



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 W. JACKSON BLVD
CHICAGO, IL 60604

03 AUG 2011

US EPA RECORDS CENTER REGION 5



411093

MEMORANDUM

DATE:

SUBJECT: Request for Approval and Funding for a Time-Critical Removal Action at the Sandies Dry Cleaner and Laundry Site, Little Chute, Outagamie County, Wisconsin (Site ID# C515)

FROM: Ramon C. Mendoza, On-Scene Coordinator
Emergency Response Branch 2, Section 3

THRU: Linda M. Nachowicz, Chief
Emergency Response Branch 2

TO: Richard C. Karl, Director
Superfund Division

I. PURPOSE

The purpose of this Action Memorandum is to request and document your approval to expend up to \$356,700 to conduct a time-critical removal action at the Sandies Dry Cleaner and Laundry Site (the Site) located at 513 Grand Avenue in Little Chute, Outagamie County, Wisconsin. The proposed time-critical removal action herein will mitigate the threats posed by the presence of elevated levels of chlorinated volatile organic compounds (VOCs), tetrachloroethylene (PCE) and its degradation products in the air and soil by installing vapor abatement systems in structures impacted by PCE subsurface migration and by excavating and disposing of contaminated soil off-Site. There are no nationally significant or precedent setting issues associated with the proposed response at this non-NPL site.

The Action Memorandum would serve as approval for expenditures by EPA, as the lead technical agency, to take actions described herein to abate the imminent and substantial endangerment posed by hazardous substances at the Site. The proposed removal of hazardous substances would be taken pursuant to Section 104(a)(1) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 USC 9604(a)(1), and Section 300.415 of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR 300.415.

II. SITE CONDITIONS AND BACKGROUND

CERCLIS ID #: WIN000510596

RCRA ID: Pending

State ID: 02-45-552222

Category: Time-Critical Removal Action

The Sandies Dry Cleaner and Laundry facility (Site) operated as a dry cleaner and laundry from 1957 to about 2003 and has been vacant since 2006. The facility contains old dry cleaner and laundry machines and other equipment related to operations and maintenance. The current owner indicated to the state that PCE was used from 1958 to 2003. There is a vacant apartment in disrepair on the second floor of the building. The owner has indicated that he plans to live in that apartment in the future.

The Site is surrounded by Grand Avenue to the east, the city-owned alley behind SDC to the west, Bakers Outlet and W Lincoln Avenue to the south, and Weenies Still Bar and W Main Street to the north. Both Weenies Still Bar and Bakers Outlet share a brick wall with the Site building on the north side and south side, respectively. Both businesses are operating and both have occupied residences on the second floor.

Soil contaminated with PCE has been found adjacent to the dry cleaning machine at the Site and PCE has also been detected in the indoor air next door. As part of the Wisconsin Department of Natural Resources (WDNR) investigation, the Wisconsin Department of Health Services (WDHS) conducted indoor air sampling on February 17, 2011, using Summa canisters inside the Site building and adjacent buildings. WDHS documented the presence of PCE in all samples collected during this sampling event. Results of PCE in indoor air samples collected in the unoccupied apartment at the Site, and all three levels of the Weenies Still Bar property exceeded both U.S.EPA and Agency for Toxic Substances and Disease Registry (ATSDR) screening levels and recommended action levels. Specifically, the PCE level found in the owner-occupied residence above Weenies Still Bar was 22.4 ppbv, which is more than 7 times the residential indoor air removal action level of 3 ppbv PCE. For the basement and main floor samples, PCE was measured at 32.9 and 24.0 ppbv, respectively, which are also above the residential removal action level for PCE. After their findings indicated the presence of elevated levels of PCE in the Weenies Still property, the WDNR suggested that the property owners increase outdoor air ventilation inside all levels of their building until a permanent mitigation system is installed. Access doors and windows at the Weenies Still Bar have been opened by its owners.

On March 3, 2011, WDNR request U.S. EPA's assistance to conduct a Site Assessment and Removal Action at the Site.

A. Site Description

1. Removal site evaluation

On March 10, 2011, U.S. EPA obtained voluntary access agreements from Mr. Linskens and from owners of the adjacent properties. Access was granted by the Village of Little Chute on April 1, 2011, for their property bordering the Site. From March 10 to April 19 2011, U.S. EPA conducted removal assessment activities at the Site. The assessment was conducted in accordance with U.S. EPA Region 5 Vapor Intrusion Guidebook (October, 2010). As described in the Guidebook, the "multiple lines of evidence approach" was used to determine if the PCE contamination identified by the State in indoor air came from the Site. Consequently, samples were collected for : subsurface soil, subslab soil gas, groundwater, and indoor air .

To locate the main source of PCE contaminated soil, a total of seven subsurface soil samples from locations outside the Site building, and six sub-slab soil samples, including one duplicate sub-slab soil sample, from locations inside the Site building and two groundwater samples were submitted to the laboratory for VOC analysis.

Six indoor air, 24-hr Summa canister samples were collected from the Site and premises located north and south of the Site and submitted for TO-15 analysis. Two sub-slab soil-gas samples, one each from the Site and Weenies Still property, were also collected from the soil gas ports and submitted for TO-15 analysis.

