State of Wisconsin
Department of Natural Resources
PO Box 7921, Madison WI 53707-7921
dnr.wi.gov

Technical Assistance, Environmental Liability Clarification or Post-Closure Modification Request

Form 4400-237 (R 12/18)

Notice: Use this form to request **a written response (on agency letterhead)** from the Department of Natural Resources (DNR) regarding technical assistance, a post-closure change to a site, a specialized agreement or liability clarification for Property with known or suspected environmental contamination. A fee will be required as is authorized by s. 292.55, Wis. Stats., and NR 749, Wis. Adm. Code., unless noted in the instructions below. Personal information collected will be used for administrative purposes and may be provided to requesters to the extent required by Wisconsin's Open Records law [ss. 19.31 - 19.39, Wis. Stats.].

Definitions

"Property" refers to the subject Property that is perceived to have been or has been impacted by the discharge of hazardous substances.

"Liability Clarification" refers to a written determination by the Department provided in response to a request made on this form. The response clarifies whether a person is or may become liable for the environmental contamination of a Property, as provided in s. 292.55, Wis. Stats.

"Technical Assistance" refers to the Department's assistance or comments on the planning and implementation of an environmental investigation or environmental cleanup on a Property in response to a request made on this form as provided in s. 292.55, Wis. Stats.

"Post-closure modification" refers to changes to Property boundaries and/or continuing obligations for Properties or sites that received closure letters for which continuing obligations have been applied or where contamination remains. Many, but not all, of these sites are included on the GIS Registry layer of RR Sites Map to provide public notice of residual contamination and continuing obligations.

Select the Correct Form

This from should be used to request the following from the DNR:

- Technical Assistance
- Liability Clarification
- Post-Closure Modifications
- Specialized Agreements (tax cancellation, negotiated agreements, etc.)

Do not use this form if one of the following applies:

- Request for an **off-site liability exemption or clarification** for Property that has been or is perceived to be contaminated by one or more hazardous substances that originated on another Property containing the source of the contamination. Use DNR's Off-Site Liability Exemption and Liability Clarification Application Form 4400-201.
- Submittal of an Environmental Assessment for the **Lender Liability Exemption**, s 292.21, Wis. Stats., **if no response or review by DNR is requested**. Use the Lender Liability Exemption Environmental Assessment Tracking Form 4400-196.
- Request for an **exemption to develop on a historic fill site** or licensed landfill. Use DNR's Form 4400-226 or 4400-226A.
- **Request for closure** for Property where the investigation and cleanup actions are completed. Use DNR's Case Closure - GIS Registry Form 4400-202.

All forms, publications and additional information are available on the internet at: dnr.wi.gov/topic/Brownfields/Pubs.html.

Instructions

1. Complete sections 1, 2, 6 and 7 for all requests. Be sure to provide adequate and complete information.
2. Select the type of assistance requested: Section 3 for technical assistance or post-closure modifications, Section 4 for a written determination or clarification of environmental liabilities; or Section 5 for a specialized agreement.
3. Include the fee payment that is listed in Section 3, 4, or 5, unless you are a "Voluntary Party" enrolled in the Voluntary Party Liability Exemption Program **and** the questions in Section 2 direct otherwise. Information on to whom and where to send the fee is found in Section 8 of this form.
4. Send the completed request, supporting materials and the fee to the appropriate DNR regional office where the Property is located. See the map on the last page of this form. A paper copy of the signed form and all reports and supporting materials shall be sent with an electronic copy of the form and supporting materials on a compact disk. For electronic document submittal requirements see: http://dnr.wi.gov/files/PDF/pubs/rr/RR690.pdf"

The time required for DNR's determination varies depending on the complexity of the site, and the clarity and completeness of the request and supporting documentation.

Section 1. Contact and Recipient Information

Requester Information

This is the person requesting technical assistance or a post-closure modification review, that his or her liability be clarified or a specialized agreement and is identified as the requester in Section 7. DNR will address its response letter to this person.

Last Name	First	MI	Organization/ Business Name		
Butz	John		Bay Towel, Inc.		
Mailing Address			City	State	ZIP Code
2580 South Broadway			Green Bay	WI	54307
Phone # (include area code)	Fax # (include area code)		Email		
(920) 497-2000	(920) 497-4866		Jbutz@baytowel.com		

The requester listed above: (select all that apply)

- ☒ Is currently the owner
- ☐ Is considering selling the Property
- ☐ Is renting or leasing the Property
- ☐ Is considering acquiring the Property
- ☐ Is a lender with a mortgagee interest in the Property
- ☐ Other. Explain the status of the Property with respect to the applicant:

Contact Information (to be contacted with questions about this request) ☒ Select if same as requester

Contact Last Name	First	MI	Organization/ Business Name		
Butz	John		Bay Towel, Inc.		
Mailing Address			City	State	ZIP Code
2580 South Broadway			Green Bay	WI	54307
Phone # (include area code)	Fax # (include area code)		Email		
(920) 497-2000	(920) 497-4866		Jbutz@baytowel.com		

Environmental Consultant (if applicable)

Contact Last Name	First	MI	Organization/ Business Name		
Dahlem	Matt		Fehr Graham Engineering & Environmental		
Mailing Address			City	State	ZIP Code
909 North 8th Street, Suite 101			Sheboygan	WI	53081
Phone # (include area code)	Fax # (include area code)		Email		
(920) 453-0700	(920) 453-0750		mdahlem@fehr-graham.com		

Attorney (if applicable)

Contact Last Name	First	MI	Organization/ Business Name		
Gallo	Don		Axley Brynelson, LLP		
Mailing Address			City	State	ZIP Code
N20W22961 Watertown Rd.			Waukesha	WI	53186
Phone # (include area code)	Fax # (include area code)		Email		
(262) 409-2283	(262) 524-9200		dgallo@axley.com		

Property Owner (if different from requester)

Contact Last Name	First	MI	Organization/ Business Name		
Butz	John		COSMO LLC		
Mailing Address			City	State	ZIP Code
PO BOX 12115			Green Bay	WI	54307
Phone # (include area code)	Fax # (include area code)		Email		
(920) 497-2000	(920) 497-4866		Jbutz@baytowel.com		

Section 2. Property Information

Property Name			FID No. (if known)	
BAY TOWEL - SOLVENT INVESTIGATION			405044090	
BRRTS No. (if known)		Parcel Identification Number		
02-05-237064		15-23		
Street Address		City	State	ZIP Code
501 South Adams Street		Green Bay	WI	54301
County	Municipality where the Property is located	Property is composed of:		Property Size Acres
Brown	◉ City ○ Town ○ Village of Green Bay	◉ Single tax parcel ○ Multiple tax parcels		1

1. Is a response needed by a specific date? (e.g., Property closing date) Note: Most requests are completed within 60 days. Please plan accordingly.

○ No ◉ Yes

Date requested by: 04/24/2020

Reason: Scheduled site remediation activities on 4/27/2020

2. Is the "Requester" enrolled as a Voluntary Party in the Voluntary Party Liability Exemption (VPLE) program?

◉ No. **Include the fee that is required for your request in Section 3, 4 or 5.**

○ Yes. **Do not include a separate fee.** This request will be billed separately through the VPLE Program.

Fill out the information in Section 3, 4 or 5 which corresponds with the type of request:
Section 3. Technical Assistance or Post-Closure Modifications;
Section 4. Liability Clarification; or Section 5. Specialized Agreement.

Section 3. Request for Technical Assistance or Post-Closure Modification

Select the type of technical assistance requested: **[Numbers in brackets are for WI DNR Use]**

- ☐ No Further Action Letter (NFA) (Immediate Actions) - NR 708.09, [183] - **Include a fee of $350.** Use for a written response to an immediate action after a discharge of a hazardous substance occurs. Generally, these are for a one-time spill event.
- ☐ Review of Site Investigation Work Plan - NR 716.09, [135] - **Include a fee of $700.**
- ☐ Review of Site Investigation Report - NR 716.15, [137] - **Include a fee of $1050.**
- ☐ Approval of a Site-Specific Soil Cleanup Standard - NR 720.10 or 12, [67] - **Include a fee of $1050.**
- ☐ Review of a Remedial Action Options Report - NR 722.13, [143] - **Include a fee of $1050.**
- ☐ Review of a Remedial Action Design Report - NR 724.09, [148] - **Include a fee of $1050.**
- ☐ Review of a Remedial Action Documentation Report - NR 724.15, [152] - **Include a fee of $350**
- ☐ Review of a Long-term Monitoring Plan - NR 724.17, [25] - **Include a fee of $425.**
- ☐ Review of an Operation and Maintenance Plan - NR 724.13, [192] - **Include a fee of $425.**

Other Technical Assistance - s. 292.55, Wis. Stats. [97] (For request to build on an abandoned landfill use Form 4400-226)

- ☐ Schedule a Technical Assistance Meeting - **Include a fee of $700.**
- ☒ Hazardous Waste Determination - **Include a fee of $700.**
- ☐ Other Technical Assistance - **Include a fee of $700.** Explain your request in an attachment.

Post-Closure Modifications - NR 727, [181]

- ☐ Post-Closure Modifications: Modification to Property boundaries and/or continuing obligations of a closed site or Property; sites may be on the GIS Registry. This also includes removal of a site or Property from the GIS Registry. **Include a fee of $1050, and:**
  - ☐ Include a fee of $300 for sites with residual soil contamination; and
  - ☐ Include a fee of $350 for sites with residual groundwater contamination, monitoring wells or for vapor intrusion continuing obligations.

