

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
473 Griffith Ave.
Wisconsin Rapids WI 54494

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



December 13, 2022

CERTIFIED MAIL

USPS Certified Mail #7018 0360 0001 1416 2172

USPS Delivery Confirmation #0300 1290 0002 9241 7734

Barbara Feehrer
135126 Halder Drive
Mosinee, WI 54455

Subject: Notice of Non-Compliance: Action Required by January 13, 2023
Notice of Potential Deed Affidavit per Wis. Admin. Code § NR 728.11
Site Name: Springers Inn ("Site"),
3406/135126 Halder Drive, Mosinee, WI ("Property")
BRRTs #03-37-000904

Dear Ms. Feehrer:

This letter is to notify you that you remain out of compliance with Wisconsin Statutes (Wis. Stat.) chapter 292 and Wisconsin Administrative Code (Wis. Admin. Code) chapters NR 700 through NR 754. On April 28, 2014, the Wisconsin Department of Natural Resources ("department") notified you of your responsibilities to investigate the degree and extent of contamination and clean up the above-referenced site. That letter is attached for your reference.

In addition to the Responsibility Party letter, the department has sent you the following letters via certified mail:

Status Update letter dated March 5, 2019
Notice of Noncompliance dated December 2, 2019

Notice of Non-Compliance

Please be aware that the department may initiate enforcement action against you for failure to comply with Wis. Stat. ch. 292. Your legal responsibilities are defined both in Wis. Stat. ch. 292 and Wis. Admin. Code chs. NR 700 - 754 and are also described in the April 28, 2014 letter. In particular, Wis. Stat. § 292.11(3), 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.

Our information indicates that you have not submitted a Site Investigation Work Plan to define the extent of petroleum contamination from the Underground Storage Tank identified/registered to the above stated property address.

Guidance for meeting statutory requirements is available in code. Wis. Admin. Code chs. NR 700 - 754 establish requirements for emergency and interim actions, public information, site investigations, design and operation of remedial action systems, and case closure. Ch. NR 708 includes provisions for immediate actions in response to limited contamination. Wis. Admin. Code ch. NR 140 establishes groundwater quality standards for contaminants that reach groundwater.

Notice of Potential Deed Affidavit

If you elect not to move forward with the necessary response actions at your site, the department intends to file a deed affidavit on the Property per Wis. Admin. Code § NR 728.11(2), which states:

Where the department has information to demonstrate that the source of contamination is on the property and the property owner or other responsible party has failed to take adequate response action, the department may record an affidavit at the office of the register of deeds for the county in which the property is located..."

This affidavit would provide notice to the public, and any prospective purchaser, of the existing contamination and the environmental liability associated with the Property.

Response Requested

The department is requesting that by January 13, 2023, you have hired a consultant that is going to submit a site investigation work plan to define the extent of petroleum contamination associated with this property.

Please understand that you are in noncompliance and will remain in noncompliance until you fulfill all requirements of the statute. Failure to take the actions required by Wis. Stat. ch. 292 to address this contamination will cause the department to take appropriate enforcement action.

Additionally, with regard to the potential deed affidavit, you must respond by January 13, 2023 and either indicate that the Property will be promptly investigated and remediated in compliance with applicable statutes and rules or provide information which clearly demonstrates that there is no environmental contamination on the Property (Wis. Admin. Code § NR 728.11(2)(a)).

If you have questions, please do not hesitate to contact Dee Lance at (715) 697-0632, or via email at dee.lance@wisconsin.gov. Thank you for your attention to this matter.

Sincerely,



Dave Rozeboom
West Central Region Team Supervisor
Remediation & Redevelopment Program

Encl.

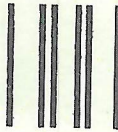
Responsible Party Letter, April 28, 2014
Status Update letter dated March 5, 2019
Notice of Noncompliance dated December 2, 2019

USPS TRACKING#

MILWAUKEE WI 530



17 DEC 2022 PM 2 L



First-Class Mail
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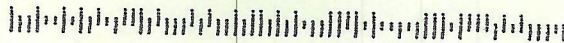
9590 9402 5175 9122 9713 93

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Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

WDNR
Attn: Dee Lance
473 Griffith Ave.
Wis. Rapids WI
54494

RECEIVED
DEC 18 2022
Wisconsin Rapids Service Center
Wisconsin Rapids WI



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1. Article Addressed to:

