



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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Scott Hassett, Secretary  
John Gozdzialski, Regional Director

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August 3, 2004

Casetrack# 2004-NOEE-073

Ron and Karen Geegan  
Campus Clothes Basket  
1917 Tower 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 work plan 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 sent a letter advising that the site did not meet standards for closure and requested a work plan 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 your 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.

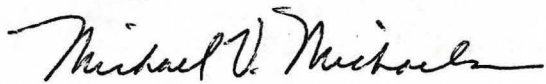
The Department believes that your failure to hire a qualified environmental consultant and submit a site investigation work plan as requested in the December 13, 1999 letter is failure to take appropriate action. Therefore, the Department alleges that you are in violation of s. 292.11(3), Wis. Statutes.

An Enforcement Conference has been scheduled for August 19, 2004 at the Superior DNR Service Center located at 1401 Tower Avenue, Superior, Wisconsin for 10:00 a.m. to discuss what actions are necessary to return to compliance with the 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. If you have retained an environmental consultant please do not hesitate to have them attend the meeting.

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 spills 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. Michaelsen  
Environmental Enforcement Specialist

cc: ~~Jim Hosch - Spooner~~ Superior  
John Robinson - Rhinelander