



May 6, 2015

VIA EMAIL & U.S. MAIL

David de Courcy-Bower
ERM
700 West Virginia St., Suite 601
Milwaukee, WI 53204

Re: Request for Remedial Action Bid Proposal
Former Express Cleaners Site, 3921-41 N. Main Street, Racine, Wisconsin
WDNR FID#252010000; BRRTS #02-52-547631

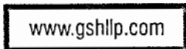
Dear Mr. de Courcy-Bower:

This is our request for your remedial action bid proposal (your "Proposal") for remediation of the above-referenced, Dry Cleaner Environmental Response Program ("DERP") Site and the adjacent property located at 3936 North Bay Drive (collectively, the "Site") – see Figure 1, Site Location Map. We represent the Site owner, the Ehrlich Family Limited Partnership ("EFLP"). We request you submit your Proposal prepared in accordance with this invitation to bid and submitted no later than May 19, 2015. If you decide not to submit a Proposal, please let us know as soon as possible. Proposals received in the past were disqualified for one of several reasons, primarily for being insufficiently thorough.

Site Description

The Site consists of a one-story, 6804 square foot strip mall (without a basement) on a 0.77 acre lot located at 3921 - 3941 North Main Street and the adjacent 0.45 acre lot located at 3936 North Bay Drive, Racine, Wisconsin 53402-3611. The northern unit of the strip mall (3941 N. Main Street) was formerly the location of a dry cleaning operation from 1971 until approximately 2006. The Site has been contaminated by dry cleaning solvents, as shown on Figure 2. Monitoring well locations are plotted on Figure 3; groundwater concentrations from the most recent sampling event are summarized in Table 1. Concentrations of PCE, TCE, cis-1,2 DCE and vinyl chloride in groundwater all exceed the enforcement standards. Impacted soils are present in some locations directly beneath the paved surfaces and building slab, and extend beneath the water table to a depth of up to approximately 11 feet. Impacted soils within 4 feet of the ground surface exceed the direct contact industrial RCLs for some contaminants. Soil vapor beneath the foundation of the strip mall building contains PCE and/or TCE in excess of the US EPA Target Shallow Gas Concentration standards. An off-site monitoring well west of Main Street tested on April 7, 2011 did not contain dry-cleaning related contaminants above laboratory

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New York, NY

Pasadena, CA
Phoenix, AZ
Washington, D.C.
Wayne, NJ
West Des Moines, IA

analytical detection limits. Additional information is contained in the Site Investigation Report and Additional Site Activities Report, which will send you via email as pdf files upon request. You are encouraged to review the file at the Wisconsin Department of Natural Resources (“DNR”).

Assumptions Applicable to All Proposals

In preparing your Proposal, assume the following:

- 1) All business activities at the Site have ceased and the entire Site is available for your use;
- 2) Following remediation, the EFLP expects that both the Main Street Property and the North Bay Drive Property will be redeveloped for commercial use (zoned B2 “Commercial Shopping District” and O/I Office/Institutional, respectively).
- 3) Portions of the floor slab that have been shown by testing to be contaminated with solvents (see Figure 4). The condition of any foundation elements below the contaminated portions of the floor slab is unknown. We have discussed with DNR its ability to make a ‘contained out’ determination for the contaminated slab debris, such that they would not be hazardous waste. Appendix A includes an e-mail from DNR indicating that if the concentrations are not higher than the ‘contained out’ values for contaminated soil, then the contaminated debris will be ‘contained out’. If the contaminated concrete is demolished and ‘contained out’ to become a non-hazardous waste, the EFLP will not approve re-use of such contaminated concrete but will approve disposal of such contaminated concrete as non-hazardous waste in a licensed solid waste landfill;
- 4) The DNR will consider reimbursing up to \$15,000 of demolition necessary to complete the remedy in addition to reimbursing as remedial costs removal and disposal of the contaminated floor slab and foundation elements. If your Proposal finds that demolition of the building or slab is necessary to complete the remedy, the superstructure of the building at 3921-41 N. Main Street will be demolished by others, but the slab and utilities will remain and you will be responsible for demolishing the slab and disposing or reusing the waste. Utilities will be disconnected and capped at the property boundary unless your Proposal states that you will arrange to have specified utilities available for use in remediation, in which case you will be responsible for proper disposition and metering of any such specified utilities; and

Cleanup Goals

General. The primary remedial goal is for DNR to award full case closure. A secondary goal is to treat or remove sufficient contaminant mass from the Site so as to substantially reduce future threats posed by vapor intrusion, ensure that the groundwater plume will not expand and ensure that any remaining contamination is naturally attenuated within a reasonable time.

Soil. Your Proposal should clearly explain your soil remediation goals and show your own interpretation, based on the data, of the areas and depths of soil that must be treated to achieve your target soil remediation goals. Soil concentrations from the site investigation are summarized in Table 2. Please note, that some of the soil samples were collected from beneath the water table. For purposes of achieving soil goals, samples collected beneath the water table are not to be considered to represent soil conditions, but rather should be considered a result of groundwater conditions. For help in determining sample depths compared with groundwater depth, Figure 5 is provided, showing the approximate depth to groundwater. Please note, as part of the effort to reduce contaminant mass at the Site, the DNR supports remediating the saturated and unsaturated media in the sewer utility corridor extending from the western Site boundary to the point where the sewer utility enters the slab.

Groundwater. You must determine whether groundwater remediation is necessary to obtain case closure for the hazardous substances at and originating from the Site, including from the perspectives of any potential groundwater receptors and potential generation of soil vapors. If groundwater remediation is necessary, you must address the method and costs of any groundwater remedial activity proposed and the goals including the reduction of concentration and mass of contaminant and the three-dimension areas subject to suggested groundwater remediation goals. Please note, as part of the effort to reduce contaminant mass at the Site, the DNR supports remediating the saturated and unsaturated media in the sewer utility corridor extending from the western Site boundary to the point where the sewer utility enters the slab.

Soil Vapor. The goal is to demonstrate that contaminated media remaining at the Site following remediation will not cause a vapor action level in indoor air to be attained or exceeded. Your Proposal must include a contingency expense to assess vapor intrusion potential at the former Pugh Oil building, now Express Cleaners, located on the land just north of the Site (assume this contingent vapor assessment would be performed after remediating the Site).

Reduction of Contaminant Mass and Concentration. The DNR has agreed that the 'Area Of Contamination' rules will apply so that any of the known contaminated areas could be excavated and the contaminated media, including purge water, could be consolidated for treatment or management within the Area of Contamination at the Site, in accordance with the DNR's Area Of Contamination rules (see Appendix A). The EFLP will not approve of placing contaminated media in any part of the AOC that is substantially less contaminated than the media that is to be deposited.

Required Content of Proposals

Your Proposal must contain all of the information requested below, or it will be deemed incomplete. The underlined citations are the source of the stated requirement. If you believe that

critical work is excluded from the scope below, you are encouraged to add further tasks together with your justification for suggesting such a change to the scope of work.

1. NR 169.23(2)(d). Sealed Bid submitted by specified date. Bids must be sealed in an inner envelope and then placed in an outer envelope, which is also sealed. The outer envelope should clearly be labeled: "Sealed bid enclosed". The inner envelope should be labeled with the consultant's name, the site name and BRRTS number, the bid opening date, and state that the type of bid is enclosed is a "remedial action." A sealed bid must be delivered to the owner/operator requesting the bid and a second sealed bid must be delivered to the DNR project manager assigned to the dry cleaner.
2. NR 169.23(3)(b). Include statements regarding consultant's ability to:
 - a) Be fully informed about the project scope & have the expertise to analyze alternatives and design the most suitable response action.
 - b) Provide necessary staff and facilities for all phases of planning, design, construction, and operation.
 - c) Provide qualified technical reviewers to advise the owner and work toward remedial goals.
 - d) Perform all services in an ethical, professional, timely manner.
3. NR 169.23(6)(a). NR 722 technical & economic feasibility evaluation of alternatives, including natural attenuation and enhanced NA.
4. NR 169 (6)(b). Description of the remedy proposed and how the remedy will result in NR 726 closure.
5. NR 169(6)(c). Clear description & itemized list of consultant & contract services included in the proposed remedy.
6. NR 169(6)(d). Description & cost estimate for implementation, analysis and interpretation of pilot test for active remedial systems, unless the consultant can justify that a pilot test is unnecessary (by providing examples of Wisconsin locations of similar soil and groundwater characteristics where the proposed remedial method was successful on similar contaminants.
7. NR 169(6)(e). Total cost estimate for all consultant & contract services and subtotal for each component service itemized in your Proposal.
8. NR 169.23(6)(f). Include the following for every service or units of service (see NR 169.23(7) for list of services to be priced per hour or per unit):
 - a) Price per hour or per unit of service.

- b) A reasonable, good faith estimate of number of hours or units of service to be provided.
 - c) Total estimated price for service.
 - d) Estimated schedule by which consultant and contractor will perform their services.
9. NR 169.23(9)(a). Certification statement by consultant:
- a) Consultant and contract services will comply with NR 700 – 754.
 - b) Upon request, consultant will make available to the DNR for inspection and copying all documents and records related to the contract services.
 - c) Consultant did not prepare bid in collusion with any other consultant submitting a bid on the site.
10. NR 169.23(9)(b)(1). Certification of Insurance from an agent licensed to do business in Wisconsin. The insurance company must have an A.M. Best rating of A- or better. Please note that Certificates of Insurance often do not include all the information required by this rule. It is the consultant's responsibility to submit the required information. Please do not submit expired insurance certificates.
- a) Errors & omissions of \$1 M/claim and minimum \$1 M/year aggregate.
 - b) Policy is an occurrence based or claims-made policy.
 - c) If claims made policy, consultant agrees to obtain similar policy for subsequent 3 years.
 - d) Maximum deductible of less than \$25,000/claim or (NR 169.23(9)(b)2.) consultant must furnish proof of financial responsibility for amount of deductible.
11. Site Map. Your Proposal must illustrate the areas of treatment on a site map and for each area treated must show the depth of proposed treatment.
12. Soil Vapor. Please include a statement of how your proposed remedy will prevent vapors in excess of vapor screening risk levels from migrating off the Site. If you are not convinced your remedy will not prevent such vapor levels from leaving the Site, include a cost for performing vapor screening after completion of remedial measures but before the final round of ground water monitoring needed for case closure. In addition, please note that DNR requires a contingency cost to perform a vapor analysis of the former Pugh Oil building (see item 15.b, below).
13. Finish Grade. Your Proposal must include an itemized cost estimate to backfill with verified-clean materials any areas of the Site that are excavated in the course of the remediation. All such backfilled areas on the North Main Street portion of the Site must be finished with six-inches of verified-clean #6 crushed stone. All excavated areas on the North Bay Drive portion of

the Site must be finished with verified-clean, topsoil fill and seeded with a high quality, weed-free grass seed mix.

14. Miscellaneous Project Requirements.

- a) Your Proposal must address all migration pathways.
- b) Your Proposal must clearly state whether you believe there are any groundwater receptors and the impact of your belief on the applicable groundwater RCL.
- c) Your Proposal must address whether remediation of any contaminated areas is necessary to achieve case closure, and if so, identify the three-dimensional areas where remediation is necessary, explain the method or rationale used to determine each area to be remediated, and state the remedial goals for each such area, including both saturated and unsaturated zones.
- d) Your Proposal must clearly state how all soils within 4 feet of the ground surface will be remediated below the direct contact residential RCLs.
- e) Your Proposal must explain how and when the proposed remedial action will result in case closure and discuss your reasoning for arriving at that conclusion. If case closure is not expected within three years, you must explain how performance of any remedial or monitoring activities that remain incomplete one year after commencing remediation will not interfere with commercial redevelopment of the Site.
- f) Your Proposal must clearly state how and when the consultant will demonstrate the progress and effectiveness of the remedial strategy – e.g., by means of periodic groundwater sampling, post remediation soil sampling, etc. The costs for these activities are to be included in your Proposal.
- g) Your Proposal must include and show calculations for your estimate of the amount of contaminant mass that will be reduced by the remediation up to the point in time that you estimate seeking case closure. Please separately calculate itemize contaminant reduction in unsaturated soil and in the saturated zone.
- h) Your Proposal must clearly state whether the demolition of the building would be beneficial for completing the proposed remedial activities. If you believe demolition would be beneficial and your Proposal is selected, the superstructure of the building will be demolished by others with the exception of the slab and any underlying improvements, the removal and disposal of which should be included in your Proposal, including both the contaminated and uncontaminated portions of the slab and any other foundation elements.

15. Cost Estimates. Estimated costs should be summarized on DNR Form 4400-214d. Your Proposal must include itemized costs for the following:

- a) Contingency installation of one additional monitoring well to be generally located at the eastern margin of the groundwater plume affecting the North Bay Drive portion of the Site at a location satisfactory to DNR.
- b) Conducting a vapor assessment of the former Pugh Oil building located adjacent to the northern boundary of the Main Street portion of the Site. This assessment must include a contingency cost for sub-slab vapor testing at the building on the former Pugh Oil property. All vapor testing will be performed after the remedial work but before seeking case closure.
- c) Remedial activities may require the abandonment of one or more existing groundwater monitoring wells. Your Proposal should include abandonment costs, indicate the consultant's opinion as to whether or not abandoned wells should be replaced, and include the cost of replacement of any wells that the consultant believes should be replaced.
- d) At least one round of pre-remedial groundwater monitoring and eight quarters of post-remedial monitoring and reporting and well abandonment (state the number of rounds, number of sampling points and test methods to be performed).
- e) Post-remedial soil sampling to confirm the adequacy and effectiveness of remediation.
- f) Report preparation and regulatory interaction necessary to attain NR 726 case closure of the entire Site, including costs to prepare closure reports, GIS Registry documents, maintenance plans, etc.
- g) If natural attenuation will be relied upon for a remedy to ensure the DNR finds that the groundwater quality will be restored to the extent practicable through natural attenuation, then your Proposal shall include the costs of: applicable environmental insurance premium; demonstrating the plume is stable or receding and; demonstrating that natural attenuation is occurring and will continue.

16. Proposed Work Schedule. Your Proposal should include a proposed work schedule for conducting each phase of the remedial work. The work schedule should include the proposed start date and the number of anticipated weeks/months/years to complete each major phase of remedial, post-remedial, and monitoring work. Please include any limitation on proposed start date and any limitation date for receiving notice of project award.

David de Courcy-Bower
May 6, 2015
Page 8

If your consulting firm decides to submit a Proposal for the Site, provide one copy to the undersigned and another copy, in double sealed envelopes, to the DNR project manager for the Site at the address listed below.

