

FILE



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Southeast District - Annex Building

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George E. Meyer
Secretary

May 4, 1995

File Ref: FID# 241094590

ERR/ERP

Mr. James Lynch
Village of Shorewood
3930 North Murray Avenue
Shorewood, WI 53211

Dear Mr. Lynch:

SUBJECT: Soil Contamination in the Oakland Avenue Right-of-Way,
Adjacent to the Queen's-Way Dry Cleaners, 4300 North Oakland
Avenue, Shorewood

The Wisconsin Department of Natural Resources (WDNR) was notified that soil contamination was discovered within the Oakland Avenue right-of-way. The *Limited Soil Assessment*, dated March 14, 1995, prepared by Cooper Environmental, was submitted to the Leaking Underground Storage Tank Program (LUST) to address petroleum spill concerns. The Environmental Repair Program (ERP) has been informed of the discovery of an elevated level of tetrachloroethene in the shallow soil adjacent to the Queen's-Way Dry Cleaners.

Under the state's Hazardous Substance Discharge Law, s.144.76, Stats, the Village could be held responsible by the Department for addressing soil contamination on its property, regardless of where the contamination originated. It is the Department's policy, however, to seek action from the person(s) who have caused the contamination. Based on the information received by the Department, we believe the soil contamination originated from Queen's-Way Dry Cleaners, and have notified Queen's-Way of their responsibility to address the contamination in a prompt manner (enclosure). The Department is not requiring action from the Village of Shorewood at this time. However, should the Village deny access to their property during an environmental investigation or cleanup, the Department may then require the Village to address the contamination which remains on their property.

When the Village of Shorewood continues work on the right-of-way, contaminated soils must be considered a solid waste and handled accordingly. A hazardous waste determination must be made for soil contaminated by tetrachloroethene, in accordance with the requirements of Ch. NR 605, Wisconsin Administrative Code. Excavated soil must be handled in accordance with solid and hazardous waste regulations and in a manner that does not pose a threat to human health or the environment.

If you have any questions about this letter, please call me at (414) 229-0873 or Pam Mylotta at (414) 229-0842.



Thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Linda Michalets". The signature is written in dark ink and includes a long, sweeping horizontal stroke at the end of the name.

Linda Michalets
Environmental Specialist

enclosure