

Greg Minikel

From: Greg Minikel
Sent: Thursday, July 10, 2014 11:10 AM
To: David Soeldner
Cc: Greg Minikel; Dan Koski; Sonja Birr
Subject: Proposed PI Comm. Agenda Item 14-1454 for S. 18th and Flambeau St.
Attachments: Letter from DNR - Denial of Case Closure (April 2014).pdf; Flambeau St Change Order #5 - June 2014.pdf; S. 18th & Flambeau St. Remediation Project; PECFA Claim for S. 18th and Flambeau St.

Hi Dave,

Here is an update on the S. 18th and Flambeau Street Environmental Site.

Our Consultant AECOM (Dean Fenske) submitted our project for closure at the beginning of 2014. Based on his discussions with Tom Verstegen of the Dept. of Safety and Professional Services (DSPS) we were all set for site closure.

However, we were informed that we did not get site closure and they need more investigation. When Dean called Tom about this, he told him that the Committee made this decision.

See the attached letter from April 7, 2014 regarding the site closure denial.

Based on this letter, we asked AECOM to get us a proposed contract amendment or change order for the additional requested work.

See the attached Change Order for \$26,063.

Our plan or proposal is to delay any additional work until next year. We submitted a request to the CAWG Committee for inclusion in the 2015 Capital Budget.

The other issue that was being discussed a lot recently was whether or not the City was going to pursue reimbursements from Jason Radandt. The fuel tanks that created the problem were installed in the 1950's by Radandt. We had met with Fred and Jason Radandt back in 2010 and 2011 and Val sent them some letters. See attached e-mail with additional information.

We wanted to ask the Committee if they want to pursue reimbursements from Radandt. However, we were also notified this spring that some of Radandt's businesses are in foreclosure and that has likely complicated the matter even more.

We also reviewed our total costs to date and the expected reimbursement from PECFA. See the attached e-mail for a summary.

Let us know if this update is sufficient or if you want to discuss this issue at Monday's meeting or another future meeting. Thanks.

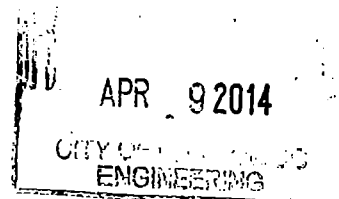
State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
625 E County Rd Y, Suite 700
Oshkosh, WI 54901-1805

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



April 7, 2014

Mr. Greg Minikel
City of Manitowoc
900 Quay St
Manitowoc, WI 54220



SUBJECT: Case Closure Denial - Insufficient Investigation of Off-Site Property

Flambeau St ROW
DNR BRRTS # 02-36-553420 PECFA # 54220-6456-18-A

Dear Mr. Minikel:

On March 18, 2014, the Northeast Region Closure Committee reviewed your request for closure of the case described above. The Northeast Region Closure Committee reviews environmental remediation cases for compliance with state rules and statutes to maintain consistency in the closure of these cases. After careful review of your closure request, the closure committee has denied closure because additional requirements must be met. The purpose of this letter is to inform you of the remaining requirements for obtaining closure, and to request your written response within 60 days of receiving this letter.

Your site was denied closure because additional investigation needs to be performed on the off-site property to the south. The scope of work would include the installation of a monitoring well and piezometer in the vicinity of B-108 and conducting sub-slab vapor monitoring at 2418 S. 18th Street. In addition to this, two rounds of groundwater sampling from wells MW-2, MW-3, and MW-4 is being required.

I am aware that some efforts have been made to obtain access to the 2418 S. 18th Street property and those efforts have been repeatedly denied or not acknowledged. Do your best to obtain access. Your attempts should include certified letters, phone calls, and site visits. Document those efforts.

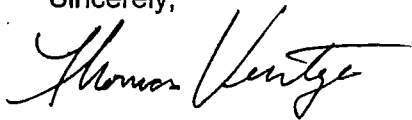
Submit a complete closure request once all the above requirements have been satisfied, together with any required documentation, to let me know that applicable requirements have been met. Case closure can be considered once all the above requirements have been satisfied.

A PECFA claim for eligible expenses to date has not been submitted for this site. Please consider submitting a claim for those expenses at this time. I will work with your consultant to establish a new cost cap for the additional work being required.

Please respond in writing, within 60 days of the date of this letter, with a schedule of your plans to meet these requirements. Until requirements have been met, your site will remain "open" and you will also need to continue to submit the semi-annual progress reports, as required by s. NR 724.13 (3), Wis. Adm. Code.

We appreciate your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at (920) 424-0025.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tom Verstegen".

Tom Verstegen
Hydrogeologist
Remediation and Redevelopment Program

cc: Mr. Dean Fenske - AECOM Milwaukee

June 5, 2014

Mr. Greg Minikel, P.E.
Engineering Team Leader
City of Manitowoc
900 Quay Street
Manitowoc, WI 54220

**Subject: Change Order and Cost Estimate for Additional Remedial Investigation and Groundwater Monitoring Activities
Flambeau Street Site, 2418 S. 18th Street, Manitowoc, Wisconsin
BRRS No. 02-36-553420, PECFA No. 54220-6456-18-A
AECOM Project No. 60134830 (113845)**

Dear Greg,

AECOM Technical Services, Inc. (AECOM) is providing this change order and cost estimate to the City of Manitowoc (the City) for the additional investigation and groundwater monitoring activities being required at the Flambeau Street site.

As you are aware, AECOM submitted a Case Closure Request packet to the Wisconsin Department of Natural Resources (WDNR) in January 2014. In a Case Closure denial letter dated April 7, 2014, Mr. Tom Versteegen of the WDNR requested additional off-site investigation, groundwater monitoring, and sub-slab vapor sampling at the site. The scope of work presented below for the additional activities is based on the denial letter and a telephone conversation with Mr. Versteegen on April 14, 2014. Based on the telephone conversation, additional off-site investigation activities must include construction of one monitoring well and one piezometer in the vicinity of soil boring B-108 on the property owned by Mr Charles Blish at 2418 S. 18th Street, two groundwater sampling events at a total five wells, and conducting a sub-slab vapor assessment at the 2418 S. 18th Street property.

