



December 16, 2024

Mr. Saf Sarich
The Kenmore Group, LLC
4043 Ravenwood Avenue, Suite 219
Chicago, IL 60613
Via Electronic Mail Only to saf@thekenmoregroup.com

KEEP THIS LEGAL DOCUMENT WITH YOUR PROPERTY RECORDS

SUBJECT: Case Closure with Continuing Obligations
Westfield Way, 690 Westfield Way, Pewaukee WI 53072
BRRTS #: 02-68-594047, FID #: 268708440

Dear Mr. Saf Sarich:

The Wisconsin Department of Natural Resources (DNR) is pleased to inform you that the Westfield Way case identified above met the requirements of Wisconsin Administrative (Wis. Admin.) Code chs. NR 700 to 799 for case closure with continuing obligations (COs). COs are legal requirements to address potential exposure to remaining contamination. No further investigation or remediation is required at this time for the reported hazardous substance discharge and/or environmental pollution.

However, you, future property owners and occupants of the property must comply with the COs as explained in this letter, which may include maintaining certain features and notifying the DNR and obtaining approval before taking specific actions. You must provide this letter and all enclosures to anyone who purchases, rents or leases this property from you.

This case closure decision is issued under Wis. Admin. Code chs. NR 700 to 799 and is based on information received by the DNR to date. The DNR reviewed the closure request for compliance with state laws and standards and determined the case closure request met the notification requirements of Wis. Admin. Code ch. NR 725, the response action goals of Wis. Admin. Code § NR 726.05(4), and the case closure criteria of Wis. Admin. Code §§ NR 726.05, 726.09 and 726.11, and Wis. Admin. Code ch. NR 140.

The Westfield Way site was investigated for a discharge of hazardous substances and/or environmental pollution from a spill of dry cleaning chemicals located outside the back door of the dry cleaner tenant space of the property. The investigation was conducted mainly near the source of the contamination. Case closure is granted for the volatile organic compounds (VOCs) as documented in the case file. The site investigation and/or remedial action addressed soil, groundwater, and vapor. The remedial action consisted of excavation of about 76 tons of soil to a depth of 4 feet below ground surface. Contamination remains in soil and groundwater near the back door of the property.

The case closure decision and COs required were based on the site being used for commercial purposes. The site is currently zoned commercial. Based on the land use and zoning, the site meets the non-industrial land use classification under Wis. Admin. Code § NR 720.05(5) for application of residual contaminant levels in soil.

SUMMARY OF CONTINUING OBLIGATIONS

COs are applied at the following locations:

ADDRESS (CITY, WI)	COS APPLIED	DATE OF MAINTENANCE PLAN(S)
690 Westfield Way, Pewaukee	Residual Soil Contamination VI – Future Concern	Not Applicable

CLOSURE CONDITIONS

Closure conditions are legally required conditions which include both COs and other requirements for case closure (Wis. Stat. § 292.12(2)). Under Wis. Stat. § 292.12(5), you, any subsequent property owners and occupants of the property must comply with the closure conditions as explained in this letter. The property owner must notify occupants for any condition specified in this letter under Wis. Admin. Code §§ NR 726.15(1)(b) and NR 727.05(2).

DNR staff may conduct periodic pre-arranged inspections to ensure that the conditions included in this letter are met (Wis. Stat. § 292.11(8)). If these requirements are not followed, the DNR may take enforcement action under Wis. Stat. ch. 292 to ensure compliance with the closure conditions.

SOIL

Continuing Obligations to Address Soil Contamination

Residual Soil Contamination (Wis. Admin. Code chs. NR 718, NR 500 to 599, and § NR 726.15(2)(b), and Wis. Stat. ch. 289)

Soil contamination remains by sample point C-1 just outside the back door to the dry cleaner tenant space of property as indicated on the enclosed map (Figure B.2.b., Residual Soil Contamination Map, November 22, 2024). If soil in the location(s) shown on the map is excavated in the future, the property owner or right of way holder at the time of excavation must sample and analyze the excavated soil. If sampling confirms that contamination is present, the property owner or right of way holder at the time of excavation will need to determine if the material is considered solid waste and ensure that any storage, treatment or disposal complies with applicable standards and rules. Contaminated soil may be managed under Wis. Admin. Code ch. NR 718 with prior DNR approval.

In addition, all current and future property owners, occupants and right of way holders need to be aware that excavation of the contaminated soil may pose an inhalation and direct contact hazard; special precautions may be needed to prevent a threat to human health.

GROUNDWATER

Other Groundwater or Monitoring Well Related Closure Information

Wis. Admin. Code Ch. NR 140 Exemption (Wis. Admin. Code ch. NR 140)

Recent groundwater monitoring data at this site indicates that for Tetrachloroethene (PCE) at MW-1, contaminant levels exceed the NR 140 preventive action level (PAL) but are below the enforcement standard (ES), as shown on the enclosed map (Figure B.3.b, Groundwater Isoconcentration Map, November 22, 2024). The DNR may grant an exemption to a PAL for substance of public health concern, other than nitrate, under Wis. Admin. Code § NR140.28(2)(b) if all the following criteria are met:

1. The measured or anticipated increase in the concentration of the substance will be minimized to the extent technically and economically feasible.
2. Compliance with the PAL is either not technically or economically feasible.
3. The enforcement standard for the substance will not be attained or exceeded at the point of standards application. (Note: at this site the point of standards application is all points where groundwater is monitored.)
4. Any existing or projected increase in the concentration of the substance above the background concentration does not present a threat to public health or welfare.

Based on the information you provided, the DNR believes that these criteria have been or will be met. Most of the source of soil contamination has been removed by an excavation. Therefore, under Wis. Admin. Code § NR 140.28, an exemption to the PAL is granted for Tetrachloroethene (PCE) at MW-1. This letter serves as your exemption.

VAPOR

Continuing Obligations to Address Vapor Contamination

Vapor intrusion (VI) 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 - Future Concern: (Wis. Stat. § 292.12(2), Wis. Admin. Code § NR 726.15(2)(L) or (m), as applicable.

Tetrachloroethene (PCE) remains in soil and/or groundwater at C-1 and MW-1, as shown on the enclosed map, (Figure B.4.a., Vapor Intrusion Map, November 22, 2024), 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.

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.

OTHER CLOSURE REQUIREMENTS

Pre-Approval Required for Well Construction (Wis. Admin. Code § NR 812.09(4)(w))

DNR approval is required before well construction or reconstruction for all sites identified as having residual contamination and/or COs. This requirement applies to private drinking water wells and high capacity wells. To obtain approval, the property owner is required to complete and submit Form 3300-254, Continuing Obligations/Residual Contamination Well Approval Application, to the DNR Drinking Water and Groundwater program's regional water supply specialist. A well driller can help complete this form. The form can be obtained online at dnr.wi.gov, search "3300-254." Additional casing may be necessary to help prevent contamination of the well.

DNR NOTIFICATION AND APPROVAL REQUIREMENTS

Certain activities are limited at closed sites to maintain protectiveness to human health and the environment. 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 (Wis. Admin. Code §§ NR 727.07, NR 726.15(2), Wis. Stat. § 292.12(6)).

- Before constructing a building and/or modifying use of or the construction of an existing building or changing property use. Certain activities are limited at closed sites to reduce the risk of exposure to residual contamination via vapor intrusion. 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.

The DNR may require additional investigation and/or cleanup actions if necessary, to be protective of human health and the environment. The case may be reopened under Wis. Admin. Code § NR 727.13 if additional information indicates that contamination on or from the site poses a threat, or for a lack of compliance with a CO or closure requirement.

SUBMITTALS AND CONTACT INFORMATION

Site, case-related information and DNR contacts can be found online in the Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web (BOTW); go to dnr.wi.gov and search "BOTW." Use the BRRTS # found at the top of this letter. The site can also be found on the map view, Remediation and Redevelopment Sites Map (RRSM) by searching "RRSM."

