



October 11, 2023

William B. Bode
Garage Mahal LLC
18900 W. Bluemound Rd., Suite 212
Brookfield, WI 53045
Via Electronic Mail Only to brayton1953@gmail.com

Subject: Review of Site Investigation Work Plan/Technical Assistance Request
Garage Mahal LLC Property
W164 N88595 Mills St, Menomonee Falls, WI
BRRTS #: 02-68-593061, FID #: 268707120

Dear Mr. Bode:

On September 27, 2023, the Wisconsin Department of Natural Resources (DNR) received the “Site Investigation Work Plan/Technical Assistance Request” (Report) prepared for Garage Mahal LLC by Himalayan Consultants, LLC. The Report was submitted with a fee for DNR review and response. The submittal of a Site Investigation Work Plan (SIWP) is required per Wisconsin Administrative Code (Wis. Admin. Code) § NR 716.09, as this site is subject to regulation under Wisconsin Statute (Wis. Stat.) § 292. The DNR reviewed the Report for consistency with Wis. Admin. Code §§ NR 716.07 and 716.09 and has determined that the general code requirements have not been met and the DNR has provided additional comments to this response letter. The SIWP review request has not been approved.

Background

The subject property has been identified as a former dry-cleaning operation. The dry-cleaning operation was located on the western portion of the site, in a former building, which was demolished in 2016. The dry-cleaning business appeared to have been operational from pre-1949 to the 1960s. Other occupants of the site include a trophy and award shop, as well as a folk-art studio. The DNR is aware the building on the subject property was razed in 2016 and the current site layout consists of a parking lot with a landscaped area in the northern portion. The site was opened after data from a Limited Phase II investigation indicated contamination on the subject property. Tetrachloroethene (PCE) was detected above the groundwater protection residual contaminant level (RCL) in five of eight soil samples collected on the source property. A No Action Required (NAR) request was submitted to the DNR and this request was not approved.

SIWP Summary

Himalayan Consultants, LLC, on your behalf, is requesting the DNR’s concurrence with the current conclusions and recommendations for continued investigation activities on the property. Additionally, the Report requested input on what investigation activities would be considered adequate for obtaining a full site closure.

To delineate the environmental impacts of the reported discharge, the Report recommended completion of the following activities:

- Two additional soil borings to the south in the alleyway right of way (ROW) to delineate the PCE impacted soil.

DNR Review of the SIWP

Following the DNR's review of the Report, the DNR requests that you revise this submittal to address the following items to meet regulatory requirements:

- A. Evaluation of Environmental Media: All environmental media affected or potentially affected by the contamination must be evaluated (Wis. Admin. Code § NR 716.07(4)).
- a. Soil
 - i. Additional soil sampling is needed to delineate the degree and extent of contamination. Consider focusing sampling near the former dry cleaning operation area. Additionally, samples are needed to the south in the alley way and to the northeast in Mill Street ROW.
 - b. Groundwater
 - i. Install groundwater monitoring wells to determine the degree and extent of groundwater contamination.
 - c. Vapor
 - i. An evaluation of the vapor media is required. Begin by performing a vapor screening evaluation using "*Addressing Vapor Intrusion at Remediation and Redevelopment Sites in Wisconsin*" DNR Guidance document (RR-800).
 - ii. Identify buildings that may be affected by vapor intrusion, based on proximity to the currently known areas of contamination.
 - iii. Use the screening results to determine if further assessment for vapor intrusion is needed.
- B. Receptors
- a. The potential or known impacts to receptors must be evaluated, including on-site and nearby potable wells, buildings, and utilities (Wis. Admin. Code § NR 716.07(7)).
- C. Migration Pathways
- a. Evaluate sub-surface utilities that may be acting as preferential pathways for contamination using "*Guidance for Documenting the Investigation of Human-made Preferential Pathways Including Utility Corridors*" DNR document (RR-649).
 - b. Determine if a utility investigation is needed for vapor intrusion.
 - c. Consider historic and current utility locations near and on the property.
 - d. Potential hazardous substance migration pathways must be included in the site investigation work plan (Wis. Admin Code § NR 716.09(2)(e)6).
- D. Offsite Contamination Evaluation
- a. Potential off-site impacts must be evaluated to delineate the degree and extent of contamination.
- E. Other DNR Comments
- a. As you may be aware, site investigation activities are an iterative process and additional work may need to be conducted after additional findings are presented for the site.
 - b. Emerging Contaminant/PFAS Scoping Statement
 - i. Per Wis. Admin. Code §§ NR 716.07 and 716.09, site investigation scoping and work plans should include an evaluation of potential PFAS compounds and other applicable emerging contaminants that were historically or are presently produced, used, handled, or stored at the site. The evaluation should include any available information on whether any products containing PFAS were used in any process services, the duration of PFAS-

containing product use, the type of PFAS contained in the product, and any areas of the site where PFAS-containing products may have been used, stored, managed, or discarded. Site investigation work plans should also include a sampling and analysis strategy to be used during field investigation that considers all information in the evaluation conducted under Wis. Admin. Code § NR 716.07

Schedule

The submitted Report does include a schedule for conducting the field investigation and reporting the results, per Wis. Admin. Code § NR 716.09(2)(h). Furthermore, the DNR is requesting implementation of the following schedule:

- The DNR is requesting the submittal of a revised SIWP by December 8, 2023, to address the comments identified above. The work plan must comply with all the requirements identified in Wis. Admin. Code § NR 716.09(2). If a revised SIWP is submitted within 30 days of this letter, the previous review fee can be applied to the DNR's review of the Report. If the revised report is not submitted within 30 days of this letter, a subsequent review fee will be required for DNR review and response to the revised SIWP.
- Results of the site investigation activities must be submitted to the DNR in a comprehensive Site Investigation Report (SIR) that meets the requirements in Wis. Admin. Code § NR 716.15. The SIR shall be submitted to the DNR within 60 days after completion of the field investigation and receipt of laboratory data. The DNR suggests that the SIR be submitted with a fee for review and response.
- NR 700 semi-annual progress reports will be required until the case is closed.

The DNR appreciates the efforts you are taking to address the contamination at this site. If you have any questions about this letter, please contact me, the DNR Project Manager, at (414) 208-7412 or Zachary.Henderson@wisconsin.gov.

Sincerely,



Zach Henderson
Project Manager – Hydrogeologist
Remediation and Redevelopment Program
Wisconsin Department of Natural Resources

cc: Thomas Dueppen - Himalayan Consultants, LLC

Attachments:

- *Addressing Vapor Intrusion at Remediation and Redevelopment Sites in Wisconsin*- DNR document [RR-800](#)
- *Guidance for Documenting the Investigation of Human-made Preferential Pathways Including Utility Corridors*- DNR document [RR-649](#).