Mr. Versteegen acknowledged that multiple efforts were made previously by AECOM to contact Mr. Blish at 2418 S. 18th and gain access to his private property to conduct the vapor intrusion assessment. These efforts were documented in the closure request submittal. However, Mr. Versteegen stated that the members of the Northeast Region Closure Committee felt it was important that a vapor assessment be completed at this site and indicated additional efforts should be made to contact Mr. Blish. Mr. Versteegen indicated these efforts could start again with an access agreement request sent via certified mail. We should clearly indicate to Mr. Blish that refusal to allow access to his property to complete activities required by the WDNR would result in a transfer of responsibility to him for any future investigation and/or cleanup required on his property by the WDNR. If Mr. Blish still does not respond it is recommended we again try to contact him by telephone and AECOM and/or the City should make physical visits to the site to contact him at his residence. If further attempts to contact Mr. Blish fail, Mr. Versteegen indicated the WDNR may also attempt to contact him directly.

In general, the scope of work described below includes tasks to complete the additional WDNR requested services

Project Summary

The Blish property at 2418 S. 18th Street is a residential property that was previously part of a larger parcel utilized by the F. Radandt Sons, Inc excavation company. A 1,000-gallon gasoline tank was located in what is now the Flambeau Street right-of-way north and adjacent to the 2418 S. 18th Street property. Soil contamination was discovered in 2001 during new home construction activities at 2410 S. 18th Street and reported to the Wisconsin Department of Natural Resources (WDNR). Limited soil and groundwater investigation activities were conducted by STS Consultants, Inc. in 2001 and 2002.

In June 2009 the City of Manitowoc retained AECOM to conduct Phase II Site Investigation activities which included the advancement of eight (8) Geoprobe[®] soil borings and collection of soil and groundwater samples on October 22nd, 2009. Prior to field work, AECOM contacted Mr. Blish at 2418 S 18th Street in a letter dated August 3, 2009 to obtain a Right-of-Entry (ROE) access agreement onto the private property for investigation activities. ROE was granted by Mr. Blish on August 16, 2009. Based on the results of the Phase II, additional investigation was required to adequately define the full extent and degree of contamination to the south west and assess groundwater quality at the site. In addition, vapor intrusion screening was recommended for the private residence at 2418 S. 18th Street. In a letter dated January 29, 2010 the WDNR indicated the Site falls under the definition of a "low or medium" risk site and oversight of the project was being transferred from WDNR to the Department of Safety and Professional Services (DSPS) [previously the Wisconsin Department of Commerce {WDCOM}].

In a letter to Mr. Blish dated June 7, 2011 AECOM requested access to the private residence to complete the vapor intrusion assessment at his property. Mr. Blish did not return the right-of-entry agreement either granting or denying access to the property. AECOM also attempted to reach the property owner by telephone on multiple occasions without success. AECOM subsequently informed the DSPS that permission to complete the vapor screening had not been granted by Mr. Blish. In a letter dated August 16, 2011, Mr. Bob Klauk of the DSPS notified Mr. Blish of the possibility of air contamination in the basement of the residence and requested that he contact the agency within 15 days. The letter was sent by certified mail and signed for by a recipient at the 2418 S. 18th St. residence. Prior to the November 2011 remedial investigation (RI) activities, neither AECOM nor DSPS had received a response from Mr. Blish.

The remedial investigation activities included the advancement of 4 soil borings on November 11th, 2011, to investigate the vertical and lateral extent of soil contamination previously identified at the site and assess groundwater contaminant trends. One of the soil borings was advanced off site to the west of the subject site on the residential property located at 1809 Flambeau St. to define the extent of soil contamination. The other three borings were advanced in the Flambeau Street and South 18th Street right-of-ways for construction of groundwater monitoring wells and collection of groundwater samples. Groundwater samples were collected from the three monitoring wells in November 2011, February and May 2012. At that time neither AECOM, the City, nor the DSPS had received a response from Mr. Blish at 2418 S. 18th Street allowing access to the property, therefore vapor monitoring was not completed.

AECOM submitted a Remedial Investigation and Groundwater Monitoring Report to the City and the DSPS in September 2012. In the report AECOM recommended continuing groundwater sampling at monitoring well MW-3 on an annual basis until a stable or decreasing contaminant trend was established. In a letter dated November 2, 2012, Mr. Verstegen (at that time of the DSPS) requested additional off-site investigation and groundwater sampling. The scope of work for additional activities was based on the November 2012 DSPS letter and a telephone conversation with Mr. Verstegen on November 29, 2012. Based on the telephone conversation, after completion of the required additional

off-site investigation activities (including construction of two monitoring wells) and one groundwater sampling event of all site wells, the DSPS would potentially re-consider a closure request, if appropriate. In addition, further efforts were to be made to contact Mr. Blish at 2418 S. 18th Street to complete the requested vapor intrusion assessment.

Mr. Blish was sent a certified letter dated February 14, 2013 requesting access, which he received and signed for on February 21, 2013. Prior to the April 2013 additional RI activities, AECOM had not received the signed access agreement back nor gotten any calls from Mr. Blish with questions or concerns. The telephone number on file for Mr. Blish, and the phone number found with an on-line search was reported as disconnected and no longer in service.

The April 2013 additional off-site RI activities included the advancement of 2 soil borings on April 1, 2013 for soil sampling and subsequent installation of monitoring wells MW-4 and MW-5. MW-4 was installed in the east S. 18th Street right-of-way, east of the subject site. MW-5 was installed in the west S. 18th Street right-of-way, southeast of the subject site. Groundwater samples were collected at all site wells on May 7, 2013 and submitted for laboratory analysis. Based on the analytical results the Case Closure Request was submitted to the WDNR in January 2014 as discussed above.

Scope of Work

WDNR Cost Estimate Approval Letter:

Based on the scope of work required by WDNR, AECOM will prepare a cost cap exceedance approval request letter for costs eligible for reimbursement under the PECFA program. The cost estimate will be calculated in accordance with the current U&C unit rates established by WDNR. The cost estimate will be prepared on the U&C Standardized Invoice (Schedule 15) to show a breakdown of how the proposed costs were developed. It is our understanding that the costs associated with the work required by WDNR should be eligible for PECFA reimbursement.