Ms. Nancy Ryan
Wisconsin Department of Natural Resources
2300 N. Dr. Martin Luther King, Jr. Drive
Milwaukee, WI 53212

Your Proposal and all other bid proposals must be received by this firm and DNR by close of business on May 19, 2015. We will then review all bids, select the bid that best meets the cleanup objectives while minimizing costs, and provide the name of the selected bidder to DNR for approval. Once DNR approves the selected bidder, we will promptly notify the firm that has been selected.

If you have any questions or comments, please contact me at 414-755-8144. Please do not contact DNR without first discussing the matter with us. Thank you for your time, and we look forward to reviewing your Proposal.

Sincerely,



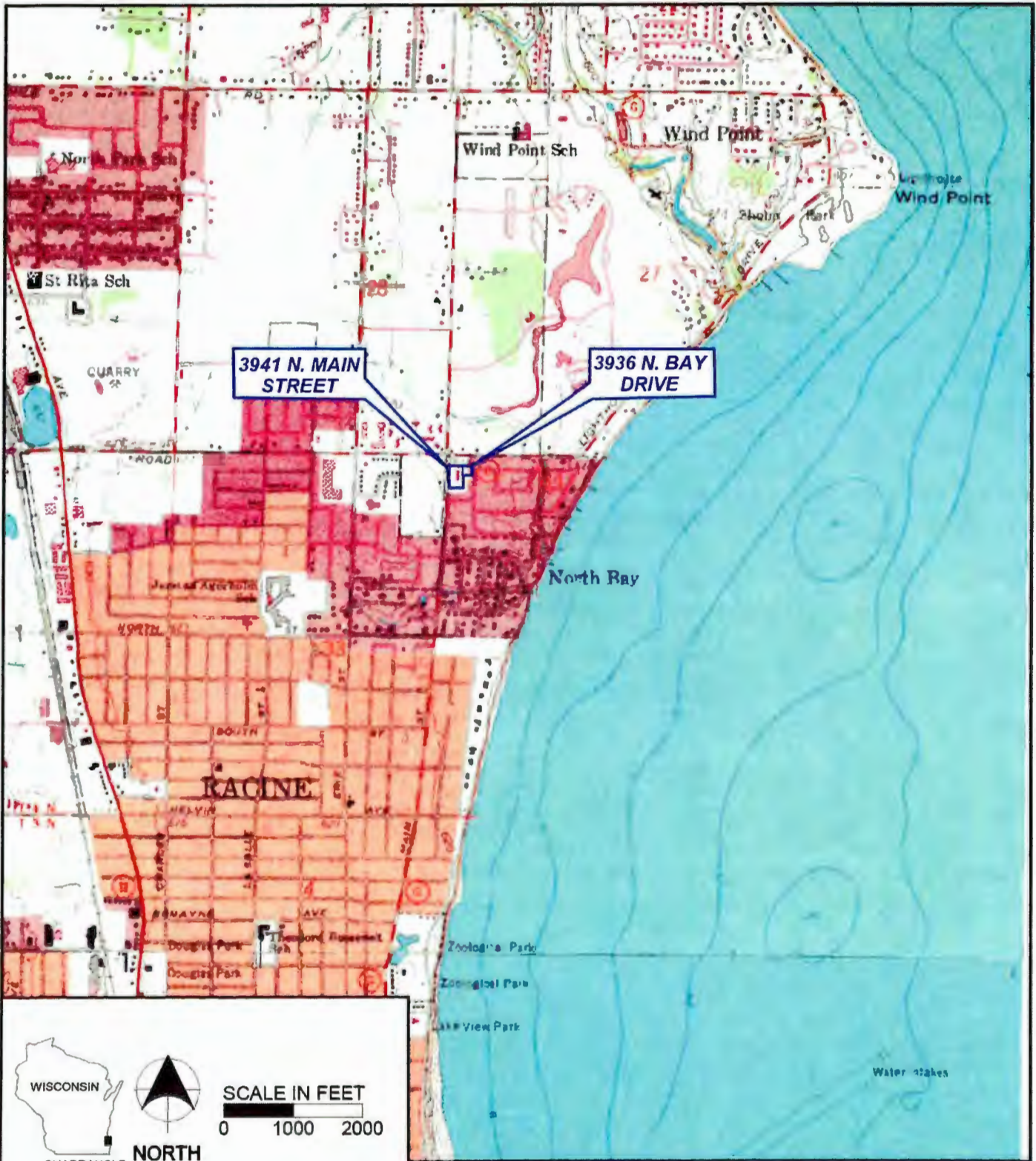
William P. Scott

WPS/ms
Enclosures

cc: Nancy Ryan, Department of Natural Resources (via U.S. Mail)

FIGURES

**Request for Remedial Action Bid Proposal
Former Express Cleaners Site, 3921-41 N. Main Street, Racine, Wisconsin
WDNR FID#252010000; BRRTS #02-52-547631
May 5, 2015**



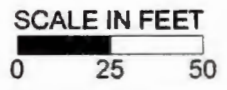
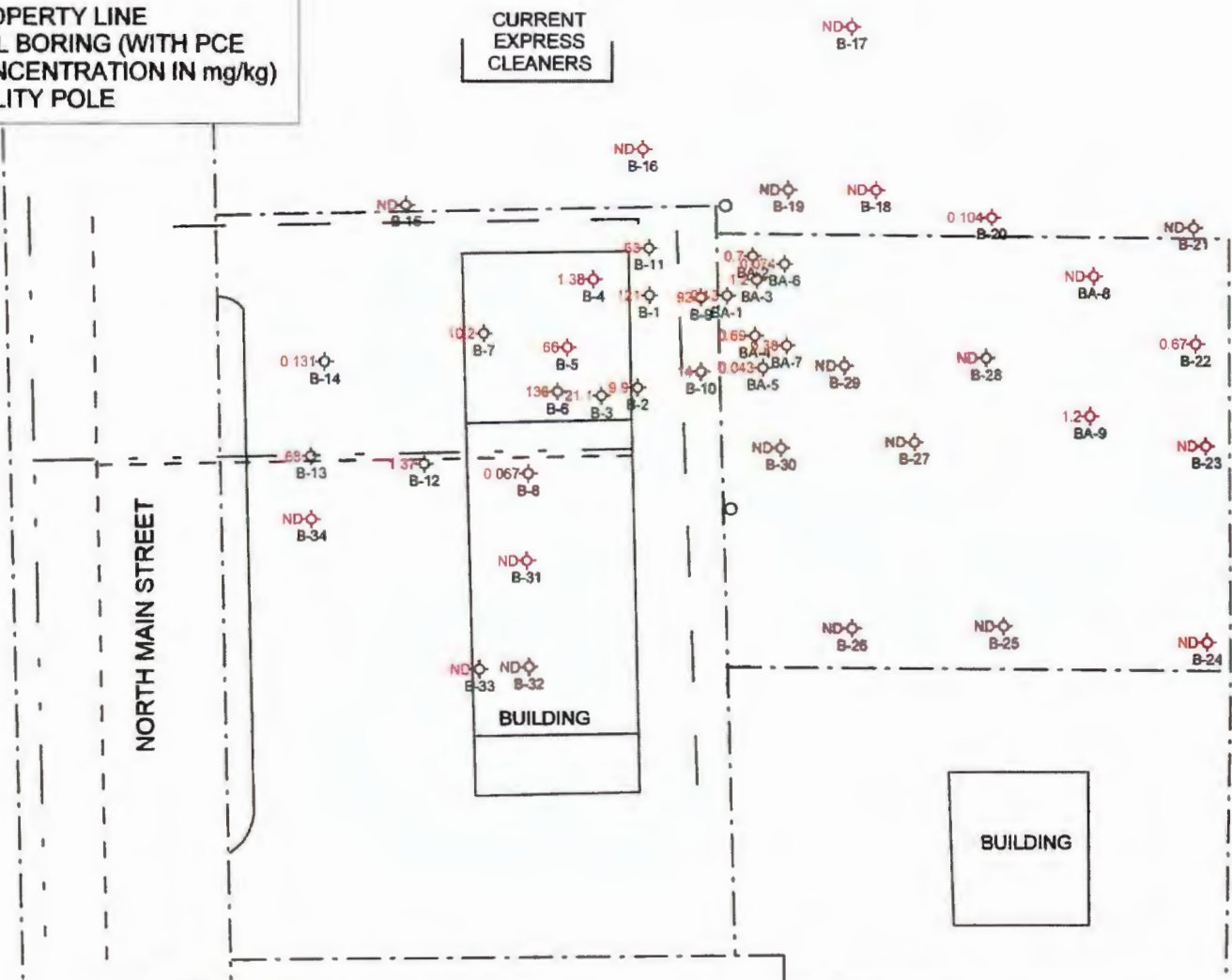
MAP SOURCE: USGS 7.5 MINUTE TOPOGRAPHIC QUADRANGLE, RACINE NORTH, WISCONSIN, 1971.

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EHRlich FAMILY LIMITED PARTNERSHIP FORMER EXPRESS CLEANERS RACINE, WISCONSIN SITE LOCATION			FIGURE 1 FILE SITE LOC
DRAWN BY	PROJ. No.	DATE	
RN	10-203	06 APR 15	

- - - - - WATER
 - - - - - SEWER
 - - - - - GAS
 - - - - - PROPERTY LINE
 10.2 ⬠ SOIL BORING (WITH PCE CONCENTRATION IN mg/kg)
 ○ UTILITY POLE



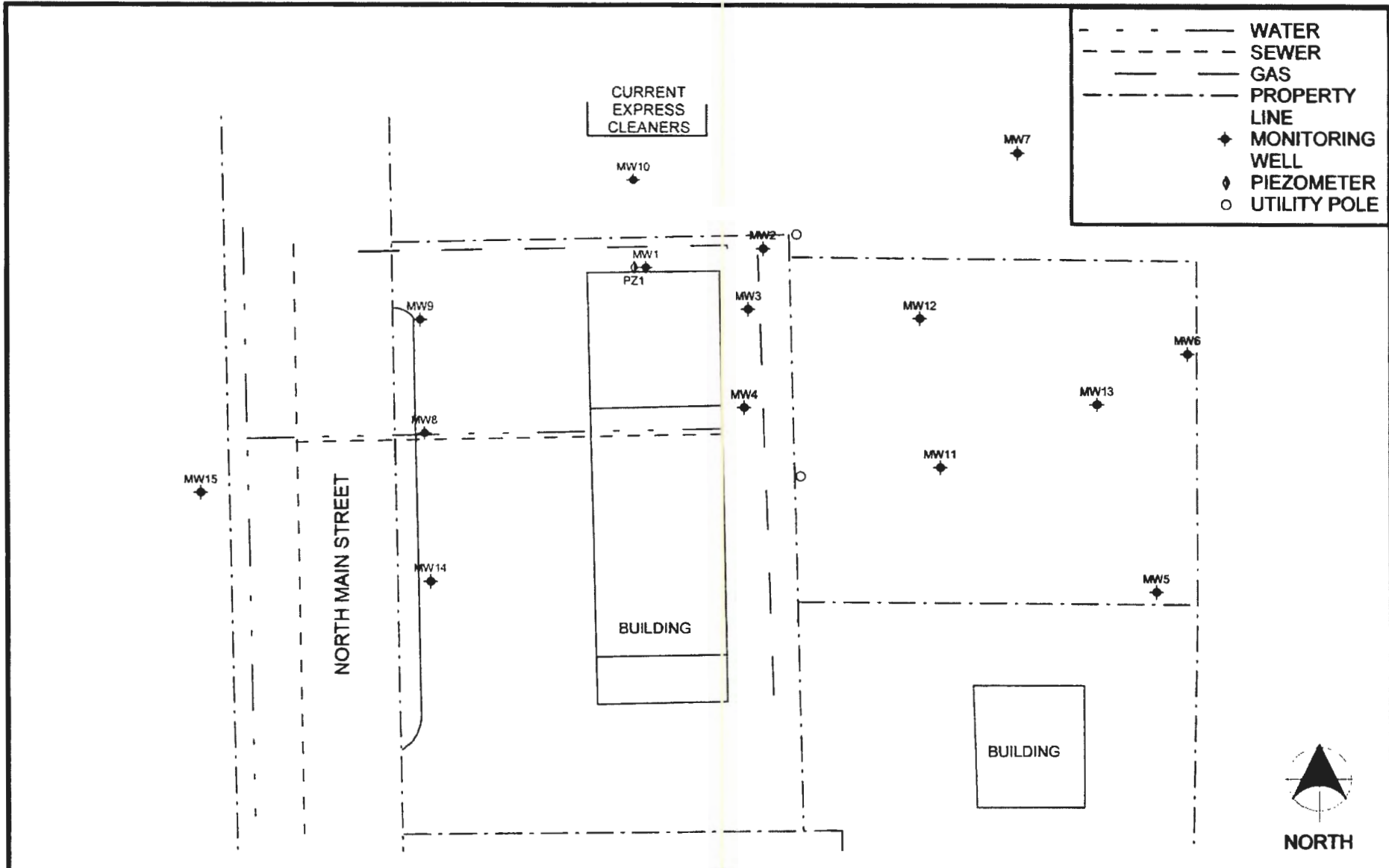
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 Attorneys at Law

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EHRlich FAMILY LIMITED PARTNERSHIP FORMER EXPRESS CLEANERS RACINE, WISCONSIN PCE CONCENTRATIONS IN SOIL		
DRAWN BY	PROJ. No.	DATE
RN	10-105	06 APR 15

FIGURE
2

FILE
 PCE




**GONZALEZ
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EHRlich FAMILY LIMITED PARTNERSHIP FORMER EXPRESS CLEANERS RACINE, WISCONSIN MONITORING WELL LOCATIONS		
DRAWN BY	PROJ. No.	DATE
RN	10-105	28 JAN 15

