

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Matthew J. Frank, Secretary
John Gozdzialski, Regional Director

Northern Region Headquarters
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Rhinelander, Wisconsin 54501-3349
Telephone 715-365-8900
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TTY Access via relay - 711

August 11, 2010

VIA CERTIFIED RETURN-RECEIPT US MAIL

Patrick Volk
6445 Maywood La.
PO Box 218
Three Lakes, WI 54562

Subject: Reported Contamination at Old Volt Service Station, 8062 Highways 45 & 32, Three Lakes, Oneida County, WI; WDNR BRRS Activity # 03-44-555683

Dear Mr. Volk:

On August 9, 2010, Department of Natural Resources and the Department of Commerce witnessed the removal of three underground storage tanks (USTs) and associated piping at the above referenced site. From visual and olfactory observation during the UST tank removal, it has been confirmed that soil contamination from three removed underground tanks exists on the property.

Based on the information that has been witnessed by the WDNR regarding this site, we believe you as the owner of record of the property as listed in the Oneida County Tax roles 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, 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 the Department of Commerce ("Commerce").

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 749 establish requirements for 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:

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 **10 days**, by August 23, 2010, 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 WDNR may initiate enforcement action against you.
2. Within the next **30 days**, by September 13, 2010, your consultant should submit a work plan and schedule for the investigation. The consultant must comply with the requirements in the NR 700 Wis. Adm. Code rule series and should adhere to current WDNR technical guidance documents.

In addition, within 30 days of completion of the site investigation, your consultant should submit a site investigation report to the department or other agency with administrative authority.

For sites with petroleum contamination, when your investigation has established the degree and extent of contamination, your consultant will be able to determine whether the Department of Commerce or the WDNR has authority over the case.

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://botw.dnr.state.wi.us/botw/Welcome.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 should proceed under the advice of your consultant to complete the site investigation and cleanup to maintain your compliance with the spills law and chapters NR 700 through NR 749. **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 rules and should be able to answer your questions on meeting cleanup requirements.

All correspondence regarding this site should be sent to:

William Schultz
Remediation and Redevelopment Program
Wisconsin Department of Natural Resources
107 Sutliff Ave.
Rhineland, WI 54501

Bill.Schultz@wisconsin.com
745-363-8963

Unless otherwise requested, please send only one copy of plans and reports. In addition to the paper copy, an electronic copy may also be submitted. 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:

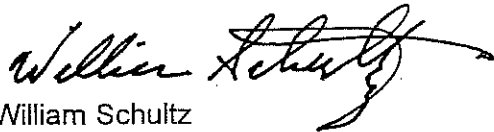
We encourage you to visit our website at <http://dnr.wi.gov/org/aw/rr>, where you can find information on selecting a consultant, financial assistance and understanding the cleanup process. You will also find information there about liability clarification letters, post-cleanup liability and more.

Included with this letter is a list of environmental consultants that have notified us of their willingness in being a potential "agent" for sites where Responsible Party (RP) needs assistance in funding a cleanup. RP's needing assistance in funding are encouraged to contact consultants on this list.

If you have questions, feel free to call or contact me at the address above.

Thank you for your cooperation.

Sincerely,



William Schultz
Project Manager
Remediation & Redevelopment Program

Enclosures:

Selecting a Consultant – RR-502
<http://dnr.wi.gov/org/aw/rr/archives/pubs/RR502.pdf>

PECFA Agent List – July 2010

Environmental Contamination Basics, RR-674
<http://dnr.wi.gov/org/aw/rr/archives/pubs/RR674.pdf>

Petroleum Environmental Cleanup Fund Award, Information about PECFA Reimbursement,
Commerce publication ERS-10083-P (on Commerce web site)
[http://commerce.wi.gov/ERpdf/pecfa/ER-PECFA-ERS10083\(Info\)_REV_7-07.pdf](http://commerce.wi.gov/ERpdf/pecfa/ER-PECFA-ERS10083(Info)_REV_7-07.pdf)

cc: Dave Blair – DOC

Connie Lefebvre – DNR Drinking Water Specialist

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Sent To: Patrick Volk
 Street, Apt. No., or PO Box No.: PO Box 218
 City, State, ZIP+4: Three Lakes, WI 534562

PS Form 3800, August 2006 See Reverse for Instructions

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1. Article Addressed to:

Patrick Volk
 PO Box 218
 Three Lakes, WI
 534562

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 Patrick Volk Agent
 Addressee

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Bill Schultz
WDNR
107 Suttiff Ave
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