04-45-46394

State of Wisconsin
Department of Natural Resources

TOXIC AND HAZARDOUS SPILL REPORT

Form 4400-91 Rev. 6-86

State Div. Emergency Gov't. (608) 266-3232
U.S. Nat'l. Response Center (800) 424-8802
Chemtrec/Pesticides/Chlorine (800) 424-9300

Spill ID Number 91 10 14 05
Y Y M M D D 0-99

04-45-046394

Date of Incident	Day of Week	Time of Incident	Reported By (Name)	Telephone Number
10/14/91	Monday	Unk. ☐ A.M. ☐ P.M.	Don Johnston	(414) 735-8228
Date Reported	**Day of Week**	**Time Reported**	**Agency or Firm Reporting**	**Reported thru Div. Emergen. Gov't.**
10/18/91	Friday	9:00 ☒ A.M. ☐ P.M.	U. S. Oil	☐ Yes ☒ No

Substance Involved	Quantity	Units	Person or Firm Responsible
Waste Oil	50	Gallons	Don Johnston - U. S. Oil
Substance Involved	**Quantity**	**Units**	**Contact Name / Telephone Number**
N/A	N/A	N/A	Don Johnston (414) 735-8228

Physical Characteristics
☐ Solid ☒ Liquid Color ____
☐ Semisolid ☐ Gas Odor ____

Address — Street or Route
522 Carter Court

City, State, Zip Code
Kimberly, WI 54136

Cause of Incident
Broken Pipe inside heating pipe.

Exact Location Description (intersection, mileage, etc.)
522 Carter Court

County Location	¼¼, ¼, Section, Town, Range
Outagamie	---,---, 28, T 21 N, R 18-19E

DNR Dist	DNR Area	Groundwaters Affected
LMD	OSH	☐ Yes ☒ No ☐ Potential

Surface Waters Affected	Name of Surface Water
☐ Yes ☒ No ☐ Potential	N/A

Date District Notified	Day of Week	Time District Notified
10/18/91	Friday	9:00 ☒ A.M. ☐ P.M.

District Person Notified	Telephone Number
Dennis Jones	(414) 424-3055

Date Investigated	Day of Week	Time Investigated
10/21/91	Monday	2:15 ☐ A.M. ☒ P.M.

Person Investigating	Telephone Number
Byron J. Goetsch	414-832-2745

Action Taken By DNR
☐ No Action Taken ☒ Investigation ☐ Supervise/Conduct Cleanup
☐ Spiller Required To Take Action; Type ____
☐ Contractor Hired By DNR; Name ____
☐ Amount Recovered ____
☐ 29.29 Enforcement

Other Agencies on Scene
Local N/A
State N/A
Federal N/A

Closed 8-26-02
Transferred to ERP
02-45-334608

Action Taken By Spiller
☐ No Action Taken ☐ No Notification ☐ Investigate
☐ Containment; Type ____
☒ Cleanup; Method Digging up contaminated soil
☐ Amount Recovered ____
☐ Monitor ____
☐ Contractor Hired; Name ____
☒ Other Action Take to Outagamie Co. Landfill

Spill Location
☐ Industrial Facility/Paper Mill/Chem. Co.
☐ Gas/Service Station/Garage, Auto Dealer, Repair Shop
☐ Ag Coop/Facility/Cheese Factory/Creamery
☐ Other Small Business (bank, grocery, insurance co., etc.)
☐ Public Property (city, county, state, church, school, etc.)
☐ Utility Co., Power Generating/Transfer Facility
☐ Private Property (home/farm)
☒ Pipeline, Terminal, Tank Farm, Oil Jobber/Wholesaler
☐ Transportation Accident, Fuel Supply Tank Spill
☐ Transportation Accident, Load Spill
☐ Construction, Excavation, Wrecking, Quarry, Mine
☐ Other ____

Spilled Substance Destination
☐ Air
☒ Soil
☐ Groundwater
☐ Surface Water
☐ Storm Sewer
☐ Sanitary Sewer
☐ Contained/Recovered
☐ Other ____

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BUREAU OF SOLID-HAZARDOUS WASTE MANAGEMENT

Person Filing This Report (print name) Byron J. Goetsch
Signature [signature] Date Signed 10-21-91

Additional Comments:
Don Johnston stated that the spill apparently started on Monday, October 14, 1991 but wasn't detected until Friday, October 18, 1991. Stated when oil product showed up in a sump drain, at that time they realized a leak had occurred causing said spill.

DES

CENTRAL OFFICE COORDINATOR

Chronert, Roxanne N.

From: Tobias, Jennifer
Sent: Thursday, January 30, 2003 3:04 PM
To: Chronert, Roxanne N.
Subject: Waste Oil to Energy

Rox,

I can't remember if I copied you on this letter or not. Sorry if it's a duplicate. This is in regard to three former Spills turned ERP:

WasteOil_CondCls.doc WasteOil_FinCls.doc

Just FYI in case you want to include with Spill files.

