



March 8, 2019

Mr. John Sigafus
P.O. Box 187
Browntown, WI 53522

KEEP THIS DOCUMENT WITH YOUR PROPERTY RECORDS

SUBJECT: Final Case Closure with Continuing Obligations
Browntown Oil, 303 N. Mill Street, Browntown, Green County, WI
DNR BRRTS Activity #: 03-23-001503

Dear Mr. Sigafus:

The Department of Natural Resources (DNR) considers Browntown Oil closed, with continuing obligations. No further investigation or remediation is required at this time. However, you, future property owners, and occupants of the property must comply with the continuing obligations as explained in the conditions of closure in this letter. Please read over this letter closely to ensure that you comply with all conditions and other on-going requirements. Provide this letter and any attachments listed at the end of this letter to anyone who purchases, rents or leases this property from you.

This final closure decision is based on the correspondence and data provided, and is issued under chs. NR 726 and 727, Wis. Adm. Code. The South Central Region (SCR) Closure Committee reviewed the request for closure on October 4, 2018. The DNR Closure Committee reviewed this environmental remediation case for compliance with state laws and standards to maintain consistency in the closure of these cases. A request for remaining actions needed was issued by the DNR on October 15, 2018, and documentation that the conditions in that letter were met was received on January 8, 2019.

This former gas station & automotive repair shop had soil and groundwater contaminated with petroleum volatile organic compounds (PVOCs) from a system of underground petroleum storage tanks. The tank system was removed in 1998 and no other remedial actions were taken to actively address contamination. A pavement and gravel cap will address any potential direct contact exposure to residual soil contamination at this site. The conditions of closure and continuing obligations required were based on the property being used for commercial purposes.

Continuing Obligations

The continuing obligations for this site are summarized below. Further details on actions required are found in the section Closure Conditions.

- Residual soil contamination exists that must be properly managed should it be excavated or removed.
- An engineered cover must be maintained over contaminated soil and the DNR must be notified and approve any changes to this barrier.

The DNR fact sheet “Continuing Obligations for Environmental Protection,” RR-819, helps to explain a property owner’s responsibility for continuing obligations on their property. The fact sheet may be obtained online at dnr.wi.gov and search “RR-819”.

DNR Database

This site will be included on the Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web (BOTW) online at dnr.wi.gov and search “BOTW”, to provide public notice of residual contamination and of any continuing obligations. The site can also be viewed on the Remediation and Redevelopment Sites Map (RRSM), a map view, at dnr.wi.gov and search “RRSM”.

The DNR’s approval prior to well construction or reconstruction is required in accordance with s. NR 812.09 (4) (w), Wis. Adm. Code. This requirement applies to private drinking water wells and high capacity wells. To obtain approval, complete and submit Form 3300-254 to the DNR Drinking and Groundwater program’s regional water supply specialist. This form can be obtained on-line at dnr.wi.gov and search “3300-254”.

All site information is also on file at the South Central Regional DNR office, at 3911 Fish Hatchery Road, Fitchburg, WI 53711. This letter and information that was submitted with your closure request application, including any maintenance plan and maps, can be found as a Portable Document Format (PDF) in BOTW.

Prohibited Activities

Certain activities are prohibited at closed sites because maintenance of a barrier is intended to prevent contact with any remaining contamination. When a barrier is required, the condition of closure requires notification of the DNR before making a change, in order to determine if further action is needed to maintain the protectiveness of the remedy employed. The following activities are prohibited on any portion of the property where a pavement and gravel cover is required, as shown on the **attached map** (*Figure D.2. Cap Maintenance Plan, 12/01/2014*), unless prior written approval has been obtained from the DNR:

- removal of the existing barrier or cover;
- replacement with another barrier or cover;
- excavating or grading of the land surface;
- filling on covered or paved areas;
- plowing for agricultural cultivation;
- construction or placement of a building or other structure;

Closure Conditions

Compliance with the requirements of this letter is a responsibility to which you, and any subsequent property owners must adhere. DNR staff will conduct periodic prearranged inspections to ensure that the conditions included in this letter and the attached maintenance plan are met. If these requirements are not followed, the DNR may take enforcement action under s. 292.11, Wis. Stats. to ensure compliance with the specified requirements, limitations or other conditions related to the property.

