

December 11, 2019

Project Reference #11516

Mr. Mathew Reimer
City of Milwaukee
809 North Broadway
Milwaukee, WI 53202

**RE: Closure Report Off-Site Notification Update Letter
Former Try-Chem
1333 West Pierce Street
Milwaukee, Wisconsin**

Dear Mr. Reimer:

At the request of the City of Milwaukee (City), the Sigma Group, Inc. (Sigma) has prepared this letter to document and discuss the status of the Off-Site Notification letter for the 1411 W. Pierce Street property which was originally prepared for the Closure Report which was recently submitted for the Former Try-Chem property located at 1333 West Pierce Street in Milwaukee, Wisconsin (hereinafter the "Site"). The Off-Site Notification letter was prepared in response to soil quality impacts identified on the 1411 W. Pierce Street property in historic investigations performed on the site. This letter summarizes the off-site notification process completed for the site during the completion of the case closure report.

Background

The former Try-Chem property has been historically occupied by manufacturing facilities which conducted paint stripping, electroplating, painting and metal finishing services. The site's industrial/manufacturing history and documented improper materials management have resulted in the presence of soil and groundwater impacts.

Site investigation activities completed at the site between 1989 and 2002 indicated that site soils were impacted with elevated concentrations of select volatile organic compounds (VOCs), polynuclear aromatic hydrocarbons (PAHs), and resource conservation and recovery act (RCRA) metals, with more limited amounts of select polychlorinated biphenyls (PCBs), pesticides, and cyanide. Select chlorinated volatile organic compounds (CVOCs) were the main contaminants of concern. CVOC constituent methylene chloride, which was used for laboratory processing and is considered to be a common laboratory contaminant, was also identified in several soil samples at concentrations greater than groundwater pathway residual contaminant levels (RCLs). In addition, site groundwater was noted to be impacted by elevated concentrations of select CVOCs, arsenic, and cyanide.

Based on the presence of soil and groundwater impacts exceeding State standards, an engineered barrier was constructed in 2013 for purposes of eliminating the potential for direct contact associated with residually impacted soil and to limit additional release of residual impacts to the groundwater via infiltration of precipitation. Groundwater monitoring has been conducted on a periodic basis since 2013 to evaluate the impact of the low permeability cap and natural attenuation processes.

Based on the results of the periodic groundwater sampling, on March 27, 2019, Sigma submitted an update report¹ summarizing the most recent groundwater analytical data and recommending the completion of a case closure report for the site.

Methylene Chloride Discussion

Several soil borings / soil samples that had been analyzed for VOCs during the site investigation contained reported concentrations of methylene chloride at concentrations greater than regulatory standards. In many cases, specifically during the Wisconsin Department of Natural Resources (WDNR) Phase II Environmental Site Assessment (ESA) performed prior to 2000, methylene chloride was reported at very similar, low-level concentrations, typically on the order of 0.1 mg/kg or less. Several of these reported detections are greater than groundwater pathway RCLs in several locations where no other VOCs were reported at concentrations greater than laboratory detection limits; including the majority of identified off-site impacts to the west (soil borings SB-14 and SB-15) and the identified off-site impacts to the east (soil boring SB-18).

Methylene chloride is known to be a common laboratory contaminant as it is frequently used in environmental laboratories for sample extraction, equipment decontamination, and other purposes. Methylene chloride is especially common in older laboratory analyses, such as the WDNR Phase II ESA, which were performed before most laboratories updated their analysis techniques to account for the ubiquitous presence of methylene chloride in laboratory analysis procedures. Soil samples from the site which were analyzed post-2000 do not show the presence of methylene chloride in soil.

In addition, the WDNR Phase II ESA reported in their data tables that methylene chloride was also present in the laboratory blanks analyzed as part of the Phase II ESA's Quality Assurance / Quality Control (QA/QC) procedures. Due to the pervasive presence of methylene chloride in the soil samples collected and the laboratory blanks, the WDNR concluded in their Phase II ESA report that "...methylene chloride was considered a laboratory contaminant since it was detected in all of the samples and the concentrations were low." Based on these factors, it is likely that the reported concentrations of methylene chloride are related to laboratory contamination and not related to a site-specific source.

Initial Off-Site Notification Letter Process

Soil contamination was initially identified on the east side of the 1411 W. Pierce Street property extending approximately 90 feet west of the Try-Chem Corp property boundary at depths of three to nine feet bgs. The identified contaminants included CVOC constituents methylene chloride, tetrachloroethene, and trichloroethene at levels which exceeded the soil standards found in ch. NR 720, Wisc. Adm. Code (WAC).

On September 16, 2019, Sigma sent out an Off-Site Notification letter utilizing the *Notification of Continuing Obligations and Residual Contamination* packet, WDNR form 4400-286, to the owner of the 1411 W. Pierce Street property: Sunlite Building Corp (Sunlite). A physical copy of the Off-site Notification letter was mailed to Sunlite at least 30-days prior to the submittal of the case closure report for the Try-Chem property as required per Attachment G of the Case Closure Form 4400-202.

¹ *Groundwater Sampling Summary and Case Closure, Former TryChem* by Sigma (dated March 27, 2019)

On October 17, 2019, Sigma received a letter from an attorney representing Sunlite which confirmed the legal description of the property in Sigma's Off-Site Notification letter as requested in the letter but objecting to the closure of the Try-Chem site. The letter stated that the City should take responsibility for all contamination on the neighboring property located at 1411 W. Pierce Street. A copy of Sunlite's attorney letter is included in **Attachment 1**.

Off-Site Contamination Source Discussion

Following the receipt of Sunlite's Objection letter, Sigma conferred with the WDNR on how to best proceed with case closure. The presence of low-level concentrations of common laboratory contaminant methylene chloride in several soil samples both on and off site (as described above) was also discussed.