Please note that, although our cost cap exceedance request will include estimated costs associated with regulatory correspondence, standardized invoice preparation, well abandonment, and PECFA claim submittal, these costs are generally not approved at the time of request. It is generally indicated that costs associated with these tasks will be reviewed at the time of PECFA claim submittal and reimbursed according to task specifications with the submittal of proper supporting documentation.

In addition, although the PECFA program may reimburse a substantial share of the cost of conducting investigation and remediation of petroleum contamination, the owner will have a program deductible which they must pay. In addition, there may be costs incurred that are above the maximum that will be reimbursed by the PECFA fund.

Remedial Investigation:

- AECOM will prepare scopes of work and request competitive bids for laboratory analysis, boring advancement and monitoring well/piezometer installation, well abandonment, and soil and development/purge water disposal services.
- AECOM will update the existing Health and Safety Plan (HASP) for additional RI and groundwater monitoring activities. Additionally, AECOM, or our subcontractors, will be responsible for identifying private and publicly located underground utilities prior to commencing work. A private utility locator will be subcontracted to identify potential underground utilities on the private property at 2418 S. 18th Street.

- AECOM will make additional attempts to contact Mr. Blish at 2418 S. 18th Street including letter correspondence sent by certified mail, telephone calls/messages and/or visits to the residence to contact Mr. Blish. For purposes of this estimate, AECOM will include costs for making one trip to the site. If successful, AECOM will work with Mr. Blish to install additional wells and complete the vapor intrusion screening in the basement of his private property.
- Air sampling will be conducted in the basement area of the residence at 2418 S. 18th Street only. The goal of the vapor intrusion testing is to evaluate whether petroleum VOC vapors are present beneath the slab and determine if they exceed the levels determined by WDNR to necessitate further investigation and/or vapor mitigation activities. The sampling protocols will generally follow the Wisconsin Department of Natural Resources' guidance "Addressing Vapor Intrusion at Remediation & Redevelopment Sites in Wisconsin", PUB-RR-800, dated December 2010.

AECOM will collect one indoor and one outdoor ambient air sample. The indoor sample will be collected in the basement in the vicinity of the sub-slab sample. The outdoor sample will be collected at a location to be determined during the initial site visit. Each sample will be collected approximately 4 to 5 feet above the floor/ground. Samples will be collected in a laboratory supplied 6-liter Summa canister fitted with a 24-hour flow regulator. The samples will be collected for approximately 24 hours or until the can vacuum reaches approximately 4 inches Hg. The canisters will be left unattended over night at the residence and will require a second visit to the Site to retrieve the Summa canisters.

Sub-slab sampling in the basement will begin with a slab penetration using a power drill at a location to be determined during the initial site visit. The penetration will be approximately 5/8 inches in diameter. A 1.5 inch diameter recess hole will be drilled to approximately 2 inches below the floor grade so that a temporary brass sampling "pin" can be recessed below the floor surface. A hand pump will be used to test for sub-slab air flow by checking for vacuum at the sampling location. Sub-slab pressure will also be checked at the sampling port location using a Magnehelic[®] pressure gage.

A shut-in test will be performed on the sample tubing, in-line particulate filter, and swage-lock connection to a laboratory supplied 6-liter Summa canister. The sample tubing will then be connected to the sampling pin and the Summa canister valve will be opened. The Summa canisters will be unregulated and are expected to continuously sample for at least 30 minutes, or until the can vacuum reached 4 inches Hg.

Following conclusion of the indoor ambient air sampling, the sub-slab sampling pin/concrete seal will be integrity tested using helium as a tracer gas. At the completion of the sub-slab sampling, the sampling pin will be capped with a removable elastic cap. The sampling penetration will be capped with a removable black plastic cap making the floor penetration nearly flush with the floor surface. By capping and leaving the sample pins in-place, the pins are available for future sample collection if necessary. Once it is determined that no further sampling will be needed, the vapor sampling point will be properly abandoned by filling and sealing the holes with hydraulic cement.

The Summa canisters will be submitted to Pace Analytical, 1700 Elm Street SE, Suite 200, Minneapolis, MN 55414 for analysis of VOCs by EPA Method TO-15.

- Advancement of two soil borings that will be completed as a NR 141 compliant groundwater monitoring well and piezometer at 2418 S. 18th Street. The locations of the proposed borings/wells are shown on the attached Figure 1 – Proposed Well Locations. The well and piezometer will be nested together and constructed in the vicinity of soil boring B-108. The soil boring for the monitoring well will be blind drill and no soil sampling will be conducted. The soil

boring for the piezometer will be evaluated and visually classified in the field. The soil samples will be described in the field with respect to the soil type, grain size distribution, and color (or discoloration), odor, and moisture content. Visual observations of the recovered material will also be documented in accordance with ASTM Method D-2488-93. Field observations from the boring will be recorded on soil boring logs for submittal to WDNR.

- It is anticipated that the monitoring well (designated MW-6) will be completed at a depth of approximately 14 feet below ground surface (bgs) with a 10 foot screen. The piezometer (designated PZ-6) will be completed at a depth of approximately 29 bgs with a 5 foot screen.
- AECOM will develop the new well and piezometer in accordance with NR 141. AECOM will conduct two rounds of groundwater sampling at a total of 5 well (MW-2, MW-3, MW-4, MW-6, and PZ-1). The sampling events will be conducted no less than 3 months apart. Groundwater elevations will also be measured at MW-1 and MW-5 during each round to assist with groundwater flow direction determination.
- Groundwater samples collected from the MW-2, MW-3, and MW-4 will be analyzed for petroleum volatile organic compounds (PVOCs) plus naphthalene based on previous results. Groundwater samples collected from the MW-6 and PZ-1 will be analyzed for volatile organic compounds (VOCs), polynuclear aromatic hydrocarbons (PAHs), and Resource Conservation and Recovery Act (RCRA) metals (i.e. lead and cadmium) during the first round of sampling. Dependent upon analytical results, PAH and RCRA metal sampling may be eliminated during the second round of sampling and VOCs reduced to PVOCs plus naphthalene. A quality control duplicate sample will be collected at one location during each sampling round and analyzed for VOCs/PVOCs + Naphthalene along with a trip blank.
- AECOM will coordinate disposal of soil and water drums generated during investigation and monitoring activities. AECOM anticipates that up to three drums of soil will be generated during well/piezometer construction, one to two drums of water may be generated during well well/piezometer development, and up to two drums of water may be generated during the groundwater sampling events. Similar to previous fieldwork activities, AECOM anticipates contacting the City garage to transfer and stage the drums at the City garage property prior to pick up and disposal by the waste disposal contractor(s).

