



May 11, 2018

4300 Oakland, LLC  
Attn: Mr. Tom Schafer  
2551 North Wahl Avenue  
Milwaukee, WI 53211

Subject: Responsible Party Letter for the Former Shorewood Queensway, 4300 North Oakland Avenue, Shorewood, WI

FID: 241094590  
BRRTS: 02-41-552089

Dear Mr. Schafer:

On May 10, 2018, David Henson with the Village of Shorewood notified the Wisconsin Department of Natural Resources ("DNR") that you are the current owner of the former Shorewood Queensway Dry Cleaners as described above. David & Kuelthau, Attorneys at Law, verified the property transfer date of August 31, 2017.

Based on the information submitted to the DNR from the past site investigation and being the current owner of the property, you are responsible for investigation and restoring the environment at the above-described site under Section 292.11, Wisconsin statutes, known as the hazardous substance spills law.

This letter describes the legal responsibilities of a person who is responsible under section 292.11, Wis. Stats., explains what you need to do to investigate and clean up the contamination, and provides you with information about cleanups, environmental consultants, possible financial assistance, and working cooperatively with the DNR or the Department of Agriculture, Trade and Consumer Protection (DATCP).

#### **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 754 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.

**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. The following information provides the timeframes and required steps to take. Unless otherwise approved by DNR in writing you must complete the work by the timeframes specified.

1. Fehr-Graham has been selected as your environmental consultant. The DNR had a telephone conversation with Ken Abbott on May 10, 2018 about this selection and an update on any work that has commenced since owner transfer. The requirement to submit your selection of an environmental consultant has been completed.
2. The Site Investigation for this site has been completed by Enviroforensics (DNR approval letter dated September 16, 2015). You are now required under the dry cleaner response program, Section 292.65(4)(f), Wisconsin Statutes, to prepare a remedial action plan, based on the site investigation, that identifies specific remedial activities proposed to be conducted on this site. Within the next **60 days**, by July 11, 2018, you must submit a remedial action plan for the site. The remedial action plan must comply with the requirements in the NR 700 Wis. Adm. Code rule series and should adhere to current DNR technical guidance documents.
3. The DNR understands that you will not file for reimbursement under the DNR's dry cleaner fund (DERF) and 4300 Oakland, LLC will cover all costs for remediation and closure activities. The DNR recommends that the Remedial Action Plan (RAP) be reviewed by the DNR on the adequacy of the proposed remedial action activities before commencement of activities. The DNR charges fees for reviews under Chapter NR 749, Wis. Adm. Code.

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 DNR's internet site. You may view the information related to your site at any time (<http://dnr.wi.gov/botw/SetUpBasicSearchForm.do>) and use the feedback system to alert us to any errors in the data.

If you want a formal written 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 must complete the cleanup to maintain your compliance with the spills law and chapters NR 700 through NR 754, Wis. Adm. Code. **The timeframes specified above are required by rule, so do not delay the investigation of your site.** 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:

Jennifer S. Dorman  
Environmental Program Associate  
Remediation and Redevelopment Program  
Wisconsin Department of Natural Resources  
2300 N. Martin Luther King Dr.  
Milwaukee, WI 53212  
[Jennifer.Dorman@wisconsin.gov](mailto:Jennifer.Dorman@wisconsin.gov)

Unless otherwise directed, submit one paper copy and one electronic copy of plans and reports. To speed processing, correspondence should reference the BRRTS and FID numbers shown at the top of this letter.

**Additional Information for Site Owners:**

We encourage you to visit our website at <http://dnr.wi.gov/topic/Brownfields/>, where you can find information on selecting a consultant, financial assistance and understanding the cleanup process. You will also find information there about liability clarification letters, post-cleanup liability and more.

If you have questions, you can call me at (414) 263-8644 for more information, visit the RR web site at the address above, or email me at: [john.hnat@wisconsin.gov](mailto:john.hnat@wisconsin.gov)

Thank you for your cooperation.

Sincerely,



John J. Hnat C.P.G., P.G.  
Project Manager/Hydrogeologist  
Southeast Region Remediation & Redevelopment Program

Enclosures:

Selecting a Consultant – RR-502  
<http://dnr.wi.gov/files/PDF/pubs/rr/RR502.pdf>

**Option to include with RP letters:**

Environmental Services Contractor List – RR-024  
<http://dnr.wi.gov/files/PDF/pubs/rr/RR024.pdf>  
VPLE Fact Sheet #2

<http://dnr.wi.gov/files/PDF/pubs/rr/RR506.pdf>  
Environmental Contamination Basics, RR-674

<http://dnr.wi.gov/files/PDF/pubs/rr/RR674.pdf>

cc: Christopher Jaekels, Davis & Kuelthau  
Ken Ebbott, Fehr-Graham  
WDNR SER Files