



November 2, 2022 – sent via email only to paul.melillo@protectenvironmental.com

Paul Melillo
Protect Environmental
9822 Bluegrass Parkway
Louisville, KY 40299-1906

Subject: Technology Demonstration Proposal for 2604 Custer Street, Manitowoc, WI

Dear Mr. Melillo:

Thank you for the proposal for a telemetry technology demonstration at 2604 Custer Street, Manitowoc, Wisconsin (the “Property”), dated November 2, 2022 (the “Proposal”). The Department of Natural Resources (DNR) is appreciative of this opportunity and looks forward to collaborating on this project as the state of the science for addressing vapor intrusion continues to evolve rapidly.

The DNR would like to provide the following clarifications regarding installation and operation of the technology demonstration in the Proposal:

1. DNR is prohibited by state law from indemnifying Protect Environmental employees, representatives or its subcontractors against any and all losses, claims, damages, expenses and liabilities of any kind, including attorneys’ fees and costs. DNR recommends Protect Environmental obtain its own liability insurance.
2. Protect Environmental will be responsible for any damage it causes to the premises or the existing vapor mitigation system, including reasonable costs to repair the damage or replace the damaged items. Protect Environmental will restore any temporary disturbances to the same condition
3. DNR will not be responsible for any equipment installed by Protect Environmental employees, representatives or its subcontractors.
4. If DNR employees or representatives join Protect Environmental or their subcontractors at the Property for the installation, each party will be responsible for its own employees, representatives or subcontractors.
5. By proceeding with the technology demonstration as outlined in the Proposal, Protect Environmental agrees to adhere to the requirements of the attached property access agreement signed by the Property owner on September 23, 2021, specifically accessing the property and business “at reasonable times.”
6. For your information, please see the attached letter to the current owner of the Property, dated September 30, 2021, that clarifies responsibility for the continuing obligations assigned regarding the Property.

We look forward to moving forward with this technology demonstration as outlined in your Proposal. Please contact me with any questions by phone at 920-360-0853 or by email at jennifer.borski@wisconsin.gov.

Sincerely,



Jennifer Borski
Vapor Intrusion Team Leader / Hydrogeologist
Remediation & Redevelopment Program

Attachments:

- Property access agreement dated September 23, 2021
- Letter dated September 30, 2021 - *Continuing Obligations and Property Owner Requirements for Interim Action – Vapor Mitigation*

cc:

- Jim Bolint, Protect Environmental – jim.bolint@protectenvironmental.com
- Chris Ferguson, Vapor Products Group – christopher.ferguson@vaporproductsgroup.com
- Judy Fassbender, DNR – judy.fassbender@wisconsin.gov
- Pam Mylotta, DNR – pamela.mylotta@wisconsin.gov
- Jim Walden, DNR – jamese.walden@wisconsin.gov

Wisconsin Department of Natural Resources
ACCESS PERMISSION AND VAPOR MITIGATION AGREEMENT

I, Salvador Velasques, hereby give permission to the Wisconsin Department of Natural Resources (DNR) and its employees, duly authorized representatives, agents and contractors, to enter upon and have access at reasonable times to the property and business located at 2604 Custer Street, Manitowoc, WI, 54220, and that is owned by me, Salvador Velasques.

The property is located at 2604 Custer Street, parcel number 052-000-367-040.00, Manitowoc County, Wisconsin. The access permission is for the following purposes: that the DNR may mitigate vapor intrusion at the business due to the presence of Trichloroethene. This permission allows the DNR to:

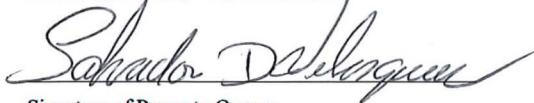
- (1) *Inspect the business and determine which (if any) diagnostic tests are necessary in the business prior to installation of a sub-slab depressurization system (SSDS);*
- (2) *If necessary, conduct a communication test beneath the foundation slab to design a SSDS appropriate for the structure;*
- (3) *Inspect the sump and discharge to determine what actions are necessary to seal the sump for installation of a SSDS;*
- (4) *Install a SSDS in the business, including sealing of the sump and associated plumbing recommendations;*
- (5) *Conduct communication testing beneath the foundation slab after the SSDS is installed to determine if a pressure differential exists and to add additional suction pits, do additional foundation sealing, etc., if necessary;*
- (6) *If needed, to collect indoor air sample(s) on each level of the business following installation of the SSDS;*
- (7) *Inspect the system once every two (2) years or as otherwise recommended based on current industry standards; and*
- (8) *Maintain and monitor the individual components of the SSDS with the exception of providing electricity necessary to operate the fan.*

Once the installation is complete, the SSDS will be owned by the property owner. The contractor will provide a basic warranty on labor and materials to the homeowner and the DNR. The property owner agrees not to damage or interfere with the operation of the SSDS and any work performed that was completed as part of the SSDS installation, including sealing of the sump. The property owner agrees to provide the electricity necessary to operate the fan for the SSDS.

The property owner understands that after the system is installed, DNR will maintain and monitor the SSDS and in order for the system to be effective, it must be operated continuously and as instructed by the contractor.

The property owner understands and agrees that DNR is not liable or responsible for providing the electricity necessary to operate the fan after the SSDS is installed.

IN WITNESS WHEREOF:



Signature of Property Owner

Salvador Velasques

Print Name

2604 Custer St. Mtwc WI

Mailing Address of Owner

920-905-0883

Area Code and Telephone Number

9-23-19

Date

suemvelasques@hotmail.com

Email address

RECEIVED

SEP 26 2019

DNR GREEN BAY

TENANT(S) / LESSEE(S) by UNIT NUMBER, ETC.

Not Applicable – Owner occupied

Name of Tenant(s)/Lessee(s)

Tenant(s) phone number

Tenant(s) email address

Mail or email correspondence
regarding this site to:

WI Dept. of Natural Resources
ATTN: Sarah Krueger
2984 Shawano Avenue
Green Bay, WI 54313
Sarah.Krueger@wisconsin.gov



September 30, 2021

SALVADOR VELASQUES
2604 CUSTER ST
MANITOWOC WI 54220
Sent via email to suemvelasques@hotmail.com

KEEP THIS LEGAL DOCUMENT WITH YOUR PROPERTY RECORDS

SUBJECT: Continuing Obligations and Property Owner Requirements for Interim Action – Vapor Mitigation System at 2604 Custer St, Manitowoc, WI
Parcel Identification Number: 052-000-367-040.00

Contamination Related to:
WI DOT Susies Restaurant (Former) – LGU-SL, 1020 S. 26th St., Manitowoc, WI 54220
BRRTS #: 02-36-000516

Dear Mr. Velasques,

The purpose of this letter is to notify you that you and any subsequent property owners and the Wisconsin Department of Natural Resources (DNR) are responsible for certain continuing obligations applied to the property at 2604 Custer Street, Manitowoc, Wisconsin, parcel ID number 052-000-367-040.00 (the “Property”) due to contamination remaining on the Property. The continuing obligations are part of the interim action approved by the DNR for the *WI DOT Susies Restaurant (Former) – LGU-SL* site, formerly located at 1020 South 26th Street, Manitowoc, Wisconsin (the “Site”).

The Site is referenced by the location of the source of contamination, i.e., the property where the original hazardous substance discharge or environmental pollution occurred, prior to contamination migrating to the Property. The continuing obligations that apply to the Property are included in this letter and are consistent with Wisconsin Statute (Wis. Stat.) § 292.12 and Wisconsin Administrative Code (Wis. Admin. Code) chs. NR 700-799. Continuing obligations are intended to limit exposure to remaining environmental contamination at the Property. These continuing obligations will also apply to future owners of the Property and the DNR, until the conditions no longer exist under Wis. Admin. Code ch. NR 726. When contamination remains in the environment, a continuing obligation can be imposed as part of an interim action approval under Wis. Stat. § 292.12(2).

As part of the state funded response actions at the Site, the DNR reviewed and approved the installation of a vapor mitigation system (VMS) in your restaurant building to address the sub-slab chlorinated volatile organic compound (CVOC) vapor contamination on the Property, based on information submitted by Robert Langdon of SCS Engineers. As required by state law, you received notification about the installation of the VMS and your responsibilities from the DNR as part of an in-person meeting held on August 14, 2019 and in writing on September 26, 2019 as part of the second access agreement letter. No further investigation or cleanup is required on your Property at this time. However, the DNR decision is conditioned upon long-term compliance with the continuing obligations at the Property.

September 30, 2021
Mr. Salvador Velasquez
Continuing Obligations and Property Owner Requirements for Interim Action
WI DOT Susies Restaurant (Former)– LGU-SL, BRRTS #: 02-36-000516

SUMMARY OF CONTINUING OBLIGATIONS

Continuing obligations are applied at the following location:

ADDRESS	CONTINUING OBLIGATIONS APPLIED	DATE OF MAINTENANCE PLAN
2604 Custer Street, Manitowoc, WI (Affected Property)	Vapor Mitigation System (Maintained by DNR)	January 29, 2021 (revised by DNR on September 30, 2021)
	Hydrologic Conditions/Hydraulic Control (Maintained by Property Owner)	
	Future Vapor Intrusion Risk (Responsibility of Property Owner)	

INTERIM ACTION CONDITIONS

Property Owner Responsibilities (Wis. Stat. § 292.12 & § 709.02, Wis. Admin. Code § NR 727.05)

The Property owner (you and any subsequent Property owners) is responsible for compliance with the continuing obligations in this letter, pursuant to Wis. Stat. § 292.12. You are required to notify anyone who purchases the Property from you of the responsibility to comply with the continuing obligations in this letter, in accordance with Wis. Admin. Code § NR 727.05 (2).

If you lease or rent the Property to an occupant who will be responsible for maintaining a continuing obligation, you must include that responsibility in a lease agreement, in accordance with Wis. Admin. Code § NR 727.05 (3).

