

**BRRTS #:** 06-32-560495

**FID #:** 632025460

**ACTIVITY NAME:** KWIK TRIP BAKERY EXPANSION

### **Associated ERP/LUST Site(s)**

This VPLE applies to the following closed ERP and/or LUST site(s). The following links can be used to access the associated CO (Continuing Obligations) Packet(s).

<b>BRRTS #</b>	<b>SITE NAME</b>
02-32-000203	<a href="#"><u>DESMONDS MENS WEAR</u></a>



August 24, 2017

VPLE # 06-32-560495

Mayor Tim Kabat  
City of La Crosse  
400 La Crosse Street,  
La Crosse, WI 54601

Mr. John Desmond  
Desmond and Desmond  
620 Cass Street  
La Crosse, WI 54601

Mr. Troy Batzel  
Kwik Trip, Inc.  
1626 Oak Street P.O. Box 2107  
La Crosse, WI 54602-2107

SUBJECT: Certificate of Completion for the Former Desmond's Formal Wear  
2338 Commerce Street and 2326 Commerce St.  
La Crosse, WI 54603  
DNR BRRTS Activity # 02-32-000203, 06-32-560495,

Dear Mayor Kabat, Mr. Desmond, and Mr. Batzel:

Congratulations! Your Certificates of Completion is attached. It has been a pleasure working with you and your consultant on this Voluntary Party Liability Exemption (VPLE) process.

On May 23, 2013, and December 5, 2016 the Department of Natural Resources ("the Department") received two requests by the City of La Crosse and Desmond and Desmond for issuance of *Certificates of Completion* for the parcel referenced above. You have requested that the Department determine whether the City of La Crosse and Desmond and Desmond has met the requirements under s. 292.15(2), Wis. Stats., for issuance of a *Certificate of Completion*. The parcel was addressed under the VPLE process and a closure letter was issued on July 11, 2017

The Property that is subject to this *Certificate of Completions* is real property owned by the City of La Crosse, the property encompasses approximately 1.94 acres, and includes the following parcel: (17-10307-20),

## **Determination**

As you are aware, s. 292.15, Wis. Stats., authorizes the Department to issue a *Certificate of Completion* to a voluntary party that conducts an approved environmental investigation of a property and restores the environment to the extent practicable and minimizes the harmful effects with respect to hazardous substance discharges on or originating from the property. Based on the information received by the Department, the Department has determined that the investigation and restoration (to the extent practicable) of the Property is complete and that all the conditions in s. 292.15(2), Wis. Stats., have been met. Attached is the *Certificate of Completion* for this Property.

While the conditions for issuance of a *Certificate of Completion* have been met, residual soil and groundwater contamination remains at the Property. A sub slab vapor barrier and sub slab vapor mitigation system must be maintained in accordance with approved maintenance plans. Other requirements that the property owner must comply with are described in the *Certificate of Completion* and the closure letter

## **Conclusions**

The Department appreciates the work undertaken by the City of La Crosse and Desmond and Desmond, to investigate and restore to the extent practicable the contamination associated with the Property. The exemption provided by the *Certificate of Completion* applies to any successor or assignee of the City of La Crosse if the successor or assignee complies with the appropriate conditions, pursuant to s. 292.15(3), Wis. Adm. Code. If you have any questions or concerns regarding this letter or the *Certificate of Completion*, please call me at (715) 684-2914 ext. 117

Sincerely,



Patrick Collins  
West Central Region - Remediation & Redevelopment Program

Attachment: *Certificate of Completion*

c: Michael Prager – RR/5

# State of Wisconsin Department of Natural Resources

## CERTIFICATE OF COMPLETION OF RESPONSE ACTIONS UNDER SECTION 292.15(2)(ae), WIS. STATS.

*Whereas*, the *City of La Crosse and Desmond and Desmond* have applied for an exemption from liability under Wis. Stats. § 292.15, for the former Desmond's Men's Wear property located at 2338 Commerce Street and 2326 Commerce Street, La Crosse, Wisconsin, which is also referred to as the Kwik Trip Bakery Expansion Property, further described in the legal description found on Attachment A (the "Property");

*Whereas*, an environmental investigation of the Property has been conducted and the Wisconsin Department of Natural Resources ("DNR") has determined that environmental contamination exists at the Property;

*Whereas*, the *City of La Crosse and Desmond and Desmond* have submitted to the DNR certain investigation reports and a remedial action plan for the Property which comply with the requirements set forth in Wis. Admin. §§ NR 700-754, consisting of the documents and reports listed in Attachment B;

