

## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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November 6, 2006

Mr. Wayne Butz  
B&B, Inc.  
140 Maine Street  
Mauston, WI 53948

Subject: Approval of Consultant Selection, Scope of Work, and Bid Costs For Remedial Action (soils removal and groundwater monitoring) at Reedsburg Cleaners, 349 E. Main Street, Reedsburg, Wisconsin; Sauk County; WDNR BRRTS #02-57-001682

Dear Mr. Butz:

On November 1, 2006, the Wisconsin Department of Natural Resources (Department) received your request to hire STS Consultants, Ltd. as your environmental consultant for the remedial action activities at the Reedsburg Cleaners site. After careful review of the submitted proposals and supplemental information, the Department is approving your request to hire STS Consultants, Ltd. for the remedial action activities at the Reedsburg Cleaners site. The Scope of Work for the remedial action is also approved.

Three separate requests for remedial action proposals from you have resulted in groups of remedial action proposals being submitted over the past several years. In June/July 2004, four proposals were submitted but no action was taken on them. In June/July 2005, three proposals were submitted but, instead of going ahead with a remedial action, you and the Department agreed that an interim action was necessary to first gather current groundwater and soil contamination data. After the interim action was completed, two proposals were submitted in September 2006.

The Wisconsin Department of Natural Resources (Department) received your request for a variance from section NR 169.11(1)(c)11., Wis. Adm. Code, on September 28, 2006. This section requires that a minimum of three remedial action proposals be submitted to the Department. You originally solicited more than three proposals and for the latest of round of proposal solicitations, three consulting firms were considering submitting proposals but one decided not to bid, irrespective of several contacts with the Department. To allow the start the remedial action before winter, the Department is hereby approving your variance request that allows the consideration of two rather than the minimum of three proposals. Please note that this variance in itself does not assure that all costs submitted for reimbursement by DERF will be approved. All incurred costs are subject to the eligibility requirements listed under ch. NR 169, Wis. Adm. Code, and will be reviewed for compliance. All other requirements for investigation and remediation of the release as well as DERF requirements also apply. This variance approval will be filed and reviewed with any future DERF reimbursement requests.

One of the two proposals included a scope of work for soil contamination remediation only. The Department concluded that this proposal did not qualify as viable because of the absence of a proposal to remediate groundwater contamination. The other proposal, from STS Consultants, Ltd., included

proposals to remediate both soil contamination through excavation and groundwater contamination through injection of emulsified vegetable oil. This proposal is acceptable to the Department. Both proposals also include a groundwater monitoring task.

A scope of work for soil remediation was received by the Department from STS Consultants on November 1, 2006. The cost that is approved by the Department for the scope of work, which includes soil excavation, replacement of soil and pavement, two rounds of groundwater monitoring, and consultant services, is \$66,972. As noted above, the STS Consultants' proposal also includes a proposal for groundwater remediation with cost for the entire proposal being \$189,592. This total proposed cost has been modified by changes in the soil remediation cost approved in this letter and may be modified further before Department approval of the costs of the groundwater contamination remediation. In addition, you have indicated that you may possibly re-bid the groundwater contamination remedial action after the soil contamination remedial action scope of work is completed.

Please be aware that you are required to comply with all applicable statutes and administrative rules including the NR 700 series, Wisconsin Administrative Code, and those applicable to hazardous waste management and wastewater discharges. Because the excavated contaminated soil may be stored temporarily off-site, note that you must comply with the requirements of ch. NR 718, Wis. Adm. Code, "Management of Solid Wastes Excavated During Response Actions".

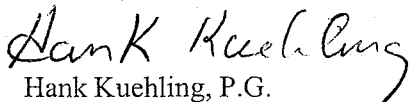
Please be aware that this letter does not represent Department "certification" that any response actions taken at your property, such as site investigation, remedial action or case closure under the ch. NR 700 series, are "approved by the Department," as those terms are used in the "remediated property; purchaser liability" section of the hazardous substance discharge law, s. 292.11, Stats.

This approval does not guarantee the reimbursement of costs under the Dry Cleaner Environmental Response Program. Final determination regarding the eligibility of costs for reimbursement will be made at the time of claim review.

Note that I can find no correspondence in our files in which the Department determined that the site investigation of soil and groundwater is complete such that remedial action can commence. This letter serves as documentation that the Department considers the site investigation to be complete. Note, however, that additional groundwater monitoring will be necessary at your site to monitor the effects of the remedial actions and to determine if the site qualifies for closure. The installation of additional down-gradient monitoring wells will probably be necessary to define the extent of contamination after the effects of the remedial actions have occurred.

If you have any questions or concerns regarding the content of this letter, please contact me at the address listed above or contact me as indicated below.

Sincerely,



Hank Kuehling, P.G.

Remediation & Redevelopment Program Hydrogeologist

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