State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
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Southern District Headquarters
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August 5, 1996

File Ref: 03-20-002661
(Fond du Lac County)

Mr Ken Leitner
Alto Dairy Inc
N3545 CTH EE
Waupun WI 53963

SUBJECT: Closure, Alto Dairy, N3545 CTH EE, Waupun, WI

Dear Mr. Leitner:

On July 15, 1996, the above mentioned site was reviewed by the Southern District's Closure Committee. This committee reviews environmental remediation cases for compliance with state laws, standards and guidelines to maintain consistency in the closeout of cases. Based on the correspondence provided, it appears as though the site has been remediated to acceptable Department standards.

The Committee does note the last two rounds of groundwater monitoring data for MW500 indicates an exceedance of the NR 140 Wisconsin Administrative Code Preventive Action Limit (PAL) for benzene, but the concentrations are below the Enforcement Standard. The Department may grant an exemption pursuant to s.NR 140.28(2), Wisconsin Administrative Code, if the following criteria are met:

a.) The anticipated increase in the concentration of benzene will be minimized to the extent technically and economically feasible.

b.) Compliance with the PAL is either not technically or economically feasible.

c.) The enforcement standard for benzene will not be attained or exceeded at the point of standards application.

d.) Any increase in the concentration of benzene above background does not present a threat to public health or welfare.

The Department believes the above noted criteria have been met or will be met because of the remediation which has taken place at the site. Therefore, pursuant to s.NR 140.28, Wisconsin Administrative Code, an exemption for the benzene PAL is granted. This letter serves as your exemption. Therefore, closure of this site has been granted and no further action is necessary at this time.

Please be aware, however, that this letter does not absolve the current or any future owner of this property from future decisions regarding this site or impacts which may be discovered and/or traced back to past or future

activities at this site. If in the future the Department receives information which demonstrates that additional work is necessary, the Department has the authority to require further action or reopen the site pursuant to s. NR 726.09, Wisconsin Administrative Code.

The Department appreciates your efforts to protect and restore the environment at this site. If you have any questions regarding this determination, please contact Mark F. Putra at (414) 387-7867.

Sincerely,

Patrick McCutcheon, Unit Leader
Emergency & Remedial Response
(608) 275-3241

cc: Marty Koopman, Northern Environmental Inc., 324 E. Main St., Waupun, WI 53963
Steve Karklins - WR/2