



December 7, 2022

Exfoliate Properties, LLC
Randal J. Mueller
PO Box 37
201 N. Main St.
Oakfield, WI 53065

Subject: Reported Contamination at Oakfield Properties
201 North Main Street, Oakfield, Wisconsin
DNR BRRTS Activity #: 02-20-202459

Dear Mr. Mueller:

Based on the information available to the Wisconsin Department of Natural Resources (DNR), we believe that Exfoliate Properties, LLC is the owner of the above-referenced property. The purpose of this letter is to inform you that a hazardous substance discharge occurred on the property. As the property owner, you are in possession or control of the hazardous substance discharge or other environmental pollution (contamination) at the above-described site, and as such, you may be held responsible under Wisconsin Statutes (Wis. Stat.) ch. 292 for the investigation and cleanup of the contamination at the site. The term "site" includes the area where the discharge occurred and any area to which it has migrated, pursuant to Wisconsin Administrative (Wis. Admin.) Code § NR 700.03(56).

The DNR is exercising its discretion to pursue the person who caused the contamination at this time, as outlined in the enclosed letter to Oakfield Properties, Inc., dated November 5, 1998. If the causer makes sufficient progress under Wis. Admin. Code chs. NR 700 – 799, the DNR will not seek your involvement in investigation and cleanup; however, if at any time the causer is no longer able or willing to continue progress the DNR may require that you take the appropriate response actions.

LEGAL RESPONSIBILITIES

Wis. Stat. ch. 292 and Wis. Admin. Code chs. NR 700 – 799 provide specific requirements for undertaking appropriate response actions to address contamination, including requirements for emergency and interim actions, public information, site investigations, remedy selection, design and operation of remedial action systems and case closure. For more information on the responsibilities relating to contamination investigation and cleanup, see the enclosed letter to Oakfield Properties, Inc., dated November 5, 1998.

Under Wis. Stat. ch. 292, continuing obligations may be applied to a property upon the closure of an environmental investigation and cleanup case. Continuing obligations are legal requirements designed to protect public health and the environment from contamination that remains on a property. If the DNR places continuing obligations on the property at the time of closure, absent a third-party agreement stating otherwise, these obligations will become the property owner's responsibility. For more information, please see the enclosed DNR publication RR-819, *Continuing Obligations for Environmental Protection Responsibilities of Wisconsin Property Owners*.

ADDITIONAL INFORMATION

Site-related information and DNR contacts can be found online in the Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web (BOTW); visit dnr.wi.gov, search “BOTW.” Use the BRRTS ID # found at the top of this letter. The site can also be found on the map view, Remediation and Redevelopment Sites Map (RRSM), by visiting dnr.wi.gov, search “RRSM.”

Send correspondence regarding this site to the DNR using the RR Program Submittal Portal at dnr.wi.gov, search “RR submittal portal.” Refer to DNR publication *Guidance for Electronic Submittals for the Remediation and Redevelopment Program* (RR-690), for information about using the Submittal Portal. Questions on using the portal can also be directed to Denise Danelski, the environmental program associate for the Northeast region DNR office.

If you have questions, please call me at (920) 362-2072 for more information.

Sincerely,

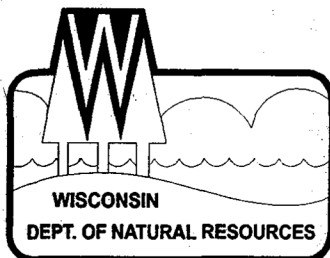
A handwritten signature in blue ink, appearing to read 'D. Neste', with a stylized flourish at the end.

David Neste
Project Manager – Hydrogeologist
Remediation & Redevelopment Program
Wisconsin Department of Natural Resources

Attachment:
Letter to Oakfield Properties, Inc., dated November 5, 1998

Enclosures:
Continuing Obligations for Environmental Protection Responsibilities of Wisconsin Property Owners (RR-819)
Guidance for Electronic Submittals for the Remediation and Redevelopment Program (RR-690)

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State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
William R. Selbig, Regional Director

Northeast Region Headquarters
Green Bay Service Center
1125 N. Military Avenue
P.O. Box 10448
Green Bay, Wisconsin 54307-0448
Telephone 920-492-5800
FAX 920-492-5913
TDD 920-492-5912

November 5, 1998

Oakfield Properties, Inc.
Donald Mueller
201 Main Street
Oakfield WI 53065

SUBJECT: Reported Contamination at Oakfield Properties, Inc., 201 Main Street,
Oakfield, Wisconsin
BRRTS CASE #02-20-202459

Dear Mr. Mueller:

The Wisconsin Department of Natural Resources has been notified of petroleum and chlorinated compound contamination at the above referenced location.

