



October 16, 2023

Carol Investment Corporation  
c/o Steven Dukatt  
1410 S. Clinton St.  
Chicago, IL 60607

Subject: Case Closure under Wis. Admin. Code ch. NR 726 Not Recommended  
Sunrise Shopping Center – Former Dry Cleaner  
2410-2424 10<sup>th</sup> Ave. & 1009 Marquette Ave., South Milwaukee, WI 53172  
DNR BRRTS Activity # 02-41-576336, FID #: 241828620

Dear Mr. Dukatt:

On October 5, 2023, the Wisconsin Department of Natural Resources (DNR) reviewed the closure request for the case identified above. As you are aware, the DNR reviews environmental remediation cases for compliance with applicable laws, including Wis. Stat. ch. 292 and Wis. Admin. Code chs. NR 700 – 754 and whether any further threat to public health, safety or welfare or the environment exists at the site or facility, per Wis. Admin. Code § NR 726.13 (2) (b). As discussed with your consultant on October 16, 2023, case closure is not recommended because additional legal requirements must be met. The purpose of this letter is to inform you of the remaining requirements for obtaining closure. We request that within 60 days of this letter, you provide us with the information requested or your written response regarding the necessary work and a schedule for completion of this work.

**Additional Requirements Needed for Case Closure Under Wis. Admin. Code ch. NR 726**

As noted above, additional work is necessary to meet the requirements for case closure because additional sub-slab vapor system commissioning is required, and additional information is needed to complete the conceptual site model.

**Need to Complete a Vapor Investigation**

Additional site investigation, per Wis. Admin. Code § NR 716.11 (5), is needed to determine whether vapor intrusion is a completed pathway at this site, if there is a risk of future vapor exposure due to residual contamination, and to demonstrate that the vapor intrusion pathway has been interrupted or mitigated per Wis. Admin. Code § NR 726.05. DNR is requiring the following actions:

- Complete sub-slab depressurization system commissioning. This includes indoor air sampling and additional pressure field extension testing. DNR recommendation is to complete the additional indoor air sampling in the affected tenant spaces and the Ace Hardware basement. The DNR recommends using passive, longer-term samplers (i.e., 10 days) for the indoor air samples. The pressure field extension testing can be paired with the indoor air sampling.
  - The new round of pressure field extension testing data, as well as the previous rounds, should be tabulated in addition to being on site figures.
- Collect vapor headspace and water samples from the sumps, new and old, located in the Ace Hardware basement due to the known groundwater contamination.
- Sanitary sewer vapor sampling should be completed, as recommended in DNR guidance document RR-649. You should refer to this guidance document on how to conduct sampling. The DNR recommends sampling the sanitary sewer manhole closest to the source, as well as the first upstream manhole and first downstream manhole of that location.

**Additional Information Request**

In addition to the required vapor investigation, the DNR is also requesting the following information/clarifications:

- Provide the location of the new sumps on applicable site figures. Discuss if these new sumps would change the groundwater conceptual site model at the site.
- Describe the relationship between the depths of the sumps and drain tiles and monitoring wells MW-5 and MW-201.
- Discuss the vertical definition of the groundwater contaminant plume.
- Revisions to the closure package will be required before closure. These revisions will be requested at a later date.

**Schedule**

**Within 60 days of the date of this letter, respond in writing with a schedule of your plans to meet these requirements.** The DNR recommends submitting a workplan to address the items outlined in this letter.

**Until requirements are met, your site will remain “open”**, and you are required to submit semi-annual progress reports, per Wis. Admin. Code § NR 700.11. You are also responsible for any operation and maintenance activities required under Wis. Admin. Code § NR 724.13. Once the additional work has been completed, documentation should be submitted to the DNR to demonstrate that the applicable requirements have been met, per the timelines above.

Case closure can be reconsidered by the DNR once documentation has been received.

**Conclusion**

If you have any questions regarding the information in this letter or would like to schedule a meeting to discuss this case, please contact the DNR project manager, Riley Neumann at (414) 750-7030 or [riley.neumann@wisconsin.gov](mailto:riley.neumann@wisconsin.gov). For more information on the closure reconsideration process, please see DNR publication, RR-102, “Wis. Admin. Code ch. NR 726 Case Closure Reconsideration Process” by visiting [dnr.wi.gov](http://dnr.wi.gov), search: RR-102, for more information.

The DNR appreciates your efforts to restore the environment at this site.

Sincerely,



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cc: Tom Depaul, DAI Environmental (electronic)