Attach a description of the changes you are proposing, and documentation as to why the changes are needed (if the change to a Property, site or continuing obligation will result in revised maps, maintenance plans or photographs, those documents may be submitted later in the approval process, on a case-by-case basis).

Skip Sections 4 and 5 if the technical assistance you are requesting is listed above and complete Sections 6 and 7 of this form.

Section 5. Request for a Specialized Agreement

Select the type of agreement needed. Include the appropriate draft agreements and supporting materials. Complete Sections 6 and 7 of this form. More information and model draft agreements are available at: dnr.wi.gov/topic/Brownfields/lgu.html#tabx4.

☐ Tax cancellation agreement - s. 75.105(2)(d), Wis. Stats. [654]

- ❖ **Include a fee of $700, and the information listed below:**

(1) Phase I and II Environmental Site Assessment Reports,
(2) a copy of the Property deed with the correct legal description.

☐ Agreement for assignment of tax foreclosure judgement - s.75.106, Wis. Stats. [666]

- ❖ **Include a fee of $700, and the information listed below:**

(1) Phase I and II Environmental Site Assessment Reports,
(2) a copy of the Property deed with the correct legal description.

☐ Negotiated agreement - Enforceable contract for non-emergency remediation - s. 292.11(7)(d) and (e), Wis. Stats. [630]

- ❖ **Include a fee of $1400, and the information listed below:**

(1) a draft schedule for remediation; and,
(2) the name, mailing address, phone and email for each party to the agreement.

Section 6. Other Information Submitted

Identify all materials that are included with this request.

Send both a paper copy of the signed form and all reports and supporting materials, and an electronic copy of the form and all reports, including Environmental Site Assessment Reports, and supporting materials on a compact disk.

Include one copy of any document from any state agency files that you want the Department to review as part of this request. The person submitting this request is responsible for contacting other state agencies to obtain appropriate reports or information.

☐ Phase I Environmental Site Assessment Report - Date: _____
☐ Phase II Environmental Site Assessment Report - Date: _____
☐ Legal Description of Property (required for all liability requests and specialized agreements)
☒ Map of the Property (required for all liability requests and specialized agreements)

Analytical results of the following sampled media: Select all that apply and include date of collection.

☐ Groundwater ☐ Soil ☐ Sediment ☐ Other medium - Describe: _____

Date of Collection: _____

☐ A copy of the closure letter and submittal materials
☐ Draft tax cancellation agreement
☐ Draft agreement for assignment of tax foreclosure judgment
☒ Other report(s) or information - Describe: Soil non-haz and haz explanation & Direct Haul Contained Out Data Table

For Property with newly identified discharges of hazardous substances only: Has a notification of a discharge of a hazardous substance been sent to the DNR as required by s. NR 706.05(1)(b), Wis. Adm. Code?

◉ Yes - Date (if known): 12/16/1999
○ No

Note: The Notification for Hazardous Substance Discharge (non-emergency) form is available at: dnr.wi.gov/files/PDF/forms/4400/4400-225.pdf.

Section 7. Certification by the Person who completed this form

☐ I am the person submitting this request (requester)
☒ I prepared this request for: Bay Towel, Inc.
Requester Name

I certify that I am familiar with the information submitted on this request, and that the information on and included with this request is true, accurate and complete to the best of my knowledge. I also certify I have the legal authority and the applicant's permission to make this request.

Matt [signature]
Signature

4/15/2020
Date Signed

Branch Manager
Title

(920) 453-0700
Telephone Number (include area code)

Section 8. DNR Contacts and Addresses for Request Submittals

Send or deliver one paper copy and one electronic copy on a compact disk of the completed request, supporting materials, and fee to the region where the property is located to the address below. Contact a DNR regional brownfields specialist with any questions about this form or a specific situation involving a contaminated property. For electronic document submittal requirements see: http://dnr.wi.gov/files/PDF/pubs/rr/RR690.pdf.

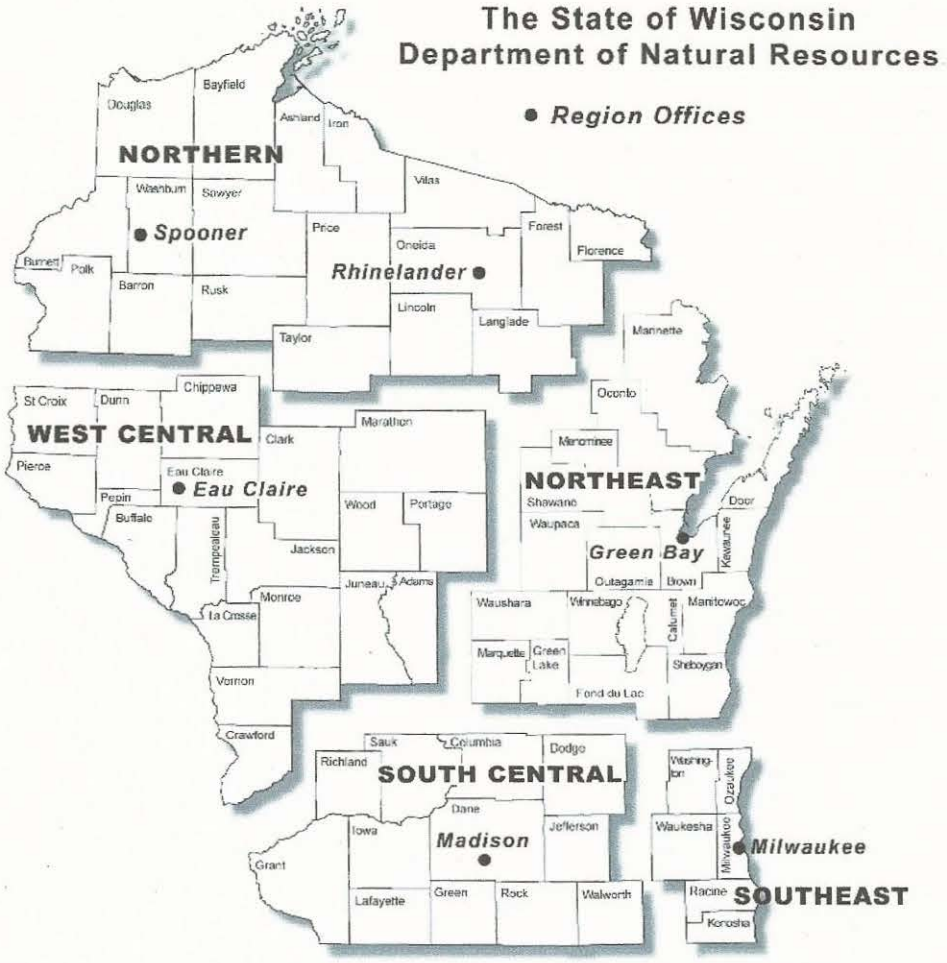
DNR NORTHERN REGION
Attn: RR Program Assistant
Department of Natural Resources
223 E Steinfest Rd Antigo, WI 54409

DNR NORTHEAST REGION
Attn: RR Program Assistant
Department of Natural Resources
2984 Shawano Avenue
Green Bay WI 54313

DNR SOUTH CENTRAL REGION
Attn: RR Program Assistant
Department of Natural Resources
3911 Fish Hatchery Road
Fitchburg WI 53711

DNR SOUTHEAST REGION
Attn: RR Program Assistant
Department of Natural Resources
2300 North Martin Luther King Drive
Milwaukee WI 53212

DNR WEST CENTRAL REGION
Attn: RR Program Assistant
Department of Natural Resources
1300 Clairemont Ave.
Eau Claire WI 54702



Note: These are the Remediation and Redevelopment Program's designated regions. Other DNR program regional boundaries may be different.

DNR Use Only			
Date Received	Date Assigned	BRRTS Activity Code	BRRTS No. (if used)
DNR Reviewer	Comments		
Fee Enclosed? ◯ Yes ◯ No	Fee Amount $	Date Additional Information Requested	Date Requested for DNR Response Letter
Date Approved	Final Determination		

Fehr Graham believes the contained out ruling for the non-hazardous (non-haz) material should be approved based on the following:

1) In June 2019 and August 2019, a total of 57 samples were analyzed for VOC, and a total of 55 samples were run analyzed for TCLP VOC by the laboratory.

2) The results from the borings have been used to direct the depth and extent of this remedial excavation and which soil needs treatment before licensed landfill disposal

3) Within Fehr Graham's Remedial Action Plan (RAP) dated November 8, 2019, we already determined what soil is hazardous (haz) and what soil is non-haz

    a. Based on the 2019 data, the only sample to not pass TCLP analysis was EX-31B-R at 19-feet (which will be treated) which had 33,000 ug/kg (see attached table)

    b. By this rationale, we can consider that everything above 33,000 PCE ug/kg wont pass TCLP (without treatment) and everything below 33,000 PCE ug/kg will pass TCLP

4) Based on our analysis and data, that's how we came up with the rationale in the RAP where

    a. Clean overburden would be staged,

    b. the 7-14-foot interval and the 25-30-foot interval (main excavation) and 0-10-foot interval (SE corner excavation) had data that was non-haz (all below 33,000 ug/kg PCE) and can be direct hauled to the landfill as all soil within these intervals in both excavations are below contained out values

    c. the 14-25-foot interval within the main excavation had data that is considered hazardous (above 33,000 ug/kg PCE) and will require treatment

5) Waste Management has stated they will accept soil within the 7-14-foot interval and the 25-30-foot interval (main excavation) and 0-10-foot interval (SE corner excavation) with the data already submitted, they just need contained out approval by DNR

Based on the above and the accompanying data, we ask the you reconsider approving our contained out request for the non-haz soil to satisfy landfill requirements so we can proceed with the work as outlined in Fehr Grahams RAP dated November 8, 2019. The project costs for cleanup are going to be well over $1.3 to $1.5M. This ruling will only increase the cleanup costs with little to no direct benefit. Let's be practical about this additional sampling and analytical costs plus the delay costs for the contractor.

