



# Memorandum

**Date:** April 3, 2006  
**To:** Greer Lundquist, WDNR Remediation and Redevelopment Bureau  
**Copy:** Ann Coakley, Wisconsin Department of Transportation  
**From:** Mike DeBraske, STS  
**Re:** Remediation Site Hazardous Waste Determination – WisDOT Project I.D. 9901-04-00 – STS Project No. 4-29890XF

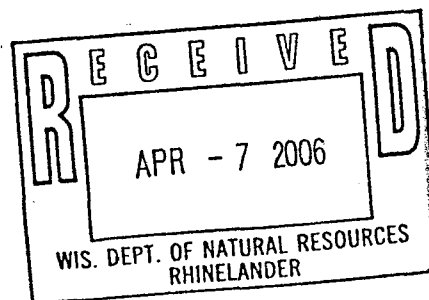
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Ms. Lundquist:

STS Consultants, Ltd. (STS), on behalf of the Wisconsin Department of Transportation (WisDOT), is requesting written approval to manage chlorinated-solvent impacted material encountered during the above-mentioned WisDOT project as a non-hazardous special waste in general accordance with the attached Hazardous Material Contract Special Provisions. Accordingly, STS has enclosed WDNR Form 4430-019 (Remediation Site Hazardous Waste Determination) for your consideration.

This information is being submitted in general accordance with our previous correspondence regarding this matter in January and February 2006. During our previous correspondence you provided a verbal determination, based on existing soil and groundwater information available for the Eagle Cleaners site (WDNR BRRTS No. 02-64-269753), that chlorinated impacts (if encountered during construction) would not be considered a hazardous waste.

If the submitted information is satisfactory, please provide written confirmation of WDNR approval.



**Notice:** This voluntary form is intended as an aid for use by Generators and Responsible Parties in determining whether *contaminated soil or groundwater and wastes* encountered or generated during the remediation of contaminated sites in Wisconsin are or would be listed or characteristic hazardous wastes subject to regulation under ch. 291, Wis. Stats. and chs. NR 600 to 690, Wis. Adm. Code. There are no penalties for failure to provide information requested. Personally identifiable information collected will be used for program management. Wisconsin's Open Records law requires the Department to provide this information upon request [ss. 19.31 - 19.69, Wis. Stats.].

Listing determinations are often particularly difficult in the remedial context because the listings are generally identified by the sources of the hazardous wastes rather than the concentrations of various hazardous constituents. Therefore, analytical testing alone, without information on a waste's source, will not generally produce information that will conclusively indicate whether a given waste is a listed hazardous waste. Generators and Responsible Parties should use available site information such as material safety data sheets (MSDS's), manifests, vouchers, bills of lading, sales and inventory records, accident reports, spill reports, inspection reports, and other available information. It may also be necessary to conduct interviews of current or former personnel who would have knowledge of the processes and hazardous materials used including waste handling or past spills in an effort to ascertain the sources of wastes or contaminants.

Where a person makes a good faith effort to determine if a material is a listed hazardous waste but cannot make such a determination because documentation regarding a source of contamination, contaminant, or waste is unavailable or inconclusive, EPA has stated that one may assume the source, contaminant or waste is not listed hazardous waste and, therefore, provided the material in question does not exhibit a characteristic of hazardous waste, RCRA requirements do not apply.

**Generator Information**

Generator's Name <b>WISCONSIN DEPARTMENT OF TRANSPORTATION</b>	Preparer's Name <b>STS CONSULTANTS LTD</b>
Address <b>4802 SHEBOYGAN AVENUE , ROOM 451</b>	Address <b>1035 KEPLER DRIVE</b>
City, State and ZIP Code <b>MADISON , WI 53702</b>	City, State and ZIP Code <b>GREEN BAY , WI 54311</b>
Telephone Number <b>608 - 267 - 3147</b>	Telephone Number <b>920 - 468 - 1978</b>

**Site Information**

Site Name <b>WALL STREET RIGHT-OF-WAY (EAGLE CLEANERS)</b>	Other name(s) site is known by <b>WISDOT PROJECT NO. 9901-04-00</b>
Address <b>200-300 BLOCK OF WALL STREET</b>	County <b>VILAS</b>
Located in the City, Town or Village ZIP Code <b>EAGLE RIVER 54521</b>	

