



August 21, 2019

**CERTIFIED MAIL**

Mr. & Mrs. Joshua & Amy Jabs  
2019 91<sup>st</sup> Street  
Pleasant Prairie, WI 53158

Subject: Notice of Non-Compliance: Action Required by September 20, 2019  
2019 91<sup>st</sup> Street, Pleasant Prairie, WI  
BRRTS #: 02-30-583151, FID #: 230220980

Dear Mr. & Mrs. Jabs:

This letter is to notify you that you are out of compliance with Wisconsin Statutes (Wis. Stat.) chapter 292 and Wisconsin Administrative Code (Wis. Admin. Code) chapters NR 700 through NR 754. On June 5, 2018, the Wisconsin Department of Natural Resources (Department) notified you of your responsibilities to remediate the discharge of a hazardous substance on your property. Additionally, on April 2 and May 1, 2019, the Department sent letters notifying you of your responsibilities to investigate the degree and extent of contamination and clean up the above-referenced site. These letters are attached for your reference. As of the date of this letter, the Department has not received a response from you.

Please be aware that the Department may initiate enforcement action against you for failure to comply with Wis. Stat. chapter 292. Your legal responsibilities are defined both in Wis. Stat. chapter 292 and Wis. Admin. Code chapters NR 700 through 754 and are also described in the April 2 and May 1, 2019, letters. In particular, Wis. Stat. § 292.11(3), 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.

Our information indicates that you have not responded to previous requests for information regarding a hazardous substance discharge on your property, occurring on June 4, 2018.

Wis. Admin. Code chapters NR 700 through NR 754 establish requirements for emergency and interim actions, public information, site investigations, design and operation of remedial action systems, and case closure. Chapter NR 708 includes provisions for immediate actions in response to limited contamination. Wis. Admin. Code chapter NR 140 establishes groundwater quality standards for contaminants that reach groundwater.

The Department is requesting that within 30 days of the date of this letter, by September 20, 2019, you contact the Department to provide documentation regarding the cleanup of the hazardous substance discharge.

Please understand that you are in noncompliance and will remain in noncompliance until you fulfill all requirements of the statute. Failure to take the actions required by Wis. Stat. § 292.11 to address this contamination will cause the Department to review this case for enforcement actions. Additionally, please be advised that the Department is authorized under Wis. Stat. § 292.94 to assess non-reimbursable fees for any reports you are required to submit as part of additional enforcement actions.

If you are experiencing problems selecting an environmental consultant or if you have other questions concerning the cleanup process, please do not hesitate to write or call me, Department Project Manager, at (414) 263-8699, or via email at [riley.neumann@wisconsin.gov](mailto:riley.neumann@wisconsin.gov). Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Riley D. Neumann", with a long horizontal flourish extending to the right.

Riley D. Neumann  
Hydrogeologist / Project Manager  
Remediation & Redevelopment Program

Enclosed:

- April 2, 2019, Site Status Update Letter
- May 1, 2019, Site Status Update Letter

State of Wisconsin  
DEPARTMENT OF NATURAL RESOURCES  
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



April 2, 2019

**Certified Mail**

**Certified Mail No.: 7017 1000 0001 1261 6034**

Mr. & Ms. Joshua & Amy Jabs  
2019 91<sup>st</sup> Street  
Pleasant Prairie, WI 53158

Subject: Site Status Update Request  
2019 91<sup>st</sup> Street, Pleasant Prairie, WI  
BRRTS #: 02-30-583151, FID #: 230220980

Dear Mr. and Ms. Jabs:

The Wisconsin Department of Natural Resources (DNR) was notified of a discharge of a hazardous substance at the property described above on June 4, 2018. Attempts were made to contact you regarding the cleanup, but to date, the DNR has not received confirmation of the cleanup of this discharge. On February 19, 2019, the DNR sent a letter describing your responsibility to address the contamination at the property described above.

Based on the available information that has been received by the DNR, we believe you are responsible for investigating and restoring the environment to the extent practicable per Wis. Stats. § 292.11, known as the hazardous substances spill law. This law states:

“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.”

The DNR would like to assist you in bringing this case to closure. Within 30 days of the date of this letter, by May 2, 2019, inform the DNR of the status of this discharge and provide any cleanup documentation. If a response is not received, the DNR will consider initiating enforcement actions.

If you have questions, contact me, the DNR Project Manager, at (414) 263-8699, or via email at [riley.neumann@wisconsin.gov](mailto:riley.neumann@wisconsin.gov).

Sincerely,

Riley D. Neumann  
Hydrogeologist/Project Manager  
Remediation & Redevelopment Program

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

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May 1, 2019

Mr. & Ms. Joshua & Amy Jabs  
2019 91<sup>st</sup> Street  
Pleasant Prairie, WI 53158

Subject: Site Status Update Request  
2019 91<sup>st</sup> Street, Pleasant Prairie, WI  
BRRTS #: 02-30-583151, FID #: 230220980

Dear Mr. and Ms. Jabs:

The Wisconsin Department of Natural Resources (DNR) was notified of a discharge of a hazardous substance at the property described above on June 4, 2018. Attempts were made to contact you regarding the cleanup, but to date, the DNR has not received confirmation of the cleanup of this discharge. On February 19, 2019, the DNR sent a letter describing your responsibility to address the contamination at the property described above. In addition, the DNR sent a letter via certified mail on April 2, 2019. This letter was returned, unclaimed, to the DNR. The envelope indicated that you were notified of the certified mail.

Based on the available information that has been received by the DNR, we believe you are responsible for investigating and restoring the environment to the extent practicable per Wis. Stats. § 292.11, known as the hazardous substances spill law. This law states:

“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.”

The DNR would like to assist you in bringing this case to closure. Within 30 days of the date of this letter, by May 31, 2019, inform the DNR of the status of this discharge and provide any cleanup documentation. If a response is not received, the DNR will consider initiating enforcement actions.

If you have questions, contact me, the DNR Project Manager, at (414) 263-8699, or via email at [riley.neumann@wisconsin.gov](mailto:riley.neumann@wisconsin.gov).

Sincerely,

Riley D. Neumann  
Hydrogeologist/Project Manager  
Remediation & Redevelopment Program