*Whereas*, in accordance with Wis. Stats. § 292.15(2)(ae)1, the DNR has determined that an environmental investigation has been conducted which adequately identified and evaluated the nature and extent of the hazardous substance discharges on the Property. The WDNR approved of the site investigation on February 2, 2016;

*Whereas*, the Property contains soil contamination that exceeds residual contaminant levels ("RCLs") for the groundwater pathway under Wis. Admin. § NR 720 and groundwater contamination that exceeds a groundwater quality enforcement standard under Wis. Admin. ch. NR 140. Therefore, the Property will be included on the DNR's Bureau for Remediation and Redevelopment Tracking System (BRRTS) pursuant to Wis. Stats. § 292.12(3). The *City of La Crosse and Desmond and Desmond* have submitted to the DNR all the information necessary to be included on BRRTS, pursuant to Wis. Admin. § NR 726.11;



*Whereas*, on February 6, 1990 and on July 11, 2017, the WDNR issued case closure letters for the Property. The owner of this Property shall adhere to, abide by, and maintain the continuing obligations and other requirements that are specified in the attached DNR July 11, 2017 case closure letter and maintenance plan (Attachment C):

- Groundwater contamination is present at or above Wis. Admin. ch. NR 140, enforcement standards.
- Residual soil contamination exists that must be properly managed should it be excavated or removed.
- The vapor barrier and vapor mitigation system must be operated, maintained and inspected in accordance with the attached maintenance plan.

*Whereas*, the DNR has determined that the response action is complete and was based on the Property being zoned G2/Commercial and being used as a mixed use commercial/industrial facility. The land use classification per NR 720.05 is non-industrial. Because of the residual contamination and certain continuing obligations related to mitigation of vapor intrusion for this site, change of use to residential, or use by certain sensitive populations, such as a day care center, school, senior center, hospital, or similar use, will require prior Department notification. Additional sampling and/or cleanup may be required to ensure that the residual contamination levels, existing remedial action and land use is protective for such use;

*Whereas*, if the requirements of this Certificate, the case closure letter or the maintenance plans are not followed, or if the land use changes from mixed use commercial/industrial, the DNR may take actions under Wis. Stats. §§ 292.11 or 292.12, to ensure compliance with the specified requirements, and the person who owns or controls the Property may no longer qualify for the liability protections under Wis. Stats. § 292.15;

*Whereas*, the *City of La Crosse* has paid to DNR the appropriate insurance fee and has submitted a complete insurance application form to obtain coverage for the Property under the state's master insurance contract in accordance with Wis. Stats. § 292.15(2)(ae)3m and Wis. Admin. ch. NR 754, based on their desire to use natural attenuation to remediate groundwater contamination that exceeds Wis. Admin. ch. NR 140, groundwater quality enforcement standards; and

*Whereas*, on July 11, 2017, the DNR determined that response actions necessary to restore the environment were completed, except with respect to tetrachloroethene (PCE) and other breakdown VOC compounds contaminated groundwater above Wis. Admin. ch. NR 140, enforcement standards that WDNR has determined will be brought into compliance through natural attenuation, in accordance with rules promulgated by DNR.

*Therefore*, based upon the information that has been submitted, the DNR hereby certifies that the response actions set forth in the WDNR approved remedial

standards that WDNR has determined will be brought into compliance through natural attenuation, in accordance with rules promulgated by WDNR.

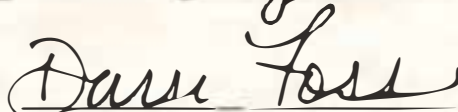
Upon issuance of this Certificate, the *City of La Crosse* and *Desmond and Desmond* and the persons qualified for protection under Wis. Stats. § 292.15(3), are exempt from the provisions of Wis. Stats. §§ 289.05(1), (2), (3) and (4), 289.42(1), 289.67, 291.25(1) to (5), 291.29, 291.37, 292.11(3), (4), and (7)(b) and (c) and 292.31(8), with respect to the existence of hazardous substances on or originating from the Property, the release of which occurred prior to the date the DNR approved the environmental investigation required under Wis. Stats. § 292.15(2)(ae)1. However, the person who owns or controls the Property would no longer qualify for this liability exemption if that person fails to maintain or monitor the Property as required by the conditions in this Certificate, the July 11, 2017 case closure letter, maintenance plan, Wis. Stats. § 292.12, and administrative rules promulgated by the DNR. Any discharges of a hazardous substance to or from the Property that occur after the date that the environmental investigation was approved will be the responsibility of the current Property owner and any other person who possesses or controls that discharge and any person who caused the discharge.

