



June 22, 2022

VIA EMAIL

Jeff.Ackerman@wisconsin.gov

Mr. Jeff Ackerman

Hydrogeologist

Wisconsin Department of Natural Resources

3911 Fish Hatchery Road

Fitchburg, WI 53711

Subject: Request for Variance From Consultant Bidding Process
Robinson Dry Cleaners
BRRTS# 02-54-221852

Dear Mr. Ackerman:

Our firm represents Esker Management LLC, which is the agent of the above sites' responsible party, Ray Gehrig and Ray Chris. We are writing to request a variance to the NR 169.11(1)(c)10 bid requirements as allowed by NR 169.29 to allow EnviroForensics, LLC to perform post-remedial case closure activities at the site to preserve our client's right to seek reimbursement for these costs under DERF. We hope that you will be convinced that EnviroForensics' lengthy history at the site and unique knowledge of subsurface conditions puts it in the best position to complete the final post closure activities needed to complete case closure.

Historical Site Investigations and Funding Sources

PERC was detected at the site during the investigation of petroleum contamination at a neighboring service station. The Site entered DERF and between 2000 and 2010, the previous consultants performed work at the site under the DERF program. Site investigation activities were performed by EnviroForensics starting in 2011 and remedial activities have been undertaken as is well documented in the site's BRRTs database listing.

These activities were completed utilizing proceeds from historical insurance policies and were not reimbursed by DERF.

Phone 920.435.9378 Direct 920.431.2236 Fax 920.431.2276
318 S. Washington Street Suite 300, Green Bay, WI 54301
twarpinski@dkattorneys.com

Mr. Jeff Ackerman
June 22, 2022
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Funding Clarification

It has been determined that the last round of post-remedial monitoring will exceed the available funding, including monies recovered from all known historical insurance policies. As such, EnviroForensics, as agent of the responsible party, will seek reimbursement directly from the DERF program to fund this final scope of work. Reimbursement is not being sought for any past Site investigative or remediation activities.

Variance From Consultant Bidding Process

Given the length of time EnviroForensics has been working at the site, and the high complexity of the subsurface geology and the remediation that has been performed to date, a variance to the NR 169.11(1)(c)10 bid requirements is allowed by NR 169.29 for the for the final post-remedial activities at the site. Given that the only tasks remaining at the site are post-remedial monitoring and interpretation of the data within the conceptual site model designed by EnviroForensics, it would be a substantial inefficiency to have to ask another consultant to get up to speed and perform the work. EnviroForensics' knowledge of Site conditions and remedial actions taken puts it in a position to provide the most complete and cost-effective proposal, and to proceed to closure in the most expeditious manner.

The work scope for the remaining activities is attached. If this is acceptable to the WDNR, please notify us at your earliest convenience.

We appreciate the continued opportunity to work with the WDNR to remediate contaminated properties throughout Wisconsin. If you have any questions or require additional information, please do not hesitate to contact me by email or by phone.

Very truly yours,

Davis & Kuelthau, s.c.



Andy Skwierawski

MAS:sjf
Attachments

MEMORANDUM

TO: Jeff Ackerman, Wisconsin Department of Natural Resources

FROM: Brian Kappen and Rob Hoverman, EnviroForensics

COPY: Ted Warpinski
Davis | Kuelthau, s.c.

Steve Henshaw
Ash Union

DATE: March 31, 2022

SUBJECT: 02-54-221852 – Robinson Dry Cleaners DERF Change Order

EnviroForensics, LLC (EnviroForensics) is presenting this change order in accordance with Dry Cleaner Environmental Response Fund (DERF) guidelines to complete the case closure and associated activities for Robinson Dry Cleaners formerly located at 1838 W. Court Street in Janesville, Wisconsin (the Site). Site investigation and remedial actions were previously completed by EnviroForensics using insurance funding.

The work proposed by EnviroForensics is detailed in the following sections. The work phase numbers and descriptions correspond to those listed on the attached DERF Linking Spreadsheet.

Phase C200 Off-Site Notifications and Case Closure Request

- Send the WDNR-approved notifications to the 98 affected property owners via certified mail.
- Complete the closure request form and associated attachments. Minor effort for administrative revisions to the closure package following WDNR committee review is assumed. Note: the review fee is excluded from the cost estimate.

Phase C400 Well Abandonment and Site Restoration

- Abandon all monitoring wells and remedial injection points in accordance with the requirements of NR 141. There are 111 wells to be abandoned:
 - 16 wells can be abandoned with bentonite chips; total footage is 603.
 - 95 well require abandonment by tremie grouting; total footage is 8,126.

- Complete all abandonment documentation and submit to WDNR to finalize the case closure.

