



August 10, 2022

Mr. Howard Melton  
St. Francis Auto Wreckers  
4043 S. Pennsylvania Avenue  
St. Francis, WI 53235  
Email only to: [robertgmelton@gmail.com](mailto:robertgmelton@gmail.com)

SUBJECT: Review of Site Investigation Status Update & Request for Technical Assistance  
WI DOT Lake Arterial – Auto Wreckers, 4043 S. Pennsylvania Avenue, St. Francis, WI  
WDNR BRRTS Activity #: 02-41-000269  
FID #: 241469250

Dear Mr. Melton:

The Department of Natural Resources (DNR) has reviewed the June 16, 2023, *NR 722 Remedial Action Options Report & Status Update* (RAOR) submitted on your behalf by Moraine Environmental, Inc. The RAOR presents the results of recent sampling, proposes interim actions to address the direct contact risk posed by soil contamination, and a remedial action that would address residual contamination over the long term. The applicable technical assistance fee for providing review and response, in accordance with Wis. Admin. Code § NR 749.04 (1) was also received.

### Site Investigation

The RAOR presents sample data recently collected from a neighboring residence and a storm sewer outfall and proposes expanding the monitoring well network with two new and two offsite wells for investigating groundwater contamination on the northern parcel. The DNR offers the following comments and recommendations regarding the current state of the site investigation:

- a. The DNR is not recommending additional sampling be conducted to investigate the risk of vapor intrusion at the residence located at 3975 S Pennsylvania Avenue. Available sample data does not suggest that vapor intrusion poses a risk to this building.
- b. Wis. Admin. Code § NR 716.11(3)(a) requires that the site investigation define the degree and extent of contamination, including PFAS contamination in groundwater. The DNR recommends focusing the investigation on estimating the down-gradient extent of contamination to determine how far contamination spread and establishing contaminant trends. Sampling the two proposed wells would provide useful information on groundwater conditions at the site. However, if your goal is to investigate groundwater contamination in an iterative manner, the DNR would recommend that you instead prioritize installing and/or sampling downgradient piezometer(s) or monitoring wells.

Obtaining access to and sampling monitoring wells MW-5 and MW-6 on the east side of Pennsylvania Avenue, as proposed in the RAOR, would provide useful data for investigating the down gradient extent. Installing down-gradient piezometer(s) is recommended, as the extent of contamination found in groundwater samples collected from PZ-1 will need to be further investigated.

- c. Sampling conducted at the storm sewer outfall confirmed that PCBs are migrating offsite through this pathway. This information was provided to the EPA to determine whether they have the authority to regulate the investigation and cleanup of this contamination under TSCA. The EPA confirmed that as an ongoing discharge PCB contamination in the storm sewer is regulated under TSCA as well as by the DNR under the Wis. Admin. Code NR 700 rules. Efforts to investigate, prevent, and cleanup the discharge must be approved by both the EPA and the DNR.

An investigation of the extent of PCB contamination within the sewer must be performed. You may choose to submit a workplan for conducting this work (as well as any future plans or reports regarding the investigation and cleanup of the sewers) to the EPA (under 40 CFR §761.61(c)) and the DNR separately to obtain approvals from each agency. Alternatively, you may submit a request to the EPA (contact information provided below) that this site follow the coordinated approval process (under 40 CFR §761.77(c)) which would allow for the DNR to oversee the cleanup of this site following the process outlined in the Wis. Admin. Code NR 700 rules. A coordinated approval is recommended as it would allow you to interact only with the DNR directly, reducing the time and effort that would otherwise be spent on corresponding with both agencies separately.

EPA contact:

Peter Ramanauskas  
RCRA Corrective Action Project Manager  
Regional PCB Coordinator  
USEPA Region 5  
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Chicago, IL 60604  
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- d. The DNR has reviewed the emerging contaminant evaluation contained within the RAOR for the south parcel. Based on the information provided, the DNR is not requiring further assessment of emerging contaminants on the south parcel at this time.
- e. Table A.2.d uses a '-' symbol to indicate that the analytical results for selenium were not tabulated for samples collected from SF-06 through SF-15. It would likely be more accurate to use a '-' symbol for SVOC and PCB analytes with no data for these same sample locations, as opposed to a '---' symbol suggesting that they were not analyzed at all. The DNR recommends that tables A.2.b and A.2.c are modified to reflect this.

