



February 28, 2017

MARILYN WALSH
W2626 MILEY ROAD
SHEBOYGAN FALLS, WI 53085

SUBJECT: Reported Contamination at Dutch Cleaners (Former)
403 South Main Street, Village of Cedar Grove, Sheboygan County, Wisconsin
DNR BRRTS Activity #: 02-60-271527; FID #: 460007020

Dear Ms. Walsh:

On July 31, 2002, the Wisconsin Department of Natural Resources ("department") was notified that chlorinated volatile organic compounds (CVOCs) were detected in soil and groundwater at levels exceeding state and federal environmental standards at 403 South Main Street in the Village of Cedar Grove, Sheboygan, Wisconsin (the "Property"). It is understood that dry cleaning operations occurred at the Property from 1947 until 2005, and the on-site building is currently vacant. CVOCs are common contaminants from dry cleaning operations. A letter of responsibility was issued to Mr. Jere Ebbers, the operator of Dutch Cleaners, on August 12, 2002. Since that time, Mr. Jere Ebbers has worked with the department to investigate and remediate the release of CVOCs that have also migrated off-site. Mr. Jere Ebbers is also eligible for and has received reimbursement for eligible expenses under the Dry Cleaner Environmental Response Program (DERP), outlined in Chapter NR 169, Wisconsin Administrative Code.

The purpose of this letter is to inform you of the historical release and your potential liability as the owner of this property. Based on the information available to the department regarding ownership of this site, we understand that you acquired the Property with Mr. Ebbers retaining liability for the environmental contamination. Whenever possible, the department pursues the person who caused the hazardous substance discharge as the responsible party (RP) to take the appropriate response actions. However, if these persons cannot be located or are unable to pay, the person in control or possession of the discharge is also responsible for taking the appropriate actions. As the Property owner in control and possession of the discharge, you may ultimately be responsible for investigation and restoring the environment at the above-described Property under Section 292.11 Wisconsin Statutes, known as the hazardous substances spill law.

At this time, the department is continuing to pursue the causer, Mr. Jere Ebbers, as the responsible party to take the appropriate actions. The department would only require the person in current possession or control of the Property to take action if the department were unable to compel the person who caused the discharge to take the appropriate response actions.

The remainder of this letter describes the legal responsibilities of a person who is responsible under Section 292.11 Wis. Stats., and explains what needs to be done to investigate and cleanup the contamination. It also provides you with information about what is expected for cleanups and working cooperatively with the department.

Legal Responsibilities:

Your legal responsibilities are defined both in statute and in administrative codes. The hazardous substances 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 754 establish requirements for emergency and interim actions, public information, site investigations, design and operation of remedial action systems, and case closure. Wisconsin Administrative Code chapter NR 140 establishes groundwater standards for contaminants that reach groundwater.

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

All correspondence regarding this site should be sent to:

Richard Joslin
Remediation and Redevelopment Program
Wisconsin Department of Natural Resources
2984 Shawano Avenue
Green Bay, WI 54313-6727
Richard.Joslin@wisconsin.gov

Unless otherwise directed, submit one paper copy and one electronic copy of plans and reports. To speed processing, correspondence should reference the BRRTS number shown at the top of this letter.

Additional Information for Site Owners:

As stated above, the department is continuing to work with Mr. Ebbers to take the appropriate actions. The department will notify you if requiring any action from you as the property owner. 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 cleanup process. You will also find information there about liability clarification letters, post-cleanup liability and more.

Please contact me in Green Bay by phone at (920) 662-5165 or by email at Richard.Joslin@wisconsin.gov with any questions.

Sincerely,



Richard R. Joslin
Hydrogeologist
Remediation & Redevelopment Program

cc: Jere Ebbers (email only – ebbyjer@yahoo.com)