

## Rice, Tami [DNR]

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**From:** Robert B. Kinz [rkinz@ArmstrongTeasdale.com]  
**Sent:** Tuesday, February 21, 2012 3:40 PM  
**To:** Rice, Tami [DNR]  
**Subject:** RE: Boehringer Property :: former Pfizer/Wyeth site : 800 Fifth St., Ft. Dodge, Iowa

Tami, Thanks!

The letter can be addressed to me and to the following person:

R. Michael Herrman  
Boehringer Ingelheim Vetmedica, Inc.  
1620 N. Woodbine  
St. Joseph, MO 64506

Have a great day.

Rob



Armstrong Teasdale LLP

**Robert B. Kinz, Esq.** | Partner

DIRECT: 314-342-4136 | FAX: 314-612-2246 | MAIN OFFICE: 314.621.5070

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**From:** Rice, Tami [DNR] [mailto:Tami.Rice@dnr.iowa.gov]  
**Sent:** Tuesday, February 21, 2012 3:36 PM  
**To:** Robert B. Kinz  
**Subject:** RE: Boehringer Property :: former Pfizer/Wyeth site : 800 Fifth St., Ft. Dodge, Iowa

Rob,

I can add that language. If you can provide the contacts, I'll get the letter sent out tomorrow.

Thanks,  
Tami

**Tami S. Rice**  
**Environmental Specialist Senior**  
**Contaminated Sites Section**  
**Iowa Dept. of Natural Resources**  
**502 East 9th Street**  
**Des Moines, Iowa 50319**  
**Ph: (515) 281-4420**  
**Fax: (515) 281-8895**



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**From:** Robert B. Kinz [mailto:rkinz@ArmstrongTeasdale.com]  
**Sent:** Tuesday, February 21, 2012 2:54 PM  
**To:** Rice, Tami [DNR]  
**Subject:** RE: Boehringer Property :: former Pfizer/Wyeth site : 800 Fifth St., Ft. Dodge, Iowa

Tami, thanks. This letter is very close to what I think we need to satisfy our client and Pfizer, but I'd like to ask one favor: Can we add "that *presents a danger to public health or safety*." to the end of the last sentence in paragraph 2?

The reason I'd like to add this phrase is because Boehringer's settlement agreement with Pfizer requires that we have some indication from an Iowa government entity that contains these "magic words". If the letter cannot be modified I understand, but if there is any flexibility it would be greatly appreciated if you could accommodate this request.

Thanks again for your help and consideration.

Rob



Armstrong Teasdale LLP

**Robert B. Kinz, Esq.** | Partner

DIRECT: 314-342-4136 | FAX: 314-612-2246 | MAIN OFFICE: 314.621.5070

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**From:** Rice, Tami [DNR] [mailto:Tami.Rice@dnr.iowa.gov]  
**Sent:** Tuesday, February 21, 2012 7:58 AM  
**To:** Roger Walker; Robert B. Kinz  
**Cc:** Lundberg, Cal [DNR]; Moon, Alex [DNR]; Tormey, Brian [DNR]  
**Subject:** RE: Boehringer Property :: former Pfizer/Wyeth site : 800 Fifth St., Ft. Dodge, Iowa

Roger,

I'm not sure if our letter provides the language you're looking for but I've attached our response letter for your review. Most of it is a standard format we've created with our attorneys.

Let me know if you have questions and please provide the appropriate contacts with your response.

Thanks for your help!

Regards,  
Tami

**Tami S. Rice**  
**Environmental Specialist Senior**  
**Contaminated Sites Section**  
**Iowa Dept. of Natural Resources**  
**502 East 9th Street**  
**Des Moines, Iowa 50319**  
**Ph: (515) 281-4420**  
**Fax: (515) 281-8895**



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**From:** Roger Walker [<mailto:RWALKER@ArmstrongTeasdale.com>]  
**Sent:** Monday, February 20, 2012 4:56 PM  
**To:** Rice, Tami [DNR]  
**Subject:** Re: Boehringer Property :: former Pfizer/Wyeth site : 800 Fifth St., Ft. Dodge, Iowa

Thanks Tami.

We were hoping to include this letter with our packet.

The one thing we were looking for in the letter is something similar to our conversation, basically that the West Pasture area "does not likely pose a present danger to public health or safety".