Send written notifications to the DNR using the RR Program Submittal Portal at dnr.wi.gov, search "RR submittal portal" (<https://dnr.wi.gov/topic/Brownfields/Submittal.html>). Questions on using this portal can be directed to the Project Manager below or to the environmental program associate (EPA) for the regional DNR office. Visit dnr.wi.gov, search "RR contacts" and select the EPA tab (<https://dnr.wi.gov/topic/Brownfields/Contact.html>).

CLOSING

The DNR appreciates your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact the DNR Project Manager, Andy Alles at (608) 219-2310, or at andy.alles@Wisconsin.gov

Sincerely,



Pamela A. Mylotta
Southeast Region Team Supervisor
Remediation & Redevelopment Program

Attachments:

Figure B.2.b., Residual Soil Contamination Map, November 22, 2024
Figure B.3.b, Groundwater Isoconcentration Map, November 22, 2024
Figure B.4.a., Vapor Intrusion Map, November 22, 2024

cc.

Mr. Daniel Pelczar, dpelcar@gilesengr.com
William Phelps, DNR, William.Phelps@Wisconsin.gov

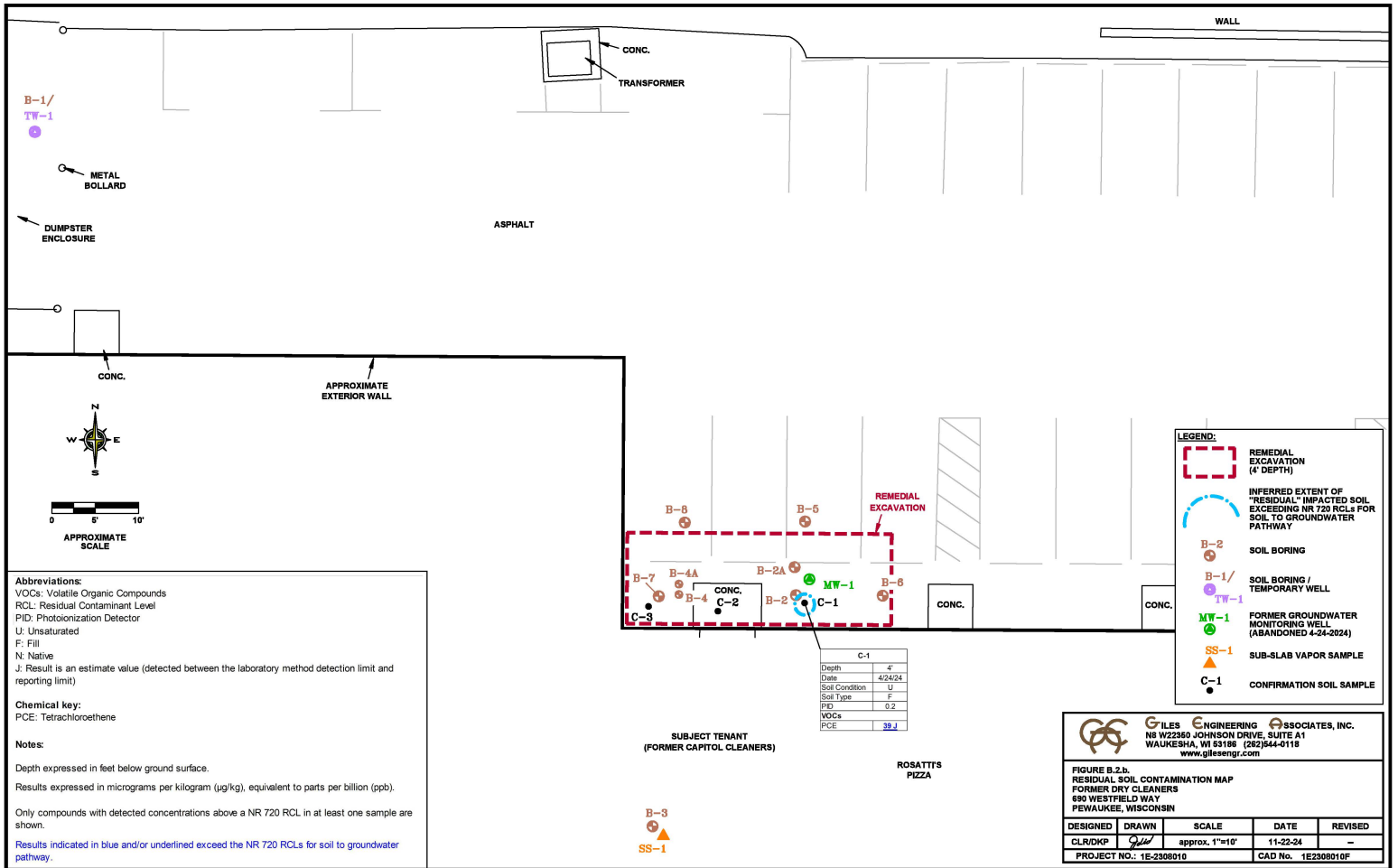
Additional Resources:

