

July 16, 2012

Mr. Charles R. & Sandra Rickseeker
Former Fox Auto Salvage
1915 Kentucky Street
Racine, WI 53405

Subject: Request for Status Update
Former Fox Auto Salvage
2423 Racine Street, Mt. Pleasant, WI
WDNR BRRTS #03-52-554541; FID #252260800

Dear Mr. & Mrs. Rickseeker:

The Wisconsin Department of Natural Resources (WDNR) is addressing open environmental contamination at sites where site owners or consultants have not responded in several years. We are sending letters to responsible parties to determine the status of these cases and to request additional work if necessary. We appreciate your cooperation and understanding as we try to resolve and close these old cases.

Known contamination at the Subject site is one such case. On 11/12/09, WDNR was notified of petroleum-contaminated soil and groundwater were identified on the site. Since 2009, the WDNR has not received any documentation that suggests an investigation was started.

The WDNR previously recommended additional investigation and reporting, and we are now requesting that this work be completed. Once this work is completed and evaluated, the WDNR requests that you provide a condition report and recommendations that are appropriate for obtaining case closure. If closure is recommended, then the WDNR requests that you provide an appropriate closure request, GIS package, cap maintenance plan and/or fees. Again, the WDNR is working to resolve these open cases and your cooperation is appreciated. The following language is derived from the Department's standard release notification letter.

Based on the information submitted to the Department, we believe you, as the site owner, are responsible for investigating and restoring the environment under Section 292.11, Wisconsin Statutes, known as the hazardous substances spills law.

This letter describes the legal responsibilities of a person who is responsible under section 292.11, 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 WDNR, Department of Safety and Professional Service ("DSPS") or the Department of Agriculture, Trade and Consumer Protection.

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 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:

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. These are the first steps to take:

1. Within the next **30 days**, you should submit written verification (such as a letter from the consultant) that you have hired an environmental consultant. If you do not take action within this time frame, the WDNR may initiate enforcement action against you.
2. Within the next **60 days**, your consultant should submit a work plan and schedule for the investigation. The consultant must comply with the requirements in the NR 700 Wis. Adm. Code rule series and should adhere to current WDNR technical guidance documents.

In addition, within 30 days of completion of the site investigation, your consultant should submit a site investigation report to the department or other agency with administrative authority.

For sites with petroleum contamination, when your investigation has established the degree and extent of contamination, your consultant will be able to determine whether the Department of Commerce or the WDNR has authority over the case. For agrichemicals, your case will be transferred to the Department of Agriculture, Trade and Consumer Protection for oversight.

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 WDNR's internet site. You may view the information related to your site at any time (<http://dnr.wi.gov/org/aw/rr/brrts>) 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.

Unless otherwise requested, please send only one copy of plans and reports. In addition to the paper copy, an electronic copy may also be submitted. To speed processing, correspondence should reference the BRRTS and FID numbers (if assigned) shown at the top of this letter.

Additional Information for Site Owners

We encourage you to visit our website at <http://dnr.wi.gov/org/aw/rr>, 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.

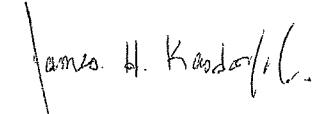
If you believe this Property meets the conditions of the Lender Liability Exemption (292.21 Wis. Stats.), please submit sufficient information to demonstrate your conclusion. In particular, you will need to review the enclosed

Environmental Liability Exemptions for Lenders and Representatives document to determine your eligibility for release from liability under State Law. The Department will review the information you provide to determine your liability obligations. Please include any applicable fees that are required for your exemption request. A lack of response to this letter may result in the initiation of formal enforcement actions.

Please submit all future correspondence to: Victoria Stovall, WI DNR SER, 2300 N Dr Martin Luther King, Jr Dr., Milwaukee WI 53212-3128

If you have any questions regarding this letter, please feel free to contact me.

Sincerely,



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Remediation and Redevelopment
Wisconsin Department of Natural Resources
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Cc: WDNR SER File