

**From:** Krueger, Sarah E - DNR  
**Sent:** Thursday, March 21, 2019 2:48 PM  
**To:** 'Tobias, Sam'; McNamara, Meggin  
**Subject:** Tynan Property Access Agreement  
**Attachments:** Access\_Agreement\_Tynan.pdf

Good afternoon -

Attached is the Access Agreement for the Tynan Property to conduct the soil and groundwater sampling on site this spring/summer.

Let me know if you have any questions.

Thank you,  
Sarah

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Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Sarah Krueger

Hydrogeologist – Remediation & Redevelopment Program

Wisconsin Department of Natural Resources

2984 Shawano Avenue

Green Bay, WI 54313

Phone: 920-662-5431

[Sarah.Krueger@wisconsin.gov](mailto:Sarah.Krueger@wisconsin.gov)



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Wisconsin Department of Natural Resources  
ACCESS PERMISSION AGREEMENT

Tynan Property – WIDOT – LGU  
W998 STH 23, Town of Forest, Wisconsin  
BRRTS# 02-20-554881

Fond du Lac County hereby gives permission to the Wisconsin Department of Natural Resources (“the department”) and its employees, duly authorized representatives, agents and contractors, to enter upon and have access at reasonable times to the property located at W998 STH 23, Town of Forest within NE 1/4 of Section 15, T15N, R19E, Fond du Lac County, Wisconsin, referred to herein as the “Property”, and that is owned by Fond du Lac County for the following purposes, so that the department may:

- (1) Install temporary groundwater monitoring wells;
- (2) Collect soil samples and water samples;
- (3) Properly abandon the groundwater monitoring wells installed at the request of the department when the wells are no longer needed.

The department is responsible for any investigative waste that is produced by these activities and will return to collect any investigative waste that may be temporarily stored on the Property.

The permission that is granted herein shall remain in effect until December 31, 2019. Before December 31, 2019, if the owner of the Property wishes to withdraw permission for continued access, the owner of the Property shall notify the department of that fact in writing. The department shall, within 90 days after receiving such notice, either cease/finalize listed activities and abandon wells, or obtain a court order to allow continued access.

The DNR’s authority to access to the Property described above is provided under Wisconsin Statute § 292.31(3).

The department will report all sampling results to the owner of the Property, and occupants as appropriate, within 10 business days of receiving the sample results. When soil or water, samples are collected on the Property described above, split samples will be provided to the owner if the owner of the Property requests split samples and provides sample containers before the samples are collected.

Property owner certifications

*Please mark the box to indicate that you understand and agree to the following information.*

- As the owner of the Property, Fond du Lac County, hereby agrees not to damage or interfere with soil sampling and the use of any monitoring well that is installed as permitted herein and agrees to notify third parties who plan to conduct any activity on the property described above that monitoring wells have been installed on the property. Fond du Lac County understands that it is responsible for any damage to monitoring wells if Fond du Lac County causes that damage.

- As the owner of the Property, Fond du Lac County, understands that the department, in the course of conducting investigation, may find that a hazardous substance discharge or environmental pollution exists on the Property.
  
- If the department discovers a hazardous substance discharge or environmental pollution on the Property, any current owner of this Property, along with any identifiable causer of the contamination, may be required to take additional response actions pursuant to Wis. Stat. § 292.11(3), with the exception of any local government unit that owns the Property and is exempt under Wis. Stat. § 292.11(9)(e).

Entry notification

The department and/or the department's contractor shall notify the owner of the Property by telephone or email of any planned activity on the Property at least 48 hours in advance of entering the Property.

IN WITNESS WHEREOF:

\_\_\_\_\_  
Signature of Property Owner or Authorized Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
Area Code and Telephone Number

\_\_\_\_\_  
Email Address