Technical Memorandum

AECOM will prepare a brief technical memorandum to document the vapor intrusion sampling results. The technical memorandum will be prepared for submittal to the City and Mr. Blish to present the methods and results of vapor sampling at the private residence.

Semi-Annual Progress Report

AECOM will prepare a semi-annual progress report, as required by NR 724.13(3) of the Wisconsin Administrative Code. AECOM anticipates that only one progress report will be required to be prepared during the course of the project. The progress report will either be completed on the Remediation Site Progress and Operation, Maintenance, Monitoring & Optimization Report form (WDNR Form 4400-194) or as a summary letter report, whichever is acceptable to the WDNR project manager.

Updated Closure Request:

Unless analytical results suggest additional monitoring or investigation is required. AECOM will prepare an updated closure request packet for submittal to WDNR. The updated request will include boring logs, well construction and development forms, sampling forms, certified mail receipts for

access agreement and notification letters, and analytical reports associated with the additional investigation efforts. Updated tables and figures will be prepared and submitted. Based on the analytical results, the draft maintenance plan and soil management plan submitted with the initial closure request will also be updated as necessary.

The initial closure request included notification letters submitted to a total of three private property owners. AECOM anticipates that based on the additional investigation activities and groundwater analytical results new notification letters will have to be submitted to the property owners.

Well Abandonment:

Typically site closure letters require proper abandonment of any monitoring wells associated with the project as a condition of receiving site closure. Upon receiving preliminary site closure approval, AECOM proposes to abandon the monitoring wells as required. Monitoring well abandonment forms will be prepared for submittal to the regulating agency.

PECFA Claim Submittal:

The investigation and remedial activities associated with the former gasoline UST qualifies for reimbursement under the PECFA program. The initial PECFA is anticipated to be submitted in June 2014. AECOM will follow PECFA program protocols for the additional site investigation and monitoring activities. Upon receiving a closed remedial action status and following abandonment of monitoring wells, AECOM will prepare a 2nd PECFA claim requesting reimbursement of PECFA eligible expenses incurred.

As noted previously, although the PECFA program may reimburse a substantial share of the cost of conducting investigation and remediation of a petroleum contamination, the owner will have a program deductible which they must pay. In addition, there may be costs that are above the maximum that will be reimbursed by the fund.

Estimated Cost:

Costs associated with the above scope of work include labor, travel, equipment, supplies, driller, analytical laboratory, and waste disposal subcontractor, sample shipment costs, fieldwork, project management, and reporting. The drilling, analytical, waste disposal, and abandonment services will be competitively bid to ensure competitive pricing.

AECOM estimates that the overall costs to complete the scope of work required by WDNR to be approximately **\$26,063**. A detailed cost estimate is attached for your review.

Uncertainty is inherent in any estimate of closure costs, especially where remediation and additional monitoring have been recommended. The costs presented above are estimates; however, AECOM will seek cost savings options and approaches throughout the project. Additionally, AECOM will include a summary table of costs expended to date, anticipated remaining costs, and budget comparisons with each monthly invoice. Services that are not described in this proposal will not be provided without written authorization from the client.

Authorization:

The Terms of the Consulting Agreement and Authorization to Proceed dated June 15th, 2009 with the City of Manitowoc, the project proposal dated April 25, 2011, and this change order dated June 5, 2014 associated with this site will be applied to this Task Order. If the scope of work, cost estimate, and schedule are satisfactory, please authorize Task Order #5 and return to me. Upon receipt of the

Mr. Greg Minikel
City of Manitowoc
June 5, 2014

signed Task Order and approval of PECFA eligible costs from WDNR, AECOM will initiate the work described herein.


If you have any questions or need additional information please call me at 715-342-3043 or email at dean.fenske@aecom.com.

Sincerely,

AECOM, Inc.



