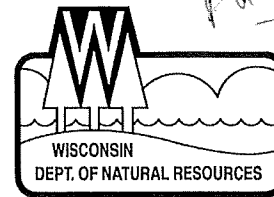


State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
101 S. Webster Street
Box 7921
Madison WI 53707-7921

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



December 5, 2016

Joseph Guidote, Jr.
Outagamie County
Corporation Counsel
410 South Walnut Street
Appleton, WI 54911-5936

Subject: Project Update Needed Within 60 Days
American Toy & Furniture, 825 Main Street, Hortonville - 06-45-307856

Dear Mr. Guidote:

Our records indicate that you are currently enrolled in Wisconsin's voluntary party liability exemption (VPLE) process, related to environmental remediation at the property identified above. However, we have not received any recent updates from the County on their interest in continuing in the VPLE process.

Please send us a project update within **60 days** of receipt of this letter. This progress report should identify the steps the County plans to take towards post closure modification of the two closed environmental cases on the property and issuance of a certificate of completion (COC), along with an approximate schedule of when these activities will occur.

If we do not receive your project update information within 60 days, or your update does not demonstrate reasonable progress, we will withdraw the County from the VPLE process, in accordance with s. 292.15(2)(av), Wis. Stats. and NR 750.05(4), Wis. Admin. Code. The County may also, of course, withdraw itself from the VPLE process if you so choose. In either instance, DNR will refund any remaining deposit funds which in this case is: \$1,401.25.

If you wish to withdraw from the VPLE process, please notify your Project Manager in writing as soon as possible at the following address:

Jennifer Borski - WDNR – NER/RR
625 East County Road Y, Suite 700
Oshkosh, WI 54901
920/424-7887
Jennifer.Borski@Wisconsin.Gov

It is possible for the County to re-enter the VPLE process after withdrawal, but new fees will be charged and you must enter into an agreement with DNR containing a schedule for investigating and remediating the property. If you withdraw, or are withdrawn, from the VPLE process and/or discontinue cleanup efforts, please be aware that you may have continuing legal and financial responsibilities. If you own this property or caused the hazardous substance discharge at issue, state law requires you to complete the necessary environmental work to restore the environment and minimize effects of the discharge. It is also possible for another entity to apply to enter the VPLE process for this property by submittal of application form 4400-178 and applicable fees. The application form can be found on the internet at the following link: <http://dnr.wi.gov/files/PDF/forms/4400/4400-178.pdf>.

Thank you for your attention to this matter. Feel free to contact your Project Manager if you have any questions or comments.

Sincerely,

Michael A. Prager
Land Recycling Team Leader
Bureau for Remediation & Redevelopment

cc: Jennifer Borski, NER-Oshkosh