



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
9316 North 107th Street
Milwaukee, Wisconsin 53224-1121
TTY: Contact Through Relay
Fax: (414) 357-4700
Jim Doyle, Governor
Richard J. Leinenkugel, Secretary

November 13, 2009

CERTIFIED MAIL

Mr. Satwant Kaleka
4949 South Bartel Drive
Greenfield, WI 53220

RE: Responsibility for Cleanup of Petroleum Contamination

Commerce # 53219-2109-23-A **DNR BRRTS # 03-41-184130**
Former D&M Motors, 5923 West Lincoln Avenue, West Allis

Dear Mr. Kaleka:

On January 29, 1998, a notification of petroleum contamination was received by the Wisconsin Department of Natural Resources (DNR) for the site referenced above. The site was classified as low or medium risk and transferred to the Wisconsin Department of Commerce (Commerce) for regulatory oversight on July 6, 2000. The cleanup of petroleum contamination has not been completed and additional information is necessary to address the contamination and move towards case closure.

A search of City of West Allis property records indicates that you purchased the Lincoln Avenue property from Mr. George Tsitsos in August 2004; therefore, Commerce has identified you as the owner of the property where residual contamination remains. An investigation and cleanup of the contamination is required. Section 292.11, Wisconsin Statutes, known as the hazardous substance spills law, states that the owner of the property is responsible for restoring the environment to the extent practicable.

A review of the *Remedial Investigation Report and Remedial Action Plan*, submitted by International Environmental Corporation (no longer in business) on January 14, 2000, indicates that ten soil borings were advanced and seven groundwater monitoring wells were installed as part of the site investigation conducted in 1999. Soil and groundwater data confirm a release at the site with soil and groundwater contamination concentrations above State standards. Additional groundwater monitoring is required to establish groundwater contaminant trends.

The report also indicates that an underground storage tank (UST) of an undetermined size, may still exist north of the service bay doors. The location of this UST, along with the locations of the soil borings and monitoring wells, is shown on the enclosed *Figure 2 Site Map*.

You must hire an environmental consultant to determine if a UST still exists north of the service bay doors, assess the viability of the monitoring well network and conduct a minimum of three additional rounds of groundwater monitoring on a quarterly basis. Groundwater samples must be submitted to a laboratory for analysis of petroleum volatile organic compounds (PVOCs) plus naphthalene. Your consultant must submit a scope of work and cost estimate utilizing Commerce's Usual and Customary Cost Schedule to Commerce for approval prior to beginning any work activities.

Following is important information about cleanups, environmental consultants, possible financial assistance and working cooperatively with Commerce.

Legal Responsibilities:

The hazardous substance spill law, Section 292.11(3) Wisconsin Statutes, 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.

Wisconsin Administrative Code chapters NR 700 through NR 749 establish requirements from notification of contamination through closure.

Steps to Take:

To ensure that your cleanup complies with Wisconsin's laws and administrative codes, you should hire a professional environmental consultant. These are the steps to take:

1. By **November 30, 2009**, you should submit written verification (such as a letter from the consultant) that you have hired an environmental consultant. If you do not take action within this time frame, Commerce may initiate enforcement action against you.
2. By **December 14, 2009**, the consultant must contact Commerce to establish costs for a prescribed scope of work.

Please send all correspondence to the undersigned at the letterhead address.

Additional Information for Site Owners:

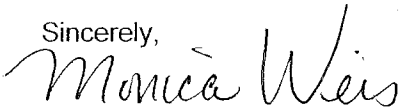
Information to help you select a consultant (WDNR PUB-RR-502), including a list of Petroleum Environmental Cleanup Fund Award (PECFA) registered consultants and materials on understanding the cleanup process (WDNR PUB-RR-674) are enclosed.

Financial Assistance:

Reimbursement from PECFA is available for this site. Please refer to the enclosed information on eligibility and regulations for this program. For more information on the PECFA program and establishing PECFA eligibility, please call Renee Dickey at 608-264-8765 or visit the website at: <http://www.commerce.wi.gov/ER/ER-PECFA-Home.html>. It appears that the majority of the deductible has been paid, which should result in minimal out-of-pocket expenses for you to complete this work.

Your prompt attention to this request is appreciated. **Be aware that Commerce can pursue enforcement actions if you do not respond to this request for information.** If you have any questions, please contact me in writing at the letterhead address or by telephone at (414) 357-4705.