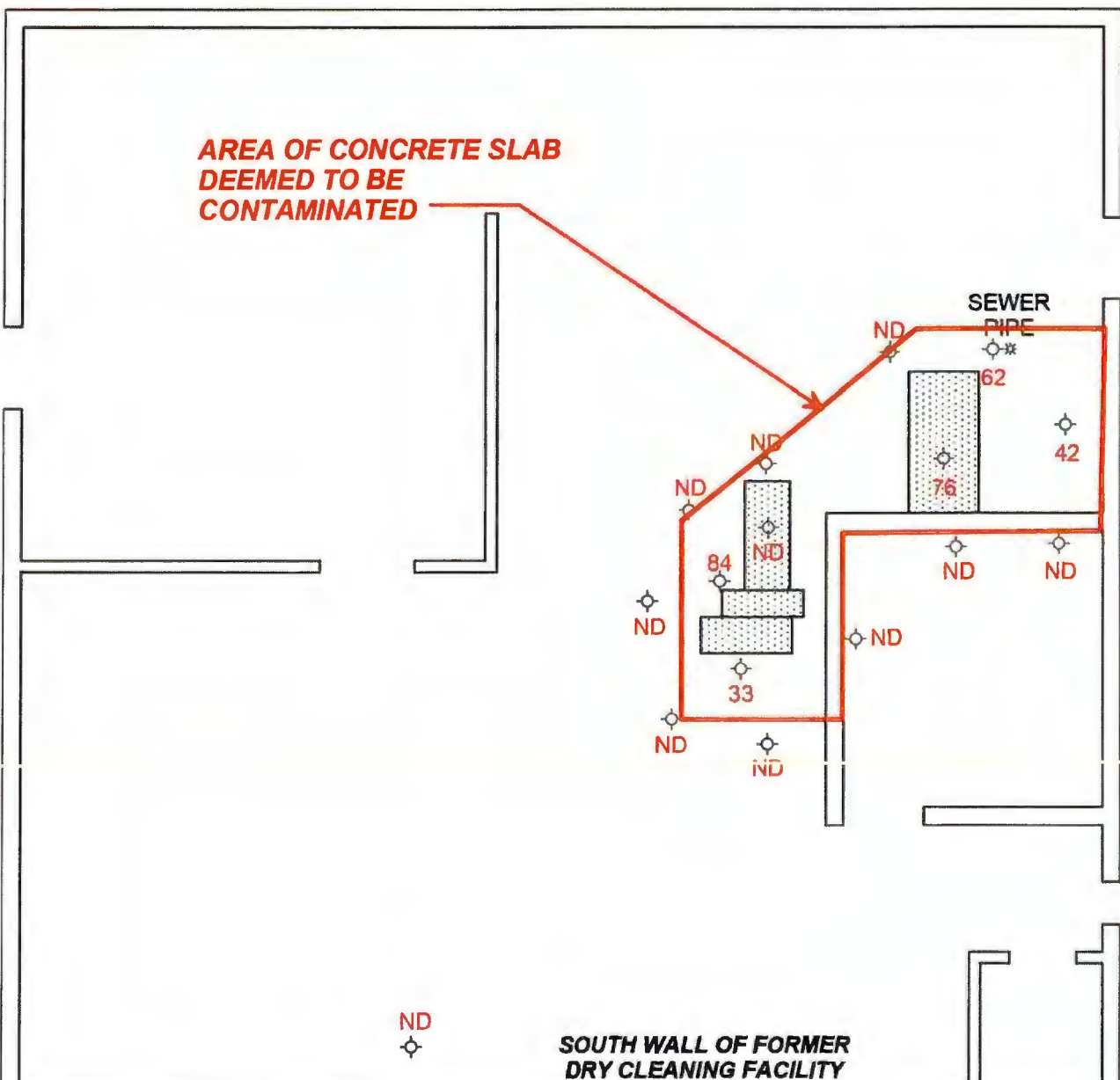
FIGURE

3

FILE

WELL LOC

**AREA OF CONCRETE SLAB
DEEMED TO BE
CONTAMINATED**



SCALE IN FEET
0 3 6



MACHINE FOOTPRINT



CONCRETE CORE
PCE CONCENTRATIONS
IN µg/kg. ND = NON DETECT

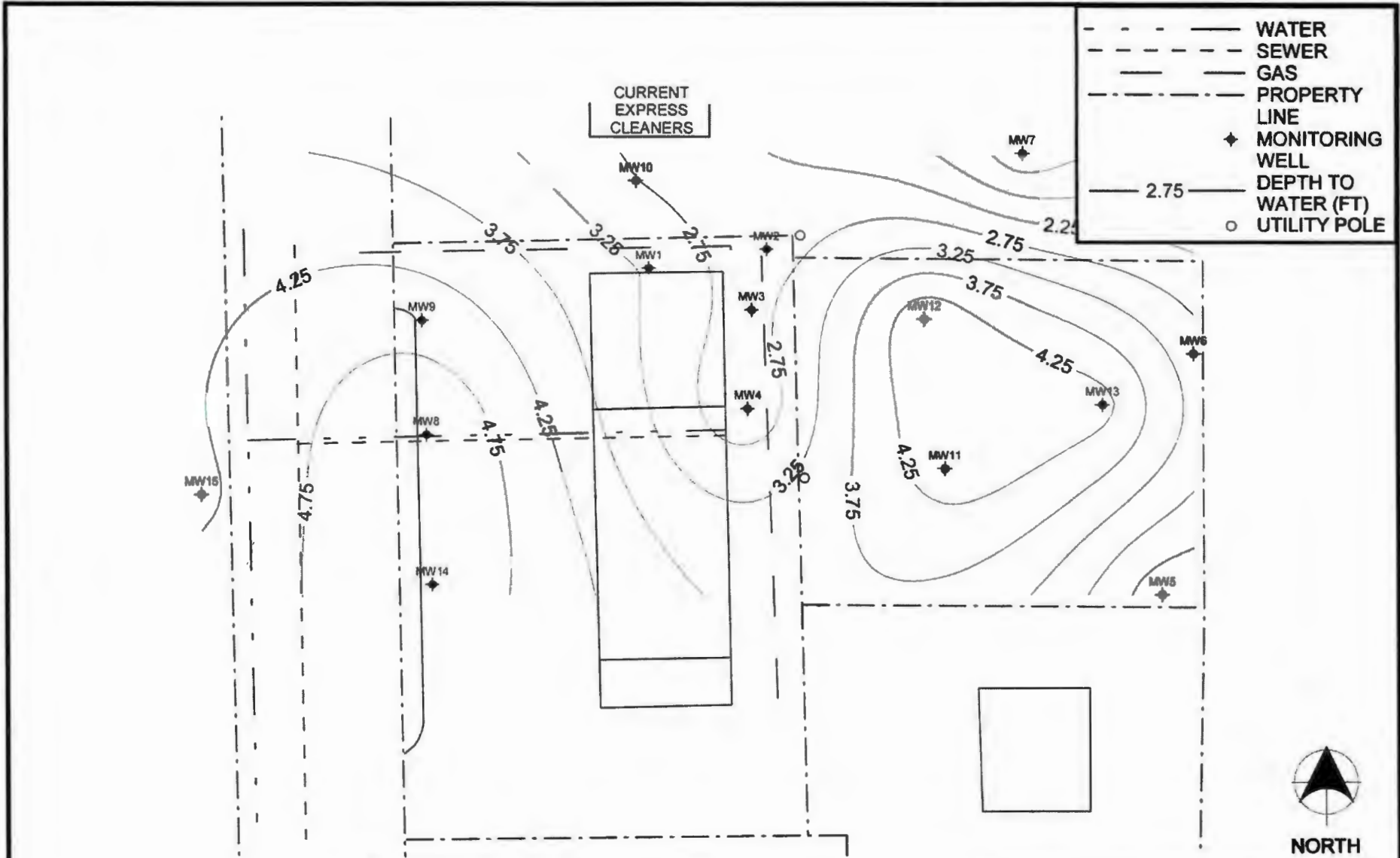
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EHRlich FAMILY LIMITED PARTNERSHIP
FORMER EXPRESS CLEANERS
RACINE, WISCONSIN
CONCRETE CORE SAMPLES

FIGURE
4

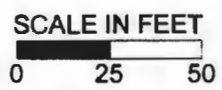
DRAWN BY	PROJ. No.	DATE	FILE
RN	10-203	07 APR 15	CONT CONC



- - - - - WATER
 - - - - - SEWER
 - - - - - GAS
 - - - - - PROPERTY LINE
 ◆ MONITORING WELL
 — 2.75 — DEPTH TO WATER (FT)
 ○ UTILITY POLE



NORTH



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EHRlich FAMILY LIMITED PARTNERSHIP FORMER EXPRESS CLEANERS RACINE, WISCONSIN DEPTH TO GROUNDWATER			
DRAWN BY	PROJ. No.	DATE	FILE
RN	10-105	06 APR 15	DTW

FIGURE
5

TABLES

**Request for Remedial Action Bid Proposal
Former Express Cleaners Site, 3921-41 N. Main Street, Racine, Wisconsin
WDNR FID#252010000; BRRTS #02-52-547631
May 5, 2015**

TABLE 1
GROUNDWATER QUALITY
EXPRESS CLEANERS
RACINE, WISCONSIN
 All concentrations in µg/L

WELL	cis-1,2-Dichloroethene	trans-1,2-Dichloroethene	Tetrachlorethene	Trichloroethene	Vinyl chloride
MW1	15.3	<0.79	173	4.9	<0.18
MW2	17.8	<3.95	58	6.5	<0.9
MW3	600	<39.5	770	82	<9
MW4	<0.74	<0.79	<0.44	<0.47	<0.18
MW5	<0.74	<0.79	<0.44	<0.47	<0.18
MW6	19.1	<0.79	6.5	3.03	<0.18
MW7	<0.74	<0.79	<0.44	<0.47	<0.18
MW8	99	<39.5	810	<23.5	<9
MW9	<0.74	<0.79	1.52	<0.47	<0.18
MW10	<0.74	<0.79	<0.44	<0.47	<0.18
MW11	<0.74	<0.79	<0.44	<0.47	<0.18
MW12	1.91	<0.79	5.4	<0.47	<0.18
MW13	<0.74	<0.79	<0.44	<0.47	<0.18
MW14	<0.74	<0.79	<0.44	<0.47	<0.18
MW15	<0.74	<0.79	<0.44	<0.47	<0.18
PZ1	<0.74	<0.79	2.34	<0.47	<0.18

TABLE 2
TETRACHLOROETHENE CONCENTRATIONS IN SOIL
EXPRESS CLEANERS
RACINE, WISCONSIN

SAMPLE	DEPTH (FT)	PCE (mg/kg)	SAMPLE	DEPTH (FT)	PCE (mg/kg)
PZ1	1 - 3	0.37	B15	4 - 6	<0.025
MW1	3.5 - 5.5	0.43	B16	2 - 4	<0.025
MW2	1 - 3	1.74	B17	2 - 4	<0.025
MW3	1 - 3	8.4	B18	2 - 4	<0.025
MW4	1 - 3	<0.025	B19	2 - 4	<0.025
MW6	2 - 4	0.048	B20	2 - 4	0.104
MW8	1 - 3	0.33	B21	2 - 4	<0.025
MW12	1 - 3	<0.018	B22	2 - 4	0.67
MW14	3 - 5	<0.024	B23	2 - 4	<0.025
MW15	2 - 4	<0.024	B24	2 - 4	<0.025
B1	4	121	B25	2 - 4	<0.025
B2	2	9.9	B26	2 - 4	<0.025
B2	12	0.465	B27	2 - 4	<0.025
B3	4	21.1	B28	2 - 4	<0.025
B4	2 - 4	270	B29	2 - 4	<0.025
B4	4 - 6	1.38	B30	2 - 4	<0.025
B4	14 - 16	0.27	B31	2 - 4	<0.025
B5	2 - 4	66	B32	2 - 4	<0.025
B5	10 - 12	0.305	B33	2 - 4	<0.025
B6	2 - 4	136	B34	3 - 5	<0.024
B6	12 - 14	174	BA1	2	0.13
B7	2 - 4	10.2	BA2	0.5	0.65
B7	6 - 8	77	BA2	2	0.70
B8	2 - 4	0.067	BA3	0.5	1.2
B9	0 - 2	92	BA3	2	1.3
B9	8 - 10	770	BA4	0.5	0.69
B10	2 - 4	14	BA4	2	0.10
B10	8 - 10	0.028	BA5	3	0.043
B11	2 - 4	63	BA6	0.5	0.056
B11	6 - 8	590	BA6	2	0.074
B12	2 - 4	1.37	BA7	0.5	0.084
B13	2 - 4	0.112	BA7	2	0.38
B13	6 - 8	68	BA8	1.5	<0.025
B14	2 - 4	0.131	BA9	0.5	0.033
B15	2 - 4	<0.025	BA9	2	1.2



RECEIVED

MAY 06 2015

May 5, 2015

BY: _____

Stuart Gross
Stantec
12075 North Corporate Parkway, Suite 210
Mequon, Wisconsin 53092

Re: Request for Remedial Action Bid Proposal
Former Express Cleaners Site, 3921-41 N. Main Street, Racine, Wisconsin
WDNR FID#252010000; BRRTS #02-52-547631

Dear Mr. Gross:

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Pasadena, CA
Phoenix, AZ
Washington, D.C.
Wayne, NJ
West Des Moines, IA

analytical detection limits. Additional information is contained in the Site Investigation Report and Additional Site Activities Report, which will send you via email as pdf files upon request. You are encouraged to review the file at the Wisconsin Department of Natural Resources (“DNR”).

Assumptions Applicable to All Proposals

In preparing your Proposal, assume the following:

- 1) All business activities at the Site have ceased and the entire Site is available for your use;
- 2) Following remediation, the EFLP expects that both the Main Street Property and the North Bay Drive Property will be redeveloped for commercial use (zoned B2 “Commercial Shopping District” and O/I Office/Institutional, respectively).
- 3) Portions of the floor slab that have been shown by testing to be contaminated with solvents (see Figure 4). The condition of any foundation elements below the contaminated portions of the floor slab is unknown. We have discussed with DNR its ability to make a ‘contained out’ determination for the contaminated slab debris, such that they would not be hazardous waste. Appendix A includes an e-mail from DNR indicating that if the concentrations are not higher than the ‘contained out’ values for contaminated soil, then the contaminated debris will be ‘contained out’. If the contaminated concrete is demolished and ‘contained out’ to become a non-hazardous waste, the EFLP will not approve re-use of such contaminated concrete but will approve disposal of such contaminated concrete as non-hazardous waste in a licensed solid waste landfill;
- 4) The DNR will consider reimbursing up to \$15,000 of demolition necessary to complete the remedy in addition to reimbursing as remedial costs removal and disposal of the contaminated floor slab and foundation elements. If your Proposal finds that demolition of the building or slab is necessary to complete the remedy, the superstructure of the building at 3921-41 N. Main Street will be demolished by others, but the slab and utilities will remain and you will be responsible for demolishing the slab and disposing or reusing the waste. Utilities will be disconnected and capped at the property boundary unless your Proposal states that you will arrange to have specified utilities available for use in remediation, in which case you will be responsible for proper disposition and metering of any such specified utilities; and

Cleanup Goals

General. The primary remedial goal is for DNR to award full case closure. A secondary goal is to treat or remove sufficient contaminant mass from the Site so as to substantially reduce future

threats posed by vapor intrusion, ensure that the groundwater plume will not expand and ensure that any remaining contamination is naturally attenuated within a reasonable time.