WM Applicable Samples – Direct Haul

An estimated 2,300 tons of contaminated soil from two different areas will be excavated and direct hauled to Waste Management's Ridgeview Security LandfillI in Whitelaw, Wisconsin. These areas are represented by the following soil analytical results:

F: 7-8' (Pace Lab Project # 40134583)

L: 7-8' (Pace Lab Project # 40134583)

B-120: 5', 8' (Pace Lab Project # 40177343)

B-123: 5', 10' (Pace Lab Project # 40193897)

B-124: 5', 10' (Pace Lab Project # 40193897)

B-125: 5', 10' (Pace Lab Project # 40193897)

B-126: 2', 5', 10' (Pace Lab Project # 40194008)

A2 BASE: 5' (NO LAB AVAILABLE) = PCE 1580 ug/kg; TCE 65 ug/kg in 2003

A2 BASE R: 10' (Pace Lab Project # 40193897)

A2 S. SDWL: 2' (NO LAB AVAILABLE) = PCE 655 ug/kg; TCE 67 ug/kg in 2003

A2 S. SDWL R: 5', 10' (Pace Lab Project # 40193897)

EX-50W: 2', 5' (Pace Lab Project # 40180439)

EX-51: 2', 5' (Pace Lab Project # 40180439)

EX-51BR: 10' (Pace Lab Project # 40190352)

EX-52: 2', 5' (Pace Lab Project # 40180439)

EX-52BR: 10' (Pace Lab Project # 40190352)

EX-53: 2', 5' (Pace Lab Project # 40180439)

CR1: 30' (Pace Lab Project # 40194008)

B-122: 25', 30' (Pace Lab Project # 40194008)

EX-33BR1: 30' (Pace Lab Project # 40193897)

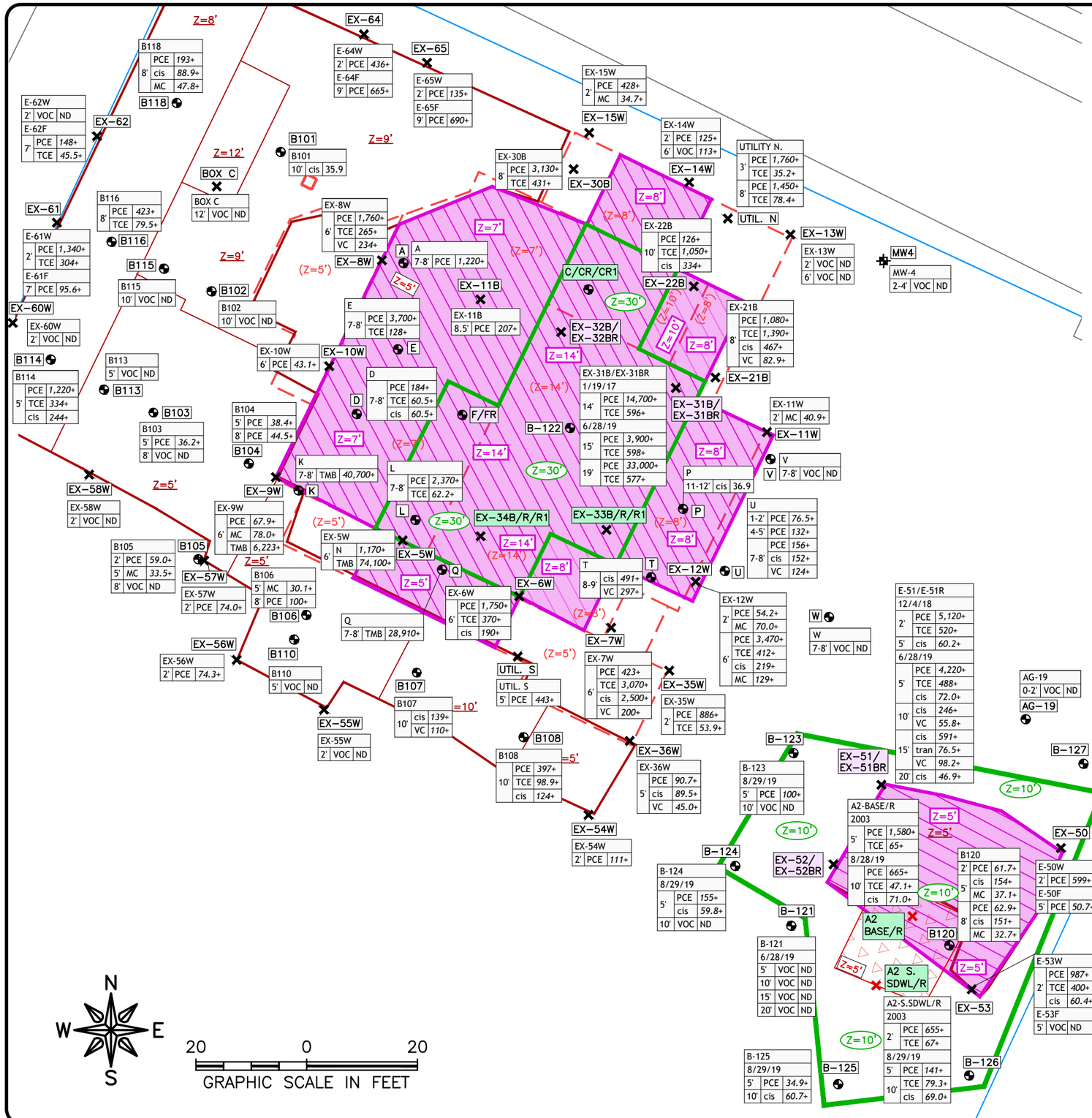
EX-34BR1: 25', 30' (Pace Lab Project # 40193897)

Direct Haul Soil Samples
Bay Towel - Solvent Investigation
501 Adams St., Green Bay, WI 54301
BRRTS# 02-05-237064

Name	Waste Code	Sample ID	TCLP Value (mg/L)	Initial TCLP Sample Results (mg/L)	Industrial RCLs for Contained Out Value (mg/kg)	Non-wastewater LDR Value (mg/kg)	LDR 10* Value (mg/kg)	Initial Sample Results (mg/kg)	90% of Initial Sample Results
Trichloroethylene (TCE)	F001/D039	B-120 5'	0.7	--	8.81	6	60	**0.025**	**0.250**
Tetrachloroethylene (PCE)	F001/D040		0.5	--	153	6	60	**0.025**	**0.250**
Vinyl Chloride	D043		0.2	--	2	6	60	**0.025**	**0.250**
Trichloroethylene (TCE)	F001/D039	B-120 8'	0.7	--	8.81	6	60	**0.025**	**0.250**
Tetrachloroethylene (PCE)	F001/D040		0.5	--	153	6	60	**0.629**	**6.290**
Vinyl Chloride	D043		0.2	--	2	6	60	**0.025**	**0.250**
Trichloroethylene (TCE)	F001/D039	B-123 5'	0.7	**0.0026**	8.81	6	60	**0.025**	**0.250**
Tetrachloroethylene (PCE)	F001/D040		0.5	**0.0033**	153	6	60	**0.100**	**1.000**
Vinyl Chloride	D043		0.2	**0.0017**	2	6	60	**0.025**	**0.250**
Trichloroethylene (TCE)	F001/D039	B-123 10'	0.7	**0.0026**	8.81	6	60	**0.025**	**0.250**
Tetrachloroethylene (PCE)	F001/D040		0.5	**0.0033**	153	6	60	**0.025**	**0.250**
Vinyl Chloride	D043		0.2	**0.0017**	2	6	60	**0.025**	**0.250**
Trichloroethylene (TCE)	F001/D039	B-124 5'	0.7	**0.0026**	8.81	6	60	**0.025**	**0.250**
Tetrachloroethylene (PCE)	F001/D040		0.5	**0.0033**	153	6	60	**0.155**	**1.550**
Vinyl Chloride	D043		0.2	**0.0017**	2	6	60	**0.0598**	**0.598**
Trichloroethylene (TCE)	F001/D039	B-124 10'	0.7	**0.0026**	8.81	6	60	**0.025**	**0.250**
Tetrachloroethylene (PCE)	F001/D040		0.5	**0.0033**	153	6	60	**0.025**	**0.250**
Vinyl Chloride	D043		0.2	**0.0017**	2	6	60	**0.025**	**0.250**
Trichloroethylene (TCE)	F001/D039	B-125 5'	0.7	**0.0026**	8.81	6	60	**0.025**	**0.250**
Tetrachloroethylene (PCE)	F001/D040		0.5	**0.0033**	153	6	60	**0.0349**	**0.349**
Vinyl Chloride	D043		0.2	**0.0017**	2	6	60	**0.025**	**0.250**
Trichloroethylene (TCE)	F001/D039	B-125 10'	0.7	**0.0026**	8.81	6	60	**0.025**	**0.250**
Tetrachloroethylene (PCE)	F001/D040		0.5	**0.0033**	153	6	60	**0.025**	**0.250**
Vinyl Chloride	D043		0.2	**0.0017**	2	6	60	**0.025**	**0.250**
Trichloroethylene (TCE)	F001/D039	B-126 2'	0.7	**0.0026**	8.81	6	60	**0.0677**	**0.677**
Tetrachloroethylene (PCE)	F001/D040		0.5	**0.0050**	153	6	60	**0.408**	**4.080**
Vinyl Chloride	D043		0.2	**0.0017**	2	6	60	**0.025**	**0.250**
Trichloroethylene (TCE)	F001/D039	B-126 5'	0.7	**0.0026**	8.81	6	60	**0.025**	**0.250**
Tetrachloroethylene (PCE)	F001/D040		0.5	**0.0033**	153	6	60	**0.025**	**0.250**
Vinyl Chloride	D043		0.2	**0.0017**	2	6	60	**0.025**	**0.250**
Trichloroethylene (TCE)	F001/D039	B-126 10'	0.7	**0.0026**	8.81	6	60	**0.0668**	**0.668**
Tetrachloroethylene (PCE)	F001/D040		0.5	**0.0033**	153	6	60	**0.0593**	**0.593**
Vinyl Chloride	D043		0.2	**0.0017**	2	6	60	**0.025**	**0.250**
Trichloroethylene (TCE)	F001/D039	A2 BASE 5'	0.7	--	8.81	6	60	**0.065**	**0.650**
Tetrachloroethylene (PCE)	F001/D040		0.5	--	153	6	60	**1.580**	**15.800**
Vinyl Chloride	D043		0.2	--	2	6	60	**0.043**	**0.430**
Trichloroethylene (TCE)	F001/D039	A2 BASE R 10'	0.7	**0.0026**	8.81	6	60	**0.665**	**6.650**
Tetrachloroethylene (PCE)	F001/D040		0.5	**0.0033**	153	6	60	**0.0471**	**0.471**
Vinyl Chloride	D043		0.2	**0.0017**	2	6	60	**0.025**	**0.250**
Trichloroethylene (TCE)	F001/D039	A2 S. SDWL 2'	0.7	--	8.81	6	60	**0.067**	**0.670**
Tetrachloroethylene (PCE)	F001/D040		0.5	--	153	6	60	**0.655**	**6.550**
Vinyl Chloride	D043		0.2	--	2	6	60	**0.042**	**0.420**
Trichloroethylene (TCE)	F001/D039	A2 S. SDWL R 5'	0.7	**0.0026**	8.81	6	60	**0.025**	**0.250**
Tetrachloroethylene (PCE)	F001/D040		0.5	**0.0055**	153	6	60	**0.141**	**1.410**
Vinyl Chloride	D043		0.2	**0.0017**	2	6	60	**0.025**	**0.250**
Trichloroethylene (TCE)	F001/D039	A2 S. SDWL R 10'	0.7	**0.0026**	8.81	6	60	**0.0793**	**0.793**
Tetrachloroethylene (PCE)	F001/D040		0.5	**0.0033**	153	6	60	**0.025**	**0.250**
Vinyl Chloride	D043		0.2	**0.0017**	2	6	60	**0.025**	**0.250**
Trichloroethylene (TCE)	F001/D039	EX-50W 2'	0.7	--	8.81	6	60	**0.025**	**0.250**
Tetrachloroethylene (PCE)	F001/D040		0.5	--	153	6	60	**0.599**	**5.990**
Vinyl Chloride	D043		0.2	--	2	6	60	**0.025**	**0.250**

