K P R G

ENVIRONMENTAL CONSULTATION & REMEDIATION

KPRG and Associates, Inc.

RESPONSE TO WDNR E-MAIL CORRESPONDENCE – FRAME PARK APARTMENTS AND TOWNHOUSES

June 24, 2021

Mr. Mark Drews, P.G.
Wisconsin Department of Natural Resources
141 NW Barstow Street, Room 180
Waukesha, WI 53188

VIA E-MAIL and FEDEX

KPRG Project No. 11717

Re: Additional Soil Vapor Intrusion Sampling – Frame Park Apartments and Townhouses
Former Navistar/RMG Foundry - 1401 Perkins Avenue, Waukesha, WI
BRRTS # 02-68-098404

Dear Mr. Drews:

On June 14, 2021, Wisconsin Department of Natural Resources (WDNR) sent an e-mail to Navistar, Inc. (Navistar) and KPRG and Associates, Inc. (KPRG) which included the WDNR review comments regarding soil vapor intrusion sampling (indoor/outdoor air and sub-slab vapor) that was completed by Ramboll Environment and Health (Ramboll) at the newly constructed apartments and townhouses located at 1420 and 1421 White Rock Avenue, respectively, in Waukesha, Wisconsin. Ramboll collected those samples as part of occupancy considerations and eventual sub-slab depressurization system (SSDS) commissioning documentation. On June 17, 2021, WDNR sent Navistar and KPRG a second e-mail which included a response letter from Ramboll, on behalf of their client (Bear Real Estate Group [BREG]) regarding the WDNR request for additional vapor intrusion sampling. The following conclusion was provided by Ramboll:

> "…there are *no additional actions necessary to prevent an imminent threat to human health, safety or welfare or the environment* (Wis. Stat. §§ 292.13(1m)(e) required of the property owner. Any further actions should be directed to the RP (Navistar)."

The direction of any further action to the RP being based on a Third Party Liability Exemption letter issued by WDNR to White Rock MF, LLC (property owner of 1420 and 1421 White Rock Ave.) stating that they are not responsible for the investigation or cleanup of the contamination that originates on the former foundry property and migrates onto their properties.

Although Navistar and KPRG have not obtained or reviewed the documentation provided to WDNR to support the BREG Third Party Liability Exemption request (i.e., whether any soil

samples collected on those properties as part of the real estate transaction process document that there were no other potential source of trichloroethene (TCE) existing on those properties), it is recognized that groundwater impacts associated with past foundry operations do extend to the northwest beneath at least a portion of their properties. With that understanding, KPRG and Navistar are providing these responses to the four items identified in the June 14, 2021 WDNR data review comments provided to BREG. Each comment is addressed separately below.

WDNR Comment 1: It appears that they have implemented the protective measure they proposed. However, they have not submitted detailed design and commissioning consistent with RR800 or NR700. The RP for the contamination should do that. That would typically include much more detailed information on the measures implemented and at least three commissioning events. I'd recommend a second commissioning event be performed during this summer and another in the winter of 2021/2022. The most recent data from Unit 103 of the 1420 property probably indicates the initial result was as they suggest, due to an indoor air source. I'd recommend checking in with Curtis Hedman prior to given them feedback. The additional information collected/submitted during commissioning can be used to better determine how to best operate the 1421 SSDS (passively or actively).

Response: This comment can only be addressed by BREG. Navistar was not involved in the design and construction of the structures or the referenced vapor mitigation systems. Discussions between Ramboll and KPRG indicate however, that the property owner has committed to operate the vapor mitigation system at the 1421 property in an "active" operating mode.

WDNR Comment 2: Ramboll suggests that the mitigation measures be operated on a voluntary basis because the residential VRSL was not exceeded at 1421 and wasn't above the small commercial at 1420. RR800, Section 6.2.1 recommends that for mixed-use buildings that the residential air VAL be used (or provide a rationale for using the Composite Worker Air VAL). Ramboll appears to rely on the lack of residential units on the first floor as justification for using the small commercial VRSL (which is based on the Composite Worker Air VAL). More robust information on the building and mitigation system design and operation would be needed to justify not using the residential VAL.

Response: See response to WDNR Comment 1.

