



September 8, 2022

Jim and Lynne Keckeisen  
River Park Partners LLP  
1040 W. River Park Lane  
Glendale, WI 53209

**KEEP THIS LEGAL DOCUMENT WITH YOUR PROPERTY RECORDS**

**SUBJECT:** Continuing Obligations and Property Owner Requirements for 265 E. Hampton Ave., Milwaukee  
Parcel Identification Number: 24-20-226000  
Final Case Closure for One Hour Martinizing, 285 E. Hampton Ave., Milwaukee  
BRRTS #02-41-543260, FID #241176650

Dear Mr. and Ms. Keckeisen:

The purpose of this letter is to notify you that you are responsible for certain continuing obligations applied to your property at 265 E. Hampton Ave., Milwaukee, parcel ID number 24-20-226000 (Property) due to contamination remaining on the Property. The continuing obligations are part of the cleanup and case closure approved by the Wisconsin Department of Natural Resources (DNR) for the One Hour Martinizing site, located at 285 E. Hampton Ave. (Site). The Site is referenced by the location of the source of contamination, i.e., the property where the original hazardous substance discharge or environmental pollution occurred, prior to contamination migrating to the Property. The continuing obligations that apply to the Property are included in this letter and are stated as conditions in the closure approval letter and are consistent with Wisconsin Statute (Wis. Stat.) § 292.12 and Wisconsin Administrative Code (Wis. Admin. Code) chs. NR 700-799. Continuing obligations are intended to limit exposure to remaining environmental contamination at the Property. These continuing obligations will also apply to future owners of the Property, until the conditions no longer exist.

It is common for properties to have continuing obligations as part of case closure approvals when contamination remains in the environment for a specific reason. Information on the continuing obligations associated with this Site, including the case closure approval letter, is available in the DNR's Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web (BOTW) at [dnr.wi.gov](http://dnr.wi.gov), search "BOTW." Enter BRRTS #02-41-543260 in the **Activity Number** field and then click **Search**. Scroll down and click on the **CO Packet** link for information about the completion of the environmental work. The Site may also be seen on the map viewer, RR Sites Map. RR Sites Map can be found online at [dnr.wi.gov](http://dnr.wi.gov), search "RRSM."

The DNR reviewed and approved the case closure request regarding the chlorinated volatile organic compound (CVOC) contamination in soil, groundwater and vapor at this Site, based on information submitted by EnviroForensics, LLC. As required by state law, you received notification about the requested case closure from the person conducting the cleanup in the letter postmarked February 18, 2022 that you received on February 28, 2022. No further investigation or cleanup is required at this time. However, the case closure decision is conditioned upon long-term compliance with the continuing obligations at the Property.

Continuing Obligations Applicable to the Property

Continuing obligations associated with the Site are described in the attached case closure letter to OHM Holdings, Inc., dated September 8, 2022. However, only the following continuing obligations apply to the Property.

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 remains on much of the Property, 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 property owner at the time of excavation must sample and analyze the excavated soil. If sampling confirms that contamination is present, the property owner 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 property owners and occupants 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.

Cover (for soil) (Wis. Stat. § 292.12(2)(a), Wis. Admin. Code §§ NR 724.13(1) and (2), NR 726.15(2)(d) and/or (e), NR 727.07(1))

The building foundation, asphalt/concrete paved parking and walkway areas, and the grassy area on the south side of the building, as shown on the enclosed map (Figure D.2, Areas of Cap Maintenance for 265 East Hampton Avenue, June 12, 2020) shall be maintained in compliance with the enclosed maintenance plan, dated February 16, 2022. The purpose of the cover is to minimize the infiltration of water through contaminated soil and prevent direct contact with residual soil contamination that might otherwise pose a threat to human health.

The cover approved for this closure was designed to be protective for commercial or industrial land uses. Before using the property for residential purposes and before taking an action, the property owner must notify the DNR to determine if additional response actions are warranted. A cover intended for industrial land uses or certain types of commercial land uses may not be protective if the property changes to a residential use. This may include, but is not limited to, single or multiple family residences, a school, day care, senior center, hospital or similar settings. In addition, a cover designed for multi-family residential housing use may not be appropriate for use at a single-family residence.

To modify or replace a cover, the property owner must submit a request to the DNR under Wis. Admin. Code ch. NR 727. The DNR approval must be obtained before implementation. The replacement or modified cover must be a structure of similar permeability or be protective of the revised use of the property until contaminant levels no longer exceed Wis. Admin. Code ch. NR 720 groundwater pathway residual contaminant levels and/or direct contact residual contaminant levels (RCLs).

Residual Groundwater Contamination (Wis. Admin. Code ch. NR 140 and § NR 812.09(4)(w))

Groundwater contamination which equals or exceeds the enforcement standards for CVOCs is present on the west side of the property and extends off-site to the north and west, as shown on the enclosed map (Figure B.3.b, Groundwater Isoconcentration, June 1, 2020). To construct a new well or reconstruct an existing well, the property owner must obtain prior DNR approval. Additional casing may be necessary to prevent contamination of the well.

VI - Future Concern (Wis. Stat. § 292.12(2), Wis. Admin. Code § NR 726.15(2)(L) or (m), as applicable)

Vapor intrusion (VI) is the movement of vapors coming from volatile chemicals in the soil or groundwater or within preferential pathways into buildings where people may breathe air contaminated by the vapors.

Chlorinated volatile organic compounds remain in soil and groundwater beneath the Property, as shown on the enclosed map (Figure B.4.a, Vapor Intrusion Map, May 7, 2020), at concentrations that may be of concern for vapor intrusion in the future, if a building is constructed, renovated or expanded in an area where no building

currently exists, or if an existing building is remodeled. At the time of closure, a small commercial building is used for a printing operation, which uses solvents in its operations.

Vapor control technologies are required for new construction or for modification of occupied buildings on the property unless the property owner assesses the vapor pathway and the DNR agrees that vapor control technologies are not needed. The property owner shall maintain the current building use and layout.

Pre-Approval is Required for Well Construction (Wis. Admin. Code § NR 812.09 (4) (w))

DNR approval is required before well construction or reconstruction for all sites identified as having residual contamination and/or continuing obligations. This requirement applies to private drinking water wells and high capacity wells. To obtain approval, the property owner is required to complete and submit Form 3300-254, "Continuing Obligations/Residual Contamination Well Approval Application," to the DNR Drinking and Groundwater program's regional water supply specialist. A well driller can help complete this form. The form can be obtained online at [dnr.wi.gov](http://dnr.wi.gov), search "3300-254." Additional casing may be necessary to help prevent contamination of the well.

Property Owner Responsibilities (Wis. Stat. § 292.12 & § 709.02, Wis. Admin. Code § NR 727.05)

The Property owner (you and any subsequent Property owner) is responsible for compliance with the continuing obligations in this letter, pursuant to Wis. Stat. § 292.12. You are required to notify anyone who purchases the Property from you of the responsibility to comply with the continuing obligations in this letter, in accordance with Wis. Admin. Code § NR 727.05 (2). For residential property transactions, you are required to make disclosures under Wis. Stat. § 709.02.

If you lease or rent the Property to an occupant who will be responsible for maintaining a continuing obligation, you must include that responsibility in a lease agreement, in accordance with Wis. Admin. Code § NR 727.05 (3).

Please be aware that failure to comply with the continuing obligations may result in enforcement action by the DNR. The DNR intends to conduct periodic inspections to ensure that the conditions included in this letter, including compliance with referenced maintenance plans, are met.

DNR Notification (Wis. Admin. Code §§ NR 727.07, NR 726.15 (2))

The Property owner is required to notify the DNR at least 45 days before taking the following actions. The DNR may require additional investigation and/or cleanup actions if necessary to be protective of human health and the environment.

