

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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February 17, 2009

File Ref BRRTS No's. 07-18-553245
09-18-552168
FID No. 618063490

Mr. Erin Madden
Queens Dry Cleaners
1616 South Hastings Way
Eau Claire, WI 54703

Subject: Liability Clarification and Current Environmental Conditions at Queens Dry Cleaners,
1616 South Hastings Way, Eau Claire, Wisconsin

Dear Mr. Madden:

Purpose

The purpose of this letter is to provide you with clarifications as to environmental liabilities and current environmental conditions at Queens Dry Cleaners, 1616 South Hastings Way, Eau Claire, Wisconsin. The property consists of 0.16 acres located at 1616 South Hastings way in the City of Eau Claire, Eau Claire County, Wisconsin, referred to hereinafter as "the Property. The Property is identified by Eau Claire County as parcel identification number (PIN) 1822122709214402097 and City of Eau Claire Parcel Number 13-1330. The legal description is shown on the detail record obtained from the Eau Claire County online property assessment database and included as an attachment to this letter.

Request

On July 28, 2008, Cedar Corporation requested on your behalf that the Department of Natural Resources ("the Department"), issue a liability clarification letter. The letter is to contain a determination whether further response actions are needed under the ch. NR 700 rule series, Wis. Adm. Code, based on the release or presence of one or more hazardous substances at the Property. The Department received the fee for providing assistance, in accordance with s. NR 749.04(1), Wis. Adm. Code.

In order for the Department to make this determination, you have requested a review of the following document:

- Letter titled "Results of Phase 2 Environmental Assessment of 1616 S. Hastings Way, Eau Claire, WI" prepared by Cedar Corporation and dated July 28, 2008.

The Department has examined the letter listed above and provides the following summary of the facts of the case and opinions concerning environmental conditions at the Property.

Background and Summary of Environmental Conditions

The current building on the Property was constructed in 1963 and has been continuously utilized as a dry cleaner facility since 1964. No information was provided as to the use of the Property prior to 1964. On May 7, 2008, two soil borings were completed behind the Queen's Dry Cleaners, on the west side of the building, in the general area of the building's rear door and waste storage/building ventilation outlet. The soil borings, B-1 and B-2 were each advanced to a depth of twenty feet below ground surface (bgs) to sample soil for the presence of volatile organic compounds (VOCs), including the typical dry cleaning chemical of tetrachloroethylene (a.k.a., perchloroethylene). The results of the soil analyses indicated the presence of tetrachloroethylene in B-2 at 1' – 2' bgs at a concentration of 96 micro grams per kilogram (ug/kg), and at 7' – 8' bgs at a concentration of 40 ug/kg. Tetrachloroethylene was not observed in either of the soil samples collected from soil boring B-1. No other VOCs were observed in either soil borings B-1 or B-2. Groundwater was not evaluated in this limited environmental site assessment. A letter titled "Results of Phase 2 Environmental Assessment" provided the results summarized above.

Liability Determination

The Wisconsin Hazardous Substance Discharge Law, s. 292.11, Wis. Stats., commonly called the Spill Law, requires those who cause, possess or control a hazardous substance discharge to "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 this state." Section 292.55, Wis. Stats., authorizes the Department to issue clarification letters concerning liability for environmental pollution.

The data summarized above indicates that one or more hazardous substance discharges have occurred on the Property. However, based on the criteria in s. NR708.09 (1) (a) through (n) and (2) (a) through (c) and in accordance with s. NR 716.05(2), Wis. Adm. Code, the Department has determined that further site investigation activities are not required and that no further response action is required under the ch. NR 700, Wis. Adm. Code, rule series to respond to these identified discharges.

This response letter relates only to those conditions described above, and makes no determination concerning the presence or absence of hazardous substances, other than those identified in the report listed above. However, based on the Department's review of the aforementioned document, there is no reason to suspect that other areas of the Property may be contaminated or that other contaminants may be present. The information contained in document submitted to the Department indicates there are minimal to no environmental impacts to soil associated with the areas where tetrachloroethylene may have been released to the environment at the Property. The information contained in document submitted to the Department further indicates there was soil contamination associated with B-2 in the area where fumes may exited the building from the building's ventilation system, or where wastes may been stored at the Property, but which does not warrant additional investigation based on the contaminant levels documented in B-2.