Soil. Your Proposal should clearly explain your soil remediation goals and show your own interpretation, based on the data, of the areas and depths of soil that must be treated to achieve your target soil remediation goals. Soil concentrations from the site investigation are summarized in Table 2. Please note, that some of the soil samples were collected from beneath the water table. For purposes of achieving soil goals, samples collected beneath the water table are not to be considered to represent soil conditions, but rather should be considered a result of groundwater conditions. For help in determining sample depths compared with groundwater depth, Figure 5 is provided, showing the approximate depth to groundwater. Please note, as part of the effort to reduce contaminant mass at the Site, the DNR supports remediating the saturated and unsaturated media in the sewer utility corridor extending from the western Site boundary to the point where the sewer utility enters the slab.

Groundwater. You must determine whether groundwater remediation is necessary to obtain case closure for the hazardous substances at and originating from the Site, including from the perspectives of any potential groundwater receptors and potential generation of soil vapors. If groundwater remediation is necessary, you must address the method and costs of any groundwater remedial activity proposed and the goals including the reduction of concentration and mass of contaminant and the three-dimension areas subject to suggested groundwater remediation goals. Please note, as part of the effort to reduce contaminant mass at the Site, the DNR supports remediating the saturated and unsaturated media in the sewer utility corridor extending from the western Site boundary to the point where the sewer utility enters the slab.

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1. NR 169.23(2)(d). Sealed Bid submitted by specified date. Bids must be sealed in an inner envelope and then placed in an outer envelope, which is also sealed. The outer envelope should clearly be labeled: "Sealed bid enclosed". The inner envelope should be labeled with the consultant's name, the site name and BRRTS number, the bid opening date, and state that the type of bid is enclosed is a "remedial action." A sealed bid must be delivered to the owner/operator requesting the bid and a second sealed bid must be delivered to the DNR project manager assigned to the dry cleaner.
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 - a) Be fully informed about the project scope & have the expertise to analyze alternatives and design the most suitable response action.
 - b) Provide necessary staff and facilities for all phases of planning, design, construction, and operation.
 - c) Provide qualified technical reviewers to advise the owner and work toward remedial goals.
 - d) Perform all services in an ethical, professional, timely manner.
3. NR 169.23(6)(a). NR 722 technical & economic feasibility evaluation of alternatives, including natural attenuation and enhanced NA.
4. NR 169 (6)(b). Description of the remedy proposed and how the remedy will result in NR 726 closure.
5. NR 169(6)(c). Clear description & itemized list of consultant & contract services included in the proposed remedy.
6. NR 169(6)(d). Description & cost estimate for implementation, analysis and interpretation of pilot test for active remedial systems, unless the consultant can justify that a pilot test is unnecessary (by providing examples of Wisconsin locations of similar soil and groundwater characteristics where the proposed remedial method was successful on similar contaminants).
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8. NR 169.23(6)(f). Include the following for every service or units of service (see NR

169.23(7) for list of services to be priced per hour or per unit):

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- c) Total estimated price for service.
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- a) Consultant and contract services will comply with NR 700 – 754.
- b) Upon request, consultant will make available to the DNR for inspection and copying all documents and records related to the contract services.
- c) Consultant did not prepare bid in collusion with any other consultant submitting a bid on the site.

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- a) Errors & omissions of \$1 M/claim and minimum \$1 M/year aggregate.
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- d) Maximum deductible of less than \$25,000/claim or (NR 169.23(9)(b)2.) consultant must furnish proof of financial responsibility for amount of deductible.

11. Site Map. Your Proposal must illustrate the areas of treatment on a site map and for each area treated must show the depth of proposed treatment.

12. Soil Vapor. Please include a statement of how your proposed remedy will prevent vapors in excess of vapor screening risk levels from migrating off the Site. If you are not convinced your remedy will not prevent such vapor levels from leaving the Site, include a cost for performing vapor screening after completion of remedial measures but before the final round of ground water monitoring needed for case closure. In addition, please note that DNR requires a contingency cost to perform a vapor analysis of the former Pugh Oil building (see item 15.b, below).

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inches of verified-clean #6 crushed stone. All excavated areas on the North Bay Drive portion of the Site must be finished with verified-clean, topsoil fill and seeded with a high quality, weed-free grass seed mix.

14. Miscellaneous Project Requirements.

- a) Your Proposal must address all migration pathways.
- b) Your Proposal must clearly state whether you believe there are any groundwater receptors and the impact of your belief on the applicable groundwater RCL.
- c) Your Proposal must address whether remediation of any contaminated areas is necessary to achieve case closure, and if so, identify the three-dimensional areas where remediation is necessary, explain the method or rationale used to determine each area to be remediated, and state the remedial goals for each such area, including both saturated and unsaturated zones.
- d) Your Proposal must clearly state how all soils within 4 feet of the ground surface will be remediated below the direct contact residential RCLs.
- e) Your Proposal must explain how and when the proposed remedial action will result in case closure and discuss your reasoning for arriving at that conclusion. If case closure is not expected within three years, you must explain how performance of any remedial or monitoring activities that remain incomplete one year after commencing remediation will not interfere with commercial redevelopment of the Site.
- f) Your Proposal must clearly state how and when the consultant will demonstrate the progress and effectiveness of the remedial strategy – e.g., by means of periodic groundwater sampling, post remediation soil sampling, etc. The costs for these activities are to be included in your Proposal.
- g) Your Proposal must include and show calculations for your estimate of the amount of contaminant mass that will be reduced by the remediation up to the point in time that you estimate seeking case closure. Please separately calculate itemize contaminant reduction in unsaturated soil and in the saturated zone.
- h) Your Proposal must clearly state whether the demolition of the building would be beneficial for completing the proposed remedial activities. If you believe demolition would be beneficial and your Proposal is selected, the superstructure of the building will be demolished by others with the exception of the slab and any underlying improvements, the removal and disposal of which should be included in your Proposal, including both the contaminated and uncontaminated portions of the slab and any other foundation elements.

15. Cost Estimates. Estimated costs should be summarized on DNR Form 4400-214d. Your Proposal must include itemized costs for the following:

- a) Contingency installation of one additional monitoring well to be generally located at the eastern margin of the groundwater plume affecting the North Bay Drive portion of the Site at a location satisfactory to DNR.
- b) Conducting a vapor assessment of the former Pugh Oil building located adjacent to the northern boundary of the Main Street portion of the Site. This assessment must include a contingency cost for sub-slab vapor testing at the building on the former Pugh Oil property. All vapor testing will be performed after the remedial work but before seeking case closure.
- c) Remedial activities may require the abandonment of one or more existing groundwater monitoring wells. Your Proposal should include abandonment costs, indicate the consultant's opinion as to whether or not abandoned wells should be replaced, and include the cost of replacement of any wells that the consultant believes should be replaced.
- d) At least one round of pre-remedial groundwater monitoring and eight quarters of post-remedial monitoring and reporting and well abandonment (state the number of rounds, number of sampling points and test methods to be performed).
- e) Post-remedial soil sampling to confirm the adequacy and effectiveness of remediation.
- f) Report preparation and regulatory interaction necessary to attain NR 726 case closure of the entire Site, including costs to prepare closure reports, GIS Registry documents, maintenance plans, etc.
- g) If natural attenuation will be relied upon for a remedy to ensure the DNR finds that the groundwater quality will be restored to the extent practicable through natural attenuation, then your Proposal shall include the costs of: applicable environmental insurance premium; demonstrating the plume is stable or receding and; demonstrating that natural attenuation is occurring and will continue.

16. Proposed Work Schedule. Your Proposal should include a proposed work schedule for conducting each phase of the remedial work. The work schedule should include the proposed start date and the number of anticipated weeks/months/years to complete each major phase of remedial, post-remedial, and monitoring work. Please include any limitation on proposed start date and any limitation date for receiving notice of project award.

Stuart Gross
May 5, 2015
Page 8

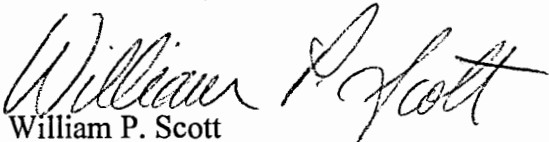
If your consulting firm decides to submit a Proposal for the Site, provide one copy to the undersigned and another copy, in double sealed envelopes, to the DNR project manager for the Site at the address listed below.

Ms. Nancy Ryan
Wisconsin Department of Natural Resources
2300 N. Dr. Martin Luther King, Jr. Drive
Milwaukee, WI 53212

Your Proposal and all other bid proposals must be received by this firm and DNR by close of business on May 19, 2015. We will then review all bids, select the bid that best meets the cleanup objectives while minimizing costs, and provide the name of the selected bidder to DNR for approval. Once DNR approves the selected bidder, we will promptly notify the firm that has been selected.

If you have any questions or comments, please contact me at 414-755-8144. Please do not contact DNR without first discussing the matter with us. Thank you for your time, and we look forward to reviewing your Proposal.

Sincerely,


William P. Scott

WPS/ms
Enclosures

cc: Nancy Ryan, Department of Natural Resources (via U.S. Mail)



May 5, 2015

Lori Huntoon
Avantti
9415 W. Forest Home Avenue
Suite 200
Milwaukee, WI 53130

Re: Request for Remedial Action Bid Proposal
Former Express Cleaners Site, 3921-41 N. Main Street, Racine, Wisconsin
WDNR FID#252010000; BRRTS #02-52-547631

Dear Ms. Huntoon:

This is our request for your remedial action bid proposal (your "Proposal") for remediation of the above-referenced, Dry Cleaner Environmental Response Program ("DERP") Site and the adjacent property located at 3936 North Bay Drive (collectively, the "Site") – see Figure 1, Site Location Map. We represent the Site owner, the Ehrlich Family Limited Partnership ("EFLP"). We request you submit your Proposal prepared in accordance with this invitation to bid and submitted no later than May 19, 2015. If you decide not to submit a Proposal, please let us know as soon as possible. Proposals received in the past were disqualified for one of several reasons, primarily for being insufficiently thorough.

Site Description

The Site consists of a one-story, 6804 square foot strip mall (without a basement) on a 0.77 acre lot located at 3921 - 3941 North Main Street and the adjacent 0.45 acre lot located at 3936 North Bay Drive, Racine, Wisconsin 53402-3611. The northern unit of the strip mall (3941 N. Main Street) was formerly the location of a dry cleaning operation from 1971 until approximately 2006. The Site has been contaminated by dry cleaning solvents, as shown on Figure 2. Monitoring well locations are plotted on Figure 3; groundwater concentrations from the most recent sampling event are summarized in Table 1. Concentrations of PCE, TCE, cis-1,2 DCE and vinyl chloride in groundwater all exceed the enforcement standards. Impacted soils are present in some locations directly beneath the paved surfaces and building slab, and extend beneath the water table to a depth of up to approximately 11 feet. Impacted soils within 4 feet of the ground surface exceed the direct contact industrial RCLs for some contaminants. Soil vapor beneath the foundation of the strip mall building contains PCE and/or TCE in excess of the US EPA Target Shallow Gas Concentration standards. An off-site monitoring well west of Main Street tested on April 7, 2011 did not contain dry-cleaning related contaminants above laboratory

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- 1) All business activities at the Site have ceased and the entire Site is available for your use;
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Soil. Your Proposal should clearly explain your soil remediation goals and show your own interpretation, based on the data, of the areas and depths of soil that must be treated to achieve your target soil remediation goals. Soil concentrations from the site investigation are summarized in Table 2. Please note, that some of the soil samples were collected from beneath the water table. For purposes of achieving soil goals, samples collected beneath the water table are not to be considered to represent soil conditions, but rather should be considered a result of groundwater conditions. For help in determining sample depths compared with groundwater depth, Figure 5 is provided, showing the approximate depth to groundwater. Please note, as part of the effort to reduce contaminant mass at the Site, the DNR supports remediating the saturated and unsaturated media in the sewer utility corridor extending from the western Site boundary to the point where the sewer utility enters the slab.

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Lori Huntoon
May 5, 2015
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Sincerely,


William P. Scott

WPS/ms
Enclosures

cc: Nancy Ryan, Department of Natural Resources (via U.S. Mail)



May 5, 2015

James E. Bannantine
Senior Hydrogeologist
Geosyntec Consultants
10200 North Port Washington Road, Suite 200
Mequon, WI 53092

Re: Request for Remedial Action Bid Proposal
Former Express Cleaners Site, 3921-41 N. Main Street, Racine, Wisconsin
WDNR FID#252010000; BRRTS #02-52-547631

Dear Mr. Bannantine:

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- 4) The DNR will consider reimbursing up to \$15,000 of demolition necessary to complete the remedy in addition to reimbursing as remedial costs removal and disposal of the contaminated floor slab and foundation elements. If your Proposal finds that demolition of the building or slab is necessary to complete the remedy, the superstructure of the building at 3921-41 N. Main Street will be demolished by others, but the slab and utilities will remain and you will be responsible for demolishing the slab and disposing or reusing the waste. Utilities will be disconnected and capped at the property boundary unless your Proposal states that you will arrange to have specified utilities available for use in remediation, in which case you will be responsible for proper disposition and metering of any such specified utilities; and

Cleanup Goals

General. The primary remedial goal is for DNR to award full case closure. A secondary goal is to treat or remove sufficient contaminant mass from the Site so as to substantially reduce future

James E. Bannantine

May 5, 2015

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threats posed by vapor intrusion, ensure that the groundwater plume will not expand and ensure that any remaining contamination is naturally attenuated within a reasonable time.

Soil. Your Proposal should clearly explain your soil remediation goals and show your own interpretation, based on the data, of the areas and depths of soil that must be treated to achieve your target soil remediation goals. Soil concentrations from the site investigation are summarized in Table 2. Please note, that some of the soil samples were collected from beneath the water table. For purposes of achieving soil goals, samples collected beneath the water table are not to be considered to represent soil conditions, but rather should be considered a result of groundwater conditions. For help in determining sample depths compared with groundwater depth, Figure 5 is provided, showing the approximate depth to groundwater. Please note, as part of the effort to reduce contaminant mass at the Site, the DNR supports remediating the saturated and unsaturated media in the sewer utility corridor extending from the western Site boundary to the point where the sewer utility enters the slab.

