

**From:** Soyer, Jenna A - DNR  
**Sent:** Thursday, March 2, 2023 8:49 AM  
**To:** Dave Herrmann; Beggs, Tauren R - DNR  
**Cc:** Lowery, Jason B - DNR  
**Subject:** RE: Next Steps for Resolution of Cap Replacement, 2626 Memorial Drive, Two Rivers

Mr. Herrmann,

We have discussed the situation at your property with several folks internally. While we are statutorily unable to pay for replacement of the cap with the tank removal funds under Wis. Stat. § 292.64, we have identified available money under the environmental repair fund (Wis. Stat. § 292.31) to resolve this issue.

We are currently working to secure a contractor to replace the cap with asphalt. Tauren will coordinate with you on access and timing once we have a contractor on board.

Please do not hesitate to reach out to either of us if you have any questions.

Thank you,

**Jenna Soyer**

Policy and Program Operations Director – Remediation and Redevelopment Program  
Wisconsin Department of Natural Resources  
101 S. Webster St (RR/5), Madison, WI 53707  
Cell: 608-354-8629  
[Jenna.soyer@wisconsin.gov](mailto:Jenna.soyer@wisconsin.gov)

**We are committed to service excellence.**

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.



---

**From:** Dave Herrmann <[otw160@gmail.com](mailto:otw160@gmail.com)>  
**Sent:** Monday, February 27, 2023 3:07 PM  
**To:** Beggs, Tauren R - DNR <[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov)>  
**Cc:** Muhammad Javeed <[manwarj@gmail.com](mailto:manwarj@gmail.com)>  
**Subject:** Re: Next Steps for Resolution of Cap Replacement, 2626 Memorial Drive, Two Rivers

This will end in a lawsuit. When you sign a contract stating everything is up to regulations and also call the DNR and ask them and they say yes good to go and then it is not. There is something wrong. I'm not sure who is going to be liable but I'm going to have to find out. Can you have your legal person contact me?

Dave Herrmann

On Feb 27, 2023, at 9:04 AM, Beggs, Tauren R - DNR <[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov)> wrote:

Hi Dave,

I received legal input on this question and the DNR currently only has authority to pursue the current owner in possession of the property under Wis. Stat. 292.11(3). Any third party agreements that you have with Muhammad regarding the capping would need to be worked out with him separately.

Regards,

**We are committed to service excellence.**

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

**Tauren R. Beggs**

Phone: (920) 510-3472

[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov) (preferred contact method during work at home)

---

**From:** Dave Herrmann <[otw160@gmail.com](mailto:otw160@gmail.com)>

**Sent:** Tuesday, February 21, 2023 1:18 PM

**To:** Beggs, Tauren R - DNR <[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov)>; Muhammad Javeed <[manwarj@gmail.com](mailto:manwarj@gmail.com)>

**Subject:** Re: Next Steps for Resolution of Cap Replacement, 2626 Memorial Drive, Two Rivers

The property owner at the time it happened or now?

Get [Outlook for Android](#)

---

**From:** Beggs, Tauren R - DNR <[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov)>

**Sent:** Tuesday, February 21, 2023 8:41:36 AM

**To:** Muhammad Javeed <[manwarj@gmail.com](mailto:manwarj@gmail.com)>; Dave Herrmann <[otw160@gmail.com](mailto:otw160@gmail.com)>

**Subject:** RE: Next Steps for Resolution of Cap Replacement, 2626 Memorial Drive, Two Rivers

Hi Muhammad and Dave,

After review of your information that you provided in your emails dated December 5 and December 8, 2022, I followed up with other DNR staff to get clarification for the tank removal activities that were previously completed at the property. I did confirm that DNR did incur costs to hire a contractor to remove the USTs in 2017 using authority under Wis. Stat. § 292.64. Under Wis. Stat. § 292.64(3), the DNR placed a lien on the property in 2017 for the amount incurred to remove the USTs and to backfill, and the

lien was satisfied in 2019. As part of this process, Wis. Stat. § 292.64 states that DNR may contract for the removal of an abandoned underground petroleum storage tank system and backfilling of the excavation. Wis. Stat. § 292.64(a) (previously defined in Wis. Stat. § 101.1435) indicates "Backfill" does not include landscaping or replacing sidewalk, asphalt, fence, or sod or other vegetation. Because of this statute requirement, scope limitations for the bid request for this tank removal included that it was the property owner's responsibility to salvage any landscaping and to replace any concrete, asphalt, or turf.

