



May 8, 2019

Mr. Brain Cass
OHM Holdings, Inc.
W229N2494 County Road
Waukesha, WI 53186

Subject: Case Closure under Wis. Admin. Code ch. NR 726 Not Recommended
OHM - Wauwatosa
6737 West Milwaukee Avenue, WI 53213
DNR BRRTS Activity # 03-41-581019
FID #: 241287640

Dear Mr. Cass:

On April 11, 2019, 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 April 26, 2019 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 the site investigation (SI) is incomplete. All the sources of the contamination on-site have not been identified apart from the 550 underground storage tank (UST) eventhough the site operated as a gas station for decades.

Need to Define the Degree and Extent of Contamination

Additional soil sampling is needed to define the degree and extent of contamination per Wis. Admin. Code § NR 716.11. The soils on the north side of the dry-cleaner building towards Milwaukee Avenue need further assessment in order to define the extent of the contamination found at DP-7 and to evaluate source area(s) better.

Need to re-evaluate vapor pathway and remedial actions

Upon completion of the requested soil sampling in the suspected source areas, review the vapor pathway assessment, incorporating the newly obtained results. Evaluate whether previously recommended remedial measures are appropriate or propose additional remedial action.

Schedule

Within 60 days of the date of this letter, respond in writing with a schedule of your plans to meet these requirements.

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 after completing the site investigation and conducting any needed remedial actions.

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, Binyoti F. Amungwafor at 414-263-8607 and email at Binyot.Amungwafor@Wi.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, search: RR-102, for more information.

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

Sincerely,



Pamela A. Mylotta
Team Supervisor, Southeast Region
Remediation & Redevelopment Program
414-263-8561
pamela.mylotta@wisconsin.gov

cc: Mr. Wayne Fassbender, Environ-forensics, Environmental Forensic Investigations, Inc.
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