



SENT CERTIFIED MAIL – RETURN RECEIPT REQUESTED

July 5, 2016

MR DAVID LINSKENS
1687 PRINCETON PL #5
GREEN BAY, WI 54302

SUBJECT: Notice of Noncompliance and Ability to Pay Forms for
Sandies Dry Cleaners & Laundry (Former),
513 Grand Ave., Little Chute, WI
BRRTS #02-45-552222

Dear Mr. Linskens:

The purpose of this letter is to generally document actions historically taken at 513 Grand Avenue in Little Chute, Wisconsin (the "Property"), the current status of the Property and next steps communicated to you on July 5, 2016.

Brief History

The Department of Natural Resources (the "department") has been working with you since 2010 on the environmental contamination at 513 Grand Avenue in Little Chute, Wisconsin (the "Property"), formerly operated as Sandies Dry Cleaners & Laundry and owned by you individually. In 2010, the department communicated that actions taken since discovery of the contamination in 2008 have not been in compliance with responsibilities laid out in a letter of responsibility dated August 29, 2008. In 2010, you worked with the department in attempting to secure financing to perform the investigation. After receiving three separate denials for financing, the department made the determination that you were unable to pay for investigation or cleanup of the site. The department filed an affidavit with the deed notifying prospective purchasers of the contamination in 2011.

Since that time, the department has worked with the State Department of Health Services (DHS) and U.S. Environmental Protection Agency (USEPA) to mitigate any imminent risks stemming from the contamination. USEPA's work included but was not limited to removing the dry cleaning machine and chemicals from the Property, excavating accessible contaminated soil from beneath and behind the building, cleaning and abandoning the basement and installing three vapor mitigation systems (VMSs) within the building at the Property in addition to three VMSs on neighboring properties. The USEPA turned over operation and maintenance of the three VMSs on your Property to you with the requirement that you also supply power to the Property to operate the VMSs. The work by DHS and USEPA was primarily performed in 2011 and 2012 with subsequent work by the department to investigate and mitigate vapors stemming from the contamination.

Since 2011, the department has been routinely checking in with you verbally on your financial status, efforts to lease or sell the Property, and your intentions for moving forward. We last spoke on June 21, 2016 where you again communicated your inability to financially move forward with the necessary environmental work.

Notice of Noncompliance

By **July 19, 2016**, you should provide the department with a written update in the form of a letter confirming the following:

1. your ownership of the Property;
2. you continue to supply power to the Property as directed by USEPA;
3. you continue to operate and maintain the three VMSs on your Property as directed by USEPA;
4. your intentions for proceeding with the required investigation and cleanup; and
5. confirmation you intent to submit the ability to pay forms discussed below by **August 4, 2016**.

This letter should be addressed to the following:

WDNR
Jennifer Borski
625 E. County Rd Y, STE. 700
Oshkosh, WI 54901-9731

Please be aware that the department is responsible to assure that releases to the environment are adequately addressed in a timely manner. You are currently out of compliance and will remain out of compliance until you hire a consultant and initiate the environmental investigation. Your responsibilities outlined in state statutes were communicated to you in a letter dated August 29, 2008. The department may involve an Environmental Enforcement Specialist to assist in moving this site forward.

Ability to Pay

The department understands that you maintain you are unable to pay for the necessary investigation and cleanup. The department is offering you another opportunity to demonstrate that you are financially incapable of paying for the required work by completing the enclosed form and providing the following information. I have enclosed a financial disclosure form, which needs to be accurately completed and signed. Along with the financial disclosure form you will need to include copies of your last three years federal tax filings. Lastly, you will need to complete and return the IRS Form 8821, which authorizes Shelley Fox to request copies of your federal taxes for the last three years. Page two of the Form 8821 includes instructions as to how to complete each line. This form will allow Ms. Fox to access your tax information through the Internal Revenue Service in the event of a discrepancy with what you've initially submitted and therefore determine your ability to pay for site remediation.

Due to the personal identifying information on these forms, DO NOT fax these documents. Please mark the envelope CONFIDENTIAL and mail all information to:

WDNR – RR/5
Shelley Fox
PO Box 7921
Madison, WI 53707-7921

By **August 4, 2016**, please submit the requested information to Ms. Fox. If you fail to submit the requested information, then I will assume you are no longer interested in claiming you cannot perform the work due to financial reasons.

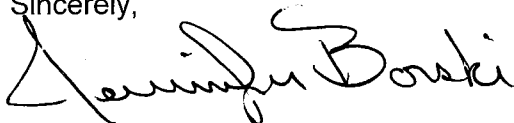
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The department will review, verify, and analyze the information you submit. The department will contact you if additional information or clarification is needed. Upon completion of the verification and analysis, the department will contact you with our determination.

We appreciate your continued cooperation regarding the requested documentation. Please contact me in Oshkosh by phone at 920-424-7887 or by email at jennifer.borski@wisconsin.gov with any questions regarding this letter or the site. With regards to Ability to Pay questions, please contact Shelley Fox at 608-266-5798.

Sincerely,



Jennifer Borski
Hydrogeologist
Remediation & Redevelopment Program

Encl.

cc: Roxanne Chronert, DNR, roxanne.chronert@wisconsin.gov
Shelley Fox, DNR, shelley.fox@wisconsin.gov