Therefore, the property owner is responsible to replace the cap that was previously removed. Pavement contractors need to be contacted to get quotes for replacement of the cap. A selected contractor and a schedule of when the cap replacement will occur in the Spring/Summer needs to be provided to the DNR by March 21, 2023.

Regards,

**We are committed to service excellence.**

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

**Tauren R. Beggs**

Phone: (920) 510-3472

[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov) (preferred contact method during work at home)

---

**From:** Muhammad Javeed <[manwarj@gmail.com](mailto:manwarj@gmail.com)>

**Sent:** Wednesday, January 25, 2023 5:20 PM

**To:** Beggs, Tauren R - DNR <[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov)>

**Subject:** Re: Next Steps for Resolution of Cap Replacement, 2626 Memorial Drive, Two Rivers

Sorry I didn't get back to you sooner. I checked to find the quotes for asphalt work at 2626 memorial Dr. but unfortunately not. Attached are some nearby companies that do the asphalt work.

Thanks

On Wed, Jan 11, 2023 at 8:34 AM Beggs, Tauren R - DNR

<[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov)> wrote:

Thanks Muhammad

**We are committed to service excellence.**

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

**Tauren R. Beggs**

Phone: (920) 510-3472

[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov) (preferred contact method during work at home)

---

**From:** Muhammad Javeed <[manwarj@gmail.com](mailto:manwarj@gmail.com)>

**Sent:** Tuesday, January 10, 2023 2:05 PM

**To:** Beggs, Tauren R - DNR <[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov)>

**Subject:** Re: Next Steps for Resolution of Cap Replacement, 2626 Memorial Drive, Two Rivers

I got the quotes from a company sometime ago. I am trying to locate them or get a copy from that asphalt company.

On Fri, Jan 6, 2023 at 10:01 AM Beggs, Tauren R - DNR <[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov)> wrote:

Hi Muhammad and Dave,

I am continuing to have discussions with DNR staff in Madison for this site now that people are back to work from the holiday break, so I just wanted to follow up to let you know.

A couple questions I have (I didn't ask these questions before, so just wondering if you had any information about this or not):

1. Do you know the total approximate area of the unpaved areas?
2. Did either of you call a paving contractor to get an approximate price on what it would cost to replace the areas that are unpaved?

Regards,

**We are committed to service excellence.**

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

**Tauren R. Beggs**

Phone: (920) 510-3472

[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov) (preferred contact method during work at home)

---

**From:** Muhammad Javeed <[manwarj@gmail.com](mailto:manwarj@gmail.com)>

**Sent:** Thursday, December 8, 2022 2:08 PM

**To:** Beggs, Tauren R - DNR <[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov)>

**Subject:** Re: Next Steps for Resolution of Cap Replacement, 2626 Memorial Drive, Two Rivers

Okay. Thanks

Sent from my iPhone

On Dec 8, 2022, at 1:29 PM, Beggs, Tauren R - DNR <[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov)> wrote:

Thank you for the follow up information Muhammad. I have some things to look into on my end and will get back to you once I have had a chance to do so.

Regards,

**We are committed to service excellence.**

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

**Tauren R. Beggs**

Phone: (920) 510-3472

[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov) (preferred contact method during work at home)

---

**From:** Muhammad Javeed <[manwarj@gmail.com](mailto:manwarj@gmail.com)>

**Sent:** Thursday, December 8, 2022 9:52 AM

**To:** Beggs, Tauren R - DNR <[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov)>; Dave Herrmann <[otw160@gmail.com](mailto:otw160@gmail.com)>

**Subject:** Re: Next Steps for Resolution of Cap Replacement, 2626 Memorial Drive, Two Rivers

Hi Tauren R - DNR and Dave

Good Morning

I am done talking with Merph, the owner of Shaper Excavating & Petroleum. He is the DNR contractor who removed the tanks from 2626 Memorial Dr Two Rivers. He said I was paid by the DNR and they specified Gravel on the top as he did. Lynn from General Engineering did the soil testing after that. Please let me know what should I do next.