Direct Haul Soil Samples
Bay Towel - Solvent Investigation
501 Adams St., Green Bay, WI 54301
BRRTS# 02-05-237064

Name	Waste Code	Sample ID	TCLP Value (mg/L)	Initial TCLP Sample Results (mg/L)	Industrial RCLs for Contained Out Value (mg/kg)	Non-wastewater LDR Value (mg/kg)	LDR 10* Value (mg/kg)	Initial Sample Results (mg/kg)	90% of Initial Sample Results
Trichloroethylene (TCE)	F001/D039	EX-50W 5'	0.7	--	8.81	6	60	**0.025**	**0.250**
Tetrachloroethylene (PCE)	F001/D040		0.5	--	153	6	60	**0.0507**	**0.507**
Vinyl Chloride	D043		0.2	--	2	6	60	**0.025**	**0.250**
Trichloroethylene (TCE)	F001/D039	EX-51 2'	0.7	--	8.81	6	60	**0.520**	**5.200**
Tetrachloroethylene (PCE)	F001/D040		0.5	--	153	6	60	**5.120**	**51.200**
Vinyl Chloride	D043		0.2	--	2	6	60	**0.025**	**0.250**
Trichloroethylene (TCE)	F001/D039	EX-51 5'	0.7	**0.0033**	8.81	6	60	**0.488**	**4.880**
Tetrachloroethylene (PCE)	F001/D040		0.5	**0.0077**	153	6	60	**4.220**	**42.200**
Vinyl Chloride	D043		0.2	**0.0018**	2	6	60	**0.025**	**0.250**
Trichloroethylene (TCE)	F001/D039	EX-51 BR 10'	0.7	**0.0033**	8.81	6	60	**0.025**	**0.250**
Tetrachloroethylene (PCE)	F001/D040		0.5	**0.0050**	153	6	60	**0.025**	**0.250**
Vinyl Chloride	D043		0.2	**0.0018**	2	6	60	**0.0558**	**0.558**
Trichloroethylene (TCE)	F001/D039	EX-52 2'	0.7	--	8.81	6	60	**2.740**	**27.400**
Tetrachloroethylene (PCE)	F001/D040		0.5	--	153	6	60	**28.90**	**289.000**
Vinyl Chloride	D043		0.2	--	2	6	60	**0.125**	**1.250**
Trichloroethylene (TCE)	F001/D039	EX-52 5'	0.7	**0.0033**	8.81	6	60	**0.0341**	**0.341**
Tetrachloroethylene (PCE)	F001/D040		0.5	**0.0050**	153	6	60	**0.336**	**3.360**
Vinyl Chloride	D043		0.2	**0.0018**	2	6	60	**0.025**	**0.250**
Trichloroethylene (TCE)	F001/D039	EX-52 BR 10'	0.7	**0.0033**	8.81	6	60	**0.025**	**0.250**
Tetrachloroethylene (PCE)	F001/D040		0.5	**0.0050**	153	6	60	**0.025**	**0.250**
Vinyl Chloride	D043		0.2	**0.0018**	2	6	60	**0.025**	**0.250**
Trichloroethylene (TCE)	F001/D039	EX-53W 2'	0.7	--	8.81	6	60	**0.400**	**4.000**
Tetrachloroethylene (PCE)	F001/D040		0.5	--	153	6	60	**0.987**	**9.870**
Vinyl Chloride	D043		0.2	--	2	6	60	**0.025**	**0.250**
Trichloroethylene (TCE)	F001/D039	EX-53F 5'	0.7	--	8.81	6	60	**0.025**	**0.250**
Tetrachloroethylene (PCE)	F001/D040		0.5	--	153	6	60	**0.025**	**0.250**
Vinyl Chloride	D043		0.2	--	2	6	60	**0.025**	**0.250**
Trichloroethylene (TCE)	F001/D039	F 7-8'	0.7	--	8.81	6	60	**1.270**	**12.700**
Tetrachloroethylene (PCE)	F001/D040		0.5	--	153	6	60	**5.860**	**58.600**
Vinyl Chloride	D043		0.2	--	2	6	60	**0.025**	**0.250**
Trichloroethylene (TCE)	F001/D039	L 7-8'	0.7	--	8.81	6	60	**0.062**	**0.622**
Tetrachloroethylene (PCE)	F001/D040		0.5	--	153	6	60	**2.370**	**23.700**
Vinyl Chloride	D043		0.2	--	2	6	60	**0.025**	**0.250**
Trichloroethylene (TCE)	F001/D039	CR 25'	0.7	**0.0610**	8.81	6	60	**3.120**	**31.200**
Tetrachloroethylene (PCE)	F001/D040		0.5	**1.0000**	153	6	60	**74.900**	**749.000**
Vinyl Chloride	D043		0.2	**0.0035**	2	6	60	**0.625**	**6.250**
Trichloroethylene (TCE)	F001/D039	CR1 30'	0.7	**0.0260**	8.81	6	60	**0.025**	**0.250**
Tetrachloroethylene (PCE)	F001/D040		0.5	**0.0033**	153	6	60	**0.025**	**0.250**
Vinyl Chloride	D043		0.2	**0.0017**	2	6	60	**0.025**	**0.250**
Trichloroethylene (TCE)	F001/D039	B-122 25'	0.7	**0.0026**	8.81	6	60	**0.025**	**0.250**
Tetrachloroethylene (PCE)	F001/D040		0.5	**0.0033**	153	6	60	**0.025**	**0.250**
Vinyl Chloride	D043		0.2	**0.0017**	2	6	60	**0.025**	**0.250**
Trichloroethylene (TCE)	F001/D039	B-122 30'	0.7	**0.0026**	8.81	6	60	**0.025**	**0.250**
Tetrachloroethylene (PCE)	F001/D040		0.5	**0.0033**	153	6	60	**0.724**	**7.240**
Vinyl Chloride	D043		0.2	**0.0017**	2	6	60	**0.025**	**0.250**
Trichloroethylene (TCE)	F001/D039	EX-33BR1 25'	0.7	**0.0026**	8.81	6	60	**0.025**	**0.250**
Tetrachloroethylene (PCE)	F001/D040		0.5	**0.0033**	153	6	60	**0.025**	**0.250**
Vinyl Chloride	D043		0.2	**0.0017**	2	6	60	**0.025**	**0.250**
Trichloroethylene (TCE)	F001/D039	EX-33BR1 30'	0.7	**0.0026**	8.81	6	60	**0.025**	**0.250**
Tetrachloroethylene (PCE)	F001/D040		0.5	**0.0033**	153	6	60	**0.025**	**0.250**
Vinyl Chloride	D043		0.2	**0.0017**	2	6	60	**0.025**	**0.250**
Trichloroethylene (TCE)	F001/D039	EX-34BR1 25'	0.7	**0.0026**	8.81	6	60	**0.0582**	**0.582**
Tetrachloroethylene (PCE)	F001/D040		0.5	**0.0033**	153	6	60	**0.831**	**8.310**
Vinyl Chloride	D043		0.2	**0.0017**	2	6	60	**0.025**	**0.250**
Trichloroethylene (TCE)	F001/D039	EX-34BR1 30'	0.7	**0.0026**	8.81	6	60	**0.025**	**0.250**
Tetrachloroethylene (PCE)	F001/D040		0.5	**0.0033**	153	6	60	**0.025**	**0.250**
Vinyl Chloride	D043		0.2	**0.0017**	2	6	60	**0.025**	**0.250**



