

CORRESPONDENCE/MEMORANDUM

State of Wisconsin

DATE: October 29, 2008

FILE REF: BRRTS # 02-44-548409

TO: Zmek File

FROM: John Robinson

SUBJECT: Zmek & Sons Wrecking, Inc. Site Visit

On Friday October 24, 2008 representatives from the Department, Warden Mike Sealander, Michelle DeBrock Owens a, Chuck Weister and John Robinson, met with Jim Greeman and Pete Zmek at Jim Greeman's property at 12:45 p.m. The purpose of the meeting was to view site conditions at the former Zmek & Sons Wrecking, Inc. Jim Greeman is the former manager of the salvage operations. Pete Zmek owns a portion of the former salvage yard.

Jim Greeman owns approximately 5.5 acres of property located on Hwy H adjacent to the salvage yard Jim Greeman created a rock and earthen berm between his property and that owned by Shirley Zmek to keep her off his property. Jim indicated that he is not allowed on the property owned by Shirley Zmek. Chuck Weister had obtained verbal permission from Shirley Zmek for us to access her property during this inspection.

In reviewing the online records of the Department of Financial Institutions, Zmek & Sons Wrecking, Inc., was incorporated on February 23, 1996. There was a change in registered Agent on April 4, 2007. Peter W. Zmek 8861 Highway H, Eagle River, WI 54521 is the current registered agent. According to Pete and Jim Zmek & Sons Wrecking was started by Pete's father, his older brother Tommy ran the business until his death. Tommy was followed by another brother Art who ran the business until his death in approximately 2003. Jim Greeman became the manager after Art's death in 2003 until Tom Tait took over in his capacity as a court appointed conservator.

Pete indicated that he is providing the Department with information now so that environmental concerns are not raised in the future and he will be asked to address them. He is coming forward without the knowledge of his attorney. He indicated that his attorney John Hogan and Tom Tait had told him not to talk to anyone. Pete indicated that no one else knew about the activities that he was sharing with us. Pete talked to Jim Greeman about a year ago about the buried drums. Jim raised the issues with the Department which led to this meeting.

Pete is now 44 years old, he stopped attending school at the age of 10 and worked full time at the yard. He indicated that his parents did not see any value in his attending school. He started to work at the salvage yard at that age and worked at the site for thirty years. Pete currently owns 28 acres on the former Zmek & Sons Wrecking. Part of the wetlands to the east was sold to Martens.

Pete and Jim provided information relating to the historic operations at the site. Pete stated that he was ordered to bury barrels by his brother Art when Art was running the business. The barrels contained household garbage, styrofoam, plastic covers from the yard operations. The material was placed in 55 gallon drums and buried on site. Pete contends that Art ordered him to do it under threats and was told to do it so that the DNR did not see it. Pete estimated that he buried 5 to 10 drums on at least two occasions. The barrels were pushed into place by the tractor and buried with rocks and clean material. He did not

observe any liquids in the drums. The general area of the disposal is west of the gas line that runs through the property.

Mike Sealander asked if there was anything else on the property that had not been discussed. Pete indicated that there was a lot of illegal burning in the yard. Tires were collected and placed in piles of up to 500 tires. During the period of time that Art would direct Pete to start the tire piles on fire. This was done when it was snowing. Pete indicated that 20 piles or better were burned each year for over five years. They joked that the tire pile fire started by lightning. Fuel oil from drums was used as an accelerant. Once the fire was out tire rims were salvaged and the waste from the tire fire including steel belts was buried on site. Pete indicated that the swamp, the area on the far side of the power lines, was filled with burnt tires and clean fill. Pete also indicated that there was at least one boat involved in a fire. He and Jim seemed to think that the Department had investigated fires in the past.

