



August 8, 2022

Mr. Don Johnston  
Director of Environmental Quality  
US Venture  
425 Better Way  
Appleton, WI 54915

e-mail: [DJohnston@usoil.com](mailto:DJohnston@usoil.com)

**Subject:** No Action Required Not Approved  
U.S. Oil Milwaukee Central Terminal Tank 305  
9451 North 107<sup>th</sup> Street  
Milwaukee, Wisconsin  
BRRTS #: 07-41-589599 and 02-41-558813; FID #: 241017700

Dear Mr. Johnston:

On August 3, 2022, the Department of Natural Resources (DNR) completed the review of the report “Report of Results – Initial Site Investigation Activities, U.S. Oil, Milwaukee Central – Tank 305, 9451 North 107<sup>th</sup> Street, Milwaukee, Wisconsin.” Your consultant, Endpoint Solutions, submitted the report on your behalf. You requested that the DNR makes a No Action Required (NAR) determination that no additional actions are warranted for the contamination detected adjacent to Tank 305.

The DNR has determined that your request does not meet the criteria for sites granted NAR as summarized below.

- On Figure 3, Soil Boring Locations, borings GP-1, GP-3 and GP-4 were sampled outside of the estimated impacted area. Only one boring GP-2 was located inside the impacted area to assess the impacts.
- At boring GP-1, contamination was identified above Wis. Admin. Code ch. NR 720 residual contaminant levels (RCLs). An NAR cannot be granted if there is a continuing obligation (CO) placed on the site for soil contamination above RCLs.
- Failure to show or discuss if groundwater on-site has been affected by the spill. Boring logs indicate that the groundwater may be shallow.
- No confirmation samples were collected when some of the free product was recovered. It is stated in the above referenced report “In response to the release, a vacuum truck mobilized to the spill area to remove as much free product as possible”.
- Land use or other considerations that would be used as continuing obligations for case closure cannot be included in NAR determinations.

NEXT STEP

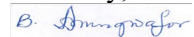
A site investigation is required to be conducted to address the identified contamination. Within 60 days of the date of this letter, a site investigation work plan per Wis. Admin. Code § NR 716.09(1) should be submitted detailing the proposed additional work.

The activity that was opened in 2012 to address the spill will retain its original BRRTS # 02-41-558813.

Use this number for all correspondence and report submittal.

If you have any questions concerning the NAR not approved, please contact me at 414.208.5874 or e-mail me at [Binyoti.Amungwafor@wisconsin.gov](mailto:Binyoti.Amungwafor@wisconsin.gov)

Sincerely,



Binyoti F. Amungwafor

Hydrogeologist

Cc: Mr. Travis J. Manser, Endpoint Solutions, e-mail: [travis@endpointcorporation.com](mailto:travis@endpointcorporation.com)

Case File, FID #: 241033760