Soil borings collected indicates dark brown fill material with gravel from 0 to 2 feet followed by soft, light brownish red silty clay material. Hard clay was found around 14 feet. Wet soil, due to a shallow aquifer, was found below 4 feet. This shallow aquifer is not currently being used for drinking water.

Soil samples collected below the area of the dry cleaner machine at the Site detected PCE concentrations from 390,000 to 1,400,000 ug/kg at depths from 1 to 5 feet below ground surface. This location is less than 3 feet from the property boundary line of the adjacent Weenies Still Bar and appears to represent the main source of PCE contamination.

Shallow groundwater samples collected next to the dry cleaner machine at the Site and at a downgradient location detected PCE concentrations at 1,500 µg/L and 180 ug/L, respectively. The basement walls and floors of the adjacent Weenies Still Bar are located about 15 feet away from the dry cleaner machine area and are most likely in direct contact with contaminated groundwater. Shallow groundwater contaminated with PCE at these concentrations may pose a vapor intrusion risk and potentially impact the Site and homes and businesses downgradient of the Site.

Subslab soil gas sample collected at the Site next to the dry cleaner machine showed a result of 22,000 ppbv of PCE. The results is more than 700 times greater than the U.S.EPA/ATSDR subslab removal action level of 30 ppbv. It was not possible to collect subslab soil gas samples from Weenies Still Bar due to water intrusion into the sampling port. However,

cracks in the Weenies Still basement walls with water leakage were observed, indicating that contaminated groundwater can infiltrate directly into the building.

Indoor air samples were collected in the Site's vacant apartment, and the Weenies Still Bar next door on April 6, 2011. According to the aforementioned vapor intrusion guidebook, if a site has a commercial business on the first floor and an apartment on the second floor then the most conservative action or screening level (residential level) must be used of comparison. ATSDR provided a residential removal action level of 3ppbv PCE for this site assessment.

Results at the Site vacant apartment was 31 ppbv . The Weenies Still Bar is a commercial business on the first floor and occupied apartment on the second floor with a common basement. The indoor air results for the Weenies Still Bar occupied apartment results was 3.9 ppbv. The bar and basement results were 3.6ppbv and 5ppbv respectively. All of the results exceed the U.S. EPA /ATSDR removal action level of 3ppbv for PCE.

Evaluation of the data shows that there is a completed pathway of exposure for the current and future residents, for workers and customers at the Weenies Still Bar, and for future residents of the vacant apartment at Sandies Dry Cleaners and Laundry Site. This is due to migration of PCE gas into the indoor air through contaminated subsurface soil and shallow groundwater. According to the U.S. EPA Vapor Intrusion Guidebook (Oct. 2010), the levels of PCE in indoor air exceed the removal action level for residential exposure and therefore qualifies as a high priority removal site (Category 4). Therefore, U.S. EPA seeks to conduct a CERCLA Removal Action, to remove and dispose of the hazardous substances in the soil, and to install vapor abatement systems in impacted structures.

2. Physical location

The Site is located at 513 Grand Ave in Little Chute, Outagamie County, Wisconsin. The geographical coordinates for the building are 44.279208 degrees north latitude and -88.315852 degrees west longitude. The Site contains a two-story building with concrete flooring on the first floor and an unoccupied apartment on the second floor. The Site building footprint is approximately 90 feet by 37.55 feet. The property area, which includes the Site building and backyard area, is approximately 100.96 feet by 37.55 feet. The Site is located among a mixture of residential and commercial properties and is currently vacant. . The Fox River is approximately 1,000 feet (0.2-miles) from the Site on the southeast side and flows northeast to Lake Michigan. (See Attachment 5 for Site location and layout.)

The area surrounding the Sandies Dry and Laundry Cleaner Site was screened for Environmental Justice (EJ) concerns using Region 5's EJ Assist Tool (which applies the interim version of the national EJ Strategic Enforcement Assessment Tool (EJSEAT)). Census tracts with a score of 1, 2, or 3 are considered to be high-priority potential EJ areas of concern according to EPA Region 5. The Sandies Dry Cleaner and Laundry Site is in a census tract with a score of 5 (Figure 1, Attachment 3). Therefore, Region 5 does not consider this Site to be a high-priority potential EJ area of concern.

3. Site characteristics

The Sandies Dry Cleaner and Laundry facility operated as a dry cleaner and laundry from 1957 to about 2003 and has been vacant since 2006. The facility contains old dry cleaner and laundry machines and other equipment related to operations and maintenance. The current owner indicated to the state that PCE was used from 1958 to 2003. The Site is located among a mixture of residential and commercial properties and is currently vacant.

Both Weenies Still Bar and Bakers Outlet share a brick wall with the Site building on the north side and south side, respectively. Both businesses are operating and both have residences on the second floor. Soil contaminated with PCE has been found under the dry cleaning machine and PCE has also been detected in the indoor air next door. The WDNR has been working with the owner since 2008 and sent him a letter of responsibility under the Spills Law, Chapter 292.11, Wis. Stats. on August 29, 2008. Delays in the cleanup precipitated WDNR to issue Mr. Linskens three notices of noncompliance with the Spills Law followed by a notice of violation for failure to clean up the contamination in August 10, 2010.

