



March 20, 2023

Richard Bertrand
Hallmark Leasing
W1890 Washington Road
Oconomowoc, WI 53066

Peter Kowalchuk
4777 Blueberry Road
Fredonia, WI 53021

Subject: Case Closure under Wis. Admin. Code ch. NR 726 Not Recommended
Excel Inc., 144 S. Foster St., Saukville, WI 53080
BRRTS # 02-46-448965; FID # 246061640

Dear Richard Bertrand and Peter Kowalchuk:

On February 13, 2023, 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 February 20, 2023, 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.

Background

Soil, groundwater, and vapor sampling conducted at the site has identified a hazardous substance discharge of chlorinated volatile organic compounds (CVOCs) associated with a former dry-cleaning business that operated on the property from 1985 until 2010. In 2009, a sub-slab depressurization system (SSDS) was installed in the on-site building to mitigate the pathway for potential vapor intrusion.

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 site investigation is incomplete.

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.

1. Based on the presence of a sanitary sewer within the source area and groundwater plume, vapor sampling within the sanitary sewer is warranted to determine if the sanitary sewer is acting as a preferential pathway for the migration of CVOC contaminated vapors. Collect vapor sample(s) within the sanitary sewer. The DNR recommends collection of a vapor sample within the sanitary sewer manhole nearest the source area and, depending on the location and accessibility, the next downgradient manhole. See DNR document "Guidance for Documenting the Investigation of Human-made Preferential Pathways Including Utility Corridors," for additional guidance regarding this sampling.
2. Due to variations in the groundwater flow direction over time, it is unclear whether the PCE contaminated groundwater present at MW-3 extends beneath the 130-134 S. Foster St. building. Due to the potential for groundwater containing PCE at concentrations that may pose a vapor risk to be present beneath the 130-134 S. Foster St. building, conduct a vapor investigation at the 130-134 S. Foster St. building. Alternatively, conduct additional site investigation activities, such as additional groundwater investigation, to determine the potential vapor risk to this building.
3. Provide a figure that includes the location of utilities associated with the 130-134 S. Foster St. building. If a vapor investigation is planned within the 130-134 S. Foster St. building (as requested in Item 2 above), consider the utility connections when identifying vapor sampling locations.
4. The DNR agrees that performance verification activities, including indoor air sampling and pressure field extension testing, have demonstrated that the SSDS is operating adequately and is effectively mitigating the potential for vapor intrusion at the on-site building. No additional SSDS performance verification activities are required at this time. The results of the sanitary sewer investigation requested above should be evaluated to determine if additional actions at the on-site building are warranted.

Other DNR Comments

The case closure form stated that no potable wells are present within 1,200 feet. However, based on the DNR well driller viewer, one private potable well is within 500 feet of the site. Evaluate if this well is a potential receptor of the CVOC contamination.

Schedule

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

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.

Once additional work has been completed and documented with the DNR, your consultant should re-evaluate remedial actions to address the delineated contamination and the appropriate pathway for case closure.

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, Joseph Martinez at 414-218-6042 or by email at joseph.martinez@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,



Michele R. Norman
Team Supervisor, Southeast Region
Remediation & Redevelopment Program

cc: Trent Ott – Friess Environmental Consulting Inc. – tott@fecinc.us