

From: Beggs, Tauren R - DNR
Sent: Wednesday, March 13, 2024 2:29 PM
To: dchurch23@att.net
Cc: Matt Dahlem
Subject: Post-Closure Modification Notice to Proceed Letter for WI DOT First National Bank, BRRTS # 02-36-454805, 1509 Washington St, Two Rivers, WI
Attachments: 20240313_193_CO_Mod_NTP.pdf

Good afternoon David,

Attached is the Post-Closure Modification Notice to Proceed Letter for the above referenced site. If you have any questions, please let me know.

Regards,
Tauren

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Tauren R. Beggs

Hydrogeologist & Northeast Region Land Recycling Expert

Remediation and Redevelopment Program

Wisconsin Department of Natural Resources

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Green Bay, WI 54313

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Tauren.Beggs@wisconsin.gov (preferred contact method during work at home)

dnr.wi.gov



March 13, 2024

Dcole TR, LLC
Attn: David Church
12610 W. North Court
New Berlin, WI 53151
Via electronic mail only to dchurch23@att.net

Subject: Post-Closure Modification Request Notice to Proceed
WI DOT First National Bank, 1509 Washington Street, Two Rivers, WI
Parcel # 05300007107409
BRRTS # 02-36-454805

Dear Mr. Church:

On February 5, 2024, the Wisconsin Department of Natural Resources (DNR) received a Post-Closure Modification (PCM) Request prepared by Fehr Graham on your behalf. The PCM Request was submitted for approval to modify the current continuing obligations for the property referenced above. DNR received the applicable technical assistance form, review fee, and database fees for providing review and response, in accordance with Wis. Admin. Code § NR 749.04(1). This letter grants approval to proceed with the work as outlined in the PCM request, with comments below.

A closure letter under Wis. Admin. Code ch. NR 726 was issued for the WI DOT First National Bank contamination case, BRRTS # 02-36-454805, on November 28, 2006, with continuing obligations for residual chlorinated volatile organic compound (CVOC) contamination in soil and groundwater; cover maintenance for the pavement, building foundation, and other impervious cap materials; and a structural impediment for the building foundation. The DNR did not require vapor investigations or apply vapor continuing obligations to sites at the time this case closed.

The property was formerly used as a One Hour Martinizing dry cleaner. The on-site building is currently vacant. The proposed development includes demolition of the current building on site, regrading and on-site movement of soil, and construction of a 2,289 square foot slab on grade commercial building, paved areas, concrete slabs, greenspace areas, and parking lot islands. Fehr Graham plans to replace the current cover with the new building slab, paved areas, concrete slabs, and/or clean soil (including landscaping) to maintain over residual soil contamination. Fehr Graham has completed soil, groundwater, and vapor sampling to justify removing the structural impediment continuing obligation. Additional investigation is planned by Fehr Graham to more accurately define the degree and extent of contamination. Although there were no exceedances above the small commercial vapor risk screening levels (VRSLs) for CVOCs in vapor results collected, Fehr Graham is proposing to accept a continuing obligation placed on the property to address potential future vapor risk and is planning to install a passive sub-slab vapor mitigation system (VMS) (with the ability to go active) during construction of the new building. Fehr Graham is also proposing sub-slab vapor and indoor air sampling in the new building to ensure there is not a vapor intrusion concern.

The DNR provides a notice to proceed for the PCM request with the following comments:

- Any future addendums or additional plan(s) associated with this PCM request would need to be submitted with a fee, if a fee is required under Wis. Admin. Code ch. NR 749, for formal DNR review and approval.
- Acceptance of other vapor continuing obligations may be needed during the PCM process if future vapor results show a concern. If vapor concentrations are elevated above vapor risk screening levels (VRSLs)

and/or Vapor Action Levels (VALs), then additional sub-slab and/or indoor air sampling may be needed, and the VMS may need to be turned active.

- If the VMS is turned active, DNR recommends following commissioning guidelines outlined in Attachment D of guidance document Addressing Vapor Intrusion at Remediation & Redevelopment Sites in Wisconsin (RR-800) for the VMS and vapor barrier.
- If the VMS needs to be turned active, the property owner would need to accept long-term operation and maintenance (OM&M) of the system as a continuing obligation.
- A separate vapor sampling workplan will be submitted to the DNR. Sub-slab and indoor air sampling should be completed with at least one event in the heating season and one event in the cooling season. At least one sub-slab vapor port should be located within the central part of the building, if possible, and sub-slab vapor port locations should be greater than five feet from the edge of the building. The DNR recommends indoor air samples be collected near areas with the highest likelihood of vapor intrusion (e.g. near plumbing penetrations within restrooms).
- Sub-slab vapor and indoor air samples should only be analyzed for the contaminants of concern, i.e. CVOCs (PCE, TCE, cis 1,2-DCE, trans 1,2-DCE, and vinyl chloride).
- Vapor sampling should be completed once the building is fully enclosed with HVAC running and prior to building occupancy.
- Updated figures should be provided for the delineation of residual soil and groundwater contamination.
- Disposal of any contaminated soil should be documented (e.g., waste disposal tickets/manifolds, estimated volume of contaminated soil disposed, etc.) and submitted to DNR within final construction documentation of the PCM.

An updated cover maintenance plan should be submitted and should only be for groundwater pathway, unless additional results show a concern for direct contact risk. A PCM final construction documentation report should be submitted within 60 days upon completion of construction and vapor sampling. This report should include a summary of the completed actions, detailed figures, sampling results tables and analytical reports, cover maintenance plan, and any other pertinent information related to the PCM.

Please keep in mind, any hazardous substance discharge that may be discovered during development activities must be reported to the DNR following the requirements of Wis. Admin. Code ch. NR 706. Any contaminated soil that is excavated or otherwise disturbed at the property, not covered under this approval, must be managed in compliance with the requirements of Wis. Admin. Code chs. NR 500 through NR 599. The management of contaminated soil on a property that does not comply with these rules may be considered a hazardous substance discharge or environmental pollution and would need to be addressed by the process outlined in Wis. Admin. Code chs. NR 700 through NR 799.

The DNR appreciates the efforts you are taking to address the contamination during development at this property. If you have any questions regarding this letter, please contact me at (920) 510-3472 or at Tauren.Beggs@wisconsin.gov.

Sincerely,



Tauren R. Beggs
Hydrogeologist
Remediation & Redevelopment Program

cc: Matt Dahlem, Fehr Graham (mdahlem@fehrgraham.com)