

July 22, 1993

Ms. Giselle Red
Program Assistant, Environmental Repair Section
Department of Natural Resources
Box 12436
Milwaukee, Wisconsin 53212

RE: Akerman, Inc. - 1005 Perkins Avenue, Waukesha, Wisconsin
File No. 4440-2661

Dear Ms. Red:

This is to advise you of a current problem that has arisen during the course of the clean up activities at the above site. As you are aware, the soil contamination found at this site was originally reported to the Department of Natural Resources on September 1, 1992. Since then, Akerman, Inc. sold the property to Frank P. Giuffre and Dominic Giuffre, d/b/a D & F Company, a Wisconsin General Partnership, 6635 South 13th Street, Milwaukee, Wisconsin 53221.

As part of the sale, VME Americas Inc., an affiliate of Akerman, Inc., agreed to complete the site remediation and removal of the underground storage tanks. As of this date, an environmental engineering firm has been retained, as well as a contractor for removal of the tanks, and VME Americas is ready to proceed with the clean up in accordance with interim reports submitted to the DNR. However, Mr. Giuffre has refused access to our contractors, frustrating our efforts to satisfy our contractual commitments.

We feel Mr. Giuffre's denial of site access is unfounded, and desire to continue with the clean up. However, we need access to the property. In our opinion, Giuffre's refusal relieves us of our contractual obligation for the clean up activities. Consequently, the DNR should direct its inquiries regarding the site to Mr. Frank Giuffre at the address given above, with copies to me.

Very truly yours,


Mark E. DeLong

cc: David Edquist, Esq.
Jon Hill

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