

From: Mitchell, Jeremy A - DNR
Sent: Monday, January 11, 2021 5:15 PM
To: Peter A van Houwelingen
Cc: 'Brett Donaldson'
Subject: RE: Responsible Party Letter, Donaldsons Cleaners (former) - E Edgewood Dr, #02-45-586961

Hello Peter,

You are correct, all correspondence can be directed to me. The information you are seeking can be found via our BRRTS on the Web (BOTW) public database. There, you'll find all of the latest submittals regarding this case. Any information regarding sampling results, decisional correspondence, etc. will be uploaded there. For convenience, I have provided a direct link to this case below:

<https://dnr.wi.gov/botw/GetActivityDetail.do?siteId=15067400&adn=0245586961>

Regards,

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Jeremy Mitchell

Phone: (920) 366-6830

Jeremy.Mitchell@wisconsin.gov

From: Peter A van Houwelingen <pvhouw@clcl.com>
Sent: Monday, January 11, 2021 4:38 PM
To: Mitchell, Jeremy A - DNR <jeremy.mitchell@wisconsin.gov>
Cc: 'Brett Donaldson' <bdonaldson@donaldsonscleaners.com>
Subject: RE: Responsible Party Letter, Donaldsons Cleaners (former) - E Edgewood Dr, #02-45-586961

Mr. Mitchell,

I received your email and will submit a written letter as you indicated providing documentation Donaldson's One Hour Cleaner's, Inc. was not the causer of the contamination. Nor was the company ever the owner the property, therefore never in possession or control of the contamination.

I take it the letter should be addressed to you?

The DNR report states that information submitted to the DNR regarding this site indicates that my client is the responsible party. What information were you provided? To what other parties were the DNR report addressed?

Thank you,

Peter

Peter A. van Houwelingen

Attorney at Law
Corporate Legal Counsel, Ltd.
P.O. Box 847
Neenah, WI 54957-0847
(920) 832-4584 (tel)
(920) 832 -4585 (fax)

email: pvhouw@clcl.com
web: www.clcl.com

The information contained in this email message and any attachment is confidential information intended only for the personal use of the individual or entity named above. If you received this message in error, please notify the sender and delete the message immediately. Thank you.

From: Mitchell, Jeremy A - DNR
Sent: Wednesday, December 30, 2020 9:23 AM
To: pvhouw@clcl.com
Subject: Responsible Party Letter, Donaldsons Cleaners (former) - E Edgewood Dr, #02-45-586961

Hello Mr. Van Houwelingen,

I was forwarded your email (see below) from Denise Danelski. I am the current project manager for the case and all future correspondence can be directed to me.

If you (on behalf of Mr. Donaldson) would like to make the case that his dissolved corporation is not the correct Responsible Party I would suggest submitting a formal, written letter to the DNR. This letter can provide any supporting documentation, etc. that illustrates that the activities of Donaldson's One Hour Cleaners, Inc. would not be the causer. Email and/or phone conversations are ill-suited for this type of determination request.

Because the contaminants detected are in line with dry cleaning operations I suggest Mr. Donaldson hires an environmental consultant to help navigate through the NR700 process. Please let me know if/when a consultant is hired and we can discuss any necessary steps to be taken.

Regards,

From: Peter A van Houwelingen <pvhouw@clcl.com>
Sent: Thursday, December 24, 2020 9:10 AM
To: Danelski, Denise D - DNR <Denise.Danelski@wisconsin.gov>
Cc: 'Brett Donaldson' <bdonaldson@donaldsonscleaners.com>
Subject: RE: Responsible Party letter, Donaldsons Cleaners (former) - E Edgewood Dr, #02-45-586961

Ms. Danelski,

Under Wis. Stats. S. 292.11 there are only two legal "persons" responsible to remediate contaminated ground, those that possess or control the hazardous substance discharged in the ground and those who

cause the discharge. At no time in the past or present has Mr. Donaldson, or his now dissolved corporation, Donaldson's One Hour Cleaners, Inc. ever possessed, controlled or caused the discharge of the hazardous substance indicated in your letter. Neither ever owned the property or discharged the hazardous substance. Therefore neither Mr. Donaldson, nor his dissolved corporation are the "responsible party" under Wisconsin law.

I suggest you direct your letter to the appropriate party who is the responsible party under the law.

Peter A. van Houwelingen
Attorney at Law
Corporate Legal Counsel, Ltd.
P.O. Box 847
Neenah, WI 54957-0847
(920) 832-4584 (tel)
(920) 832 -4585 (fax)

email: pvhouw@clcl.com

web: www.clcl.com

The information contained in this email message and any attachment is confidential information intended only for the personal use of the individual or entity named above. If you received this message in error, please notify the sender and delete the message immediately. Thank you.

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Jeremy Mitchell

Hydrogeologist & Backup NER Spills Coordinator
Wisconsin Department of Natural Resources
2984 Shawano Ave., Green Bay, WI 54313-6727
Cell Phone: (920) 366-6830
jeremy.mitchell@wisconsin.gov



dnr.wi.gov

