

Borski, Jennifer - DNR

From: Walden, James E -DNR
Sent: Thursday, June 22, 2023 4:17 PM
To: Jennifer Kanter
Cc: Drews, Mark D - DNR; Hedman, Curtis J - DHS; Langdon, Robert
Subject: Access to sample at 1165 White Rock Avenue
Attachments: Access 1165 White Rock Avenue Waukesha.pdf; 1165 Access agreement.docx; TCE in the Air DHS p02480.pdf; Trichloroethylene ToxFAQs ATSDR.pdf; What is Vapor Intrusion WDNR PUB RR-892.pdf

Hi Jennifer:

I am following up on our conversation yesterday. Attached is the introduction letter and request for access at 1165 White Rock Avenue, the access agreement, and a few related fact sheets. The access agreement sets an end date of January 1, 2024 just to allow some flexibility if follow-up sampling is recommended. However, we expect that this work would be accomplished much sooner, ideally by late summer. Our investigation cannot proceed until after the start of our next fiscal year on July 1 and we have some preliminary work to line up our contractors and get the work on their schedules. I wanted to get this to you sooner to determine if we have access to the property. Based on our conversation yesterday, it is my understanding that the building has a basement with a common area where samples from the building conduits can be collected. Therefore, I have only attached an access agreement for the property owner and not any individual tenants. The intent is to initially collect air samples from plumbing cleanouts and only sample indoor air in the basement if concentrations in the plumbing conduit samples indicate a concern. We anticipate the initial sampling event to occur over a couple of days. The results from this initial sampling would determine recommendations for follow-up. Please contact me if you have any questions. I will be mostly out of the office through July 4th but will be checking my email periodically. Thanks.

Jim

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James Walden

Hydrogeologist, P.G. – Vapor Intrusion Expert
Bureau for Remediation and Redevelopment
Wisconsin Department of Natural Resources
Cell: 608-640-6639

jamese.walden@wisconsin.gov





June 22, 2023

Frame Park Partners LLC
C/O Bieck Management Inc.
Attn: Jennifer Kanter
9800 W. Bluemound Road, Suite 200
Wauwatosa, WI 53226

SUBJECT: Introduction and Request for Property Access - Reply Requested by **July 7, 2023**

Dear Jennifer:

The Wisconsin Department of Natural Resources (DNR) is leading an investigation of environmental contamination in your neighborhood with support from our partners at the Department of Health Services (DHS). The purpose of this letter is to introduce the current understanding of the issue and request permission for DNR to test your property 1165 White Rock Avenue in Waukesha, Wisconsin for the presence of volatile organic compounds (VOCs) including trichloroethene ("TCE"). This testing is part of an on-going investigation and cleanup of TCE migrating from the Navistar International Corp. site at 1401 Perkins Avenue, Waukesha Wisconsin ("the Site").

TCE is a contaminant that is a concern for human health with both short duration (acute) exposure health risks and long-duration (chronic) exposure health risks. Please see the attached fact sheets, *TCE in the Air* from DHS and Trichloroethylene-ToxFAQs by the Agency for Toxic Substances and Disease Registry (ATSDR).

Vapor intrusion is the movement of vapors from chemicals in the soil, groundwater, or utilities into the indoor air. It is very similar to the way that radon gas can move into a home or office. The results from the proposed air sampling will tell us if vapors are present in your building and guide DNR and DHS on next steps. Please see the attached fact sheet, *What Is Vapor Intrusion?* for more information.

Investigation of the Site has occurred since 1992. In 2019, the consultant for Navistar sampled and found high concentrations of TCE in vapor samples collected from within sanitary sewer manholes near your building. No further sampling of the sanitary sewer has been performed. As a result, DNR is contracting with SCS Engineers to perform additional sampling.

Information about the Site is tracked in the DNR's Bureau for Remediation and Remediation Tracking System (BRRTS) on the Web (BOTW) with Activity Name "Navistar International Corp.", BRRTS No. 02-68-098404. Go to dnr.wi.gov and search "BOTW".

The DNR would like to collect air samples from within the plumbing system of your building to determine whether VOCs including TCE may be present and, if so, at what levels. Depending on the VOC concentrations in the plumbing system, DNR may want to collect samples of indoor air. There is no cost to you for this work.

In addition to the requested sampling in your building, you may see technicians collecting samples from the sewers or soil gas in the roadway. These tests will help us determine if TCE is moving through the soil as a vapor and accumulating beneath homes and/or moving through the sanitary sewer and potentially entering buildings through the sewer lines.

