

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 21, 2012

Mr. John J. Germanotta
SAL-MARIA LLC
5025 S. Packard Ave
Cudahy, WI 53110

Subject: Notice of Non-Compliance
MSF Corp (S & P Equipment) site at 5025 S. Packard Ave, Cudahy, WI
WDNR FID #241197880 BRRTS #02-41-242945

CERTIFIED MAIL
70073020000068290853

Dear Mr. Germanotta:

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 January 11, 2000, the Department was notified that contamination had been detected at the site identified above. The Department received a Site Investigation Work Plan from Northern Environmental on April 8, 2009. On June 7, 2012, you were sent a letter from the Department requesting an update on the investigation and remediation activities for the site. To date, the Department has not received any updated information from you or your consultant.

Milwaukee County assessment records confirm that you are the current property owner. 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 begin and/or continue the site remediation to bring your site into compliance with the Spills Law.

Please submit evidence that you have hired an environmental consultant, as well as a work plan outlining how you plan to proceed by **October 1, 2012**.

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 the Project Manager, Andrew Boettcher, at 414-263-8541.

Sincerely,

Michele R. Norman
Hydrogeologist, Remediation & Redevelopment

cc: DNR case file

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

John J. Germanotta
SAL-MARIA LLC
5025 S. Packard Ave.
Cudahy, WI 53110

2. Article Number

(Transfer from service label)

7007 3020 0000 6829 0853

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

John J. Germanotta☒ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

8-23-12

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☒ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

U.S. Postal Service™

CERTIFIED MAIL™ RECEIPT

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For delivery information visit our website at www.usps.com

5025 S. Packard Ave. OFFICIAL USE

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Return Receipt Fee
(Endorsement Required)Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees

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8.75

Sent To

John J. Germanotta, SAL-MARIA

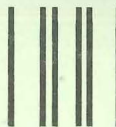
Street, Apt. No.,
or PO Box No. 5025 S. Packard Ave.City, State, ZIP+4
Cudahy, WI 53110

PS Form 3800, August 2006

See Reverse for Instructions

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Michelle Norman
Remediation & Redevelopment Program
WI Dept. of Natural Resources
2300 N. Dr. MLK, Jr. Drive
Milwaukee, WI 53212

