



MEMORANDUM

To: Common Council

From: Greg Keil, CDD

Date: January 13, 2011

RE: Report on Marketing and Environmental Status of the City –Owned Lots on Racine Street

I've drafted this memo in response to Alderman Taylor's inquiry about the above. In October of 2010 the city entered into a listing agreement with the Drifka Group for city – owned lots at 81-87 Racine Street and 504 Broad Street. This agreement extends until October 2011. Please see the attached email correspondence from Bob Drifka regarding the status of marketing efforts.

With regard to the environmental condition of these properties, there is a Closure Letter from the Department of Natural Resources essentially stating that the site remediation has been completed and no further work is needed at 81 Racine Street. There is/was no known contamination at 504 Broad Street. At 87 Racine, site remediation has been completed (see attached correspondence from Konicek Environmental Consulting, LLC), however site monitoring is ongoing (see attached Department of Commerce correspondence). The site remediation at 87 Racine consisted of removal of all soil to within about five feet of the property line down to bedrock. The site was then filled with clear stone. Despite removal of this soil as a source of contamination, indicators of contamination continued to show up in groundwater samples. This is the reason for the new round of sampling that was authorized by the Department of Commerce in August of 2010. If this new round of sampling shows that the contamination has diminished to levels below permitted maximums, a Closure Letter may be issued. I'm hoping this will occur sometime this year.

Greg M. Keil

From: Bob Drifka [bob@drifkagroup.com]
Sent: Tuesday, January 11, 2011 8:16 AM
To: Greg M. Keil
Subject: RE: Report of Officers Request

Greg:

No inquiries to date. The property is posted on two local / national web-sites and was sent to all brokers. Due to the 90 sign limitation I felt that it would be best to place the sign on it March 1st when our selling season is hitting it's peak. The last three months of a calendar year are the slowest months in commercial real estate. I have a sign that is ½ the size of normal commercial real estate signs. It is my hope that it would be allowed to stay for a longer period.

Bob Drifka

Broker/Owner
DRIFKA GROUP INC.
N9601 Crystal Drive
Appleton, WI 54915
Phone: 920.993.9065
Mobile: 920.450.2876

From: Greg M. Keil [mailto:gkeil@ci.menasha.wi.us]
Sent: Monday, January 10, 2011 4:48 PM
To: Bob Drifka
Subject: FW: Report of Officers Request

Bob: Have you had any inquiries about this property? Also, the listing agreement called for the placement of a real estate sign for a period not to exceed 90 days. When should I tell them to expect the sign will be placed.

Thanks.

Greg

From: Debbie Galeazzi
Sent: Monday, January 10, 2011 3:56 PM
To: Greg M. Keil
Cc: Don Merkes; Pamela Captain
Subject: Report of Officers Request

Greg – Ald. Taylor has requested an update on 81-87 Racine/504 Broad Street. He would like a report on any interest to purchase the area, signage, environmental issues.

Deb

*****As a local governmental entity, the City of Menasha is subject to Wisconsin statutes relating to open records. Any e-mail received by anyone at the City of Menasha, as well as any e-mail sent by someone from the City of Menasha are subject to these laws. Unless otherwise exempted from the Open Records law, senders and receivers of City e-mail should presume that any e-mail is subject to release upon request.*****

Konicek Environmental Consulting LLC

July 19, 2010

Mr. Kevin McKnight
Wisconsin Department of Natural Resources
Oshkosh Office
625 East County Road Y, Suite 700
Oshkosh, Wisconsin 54901

Reference: *Remedial Action Groundwater Results Letter*
Former Barth Property
87 Racine Street
Menasha, Wisconsin
BRRTS #: 03-71-001607
COMM #: 54952-3156-87

Konicek Environmental Consulting, LLC
File No. 0701003

Dear Mr. McKnight:

The purpose of this letter is to provide the results of remedial action groundwater sampling results conducted at the above referenced site associated with the Wisconsin Department of Commerce (COMM) Bid Document, Round 46 letter for the above referenced site. Konicek Environmental Consulting, LLC (KEC) on behalf of The City of Menasha prepared this letter.