B. Release or threatened release into the environment of a hazardous substance, or pollutant or contaminant .

The threat is presented by the continued release of PCE vapors from the contaminated soils and groundwater under the unoccupied Sandies Dry Cleaner and Laundry building to adjacent buildings that is a residence and business at levels that are above safe levels as determined by the Wisconsin Department of Health.

C. NPL Status

The Sandies Dry Cleaner and Laundry Site is not on the National Priorities List.

D. Maps, pictures, and other graphic representations

Site location and layout maps are in Attachment 5

E. Other Actions to Date

1. Previous Actions

There have been no private or government response actions undertaken at the Site.

2. Current Actions -

Not Applicable

F. State and Local Authorities' Roles

1. State and local actions to date

According to a WDNR investigation, Naomi and Sylvester Sanderfoot operated the dry cleaner from 1957 - Dec 1972. Mr. Linskens and his mother worked for the Sanderfoots. Mr. Linskens initiated purchase of the property through a land contract and operated the dry cleaner from December 1972 until 2001 or 2002. Linskens finalized purchase of the property in 2005 from Janice Hartjes, daughter of the Sanderfoots, who inherited the property.

According to a bid for Site investigation from Alpha Terra, the Linskens stated that PCE was used the entire time from 1958 until 2003, when wet dry cleaning ceased. The Alpha Terra bid also states, "Solvent delivery was via drums and pump transfer through access doors on the west side of the building."

In 2008, a Phase II environmental investigation was performed by Terracon at the request of Mr. Linskens in preparation of selling the property. The Phase II report, dated August 28, 2008, was submitted electronically to the WDNR. According to the report, a soil sample collected at one-foot below the former dry cleaning machine indicated PCE concentration of 125 milligrams per kilogram (mg/Kg). A second soil sample collected from three feet below ground surface (bgs) in the alley behind the Site building indicated a PCE concentration of 4.5 mg/Kg.

WDNR sent Linskens a letter of responsibility under the Spills Law, Chapter 292.11, Wis. Stats. on August 29, 2008. Delays in the cleanup precipitated WDNR to issue Mr. Linskens three notices of noncompliance with the Spills Law followed by a notice of violation for failure to clean up the contamination. Mr. Linskens explained to WDNR that he could not get a loan from the banks and therefore could not do the cleanup. WDNR was concerned about the lack of action and conducted additional investigation of the Site.

The Wisconsin Department of Natural Resources (WDNR) has been working with the owner since 2008 and sent him a letter of responsibility under the Spills Law, Chapter 292.11, Wis. Stats. on August 29, 2008. Delays in the cleanup precipitated WDNR to issue Mr. Linskens three notices of noncompliance with the Spills Law followed by a notice of violation for failure to clean up the contamination in August 10, 2010.

As part of the WDNR investigation, the Wisconsin Department of Health Services (WDHS) conducted indoor air sampling on February 17, 2011, using Summa canisters inside the Site building and adjacent buildings. WDHS documented the presence of PCE in all samples collected during this sampling event. Results of PCE in indoor air samples collected in the unoccupied apartment above the SDC facility where the owner of SDC plans to reside in the future, and all three levels of the Weenies Still property exceeded both the WDNR Vapor Action Level (VAL) for PCE in residential and commercial indoor air. The PCE level found in the owner-occupied residence above Weenies Still was 22.4 ppbv, which is more than thirty times the residential indoor air VAL of 0.6 ppbv PCE. For the basement and main floor samples, PCE was measured at 32.9 and 24.0 ppbv, respectively, which are above the PCE commercial VAL of 3.1 ppbv. Results of PCE in indoor air samples collected from the Bakers Outlet were above the residential VAL of 0.6 ppbv, but below the commercial VAL of 3.1 ppbv. After their findings

indicated the presence of elevated levels of PCE in the Weenies Still property, the WDNR suggested the property owners of Weenies Still, LLC to increase outdoor air ventilation inside all levels of their building until a permanent mitigation system is installed.

2. Potential for continued State/Local response

On March 3, 2011, WDNR requested U.S. EPA's assistance to conduct a Site Assessment and Removal Action at the Site. The State has indicated that they do not have the resources to perform the cleanup to remove the immediate threat posed by the PCE vapors to the workers and residents.

III. THREATS TO PUBLIC HEALTH OR WELFARE OR THE ENVIRONMENT, AND STATUTORY AND REGULATORY AUTHORITIES

The conditions present at the Sandies Dry Cleaners and Laundry Site present a substantial threat to the public health or welfare, and the environment, and meet the criteria for a time-critical removal action as provided for in the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR 300.415(b)(2). These criteria include, but are not limited to, the following:

Actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances or pollutants or contaminants.

