



Wisconsin Department of Natural Resources Ms. Josie Schultz Remediation & Redevelopment Program 2984 Shawano Avenue Green Bay, WI 54313-6727

Off-Site Exemption Request for the Property Located 505 Grand Avenue in Little Chute, Wisconsin — DNR BRRTS No. 07-45-590052, FEC Project

No. 220406

Dear Ms. Schultz:

Friess Environmental Consulting, Inc. (FEC) prepared an Off-Site Exemption request for the above referenced property (Site). The Wisconsin Department of Natural Resources (DNR) granted the off-site exemption to Four D Investments, the current owner of the Site, in a letter dated July 21, 2022 (attached).

The property is proposed for sale with the intended use of the property to remain the same as it is currently (bakery). It is understood that future owners would also be eligible for the off-site exemption.

As such, we request that the DNR provide an off-site discharge exemption for the Site to the potential purchaser, Diamond Star Properties, LLC. The DNR form 4400-201 and associated \$700 review fee is attached.

We appreciate your assistance with this request. If you have any questions or comments regarding this submittal, please contact us at (414) 228-9815.

Respectfully,

Friess Environmental Consulting, Inc.

Trenton J. Ott

Project Manager

Enclosures

220406 OSE 9-23

President

Richard W. Frieseke

Richard W. Frieseke, P.E.

State of Wisconsin DEPARTMENT OF NATURAL RESOURCES 2984 Shawano Avenue Green Bay WI 54313-6727

Tony Evers, Governor Preston D. Cole, Secretary

Telephone 608-266-2621 Toll Free 1-888-936-7463 TTY Access via relay - 711



July 21, 2022

Four D Investments LLC Attn: Mr. Dale Smith 505 Grand Ave Little Chute, WI 54140 Sent via Electronic Mail Only to dsmith@tanncorporation.com

Subject: Off-site liability exemption for property located at 505 Grand Avenue, Little Chute, Wisconsin

with soil and groundwater contamination from an off-site source

Parcel # 260045800, BRRTS # 07-45-590053

Dear Mr. Smith:

Purpose

The Department of Natural Resources ("the department") recently reviewed your request for an off-site exemption letter for the property located at 505 Grand Avenue, Little Chute, Wisconsin, which will be referred to in this letter as "the Property." Refer to the attached *Boring Location Map*, Figure 3, dated September 2021, for a map of the Property. The department received a \$700 fee for providing this letter pursuant to Wis. Stat. §§ 292.13 (2) and (3), and Wis. Admin. Code ch. NR 749.

Summary Determination

The department, based on the information made available to it, confirms that Four D Investments, LLC qualifies for the off-site liability exemption, and Four D Investments, LLC is not responsible for investigation or cleanup of the contamination that originated on a neighboring property. The Property owner may be responsible for limited actions that are described in this letter, under Wis. Stat. §§ 292.12 and 292.13, for the soil and groundwater contamination that migrated onto the Property.

Based on the determination that Four D Investments, LLC is not responsible for investigation or cleanup of the contamination, this letter also acts as a rescission of the responsible party letter that was issued to Four D Investments, LLC on March 28, 2022. Therefore, no action is required by Four D Investments LLC, so the Four D Investments LLC case, BRRTS # 02-45-589437, will be changed to a No Action Required (NAR) case, with the revised BRRTS # 09-45-589437.

Request

You have requested that the department determine if Four D Investments, LLC is exempt from Wis. Stats. §§ 292.11(3), (4) and (7)(b) and (c), (commonly known as the "Spill Law"), with respect to the existence of a hazardous substance discharge in the soil and groundwater that you believe is migrating onto the Property from an off-site source.

