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Secretary

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Southern District Headquarters  
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August 19, 1991

File Ref: 4440  
(UST - Iowa County)

Mr. Terry Bystol  
Terry's Kerr-McGee  
505 North Iowa Street  
Dodgeville, WI 53533

Subject: Terry's Kerr-McGee, 505 North Iowa Street, Dodgeville

Dear Mr. Bystol:

On August 8, 1991, the Department received an environmental assessment report prepared for the Department of Transportation in conjunction with a road construction project on Highway 23. The results of the assessment indicate soil and groundwater contamination is present on your property in levels that exceed Department guidelines.

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:

Mr. Terry Bystol - August 19, 1991

2.

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. If groundwater contamination is suspected at the site, all wells within 1200 feet should be identified on a site map and those closest to the site should be sampled for volatile organic compounds (VOCs).

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,



Marilyn J. Jahnke  
LUST Program Assistant  
Telephone: (608) 275-3212

Enc.

cc: Mr. Bill Morrissey, DILHR, Bureau of Petroleum Inspection, Room 103,  
201 East Washington Avenue, P.O. Box 7969, Madison, WI 53707