Please be aware that failure to comply with the continuing obligations may result in enforcement action by the DNR. The DNR intends to conduct periodic inspections to ensure that the conditions included in this letter, are met. The DNR is also required to comply with its continuing obligations at the Property.

VAPOR

Continuing Obligations to Address Vapor Contamination

Vapor intrusion is the movement of vapors coming from volatile chemicals in the soil or groundwater or within preferential pathways into buildings where people may breathe air contaminated by the vapors.

VI - Vapor Mitigation System: (Wis. Stat. § 292.12 (2), Wis. Admin. Code § NR 726.15 (2) (h), (i), (j) or (m)) Vapor mitigation systems are used to interrupt the vapor pathway, thereby reducing or preventing vapors from moving into the building. Soil vapor beneath the restaurant building at the Property contains CVOCs at levels that would pose a risk to human health, if allowed to migrate into an occupied building on the Property. See the enclosed map (Vapor Mitigation System, Figure 1, dated September 8, 2020).

The DNR shall operate, maintain and inspect the VMS, installed on October 4, 2019, in accordance with the enclosed maintenance plan (Vapor Mitigation System Maintenance Plan, dated January 29, 2021 (revised by DNR on September 30, 2021)) until there is a viable responsible party or until case closure. The system is

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Mr. Salvador Velasquez
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WI DOT Susies Restaurant (Former)– LGU-SL, BRRTS #: 02-36-000516

composed of two vacuum pickup points, PVC piping, manometer, vacuum fan, and an audible alarm. System components must be repaired or replaced immediately upon discovery of a malfunction. Therefore, if you and any subsequent Property owners notice a malfunction or damage to the VMS, if the audible alarm is sounded, or you notice the u-tube manometer gauge is below 0.5 inches of water column, notify the DNR immediately, so the VMS can be repaired. The DNR or its representative shall be granted access by the Property owner, in accordance with the September 26, 2019 access agreement letter, to perform annual inspections on the VMS inspection log (Form 4400-321), respond to audible alarms, record manometer readings, and make necessary repairs to the VMS.

You and any subsequent Property owners are responsible for the electricity costs incurred for operating the VMS, inspecting and logging monthly u-tube manometer gauge readings, and for maintaining the basement floor including not damaging/removing the protective caps or vapor ports to ensure the VMS continues to function to prevent vapors from entering the building.

VI - Hydrogeologic Conditions/Hydraulic Control: (Wis. Stat. § 292.12 (2), Wis. Admin. Code § NR 726.15 (2) (j) or (m))

You and any subsequent Property owners shall operate and maintain the sump pump and replace the sump seal if broken due to repair of the sump or other accidental or intentional action that breaks the sump seal. For the location of the sump, see the enclosed map (Vapor Mitigation System, Figure 1, dated September 8, 2020). This sump pump system is needed to lower the water table to provide air space between the foundation and groundwater to allow the VMS to work properly. Operation and maintenance of the sump pump is required. If you or any future property owners plan to repair the floor or break the sump seal to repair the sump you must notify the DNR immediately.

The DNR will maintain the sump seal, replace or repair the sump seal if it degrades naturally, and maintain the Wisconsin Public Discharge Elimination System (WPDES) permit in accordance with the enclosed maintenance plan (Vapor Mitigation System Maintenance Plan, dated January 29, 2021 (revised by DNR on September 30, 2021)) for the sump discharge to the storm sewer.

VI - Future Concern: (Wis. Stat. § 292.12 (2), Wis. Admin. Code § NR 726.15 (2) (L) or (m), as applicable.) CVOCs remain in groundwater beneath the building and in the sump at concentrations that may be of concern for vapor intrusion in the future, if a building is constructed, renovated or expanded in an area where no building currently exists or if an existing building is remodeled. At the time of the interim action, a 2,000 square foot occupied restaurant building is present on the Property.

Vapor control technologies are required for new construction or for modification of occupied buildings on the Property unless the Property owner assesses the vapor pathway and the DNR agrees that vapor control technologies are not needed. The Property owner shall maintain the current building use and layout. The Property owner is responsible for vapor investigation and mitigation of new construction and for expanding and recommissioning the existing VMS if the existing building is modified.

See the Other Requirements section of this letter for more details.

OTHER REQUIREMENTS

Maintenance Plan and Inspection Log (Wis. Admin. Code § NR 726.11 (2), NR 726.15 (1) (d), NR 727.05 (1) (b) 3., Wis. Admin. Code § NR 716.14 (2) for monitoring wells)

The DNR is required to comply with the enclosed maintenance plan dated January 29, 2021 (revised by DNR on September 30, 2021) for the VMS. The Property owner is required to maintain the sump pump, electricity to the VMS, inspect and log monthly u-tube manometer gauge readings, maintain the basement floor, prevent damage to

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Continuing Obligations and Property Owner Requirements for Interim Action
WI DOT Susies Restaurant (Former)– LGU-SL, BRRTS #: 02-36-000516

the vapor ports and protective caps, replace the sump seal if broken due to repair of sump pump or other accidental or intentional actions that break the sump seal, and provide the DNR and/or its representatives access to the Property to conduct inspections of the VMS, respond to audible alarms, perform any necessary repairs, and to complete the inspection log (DNR Form 4400-321 VMS Inspection Log) to document the required inspections. The inspections are conducted to ensure the VMS, floor, electricity, sump pump, and sump seal are operating as intended. The maintenance plan and inspection log are to be kept up-to-date and on-site. The DNR or its representative must conduct inspections no later than September 30th, annually, and provide the inspection log to the Property owner following inspection no later than October 15th, annually.

DNR NOTIFICATION AND APPROVAL REQUIREMENTS

DNR Notification (Wis. Admin. Code §§ NR 727.07, NR 726.15 (2))

The Property owner is required to notify the DNR at least 45 days before and obtain approval from the DNR prior to taking the following actions. The DNR may require additional investigation and/or cleanup actions, if necessary, to be protective of human health and the environment.

- Before deciding to no longer use the VMS, to shut off the fan or the VMS, or before making any change to the VMS;
- Before shutting off or not using a dewatering system or other system used to help limit vapor intrusion due to site hydrogeologic conditions; and
- Before constructing a building and/or modifying use of or the construction of an existing building or changing Property use. For properties with a continuing obligation for addressing the future risk of vapor intrusion when buildings exist at the time of closure approval, changes to the current building use and layout are prohibited without prior DNR approval. This includes any change in building construction, reconstruction or partial demolition. The DNR may require additional actions at that time to re-assess for vapor intrusion and mitigate, as appropriate.

SITE AND CONTACT INFORMATION

Information on the continuing obligations associated with this Property, including the interim action approval letter, is available in the DNR’s Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web (BOTW) at dnr.wi.gov, search “BOTW.” Enter 02-36-000516 in the **Activity Number** field and then click **Search**. The Site may also be seen on the map viewer, RR Sites Map. RR Sites Map can be found online at dnr.wi.gov, search “RRSM.”

Send written notifications to the DNR Project Manager, currently Colin Schmenk, at 2984 Shawano Avenue, Green Bay, WI 54313-6727.

CLOSING

Under Wis. Stat. § 292.13 owners of properties affected by contamination from another property are generally exempt from investigating or cleaning up a hazardous substance discharge that migrated onto a property from another property. However, the exemption under Wis. Stat. § 292.13 does not exempt the property owner from the responsibility to maintain a continuing obligation placed on the property in accordance with Wis. Stat. § 292.12. To maintain this exemption, that statute requires the current property owner and any subsequent property owners to meet the conditions in the statute, including:

- Granting reasonable access to the DNR, responsible party, or their contractors;
- Avoiding interference with response actions taken; and

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- Avoiding actions that make the contamination worse (e.g., demolishing a structure and causing or worsening the discharges to the environment).

The DNR fact sheet, RR-819, “Continuing Obligations for Environmental Protection” explains a property owner’s responsibility for continuing obligations on their property. You may obtain a copy at dnr.wi.gov by searching “RR-819.”

The DNR appreciates your cooperation to restore the environment at this site. If you have any questions regarding this DNR decision or anything stated in this letter, please contact the DNR Project Manager, Colin Schmenk, at (920) 510-9482 or at ColinR.Schmenk@Wisconsin.gov.

