



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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file
as sent

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March 5, 2008

Mrs. Eileen Simon
204 South Main Street
Cuba City, WI 53807

File Ref: 02-22-543811

Subject: Lack of Site Activity; Sunset Date for Drycleaner Reimbursement Program
Former Kessler Cleaners, 204 South Main Street, Cuba City

Dear Mrs. Simon:

In a letter dated August 23, 2005, this Department informed you of tetrachloroethylene contamination discovered in groundwater at the Kwik Trip property, 212/216 South Main Street, Cuba City. Tetrachloroethylene is a solvent commonly used in drycleaning operations. The Kwik Trip shares a property boundary with your property. It is believed your property, which historically operated as a drycleaning facility, is the source of the tetrachloroethylene contamination. The August 2005 letter informed you of your responsibility under state statute 292.11 (3), commonly referred to as the Spills Law, to restore the environment to the extent practicable. This Department has not received any information indicating you have taken steps to fulfill your responsibility.

I met with you on two occasions to explain what this Department knows about the contamination and to provide you with information regarding your property's potential eligibility to participate in the Drycleaner Environmental Response Fund (DERF) program. This program provides partial reimbursement of site investigation and clean-up costs at eligible drycleaning sites. As the owner of property on which a drycleaning facility that closed prior to October 14, 1997, was located, you would not be eligible for the DERF program. However, Mr. William Kessler, an operator of the historic drycleaning facility which closed prior to October 14, 1997, *would* be eligible to participate in the DERF program. Mr. Kessler would need to sign into an agreement with you to allow you to act as his agent regarding the clean-up activities.

Because of Mr. Kessler's involvement in the operation of the facility, he, too, has been informed of his responsibility under the Spills Law to restore the environment to the extent practicable. As a person who controlled the hazardous substance that has been released, he shares responsibility for addressing the contamination. Like you, Mr. Kessler has not provided any information indicating he has taken steps to fulfill his responsibility to address the contamination.

Sites eligible for the DERF program must enroll in the program prior to August 30, 2008, in order for the site to remain eligible for reimbursement. Failure to provide the appropriate information and enroll in the program will mean you will be responsible for paying all investigation and clean-up expenses with no option for reimbursement of any kind.

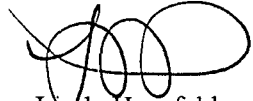
I strongly encourage you to review the enclosed, updated information regarding the DERF program and work with Mr. Kessler to finalize paperwork that enables you/your property to participate in the DERF program. Site

investigation and clean-up work can be costly – it is likely in your best interest to put yourself in a position to receive reimbursement for at least a portion of the costs incurred.

Within 30 days of the date of this letter, please contact me regarding any progress you have made or are making in fulfilling your responsibility under the Spills Law. As I have mentioned before, if you believe you do not have the financial wherewithal to pay for site investigation and clean-up, the Department has a process whereby you can demonstrate your inability to pay for the clean-up. Please contact me for additional information if you have an interest in demonstrating your “inability to pay.”

Please contact me at the number shown below with any questions you might have.

Respectfully,



Linda Hanefeld
Hydrogeologist – South Central Region
(608) 275-3310

cc: Mr. William Kessler, Cuba City, WI 53807