

From: Adam Tegen <ategen@manitowoc.org>
Sent: Thursday, November 9, 2023 7:03 AM
To: Schmidt, Molly E - DNR
Cc: Byers, Harris; Beggs, Tauren R - DNR
Subject: RE: External: DNR Acknowledgement Letter - EPA Cleanup Grant

Thank you very much Molly!

We appreciate the continued partnership on brownfield work within our community.

Adam

From: Schmidt, Molly E - DNR <MollyE.Schmidt@wisconsin.gov>
Sent: Wednesday, November 8, 2023 4:07 PM
To: Adam Tegen <ategen@manitowoc.org>
Cc: Byers, Harris <Harris.Byers@stantec.com>; Beggs, Tauren R - DNR <Tauren.Beggs@wisconsin.gov>
Subject: External: DNR Acknowledgement Letter - EPA Cleanup Grant

Hello Adam,

Attached is the requested DNR acknowledgement letter for an EPA cleanup grant.

Thank you,

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Molly E. Schmidt

Brownfields Policy Coordinator, Remediation and Redevelopment Program

Division of Environmental Management

Wisconsin Department of Natural Resources

Mobile phone: (608) 219-2153

MollyE.Schmidt@wisconsin.gov



dnr.wi.gov



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November 8, 2023

Adam Tegen
Executive Director
Community Development Authority of the City of Manitowoc
900 Quay Street
Manitowoc, Wisconsin 54220
Via Email Mail Only to ategen@manitowoc.org

**Subject: State Acknowledgement Letter for City of Manitowoc
FY24 EPA Brownfield Cleanup Grant**

Dear Adam Tegan:

The Wisconsin Department of Natural Resources (DNR) acknowledges the application of the Community Development Authority (CDA) of the city of Manitowoc for the U.S. Environmental Protection Agency (EPA) brownfield grant identified above.

The DNR is fully committed to a collaborative partnership with the CDA, and is able to support your brownfield assessment and remediation efforts in many ways, including:

- The DNR can identify key state and federal contacts for your specific project and coordinate Green Team meetings with individuals in your community to answer questions and discuss local plans, options and best practices.
- The DNR can assist you in identifying and obtaining additional financial assistance from state-managed grant and loan programs.

Obtaining U.S. EPA funding for this grant application is consistent with community needs, is vital to the local economy and will help bring needed improvements to the quality of life for residents. Federal funding will also help initiate cleanup activities, create jobs and leverage local investments in brownfield redevelopment.

FY24 Cleanup Grant: Site(s) Eligibility, Characterization, and Readiness for Remediation

For FY24, EPA requests that certain applicants for cleanup grants submit a letter from the state describing site eligibility and whether there is “a sufficient level of site characterization from the environmental site assessment performed to date (or will be by June 15, 2024).”

- **Eligibility.** This property is undergoing cleanup under Wisconsin’s cleanup program and its governing administrative code, Wis. Admin. Code chs. NR 700-799, and statute, Wis. Stat. ch. 292. The state cleanup program is regulatory and nonvoluntary. This property is eligible for the Voluntary Party Liability Exemption (VPLE) program under Wis. Stat. § 292.15. The applicant indicated that the applicant does not plan to enroll the site in the VPLE program.
- **Site characterization status.** Site characterization is not complete. The CDA indicated that while site investigation activities have not yet been completed, subsurface impacts in the Phase I Redevelopment Area appear sufficiently known to implement the selected remedial alternative. The CDA also indicated that post

construction monitoring of sub-slab vapor and groundwater will likely be required and that it plans to prepare a formal remediation documentation report following construction of the final engineered barrier surface(s).

- **Timeframe.** For the property described in the attached request, dated October 19, 2023, the applicant represented the following timeframe to the DNR:
 - *As described in the Stantec (2023) Analysis of Brownfield Cleanup Alternatives, waste characterization sampling is warranted to establish the necessary waste profiles to manage impacted soils. This work is likely to take place in Summer 2024, allowing the Remedial Action Plan and Material Management Plan to be developed in Summer 2024.*

Based on this representation, regulatory timeframes, and review timeframes, the DNR believes that it is feasible that site characterization will be complete by June 15, 2024.

Sincerely,



Christine Sieger, Director
Remediation and Redevelopment Program
Wisconsin Department of Natural Resources

Attachment:

Request dated October 19, 2023

Request revision dated October 31, 2023

cc:

Tauren Beggs, DNR NER – tauren.beggs@wisconsin.gov

Harris Byers, Stantec – harris.byers@stantec.com

From: Byers, Harris <Harris.Byers@stantec.com>
Sent: Thursday, October 19, 2023 2:02 PM
To: Schmidt, Molly E - DNR; Beggs, Tauren R - DNR; Adam Tegen
Subject: Request for a Letter of Acknowledgement for the Manitowoc CDA's FY24 USEPA Brownfield Cleanup Grant Application
Attachments: R1_1512 Washington Street - Status Review.pdf

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Molly:

On behalf of the Community Development Authority (CDA) of the City of Manitowoc, Wisconsin (City; cc'd) I am writing to request a letter of acknowledgement to support the CDA's USEPA FY2024 brownfield cleanup grant application.

