

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
107 Sutliff Avenue
Rhineland WI 54501-3349

Tony Evers, Governor
Preston D. Cole, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



JAAKOLA TRUST
ATTN: BILLIE C. JAAKOLA
209 WEST 9TH STREET
LADYSMITH, WI 54848

DOUGLAS E. PAVLIK
209 WEST 9TH STREET
LADYSMITH, WI 54848

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

SUBJECT: Doug's Tire (Former)
811 Lake Avenue
Ladysmith, Wisconsin
WDNR BRRTS # 03-55-000408

Dear Ms. Jaakola and Mr. Pavlik:

In a letter dated February 1, 2021, prepared by Meridian Environmental (attached), the former owner of the property located at 818 Pederson Avenue West (Property) was notified of groundwater contamination that originated from the Doug's Tire (Former) property, located at 811 Lake Avenue, migrated onto the Property. The owner of the Property at the time was given (30) thirty days to provide technical information to the Department of Natural Resources (DNR) that indicated closure should not be granted. The DNR received no information from the Property owner at the time.

According to Rusk County property records, you are the current owners of the Property. Since the letter mentioned above was sent on February 1, 2021, the DNR is notifying you of the groundwater contamination remaining on your Property.

The DNR has no information that indicates the groundwater conditions have changed since the attached letter was sent on February 1, 2021. Please review the attached letter and notify the DNR within (30) thirty days if you have technical information that indicates final closure of the Doug's Tire (Former) site should not be granted. If you do not have any technical information to provide, you can help expedite the closure of this site by sending me a letter or an email stating that you do not have any technical information to provide and hereby waive the (30) thirty-day comment period. Please submit any information you would like to provide to me at the address listed in the letterhead or by email at Carrie.Stoltz@Wisconsin.gov. You may also call me at (715) 360-1966 if you have any questions concerning this letter.

Sincerely,

Carrie Stoltz
Hydrogeologist
Remediation and Redevelopment Program

Attachment:

- Notification letter, Meridian Environmental, February 1, 2021

Cc: Ms. Vicki Richardson (via email)

Ken Shimko-Meridian Environmental, LLC (via email)

G.C

7020 0090 0001 2353 1197

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee \$3.60	
\$2.85	0070 08
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$0.00	
<input type="checkbox"/> Return Receipt (electronic) \$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery \$0.00	
<input type="checkbox"/> Adult Signature Required \$0.00	
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Postage \$1.80	Postmark Here
\$	02/01/2021
Total Postage and Fees \$2.25	
\$	
Sent to <u>Betty Williams</u>	
Street and Apt. No., or PO Box No. <u>818 PEDERSON AVE W</u>	
City, State, ZIP+4® <u>LADYSMITH WI 54848</u>	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature X <u>Douglas E Paulik</u> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <u>DOUGLAS E PAULIK</u> C. Date of Delivery <u>2-5-2021</u></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>BETTY WILLIAMS 818 PEDERSON AVE W LADYSMITH, WI 54848</p> <p>9590 9402 5332 9154 3089 86</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>
<p>2. Article Number (Transfer from service label)</p> <p>7020 0090 0001 2353 1197</p>	

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Notification of Continuing Obligations and Residual Contamination

The affected property is:

- ☐ the source property (the source of the hazardous substance discharge), but the property is not owned by the person who conducted the cleanup (a deeded property)
☒ a deeded property affected by contamination from the source property
☐ a right-of-way (ROW)
☐ a Department of Transportation (DOT) ROW

Include this completed page as an attachment with all notifications provided under sections A and B.

Contact Information

Responsible Party: The person responsible for sending this form, and for conducting the environmental investigation and cleanup is:

Responsible Party Name Vicki Richardson

Contact Person Last Name Richardson	First Vicki	MI	Phone Number (include area code)	
Address W8392 E. Parkview Rd		City Ladysmith	State WI	ZIP Code 54848
E-mail				

Name of Party Receiving Notification:

Business Name, if applicable:

Title Ms.	Last Name Williams	First Betty	MI	Phone Number (include area code)	
Address 818 Pederson Ave W		City Ladysmith	State WI	ZIP Code 54848	

Site Name and Source Property Information:

Site (Activity) Name Doug's Tire (former)

Address 811 Lake Ave W		City Ladysmith	State WI	ZIP Code 54848
DNR ID # (BRRTS#) 03-55-000408		(DATCP) ID #		

