



August 15, 2022

FRANCISCO & ESTELA PEREZ
2336 MANITOWOC ROAD
GREEN BAY WI 54311-5322

Subject: Continuing Obligations for Closed Case – Deli-More
923 West Mason Street, City of Green Bay, Brown County, Wisconsin
WDNR BRRTS # 02-05-515239, Parcel ID No. 2-525

Dear Mr. and Ms. Perez,

On November 4, 2008, the Department of Natural Resources (DNR) issued a “closure” letter for the above property indicating that no additional investigation or remedial action was required for the remaining environmental contamination at the property, if certain conditions were met. The conditions of closure required annual inspection and maintenance of the existing impervious surface over contaminated soils, as described in the attached maintenance plan. A written record of annual inspections is to be maintained on the property. Attached are copies of the closure letter, maintenance plan, and an updated annual inspection log, form 4400-305.

The DNR annually reviews closed sites with continuing obligations and is requesting copies of the cap inspection logs prior to review of the continuing obligations described above for the property at 923 West Mason Street, Green Bay, WI. Please provide copies of the cap inspection logs to me via email at my email address below on or before August 29, 2022.

As part of the review of the cap maintenance continuing obligation, I will conduct a site visit to inspect the impervious surface. This will involve walking the property and taking some photographs. Please contact me to set up a time to do the inspection, on or before August 29, 2022, using my contact information below.

Thank you for your time and please contact me at sarah.krueger@wisconsin.gov or (920) 510-8277 to set up a time for the inspection and if you have any questions regarding this request.

Sincerely,

Sarah Krueger
Project Manager, Northeast Region
Remediation & Redevelopment Program

att. Continuing Obligation Inspection and Maintenance Log, Form 4400-305
Final Closure Letter, 11/4/2008
Maintenance Plan

Directions: In accordance with s. NR 727.05 (1) (b) 3., Wis. Adm. Code, use of this form for documenting the inspections and maintenance of certain continuing obligations is required. Personal information collected will be used for administrative purposes and may be provided to requesters to the extent required by Wisconsin's Public Records law [ss. 19.31-19.39, Wis. Stats.]. When using this form, identify the condition that is being inspected. See the closure approval letter for this site for requirements regarding the submittal of this form to the Department of Natural Resources. A copy of this inspection log is required to be maintained either on the property, or at a location specified in the closure approval letter. Do NOT delete previous inspection results. This form was developed to provide a continuous history of site inspection results. The Department of Natural Resources project manager is identified in the closure letter. The project manager may also be identified from the database, BRRTS on the Web, at <http://dnr.wi.gov/botw/SetUpBasicSearchForm.do>, by searching for the site using the BRRTS ID number, and then looking in the "Who" section.

Activity (Site) Name	BRRTS No.
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Inspections are required to be conducted (see closure approval letter):

annually
 semi-annually
 other – specify _____

When submittal of this form is required, submit the form electronically to the DNR project manager. An electronic version of this filled out form, or a scanned version may be sent to the following email address (see closure approval letter):

Inspection Date	Inspector Name	Item	Describe the condition of the item that is being inspected	Recommendations for repair or maintenance	Previous recommendations implemented?	Photographs taken and attached?
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier for soil <input type="checkbox"/> sediment cap <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier for soil <input type="checkbox"/> sediment cap <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier for soil <input type="checkbox"/> sediment cap <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier for soil <input type="checkbox"/> sediment cap <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier for soil <input type="checkbox"/> sediment cap <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N
		<input type="checkbox"/> monitoring well <input type="checkbox"/> cover/barrier for soil <input type="checkbox"/> sediment cap <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N

BRRTS No.

