**State of Wisconsin DEPARTMENT OF NATURAL RESOURCES** 3911 Fish Hatchery Road Fitchburg WI 53711-5397

**Tony Evers, Governor** Preston D. Cole, Secretary Telephone 608-266-2621

WISCONSIN Toll Free 1-888-936-7463 **DEPT. OF NATURAL RESOURCES** TTY Access via relay - 711

November 6, 2020

Dianna Williams 207 West Street Juneau, WI 53039

#### KEEP THIS DOCUMENT WITH YOUR PROPERTY RECORDS

SUBJECT: Final Case Closure with Continuing Obligations

Pilsner Ford (former), 207 West Street, Juneau, WI

DNR BRRTS Activity #: 03-14-530057

Dear Ms. Dianna Williams:

The Department of Natural Resources (DNR) considers Pilsner Ford (former) closed, with continuing obligations. The closure applies to petroleum contamination detected during the site investigation in soil and groundwater. No further investigation or remediation is required at this time. However, you, future property owners, and occupants of the property must comply with the continuing obligations as explained in the conditions of closure in this letter. Read over this letter closely to ensure that you comply with all conditions and other on-going requirements. Provide this letter and any attachments listed at the end of this letter to anyone who purchases, rents or leases this property from you. Certain continuing obligations also apply to affected rights-of-way holders. These are identified within each continuing obligation.

This final closure decision is based on the correspondence and data provided, and is issued under chs. NR 726 and 727, Wis. Adm. Code. The South Central Region (SCR) Closure Committee reviewed the request for closure on May 28, 2020. The DNR Closure Committee reviewed this environmental remediation case for compliance with state laws and standards to maintain consistency in the closure of these cases. A request for remaining actions needed was issued by the DNR on June 2, 2020, and documentation that the conditions in that letter were met was received on June 15, 2020.

Petroleum contamination found on site originated from the former underground storage tank (UST) system. 525.57 tons of petroleum impacted soil were removed from the site. The conditions of closure and continuing obligations required were based on the property being used for commercial purposes.

## **Continuing Obligations**

The continuing obligations for this site are summarized below. Further details on actions required are found in the section Closure Conditions.

- Groundwater contamination is present at or above ch. NR 140, Wis. Adm. Code enforcement standards.
- Residual soil contamination exists that must be properly managed should it be excavated or removed.
- If a structural impediment that obstructed a complete site investigation and/or cleanup is removed or modified, additional environmental work must be completed.



The DNR fact sheet "Continuing Obligations for Environmental Protection," RR-819, helps to explain a property owner's responsibility for continuing obligations on their property. The fact sheet may be obtained online at dnr.wi.gov and search "RR-819".

#### **DNR** Database

This site will be included on the Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web (BOTW) online at dnr.wi.gov and search "BOTW", to provide public notice of residual contamination and of any continuing obligations. The site can also be viewed on the Remediation and Redevelopment Sites Map (RRSM), a map view, at dnr.wi.gov and search "RRSM".

The DNR's approval prior to well construction or reconstruction is required in accordance with s. NR 812.09 (4) (w), Wis. Adm. Code. This requirement applies to private drinking water wells and high capacity wells. To obtain approval, complete and submit Form 3300-254 to the DNR Drinking and Groundwater program's regional water supply specialist. This form can be obtained on-line at dnr.wi.gov and search "3300-254".

All site information is also on file at the SC Regional DNR office, at 3911 Fish Hatchery Road, Fitchburg WI 53711. This letter and information that was submitted with your closure request application, including any maps, can be found as a Portable Document Format (PDF) in BOTW.

### **Closure Conditions**

Compliance with the requirements of this letter is a responsibility to which you, and any subsequent property owners must adhere. DNR staff will conduct periodic prearranged inspections to ensure that the conditions included in this letter are met. If these requirements are not followed, the DNR may take enforcement action under s. 292.11, Wis. Stats. to ensure compliance with the specified requirements, limitations or other conditions related to the property.

Send written notifications in accordance with the following requirements to:

Department of Natural Resources

Attn: Remediation and Redevelopment Program Environmental Program Associate

3911 Fish Hatchery Road

Fitchburg WI 53711-5397

## Residual Groundwater Contamination (ch. NR 140, 812, Wis. Adm. Code)

Groundwater contamination greater than enforcement standards is present both on this contaminated property and off this contaminated property, as shown on the attached map, Groundwater Isoconcentration, Figure B.3.b. If you intend to construct a new well, or reconstruct an existing well, you'll need prior DNR approval. Affected property owners and right-of-way holders were notified of the presence of groundwater contamination. This continuing obligation also applies to the ROW holders for West Street and West Center Street.