Wis. Stats. § 292.13(2) requires the department to issue, upon request, a written determination regarding a liability exemption for a person who possesses or controls property that is contaminated by an off-site discharge when certain conditions are met. To make this determination, the department reviewed information about the Property, including soil and groundwater sampling data for the Property and/or other sites contained in the following documents:

• Off-Site Liability Exemption and Liability Clarification Application form (Form 4400-201), signed June



July 21, 2022
Four D Investments, LLC
Off-Site Liability Exemption
Four D Investments LLC, BRRTS # 07-45-590053

17, 2022;

- Documentation and Off-Site Exemption Request for the Property Located 505 Grand Avenue in Little Chute, Wisconsin, June 17, 2022, Friess Environmental Consulting, Inc.;
- Limited Site Investigation Report, October 11, 2021, Terracon Consultants, Inc.; and
- Site Investigation and Interim Action Report, December 13, 2019, Terracon Consultants, Inc.

Background

The department considered the documents listed above in making the determinations presented in this letter. In July of 2021, The Village of Little Chute hired Terracon Consulting, Inc. to perform soil and groundwater sampling on the Property as part of their due diligence to potentially acquire the Sandies Dry Cleaners & Laundry (Former) - SL site ("the Sandies site") via a method that would qualify the Village for the local government unit (LGU) environmental liability exemption. The Sandies site has documented release(s) of volatile organic compounds (VOCs), which included elevated concentrations of perchloroethylene (PCE). Soil samples were obtained from one boring location (P-8) on the Property; one foot below ground surface (bgs) had 6,420 ug/kg PCE and five feet bgs had 263 ug/kg PCE. A grab groundwater sample from the same location also detected 161 ug/L PCE in groundwater. The sampling location is shown on the attached *Boring Location Map*, Figure 3, dated September 2021. On November 19, 2021, DNR sent a letter to Four D Investments, LLC, requesting historical land use information for the Property be submitted to the department by January 18, 2022, so the department could continue their evaluation and determine who was responsible for the VOC contamination detected. No response was received, so the department issued a responsible party (RP) letter to Four D Investments, LLC on March 28, 2022.

On June 24, 2022, as part of the Off-Site Liability Exemption Request (the "Request"), the department received the requested historical land use information that was outlined in the letter sent to Four D Investments, LLC on January 18, 2022.

Determination

Based upon the available information and in accordance with Wis. Stat. § 292.13, the department concurs that the VOC contamination in shallow soil and groundwater discovered on the Property at sampling point P-8 on the attached *Boring Location Map*, Figure 3, dated September 2021, is related to the Sandies site based on the following information provided in the Request:

- The release on the Sandies site is from a surficial spill as documented in Warden Michael Young's 2011 case activity report documenting an interview with a bartender who worked in the tavern next door that witnessed pumping of liquid out the back door of the drycleaner and pooling onto the ground surface.
- Boring logs show granular material (sand and gravel) overlying a silty clay layer present at approximately 1 to 2.5 feet below ground surface. Surficial contamination likely travelled from the Sandies site through this granular material, along the impermeable silty clay barrier layer, to the area of contamination on the Property.
- No basement is present between the Sandies site's contamination and boring P-8 where shallow soil contamination was discovered on the Property. The garage building present between the contamination and P-8 is slab-on-grade and likely has coarse fill beneath to act as a preferential pathway.
- The historical use of the Property includes use as a grocery store, beer depot, antique store, youth center, insurance office, and baker's outlet; none of which are associated with use of PCE or VOCs.
- In combination with the information outlined above, the site investigation and remedial action data collected for the Sandies site shows that the contamination in soil and groundwater discovered on the Property is associated with the Sandies site.

July 21, 2022
Four D Investments, LLC
Off-Site Liability Exemption
Four D Investments LLC, BRRTS # 07-45-590053

The department, based on the information available, determined that the Property owner met the conditions in Wis. Stats. § 292.13 to qualify for the liability exemption, including but not limited to the following provisions:

- 1. The hazardous substance discharge originated from a source on property that is not possessed or controlled by Four D Investments, LLC.
- 2. Four D Investments, LLC did not possess or control the hazardous substance on the property on which the discharge originated.
- 3. Four D Investments, LLC did not cause the discharge.
- 4. Four D Investments, LLC will not have liability under the Spill Law for investigation or remediation of the soil and groundwater contamination originating from off-site onto the Property, provided that Four D Investments, LLC does not take possession or control of the property on which the discharge originated.