The evaluation of the data from the U.S. EPA site assessment and Wisconsin DHS investigation shows that there is an actual inhalation exposure (from PCE gas); to the current and future residents, workers, and customers at the Weenies Still Bar and future residents of the vacant apartment at Sandies Dry Cleaners and Laundry Site. This is due to the vapor intrusion of PCE gas into the indoor air through soil gas emitting from soil and groundwater contamination found below the adjacent Sandies Dry Cleaner and Laundry Site. PCE levels in indoor air at Weenies Still Bar exceeded the recommended U.S. EPA /ATSDR removal action level of 3 ppbv. PCE in shallow groundwater was found at 1,500 µg/l next to the dry cleaner machine. This source area and the basement wall of Weenies Still Bar property are separated by an adjoining wall, which has several cracks. Water was observed to be seeping through this adjoining wall into the basement of Weenies Still property from the Site. PCE dissolved in water infiltrating into the basement can off-gas to indoor air. There is a potential for the residents of Weenies Still property and workers of the tavern to come into contact with or inhale vapors from the PCE-contaminated groundwater that seeps into the basement.

PCE is a hazardous substance as defined by Section 101(14) of the CERCLA. The Agency for Toxic Substances and Disease Registry (ATSDR) ToxFAQs

indicates that exposure to high levels of PCE can cause dizziness, headache, sleepiness, confusion, nausea, difficulty in speaking and walking, unconsciousness, and death. Animal studies indicate PCE adversely affects the central nervous system and the liver, and that PCE causes cancer by both inhalation and ingestion exposures in rats and mice (U.S. EPA 1984). The Department of Health and Human Services (DHHS) has determined that PCE may reasonably be anticipated to be a human carcinogen (ATSDR. 1997).

Research also indicates that PCE leaches readily to groundwater. In saturated deep soils (such as at this Site), 26% of the chemical leaches to groundwater (U.S. Air Force 1989). PCE's degradation products (TCE and cis-1,2-Dichloroethene) are known to cause nausea, dizziness, and sleepiness.

High levels of hazardous substances or pollutants or contaminants in soils largely at or near the surface that may migrate.

PCE contaminated soil as high as 1,400,000 ug/kg, was found in the shallow soil area underneath and adjacent to the dry cleaning machine at the Site. The U.S EPA Vapor Intrusion Guidebook has indicated that volatile chemicals in buried wastes and contaminated groundwater can emit vapors that migrate through subsurface soils and into indoor air. Groundwater contamination found in the same area in the shallow aquifer was found at 1500 ug/l PCE (The shallow aquifer is not currently being used for drinking water). Groundwater contamination was found downgradient of the Site (about 50 ft. to the southwest) at 180 ug/l indicating that the PCE contamination in shallow groundwater is migrating off-site. In addition, results of the indoor air sampling indicate that PCE vapors are migrating to the adjacent Weenies Still Bar and Bakery. The results of the Site assessment show that high levels of PCE are migrating off-Site through groundwater and soil gas. If no action is taken, the PCE migration is expected to continue, potentially further increasing the risk to the downgradient receptor populations.

Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released.

Rain water and snow melt, as they percolate through Site soil to the water table, can mobilize contaminants toward the water table. The water table is very shallow at this Site, less than three feet below grade. Elevated concentrations of PCE have been detected in the groundwater below the area of the dry cleaner machine and downgradient of the dry cleaner building indicating that groundwater movement is causing the spilled material to migrate. Additionally, it is probable that snow melt has caused historic surface spills to migrate off the property via runoff onto the adjacent down gradient properties.

The availability of other appropriate federal or state response mechanisms to respond to the release;

There are no other Federal or State agencies that have the capacity to respond to the immediate threats at the Site. WDNR requested U.S. EPA assistance in defining and mitigating the threat at this Site. Please refer to the Administrative Record for WDNR's Request for Assistance.

Other situations or factors that may pose threats to public health or welfare of the United States or the environment;

Numerous residences and small businesses are located downgradient of the Site. U.S. EPA's initial Site Assessment demonstrated that the health of the neighbors is at risk from vapors volatilizing from groundwater and permeating the soil beneath the Sandies Dry Cleaner and Laundry Building.

IV. ENDANGERMENT DETERMINATION

Given the Site conditions, the nature of the contamination on Site, and the potential exposure pathways described in Sections II and III above, actual releases of hazardous substances from this Site, if not addressed by implementing the response actions selected in this Action Memorandum, may present an imminent and substantial endangerment to public health, or welfare, or the environment.

V. PROPOSED ACTIONS AND ESTIMATED COSTS

A. Proposed Actions

1. Proposed action description

The response actions described in this memorandum directly address actual or potential release of hazardous substances on Site, which may pose an imminent and substantial endangerment to public health, or welfare, or the environment. Removal activities on Site will include:

1. Develop and implement a Site Health and Safety plan, including an Air Monitoring Plan, Site Emergency Contingency Plan, and Site Security Plan;
2. Conduct work to determine the extent of contamination utilizing methods which include soil, soil gas, sub-slab, indoor air, and ambient air sampling;
3. In addition to the vapor intrusion impacts that have been previously detected, where the vapor intrusion investigation indicates the potential for a complete exposure pathway at concentrations exceeding ATSDR or State of Wisconsin screening values for PCE (or PCE degradation products), proceed with the design and installation of interior vapor abatement systems in structures impacted by PCE subsurface migration. Abatement systems will include installation of a sub-slab depressurization system, sealing cracks in walls and floors of basements, and sealing or fixing drains that could be a pathway; or a modified heating and ventilating system.