SITE HISTORY

The subject site was formerly occupied by a former gas station/auto repair business. All site buildings were removed in 2006. Petroleum contaminated soil and groundwater exists on-site to depths extending to bedrock (approximately 20 feet below ground surface (bgs)). Groundwater impacts extend off-site. Detailed information is included in the WDNR case file.

As stated in the COMM Bid Document (Bid Round 46), the goal of remedial action activities was to do the following:

1. Excavate highly contaminated soils and dispose at a licensed landfill
2. Install sump well within excavation
3. Abandon and replace PZ-18, MW-15, PZ-12 and MW-12.
4. Collect and submit appropriate sidewall and base soil samples from the excavation.
5. Conduct 4 vacuum extraction events from the installed sump.
6. Conduct six groundwater sampling events from MW-5, MW-7, MW-8, MW-9, MW-12, PZ-12, MW-13, PZ-13, MW-14, MW-15, PZ-15, MW-16, PZ-16 and PZ-18).
Groundwater samples to be collected and analyzed by a certified laboratory for analysis of petroleum volatile organic compounds (PVOCs) and naphthalene.

SOIL EXCAVATION ACTIVITIES

In April 2007, approximately 4,670 tons of petroleum contaminated soil was excavated by Environmental Services Plus, transported and disposed of at Veolia ES Hickory Meadows Landfill. A copy of the landfill ticket listing is included in Attachment 1. Prior to soil excavation activities, MW-12, PZ-12, MW-15 and PZ-18 were abandoned in accordance with NR 141 requirements. A copy of the abandonment forms is included in Attachment 1.

Confirmation soil samples were collected from 18 locations (S-1 through S-18) within the excavation. The soil samples were submitted to Synergy Environmental Lab (Synergy) for analysis of PVOCs and naphthalene. A summary of the soil sample excavation confirmation analytical results is included on Table 1 and a copy of the analytical laboratory reports is included as Attachment 1. A site figure with the confirmation soil sample locations is included in Attachment 1.

Benzene was detected at concentrations exceeding its NR 746 Table 2 values in 13 of 18 confirmation soil samples collected. Benzene was detected at concentrations exceeding its NR 746 Table 1 values in 2 of 18 confirmation soil samples collected. Ethylbenzene and naphthalene were detected at concentrations exceeding its NR 746 Table 1 values in 16 of 18 confirmation soil samples collected. Toluene and 1,2,4-trimethylbenzenes were detected at concentrations exceeding its NR 746 Table 1 values in 1 of 18 confirmation soil samples collected. 1,3,5-trimethylbenzenes was detected at concentrations exceeding its NR 746 Table 1 values in 11 of 18 confirmation soil samples collected. Xylenes were detected at concentrations exceeding its NR 746 Table 1 values in 12 of 18 confirmation soil samples collected.

Upon completion of the soil excavation activities, one sump well was installed within the west central portion of the excavation. A geomembrane was installed (to prevent groundwater infiltration) and the excavation was properly backfilled with appropriate stone and compacted clay.

INSTALLATION OF REPLACEMENT WELLS

Replacement wells MW-12R, PZ-12R, MW-15R and PZ-18R were installed within or near the excavation area on May 17, 2007 by Environmental Drilling Services. A copy of the monitoring well construction and boring logs are included in Attachment 2.

A site location map is included on Figure 1. The well locations are depicted on site layout figures included in Attachment 2.

POST REMEDIAL ACTION GROUNDWATER RESULTS

Groundwater sampling events were conducted on November 1, 2007, March 20, 2008, June 18, 2008, October 16, 2008, April 9, 2009 and August 5, 2009. Pumping of the sump well was conducted prior to 4 of the sampling events. A summary of the groundwater sample analytical results is included on Table 2. Copies of the Synergy analytical reports are included in Attachment 3.

November 1, 2007 Groundwater Results

Benzene was detected at concentrations exceeding its NR 140 enforcement standard (ES) in groundwater samples collected from the Sump, MW-7, MW-9, PZ-12R, PZ-16, PZ-18R, and MW-16. Naphthalene was detected at a concentration exceeding its NR 140 ES in the groundwater samples collected from MW-9 and PZ-18R. Trimethylbenzenes was detected at a concentration exceeding its NR 140 ES in the groundwater samples collected from MW-9 and PZ-18R. There were no other concentrations of PVOCs or naphthalene detected above NR 140 ESs in the groundwater samples collected from the monitoring wells/piezometers.

