



September 9, 2020

Mr. Pat Schreiner  
PJ Properties of Marshfield, LLC  
106 East 4<sup>th</sup> Street  
Marshfield, WI 54449

**KEEP THIS DOCUMENT WITH YOUR PROPERTY RECORDS**

SUBJECT: Amended - Final Case Closure with Continuing Obligations  
Former Pioneer Bank, 701 S. Central Ave., Marshfield, WI  
DNR BRRTS Activity #: 02-72-522339

Dear Mr. Schreiner

The Department of Natural Resources (DNR) considers the Pioneer Bank site closed, with continuing obligations. No further investigation or remediation is required at this time. However, you, future property owners, and occupants of the property must comply with the continuing obligations as explained in the conditions of closure in this letter. Please read over this letter closely to ensure that you comply with all conditions and other on-going requirements. Provide this letter and any attachments listed at the end of this letter to anyone who purchases, rents or leases this property from you. Certain continuing obligations also apply to affected property owners or rights-of-way holders. These are identified within each continuing obligation.

A previous closure letter was sent which not specifically call out the continuing obligations for 735 South Central Avenue, Marshfield. The Pioneer Bank site affected 735 South Central Avenue with soil and groundwater contamination thus continuing obligations regarding soil and groundwater has been placed on that property.

This final closure decision is based on the correspondence and data provided and is issued under chs. NR 726 and 727, Wis. Adm. Code. The West Central Region Closure Committee reviewed the request for closure on February 6, 2020. The Closure Committee reviewed this environmental remediation case for compliance with state laws and standards to maintain consistency in the closure of these cases. A request for remaining actions needed was issued by the DNR on February 24, 2020, and documentation that the conditions in that letter were met was received on June 25, 2020.

The site was a Texaco gasoline fuel station from approximately 1959 through 1979. A dry cleaner operated at the site between 1984 and 1988. A second response action site is located at this property due to contamination from the dry-cleaning operation. The conditions of closure and continuing obligations required were based on the property being used for commercial purposes.

Continuing Obligations

The continuing obligations for this site are summarized below. Further details on actions required are found in the section Closure Conditions.

- Groundwater contamination is present at or above ch. NR 140, Wis. Adm. Code enforcement standards.
- Residual soil contamination exists that must be properly managed should it be excavated or removed.
- One or more monitoring wells were not located and must be properly filled and sealed if found.

- Pavement must be maintained over contaminated soil and the DNR must be notified and approve any changes to this barrier.

The DNR fact sheet “Continuing Obligations for Environmental Protection,” RR-819, helps to explain a property owner’s responsibility for continuing obligations on their property. The fact sheet may be obtained online at [dnr.wi.gov](http://dnr.wi.gov) and search “RR-819”.

#### DNR Database

This site will be included on the Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web (BOTW) online at [dnr.wi.gov](http://dnr.wi.gov) and search “BOTW”, to provide public notice of residual contamination and of any continuing obligations. The site can also be viewed on the Remediation and Redevelopment Sites Map (RRSM), a map view, at [dnr.wi.gov](http://dnr.wi.gov) and search “RRSM”.

The DNR’s approval prior to well construction or reconstruction is required in accordance with s. NR 812.09 (4) (w), Wis. Adm. Code. This requirement applies to private drinking water wells and high capacity wells. To obtain approval, complete and submit Form 3300-254 to the DNR Drinking and Groundwater program’s regional water supply specialist. This form can be obtained on-line at [dnr.wi.gov](http://dnr.wi.gov) and search “3300-254”.

All site information is also on file at the West Central Regional DNR office, at 1300 West Clairemont Avenue, Eau Claire, WI 54701. This letter and information that was submitted with your closure request application, including any maintenance plan and maps, can be found as a Portable Document Format (PDF) in BOTW.

#### Prohibited Activities

Certain activities are prohibited at closed sites because maintenance of a barrier is intended to prevent contact with any remaining contamination. When a barrier is required, the condition of closure requires notification of the DNR before making a change, in order to determine if further action is needed to maintain the protectiveness of the remedy employed. The following activities are prohibited on any portion of the property where pavement is required, as shown on the attached map, "Figure D.2.a: New Cap, 05/29/2020", unless prior written approval has been obtained from the DNR:

- removal of the existing barrier or cover;
- replacement with another barrier or cover;
- excavating or grading of the land surface;
- filling on covered or paved areas;
- plowing for agricultural cultivation;
- construction or placement of a building or other structure;

#### Closure Conditions

Compliance with the requirements of this letter is a responsibility to which you and any subsequent property owners must adhere. DNR staff will conduct periodic prearranged inspections to ensure that the conditions included in this letter and the attached maintenance plan are met. If these requirements are not followed, the DNR may take enforcement action under s. 292.11, Wis. Stats. to ensure compliance with the specified requirements, limitations or other conditions related to the property.

Please send written notifications in accordance with the following requirements to:

Department of Natural Resources  
Attn: Remediation and Redevelopment Program Environmental Program Associate  
1300 West Clairemont Avenue  
Eau Claire, WI 54701

Residual Groundwater Contamination (ch. NR 140, 812, Wis. Adm. Code)

Groundwater contamination greater than enforcement standards is present both on this contaminated property and off this contaminated property, as shown on the attached map, "Figure B.3.b: Groundwater Isoconcentration, 09/26/2019". If you intend to construct a new well, or reconstruct an existing well, you'll need prior DNR approval. Affected property owners were notified of the presence of groundwater contamination. This continuing obligation also applies to the owners of 735 S. Central Avenue, Marshfield.

Residual Soil Contamination (ch. NR 718, chs. 500 to 536, Wis. Adm. Code or ch. 289, Wis. Stats.)

Soil contamination remains as indicated on the attached map, "Figure B.2.b: Residual Soil Contamination, 09/26/2019". If soil in the specific locations described above is excavated in the future, the property owner or right-of-way holder at the time of excavation must sample and analyze the excavated soil to determine if contamination remains. If sampling confirms that contamination is present, the property owner or right-of-way holder at the time of excavation will need to determine whether the material is considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable standards and rules. Contaminated soil may be managed in accordance with ch. NR 718, Wis. Adm. Code, with prior DNR approval. This continuing obligation also applies to the ROW holders for South Central A venue.

