

**From:** Schmidt, Molly E - DNR  
**Sent:** Friday, June 7, 2024 10:53 AM  
**To:** Adam Tegen  
**Cc:** Byers, Harris; Beggs, Tauren R - DNR  
**Subject:** DNR Acknowledgement Letter (6/2024 Follow Up) - EPA Cleanup Grant  
**Attachments:** 2024-06-07\_Letter\_ManitowocCDA\_CleanupGrantFollowup.pdf

Hello Adam,

Attached is the requested DNR acknowledgement letter (follow up letter) for an EPA cleanup grant.

Thank you,

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**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](mailto:MollyE.Schmidt@wisconsin.gov)



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June 7, 2024

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

**Subject: Addendum to State Acknowledgement Letter for City of Manitowoc CDA  
FY24 EPA Brownfield Cleanup Grant Award**

Dear Adam Tegan:

On November 8, 2023, the Wisconsin Department of Natural Resources (DNR) issued a letter acknowledging 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 provided this letter to assist the CDA in meeting the U.S. EPA's requirement that the applicant provide a letter from the state describing site eligibility and stating whether there is "a sufficient level of site characterization from the environmental site assessment performed to date (or will be by June 15, 2024)."

In the November 8, 2023, letter, the DNR stated that it would be feasible for the applicant to complete site characterization by June 15, 2024, based on the following information provided by the CDA:

- 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).
- 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 a remedial action plan and material management plan to be developed in summer 2024.

The DNR verifies, as of the date of this letter, that sufficient site characterization has occurred prior to June 15, 2024, to allow remediation work to begin. Newell Operating Company (NOC), the responsible party, and its consultant, Ramboll Americas Engineering Solutions, Inc. (Ramboll) are also conducting work at this site. Ramboll submitted a *Site Investigation Report (SIR) Addendum* with a fee for review to the DNR on February 8, 2024. The SIR Addendum detailed site investigation work that took place throughout 2022 and 2023. The DNR reviewed this report and issued a letter to NOC on April 3, 2024, stating that the on-site investigation is complete and only a few remaining items are needed for investigation off-site. The DNR also indicated in that letter that a remedial action options report may be completed concurrently with the additional off-site investigation. The CDA's consultant, Stantec, has stated that it will submit a remedial action plan (RAP) that includes removal of PCB-contaminated soil. Prior to submitting a RAP, Stantec plans to perform waste characterization soil sampling in mid-July 2024 in the two onsite areas with elevated concentrations of PCBs to provide additional data for discussion with the DNR and the U.S. EPA on appropriate soil cleanup levels for remedial excavation. The DNR and the U.S. EPA would then provide a coordinated review once the RAP is submitted by Stantec. Assessment of

the site has been performed to an extent that allows the CDA to propose and conduct a remedial action that would occur as part of redevelopment of a portion of the site.

Sincerely,

A handwritten signature in black ink that reads "Christine Sieger". The signature is written in a cursive, flowing style.

Christine Sieger  
Director  
Remediation and Redevelopment Program

Attachment:  
Acknowledgement letter dated November 8, 2023

cc:  
Tauren Beggs, DNR, Remediation and Redevelopment Program – [tauren.beggs@wisconsin.gov](mailto:tauren.beggs@wisconsin.gov)  
Harris Byers, Stantec – [harris.byers@stantec.com](mailto:harris.byers@stantec.com)



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](mailto: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, 13<sup>th</sup> 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

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**From:** Schmidt, Molly E - DNR <[MollyE.Schmidt@wisconsin.gov](mailto:MollyE.Schmidt@wisconsin.gov)>  
**Sent:** Tuesday, October 31, 2023 3:29 PM  
**To:** Byers, Harris <[Harris.Byers@stantec.com](mailto:Harris.Byers@stantec.com)>  
**Cc:** Beggs, Tauren R - DNR <[Tauren.Beggs@wisconsin.gov](mailto: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,

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**Molly E. Schmidt**

Brownfields Policy Coordinator, Remediation and Redevelopment Program

Division of Environmental Management

Wisconsin Department of Natural Resources

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