



October 28, 2020

Ms. Joanne Kantor
Leather Rich Inc.
PO Box 23
Oconomowoc, WI 53066

Subject: Supplemental Site Investigation Work Plan – Conditional Approval and Comments
Leather Rich Inc.
1250 Corporate Road, Oconomowoc, Wisconsin
DNR BRRTS# 02-68-581237/ 06-68-582959 FID# 268414850

Dear Ms. Kantor:

The Wisconsin Department of Natural Resources (DNR) has received the August 24, 2020 Supplemental Site Investigation Work Plan (SIWP) for the above-referenced site. The SIWP was submitted on behalf of Leather Rich Inc. by GZA GeoEnvironmental Inc. (GZA). The submittal of a SIWP is required per Wis. Admin. Code § NR 716.09, as this site is subject to regulation under Wis. Stat. § 292. The DNR reviewed the SIWP for consistency with Wis. Admin. Code §§ NR 716.07 and 716.09. The SIWP was also reviewed for concurrence with the Voluntary Party Liability Exemption (VPLE) process.

Background

This site has been occupied by a dry-cleaning and fabricare facility since 1993. An open contamination case with the DNR's Remediation and Redevelopment Program titled Leather Rich Inc. is tracked as BRRTS # 02-68-581237 and 06-68-582959. Results of site investigation activities completed to-date have identified soil and groundwater contaminated with chlorinated volatile organic compounds (CVOCs) and groundwater contaminated with per- and polyfluoroalkyl substances (PFAS) from a hazardous substance discharge.

It is the responsibility of Responsible Parties to evaluate hazardous substance discharges and environmental pollution including emerging contaminants under the Wis. Admin. Code NR 700 rule series. Emerging contaminants discharged to the environment, including certain PFAS, meet the definition of hazardous substance and/or environmental pollution under Wis. Stat. § 292.01:

- Wis. Stat. § 292.01 (3) "Discharge" means, but is not limited to, spilling, leaking, pumping, pouring, emitting, emptying or dumping.
- Wis. Stat. § 292.01 (4) "Environmental pollution" means contaminating ... air, land, or waters of the state or making the same injurious to public health ...
- Wis. Stat. § 292.01 (5) "Hazardous substance" means any substance ... which may pose a substantial present or potential hazard to human health or the environment because of its quantity, concentration or physical, chemical or infectious characteristics ...

Per Wis. Admin. Code § NR 716.07 and Wis. Admin. Code § NR 716.09, site investigation scoping and work plans should include an evaluation of potential PFAS compounds and other applicable emerging contaminants that were historically or are presently produced, used, handled, or stored at the site. Site investigation work

Leather Rich Inc.
BRRTS# 02-68-581237; 06-68-582959

plans should also include a sampling and analysis strategy to be used during field investigation that considers all information in the evaluation conducted under Wis. Admin. Code § NR 716.07.

Discharges of PFAS to the environment are subject to regulation under ch. 292, Wis. Stats., and chs. NR 700-754, Wis. Adm. Code.

The SIWP is conditionally approved pending the additional work outlined below:

Soil

- The DNR will require a soil sample be collected and analyzed for PFAS in the source area at the proposed vertical aquifer profiling (VAP) location proposed between MW-6 and MW-7.

Groundwater

- GZA has proposed the installation of two VAP borings and two additional off-site monitoring wells.
 - The SIWP proposes the VAP borings to be sampled for CVOCs only. The DNR requires that samples collected from the VAP borings also be analyzed for PFAS.
 - Two monitoring wells are proposed off-site in the downgradient direction on the Hein Electric property. The proposed borings are spaced approximately 40 and 120 feet downgradient from the property line. The currently known extent of the chlorinated plume is most of the Leather Rich property. The DNR requests that one of these well locations be moved further downgradient either to the western edge of the Hein Electric property or into the Executive Drive right-of-way near its intersection with Valley Road. The purpose of this is to determine if there are impacted potable wells in an expedited manner.
 - Off-site piezometers may be needed to delineate the groundwater plume. This will be addressed with a review of the future proposed groundwater sampling results from the existing well network and the VAP borings.
- In future reports, both the individual and combined exceedances need to be identified for PFAS.

Vapor

- The SIWP states that no vapor sampling is planned until after dry cleaning operations cease and the soil vapor extraction (SVE) system is operational.
 - The DNR requests an assessment of the HVAC system to determine the connectivity of the air spaces in the operational area and the offices.
 - If office air spaces are not isolated from the operational area, sub-slab and indoor air samples will be warranted in the office space.
 - The SVE system will need to demonstrate that it will impact sub-slab vapors across the footprint of the building.

Receptors

- Identify down-gradient potable wells. Provide documentation of their location and construction. The DNR recommends placing these in cross-sectional view with the known contamination plume after the additional investigation is completed.

Schedule

The SIWP does include a schedule for conducting the field investigation and reporting the results, per Wis. Admin. Code § NR 716.09(2)(h). Furthermore, the DNR is requesting implementation of the following schedule:

Leather Rich Inc.
BRRTS# 02-68-581237; 06-68-582959

- The DNR is requesting the submittal of a revised site investigation work plan by November 27, 2020, to address the comments identified above. The work plan must comply with all the requirements identified in Wis. Admin. Code § NR 716.09(2).
- Results of the site investigation activities must be submitted to the DNR in a comprehensive Site Investigation Report (SIR) that meets the requirements in Wis. Admin. Code § NR 716.15. The SIR shall be submitted to the DNR within 60 days after completion of the field investigation and receipt of laboratory data.

Please be aware that if the above requirements are not met, a notice of noncompliance (NON) may be issued for the site. Wis. Stat. § 292.11(3), states:

RESPONSIBILITY. A person who possesses or controls a hazardous substance which is discharged or who causes the discharge of a hazardous substance shall take the actions necessary to restore the environment to the extent practicable and minimize the harmful effects from the discharge to the air, lands, or waters of the state.

Additional resources regarding PFAS investigation and cleanup can be found on the DNR webpage <https://dnr.wisconsin.gov/topic/PFAS/Cleanup.html>.

The DNR appreciates the efforts Leather Rich Inc. has taken to remediate and investigate this property. Please contact me at 414-881-1015 or at timothy.alessi@wisconsin.gov with any questions or concerns regarding this letter.

Sincerely,



Timothy G. Alessi, P.G.
Southeast Region Program Manager
Remediation and Redevelopment Program

Cc: Donald P. Gallo, Axley Brynelson LLP, N20 W22961 Watertown Road, Waukesha, WI 53186