



June 15, 2023

Badgerland Management, LLC
Nathaniel Smith
412 Howard Street
Green Bay, WI 54303
Sent Via E-Copy Only – nate.smith@badgerlandbadge.com

Subject: Reported Contamination at **BMO Harris Bank Branch,**
117 S. Chestnut Ave, Green Bay
WIDNR BRRTS Activity # **02-05-585287**

Dear Mr. Smith:

Based on the information available to the Wisconsin Department of Natural Resources (DNR), we believe that Badgerland Management, LLC, is the owner of the above-referenced property. The purpose of this letter is to inform you that a hazardous substance discharge occurred on the property. As the property owner, you are in possession or control of the hazardous substance discharge or other environmental pollution (contamination) at the above-described site, and as such, you may be held responsible under Wisconsin Statutes (Wis. Stat.) ch. 292 for the investigation and cleanup of the contamination at the site. The term "site" includes the area where the discharge occurred and any area to which it has migrated, pursuant to Wisconsin Administrative (Wis. Admin.) Code § NR 700.03(56).

The DNR is exercising its discretion to pursue the person who caused the contamination at this time, as outlined in the responsible party letter to Ms. June Evans of BMO Harris Bank, NA, dated February 19, 2020. This letter can be accessed through this direct link, the PDF attached to Code 2 under Actions and Documents, [WDNR EM/RR BOTW \(wi.gov\)](#). If the causer continues to make sufficient progress under Wis. Admin. Code chs. NR 700 – 799, the DNR will not seek your involvement in investigation and cleanup; however, if at any time the causer is no longer able or willing to continue progress the DNR may require that you take the appropriate response actions.

LEGAL RESPONSIBILITIES

Wis. Stat. ch. 292 and Wis. Admin. Code chs. NR 700 – 799 provide specific requirements for undertaking appropriate response actions to address contamination, including requirements for emergency and interim actions, public information, site investigations, remedy selection, design and operation of remedial action systems and case closure.

Under Wis. Stat. ch. 292, continuing obligations may be applied to a property upon the closure of an environmental investigation and cleanup case. Continuing obligations are legal requirements designed to protect public health and the environment from contamination that remains on a property. If the DNR places continuing obligations on the property at the time of closure, absent a third-party agreement

stating otherwise, these obligations will become the property owner's responsibility. For more information, please see the enclosed DNR publication RR-819, Continuing Obligations for Environmental Protection Responsibilities of Wisconsin Property Owners.

ADDITIONAL INFORMATION

Site-related information and DNR contacts can be found online in the Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web (BOTW); visit dnr.wi.gov, search "BOTW." Use the BRRTS ID # found at the top of this letter. The site can also be found on the map view, Remediation and Redevelopment Sites Map (RRSM), by visiting dnr.wi.gov, search "RRSM."

Send correspondence regarding this site to the DNR using the RR Program Submittal Portal at dnr.wi.gov, search "RR submittal portal." Refer to DNR publication Guidance for Electronic Submittals for the Remediation and Redevelopment Program (RR-690), for information about using the Submittal Portal. Questions on using the portal can also be directed to Denise Danelski, the environmental program associate for the northeast region DNR office. Contact information is in the letter closing.

If you have questions, please call the Keld Lauridsen, the project manager, at 920-510-8294 for more information.

Sincerely,



Denise D. Danelski
Environmental Program Associate – Northeast Region
Remediation & Redevelopment Program
denise.danelski@wisconsin.gov

Enclosures:

Continuing Obligations for Environmental Protection Responsibilities of Wisconsin Property Owners
<https://dnr.wi.gov/DocLink/RR/RR819.pdf>
Guidance for Electronic Submittals for the Remediation and Redevelopment Program
<https://dnr.wi.gov/DocLink/RR/RR690.pdf>