- Before removing a cover or any portion of a cover
- Before constructing a building and/or modifying the construction of an existing building

Send written notifications to the DNR using the RR Program Submittal Portal at [dnr.wi.gov](http://dnr.wi.gov), search "RR submittal portal" (<https://dnr.wi.gov/topic/Brownfields/Submittal.html>). Questions on using this portal can be directed to the environmental program associate (EPA) for the Southeast Region DNR office. Visit [dnr.wi.gov](http://dnr.wi.gov), search "RR contacts" and select the EPA tab (<https://dnr.wi.gov/topic/Brownfields/Contact.html>). More information on submitting electronic documents can be found in the DNR publication "Guidance for Electronic Submittal for the Remediation and Redevelopment Program" (RR-690), which can be found at [dnr.wi.gov](http://dnr.wi.gov), search "RR-690."

The DNR fact sheet, RR-819, "Continuing Obligations for Environmental Protection" explains a property owner's responsibility for continuing obligations on their property. This fact sheet should have been sent to you when you received a notification letter before the case closure request was submitted to the DNR. You may obtain a copy at [dnr.wi.gov](http://dnr.wi.gov) by searching "RR-819."

Under Wis. Stat. § 292.13 owners of properties affected by contamination from another property are generally exempt from investigating or cleaning up a hazardous substance discharge that migrated onto a property from another property. However, the exemption under Wis. Stat. § 292.13 does not exempt the property owner from the responsibility to maintain a continuing obligation placed on the property in accordance with Wis. Stat. § 292.12. To maintain this exemption, that statute requires the current property owner and any subsequent property owners to meet the conditions in the statute, including:

- Granting reasonable access to the DNR, responsible party, or their contractors;
- Avoiding interference with response actions taken; and
- Avoiding actions that make the contamination worse (e.g., demolishing a structure and causing or worsening the discharges to the environment).

The DNR appreciates your cooperation to restore the environment at this site. If you have any questions regarding this closure decision or anything stated in 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: Case Closure with Continuing Obligations, OHM Holdings, Inc., September 8, 2022  
Figure B.2.b, Residual Soil Contamination, May 7, 2020  
Figure D.2, Areas of Cap Maintenance For 265 East Hampton Avenue, June 12, 2020  
Cap Maintenance Plan, February 16, 2022  
Continuing Obligations Inspection and Maintenance Log (DNR Form 4400-305)  
Figure B.3.b, Groundwater Isoconcentration, June 1, 2020  
Figure B.4.a, Vapor Intrusion Map, May 7, 2020

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



September 8, 2022

Mr. Brian Cass  
OHM Holdings, Inc.  
W229N2494 County Rd. F  
Waukesha, WI 53186  
*Via Electronic Mail Only to brian@ohmholdings.com*

**KEEP THIS LEGAL DOCUMENT WITH YOUR PROPERTY RECORDS**

**SUBJECT:** Case Closure with Continuing Obligations  
One Hour Martinizing, 285 E. Hampton Ave., Milwaukee, Wisconsin  
BRRTS #02-41-543260, FID #241176650

Dear Mr. Cass:

The Wisconsin Department of Natural Resources (DNR) is pleased to inform you that the One Hour Martinizing case identified above met the requirements of Wisconsin Administrative (Wis. Admin.) Code chs. NR 700 to 799 for case closure with continuing obligations (COs). COs are legal requirements to address potential exposure to remaining contamination. No further investigation or remediation is required at this time for the reported hazardous substance discharge and/or environmental pollution.

However, you, future property owners and occupants of the property must comply with the COs as explained in this letter, which may include maintaining certain features and notifying the DNR and obtaining approval before taking specific actions. You must provide this letter and all enclosures to anyone who purchases, rents or leases this property from you. Some COs also apply to other properties or rights of way (ROWs) affected by the contamination as identified in the Continuing Obligation Summary section of this letter.

This case closure decision is issued under Wis. Admin. Code chs. NR 700 to 799 and is based on information received by the DNR to date. The DNR reviewed the case closure request for compliance with state laws and standards and determined the case closure request met the notification requirements of Wis. Admin. Code ch. NR 725, the response action goals of Wis. Admin. Code § NR 726.05(4), and the case closure criteria of Wis. Admin. Code §§ NR 726.05, 726.09 and 726.11, and Wis. Admin. Code ch. NR 140.

The One Hour Martinizing site was an active dry cleaning facility from 1980 until 2007. Since 2007, the facility has been used for drop-off and pick-up service only. The dry-cleaning machine was removed in 2016. The One Hour Martinizing site was investigated for a discharge of hazardous substances and/or environmental pollution from the dry-cleaning operations located within the current building, which migrated off-site to the north, south and west. Case closure is granted for the chlorinated volatile organic compounds (CVOCs) as documented in the case file. The site investigation and/or remedial action addressed soil, groundwater, and vapor. The remedial action consisted of soil excavation activities south of the building as a source control action for vapor intrusion. Contamination remains in soil, groundwater and/or vapor on the western half of the source property, and extends off-site to the north, south and west.

The case closure decision and COs required were based on the current use of the site for commercial purposes. The site is currently zoned commercial. Based on the land use and zoning, the site meets the non-industrial land use classification under Wis. Admin. Code § NR 720.05(5) for application of residual contaminant levels in soil.

### SUMMARY OF CONTINUING OBLIGATIONS

COs are applied at the following locations:

ADDRESS (Milwaukee, WI)	COS APPLIED	DATE OF MAINTENANCE PLANS
285 East Hampton Avenue (Source Property)	- Residual Soil Contamination - Residual Groundwater Contamination - Cap Maintenance Plan Required - Vapor Mitigation System Required - Future Vapor Risk	May 16, 2022 April 10, 2019
4751 N. Santa Monica Blvd. Clark Oil	- Residual Soil Contamination - Future Vapor Risk	Not Applicable
4771 N. Santa Monica Blvd. Shovers Realty	- Residual Soil Contamination - Cap Maintenance Plan - Future Vapor Risk	May 16, 2022
249-261 E. Hampton Ave. Hampton WFB, LLC	- Residual Soil Contamination - Commercial Vapor Exposure Assumption Applied - Future Vapor Risk	Not Applicable
265 E. Hampton Ave. Confluence Graphics	- Residual Soil Contamination - Residual Groundwater Contamination - Cap Maintenance Plan - Future Vapor Risk	February 16, 2022
ROW for South side of 200 Block of E. Hampton Ave., Milwaukee	- Residual Soil Contamination - Residual Groundwater Contamination	Not Applicable

### CLOSURE CONDITIONS

Closure conditions are legally required conditions which include both COs and other requirements for case closure (Wis. Stat. § 292.12(2)). Under Wis. Stat. § 292.12(5), you, any subsequent property owners and occupants of the property must comply with the closure conditions as explained in this letter. The property owner must notify occupants for any condition specified in this letter under Wis. Admin. Code §§ NR 726.15(1)(b) and NR 727.05(2). If an occupant is responsible for maintenance of any closure condition specified in this letter, you and any subsequent property owner must include the condition in the lease agreement under Wis. Admin. Code § NR 727.05(3) and provide the maintenance plan to any occupant that is responsible.

DNR staff may conduct periodic pre-arranged inspections to ensure that the conditions included in this letter and the cap and vapor mitigation maintenance plans are met (Wis. Stat. § 292.11(8)). If these requirements are not followed, the DNR may take enforcement action under Wis. Stat. ch. 292 to ensure compliance with the closure conditions.

## SOIL

### *Continuing Obligations to Address Soil Contamination*

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 remains on the west side of the property, extending off-site to the west, north and south as indicated on the enclosed map (Figure B.2.b, Residual Soil Contamination, May 7, 2020). If soil in the locations shown on the map is excavated in the future, the property owner or right of way holder at the time of excavation must sample and analyze the excavated soil. If sampling confirms that contamination is present, the property owner or right of way 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 property owners, occupants and right of way 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.

Cover (for soil) (Wis. Stat. § 292.12(2)(a), Wis. Admin. Code §§ NR 724.13(1) and (2), NR 726.15(2)(d) and/or (e), NR 727.07(1))

The building foundation, concrete walkway and asphalt parking that surround the One Hour Martinizing building, as shown on the enclosed map (D.2, Figure 3, Location and Extent of Asphalt/Concrete Cap, February 24, 2017) shall be maintained in compliance with the enclosed maintenance plan, dated May 16, 2022. The purpose of the cover is to minimize the infiltration of water through contaminated soil and prevent direct contact with residual soil contamination that might otherwise pose a threat to human health.

