

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
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December 19, 2018

Goodwill Industries Of North Central Wisconsin
George M Burns
1800 Appleton Rd
Menasha WI 54952

RE: Important Update: Voluntary Party Liability Exemption Program – Goodwill - Neenah located at 891 S Green Bay Road, Neenah – BRRTS # 06-71-559889

Dear Mr. Burns:

This letter is in follow up to the letter mailed to you by the Wisconsin Department of Natural Resources (the “department”) in September 2018 requesting supplemental environmental site investigation information for the property for which you are pursuing a Certificate of Completion (“Certificate”) through the Voluntary Party Liability Exemption (“VPLE”) program. Our records indicate that you are designated as a Voluntary Party (“VP”) for the Goodwill - Neenah located at 891 S Green Bay Road in Neenah (the “VPLE Property”), pursuant to Wis. Stat. § 292.15. The purpose of this letter is to provide an update regarding the options available at this time for participation in VPLE and to request a response from you as to whether you’d like to continue pursuing a Certificate.

As you’re aware, the department had recently started evaluating the potential for historical discharges of per- and polyfluoroalkyl substances (“PFAS”) chemicals at properties enrolled in VPLE program that have not received a Certificate. Specifically, we were evaluating whether one or more industries on VPLE properties may have used or manufactured PFAS chemicals or if waste or historic fill from industries that used PFAS chemicals has been disposed of on VPLE properties. The department’s evaluation of all VPLE properties is in response to the national concern over the presence of PFAS that have been discovered to be impacting the environment nationally and in the state of Wisconsin.

In making its determination to request additional site investigation work, the department reviewed the most recent, national guidance on the types of materials, industries, and manufacturing sectors, that historically used PFAS chemicals, from both the U.S. Environmental Protection Agency (EPA) and the Interstate Technology and Regulatory Council (ITRC). The department is aware that the fate and transport of PFAS and site characterization for PFAS are complicated by the number and diversity of substances involved, their frequent occurrence in complex mixtures that can change over time, and by the variety of PFAS source material. For these reasons the department has concluded that ruling out the risk of a PFAS discharge without confirmation testing remains high.

A VPLE Certificate of Completion, once issued under Wis. Stat. § 292.15(2), transfers to state taxpayers an expectation to remediate health and safety threats that were not identified if the department determines that there is a priority concern, and there are no other responsible parties to address the potential or actual threat posed. The department would be remiss in its responsibility to protect public health and safety, and serve as good stewards of state taxpayer dollars, if it issued a Certificate of Completion for PFAS contamination that was not sampled given the national and state dialogue on this concern.

However, a Certificate for site-specific hazardous substances would be available to Goodwill Industries Of North Central Wisconsin following completion of response actions and when all requirements have been met. This

Certificate would limit the exemption to the releases of hazardous substances that were sampled during the site investigation. The options for Goodwill Industries Of North Central Wisconsin to consider include:

- 1) The department can issue a Certificate for the specific hazardous substances investigated. Testing for additional hazardous substances is not required on the Property for issuance of this type of Certificate of Completion. However, if you would like the Certificate to include a specific hazardous substance (e.g. PFOA and PFOS) in addition to those you previously investigated at the Property, you could elect to conduct additional investigation (which may necessitate additional remedial action) and those specific substances could be included in the Certificate.
- 2) Goodwill Industries Of North Central Wisconsin may withdraw from VPLE program and proceed with case closure pursuant to Wis. Admin. Code ch. NR 726.

The department appreciates Goodwill Industries Of North Central Wisconsin efforts to clean up and redevelop the Property. The department is committed to working with you to resolve your status in the VPLE program in a timely manner.

Please let the department know in writing which of these options Goodwill Industries Of North Central Wisconsin would like to pursue. Thank you for your patience in this matter.

Sincerely,



Darsi Foss, Director
Remediation and Redevelopment Program

cc: Fehr Graham, Ken Ebbott, 909 N 8th St, Ste 101, Sheboygan, WI 53081
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