State of Wisconsin DEPARTMENT OF NATURAL RESOURCES Oshkosh Service Center 625 East County Road Y, STE. 700 Oshkosh, WI 54901-9731

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



August 23, 2021

BRETT DONALDSON DONALDSONS ONE HOUR CLEANERS INC D/B/A DONALDSONS CLEANERS 5365 W CLAIREMONT DR APPLETON WI 54913

> SUBJECT: Information Request – Response Requested by September 7, 2021 Donaldsons Cleaners (Former) – E Edgewood Dr, 1835 E. Edgewood Dr., Appleton, WI DNR BRRTS #: 02-45-586961, and Donaldsons One Hour Cleaners (Former), 110 W. Cecil St., Neenah, WI DNR BRRTS #: 02-71-110797

Dear Mr. Donaldson:

On June 16, 2021 the Wisconsin Department of Natural Resources (DNR) received a letter from Ted Warpinski, Davis | Kuelthau, s.c., on behalf of M & E Rentals, LLC. The letter (attached) provides new information on past operations by Donaldsons One Hour Cleaners, Inc., d/b/a Donaldson's Cleaners (Donaldsons) at 1835 East Edgewood Drive, STE. 101, Appleton, Wisconsin (the "Appleton site"). A photo was also included in the letter that showed nine 55-gallon drums present inside the Appleton site building. DNR contacted EnviroForensics, the environmental consultant for M & E Rentals, LLC, who confirmed the drums were suspected to have been from the Donaldsons One Hour Cleaners (Former) case at 110 West Cecil Street, Neenah, Wisconsin (the "Neenah site"), and that the drums were inside the building during the summer and fall of 2020.

On June 20, 2016, DNR issued a *Case Closure Denial* letter for the Neenah site due to additional requirements needing to be met. One of those requirements was to characterize and properly dispose of the documented nine 55-gallon drums stored outdoors at the Neenah site within 60 days of that letter. Disposal documentation was to be forwarded to Jennifer Borski, DNR upon receipt. To date, DNR has not received any documentation indicating those drums were characterized and properly disposed.

By September 7, 2021, provide the following information:

- 1. Documentation of content, characterization, transport, storage and/or disposal of the nine 55-gallon drums previously stored at the Neenah site since June 20, 2016;
- 2. Documentation of content, characterization, transport, storage and/or disposal of the nine 55-gallon drums previously stored at the Appleton site since summer 2020; and
- 3. Any additional explanation or information necessary to communicate the contents, transport, storage, temporary locational storage and current status of the drums from both the Neenah site and the Appleton site including analytical lab data, manifests, landfill disposal tickets, etc.

Information provided for both the Appleton site and the Neenah site <u>in response to this specific information</u> <u>request</u> should be submitted to:



August 23, 2021 Mr. Donaldson Information Request – Response Requested by September 7, 2021 Donaldsons Cleaners (Former) – E Edgewood Dr, BRRTS #: 02-45-586961 Donaldsons One Hour Cleaners (Former), BRRTS #02-71-110797

> Gwen Saliares Hydrogeologist – Remediation & Redevelopment Program Northeast Region Wisconsin Department of Natural Resources 625 East County Road Y, STE. 700 Oshkosh, WI 54901-9731 (920) 510-4343 <u>Gwen.Saliares@wisconsin.gov</u>

Subsequent correspondence pertaining to the Appleton site should be directed to Gwen Saliares as listed above. Subsequent correspondence pertaining to the Neenah site should continue to be directed to Jennifer Borski at the same address, phone (920) 360-0853, email Jennifer.Borski@wisconsin.gov.

Please contact me at (920) 510-4343 or via email at <u>gwen.saliares@wisconsin.gov</u> with questions regarding this information request.

Sincerely,

Gwa Salara

Gwen Saliares Hydrogeologist Remediation and Redevelopment

att. June 16, 2021 letter from Ted Warpinski, Davis | Kuelthau, s.c.

 cc: Brett Donaldson, Donaldson's One Hour Cleaners, Inc., 561 Chatham Ct., Neenah, WI 54956 Brett Donaldson, Donaldson's One Hour Cleaners, Inc. – <u>bdonaldson@donaldsonscleaners.com</u> Craig Donaldson, H&J Investments, LLC / Estate of Janice Donaldson, N2018 Domain Dr., Kaukauna, WI 54130-9478 Craig Donaldson, H&J Investments, LLC / Estate of Janice Donaldson – <u>donacraig@gmail.com</u> Peter van Houwelingen, Corporate Legal Counsel, Ltd. – <u>pvhouw@clcl.com</u> Tressie Kamp, DOJ Assistant Attorney General – <u>KampTK@doj.state.wi.us</u> Bill Nelson, DNR Attorney – <u>William.Nelson@wisconsin.gov</u> Jennie Pelczar, DNR NER Enforcement Specialist – <u>Jennifer.Pelczar@wisconsin.gov</u> Roxanne Chronert, DNR NER RR Team Supervisor – <u>Roxanne.Chronert@wisconsin.gov</u> Jennifer Borski, DNR RR Hydrogeologist – Jennifer.Borski@wisconsin.gov



June 16, 2021

VIA EMAIL

Gwen.Saliares@wisconsin.gov Ms. Gwen Saliares Remediation and Redevelopment Program Wisconsin Department of Natural Resources 2984 Shawano Avenue Green Bay, WI 54313-6727

Re: Former Donaldson Cleaners a/k/a Donaldson One Hour Cleaners, 1835 East Edgewood Drive, Ste. 101, Appleton, Wisconsin; BRRTS #02-45-586961

Dear Ms. Saliares,

I am writing to you on behalf of M&E Rental LLC in regard to the above-referenced site. I understand that you will be taking over as the project manager for this site. I did receive a copy of the May 25 email from your predecessor regarding the SSDS system as well as Roxanne Chronert's letter dated June 8, 2021. I expect that Rob Hoverman of EnviroForensics will be following up with you further on those issues.

