

From: Schultz, Josie M - DNR
Sent: Tuesday, December 8, 2020 3:13 PM
To: qefli neziri
Cc: Matthew Bookter
Subject: One Hour Martinizing 02-05-217270, Follow-up to Notice of Noncompliance
Attachments: 20201110_3_NON.pdf

Qelfi,

Attached to this email is the Notice of Noncompliance (NON) that was sent to you on November 10, 2020. Because all of the deadlines in the NON were missed, this site has been referred over to our enforcement program, I anticipate our enforcement staff will be picking up this case in mid-January. In the interim, I am hoping that we can get your cooperation to address the items outlined in the NON and avoid involving our enforcement staff.

By December 16, 2020, DNR is requesting an update on progress made on the items outlined in the NON and your intentions to move forward.

If you have any questions or concerns with any of these items, please do not hesitate to contact me.

Sincerely,
Josie

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Josie M. Schultz

Hydrogeologist – Northeast Region Remediation and Redevelopment Team
Wisconsin Department of Natural Resources
2984 Shawano Avenue, Green Bay, WI 54313-6727
Cell: 920-366-5685
Josie.Schultz@Wisconsin.gov



dnr.wi.gov





November 10, 2020

CERTIFIED MAIL

Mr. Qefli Neziri
Innovative Properties Group, LLC
628 N 8th Street
Manitowoc, WI 54220

Subject: Notice of Non-Compliance: Action Required by November 30, 2020
One Hour Martinizing Site, 1233 S Military Ave, Green Bay, WI
BRRTS # 02-05-217270

Dear Mr. Neziri:

This letter is to notify you that you are out of compliance with Wisconsin Statutes (Wis. Stat.) chapter 292 and Wisconsin Administrative Code (Wis. Admin. Code) chapters NR 700 through NR 754. On September 9, 2019, the Wisconsin Department of Natural Resources (DNR) notified you of your responsibilities to investigate the degree and extent of contamination and clean up the above-referenced site. That letter is attached for your reference. There is an immediate concern and need to address vapor intrusion at your property, and to identify vapor intrusion at neighboring properties.

On October 26, 2020, a letter, attached, was sent to you outlining issues with the vapor mitigation system (VMS) that was installed at the end of May and beginning of June this year, and included the following deadlines for inspection and correction.

- The new blower fan should be installed, and VMS inspected, by November 6, 2020. Additional commissioning of the system, including PFE testing, fan vacuum readings, and smoke/tracer testing should be performed during this time, as outlined in the October 26, 2020 letter.
 - **You have failed to comply with the November 6, 2020 deadline to provide the DNR with an update for blower fan installation, VMS inspection, and system commissioning. This work still needs to be completed in a timely manner in order to meet the November 30th timeline for bringing the system up to standards.**
- Plumbing should be corrected (i.e. removal of vent from sanitary lateral), VMS be brought up to ANSI/AARST standards, and recommended tracer testing be performed to ensure no short circuiting is occurring, by **November 30, 2020**.
- Indoor air sampling, as part of the commissioning process and performance verification, should be completed concurrent with PFE measurements, or within two weeks, and results shall be provided to the DNR within 10 days of receipt.
- Documentation and/or addendum to vapor mitigation system construction documentation should be submitted to the DNR by **December 30, 2020**. Documentation should include all modifications to the system, commissioning, OM&M, and inspection log.

Our information also indicates that you have not hired an environmental consultant since notification by email on August 19, 2020. You are requested to hire a consultant within 30 days to resume the immediate and interim actions required at this site under Wis. Admin. Code chapter NR 708.

Please be aware that the Department may initiate enforcement action against you for failure to comply with Wis. Stat. chapter 292. Your legal responsibilities are defined both in Wis. Stat. chapter 292 and Wis. Admin. Code chapters NR 700 through 754 and are also described in the September 9, 2019 responsible party letter. In particular, Wis. Stat. § 292.11(3), states:

RESPONSIBILITY. A person who possesses or controls a hazardous substance which is discharged or who causes the discharge of a hazardous substance shall take the actions necessary to restore the environment to the extent practicable and minimize the harmful effects from the discharge to the air, lands, or waters of the state.

Wis. Admin. Code chapters NR 700 through NR 754 establish requirements for emergency and interim actions, public information, site investigations, design and operation of remedial action systems, and case closure. Chapter NR 708 includes provisions for immediate actions in response to limited contamination. Wis. Admin. Code chapter NR 140 establishes groundwater quality standards for contaminants that reach groundwater.