Jennifer Tobias
Hydrogeologist, Bureau for Remediation & Redevelopment
WI Department of Natural Resources - Northeast Region
625 E. Cty Rd Y, STE. 700, Oshkosh, WI 54901-9731

PHONE: (920) 424-7887 FAX: (920) 424-4404
E-MAIL: jennifer.tobias@dnr.state.wi.us

NOTE: On June 16, 2002 the e-mail format for WDNR changed to firstname.lastname@dnr.state.wi.us
Messages sent to the old address (tobiaj) will be forwarded to the new address (jennifer.tobias) for an undetermined amount of time.

8-13-93
10-14-91
4-22-93

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary
Ronald W. Kazmierczak, Regional Director

Oshkosh Service Center
625 East County Road Y, STE 700
Oshkosh, Wisconsin 54901-9731
TELEPHONE 920-424-3050
FAX 920-424-4404

January 30, 2003

Don Johnston
US Oil Company, Inc.
425 S. Washington St.
PO Box 25
Combined Locks, WI 54113

SUBJECT: Final Case Closure With Conditions Met for
Waste Oil to Energy (former), 522 Carter Court, Kimberly, Wisconsin
WDNR BRRTS # 02-45-354608

Dear Mr. Johnston:

On January 23, 2003 your site as described above was reviewed for closure by the Department of Natural Resources. The Department reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. On January 23, 2003, you were notified that conditional closure was granted to this case.

On January 30, 2003, the Department received correspondence indicating that you have complied with the conditions of closure. Monitoring well abandonment forms were received for temporary wells, GP-130, GP-140 and GP-21. Based on the correspondence and data provided, it appears that your case has been remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code. The Department considers this case closed and no further investigation, remediation or other action is required at this time.

Please be aware that the case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, 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 you have any questions regarding this letter, please contact me at (920) 424-7887.

Sincerely,

Jennifer Tobias
Hydrogeologist
Bureau for Remediation & Redevelopment

Cc: Brian Bartoszek, Envirogen, 790 Marvelle Ln., Green Bay, WI 54304

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
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Oshkosh Service Center
625 East County Road Y, STE 700
Oshkosh, Wisconsin 54901-9731
TELEPHONE 920-424-3050
FAX 920-424-4404

January 23, 2003

Don Johnston
US Oil Company, Inc.
425 S. Washington St.
PO Box 25
Combined Locks, WI 54113

SUBJECT: Conditional Case Closure
Waste Oil to Energy (former), 522 Carter Court, Kimberly, Wisconsin
WDNR BRRTS # 02-45-354608

Dear Mr. Johnston:

On January 23, 2003, your request for closure of the case described above was reviewed by the Department of Natural Resources (Department). The Department reviews environmental remediation cases for compliance with state rules and statutes to maintain consistency in the closure of these cases.

After careful review of the closure request, the Department has determined that the waste oil and fuel oil contamination on the site from the locations of within the waste oil to energy plant, the northeast corner of the plant and the north-center side of the plant appear to have been investigated and remediated to the extent practicable under site conditions. These releases were formerly referenced as WDNR Spill Cases # 04-45-048815 on August 13, 1993, 04-45-046394 on October 14, 1991 and 04-45-048347 on April 22, 1993, respectively. The Spill cases were tracked with an end date of August 26, 2002, when the current BRRTS # was assigned for the entire site.

Your case has been remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code and will be closed **if** the following conditions are satisfied:

MONITORING WELL ABANDONMENT

The temporary monitoring wells at the site must be properly abandoned in compliance with ch. NR 141, Wis. Adm. Code. Documentation of well abandonment must be submitted to the Department on Form 3300-5B found at www.dnr.state.wi.us/org/water/dgw/gw/ or provided by the Department of Natural Resources

Please be aware that the case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, 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 you have any questions regarding this letter, please contact me at (920) 424-7887.

Sincerely,

Jennifer Tobias
Hydrogeologist
Bureau for Remediation & Redevelopment

Cc: Brian Bartoszek, Envirogen, 790 Marvelle Ln., Green Bay, WI 54304
B. Urben, R. Stoll., L. Polczinski – Green Bay

Kim McCutchen SW14 266-3232

LM

SUBSTANCE SPILL/RELEASE ALERT FORM

Spill No./Notification Date and Military Time	Information should be reported to:	Date and Military Time of Incident
91 10 18 1243 YY MM DD TIME	Department of Military Affairs Wisconsin Division of Emergency Government 4802 Sheboygan Ave., Room 99A, P.O.Box 7865 Madison, Wisconsin 53707-7865 (608) 266-3232 FAX (608) 266-1569	91 10 14 ____ YY MM DD TIME County: Outagamie