Please send written notifications in accordance with the following requirements to:

Department of Natural Resources
Attn: Remediation and Redevelopment Program Environmental Program Associate
3911 Fish Hatchery Road
Fitchburg, WI 53711

Residual Soil Contamination (ch. NR 718, chs. 500 to 536, Wis. Adm. Code or ch. 289, Wis. Stats.)

Soil contamination remains to the north of the building to the west of the building, as indicated on the **attached map** (*Figure B.2.b. Residual Soil Contamination, 07/15/2011*). If soil in the specific locations described above is excavated in the future, the property owner or right-of-way holder at the time of excavation must sample and

analyze the excavated soil to determine if contamination remains. If sampling confirms that contamination is present, the property owner or right-of-way holder at the time of excavation will need to determine whether the material is considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable standards and rules. Contaminated soil may be managed in accordance with ch. NR 718, Wis. Adm. Code, with prior DNR approval.

In addition, all current and future owners and occupants of the property and right-of-way holders need 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 to prevent a direct contact health threat to humans.

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.

Cover or Barrier (s. 292.12 (2) (a), Wis. Stats., s. NR 726.15, s. NR 727.07 Wis. Adm. Code)

The pavement and gravel cover that exists in the location shown on the **attached map** (*Figure D.2. Cap Maintenance Plan, 12/01/2014*) shall be maintained in compliance with **the attached maintenance plan** in order to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health.

The cover approved for this closure was designed to be protective for a commercial or industrial use setting. Before using the property for residential purposes, you must notify the DNR at least 45 days before taking an action, to determine if additional response actions are warranted.

A request may be made to modify or replace a cover or barrier. Before removing or replacing the cover, you must notify the DNR at least 45 days before taking an action. The replacement or modified cover or barrier must be protective of the revised use of the property, and must be approved in writing by the DNR prior to implementation. A cover or barrier for industrial land uses, or certain types of commercial land uses may not be protective if the use of the property were to change such that a residential exposure would apply. This may include, but is not limited to, single or multiple family residences, a school, day care, senior center, hospital or similar settings. In addition, a cover or barrier for multi-family residential housing use may not be appropriate for use at a single-family residence.

The **attached maintenance plan and inspection log (DNR form 4400-305)** are to be kept up-to-date and on-site. Inspections shall be conducted annually, in accordance with the attached maintenance plan. Submit the inspection log to the DNR only upon request.

PECFA Reimbursement

Section 101.143, Wis. Stats., requires that Petroleum Environmental Cleanup Fund Award (PECFA) claimants seeking reimbursement of interest costs, for sites with petroleum contamination, submit a final reimbursement claim within 120 days after they receive a closure letter on their site. For claims not received within 120 days of the date of this letter, interest costs after 60 days of the date of this letter will not be eligible for PECFA reimbursement. If there is equipment purchased with PECFA funds remaining at the site, contact the DNR Project Manager to determine the method for salvaging the equipment.

Per Wisconsin Act 55 (2015 State budget), a claim for PECFA reimbursement must be submitted within 180 days of incurring costs (i.e., completing a task). If your final PECFA claim is not submitted within 180 days of incurring the costs, the costs will not be eligible for PECFA reimbursement.

In Closing

Please be aware that the case may be reopened pursuant to s. NR 727.13, Wis. Adm. Code, for any of the following situations:

- if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, or welfare or to the environment,
- if the property owner does not comply with the conditions of closure, with any deed restrictions applied to the property, or with a certificate of completion issued under s. 292.15, Wis. Stats., or
- a property owner fails to maintain or comply with a continuing obligation (imposed under this closure approval letter).

The DNR appreciates your efforts to restore the environment at this site. If you have any questions regarding this closure decision or anything outlined in this letter, please contact Wendy Weihemuller at 608-275-3212, or at Wendy.Weihemuller@wisconsin.gov.