The cover approved for this closure was designed to be protective for commercial or industrial land uses. Before using the property for residential purposes and before taking an action, the property owner must notify the DNR to determine if additional response actions are warranted. A cover intended for industrial land uses or certain types of commercial land uses may not be protective if the property changes to a residential use. This may include, but is not limited to, single or multiple family residences, a school, day care, senior center, hospital or similar settings. In addition, a cover designed for multi-family residential housing use may not be appropriate for use at a single-family residence.

To modify or replace a cover, the property owner must submit a request to the DNR under Wis. Admin. Code ch. NR 727. The DNR approval must be obtained before implementation. The replacement or modified cover must be a structure of similar permeability or be protective of the revised use of the property until contaminant levels no longer exceed Wis. Admin. Code ch. NR 720 groundwater pathway residual contaminant levels and/or direct contact residual contaminant levels (RCLs).

## GROUNDWATER

### *Continuing Obligations to Address Groundwater Contamination*

Residual Groundwater Contamination (Wis. Admin. Code ch. NR 140 and § NR 812.09(4)(w))

Groundwater contamination which equals or exceeds the enforcement standards for CVOCs is present on the west side of the property and extends off-site to the north and west, as shown on the enclosed map (Figure B.3.b, Groundwater Isoconcentration, June 1, 2020). To construct a new well or reconstruct an existing well, the property owner must obtain prior DNR approval. Additional casing may be necessary to prevent contamination of the well.

## VAPOR

### *Continuing Obligations to Address Vapor Contamination*

Vapor intrusion (VI) is the movement of vapors coming from volatile chemicals in the soil or groundwater or within preferential pathways into buildings where people may breathe air contaminated by the vapors.

VI - Vapor Mitigation Systems: (Wis. Stat. § 292.12(2), Wis. Admin. Code § NR 726.15(2)(h), (i), (j) or (m)) Vapor mitigation systems, which may include vapor barriers, are used to interrupt the vapor pathway, thereby reducing or preventing vapors from moving into the building. Soil vapor beneath the One Hour Martinizing building contains CVOCs at levels that would pose a risk to human health, if allowed to migrate into an occupied building on the property.

The sub-slab depressurization system was installed on the site building with two vents that extend above the roof to remove vapors beneath the foundation. The property owner shall maintain, operate and inspect the vapor mitigation system, installed on October 4, 2018, in accordance with the enclosed maintenance plan. System components must be repaired or replaced immediately upon discovery of a malfunction. The property owner shall document inspections on the VMS inspection log (Form 4400-321). See the Other Closure Requirements section of this letter for more details.

VI - Future Concern (Wis. Stat. § 292.12(2), Wis. Admin. Code § NR 726.15(2)(L) or (m), as applicable) CVOCs remain in soil and groundwater on the west side of the property, as shown on the enclosed map (Figure B.4.a, Vapor Intrusion Map, May 7, 2020), at concentrations that may be of concern for vapor intrusion in the future, if a building is constructed, renovated or expanded in an area where no building currently exists or if an existing building is remodeled. At the time of closure, a 2,500 square-foot single-story commercial building is a drop-off dry cleaning facility. The rest of the property is a paved parking lot.

Vapor control technologies are required for new construction or for modification of occupied buildings on the property unless the property owner assesses the vapor pathway and the DNR agrees that vapor control technologies are not needed. The property owner shall maintain the current building use and layout.

## OTHER CLOSURE REQUIREMENTS

Maintenance Plan and Inspection Log (Wis. Admin. Code §§ NR 726.11(2), NR 726.15(1)(d), NR 727.05(1)(b)3., Wis. Admin. Code § NR 716.14(2) for monitoring wells)

The property owner is required to comply with the enclosed cap maintenance plan dated May 16, 2022 and the vapor mitigation system maintenance plan dated April 10, 2019, to conduct inspections annually as specified within the plans, and to use the inspection logs (DNR Form 4400-305 for cover and Form 4400-321 for VMS Inspection Log) to document the required inspections. The maintenance plans and inspection logs are to be kept up-to-date and on-site. The property owner shall submit the inspection log to the DNR only upon request.

The limitations on activities are identified in the enclosed maintenance plans. The following activities are prohibited where the vapor mitigation system is in place, without prior DNR approval.

- Removal/modification of any component of the vapor intrusion system;
- Changing the use of occupancy of the building to a residential exposure setting, which may include certain uses such as single or multiple family residence, a school, day care, senior center, hospital, or similar residential exposure setting;
- Changing the construction of the building that has a vapor mitigation system in place.



The following activities are prohibited on any portion of this property where the cover is required, without prior DNR approval.

- Removal of the existing barrier;
- Replacement with another barrier;
- Excavating or grading of the land surface;
- Filling on capped or paved areas;
- Plowing for agricultural cultivation;
- Construction or placement of a building or other structure.

Pre-Approval Required for Well Construction (Wis. Admin. Code § NR 812.09(4)(w))

DNR approval is required before well construction or reconstruction for all sites identified as having residual contamination and/or COs. This requirement applies to private drinking water wells and high capacity wells. To obtain approval, the property owner is required to complete and submit Form 3300-254, Continuing Obligations/Residual Contamination Well Approval Application, to the DNR Drinking and Groundwater program's regional water supply specialist. A well driller can help complete this form. The form can be obtained online at [dnr.wi.gov](http://dnr.wi.gov), search "3300-254." Additional casing may be necessary to help prevent contamination of the well.

### **DNR NOTIFICATION AND APPROVAL REQUIREMENTS**

Certain activities are limited at closed sites to maintain protectiveness to human health and the environment. The property owner is required to notify the DNR at least 45 days before and obtain approval from the DNR prior to taking the following actions (Wis. Admin. Code §§ NR 727.07, NR 726.15 (2), Wis. Stat. § 292.12(6)).

- Before removing a cover or any portion of a cover.
- Before deciding to no longer use the vapor mitigation system, to shut off the fan or disrupt or abandon the vapor mitigation system, or before making any change to the vapor mitigation system or to a vapor barrier.
- Before constructing a building and/or modifying use of or the construction of an existing building or changing property use. Certain activities are limited at closed sites to reduce the risk of exposure to residual contamination via vapor intrusion. For properties with a continuing obligation for addressing the future risk of vapor intrusion when buildings exist at the time of closure approval, changes to the current building use and layout are prohibited without prior DNR approval. This includes any change in building construction, reconstruction or partial demolition. The DNR may require additional actions may be required at that time to re-assess for vapor intrusion and mitigate, as appropriate.

The DNR may require additional investigation and/or cleanup actions if necessary, to be protective of human health and the environment. The case may be reopened under Wis. Admin. Code § NR 727.13 if additional information indicates that contamination on or from the site poses a threat, or for a lack of compliance with a CO or closure requirement. Compliance with the maintenance plan is considered when evaluating the reopening criteria.

### **SUBMITTALS AND CONTACT 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."

Send written notifications to the DNR using the RR Program Submittal Portal at [dnr.wi.gov](http://dnr.wi.gov), search “RR submittal portal” (<https://dnr.wi.gov/topic/Brownfields/Submittal.html>). Questions on using this portal can be directed to the environmental program associate (EPA) for the Southeast Region DNR office. Visit [dnr.wi.gov](http://dnr.wi.gov), search “RR contacts” and select the EPA tab (<https://dnr.wi.gov/topic/Brownfields/Contact.html>).

### CLOSING

The DNR appreciates your efforts to restore the environment at this site. 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. If the project manager is not available, contact information can be found at [dnr.wi.gov](http://dnr.wi.gov), search “RR contacts.”

