

George E. Meyer, Secretary
William R. Selbig, District Director

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Oshkosh Area Office
905 Bayshore Drive
Box 2565
Oshkosh, Wisconsin 54903
Telephone #: (414)424-3050
Telefax #: (414)424-4404

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

September 20, 1994

Mr. Dick Schwan
P.O. Box 69
Hortonville, WI 54944

SUBJECT: Petroleum Contamination at Schwan Oil Co., Bulk Plant, Hortonville, Wi
WDNR LUST Unique ID #45-1398

Dear Mr. Schwan:

The Wisconsin Department of Natural Resources (WDNR) was notified that petroleum contamination had been discovered in January, 1993, at the above referenced location. The Department understands that no consultant has been contracted to do work at the site; if investigations to answer these questions have occurred, you must provide the Department with documentation describing recent activities within 30 days of receipt of this letter. If investigation activities have not been implemented, you must inform the Department in writing within 30 days, of the name of the qualified consultant who will direct the investigation and the date which it is to begin.

Because the Department is experiencing a backlog of leaking underground storage tanks 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, and state soil & groundwater investigation standards as specified in Chapters NR 700-736, Wisconsin Administrative Code.

Also, 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. The PECFA Program should be contacted at (608) 266-2424 to obtain current information.

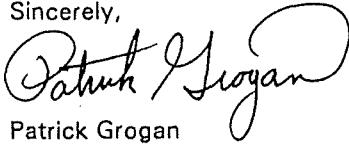
All qualified consultants have been provided DNR guidance on proper procedures for clean up and closure of low and medium priority L.U.S.T. cases. Any questions regarding these procedures should be directed toward your consultant.

If you are interested in obtaining the protection of limited liability under s. 144.765, Stats., please contact Mark Giesfeldt at (608) 267-7562 or Darsi Foss at (608) 267-6713, in the Department of Natural Resources' Madison office for more information. The liability exemption under s. 144.765, Stats., is available to persons who meet the definition of "purchaser" in s. 144.765 (1) (c) and receive Department approval for the response actions taken at the property undergoing cleanup. The Department will determine eligibility for this program on a case-by-case basis, prior to the "purchaser" developing a scope of work for conducting a ch. NR 716 site investigation at the property.

Your cooperation in this matter is appreciated. Failure to comply with these requirements could subject you to further enforcement action. If you have any other concerns, please call me at (414) 424-7891.

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Schwan Oil Co.

Sincerely,

A handwritten signature in cursive script that reads "Patrick Grogan". The signature is written in black ink and is positioned above the printed name.

Patrick Grogan
Hydrogeologist
Leaking Underground Storage Tank Program

cc Case File - OSH
PECFA Program, DILHR, P.O. Box 7969, Madison, WI 53707