USE, $300

· SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- **Complete items 1, 2, 3, and 4 on the reverse.**
- **Attach to front of article if space permits, otherwise affix to back of article.**
- **Endorse article "Return Receipt Requested" adjacent to number.**

RETURN TO

Print Sender's name, address, and ZIP Code in the space below.

Department of Natural Recources

SW Clerical

P.O. Box 10448

Green Bay, WI 54307-0448

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. *(Extra charge)*
2. ☐ Restricted Delivery *(Extra charge)*

3. Article Addressed to:

Mr. Frank Stoller
1401 Perry Street
Algoma, WI 54201
LUST #31-00844

4. Article Number

P 351 697 759

Type of Service:

- ☐ Registered
- XX ☒ Certified
- ☐ Express Mail
- ☐ Insured
- ☐ COD
- ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Addressee

X Frank Stoller

6. Signature — Agent

X

7. Date of Delivery

5-30-91

8. Addressee's Address *(ONLY if requested and fee paid)*

PS Form 3811, Apr. 1989 ★U.S.G.P.O. 1989-238-815 **DOMESTIC RETURN RECEIPT**

P 351 697 759

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SW Clerical

Sent to Mr. Frank Stoller	
Street and No. 1401 Perry Street	
P.O., State and ZIP Code Algoma, WI 54201	
Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	$
Postmark or Date	

Re: LUST #31-00844

PS Form 3800, June 1985 ☆U.S.G.P.O. 1989-234-555

ALGOMA FIRE RESCUE

Tom Demeuse, Chief
400 3rd Street
Algoma, WI 54201-1211
Phone 414-487-2712

April 12, 1991

Allan Nass
DNR
P.O. Box 10448
Green Bay, WI 54307-0448

Dear Mr. Nass:

As per your request, these are the materials received from Mr. Stoller along with the letter sent to him by me. At this time, no other action has been taken. In the letter sent to him by me I also outlined the specific areas of removal and who may do the testing.

If you have any more questions, please contact me at 487-2020 or through Algoma City Hall at 487-5203.

Thank you.

Sincerely,

Tom L. DeMeuse

Tom DeMeuse, Chief
City of Algoma Fire Department

TLD:cbp

ROBERT E. LEE & ASSOCIATES, INC.
ENGINEERING • SURVEYING • LABORATORY SERVICES (414) 336-6338 FAX (414) 336-9141
Box 2100 2825 S. Webster Avenue Green Bay, WI 54306-2100

INVOICE NO.
014388

DATE December 27, 1990

JOB NO. 1001 5 5

P.O. NO:

FRANK STOLLER CONSTRUCTION
1516 WASHINGTON STREET
ALGOMA WI 54201

For Analytical Services provided in conjunction with samples as performed for F. Stoller:

SAMPLE: SOIL
Analyzed for: TPH

2 samples @ $100.00 per sample	$200.00

AMOUNT DUE $200.00

#14503

TERMS: NET 30 DAYS

PLEASE INCLUDE INVOICE NUMBER WITH PAYMENT

ROBERT E. LEE & ASSOCIATES, INC.
LABORATORY SERVICES
2825 S. WEBSTER AVE., P.O. BOX 2100
GREEN BAY, WI 54306
TEL NO.: (414) 336-6338
FAX NO.: (414) 336-9141
WISCONSIN CERTIFICATION NO: 405043870

REPORT DATE===> 12/18/90

JOB NUMBER====> 1001451

CUSTOMER======> 100150

Internal Work-Jeff LaViolette

( ) -

CONTACT=======> Jeff LaViolette

PROJECT=======> Stoller Construction

RECEIVED======> 12/13/90

SAMPLED=======> 12/05/90

COMMENTS:

TPH is analyzed by the California Method.

ATTEST: _____

REPORT DATE===> 12/18/90
JOB NUMBER====> 1001451
BATCH=========> 1

PROJECT====> Stoller Construction
LOCATION===>

SAMPLE #	SAMPLE ID	RESULT	DATE COMP	BY
TOTAL SOLIDS				
1	S-1 Side of Tank	97.1 %	12/17/90	CR
2	S-2 Under Tank	69.5 %	12/17/90	CR
TPH-DIESEL				
1	S-1 Side of Tank	<0.5 mg/kg	12/14/90	SH
2	S-2 Under Tank	0.7 mg/kg	12/14/90	SH

[END OF BATCH]

ROBERT E. LEE & ASSOCIATES, INC.
LABORATORY SERVICES
P.O. Box 2100, 2825 S. Webster Ave.
Green Bay, WI 54306-2100
Phone: (414) 336-6338 Fax: (414) 336-9141

FRANK STOLLER CONSTRUCTION
1516 WASHINGTON ST.

