

State of Wisconsin  
DEPARTMENT OF NATURAL RESOURCES  
Plymouth Service Center  
1155 N Pilgrim Road  
Plymouth WI 53073

Scott Walker, Governor  
Daniel L. Meyer, Secretary  
Telephone 608-266-2621  
Toll Free 1-888-936-7463  
TTY Access via relay - 711



July 27, 2018

Ms. Jaci Mazzolari

sent certified

Jacci's Place LLC  
914 S. Main St.  
West Bend, WI 53095

7016 3560 0000 8882 6453

Subject: Final Request for Access for Sampling at 914 S. Main St., West Bend, WI  
Vapor Intrusion Related to Ol' Tyme Cleaners, 910 S. Main St., West Bend, WI  
BRRTS #: 02-67-576350, FID #: 267007180

Dear Ms. Mazzolari:

On October 18, 2017, Konicek Environmental Consulting LLC, on behalf of Ms. Lois and Mr. Robert Seidensticker, conveyed to you a letter requesting access for sampling at 914 S. Main St., West Bend, for potential vapor intrusion related to the Ol' Tyme Cleaners, 910 S. Main St., West Bend.

**This letter is a final request to allow these environmental professionals on your property to conduct the necessary environmental work.**

From both a health and liability perspective, it is in your best interest to allow sampling to occur as soon as possible.

Situation Overview

DNR is overseeing an investigation of soil and groundwater contamination at the former Ol' Tyme Cleaners, 910 S. Main St., West Bend. Testing your property is part of this investigation. Some contamination may, over time, have migrated underground toward your property.

Further, certain types of chemical contamination produce gases that rise through permeable soil and can seep into buildings through cracks, drains and other small openings in basement floors and walls. Buildings with crawl spaces and slab-on-grade foundations can be affected as well. These soil gases mix with indoor air and can be a serious health concern. The process of soil gasses getting into buildings is called chemical vapor intrusion, and environmental sampling is necessary to determine if there is a problem.

It is likely that soil gas is present in this situation, and your property is located in an area that should be tested for vapor intrusion. It is possible that chemical vapors may be entering your building.

DNR Recommends Granting Property Access for Sampling Now

DNR highly recommends that you grant access to your property and allow this important health and environmental sampling work to be performed now, rather than risk taking on that responsibility yourself at a later date.

To allow environmental sampling for chemical vapor intrusion on your property, simply complete, sign and return the enclosed "Access Permission Agreement" to Aaron C. Lofberg, Konicek Environmental Consulting LLC, 1032 S. Spring St., Port Washington, WI 53074 within two weeks of the date of this letter. Do not modify the access agreement in any way, as it may void the agreement.

The following issues are important for you to consider in making your final decision about access:

Documentation in DNR Files

In the event that you do not return a completed "Access Agreement" within two weeks of the date of this letter, or otherwise contact DNR to explain why additional time is needed, it will be noted in DNR records for Ol' Tyme Cleaners that you did not respond or are not allowing access to your property for vapor intrusion sampling.

Costs Paid if Access is Granted Now

Currently, the responsible parties are paying for sampling activities on their property and for sampling on properties with potential contamination migrating from their property.

You May be Responsible if Access is Not Granted

If you do not allow property access for environmental sampling at this time you risk becoming the party who may be responsible for investigating and mitigating any contamination that exists on your property – whether you caused the problem or not.

Potential Health & Real Estate Issues

Allowing access for sampling now, finding out if chemical vapor intrusion is an issue on your property, and following through with any mitigation efforts, if necessary, is clearly the best course of action. It will help answer your health questions, limit your liability, and demonstrate action to correct a potential issue for purposes of property transactions.

Additional Information Available

Fact sheets on vapor intrusion and related matters are included with this letter for your review. This is a complex issue and you have many things to consider. Please feel free to contact me, the DNR Project Manager, at any time if you have questions or want to discuss this matter in more detail. I can be reached at 920-893-8523 and [johnm.feeney@wisconsin.gov](mailto:johnm.feeney@wisconsin.gov).

Sincerely,



John Feeney, PG  
Hydrogeologist  
Remediation and Redevelopment Program

cc: Mr. Aaron C. Lofberg, Konicek Environmental Consulting, LLC  
Mr. Curtis Hedman, DHS  
SER File

Attachments:

RR-5456, Access Permission Agreement  
RR-892, What is Vapor Intrusion  
RR-953, Why Test for Vapor Intrusion  
RR-954, What to Expect During Vapor Intrusion Sampling