Sincerely,

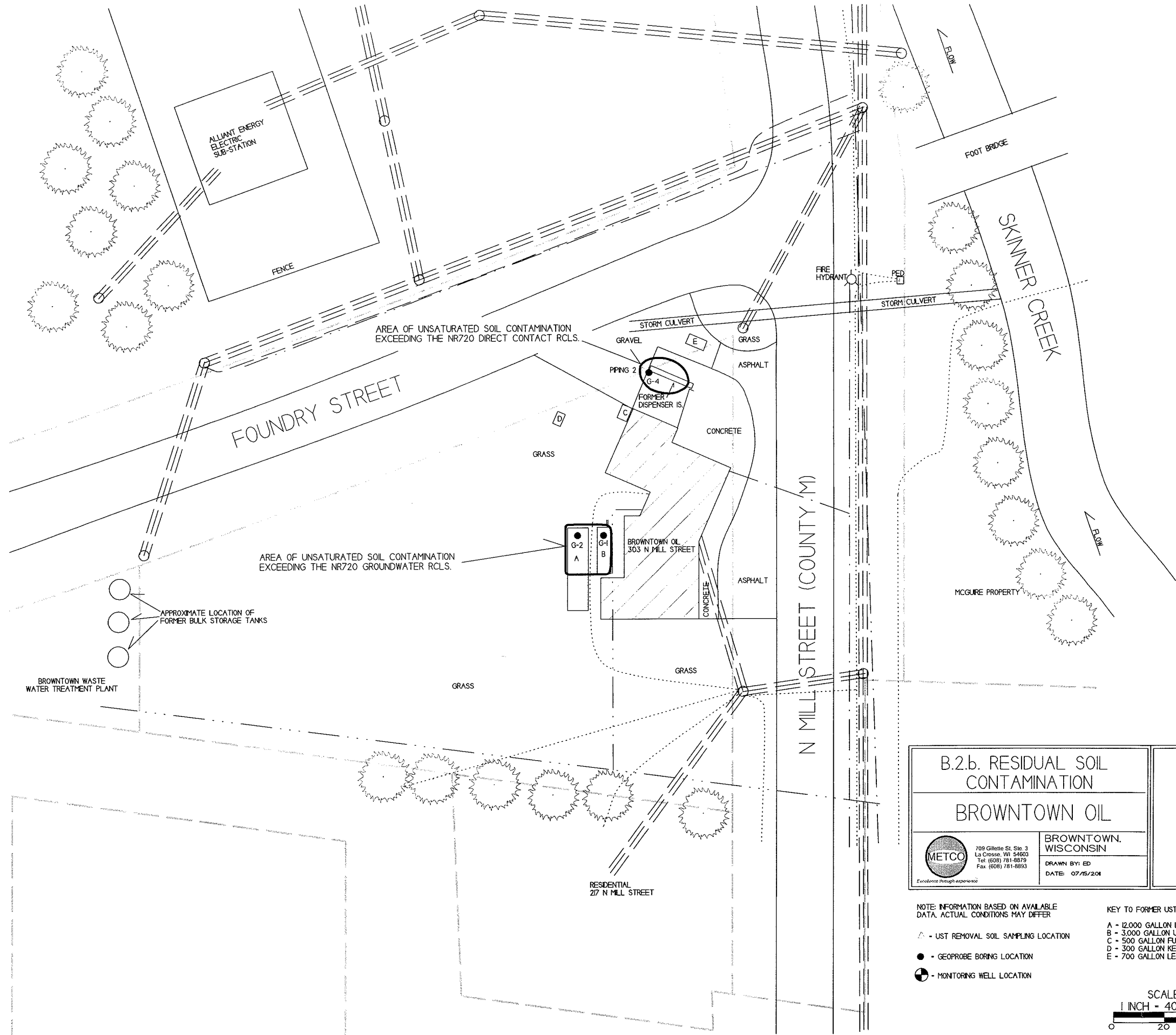



Steve L. Martin
South Central Region Team Supervisor
Remediation & Redevelopment Program

Attachments:

- Residual Soil Contamination, Attachment B.2.b., 07/15/2011
- Cap Maintenance Plan, Attachment D.2., 12/01/2014
- Description of Maintenance Action(s), Attachment D.1., 10/20/2015
- Inspection Log, DNR Form 4400-305