LEGEND

- SOIL BORINGS (SOIL REMAINING ONSITE)
- EXCAVATION SAMPLE (SOIL REMAINING ONSITE)
- ACTIVE MONITORING WELL
- ACTIVE PIEZOMETER
- EX-31B/ EX-31BR — SAMPLE LOCATION RE-DRILLED & SAMPLED
- EX-34B/R/R1 — SAMPLE LOCATION RE-DRILLED & SAMPLED AT DEEPER DEPTHS
- 2003 ARCADIS EXCAVATION
- (Z=5') — 2016 FEHR GRAHAM EXCAVATION & DEPTH
- Z=5' — 2018 FEHR GRAHAM EXCAVATION & DEPTH
- Z=20' — CLEAN SOIL TO BE STAGED & DEPTH
- Z=30' — PROPOSED EXCAVATION & DEPTH AFTER CLEAN SOIL REMOVED & STAGED

0-2'	SAMPLE DEPTH
PCE	TETRACHLOROETHENE (ug/kg)
TCE	TRICHLOROETHENE (ug/kg)
cis	cis-1,2-DICHLOROETHENE (ug/kg)
tran	trans-1,2-DICHLOROETHENE (ug/kg)
VC	VINYL CHLORIDE (ug/kg)
MC	METHYLENE CHLORIDE (ug/kg)
TMB	TRIMETHYLBENZENE, TOTAL (ug/kg)
VOC	VOLATILE ORGANIC COMPOUNDS
ND	NO DETECT
DBS	DETECTIONS BELOW STANDARDS
ITALICS+	EXCEEDS GROUNDWATER PATHWAY RCL
BOLD++	EXCEEDS NON-INDUSTRIAL DIRECT CONTACT (0-4') RCL
ITALICS/ BOLD++	EXCEEDS BOTH GROUNDWATER & DIRECT CONTACT RCL

SOIL CHEMISTRY OF RE-SAMPLED AREAS

C/CR/CR1	
6/28/16	
7-8'	PCE 18,000+
	TCE 2,640+
	cis 873+
6/28/19	
15'	VOC ND
20'	PCE 233,000+
	TCE 3,950+
25'	PCE 74,900+
	TCE 3,120+
8/28/19	
30'	VOC ND
35'	VOC ND
40'	PCE 3,790+
F/FR	
6/28/16	
7-8'	PCE 5,860+
	TCE 1,270+
	cis 18,600+
6/28/19	
15'	cis 83,900+
	tran 1,540+
	VC 14,100+
20'	PCE 178+
	cis 49.3+
	VC 61.8+

EX-32B/EX-32BR	
1/19/17	
14'	PCE 20,700+
	TCE 1,900+
	cis 133+
6/28/19	
20'	PCE 19,000+
	TCE 870+
EX-33B/BR/BR1	
1/23/17	
14'	PCE 137,000+
	TCE 2,510+
6/28/19	
20'	PCE 56,200+
	TCE 10,800+
	cis 960+
24'	PCE 115,000+
	TCE 4,610+
8/28/19	
15'	VOC ND
30'	VOC ND
35'	VOC ND
40'	VOC ND

EX-34B/BR/BR1	
1/23/17	
14'	PCE 177,000+
	TCE 5,910+
	cis 758+
6/28/19	
20'	PCE 85,200+
	TCE 1,540+
8/28/19	
25'	PCE 831+
	TCE 58.2+
30'	VOC ND
35'	VOC ND
40'	VOC ND
E-52/E-52R	
12/4/18	
2'	PCE 28,900+
	TCE 2,740+
	cis 973+
5'	PCE 846+
	TCE 65.8+
	cis 59.4+
6/28/19	
5'	PCE 336+
	TCE 34.1+
10'	cis 496+
15'	VOC ND
20'	VOC ND

B-122	
8/29/19	
15'	PCE 225,000+
	TCE 9,920+
	cis 3,500+
20'	PCE 164+
25'	VOC ND
30'	PCE 72.4+
35'	PCE 37.1+
40'	PCE 57.8+
45'	VOC ND
50'	VOC ND
B-126	
8/29/19	
2'	PCE 408+
	TCE 67.7+
5'	VOC ND
10'	PCE 59.3+
	TCE 66.8+
	cis 51.2+
B-127	
8/29/19	
2'	VOC ND
5'	VOC ND
10'	VOC ND

FEHR GRAHAM
ENGINEERING & ENVIRONMENTAL
ILLINOIS IOWA WISCONSIN

BAY TOWEL-SOLVENT INVESTIGATION
501 S. ADAMS ST.
GREEN BAY, WI 54301
DRWN: MKH DATE: 10/21/15 APPD: KE

TITLE:

REMAINING SITE SOIL CHEMISTRY

BRRTS: 02-05-237064
JOB NO.: 16-1304
PLOT DATE: 9/27/19

FIGURE: 1

G:\C3D\16\16-1304 Bay Towel\Exhibits\16-1304_BaseMap-Bay Towel.dwg, SOIL CHEM 8.29.19

From: Ellenbecker, Michael J - DNR
Sent: Monday, April 13, 2020 9:37 AM
To: Schultz, Josie M - DNR; Carey, Angela J - DNR
Subject: RE: EXCEL FILES - Bay Towel Contained Out Approval BRRTS # 02-05-237064
Attachments: Copy of 20-261 Contained Out Data Tables.xlsx

Modified version of consultant's spreadsheet for today's discussion call.

Mike Ellenbecker
Phone: (262) 884-2342
Michael.ellenbecker@wisconsin.gov

From: Schultz, Josie M - DNR <josie.schultz@wisconsin.gov>
Sent: Thursday, April 9, 2020 4:06 PM
To: Ellenbecker, Michael J - DNR <Michael.Ellenbecker@wisconsin.gov>; Carey, Angela J - DNR <Angela.Carey@wisconsin.gov>
Subject: EXCEL FILES - Bay Towel Contained Out Approval BRRTS # 02-05-237064

Hi Mike and Angie – Got the Excel files faster than I thought.

Josie M. Schultz
Hydrogeologist – Northeast Region Remediation and Redevelopment Team
Wisconsin Department of Natural Resources
2984 Shawano Avenue, Green Bay, WI 54313-6727
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Josie.Schultz@Wisconsin.gov

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From: Dillon Plamann <DPlamann@fehr-graham.com>
Sent: Thursday, April 9, 2020 4:04 PM
To: Schultz, Josie M - DNR <josie.schultz@wisconsin.gov>; Matt Dahlem <mdahlem@fehr-graham.com>
Cc: Donald P. Gallo <DGallo@axley.com>; 'John Butz' <Jbutz@baytowel.com>
Subject: RE: WMSolutions.com Profile 132298WI - Bay Towel Contained Out Approval BRRTS # 02-05-237064

Hi Josie,

Attached is the excel file for the tables.

Thank you!

DILLON PLAMANN | Project Hydrogeologist
Fehr Graham | Engineering & Environmental

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Sheboygan, WI 53081
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C: 920.946.2407
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From: Schultz, Josie M - DNR <josie.schultz@wisconsin.gov>
Sent: Thursday, April 09, 2020 3:53 PM
To: Matt Dahlem <mdahlem@fehr-graham.com>
Cc: Donald P. Gallo <DGallo@axley.com>; 'John Butz' <Jbutz@baytowel.com>; Dillon Plamann <DPlamann@fehr-graham.com>
Subject: RE: WMSolutions.com Profile 132298WI - Bay Towel Contained Out Approval BRRTS # 02-05-237064

Hi Matt,

Thanks for sending these to me. Would you be able to send me the excel files; Haz Waste can more quickly review in Excel since they can conditionally format them.

If you throw out some days and times that will work for early next week, I should be able to set up a conference call for all of us.

Thank you,
Josie

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From: Matt Dahlem <mdahlem@fehr-graham.com>
Sent: Thursday, April 9, 2020 3:48 PM
To: Schultz, Josie M - DNR <josie.schultz@wisconsin.gov>

Cc: Donald P. Gallo <DGallo@axley.com>; 'John Butz' <Jbutz@baytowel.com>; Dillon Plamann <DPlamann@fehr-graham.com>
Subject: FW: WMSolutions.com Profile 132298WI - Bay Towel Contained Out Approval BRRTS # 02-05-237064

Josie,

Attached are the tables you requested along with an accompanying map of the excavation area from the RAP. Please let me know when we could chat about this if need be. If you set up a conference call, I would like Don and Dillon on the call as well along with John if he so chooses. We need to provide for you and Mike some basic facts and information in our discussion.

