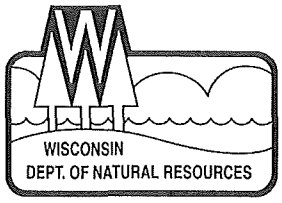
State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
2300 N. Dr. Martin Luther King, Jr. Drive
Milwaukee WI 53212-3128

Scott Walker, Governor
Daniel L. Meyer, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



July 3, 2018

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

Subject: Site Investigation/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 *Site Investigation (SI) Report* (SIR) and the *Revised Remedial Action Plan* (RAP), both dated May 23, 2018, that were submitted on your behalf by Timothy Anderson of United Engineering Consultants, Inc. (United). Based on review of both reports and previously submitted information, the DNR has determined that insufficient information has been provided to approve the site investigation or the proposed remedial action plan. The following information must be provided to facilitate the DNR's review.

Site Investigation

United conducted additional investigation activities in September 2017 and April 2018 to further delineate the extent of chlorinated solvent contamination at the site. The SIR presents a summary of investigation results, conclusions and recommendations. United concludes that the lateral and vertical extent of the solvent contaminant plumes have been generally defined and further investigation is not warranted. Chlorinated solvent contamination, primarily tetrachloroethylene (PCE) and trichloroethylene (TCE), is present over the majority of the property and extends into the N. Jackson St. and N. Van Buren St. rights-of-way. The lateral extent of solvent contamination is depicted as extending into the alley on the eastern side of the site and onto the property at 1681 N. Van Buren St. Because there has also been a documented release from former dry-cleaning operations at the 1681 N. Van Buren St. property, United suggests that contaminant plumes are co-mingled and that the limits of the contaminant plume originating from the Comedy Club site may be modified once the investigation at 1681 N. Van Buren St. has been completed. United's remedial action recommendations to address residual soil and vapor contamination include reducing the mass and concentration of TCE and PCE through soil excavation, installation of sub-slab vapor depressurization systems, and maintenance of building slabs and pavement as impermeable caps.

- Based on the residual chlorinated solvent contamination extending into N. Jackson St. and N. Van Buren St., provide a discussion of the potential for vapor migration along utilities within these rights-of-way.

- The inferred extent of contamination attributable to the Comedy Club site should be delineated on the east side, and the potential threat of vapor intrusion into the building at 1681 N. Van Buren must be assessed. Sub-slab vapor sampling has been conducted below the 1681 N. Van Buren St. building and can be used to assess this risk.

- Soil boring logs provided in the SIR indicate that field screening for the presence of volatile organic compounds was not conducted during the recent soil investigations. United should explain how they determined which samples would be submitted for laboratory analysis for volatile organic compounds.

- Discuss/justify how the vertical extent of solvent contamination has been defined at locations most recently investigated, GP-44 through GP-49.

- What is/was the elevation of the sewer line within the building footprint, drain depths? These features should be added to the cross section along with boring locations/depths/sampling results and the excavation details below the building.

- The SIR should include a brief summary of the petroleum contamination identified on the property and identify the risks associated with it. Figures from previous submittals should be included to show where contamination exceeds soil residual contaminant levels based on direct contact and protection of groundwater.

Remedial Action Plan

The RAP reiterates the results of chlorinated solvent investigations conducted at the site, describes redevelopment plans, construction activities and remedial actions proposed/taken to address risks associated with identified contamination. Based on confirmed exceedances of vapor risk screening levels from vapor samples collected below the commercial portion of the building and the duplex, United identifies the need for remedial action to reduce the mass and concentration of the source of the vapor (TCE and PCE in soil) and mitigation to interrupt the vapor exposure pathway. United reports that a soil excavation was conducted that removed approximately two feet of soil within the former building footprint and sub-slab vapor depressurization systems are planned to be installed below the buildings to mitigate the vapor intrusion potential. The DNR understands that some of the proposed actions described in the RAP have already been taken. Additional information or clarification of the following items needs to be submitted:

- Provide additional detail on the abandonment and replacement of utilities. Show on a site map which utilities were abandoned, where new utilities are located, describe how they were abandoned/installed, including the catch basin on the western portion of the site and the combined sewer upgrade activities. Describe any soil management activities related to abandonment or replacement. Provide soil disposal documentation, if applicable.

Soil sampling conducted below the former building footprint identified significant PCE and TCE contamination in the area of the former dry-cleaning operations, near floor drains and along a sewer line. Soil samples were collected at depths of three to four feet and seven to eight feet below ground surface (bgs). It appears that no samples were collected from the zero to two-foot depth within the building footprint, and that the sampling within the building occurred after soil excavation.

Since it appears that there is no contaminant information for the soil in the top two feet below the building, there is no basis for knowing the extent or degree of contamination present in the shallow excavated soil or any way to assess whether meaningful contaminant source reduction was achieved.

- Provide further discussion of how the criteria described in Wis. Adm. Code §§ NR 722.09(2)(d)1. and NR726.05(8) criteria has/will be met.

- Provide a description of the soil excavation activities for the removal of approximately 400 tons of soil from within the building footprint. Describe date(s) of excavation, conditions encountered during the excavation, and documentation of soil characterization and disposal. The RAP references Waste Management Profile 128792WI. It appears that this profile relates to disposal of contaminated soil excavated north and outside of the building footprint during construction of the building addition, in an

area not significantly impacted by solvents. Provide a hazardous waste determination made for the soil removed from the building footprint.

- Two additional excavations were conducted and reported as 200 tons removed related to the building addition and 200 tons removed for reinforcement of the existing southern and western perimeter wall footings. Please provide updates to RAP Figure 18 - Remedial Action Map, to indicate excavation depths for each of the excavations. Disposal documentation needs to be submitted for all excavated soil. The area around the catch basin on the western side of the property is also highlighted as being remediated. Describe what remediation occurred and provide soil disposal/characterization documentation.

Vapor Intrusion

- Confirm whether the sub-slab depressurization systems have been installed below the commercial building and the duplex. Provide dates of installation for each. Following construction and initial operation of the systems, system commissioning must be completed for each system. This ensures that the vapor mitigation systems meet design criteria and demonstrates that the vapor pathway has been mitigated, as required by Wis. Adm. Code § NR 726.05(8). Performance verification should be conducted following guidelines provided in the DNR publication, *Addressing Vapor Intrusion at Remediation and Redevelopment Sites in Wisconsin, RR-800*. Documentation of system design, verification monitoring, and base conditions needs to be submitted. A system operation, maintenance and inspection plan will be required and the systems will need to be operated as a condition of case closure as a continuing obligation.

- The RAP states that the vapor mitigation trench located north of the duplex will be abandoned. How and when will abandonment occur?

Once the information requested above is provided, the DNR will reevaluate the site investigation and remedial action plan for completeness and approval. Please contact me at (414) 263-8533or at nancy.ryan@wisconsin.gov if you have any questions or need clarification on what is requested in this letter.

Sincerely,

Nancy D. Ryan, Hydrogeologist
Remediation and Redevelopment Program

Cc: Timothy Anderson, United – electronic copy