

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott Walker, Governor
Cathy Stepp, Secretary

South Central Region Headquarters
3911 Fish Hatchery Road
Fitchburg, Wisconsin 53711-5397
Telephone 608-275-3266
FAX 608-275-3338
TDD 608-275-3231

June 11, 2015

Eileen Pilsner
291 West Street
Juneau WI 53039

Dianna Williams
207 West Street
Juneau WI 53039

Subject: Reported Contamination at **Pilsner Ford (Former)** located at 207 West St.
In Juneau WI
DNR BRRTS Activity # 03-14-530057

Dear Ms. Williams and Ms. Pilsner:

On August 9, 2004 Ron Engel representing Engel and Associates on behalf of Dianna Stephens notified the Department of Natural Resources (DNR) that petroleum contamination had been detected at the site described above. On May 20, 2015 the Department received lab results from Engel and Associates confirming soil contamination.

Based on the information that has been submitted to the DNR regarding this site, we believe you are responsible for investigating and restoring the environment at the above-described site under Section 292.11, Wisconsin Statutes, known as the hazardous substances spills law.

This letter describes the legal responsibilities of a person who is responsible under section 292.11, Wis. Stats., 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 DNR or the Department of Agriculture, Trade and Consumer Protection (DATCP).

Legal Responsibilities:

Your legal responsibilities are defined both in statute and in administrative codes. 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.

Wisconsin Administrative Code chapters NR 700 through NR 754 establish requirements for

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Through Excellent Customer Service*



emergency and interim actions, public information, site investigations, design and operation of remedial action systems, and case closure. Wisconsin Administrative Code chapter NR 140 establishes groundwater standards for contaminants that reach groundwater.

Steps to Take:

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. The following information provides the timeframes and required steps to take. Unless otherwise approved by DNR in writing you must complete the work by the timeframes specified.

1. Within the next **30 days** you should submit written verification (such as a letter from the consultant) that you have hired an environmental consultant. If you do not take action within this time frame, the DNR may initiate enforcement action against you.
2. Within **60 days** you must submit a work plan for completing the investigation. The work plan must comply with the requirements in the NR 700 Wis. Adm. Code rule series and should adhere to current DNR technical guidance documents.
3. You must initiate the site investigation within 90 days of submitting the site investigation work plan. If a fee for DNR review has been submitted, the site investigation must begin within 60 days after receiving DNR comments.
4. Within 60 days after completion of the field investigation and receipt of the laboratory data, you must submit a Site Investigation Report to the DNR or other agency with administrative authority. For sites with agricultural contamination, your case will be transferred to the Department of Agriculture, Trade and Consumer Protection for oversight.
5. Within 60 days after submitting the Site Investigation Report, you must submit a remedial actions options report.

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 DNR's internet site. You may view the information related to your site at any time (<http://dnr.wi.gov/botw/SetUpBasicSearchForm.do>) and use the feedback system to alert us to any errors in the data.

If you want a formal written response from the department on a specific submittal, please be aware that a review fee is required in accordance with ch. NR 749, Wis. Adm. Code. If a fee is not submitted with your reports, you must complete the site investigation and cleanup to maintain your compliance with the spills law and chapters NR 700 through NR754. **The timeframes specified above are required by rule, so do not delay the investigation of your site.** We have provided detailed technical guidance to environmental consultants. Your consultant is expected to know our technical procedures and administrative rules and should be able to answer your questions on meeting cleanup requirements.

All correspondence regarding this site should be sent to:

Denise Nettesheim
Remediation and Redevelopment Program
Wisconsin Department of Natural Resources
3911 Fish Hatchery Road
Fitchburg WI 53711

Unless otherwise directed, submit one paper copy and one electronic 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.

Site Investigation and Vapor Pathway Analysis

As you develop the site investigation work plan, we want to remind you to include an assessment of the vapor intrusion pathway. Chapter NR 716, Wisconsin Administrative Code outlines the requirements for investigation of contamination in the environment. Specifically, s. NR 716.11(3)(a) requires that the field investigation determine the "nature, degree and extent, both areal and vertical, of the hazardous substances or environmental pollution in all affected media". In addition, section NR 716.11(5) (g) and (h) contains the specific requirements for evaluating the presence of vapors in the sub-surface as well as in indoor air.