Barbara Feehrer
135126 Halder Dr.
Mosinee WI 54455



9590 9402 5175 9122 9713 93

2. Article Number (Transfer from service label)

7018 0360 0001 1416 2172

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

B. Feehrer

C. Date of Delivery

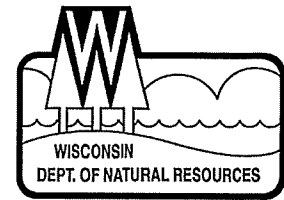
12/1/15

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Adult Signature
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- Certified Mail®
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- Signature Confirmation™
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Domestic Return Receipt



April 28, 2014

Ms. Barbara Feehrer
3406 Halder Drive
Mosinee WI 54455

Certified Mail
Return Receipt Requested
USPS Article #7009 2250 0000 3277 6956

Subject: Reported Contamination at the Springers Inn,
3406 Halder Drive, Mosinee
BRRTS # 03-37-000904

Dear Ms. Feehrer:

On March 14, 1985, the Wisconsin Department of Natural Resources notified the past property owner of volatile organic chemicals (VOC's) within the potable well that served the property.

Information within the current WDNR file shows analytical data regarding potable well samples. The former property owner was identified as the possible responsible party due to the fact that a gasoline pump and tank were associated with the above stated property. Upon removal of the tank the soil was tested and identified petroleum contamination. According to Marathon County records, in April 2004, ownership of the above-referenced petroleum-contaminated property was transferred to you.

Based on the information that has been submitted to the WDNR regarding this site, we believe you, as owner of the above-referenced property, are responsible for investigating and restoring the environment at the above-described site under Section 292.11, Wisconsin Statutes, known as the hazardous substances spills law, as well as treatment and/or disposal any contaminated soils, in accordance with State rules and regulations.

This letter describes the legal responsibilities of a person who is responsible under section 292.11, explains what you need to do to investigate and clean up the contamination, and provides you with information about cleanups, environmental consultants, possible financial assistance, and working cooperatively with the WDNR.

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.

Wisconsin Administrative Code chapters NR 700 through NR 749 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:

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 three steps to take:

1. Within the next 60 days, by June 20, 2014, you should submit written verification (such as a letter from the consultant) that you have hired an environmental consultant. If you do not take action within this time frame, the WDNR may initiate enforcement action against you.
2. Within the next 90 days, by July 21, 2014, your consultant should submit a work plan and schedule for the investigation. The consultant must comply with the requirements in the NR 700 and NR 500 rule series and should refer to WDNR technical guidance documents. To facilitate prompt agency review of your reports, your consultant should use the site investigation and closure formats which are available online at www.dnr.state.wi.us.
3. Within 30 days of completion of the site investigation, you or your consultant must provide a brief report at least every 90 days as required by s. NR 724.13 (3), Wis. Adm. Code. Quarterly reports need only include one or two pages of text, plus any relevant maps and tables. Should conditions at your site warrant, we may require more frequent contacts.
4. Sites where discharges to the environment have been reported are entered into the Bureau for Remediation and Redevelopment Tracking System ("BRRTS"), a version of which appears on the WDNR's internet site. You may view the information related to your site at any time (<http://www.dnr.state.wi.us/org/aw/rr/brrts>) and use the feedback system to alert us to any errors in the data.

If you want a formal response from the agency on a specific submittal, please be aware that a review fee is required in accordance with ch. NR 749, Wis. Adm. Code. If a fee is not submitted with your reports, you should proceed under the advice of your consultant to complete the site investigation to maintain your compliance with the spills law and chapters NR 700 through NR 749. Do not delay the investigation of your site by waiting for an agency response. We have provided detailed technical guidance to environmental consultants. Your consultant is expected to know our technical procedures and administrative rules and should be able to answer your questions on meeting cleanup requirements.

April 28, 2014
Ms. Barbara Feehrer
Page 3

BRRTS # 03-37-000904

All correspondence regarding this site should be sent to:

Dee Lance
Remediation and Redevelopment Program
Wisconsin Department of Natural Resources
473 Griffith Avenue
Wisconsin Rapids, WI 54494

Unless otherwise requested, please send only one copy of plans and reports. To speed processing, correspondence should reference the BRRTS and PECFA numbers shown at the top of this letter.

