



April 10, 2023

MR JOHN ECKERT
8861 COUNTY HWY H
EAGLE RIVER WI 54521

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

SUBJECT: **Notice of Intent to File Notice of Contamination Affidavit per
Wis. Admin. Code § NR 728.11**
Site Name: Zmek & Sons Wrecking, BRRTS #02-44-548409
Site Name: Owens Property, BRRTS #02-44-584685
FID # 364000120
Site Address: 8861 County Highway H, Eagle River, Wisconsin

Dear Mr. Eckert:

On January 21, 2022, the Department of Natural Resources (DNR) sent you a letter via Certified Mail requesting a site update for the above-referenced cases, located at 8861 County Highway H, Eagle River, Wisconsin (Property); the DNR was unable to confirm delivery of those letters. On April 27, 2022, DNR Conservation Warden Audrey Royce attempted to hand deliver copies of the above-mentioned letters but was unable to locate you after several attempts. To date, the DNR has not received an adequate response to those previous requests for information.

In accordance with Wisconsin Administrative (Wis. Admin.) Code section NR 728.11(2)(b), you are hereby notified that the DNR intends to record an affidavit with the Oneida County Register of Deeds giving notice of contamination at the Property, unless you **respond to this second letter in writing, within 30 days of receiving this letter (date of delivery confirmation), informing the DNR of your plans to finish the necessary environmental response actions at this site.** As part of this response, please include the name and contact information of the environmental consultant you have hired to conduct the response actions.

In accordance with Wis. Admin. Code § 728.11(2)(c), if an acceptable response is not received within the time period set forth in this letter, the DNR may, as soon as practicable but in no case less than 15 days after the 30-day deadline, record the Notice of Contamination affidavit at the office of the register of deeds for the county in which the Property is located. A copy of the Notice of Contamination affidavit to be filed is enclosed with this letter.

Your prompt attention to this request is appreciated. If you have any questions regarding this notice or how to move your site forward, please contact the project manager, Carrie Stoltz, in writing at the following address:

Wisconsin Department of Natural Resources
Remediation and Redevelopment Program
Attn: Carrie Stoltz
107 Sutliff Avenue
Rhineland, Wisconsin 54501

If you have questions, please do not hesitate to contact Carrie Stoltz by phone at (715) 360-1966 or email at Carrie.Stoltz@Wisconsin.gov. You can also contact me at (715) 208-4004 or by email at Christopher.Saari@Wisconsin.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher A. Saari".

Christopher A. Saari
Northern Region Team Supervisor
Remediation and Redevelopment Program

Enclosure:

- Draft Notice of Contamination Deed Affidavit

cc: Carrie Stoltz – DNR Rhinelander (via email)
Molly Schmidt – DNR Madison (via email)

Document Number

NOTICE OF CONTAMINATION

In Re:

The NW ¼ of the SE ¼, Section 1, Township 39 North, Range 9 East, Town of Sugar Camp, Oneida County, Wisconsin.

EXCEPTING THEREFROM those parcels deeded in Document #633387 and Document #631851.

AND

A parcel of land being a part of the SW ¼-SE ¼, Section 1, T 39 N, R 9 E, Township of Sugar Camp, Oneida County, Wisconsin, and being more particularly described as follows:

Recording Area

Name and Return Address

Jenna Soyer
Remediation and Redevelopment Program
PO Box 7921
Madison WI 53707-7921

Commencing at the South ¼ corner of said Section 1 being marked with a 1" iron pipe, thence N 02°-01'-07" E 208.76 feet along the West line of said SW ¼-SE ¼ to an iron pipe, thence N 89°-08'-38" E 13.95 feet to an iron pipe on an old fence line, thence N 03°-14'-37" E 155.80 feet along said fence line to an iron pipe, thence N 01°-30'-38" E 392.83 feet along said fence line to an iron pipe and the Place of Beginning, thence N 01°-09'-27" E 518.40 feet along said fence line to an iron pipe on the North line of said SW ¼-SE ¼, thence N 89°-14'-21" E 1271.02 feet along the North line of said SW ¼-SE ¼ to an iron pipe on the Westerly R/W line of County Hwy "H", thence along said Westerly R/W line; S 19°-30'-22" W 236.29 feet and S 19°-48'-06" W 314.68 feet to an iron pipe, thence leaving said R/W line S 89°-08'-37" W 1096.01 feet back to the Place of Beginning.

SU-529 & SU-530

Parcel Identification Number (PIN)

STATE OF WISCONSIN)
) ss
COUNTY OF DANE)

I, Jenna Soyer, being first duly sworn, state that:

1. I am the Remediation and Redevelopment Policy and Program Operations Director, employed by the Wisconsin Department of Natural Resources (hereinafter "the department").
2. I have, or Carrie Stoltz, department Remediation and Redevelopment Program Hydrogeologist, has personal knowledge of the facts herein set forth and believe the same to be true.
3. The department has determined that contamination has been discharged to the soil at the above described property ("the Property"), and that the contamination identified on the Property has not been adequately defined or remediated. Additional information may be found by visiting the Bureau of

Remediation and Redevelopment Tracking System (BRRTS) on the Web (BOTW), currently at dnr.wi.gov (search: "BOTW"), by searching for 02-44-584685 and 02-44-548409 in the "BRRTS No."

4. Per Wis. Admin. Code § NR 728.11(2), the department has sent all required notices to the property owner and any mortgagee as applicable at the time of this recording advising that the department has made a decision to record a notice of contamination for the Property at the Register of Deeds office. The department did not receive an acceptable response from the property owner within the time period set forth in the notice.

5. Because the department believes the contamination identified on the Property at the time of this recording will continue to discharge to the environment, the public and prospective purchasers of the Property are hereby notified per Wis. Admin. Code § NR 728.11(3) of potential environmental liability for investigation and remediation of contamination under Wis. Stat. § 292.11(3).

Signature: _____

Printed Name: Jenna Soyer

Subscribed and sworn to before me
this ____ day of _____, 20__.

Notary Public, State of _____

My commission _____

This document was drafted by the Wisconsin Department of Natural Resources.