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**Cc:** [Ken Ebbott](#); [DuFresne, Kristin I - DNR](#)  
**Subject:** Conv Kristin DuFresne and DNR Scope  
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Jim,

Just spoke with Kristin DuFresne of the DNR regarding the scope of work and budget. She thinks it might be smart to get a round of water samples and groundwater levels from the site wells now, and make sure circumstances haven't changed too much since the last time they were sampled in 2011. Then we can come up with a scope of work for more wells, as needed. We can do that for about \$1500 - not much by way of reporting with that, but that gets the GW samples, lab testing, tables and figures updated, and a data dump to the DNR to show where we are at.

She also had some comments on the scope

1. She is worried well MW-8 - to the north- might not be clean enough to be the upgradient background well that is needed. She thinks we might need another well north of well 8. At this point, I don't think that would be a good use of money - since there is only a little hit of PCE at well 8. This is where another round of groundwater samples might help show we're defined in the groundwater north of MW-8.
2. We had two proposed borings adjacent to the utilities east of the building, by Broadway - but those might not need to be drilled. We can look at the utility depths and depth to water, backfill, etc. and see if we can argue the utilities aren't a migration pathway of concern. Another thought I had was maybe we video the sewer lateral and show it doesn't have leaks - is intact...might be another way around testing the utility soil / water / vapor.
3. Kristin said current DNR rules will require that a subslab vapor sample be obtained - even though you are an active drycleaner. We had budget allotted for that already.
4. I had asked Kristin if we do this proposed work and the results look good, could the investigation phase be considered complete? She wouldn't commit to that - said it will depend on the data.
5. She wanted you to understand that even if we get the Site Investigation Phase all done, given the known soil and groundwater chemistry at the site, there will be a need for a Remedial Action that will require additional funds. So while the investigation might be done by spending another \$15,000 or so - which is kind of a best case scenario - there will still be a need for cleanup actions that will cost an additional amount.

One more thought - I know you said insurance is a dead end. I had a discussion today with a lawyer about insurance coverage, and he indicated it isn't that difficult. You just need to know the following:

- Company name
- Policy number
- Proof of payment

So you don't have to have a copy of the actual policy. In fact, if you have old checks, they may have the company name, and policy number in the memo section. He said they all used the same generic template forms, and if you can prove you had a policy, the coverages can be created. Also, finding an insurance policy for another former owner does NOT have to result in a former owner being on the hook for any clean-up - others can have access to the policy coverages.

To get pollution coverage, it would need to be a policy written before about 1986. Every year of a

policy is a way to claim coverage - so if you can find proof of policies from 1986, 1985, 1984, etc., each year is another policy claim.

Give me a call to discuss when you get a chance.

Thanks,

Ken

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