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

Tony Evers, Governor
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May 22, 2025

Gunderson, Inc.
Attn: Doug Gunderson
41 Main Street
Menasha, WI 54952
Sent Via E-Copy Only – dg@gundersongroup.com

SUBJECT: **Approval to Proceed in the Voluntary Party Liability Exemption Process**
BRRTS #06-71-559889 (VPLE) for the Goodwill-Neenah, located at
907 S Green Bay Rd (formerly 891 S Green Bay Rd), Neenah, WI (the "Property")
BRRTS #06-71-559889 and #02-71-467001; FID #471074120
County Tax Parcel #: 80606390103

Dear Mr. Gunderson:

The Department of Natural Resources (DNR) has received your application to proceed with an environmental investigation and cleanup under the Voluntary Party Liability Exemption (VPLE) process identified in Wis. Stat. § 292.15. This statute establishes environmental liability exemptions available to voluntary parties that successfully complete the VPLE process.

It is understood by the DNR that you are applying as a second applicant to be enrolled in this VPLE. The original applicant, Goodwill Industries of NEW, will remain in the program. DNR will work with you and your consultant moving forward and will send correspondence to both you and Goodwill Industries of NEW.

DOCUMENTS AND PAYMENTS RECEIVED

The DNR received the following documents and payments that you submitted:

- Voluntary Party Liability Exemption Application (DNR Form 4400-178);
- A non-refundable check for the $250 VPLE application fee, made payable to DNR;
- An advance deposit of $2,000 for DNR oversight

VPLE FEES

Thank you for submitting the VPLE application fee of $250, which DNR received on March 8, 2025. VPLE participants are responsible for paying the hourly costs of DNR's review and oversight of their project, pursuant to Wis. Admin. § NR 750.

DNR costs related to your project will be deducted from your advance deposit at the current hourly rate. This hourly rate is calculated every year and is subject to change. Check the VPLE webpage for the current hourly oversight rate: dnr.wi.gov, search VPLE

DNR costs are deducted as they are incurred until the project is completed, or until the deposit is spent, whichever comes first. If your VPLE project is completed before your advance deposit is exhausted, all remaining monies will be refunded to you. If, however, DNR review costs for your project exceed the deposit amount, you will receive quarterly invoices that must be paid within 30 days. DNR review costs associated with your VPLE project will vary depending on the complexity and size of the property, as well as the completeness of the information that you submit. As we have discussed with you, the DNR will send invoices to Gunderson, Inc. and can send copies to your consultant and the other voluntary party, Goodwill Industries of NEW and their representatives. Please send us a list of any parties you want copied on future invoices with their name, affiliation and email address. The DNR does not send out billing statements until the deposit has been used up however you can submit a written request to your DNR project manager for a status update on the fees incurred.

APPLICATION REVIEW AND APPROVAL TO PROCEED

After reviewing your application, in light of Wis. Stats. § 292.15, the DNR approves your request to enroll the Property identified in the subject line of this letter in the VPLE process for the Property, identified above and depicted on the attached map.

Based on the information you provided, DNR makes the following determinations:

- The discharge of a hazardous substance has occurred at the Property;
- You, the applicant, meet the definition of a “voluntary party”, per Wis. Admin. § NR 750; and
- The Property does not include any of the ineligible facilities or sites listed in Wis. Stat. §§ 292.15(7)(a) through (f).

GETTING STARTED

Previous environmental work done at the Property may satisfy some or all of the requirements for a VPLE investigation.

To obtain the Voluntary Party Liability Exemption, DNR project managers must review and approve all necessary environmental investigation and response actions at the Property to ensure compliance with Wis. Stats. §§ 292.11 and 292.15, and with the Wis. Admin. NR 700 rule series. To obtain a Certificate of Completion (COC) for the Voluntary Party Liability Exemption, the following requirements must be met:

- The VPLE Property must obtain site closure under Wis. Admin. ch. NR 726;
- The Voluntary Party must pay any remaining hourly rate fees, if the advance deposit is exhausted;
- The Voluntary Party must pay the appropriate one-time groundwater insurance fee if there is residual groundwater contamination at the time of case closure; and
- The Voluntary Party must pay appropriate database registration fees.

CHANGES IN PROPERTY CONDITIONS

The approval to proceed in the VPLE process granted in this letter is based on information available to DNR at the time your application was reviewed. If, in the future, additional information becomes available which indicates that the Property does not meet the conditions in Wis. Stat. § 292.15(7) for VPLE eligibility, DNR may remove the Property from the VPLE process.

DUTIES OF APPLICANTS, PROPERTY OWNERS AND POTENTIALLY RESPONSIBLE PARTIES

If you decide to withdraw from the VPLE process, please notify the DNR in writing within 90 days of making such a decision. Remaining deposit monies, if any, will be refunded to you. Also, if a voluntary party in the VPLE process fails to make reasonable progress towards completing the investigation and remedial actions necessary, or fails to submit progress reports, the DNR may withdraw the party from the program.

If a voluntary party withdraws from the VPLE process, or discontinues clean-up efforts, the party may still have legal and financial responsibilities at the property. Wisconsin law assigns responsibility for environmental cleanups in Wis. Stat. § 292.11(3). This statute states, “a person who possesses or controls a hazardous substance which is discharged or who causes the discharge of a hazardous substance shall take the actions necessary to restore the environment to the extent practicable and minimize the harmful effects from the discharge to the air, lands, or waters of the state.”

Anyone who currently owns or controls the Property, or caused the hazardous substance discharge, is required by state law to complete all necessary work to restore the environment and minimize effects of discharges on the Property and migrating from the Property.

DNR will work with individuals and entities to respond to the hazardous substance discharge(s) on the Property whether they own or control the Property, and whether or not the Property is enrolled in the VPLE process.

WELCOME TO THE VPLE PROCESS

The Bureau for Remediation and Redevelopment Tracking System (BRRTS) identification number for the Property is listed at the top of this letter. Information about the Property and other cleanup sites can be found in the BRRTS database, which is at dnr.wi.gov, search BOTW.

The DNR project manager assigned to your VPLE project is Josie Schultz, located at WI DNR, 2984 Shawano Ave, Green Bay, WI, 54313-6727. You can contact your project manager at 920-366-5685, josie.schultz@wisconsin.gov. Please direct all future correspondence relating to the Property to your project manager.

Thank you for entering the Voluntary Party Liability Exemption process. The DNR looks forward to working with you, as you address contamination on and migrating from the Property and complete the VPLE process. We strive to provide prompt and outstanding service.

Sincerely,

Denise D. Danelski

Denise D. Danelski
RR Program Specialist
Remediation and Redevelopment Program
Wisconsin Department of Natural Resources

cc: Jake Lepke, Goodwill North Central Wisconsin, jlepke@goodwillncw.org
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