State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

WISCONSIN
DEPT. OF NATURAL RESOURCES

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April 23, 2008

BRRTS # 02-13-551385

Col. Jeffrey Liethen
Wisconsin Department of Military Affairs
2400 Wright Street
Madison WI 53704

SUBJECT: Reported Contamination at: **WANG Armory Madison, 1954 Pearson St. Madison**

Dear Col. Liethen:

On April 2, 2008 Gloria Chojnacki representing Short Elliott Hendrickson, Inc. notified the Department of Natural Resources that soil contamination and direct contact via lead had been detected at the site listed above.
Based on the information submitted to the Wisconsin Department of Natural Resources (WDNR), we believe you are responsible for restoring the environment at the referenced site under Section 292, Wisconsin Stats., known as the hazardous substances spills law.

This letter describes your legal responsibilities, 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 Departments of Natural Resources and 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 Stats, 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. Chapter NR 708 includes provisions for immediate actions in response to limited contamination. 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 three steps to take:

1. Within the next 30 days, you must submit written verification (such as a letter from the consultant) that you have hired an environmental consultant.

2. Within the next 60 days, your consultant must submit a workplan and schedule for the investigation. The consultant must follow the DNR administrative codes and technical guidance documents.

   Once an investigation has established the type and severity of contamination involved at your site, your consultant will be able to determine whether the Department of Commerce or the Department of Natural Resources has authority over the case. Agency staff will review the decision, and you will be notified by mail if the case is being transferred to Commerce. In general, cases involving petroleum products that have leaked from either above ground or underground storage systems will be reviewed by the Commerce, unless high risk criteria are involved.

3. Please inform the appropriate agency of what is being done at your site. If the site meets criteria for a "simple site", progress reports must be submitted semi-annually, beginning 6 months from the initial notification date. If the site meets criteria for a "complex site", a complete site investigation report and a draft remedial options report must be submitted within 30 days of completion. In addition, you or your consultant must provide a brief report at least every 90 days. Quarterly reports need only include one or two pages of text, plus any relevant maps and tables. Should conditions at your site warrant, we may require more frequent contacts.

If you want a formal response from the agency on a specific submittal, please be aware that a review fee is required in accordance with s. 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 to maintain your compliance with the spills law and chs. 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 codes and should be able to answer your questions on meeting cleanup requirements."
Unless you are notified that your case has been transferred to Commerce, all correspondence regarding this site should be sent to:

Mike Schmoller
Remediation and Redevelopment Program
Wisconsin Department of Natural Resources
3911 Fish Hatchery Road
Fitchburg, WI 53711

Unless otherwise requested, please send only one copy of plans and reports. To speed processing, correspondence should reference the BRRTS and FID numbers (if assigned) shown at the top of this letter.

Information for Site Owners:
Information to help you select a consultant, and materials on controlling costs, understanding the cleanup process, and choosing a site cleanup method are enclosed. For information on obtaining limited liability under Section 292.15, Wisconsin Stats., please see our website at http://www.dnr.state.wi.us/org/aw/rr/liability.

Financial Assistance:
Reimbursement from the Petroleum Environmental Cleanup Fund (PECFA) is available for the costs of cleaning up contamination from eligible petroleum storage tanks. Please refer to the enclosed information sheet entitled *Site Remediation Using PECFA* for more information on eligibility and regulations for this program. Funding is also available for cleanup at some drycleaning sites.

Thank you for your cooperation.

Sincerely,

Wendy Wiedemuller (for)

Michael Schmoller
Telephone: (608) 275-3303
Enclosures

cc: File
→ Gloria Chojnacki, Short Elliott Hendrickson, Inc.