

April 10, 2019

BRRTS: 02-13-415322

Ms. Cynthia Koepke, P.G.
Wisconsin Department of Natural Resources
3911 Fish Hatchery Road
Madison, Wisconsin 53711

**Re: Notice of Non-Compliance Response-Scope of Work Budget Request
2401 University Avenue
Miller's Liquor Property
Madison, Wisconsin**

Dear Ms. Koepke:

Seymour Environmental Services, Inc. (Seymour) is responding to your recent notice of non-compliance letter. In your letter you have requested a timeline for items which have had budget approval but have not yet been conducted. The items that have not been conducted are almost exclusively sub-slab sampling where we could not obtain permission for access.

APPROVED BUDGET ITEMS

Items in approved budgets that have not been completed include:

1) Change Order #1-sub-slab sampling of adjacent properties

Mr. Walden requested that we install a mitigation system at the Miller's Liquor property, assess a neighboring radon system, conduct sub-slab sampling at the adjacent sites and determine what sampling would be required for commercial properties along University Avenue. At that time the plan was to use the initial sub-slab sampling results to determine if any additional sampling was merited.

This sampling was conducted at the majority of the identified properties.

We did not obtain access agreement or any response from 2 of the neighboring properties at 2408 and 2410 Kendall Street after two attempts. These are both apartment buildings. Mr. Walden directed us to sample the properties that were allowing access. None of the sampling results had any compounds above action levels so we did not continue to pursue access to the apartment buildings at that time. Mr. Walden required us to conduct vapor sampling from every property at the same time.

The only other item that was approved in this budget and has not been conducted is sampling the vapor mitigation system at the subject property.

2) Change Order #2- Vapor sampling at additional properties

Mr. Walden requested additional sampling at sites farther from the subject property though no vapor samples were above the screening standards in the adjacent buildings. The property at 2424 University, the InnTowner Hotel, had a vapor mitigation system installed at their site and declined any involvement on the part of Miller's Liquor. This budget was to conduct sub-slab sampling at five additional properties.

The properties included:

2355 University Avenue
2308 University Avenue
2302 University Avenue
501 Walnut Street (USDA-Barley and Hops Lab)
502 Walnut Street (USDA-Cereal Crop Research Lab)

Mr. Walden again requested that we collect vapor samples from the all of the buildings on the same date. We have been denied access to all three properties on University Avenue. Goldleaf properties initially agreed to allow us access and an access agreement was generated but then changed their mind and have since declined. The access agreement was never finalized. We contacted the USDA about gaining access. The building at 501 Walnut Street was condemned at the time and is no longer present. The USDA was amenable to allowing us to sample but no agreement was finalized.

This sampling was not conducted since we could not do the sampling simultaneously due to the access issues. We met with the owner of Goldleaf Properties and his consultant last week regarding placement of a well nest on their property. They agreed to allow us access as long at the WDNR agreed that sub-slab sampling could be excluded if the groundwater results from the monitoring well had no enforcement standard exceedances. You agreed and they are allowing us access. They have also agreed to conduct the sampling if the groundwater data shows vapor sampling is necessary. We will determine the need for sampling once we have the groundwater results from the entire well network after the well installations.

Mr. Walden wanted us to address the vapor issues associated with the site prior to conducting additional site investigation. We discussed the additional assessment items in the 2014 letter with Mr. Walden, he had us request the above referenced budget to start. He wanted to address the other items listed after the vapor issue was resolved.

Those other items were included in the most recent budget request and are discussed below.

3) Change Order #3- Recent Cost Approval-October 2018

Additional Geoprobe Investigation

This work was conducted in December of 2018. The results have been provided to you. There were elevated levels of PCE in the soil presumably related to the sewer lateral. Groundwater data was also collected which indicated that the groundwater flow/contamination were more easterly than anticipated.

Vertical Groundwater Profiling

Groundwater data from the Geoprobe borings installed in December 2018 to determine that the well nest should be moved to the east. We just obtained permission to install one of the well nests with your response on Friday, April 5, 2019. We are in the process of now requesting the right-of-way permit and are tentatively scheduled for the last week in April 2019.

