



USER QUESTIONNAIRE

INTRODUCTION

In order to qualify for one of the *Landowner Liability Protections (LLPs)*¹⁸⁷ offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2001 (the "*Brownfields Amendments*"),¹⁸⁸ the *user* must conduct the following inquiries required by 40 CFR 312.25, 312.28, 312.29, 312.30, and 312.31. These inquiries must also be conducted by EPA Brownfield Assessment and Characterization grantees. The *user* should provide the following information to the *environmental professional*. Failure to conduct these inquiries could result in a determination that "*all appropriate inquiries*" is not complete.

(1.) Environmental liens that are filed or recorded against the *property* (40 CFR 312.25).

Did a search of *recorded land title records* (or judicial records where appropriate, see Note 1 below) identify any environmental liens filed or recorded against the *property* under federal, tribal, state or local law?

None noted.

NOTE 1—In certain jurisdictions, federal, tribal, state, or local statutes, or regulations specify that environmental liens and AULs be filed in judicial records rather than in land title records. In such cases judicial records must be searched for environmental liens and AULs.

(2.) Activity and use limitations that are in place on the *property* or that have been filed or recorded against the *property* (40 CFR 312.26(a)(1Xv) and vi)).

Did a search of *recorded land title records* (or judicial records where appropriate, see Note 1 above) identify any AULs, such as *engineering controls*, land use restrictions or *institutional controls* that are in place at the *property* and/or have been filed or recorded against the *property* under federal, tribal, state or local law?

None noted.

(3.) Specialized knowledge or experience of the person seeking to qualify for the LIP (40 CFR 312.28).

Do you have any specialized knowledge or experience related to the *property* or nearby properties? For example, are you involved in the same line of business as the current or former *occupants* of the *property* or an *adjoining property* so that you would have specialized knowledge of the chemicals and processes used by this type of business?

Not applicable.

(4.) Relationship of the purchase price to the fair market value of the *property* if it were not contaminated (40 CFR 312.29).

Does the purchase price being paid for *this property* reasonably reflect the fair market value of the *property*? If you conclude that there is a difference, have you considered whether *the* lower purchase price is because contamination is known or believed to be present at the *property*?

Yes, purchase price approximates the fair market value.

(5.) Commonly known or reasonably ascertainable information about the *property* (40 CFR 312.30).

Are you aware of commonly known *or reasonably ascertainable* information about the *property* that would help the *environmental professional* to identify conditions indicative of releases or threatened releases? For example,

(a.) Do you know the past uses of the *property*?

Yes.

(b.) Do you know of specific chemicals that are present or once were present at the *property*?

No.

(c.) Do you know of spills or other chemical releases that have taken place at the *property*?

No.

(d.) Do you know of any environmental cleanups that have taken place at the *property*?

No.

(6.) The degree of obviousness of the presence or likely presence of contamination at the *property*, and the ability to detect the contamination by appropriate investigation (40 CFR 312.31).

Based on your knowledge and experience related to the *property* are there any *obvious* indicators that point to the presence or likely presence of releases at the *property*?

None noted.

Printed Name: Thomas J. Pamperin

Date: May 22, 2015

Signature: 

¹Landowner Liability Protections, or LLPs, is the term used to describe the three types of potential defenses to Superfund liability in EPA's *Interim Guidance Regarding Criteria Landowners Must Meet in Order to Qualify for Bona Fide Prospective Purchaser; Contiguous Property Owner; or Innocent Landowner Limitations on CERCLA Liability* ("Common Elements" Guide) issued on March 6, 2003.
²P.L. 107-118.

STANDARD INTERVIEW FORM FOR OWNERS AND OCCUPANTS

Project Name: Anchor Bank M&E Project Number: 1-0163-005

Project Location: 927 E. Main Street

Contact Completed by: Stacy E. Jepson Date: 5/18/2015 Time: 9:00am

Person Interviewed: Mary Jo Winkenwerder Phone Number: _____

Title: Branch Manager/ Owner Representative

Address: _____

(Note: The owner or occupant shall be asked if they know whether any documents exist relative to the following questions, and if so, whether copies can and will be provided.)

1. Do you have any knowledge of Environmental Liens or governmental notification relating to past or current violations of environmental laws with respect to the Property or any facility located on the Property?

☐ Yes ☒ No ☐ Unknown

2. Have you been informed of the past or current existence of Hazardous Substances or Petroleum Products or environmental violations with respect to the Property or any facility located on the Property?

☐ Yes ☒ No ☐ Unknown

3. Do you have any knowledge of any Environmental Site Assessment of the Property or facility that indicated the presence of Hazardous Substances or Petroleum Products on, or contamination of, the Property or recommended further assessment of the Property?

☐ Yes ☒ No ☐ Unknown

4. Do you know of any past, threatened, or pending lawsuits or administrative proceedings concerning a release or threatened release of any Hazardous Substance or Petroleum Products involving the Property by any Owner or Occupant of the Property?

