

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

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



August 10, 2015

Charles & Marilyn Perry
1360 Greenway Terrace
Elm Grove, WI 53122-1607

Subject: Contamination at Ashview Terrace Apartments
988-1020 Willard Drive, Ashwaubenon, WI
BRRTS #02-05-564043

Dear Mr. & Mrs. Perry:

With your permission, on February 12, 2015, the Wisconsin Department of Natural Resources (Department) contracted with OMNNI Associates to sample your Ashview Terrace apartment property at 988-1020 Willard Drive in Ashwaubenon Wisconsin. The investigation was initiated after it was discovered, during a search of Brown County records, that a lease agreement had been signed in 1952 between Hattie Willard, former owner of property on the north side of Willard Drive and the former Fort Howard Paper Company (now Georgia Pacific). The lease allowed the paper company to dispose of mill or other refuse or waste into a "borrow pit" located on Willard property. Your property (Ashview Terrace apartments) at 988-1020 Willard Drive was part of the Willard property and is at the location of the "borrow pit."

Results of the sampling identified polychlorinated biphenyls (PCBs), some at levels greater than state and federal health and environmental standards. Under Wis. Stats. § 292, **you may ultimately be responsible** for investigating and restoring the environment on the above referenced property as the person in "possession" of the contamination.

Whenever possible, the Department requires the person who caused the hazardous substance discharge to take the appropriate response actions. However, if these persons cannot be located or are unable to pay, the owner of the Property is responsible for taking the appropriate actions. The Department will take the steps available to it through state law to compel the person that the Department believes to have caused the discharge on the property to take the response action necessary to address that threat. The Department would only require the person in current possession or control of the Property to address that threat if the Department were unable to compel the person who caused the discharge to take the appropriate response action.

Given this, the Department is presently pursuing another person as the responsible party (RP) for this contamination with the intent of having them move forward with the investigation and remediation of your property. Therefore, the Department is exercising its enforcement discretion in this situation, and will not require you to hire an environmental consultant at this time, as long as the other party cooperates with the Department to address the environmental issues. The Department will expect you to make all reasonable efforts to provide access to the property for the responsible party, their consultant and the Department to conduct the necessary environmental response actions. You will continue to be expected to conduct any necessary public participation and outreach to the public as you are directed by the Department to undertake pursuant to Wis. Admin. § NR 714 and other

If you have questions, call **Robert Klauk at 920-662-5164** for more information or visit the Remediation and Redevelopment web site at the address above.

Thank you for your cooperation.

Sincerely,



Robert Klauk
Hydrogeologist
Remediation & Redevelopment Program

Enclosures: 1. Remediation & Redevelopment Program
 2. CLEAN (Contaminated Lands Environmental Action Network)
 3. Environmental Contamination – The Basics

Cc: James Zellmer – DNR, Northeast Region
 Lacey Cochart – DNR, LS