Multilevel well nests will be installed to characterize the vertical variations in groundwater conditions at the site. We expect to terminate the initial boring at each location at a depth of 90 feet.

Every attempt will be made to prevent cross-contamination. One of the wells will have two casings. To prevent cross-contamination the upper portion will be drilled with a 10 ¼ inch hole, the lower portion will be drilled through the augers. Upon completion of the drilling of the 90-foot borehole a piezometer will be installed in each boring. A seal will be set immediate to halt any cross contamination. We will then also set a water-table monitoring well in the upper enlarged portion of the borings at approximately 30 feet. Both wells will be overdeveloped until indicator parameters indicate the wells have been satisfactorily purged. The 60-foot well will be installed in a separate borehole. The upper portion of this well will also be cased off with the augers.

The wells will be surveyed into the network and all of the wells will be sampled. Upon receipt of the first round of groundwater sampling an update will be submitted.

Additional Budget Items in 2014 letter, some were included in this budget

In 2014 Mr. Walden outlined other items of concern he wanted to have addressed once the vapor issue was investigated (items are listed in accordance with his letter).

- a. Additional groundwater investigation to determine the extent of contamination at the water table. Additional water table characterization was conducted in December 2018 as part of 2018 budget.
- b. Resampling the existing wells, conducted in June 2016.
- c. Evaluating the mitigation system at the InnTowner, they declined our involvement.
- d. Mr. Walden also requested that we determine if additional buildings are at risk for vapor intrusion. We need further data to make this determination. The results of the groundwater sampling conducted in December 2018 indicate that vapor intrusion is not an immediate concern north of Campus Drive. However, vapor intrusion may be an issue at properties to the east of the site based on the PCE levels in the groundwater at B-13. No budget has been requested for this activity pending results of passive gas sampling.
- e. Determining the vertical extent of groundwater contamination. This was included in the most recently approved budget and work is scheduled to begin later this month.
- f. Determining the vertical extent of the soil contamination, this has been conducted.
- g. Conducting another round of vapor sampling at 2415 University Avenue, 413 and 414 Chestnut Street and 2402 Kendall Street. Not included in approved budget and discussed below.

REQUESTED BUDGET ITEMS

We have included the cost to conduct two more rounds of sub-slab sampling at 2415 University Avenue, 413 and 414 Chestnut Street and 2402 Kendall Street. We have also included the cost to install and sample a single sub-slab vapor probe at the subject property. These costs total \$8,720.

We propose to conduct a soil vapor investigation which will include the use of passive vapor samples along the utility corridors. Proposed locations are shown on attached Figure. This item totals \$7,885. We will use this investigation to further evaluate preferential migration through the sewers and identify additional locations for the soil contamination identified just north of the building.

We will also propose to conduct an interim action at the subject property to reduce the heavy contamination found near the sewer lateral on the property and the University Avenue right-of-way based on the recent soil data and, with your approval, the results of the additional passive vapor sampling data. Ideally, we would remove the contaminated soil, but access is limited with utilities and structures, so we are looking into in-situ methods. If the bulk of the contaminated soil/soil vapors is adjacent to the subject site, we feel that SVE may be the best alternative. However, if it appears that the migration has taken place through the sewers, we will likely pursue chemical injection. The cost for the interim remedial action evaluation is \$4,500.

Proposed Schedule

May 2019

Installation of well nests (budget approved).
Initial sampling of the entire well network and the site mitigation system (budget approved).
Access requests to resample sub-slab vapors (budget request attached).
Conduct passive vapor sampling (budget request attached).
This field work will be scheduled upon budget approval.

June 2019

Recent investigation update (budget approved)
Scheduling sub-slab vapor sampling at appropriate properties based on the groundwater data (budget approved).
Interim remedial option analysis and cost request (budget to be determined).

August – September 2019

Implementation of interim action.

We expect to discuss the proposed schedule and budget with you prior to your approval. We presented our budget items on the attached tables. If you agree with our approach and budget, we will also submit these requested costs on the DERF spreadsheet.

