



City of
NEW HOLSTEIN

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RECEIVED

SEP 23 2013

WI DNR - GREEN BAY

Ms. Annette Weissbach
State of Wisconsin
Department of Natural Resources
2984 Shawano Avenue
Green Bay, WI 54313

RE: Tecumseh - New Holstein

Dear Annette:

The City of New Holstein has appreciated the opportunity to participate in the discussions regarding the remediation of the former Tecumseh property on Michigan Avenue in the City of New Holstein. We have attended many meetings scheduled by the Wisconsin Department of Natural Resources and the City of New Holstein does hold a significant interest in the outcome of the intended remediation of the subject property.

As the WDNR is well aware, the Phase II report of Robert E. Lee identifies groundwater results at pages nine and ten. The contaminants noted are PAHs, VOCs, RCRA metals and PCBs. The groundwater results indicate concentrations of VOCs, PAHs, RCRA metals in several of the newly installed and existing groundwater sampling wells.

The City of New Holstein has a significant concern as to the contamination at the Tecumseh site. The e-mail of Alan Nass of July 15, 2013 identifies lack of negotiated agreement involving Tecumseh Products and/or the TRC entities assuming responsibility for various portions of the remediation at the Tecumseh site.

Mr. Nass further notes the following:

- Although the department cannot require additional PCB sampling be done, it highly recommends that additional PCB analysis be done to provide a redeveloper with more assurance that PCB issues of concern are not present on the site.
- The existing PCB information for the site would not be sufficient for the department to issue a partial certificate of completion under the VPLE Program.

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- As to the involvement of the City of New Holstein and Calumet County, the department is going to discuss the matter internally and set up a further discussion with the municipal entities.

As we are sure the department recognizes, the Tecumseh Products site was previously operated as an industrial manufacturing site by Tecumseh Products and later by Heus Manufacturing, LLC. The Tecumseh site has as its neighbors to the immediate east numerous residential properties. To the south, there is the railroad and further residential properties. To the southwest, is Calumet Feeds & Supply and to the north and to the west of the expanded Calumet Feeds & Supply facility is further residential property. To the northwest is Mid-Shores Disposal Inc. and to the immediate north, north of the large parking lot facility of the Tecumseh Products property, is agricultural property.

The City of New Holstein is not a developer of property. The City of New Holstein does not know what a developer of this property may look at the highest and best use as being. However, given the fact this is a very large piece of property (approximately 38.7 acres), the potential uses of the property are seen as very mixed and diverse. It may be that the highest and best use for the property is to continue as industrial and manufacturing but it may be that the highest and best use is commercial or that the highest and best use may be the creation of a park area. The City of New Holstein does not know at this point in time what the highest and best use may be and wants to be certain all potential uses of the property are preserved.

The City of New Holstein is cognizant of its potential liabilities regarding the Tecumseh property. If the property is not taken over by a developer for some purpose, the building will continue to deteriorate and continue to exist in a blighted condition and may require razing.

The City of New Holstein, aware of the potential attributes of the Tecumseh property as well as the potential liabilities of the Tecumseh property, did create Ordinance No. 570 creating a Community Development Authority which has met and elected its officers and is in the early stages of developing potential plans for the subject property.

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Additionally, the City is aware of the provisions in the Wisconsin law that gives the City some protection in the event that it acquires contaminated property. The City is aware that under the provisions of Section 292.11, Wisconsin Statutes, that the City cannot be required to remediate the property any further once it acquires it. It has limited liability in this area. However, the City of New Holstein would not expect to nor could it probably afford to retain title and possession of the approximate 38 acres which constitutes the Tecumseh site. The City would need to have the ability to transfer that property to a developer or an entity interested in developing the property. In order to make that transfer, the property would have to be remediated to the point that the WDNR would require no further action.

The City does not believe it could take the property in its present condition given the fact it would not have the ability to require Tecumseh Products nor the TRC entities to complete the remediation necessary to obtain a closure letter from the WDNR indicating that no further action is required.

In conclusion, the City of New Holstein encourages the Wisconsin Department of Natural Resources to preserve all the potential uses of the subject property in reaching its conclusions as to the remediation required by Tecumseh Products of Michigan as well as the TRC entities that have assumed liability for the remediation on behalf of Tecumseh Products.

Respectfully submitted,

CITY OF NEW HOLSTEIN



DIANNE REESE, Mayor



CASSANDRA LANGENEFLD, City Clerk