**Hazardous Waste Determination Information Reviewed**

**Listed Hazardous Waste Determination**

Manifests reviewed <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None Found <input checked="" type="checkbox"/> None Available	Vouchers reviewed <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None Found <input checked="" type="checkbox"/> None Available
Bills of lading reviewed <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None Found <input checked="" type="checkbox"/> None Available	Sales and inventory records reviewed <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None Found <input checked="" type="checkbox"/> None Available
Material safety data sheets <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None Found <input checked="" type="checkbox"/> None Available	Accident reports reviewed <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None Found <input checked="" type="checkbox"/> None Available
Spill reports reviewed <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None Found <input checked="" type="checkbox"/> None Available	Inspection reports reviewed <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None Found <input checked="" type="checkbox"/> None Available
DNR's case files reviewed <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None Found <input type="checkbox"/> None Available	Interviewed current and/or former employees who are likely to know about the use and/or disposal of the chemical or waste of concern (not just managers). <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> None Found <input type="checkbox"/> None Available

Remediation Site  
Hazardous Waste Determination

Form 4430-019 (R 4/03)

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Hazardous Waste Determination Information Reviewed (continued)

Other information considered (provide description)

Yes

No

None Found

None Available

Characteristic Hazardous Waste Determination

Identified location(s)

GP-1, GP-2, GP-5, GP-8 AND GP-9  
(ADVANCED ON EAGLE CLEANERS SITE AND/OR  
IMMEDIATELY ADJACENT TO THE EAGLE  
CLEANERS SITE AND WALL STREET  
LIGHT-OF-WAY; WDNR BRNTS  
No. 02-64-269753)

Testing results

\* BENZENE < 0.10 mg/kg  
ETHYLBENZENE < 0.20 mg/kg  
TOLUENE < 0.20 mg/kg  
TRIMETHYLBENZENE < 0.20 mg/kg  
XYLENE < 0.40 mg/kg  
\* TRICHLOROETHYLENE (TCE) < 0.1 mg/kg  
\* TETRACHLOROETHYLENE (PCE) = 0.04 - 0.8 mg/kg  
\* ALL SUBSTANTIALLY LESS THAN 20x NA 605.08 TABLE I  
VALUES

Certification

I certify that the information documented above in the "Information reviewed to make a hazardous waste determination" section was developed and used as part of a good faith effort to make a hazardous waste determination. Reasonable diligence was used in collecting the information, evaluating the information, and using the compiled information. I certify that this document is true and correct to the best of my knowledge, and that I have authority to make this certification.

Name and Title

MIKE DEBRASKE, PROJECT ENGINEER

Signature

*Michael DeBraske*

Date

3/8/06

## **Notice to Contractor.**

### **Underground Storage Tank within Construction Limits**

Two gasoline underground storage tanks (USTs) of unspecified size and volume were formerly located near the right-of-way and Wall Street north edge of pavement as shown in a 1924 Sanborn Fire Insurance map. The department did not confirm the removal of the former USTs. The potential exists that USTs remain underground in and/or near the right-of-way between project stations 52+30 to 52+70 as shown on the plans. Control construction operations at this location to ensure that they do not extend beyond the excavation limits indicated in the plans. If USTs are encountered at this site or elsewhere on the project during excavation, terminate excavation in the area and notify the engineer.

### **Underground Storage Tank within Construction Limits**

Three USTs of unspecified size and volume were formerly located on the east side of First Street at 220 East Wall Street. The department did not confirm the removal of the former USTs. The potential exists that the USTs remain underground in and/or near the right-of-way, between project stations 184+00 to 184+50 as shown on the plans. Control construction operations at this location to ensure that they do not extend beyond the excavation limits indicated in the plans. If USTs are encountered at this site or elsewhere on the project during excavation, terminate excavation in the area and notify the engineer.

For further information regarding investigation activities at these locations, contact Ann Coakley, Wisconsin Department of Transportation, Environmental Coordinator, 510 N. Hanson Lake Road, Rhinelander, WI, 54501, and (715) 365-5715.

## **Unclassified Excavation and Hauling of Petroleum and Chlorinated Solvent-Contaminated Soil, Item SPV.0035.01**

### **A Description**

This special provision describes work conforming with the requirements of section 205 of the standard specifications, pertinent parts of the Wisconsin Administration Code (Department of Natural Resources Environmental Investigation and Remediation of Environmental Contamination, Chapters NR 700-736), as shown on the plans, and as supplemented herein.

This work consists of excavating, loading, and hauling of petroleum and chlorinated solvent-contaminated soil to the nearest department approved landfill/bio-remediation facility. The nearest facility is the Lincoln County Landfill in Merrill, Lincoln County, Wisconsin. This facility is located approximately 55 miles from the project limits.