4. Develop and implement a vapor abatement system performance sample plan to confirm that ATSDR or State indoor health standards are achieved for PCE following installation of interior systems. (Note: Following confirmation of a successful and operational vapor abatement system, operations and maintenance will be the responsibility of the property owner).
5. Identify, characterize, remove, and properly dispose of contaminated soil located at the Site in accordance with U.S. EPA's Off-Site Rule (40 CFR § 300.440);
6. Develop and implement a post excavation sampling plan to verify cleanup;
7. Backfill excavated areas with clean material and topsoil; and
8. Restore excavated areas to pre-removal conditions.

This removal action will be conducted in a manner not inconsistent with the NCP. The OSC has initiated planning for provision of post-removal Site control consistent with the provisions of Section 300.415(1) of the NCP. Operation and maintenance (O&M) of the residential or business vapor abatement systems will be the responsibility of the property owner following installation and performance monitoring by the U.S. EPA.

Off-Site Rule

All hazardous substances, pollutants, or contaminants removed off-site pursuant to this removal action for treatment, storage, and disposal shall be treated, stored, or disposed of at a facility in compliance, as determined by U.S. EPA, with the U.S. EPA Off-Site Rule, 40 C.F.R. § 300.440.

2. Contribution to remedial performance:

The proposed action will not impede future actions based on available information.

3. Engineering Evaluation/Cost Analysis (EE/CA)

Not applicable

4. Applicable or relevant and appropriate requirements (ARARs)

All applicable and relevant and appropriate requirements (ARARs) of Federal and State law will be complied with to the extent practicable considering the exigencies of the circumstances.

Federal

RCRA Subtitle C

State

The OSC sent a letter requesting State ARARs to Ms. Roxanne Chronert, Green Bay, WI, on June 13, 2011. Any State ARARs identified in a timely manner will be complied with to the extent practicable.

5. Project Schedule

The project will require an estimated 60 on-Site working days to complete.

B. Estimated Costs

The detailed cleanup contractor cost is presented in Attachment 1 and the Independent Government Cost Estimate is presented in Attachment 4. Estimated project costs are summarized below:

REMOVAL PROJECT CEILING ESTIMATE

EXTRAMURAL COSTS:

REMOVAL ACTION PROJECT CEILING ESTIMATE	
<u>Extramural Costs:</u>	
<u>Regional Removal Allowance Costs:</u>	
Total Cleanup Contractor Costs (This cost category includes estimates for ERRS, subcontractors, Notices to Proceed, and Interagency Agreements with Other Federal Agencies. Includes a 15% contingency)	\$247,250
<u>Other Extramural Costs Not Funded from the Regional Allowance:</u>	
Total START, including multiplier costs	\$50,000
Total Decontamination, Analytical & Tech. Services (DATS)	\$ 0
Total CLP	\$ 0
Subtotal	\$ 50,000
Subtotal Extramural Costs	\$ 297,250
Extramural Costs Contingency (20% of Subtotal, Extramural Costs rounded to nearest thousand)	\$ 59,450
TOTAL REMOVAL ACTION PROJECT CEILING	\$356,700

The response actions described in this memorandum directly address actual or threatened releases of hazardous substances, pollutants or contaminants at the facility which may pose an

imminent and substantial endangerment to public health and safety, and to the environment. These response actions do not impose a burden on affected property disproportionate to the extent to which the property contributes to the conditions being addressed.

VI. EXPECTED CHANGE IN THE SITUATION SHOULD ACTION BE DELAYED OR NOT TAKEN

Given the Site conditions, the nature of hazardous substances and pollutants or contaminants documented at the Site, and the potential and actual exposure pathways to nearby populations described in Sections II, III, and IV above, actual or threatened release of hazardous substances and pollutants or contaminants from the Site, if not addressed by implementing the response actions selected in this Action Memorandum, may present an imminent and substantial endangerment to public health, welfare, or the environment, increasing the potential that hazardous substances will be released, thereby threatening the adjacent population and the environment.

VII. OUTSTANDING POLICY ISSUES

The removal does not involve nationally significant and precedent-setting issues from the hazardous substances expected to be addressed by this removal action.

VIII. ENFORCEMENT

For administrative purposes, information concerning the enforcement strategy for this Site is contained in the Enforcement Confidential Addendum.

The total U.S. EPA costs for this removal action based on full-cost accounting practices that will be eligible for cost recovery are estimated to be \$670,083.¹

$$(\$356,700 + \$55,000) + (62.76\% \times \$411,700) = \$670,083$$

¹Direct Costs include direct extramural costs and direct intramural costs. Indirect costs are calculated based on an estimated indirect cost rate expressed as a percentage of Site-specific direct costs, consistent with the full cost accounting methodology effective October 2, 2000. These estimates do not include pre-judgment interest, do not take into account other enforcement costs, including Department of Justice costs, and may be adjusted during the course of a removal action. The estimates are for illustrative purposes only and their use is not intended to create any rights for responsible parties. Neither the lack of a total cost estimate nor deviation of actual total costs from this estimate will affect the United States' right to cost recovery.

