WISCONSIN
DEPT. OF NATURAL RESOURCES

State of Wisconsin \ DEPARTMENT 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

February 19, 2010

Mr. Ajit Singh
9525 West Grantosa Drive
Wauwatosa, WI 53222

Cert. No.: 7007 3020 0000 6917 8617

Subject: Intent to File A Notice of Contamination on the Property Known as Spur Gas Station, d.b.a A S Gas 'n GO Located at 1909 West Hopkins Street Milwaukee, WI

FID: 241115270
BRRTS: 03-41-004442
PECFA: 53206-1741-09
Casetrack 2010-SEEE-004
Tax Key: 284-9998-100-9

Dear Mr. Singh:

On January 29, 2010, the Wisconsin Department of Natural Resources ("the Department") sent you a letter requesting your presence at a Notice of Violation meeting with the Department and Commerce on February 17, 2010. Because you did not appear at this meeting, the Department is notifying you and the property's mortgager (Darshan S. Dhaliwal) that it is the Department's intent to record an affidavit at the Milwaukee County Register of Deeds office giving notice of the contamination documented onsite for the above-described site, unless you respond to this letter, **in writing**, by the deadline indicated in this letter.

Section NR 720.05(2), Wis. Adm. Code, requires that remedial actions conducted by responsible parties to address soil contamination shall, at a minimum, meet the soil cleanup standards for the site and Chapter NR 726 requires that responsible parties demonstrate that groundwater exceeding Chapter NR 140, Wis. Adm. Code standards at the time that case closure is requested that are eligible under Chapters NR 726 and 746, Wis. Adm. Code, shall submit a case closure report and GIS Registry documentation to the Department for review to determine all criteria in Chapter NR 726, Wis. Adm. Code has been satisfied. Unless, you can provide to the Department information that clearly demonstrates that there is no environmental contamination on the property.

Therefore, within **21-days** on receipt of this letter, the required Case Closure request and GIS Registry packet for soil and groundwater contamination with the appropriate fees ($1200) must be submitted to the Department. If the Department does not receive a response from you in writing, or the certified letter is undeliverable, or refused, the Department will precede with the filing of the affidavit at the Milwaukee County Registry of Deeds office. You will be sent a draft copy of the affidavit before its filing.

If you have any questions or comments, please feel free to contact me at the above address or at (414) 263-8644.

Sincerely,

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

C: Saji Villoth, WDNR Enforcement & Science, SER
Monica Weis, Department of Commerce, SER
Darshan S. Dhaliwal, Bulk Petroleum, Mequon, WI
WDNR SER Files

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

ASIT SINGH
1909 W. HOPKINS ST.
MILWAUKEE, WI
53206

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) Ajit Singh | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☑ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7007 3020 0000 6917 8235

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

DARSHAN DHALIWAL
BULK PETROLEUM
9653 GRANVILLE RD
MEQUON, WI 53097

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) McAvey | C. Date of Delivery 2-1-10

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

HARTLAND WI FEB - 1 2010 USPS 53092

3. Service Type
☑ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7007 3020 0000 6917 8242

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

UNITED STATES POSTAL SERVICE

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Saji Villoth
WDNR
2300 N. Dr. M L King Drive
Milwaukee, WI 53212

UNITED STATES POSTAL SERVICE

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Saji Villoth
WDNR
2300 N. Dr. M L King Drive
Milwaukee, WI 53212

City of Milwaukee Property Tax Search

ACCOUNT TYPE: REAL ESTATE

TAXKEY/ACCOUNT NO.: 284-9998-100-9

LOCATION OF PROPERTY: 1909 W HOPKINS ST

Room 103

Wayne F. Whittow
City Treasurer

OFFICE OF THE CITY TREASURER
200 E. WELLS ST. - ROOM 103
MILWAUKEE, WISCONSIN 53202-3546

AJIT SINGH
9525 W GRANTOSA DR
MILWAUKEE WI 53222

PLAT PAGE: 284-25

NO BONDS

0

XREF TAXKEY 284-9998-2

LEVY YEAR	DATE LAST PAID	ASSESSMENT LAND	ASSESSMENT IMPROVEMENTS	TOTAL ASSESSED VALUE	ASSESSMENT CLASS CODE	INTEREST CALCULATION DATE
2009		68,600	559,900	628,500	SPECIAL MERCANTILE	02/28/2010