Thanks

On Mon, Dec 5, 2022 at 10:04 AM Muhammad Javeed

<[manwarj@gmail.com](mailto:manwarj@gmail.com)> wrote:

Sorry for not getting back sooner. I was trying to locate the company who removed the tank from my property. Finally I found them last Friday and this morning I left a message with them and now waiting for their reply. The company name is Shaper Excavating & Petroleum. Phone number 608-429-2300. This company is the authorized contractor by DNR. The money to remove the tank was provided by DNR and that was paid when I sold the property. The contractors were hired by the DNR to remove the tank from my property and after completing the work the site was inspected by Lynn Bradley Environmental Project Manager of General Engineering Company. I sent her a few emails and asked if everything was fine. In my emails I mentioned that I wanted to sell the property and I need a letter saying that the site is clean and closed. Without that letter I can't sell the property. On October 5, 2017 I received a 70 page report that said the site is closed and no further action needed. I also had some phone conversation with her and I was given the impression that everything is fine to sell the property. I listed my property, gave these documents to my agent to show it to any buyer

for examination. When I sold the property ,the DNR was paid from the setelement. During all that deal not even one time I was told about that the cap is still my legal obligation. I will get back to you within few days after hearing from tank removal company.

Thanks

On Wed, Nov 16, 2022 at 1:55 PM Beggs, Tauren R - DNR  
<[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov)> wrote:

Also as discussed on the call, if I don't hear back by 11/30/2022, I will follow up with you both.

Regards,

**We are committed to service excellence.**

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

**Tauren R. Beggs**

Phone: (920) 510-3472

[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov) (preferred contact method during work at home)

---

**From:** Beggs, Tauren R - DNR

**Sent:** Wednesday, November 16, 2022 1:03 PM

**To:** Dave Herrmann <[otw160@gmail.com](mailto:otw160@gmail.com)>; Muhammad Javeed <[manwarj@gmail.com](mailto:manwarj@gmail.com)>

**Subject:** RE: Next Steps for Resolution of Cap Replacement, 2626 Memorial Drive, Two Rivers

Muhammad and Dave,

Thanks for attending the call today. As concluded on the call, Muhammad will reach out to the contractor then provide that information his call to determine next steps. Attached is the contact information for the contractor from documentation in DNR's public database called BRRTS on the Web. The rest of the documentation electronically available is too large to provide via email, but can be accessed electronically at the following link:

<https://dnr.wi.gov/botw/GetActivityDetail.do?dsn=174861&siteId=6614400&crumb=1>.

If you have any questions, please let me know.

Regards,

**We are committed to service excellence.**

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

**Tauren R. Beggs**

Phone: (920) 510-3472

[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov) (preferred contact method during work at home)

---

**From:** Dave Herrmann <[otw160@gmail.com](mailto:otw160@gmail.com)>  
**Sent:** Tuesday, November 1, 2022 10:23 AM  
**To:** Beggs, Tauren R - DNR <[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov)>; Muhammad Javeed <[manwarj@gmail.com](mailto:manwarj@gmail.com)>  
**Subject:** Re: Next Steps for Resolution of Cap Replacement, 2626 Memorial Drive, Two Rivers

12 works for me

Get [Outlook for Android](#)

---

**From:** Beggs, Tauren R - DNR <[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov)>  
**Sent:** Tuesday, November 1, 2022 8:53:05 AM  
**To:** Muhammad Javeed <[manwarj@gmail.com](mailto:manwarj@gmail.com)>; Dave Herrmann <[otw160@gmail.com](mailto:otw160@gmail.com)>  
**Subject:** RE: Next Steps for Resolution of Cap Replacement, 2626 Memorial Drive, Two Rivers

I have availability on November 16 between 8am and 12pm; therefore, I will look at getting a call scheduled with you both then. Please let me know what times will work for you that day.

