



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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Darrell Bazzell, Secretary
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South Central Region Headquarters
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March 30, 2001

File Ref: 03-57-002801 and 02-57-001682

Mr. Wayne Butz
Reedsburg Cleaners
140 Maine Street
Mauston, WI 53948

Subject: Notice of Noncompliance for Reedsburg Cleaners, 349 Main St., Reedsburg

Dear Mr. Butz:

On November 15, 1995 the Department contacted you by letter and notified you of your responsibilities under the Wisconsin Spill Law to investigate and clean up a release of chlorinated compounds discovered at the above named site. The Department contacted you by letter again on July 15, 1996 and notified you of your responsibilities to investigate and clean up a newly discovered petroleum release from leaking underground storage tanks at the same site. Your responsibilities were restated to you in person during an Enforcement Conference at South Central Region Headquarters on August 26, 1998.

Based on phone conversations with Curt Hoffart of KEY Engineering in Cedarburg Wisconsin, I am aware that six monitoring wells were installed in December of 1999 for the purpose of preliminary site investigation. I have been informed that all six wells have Wis. Admin. Code NR 140 enforcement standard exceedances for tetrachloroethylene (PCE) in groundwater, at concentrations as high as 4,800 ppb (the enforcement standard for PCE is 5 ppb). I have also been told that there are high levels of petroleum contamination in groundwater, for example benzene as high as 20,000 ppb (the enforcement standard for benzene is 5 ppb). The site investigation report has not been submitted to the Department, so I am unable to fully evaluate the site conditions, but based on what I have been told the site is apparently extremely contaminated.

On June 5, 2000 you spoke to me about the possibility of switching your consultant from Curt Hoffart of Key Engineering to Joel Janssen of Vierbicher Associates. You stated that the reason for the requested change is that it will be easier for you to have contact with Joel Janssen because he has an office in Madison, which is closer to you. I agreed to allow the switch, saving you from the possibility of having to deal with the significant inconvenience of having to resubmit the site to the bidding process if you changed consultants without approval. My agreement with you was that the switch of consultants will be acceptable only if it does not significantly delay the completion of the site investigation and site remediation. I have had several subsequent conversations with Joel Janssen which indicate that he had received all necessary documents in December of 2000 to put together a proposal for the additional site investigation required and that he has completed the proposal.

It has been nine months since you were given permission to change consultants. I was informed recently by Joel Janssen that you do not intend to sign a contract to continue the site investigation. In order for you to qualify for reimbursement from the Dry Cleaner Environmental Response Fund or the Petroleum Environmental Cleanup Fund you are expected to investigate and remediate your site in a timely manner.

Rapid response is important because it limits the potential health threats. Furthermore, it reduces the cost of remediation because the longer the contamination remains the farther it spreads and the more difficult it becomes to clean up. The longer you delay action at your site the more you jeopardize your opportunity for reimbursement of investigative and cleanup costs.

You have had more than adequate time to contract with a new consultant. You have 14 days to sign a contract for completion of the site investigation. If I do not receive confirmation that you have entered into a contract I will interpret that as a violation of our agreement. If there is no response or an inadequate response you will leave me no option other than recommending that enforcement actions be taken. These actions could include the issuance of an Administrative Order or a direct referral to the Attorney General's Office.

If you have questions please feel free to contact me at the number below.

Sincerely,



Randy Maass
Hydrogeologist
Remediation and Redevelopment
(608) 275-3224

cc: Joel Janssen, Vierbicher Associates, 6200 Mineral Point Road, Madison, WI 53705