The DNR fact sheets can be obtained by visiting the DNR website at "dnr.wi.gov" and searching DNR publication number.

Continuing Obligations for Environmental Protection (RR-819)

Environmental Contamination and your Real Estate (RR-973)

Post-Closure modifications: Changes to Property Conditions after a State-Approved Cleanup (RR-987)



Abbreviations:
 VOCs: Volatile Organic Compounds
 RCL: Residual Contaminant Level
 PID: Photoionization Detector
 U: Unsaturated
 F: Fill
 N: Native
 J: Result is an estimate value (detected between the laboratory method detection limit and reporting limit)

Chemical key:
 PCE: Tetrachloroethene

Notes:
 Depth expressed in feet below ground surface.
 Results expressed in micrograms per kilogram (µg/kg), equivalent to parts per billion (ppb).
 Only compounds with detected concentrations above a NR 720 RCL in at least one sample are shown.
 Results indicated in blue and/or underlined exceed the NR 720 RCLs for soil to groundwater pathway.

C-1	
Depth	4'
Date	4/24/24
Soil Condition	U
Soil Type	F
PID	0.2
VOCs	39.1
PCE	

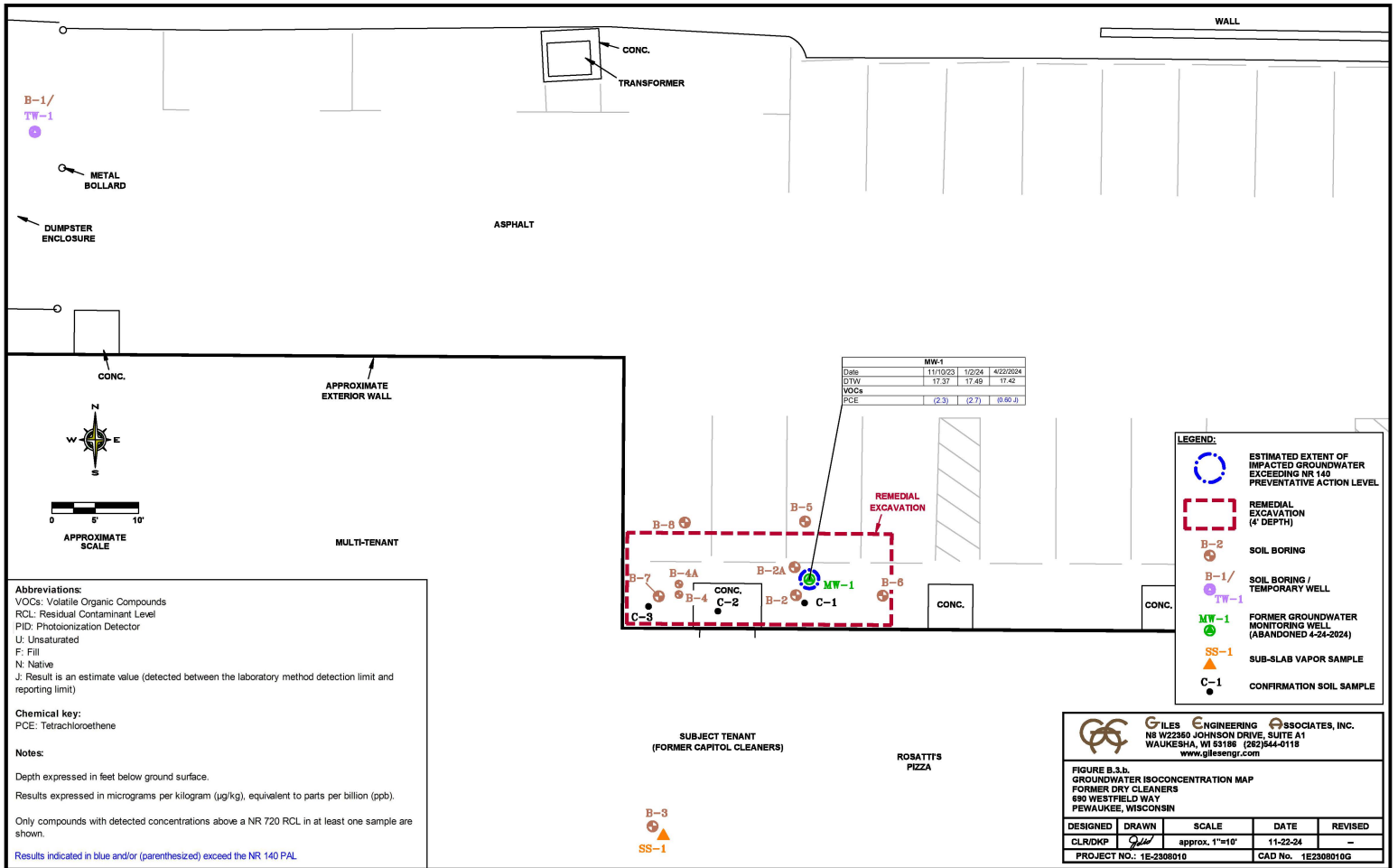
LEGEND:

- REMEDIAL EXCAVATION (4' DEPTH)
- INFERRED EXTENT OF "RESIDUAL" IMPACTED SOIL EXCEEDING NR 720 RCLs FOR SOIL TO GROUNDWATER PATHWAY
- SOIL BORING
- SOIL BORING / TEMPORARY WELL
- FORMER GROUNDWATER MONITORING WELL (ABANDONED 4-24-2024)
- SUB-SLAB VAPOR SAMPLE
- CONFIRMATION SOIL SAMPLE

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 N8 W22350 JOHNSON DRIVE, SUITE A1
 WAUKESHA, WI 53186 (262)544-0118
 www.gilesengr.com

FIGURE B.2h: RESIDUAL SOIL CONTAMINATION MAP FORMER DRY CLEANERS 690 WESTFIELD WAY PEWAUKEE, WISCONSIN

DESIGNED	DRAWN	SCALE	DATE	REVISED
CLRD/KP	[Signature]	approx. 1"=10'	11-23-24	—
PROJECT NO.: 1E-2308016			CAD No.: 1E2308016P	



MW-1			
DWG	11/10/23	1/2/24	4/22/2024
DTW	17.37	17.49	17.42
VOCs			
PCE	(2.3)	(2.7)	(6.60.8)

