

Notice: Use this form to request a **written response (on agency letterhead)** from the Department of Natural Resources (DNR) regarding technical assistance, a post-closure change to a site, a specialized agreement or liability clarification for Property with known or suspected environmental contamination. A fee will be required as is authorized by s. 292.55, Wis. Stats., and NR 749, Wis. Adm. Code., unless noted in the instructions below. Personal information collected will be used for administrative purposes and may be provided to requesters to the extent required by Wisconsin's Open Records law [ss. 19.31 - 19.39, Wis. Stats.].

Definitions

"Property" refers to the subject Property that is perceived to have been or has been impacted by the discharge of hazardous substances.

"Liability Clarification" refers to a written determination by the Department provided in response to a request made on this form. The response clarifies whether a person is or may become liable for the environmental contamination of a Property, as provided in s. 292.55, Wis. Stats.

"Technical Assistance" refers to the Department's assistance or comments on the planning and implementation of an environmental investigation or environmental cleanup on a Property in response to a request made on this form as provided in s. 292.55, Wis. Stats.

"Post-closure modification" refers to changes to Property boundaries and/or continuing obligations for Properties or sites that received closure letters for which continuing obligations have been applied or where contamination remains. Many, but not all, of these sites are included on the GIS Registry layer of RR Sites Map to provide public notice of residual contamination and continuing obligations.

Select the Correct Form

This form should be used to request the following from the DNR:

- Technical Assistance
- Liability Clarification
- Post-Closure Modifications
- Specialized Agreements (tax cancellation, negotiated agreements, etc.)

Do **not** use this form if one of the following applies:

- Request for an **off-site liability exemption or clarification** for Property that has been or is perceived to be contaminated by one or more hazardous substances that originated on another Property containing the source of the contamination. Use DNR's Off-Site Liability Exemption and Liability Clarification Application Form 4400-201.
- Submittal of an Environmental Assessment for the **Lender Liability Exemption**, s 292.21, Wis. Stats., **if no response or review by DNR is requested**. Use the Lender Liability Exemption Environmental Assessment Tracking Form 4400-196.
- Request for an **exemption to develop on a historic fill site** or licensed landfill. Use DNR's Form 4400-226 or 4400-226A.
- **Request for closure** for Property where the investigation and cleanup actions are completed. Use DNR's Case Closure - GIS Registry Form 4400-202.

All forms, publications and additional information are available on the internet at: dnr.wi.gov/topic/Brownfields/Pubs.html.

Instructions

1. Complete sections 1, 2, 6 and 7 for all requests. Be sure to provide adequate and complete information.
2. Select the type of assistance requested: Section 3 for technical assistance or post-closure modifications, Section 4 for a written determination or clarification of environmental liabilities; or Section 5 for a specialized agreement.
3. Include the fee payment that is listed in Section 3, 4, or 5, unless you are a "Voluntary Party" enrolled in the Voluntary Party Liability Exemption Program **and** the questions in Section 2 direct otherwise. Information on to whom and where to send the fee is found in Section 8 of this form.
4. Send the completed request, supporting materials and the fee to the appropriate DNR regional office where the Property is located. See the map on the last page of this form. A paper copy of the signed form and all reports and supporting materials shall be sent with an electronic copy of the form and supporting materials on a compact disk. For electronic document submittal requirements see: <http://dnr.wi.gov/files/PDF/pubs/rr/RR690.pdf>

The time required for DNR's determination varies depending on the complexity of the site, and the clarity and completeness of the request and supporting documentation.

Technical Assistance, Environmental Liability Clarification or Post-Closure Modification Request

Form 4400-237 (R 9/15)

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Section 1. Contact and Recipient Information

Requester Information

This is the person requesting technical assistance or a post-closure modification review, that his or her liability be clarified or a specialized agreement and is identified as the requester in Section 7. DNR will address its response letter to this person.