Schedule

The DNR is requiring implementation of the following schedule:

- Since the November 6, 2020 deadline for the inspection was missed, the DNR is requiring documentation of new blower fan installation, VMS inspection, and commissioning be submitted by **November 30, 2020**. Documentation of plumbing correction (i.e. removal of vent from sanitary lateral), VMS being brought up to ANSI/AARST standards, and recommended tracer testing is to also be submitted by this date as well.
- Provide confirmation that you have hired an environmental consultant by **November 30, 2020** to meet the regulatory deadlines listed.
- Indoor air sampling, as part of the commissioning process and performance verification, should be completed concurrent with PFE measurements, or within two weeks, and results shall be provided to the DNR within 10 days of receipt.
- Documentation and/or addendum to vapor mitigation system construction documentation should be submitted to the DNR by **December 30, 2020**. Documentation should include all modifications to the system, commissioning, OM&M, and inspection log.

Please understand that you are in noncompliance and will remain in noncompliance until you fulfill all requirements of the statute. Failure to take the actions required by Wis. Stat. § 292.11 to address this contamination will cause the DNR to review this case for enforcement actions. Additionally, please be advised that the DNR is authorized under Wis. Stat. § 292.94 to assess non-reimbursable fees for any reports you are required to submit as part of additional enforcement actions.

November 10, 2020
Mr. Qefli Neziri
Notice of Non-Compliance
One Hour Martinizing, BRRTS # 02-05-217270

If you are experiencing problems selecting an environmental consultant or if you have other questions concerning the cleanup process, please do not hesitate to write or call Josie Schultz at Josie.Schultz@Wisconsin.gov or 920-366-5685. Thank you for your attention to this matter.

Sincerely,



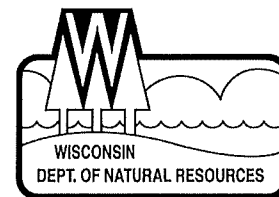
Roxanne Chronert
Team Supervisor, Northeast Region
Remediation & Redevelopment Program

Encl.

- Responsible Party Letter, dated September 9, 2019
- Response to Vapor Mitigation System Documentation and Additional Actions Needed Letter, dated October 26, 2020

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
2984 Shawano Avenue
Green Bay WI 54313-6727

Tony Evers, Governor
Preston D. Cole, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



September 9, 2019

Qelfi Neziri
Innovative Properties Group, LLC
628 N 8th Street
Manitowoc, WI 54220-3920

Subject: New Responsible Party at One Hour Martinizing,
1233 South Military Avenue, Green Bay, Wisconsin
DNR BRRTS Activity # 02-05-217270, DNR FID # 405008780

Dear Mr. Neziri:

This letter is being sent to you regarding contamination at the above-mentioned site, and a copy is being sent to your property manager, Jeremiah Bruley. Please provide the Wisconsin Department of Natural Resources (DNR) with who you would like to be the point of contact moving forward.

Background:

On March 31, 1999, the Wisconsin Department of Natural Resources (DNR) was notified that chlorinated solvent contamination had been detected at the site described above. Between 1999 and 2007, the soil and groundwater contamination were being addressed by P.F. Fink, Inc. under the Drycleaner Environmental Response Program (DERP). Peter Fink, the sole owner and shareholder of P.F. Fink, Inc. died in 2007 leaving no person to act on behalf of the corporation. On August 15, 2008 a letter of responsibility was issued to Synergy Investors, LLC, the property owner at that time.

The purpose of this letter is to inform you of the historical release and your liability as the owner of this property. The DNR has been working with Mr. Mike Nass of Synergy Investors, LLC since 2008 to investigate and cleanup this chlorinated solvent contamination. However, the investigation and cleanup actions have not been proceeding in a reasonable amount of time or in full accordance with the NR 700 Rule Series. The most recent update regarding the site investigation at the property was June 2015 sampling results provided by Jeff Maletzke at AECOM, on behalf of Synergy Investors, LLC, in July of 2019.

