State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
141 NW Barstow Street, Room 180
Waukesha, WI 53188

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711

WISCONSIN
DEPT. OF NATURAL RESOURCES

July 8, 2014

Mr. Aron Beyder
250 174th Street, Apt. 1416
Sunny Isles Beach, FL 53219-2378

RE: Transfer of Project Management – Request for Information

Former Auto Repair, 2841 W. Vliet Street, Milwaukee
DNR BRRTS # 03-41-001553 PECFA # 53219-2378-23-A
DNR BRRTS # 02-41-282021

Dear Mr. Beyer:

This letter is to inform you of the change in project management for your site. You may be aware that as of July 2, 2013, the entire Petroleum Environmental Cleanup Fund Award (PECFA) Program, as well as regulatory oversight of low and medium risk petroleum contamination sites, was transferred to the Department of Natural Resources (DNR). Going forward, I will be the project manager for the regulatory oversight as well as the PECFA-funding decisions for this site. Please send all future correspondence to the undersigned at the letterhead address.

The most recent correspondence in the case file is a *Request for Status Update* letter, sent to you from the DNR in 2012. To date, there has been no response from you. Please provide an update as far as any investigation activities that have been completed and your intentions to move this case toward closure.

Your prompt attention to this request is appreciated. If you have any questions, please contact me in writing at the letterhead address, by telephone at (262) 574-2182 or via email at: monica.weis@wisconsin.gov.

Sincerely,

Monica Weis

Monica L. Weis
Hydrogeologist
Remediation and Redevelopment Program

cc: SER Case File

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

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 414-263-8500
FAX 414-263-8606
TTY Access via relay - 711

WISCONSIN
DEPT. OF NATURAL RESOURCES

+
January 10, 2012

Mr. Aaron Beyer
250 174th Street, Apt. 1416
Sunny Isles Beach, FL 33160-0000

Subject: **Request for Status Update**
Former Auto Repair, 2481 W. Vliet Street, Milwaukee
FID #241282021 **BRRTS # 03-41-286924**
BRRTS # 02-41-282021

Dear Mr. Beyer:

On January 29, 2002, the Wisconsin Department of Natural Resources (DNR) sent a letter informing you of your legal responsibilities with regard to investigating and remediating gasoline contamination that was detected emanating from the above-referenced property. A follow-up letter was sent to you on July 10, 2010. No response has been received, to-date.

Within the next 30 days, please inform the DNR as to your plans to close this site. Failure to do so will compel the DNR to initiate enforcement action.

Please send your written response to:

Victoria Stovall
WI DNR SER
2300 N. Drive Martin Luther King, Jr. Drive
Milwaukee WI 53212-3128

If you have any questions, please contact me at 414-263-8757.

Sincerely,

ROBERT H. KLAUK
Hydrogeologist
Robert.Klauk@wisconsin.gov
Remediation and Redevelopment Program

Attachment: July 23, 2010 DNR letter

cc: file

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

WISCONSIN
DEPT. OF NATURAL RESOURCES

Jim Doyle, Governor
Matthew J. Frank, Secretary
Gloria L. McCutcheon, Regional Director

Southeast Region Headquarters
2300 N. Dr. Martin Luther King, Jr. Drive
Milwaukee, Wisconsin 53212-3128
FAX 414-263-8606
Telephone 414-263-8500
TTY Access via relay - 711

July 23, 2010

Aron Beyder
8836 North Seneca Road
53217, WI

Subject: Reported Petroleum Contamination Located at Auto Repair on Vilet, 2481 West Vilet Street, Milwaukee, WI

FID: 341043340
BRRTS: 03-41-286924 (LUST) and 02-41-282021 (ERP)

Dear Mr. Beyder:

The Department is undertaking a project to address open environmental contamination sites where we have not heard from site owners or consultants in several years. We are sending letters to those property owners 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 these old cases. Getting your site closed and taken off the Department's data base can facilitate redevelopment and/or sale of your property.

In our review of the property case file referenced above, the Department found that you have not initiated or completed a site investigation and/ or remediation of the soil and groundwater contamination associated with your site. The enclosed letter report from the Redevelopment Authority City of Milwaukee explains what was discovered on your and the adjacent property. No further information has been received and it appears no investigation or remediation was completed at your site since the Department issued you a Responsible Party (RP) letter dated January 29, 2002 (see enclosed letter).

On January 29, 2002, the Department of Natural Resources ("the Department") sent a letter to your attention, describing your responsibility to address soil and/or groundwater contamination that was detected at the site referenced above. Under Section 292.11 of the Wisconsin Statutes, a person who possesses or controls a hazardous substance release (e.g., the owner of the property where a spill has occurred) is required to take actions necessary to restore the environment to the extent practicable. Because the release of contaminants into soil and groundwater may have significant environmental or health implications, it is important that the extent and degree of the released contaminants be determined and that the contamination be remediated to the extent practicable.

Therefore, because there have been no investigation and remediation efforts since 2002, the following must be completed:

Within the next **30 days**, you must submit written verification (such as a letter from the consultant) that you have hired an environmental consultant.

Within the next **60 days**, your consultant must submit a work plan and schedule for the investigation. The consultant must follow the Department's administrative codes and technical guidance documents. To facilitate prompt agency review of your reports, your consultant should use the site investigation and closure formats which are available on-line at www.dnr.state.wi.us.