Activity (Site) Name

Continuing Obligations Inspection and Maintenance Log

Form 4400-305 (R 7/20)

Page 2 of 2

{Click to Add/Edit Image}

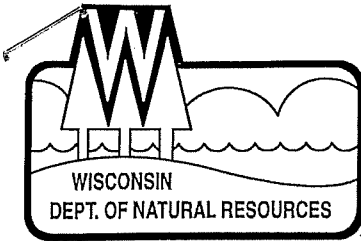
Date added:

Title:

{Click to Add/Edit Image}

Date added:

Title:



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Matthew J. Frank, Secretary
Ronald W. Kazmierczak, Regional Director

Northeast Region Headquarters
2984 Shawano Ave., P.O. Box 10448
Green Bay, Wisconsin 54307-0448
Telephone 920-662-5100
FAX 920-662-5413
TTY Access via relay - 711

November 4, 2008

Mr. Ray White
923 West Mason Street
Green Bay, WI 54303

SUBJECT: Final Case Closure with Land Use Limitations or Conditions
Deli-More, 923 West Mason Street, Green Bay, Wisconsin
WDNR BRRTS Activity #: 02-05-515239

Dear Mr. White:

On April 2, 2008, the Wisconsin Department of Natural Resources Northeast Region Closure Committee reviewed the above referenced case for closure. This committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. On April 4, 2008, you were notified that the Closure Committee had granted conditional closure to this case.

On October 24, 2008, the Department received correspondence indicating that you have complied with the requirements of closure (monitoring well abandonment, a complete GIS registry packet, soil/water disposal documentation and right-of-way notification).

Based on the correspondence and data provided, it appears that your case meets the requirements of ch. NR 726, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation is required at this time.

GIS Registry

The conditions of case closure set out below in this letter require that your site be listed on the Remediation and Redevelopment Program's GIS Registry. The specific reasons are summarized below:

- Residual soil contamination exists that must be properly managed should it be excavated or removed.
- Pavement must be maintained over contaminated soil and the state must approve any changes to this barrier.
- Groundwater contamination is present above Chapter NR 140 enforcement standards.

Information that was submitted with your closure request application will be included on the soil and groundwater GIS Registry. To review the sites on the GIS Registry web page, visit the RR Sites Map page at <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. If your property is listed on the GIS Registry because of remaining contamination and you intend to construct or reconstruct a well, you will need prior

Department approval in accordance with s. NR 812.09(4)(w), Wis. Adm. Code. To obtain approval, Form 3300-254 needs to be completed and submitted to the DNR Drinking and Groundwater program's regional water supply specialist. This form can be obtained on-line <http://dnr.wi.gov/org/water/dwg/3300254.pdf> or at the web address listed above for the GIS Registry.

Closure Conditions

Please be aware that pursuant to s. 292.12 Wisconsin Statutes, compliance with the requirements of this letter is a responsibility to which you and any subsequent property owners must adhere. If these requirements are not followed or if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, welfare, or the environment, the Department may take enforcement action under s. 292.11 Wisconsin Statutes to ensure compliance with the specified requirements, limitations or other conditions related to the property or this case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code. It is the Department's intent to conduct inspections in the future to ensure that the conditions included in this letter including compliance with referenced maintenance plans are met.

Cover or Barrier

Pursuant to s. 292.12(2)(a), Wis. Stats., the pavement or other impervious cap that currently exists in the location shown on the attached map shall be maintained in compliance with the **attached maintenance plan** in order to minimize the infiltration of water and prevent additional groundwater contamination that would violate the groundwater quality standards in ch. NR 140, Wis. Adm. Code, and to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health. If soil in the specific locations described above is excavated in the future, the property owner at the time of excavation must sample and analyze the excavated soil to determine if residual contamination remains. If sampling confirms that contamination is present the property owner at the time of excavation will need to determine whether the material would be considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken during excavation activities to prevent a health threat to humans.

The attached maintenance plan and inspection log are to be kept up-to-date and on-site, and the inspection log need only be submitted to the Department upon request.

Prohibited Activities

The following activities are prohibited on any portion of the property where pavement is required as shown on the attached map, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 1) removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; or 6) construction or placement of a building or other structure.