The estimated cost to complete the activities presented herein is **\$78,077**. Only those costs incurred by EnviroForensics will be billed. A cost breakdown is provided in the attached cost detail sheets. The costs are also summarized in the DERF Linking Spreadsheet as required. The two contactor bids we received for the well abandonment activities are also attached for reference.

Site Name: Robinson Dry Cleaners

BRRTS #: 02-54-221852

Type of Action: Remedial Action

**Dry Cleaner Environmental Response Program
Reimbursement Cost Detail Linking Spreadsheet Form 4400-214D (R 08/12)**

TASKS Bid / Budgeted Description	BUDGET		Previous Claims (If applicable)	INVOICES		DERF COST BREAKOUT (this claim)								Budget Remaining Use (-) to indicate cost over-run	% Task Complete, Remarks
	Bid / Budgeted Amount	Total Approved Budget		Provider Name, Invoice #, Billing Date	Total Invoiced Costs	A Soil Investigation	B Soil Remediation	C Groundwater Investigation	D Groundwater Remediation	E Air/Vapor Investigation	F Air/Vapor Remediation	G Lab & Other Analysis	H Miscellaneous Costs		
Consultant Costs															
C200 Off-Site Notifications and Case Closure Request	\$ 13,125.00	\$ 13,125.00			\$ -									\$ 13,125.00	Task % Complete
C400 Well Abandonment and Site Restoration	\$ 16,470.00	\$ 16,470.00			\$ -									\$ 16,470.00	
		\$ -			\$ -									\$ -	
		\$ -			\$ -									\$ -	
		\$ -			\$ -									\$ -	
<i>Consultant Cost Total</i>	\$ 29,595.00	\$ 29,595.00	\$ -		\$ -									\$ 29,595.00	
Sub-Contractor Costs															
Well Abandonment	\$ 48,482.00	\$ 48,482.00			\$ -									\$ 48,482.00	
		\$ -			\$ -									\$ -	
		\$ -			\$ -									\$ -	
		\$ -			\$ -									\$ -	
		\$ -			\$ -									\$ -	
<i>Sub-Contractor Cost Total</i>	\$ 48,482.00	\$ 48,482.00	\$ -		\$ -									\$ 48,482.00	
DERF ELIGIBLE SUB-TOTALS	\$ 78,077.00	\$ 78,077.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 78,077.00	

Non-DERF Eligible Expenses					\$ -
					\$ -
<i>Non-DERF Cost Total</i>			\$ -	\$ -	\$ -
INVOICE GRAND TOTAL			\$ -	\$ -	\$ -

Total DERF Eligible Costs This Claim \$ -

Check Numbers



TABLE 1
DERF Case Closure Cost Summary
Former Robinson's Cleaners
Janesville, Wisconsin

TASK	LABOR COSTS	SUB- CONTRACTOR COSTS	DIRECT COSTS	PHASE COST
Phase C200				
Off-Site Notifications and Case Closure Request	\$12,340	\$0	\$785	\$13,125
Phase C400				
Well Abandonment and Site Restoration	\$14,650	\$48,482	\$1,820	\$64,952