Residual Soil Contamination (ch. NR 718, chs. 500 to 536, Wis. Adm. Code or ch. 289, Wis. Stats.) Soil contamination remains on and off site, as indicated on the attached map, Residual Soil Contamination, Figure B.2.b. If soil in the specific locations described above is excavated in the future, the property owner or right-of-way holder at the time of excavation must sample and analyze the excavated soil to determine if contamination remains. If sampling confirms that contamination is present, the property owner or right-of-way holder at the time of excavation will need to determine whether the material is considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable standards and rules. Contaminated soil may be managed in accordance with ch. NR 718, Wis. Adm. Code, with prior DNR approval. This continuing obligation also applies to the ROW holders for West Street.

In addition, all current and future owners and occupants of the property and right-of-way holders need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken to prevent a direct contact health threat to humans.

Depending on site-specific conditions, construction over contaminated soils or groundwater may result in vapor migration of contaminants into enclosed structures or migration along newly placed underground utility lines. The potential for vapor inhalation and means of mitigation should be evaluated when planning any future redevelopment, and measures should be taken to ensure the continued protection of public health, safety, welfare and the environment at the site.

Structural Impediments (s. 292.12 (2) (b), Wis. Stats., s. NR 726.15, s. NR 727.07, Wis. Adm. Code) The on site building as shown on the attached map, Residual Soil Contamination, Figure B.2.b. & Structural Impediment Photos, Attachment B.5, 4/3/2017, made complete investigation and remediation of the soil contamination on this property impracticable. If the structural impediment is to be removed, the property owner shall notify the DNR at least 45 days before removal and conduct an investigation of the degree and extent of petroleum contamination below the structural impediment. If contamination is found at that time, the contamination shall be properly remediated in accordance with applicable statutes and rules.

### In Closing

Be aware that the case may be reopened pursuant to s. NR 727.13, Wis. Adm. Code, for any of the following situations:

- 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,
- if the property owner does not comply with the conditions of closure, with any deed restrictions applied to the property, or with a certificate of completion issued under s. 292.15, Wis. Stats., or
- a property owner fails to maintain or comply with a continuing obligation (imposed under this closure approval letter).

The DNR appreciates your efforts to restore the environment at this site. If you have any questions regarding this closure decision or anything outlined in this letter, contact Caroline Rice at (608) 219-2182, or at caroline.rice@wisconsin.gov.

Sincerely,

Steven L. Martin, P.G.

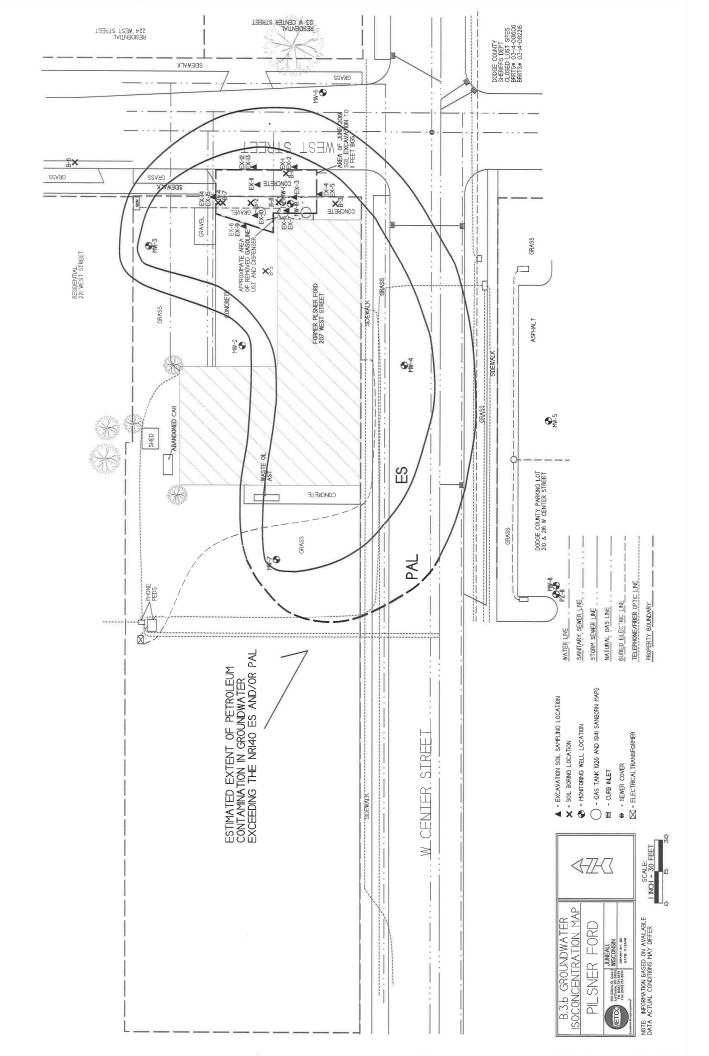
South Central Region, Team Supervisor Remediation and Redevelopment Program