You will need to include documentation with the Site Investigation Report that explains how the assessment was done. If the vapor pathway is being ruled out, then the report needs to provide the appropriate justification for reaching this conclusion. If the pathway cannot be ruled out, then investigation and, if appropriate, remedial action must be taken to address the risk presented prior to submitting the site for closure. The DNR has developed guidance to help responsible parties and their consultants comply with the requirements described above. The guidance includes a detailed explanation of how to assess the vapor intrusion pathway and provides criteria which identify when an investigation is necessary. The guidance is available at: <http://dnr.wi.gov/files/PDF/pubs/rr/RR800.pdf>.

Additional Information for Site Owners

We encourage you to visit our website at <http://dnr.wi.gov/topic/Brownfields/>, where you can find information on selecting a consultant, financial assistance and understanding the cleanup process. You will also find information there about liability clarification letters, post-cleanup liability and more.

If you have questions, call Denise Nettlesheim at (608) 275-3209 for more information or visit the RR web site at the address above.

Thank you for your cooperation.

Sincerely,



Wendy Weihemuller
Environmental Program Associate
Remediation & Redevelopment Program

Enclosures:

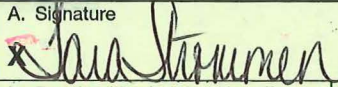

1. Selecting a Consultant – RR-502
<http://dnr.wi.gov/files/PDF/pubs/rr/RR502.pdf>

e/23/15 per Dianna Williams
new address
for:
Eileen Pilsner
326 W. Pine St.
Apt. 206
Lake Mills, WI 53551
-letter mailed today

Environmental Services Contractor List – RR-024
<http://dnr.wi.gov/files/PDF/pubs/rr/RR024.pdf>

Petroleum Environmental Cleanup Fund Award, Information about PECFA
Reimbursement, DNR Publication RR-942
<http://dnr.wi.gov/topic/brownfields/pecfa.html>

cc: Ron Engel Engel and Associates N4737 Hwy. 175 S. Fond du Lac WI 54937
→ File copy

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY																
<ul style="list-style-type: none">■ Complete items 1, 2, and 3.■ Print your name and address on the reverse so that we can return the card to you.■ Attach this card to the back of the mailpiece, or on the front if space permits.	<p>A. Signature <input checked="" type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery 9/2</p>																
<p>1. Article Addressed to:</p> <p>Eileen Pilsner 326 W Pine Street, Apt 206 Lake Mills, WI 53551</p>  <p>9590 9403 0777 5215 9108 32</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <table border="0"><tr><td><input type="checkbox"/> Adult Signature</td><td><input type="checkbox"/> Priority Mail Express®</td></tr><tr><td><input type="checkbox"/> Adult Signature Restricted Delivery</td><td><input type="checkbox"/> Registered Mail™</td></tr><tr><td><input checked="" type="checkbox"/> Certified Mail®</td><td><input type="checkbox"/> Registered Mail Restricted Delivery</td></tr><tr><td><input type="checkbox"/> Certified Mail Restricted Delivery</td><td><input type="checkbox"/> Return Receipt for Merchandise</td></tr><tr><td><input type="checkbox"/> Collect on Delivery</td><td><input type="checkbox"/> Signature Confirmation™</td></tr><tr><td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td><td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td></tr><tr><td><input type="checkbox"/> Insured Mail</td><td></td></tr><tr><td><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</td><td></td></tr></table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	
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<p>2. Article Number (Transfer from service label)</p> <p>7015 1730 0001 4444 9286</p>																	
<p>PS Form 3811, April 2015 PSN 7530-02-000-9053</p>	<p>Domestic Return Receipt</p>																



State of Wisconsin

Department of Natural Resources
3911 Fish Hatchery Road
Fitchburg, WI 53711-5397

Return Service Requested

6/23/15
Letter mailed
to Eileen
Pilsner at
Lake Mills address

PRESORTED
FIRST CLASS



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0002098603 JUN 12 2015
\$ 00.39¹
MAILED FROM ZIP CODE 53704

EPS 311 53039

530 NFE 1260A14I0006/14/15
RETURN TO SENDER
PILSNER
326 W PINE ST APT 206
LAKE MILLS WI 53001-1100
RETURN TO SENDER
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