Raw

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**From:** Rice, Tami [DNR] [<mailto:Tami.Rice@dnr.iowa.gov>]  
**Sent:** Thursday, February 16, 2012 03:45 PM  
**To:** Roger Walker  
**Cc:** Robert B. Kinz; Lundberg, Cal [DNR] <[Cal.Lundberg@dnr.iowa.gov](mailto:Cal.Lundberg@dnr.iowa.gov)>  
**Subject:** RE: Boehringer Property :: former Pfizer/Wyeth site : 800 Fifth St., Ft. Dodge, Iowa

Roger,

That shouldn't be a problem. I'll put the letter together and send a pdf draft copy for your review.

Tami

**Tami S. Rice**  
**Environmental Specialist Senior**  
**Contaminated Sites Section**  
**Iowa Dept. of Natural Resources**  
**502 East 9th Street**  
**Des Moines, Iowa 50319**  
**Ph: (515) 281-4420**  
**Fax: (515) 281-8895**



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**From:** Roger Walker [<mailto:RWALKER@ArmstrongTeasdale.com>]  
**Sent:** Thursday, February 16, 2012 3:37 PM  
**To:** Rice, Tami [DNR]  
**Cc:** Robert B. Kinz  
**Subject:** Re: Boehringer Property :: former Pfizer/Wyeth site : 800 Fifth St., Ft. Dodge, Iowa

Thanks! Not to be too much trouble, but ... I know this is a standard letter (with some language provided by Alex Moon) but is it possible for Rob and I to review the draft letter first?

Again thanks.

Roger Walker

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**From:** Rice, Tami [DNR] [<mailto:Tami.Rice@dnr.iowa.gov>]  
**Sent:** Thursday, February 16, 2012 03:31 PM  
**To:** Roger Walker  
**Cc:** Robert B. Kinz  
**Subject:** RE: Boehringer Property :: former Pfizer/Wyeth site : 800 Fifth St., Ft. Dodge, Iowa

Roger,

I'm drafting the response letter and would like to make sure we are providing copies to the appropriate individuals. I planned to address the letter to your attention since you are working on behalf of BIVI; however, we need to ensure that we have copied a company contact as well. Could you provide the appropriate contact information for BIVI and any other interested parties that you would like to have us copy in our response?

I enjoyed meeting with both of you today and thank you in advance for your help.

Regards,  
Tami

**Tami S. Rice**  
**Environmental Specialist Senior**  
**Contaminated Sites Section**  
**Iowa Dept. of Natural Resources**  
**502 East 9th Street**  
**Des Moines, Iowa 50319**  
**Ph: (515) 281-4420**  
**Fax: (515) 281-8895**



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**From:** Roger Walker [<mailto:RWALKER@ArmstrongTeasdale.com>]  
**Sent:** Monday, February 06, 2012 9:31 AM  
**To:** Lundberg, Cal [DNR]; Clark, Angie [DNR]  
**Cc:** Moon, Alex [DNR]; Rice, Tami [DNR]; Tormey, Brian [DNR]; Robert B. Kinz  
**Subject:** Re: Boehringer Property :: former Pfizer/Wyeth site : 800 Fifth St., Ft. Dodge, Iowa

Thanks for the quick response Cal.

Raw

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**From:** Lundberg, Cal [DNR] [<mailto:Cal.Lundberg@dnr.iowa.gov>]  
**Sent:** Monday, February 06, 2012 09:29 AM  
**To:** Roger Walker; Clark, Angie [DNR] <[Angie.Clark@dnr.iowa.gov](mailto:Angie.Clark@dnr.iowa.gov)>  
**Cc:** Moon, Alex [DNR] <[Alex.Moon@dnr.iowa.gov](mailto:Alex.Moon@dnr.iowa.gov)>; Rice, Tami [DNR] <[Tami.Rice@dnr.iowa.gov](mailto:Tami.Rice@dnr.iowa.gov)>; Tormey, Brian [DNR] <[Brian.Tormey@dnr.iowa.gov](mailto:Brian.Tormey@dnr.iowa.gov)>; Robert B. Kinz; Lundberg, Cal [DNR] <[Cal.Lundberg@dnr.iowa.gov](mailto:Cal.Lundberg@dnr.iowa.gov)>  
**Subject:** RE: Boehringer Property :: former Pfizer/Wyeth site : 800 Fifth St., Ft. Dodge, Iowa

Roger – I think we are ready to meet with you to discuss this. Please work with Angie Clark to set up an acceptable time for the meeting. On this end we will be including Brian, Alex, Tami and myself.

