State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
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Tony Evers, Governor

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May 22, 2024

Robert Miller
Spic and Span
108 West Miller Drive
Mequon, WI 53092-6188
{sent electronically only rmiller@spicandspan.com }

Subject: Response to Remedial Action Design Report
Spic and Span, Inc. (FMR)
4301 N. Richards Street, Milwaukee, WI
DNR BRRTS # 02-41-585636 / FID # 241040690

Dear Mr. Miller:

The Wisconsin Department of Natural Resources (DNR) reviewed the *Remedial Design Report* and the updated Hazardous Waste Determination, dated March 27, 2024 (Report) for the case identified above. The Report was prepared and submitted on your behalf by your consultant, Ramboll Group (Ramboll). The Report was submitted with the applicable technical assistance fee for providing review and response as required under ch. NR 749, Wis. Admin. Code.

The Report details proposed remedial actions to address chlorinated volatile organic compounds (CVOCs) identified in soil, groundwater, and vapor beneath the former Spic and Span facility (Site). Proposed remedial actions consist of excavation of impacted soil and installation and operation of a Sub-Slab Depressurization System (SSDS).

Based on the information submitted to date, the DNR has determined that the proposed remedial action design is not adequate for the site conditions. The DNR provides the following comments which should be addressed prior to performing any of the proposed remedial actions:

Hazardous Waste Determination

Based on available information regarding site activities and records, and analytical results from site investigations, CVOC contaminated soil and groundwater are determined to be the result of a discharge of spent halogenated solvents. The department concurs with the determination that soil and groundwater at the site were contaminated with a listed waste (F002).

Characteristic hazardous waste determinations are based on analytical results. Total constituent concentrations can be compared to twenty times the TCLP standards to determine if they have the potential to exhibit a toxicity characteristic. Any samples that exceed twenty times the TCLP standard must be analyzed using SW846 Method 1311 to confirm whether they exhibit the toxicity characteristic.

Analytical data for limited intervals from eight soil borings (SB-1, 2, 3, 4, 5, 7, 12 and 21) was used to determine whether soil in the three proposed excavation areas shown in Figure #3d:

1. contain the listed waste F027,
2. exhibit the toxicity characteristic for PCE (D039) and TCE (D040), and/or
3. are below the land disposal restriction standards.

The department cannot concur with conclusions made regarding the listed and characteristic hazardous waste determination for the following reasons:

- Insufficient data has been provided. Representative samples for soil proposed for excavation and disposal must be collected to make an accurate waste determination. For example,
    - Soil from outside the targeted excavation areas was included to support the waste determination. Sample locations SB-2 and SB-3 are not representative of the mass of soil proposed for excavation in the vicinity of SB-1.
    - Only the 2-4' and 8-10' bgs intervals from boring SB-1 were analyzed for total constituent concentrations to support a listed waste determination. The 2-4' bgs interval was screened using the twenty times rule to make a characteristic hazardous waste determination. The 8-10' bgs interval had a total constituent concentration that exceeds the twenty times value however no TCLP analysis was performed. This limited information is not considered representative of the mass of soil proposed for excavation in this area.
    - Only soil from the 4-6' bgs interval of boring SB-7 was analyzed for both total constituent concentrations and TCLP. This interval is not representative of the mass of soil proposed for excavation in this area.
    - Only soil from the 0-2' bgs interval in boring SB-4, the 2-4' bgs interval in SB-5, and 7.5-10' bgs interval in SB-21 have total constituent concentrations that support a listed waste determination and were screened using the twenty times rule to make a characteristic waste determination. Two samples from the 6-8' bgs interval in SB-4 and SB-5 were analyzed for total constituent concentrations however both exceeded the twenty times screening value, and neither was analyzed for TCLP. The single sample collected from boring SB-12 at the 5-7' interval was analyzed for TCLP however no total constituent concentration was obtained to support a listed waste determination. This limited set of samples and analyses from different intervals in different borings are not representative of the mass of soil proposed for excavation.

- Ramboll states that the sample with the highest total PCE concentration was analyzed for TCLP and found to be less than the D039 standard of 0.7 mg/L. Due to soil heterogeneity and contaminant properties, a single TCLP analysis for the highest total concentration cannot be used to demonstrate that all other samples will meet the TCLP standards.

- Estimated depths of excavation in each of the three areas is not shown on Figure 3d as stated.

Sub-Slab Depressurization System and Indoor Air Samples

The anticipated SSDS radius of influence provided in the Report does not include all areas where sub-slab vapor concentrations exceed the small commercial VRSL. **The SSDS should be designed to influence all areas identified with impacts greater than the small commercial VRSLs,** including, but not limited to, areas of excavation, in the vicinity of soil boring SB-11, in the vicinity of sub-slab sample SSV#17, and west of sub-slab SSV#6 (west of the solvent-based cleaning room).

VMS commissioning activities such as indoor air sampling and pressure field extension testing will be necessary to demonstrate that the VMS is adequately depressurizing the entire area of small commercial VRSL exceedances and effectively mitigating the vapor intrusion pathway.

In addition to the proposed indoor air sample locations, indoor air samples should also be collected from the basement, office space, the solvent-based cleaning room, and west of the solvent-based cleaning room.

Next Steps
Resubmit updated remedial action design plans and specifications that comply with Wis. Admin. Code ch. NR 724.

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 or linda.stanek@wisconsin.gov

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

Sincerely,

Linda Stanek

Linda Stanek
Senior Hydrogeologist, Southeast Region
Remediation & Redevelopment Program

cc: Brian Schneider, Ramboll Group, bschneider@ramboll.com