



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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August 18, 2000

FILE COPY

MR DAVID H BRETTEING
BRETTEING DEVELOPMENT CORP INC
PO BOX 113
ASHLAND WI 54806

Subject: Responsible Party Notification - Former DuPont Barksdale Works
(BRRTS #02-04-000156), Barksdale, Wisconsin

Dear Mr. Bretteing:

In June 1995, staff from the Wisconsin Departments of Natural Resources and Health and Social Services (DHSS) conducted a site visit at the former DuPont Barksdale Works property. E.I. duPont de Nemours and Company operated an explosives manufacturing facility at this location from 1904 to 1971. As a follow-up to recommendations made by DHSS after the site visit, Department Drinking Water and Groundwater program staff sampled several potable wells on and adjacent to the former DuPont property in June 1997. That sampling detected concentrations of several explosives-related compounds in the well serving the Tad Bretteing residence.

Since that time, DuPont Environmental Remediation Services has been carrying out an investigation of environmental contamination on and adjacent to the former DuPont Barksdale Works property. This investigation has been performed at the request of the Department, and has focused mainly on concerns raised by the Department. The concerns are based on historical information about manufacturing operations, and available investigation results. To date, samples collected from at least six private water supply wells have detected explosives-related compounds.

Based on this information, the Department believes that you may be responsible for restoring the environment at this site under Section 292.11(3), Wisconsin Statutes, known as the hazardous substances spill law. Your responsibilities could include investigating the extent of the contamination, and then selecting and implementing the most appropriate remedial action. In no way does the Department mean to imply that Bretteing Development Corp., Inc., is responsible for the generation, management or disposal of explosives on this site.

The purpose of this letter is to describe your legal responsibilities. Your legal responsibilities are defined both in statute and in administrative rules. The hazardous substances spill law, Section 292.11(3), Wisconsin Statutes, states:

- ❖ **RESPONSIBILITY.** A person who possesses or controls a hazardous substance which is discharged or who causes the 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 the state.

Mr. David H. Bretting – August 16, 2000

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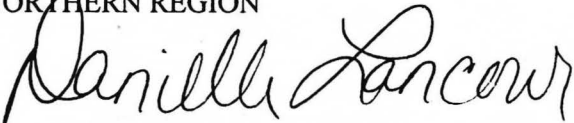
Wisconsin Administrative Codes NR 700 through NR 728 establish requirements for emergency and interim actions, public information, site investigations, design and operation of remedial action systems, and case closure. Chapter NR 708 includes provisions for immediate actions in response to limited contamination. Chapter NR 140, Wis. Adm. Code, establishes groundwater standards.

The Department acknowledges the investigative and non-emergency immediate actions that have already been taken by DuPont Environmental Remediation Services to address the contamination. However, in order to meet the requirements of s. 292.11(3), Wis. Stats., and chs. NR 700 through 728, Wis. Adm. Code, the Department believes that additional actions are necessary. These actions would include determining whether additional potable wells have been impacted, and defining the degree and extent of contamination. The Department is not seeking any actions from Bretting Development Corp., Inc., other than your allowing DuPont Environmental Remediation Services continued access to the site to conduct the actions necessary under state law and administrative code.

If you have any questions regarding this letter or your responsibilities, please call Chris Saari at 715/372-8539, extension 120.

Thank you for your cooperation.

Sincerely,
NORTHERN REGION



Danielle Lancour
Remediation and Redevelopment Program

C: James L. Aker – DuPont Environmental Remediation Services
Chris Saari – DNR Brule
Mark Stokstad – DNR Brule