Exemption Conditions

The department's determination, as set forth in this letter, is subject to compliance with the following conditions, as specified in Wis. Stats. §§ 292.13(1) and (1m).

- 1. The facts upon which the department based its determination are accurate and do not change.
- 2. Four D Investments, LLC agrees to allow the following parties to enter the Property to take action to respond to the discharge: the department and its authorized representatives; any party that possessed or controlled the hazardous substance or caused the discharge; and any consultant or contractor of such a party.
- 3. Four D Investments, LLC agrees to avoid any interference with action undertaken to respond to the discharge and to avoid actions that worsen the discharge.
- 4. Four D Investments, LLC agrees to any other condition that the department determines is reasonable and necessary to ensure that the department and any other authorized party can adequately respond to the discharge.
- 5. With respect to soil, vapor or sediment contamination only, Four D Investments, LLC agrees to take one or more specified actions directed by the department, if the department determines that the actions are necessary to prevent an imminent threat to human health, safety or welfare or to the environment. This would occur after the department made a reasonable attempt to notify the party who caused the hazardous substance discharge about that party's responsibilities to investigate and clean up the discharge.

Responsibilities for Continuing Obligations

In addition to the conditions above, after the contamination at the source property is remediated, the department's approval of the cleanup may include continuing obligations at the source property as well as your Property. Often residual contamination remains after an approved environmental cleanup is complete. This approval may include requirements to maintain engineering controls, such as a cap or soil cover, to reduce the impact of the contamination. In that event, you may also be required notify the DNR prior to constructing a water supply well on your Property. If the neighboring property owners request for cleanup approval includes requirements for your Property, the party conducting the cleanup is required to notify you before the DNR reviews the proposal for final approval of the clean-up.

Conclusion

The department granted Four D Investments, LLC an off-site exemption under Wis. Stats. § 292.13. Please note that the department may revoke the determinations made in this letter if it determines that any of the requirements under Wis. Stats. § 292.13, cease to be met.

July 21, 2022
Four D Investments, LLC
Off-Site Liability Exemption
Four D Investments LLC, BRRTS # 07-45-590053

Future Property owners are eligible for the exemption under Wis. Stats. § 292.13, if they meet the requirements listed in that statute section. The determinations in this letter regarding a liability exemption, however, only apply to Four D Investments, LLC, and may not be transferred or assigned to other parties. The department will provide a written determination to future owners of this Property, if such a determination is requested in accordance with the requirements of Wis. Stats. § 292.13.

The Bureau for Remediation and Redevelopment Tracking System (BRRTS) identification number for this activity is shown at the top of this letter. The department tracks information on all determinations such as this in a department database available online at dnr.wi.gov and search: "BOTW".

If you have any questions or concerns regarding this letter, please contact me at (920) 366-5685, or by email at josie.schultz@wisconsin.gov.

