



September 22, 2020

Joyce Popera
W3523 Oakwood Dr
Lake Geneva, WI 53147

KEEP THIS DOCUMENT WITH YOUR PROPERTY RECORDS

SUBJECT: Final Case Closure with Continuing Obligations
Popera Property, 190 Station Street, Sharon, Wisconsin
DNR BRRTS Activity # 03-65-556558

Dear Ms. Popera:

The Department of Natural Resources (DNR) considers Popera Property closed. There is a continuing obligation associated with the Popera Property closure, but that is pertaining to the right-of-way (ROW). The 'closure' applies to the petroleum related contamination to the soil and groundwater found during the site investigation at the property. No further investigation or remediation is required at this time. Please 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. There is a continuing obligation that applies to the ROW holders.

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 September 5, 2019. 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 telephone request for remaining actions needed was issued by the DNR on September 5, 2019, and documentation that the conditions in that request were met was received on May 26, 2020.

The site was a service station and automobile dealership. The area is residential and serviced by a public water supply. Approximately 415 tons of petroleum contaminated soils have been removed from the location.

The conditions of closure and continuing obligation required were based on the ROW property being used for any purpose including residential purposes.

Continuing Obligations

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

- Residual soil contamination exists that must be properly managed should it be excavated or removed.

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 South Central Regional DNR office, at 3911 Fish Hatchery Road, Fitchburg, Wisconsin, 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 the ROW holder and any subsequent ROW 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 all written notifications in accordance with these requirements to:

Department of Natural Resources
Attn: Remediation and Redevelopment Program Environmental Associate
3911 Fish Hatchery Road
Fitchburg, WI 53711

Residual Soil Contamination (ch. NR 718, chs. 500 to 536, Wis. Adm. Code or ch. 289, Wis. Stats.)

Soil contamination remains at locations in the Station St. (ROW) as indicated on the attached map Residual Soil Contamination, Figure B.2.b. dated 04/15/2019. If soil in the specific locations described above is excavated in the future, the person or parties of responsibility for the ROW 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 person or parties of responsibility for the ROW 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.

In addition, all current and future owners of the ROW 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.

Other Closure Information

General Wastewater Permits for Construction Related Dewatering Activities

The DNR’s Water Quality Program regulates point source discharges of contaminated water, including discharges to surface waters, storm sewers, pits, or to the ground surface. This includes discharges from construction related dewatering activities, including utility and building construction.

If you or any other person plan to conduct such activities, you or that person must contact that program, and if necessary, apply for the necessary discharge permit. Additional information regarding discharge permits is available at dnr.wi.gov and search “wastewater permits”. If residual soil or groundwater contamination is likely to affect water collected in a pit/trench that requires dewatering, a general permit for Discharge of Contaminated Groundwater from Remedial Action Operations may be needed. If water collecting in a pit/trench that requires dewatering is expected to be free of pollutants other than suspended solids and oil and grease, a general permit for Pit/Trench Dewatering may be needed.

In Closing

Please 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, please contact Jeff Ackerman, at (608) 219-2302 or jeff.ackerman@wisconsin.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "St L Martin".

Steven L. Martin P.G.
South Central Region Team Supervisor
Remediation & Redevelopment Program

cc: Mark Fryman, Seymour Environmental Services, Inc. 2531 Dyreson Road, McFarland, Wisconsin 53558

Attachment:

- Residual Soil Contamination, Figure B.2.b. dated 04/15/2019.



September 22, 2020

Mr. Nick Griffin
125 Plain Street
PO Box 379
Sharon, WI 53585

SUBJECT: Notice of Closure Approval with Continuing Obligation for Rights-of-Way Holders
for Station Street.
Final Case Closure for Popera Property, 190 Station Street, Sharon, WI
DNR BRRTS Activity # 03-65-556558

Dear Mr. Griffin:

The Department of Natural Resources (DNR) recently approved the completion of environmental work done at the Popera Property, 190 Station Street, Sharon, WI. This letter describes how that approval applies to the Station Street right-of-way (ROW) at 190 Station Street, Sharon, WI. As the ROW holder, you are responsible for complying with these continuing obligations for any work you conduct in the ROW.

State law directs parties responsible for environmental contamination to take actions to restore the environment and minimize harmful effects. The law allows some contamination to remain in soil and groundwater if it does not pose a threat to public health, safety, welfare or to the environment.

On April 22, 2019, you received information from Robyn Seymour of Seymour Environmental Services, Inc. about the petroleum contamination that migrated from the Popera Property into the Station Street ROW, and about the continuing obligations. Continuing obligations are meant to limit exposure to any remaining contamination.

Applicable Continuing Obligations

The continuing obligations that apply to this right-of-way are described below, and are consistent with Wis. Stat. § 292.12, and Wis. Admin. NR 700 series.

- Residual soil contamination exists that must be properly managed should it be excavated or removed.

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’.

Residual Soil Contamination (ch. NR 718, chs. 500 to 536, Wis. Adm. Code or ch. 289, Wis. Stats.)

Soil contamination remains at locations as indicated on the attached map Residual Soil Contamination, Figure B.2.b. dated 04/15/2019. If soil in the specific locations described above is excavated in the future, the person or parties of responsibility for the ROW 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 person or parties of responsibility for the ROW 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.

In addition, all current and future owners of the ROW 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.

Other Closure Information

General Wastewater Permits for Construction Related Dewatering Activities

The DNR's Water Quality Program regulates point source discharges of contaminated water, including discharges to surface waters, storm sewers, pits, or to the ground surface. This includes discharges from construction related dewatering activities, including utility and building construction.