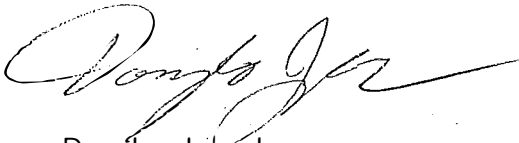
In the future, if the Department becomes aware of new information concerning the contaminants referenced above, or the presence of other contaminants on the Property not previously identified, the Department will need to evaluate that data to determine if response actions may be required. Whenever possible, the Department requires the person who caused the discharge to take the appropriate response actions.

The Bureau for Remediation and Redevelopment Tracking System (BRRTS) identification number for this activity is shown at the top of this letter. The Department tracks information on all determinations such as this in a Department database that is available on the Internet at <http://dnr.wi.gov/org/aw/rr/>.

See "BRRTS on the web" under "Contaminated Land Databases". Since there is no action required for this case, the Department has issued BRRTS case number **09-18-553165** and will track this site activity as a "No Action Required" determination.

If you have any questions, please contact me at (715) 839-1602, by writing to the address at the top of this letter or by email to Doug.Joseph@Wisconsin.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Joseph", written in a cursive style.

Douglas Joseph
Hydrogeologist
WDNR Remediation and Redevelopment Program

Attachment: Detail Report – Eau Claire County Online Property Assessment Database

c: Loren Brumberg – WCR
Matt Taylor, Cedar Corporation, 604 Wilson Ave., Menomonie, WI 54751

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Parcel Number : 13-1330

PIN : 1822122709214402097

Parcel Number :	13-1330	Year Constructed :	0
Street Number :	1616	Story Height :	
Street Name :	SHASTINGS WAY	Exterior Finish :	
2008 Land Assessment :	\$58,000	Total Living Area :	0
2008 Improved Assessment :	\$222,000	Basement Size :	0
2008 Total Assessment :	\$280,000	Basement Finish :	0
2008 Taxes : (before applicable lottery credit)	\$ 5,381.60	Garage Type :	
Last Sale Date :	1/23/2007	Garage Size :	
Last Sale Price :	\$180,300	Fuel Type :	
Previous Sale Date :	11/1/1994	Heat Type :	
Previous Sale Price :	\$110,000	Air Conditioning :	0%
Lot Size:	6819	Fireplaces :	0
Property Class :	COMMERCIAL	Number of Rooms :	0
Occupancy Description :		Number of Bedrooms :	0
Number of Units :	0	Full Baths :	0
		Half Baths :	0

Legal Descriptions

THAT PART OF LOT 2 BLK 15 REPLAT OF BLKS 2-7-10-15 ROYAL PARK 1ST ADD DESC AS FOLL COMM AT A PT ON E SIDE OF DONNELLAN LA WHERE LOTS 1 & 2 INTERSECT THC S'LY ALG E SIDE OF DONNELLAN LA 55 FT TO POB THC E'LY TO A PT ON W LN OF S HASTINGS WAY WHERE LOTS 2 & 3 INTERSECT THC W'LY TO A PT ON DONNELLAN LA 2.71 FT S OF POB THC N ALG E'LY LN OF DONNELLAN LA 2.71 FT TO POB ALSO LOT 3 EXC THE FOLL DESC PARCEL BEG AT SE COR OF SAID LOT 3 THC W'LY ALG S LN OF LOT 3 125 FT TO SW COR OF LOT 3 THC N'LY ALG W LN OF LOT 3 SAID LN BEING 2258.7 FT RADIUS CURVE TO THE RIGHT A DISTANCE OF 5.40 FT THC E'LY IN A STRAIGHT LN 125 FT M/L TO POB

Database updated: 02/16/2009