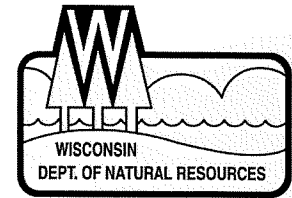


State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
Plymouth Service Center
1155 Pilgrim Road
Plymouth, WI 53073

Tony Evers, Governor
Preston D. Cole, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



May 16, 2022

Colleen Landisch-Hansen
Village Administrator
Village of Thiensville
250 Elm Street
Thiensville, WI 53092

Certified Mail: 7016 3560 0000 8882 6309
7016 3560 0000 8882 6361

Andrew Lafond
Director of Public Works
Village of Thiensville
250 Elm Street
Thiensville, WI 53092

Subject: Case File Review and Request for NR 716 Report
Thiensville Village Highway Department, 120 West Friestadt Road, Thiensville, WI
BRRTS #: 02-46-000366, FID #: 246090900

Dear Colleen Landisch-Hansen and Andrew Lafond:

The Department of Natural Resources (DNR) has recently reviewed the case file documents regarding the 1991 spill that occurred when vandals opened and tipped over drums full of combustibles used for fire department training at the Village's Highway Department property. The DNR finds that the Village is not in compliance with the requirements in Wis. Admin. Code chs. NR 700-799 regarding the needed actions at the site. As the responsible party for this hazardous substance discharge, you have a legal responsibility under Wis. Stat. § 292.11 to investigate and clean up contamination resulting from the hazardous substance discharge. The DNR will work with you to move this site towards closure; however, this is the fifth request the DNR has made for compliance.

Background

The DNR received a spill report on February 14, 1991, after drums at the site reportedly had been opened and tipped over by vandals. The spill report indicated soil contamination from petroleum substances; however, a telephone log in the case file dated February 21, 1991 denotes "MEK (methyl ethyl ketone), solvents, and gasoline" as being present, and that the fire department had used the gasoline in plastic lined pits to practice firefighting at the site. Additional DNR notes from a DNR site visit on February 19, 1991 indicate the spill was from four, 55 gallon drums, and the spill area covered 47 feet x 10 feet, and noted that several other drums were present at the site. On February 7, 2005, the DNR received an invoice documenting the disposal of 100 cubic yards of contaminated soil from the site. The DNR received update reports from the Village's consultant, Moraine Environmental, Inc. (Moraine) with maps showing the excavated areas, boring locations, tables, and some boring logs on May 20, 2014, and on March 8, 2021.

Review of Site Investigation Completeness

Between 2005 and 2021, the DNR has received a variety of update letters and status reports without the submittal of a site investigation (SI) report to delineate the degree and extent of contamination for the report hazardous substance discharge. The contents of a site investigation report are defined in Wis. Admin. Code § NR 716.15.

The following information appears to be missing from submitted documents and must be included in the SI report:

1. Interpretations of all collected environmental data on the site to characterize the geologic and hydrogeologic characteristics of the site or facility, the areal and vertical degree and extent of hazardous substances in all environmental media, and the impacts of the contamination to all potential receptors. This includes any volatile organic compound (VOC) results that may have been collected prior to or after Moraine's 2014 update report.
2. Data tables that present and compare all sampling results to regulatory standards.
3. Figures (in plan and cross-section views) that illustrate the lateral and vertical extent of contamination.
4. All laboratory analytical reports.

Next Steps

Evaluate all site data to determine the completeness of the site investigation and the presence of any data gaps. If data gaps exist, submit a *Supplemental Site Investigation Work Plan* that complies with Wis. Admin. Code § NR 716.09. If data gaps are not present, submit a *Comprehensive Site Investigation Report* that includes all the data collected to-date to delineate contamination in all environmental media and complies with Wis. Admin. Code § NR 716.15.

The *Supplemental Site Investigation Work Plan* or *Comprehensive Site Investigation Report* must include an evaluation of emerging contaminants. Per Wis. Admin. Code §§ NR 716.07, NR 716.09, provide an evaluation of potential perfluoroalkyl and polyfluoroalkyl substances (PFAS) and other applicable emerging contaminants, including dioxane, that were historically or are presently produced, used, handled, or stored at the site. This should include any available information on whether any products containing PFAS were used in any process services, the duration of PFAS-containing product use, the type of PFAS contained in the product, and any areas of the site where PFAS-containing products may have been used, stored, managed, or discarded.

Schedule

Submit a *Supplemental Site Investigation Work Plan* within 60 days from the date of this letter, by **July 11, 2022**, or a *Comprehensive Site Investigation Report* within 60 days after completion of the field investigation and receipt of laboratory data. The DNR recommends either report be submitted with a fee for DNR review and response.

Closing

Your legal responsibilities are defined in statute and in administrative code. The hazardous substances spill law, Wis. Stat. § 292.11(3), states "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."

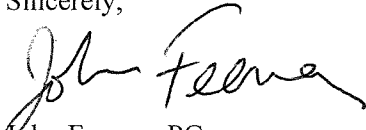
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Wisconsin Administrative Code (Wis. Admin. Code) chs. NR 700 to NR 799 establish requirements for emergency and interim actions, public information, site investigations, design and operation of remedial action systems, and case closure.

The DNR appreciates your cooperation and looks forward to receiving a report for this environmental contamination site. If you have any questions regarding the site or this letter, please contact me as the DNR Project Manager, or have your consultant contact me at 262-416-8643 or by email at johnm.feeney@wisconsin.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "John Feeney". The signature is fluid and cursive, with the first name "John" written in a larger, more prominent script than the last name "Feeney".

John Feeney, PG
Remediation and Redevelopment Program
Wisconsin Department of Natural Resources

cc: Mr. David Lennon, Moraine Environmental, Inc.