



**CIVIL & ENVIRONMENTAL  
ENGINEERING, SURVEYING**

**February 20, 2024**

**Wisconsin Department of Natural Resources**

Attn: Mr. Phil Richard  
875 South 4<sup>th</sup> Avenue  
Park Falls, WI 54552



**Subject:**

Phillips Plating Corporation – Technical Assistance Request: Site Update Report  
984 North Lake Avenue  
Phillips, WI  
WDNR BRRTS #02-51-559634

**Dear Ms. Shafel,**

Enclosed is the technical assistance request for review of the annual Site Update Report (NR716.14) REI Engineering, Inc. has prepared for the above referenced Phillips Plating Corporation site in Phillips, Wisconsin. Phillips Plating is requesting the WDNR provide comment on the included Site Update Report including but not limited to the completeness of the emerging contaminant statement, verification that the degree and extent of contamination has been adequately defined, and a pathway to case closure based on the overall stable to decreasing contaminant concentrations. The responsible party requests access to be able to listen to the committee's discussion regarding the site.

A copy of the technical assistance request and fee (\$700) has been to the Environmental Program Associate, Kathleen Shafel at the WDNR Antigo office.

Thank you for your assistance with this project, please contact me with questions or comments at (715) 675-9784 or [Mmichalski@REIengineering.com](mailto:Mmichalski@REIengineering.com)

Sincerely,  
REI Engineering, Inc.

Matthew C Michalski, P.G.  
Hydrogeologist

Enclosures



**RESPONSIVE. EFFICIENT. INNOVATIVE.**

4080 N. 20th Avenue Wausau, WI 54401  
715-675-9784 [REIengineering.com](http://REIengineering.com)

**Notice:** Use this form to request a **written response (on agency letterhead)** from the Department of Natural Resources (DNR) regarding technical assistance, a post-closure change to a site, a specialized agreement or liability clarification for Property with known or suspected environmental contamination. A fee will be required as is authorized by s. 292.55, Wis. Stats., and NR 749, Wis. Adm. Code., unless noted in the instructions below. 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.].

## Definitions

**"Property"** refers to the subject Property that is perceived to have been or has been impacted by the discharge of hazardous substances.

**"Liability Clarification"** refers to a written determination by the Department provided in response to a request made on this form. The response clarifies whether a person is or may become liable for the environmental contamination of a Property, as provided in s. 292.55, Wis. Stats.

**"Technical Assistance"** refers to the Department's assistance or comments on the planning and implementation of an environmental investigation or environmental cleanup on a Property in response to a request made on this form as provided in s. 292.55, Wis. Stats.

**"Post-closure modification"** refers to changes to Property boundaries and/or continuing obligations for Properties or sites that received closure letters for which continuing obligations have been applied or where contamination remains. Many, but not all, of these sites are included on the GIS Registry layer of RR Sites Map to provide public notice of residual contamination and continuing obligations.

## Select the Correct Form

This form should be used to request the following from the DNR:

- Technical Assistance
- Liability Clarification
- Post-Closure Modifications
- Specialized Agreements (tax cancellation, negotiated agreements, etc.)

**Do not use this form if one of the following applies:**

- Request for an **off-site liability exemption or clarification** for Property that has been or is perceived to be contaminated by one or more hazardous substances that originated on another Property containing the source of the contamination. Use DNR's Off-Site Liability Exemption and Liability Clarification Application Form 4400-201.
- Submittal of an Environmental Assessment for the **Lender Liability Exemption**, s 292.21, Wis. Stats., **if no response or review by DNR is requested**. Use the Lender Liability Exemption Environmental Assessment Tracking Form 4400-196.
- Request for an **exemption to develop on a historic fill site** or licensed landfill. Use DNR's Form 4400-226 or 4400-226A.
- **Request for closure** for Property where the investigation and cleanup actions are completed. Use DNR's Case Closure - GIS Registry Form 4400-202.

