



February 12, 2018

Raychris, Inc.  
c/o Brian Kappen  
Enviroforensics, LLC  
N16 W23390 Ston Ridge Dr., Suite G  
Waukesha WI 53188

Subject: Temporary Exemption for Injection into Groundwater at  
"Robinson's Cleaners – Former", 1838 Court St., Janesville, Wisconsin  
DNR BRRTS Activity #02-54-221852

Dear Mr. Kappen:

This letter provides a temporary exemption for the injection of a remedial material into groundwater. The request for a temporary exemption to inject PlumeStop® was requested by Enviroforensics, LLC in a January 9, 2018 letter, which was received by the Department on January 12, 2018, along with the necessary review fee. The Department also received a request for a WPDES General Permit for Contaminated Groundwater from Remedial Action Operations, via email on January 26, 2018. The temporary exemption and general permit are intended to provide assurance that the environmental cleanup will be conducted in accordance with section 292.12 and chapter 283 of the Wisconsin Statutes.

The proposed remediation is a full-scale injection of PlumeStop® liquid activated carbon for in situ treatment of tetrachloroethene in groundwater at the site. Sorption of chlorinated volatile compounds (CVOCs) onto the PlumStop® material and biodegradation of CVOCs are expected to reduce contaminant concentrations.

**Determination on the NR 812 Injection Prohibition:**

The injection prohibition under s. NR 812.05, Wis. Adm. Code, is not applicable in this case because the proposed action is a Department-approved activity necessary for the remediation of groundwater. This letter serves as your approval from the Department to inject PlumeStop®, to treat CVOCs in groundwater, in accordance with this temporary exemption.

**NR 140 Temporary Exemption:**

Department approval is hereby granted, under section NR 140.28(1)(d), Wis. Adm. Code, to RayChris Inc., Enviroforensics, LLC, and their subcontractors, for the injection of PlumeStop® into groundwater at the site, according to the terms and conditions described in this letter and the WPDES general permit. The expiration date of this temporary exemption is December 31, 2022.

The need to obtain a temporary exemption for the injection of a remedial material for which a groundwater quality standard has not been established is required under s. NR 140.28 (1) (d), Wis. Adm. Code. Based on the information you provided, it appears the requirements for a temporary exemption for the injection of a remedial material for which a groundwater quality standard has not been established under s. NR 140.28 (1) (d) have been or will be met, in accordance with sections NR 140.28 (5) (c) and (d), Wis. Adm. Code.

Department approval is granted with the following terms and conditions:

A. General:

1. The remedial action for restoring contaminated groundwater or soil, and any infiltrated or injected contaminated water and remedial materials, shall achieve the applicable response objectives required by s. NR 140.24 (2) or s. NR 140.26 (2), Wis. Adm. Code, within a reasonable period of time.
2. The type, concentration and volume of substances or remedial material to be infiltrated or injected shall be minimized to the extent that is necessary for restoration of the contaminated groundwater.
3. Any infiltration or injection of contaminated water or remedial material into groundwater shall not significantly increase the threat to public health or welfare, or to the environment.
4. No uncontaminated or contaminated groundwater, substance or remedial material shall be infiltrated or injected into an area where a floating non-aqueous liquid is present in the contaminated groundwater.
5. There shall be no expansion of soil or groundwater contamination, or migration of any infiltrated or injected contaminated water or remedial material, beyond the edge of previously contaminated areas, except that infiltration or injection into previously uncontaminated areas may be allowed if the Department determines that expansion into adjacent, previously uncontaminated areas is necessary for the restoration of the contaminated groundwater, and the requirements of s. NR 140.18 (1), Wis. Adm. Code will be met.
6. All necessary federal, state and local licenses, permits and other approvals are obtained and compliance with all applicable environmental protection requirements is required. A WPDES general permit for Discharge of Contaminated Groundwater from Remedial Action Operations is required for this action.

