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**ADDITIONAL INVESTIGATION ACTIVITIES  
BETA-BECHER ACQUISITION CO, LLC HISTORIC FILL SITE  
147 EAST BECHER STREET ("site")  
MILWAUKEE, WISCONSIN  
BRRTS 02-41-589088**

Dear Ms. Pfeiffer:

This letter is in response to the comments presented in the Wisconsin Department of Natural Resources (WDNR) April 14, 2022, Site Investigation and 718 Approval to Manage Solid Waste letter ("the April 2022 letter"). On February 24, 2022, Ramboll US Consulting, Inc. (Ramboll), on behalf of Bear Development, LLC (Bear), submitted the Site Investigation Report and 718 Soil Reuse Request to the WDNR. This letter is to acknowledge the agency's April 2022 letter and provide a response to the requests contained in that letter. Bear will follow the obligations stated in the April 2022 letter. The following provides details of specific WDNR requests for additional information or comments followed by Ramboll's responses.

May 4, 2022

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**Site Investigation Review**

*A. Source identification (scoping the investigation)*

*Wis Admin. Code § NR 716.01 states that the site investigation must define the extent and degree of contamination and identify the source(s) of contamination. Furthermore, Wis. Admin. Code § NR 716.07(1) requires the evaluation of the history of the site or facility, including industrial land uses that may have been associated with one or more hazardous substance discharges.*

Ref. 1690004863

- I. Based on the results of the site investigation activities performed to date, the SIR indicates that the identified contamination is related to widespread historic fill material that contains waste material, such as foundry sand and slag. To reflect the source of the hazardous substance discharge for which the DNR was notified, the DNR has renamed this site, "Beta-Becher Acquisition Co, LLC Historic Fill." The DNR's BRRTS database has been updated to reflect this name change. Please ensure that all future submittals use this name to identify the site.*

Bear acknowledges that WDNR BRRTS case 02-41-589088 will be called the Beta-Becher Acquisition Co, LLC Historic Fill Site.

- II. *The site investigation activities completed to date have not assessed potential impacts from historic site operations, as most of the sampling locations were not in areas of former site operations (e.g., below building foundations or in areas identified in the Phase I Environmental Site Assessment (ESA) as being a recognized environmental condition (REC) related to long-term industrial operations). However, based on the soil, groundwater, and vapor data collected, no hazardous substance discharge related to historic site operations has been identified at this time. Should future site investigation and/or redevelopment activities identify a hazardous substance discharge related to a source(s) other than historic fill material, notify the DNR immediately, per Wis. Admin. Code § NR 706.05 (1).*

It is Ramboll’s opinion that the site investigation activities included investigating the long-term industrial operations, as presented in the Phase I Environmental Site Assessment. However, Bear/Ramboll will notify the WDNR immediately should future site investigation and/or redevelopment activities identify a hazardous substance discharge that has been definitively determined to be related to a source other than the historic fill material.

B. *Degree and extent of contamination in all affected media*

*Wis. Admin. Code § NR 716.11 (3) (a) states that the purpose of the field investigation is to determine the nature, degree and extent, both areal and vertical, of the hazardous substances or environmental pollution in all affected media.*

I. *Soil*

- a. *Considering the source of contamination for this site is site-wide historic fill material, extend the RCL exceedance lines to the site boundaries for all soil contamination identified to date (i.e., VOCs, PAHs, metals, and PCBs).*

Ramboll will extend the Residual Contaminant Level (RCL) to the site boundaries as appropriate where they are not horizontally defined.

- b. *Provide the rationale used to determine the locations of the test pits. Discuss if the test pit locations correspond to any former site operations.*

As stated in the February 24, 2022, *Site Investigation Report (SIR)*, Ramboll was present during the interior concrete removal in several areas to assess if potential contamination exists beneath the concrete floor slab at each location. The locations of the concrete removal areas (referred to as “test pits” were predetermined by Bear). The test pit locations were selected by Bear’s building engineer, based on accessibility and location, to inspect the buildings footer stability and integrity. Ramboll used the opportunity to evaluate for potential historic fill impacts beneath the buildings by collecting soil samples from each test pit for analyses of volatile organic compounds (VOCs), polynuclear aromatic hydrocarbons (PAHs), Resource Conservation and Recovery Act (RCRA) metals, and polychlorinated biphenyls (PCBs).

