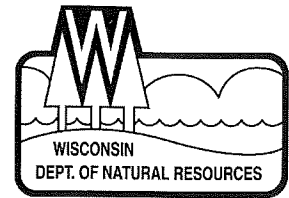


State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
3911 Fish Hatchery Road
Fitchburg WI 53711-5397

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



August 25, 2017

Mr. Robert Jordan
715 Broadway
Baraboo, WI 53913

Subject: Former Circus City Cleaners, 721 Broadway, Baraboo, Wisconsin
BRRTs No: 02-57-551681

Dear Mr. Jordan:

The purpose of this letter is to notify you that the Wisconsin Department of Natural Resources (Department) considers Circus City Cleaners as an 'open' site in the Remediation and Redevelopment Program. Starting in July 2009 an environmental investigation was conducted on behalf of the Department to determine the source of tetrachloroethylene (PCE) contamination. The investigation determined that the source of PCE contamination was the former Circus City Cleaners. The Department then notified the property owner at that time, Mr. McGraw, with a letter dated August 24, 2010 of the responsibilities to investigate the degree and extent of contamination and clean up the site in accordance with the Hazardous Substances Spill Law, section 292.11 Wisconsin Statutes.

The Department had contracted with an environmental consulting firm to perform a historical review and sampling activities at the area of the former Circus City Cleaners. The State of Wisconsin incurred expenses for that work and a request for reimbursement for costs associated with these activities was made. Legal action by the Wisconsin Department of Justice resulted in an agreement to a settlement of claims that was signed April 11, 2016.

The settlement agreement was for cost recovery of actions completed by the Department to that point in time. However, the full nature and extent of site contamination is not defined and additional investigation and potentially remediation at this site is required. It is your responsibility to define the full extent of contamination and perform appropriate remedial actions to address that contamination.

In October 2010 MSA Professional Services provided environmental consulting services for Mr. McGraw. Subsequently, vapor sampling activities were performed in the area of the former Circus City Cleaners location in January, April and May 2012. The analytical results of the vapor survey determined that the three samples exceeded the commercial sub-slab risk screening level for PCE. An appropriate scope for the next phase of work at the site was proposed by MSA but I have no records of additional work being performed.

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."

Under the Spills Law, you have a legal responsibility to clean up all contamination to the extent practicable. Because a hazardous substance had been released 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. An immediate concern is the need to identify any risks of explosive or toxic vapors and/or water well contamination.

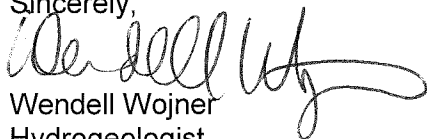
Wisconsin Administrative Code chapters NR 700 through NR 749 establish requirements for emergency and interim actions, public information, site investigations, design and operation of remedial action systems, and case closure. Wisconsin Administrative Code chapter NR 140 establishes groundwater standards for contaminants that reach groundwater.

Therefore, the Department is requesting that within 30 days, (by September 29, 2017), you provide evidence that you have contracted with an environmental consultant and provide a written summary of the investigative and cleanup work that has been performed on this site to date. The summary should also include a proposed timeline for completing any investigative and/or remedial actions that might be needed to bring this case to closure. This summary should be submitted in writing to me at the above address.

You should note that failure to take the actions required by s. 292.11, Wis. Stats., to address this contamination might lead to a recommendation that this case be reviewed for Department enforcement actions. One possible action involves the Department recording a notice of residual contamination on the property's deed under section NR 728.11, Wis. Adm. Code. The deed notice would inform any potential purchaser of the property of the presence of the contamination, and this notice would remain in effect until the contamination has been addressed. For more environmentally serious situations, the Department has the ability, through our stepped enforcement process, to take additional enforcement actions, up to and including referral of the case for prosecution by the Department of Justice. Such referrals will result in court-stipulated actions and monetary forfeitures.

If you are experiencing problems selecting an environmental consultant or if you have other questions concerning the cleanup process, please do not hesitate to write or call me at (608) 275-3297. Thank you for your attention to this matter.

Sincerely,



Wendell Wojner
Hydrogeologist
Remediation & Redevelopment Program

cc: Steve Martin SCR RR Team Supervisor