Sincerely,

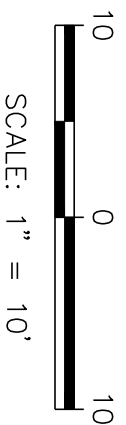
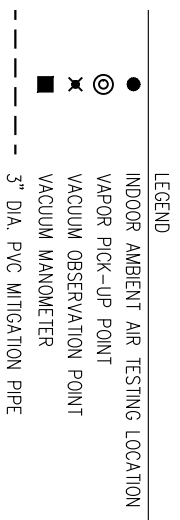
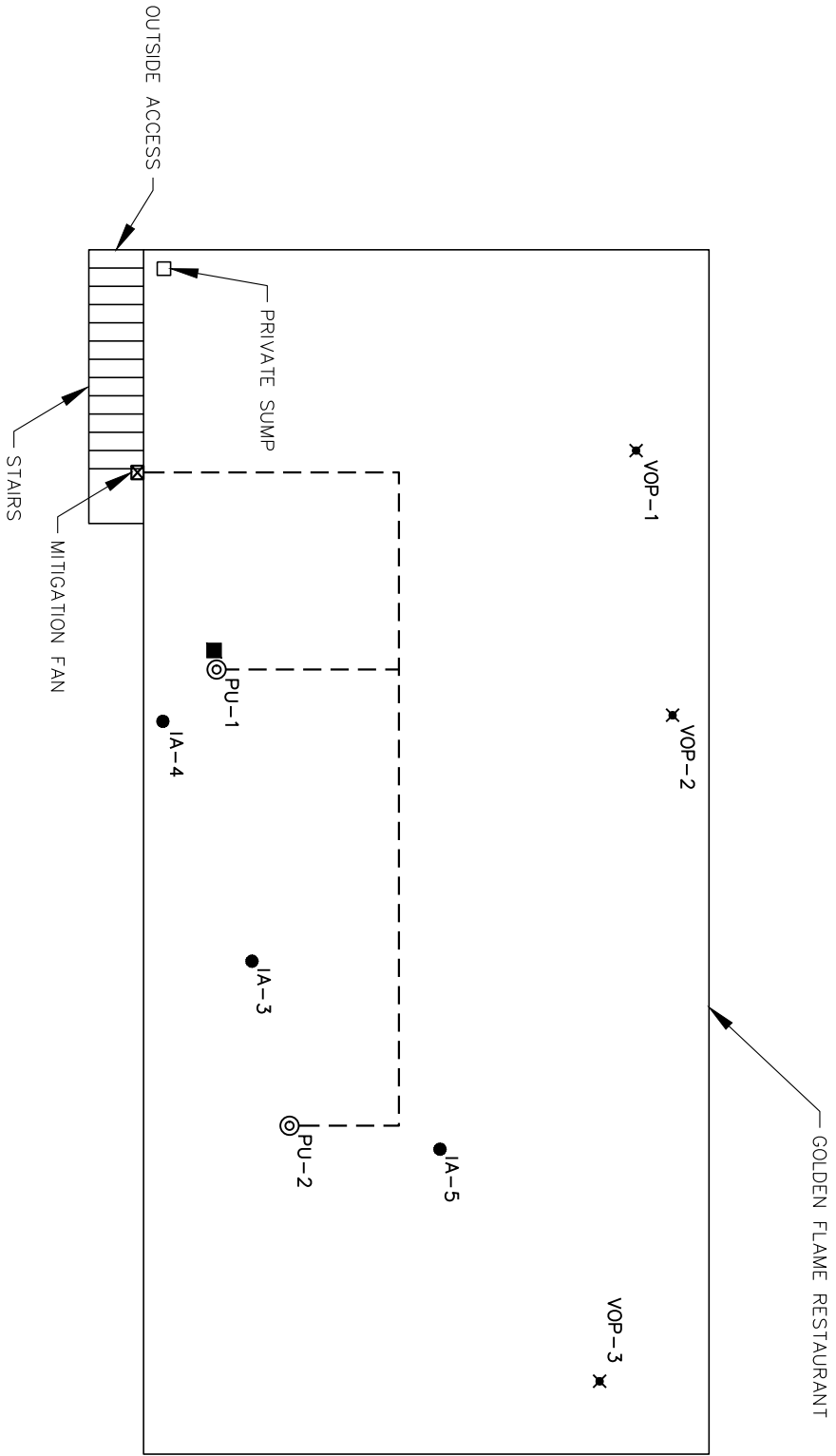


Roxanne N. Chronert
Team Supervisor, Northeast Region
Remediation & Redevelopment Program

Attachments:

- Vapor Mitigation System Maintenance Plan, dated January 29, 2021 (revised by DNR on September 30, 2021)
- Vapor Mitigation System, Figure 1, dated September 8, 2020

ec: Greg Minikel, City of Manitowoc (gminikel@manitowoc.org)



WISCONSIN DEPARTMENT OF NATURAL RESOURCES
2984 SHAWANO AVENUE
GREEN BAY, WI 54313

SITE

SUSIE'S RESTAURANT-LGU-WIDOT
1020 SOUTH 26TH STREET
MANITOWOC, WISCONSIN

VAPOR MITIGATION SYSTEM
GOLDEN FLAME RESTAURANT
2604 CUSTER STREET, MANITOWOC, WISCONSIN

PROJECT NO.	25219179.00	DRAWN BY:	KP
DRAWN:	01/30/2020	CHECKED BY:	REL
REVISED:	09/08/2020	APPROVED BY:	REL 09/08/2020

ENGINEER

SCS ENGINEERS
2830 DAIRY DRIVE MADISON, WI 53718-6751
PHONE: (608) 224-2830

FIGURE
1

VAPOR MITIGATION SYSTEM MAINTENANCE PLAN

2604 Custer Street, Manitowoc, Wisconsin

January 29, 2021 (revised by WDNR on September 30, 2021)

Property Located at: 2604 Custer Street, Manitowoc, WI 54220

WDNR BRRTS/Activity # 02-36-000516

Legal Description: Lot 2 & ALL OF LOTS 3 & 4 N OF CUSTER ST. BLK J & E 50' OF S 183' OF SE ¼
SE ¼ NE ¼ EXC. CUSTER ST. SECT. 25 T. 19 R. 23

Parcel ID # 052-000-367-040.00

INTRODUCTION

This document is the Maintenance Plan for an active vapor mitigation system (VMS) at the above-referenced property in accordance with the requirements of s. NR 724.13 (2), Wis. Adm. Code. More site-specific information about this property may be found in:

- The case file in the Wisconsin Department of Natural Resources (WDNR) Northeast Region office
- BRRTS on the Web (WDNR's internet-based database of contaminated sites) for the link to a PDF for site-specific information at the time of closure and on continuing obligations
- RR Sites Map/GIS Registry layer for a map view of the site
- The WDNR project manager for Manitowoc County

Descriptions

System Description, Purpose, and Location

The VMS was constructed by Acura Services, LLC for the 2604 Custer Street building and was started up in October 2019. The VMS was designed to reduce the potential for vapor intrusion by depressurizing the sub-slab in areas where chlorinated volatile organic compounds (CVOCs) were detected in sub-slab vapor at concentrations in excess of WDNR commercial vapor risk screening levels.

The CVOC vapors appear to have originated from a historical release of dry cleaning solvent which may have occurred when a dry cleaning facility was operating at 1020 South 26th Street. The locations of various VMS components are shown on **Figure 1**.

System Design and Construction Documentation

Photographs of the VMS are included in **Attachment 1**. The VMS includes two vacuum pickup points. Each pickup point was constructed with 3-inch-diameter schedule 40 PVC pipe set in the sub-slab material. The PVC pipes were sealed into the floor to prevent leakage and secured to interior walls and ceiling joists for support. The pickup points were plumbed together to a 3-inch-diameter PVC pipe which was extended through the basement wall and above the roof line of the building.

An AMG Eagle vacuum fan capable of producing up to approximately 4.0 inches of water column (WC) vacuum was mounted to the exterior pipe.

Power was supplied to the fan and tied to a single labeled circuit breaker inside the building. The fan can be turned on and off at the breaker box or with a switch located on the fan.

A manometer was fitted to one of the pickup points (Pickup Point 1) to show vacuum at the pickup point and to check fan operation. An audible alarm was also fitted to Pickup Point 1. The alarm operates on a 120 volt receptacle and alarms when vacuum drops below 0.25 inches WC. At startup the manometer read 1.4 inches WC, which is in the approximate middle of the fan range (0 to 4 inches WC).

The basement sump was sealed to prevent sub-slab vacuum loss.

Additional fan and alarm product details are provided in **Attachment 2**.

System Maintenance

Operation, monitoring, and maintenance of the system by WDNR requires full access to all components by WDNR and/or WDNR's subcontractors. If the VMS alarm sounds, contact the WDNR project manager immediately so that WDNR can arrange for a contractor to assess the system.

Minimal operator control or maintenance is required. There are no service requirements for the fan. The fan status is checked using the manometer mounted to Pickup Point 1 and the audible alarm. If the vacuum drops below 0.25 inches of WC, the alarm will sound until the alarm is turned off. Following an alarm condition, the vacuum fan should be inspected and repaired or replaced as appropriate.

The basement sump and sump pump need to be maintained. The owner is responsible for maintaining the sump pump and supplying power to it. The owner is also responsible for complying with the Low-Impact Discharge Wisconsin Pollutant Discharge Elimination System (WPDES) General Permit and Best Management Practice (BMP) Plan related to the sump purge water discharging to the storm sewer (**Attachment 3**).

The sump lid should be kept sealed to the sump pit, and the floor in the vicinity of the VMS should be maintained as a barrier to prevent vapor intrusion. If the owner has a plumber or others work on the sump it needs to be properly re-sealed. The structural integrity of the floor should be maintained, and any changes or repairs to the floor need to account for keeping the floor as impermeable as when the VMS was installed.

The potential for vapor intrusion of CVOCs should be reevaluated if there are changes to the sump, floor, building HVAC system, or other changes that may influence the sub-slab vacuum distribution. If changes are made, pressure field extension testing of the sub-slab should be completed to make sure that adequate sub-slab vacuum is maintained.

Malfunctioning or damaged system components should be replaced as soon as possible, and any changes or repairs should be documented in the attached inspection and maintenance log (**Attachment 4**).

Inspections

The VMS manometer should be inspected monthly by the property owner as follows:

- Inspect manometer:
 - If manometer vacuum reads zero, check the fan circuit breaker on south wall of service bay area to make sure fan has power.
 - If manometer shows low vacuum (e.g., less than 0.5 inches of WC) check for vacuum leaks in pickup point piping and sump lid and repair as necessary.

- If fan vacuum cannot be rectified contact the WDNR Project Manager.
- Record manometer readings on Form 4400-321, Vapor Mitigation System Inspection Log (**Attachment 4**).

The remaining items should be inspected at least once per year as follows:

- Inspect alarm:
 - Make sure alarm is plugged into the 120-volt receptacle.
 - Temporarily turn off fan at breaker box. Alarm should sound.
 - If alarm does not sound contact the WDNR Project Manager.
 - Turn fan back on at breaker box.
- Inspect fan exhaust line to prevent clogging of fan exhaust, and remove any accumulated debris.
- Inspect floors and maintain as necessary to prevent vapor migration and vacuum loss.
- Document repairs to the VMS, floors, or HVAC system on Form 4400-321, Vapor Mitigation System Inspection Log (**Attachment 4**).
- Keep copies of the Vapor Mitigation System Inspection Log at the facility and available for submittal or inspection by WDNR representatives upon request.

