

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
101 S. Webster Street
Box 7921
Madison WI 53707-7921

Tony Evers, Governor
Adam N. Payne, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



October 17, 2023

Colton Capelle
W14450 Scott Avenue
Gilman, WI 54433

Subject: Variance for Extension of Temporary Emergency Water under Wis. Admin Code § NR 738.14

Dear Mr. Capelle:

The Wisconsin Department of Natural Resources (DNR) is granting a variance under Wisconsin Administrative (Wis. Admin.) Code § NR 738.14 to authorize the extension of temporary emergency water provided to you at the property located at W14450 Scott Ave, Gilman. Temporary emergency water was provided to your property under Wis. Admin. Code § NR 738.06(1) for an initial six-month period beginning May 24, 2023, and ending November 24, 2023. This variance extends the provision of temporary emergency water to May 24, 2024, as funding allows, or until such time as the DNR confirms one or more of the following has occurred:

- (1) follow-up laboratory analysis verifies that well water samples do not contain contaminants above maximum levels set forth in Wis. Admin. Code chs. 140 and 809, or above the Department of Health Services' (DHS) recommended enforcement standards and/or the cumulative risk hazard index for per- and polyfluoroalkyl substances (PFAS);
- (2) the contaminated water supply has been replaced by an uncontaminated water supply; and/or
- (3) the private water supply has returned to an uncontaminated condition, whichever occurs first.

If subsequent sample results confirm any of the above situations, the DNR will no longer provide temporary emergency water supplies.

All terms of the original, signed "Agreement for Temporary Emergency Water," a copy of which is attached, and any agreement between you and the third-party vendor are still in effect.

If you wish to cancel this agreement and stop receiving temporary emergency water supplies, or if you have any questions, please contact Gwen Saliaries at gwen.saliaries@wisconsin.gov or (920) 510-4343.

Sincerely,

DocuSigned by:
Christine Sieger
_6B9FB2B16CBE41C...

Christine Sieger
Director
Remediation and Redevelopment Program

Attachment:
Temporary Emergency Water Supply Agreement

cc:

Benjamin Vondra, DNR, Remediation and Redevelopment – benjamin.vondra@wisconsin.gov
Carrie Stoltz, DNR, Remediation and Redevelopment – carrie.stoltz@wisconsin.gov

Agreement for Requesting Temporary Emergency Water

The Wisconsin Department of Natural Resources (DNR) determined that your well may be, or is, adversely affected by contamination from environmental pollution or a hazardous substance discharge based on sample results received by the DNR and an advisory issued for your well by DNR advising you that your water has potential human health risks.

The DNR determined you to be eligible to receive a temporary supply of drinking water from the DNR under Wisconsin Administrative Code (Wis. Admin. Code) ch. NR 738 and/or Wisconsin Statute (Wis. Stat.) § 292.31, based on the information available at this time. To receive a temporary emergency supply of water, the DNR requires that you enter into an agreement with the DNR and that you agree to be responsible for the proper maintenance of any physical equipment provided as part of the temporary emergency water supply. A third-party contractor, not the DNR, will provide the temporary supply of emergency water. The department will arrange for the contractor and will pay for this service. The contractor will contact you to arrange a delivery time and for the return of equipment when specified.

The temporary emergency water supply is available for a maximum of six months from the date of the advisory issued on May 24, 2023, or until such time as the DNR confirms one or more of the following has occurred, whichever occurs first:

- 1) Results of laboratory analysis confirm that well water does not contain contaminants above maximum levels set forth in Wis. Adm. Code chs. 140 and 809;
- 2) The contaminated water supply has been replaced by an uncontaminated water supply; and/or
- 3) The private water supply has returned to an uncontaminated condition.

If well sample results confirm any of the above, the DNR will no longer provide a temporary emergency water supply. Emergency water is a temporary remedy to help those with affected water wells find alternative, permanent solutions. The DNR encourages you to review the enclosed fact sheet on the American Rescue Plan Act (ARPA) Well Compensation and Well Abandonment Grants for more information on treatment systems and well replacement.

The DNR will attempt to contact the responsible party, if known, to ask the responsible party to provide water to you. If the responsible party agrees, DNR staff will notify you that the responsible party will provide water, and this agreement becomes null and void. All agreements between you and the responsible party are private agreements to which the DNR is not a party.

By signing below, you are requesting a temporary emergency water supply and are entering into an agreement with the DNR, and you agree to:

- 1) take responsibility for the proper maintenance of any physical equipment constructed or provided to you by the third-party contractor for your use as part of the temporary water supply;
- 2) allow the DNR and any environmental consultant reasonable access to take private water samples during the period of time that the DNR is providing temporary water;
- 3) indemnify and hold harmless the DNR for any damage that may occur to the physical equipment provided to you for your use as part of the temporary emergency water supply while the equipment is in your possession or control;
- 4) acknowledge that the DNR may not provide you with a temporary emergency water supply if the responsible party agrees to provide a temporary emergency water supply; and
- 5) inform the DNR immediately if you believe you may no longer be eligible for a temporary emergency water supply.

The above terms regarding equipment may also be outlined in any agreement between you and the third-party contractor. If you have questions about this agreement, contact Gwen Saliars, DNR Remediation and Redevelopment Program, at gwen.saliars@Wisconsin.gov, or by phone at 920-510-4343.

IN WITNESS WHEREOF:

Colton Capelle

Property Owner (Print)

Colton Capelle

2

Signature of Property Owner or Authorized Representative

W14450 Scott Ave Gilman wi 54433

Number of Occupants

5/24/23

Mailing Address

colcap18@gmail.com

Date

715 314 0485

Email Address

Phone Number

Contact information for occupants, tenants or lessees (if different than owner):

Alvin Capelle

Name of Occupant

715 668 5381

Email Address

Phone Number