Dean W. Fenske
Project Manager



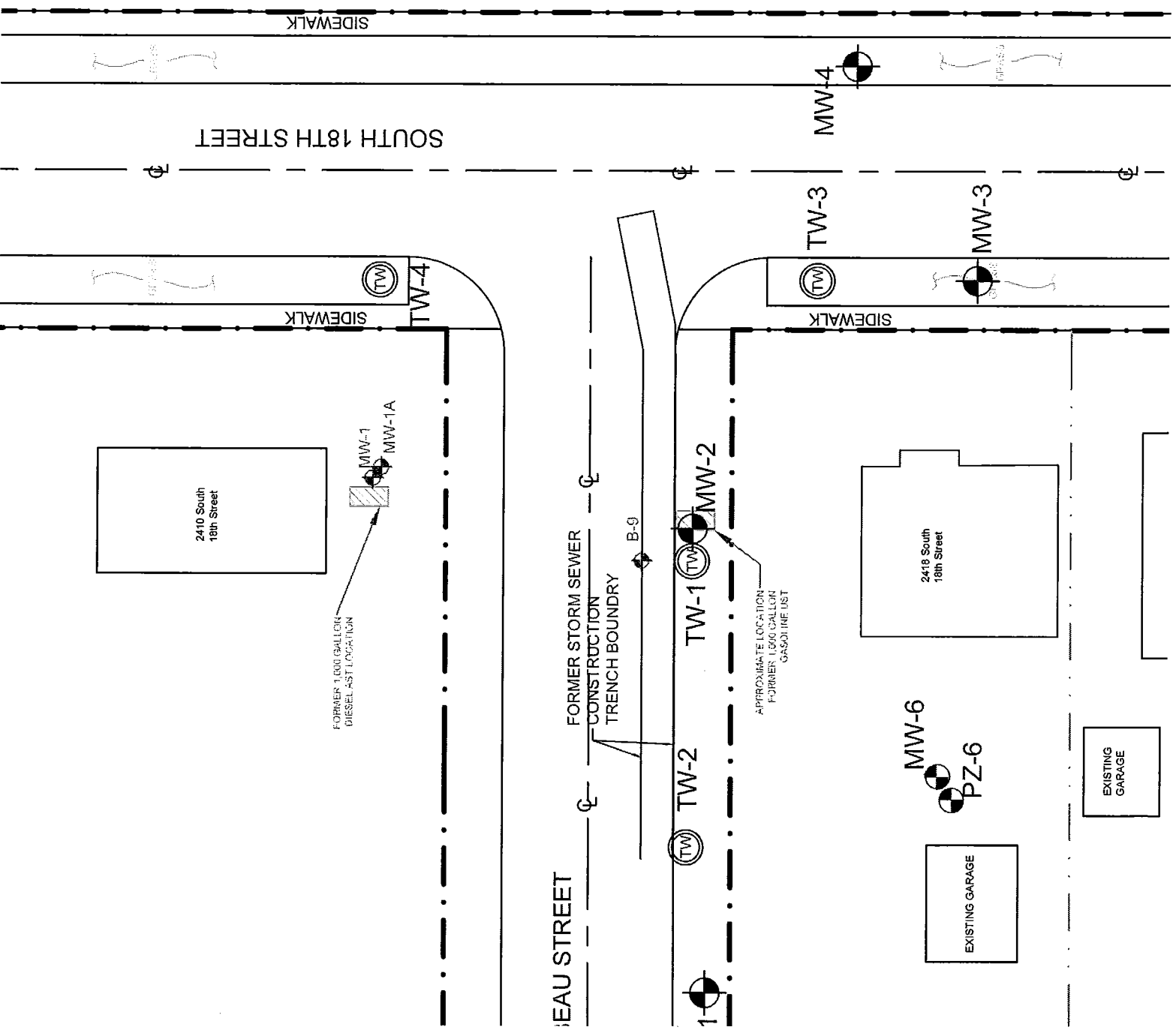
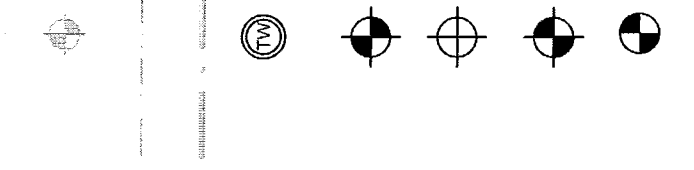
David S. Henderson, P.E.
Senior Project Manager



Kevin L. Brehm, P.E.
Wisconsin Operations Manager

Attachments: Figure 1
Cost Estimate
Authorization to Proceed

- BORING/GROU
- WELL (STS CO
- BOUNDARY
- RIGHT OF WAY
- TEMPORARY V
- (AECOM 2009)
- MONITORING V
- (AECOM 2011)
- TEMPORARY V
- (AECOM 2011)
- MONITORING V
- (AECOM 2013)
- PROPOSED MC
- LOCATION (AE



EAU STREET

FORMER STORM SEWER CONSTRUCTION TRENCH BOUNDARY

2410 South 18th Street

2418 South 18th Street

APPROXIMATE LOCATION FORMER 1,000 GALLON DIESEL TANK

EXISTING GARAGE

EXISTING GARAGE

EXISTING GARAGE

Cost Estimate City of Manitowoc Flambeau Street site Manitowoc, Wisconsin				
Task	Quantity	Units	Rate	Sub-Total
Additional Investigation and Monitoring				
Consulting				
Project management/coordination	14	hours	\$ 110.00	\$ 1,540.00
QA/QC	2	hours	\$ 143.00	\$ 286.00
Update Health & Safety Plan	2	hours	\$ 143.00	\$ 286.00
Cost Cap Letter Preparation	4	hours	\$ 110.00	\$ 440.00
Contractor Bids/Contract	2	hours	\$ 110.00	\$ 220.00
Access Agreement	2	hours	\$ 110.00	\$ 220.00
Site Visit for Access Agreement	4	hours	\$ 80.00	\$ 320.00
Technical Memorandum - Vapor Intrusion	2	hours	\$ 110.00	\$ 220.00
Semi-Annual Progress Report	8	hours	\$ 110.00	\$ 880.00
Administrative support	6	hours	\$ 65.00	\$ 390.00
Fieldwork - 2 borings				
Consulting				
PM-Field Coordination	6	hours	\$ 110.00	\$ 660.00
Fieldwork, prep. & followup	3	hours	\$ 70.00	\$ 210.00
Fieldwork, data analysis	11	hours	\$ 70.00	\$ 770.00
Equipment fees	1	each	\$ 150.00	\$ 150.00
Drilling Subcontractor - Two (2) Wells				
Install two borings/wells	1	each	\$ 2,580.00	\$ 2,580.00
Private Utility Mark Subcontractor				
Private Property Utility Mark	1	each	\$ 400.00	\$ 400.00
Fieldwork - 2 rounds - 5 wells				
Consulting				
PM-Field Coordination	8	hours	\$ 110.00	\$ 880.00
Fieldwork, prep. & followup	6	hours	\$ 70.00	\$ 420.00
Fieldwork, data analysis	22	hours	\$ 70.00	\$ 1,540.00
Equipment fees	1	each	\$ 600.00	\$ 600.00
Fieldwork - Air sampling (2 trips; 1st in coord. w/ well install)				
Consulting				
PM-Field Coordination	4	hours	\$ 110.00	\$ 440.00
Fieldwork, prep. & followup	4	hours	\$ 100.00	\$ 400.00
Fieldwork, data analysis	12	hours	\$ 100.00	\$ 1,200.00
Equipment fees	1	each	\$ 350.00	\$ 350.00
Laboratory : Groundwater Samples				
Groundwater samples - 1 round-5 wells				
PVOCs + Naphthalene*	8	each	\$ 40.00	\$ 320.00
VOCs*	2	each	\$ 75.00	\$ 150.00
PAHs*	2	each	\$ 80.00	\$ 160.00
RCRA Metals*	2	each	\$ 60.00	\$ 120.00
* assumes a duplicate and trip blank				
Laboratory : Air Sample				
Summa canister sample -				
VOCs*	3	each	\$ 250.00	\$ 750.00
Waste Disposal				
Soil, drum	3	each	\$ 350.00	\$ 1,050.00
Groundwater, drum	4	each	\$ 320.00	\$ 1,280.00
Closure Request Packet				
Consulting				
Drafting (min. 5 figure updates)	4	hours	\$ 80.00	\$ 320.00
Update Notification letters	4	hours	\$ 110.00	\$ 440.00
Update WDNR Close Out Forms	2	hours	\$ 110.00	\$ 220.00
Updated GIS Registry Packet	6	hours	\$ 110.00	\$ 660.00
Senior Review/Signature	2	hours	\$ 143.00	\$ 286.00
Administrative support	4	hours	\$ 65.00	\$ 260.00
Post Closure Activities				
Consulting				
Project management	6	hours	\$ 110.00	\$ 660.00
Letter Preparation - Abandonment form submittal	2	hours	\$ 110.00	\$ 220.00
PECFA Claim Preparation	10	hours	\$ 110.00	\$ 1,100.00
Internal PECFA Claim Review	2	hours	\$ 130.00	\$ 260.00
Fieldwork (Well Abandonment)	10	hours	\$ 70.00	\$ 700.00
Subcontractor				
Abandonment of seven (7) monitoring wells	1	each	\$ 1,705.00	\$ 1,705.00
TOTAL				\$26,063.00