☐ Yes ☒ No ☐ Unknown

5. Do you have any knowledge of any Environmental Permits for the Property? (For example, solid waste disposal permits, hazardous waste disposal permits, wastewater permits, NPDES (National Pollution discharge Elimination System), air emission, others)

☐ Yes ☒ No ☐ Unknown

6. Are there currently, or to the best of your knowledge have there been previously, any registered or unregistered storage tanks (above or underground) located on the Property?

☐ Yes ☒ No ☐ Unknown

7. Are there currently, or the best of your knowledge have there been previously, any vent pipes, fill pipes or access ways indicating a fill pipe protruding from the ground on the Property or adjacent to any structure located on the Property?

☐ Yes ☒ No ☐ Unknown

8. Are you aware on any specialized knowledge or experience, that is material to *recognized environmental conditions* in connection with the property.

☐ Yes ☒ No ☐ Unknown

If Yes, Describe:

Recognized environmental conditions is defined as the presence or likely presence of any hazardous substances or petroleum products on the property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into the structures on the property or into the ground, groundwater, or surface water of the property. The term includes hazardous substance or petroleum products even under conditions in compliance with laws. The term is not intended to include *de minimis* conditions that generally do not present a material risk of harm to public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies.

9. Additional Questions may be asked of the Owner or Occupant, based on information gathered during the records review or the site visit. For additional sample questions see *ASTM E 1528-93, Standard Practice for Environmental Site Assessments: Transaction Screen Process, Section 6. Transaction Screen Questionnaire.*

INTERVIEW FORM FOR BUILDING INSPECTIONS DEPARTMENT

Project Name: Anchor Bank M&E Project Number: 1-0163-001

Project Location: 927 E. Main Street Winneconne

Contact Completed by: Erik Eckrose Date: 5-14-2015 Time: 3:00

Person Interviewed: Marty Johnson Phone Number: 920-410-6756

Title: Building Inspector

Address: 30 South 1st Street, Winneconne, WI 54986

1. Is there a structure on the target property?

Year constructed: 1975

Constructed by whom: _____

Use at construction: _____

2. To the best of your knowledge, what was on the site prior to construction?

He has only been there since 2005, so he has no information.

3. To the best of your knowledge, what improvements (e.g., demolition, construction, alteration) have been made on the property, if any?

no information

4. To the best of your knowledge, have there been any major building code violations recorded on the target property?

He does not know of any building code violations.

5. To the best of your knowledge, what is the history of the property? Of the area?

no information

6. Other Information (Ask them to go through the file and read it):

INTERVIEW FORM FOR LOCAL FIRE DEPARTMENT

Project Name: Anchor Bank M&E Project Number: 1-0163-001

Project Location: 927 E. Main Street_Winneconne

Contact Completed by: Erik Eckrose Date: 5-14-2015 Time: 3:00

Person Interviewed: Ryan Krings Phone Number: 920-410-3941

Title: Fire Chief

Address: 550 West Main Street, Winneconne, WI 54986

1. To the best of your knowledge, are you aware of any releases of hazardous substance or petroleum products (e.g., spills) on or near the target property?
no information
2. To the best of your knowledge, are there now, or have there been in the past, any underground or above ground storage tanks located on the target property or on any adjacent property?
There are above ground storage tanks. He is not certain but believes that the below ground storage tanks at the old Kwik Trip site were removed.
3. To the best of your knowledge, have there been any major fires or transformer fires on or near the property?
There have been no fires.
4. To the best of your knowledge, what is the history of the property? Of the area?
It used to be a veterinarian clinic.
5. Other Information:

INTERVIEW FORM FOR LOCAL HEALTH AGENCY

Project Name: Anchor Bank M&E Project Number: 1-0163-005

Project Location: 927 E. Main Street Winneconne

Contact Completed by: Stacy E. Jepson Date: 5/13/2015 Time: _____

Person Interviewed: Amanda Pinter Phone Number: _____ Email: _____

Title: Environmental Health Specialist

Address: Winnebago County Health Dept, 112 Otter Ave, Oshkosh, WI 54901

1. For City Health Department: To the best of your knowledge, have there been any health problems (e.g., indoor air quality issues, incidences of cancer, unsafe conditions such as asbestos or lead contamination, etc.) associated with the target property?

2. For County Health Department: Do you have any specialized knowledge of the soils, septic systems, and/or wells, in the area. Atrazine contamination?

