



October 22, 2019

**CERTIFIED MAIL**

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

Subject: Transfer of Project Management & Request for Status Update  
Contamination found at 13869 S. Fairbanks Road, Gordon, WI 54838  
BRRTS Name: Mattson, Mike (Hwy B Site)  
BRRTS Activity #02-16-000077

Dear Mr. and Mrs. Campetti:

The Wisconsin Department of Natural Resources (DNR) - Remediation and Redevelopment Program in the Northern Region is undergoing some changes to the distribution of workload among our staff. This letter is to introduce myself as the new project manager for the above-referenced case and to request an update on the status of the environmental investigation and cleanup at the Mattson, Mike (Hwy B Site) site, 13896 S. Fairbanks Road, Gordon, Wisconsin (Property).

On October 31, 2011, the DNR sent you a letter informing you of your responsibility to investigate, and as needed, clean-up contamination detected on the Property. The letter referenced historical open burning violations, which occurred at the Property. In an ash sample collected by DNR personnel at the Property on August 25, 1989, total lead was found to be present at 2,100 parts per million (ppm) and extractable lead at 8.0 ppm. As owner of the Property you have certain legal responsibilities, which are outlined in Section 292.11(3), Wisconsin Statutes, also known as the hazardous substance spills law. Section 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 this state.**

Our files indicate that we have not received any written correspondence or reporting for the case since you were issued a Notice of Violation letter in January 2013, and two subsequent letters advising you of the DNR's intent to record a Notice of Contamination (NOC) affidavit with the Douglas County Register of Deeds Office, dated March 20, 2013, and May 2, 2013, respectively. The letter dated May 2, 2013 included an unrecorded draft copy of the NOC. For unknown reasons, the NOC was not filed with Douglas County back in 2013.

Enclosed with this letter, for your reference, is an updated version of the NOC affidavit that the DNR intends to record with the deed of the Property at the Douglas County Register of Deeds Office. Also enclosed for your reference are copies of the letter and draft NOC that were sent to you on May 2, 2013.

You can avoid having a NOC recorded with the deed of the Property by hiring a qualified environmental consultant to investigate the degree and extent of contamination resulting from the open burning referenced

above, and by taking any necessary actions to address contamination identified during the investigation. You should notify the DNR in writing of your intentions within **30 days of receipt of this letter**.

Please forward the requested updates, detailing the current status of the case, and all future correspondence to:

Grant Neitzel  
Remediation and Redevelopment Program  
Wisconsin Department of Natural Resources  
1701 N. 4<sup>th</sup> Street  
Superior, Wisconsin 54880  
Grant.Neitzel@wisconsin.gov

If you have any questions or would like to discuss the situation, please contact me at (715) 392-3126 or via email at Grant.Neitzel@wisconsin.gov.

Thank you for your cooperation.

Sincerely,



Grant Neitzel  
Hydrogeologist - Remediation & Redevelopment Program  
Northern Region

Enclosures:

Selecting a Consultant – RR-502  
Environmental Services Contractor List – RR-024  
Environmental Contamination Basics – RR-674  
Updated 2019 Notice of Contamination Affidavit  
Unrecorded 2013 Notice of Contamination Affidavit  
Notice of Contamination Letter - May 2, 2013

Cc: First National Bank of America (**sent via certified mail, return receipt requested**)  
P.O. Box 980  
East Lansing, MI 48826

USDA Loan Servicing (**sent via certified mail, return receipt requested**)  
Customer Service Center  
P.O. Box 66889  
St. Louis, MO 63166

Document Number

Wis. Admin. § NR 728.11  
NOTICE OF CONTAMINATION

Legal Description of the Property:

North Half of South Half of Northeast Quarter of Southeast Quarter (N½ of S½ of NE¼ of SE¼), Section Twenty-six (26) Township Forty-four (44) North, Range Eleven (11) West, in Douglas County, Wisconsin.

STATE OF WISCONSIN

COUNTY OF ASHLAND

Recording Area

Name and Return Address:

WDNR  
Attn: Chris Saari  
2501 Golf Course Road  
Ashland, WI 54806

I, Christopher Saari, being first duly sworn, state that:

GO-012-01132-00

Parcel Identification Number (PIN)

1. I am a Remediation and Redevelopment Program Supervisor, employed by the Wisconsin Department of Natural Resources (hereinafter "the Department") at its Northern Region.
2. I have personal knowledge of the facts herein set forth and believe the same to be true.
3. The Department determined that lead discharged to Former Mattson Property, now known as the Campetti Property ("the Property"), which is located at 13869 S. Fairbanks Road, in the Town of Gordon, County of Douglas, 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 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 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. Per Wis. Admin. § NR 728.11(2)(a), 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 to address the environmental contamination 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. Per Wis. Admin. § NR 728.11(2)(b), on May 2, 2013, the Department sent a letter, by certified mail, to Terry and Shirley Campetti, the USDA Rural Housing Service, and 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

In Re: Property Located in the  
Town of Gordon  
Douglas County, Wisconsin  
Described above.

Douglas County Register of Deeds office. The 30-day response time set out in the letter has expired. Additionally, per Wis. Admin. § NR 728.11(2)(c), the 15-day waiting period since that deadline, required by Wis. Admin. § NR 728, passed without an acceptable response.

- 10. On October 22, 2019, the Department sent a letter, by certified mail, to Terry and Shirley Campetti, the USDA Rural Housing Service, and First National Bank of America requesting a status update on the case, and 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 unless progress is made towards compliance with s. 292.11, Wisc. Stats. The 30-day response time set out in the letter has expired. Additionally, per Wis. Admin. § NR 728.11(2)(c), the 15-day waiting period since that deadline, required by Wis. Admin. § NR 728, has passed without an acceptable response.
- 11. The Department records this Notice because the lead in the ash and/or soil on the Property with the above legal description will continue to discharge into the environment and subsequent purchasers of the Property could be held responsible for investigation and cleanup costs under Wis. Stat. § 292.11(3).

\_\_\_\_\_  
Christopher A. Saari

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public, State of Wisconsin

My commission expires on:\_\_\_\_\_

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

7018 3090 0001 4974 5451

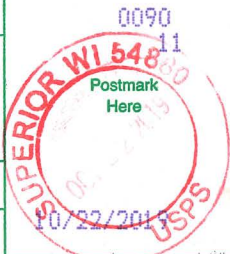
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<input type="checkbox"/> Return Receipt (hardcopy)	\$ 0.00
<input type="checkbox"/> Return Receipt (electronic)	\$ 0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ 0.00
<input type="checkbox"/> Adult Signature Required	\$ 0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ 0.00

Postage	\$ 1.45
Total Postage and Fees	\$ 7.75



Sent To Terry & Shirley Campetti  
Street and Apt. No., or PO Box No.

City, State, ZIP+4®  
Gordon, WI 54838  
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7018 3090 0001 4974 5444

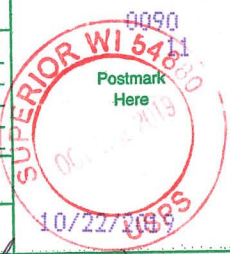
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<input type="checkbox"/> Adult Signature Required	\$ 0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ 0.00

Postage	\$ 0.70
Total Postage and Fees	\$ 7.00



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PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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<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
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ 0.00

Postage	\$ 0.70
Total Postage and Fees	\$ 7.00



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PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions