



November 23, 2020

Mr. Brian Cass  
OHM Holdings LLC  
W229N2494 County Rd. F  
Waukesha, WI 53186

Subject: Case Closure under Wis. Admin. Code ch. NR 726 Not Recommended  
One Hour Martinizing, 285 East Hampton Avenue, Milwaukee, Wisconsin  
BRRTS #02-41-543260 FID #241176650

Dear Mr. Cass:

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, Wayne Fassbender, on November 16, 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. The DNR requests that you submit a written work plan to address the requirements within 60 days of this letter, by January 25, 2021.

**Additional Requirements Needed for Case Closure Under Wis. Admin. Code ch. NR 726**

As noted above, additional investigation work is necessary to determine the risk for vapor intrusion on- and off-site to meet the requirements for case closure. Remediation activities in November 2016 consisted of excavation and disposal of approximately 410 tons of contaminated soil from behind the site building, extending south onto the adjacent Shovers Realty property. Although beneficial to the overall remediation of the site, the effect must be documented regarding the movement and concentrations of chlorinated vapors within the subsurface environment and potentially into buildings over time.

**Need to Define the Degree and Extent of Contamination**

Additional vapor sampling and analysis are needed to define the degree and extent of contamination per Wis. Admin. Code § NR 716.11. Limited vapor data are available at neighboring properties and no recent data exists with which to determine a downward trend and mitigated risk.

**On-site Vapor Investigation:**

Based on the pressure field extension data, the on-site sub-slab depressurization system (SSDS) appears to be operating adequately in the One Hour Martinizing (OHM) building. Operation and maintenance of

this SSDS will be required as a continuing obligation when case closure is granted. Future case closure requests must include an operation, maintenance and monitoring plan.

The DNR is not requesting indoor air sampling to confirm the effectiveness of the SSDS at this time due to the potential for indoor air sources associated with daily on-site operations. Due to the continued use of contaminants of concern, at the time of case closure, a continuing obligation that requires notification of the DNR and an evaluation of the vapor intrusion pathway prior to changing site use to a residential setting will likely be required, in accordance with Wis. Admin. Code § NR 726.15(i).

#### Off-site Vapor Investigation:

1. Only one round of sub-slab vapor (SSV) sampling has been completed in the buildings to the west with addresses of 249, 251, 257, and 261 East Hampton Avenue. The DNR requests that you conduct at least one additional SSV sample round at these four buildings. The DNR also recommends collecting indoor air samples concurrent with the SSV samples at these locations. If indoor air samples are collected, they should be collected near locations where utilities enter the building foundation, if possible, to determine whether utilities are serving as a preferential pathway for vapor intrusion. Provide a rationale for indoor air sampling locations selected at each building.
2. Additional vapor sampling is needed in the adjacent Confluence Graphics building at 265 East Hampton Avenue. The DNR requests that you collect a minimum of two rounds of SSV samples. If possible, one sample should be located closer to the former dry-cleaning machine, which is needed to evaluate the high concentrations of soil and groundwater contamination detected on the northeast portion of this property. Provide a description of where the samples are proposed to be collected and a rationale for their location. A vapor sample should also be collected from the SSV-11 location. Evaluate the results to determine whether SSV-11 should be sampled a second time. At least one sample round must occur during the heating season.
3. In preparation for sampling at the Confluence Graphics building, determine whether solvents are being or have been used for the printing business operations.
4. Vapor data must be evaluated in relation to residential and commercial standards for considering potential continuing obligations at the time of case closure. If residential VRSLs are exceeded, the affected property will have the continuing obligation to remain as commercial use only until it is demonstrated that vapor concentrations no longer exceed residential values.
5. As mentioned above, with sample locations within buildings, evaluate the potential for contaminants to migrate through on-site and off-site subsurface utilities per Wis. Admin. Code § 716.07 (7). In a letter report dated July 16, 2015, EnviroForensics provided an evaluation of the potential for utilities to act as conduits for preferential migration of vapors. An updated evaluation should be provided with additional data collected.

6. Evaluate whether the Dairy Queen building at 245 East Hampton Avenue, further west, should be investigated for potential vapor intrusion. Based on the results of your evaluation either conduct vapor sampling at the Dairy Queen or provide justification why vapor sampling is not needed.
7. For closure, you may reconsider the identification of off-site properties as structural impediments if data indicates that soil and or groundwater contaminant plumes are likely beneath these buildings. The extent of contamination can be inferred, such that if the buildings are removed, contamination must be properly addressed if encountered.

#### Emerging Contaminants:

The DNR sent a letter, dated August 17, 2020, to the Responsible Party for all open environmental contamination cases. This letter requested an evaluation of emerging contaminants, including PFAS. During the DNR's review of this site for case closure, it was noted that the site investigation work plan(s) and site investigation report(s) submitted to-date for this site did not include an evaluation of emerging contaminants, including PFAS. Therefore, in addition to the requirements outlined above, you must provide an evaluation of emerging contaminants consistent with Wis. Admin. Code § NR 716.07 for DNR review.

For your reference, our August 17, 2020 letter stated that "Per Wis. Admin. Code § NR 716.07 and Wis. Admin. Code § NR 716.09, site investigation scoping and work plans should include an evaluation of potential PFAS compounds and other applicable emerging contaminants that were historically or are presently produced, used, handled, or stored at the site. The evaluation should include any available information on whether any products containing PFAS were used in any process services, the duration of PFAS-containing product use, the type of PFAS contained in the product, and any areas of the site where PFAS-containing products may have been used, stored, managed, or discarded. Site investigation work plans should also include a sampling and analysis strategy to be used during field investigation that considers all information in the evaluation conducted under Wis. Admin. Code § NR 716.07."

#### Closure Documentation:

Soil data locations SB-33 through SB-37 advanced in January 2020 were not indicated on the soil figures and must be added to the revised closure packet when closure is again requested. Other packet revisions were requested by DNR and provided on October 20, 2020, which should be incorporated into the next closure packet, as applicable.

#### **Schedule**

**Within 60 days of the date of this letter, respond in writing with a schedule of your plans to meet these requirements.** A Site Investigation Work Plan must be submitted within 60 days, per Wis. Admin. Code § NR 716.09 (1), and work must begin within 90 days of approval of work plan when DNR review and approval are requested, per Wis. Admin. Code § NR 716.11 (2g). The DNR requests the work plan include an evaluation of emerging contaminants, including PFAS.

**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.

**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, Linda Michalets, at (414) 435-8010 or [linda.michalets@wisconsin.gov](mailto:linda.michalets@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](http://dnr.wi.gov), search: RR-102, for more information.

The DNR appreciates your efforts to restore the environment at this site.

Sincerely,



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Remediation and Redevelopment Program  
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cc: Wayne Fassbender, EnviroForensics, LLC  
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