



**FRIEBERT, FINERTY & ST. JOHN, S.C.**

ATTORNEYS AT LAW

Two Plaza East - Suite 1250 • 330 East Kilbourn Ave. • Milwaukee, Wisconsin 53202

Phone 414-271-0130 • Fax 414-272-8191 • www.ffijs.com

ROBERT H. FRIEBERT

JOHN D. FINERTY

THOMAS W. ST. JOHN

WILLIAM B. GUIE

S. TODD FARRIS

TED A. WARPINSKI

SHANNON A. ALLEN

LAWRENCE J. GLUSMAN

BRIAN C. RANDALL

CHRISTOPHER M. MEULER

M. ANDREW SKWIERAWSKI

JOSEPH M. PELTZ

February 13, 2013

**VIA EMAIL**

Pamela.Mylotta@wisconsin.gov

Ms. Pamela A. Mylotta

Region Program Manager

WI Dept. of Natural Resources

Remediation & Redevelopment Program

Southeast Region/Milwaukee Svc. Ctr.

2300 N. Dr. Martin Luther King Jr. Dr.

Post Office Box 12346

Milwaukee, WI 53212

RE: OHM Hartland (BRRTS# 02-68-552108)  
OHM Oconomowoc (BRRTS# 02-68-551911)  
OHM Elm Grove (BRRTS# 02-68-552102)  
OHM Wauwatosa (BRRTS# 02-41-551923)  
OHM Hampton (BRRTS# 02-41-543260)

Dear Pam:

Last week Ted Warpinski and I had a telephone conversation with Lacey Cochart and Terry Evanson related to the above-referenced sites, all of which are owned or operated by companies that are owned or operated by members of the Cass family. For all of the sites other than Hampton, when notice was originally provided to the DNR, the responsible party was identified as OHM Holdings LLC. This was an error as it should have been OHM Holdings, *Inc.* In any event, as we discussed with Ms. Cochart and Ms. Evanson, The Cass' insurer is currently using this error as a potential grounds for denying coverage for these sites and the purpose of this letter is to request that the Department update the Responsible Party designation for these OHM sites in the manner listed below:

OHM Hartland (BRRTS# 02-68-552108)

Charles Cass

OHM Holdings, Inc.

Success, Inc.

OHM Oconomowoc (BRRTS# 02-68-551911)

Charles Cass

OHM Holdings, Inc.

Success, Inc.

Ms. Pamela A. Mylotta  
February 13, 2013  
Page 2

OHM Elm Grove (BRRTS# 02-68-552102)  
Charles Cass  
OHM Holdings, Inc.  
Success, Inc.

OHM Wauwatosa (BRRTS# 02-41-551923)  
Charles Cass  
OHM Holdings, Inc.  
Success, Inc.

OHM Hampton (BRRTS# 02-41-543260)  
Charles Cass  
OHM Holdings, Inc.  
OHM of Milwaukee, Inc.  
Success, Inc.

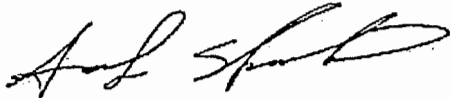
OHM Holdings, Inc. is the holding corporation that has succeeded in interest to the previous owners of the sites, and Success, Inc. was the entity that managed the operations at the sites for various periods.

Terry and Lacey suggested directing this request to your attention since all these sites are in the Southeast Region. We are also copying the project managers for each site in case you delegate this task to them. Since we are hoping to resolve this issue with the insurer very quickly, we sincerely appreciate anything you can do to expedite this process.

Thank you very much in advance for your attention to this request and I must again apologize for the inconvenience, but we have tried in vain to otherwise resolve this with the insurer. If you have any questions, please call Ted or me.

Very truly yours,

FRIEBERT, FINERTY & ST. JOHN, S.C.



M. Andrew Skwierawski  
[mas@ffsj.com](mailto:mas@ffsj.com)

MAS/ptk

cc: Ted A. Warpinski, Esq. (via e-mail)  
Teresa Evanson (via e-mail)  
Lacey Cochart (via e-mail)  
Jim Delwiche (via e-mail)  
Nancy Ryan (via e-mail)  
John Hnat (via e-mail)  
Brian Cass (via e-mail)  
Jeff Carnahan (via e-mail)  
Wayne Fassbender (via e-mail)