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Monday - Michele



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Sent Via Email: johnm.feeney@wisconsin.gov

Mr. John Feeney
Department of Natural Resources
Plymouth Service Center
1155 N. Pilgrim Road
Plymouth, WI 53073

Re: Quality Cleaners, 1226 11th Avenue, Grafton, WI 53024
BRRTS#: 02-46-560212, FID#:246166470 ("Grafton Site")

Dear Mr. Feeney:

I am writing to update you on the status of the above referenced matter. As you know, a Responsible Party Letter was sent by the WDNR on March 18, 2013 to Gerald Kuehl. The site was found to be not eligible under DERF on April 26, 2013.

Prior to his death on April 10, 2015, Mr. Kuehl paid the following in connection with the Grafton Site:

- Moraine Environmental: \$13,823.40
- Robert E. Lee & Associates, Inc. ("REL"): \$12,935.36
- Radon Abatement: \$ 4,345.00

After Gerald Kuehl's death, the Estate continued to advance the site investigation at a reasonable rate; including vapor intrusion analysis and assessment of neighboring buildings, additional soil and groundwater sampling, and Reports by REL, totaling \$16,478.97. Attorneys Fees to Sitzmann Law Firm Ltd. total \$6,632.50.

I understand per your November 17, 2016 email to Nicole LaPlant, "WDNR Peer Review thought REL's groundwater investigation plan looked good." The Estate of Gerald Kuehl received a Proposal dated December 5, 2016 from REL for additional groundwater site investigation, with a cost estimate of \$40,000.00, excluding disposal costs. The disposal costs could exceed \$10,000.00 if the materials are considered hazardous.

After the site investigation is complete, REL advised remediation costs may easily exceed \$40,000.00. The exact number is problematic.

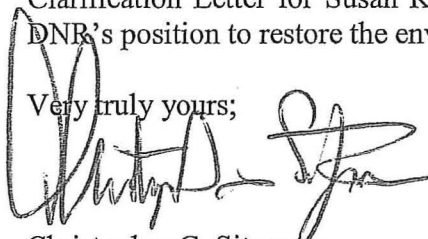
The Estate Checking Account has approximately \$45,000.00 at this time and there are no other assets. The monthly rents the Estate receives total \$875.00 and is offset by Real Estate Taxes, Insurance, utility and maintenance costs on the Grafton Site. The Estate was not able to lease the space that was the former dry cleaner operation, as they had hoped.

Therefore, the Estate does not have the financial capacity to sign and pay for the work under the REL Proposal. The Estate will have additional Attorneys Fees from the Probate Attorneys, as well as myself and other expenses unrelated to the site investigation.

The heirs of the Estate are unable to contribute additional funds to fund the investigation and remediation and therefore will **Disclaim** any interest in the Former Quality Cleaner Property at 118 11th Avenue, Grafton, WI. The Personal Representative, Susan Kuehl, has at all times acted in good faith to investigate and remediate the Grafton Site. Unfortunately, the costs of investigation exceed the Estates financial resources. Therefore, it is not possible to get clarity on the cost to remediate. The property's Real Estate Tax assessed value is \$158,200.00 and it is likely the cost to investigate and remediate the Grafton Site will exceed Tax Assessed value

I would appreciate your reviewing this matter and contacting me to discuss a possible Liability Clarification Letter for Susan Kuehl as a follow up to your December 28, 2015 letter and the DNR's position to restore the environment. Thank you.

Very truly yours;



Christopher G. Sitzmann
CGS/lb

cc: Susan Kuehl (Sent Via Email)
Nicole LaPlant (Sent Via Email)