

**COVER or BARRIER MAINTENANCE PLAN**  
*(to be included in Form 4400-202, as Attachment D)*

May 5, 2020

Suggar Property site Located at:

3301 – 60<sup>th</sup> St. Kenosha, WI 53144

DNR BRRTS: 03-30-004964, FID: 23015610

Lot 29, Paul Schroeder Subdivision, being part of the Northwest Quarter of Section 1, Town 1 North, Range 22 East of the Fourth Principal Meridian; lying and being in the City of Kenosha, County of Kenosha and State of Wisconsin. Parcel Identification Number: 01-122-01-204-001.

#### Introduction

This document is the Maintenance Plan for a site surface cover system comprised of the existing site surface, which includes paved, unpaved portions the above-referenced property in accordance with the requirements of s. NR 724.13 (2), Wis. Adm. Code. The maintenance activities relate to the existing site surface which addresses or occupies the area over the contaminated groundwater plume or soil.

More site-specific information about this property/site may be found in:

- The case file in the DNR Southeast Region office
- [BRRTS on the Web](#) (DNR's internet based data base of contaminated sites) for the link to a PDF for site-specific information at the time of closure and on continuing obligations;
- [RR Sites Map/GIS Registry layer](#) for a map view of the site, and
- The DNR project manager for Kenosha County.

#### **D.1. Descriptions:**

*(Form 4400-202, Attachment D, Part D1. – brief description of the type, depth and location of residual contamination, description of the system/cover/barrier to be maintained, and its location on the site, maintenance activities, and contact information.)*

##### Description of Contamination

Soil contaminated by gasoline and used oil at concentrations exceeding residual contaminant levels is located at a depth of approximately 3 to 10 feet in the east central portion of the site and extending under the on-site building and beneath the 33<sup>rd</sup> Avenue right-of-way to the east.

Groundwater contaminated by petroleum related volatile organic compounds at concentrations exceeding enforcement standards is located at a depth of approximately 10 feet in the east-central portion of the site, under the east side of the onsite building and extending beneath the 33<sup>rd</sup> Avenue right-of-way to the east and beyond to the 3200 block of 60<sup>th</sup> Street on the south side of 60<sup>th</sup> Street. The extent of the soil and groundwater contamination is shown on the attached Detailed Site Map Figure D.1.

##### Description of the Cover to be Maintained

The cover consists of the concrete paved lot north of the on-site building, including the former fuel dispenser

island area, as well as the concrete pavement between the east side of the onsite building and the sidewalk on the western portion of the 33<sup>rd</sup> Avenue right-of-way. The cover also includes the slab-on-grade concrete floor in the northeast portion of the onsite building. These areas are paved with 6-inches of concrete. The area of cover to be maintained is illustrated on Figure D.2.

#### Cover/Building/Slab/Barrier Purpose

The concrete over the contaminated soil serve as a barrier to prevent direct human contact with residual soil contamination that might otherwise pose a threat to human health. In addition, the pavement will serve to inhibit surface water infiltration that may result in leaching of contaminants to groundwater. Based on the current use of the property, commercial, the barrier should function as intended unless disturbed.

#### Annual Inspection

The concrete overlying the contaminated soil and as depicted in Figure D.2. will be inspected once a year, normally in the spring after all snow and ice is gone, for deterioration, cracks and other potential problems that can cause exposure to underlying soils. The inspections will be performed by the property owner or their designated representative. The inspections will be performed to evaluate damage due to settling, exposure to the weather, wear from traffic, increasing age and other factors. Any area where contaminated soils have become or are likely to become exposed will be documented.

A log of the inspections and any repairs will be maintained by the property owner and is included as D.4, Form 4400-305, Continuing Obligations Inspection and Maintenance Log. The log will include recommendations for necessary repair of any areas where underlying soils are exposed. Once repairs are completed, they will be documented in the inspection log. A copy of the maintenance plan and inspection log will be kept at the site; or, if there is no acceptable place (for example, no building is present) to keep it at the site, at the address of the property owner and available for submittal or inspection by Wisconsin Department of Natural Resources (DNR) representatives upon their request.

#### Maintenance Activities

*(Form 4400-202, Attachment D, Part D1. – Description of Maintenance Actions required for maximizing effectiveness of the cover/barrier/engineered control, feature or other action for which maintenance is required.)*

If problems are noted during the annual inspections or at any other time during the year, repairs will be scheduled as soon as practical. Repairs can include patching and filling or larger resurfacing or construction operations. In the event that necessary maintenance activities expose the underlying soil, the owner must inform maintenance workers of the direct contact exposure hazard and provide them with appropriate personal protection equipment (PPE). The owner must also sample any soil that is excavated from the site prior to disposal to ascertain if contamination remains. The soil must be treated, stored and disposed of by the owner in accordance with applicable local, state and federal law.

In the event the asphalt/concrete and gravel base course overlying the contaminated soil are removed or replaced, the replacement barrier must be equally impervious. Any replacement barrier will be subject to the same maintenance and inspection guidelines as outlined in this Maintenance Plan unless indicated otherwise by the DNR or its successor.

The property owner, in order to maintain the integrity of the asphalt, gravel, concrete and soil, will maintain a copy of this Maintenance Plan at the site; or, if there is no acceptable place to keep it at the site (for example, no building is present), at the address of the property owner and make it available to all interested parties (i.e.

on-site employees, contractors, future property owners, etc.) for viewing.

#### Prohibition of Activities and Notification of DNR Prior to Actions Affecting a Cover/Barrier

The following activities are prohibited on any portion of the property where pavement is required as shown on the attached map, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 1) removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; 6) construction or placement of a building or other structure; or 7) changing the use or occupancy of the property to a residential exposure setting, which may include certain uses, such as single or multiple family residences, a school, day care, senior center, hospital, or similar residential exposure settings.

If removal, replacement or other changes to a cover, or a building which is acting as a cover, are considered, the property owner will contact DNR at least 45 days before taking such an action, to determine whether further action may be necessary to protect human health, safety, or welfare or the environment, in accordance with s. NR 727.07, Wis. Adm. Code.

#### Amendment or Withdrawal of Maintenance Plan

This Maintenance Plan can be amended or withdrawn by the property owner and its successors with the written approval of DNR.


#### Contact Information

*(Form 4400-202, Attachment D, Part 1.) Contact Information, including the name, address and phone number of the individual or facility who will be conducting the maintenance.)*

May 2020

Site Owner and Operator: Jose Ochoa  
3301 – 60<sup>th</sup> St., Kenosha, WI 53144  
(262) 344-9754

Signature: \_\_\_\_\_

Consultant:   
Midwest Environmental Consulting Attn. Sean Cranley  
N6395 E. Paradise Rd, Burlington, WI 53105  
(262) 237-4351

DNR: Lee Delcore  
1155 Pilgrim Rd. Plymouth, WI 53073  
(920) 893-8524

#### **D.2 Location Map(s)**

*Include a location map which shows:*

- (1) the feature that requires maintenance;*
- (2) the location of the feature(s) that require(s) maintenance: on and off the source property;*
- (3) the extent of the structure or feature(s) to be maintained, in relation to other structures or features on the site;*
- (4) the extent and type of residual contamination; and*
- (5) all property boundaries.*

**D. 3     Photographs of Cover/Barrier**

*Include one or more photographs documenting the condition and extent of the cover/barrier/building/slab at the time of the closure request. Pertinent features must be visible and discernible. Include a title on each photograph, which identifies the site name and location of the feature, and the date on which the photograph was taken.*

**D.4     Continuing Obligations Inspection and Maintenance Log**

Use DNR Fillable Form [Form 4400-305](#)