Contacts for Questions:

If you have any questions regarding the cleanup or about this notification, please contact the Responsible Party Identified above, or contact:

Environmental Consultant: Meridian Environmental Consulting, LLC

Contact Person Last Name Shimko	First Kenneth	MI	Phone Number (include area code) (715) 832-6608	
Address 2711 North Elco Road		City Fall Creek	State WI	ZIP Code 54742
E-mail kshimko.meridianenv@gmail.com				

Department Contact:

To review the Department's case file, or for questions on cleanups or closure requirements, contact:

Department of: Natural Resources (DNR) Office: Rhinelander

Address 107 Sutliff Ave		City Rhinelander	State WI	ZIP Code 54501
Contact Person Last Name Stoltz	First Carrie	MI	Phone Number (include area code) (715) 360-1966	
E-mail (Firstname.Lastname@wisconsin.gov) Carrie.Stoltz@wisconsin.gov				

G.c

**Notification of Continuing Obligations
and Residual Contamination**

Section A: Deeded Property Notification: Residual Contamination and/or Continuing Obligations

KEEP THIS DOCUMENT WITH YOUR PROPERTY RECORDS

818 Pederson Ave W
Ladysmith, WI, 54848

Dear Ms. Williams:

I am providing this letter to inform you of the location and extent of contamination remaining on your property, and of certain long-term responsibilities (continuing obligations) for which you may become responsible.

I have investigated a release of:

perroleum

on 811 Lake Ave W, Ladysmith, WI, 54848 that has shown that contamination has migrated onto your property.

I have responded to the release and will be requesting that the Department of Natural Resources (DNR) grant case closure. Closure means that the DNR will not be requiring any further investigation or cleanup action to be taken. However, continuing obligations may be imposed as a condition of closure approval.

You have 30 days to comment on the attached legal description of your property and on the proposed closure request:

Please review the enclosed legal description of your property, and notify Kenneth Shimko at 2711 North Elco Road, Fall Creek, WI, 54742 within the next 30 days if the legal description is incorrect.

The DNR will not review my closure request for at least 30 days after the date of receipt of this letter. As an affected property owner, you have a right to contact the DNR to provide any technical information that you may have that indicates that closure should not be granted for this site. If you would like to submit any information that is relevant to this closure request, or if you want to waive the 30 day comment period, you should mail that information to the DNR contact: 107 Sutliff Ave, Rhineland, WI, 54501, or at Carrie.Stoltz@wisconsin.gov.

Your Long-Term Responsibilities as a Property Owner and Occupant:

The responses included

soil excavation, pumping, soil vapor extraction, ground water monitoring

The continuing obligations I am proposing that affect your property are listed below, under the heading **Continuing Obligations**. Under s. 292.12 (5), Wis. Stats., current and future owners and occupants of this property are responsible for complying with continuing obligations imposed as part of an approved closure.

The fact sheet "Continuing Obligations for Environmental Protection" (DNR publication RR 819) has been included with this letter, to help explain the responsibilities you may have for maintenance of a certain continuing obligation, the limits of any liability for investigation and cleanup of contamination, and how these differ. If the fact sheet is lost, you may obtain copies at <http://dnr.wi.gov/files/PDF/pubs/rr/RR819.pdf>.

Contract for responsibility for continuing obligation:

Before I request closure, I will need to inform the DNR as to whom will be responsible for the continuing obligation/s on your property.

Betty Williams will be responsible for the continuing obligation

Under s. 292.12, Wis. Stats., the responsibility for maintaining all necessary continuing obligations for your property will fall on you or any subsequent property owner, unless another person has a legally enforceable responsibility to comply with the requirements of the final closure letter. If you need more time to finalize an agreement on the responsibility for the continuing obligations on your Property, you may request additional time from the DNR contact identified in **Contact Information**.

(Note: Future property owners would need to negotiate a new agreement.)

G.C

Notification of Continuing Obligations and Residual Contamination

Groundwater Contamination:

Groundwater contamination originated at the property located at 811 Lake Ave W, Ladysmith, WI, 54848 .
Contaminated groundwater has migrated onto your property at:

818 Pederson Ave W, Ladysmith, WI 54848

The levels of

petroleum constituents (e.g., benzene, ethylbenzene, trimethylbenzene, toluene, xylenes, naphthalene)

contamination in the groundwater on your property are above the state groundwater enforcement standards found in ch. NR 140, Wis. Adm. Code.

