



March 30, 2018

Mr. Joshua Ivey  
Milwaukee Holdings, LLC  
P.O. Box 8460  
Des Moines, IA 50301

Subject: Remedial Action Plan Not Approved – Request for Additional Information  
Comedy Club Cafe (Fmr.), 615 E. Brady St., Milwaukee, WI  
DNR BRRTS # 02-41-553001 FID # 341170170

Dear Mr. Ivey:

The Wisconsin Department of Natural Resources (DNR) has received the March 5, 2018 *Remedial Action Plan (RAP)* for the above-referenced site. The *RAP* with review fee was submitted on your behalf by Timothy Anderson of United Engineering Consultants, Inc. (United). Based on review of the *RAP* and previously submitted site information, the DNR is not able to approve the *RAP* because sufficient information has not been provided to allow us to determine that the that site investigation is complete. A remedial action plan cannot be approved until the site investigation is complete in order to identify what remedial responses are needed. Additional actions need to be taken and information provided to the DNR before we can approve the site investigation as complete. These items are described below as well as some general comments on the *RAP*.

Site Investigation:

United recently conducted additional soil investigation activities at the site to further assess the extent and degree of contamination identified at soil boring locations GP-4, GP-19 and GP-20 on the western portion of the site. The DNR had previously requested further assessment of soil contamination in these areas. United included the results of the soil sampling in the *RAP* but has not submitted a site investigation report to document investigation activities or interpret the data as part of the comprehensive site investigation. A supplemental site investigation report, prepared in compliance with ch. NR 716 Wis. Adm. Code, should be submitted to the DNR and include conclusions and recommendations for any additional investigation requirements and identify response actions needed to address identified pathways of concern. Follow the general guidelines in s. NR 716.15 to prepare an updated site investigation report. The following items need to be addressed and included in the report.

- Soil boring logs, boring abandonment forms, description of methods of investigation, laboratory data sheets
- Updated soil contaminant isoconcentrations maps (see figures included with previous closure submittals) using concentration contour lines scaled to allow identification of source areas/areas with higher contaminant concentrations (not just the soil residual contaminant levels contours)
- A discussion of the potential sources of contamination, i.e. disposal of chemicals to floor drains, leakage from sanitary sewers, location of former dry cleaning machines, chemical storage areas, especially in areas where elevated sub-slab vapors have been detected
- A discussion of results and interpretation of the data to characterize the areal and vertical degree and extent of contamination including below the site building and on the east side. If the extent of contamination is inferred, justification for why additional investigation is not warranted must be provided.
- Areas appearing to need further investigation include the following locations:

The area north of the duplex and south of borings GP-20, GP-35 and GP-36 on the west side of the property where utilities are located and significantly elevated sub-slab vapor samples were identified below the storage area of the duplex.

United's figures indicate the presence of a combined sewer in the vicinity of GP-20 which had not previously been identified. The location of this utility suggests the possible disposal of dry cleaning solvents into drains connected to this sewer. Soil samples should be collected from below the floor drains along this utility, one of which is located within the footprint of the former dry cleaner.

Within the building footprint on the east side adjacent to the alley.

Soil sampling in these areas should be conducted unless information is provided to justify why additional investigation isn't warranted. The DNR understands that areas in the footprint of the former building are now accessible, so investigation, and if necessary, remediation, should be conducted while the area is accessible.

- A description of the location/depths of current utilities and assessment of whether they may act as contaminant migration pathways
- Identification of the impact of contamination upon all potential receptors (pathways of concern) including human health from direct contact with contaminated soil, vapor intrusion, groundwater quality and surface water/sediment. Include recommendations for response actions needed to protect potentially impacted receptors

#### Remedial Action Plan:

Once the site investigation is complete and potentially impacted receptors have been identified, an evaluation of remedial action options and selection of a remedial action should be conducted in accordance with ch. NR 722 Wis. Adm. Code and a revised remedial action plan submitted to the DNR. The *RAP* does not meet the requirements of ch. NR 722 Wis. Adm. Code. A revised remedial action plan must contain information not provided in the *RAP* including a thorough description of the proposed redevelopment with figures clearly identifying locations of additions, areas where soil will be disturbed during construction, location of proposed remedial actions, vapor depressurization system components, and a description of any plans to replacement/remove utilities or the vapor trench located north of the duplex.

#### Next Steps:

Your environmental consultant should prepare a site investigation work plan to address any additional investigation requirements. Please submit the applicable review fee if you wish to receive DNR review of the site investigation work plan. Upon completion of the site investigation, a supplemental site investigation report prepared in compliance with ch. NR 716 Wis. Adm. Code and a remedial action plan prepared in compliance with ch. NR 722 Wis. Adm. Code should be submitted to the DNR. Additional fees are not required for DNR review of the site investigation report or the remedial action plan.

The DNR understands from discussion with your consultant that an underground storage tank was discovered during site redevelopment activities at the site. If the tank closure site assessment conducted during removal of the tank indicated that a hazardous substance release has occurred from the tank, you are required under Wis. Stats. Section 292.11 and ch. NR 706 Wis. Adm. to report the release to the DNR. Please use the non-emergency Notification For Hazardous Substance Discharge (Non-Emergency Only) (Form 4400-225) to report the release.

The DNR has discussed the issues raised in this letter with your consultant, however, if you or your consultant would like to meet for further discussion, clarification or direction, please contact me within the next 15 days to arrange a meeting.

The DNR appreciates your efforts to investigate and restore the environment at this site. Please contact me at (414) 263-8533 or at [nancy.ryan@wisconsin.gov](mailto:nancy.ryan@wisconsin.gov) if you have questions regarding this letter.

Sincerely,



Nancy D. Ryan, Hydrogeologist  
Remediation and Redevelopment Program

Cc: Timothy Anderson, United Engineering – electronic copy