Remaining Residual Groundwater Contamination

Groundwater impacted by petroleum-related contamination greater than enforcement standards set forth in ch. NR140, Wis. Adm. Code, is present on the contaminated property and off the contaminated property. Off-property owners have been notified of the presence of groundwater contamination. For more detailed information regarding the locations where groundwater samples have been collected

(i.e., monitoring well locations) and the associated contaminant concentrations, refer to the Remediation and Redevelopment Program's GIS Registry at the RR Sites Map page at <http://dnr.wi.gov/org/aw/rr/gis/index.htm>.

Vapor Migration

In addition, depending on site-specific conditions, construction over contaminated materials may result in vapor migration into enclosed structures or migration along newly placed underground utility lines. The potential for vapor inhalation and mitigation should be evaluated when planning any future redevelopment, and measures should be taken to ensure the continued protection of public health, safety, welfare and the environment at the site.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this closure decision or anything outlined in this letter, please contact Kristin DuFresne at 920-662-5443.

Sincerely,



Bruce G. Urban
Northeast Region Remediation & Redevelopment Team Supervisor

Enclosure

cc: Jodi Arndt, Liebmann, Conway, Olejniczak & Jerry, S.C.
Bob Mottl, STS/AECOM
Gerald Hackl
70612th Avenue, Green Bay, WI 54303

MAINTENANCE PLAN
Deli-More
923 West Mason Street
Green Bay, Wisconsin
WDNR BRRTS No. 02-05-515239

An asphalt cover is in place as a remedial action to address residual petroleum volatile organic compounds (PVOCs) in soils at the Deli-More site at 923 West Mason Street, Green Bay, Wisconsin

The following planned activities are prohibited (without the written consent of the WDNR):

- Excavating or grading of the asphalt surface,
- Filling on the capped area,
- Plowing for agricultural cultivation, and
- Construction or installation of a building or other structure with a foundation that would sit or be placed within the covered area.

If any of these activities are planned, written approval must be received from the Wisconsin Department of Natural Resources prior to start of the proposed activity.

The existing cover will be inspected according to the following schedule:

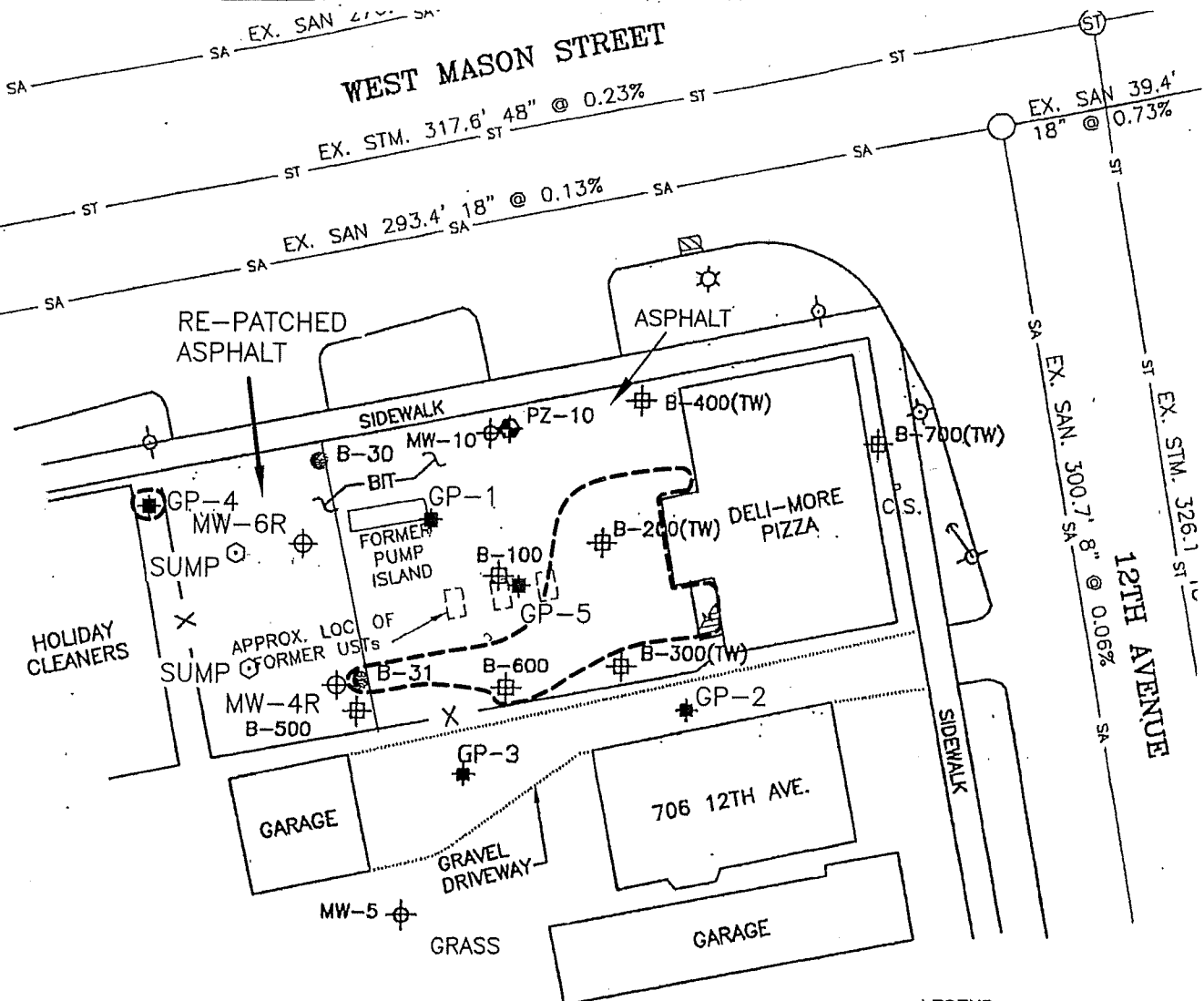
- Annually in April.

Written records of inspections will be maintained by Deli-More, Green Bay, Wisconsin. The inspections will consist of visual observations to confirm the following:

- That the asphalt pavement integrity is maintained,
- Erosion is not occurring, and
- No filling has occurred.

Deficiencies in the cover will be addressed within one month of discovery.

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SCALE: 1"=30'



LEGEND

- ◆ GP-1 GEOPROBE
- ⊙ B-30 EXISTING SOIL BORING (BY ENDEAVOR)
- ⊕ MW-4 EXISTING MONITORING WELL (BY ENDEAVOR)
- ⊕ B200(TW) SOIL BORING/TEMPORARY WELL (BY NORTHERN ENVIRONMENTAL)
- ⊕ PZ-10 EXISTING PIEZOMETER (BY ENDEAVOR)
- △ CP-2 PK NAIL SET (CONTROL POINT)
- ☆ STOP LIGHT
- ⊙ LIGHT POLE
- POWER POLE
- ⊠ STORM SEWER GRATE
- SA — EXISTING SANITARY SEWER
- ST — EXISTING STORM SEWER
- EXISTING SANITARY MANHOLE
- ⊙ EXISTING STORM MANHOLE
- - - - ESTIMATED EXTENT SOIL PVOC > RCLS

NOTE: BASE MAP MODIFIED FROM DRAWING PROVIDED BY MMA, INC., CONSULTING ENGINEERS.

STS | AECOM

SITE MAP

DELI-MORE SITE
923 WEST MASON STREET
GREEN BAY, WISCONSIN

Drawn :	RLD	8/28/2008
Checked:	RJM	8/28/2008
Approved:	JWK	8/28/2008
PROJECT NUMBER	200704798	
FIGURE NUMBER	2	

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 Green Bay, Wisconsin
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