



George E. Meyer  
Secretary

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Southern District Headquarters  
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Fitchburg, Wisconsin 53711  
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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

September 3, 1993

File Ref: LUST #1503  
(Green County)

Mr. John Sigafus  
Browntown Oil Station  
303 North Mill Street  
Browntown, WI 53522

SUBJECT: NOTICE OF VIOLATION - Browntown Oil Station,  
303 North Mill Street, Browntown, WI

Dear Mr. Sigafus:

On May 26, 1992, the Department was notified of the presence of petroleum contaminants in the subsurface which were discovered during the installation of a water main in front of your property.

On June 3, 1992, Department employees inspected your site and obtained a soil sample from your property. Visual and olfactory evidence of petroleum contaminants were present within the subsurface soil of your site. The soil sample was analyzed and the result indicates that contamination is present in the subsurface soil of your site.

On June 15, 1992, the Department sent you a letter which described your obligations under Wisconsin Statutes s. 144.76 which is known as the Spill Law. You were to have contracted the services of an environmental consultant to define the extent of contamination and implement cleanup activities. To date, the Department has received no information regarding efforts to define the extent of contamination or cleanup the contamination.

In addition, the Department of Industry, Labor, and Human Relations (DILHR) has reportedly ordered you to remove the underground storage tanks at your site because they fail to meet DILHR operational specifications.

Section 144.76 of Wisconsin Statutes requires that "A person who possesses or controls a hazardous substance which is discharged or who causes a 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". It is not possible to meet these requirements without an investigation and implementation of a corrective action plan. Delay of implementation will give contamination time to spread, increasing the total cleanup costs and the threat to persons,

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property, and the environment. The statute also authorizes the Department of Natural Resources to enforce cleanup requirements.

Therefore, the Department asks that you respond to this letter in writing within 10 days, to let us know your intentions. Continued failure to fulfill your responsibilities under s. 144.76, Wisconsin Statutes will result in the immediate request for enforcement action by the Department. Additional enforcement action can include the Department issuing an administrative order and a request for the Department of Justice to prosecute under s. 144.76, Statutes. Please be advised that if prosecution is needed, penalties which include forfeitures are normally also sought.

Please contact me if you have questions or are unable to meet the above deadline.

Sincerely,



C. Dino Tsoris  
LUST Hydrogeologist  
Telephone: (608) 275-3301

**RECEIVED**  
**JUN 16 2000**  
**ERS DIVISION**

cc: Mr. LeRoy Nordmeyer, Department of Industry, Labor, and Human Relations,  
Petroleum Inspection & Fire Protection, 141 N.W. Barstow Street,  
Waukesha, WI 53188