



May 15, 2023

BMO Harris Bank, NA
Attn: June Evans
111 W. Monroe Street
Chicago, IL 60603
Sent via e-mail only to june.evans@bmo.com

Subject: Site Investigation Report Not Approved
BMO Harris Bank Branch, 117-125 South Chestnut Avenue, Green Bay, WI
BRRTS #: 02-05-585287

Dear Ms. Evans:

On March 23, 2023, the Wisconsin Department of Natural Resources (DNR) received the report titled “*NR 716 Site Investigation Report*” (SIR) prepared on your behalf by Patrick Patterson of PSI, Inc. (PSI) for the above referenced property located at 117-125 South Chestnut Avenue, Green Bay, Wisconsin (Property). The report was submitted with a \$1,050 fee for DNR review and response. DNR has reviewed the SIR in accordance with Wisconsin Administrative (Wis. Admin.) Code ch. NR 716 and considers the SIR not approved.

Background

The Property consists of two parcels, totaling approximately 0.55-acres within the City of Green Bay in Wisconsin with addresses of 117 and 125 South Chestnut Avenue. Both zoning and land use is commercial. A rectangular commercial structure is situated on the 117 South Chestnut Avenue parcel. A dry cleaner formerly occupied a portion of this building and an adjacent structure on the east side of this parcel. It is DNR’s understanding that the actual dry cleaning was performed in the building formerly located on the east side of the parcel which was razed in the early 1970s after operating as a dry cleaner since the 1930s. Asphalt pavement is present on a majority of the southern parcel identified as 125 South Chestnut Avenue. Some landscaped areas are also present on the southern parcel. Refer to the attached map (Site Features Diagram) for the site layout of the two parcels. The property was recently acquired by Badgerland Management, LLC, but BMO Harris Bank NA will remain the responsible party.

Site Investigation Review

DNR reviewed the SIR and all case file documentation submitted to date. It is presently unknown if the degree and extent of the chlorinated volatile organic compound (CVOC) contamination identified at the site has been fully defined in groundwater. In addition, the potential for vapor intrusion into the existing building has not been adequately assessed. Therefore, DNR has determined that the site investigation report is incomplete and not in compliance with Wis. Admin. Code ch. NR 716.

May 15, 2022

Ms. June Evans, BMO Harris Bank, NA

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Additional groundwater investigation needed

- Due to increasing contaminant trends, additional groundwater monitoring for drycleaner CVOCs (i.e. perchloroethylene (PCE), trichloroethylene (TCE), cis- and trans-dichloroethylene (DCE), and vinyl chloride (VC)) will be required to confirm that degree and extent of contamination has been defined and that stable or receding contaminant trends are confirmed.
- Include ethene and ethane as sampling parameters in the groundwater monitoring schedule to document that complete breakdown of CVOCs is occurring.
- MW-12 has concentrations of PCE and TCE above their respective enforcement standards (ES), and may require further delineation unless adequate justification can be provided to the DNR. Current well placement is outlined on the attached map (Groundwater Elevation Contour Diagram).
- It is noted that the most downgradient well (MW-9) still exhibits an enforcement standard exceedance for vinyl chloride, and this may also require further delineation unless adequate justification is provided to the DNR.
- It is recommended that a brief work plan for the additional groundwater monitoring be provided for DNR review.
- Depending on future sampling results, additional soil and/or groundwater sampling may be necessary to fully define degree and extent of contamination.