Any cost estimate provided by the Consultant will be on a basis of experience and judgment. Because Consultant has no control over market conditions or bidding procedures, Consultant cannot warrant that bids, construction costs, or project economics will not vary from these opinions.



**TASK ORDER #5
AUTHORIZATION TO PROCEED**

**Remedial Investigation, Monitoring, and Closure Request Services
Flambeau Street Site, Manitowoc, Wisconsin
AECOM Project No. 60134830 (113845)**

A. Purpose of Task Order

AECOM is to provide consulting and subcontract services associated with remedial investigation, groundwater monitoring, and closure request activities at the City of Manitowoc's Flambeau Street site. The Terms of the Consulting Agreement and Authorization to Proceed dated June 15, 2009, with the City of Manitowoc, the project proposal dated April 25, 2011, and this change order dated June 5, 2014, will be applied to this additional work.

B. Scope of Work

See Change Order #5 Proposal dated June 5, 2014.

C. Schedule

AECOM will commence the additional activities upon written authorization to proceed.

D. Compensation

The cost to complete the additional activities is estimated to be \$26,063.

By signing below and returning to Dean W. Fenske at AECOM's Stevens Point, Wisconsin office, this letter will serve as written authorization to proceed.

The above is understood and authorization to proceed is given as noted by the undersigned:

Task Order Date: June 5, 2014

**Approved by:
City of Manitowoc**

**Accepted by:
AECOM**

Kevin L. Brehm, P.E.

Wisconsin Operations Manager

Title

6/5/14

Date

Title

Date

Greg Minikel

From: Greg Minikel
Sent: Tuesday, March 25, 2014 12:16 PM
To: Kathleen McDaniel; Dan Koski
Cc: Greg Minikel; Dave Less; Karen Dorow; Justin Nickels
Subject: S. 18th & Flambeau St. Remediation Project
Attachments: Letter to Fred Radandt.doc; Letter to Jason Radandt - Jan. 3, 2011.doc; Letter to Jason Radandt.doc; Letter to Jason Radandt9212010.doc; Letter from Radandt.pdf

Kathleen,

I have not had a chance to look at this issue in depth as it relates to the Radandt's filing for Chapter 11 bankruptcy.

I just talked to Fred Radandt when he attended the Safe Routes to School meeting back on February 27th. I mentioned to him that we were still possibly going to bill him or actually it is Jason Radandt that owns this land, but that this has not been approved through Council to my knowledge. I am unclear or unsure if the Council will want to charge them for this.

Val Mellon sent Radandt's a letter back in 2010/2011 regarding them being a responsible party and that the City may bill them for the cost of the work. I attached 4 letters that we have on file. I did not look for the signed copies, but I believe that these 4 letters were sent. I also attached a copy of the letter we received from Radandt. They never paid anything to my knowledge. They wanted to pay just the \$10K and walk away free and clear. We told them that the costs would exceed \$10K, but we would not know final costs until we get closure of the site.

According to our records, we have paid AECOM just shy of \$50,000 for this project to date.

The City is supposed to have part of the work funded by PECFA, however, there is a \$10,000 deductible and then they do not pay 100% beyond the first \$10,000. They only pay reasonable and customary charges. I am not sure what the final net City costs will be that we would intend to bill Radandt.

We are still in the process of closure of the site. AECOM has submitted the paperwork for the closure but there is still work to be done to abandon the wells after the DNR accepts the closure.

Let me know if we have to have a meeting to discuss this in more detail. Thanks.

March 24, 2010

F. Radandt & Sons
1800 Johnston Drive
Manitowoc, WI 54220
Attn: Mr. Fred Radandt

RE: South 18th and Flambeau Street Gasoline Contamination

Dear Mr. Radandt:

The City of Manitowoc was notified by WDNR on April 1, 2009 of their concern about gasoline contamination in the Flambeau Street right-of-way. This letter is being sent to you because of a fuel tank which was buried near this location when F. Radandt & Sons operated a business on this property.

The WDNR's concerns were precipitated from an old project to install storm sewers for serving the Habitat for Humanity development in 2002. The DNR was reviewing their files and realized that the issue was never completely closed out in their records.

The April 1, 2009 letter requested the degree and extent of the contamination be defined within a specific period of time. The city took action as requested and hired an Environmental Consultant (AECOM) within the specified 90 day period. The next 90 days were specified by the WDNR to submit a work plan and schedule for taking soil borings and performing groundwater monitoring to determine if there was contamination in the Flambeau Street right-of-way. AECOM sent that submittal to the WDNR on August 3, 2009.

AECOM performed the fieldwork as outlined in the work plan in October, 2009 and found contamination. A copy of the results was sent to Annette Weisbach of WDNR on January 21, 2010. Pursuant to a January 29, 2010 memo, the WDNR has referred this matter to Robert Klauk of Department of Commerce (DCOM), since the results showed the site to be low to moderate risk.

