



July 20, 2020

CERTIFIED MAIL

CITY OF OCONTO FALLS
ATTN: VICKI ROBERTS - CITY ADMINISTRATOR
500 NORTH CHESTNUT AVENUE
PO BOX 70
OCONTO FALLS WI 54154

Subject: Second Notice of Intent to File Notice of Contamination Affidavit per Wis. Admin. Code § NR 728.11(2)(b), Falls Auto Salvage - LGU, 201 North Main Street, City of Oconto Falls, WI
BRRTS # 03-43-111921

Dear Ms. Roberts:

The Department of Natural Resources (“department”) understands and recognizes the City of Oconto Falls is a local governmental unit (LGU) subject to the exemption under Wis. Stat. § 292.11(9)(e). The purpose of this letter is to complete the process necessary to record a notice of contamination.

On June 16, 2021, the department sent you a letter advising you of the intent to file a deed affidavit as a notice of contamination for the property located at, 201 North Main Street, in the City of Oconto Falls, WI (the “Property”). The department advised that it would proceed with filing the notice of contamination if an adequate response was not received by July 16, 2021. To date, the department did not receive an adequate response to this 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 for the Property, 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 environmental response actions at this site.** The City of Oconto Falls continues to maintain the LGU Liability Exemption status and as such is not required to take any action. However, if you choose to take action in response to this letter, the department is asking as part of your response, to 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.

July 20, 2021
City of Oconto Falls
Ms. Vicki Roberts – City Administrator
Second Notice of Intent to File Notice of Contamination Affidavit
Falls Auto Salvage - LGU – BRRTS # 03-43-111921

If you have any questions regarding this letter or how to move your site forward, please contact Andy James in writing at the letterhead address, by phone at (715) 527-0114, or by email at Andrew.James@wisconsin.gov. Thank you for your attention to this matter.

Sincerely,



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

Enc: Deed Affidavit to be Filed (Draft)

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

Wis. Admin. § NR 728.11
NOTICE OF CONTAMINATION

Legal Description of the Property:

Commencing at the most western corner of the intersection of Main Street and Caldwell Avenue, running thence Northwesterly along Southwesterly line of Main Street, a distance of 79 feet to a point; thence Westerly a distance of 80 feet to a point; thence at right angles Southerly a distance of 79 feet more or less to the Northwesterly line of Caldwell Avenue; thence Northeasterly along Northwesterly line of Caldwell Avenue to place of beginning; said parcel of land being a part of Block 3, Cladwell's First Addition to Oconto Falls, and being part of Lots 7 & 8, Block 3, Caldwell's Addition to Oconto Falls and parts of Outlots 14 & 15 of the NW ¼ of the NW ¼, Section 25, Township 28 North, Range 19 East. Assessor's Plat Book of Oconto Falls

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 OCONTO)

266-07-07715265

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 Volatile Organic Compounds (VOCs) and metals have discharged to the property with the former address of 201 North Main Street, in the City of Oconto Falls (City), County of Oconto, WI (the "Property"), which has the above legal description.
4. The department has determined that soil gas and groundwater contamination has been identified on the Property which has not been adequately defined or remediated and further investigation must occur.
5. Per Wis. Admin. Code § NR 728.11(2)(a), on June 16, 2021, the department sent by certified mail, a notice to the City advising that a notice of contamination would be recorded if satisfactory action to address the environmental contamination did not commence. That letter requested a response by July 16, 2021, to indicate the contamination at the Property would be addressed or evidence which clearly shows (such as laboratory data) that no contamination remains at the site. No response to that letter has been received by the department.
6. Per Wis. Admin. Code § NR 728.11(2)(b), on July 20, 2021, the Department sent a letter, by certified

AFFIDAVIT

In Re: Property Located in the
City of Oconto Falls
Oconto County, Wisconsin
Described above.

mail, to the City 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 provided in the letter has expired. Additionally, per Wis. Admin. Code § NR 728.11(2)(c), the 15-day waiting period from that deadline, as required by Wis. Admin. Code ch. NR 728, has passed without an acceptable response.

- 7. The department believes that the source of VOC and metal contamination found in groundwater, originates from contaminated soil located on the Property, with the above legal description. The department believes these contaminants will continue to discharge to the environment and 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: _____

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500 N. Chestnut Ave PO Box 70

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Oconto Falls WI; Oconto Falls WI



PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

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SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- 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:

City of Oconto Falls
 Attn: Vicki Roberts
 500 N. Chestnut Ave
 PO Box 70
 Oconto Falls WI 54154



9590 9402 5897 0049 1522 80

2. Article Number (Transfer from service label)

7020 0090 0001 0565 8980

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *E. Waller* Agent
 Addressee

B. Received by (Printed Name)

E. Waller

C. Date of Delivery

7/26/21

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

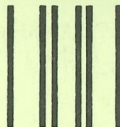
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PS Form 3811, July 2015 PSN 7530-02-000-9053

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**DEPARTMENT OF NATURAL RESOURCES
NORTHEAST REGION HEADQUARTERS
2984 SHAWANO AVENUE
GREEN BAY WI 54313-6727**

Att: Awrly James

