

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
Wisconsin Rapids Service Center
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



May 07, 2019

Mr. Shane Rader
Rib River Developers LLC
3301 Sherman Street
Wausau, WI 54401

BRRTS #02-37-275016
FID#: 737081180
Remediation/Redevelopment – Marathon County

Subj: Notice of Violation and Enforcement Conference Summary

Dear Mr. Rader:

An enforcement conference was conducted on April 30, 2019, at the Wisconsin Department of Natural Resources (department) Wausau Service Center. The purpose of the conference was to discuss alleged violations of state Remedial Action laws including ch. 292, Wis. Stats and chs. NR 700-754, Wis. Adm. Code at property located at 3407 Sherman Street, Township of Stettin, Wausau, Wisconsin (Former Trantow Property). A copy of the sign-in sheet is enclosed for your reference.

We began the conference with an outline of the department's stepped enforcement process and discussion of some of the history of the department's communications regarding this parcel and the contamination on the property. As discussed, a copy of communications prior to your purchase of the property is enclosed with this letter.

You indicated that you have been conducting research on the history of the property along with making contact with REI Engineering, Inc. (REI) to discuss the estimated volume of waste material and Abraham Trucking & Excavating (Abraham) for estimates to remove, haul and dispose of the waste. REI provided you with an updated estimate which you then supplied to Abraham who estimated a cost of \$100,000.00 for removal and disposal. To help department staff evaluate options for the property, **please provide written documentation of the updated information from REI and the estimate obtained from Abraham no later than May 15, 2019.**

You also mentioned that you had contacted Marathon County Zoning to review the history of the property through aerial photographs. Based on that research, you stated that the waste has been on the property since sometime in either the 1950's or 1960's. We talked about this again on Wednesday, May 1, at which time you indicated you are not sure where the electronic media is that you saved the information on. Department staff will contact Marathon County Zoning to obtain that information directly.

The area of waste had been fenced off to assist in preventing direct human contact with the waste. The house on the property is currently utilized as a rental property but your intention for the property had been to construction apartments/condominiums.

You stated that the area where the waste is located was covered with wood chips at the time you purchased the property and that the former owner did not make you aware of the waste on the property. You took over the existing loan at People's State Bank at the time of purchase. You stated that you currently live paycheck-to-paycheck and do not have the financial means to conduct additional investigation or removal / proper disposal of the waste unless you were to obtain a loan for the work. And, even if you were able to obtain a loan, you would not have the means to make the payments.

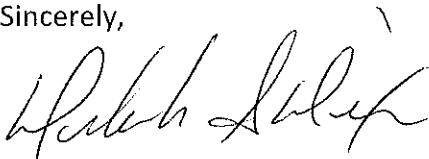
You had reviewed ch. 292, Wis. Stats., and raised question as to the applicability of some of the liability exemptions within that chapter for your situation. It was agreed that a request would be made to department legal counsel to address your specific questions associated with liability. I talked with you briefly on Wednesday, May 1, at which time you indicated you were developing a document that would outline your specific questions associated with specific areas of the statute and would provide that to me by email. Once received, that will be provided to department legal counsel for response.

We discussed other potential options for removal, disposal, investigation, monitoring, and clean-up of the site including the possibility of a State funded project. Department staff will look into any potential options and provide a summary of what they would involve. This may require that you submit financial documentation to the department to prove that you do not have the financial means to complete the project on your own.

Please note that, based on the current status of the project, the department is pursuing the placement of a Deed Affidavit – Notice of Contamination that will be placed on the deed to this property per NR 728.11 Wis. Admin. Code. You will receive notification when this process is started.

If you have technical questions, please contact Dee Lance at (715) 421-7862. If you have questions regarding this letter or the enforcement process, please contact me at (715) 421-9914 or through e-mail at Deborah.Dix@wisconsin.gov.

Sincerely,



Deborah S. Dix
Environmental Enforcement Specialist

Enc. – Enforcement Conference Sign-in Sheet

c: Dee Lance, Wisconsin Rapids
Dave Rozeboom, Eau Claire
William Nelson, LS/8