Direct Costs - Chargeable Equipment Expense		Rate (hr/unit)	# Hrs/Units	Rate (day/use)	# days/use	Subtotal
Vehicles	Field Vehicle - Full Day	\$ 20.00		\$ 130.00		
	Mileage at Federal IRS Reimbursement Rate (used only for daily use over 230 miles)	\$ 0.56				
Meters	Air Velocity Meter (per use)			\$ 25.00		
	Multi-meter Conductivity/pH/Temp/TDS			\$ 165.00		
	Dissolved Oxygen Meter			\$ 40.00		
	FID Foxboro/Sensidyne (TIP)			\$ 155.00		
	Flow Calibrator			\$ 30.00		
	PID or 580 OVM			\$ 120.00		
	Turbidity Meter			\$ 30.00		
	ppb RAE			\$ 175.00		
Pumps	ORP Meter			\$ 30.00		
	Air Pump - Low Flow (Barcad)			\$ 25.00		
	Development Pump			\$ 130.00		
	Electric Submersible Pump with Control Box (Units)			\$ 130.00		
	Low-Flow Sampling Bladder	\$ 12.00				
	Peristaltic Pump			\$ 105.00		
	Pumping Test Accessory Equipment (Flow Meters/Manifolds/Tubing)	\$ 100.00				
	Portable SVE Unit - 1.5 HP			\$ 155.00		
Other	Intrinsically Safe Vapor Evacuation Blower			\$ 125.00		
	Pneumatic Low-Flow Sampling Kit w/ Flow Cell and Multimeter			\$ 270.00		
	Asbestos Sampling Kit			\$ 250.00		
	Asbestos Investigation Supplies			\$ 130.00		
	Asbestos Sampling Core	\$ 2.50				
	Bailers (Disposable)	\$ 10.00				
	Bailers (Non-Disposable)			\$ 15.00		
	Core Boxes	\$ 10.00				
	Core Sampler			\$ 55.00		
	Data Logger for EC Monitoring x 5 probes			\$ 25.00		
	Well Caps	\$ 30.00				
	Elec. Well Sounder (Probe)			\$ 30.00		
	Metal Detector			\$ 50.00		
	5035 Sample Kit	\$ 16.00				
	Field Book	\$ 11.00				
	Filter - Large	\$ 18.00				
	Filter - Small	\$ 9.00				
	Generator			\$ 105.00		
	Hand Auger			\$ 30.00		
	Helium QA/QC Kit			\$ 265.00		
	Helium QA/QC Accessories	\$ 20.00				
	Oil/Water Interface Probe			\$ 105.00		
	Padlocks	\$ 15.00				
	Steam Cleaner			\$ 130.00		
	Transducer (ea)			\$ 40.00		
	Coring Machine			\$ 200.00		
	Rotary Hammer Drill			\$ 170.00		
	Hand Drill			\$ 75.00		
	Tubing (Bonded) - Polyethylene (Teflon): 1/4" OD X 3/8" OD (per foot)	\$ 1.50				
	Tubing (Bonded) - Polyethylene (Teflon): 1/4" OD X 1/4" OD (per foot)	\$ 1.20				
	Tubing (Bonded) - Polyethylene (Teflon): 1/16" OD X 1/4" (per foot)	\$ 1.25				
	Tubing (Bonded) - Polyethylene: 1/4" OD X 3/8" OD (per foot)	\$ 1.10				
	Tubing - Polyethylene: 1/4" OD (per foot)	\$ 0.60				
	Tubing - Polyethylene: 1/2" OD (per foot)	\$ 0.85				
	Tubing - Tygon: 3/8" STD (per foot)	\$ 4.45				
	Tubing - Silicone: 3/8" STD (per foot)	\$ 4.50				
	PFA Tubing - 1/2-inch ID	\$ 5.00				
	55-Gallon Drum	\$ 55.00				
	Temporary Sampling Port	\$ 25.00				
	Vapor Pin Sub-Slab Sampling Port	\$ 75.00				
Sub-Slab Cover (Stainless Steel)	\$ 40.00					
Well Cover 8X12"	\$ 105.00					
Measuring Wheel			\$ 15.00			
Camera			\$ 25.00			
1L Tedlar Bag	\$ 20.00					
Radon Sample Kit	\$ 30.00					
HAZMAT Exemption Shipper	\$ 40.00					
Manometers	\$ 105.00					
Westlaw	\$ 105.00					
CAD/drafting/graphics	\$ 90.00					
Safety	Cones, Barricades & Traffic Signs			\$ 10.00		
	Gloves (Chemical Resistant)	\$ 10.00				
	Level "B"; Level "C1" plus SCBA			\$ 210.00		
	Level "C1"; Level "C2" plus Polycoat Suit			\$ 85.00		
	Level "C2"; Level "D" plus Respirator			\$ 40.00		
	Standby SCBA			\$ 130.00		
Production	Routine Field and Safety Equipment			\$ 130.00		
	1 Inch Binder	\$ 9.00				
	2 Inch Binder	\$ 12.00				
	3 Inch Binder	\$ 15.00				
	4 Inch Binder	\$ 22.00				
	Binder Tabs (Set of 8)	\$ 5.00				
	Color Copies	\$ 0.40				
	B/W Copies	\$ 0.25				
	Document - Format/Sending	\$ 15.00				
Report CD Copy	\$ 5.00					
\$0.00						\$0.00
PHASE TOTAL						\$13,125.00

Direct Costs - Chargeable Equipment Expense		Rate (hr/unit)	# Hrs/Units	Rate (day/use)	# days/use	Subtotal
Vehicles	Field Vehicle - Full Day	\$ 20.00		\$ 130.00	14	\$ 1,820.00
	Mileage at Federal IRS Reimbursement Rate (used only for daily use over 230 miles)	\$ 0.56				
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	B/W Copies	\$ 0.25				
	Document - Format/Sending	\$ 15.00				
Report CD Copy	\$ 5.00					
						\$1,820.00
PHASE TOTAL						\$64,952.00



HORIZON CONSTRUCTION AND
EXPLORATION, LLC
764 Tower Drive
Fredonia, WI 53021
262-692-3347