Enclosed is an access agreement for your review and signature. To assist our coordination efforts, we request to receive your signed access agreement by **July 7, 2023**. Please send a scanned PDF copy to the DNR at jamese.walden@wisconsin.gov and Robert Langdon at rlangdon@scsengineers.com. Do not modify the access agreement in any way, as it may void the agreement. Once received, Mr. Langdon or a member of his staff will contact you to schedule the sampling.

DNR will continue to share information with you as the work progresses. Contacts are included on the next page for your use.

Sincerely,

A handwritten signature in black ink that reads "Jim Walden". The signature is written in a cursive, flowing style.

Jim Walden
Hydrogeologist - Vapor Intrusion Expert
Remediation & Redevelopment Program

Encl. Fact Sheets:

TCE in the Air (DHS)

Trichloroethylene-ToxFAQs (ATSDR)

What is Vapor Intrusion (DNR PUB RR-892)

Copy: Ferdinand Alido, Navistar, Ferdinand.Alido@Navistar.com

Mark Drews, DNR – Mark.Drews@wisconsin.gov

Curtis Hedman, DHS – Curtis.Hedman@dhs.wisconsin.gov

Robert Langdon, SCS – rlangdon@scsengineers.com

Contacts for Vapor Intrusion Investigation in Waukesha, Wisconsin – July 2023



Vapor Intrusion Investigation Lead – contact for current investigation questions

Jim Walden

Phone: (608) 640-6639

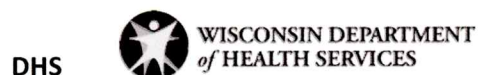
Email: jamese.walden@wisconsin.gov

Overall Project Manager of Site – contact for site discovery or responsibility questions

Mark Drews

Phone: (414) 207-2133

Email: Mark.Drews@wisconsin.gov



Toxicologist – contact for health-related questions

Dr. Curtis Hedman

Phone: 608-266-6677

Email: Curtis.Hedman@dhs.wisconsin.gov

SCS Engineers

Project Manager – contact for logistical coordination

Robert Langdon

Phone: (608) 216-7329

Mobile: (608) 216-3995

Email: rlangdon@scsengineers.com

Wisconsin Department of Natural Resources
ACCESS PERMISSION AGREEMENT

I, _____ hereby give permission to the Wisconsin Department of
(Print Name)
Natural Resources (DNR) and its employees, duly authorized representatives, agents and contractors, to enter
upon and have access at reasonable times to the home/business located at

(ADDRESS) _____

and that is owned by _____.
(Print as Listed on Title/County GIS)

The property is located in the NW ¼, Sec 2, T6N, R19E, Waukesha County, Wisconsin. The access permission is for the following purposes: that the DNR may screen the home/business for vapor migration from trichloroethene located in sanitary sewers, associated with the Navistar International Corp. Site (BRRTS #02-68-098404) located near your property. This permission allows the DNR or its authorized representative to:

- (1) *Collect vapor samples from the plumbing system within the home or business.*
- (2) *Collect, if necessary, indoor air samples within the home or business.*

The permission that is granted shall remain in effect until January 1st 2024 when the vapor screening work is expected to be complete. If an extension is necessary to complete the work, DNR will inform you in writing.

IN WITNESS WHEREOF:

Signature of Property Owner

Date

Print Name

Email Address

Mailing Address

Area Code and Telephone Number

Mail or email correspondence regarding
this site to:

Department of Natural Resources
ATTN: Jim Walden
PO Box 7921
Madison, WI 53707-7921

James.Walden@wisconsin.gov
Phone: 608.640.6639

TCE in the Air

Trichloroethylene (TCE) health effects and actions you can take to protect your home's air

TCE is a man-made chemical used to clean metal in some factories and is found in some household items like paint, spot removers, and varnishes. If spilled, it can stay in the ground for a long time.

Why should I care?

- It can enter your home through cracks in the floor or walls of your basement, and other openings.
- It evaporates quickly and breathing the vapors is not healthy.
- It can cause cancer if you breathe it over a long period of time.

Who has more risk?

Babies whose mother's breathe in TCE while pregnant can have:

- Lower birth weights
- Heart defects
- Nervous or immune system problems

What if TCE is in my community?

If there is a known concern, environmental health professionals will ask to check your home to make sure there is no TCE inside.

They need your permission to drill in your basement and test.