My purpose for writing is to provide some additional information regarding Donaldson's operations at the site, including some evidence his lawyer provided to us regarding an alleged spill by Tri-Supply during the delivery of Perc to the site. Attached are photos provided to us from Donaldson's attorney, along with a copy of a purchase order noting a spill back in 2009. Based on this information, we are requesting that the Department exercise its authority to issue a responsible party letter to Tri-Supply to obtain further information from Tri-Supply and, if appropriate, direct Tri-Supply to undertake further investigation activities if the State's effort to pursue Donaldson as the causer are unlikely to be fruitful.

I am also attaching some photos that my client took prior to Donaldson vacating the property that show the presence of numerous drums and other materials. According to my client, Donaldson did have some supposedly empty drums sitting outside the property but, on this particular occasion, he observed drums inside the building. When he asked Donaldson about the drums, Donaldson told him those were from the other store and they were subsequently removed. I would suspect Donaldson used my client's property as staging area for investigation derived wastes from the other site, but we have no documentation of that. We are simply passing these along for your information and use.

> Phone 920.435.9378 Direct 920.431.2236 Fax 920.431.2276 318 S. Washington Street Suite 300, Green Bay, WI 54301 twarpinski@dkattorneys.com

BROOKFIELD | GREEN BAY | MILWAUKEE

Ms. Gwen Saliares June 16, 2021 Page 2

I am copying Bill Nelson and Roxanne Chronert on this letter. As you may know, I have had a few conversations with Bill about this matter and we continue to support whatever efforts can be made by DNR to hold the truly responsible parties accountable for any contamination at my client's property.

Please feel free to contact me if you have any questions or would like to discuss this matter.

Very truly yours,

Davis & Kuelthau, s.c.

mant Ted A. Warpinski

TAW:sjf

Attachments

cc: William J. Nelson (w/Attachs.) – Via Email: william.nelson@wisconsin.gov Roxanne N. Chronert (w/Attachs.) -Via Email: Roxanne.Chronert@wisconsin.gov

PHOTOS FROM ONALDSON'S ATTORNEY

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TRI-Supply Co. LOVES PARK IL. USDOT 359326

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G.W. 33,000



PHOTOS FROM DONALDSON'S ATTORNEY







2009 PURCHASE ORDER DELIVERY RECEIPT 955 INDUSTRIAL COURT 1034 LOVES PARK, IL 61111 (815) 637-6374 (800) 289-0653 1 De IP FAX (815) 637-6472 103 06/24/1 Route LGB DONA10 DONALDSON'S ONE HOUR CLEANERS DONALDSON'S ONE HOUR CLNRS 110 W. CECIL ST. 1935 E. EDGEWOOD DR. NEENAH, WI 54956 APPLETON, WI 920-725-4453 920-725-4453 REQUIRED SHIP DATE SALESPERSON 06/24/09 I.R 18-15 NET 30 01 PREPAID TRI-SUPPLY CC ASAP .0 肥品 PERKFEN-WI PERK FEE - WISCONSIN PERK FEE - WISCONSIN 38 EA . 0 38 PERKFEE-WI FERK - CAREFILL (260LBS/DRM) 2 MC 520.0 PERKCF Perc spilled by Oniver on this delivery called John Knatz 7/6/09 nave Photos to document. Japp. ORAM Pangel Eaf- Stuped RAM WORKIN'S w No ed Caroiney h, el Nort opder UNDERSIGNED HEREBY STATES THAT HE/SHE IS AN AUTHORIZED REPRESENTATIVE OF THE OWNER OR COMPANY, THE UNDERSIGNED AGREES AND GUARANTEES ON BEHALF OF HIM RELF AND ON BEHALF OF THE COMPANY THAT IN THE EVENT OF DEFAULT IN PAYMENTS WHEN DUE, HE/SHE WILL PAY, IN ADDITION TO ALL SUMS DUE, ALL COSTS OF COLLECTION, 520 ABLE AND ON BEHALF OF THE COMPANY THAT THE EVENT OF DEFINITION THAT AND THE UNDERSIGNED FURTHER AGREES, ON BEHALF OF HIM/HERSELF AND ON BEHALF OF LIDING RESSONABLE ATTORNEY, FEES AND COURT COSTS INCURRED BY THI-SUPPLY COMPANY, THE UNDERSIGNED FURTHER AGREES, ON BEHALF OF HIM/HERSELF AND ON BEHALF OF "OMPANY, TO A SERVICE CHARGE OF QUE AND ONE-HALE PERGENT (1/2%) PER MONTH, OR 18% PER ANNUM, FOR ALL INVOICES NOT PAID ON DE BEFALF OF LIDING RESONANT. DATE 13 /ED BY