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  
Figure B.4.a, Vapor Intrusion Map, May 7, 2020  
Cap Maintenance Plan, May 16, 2022, with D.2, Figure 3, Location and Extent of Asphalt/Concrete Cap, February 24, 2017  
Continuing Obligations Inspection and Maintenance Log (DNR Form 4400-305)  
Vapor Mitigation System Operation, Maintenance & Monitoring Plan, April 10, 2019  
Vapor Mitigation System Inspection Log (DNR Form 4400-321)

cc. Brian Kappen, EnviroForensics, LLC ([bkappen@EnviroForsensics.com](mailto:bkappen@EnviroForsensics.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.

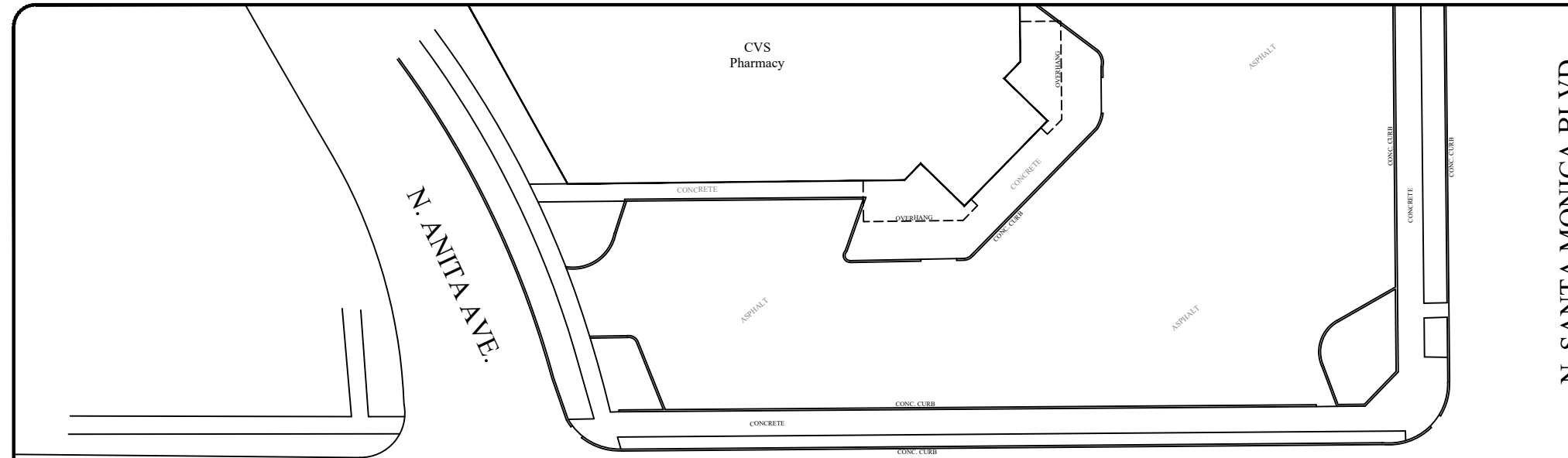
*Guidance for Electronic Submittals for the Remediation and Redevelopment Program* (RR-690)

*Continuing Obligations for Environmental Protection* (RR-819)

*Environmental Contamination and Your Real Estate* (RR-973)

*Post-Closure Modifications: Changes to Property Conditions after a State-Approved Cleanup* (RR-987)

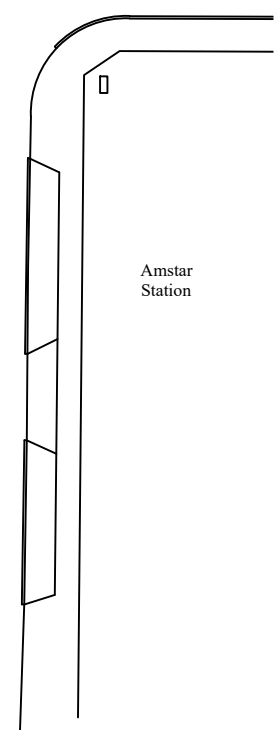
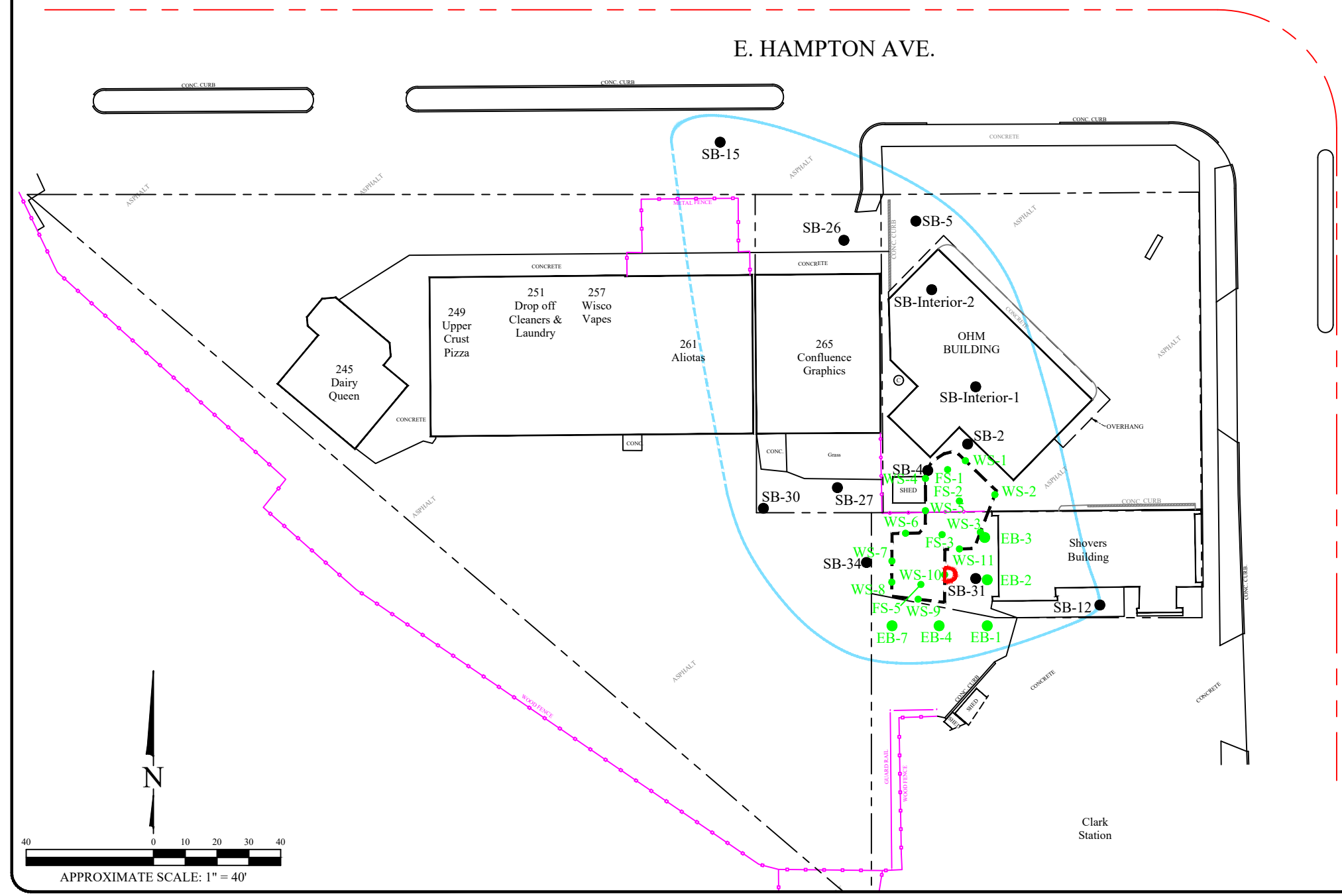
*Using Natural Attenuation to Clean Up Contaminated Groundwater: What Landowners Should Know* (RR-671)