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1. NR 169.23(2)(d). Sealed Bid submitted by specified date. Bids must be sealed in an inner envelope and then placed in an outer envelope, which is also sealed. The outer envelope should clearly be labeled: "Sealed bid enclosed". The inner envelope should be labeled with the consultant's name, the site name and BRRTS number, the bid opening date, and state that the type of bid is enclosed is a "remedial action." A sealed bid must be delivered to the owner/operator requesting the bid and a second sealed bid must be delivered to the DNR project manager assigned to the dry cleaner.
2. NR 169.23(3)(b). Include statements regarding consultant's ability to:
 - a) Be fully informed about the project scope & have the expertise to analyze alternatives and design the most suitable response action.
 - b) Provide necessary staff and facilities for all phases of planning, design, construction, and operation.
 - c) Provide qualified technical reviewers to advise the owner and work toward remedial goals.
 - d) Perform all services in an ethical, professional, timely manner.
3. NR 169.23(6)(a). NR 722 technical & economic feasibility evaluation of alternatives, including natural attenuation and enhanced NA.
4. NR 169 (6)(b). Description of the remedy proposed and how the remedy will result in NR 726 closure.
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6. NR 169(6)(d). Description & cost estimate for implementation, analysis and interpretation of pilot test for active remedial systems, unless the consultant can justify that a pilot test is unnecessary (by providing examples of Wisconsin locations of similar soil and groundwater characteristics where the proposed remedial method was successful on similar contaminants).
7. NR 169(6)(e). Total cost estimate for all consultant & contract services and subtotal for each component service itemized in your Proposal.
8. NR 169.23(6)(f). Include the following for every service or units of service (see NR

169.23(7) for list of services to be priced per hour or per unit):

- a) Price per hour or per unit of service.
- b) A reasonable, good faith estimate of number of hours or units of service to be provided.
- c) Total estimated price for service.
- d) Estimated schedule by which consultant and contractor will perform their services.

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- a) Consultant and contract services will comply with NR 700 – 754.
- b) Upon request, consultant will make available to the DNR for inspection and copying all documents and records related to the contract services.
- c) Consultant did not prepare bid in collusion with any other consultant submitting a bid on the site.

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- a) Errors & omissions of \$1 M/claim and minimum \$1 M/year aggregate.
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- c) If claims made policy, consultant agrees to obtain similar policy for subsequent 3 years.
- d) Maximum deductible of less than \$25,000/claim or (NR 169.23(9)(b)2.) consultant must furnish proof of financial responsibility for amount of deductible.

11. Site Map. Your Proposal must illustrate the areas of treatment on a site map and for each area treated must show the depth of proposed treatment.

12. Soil Vapor. Please include a statement of how your proposed remedy will prevent vapors in excess of vapor screening risk levels from migrating off the Site. If you are not convinced your remedy will not prevent such vapor levels from leaving the Site, include a cost for performing vapor screening after completion of remedial measures but before the final round of ground water monitoring needed for case closure. In addition, please note that DNR requires a contingency cost to perform a vapor analysis of the former Pugh Oil building (see item 15.b, below).

13. Finish Grade. Your Proposal must include an itemized cost estimate to backfill with verified-clean materials any areas of the Site that are excavated in the course of the remediation. All such backfilled areas on the North Main Street portion of the Site must be finished with six-

inches of verified-clean #6 crushed stone. All excavated areas on the North Bay Drive portion of the Site must be finished with verified-clean, topsoil fill and seeded with a high quality, weed-free grass seed mix.

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- a) Your Proposal must address all migration pathways.
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- c) Your Proposal must address whether remediation of any contaminated areas is necessary to achieve case closure, and if so, identify the three-dimensional areas where remediation is necessary, explain the method or rationale used to determine each area to be remediated, and state the remedial goals for each such area, including both saturated and unsaturated zones.
- d) Your Proposal must clearly state how all soils within 4 feet of the ground surface will be remediated below the direct contact residential RCLs.
- e) Your Proposal must explain how and when the proposed remedial action will result in case closure and discuss your reasoning for arriving at that conclusion. If case closure is not expected within three years, you must explain how performance of any remedial or monitoring activities that remain incomplete one year after commencing remediation will not interfere with commercial redevelopment of the Site.
- f) Your Proposal must clearly state how and when the consultant will demonstrate the progress and effectiveness of the remedial strategy – e.g., by means of periodic groundwater sampling, post remediation soil sampling, etc. The costs for these activities are to be included in your Proposal.
- g) Your Proposal must include and show calculations for your estimate of the amount of contaminant mass that will be reduced by the remediation up to the point in time that you estimate seeking case closure. Please separately calculate itemize contaminant reduction in unsaturated soil and in the saturated zone.
- h) Your Proposal must clearly state whether the demolition of the building would be beneficial for completing the proposed remedial activities. If you believe demolition would be beneficial and your Proposal is selected, the superstructure of the building will be demolished by others with the exception of the slab and any underlying improvements, the removal and disposal of which should be included in your Proposal, including both the contaminated and uncontaminated portions of the slab and any other foundation elements.

15. Cost Estimates. Estimated costs should be summarized on DNR Form 4400-214d. Your Proposal must include itemized costs for the following:

- a) Contingency installation of one additional monitoring well to be generally located at the eastern margin of the groundwater plume affecting the North Bay Drive portion of the Site at a location satisfactory to DNR.
- b) Conducting a vapor assessment of the former Pugh Oil building located adjacent to the northern boundary of the Main Street portion of the Site. This assessment must include a contingency cost for sub-slab vapor testing at the building on the former Pugh Oil property. All vapor testing will be performed after the remedial work but before seeking case closure.
- c) Remedial activities may require the abandonment of one or more existing groundwater monitoring wells. Your Proposal should include abandonment costs, indicate the consultant's opinion as to whether or not abandoned wells should be replaced, and include the cost of replacement of any wells that the consultant believes should be replaced.
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- g) If natural attenuation will be relied upon for a remedy to ensure the DNR finds that the groundwater quality will be restored to the extent practicable through natural attenuation, then your Proposal shall include the costs of: applicable environmental insurance premium; demonstrating the plume is stable or receding and; demonstrating that natural attenuation is occurring and will continue.

16. Proposed Work Schedule. Your Proposal should include a proposed work schedule for conducting each phase of the remedial work. The work schedule should include the proposed start date and the number of anticipated weeks/months/years to complete each major phase of remedial, post-remedial, and monitoring work. Please include any limitation on proposed start date and any limitation date for receiving notice of project award.

James E. Bannantine
May 5, 2015
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If your consulting firm decides to submit a Proposal for the Site, provide one copy to the undersigned and another copy, in double sealed envelopes, to the DNR project manager for the Site at the address listed below.

Ms. Nancy Ryan
Wisconsin Department of Natural Resources
2300 N. Dr. Martin Luther King, Jr. Drive
Milwaukee, WI 53212

Your Proposal and all other bid proposals must be received by this firm and DNR by close of business on May 19, 2015. We will then review all bids, select the bid that best meets the cleanup objectives while minimizing costs, and provide the name of the selected bidder to DNR for approval. Once DNR approves the selected bidder, we will promptly notify the firm that has been selected.

If you have any questions or comments, please contact me at 414-755-8144. Please do not contact DNR without first discussing the matter with us. Thank you for your time, and we look forward to reviewing your Proposal.

Sincerely,


William P. Scott

WPS/ms
Enclosures

cc: Nancy Ryan, Department of Natural Resources (via U.S. Mail)



May 5, 2015

Blaine R. Schroyer, P.E.
Terracon
9856 S. 57th St.
Franklin, Wisconsin 53132

Re: Request for Remedial Action Bid Proposal
Former Express Cleaners Site, 3921-41 N. Main Street, Racine, Wisconsin
WDNR FID#252010000; BRRTS #02-52-547631

Dear Mr. Schroyer:

This is our request for your remedial action bid proposal (your "Proposal") for remediation of the above-referenced, Dry Cleaner Environmental Response Program ("DERP") Site and the adjacent property located at 3936 North Bay Drive (collectively, the "Site") – see Figure 1, Site Location Map. We represent the Site owner, the Ehrlich Family Limited Partnership ("EFLP"). We request you submit your Proposal prepared in accordance with this invitation to bid and submitted no later than May 19, 2015. If you decide not to submit a Proposal, please let us know as soon as possible. Proposals received in the past were disqualified for one of several reasons, primarily for being insufficiently thorough.

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Blaine R. Schroyer, P.E.
May 5, 2015
Page 8

If your consulting firm decides to submit a Proposal for the Site, provide one copy to the undersigned and another copy, in double sealed envelopes, to the DNR project manager for the Site at the address listed below.

Ms. Nancy Ryan
Wisconsin Department of Natural Resources
2300 N. Dr. Martin Luther King, Jr. Drive
Milwaukee, WI 53212

Your Proposal and all other bid proposals must be received by this firm and DNR by close of business on May 19, 2015. We will then review all bids, select the bid that best meets the cleanup objectives while minimizing costs, and provide the name of the selected bidder to DNR for approval. Once DNR approves the selected bidder, we will promptly notify the firm that has been selected.

If you have any questions or comments, please contact me at 414-755-8144. Please do not contact DNR without first discussing the matter with us. Thank you for your time, and we look forward to reviewing your Proposal.

Sincerely,



William P. Scott

WPS/ms
Enclosures

cc: Nancy Ryan, Department of Natural Resources (via U.S. Mail)



May 5, 2015

Scott Tarmann, PE
Senior Manager
Environ
175 North Corporate Drive, Suite 160
Brookfield, WI 53045

Re: Request for Remedial Action Bid Proposal
Former Express Cleaners Site, 3921-41 N. Main Street, Racine, Wisconsin
WDNR FID#252010000; BRRTS #02-52-547631

Dear Mr. Tarmann:

This is our request for your remedial action bid proposal (your "Proposal") for remediation of the above-referenced, Dry Cleaner Environmental Response Program ("DERP") Site and the adjacent property located at 3936 North Bay Drive (collectively, the "Site") – see Figure 1, Site Location Map. We represent the Site owner, the Ehrlich Family Limited Partnership ("EFLP"). We request you submit your Proposal prepared in accordance with this invitation to bid and submitted no later than May 19, 2015. If you decide not to submit a Proposal, please let us know as soon as possible. Proposals received in the past were disqualified for one of several reasons, primarily for being insufficiently thorough.

Site Description

The Site consists of a one-story, 6804 square foot strip mall (without a basement) on a 0.77 acre lot located at 3921 - 3941 North Main Street and the adjacent 0.45 acre lot located at 3936 North Bay Drive, Racine, Wisconsin 53402-3611. The northern unit of the strip mall (3941 N. Main Street) was formerly the location of a dry cleaning operation from 1971 until approximately 2006. The Site has been contaminated by dry cleaning solvents, as shown on Figure 2. Monitoring well locations are plotted on Figure 3; groundwater concentrations from the most recent sampling event are summarized in Table 1. Concentrations of PCE, TCE, cis-1,2 DCE and vinyl chloride in groundwater all exceed the enforcement standards. Impacted soils are present in some locations directly beneath the paved surfaces and building slab, and extend beneath the water table to a depth of up to approximately 11 feet. Impacted soils within 4 feet of the ground surface exceed the direct contact industrial RCLs for some contaminants. Soil vapor beneath the foundation of the strip mall building contains PCE and/or TCE in excess of the US EPA Target Shallow Gas Concentration standards. An off-site monitoring well west of Main Street tested on April 7, 2011 did not contain dry-cleaning related contaminants above laboratory

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Los Angeles, CA
Miami, FL
Nashville, TN
New York, NY

Pasadena, CA
Phoenix, AZ
Washington, D.C.
Wayne, NJ
West Des Moines, IA

analytical detection limits. Additional information is contained in the Site Investigation Report and Additional Site Activities Report, which will send you via email as pdf files upon request. You are encouraged to review the file at the Wisconsin Department of Natural Resources (“DNR”).

Assumptions Applicable to All Proposals

In preparing your Proposal, assume the following:

- 1) All business activities at the Site have ceased and the entire Site is available for your use;
- 2) Following remediation, the EFLP expects that both the Main Street Property and the North Bay Drive Property will be redeveloped for commercial use (zoned B2 “Commercial Shopping District” and O/I Office/Institutional, respectively).
- 3) Portions of the floor slab that have been shown by testing to be contaminated with solvents (see Figure 4). The condition of any foundation elements below the contaminated portions of the floor slab is unknown. We have discussed with DNR its ability to make a ‘contained out’ determination for the contaminated slab debris, such that they would not be hazardous waste. Appendix A includes an e-mail from DNR indicating that if the concentrations are not higher than the ‘contained out’ values for contaminated soil, then the contaminated debris will be ‘contained out’. If the contaminated concrete is demolished and ‘contained out’ to become a non-hazardous waste, the EFLP will not approve re-use of such contaminated concrete but will approve disposal of such contaminated concrete as non-hazardous waste in a licensed solid waste landfill;
- 4) The DNR will consider reimbursing up to \$15,000 of demolition necessary to complete the remedy in addition to reimbursing as remedial costs removal and disposal of the contaminated floor slab and foundation elements. If your Proposal finds that demolition of the building or slab is necessary to complete the remedy, the superstructure of the building at 3921-41 N. Main Street will be demolished by others, but the slab and utilities will remain and you will be responsible for demolishing the slab and disposing or reusing the waste. Utilities will be disconnected and capped at the property boundary unless your Proposal states that you will arrange to have specified utilities available for use in remediation, in which case you will be responsible for proper disposition and metering of any such specified utilities; and

Cleanup Goals

General. The primary remedial goal is for DNR to award full case closure. A secondary goal is to treat or remove sufficient contaminant mass from the Site so as to substantially reduce future threats posed by vapor intrusion, ensure that the groundwater plume will not expand and ensure that any remaining contamination is naturally attenuated within a reasonable time.

Soil. Your Proposal should clearly explain your soil remediation goals and show your own interpretation, based on the data, of the areas and depths of soil that must be treated to achieve your target soil remediation goals. Soil concentrations from the site investigation are summarized in Table 2. Please note, that some of the soil samples were collected from beneath the water table. For purposes of achieving soil goals, samples collected beneath the water table are not to be considered to represent soil conditions, but rather should be considered a result of groundwater conditions. For help in determining sample depths compared with groundwater depth, Figure 5 is provided, showing the approximate depth to groundwater. Please note, as part of the effort to reduce contaminant mass at the Site, the DNR supports remediating the saturated and unsaturated media in the sewer utility corridor extending from the western Site boundary to the point where the sewer utility enters the slab.

Groundwater. You must determine whether groundwater remediation is necessary to obtain case closure for the hazardous substances at and originating from the Site, including from the perspectives of any potential groundwater receptors and potential generation of soil vapors. If groundwater remediation is necessary, you must address the method and costs of any groundwater remedial activity proposed and the goals including the reduction of concentration and mass of contaminant and the three-dimension areas subject to suggested groundwater remediation goals. Please note, as part of the effort to reduce contaminant mass at the Site, the DNR supports remediating the saturated and unsaturated media in the sewer utility corridor extending from the western Site boundary to the point where the sewer utility enters the slab.