If natural attenuation of contaminated groundwater fails, the insurance coverage under Wis. Stats. § 292.15(2)(ae)3m, may be used by the state to cover the costs of complying with Wis. Stats. § 292.11(2), with respect to groundwater quality.

The protection from liability provided under Wis. Stats. § 292.15(2), does not apply to any person who has obtained a Certificate of Completion by fraud or misrepresentation, or by knowingly failing to disclose material information or under circumstances in which the *City of La Crosse* and *Desmond and Desmond* knew or should have known about more discharges of hazardous substances than was revealed by the investigation approved by the DNR.

Nothing in this Certificate or in Wis. Stats. § 292.15, affects the authority of the WDNR to exercise any powers or duties under applicable laws other than Wis. Stats. §§ 289.05(1), (2), (3) and (4), 289.42(1), 289.67, 291.25(1) to (5), 291.29, 291.37, 292.11(3), (4), and (7)(b) and (c) and 292.31(8), Wis. Stats., with respect to any release or threatened release of contaminants at the Property, or the right of the WDNR to seek relief available against any person who is not entitled to protection from liability under Wis. Stats. § 292.15, Wis. Stats., with respect to such release or threatened release.

SIGNED AND CERTIFIED this 18<sup>th</sup> day of August, 2017.



Darsi Foss, Director  
Bureau for Remediation and Redevelopment  
Wisconsin Department of Natural Resources

**ATTACHMENT A**  
**LEGAL DESCRIPTION and MAP**  
**Kwik Trip Bakery Expansion**

See attached legal description and map titled "DESMOND / AL MILLER PROPERTY" prepared by the City of La Crosse. The Property includes tax parcel number 17-10307-20 and the adjacent area of Cunningham Street that was part of the Property but is now the extended Cunningham Street.

## DESMOND / AL MILLER PROPERTY

**Lot 3 and a part of Lot 2 of Block 5 of the First Addition to Couleesites Industrial Addition located in the SW ¼ of the SW ¼ of Section 16, Township 16 North, Range 7 West, City of La Crosse, La Crosse County, Wisconsin described as follows:**

Commencing at the Southeast corner of said Lot 2 of Block 5; thence North along the East line of Lot 2, 40' to the North line of Lot 1 of a Certified Survey map described in Document #1403356 (volume 12, page 1) of County records and also the Point of Beginning of this parcel description;

thence N 89°10'33" W, 148.01'; thence N 0°15'06" E, 47.00';

thence N 89°10'33" W, 43.00'; thence N 0°15'06" E, 6.00';

thence N 89°10'33" W, 164.68' to the Northwest corner of Lot 1 of said Certified Survey Map said point also being located on the East right of way line of Commerce Street; thence North along said East right of way line of Commerce Street, 214.1' more or less to its intersection with the South right of way line of Cunningham Street opened in Document #1599744 of County records; thence continuing North along said East right of way line 60' to the intersection with the North right of way line of said Cunningham Street; thence East along said North right of way line of Cunningham Street, 355.80'; thence South 60' to the intersection of the South right of way line of Cunningham Street and the East line of Lot 3 of Block 5; thence South along the East lines of said Lots 3 and 2 of Block 5, 267.1' more or less to the point of beginning.

*Described parcel is approximately 2.42 acres.*





LOT 4



355.80'

CUNNINGHAM STREET

OPENED IN DOC. #1599744

60'

60'

60'

355.74'

1ST ADDN.  
COULEESITES

17-10307-20

LOT 3

INDUSTRIAL  
ADDN.

BLOCK 5

24.1'

67.1'

COMMERCE STREET



164.68'

N 89°10'33" W

6.00' - N 0°15'06" E

43.00'

N 89°10'33" W

47.00'  
N 0°15'06" E

CSM

LOT 2

148.01'

N 89°10'33" W

P.O.B.

DOC. #

LOT 1

1403356

LOT 1

40'

P.O.C.



