

DATE: December 3, 1999

FILE REF: 99-NEEE-031

TO: Skrzypek Property File

FROM: Judy Doelger *JMD*

SUBJECT: Proceed with Deed Affidavit – BRRTS #:02-39-001676

On June 9, 1999, this case was forwarded by Kevin McKnight for secondary enforcement. A Notice of Violation was mailed on June 17, 1999. The NOV included language that the department would proceed with filing a notice of contamination on the property deed should Mr. Stanley Skrzypek not respond. The NOV also offered an enforcement conference if requested. The NOV was returned as unclaimed on August 13, 1999.

The NOV, under new cover letter, was sent via regular US Mail on August 17, 1999. The cover letter requested a response in writing by September 3, 1999.

Enforcement Specialist Judy Doelger returned a phone call to Mr. Skrzypek on August 23, 1999. Mr. Skrzypek stated he would have his son contact Doelger with further questions related to the site and their intentions for proceeding. Mr. Skrzypek also stated he had mailed that day a response to the August 17, 1999 cover letter and the NOV.

Doelger sent a letter, dated November 23, 1999, requesting a written response by December 3, 1999, with intentions for proceeding with site investigation and cleanup or the affidavit of contamination would be filed.

On November 29, 1999, Doelger received a call from Charles Skrzypek, Mr. Skrzypek's son. Skrzypek stated his father wanted to do the right thing but he has no money to do cleanup because social security is his income. Doelger explained the enforcement process and the deed affidavit. Doelger stated the affidavit is a placeholder for further enforcement and that no additional enforcement action will be taken unless Mr. Skrzypek's financial circumstances changed or the property came under new ownership. Skrzypek stated he and his father would respond in writing as I requested.

Mr. Charles Skrzypek responded on behalf of his father in a letter dated November 29, 1999, that Mr. Stanley Skrzypek, the property owner, is unable to proceed financially.

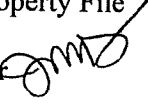
This case is being closed out in enforcement and is being returned to Kevin McKnight to proceed with filing the affidavit of contamination on the property deed.

CC: B. Urben
K. McKnight – OSH
J. Renville – LS/5

DATE: December 3, 1999

FILE REF: 99-NEEE-031

TO: Skrzypek Property File

FROM: Judy Doelger 

SUBJECT: Charles Skrzypek Letter of 11/29/99 - BRRTS #:02-39-001676

Mr. Charles Skrzypek, in a letter written on behalf of his father dated November 29, 1999, that Mr. Stanley Skrzypek, the property owner, is financially unable to proceed with investigation or cleanup. Paragraph 4 of that letter states, "...No Penalties, fines, or other action will be taken against this property or owner according to your verbal explanation."

On November 29, 1999, Doelger received a call from Charles Skrzypek, Mr. Skrzypek's son. During the course of the conversation, Doelger explained the enforcement process and the deed affidavit process. Skrzypek stated his father was fearful, even if we chose the deed affidavit process, that there would be fines assessed or the property would be taken from him. Doelger explained the deed affidavit is a placeholder, to notify future potential buyers that a site investigation would need to be completed. Doelger stated the department would not be taking the action necessary to impose fines at this time. Doelger did state that if the property changed hands or the financial circumstances of Mr. Skrzypek changed, we would expect site investigation to proceed. He understood and stated they would look into the situation and do whatever they could within their financial means to find out what happened at the property.

Doelger did not at any time during the conversation state the department would never take additional action against Mr. Skrzypek.

CC: B. Urben
K. McKnight - OSH
J. Renville - LS/5



REC DNR
DEC 03 1999
NE REGION

NOV. 29, 1999

Judith M. Doelger
Environmental Enforcement Specialist
State of Wisconsin
Dept. of Natural Resources
1125 N. Military Ave.
P.O. Box 10448
Green Bay, Wisconsin - 54307-0448

Dear Ms. Doelger:

Thank you for the conversation we had today, Monday, Nov. 29, 1999, regarding the affidavit of Contamination subject matter regarding our vacant property in Montello, Wisconsin.

As we discussed we do not have the funds available at the present time to investigate the cause or the clean up process. The cause according to your explanation seems to be some diesel fuel, and this, is in a certain area of the property, adjacent to the roadway. The remainder of the property may remain pure and clean.

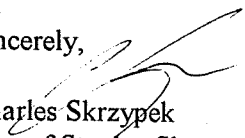
As you know, my Father purchased this vacant land 27 years ago and did nothing to disturb the land. It seems some other source is the culprit behind this contamination. Because we are many miles away from this property, we cannot monitor the land in question. We are upset that this problem does exist and in the near future will try to investigate this problem.

We do understand that this affidavit of contamination is basically a notice to the next owner, if any, that this problem does exist. No penalties, fines or other action will be taken against this property or owner according to your verbal explanation.

We certainly will look into the resolution of this problem, my Father, purchased this property for future investment opportunities in the beautiful State of Wisconsin, especially the Montello area.

Thank you for your co-operation and assistance in explaining the subject matter.

Sincerely,


Charles Skrzypek
Son, of Stanley Skrzypek
5209 W. 53rd Place
Chicago, Ill.

P. S. We do understand forthcoming paper work will follow regarding this property, and that instructions for appeal and etc., will also be forthcoming.