## Remedial Action

The RAOR presents various remedial action options for reducing contaminant concentrations in soil or preventing contact with the contamination. The installation and maintenance of a barrier consisting of a 2-foot layer of traffic bond or a 2-foot layer of topsoil with traffic bond over areas not currently capped by buildings, pavement, or the existing soil cap on the north parcel, was the proposed remedy for the site. Other proposed actions included filling the swale running between the north and south parcels and managing excavated soil and other fill material onsite. The DNR offers the following comments regarding this proposal:

- a. The DNR concurs that a 2-foot-thick cap would be sufficient to address the direct contact risk at this site and should prevent PCBs from impacting stormwater. New or existing concrete or asphalt pavement or building slabs are also acceptable barriers. It is not clear how a 2-foot cap would be incorporated with the existing buildings and previously capped areas. The DNR recommends that prior to capping any portion of the site a design plan is provided for review and approval to ensure that new barriers will integrate with existing features. The DNR will also consider the proposed use of the property when reviewing these plans to determine if actions other than capping may be needed to address other pathways of concern, such as vapor intrusion. Unless other actions are taken to remove or treat contaminated fill material an acceptable cap will need to be present across the entire site.
- b. The RAOR presented various options for filling the swale. The DNR recommends using a minimum of two feet of clean material (traffic bond, topsoil, etc.) to act as a cap or use clean material to fill the swale completely. The DNR would not likely approve using material excavated from on-site as fill as contaminants in this material could adversely impact soil vapor or groundwater if placed in the sub-surface.
- c. The reuse of contaminated fill material excavated from this site cannot be approved under Wis. Admin. Code ch. NR 718 if it is a hazardous waste. This material could be consolidated on the property following the Area of Contamination (AOC) policy as outlined in DNR guidance document RR-705, *Guidance for Hazardous Waste Remediation*. Using excavated material to form berms may be considered if they are placed where contamination will not pose a vapor risk to on- or offsite buildings and if they are capped to prevent infiltration. Written DNR approval would be needed prior to reusing excavated soil or other solid waste on this site.
- d. Including a stormwater management feature that would collect water and allow it to infiltrate into underlying material as part of an interim or remedial action would not be approved by the DNR.

### **Interim Actions**

The DNR understands that completing the proposed remedial action at this time is not practicable because of the current use of the property. However, as PCB soil contamination on the southern parcel poses a direct contact risk under current site conditions, and as PCBs appear to be discharging to the storm sewer, interim actions must be completed to address these pathways even if the final remedy is not proposed to be completed for some time.

The interim actions proposed in the RAOR to prevent direct contact with residual surface contamination include maintaining the fence around the property, using signage to warn away people, and ensuring that current work practices (which require minimal worker time in the yard) are followed. The DNR would approve these steps to address the direct contact risk if it is demonstrated that current conditions are protective (the fence in is good shape, signage is in place, procedures are in place limiting outdoor working hours, etc.). Demonstrating this requires that photos and descriptions of these site features and procedures be provided. These actions would not prevent the discharge of PCB contamination to the storm sewer. Additional actions must be proposed to prevent this. Additionally, interim actions cannot be approved until an inspection and maintenance plan is provided that describes how site features will be inspected and maintained and how work hours and activities in the yard will be limited.

The DNR is not currently requesting interim actions be conducted to address residual contamination at the north parcel or drainage swale areas. You may still choose to request approval of actions being taken to prevent access to these areas. Similar information as is requested above (signage and fence description and photos, description of site use and access restrictions, an inspection and maintenance plan, etc.) would need to be provided to the DNR for review.

Once interim actions are approved, the DNR will split the existing case into separate ones for the northern (4005 S Pennsylvania Avenue) and southern (4043 S Pennsylvania Avenue) parcels as you requested. Activities outlined in the maintenance and inspection plan will be required to be conducted until otherwise approved by the DNR. The DNR would not pursue the completion of a remedial action at the site until a parcel is redeveloped, use of a parcel changes, or information is presented that changes our understanding of the degree and extent of contamination.

We appreciate your continued efforts to restore the environment at this site. If you have any questions regarding any of the above items, or would like to discuss the status of this site in more detail, please contact me at (414) 405-0764 or by email at [paul.grittner@wisconsin.gov](mailto:paul.grittner@wisconsin.gov).

Sincerely,

A handwritten signature in blue ink that reads "Paul Grittner". The signature is cursive and includes a stylized flourish at the end.

Paul Grittner  
Hydrogeologist  
Remediation & Redevelopment Program

cc: David Lennon, Moraine Environmental, Inc. – [moraine@execpc.com](mailto:moraine@execpc.com)  
Timm Speerschneider, Dewitt Ross & Stevens S.C. – [tps@dewittlp.com](mailto:tps@dewittlp.com)