



March 24, 2022

Winnebago and Outagamie County  
Neenah FID# 471007460  
Appleton FID# 445164170

**EMAILED**

Brett Donaldson  
Donaldson's One Hour Cleaners Inc. dba Donaldson's Cleaners  
561 Chatham Court  
Neenah, WI 54956  
[bdonaldson@donaldsonscleaners.com](mailto:bdonaldson@donaldsonscleaners.com)

Peter Van Houwelingen  
Corporate Legal Counsel, Ltd  
447 S Nicolet Rd, Suite 5  
Appleton, WI 54914  
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Subject: ENFORCEMENT CONFERENCE SUMMARY LETTER

Dear Mr. Donaldson and Mr. Van Houwelingen:

Thank you for attending the Wisconsin Department of Natural Resources (department) enforcement conference held on Tuesday March 15, 2022, at 10:00 am by teleconference. The conference was held to discuss the February 24, 2022, notice of violation (NOV) relating to alleged violations of state hazardous waste pollution laws at Donaldson's One Hour Cleaners Inc. dba Donaldson's Cleaners (DOHC) at two of its facilities located at 110 W. Cecil Street, Neenah, WI, Winnebago County (Neenah Site) and at 1835 E. Edgewood Drive, Suite 101, Appleton, WI 54913, Outagamie County, (Appleton Site).

You provided a brief background on the company and each facility location. From July 1, 2001, Brett Donaldson began a C-corporation of DOHC and operated the business until November 2020 when the company dissolved. You were the sole president of the company and own all the shares and were responsible for managing the hazardous waste for the business. The Neenah site operated two dry-cleaner machines utilizing Perchloroethylene (Perc) as the cleaning solvent at the facility from 2001 until 2013 when the store ceased using the machines and only accepted clothes to be laundered; the store became a "dry" store. The Appleton site had one dry cleaning machine utilizing Perc and laundering of clothing was consolidated at the existing Appleton store when the Neenah location became a dry store. Spent dry cleaning filters were generated at each site at the rate of one filter every three months and approximately four filters fit into a 55-gallon drum for ultimate disposal as a hazardous waste. The spent filters did not contain any liquid, only dirt and lint. Operations at the Appleton site ceased at the end of June 2020. DOHC did not operate at any other locations; however, "Donny on the Spot" did operate a hydrocarbon dry cleaning machine at the Clairemont store in Appleton. You stated the dry cleaning filters at the Clairemont location were an industrial waste and not a hazardous waste. A company named Wausau Chemical had been used at the Appleton store for spent filter disposal when the site was decommissioned.

Discussions then moved to the nine 55-gallon drums (nine drums) that were identified in a June 16, 2021, report to the department in relation to the Appleton site from the attorney representing the property owner where DOHC had leased and previously operated. The department's Remediation and Redevelopment Program sent you a letter on August 23, 2021, requesting information in relation to the contents of these nine drums formerly located at the Appleton site (BRRTS# 02-45-586961). This letter also referenced a case closure denial letter dated June 20, 2016, in relation to information on nine drums ("investigative waste" drums containing contaminated soil or groundwater) relating to environmental contamination identified at the Neenah site

(BRRTS# 02-71-110797), which were to be disposed of within 60 days. You first stated the 9 drums were the investigative waste drums identified in the June 20, 2016 letter. However, after some discussion you later identified that all the 9 drums at the Appleton site were from the Neenah site and were filled with spent dry cleaner filters and that you did not know what happened to the nine investigative waste drums.

You explained that the nine drums identified in the NOV contained spent dry cleaner filters and were transported to the Appleton site sometime in February 2020 in a DOHC company vehicle by you because the Neenah building was being demolished and you did not have the money to pay for the disposal of this hazardous waste. These nine drums were then transported in your semitrailer back to the Neenah site in late June 2020. You stated that the drums were always sealed, on 2 pallets and never opened. Department staff then asked you about any spent dry cleaner filters from the Appleton store after the last hazardous waste manifest which identified a shipment on September 20, 2019, by Safety-Kleen, to the end of June 2020 when the business closed at that location. You said you were not sure and that one of the nine drums that were at the Appleton store could have contained spent filters from the Appleton store.

Discussions then centered on the circumstances that gave rise to the NOV and actions taken to resolve the alleged violations. Forfeitures and orders were discussed as was a referral to the Wisconsin Department of Justice.

#### **For the Neenah Site**

**Violation 1 and 2 – Arrange for waste to go to a hazardous waste treatment storage and disposal (TSD) facility and use a licensed transporter** - you confirmed the nine drums were self-transported by you to the Appleton site which is not a licensed TSD facility for hazardous waste.