If they find high levels of TCE, they will suggest that you have a special system installed to fix the problem.

Do I have to pay?

The people responsible for the spill will probably have to pay for the testing and any repairs that have to be made.

A "sub-slab mitigation" system moves air from below to outside the house.



What else can I do?

- Wear protective gloves if you use products with TCE (like paint remover).
- Use only small amounts of products containing TCE.
- Use the chemical in well-ventilated areas.
- Do not stay in the room for long periods of time if you can smell the chemical while using it or after using it.

Where can I learn more?

- [Vapor Intrusion 101 \(video\)](https://www.youtube.com/watch?v=izo0QKqCToU):
www.youtube.com/watch?v=izo0QKqCToU
- [Vapor Intrusion Investigation — Information Sheet for Neighbors](https://dnr.wi.gov/files/PDF/pubs/rr/RR067.pdf):
<https://dnr.wi.gov/files/PDF/pubs/rr/RR067.pdf>
- [Why Test for Vapor Intrusion?](https://dnr.wi.gov/files/PDF/pubs/rr/RR953.pdf):
<https://dnr.wi.gov/files/PDF/pubs/rr/RR953.pdf>
- [Mitigation: Protection from Vapor Intrusion](https://dnr.wi.gov/files/PDF/pubs/rr/RR094.pdf):
<https://dnr.wi.gov/files/PDF/pubs/rr/RR094.pdf>



This fact sheet answers the most frequently asked health questions (FAQs) about trichloroethylene. For more information, call the ATSDR Information Center at 1-800-232-4636. This fact sheet is one in a series of summaries about hazardous substances and their health effects. It is important you understand this information because this substance may harm you. The effects of exposure to any hazardous substance depend on the dose, the duration, how you are exposed, personal traits and habits, and whether other chemicals are present.

HIGHLIGHTS: Trichloroethylene is used as a solvent for cleaning metal parts. Exposure to very high concentrations of trichloroethylene can cause dizziness, headaches, sleepiness, incoordination, confusion, nausea, unconsciousness, and even death. Trichloroethylene has been found in at least 1,051 of the 1,854 National Priorities List sites identified by the Environmental Protection Agency (EPA).

What is trichloroethylene?

Trichloroethylene is a colorless, volatile liquid. Liquid trichloroethylene evaporates quickly into the air. It is nonflammable and has a sweet odor.

The two major uses of trichloroethylene are as a solvent to remove grease from metal parts and as a chemical that is used to make other chemicals, especially the refrigerant, HFC-134a.

What happens to trichloroethylene when it enters the environment?

- Trichloroethylene can be released to air, water, and soil at places where it is produced or used.
- Trichloroethylene is broken down quickly in air.
- Trichloroethylene breaks down very slowly in soil and water and is removed mostly through evaporation to air.
- It is expected to remain in groundwater for long time since it is not able to evaporate.
- Trichloroethylene does not build up significantly in plants or animals.

How might I be exposed to trichloroethylene?

- Breathing trichloroethylene in contaminated air.
- Drinking contaminated water.
- Workers at facilities using this substance for metal degreasing are exposed to higher levels of trichloroethylene.
- If you live near such a facility or near a hazardous waste site containing trichloroethylene, you may also have higher exposure to this substance.

How can trichloroethylene affect my health?

Trichloroethylene was once used as an anesthetic for surgery. Exposure to moderate amounts of trichloroethylene may cause headaches, dizziness, and sleepiness; large amounts may cause coma and even death. Eating or breathing high levels of trichloroethylene may damage some of the nerves in the face. Exposure to high levels can also result in changes in the rhythm of the heartbeat, liver damage, and evidence of kidney damage. Skin contact with concentrated solutions of trichloroethylene can cause skin rashes. There is some evidence exposure to trichloroethylene in the work place may cause scleroderma (a systemic autoimmune disease) in some people. Some men occupationally-exposed to trichloroethylene and other chemicals showed decreases in sex drive, sperm quality, and reproductive hormone levels.

How likely is trichloroethylene to cause cancer?

There is strong evidence that trichloroethylene can cause kidney cancer in people and some evidence for trichloroethylene-induced liver cancer and malignant lymphoma. Lifetime exposure to trichloroethylene resulted in increased liver cancer in mice and increased kidney cancer and testicular cancer in rats.

The Department of Health and Human Services (DHHS) considers trichloroethylene to be a known human carcinogen. The International Agency for Research on Cancer (IARC) classified trichloroethylene as carcinogenic to humans. The EPA has characterized trichloroethylene as carcinogenic to humans by all routes of exposure.