N. SANTA MONICA BLVD.

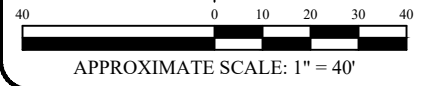
- ### Legend
- Property boundary
  - City of Milwaukee/Village Whitefish Bay boundary
  - Fence line
  - SB-1 Soil Boring
  - EB-1 Characterization soil boring for excavating purposes
  - Soil excavation boundary
  - Extent of residual CVOC impacts in soil above non-industrial RCLs
  - Extent of CVOC concentrations exceeding the soil to groundwater RCL (Dashed boundaries are inferred)
  - WS-1 Excavation wall sample

E. HAMPTON AVE.



Amstar Station

Clark Station



### RESIDUAL SOIL CONTAMINATION

One Hour Martinizing Facility  
285 East Hampton Avenue  
Milwaukee, Wisconsin

Date:	5/7/20
Designed:	EB
Drawn:	EB
Checked:	WF
DWG file:	6194-1549

825 North Capitol Avenue • Indianapolis, IN 46204  
EnviroForensics.com

Figure	B.2.b
Project	6194



D.1

## CAP MAINTENANCE PLAN

February 16, 2022

Property identified as:

**Confluence Graphics  
265 E. Hampton Avenue  
Milwaukee, Wisconsin 53217**

**TAX ID#: 2420226000**

### INTRODUCTION

This document is the Maintenance Plan for the surface materials (the “Cap”) covering soil contaminated with chlorinated volatile organic compounds (CVOCs) at the property located at 265 E. Hampton Avenue, Milwaukee, Wisconsin (the “Property”) in accordance with the requirements of s. NR 724.13(2), Wis. Adm. Code. The contamination originated from former dry cleaning operations performed at the One Hour Martinizing site located at 285 E. Hampton Avenue, Milwaukee, Wisconsin (the “Site”). The maintenance activities relate to the existing surface features and materials which occupy the area over the residual soil contamination.

More site-specific information about source Site may be obtained from:

- The case file in the Wisconsin Department of Natural Resources (WDNR) Regional office;
- [BRRTS on the Web](#) (WDNR’s internet based data base of contaminated sites) for the link to a PDF for site-specific information at the time of closure and on continuing obligations;
- [RR Sites Map layer](#) for a map view of the Site, and
- The WDNR project manager.

### DESCRIPTION OF CONTAMINATION

Soil contaminated by the chlorinated volatile organic compound tetrachloroethene (PCE) exists at depths of approximately 2 to 8 feet below ground surface (bgs) at boring locations SB-26 and SB-27 which are located north and south of the Property building, respectively. The extent of



residual CVOC contamination in soil is shown on the attached **Figure D.1**. The concentrations of PCE detected in the soil are below the non-industrial direct contact residual contaminant levels (RCLs) within four feet of the ground surface but are above the soil to groundwater RCLs established by the WDNR.

## **DESCRIPTION OF CAP**

All of the existing surface features at the Property, including the asphalt/concrete paved parking and walkway areas, the building foundation, and the grassy area on the south side of the building are components of the designated cap. The location and extent of the cap is depicted on **Figure D.2**. The paved portions of the cap are anticipated to be 3 to 4 inches thick.

The cap is intended to be a barrier to infiltration of precipitation, which will minimize soil-to-groundwater contaminant migration. The unpaved portion of the Property needs to be maintained as a vegetated area to provide root systems that reduce surface water infiltration.

## **ANNUAL INSPECTION**

The asphalt/concrete parking and walkway areas and building foundation will be visually inspected once per year for deterioration, cracks and other potential problems that would allow a direct conduit for infiltration of precipitation. This is typically performed in the early spring after all snow and ice has melted and before the seasonal rains begin. At the same time, the unpaved area will be inspected to confirm that the vegetation is still present and living. The inspections will be performed by the Property owner or their designated representative (i.e. tenant, Property manager, etc.). The inspections will be performed to evaluate loss of vegetation, damage due to settling, exposure to the weather, wear from traffic, increasing age, and other factors. Any area where large cracks or other openings have occurred or are likely to occur will be documented.

A log of the inspections and any repairs will be maintained by the Property owner on WDNR Form 4400-305 (Continuing Obligations Inspection and Maintenance Log), included as **Attachment A**. The log will include recommendations for necessary repair of any areas where underlying soils are exposed. Once repairs are completed, they will be documented in the Inspection Log. A copy of this Cap Maintenance Plan and the Inspection Log will be kept at the Property and available for submittal or review by WDNR representatives upon their request.



## **MAINTENANCE ACTIVITIES**

If problems are noted during the annual inspections or at any other time during the year, repairs will be scheduled as soon as practical. Repairs can include seeding, planting, patching, filling, asphalt resurfacing, or construction operations. In the event that maintenance activities involve soil removal and disposal is necessary, the Property owner must sample any excavated soil prior to disposal to ascertain if contamination is present. The soil must be stored, disposed, or treated by the owner in accordance with applicable local, state and federal law.

In the event the cap overlying the contaminated soil is removed or replaced, the replacement barrier must be equally impermeable. Any replacement barrier will be subject to the same maintenance and inspection guidelines as outlined in this Cap Maintenance Plan unless indicated otherwise by the WDNR or its successor. The Property owner, in order to maintain the integrity of the cap, will maintain a copy of this Maintenance Plan on-site and make it available to all interested parties (i.e. on-site employees, contractors, future Property owners, etc.) for viewing.

## **PROHIBITION OF ACTIVITIES AND NOTIFICATION**

The following activities are prohibited on any portion of the Property unless prior written approval has been obtained from the WDNR: 1) removal of the existing cap; 2) replacement with another cap; 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.

If removal, replacement or other changes to the surface materials are considered, the Property owner will contact WDNR at least 45 days before taking such an action, to determine whether further action may be necessary to protect human health, safety, or welfare or the environment, in accordance with s. NR 727.07, Wis. Adm. Code.

## **AMENDMENT OR WITHDRAWAL OF MAINTENANCE PLAN**

This Maintenance Plan can be amended or withdrawn by the Property owner and its successors with the written approval of the WDNR.



## CONTACT INFORMATION

Property Owner: River Park Partners LLP  
James and Lynne Keckeisen  
1040 W. River Park Lane  
Glendale, WI 53209