REPORTING INFORMATION

Reported by: Don Johnston (name)
Address 425 S. Washington St
City Combined Locks State Wi Zip 54113
Telephone 414-739-6100

Person/Firm Responsible: US Oil Co Inc
Address 425 S. Washington St.
City ____ State ____ Zip ____
Telephone

Spill Contact Person/Firm: Don Johnston (if different from above)
Address
Telephone 414-739-6100 City State Zip

SUBSTANCE INFORMATION

Name of Substance/ Quantity Involved: Used oil, 30-50 gallons was spilled

[ ] EHS Chemical [X] CERCLA Chemical [ ] Unknown

CAS #	Placard #	Quantity	Solid	Powder	Liquid	Vapor	Gas	Radio-Active	Unknown	Color	Odor
			[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]		
			[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]		
			[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]		

SITE INFORMATION

Exact Location of Spill/Release (include Street Address, County, City, Village, Town, Highway, Intersection, Mileage, etc.):
522 Carter Court in ~~Kimberly~~, Wi 54136
Kimberly

Source of Spill

[ ] Transportation [ ] Manufacture [ ] Agriculture
[ ] Public Property [ ] Construction [X] Business
[ ] Private Property [ ] Other ____

Weather Conditions

Wind Speed and Direction ____
[ ] Rain [ ] Sleet [ ] Snow [ ] Fog
[ ] Other:

Spill Destination

[X] Soil [ ] Air [ ] Water
[ ] Storm Sewer [ ] Sanitary Sewer [X] Contained/ Recovered [ ] Other
[ ] Surface Water [ ] Yes [ ] No [ ] Potential
Name: ____
[ ] Ground Water [ ] Yes [ ] No [ ] Potential
Distance to nearest drinking water well: feet

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PUBLIC HEALTH INFORMATION

Recommended safety precautions (known acute/chronic health risks):

	No	Unknown	Yes	Number
Injuries	[ ]	[ ]	[ ]	[ ]
Fatalities	[ ]	[ ]	[ ]	[ ]
Facility Evacuated	[ ]	[ ]	[ ]	[ ]
Public Evacuated	[ ]	[ ]	[ ]	[ ]
Shelter facility:				
Hospital	[ ]	[ ]	[ ]	[ ]
School	[ ]	[ ]	[ ]	[ ]
Other/Type	[ ]	[ ]	[ ]	[ ]

Shelter Location and Name

Spoke to Diane Hansen @ LMD @ 2:00 pm.
10-18-91 Elisha B. Dolan

RESPONSE INFORMATION

Local Responder on Scene (Give name of response agencies)

[ ] Fire _____

[ ] Law Enforcement _____

[ ] DNR _____

[ ] County EG _____

[ ] EMS _____

[ ] Other: _____

Incident Commander

Name _____

Title _____

Dept. _____

Telephone _____

[ ] No further follow-up or state assistance required

List of contacts made by responsible party/firm or individual reporting incident:

Agency	Telephone Number	Contact Name
[ ] Dist. Dept. of Natural Resources (DNR)		
[ ] Loc. Emer. Planning Committee (LEPC)		
[ ] Local Public Health		
[ ] CHEMTREC	1-800-424-9300	
[ ] National Response Center (NRC)		

Narrative: Cause of incident/Actions being taken/Other information:

The oil leaked from a broken pipe. The company thinks the spill happened on Monday! It was discovered today. The company is scraping up the contaminated soil and installed a recovery sump. Company will contact local DNR.

DEG DUTY OFFICER CONTACTS

Agency	Telephone Number	Contact Name
[ ] DNR (days)	(608) 266-2141	
[ ] DNR (Duty Officer pager)		
[ ] DOT/State Patrol	(608) 246-3228	
[ ] DH&SS	(608) 266-2830	
[ ] DILHR		
[ ] DATCP		
[ ] NRC	1-800-424-8802	
[ ] Area Director		
[ ] DEG, Dir. Bureau of Field Services and Disaster Resources		

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INCIDENT FOLLOW-UP (to include date and time)

AGENCY DEFINITIONS

DEG	Div. of Emerg Government	NRC	Nat'l Response Center (Federal Reporting Environmental Protection Agency US Coast Guard)
CHEMTREC	Chemical Transportation Emerg. Center		
DNR	Department of Natural Resources	DILHR	Dept. of Industry, Labor and Human Relations
DOT/State Patrol	Dept. of Transportation	DATCP	Dept. of Agriculture, Trade and Consumer Protection
DH&SS	Dept. of Health & Social Services		

Reminder: If the release is of an EHS or CERCLA chemical at or above the reportable quantity, the responsible party must also submit a follow-up written report per Fed. Statutes, as soon as practicable, to the State Emergency Response Board, Box 7865, Madison, WI 53707-7865, the Local Emergency Planning Committee and the NRC.

Larry Reed
Signature of DEG Duty Officer

Larry Reed
Signature of Preparer