Within 30 days of completion of the site investigation, you or your consultant must provide a site investigation report per NR 716.15. As the remedial activities proceed, you or your consultant should also provide a brief

progress report at least every 90 days per NR 724.13(3). Should conditions at your site warrant, we may require more frequent contacts.

All correspondence regarding this site should be sent to:

Ms. Victoria Stovall
Wisconsin Department of Natural Resources
Remediation and Redevelopment Program
Milwaukee, WI 53212

Correspondence should reference the "Subject" name and file reference numbers listed above. **Please include a copy of this letter with your response**.

Upon receipt of your documentation, we will update your case status within our database. 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 Department's internet site. You may view the information related to your site at any time (http://www.dnr.state.wi.us/org/aw/rr/brrts) and use the feedback system to alert us to any errors in the data.

If you would like to receive Department review of your documentation, please be aware that a review fee is required in accordance with s. 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 to maintain your compliance with the spills law and chs. NR 700 through NR 749.

Because the release of contaminants into soil and groundwater may have significant environmental or health implications, it is important that the extent and degree of the released contaminants be determined and that the contamination be remediated to the extent practicable.

Documents that may be helpful in deciding how to hire an environmental consultant and information about the Department of Commerce's PECFA are listed at the end of this letter under Internet Web Sites.

Please be advised that your failure to respond to this letter in writing will be viewed as an admission that you do not intend to pursue final closure for this site. In that situation, we will recommend further enforcement actions be initiated. Enforcement actions could include the recording of an affidavit at the Milwaukee County Register of Deeds Office indicating contamination remains, while at the same time issuing an administrative order, or making a direct referral to the State Attorney General's Office to recoup our costs, and any associated fees that may have been due. Any referral to the State Attorney General's Office could result in forfeitures.

If you have any questions or comments, please feel free to contact me at the above address or at (414) 263-8644. Please refer to the FID number at the top of this letter in any future correspondence. Future correspondence should be sent directly to the Remediation and Redevelopment Program Assistant Vicky Stovall (414-263-8688) at the above address.

Sincerely,

John J. Hnat, P.G., C.P.G.
Project Manager\Hydrogeologist
Southeast Region
Remediation and Redevelopment

Enclosures: September 19, 2001 Letter from Giles Engineering to the Redevelopment Authority City of Milwaukee
January 29, 2002 Reported Petroleum Contamination Letter to Aron Beyder

Selecting a Consultant – RR-502 http://dnr.wi.gov/org/aw/rr/archives/pubs/RR502.pdf

Environmental Services Contractor List – RR-024 http://dnr.wi.gov/org/aw/rr/archives/pubs/RR024.pdf

Environmental Contamination Basics, RR-674 http://dnr.wi.gov/org/aw/rr/archives/pubs/RR674.pdf

Petroleum Environmental Cleanup Fund Award, Information about PECFA Reimbursement, Commerce publication ~~ERS-10083-P~~ (on Commerce web site)
http://commerce.wi.gov/ERpdf/pecfa/ER-PECFA-ERS10083(Info) REV 7-07.pdf

C: WDNR SER Files

ADVENT

Advent
Environmental
Services, Inc.

Statement

COPIES OF INVOICES ARE ATTACHED

September 22, 2003
Project No: 210094.01

Mr. Aron Beyder
7210 W. Capitol Drive
Milwaukee WI 53216

Project: 210094.01 FMR EARL'S SERVICE STATION
Site Investigation
TERMS: NET 15 DAYS

Outstanding Invoices

Number	Date	Invoiced	Balance Due
0015522	3/6/02	529.19	529.19
0015786	7/3/02	336.00	336.00
0016158	1/8/03	346.50	346.50
0016645	9/3/03	105.00	105.00
	Totals	**1,316.69**	**1,316.69**

If Questions please call Mike at 414-371-5020. Thank you.

P.O. Box 277 Mequon, WI 53092-0277
414-371-5020 1-800-880-1998 Fax 414-371-5021

ADVENT

Advent
Environmental
Services, Inc.

March 6, 2002
Project No: 210094.01
Invoice No: 0015522

Mr. Aron Beyder
7210 W. Capitol Drive
Milwaukee WI 53216

Project: 210094.01 FMR EARL'S SERVICE STATION

Site Investigation
TERMS: NET 15 DAYS

Professional Services: February 3, 2002 through March 2, 2002

Professional Personnel

		Hours	Rate	Amount	
Project Mgt.					
Tracy, Jeffrey G.	1/30/02	1.00	105.00	105.00	
Bid/invoice review and approval, letter prep.					
Tracy, Jeffrey G.	2/20/02	2.50	105.00	262.50	
Client call, project review.					
Graphics Prep.					
McKeough, Carol	1/29/02	1.00	45.00	45.00	
analytical results					
Report Prep.					
Klebenow, Ricky	2/5/02	1.50	75.00	112.50	
Soil boring data evaluation, table data entry					
Totals		6.00		525.00	
Total Labor					**525.00**

Reimbursable Expenses

Meal Expenses					
12/18/01 Peter Pavalko		12/17		4.19	
Total Reimbursables				**4.19**	**4.19**

Total this invoice **529.19**

PLEASE INCLUDE INVOICE NUMBER ON CHECK

P.O. Box 277 Mequon, WI 53092-0277
414-371-5020 · 1-800-880-1998 Fax 414-371-5021

ADVENT

Advent
Environmental
Services, Inc.