Sincerely,

Josie Schultz

Project Manager

Remediation & Redevelopme

Remediation & Redevelopment Program

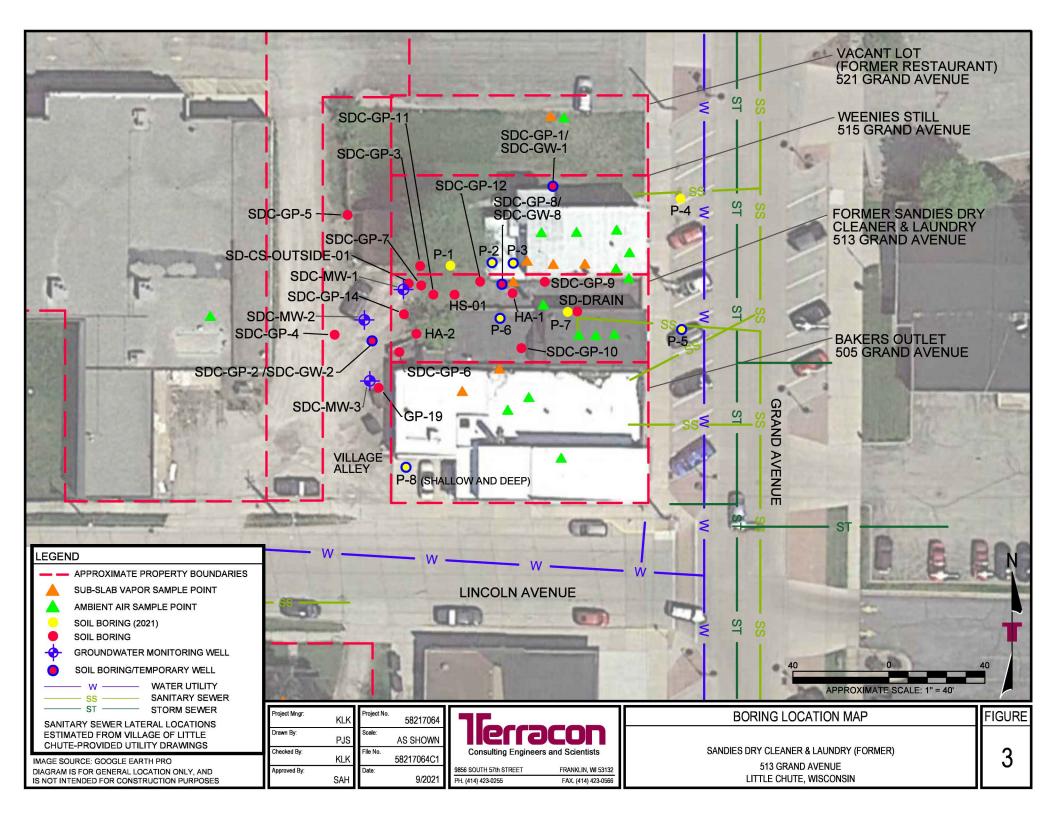
Attachment: Boring Location Map, Figure 3, dated September 2021

cc: Deborah Smith (<u>bakersoutlet@sbcglobal.net</u>)

Trenton Ott, Freiss Environmental Consulting, Inc. (tott@fecinc.us)
Dave Kittel, Village of Little Chute (david.kittel@littlechutewi.org)
Mylan Koski, Terracon Consultants, Inc. (makoski@terracon.com)

David Linskens, 1687 Princeton Place #5, Green Bay, WI 54302

Michael Prager, DNR (<u>Michael Prager@wisconsin.gov</u>)
Tauren Beggs, DNR (Tauren.Beggs@wisconsin.gov)



State of Wisconsin Department of Natural Resources PO Box 7921, Madison, WI 53707-7921 dnr.wi.gov

Off-Site Liability Exemption and Liability Clarification Application

Form 4400-201 (R 05/19)

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Notice: Pursuant to ss. 292.13 and 292.55, Wis. Stats., this application must be completed to request a written determination from the Department of Natural Resources (DNR) for the off-site liability exemption or for the liability clarification regarding property affected by an off-site discharge. The Department will not consider, or act upon your application unless all sections are completed on this form and the required fee of \$700, required under ch. NR 749, Wis. Adm. Code is included. Personal information collected will be used for administrative purposes and may be provided to requester's to the extent required by Wisconsin's Open Records law [ss. 19.31 - 19.39, Wis. Stats.]

Definitions:

"Off-Site Exemption" refers to a statutory limit on liability available to a person with respect to the existence of a hazardous substance in the groundwater or soil, including sediments, on Property possessed or controlled by the person, as provided in s. 292.13, Wis. Stats. The off-site exemption is available only to persons who possess or control the affected property, who meet the requirements and criteria in the statutes. DNR provides a written determination regarding liability upon submittal of this application and the required fee.

"General Liability Clarification" refers to a written determination by the Department, as provided in s. 292.55, Wis. Stats., that clarifies the environmental liability of a person, business or another party for a specific situation. General liability clarifications can be provided in situations when the party requesting the clarification does not meet one of the requirements for the off-site exemption at the time of the application submittal, for example, does not yet own the off-site property. This application form should be used to request a written liability clarification for property affected by an off-site discharge.