The soil contamination plume has been delineated, however, the groundwater contamination plume has not been completely delineated and therefore additional testing is being required by DCOM. We want to discuss this site with you prior to beginning any additional work.

We also received notification from the DCOM on January 21, 2010 that this site will be a Petroleum Environmental Clean-up Fund Award (PECFA) Program eligible site.

We need to meet with you to discuss the next actions that must be taken in order to remediate the site and obtain closure.

We will be contacting you in the near future to set up a meeting.

Sincerely,

Valerie Mellon, P.E.
Director of Public Works
and City Engineer

January 5, 2011

F. Radandt & Sons
1800 Johnston Drive
Manitowoc, WI 54220
Attn: Mr. Jason Radandt

**RE: Petroleum Contamination at Flambeau and South 18th Street
Additional Monitoring Required by Department of Commerce**

Dear Mr. Radandt:

This letter is a follow up to our October 14, 2010 meeting regarding the additional monitoring/testing that is being required by the Department of Commerce for the petroleum contamination at S. 18th and Flambeau Street and the anticipated costs associated testing that will be completed in 2011. Enclosed is the cost breakout developed by AECOM to clarify where the dollars were derived.

The City of Manitowoc has already expended \$8,288 for this project. The City stated at the October 14, 2010 meeting that the City would pay for these initial monitoring and testing costs, since they were incurred prior to notifying you of the contamination issues at this site.

Based on AECOM's April 26, 2010 letter, the estimated project costs for the additional required monitoring/testing in 2011 are estimated to be \$31,445. Unfortunately, the Department of Commerce's PECFA funding will only cover a portion of these costs. Based on the revised numbers that AECOM submitted to the Department of Commerce on October 27, 2010 (Usual and Customary Cost Schedules), the PECFA funding will only cover \$8,236 of the entire project cost or about \$513 more than the original estimate that we discussed at the October meeting.

Your August 30, 2010 letter indicated that you would be willing to commit to and pay for the cost of the PECFA deductible, which is \$10,000. However, there are ineligible PECFA costs of approximately \$13,209 in addition to the standard \$10,000 PECFA deductible that we are requesting to be provided by F. Radandt & Sons. Therefore, to the best of our knowledge the total estimated project cost that the city is requesting to be borne by F. Radandt and Sons is \$23,209.

You stated at the October meeting that you would discuss this issue with your insurance company after receiving the City's revised letter. Please contact me at your earliest convenience after you have discussed this issue with your insurance company. We appreciate your continued cooperation in this matter.

Sincerely,

Valerie Mellon, P.E.
Director of Public Works/City Engineer

Enclosure

Cc: Mayor Justin M. Nickels
Juliana Ruenzel, City Attorney
Dave Less, City Planner
Fred Radandt

April 29, 2010

F. Radandt & Sons
1800 Johnston Drive
Manitowoc, WI 54220
Attn: Mr. Jason Radandt

Dear Mr. Radandt:

This letter is a follow up to our meeting on April 7, 2010 to summarize the city's intent and to confirm your cooperation in helping to resolve the So. 18th and Flambeau Street environmental contamination matter.

To summarize, the City of Manitowoc received correspondence on April 1, 2009 from the Wisconsin Department of Natural Resources (WDNR) which expressed concern that this matter had never been adequately resolved, their case file remained open, and that the City, as the owner of the Flambeau Street Right-of-Way (R/W), was identified as the party responsible for determining if any contamination remained in the R/W beyond what was excavated as part of the Habitat for Humanity project in 2002. The work undertaken and the costs incurred by the City since April 1, 2009 has focused on the impacts associated with various storage tanks located in the immediate area on and adjacent to the property at 2418 So. 18th and within the Flambeau Street R/W that belonged to, and were an integral part of the F. Radandt & Sons' previous operation of your business on this property.

The City continues to perform the actions mandated in the WDNR April 2009 letter, and subsequently hired AECOM to perform additional borings and to prepare a Phase II Environmental Site Assessment Report which was subsequently filed with the WDNR on January 21, 2010. The report detailed additional sampling and groundwater monitoring that would be required in order to close the WDNR files in this matter. To date, the City has spent \$8,288 for this activity.

The WDNR reviewed AECOM's report and has determined that since it is a "low to moderate risk site", they have referred the matter to Robert Klauk at the Department of Commerce (DOC) for final resolution. The DOC now has formal jurisdiction over this matter. The City and AECOM met with Mr. Klauk on March 11, 2010, and the City has agreed to perform additional testing in order to fully delineate the groundwater plume, as well as the extent of soil contamination in this area. This additional testing and monitoring is expected to cost an estimated \$40,000 and may be eligible for a Petroleum Environmental Clean-up Fund Award (PECFA).

As we discussed at the meeting, it is the city's opinion that your company is the identifiable and documentable party responsible (as this term is defined under Section 292.11 Wis. Stats.) for this environmental problem, as your company was in possession and control of the hazardous substances which were discharged in this area as part of your business operation; the clean up of which is now the burden of

the City and its taxpayers. This letter is to confirm our request of you to enter into an agreement with the City that specifies that you shall: (i) pay, at your sole cost and expense, the actual out-of-pocket costs the City has paid or incurred to date estimated to be \$8,288; (ii) pay, at your sole cost and expense any and all other costs to be incurred or paid by the City to complete the investigation of this matter including additional environmental soil borings, tests and geotechnical reports as well as any other investigations or functions which are required to disclose soil and groundwater conditions in the vicinity of So. 18th and Flambeau Street; (iii) pay 100 per cent of any local share costs related to any environmental remediation grants that the City might apply for towards remediation of this problem; (iv) pay, at your sole cost and expense, all costs required to be paid for clean up and testing in order to have this matter closed by the WDNR and DOC; and (v) to indemnify, defend and hold the City harmless against any and all claims, environmental (soil, water or air) and otherwise, including the diminution of property values, that may arise from any abutting property owner impacted during or after completion of this process of completing this investigation. These costs, as we understand them today, would include, but are not limited to the payment of the City's out-of-pocket costs to date, plus the payment of a \$10,000 deductible under the PECFA program, should the City be approved for funding under that program.