IX. RECOMMENDATION

This decision document represents the selected removal action for the Sandies Dry Cleaner and Laundry Site, located at 513 Grand Avenue in Little Chute, Outagamie County, Wisconsin. This document has been developed in accordance with CERCLA as amended, and is not inconsistent with the NCP. This decision is based on the Administrative Record for the Site (see Attachment 2). Conditions at the Site meet the NCP Section 300.415(b)(2) criteria for a removal and I recommend your approval of the removal action proposed in this Action Memorandum.

The total project ceiling if approved will be \$356,700. Of this, an estimated \$306,700 may be used for cleanup contractor costs. You may indicate your decision by signing below.

APPROVE: *She Joffen for Richard Kaul* DATE: 8/3/11
Director, Superfund Division

DISAPPROVE: _____ DATE: _____
Director, Superfund Division

Enforcement Addendum

- Attachments:
- Attachment 1: Detailed Cleanup Contractor Costs
 - Attachment 2: Administrative Record
 - Attachment 3: Environmental Justice Analysis
 - Attachment 4: Independent Government Cost Estimate
 - Attachment 5: Site Location and Layout Maps

cc: S.Fielding, U.S. EPA, 5202-G
M. Chezik, U.S. DOI, w/o Enf. Addendum
M. Giesfeldt, WDNR, w/o Enf. Addendum
J. Borski, WDNR, w/o Enf. Addendum
R. Chronert, WDNR, w/o Enf. Addendum

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(REDACTED 1 PAGE)

ENFORCEMENT CONFIDENTIAL ADDENDUM

**SANDIES DRY CLEANER AND LAUNDRY SITE
LITTLE CHUTE, OUTAGAMIE COUNTY, WISCONSIN**

JUNE 2011

(REDACTED 3 PAGES)

**ENFORCEMENT CONFIDENTIAL
NOT SUBJECT TO DISCOVERY**

ATTACHMENT 1

DETAILED CLEANUP CONTRACTOR COST ESTIMATE

**SANDIES DRY CLEANER AND LAUNDRY SITE
LITTLE CHUTE, OUTAGAMIE COUNTY, WISCONSIN**

JUNE 2011

(REDACTED 1 PAGE)

ENFORCEMENT CONFIDENTIAL
NOT SUBJECT TO DISCOVERY

ATTACHMENT 2

U.S. ENVIRONMENTAL PROTECTION AGENCY REMOVAL ACTION

ADMINISTRATIVE RECORD FOR SANDIES DRY CLEANER & LAUNDRY SITE LITTLE CHUTE, OUTAGAMIE COUNTY, WISCONSIN

ORIGINAL
JUNE 2011

<u>NO.</u>	<u>DATE</u>	<u>AUTHOR</u>	<u>RECIPIENT</u>	<u>TITLE/DESCRIPTION</u>	<u>PAGES</u>
1	08/28/08	Koski, M., Terracon Consultants. Inc.	Linskens, D., Property Owner	Letter Report: DERF Limited Site Investi- gation Report Scoping for Sandies Dry Cleaners and Laundry Site w/At- tachments	21
2	09/14/10	WDNR	File	Meeting Notes from the Sept. 14, 2110 Enforcement Conference for the Sandies Dry Cleaners & Laundry Site	2
3	03/03/11	Chronert, R., WDNR	Ribordy, M. & M. Durno, U.S. EPA	E-mail Message re: WDNR Request for U.S. EPA Assistance with a Removal Assessment and Removal Action at the Sandies Dry Cleaner Facility	2
4	03/08/11	Nehls-Lowe, H., WI Dept. of Public Health	Linskens, D., Sandie's Dry Cleaners	Letter re: Results of In- door Air Testing Conducted on Feb. 17 th & 18 th w/Attached Lab Report	14
5	03/08/11	Nehls-Lowe, H., WI Dept. of Public Health	Jentz, S. & L. Peeters, Weenies Still, LLC	Letter re: Results of In- door Air Testing Conducted on Feb. 17 th & 18 th w/Attached Lab Report	14
6	03/08/11	Nehls-Lowe, H., WI Dept. of Public Health	Smith, D., Bakers Outlet, Four D Investments, LLC	Letter re: Results of In- door Air Testing Conducted on Feb. 17 th & 18 th w/Attached Lab Report	8
7	03/10/11	Linskens, D., Sandies Dry Cleaners	U.S. EPA	Consent for Access to Property/513 Grand Ave. Little Chute, WI	1
8	03/10/11	Jentz, S., Weenies Still, LLC	U.S. EPA	Consent for Access to Property/515 Grand Ave., Little Chute, WI	1

