

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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January 22, 2004

Arthur Garcia
Manager – Real Estate & Property
Newell Rubbermaid Inc
29 East Stephenson
Freeport IL 61032

Subject: Reported Contamination at Mirro Plt #20 (former), 44 Walnut St, Chilton, Wisconsin
WDNR BRRTS #: 02-08-520157

Dear Mr. Garcia:

On January 14, 2004, the Wisconsin Department of Natural Resources (WDNR) became aware that various types of solvent, metal, and petroleum contamination had been detected at the site listed above.

Based on the information submitted to the WDNR, we believe you are responsible for restoring the environment at the referenced site under Section s. 292.11, Wis. Stats., known as the hazardous substances spills law.

This letter describes your legal responsibilities, explains what you need to do to investigate and clean up the contamination, and provides you with information about cleanups, environmental consultants, possible financial assistance, and working cooperatively with the WDNR and Department of Commerce (Commerce).

Legal Responsibilities:

Your legal responsibilities are defined both in statute and in administrative codes. The hazardous substances spill law, S. 292.11 (3) Wis. Stats., 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.

Wisconsin Administrative Code chapters NR 700 through NR 749 establish requirements for emergency and interim actions, public information, site investigations, design and operation of remedial action systems, and case closure. Chapter NR 708, Wis. Adm. Code, includes provisions for immediate actions in response to limited contamination. Wisconsin Administrative Code chapter NR 140 establishes groundwater standards for contaminants that reach groundwater.

Steps to Take:

The longer contamination is left in the environment the farther it can spread and the more it may cost to clean up. Quick action may lessen damage to your property and neighboring properties and reduce your costs in investigating and cleaning up the contamination. To ensure that your cleanup complies with Wisconsin's laws and administrative

codes, you should hire a professional environmental consultant who understands what needs to be done. These are the first steps to take:

1. Within the next **30 days of the date of this letter**, you should submit written verification (such as a letter from the consultant) that you have hired an environmental consultant.
2. Within the next **60 days of the date of this letter**, your consultant should submit a workplan and schedule for the investigation. The consultant must follow the WDNR administrative codes and may rely on Department technical guidance documents. To facilitate prompt agency review of your reports, your consultant should use the site investigation and closure formats which are available on-line at www.dnr.state.wi.us.

Once an investigation has established the degree and extent of contamination involved at your site, your consultant will be able to determine whether Commerce or the WDNR has authority over the case.

3. Within 30 days of completion of the site investigation, you or your consultant must provide a brief report at least every 90 days per s. NR 724.13(3), Wis. Adm. Code. Quarterly reports need only include one or two pages of text, plus any relevant maps and tables. Should conditions at your site warrant, we may require more frequent contacts.
4. When the site investigation is complete, s. NR 716.15(1), Wis. Adm. Code requires that you or your consultant submit to the WDNR a full report (within 30 days of completion of the report) on the extent and degree of soil and groundwater contamination and a proposal for cleaning up the contamination.
5. After the appropriate remedial action as been implemented and there is no threat to human health or the environment, you or your consultant may apply for closure (no further action required) to the WDNR.
6. 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 WDNR'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.

If you request a formal response from the agency on a specific submittal, please be aware that a review fee is required in accordance with s. NR 749, Wis. Adm. Code. If a fee is not submitted with your reports, you should proceed under the advice of your consultant to complete the site investigation to maintain your compliance with the spills law and chs. NR 700 through NR 749, Wis. Adm. Code. **Do not delay the investigation of your site by waiting for an agency response.** We have provided detailed technical guidance to environmental consultants. Your consultant is expected to know our technical procedures and administrative codes and should be able to answer your questions on meeting cleanup requirements.

All correspondence regarding this site should be sent to:

Alan Nass
Remediation and Redevelopment Program
Wisconsin Department of Natural Resources
P O Box 10448, Green Bay WI 54307-0448
#920-492-5861

Unless otherwise requested, please send only one copy of plans and reports. To speed processing, correspondence should reference the BRRTS and FID numbers (if assigned) shown at the top of this letter.

Additional Information for Site Owners:

Information to help you select a consultant, review the contractor list, help control costs is enclosed. In addition, *Fact Sheet 2 - Voluntary Party Remediation and Exemption from Liability* is enclosed and provides information on obtaining protection of limited liability under s. 292.15, Wis. Stats. **It is the understanding of the WDNR that this property is taking part in the Voluntary Party Liability Exemption process. Redevelopment of this brownfields property is being planned.**

Financial Assistance:

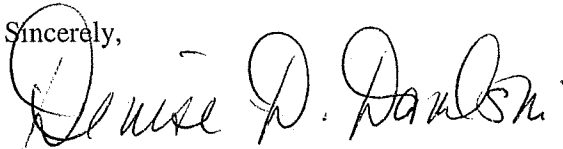
Reimbursement from the Petroleum Environmental Cleanup Fund (PECFA) is available for some of the costs of cleaning up contamination from eligible petroleum storage tanks. Please refer to the enclosed information sheet entitled *Information About PECFA* for more information on eligibility and regulations for this program For more information on the PECFA program, please call the Department of Commerce at 608-266-2424 or visit their web site at <http://www.commerce.state.wi.us> and select Petroleum Programs.

Drycleaning Sites:

Funding is also available for cleanup at some drycleaning sites.

Thank you for your cooperation. Call Alan Nass for more information on eligibility or visit the RR web site <http://www.dnr.state.wi.us/org/aw/rr>. You may also contact this person for all other questions regarding this letter.

Sincerely,



Denise D. Danelski
Program Assistant
Bureau for Remediation & Redevelopment

- Enclosures:
1. Selecting an Environmental Consultant
 2. Environmental Services Contractor List
 3. Environmental Contamination – The Basics
 4. Voluntary Party Remediation and Exemption from Liability
 5. Remediation & Redevelopment Program

cc: Alan Nass - NER