Again, time is of the essence here. And we could set up for doing this work end of April – beginning of May right now, which would be advantageous for all parties involved. Additionally, just as an FYI, per our rationale below, everything with PCE above 33,000 ug/kg is in the treatment area.

Matt

MATT DAHLEM, PG | Branch Manager
Fehr Graham | Engineering & Environmental

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Sheboygan, Wisconsin 53081
P: 920.453.0700
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From: Schultz, Josie M - DNR <josie.schultz@wisconsin.gov>
Sent: Wednesday, April 8, 2020 11:10 AM
To: Matt Dahlem <mdahlem@fehr-graham.com>
Cc: Donald P. Gallo <DGallo@axley.com>; 'John Butz' <Jbutz@baytowel.com>
Subject: RE: WMSolutions.com Profile 132298WI - Bay Towel Contained Out Approval BRRTS # 02-05-237064

Hi Matt,

Would you be available for a phone conference with Mike Ellenbecker and I either today or tomorrow?

Mike would like 2 Excel spreadsheets of data to better review prior to our discussion, if possible;

1. One table with only the data for samples from areas wishing to obtain contained-out ruling for direct-haul without treatment
2. Another table with only the data for samples from areas that will be treated.

I found an email with an example data table that was sent to Ken Ebbott in 2016 (attached), which I think is what he's looking for.

Today's availability:
11:00 am – 2:00 pm
3:00 pm – 4:00 pm

Tomorrow's availability:

2:00 pm – 4:00 pm

Please let me know if any of these dates or times work for you.

Thanks,
Josie

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From: Matt Dahlem <mdahlem@fehr-graham.com>
Sent: Tuesday, April 7, 2020 2:11 PM
To: Schultz, Josie M - DNR <josie.schultz@wisconsin.gov>
Cc: Donald P. Gallo <DGallo@axley.com>; 'John Butz' <Jbutz@baytowel.com>
Subject: RE: WMSolutions.com Profile 132298WI - Bay Towel Contained Out Approval BRRTS # 02-05-237064

Thank you much Josie,

Matt

MATT DAHLEM, PG | Branch Manager
Fehr Graham | Engineering & Environmental

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Sheboygan, Wisconsin 53081
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fehr-graham.com

From: Schultz, Josie M - DNR <josie.schultz@wisconsin.gov>
Sent: Tuesday, April 7, 2020 2:10 PM
To: Matt Dahlem <mdahlem@fehr-graham.com>
Cc: Donald P. Gallo <DGallo@axley.com>; 'John Butz' <Jbutz@baytowel.com>
Subject: RE: WMSolutions.com Profile 132298WI - Bay Towel Contained Out Approval BRRTS # 02-05-237064

Hi Matt,

I've forwarded your email to Mike Ellenbecker with Hazardous Waste. Once I receive a reply and/or discuss with him, I will get in touch with you.

Thanks,
Josie

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From: Matt Dahlem <mdahlem@fehr-graham.com>
Sent: Tuesday, April 7, 2020 1:42 PM
To: Schultz, Josie M - DNR <josie.schultz@wisconsin.gov>
Cc: Donald P. Gallo <DGallo@axley.com>; 'John Butz' <Jbutz@baytowel.com>
Subject: RE: WMSolutions.com Profile 132298WI - Bay Towel Contained Out Approval BRRTS # 02-05-237064

Josie,

Thank you very much for that detail outlining your thoughts on Bay Towel. However, I would like you to reconsider the contained out ruling for the non-hazardous (non-haz) material:

1) In June 2019 and August 2019, a total of 57 samples were analyzed for VOC, and a total of 55 samples were run analyzed for TCLP VOC by the laboratory.
2) The results from the borings have been used to direct the depth and extent of this remedial excavation and which soil needs treatment before licensed landfill disposal
3) Within Fehr Graham's Remedial Action Plan (RAP) dated November 8, 2019, we already determined what soil is hazardous (haz) and what soil is non-haz
    a. Based on the 2019 data, the only sample to not pass TCLP analysis was EX-31B-R at 19-feet (which will be treated) which had 33,000 ug/kg (see attached table)
    b. By this rationale, we can consider that everything above 33,000 PCE ug/kg wont pass TCLP (without treatment) and everything below 33,000 PCE ug/kg will pass TCLP
4) Based on our analysis and data, that's how we came up with the rationale in the RAP where
    a. Clean overburden would be staged,
    b. the 7-14-foot interval and the 35-30-foot interval (main excavation) and 0-10-foot interval (SE corner excavation) had data that was non-haz (all below 33,000 ug/kg PCE)

and can be direct hauled to the landfill as all soil within these intervals in both excavations are below contained out values

c. the 14-25-foot interval within the main excavation had data that is considered hazardous (above 33,000 ug/kg PCE) and will require treatment

5) Waste Management has stated they will accept soil within the 7-14-foot interval and the 35-30-foot interval (main excavation) and 0-10-foot interval (SE corner excavation) with the data already submitted, they just need contained out approval by DNR

Based on the above and the accompanying data, we ask the you reconsider approving our contained out request for the non-haz soil to satisfy landfill requirements so we can proceed with the work as outlined in Fehr Grahams RAP dated November 8, 2019. The project costs for cleanup are going to be well over $1.3 to $1.5M. This ruling will only increase the cleanup costs with little to no direct benefit. Let's be practical about this additional sampling and analytical costs plus the delay costs for the contractor.

Thank you much for your time,

Matt

MATT DAHLEM, PG | Branch Manager
Fehr Graham | Engineering & Environmental

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Sheboygan, Wisconsin 53081
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From: Schultz, Josie M - DNR <josie.schultz@wisconsin.gov>
Sent: Thursday, April 2, 2020 4:10 PM
To: Matt Dahlem <mdahlem@fehr-graham.com>
Subject: RE: WMSolutions.com Profile 132298WI - Bay Towel Contained Out Approval BRRTS # 02-05-237064

Hi Matt,

I was able to speak with the Hazardous Waste Program, and the haz waste determination needs to occur during the point of generation (POG), i.e. placement into a roll-off box. This meaning that intervals that are planned to be direct-hauled will still require the same amount of sampling as the treated soil. This includes:

1. Pass TCLP criteria for the landfill;
2. Pass 10x LDR requirements (sum of all VOCs falls below 60 mg/kg) or 90% reduction; and
3. Pass Contained-out values

During my talk with haz waste, and previous PM Kristin Dufresne, we also briefly reviewed the RADR, and have the following comments/reminders:

1. 3 samples/box is adequate, as long as all samples are well below the LDR
    a. Samples should be from each end and middle of box, and should include the entire soil column – top, middle, bottom
2. There is a 90-day time limit from placement of soil in roll-off boxes to remove from site.

3. Site security and public safety should be kept in mind as this is going to be a very large and deep excavation
    a. Recommend backfilling excavation ASAP
    b. Kristin Dufresne mentioned to me that she had been contacted by multiple developers in the past about developing commercial or residential structures on this lot. Kristin suggested that you may want to think about running the piping for a vapor mitigation system during backfilling, as one will most likely be needed if this lot is redeveloped.
4. For excavation grab samples:
    a. Recommend having an expedited turnaround time for sample analysis to ensure that additional excavation isn't needed prior to backfilling.
    b. Base samples will need to be collected, even if saturated, unless a very good reason is provided.
    c. Sidewall samples should be obtained from fresh walls, i.e. not areas of wall containing clean fill.
5. Reminder that this is a burial ground, and the historical society needs to be informed if any bones or artifacts are uncovered.
6. Both the $700 injection fee and WPDES permit is required, along with an additional $700 fee for the contained-out determination.

Please let me know if you have any questions or concerns with the comments above or required fees. Feel free to give me a call at 920-366-5685 if you would like to discuss.

Thank you,
Josie

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From: Matt Dahlem <mdahlem@fehr-graham.com>
Sent: Tuesday, March 31, 2020 4:54 PM
To: Schultz, Josie M - DNR <josie.schultz@wisconsin.gov>
Subject: RE: WMSolutions.com Profile 132298WI - Bay Towel Contained Out Approval BRRTS # 02-05-237064

OK – just let me know – if you need me on a conference call that could work and I can better explain our plan if need be but its pretty straightforward. If you need the extra coin I understand and please request that in writing so I can get our insurance to pay for it. Thanks Josie.

Matt

MATT DAHLEM, PG | Branch Manager
Fehr Graham | Engineering & Environmental

909 North 8th Street, Suite 101
Sheboygan, Wisconsin 53081
P: 920.453.0700
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From: Schultz, Josie M - DNR <josie.schultz@wisconsin.gov>
Sent: Tuesday, March 31, 2020 4:34 PM
To: Matt Dahlem <mdahlem@fehr-graham.com>
Subject: RE: WMSolutions.com Profile 132298WI - Bay Towel Contained Out Approval BRRTS # 02-05-237064

Hi Matt,

I'm currently working remotely from home, and have a conference call set up to talk with Haz Waste tomorrow regarding the contained-out request. I've talked with Kevin McKnight, and because it's been 2 years since the last injection permit, another $700 fee will be needed for approval of BAM at the bottom of the excavation. I believe another $700 fee will be needed for the Contained-out determination, but will let you know for sure once I speak with Haz Waste.

I will be in contact with you later this week with an update. If I don't get back to you this week, please not don't be afraid to send me another email or call me on my cellphone at 366-5685.