Soil Vapor. The goal is to demonstrate that contaminated media remaining at the Site following remediation will not cause a vapor action level in indoor air to be attained or exceeded. Your Proposal must include a contingency expense to assess vapor intrusion potential at the former Pugh Oil building, now Express Cleaners, located on the land just north of the Site (assume this contingent vapor assessment would be performed after remediating the Site).

Reduction of Contaminant Mass and Concentration. The DNR has agreed that the 'Area Of Contamination' rules will apply so that any of the known contaminated areas could be excavated and the contaminated media, including purge water, could be consolidated for treatment or management within the Area of Contamination at the Site, in accordance with the DNR's Area Of Contamination rules (see Appendix A). The EFLP will not approve of placing contaminated media in any part of the AOC that is substantially less contaminated than the media that is to be deposited.

Required Content of Proposals

Your Proposal must contain all of the information requested below, or it will be deemed incomplete. The underlined citations are the source of the stated requirement. If you believe that

critical work is excluded from the scope below, you are encouraged to add further tasks together with your justification for suggesting such a change to the scope of work.

1. NR 169.23(2)(d). Sealed Bid submitted by specified date. Bids must be sealed in an inner envelope and then placed in an outer envelope, which is also sealed. The outer envelope should clearly be labeled: "Sealed bid enclosed". The inner envelope should be labeled with the consultant's name, the site name and BRRTS number, the bid opening date, and state that the type of bid is enclosed is a "remedial action." A sealed bid must be delivered to the owner/operator requesting the bid and a second sealed bid must be delivered to the DNR project manager assigned to the dry cleaner.
2. NR 169.23(3)(b). Include statements regarding consultant's ability to:
 - a) Be fully informed about the project scope & have the expertise to analyze alternatives and design the most suitable response action.
 - b) Provide necessary staff and facilities for all phases of planning, design, construction, and operation.
 - c) Provide qualified technical reviewers to advise the owner and work toward remedial goals.
 - d) Perform all services in an ethical, professional, timely manner.
3. NR 169.23(6)(a). NR 722 technical & economic feasibility evaluation of alternatives, including natural attenuation and enhanced NA.
4. NR 169 (6)(b). Description of the remedy proposed and how the remedy will result in NR 726 closure.
5. NR 169(6)(c). Clear description & itemized list of consultant & contract services included in the proposed remedy.
6. NR 169(6)(d). Description & cost estimate for implementation, analysis and interpretation of pilot test for active remedial systems, unless the consultant can justify that a pilot test is unnecessary (by providing examples of Wisconsin locations of similar soil and groundwater characteristics where the proposed remedial method was successful on similar contaminants.
7. NR 169(6)(e). Total cost estimate for all consultant & contract services and subtotal for each component service itemized in your Proposal.
8. NR 169.23(6)(f). Include the following for every service or units of service (see NR 169.23(7) for list of services to be priced per hour or per unit):
 - a) Price per hour or per unit of service.

- b) A reasonable, good faith estimate of number of hours or units of service to be provided.
 - c) Total estimated price for service.
 - d) Estimated schedule by which consultant and contractor will perform their services.
9. NR 169.23(9)(a). Certification statement by consultant:
- a) Consultant and contract services will comply with NR 700 – 754.
 - b) Upon request, consultant will make available to the DNR for inspection and copying all documents and records related to the contract services.
 - c) Consultant did not prepare bid in collusion with any other consultant submitting a bid on the site.
10. NR 169.23(9)(b)(1). Certification of Insurance from an agent licensed to do business in Wisconsin. The insurance company must have an A.M. Best rating of A- or better. Please note that Certificates of Insurance often do not include all the information required by this rule. It is the consultant's responsibility to submit the required information. Please do not submit expired insurance certificates.
- a) Errors & omissions of \$1 M/claim and minimum \$1 M/year aggregate.
 - b) Policy is an occurrence based or claims made policy.
 - c) If claims made policy, consultant agrees to obtain similar policy for subsequent 3 years.
 - d) Maximum deductible of less than \$25,000/claim or (NR 169.23(9)(b)2.) consultant must furnish proof of financial responsibility for amount of deductible.
11. Site Map. Your Proposal must illustrate the areas of treatment on a site map and for each area treated must show the depth of proposed treatment.
12. Soil Vapor. Please include a statement of how your proposed remedy will prevent vapors in excess of vapor screening risk levels from migrating off the Site. If you are not convinced your remedy will not prevent such vapor levels from leaving the Site, include a cost for performing vapor screening after completion of remedial measures but before the final round of ground water monitoring needed for case closure. In addition, please note that DNR requires a contingency cost to perform a vapor analysis of the former Pugh Oil building (see item 15.b, below).
13. Finish Grade. Your Proposal must include an itemized cost estimate to backfill with verified-clean materials any areas of the Site that are excavated in the course of the remediation. All such backfilled areas on the North Main Street portion of the Site must be finished with six-inches of verified-clean #6 crushed stone. All excavated areas on the North Bay Drive portion of

the Site must be finished with verified-clean, topsoil fill and seeded with a high quality, weed-free grass seed mix.

14. Miscellaneous Project Requirements.

- a) Your Proposal must address all migration pathways.
- b) Your Proposal must clearly state whether you believe there are any groundwater receptors and the impact of your belief on the applicable groundwater RCL.
- c) Your Proposal must address whether remediation of any contaminated areas is necessary to achieve case closure, and if so, identify the three-dimensional areas where remediation is necessary, explain the method or rationale used to determine each area to be remediated, and state the remedial goals for each such area, including both saturated and unsaturated zones.
- d) Your Proposal must clearly state how all soils within 4 feet of the ground surface will be remediated below the direct contact residential RCLs.
- e) Your Proposal must explain how and when the proposed remedial action will result in case closure and discuss your reasoning for arriving at that conclusion. If case closure is not expected within three years, you must explain how performance of any remedial or monitoring activities that remain incomplete one year after commencing remediation will not interfere with commercial redevelopment of the Site.
- f) Your Proposal must clearly state how and when the consultant will demonstrate the progress and effectiveness of the remedial strategy – e.g., by means of periodic groundwater sampling, post remediation soil sampling, etc. The costs for these activities are to be included in your Proposal.
- g) Your Proposal must include and show calculations for your estimate of the amount of contaminant mass that will be reduced by the remediation up to the point in time that you estimate seeking case closure. Please separately calculate itemize contaminant reduction in unsaturated soil and in the saturated zone.
- h) Your Proposal must clearly state whether the demolition of the building would be beneficial for completing the proposed remedial activities. If you believe demolition would be beneficial and your Proposal is selected, the superstructure of the building will be demolished by others with the exception of the slab and any underlying improvements, the removal and disposal of which should be included in your Proposal, including both the contaminated and uncontaminated portions of the slab and any other foundation elements.

15. Cost Estimates. Estimated costs should be summarized on DNR Form 4400-214d. Your Proposal must include itemized costs for the following:

- a) Contingency installation of one additional monitoring well to be generally located at the eastern margin of the groundwater plume affecting the North Bay Drive portion of the Site at a location satisfactory to DNR.
- b) Conducting a vapor assessment of the former Pugh Oil building located adjacent to the northern boundary of the Main Street portion of the Site. This assessment must include a contingency cost for sub-slab vapor testing at the building on the former Pugh Oil property. All vapor testing will be performed after the remedial work but before seeking case closure.
- c) Remedial activities may require the abandonment of one or more existing groundwater monitoring wells. Your Proposal should include abandonment costs, indicate the consultant's opinion as to whether or not abandoned wells should be replaced, and include the cost of replacement of any wells that the consultant believes should be replaced.
- d) At least one round of pre-remedial groundwater monitoring and eight quarters of post-remedial monitoring and reporting and well abandonment (state the number of rounds, number of sampling points and test methods to be performed).
- e) Post-remedial soil sampling to confirm the adequacy and effectiveness of remediation.
- f) Report preparation and regulatory interaction necessary to attain NR 726 case closure of the entire Site, including costs to prepare closure reports, GIS Registry documents, maintenance plans, etc.
- g) If natural attenuation will be relied upon for a remedy to ensure the DNR finds that the groundwater quality will be restored to the extent practicable through natural attenuation, then your Proposal shall include the costs of: applicable environmental insurance premium; demonstrating the plume is stable or receding and; demonstrating that natural attenuation is occurring and will continue.

16. Proposed Work Schedule. Your Proposal should include a proposed work schedule for conducting each phase of the remedial work. The work schedule should include the proposed start date and the number of anticipated weeks/months/years to complete each major phase of remedial, post-remedial, and monitoring work. Please include any limitation on proposed start date and any limitation date for receiving notice of project award.

Scott Tarmann, PE
May 5, 2015
Page 8

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Sincerely,

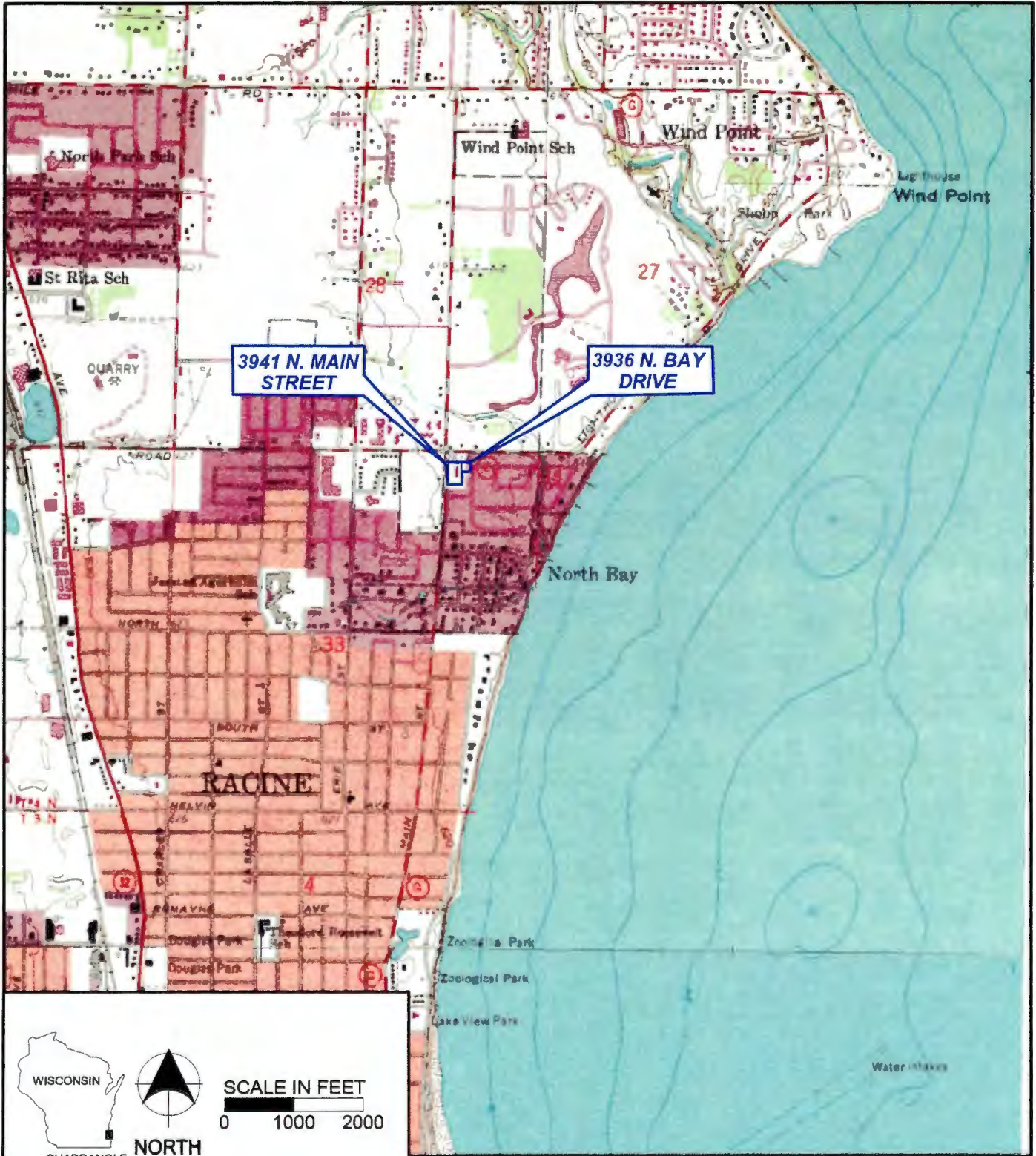

William P. Scott

WPS/ms
Enclosures

cc: Nancy Ryan, Department of Natural Resources (via U.S. Mail)

FIGURES

Request for Remedial Action Bid Proposal
Former Express Cleaners Site, 3921-41 N. Main Street, Racine, Wisconsin
WDNR FID#252010000; BRRTS #02-52-547631
May 5, 2015



MAP SOURCE: USGS 7.5 MINUTE TOPOGRAPHIC QUADRANGLE, RACINE NORTH, WISCONSIN, 1971.

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HARLAN
Attorneys at Law

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SUITE 1000
MILWAUKEE, WISCONSIN 53202
T: 414-277-8500
F: 414-277-8521

EHRlich FAMILY LIMITED PARTNERSHIP
FORMER EXPRESS CLEANERS
RACINE, WISCONSIN
SITE LOCATION

FIGURE

1

DRAWN BY

PROJ. No.