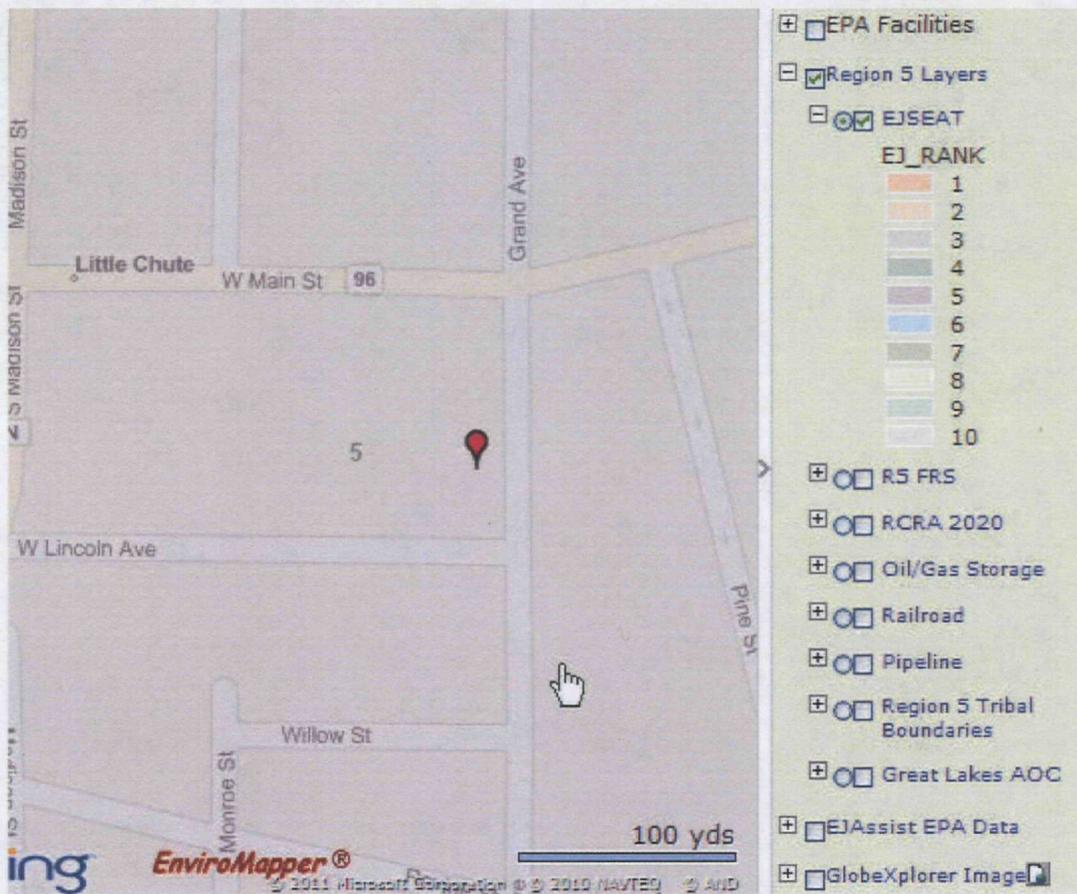
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<u>NO.</u>	<u>DATE</u>	<u>AUTHOR</u>	<u>RECIPIENT</u>	<u>TITLE/DESCRIPTION</u>	<u>PAGES</u>
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10	04/01/11	Van Gheem, R., Village of Little Chute	Mendoza, R., U.S. EPA	Letter re: Consent to Access the Public Right- of-Way Ally /513 Grand Ave.	1
11	06/13/11	Mendoza, R., U.S. EPA	Chronert, R., WDNR	Letter re: U.S. EPA Re- quest for WDNR to Identify any State ARARs for the Sandies Dry Cleaner and Laundry Site	2
12	06/20/11	Babu, N., OTIE	Mendoza, R., U.S. EPA	Site Assessment Report for Sandies Dry Cleaner w/Cover Letter	179
13	07/13/11	Nachowicz, L. U.S. EPA	Linskins, D.	General Notice of Potential Liability Sandies Dry and Laundry Cleaner Site	3
14	00/00/00	Mendoza, R., U.S. EPA	Karl, R., U.S. EPA	Action Memorandum: Request for Approval and Funding for a Time-Critical Removal Action at the Sandies Dry Cleaner & Laundry Site (PENDING)	

ATTACHMENT 3

U.S. EPA REGION 5 ENVIRONMENTAL JUSTICE ANALYSIS SANDIES DRY CLEANER AND LAUNDRY SITE LITTLE CHUTE, OUTAGAMIE COUNTY, WISCONSIN JUNE, 2011

Figure 1.
Sandies Dry and Laundry Cleaner Site Map Showing EJ SEAT Values For Surrounding Area