All forms, publications and additional information are available on the internet at: [dnr.wi.gov/topic/Brownfields/Pubs.html](http://dnr.wi.gov/topic/Brownfields/Pubs.html).

## Instructions

1. Complete sections 1, 2, 6 and 7 for all requests. Be sure to provide adequate and complete information.
2. Select the type of assistance requested: Section 3 for technical assistance or post-closure modifications, Section 4 for a written determination or clarification of environmental liabilities; or Section 5 for a specialized agreement.
3. Include the fee payment that is listed in Section 3, 4, or 5, unless you are a "Voluntary Party" enrolled in the Voluntary Party Liability Exemption Program **and** the questions in Section 2 direct otherwise. Information on to whom and where to send the fee is found in Section 8 of this form.
4. Send the completed request, supporting materials and the fee to the appropriate DNR regional office where the Property is located. See the map on the last page of this form. A paper copy of the signed form and all reports and supporting materials shall be sent with an electronic copy of the form and supporting materials on a compact disk. For electronic document submittal requirements see: <http://dnr.wi.gov/files/PDF/pubs/rr/RR690.pdf>

The time required for DNR's determination varies depending on the complexity of the site, and the clarity and completeness of the request and supporting documentation.

# Technical Assistance, Environmental Liability Clarification or Post-Closure Modification Request

Form 4400-237 (R 12/18)

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## Section 1. Contact and Recipient Information

### Requester Information

This is the person requesting technical assistance or a post-closure modification review, that his or her liability be clarified or a specialized agreement and is identified as the requester in Section 7. DNR will address its response letter to this person.

Last Name	First	MI	Organization/ Business Name		
Baratka	Darin		Phillips Plating Corp.		
Mailing Address			City	State	ZIP Code
984 N Lake Ave., P.O. Box 72			Phillips	WI	54555
Phone # (include area code)	Fax # (include area code)	Email			
(715) 339-3301		darin.daratka@phillipsplatingcorp.com			

The requester listed above: (select all that apply)

- ☒ Is currently the owner ☐ Is considering selling the Property
- ☐ Is renting or leasing the Property ☐ Is considering acquiring the Property
- ☐ Is a lender with a mortgagee interest in the Property
- ☐ Other. Explain the status of the Property with respect to the applicant:

### Contact Information (to be contacted with questions about this request)

☐ Select if same as requester

Contact Last Name	First	MI	Organization/ Business Name		
Michalski	Matthew	C	REI Engineering, Inc.		
Mailing Address			City	State	ZIP Code
4080 N 20th Ave			Wausau	WI	54401
Phone # (include area code)	Fax # (include area code)	Email			
(715) 675-9784	(715) 675-4060	MMichalski@REIengineering.com			

### Environmental Consultant (if applicable)

Contact Last Name	First	MI	Organization/ Business Name		
Michalski	Matthew	C	REI Engineering, Inc.		
Mailing Address			City	State	ZIP Code
4080 N 20th Ave			Wausau	WI	54401
Phone # (include area code)	Fax # (include area code)	Email			
(715) 675-9784	(715) 675-4060	MMichalski@REIengineering.com			

## Section 2. Property Information

Property Name			FID No. (if known)		
Phillips Plating Corporation			851030070		
BRRTS No. (if known)			Parcel Identification Number		
02-51-559634			50-272-4-37-01-07-515-025-02030		
Street Address			City	State	ZIP Code
984 N Lake Ave			Phillips	WI	54555
County	Municipality where the Property is located		Property is composed of:		Property Size Acres
Pierce	<input checked="" type="radio"/> City <input type="radio"/> Town <input type="radio"/> Village of Phillips		<input checked="" type="radio"/> Single tax parcel <input type="radio"/> Multiple tax parcels		2

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1. Is a response needed by a specific date? (e.g., Property closing date) Note: Most requests are completed within 60 days. Please plan accordingly.