**Violation 3 – Operating an unlicensed TSD facility for hazardous waste storage** - you confirmed that the drums were stored at both the Appleton site and then back to the Neenah site for a period of time. We requested more specific dates on the dates of transporting the drums to each location.

For violations 4 through 7 below, you explained that you were trained by your father, and that the company who picked up the drums put the labels on them. You also explained that you had not marked the nine drums until after the department's site visit with you on October 18, 2021, at the Neenah site where the 9 drums were stored in a semitrailer. Department staff explained that all the below container labeling/marketing requirements are the hazardous waste generators responsibility and that the labels attached by the hazardous waste hauling company were for Department of Transportation requirements.

**Violation 4 – Labeling container “Hazardous waste”** - The department received an email from you dated October 27, 2021, with a photo of all nine drums properly labeled hazardous waste.

**Violation 5 – Marking container with the EPA hazardous waste codes** – the department received an email from you dated October 27, 2021, with a photo of the labels on the nine drums, however department staff identified that only two of the nine drums had a waste code (F002) on them.

**Violation 6 – Marking container with and indication of the hazards of the contents** – the department received an email from you dated October 27, 2021, with a photo of the labels on the nine drums, however department staff identified that only two of the nine drums indicated the hazards of the waste.

**Violation 7 – Marking the date when waste accumulation begins** - the department received an email from you dated October 27, 2021, with a photo of the labels on the nine drums, however none of the drums had a start of accumulation date on them.

**For the Appleton site**

**Violation 3 – Operating an unlicensed TSD facility for hazardous waste storage** - you confirmed that the drums were stored at both the Appleton site and then the Neenah site for a period of time. We requested more specific dates on the dates of transporting the drums to each location.

You summarized for the department that for each of the violations above, you agreed that they all occurred however, since closing both the Neenah site and the Appleton site you are no longer going to be in the dry-cleaning business. In addition, on February 16, 2022, the nine drums were picked up by your contractor Enviro-Safe for proper disposal. You also mentioned that due to the Department of Justice's (DOJ) lawsuit for the Neenah remediation case that you had to file for bankruptcy and that all claims were discharged as part of that bankruptcy. The department responded that the bankruptcy proceedings are outside of our authority and if you have questions, you should contact DOJ.

The department discussed the significance as to why these regulations need to be followed when managing hazardous wastes. Specifically, the safe transportation, storage and drum marking/labeling were discussed, along with the importance of those regulations in minimizing the potential for leaks/spills, and to provide crucial information to the various emergency personnel for any response action that could be needed in the event of a spill or accident.

**By no later than April 4, 2022, please provide me your signed written commitment response letter describing how DOHC will return to compliance for the alleged violations. Please also include the following information/documents in your response:**

- 1. Neenah site - Provide the final TSD signed manifest for the disposal of the nine 55-gallon drums.**
- 2. Provide the specific dates in which the nine drums of spent filters were moved from Neenah to Appleton, and from Appleton back to Neenah.**
- 3. Appleton site – What happened with any spent filters generated between September 2019 and June 2020. You mentioned that one of the nine drums may have been from the Appleton site instead of the Neenah site – please explain and provide any supporting documentation.**
- 4. Provide any disposal documentation for the investigative wastes (contaminated soil/water) identified in the departments June 20, 2016, case closure denial letter at the Neenah site. This information was previously requested in the departments August 23, 2021, information request letter. Please also confirm if the 9 drums shipped on February 16, 2022, to Enviro of Illinois Inc. contained any investigative waste as there was some confusion on what was in the drums during our conference. Provide the department with a copy of the documentation you receive from Enviro of Illinois Inc. verifying the contents of the drums.**
- 5. Please also explain and provide any documentation for any additional hazardous wastes (spent solvents) while decommissioning both the Neenah and Appleton sites.**
- 6. Please also provide background information on your operations at the “Donny on the Spot” facility you mentioned during the EC at the Clairemont site.**

If you have any technical questions, please call Alex Beyer at 920-590-1357 or email at [alexander.beyer@wisconsin.gov](mailto:alexander.beyer@wisconsin.gov). If you have any questions regarding this letter or the department's stepped enforcement process, please contact me at (920) 808-0045 or email at [jennifer.pelczar@wisconsin.gov](mailto:jennifer.pelczar@wisconsin.gov).

Sincerely,



Jennifer Pelczar  
Environmental Enforcement Specialist

Ecc: Alex Beyer – [alexander.beyer@wisconsin.gov](mailto:alexander.beyer@wisconsin.gov)  
Kristin DuFresne – [Kristin.dufresne@wisconsin.gov](mailto:Kristin.dufresne@wisconsin.gov)  
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Meeting Attendees

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