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State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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March 9, 2004

Associated Banc Corp
Attn: Mark Jurgella
1305 Main St
Stevens Point, WI 54481

Subject: Conditional Case Closure With NR 140 Exemption
Associated Bank Property, 705 N Center Ave, Merrill, Wisconsin
WDNR BRRTS # 02-35-421441

Dear Mr. Jurgella:

On March 4, 2004 your request for closure of the case described above was reviewed by the Regional Closure Committee. The Closure Committee reviews environmental remediation cases for compliance with state rules and statutes to maintain consistency in the closure of these cases. After careful review of the closure request, the Closure Committee has determined that the contamination on the site appears to have been investigated to the extent practicable under site conditions.

The monitoring wells at the site must be properly abandoned in compliance with ch. NR 141, Wis. Adm. Code. Documentation of well abandonment must be submitted to me on Form 3300-5B found at www.dnr.state.wi.us/org/water/dgw/gw/ or provided by the Department of Natural Resources.

When the above conditions have been satisfied, please submit a letter to let me know that applicable conditions have been met, and your case will be closed.

Recent groundwater monitoring data at this site indicates exceedances of the NR 140 preventive action limit (PAL) for Arsenic at Monitoring Well # MW-3, and Lead in Monitoring Wells # MW-1, MW-2, MW-3, and MW-4, but compliance with the NR 140 enforcement standard. The Department may grant an exemption to a PAL for a substance of public health concern, other than nitrate, pursuant to s. NR 140.28(2)(b), Wis. Adm. Code, if all of the following criteria are met:

1. The measured or anticipated increase in the concentration of the substance will be minimized to the extent technically and economically feasible.
2. Compliance with the PAL is either not technically or economically feasible.
3. The enforcement standard for the substance will not be attained or exceeded at the point of standards application.



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4. Any existing or projected increase in the concentration of the substance above the background concentration does not present a threat to public health or welfare.

Based on the information you provided, the Department believes that the above criteria have been or will be met. Therefore, pursuant to s. NR 140.28(2)(b), Wis. Adm. Code, an exemption to the PAL is granted for Arsenic in MW-3 and Lead in MW-1, MW-2, MW-3, and MW-4. This letter serves as your exemption.

Based on the information provided, your site does not appear to be the source of the perchloroethylene contamination that was detected on the property.

Please be aware that the case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, or welfare or to the environment.

We appreciate your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at 715-365-8990.

Sincerely,
Northern Region



Janet Kazda
Remediation & Redevelopment Program

→ cc: File
John Sager, Antigo
Bill Phelps, DG/2

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