



October 29, 2019

Mr. James Williamson  
Dobra, LLC  
170 Linden Street  
Winnetka, IL 60093

Subject: Liability Clarification and "No Action Required" Determination, per Wis. Admin. Code NR § 716.05(2).  
Parks Pioneer Silver Steel, 1112 Frederick Street, Racine, Wisconsin  
BRRTS #s: 03-52-204139 & 07-52-584465, FID #: 252229120, PECFA #: 53404-3028-80

Dear Mr. Williamson:

**Purpose**

The purpose of this letter is to provide you with clarifications as to environmental liabilities and current environmental conditions at 1112 Frederick Street, Racine, Wisconsin (the Property). The Property is identified by tax parcel number 03124000. Refer to the attached Figure 2 for a site map of the Property.

**Summary Determination**

Hazardous substance discharges or environmental pollution have occurred on the Property. However, the Wisconsin Department of Natural Resources (the Department) has determined that no response actions are required. The Department has made this determination based on the data made available to the Department and the criteria in Wis. Admin. Code § NR 716.05.

**Request**

On October 4, 2019, your consultant, The Sigma Group, Inc., requested on your behalf that the Department issue a liability clarification letter under Wis. Stat. § 292.55. The letter contains a determination as to whether response actions are needed under the Wis. Admin. Code NR 700 rule series based on the discharge of one or more hazardous substances or presence of environmental pollution at the Property. The Department received the fee for providing assistance, in accordance with Wis. Admin. Code § NR 749.04(1).

For the Department to make this determination, you have requested a review of the following documents:

- *Site Investigation Report & No Action Required Request*, dated March 1, 2019.

The Department examined the reports listed above and provides the following summary of the case and opinions concerning environmental conditions at the Property.

**Background and Summary of Environmental Conditions**

The Property was previously owned by the Parks Pioneer Corporation and was used for recycling steel materials. Based on the information currently available to the Department, it is not certain when these operations began. The Property was classified as manufacturing since 1986 until 2003, at which point the Property was sold by the Parks Pioneer Corporation. Dobra, LLC subsequently purchased the property in 2006. The Property was classified as

vacant land from 2003 until 2016. Currently, the Property is used and classified as a commercial parking lot and has a grass/gravel cover.

In 1998, Advent Environmental Services, Inc. removed a 5,000-gallon diesel fuel underground storage tank. Three soil samples were collected, including two excavation sidewall samples and one sample correlating with the location of the former fuel dispenser. Based on the results of this soil sampling, a notification of a discharge of a hazardous substance was submitted to the Department. At this point, no additional environmental investigation occurred on the Property until August 2012.

In 2012, The Sigma Group, Inc. conducted additional investigation activities, including the installation of five GeoProbe soil borings and four Wis. Admin. Code ch. NR 141 monitoring wells. Two soil samples were collected from each soil boring: one within the direct contact zone and one at the soil-groundwater interface. These samples were submitted for laboratory analysis of petroleum volatile organic compounds (PVOCs) and polycyclic aromatic hydrocarbons (PAHs). Four rounds of groundwater monitoring were conducted in monitoring wells MW-1, MW-2, and MW-4. Monitoring well MW-3 was only sampled three times, as the well was dry during the first sampling event. Samples collected from the monitoring wells were submitted for laboratory analysis of PVOCs and PAHs.

Laboratory analysis of soil samples indicated no detections of PVOCs. Two PAHs, benzo(a)pyrene and chrysene, were detected above the Wis. Admin. Code ch. NR 720 residual contaminant levels (RCLs) for non-industrial direct contact and pathway to groundwater, respectively, in soil sampling location GP-1. Based on a cumulative risk assessment at this location, the overall cumulative direct contact health risk has not been exceeded for PAHs. Additionally, the chrysene exceedance of the pathway to groundwater RCL is not thought to be a completed pathway, as the groundwater data does not indicate an exceedance of chrysene. The groundwater sampling events indicate that neither PVOCs nor PAHs present a risk to human health or the environment in this location.

The investigation and this determination are specific only to the former diesel tank area located in the southeast corner of the site and to the sampled analytes. This determination does not apply to any other portion of the site other than where samples have been collected.

#### **Liability Determination**

Wis. Stat. ch. 292 and Wis. Admin. Code chs. NR 700-754 require those who are responsible for a hazardous substance discharge or environmental pollution to take actions necessary to respond to the contamination. Wis. Stat. § 292.55, authorizes the Department to issue clarification letters concerning liability for environmental pollution.

The data summarized above indicates that one or more hazardous substance discharges or environmental pollution has been discovered on the Property. However, based on the criteria in Wis. Admin. Code § NR 716.05(2)(a) and Wis. Admin. Code §§ NR 708.09 (1) and (2), the Department has determined that no response actions, including further site investigation activities, are required under Wis. Admin. Code chs. NR 700-754 to respond to these identified discharges or environmental pollution.

As with any environmental assessment, all areas of the Property were not assessed, the numbers of samples collected were limited based on professional judgment and financial considerations, and samples were not analyzed for all parameters. This letter relates and refers only to those conditions described above and to information and data you submitted to the Department in your request for this letter. The Department makes no determination concerning the presence or absence of hazardous substances or environmental pollution, other than those identified in the documents and reports listed above, which you submitted to us. In the future, if the Department becomes aware of new information concerning the contaminants referenced above, or the presence of other contaminants on the Property, the Department will evaluate that data at that time to determine if any

response actions are required. Whenever possible, the Department requires the person who caused the discharge to take the appropriate response actions.

The Bureau for Remediation and Redevelopment Tracking System (BRRTS) identification number for this activity is shown at the beginning of this letter. The Department tracks information on all case determinations such as this letter in a Department database that is available online at [dnr.wi.gov](http://dnr.wi.gov) and search: "BOTW". Since there is no action required for this case, the Department will identify this site activity as a "No Action Required" determination.

If you have any questions, please contact me, the Department Project Manager, at (414) 263-8699 or via email at [riley.neumann@wisconsin.gov](mailto:riley.neumann@wisconsin.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'Riley D. Neumann', followed by a long horizontal line extending to the right.

Riley D. Neumann  
Hydrogeologist / Project Manager  
Remediation & Redevelopment Program

cc: Timothy Wimmer, The Sigma Group, Inc. (electronic)