

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
2300 N. Dr. Martin Luther King, Jr. Drive
Milwaukee WI 53212-3128

Scott Walker, Governor
Dan Meyer, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



October 19, 2017

Mr. Thomas E. Smith
7504 N. 90th Street
Milwaukee, WI 53224

RE: **Request for Site Update**

WDNR BRRTS # 03-41-506431 PECFA # 53206-3021-02
Smith Property, 1102 W. Atkinson Ave., Milwaukee, WI

Dear Mr. Smith:

The Wisconsin Department of Natural Resources (Department) is undertaking a project to address open environmental contamination sites that have been inactive for several years. We are sending letters to those property owners to determine the status of these cases and to request additional work, if necessary. We appreciate your cooperation and understanding as we try to resolve these old cases.

According to information in the case file, the Department was notified on August 26, 2003, that petroleum contamination was discovered during removal of one or more gasoline underground storage tanks from the property identified above. Property records from Milwaukee County identify you as the current owner of the subject property. As the property owner, you are responsible for investigating and restoring the environment at the property under Wisconsin Statutes § 292.11, also known as the hazardous substances spill law. This law 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 water of the State.”

This letter is to notify you of your responsibility under Wis. Stats. § 292.11, as the current owner of the property, to address contamination at the site.

On August 14, 2003, a tank closure assessment soil sample was collected from the tank basin and submitted for laboratory analysis. Soil laboratory analytical results attached to the Notification of Petroleum Contamination, submitted to the Department by Shaw Environmental & Infrastructure, Inc., indicates that contamination was detected above the State standard for gasoline range organics (GRO), confirming that a release from the UST(s) occurred. Therefore, a site investigation is required to determine the degree and extent of contamination to soil and groundwater and whether remediation of the release is required.

During our recent review of the case file for the above-referenced property, the Department found no documentation that an investigation of the petroleum contamination was conducted, and additional information is necessary to address the contamination and move towards case closure. No reporting for

Service Station- Former
BRRTS # 03-41-177965

this site has been received since the Department was notified of the petroleum release. Please have your environmental consultant prepare and submit documentation regarding the status of this case. If you do not have a consultant, please notify the Department in writing within the next **30 days** that you have hired a PECFA-registered consultant to complete the activities required to address the environmental contamination on this property.

Environmental investigation and cleanup work associated with the petroleum releases at this site are eligible for cost reimbursement under the Petroleum Environmental Cleanup Fund Award (PECFA) program. However, reimbursement funding will not be available after June 30, 2020. Any claim submitted after this deadline will not be reimbursed. In addition, all reimbursement claims must be submitted to the Department within 180 days of incurring the eligible costs. Refer to the enclosed PECFA Update, DNR RR-046 that contains important information about the end of the PECFA Program.

Your obligation to address environmental contamination associated with this property continues whether PECFA reimbursement funding is available or not. You are required to complete the work necessary to bring this case to closure. Therefore, it is in your best interest to complete PECFA eligible cleanup work on your property as soon as possible.

Within 30 days of the date of this letter, by November 17, 2017, please inform the Department of the status of this site in writing. Be aware that periods of inactivity and non-compliance can affect PECFA reimbursement. In addition, the Department can pursue enforcement actions if you do not respond to his request.

Your prompt attention to this request is appreciated. If you or your environmental consultant have questions regarding this letter or the open environmental case at this property, please contact me through writing at the letterhead address, by phone at (414) 263-8541, or by email at madeline.salo@wisconsin.gov.

Sincerely,



Madeline Salo
Hydrogeologist
Remediation and Redevelopment Program

Enclosures:

-PECFA Update, August 2015