Thanks

Cal Lundberg, Ph.D., Supervisor  
Contaminated Sites Section  
Iowa Dep't. of Natural Resources  
515-281-7040  
[cal.lundberg@dnr.iowa.gov](mailto:cal.lundberg@dnr.iowa.gov)

---

**From:** Roger Walker [<mailto:RWALKER@ArmstrongTeasdale.com>]  
**Sent:** Friday, February 03, 2012 4:06 PM  
**To:** Lundberg, Cal [DNR]  
**Cc:** Moon, Alex [DNR]; Rice, Tami [DNR]; Tormey, Brian [DNR]; Robert B. Kinz  
**Subject:** Re: Boehringer Property :: former Pfizer/Wyeth site : 800 Fifth St., Ft. Dodge, Iowa

Good afternoon Dr. Lundberg:

I am following up from my voice mail to see if you have any near-term dates for a meeting on this site.

Have a great weekend.

Roger Walker  
Armstrong Teasdale  
3146300871 mobile.

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**From:** Roger Walker  
**Sent:** Monday, January 23, 2012 08:49 AM  
**To:** 'Cal.Lundberg@dnr.iowa.gov' <[Cal.Lundberg@dnr.iowa.gov](mailto:Cal.Lundberg@dnr.iowa.gov)>  
**Cc:** 'Alex.Moon@dnr.iowa.gov' <[Alex.Moon@dnr.iowa.gov](mailto:Alex.Moon@dnr.iowa.gov)>; 'Tami.Rice@dnr.iowa.gov' <[Tami.Rice@dnr.iowa.gov](mailto:Tami.Rice@dnr.iowa.gov)>; 'Brian.Tormey@dnr.iowa.gov' <[Brian.Tormey@dnr.iowa.gov](mailto:Brian.Tormey@dnr.iowa.gov)>; Robert B. Kinz  
**Subject:** Re: Boehringer Property :: former Pfizer/Wyeth site : 800 Fifth St., Ft. Dodge, Iowa

Thanks. We will touch base soon.

Roger Walker

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**From:** Lundberg, Cal [DNR] [<mailto:Cal.Lundberg@dnr.iowa.gov>]  
**Sent:** Monday, January 23, 2012 08:38 AM  
**To:** Roger Walker  
**Cc:** Moon, Alex [DNR] <[Alex.Moon@dnr.iowa.gov](mailto:Alex.Moon@dnr.iowa.gov)>; Rice, Tami [DNR] <[Tami.Rice@dnr.iowa.gov](mailto:Tami.Rice@dnr.iowa.gov)>; Tormey, Brian [DNR] <[Brian.Tormey@dnr.iowa.gov](mailto:Brian.Tormey@dnr.iowa.gov)>  
**Subject:** RE: Boehringer Property :: former Pfizer/Wyeth site : 800 Fifth St., Ft. Dodge, Iowa

Well I'd like to have a couple of weeks to look at these volumes before setting up the meeting. I have Tami Rice reviewing it from a Contaminated Sites perspective. How about touching base on this on February 2 or 3?

Cal Lundberg, Ph.D., Supervisor  
Contaminated Sites Section  
Iowa Dep't. of Natural Resources  
515-281-7040  
[cal.lundberg@dnr.iowa.gov](mailto:cal.lundberg@dnr.iowa.gov)

---

**From:** Roger Walker [<mailto:RWALKER@ArmstrongTeasdale.com>]  
**Sent:** Friday, January 20, 2012 12:02 PM  
**To:** Lundberg, Cal [DNR]  
**Subject:** Re: Boehringer Property :: former Pfizer/Wyeth site : 800 Fifth St., Ft. Dodge, Iowa

Thanks. Any thoughts on a good meeting date?

We represent Boehringer Ingelheim which now owns this site.?? Days that will NOT work for us over the next few weeks are:  
January 26, 27 [and]??February 2, 3, 7, 13.  
??

It will be only myself and Rob Kinz for this initial meeting.??

??

Thanks.

Roger Walker

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**From:** Lundberg, Cal [DNR] [<mailto:Cal.Lundberg@dnr.iowa.gov>]  
**Sent:** Tuesday, January 17, 2012 12:32 PM  
**To:** Roger Walker  
**Subject:** RE: Boehringer Property :: former Pfizer/Wyeth site : 800 Fifth St., Ft. Dodge, Iowa

It appears to have survived the ride.

