



July 23, 2024

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

Subject: Site Investigation Work Plan Review  
FS Apartments LLC, 147 E. Becher Street, Milwaukee, WI  
BRRTS #02-41-594228, FID #241186880

Dear SR Mills:

The Wisconsin Department of Natural Resources (DNR) received the *NR 716 Site Investigation Work Plan (Oil Sheens)* (Report), prepared by Ramboll US Consulting, Inc. (Ramboll), dated June 4, 2024, for the above-referenced site. The Report was submitted with 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.

### Background

This 9.9-acre site was formerly covered largely by nine buildings that encompassed approximately 170,524 square feet. The site has historically been used for a wide range of storage and industrial manufacturing operations, including but not limited to, engine, sawmill, and woodworking machinery manufacturing. The site is currently being redeveloped into a residential apartment complex with eight multi-family apartment buildings containing 576 apartment units, total. A *Notification of Hazardous Substance Discharge* was submitted to the DNR on March 13, 2024, which indicated that an oil sheen was observed on perched groundwater that infiltrated an excavation performed during site redevelopment. The Report indicates that a total of four sheens (i.e., oil sheen locations 1-4) were observed during redevelopment activities. The Report indicates that potential sources of oil sheen locations 1-3 include the historical uses of the buildings where the sheens were identified and the historical fill that is present across the site. The potential source for oil sheen location 4 is identified as the adjacent former 575-gallon underground storage tank (UST). Another open environmental contamination site exists at the subject property (Beta Becher Acquisition Co LLC Historic Fill, BRRTS #02-41-589088) and the source of contamination for this site is identified as property-wide historical fill material.

### Report Overview

Ramboll states that the purpose of the site investigation work plan is to delineate oil sheen locations 1-4. More specifically, Ramboll proposes the following work in the Report:

1. A total of ten soil borings/temporary groundwater monitoring wells will be advanced and positioned surrounding oil sheen locations 1-4. Sample locations MW-6 and MW-7 will also be used to collect soil and groundwater samples for this site investigation work.

2. Two soil samples will be collected from each sample location. One soil sample will be collected from the direct contact interval (0-4 feet) and the other will be collected from the depth interval exhibiting the greatest evidence of impacts or just above the apparent groundwater table or from the boring terminus if groundwater is not encountered. Soil samples will be laboratory analyzed for volatile organic compounds (VOCs), polycyclic aromatic hydrocarbons (PAHs), metals, and polychlorinated biphenyl (PCBs).
3. Groundwater samples will be collected using low-flow sampling techniques and will be laboratory analyzed for VOCs, PAHs, dissolved metals, and PCBs. The soil borings/temporary wells will be abandoned following groundwater sample collection.

The Report indicates that the proposed monitoring wells will be installed and sampled after the new site grade is complete, likely in July 2024. Ramboll estimates that a Wis. Admin. Code ch. NR 716 site investigation report will be submitted in September 2024.

### Report Review

The DNR provides the following comments on the proposed work:

1. Adjust the proposed sample locations surrounding oil sheen location 1 (TW-15 –TW-17) and oil sheen location 3 (TW-21—TW-23) so they are located closer to the excavations where the sheens were initially observed. More specifically, these sample locations should be placed within the former building footprints, where practicable/applicable, to gather data that is more representative of conditions near the former building operations that are potential sources for the sheens.
2. Add another soil/groundwater sample location to the north of oil sheen location 1.
3. The DNR recommends that Wis. Admin. Code ch. NR 141 compliant groundwater monitoring wells be used to investigate groundwater contamination. If it is not feasible to install NR 141 compliant wells, then filter packs should be included in the temporary well construction to provide more representative groundwater data. Evaluate the results of the groundwater sampling event to determine whether additional groundwater investigation and/or 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).
4. On July 17, 2024, the DNR issued a *Site Investigation Work Plan Review* letter for the Beta Becher Acquisition Co, LLC Historic Fill site (BRRTS #02-41-589088). The July 2024 letter approved the vapor work plan with comments. Perform and submit a vapor screening evaluation that considers the results of the additional investigation work for the subject site. Determine whether additional vapor sampling locations are necessary, in addition to the vapor sampling proposed for the Beta Becher Acquisition Co, LLC Historic Fill site. The DNR recommends that this evaluation occur prior to occupying each building.
  - a. 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.
5. Per Wis. Admin. Code § NR 716.11(5)(a), the field investigation shall include an evaluation of potential preferential pathways for migration of contamination. Future submittals must include this evaluation and should discuss the historical and new utilities, and specifically the potential preferential pathways depicted on Figure 2 of the Report (i.e., drains, catch basins, vaults, and pipes).
6. Future submittals for both the subject site and the Beta Becher Acquisition Co, LLC Historic Fill site must include a discussion of the degree and extent of contamination as it relates to each of the potential sources for each site. 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). The potential source(s)

of oil sheen locations 1-4 must be further evaluated after the additional site investigation data is collected. In this evaluation, discuss the specific historical operations that may be the source of each oil sheen and the potential migration pathways for the identified discharges. In the next submittal, provide photos of oil sheen locations 1-4, if available.

The fill-related environmental contamination will be managed under the Beta Becher Acquisition Co, LLC Historic Fill site. At this time, the environmental contamination related to the historical site operations and the UST will be managed under the FS Apartments LLC site. The DNR will continue to review the forthcoming data to determine whether additional environmental contamination cases may be necessary at the subject property.

7. Per Wis. Admin. Code §§ NR 716.07 and 716.09, an evaluation of potential per- and polyfluoroalkyl substances (PFAS) compounds and other applicable emerging contaminants that were historically or are presently produced, used, handled, or stored at the site must be provided. This evaluation should incorporate the results of the site investigation work proposed for this site and the results of the ongoing PFAS and 1,4-dioxane groundwater investigation at the Beta Becher Acquisition Co LLC Historic Fill site. Discuss whether the source of the identified emerging contaminants is the historical fill or the historical site operations. 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. Future 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.

### Next Steps

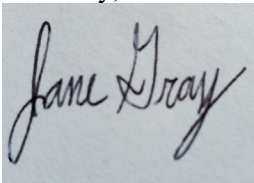
The Report indicates that a supplemental site investigation and remedial action options report will be submitted to the DNR in September 2024. This schedule should be reevaluated based on the new soil and groundwater data and whether additional investigation and/or monitoring is necessary. Proposed development 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), submit a comprehensive site investigation report 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.
3. Per Wis. Admin. Code § NR 722.13(1), submit a remedial action options report within 60 days after submitting the site investigation report. 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. Please note that the DNR has assigned a new project manager to this site. Moving forward, if you have any questions concerning the site or this letter, please contact the new DNR project manager, Linda Stanek, at (414) 316-0208, or by email at [linda.stanek@wisconsin.gov](mailto:linda.stanek@wisconsin.gov).

Sincerely,

A handwritten signature in black ink on a light gray background. The signature reads "Jane K. Gray" in a cursive script.

Jane K. Gray (formerly Pfeiffer)  
Project Manager – Hydrogeologist  
Remediation & Redevelopment Program

cc: Richard Mazurkiewicz, Ramboll, [rmazurkiewicz@ramboll.com](mailto:rmazurkiewicz@ramboll.com) – electronic copy  
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