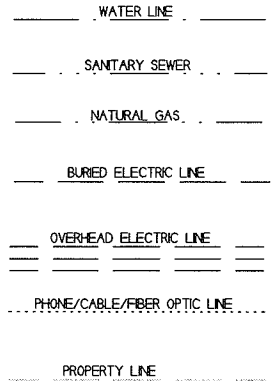
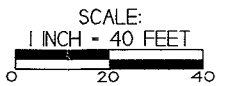
cc: METCO, Attn: Ron Anderson, 709 Gillette St., Suite 3, La Crosse, WI 54603



B.2.b. RESIDUAL SOIL CONTAMINATION	
BROWNTOWN OIL	
	<small>709 Gillette St. Ste. 3 La Crosse, WI 54603 Tel: (608) 781-8879 Fax: (608) 781-8893</small>
<small>Evolution through experience</small>	
BROWNTOWN, WISCONSIN	
<small>DRAWN BY: ED DATE: 07/15/201</small>	

- NOTE: INFORMATION BASED ON AVAILABLE DATA. ACTUAL CONDITIONS MAY DIFFER
- ▲ - UST REMOVAL SOIL SAMPLING LOCATION
 - - GEOPROBE BORING LOCATION
 - ⊕ - MONITORING WELL LOCATION

- KEY TO FORMER UST'S
- A - 12,000 GALLON LEADED GASOLINE
 - B - 3,000 GALLON UNLEADED GASOLINE
 - C - 500 GALLON FUEL OIL
 - D - 300 GALLON KEROSENE
 - E - 700 GALLON LEADED GASOLINE



D.1 Description of Maintenance Action(s)

CAP MAINTENANCE PLAN

October 20, 2015

Property Located at:
303 N Mill Street,
Browntown, WI

WDNR BRRTS# 03-23-001503

TAX KEY# 2311001160000

Introduction

This document is the Maintenance Plan for a concrete/gravel cap at the above-referenced property in accordance with the requirements of s. NR 724.13(2), Wisconsin Administrative Code. The maintenance activities relate to the existing cap occupying the area over the contaminated soil on-site.

More site-specific information about this property may be found in:

- The case file in the DNR South Central regional office
- BRRTS on the Web (DNR's internet based data base of contaminated sites):
<http://dnr.wi.gov/botw/SetUpBasicSearchForm.do>
- GIS Registry PDF file for further information on the nature and extent of contamination and
- The DNR project manager for Green County.

Description of Contamination

Soil contaminated by Petroleum Volatile Organic Compounds (PVOCs) is located at a depth of 0-3 feet below ground surface in the area of the former pump island. The extent of the soil contamination is shown on Attachment D.2.

Description of the Cap to be maintained

The Cap consists of concrete (approximately 6 inches thick) and gravel in the area of the former pump island on the northern edge of the on-site building, as shown on Attachment D.2.

Cover Barrier Purpose

The concrete/gravel cap over the contaminated soil serves as a barrier to minimize exposure to soil exceeding NR720 Direct Contact standards. Based on the current and future use of the property, the barrier should function as intended unless disturbed.

Annual Inspection

The concrete/gravel cap overlying the contaminated soil and as depicted in Attachment D.2 will be inspected once a year, normally in the spring after all snow and ice is gone, for deterioration, cracks and other potential problems that can cause exposure to underlying soils through the concrete and gravel. The inspections will be performed by the property owner or their designated representative. The inspections will be performed to evaluate damage due to settling, exposure to the weather, wear from traffic, increasing age and other factors. Any area where soils have become or are likely to become exposed and where infiltration from the surface will not be effectively minimized will be documented. A log of the inspections and any repairs will be maintained by the property owner and is included as Form 4400-305 Continuing Obligations and Maintenance Log. The log will include recommendations for necessary repair of any areas where underlying soils are exposed and where infiltration from the surface will not be effectively minimized. Once repairs are completed, they will be documented in the inspection log. A copy of the inspection log will be kept at the address of the property owner and available for submittal or inspection by Wisconsin Department of Natural Resources ("WDNR") representatives upon their request.