Based on the information available to the DNR regarding ownership of this property, we believe Innovative Properties Group, LLC is the land owner in possession and control of the discharge and therefore also responsible for investigating and restoring the environment at the above-described site. "Site" refers to the property where the contamination occurred and any other property it has migrated to, as defined in Wisconsin Administrative Code ("Wis. Admin. Code") § NR 700.03(56). The remainder of this letter describes the legal responsibilities of a person who is responsible under Section 292.11, Wis. Stats., and explains what needs to be done to investigate and clean up the contamination.

The longer contamination is left in the environment, the farther it can spread and the more it may cost to clean up. Quick action may lessen damage to your property and neighboring properties and reduce your costs in investigating and cleaning up the contamination.

Legal Responsibilities:

Persons meeting the definition of “responsible party” under § NR 700.03(51) must follow applicable law to address the discharge of a hazardous substance to the environment or other environmental pollution. Wisconsin Statutes (“Wis. Stats.”) ch. 292 and Wis. Admin. Code chs. NR 700 through NR 754 provide specific requirements for undertaking appropriate response actions to address contamination, including requirements for emergency and interim actions, public information, site investigations, remedy selection, design and operation of remedial action systems, and case closure.

General Recommendations for Responsible Parties:

The department recommends that you:

1. Hire a Qualified Environmental Consultant

To ensure response actions you plan to undertake comply with Wisconsin law, you should hire an environmental consultant within **30 days**, by October 9, 2019 to meet the regulatory deadlines listed below. A delay in hiring an environmental consultant could result in you missing key submittal deadlines.

Hiring a consulting firm with staff that have the appropriate State of Wisconsin qualifications to supervise and certify the submittals is a critical component and necessary to meet your requirements. Further, an environmental consultant should be knowledgeable of Wisconsin’s technical procedures and laws, and be able to answer questions regarding cleanup requirements. Required qualifications for environmental consultants are specified in Wis. Admin. Code ch. NR 712. Program guidance is available, see *Wis. Admin. Code ch. NR 712 Qualifications and Certifications, RR-081*.

2. Properly Submit Reports on Time with Required Information Included

Wisconsin law includes timeframes for submitting technical documents and conducting work, as well as specifications for what should be included in those submittals. This letter provides a general overview of the timeframes and first steps to take for site investigation and cleanup. For an overview of timing requirements, please refer to *NR 700 Process and Timeline Overview, RR-967, enclosed*.

The department developed the publication *Guidance for Electronic Submittals for the Remediation and Redevelopment Program, RR-690*, to assist responsible parties and consultants in properly submitting documents. Wis. Admin. Code § NR 700.11(3g), and other specific provisions within Wis. Admin. Code ch. NR 700, outline the requirements for submittals, including electronic submittals. Consultants and representatives of responsible parties are required to submit one paper copy and one electronic copy of submittals, including case closure documents. The electronic version must be an exact duplicate of the paper version. Failure to submit both a paper copy and electronic copy delays acceptance of your submittals.

3. Consider the Benefits of a Fee-based Technical Review of your Submittals

In-depth department review of technical reports and submittals is available for a fee. The Remediation and Redevelopment (RR) Program project managers are available throughout the process to answer general questions and provide general input as the site moves toward closure. However, if you want a formal written response from the department, a meeting or both on a specific submittal, a review fee will be required in accordance with Wis. Admin. Code ch. NR 749. **Obtaining technical assistance from department project managers throughout the process is an effective way to prevent problems and delays at the end of the process when case closure is requested.** Forms, a fee schedule, and further information on technical assistance is available at dnr.wi.gov and searching “brownfield fees”.

Required Steps to Take and Documents to Submit:

The steps listed below serve as a general overview only — all mandatory steps and submittals specified in state law must be met before the department can grant “case closure”, which is a determination by the department that no further cleanup is necessary at a site, as defined in Wis. Admin. Code § NR 700.03(3m).

1. **Immediate Actions – NR 708.09:** The law requires you to take any immediate actions needed to halt and minimize harmful effects, unless you are otherwise directed by department staff, and to submit documentation describing immediate actions and outcomes within 45 days after the initial hazardous substance discharge notification is given to the department. A final immediate action report should be submitted in accordance with Wis. Admin. Code NR 708.09.
2. **Scoping and Work Plan Submittal – NR 716.07 and 716.09:** The law requires that you appropriately scope out your site investigation and submit a work plan within 60 days of this notification, by **November 8, 2019**, for completing a site investigation. The work plan must comply with the requirements in Wis. Admin. Code, chs. NR 700 through NR 754. For additional assistance, the department has extensive guidance on its web page at dnr.wi.gov and search “brownfield publications”.