CHAIN OF CUSTODY RECORD

ALGOMA, WI 54201
414-487-2804

Special Handling Request
- ☐ Rush Analysis Date Required: _____
- X Normal Turn Around

Client Number: 1451
Client Name: X FRANK STOLLER
Project Number:
Sampled By: X Frank Stoller
Project Name:

Sample I.D.	Date	Time	Bottle Total	Sample Type	Preservation Type (H = Hydrochloric Acid, N = Nitric Acid, S = Sulfuric Acid, O = Sodium Hydroxide, NA = None)	Analysis Required	Comments
S1 (side of tank)	12/6	—	1	soil	NA	TPH (diesel)	sandy
S2 (under tank)	"	"	"	"		"	

Relinquished By	Date	Time	Received By	Date	Time
1) X Frank Stoller	12/13/90	10:45			
2)					
3)					
4)					

Temperature of Contents: _____ °C
Condition of Seals: _____
Condition of Contents: _____

Received in Laboratory By: Mary Unger 12/13/90 10:45

Please complete shaded areas and return top two copies with samples.

I/P 90' - 001

COMPLAINT OR INFORMATION RECORD
Form 4100-48 Rev. 3-88

Department of Natural Resources

F 04374

	Violation: IMPROPER SOIL SAMPLES		Violation Code
	Date of Violation Mo. Day Yr.	Day of Week 1 2 3 4 5 6 7	Time of Violation ☐ A.M. ☐ P.M.
Date Received Mo. 4 Day 1 Yr. 91	Time Received 10:00 ☒ A.M. ☐ P.M.	Location of Violation: 1401 PERRY	
Name of Caller: Tom DEMEUSE	Return Call (√) ☐	Fire No.	County: KEWAUNEE — Co. Code: 31 — Township: ALGOMA — Twp. Code: 53
Street or Route		Suspect Name: FRANK STOLLER CONSTRUCTION	
City, State, Zip Code: ALGOMA, WIS.		Suspect Address	City / State
Telephone Number (include area code): 487-2020	Suspect's Vehicle Make / Model	Color	Lic. No. and State

COMPLAINT DETAILS

FIRE CHIEF OF ALGOMA WANTS TO KNOW WHY NOTHING HAS BEEN DONE TO FRANK STOLLER CONSTRUCTION COMPANY FOR REMOVING UNDER GROUND GAS STORAGE TANK IN FALL OF 1990 AND SUBMITTING FAULTY SAMPLES. OTHER PEOPLE WHO DID IT THE RIGHT WAY - MORE EXPENSIVE WAY WANT TO KNOW WHY NOTHING HAS BEEN DONE

ACTION TAKEN

- ☐ Filed, no action taken
- ☐ Referred to
- ☐ Answered by letter
- ☐ Arrested (name)
- ☐ Resolved by telephone
- ☒ Investigated on (date & time) 4/2/91 8:30 AM

INVESTIGATIVE REMARKS

Gave information to al Nass - al Nass said he would contact Fire Chief.
4/4/91 10:50 AM Fire Chief stated al Nass has not contacted him YET.

Received By	Copy 1 - Action Copy	Copy 2 - Informational - Preparer	Copy 3 - Area Warden (Warden Supervisor)
C-255	AL NASS	C-255	C-183

ACTION COPY

CITY OF ALGOMA

A Great Lakes Community

416 FREMONT STREET
ALGOMA, WI 54201-1397
PHONE (414) 487-5203

December 10, 1990

Frank Stoller Construction Co., Inc.
1401 Perry Street
Algoma, WI 54201

Dear Mr. Stoller:

Approximately 1-1/2 weeks ago I received a telephone call from the local DNR office that a complaint was made to them that an underground fuel tank was removed at your property on 1401 Perry Street. I was asked about the permit to remove such a tank, and I had to inform them that no such permit (either prior to the 30 days or after 30 day time limit) was requested by your company for said removal of such a tank.