- LEGEND:**
- ESTIMATED EXTENT OF IMPACTED GROUNDWATER EXCEEDING NR 140 PREVENTATIVE ACTION LEVEL
 - REMEDIAL EXCAVATION (4' DEPTH)
 - B-2 SOIL BORING
 - B-1/ TW-1 SOIL BORING / TEMPORARY WELL
 - MW-1 FORMER GROUNDWATER MONITORING WELL (ABANDONED 4-24-2024)
 - SS-1 SUB-SLAB VAPOR SAMPLE
 - C-1 CONFIRMATION SOIL SAMPLE

Abbreviations:
 VOCs: Volatile Organic Compounds
 RCL: Residual Contaminant Level
 PID: Photoionization Detector
 U: Unsaturated
 F: Fill
 N: Native
 J: Result is an estimate value (detected between the laboratory method detection limit and reporting limit)

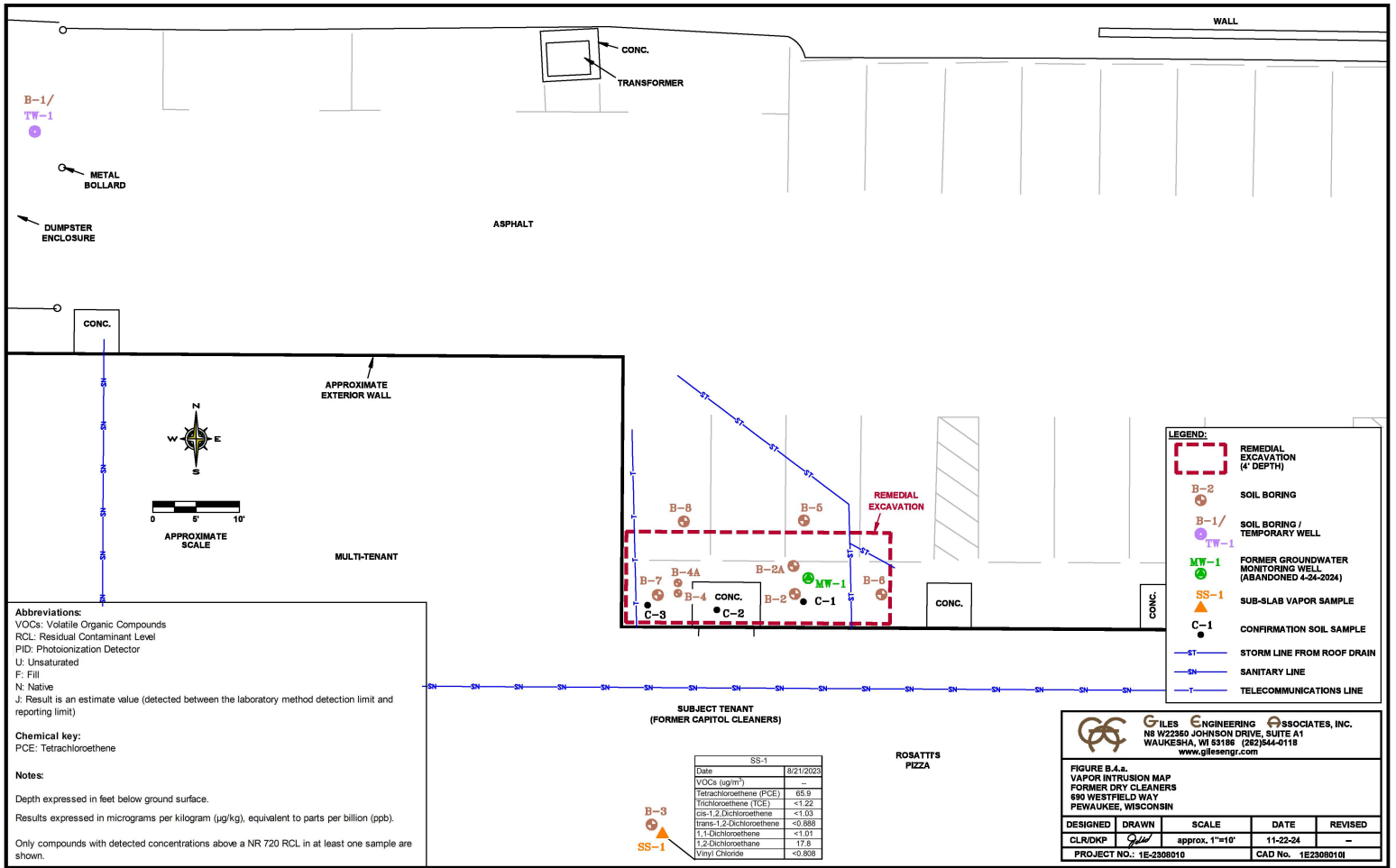
Chemical key:
 PCE: Tetrachloroethene

Notes:
 Depth expressed in feet below ground surface.
 Results expressed in micrograms per kilogram (µg/kg), equivalent to parts per billion (ppb).
 Only compounds with detected concentrations above a NR 720 RCL in at least one sample are shown.
 Results indicated in blue and/or (parenthesized) exceed the NR 140 PAL.

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**FIGURE B.3.b:
 GROUNDWATER ISOCONCENTRATION MAP
 FORMER DRY CLEANERS
 690 WESTFIELD WAY
 PEWAUKEE, WISCONSIN**

DESIGNED	DRAWN	SCALE	DATE	REVISED
CLRD/KP		approx. 1"=10'	11-23-24	-
PROJECT NO.: 1E-2308016			CAD No.: 1E2308016G	



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ROBATTT'S PIZZA

SUBJECT TENANT (FORMER CAPITOL CLEANERS)

MULTI-TENANT

ASPHALT

WALL

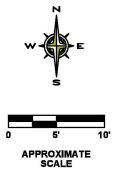
CONC.
TRANSFORMER

B-1/
TW-1
METAL BOLLARD

DUMPSTER ENCLOSURE

CONC.

APPROXIMATE EXTERIOR WALL



REMEDIAL EXCAVATION

B-8 B-5 B-7 B-4A B-2A B-4 B-2 C-1 B-6

CONC.

CONC.

CONC.

SS-1	
Date	8/21/2023
VOCs (µg/m ³)	—
Tetrachloroethene (PCE)	65.9
Trichloroethene (TCE)	<1.22
cis-1,2-Dichloroethene	<1.03
trans-1,2-Dichloroethene	<0.868
1,1-Dichloroethene	<1.01
1,2-Dichloroethane	17.6
Vinyl Chloride	<0.835

B-3
SS-1

Data Tables

Tables that follow are for reference only and were not included in the Department's closure documentation sent to affected parties

Table A.3.
Residual Soil Analytical Results
Former Captial Cleaners/Westfield Way
690 Westfield Way
Pewaukee, Wisconsin 53072
BRRTS Number 02-68-594047
Giles Project Number 1E-2308010

Sample Location	C-1	C-2	C-3	NR 720 RCLs ¹		
				Soil to Groundwater Pathway	Direct Contact Pathway	
Sample Depth (feet bgs)	4'	4'	4'		Non-Industrial Land Use	Industrial Land Use
Sample Date	4/24/24	4/24/24	4/24/24			
Saturated/Unsaturated (S or U)	U	U	U			
Fill/Native (F or N)	F	F	F			
PID (instrument units)	0.2	0.1	0.1			
Detected VOCs (µg/kg)						
1,1-Dichloroethane	<16	<7.7	<15	483	5,060	22,200
1,1-Dichloroethene	<17	<8.6	<17	5.0	320,000	1,190,000
1,2-Dichloroethane	<21	<10	<20	2.8	652	2,870
cis-1,2-Dichloroethene	<14	<6.9	<13	41	156,000	2,340,000
Tetrachloroethene (PCE)	39 J	<3.4	<6.5	4.5	33,000	145,000
trans-1,2-Dichloroethene	<12	<5.9	<11	63	1,560,000	1,850,000
Trichloroethene (TCE)	<14	<6.9	<14	3.6	1,260	8,410
Vinyl chloride	<17	<8.4	<16	0.1	67	2,080

Notes:

¹Wisconsin Administrative Code Natural Resources Chapter (NR) 720 Residual Contaminant Levels (RCLs) obtained from the Wisconsin Department of Natural Resources (WDNR) "RCL spreadsheet", last updated December 2018.

