



February 9, 2021

--sent by email--

LZ, LLC c/o John Leja
8301 Machine Dr.
Madison, WI 53717

SUBJECT: Approval of "DERF Variance Request and Cost Estimate"
Klinke Cleaners – 412 E. Washington Ave, Madison, Wisconsin
BRRTS #02-13-307195

Dear Mr. Leja:

On January 27, 2021, the Wisconsin Department of Natural Resources (DNR) received True North Consultant's (True North) variance request, referenced above. The request, submitted on your behalf, seeks a variance to bidding requirements and approval of costs in accordance with Wis. Admin. Code chapter NR 169, known as the Dry Cleaner Environmental Response Program (DERP). The request is approved, as detailed below.

The variance is from the DERP requirement for three remedial action bids. The cost approval is for oversight, excavation, hauling, and disposal of dry-cleaning solvent-contaminated soil, during site redevelopment. The cost approval includes up to \$34,050 for consulting and \$995,040 for subcontractors. The total exceeds the reimbursement cost cap for the site, which cannot be exceeded.

This variance and cost estimate approval do not guarantee the reimbursement of costs by DERP. All incurred costs are subject to eligibility requirements and limitations listed in Wis. Admin. Code chapter NR 169, and will be reviewed for compliance when your claim is reviewed. The work must also comply with Wis. Adm. Code NR 700 series cleanup rules to maintain DERP eligibility. This variance and cost estimate approval letter must be submitted with your associated DERP reimbursement request. Reimbursement is contingent upon availability of funding and a final determination regarding the eligibility of costs at the time of claim review. Details on DERP fund solvency and recent fund statistics are being sent to you separate correspondence.

DNR's Ms. Cindy Koepke will review the technical aspects of the project and help you comply with the rules, including additional cleanup and protectiveness requirements (e.g. vapor mitigation) that have been adopted since the case was closed in 2007. True North should direct future correspondence, including DERP change orders if needed, to Ms. Koepke at cynthia.koepke@wisconsin.gov or 608-219-2181.

Unless otherwise directed, please use DNR's electronic submittal portal and email for best service during the pandemic. Hard copy correspondence may be sent to the address in the letterhead.

If you have questions about this letter, please contact me at 608-219-2302 or jeff.ackerman@wisconsin.gov

Sincerely,

Jeff Ackerman, P.G.
Hydrogeologist

cc: Tom Culp, True North
Sandy Chancellor, DNR DERP Fund Manager
Cindy Koepke, DNR Project Manager