However, the environmental consultants who have investigated this contamination have informed me that this groundwater contaminant plume is stable or receding and will naturally degrade over time. I believe that allowing natural attenuation, or the breakdown of contaminants in groundwater due to naturally occurring processes, to complete the cleanup at this site will meet the case closure requirements of ch. NR 726, Wis. Adm. Code. As part of my request for case closure, I am requesting that the DNR accept natural attenuation as the final remedy for this site.

The following DNR fact sheet (RR 671, "What Landowners Should Know: Information About Using Natural Attenuation to Clean Up Contaminated Groundwater") has been included with this notification, to help explain the use of natural attenuation as a remedy. If the fact sheet is lost, you may obtain a copy at <http://dnr.wi.gov/files/PDF/pubs/rr/RR671.pdf>.

Continuing Obligations on Your Property: As part of the cleanup, I am proposing that the following continuing obligations be used at your property, to address future exposure to residual contamination. If my closure request is approved, you will be responsible for the following continuing obligations.

To construct a new well or to reconstruct an existing well, the property owner at the time of construction or reconstruction will need to obtain prior approval from the DNR. See **Well Construction Requirements**. Typically, this results in casing off a portion of the aquifer during drilling, when needed, to protect the water supply.

Continued monitoring was requested/required for certain monitoring wells

Maintenance and Audits of Continuing Obligations:

If compliance with a maintenance plan is required as part of a continuing obligation, an inspection log will need to be filled out periodically, and kept available for inspection by the DNR. Submittal of the inspection log may also be required. You will also need to notify any future owners or occupants of this property of the need to maintain the continuing obligation and to document that maintenance in the inspection log. Periodic audits of these continuing obligations may be conducted by the DNR, to ensure that potential exposure to residual contamination is being addressed. The DNR provides notification before conducting site visits as part of the audit.

Well Construction Requirements:

If this site is closed, all properties within the site boundaries where contamination remains, or where a continuing obligation is applied, will be listed on the Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web, at <https://dnr.wi.gov/topic/Brownfields/WRRD.html>. Inclusion on this database provides public notice of remaining contamination and of any continuing obligations. Documents can be viewed on this database, and include final closure letters, site maps and any applicable maintenance plans. The location of the site may also be viewed on the Remediation and Redevelopment Sites Map (RR Sites Map), at the same internet address listed above.

DNR approval prior to well construction or reconstruction is required in accordance with s. NR 812.09 (4) (w), Wis. Adm. Code. This requirement applies to private drinking water wells and high capacity wells. Special well construction standards may be necessary to protect the well from the remaining contamination. The property owner needs to first obtain approval from a regional water supply specialist in DNR's Drinking Water and Groundwater Program. A well driller can help complete this form. The well construction application, form 3300-254, is on the internet at <https://dnr.wi.gov/files/PDF/forms/3300/3300-254.pdf>.

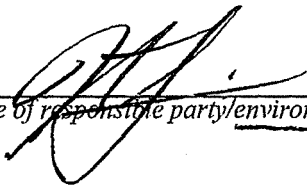
G. C

**Notification of Continuing Obligations
and Residual Contamination**

Site Closure:

If the DNR grants closure, you will receive a letter which defines the specific continuing obligations on your property. The status of the site (open or closed) may also be checked by searching BRRTS on the Web. You may view or download a copy of the closure letter (sent to the responsible party) from BRRTS on the Web. You may also request a copy of the closure letter from the **responsible party** or by writing to the DNR contact, at Carrie Stoltz, Carrie. Stoltz@wisconsin.gov, (715) 360-1966 . The final closure letter will contain a description of the continuing obligation, any prohibitions on activities and will include any applicable maintenance plan.

If you have any questions regarding this notification, I can be reached at: (715) 832-6608
kshimko.meridianenv@gmail.com


Signature of responsible party/environmental consultant for the responsible party

Date Signed 1-29-21

Attachments

Contact Information

Legal Description for each Parcel:

Maps:

Maintenance plan

Factsheets:

RR 819, Continuing Obligations for Environmental Protection

RR 671, What Landowners Should Know: Information About Using Natural Attenuation to Clean Up Contaminated Groundwater

346821

State Bar of Wisconsin Form 1 - 2003

WARRANTY DEED

Document Number

Document Name

THIS DEED, made between Betty J. Williams, a single person,

(“Grantor,” whether one or more),
 and Betty J. Williams and Douglas E. Pavlik, as joint tenants,

(“Grantee,” whether one or more).