PALACE STREET

**ATTACHMENT B**  
**INVESTIGATION AND REMEDIAL ACTION PLAN REPORTS**  
**Kwik Trip Bakery Expansion**

1. *"Case Closure – GIS Registry Form 4400-202"* submitted by Braun Intertec Corporation and dated May 2, 2017
2. *"Additional Site Investigation Summary Report"* submitted by Braun Intertec Corporation and dated February 2, 2016.
3. *"Additional Site Investigation Work Plan"* submitted by Braun Intertec Corporation and dated July 27, 2015.
4. *"Remedial Action Implementation Report"* submitted by Braun Intertec Corporation and dated October 24, 2013
5. *"Remedial Action Plan"* submitted by Braun Intertec Corporation and dated February 28, 2013
6. *"Site Investigation Report"*, submitted by Shaw Environmental and dated August 16, 2008
7. *"Status Update, Midwest Garments Inc."*, submitted by Shaw Environmental and dated March 5, 2008
8. *"Status Update, Midwest Garments Inc."* submitted by Shaw Environmental and dated August 24, 2006
9. *"Groundwater Monitoring Work Plan, Midwest Garments Inc."* submitted by Shaw Environmental and dated March 2, 2006
10. *"Site Investigation Report"*, submitted by Shaw Environmental and dated May 25, 2005
11. *"Status Update, Midwest Garments Inc."* submitted by Shaw Environmental and dated December 15, 2004

**ATTACHMENT C**  
**Closure Letter and Maintenance Plan**  
**Kwik Trip Bakery Expansion**

See attached July 11, 2017 DNR Closure letter and associated maintenance plan

State of Wisconsin  
DEPARTMENT OF NATURAL RESOURCES  
890 Spruce Street  
Baldwin WI 54002

Scott Walker, Governor  
Cathy Stepp, Secretary  
Telephone 608-266-2621  
Toll Free 1-888-936-7463  
TTY Access via relay - 711



July 11, 2017

Mr. John Desmond  
Desmond and Desmond  
620 Cass Street  
La Crosse, WI 54601

Mayor Tim Kabat  
City of La Crosse  
400 La Crosse Street,  
La Crosse, WI 54601

Mr. Troy Batzel  
Kwik Trip, Inc.  
1626 Oak Street P.O. Box 2107  
La Crosse, WI 54602-2107

**KEEP THIS DOCUMENT WITH YOUR PROPERTY RECORDS**

SUBJECT: Final Case Closure with Continuing Obligations  
Former Desmond's Formal Wear  
2338 Commerce Street and 2326 Commerce St.  
La Crosse, WI 54603  
DNR BRRTS Activity # 02-32-000203, 06-32-560495,

Dear Mr. Desmond, Mayor Kabat and Mr. Troy Batzel:

The Department of Natural Resources (DNR) considers the former Desmond Men's Wear site closed, with continuing obligations. No further investigation or remediation is required at this time. However, you, future property owners, and occupants of the property must comply with the continuing obligations as explained in the conditions of closure in this letter. Please read over this letter closely to ensure that you comply with all conditions and other on-going requirements. Provide this letter and any attachments listed at the end of this letter to anyone who purchases, rents or leases this property from you. Certain continuing obligations also apply to affected property owners or rights-of-way holders. These are identified within each continuing obligation.

This final closure decision is based on the correspondence and data provided, and is issued under chs. NR 726 and 727, Wis. Adm. Code. The West Central Region Closure Committee reviewed the request for closure on May 4, 2017. The DNR Closure Committee reviewed this environmental remediation case for compliance with state laws and standards to maintain consistency in the closure of these cases. A request for remaining actions needed was issued by the DNR on May 10, 2017, and documentation that the conditions in that letter were met was received on June 27, 2017.

This former large commercial dry cleaner had soil and groundwater contaminated with chlorinated VOC's. Response actions included soil excavation, soil vapor and groundwater monitoring, and the installation of a vapor barrier and passive vapor mitigation system under the newly constructed bakery and storage facility. The conditions of closure and continuing obligations required were based on the property being used for commercial and industrial purposes.

#### Continuing Obligations

The continuing obligations for this site are summarized below. Further details on actions required are found in the section Closure Conditions.

- Groundwater contamination is present at or above ch. NR 140, Wis. Adm. Code enforcement standards.
- Residual soil contamination exists that must be properly managed should it be excavated or removed.
- The vapor barrier and passive vapor mitigation system installed as a further protection under the new facility must be inspected and maintained,

The DNR fact sheet "Continuing Obligations for Environmental Protection," RR-819, helps to explain a property owner's responsibility for continuing obligations on their property. The fact sheet may be obtained at <http://dnr.wi.gov/files/PDF/pubs/rr/RR819.pdf>.