II. *Groundwater*

- a. *Further groundwater sampling is needed to establish a trend to show that the contamination plumes identified in the first round of groundwater sampling are stable and/or receding.*

Ramboll will complete another round of groundwater samples from NR141 monitoring wells MW-1 through MW-5 for the analytes detected above Preventative Action Limits (PALs) or Enforcement Standards (ESs) including the following:

- VOCs (1,1,1-trichloroethane [1,1,1-TCA], 1,1-dichloroethene, and naphthalene were detected above the NR 140 Preventive Action Limits [PALs]),
- PAHs (several PAHs were detected above the PAL and Enforcement Standards [ES] from temporary groundwater monitoring wells and six PAHs were detected [below the NR 140 PALs] in groundwater samples collected from NR 141 monitoring wells),
- and RCRA metals (lead was detected above the NR 140 PAL in a couple of temporary monitoring wells).

An assessment if additional groundwater sampling is warranted will be made based on the groundwater analytical results.

### III. Vapor

- a. *To define the extent and degree of naphthalene greater than its small-commercial vapor risk screening level (VRSL) at VP-6, sub-slab vapor samples collected from VP-17 – VP-20 were exclusively analyzed for naphthalene. Conduct additional sub-slab vapor sampling at VP-6 and VP-17 – VP-20 with laboratory analysis of the full suite of VOC compounds.*

Ramboll will resample sub-slab soil vapor points VP-6 and VP-17 through VP-20 for the full suite of VOC compounds.

- b. *Present a figure that displays all sub-surface features (e.g., floor drains, sumps, basements, pits, and utilities) and provide a discussion on whether any of these building features may have affected the sub-slab vapor sample results. Specifically, discuss the area near VP-6 and whether any floor drains are present near this sample location.*

Ramboll will complete a vapor utility survey at the site. All accessible floor drains, sumps, basements, pits, and utilities will be located and added to the site map. Ramboll will screen all the accessible subsurface utility access points (i.e. floor drains, catch basins, manholes) and the area around sub-slab soil vapor point VP-6) and provide a discussion on whether any of these building features may have affected the sub-slab vapor sample results and/or could be acting as a potential vapor migration pathway.

### IV. Documentation

- a. *Update data tables presented in future submittals to show all contaminants that were detected within each medium. For example, 1,1,1-TCA was detected (and j-flagged) in groundwater at sample locations TW-11, TW-12, but this was not displayed on the applicable data table.*

1,1,1-TCA is shown in Table 6 (VOCs, PAHs, metals, and PCBs in Groundwater) of the February 24, 2022, Site Investigation Report because all of the tables in the SIR show all detected analytes. 1,1,1-TCA is not shown in Figure 12 because it was not detected above any Wisconsin standards.

## RAOR Review

Following the additional data collection, the following should be considered and discussed:

A. *The retention pond that is planned in the southern area of the site should be discussed once additional groundwater data is gathered. More specifically, discuss whether the pond could increase infiltration of soil to groundwater contamination and/or whether the pond will be lined. Indicate whether this pond will be connected to the on-site storm sewer. If so, discuss whether this could act as a migration pathway for contamination.*

NR 141 groundwater monitoring well MW-5 is located in the retention pond area. Ramboll will include a discussion regarding the retention pond (including engineering design) after additional groundwater monitoring is completed.

B. *Review the additional sub-slab vapor data and indicate whether any remedial action or mitigation may be necessary based on the additional data.*

Ramboll will include a discussion regarding the additional sub-slab soil vapor sampling results and determine whether any remedial action or mitigation may be necessary based on the additional data. Note that Ramboll will also sample indoor air in each of the finished proposed ground-floor residential units in Building 9 (five units are proposed). The indoor air sampling results will be presented in the construction documentation report once the construction project is complete.

C. *Discuss the planned use(s) for each site building and provide detail on the number of floors in each building, the planned use(s) for each floor, and relevant building features (i.e., stairwells and elevators). Provide figures to accompany this discussion, as applicable.*

Note that this information was provided in part in the supplemental information supplied to the WDNR in Ramboll's March 17, 2022, submittal Figure 16 (Planned Site Layout) illustrating the first-floor layout, number of floors and use, elevator locations, and exterior surface coverings. Ramboll will add the stairwell locations and resubmit this map along with a discussion in the next submittal ("Supplemental SIR and updated RAOR") to the WDNR.

D. *Discuss the redevelopment plans related to the sub-surface building features that are currently present (i.e., floor drains, sumps, basements, pits, and utilities). More specifically, indicate whether these features may be removed, sealed and/or abandoned. This discussion should be directly related to the figure requested in Section B.III.b. of the "SIR Review" portion of this letter.*

Ramboll will discuss the redevelopment plans related to the sub-surface building features that are currently present (i.e., floor drains, sumps, basements, pits, and utilities) and indicate how these features will be removed, and sealed, or abandoned. Ramboll will add this information in the next submittal ("Supplemental SIR and updated RAOR") to the WDNR.

