

**From:** James, Andrew G - DNR  
**Sent:** Thursday, July 30, 2020 2:05 PM  
**To:** 'donacraig@gmail.com'  
**Cc:** 'douglashahn@mennlaw.com!'; Borski, Jennifer - DNR; Roxanne N - DNR Chronert (Roxanne.Chronert@wisconsin.gov)  
**Subject:** Regarding Property at 110 West Cecil Street, Neenah, WI 54956  
**Attachments:** 20200730\_3\_NON.pdf

Mr. Craig Donaldson,

I am forwarding you an electronic copy of a letter from the Wisconsin Department of Natural Resources (WDNR) that will be sent by certified mail regarding property owned by H & J investments LLC in Care Of The Estate of Janice Donaldson, located at 110 West Cecil Street, Neenah, WI 54956. The certified letter will be sent to the mailing address for 110 West Cecil Street, Neenah, WI 54956, as listed in the Winnebago County Tax records which is as follows:

H & J Investments LLC  
N2018 Domain Dr.  
Kaukauna WI 54130

Please contact your WDNR project manager, Jennifer Borski ([Jennifer.Borski@wisconsin.gov](mailto:Jennifer.Borski@wisconsin.gov)) or at (920) 360-0853, with any questions you may have.

Sincerely,  
Andy James

**We are committed to service excellence.**

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

**Andrew James**

Hydrogeologist Remediation & Redevelopment Program  
Wisconsin Department of Natural Resources  
2984 Shawano Avenue  
Green Bay, WI 54313  
Phone: 920-662-5149 (Voicemail only)  
Cell: 920-883-2267

[Andrew.James@wisconsin.gov](mailto:Andrew.James@wisconsin.gov)





July 30, 2020

**CERTIFIED MAIL**

H & J INVESTMENTS LLC  
C/O ESTATE OF JANICE DONALDSON  
CRAIG DONALDSON  
N2018 DOMAIN DR  
KAUKAUNA WI 54130-9478

Subject: First Notice of Intent to File Deed Affidavit per Wis. Admin. Code § NR 728.11  
Action Required by August 10, 2020  
Donaldson's One Hour Cleaners (Former), 110 West Cecil Street, City of Neenah, WI  
BRRTS # 02-71-110797

Dear Mr. Donaldson:

This letter is to notify you that you that the Wisconsin Department of Natural Resources ("department") intends to file a deed affidavit under Wisconsin Administrative Code (Wis. Admin. Code) § NR 728.11 with the Winnebago County register of deeds for the parcel with a mailing address of 110 West Cecil Street, Neenah, Wisconsin (the "Property").

Below is a timeline of major events regarding the Property:

- On June 20, 2017, the department sent a *Case Closure Denial for Additional Investigation and Remedial Action for the case*.
- On August 30, 2017, the department issued H&J Investments, LLC a notice of non-compliance.
- On March 29, 2019, the department issued H&J Investments, LLC a notice of violation.
- On April 17, 2019, the department held an enforcement conference that included H&J Investments, LLC.
- On February 3, 2020, you signed a Consent to Service of Raze Order for the building located at the Property on behalf of H&J Investments, LLC.
- Subsequently that Order was executed, and on March 26, 2020, the department received confirmation that the building had been razed.
- On February 25, 2020, the department issued a Notice of Intent to Incur Expenses.
- On June 24, 2020, the department issued a revised Notice of Intent to Incur Expenses.
- On July 2, 2020, in response to the department's Notice of Intent to Incur Expenses, Attorney Douglas Hahn of Menn Law Firm Ltd. representing H&J Investments, LLC, stated that the company had no assets and is financially insolvent.

The obligations outlined in the January 7, 2013, Responsible Party (RP) letter, to date, have not been adequately addressed. For these reasons the department may initiate further action including initiating the recording of an affidavit on the property for the purposes of notifying potential purchasers of the liability associated with ownership of the property, unless the department receives an adequate response by August 10, 2020.

Your legal responsibilities are defined both in Wis. Stat. ch. 292 and Wis. Admin. Code chs. NR 700 - 754 and are also described in the January 7, 2013, RP letter. In particular, Wis. Stat. § 292.11(3), states:

July 30, 2020  
H&J Investments, LLC  
C/O Estate of Janice Donaldson  
Craig Donaldson  
Notice of Intent to File Deed Affidavit  
Donaldson's One Hour Cleaners (Former) – BRRTS # 02-71-110797

**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 the items outlined in the June 20, 2017, *Case Closure Denial for Additional Investigation and Remedial Action* letter as well as the January 7, 2013, RP letter have not been adequately addressed.

**Notice of Deed Affidavit**

If you do not to move forward with the necessary response actions at your Property, the department intends to file a deed affidavit on the Property per Wis. Admin. Code § NR 728.11(2), which states:

Where the department has information to demonstrate that the source of contamination is on the property and the property owner or other responsible party has failed to take adequate response action, the department may record an affidavit at the office of the register of deeds for the county in which the property is located...”

This affidavit would provide notice to the public, and any prospective purchaser, of the existing contamination and the environmental liability associated with the Property.

**Response Requested**

The department is requesting that by August 10, 2020, you respond in writing with a workplan which outlines your intent to further investigate and remediate the site. If the department does not receive a response or receives a response indicating the property will not be promptly investigated and remediated, the department will send a second letter by certified mail, indicating the department's decision to record an affidavit at the Winnebago County register of deeds office under Wis. Admin. Code § NR 728.11(2)(b).

If you have questions, please contact Jennifer Borski at (920) 360-0853 or [Jennifer.borski@wisconsin.gov](mailto:Jennifer.borski@wisconsin.gov). Thank you for your attention to this matter.

Sincerely,



Roxanne N. Chronert  
Team Supervisor, Northeast Region  
Remediation & Redevelopment Program

cc: Craig Donaldson, H & J Investments, LLC / Estate of Janice Donaldson – ([donacraig@gmail.com](mailto:donacraig@gmail.com))  
Douglas Hahn, Menn Law Firm Ltd. – ([douglashahn@mennlaw.com](mailto:douglashahn@mennlaw.com))

**From:** James, Andrew G - DNR  
**Sent:** Thursday, July 30, 2020 2:12 PM  
**To:** 'Douglas-Hahn@mennlaw.com'  
**Cc:** 'donacraig@gmail.com'  
**Subject:** FW: Regarding Property at 110 West Cecil Street, Neenah, WI 54956  
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Attorney Hahn,

Thank you for speaking with me today regarding this letter. I apparently did not have the correct email address for you so I am forwarding you the message that was just sent out. Could you please confirm you have received this correspondence?

Thank You,  
Andy James

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**Andrew James**

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**Cc:** 'douglashahn@mennlaw.com' <[douglashahn@mennlaw.com](mailto:douglashahn@mennlaw.com)>; Borski, Jennifer - DNR <[Jennifer.Borski@wisconsin.gov](mailto:Jennifer.Borski@wisconsin.gov)>; Roxanne N - DNR Chronert ([Roxanne.Chronert@wisconsin.gov](mailto:Roxanne.Chronert@wisconsin.gov)) <[Roxanne.Chronert@wisconsin.gov](mailto:Roxanne.Chronert@wisconsin.gov)>  
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