

**Scope of Work
Phase I Environmental Site Assessment
Blackhawk Junction
700 East Blackhawk Avenue
Prairie du Chien, WI 53821**

Tax Parcel: 271-0750-0000, 271-0749-0000

July 16, 2019

I. PROJECT DESCRIPTION

The Department of Natural Resources (“Department”) has prepared this scope of work for an All Appropriate Inquiry (AAI) Phase I Environmental Site Assessment (ESA) at the Blackhawk Junction site located at 700 East Blackhawk Avenue, Prairie du Chien, Wisconsin (“Site”). The approximate 9.13 acres site is a largely blighted site that was built over a 20-year period beginning in 1962. In its 57 years it has included multiple commercial, service and retail operations, with multiple drycleaners functioning onsite. The site had two buildings, at one point, one of approximately 125,000 square feet and the other of approximately 16,000 square feet. A fire destroyed a significant part of the larger building in 2014 including the area where the drycleaners had been located. Beginning in tax year 2014, the former owner did not pay any property taxes resulting in Crawford County acquiring the site through tax delinquency in June 2019.

In 1991 tetrachloroethane (PCE) was detected in the soil and groundwater on the site after VOC contamination was detected in municipal wells #1 and #2. Limited assessments were conducted in 2008-2009, but the nature, degree and extent of contamination is unknown; providing a barrier to redevelopment.

The scope of work for this project has been developed in accordance with the “Standard Practice for ESAs: Phase I ESA Process,” established by ASTM, designated E-1527-13 that embodies the All Appropriate Inquiry (AAI) Final Rule (40 CFR Part 312). The following description of the scope of work to be provided by the consultant is intended to serve as a minimum guideline, rather than to limit the consultant’s activity.

II. PHASE I ESA GOALS

The purpose of the Phase I ESA to be conducted at the Site is to render an opinion as to whether information collected and visual observations of the Site, indicate the presence of Recognized Environmental Conditions, including but not limited to, hazardous substances, petroleum and petroleum products, pollutants, contaminants or controlled substances in the soil, air or groundwater, based on the scope of work outlined herein.

III. PHASE I ESA TASKS

The consultant shall conduct the following tasks in the execution of the Phase I ESA.

Task 1: Records Review

The consultant shall review historical documents, records or other sources of available information associated with the Site and any adjacent property, including without limitation, chain of title documents, aerial photographs, building department records, land use records, plans, maps, surveys, historical city directories, insurance maps, and reports, studies or any other information or correspondence relevant to the Site which is readily available or reasonably obtainable by the consultant, or is provided to the consultant by the Department, Crawford County or the City of Prairie du Chien, but in all events for a period of time at least as far back in the history of the Site as it can be shown that the Site was first used for residential, agricultural, commercial, industrial, or governmental purposes or back to 1935, whichever is earlier.

The consultant shall review environmental databases, as stipulated within the ASTM standards and the AAI rule. At a minimum, the consultant shall search the following databases, as appropriate for the property, to determine if hazardous conditions or other RECs may exist on or immediately adjacent to the property:

- Federal Contaminated Site and Waste Generator Listings: National Priority List (NPL); Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS); No Further Remedial Action Planned Sites (NFRAP); Resource Conservation and Recovery Information System Small Quantity Generator (RCRIS-SG) and Large Quantity Generator (RCRIS-LG) Listings; RCRIS Transportation, Storage and Disposal Facility (RCRIS-TSD-Listings); RCRIS – Corrective Action Sites List (RCRIS-CORRACTS); and Emergency Response Notification Systems (ERNS);
- State listings regarding Waste Disposal Sites; Hazardous Waste Sites (HWS); Spills Reports (SPILLS); Underground Storage Tank (UST) Reports; and Active Leaking Underground Storage Tank (LUST) Reports;
- Wisconsin DNR's BRRTS database; and
- Database sources that specifically address deed and activity and use limitations (AULs) such as institutional and engineering controls.

The radius of the area included for each database search must meet or exceed ASTM recommendations.