Upon further investigation at the request of the DNR I did learn that such a tank was removed from your property at 1401 Perry Street. I have enclosed the state statutes that cover removal of such tanks and the procedures involved.

Since this project has been already completed and covered, I will at this time be satisfied with the results of the laboratory tests and results from the soil samples taken by the independent third party as mentioned in IND. 8.225(3). If they are not yet available, the name of the concern involved will be sufficient at this time.

We will allow 10 days until December 21, 1990 to obtain the results or the name of the party that is at this time holding the soil samples for testing. The testing party need only send the results of the tests to the Algoma Fire Dept. If after that time nothing has been received, the DNR and EPA will be notified and those parties will handle any further problems, investigations, etc.

Thank you for your time and consideration in this matter.

Yours truly,

CITY OF ALGOMA

Tom L. DeMeuse

Thomas L. DeMeuse
Algoma Fire Chief

TLD:cbp

cc: Tom Wilda - DNR
William Wolske, City Attorney
Roger Tess, City of Algoma Inspector

THIS GUIDANCE WAS SENT TO MR. STOLLER ON DECEMBER 10, 1990.

SITE ASSESSMENT GUIDELINES

I. INTRODUCTION

The purpose of the site assessment is to check for the presence, in the excavation, of spilled or leaked petroleum products in order to determine if the site is uncontaminated or if additional investigation of the site is warranted. Under the new federal tank rules, site assessments must be completed for all regulated tank system closures regardless of the method of closure (tank removal or abandonment in place).

II. RESPONSIBILITY FOR THE SITE ASSESSMENT

It is the responsibility of the UST system owner or operator to complete the site assessment according to the procedures outlined below. A site assessment is currently required ~~for~~ only federally regulated UST's. If your tank is <u>not</u> covered by the EPA regulations, a site assessment is not required.

III. PRE-ASSESSMENT STEPS

A. Notify Your Local Fire Chief

You must notify your local fire chief at least 30 days in advance of beginning the UST system closure and the site assessment. (A shorter notification period may be allowed by the local fire chief.) The notification should be in writing. You should also always check for local ordinances which may govern tank closures. DILHR's rules do not supercede these ordinances.

B. Plan the Site Assessment

A plan for each site assessment should be developed which addresses each item in Section IV below. Planning the UST system closure and site assessment will save time and money. For example, if proper sample bottles are not available when the tank is being removed, you may have to keep the excavation open longer than planned or even re-excavate to the base of the tank.

IV. PROCEDURES FOR SITE ASSESSMENTS

A. When Site Assessments Must be Done:

Site assessments must be completed <u>when</u> the UST system is permanently closed by removal or abandonment in place or <u>when</u> a change in service is completed. A site assessment must also be conducted before a request is made to extend, beyond twelve months, the temporary closure of a tank which does not meet the performance standards for new UST's or the upgrade requirements (except spill and overfill protection).

Because site assessments require taking soil samples for laboratory analysis, the best (and least expensive) approach is to conduct the site assessment during the tank closure when the soil is exposed. If the tank is being abandoned in place, it will be necessary to take samples by using a soil drilling rig prior to the completion of the abandonment-in-place.

A site assessment is not required if vapor or groundwater monitoring release detection methods are operating at the time of closure and indicate no release has occurred. (Methods used must be installed and operated in compliance with the Federal EPA rules.)

B. Soil Sampling Locations:

1. Soil samples should be taken at the following locations <u>within or below the excavation</u>:

   a. At points where strong odors or soil discolorations indicate the presence of contamination;

   b. At both ends of each tank;

   c. Underneath each island on the supply side;

   d. Every 20 feet, or segment of, along piping runs, or, if piping will be exposed, under swing joints, or pipe elbows;

   (A minimum of two samples along the piping are required--one at the island and one along the piping run.)

2. Variances to sampling requirements:

   a. Redundant samples need not be taken. For example, if the dispenser is directly above the tank, a single sample will meet requirements c and d.

   b. If free product, heavily saturated soils or other conditions make it obvious that a site investigation and corrective actions will be needed at a site, a site assessment with soil sampling need not be completed provided that the DNR is immediately notified and appraised of site conditions.

