

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Matthew J. Frank, Secretary
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May 19, 2009

Mr. Donald Fritzke, Trustee
Donald M. Fritzke, Sr. Revocable Trust 1200
N161W20772 Kami Lane
Jackson, WI 53037

SUBJECT: Conditional Approval of Change Order for Additional Site Investigation
Former Colony Dry Cleaner Property, 10003 W. Carmen Avenue, Milwaukee, Wisconsin
WDNR BRRTS # 02-41-278106, FID#241170270

Dear Mr. Fritzke:

Your proposed site investigation is conditionally approved, as detailed below. The DNR received the proposal titled *Cost Estimate for Site Investigation and Closure Report Preparation Completion*, dated April 24, 2009, prepared and submitted on your behalf by United Engineering Consultants (UEC). United Engineering is proposing to collect three sub-slab soil vapor samples from beneath the site building and one indoor air sample from the front office air space, advance one soil boring in the Carmen Avenue right of way and collect soil and groundwater samples from that boring, obtain laboratory analysis of all samples collected, and prepare a site investigation report and closure request.

You may proceed with the following proposed field work items:

1. Advancement of one borehole, to include abandonment cost, and install three sub-slab vapor probes - \$800.00
2. Soil VOC analysis – 2 VOC samples - \$210.00
3. Groundwater VOC analysis – 1 sample - \$105.00
4. Air VOC Analysis and sample container costs – 4 samples – \$1,750.00
5. Environmental consulting services for project coordination, sample collection and preparation - \$1,300.00
6. Miscellaneous supplies - \$100.00 (all supplies costs must be individually justified at claim preparation and must meet cost eligibility restrictions in ch. NR 169, Wis. Adm. Code)
7. Site investigation report preparation – no additional cost approved.

Approval condition: ***Provide indoor air and sub-slab soil vapor analytical results to the Department as soon as they are received, prior to proceeding with report preparation.***

At this time, the Department cannot approve the proposed consulting services costs for report preparation (\$8,800.00) because this amount was already approved in the Department's previous scope of work approval, issued January 26, 2006. To date, the Department has approved approximately \$18,500 for proposed report preparation, but has not received a complete report, nor anything that would meet even fifty percent of a complete report. We can't authorize any more costs for this work item until and unless itemized expenditures are provided, along with a report. The amounts reportedly expended, as provided by UEC in their April 24, 2009 letter, should have accounted for the preparation of final reports by both Sigma and UEC. If other actual and necessary costs have been incurred in place of report preparation, then some justification for shifting costs should be provided, and UEC should contact me to go over such costs. If you received a report from Sigma, please provide a copy to the Department.


Cost approved for this submittal is \$4,265. The cost approved for this site investigation is \$54,509.00. The total cost approved to date for this site is \$54,509.00.

Please be aware that you are required to comply with all applicable statutes and administrative rules including the NR 700 series, Wisconsin Administrative Code, hazardous waste management and wastewater discharges.

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

If you have any questions regarding the content of this letter, please call me at (414) 263-8758.

Sincerely,

A handwritten signature in black ink, appearing to read 'Pamela A. Mylotta', written over a horizontal line.

Pamela A. Mylotta, Hydrogeologist
Remediation & Redevelopment Program
Southeast Region, Milwaukee Service Center

cc: Tim Anderson - UEC
Jillian Steffes – CF/2, GEF 2, Madison