



January 3, 2020

Adam Templer
Bear Development LLC
4011 80th Street
Kenosha, Wisconsin 53142

Subject: Case Closure Not Recommended- Additional Investigation Required
Eva Manor, 2103-2133 91st Street, Pleasant Prairie, Wisconsin
DNR BRRTS # 02-03-543562 DNR FID # 230115930

Dear Mr. Templer:

On December 5, 2019, the Wisconsin Department of Natural Resources (DNR) reviewed the closure request for the case identified above. The closure request was prepared and submitted on your behalf by your consultant, Endpoint Solutions Corp. (Endpoint). The closure request was reviewed for compliance with Wis. Admin. Code ch. NR 726, as this site is subject to regulation under Wis. Stats. ch. 292. As discussed with you and your consultant in mid-December, the purpose of this letter is to inform you of the remaining offsite groundwater investigation requirement for obtaining closure. We request that within 60 days of this letter you provide us with the information requested or your written response regarding the necessary work and a schedule for completion of this work.

Background

The site, historically a strip mall, included a former dry-cleaning facility on the eastern end of the strip mall. The site was built in 1967 and razed in 2007. The property remained vacant from 2007 until 2018, then redeveloped with slab-on-grade buildings, including a 4-story 42-unit building, a 2-story 8-unit building, and separate garage structures. Prior to razing the strip mall, tetrachloroethene (PCE) was found in soil and groundwater near the former dry-cleaning facility. In December 2007, Drake Environmental, Inc. (Drake), completed a hot spot removal and disposed a total of 1,436.75 tons to a licensed landfill facility on the south eastern end of building. Later in 2018 during redevelopment an additional 392.51 tons of contaminated soil was disposed at licensed landfill facility. Further investigation to delineate the contamination of soil, groundwater, and vapor was conducted on the eastern portion of the site.

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

As noted above, additional work is necessary to meet the requirements for case closure. Soil and groundwater investigation and vapor assessment has been completed onsite. Additional work is needed to define the extent of groundwater contamination and evaluate potential vapor pathway risks on off-site properties.

- A. Additional Groundwater Sampling and Monitoring- (Wis. Admin. Code § NR 726.05 (6) and 716.11(3)(a)). In order to define the down-gradient extent of groundwater contamination off the site, we recommend that two additional Wis. Admin. Code ch. NR 141 compliant monitoring wells be installed in the area southeast and northeast of MW-8 on the property 2019 91st Street (93-4-123-183-0440). All groundwater samples should be laboratory analyzed for chlorinated VOCs including PCE. Additional rounds of groundwater samples should be taken from remaining monitoring wells MW-2, MW-3, MW-8

- and any new monitoring wells that are installed to demonstrate degree and extent of groundwater contamination and to verify that the groundwater plume is stable or receding.
- B. Conduct Vapor Assessment Offsite (Wis. Admin. Code § NR 726.05(8) and 716.11(5)(g)). Additional vapor assessment may be needed after additional groundwater sampling. A vapor investigation is recommended if any structures overlie groundwater contaminated with chlorinated concentrations above the Wis. Admin. Code § NR 140 Enforcement Standard (ES) at the water table or if the chlorinated groundwater contamination is above Wis. Admin. Code § NR 140 Preventative Action Level (PAL) and in contact with structure.
 - C. Identify Migration Pathways (Wis. Admin. Code § NR 716.07(7)). After the offsite groundwater investigation is complete, evaluate the potential or known impacts to receptors, including onsite and offsite subsurface utilities per Wis. Admin. Code § 716.07(7). This includes the new utilities to the buildings onsite and utility connection on the offsite properties in order to complete the vapor screening evaluation.
 - D. DNR Reporting Requirements (Wis. Admin. Code § NR 716.14(2)). Sampling results must be reported to the affected property owners and the DNR within 10 days of receiving the data.
 - E. Continuing Obligations (Wis. Admin. Code § NR 726.05, 726.09(1), and ch. 725). Upon completion of the additional investigation, re-evaluate the continuing obligations that will be required for closure based on the residual contamination and any features required to be maintained. Provide any required notifications to affected property owners and update the closure documentation accordingly.

Schedule

Within 60 days of the date of this letter, respond in writing with a schedule of your plans to meet these requirements per Wis. Admin. Code § NR 716.09(1). 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. Once the additional work has been completed, documentation should be submitted to the DNR to demonstrate that the applicable requirements have been met.

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 me at 414-263-8561 and Pamela.Mylotta@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, search: RR-102, for more information.

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

Sincerely,



Pamela A. Mylotta
Team Supervisor, Southeast Region
Remediation & Redevelopment Program

cc: Robert Cigale- Endpoint Solutions Corp.
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