In addition, all current and future owners and occupants of the property and right-of-way holders need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken to prevent a direct contact health threat to humans.

Depending on site-specific conditions, construction over contaminated soils or groundwater may result in vapor migration of contaminants into enclosed structures or migration along newly placed underground utility lines. The potential for vapor inhalation and means of mitigation should be evaluated when planning any future redevelopment, and measures should be taken to ensure the continued protection of public health, safety, welfare and the environment at the site.

Monitoring Wells that could not be Properly Filled and Sealed (ch. NR 141, Wis. Adm. Code)

Monitoring well(s) MW-1, MW-7, and MW-9 located along South Central Avenue shown on the attached map, "Figure B.3.d: Monitoring Wells, 09/27/2019", could not be properly filled and sealed because they were missing due to being paved over, covered or removed during site development activities. Your consultant made a reasonable effort to locate the well and to determine whether they were properly filled and sealed but was unsuccessful. You may be held liable for any problems associated with the monitoring wells if they create a conduit for contaminants to enter groundwater. If any of the groundwater monitoring wells are found, the then current owner of the property on which the well is located is required to notify the DNR, to properly fill and seal the wells and to submit the required documentation to the DNR. This continuing obligation also applies to the ROW holders for South Central Avenue.

Cover or Barrier (s. 292.12 (2) (a), Wis. Stats., s. NR 726.15, s. NR 727.07 Wis. Adm. Code)

The pavement that exists in the location shown on the attached map, "Figure D.2.a: New Cap, 05/29/2020" shall be maintained in compliance with the attached maintenance plan in order to minimize the infiltration of water and prevent additional groundwater contamination that would violate the groundwater quality standards in ch. NR 140, Wis. Adm. Code, and to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health.

The cover approved for this closure was designed to be protective for a commercial or industrial use setting. Before using the property for residential purposes, you must notify the DNR at least 45 days before taking an action, to determine if additional response actions are warranted.

A request may be made to modify or replace a cover or barrier. Before removing or replacing the cover, you must notify the DNR at least 45 days before taking an action. The replacement or modified cover or barrier must be

protective of the revised use of the property and must be approved in writing by the DNR prior to implementation. A cover or barrier for industrial land uses, or certain types of commercial land uses may not be protective if the use of the property were to change such that a residential exposure would apply. This may include, but is not limited to, single or multiple family residences, a school, day care, senior center, hospital or similar settings. In addition, a cover or barrier for multi-family residential housing use may not be appropriate for use at a single-family residence.

The attached maintenance plan and inspection log (DNR form 4400-305) are to be kept up-to-date. Inspections shall be conducted in accordance with the attached maintenance plan. Submit the inspection log to the DNR only upon request.

#### General Wastewater Permits for Construction Related Dewatering Activities

The DNR's Water Quality Program regulates point source discharges of contaminated water, including discharges to surface waters, storm sewers, pits, or to the ground surface. This includes discharges from construction related dewatering activities, including utility and building construction.

If you or any other person plan to conduct such activities, you or that person must contact that program, and if necessary, apply for the necessary discharge permit. Additional information regarding discharge permits is available at [dnr.wi.gov](http://dnr.wi.gov) and search "wastewater permits". If residual soil or groundwater contamination is likely to affect water collected in a pit/trench that requires dewatering, a general permit for Discharge of Contaminated Groundwater from Remedial Action Operations may be needed. If water collecting in a pit/trench that requires dewatering is expected to be free of pollutants other than suspended solids and oil and grease, a general permit for Pit/Trench Dewatering may be needed.

#### In Closing

Please be aware that the case may be reopened pursuant to s. NR 727.13, Wis. Adm. Code, for any of the following situations:

- if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, or welfare or to the environment,
- if the property owner does not comply with the conditions of closure, with any deed restrictions applied to the property, or with a certificate of completion issued under s. 292.15, Wis. Stats., or
- a property owner fails to maintain or comply with a continuing obligation (imposed under this closure approval letter).

The DNR appreciates your efforts to restore the environment at this site. If you have any questions regarding this closure decision or anything outlined in this letter, please contact Matt Thompson at 715-492-2304, or at [matthewa.thompson@wisconsin.gov](mailto:matthewa.thompson@wisconsin.gov).

Sincerely,



Dave Rozeboom  
West Central Region Team Supervisor  
Remediation & Redevelopment Program