July 3, 2002
Project No: 210094.01
Invoice No: 0015786

Mr. Aron Beyder
7210 W. Capitol Drive
Milwaukee WI 53216

Project: 210094.01 FMR EARL'S SERVICE STATION

Site Investigation
TERMS: NET 15 DAYS

Professional Services: June 1, 2002 through June 30, 2002

Professional Personnel

		Hours	Rate	Amount	
Project Mgt.					
Tracy, Jeffrey G.	3/18/02	1.00	105.00	105.00	
Research PECFA eligibility status, client call, project management.					
Tracy, Jeffrey G.	4/4/02	0.50	105.00	52.50	
WDCOM call re: registration status					
Tracy, Jeffrey G.	5/6/02	0.50	105.00	52.50	
Call WDCOM re: Tank status update					
Tracy, Jeffrey G.	5/6/02	0.70	105.00	73.50	
Project management.					
Tracy, Jeffrey G.	5/10/02	0.50	105.00	52.50	
Letter prep, project management.					
Totals		3.20		336.00	
Total Labor					**336.00**

Total this invoice **$336.00**

Outstanding Invoices

Number	Date	Balance
0015522	3/6/02	529.19
Total		**529.19**

Total now due **$865.19**

PLEASE INCLUDE INVOICE NUMBER ON CHECK

P.O. Box 277 Mequon, WI 53092-0277
414-371-5020 1-800-880-1998 Fax 414-371-5021

ADVENT

Advent Environmental Services, Inc.

January 8, 2003
Project No: 210094.01
Invoice No: 0016158

Mr. Aron Beyder
7210 W. Capitol Drive
Milwaukee WI 53216

Project: 210094.01 FMR EARL'S SERVICE STATION

Site Investigation
TERMS: NET 15 DAYS

Professional Services: December 1, 2002 through December 31, 2002

Professional Personnel

		Hours	Rate	Amount	
Project Mgt.					
Tracy, Jeffrey G.	7/8/02	0.50	105.00	52.50	
Project status follow up					
Tracy, Jeffrey G.	7/26/02	1.00	105.00	105.00	
Client call, call from Madison environmental firm re: status.					
Tracy, Jeffrey G.	9/11/02	0.50	105.00	52.50	
Project management.					
Tracy, Jeffrey G.	9/16/02	0.50	105.00	52.50	
Project management.					
Tracy, Jeffrey G.	11/15/02	0.80	105.00	84.00	
Client call, letter prep.					
Totals		3.30		346.50	
Total Labor					**346.50**

Total this invoice **$346.50**

Outstanding Invoices

Number	Date	Balance
0015522	3/6/02	529.19
0015786	7/3/02	336.00
Total		**865.19**

Total now due **$1,211.69**

PLEASE INCLUDE INVOICE NUMBER ON CHECK

P.O. Box 277 Mequon, WI 53092-0277
414-371-5020 1-800-880-1998 Fax 414-371-5021

A D V E N T

Advent Environmental Services, Inc.

September 3, 2003
Project No: 210094.01
Invoice No: 0016645

Mr. Aron Beyder
7210 W. Capitol Drive
Milwaukee WI 53216

Project: 210094.01 FMR EARL'S SERVICE STATION

Site Investigation
TERMS: NET 15 DAYS

Professional Services: August 3, 2003 through August 31, 2003

Professional Personnel

		Hours	Rate	Amount	
Project Mgt.					
Tracy, Jeffrey G.	8/19/03	1.00	105.00	105.00	
Project management - unpaid invoices.					
Totals		1.00		105.00	
Total Labor					**105.00**

Total this invoice **$105.00**

Outstanding Invoices

Number	Date	Balance
0015522	3/6/02	529.19
0015786	7/3/02	336.00
0016158	1/8/03	346.50
Total		**1,211.69**

Total now due **$1,316.69**

PLEASE INCLUDE INVOICE NUMBER ON CHECK

P O Box 277 Mequon, WI 53092-0277
414-371-5020 1-800-880-1998 Fax 414-371-5021

GREAT LAKES ANALYTICAL
140 East Ryan Road
Oak Creek, Wisconsin 53154
Email: info@glalabs.com
(414) 570-9460 FAX (414) 570-9461

INVOICE

Invoice To:
Accounts Payable
Advent Environmental Services - Mequon
P.O. Box 277
Mequon, WI 53092-0277

Invoice Number
W201018-ADV

Invoiced On:
12/31/01

Remit To:
Great Lakes Analytical
P.O. Box 88485, Dept. A
Chicago, Illinois 60680-1485

PO Number

RECEIVED JAN 23 2002

Received
12/18/01

Project
Former Earl's Gas Station

Client
Pete Pavalko
Advent Environmental Services - Mequon

Terms
NET 30

Project Number
210094.01

Project Manager
Andrea Stathas

Work Order(s)
W112161

Quantity	Analysis/Description	Matrix	Unit Cost	Extended Cost
Great Lakes Analytical				
10	Pb Total ICP 6010B [5 day]	Soil	$9.00	$90.00
Great Lakes Analytical--Oak Creek				
10	GRO [5 day]	Soil	$0.00	$0.00
1	GRO Blank [5 day]	MeOH Blank	$0.00	$0.00
10	PVOC + 1,2-DCA + Nap [5 day]	Soil	$65.00	$650.00
1	PVOC + 1,2-DCA+N Blk [5 day]	MeOH Blank	$0.00	$0.00

Invoice Total: $740.00

US BANK
INC
(920) 434-6900
Sherman
Kaboaks.
Sherman
Steele Bank
Chicago
Don Green
Dick
(920) 849-9371