Cal Lundberg, Ph.D., Supervisor  
Contaminated Sites Section  
Iowa Dep't. of Natural Resources  
515-281-7040  
[cal.lundberg@dnr.iowa.gov](mailto:cal.lundberg@dnr.iowa.gov)

---

**From:** Roger Walker [<mailto:RWALKER@ArmstrongTeasdale.com>]  
**Sent:** Tuesday, January 17, 2012 12:29 PM  
**To:** Lundberg, Cal [DNR]  
**Subject:** RE: Boehringer Property :: former Pfizer/Wyeth site : 800 Fifth St., Ft. Dodge, Iowa

We'll see if this makes it through the electronic screen!

thx

Roger Walker

---

**From:** Lundberg, Cal [DNR] [<mailto:Cal.Lundberg@dnr.iowa.gov>]  
**Sent:** Tuesday, January 17, 2012 12:22 PM  
**To:** Roger Walker  
**Subject:** RE: Boehringer Property :: former Pfizer/Wyeth site : 800 Fifth St., Ft. Dodge, Iowa

okay

Cal Lundberg, Ph.D., Supervisor  
Contaminated Sites Section  
Iowa Dep't. of Natural Resources  
515-281-7040  
[cal.lundberg@dnr.iowa.gov](mailto:cal.lundberg@dnr.iowa.gov)

---

**From:** Roger Walker [<mailto:RWALKER@ArmstrongTeasdale.com>]  
**Sent:** Tuesday, January 17, 2012 12:21 PM  
**To:** Lundberg, Cal [DNR]  
**Subject:** RE: Boehringer Property :: former Pfizer/Wyeth site : 800 Fifth St., Ft. Dodge, Iowa

thx. I will send the second after document production does some magic to it. It is a 25MB final report on the site.

raw

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**From:** Lundberg, Cal [DNR] [<mailto:Cal.Lundberg@dnr.iowa.gov>]  
**Sent:** Tuesday, January 17, 2012 12:20 PM  
**To:** Roger Walker  
**Subject:** RE: Boehringer Property :: former Pfizer/Wyeth site : 800 Fifth St., Ft. Dodge, Iowa

First received

Cal Lundberg, Ph.D., Supervisor  
Contaminated Sites Section  
Iowa Dep't. of Natural Resources  
515-281-7040  
[cal.lundberg@dnr.iowa.gov](mailto:cal.lundberg@dnr.iowa.gov)

---

**From:** Roger Walker [<mailto:RWALKER@ArmstrongTeasdale.com>]  
**Sent:** Tuesday, January 17, 2012 12:20 PM  
**To:** Lundberg, Cal [DNR]  
**Subject:** RE: Boehringer Property :: former Pfizer/Wyeth site : 800 Fifth St., Ft. Dodge, Iowa

Document two appears to be too large to accomodate your system. I will ask our folks to make it smaller .... Please let me know if you received the first document.

Thanks.

raw

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**From:** Roger Walker  
**Sent:** Tuesday, January 17, 2012 12:15 PM  
**To:** 'Lundberg, Cal [DNR]'  
**Subject:** RE: Boehringer Property :: former Pfizer/Wyeth site : 800 Fifth St., Ft. Dodge, Iowa

Document two.

raw

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**From:** Lundberg, Cal [DNR] [<mailto:Cal.Lundberg@dnr.iowa.gov>]  
**Sent:** Tuesday, January 17, 2012 11:00 AM  
**To:** Roger Walker  
**Subject:** RE: Boehringer Property :: former Pfizer/Wyeth site : 800 Fifth St., Ft. Dodge, Iowa

For reasons unknown to me I did not receive the January 12 communication with attachments (as seen below). Would you please resend that.

Thanks

Cal Lundberg, Ph.D., Supervisor  
Contaminated Sites Section  
Iowa Dep't. of Natural Resources  
515-281-7040  
[cal.lundberg@dnr.iowa.gov](mailto:cal.lundberg@dnr.iowa.gov)

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**From:** Roger Walker [<mailto:RWALKER@ArmstrongTeasdale.com>]  
**Sent:** Tuesday, January 17, 2012 10:21 AM  
**To:** Lundberg, Cal [DNR]  
**Subject:** RE: Boehringer Property :: former Pfizer/Wyeth site : 800 Fifth St., Ft. Dodge, Iowa

Dr. Lundberg:

Is there anything else you need from us before setting up a day to chat?