Task 2: Site Visit

An environmental professional, as referenced in ASTM 1527-13 and meeting the education, training and experience requirements of 40 CFR Section 312.10(b), employed by the consultant, shall make at least one visit to the Site and tour of the facility to observe for either surficial evidence of the presence of hazardous substances in the soil or groundwater, or evidence of improper management of chemicals. The site visit should be performed at a time of year when snow cover does not obscure visibility of surface conditions. As required by ASTM-1527-13, off-Site observations shall be made of adjoining properties, as well as within the general Site area for apparent conditions that could impact the Site. The Site visit and facility tour shall identify all areas that the consultant suspects contain hazardous substances. Physical limitations to the Site visit must be noted in the consultant's report.

Task 3: Interviews

The consultant shall conduct interviews with past and present owners, operators and current or previous occupants of the Site and any adjacent property, including persons having knowledge of the historic uses and waste handling activities associated with the Site and any adjacent property. The consultant shall also conduct interviews with representatives of regulatory agencies having jurisdiction over the Site.

Task 4: Report

Based on the results of Tasks 1 through 3 above, the consultant shall prepare a Phase I ESA Report documenting the inquiry process, findings, conclusions and opinions. The report should follow the format laid out in ASTM E1527-13 and should include the statements and signatures of qualified environmental professionals as laid out in the AAI Final Rule (40 CFR Part 312). See Attachment A to this scope of work for additional guidance on AAI.

Draft copies of the report shall be submitted electronically to the Department's Project Manager, Steve Janowiak, in the Department's West Central Regional office located in Wisconsin Rapids, and to the Department's Project Coordinator, Tom Coogan, in the Department's central office located in Madison for review. The Department's Project Manager and Project Coordinator will review the reports and ask the consultant to finalize with any changes necessary. The final report should be submitted as three hard copies and three electronic copies (2 CDs and 1 can be uploaded to DNR's SharePoint Site) to Tom Coogan in the central office plus one hard copy and one electronic version (e.g., RR's submittal portal) to Steve Janowiak in the Wisconsin Rapids office. Tom will forward copies to the applicant and owner of the site. See section IV for addresses to send reports.

IV. DEPARTMENT ROLES AND RESPONSIBILITIES

Department Project Manager

The Department has assigned Steve Janowiak to serve as the Department's project manager for the Site. Steve will be the Department's technical contact for the Site. Steve's contact information is as follows:

Steve Janowiak, Project Manager
Wisconsin Department of Natural Resources
473 Griffith Street
Wisconsin Rapids, WI 54494
E-Mail: Steve.Janowiak@wisconsin.gov
Phone: (715) 421-7850

Department Project Coordinator

The Department has assigned Tom Coogan to serve as the Department's project coordinator for Wisconsin Assessment Monies sites. Mr. Coogan will direct all project activities and serve as the point of contact between the Department and the US EPA.

Tom's contact information is as follows:

Tom Coogan – RR/5
Department of Natural Resources
101 S. Webster Street
Madison, WI 53703
E-Mail: Thomas.Coogan@Wisconsin.Gov
Phone: (608) 267-7560
Fax: (608) 267-7646

Site Applicant Contact Information

The WAM applicant for this site is the City of Prairie du Chien. One hard and one electronic copy of the report should be sent to the following:

Garth Frable, Planner
City of Prairie du Chien
214 East Blackhawk Avenue; PO Box 324
Prairie du Chien, WI 53821
E-Mail: gfrable@prairieduchien-wi.gov
Phone: (608) 326-8182

The owner of site is Crawford County. One hard copy and one electronic copy of the report should be sent to the following:

Tom Cornford, Chairman
Board of Supervisors
Crawford County
225 North Beaumont Road
Prairie du Chien, WI 53821
E-Mail: tcornford@crawfordcountywi.org
Phone: (608) 326-2900

Site Access

Crawford County has granted the State of WI and its contractor's access to the site.

V. PROPOSAL

Prior to awarding the contract, the consultant shall submit a project proposal based on the elements identified in this scope of work. The proposal shall identify key personnel employed by the consultant who will be working on the project. The proposal shall include a time line for all tasks to be completed as well as specific details about the work to be undertaken based on the project scope of work.

The consultant shall identify all subcontractors who will be working on the project. Substitutions of key personnel or subcontractors shall not be allowed without the prior written approval of the Department.

