



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

file
Lake Michigan District Headquarters
1125 North Military Avenue
Box 10448
Green Bay, Wisconsin 54307-0448
Fax Number 414-497-4410

November 2, 1990

File Ref: 4440

Thomas Harp - City Engineer
City of Appleton
200 N. Appleton Street
Appleton, WI 54911

Subject: City of Appleton - Water Street Sewer Project

Dear Mr. Harp:

The following is a summary of our Monday, October 29, 1990, meeting regarding the proper handling of contaminated soils excavated from the Water Street sewer project. It appears that coal tar residue has leaked from an old distribution line in conjunction with an adjacent coal gasification plant. As specified in Wisconsin Spill Statute, Chapter 144.76, a person who possesses or controls a hazardous substance which is discharged or causes the discharge of a hazardous substance shall take the actions necessary to restore the environment to the extent practical.

After our meeting, I had the opportunity to inspect the sewer excavation and found the odors associated with the dark staining to be indicative of coal tar residue. Based on information obtained to date, the city of Appleton would be considered the responsibility party for the identification, investigation, and appropriate remedial action in this case. As the responsible party, the city shall take the following actions:

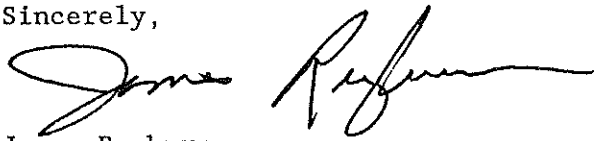
1. Determine if the excavated contaminated soils would be classified as a hazardous waste according to Wisconsin's Administrative Code, Chapter NR 181. Mr. Steve Ashenbrucker of our Oshkosh area office can assist you in making this determination. Once the status of the soils have been determined, the final disposal options regarding contaminated soils on the Gene Fredrickson, the Ed's Boat Sales, Inc. Warehouse, and the excavation site properties can be made.
2. Prepare a workplan to investigate the lateral and vertical extent of the contamination in the soil and groundwater at the excavation site. The Department is concerned about the close proximity of the old gasification plant and the distribution system to the Fox River. Enclosed is a draft guidance document detailing site investigation procedures for coal gas sites. As we agreed to at the meeting, this work plan shall be submitted for Department approval by December 15, 1990.
3. The city shall work closely with the property owners on who's property contaminated soils have been disposed, in order to classify these soils and arrange for their proper disposal if necessary.

Mr. Thomas Harp - November 2, 1990

2.

If you have any questions regarding this matter, please contact me at 497-4397.

Sincerely,

A handwritten signature in black ink, appearing to read "James Reyburn". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

James Reyburn
Environmental Specialist

JR:lvp

Encl.

cc: Bureau of Hazardous and Solid Waste - SW/3
Mr. Steven Ashenbrucker - Oshkosh
Mr. Gene Fredrickson
Mr. John Stafford - Ed's Boat Sales, Inc.