WDNR Comment 3: NR716.11 (5)(g) requires the concentration of vapors sub-slab be determined when site information indicates that vapors may migrate to the foundation of an occupied building. Typically, this would involve at least three sampling rounds (RR800, Table 5c). Only one round of sub-slab samples have been collected. Additional data would have to be collected to verify that the sub-slab concentrations are consistently below the VRSLs. Also, the December 2019 soil gas data collected indicated that residential VRSLs for TCE were exceeded on both properties. Concentrations in soil gas probes from beneath open ground are often not representative of those beneath a building foundation and are typically lower. Although the concentrations were generally lower during the one sub-slab event, the data from the soil gas probes should be considered when determining whether to impose a vapor continuing obligation, unless more recent data suggests that contaminant concentrations are now lower. However, the recent data from MW-15 suggests that the opposite may be occurring. Paving of a surface around

a building can considerably alter (increase) concentrations sub-slab. If additional areas are paved for parking, it could alter the sub-slab concentrations (it wasn't clear if all parking areas had been paved by the time the initial round was collected.)

Response: Navistar will provide the support necessary to complete two additional rounds of indoor and sub-slab vapor sampling to meet the WDNR request for at least three rounds of sampling data. The following is proposed:

- 1421 White Rock – Initial sampling data collected by Ramboll included 8 concurrent indoor air and sub-slab vapor samples. In that it is our understanding that the vapor mitigation system is operating actively at this property, Navistar will collect an additional two rounds of indoor air samples at the same locations as initially collected by Ramboll. One outdoor air sample will be collected concurrently with each sampling event. However, sub-slab sampling will not be completed since as noted above the vapor mitigation system is operating actively. One of the two rounds will be collected during the upcoming winter months.

- 1420 White Rock – Initial sampling data collected by Ramboll included 10 concurrent indoor air and sub-slab vapor samples. The vapor mitigation system at this address is not being operated in an active mode (i.e., currently passive venting). Navistar will collect an additional two rounds of indoor air and sub-slab vapor samples at the same locations as initially collected by Ramboll. One outdoor air sample will be collected concurrently with each sampling event. One of the two rounds will be collected during the upcoming winter months.

At this time discussions are in process to determine whether KPRG will collect these samples on behalf of Navistar or whether the property owner will have Ramboll collect the samples with reimbursement by Navistar.

WDNR Comment 4: Ramboll collected indoor air and sub-slab samples. The vapor samples that KPRG collected from Manholes 19 (960 $\mu g/m^3$) and 21 (153 $\mu g/m^3$) had high enough concentrations of TCE that suggest conduit VI could be an issue in this area. I presume that in new buildings such as these, plumbing is compliant with code and traps are in good condition. However, additional samples collected from the sewer mains and building cleanouts are recommended to determine if conduit VI is a future concern.

Response: The sanitary sewer sampling data referenced by WDNR in this comment was part of a larger study completed by KPRG as part of site investigation work. The results of that sampling were not conclusive regarding a potential source of the TCE vapors in the sewer system except for the fact that TCE was detected at elevated concentrations in nearly all manhole sampling locations. The data were indicative of a ubiquitous TCE vapor issue within the overall sanitary sewer system with no specific distribution trends that would suggest Navistar as the source of these vapors. This is highlighted by the example used by WDNR in this comment. The location of Manhole 19 with the 960 $\mu g/m^3$ concentration was from the intersection of Moreland Ave., Eales Ave. and White Rock Ave., with sanitary flow moving from the north to the south (i.e., from upstream of Navistar

property). There was also a manhole sample collected between the two sample points used in the WDNR comment which had a TCE concentration of 32.1 $\mu g/m^3$. It is also noted that this sanitary sewer line is constructed above the saturated zone within the subject area.

This comment also highlights that the plumbing associated with the new building construction should be complaint with existing code, thereby precluding the plumbing system as a potential source of vapor intrusion back into the buildings. Furthermore, future plumbing maintenance items are believed to be the responsibility of the property owner and not Navistar.

Based on the discussions provided above, Navistar does not propose or intend to complete any additional vapor sampling associated with the sanitary sewer system or the plumbing within the new building construction.

KPRG and Navistar appreciate the cooperative effort with WDNR in completing the required site investigation work associated with the former foundry site. If there are any questions, please contact Ferdinand Alido of Navistar at 331-332-6364 or Richard Gnat of KPRG at 262-781-0475.

Sincerely,
KPRG and Associates, Inc.

Richard R Gnat

Richard R. Gnat, P.G.
Principal

cc: Ferdinand Alido, Navistar, Inc.
Timothy Stohner, P.E., KPRG
Ned Witte, Godfrey & Kahn, S.C.