Signature: \_\_\_\_\_

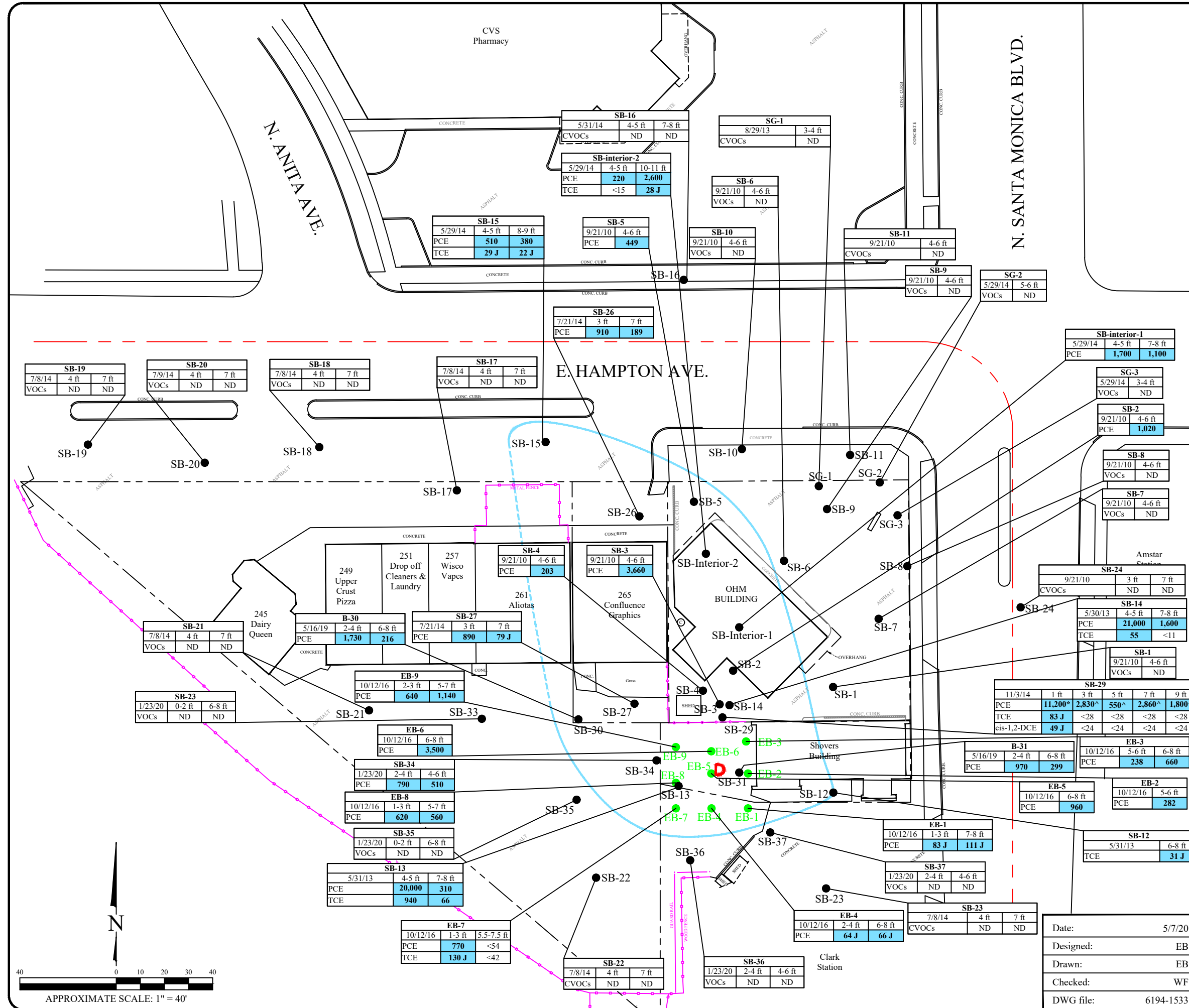
Consultant: EnviroForensics, LLC.  
Brian Kappen, PG  
N16 W23390 Stone Ridge Drive, Suite G  
Waukesha, WI 53188  
(262) 290-4001  
[Brian.kappen@enviroforensics.com](mailto:Brian.kappen@enviroforensics.com)

WDNR Project Manager: Linda Michalets  
1027 W. St. Paul Avenue  
Milwaukee, WI 53233  
Phone: 414-435-8010  
[linda.michalets@wisconsin.gov](mailto:linda.michalets@wisconsin.gov)



D.2  
**FIGURES**





### Legend

- Property boundary
- - - City of Milwaukee/Village Whitefish Bay boundary
- - - Fence line
- Soil Boring
- Characterization soil boring for excavating purposes
- Extent of residual CVOC impacts in soil above non-industrial RCLs
- Extent of CVOC concentrations exceeding the soil to groundwater RCL (Dashed boundaries are inferred)

Analyte	Soil to Groundwater Residual Contaminant Level	Non-Industrial Direct Contact RCL	Industrial Direct Contact RCL
PCE	<b>4.5</b>	<b>33,000</b>	<b>145,000</b>
TCE	<b>3.6</b>	<b>1,300</b>	<b>8,410</b>
cis-1,2-DCE	<b>41.2</b>	<b>156,000</b>	<b>2,340,000</b>

- Note:
- Bolded and blue shaded values exceed the Soil to Groundwater Residual Contaminant Level
  - Bolded values are above detection limits
  - J = Analyte concentration less than the laboratory reporting limit
  - Samples analyzed using EPA SW-846 Method 8260
  - All results reported in units of micrograms per liter (ug/L)
  - PCE = Tetrachloroethene
  - TCE = Trichloroethene
  - cis-1,2-DCE = cis-1,2-Dichloroethene
  - RCL = Residual Contaminant Level
  - ND = Not detected
  - VOCs = Violate Organic Compounds
  - CVOCs = Chlorinated Violate Organic Compounds
  - \* = Toxicity Characteristic Leaching Procedure (TCLP) analysis of the sample yielded 0.081 milligrams per liter (mg/L)
  - ^ = Toxicity Characteristic Leaching Procedure (TCLP) analysis of the sample yielded <0.05 milligrams per liter (mg/L)

### SOIL CONTAMINATION

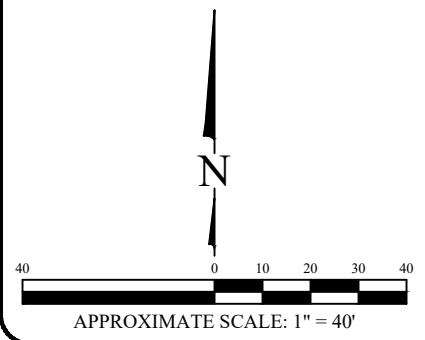
One Hour Martinizing Facility  
285 East Hampton Avenue  
Milwaukee, Wisconsin