"Property" refers to the subject property that has been impacted by hazardous substances that migrated there from a different property containing the original contamination source. The subject property is often referred to as an "off-site" or "off-source" property.

"Possession or control" refers to holding title to the property or exercising possession or control over the property by some other means, such as a lease.

[NOTE: a person with an easement doesn't have possession or control over the property; the property owner just allows the person to use part of the property for a limited purpose].

Instructions:

- Use this application to request a written determination from the Department for the off-site liability exemption or for the liability clarification
 regarding property affected by an off-site discharge. See DNR's Fact Sheet: "When Contamination Crosses a Property Line Rights and
 Responsibilities of Property Owners Off-Site Limited Liability Exemption" (RR-589) for general information on eligibility requirements, liability
 clarification letters related to the off-site liability exemption, and property owner responsibilities. Information and these publications are
 available by contacting a DNR office or on the Internet at: http://dnr.wi.gov/topic/Brownfields.
- · Complete the application and include the information that adequately shows that the required criteria are met. See Section 7 on page 4.
- Include a \$700 fee payment with this application, in accordance with ch. NR 749, Wis. Adm. Code.
- Send the completed application, fee, and supporting materials to the DNR regional office where the Property is located, as listed on page 6.
 Contact the person listed with any questions.
- Department staff will make every attempt to provide timely written determinations. However, the time required for the determination varies depending on the complexity of the site, and the clarity and completeness of the application and supporting documentation.
 Do not use this application form to request liability clarifications for properties without off-site contamination. Contact one of the DNR regional offices or see the DNR website on the Internet for more information.

| 1. Applicant information for person requesting the determination Applicant Last Name Diamond Star Properties, LLC | | First Todd Fischer | | | |
|--|--------------------------------|--------------------|----------|---------|-----|
| | | | | | |
| 2220 E Woodlark Rd | | Appleton | WI | 549 | 11' |
| Phone Number (include area code) | Fax Number (include area code) | E-Mail Address | <u> </u> | | |
| (920) 205-3564 | | etf@new.rr.com | | | |
| Contact for questions (if different th | an applicant) Last Name | First | | | MI |
| Ott | | Trenton | | | J |
| Address | | City | State | ZIP Cod | e |
| 6635 N. Sidney Place | | Milwaukee | WI | 532 | .09 |
| Phone Number (include area code) | Fax Number (include area code) | E-Mail Address | | • | |
| (414) 228-9815 | (414) 228-9816 | tott@fecinc.us | | | |

Off-Site Liability Exemption and Liability Clarification Application

Form 4400-201 (R 05/19) Page 2 of 6

2. Applicant eligibility for off-site exemption or off-site liability clarification. Request one determination based on whether the requirements for the off-site exemption are currently met. See page 5 and sign the appropriate certification. Off-Site Discharge Exemption - I "possess or control" the Property and I believe I meet the criteria for an off-site exemption. I request an off-site exemption letter. I have completed Section 8a on page 5. As the applicant, I am: Current owner Other* Explain your relationship to the Property or the nature of your possession or control of the Property: *Additional documentation may be requested by the DNR to verify the applicant's possession or control of the Property. For example, if a lessee requests a determination, DNR would need a copy of the lease by which to assess whether the lessee possesses or controls the Property. Off-site Liability Clarification - I lack one or more of the requirements for the off-site exemption as shown below. I request a liability clarification letter that explains which conditions must be met in order to qualify for the off-site liability exemption. I have completed Section 8b on page 5. Requirements for the off-site exemption that are missing: () I plan to buy the Property on 09/30/2023 (Date) or O I plan to lease the Property on (Date) . 2. Currently no contamination has been detected on the Property but there is credible evidence that contamination has migrated onto the Property. 3. Multiple contiguous properties are believed to be affected by contamination from a known source. 4. Other: Explain the circumstances here or in an attachment.

