



February 24, 2020

**CERTIFIED MAIL**

Garry Eckes  
111 Briton Ln  
Crossville, TN 38558

Subject: Notice of Non-Compliance: Action Required by March 21, 2020  
Notice of Potential Deed Affidavit per Wis. Admin. Code § NR 728.11  
Site Name: Garry's 1 Hour Cleaners/WMCR ("Site") and Site Address: 912 S Central Ave, Marshfield, WI ("Property")  
BRRTs #02-72-000296

Dear Mr. Eckes:

This letter is to notify you that you remain out of compliance with Wisconsin Statutes (Wis. Stat.) chapter 292 and Wisconsin Administrative Code (Wis. Admin. Code) chapters NR 700 through NR 754. On January 18, 1995, the Wisconsin Department of Natural Resources ("department") notified you of your responsibilities to investigate the degree and extent of contamination and clean up the above-referenced site.

According to information in the case file, the last update from you was received on September 21, 2018. On March 15, 2019, you were notified of the Department's intent to file a lien on the property to recover incurred expenses. It appears that no action with the Property has occurred since that letter.

**Notice of Non-Compliance**

Please be aware that the department may initiate enforcement action against you for failure to comply with Wis. Stat. ch. 292. Your legal responsibilities are defined both in Wis. Stat. ch. 292 and Wis. Admin. Code chs. NR 700 - 754 and are also described in the January 18, 1995 letter. In particular, Wis. Stat. § 292.11(3), 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.

Guidance for meeting statutory requirements is available in code. Wis. Admin. Code chs. NR 700 - 754 establish requirements for emergency and interim actions, public information, site investigations, design and operation of remedial action systems, and case closure. Ch. NR 708 includes provisions for immediate actions in response to limited contamination. Wis. Admin. Code ch. NR 140 establishes groundwater quality standards for contaminants that reach groundwater.

**Notice of Potential Deed Affidavit**

If you elect not to move forward with the necessary response actions at your site, the department intends to file a deed affidavit on the Property per Wis. Admin. Code § NR 728.11(2), which states:

Where the department has information to demonstrate that the source of contamination is on the property and the property owner or other responsible party has failed to take adequate response action, the

department may record an affidavit at the office of the register of deeds for the county in which the property is located...”

This affidavit would provide notice to the public, and any prospective purchaser, of the existing contamination and the environmental liability associated with the Property.

**Response Requested**

The department is requesting that by March 21, 2020, you submit a Remedial Action Options Report.

Please understand that you are in noncompliance and will remain in noncompliance until you fulfill all requirements of the statute. Failure to take the actions required by Wis. Stat. ch. 292 to address this contamination will cause the department to take appropriate enforcement action.

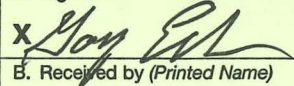

With regard to the potential deed affidavit, you must respond by March 21, 2020 and either indicate that the Property will be promptly investigated and remediated in compliance with applicable statutes and rules or provide information which clearly demonstrates that there is no environmental contamination on the Property (Wis. Admin. Code § NR 728.11(2)(a)).

If you have questions, please do not hesitate to write or call Duabchi Vang at (715) 839-3779 or Duabchi.vang@wisconsin.gov. Thank you for your attention to this matter.

Sincerely,



Dave Rozeboom  
West Central Region Team Supervisor  
Remediation & Redevelopment

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature  </p> <p>B. Received by (Printed Name)</p> <p>C. Date of Delivery</p> <p><input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p>
<p>1. Article Addressed to:</p> <p>Garry Eckes  111 Briton Ln  Crossville, TN 38558</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes  If YES, enter delivery address below: <input type="checkbox"/> No</p>
 9590 9402 5309 9154 3685 00	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature  <input type="checkbox"/> Adult Signature Restricted Delivery  <input checked="" type="checkbox"/> Certified Mail®  <input type="checkbox"/> Certified Mail Restricted Delivery  <input type="checkbox"/> Collect on Delivery  <input type="checkbox"/> Collect on Delivery Restricted Delivery  <input type="checkbox"/> Registered Mail™  <input type="checkbox"/> Registered Mail Restricted Delivery  <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Signature Confirmation™  <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>
<p>2. Article Number (Transfer from service label)</p> <p>7018 2290 0000 2223 6190</p>	<input type="checkbox"/> Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

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Duabchi Vang

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