CHAIN OF CUSTODY REPORT

Buffalo Grove, IL 60089-4505
(847) 808-7766
FAX (847) 808-7772

Oak Creek, WI 53154
(414) 570-9460
FAX (414) 570-9461

Client: ADVENT
Address: P.O. Box 277
MEQuon WI 53092
Report to: P. Pavalko
Phone #: ( )
Fax #: ( )

Bill To: C/O: Advent
Address: MEQuon WI
State & Program: WI/PECFA
Phone #: ( )
Fax #: ( )

TAT: 5 DAY 4 DAY 3 DAY 2 DAY 1 DAY < 24 HRS.
DATE RESULTS NEEDED:
TEMPERATURE UPON RECEIPT: on ice
Deliverable Package Needed: ☐ STD ☐ III A ☐ IIIB ☐ Other

Project: Fmr EARL'S GAS STATION
Sampler: PEP
PO/Quote #: 210094.01

FIELD ID, LOCATION Depth	DATE COLLECTED (2001)	TIME COLLECTED	SAMPLE MATRIX	# of Bottles Preservative Used: MeOH	NaHSO4	HCl	HNO3	H2SO4	NaOH	NONE	TOTAL # OF BOTTLES	GRO/PVOC + 1,2 DCA + Naphthalene	LEAD	ANALYSIS TYPE								SAMPLE CONTROL: CRACKED-BROKEN	IMPROPERLY SEALED	GOOD CONDITION	LABORATORY ID NUMBER
1 SB-1A 6-8 PID: 200	12/17	10AM TO	Soil	1						1	2	X	X												W112161-01
2 SB-1B 10-12 PID: 1		3:30 PM		1						1	2	X	X												-02
3 SB-2A 6-8' PID: 1				1						1	2	X	X												-03
4 SB-3A 8-10' PID: 0				1						1	2	X	X												-04
5 SB-4A 4-6 PID: 300				1						1	2	X	X												-05
6 SB-4B 16-18 PID: 10				1						1	2	X	X												-06
7 SB-5A 7-8' PID: 300				1						1	2	X	X												-07
8 SB-5B 14-16' PID: 10				1						1	2	X	X												-08
9 SB-6A 11-12' PID: 220				1						1	2	X	X												-09
10 SB-7A 14-16' PID: 80				1						1	2	X	X												-10
																									-11

RELINQUISHED	RECEIVED	RELINQUISHED	RECEIVED
DATE 12/17/01 TIME	DATE 12/18/01 TIME 10:10	DATE 12-18-01 TIME 1526	DATE TIME
DATE TIME	DATE TIME	DATE TIME	DATE TIME

COMMENTS: GRO/PVOC + 1,2DCA + NAPH = #65
11 MEOH TRIP BLANK - Run for Lead = 9

PAGE 1 OF 1

WISCONSIN
DEPT. OF NATURAL RESOURCES

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor
Darrell Bazzell, Secretary
Gloria L. McCutcheon, Regional Director

Southeast Regional Headquarters
2300 N. Dr. ML King Drive, PO Box 12436
Milwaukee, Wisconsin 53212-0436
Telephone 414-263-8500
FAX 414-263-8483
TTY 414-263-8713

December 6, 2001

Mr. Aron Beyder and Mr. Arkady Brodsky
Auto Repair on Vliet
2481 W. Vliet St.
Milwaukee, WI 53205

Subject: Reported Contamination at Auto Repair on Vliet, 2481 W. Vliet St., Milwaukee, WI

FID: 341043340
BRRTS: 02-41-282021

Dear Mr. Beyder and Mr. Brodsky:

I'm writing this letter to you to make corrections to the responsible party letter sent to you by this Department on October 22, 2001. The City of Milwaukee Redevelopment Authority notified this Department of the soil contamination found on their property adjacent east of your property, at the vacant lot address of 2477-75 W. Vliet Street.

The enclosed map shows the areas that where investigated for soil contamination along the west property line for the vacant lot. Included with this letter is the report from Giles Engineering on the adjacent vacant lot property dated September 19, 2001.

The Department's October 22, 2001 letter should have reflected in the SUBJECT part of the letter, that the reported petroleum contamination occurs at your address of 2481 W. Vliet Street. It should have also explained that the soil contamination found on the Vacant Lot is based on the proximity near the former locations of the buried 55-gallon drums, and former underground storage tanks location found on your property, and the past and current use of both properties.

Therefore, because the original letter may have caused some confusion, the time requirements for submitting the required environmental consultant's name (30 days), workplan and schedule for the investigation (60 days), investigation report, and any other requirements set forth in ch. NR 700 Wis. Admin. Code will commence from the date of this letter.

If you have any questions or comments, please feel free to contact me at the above address or at (414) 263-8644. Please refer to the FID number at the top of this letter in any future correspondence. Future correspondence should be sent directly to the Remediation and Redevelopment Program Assistant Vicky Stovall (263-8680) at the above address.

Sincerely,

John J. Hnat
Hydrogeologist
Remediation and Redevelopment

Enclosure: Giles Engineering Letter Dated September 19, 2001 (with maps)

C: Gregory Shelko, Redevelopment Authority, City of Milwaukee
Richard Reesman, Giles Engineering
WDNR SER Files

GILES
ENGINEERING ASSOCIATES, INC.
GEOTECHNICAL, ENVIRONMENTAL & CONSTRUCTION MATERIALS CONSULTANTS

• Atlanta, GA
• Dallas, TX
• Los Angeles, CA
• Madison, WI
• Milwaukee, WI
• Washington, D.C.

