



**State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES**

Scott McCallum, Governor  
Darrell Bazzell, Secretary  
Ronald W. Kazmierczak, Regional Director

Oshkosh Service Center  
625 East County Road Y, STE 700  
Oshkosh, Wisconsin 54901-9731  
TELEPHONE 920-424-3050  
FAX 920-424-4404

**SENT CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

June 19, 2002

Frederick G. Van Handel  
P.O. Box 164  
Little Chute, WI 54140

**SUBJECT:** Request for Reimbursement of Costs Associated with the Investigation of Contamination and Notification of Intent to File Lien - Frederick Van Handel Property, 2655 Hwy. 116 (former Panzen Transfer Property), Village of Waukau, Town of Rushford, Winnebago, Wisconsin  
WDNR BRRTS Case #: 03-71-120368

Dear Mr. Van Handel,

On October 31, 2000, the Department of Natural Resources (Department) sent a letter to you indicating that it was going to proceed with an investigation of the contamination found on property you own, located in the Village of Waukau, Town of Rushford, Winnebago County, (hereinafter "the Property"), more specifically described as follows:

Lots One (1), Two (2) Ten (10) and the Westerly ½ of an alley (now abandoned) lying easterly of and adjacent to said Lots One (1) and Two (2) and between the extended Northerly line of said Lot One (1) and the extended Southerly line of said Lot Two (2) and the Easterly ½ of an alley (now abandoned) lying Westerly of and adjacent to said Lot Ten (10) and between the extended Northerly and Southerly lines of said Lot Ten (10) all in Block "H" in the Plat of the Town of Waukau, in the Village of Waukau, Town of Rushford, Winnebago County, Wisconsin and,

The Easterly Eighty (80) feet of Lot Ten (10) of Block "H" in the Plat of the Town of Waukau, in the Village of Waukau, subject to a right of way over an across the Westerly Fourteen (14) feet thereof and,

The Northerly Ten (10) feet, front and rear, of the Easterly Eighty (90) feet of Lot Nine (9) of Block "H" in the Plat of the Town of Waukau, in the Village of Waukau.

The letter also notified you that under s. 292.11(7)(a), Wis. Stats., you could be liable for the expenses incurred by the Department in investigating the contamination on the Property and that unless reimbursed for its costs, the Department, relying on s. 292.81(4), Wis. Stats., the Department could file a lien on the Property.

Since then the Department has conducted an investigation under a state contract.

Beginning in September of 2000 the Department investigated the contamination existing on the Property. Using its authority under s. 292.11, Wis. Stats, the Department contracted with Omni Associates, Inc. (Omni) to investigate the contamination at the Property. Costs incurred by the



Department, including staff time and expenses incurred in overseeing the investigation and contractors working for the Department, to date, total \$19,958.59. An invoice for these amounts are provided with this letter.

Under the authority of s. 292.11, (7)(b), Stats., the Department has the authority to recover all actual and necessary expenses incurred in this investigation. This letter and enclosed invoice constitutes the Department's formal request for reimbursement of the costs associated with the investigation of the contamination on the Property. Please remit the amount due in a check payable to the Department of Natural Resources within thirty (30) days of the invoice date. You may send your payment to me at the address in the letterhead. Failure to respond to this letter within thirty (30) days of the date of this letter may result in referral to the Department of Justice for collection of costs incurred. You are encouraged to contact your insurance company, as some costs associated with the cleanup may be covered by any policy you may have. Should you be unable to afford to pay the entire amount immediately, the Department is willing to arrange an installment payment plan. If you are interested in such a plan, please contact the Department immediately.

The Department is also notifying you, in accordance with s. 292.81(4), Wis. Stats., that sixty (60) days after the date of this letter, unless you have reimbursed the Department for the \$19,394.52 in costs associated with the investigation of the contamination on your Property, the Department will file the attached lien on the Property you own in the Village of Waukau, Town of Rushford, more specifically described above, with the Register of Deeds in Winnebago County. The purpose of the lien is to provide a mechanism for the Department to recover the \$19,394.52 expended for the costs incurred by the Department in investigating the contamination on the Property. After the lien is filed, it will remain on the Property until the funds are recovered.

If you have any questions, please feel free to call me at the number below. You can reach Attorney Joe Renville in regard to any financial or lien questions in Madison at (608) 266-9454.

