



August 12, 2020

**CERTIFIED MAIL**

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

Subject: Notice of Intent to File Notice of Contamination Affidavit per Wis. Admin Code § NR 728.11(2)(b), Donaldson's One Hour Cleaners (Former), 110 West Cecil Street, City of Neenah, WI. – BRRTS # 02-71-110797

Dear Mr. Donaldson:

On July 30, 2020, the Department of Natural Resources ("department") sent you a letter requesting a site update for the above referenced Property. The department did not receive an adequate response to the previous request within the allotted timeframe.

In accordance with Wis. Admin. Code § NR 728.11(2)(b), you are hereby notified that the department intends to record an affidavit at the county register of deeds office giving notice of contamination at the Property at 110 West Cecil Street, in the City of Neenah, WI, unless you **respond to this second letter in writing, within 30 days of receiving this letter (date of delivery confirmation), informing the department of your plans to finish the necessary environmental response actions at this site.** As part of this response, please include the name and contact information of your environmental consultant.

In accordance with Wis. Admin. Code § 728.11(2)(c), if an acceptable response is not received within the time period set forth in this letter, the department may, as soon as practicable but in no case less than 15 days after the 30-day deadline, record the Notice of Contamination Affidavit at the office of the register of deeds for the county in which the Property is located. A copy of the Notice of Contamination Affidavit to be filed is enclosed with this letter. Please review this document including the legal description for accuracy and respond to the department if any errors are identified.

Your prompt attention to this request is appreciated. If you have any questions regarding this notice or how to move your site forward, please contact Jennifer Borski in writing at the letterhead address, by phone at (920) 360-0853 or by email at [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. – ([douglas-hahn@mennlaw.com](mailto:douglas-hahn@mennlaw.com))

Enc: Copy of Deed Affidavit to Be Filed

Wis. Admin. § NR 728.11  
NOTICE OF CONTAMINATION

Legal Description of the Property:

The East Forty (40) feet of Lot Twelve (12) of Block Two (2) in REPLAT OF AIRPORT HEIGHTS, in the Second Ward, City of Neenah, Winnebago County, Wisconsin

AND

Lot Eleven (11) and the West Twenty (20 feet of Lot twelve (12) of Block Two (2) in REPLAT OF AIRPORT HEIGHTS, in the Second Ward, City of Neenah, Winnebago County, Wisconsin.

Recording Area

Name and Return Address:  
Wisconsin Department of Natural Resources  
Attn: Andy James  
2984 Shawano Avenue  
Green Bay, WI 54313

STATE OF WISCONSIN     )  
  )ss  
COUNTY OF WINNEBAGO    )

80204150100

Parcel Identification Number (PIN)

I, Roxanne N. Chronert, being first duly sworn, state that:

1. I am a Remediation and Redevelopment Program Supervisor, employed by the Wisconsin Department of Natural Resources (hereinafter "the Department") at its Northeast Regional Office.
2. I have personal knowledge of the facts herein set forth and believe the same to be true.
3. The Department has determined that Chlorinated Volatile Organic Compounds (CVOCs) have discharged to the property at 110 West Cecil Street, in the City of Neenah, County of Winnebago, WI ("the Property"), and which has the above legal description.
4. The Department has determined that soil, groundwater and vapor contamination has been identified on the Property which has not been adequately defined or remediated and further investigation must occur.
5. On January 7, 2013, the Department sent a letter to H & J Investments, LLC, advising of the statutory requirement to restore the environment at that location. Since that time, H & J Investments, LLC, has not taken the necessary steps in order to comply with Wis. Admin. Code §§ NR 700 to 754.
6. Per Wis. Admin. § NR 728.11(2)(a), on July 30, 2020, the Department sent an electronic copy of a letter, which was sent by certified mail on August 6, 2020, to H & J Investments, LLC, advising that a notice of contamination would be recorded if satisfactory action to address the environmental contamination did not commence. As discussed with Attorney Doug Hahn, representing H & J Investments, LLC, that letter requested a written response by August 10, 2020, to indicate the contamination at the Property would be addressed. No response to that letter has been received by the Department.

**AFFIDAVIT**

In Re: Property Located in the  
City of Neenah  
Winnebago County, Wisconsin  
Described above.

- 7. Per Wis. Admin. § NR 728.11(2)(b), on August 12, 2020, the Department sent a letter, by certified mail, to H & J Investments, LLC and advising that the Department has made the decision to record a notice of contamination for the above-described property at the county Register of Deeds office. The 30-day response time set out in the letter has expired. Additionally, per Wis. Admin. § NR 728.11(2)(c), the 15-day waiting period since that deadline, required by Wis. Admin. § NR 728, has passed without an acceptable response.
- 8. Because the Department believes that CVOCs currently found in the soil and groundwater on the Property with the above legal description, will continue to discharge into the environment, subsequent purchasers of the Property could be held responsible for investigation and cleanup costs under Wis. Stat. § 292.11(3). Subsequent purchasers of the Property may contact the Department of Natural Resources Northeast Regional Office for information regarding contamination at the Property.

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

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public, State of Wisconsin

My commission expires on: \_\_\_\_\_

**From:** James, Andrew G - DNR  
**Sent:** Tuesday, August 11, 2020 2:10 PM  
**To:** donacraig@gmail.com; Douglas Hahn  
**Cc:** Borski, Jennifer - DNR  
**Subject:** Draft Deed Affidavit For Review - Notice of intent to File a Notice of Contamination - 110 W. Cecil St. Neenah, WI  
**Attachments:** 20200812\_15\_Deed\_Aff\_Intent\_Notice.pdf

Mr. Donaldson and Mr. Hahn,  
As discussed, attached is the draft Notice of Contamination. Please review the document to ensure there are no errors and that the property description is accurate. A hard copy was sent by certified mail today as required by code. Please let me know if you have any questions or if the legal document contains an error. Thank you for your attention to this matter.

Sincerely,  
Andy James

**\*\*Please note my WDNR contact number has changed to 715-527-0114. To ensure you are able to contact me by telephone, please use this number exclusively\*\***

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#### Andrew James

Hydrogeologist Remediation & Redevelopment Program  
Wisconsin Department of Natural Resources  
2984 Shawano Avenue  
Green Bay, WI 54313  
Cell: 715-527-0114  
[Andrew.James@wisconsin.gov](mailto:Andrew.James@wisconsin.gov)



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