Information to help you select a consultant is enclosed.

Reimbursement from the Petroleum Environmental Cleanup Fund (PECFA) may be available for some of the costs of cleaning up contamination from eligible petroleum storage tanks. For more information on the PECFA program, please call the DNR at 608-261-7515 or visit their web site at:
<http://dnr.wi.gov/topic/Brownfields/pecfa.html>.

Call the DNR Project Manager at 715/421-7862 for more information or visit the RR web site.
<http://dnr.wi.gov/org/aw/rr>.

Thank you for your cooperation.

Sincerely,



Dee Lance
Hydrogeologist
Bureau for Remediation & Redevelopment

Enclosures: PECFA Consultant List

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
Wisconsin Rapids Service Center
473 Griffith Avenue
Wisconsin Rapids WI 54494

Tony Evers, Governor
Preston D. Cole, Secretary

Telephone 715-421-7800
FAX 715-421-7830
TTY Access via relay - 711



March 5, 2019

Ms. Barbara Feehrer
135126 Halder Drive
Mosinee WI 54455

Certified Mail
USPS Article #7018 0360 0001 1416 0451

Subject: Springers Inn
3406/135126 Halder Drive, Mosinee, WI
WDNR BRRTS # 03-37-000904

Dear Ms. Feehrer:

On April 28, 2014, the Wisconsin Department of Natural Resources (the Department) sent you a letter informing you of your responsibility to investigate contamination even though you may not have been the causer, but you are the current property owner according to Marathon County records. This letter was sent via Certified Mail and you signed the delivery card on 4/30/14. To date, the Department has not heard from you regarding the investigation/clean up of the petroleum contamination by you at the above stated property.

Please be aware that you are at risk of the Wisconsin DNR initiating enforcement action against you for failure to comply with the Hazardous Substances Spills Law (section 292.11, Wisconsin Statutes). Wisconsin Statute 292.11 states:

"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."

Under the Spills Law, you have a legal responsibility to investigate and clean up all contamination to the extent practicable. Our records indicate that you have not started the investigative work necessary to determine the method and degree of cleanup needed to bring your site into compliance with the Spills Law.

Because a hazardous substance had been released to the environment, you are responsible for conducting a remedial investigation to determine the extent of contamination and potential for groundwater impact. Remedial actions must be taken to clean up contaminated soils and groundwater, if applicable.

You should note that failure to take the actions required by s. 292.11, Wis. Stats., to address this contamination might lead me to recommend that this case be reviewed for Department enforcement actions. One possible action involves the Department recording a notice of residual contamination on the property's deed under section NR 728.11, Wis. Adm. Code. The deed notice would inform any potential purchaser of the property of the presence of the contamination, and this notice would remain in effect until the contamination has been addressed. For more environmentally serious situations, the

Department has the ability through our stepped enforcement process to take additional enforcement actions, up to and including referral of the case for prosecution by the Department of Justice. Such referrals will result in court-stipulated actions and monetary forfeitures.

Department requires that **within thirty days of receiving this letter**, your consultant submit to this office a workplan and a schedule for completing the investigation. The consultant must follow the Department's administrative codes and technical guidance documents. Although the Department does not review a case at every stage in the investigation and cleanup, you are still required by the Spills Law to take the steps necessary to restore the environment to the extent practicable. Your environmental consultant should be knowledgeable in the applicable State environmental codes and WDNR technical guidance documents to assist you in meeting Wisconsin's cleanup standards. Please submit a copy of this workplan to me by April 8, 2019, at the following address:

Dee Lance
Wisconsin Department of Natural Resources
473 Griffith Avenue
Wisconsin Rapids, WI 54494

If you should have any questions regarding this letter or your site, please feel free to contact me at (715) 421-7862, or e-mail me at Dee.Lance@wisconsin.gov

Sincerely,



Dee Lance
Hydrogeologist

Enclosure: April 28, 2014 WDNR Letter

03-37-000904

SENDER: COMPLETE THIS SECTION

- 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.