September 19, 2001

RECEIVED
OCT 15 2001
By

Redevelopment Authority
City of Milwaukee
809 North Broadway, 2nd Floor
Milwaukee, WI 53202

Attention: Dr. Rudy Salcedo

Subject: Off-Site Source of Contamination
2469 – 77 West Vliet Street
Milwaukee, Wisconsin
Project No. 1E-0107035

Dear Dr. Salcedo:

In accordance with your request and subsequent authorization, we have conducted a magnetometer survey to search for underground storage tanks (USTs), and we have completed a Limited Phase II Environmental Site Assessment (ESA) to evaluate the soil conditions and groundwater quality on the 2469-77 West Vliet Street Street property (herein referenced as the subject property). The results of the soil and groundwater analyses are summarized on the attached Figures 3A and 4A, respectively.

Based on the information collected to date, it appears that the soil and groundwater on the subject property have been impacted from a release originating from the adjacent auto repair facility property. Therefore, it is recommended that the current conditions of the subject property be reported to the current owner (Aron Beyder and Arkady Brodsky) and to the WDNR so that a Responsible Party letter can be forwarded to the owner of the 2481 West Vliet Street property. It is also recommended that in order to further characterize the conditions of the subject property, additional soil borings need to be advanced by the responsible party to define the extent of the soil contamination and a groundwater investigation be conducted to verify the benzene PAL exceedance. The following paragraphs give a historical review of the subject property and the adjacent property to the west, and also describes in more detail the results of our findings.

A *Phase I ESA* report, dated May 24, 1999, prepared by the City of Milwaukee Health Department and Department of City Development identified that the subject property is a vacant grass lot which covers an area of approximately 0.1 acre. The site is currently owned by the Redevelopment Authority of the City of Milwaukee (RACM). Historically, according to Sanborn Maps, City Directories, and Department of Neighborhood Services (DNS) records indicate that the only development previously existing on the subject property consisted of residential use. Particularly, the City Directories indicated the site was occupied by a residence from 1935 to 1975 and vacant lots to the present. Additionally, Sanborn Maps, dated 1894 with updates through 1969, indicate a residential dwelling fronting onto West Vliet Street and another residential unit located in the rear of the property. Therefore, no known environmental concern is associated with the subject property.

N8 W22350 Johnson Road • Suite A1 • Waukesha, WI 53186
262 / 544-0118 • Fax 262 / 549-5868 • E-Mail milwauke@gilesengr.com

The adjacent property to the west, referenced as 2481 West Vliet Street, is currently occupied by an auto repair facility. The City Directories indicate that the 2481 West Vliet Street property was occupied by a filling station (1940 – 46 and 1985 – 93), an auto repair (1960 – 70) and Mills Oil Company (1965 – 70). The DNS records indicate that the Beaver Gas and Oil Company filed an application on March 8, 1935 to build a new filling station on the 2481 West Vliet Street property. Records also indicate that on January 10, 1989, two UST dispensers and related pipe work were removed from the ground surface.

As part of the *Phase I (ESA)*, City of Milwaukee staff conducted a cursory drive-by and noted two buried 55-gallon drums along the southeast corner of the adjacent auto repair facility adjacent to the subject property. The drums were buried with only the tops exposed. The bung holes did not contain covers. The drums appeared to be full and contained unknown black liquid which was seeping out of the drums and staining the surrounding soils and grass. The contents of the drums appeared to ooze onto the nearby area after heavy rains. City staff notified the Health Department and the Wisconsin Department of Natural Resources (WDNR), alerting them to the apparent illegal storage of potentially hazardous materials. These drums are no longer present, however, it is unknown as to whether these drums were removed from the ground surface or were filled with inert material and buried. Additionally, City records indicated that on March 20, 1979, the Health Department issued an "Order" to the owner of the adjacent auto repair facility. The Health Department "Order" cited that oil cans, oil filters and other miscellaneous containers were being dumped onto the RACM-owned property (subject property).

Based on the historical use of the west adjacent property, the City of Milwaukee had contracted Giles to conduct a Phase II Environmental Site Assessment and a magnetometer survey on the subject property. A total of three soil borings (B1, B2 and B3) were advanced along the western edge of the subject property adjacent to the auto repair facility. The soil borings extended to depths of 16 feet below the ground surface. A shallow sample (top 4 feet) was collected to evaluate the near-surface soils due to the reported dumping activities on the subject property and a deeper soil (below 4 feet) was collected to evaluate the soil conditions near the groundwater table. Additionally, two of the three soil borings were converted to temporary wells in order to obtain water samples to determine if the former tanks located on the auto repair facility had leaked and migrated onto the subject property. The magnetometer survey showed no unknown anomalies that would indicate the presence of any USTs.

