

From: MILWA::EBERSW "WALT EBERSOHL - (414) 961-2713" 21-APR-1997 14:00:44.93
To: DNRSE::MCCUTG, DNRSE::SRIDHL, DNRSE::KAZMIR, DNRSE::GAYANS, DNRSE::DANTUJ, DNRSE::WOLSK
CC: CZARKC, FEENEJ, SCHAVS, SCHMIJA, EBERSW
Subj: Town of Grafton Private Well Contamination

On April 15, 1997 Chad Czarkowski, Jim D'Antuono, John Feeney, Sharon Schaver and Walt Ebersohl met with Village of Grafton officials, a Town of Grafton representative, Town of Grafton residents, Chuck Warzecks from Wis. Division of Health, Rose Lemke of Senator Panzer's office and Art Harrington, Godfrey and Kahn to discuss private well contamination problems in the Town of Grafton. Chad Czarkowski and Sharon Schaver reviewed Town of Grafton private well sampling determinations so far: 15 wells with some chemical contamination, 5 wells exceed drinking water standards, 1-2 exceed contact standards. John Feeney explained that monitoring wells will be put in at Lime Kiln Park to attempt to determine if Lime Kiln Park (old landfill site) is the source of contamination of the private wells. Art Harrington, Godfrey and Kahn, who is representing the town residents with contaminated wells, proposed an agreement between the Village and the Town whereby the Town would purchase water from the Village. Harrington said that he preferred to reach an agreement between the Village and the Town rather than bring in EPA to determine a solution to the private well contamination problems. DNR representatives explained that the ability of EPA to provide a water main extension from the Village to the town residents was contingent upon "imminent and substantial endangerment". The DNR has already provided bottled water to 4 Town of Grafton residences and is in the process of providing a treatment system at the Hospel residence where there is an inhalation hazard due to a concentration of 18 ppb vinyl choride in the well. 18 ppb exceeds the no-contact advisory level and federal EPA action level of 2 ppb. Based on a conversation with Rick Karl of EPA on April 14, 1997, Walt Ebersohl explained that DNR is concerned that installing the treatment system (scheduled for installation on Thurs. Apr. 17) may jeopardize EPA's ability to install a water main from the Village of Grafton to the homes with contaminated private wells in the Town of Grafton. Ebersohl explained that EPA can only step in if private wells have contaminant levels greater than EPA removal action levels. Ebersohl also explained that DNR has not asked EPA to step in so far because of our desire to evaluate the concerns of the Village and Town of Grafton about having EPA involved. Harrington and the Town of Grafton residents left the room to caucus and agreed to postpone installation of the treatment system until Wed. Apr. 23. Prior to April 23 Harrington hopes to reach an agreement between the Village and the Town so that EPA will not have to be called in. Harrington proposed discussing his proposal for provision of water by the Village to the Town at the Village board meeting on Monday Apr. 21. If agreement can not be reached between the Village and Town on Apr. 21, DNR is prepared to bring EPA into the process. DNR explained that if EPA becomes involved, the area of the Town of Grafton where private wells are contaminated would be placed on the Comprehensive Environmental Response & Compensation Liability Act list (CERCLIS). Ebersohl explained that the CERCLIS was a potential list of hazardous sites and that the Superfund National Priority List (NPL) was a subset of that list. The NPL list contains sites that rank above a certain level, based on a scoring system for environmental and public health factors. Ebersohl explained that the Town would be removed from the list once EPA had completed cost recovery. Rose Lemke, of Senator Panzer's office explained that there may be block grants available through the Department of Development to assist with privision of water for the town residents.

DNR representatives have the following questions/concerns:

- 1) If the affected homeowners, represented by Art Harrington, can not reach agreement with the Village and Town at the Village Board meeting on Mon. April 21, how long do we wait for agreement to be reached? The proposed agreement

requires a positive response from the Village and Town by 5:00 p.m. on Tues. Apr. 22.

2) If agreement can not be reached by Tues. Apr. 22, but there is positive progress towards an agreement, should the DNR give the Village and Town additional time to negotiate a deal for provision of Village water before bringing EPA into the process?

3) Should the DNR install the treatment system at the Hospel residence on Wed. Apr. 23? If the DNR installs the treatment system, because it believes that the Town and Village will reach a monetary agreement on financing a water main extension from the Village to the town residents, this action may jeopardize EPA 's ability to provide a water main extension. If the DNR requests EPA to assist, EPA will install an essentially identical treatment unit at the Hospel residence as the one DNR is prepared to install and would likely install water service to all town residences with contaminants in their wells.