ATTACHMENT 4

INDEPENDENT GOVERNMENT COST ESTIMATE

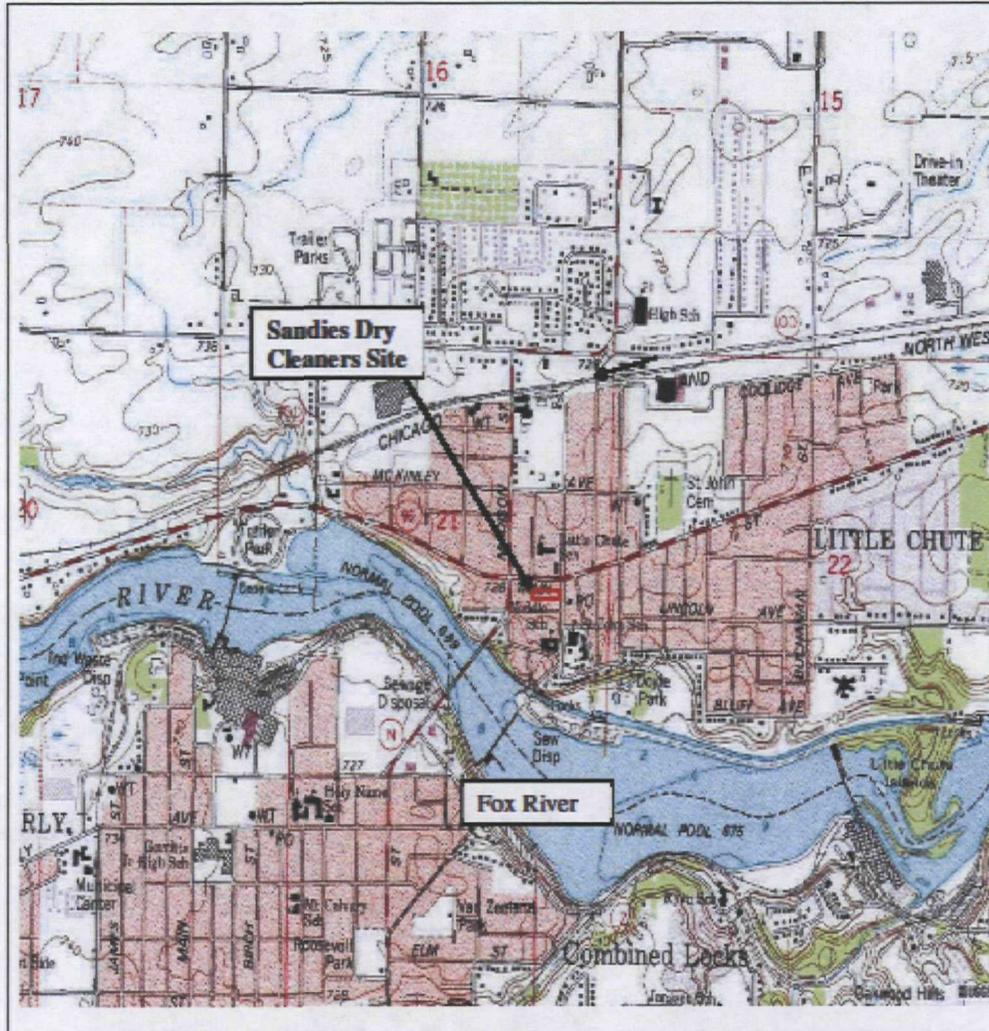
**SANDIES DRY CLEANER AND LAUNDRY SITE
LITTLE CHUTE, OUTAGAMIE COUNTY, WISCONSIN**

JUNE 2011

(REDACTED 1 PAGE)

**ENFORCEMENT CONFIDENTIAL
NOT SUBJECT TO DISCOVERY**

**ATTACHMENT 5
SITE LOCATION & LAYOUT MAPS
SANDIEŞ DRY CLEANER & LAUNDRY**



Sandies Dry Cleaner Site
 Little Chute, Outagamie County, Wisconsin
 TDD No. TO-05-11-03-0007

Figure 1
 Site Location Map

Source: USGS Kaukauna, WI Quadrangle Topographic Map, 1995





Source: City of Little Chute

Sandies Dry Cleaner Site
 Little Chute, Outagamie County, Wisconsin
 TDD No. TO-05-11-03-0007

Figure 2
 Site Layout Map



**REMOVAL PROGRAM
ACTION MEMORANDUM
ELECTRONIC ROUTING AND CONCURRENCE SLIP**

Sandies Dry Cleaner and Laundry Site (Little Chute, Wisconsin)
(Site Name)

- 1) ON-SCENE COORDINATOR (Ramon Mendoza)
Signature Ramon Mendoza Date 6/23/11

- 2) ADMINISTRATIVE RECORDS COORDINATOR (Evette Jones)
Signature ELJ Date: 6/27/11
(1-day turnaround)

- 3) OFFICE OF REGIONAL COUNSEL:
STAFF ATTORNEY (Thomas Kenney)
Signature TJK with comments Date: 6/28/11

ORC SUPERVISOR (Sandra Lee)
Signature Sandra M. Lee Date: 7/1/11
(3-day turnaround)

- 4) ON-SCENE COORDINATOR (Ramon Mendoza)
Signature Ramon Mendoza Date: 7/1/11

- 5) SECTION 3, CHIEF, (Mike Ribordy)
Signature Mike Ribordy Date: 7/18/11
(3-day turnaround)

- 6) BRANCH CHIEF, ERB 2 (Linda Nachowicz)
Signature [Signature] Date: 7/2
(3-day turnaround)

- 7) SECTION SECRETARY PRINT/ LOG-OUT (Ann Phelps)
Signature [Signature] Date: 8/10/11
(1-day turnaround)

- 8) DIRECTOR, SUPERFUND DIVISION (Richard C Karl) (MC S-6J)
Signature [Signature] Date: 8/3/11

- 9) BRANCH SECRETARY (Cynthia Beck)
Signature [Signature] Date: 8/3/11
(1-day turnaround)

- 10) RECORDS CENTER SDMS CONTRACTOR (MC SMR-7J)
Signature _____ Date: _____
(3 - day turnaround)