



May 2, 2013

Terry & Shirley Campetti  
13869 S. Fairbanks Road  
Gordon, WI 54838

**Certified Mail, Return Receipt Requested**

Subject: Second Notification - Intention to File Deed Affidavit for Contamination found at  
13869 S. Fairbanks Rd, Gordon, WI  
BRRTS # 02-16-000077

Dear Mr. and Mrs. Campetti:

The Department of Natural Resources ("the Department") sent you a letter on March 20, 2013, indicating that the Department would proceed with the filing of a deed affidavit on your property at the Douglas County Register of Deeds office, unless you took action as specified in the letter. The Department has determined that the recording of an affidavit is necessary since you have not responded. A copy of the affidavit we intend to record is attached for your reference.

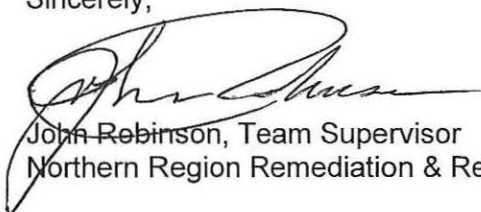
The Department has found that historical open burning violations which occurred at the property you now own, located at 13869 S. Fairbanks Road, Town of Gordon, Douglas County, Wisconsin (N ½ S ½ NE ¼ SE ¼, Sec. 26, T44N, R11W), resulted in lead contamination on your property. Lead was present at the following levels in an ash sample collected by Department personnel on August 25, 1989: 2,100 parts per million (ppm) total lead, and 8.0 ppm extractable lead. The Department has concluded that lead is a "hazardous substance" as defined in s. 292.01(5), Wisc. Stats.

Investigation to determine the extent of contamination and potential for groundwater impact, as well as remedial actions to clean up contaminated soils and groundwater, if applicable, are required under the authority of s. 292.11(3), Wisc. Stats. The contamination at the Property will continue to discharge into the environment, and subsequent purchasers of the Property could become liable for remediation costs. Consequently, the recording of this affidavit is necessary to notify future purchasers of the Property of their potential liability.

The Department will record the affidavit unless we receive a written response from you within thirty (30) days of receive this letter, certifying that the Property will be promptly investigated and remediated in compliance with chs. NR 700-754, Wis. Adm. Code, and ch. 292, Wisc. Stats.

If you have questions about the contents of this letter, please contact me at 715-359-8932.

Sincerely,



John Robinson, Team Supervisor  
Northern Region Remediation & Redevelopment Program

Cc: **USDA-Rural Housing Service (sent via certified mail, return receipt requested)**  
c/o Centralized Servicing Center, USDA  
P.O. Box 66889  
St. Louis, MO 63166

**First National Bank of America (FNBA) (sent via certified mail, return receipt requested)**  
FNBA – East Lansing  
241 E. Saginaw Hwy  
East Lansing, MI 48823

Jill Zalesny, WDNR (via email)

Legal description of the property:

North Half of South Half of Northeast Quarter of Southeast Quarter (N 1/2 of S 1/2 of NE 1/4 of SE 1/4), Section Twenty-six (26), Township Forty-four (44) North, Range Eleven (11) West, in Douglas County, Wisconsin.

STATE OF WISCONSIN )  
 ) ss  
COUNTY OF MARATHON )

Recording Area

Name and Return Address:  
WDNR  
Attn: John Robinson  
5301 Rib Mountain Drive  
Wausau, WI 54401

John Robinson, being first duly sworn, states that:

1. I am a Remediation and Redevelopment Program Supervisor, employed by the Wisconsin Department of Natural Resources' (hereinafter "the Department") Northern Region.
2. I have personal knowledge of the facts herein set forth and believe the same to be true.
3. The Department of Natural Resources has determined that lead discharged to the Former Mattson Property, now known as the Campetti Property, which is located at 13869 S. Fairbanks Road, in the Town of Gordon, County of Douglas, WDNR BRRS #02-16-000077, and which has the above legal description, has contaminated ash and/or soil in the vicinity.
4. The Department believes that removal or treatment of the contaminated ash and/or soil, and/or groundwater monitoring, are required on the property under the authority of s. 292.11(3), Wisconsin Statutes.
5. On October 31, 2011, the Department of Natural Resources sent a Responsible Party (RP) letter to Terry and Shirley Campetti advising them of the statutory requirement to restore the environment at that location. The letter requested a written response within 30 days. The Department received no response.
6. On January 21, 2012, the Department of Natural Resources mailed a Notice of Noncompliance to Terry and Shirley Campetti which advised that no response had been received to the RP letter. The letter requested that Terry and Shirley Campetti advise what action they intended to take to resolve the matter in a written response by February 21, 2012. The Department received no response to the Notice of Noncompliance.
7. On January 3, 2013, the Department sent a Notice of Violation, by certified mail, to Terry and Shirley Campetti, advising that they had not taken any action and that they were therefore in violation of s. 292.11, Wisc. Stats. The Department did not receive an adequate response to the Notice of Violation.
8. On March 20, 2013, the Department sent a letter, by certified mail, to Terry and Shirley Campetti, advising that a notice of contamination would be recorded if satisfactory action

GO-012-01132-00

Parcel Identification Number (PIN)



to restore the environment did not commence. That letter requested a written response by April 19, 2013. The Department did not receive an adequate response to that letter.

9. On May 2, 2013, the Department sent a letter, by certified mail, to Terry and Shirley Campetti, and to USDA-Rural Housing Service, and to First National Bank of America advising that the Department has made the decision to record a notice of contamination for the above-described property at the Douglas County Register of Deeds office. The 30 day response time set out in the letter has expired. The 15 day waiting period since that deadline, required by NR 728, Wis. Adm. Code, has passed without an acceptable response.
10. Because the Department believes that lead currently found in the ash and/or soil on the property with the above legal description, will continue to discharge into the environment, subsequent purchasers of the property could be held responsible for investigation and cleanup costs under s. 292.11(3), Wisconsin Statutes.

\_\_\_\_\_  
John Robinson  
Remediation and Redevelopment Program Supervisor

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Notary Public, State of Wisconsin  
My commission expires \_\_\_\_\_.

This document was drafted by the Wisconsin Department of Natural Resources.