



June 17, 2022

Spic and Span
Robert Miller
108 West Miller Drive
Mequon, WI 53092-6188

Subject: Review of Soil Vapor Risk Mitigation Approach
Spic and Span, Inc. (FMR)
4301 N. Richards Street, Milwaukee, WI
DNR BRRTS # 02-41-585636 DNR FID # 241040690

Dear Mr. Miller:

On May 9, 2022, the Wisconsin Department of Natural Resources (DNR) received the Soil Vapor Risk Mitigation Approach and vapor test procedures, for the case identified above. The Soil Vapor Risk Mitigation Approach and vapor test procedure documentation was prepared and submitted on your behalf by your consultant, Graef-USA (Graef). This documentation was not provided in a formal report and was not submitted with a fee for DNR review. However, the DNR is providing the response below for your consideration due to the vapor intrusion risk associated with this site.

Review of Documents

As already stated in an initial virtual conference call (2/17/2021), followed by a DNR email (3/30/2022) and again in a virtual conference call (4/14/2022), due to vapor risk screening level (VRSL) exceedances, both mitigation of the vapor intrusion pathway and remedial action to reduce the mass and concentration of volatile compounds is required prior to case closure per Wis. Admin. Code ch. NR 726. Both requirements should be considered and incorporated into plans for completing interim and remedial actions at the site.

The vapor intrusion risk analysis was previously submitted and as stated in the DNR response letter (1/19/2021), OSHA standards apply to the source building only if the facility is actively operating with the chemical in use. Therefore, indoor air is compared to vapor action levels (VALs) due to a release to the environment and require investigation, mitigation, and remediation under the NR 700 Rule Series. It should be noted that the indoor air samples, AS-1 (580 $\mu\text{g}/\text{m}^3$) and AS-2 (440 $\mu\text{g}/\text{m}^3$) exceeded the large commercial/industrial VALs with a maximum PCE concentration of 180 $\mu\text{g}/\text{m}^3$.

After an initial review of the proposed vapor barrier and topping slab for mitigation, the proposed area of the barrier and topping slab does not cover the entire area of VRSL exceedances. Additionally, a vapor barrier and topping slab is unlikely to be approved as a stand-alone method for long-term vapor mitigation for this Site. Mitigation options should be evaluated, including re-evaluation of whether a sub-slab depressurization (SSDS) system is feasible.

Based on the review of the vapor test procedure to design a SSDS, it appears that the sub-grade material is composed of sand and gravel which generally indicates an SSDS may be a feasible option at this site. Due to the difficulties inducing a negative pressure in the sub-slab at the site, as described in the vapor test procedure document, the DNR recommends consulting with a National Radon Proficiency Program (NRPP) certified

mitigator with experience in chemical VI mitigation that follows ANSI/AARST standards to design and install a vapor mitigation system.

Additional Comments

As early as November 2020, the DNR laid out the recommended steps to complete the Site Investigation. The following is the initial DNR response (email 11/2/2020) to a submittal of a Phase II report, on your behalf:

Thank you for submitting your Phase II ESA with a review fee. However, the WDNR does not review/comment on Phase II ESAs. The next step would be to submit a Site Investigation Workplan (SIWP). When you believe you have completed the site investigation, submit your complete Site Investigation Report <https://dnr.wi.gov/files/PDF/forms/4400/4400-317.pdf>, with a fee, and we will review and comment at that time.

If you would like technical assistance to help guide the Site Investigation, or would like the DNR to review and comment on the SIWP, please submit the appropriate materials and fees with a Technical Assistance Request form <https://dnr.wi.gov/files/PDF/forms/4400/4400-237.pdf>.

A SIWP nor a technical assistance request was submitted. However, an incomplete Phase II/Site Investigation report (11/4/20) was submitted two days later and denied by the DNR based on a review of compliance with Wis. Admin. § NR 716. This included, but not limited to, further discussion of the source (Wis. Admin. § NR 716.07), definition of contamination in all media (Wis. Admin. § NR 716.11(3)(a)), as well as additional required report documentation per Wis. Admin. Code § NR 716 and NR 720. These are standard requirements when completing a Site Investigation and should have been included in the investigation and report.

Over the next year and a half, the site investigation has yet to be completed. The lack of regulatory compliance and the multiple discussions, via email, phone calls, letters, and one technical review with a fee, has extended the completion of a compliant Site Investigation and pathway toward closure. The DNR has documented three meetings with the DNR vapor team, six virtual conference calls with the consultant, four requests for additional information due to incomplete documentation, and three DNR committee meetings to review submitted documents (fee). Additionally, the consultant continues to respond to DNR recommendations with pieces of information, via email or virtual meetings, without complying with required submittals.

An incomplete Site Investigation Report was submitted on June 2, 2022, and comments regarding this report are being sent via email to you and your consultant. Moving forward, the DNR requests that you/your consultant complete the site investigation and remedial action options report and comply with submittals under Wis. Admin. § NR 700-726. The following documents, as applicable, must be submitted to the department prior to the responsible party requesting case closure:

- Ch. NR 708 reports and documentation for any immediate or interim actions.
- Ch. NR 712 professional certifications and signatures are included with applicable submittals.
- Ch. NR 716 work plan(s) and site investigation report.
- Ch. NR 722 remedial action options report, with the selected remedial action identified.
- Ch. NR 724 design, construction documentation, operation, maintenance and monitoring plans and reports, including vapor mitigation commissioning.
- Ch. NR 725 submittal(s) that confirms that continuing obligations have been identified and affected property owners have been notified by the responsible parties 30 days prior to case closure.
- If requesting case closure, the Ch. NR 726 case closure form and documentation substantiating compliance with the NR 700 rule series.

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- Ch. NR 749 fees have been paid, as applicable, including closure and database fees.
- Ch. NR 700 semi-annual site progress reports starting six months after notification

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 me at 414-316-0208 and Linda.stanek@wisconsin.gov.

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

Sincerely,

A handwritten signature in cursive script that reads "Linda Stanek".

Linda Stanek
Hydrogeologist, Southeast Region
Remediation & Redevelopment Program
cc: Brian Schneider - Graef