Last Name	First	MI	Organization/ Business Name		
			Estate of Thomas J. Judge, Jr.		
Mailing Address			City	State	ZIP Code
1115 Mohican Pass			Madison	WI	53711
Phone # (include area code)		Fax # (include area code)		Email	
(608) 886-5752				stephjudge@gmail.com	

The requester listed above: (select all that apply)

- Is currently the owner
 Is considering selling the Property
 Is renting or leasing the Property
 Is considering acquiring the Property
 Is a lender with a mortgagee interest in the Property
 Other. Explain the status of the Property with respect to the applicant:

Thomas H. Judge & his wife Mavis operated a drycleaners at the site in question from 1978 to 1998. Their son, Thomas J. Judge, worked with the WDNR to investigate and remediate contamination at the site until his death in 2009.

Contact Information (to be contacted with questions about this request)

Select if same as requester

Contact Last Name	First	MI	Organization/ Business Name		
Judge	Stephanie	M	Personal Representative for the Estate of Thomas Judge		
Mailing Address			City	State	ZIP Code
1115 Mohican Pass			Madison	WI	53711
Phone # (include area code)		Fax # (include area code)		Email	
(608) 886-5752				stephjudge@gmail.com	

Environmental Consultant (if applicable)

Contact Last Name	First	MI	Organization/ Business Name		
Englebert	Jayne		MSA Professional Services		
Mailing Address			City	State	ZIP Code
P.O. Box 435			Baraboo	WI	53913-0435
Phone # (include area code)		Fax # (include area code)		Email	
(608) 356-2771				jenglebert@msa-ps.com	

Attorney (if applicable)

Contact Last Name	First	MI	Organization/ Business Name		
Shrestha	Jessica		Wheeler VAn Sickle & Anderson, S.C.		
Mailing Address			City	State	ZIP Code
44 East Mifflin Street, Suite 1000			Madison	WI	53703
Phone # (include area code)		Fax # (include area code)		Email	
(608) 441-3839				jshrestha@wheelerlaw.com	

Property Owner (if different from requester)

Contact Last Name	First	MI	Organization/ Business Name		
Klismith	Kerry		NAH Properties LLC		
Mailing Address			City	State	ZIP Code
473 Shady Oak Ln			Stevens Point	WI	54481
Phone # (include area code)		Fax # (include area code)		Email	

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Section 2. Property Information

Property Name		FID No. (if known)	
BRRTS No. (if known) 02-50-000298, 02-72-283048 & any others related sites		Parcel Identification Number	
Street Address 257 Division Street		City Stevens Point	State WI
County Portage		Municipality where the Property is located <input checked="" type="radio"/> City <input type="radio"/> Town <input type="radio"/> Village of Stevens Point	ZIP Code 54481
		Property is composed of: <input type="radio"/> Single tax parcel <input checked="" type="radio"/> Multiple tax parcels	Property Size Acres

1. Is a response needed by a specific date? (e.g., Property closing date) Note: Most requests are completed within 60 days. Please plan accordingly.

No Yes

Date requested by: 09/30/2017

Reason: The Estate of Thomas Judge has been open for over 8 years, since his passing in 2009. Portage County will not allow the Estate to remain open indefinitely.

2. Is the "Requester" enrolled as a Voluntary Party in the Voluntary Party Liability Exemption (VPLE) program?

No. **Include the fee that is required for your request in Section 3, 4 or 5.**

Yes. **Do not include a separate fee.** This request will be billed separately through the VPLE Program.

Fill out the information in Section 3, 4 or 5 which corresponds with the type of request:

Section 3. Technical Assistance or Post-Closure Modifications;

Section 4. Liability Clarification; or Section 5. Specialized Agreement.

Section 3. Request for Technical Assistance or Post-Closure Modification

Select the type of technical assistance requested: **[Numbers in brackets are for WI DNR Use]**

- No Further Action Letter (NFA) (Immediate Actions) - NR 708.09, [183] - **Include a fee of \$350.** Use for a written response to an immediate action after a discharge of a hazardous substance occurs. Generally, these are for a one-time spill event.
- Review of Site Investigation Work Plan - NR 716.09, [135] - **Include a fee of \$700.**
- Review of Site Investigation Report - NR 716.15, [137] - **Include a fee of \$1050.**
- Approval of a Site-Specific Soil Cleanup Standard - NR 720.10 or 12, [67] - **Include a fee of \$1050.**
- Review of a Remedial Action Options Report - NR 722.13, [143] - **Include a fee of \$1050.**
- Review of a Remedial Action Design Report - NR 724.09, [148] - **Include a fee of \$1050.**
- Review of a Remedial Action Documentation Report - NR 724.15, [152] - **Include a fee of \$350**
- Review of a Long-term Monitoring Plan - NR 724.17, [25] - **Include a fee of \$425.**
- Review of an Operation and Maintenance Plan - NR 724.13, [192] - **Include a fee of \$425.**