Sincerely,



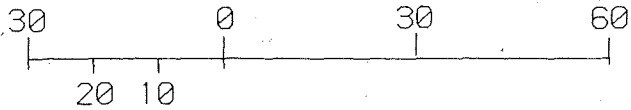
Monica L. Weis
Senior Hydrogeologist
Site Review Section

Enclosures: Selecting an Environmental Consultant
 List of PECFA Registered Consulting Firms
 Environmental Contamination-The Basics
 Information about PECFA Reimbursement

SCALE

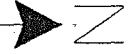
ONE INCH EQUALS THIRTY FEET

1:360



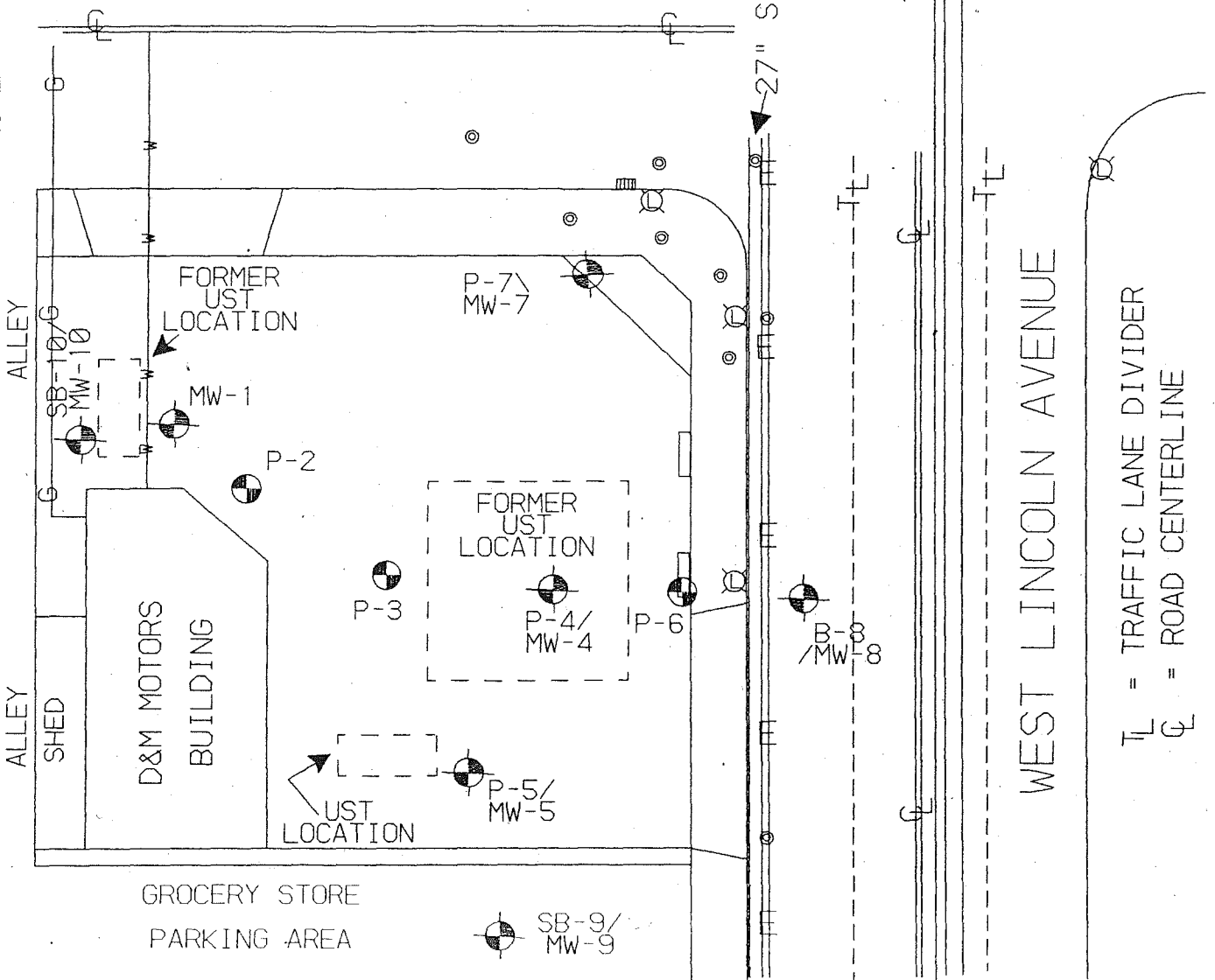
BENCHMARK HYDRANT

JELE (6 MTD)
36" M.I.S.



S 60th STREET

27" STORM



WEST LINCOLN AVENUE

TL = TRAFFIC LANE DIVIDER
CL = ROAD CENTERLINE

FIGURE 2

D&M MOTORS
5923 WEST LINCOLN
WEST ALLIS, WISCONSIN
SITE MAP

INTERNATIONAL ENVIRONMENTAL CORPORATION
12714 W. HAMPTON AVE. (LLW)
BUTLER, WI 53007
414-790-0965
FAX 414-790-0969
BY: MED 5-07-99
REVISED 12-20-99