Approximately 1,200 gallons of groundwater was pumped from the sump and discharged to the City of Menasha sanitary sewer system.

March 20, 2008 Groundwater Results

Benzene was detected at concentrations exceeding its NR 140 ES in groundwater samples collected from the Sump, MW-7, MW-9, MW-15R, PZ-16 and PZ-18R. Naphthalene was detected at a concentration exceeding its NR 140 ES in the groundwater sample collected from MW-9. Trimethylbenzenes was detected at a concentration exceeding its NR 140 ES in the groundwater sample collected from MW-9. There were no other concentrations of PVOCs or naphthalene detected above NR 140 ESs in the groundwater samples collected from the monitoring wells/piezometers.

Approximately 1,400 gallons of groundwater was pumped from the sump and discharged to the City of Menasha sanitary sewer system.

June 18, 2008 Groundwater Results

Benzene was detected at concentrations exceeding its NR 140 ES in groundwater samples collected from the Sump, MW-7, MW-9, MW-12R, MW-15R, PZ-16 and PZ-18R. Naphthalene was detected at a concentration exceeding its NR 140 ES in the groundwater sample collected from MW-9. Trimethylbenzenes was detected at a concentration exceeding its NR 140 ES in the groundwater sample collected from MW-9. There were no other concentrations of PVOCs or naphthalene detected above NR 140 ESs in the groundwater samples collected from the monitoring wells/piezometers.

October 16, 2008 Groundwater Results

Benzene was detected at concentrations exceeding its NR 140 ES in groundwater samples collected from the Sump, MW-7, MW-9, MW-12R, PZ-12R, MW-15R, MW-16, PZ-16 and PZ-18R. Naphthalene was detected at a concentration exceeding its NR 140 ES in the groundwater samples collected from MW-9, PZ-12R and MW-15R. Trimethylbenzenes was detected at a concentration exceeding its NR 140 ES in the groundwater samples collected from PZ-12R and MW-15R. There were no other concentrations of PVOCs or naphthalene detected above NR 140 ESs in the groundwater samples collected from the monitoring wells/piezometers.

Approximately 1,200 gallons of groundwater was pumped from the sump and discharged to the City of Menasha sewer system.

April 9, 2009 Groundwater Results

Benzene was detected at concentrations exceeding its NR 140 ES in groundwater samples collected from the Sump, MW-7, MW-9, MW-12R, PZ-12R, MW-15R, MW-16, PZ-16 and PZ-18R. There were no other concentrations of PVOCs or naphthalene detected above NR 140 ESs in the groundwater samples collected from the monitoring wells/piezometers.

August 5, 2009 Groundwater Results

Benzene was detected at concentrations exceeding its NR 140 ES in groundwater samples collected from MW-7, MW-9, MW-12R, MW-16, PZ-16 and PZ-18R. Naphthalene was detected at a concentration exceeding its NR 140 ES in the groundwater sample collected from MW-12R. Trimethylbenzenes was detected at a concentration exceeding its NR 140 ES in the groundwater samples collected from MW-12R and PZ-12R. There were no other concentrations of PVOCs or naphthalene detected above NR 140 ESs in the groundwater samples collected from the monitoring wells/piezometers.

Approximately 1,300 gallons of groundwater was pumped from the sump and discharged to the City of Menasha sewer system.

CONCLUSIONS

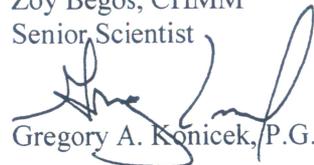
Based upon laboratory analysis, petroleum VOCs were detected in on and off-site monitoring wells and/or piezometers. The groundwater concentrations generally have a steady to decreasing trend within each monitoring well/piezometer, with the exception of MW-12R, which has an increasing trend and PZ-12R and MW-15R which has no trend or non-stable trend. Mann-Kendall statistical tests were conducted for MW-7, MW-9, PZ-12R, MW-15R and PZ-18R. A copy of these results is included in Attachment 4.

