

State of Wisconsin  
DEPARTMENT OF NATURAL RESOURCES  
1027 W. Saint Paul Avenue  
Milwaukee WI 53233

Tony Evers, Governor  
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September 8, 2022

Mr. Jerrel Kruschke, P.E.  
Department of Public Works  
City of Milwaukee  
841 N. Broadway, Rm. 701  
Milwaukee, WI 53202

SUBJECT: Notice of Closure Approval with Continuing Obligations for Right of Way Holder  
for the South Side of the 200 Block of East Hampton Ave., Milwaukee  
Case Closure for One Hour Martinizing  
285 East Hampton Avenue, Milwaukee, Wisconsin  
BRRTS #02-41-543260, FID #241176650

Dear Mr. Kruschke:

The Wisconsin Department of Natural Resources (DNR) recently approved the completion of the response actions conducted at the site identified above (the Site). This letter describes how that approval applies to the right of way (ROW) on the south side of the 200 block of East Hampton Ave., Milwaukee. As the ROW holder, the City of Milwaukee is responsible for complying with continuing obligations for any work you conduct in the ROW.

State law—Wisconsin Statute (Wis. Stat.) ch. 292— directs parties responsible for the discharge of a hazardous substance or environmental pollution to take necessary actions to restore the environment to the extent practicable and minimize harmful effects from the discharge to the air, lands or waters of this state. The law allows some contamination to remain in the environment if it does not pose a threat to public health, safety, welfare or the environment.

On June 16, 2020, you received information from EnviroForensics, LLC about the chlorinated contamination from the Site remaining in the soil and groundwater on the south side of the 200 block of East Hampton Ave. Milwaukee ROW, and about the continuing obligations necessary to limit exposure to remaining contamination.

#### **APPLICABLE CONTINUING OBLIGATIONS**

The continuing obligations that apply to this ROW are described below and are consistent with Wis. Stat. § 292.12 and Wisconsin Administrative Code (Wis. Admin. Code) chs. NR 700 to 799.

Residual Soil Contamination (Wis. Admin. Code chs. NR 718, NR 500 to 599, and § NR 726.15(2)(b) and Wis. Stat. ch. 289)

Soil contamination from the One Hour Martinizing property extends north into the 200 block of the East Hampton Avenue ROW as indicated on the enclosed map (Figure B.2.b, Residual Soil Contamination, May 7, 2020). If soil in the location shown on the map is excavated in the future, the ROW holder at the time of excavation must sample and analyze the excavated soil. If sampling confirms that contamination is present, the ROW holder at the time of excavation will need to determine if the material is considered solid waste and ensure that any storage, treatment or disposal complies with applicable standards and rules. Contaminated soil may be managed under Wis. Admin. Code ch. NR 718 with prior DNR approval.

In addition, all current and future ROW holders need to be aware that excavation of the contaminated soil may pose an inhalation and direct contact hazard; special precautions may be needed to prevent a threat to human health.

Residual Groundwater Contamination (Wis. Admin. Code ch. NR 140 and § NR 812.09(4)(w))  
Groundwater contamination that equals or exceeds the enforcement standards for chlorinated volatile organic compounds (CVOCs) extends into the south side of the 200 block of East Hampton Avenue ROW, as shown on the enclosed map (Figure B.3.b, Groundwater Isoconcentration, June 1, 2020).

#### ADDITIONAL INFORMATION

Site, case-related information and DNR contacts can be found online in the Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web (BOTW); go to [dnr.wi.gov](http://dnr.wi.gov) and search "BOTW." Use the BRRTS ID # found at the top of this letter. The site can also be found on the map view, Remediation and Redevelopment Sites Map (RRSM) by searching "RRSM."

If you have any questions regarding this letter, please contact the DNR project manager, Linda Michalets, at [linda.michalets@wisconsin.gov](mailto:linda.michalets@wisconsin.gov), or 414-435-8010.