Thanks,

**We are committed to service excellence.**

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

**Tauren R. Beggs**

Phone: (920) 510-3472

[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov) (preferred contact method during work at home)

---

**From:** Muhammad Javeed <[manwarj@gmail.com](mailto:manwarj@gmail.com)>  
**Sent:** Saturday, October 29, 2022 7:59 PM  
**To:** Beggs, Tauren R - DNR <[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov)>  
**Cc:** Dave Herrmann <[otw160@gmail.com](mailto:otw160@gmail.com)>  
**Subject:** Re: Next Steps for Resolution of Cap Replacement, 2626 Memorial Drive, Two Rivers

Hi All

Sorry for not getting back quickly to reply about my availability for the phone call. In fact I am out of the country until November 15. Starting November 16, I will be available for taking the phone call at your convenience. Please reschedule your phone contact appointment and I will be happy to resolve this obligation.

I highly appreciate that you understand my unavailability at this time.

Thanks again

Sent from my iPhone

On Oct 26, 2022, at 9:43 PM, Beggs, Tauren R - DNR <[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov)> wrote:

Next Wednesday (11/2/2022) I am available for a call anytime between 8am and 4pm. Are you both available for a call that day? Please let me know some times that day that would work for you so I can get a call scheduled.

Thanks,

**We are committed to service excellence.**

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.



**Tauren R. Beggs**

Phone: (920) 510-3472

[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov) (preferred contact method during work at home)

---

**From:** Dave Herrmann <[otw160@gmail.com](mailto:otw160@gmail.com)>  
**Sent:** Wednesday, October 26, 2022 9:46 AM  
**To:** Beggs, Tauren R - DNR  
<[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov)>; Muhammad Javeed <[manwarj@gmail.com](mailto:manwarj@gmail.com)>  
**Subject:** Re: Next Steps for Resolution of Cap Replacement, 2626 Memorial Drive, Two Rivers

My signed paperwork states it was capped.

Get [Outlook for Android](#)

---

**From:** Beggs, Tauren R - DNR  
<[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov)>  
**Sent:** Wednesday, October 26, 2022 8:51:34 AM  
**To:** Muhammad Javeed <[manwarj@gmail.com](mailto:manwarj@gmail.com)>;  
[otw160@gmail.com](mailto:otw160@gmail.com) <[otw160@gmail.com](mailto:otw160@gmail.com)>  
**Subject:** Next Steps for Resolution of Cap Replacement, 2626 Memorial Drive, Two Rivers

Mr. Javeed and Mr. Herrmann,

Now that I have contact information for both of you, you can work towards resolving the issue of replacing the portions of the cap that were removed at the site to get back into compliance with the cap maintenance continuing obligation for

the closed environmental case, Citgo Express, BRRTS # 03-36-174861 (Link to closed case on DNR's public database, BRRTS on the Web: <https://dnr.wi.gov/botw/GetActivityDetail.do?adn=0336174861&siteId=6614400&crumb=1&search=b>) . It is my understanding that you have communicated with each other regarding this issue.

The areas where the cap was removed needs to be replaced as soon as possible with an impervious cap (such as concrete or asphalt) to prevent water from infiltrating through the residual petroleum contamination in soil at the site. After being replaced, documentation of the activities completed and photographs of the replaced cap will need to be submitted to the DNR to verify the cap has been properly replaced. If you both would like to have a call with DNR to go over this, please provide some times you are available for a call.

The non-compliance letters were issued to you both, since there is responsibility under Wis. Stats ch. 292.11 as a causer and/or property owner to resolve the issue. The DNR was made aware of the cap issue in April 2022 after a site inspection/walkthrough was completed by an environmental consultant hired by a person that was potentially interested in acquiring the property. After reviewing the documentation in the DNR case file and recent information received, the cap appeared to have been removed by contractors hired by Mr. Javeed during the tank system, dispenser, and piping removal in 2017 and was not replaced. The DNR was never notified that the cap was left in disrepair at that time.

Within the next 30 days, by November 25, 2022, a plan needs to be submitted to the DNR to implement the replacement of the cap as soon as possible. If this is not completed, additional actions may be required to address this issue. You will

remain out of compliance until these cap replacement actions are completed.