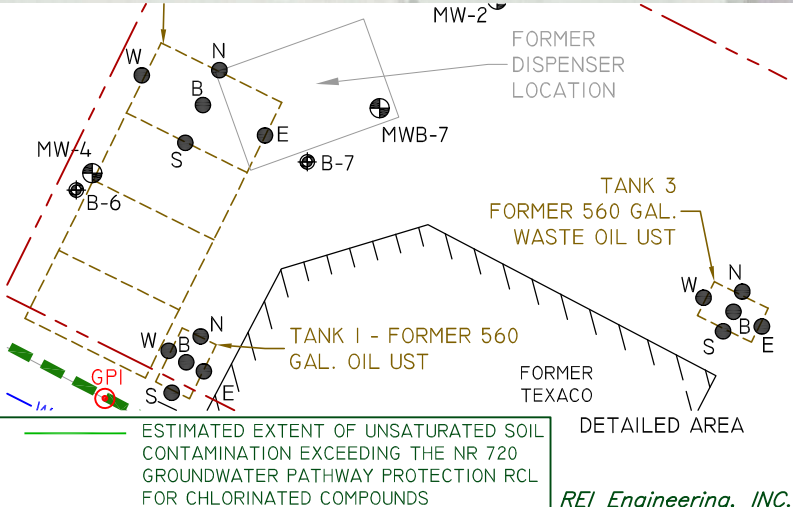
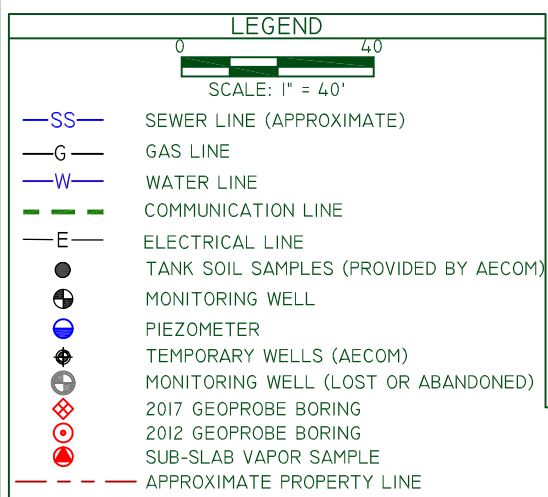
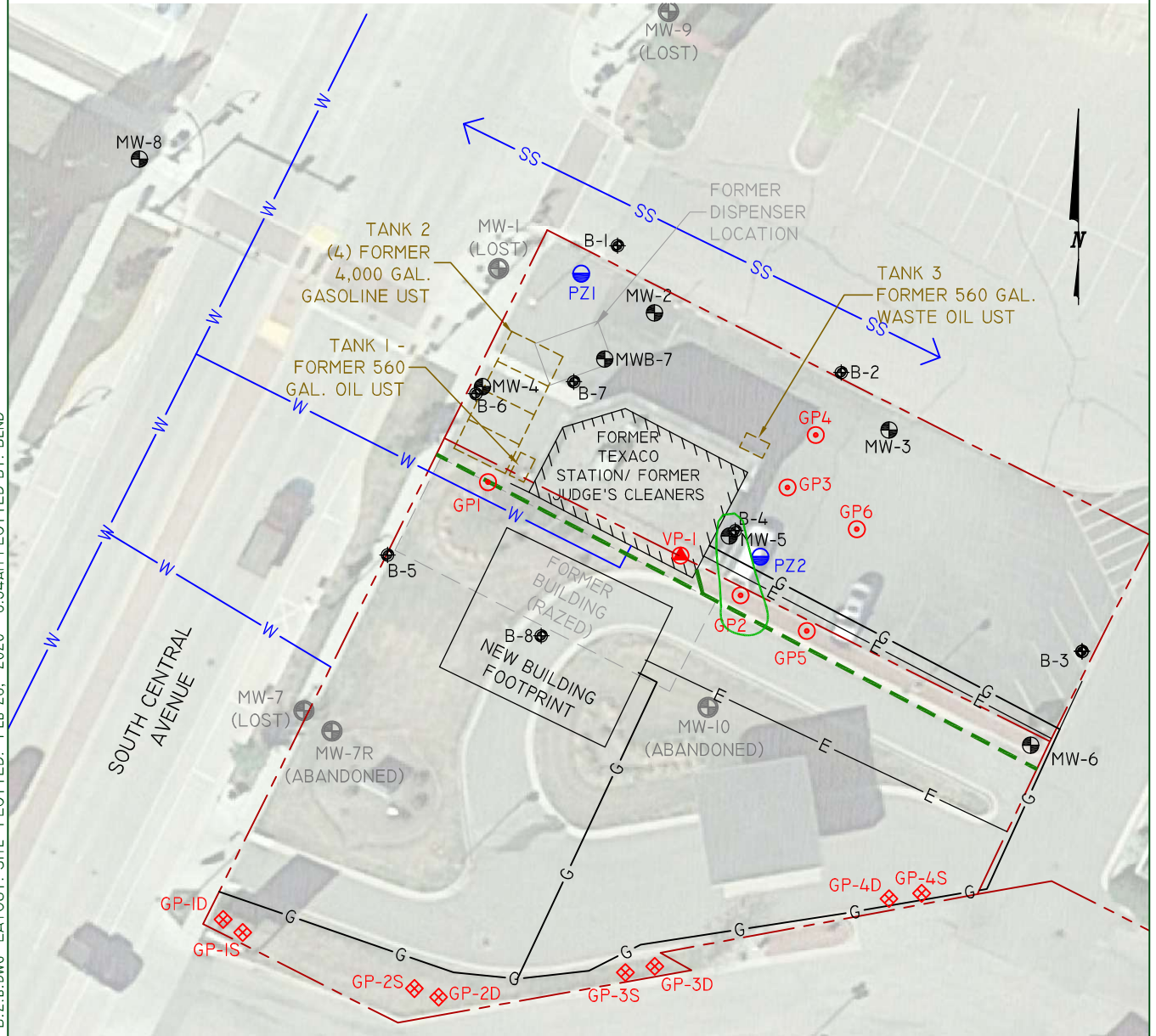
#### Attachments:

- Figure B.3.b: Groundwater Isoconcentration, 09/26/2019
- Figure B.2.b: Residual Soil Contamination, 09/26/2019
- Figure B.3.d: Monitoring Wells, 09/27/2019
- Figure D.2.a: New Cap, 05/29/2020

