



George E. Meyer, Secretary
William H. Smith, District Director

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

NORTHWEST DISTRICT HEADQUARTERS

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January 10, 1995

Ms. Carol Bettelli
Campus Clothes Basket
Dry Cleaners & Laundry
902 Belknap Street
Superior, WI 54880

Re: **Reported Contamination at Former Clothes Basket Dry Cleaners**
1917 Tower Avenue, Superior, WI - Case # 144
(Currently Operated as Kenny Wong's Gourmet Foods)

Dear Madam:

Based on the analytical results of the investigation performed on behalf of the Wisconsin Department of Transportation (WDOT) at the referenced property (NW1/4 of NE1/4, Section 22, T49N R14W - Douglas County) the Wisconsin Department of Natural Resources (WDNR) believes you are responsible for restoring the environment at this site under Section 144.76, Wisconsin Statutes., known as the hazardous substances spills law. The investigation, which was performed in conjunction with the Tower Avenue Reconstruction Project, indicates contamination commonly associated with the dry cleaning industry. The contamination noted includes low concentrations of tetrachloroethene in subsurface soils. The soil samples being obtained through borings completed along Tower Street, in front of the subject property. It is understood that you operated a dry cleaning business on the property between 1978 and 1989, prior to its use as a restaurant. Your responsibilities include investigating the extent of the contamination and then selecting and implementing the most appropriate remedial action. Enclosed is information to help you understand what you need to do to ensure your compliance with the spills law.

The purpose of this letter is threefold: 1) to describe your legal responsibilities, 2) to explain what you need to do to investigate and cleanup the contamination and 3) to provide you with information about cleanups, environmental consultants, possible financial assistance and working cooperatively with the WDNR.

Legal Responsibilities

Your legal responsibilities are defined both in statute and in administrative codes. The hazardous substances spill law, Section 144.76 (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 Codes chapters NR 700 through NR 728 establish requirements for emergency and interim actions, public information, site investigations, design and operation of remedial action systems, and case closure. Chapter 708 includes provisions for immediate actions in response to limited contamination. Wisconsin Administrative Code chapter NR 140 establishes groundwater standards for contaminants that reach groundwater.

Steps to Take

The longer contamination is left in the environment the further it can spread and the more it may cost to clean up. Quick action may lessen damage to your property and to neighboring properties and reduce your costs in investigating and cleaning up the contamination. To ensure that your clean up complies with Wisconsin's laws and administrative codes, you should hire a professional environmental consultant who understands what needs to be done. These are the first four steps to take:

1. By **February 10, 1995** please submit written verification (such as a letter from the consultant) that you have hired an environmental consultant. You will have to work quickly to meet this timeline.
2. By **March 13, 1995** your consultant must submit a workplan and a schedule for conducting the investigation. The consultant must follow the WDNR's administrative codes and our technical guidance documents. Please include with your workplan a copy of any previous information that has been completed (such as an underground tank removal report or a preliminary soil excavation report).
3. Please keep us informed of what is being done at your site. You or your consultant must provide us with a brief report at least every 90 days, starting after your workplan is submitted. These quarterly reports should summarize the work completed since the last report. Quarterly reports need only include one or two pages of text, plus any relevant maps and tables. However, please note that should conditions at your site warrant, you may receive a letter requiring more frequent contacts with the WDNR.
4. When the site investigation is complete, your consultant must submit a full report on the extent and degree of soil and/or groundwater contamination and a proposal for cleaning up the contamination.

Due to the number of contaminated sites and our staffing levels, we will be unable to respond to each report. To maintain your compliance with the spills law and chapters NR 700 through NR 728, do not delay the investigation and clean up of your site by waiting for WDNR responses. We have provided detailed technical guidance to environmental consultants. Your consultant is expected to be familiar with our technical procedures and administrative codes and should be able to answer your questions on meeting Wisconsin's clean up requirements.

Your correspondence and reports regarding this site should be sent to the WDNR at the following address:

Wisconsin Department of Natural Resources
Northwest District Headquarters
Attn: Terry Koehn, ERRP Hydrogeologist
P.O. Box 309
Spooner, WI 54801

Unless otherwise requested, please send only one copy of all plans and reports. Correspondence should be identified with the assigned WDNR identification number which is listed at the top of this letter.