The cost for petroleum and chlorinated solvent-contaminated soil treatment and disposal will be billed directly by the landfill/bio-remediation facility to the department.

Per NR 718.07, a solid waste collection and transportation service operating license is required under NR 502.06 whenever excavated contaminated soils are transported.

### **A.1 Notice to the Contractor**

A Phase I Environmental Site Assessment was completed by the department for locations within this project where excavation is required. Information obtained by the department indicated that petroleum-contaminated soil requiring special management is likely to be encountered at the following locations:

- (1) Station 52+00 to 52+70 from the north slope intercept to the centerline at a depth of approximately 3 to at least 15 feet below existing grade.

The estimated volume of soil to be excavated by the contractor during storm sewer work at this location is approximately 70 cubic yards (approximately 120 tons using a multiplier of 1.7 tons/cubic yard).

The estimated volume of soil to be excavated by the contractor during water main, water lateral, sanitary sewer, and sanitary lateral work at this location is approximately 270 cubic yards (approximately 460 tons).

- (2) Station 62+00 to 64+00 from the south slope intercept to the centerline, including that portion of Second Street from station 101+50 north to the centerline of Wall Street as shown on the plans, at a depth of approximately 3 to at least 15 feet below existing grade.

The estimated volume of soil to be excavated by the contractor during storm sewer work at this location is approximately 26 cubic yards

(approximately 45 tons). The estimated volume of soil to be excavated by the contractor during water main and sanitary sewer work at this location is approximately 300 cubic yards (approximately 510 tons).

- (3) Station 67+50 to 69+80 from slope intercept to slope intercept, including that portion of Fourth Street from station 404+00 to 405+20 as shown on the plans, at a depth of approximately 9 to at least 15 feet below existing grade.

The estimated volume of soil to be excavated by the contractor during water main, water lateral, sanitary sewer, and sanitary lateral work at this location is approximately 260 cubic yards (approximately 440 tons).

- (4) Station 69+80 to 70+60 from the south slope intercept to the centerline, including that portion of Fourth Street from station 404+00 north to the Wall Street centerline as shown on the plans, at a depth of approximately 2 to at least 15 feet below existing grade.

The estimated volume of soil to be excavated by the contractor during pavement work at this location is approximately 60 cubic yards (approximately 100 tons).

The estimated volume of soil to be excavated by the contractor during water main work at this location is approximately 95 cubic yards (approximately 160 tons).

- (5) Station 75+00 to 79+00 from slope intercept to slope intercept, including that portion of Sixth Street from station 600+50 north to Wall Street as shown on the plans, at a depth of approximately 11 to at least 15 feet below existing grade.

The estimated volume of soil to be excavated by the contractor during sanitary sewer work at this location is approximately 60 cubic yards (approximately 100 tons).

Information obtained by the department indicated that chlorinated solvent-contaminated soil requiring special management is likely to be encountered at the following location:

- (6) Station 55+50 to 62+00 from slope intercept to slope intercept, including that portion of First Street from station 184+00 to 185+70 and Second Street from station 201+50 to 204+00 as shown on the plans, at a depth of approximately 11 to at least 15 feet below existing grade.

The estimated volume of soil to be excavated by the contractor during sanitary sewer and sanitary lateral work at this location is approximately 810 cubic yards (approximately 1,380 tons).

The environmental consultant determined that chlorinated solvent-contaminated soil likely to be encountered during construction will not require management as a hazardous waste and is therefore, not subject to regulation under chapter 291, Wisconsin Statutes and chapters NR 600 to 690, Wisconsin Administrative Code.

If contaminated soil is encountered at other depths or locations on the project, terminate excavation activities in the area and notify the engineer. The engineer and environmental consultant shall determine if contaminated soil encountered elsewhere on the project is to be managed as a solid waste.

For further information regarding investigation activities at these locations, contact Ann Coakley, Wisconsin Department of Transportation, Environmental Coordinator, 510 N. Hanson Lake Road, Rhinelander, WI, 54501, and (715) 365-5715.

## **A.2 Coordination**

Coordinate work under this contract with the environmental consultant retained by the department:

Consultant: STS Consultants, Ltd.  
Address: 1035 Kepler Drive, Green Bay, Wisconsin, 54311  
Contact: Paul Garvey, Mike DeBraske or Roger Miller  
Phone: (920) 468-1978  
FAX: (920) 468-3312

The role of the environmental consultant will be limited to determining the location and limits of contaminated soil to be excavated based on soil analytical results from previous field investigations, visual observations, and field screening of soil that is excavated, and collection of waste characterization samples (if required).