#### GIS Registry

This site will be included on the Bureau for Remediation and Redevelopment Tracking System (BRRTS on the Web) at <http://dnr.wi.gov/topic/Brownfields/wrrd.html>, to provide public notice of residual contamination and of any continuing obligations. The site can also be viewed on the Remediation and Redevelopment Sites Map (RRSM), a map view, under the Geographic Information System (GIS) Registry layer, at the same web address.

DNR approval prior to well construction or reconstruction is required for all sites shown on the GIS Registry, in accordance with s. NR 812.09 (4) (w), Wis. Adm. Code. This requirement applies to private drinking water wells and high capacity wells. To obtain approval, complete and submit Form 3300-254 to the DNR Drinking and Groundwater program's regional water supply specialist. This form can be obtained on-line at <http://dnr.wi.gov/topic/wells/documents/3300254.pdf>.

All site information is also on file at the Baldwin Service Center, at 890 Spruce Street, Baldwin, WI. This letter and information that was submitted with your closure request application, including any maintenance plan and maps, can be found as a Portable Document Format (PDF) in BRRTS on the Web.

#### Prohibited Activities

Certain activities are prohibited at closed sites because maintenance of a barrier is intended to prevent contact with any remaining contamination. When a barrier is required, the condition of closure requires notification of the DNR before making a change, in order to determine if further action is needed to maintain the protectiveness of the remedy employed. The following activities are prohibited on any portion of the property where a vapor mitigation system or barrier is required, as shown on the attached map, Under Floor Vapor Mitigation System Piping Plan, Figure VM-1, 6/6/2013, unless prior written approval has been obtained from the DNR:

- removal of the existing barrier or cover;
- replacement with another barrier or cover;
- excavating or grading of the land surface;
- filling on covered areas;



- plowing for agricultural cultivation;
- construction or placement of a building or other structure;
- 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.
- changing the construction of a building that has a vapor mitigation system in place.

#### Closure Conditions

Compliance with the requirements of this letter is a responsibility to which the current property owner and current occupant and any subsequent property owners must adhere. DNR staff will conduct periodic prearranged inspections to ensure that the conditions included in this letter and the attached maintenance plan is met. If these requirements are not followed, the DNR may take enforcement action under s. 292.11, Wis. Stats. to ensure compliance with the specified requirements, limitations or other conditions related to the property.

Please send written notifications in accordance with the following requirements to:

Department of Natural Resources  
Patrick Collins  
890 Spruce Street  
Baldwin, WI 54002

#### Residual Groundwater Contamination (ch. NR 140, 812, Wis. Adm. Code)

Groundwater contamination greater than enforcement standards is present both on this contaminated property and off this contaminated property, as shown on the attached map, Groundwater Isoconcentration Map, B.3.B.1, July, 2015 and Down Gradient Groundwater Isoconcentration Map, B.3.b.2., February 1, 2016. If you intend to construct a new well, or reconstruct an existing well, you'll need prior DNR approval. Affected property owners and right-of-way holders were notified of the presence of groundwater contamination. This continuing obligation also applies to the following properties, and/or the ROW holders. See attached Table, Affected Property Owners, G.1, May, 2017

#### Residual Soil Contamination (ch. NR 718, chs. 500 to 536, Wis. Adm. Code or ch. 289, Wis. Stats.)

Soil contamination remains in areas where complete excavation was not feasible as indicated on the attached map, Residual Soil Contamination Map, B.2.b, May, 25, 2015 and attached figure "Kwik Trip Addition" showing current building and residual contamination locations. If soil in the specific locations described above is excavated in the future, the property owner or right-of-way holder at the time of excavation must sample and analyze the excavated soil to determine if contamination remains. If sampling confirms that contamination is present, the property owner or right-of-way holder at the time of excavation will need to determine whether the material is considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable standards and rules. Contaminated soil may be managed in accordance with ch. NR 718, Wis. Adm. Code, with prior DNR approval.

In addition, all current and future owners and occupants of the property and right-of-way holders need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken to prevent a direct contact health threat to humans.

Depending on site-specific conditions, construction over contaminated soils or groundwater may result in vapor migration of contaminants into enclosed structures or migration along newly placed

underground utility lines. The potential for vapor inhalation and means of mitigation should be evaluated when planning any future redevelopment, and measures should be taken to ensure the continued protection of public health, safety, welfare and the environment at the site.