Any system components found to be ineffective or malfunctioning need to be replaced immediately by a mitigation professional and the system recommissioned, documented, and stored on-site with the inspection information. Any changes need to be communicated with WDNR (ideally in advance).

A copy of the maintenance plan should be put in a plastic sleeve and zip-tied to the maintenance system on-site.

Prohibition of Activities and Notification of WDNR Prior to Actions Affecting the VMS

The following activities are prohibited unless prior written approval has been obtained from the WDNR:

1. Shutdown or removal of the VMS.
2. Replacement of the VMS, other than replacement of the vacuum fan or malfunctioning alarm.

If removal, replacement, or other changes are considered, the property owner will contact WDNR at least 45 days before taking such an action, to determine whether further action may be necessary to protect human health, safety, or welfare or the environment, in accordance with s. NR 727.07, Wis. Adm. Code.

Amendment or Withdrawal of Maintenance Plan

This Maintenance Plan can be amended or withdrawn by the property owner and its successors with the written approval of WDNR.

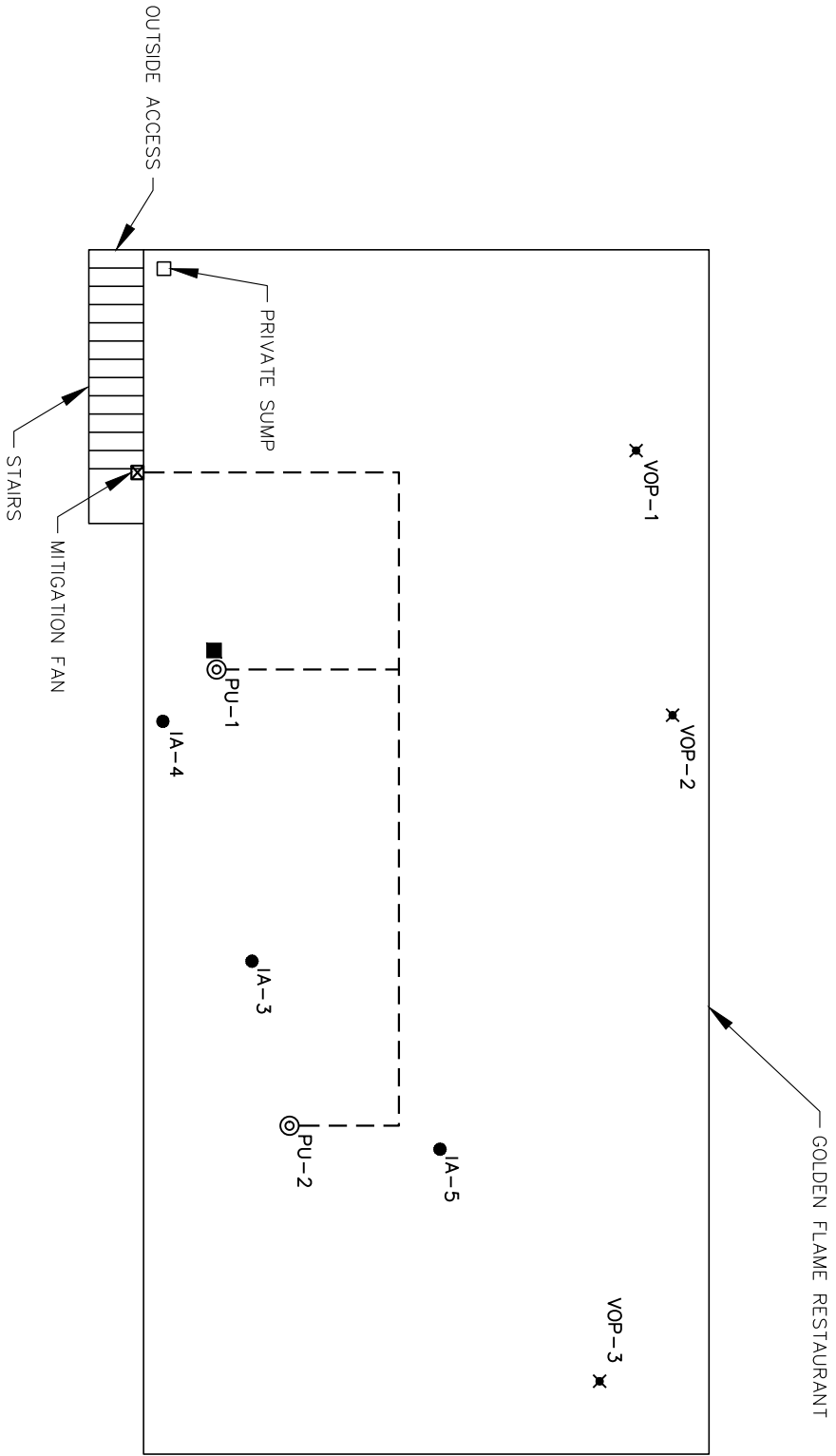
Contact Information

Property Owner: Salvador Velasques
Golden Flame Restaurant
2604 Custer Street
Manitowoc, WI 54220
(920) 905-0883
suemvelasques@hotmail.com

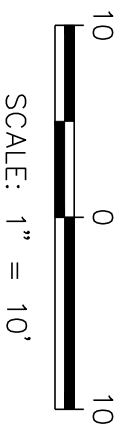
Consultant: Robert Langdon, SCS Engineers
2830 Dairy Drive
Madison, WI 53718
(608) 224-2830
rlangdon@scsengineers.com

WDNR: Sarah Krueger
2984 Shawano Avenue
Green Bay, WI 54313-6727
(920) 510-8277
Sarah.krueger@wisconsin.gov

I:\25219179.00\Deliverables\Interim Action Report\Attachment D_VMS Maintenance Plan\Vapor Mitigation System Maintenance Plan_Revised_2101.docx



- LEGEND
- INDOOR AMBIENT AIR TESTING LOCATION
 - ⊙ VAPOR PICK-UP POINT
 - ⊗ VACUUM OBSERVATION POINT
 - VACUUM MANOMETER
 - - - 3" DIA. PVC MITIGATION PIPE



WISCONSIN DEPARTMENT OF NATURAL RESOURCES
2984 SHAWANO AVENUE
GREEN BAY, WI 54313

SITE

SUSIE'S RESTAURANT-LGU-WIDOT
1020 SOUTH 26TH STREET
MANITOWOC, WISCONSIN

VAPOR MITIGATION SYSTEM
GOLDEN FLAME RESTAURANT
2604 CUSTER STREET, MANITOWOC, WISCONSIN

PROJECT NO.	25219179.00	DRAWN BY:	KP
DRAWN:	01/30/2020	CHECKED BY:	REL
REVISED:	09/08/2020	APPROVED BY:	REL 09/08/2020

ENGINEER

SCS ENGINEERS
2830 DAIRY DRIVE MADISON, WI 53718-6751
PHONE: (608) 224-2830

FIGURE
1

ATTACHMENT 1

Photos

Golden Flame Vapor Mitigation System
Manitowoc, WI
SCS Engineers Project #25219179.00 (Susie's Restaurant)



Photo 1: Excavation through floor slab at Pickup Point 1.

Golden Flame Vapor Mitigation System
Manitowoc, WI
SCS Engineers Project #25219179.00 (Susie's Restaurant)



Photo 2: Excavation through floor slab at Pickup Point 2.

Golden Flame Vapor Mitigation System
Manitowoc, WI
SCS Engineers Project #25219179.00 (Susie's Restaurant)



Photo 3: Seal and piping at Pickup Point 1.

Golden Flame Vapor Mitigation System
Manitowoc, WI
SCS Engineers Project #25219179.00 (Susie's Restaurant)



Photo 4: Manometer and system alarm at Pickup Point 1.

**Golden Flame Vapor Mitigation System
Manitowoc, WI
SCS Engineers Project #25219179.00 (Susie's Restaurant)**

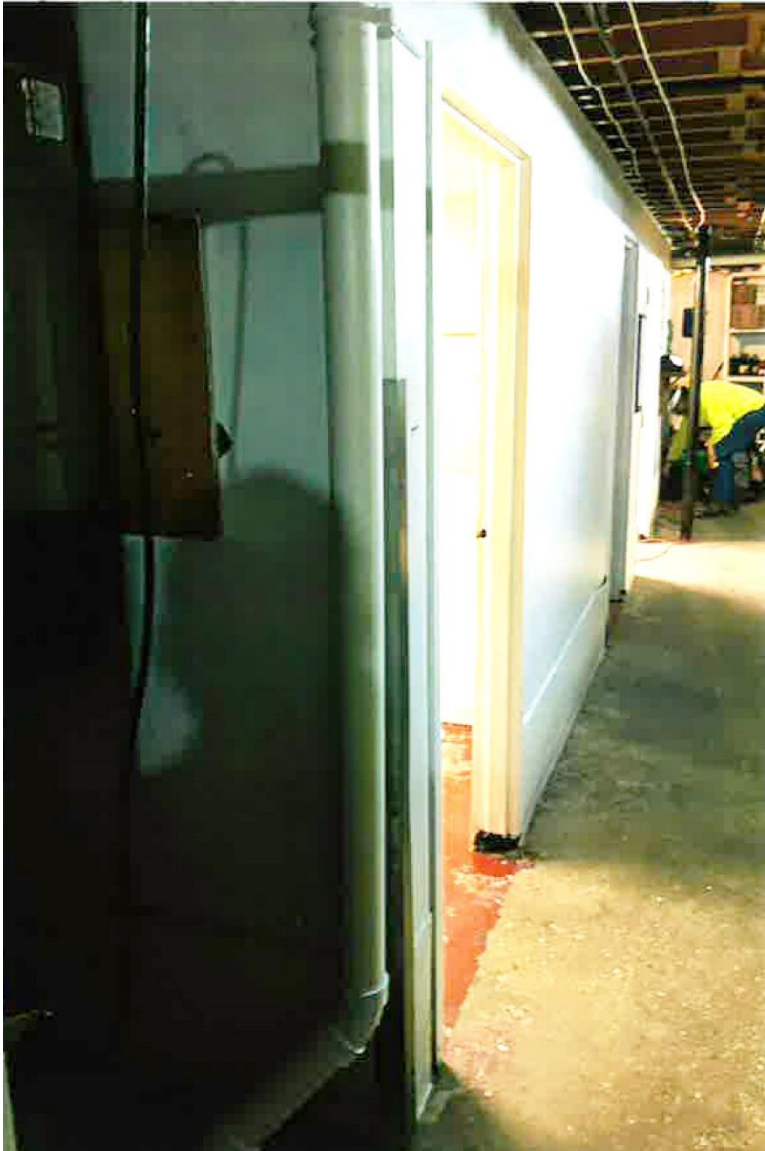


Photo 5: Pickup Point 2.