- Maintenance Plan, February 19, 2020
- Inspection log, DNR Form 4400-305

cc: Brian Bailey, REI  
Ben Degner, REI

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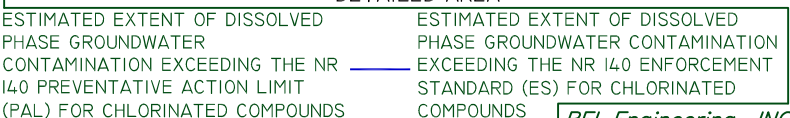
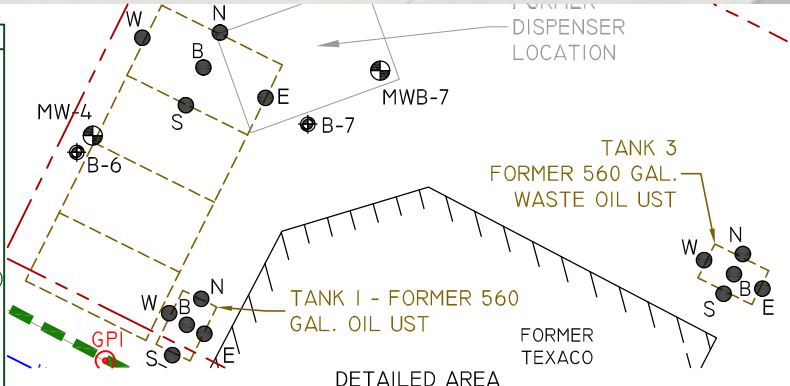
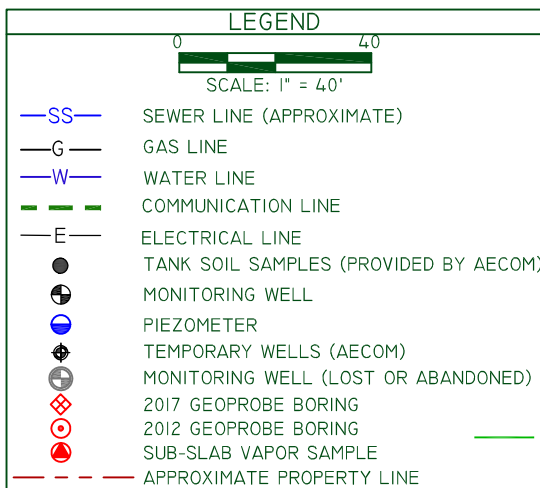
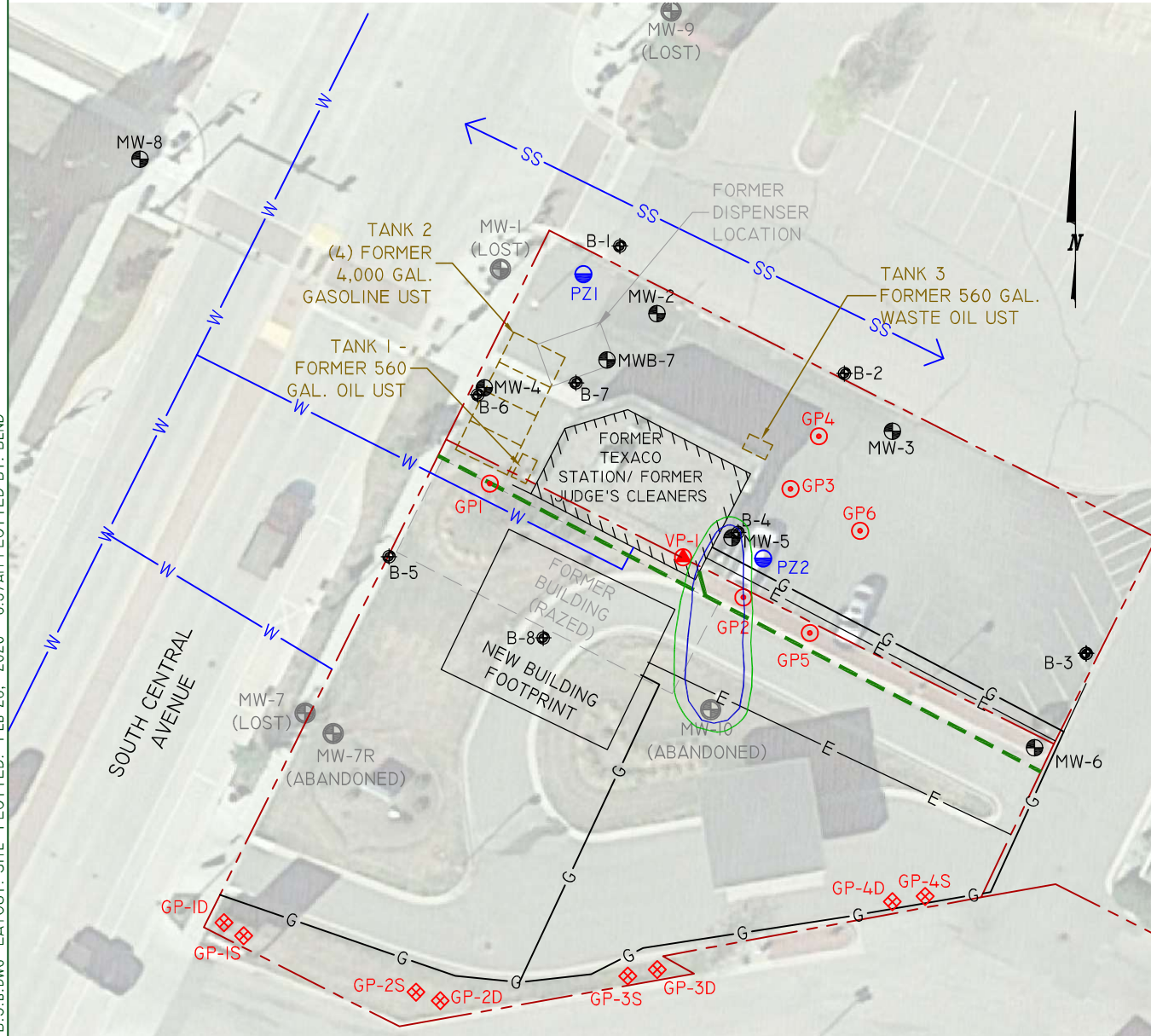


**PIONEER BANK – FORMER JUDGE’S CLEANERS**  
**701 SOUTH CENTRAL AVENUE**  
**MARSHFIELD, WISCONSIN**

<b>FIGURE B.2.b: RESIDUAL SOIL CONTAMINATION</b>		<i>REI Engineering, INC.</i>	
PROJECT NO.	5403	DRAWN BY:	STH
		DATE:	09/25/2019