They pointed out that there was a large tin storage area. After the tin was loaded three vehicles were placed on top of the tin to hold it in place while it was transported to a scrap processor. The remaining material included soil, tin and other scrap items was scraped up by Don Wagner and Bruce Zmek, two local contractors, and was hauled offsite. Pete indicated that Wagner disposed of the material at the following locations: Hwy 70 across from the wayside; filling in a ravine which is now a hill on Hwy 70 at the current location of Dyna Manufacturing, 4045 E State Rd 70 and at other locations in the Eagle River area. Bruce Zmek is alleged to have taken the material to fill in a hole by Cooper Dam located by Sand and Dam Lakes. Michelle requested that Pete and Jim provide a list of the locations where this material was disposed of. Pete indicated that a couple, 3-5, dump trucks were hauled offsite. These activities occurred while Art was managing the operations. Pete and Jim pointed out that nothing illegal occurred since Art passed away.

Pete and Jim indicated that there were gas tanks or barrels on the property currently owned by Shirley Zmek. There were two to three hundred gallon above ground storage tanks (ASTs) located on the property. That information had been shared with Chris Rog of Sand Creek Consulting when he was investigating the site. Pete pointed out the location of one of the former ASTs. According to Pete there was a tanker truck adjacent to one of the building that stored fuel oil. The truck was removed during the cleanup operations.

There was also a closed barrel used for storing diesel oil behind one of the building. There was visual staining of soil present at the time of our inspection. Chuck Weister placed red flags around areas of concern to help identify the area for future investigation. The barrels were removed as part of the cleanup. It is uncertain if any soil sampling occurred in this area as part of the limited site investigation.

Pete indicated that during the cleanup of the site some material was moved to his property to save it. He and Jim indicated that they felt that many of the vehicles were undervalued during the salvage operations and that vehicles with a higher potential value were moved and are being stored on Pete's land for parts salvaging.

Pete indicated that a 500 gallon oil tank was sold to Larry Bacon in Clearwater. The tank contained used oil drained from refrigerators and compressors and may contain PCBs. Old refrigerators were disassembled behind one of the storage sheds, was oil collected and the metal recycled. No attempt was made to capture the Freon in the appliances. This activity occurred east of the warehouse and there were visual signs of oil staining on the ground. The area was flagged.

Pete and Jim also indicated that oil was stored in vans in the general area around the concrete block foundation. There was the appearance of soil staining in the area.

Jim and Pete indicated that they processed/scrapped approximately 1,000 vehicles per year and as many as 2,000 vehicles came through the gate. Scharf apparently handled the newer cars in the area and the remaining vehicles were handled by Zmek. They worked with Johnson Industries in Caspian and AD&D in Bloomer to process the vehicles. They alleged that AD&D crushed a number of vehicles which had their fluids in place. The area of the crushing occurred in a peninsular of cleared land beyond the utility lines.

Jim described the process that they used to handle vehicles. Vehicles would be brought to the office where they would obtain the vehicle title. The vehicles were taken to the large shed were sorted based on their condition. Junk vehicles were moved to the area around the tin pile. Vehicles with value were placed around the yard with fluids intact.

We also observed an area where 55 gallon drums were stored. The barrels were empty and appeared to have been used for fluids relating to the food industry. Pete indicated that the barrels were used to store parts, vehicle fluids and as burn barrels.

At the end of the site tour Mike Sealander asked if there were any other issues or concerns relating to the property. Both Jim and Pete said no. The inspection meeting ended at 2:13 p.m.

Based on the site visit and discussions with Jim Greeman and Pete Zmek there appear to be several areas on the site that will require additional investigation. The areas were designated by placing red flag by the areas of concerns and photos taken of the areas. They include the areas where the:

- barrels were buried
- above ground fuel storage area
- fluids were collected by the tin pile
- oil was stored as part of the refrigerator and compressor dismantling process
- fuel oil was stored in the tanker trailer
- car crushing by AD&D occurred
- barrel are being stored
- tire burning occurred, now covered by clean fill

In addition there is a significant amount of metal, tin, plastic and other waste material mixed in with soils at the site. There presence may constitute a potential threat to parties utilizing the property in the future. Jim Greeman indicated that he had tried to address this issue during the salvage operations but was unsuccessful in having it addressed due to limitations placed on the contractor by others.

Area
ZB ?
Tanker truck
area
fuel oil
storage







2B?







ZA
diesel ?
tank area





ZD?
55 gallon
Drum
buried?