3. Information on additional parties. Check the appropriate box to have a copy of the determination letter sent to one or more of these parties: First MI Friess Environmental Consulting, Inc. Trenton Ott Address City State ZIP Code 53209 6635 North Sidney Place Milwaukee WI Fax Number (include area code) Phone Number (include area code) E-Mail Address (414) 228-9815 (414) 228-9816 tott@fecinc.us Attorney / Other Last Name First MI Address City State ZIP Code Phone Number (include area code) E-Mail Address Fax Number (include area code)

Off-Site Liability Exemption and Liability Clarification Application Form 4400-201 (R 05/19) Page 3 of 6

| 4. Information on Property affected by off-site | discharge. | | | | | | | |
|--|---|-------------|-------------|--------------|--------------------|-----------|-------------|-------------|
| Property / Facility Name | | | | | County | | | |
| Four D Investments Property | | | | | Outagan | | | |
| Address | | City | | | | State | ZIP Code | |
| 505 Grand avenue | | Little | Chute | | | WI | | |
| Public Land Survey Coordinates | Latitude 44 | | | Loi | ngitude -88.316 | 51 | | |
| Section Range E Township | Datum (check or | nly one): | | | Metho | od | Accuracy | |
| 21 21 OW 28 | ○ NAD27 | ○NAD8 | 3 💿 199 | 0 Adjustn | nent | | | |
| (Attach a list of locations if this request is for multi | ple properties.) | | | | • | | - ' | |
| ☐ I request that DNR provide a copy of the Liabilit | y Clarification Let | tter to the | current o | wner. | | | | |
| Current Owner (if different than applicant) Last Name First MI | | | | | | | | |
| ,, | | | Ī | | | | | "" |
| Address | | IC | ity | | | State | ZIP Code | <u> </u> |
| , | | ا ا | , | | | | | |
| Phone Number (include area code) Fax Numb | per (include area | code) F | -Mail Add | race | | | <u> </u> | |
| Thore values (modes area code) If ax ivaling | or (molade area | code, L | -iviali Add | 11033 | | | | |
| 5. Information about contamination on the imp | acted Drawarts | | | | | | | |
| A. Have hazardous substances been detected on the minute of the min | | | > | | | | | |
| No. If not, explain why contamination is su | | • | | ies in an : | attachment | or here: | | |
| O THE WHOLEST WITH CONTROL OF THE CO | | · operty | or report | | allaonina | 0. 110.0. | | |
| | · ⊠ Soil □ Se | diment [|] Other, c | describe: | | | | |
| D. Headhannan of anatomication become | | 11 | | | | | | |
| B. Has the presence of contamination been reported | to any State or | local gove | ernmental | agency? | , | | | |
| _ | ○ No. If we check all that apply: ☑ DNR Date Reported | | | | | | | |
| ● If yes, check all that apply: ☑ DNR ☐ Division of Emergency Government ☐ Division of Emergency Government ☐ Division of Emergency Government | | | | | Q | | | |
| | ergency Governi | Henr | | | | | 00/20/200 | |
| ☐ Commerce | · A mui multium - Tunn | A | F | 744 : | - (DATOD) | | | |
| Department of Agriculture, Trade and Consumer Protection (DATCP) | | | | | | | | |
| Other, describe: | | | | | | | | |
| C. Is the source of the contamination known? Check | r only one | | | | | | | |
| | Corny one. | | | | | | | |
| ○ No. | | | | | | | | |
| Yes. If yes, what is the source of the contant | nination? | | | | | | | |
| Former Dry cleaners (02-45-552222) | | | | | | | | |
| Provide the name and address of the owner | of the contaminat | tion sourc | e or source | ce proper | ty, if known | l. | | ···· |
| Owner Name | | | | | | | | |
| Sandies Dry Cleaners & Laundry (Form | er) | | | | | | | |
| Address | | City | y | | | State | ZIP Code | + |
| 513 Grand Ave | | Li | ttle Chut | e | | WI | 5414 | 40 |
| Suspected. If suspected to be migrating from | n a nearby source | e, what is | the sourc | e and its | address? | | | |
| Provide the name of the owner of the suspec | cted contamination | on source | or source | property | , if known | | | |
| Owner Name | | | | | , | | | |
| | | | | | | | | |
| Address | | City | / | | | State | ZIP Code | : |
| | | | | | | | | |

Off-Site Liability Exemption and Liability Clarification Application

Form 4400-201 (R 05/19) Page 4 of 6

6. Specific liability clarification questions relating to off-site contamination.

() I have no additional liability clarification questions.

