

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
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July 13, 2020

Mr. Thomas Smith, Jr.
12605 W. North Avenue
Brookfield, WI 53005

Subject: Case Closure under Wis. Admin. Code ch. NR 726 Not Recommended
— Smith Property, 1102 W Atkinson Avenue, Milwaukee, Wisconsin
DNR BRRTS Activity # 03-41-506431
FID #: 341081290

Dear Mr. Thomas Smith, Jr.:

On June 25, 2020, 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, METCO, on June 25, 2020, 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 because the two groundwater analytical sampling rounds were taken very close together and could be considered as one sample. Also compounds like 1,2-DCA and PCE were analyzed once with either no detects or above Wis. Admin Chapter NR 140 PAL. A stable or receding groundwater trend could not be established within MW-1, MW-2, and MW-3. The DNR recommends additional groundwater analytical sampling from all monitoring wells to complete the investigation and demonstrate natural attenuation.

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, at least one additional round of groundwater analytical sampling for full VOCs is needed from MW-1, MW-2, and MW-3 to demonstrate a groundwater trend of stable or receding is occurring within the groundwater plume in compliance with Wis. Admin. Code §§ NR 726.05 (6) (a) 6., (b), (c) and (d). Provide an explanation within the closure form of how the data demonstrate that this requirement is met.

Need to Conduct Additional Revisions

Additional revisions to the closure package are required, including:

- Provide an evaluation of the potential for contamination migration into utilities, and show utilities located between MW-9 and MW-9 on Figure B.3.a.2. Geologic Cross-Section Figure to demonstrate/support this evaluation.
- Use dashed isoconcentration lines for soil and/or groundwater on Figure B.2.b Residual Soil Contamination and Figure B.3.b Groundwater Isoconcentration.
- Include a discussion of the PCE found in groundwater samples and incorporate the PCE and 1,2-DCA data into Figure B.3.b Groundwater Isoconcentration.

Schedule

Within 60 days of the date of this letter, respond in writing with a schedule of your plans to meet these requirements. The DNR recommends a supplemental site investigation report within 60 days of completion of the additional work (NR 716.15 (1)).

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 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, Andy Alles at (608) 261-8509 or Andy.Alles@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,



Pamela A. Mylotta
Team Supervisor, Southeast Region
Remediation & Redevelopment Program

Pamela.Mylotta@Wisconsin.gov

cc: Mr. Ron Anderson, METCO, 709 Gillette Street, Suite 3, La Crosse, WI 54603