

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
Oshkosh Service Center
625 E CTY Y, Suite 700
Oshkosh WI 54901-9731

Scott Walker, Governor
Daniel L. Meyer, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



September 28, 2018

Mr. Frederick Van Handel
PO Box 164
Little Chute WI 54140

Mr. Frederick Van Handel
16005 N 32nd St Lot 141G
Phoenix AZ 85032-3826

Subject: Panzen Transfer (former), 2665 HWY 116, Waukau WI
03-71-120368 & 02-71-274234

Dear Mr. Van Handel:

On May 4, 2012 the Department issued a Conditional Closure Decision for the contaminant releases at this site. Conditions of closure included monitoring well abandonment, investigative waste disposal and submittal of a cap maintenance plan. To date the Department has not received documentation of your fulfilling the conditions of closure.

In addition, the lien placed on this property for State Funded Response cost recovery has a residual balance of \$2,088.52. Once this balance is paid the Department will be able to remove the lien.

The Department has been contacted by at least one party interested in purchasing your property expressing concerns that these cases are still open and have an outstanding lien. Obtaining final case closure and satisfying the lien could enhance the value and salability of your property.

Please be aware that continued failure to fulfill the conditions of closure may result in denial of case closure and/or other enforcement actions. Additionally, delay may increase the costs of performing the work required to complete the closure requirements listed in the attached Conditional Closure Letter.

If you have questions regarding this letter, please contact me at 920-424-7890 or by email at kevin.mcknight@wisconsin.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kevin D. McKnight'.

Kevin D. McKnight
Hydrogeologist
Remediation and Redevelopment Program

Attachment: May 4, 2012 Conditional Closure Letter

Cc: Attorney Chris Sitzmann – (csitzmann@sitzmannlaw.com)

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
Oshkosh Service Center
625 E CTY Y, Suite 700
Oshkosh WI 54901

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
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May 4, 2012

Mr. Frederick Van Handel
PO Box 164
Little Chute WI 54140

Subject: Conditional Closure Decision,
With Requirements to Achieve Final Closure
Panzen Transfer (former), 2665 HWY 116, Waukau, Wisconsin
WDNR BRRTS Activity # 03-71-120368 & 02-71-274234

Dear Mr. Van Handel:

On April 30, 2012, the Northeast Region Closure Committee reviewed your request for closure of the case described above. The Closure Committee reviews environmental remediation cases for compliance with state rules and statutes to maintain consistency in the closure of these cases. After careful review of the closure request, the Closure Committee has determined that the petroleum and chlorinated solvent contamination on the site from the former underground storage tank system and historic releases of chlorinated solvents appears to have been investigated and remediated to the extent practicable under site conditions. Your case has been remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code and will be closed if the following conditions are satisfied:

MONITORING WELL ABANDONMENT

The monitoring wells at the site must be properly abandoned in accordance with ch. NR 141, Wis. Adm. Code. Documentation of well abandonment must be submitted to Kevin McKnight on Form 3300-005, found at <http://dnr.wi.gov/org/water/dwg/gw/> or provided by the Department of Natural Resources.

PURGE WATER, WASTE AND SOIL PILE REMOVAL

Any remaining purge water, waste and/or soil piles generated as part of site investigation or remediation activities must be removed from the site and disposed of or treated in accordance with Department of Natural Resources' rules. Once that work is completed, please send appropriate documentation regarding the treatment or disposal of the remaining purge water, waste and/or soil piles.

Cap Maintenance Plan-03-71-120368

A cap maintenance plan for the soil and vegetative capped area in the vicinity of the former underground storage tank is necessary due to soil contamination exceeding direct contact standards in this area. This maintenance plan should be drafted according to Department guidance.

When the above conditions have been satisfied, please submit the appropriate documentation (for example, well abandonment forms, disposal receipts, copies of correspondence, etc.) to verify that applicable conditions have been met, and your case will be closed. Your site will be listed on the DNR's Remediation and Redevelopment GIS Registry. Information that was submitted with your closure request application will be included on the GIS Registry. To review the site on the GIS Registry web page, visit the RR Sites Map page at: <http://dnr.wi.gov/org/aw/rr/gis/index.htm>.

CONTINUING OBLIGATIONS AND RESPONSIBILITIES

As part of the approval of the closure of this case, you will be responsible for maintaining the following continuing obligations. A cap maintenance plan is necessary for direct contact soil contamination in the vicinity of the former underground storage tank and residual soil and groundwater contamination remains on the property which may need to be addressed if site redevelopment occurs. In the final closure approval, you will also be required to conduct annual inspections. Documentation of the inspection will be required to be kept on site.

Please be aware that the case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, or welfare or to the environment.

We appreciate your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at 920-424-7890.

Sincerely,



Kevin D. McKnight
Hydrogeologist
Remediation & Redevelopment Program

Enclosure

cc: file
Nicole LaPlant- REL-via email
Chris Sitzmann-via email