Estimate

Date	Estimate #
3/15/2021	4016-e1

Name / Address
Environmental Forensic Investigations Attn: Accounts Payable 602 N Capitol Ave, Ste 210 Indianapolis, IN 46204

Project
4016

Description	Qty	Cost	Total
<p>To: Wayne P. Fassbender, Senior Project Manager EnviroForensics® N16W23390 Stone Ridge Dr, Suite G, Waukesha, WI 53188 Direct 414-982-3988 Mobile 262-490-6472 enviroforensics.com</p> <p>Re: Monitoring Well Abandonment Workscope:</p> <ul style="list-style-type: none"> •All wells are 2-inch diameter PVC •There are 16 wells that are less than 50' deep and can be abandoned using chips (water column 20' or less). The total footage is 603' •There are 95 wells that will need to be grouted using a tremie-tube. The total footage is 8,126' •All wells will need to have at least the upper 30-inches of PVC cut off and removed, or the first section unscrewed and removed, if that is a feasible option. •All wells are flush mounted. Figure 50 are in paving and 65 in grassy areas. Plan on pulling the flush mounts in the grassy areas and backfill the flush-mount with soil. In the paved areas, just remove the cover and cement inside the flush-mount ring flush to the paving. <p>Location: Former Robinson's Cleaners 1838 W. Court Street Janesville, Wisconsin</p> <p>Mobilization and Daily Charges: Mobilization Grout Rig and Support truck @ \$1,200.00 lump sum Rig and crew for each additional day @ \$650.00/day Mobilization of backhoe @ \$500.00 lump sum Decon @ \$75.00/day</p>			
	1	1,200.00	1,200.00
	8	650.00	5,200.00
	1	500.00	500.00
	2	150.00	300.00
Thank you for your business.	Total		



HORIZON CONSTRUCTION AND
EXPLORATION, LLC
764 Tower Drive
Fredonia, WI 53021
262-692-3347

Estimate

Date	Estimate #
3/15/2021	4016-e1

Name / Address
Environmental Forensic Investigations Attn: Accounts Payable 602 N Capitol Ave, Ste 210 Indianapolis, IN 46204

Project
4016

Description	Qty	Cost	Total
Well Abandonment/Repair: Stickup/flushmount Removal @ \$45.00/each	111	45.00	4,995.00
Well Abandonment via gravity Bentonite Chips @ \$5.80 / ft	603	4.80	2,894.40
Well Abandonment via tremie grout @ \$6.80 / ft	8,126	6.95	56,475.70
Patch Surface with like material (topsoil/asphalt/concrete) @ \$45.00/each	111	45.00	4,995.00
<p>Note: 1)Please return the attached Standard Terms & Conditions Agreement to schedule your project. 2)Consultant / Owner responsible for marking ALL private utilities, as applicable. 3)If you need a specific rig for your project, please request so prior to mobilization. 4)Actual quantities used will be invoiced. 5)This proposal does not include any cost for drum disposal 6)Well abandonment does not include over drill.</p>			
Thank you for your business.		Total	\$76,560.10

On-site Environmental Services, Inc.

P.O. Box 280 Sun Prairie, WI 53590 (608) 837-8992

onsiteenv@gmail.com • www.onsiteenv.com

COMPANY: Enviroforensics

ATTN: Wayne Fassbender

CELL: (262) 490-6472

PHONE: (414) 982-3988

OES BID #:	14378
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EMAIL: wfassbender@enviroforensics.com

Site: Janesville, WI

Scope: 2" Well Abandonment --

16 Wells are <50 feet deep - Bentonite Chips

95 Wells are > 50 feet - Grout

Cut off PVC at 30-inches BGS

All have FM Covers

50 in Concrete or Asphalt/ 61 in Grass

**Pull FM Covers in the grassy areas and backfill the FM with soil; In paved areas, remove the cover and cement inside of FM ring flush to the paving*

Abandonment Bid Form

<i>Item</i>	<i>Unit</i>	<i>Est. Number of Units</i>	<i>Cost Per Unit</i>	<i>Est. Total Cost</i>
Mobilization	Lump Sum	1	\$ 1,000.00	\$ 1,000.00
Removal of Well Covers	Each	111	\$ 25.00	\$ 2,775.00
2" Monitoring Well Abandonment	Feet	603	\$ 4.00	\$ 2,412.00
2" Monitoring Well Abandonment - Grout	Feet	8126	\$ 5.00	\$ 40,630.00
Surface Patch/ Restoration	Each	111	\$ 15.00	\$ 1,665.00
55-Gallon Drums	Each	0	\$ 75.00	\$ -
			TOTAL	\$ 48,482.00

Authorized Signature: Kim R. Kapugi

Printed Name and Title: Kim Kapugi, President

Bid Date: March 12, 2021