



February 23, 2017

File Ref BRRTS: 07-56-578694
09-56-001416
FID # 656118870

Karen Miller
1303 Crestview Dr.
Hudson, WI 54016

Subject: Liability Clarification and "No Action Required" Determination at
Former Forest Crossroads, 2704 STH 64, Emerald, Wisconsin 54013
Parcel ID # 014106120100

Dear Ms. Miller:

Purpose

The purpose of this letter is to provide you with clarifications as to environmental liabilities and current environmental conditions at 2704 STH 64, Emerald, Wisconsin ("the property"). The Property consists of approximately 2 acres of land located in St. Croix County, identified by tax parcel number 014106120100. Refer to the attached Figures 1 & 2 for a location and site map of the Property.

Summary Determination

Hazardous substance discharges have occurred on the Property. However, the Wisconsin Department of Natural Resources ("the department") has determined that no response actions are required. The department has made this determination based on the data made available to the department and the criteria in s. NR 716.05, Wis. Admin. Code.

Request

On December 28, 2016, your attorney, Mr. Leo Beskar, requested on your behalf that the department issue a liability clarification letter under s. 292.55, Wis. Stats. The letter contains a determination as to whether response actions are needed under the ch. NR 700 Wisconsin Administrative Code rule series based on the discharge of one or more hazardous substances at the Property. The department received the fee for providing assistance, in accordance with s. NR 749.04(1), Wis. Adm. Code.

In order for the Department to make this determination, the Department has reviewed the following documents:

- Tank Closure and Environmental Assessment Report, June 1995, Cedar Corporation
- Site Investigation Report, April 2016, Meridian Environmental Consulting

The Department has examined the reports listed above and provides the following summary of the case and opinions concerning environmental conditions at the Property.

Background and Summary of Environmental Conditions

According to the documentation provided in the 1995 Tank Closure Report, the property operated as a feed mill and gasoline station since 1991. Three underground storage tanks, two gasoline and one diesel were removed in 1995. Information concerning previous uses of the property was not included in any of the documents reviewed. Soil samples collected during the tank removals and submitted for laboratory analyses indicated that petroleum contamination was present at concentrations above the regulatory standards in place at the time. The Department was notified of the release and subsequently notified the property owner of his obligation to investigate the degree and extent of contamination.

In December 2015, a site investigation was initiated. The investigation included nine soil borings completed to a depth of twenty feet, in and around the former tank bed. Soil samples were collected and field screened at 4 foot intervals. A minimum of 4 soil samples per boring were submitted for laboratory analyses. The results of the laboratory analysis indicated very limited contamination in boring B-3 from a depth of 4 to 14 feet. The laboratory identified the contaminants, trimethylbenzenes (TMB's) and naphthalene at levels below NR 720 RCL standards.

Liability Determination

The Wisconsin Hazardous Substance Spill Law, s. 292.11, Wis. Stats., commonly called the Spills Law, requires those who cause, possess or control a hazardous substance discharge to "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 this state." Section 292.55, Wis. Stats., authorizes the Department to issue clarification letters concerning liability for environmental pollution.

The data summarized above indicates that one or more hazardous substance discharges have occurred on the Property. However, based on the criteria in s. NR 716.05(2)(a), Wis. Adm. Code, and the criteria in ss. NR 708.09 (1) and (2), Wis. Adm. Code, the department has determined that no response action, including further site investigation activities, is required under the NR 700, Wis. Adm. Code rule series to respond to these identified discharges.

The number and location of monitoring points, the types of media sampled, the number of samples collected, and the laboratory analysis performed are a matter of professional opinion. All areas of the property were not assessed; the numbers of samples collected were limited based on professional judgment. Samples were not analyzed for all parameters. Therefore, the Department can only respond to the information and data as presented in the reports and cannot predict what might be discovered in the future and the consequences of those discoveries.

This letter relates and refers only to those conditions described above and to information and data you submitted to the department in your request for this letter. The Department makes no determination concerning the presence or absence of hazardous substances, other than those identified in the documents and reports listed above, which you submitted to us. In the future, if the department becomes aware of new information concerning the contaminants referenced above, or the presence of other contaminants on the Property, the department will evaluate that data at that time to determine if any response actions are required. Whenever possible, the department requires the person who caused the discharge to take the appropriate response actions.

The Bureau for Remediation and Redevelopment Tracking System (BRRTS) identification number for this activity is shown at the top of this letter. The department tracks information on all case determinations such as this letter in a department database that is available on the Internet at:

<http://dnr.wi.gov/topic/Brownfields/botw.html> Since there is no action required for this case, the Department will identify this site activity as a "No Action Required" determination.

If you have any questions, please contact Patrick Collins at (715) 684-2914, by writing to the address at the top of this letter or by email to Patrick.Collins@wisconsin.gov

Sincerely,

A handwritten signature in blue ink that reads "Dave Rozeboom". The signature is fluid and cursive, with the first name "Dave" and last name "Rozeboom" clearly legible.