ZC?
Refrigerator
Compressor
Motor Oil
? PCB?



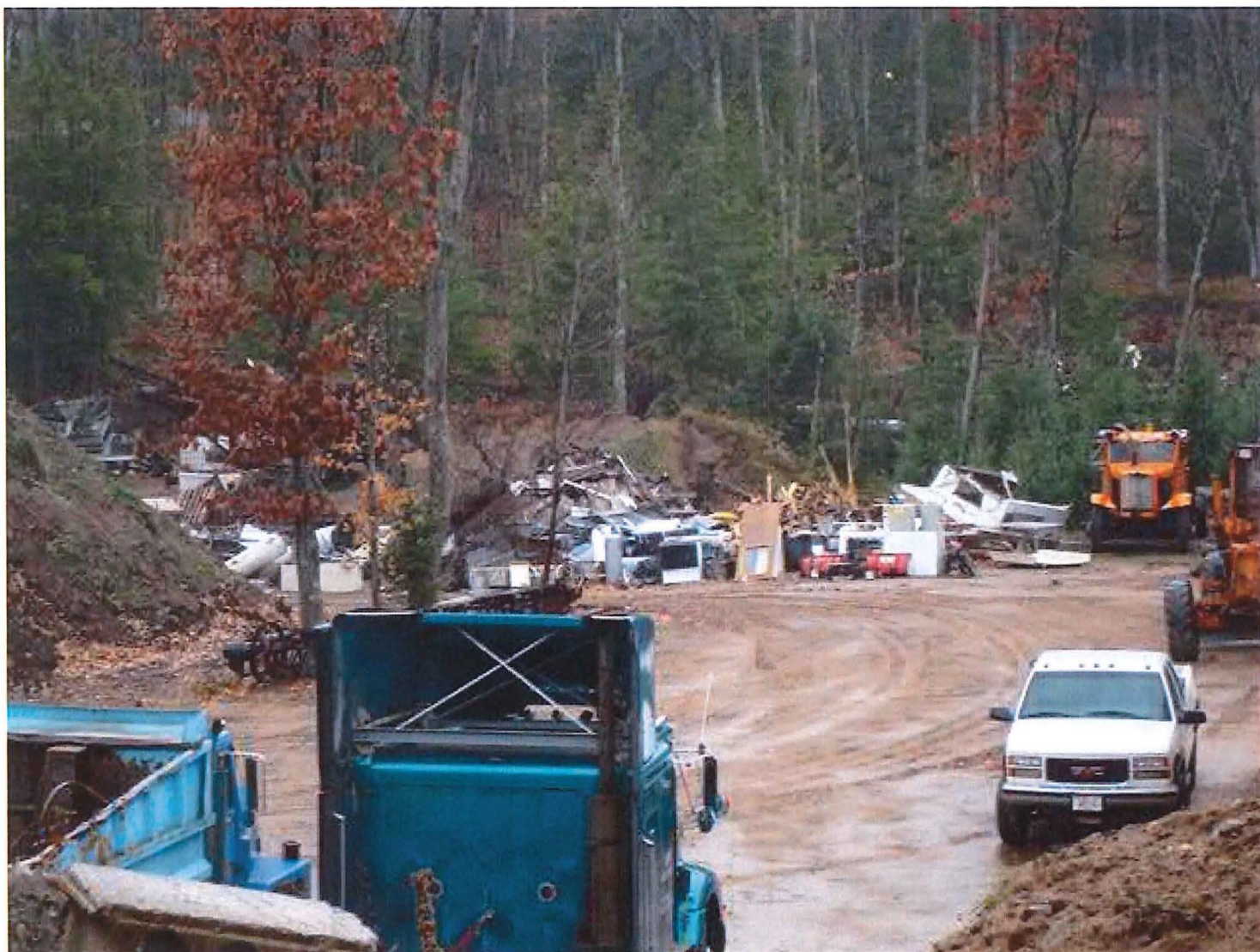












A photograph of a field with tall, dry grass and a line of trees in the background. Several people are visible in the distance near the trees. The foreground is filled with dense, yellowish-brown vegetation.