Elevated concentrations of lead and polynuclear aromatic hydrocarbons (PAHs) were detected in the near surface soils at concentrations exceeding their respective WDNR Residual Contaminant Level (RCL) based on direct contact for a non-industrial use property. Additionally, elevated diesel range organic (DRO) concentrations were detected above the WDNR RCL of 100 milligrams per kilogram (mg/kg). Only one of the soil samples collected at the deeper depths (4 to 6 feet) contained an elevated DRO concentration above the RCL of 100 mg/kg. Results of the groundwater chemical analysis indicated an elevated benzene concentration of 4.7 micrograms per liter (ug/L) within Soil Boring B3 which is located near the area of the former USTs on the adjacent west property. This benzene concentration exceeds the WDNR Preventive Action Limit (PAL) of 0.5 ug/L. In general, it appears that the surficial soils on the subject property have been impacted with heavier petroleum contaminants which would be

consistent with the reported dumping activities of oil cans and oil filters on the subject property from the adjacent property owner. Additionally, it appears that the groundwater in the northwestern portion of the subject property may be contaminated with petroleum compounds from a release from the underground storage tanks located on the adjacent property to the west. In addition, there is no record of a site assessment or investigation being conducted in association with the removal of those USTs.

If you have any questions or if we can be of any additional assistance, please feel free to call us at (262) 544-0118.

Sincerely,

GILES ENGINEERING ASSOCIATES, INC.

Richard S. Reesman

Richard S. Reesman, P.E.
Project Manager I

Richard A. Kormanik

Richard A. Kormanik, P.E.
Senior Project Manager

Enclosures: Figure 3A – Soil Analytical Results
Figure 4A – Groundwater Analytical Results

Distribution: Redevelopment Authority – City of Milwaukee
Attn: Dr. Rudy Salcedo (2)

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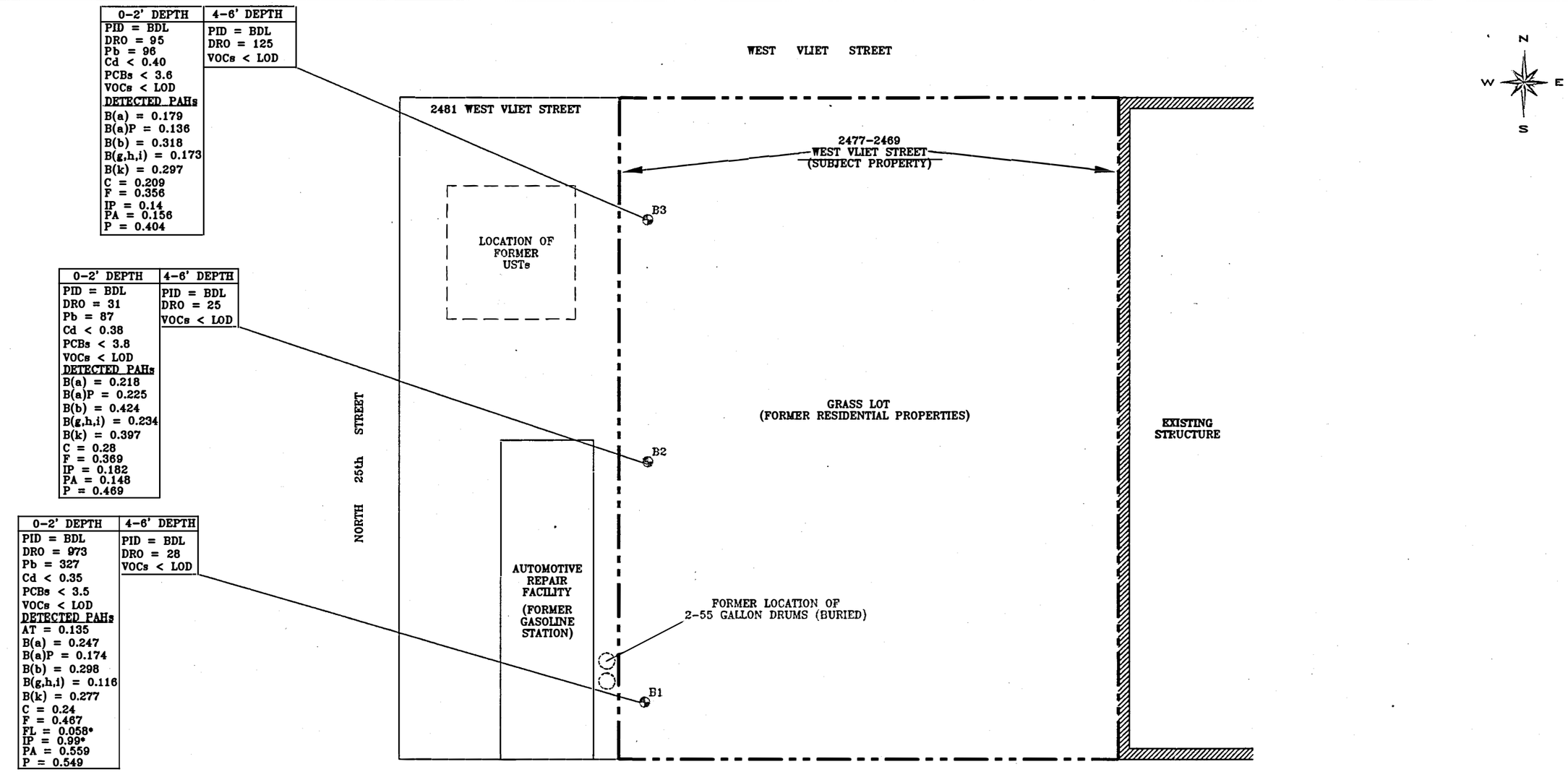