Additional vapor intrusion assessment needed

- Due to the building now being occupied, and the presence of TCE in groundwater directly adjacent to the building, indoor air samples should be collected as soon as possible.
- Passive samplers are recommended for indoor air sampling with a sampling duration of at least 7 days, but preferably 10 days, if feasible.
- Information on passive sampling is available on the [DNR's Training Library](#) under Issues & Trends for November 16, 2022.
- If needed, a second indoor air sampling event should occur between mid-November and the end of December.
- A minimum of one passive sampler should be placed in a bathroom due to likely floor penetration for plumbing.
- Passive samplers should be hung at breathing-level height away from walls and vents.
- Photos should be taken of all the passive sampler placements and provided to DNR as part of a sampling update.
- A sub-slab vapor port should be installed in the center of the building and two rounds of vapor sampling performed, with one round performed during the heating season (i.e. winter) concurrently with indoor air sampling.
- Per the screening guidelines in DNR guidance document RR-800, off-site buildings are located within the 100-foot screening distance from the edge of the residual CVOC soil contamination. Further evaluation or assessment will need to be completed for off-site buildings.
- A work plan for any proposed sub-slab vapor and indoor air sampling should be submitted for DNR review.
- Sampling results are to be submitted to DNR and the property owner within 10 days of receiving analytical results.

Schedule

In consideration of administrative code requirements, the DNR is requesting implementation of the following schedule:

- Per Wis. Admin. Code § NR 716.09(1), the DNR is requesting the submittal of a supplemental site investigation work plan within 60 days of the date of this letter, by July 15, 2023. The work plan must comply with Wis. Admin. Code § NR 716.09(2). A fee is recommended for DNR review and response.
- Per Wis. Admin. Code § NR 716.11(2g), the additional site investigation activities must begin within 90 days of the submittal of the work plan.
- Per Wis. Admin. Code § NR 716.14, all sampling results are required to be submitted within 10 days of receiving the laboratory data.
- Per Wis. Admin. Code § NR 716.15(1), a supplemental site investigation report shall be submitted within 60 days after completion of the field investigation. A fee is recommended for DNR review and response.
- NR 700 semi-annual progress reports will be required until the case is closed.

Once the additional work has been completed and documented, your consultant should evaluate the appropriateness of case closure based on the results of this additional work. If a remedial action is warranted, your consultant should submit a remedial actions option report (RAOR) within 60 days after the completion of the field investigation

Please be aware that DNR has made this determination based on the documentation received to date for this site. DNR may re-evaluate decisions related to this approval if new or additional information is obtained. DNR appreciates your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at (920) 510-8294, or at Keld.Lauridsen@wisconsin.gov.

Sincerely,



Keld Lauridsen
Hydrogeologist
Remediation & Redevelopment Program

Attachment: Site Features Diagram
Groundwater Elevation Contour Diagram

cc: Patrick Patterson, PSI, Inc. (patrick.patterson@intertek.com)
Joaquin Camacho, Jones Lang LaSalle Americas, Inc. (Joaquin.Camacho@bmo.com)
Nathaniel Smith, Badgerland Management, LLC (nate.smith@badgerlandbadge.com)



SITE FEATURES DIAGRAM

BRRTS No. 02-05-585287



Legend

- Open Site
- Closed Site
- Continuing Obligations Apply
- Facility-wide Site

Site Addresses & Property IDs:
 117 & 125 S. Chestnut Avenue
 (3-100 & 3-101)

0.0 0 0.02 0.0 Miles

NAD_1983_HARN_Wisconsin_TM

1: 990



DISCLAIMER: The information shown on these maps has been obtained from various sources, and are of varying age, reliability and resolution. These maps are not intended to be used for navigation, nor are these maps an authoritative source of information about legal land ownership or public access. No warranty, expressed or implied, is made regarding accuracy, applicability for a particular use, completeness, or legality of the information depicted on this map. For more information, see the DNR Legal Notices web page: <http://dnr.wi.gov/org/legal/>

Note: Not all sites are mapped.

BMO Harris Bank Branch
117 & 125 S. Chestnut Avenue
Green Bay, Wisconsin

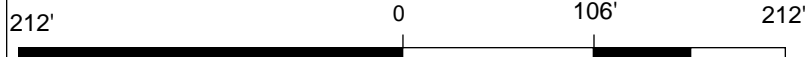


GROUNDWATER ELEVATION CONTOUR DIAGRAM-October 2022
BRRTS No. 02-05-585287



LEGEND

- Well Location
- Piezometer Location
- Sewer Line Location
- Stormwater Line Location
- Natural Gas Line Location



NAD_1983_HARN_Wisconsin_TM

1: 990



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