Golden Flame Vapor Mitigation System
Manitowoc, WI
SCS Engineers Project #25219179.00 (Susie's Restaurant)



Photo 6: Piping run from Pickup Point 2.

Golden Flame Vapor Mitigation System
Manitowoc, WI
SCS Engineers Project #25219179.00 (Susie's Restaurant)



Photo 7: Piping run from Pickup Point 1.

Golden Flame Vapor Mitigation System
Manitowoc, WI
SCS Engineers Project #25219179.00 (Susie's Restaurant)



Photo 8: Sealed sump with ice machine and sump pump discharge lines.

Golden Flame Vapor Mitigation System
Manitowoc, WI
SCS Engineers Project #25219179.00 (Susie's Restaurant)

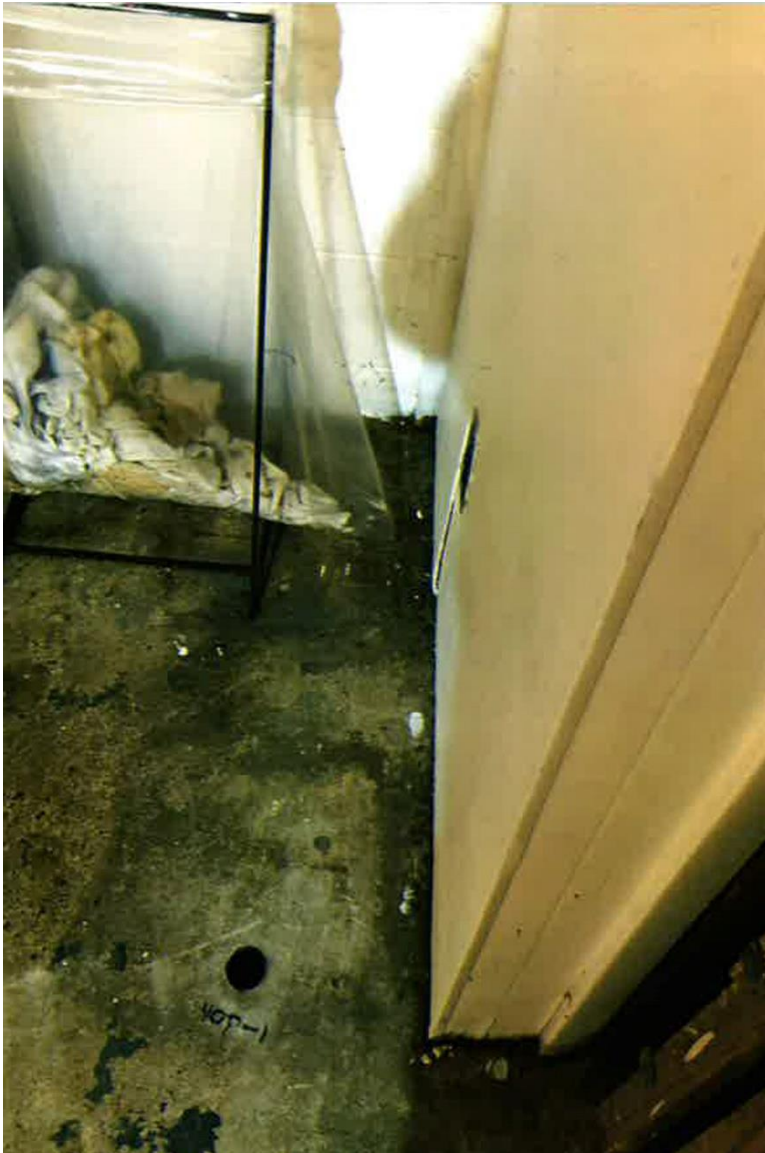


Photo 9: Sub-slab vacuum observation point VOP-1.

Golden Flame Vapor Mitigation System
Manitowoc, WI
SCS Engineers Project #25219179.00 (Susie's Restaurant)



Photo 10: Sub-slab vacuum observation point VOP-2.

Golden Flame Vapor Mitigation System
Manitowoc, WI
SCS Engineers Project #25219179.00 (Susie's Restaurant)



Photo 11: Sub-slab vacuum observation point VOP-3.

Golden Flame Vapor Mitigation System
Manitowoc, WI
SCS Engineers Project #25219179.00 (Susie's Restaurant)



Photo 12: Sub-slab vacuum in inches of water at VOP-1 following system startup.

Golden Flame Vapor Mitigation System
Manitowoc, WI
SCS Engineers Project #25219179.00 (Susie's Restaurant)



Photo 13: Sub-slab vacuum at VOP-2 following system startup.

Golden Flame Vapor Mitigation System
Manitowoc, WI
SCS Engineers Project #25219179.00 (Susie's Restaurant)



Photo 14: Sub-slab vacuum at VOP-3 following system startup.

Golden Flame Vapor Mitigation System
Manitowoc, WI
SCS Engineers Project #25219179.00 (Susie's Restaurant)



Photo 15: Vapor mitigation system fan and exhaust.

ATTACHMENT 2

Additional Fan and Alarm Product Details

Installation & Wiring Instructions for AMG In-Line Centrifugal Duct Fans



**Model: AMG Spirit, Fury, Legend, Hawk, Maverick,
Prowler, Eagle, Eagle Extreme**



**IMPORTANT NOTE: DO NOT CONNECT THE POWER SUPPLY UNTIL THE FAN IS COMPLETELY INSTALLED.
MAKE SURE THE ELECTRICAL SERVICE TO THE FAN IS LOCKED IN "OFF" POSITION.**

PLEASE READ AND SAVE THESE INSTRUCTIONS:

Warning – To reduce the risk of fire, electric shock or injury to persons, observe the following:

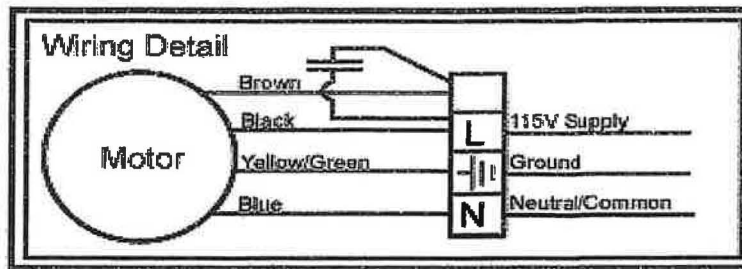
1. This unit is only for use in the manner intended by the manufacturer. If you have any questions contact the manufacturer Festa Manufacturing Enterprises LLC.
2. Installation work and electrical wiring must be done by qualified person'(s) in accordance with all applicable codes and standards, including fire-rated construction.
3. Sufficient air is needed for proper combustion and exhausting of gases through the flue, (chimney) of fuel burning equipment to prevent back drafting. Follow the heating equipment manufacturer's guideline and safety standards such as those published by the National Fire Protection Association (NFPA), and the American Society for Heating, Refrigeration and Air Conditioning Engineers (ASHRAE), and the local code authorities.
4. When cutting or drilling into wall or ceiling, do not damage electrical wiring and other hidden utilities.
5. Ducted fans must always be vented to the outdoors.
6. These units can be mounted indoors or outdoors.
7. Do not use these fans with solid state speed controllers.
8. The electric motor is protected by an internal overheat device to prevent/minimize motor damage. If the motor stops working, immediate inspection should be carried out by suitably qualified persons.
9. Before servicing or cleaning the unit, switch power off at service panel and lock the service disconnecting means to prevent power from being switched on accidentally. When the service disconnecting means cannot be locked, securely fasten a prominent warning device, such as a tag, to the service panel.
10. Do not use in a window.
11. If this unit is to be installed over a tub or shower, it must be marked as appropriate for the application and be connected to a GFCI (Ground Fault Circuit Interrupter) – protected branch circuit.
12. Never place a switch where it can be reached from a tub or shower.
13. CAUTION: For General Ventilating Use Only. Do Not use to Exhaust Hazardous Or Explosive Materials and Vapours.
14. CAUTION: This unit has an unguarded impeller. Do Not Use in Locations Readily Accessible To People or Animals.
15. For Canadian Users: Use only with solid state speed control device model KBMC-13BV manufactured by KBElectronics

Installation of FME AMG PATRIOT Radon Fans

The FME AMG PATRIOT Fan can be mounted indoors or outdoors. We suggest that EPA recommendations be used in choosing the fan location. The AMG Fans may be mounted directly onto the piping system or fastened to a supporting structure. When mounting directly onto a vertical piping system, it is the installer's responsibility to make provision to prevent the pipe system sliding into and onto the fan motor and impeller. When installing a system with short duct runs terminating close to the fan i.e. within 60" (1.5m) suitable guards should be incorporated. It is the responsibility of the installer to ensure that all aspects of the system are taken into consideration. Rigid ducting sections should be connected to fan spigots by flexible connectors and clips. The flexible connectors used should be suitable for routine servicing and vibration isolation.

