



March 15, 2022

VIA EMAIL

Mr. Dan Martino
danmartinosr@aol.com
Martino's Master Dry Cleaners
7513 41st Avenue
Kenosha, WI 53142

Subject: Remaining Actions Needed for Case Closure under Wis. Admin. Code chs. NR 700-754
Martinos, 3917 52nd Street, Kenosha, Wisconsin 53144
BRRTS #: 02-30-552186, FID #: 230007030

Dear Mr. Martino:

On February 24, 2022, the Department of Natural Resources (DNR) reviewed your request for closure of the case described above. The DNR reviews environmental remediation cases for compliance with applicable local, state and federal laws. The following actions are required prior to the DNR granting you case closure in compliance with Wis. Stat. ch. 292 and Wis. Adm. Code chs. NR 700-754. Upon completion of these actions, closure approval will be provided. Pursuant to Wis. Adm. Code § NR 726.09 (2) (g), you are required to provide this information to the DNR within 120 days of the date of this letter.

Remaining Actions Needed

Monitoring Well or Remedial System Piping Filling and Sealing

The monitoring wells at the site must be properly filled and sealed in accordance with Wis. Adm. Code ch. NR 141. Documentation of filling and sealing for all wells and boreholes must be submitted on DNR Form 3300-005. To download the form, go online at dnr.wi.gov and search "form 3300-005".

Documentation

The closure documentation was reviewed for completeness and consistency. The following documentation revisions are needed before case closure:

- I. Case Closure Form 4400-202:
 - a. Based on the DNR's review of site photos presented in Attachment D.3., gravel and landscape areas are present within a predominantly asphalt/concrete cap. Update Section 4.H. of Form 4400-202 to discuss these features and include further justification for how these capping materials provide protective conditions as a part of the site cap. The extent of direct contact and soil-to-groundwater pathway residual contaminant level (RCL) exceedances should be considered as part of this justification. Should cap improvements/modifications be determined to be necessary to establish protective conditions, update the applicable sections of the closure request accordingly.
 - b. Update Table 5 to check "none of the following situations apply" for the ROW column.
 - c. Update Table G to include the date that the revised notification was received (i.e., 10/23/21)
5231 40th Ave.

- d. Update Table G to list all affected properties, even those that are owned by the source property owner (SPO).
- e. Considering soil and groundwater data collected to-date, a future vapor risk continuing obligation must be applied at parcel # 401-008 in addition to the properties listed in Section 4.H. of Form 4400-202. Update Table G, Attachment G, and Section 4.H. accordingly.

II. Attachment B:

- a. Update Figure B.2.b.1. to extend the soil-to-groundwater pathway RCL exceedance lines towards vapor sample location SSV-5, in consideration with the vapor data that was collected at this location.
- b. Update Figure B.3.b. to extend the Wis. Admin. Code Ch. 140 enforcement standard (ES) and preventive action limit (PAL) exceedance lines to extend towards groundwater sample locations SB-25 and MW-7, in consideration with the groundwater data that was collected at each of these locations. This RCL exceedance line should be dashed to indicate it is an estimated extent.

III. Attachment D:

- a. Considering the residual soil contamination at this site, update Figure D.2. to expand the cap to include the entire strip mall building that is owned by Mr. Martino.
- b. Considering the extended cap area outlined above, update Attachment D.1. accordingly.
- c. Update Attachment D.1. to discuss the gravel and landscaped areas within the cap area to the east of the building.
- d. Add the responsible party's full name and contact phone number above the RP's signature in Attachment D.1.

IV. Attachment G:

- a. Update Attachment G to include the deed, certified survey map (CSM), and verification of zoning for all affected properties, even those that are owned by the source property owner. This should be organized clearly, and the properties should be presented in the same order as what is displayed in Table G. Update the table of contents in Attachment G accordingly and include a statement explaining the reason(s) that no notifications were sent for the applicable affected properties.

When the required actions are completed, submit the appropriate documentation within 120 days of the date of this letter, to verify completion. The closure documentation will be reviewed again, and if all the issues noted above have been appropriately revised, your closure request can be approved, and your case can be closed.

The submittal of both an electronic and paper copy are required in accordance with Wis. Adm. Code s. NR 726.09 (1). See *Guidance for Electronic Submittals for the Remediation and Redevelopment Program, RR- 690* for additional information. To view the document online, go to dnr.wi.gov and search "RR 690".

Database Listing

This site will be listed on the DNR's Bureau for Remediation and Redevelopment Tracking System on the Web (BOTW) and RR Sites Map, to provide public notice of remaining contamination and continuing obligations. The continuing obligations will be specified in the final case closure approval letter sent to you. Information that was submitted with your closure request application will be included on BOTW, located online at dnr.wi.gov and search "BOTW".

Conclusion

We appreciate your efforts to restore the environment at this site. This remedial action project is nearing completion. We look forward to working with you to complete all remaining actions that are necessary to achieve case closure.

If you have any questions regarding this letter, please contact the DNR Project Manager, Jane Pfeiffer, at (414) 435-8021 or Jane.Pfeiffer@wisconsin.gov.

Sincerely,

Michele R. Norman
SER Team Supervisor
Remediation & Redevelopment Program

cc: Brian Kappen, EnviroForensics LLC, bkappen@enviroforensics.com – electronic copy