Manage contaminated soil in accordance with the terms and conditions specified herein. Provide a 14 calendar day advance notice of the pre-construction conference date to the environmental consultant. At the pre-construction conference, provide a proposed schedule for all excavation activities in the area of contamination. Three (3) calendar days prior to commencement of excavation activities in the contaminated area, notify the engineer and environmental consultant. Coordinate with the environmental consultant to ensure that the consultant is present prior to and during excavation activities in the area of contamination.

Thirty (30) days prior to construction in the area of contamination, obtain a unique waste profile approval number from the environmental consultant and provide the engineer with the number.

### **A.3 Health and Safety Requirements**

Prepare a site specific Health and Safety Plan complying with the Occupational Safety and Health Administration (OSHA) standard for Hazardous Waste Operation and Emergency Response (HAZWOPER), 29 CFR 1910.120.

All site workers taking part in remediation activities or who will have the reasonable probability of exposure to safety or health hazards associated with the contaminated material shall have completed Health and Safety training that meets OSHA requirements. Submit a site specific Health and Safety Plan, and written verification that workers have completed up to date OSHA training, to the project engineer prior to the start of contaminated soil excavation work.

Develop, delineate and enforce the health and safety exclusion zones for each contaminated site location pursuant to 29 CFR 1910.120.

### **B (vacant)**

### **C Construction Methods**

Subsection 205.3 of the Standard Specification is supplemented with the following:

Use trench boxes during excavation activities at the locations identified in section A.1 to control the volume of petroleum and chlorinated-solvent contaminated soil encountered during construction.

Manage petroleum-contaminated soil separately from chlorinated solvent-contaminated soil. Manage petroleum-contaminated soil encountered during the project as a solid waste and haul to the landfill/bio-remediation facility for biopile treatment. Manage chlorinated solvent-contaminated soil encountered during the project as a solid waste and haul to the landfill/bio-remediation facility for landfill disposal.

Environmental consultant shall periodically field-screen excavated soil. Assist the consultant in collecting soil samples for evaluation using excavation equipment. Environmental consultant shall collect soil samples from the bucket of the excavation equipment. The sampling frequency to determine excavation limits shall be a minimum of one sample for every 10 cubic yards excavated. Following evaluation of soil, the consultant shall designate excavation limits and notify the contractor if additional excavation is required or if the excavation can be back-filled.

### **D Method of Measurement**

The department will measure Unclassified Excavation and Hauling of Petroleum and Chlorinated Solvent-Contaminated Soil by the ton (Ton) of excavated material accepted at the landfill/bio-remediation facility as shown on the special waste manifest disposal tickets.



**E Basis of Payment**

The department will pay for measured quantities at the contract unit price under the following bid item:

ITEM NUMBER	DESCRIPTION	UNIT
SPV.0035.01	Unclassified Excavation and Hauling of Petroleum and Chlorinated Solvent-Contaminated Soil	Ton

Payment is full compensation for excavating and hauling of petroleum and chlorinated solvent contaminated soil; for temporary stockpiling if necessary; and for furnishing all labor, tools, equipment, and incidentals necessary to complete the work.

## **Management of Petroleum and Chlorinated Solvent-Contaminated Water, Item SPV.0070.01**

### **A Description**

This special provision describes work conforming with the requirements of section 205 of the standard specifications, pertinent parts of the Wisconsin Administration Code (Department of Natural Resources Environmental Investigation and Remediation of Environmental Contamination, Chapters NR 700-736), as shown on the plans, and as supplemented herein.

This work consists of pumping petroleum and chlorinated solvent-contaminated water from open excavations into temporary holding tanks, as necessary to complete construction. Contaminated water encountered, but not requiring removal as a standard course of construction, shall remain in-place and not be managed in accordance with this special provision.

The cost for holding tank mobilizations, transportation, and contaminated water disposal will be billed directly by the environmental consultant and/or disposal facility to the department.

### **A.1 Notice to the Contractor**

A Phase I Environmental Site Assessment was completed by the department for locations within this project where excavation is required. Information obtained by the department indicated that petroleum-contaminated groundwater requiring special management is likely to be encountered at the following locations:

- (1) Station 52+00 to 52+70 from the north slope intercept to the centerline.
- (2) Station 62+00 to 64+00 from the south slope intercept to the centerline, including that portion of Second Street from station 101+50 north to the centerline of Wall Street as shown on the plans.
- (3) Station 67+50 to 69+80 from slope intercept to slope intercept, including that portion of Fourth Street from station 404+00 to 405+20 as shown on the plans.
- (4) Station 69+80 to 70+60 from south slope intercept to the centerline, including that portion of Fourth Street from station 404+00 north to the Wall Street centerline as shown on the plans.
- (5) Station 75+00 to 79+00 from slope intercept to slope intercept, including that portion of Sixth Street from station 600+50 north to Wall Street as shown on the plans.