Dave Rozeboom
West Central Region Team Supervisor

Attach: Figure 1&2, location & site map,

c: Mr. Leo Beskar, 219 North Main St., River Falls, WI
Ken Shimko – Meridian Env.

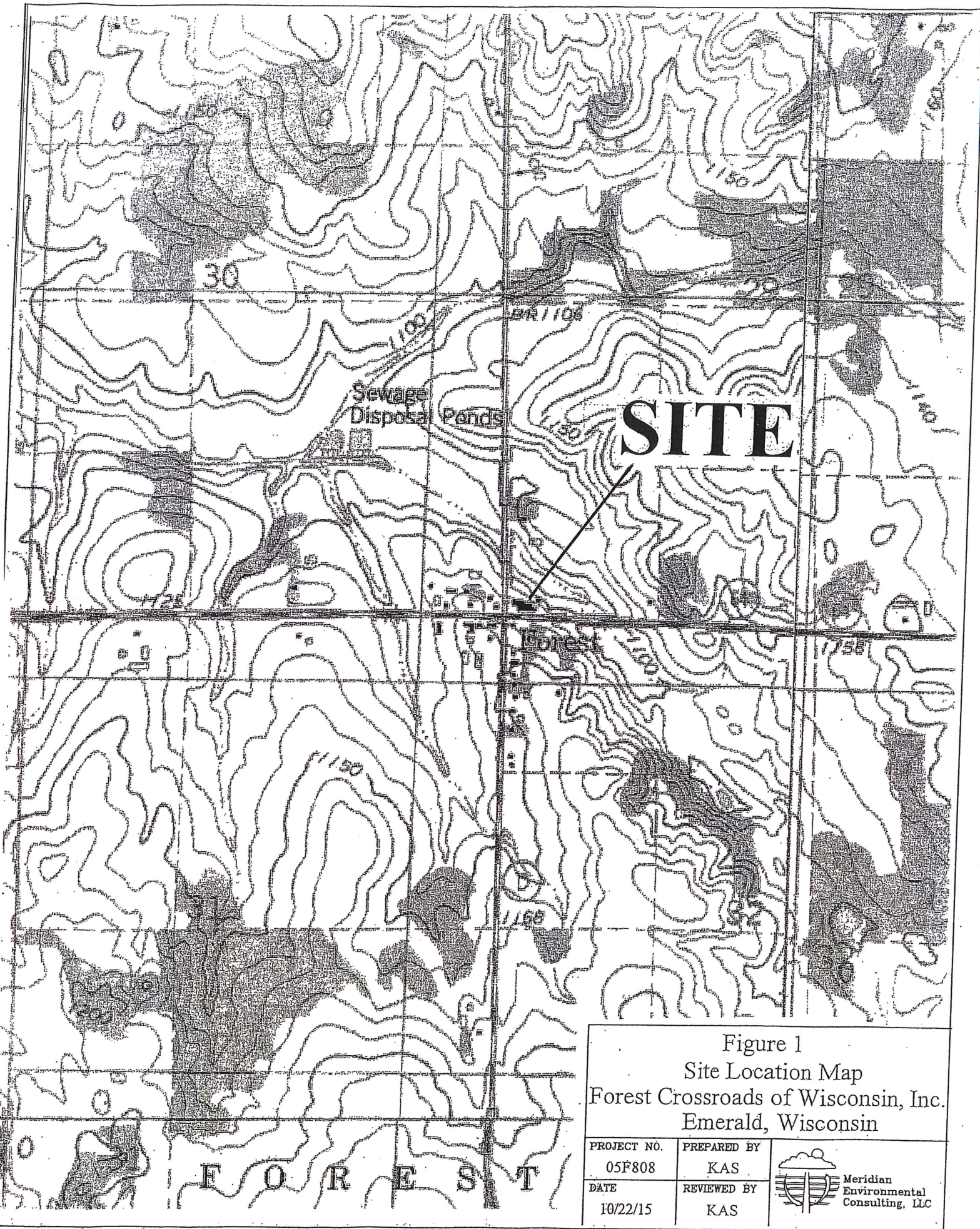


Figure 1
 Site Location Map
 Forest Crossroads of Wisconsin, Inc.
 Emerald, Wisconsin

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DATE 10/22/15	REVIEWED BY KAS



Feed Mill

garage

office

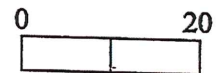
WELL

Sanitary Sewer

Former Tanks & Pumps

Hwy 64


GP-8
● Geoprobe Boring



Scale (feet)



Figure 12
Soil Borings
Forest Crossroads
Emerald, WI

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DATE 4-7-16	REVIEWED BY KAS	