Other Technical Assistance - s. 292.55, Wis. Stats. [97] (For request to build on an abandoned landfill use Form 4400-226)

- Schedule a Technical Assistance Meeting - **Include a fee of \$700.**
- Hazardous Waste Determination - **Include a fee of \$700.**
- Other Technical Assistance - **Include a fee of \$700.** Explain your request in an attachment.

Post-Closure Modifications - NR 727, [181]

- Post-Closure Modifications: Modification to Property boundaries and/or continuing obligations of a closed site or Property; sites may be on the GIS Registry. This also includes removal of a site or Property from the GIS Registry. **Include a fee of \$1050, and:**
 - Include a fee of \$300 for sites with residual soil contamination; and
 - Include a fee of \$350 for sites with residual groundwater contamination, monitoring wells or for vapor intrusion continuing obligations.

Attach a description of the changes you are proposing, and documentation as to why the changes are needed (if the change to a Property, site or continuing obligation will result in revised maps, maintenance plans or photographs, those documents may be submitted later in the approval process, on a case-by-case basis).

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Skip Sections 4 and 5 if the technical assistance you are requesting is listed above and complete Sections 6 and 7 of this form.

Section 4. Request for Liability Clarification

Select the type of liability clarification requested. Use the available space given or attach information, explanations, or specific questions that you need answered in DNR's reply. Complete Sections 6 and 7 of this form. **[Numbers in brackets are for DNR Use]**

"Lender" liability exemption clarification - s. 292.21, Wis. Stats. [686]

❖ **Include a fee of \$700.**

Provide the following documentation:

- (1) ownership status of the real Property, and/or the personal Property and fixtures;
- (2) an environmental assessment, in accordance with s. 292.21, Wis. Stats.;
- (3) the date the environmental assessment was conducted by the lender;
- (4) the date of the Property acquisition; for foreclosure actions, include a copy of the signed and dated court order confirming the sheriff's sale.
- (5) documentation showing how the Property was acquired and the steps followed under the appropriate state statutes.
- (6) a copy of the Property deed with the correct legal description; and,
- (7) the Lender Liability Exemption Environmental Assessment Tracking Form (Form 4400-196).
- (8) If no sampling was done, please provide reasoning as to why it was **not** conducted. Include this either in the accompanying environmental assessment or as an attachment to this form, and cite language in s. 292.21(1)(c)2., h.-i., Wis. Stats.:
 - h. The collection and analysis of representative samples of soil or other materials in the ground that are suspected of being contaminated based on observations made during a visual inspection of the real Property or based on aerial photographs, or other information available to the lender, including stained or discolored soil or other materials in the ground and including soil or materials in the ground in areas with dead or distressed vegetation. The collection and analysis shall identify contaminants in the soil or other materials in the ground and shall quantify concentrations.
 - i. The collection and analysis of representative samples of unknown wastes or potentially hazardous substances found on the real Property and the determination of concentrations of hazardous waste and hazardous substances found in tanks, drums or other containers or in piles or lagoons on the real Property.

"Representative" liability exemption clarification (e.g. trustees, receivers, etc.) - s. 292.21, Wis. Stats. [686]

❖ **Include a fee of \$700.**

Provide the following documentation:

- (1) ownership status of the Property;
- (2) the date of Property acquisition by the representative;
- (3) the means by which the Property was acquired;
- (4) documentation that the representative has no beneficial interest in any entity that owns, possesses, or controls the Property;
- (5) documentation that the representative has not caused any discharge of a hazardous substance on the Property; and
- (6) a copy of the Property deed with the correct legal description.