## Wis. Admin. Code §§ NR 718.12 and 718.15 Approval

### *Characterization of Soil to be Excavated*

*Soil samples were collected for analysis of contaminants previously detected or expected to be present at this site including VOCs, PAHs, metals, and PCBs from areas most likely to contain residual contamination. Based on an estimated volume of 3,000 cubic yards of material, and a sampling frequency of one sample per*

200 cubic yards, the sampling protocol described in Wis. Admin. Code § NR 718.12 (1) (e), was met.

Fourteen soil samples were collected from 4-10 feet below ground surface (ft bgs) in the soil reuse area located in the northwest corner of the site. This sample interval does not provide data from the upper 4 ft bgs; therefore, as previously mentioned in an email from the DNR on March 21, 2022, one of the following activities must be conducted:

- A. Perform additional sampling in the soil reuse area within the upper 4 ft bgs to characterize this soil interval prior to reuse, or
- B. Separate the 0-4 ft bgs soil interval from the soil to be reused on site and properly dispose of it at a licensed landfill.

As presented in Ramboll's March 17, 2022, submittal to the WDNR, Bear Development, LLC will excavate 4 feet of material from the planned soil reuse area before using the remainder for fill purposes. The separated soil will be taken to a licensed landfill for disposal.

#### Maintenance of a Cover

A cap is proposed to be installed and maintained over contaminated soil and solid waste that will be managed at the Beta-Becher Acquisition Co, LLC Historic Fill site as discussed in the MMP. A final cap maintenance plan must be provided to the DNR once the barrier has been constructed and must address actual site conditions, per Wis. Admin. Code § NR 724.15 (3) (h). Figure 12, *Cap/Barrier Maintenance Area*, dated January 19, 2022, shows the extent of the proposed cover, which will cover the entire site. The final cap maintenance plan must include descriptions of the cap construction and how each cover material is protective, especially for those areas that are identified with landscaped surfaces as the final cover. Once the cap is constructed, inspections of the cap will be required per Wis. Admin. Code § NR 724.13), and submittal of inspection reports may also be required per Wis. Admin. Code § 727.05 (1) (b) 3. Notification to the DNR is required before changing to a non-industrial use if the cover is approved for industrial land use, per Wis. Admin. Code § NR 727.07 (3) to ensure that the cover will be protective for that use.

Ramboll will prepare and submit a cap maintenance plan as part of the construction documentation report that will be submitted to the WDNR once the construction project is complete.

#### **Next Steps**

- A. Unless otherwise directed by the DNR, documentation of contaminated soil and solid waste management activities shall be provided within 60 days of the completion of this project. The documentation must comply with the requirements of Wis. Admin. Code § NR 724.05 (2) and § NR 724.15 (3) and include:
  1. A cover letter that contains the information required by Wis. Admin. Code § NR 724.05(2) (e) 1.
  2. Owner contact and property location information for the Beta-Becher Acquisition Co, LLC – Historic Fill site.
  3. Maps, drawings, and cross-sections that depict how contaminated soil and solid waste were managed.
  4. A synopsis of the work conducted and an explanation as to how it complied with the contaminated soil and solid waste management plan and the conditions in this approval.

5. A description of any changes made to the planned management activity and an explanation as to why they were necessary for the project.
6. Any field observations or results of monitoring conducted during the management activity.
7. A description of how new site conditions are protective of human health, safety, welfare, and the environment at the Beta-Becher Acquisition Co, LLC – Historic Fill site.
8. A final cover maintenance plan.

The inclusions detailed in the “Next Steps” section above will be presented in Ramboll’s construction documentation report that will be submitted to the WDNR once the construction project is complete.

*B. Per Wis. Admin. Code § NR 716.15(1), the DNR requests that a Supplemental SIR and updated RAOR be submitted within 60 days after completing the additional SI activities related to the above comments.*

Ramboll will submit a Supplemental SIR and updated RAOR within 60 days after completing the additional SI activities.

*C. Per Wis. Admin. Code § NR 716.14, submit all sampling results (on appropriately formatted tables) within 10 days of receiving laboratory data.*

Ramboll will submit all sampling results to the WDNR and site owner within 10 days of receiving the laboratory data following NR 716.14(2).

## Closing

Ramboll will complete the additional site investigation activities as soon as possible and hopes the information provided herein meets your needs. We appreciate the WDNR’s quick review of documents to help meet the project’s construction schedule. Please do not hesitate to contact me with questions or comments regarding this project.

Sincerely yours,




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