

BRRTS ID No. 02-45-552083

Reviewer: Jennifer Borski

Review Date: 08/19/2014

Site Name: Tierneys Cleaners

Region: NE

See **RR5242** for instructions <http://intranet.dnr.state.wi.us/int/aw/rr/guidance/RR5242.pdf> . Steps with an \*denote DNR follow up;

\*\* denote RP/property owner follow up. If auditing a VPLE site, use the applicable LUST or ERP BRRTS number.

**File Review:**

**1. Review the file and BRRTS, identify the following:**

Address 1109 W Wisconsin Ave		City Appleton	State WI	ZIP Code 54914
County Parcel Identification Number (PIN) 315023701	FID Number	Current Property Owner John & Janet Kennedy		
Original Responsible Person John Jr & Nancy Abraham				

Has the property been transferred since the restriction was recorded/condition applied?  Yes  No

How was site selected for audit? (AC = BRRTS Action Code)

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Vapor Mitigation AC 226 | <input type="checkbox"/> Green Space Grant AC 605                 | <input type="checkbox"/> Age of Remedy                |
| <input type="checkbox"/> VPLE with AC 56         | <input checked="" type="checkbox"/> AC 220, 222, 224, 228, or 230 | <input type="checkbox"/> Complaint Received           |
| <input type="checkbox"/> Enforcement Follow-up   | <input type="checkbox"/> Deed Restriction AC 52 or 696 (LGU)      | <input checked="" type="checkbox"/> Regional Priority |
| <input type="checkbox"/> Other: _____            |   |   |

Date of:

- |  |                   |   |       |
|--|-------------------|---|-------|
| <input checked="" type="checkbox"/> Final Closure  | <u>12/15/2009</u> | <input type="checkbox"/> Remedial Action Plan Approval          | _____ |
| <input type="checkbox"/> Certificate of Completion | _____             | <input type="checkbox"/> General Liability Clarification Letter | _____ |
| <input type="checkbox"/> Green Space Grant         | _____             | <input type="checkbox"/> Local Gov't Unit (LGU) Letter          | _____ |

\*Select all continuing obligations applied (at case closure or RAP approval or letter to LGU):

Add to BRRTS	Action Code (AC) in BRRTS	AC	AC Meaning
		51	Deed notice
		52	Deed restriction for soil
		730	Groundwater use restriction
		95	Deed instrument conditions met (for audits, use if deed restriction was updated by filing a deed notice)
		101	GIS Registry PDF modified - date DNR letter sent
		104	Site removed from GIS Registry - date DNR letter sent
		696	Continuing obligation required of LGU to maintain liability exemption
		605	Green Space Grant awarded (deed restriction)
		<input checked="" type="checkbox"/> 56	Continuing Obligation applied (use with codes 220-238)
		220	Soil at industrial use level
		<input checked="" type="checkbox"/> 222	Cover/engineered containment system (pavement, soil cover, etc.)
		224	Structural impediment (buildings or other structures)
		226	Vapor mitigation/response
		228	Site-specific (identify in comment field)
		230	LGU was directed to take a protective action
		<input checked="" type="checkbox"/> 232	Residual soil contamination > RCLs/SS RCLs (use with AC 222, 224)
		234	Monitoring well needs to be abandoned
		236	Site closed with groundwater contamination > ES

# Remediation & Redevelopment Continuing Obligation Review

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Add to BRRTS	Action Code (AC) in BRRTS	AC	AC Meaning
		238	Maintenance and inspection documentation required to be submitted
X		185	Closure Compliance Review completed
X		186	Closure Compliance Review - RP follow up needed
		187	Closure Compliance Review follow up completed
		99	use this code with comments, for actions not listed under AC 186

Describe any site-specific requirements that the site owner and/or responsible party needed to address:

Is the site on the GIS Registry?       Yes       No - *Add it to the GIS Registry\**

Were neighboring properties affected?       Yes       No

If yes, are these properties listed on the GIS Registry and in BRRTS?       Yes       No - *Update the GIS Registry/BRRTS, use form 4400-246\**

Was a maintenance plan required at closure?       Yes       No       NA

Is it in the file       or PDF       or missing?

