WISCONSIN
DEPT. OF NATURAL RESOURCES

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
William R. Selbig, Regional Director

Oshkosh Service Center
905 Bay Shore Drive., P.O. Box 2565
Oshkosh, Wisconsin 54903
TELEPHONE 920-424-3050
FAX 920-424-4404

December 15, 1998

Mr. Tom Beson
JZTB Realty, LLC
c/o Custom Marine Inc.
138 Racine Street
Menasha, WI 54952

SUBJECT: Petroleum-Related Contamination Located at
Former Mill Creek Ventures, Inc. Property - 318-340 First Street, Neenah, Wisconsin

Dear Mr. Beson:

The Department of Natural Resources ("the Department") understands that JZTB Realty now owns the property located at 318-340 First Street, Neenah, formerly owned by Mill Creek Ventures, Inc. The Department has recently reviewed the investigation documentation submitted by Mill Creek Ventures' consultant, Northern Environmental. The Department agrees with the conclusions of the consultant, which state that the contaminant plume appears to have migrated from an off-site source.

Currently, there are several monitoring wells on your property that are points of standards applications that indicate the existence of ch. NR 140, Wis. Adm. Code Enforcement Standards exceedances of several petroleum contaminants. These wells are critical to future investigative work on this contaminant plume by the party responsible for the contamination, Add Inc., and should be maintained.

As the current property owner, JZTB Realty is not liable for investigation or cleanup of this contamination so long as access is allowed to the responsible party for maintenance, operation, and remediation of the contaminant plume in this area. I recommend that you discuss this issue with the contact for the responsible party who is Mr. Paul Kritzer, Journal Communications, 333 W. State Street, P.O. Box 661, Milwaukee, WI 53201, phone: (414) 224-2374.

In addition, you should be aware that JZTB Realty, as the current property owners, is eligible for the liability exemption authorized under s. 292.13, Wis. Stats. The Department would provide a written determination on liability for the contamination existing on your property, if such a determination is requested in accordance with the requirements of section 292.13(2), Wis. Stats.

If you have any questions or concerns regarding this letter, please contact me at (920) 424-0399 or Attorney Joe Renville (608) 266-9454.

Sincerely,

Kathleen M. Sylvester

Kathleen M. Sylvester, Hydrogeologist
Bureau for Remediation & Redevelopment

cc: Case File – OSH Joe Renville - LS/5 Darsi Foss - RR/3
Steve Subocki, Dept. of Commerce, Industrial Revenue Bond Program, P.O. Box 7970, Madison, WI 53707
Mr. Paul Kritzer, Journal Communications, 333 W. State Street, P.O. Box 661, Milwaukee, WI 53201
Mr. Tom Prosser, Mill Creek Ventures, Inc., One Neenah Center, P.O. Box 546, Neenah, WI 54956