



June 9, 2021

*VIA CERTIFIED MAIL*

Dan Seibel  
Hampton WFB, LLC  
2060 N. Humboldt Ave., Suite 225  
Milwaukee, WI 53212

David and John Aliota  
261 E. Hampton Ave.  
Milwaukee, WI 53217

SUBJECT: Third and Final Request for Property Access to Conduct Chemical Vapor Sampling  
at 261 E. Hampton Ave.

Dear Messrs. Seibel and Aliota:

The Wisconsin Department of Natural Resources (DNR) has been notified that EnviroForensics has contacted and/or corresponded with you at least two times, outlining their need to access your building at 261 E. Hampton Ave. and conduct environmental sampling. The DNR further understands that since the July 2014 vapor sampling event, access to the 261 E. Hampton Avenue building (261 building) for additional vapor sampling has been denied. Hampton WFB, LLC has granted access for vapor sampling on their property, which is a strip mall comprised of buildings with the addresses of 249, 251, 257 and 261 E. Hampton Avenue. However, David and John Aliota, the tenants at the 261 building have denied access for vapor sampling.

**This letter is a final request to allow these environmental professionals on your property at 261 E. Hampton Ave. to conduct the necessary environmental work. Your response within two weeks is requested.**

From both a health and liability perspective, it is in your best interest to allow sampling to occur as soon as possible.

#### Situation Overview

OHM Holdings, Inc. is conducting an investigation of soil, groundwater and vapor contamination at the One Hour Martinizing site at 285 E. Hampton Avenue. Testing at the Hampton WFB property is part of this investigation. Contamination has been documented to have migrated onto the Hampton WFB property.

On July 10, 2014, access was granted to collect a sub-slab sample within the basement of the 261 building as well as the other three buildings on this property, now owned by Hampton WFB, LLC. In the 261 building sample, SSV-7, tetrachloroethene (PCE) was detected at 1,520 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ) and trichloroethene (TCE) was detected at  $30.1 \mu\text{g}/\text{m}^3$ . The PCE concentration exceeded the vapor risk screening level (VRSL) for residential buildings, but was below the VRSL for small commercial buildings. The TCE concentration did not exceed any VRSLs. These sample results were higher than sub-slab samples collected at the 249, 251 and 257 buildings. Since the 261 building is nearest to the source at 285 E. Hampton Avenue, it is important to verify that contamination beneath this building is decreasing over time after excavation of approximately 410 tons of contaminated soil at the source property in 2016.

DNR Recommends Granting Property Access for Sampling Now

DNR highly recommends that you grant access to your property and allow this important health and environmental sampling work to be performed now, rather than risk taking on that responsibility yourself at a later date.

To allow environmental sampling for chemical vapor intrusion on your property, please contact Brian Kappen, EnviroForensics at [bkappen@enviroforensics.com](mailto:bkappen@enviroforensics.com) to allow access to the 261 building within **two weeks of the date of this letter**. You will then be contacted to schedule a day and time for soil gas sampling.

The following issues are important for you to consider in making your final decision about access:

Documentation in DNR Files

In the event that you do not contact EnviroForensics to allow access within two weeks of the date of this letter, or otherwise contact DNR to explain why additional time is needed, it will be noted in DNR records for One Hour Martinizing that you are not allowing access to the 261 building for vapor intrusion sampling.

Costs Paid if Access is Granted Now

Currently, OHM Holdings, Inc. is identified as the party responsible for environmental contamination on, and migrating from the One Hour Martinizing site. As such, they are required to pay for sampling and mitigation work at potentially affected properties like yours. If you allow access for sampling now these services will be paid for in full.

You May be Responsible if Access is Not Granted

If you do not allow property access for environmental sampling at this time you risk becoming the party who may be responsible for investigating and mitigating any contamination that exists on your property – whether you caused the problem or not.

Potential Health & Real Estate Issues

Allowing access for sampling now, finding out if chemical vapor intrusion is an issue on your property, and following through with any mitigation efforts, if necessary, is clearly the best course of action. It will help answer your health questions, limit your liability, and demonstrate action to correct a potential issue for purposes of property transactions.

Because the 2014 vapor sampling results at the 261 building exceeded residential VRSLs, this property cannot be approved for residential use. At the time of closure of the One Hour Martinizing site, continued use of this property for commercial or industrial purposes only will be a continuing obligation that Hampton WFB, LLC will be liable for maintaining.

Additional Information Available

Fact sheets on vapor intrusion and related matters are available on the DNR's website for your reference. Search on the document numbers for the publications at the end of this letter. Please feel free to contact me if you have questions or want to discuss this matter in more detail. I can be reached at 414-435-8010 or [linda.michalets@wisconsin.gov](mailto:linda.michalets@wisconsin.gov).

Sincerely,



Linda M. Michalets  
Hydrogeologist  
Remediation and Redevelopment Program

cc: Brian Cass, OHM Holdings, Inc. ([brian@ohmholdings.com](mailto:brian@ohmholdings.com))  
Brian Kappen, EnviroForensics ([bkappen@enviroforensics.com](mailto:bkappen@enviroforensics.com))

Additional Resources:

The DNR fact sheets listed below can be obtained by visiting the DNR website at “[dnr.wi.gov](http://dnr.wi.gov),” search the DNR publication number.

RR-892, What is Vapor Intrusion

RR-953, Why Test for Vapor Intrusion

RR-954, What to Expect During Vapor Intrusion Sampling

RR-934, Who Should I Contact About Vapor Intrusion Investigations?

RR-973, Environmental Contamination and Your Real Estate