DATE

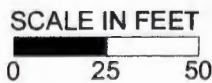
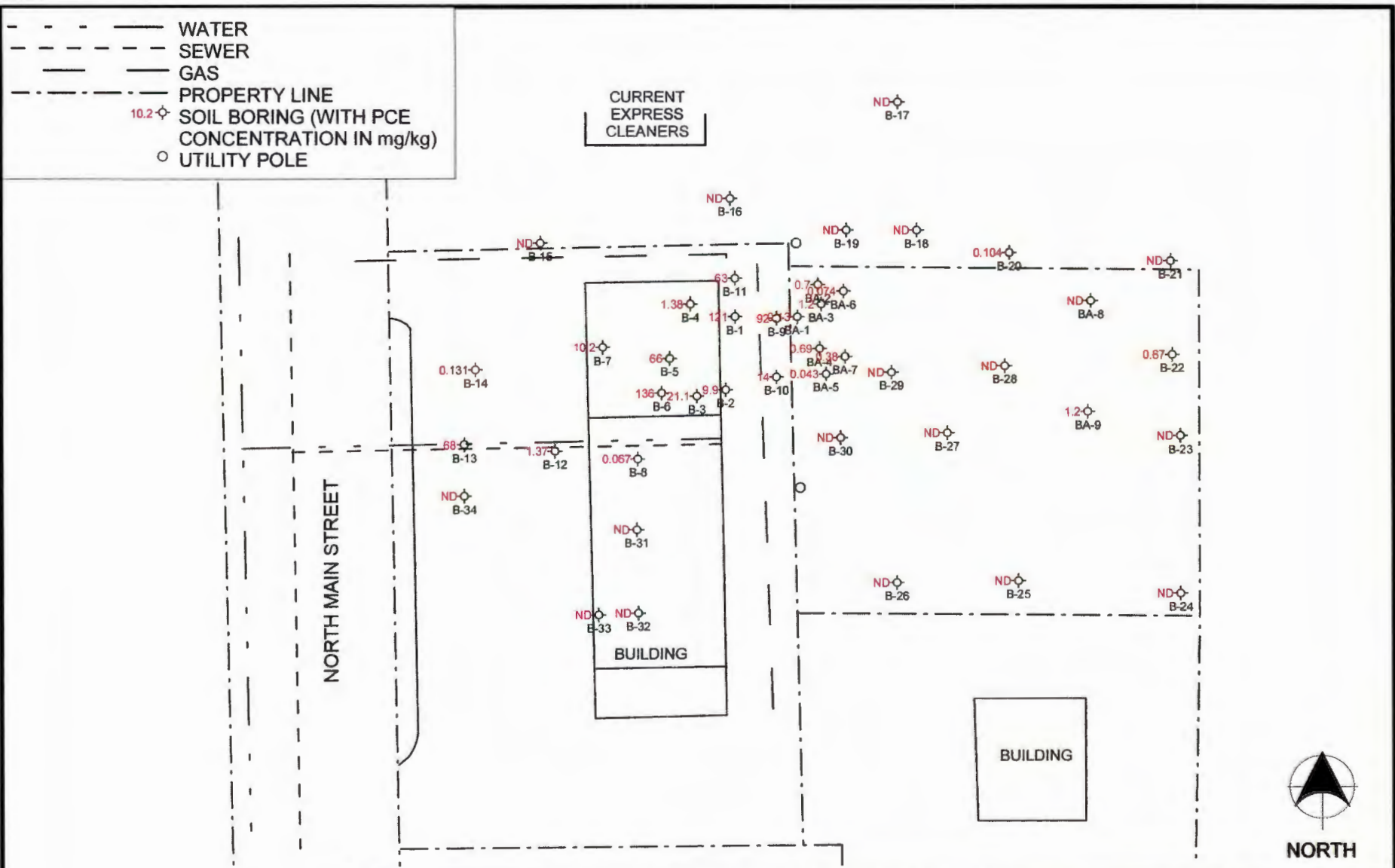
FILE

RN

10-203

06 APR 15

SITE LOC

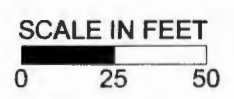
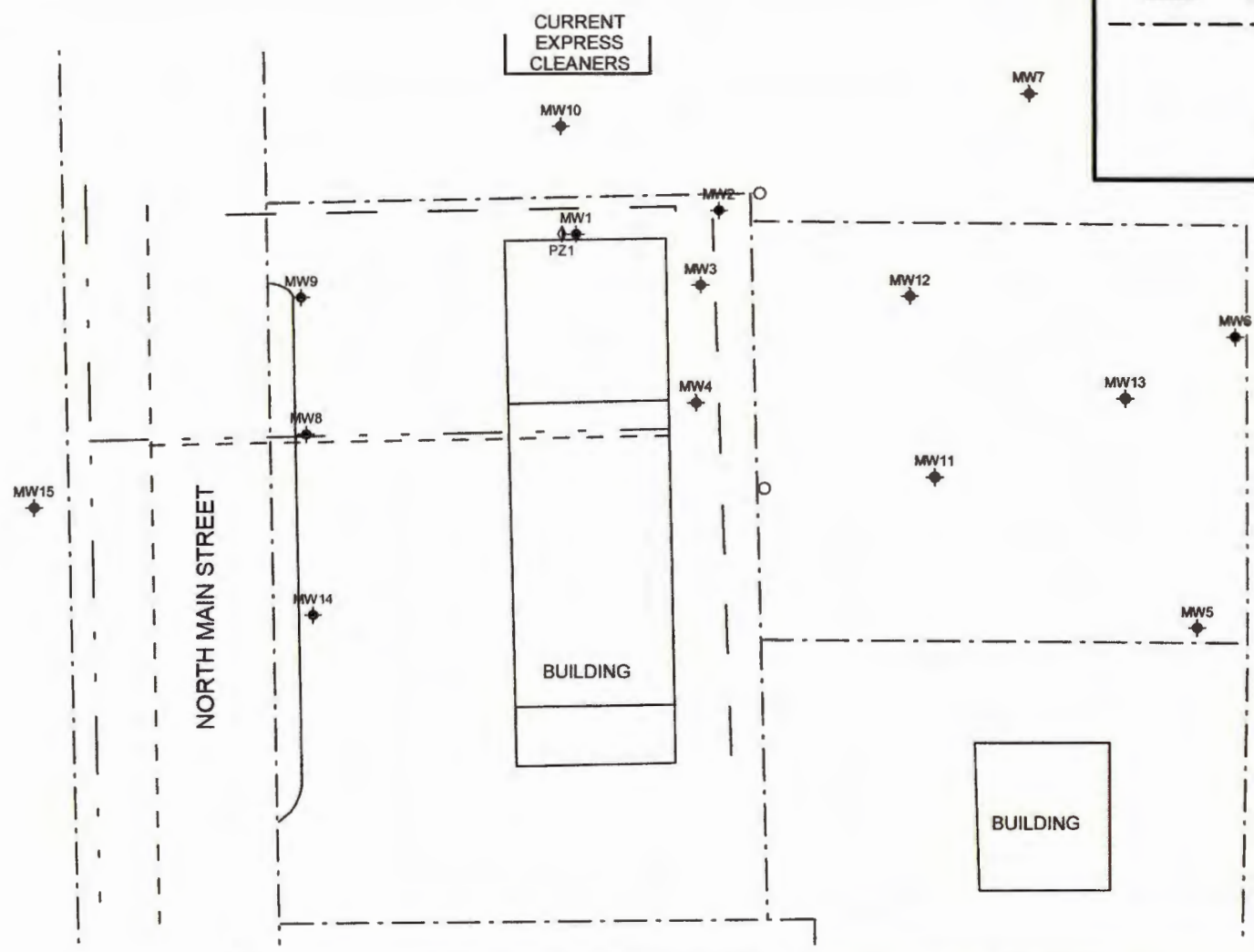
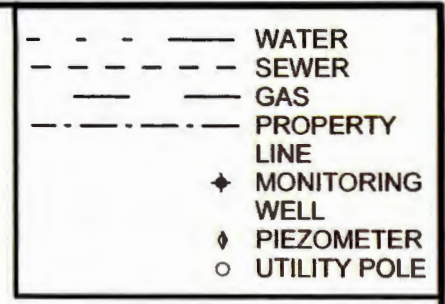


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EHRlich FAMILY LIMITED PARTNERSHIP
 FORMER EXPRESS CLEANERS
 RACINE, WISCONSIN
 PCE CONCENTRATIONS IN SOIL

FIGURE
2

DRAWN BY	PROJ. No.	DATE	FILE
RN	10-105	06 APR 15	PCE



GONZALEZ
SAGGIO
HARLAN
 Attorneys at Law

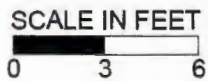
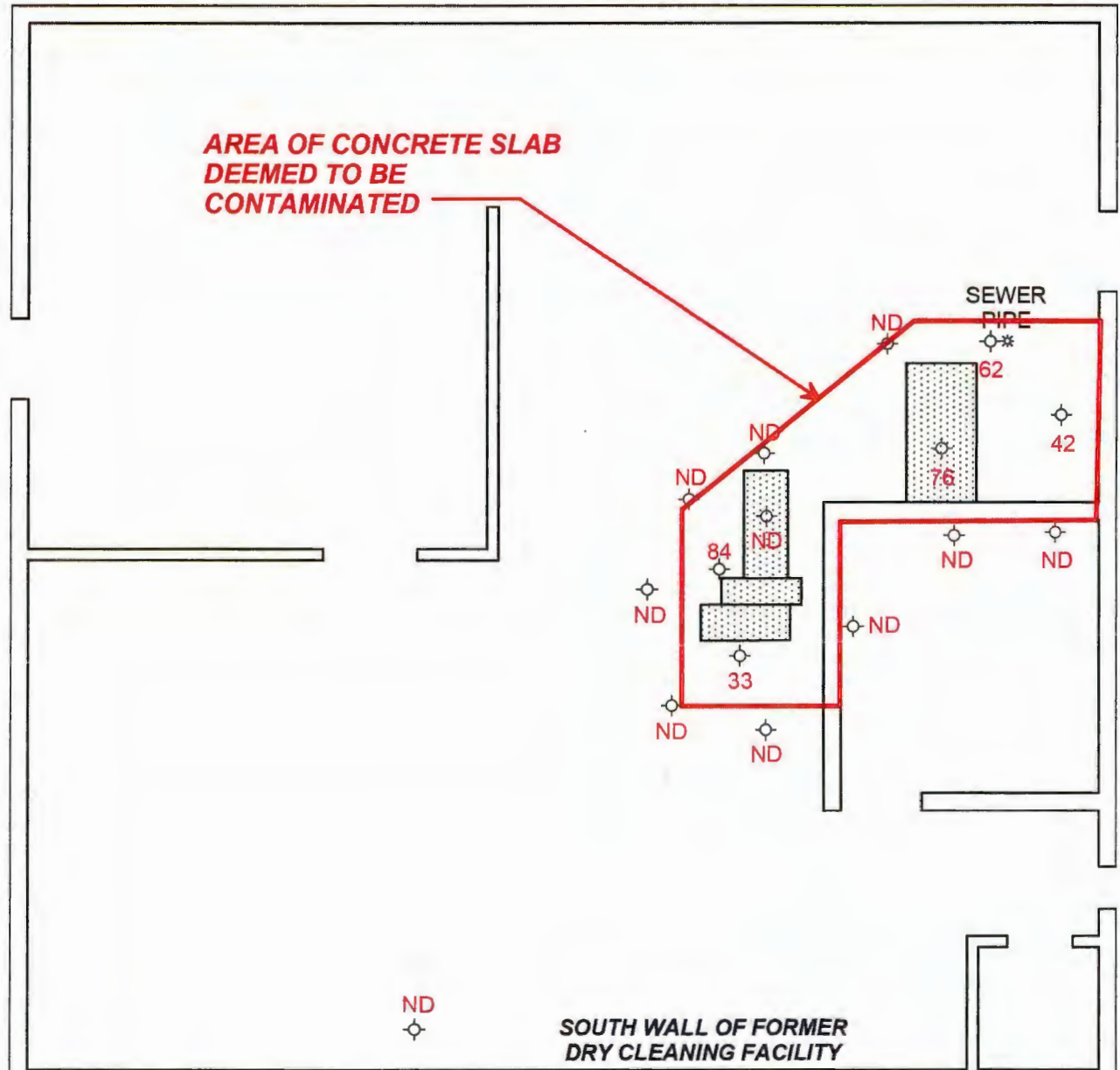
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 MILWAUKEE, WISCONSIN 53202
 T: 414-277-8500
 F: 414-277-8521

EHRlich FAMILY LIMITED PARTNERSHIP
 FORMER EXPRESS CLEANERS
 RACINE, WISCONSIN
 MONITORING WELL LOCATIONS

FIGURE
3

DRAWN BY	PROJ. No.	DATE	FILE
RN	10-105	28 JAN 15	WELL LOC

**AREA OF CONCRETE SLAB
DEEMED TO BE
CONTAMINATED**



MACHINE FOOTPRINT



CONCRETE CORE
PCE CONCENTRATIONS
IN $\mu\text{g}/\text{kg}$. ND = NON DETECT

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EHRlich FAMILY LIMITED PARTNERSHIP
FORMER EXPRESS CLEANERS
RACINE, WISCONSIN
CONCRETE CORE SAMPLES

FIGURE

4

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PROJ. No.

DATE

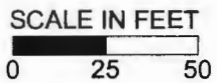
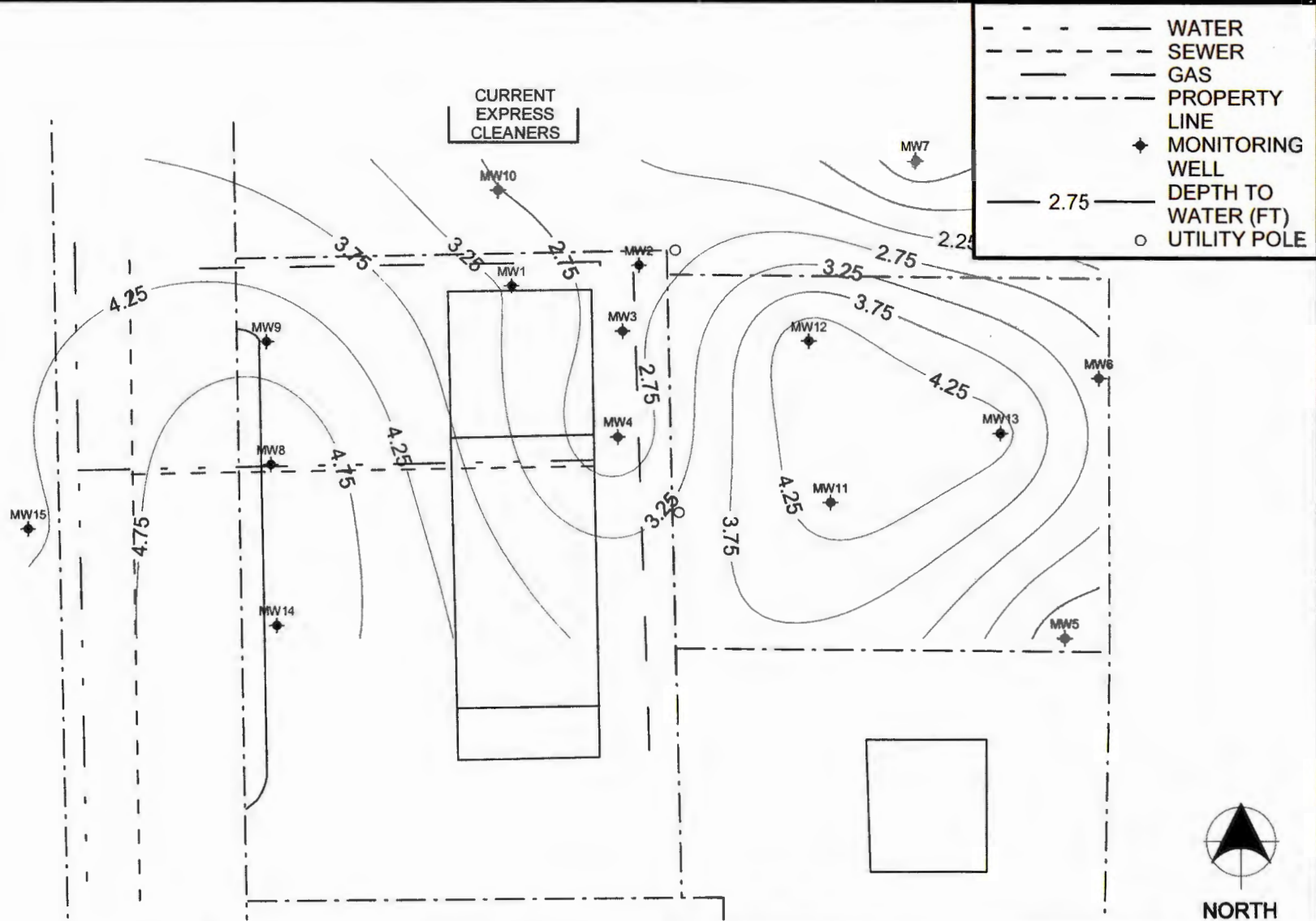
FILE