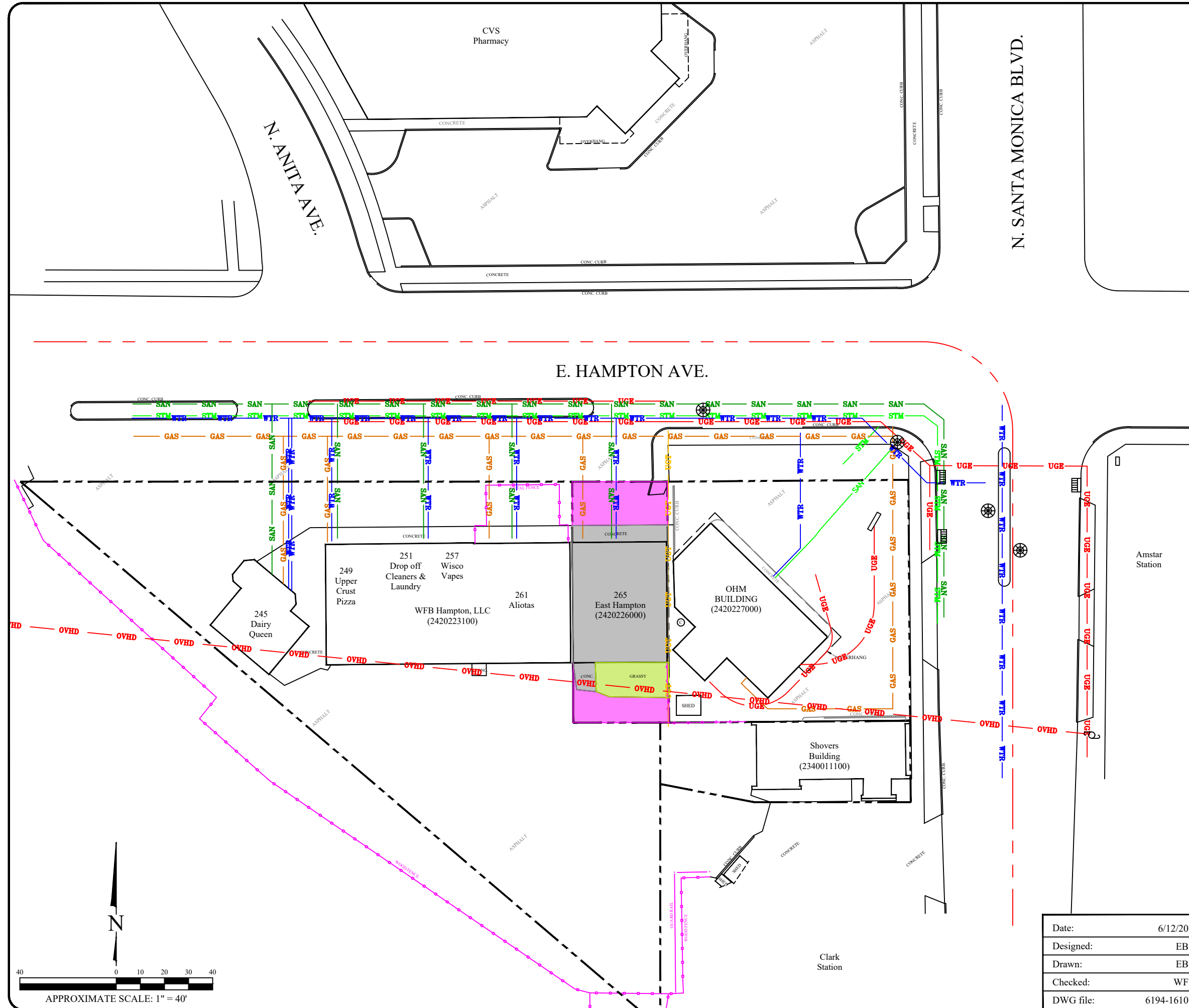


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Figure	D.1
Project	6194

Date:	5/7/20
Designed:	EB
Drawn:	EB
Checked:	WF
DWG file:	6194-1533





### Legend

- Parcel identification number
- - - Property boundary
- - - City of Milwaukee/Village Whitefish Bay boundary
- - - Fence line
- GAS Underground gas utility line
- WTR Underground water utility line
- SAN Underground sanitary utility line
- STM Underground storm utility line
- UGE Underground electrical utility line
- UGT Underground fiber optic line
- Utility Pole
- Catch Basin
- Manhole

### Components of Cap

- Concrete and Building Foundation
- Asphalt
- Vegetated Area

E. HAMPTON AVE.

N. SANTA MONICA BLVD.

N. ANITA AVE.

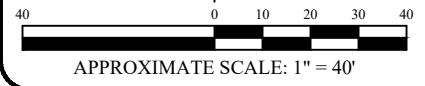
Amstar Station

Clark Station

249 Upper Crust Pizza  
 251 Drop off Cleaners & Laundry  
 257 Wisco Vapes  
 WFB Hampton, LLC (2420223100)  
 261 Aliotas  
 265 East Hampton (2420226000)

OHM BUILDING (2420227000)

Shovers Building (2340011100)



AREAS OF CAP MAINTENANCE FOR  
 265 EAST HAMPTON AVENUE  
 One Hour Martinizing Facility  
 285 East Hampton Avenue  
 Milwaukee, Wisconsin

Date:	6/12/20
Designed:	EB
Drawn:	EB
Checked:	WF
DWG file:	6194-1610

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Figure	D.2
Project	6194



D.3  
**PHOTOGRAPHS**

**May 6, 2020**



View of asphalt/concrete located in the north parking area. View is to the northwest.



View of the asphalt/concrete in the north parking area and building foundation. View is to the south.



View of the asphalt/concrete, building foundation, and vegetated areas on the south side of the Property building. View is to the northeast.



View of the east Property building foundation. View is to the south.



D.4  
**APPENDIX A**

**Continuing Obligations Inspection and Maintenance Log**



**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 Open 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 <b>One Hour Martinizing</b>	BRRTS No. <b>02-41-543260</b>
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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):

**[linda.michalets@wisconsin.gov](mailto:linda.michalets@wisconsin.gov)**

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 checked="" type="checkbox"/> cover/barrier <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:	Condition of the cap described and shown in the Cap Maintenance Plan		<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 <input type="checkbox"/> vapor mitigation system <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 <input type="checkbox"/> vapor mitigation system <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 <input type="checkbox"/> vapor mitigation system <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 <input type="checkbox"/> vapor mitigation system <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 <input type="checkbox"/> vapor mitigation system <input type="checkbox"/> other:			<input type="radio"/> Y <input type="radio"/> N	<input type="radio"/> Y <input type="radio"/> N

{Click to Add/Edit Image}

Date added:

Title:

{Click to Add/Edit Image}

Date added:

Title:

### Legend

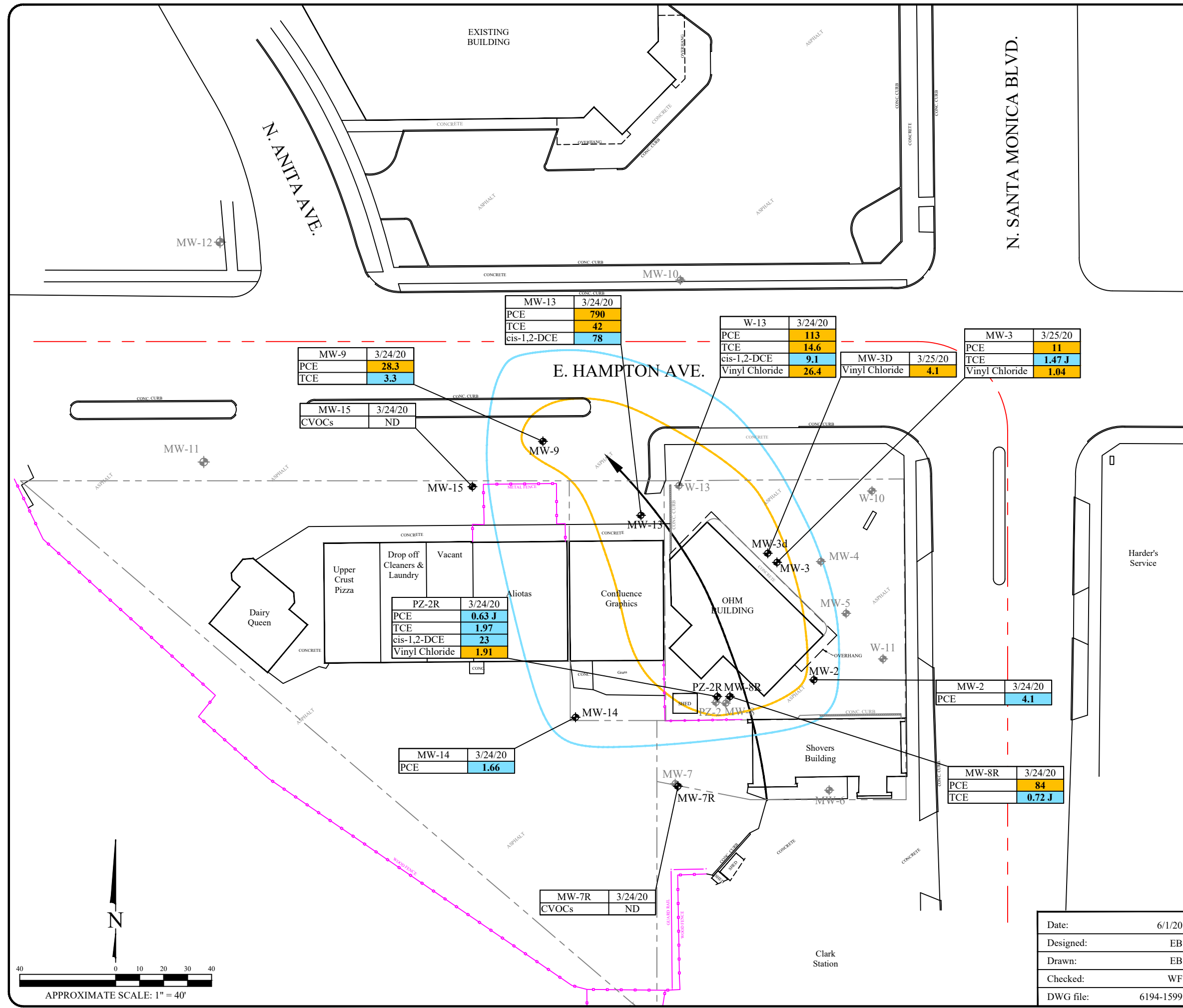
- Property boundary
  - - - City of Milwaukee/Village Whitefish Bay boundary
  - Fence line
  - MW-1 Monitoring Well
  - MW-1 Abandoned Former Monitoring Well
- Note: All data collected in March, 2020

Analyte	Public Health Preventive Action Limit	Public Health Enforcement Standard
PCE	<b>0.5</b>	<b>5</b>
TCE	<b>0.5</b>	<b>5</b>
cis-1,2-DCE	<b>7</b>	<b>70</b>
trans-1,2-DCE	<b>20</b>	<b>100</b>
Vinyl Chloride	<b>0.02</b>	<b>0.2</b>

