

State of Wisconsin  
DEPARTMENT OF NATURAL RESOURCES  
2300 N. Dr. Martin Luther King, Jr. Drive  
Milwaukee WI 53212-3128

Scott Walker, Governor  
Cathy Stepp, Secretary  
Telephone 608-266-2621  
Toll Free 1-888-936-7463  
TTY Access via relay - 711



August 14, 2013

Ms. Irene Chyrka  
Brew City Enterprises, LLC  
4021 S. Kinnickinnic Ave  
St. Francis, WI 53235

Subject: Notice of Non-Compliance  
MPL Corp. Wire & Metal Specialties site at  
4021 S. Kinnickinnic Ave, St. Francis, WI  
WDNR FID #241039920 BRRTS #02-41-184461

**CERTIFIED MAIL**  
70101670000231413897

Dear Ms. Chyrka:

The Department of Natural Resources (Department) is undertaking a project to address open environmental contamination sites that have been inactive. The purpose of this letter is to notify you that you have failed to comply with the Hazardous Substances Spills Law (section 292.11, Wisconsin Statutes).

On April 1, 1998, the Department was notified that contamination had been detected at the site identified above following an environmental site assessment for a proposed sale. A variety of investigation and remediation activities have occurred on-site. In 2008, the DNR received a closure request, however this request was denied because additional rounds of groundwater sampling were required to demonstrate that natural attenuation would bring the groundwater into compliance with groundwater quality standards established in Wisconsin Administrative Code chapter NR 140. The most recent communication in this case file includes a letter, dated April 30, 2013, from the DNR to you the property owner, Ms. Irene Chyrka, laying out your required responsibilities under the Spills Law 292.11 and requesting a status update for the site. To date, the Department has not received any updated information from you or your consultant and the file remains open.

City of Milwaukee assessment records confirm that, Brew City Enterprises, LLC, is the current property owner and that you, Ms. Irene Chyrka, are listed as the registered agent. Based on this information, we believe you must investigate and restore the environment at the above site under Section 292.11, Wisconsin Statutes.

Please be aware that you are at risk of the Department initiating enforcement action against you for failure to comply with the Hazardous Substances Spills Law, which states:

“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.”

Under the Spills Law, you have a legal responsibility to clean up all contamination to the extent practicable. Due to the release of a hazardous substance to the environment, you are responsible for conducting a remedial investigation to determine the extent of contamination. Remedial actions must be taken to clean up contaminated soils and groundwater, if applicable. Our information indicates that you need to perform an additional round of

groundwater sampling to demonstrate that natural attenuation will bring the site into compliance with the Spills Law so that we can move this case towards closure.

Please submit documentation of this sampling or a work plan by your consultant that lays out your proposed actions by **October 1, 2013**.

Forward the requested information, in writing, and all future correspondence to:

Ms. Victoria Stovall  
Remediation and Redevelopment Program  
Wisconsin Department of Natural Resources  
2300 N. Dr. Martin Luther King, Jr. Drive  
Milwaukee, WI 53212

Correspondence should include the "Subject" name and file reference numbers listed above.

Although the Department does not review a case at every stage of the investigation and clean up, you are still required by the Spills Law to take the steps necessary to restore the environment to the extent practicable. Your environmental consultant should be knowledgeable in the applicable State environmental codes and DNR technical guidance documents to assist you in meeting Wisconsin's clean up standards.

If the investigation does not proceed, the Department will have no choice but to initiate the enforcement process, which will likely include the placement of a deed affidavit on your property. The deed affidavit will serve to warn potential purchasers of the environmental contamination that is present on the property.

If you are having difficulty financing the investigation and clean-up of this property and would like to demonstrate an inability to pay for the required work, the Department can offer you an opportunity to complete a financial disclosure form and provide information about your tax filings. The Department would review and verify your inability to pay. This information would be placed in your case file as a record of your efforts to respond to the contamination.

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 Department's internet site. You may view the information related to this site at any time (<http://dnr.wi.gov/topic/Brownfields/botw.html>) and use the feedback system to alert us to any errors in the data.

We encourage you to visit our website at <http://dnr.wi.gov/topic/Brownfields/>, where you can find information on selecting a consultant, financial assistance and understanding the clean-up process. You will also find information about liability clarification letters, post-cleanup liability and more.

If you have questions regarding this letter or the site, please contact me at 414-263-8583.

Sincerely,



Sam E Graber  
Hydrogeologist, Remediation & Redevelopment

cc: DNR case file

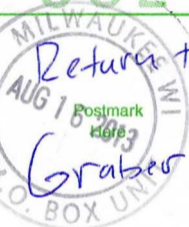
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Brew City Ent., LLC

Sent To

Ms. Irene Chyrka

Street, Apt. No.;  
or PO Box No.

4021 S. Kinnickinnic Ave.

City, State, ZIP+4

St. Francis, WI 53235

7010 1670 0002 3141 3897

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1. Article Addressed to:

Ms. Irene Chyrka  
 Brew City Enterprises, LLC  
 4021 S. Kinnickinnic Ave.  
 St. Francis, WI 53235

2. Article Number

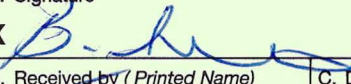
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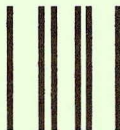
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Wisconsin Department of Natural Resources.

Remediation & Redevelopment Division.

attn. Sam Graber

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

Milwaukee, WI 53212