While there is no guarantee from DOC, Mr. Klauk indicated that he had every expectation that this matter can be resolved by the proposed testing and final report with future remediation to be provided by natural attenuation in combination with the existing pavement(s). As we discussed, the City of Manitowoc was not the cause of the contamination. We look forward to your concurrence to enter into an agreement as detailed above, and to completing this matter with you. We genuinely appreciate your willingness to partner with us to resolve this matter.

Receipt of a written response from you on or before Friday, May 14th, will be very much appreciated.

Sincerely,

Valerie Mellon, P.E.
Director of Public Works/City Engineer

Cc: Mayor Justin M. Nickels
Juliana Ruenzel, City Attorney
Dave Less, City Planner
Fred Radandt

September 24, 2010

F. Radandt & Sons
1800 Johnston Drive
Manitowoc, WI 54220
Attn: Mr. Jason Radandt

RE: Petroleum Remediation of Flambeau Street at S 18th Street

Dear Mr. Radandt:

This letter is a follow up to clarify the information we have received subsequent to our last meeting on August 24, 2010 and your letter dated August 30, 2010.

The City of Manitowoc has already expended \$8,288 for this project. The future sampling project costs are estimated at \$31,445. The Department of Commerce's PECFA funding will only cover \$7,723. Your letter indicated that you would be willing to commit the cost of the deductible. However, there are ineligible costs of \$14,000 in addition to the \$10,000 deductible that we are requesting to be provided by F. Radandt & Sons.

A meeting with our consultants will be organized in the near future to further clarify the process of retaining funding from the PECFA program and to continue discussion of the scope at which this project is directed by the Department of Commerce. I would very much appreciate your attendance at that meeting.

Sincerely,

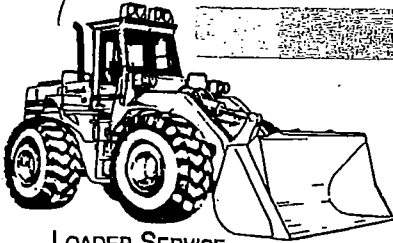
Valerie Mellon, P.E.
Director of Public Works/City Engineer

Cc: Mayor Justin M. Nickels
Juliana Ruenzel, City Attorney
Dave Less, City Planner
Fred Radandt

Juliana

W. J. Radandt Sons, Inc.
SINCE 1913
Attorse
9.2.10
x

F. Radandt Sons, Inc.



LOADER SERVICE

EXCAVATORS

GRAVEL PRODUCERS

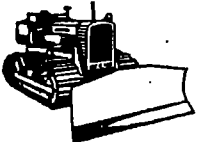
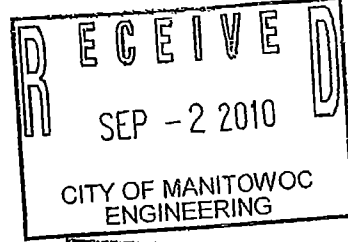
DEMOLITION

1800 JOHNSTON DRIVE MANITOWOC, WISCONSIN 54220 TELEPHONE (920) 682-7758

SNOW REMOVAL

August 30, 2010

SAND FILL



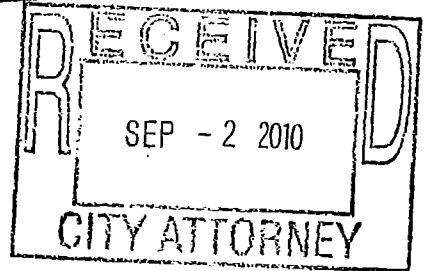
DOZER SERVICE

City of Manitowoc
Attn: Valerie Mellon, P.E.
900 Quay Street
Manitowoc, WI 54220

LIMESTONE

Re: So. 18th and Flambeau Street Environmental Issue

TOP SOIL



GRADER SERVICE

Ms. Mellon:

This letter is to confirm our intent to remit \$10,000 as payment in full for our obligation of the 'So. 18th and Flambeau Street environmental contamination matter.' This agreement was made at the August 24, 2010 meeting attended by Valeria Mellon, Greg Minikel, Jason Radandt and Fred Radandt.

ROAD GRAVEL

TRUCKING SERVICE

Thank you,



SAND & GRAVEL

Jason G. Radandt
Secretary/Treasurer

PIT RUN

BREAKER RUN



SCRAPER SERVICE

BACKHOE SERVICE

WASHED SAND & STONE



CRANE SERVICE

Greg Minikel

From: Greg Minikel
Sent: Tuesday, July 01, 2014 3:54 PM
To: Dan Koski
Cc: Greg Minikel; Karen Dorow; Steve Corbeille; Kim Lynch
Subject: PECFA Claim for S. 18th and Flambeau St.

Dan,

I called Dean Fenske at AECOM to discuss the PECFA reimbursement claim for the gasoline and diesel fuel contamination site at South 18th and Flambeau St. We are the Responsible Party (RP) since the contamination was found in the City's road ROW.

Dean said he will check with the PECFA people, but it is typical for the claim approval process to take 2-3 months and then the actual payment (check) is mailed out some time after that.

Dean also said that we have to knock the \$10,000 deductible amount off of the \$29,592 that is being requested. Therefore, we will only get \$19,592

So, hopefully we will get the reimbursement payment of \$19,592 later this year likely Sept. or Oct. or later.

He also stated that we are anticipating getting another \$16,000 from PECFA for the extra work (\$27,000) that is being required by the DSPS.

Here is a brief summary of project costs and anticipated reimbursements from PECFA:

Expenses Paid to Date (2009 to Jan. 2014) is approx.:	\$58,000
<u>Anticipated Additional Investigation Costs:</u>	<u>\$26,000</u>

Total Cost	\$84,000
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Anticipated PECFA Reimbursements:	\$35,000 (\$19K & \$16K)
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Net City Costs:	\$49,000
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Dean also said that we are waiting to hear back from Tom Verstegen of DSPS as to whether or not they are approving our work plan.

Dean felt that we would be O.K. if the work did not start until next spring.

I told Dean the sooner we get the PECFA reimbursement check the sooner we could start or approve the contract amendment for the additional work.

We also need to talk with Kathleen as to whether or not we are going to go after Jason Radandt for any payments from him since it was a Radandt tank that leaked.