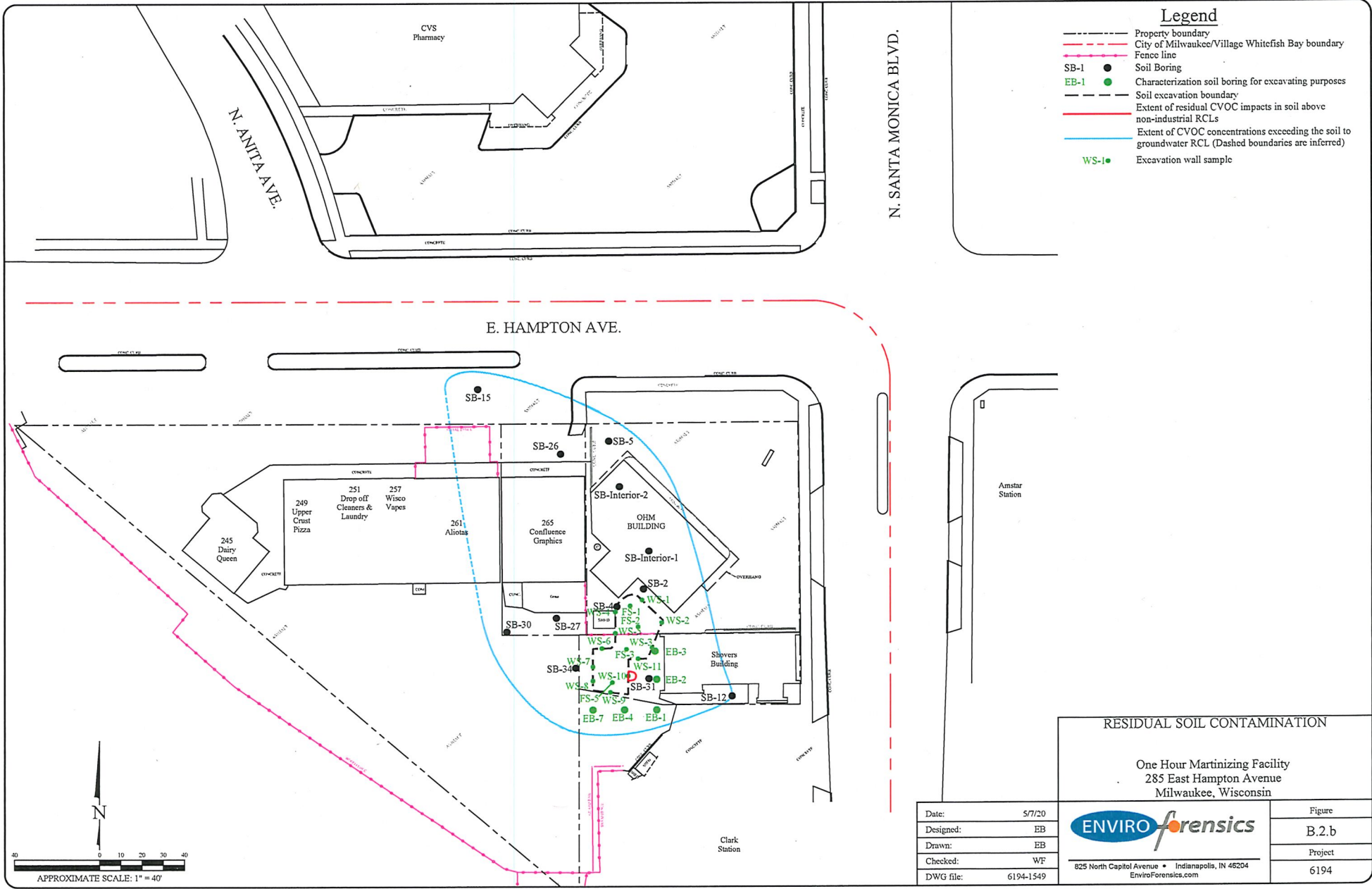
Sincerely,

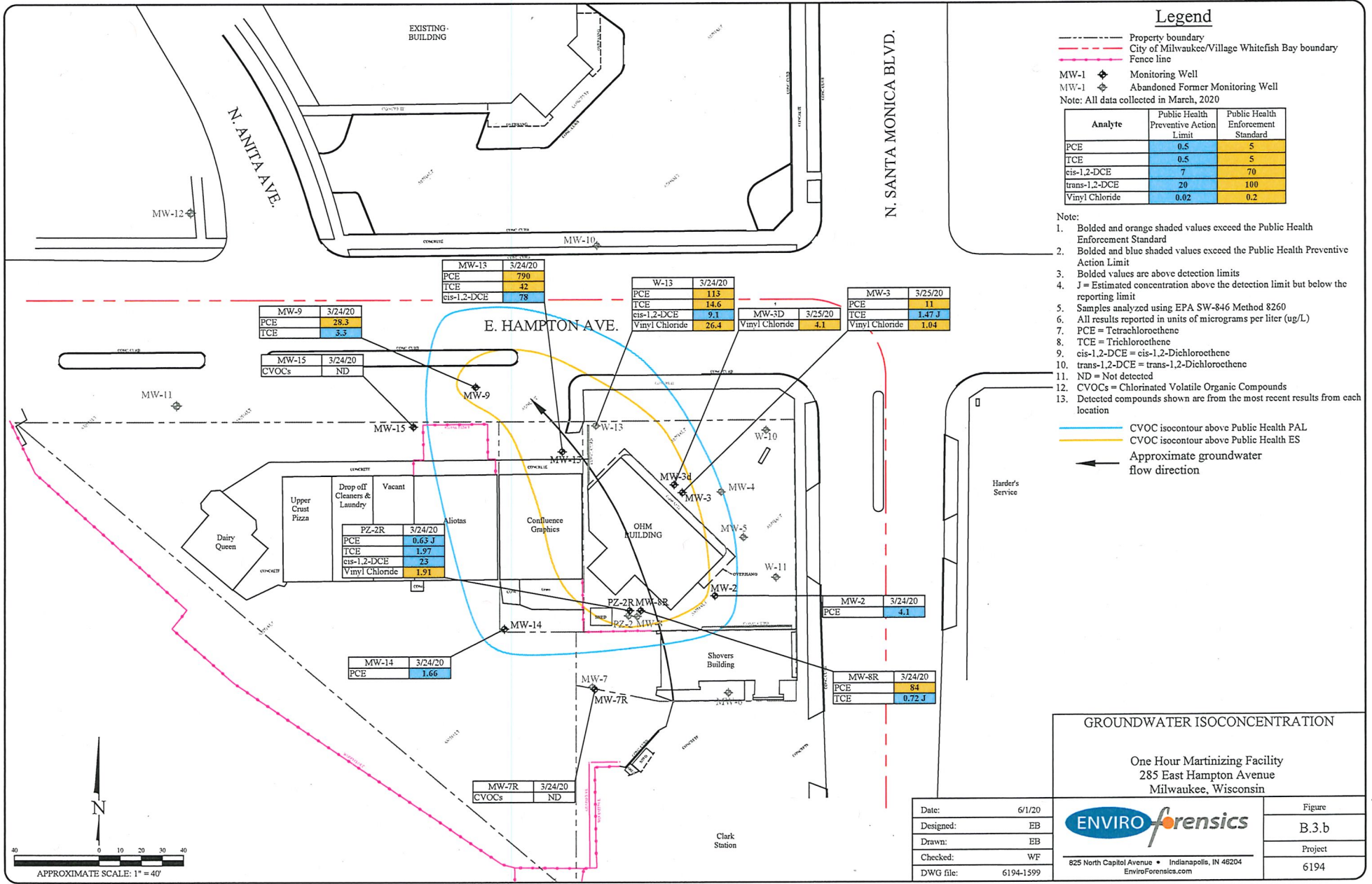


Michele R. Norman  
Southeast Region Team Supervisor  
Remediation and Redevelopment Program

Attachments: Figure B.2.b, Residual Soil Contamination, May 7, 2020  
Figure B.3.b, Groundwater Isoconcentration, June 1, 2020

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





MW-13	3/24/20
PCE	790
TCE	42
cis-1,2-DCE	78

W-13	3/24/20
PCE	113
TCE	14.6
cis-1,2-DCE	9.1
Vinyl Chloride	26.4

MW-3D	3/25/20
Vinyl Chloride	4.1

MW-3	3/25/20
PCE	11
TCE	1.47 J
Vinyl Chloride	1.04

MW-9	3/24/20
PCE	28.3
TCE	3.3

MW-15	3/24/20
CVOCs	ND

PZ-2R	3/24/20
PCE	0.63 J
TCE	1.97
cis-1,2-DCE	23
Vinyl Chloride	1.91

MW-14	3/24/20
PCE	1.66

MW-7R	3/24/20
CVOCs	ND

MW-8R	3/24/20
PCE	84
TCE	0.72 J

MW-2	3/24/20
PCE	4.1

