



June 16, 2021

CERTIFIED MAIL

CITY OF OCONTO FALLS
ATTN: VICKI ROBERTS
CITY ADMINISTRATOR
PO BOX 70
OCONTO FALLS WI 54154

Subject: First Notice of Intent to File Deed Affidavit per Wis. Admin. Code § NR 728.11
Falls Auto Salvage - LGU, 201 North Main Street, City of Oconto Falls, WI
BRRTS # 03-43-111921

Dear Ms. Roberts:

This letter is to notify you that Wisconsin Department of Natural Resources (“department”) intends to file a deed affidavit with the Oconto County register of deeds office for property owned by the City of Oconto Falls (“City”) under the authority of Wisconsin Administrative (Wis. Admin.) Code § NR 728.11 unless the City takes the actions noted below. The property is identified by parcel # 266-07-07715265 and located at 201 North Main Street, Oconto Falls, Wisconsin (the “Property”).

Historically the Property was a gas station as noted on a 1940 Sanborn Map. A car dealership existed on the Property until it was leased to Midland Cooperative and operated as a commercial petroleum sales and automobile repair shop until 1978. After 1978, the Property was owned and operated as an automobile salvage lot until it was abandoned by the owner. The Property was then involved in the Brownfields Environmental Assessment Pilot (BEAP) Program which determined that contamination had been released to the environment likely from historic uses of the Property. The results of the BEAP Program assessment confirmed volatile organic compounds and metal contamination in groundwater and concluded a high probability of similar contamination in soil.

The City took ownership of the Property in the late 1990s due to tax delinquency. The City demolished the building on the Property and reportedly removed the underground storage tanks used onsite to store petroleum products. The site is currently a parking lot owned by the City.

The City is currently exempt from conducting additional clean-up at the Property under the Local Government Unit (LGU) Liability Exemption found at Wis. Stat. § 292.11(9)(e). It is the intent of the department to record a deed affidavit as a notice of contamination for the purpose of notifying prospective purchasers of the environmental liability associated with ownership of the property. This affidavit would provide notice to the public, and any prospective purchaser, of the existing contamination at the Property.

Response Requested

The City of Oconto Falls continues to maintain the LGU Liability Exemption status and is not considered to be out of compliance. The department will send a second notice of intent to record the deed affidavit and notice of contamination unless the City responds by **July 16, 2021**, indicating that the Property will be promptly investigated and remediated in compliance with applicable statutes and rules or provides information which clearly demonstrates that there is no environmental contamination on the Property (Wis. Admin. Code § NR

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City of Oconto Falls
Ms. Vicki Roberts – City Administrator
Notice of Intent to File Deed Affidavit
Falls Auto Salvage - LGU – BRRTS # 03-43-111921

728.11(2)(a)). Should the City decide to move forward with the environmental investigation, the department is requesting by **July 16, 2021**, you respond in writing with a workplan which outlines your intent to further investigate and remediate the Property.

Notice of Deed Affidavit

If the department does not receive a workplan as described above or evidence which clearly demonstrates that there is no environmental contamination on the Property by **July 16, 2021**, the department will send a second letter including a draft affidavit by certified mail, indicating the department's decision to record an affidavit at the Oconto County register of deeds office under Wis. Admin. Code § NR 728.11(2)(b).

If you have questions, please contact Andy James at (715) 527-0114, or Andrew.James@wisconsin.gov. Thank you for your attention to this matter.

Sincerely,



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

cc: Attorney Larry Jeske, City of Oconto Falls, (attorney@ci.ocontofalls.wi.us)

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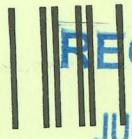
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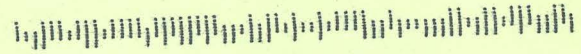
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Wisconsin Dept. of Natural Resources
Attn: Andy James
2984 Shawano Ave
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City of Oconto Falls
Attn: Vicki Roberts, City Administrator
PO Box 70
Oconto Falls, WI 54154



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2. Article Number (Transfer from service label)

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 Addressee

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Nancy M. Brye 6-21-21

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