0-2' DEPTH	4-6' DEPTH
PID = BDL DRO = 95 Pb = 96 Cd < 0.40 PCBs < 3.6 VOCs < LOD DETECTED PAHs B(a) = 0.179 B(a)P = 0.136 B(b) = 0.318 B(g,h,i) = 0.173 B(k) = 0.297 C = 0.209 F = 0.356 IP = 0.14 PA = 0.156 P = 0.404	PID = BDL DRO = 125 VOCs < LOD

0-2' DEPTH	4-6' DEPTH
PID = BDL DRO = 31 Pb = 87 Cd < 0.38 PCBs < 3.8 VOCs < LOD DETECTED PAHs B(a) = 0.218 B(a)P = 0.225 B(b) = 0.424 B(g,h,i) = 0.234 B(k) = 0.397 C = 0.28 F = 0.369 IP = 0.182 PA = 0.148 P = 0.469	PID = BDL DRO = 25 VOCs < LOD

0-2' DEPTH	4-6' DEPTH
PID = BDL DRO = 973 Pb = 327 Cd < 0.35 PCBs < 3.5 VOCs < LOD DETECTED PAHs AT = 0.135 B(a) = 0.247 B(a)P = 0.174 B(b) = 0.298 B(g,h,i) = 0.116 B(k) = 0.277 C = 0.24 F = 0.467 FL = 0.058* IP = 0.99* PA = 0.559 P = 0.549	PID = BDL DRO = 28 VOCs < LOD

CHEMICAL KEY:

- -AT: ANTHRACENE
- -B(a): BENZO (a) ANTHRACENE
- -B(a)P: BENZO (a) PYRENE
- -B(b): BENZO (b) FLUORANTHENE
- -B(g,h,i): BENZO (g,h,i) PERYLENE
- -B(k): BENZO (k) FLUORANTHENE
- -C: CHRYSENE
- -F: FLUORANTHENE
- -FL: FLUORENE
- -IP: INDENO (1,2,3-cd) PYRENE
- -P: PYRENE
- -PA: PHENANTHRENE
- -Cd: CADMIUM
- -Pb: LEAD

ABBREVIATIONS:

- -BDL: BELOW DETECTION LIMIT
- -DRO: DIESEL RANGE ORGANICS
- -PID: PHOTOIONIZATION DETECTOR (FIELD)
- -VOC: VOLATILE ORGANIC COMPOUNDS
- -PCB: POLYCHLORINATED BYPHENYLS
- -PAH: POLYNUCLEAR AROMATIC HYDROCARBONS
- -UST: UNDERGROUND STORAGE TANKS

NOTES:

FIELD PID RESULTS EXPRESSED IN INSTRUMENT UNITS

DRO, PAH, Pb, & Cd RESULTS EXPRESSED IN MILLIGRAMS PER KILOGRAM (mg/kg) EQUIVALENT TO PARTS PER MILLION (ppm)

VOC AND PCBs RESULTS EXPRESSED IN MICROGRAMS PER KILOGRAM (ug/kg) EQUIVALENT TO PARTS PER BILLION (ppb)

RESULTS INDICATED IN RED ARE ABOVE THE RESIDUAL CONTAMINANT LEVEL FOR SOIL SET FORTH IN NR 720.09.

RESULTS IN GREEN EXCEED THE RESIDUAL CONTAMINANT LEVEL (RCL) BASED ON DIRECT CONTACT FOR A NON-INDUSTRIAL USE PROPERTY

*: CONCENTRATION DETECTED BETWEEN THE LABORATORY DETECTION LIMIT & QUANTITATION LIMIT

LEGEND:

- B8 — BORING NUMBER & LOCATION
- SUBJECT PROPERTY
- BENCHMARK: TOP FLANGE OF HYDRANT ASSUMED ELEVATION = 100.0'

GILES ENGINEERING ASSOCIATES, INC.
N8 W22350 JOHNSON RD.; WAUKESHA, WI. 53186
(414)-544-0118

FIGURE 3A
SOIL ANALYTICAL RESULTS
2469-2477 WEST VLIET STREET
MILWAUKEE, WISCONSIN

DESIGNED	DRAWN	APPROVED	SCALE	DATE
TJB	RH	X	1" = 20'	09/17/01

PROJECT NO.: 1E-0107035 | CAD NO.: E1070356

State of Wisconsin \ Department of Natural Resources
2300 North Dr. Martin Luther King, Jr. Drive
PO Box 12436
Milwaukee, WI 53212-0436

RECEIVED
NOV 13 2001
By VS

FID# 341043340

November 5, 2001

Aron Beyder
2481 West Vliet Street
Milwaukee, WI 53205

To Whom It May Concern at the Department of Natural Resources:

I am writing to you in regards to the property located on 2481 West Vliet Street in Milwaukee.

I have received your letter containing the limited Phase II assessment. I am currently in the process of gathering the needed information and hiring an environmental consultant as requested. Due to a drastic slow down in our business, I need to request a 30 day extension to complete the requested task.
This will give me enough time to hire a consultant, finish the analysis, and complete possible tests that are needed in order to proceed with completing the work plan required.

Please contact me at the above address or call me at 444-3838 if you have any questions.

