



July 28, 2020

Ms. Raisa Beyder
c/o Anna Shtivelberg (POA)
242 E. Ravine Bay Road
Bayside, WI 53207

Subject: Case Closure under Wis. Admin. Code ch. NR 726 Not Recommended
Auto Repair on Vliet, 2481 W. Vliet St., Milwaukee, WI
BRRTS #: 03-41-286924, FID #: 341043340, PECFA #: 53205-1833-81

Dear Ms. Beyder:

On July 20, 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 your consultant on July 27, 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 investigation is incomplete at this time.

Need to Complete a Vapor Investigation

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. If vapor intrusion is an issue at this site, document all source control actions taken under Wis. Admin. Code § NR 726.05 (8). DNR guidance document RR-800 “Addressing Vapor Intrusion at Remediation & Redevelopment Sites in Wisconsin,” recommends at least two, but preferably three, sub-slab sampling rounds for commercial use buildings.

Sampling location SSVS-1 currently has one round. The first sampling event at SSVS-2 was deemed erroneous and not indicative of sub-slab vapor conditions. Due to this, the DNR is considering the second sampling event from February 2020 as the first accurate sampling event for that location. To meet the recommendations in RR-800, an additional round, but preferably two additional rounds, of sub-slab monitoring should be performed at the SSVS-1 and SSVS-2 locations. Consider using the analytical laboratory from the February 2020 sampling event for the future event(s). Alternatively, you may choose to forego additional sampling and install a vapor mitigation system that covers the entire building.

Schedule

Within 60 days of the date of this letter, respond in writing with a schedule of your plans to meet these requirements. Per Wis. Admin. Code § NR 716.15(1), the DNR requests that a supplemental site investigation report (or a letter report) be submitted within 60 days after completing the additional site investigation activities related to the above comments.

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, Riley Neumann, at (414) 750-7030 or riley.neumann@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,



Timothy G. Alessi, P.G.
Southeast Region Team Supervisor
Remediation & Redevelopment Program

cc: Ron Anderson & Jason Powell, METCO (electronic)