



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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George E. Meyer, Secretary
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February 14, 1997

In Response Refer To: FID#241430640
County of Milwaukee
HW/GENCL

Mr. Llyod Mlejnek
Milwaukee County
Department of Public Works
907 North 10th Street
Milwaukee, WI 53233

SUBJECT: Closure Documentation Approval
Former Wolf's Cleaners Facility
3825 S. Kinnickinnic Avenue
St. Francis, Milwaukee County, Wisconsin 53207
FID#:241430640
U.S. EPA ID#:WID988639548

Dear Mr. Mlejnek:

The Wisconsin Department of Natural Resources has completed its review of the report entitled "Remediation Assessment for Former Wolf Cleaners Property; 3825 S. Kinnickinnic Avenue; St. Francis, Wisconsin". This report is dated January 31, 1997 and was received by the Department on February 6, 1997. This report was prepared on behalf of Milwaukee County by Professional Service Industries, Inc. This report provides documentation on hazardous waste closure activities at the former Wolf's Cleaners facility located at 3825 S. Kinnickinnic Avenue, St. Francis, Wisconsin 53207. The Department finds that this report adequately documents closure of the facility and satisfies the requirements of ch. NR 685, Wis. Adm. Code, and s. 144.64(2m), Wis. Stats. Please review this letter and its conditions very closely.

FINDINGS OF FACT

The Department finds that:

1. Milwaukee County owns a facility located at 3825 South Kinnickinnic Avenue, St. Francis, Wisconsin 53207 (the "Property"). Milwaukee County took control of the Property from Mr. Thomas Sneed and Sneed & Sneed Enterprises, Inc. ("Sneed"). Sneed operated a dry cleaning facility known as Wolf's Cleaners at the Property.
2. Sneed was found to be operating an unlicensed hazardous waste facility during inspections on August 12, 1992 and October 6, 1992.



3. Sneed was informed in a Notice of Violation dated September 14, 1992 that operation of an unlicensed hazardous waste facility was a violation of Wisconsin hazardous waste regulations. Sneed was informed in this notice that he was required to close this unlicensed hazardous waste facility in accordance with chs. NR 645 and 685, Wis. Adm. Code, and s. 144.64(2m), Wis. Stats.
4. Milwaukee County took control of the Property from Sneed. On January 12, 1994, Milwaukee County responded with a phase I site investigation closure plan. This investigation proposed to look at the major areas of contamination associated with the operation of the unlicensed hazardous waste facility.
5. On January 17, 1994, the Department approved the phase I site investigation closure plan for Milwaukee County.
6. On April 8, 1994, Milwaukee County submitted a phase II site investigation closure plan. This investigation proposed, by means of conventional soil borings and groundwater monitoring wells, to confirm soil and groundwater quality impacts near underground storage tanks 1 through 6.
7. On May 16, 1994, the Department approved the phase II site investigation closure plan.
8. As a result of the site investigation closure, Milwaukee County prepared a remedial closure plan that included the results of the site investigation closure. This Closure Plan proposed excavation of contamination soil and removal and decontamination of the underground storage tanks to achieve closure of this facility, in accordance with the applicable closure requirements of s. NR 685.05, Wis. Adm. Code.
9. On April 7, 1995, the Department found Milwaukee County's remedial closure plan to be complete. The Department approved Milwaukee County's remedial closure plan on April 7, 1995.
10. Milwaukee County submitted the closure documentation required by ss. NR 685.05(10) and 726.05, Wis. Adm. Code. The Department received the documentation on February 6, 1997.

CONCLUSIONS OF LAW

1. Milwaukee County is required to close its unlicensed hazardous waste facility according to s. 144.64(2m), Wis. Stats.

2. The Department has promulgated chs. NR 600 through 685, Wis. Adm. Code, establishing procedures for closure of hazardous waste facilities under the authority of ss 144.60 to 144.74, Wis. Stats.

DETERMINATION

The Department hereby determines that Milwaukee County's unlicensed hazardous waste facility (i.e. the Sneed Property) has been closed in accordance with their approved closure plan and the requirements of chs. NR 600 through 685, Wis. Adm. Code. The closure certification report verifies that the unlicensed hazardous waste facility has been closed in substantial conformance with the facility's approved closure plan.

With closure of its hazardous waste facility, the Property may no longer treat, store or dispose of hazardous waste except in accordance with the generator requirements of chs. NR 610 and 615, Wis. Adm. Code.

Closure of the Property as a hazardous waste facility does not affect Milwaukee County's requirements to comply with the public health groundwater quality standards, ch. NR 140, Wis. Adm. Code, or any of the Federal or State corrective action requirements (42 USC 6924(u) & (v), and 6928(h); and s. 144.735, Wis. Stats. and chs. NR 600 - 685, Wis. Adm. Code). Milwaukee County should note that this determination does not constitute Department "certification" under s. 144.765(2)(a)3, Wis. Stats., as created by 1993 Wisconsin Act 453 (May 12, 1994) nor does it constitute Department "approval" of a "thorough environmental investigation of the property" as required in s. 144.765(2)(a)1., Wis. Stats.

NOTICE OF APPEAL RIGHTS

If you believe that you have a right to challenge this decision, you should know that Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed.

For judicial review of a decision pursuant to sections 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent.

This notice is provided pursuant to s. 227.48(2), Wis. Stats.

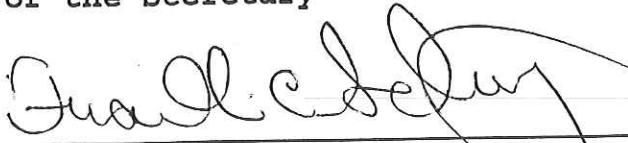
Mr. Llyod Mlejnek, February 14, 1997

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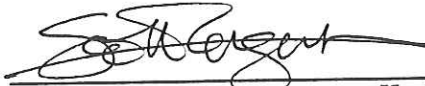
Thank you for your cooperation. If you have any questions,
please contact Scott Ferguson at (414)229-0849.

Dated: 14 FEBRUARY 1997

DEPARTMENT OF NATURAL RESOURCES
For the Secretary



Franklin C. Schultz
Waste Management Team Leader
Southeast Region



Scott J. Ferguson, Hydrogeologist
Waste Management Section
Southeast Region

sjf:wolfs-cl.aok

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