Take care,

Roger Walker

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**From:** Roger Walker  
**Sent:** Thursday, January 12, 2012 12:08 PM  
**To:** 'Cal.Lundberg@dnr.iowa.gov'  
**Cc:** Robert B. Kinz; 'Alex.Moon@dnr.iowa.gov'  
**Subject:** RE: Boehringer Property :: former Pfizer/Wyeth site : 800 Fifth St., Ft. Dodge, Iowa

Dr. Cal Lundberg  
EPS, Contaminated Sites Section  
Iowa Department of Natural Resources

January 12, 2012

Dr. Lundberg:

I want to follow-up on our conversation and our request for a meeting regarding the former **Pfizer/Wyeth site at 800 Fifth Street, in Ft. Dodge, Iowa**. Our goal, as noted, is to work with your staff to obtain a "Certificate of No Further Action" for the "West Pasture" area. In order to facilitate our meeting, we have enclosed the environmental reports for this site.

Attached are two documents:

1. Phase I ESA conducted by ERM (July 2009)
2. Physical Assessment and Investigation prepared by Environ for BIVI and Pfizer (July 2010)

My colleague, Rob Kinz, and I would like to make a trip to Des Moines, at your convenience, to discuss this site and appropriate next steps. We represent Boehringer Ingelheim which now owns this site. Days that will NOT work for us over the next few weeks are: January 26, 27 [and] February 2, 3, 7, 13.

It will be only myself and Rob Kinz for this initial meeting.

Very truly yours,

Roger

Roger Walker, JD, LLM Environmental and Natural Resources Law  
Armstrong Teasdale LLP  
3405 West Truman Blvd.  
Jefferson City, Mo 65109  
314.621.5070

---

**From:** Roger Walker  
**Sent:** Tuesday, November 22, 2011 7:46 AM  
**To:** 'Cal.Lundberg@dnr.iowa.gov'  
**Cc:** Robert B. Kinz; 'Alex.Moon@dnr.iowa.gov'  
**Subject:** Re: Boehringer Property :: former Pfizer/Wyeth site : 800 Fifth St., Ft. Dodge, Iowa

Thanks for the quick response. We're working on it.



Roger Walker

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**From:** Lundberg, Cal [DNR] [<mailto:Cal.Lundberg@dnr.iowa.gov>]  
**Sent:** Tuesday, November 22, 2011 07:38 AM  
**To:** Roger Walker  
**Cc:** Robert B. Kinz; Moon, Alex [DNR] <[Alex.Moon@dnr.iowa.gov](mailto:Alex.Moon@dnr.iowa.gov)>  
**Subject:** RE: Boehringer Property :: former Pfizer/Wyeth site : 800 Fifth St., Ft. Dodge, Iowa

I would like to see the info before we set the date. I want to make sure that I have the appropriate parties at the table from this side.

Cal Lundberg, Ph.D., Supervisor  
Contaminated Sites Section  
Iowa Dep't. of Natural Resources  
515-281-7040  
[cal.lundberg@dnr.iowa.gov](mailto:cal.lundberg@dnr.iowa.gov)

---

**From:** Roger Walker [<mailto:RWALKER@ArmstrongTeasdale.com>]  
**Sent:** Monday, November 21, 2011 4:34 PM  
**To:** Lundberg, Cal [DNR]  
**Cc:** Robert B. Kinz  
**Subject:** Boehringer Property :: former Pfizer/Wyeth site : 800 Fifth St., Ft. Dodge, Iowa

Mr. Cal Lundberg  
EPS, Contaminated Sites Section  
Iowa Department of Natural Resources

November 21, 2011

Mr. Lundberg:

Good chatting with you briefly today about the former Pfizer/Wyeth site in Ft. Dodge, Iowa.

In short, my colleague, Rob Kinz, and I would like to make a trip to Des Moines, at your earliest convenience, to discuss this site and appropriate next steps. As noted on the phone call, we represent Boehringer Ingelheim which now owns this site.

Our goal is to discuss with your staff the "West Pasture" area and explore options and next steps to obtain a "Certificate of No Further Action." We will be providing you with additional information soon -- since that would obviously help facilitate our discussion.

For us, the sooner the better to initiate this discussion. Mondays, Tuesdays, and Fridays work best over the next few weeks (with the exception of December 2).

It will be only myself and Rob Kinz for this initial meeting.

Very truly yours,

Roger Walker, JD, LLM Environmental and Natural Resources Law  
Armstrong Teasdale LLP  
3405 West Truman Blvd.  
Jefferson City, Mo 65109  
314.621.5070

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