Cover or Barrier (s. 292.12 (2) (a), Wis. Stats., s. NR 726.15, s. NR 727.07 Wis. Adm. Code)

The vapor barrier that exists in the location shown on the attached map, Under Floor Vapor Mitigation System Piping Plan, Figure VM-1, 6/6/2013, as part of the sub-floor, shall be maintained in compliance with the attached maintenance plan in order to prevent or limit vapor intrusion into the building.

The cover approved for this closure was designed to be protective for a commercial or industrial use setting. Before using the property for residential purposes, you must notify the DNR at least 45 days before taking an action, to determine if additional response actions are warranted.

A request may be made to modify or replace a cover or barrier. Before removing or replacing the cover, you must notify the DNR at least 45 days before taking an action. The replacement or modified cover or barrier must be protective of the revised use of the property, and must be approved in writing by the DNR prior to implementation. A cover or barrier for industrial land uses, or certain types of commercial land uses may not be protective if the use of the property were to change such that a residential exposure would apply. This may include, but is not limited to single or multiple family residences, a school, day care, senior center, hospital or similar settings. In addition, a cover or barrier for multi-family residential housing use may not be appropriate for use at a single family residence.

The attached maintenance plan and inspection log (DNR form 4400-305) are to be kept up-to-date and onsite. Inspections shall be conducted annually, in accordance with the attached maintenance plan. Submit the inspection log to the DNR only upon request.

Vapor Mitigation or Evaluation (s. 292.12 (2), Wis. Stats., s. NR 726.15, s. NR 727.07, Wis. Adm. Code)

Vapor intrusion is the movement of vapors coming from volatile chemicals in the soil or groundwater, into buildings where people may breathe air contaminated by the vapors. Vapor mitigation systems are used to interrupt the pathway, thereby reducing or preventing vapors from moving into the building.

Vapor Mitigation System: Soil vapor beneath the building contains chlorinated VOC's at levels that would pose a long-term risk to human health, if allowed to migrate into an occupied building on the property. The passive vapor mitigation system, installed in October 2013, must be operated, maintained and inspected in accordance with the attached maintenance plan. System components must be repaired or replaced immediately upon discovery of a malfunction. Annual inspections and any system repairs must be documented in the inspection log (DNR form 4400-305). The inspection log shall be kept up-to-date and on-site. Inspections shall be conducted annually, in accordance with the attached maintenance plan. Submit the inspection log to the DNR only upon request.

If a decision is made to no longer use the vapor mitigation system, or to make a change to the vapor mitigation system, the property owner must notify the DNR at least 45 days before shutting the vapor mitigation system off, or before making any other change to the system, and evaluate whether conditions are protective of public health and safety. Additional response actions may be necessary.

The integrity of the concrete floor that exists on the property, shown on the attached map, Under Floor Vapor Mitigation System Piping Plan, Figure VM-1, 6/6/2013, must be maintained in compliance with

the attached maintenance plan. This will help ensure proper functioning of the vapor mitigation system, limiting vapor intrusion to indoor air spaces.

A copy of the maintenance plan must be provided to the property owner. The property owner must notify occupants, and provide the maintenance plan to any occupant that is responsible for continued operation of the vapor mitigation system.

#### In Closing

This property is enrolled in the Voluntary Party Liability Exemption program and the Department will be issuing a Certificate of Completion soon after all fees are paid and applicable requirements have been met. Please be aware that the property owner could lose the liability exemption issued under s. 292.15, Wis. Stats. and the case may be reopened pursuant to s. NR 727.13, Wis. Adm. Code, for any of the following situations:

- if the property owner does not comply with the conditions of closure, with any deed restrictions applied to the property, or with a certificate of completion issued under s. 292.15, Wis. Stats., or
- a property owner fails to maintain or comply with a continuing obligation (imposed under this closure approval letter).

The DNR appreciates your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact the project manager at 715 684-2914 ext. 117, or by email at [Patrick.collins@wisconsin.gov](mailto:Patrick.collins@wisconsin.gov).

