



October 2, 2019

Mr. Eric Ogden  
Oak Creek Rawson Industrial LLC  
100 S. Wacker Drive, Suite 950  
Chicago, IL 60606

RE: **Public Bidding Deferred – Cost Cap Approved**

**PECFA # 53154-1437-10-C** DNR BRRTS # 02-41-107191  
Biogenesis Enterprises (Former), 610 W. Rawson Ave., Oak Creek

---

On September 12, 2019, the Wisconsin Department of Natural Resources (Department) received a scope of work (SOW) and cost estimate as a variance to the Wisconsin Administrative Code chapter NR 747, Usual and Customary Cost Schedule (Cost Schedule) for continued remedial actions at the site referenced above. The proposal includes a request for approval of PECFA funding for the installation of a sub-slab vapor barrier.

The Department has determined that the SOW for remediation of the PECFA-eligible petroleum releases at the site is reasonable and **approves a portion of the costs** to install a vapor barrier and sub-slab venting system beneath the new building. This site will be deferred from the public bidding process at this time. The Department will contact you if this site will be bid in the future.

It is understood that the investigation and remediation of this site addresses both PECFA-eligible petroleum sources and non-eligible petroleum and non-petroleum sources. The non-PECFA sources, including chlorinated volatile organic compounds, PCBs and petroleum stored in drums, are primarily along the western property line and in and around the former southwest building. Confirmation soil samples collected during hot-spot soil excavations in April 2019 indicated that elevated concentrations of petroleum constituents remain in shallow soil. Of particular concern is naphthalene, which remains at high concentrations and poses a vapor risk in the former dispenser and piping locations.

A vapor barrier is required to address the vapor risk to the new building; therefore, it is appropriate to approve costs for the vapor barrier. However, the proposed barrier is more extensive and meant to mitigate vapor intrusion from contaminant sources that are more widespread than in just the PECFA-eligible dispenser and piping areas. The Department has determined that approximately half of the proposed vapor barrier system can be allocated to the PECFA-eligible sources. Therefore, the Department is approving 50 percent of the estimated \$94,984 total costs for the vapor barrier installation, at \$47,492, to address the PECFA-eligible sources.

**Deferment Cost Cap Approved:**

**\$47,492.00**

**Note:** A claim for PECFA reimbursement must be submitted within 180 days of incurring costs (i.e., completing a task). If a claim for costs incurred is not submitted within this deadline, the costs will not be

eligible for PECFA reimbursement. Be reminded that ch. NR 700 semi-annual progress reporting is required until this case is closed.

Costs for activities not included in this approval are not reimbursable without prior Department authorization. Regulatory Correspondence (Task 7, Activity RC05), Claim Submittal (Task 27, Activity CS05) and Standardized Invoice (Task 28, Activity SI05) costs are not included in the cap approved above. These activities will be reimbursed according to the task specifications and with submittal of proper supporting documentation at claim review time.

**The Department approves a variance from the Cost Schedule for the vapor barrier system costs.** Do not include these costs (\$47,492.00 total) on the standardized invoice for usual and customary cost activities. Include these costs on a separate company invoice. When you submit the claim for these costs, please attach a copy of this letter and the attached estimate for the claim reviewer's reference. The Department waives the commodity three-bid requirement with this variance approval.

The Department considers the consultant the primary controller of costs during these activities. This approval does not guarantee eligibility of any specific costs that have been incurred or that may be incurred in the future. Final determination regarding the eligibility of costs will be made by the claim reviewer when the entire claim, including all invoices and reports, is submitted for payment.

Thank you for your efforts to protect Wisconsin's environment. If you have any questions, please contact me in writing at the letterhead address, by email at [Linda.Michalets@wisconsin.gov](mailto:Linda.Michalets@wisconsin.gov), or by telephone at (414) 263-8757.

Sincerely,



Linda M. Michalets  
Hydrogeologist  
Remediation and Redevelopment Program

Attachment: Premier Design + Build Group Cost Summary

cc: Mr. Stephen Meer, The Sigma Group, Inc.

## Vapor Intrusion Mitigation System Cost Summary

### Hard Cost Breakdown:

\$28,304 - Vapor Barrier material

\$9,880 - Vapor Barrier installation

\$8,700 - Electric

\$44,100 - F&I Sub slab mat within the 4" stone layer and piping up through roof

\$4,000 - seal joints around area

\$94,984 - Total

### Provided by:

**Jason Spataro**

Project Manager

P 847.297.4200 F 847.297.4205 C 847.257.5243



1000 W. Irving Park Rd  
Suite 200  
Itasca, Illinois 60143

Think beyond the build. [pdbgroup.com](http://pdbgroup.com)

