



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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September 14, 2010

Ms. Karen Dettmer
Redevelopment Authority, City of Milwaukee
P.O. Box 324
Milwaukee, WI 53202-0324

File Ref: FID#241853150
BRRTS#02-41-531327
#03-41-111395

SUBJECT: Final Case Closure with Continuing Obligations
3009 N. Humboldt Drive, Milwaukee, WI

Dear Ms. Dettmer:

On June 3, 2010, the Southeast Region Closure Committee reviewed the above referenced case for closure. This committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. On July 28, 2010, you were notified that the Department had granted conditional closure to this case.

On August 6, 2010, the Department received information or documentation indicating that you have complied with the requirements for final closure. Your consultant, Sigma Environmental Services, submitted forms to document the abandonment of all groundwater monitoring wells at the property, and indicated that all investigative waste had been removed from the property.

The Department reviewed the case closure request regarding the chlorinated solvents in soil and groundwater at this site. Chlorinated solvent contamination was found in soil and groundwater at the site, and remedial actions were undertaken to address the impacts, including excavation, in-situ treatment, installation of surface and vapor barriers and a passive soil venting trench, and natural attenuation monitoring. After careful review of the closure request, the Department has determined that the chlorinated solvent contamination on the site from the former dry cleaning operation appears to have been investigated and remediated to the extent practicable under site conditions. Residual soil and groundwater contamination will remain at the site, and maintenance of the surface and vapor barriers and the passive vapor trench will be required as conditions of case closure. Underground petroleum storage tanks were removed from the site and petroleum impacts were identified visually during the removals. Soil and groundwater sampling in the vicinity of these tanks did not identify petroleum contaminants above any residual contaminant levels and no conditions will be required for the closure of the apparent petroleum releases. Based on the correspondence and data provided, it appears that your case meets the closure requirements in ch. NR 726, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation is required at this time. However, you and future property owners must comply with certain continuing obligations as explained in this letter.

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GIS Registry

This site will be listed on the Remediation and Redevelopment Program's GIS Registry. The specific reasons are summarized below:

- Residual soil contamination exists that must be properly managed should it be excavated or removed
- Pavement, an engineered cover or a soil barrier must be maintained over contaminated soil and the state must approve any changes to this barrier
- Groundwater contamination is present above Chapter NR 140 enforcement standards
- A soil vapor venting trench and a separate vertical vapor barrier must be maintained

This letter and information that was submitted with your closure request application will be included on the GIS Registry. To review the sites on the GIS Registry web page, visit the RR Sites Map page at <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. If the property is listed on the GIS Registry because of remaining contamination and you intend to construct or reconstruct a well, you will need prior Department approval in accordance with s. NR 812.09(4)(w), Wis. Adm. Code. To obtain approval, Form 3300-254 needs to be completed and submitted to the DNR Drinking and Groundwater program's regional water supply specialist. This form can be obtained on-line <http://dnr.wi.gov/org/water/dwg/3300254.pdf> or at the web address listed above for the GIS Registry.

Closure Conditions

Please be aware that pursuant to s. 292.12 Wisconsin Statutes, compliance with the requirements of this letter is a responsibility to which you and any subsequent property owners must adhere. You must pass on the information about these continuing obligations to the next property owner or owners. If these requirements are not followed or if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, welfare, or the environment, the Department may take enforcement action under s. 292.11 Wisconsin Statutes to ensure compliance with the specified requirements, limitations or other conditions related to the property or this case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code. The Department intends to conduct inspections in the future to ensure that the conditions included in this letter including compliance with referenced maintenance plans are met.

Cover or Barrier: Pursuant to s. 292.12(2)(a), Wis. Stats., the pavement or other impervious cap that currently exists in the location shown on the attached map (Soil Quality Map) shall be maintained in compliance with the attached "Barrier Maintenance Plan – March 2010" in order to minimize the infiltration of water and prevent additional groundwater contamination that would violate the groundwater quality standards in ch. NR 140, Wis. Adm. Code, and to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health. If soil on the property is excavated in the future, the property owner at the time of excavation must sample and analyze the excavated soil to determine if residual contamination remains. If sampling confirms that contamination is present the property owner at the time of excavation will need to determine whether the material is considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken during excavation activities to prevent a health threat to humans.

