



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

February 5, 2010

Mr. Chris Collins Ochi
Metroplex Auto Sales, LLC
3302 West Center Street
Milwaukee, WI 53210

RE: Responsibility for Cleanup of Petroleum Contamination

Commerce # 53210-2531-02-A DNR BRRTS # 03-41-184166
Autoquip (Former Glenn's Service Station), 3302 West Center Street, Milwaukee

Dear Mr. Ochi:

The Wisconsin Department of Commerce (Commerce) has an open petroleum contamination case for the property referenced above. Information on Commerce's Storage Tank database indicates that one fuel oil, one waste oil, and three gasoline underground storage tanks (USTs) were removed from the site in 1978. The Wisconsin Department of Natural Resources (DNR) was notified of a release from the tank system on February 2, 1998. The site was classified as low or medium risk and transferred to Commerce for regulatory oversight. However, the petroleum cleanup was not completed and additional information is necessary to address the contamination and move towards case closure.

Documents in the case file indicate that two geoprobe soil borings were advanced near the former dispenser islands in January 1998 by International Environmental Corporation (no longer in business). Petroleum contamination was confirmed in a soil sample collected from one of those soil borings and the laboratory results, which confirm that a release had occurred, were reported to the DNR. It appears that you purchased the property in June 2005; 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.

Commerce is unaware of any activities to investigate or clean up the petroleum contamination that may have occurred because there are no reports in the case file. If you have a report or other information that summarizes investigation or clean up activities, please provide that information to Commerce for review. If no information is available, site investigation activities in the vicinity of the former locations of the tanks and dispensers is required to define the degree and extent of contamination. If you would like, you or your consultant can review the case file in Commerce's Milwaukee office.

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 February 22, 2010**, 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 March 8, 2010**, 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:

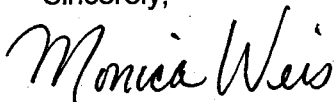
Information to help you select a consultant (WDNR PUB-RR-502), including a list of Petroleum Environmental Cleanup Fund Award (PECFA) registered consultants and materials on understanding the cleanup process (WDNR PUB-RR-674) are enclosed.

Financial Assistance:

Reimbursement from PECFA may be available for this site. Please refer to the enclosed information on eligibility and regulations for this program. For more information on the PECFA program, please call Commerce at 608-264-8765 or visit the website at: <http://www.commerce.wi.gov/ER/ER-PECFA-Home.html>

Your prompt attention to this request is appreciated. 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