Thanks,
Josie

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Josie M. Schultz
Hydrogeologist – Northeast Region Remediation and Redevelopment Team
Wisconsin Department of Natural Resources
2984 Shawano Avenue, Green Bay, WI 54313-6727
Phone: 920-662-5424
Cell: 920-366-5685
Josie.Schultz@Wisconsin.gov

dnr.wi.gov

From: Matt Dahlem <mdahlem@fehr-graham.com>
Sent: Tuesday, March 31, 2020 3:28 PM
To: Schultz, Josie M - DNR <josie.schultz@wisconsin.gov>
Subject: RE: WMSolutions.com Profile 132298WI - Bay Towel Contained Out Approval BRRTS # 02-05-237064

Havent heard back from you so wondering if you guys are still working or working from home? Or not working? Please let me know as we are looking to schedule this work – but need your contained out blessing and landfill approval for the overburden and this non-haz soil first.

Matt

MATT DAHLEM, PG | Branch Manager
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From: Matt Dahlem
Sent: Friday, March 27, 2020 1:34 PM
To: Schultz, Josie M - DNR <josie.schultz@wisconsin.gov>
Subject: FW: WMSolutions.com Profile 132298WI - Bay Towel Contained Out Approval BRRTS # 02-05-237064
Importance: High

Josie - you any closer here? Please let me know or if Keld is helping out that's fine and I can talk to him. Still trying to schedule this probably the week of May 4th.

MATT DAHLEM, PG | Branch Manager
Fehr Graham | Engineering & Environmental

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From: Matt Dahlem
Sent: Wednesday, March 11, 2020 10:25 AM
To: Schultz, Josie M - DNR <josie.schultz@wisconsin.gov>
Cc: DeVeau, Kyle <kdeveau@wm.com>; Roddan, Daniel <droddan1@wm.com>
Subject: WMSolutions.com Profile 132298WI - Bay Towel Contained Out Approval BRRTS # 02-05-237064
Importance: High

Josie,

The profile for soil not requiring treatment is attached along with applicable attachments, mainly the analytical.

We are looking at 2,300-tons to be disposed of. Within the RAP are the basic rules for the contained out rule, in which DNR will allow contaminated environmental media to be managed as a solid waste if the contaminant concentrations in the media are below health based numbers. The soil must meet the "contained out values," which include the following for these soils:

- PCE – 153,000 ug/kg
- TCE – 8,800 ug/kg
- VC – 2,000 ug/kg

The final attachment is a sketch of where we will be direct hauling under the contained out rule if approved by you and WM. All compounds in these areas are below the PCE, TCE, and VC and should be allowed to treated as non-haz without further sampling and direct hauled to WM's landfill in Whitelaw.

To note, below the material we will treat from 14-25-feet, we will also direct haul 25-30-feet to the landfill as well with approval. All this soil is accounted for on the attached analytical and all is below contained out values. We will make another profile (or possibly another 2 profiles) for soil we will be treating with fentons reagent and BAM prior to disposing those soils at the landfill and that will be forthcoming during the remediation phase.

Please let me know your ruling and include WM on your response please.

Thanks so much!

Matt

MATT DAHLEM, PG | Branch Manager
Fehr Graham | Engineering & Environmental

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Direct Haul Soil Samples
Bay Towel - Solvent Investigation
501 Adams St., Green Bay, WI 54301
BRRTS# 02-05-237064

Name	Waste Code	Sample ID	TCLP Value (mg/L)	Initial TCLP Sample Results (mg/L)	Initial Sample Results (mg/kg)	Industrial RCLs for Contained Out Value (mg/kg)	LDR 10* Value (mg/kg)	90% Removal mg/kg
Trichloroethylene (TCE)	F001/D039	B-120 2'	0.7		0.025	8.81	60	0.0025
Tetrachloroethylene (PCE)	F001/D040		0.5		0.0617	153	60	0.00617
Vinyl Chloride	D043		0.2		0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	B-120 5'	0.7		0.025	8.81	60	0.0025
Tetrachloroethylene (PCE)	F001/D040		0.5		0.025	153	60	0.0025
Vinyl Chloride	D043		0.2		0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	B-120 8'	0.7		0.025	8.81	60	0.0025
Tetrachloroethylene (PCE)	F001/D040		0.5		0.629	153	60	0.0629
Vinyl Chloride	D043		0.2		0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	B-123 5'	0.7	0.0026	0.025	8.81	60	0.0025
Tetrachloroethylene (PCE)	F001/D040		0.5	0.0033	0.100	153	60	0.01
Vinyl Chloride	D043		0.2	0.0017	0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	B-123 10'	0.7	0.0026	0.025	8.81	60	0.0025
Tetrachloroethylene (PCE)	F001/D040		0.5	0.0033	0.025	153	60	0.0025
Vinyl Chloride	D043		0.2	0.0017	0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	B-124 5'	0.7	0.0026	0.025	8.81	60	0.0025
Tetrachloroethylene (PCE)	F001/D040		0.5	0.0033	0.155	153	60	0.0155
Vinyl Chloride	D043		0.2	0.0017	0.0598	2	60	0.00598
Trichloroethylene (TCE)	F001/D039	B-124 10'	0.7	0.0026	0.025	8.81	60	0.0025
Tetrachloroethylene (PCE)	F001/D040		0.5	0.0033	0.025	153	60	0.0025
Vinyl Chloride	D043		0.2	0.0017	0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	B-125 5'	0.7	0.0026	0.025	8.81	60	0.0025
Tetrachloroethylene (PCE)	F001/D040		0.5	0.0033	0.0349	153	60	0.00349
Vinyl Chloride	D043		0.2	0.0017	0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	B-125 10'	0.7	0.0026	0.025	8.81	60	0.0025
Tetrachloroethylene (PCE)	F001/D040		0.5	0.0033	0.025	153	60	0.0025
Vinyl Chloride	D043		0.2	0.0017	0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	B-126 2'	0.7	0.0026	0.0677	8.81	60	0.00677
Tetrachloroethylene (PCE)	F001/D040		0.5	0.0050	0.408	153	60	0.0408
Vinyl Chloride	D043		0.2	0.0017	0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	B-126 5'	0.7	0.0026	0.025	8.81	60	0.0025
Tetrachloroethylene (PCE)	F001/D040		0.5	0.0033	0.025	153	60	0.0025
Vinyl Chloride	D043		0.2	0.0017	0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	B-126 10'	0.7	0.0026	0.0668	8.81	60	0.00668
Tetrachloroethylene (PCE)	F001/D040		0.5	0.0033	0.0593	153	60	0.00593
Vinyl Chloride	D043		0.2	0.0017	0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	A2 BASE 5'	0.7		0.065	8.81	60	0.0065
Tetrachloroethylene (PCE)	F001/D040		0.5		1.580	153	60	0.158
Vinyl Chloride	D043		0.2		0.043	2	60	0.0043
Trichloroethylene (TCE)	F001/D039	A2 BASE R 10'	0.7	0.0026	0.665	8.81	60	0.0665
Tetrachloroethylene (PCE)	F001/D040		0.5	0.0033	0.0471	153	60	0.00471
Vinyl Chloride	D043		0.2	0.0017	0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	A2 S. SDWL 2'	0.7		0.067	8.81	60	0.0067
Tetrachloroethylene (PCE)	F001/D040		0.5		0.655	153	60	0.0655
Vinyl Chloride	D043		0.2		0.042	2	60	0.0042
Trichloroethylene (TCE)	F001/D039	A2 S. SDWL R 5'	0.7	0.0026	0.025	8.81	60	0.0025
Tetrachloroethylene (PCE)	F001/D040		0.5	0.0055	0.141	153	60	0.0141
Vinyl Chloride	D043		0.2	0.0017	0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	A2 S. SDWL R 10'	0.7	0.0026	0.0793	8.81	60	0.00793
Tetrachloroethylene (PCE)	F001/D040		0.5	0.0033	0.025	153	60	0.0025
Vinyl Chloride	D043		0.2	0.0017	0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	EX-50W 2'	0.7		0.025	8.81	60	0.0025
Tetrachloroethylene (PCE)	F001/D040		0.5		0.599	153	60	0.0599
Vinyl Chloride	D043		0.2		0.025	2	60	0.0025

Trichloroethylene (TCE)	F001/D039	EX-50W 5'	0.7		0.025	8.81	60	0.0025
Tetrachloroethylene (PCE)	F001/D040		0.5		0.0507	153	60	0.00507
Vinyl Chloride	D043		0.2		0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	EX-51 2'	0.7		0.520	8.81	60	0.052
Tetrachloroethylene (PCE)	F001/D040		0.5		5.120	153	60	0.512
Vinyl Chloride	D043		0.2		0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	EX-51R 5'	0.7	0.0033	0.488	8.81	60	0.0488
Tetrachloroethylene (PCE)	F001/D040		0.5	0.0077	4.220	153	60	0.422
Vinyl Chloride	D043		0.2	0.0018	0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	EX-51R 10'	0.7	0.0033	0.025	8.81	60	0.0025
Tetrachloroethylene (PCE)	F001/D040		0.5	0.0050	0.025	153	60	0.0025
Vinyl Chloride	D043		0.2	0.0018	0.0558	2	60	0.00558
Trichloroethylene (TCE)	F001/D039	EX-52 2'	0.7		2.740	8.81	60	0.274
Tetrachloroethylene (PCE)	F001/D040		0.5		28.90	153	60	2.89
Vinyl Chloride	D043		0.2		0.125	2	60	0.0125
Trichloroethylene (TCE)	F001/D039	EX-52R 5'	0.7	0.0033	0.0341	8.81	60	0.00341
Tetrachloroethylene (PCE)	F001/D040		0.5	0.0050	0.336	153	60	0.0336
Vinyl Chloride	D043		0.2	0.0018	0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	EX-52R 10'	0.7	0.0033	0.025	8.81	60	0.0025
Tetrachloroethylene (PCE)	F001/D040		0.5	0.0050	0.025	153	60	0.0025
Vinyl Chloride	D043		0.2	0.0018	0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	EX-53W 2'	0.7		0.400	8.81	60	0.04
Tetrachloroethylene (PCE)	F001/D040		0.5		0.987	153	60	0.0987
Vinyl Chloride	D043		0.2		0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	EX-53F 5'	0.7		0.025	8.81	60	0.0025
Tetrachloroethylene (PCE)	F001/D040		0.5		0.025	153	60	0.0025
Vinyl Chloride	D043		0.2		0.025	2	60	0.0025

