State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
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Fitchburg WI 53711-5397

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June 10, 2014

BRRTS#: 07-13-562102

Mr. Daniel Schlichting
Eggimann Motors & Equipment Sales, Inc.
P.O. Box 1528
Madison, WI 53701

SUBJECT: No Action Required for Eggimann Motors & Equipment Sales, Inc. 1813 West Beltline Highway, Madison, WI
DNR BRRTS Activity #: 07-13-562102
Parcel #: 251/0709-344-0944-9

Dear Mr. Schlichting:

Purpose

The purpose of this letter is to provide you with clarifications as to environmental liabilities and current environmental conditions at Eggimann Motors & Equipment Sales, Inc. 1813 West Beltline Highway, Madison, Wisconsin ("the Property"). The Property consists of approximately 5.36 acres of land located in Dane County identified by tax parcel number(s) 251/0709-344-0944-9. Refer to the attached Figure 2 for a 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, Wisconsin Administrative Code.

Request

On June 4, 2014, Terracon Consultants, Inc. requested on your behalf that the Department issue a liability clarification letter under s. 292.55, Wis. Stats. This letter contains the determination that no 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, you have requested a review of the following documents:

- Limited Site Investigation, Former Eggimann Properties, 1809 and 1813 West Beltline Highway, Madison, WI submitted by Terracon Consultants, Inc. dated January 15, 2014
- Groundwater Investigation Report, Eggimann Properties, 1813 West Beltline Highway, Madison, WI submitted by Terracon Consultants, Inc. dated May 20, 2014

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

Two parcels of land were involved with a Phase II Environmental Site Investigation. Historically, the parcels have been involved with automotive service. The 1813 site had waste oil/used motor oil and gasoline aboveground storage tanks.

The investigation involved Sewer Pipe and Sump Crock inspection and soil borings at both 1809 and 1813 locations. The sewer lines were cleaned, viewed by camera and inspected.

The site soils were asphalt mix on the land surface underlain by sand and gravel, sandy-silt and silty clay. Bedrock was encountered at 22.5-25 feet below ground surface (bgs). There were 17 direct push soil borings (P1-P-17) advanced to 14 to 22 feet bgs. Temporary groundwater monitoring wells were established in the borings but failed to gather enough water. Saturated soils were observed in P-1 through P-4 and P-16. DRO was found in P-6, 7, 8, 9 and 13. Numerous polycyclic aromatic hydrocarbons (PAHs) were detected but only naphthalene was above respective soil to groundwater residual contaminant level (RCL).

No significant contamination was found in the northern site (1809 West Beltline Highway). No contaminants were found in the soil borings and therefore no 'notification' to the WI DNR was presented. However, the property at 1809 West Beltline Highway, Madison was presented in the same reports.

Some soil contamination was observed in the southern portion of the site. (1813 West Beltline Highway). There was 125 ppb tetrachloroethene at two feet bgs, in P-5. However, the sample at twelve feet for P-5 had no detect. For P-13 at three feet bgs. there was 2310 ppb naphthalene and 24,200 ppb TMB. But at P-13 at thirteen feet, there was 164 ppb naphthalene and 784 ppb trimethylbenzene (TMBs). For P-9 at two feet there was 1800 ppb naphthalene but at the fourteen foot level there was no detect.

Four monitoring wells were installed during March 2014 (MW-1 near P-3, MW-2 near P-9, MW-3 near P-7 and MW-4 near P-5). Groundwater was found at 36-41 feet bgs. MW-1, MW-3 and MW-4 did not purge dry. There was one sample obtained from the wells shortly after they were installed and developed. Analytical results for VOCs were all NO DETECT.

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.

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 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 and financial considerations, and samples were not analyzed for all parameters. 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.

Residual Soil Contamination (Ch. NR 718, or Ch. 289, Stats; Chs. 500 to 536, Wis. Adm. Code)

Soil contamination remains as shown in the summary of environmental conditions at locations described above. If soil in the specific locations described above is excavated in the future, the property owner at the time of excavation must sample and analyze the excavated soil to determine if contamination remains. If sampling confirms that contamination is present, the property owner at the time of excavation will need to determine whether the material is considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable standards and rules. Contaminated soil may be managed in accordance with ch. NR 718, Wis. Adm. Code, with prior DNR approval.

In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken to prevent a direct contact health threat to humans.

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 me at (608) 275-3297, by writing to the address at the top of this letter or by email to wendell.wojner@wisconsin.gov.

Sincerely,

Wendell Wojner
Hydrogeologist
Remediation and Redevelopment Program

Attach: Figure 2, Groundwater Contour Map (3/11/2014), Terracon Consultants, Inc.

c: Janet DiMaggio, SCR, Land Recycling Team
Blaine Schroyer, Terracon Consultants, Inc. 9856 South 57th Street, Franklin, WI 53132