



June 6, 2018

Steven Dukatt  
Carol Investment Corporation  
1410 South Clinton Street  
Chicago, IL 60607

**SUBJECT: Determination on Coverage under the Contaminated Groundwater from Remedial Action Operations (No. WI-0046566-06)**

**Parent Company:** Carol Investment Corporation  
**Facility Name:** Sunrise Shopping Center  
**Site Location:** 2410-2424 10<sup>th</sup> Ave & 1009 Marquette Ave, Milwaukee  
**Facility Identification Number (FIN):** 63340

Dear Steven Dukatt:

The Wisconsin Department of Natural Resources (hereafter Department) has determined that your proposed discharge for Carol Investment Corporation – Sunrise Shopping Center is eligible for coverage and is hereby authorized under the Wisconsin Pollutant Discharge Elimination System (WPDES) general permit for *Contaminated Groundwater from Remedial Actions* (No. WI-0046566-06). This determination was based on review of the General Permit Request for Coverage form and Discharge Management Plan submitted by Christopher Cailles, received on June 5, 2018. You are responsible for compliance with the requirements conditions contained in the permit. Please download the permit and fact sheet from the Department website at: <http://dnr.wi.gov/topic/wastewater/GeneralPermits.html>.

The on-site contamination of chlorinated volatile organic compounds (VOCs) is likely attributable to the site occupied by a dry cleaner's facility. WDNR BRRTS activity open sites [#02-41-579429](#) and [#02-41-576336](#).

According to the discharge management plan submitted, in-situ chemical oxidation will be used to address both soil and groundwater contamination. The primary goal of the chemical oxidation is to reduce the concentrations of chlorinated VOCs, specifically Tetrachloroethene (Perc) and Trichloroethene (TCE), in the area of the former dry cleaners and neighboring spaces (2410 and 2412). A second smaller injection area behind the 2414B tenant space will be targeted for PAH remediation.

The chemical treatment will be accomplished using a commercially available product manufactured by Carus Corporation under the trade name RemOx®. RemOx® is a strong oxidant consisting of >98.8% Potassium permanganate, specifically formulated for use in soil and groundwater remediation. A solution of RemOx® powder and water (obtained from the municipal supply provided to the shopping mall) will be injected into the subsurface using high pressure pumps. A combination of direct-push rods and 1-in PVC injection wells (i.e., Class V underground injection control wells) will be used.

**Any significant injection changes will require Department approval.**

Discharges under this permit are required to be consistent with a discharge management plan that has been approved by the Department. Your application submitted will be considered as the required discharge management plan. All of your contaminated wastewater treatment, discharges, and remedial actions must be done according to the terms and conditions of the permit, specifically sections 1, 2, 6 and 8.

### General Requirements

1. **Effective Term:** Permit Coverage begins on June 6, 2018.
2. **Additives:** The discharge of other water treatment additives is prohibited unless their use is approved in writing by the DNR.
3. **Monitoring requirements:** Monitoring requirements for discharges designed to enhance the remediation of in-situ contaminants are found in Section 6 of the permit.
  - **Flow:** A record must be kept of the total daily volume of each solution injected.
  - **Parameters:** Riley Neumann, DNR Remediation & Redevelopment Project Manager, may require additional monitoring and reporting.
4. **Reporting:**
  - Records of effluent volume and chemical monitoring data shall be submitted on discharge monitoring report (DMR) forms following each injection. All sample results must be reported on the DMR. Reports are due on the 15th day of the month following the completion of the injection. The owner must sign the DMRs. DMRs should be sent to the address indicated on the DMR. Please make copies of the enclosed DMR for your use.
  - Records required by this permit must be kept for the duration of the permit and made available for inspection by Department staff upon request.
  - **Any exceedances of the permit limits shall be reported to the Department within 24 hours of the permittee becoming aware of the exceedance.**

Limits based on groundwater quality protection are set at the preventive action limits in ch. NR 140, Wis. Adm. Code. These limits are based on substances reported to be in the discharge, but may not necessarily include all substances of public health or welfare concern, which are in the discharge. However, nothing in this permit allows the permittee to discharge any substance in a concentration that would cause groundwater standards in Ch. NR 140 to be exceeded.

If you have any questions about permit requirements or the contents of this letter, please feel free to contact me at (414) 263-8713.

Sincerely,



Karl Knutson  
Wastewater Specialist

cc: Trevor Moen, General Permit Coordinator, WDNR (via email)  
Daniel Traen, DAI Environmental, Inc. (via email)  
Christopher Cailles, DAI Environmental, Inc. (via email)  
F. Thomas DePaul, DAI Environmental, Inc. (via email)  
Riley Neumann, WIDNR, Project Manager, (via email)  
Permit File

Enc: DMR for injection recording

## LEGAL AUTHORITIES AND APPEAL RIGHTS

Section 283.35(1), Wis. Stats., authorizes the Department to issue a general permit applicable to a designated area of the state authorizing discharges from specified categories or classes of point sources located within that area. Upon the request of the owner or operator of a point source, the Department shall withdraw the point source from the coverage of a general permit and issue an individual Wisconsin Pollutant Discharge Elimination System (WPDES) permit for that source in accordance with s. 283.35(2), Wis. Stats. Additionally, the Department may withdraw a point source from the coverage of a general permit and issue an individual WPDES permit if that source meets any of the factors listed in s. 283.35(3), Wis. Stats. Issuance of such an individual permit will provide for a public comment period, and potentially a public informational hearing and/or an adjudicatory hearing. In lieu of general permit withdrawal, the Department may refer any violation of a general permit to the Department of Justice for enforcement under s. 283.91, Wis. Stats., pursuant to s. 283.89, Wis. Stats. In order to remain in compliance and avoid any enforcement action, **please read your permit carefully.**

To challenge the reasonableness of or necessity for any term or condition of an issued, reissued, or modified general permit, s. 283.63, Wis. Stats., and ch. NR 203, Wis. Adm. Code, require that you file a verified petition for review with the Secretary of the Department of Natural Resources within 60 days after notice of the permit decision was issued by the Department. For other permit-related decisions, such as the decision to confer general permit coverage to your facility, that are not reviewable pursuant to s. 283.63, Wis. Stats., it may be possible for permittees or other persons to obtain an administrative review pursuant to s. 227.42, Wis. Stats., and s. NR 2.05(5), Wis. Adm. Code, or a judicial review pursuant to s. 227.52, Wis. Stats. If you choose to pursue one of these options, you should know that Wisconsin Statutes and Administrative Code establish time periods within which requests to review Department decisions must be filed.