State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
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WISCONSIN
DEPT. OF NATURAL RESOURCES

August 10, 2022

David Tenor
Howard Self Storage
1651 Brookfield Avenue
Green Bay, WI 54313

Sent Via E-Copy Only – howardselfstorage@gmail.com

Subject: Reported Contamination at **Smoke Out Cleaners, 1631 Brookfield Ave, Howard Vil, WI**
             DNR BRRTS Activity **#02-05-552214**

Dear Mr. Tenor:

Based on the information available to the Wisconsin Department of Natural Resources (DNR), we believe that you, David Tenor, 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).

The DNR is exercising its discretion to pursue the person who caused the contamination at this time, as outlined in the enclosed letters to Mark Woppert and Chris Dockry, dated August 29, 2008, and February 12, 2016, respectively. 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 Mark Woppert, dated August 29, 2008, and the letter to Chris Dockry dated February 12, 2016.

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.

If you have questions, please call the project manager, Josie Schultz at 920-366-5685 for more information.

Sincerely,

Denise D. Danelski
Environmental Program Associate - Northeast Region
Remediation & Redevelopment Program

Enclosures:
- Responsible Party letters:
  Woppert RP Letter.pdf
  Dockry RP Letter.pdf
- Continuing Obligations for Environmental Protection Responsibilities of Wisconsin Property Owners
- Guidance for Electronic Submittals for the Remediation and Redevelopment Program