   (Note: Site investigations always include soil sampling so it may still be advisable to collect samples when the tank excavation is open and soils are accessible.)

   c. If the water table is found within the tank or piping excavation, a sample of groundwater must be collected and analyzed in addition to soil sampling. Soil samples at sites of high groundwater should be collected at the sidewalls of the excavation at the locations described in B(1) above.

C. Field Instruments

Field instruments including photoionization detectors (PIDs), flame ionization detectors (FIDs) and portable gas chromatographs (GCs) may be used for field screening of soil samples and to choose samples to be tested at a laboratory. The three samples with the "highest" readings on the field instrument must be sent to a laboratory for analysis. If the field instrument shows no detects, three samples must still be sent for analysis. (In the cases where there are no detects, the three

samples should include one from the tank area, one from the piping run and the third sample at the dispenser/island if one is present. If there is no dispenser/island, the third sample should be taken along the piping run.)

D. Who May Collect Soil Samples for Analysis

Samples may be collected by the contractor hired to remove the UST or install the soil bore holes, by an environmental consultant, or by any other individual who has been trained in sampling techniques. Soil samples are to be collected in the presence of a "neutral third party." A "neutral third party" may be a DILHR deputy (fire chief or fire inspector), a DILHR employee, an employee of the DNR, an environmental consultant, or an individual who has no ownership or other vested interest in the site.

V. SAMPLING REQUIREMENTS

A. Sample Collection

1. Methods: Samples must be collected in a manner which causes the least disturbance of the soil in order to minimize loss of volatile compounds. Whenever possible, samples should be taken from the bottom of the excavation in native soil. Samples should be collected with a hand corer or a trowel. If the excavation cannot be entered because of the possibility of caving in or for other reasons, the samples should be collected from a backhoe bucket. If samples will be collected through drilling, standard split-spoon or other appropriate undisturbed sampling techniques must be used.

2. Sample Vials: Samples must be collected in bottles approved by the laboratory which will analyze the samples. Sample bottles must be promptly capped and placed on ice if specified by the lab. Maximum holding times and all other handling procedures specified by the laboratory must be observed.

B. Sample Recordkeeping

1. Field Logs: A field log of sample collection procedures, dates, name of laboratory performing analysis, sample collection locations, field instrument readings and the name of the sampler must be kept.

2. Sample Identification: Samples must be clearly labeled with sample location and other information as required by the laboratory.

3. Chain-of-Custody Procedures: Chain-of-custody procedures must be followed in handling of samples. An example of a form, which can be used to document chain-of-custody, is attached.

C. Sample Parameters

1. Soil Samples: All soil samples sent to a laboratory must be analyzed for "Total Petroleum Hydrocarbons" (TPH) and reported

in parts per million (ppm) on a dry weight basis. A detection level of 10 parts per million or greater must be reported to the DNR immediately. If there is an indication that a cleanup may be required, further analysis of the soils for BTEX (benzene, toluene, ethylbenzene, and xylene) and characterization as gasoline, diesel fuel, etc., may save time and expense at a future date.

2. Groundwater Samples: Groundwater samples must be analyzed for BTEX compounds (benzene, toluene, xylene, ethylbenzene).

VI. RELEASE REPORTING

If a release is confirmed during the tank closure, site assessment, or by subsequent sample analysis, the owner/operator must contact the DNR immediately to report the release. The necessary actions after reporting will vary with several factors including the degree of contamination, the depth to groundwater, and the nature of surrounding land use. DNR staff will work with the owner/operator and their consultants to develop an investigation and remediation plan appropriate to conditions at the site.

VII. REPORTING OF TANK CLOSURES

The closure of a UST must be reported to the Safety and Buildings Division through the use of a "Tank Inventory Form" (SBD-7437). This form is to be completed and submitted, to the address shown on the form, by the owner/operator immediately after closure. The submitted form will be used to update the Division's UST inventory.

Copies of the site assessment including the laboratory analysis, field logs, sample locations, and documentation of the chain-of-custody must be submitted to both DILHR and the DNR. The documents can be sent to DILHR at:

Bureau of Petroleum Inspection and Fire Protection
P.O. Box 7969
Madison, WI 53707

and to the DNR at:

Bureau of Solid and Hazardous Waste Management
P.O. Box 7921
Madison, WI 53707

The DNR will review the site assessments, which are submitted, on a site by site basis. Based upon the detection levels identified and the specific features of that site, a decision will be made, by the DNR, on whether further action or investigation is required.