Note: The WDNR may, in some instances, require in the case closure letter that the inspection log be submitted at least annually after every inspection. If the case closure letter requires that, then a copy of the inspection log must be submitted to the WDNR at least annually after every inspection.

Maintenance Activities

If problems are noted during the annual inspections or at any other time during the year, repairs will be scheduled as soon as practical. Repairs can include patching and filling or larger resurfacing or construction operations. In the event that necessary maintenance activities expose the underlying soil, the owner must inform maintenance workers of the direct contact exposure hazard and provide them with appropriate personal protection equipment ("PPE"). The owner must also sample any soil that is excavated from the site prior to disposal to ascertain if contamination remains. The soil must be treated, stored and disposed of by the owner in accordance with applicable local, state and federal law.

In the event the concrete/gravel cap overlying the contaminated soil plume is removed or replaced, the replacement barrier must be equally impervious. Any replacement barrier will be subject to the same maintenance and inspection guidelines as outlined in this Maintenance Plan unless indicated otherwise by the WDNR or its successor.

The property owner, in order to maintain the integrity of the concrete/gravel cap, will maintain a copy of this Maintenance Plan on-site and make it available to all interested parties (i.e. on-site employees, contractors, future property owners, etc.) for viewing.

Prohibition of Activities and Notification of DNR Prior to Actions Affecting a Cover or Cap

The following activities are prohibited on any portion of the property where the concrete/gravel cap is required as shown on the attached map, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 1) removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; or 6) construction or placement of a building or other structure.

Amendment or Withdrawal of Maintenance Plan

This Maintenance Plan can be amended or withdrawn by the property owner and its successors with the written approval of WDNR.

Contact Information

October 2015

Current Site Owner and Operator:

John Sigafus
P.O. Box 187
Browntown, WI 53522
(608) 966-3312

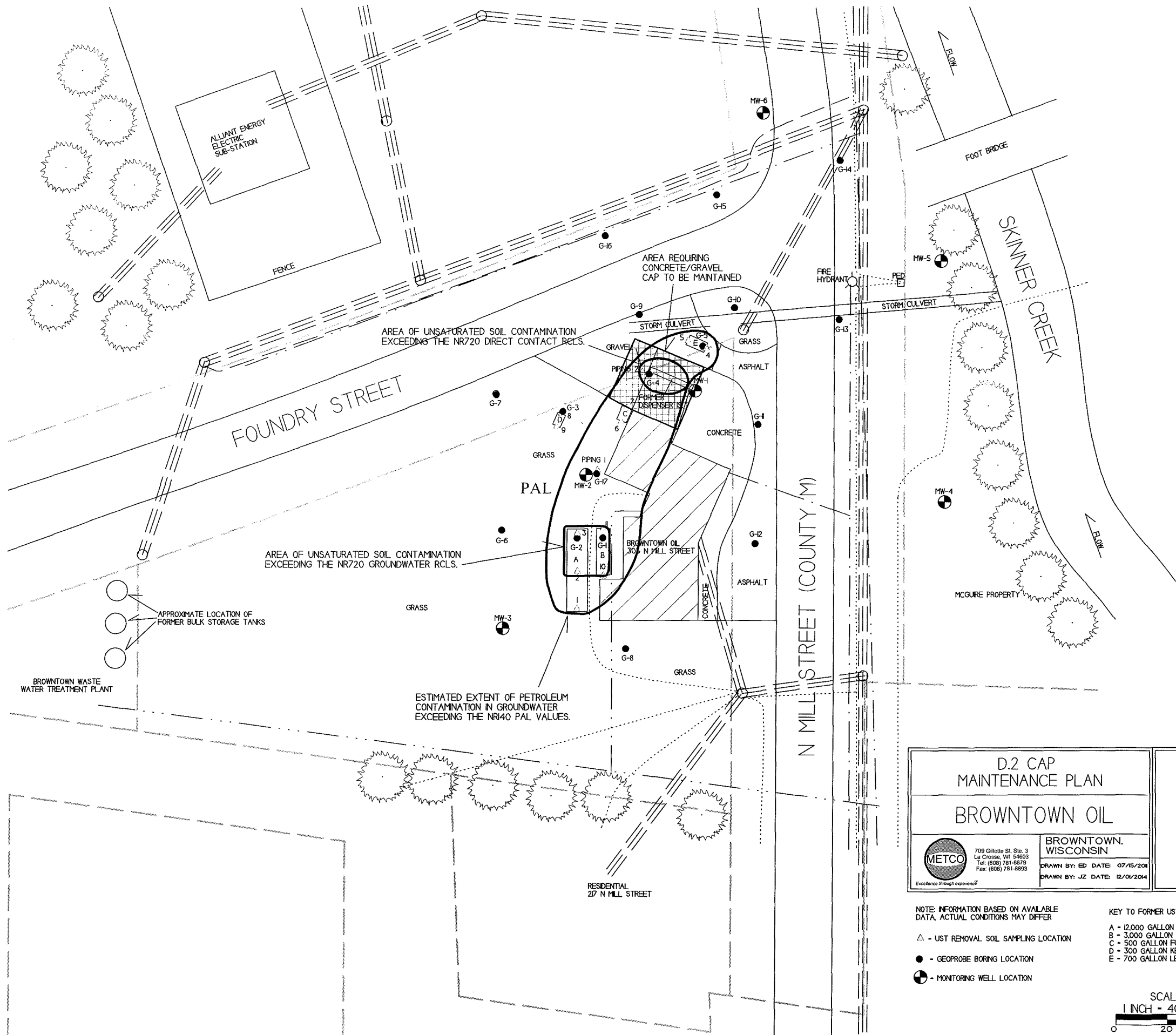
Signature: _____
(DNR may request signature of affected property owners, on a case-by-case basis)