Clarification of local governmental unit (LGU) liability exemption at sites with: (select all that apply)

- hazardous substances spills - s. 292.11(9)(e), Wis. Stats. [649];
- Perceived environmental contamination - [649];
- hazardous waste - s. 292.24 (2), Wis. Stats. [649]; and/or
- solid waste - s. 292.23 (2), Wis. Stats. [649].

❖ **Include a fee of \$700, a summary of the environmental liability clarification being requested, and the following:**

- (1) clear supporting documentation showing the acquisition method used, and the steps followed under the appropriate state statute(s).
- (2) current and proposed ownership status of the Property;
- (3) date and means by which the Property was acquired by the LGU, where applicable;
- (4) a map and the ¼, ¼ section location of the Property;
- (5) summary of current uses of the Property;
- (6) intended or potential use(s) of the Property;
- (7) descriptions of other investigations that have taken place on the Property; and
- (8) (for solid waste clarifications) a summary of the license history of the facility.

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Section 4. Request for Liability Clarification (cont.)

Lease liability clarification - s. 292.55, Wis. Stats. [646]

❖ **Include a fee of \$700 for a single Property, or \$1400 for multiple Properties and the information listed below:**

- (1) a copy of the proposed lease;
- (2) the name of the current owner of the Property and the person who will lease the Property;
- (3) a description of the lease holder's association with any persons who have possession, control, or caused a discharge of a hazardous substance on the Property;
- (4) map(s) showing the Property location and any suspected or known sources of contamination detected on the Property;
- (5) a description of the intended use of the Property by the lease holder, with reference to the maps to indicate which areas will be used. Explain how the use will not interfere with any future investigation or cleanup at the Property; and
- (6) all reports or investigations (e.g. Phase I and Phase II Environmental Assessments and/or Site Investigation Reports conducted under s. NR 716, Wis. Adm. Code) that identify areas of the Property where a discharge has occurred.

General or other environmental liability clarification - s. 292.55, Wis. Stats. [682] - Explain your request below.

❖ **Include a fee of \$700 and an adequate summary of relevant environmental work to date.**

No Action Required (NAR) - NR 716.05, [682]

❖ **Include a fee of \$700.**

Use where an environmental discharge has or has not occurred, and applicant wants a DNR determination that no further assessment or clean-up work is required. Usually this is requested after a Phase I and Phase II environmental assessment has been conducted; the assessment reports should be submitted with this form. This is not a closure letter.

Clarify the liability associated with a "closed" Property - s. 292.55, Wis. Stats. [682]

❖ **Include a fee of \$700.**

- Include a copy of any closure documents if a state agency other than DNR approved the closure.

Use this space or attach additional sheets to provide necessary information, explanations or specific questions to be answered by the DNR.

See Cover Letter

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Section 5. Request for a Specialized Agreement

Select the type of agreement needed. Include the appropriate draft agreements and supporting materials. Complete Sections 6 and 7 of this form. More information and model draft agreements are available at: dnr.wi.gov/topic/Brownfields/igu.html#tabx4.

Tax cancellation agreement - s. 75.105(2)(d), Wis. Stats. [654]

❖ **Include a fee of \$700, and the information listed below:**

- (1) Phase I and II Environmental Site Assessment Reports,
- (2) a copy of the Property deed with the correct legal description; and,
- (3) a draft 75.105 agreement based on the DNR's model (dnr.wi.gov/topic/brownfields/documents/mod75-105agrmt.pdf).

Agreement for assignment of tax foreclosure judgement - s.75.106, Wis. Stats. [666]

❖ **Include a fee of \$700, and the information listed below:**

- (1) Phase I and II Environmental Site Assessment Reports,
- (2) a copy of the Property deed with the correct legal description; and,
- (3) a draft 75.105 agreement based on the DNR's model (dnr.wi.gov/topic/brownfields/documents/mod75-106agrmt.pdf).

Negotiated agreement - Enforceable contract for non-emergency remediation - s. 292.11(7)(d) and (e), Wis. Stats. [630]

❖ **Include a fee of \$1400, and the information listed below:**

- (1) a draft schedule for remediation; and,
- (2) the name, mailing address, phone and email for each party to the agreement.

