

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
Sturtevant Service Center
9531 Rayne Rd
Suite IV
Sturtevant WI 53177

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 262-884-2342
FAX 262-884-2307
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August 25, 2015

Mr. Bill Scott
Gonzalez Saggio & Harlan LLP
111 E. Wisconsin Ave., Suite 1000
Milwaukee, WI 53202

SUBJECT: Contained Out Determination for the Former Express Cleaners located at 3941 N. Main Street, Racine, Wisconsin BRRTS#: 02-52-547631

Dear Mr. Scott,

This letter is in response to your August 12, 2015, email requesting a contained out determination for contaminated concrete from the former Express Cleaners located at 3941 N. Main Street, Racine, Wisconsin. In your email, you explained that spillage of tetrachloroethylene occurred on the concrete floor and the owner has determined that the concrete floor contains a F002 hazardous waste due to the spillage of the tetrachloroethylene.

Under s. NR 661.03(6)(b) Wisconsin Administrative Code (WAC), the department can determine after considering the extent of contamination in the debris (i.e., the concrete floor) whether the debris remains contaminated with hazardous waste.

Information presented in your email states the highest concentration of tetrachloroethylene found in the concrete floor was 0.084 mg/kg. The department does not have specific standards for determining when debris no longer contains a listed hazardous waste, but on a case-by-case basis, makes a decision based on the protection of human health and the environment. Therefore, based on the concentration of the tetrachloroethylene in the concrete floor being below the industrial Residual Contaminant Level (RCL) for soil at 153 mg/kg and the Land Disposal Restriction (LDR) standard of 6.0 mg/kg, the department concurs with your assessment that the residual levels of tetrachloroethylene in the concrete floor levels are low enough to be considered to no longer contain a listed hazardous waste. However, due to the remaining residual contamination and to be protective to human health and the environment, the contaminated concrete may only be disposed of in a licensed solid waste landfill.

If you have any additional questions or comments, please contact me at (262) 884-2342.

Sincerely,

Michael J. Ellenbecker
Hazardous Waste Program Coordinator
Hazardous Waste & Mining Section
Bureau of Waste and Materials Management

262-884-2342

cc: Ed Lynch - DNR WA/5
Gary Edelstein - DNR RR/5
Nancy Ryan - DNR SE Region