Nothing Known- check with the Village of Winneconne Water Dept

3. To the best of your knowledge, is the property served by a public or private water system, sewer or septic system?

Public water and sewer

If public, which municipality? Village of Winneconne

4. To the best of your knowledge, what was the history of the property? Of the area?

N/A

5. Other Information:

N/A

INTERVIEW FORM FOR PLANNING/ZONING DEPARTMENT

Project Name: Anchor Bank M&E Project Number: 1-0163-001

Project Location: 927 E. Main Street Winneconne

Contact Completed by: Erik Eckrose Date: 5-14-2015 Time: 3:00

Person Interviewed: Jacquie Stelzner Phone Number: 920-582-4381

Title: Village Clerk / Treasurer

Address: 30 South 1st Street, Winneconne, WI 54986

1. What is the target property's current zoning?

B2 - Highway Commercial

Past zoning?

B2 - Highway Commercial

2. What is the zoning of the surrounding neighborhood?

The Town of Winneconne is to the east. B2 - Highway Commercial is located to the north. The area also has industrial zoning.

3. What is the current use(s) of the property?

The current use for the property is a bank.

4. To the best of your knowledge, what is the history of the property? Of the area?

no information

5. Other Information:

INTERVIEW FORM FOR TAX ASSESSOR'S OFFICE

Project Name: Anchor Bank M&E Project Number: 1-0163-001

Project Location: 927 E. Main Street, Winneconne

Contact Completed by: Erik Eckrose Date: 5-14-2015 Time: 3:00

Person Interviewed: Jacquín Stelzner Phone Number: 920-582-4381

Title: Village Clerk / Treasurer

Address: 30 South 1st Street, Winneconne, WI 54986

1. Target property's identification number:

191-0036-004

2. Is there a structure on the target property?

Year constructed: 1975

Constructed by whom: no information

Use at construction: It was self-service gas station with car wash.

3. To the best of your knowledge, what was on the site prior to construction?

She believes the site used to be farmland.

4. To the best of your knowledge, what improvements (e.g., demolition, construction, alteration) have been made on the property, if any?

The car wash area was remodeled for an office in 1981. The building got a new roof in 1989.

5. To the best of your knowledge, have there been any major building code violations recorded on the target property?

no information

6. To the best of your knowledge, what is the history of the property? Of the area?

The building was for both a veterinarian clinic and bank, and then in 1997 it was just for the bank.

7. Other Information:

Behind the building on a different lot the site has been used for A-1 Auto Detailer, mini warehouse storage and dog training area.

VILLAGE OF WINNECONNE



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September 24, 1980

Andrew Pascarella
5591 Highway 116E
Winneconne, Wisconsin 54986

Dear Andy:


This is a follow-up to the meeting I had with you and State Building Inspector, Robert Ertl at your car wash building at 927 East Main Street, on September 15.

Since your remodeling project involves less than 750 square feet, it was determined that the building permit could be granted by the Village of Winneconne in compliance with the State Building Code for offices, etc.

Interpretation of the code regarding restroom facilities in a shopping type mall was discussed. It is my understanding, that for the present time the restroom facility located in the cashier's building at the Self-Service Station is sufficient for needs of the office being remodeled and the combined gas-carwash business. There will be a maximum of 4 employees and approximately 8 customers at any one time. When and if you remodel or add other mercantile facilities, an additional restroom must be provided.

This letter should be attached to your building permit, Number 51, issued on September 2. Thank you very much.

Yours truly,


Dorothy Nimmer,
Acting Building Inspector

DN/pt

Appendix 7
UST Information

Tank List

Searching for:

Street address = E Main St
County Code = 70
Municipality = WINNECONNE

Number of matching records: 8

Type	ID	Facility ID	Address	Status	Contents	Size (gals)	Cust ID	Owner
County: WINNEBAGO, FDID: 7012 - Winneconne Vil, Municipality: TOWN OF WINNECONNE								
1. UST	377479	195020	915 E MAIN ST	Closed/Removed	Unleaded Gasoline	10000	333661	KWIK TRIP INC
2. UST	377480	195020	915 E MAIN ST	Closed/Removed	Unleaded Gasoline	10000	333661	KWIK TRIP INC
3. UST	377481	195020	915 E MAIN ST	Closed/Removed	Unleaded Gasoline	4000	333661	KWIK TRIP INC
4. UST	660766	195020	915 E MAIN ST	In Use	Unleaded Gasoline	12000	333661	KWIK TRIP INC
5. UST	660772	195020	915 E MAIN ST	In Use	Unleaded Gasoline	15000	333661	KWIK TRIP INC
6. UST	660773	195020	915 E MAIN ST	In Use	Unleaded Gasoline	12000	333661	KWIK TRIP INC
7. UST	660774	195020	915 E MAIN ST	In Use	Diesel	12000	333661	KWIK TRIP INC
County: WINNEBAGO, FDID: 7015 - Winneconne Twp, Municipality: VILLAGE OF WINNECONNE								
8. UST	377458	143818	905 E MAIN ST	Closed/Removed	Leaded Gasoline	1000	281968	WENTZEL FORD INC

Download

Disclaimer: Tank Status does not reflect that the tank is code complying.