



September 25, 2018

Mike and Debra Skaife
420 Monroe Street
Fennimore WI 53809

Subject: Notice of Non-Compliance: Action Required by October 25, 2018
Former Speaker Property, 6832 State Highway 18, Fennimore, WI 53809
WDNR BRRTS # 03-22-178494

Dear Mr. and Mrs. Skaife:

This letter is to notify you that you are out of compliance with Wisconsin Statutes (Wis. Stat.) chapter 292 and Wisconsin Administrative Code (Wis. Admin. Code) chapters NR 700 through NR 754. On June 29, 2018, the Wisconsin Department of Natural Resources ("WDNR") notified you of your responsibilities to investigate the degree and extent of contamination and clean up the above-referenced site. These activities should occur in a timely manner. It is the responsibility of the WDNR to ensure that this action occurs.

The June 29, 2018 WDNR letter requested written verification that you had hired an environmental consultant within 30 days and submit a workplan for completing the investigation within 60 days. Our information indicates that you have not provided any indication that you intend to proceed with the steps necessary to move the site to an NR 726 Wisconsin Administrative Code condition of 'closed site'.

Please be aware that the Department may initiate enforcement action against you for failure to comply with Wis. Stat. chapter 292. Your legal responsibilities are defined both in Wis. Stat. chapter 292 and Wis. Admin. Code chapters NR 700 through 754 and are also described in the June 29, 2018 letter. In particular, Wis. Stat. § 292.11(3), states:

RESPONSIBILITY. A person who possesses or controls a hazardous substance which is discharged or who causes the discharge of a hazardous substance shall 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 the state.

The Department is requesting that by October 25, 2018, you provide evidence that you have contracted with an environmental consultant and provide a proposed timeline for completing any investigative and/or remedial actions that might be needed to bring this case to closure. This summary should be submitted in writing to me at the above address. Unless otherwise requested, please send only one copy of plans and reports. To speed processing, correspondence should reference the BRRTS number shown at the top of this letter.

Additional Information for Site Owners:

Information to help you select a consultant, and materials on controlling costs, understanding the cleanup process, and choosing a site cleanup method were sent to you in June. Links to these documents are attached here.

Selecting a Consultant – RR-502
<http://dnr.wi.gov/files/PDF/pubs/rr/RR502.pdf>

Environmental Services Contractor List – RR-024

<http://dnr.wi.gov/files/PDF/pubs/rr/RR024.pdf>

Sites where discharges to the environment have been reported are entered into the Bureau for Remediation and Redevelopment Tracking System (“BRRTS”), a version of which appears on the WDNR’s internet site. You may view the information related to your site at any time (<https://dnr.wi.gov/botw/SetUpBasicSearchForm.do>) and use the feedback system to alert us to any errors in the data.

Financial Assistance:

The former Speaker Property site is enrolled in the Petroleum Environmental Cleanup Fund Award (PECFA) program, and is therefore eligible for reimbursement of certain petroleum contamination clean-up costs. The reimbursement program (PECFA) will end on June 30, 2020. Keep in mind this funding has a limited timeframe for reimbursement. Work needs to begin immediately to take full advantage of the reimbursement available to you as well as to return to compliance. Please refer to the enclosed PECFA fact sheet for more information.

Please understand that you are in noncompliance and will remain in noncompliance until you fulfill all requirements of the statute. Failure to take the actions required by Wis. Stat. § 292.11 to address this contamination will cause the Department to review this case for enforcement actions. Additionally, please be advised that the Department is authorized under Wis. Stat. § 292.94 to assess non-reimbursable fees for any reports you are required to submit as part of additional enforcement actions.

You may call me at (608) 275-3295 for more information or for other questions regarding this letter. Additional information can also be found on the RR web site <http://dnr.wi.gov/org/aw/rr>.

Sincerely,



Janet DiMaggio
Hydrogeologist
Bureau for Remediation & Redevelopment

Encl.
PECFA Fact Sheet