

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
1027 W. Saint Paul Avenue
Milwaukee WI 53233

Tony Evers, Governor
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Telephone 608-266-2621
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June 13, 2022

Jacob Lehmann
6326 W. Bluemound Rd. LLC
1909 North 56th Street
Milwaukee, WI 53208
jacob@lehmannelectrical.com

Subject: Reported Contamination at Master Drycleaning Inc.
6326 W. Bluemound Rd., Wauwatosa, WI
DNR BRRTS Activity #: 02-41-545142; FID #: 241398630

Dear Mr. Lehmann:

Based on the information available to the Wisconsin Department of Natural Resources (DNR), we believe that 6326 W. Bluemound Rd. LLC is the owner of the above-referenced property. The purpose of this letter is to inform you that a hazardous substance discharge occurred on the property. As the property owner, you are in possession or control of the hazardous substance discharge or other environmental pollution (contamination) at the above-described site, and as such, you may be held responsible under Wisconsin Statutes (Wis. Stat.) ch. 292 for the investigation and cleanup of the contamination at the site. The term "site" includes the area where the discharge occurred and any area to which it has migrated, pursuant to Wisconsin Administrative (Wis. Admin.) Code § NR 700.03(56).

At this time, Master Drycleaning, Inc. (now the Harold Shipshock Estate), as the causer of the contamination, is investigating and cleaning up the site as outlined in the enclosed Responsible Party letter to Master Drycleaning, Inc., dated March 27, 2006. If the causer continues to make sufficient progress under Wis. Admin. Code chs. NR 700 – 799, the DNR will not seek your involvement in investigation and cleanup; however, if at any time the causer is no longer able or willing to continue progress the DNR may require that you take the appropriate response actions.

LEGAL RESPONSIBILITIES

Wis. Stat. ch. 292 and Wis. Admin. Code chs. NR 700 – 799 provide specific requirements for undertaking appropriate response actions to address contamination, including requirements for emergency and interim actions, public information, site investigations, remedy selection, design and operation of remedial action systems and case closure. For more information on the responsibilities relating to contamination investigation and cleanup, see the enclosed letter to Master Drycleaning, Inc., dated March 27, 2006.

Under Wis. Stat. ch. 292, continuing obligations may be applied to a property upon the closure of an environmental investigation and cleanup case. Continuing obligations are legal requirements designed to protect public health and the environment from contamination that remains on a property. If the DNR places continuing obligations on the property at the time of closure, absent a third-party agreement stating otherwise, these obligations will become the property owner's responsibility. For more information, please see the enclosed DNR publication RR-819, *Continuing Obligations for Environmental Protection Responsibilities of Wisconsin Property Owners*.

ADDITIONAL INFORMATION

Site-related information and DNR contacts can be found online in the Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web (BOTW); visit dnr.wi.gov, search "BOTW." Use the BRRTS ID # found at the top of this letter. The site can also be found on the map view, Remediation and Redevelopment Sites Map (RRSM), by visiting dnr.wi.gov, search "RRSM."

Send correspondence regarding this site to the DNR using the RR Program Submittal Portal at dnr.wi.gov, search "RR submittal portal." Refer to DNR publication *Guidance for Electronic Submittals for the Remediation and Redevelopment Program* (RR-690), for information about using the Submittal Portal. Questions on using the portal can also be directed to Jennifer Dorman, the environmental program associate for the Southeast region DNR office.

If you have questions, please call the Alice Egan at 414-639-4007 or Jennifer Dorman at 608-219-2205 for more information.

Sincerely,



Alice Egan
Hydrogeologist - Southeast Region
Remediation & Redevelopment Program

Attachment: Letter to Master Drycleaning, Inc., dated March 27, 2006

Enclosures:

Continuing Obligations for Environmental Protection Responsibilities of Wisconsin Property Owners (RR-819)
Guidance for Electronic Submittals for the Remediation and Redevelopment Program (RR-690)

cc:

Tom Shipshock, personal representative of the Harold Shipshock Estate
Don P. Gallo, Attorney, Axley Brynelson, LLP
Dillon Plamann, PG, Fehr Graham



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

Southeast Region Headquarters
2300 N. Dr. Martin Luther King, Jr. Drive
Milwaukee, Wisconsin 53212-0436
Telephone 414-263-8500
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TTY 711