☒ No ☐ Yes

Date requested by: \_\_\_\_\_

Reason: \_\_\_\_\_

2. Is the "Requester" enrolled as a Voluntary Party in the Voluntary Party Liability Exemption (VPLE) program?

☒ No. **Include the fee that is required for your request in Section 3, 4 or 5.**

☐ Yes. **Do not include a separate fee.** This request will be billed separately through the VPLE Program.

**Fill out the information in Section 3, 4 or 5 which corresponds with the type of request:**

**Section 3. Technical Assistance or Post-Closure Modifications;**

**Section 4. Liability Clarification; or Section 5. Specialized Agreement.**

## Section 3. Request for Technical Assistance or Post-Closure Modification

Select the type of technical assistance requested: [Numbers in brackets are for WI DNR Use]

- ☐ No Further Action Letter (NFA) (Immediate Actions) - NR 708.09, [183] - **Include a fee of \$350.** Use for a written response to an immediate action after a discharge of a hazardous substance occurs. Generally, these are for a one-time spill event.
- ☐ Review of Site Investigation Work Plan - NR 716.09, [135] - **Include a fee of \$700.**
- ☐ Review of Site Investigation Report - NR 716.15, [137] - **Include a fee of \$1050.**
- ☐ Approval of a Site-Specific Soil Cleanup Standard - NR 720.10 or 12, [67] - **Include a fee of \$1050.**
- ☐ Review of a Remedial Action Options Report - NR 722.13, [143] - **Include a fee of \$1050.**
- ☐ Review of a Remedial Action Design Report - NR 724.09, [148] - **Include a fee of \$1050.**
- ☐ Review of a Remedial Action Documentation Report - NR 724.15, [152] - **Include a fee of \$350**
- ☐ Review of a Long-term Monitoring Plan - NR 724.17, [25] - **Include a fee of \$425.**
- ☐ Review of an Operation and Maintenance Plan - NR 724.13, [192] - **Include a fee of \$425.**

Other Technical Assistance - s. 292.55, Wis. Stats. [97] (For request to build on an abandoned landfill use Form 4400-226)

- ☐ Schedule a Technical Assistance Meeting - **Include a fee of \$700.**
- ☐ Hazardous Waste Determination - **Include a fee of \$700.**
- ☒ Other Technical Assistance - **Include a fee of \$700.** Explain your request in an attachment.

Post-Closure Modifications - NR 727, [181]

- ☐ Post-Closure Modifications: Modification to Property boundaries and/or continuing obligations of a closed site or Property; sites may be on the GIS Registry. This also includes removal of a site or Property from the GIS Registry. **Include a fee of \$1050, and:**
  - ☐ Include a fee of \$300 for sites with residual soil contamination; and
  - ☐ Include a fee of \$350 for sites with residual groundwater contamination, monitoring wells or for vapor intrusion continuing obligations.

Attach a description of the changes you are proposing, and documentation as to why the changes are needed (if the change to a Property, site or continuing obligation will result in revised maps, maintenance plans or photographs, those documents may be submitted later in the approval process, on a case-by-case basis).

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**Skip Sections 4 and 5 if the technical assistance you are requesting is listed above and complete Sections 6 and 7 of this form.**

## Section 5. Request for a Specialized Agreement

Select the type of agreement needed. Include the appropriate draft agreements and supporting materials. Complete Sections 6 and 7 of this form. More information and model draft agreements are available at: [dnr.wi.gov/topic/Brownfields/Igu.html#tabx4](http://dnr.wi.gov/topic/Brownfields/Igu.html#tabx4).

