



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary
Gloria L. McCutcheon, Regional Director

Southeast Region
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December 4, 2003

Mr. Norman Getz
6854 West Beloit Road
West Allis, Wisconsin 53219

SUBJECT: Norman Getz Property, 6854 West Beloit Road, West Allis, Wisconsin.
BRRTS#02-41-271535; FID#241287200.

Dear Mr. Getz:

Additional Cost Cap Conditional Approval

Based on the information provided, we conditionally approve the proposal for the additional costs associated with the construction and implementation of the remedial action plan for this site as described in the October 31, 2003, Arcadis report. The additional costs are costs associated with providing access to the building for excavation purposes, removal and repair of walls, disposal of tiles and wastes and installation of a passive vapor system. As part of our approval, we are providing you with a variance to Wisconsin Administrative Code NR 169.13(3)(a)6 for the removal and replacement of the exterior wall.

The total costs for these additional remediation costs are \$22,636.25. This brings the total costs of the remedial action plan cap approved by the department to \$217,108.25. Though we approve the costs of the additional costs for the remedial action plan, it is still the responsibility of you and your environmental consultant to make sure that all DERP eligibility rules are being followed.

Approval of the additional funds for this site is conditional upon proper documentation showing that upgrades to floor and the walls of the building are not completed during reconstruction. It will be your responsibility to provide this documentation by providing before and after pictures and a description of the make up of the wall and floors, before demolition and after reconstruction. We also reserve the right to request other documentation regarding these activities.

Our approval of installation of the passive venting system without vapor testing at this site is due to the site specific circumstances of this site. This is not an option we would likely approve at other sites in the future.

Contained-In Approval

The department has reviewed your request for approval of disposal of drill cuttings in a Subtitle D landfill under the "Contained-In Determination" policy. In that proposal, a residual

contaminant level for human health for tetrachloroethylene (PCE) was determined to be 55 parts per million (ppm). Based on this number, any soils contaminated with PCE at a concentration less than 55 ppm and passing the TCLP for PCE, are exempted as listed hazardous waste for **the purpose of disposal only**, and therefore, may be disposed of at a Subtitle D landfill in Wisconsin.

Please note, that soils having concentrations greater than 55 ppm PCE or those soils that have failed TCLP, would still be considered a listed or characteristic hazardous waste, respectively. According to your report, there are three barrels of soil cuttings that meet these criteria. And as you have stated, these soils must be disposed of at a Subtitle C landfill.

The RCL developed for PCE at this site is for the purpose of disposing of soils only, and can not be applied as an RCL for groundwater protection. If you have any questions regarding this letter, you may contact me at the above address or at (414) 263-8589.

Sincerely,

Gina Keenan
Hydrogeologist

cc: Arcadis G&M
SER case file