Section 6. Other Information Submitted

Identify all materials that are included with this request.

Include one copy of any document from any state agency files that you want the Department to review as part of this request. The person submitting this request is responsible for contacting other state agencies to obtain appropriate reports or information.

Phase I Environmental Site Assessment Report - Date: _____

Phase II Environmental Site Assessment Report - Date: _____

Legal Description of Property (required for all liability requests and specialized agreements)

Map of the Property (required for all liability requests and specialized agreements)

Analytical results of the following sampled media: Select all that apply and include date of collection.

Groundwater Soil Sediment Other medium - Describe: _____

Date of Collection: _____

A copy of the closure letter and submittal materials

Draft tax cancellation agreement

Draft agreement for assignment of tax foreclosure judgment

Other report(s) or information - Describe: Property Information Sheet; this includes a legal description

For Property with newly identified discharges of hazardous substances only: Has a notification of a discharge of a hazardous substance been sent to the DNR as required by s. NR 706.05(1)(b), Wis. Adm. Code?

Yes - Date (if known): _____

No

Note: The Notification for Hazardous Substance Discharge (non-emergency) form is available at: dnr.wi.gov/files/PDF/forms/4400/4400-225.pdf.

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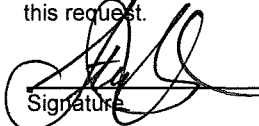
Section 7. Certification by the Person who completed this form

I am the person submitting this request (requester)

I prepared this request for: Estate of Thomas J. Judge Jr.

Requester Name

I certify that I am familiar with the information submitted on this request, and that the information on and included with this request is true, accurate and complete to the best of my knowledge. I also certify I have the legal authority and the applicant's permission to make this request.


Signature

6/27/17
Date Signed

Personal Representative for the
Title

Estate of Thomas J. Judge Jr.

608-886-5752
Telephone Number (include area code)

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Section 8. DNR Contacts and Addresses for Request Submittals

Send or deliver one paper copy and one electronic copy on a compact disk of the completed request, supporting materials, and fee to the region where the property is located to the address below. Contact a [DNR regional brownfields specialist](#) with any questions about this form or a specific situation involving a contaminated property. For electronic document submittal requirements see: <http://dnr.wi.gov/files/PDF/pubs/rr/RR690.pdf>.

DNR NORTHERN REGION

Attn: RR Program Assistant
Department of Natural Resources
223 E Steinfest Rd Antigo, WI 54409

DNR NORTHEAST REGION

Attn: RR Program Assistant
Department of Natural Resources
2984 Shawano Avenue
Green Bay WI 54313

DNR SOUTH CENTRAL REGION

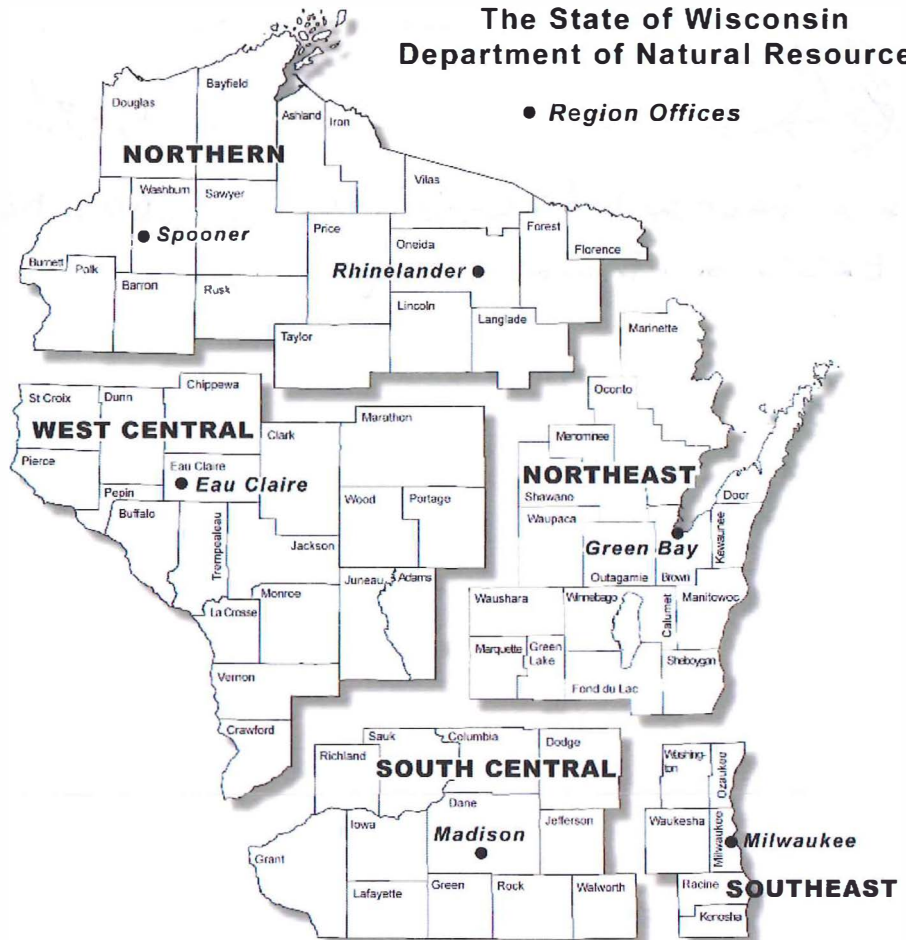
Attn: RR Program Assistant
Department of Natural Resources
3911 Fish Hatchery Road
Fitchburg WI 53711