Thank you,

Aron Beyder Aron Beyder

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

WISCONSIN
DEPT. OF NATURAL RESOURCES

Scott McCallum, Governor
Darrell Bazzell , Secretary
Gloria L. McCutcheon, Regional Director

Southeast Region Headquarters
2300 N. Dr. Martin Luther King, Jr. Drive
PO Box 12436
Milwaukee, Wisconsin 53212-0436
Telephone 414-263-8500
FAX 414-263-8606
TTY 414-263-8713

October 22, 2001

BRRTS# 02-41-282021
FID#: 341043340

Auto Repair on Vliet

Aron Beyder and
Arkady Brodsky
2481 W. Vliet St.
Milwaukee, WI 53205

RP LTR Re-Sent
12/6/01

SUBJECT: Reported Petroleum Contamination at Vacant Lot, 2477-75 W. Vliet St., Milwaukee

Dear Mr. Beyder and Mr. Brodsky:

On October 11, 2001 the Wisconsin Department of Natural Resources (WDNR) was notified that soil contamination is present at the above-referenced site. Based on the information submitted to the WDNR, we believe you are responsible for restoring the environment at the referenced site under Section 292, Wisconsin Stats., known as the hazardous substances spills law. Utilizing information submitted to the Department, this case has been assigned an unknown ranking due to the lack of information concerning soil and groundwater contamination. Your responsibility to restore this site is as follows:

WDNR Southeast Region Prioritization and Scoring Policy

Due to the WDNR workload, it is necessary to rank all contamination cases for review priority. Lower priority cases do not have assigned project managers, however, responsible parties are required to proceed with investigation and clean-up efforts. Until a priority has been assigned to this site, you should proceed with the required response work, submitting all plans and reports, along with status reports, to this office. The WDNR will notify you if your site will receive active oversight.

Your responsibilities include investigating the extent of the contamination and then selecting and implementing the most appropriate remedial action. Enclosed is information to help you understand what you need to do to ensure your compliance with the spills law.

The purpose of this letter is threefold: 1) to describe your legal responsibilities, 2) to explain what you need to do to investigate and clean up the contamination, and 3) to provide you with information about cleanups, environmental consultants, possible financial assistance, and working cooperatively with the Department of Natural Resources.

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, and 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 Codes chapters NR 700 through NR 728 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. 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 four steps to take:

1. Within 30 days of receipt of this correspondence, please submit written verification (such as a letter from the consultant) that you have hired an environmental consultant. You will need to work quickly to meet this timeline.

2. Within 60 days of receipt of this correspondence, your consultant must submit a workplan and schedule for the investigation. The consultant must follow the DNR administrative codes and technical guidance documents. Please include with your workplan a copy of any previous information that has been completed (such as an underground tank removal report or a preliminary excavation report).

3. Please inform DNR of what is being done at your site. Submittal requirement timelines depend on the contaminants at the site. As described in s. NR 700.11, if the site meets criteria for a "simple site", progress reports must be submitted semi-annually, beginning 6 months from the initial notification date. If the site meets criteria for a "complex site", the site investigation report and a draft remedial options report must be submitted to DNR within 30 days of completion of both reports. Your consultant must clearly document the extent and degree of soil and groundwater contamination and submit a proposal for cleaning it up.

4. For complex sites, per s. NR 724.13(3), you or your consultant must provide a brief report at least every 90 days, starting after the remediation system begins operation. The reports should summarize the work completed since the last report. Quarterly reports need only include one or two pages of text, plus any relevant maps and tables. However, should conditions at your site warrant, we may require more frequent contacts with the Department.

Due to the number of contaminated sites and our staffing levels in DNR's Southeast Region, we will be unable to provide workplan approvals for investigations or remedial actions. To maintain your compliance with the spills law and chs. NR 700 through NR 728, do not delay the investigation and cleanup of your site by waiting for DNR response. We have provided detailed technical guidance to environmental consultants. Your consultant is expected to know our technical procedures and administrative codes and should be able to answer your questions on meeting cleanup requirements.

Your correspondence and reports regarding this site should be sent to:

Victoria Stovall, Program Assistant
Remediation & Redevelopment Program
Wisconsin Department of Natural Resources
Box 12436
Milwaukee WI 53212

Unless otherwise requested, please send only one copy of plans and reports. **To speed processing, correspondence should reference the BRRTS *and* FID numbers shown at the top of this letter.**

Information for Site Owners:
Enclosed is a list of environmental consultants and some tips on selecting one. If you are eligible for reimbursement of costs under Wisconsin's PECFA program (see last paragraph) you will need to compare at least three consultants' proposals before hiring a consultant. Consultants and laboratories working in the PECFA program are required to carry errors and omissions insurance to help protect you against unsuitable work. Also enclosed are materials on controlling costs, understanding the cleanup process, and choosing a site cleanup method. Please read this information carefully.

If you are interested in obtaining the protection of limited liability under s. 292, Stats., please call Margaret Brunette at 414-263-8577 for more information. The liability exemption under s. 292 Stats., is available to persons who meet the definition of "voluntary party" in s. 292.15 and receive DNR approval for the response actions taken at the property undergoing cleanup. The Department will determine eligibility for this program on a case-by-case basis, prior to the "voluntary party" developing a scope of work for conducting a ch. NR 716 site investigation at the property.

Financial Information:
Reimbursement from the Petroleum Environmental Cleanup Fund (PECFA) is available for the costs of cleaning up contamination from eligible petroleum storage tanks. The fund is administered by the Department of Commerce. Please contact Commerce at (608) 266-2424 for more information on eligibility and regulations for this program.

Thank you for your cooperation.

Sincerely,

Victoria Stovall

Victoria Stovall
Program Assistant
Remediation and Redevelopment Program
414-263-8688

c: Redevelopment Authroity of the City of Milwaukee – Gregory Shelko, Assist. Director
Giles Eng. – Richard Reesman, P.E
SER File