Sincerely,



Dave Rozeboom  
West Central Region Team Supervisor  
Remediation & Redevelopment Program

#### Attachments:

- Groundwater Isoconcentration Map, B.3.b.1, July, 2015
- Down Gradient Groundwater Isoconcentration Map, B.3.b.2., February 1, 2016.
- Residual Soil Contamination Map, B.2.b, May, 25, 2015 and attached figure "Kwik Trip Addition" showing current building and residual contamination location
- Under Floor Vapor Mitigation System Piping Plan, Figure VM-1, 6/6/2013
- Vapor Mitigation System Maintenance Plan, April 12, 2016
- inspection log, DNR Form 4400-305
- Affected Property Owners, G.1, May, 2017

cc: Braun Intertec-Mark Gretebeck  
Michael Prager - RR/5  
Regional Site File

# Vapor Mitigation System Maintenance Plan

## Former Desmond's Formal Wear Facility

### 2338 Commerce Street

### La Crosse, Wisconsin

WDNR BRRTS #02-32-000203

VPLE BRRTS #06-32-560495

FID #632025460

Parcel ID #17-10307-20

Date: April 12, 2016

#### System Description, Purpose and Location

This document is the Maintenance Plan for the passive vapor mitigation system (VMS) at the above-referenced Site. In October 2013, a VMS was installed during construction of the Kwik Trip building addition to vent sub-slab vapors. Sub-slab vapor impacts were related to the chlorinated solvent release (tetrachloroethene, PCE, PERC) at the Former Desmond's Formal Wear Facility.

Since the remedial excavation in 2013 was completed to the pre-designated dimensions as specified in the WDNR-approved Response Action Plan (RAP), it was anticipated that residual PCE soil impacts would remain beyond the excavation limits. Confirmatory soil sampling results confirmed PCE-impacted soil remained at concentrations ranging from 27 micrograms per kilogram (ug/kg) to 260 ug/kg. Location of residual PCE-impacted soil is shown on the attached Kwik Trip Addition map. Due to residual impacts being anticipated, the WDNR RAP approval letter requested a VMS be designed and installed below the foundation of the new Kwik Trip building addition. The passive VMS can be converted to an active system if needed in the future by installing a blower where the horizontal piping runs connect to a manifold in the engine room. System plans and specifications are shown on the attached Figure VM-1 (Underfloor Vapor Mitigation System Piping Plan and Specifications) and photographs.

#### Construction Documentation

The VMS was installed during construction of the Kwik Trip bakery addition. Underfloor VMS lines are partially 3-inch schedule 40 pvc solid wall pipe and partially 2-inch schedule 40 pvc 40 slot well screen sections. Center lines of the pvc solid wall and well screen lines are located within the coarse filter aggregate layer and placed under the concrete floor slabs as shown on the figure. Ten separate horizontal piping runs connect to a manifold in the Engine Room located in the northeast portion of the building addition. Two 4-inch vertical vent pipes are then routed up through the roof and terminate 3 feet above the roof line. Wind-driven turbine

ventilators are located at the terminus of the 4-inch diameter vent pipes.

### **System Maintenance**

The structural integrity of the floor must be maintained and kept as impermeable as at the time of closure. Any system components requiring repair or replacement must be completed immediately upon discovery of a malfunction. Log the repair activities in the attached inspection log.

### **Inspection**

The VMS must be inspected once a year to verify the system is operating properly. The case closure letter will require that this maintenance plan be on file with the Department and in the possession of the building occupant. An agreement may be entered into between the property owner and the Responsible Party regarding the responsibility for the future operation and maintenance of the mitigation system.

Inspections shall include the following items:

- Keep all ball valves open;
- Immediately replace or repair any system components upon discovery of a malfunction and document the actions taken;
- Take the VMS into account if changes are made to the building;
- Do not breach the vapor barrier; and
- Maintain the floor.

The DNR fillable Continuing Obligations Inspection and Maintenance Log (Form 4400-305) to be completed during each event is included and can also be found at:

<http://dnr.wi.gov/files/PDF/forms/4400/4400-305.pdf>. This inspection log must be maintained on-site at all times.

