



June 17, 2024

FS Apartments, LLC  
c/o: SR Mills  
4011 80th Street  
Kenosha, WI 53142  
Via Email Only to [smills@bearrealty.com](mailto:smills@bearrealty.com)

Subject: Site Investigation Work Plan Review  
Beta Becher Acquisition Co, LLC Historic Fill  
147 E. Becher Street, Milwaukee, WI  
BRRTS #02-41-589088, FID #241186880

Dear SR Mills:

The Wisconsin Department of Natural Resources (DNR) received the *Supplemental NR 716 Site Investigation Work Plan* (Report), prepared by Ramboll US Consulting, Inc. (Ramboll), dated April 16, 2024, for the above-referenced site. The DNR received the applicable technical assistance fee for providing review and response to this submittal, in accordance with Wis. Admin. Code § NR 749.04(1). The DNR reviewed the Report for regulatory compliance with Wis. Admin. Code ch. NR 716, and approves the work plan with the comments listed below.

#### Report Overview

Ramboll proposes the following work in the Report:

1. Confirm concentrations of perfluorooctanoic acid (PFOA) and/or perfluoro-1-octanesulfonic acid (PFOS) in groundwater at six new Wis. Admin. Code ch. NR 141 compliant monitoring well locations (MW-6 to MW-11).
2. Evaluate the presence of 1,4-dioxane in groundwater at three of the new monitoring well locations (MW-6, MW-7, and MW-9).
3. Perform three sub-slab vapor sampling events at four locations in each of the (eight) planned residential multi-family apartment buildings. The three sampling events will be spaced out to occur at 90-day intervals with at least one of the events occurring during the heating season. These buildings are planned to be completed and occupied in a phased approach, beginning with the northernmost buildings (7L and 8L). At each building, the sub-slab sampling will be performed after the HVAC system is fully operational, and at least one round of sampling will be completed prior to occupancy.

The Report indicates that the proposed monitoring wells will be installed and sampled after the new site grade is complete, likely in July 2024. The first round of sub-slab vapor sampling in buildings 7L and 8L is tentatively scheduled for September 2025.

#### Report Review

The DNR provides the following comments on the proposed work:

1. Groundwater
  - a. The DNR concurs with the groundwater sampling plan for PFOA and PFOS.

- b. Collect and analyze groundwater samples for 1,4-dioxane at all new monitoring well locations (MW-6 to MW-11).
  - c. Evaluate the results of each of the groundwater sampling events to determine whether additional monitoring may be necessary to define the degree and extent of the impacts, per Wis. Admin. Code § NR 716.11(3)(a), and/or to show that the plume is stable or decreasing, per Wis. Admin. Code § NR 726.05(6)(c).
2. Vapor
- a. The DNR concurs with the proposed sub-slab vapor sampling plan.
  - b. Conduct indoor air sampling concurrently with the sub-slab vapor sampling. The use of passive indoor air samplers with a sample duration of 5 to 14 days is recommended. Prior to performing indoor air sampling, evaluate whether indoor air sources or potential off-gassing from new building materials may affect sample quality, and mitigate these situations as feasible.
  - c. If any sumps will be present in the planned buildings, collect water and headspace samples from them to investigate this potential migration pathway for vapor contamination.
  - d. Evaluate the results of the first vapor sampling event in each building to determine whether additional vapor sampling locations should be added, whether remedial actions should be performed and/or whether active mitigation of potential vapor contamination is necessary. The DNR recommends that this evaluation occur prior to occupying each building.
  - e. As a reminder, per Wis. Admin. Code § NR 726.05(8)(b), a remedial action must be conducted to reduce the mass and concentration of volatile compounds to the extent practicable and mitigation of the vapor intrusion pathway will be required if contaminant vapor concentrations exceed the applicable vapor risk screening level (VRSL). Remedial action is often more effective and more easily implemented when completed prior to site redevelopment; therefore, you are encouraged to consider remedial actions prior to or alongside site redevelopment.
3. Other
- a. On March 13, 2024, the DNR received *Notification form for Hazardous Substance Discharge (4400-225)* prepared by Ramboll on your behalf, which informed the DNR of subsurface oil sheens observed during redevelopment that were likely related to the historical industrial operations at the subject property. As a result, the DNR opened a new environmental contamination case (FS Apartments LLC, BRRTS #02-41-594228) and sent you a letter on March 22, 2024, outlining your responsibility to investigate and remediate the contamination in compliance with Wis. Stat. ch. 292 and Wis. Admin. Code chs. NR 700-754. The letter requested that a Wis. Admin. Code § NR 716.09 site investigation work plan be submitted in 60 days, by May 21, 2024. Ramboll has informed the DNR that this work plan will be submitted shortly.

Future submittals for both this site (Beta Becher Acquisition Co, LLC Historic Fill, BRRTS #02-41-589088) and the new FS Apartments LLC site (BRRTS #02-41-594228) must include a discussion of the degree and extent of contamination as it relates to potential sources for each of these sites. Information collected during the scoping stage of the investigations must be included in these site-specific discussions, per Wis. Admin. Code § NR 716.15(3).

#### Next Steps

The Report indicates that a supplemental site investigation and remedial action options report will be submitted to the DNR in September 2024, following the additional groundwater investigation activities. This schedule should be reevaluated based on the new groundwater data and whether additional investigation or monitoring is necessary. The Report indicates a vapor assessment report with a technical assistance fee for DNR review will be submitted after each sampling event at each proposed building. The DNR agrees with this plan. If the post-redevelopment vapor data indicates that remedial actions are necessary, then present a remedial action options report, per Wis. Admin. Code § NR 722.13.

Proposed development activities should be planned so that they do not prevent your ability to define the degree and extent of contamination or take any necessary response actions. In consideration of administrative code requirements, the DNR is requesting the implementation of the following schedule:

1. Per Wis. Admin. Code § NR 716.14, submit all sampling results within 10 days of receiving laboratory data.
2. Per Wis. Admin. Code § NR 716.15(1), the DNR requests that a comprehensive site investigation report be submitted within 60 days after completing all additional site investigation activities. The applicable Wis. Admin. Code ch. NR 749 technical assistance fee will be required for a formal DNR review and written response.

The site investigation is an iterative process. The results of any additional investigation should be evaluated to determine if additional investigation is needed to fully define the degree and extent of contamination in all affected media. Until requirements are met, your site will remain “open”, and you are required to submit semi-annual progress reports, per Wis. Admin. Code § NR 700.11. Once additional work has been completed, documentation should be submitted to the DNR to demonstrate that the applicable requirements have been met, per the timelines above.

The DNR appreciates the actions you are taking to restore the environment at this site. If you have any questions concerning the site or this letter, please contact me at (414) 435-8021, or by email at [jane.pfeiffer@wisconsin.gov](mailto:jane.pfeiffer@wisconsin.gov).

Sincerely,



Jane K. Pfeiffer  
Project Manager – Hydrogeologist  
Remediation & Redevelopment Program

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