CITY TAX	SPECIALS	COUNTY TAX	LOTTERY CREDIT	TOTAL NET TAX	ACCOUNT STATUS	INSTALLMENT STATUS
12,681.16	1,442.15	3,576.55	0.00	17,699.86	RE DELINQUENT	

LEVY YEAR	NET CITY	NET COUNTY	INTEREST	PENALTY	COST-FEE	LINE TOTAL
2009	14,123.31	3,576.55	177.00	88.50	0.00	17,965.36
2008	12,227.61	3,381.44	2,029.18	1,014.59	0.00	18,652.82

SUMMARY	NET CITY	NET COUNTY	INTEREST	PENALTY	COST-FEE	TOTAL
	26,350.92	6,957.99	2,206.18	1,103.09	0.00	36,618.18

For more information about property taxes, you may contact the City of Milwaukee, Office of the City Treasurer, at (414) 286-2240 between 8:00 am - 4:45 pm Central Time, Monday thru Friday.

Please note that the City of Milwaukee does not warrant the accuracy of the information which is hereby made available. Use of the information is at the risk of the user.

This document was generated on February 23, 2010 , at 09:20:06.7 from http://itmdapps.ci.mil.wi.us/accountBalance/

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RECEIVED

FEB 25 2010

ERS DIVISION
MILWAUKEE

February 19, 2010

Mr. Ajit Singh
9525 West Grantosa Drive
Wauwatosa, WI 53222

Cert. No.: 7007 3020 0000 6917 8617

Subject: Intent to File A Notice of Contamination on the Property Known as Spur Gas Station, d.b.a A S Gas 'n GO Located at 1909 West Hopkins Street Milwaukee, WI

FID: 241115270
BRRTS: 03-41-004442
PECFA: 53206-1741-09
Casetrack 2010-SEEE-004
Tax Key: 284-9998-100-9

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Section NR 720.05(2), Wis. Adm. Code, requires that remedial actions conducted by responsible parties to address soil contamination shall, at a minimum, meet the soil cleanup standards for the site and Chapter NR 726 requires that responsible parties demonstrate that groundwater exceeding Chapter NR 140, Wis. Adm. Code standards at the time that case closure is requested that are eligible under Chapters NR 726 and 746, Wis. Adm. Code, shall submit a case closure report and GIS Registry documentation to the Department for review to determine all criteria in Chapter NR 726, Wis. Adm. Code has been satisfied. Unless, you can provide to the Department information that clearly demonstrates that there is no environmental contamination on the property.

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If you have any questions or comments, please feel free to contact me at the above address or at (414) 263-8644.

Sincerely,

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

C: Saji Villoth, WDNR Enforcement & Science, SER
Monica Weis, Department of Commerce, SER
Darshan S. Dhaliwal, Bulk Petroleum, Mequon, WI
WDNR SER Files

J. HNAT

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Milwaukee, Wisconsin 53212-3128
FAX 414-263-8606
Telephone 414-263-8500
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January 29, 2010

Mr. Ajit Singh
Spur Gas Station #223
d.b.a. A S Gas 'n Go
1909 W. Hopkins St.
Milwaukee, WI 53206

Casetrack 2010-SEEE-004
BRRTS 03-41-004442
FID 241115270
PECFA 53206-1741-09

NOTICE OF VIOLATION

The Department of Natural Resources (Department) has reason to believe that the Spur Gas Station #223, located 1909 W. Hopkins St., City of Milwaukee, Milwaukee County, is in violation of state regulations concerning remediation of hazardous spills. You are receiving this letter because you have been identified by the Department as a responsible party, as defined in Chapter 101, Wis. Stats.

According to s. 101.144 (1)(d), Wis. Stats.:

> "Responsible person" means a person who owns or operates a petroleum storage tank, a person who causes a discharge from a petroleum storage tank or a person on whose property a petroleum storage tank is located.

According to s. 292.11(3), Wis. Stats., Hazardous substance spills :

> (3) 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 this state.