Consultant:

METCO
Ron Anderson
709 Gillette Street, Suite 3
La Crosse, WI 54603
(608) 781-8879

WDNR:

Will Meyers
3911 Fish Hatchery Road
Fitchburg, WI 53711
(608) 273-5613



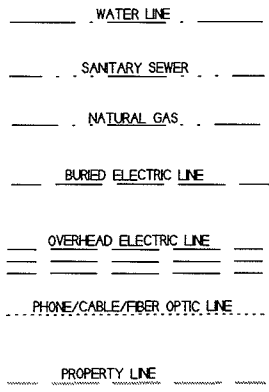
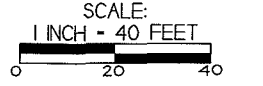
D.2 CAP MAINTENANCE PLAN	
BROWNTOWN OIL	
	BROWNTOWN, WISCONSIN <small>709 Gilette St. Ste. 3 La Crosse, WI 54603 Tel: (608) 781-8879 Fax: (608) 781-8893</small>
	<small>DRAWN BY: ED DATE: 07/15/2014 DRAWN BY: JZ DATE: 12/01/2014</small>

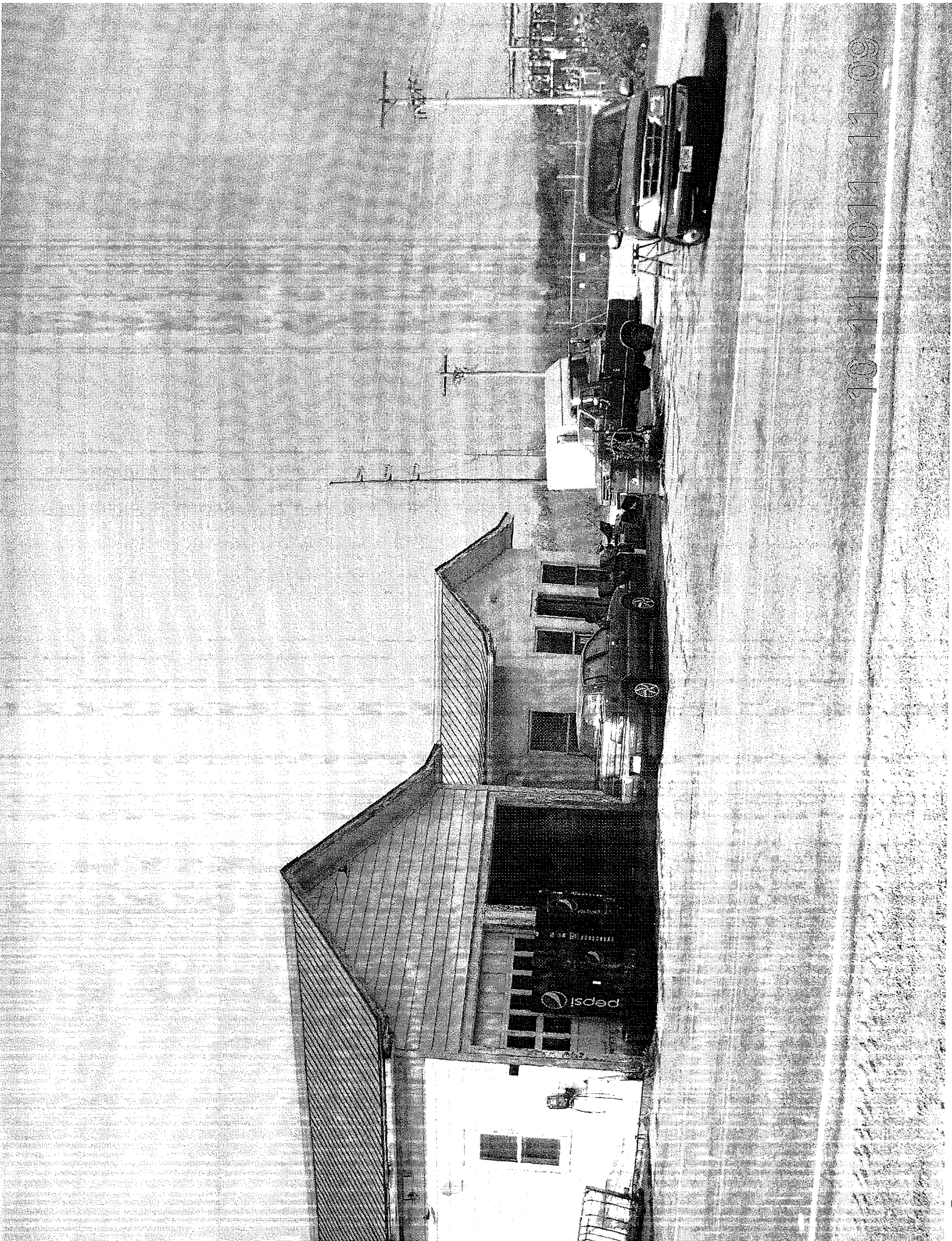
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KEY TO FORMER UST'S