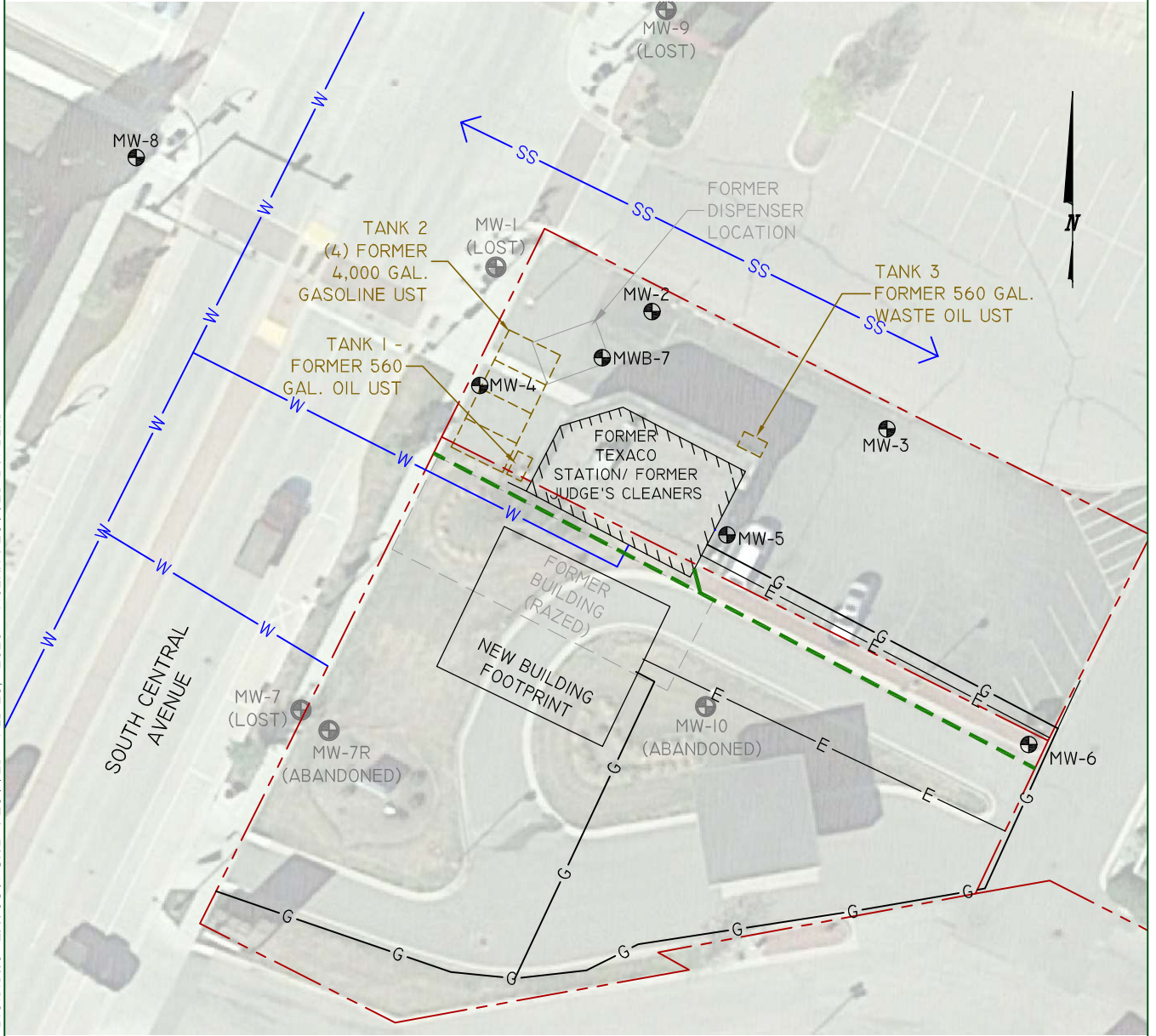
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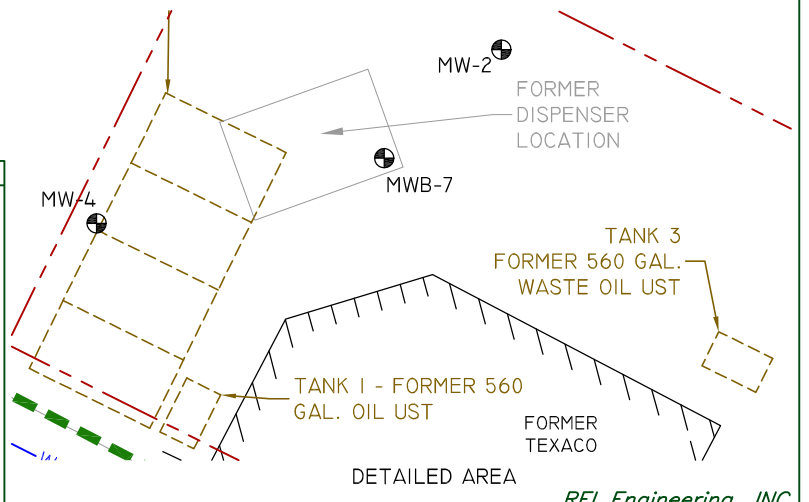
PIONEER BANK – FORMER JUDGE’S CLEANERS  
701 SOUTH CENTRAL AVENUE  
MARSHFIELD, WISCONSIN

FIGURE B.3.b: GROUNDWATER ISOCONCENTRATION			
PROJECT NO.	5403	DRAWN BY:	DATE:
		STH	09/25/2019

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LEGEND	
<p>SCALE: 1" = 40'</p>	
	SEWER LINE (APPROXIMATE)
	GAS LINE
	WATER LINE
	COMMUNICATION LINE
	ELECTRICAL LINE
	MONITORING WELL
	MONITORING WELL (LOST OR ABANDONED)
	APPROXIMATE PROPERTY LINE



**PIONEER BANK – FORMER JUDGE’S CLEANERS**  
**701 SOUTH CENTRAL AVENUE**  
**MARSHFIELD, WISCONSIN**

<b>FIGURE B.3.d: MONITORING WELLS</b>			
PROJECT NO.	5403	DRAWN BY:	DATE:
		STH	09/25/2019

*REI Engineering, INC.*



## D.1 Description of Maintenance Actions

February 19, 2020

Pioneer Bank – Former Texaco Station and Former Judge’s Cleaners  
701 S. Central Avenue  
Marshfield, WI 5449

BRRTS #02-72-522339

BRRTS #03-72-521604

Wood County Parcel ID: 33-01703A

### Introduction

This document is the Maintenance Plan for a direct contact barrier at the above-referenced property in accordance with the requirements of s. NR 724.13 (2), Wis. Adm. Code. The maintenance activities relate to the existing asphalt pavement which addresses or occupies the area over the contaminated groundwater plume or soil.

