

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary
Gloria L. McCutcheon, Regional Director

Plymouth Service Center
1155 Pilgrim Road
Plymouth, Wisconsin 53073-4294
Telephone 920-892-8756
FAX 920-892-6638
TTY Access via relay - 711

June 5, 2006

Mr. Dale Lythjohan
Cedarburg Light and Water Commission
P.O. Box 767
Cedarburg, WI 53012

**SUBJECT: Cedarburg Light and Water site, W61 N617 Mequon Avenue, Cedarburg, WI
WDNR FID#246100800 BRRTS#03-46-003301**

Dear Mr. Lythjohan:

As you know from our telephone conversation on May 17, 2006, the Department is undertaking a project to address open environmental contamination sites that have been inactive for several years. We are sending letters to those property owners to determine the status of these cases and to request additional work if necessary. We appreciate your cooperation and understanding as we try to resolve these old cases. Getting your site closed and taken off the Department's data base can facilitate redevelopment and/or sale of your property.

In our review of the Cedarburg Light and Water case file referenced above, the Department found the most recent document to be a closure denial letter addressed to you and dated June 26, 1997 (copy enclosed). That letter identified two items that need to be addressed. The first is related to residual petroleum contamination beneath power plant cooling towers; the second relates to chlorinated solvent contamination in groundwater.

1. It is my understanding from reviewing the site file that soil contamination (diesel range organics) was identified in an area adjacent to the cooling towers. Site closure could not be granted without additional investigation and/or placement of a deed restriction on the property requiring investigation of the inaccessible contamination if/when structural impediments are removed in the future. Recent legislative changes have eliminated the need to record deed restrictions when residual contamination is present at a property. Rather, these sites are now placed on the Department's GIS Registry and conditions of closure are described in a final closure letter which is posted on the Registry site. It appears that closure for the petroleum releases at the site could be achieved utilizing the GIS Registry. We suggest that you request closure for the petroleum contamination (BRRTS activity number 03-46-003301) by submitting the appropriate documents (including site summary and closure form) and fees.
2. Groundwater analytical data from the most recently submitted report (December 12, 1996) indicated that NR 140 enforcement standards were exceeded for tetrachloroethylene, trichloroethylene, 1,2-dibromoethane and vinyl chloride in site wells. The Department's June 26, 1997 letter requested you to investigate the source of and address the chlorinated solvent contamination. We have not received any further information on this release. The Department will now open a new activity for the

chlorinated solvent release and your responsibility to investigate and remediate this release will be described to you in a forthcoming letter.

If you have other site information that was not previously submitted, please provide the information IN WRITING to:

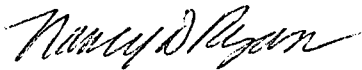
Ms. Victoria Stovall
Remediation and Redevelopment Program
Wisconsin Department of Natural Resources
2300 N. Dr. Martin Luther King, Jr. Dr.
Milwaukee, WI 53212

Correspondence should reference the "Subject" name and file reference numbers listed above.

Sites where discharges to the environment have been reported are entered into the Bureau for Remediation and Redevelopment Tracking System (BRRTS), a version of which appears on the Department's internet site. You may view the information related to your site at any time (<http://www.dnr.state.wi.us/org/aw/rr/brrts>) and use the feedback system to alert us to any errors in the data.

It is in your best interest to take the necessary steps to obtain case closure for your site, as an open status can delay or prevent refinancing, sale or other actions pertaining to the property. If we do not hear from you, the Department may pursue enforcement action. If you have questions on your responsibilities in this matter, please contact me at (920) 892-8756 ext. 3025.

Sincerely,



Nancy D. Ryan, Hydrogeologist
Remediation and Redevelopment Program
Southeast Region

Cc: SER site file
Enclosure