*If no maintenance plan was required, offer the property owner the template model with inspection log, and note in the follow up section of the audit that one was provided on the audit date*

Was/were the appropriate restriction(s) recorded with the Register of Deeds?       Yes       No       NA

Has a restriction been amended, or been nullified by DNR?       Yes       No

If yes, was BRRTS updated? (95)       Yes       No\*

Was the GIS Registry PDF updated?       Yes       No\*

**Site Visit:**

**2. Contact the site owner for access.**

**3. Walk the site (ideally with the owner or responsible party) to review the site conditions against the conditions documented at closure/other to verify or change answers to questions in #1.**

**4. With the site owner/RP (if possible), answer the following for DNR RR records:**

Did the site owner know about the continuing obligation(s)?       Yes       No

Have site conditions changed since closure that would affect either a deed restriction or other restrictions or requirements associated with the site?       Yes       No

If yes, explain:

*Examples: 1) a building has been razed and investigation and remediation occurred. 2.) excavation or residential development has occurred in a restricted area.*

Has a pavement (asphalt or concrete) cover, soil cover or other sort of cover, such as a building, been removed or is it in disrepair?       Yes       No/NA

Should it be replaced or repaired?       Yes       No

If a performance standard was the final remedy, has it been altered?       Yes       No

If yes, explain:

If yes, was the DNR notified?       Yes       No

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Have local zoning changes occurred since closure?  Yes  No/NA

If yes, does it appear to impact the effectiveness of the restriction?  Yes  No

If yes, describe:

Is soil sampling needed to determine if the final remedy has been modified such that a direct contact threat exists?  Yes  No

If yes, describe:

*For example, an asphalt cover has been removed or is in disrepair, or a new contaminated site is present upgradient, etc.*

Has additional monitoring or remediation been done since the site was closed?  Yes  No

If yes, describe:

Does a new threat to public health or the environment exist (e.g. new sources or exposure routes)?  Yes  No

If yes, does sampling need to be performed?  Yes  No

If yes, describe what should be done to address the problem, and by whom:

Is the vapor mitigation system or sub-slab depressurization system (SSDS) operating as designed? (pressure gradient being maintained)  Yes  No  NA

If no, describe any follow up needed.

Have any of the exposure assumptions used for closure changed at this site?  Yes  No  NA

If yes, describe any follow up needed.

Has the land use at this site changed such that a vapor intrusion pathway may now exist?  Yes  No

If yes, describe any follow up needed.

Active dry cleaner (1109) has occupied residence (R) above it (1109-1/2). DC interconnected to occupied business (1107) with occupied R above it (1107-1/2) and residual soil contamination beneath the business. 1107/1109 interconnected with adjacent currently vacant building (1101) with occupied R above it (1101-1/2). No VI SI performed.

**COMPLIANCE AND FOLLOW-UP:**

**5. Identify compliance and any follow up needed.**

Is the site in compliance with the continuing obligations/closure approval document?  Yes  No

If no, describe what's not in compliance and the reasons for noncompliance:

Property owner has not performed annual cap inspections since closure on 12/15/2009.

*May depend on extent of non-compliance, non-maintenance of remedy or changed ownership or conditions. If case is out of compliance, it should be prioritized by the region, for new casework or enforcement, as needed.*

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Has the maintenance agreement required at closure been followed?  Yes  No  NA

If no, describe:

No annual inspections performed.

6. **\*\*Are additional actions by the RP property owner warranted at the site? *The intent is to return the site to compliance with continuing obligation. If further remedial action is needed, determine if the site meets the NR 726 reopening criteria.***  Yes  No

If yes, describe any actions needed to return the site to compliance and identify who is responsible:

Perform initial cap inspection and develop schedule for subsequent annual inspections.

Add AC 186, use AC 99 for actions not listed under AC 186.

7. **\*Does the site require follow up by DNR?**  Yes  No

contact or enforcement to return site to compliance with continuing obligation

updating the GIS Registry (adding or modifying a packet)

reopen site (add ACs 186 and 13)

other: \_\_\_\_\_

8. **\*Attach photographs of the site, documenting site conditions. Label the photos with the site name/BRRTS Activity number/date/view. If a follow-up letter is sent, include a copy with the audit. (audit/photos/follow-up letter)**

9. **\*Save a copy of the audit using the following naming convention:  
BRRTS#\_COAUDIT\_Year.pdf (example: 0365001149\_COAUDIT\_2008.pdf).**

10. **Update applicable BRRTS action codes on the Table on page 1. Send a copy of the audit to your Regional EPA for updating ACs and uploading the PDF into BRRTS.**

11. **\*Add a PDF copy of this audit to the case file. Send a copy electronically (PDF) to Central Office.**

{Click to Add/Edit Image}

Date added: 08/19/2014



Title: SE corner of active DC above residual soil contamination at 1109

{Click to Add/Edit Image}

Date added: 08/19/2014



Title: SE looking NW of 1101, 1107 & 1109 W WI w/ residences above