Note:

- Bolded and orange shaded values exceed the Public Health Enforcement Standard
- Bolded and blue shaded values exceed the Public Health Preventive Action Limit
- Bolded values are above detection limits
- J = Estimated concentration above the detection limit but below the reporting limit
- Samples analyzed using EPA SW-846 Method 8260
- All results reported in units of micrograms per liter (ug/L)
- PCE = Tetrachloroethene
- TCE = Trichloroethene
- cis-1,2-DCE = cis-1,2-Dichloroethene
- trans-1,2-DCE = trans-1,2-Dichloroethene
- ND = Not detected
- CVOCs = Chlorinated Volatile Organic Compounds
- Detected compounds shown are from the most recent results from each location

- CVOC isocontour above Public Health PAL
- CVOC isocontour above Public Health ES
- Approximate groundwater flow direction



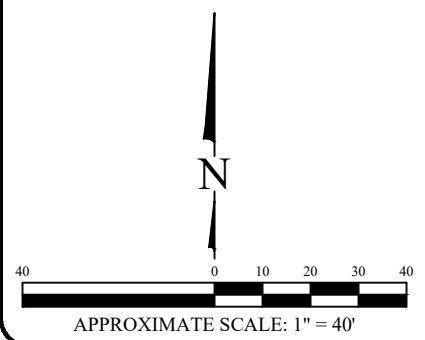
### GROUNDWATER ISOCONCENTRATION

One Hour Martinizing Facility  
285 East Hampton Avenue  
Milwaukee, Wisconsin

Date:	6/1/20
Designed:	EB
Drawn:	EB
Checked:	WF
DWG file:	6194-1599

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Figure	B.3.b
Project	6194



# Legend

- Property boundary
- City of Milwaukee/Village Whitefish Bay boundary
- Fence line
- GAS - Underground gas utility line
- WTR - Underground water utility line
- SAN - Underground sanitary utility line
- STM - Underground storm utility line
- UGE - Underground electrical utility line
- UGT - Underground fiber optic line

- Utility Pole
- Catch Basin
- Manhole
- Fire Hydrant
- Electrical Box
- SB-1 - Soil Boring
- SG-1 - Soil Gas Sample
- SSV-1 - Sub-Slab Vapor Sample Location
- OA-1 - Outdoor Air Sample
- IA-1 - Indoor Air Sample
- FDCM - Former dry cleaning machine locations

Analyte	Sub-slab/Shallow Soil gas vapor	Indoor Air	Sub-slab/Shallow Soil gas vapor	Indoor Air
	Small Commercial VRSL	Small Commercial VAL	Residential	Residential
PCE	5,800	180	1,400	42
TCE	290	8.8	70	2.1

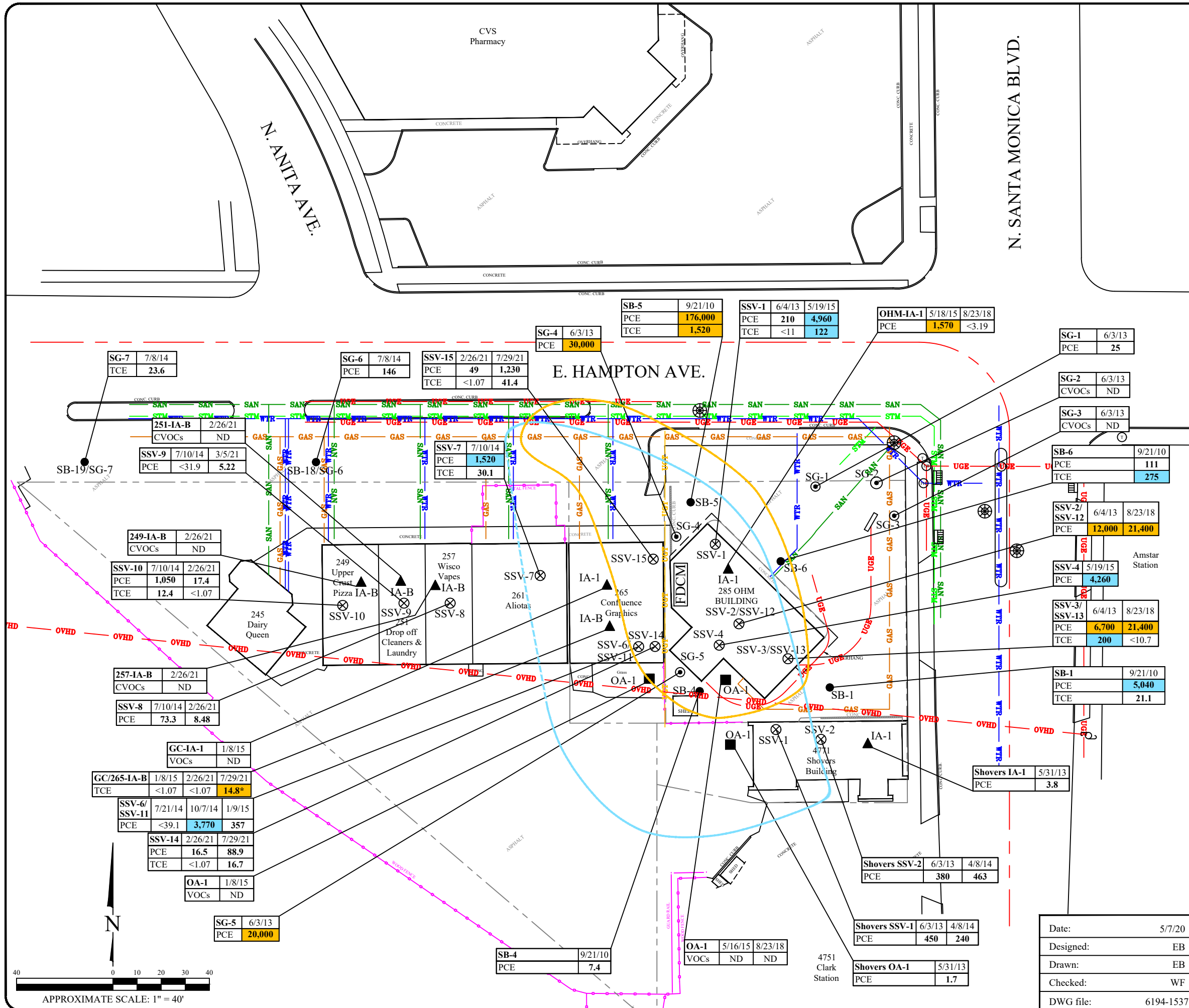
Note:

1. Bold and shaded values exceed Vapor Risk Screening Levels
2. Bold values equal or exceed laboratory detection limits
3. All results reported in micrograms per cubic meter (ug/m<sup>3</sup>)
4. NE = Not established
5. PCE = Tetrachloroethene
6. TCE = Trichloroethene
7. VOCs = Volatile Range Organics
8. ND = Not detected
9. VRSL = Vapor Risk Screening Level
10. VAL = Vapor Action Level
11. \* solvents in use by printing business during sample collection

- Extent of CVOC in groundwater isocontour above Public Health ES
- Extent of CVOC concentrations exceeding the soil RCL (Dashed boundaries are inferred)

Future vapor intrusion risk applies to the following properties:

- 249 - 261 E. Hampton Avenue
- 265 E. Hampton Avenue
- 285 E. Hampton Avenue
- 4751 N. Santa Monica Blvd
- 4771 N. Santa Monica Blvd



## VAPOR INTRUSION MAP

One Hour Martinizing Facility  
285 East Hampton Avenue  
Milwaukee, Wisconsin

Date:	5/7/20	<p>825 North Capitol Avenue • Indianapolis, IN 46204 EnviroForensics.com</p>	Figure
Designed:	EB		B.4.a
Drawn:	EB		Project
Checked:	WF		6194
DWG file:	6194-1537		