5-27-93

Department of Natural Resources #844

LEAKING UNDERGROUND STORAGE TANK (Case Tracking)
Form 4400-146 3-91

Site Name: Frank Stoller Construction Co, Inc.
District: LMD County: 31
Address: 1401 Perry St.
Algoma 54201
PMN: FID:
Proj Mgr: A. Nass
Legal Municipality:
Support Person:
Legal Desc: 1/4 1/4 Sec T R E/W

Date of Initial Contact: 4 / 1 / 91 Date of Letter: 5 / 28 / 91 Date Site Closure Approved: 5 / 19 / 93

Status
_____ 1 = State Lead
__X__ 2 = RP Lead

Priority Screening
_____ 1 = High
_____ 2 = Medium
__X__ 3 = Low
_____ 4 = Unknown

Score: _____ . _____

Funding Source
__X__ 1 = RP
_____ 2 = LTF
_____ 3 = EF
_____ 4 = SF
_____ 5 = None
_____ 6 = Other (Describe In Comments)
_____ 7 = EPA (Emergency Resp)

PECFA Review Requested
(√) _____ Yes _____ No

Date PECFA Request Received
(mm/dd/yy) _____ / _____ / _____

Lust Trust Eligible
__X__ 1 = Federal
_____ 2 = Non-Federal

CASE STATUS

(√) As Appropriate	Date Initiated (mm/dd/yy)	Date Completed (mm/dd/yy)	Comments
__X__ No Action Taken (N)			
_____ Emergency (E)	_____ / _____ / _____	_____ / _____ / _____	
_____ Emergency Response (R)	_____ / _____ / _____	_____ / _____ / _____	
_____ Field Investigation (I)	_____ / _____ / _____	_____ / _____ / _____	
_____ Remedial Action (C)	_____ / _____ / _____	_____ / _____ / _____	
_____ Long Term Monitoring (L)	_____ / _____ / _____	_____ / _____ / _____	

(√) All Appropriate	Known Impacts (√)	Potential Impacts (√)
_____ Fire/Explosion Threat (1)	_____	_____
_____ Contaminated Private Well (2)	_____	_____
_____ Contaminated Public Well (3)	_____	_____
_____ Groundwater Contamination (4)	_____	_____
_____ Soil Contamination (5)	__✓__	_____
_____ Other: (6) _____	_____	_____

Substances (√)
_____ Leaded Gas(1)
_____ Unleaded Gas (2)
__✓__ Diesel (3)
_____ Fuel Oil (4)
_____ Unknown Hydrocarbons (5)
_____ Other (8) _____
_____ VOCS (6)
_____ Pesticide (7)
Quantity Discharged _____

Responsible party
Name: Frank Stoller
Address: 1401 Perry St.
Algoma WI 54201
Telephone: _____ / _____
(list additional on separate list and attach.)

Consultant: Robert E. Lee
Contact: Jeff LaViolette
Address: Box 2100
Green Bay 543016
Telephone: 414 / 336-6338
Amount Committed: $_____ . _____
Amount Spent: $_____ . _____
(list additional on separate list and attach.)

ENFORCEMENT ACTION TAKEN

01 = Inf. Contact, Resp Initiated
02 = RP Letter, Resp Initiated
03 = NTC of Non Compliance
04 = Inf. Enf. Conf, Resp Initiated
05 = Follow-up Enf. Conf, Resp Initated
06 = Inspection Letter
07 = Response Received
08 = Adequate Response
09 = Progress Being Made
10 = Defer Enforcement
11 = Close Out
12 = Recommend NFA
13 = FWD to Secondary Enf
14 = Notice of Violation
15 = Formal Enf Conf
16 = Enf Conf. Letter
17 = Admin. Order Proposed
18 = Admin. Order Final
19 = Admin. Order Modified
20 = Admin. Order Cancelled
21 = Contest Case Hearing
22 = Draft Referral
23 = Referral to DOJ
24 = Referral to DA
25 = Referral to EPA
26 = Continuing Violation
27 = See Next Violation
28 = Site Inspection
99 = Other Action: _____

ACTION (code from above)	DATE (mm/dd/yy)	COMMENT
3	5 / 28 / 91	Rf ltr.
_____	_____ / _____ / _____	

(list additional on separate list and attach.)