A cost estimate shall be included for the proposal that itemizes the following for each work item:

- a. labor (staff position, title, and labor rates)
- b. time
- c. materials
- d. travel costs
- e. equipment and other rental costs

VI. PROGRESS REPORTS/PAYMENTS

Progress reports shall be submitted with each reimbursement request that detail the accomplishments for the time period of the request. These reports shall describe activities undertaken during each time period. These shall include, but not be limited to: materials reviewed, surveys performed, borings and wells installed, samples collected, problems encountered and/or resolved, progress on report preparation, subcontractor costs, etc. **Pay requests submitted without a progress report will be considered incomplete.** Invoices for payment requests and details on where to submit them can be found online on the R&R's website: <http://dnr.wi.gov/topic/Brownfields/wam.html>

ATTACHMENT A: All Appropriate Inquiries Rule: Reporting Requirements and Suggestions on Report Content



July 18, 2019

Tom Coogan
Wisconsin Department of Natural Resources
101 South Webster Street – RR/5
Madison, WI 53707-7921
Thomas.coogan@wisconsin.gov

RE: Phase I Environmental Site Assessment Work Plan and Cost Estimate
Blackhawk Junction
700 East Blackhawk Avenue
Prairie du Chien, WI 53821-1683
Project Number: P190732

Dear Mr. Coogan:

Bay West appreciates this opportunity to prepare a Phase I Environmental Site Assessment (Phase I ESA) work plan and cost estimate for Blackhawk Junction located at 700 East Blackhawk Avenue in the City of Prairie Du Chien, Crawford County, Wisconsin (the Site).

1.0 BACKGROUND

Bay West understands that the Site, comprising approximately 9.13 acres, is a largely blighted site that was built over a 20-year period beginning in 1962. In its 57 years it has included multiple commercial, service and retail operations, with multiple drycleaners functioning onsite. The Site had two buildings, at one point, one approximately 125,000 square feet and the other approximately 16,000 square feet. In 1991 tetrachloroethene (PCE) was detected in the soil and groundwater on the site after volatile organic compound (VOC) contamination was detected in municipal wells #1 and #2. Limited assessments were conducted in 2008-2009, but the nature, degree, and extent of contamination is unknown; providing a barrier to redevelopment. A fire destroyed a significant part of the larger building in 2014 including the area where the drycleaners had been located. Crawford County acquired the Site through tax forfeiture in June 2019.

According to the WDNR Scope of Work dated July 16, 2019, the purpose of this Phase I ESA is to assess through the information collected and visual observations of the Site, the presence of Recognized Environmental Conditions (RECs), including but not limited to, hazardous substances, petroleum and petroleum products, pollutants, contaminants or controlled substances in the soil, air, or groundwater in accordance with the "Standard Practice for ESAs: Phase I ESA Process," established by ASTM, designated E-1527-13 that embodies the All Appropriate Inquiry (AAI) Final Rule (40 CFR Part 312).

2.0 SCOPE OF WORK

The scope of work to be completed by Bay West in accordance with WDNR requirements includes the following tasks:

Records Review

Bay West will review historical documents, records or other sources of available information associated with the Site and any adjacent property, including without limitation, chain of title documents, aerial photographs, building department records, land use records, plans, maps, surveys, historical city directories, insurance maps, and reports, studies or any other information or correspondence relevant to the Site which is readily available or reasonably obtainable, or that is provided to Bay West by the Department, Crawford County, and the City of Prairie Du Chien, but in all events for a period of time at least as far back in the history of the Site as it can be shown that the Site was first used for residential, agricultural, commercial, industrial, or governmental purposes or back to 1935, whichever is earlier.

Bay West shall review environmental databases, as stipulated within the ASTM standards and the AAI rule. At a minimum, the consultant shall search the following databases, as appropriate for the property, to determine if hazardous conditions or other RECs may exist on or immediately adjacent to the property:

- Federal Contaminated Site and Waste Generator Listings: National Priority List (NPL); Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS); No Further Remedial Action Planned Sites (NFRAP); Resource Conservation and Recovery Information System Small Quantity Generator (RCRIS-SG) and Large Quantity Generator (RCRIS-LG) Listings; RCRIS Transportation, Storage and Disposal Facility (RCRIS-TSD-Listings; RCRIS – Corrective Action Sites List (RCRIS-CORRACTS); and Emergency Response Notification Systems (ERNS);
- State listings regarding Waste Disposal Sites; Hazardous Waste Sites (HWS); Spills Reports (SPILLS); Underground Storage Tank (UST) Reports; and Active Leaking Underground Storage Tank (LUST) Reports;
- Wisconsin Remediation and Redevelopment Database; and
- Database sources that specifically address deed and activity and use limitations (AULs) such as institutional and engineering controls.