Grantor, for a valuable consideration, conveys to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Rusk County, State of Wisconsin (“Property”) (if more space is needed, please attach addendum):

SEE ATTACHED LEGAL DESCRIPTION

U 0 6 3 4 P 3 2 3

RUSK CO. REGISTER OF DEEDS
 RECEIVED FOR RECORDING ON
 12/08/2017 AT 10:30 AM.
 RECORDED IN
 VOLUME 634 PAGE 323 - 324
 DOCUMENT NUMBER: 346821
 TRANSFER FEE PAID \$45.00
 TRANS FEE EXEMPT

Craig Johnson
 REGISTER OF DEEDS

Recording Area

Name and Return Address

MORRIS LAW OFFICE
N4142 Hwy. 40
Bruce, WI 54819

246-02647-0000; 246-02645-0000

Parcel Identification Number (PIN)

This is homestead property.
 (is) (is not)

Grantor warrants that the title to the Property is good, indefeasible in fee simple and free and clear of encumbrances except:

Dated December 4, 2017

 * (SEAL) *Betty J. Williams* (SEAL)
 * Betty J. Williams

 * (SEAL) _____ (SEAL)
 *

AUTHENTICATION

ACKNOWLEDGMENT

Signature(s) _____

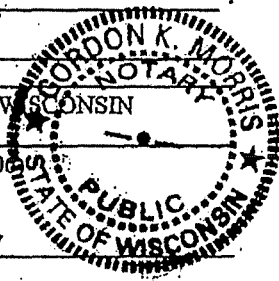
authenticated on _____

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, _____
 authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT DRAFTED BY:

Gordon K. Morris, Attorney
 Bruce, WI



STATE OF WISCONSIN

RUSK

COUNTY)

} ss.

Personally came before me on 12/4/2017,
 the above-named Betty J. Williams,

to me known to be the person(s) who executed the
 foregoing instrument and acknowledged the same.

* Gordon K. Morris

Notary Public, State of Wisconsin

My Commission (is permanent) (expires: _____)

(Signatures may be authenticated or acknowledged. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.
 WARRANTY DEED STATE BAR OF WISCONSIN FORM No. 1-2003

*Type name below signatures.

Morris Law Office N4142 Highway 40 Bruce, WI 54819
 Gordon Morris

Produced with ZipForm® by zipLogix 18070 Fifteen Mile Road, Fraser, Michigan 48026 www.ziplogix.com

Phone: 715-868-5851

Fax: 715-868-5852

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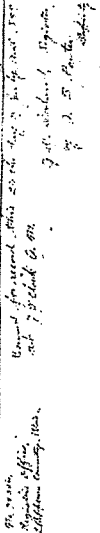
ADDENDUM - LEGAL DESCRIPTION

