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(99) file in 268026220



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Scott Hassett, Secretary

101 S. Webster St.  
Box 7921  
Madison, Wisconsin 53707-7921  
Telephone 608-266-2621  
FAX 608-267-3579  
TTY 608-267-6897

JD

File # 268026220

March 25, 2003

Mr. Todd Bence  
Bence Family Limited Partnership  
W200 N9356 Woodside Lane  
Menomonee Falls, WI 53051

Subject: Potential Claim Notification for OHM & Karens Earth Care  
at N89 W16744-46 Appleton Avenue in Menomonee Falls

Dear Mr. Bence:

The purpose of this letter is to acknowledge the receipt of your latest potential claim notification for the Dry Cleaners Environmental Response Program. As required by State Statute 292.65(4)d, I am advising you that, based on the preliminary information you provided on the notification form, I estimate that you are not eligible to apply to the program for reimbursement of your cleanup costs. According to the definitions of operator in WI State Statute 292.65(1)(i)(1)(b) states that the site must have been licensed before it ceased operation. Because there is no record that Karen Mole had any license before she ceased operation she is not an eligible applicant. All questions about the license should be forwarded to the Department of Revenue (DOR) in care of Sue Nachreiner at 608-261-0793. Although if you enter into an agent agreement with another operator that ceased operation before October 14, 1997, you could qualify as that operator's agent for the program according to WI State Statute 292.65(4)(k).

Complete information and details of the dry-cleaning program are available on-line at <http://www.dnr.state.wi.us/org/aw/rr/financial/dryclean.html>. If you have any questions then please call me (608)-266-1967 and I will try to clear this up better.

Sincerely,

Jeffrey Soellner  
Dry Cleaning Fund Manager  
Bureau of Community Financial Assistance

cc  
Gina Keenan - DNR - Milwaukee  
Michelle Williams - DNR - Milwaukee  
Sue Nachreiner - DOR - Madison  
Pam Gergens - Attorney for Bence family

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