LUST CASE PRIORITY SCREENING WORKSHEET

HIGH FACTORS: (DEFINITION: Any case which presents an actual threat to human health, or has a high potential of causing a threat to human health and property; and/or any case which has caused or has a high potential of causing substantial impacts to the soil waters and air of the State of Wisconsin.)

____ Contaminated private or public well >NR140 enf. std.
____ Explosive or toxic vapors in structures
____ Threat of fire

HIGH OR MEDIUM FACTORS: (write in choice of high or medium)
____ Floating product (medium if no receptors within 1 mile)
____ Known gw contamination (private or public well <140 enf. std.)
____ Impacted surface water - -wetland, trout stream, etc. impacted
____ Saturated soil contamination

MEDIUM FACTORS: (DEFINITION: Any case which does not appear to be an immediate threat to human health or vital natural resources but which shows levels of contamination that may cause substantial environmental impacts if left unaddressed.)

____ Moderate (e.g. 100 - 500 ppm TPH) soil contamination with moderate potential for impacting groundwater.
____ Impacted surface water - - no critical habitat threats.

LOW FACTORS: DEFINITION: Any case where contamination has been documented, but which presents limited potential for any immediate threat to human health and vital natural resources.)

____ Soil contamination (e.g. less than 100 ppm TPH) which appears to have a limited potential for impacting groundwater.
_X_ Initial remedial action has substantially reduced environmental threat.

UNKNOWN FACTOR: (DEFINITION: Any case where some indication of contamination is present, but due to incomplete or inaccurate information the level of threat to human health or the environment can not be assessed at this time.)

____ Inadequate information to assign a high, medium, or low ranking.

OVERALL RANKING: The screening rank for the site along with the date of ranking. This may be updated when additional information is received. Special circumstances for a particular case may be taken into account in the comment section. The District LUST coordinator may independently set the ranking of a site based upon "special circumstances."

Circle one & date, indicate in priority screening box opposite side _____ HIGH _____ MEDIUM 5-20-91 (LOW) _____ UNKNOWN

Overall Site Comment:

_____

_____

_____

_____

_____

NUMERICAL LUST SCORING WORKSHEET (Complete for LUST cases ranked HIGH)

1. GROUNDWATER & SOILS: (circle one)

POINTS	
20	Municipal Well
18	>5 private wells
16	4 - 6 private wells
14	2 - 3 private wells
12	1 private well

_____ SCORE

POINTS	
8	Soil & gw within 1200' of a public well
6	Soil & gw within 1200' of one or more private wells
4	GW contamination, no wells within 1200'
2	Soil contamination

*For purposes of this scoring, private well includes any non-municipal water supply system.

2. EXPLOSIVE OR TOXIC VAPORS: (circle one)

POINTS CONFIRMED	POTENTIAL	
	10	Explosive levels in a residence or building
	8	Explosive levels in a sewer or structure
12	6	Toxic levels in a residence or building

NOTE: Explosive levels determined to be >20% LEL as per an explosivity meter; toxicity levels are based on OSHA permissible exposure limits (PEL)

_____ SCORE

3. HYDROGEOLOGIC SETTING: (circle one)

POINTS	
12	Permeable stratigraphy (gravel, sand, fractured bedrock or utilities capable of intercepting and directing flow) and groundwater within 25 feet of the ground surface.
10	Permeable stratigraphy and groundwater greater than 25 feet below ground surface.
8	Moderately permeable stratigraphy (silty sands, silty gravel, clayey sands) and groundwater within 25 feet of ground surface .
6	Moderately permeable stratigraphy and groundwater greater than 25 feet below ground surface.
4	Impermeable stratigraphy (silt, clayey silt, sand clays) and groundwater within 25 feet of ground surface.
2	Impermeable stratigraphy and groundwater greater than 25 feet below ground surface.

_____ SCORE

4. TYPE OF PRODUCT: (circle one)

POINTS	
8	Gasoline, mixture of gasoline and other products, other light petroleum products.
6	Diesel, fuel oil.
2	Bunker oil, other heavy oils or crude fractions.

_____ SCORE

Additional Site Comments:

UST removed approx. Nov/Dec. 1990 in violation of State statutes. AL Mass Rec'd Notification 4/1/91.