- ☐ Tax cancellation agreement - s. 75.105(2)(d), Wis. Stats. [654]  
❖ **Include a fee of \$700, and the information listed below:**  
(1) Phase I and II Environmental Site Assessment Reports,  
(2) a copy of the Property deed with the correct legal description.
- ☐ Agreement for assignment of tax foreclosure judgement - s.75.106, Wis. Stats. [666]  
❖ **Include a fee of \$700, and the information listed below:**  
(1) Phase I and II Environmental Site Assessment Reports,  
(2) a copy of the Property deed with the correct legal description.
- ☐ Negotiated agreement - Enforceable contract for non-emergency remediation - s. 292.11(7)(d) and (e), Wis. Stats. [630]  
❖ **Include a fee of \$1400, and the information listed below:**  
(1) a draft schedule for remediation; and,  
(2) the name, mailing address, phone and email for each party to the agreement.

## Section 6. Other Information Submitted

Identify all materials that are included with this request.

**Send both a paper copy of the signed form and all reports and supporting materials, and an electronic copy of the form and all reports, including Environmental Site Assessment Reports, and supporting materials on a compact disk.**

**Include one copy of any document from any state agency files that you want the Department to review as part of this request. The person submitting this request is responsible for contacting other state agencies to obtain appropriate reports or information.**

- ☐ Phase I Environmental Site Assessment Report - Date: \_\_\_\_\_
- ☐ Phase II Environmental Site Assessment Report - Date: \_\_\_\_\_
- ☐ Legal Description of Property (required for all liability requests and specialized agreements)
- ☐ Map of the Property (required for all liability requests and specialized agreements)
- Analytical results of the following sampled media: Select all that apply and include date of collection.
- ☐ Groundwater    ☐ Soil    ☐ Sediment    ☐ Other medium - Describe: \_\_\_\_\_
- Date of Collection: \_\_\_\_\_
- ☐ A copy of the closure letter and submittal materials
- ☐ Draft tax cancellation agreement
- ☐ Draft agreement for assignment of tax foreclosure judgment
- ☒ Other report(s) or information - Describe: Site Update Report (2/20/2024)

For Property with newly identified discharges of hazardous substances only: Has a notification of a discharge of a hazardous substance been sent to the DNR as required by s. NR 706.05(1)(b), Wis. Adm. Code?

- ☐ Yes - Date (if known): \_\_\_\_\_
- ☐ No

Note: The Notification for Hazardous Substance Discharge (non-emergency) form is available at:  
[dnr.wi.gov/files/PDF/forms/4400/4400-225.pdf](http://dnr.wi.gov/files/PDF/forms/4400/4400-225.pdf).

## Section 7. Certification by the Person who completed this form

- ☐ I am the person submitting this request (requester)
- ☒ I prepared this request for: Phillips Plating Attn: Darin Baratka  
Requester Name

I certify that I am familiar with the information submitted on this request, and that the information on and included with this request is true, accurate and complete to the best of my knowledge. I also certify I have the legal authority and the applicant's permission to make this request.

**Technical Assistance, Environmental Liability  
Clarification or Post-Closure Modification Request**

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*Matthew C. Michalski*

Signature

2/20/2024

Date Signed

Hydrogeologist

Title

(715) 675-9784

Telephone Number (include area code)

# Technical Assistance, Environmental Liability Clarification or Post-Closure Modification Request

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## Section 8. DNR Contacts and Addresses for Request Submittals

Send or deliver one paper copy and one electronic copy on a compact disk of the completed request, supporting materials, and fee to the region where the property is located to the address below. Contact a [DNR regional brownfields specialist](#) with any questions about this form or a specific situation involving a contaminated property. For electronic document submittal requirements see: <http://dnr.wi.gov/files/PDF/pubs/rr/RR690.pdf>.