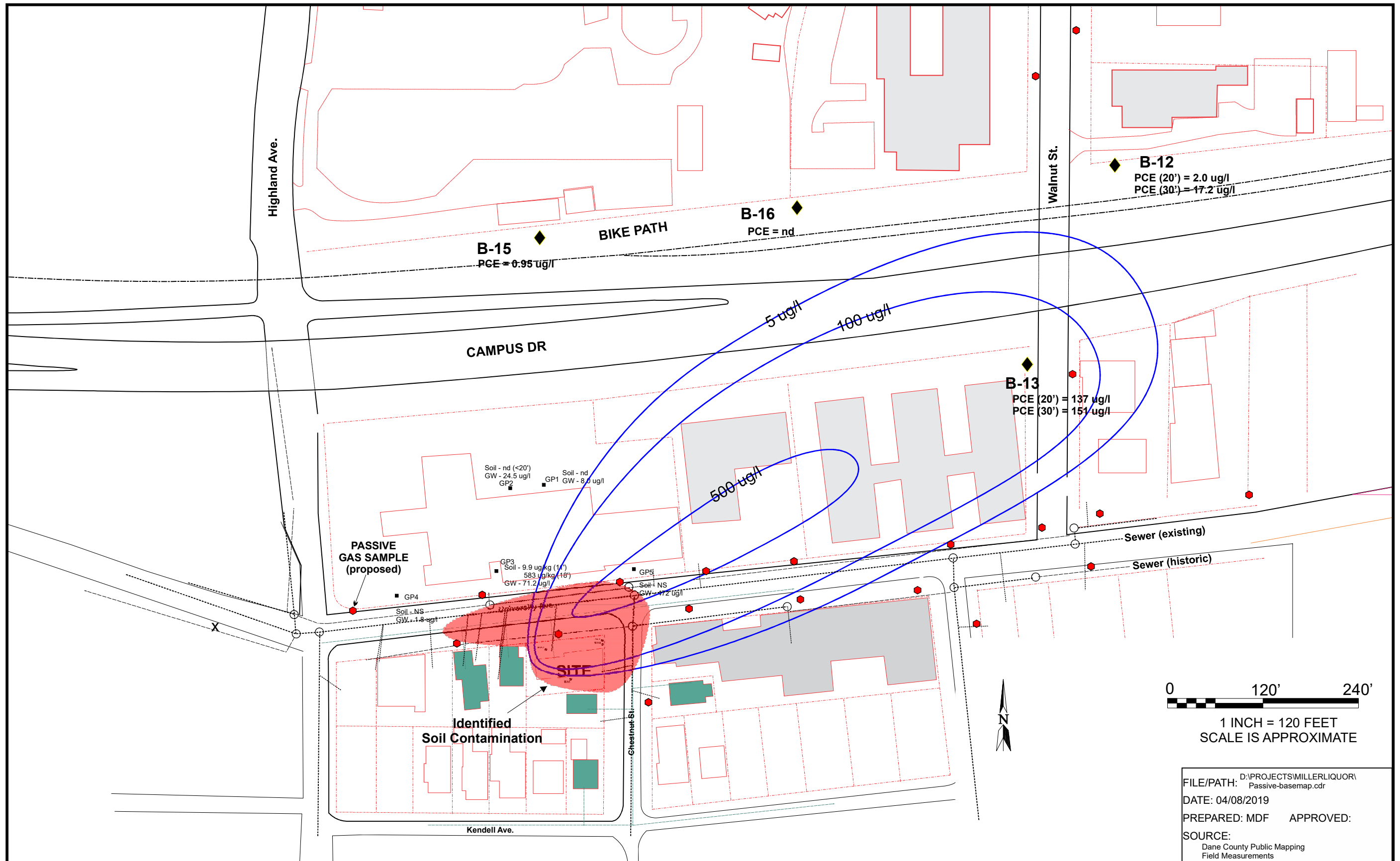
Sincerely,
Seymour Environmental Services, Inc.



Robyn Seymour, P.G.
Hydrogeologist

Enc.
Figure

cc: Steve Miller, Bonnie Miller-Miller's Liquor



SEYMOUR
ENVIRONMENTAL
SERVICES, INC.

SEWER ASSESSMENT / PASSIVE GAS
Miller's Liquor
2401 University Avenue
Madison, Wisconsin

FIGURE

1