



February 16, 2024

Mr. Thomas McKay
602 N. 5th St.
Milwaukee, WI 53203
Electronic email only to Tmck602@gmail.com

Subject: **Status Update Request**
One Hour Fabricare (Former), 4704 W. Burleigh St., Milwaukee
BRRTS #02-41-548391, FID #241352760

Dear Mr. McKay:

On December 14, 2006, the Wisconsin Department of Natural Resources (DNR) notified you of your legal responsibilities under Wisconsin Statute (Wis. Stat.) § 292.11 to investigate the degree and extent of the hazardous substance discharge at the above-referenced site. The DNR has not received information concerning your efforts to respond to this hazardous substance discharge since receipt of the Vapor Results from Indoor, Subslab, and Ambient Air letter report, dated August 7, 2020, submitted on your behalf by Sand Creek Consultants.

By March 18, 2024, the DNR requests that you provide a written status update detailing work completed since the last submittal, including the status of installation of a sub-slab vapor mitigation system on the site building, as recommended by Sand Creek Consultants (now Sand County Environmental, Inc.) in the 2020 report.

By April 18, 2024, provide a work plan for additional investigation to define the degree and extent of contamination. Groundwater monitoring and additional vapor sampling are required to move this case to closure. The DNR concurs with Sand Creek Consultants' recommendation that additional vapor sampling should be conducted at 3119 N. 47th Street to the north to verify that there is no vapor intrusion risk at that property.

To date, this site has been investigated following the Dry Cleaner Environmental Response Program (DERP) requirements. To maintain DERP eligibility, an approved change order from your approved consultant (The Sigma Group), or selection of a new consultant through a bidding process will be required before conducting additional activities.

As the responsible party for this hazardous substance discharge, you have the legal responsibility under Wis. Stat. § 292.11 to investigate and clean up contamination resulting from the hazardous substance discharge. The DNR will work with you to move this site towards closure.

Your legal responsibilities are defined in statute and in administrative code. The hazardous substances spill law, Wis. Stat. § 292.11(3), states "A person who possesses or controls a hazardous substance

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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 (Wis. Admin. Code) chs. NR 700 to NR 799 establish requirements for emergency and interim actions, public information, site investigations, design and operation of remedial action systems, and case closure.

The DNR appreciates your cooperation and looks forward to an update regarding this site. If you have any questions regarding the site or this letter, please contact me at 414-435-8010 or linda.michalets@wisconsin.gov.

Sincerely,



Linda Michalets
Hydrogeologist
Remediation and Redevelopment Program

cc: Mr. Kendrick Ebbott, Sand County Environmental, Inc. (ken.ebbott@sandcountyenv.com)
Mr. Hani Ahmad, Jordan Convenience, LLC (Hani2991@gmail.com)