



September 12, 2022

Village of Whitefish Bay
ATTN: John Edlebeck
155 W. Fairmount Avenue
Whitefish Bay, WI 53217
Via Electronic Mail Only to j.edlebeck@wfbvillage.org

Subject: Review of *Emerging Contaminants Evaluation*
Village of Whitefish Bay Landfill
5201 W. Good Hope Road, Milwaukee, WI 53223
DNR BRRTS Activity #: 02-41-000254; FID #: 241218670

Dear John Edlebeck:

On May 19, 2022, the Wisconsin Department of Natural Resources (DNR) received the *Emerging Contaminants Evaluation*, dated May 18, 2022 (Evaluation) for the site identified above. The Evaluation was prepared for the Village of Whitefish Bay by your consultant, The Sigma Group, Inc. (Sigma). The DNR has determined that investigation of emerging contaminants is required at the site.

The DNR has regulatory authority to ask responsible parties to evaluate hazardous substance discharges and environmental pollution including emerging contaminants:

- Wis. Stat. § 292.01 (3) "Discharge" means, but is not limited to, spilling, leaking, pumping, pouring, emitting, emptying or dumping.
- Wis. Stat. § 292.01 (4) "Environmental pollution" means contaminating ... air, land, or waters of the state or making the same injurious to public health ...
- Wis. Stat. § 292.01 (5) "Hazardous substance" means any substance ... which may pose a substantial present or potential hazard to human health or the environment because of its quantity, concentration or physical, chemical or infectious characteristics ...

Background

The site is currently an approximately 11-acre vacant lot. The Village of Whitefish Bay acquired the property in 1960 and operated the site as a landfill for disposal of incinerator ash and construction debris from approximately 1960 -1972. The Village of Whitefish Bay's landfill operations were reportedly limited to the northern half of the site. The site was reportedly graded and covered with clean fill in the 1980s to comply with DNR landfill closure regulations.

Site investigation activities conducted to date have identified chlorinated volatile organic compounds (CVOCs) and petroleum volatile organic compounds (PVOCs) in soil, and groundwater at the site. Source area soil contamination has been identified on the southern half of the site, with the highest identified impacts in the southwest corner of the site. The CVOC and PVOC contamination is suspected to be the result of illicit disposal of contaminated material on the landfill property.

The Evaluation assessed the potential for emerging contaminants, specifically per- and poly-fluoroalkyl substances (PFAS) and 1,4-dioxane, to be present at the site based on information regarding historical fires, historical occupants, historical filling activities, chlorinated solvents usage, and the results of previous

environmental investigation conducted at the site. The Evaluation concludes that there is insufficient information at present to determine whether a release of PFAS occurred on the site. The Evaluation also concludes that 1,4-dioxane is likely present on the site and recommends groundwater sampling for 1,4 dioxane be conducted at select monitoring wells.

DNR Review

PFAS

The DNR has identified the Village of Whitefish Bay Landfill site as potentially being a source for per- and polyfluoroalkyl substances (PFAS). The DNR believes this emerging contaminant may be present in soil and groundwater at the site. Information previously provided for this facility indicates a discharge from landfilling operations which are historically linked to discharges of PFAS. Site investigation scoping (Wis. Admin. Code § NR 716.07) and the site investigation work plan (Wis. Admin. Code § NR 716.09) require an evaluation of the history of the facility, previous discharges, and uses on the site that may be associated with discharges of hazardous substances.

In accordance with Wis. Admin. Code § NR 716.09, the DNR requires that you submit a site investigation work plan that includes a plan to investigate PFAS at the site, and per Wis. Admin. Code § NR 716.07 (4), all environmental media affected or potentially affected by the contamination must be evaluated.

1,4 Dioxane

The DNR agrees with the proposal to collect groundwater samples for analysis of 1,4-dioxane at the site.

Other Comments

On December 1, 2020, the DNR received the *Site Investigation Completion Report* and on February 24, 2021, the DNR provided a letter review of the *Site Investigation Completion Report*. The comments contained in the DNR review letter should be addressed as the site investigation and remediation progresses.

Schedule

The DNR is requesting that you submit a site investigation work plan for PFAS and 1,4 dioxane within 60 days of the date of this letter.

The DNR appreciates your efforts to restore the environment at this site. If you have any questions regarding anything outlined in this letter, or would like to arrange a meeting, please contact me, the DNR Project Manager, at 414-218-6042, or by email at joseph.martinez@wisconsin.gov.

Sincerely,



Joseph J. Martinez
Hydrogeologist – Southeast Region
Remediation & Redevelopment Program

Cc: Mafizul Islam – The Sigma Group, Inc. mislam@thesigmagroup.com