



February 7, 2018

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

RE: Request for Site Update

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

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 remind 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. 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. Included with this letter is a list of PECFA-registered consultants and consulting firms for your convenience.

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.

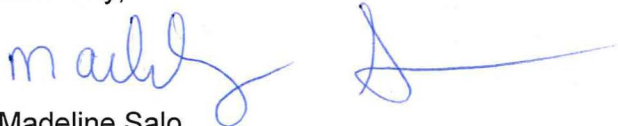
There is a \$10,000 deductible for this site. **However, in cases of financial hardship, a waiver or deferral of the PECFA deductible can be requested.** Furthermore, no claims have been submitted out of a maximum reimbursement cap of \$190,000. Going forward it is possible for environmental work to be done with little out-of-pockets costs to you.

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.

By **March 9, 2018**, please inform the DNR in writing of your intentions to bring this case to closure. Be aware that periods of inactivity and non-compliance can affect PECFA reimbursement. In addition, the DNR 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

- Registered PECFA Consultants, table, September 2017
- Registered PECFA Consulting Firms, table, September 2017

cc: Andy Alles-DNR