March 27, 2006

FID: 241398630
BRRTS: 02-41-545142

Master Drycleaning, Inc.
Harold Shipshock
N57 W26389 Mt. Du Lac
Sussex, WI 53089

Subject: Reported Contamination at Master Drycleaning, 6326 W. Bluemound Rd., Milwaukee

Dear Mr. Shipshock:

On March 14, 2006, Don Gallo, Reinhart Boerner Van Deuren, on behalf of the Master Drycleaning, Inc. notified the Department of Natural Resources (WDNR) that soil and potential groundwater contamination had been detected at the site described above.

Based on the information submitted to the WDNR, we believe you are responsible for investigating and restoring the environment at the referenced site under Section 292, Wisconsin Stats., known as the hazardous substances spills law.

This letter describes your legal responsibilities as a person who is responsible under section 292.11, explains what you need to do to investigate, and clean up the contamination; provides you with information about cleanups, environmental consultants, and possible financial assistance; and working cooperatively with the Department of Natural Resources and Department of Commerce ("Commerce").

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 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. These are the first three steps to take:

1. Within the next **30 days**, you should submit written verification (such as a letter from the consultant) that you have hired an environmental consultant. If you do not take action within this time frame, the WDNR may initiate enforcement action against you.
2. Within the next **60 days**, your consultant should submit a work plan and schedule for the investigation. The consultant must comply with the requirements in the NR 700 rule series and should refer to WDNR technical guidance documents. To facilitate prompt agency review of your reports, your consultant should use the site investigation and closure formats which are available on-line at www.dnr.state.wi.us.

Once an investigation has established the degree and extent of contamination involved at your site, your consultant will be able to determine whether Commerce or the Department of Natural Resources has authority over the case.

3. Within 30 days of completion of the site investigation, you or your consultant must provide a site investigation report per s. NR 716.15. As the remedial activities proceed, you or your consultant should also provide a brief progress report at least every 90 days as required by s. NR 724.13(3), Wis. Adm. Code. Quarterly reports need only include one or two pages of text, plus any relevant maps and tables. Should conditions at your site warrant, we may require more frequent contacts.
4. 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 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 Department 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 chs. NR 700 through NR 749. **Do not delay the investigation of your site by waiting for a Department response.** We have provided detailed technical guidance to environmental consultants. Your consultant is expected to know our technical procedures and administrative codes and should be able to answer your questions on meeting cleanup requirements.

All correspondence regarding this site should be sent to:

Victoria Stovall, Environmental Program Associate
Remediation and Redevelopment Program
Wisconsin Department of Natural Resources
2300 North Martin Luther King Drive
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.

Additional Information for Site Owners:

Information to help you select a consultant, and materials on controlling costs, understanding the cleanup process, and choosing a site cleanup method are enclosed. In addition, *Fact Sheet 2, Voluntary Party Remediation and Exemption from Liability* provides information on obtaining the protection of limited liability under s. 292.15, Stats.

Financial Assistance:

Reimbursement from the Petroleum Environmental Cleanup Fund (PECFA) may be available for some of the costs of cleaning up contamination from eligible petroleum storage tanks. Please refer to the enclosed information sheet entitled "*Information about PECFA*" for more information on eligibility and regulations for this program. For more information on the PECFA program, please call the Department of Commerce at 608-266-2424 or visit their web site at:

<http://www.commerce.state.wi.us/COM/Com-Petroleum.html>. Funding is also available for cleanup at some drycleaning sites.

Call the DNR Victoria Stovall, Program Associate at (414) 263-8688 for more information on eligibility or visit the RR web site. <http://www.dnr.state.wi.us/org/aw/rr>. You may also contact this person for all other questions regarding this letter.

Thank you for your cooperation.

Sincerely,



Victoria Stovall
Environmental Program Associate
Remediation & Redevelopment Program
Southeast Region

- Enclosures:
1. Selecting a consultant
 2. Fact Sheet 2, VPLE
 3. Env. Services Contractors List
 4. Inf. About PECFA Fact Sheet

cc: Don Gallo – Reinhart, Boerner, Van Deruren
→ WDNR SER Files