O I request a DNR response to the questions provided to clarify my liability for the cleanup of off-site contamination to be included in the written determination (questions should be provided here or in an attachment):

7. Property information needed for the determination of off-site exemption or off-site liability clarification.

DNR requires adequate information in order to make the determination requested in this application. Incomplete or inadequate information will delay the completion of the determination. DNR has the authority to request additional information, if needed. Include the following information with the application, if appropriate:

- 1. Map(s) showing Property location(s) and any suspected or known off-site contaminant source properties.
- 2. For any environmental data submitted, include:
 - a) Property map(s) showing sampling locations for all data submitted;
 - b) Interpretation of data signed by a qualified environmental professional, including data tables and figures that include data;
 - c) Soil boring logs;
 - d) Groundwater monitoring well construction, development and sampling logs;
 - e) Laboratory-provided data reports;
 - f) Survey information for groundwater elevations:
 - g) Chain of custody forms for all samples; and
 - h) Description of sample collection methods.

The submitted materials should document that the statutory criteria are satisfied regarding the contamination and its source as listed in A through C below.

- A. Document that there is hazardous substance contamination present in soil, groundwater and/or sediment on the Property or Properties. Examples of information include: Analytical results and interpretations for samples collected from soil, groundwater, and/or sediment on the Property, or at or near the Property line, that conclusively document the presence of a hazardous substance in one or more of these media on the Property. This information could be documented in a Phase II Environmental Assessment report, or could refer to existing reports in DNR files related to the source property.
- B. Document that the hazardous substance contamination, which is present in soil, groundwater, and/or sediment on the Property or Properties, is migrating onto the Property or Properties from an off-site source.

Examples of information include:

- 1. Information identifying known or suspected discharges of the hazardous substance on neighboring property(ies), e.g., a Phase I Environmental Assessment report, information in existing reports in DNR files related to the source property.
- 2. Soil, groundwater and/or sediment sample data and interpretations adequate to conclude that the hazardous substance is migrating onto the Property or Properties, such as:
 - Samples from monitoring wells located on the upgradient side of the Property or Properties (include information to establish
 upgradient direction), which show increasing contaminant concentrations toward the upgradient Property or Properties;
 - Off-site investigation results that provide information about groundwater flow direction and contaminant movement that convincingly
 document hazardous substances from a known or suspected off-site source have impacted the Property or Properties; or
 - A description of the event(s) that caused the deposit or accumulation of contaminated sediment on the affected Property or Properties and a map showing the location of the water body and elevations of the affected Property or Properties and water surface at normal flow and flood stage conditions.
- C. Document that the discharge of a hazardous substance is not from a source on the Property or Properties.

Examples of information include:

- 1. Information related to historical activities, such as descriptions of chemicals used and handled, areas where chemicals were used and handled, and areas of potential discharges on the Property or Properties, e.g., a Phase I Environmental Assessment report.
- 2. Where the types of hazardous substances used, handled, or discharged on the Property or Properties are the same as the hazardous substances migrating onto the Property or Properties, provide environmental information, e.g., expanded Phase II environmental assessment data, including type and volume of hazardous substances handled, generated or stored on the applicant's Property during the period of ownership and/or length of lease, and analytical results and interpretation for soil and groundwater samples collected from potential discharge areas to demonstrate that the contamination migrating onto the Property is separate and distinct from the contamination that may be on the Property.

Off-Site Liability Exemption and Liability Clarification Application

Form 4400-201 (R 05/19)

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8. Sign one of the certifications below based on whether the requirements of the off-site exemption are currently met.