PID: Photoionization Detector

VOCs: Volatile Organic Compounds

µg/kg: Micrograms per kilogram; equivalent to parts per billion (ppb)

-- : Not Analyzed

J: Result is an estimate value (detected between the laboratory method detection limit and reporting limit)

<xx.x: Result detected below the method detection limit of x

xx.x: Bold results exceed the Soil to Groundwater Pathway RCL

Table A.1.
Groundwater Analytical Results
Former Capital Cleaners/Westfield Way
690 Westfield Way
Pewaukee, Wisconsin 53072
BRRTS Number 02-68-594047
Giles Project Number 1E-2308010

Sample Location	MW-1			NR 140 ¹ (µg/L)	
	11/10/23	1/2/24	4/22/24	PAL	ES
Sample Date	11/10/23	1/2/24	4/22/24		
Depth to Water (Ft below TOC)	17.37	17.49	17.42		
Detected VOCs (µg/L)					
1,1-Dichloroethane	--	--	<0.38	85	850
1,1-Dichloroethene	<0.39	<0.39	<0.29	0.7	7
1,2-Dichloroethane	<0.39	<0.39	<0.21	0.5	5
cis-1,2-Dichloroethene	<0.41	<0.41	<0.81	7	70
Tetrachloroethene (PCE)	(2.3)	(2.7)	(0.60 J)	0.5	5
trans-1,2-Dichloroethene	<0.35	<0.35	<0.90	20	100
Trichloroethene (TCE)	<0.16	<0.16	<0.46	0.5	5
Vinyl chloride	<0.20	<0.20	<0.90	0.02	0.2

Notes:

¹Wisconsin Administrative Code Natural Resources Chapter (NR) 140 Public Health Groundwater Quality Standards, updated July 2023

PAL: Preventive Action Limit

ES: Enforcement Standard

TOC: Top of Casing

VOCs: Volatile Organic Compounds

µg/L: Micrograms per Liter; equivalent to parts per billion (ppb)

-- : Not analyzed

<xx.x: Result concentration was detected below the method detection limit of x

(xx.x) : Italic/parenthesized results exceed the NR 140 Preventive Action Limit

Table A.4.
Soil Gas Analytical Results
Former Capital Cleaners/Westfield Way
690 Westfield Way
Pewaukee, Wisconsin 53072
BRRTS Number 02-68-594047
Giles Project Number 1E-2308010

Sample Location	SS-1	Sub-Slab VRSL [^] (µg/m ³)		
		Land Use		
Sample Depth	---	Residential	Small Commercial	Large Commercial / Industrial
Sample Date	8/21/2023			
Detected VOCs (µg/m³)				
1,1-Dichloroethene	<1.01	7,000	29,000	88,000
1,2-Dichloroethane	17.8	36	160	470
cis-1,2-Dichloroethene	<1.03	1,400	5,800	18,000
Tetrachloroethene (PCE)	65.9	1,400	5,800	18,000
trans-1,2-Dichloroethene	<0.888	1,400	5,800	18,000
Trichloroethene (TCE)	<1.22	70	290	880
Vinyl chloride	<0.808	56	930	2,800

Notes:

VRSL: Vapor Risk Screening Level

VOCs: Volatile Organic Compounds

µg/m³: Micrograms per cubic meter

<xx.x: Result concentration was detected below the method detection limit of x

[^]VRSLs were obtained from the Wisconsin Vapor Quick Look-Up Table (July 2024) based on the May 2024 US EPA Regional Screening Levels. VRSLs are based on a Target Risk for Carcinogens of 1×10^{-5} and a Target Hazard Quotient for Non-Carcinogens of 1.