



October 21, 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 FID # 241020010
Biogenesis Enterprises, Inc. (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 utilizing the chapter NR 747, Wisconsin Administrative Code, Usual and Customary Cost Schedule (Cost Schedule) for vapor investigation activities at the site referenced above.

The Department has determined that the submitted SOW is reasonable and **approves** the additional costs, with slight modifications. 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.

The costs that are being approved in this letter are only for the portion of site activities that can reasonably be attributed to the discharges from aboveground and underground petroleum storage tank sources that have been determined to be PECFA-eligible. These are not the only vapor investigation activities that will be required to bring this site to closure, as additional sub-slab vapor probes and laboratory analyses are required for the overall vapor characterization of petroleum and non-petroleum contamination. Additional vapor probes may be needed for the PECFA-eligible investigation, based on the results of the activities being approved herein.

The Department is approving costs for the installation and sampling of five sub-slab vapor points as requested by your consultant, The Sigma Group, Inc. (Sigma). The vapor point locations should be in the following locations, two of which are different from the locations depicted by Sigma in the attached *Figure 2 Confirmation Sample Location Map*: one probe within each of the three petroleum excavation areas where high naphthalene concentrations remain beneath the new building footprint, one probe between borings SGP-8 and SGP-102 for delineation, and one probe further west of the two western hot spots (south of SGP-22, in the location depicted by Sigma). It is anticipated that these probes will be located mainly in proposed office space locations, which are planned along the southern portion of the building, as these will be the areas with greatest risk of vapor intrusion exposure. If the proposed building layout changes, you should reevaluate the probe locations so that that the risk to these spaces is adequately evaluated. For the PECFA-eligible discharges, the laboratory must report the results for petroleum volatile organic compounds (PVOCs) and naphthalene analyses. Two rounds of vapor sampling are approved. The separate laboratory costs have been removed as the lab costs are included within Task 37, VS05. A copy of the Department worksheet for the Cost Schedule tasks is enclosed for your reference.

Deferment Cost Cap Approved:

\$ 7,676.05

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.

Usual and customary costs for activities included in this approval will only be reimbursed at a rate equal to or less than what is allowed on the Cost Schedule and are reimbursed based upon the Cost Schedule that is in effect at the time the activity is performed. 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 proper supporting documentation submitted with the PECFA claim.

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 or by telephone at (414) 263-8757.

Sincerely,



Linda M. Michalets
Hydrogeologist
Remediation and Redevelopment Program

Enclosures: Usual and Customary Cost Schedule Worksheet
Figure 2, Confirmation Sample Location Map, The Sigma Group, Inc.

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

Usual & Customary Cost Schedule Worksheet #26 (July 2019 - December 2019) for Form RR-111a

PECFA #:	53154-1437-10-C	<table border="1"> <tr> <td>Cost Schedule Total</td> <td>\$7,676.05</td> </tr> <tr> <td>Variance Total</td> <td>\$0.00</td> </tr> <tr> <td>Grand Total</td> <td>\$7,676.05</td> </tr> </table>	Cost Schedule Total	\$7,676.05	Variance Total	\$0.00	Grand Total	\$7,676.05
Cost Schedule Total	\$7,676.05							
Variance Total	\$0.00							
Grand Total	\$7,676.05							
BRRTS #:	02-41-107191							
Site Name:	Biogenesis Enterprises, Inc. (Former)							
Site Address:	610 W. Rawson Ave., Oak Creek, WI							
Date:	October 21, 2019							

Task #	Task Description	Services	Activity Code	Activity Reference Code Description	Unit	Units	Max Unit Cost	Total Cost	Notes
6	Letter Report/Addendum		LRA05	Letter Report/Addendum	Letter	1	\$ 1,070.47	\$ 1,070.47	
7	Regulatory Correspondence		RC05	Regulatory Correspondence	Letter/Status Update		\$ 132.81	\$ -	
27	Claim Submittal		CS05	Claim Submittal	Claim		\$ 603.48	\$ -	
28	Standardized Invoice		SI05	Standardized Invoice	Invoice		\$ 18.17	\$ -	
33	Air Sample	Laboratory	A4	VOC	Sample		\$ 74.09	\$ -	Costs not applicable - included in Task 37
34	Consultant Incremental Mob/Demob	Consultant	IMD05	Incremental Mob/Demob	Site	1	\$ 295.80	\$ 295.80	Added, for 2nd vapor sample event to be conducted with other mob activities
36	Change Order Request		COR05	Change Order Request	Change Order	1	\$ 393.23	\$ 393.23	
37	Vapor Point Installation & Sampling		VS05	Installation & Sampling (up to 5 points)	Point	10	\$ 510.26	\$ 5,102.60	5 probes - 2 rounds of vapor monitoring - includes lab costs
37	Vapor Point Installation & Sampling		VS10	Mob/Demob (up to 5 points)	Site	1	\$ 813.95	\$ 813.95	Install 5 PECFA-eligible probes as part of overall vapor investigation