The radius of the area included for each database search must meet or exceed ASTM recommendations.

Site Visit

Bay West will mobilize an environmental professional, as referenced in ASTM 1527-13 and meeting the education, training and experience requirements of 40 CFR Section 312.10(b), to make one visit to the Site and tour of the facility to observe for either surficial evidence of the presence of hazardous substances in the soil or groundwater, or evidence of improper management of chemicals. The site visit will be performed at a time of year when snow cover does not obscure visibility of surface conditions. As required by ASTM-1527-13, off-Site observations shall be made of adjoining properties, as well as within the general Site area for apparent conditions that could impact the Site. Our site visit will document and identify all areas

that we suspect may contain hazardous substances. Bay West will note any physical or access limitations in our report. *Bay West will not enter portions of the building that we deem unsafe for any reason.*

Interviews

Bay West will conduct interviews with past and present owners, operators and current or previous occupants of the Site and any adjacent property, including persons having knowledge of the historic uses and waste handling activities associated with the Site and any adjacent property. Bay West will also conduct interviews with representatives of regulatory agencies having jurisdiction over the Site. A User Questionnaire has been attached to this work plan that Bay West will require from the User of this report.

Report

Following completion of the tasks described above, Bay West will prepare a Phase I ESA Report documenting the inquiry process, findings, conclusions and opinions. The report will follow the format laid out in ASTM E1527-13 and will include the statements and signatures of qualified environmental professionals as specified in the AAI Final Rule (40 CFR Part 312).

Bay West will submit draft copies of the report electronically to the WDNR Project Manager, Mr. Steve Janowiak, in the WDNR office located in Wisconsin Rapids, and to the Department's Project Coordinator, Tom Coogan, in the Department's office located in Madison for review. Bay West will finalize the report upon receipt of comments from the WDNR Project Manager and Project Coordinator.

The final report will be submitted to Tom Coogan and Steve Janowiak through the WDNR Sharepoint site. Copies will also be provided to the WAM applicant and the owner of the site, listed below:

Site Applicant (one hard and one electronic copy)

Garth Frable
City of Prairie Du Chien
214 East Blackhawk Avenue; PO Box 324
Prairie du Chien, WI 53821
Phone: (563) 880-1788
E-Mail: grable@prairieduchien-wi.gov

Site Owner (one hard and one electronic copy)

Tom Cornford
Crawford County
225 North Beaumont Road
Prairie du Chien, WI 54738
Phone: (608) 326-2900
Email: tcornford@crawfordcountywi.org

3.0 COST ESTIMATE

Bay West will complete the Phase I ESA on a time & materials basis for a fee of **\$4,961.50** in accordance with the fee schedule contained in our response to the WDNR's June 2016 Request for Statements of Qualification. A detailed cost breakdown is attached for your review.

4.0 SCHEDULE

The Phase I ESA site visit will be completed within 15 working days of receiving notice to proceed from the WDNR. Bay West will submit a draft Phase I ESA report for WDNR review within 15 business days of completing the site visit.

Thank you for the opportunity to assist you with this project. If you have questions or require additional information, feel free to contact me by phone or email.

Sincerely,



Rick Van Allen, PG (MN)
Senior Project Manager



Erik L Nimlos, PG (MN)
Project Manager/Geologist

Attachments

Phase I ESA User Questionnaire
Cost estimate

PHASE I ENVIRONMENTAL ASSESSMENT USER QUESTIONNAIRE

Per ASTM Standard Practice E 1527-13, Section 6, User Responsibilities, the User of an ESA has specific obligations for performing tasks during the ESA that will help identify the possibility of *recognized environmental conditions* in connection with the Site. Failure by the User to fully comply with the requirements may result in a *data gap* being identified in the report and may impact their ability to use the report to help qualify for *Landowner Liability Protections* (LLPs) under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). If this questionnaire is not returned to BAY WEST prior to issuance of the draft report, then Bay West assumes that the User does not have any information or actual knowledge pursuant to ASTM Standard Practice E 1527-13, Section 6, User Responsibilities. Bay West makes no representations or warranties regarding a User's qualification for protection under any federal, state or local laws, rules or regulations.

Please complete the following and return immediately via email or fax to the attention of:

Erik Nimlos of Bay West at enimlos@baywest.com.