** Tauren, as we discussed previously and to assist with this letter request, Stantec prepared the attached summary letter comparing cumulative assessment work completed to date to the proposed remedial alternative and proposed Site reuse features.

Below are the details of the project to support the letter of acknowledgement:

1. **Type of Grant:** \$2,000,000 cleanup grant
2. **Applicant:** Adam Tegen
Executive Director
Community Development Authority of the City of Manitowoc, Wisconsin
900 Quay Street
Manitowoc, Wisconsin 54220
ategen@manitowoc.org
3. **Community Concerns About the Property:** The City of Manitowoc (City), Wisconsin is located on the western shoreline of Lake Michigan at the confluence of the Manitowoc River (River). Development in Manitowoc in the early 1800s by European settlers was agricultural, fishing, lumber, and shipbuilding. Settlement was followed in the mid-late 19th Century by large-scale industrial development (tanneries and metal works/foundry operations) along the Washington Street and Franklin Street Corridors.

With respect to the target property (1512 Washington Street), in 1898, Henry Vits converted his tannery on the property for the manufacturing of aluminum products. By 1927, the property was occupied by a parcel-wide 3.7-acre multi-story industrial complex utilized for the manufacturing of aluminum goods (referred to as "Mirro Plant 9", also referred to herein as the target "Site"); industrial operations continued at the Site by the Mirro Aluminum Company until 1986. The Community Development Authority of the City of Manitowoc (CDA; the grant applicant) involuntarily acquired the property in June 2016 for the purpose of blight elimination. The CDA demolished the remaining structures in 2017 with site investigation activities continuing in a phase manner between 2017 and 2023. Assessment work has identified significant subsurface impacts from hazardous substance (e.g., VOCs, PAHs/SVOCs, PCBs, heavy metals), emerging contaminants (PFAS and other fluorinated compounds), and petroleum that require mitigation to facilitate the proposed multi-family

residential redevelopment targeted specifically to low to moderate income (LMI) households. The developer has secured/stacked funding to begin the project; however, the cost burden for addressing residual contamination is beyond their funding stack.

The cleanup and eventual redevelopment of the Target Property and the greater Washington and Franklin Street corridors is consistent with community needs and will bring catalytic improvements to the quality of life in Manitowoc to address significant blight, poor economic conditions, and welfare.

All structures at the Property were razed by the CDA in 2017, and the Property is unoccupied. This Property represents a significant opportunity to provide healthy housing options to LMI households.

4. **Site-Specific Details for Cleanup Grants**

Property Address. Phase 2 Redevelopment Area of the River Point District, 13th Street and River Point Drive; Manitowoc, Wisconsin

History of Ownership. As described in the Stantec (2016b) Phase I ESA, the property appears undeveloped in 1835. By 1878 the property was platted as 18 contiguous parcels of land within lot 246. By 1893, the property was occupied by the Henry Vits tannery and 6 apparent residential structures. In 1898, Henry Vits converted his tannery located at the northeast corner of the subject property for the manufacturing of aluminum products as the Manitowoc Novelty Company. By 1909 Henry Vits consolidated aluminum manufacturing operations at the target property with Joseph Koenig and the New Jersey Aluminum Company and constructed a large multi-story aluminum manufacturing plant on the northeast quarter of the property operated as the Aluminum Goods Manufacturing Company. In 1917, the company undertook an aggressive sales and advertising campaign to introduce the tradename "Mirro," and by 1927, Sherman Creek (which formerly bisected the northeast portion of the property) had been contained within a culvert, residential structures removed, and the property occupied by a parcel-wide 3.7-acre multi-story industrial complex utilized for the manufacturing of aluminum goods. In 1957, stockholders voted in favor of changing the company's name to the Mirro Aluminum Company for the purpose of improving brand recognition.

Industrial operations ceased at the Site in 1986 when the Mirro Aluminum Company was acquired by the Newell Company; however, Mirro corporate and engineering offices remained on the 6th and 7th floors until 2001. The property was purchased from Newell Holdings Delaware, Inc. by Union Street Partners, LLC on March 26, 2004 who sold the property to Kenneth J. Lemberger, Sr. on November 18, 2005. The property was then transferred to Mirro Building, LLC on March 23, 2006. EJ Spirtas Manitowoc, LLC purchased the property from Mirro Building, LLC on June 2, 2006 and initiated demolition of site buildings in 2014. The Community Development Authority of the City of Manitowoc involuntarily took ownership of the property on June 29, 2016 for the purpose of blight elimination in an environmental justice community.