DNR SOUTHEAST REGION

Attn: RR Program Assistant
Department of Natural Resources
2300 North Martin Luther King Drive
Milwaukee WI 53212

DNR WEST CENTRAL REGION

Attn: RR Program Assistant
Department of Natural Resources
1300 Clairemont Ave.
Eau Claire WI 54702



Note: These are the Remediation and Redevelopment Program's designated regions. Other DNR program regional boundaries may be different.

DNR Use Only			
Date Received	Date Assigned	BRRTS Activity Code	BRRTS No. (if used)
DNR Reviewer		Comments	
Fee Enclosed? <input type="radio"/> Yes <input type="radio"/> No	Fee Amount \$	Date Additional Information Requested	Date Requested for DNR Response Letter
Date Approved	Final Determination		

2010	2009	2008	2007	2006	2005	2004	2003	2002	2001	2000	1999	1998	1997
------	------	------	------	------	------	------	------	------	------	------	------	------	------



PARCEL / OWNER DATA			
NAME AND ADDRESS	PARCEL #	LAND USE	ALDERMANIC DISTRICT
NAH Properties LLC 473 Shady Oak Ln Stevens Point, WI 54481	240829400206	Store, Retail	
	PROPERTY ADDRESS		NEIGHBORHOOD
	257 Division St		Division Str North (Comm)
	SUBDIVISION		ZONING
			B4-COMMERCIAL