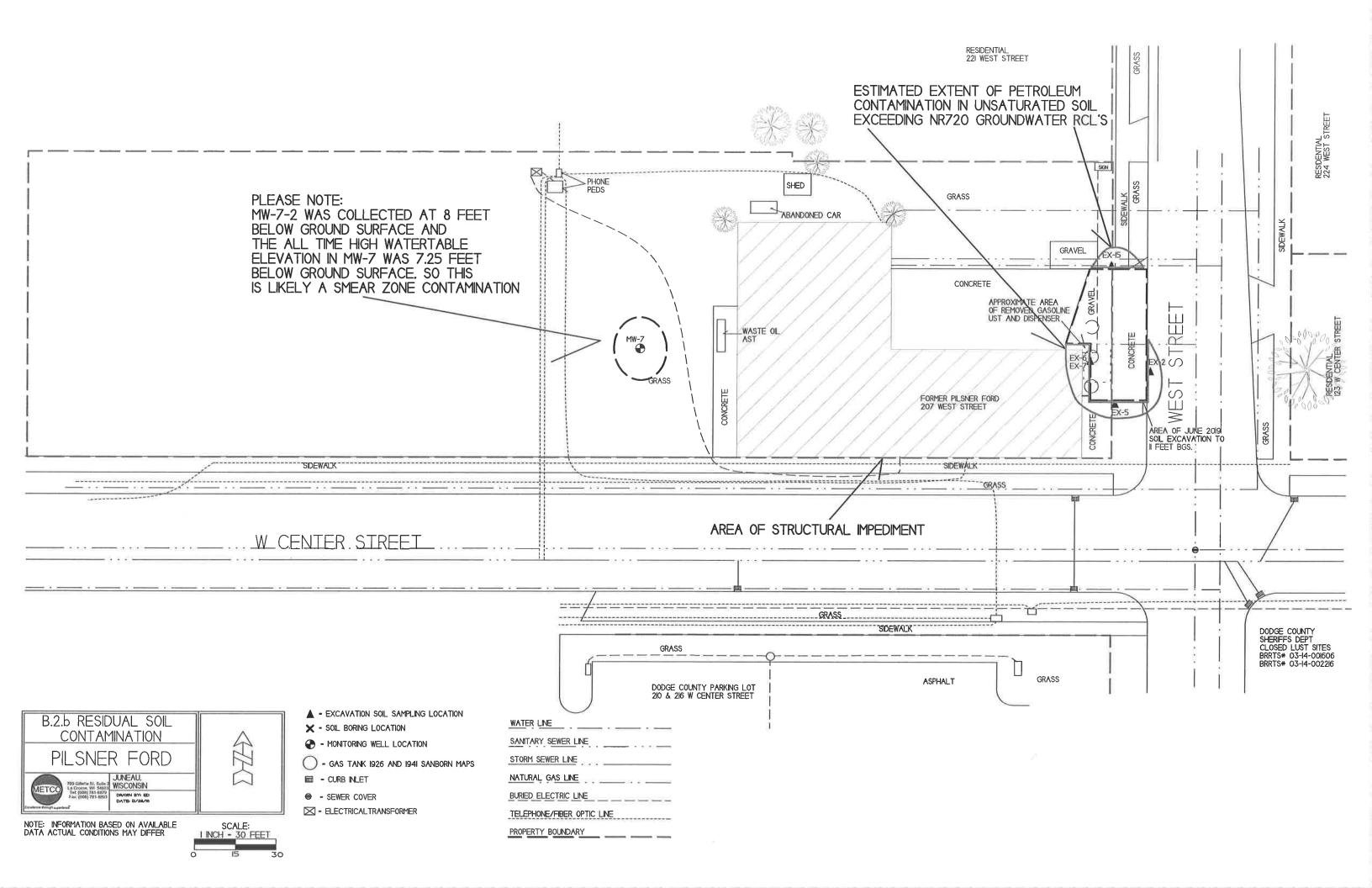
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#### Attachments:

- Groundwater Isoconcentration, Figure B.3.b.
- Residual Soil Contamination, Figure B.2.b.
- Structural Impediment Photos, Attachment B.5, 4/3/2017

cc: Ron Anderson, METCO [rona@metcofs.com]





# **B.5. Structural Impediment Photos**



Photo #1: On site building looking northwest. (4/3/2017)

# **B.5. Structural Impediment Photos**



Photo #2: On site building looking southwest. (4/3/2017)