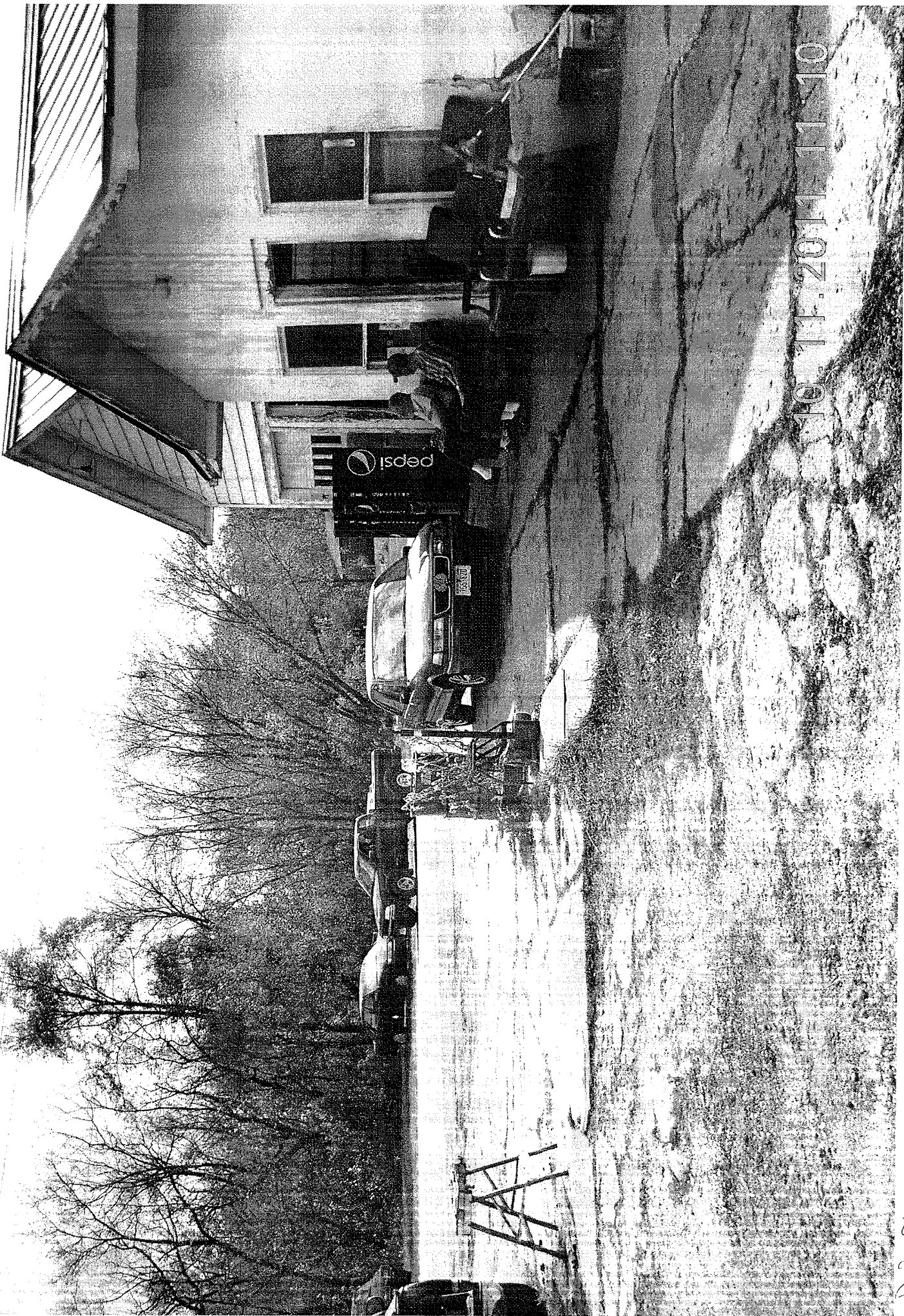
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- E - 700 GALLON LEADED GASOLINE





10.11.2011 11:09

D 3 Photographs



10-11-2011 11:10

D.3. Photographs



10.11.2011 11:12

Directions: In accordance with s. NR 727.05 (1) (b) 3., Wis. Adm. Code, use of this form for documenting the inspections and maintenance of certain continuing obligations is required. Personal information collected will be used for administrative purposes and may be provided to requesters to the extent required by Wisconsin's Open Records law [ss. 19.31-19.39, Wis. Stats.]. When using this form, identify the condition that is being inspected. See the closure approval letter for this site for requirements regarding the submittal of this form to the Department of Natural Resources. A copy of this inspection log is required to be maintained either on the property, or at a location specified in the closure approval letter. Do NOT delete previous inspection results. This form was developed to provide a continuous history of site inspection results. The Department of Natural Resources project manager is identified in the closure letter. The project manager may also be identified from the database, BRRTS on the Web, at <http://dnr.wi.gov/botw/SetUpBasicSearchForm.do>, by searching for the site using the BRRTS ID number, and then looking in the "Who" section.

Activity (Site) Name Browntown Oil	BRRTS No. 03-23-001503
----------------------------------------------	----------------------------------

Inspections are required to be conducted (see closure approval letter): <input checked="" type="radio"/> annually <input type="radio"/> semi-annually <input type="radio"/> other – specify _____	When submittal of this form is required, submit the form electronically to the DNR project manager. An electronic version of this filled out form, or a scanned version may be sent to the following email address (see closure approval letter): <p style="text-align: center;">will.myers@wi.gov</p>
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Inspection Date	Inspector Name	Item	Describe the condition of the item that is being inspected	Recommendations for repair or maintenance	Previous recommendations implemented?	Photographs taken and attached?
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N