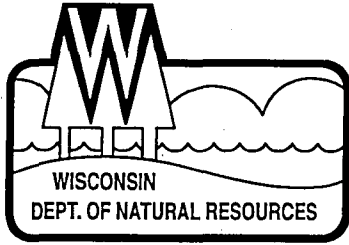


02-16-000144



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary
John Gozdziwski, Regional Director

Northern Region Headquarters
810 W. Maple Street
Spooner, Wisconsin 54801
Telephone 715-635-2101
FAX 715-635-4105
TTY Access via relay - 711

August 18, 2004

Casetrack# 2004-NOEE-073

Ron and Karen Geegan
Campus Clothes Basket
2405 Wyoming Avenue
Superior, WI 54880

Subject: **NOTICE OF VIOLATION AND ENFORCEMENT CONFERENCE**

Dear Mr. and Mrs. Geegan:

In late 1994 the Department of Natural Resources (Department) was notified of dry cleaning contamination which originated from Campus Clothes Basket formerly located on your property at 1917 Tower Avenue, Superior, Wisconsin. The contamination was discovered by a DOT investigation conducted for improvements to Highway 35. At the time of the investigation soil samples for volatile organic compounds were collected from in front of the property. Cis-1,2-dichloroethene, tetrachloroethene, and trichloroethylene were detected in soil.

On December 13, 1999, the Department sent a letter advising you of your responsibility to address the contamination. The letter requested that you hire a qualified environmental consultant and have the selected consultant submit a site investigation workplan to the Department within 60 days of your receiving that letter. You were also advised that investigation and cleanup of the property were required to comply with s. 292.11(3), Hazardous Substance Spills Responsibility, Wisconsin Statutes, 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 this state.

On November 26, 2003 a meeting was held with the department and City of Superior Officials in an attempt to encourage you to proceed with completion of a monitoring investigation to determine if the site could be closed out or if additional remedial work is needed to remove the chemical contamination.

On January 7, 2004 the Department send a letter advising that the site did not meet standards for closure and requested a workplan for further work.

On January 14, 2004, Mrs. Geegan called the Department. At that time, Mrs. Geegan stated to Jim Hosch that she would look into how it would affect you business financially before proceeding. Mrs. Geegan stated that she would get back to Mr. Hosch. The Department has not heard from Mrs. Geegan since that time.




The Department believes that your failure to hire a qualified environmental consultant and submit a site investigation work plan as requested in the December 13, 1999 letter is failure to take appropriate action. Therefore, the Department alleges that you are in violation of s. 292.11(3), Wis. Stats.

An Enforcement Conference has been scheduled for September 1, 2004 at the Superior DNR Service Center at 1401 Tower Avenue, Superior, Wisconsin for 1:30 p.m. to discuss what actions are necessary to return this spill site to compliance with the hazardous substance spills law. Please feel free to bring along any reports and or sampling information that you have that may be important toward resolving this matter.

Please be advised that violations of s. 292.11(3), Wis. Stats., are enforceable under s. 299.97, Wis. Stats., which provides for forfeitures of not more than \$5,000 for each violation with each day of continuing violation being a separate offense.

If you have any technical questions about investigation and cleanup activities at Campus Clothes in Superior, please contact Jim Hosch (715) 392-0802. If you have any questions or are unable to attend the enforcement conference as scheduled, please contact me at (715) 635-4069.

Sincerely,



Michael V. Michaelson
Environmental Enforcement Specialist

cc: Jim Hosch - Superior
John Robinson - Rhinelander

RECEIVED

AUG 23 2004

DNR-SUPERIOR