Prior to and during a site investigation, you must evaluate whether any interim actions are needed to contain or stabilize a hazardous substance discharge or environmental pollution, pursuant to Wis. Admin. Code § NR 708.11. If you undertake an interim action (e.g., free product removal), you must submit documentation of the action per Wis. Admin. Code § NR 708.15.

As you develop the site investigation work plan, you must include an assessment of the vapor intrusion pathway. Wis. Admin. Code § NR 716.11(5) outlines the requirements for when to evaluate for the presence of vapors in the sub-surface and in indoor air. The results and conclusions from the vapor assessment must be included in the Wis. Admin. Code § NR 716.15 site investigation report whether or not you elected to take vapor samples. *Addressing Vapor Intrusion at Remediation & Redevelopment Sites in Wisconsin, RR-800*, is available to help responsible parties and their consultants comply with these requirements.

3. **Field Investigation – NR 716.11:** Following submission of the work plan, the site investigation must be started within the timeframe provided under law. The timeframe varies depending on whether you are requesting the department’s fee-based review of the work plan. If you do not request a fee-based review of the work plan, you must initiate the field investigation within 90 days of submitting the work plan, and you may proceed with the field investigation upon department notification to

proceed; however, if the department has not responded within 30 days, from submittal of the work plan, you may then proceed with the field investigation. If a fee and request for department review of the work plan is submitted, the field investigation must begin within 60 days after receiving department approval.

4. **Sample Results Notification Requirements – NR 716.14**: You must report sampling results to the department, owners, occupants, and various other parties within 10 business days after receiving the sampling results, unless a different timeframe is approved by the department, in accordance with Wis. Admin. Code § NR 716.14.
5. **Site Investigation Report – NR 716.15**: Within 60 days after completion of the field investigation and receipt of the laboratory data, the law requires you to submit a Site Investigation Report (SIR) to the department. As part of the SIR or in the Remedial Actions Options Report (RAOR), if there is soil contamination, the responsible party shall identify the current land use (*i.e.*, industrial or non-industrial) and zoning for the site or facility in accordance with Wis. Admin. Code § NR 720.05(5). Also, as part of the SIR or in the RAOR, you must include any interim action report that may be required under Wis. Admin. Code § NR 708.15.
6. **Remedial Actions Options Report – NR 722**: Within 60 days after submitting the SIR, the law requires you to submit a RAOR. The selected remedy in the RAOR should include an evaluation of green and sustainable remediation criteria, as appropriate, as required by Wis. Admin. Code § NR 722.09(2m). This may be submitted as part of a broader SIR.
7. **Remedial and Interim Action Design, Implementation, Operation, Maintenance and Monitoring Reports – NR 724**: Unless otherwise directed by the department, the responsible party shall submit all plans and reports required in Wis. Admin. Code ch. NR 724.
8. **Notification of Residual Contamination or Continuing Obligations – NR 725**: In situations where notification is required, the responsible party must provide submittal(s) that confirms that continuing obligations have been identified and affected property owners have been notified by the responsible parties 30 days prior to case closure, as required by Wis. Admin. Code ch. NR 725.
9. **Semi-annual Reporting -- NR 700.11**: Wis. Admin. Code § NR 700.11(1)(a) requires responsible parties to submit semi-annual site progress reports to the department until final case closure is granted. The reports summarize the work completed over six months and additional work planned to adequately complete the response action at the site. Consultants may submit these reports on behalf of responsible parties. These reports are due in January and July of each year. Please refer to department publication *NR 700 Semi-Annual Site Progress Report, RR-082*, for more information.

Submittals required under Wis. Admin. Code chs. NR 700 - 726

These documents, as applicable, must be submitted to the department prior to the responsible party requesting case closure, unless otherwise directed by the department:

- Ch. NR 708 reports and documentation for any immediate or interim actions.
- Ch. NR 712 professional certifications and signatures are included with applicable submittals.
- Ch. NR 716 work plan(s) and site investigation report.
- Ch. NR 722 remedial action options report (exception is for Dry Cleaners Environmental Response Fund sites), with the selected remedial action identified.
- Ch. NR 724 design, construction documentation, operation, maintenance and monitoring plans and reports, including vapor mitigation commissioning.
- Ch. NR 725 submittal(s) that confirms that continuing obligations have been identified and affected property owners have been notified by the responsible parties 30 days prior to case closure.
- If requesting case closure, the Ch. NR 726 case closure form and documentation substantiating compliance with the NR 700 rule series.
- Ch. NR 749 fees have been paid, as applicable, including closure and database fees.
- Ch. NR 700 semi-annual site progress reports starting six months after notification.

Additional Information:

The department tracks information on all cleanup sites in a department database available at dnr.wi.gov and search "BOTW". The Bureau for Remediation and Redevelopment Tracking System (BRRTS) identification number for this site is listed at the top of this letter. You may view information related to your site on this database at any time.

All correspondence regarding this site should be directed to:

Josie Schultz
Remediation and Redevelopment Program
Wisconsin Department of Natural Resources
2984 Shawano Avenue
Green Bay, WI 54313
Josie.Schultz@wisconsin.gov

As previously noted, you are required to submit one paper copy and one electronic copy of plans and reports. To speed up processing, your correspondence should reference the BRRTS and Facility Identification (FID) numbers (if assigned) listed at the top of this letter.

Please visit the department's Remediation and Redevelopment Program website at dnr.wi.gov and search "Brownfields", for information on selecting a consultant, seeking financial assistance, and understanding the investigation and cleanup process. Information regarding review fees, liability clarification letters, post-cleanup liability and more is also available.

Innovative Properties Group, LLC
Mr. Qelfi Neziri
Responsible Party Letter
BRRTS #: 02-05-217270
September 9, 2019

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Information on Dry Cleaner Environmental Response Fund (DERF) and Vapor Intrusion are enclosed.

If you have questions, please call Josie Schultz at 920-662-5424 for more information.

Thank you for your cooperation.

Sincerely,



Denise D. Danelski
Environmental Program Associate - Remediation & Redevelopment Program
Northeast Region

Enclosures:

1. *NR 700 Process and Timeline Overview, RR-967*
2. Environmental Contamination Basics, RR-674
3. Selecting a Consultant, RR-502
4. Environmental Services Contractor List, RR-024
5. Frequently Asked Questions: Dry Cleaner Environmental Response Fund (DERF) Program, RR-784
6. Wisconsin DNR vapor intrusion quick facts, RR-892
7. Dry Cleaner Environmental Response Fund (DERF) – Frequently Asked Questions, RR-784
8. Dry Cleaner Environmental Response Fund (DERF) Program Highlights, RR-882

cc: Jeremiah Bruley, Property Manager, jbruley@live.com



October 26, 2020

Mr. Qefli Neziri
Innovative Properties Group, LLC
628 N 8th Street
Manitowoc, WI 54220

Subject: Response to Vapor Mitigation System Documentation and Additional Actions Needed
One Hour Martinizing, 1233 South Military Avenue, City of Green Bay, Wisconsin
BRRTS # 02-05-217270

Dear Mr. Neziri,

The Wisconsin Department of Natural Resources (DNR) received the June 30, 2020 *Documentation Report – Sub-Slab Vapor Mitigation System and Groundwater Sampling* report (“June 2020 VMS Report”), submitted by Paul Killian of GEI Consultants, on your behalf for the One Hour Marinizing site located at 1233 South Military Avenue in Green Bay, Wisconsin (“the Site”). The DNR performed a review of the documentation of the vapor mitigation system installed at the Site. The review revealed several concerns with the effectiveness of the system.

Interim Action Design Concerns

DNR reviewed the June 2020 VMS Report for system effectiveness and noticed deviations from the American Nation Standards Institute & American Association of Radon Scientists and Technologists (ANSI/AARST) radon mitigation standards for large buildings (RMS-LB). Listed below are all notable ANSI/AARST standards that appear to not have been met at the Site:

1. *All components of the mitigation work shall be in compliance with the applicable mechanical, electrical, building, plumbing, energy, and fire prevention codes, or any other regulations of the jurisdiction where the work is performed (ANSI/AARST RMS-LB 4.8.2)*
 - a. You notified DNR that the mitigation system improperly hooked a 3-inch iron pipe to the sanitary vent, which is not allowed per plumbing code. This vent requires proper re-venting.
2. *Above-ground duct piping shall have a continuous downward slope towards the suction points to allow rainwater or condensation within pipes to drain downward into the ground beneath the slab (ANSI/ARST RMS-LB 7.2.2)*
 - a. Photos 7 and 13 in the June 2020 VMS Report show piping runs that will likely result in future moisture build-up as there is nowhere for rainwater or condensation to drain and will likely interfere with effectiveness of the VMS in the future.
3. *The exhaust trajectory with an exhaust spread radius of 45 degrees shall not encounter opening in structures, building materials, or the breathing space where individuals congregate or traverse within 10 feet from the point of exhaust (ANSI/AARST RMS-LB 7.4.3). Not less than 10 feet horizontally to the side of operable openings in structures (ANSI/AARST RMS-LB 7.4.6.a), or not less than 4 feet above operable openings in structures (ANSI/AARST RMS-LB 7.4.6.b).*
 - a. Photo 18 of the June 2020 VMS Report shows a vent pipe that may be less than 4 feet above door.

4. *The point of exhaust shall be directed upward without obstruction at an angle that does not deviate more than 45 degrees from a vertical exhaust trajectory. The exhaust trajectory shall not exhaust downward (ANSI/AARST RMS-LB 7.4.9)*
 - a. Photos 17 & 18 of the June 2020 VMS Report shows vent exhaust trajectories of 90 degrees.
5. *The point of exhaust shall be not less than 18 inches above a flat roof (ANSI/AARST RMS-LB 7.4.10.c)*
 - a. Photo 17 of the June 2020 VMS Report shows vent pipe is not discharging above flat roofline.
6. *Active soil depressurization (ASD) fans shall only be installed in attics, on the exteriors of buildings or in garages that are not beneath conditioned or otherwise occupiable spaces (ANSI/AARST RMS-LB 7.5.3).*
 - a. Photos 7, 9, 12, and 13 of the June 2020 VMS Report show that blowers B1, B2, B3, B4, and B5 are all within the basement (beneath/within conditioned space). These fans should be moved to the exterior or the building.
7. *Accessible gaps to soil at perimeter channel drains shall be sealed to the extent practicable without compromising water control capability (e.g., perimeter gap or drain that may include interior foundation drainage boards) (ANSI/AARST RMS-LB 8.3.1).*
 - a. Photos 5, 8, 14, 15, and 16 of the June 2020 VMS Report show what appears to be perimeter channel drains and/or a floor-wall joint crack. Some form of testing (e.g. smoke testing, tracer gas testing) should be performed to ensure venting of sumps is not short-circuiting and pulling indoor air into the system. If this is occurring, it could potentially be causing additional negative pressure differential within the basement and exacerbating the vapor intrusion issue.
8. *Sump covers shall include some form of physical access when a sump pump is installed in the pit to allow routine verification that pumps are operational. The sump cover shall include a removable port or section of lid no less than 4 inches in diameter or equivalent method to satisfy this requirement (ANSI/AARST RMS-LB 8.5.1.1).*
 - a. Sump pit covers do not appear to be designed with removable port or section of lid. This will make it difficult to perform maintenance and necessary sampling of sump water and/or vapors.
9. *An alternative drainage system shall be provided and installed when sealing a sump or other slab opening that is the only drain relief for excess water on the slab surface (ANSI/AARST RMS-LB 8.5.2).*
 - a. Photo 8 of the June 2020 VMS Report shows a moisture issue in the basement, which would likely require a trapped drain to be installed on the cover of Sump S3.
10. *Fan monitors, such as a manometer pressure gauges or electrical amperage gauge, shall be clearly marked to indicate the pressure, airflow volume or amperage readings that existed at the time mitigation goals were achieved (ANSI/AARST RMS-LB 9.4.4.1). They shall also have a label on or in close proximity to the mechanism that describes how to interpret the monitor and what to do if a monitor indicates system failure or degraded performance (ANSI/AARST RMS-LB 9.4.4.1.1)*
 - a. Photos 7, 9, 12, and 13 of the June 2020 VMS Report show that blowers B1, B2, B3, B4, and B5 have no manometers to monitor system performance. There are vacuum readings listed in Table 1 of the report, however there are no photos of manometer readings. In addition to no manometer, there is no labeling.

11. *Visual or audible fan monitors that require electricity for indication of fan failure shall be on non-switched circuits and designed to reset automatically when power is restored after power supply interruptions. Monitors shall not be powered by the same branch circuit as the mitigation system fans (ANSI/AARST RMS-LB 9.2.1.2).*
 - a. There is no mention of a fan monitor in the June 2020 VMS Report.

The list above is what was noticed by DNR during review of photos included in the June 2020 VMS report. Additional issues may be present; therefore, the system should be inspected by a certified radon mitigator to ensure it has been installed to all ANSI/AARST standards (not only what is listed above) and working properly.

Commissioning Requirements

Along with ANSI/AARST standard concerns listed above, the VMS has not been properly commissioned to verify the current effectiveness of mitigation, as required under §§ NR 708.11, 724.15, and 724.17. Proper pressure field extension (PFE) testing has not been completed to ensure good communication and vapor capture beneath the slab. Guidelines on system commissioning can be found in Section 9 and Appendix D of RR-800.

1. 1233 S Military Ave (One Hour Martinizing) has only one PFE point directly adjacent to the vapor extraction point. At a minimum, an additional PFE point should be added to the north side of One Hour Martinizing to ensure adequate vapor concentrations are being removed from the source area.
2. No PFE testing was performed at 1239 S Military Ave (Edward Jones). Although there were no sub-slab exceedances documented beneath this unit, PFE testing needs to identify the radius of influence of the system.
3. No PFE testing was performed at 1219 S Military Ave (Jim's Music). Although there were no sub-slab exceedances in this area, PFE testing needs to identify the radius of influence of the system. PFE testing needs to be performed in the basement as well.
4. A manometer u-tube, or similar device, with accuracy of 0.1 inch-water should be permanently mounted on the conveyance pipe, on the vacuum side for each fan. The fan vacuum should be measured at the same time PFE is measured.

Long-Term Operation, Monitoring, and Maintenance

A long-term operation, monitoring, and maintenance (OM&M) plan is required for each system that specifies the conditions that must be maintained and monitored for continued long-term protection from vapor intrusion, as required under Wis. Admin. Code §§ NR 708.15, 724.13, 724.15 and 724.17. Guidelines on long-term OM&M and inspection log can be found in Section 10 and Appendix E, and Appendix G of RR-800. Refer to *Maintenance Plans for Vapor Mitigation Systems/Vapor Intrusion Response Actions/Vapor Barriers*, RR-981.

Timeline

- The new blower fan should be installed, and VMS inspected, by **November 6, 2020**. Additional commissioning of the system, including PFE testing, fan vacuum readings, and smoke/tracer testing should be performed during this time, as outlined above.

October 26, 2020

Mr. Qefli Neziri, Innovative Properties Group, LLC

Response to Vapor Mitigation System Documentation and Additional Actions Needed

One Hour Martinizing, 1233 South Military Avenue, Green Bay, Wisconsin

BRRTS # 02-05-217270

- Plumbing should be corrected (i.e. removal of vent from sanitary lateral), VMS be brought up to ANSI/AARST standards, and recommended tracer testing be performed to ensure no short-circuiting is occurring, by **November 30, 2020**.
- Indoor air sampling, as part of the commissioning process and performance verification, should be completed concurrent with PFE measurements, or within two weeks, and results shall be provided to the DNR within 10 days of receipt.
- Documentation and/or addendum to vapor mitigation system construction documentation should be submitted to the DNR by **December 30, 2020**. Documentation should include all modifications to the system, commissioning, OM&M, and inspection log.

The DNR appreciates your efforts to investigate and remediate this property. If you have any questions or concerns, please feel free to contact me at 920-366-5685 or via email at Josie.Schultz@Wisconsin.gov.

Sincerely,



Josie Schultz

Hydrogeologist

Remediation & Redevelopment Program

Att: Photographic Log (Photos 1-17), *Documentation Report – Sub-Slab Vapor Mitigation System and Groundwater Sampling*
Fig-2, Sub-Slab Vapor Mitigation System Diagram, dated June 2020

cc: Paul Killian, GEI Consultants (pkillian@geiconsultants.com)
Jesse Rose, Environmental Services Plus (jesse@environmentalservicesplus.com)
Matthew Bookter, Bank First (mbookter@bankfirstwi.bank)
Roxanne Chronert, DNR (Roxanne.Chronert@wisconsin.gov)
Curtis Hedman, DHS (Curtis.Hedman@dhs.wisconsin.gov)
Deanne Van Kirk, Brown County Health Department (Deanne.VanKirk@browncountywi.gov)
Andrew Kleist, U.S. EPA (Kleist.Andrew@epa.com)