Ajit Singh (Singh) was identified as a responsible party as of August 24, 1994, when he reported petroleum contamination at the Spur #223 station during removal of two underground storage tanks. Darshan Dhaliwal (Dhaliwal) was notified on March 15, 2007, that he was a responsible party because Dhaliwal was the property owner at the time the Department was informed about the petroleum contamination in 1994. Neither party has submitted information to the Department that indicates otherwise.

Section 720.05(2), Wis. Adm. Code, requires that remedial actions conducted by responsible parties to address soil contamination shall, at a minimum, meet the soil cleanup standards for the site. The Department cannot determine whether the cleanup has met soil cleanup standards until a closure request is submitted by the responsible parties once the remediation is completed and is reviewed by the Department. "Site closure" as defined in s. NR 746.03 (22), Wis. Adm. Code, means a determination that applicable groundwater quality standards have been met by the remediation. To date, no closure request has been submitted.

Because this is an open site, the responsible parties are expected to comply with monitoring and reporting requirements as listed below:

According to s. 724.13, Wis. Adm. Code, Operation and maintenance.
(3) Progress reports. Unless otherwise directed by the department, for sites or facilities classified as complex under s. NR 700.09 (2) and for sites or facilities where a responsible party chooses to proceed with the complex site process, responsible parties shall submit quarterly progress reports to the department in accordance with this subsection.

- *Neither Singh nor Dhaliwal have submitted quarterly progress reports since the NTC report of May 14, 2009. At least two quarterly reports are currently pending.*

According to s. 724.17, Wis. Adm. Code, Long-term monitoring.
(1) GENERAL. Responsible parties shall conduct all necessary and appropriate long-term monitoring at a site or facility in accordance with all of the requirements of this section and any other applicable public health and environmental laws.

- *Neither Singh nor Dhaliwal have submitted any long-term monitoring reports since the NTC report of May 14, 2009.*

Department records indicate that Bulk Petroleum Corporation (BPC) and Singh retained NTC Services, LLC (NTC) in 2007, to install three monitoring wells, excavate contaminated soils, and to provide monitoring and reporting services (letter from BPC to John J. Hnat dated March 22, 2007). On May 14, 2009, NTC submitted a "Groundwater Monitoring and Over-Excavation Report" which recommended that the site be reviewed for closure, as per Ch. 726, Wis. Adm. Code.

Based on the report, the Department and Dept. of Commerce (Commerce) determined that the scope of work from bid round 31 was complete, and Commerce informed Singh on July 6, 2009 (copy sent to NTC) that Commerce was approving $2,682.01 towards preparing and submitting a closure request and a complete soil and groundwater GIS registry packet. The Commerce letter reminded Singh that groundwater monitoring wells cannot be abandoned until the closure is approved, and that annual reports are required to be submitted until the case is closed.

The potential violations listed in this NOV can be resolved immediately if the responsible parties utilize the Commerce allocation to submit the closure plan for review.

To discuss this issue, a meeting has been scheduled for:

Date: February 17, 2010
Time: 10:00 AM
Place: Southeast Region Headquarters
2300 N. Dr. M L King Drive, Milwaukee

Please come prepared to discuss this matter in detail, including any reports, contracts, deeds, etc. that will help reach a resolution. The Department is authorized to pursue orders, refer a case to the Dept. of Justice, or record an affidavit at the office of the register of deeds for the county in which the property is located which indicates that contamination from a hazardous substance discharge has been identified on the property and has not been adequately remediated and gives notice to the public, and any prospective purchaser, of the existing contamination and the environmental liability associated with the property.

If you have any questions, you may contact me at (414) 263-8490, or John Hnat at (414) 263-8644.

Sincerely,

Saji Villoth
Environmental Enforcement

C: M. Weis, Dept of Commerce
J. Hnat, RR
RR/5

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Matthew J. Frank, Secretary
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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

January 29, 2010

Mr. Darshan Dhaliwal
Bulk Petroleum Corporation
9653 N. Granville Rd.
Mequon, WI 53097-3504

Casetrack 2010-SEEE-004
BRRTS 03-41-004442
FID 241115270
PECFA 53206-1741-09

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Saji Villoth
Environmental Enforcement

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J. Hnat, RR
RR/5