Regards,

**We are committed to service excellence.**

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

**Tauren R. Beggs**

Hydrogeologist & Northeast Region Land Recycling Expert

Remediation and Redevelopment Program  
Wisconsin Department of Natural Resources  
2984 Shawano Ave

Green Bay, WI 54313  
Phone: (920) 510-3472

[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov) (preferred contact method during work at home)

[dnr.wi.gov](http://dnr.wi.gov)

--

Please do not hesitate to call ,Text or email with any questions,

Muhammad Javeed  
**Heritage Real Estate**  
624 North 8th Street  
Manitowoc, WI 54220  
Cell: 920-242-1730  
Office: 920-684-9400  
E-mail: [manwarj@gmail.com](mailto:manwarj@gmail.com)

<~WRD0001.jpg>

***“Our business is about more than houses...it’s about people!”***

**[Click here to search listings](#)**

--

Please do not hesitate to call ,Text or email with any questions,

Muhammad Javeed  
**Heritage Real Estate**  
624 North 8th Street  
Manitowoc, WI 54220  
Cell: 920-242-1730  
Office: 920-684-9400  
E-mail: [manwarj@gmail.com](mailto:manwarj@gmail.com)

<~WRD0001.jpg>

***“Our business is about more than houses...it’s about people!”***

**[Click here to search listings](#)**

--

Please do not hesitate to call ,Text or email with any questions,

Muhammad Javeed  
**Heritage Real Estate**  
624 North 8th Street  
Manitowoc, WI 54220  
Cell: 920-242-1730  
Office: 920-684-9400  
E-mail: [manwarj@gmail.com](mailto:manwarj@gmail.com)

<image001.jpg>

***“Our business is about more than houses...it’s about people!”***

**[Click here to search listings](#)**

--

Please do not hesitate to call ,Text or email with any questions,

Muhammad Javeed  
**Heritage Real Estate**  
624 North 8th Street  
Manitowoc, WI 54220  
Cell: 920-242-1730  
Office: 920-684-9400  
E-mail: [manwarj@gmail.com](mailto:manwarj@gmail.com)

<image001.jpg>

***“Our business is about more than houses...it’s about people!”***

**[Click here to search listings](#)**

**From:** Beggs, Tauren R - DNR  
**Sent:** Wednesday, October 12, 2022 8:23 AM  
**To:** Muhammad Javeed  
**Subject:** RE: Notice Of Non Compliance. BRRTS# 03-36-174861

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Muhammad,

Between you and the current property owner, David Herrmann, the areas where the asphalt and/or concrete cap were removed during the underground storage tank system removal in 2017 need to be replaced with another equally impervious cap to comply with the cap continuing obligation that was applied to the property for the closed case Citgo Express, BRRTS # 03-36-174861. This cap was supposed to remain in place to prevent infiltration of water through the remaining contaminated soil in order to minimize migration of contamination to groundwater. Since it was not replaced back in 2017, the site is considered to be out of compliance with the continuing obligations.

David Hermann's phone number is 920-242-0468. I do not currently have an email for him. Once you have made contact with the current owner, we can set up a call between the three of us to determine how you both plan to resolve this matter.

Regards,

**We are committed to service excellence.**

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

**Tauren R. Beggs**

Phone: (920) 510-3472

[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov) (preferred contact method during work at home)

---

**From:** Muhammad Javeed <[manwarj@gmail.com](mailto:manwarj@gmail.com)>  
**Sent:** Tuesday, October 11, 2022 10:57 AM  
**To:** Beggs, Tauren R - DNR <[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov)>  
**Subject:** Notice Of Non Compliance. BRRTS# 03-36-174861

Hi Tauren

This is regarding the property address 2626 Memorial Dr Two Rivers WI. I sold the property a few years ago. I tried to make a contact with the new owner to convey this information but no success. Please let me know how this obligation can be resolved.

--

Muhammad Javeed  
3308 Chasm Lane  
Manitowoc, WI 54220  
Cell: 920-242-1730  
E-mail: [manwarj@gmail.com](mailto:manwarj@gmail.com)