



October 4, 2019

George Marek, Esq.
Quarles & Brady LLP
411 East Wisconsin Avenue, Suite 2400
Milwaukee, WI 53202-4426

Subject: Update - Request to Retract Off-Site Notification Letter for Continuing Obligations and Residual Contamination (Form 4400-286)
Former Midwest Tanning Corp
222 North Chicago Avenue (Formerly 1200 Davis Avenue),
South Milwaukee, WI 53172
BRRTS #: 02-41-556117, FID #: 241043330

Dear Mr. Marek:

The purpose of this letter is to provide an update to your request that the Wisconsin Department of Natural Resources (DNR) approve the retraction letter for an October 2016, "Notification of Continuing Obligation and Residual Contamination" document that was sent to the Union Pacific Railroad company (UPRR). On September 5, 2019, the DNR received your email written in response to the DNR's August 2, 2019 email requesting an update on the retraction of the off-site notification letter to the UPRR, west of the subject site.

You referenced the June 26, 2018, conference call/DNR memo to the file in your email. The memo sets forth the next steps needed to complete the review of the request for offsite UPRR retraction letter as follows:

1. Walmart/PSI would submit a letter report justifying the reason(s) for retraction of offsite notification letter to the UPRR property. Demonstrate that contamination is limited onto the source property and has not extended/migrated onto the off-site UPRR property to the west.
2. The DNR would review the justification/rationale and provide response.
3. After the DNR concurs with the justification/rationale for the offsite UPRR retraction letter, a revised closure package needs to be prepared incorporating the changes and then submitted.

PSI submitted a letter report, *Summary Letter - Hygienetics Test Results, Former Midwest Tanning Corporation Parcel, South Milwaukee, WI (Letter)*, dated August 16, 2018. The Summary Letter presents a comparison between Hygienetics chromium data test results (total chromium and hexavalent chromium) and the PSI total chromium (Total-Cr) data test results. The Summary Letter showed that PSI did not collect samples for hexavalent chromium (hex-Cr) analyses which could have been used to compare with the hex-Cr data results obtained by Hygienetics and justify the presence/absence of hex-Cr at the sampling locations being compared.

Based on the information presented in the Summary Letter, the DNR does not concur with the data comparison used to justify the approval of the off-site UPRR retraction letter. On April 17, 2018, the DNR provided an email to you and PSI with recommendations for a stepped approach to address the off-site issue. The DNR still recommends this approach and has repeated it below:

RE: Update - Request to Retract Off-Site Notification Letter for Continuing Obligation and Residual Contamination (Form 4400-286)
Former Midwest Tanning Corporation Parcel
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1. A stepped approach for sampling and analysis of hex-Cr in groundwater and/or soils - we suggest starting with additional groundwater assessment for hex-Cr that follows the correct protocols for sampling and analysis. If hex-Cr has not migrated into groundwater, then you may be able to justify that the chromium release may have likely remained on the subject property. If hex-Cr is present in the groundwater, then further sampling of soil for hex-Cr will likely be needed;
2. Sample all site wells and determine groundwater flow direction;
3. Provide justification for not conducting TCLP test on the sample with highest Total-Cr (1,100 mg/kg);
4. Evaluate the need for cyanide test.

The DNR appreciates the actions you are taking to restore the environment at this site. If you have any questions regarding this letter, please contact me at 414.263.8639 or at eric.amadi@wisconsin.gov

Sincerely,



Eric Amadi - Hydrogeologist
Remediation & Redevelopment Program
Southeast Region, Milwaukee

cc: Patrick Patterson - PSI, Inc. (via email)
SER Case File #: 241043330; BRRTS #: 02-41-556117