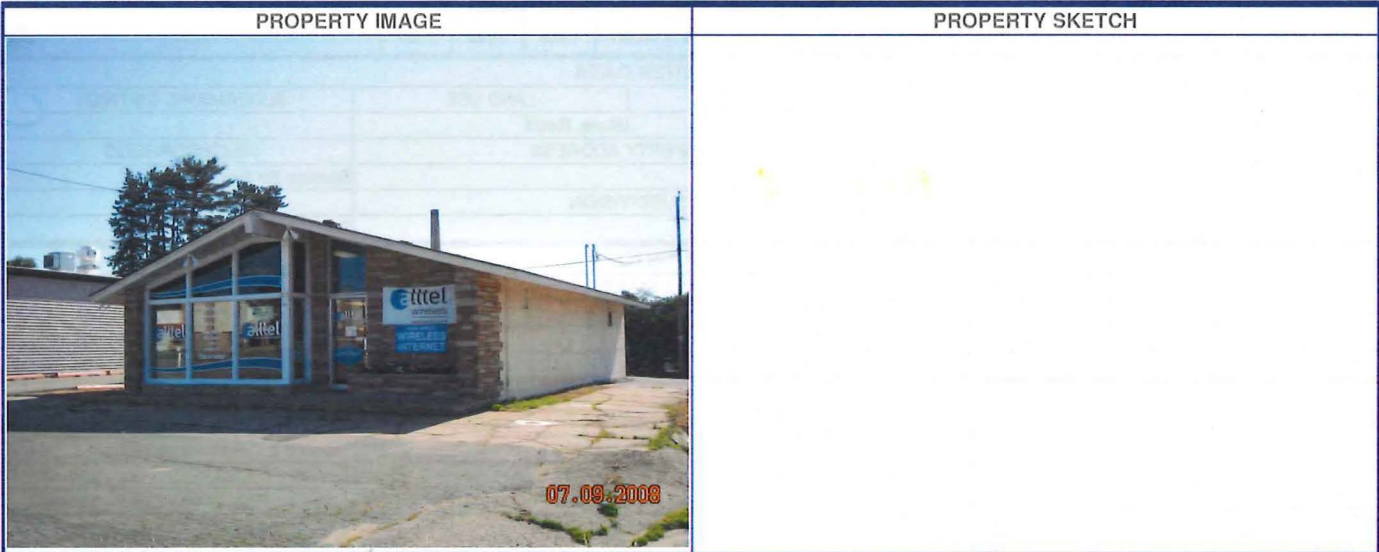
OWNERSHIP HISTORY*						
OWNER	SALE DATE	AMOUNT	CONVEYANCE	VOLUME	PAGE	SALE TYPE
NAH Properties LLC	6/7/2005	\$140,000	Warranty Deed	673740		Land & Buildings
Andrew W & Carol A Risberg	8/17/2000	\$120,000	Warranty Deed	57	7583	Land & Buildings
Judge Properties LLC	4/6/1999	\$110,000	Warranty Deed	55	7741	Land & Buildings

SITE DATA		PERMIT HISTORY*				
ACTUAL FRONTAGE		DATE	NUMBER	AMOUNT	PURPOSE	NOTE
55.0		6/30/2006	34079	\$2,520	020 Electrical	service & meters for air remov
EFFECTIVE FRONTAGE	55.0	8/16/2000	29348	\$2,200	099 Sign	
EFFECTIVE DEPTH	129.2	10/14/1994	24618	\$2,295	032 Furnace (HVAC)	
SQUARE FOOTAGE	7,103.8					
ACREAGE	0.163					

2010 ASSESSED VALUE						
CLASS	LAND	IMPROVEMENTS	TOTAL	RATIO	EST. FAIR MARKET VALUE	
B-Commercial	\$63,900	\$65,000	\$128,900	90.05%	\$143,100	
TOTAL	\$63,900	\$65,000	\$128,900		\$143,100	

LEGAL DESCRIPTION

PRT NE SE S29 T24 R8 COM ON EL DIV ST 619.12' S & 25' E OF NW COR SD 40 TH N 89D 37' 20"E 130.35' S38' S80DW 132.38' N60.12' TO POB DES 260/37 & ALSO INC PT VACATED DIVISION ST DES IN DOC#685644 673740 685644



BUILDING SUPERSTRUCTURE DATA							
BLDG	SEC	OCCUPANCY	YEAR	AREA	FRAMING	HGT	
1	1	Store, Retail (C avg)	1964	1,557	Masonry - Avg	12	
TOTAL AREA				1,557			
BASEMENT DATA				COMPONENTS			
BLDG	SEC	ADJUSTMENT DESCRIPTION	AREA	BLDG	SEC	COMPONENT DESCRIPTION	AREA
SITE IMPROVEMENTS				STRUCTURE DATA			
SITE IMPROVEMENT			UNITS	AGE	46		
				YEAR BUILT	1964		
				EFF. YEAR	1981		
				ONE BEDROOM	n/a		
				TWO BEDROOM	n/a		
				THREE BEDROOM	n/a		
				TOTAL UNITS	n/a		
				STORIES	1.00		
				BUSINESS NAME	Retail		

Disclaimer: Information shown here is considered accurate but not guaranteed.
 * Additional data may be available by contacting the assessors office.

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 Please contact [Webmaster](#) if you have any comments or questions about our site.