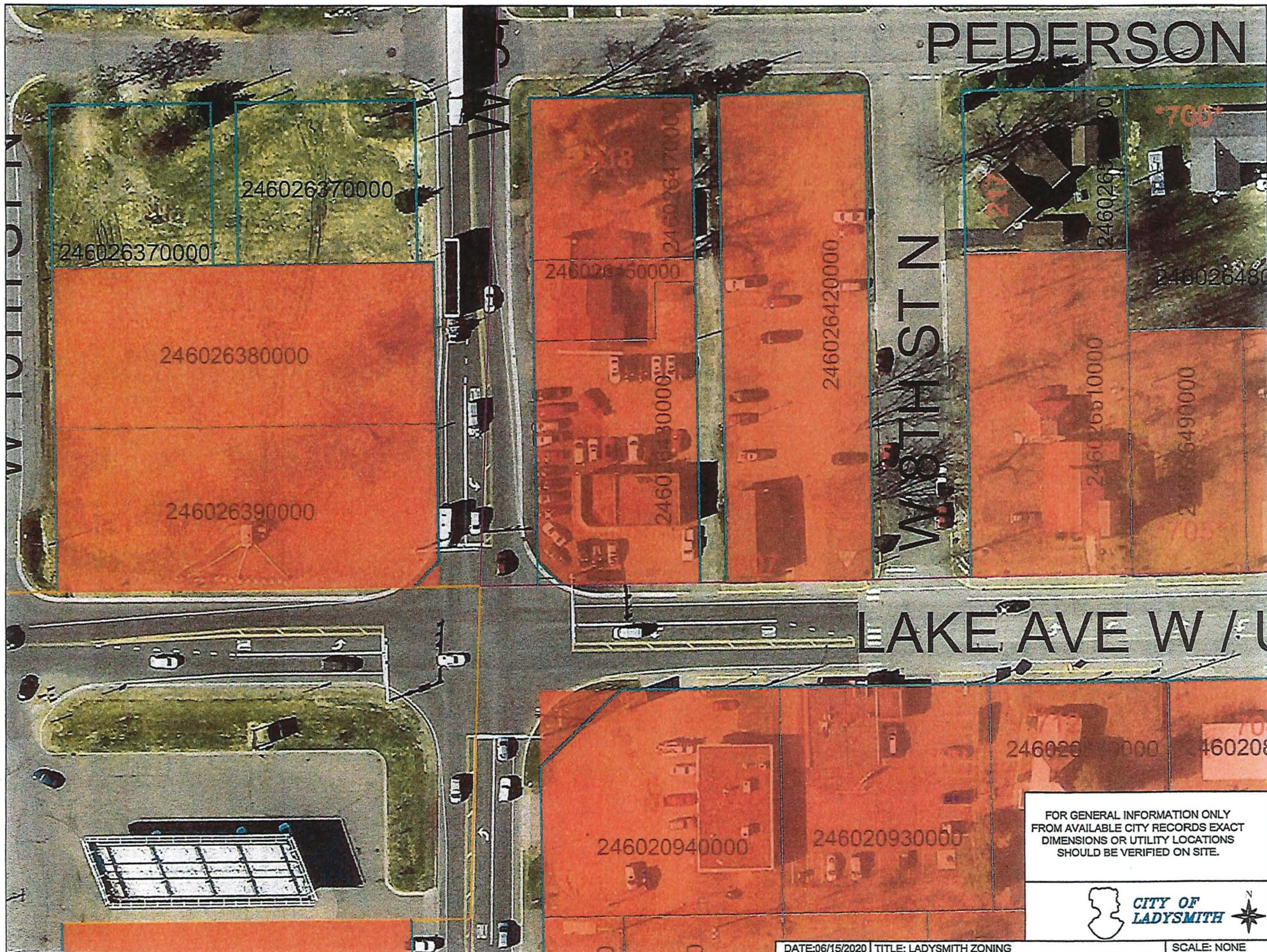
An undivided one-half interest in and to Lots 16, 17 and 18, Block 11, Plat of New Flambeau, an addition to the City of Ladysmith, and the right to use the North One-half of Lot 15 of said Block 11 for customer parking only in conjunction with the restaurant business located on Lot 16 and the South One-half of Lot 17 of said Block 11; such easement to cease at the time the restaurant business hereinabove referred to is discontinued, or at such time the above named grantees own less than a 50% interest in and to said Lot 16 and the South One-half of said Lot 17.

BUT EXCEPTING the South 35 feet of the East 25 feet of Lot 16, Block 11, Plat of New Flambeau, an addition to the City of Ladysmith.

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PEDERSON

W 8TH ST N

LAKE AVE W / U

FOR GENERAL INFORMATION ONLY
FROM AVAILABLE CITY RECORDS EXACT
DIMENSIONS OR UTILITY LOCATIONS
SHOULD BE VERIFIED ON SITE.




R-1: One Family Residential District	
R-2: Two Family Residential District	
R-3: Multi-Family Residential District	
C: Commercial District	
I-1: Light Industrial District	
I-2: Standard Industrial District	
I-3: Heavy Industrial District	
OC-1: Open Development & Conservancy	
R-MH: Mobile Home District	
MW: Municipal Well Recharge Overlay	
PUD: Planned Unit Development	

G.C

Dougs Tire (former)
BRRTS#03-55-000408
811 Lake Ave W
Ladysmith, Wisconsin 54848

To the best of my knowledge, the legal description provided in Rusk County Document #352634 accurately describes the property known as 811 Lake Ave W, Ladysmith, Wisconsin 54848 (specifically parcel # 246-02643-0000) where environmental work was conducted (DNR BRRTS#: 03-55-000408).

 Kenneth Shindko Date: 6-22-2020
Environmental Consultant
FDR

Vicki Richardson