Based on the information received by the Department of Natural Resources, we believe Oakfield Properties, Inc. is responsible for restoring the environment at this site under Section 292.11, Wisconsin Stats., known as the hazardous substances spills law. Your responsibilities include investigating the extent of the contamination and then selecting and implementing the most appropriate remedial action. Enclosed is information to help you understand what you need to do to ensure your compliance with the spills law.

The purpose of this letter is threefold: 1) to describe your legal responsibilities, 2) to explain what you need to do to investigate and clean up the contamination, and 3) to provide you with information about cleanups, environmental consultants, possible financial assistance, and working cooperatively with the Department of Natural Resources.

Legal Responsibilities:

Your legal responsibilities are defined both in statute and in administrative codes. The hazardous substances spill law, Section 292.11 (3) Wisconsin Statutes, states:

- * **RESPONSIBILITY.** A person who possesses or controls a hazardous substance which is discharged or who causes the discharge of a hazardous substance shall take the actions necessary to restore the environment to the extent practicable and minimize the harmful effects from the discharge to the air, lands, or waters of the state.



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Wisconsin Administrative Codes chapters NR 700 through NR 728 establish requirements for emergency and interim actions, public information, site investigations, design and operation of remedial action systems, and case closure. Chapter NR 708 includes provisions for immediate actions in response to limited contamination. Wisconsin Administrative Code chapter NR 140 establishes groundwater standards for contaminants that reach groundwater.

Steps to Take:

The longer contamination is left in the environment the farther it can spread and the more it may cost to clean up. Quick action may lessen damage to your property and to neighboring properties and reduce your costs in investigating and cleaning up the contamination. To ensure that your cleanup complies with Wisconsin's laws and administrative codes, you should hire a professional environmental consultant who understands what needs to be done. These are the first four steps to take:

1. By December 7, 1998, please submit written verification (such as a letter from your consultant) that you have hired an environmental consultant. You will need to work quickly to meet this timeline.
2. By January 7, 1999, your consultant should submit a workplan and a schedule for conducting the investigation. The consultant should follow the Department's administrative codes and our technical guidance documents. Please include with your workplan a copy of any previous information that has been completed (such as an underground tank removal report or a preliminary soil excavation report).
3. Please keep us informed of what is being done at your site. You or your consultant should provide us with a brief report at least every 90 days, starting after your workplan is submitted. These quarterly reports should summarize the work completed since the last report. Quarterly reports need only include one or two pages of text, plus any relevant maps and tables. However, please note that should conditions at your site warrant, you may receive a letter requiring more or less frequent contacts with the Department.
4. When the site investigation is complete, your consultant should submit a full report on the extent and degree of soil and groundwater contamination and a proposal for cleaning up the contamination.

Due to the number of contaminated sites and our staffing levels, we will be unable to respond to each report. To maintain your compliance with the spills law and chs. NR 700 through NR 728, do not delay the investigation and cleanup of your site by waiting for DNR responses. We have provided detailed technical guidance to environmental consultants. Your consultant is expected to be familiar with our technical procedures and administrative codes and should be able to answer your questions on meeting Wisconsin's cleanup requirements.

Your correspondence and reports regarding this site should be sent to the Department at the following address:

Wisconsin Department of Natural Resources
Dave Carper – RR/3
PO Box 7921
Madison WI 53707

Unless otherwise requested, please send only **one duplexed copy** of all plans and reports. Correspondence should be identified with the assigned **DNR identification number BRRS CASE #02-20-202459**.

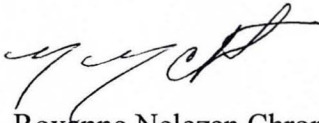
Information for Site Owners:

Enclosed is a list of environmental consultants and some important tips on selecting a consultant. Also enclosed are materials on controlling costs, understanding the cleanup process, and choosing a site cleanup method. This information has been prepared to help you understand your responsibilities and what your environmental consultant needs to do. Please read this information carefully.

If you have any questions about this letter or your responsibilities, please call Dave Carper at (608) 267-6823.

Thank you for your cooperation.

Sincerely,



Roxanne Nelezen Chronert
Spills Coordinator - Hydrogeologist

Enclosure



cc: Joseph Wm. Renville - LS/5
Dave Carper - RR/3
Atty. Lauren L. Azar; One South Pickney Street; PO Box 1806; Madison WI 53701-1806
Atty. Daniel Gustafson, Whyte, Hirschboeck, Dudek, S.C., Suite 2100, 111 East Wisconsin Avenue, Milwaukee, WI 53202-4894
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