Estate of Thomas J. Judge Jr.
Stephanie Judge, Personal Representative
1115 Mohican Pass
Madison, WI 53711
stephjudge@gmail.com

June 27, 2017

Wisconsin Department of Natural Resources (WDNR)
DNR West Central Region
Attn: RR Program Assistant
1300 Clairemont Ave.
Eau Claire, WI 54702

Re: Liability Clarification for Estate of Thomas J. Judge Jr. and the family of Thomas J. Judge with associated Voluntary Agreement for Remediation of Affected Sites

Dear Ms. Dix, Mr. Hvizdak & other involved DNR staff,

Thomas J. Judge Jr. was my father and he passed away over 8 years ago. His parents, Thomas H. and Mavis Judge, operated drycleaners at several sites throughout Central Wisconsin from approximately 1978 until their retirement in 1998. My father worked with the WDNR to investigate and remediate contamination at any affected sites until his untimely death in 2009. I have since continued to work with the Department to move these sites toward closure. However, it appears the clean-up process for the Division Street site in Stevens Point may require time and resources beyond what the Estate has available. After so many years have passed, Portage County has indicated that the Estate cannot remain open indefinitely and requests that we find a way that to allow for closure of my father's Estate. For this and other reasons, we seek a formal determination and/or agreement from the WDNR that will have the following basic framework:

- 1) In order to allow the Estate of Thomas Judge to close, it will formally transfer its DERF eligibility to a successor entity such as a trust that can handle remaining investigation and remediation efforts at the Stevens Point (BRRS # 02-50-000298) and Marshfield (BRRS # 02-72-283048) sites to the extent the financial resource outlined in #3 below is available.
- 2) The trust and any investigation or remediation efforts it handles can be administered by me, Stephanie Judge, with DNR as a backup. I will need protection from liability for taking on that role.
- 3) I will request that access to the remaining environmental holdback be transferred from the Estate to the trust/entity handling the remediation. I have confirmed that the current holdback balance is \$154,558.72. Note that the holdback agreement limits how and where the principal can be

(over)

used. Stevens Point remediation efforts are eligible (as were Wisconsin Rapids'), whereas Marshfield is not. While site remediation expenditures are reimbursable, investigation is not. The remaining holdback earns interest that can and has been used to work on Marshfield and on Point's investigation. At a strategic point in the future, the principle could be tapped to pay for Stevens Point-related environmental invoices reimbursable by DERF. Approximately \$300k remains in DERF eligibility for the Stevens Point site and so this funding could be cycled through DERF twice.

- 4) DNR will formally confirm that neither the Estate nor any member of the Judge family (including my mother and brother) have any liability related to the sites. To the extent a liability waiver is needed, the same is requested.

In a recent email, Ms. Dix inquired as to whether Unifirst – the corporation with control of the environmental holdback – would have any concerns with the arrangement outlined above. We believe that whatever trust/entity succeeds the Estate will be handled similarly by Unifirst. First Unifirst dealt with the Shareholder to which it paid out claims and interest, now it has dealt with the Estate for 8+ years and in the future it will deal with the successor to the Estate. The purpose of the fund will remain constant even as the entity with access changes. Once we have an outline for moving ahead with DNR and know what the future entity will be, we can formally request the change from Unifirst.

Finally, as requested by Deb Dix in another recent email, I have also included a completed Form 4400-237 (Technical Assistance, Environmental Liability Clarification or Post-Closure Modification Request). I am sending the letter, this form and a check for \$700 to the physical address listed above as specified by the form.

I have just extended the Estate for another 6 months but have indicated to Portage County's Probate Court that we hope to have it closed by the end of 2017. I thank you for continuing to develop this agreement as efficiently as possible. Please contact me or my attorney, Jessica Shrestha, with any questions. Jessica can be reached at any of the following:

Jessica J. Shrestha
Attorney At Law
Wheeler, Van Sickle & Anderson, S.C.
44 East Mifflin Street, Suite 1000, Madison, WI 53703
wheelerlaw.com
firm [608.255.7277](tel:608.255.7277) | direct [608.441.3839](tel:608.441.3839)
mobile [608.368.2166](tel:608.368.2166)
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Sincerely,



Stephanie judge