1. Article Addressed to:
 Barbara Feehrer
 135126 Halder Dr.
 Mosinee WI
 54455



9590 9402 1563 5362 0303 81

2. Article Number (Transfer from service label)
 7018 0360 0001 1416 0451

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *M VanderBoal* Agent Addressee

B. Received by (Printed Name) *Mindy Vanden Boogaard* C. Date of Delivery *3/9/19*

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Registered Mail Express®
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Return Receipt for Merchandise
 - Signature Confirmation™
 - Signature Confirmation Restricted Delivery

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
473 Griffith Ave.
Wisconsin Rapids WI 54494

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



December 2, 2019

Ms. Barbara Feehrer
135126 Halder Drive
Mosinee, WI 54455

Certified Mail
USPS#7018 0360 0001 1416 1175

SUBJECT: **Notice of Non-Compliance**, Springers Inn
3406/135126 Halder Drive, Mosinee, WI
BRRTS # 03-37-000904

Dear Ms. Feehrer:

The purpose of this letter is to notify you that you have failed to comply with the Hazardous Substances Spills Law (section 292.11, Wisconsin Statutes). On June 21, 1991, the Department notified the past property owner (Richard Springer) of his responsibility to define the extent and degree of the petroleum contamination that was identified during the removal of an underground petroleum storage tank located on the above stated property. According to the Marathon County records, in April 2004, ownership of the above-referenced petroleum contaminated property was transferred to you.

On April 28, 2014, you were notified of your obligation to investigate the source of the contamination previously identified. On March 5, 2019 you were sent another letter from the Department stating your responsibility for the investigation & cleanup of the petroleum contamination along with a status update. You have yet to provide any indication that you intend to proceed with the investigation.

Please be aware that you are at risk of the Wisconsin DNR initiating enforcement action against you for failure to comply with the Hazardous Substances Spills Law (section 292.11, Wisconsin Statutes). Wisconsin Statute 292.11 states:

"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."

Under the Spills Law, you have a legal responsibility to clean up all contamination to the extent practicable. Our information indicates that you have not started the investigative work necessary to determine the method and degree of cleanup needed to bring your site into compliance with the Spills Law. Because a hazardous substance had been released to the environment, you are responsible for conducting a remedial investigation to determine the extent of contamination. Remedial actions must be taken to clean up contaminated soils and groundwater, if applicable. An immediate concern is the need to identify any risks of explosive or toxic vapors and/or water well contamination.

Please submit evidence that you have hired an environmental consultant, as well as a work plan outlining how you plan to proceed with the investigation to me by **January 2, 2020**.

Although the Department does not review a case at every stage in the investigation and cleanup, you are still required by the Spills Law to take the steps necessary to restore the environment to the extent practicable. Your environmental consultant should be knowledgeable in the applicable State environmental codes and WDNR technical guidance documents to assist you in meeting Wisconsin's cleanup standards.

If the investigation does not proceed the Department will have no choice but to initiate the enforcement process which will likely include the placement of a deed affidavit on your property. The deed affidavit will serve to warn potential purchasers of the environmental contamination that is present on the property.

If you are having difficulty financing the investigation and clean-up of this property and would like to demonstrate an inability to pay for the required work, the Department can offer you an opportunity to complete a financial disclosure form and provide information about your tax filings. The Department would review and verify your inability to pay. This information would be placed in your case file as a record of your efforts to respond to the contamination.

If you should have any questions regarding this letter or your site, please feel free to contact me at (715) 421-7862.

Sincerely,



Dee Lance
Hydrogeologist
Bureau for Remediation and Redevelopment

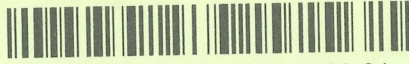
C: Dave Rozeboom (WDNR)
Deb Dix (WDNR)

SENDER: COMPLETE THIS SECTION

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1. Article Addressed to:

Barbara Feehner
 135126 Halden Dr
 Mosinee WI 54455



9590 9402 5175 9122 9722 91

2. Article Number (Transfer from service label)

7018 0360 0001 1416 1175

COMPLETE THIS SECTION ON DELIVERY

A. Signature

M. Wanden Boogaert

- Agent
- Addressee

B. Received by (Printed Name)

Mindy Wanden Boogaert

C. Date of Delivery

12/4

D. Is delivery address different from item 1? If YES, enter delivery address below:

- Yes
- No

3. Service Type

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- Collect on Delivery Restricted Delivery
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- Signature Confirmation™
- Signature Confirmation Restricted Delivery