More site-specific information about this property/site may be found in:

- The case file in the DNR West Central Region office
- At <http://dnr.wi.gov/topic/Brownfields/wrrd.html>, which includes:
  - o BRRTS on the Web (DNR’s internet-based database of contaminated sites) for the link to a PDF for site-specific information at the time of closure and on continuing obligations;
  - o RR Sites Map for a map view of the site, and
- The DNR project manager for Fond du Lac County.

### Description of Contamination

Soil contaminated by unleaded gasoline is located at a depth of approximately 2-16 feet below land surface (bls) at the area below the dispenser canopy. Groundwater contaminated by unleaded gasoline is located at a depth of 2 feet bls. The extent of the soil and groundwater contamination is shown on the attached Figure D.2.

### Description of the [Cover/Barrier] to be Maintained

The barrier consists of eight (8) inches of asphalt. It is located over the entire area of soil and groundwater contamination as shown on the attached Figure D.2.

### Cover/Building/Slab/Barrier Purpose

The barrier over the contaminated soil plume exceeding non-industrial direct contact standards will serve as a barrier to prevent direct human contact with residual soil contamination that might otherwise pose a threat to human health. The barrier also acts as a partial infiltration barrier to minimize future soil-to-groundwater contamination migration that would violate the groundwater standards in ch. NR 140, Wisconsin Administrative Code. Based on the current use of the property, as a retail petroleum sales facility and convenience store, the barrier should function as intended unless disturbed.

### Annual Inspection

The barrier overlying the contaminated soil as depicted in the attached figures will be inspected once a year, normally in the spring after all snow and ice is gone, for deterioration, cracks greater than ¼" and other potential problems that can cause exposure to or additional infiltration into underlying soils. The inspections will be performed by the property owner or their designated representative. The inspections will be performed to evaluate damage due to settling, exposure to the weather, wear from traffic, increasing age and other factors. Any area where soils have become or are likely to become exposed and where infiltration from the surface will not be effectively minimized will be documented.

A log of the inspections and any repairs will be maintained by the property owner and is included as D.4, Form 4400-305, Continuing Obligations Inspection and Maintenance Log. The log will include recommendations for necessary repair of any areas where underlying soils are exposed and where infiltration from the surface will not be effectively minimized. Once repairs are completed, they will be documented in the inspection log. A copy of the maintenance plan and inspection log will be kept at the site available for submittal or inspection by Wisconsin Department of Natural Resources (DNR) representatives upon their request.

### Maintenance Activities

If problems are noted during the annual inspections or at any other time during the year, repairs will be scheduled as soon as practical. Repairs can include patching and filling or larger resurfacing or construction operations. In the event that necessary maintenance activities expose the underlying soil, the owner must inform maintenance workers of the direct contact exposure hazard and provide them with appropriate personal protection equipment (PPE). The owner must also sample any soil that is excavated from the site prior to disposal to ascertain if contamination remains. The soil must be treated, stored and disposed of by the owner in accordance with applicable local, state and federal law.

In the event the barrier overlying the contaminated soil and groundwater is removed or replaced, the replacement barrier must be equally impervious. Any replacement barrier will be subject to the same maintenance and inspection guidelines as outlined in this Maintenance Plan unless indicated otherwise by the DNR or its successor.

