

Konicek Environmental Consulting LLC

March 10, 2017

Jennifer Borski
WDNR
625 E. County Road Y
Suite 700
Oshkosh, WI 54901

Reference: Request for Case Closure
Former Donaldson's Cleaners
110 W. Cecil Street
Neenah, WI
BRRTs# 02-71-110797

Dear Ms. Borski,

On behalf of D & M Properties 1, LLC, Konicek Environmental Consulting LLC (KEC) is contesting closure of the above referenced case until the vapor intrusion pathway for the two multi-family buildings located at 25 Curtis Avenue and 101-199 Longley Avenue is fully investigated.

It is understood that vapor testing was completed at the Fastenal building to the north and did not identify sufficient risks to warrant mitigation. In addition, the Vapor Risk Screening Levels for groundwater utilizing an attenuation factor of 0.001 does not suggest a concern. However, it is the opinion of KEC that without investigation of the multi-family buildings, the risks to the occupants cannot be fully assessed. Also, DNR Guidance Document 800 implies that further investigation is warranted for the multi-family buildings (pertinent page attached).

If you have any questions, please don't hesitate to call.

Sincerely,

Konicek Environmental Consulting LLC

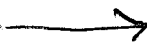

Gregory A. Konicek P.G. CHMM

clean, aerated soil zone exists horizontally and vertically beneath the building in order to rule out the vapor intrusion pathway. If the vapor intrusion pathway can not be ruled out through this screening process, investigation should proceed as outlined in this guidance.

B. Screening for Chlorinated Volatile Organic Chemical Vapors

Chlorinated volatile organic chemicals (CVOC) generally do not degrade in vadose zone soils and tend to migrate greater distances from the source of contamination than petroleum hydrocarbons. Vapor intrusion investigations should be undertaken at almost all CVOC sites because of the mobility and toxicity of CVOC combined with the fact that these chemicals can not be detected by their odor at concentrations that present a human health risk. Vapor intrusion is a common risk at buildings located on the CVOC source property. Chlorinated VOCs can migrate from the source of contamination through unsaturated soils and enter near-by buildings through cracks or other openings in foundations. Groundwater can carry CVOC over long distances, allowing the CVOC to volatilize off the surface of the water table, move through the vadose zone soils, and enter buildings. The presence of on-site or adjacent utilities, such as sewers, sumps, French drains, and other subsurface migration pathways should be assessed for on-site and off-site migration pathways. The absence of an on-site VI concern does not rule out an off-site migration concern for the VI pathway. Contaminated groundwater entering buildings may also lead to vapor intrusion as the CVOC volatilize directly into the indoor air.

The vapor intrusion pathway should be investigated at all source properties where a release of CVOC has occurred. The screening criteria listed here apply to developed properties as well as to undeveloped properties (where no buildings currently exist). In addition to CVOC source properties, the VI pathway should be investigated in the following situations, regardless of whether these conditions exist on or off the source property:

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- Any buildings overlying a CVOC soil source.
 - Any buildings within 100 feet⁷ of a CVOC soil source.
 - Any buildings overlying a CVOC groundwater plume located at the water table with groundwater concentrations above Wisconsin's groundwater enforcement standards (ES).
 - CVOC contaminated groundwater above Wisconsin's groundwater preventive action limit (PAL) is entering a building or in contact with the building's foundation, or is in water intercepted by the building's foundation drain system, including sumps.
 - CVOC vapors have the potential to enter preferential pathways (sewer lines, fractured bedrock, foundation cracks or openings, etc.) that connect contaminated areas to a building and migrate into that building.

C. Factors Affecting Screening Distances for Vapor Migration

The actual extent of vapors emanating from contaminated soil or groundwater is affected by factors such as soil type, soil moisture, water level variation, extent of the groundwater plume, presence of preferential pathways, contaminant concentration, age of release, etc. As stated

⁷ See Lowell, P.S. and B. Eklund, VOC Emission Fluxes as a Function of Lateral Distance from the Source, Environmental Progress, Vol. 23, No. 1, April 2004.