

April 1, 2014

Eloise Jones
Prosperity Hands LLC
1318 W. Ring Street
Milwaukee, WI 53206

Subject: Notice of Non-Compliance
Former Garber One Hour Valet site at 3727 N. Teutonia Ave, Milwaukee, WI
FID #241171370 BRRTS #02-41-524113

Certified Mail
70101670000231413927

Dear Ms. Jones:

The Department of Natural Resources (DNR) is undertaking a project to address open environmental contamination sites that have been inactive for several years. The purpose of this letter is to notify you that you have failed to comply with the Hazardous Substances Spills Law (section 292.11, Wisconsin Statutes).

In our review of the case file, contamination was reported to the DNR on March 29, 2004. The most recent document in the case file, from March 15, 2011, provided a review of consultant invoices prior to filing a claim for reimbursement by the Dry Cleaner Environmental Response Fund (DERF) Program. This document was sent from the DNR to the property owner at the time, Ms. Paula Garber, however Ms. Garber did not respond. The contamination on this site has not been fully addressed and requires action. This site may be eligible for reimbursement of costs through the Dry Cleaner Environmental Remediation Fund (DERF).

On October 8, 2013, the DNR sent you a letter requesting an update for the work that has been completed or is planned for this site (enclosed). To date, our files indicate we have received no response from you.

Milwaukee County assessment records confirm that Prosperity Hands LLC is the current property owner. Based on this information, we believe Prosperity Hands LLC must investigate and restore the environment at the above site under Section 292.11, Wisconsin Statutes.

Please be aware that you are at risk of the Department initiating enforcement action against you for failure to comply with the Hazardous Substances Spills Law, 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 the state.”

Under the Spills Law, you have a legal responsibility to clean up all contamination to the extent practicable. Due to the release of a hazardous substance to the environment, you are responsible for conducting a remedial investigation to determine the extent of contamination. Remedial actions must be taken to clean up contaminated soils and groundwater, if applicable. Our information indicates that you need to perform a site investigation and possible remediation to bring your site into compliance with the Spill Law.

Please submit evidence that you have hired an environmental consultant, as well as a work plan outlining how you plan to proceed by May 15, 2014.

Please forward the requested information and all future correspondence to:

Ms. Victoria Stovall
Remediation and Redevelopment Program
Wisconsin Department of Natural Resources
2300 N. Dr. Martin Luther King, Jr. Drive
Milwaukee, WI 53212

Correspondence should include the "Subject" name and file reference numbers listed above.

Although the DNR does not review a case at every stage of the investigation and clean up, you are still required by the Spills Law to take the steps necessary to restore the environment to the extent practicable. Your environmental consultant should be knowledgeable in the applicable State environmental codes and DNR technical guidance documents to assist you in meeting Wisconsin's clean up standards.

If the investigation does not proceed, the DNR will likely place a deed affidavit on your property. The deed affidavit will serve to warn potential purchasers of the environmental contamination that is present on the property.

If you are having difficulty financing the investigation and clean-up of this property and would like to demonstrate an inability to pay for the required work, the Department can offer you an opportunity to complete a financial disclosure form and provide information about your tax filings. The Department would review and verify your inability to pay. This information would be placed in your case file as a record of your efforts to respond to the contamination.

Sites where discharges to the environment have been reported are entered into the Bureau for Remediation and Redevelopment Tracking System ("BRRTS"), a version of which appears on the Department's internet site. You may view the information related to this site at any time (<http://dnr.wi.gov/topic/Brownfields/botw.html>) and use the feedback system to alert us to any errors in the data.

We encourage you to visit our website at <http://dnr.wi.gov/topic/Brownfields/>, where you can find information on selecting a consultant, financial assistance and understanding the clean-up process. You will also find information about liability clarification letters, post-cleanup liability and more.

If you have any questions regarding this letter or the open contamination case, please contact me at 414-263-8546

Sincerely,



Michele R. Norman
Hydrogeologist, Remediation and Redevelopment

cc: DNR case file



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Owner, Prosperity Hands Dry Cleaners
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Milwaukee, WI 53206

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