



January 10, 2011

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

MR DAVID LINSKINS
1687 PRINCETON PL #5
GREEN BAY WI 54302

Subject: Deed Affidavit Process for Sandies Dry Cleaners (former),
513 Grand Av., Little Chute, Wisconsin
WDNR BRRTS # 02-45-552222

Dear Mr. Linskins:

On August 29, 2008, the Department of Natural Resources (Department) sent you a letter, which explained your responsibilities under s. 292.11(3), Stats., to conduct an investigation and cleanup of the contamination on property owned by David G. Linskins, located at 513 Grand Avenue, City of Little Chute, Outagamie County, Wisconsin (the "Property"). The Warranty Deed for the Property is Document Number 1688608, filed November 14, 2005 at the Outagamie County Register of Deeds Office in Appleton, Wisconsin. The Outagamie County Parcel ID is 260045700 and is listed as 0.09 acres of land. The legal description of the Property is:

LOT FIVE (5), BLOCK TWENTY-SEVEN (27) OF THE 1986 AMENDMENT TO THE 1917 ASSESSOR'S PLAT OF THE VILLAGE OF LITTLE CHUTE, OUTAGAMIE COUNTY, WISCONSIN.

The August 28, 2008 *DERF Limited Site Investigation Scoping Report* states that tetrachloroethylene is present in surficial soils at 125,000 and 4,500 micrograms per kilogram ($\mu\text{g}/\text{kg}$) or parts per billion (ppb). This level of contamination represents a risk to public health and the environment.

On October 28, 2008, the Department issued a notice of non-compliance for failure to initiate the investigation. The letter again explained your responsibilities under s. 292.11(3), Stats., to conduct an investigation and cleanup of the contamination on the Property.

On December 10, 2008, the Department sent you a letter approving of your consultant selection under the Dry Cleaner Environmental Repair Program (DERP) for investigation at the above referenced environmental repair case and authorized you to move forward with the investigation.

The Department issued notices of non-compliance for failure to initiate the investigation on June 12, 2009 and June 11, 2010. The Department issued a notice of violation for failure to take appropriate action. The letters again explained your responsibilities under s. 292.11(3), Stats., to conduct an investigation and cleanup of the contamination on the Property.

On September 14, 2010, you attended an enforcement conference with the Department to discuss the environmental contamination on your Property. You informed the Department that you were unable to pay for the investigation and cleanup of the Property. On September 20, 2010, the Department requested written confirmation regarding inability to finance the investigation.

On September 28, 2010, the Department received copies of rejections for financing from local financial institutions submitted by you to verify the inability to pay for the investigation and cleanup. On October 5, 2010, you verbally informed the Department that you had an interested buyer for the Property but have not provided any additional information as requested on December 9, 2010 other than a note on December 20, 2010 that your potential buyer deferred making a decision until after the new year. No additional information has been submitted to the Department.

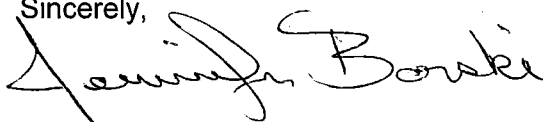
Based upon review of this documentation, the **Department has determined that you are financially unable to proceed with the necessary investigation and remediation of the Property.** However, you are encouraged to continue to solicit funding to perform the necessary investigation and remediation.

Therefore, the Department intends to begin the deed affidavit process, pursuant to s. NR 728.11, Wis. Adm. Code, to record a notice of contamination on the Property, since you have been unable to adequately investigate and remediate the contamination on the Property. This deed affidavit will provide notice to the public and any prospective purchaser, of the existing contamination and the environmental liability associated with the Property.

To initiate the deed affidavit process, we need to provide a final opportunity to you to begin the investigation and remediation of the contamination on the Property. **If you intend to proceed with the investigation and remediation of the Property, please respond to the Department within ten (10) working days of receipt of this letter.** If you do not respond indicating the Property will be investigated and remediated or provide information that clearly indicates that there is no environmental contamination on the Property by that date, the Department will continue the process of filing the deed affidavit on your Property.

Please call me in Oshkosh at the number below with any questions.

Sincerely,



Jennifer Borski
Hydrogeologist
Remediation and Redevelopment Program
(920) 424-7887

Electronic copy:

- D. Graff, DNR, LS/8 – Madison
- A. Van Grinsven, DNR, EE – Green Bay
- K. Lauridsen, DNR, RR – Green Bay
- K. DuFresne, DNR, RR – Green Bay