



June 10, 2021

MARILYN BERLIN
W2626 MILEY RD
SHEBOYGAN FALLS WI 53085

Subject: Case Closure under Wis. Admin. Code ch. NR 726 Not Recommended
Troy Laundry & Cleaners, 320 Pine Street, Sheboygan Falls, Wisconsin
DNR BRRTS Activity # 02-60-385641, FID #: 460007900

Dear Ms. Berlin:

On May 6, 2021, Wisconsin Department of Natural Resources (DNR) reviewed the closure request for the case identified above. As you are aware, 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 May 26, 2021, 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. The degree and extent of contamination has not been defined in all media, all exposure pathways have not been adequately assessed, an interim action is required to address the completed Vapor Intrusion (VI) pathway and the reporting requirements of § NR 716.15(1) have not been met. As described below, further work is required in accordance with Wis. Stat. ch. 292 and Wis. Admin. Code chs. NR 700 – 754.

Need to Define the Degree and Extent of Contamination

Additional groundwater, soil, and vapor sampling is needed to define the degree and extent of contamination per Wis. Admin. Code § NR 716.11.

Need to Complete a Sanitary Sewer Vapor Investigation

Additional site investigation, per Wis. Admin. Code § NR 716.11 (5), is needed to determine whether the sanitary sewer that services the site is acting as a preferential pathway for vapors to migrate. If vapor migration is confirmed within the sanitary sewer, document all source control actions taken under Wis. Admin. Code § NR 726.05 (8) to assess/mitigate this pathway.

To investigate the sanitary sewer, DNR recommends referencing the [Department of Defense \(DoD\)](#)

[Security Technology Certification Program \(ESTCP\) Study](#), along with DNR’s recently published *Guidance for Documenting the Investigation of Human-Made Preferential Pathways Including Utility Corridors*; [RR-649](#).

Need to Conduct Additional Groundwater Monitoring

Additional groundwater monitoring is needed to establish compliance with the closure criteria of Wis. Admin. Code § NR 726.05 (6). If monitored natural attenuation is to be used as a remedial action, additional groundwater data must be collected from MW-4, at a minimum, to demonstrate that vinyl chloride within this well is stable or decreasing, and the contaminant plume is not migrating off-site. Several monitoring wells have not been sampled since 2018; DNR highly recommends additional data be collected from these wells to ensure groundwater contamination remains stable or has begun to decrease. Based on the results of additional sampling, further investigation may be necessary to comply with the requirements of Wis. Admin. Code § NR 726.05 (6).

Need Additional Source Area Investigation

Additional site investigation, per Wis. Admin. Code § NR 716.11 (5) (e), is needed to determine the degree and extent of soil contamination. The source of contamination in soil has not been identified. Vapor concentrations within the on-site building indicate the soils of the unfinished (dirt) floor of the basement and other potential source areas should be investigated. It is also recommended that a monitoring well, and piezometer (if feasible), be installed in the dirt floor area beneath the building. Based on results, additional investigation may be needed.

Need to Install a Vapor Mitigation System

Vapors beneath the slab of 320 Pine Street detected concentrations of CVOCs greater than the small commercial Vapor Risk Screening Levels (VRSLs) and concentrations detected in a basement indoor air sample greater than small commercial Vapor Action Levels (VALs). A vapor mitigation system is required to be installed to address vapor intrusion in compliance with Wis. Admin Code §§ NR 708.11 (1) (b) and 708.11 (2) (d). As part of the system design and installation, the unfinished (dirt) floor within the basement will need to be sealed. This system will require commissioning, a long-term Operation, Maintenance and Monitoring (OM&M) plan and documentation submittal, which is outlined in DNR guidance document [RR-800](#).

Schedule

Within 60 days of the date of this letter, respond in writing with a schedule of your plans to meet these requirements.

Additional Investigation – NR 716.11

Following submission of the work plan, the additional site investigation must be started within the timeframe provided under law. The timeframe varies depending on whether you are requesting the department's fee-based review of the work plan. If you do not request a fee-based review of the work plan, you must initiate the field investigation within 90 days of submitting the work plan, and you may proceed with the field investigation upon department notification to proceed; however, if the department has not responded within 30 days from submittal of the work plan, you may then proceed with the field investigation. If a fee and request for department review of the work plan is submitted, the field

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investigation must begin within 60 days after receiving department approval.

Site Investigation Report - NR 716.15

Within 60 days of completion of the field investigation and receipt of the laboratory data, the law requires you to submit a Site Investigation Report (SIR) to the department. Also, as part of the SIR, you must include any interim action report, i.e. vapor mitigation system documentation, that may be required under Wis. Admin. Code § NR 708.15.

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 the additional work has been completed and 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, Josie Schultz at 920-366-5685 or Josie.Schultz@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: Marilyn Berlin, Responsible Party (tberlin@woodenwashtub.net)
Rob Hoverman, Enviroforensics, LLC (rhoverman@enviroforensics.com)
Brian Kappen, Enviroforensics, LLC (bkappen@enviroforensics.com)