If other parties are intending to be the Users of the ESA report, then please forward a copy of this questionnaire for them to complete and return to Bay West.

Site Name:	Blackhawk Junction
Site Address:	700 E Blackhawk Ave, Prairie Du Chien, WI 53821
Bay West Project Number:	J190732

Please provide the following information (if available) per the requirements of ASTM E 1527-13.

1. Environmental cleanup liens that are filed or recorded against the site (40 CFR 312.25)

Are you aware of any environmental cleanup liens against the site that are filed or recorded under federal, tribal, state or local law? Yes or No If yes, please provide a description of the lien(s).



2. Activity and land use limitations (AULs) that are in place on the site or that have been filed or recorded in a registry (40 CFR 312.26)

Are you aware of any AULs, such as engineering controls, land use restrictions or institutional controls that are in place at the site and/or have been filed or recorded in a registry under federal, tribal, state or local law? Yes or No If yes, please provide.

3. Specialized knowledge or experience of the person seeking to qualify for the Landowner Liability Protections (40 CFR 312.28)

As the user of this ESA do you have any specialized knowledge or experience related to the site or nearby properties? For example, are you involved in the same line of business as the current or former occupants of the site or an adjoining property so that you would have specialized knowledge of the chemicals and processes used by this type of business? Yes or No If yes, please explain.

4. Relationship of the purchase price to the fair market value of the site if it were not contaminated (40 CFR 312.29)

a. Does the purchase price being paid for this site reasonably reflect the fair market value of the site? Yes or No

b. If you conclude that there is a difference, have you considered whether the lower purchase price is because contamination is known or believed to be present at the site?

Yes or No If yes, please explain.

5. Commonly known or reasonably ascertainable information about the site (40 CFR 312.30)

Are you aware of commonly known or reasonably ascertainable information about the site that would help the environmental professional to identify conditions indicative of releases or threatened releases? For example, as user,

a. Do you know the past uses of the site? Yes or No If yes, please state.

b. Do you know of specific chemicals that are present or once were present at the site?
Yes or No If yes, please state.

c. Do you know of spills or other chemical releases that have taken place at the site?
Yes or No If yes, please state.

6. Do you know of any environmental cleanups that have taken place at the site?
Yes or No If yes, please state.

7. The degree of obviousness of the presence or likely presence of contamination at the site, and the ability to detect the contamination by appropriate investigation (40 CFR 312.31)

As the user of this ESA, based on your knowledge and experience related to the site are there any obvious indicators that point to the presence or likely presence of contamination at the site?
Yes or No If yes, please explain.

This questionnaire was completed by:

Name _____

Title _____

Signature _____

Company of User _____

Address of User _____

Date _____

Bay West LLC
Work Plan / Cost Proposal Spreadsheet

Site Name: Blackhawk Junction
 Site Location: Prairie du Chien, Wisconsin
 Bay West Proposal #: P190732

TASK	Unit Rate	Frequency	Hours					Other	Contractors	Total Value	Time Total	Comments		
			Project Manager	Senior Technical	Staff Professional I	CADD Specialist	Office Support	Owned Equipment and Inventory	Sub-Contractors					
			\$110.00	\$135.00	\$70.00	\$60.00	\$45.00	(\$)	(\$)					
Task 1 - Phase I Environmental Site Assessment														
L		Project Coordination, site recon, report prep			8.00	1.00	40.00	2.00	1.00		\$ 3,980.00	52.00	One field staff mobilized from St. Paul	
E	3300m	Service Vehicle, Truck Mileage	\$0.58	425.0						\$ 246.50	\$ 246.50		Mobilize from St. Paul, 425 miles round trip plus local travel for interviews and research	
S		Environmental Database Search, Title	\$700.00	1						\$ 700.00	\$ 700.00		Includes title search	
		5% markup on subcontractors	\$35.00	1						\$ 35.00	\$ 35.00			
Total Task 1 - Phase I Environmental Site Assessment					\$ 880.00	\$ 135.00	\$ 2,800.00	\$ 120.00	\$ 45.00	\$ 246.50	\$ 735.00	\$ 4,961.50	52.00	
Total Cost Estimate					\$ 880.00	\$ 135.00	\$ 2,800.00	\$ 120.00	\$ 45.00	\$ 246.50	\$ 735.00	\$ 4,961.50	52.00	