Based on the discussion, the WDNR provided previously unavailable documentation on a historic investigation performed by Giles Engineering Associates (Giles) on the 1411 W. Pierce Street property that had identified VOC soil impacts at concentrations greater than those identified on the Try-Chem site. The contamination identified in this historic investigation was present at depths and locations that made it unlikely that the contamination identified on the 1411 W. Pierce Street property had originated from the Try-Chem site. The WDNR also concurred that it was possible the methylene chloride detections were caused by laboratory contamination and did not represent site-specific contamination.

Based on the newly available information and the discussion with the WDNR, Sigma removed the Off-Site Notification letter for the 1411 W. Pierce Street property from the closure report. The following justifications were used as reasons why the contamination identified on the 1411 W. Pierce Street property did not originate from the Try-Chem site:

- As described above, the majority of identified off-site impacts to the west of the Try-Chem site consist of only methylene chloride at very similar, low-level concentrations. As methylene chloride is a known common laboratory contaminant, it is likely that these low-level concentrations are erroneous and do not represent a release at the site. Other than reported detections of methylene chloride, several soil borings located along the western property boundary of the Try-Chem site contain no detections of VOCs at concentrations greater than laboratory detection limits, so it is possible that site-specific VOC soil impacts do not extend beyond the source property to the west.
- The identified VOC soil impacts on the 1411 W. Pierce Street property are generally at depths shallower than the identified groundwater table. Due to the nature of the source of VOC soil contamination at the Try-Chem site, it is unlikely that soil contamination at this depth could originate from the Try-Chem site as the on-site disposal of waste material was either dumped into an unlined pit in the basement of the historic site building or buried on site. Also, based on depth to groundwater data collected between 1999 and 2019, groundwater flow at the site is generally directly north towards the Menomonee River; therefore, if any VOC impacts to soil were spread via groundwater, the impacts would have spread to the north and not to the west.
- Giles performed a site investigation of the 1411 W. Pierce Street property in 2007 and identified widespread VOC contamination to soil and groundwater, including methylene chloride, across the majority of that property. These reported concentrations of methylene chloride to soil (from 0.12 to 0.4 mg/kg) are generally higher than the

concentrations of methylene chloride reported on the western edge of the Try-Chem site (0.078 to 0.094 mg/kg); therefore, the soil impacts detected at the 1411 W. Pierce Street property are likely from fill material identified at that site.

Summary and Conclusions

Based on the initial results of the site investigations performed at the site, it was determined that an Off-Site Notification letter was necessary for the property to the west (1411 W. Pierce Street) of the site. The letter was prepared and sent to the appropriate parties in September 2019. The owner of the property to the west (Sunlite) objected to the closure of the site and any continuing obligations for the neighboring property.

Sigma discussed the project with the WDNR and determined that based on the available information, an Off-Site Notification letter was not required for the 1411 W. Pierce Street property due to widespread soil contamination likely originating from historic fill material placed at the site.

Closing

If you have any comments or questions on the Off-Site Notification process or the project in general, please contact Mafizul Islam at 414-643-4125.

Respectfully submitted,

THE SIGMA GROUP, INC


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Staff Engineer


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Senior Engineer


Randy Boness, P.G.
Geosciences Group Leader

Attachments:

Attachment 1 – Sunlite Building Corp Objection Letter

Cc: Nancy Ryan – WDNR (via email: nancy.ryan@wisconsin.gov)

ATTACHMENT 1
SUNLITE BUILDING CORP OBJECTION LETTER

October 17, 2019

Via Email: mislam@thesigmagroup.com AND U.S. Mail

Mafizul Islam
Sigma Group
1300 West Canal Street
Milwaukee, WI 53233

**Re: 1411-1439 West Pierce Street, Milwaukee, WI 53204
Parcel No. 433-9997-000 ("Sunlite")
Confirmation of Legal Description and Objection to Closure of
1333 West Pierce Street, Milwaukee, WI 53204
BRRTS #02-41-409441 ("Try-Chem")**

Dear Mr. Islam:

We represent Sunlite Building Corp. ("**Sunlite**"), the owner of 1411-1439 West Pierce Street, Milwaukee, Wisconsin 53204 ("**Offsite Property**"). Please direct copies of all correspondence to us. This letter is provided in response to your letter dated September 13, 2019 and received September 19, 2019 by Sunlite.

First, we hereby confirm that the legal description of the Offsite Property is consistent with the legal description provided in your letter.

Second, we hereby object to the proposed closure, particularly with regard to the continuing obligations to be placed on Sunlite and future owners of the Offsite Property. The contamination referenced is from the 1333 West Pierce property ("**Try-Chem Property**") and is not the responsibility of Sunlite. The Redevelopment Authority of the City of Milwaukee ("**RACM**"), as owner of the Try-Chem Property, should be responsible for its contamination on the Offsite Property and for the continuing obligations set forth in your letter. The Try-Chem Property should not be closed until RACM agrees to assume all responsibility for offsite contamination, including the cost and administration of continuing obligations on the Offsite Property. We strongly object to closure without confirmation of the obligations of RACM and its successors in the form of a written agreement.

Please advise at your earliest convenience as to whether RACM agrees to be responsible for its offsite contamination, particularly with regard to continuing obligations on the Offsite Property.

Very truly yours,



Christopher J. Jaekels

CJJ/das

cc: Thomas L. Kranick (via email)
Mathew Reimer, RACM (via email: mathew.reimer@milwaukee.gov)
Nancy Ryan, WDNR (via email: Nancy.Ryan@wisconsin.gov)

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