Fan Configuration-All inline fans can be mounted (1) vertically with terminal box/cover facing up, or (2) horizontally with terminal box drain hole facing down toward the ground.

Electrical Connections



Ensure that the mains supply voltage, frequency, number of phases and power rating comply with the details on the unit rating label (situated internally on inside of box cover). All wiring must be in accordance with local and / or national electrical codes as applicable, or the appropriate standard in your country. The fan must be supplied through a double pole isolating switch having a contact separation of not less than 1/8" (3mm). Wiring to the terminal box should be made in liquid tight flexible conduit to facilitate easy maintenance.

Operational Checks

Ensure all duct connections are tight and leak free.

Check the system vacuum pressure with a manometer; ensure that the vacuum pressure is less than the maximum recommended operating pressure.

Check and verify Radon levels by testing to EPA protocol.

Cleaning and Maintenance

We would recommend that the fan be periodically checked against the listed operational checks to ensure trouble free long lasting operation.

FIVE (5) YEAR WARRANTY

Conditions of Warranty

Festa Manufacturing Enterprises ("FME") warrants that the AMG FANS shall be free from defects in material and workmanship for period of (5) years from the date of purchase by the customer. If within the applicable warranty period the Products prove to be defective by reason of faulty workmanship or materials, FME will undertake to have the defective Product (or any part thereof) replaced at no cost to the customer subject to the following conditions:

1. The Product has been purchased and used solely in accordance with all Environmental Protection Agency ("EPA") standard practices and state and local codes of practice.
2. The Product is returned promptly on being found defective, together with this warranty and proof of date of installation at the customers risk and expense to Festa Manufacturing Enterprises LLC. ("FME") from whom the Product was purchased. All enquiries must be through FME.
3. This warranty shall not apply to any Product failure or defect due to any cause beyond the reasonable control of FME including; damage caused through fire, flood, explosion, accident, misuse, wear and tear, neglect, incorrect adjustment or repair, damage caused through installation, adaptation, modification or use in an improper manner or inconsistent with the technical and/or safety standards required where the Product is used, or to damage occurring during transit to or from the customer.
4. If at any time during the Warranty Period any part or parts of the Product are replaced with a part or parts not supplied or approved by FME, or the Product has been dismantled or repaired by any person not authorized by FME, FME shall have the right to terminate this warranty in whole or in part immediately without further notice.
5. FME's decision on all matters relating to complaints and Products defects and failure (alleged or actual) shall be final. Any Product or defective part, which has been replaced, shall be FME's.
6. FME will offer to customers a Warranty of a full Five Years, from date of purchase, in accordance with the terms listed above.

Festa Manufacturing Enterprises, LLC. 47A Progress Ave. Cranberry Twp., PA 16066
Tel. Toll Free 1(800) 806-7866 Fax 1(724) 772-9062

Model	Min. Ambient Temperature	Max. Ambient Temperature
Maverick	-13°F	167°F
Hawk	-13°F	167°F
Prowler	-13°F	176°F
Legend	-13°F	176°F
Eagle	-13°F	140°F
Fury	-13°F	176°F
Fury II	-13°F	140°F
Spirit	-13°F	113°F



INSTALLATION & OPERATING INSTRUCTIONS
Instruction P/N IN015 Rev E
FOR CHECKPOINT IIa™ P/N 28001-2 & 28001-3
RADON SYSTEM ALARM

INSTALLATION INSTRUCTIONS
(WALL MOUNTING)

Select a suitable wall location near a vertical section of the suction pipe. The unit should be mounted about four or five feet above the floor and as close to the suction pipe as possible. Keep in mind that with the plug-in transformer provided, the unit must also be within six feet of a 120V receptacle. **NOTE: The Checkpoint IIa is calibrated for vertical mounting, horizontal mounting will affect switchpoint calibration.**

Drill two 1/4" holes 4" apart horizontally where the unit is to be mounted.

Install the two 1/4" wall anchors provided.

Hang the CHECKPOINT IIa from the two mounting holes located on the mounting bracket. Tighten the mounting screws so the unit fits snugly and securely against the wall.

Drill a 5/16" hole into the side of the vent pipe about 6" higher than the top of the unit.

Insert the vinyl tubing provided about 1" inside the suction pipe.

Cut a suitable length of vinyl tubing and attach it to the pressure switch connector on the CHECKPOINT IIa.

CALIBRATION AND OPERATION.

The CHECKPOINT IIa units are calibrated and sealed at the factory to alarm when the vacuum pressure falls below the factory setting and should not normally require field calibration. Factory Settings are:

28001-2 -.25" WC Vacuum
28001-3 -.10" WC Vacuum

To Verify Operation:

With the exhaust fan off or the pressure tubing disconnected and the CHECKPOINT IIa plugged in, both the red indicator light and the audible alarm should be on.

Turn the fan system on or connect the pressure tubing to the fan piping. The red light and the audible alarm should go off. The green light should come on.

Now turn the fan off. The red light and audible alarm should come on in about two or three seconds and the green light should go out.

WARRANTY INFORMATION

Subject to applicable consumer protection legislation, RadonAway warrants that the CHECKPOINT IIa will be free from defective material and workmanship for a period of (1) year from the date of purchase. Warranty is contingent on installation in accordance with the instructions provided. This warranty does not apply where repairs or alterations have been made or attempted by others; or the unit has been abused or misused. Warranty does not include damage in shipment unless the damage is due to the negligence of RadonAway. All other warranties, expressed or written, are not valid. To make a claim under these limited warranties, you must return the defective item to RadonAway with a copy of the purchase receipt. RadonAway is not responsible for installation or removal cost associated with this warranty. In no case is RadonAway liable beyond the repair or replacement of the defective product FOB RadonAway.

THERE ARE NO WARRANTIES WHICH EXTEND BEYOND THE DESCRIPTION ON THE FACE HEREOF. THERE IS NO WARRANTY OF MERCHANTABILITY. ALL OTHER WARRANTIES, EXPRESSED OR WRITTEN, ARE NOT VALID.

For service under these warranties, contact RadonAway for a Return Material Authorization (RMA) number and shipping information. No returns can be accepted without an RMA. If factory return is required, the customer assumes all shipping costs to and from factory.



Manufactured by:
RadonAway
Ward Hill, MA
(978)-521-3703

ATTACHMENT 3

Best Management Practice (BMP) Plan
Low-Impact Discharge
WPDES General Permit No. WI-0066575-01-0
Form 3400-240

Notice: The use of this form is optional and does not guarantee Department of Natural Resources (department) approval of the best management practice (BMP) plan. This form is provided for the convenience of the applicant to meet the BMP plan requirements of the Wisconsin Pollutant Discharge Elimination System (WPDES) General Permit No. WI-0066575-01-0 for low-impact discharges. The WPDES general permit requires applicants to develop and submit a best management practice (BMP) plan to demonstrate compliance with the general permit. Following approval of the BMP plan by the department, the permittee shall operate consistent with the approved BMP plan. Plans must be site-specific. The department may request additional information not included in this form. Personal information collected will be used for administrative purposes and may be provided to requestors to the extent required by Wisconsin Open Records law [ss. 19.31-19.39, Wis. Stats.].

Plan Amendments: Permittees shall notify the department when the BMP plan is amended to determine if the amendment requires department approval.

Please indicate the type of WPDES permit coverage being requested:

- Single Site coverage for temporary discharges
- Single Site coverage for continuous/recurring discharges at a single site
- Statewide coverage for temporary operational discharges

Facility/Project Name: Golden Flame Restuarant	Facility/Project Address: 2604 Custer Street, Manitowoc, WI 54220
Plan Preparer: Sarah Krueger	Date:

BMP Plan Policy Statement and Objectives:

Ensure that sump discharge does not contribute to environmental contamination in the Manitowoc River.

BMP Plan Committee Members

Name	Position
RR Manitowoc County DOT Hydro (Kristina Femal)	Hydrogeologist
Roxanne Chronert	Team Supervisor

BMP Plan Committee Responsibilities:

Ensure that BMP Plan actions are completed in a timely manner, and provide any updates to the BMP plan to DNR wastewater program.

Personnel Contact Information Involved with BMP Plan Implementation

Name	Position	Work Phone #	Cell Phone #
Kristina Femal	Hydrogeologist	(920) 662-5431	
Roxanne Chronert	Team Supervisor	(920) 362-3981	

Please identify potential pollutant sources at the facility site that could release pollutants during discharge below:

Off-site former laundromat with residual soil and groundwater contamination both on and off-site. The sump pit and discharge have been affected by the off-site former facility.

Note: This examination must include all normal operations and ancillary activities including material storage areas, plant site runoff, in-plant transfer, process and material handling areas, loading or unloading operations, spillage or leaks, sludge and waste disposal, or drainage from raw material storage.

Please specify the type and frequency of visual inspections that will be conducted on equipment and facility areas identified as a potential pollutant source at the facility site (attach a facility inspection log):

No equipment/areas within the restaurant are a potential pollutant source.

Please specify the type and frequency of visual inspections that will be conducted on the discharge (attach a discharge inspection log):

The sump, which has been sealed and the discharge point will be visually inspected as part of the operation and maintenance of the Vapor Mitigation System. This inspection will occur on an annual basis or every 5 years depending on the VMS condition.

Note: The visual inspection frequency of the discharge may not be less frequent than monthly.

Please specify any temporary treatment practices that will be implemented in case of any observed indicators of pollution in the permitted discharge:

Spill kit with absorbent pads, however the data does not indicate the presence of free product related to the former dry cleaner.

Please specify or attach a security plan that describes how to prevent accidental or intentional entry to the facility which might result in vandalism, theft, sabotage, or other improper or illegal use of the facility:

No security plan.

Note: The security plan shall cover security in a general fashion and discuss in detail only the practices that focus on preventing environmental releases.

Please specify any good housekeeping practices that will be conducted at the facility site and discharge location to maintain a clean and orderly work environment:

The sump has been sealed within the facility and the seal will be inspected as part of the O&M of the VMS.

