



September 6, 2018

Mr. Lou Perrine  
AP50, LLC  
5145 Sheridan Road  
Kenosha, WI 53140

**KEEP THIS DOCUMENT WITH YOUR PROPERTY RECORDS**

SUBJECT: No Further Action  
US Petroleum Inc., 8004 22nd Ave., Kenosha, WI 53143  
DNR BRRTS # 03-30-563222 FID # 230041350

Dear Mr. Perrine:

On August 15, 2018, the Wisconsin Department of Natural Resources (DNR) received a document titled *Sub-Surface Assessment, Soil Remediation & No Further Action Request* (NFA Request), with the applicable fee to review this environmental contamination case for No Further Action (NFA), from your consultant, Moraine Environmental. The DNR has reviewed the document and case file contents and concurs that the environment has been restored to the extent practicable, as provided in ch. NR 708.09, Wis. Adm. Code. The immediate action in response to a discharge has been completed, and the DNR is requiring no further action at this time.

In 1994, approximately 4,000 tons of impacted soil were excavated from the property and disposed at a landfill as part of a remediation of the activity tracked under DNR BRRTS #03-30-003487, known as DRAKES SERVICE. That activity was closed on March 8, 2002, with continuing obligations. Those continuing obligations are unaffected by this NFA decision and are still in force.

After the 1994 excavation, a completely new tank and dispensing system was installed at the site operated as part of a gas station business until about 2010. In 2014, the "new" tank system was "closed" using funds from Wisconsin's Abandoned Tank System Removal Program, as the owner had abandoned the property. A Tank System Site Assessment Report was submitted to the DNR and documented that a sample collected from beneath a section of system piping exhibited petroleum contamination above NR 700 Residual Contaminant Levels RCLs). The DNR opened another activity number (03-30-563222) to track the new release and a responsible party letter was issued to the owner of record at the time.

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September 6, 2018

2

According to the NFA Request, the soil around the identified contamination was investigated with borings, impacts were determined to be limited in extent, and 6.14 tons of impacted soil were remediated via excavation and landfill disposal. The analytical results from confirmation sampling confirmed soil below RCLs at the limits of the excavation and support the NFA determination

We appreciate your efforts to protect and restore the environment at this site. If you have any questions regarding this No Further Action determination, please contact the DNR Project Manager, Lee Delcore at 920-893-8524 or [Lee.Delcore@wisconsin.gov](mailto:Lee.Delcore@wisconsin.gov).

Sincerely,



Michele R. Norman  
Southeast Team Supervisor  
Remediation & Redevelopment Program

cc: Mr. Tom Sweet, Moraine Environmental, Inc., 766 Tower Drive, Fredonia, WI 53021