

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

Tony Evers, Governor
Preston D. Cole, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



January 11, 2019

Maura O'Connor
Whitman Park I LLC
7635 W Bluemound Rd, STE 203
Milwaukee, WI 53211

Subject: Reported Contamination at One Hour Martinizing,
1035 Summit Ave, Oconomowoc, WI
DNR BRRTS Activity #02-68-582951
DNR FID # 268087160

Dear Ms. O'Connor:

On January 4, 2019, Gregory Walsh from Assured Environmental Associates, Inc., on behalf of Whitman Park I LLC, notified the Department of Natural Resources ("department") that sub-slab vapor contamination and possible groundwater, soil, and soil gas contamination were detected at the site described above.

Based on the information available to the department regarding ownership of this property, we believe that Whitman Park I LLC is the landowner in possession or control of the hazardous substance discharge or other environmental pollution (hereafter referred to as "contamination") at the above-described site. The term "site" includes the property where the contamination occurred and any other property it has migrated to, pursuant to Wisconsin Administrative Code ("Wis. Admin. Code") § NR 700.03(56).

The purpose of this letter is to inform you of the contamination at the site and notify you that as the possessor and controller of the contamination, you may be held responsible under Wisconsin Statutes ("Wis. Stats.") ch. 292 for the investigation and cleanup of the contamination. Presently, the department is exercising its discretion to pursue the person who caused the contamination. If the causer continues to make sufficient progress under Wis. Admin. Code chs. NR 700 through NR 754, the department will not seek your involvement in investigation and cleanup; however, if the causer is no longer able or willing to continue progress, the department will require that you take the appropriate response actions.

Legal Responsibilities

Wis. Stats. ch. 292 and Wis. Admin. Code chs. NR 700 through NR 754 provide specific requirements for undertaking appropriate response actions to address contamination, including requirements for emergency and interim actions, public information, site investigations, remedy selection, design and operation of remedial action systems, and case closure. For more information on the responsibilities relating to contamination investigation and cleanup, see the enclosed letter to Brian Cass from One Hour Martinizing, dated January 11, 2019.

Under Wis. Stat. ch. 292, continuing obligations may be applied to a property upon the closure of an environmental investigation and cleanup case. Continuing obligations are legal requirements designed to protect public health and the environment from contamination that remains on a property. If the department places continuing obligations on the property at the time of closure, these obligations will become the property owner's responsibility. For more information, please see the enclosed DNR publication RR-819, *Continuing Obligations for Environmental Protection Responsibilities of Wisconsin Property Owners*.

Additional Information

The department tracks information on all cleanup sites in a department database available at dnr.wi.gov and search "BRRTS". The Bureau for Remediation and Redevelopment Tracking System (BRRTS) identification number for this site is listed at the top of this letter. You may view information related to your site on this database at any time.

All correspondence regarding this site should be directed to:

Theadora Jorgensen
Remediation and Redevelopment Program
Wisconsin Department of Natural Resources
2300 N. Martin Luther King Dr.
Milwaukee, WI 53212
theadora.jorgensen@wisconsin.gov

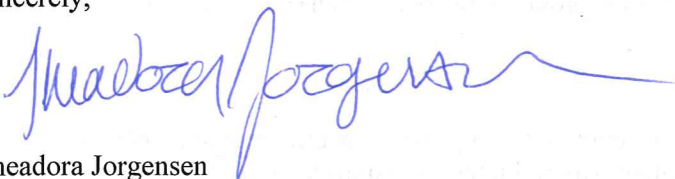
To speed up processing, your correspondence should reference the BRRTS and Facility Identification (FID) numbers (if assigned) listed at the top of this letter. **Consultants and representatives of responsible parties are required to submit one paper copy and one electronic copy of submittals, including case closure documents.** Wis. Admin. Code § NR 700.11(3g), and other specific provisions within Wis. Admin. Code ch. NR 700, outline the requirements for submittals, including electronic submittals. See the enclosed DNR publication RR-690, *Guidance for Electronic Submittals for the Remediation and Redevelopment Program*, for assistance in proper document submittal.

Please visit the department's Remediation and Redevelopment program website at dnr.wi.gov and search "brownfields" for information on selecting a consultant, seeking financial assistance, and understanding the investigation and cleanup process. Information regarding review fees, liability clarification letters, post-cleanup liability and more.

If you have questions, please call the DNR Project Manager Jim Delwiche at 262-574-2145 or Theadora Jorgensen at 414-263-8541 for more information.

Thank you for your cooperation.

Sincerely,



Theadora Jorgensen
Environmental Program Associate
Remediation & Redevelopment Program
Southeast Region

Enclosures:

Letter to Brian Cass from One Hour Martinizing, dated January 11, 2019

Continuing Obligations for Environmental Protection Responsibilities of Wisconsin Property Owners,
DNR publication RR-819

Guidance for Electronic Submittals for the Remediation and Redevelopment Program, DNR publication
RR-690

cc: Gregory Walsh – Assured Environmental Associates, Inc.
Brian Cass – One Hour Martinizing