Current Owner. A Phase I ESA was completed on behalf of the current owner/grant applicant (the Community Development Authority of the City of Manitowoc) on June 28, 2016 by Stantec (2016b) utilizing USEPA Brownfield Assessment grant funding provided to the City of Manitowoc. The Community Development Authority of the City of Manitowoc involuntarily took ownership of the property on June 29, 2016 for the purpose of blight elimination in an environmental justice community and subsequently received a Local Governmental Unit (LGU) Environmental Liability Exemption from the Wisconsin Department of Natural Resources (WDNR) per ch. 292.11(9). To facilitate redevelopment of the Property following acquisition, the CDA continued environmental assessment activities as documented in the reports outlined in Section 6(e). The Phase II ESAs [i.e., Stantec 2017j, 2019, 2020a-c) were all completed per ASTM E1903-19 with subsequent Site Investigations [i.e., Stantec 2021, Ramboll 2020, 2021a-c, 2022a-c, 2023a-c] conducted under state cleanup program oversight.

Since taking ownership, the CDA has maintained compliance with the required continuing obligations and no records have been identified indicating the CDA is considered potentially liable or known to be affiliated with any other person that is potentially liable for contamination at the Property.

Current BRRTS Numbers. Numerous prior environmental investigations were completed at the Property while the property was owned by the former industrial operator [03-36-000085 (Closed); 02-36-216391 (Closed); and 03-36-274209 (Closed)]. Work completed after the CDA acquired the property is being tracked under BRRTS Case No. 02-36-545108.

Need for Cleanup. The WDNR (2016) letter prepared for the current owner prior to acquisition and subsequent assessment work acknowledges multiple hazardous substance constituents of concern are known to exist at the property, including known releases of VOCs, PAHs, PCBs, SVOCs, and heavy metals (see figures in the attached letter). As documented through the extensive investigation history (e.g., AECOM 2009a,b; Stantec 2016a-2021; Ramboll 2020-2023c), significant residual soil and groundwater impacts from petroleum and/or hazardous substances (including emerging contaminants, such as PFAS) associated with prior industrial use and/or placement of historic fill are present and will complicate redevelopment. However, given the current economic condition of the City, the local community cannot self-fund this work; therefore, a cleanup grant is being sought from USEPA.

Statement on VPLE. The City does not plan to enroll the project in VPLE.

Schedule. As described in the recent Site Investigation Status Update Letter, site investigation activities have not yet been completed nor has Wisconsin DNR yet approved a Site Investigation under Wis. Admin. Code ch. NR 716. However, subsurface impacts in the Phase I Redevelopment Area appear sufficiently known to implement the selected remedial alternative. It is acknowledged that post construction monitoring of sub-slab vapor and groundwater will likely be required, but the scope is not yet determined. In addition, a formal remediation documentation report will be prepared following construction of the final engineered barrier surface(s).

As described in the Stantec (2023) Analysis of Brownfield Cleanup Alternatives, waste characterization sampling is warranted to establish the necessary waste profiles to manage impacted soils. This work is likely to take place in Winter 2023, allowing the Remedial Action Plan and Material Management Plan to be developed in Spring 2023.

Please call with any questions on this request. We look forward to working with WDNR as the redevelopment.

Sincerely,

Harris Byers, Ph.D.

Sr. Brownfields Project Manager
Contaminant Hydrogeologist / Urban Geochemist

Direct: 414 581-6476
Harris.Byers@stantec.com

Stantec
12080 Corporate Parkway Suite 200
Mequon WI 53092-2649



From: Byers, Harris <Harris.Byers@stantec.com>
Sent: Tuesday, October 31, 2023 3:32 PM
To: Schmidt, Molly E - DNR
Cc: Beggs, Tauren R - DNR
Subject: RE: Request for a Letter of Acknowledgement for the Manitowoc CDA's FY24 USEPA Brownfield Cleanup Grant Application

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Thanks for the follow-up; I realized I didn't fully answer you.

Please revise that to read.

As described in the Stantec (2023) Analysis of Brownfield Cleanup Alternatives, waste characterization sampling is warranted to establish the necessary waste profiles to manage impacted soils. This work is likely to take place in **Summer 2024**, allowing the Remedial Action Plan and Material Management Plan to be developed in **Summer 2024**.

**** Is this acceptable to the agency or is there another timeframe we need to be considering?**

Sincerely,
Harris

From: Schmidt, Molly E - DNR <MollyE.Schmidt@wisconsin.gov>
Sent: Tuesday, October 31, 2023 3:29 PM
To: Byers, Harris <Harris.Byers@stantec.com>
Cc: Beggs, Tauren R - DNR <Tauren.Beggs@wisconsin.gov>
Subject: RE: Request for a Letter of Acknowledgement for the Manitowoc CDA's FY24 USEPA Brownfield Cleanup Grant Application

Hello Harris,

Did the city/Stantec intend that language to read "developed in Spring 2024"?

Please pardon the repeat question, however, I need a clear (yes/no) answer to ensure sure we do not misrepresent Stantec/the city in the response letter.

Or, if the city/Stantec would like to amend the timeline portion of the request with different language, please let me know.

Thank you,

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Molly E. Schmidt

Brownfields Policy Coordinator, Remediation and Redevelopment Program

Division of Environmental Management

Wisconsin Department of Natural Resources

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