Sincerely,



Kevin McKnight  
Hydrogeologist  
Bureau for Remediation & Redevelopment  
(920) 424-7890

Encl.

cc: Atty. J. Renville – Madison, LS/5  
Anne Brey – Green Bay  
Bruce Urben – Green Bay

Document Number

**DRAFT LIEN**

Under the authority of s. 292.11 (7) (a), Wis. Stats., the Department of Natural Resources (" the Department") has expended funds to investigate and remove hazardous substances on property owned by Frederick G. Van Handel.

Frederick G. Van Handel, is owner of the following property:

Lots One (1), Two (2) Ten (10) and the Westerly 1/2 of an alley (now abandoned) lying easterly of and adjacent to said Lots One (1) and Two (2) and between the extended Northerly line of said Lot One (1) and the extended Southerly line of said Lot Two (2) and the Easterly 1/2 of an alley (now abandoned\_ lying Westerly of and adjacent to said Lot Ten (10) and between the extended Northerly and Southerly lines of said Lot Ten (10) all in Block "H" in the Plat of the Town of Waukau, in the Village of Waukau, Town of Rushford, Winnebago County, Wisconsin and,

The Easterly Eighty (80) feet of Lot Ten (10) of Block "H" in the Plat of the Town of Waukau, in the Village of Waukau, subject to a right of way over an across the Westerly Fourteen (14) feet thereof and,

The Northerly Ten (10) feet, front and rear, of the Easterly Eighty (90) feet of Lot Nine (9) of Block "H" in the Plat of the Town of Waukau, in the Village of Waukau.

Recording Area

Name and Return Address  
Wisconsin Dept. Natural Resources  
Attn: Kevin McKnight  
625 E. CTY Y, Suite 700  
Oshkosh WI 54901-9731

0220972, 0220963, 0220964

Parcel Identification Number (PIN)

Under s. 292.81 (3), Wis. Stats., when the Department expends funds to investigate and remove hazardous substance contamination, the Department may file a lien for the amount expended for such purposes with the Register of Deeds in the county where the contaminated property is located.

The amount expended by the Department in this case is Nineteen Thousand Three Hundred Ninety Four Dollars and Fifty two cents(\$19,394.52). The property remains subject to this lien until the amount owed is paid in full. This lien is superior to all other liens that are or have been filed against the property, except that if the property is residential property, as defined in s. 895.52 (1) (i), Wis. Stats., the lien does not affect any valid prior lien, as defined in s. 292.81 (1), Wis. Stats., on that residential property.

The Department certifies that to the best of its knowledge and belief, all information contained in this Lien is correct, and this lien represents a legal encumbrance upon the property. Based on the above information and the authority of s. 292.81 (3), Wis. Stats., the Department claims a lien against the interest which the owners have in the above-described property in the amount of \$ 19,394.52.

DEPARTMENT OF NATURAL RESOURCES

By:

\_\_\_\_\_  
Darrell Bazzell, Secretary

**AUTHENTICATION OR ACKNOWLEDGEMENT**

Signed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Notary Public  
State of Wisconsin, County of Dane  
My Commission is \_\_\_\_\_.

This document was drafted by the Department of Natural Resources.

Invoice  
Form 9300-27  
Rev. 6-88

**MAKE CHECK PAYABLE TO:**  
**WISCONSIN DEPARTMENT OF NATURAL RESOURCES**  
**ATTENTION BUREAU OF FINANCE**  
**P.O. BOX 7921**  
**MADISON, WISCONSIN 53707-7921**

Date: 06/18/2002

Inquiries: K MCKNIGHT 920-484-7890

Invoice No. NEG1010

Terms: All payments are due within 30 days of  
invoice date unless otherwise specified

Address:

FREDERICK G VANHANDEL  
PO BOX 164  
LITTLE CHUTE WI 54140

Customer order No.	Billing Center No. 4001
Subprogram	
Subunit	

DESCRIPTION OF MATERIAL OR SERVICE	Unit price	Amount	
COST RECOVERY STATE FUNDED RESPONSE CONTAMINANT INVESTIGATION-FORMER PANZAN TRANSFER 2665 HWY 116 WAUKAU WI BRRT#03-71-120368 AND 02-71-274234  SALARIES FRINGE CONTRACTUAL/SUPPLIES INDIRECT			
		\$	1,497.29
		\$	507.49
		\$	16,958.59
		\$	431.15
[ ] refund of expenditure			
Code:			
Subtotal		\$ 19,394.52	
Sales Tax			
Total Due		\$ 19,394.52	

**Important:**  
To insure proper credit to your account,  
return one copy of this invoice with your payment.

Thank You.

Customer Copy