RN

10-203

07 APR 15

CONT CONC



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EHRlich FAMILY LIMITED PARTNERSHIP
FORMER EXPRESS CLEANERS
RACINE, WISCONSIN
DEPTH TO GROUNDWATER

FIGURE
5

DRAWN BY	PROJ. No.	DATE	FILE
RN	10-105	06 APR 15	DTW

TABLES

Request for Remedial Action Bid Proposal
Former Express Cleaners Site, 3921-41 N. Main Street, Racine, Wisconsin
WDNR FID#252010000; BRRTS #02-52-547631
May 5, 2015

TABLE 1
GROUNDWATER QUALITY
EXPRESS CLEANERS
RACINE, WISCONSIN
All concentrations in µg/L

WELL	cis-1,2- Dichloroethene	trans-1,2- Dichloroethene	Tetrachlorethene	Trichloroethene	Vinyl chloride
MW1	15.3	<0.79	173	4.9	<0.18
MW2	17.8	<3.95	58	6.5	<0.9
MW3	600	<39.5	770	82	<9
MW4	<0.74	<0.79	<0.44	<0.47	<0.18
MW5	<0.74	<0.79	<0.44	<0.47	<0.18
MW6	19.1	<0.79	6.5	3.03	<0.18
MW7	<0.74	<0.79	<0.44	<0.47	<0.18
MW8	99	<39.5	810	<23.5	<9
MW9	<0.74	<0.79	1.52	<0.47	<0.18
MW10	<0.74	<0.79	<0.44	<0.47	<0.18
MW11	<0.74	<0.79	<0.44	<0.47	<0.18
MW12	1.91	<0.79	5.4	<0.47	<0.18
MW13	<0.74	<0.79	<0.44	<0.47	<0.18
MW14	<0.74	<0.79	<0.44	<0.47	<0.18
MW15	<0.74	<0.79	<0.44	<0.47	<0.18
PZ1	<0.74	<0.79	2.34	<0.47	<0.18

TABLE 2
TETRACHLOROETHENE CONCENTRATIONS IN SOIL
EXPRESS CLEANERS
RACINE, WISCONSIN

SAMPLE	DEPTH (FT)	PCE (mg/kg)	SAMPLE	DEPTH (FT)	PCE (mg/kg)
PZ1	1 - 3	0.37	B15	4 - 6	<0.025
MW1	3.5 - 5.5	0.43	B16	2 - 4	<0.025
MW2	1 - 3	1.74	B17	2 - 4	<0.025
MW3	1 - 3	8.4	B18	2 - 4	<0.025
MW4	1 - 3	<0.025	B19	2 - 4	<0.025
MW6	2 - 4	0.048	B20	2 - 4	0.104
MW8	1 - 3	0.33	B21	2 - 4	<0.025
MW12	1 - 3	<0.018	B22	2 - 4	0.67
MW14	3 - 5	<0.024	B23	2 - 4	<0.025
MW15	2 - 4	<0.024	B24	2 - 4	<0.025
B1	4	121	B25	2 - 4	<0.025
B2	2	9.9	B26	2 - 4	<0.025
B2	12	0.465	B27	2 - 4	<0.025
B3	4	21.1	B28	2 - 4	<0.025
B4	2 - 4	270	B29	2 - 4	<0.025
B4	4 - 6	1.38	B30	2 - 4	<0.025
B4	14 - 16	0.27	B31	2 - 4	<0.025
B5	2 - 4	66	B32	2 - 4	<0.025
B5	10 - 12	0.305	B33	2 - 4	<0.025
B6	2 - 4	136	B34	3 - 5	<0.024
B6	12 - 14	174	BA1	2	0.13
B7	2 - 4	10.2	BA2	0.5	0.65
B7	6 - 8	77	BA2	2	0.70
B8	2 - 4	0.067	BA3	0.5	1.2
B9	0 - 2	92	BA3	2	1.3
B9	8 - 10	770	BA4	0.5	0.69
B10	2 - 4	14	BA4	2	0.10
B10	8 - 10	0.028	BA5	3	0.043
B11	2 - 4	63	BA6	0.5	0.056
B11	6 - 8	590	BA6	2	0.074
B12	2 - 4	1.37	BA7	0.5	0.084
B13	2 - 4	0.112	BA7	2	0.38
B13	6 - 8	68	BA8	1.5	<0.025
B14	2 - 4	0.131	BA9	0.5	0.033
B15	2 - 4	<0.025	BA9	2	1.2

APPENDIX A

Request for Remedial Action Bid Proposal
Former Express Cleaners Site, 3921-41 N. Main Street, Racine, Wisconsin
WDNR FID#252010000; BRRTS #02-52-547631
May 5, 2015

Bill Scott

From: Ellenbecker, Michael J - DNR [Michael.Ellenbecker@wisconsin.gov]
Sent: Wednesday, November 12, 2014 1:39 PM
To: Ryan, Nancy D - DNR
Subject: RE: Haz Waste questions - Express Cleaners site

Nancy regarding your two questions:

Disposal of groundwater in AOC:

1. The disposal of groundwater, an investigative derived waste, back into an Area of Contamination (AOC) is consistent with the Department's guidance document entitled "*Guidance for Hazardous Waste Remediation RR-705*" and EPA's AOC policy document entitled "*Management of Investigation-Derived Waste During Site Inspections*".

Disposal of Concrete Debris:

1. There is a question if representative sampling – as defined by RCRA - was done, as only 1 of the 3 samples showed tetrachloroethylene (PCE) at 84 ug/kg.
2. The contained out determination, as covered by Guidance for Hazardous Waste Remediation (RR705), only applies to contaminated media (e.g., soil, groundwater), so it would not be applicable to the concrete.
3. The concrete is classified as debris under s. NR 668.02(7) WAC and possibly as hazardous debris under s. NR 668.02(8) WAC.
4. There are two ways that the concrete could be managed as a non-hazardous waste:
 - a. Under s. NR 661.03(6)(a) WAC hazardous debris that has been treated using one of the required technologies under 668.45 (1)(a) WAC (e.g., high pressure washing with cleaning agent to surface of concrete floor) could be managed as a non-hazardous waste if the PCE LDR treatment standard of 6.0 mg/kg is met. Note that the treatment residues (e.g., rinsate from the cleaning) would need to be managed as a F002 hazardous waste.
 - b. Under s. NR 661.03(6)(b) WAC the Department, considering the extent of contamination of 84 ug/kg, would conclude that the concrete is no longer contaminated with a listed hazardous waste - since the PCE contamination in the concrete is 71 time lower than the LDR treatment standard of 6.0 mg/kg. Note that this is a Department determination only.

Obviously item 4.b is the exemption to use as this option requires no treatment prior to disposal.

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Mike Ellenbecker

Phone: (262) 884-2342

Michael.ellenbecker@wi.gov

From: Ryan, Nancy D - DNR
Sent: Tuesday, November 11, 2014 3:55 PM
To: Ellenbecker, Michael J - DNR
Subject: Haz Waste questions - Express Cleaners site

Hi, Mike,

Thanks for talking to me about the Express cleaners site. I attach a copy of the letter (minus attachments except for the waste determination attachment)

Specifically, the RP is asking that I confirm their interpretation about purge water in response to question 11. And also, they had asked about disposal of impacted concrete and disposal of it as non-hazardous and I attach an email string between Mr. Scott and Gary Edelstein.

Any assistance or steering me in the right direction is greatly appreciated Mike. And, of course, let me know if I should go through some other process to ask you questions. Like I said, we have a meeting Thursday morning, but I will just tell Mr. Scott I'm/haz waste personnel are working on answering his questions.

Thanks!

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Nancy D. Ryan

Hydrogeologist, Bureau for Remediation and Redevelopment

Wisconsin Department of Natural Resources

2300 N. Dr. Martin Luther King, Jr. Dr.

Milwaukee, WI 53212

Phone: (414) 263-8533

Fax: (414) 263-8550

nancy.ryan@wisconsin.gov



Bill Scott

From: Edelstein, Gary A - DNR [Gary.Edelstein@wisconsin.gov]
Sent: Tuesday, September 23, 2014 2:53 PM
To: Bill Scott
Cc: Fassbender, Judy L - DNR
Subject: RE: question about "media" and debris

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

Hello Again Bill,

I should clarify my answer further. EPA had codified the "contained-in" policy for contaminated debris and then extended it to contaminated media by guidance. Contaminated concrete that became contaminated by a spill of listed HW that is intended to be disposed of is contaminated debris and a "contained-out" determination could be made for it.

However, as I stated below, our guidance, RR-705 and the RR-969 fact sheet, only address contaminated media. As discussed in our guidance, contaminated soil that contains a listed HW could be treated to meet appropriate soil RCLs for a "contained-out" determination and disposed of in an acceptable licensed solid waste disposal facility. However, contaminated debris isn't soil, so we don't have specific guidance on what level it could be treated to so it no longer contains a listed HW. It would have to be treated to an acceptable health based level for the contaminants that caused the waste to be listed.

I believe you could still submit a request for a "contained-out" determination to the RR Program in the DNR Region where the project is located if this is a cleanup site in accordance with the submittal guidance on starting on page 21 of the RR-705 guidance with the appropriate fee and we could work with the appropriate experts to determine what the health based level might be. We may have to ask someone from the Waste and Materials Management Program work on the determination.

Thanks, Gary E

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Gary A. Edelstein, Waste Management Engineer
(608)267-7563
Internet E-Mail => Gary.Edelstein@wisconsin.gov

From: Edelstein, Gary A - DNR
Sent: Tuesday, September 23, 2014 11:56 AM
To: 'Bill Scott'
Cc: Fassbender, Judy L - DNR
Subject: RE: question about "media" and debris

Hello Bill,

The EPA "contained-out" interpretation we follow is outlined in our Hazardous Waste (HW) Remediation Guidance, RR-705, which is referenced in the recent RR-969 fact sheet you refer to. As discussed in that guidance and EPA's guidance on the subject, the interpretation only applies to (in-place) contaminated environmental media that contains a listed

HW, the media itself isn't a HW, but contains it. Contaminated media includes soil, groundwater and sediment. See this presentation from EPA on the topic of applicability to media:

<http://www.epa.gov/epawaste/hazard/correctiveaction/curriculum/download/hwid-spec.pdf>

Contaminated building material, such as a concrete floor slab, is not contaminated environmental media, so one couldn't treat that building material to meet soil RCLs and receive a "contained-out" determination.

Thanks, Gary E

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Gary A. Edelstein, Waste Management Engineer
Wisconsin Department of Natural Resources
Bureau for Remediation and Redevelopment - RR/5
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Madison, WI 53707
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From: Bill Scott [mailto:Bill_Scott@gshllp.com]
Sent: Monday, September 22, 2014 10:37 AM
To: Fassbender, Judy L - DNR
Cc: Edelstein, Gary A - DNR
Subject: FW: question about "media" and debris

Judy –

Thank you for returning my call so promptly and referring me to the proper expert. I just listened to your encouraging voice mail. I will await a contact from Gary Edelstein.

For Gary's information, three 6" cores of concrete were taken from the floor slab at the location of the former dry cleaning machine and two were < 9.4 micrograms per Kg and one tested 84 micrograms PCE per Kg, as compared with the contained out value of 153 milligrams per Kg.

My direct dial is 414-755-8144.

Regards,
Bill.



Bill Scott
Partner

111 E. Wisconsin Ave., Suite 1000 | Milwaukee, WI | 53202
T: (414) 277-8500 | F: (414) 277-8521

Attorneys at Law

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From: Bill Scott
Sent: Friday, September 19, 2014 2:13 PM
To: 'Judy.Fassbender@Wisconsin.gov'
Subject: question about "media" and debris

Judy –

How does DNR define "media" for purposes of RR 969? Does DNR believe "media" includes concrete debris?

I am doing a waste determination for a dry cleaner site. A consultant has suggested that concrete debris from breaking up a building slab over a contaminated area would be subject to the same contained out determination as the contaminated soil beneath the slab. That would be great, since the amount in the slab is far less than the contained out standard that applies to the soil, but I see no mention of debris in the RR969 guidance on contaminated "media" and I have always considered "media" to include only soil and groundwater.

Thank you,
Bill.



Bill Scott
Partner

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APPENDIX A

**Request for Remedial Action Bid Proposal
Former Express Cleaners Site, 3921-41 N. Main Street, Racine, Wisconsin
WDNR FID#252010000; BRRTS #02-52-547631
May 5, 2015**

Bill Scott

From: Ellenbecker, Michael J - DNR [Michael.Ellenbecker@wisconsin.gov]
Sent: Wednesday, November 12, 2014 1:39 PM
To: Ryan, Nancy D - DNR
Subject: RE: Haz Waste questions - Express Cleaners site

Nancy regarding your two questions:

Disposal of groundwater in AOC:

1. The disposal of groundwater, an investigative derived waste, back into an Area of Contamination (AOC) is consistent with the Department's guidance document entitled "Guidance for Hazardous Waste Remediation RR-705" and EPA's AOC policy document entitled "Management of Investigation-Derived Waste During Site Inspections".

Disposal of Concrete Debris:

1. There is a question if representative sampling – as defined by RCRA - was done, as only 1 of the 3 samples showed tetrachloroethylene (PCE) at 84 ug/kg.
2. The contained out determination, as covered by Guidance for Hazardous Waste Remediation (RR705), only applies to contaminated media (e.g., soil, groundwater), so it would not be applicable to the concrete.
3. The concrete is classified as debris under s. NR 668.02(7) WAC and possibly as hazardous debris under s. NR 668.02(8) WAC.
4. There are two ways that the concrete could be managed as a non-hazardous waste:
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