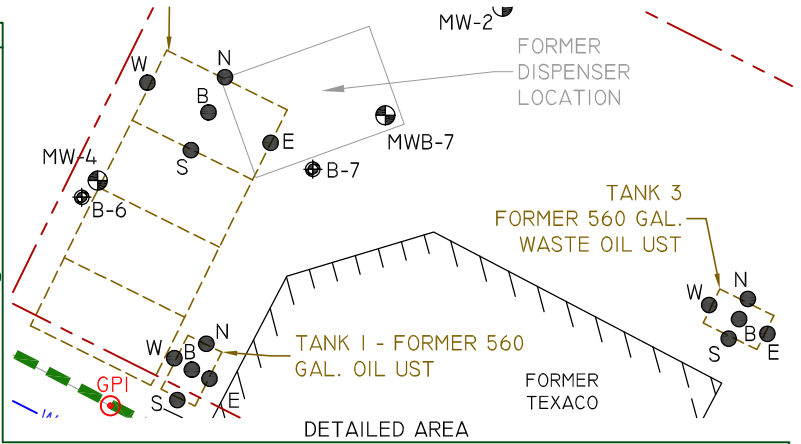
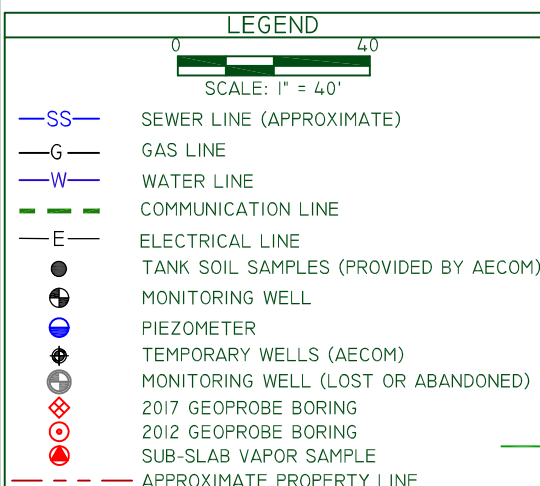
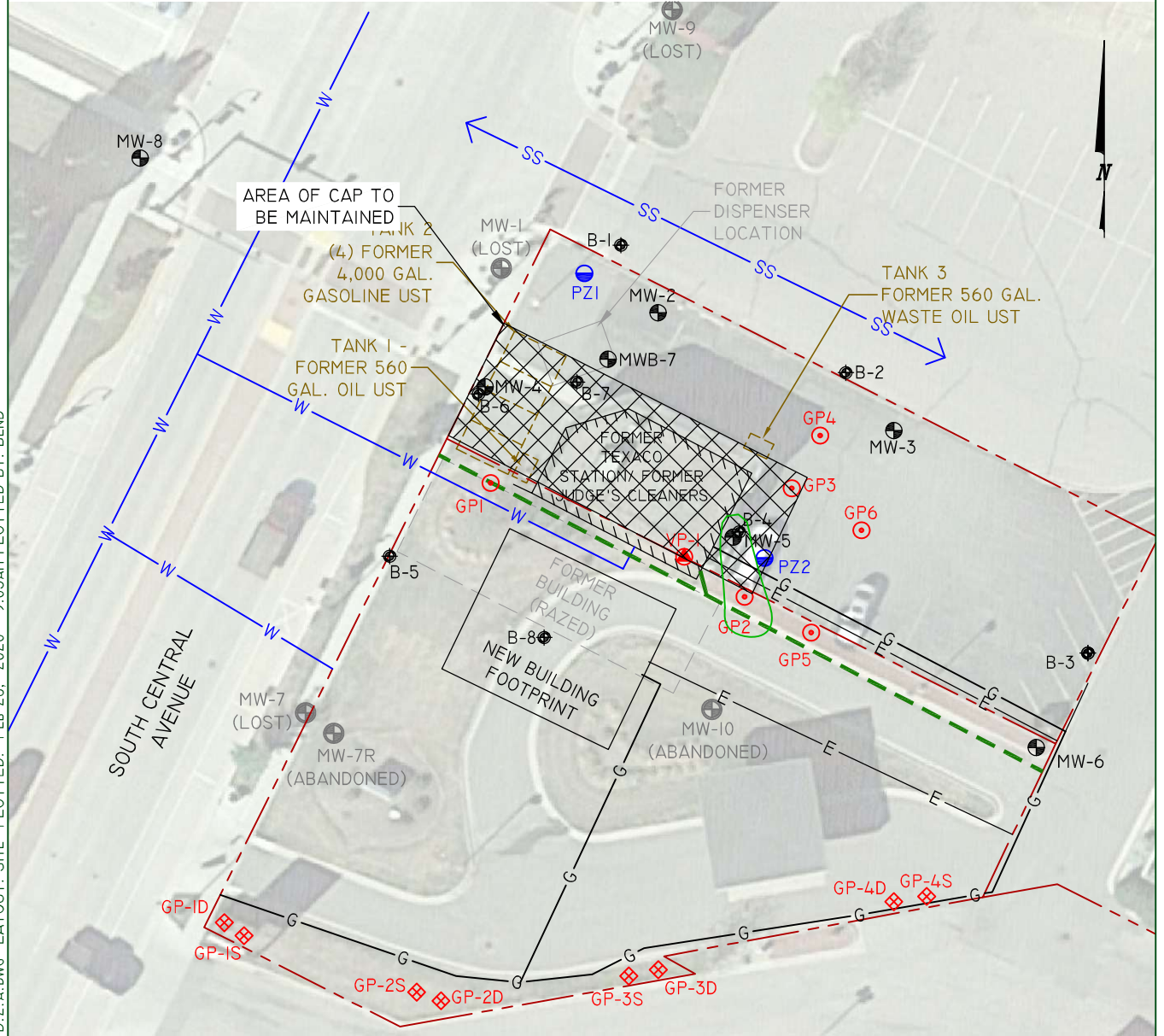
The property owner, in order to maintain the integrity of the barrier, will maintain a copy of this Maintenance Plan at the site and make it available to all interested parties (i.e. on-site employees, contractors, future property owners, etc.) for viewing.

### Prohibition of Activities and Notification of DNR Prior to Actions Affecting a Barrier

The following activities are prohibited on any portion of the property where [pavement, a building foundation, soil cover, engineered cap or other barrier] is required as shown on the attached map, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 1) removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; 6) construction or placement of a building or other structure; 7) changing the use or occupancy of the property to a residential exposure setting, which may include certain uses, such as single or multiple family residences, a school, day care, senior center, hospital, or similar residential exposure settings.



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REI Engineering, INC.

PIONEER BANK – FORMER JUDGE’S CLEANERS  
701 SOUTH CENTRAL AVENUE  
MARSHFIELD, WISCONSIN

FIGURE D.2.a: NEW CAP		DATE:
PROJECT NO.	DRAWN BY:	05/29/2019
5403	STH	

D.4

**Directions:** In accordance with s. NR 727.05 (1) (b) 3., Wis. Adm. Code, use of this form for documenting the inspections and maintenance of certain continuing obligations is required. Personal information collected will be used for administrative purposes and may be provided to requesters to the extent required by Wisconsin's Open Records law [ss. 19.31-19.39, Wis. Stats.]. When using this form, identify the condition that is being inspected. See the closure approval letter for this site for requirements regarding the submittal of this form to the Department of Natural Resources. A copy of this inspection log is required to be maintained either on the property, or at a location specified in the closure approval letter. Do NOT delete previous inspection results. This form was developed to provide a continuous history of site inspection results. The Department of Natural Resources project manager is identified in the closure letter. The project manager may also be identified from the database, BRRTS on the Web, at <http://dnr.wi.gov/botw/SetUpBasicSearchForm.do>, by searching for the site using the BRRTS ID number, and then looking in the "Who" section.

Activity (Site) Name **Pioneer Bank - Former Judge's Cleaners and Former Texaco Station** BRRTS No. **02-72-522339 and 03-72-521604**

Inspections are required to be conducted (see closure approval letter):

- annually
- semi-annually
- other – specify \_\_\_\_\_

When submittal of this form is required, submit the form electronically to the DNR project manager. An electronic version of this filled out form, or a scanned version may be sent to the following email address (see closure approval letter):

Inspection Date	Inspector Name	Item	Describe the condition of the item that is being inspected	Recommendations for repair or maintenance	Previous recommendations implemented?	Photographs taken and attached?
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N





September 9, 2020

Mr. Todd Hehli  
Marshfield Dental Building, LLC.  
4607 Royal Drive  
Eau Claire, WI 54701

**SUBJECT:** Continuing Obligations and Property Owner Requirements for 735 South Central Avenue, Marshfield, WI  
Parcel Identification Number: 3301702  
Final Case Closure for the Former Pioneer Bank, 701 South Central Avenue, Marshfield, WI  
DNR BRRTS Activity #: 02-72-522339

Dear Mr. Hehli:

The purpose of this letter is to notify you that certain continuing obligations apply to the property at 735 South Central Avenue, (referred to in this letter as the "Property") due to contamination remaining on the Property. The continuing obligations are part of the cleanup and case closure approved for the above referenced case, located at 701 S. Central Ave. (The case is referenced by the location of the source property, i.e. the property where the original discharge occurred, prior to contamination migrating to the Property.) The continuing obligations that apply to the Property are stated as conditions in the attached closure approval letter, and are consistent with s. 292.12, Wis. Stats., and ch. NR 700, Wis. Adm. Code, rule series. They are meant to limit exposure to any remaining environmental contamination at the Property. These continuing obligations will also apply to future owners of the Property, until the conditions no longer exist at the Property.