Information obtained by the department indicated that chlorinated solvent-contaminated groundwater requiring special management is likely to be encountered at the following location:

- (6) Station 55+50 to 62+00 from slope intercept to slope intercept, including that portion of First Street from station 184+00 to 185+70 and Second Street from station 201+50 to 204+00 as shown on the plans.

Groundwater contamination with chlorinated solvents, gasoline and/or other petroleum related products at concentrations exceeding standards identified in section NR 140.10 Wisconsin Administrative Code are likely to be encountered during excavation activities.

If petroleum or solvent odors are observed during dewatering activities at other locations on the project, terminate dewatering activities and notify the engineer.

For further information regarding investigation activities at these locations, contact Ann Coakley, Wisconsin Department of Transportation, Environmental Coordinator, 510 N. Hanson Lake Road, Rhinelander, WI, 54501, and (715) 365-5715.

## **A.2 Coordination**

Coordinate work under this contract with the environmental consultant retained by the department:

Consultant: STS Consultants, Ltd.  
Address: 1035 Kepler Drive, Green Bay, Wisconsin, 54311  
Contact: Paul Garvey, Mike DeBraske or Roger Miller  
Phone: (920) 468-1978  
FAX: (920) 468-3312

The environmental consultant will determine the location and limits of contaminated groundwater to be managed and conveyed into temporary holding tanks based on groundwater analytical results from previous field investigations, visual observations or field screening of groundwater, surface water, and precipitation that collects within the excavations.

The environmental consultant will coordinate holding tank mobilizations, waste characterization sampling of accumulated water, and transportation/disposal of contaminated water.

Provide a 14 calendar day advance notice of the pre-construction conference date to the environmental consultant. At the pre-construction conference, provide a proposed schedule for all excavation activities in the area of contamination. Three (3) calendar days prior to commencement of excavation activities in the contaminated area, notify the project engineer and environmental consultant. Coordinate with the environmental

consultant to ensure that the consultant is present prior to and during excavation and dewatering activities in the area of contamination.

### **A.3 Health and Safety Requirements**

Prepare a site specific Health and Safety Plan complying with the Occupational Safety and Health Administration (OSHA) standard for Hazardous Waste Operation and Emergency Response (HAZWOPER), 29 CFR 1910.120.

All site workers taking part in remediation activities or who will have the reasonable probability of exposure to safety or health hazards associated with the contaminated material shall have completed Health and Safety training that meets OSHA requirements. A site specific Health and Safety Plan, and written verification by the contractor that workers will have completed up to date OSHA training will be submitted to the project engineer prior to the start of remediation work.

Develop, delineate and enforce the health and safety exclusion zones for each contaminated site location pursuant to 29 CFR 1910.120.

### **B (vacant)**

### **C Construction Methods**

Subsection 205.3 of the Standard Specification is supplemented with the following:

Manage petroleum-contaminated water separately from chlorinated solvent-contaminated water, unless otherwise directed by the environmental consultant and engineer.

Pump petroleum and chlorinated solvent-contaminated water from open excavations into temporary holding tanks, as necessary to complete construction. Contaminated water encountered, but not requiring removal as a standard course of construction, shall remain in-place and not be managed in accordance with this special provision.

Take measures to limit groundwater, surface water, and precipitation from entering and exiting excavations in the area of contamination. Such measures, which may include berming, ditching, or other means, shall be maintained until subgrade construction in the area of contamination is complete.

### **D Method of Measurement**

The department will measure Management of Petroleum and Chlorinated Solvent-Contaminated Water as a single complete unit of work acceptably performed.

### **E Basis of Payment**

The department will pay for measured quantities at the contract unit price under the following bid item:

ITEM NUMBER  
SPV.0070.01

DESCRIPTION  
Management of Petroleum and  
Chlorinated Solvent-Contaminated  
Water

UNIT  
Lump Sum

Payment is full compensation for controlling contaminated water and preventing non-contaminated surface water and precipitation from entering the areas of contamination; managing and pumping contaminated water from excavations in the area of contamination to temporary holding tanks; and for furnishing all labor, tools, equipment, and incidentals necessary to complete the work.