



April 29, 2020

DENNIS J KOPATZ
C/O CRAIG KOPATZ
N4510 SCHACHT ROAD
MARINETTE WI 54143

Subject: Case Closure under Wis. Admin. Code ch. NR 726 Not Recommended
Kopatz/Cronce Property W8317 County Highway P, Town of Beaver, Wisconsin
DNR BRRTS Activity # 03-38-231379
PECFA # 54114-7330-17A

Dear Mr. Kopatz:

On April 16, 2020, the Wisconsin Department of Natural Resources (DNR) reviewed the closure request for the case identified above. As you are aware, the DNR reviews environmental remediation cases for compliance with applicable laws, including Wis. Stat. ch. 292 and Wis. Admin. Code chs. NR 700 – 754 and whether any further threat to public health, safety or welfare or the environment exists at the site or facility, per Wis. Admin. Code § NR 726.13 (2) (b). As discussed with Jason Powell of METCO Environmental Inc. on April 24, 2020, case closure is not recommended because additional legal requirements must be met. The purpose of this letter is to inform you of the remaining requirements for obtaining closure. We request that within 60 days of this letter, you provide us with the information requested or your written response regarding the necessary work and a schedule for completion of this work.

Additional Requirements Needed for Case Closure Under Wis. Admin. Code ch. NR 726

As noted above, additional work is necessary to meet the requirements for case closure because the vapor pathway has not been adequately assessed.

Need to Define the Degree and Extent of Vapor Contamination

Additional site investigation, per Wis. Admin. Code § NR 716.11 (5), is needed to determine whether vapor intrusion is a completed pathway at this site, or if there is a risk of future vapor exposure due to residual contamination. Sub-slab vapor samples for residential properties must be obtained concurrent with 24-hour indoor and outdoor air samples. Due to shallow groundwater during the second vapor sampling event on November 4, 2019, the October 20, 2017, exceedances in VP-2 and VP-3 could not be confirmed. VP-2 and VP-3 will need to be sampled again. If shallow groundwater prevents these vapor ports from being resampled, properly seal the sump and obtain a 30-minute vapor headspace sample concurrent to indoor and outdoor air samples. If the sump cannot be properly sealed, a vapor port may be installed in the building's north basement wall above the water table, adjacent to residual contamination, and sampled concurrent with indoor and outdoor air sampling. If you are unable to install a vapor port in the north basement wall due to foundation construction, 2 rounds of 24-hour indoor air

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samples must be taken in the northern portion of the basement, concurrent with outdoor air samples.

Schedule

Within 60 days of the date of this letter, respond in writing with a supplemental Site Investigation Work Plan to meet these requirements under Wis. Admin. Code § NR 716.09(1). The additional work should begin within 90 days of approval of the workplan per NR 716.11(2g) and the supplemental Site Investigation Report should be submitted within 60 days of completion of the additional work under Wis. Admin Code § NR 716.15(1).

Until requirements are met, your site will remain “open” and you are required to submit semi-annual progress reports, per Wis. Admin. Code § NR 700.11. You are also responsible for any operation and maintenance activities required under Wis. Admin. Code § NR 724.13. Once the additional work has been completed, documentation should be submitted to the DNR to demonstrate that the applicable requirements have been met, per the timelines above.

Case closure can be reconsidered by the DNR once documentation has been received.

Conclusion

If you have any questions regarding the information in this letter or would like to schedule a meeting to discuss this case, please contact the DNR project manager, Andy James at (920) 883-2267, or Andrew.James@wisconsin.gov. For more information on the closure reconsideration process, please see DNR publication, RR-102, “Wis. Admin. Code ch. NR 726 Case Closure Reconsideration Process” by visiting dnr.wi.gov, search: RR-102, for more information.

The DNR appreciates your efforts to restore the environment at this site.

Sincerely,



Roxanne N. Chronert
Team Supervisor, Northeast Region
Remediation & Redevelopment Program

cc: Jason Powell – METCO Environmental Inc. (jasonp@metcohq.com)