Soil Samples to be Treated
Bay Towel - Solvent Investigation
501 Adams St., Green Bay, WI 54301
BRRTS# 02-05-237064

Name	Waste Code	Sample ID	TCLP Value (mg/L)	Initial TCLP Sample Results (mg/L)	Initial Sample Results (mg/kg)	Industrial RCLs for Contained Out Value (mg/kg)	LDR 10* Value (mg/kg)	90% Removal mg/kg
Trichloroethylene (TCE)	F001/D039	FR 15'	0.7	0.0660	0.100	8.81	60	0.01
Tetrachloroethylene (PCE)	F001/D040		0.5	0.2600	0.250	153	60	0.025
Vinyl Chloride	D043		0.2	0.0170	14.100	2	60	1.41
Trichloroethylene (TCE)	F001/D039	FR 20'	0.7	0.0033	0.025	8.81	60	0.0025
Tetrachloroethylene (PCE)	F001/D040		0.5	0.0050	0.178	153	60	0.0178
Vinyl Chloride	D043		0.2	0.0018	0.0618	2	60	0.00618
Trichloroethylene (TCE)	F001/D039	CR 15'	0.7	0.0033	0.025	8.81	60	0.0025
Tetrachloroethylene (PCE)	F001/D040		0.5	0.0050	0.025	153	60	0.0025
Vinyl Chloride	D043		0.2	0.0018	0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	CR 20'	0.7	0.0720	3.950	8.81	60	0.395
Tetrachloroethylene (PCE)	F001/D040		0.5	3.9000	233.000	153	60	23.3
Vinyl Chloride	D043		0.2	0.0035	2.000	2	60	0.2
Trichloroethylene (TCE)	F001/D039	CR 25'	0.7	0.0610	3.120	8.81	60	0.312
Tetrachloroethylene (PCE)	F001/D040		0.5	1.0000	74.900	153	60	7.49
Vinyl Chloride	D043		0.2	0.0035	0.625	2	60	0.0625
Trichloroethylene (TCE)	F001/D039	CR1 30'	0.7	0.0260	0.025	8.81	60	0.0025
Tetrachloroethylene (PCE)	F001/D040		0.5	0.0033	0.025	153	60	0.0025
Vinyl Chloride	D043		0.2	0.0017	0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	B-122 15'	0.7	0.0910	9.920	8.81	60	0.992
Tetrachloroethylene (PCE)	F001/D040		0.5	1.6000	225.000	153	60	22.5
Vinyl Chloride	D043		0.2	0.0017	0.500	2	60	0.05
Trichloroethylene (TCE)	F001/D039	B-122 20'	0.7	0.0026	0.025	8.81	60	0.0025
Tetrachloroethylene (PCE)	F001/D040		0.5	0.0033	0.164	153	60	0.0164
Vinyl Chloride	D043		0.2	0.0017	0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	B-122 25'	0.7	0.0026	0.025	8.81	60	0.0025
Tetrachloroethylene (PCE)	F001/D040		0.5	0.0033	0.025	153	60	0.0025
Vinyl Chloride	D043		0.2	0.0017	0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	B-122 30'	0.7	0.0026	0.025	8.81	60	0.0025
Tetrachloroethylene (PCE)	F001/D040		0.5	0.0033	0.724	153	60	0.0724
Vinyl Chloride	D043		0.2	0.0017	0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	EX-31B 14'	0.7		0.596	8.81	60	0.0596
Tetrachloroethylene (PCE)	F001/D040		0.5		14.700	153	60	1.47
Vinyl Chloride	D043		0.2		0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	EX-31BR 15'	0.7	0.0079	0.598	8.81	60	0.0598
Tetrachloroethylene (PCE)	F001/D040		0.5	0.0930	3.900	153	60	0.39
Vinyl Chloride	D043		0.2	0.0018	0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	EX-31BR 19'	0.7	0.1000	0.577	8.81	60	0.0577
Tetrachloroethylene (PCE)	F001/D040		0.5	10.3000	33.000	153	60	3.3
Vinyl Chloride	D043		0.2	0.0440	0.312	2	60	0.0312
Trichloroethylene (TCE)	F001/D039	EX-32B 14'	0.7		1.900	8.81	60	0.19
Tetrachloroethylene (PCE)	F001/D040		0.5		20.700	153	60	2.07
Vinyl Chloride	D043		0.2		0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	EX-32BR 20'	0.7	0.0033	0.870	8.81	60	0.087
Tetrachloroethylene (PCE)	F001/D040		0.5	0.0100	19.000	153	60	1.9
Vinyl Chloride	D043		0.2	0.0018	0.100	2	60	0.01
Trichloroethylene (TCE)	F001/D039	EX-33B 14'	0.7		2.510	8.81	60	0.251
Tetrachloroethylene (PCE)	F001/D040		0.5		137.000	153	60	13.7
Vinyl Chloride	D043		0.2		0.500	2	60	0.05
Trichloroethylene (TCE)	F001/D039	EX-33BR 20'	0.7	0.2000	10.800	8.81	60	1.08
Tetrachloroethylene (PCE)	F001/D040		0.5	1.1000	56.200	153	60	5.62
Vinyl Chloride	D043		0.2	0.0018	0.312	2	60	0.0312
Trichloroethylene (TCE)	F001/D039	EX-33BR 24'	0.7	0.0940	4.610	8.81	60	0.461
Tetrachloroethylene (PCE)	F001/D040		0.5	1.3000	115.000	153	60	11.5
Vinyl Chloride	D043		0.2	0.0044	1.000	2	60	0.1

Trichloroethylene (TCE)	F001/D039	EX-33BR1 25'	0.7	0.0026	0.025	8.81	60	0.0025
Tetrachloroethylene (PCE)	F001/D040		0.5	0.0033	0.025	153	60	0.0025
Vinyl Chloride	D043		0.2	0.0017	0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	EX-33BR1 30'	0.7	0.0026	0.025	8.81	60	0.0025
Tetrachloroethylene (PCE)	F001/D040		0.5	0.0033	0.025	153	60	0.0025
Vinyl Chloride	D043		0.2	0.0017	0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	EX-34B 14'	0.7		5.190	8.81	60	0.519
Tetrachloroethylene (PCE)	F001/D040		0.5		177.000	153	60	17.7
Vinyl Chloride	D043		0.2		0.500	2	60	0.05
Trichloroethylene (TCE)	F001/D039	EX-34BR 20'	0.7	0.0340	1.540	8.81	60	0.154
Tetrachloroethylene (PCE)	F001/D040		0.5	1.0000	85.200	153	60	8.52
Vinyl Chloride	D043		0.2	0.0035	0.500	2	60	0.05
Trichloroethylene (TCE)	F001/D039	EX-34BR1 25'	0.7	0.0026	0.0582	8.81	60	0.00582
Tetrachloroethylene (PCE)	F001/D040		0.5	0.0033	0.831	153	60	0.0831
Vinyl Chloride	D043		0.2	0.0017	0.025	2	60	0.0025
Trichloroethylene (TCE)	F001/D039	EX-34BR1 30'	0.7	0.0026	0.025	8.81	60	0.0025
Tetrachloroethylene (PCE)	F001/D040		0.5	0.0033	0.025	153	60	0.0025
Vinyl Chloride	D043		0.2	0.0017	0.025	2	60	0.0025

Name	Waste Code	Sample ID	TCLP Value (mg/L)	Initial TCLP Sample Results (mg/L)	Initial Sample Results (mg/kg)	Industrial RCLs for Contained Out Value (mg/kg)
Tetrachloroethylene (PCE)	F001/D040	EX-52 2'	0.5		28.90	153
Tetrachloroethylene (PCE)	F001/D040	CR 20'	0.5	3.9000	233.000	153
Tetrachloroethylene (PCE)	F001/D040	CR 25'	0.5	1.0000	74.900	153
Tetrachloroethylene (PCE)	F001/D040	B-122 15'	0.5	1.6000	225.000	153
Tetrachloroethylene (PCE)	F001/D040	EX-31BR 19'	0.5	10.3000	33.000	153
Tetrachloroethylene (PCE)	F001/D040	EX-33BR 20'	0.5	1.1000	56.200	153
Tetrachloroethylene (PCE)	F001/D040	EX-33BR 24'	0.5	1.3000	115.000	153
Tetrachloroethylene (PCE)	F001/D040	EX-34BR 20'	0.5	1.0000	85.200	153

LDR 10* Value (mg/kg)	90% Removal mg/kg
60	2.89
60	23.3
60	7.49
60	22.5
60	3.3
60	5.62
60	11.5
60	8.52