

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
Southeast Region Headquarters
2300 N. Dr. Martin Luther King, Jr. Drive
Milwaukee WI 53212-3128

Scott Walker, Governor
Cathy Stepp, Secretary
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Telephone 414-263-8500
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April 16, 2013

Robert Knackert
9049 S. 83rd Street
Franklin, WI 53132

SUBJECT: Responsible Party Letter and Request for Status Update
Cypress Cleaners site at 3813 S. 108th Street, Greenfield, WI
FID #341088220 WDNR BRRTS #02-41-552217

Dear Mr. Knackert:

On August 29, 2008, the Wisconsin Department of Natural Resources (Department) was notified that contamination had been detected at the site identified above. On the notification form, Mr. Woo Chang Kim, was identified as the Responsible Party (RP) and/or RP Representative. Mr. Kim was notified by the Department of his responsibility to investigate and, as needed, clean up the contamination. A recent review of the Department's case file indicates that no reports have been submitted regarding activities completed to address the contamination.

The Department understands that you are the current owner of the property, per Milwaukee County assessment records. Based on this information, we believe you are responsible for investigating and restoring the environment at the above-described site under Section 292.11, Wisconsin Statutes, known as the hazardous substances spills law.

Under Section 292.11 of the Wisconsin Statutes, a person who possesses or controls a hazardous substance release (e.g., the owner of the property where a spill has occurred) is required to take actions necessary to restore the environment to the extent practicable. **This letter is to notify you of your responsibility under s. 292.11, Wis. Stats., as the current owner of the property, to address contamination at the site.**

Please review the information below. This letter describes your legal responsibilities and explains what you need to do to investigate and clean up the contamination.

Legal Responsibilities

Your legal responsibilities are defined both in statute and in administrative codes.

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.

Steps to Take

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. These are the first steps to take:

1. Within the next **30 days**, by **May 20, 2013**, you should submit written verification (such as a letter from the consultant) that you have hired an environmental consultant or document that you are eligible for a lender liability exemption under s. 292.21 Wis. Stats. If you do not take action within this time frame, the Department may initiate enforcement action against you.
2. Within the next **60 days**, by **June 20, 2013**, your consultant should submit a Status Update report for the site, including any work completed and a schedule for any remaining work. The consultant must comply with the requirements in the NR 700 Wis. Adm. Code rule series and should adhere to current DNR technical guidance documents.

Submit the requested documentation and all future correspondence, in writing, to:

Victoria Stovall
Remediation and Redevelopment Program
Wisconsin Department of Natural Resources
2300 N Dr Martin Luther King, Jr. Drive
Milwaukee WI 53212-3128

Correspondence should include the "Subject" name and file reference numbers listed above.

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 Department's internet site. You may view the information related to this site at any time (<http://dnr.wi.gov/topic/Brownfields/botw.html>) 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 should proceed under the advice of your consultant to complete the site investigation and cleanup to maintain your compliance with the spills law and chapters NR 700 through NR 749. **Do not delay the investigation of your site by waiting for an agency response.** 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.

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 about liability clarification letters, post-cleanup liability and more.

If you have any questions regarding this letter, please contact me at (414) 263-8546.

Sincerely,



Michele R. Norman, Hydrogeologist
Remediation and Redevelopment Program

cc: DNR case file