



Notice of Non-Compliance

May 4, 2016

Hunn Family Trust
c/o Mr. Lou Dodulik
Mudroch & Dodulik
PO Box 5246
Elm Grove, WI 53122

Subject: Request for Additional Site Investigation Work, Former Queens Way Cleaners, aka Speedy Lube, 117 E. Capitol Drive, Milwaukee, WI
DNR BRRTS#02-41-182420 FID#241081280

Dear Mr. Dodulik:

In an email dated November 12, 2013 addressed to your environmental consultant, Betty Socha, SCS engineers, I requested that additional site investigation activities be conducted at the above-referenced site (copy of email attached). I requested that Ms. Socha prepare a scope of work and cost estimate for the following work:

- Installation of a sub-slab depressurization system at the property located at 3935 N. Palmer St.
- Conduct additional investigation to define the extent of groundwater contamination
- Conduct a vapor intrusion assessment at off-site neighboring properties
- Consider developing an interim action remedial action plan

Ms. Socha submitted and DNR approved an interim action plan for installation of a sub-slab depressurization system at the 3935 N. Palmer St. property and an interim capping proposal. We approved the off-site activities but to date we have not received a work plan to conduct the requested additional site investigation activities.

On March 24, 2003, the Hunn Family Trust was notified by the DNR of its responsibility to investigate and, as needed, clean up contamination located at this property. As the responsible party, Hunn Family Trust has certain legal responsibilities as outlined in Section 292.11(3) Wis. Stats., also known as the hazardous substances spill law. Section 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.

Within the next 30 days, please submit, or have your consultant submit a workplan for conducting the additional work as requested in the 2013 email. Failure to meet this deadline may result in the initiation of formal enforcement against Hunn Family Trust. If you wish to seek reimbursement under the Dry Cleaner Environmental Response Fund, submit the workplan with a change order request for approval of costs to conduct the investigation activities.

DNR did recently receive a report, *Installation Documentation and Maintenance Plan for Vapor Mitigation System*, for the sub-slab depressurization system installed at 3935 N. Palmer St. property in 2014. The maintenance plan provides information on the set-up of the system and description of how the system should be inspected and maintained. DNR has specific recommendations for information that must be included in

inspection and maintenance plans for vapor mitigation systems which was not provided in the submitted document. The plan must be revised to include the following: a figure showing the location of drop points, pressure field extension points and pressure measurements, fan locations and power source locations, description/photo documentation of condition of the floor and system components (some were provided, some not). In addition, the plan should include an inspection log that lists key inspection items. (inspector, date, items inspected, state of system, parts replaced, repairs needed, when follow up was completed, etc.). DNR fillable Form 4400-305 can be used to log this information. Additionally, the DNR expects the responsible party to conduct inspections (at a minimum annually) and maintain these systems until the time of site closure when that responsibility will fall to the property owner. Please arrange to inspect the system at 3935 N. Palmer St. and document the inspection results to the DNR within the next 60 days.

Investigation of the significant solvent contamination at the Speedy Lube site has not progressed in a timely manner. Since the release was reported to DNR in 1997, activity has stalled for significant periods of time. Please submit the site investigation workplan with implementation schedule to me by June 5, 2016 so that the extent and degree of contamination can be determined in order to identify what remedial actions are needed to protect human health and the environment. Please contact me at (414) 263-8533 or by email to nancy.ryan@wisconsin.gov if you have any questions regarding this letter.

Sincerely,



Nancy D. Ryan, Hydrogeologist
Remediation and Redevelopment

Cc: Betty Socha, SCS Engineers – electronic copy
Attachment - email

Ryan, Nancy D - DNR

From: Ryan, Nancy D - DNR
Sent: Tuesday, November 12, 2013 7:50 AM
To: Socha, Betty (BSocha@scsengineers.com)
Subject: Queens Way/Speedy Lube request for add'l work BRRTS 02-41-182420

Hi, Betty,

We spoke on October 11, 2013 regarding the recent investigation activities conducted at the Speedy Lube site in Milwaukee. I am following up on that conversation to be sure that you are working on a response to address immediate concerns associated with the significant sources identified during your investigation. Specifically, I requested that you prepare a scope of work and cost estimate for the following:

Installation of a sub-slab depressurization system at the property at 3935 N. Palmer St. (this can be conducted as an interim action)

Conduct additional investigation to define the extent of groundwater contamination

Conduct a vapor intrusion assessment at off-site neighboring properties

Consider developing an interim action remedial action plan – this could be postponed until the site investigation is complete.

The Department would like the SSDS to be installed as soon as possible so I am requesting that you obtain bids for installation and submit an interim action cost estimate for approval. Please respond to this email within the next 10 days with an update on when we can expect to receive the cost estimate and scope of work.

Thank you, Betty.

 Nancy D. Ryan

Hydrogeologist

Bureau for Remediation and Redevelopment

Wisconsin Department of Natural Resources

2300 N. Dr. Martin Luther King, Jr. Dr.

Milwaukee, WI 53212

(☎) phone: (414) 263-8533

(✉) e-mail: nancy.ryan@wisconsin.gov

Web site: dnr.wi.gov

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