Please specify or attach a preventative maintenance plan that describes a method of periodically inspecting, maintaining, and testing BMPs, equipment and systems at the facility and discharge location to uncover conditions that may cause breakdowns or failures.

VMS O&M plan not yet finalized, will be provided to the wastewater program and/or will be part of the RR site file for Susies Restaurant Former (BRRTS #: 02-36-000516).

Note: The preventative maintenance plan as a part of the BMP plan shall evaluate any existing preventative maintenance program and recommend changes, if needed, to address concerns raised from equipment and facility areas identified as a potential pollutant source at the facility site and any results from inspections.

Please specify any measures that will be implemented at the facility to dissipate or slow the energy/velocity of the discharge flow to prevent erosion that may be caused by the discharge:

Not applicable. Discharge is direct to the storm sewer, and being from a small sump pump is unlikely to damage the concrete of the sewer.

Please specify any dechlorination methods that will be utilized to reduce the chlorine concentration in the discharge:

Not applicable.

Note: Dechlorination is only necessary if the source water is from a chlorinated public water supply or if adding chlorine-based compounds to the water and discharging to surface waters or wetlands. If the source water is groundwater from private wells located at the facility and chlorine-based compounds are not added to the water, then dechlorination is not necessary. Moreover, dechlorination is not necessary if the discharge is to a seepage area that infiltrates to groundwater.

Please specify or attach a contingency plan that describes procedures to minimize the discharge duration during system failures (e.g. line breaks, leaks, and overflows) or spills:

Not applicable. System failure will result in the discharge ceasing and discharge will be restored when the sump is repaired.

Note: The general permit does not authorize discharges from any accidental or unplanned release, spill, leak, or overflow to a water of the state.

Please specify the recordkeeping and reporting program for the facility below. The program shall describe the system to keep and maintain records that are relevant to discharge activities and any environmental releases and a system to report actual or potential problems, violations, or noncompliance to appropriate personnel and regulatory agencies.

All records related to the discharge and monitoring will be maintained as part of the site file for Susies Restaurant Former (BRRTS #: 02-36-000516).

Note: The recordkeeping and reporting program shall be consistent with the requirements in Section 8.1 and Section 8.3.5. Records to be kept and maintained shall include the notice of intent, any discharge screening results, information gathered for the BMP plan, the BMP plan, inspection reports, preventative maintenance records, employee training materials, and other relevant information. Records shall be made available for department inspection and submitted to the department upon request.

For discharges from washing activities, please specify how the washing operations will be conducted at the site and specify any BMPs that will be implemented during washing:

Not Applicable.

For statewide operations, please specify how the discharge location for each project site will be identified and screened for impaired waters, wetlands, outstanding resource waters (ORW) and exceptional resource waters (ERW):

Note: The permittee may use the surface water data viewer (<https://dnrm.wi.gov/H5/?Viewer=SWDV>) to identify impaired waters, wetlands, ORWs, and ERWs in the county where the discharge will occur.

For statewide operations, if the proposed discharge will be to a wetland, please specify all practical measures that will be implemented to minimize adverse impacts of the affected wetlands:

Note: Discharges to wetlands are not allowed under the general permit unless the requirements in Section 4.3 of the general permit are met.

For statewide operations, if the proposed discharge will be to an impaired water, please specify all practical measures that will be implemented to minimize any pollutant of concern (i.e. total suspended solids or phosphorus) that may contribute to the impairment of the water body:

Note: Discharge to an impaired water is not allowed under the general permit unless the discharge does not contain a pollutant in a measurable amount for which the water is identified as impaired.

For statewide operations, if the project will be located near an ORW or ERW, please specify all practical alternative disposal methods that will be implemented to avoid discharge to the ORWs or ERWs (e.g. discharge to groundwater via infiltration):

Note: Discharges to ORWs or ERWs are not allowed under this general permit.

For statewide operations, if the proposed discharge will be to a surface water, please specify all practical measures that will be implemented to minimize adverse impacts of the affected surface water:

For statewide operations, if the proposed discharge will be to a groundwater via seepage, please specify all practical measures that will be implemented to minimize adverse impacts on groundwater quality:

For statewide operations, please specify the method of notifying the department at least seven (7) calendar days prior to discharge to the waters of the state and seven (7) calendar days after discontinuing the discharge to the waters of state.

Note: The agreed upon notification shall include a description of the discharge and discharge location as required in Section 5.14.4 of the general permit.

BMP Plan Review

The BMP plan will be reviewed at least once per year by the BMP plan committee or by the site PM.

The BMP plan committee or site PM will evaluate the need to update or modify the BMP plan and evaluate the effectiveness of the BMP plan in preventing and mitigating releases of pollutants. The BMP plan committee or site PM will notify the department when the BMP plan is modified to determine if the modification requires department approval.

Certification

I certify that this document, to the best of my knowledge and belief, is true, accurate, and complete.



Signature of Plan Preparer

4/20/2020

Date



April 27, 2020

Kristina Femal, RR Manitowoc County DOT Hydro
Wisconsin Department of Natural Resources
2984 Shawano Ave
Green Bay, WI 54313
[sent electronically]

Subject: Coverage under WPDES Permit No. WI-0066575-01-0
Permittee Name: WI DNR BUREAU OF REMEDIATION AND REDEVOLPMENT
Facility Site Name: GOLDEN FLAME RESTAURANT
Facility Site Address: 2604 CUSTER ST, MANITOWOC
Site ID (FIN): 71581

Dear Ms. Femal:

The Wisconsin Department of Natural Resources (hereafter Department) has determined that the Golden Flame Restaurant located at 2604 Custer St, Manitowoc, WI is eligible for coverage under the *Low-Impact Discharge* Wisconsin Pollutant Discharge Elimination System (WPDES) General Permit No. WI-0066575-01-0. This determination was based on review of a complete General Permit Notice of Intent (NOI) form (Form 3400-241) and Best Management Practice (BMP) Plan submitted by you and received on April 21, 2020. Please download the permit and fact sheet from the Department website at:
<http://dnr.wi.gov/topic/wastewater/GeneralPermits.html>.

The department hereby approves the BMP Plan (From 3400-240) in accordance with Section 6 of the *Low-Impact Discharge* WPDES General Permit No. WI-0066575-01-0.

The discharge is authorized under the *Low-Impact Discharge* WPDES General Permit No. WI-0066575-01-0 in accordance with s. NR 205.08, Wis. Adm. Code, subject to the following conditions:

1. **Coverage Effective Date:** Coverage at your facility will become effective under this general permit on **May 1, 2020** until permit termination. This permit applies only to the discharge activities and sites described in the NOI for the above referenced facility.
2. **Best Management Practice Plan:** The permittee shall operate consistent with the approved BMP plan. A copy of the BMP plan shall be retained by the permittee and this plan shall be made available upon department inspection or submitted to the department upon request. The permittee shall ensure that on-site personnel directly involved with the discharge activities have access to the BMP plan at all times while at the facility and discharge location. Permittees shall notify the department when the BMP plan is amended to determine if the amendment requires department approval.
3. **Visual Inspection Log:** The permittee shall conduct visual inspections of the permitted discharge and record observations of the discharge in a visual inspection log. The permittee shall keep visual inspection logs on file and the logs shall be made available upon department inspection or submitted to the department upon request. The parameters in Section 5.2.1 of the general permit shall be visually inspected and recorded on the discharge.

4. Coverage Termination: If the discharge is discontinued, conveyed to a sanitary sewer system, or covered under an individual WPDES permit, please complete and submit a Notice of Termination (Form 3400-221) available at <http://dnr.wi.gov/topic/wastewater/GeneralPermits.html>.
5. Change of Ownership: If your facility changes ownership in the future, please complete and submit a Transfer of Coverage (Form 3400-222) available at <http://dnr.wi.gov/topic/wastewater/GeneralPermits.html>
6. Change of Authorized Representative: If you plan on changing the authorized representative contact for the project or you want to assign a new person to be a duly authorized representative to submit specific permit documents on your behalf, please fill out a Delegation of Signature Authority (Form 3400-220) available at <http://dnr.wi.gov/topic/wastewater/GeneralPermits.html>.
7. Facility Changes: If there have been or will be any changes in your facility operations that result in new or different wastewater discharges to the waters of the state, please contact the Department and reapply for permit coverage. If reapplication is necessary, please complete a notice of intent (NOI) form for the applicable general permit(s) to verify that your discharge is eligible for that general permit. NOI forms are available at <http://dnr.wi.gov/topic/wastewater/GeneralPermits.html>.
8. Compliance: You are responsible for compliance with the requirements and conditions contained in the general permit. To assure you remain in compliance and avoid any enforcement action, please read the general permit over carefully.

Additional information regarding the Department's legal authority in this matter and your rights of appeal are shown below. If you have any questions regarding any of the permit conditions, monitoring and reporting requirements, or when Department notification is required, please contact me at (920) 662-5145 or Alexis.Peter@wisconsin.gov.

