

May 15, 2019

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

RE: Phase I Environmental Site Assessment Work Plan and Cost Estimate  
Kitelinger Property  
S10405 County Road HHI  
Eleva, Wisconsin 54738  
Project Number: P190474

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 the Kitelinger Property located at S10405 County Road HHI in the Village of Eleva, Trempealeau County, Wisconsin (the Site).

## 1.0 BACKGROUND

Bay West understands that the Site was first developed in 1929 as a general store which also had a gas pump. Living quarters were located on the 2nd floor of the building. The store closed in the 1970s and the Site was sold in 1975 to Mr. Dennis Kitelinger. Mr. Kitelinger used the building as a taxidermy shop and lived on the 2nd floor. At this time the taxidermy business is reportedly not in operation and the building is in poor condition.

Based on information provided by the Wisconsin Department of Natural Resources (WDNR), the Site has the potential for petroleum contamination because a gas tank was used on the property for fueling. There is limited information with respect to the petroleum use on the Site; however, the WDNR indicates the tank was removed in 1990s. Because no site investigation or cleanup activities were conducted, the WDNR put a deed affidavit on the Property that indicates gasoline contamination may be present.

According to the WDNR Scope of Work dated May 9, 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Bay West will review historical documents, records or other sources of available information associated with the Site and any adjacent property, including without limitation, chain of title documents,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, Trempealeau County, the Town of Pleasant Valley or the Village of Eleva, 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. Matt Thompson, in the WDNR office located in Eau Claire, 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 Matt Thompson 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)

Jennifer Meyer, Clerk/Treasurer  
Town of Pleasant Valley  
W165 Woodridge Drive  
Eau Claire, WI 54701  
Phone: (715) 878-4645  
E-Mail: Townofpleasantvalley@gmail.com

### Site Owner (one hard and one electronic copy)

Dennis Kitelinger  
S10405 County Road HHI  
Eleva, WI 54738  
Phone: (715) 579-3634

## 3.0 COST ESTIMATE

Bay West will complete the Phase I ESA on a time & materials basis for a fee of **\$4,145.50** 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)  
Project Manager/Geologist



Donovan Hannu, PE  
Group Manager – Environmental Services

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:**  
[Rick Van Allen of Bay West at rickv@baywest.com](mailto:rickv@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.**

<b>Site Name:</b>	<a href="#">Kitelinger Property</a>
<b>Site Address:</b>	<a href="#">S10405 County Road HHI, Eleva, Wisconsin 54738</a>
<b>Bay West Project Number:</b>	<a href="#">J190474</a>

*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).

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**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.

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**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.

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**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

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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.

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**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.

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

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

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

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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.

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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: Kitelinger Property  
 Site Location: Village of Eleva, Wisconsin  
 Bay West Proposal #: P190474

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	(\$)	(\$)				
<b>Task 1 - Phase I Environmental Site Assessment</b>													
L		Project Coordination, site recon, report prep			8.00	1.00	30.00	2.00	1.00		\$ 3,280.00	42.00	One field staff mobilized from St. Paul
E	3300m	Service Vehicle, Truck Mileage	\$0.58	225.0						\$ 130.50	\$ 130.50		Mobilize from St. Paul, 225 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		
<b>Total Task 1 - Phase I Environmental Site Assessment</b>			\$ 880.00	\$ 135.00	\$ 2,100.00	\$ 120.00	\$ 45.00	\$ 130.50	\$ 735.00	\$ 4,145.50	42.00		
<b>Total Cost Estimate</b>			\$ 880.00	\$ 135.00	\$ 2,100.00	\$ 120.00	\$ 45.00	\$ 130.50	\$ 735.00	\$ 4,145.50	42.00		



**Scope of Work  
Phase I Environmental Site Assessment  
S10405 Cty Rd HHI  
Eleva, WI 54738**

**Tax Parcel: 18018-2-250901-220-2002**

**May 9, 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 Kitelinger Property located at S10405 County Rd HHI, Eleva, Wisconsin (“Site”). The approximate 120’x60’ site was first developed in 1929 as a general store which also had a gas pump; with living quarters on the 2<sup>nd</sup> floor. The store closed in the 1970s and the Property was sold in 1975 to Mr. Dennis Kitelinger. Mr. Kitelinger used the building as a taxidermy shop and lived on the 2<sup>nd</sup> floor. The taxidermy business is not in operation. The building is currently in poor condition.

The site has the potential for petroleum contamination because a gas tank was used on the property for gas fueling. The information provided indicated that the tank was removed in the 1990s, but limited information is available. Because no site investigation or cleanup activities were conducted, DNR put a deed affidavit on the Property that indicates gasoline contamination may be present.

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, Eau Claire County or the Town of Pleasant Valley, 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, Matt Thompson, in the Department's West Central Regional office located in Eau Claire, 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 one hard copy and an electronic copy 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 Matt Thompson in the Eau Claire office, as well as 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 Matt Thompson to serve as the Department's project manager for the Site. Josie will be the Department's technical contact for the Site. Matt's contact information is as follows:

Matt Thompson, Project Manager  
Wisconsin Department of Natural Resources  
1300 W Clairemont  
Eau Claire, WI 54701  
E-Mail: [MatthewA.Thompson@wisconsin.gov](mailto:MatthewA.Thompson@wisconsin.gov)  
Phone: (715) 839-3750

#### 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](mailto:Thomas.Coogan@Wisconsin.Gov)  
Phone: (608) 267-7560  
Fax: (608) 267-7646

#### Site Applicant Contact Information

The WAM applicant for this site is the Village of Allouez. One hard and one electronic copy of the report should be sent to the following:

Jennifer Meyer, Clerk/Treasurer  
Town of Pleasant Valley  
W165 Woodridge Drive  
Eau Claire, WI 54701  
Phone: (715) 878-4645

The owner of site is Dennis Kitelinger. One hard copy of the report should be sent to the following:

Dennis Kitelinger  
S10405 Cty Rd HHI  
Eleva, WI 54738  
Phone: (715) 579-3634

#### Site Access

Dennis Kitelinger 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**