### DNR NORTHERN REGION

Attn: RR Program Assistant  
Department of Natural Resources  
223 E Steinfest Rd Antigo, WI 54409

### DNR NORTHEAST REGION

Attn: RR Program Assistant  
Department of Natural Resources  
2984 Shawano Avenue  
Green Bay WI 54313

### DNR SOUTH CENTRAL REGION

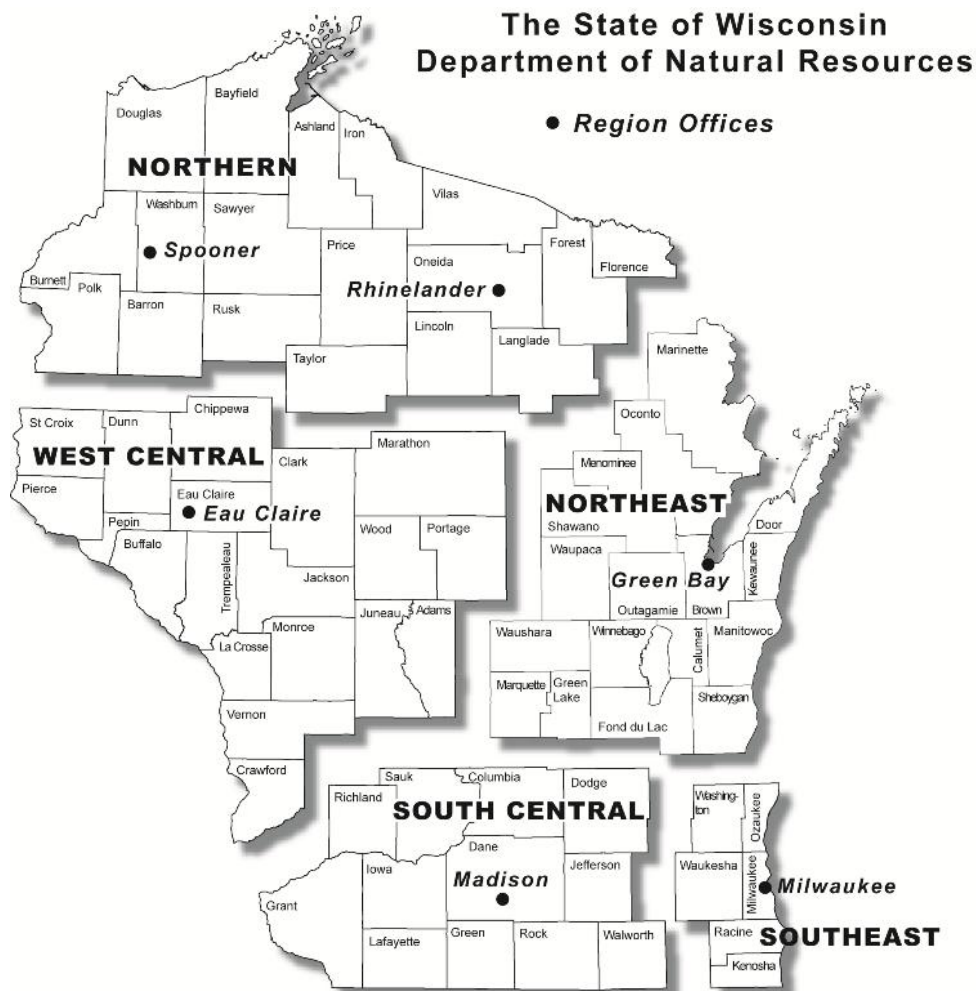
Attn: RR Program Assistant  
Department of Natural Resources  
3911 Fish Hatchery Road  
Fitchburg WI 53711

### DNR SOUTHEAST REGION

Attn: RR Program Assistant  
Department of Natural Resources  
2300 North Martin Luther King Drive  
Milwaukee WI 53212

### DNR WEST CENTRAL REGION

Attn: RR Program Assistant  
Department of Natural Resources  
1300 Clairemont Ave.  
Eau Claire WI 54702



*Note: These are the Remediation and Redevelopment Program's designated regions. Other DNR program regional boundaries may be different.*

DNR Use Only			
Date Received	Date Assigned	BRTS Activity Code	BRTS No. (if used)
DNR Reviewer		Comments	
Fee Enclosed? <input type="radio"/> Yes <input type="radio"/> No	Fee Amount \$	Date Additional Information Requested	Date Requested for DNR Response Letter
Date Approved	Final Determination		