B. Specific:

7. The remedial materials to be injected to the groundwater shall be limited to PlumeStop® and inert substances that are necessary for the injection (e.g. water).
8. The remedial material and injection project shall be as described in Enviroforensic's January 9, 2018 "Remediation Injection Request"
9. Enviroforensics shall notify the Department of field activities at least one week before implementation.
10. In the monitoring plan, include screening for soil vapor as a best management practice.
11. Remediation progress reports shall be submitted with the semi-annual progress reports. The progress reports shall include the groundwater monitoring results. The first report should be submitted not more than six months after the first injection. Recommendations as to the next phase of sampling and/or the need for additional treatment shall be included in a future report. This report shall be submitted as soon as the necessary information is available, and must be submitted prior to the expiration date of this temporary approval.
12. Any significant changes based on information from the injection groundwater monitoring reports or results shall be submitted to the Department for approval prior to the changes being implemented at the "Robinson's Cleaners – Former" site. This includes, but is not limited to, adjustments to the volume/mass of the media injected, additional injection points, number of injection events, and/or changes in the type of remediation media used in the injection points.
13. Modifications to the sampling schedule may be requested.
14. In the event of future injection activities, the responsible party may apply for an extension of this approval. A request for an extension of this approval must be received by the Department before the expiration date.
15. Any permit extension approvals will be dependent on Department review of site-specific data or any other information it deems necessary.
16. Upon completion of the project, the injection holes must be abandoned in accordance with s. NR 141.25, Wis. Adm. Code, and later topped off with grout or native soils if settling occurs, unless converted to NR 141 complying monitoring wells, or an alternative approved by the Department Project Manager.

Monitoring Conditions:

1. That the actual volume injected be recorded on an hourly basis for each day of the project.
2. That the monitoring program specified in Enviroforensic's January 9, 2018 "Remediation Injection Request" if followed.
3. That a Site Specific Health and Safety Plan be followed.
4. That the injection is performed at less than 100 psi at a rate which prohibits solution mounding in the aquifer, and plume disfigurement.

Failure to adhere to the provisions of this temporary exemption may result in the Department requiring revisions to the remedial action design, operation or monitoring procedures, or the revocation of this exemption and the implementation of an alternative remedial action to restore soil or groundwater quality, or both.

WPDES Permit

Your proposed discharge received coverage under the general Wisconsin Pollutant Discharge Elimination System (WPDES) permit WI\_0046566-06 for Discharge of Contaminated Groundwater from Remedial Action Operations, in a February 6, 2018, Department letter to Rob Hoverman of Enviroforenics. You are responsible for compliance with the conditions contained in this permit. The permit and factsheet can be downloaded from the Department website at <http://dnr.wi.gov/topic/wastewater/GeneralPermits.html>.

If you have questions, please contact me at (608) 275-3323 or [jeff.ackerman@wi.gov](mailto:jeff.ackerman@wi.gov).

Sincerely,



Jeff Ackerman  
Hydrogeologist  
Remediation & Redevelopment Program

cc: Brian Austin, DNR groundwater program  
Karl Knutson, DNR waste water program

Appeal Rights

Section 283.35, Wisconsin Statutes, authorizes the Department to issue general permits for discharges from categories or classes of point sources. If a permittee believes coverage of a facility under a general WPDES permit is not appropriate, the permittee may apply for issuance of an individual WPDES permit pursuant to section 283.35 (2) and may petition the Department for withdrawal of coverage under the general permit. The individual permit application should indicate which site specific factors would justify alternate WPDES limits for the operation. Issuance of such a site specific WPDES permit will provide for a 30 day public comment period, and potentially a public informational hearing and/or an adjudicatory hearing. The Department may withdraw a facility from coverage under a general permit if it is determined that a discharge is a significant contributor of pollutants to waters of Wisconsin, or in certain other cases set out in s. 283.35, Stats. In lieu of general permit withdrawal, the Department may refer any violation of this permit to the Department of Justice for enforcement under s. 283.89, Stats. In order to avoid any enforcement action, please read the WPDES permit carefully and comply with the permit requirements.

If you believe you have a right to challenge the Department decision to cover this facility with a WPDES general permit, you should know that Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. To request a contested case hearing pursuant to section 227.42, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. Such a petition should identify pollutant(s) that are believed to be not appropriately regulated by the general permit for the specific site. All requests for contested case hearings must be made in accordance with section NR 2.05 (5), Wis. Adm. Code, and served on the Secretary in accordance with section NR 2.03, Wis. Adm. Code. The filing of a request for a contested case hearing is not a prerequisite for judicial review and does not extend the time period for filing a petition for judicial review.

For judicial review of a decision pursuant to sections 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. A petition for judicial review must name the Department of Natural Resources as the respondent.