8a. Certification if the applicant currently meets all the requirements for the off-site liability exemption.

Applicant Certification for a Determination for the Off-Site Discharge Exemption, as provided in s. 292.13, Wis. Stats.

I certify that I possess or control the Property and have read and am familiar with the information on this application. The information on and included with this application is true, accurate and complete to the best of my knowledge.

I understand that I retain the responsibility for any hazardous substance discharges that I caused or cause, and for any discharges whose source I possess or control on the Property or on other properties.

I believe that I meet the criteria in s. 292.13, Wis, Stats., with respect to the fact that I never controlled or possessed either the source property itself, or the hazardous substances that have migrated onto the Property from the source property, nor did I cause the hazardous substance discharge for which I am seeking this written exemption.

I understand that if I fail to satisfy the statutory requirements in s. 292.13, Wis. Stats., such as failing to provide access to the Property, the DNR has the authority to revoke the off-site exemption for the Property.

| Applicant Last Name | First | MI |
|---|---|--|
| Signature | Date Signed | |
| 8b. Certification if applicant has not currently met all Applicant Certification for a Determination for Liability | | · 医(2015) |
| I certify that I have read and am familiar with the information application is true, accurate and complete to the best of m | on on this application and that the information on and inc | luded with this |
| I understand that I retain the responsibility for any hazardowhose source I possess or control on the Property or Prop | | any discharges |
| It is my understanding that I have not met all the condition liability clarification determination that includes the condition exemption for the Property or Properties, if I were to meet regarding the source of the contamination and the source controlled or possessed either the source property itself, or Properties from the source property, nor did I cause the hard | ons under which I or others would become eligible for the all the criteria under s. 292.13, Wis. Stats. I believe that property in s. 292.13, Wis. Stats., with respect to the facor the hazardous substances that have migrated onto the | e off-site discharge I meet the criteria t that I never Property or |
| I understand that if I meet the criteria in s. 292.13, Wis. St the statutory requirements in s. 292.13, Wis. Stats., such a revoke the off-site exemption for the Property. | | |
| Applicant Last Name | First | MI |

Todd

Date Signed

08/31/2023

Form 4400-201 (R 05/19)

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9. DNR contacts and addresses for application submittals.

Send or deliver the completed request, supporting materials, and fee to the region where the property is located. Contact a <u>DNR Regional Brownfield Specialist</u> with any questions about this form or a specific situation involving a contaminated property

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

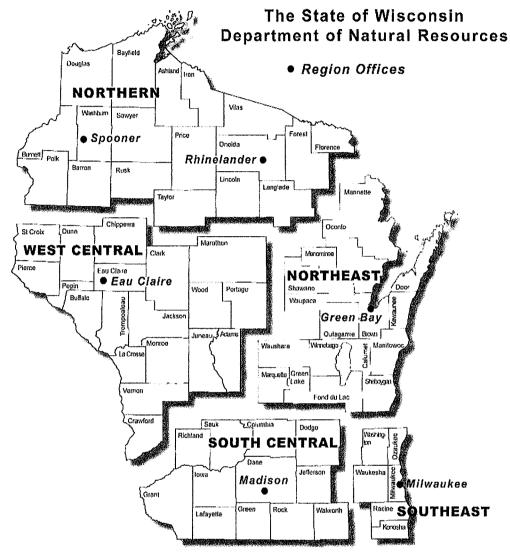
Attn: RR Program Assistant Department of Natural Resources 3911 Fish Hatchery Road Fitchburg WI 53711

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 W Clairemont Avenue Eau Claire WI 54702



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

| For DNR Office Use Only | | | | |
|-------------------------|--|-------------------------|--|--|
| Date Received | BRRTS Activity Name | BRRTS Activity Code | | |
| Date Assigned | DNR Reviewer | BRRTS FID No. (if used) | | |
| Comments | | Fee Enclosed | | |
| | | ○ Yes | | |
| | | O No | | |
| Date Approved | Date Additional Information Requested Date Withdrawn | Date Denied | | |
| | | | | |