



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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*file #
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August 3, 1999

Mr. Dominic Giuffre
Mallory Improvements
6635 S. 13th Street
Milwaukee, WI 53221

Ms. Lori Stanwood
Hein-Werner Corporation
2120 North Pewaukee Road
Waukesha, WI 53188

Subject: Administrative Orders #98-SEEE-056 and #98-SEEE-057

Dear Mr. Giuffre and Ms. Stanwood:

On September 29, 1998, Wisconsin DNR issued Administrative Order #98-SEEE-056 to Hein-Werner Corporation and Administrative Order #98-SEEE-057 to Mallory Improvements. Both orders required an investigation and clean-up of the property located at 1005 Perkins Avenue, Waukesha, formerly owned by Hein-Werner and currently owned by Mallory Improvements.

On March 15, 1999, Scott Ferguson approved a work plan to investigate the degree and extent of contamination at the site. This work plan was developed by Key Engineering on behalf of Hein-Werner/Snap-On-Tools. Hein-Werner/Snap-On Tools have attempted to work with Mallory Improvements to allow access for the site investigation. It appears that an access agreement, satisfactory to both parties, cannot be reached at this time.

Please be advised that, since the Administrative Orders are not being complied with, the Department is strongly considering referring both parties to the Department of Justice for violations of Wisconsin's Spill Law. The Department will likely proceed with this enforcement action if an access agreement cannot be worked out between the two parties by August 18, 1999.

You may contact me at (414) 263-8670 if you have any further questions on this matter.

Sincerely,

David Dahms
Enforcement Specialist

c: Scott Ferguson – SER Annex
Judy Ohm – LS/5
Hiram Buffington – Snap-On-Tools