KEC recommends two additional rounds of groundwater sampling from the sump, MW-7, MW-9, MW-12R, PZ12R, MW-15R, PZ-16, MW-16, PZ-18R and the sump for petroleum volatile organic compounds.

Sincerely,

Konicek Environmental Consulting, LLC


Zoy Begos, CHMM
Senior Scientist


Gregory A. Konicek, P.G., CHMM

Attachments: Analytical	Table 1	Summary of Soil Sample Excavation Confirmation Results
	Table 2	Summary of Groundwater Results
	Figure 1	Site Location Map
	Attachment 1	Site Layout with Confirmation Soil Sample locations
		Site Layout with Monitoring Well/Piezometer Locations
		Monitoring Well Abandonment Forms
		Veolia Landfill Ticket Listing
		Synergy Laboratory Report (confirmation soil samples)
	Attachment 2	Soil Boring Logs
		Monitoring Well Construction Forms
Attachment 3	Site layout figures	
	Synergy Laboratory Reports (groundwater) Mann-Kendall Statistical Tests	

CC: **Mr. Greg Keil, City of Menasha**

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ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
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Oshkosh, Wisconsin 54901-1805
TTY: Contact Through Relay
Fax: (920) 424-0217
Jim Doyle, Governor
Aaron Olver, Secretary

August 26, 2010

Gregory Keil
City of Menasha
140 Main St
Menasha, WI 54952-3190

RE: **Public Bidding Deferred – Cost Cap Approved**

Commerce # 54952-3156-87-A
Barth Property, 87 Racine St, Menasha

DNR BRRTS # 03-71-001607

On August 26, 2010, the Wisconsin Department of Commerce (Commerce) received a scope of work (SOW) and cost estimate utilizing the Comm 47, Wisconsin Administrative Code, Usual and Customary Cost Schedule (Cost Schedule) for the site referenced above.

Commerce has determined that the submitted SOW is reasonable and **approves** the additional costs. This site will be deferred from the public bidding process at this time. Commerce will contact you if this site will be bid in the future.

The SOW includes two rounds of groundwater sampling, abandonment of certain unused monitoring wells, and a closure request. A copy of Commerce's worksheet for the Cost Schedule tasks is enclosed for your reference. It should be noted that Commerce removed the cost of the Letter Report/Addendum (LRA05) from your original request and replaced it with the Closure Request (CR05) and GIS Package (CR15).

Deferment Cost Cap Approved:

\$ 6,605.00

Be reminded that annual web reports are required until this case is closed.

Costs for activities included in this approval will only be reimbursed at a rate equal to or less than what is allowed on the Cost Schedule, and are reimbursed based upon the maximum allowable cost that is in effect at the time the activity is performed. Costs for activities not included in this approval are not reimbursable without prior Commerce authorization and must be approved prior to the activity being performed.

Regulatory Correspondence (Task 7, Activity RC05), Claim Submittal (Task 27, Activity CS05) and Standardized Invoice (Task 28, Activity SI05) costs are not included in the cap approved above. These activities will be reimbursed according to the task specifications and with proper supporting documentation submitted with the PECFA claim.

Commerce considers the consultant the primary controller of costs during these activities. This approval does not guarantee eligibility of any specific costs that have been incurred or that may be incurred in the future. Final determination regarding the eligibility of costs will be made by the claim reviewer when the entire claim, including all invoices and reports, is submitted for payment.

Note: If you have not submitted a reimbursement claim in the past 12 months, Commerce encourages you to do so at this time. In the future, we may review your claim submittal history and require a claim. Failure to submit a claim at that time would result in denial of reimbursement for corresponding interest costs. If you need a claim packet or would like assistance with filing your claim, please contact Renee' Dickey at (608) 264-8765.

Thank you for your efforts to protect Wisconsin's environment. If you have any questions, please contact me in writing at the letterhead address or by telephone at (920) 424-0025.

Sincerely,



Tom Verstegen
Department of Commerce
PECFA - Site Review Section

Enclosure: Usual and Customary Cost Schedule Worksheet

cc: Zoy Begos - Konicek Environmental Consulting
Kevin McKnight - DNR Project Manager