The attached maintenance plan and inspection log are to be kept up-to-date and on-site. Please submit a copy of the inspection log to the Department on an annual basis, and provide the current "on-site" location for the maintenance plan storage, to the following: *Victoria Stovall, Program Associate, Remediation and Redevelopment Program, Wisconsin Department of Natural Resources, 2300 N. Dr. M.L. King, Jr. Drive, Milwaukee, WI 53212*

Prohibited Activities: The following activities are prohibited on any portion of the property where pavement, a building foundation, soil cover, engineered cap or other barrier is required as shown on the attached map, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 1) removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; 6) construction or placement of a building or other structure.

Residual Groundwater Contamination: Groundwater impacted by tetrachloroethylene and compounds resulting from the degradation of PCE, including trichloroethylene, cis-1,2-dichloroethylene and vinyl chloride, contamination greater than enforcement standards set forth in ch. NR140, Wis. Adm. Code, is present on this contaminated property and within Humboldt Avenue right-of-way east of this contaminated property. Off-property owners have been notified of the presence of groundwater contamination. For more detailed information regarding the locations where groundwater samples have been collected (i.e., monitoring well locations) and the associated contaminant concentrations, refer to the Remediation and Redevelopment Program's GIS Registry at the RR Sites Map page at <http://dnr.wi.gov/org/aw/rr/gis/index.htm>.

Vapor Mitigation Features: The vertical vapor barrier trench and passive vapor venting trench in the locations shown on the attached map (As-Built Site Layout) shall be maintained in compliance with the attached "Barrier Maintenance Plan – March 2010" to prevent vapor phase chlorinated solvent compounds from migrating off the property.

The attached maintenance plan and inspection log are to be kept up-to-date and on-site. Please submit a copy of the inspection log to the Department on an annual basis, and provide the current "on-site" location for the maintenance plan storage, to the following: *Victoria Stovall, Program Associate, Remediation and Redevelopment Program, Wisconsin Department of Natural Resources, 2300 N. Dr. M.L. King, Jr. Drive, Milwaukee, WI 53212*

Vapor Migration: In addition, depending on site-specific conditions, construction over contaminated materials may result in vapor migration of contaminants into enclosed structures or migration along newly placed underground utility lines. The potential for vapor inhalation and means of mitigation should be evaluated when planning any future redevelopment, and measures should be taken to ensure the continued protection of public health, safety, welfare and the environment at the site.

Dewatering Permits: The Department's Watershed Management Program regulates point source discharges of contaminated water, including discharges to surface waters, storm sewers, pits or to the ground surface. This includes discharges from construction related dewatering activities, including utility and building construction.

Based on the concentrations of contaminants remaining in groundwater at this location, it appears likely that dewatering activities would require a permit from the Watershed Management Program. If you or any other person plan to conduct such activities, you or that person must contact that program, and if necessary, apply for the necessary discharge permit. Additional information regarding discharge permits is available at <http://www.dnr.state.wi.us/org/water/wm/ww/>

Post-Closure Notification Requirements

In accordance with ss, 292.12 and 292.13, Wis. Stats., you must notify the Department before making changes that affect or relate to the conditions of closure in this letter. For this case, examples of changed conditions requiring prior notification include, but are not limited to:

- Disturbance, construction on, change or removal in whole or part of pavement, an engineered cover or a soil barrier that must be maintained over contaminated soil
- Discontinuing maintenance or making changes to the soil vapor venting trench or the vertical vapor barrier

Please send written notifications in accordance with the above requirements to the WDNR Southeast Region Headquarters, Remediation and Redevelopment Program, to the attention of Victoria Stovall, Program Associate, at 2300 N. Dr. Martin Luther King, Jr. Drive, Milwaukee, WI 53212.

The following DNR fact sheet, RR-819, "Continuing Obligations for Environmental Protection" has been included with this letter, to help explain a property owner's responsibility for continuing obligations on their property. If the fact sheet is lost, you may obtain a copy at <http://dnr.wi.gov/org/aw/rr/archives/pubs/RR819.pdf>.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this closure decision or anything outlined in this letter, please contact Pam Mylotta at (414) 263-8758.

Sincerely,



James A. Schmidt, Team Supervisor
Southeast Region Remediation & Redevelopment Program

Attachments:

- Barrier Maintenance plan – March 2010, which includes
 - o Soil Quality Map – 3009 N. Humboldt Blvd (Figure 5 – included with Barrier Maintenance Plan)
 - o As-Built Site Layout map
- RR 819 - Continuing Obligations for Environmental Protection

cc: Mafizul Islam – Sigma Group
Shiloh Holdings LLC