Sincerely,



Alexis Heim Peter
Northeast Regional Wastewater Specialist
Bureau of Water Quality

Cc: Permit File

LEGAL AUTHORITIES AND APPEAL RIGHTS

Section 283.35(1), Wis. Stats., authorizes the Department to issue a general permit applicable to a designated area of the state authorizing discharges from specified categories or classes of point sources located within that area. Upon the request of the owner or operator of a point source, the Department shall withdraw the point source from the coverage of a general permit and issue an individual Wisconsin Pollutant Discharge Elimination System (WPDES) permit for that source in accordance with s. 283.35(2), Wis. Stats. Additionally, the Department may withdraw a point source from the coverage of a general permit and issue an individual WPDES permit if that source meets any of the factors listed in s. 283.35(3), Wis. Stats. Issuance of such an individual permit will provide for a public comment period, and potentially a public informational hearing and/or an adjudicatory hearing. In lieu of general permit withdrawal, the Department may refer any violation of a general permit to the Department of Justice for enforcement under s. 283.91, Wis. Stats., pursuant to s. 283.89, Wis. Stats. In order to remain in compliance and avoid any enforcement action, **please read your permit carefully.**

To challenge the reasonableness of or necessity for any term or condition of an issued, reissued, or modified general permit, s. 283.63, Wis. Stats., and ch. NR 203, Wis. Adm. Code, require that you file a verified petition for review with the Secretary of the Department of Natural Resources within 60 days after notice of the permit decision was issued by the Department. For other permit-related decisions, such as the decision to confer general permit coverage to your facility, that are not reviewable pursuant to s. 283.63, Wis. Stats., it may be possible for permittees or other persons to obtain an administrative review pursuant to s. 227.42, Wis. Stats., and s. NR 2.05(5), Wis. Adm. Code, or a judicial review pursuant to s. 227.52, Wis. Stats. If you choose to pursue one of these options, you should know that Wisconsin Statutes and Administrative Code establish time periods within which requests to review Department decisions must be filed.

ATTACHMENT 4

Continuing Obligations Inspection and Maintenance Log

Notice: In accordance with s. NR 727.05 (1) (b) 3., Wis. Adm. Code, use of this form for documenting the inspections and maintenance of certain vapor-related continuing obligations is required. Personal information collected will be used for administrative purposes and may be provided to requesters to the extent required by Wisconsin's Public Records law [ss. 19.31-19.39, Wis. Stats.].


Directions: This form was developed to provide the results of a site inspection of a vapor related continuing obligation, typically a vapor mitigation system. See the closure approval letter for this site for requirements regarding the submittal of this form to the Department of Natural Resources. A copy of this inspection log is required to be maintained either on the property, or at a location specified in the closure approval letter. The closure letter may be found in the database, [BRRTS on the Web](#), by searching for the site using the BRRTS ID number, and then looking in the "Action" section, for code 56.

Activity (Site) Name: Susie's Restaurant

BRRTS No. 02-36-000516

Date of Inspection: _____

When submittal of this form is required, submit an electronic version or a scanned copy of this completed form to the [RR Submittal Portal](#).

SYSTEM COMPONENT NAME	WHAT DOES IT DO?	WHAT DO I CHECK?	WHAT SHOULD I SEE?	DATE: WHAT TO FIX?
Manometer or Differential Pressure Gauge	Measures differential pressure between vacuum side of vent pipe and indoor space. This measurement confirms there is a vacuum being pulled by the fan.	Liquid Level on Manometer or Gauge	Liquid level in manometer should be offset (not level with each other).	A change in liquid level indicates a change in the vacuum below foundation. This could be caused by failure of fan, blockage of vent pipe, change in water level below building, or other conditions. Hire a professional to identify cause and repair if needed.
PHOTO 			NOTES: (Record the reading on the gauge. Identify specific building and location description:) <input type="checkbox"/> Not Applicable The manometer and vacuum alarm are located on Pickup Point No. 1 at the north end of the Golden Flame Restaurant basement. When the system was started up in October 2019 the manometer read 1.4 inches of water column (WC). The fan is capable of pulling up to approximately 4 inches of WC vacuum. The system should be inspected for leaks or other issues if the vacuum falls below approximately 0.5 inches WC.	

SYSTEM COMPONENT		WHAT DO I CHECK?	WHAT SHOULD I SEE?	DATE:
NAME	WHAT DOES IT DO?			WHAT TO FIX?
Fan	<p>Fan creates a vacuum and lowers pressure below foundation.</p> <p>The fan also removes soil gases from below foundation for discharge to atmosphere.</p>	<p>Fan Operation</p> <p>Fan Location</p> <p>Motor Noise</p>	<p>Fan is on.</p> <p>Fan mounted outside & secure.</p> <p>Fan motor is quiet (loud motor may indicate problem).</p>	<p>Replace the fan immediately once the fan stops running. Fans typically run for 10-20 years, but it may be less.</p> <p>Replacement fan to have similar specifications as original with respect to flow and vacuum.</p> <p>After a fan is replaced, the system should be evaluated by a mitigation professional to verify effectiveness, which includes pressure readings.</p> <p>The fan is an AMG Eagle radon fan.</p>



PHOTO



NOTES: (Identify specific building and location description:)

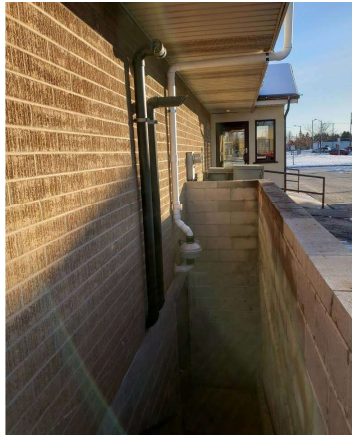
Not Applicable

The fan is located on the exterior of the Golden Flame Restaurant building near the northwest corner of the building.

SYSTEM COMPONENT		WHAT DO I CHECK?	WHAT SHOULD I SEE?	DATE:
NAME	WHAT DOES IT DO?			WHAT TO FIX?
<p>Suction Drop Point w/ Vent Pipe</p>	<p>Suction Point : Soil gases are collected in a void space below the foundation, and tight seal prevents soil gas from getting inside the home. Vent Pipe: Pipe conveys the vacuum from the fan, and collects soil gases for discharge to the atmosphere.</p>	<p>Suction Point Seal Vent Pipe Condition</p>	<p>Seal is air tight around pipe penetration. Vent pipe is connected to fan, has not cracked.</p>	<p>Suction point seal or vent pipe may need to be sealed or replaced if cracks or leaks appear. If any piping or sealing of the system is altered or replaced, the system should be evaluated by a mitigation professional to verify effectiveness, which includes pressure readings.</p>
<p>PHOTO</p> 		<p>NOTES: (Identify specific building and location description:) <input type="checkbox"/> Not Applicable Pickup Point No. 1 is located in the north end of the Golden Flame Restaurant basement.</p>		
<p>Sealed Sump w/Vent Pipe</p>	<p>Sump Cover: Soil gases are collected in sump and the cover prevents soil gas from getting inside home. Vent Pipe: Pipe transports the soil gas from the sump for discharge to the atmosphere.</p>	<p>Suction Point Seal Vent Pipe Seal Condition</p>	<p>Seal is airtight to floor. Vent pipe is connected to the sump cover and is not cracked.</p>	<p>Sump cover or vent pipe may need to be sealed or replaced if cracks or leaks appear. If any piping or sealing of the system is altered or replaced, the system should be evaluated by a plumber or a mitigation professional to verify effectiveness, which includes pressure readings.</p>
<p>PHOTO</p> 		<p>NOTES: (Identify specific building and location description:) <input type="checkbox"/> Not Applicable Pickup Point No. 2 is located in the south end of th Golden Flame Restaurant basement.</p>		

SYSTEM COMPONENT	WHAT DOES IT DO?	WHAT DO I CHECK?	WHAT SHOULD I SEE?	DATE:
NAME				WHAT TO FIX?
Outdoor Vent Pipe	Pipe transports the soil gas from beneath the foundation for discharge to the atmosphere.	Vent Pipe Condition Vent Pipe Location	Vent pipe remains connected to fan. End of pipe free from obstructions. The exhaust is more than 15 feet from windows or air intakes.	Vent pipe may require replacement, or cleaning to remove ice or debris. If any piping or sealing of the system is altered or replaced, the system should be evaluated by a mitigation professional to verify effectiveness, which includes pressure readings.

PHOTO



NOTES: (Identify specific building and location description:)

Not Applicable

The outdoor vent pipe is located on the exterior of the Golden Flame Restaurant building near the northwest corner of the building.

Foundation Floor	Foundation is a barrier that minimizes soil gas entry into building, and helps fan to work efficiently.	Foundation Condition Foundation Footprint	No penetrating cracks or holes in foundation. Check if there have been alterations or additions to building or footprint.	Seal cracks or other penetrations as you would to prevent water from entering. If building floor plan has changed, notify DNR and contact a mitigation professional to evaluate if modifications to the vapor mitigation system are necessary.
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PHOTO



NOTES: (Identify specific building and location description:)

Not Applicable

The Golden Flame Restaurant basement floor shall be maintained.

SYSTEM COMPONENT				DATE:
NAME	WHAT DOES IT DO?	WHAT DO I CHECK?	WHAT SHOULD I SEE?	WHAT TO FIX?
Sub Slab Vapor Port	This is a sample port to measure vacuum or take sample of soil gas if needed. It needs to remain sealed when not in use to prevent soil gas entry into the home.	Port Seal/Cap	If able to measure the vacuum with a micromanometer, the pressure differential should be at least 0.004 inches of H ₂ O or at least one Pascal.	Repair or replace the seal and cover as needed.
		Port Condition	Port is sealed and capped when not in use.	Permanently seal hole if sample port is ever removed.
PHOTO 			<p>NOTES: (If taken, record the pressure differential reading. Identify specific building and location description:)</p> <input type="checkbox"/> Not Applicable	
			Sub-slab Vacuum Observation Point No. 1 located in northeast corner of Golden Flame Restaurant basement.	
Sub Slab Vapor Port	This is a sample port to measure vacuum or take sample of soil gas if needed. It needs to remain sealed when not in use to prevent soil gas entry into the home.	Port Seal/Cap	If able to measure the vacuum with a micromanometer, the pressure differential should be at least 0.004 inches of H ₂ O or at least one Pascal.	Repair or replace the seal and cover as needed.
		Port Condition	Port is sealed and capped when not in use.	Permanently seal hole if sample port is ever removed.
PHOTO 			<p>NOTES: (If taken, record the pressure differential reading. Identify specific building and location description:)</p> <input type="checkbox"/> Not Applicable	
			Sub-slab Vacuum Observation Point No. 2 located in northeast corner of Golden Flame Restaurant basement in wash/storage room.	

