

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary
Gloria L. McCutcheon, Regional Director

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June 9, 2005

OHM Properties, LLC
One Hour Martinizing
Attn: Charles & Brian Cass
2751 Highway SS
Pewaukee, WI 53072

Subject: Chlorinated Solvent and Tetrachloroethene (PCE) Contamination at One Hour Martinizing, 285 East Hampton Avenue, Milwaukee, WI

FID: 241176650
BRRS: 02-41-543260 **New Activity Number (ERP)**

Dear Sirs:

During the review of the LUST activity (03-41-00225) for this site, the Department of Natural Resources ("the Department") determined that the site has a chlorinated solvent and tetrachloroethene (PCE) issues that have not been addressed in the past. The Department's letter of April 13, 2005 explained that at the former groundwater monitoring well location W-12 soil profile contained PCE at 4,331 ppb and groundwater from four sampling rounds containing PCE ranging from 268 to 4,400 ppb. Additional wells onsite indicated PCE contaminated groundwater in W-13A, MW-3, and MW-2.

Based on information submitted to the Wisconsin Department of Natural Resources (DNR), we believe that you are responsible for restoring the environment at the referenced site under Section 292, Wisconsin Statutes, known as the hazardous substances spills law. This letter describes the legal responsibilities of a person who is responsible under section 292.11, explains what you need to do to investigate and clean up the contamination.

Legal Responsibilities:

Your legal responsibilities are defined both in statute and in administrative codes. The hazardous substances spill law, Section 292.11 (3) Wisconsin Statutes, 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.

Wisconsin Administrative Code chapters NR 700 through NR 749 establish requirements for emergency and interim actions, public information, site investigations, design and operation of

remedial action systems, and case closure. Chapter NR 708 includes provisions for immediate actions in response to limited contamination. Wisconsin Administrative Code chapter NR 140 establishes groundwater standards for contaminants that reach groundwater.

Steps to Take:

The longer contamination is left in the environment, the farther it can spread and the more it may cost to clean up. Quick action may lessen damage to your property and neighboring properties and reduce your costs in investigating and cleaning up the contamination. To ensure that your cleanup complies with Wisconsin's laws and administrative codes, you should hire a professional environmental consultant who understands what needs to be done. Because investigative and remedial actions have been taken for this site and you currently have an environmental consultant, we are exempting you from the steps normally required for responsible parties, provided all responsibilities defined in the statutes and in administrative codes are followed. Please refer to the hazardous substances spill law, Section 292.11(3) Wisconsin Statutes; to Wisconsin Administrative Codes chapters NR 700 through NR 746, including NR 708; and to Wisconsin Administrative Code, chapter NR 140.

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 WDNR's internet site. You may view the information related to your site at any time (<http://www.dnr.state.wi.us/org/aw/rr/brrts>) and use the feedback system to alert us to any errors in the data.

If you want a formal response from the agency on a specific submittal, please be aware that a review fee is required in accordance with ch. NR 749, Wis. Adm. Code. If a fee is not submitted with your reports, you should proceed under the advice of your consultant to complete the site investigation to maintain your compliance with the spills law and chapters NR 700 through NR 749. **Do not delay the investigation of your site by waiting for an agency response.** We have provided detailed technical guidance to environmental consultants. Your consultant is expected to know our technical procedures and administrative rules and should be able to answer your questions on meeting cleanup requirements.

All correspondence regarding this site should be sent to:

Victoria Stovall
Wisconsin Dept. of Natural Resources
Remediation and Redevelopment Program
2300 Dr. M. L. King Dr.
Milwaukee, WI 53212

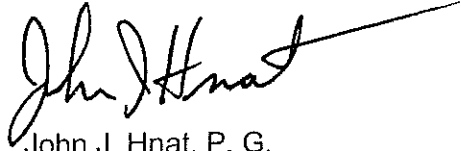
Unless otherwise requested, please send only one copy of plans and reports. To speed processing, correspondence should reference the BRRTS and FID numbers (if assigned) shown at the top of this letter.

Your site maybe eligible for the Department's Drycleaner Environmental Response Fund Program (DERF). Please visit our web site for more information:

<http://dnr.wi.gov/org/aw/rr/financial/dryclean.html>

If you have any questions or comments, please feel free to contact me at the above address or at (414) 263-8644. Please refer to the FID number at the top of this letter in any future correspondence. Future correspondence should be sent directly to the Remediation and Redevelopment Program Assistant Vicky Stovall (414-263-8688) at the above address.

Sincerely,

A handwritten signature in black ink, appearing to read "John J. Hnat". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

John J. Hnat, P. G.
Senior Hydrogeologist
Southeast Region
Remediation and Redevelopment

C: Edmund Buc, Arcadis
WDNR SER Files