



ENVIRONMENTAL & REGULATORY SERVICES
BUREAU OF PECFA
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<http://www.commerce.state.wi.us>
<http://www.wisconsin.gov>
Scott McCallum, Governor
Philip Edw. Albert, Acting Secretary

December 17, 2001

Mr. Matthew Nardo
CCF, Inc.
125 Columbia Court, Ste. 8
Chaska, WI 55318-2348

RE: *mno* **Conditional Case Closure**

Commerce # 54005-3445-26 **WDNR BRRTS # 03-49-274529**
Clear Lake Circle C, 426 US Hwy 63, Clear Lake

Three Unleaded gasoline USTs: One 10,000-gallon tank and two 8,000-gallon tanks (Tank ID #'s 324341, 324342 and 324343, respectively)

Dear Mr. Nardo,

On October 26, 2001, the Wisconsin Department of Commerce (Commerce) PECFA Site Review Section received a request for case closure, dated September 27, 2001, from Envirogen, Inc. It is understood that residual soil and groundwater contamination remains on-site. Using the standards established in the NR 700 series, Wisconsin Administrative Code (Wis. Adm. Code), Commerce has determined that this site does not pose a significant threat to the environment and human health. No further investigation or remedial action is necessary.

The following conditions must be satisfied to obtain final closure:

- A notification must be placed on the property deed addressing residual petroleum impacts to groundwater on the above-referenced property. For case closure, Commerce will need the deed notification containing the County Register of Deeds' recording information. Enclosed is an example of a "Notice of Contamination to Property" for your use. If you wish to modify the language, submit a copy to this office for approval prior to recording. If an electronic copy of the "Notice of Contamination to Property" is desired, you may contact Commerce and a copy will be forwarded to you.

Please note: As of November 1, 2001, you may elect to have this site recorded on the Wisconsin Department of Natural Resources' (WDNR) Geographic Information System (GIS) Registry of Closed Remediation Sites in lieu of filing a groundwater use restriction. The GIS Registry is a database listing all closed remediation sites and is available to the public via the Internet. For more information regarding the registration process, including fee and documentation requirements, refer to the enclosed GIS Registry information.

- A soil deed restriction must be placed on the property deed addressing residual petroleum impacts to soil on the above-mentioned property. This deed restriction will require that an institutional control be implemented and maintained to minimize infiltration of water through the zone of contamination to prevent further migration of residual petroleum contamination

to the groundwater. For case closure, Commerce will need the deed restriction containing the County Register of Deeds' recording information. **Commerce requires a site map indicating where the remaining soil contamination exists, the location and extent of the impermeable (asphalt or concrete) cap to be maintained, property boundaries, and a table that indicates appropriate soil sample contaminant levels and locations.** Enclosed is an examples of a "Notice of Contamination to Property" for your use. If you wish to modify the language, submit copies to this office for approval prior to recording. If an electronic copy of the "Notice of Contamination to Property" is desired, you may contact Commerce and a copy will be forwarded to you.

As of August 31, 2001, State Statute 101.143 requires PECFA claimants seeking reimbursement of interest costs to submit a final reimbursement claim within 120 days after they receive written notification that no further action is required with respect to the discharge at their site. This letter serves as your written notice of "no further action". If your claim is not received within 120 days of the date of this letter, interest costs incurred after 60 days of the date of this letter will not be eligible for PECFA reimbursement. Costs associated with filing deed notices or other restrictions are not eligible for PECFA reimbursement, and the filing of these notices should not delay the claim submittal process.

Thank you for your efforts in protecting Wisconsin's environment. If you have any questions, please contact me in writing at the letterhead address or by telephone at (608) 261-5401.

Sincerely,

Shawn A Wenzel
Hydrogeologist
Site Review Section

Enclosure

cc: Allan Wolfe, Envirogen, Inc.
Case File