### **Contact Information (current as of April 2016)**

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(608) 317-0480

Property Owner: City of La Crosse  
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La Crosse, WI 54601  
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Consultant: Braun Intertec Corporation  
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La Crosse, WI 54603  
(608) 781-7277  
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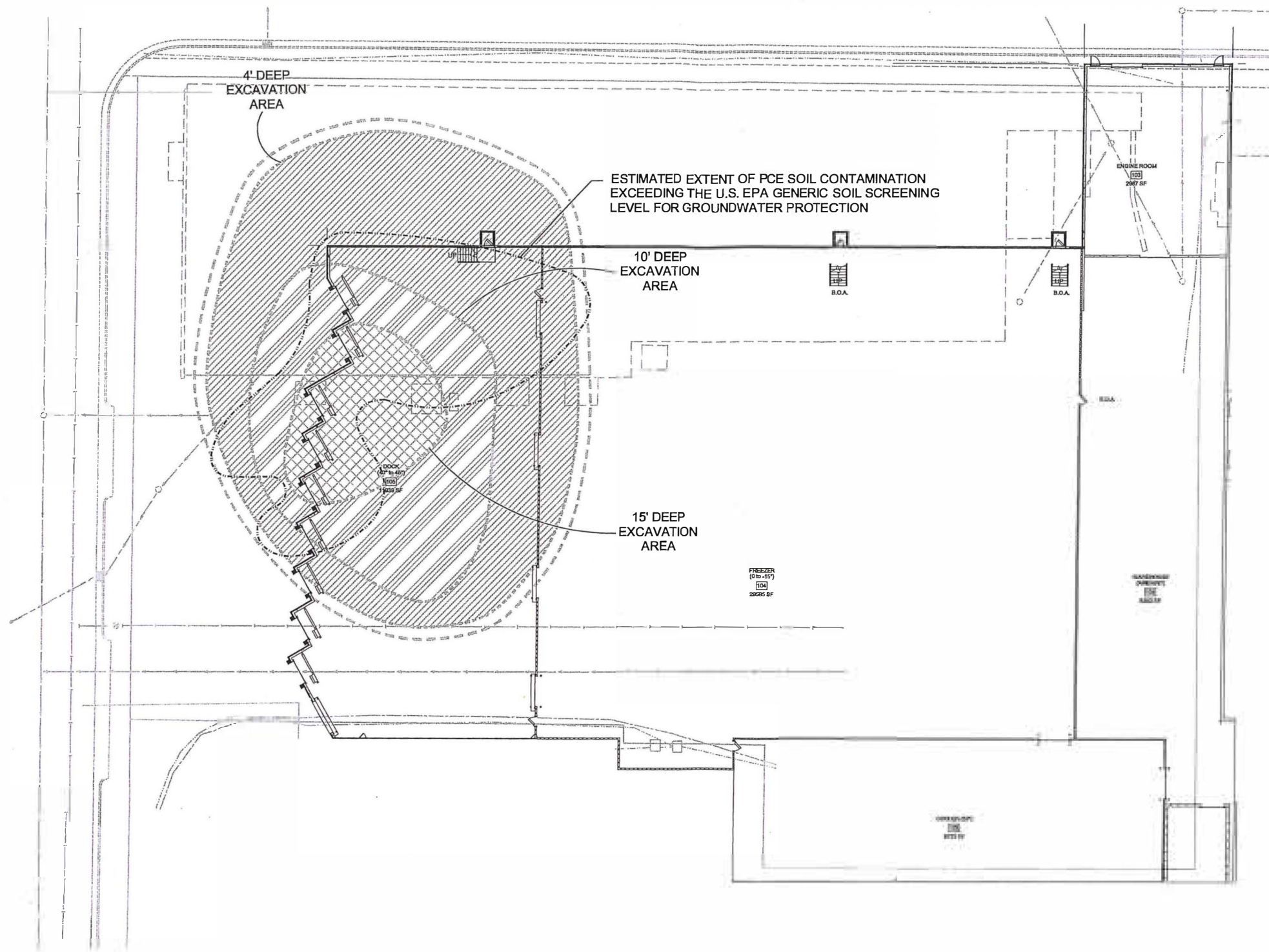
-or-

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WDNR: Wisconsin Department of Natural Resources  
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(715) 684-2914 ext. 117  
[Patrick.Collins@wisconsin.gov](mailto:Patrick.Collins@wisconsin.gov)



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SCALE: 1" = 40'

# BRAUN INTERTEC

11001 Hampshire Avenue So.  
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PH. (952) 995-2000  
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Base Dwg Provided By:  
CITY OF LA CROSSE  
ENGINEERING DEPT

KWIK TRIP ADDITION  
FORMER DESMOND'S FORMAL WEAR FACILITY  
2338 COMMERCE STREET  
LA CROSSE, WISCONSIN

Project No:  
LC0903752D

Drawing No:  
LC0903752C

Scale: 1" = 40'

Drawn By: BJB

Date Drawn: 5/1/13

Checked By: KDN

Last Modified: 4/14/16

Sheet: of Fig: