



January 26, 2023

Dr. Qefli Neziri
Innovative Properties Group
628 N 8th Street
Manitowoc, WI 54220
Sent via electronic mail only to qefnez@yahoo.com

Subject: Review of Site Investigation Work Plan
One Hour Martinizing, 1233 South Military Avenue, Green Bay
BRRTS #: 02-05-217270

Dear Dr. Neziri:

On December 29, 2022, the Wisconsin Department of Natural Resources (DNR) received the “Vapor Mitigation System Evaluation and Supplemental Site Investigation Work Plan” (SIWP) prepared for Innovative Properties Group by Terracon Consultants, Inc. This SIWP was in response to the November 1, 2022 enforcement conference and subsequent enforcement conference summary letter (EC Letter) sent on November 14, 2022, The DNR reviewed the SIWP for consistency with Wis. Admin. Code §§ NR 716.07 and 716.09, and the EC Letter. Based on review of the SIWP, DNR is providing the following comments.

Current Building Occupancy

Occupancy within the on-site building has changed since the November 1, 2022 enforcement conference. As outlined in the SIWP, the most current tenant space information is as follows:

- One Hour Martinizing (1233 South Military Avenue)
- Wakanda African Shop (1239 South Military Avenue). Currently in the build-out stage.
- Jim’s Music & Teaching Center (1219 South Military Avenue)
- Jim’s Music lesson space (1231 South Military Avenue)
- East Spa (1235 South Military Avenue). Beginning in January/February 2023 a tenant will be occupying the space.

DNR Comments:

- Per Wis. Admin. § NR 714, the responsible party is required to notify occupants of indoor air sampling results within 10 days of receipt of results.

Air Treatment and Indoor Air Sampling

Within the November 14, 2022 EC Letter, DNR requested temporary air filtration be immediately deployed and a workplan be submitted for indoor air sampling. Documentation of the initial indoor air sampling results was to be provided by November 30, 2022.

Four air treatment units (ATUs) were ordered for the on-site building and were installed on December 15, 2022. On December 30, 2022, indoor air sampling was performed to verify if the ATUs effectively reduced air concentrations within the on-site building’s tenant spaces.

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BRRTS # 02-05-217270
Review of SIWP
January 26, 2023

On January 17, 2022, DNR received the December 30, 2022 indoor air sampling results for five locations. The small commercial vapor action level (VAL) for tetrachloroethylene (PCE) was exceeded within Wakanda African Shop (216 ug/m³ PCE), and the immediate action level (IAL) for PCE, which is 3x the VAL, was exceeded within the basement of Jim's Music (931 ug/m³ PCE), Jim's Music Retail (1,350 ug/m³ PCE), Jim's Music Lesson Area (2,040 ug/m³ PCE), and East Spa (959 ug/m³ PCE). The small commercial VAL for PCE is 180 ug/ m³ and IAL is 540 ug/m³.

A second round of indoor air sampling is planned for January/February 2023.

DNR comments:

- The air filtration deployment and sampling data submittal timeframe varied from the requested timeline within the EC Letter, however there were issues with installation of an HVAC filter, which prolonged the ordering of ATUs.
- The IALs and/or VALs were exceeded at all five (5) December 30, 2022, sampling locations. Additional actions should be taken to bring the concentrations below IALs, however it is preferred that concentrations are below VALs.
- DNR recommends making modifications to the HVAC and/or ATUs prior to performing additional indoor air sampling.
- Please provide a figure that includes the December 30, 2022, ATU and sample locations. If ATUs are moved in the future, this should be included on an additional figure. This should be submitted with the next indoor air sampling results.
- Future submittals should include separate tables for indoor/ambient air sampling and sub-slab sampling results.
- Summa canisters may continue to be used for indoor air sampling. Once vapor concentrations are shown to be decreasing below the IAL, DNR recommends performing longer duration passive indoor air sampling.
- An off-site vapor evaluation is required for the Site. [RR-800](#), *Addressing Vapor Intrusion at Remediation & Redevelopment Sites in Wisconsin*, should be referenced for vapor screening criteria.

Mass Spectroscopy and/or HVAC Inspection

During the January 17, 2023, phone conference, DNR recommended performing spectroscopy to determine sources for vapor intrusion based on DNR's state lead investigation performed by SCS Engineers and documented in the April 8, 2022, Preliminary Site Evaluation Memo. SCS pointed out multiple potential sources for vapor intrusion within the tenant spaces of the on-site building.

Your consultant, Terracon, sent an email to DNR on January 23, 2023, stating that they believe money may be better spent on a professional, thorough inspection of the HVAC systems to ensure that air from the dry cleaner space is not getting mixed throughout the entire building.

DNR comments:

- If it is Terracon's professional opinion that the HVAC is the source of vapor intrusion, DNR concurs with further investigation into the HVAC system.
- DNR remains concerned with the south wall of Jim's Music being a source as well and requests that the open space within the cinderblock wall be evaluated as well.

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BRRTS # 02-05-217270
Review of SIWP
January 26, 2023

Vapor Mitigation System

Within the November 14, 2022 EC Letter, DNR requested that a workplan be submitted by December 31, 2022 for modifications to be made to the vapor mitigation system (VMS), and analytical data be provided to the department to document effectiveness. Updated VMS construction documentation report and OM&M plan, including long term monitoring, is to be provided within 60 days of VMS being effective.

Terracon plans to obtain manometer readings from each blower fan for the VMS during indoor air sampling, along with differential pressure measurements from monitoring points for pressure field extension testing. An Interim Action SIWP and long-term OM&M plan will be submitted for each of the current five blower fans.

DNR Comments:

- If PFE testing does not show adequate vacuum, and the system is not shown to be effectively decreasing concentrations in indoor air, additional modifications to the system and/or source removal may be necessary.

Sanitary Sewer Investigation

Within the EC letter, DNR requested a workplan for additional site investigation, including preferential pathway sampling, be submitted by December 31, 2022.

A 30-minute vapor sample is planned to be obtained from the sanitary sewer manhole located at the intersection of St. Agnes Drive and Ninth Street.

DNR Comments:

- The manhole at the intersection of St. Agnes Drive and Ninth Street is a single downgradient manhole. At a minimum, DNR recommends sampling an upgradient manhole as well as an additional downgradient manhole. Per DNR guidance document [RR-649](#), *Guidance for Documenting the Investigation of Human-made Preferential Pathways Including Utility Corridors*, it is recommended that a minimum of three manholes be sampled; one upgradient and two downgradient.
- Per RR-649, manhole sampling only requires a grab sample (i.e. no flow controller).

Groundwater Sampling

Within the EC Letter, DNR requested a workplan for additional site investigation, including groundwater monitoring, be submitted by December 31, 2022.

Terracon plans to collect groundwater samples from the current monitoring well network (MW-1 through MW-3, MW-4R, MW-5, MW-6, MW-7R, PZ-1, PZ-2, and PZ-6) on a semi-annual basis. Groundwater samples will also be obtained from the basement sumps. All groundwater samples will be analyzed for full VOCs.

DNR Comments:

- The basement sumps are known to have PCE vapors within them; sump covers should be replaced and resealed immediately after samples are obtained.
- Sampling analytical results should be submitted to DNR within 10 days of results being received.
- Please provide DNR with a figure containing basement sumps that are planned to be sampled. This should be submitted with the next indoor air sampling results.

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BRRTS # 02-05-217270
Review of SIWP
January 26, 2023

Emerging Contaminant Scoping

Within the EC Letter, DNR requested an emerging contaminant scoping statement.

Terracon provided a scoping statement within the SIWP. Terracon believes that PFAS sampling is not required as it is not believed that waterproofing or stain resisting applications were performed at the facility, nor were PFAS products stored onsite.

DNR Comments:

- After review of scoping statement and site file, PFAS groundwater sampling should be conducted as there is strong evidence that the release is likely from used chlorinated solvents.
- DNR is requesting a groundwater sampling plan be submitted for PFAS sampling.

Remedial Action

A remedial action to remove the source of vapors is not mentioned within the SIWP. Remedial actions are implemented to reduce the mass and concentration of the source of vapors, which is required to achieve closure when vapor concentrations meet or exceed vapor risk screening levels (Wis. Admin. Code § NR 726.05(8)).

DNR Comments:

- DNR is requesting that a remedial action be planned concurrently with the additional site investigation and VMS modifications.
- For the remedial action to potentially be covered by the Dry Cleaner Environmental Response Fund (DERF), in case an alternative funding source becomes available, DNR recommends that bids be solicited for the remedial action options report (RAOR) and remedial action plan (RAP) for the Site. Please reference guidance document [RR-750](#), *DERF Program – BID REQUIREMENTS*, and Wis. Admin. § NR 169 for additional DERF information.

Schedule

The submitted SIWP includes a schedule for conducting the field investigation and reporting the results, per Wis. Admin. Code § NR 716.09(2)(h). Furthermore, the DNR is requesting implementation of the following schedule:

- Per Wis. Admin. Code § NR 716.11(2r), field investigation activities shall be initiated within 60 days of submittal of the work plan, by **April 27, 2022**.
- Per Wis. Admin. Code § NR 716.14, all sampling results are required to be submitted to DNR within 10 days of receiving the laboratory data. Building occupants are also required to be notified of sampling results within 10 days of receipt.
- Results of the site investigation activities must be submitted to the DNR in a comprehensive Site Investigation Report (SIR) that meets the requirements in Wis. Admin. Code § NR 716.15. The SIR shall be submitted to the DNR within 60 days after completion of the field investigation and receipt of laboratory data.
- Per Wis. Admin. Code § 724.15, documentation of construction and completion of an interim action (i.e. VMS installation) and long-term OM&M plan is to be submitted to the DNR within 60 days after the date of construction completion.
- DNR is requesting that the PFAS groundwater sampling plan be submitted prior to the next round of groundwater sampling so PFAS and VOC sampling can be conducted concurrently. DNR is requesting that a remedial action options report and remedial action plan be planned concurrently with the investigation and VMS modifications due to the complexities of the Site.
- NR 700 semi-annual progress reports will be required until the case is closed.

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The site investigation is an iterative process. The results of the additional investigation should be evaluated to determine if additional investigation is needed to fully define the degree and extent of contamination in all affected media.

The DNR appreciates the efforts you are taking to address the contamination at this site. If you have any questions about this letter, please contact me, the DNR Project Manager, at 920-366-5685 or Josie.Schultz@wisconsin.gov.

Sincerely,

A handwritten signature in blue ink that reads "Josie Schultz". The signature is written in a cursive style and is positioned above a thin horizontal line.

Josie Schultz
Project Manager – Hydrogeologist
Remediation and Redevelopment Program
Wisconsin Department of Natural Resources

cc: Benjamin Brand, Kelly Brand Law (bbrand@kellybrandlaw.com)
Catherine Drayna, Kelly Brand Law (cdrayna@kellybrandlaw.com)
Tim Welch, Terracon (tim.welch@terracon.com)
Jennie Pelczar, DNR (Jennifer.pelczar@wisconsin.gov)
Roxanne Chronert, DNR (Roxanne.chronert@wisconsin.gov)