It is common for properties with approved cleanups to have continuing obligations as part of cleanup/closure approvals. Information on continuing obligations on properties can be found by using the Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web (BOTW). This database is found at [dnr.wi.gov](http://dnr.wi.gov) and search "WRRD". This page also provides information on how to find further information about the closure and residual contamination, and how to use the map application, RR Sites Map, which shows environmental cleanup sites, including those closed with residual contamination and continuing obligations.

The department reviewed and approved the case closure request regarding the chlorinated volatile organic compounds in the soil and groundwater at this site, based on the information submitted by REI Engineering. As required by state law, you received notification about the requested closure from the person conducting the cleanup. No further investigation or cleanup is required at this time. However, the closure decision is conditioned on the long-term compliance with certain continuing obligations, as described below.

### Continuing Obligations Applicable to Your Property

A number of continuing obligations are described in the attached case closure letter to Mr. Pat Schreiner, dated September 9, 2020. However, only the following continuing obligations apply to your Property:

- Residual soil contamination
- Residual groundwater contamination

#### DNR Database – Well Construction Approval Needed

Because of the residual soil and groundwater contamination and the continuing obligations, this site, which includes your Property, will be listed on the Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web (BOTW), at [dnr.wi.gov](http://dnr.wi.gov) and search “WRRD”. If you intend to construct or reconstruct a well on the Property, you will need to get department approval in accordance with s. NR 812.09 (4) (w), Wis. Adm. Code. To obtain approval, Form 3300-254 needs to be completed and submitted to the DNR Drinking and Groundwater program’s regional water supply specialist. A well driller can help with this form. This form can be obtained online at [dnr.wi.gov](http://dnr.wi.gov) and search “3300-254”. If at some time, all these continuing obligations are fulfilled, and the remaining contamination is either removed or meets applicable standards, you may request an update to the database regarding the Property.

#### Property Owner Responsibilities

The owner (you and any subsequent property owner) of this Property is responsible for compliance with these continuing obligations, pursuant to s. 292.12, Wis. Stats. You are required to pass on the information about these continuing obligations to anyone who purchases this property from you (i.e. pass on this letter), in accordance with s. NR 727.05. For residential property transactions, you are required to make disclosures under Wis. Stats. s. 709.02. You may have additional obligations to notify buyers of the condition of the property and the continuing obligations set out in this letter and the closure letter.

If you lease or rent the property to an occupant who will be responsible for maintaining a continuing obligation, you will need to include that responsibility in a lease agreement, in accordance with s. NR 727.05, Wis. Adm. Code.

Please be aware that failure to comply with the continuing obligations may result in enforcement action by the DNR. The DNR intends to conduct inspections in the future to ensure that the conditions included in this letter, including compliance with referenced maintenance plans, are met.

These responsibilities are the property owner's. A property owner may enter into a legally binding agreement (such as a contract) with someone else (the person responsible for the cleanup) to take responsibility for compliance with the continuing obligations. If the person with whom any property owner has an agreement fails to adequately comply with the appropriate continuing obligations, the DNR has the authority to require the property owner to complete the necessary work.

A legal agreement between you and another party to carry out any of the continuing obligations listed in this letter does not automatically transfer to a new owner of the property. If a subsequent property owner cannot negotiate a new agreement, the responsibility for compliance with the applicable continuing obligations resides with that Property owner.

When maintenance of a continuing obligation is required, the Property owner is responsible for inspections, repairs, or replacements as needed. Such actions should be documented by the Property owner and the records kept accessible for the DNR to review for as long as the department directs.

You and any subsequent Property owners are responsible for notifying the department at least 45 days before making a change to a continuing obligation, and obtaining approval, before making any changes to the property that would affect the obligations applied to the Property. Send all written notifications in accordance with the above requirements to 1300 West Clairemont Avenue, Eau Claire, WI 54701, to the attention of the Environmental Program Associate.

The DNR fact sheet, RR-819, "Continuing Obligations for Environmental Protection" helps explain a property owner's responsibility for continuing obligations on their property. This fact sheet should have been sent to you when you received a notification letter before the closure request was submitted to the DNR. You may obtain a copy at [dnr.wi.gov](http://dnr.wi.gov) and search "RR-819".

Under s. 292.13, Wis. Stats., owners of properties affected by contamination from another property are generally exempt from investigating or cleaning up a hazardous substance discharge that has migrated onto a property from another property, through the soil, groundwater or sediment pathway. However, the exemption under s. 292.13, Wis. Stats., does not exempt the property owner from the responsibility to maintain a continuing obligation placed on the property in accordance with s. 292.12, Wis. Stats. To maintain this exemption, that statute requires the current property owner and any subsequent property owners, to meet the conditions in the statute, including:

- Granting reasonable access to the DNR or responsible party, or their contractors;
- Avoiding interference with response actions taken; and
- Avoiding actions that make the contamination worse (e.g., demolishing a structure and causing or worsening the discharges to the environment).

The DNR appreciates your efforts. If you have any questions regarding this closure decision or anything outlined in this letter, please contact Matt Thompson at 715-492-2304.

Sincerely,



Dave Rozeboom  
West Central Region Team Supervisor  
Remediation & Redevelopment Program

Attach.

cc: Pat Schreiner, Source Property Owner  
Brian Bailey, REI  
Ben Degner, REI

Enclosure: RR-819 – Continuing Obligations Fact Sheet