If you or any other person plan to conduct such activities, you or that person must contact that program, and if necessary, apply for the necessary discharge permit. Additional information regarding discharge permits is available at dnr.wi.gov and search "wastewater permits". If residual soil or groundwater contamination is likely to affect water collected in a pit/trench that requires dewatering, a general permit for Discharge of Contaminated Groundwater from Remedial Action Operations may be needed. If water collecting in a pit/trench that requires dewatering is expected to be free of pollutants other than suspended solids and oil and grease, a general permit for Pit/Trench Dewatering may be needed.

Send all written notifications in accordance with these requirements to:

Department of Natural Resources
Attn: Remediation and Redevelopment Program Environmental Associate
3911 Fish Hatchery Road
Fitchburg, WI 53711

Additional Information

Additional information about this case is available at the DNR's Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web (BOTW) at dnr.wi.gov and search "BOTW". Enter BRRTS # 03-65-556558 in the **Activity Number** field in the initial screen, then click on **Search**. Scroll down and click on the **CO Packet** link for information about the completion of the environmental work. The site may also be seen on the map view, RR Sites Map. RR Sites Map can be found online at dnr.wi.gov and search "WRRD".

Contact Jeff Ackerman, the DNR project manager, at (608) 219-2302 or by e-mail at jeff.ackerman@wisconsin.gov with any questions that you might have.

Sincerely,

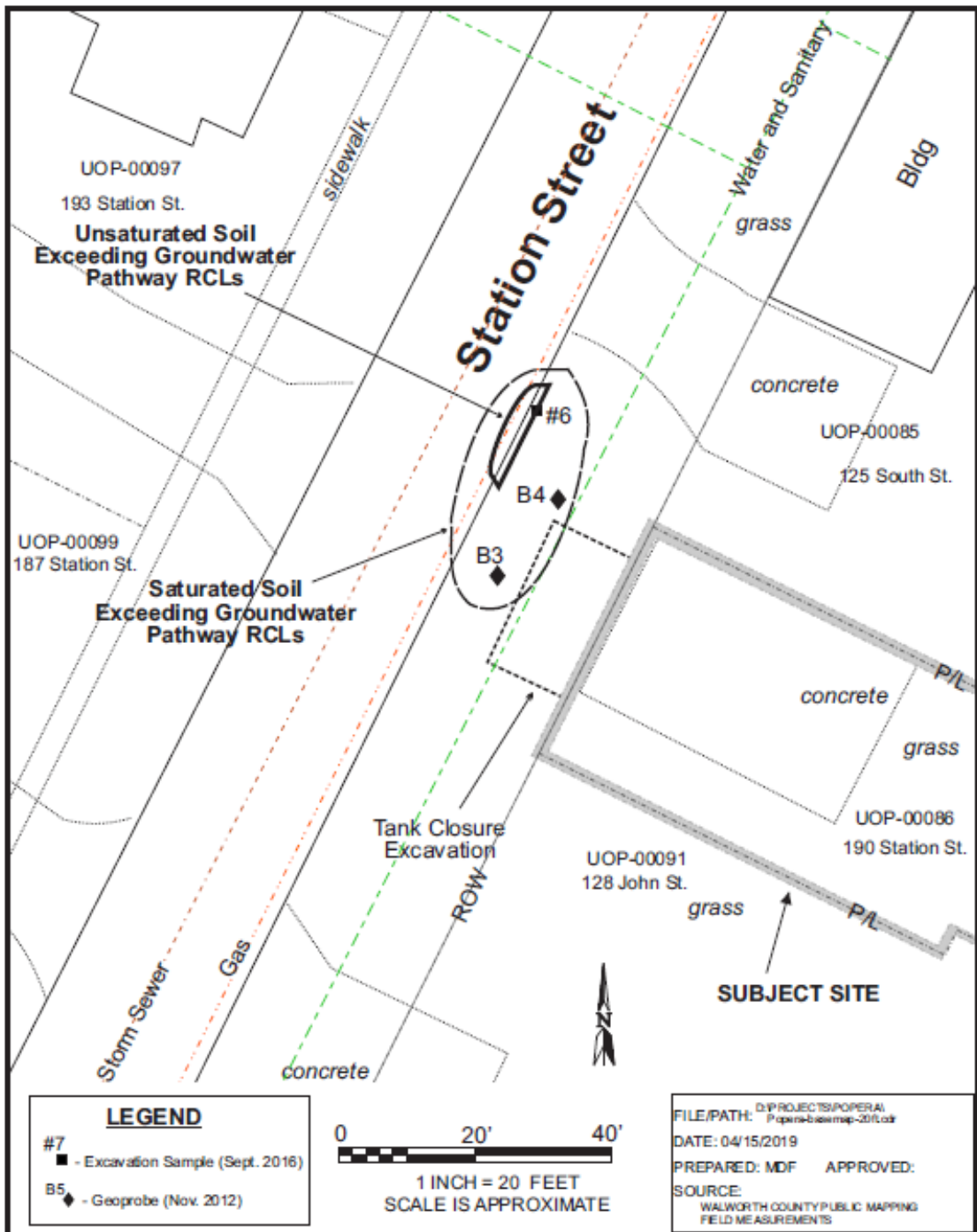


Steven L. Martin P.G.
South Central Region Team Supervisor
Remediation & Redevelopment Program

cc: Mark Fryman, Seymour Environmental Services, Inc. 2531 Dyreson Road, McFarland, Wisconsin 53558

Attachments:

- Residual Soil Contamination, Figure B.2.b. dated 04/15/2019.



**SEYMOUR
 ENVIRONMENTAL
 SERVICES, INC.**

RESIDUAL SOIL CONTAMINATION
 Joyce Popera Property
 190 Station Street
 Sharon, Wisconsin

ATTACHMENT

B.2.b.