Trichloroethylene

CAS # 79-01-6

How can trichloroethylene affect children?

It is not known whether children are more susceptible than adults to the effects of trichloroethylene.

Some human studies indicate that trichloroethylene may cause developmental effects such as spontaneous abortion, congenital heart defects, central nervous system defects, and small birth weight. However, these people were exposed to other chemicals as well.

In some animal studies, exposure to trichloroethylene during development caused decreases in body weight, increases in heart defects, changes to the developing nervous system, and effects on the immune system.

How can families reduce the risk of exposure to trichloroethylene?

- Avoid drinking water from sources that are known to be contaminated with trichloroethylene. Use bottled water if you have concerns about the presence of chemicals in your tap water. You may also contact local drinking water authorities and follow their advice.
- Prevent children from playing in dirt or eating dirt if you live near a waste site that has trichloroethylene.
- Trichloroethylene is used in many industrial products. Follow instructions on product labels to minimize exposure to trichloroethylene.

Is there a medical test to determine whether I've been exposed to trichloroethylene?

Trichloroethylene and its breakdown products (metabolites) can be measured in blood and urine. However, the detection of trichloroethylene or its metabolites cannot predict the kind of health effects that might develop from that exposure. Because trichloroethylene and its metabolites leave the body fairly rapidly, the tests need to be conducted within days after exposure.

Has the federal government made recommendations to protect human health?

The EPA set a maximum contaminant goal (MCL) of 0.005 milligrams per liter (mg/L; 5 ppb) as a national primary drinking standard for trichloroethylene.

The Occupational Safety and Health Administration (OSHA) set a permissible exposure limit (PEL) of 100 ppm for trichloroethylene in air averaged over an 8-hour work day, an acceptable ceiling concentration of 200 ppm provided the 8 hour PEL is not exceeded, and an acceptable maximum peak of 300 ppm for a maximum duration of 5 minutes in any 2 hours.

The National Institute for Occupational Safety and Health (NIOSH) considers trichloroethylene to be a potential occupational carcinogen and established a recommended exposure limit (REL) of 2 ppm (as a 60-minute ceiling) during its use as an anesthetic agent and 25 ppm (as a 10-hour TWA) during all other exposures.

Reference

This ToxFAQs™ information is taken from the 2019 Toxicological Profile for Trichloroethylene produced by the Agency for Toxic Substances and Disease Registry, Public Health Service, U.S. Department of Health and Human Services, Public Health Service in Atlanta, GA.

Where can I get more information?

For more information, contact the Agency for Toxic Substances and Disease Registry, Division of Toxicology and Human Health Sciences, 1600 Clifton Road NE, Mailstop F-57, Atlanta, GA 30329-4027.

Phone: 1-800-232-4636

ToxFAQs™ on the web: www.atsdr.cdc.gov/ToxFAQs

ATSDR can tell you where to find occupational and environmental health clinics. Their specialists can recognize, evaluate, and treat illnesses resulting from exposure to hazardous substances. You can also contact your community or state health or environmental quality department if you have any more questions or concerns.

What is Vapor Intrusion?



Chemicals used in commercial or industrial activities – dry cleaning chemicals, chemical degreasers and petroleum products such as gasoline – are sometimes spilled and leak into nearby soil or groundwater. When this happens, these chemicals may release gases or vapors, which travel from the contaminated groundwater or soil and move into nearby homes or businesses. This is called vapor intrusion.

The process when chemical vapors from contaminated soil or groundwater enter a home or other structure is called vapor intrusion.

Why are these chemical vapors a problem?

The chemicals that cause vapor intrusion are known as volatile organic compounds, or VOCs. Even when spilled into soil or water, these chemicals easily evaporate. They don't cause human health problems when they evaporate into the outside air, but when their vapors move into homes or businesses, they may cause long-term health problems for the people who live or work in those buildings. These vapors are usually odorless and colorless and undetectable without special testing equipment.

Why is vapor intrusion a concern?

Exposure to some chemical gases or vapors can cause an increased risk of adverse health effects. Whether or not a person experiences any health effects depends on several factors, including the amount and length of exposure, the toxicity of the chemical, and the individual's sensitivity to the chemical. When harmful chemical vapor intrusion is the result of environmental contamination, the Wisconsin Department of Natural Resources (DNR) requires that steps be taken to reduce or eliminate exposures which could be harmful to human health.

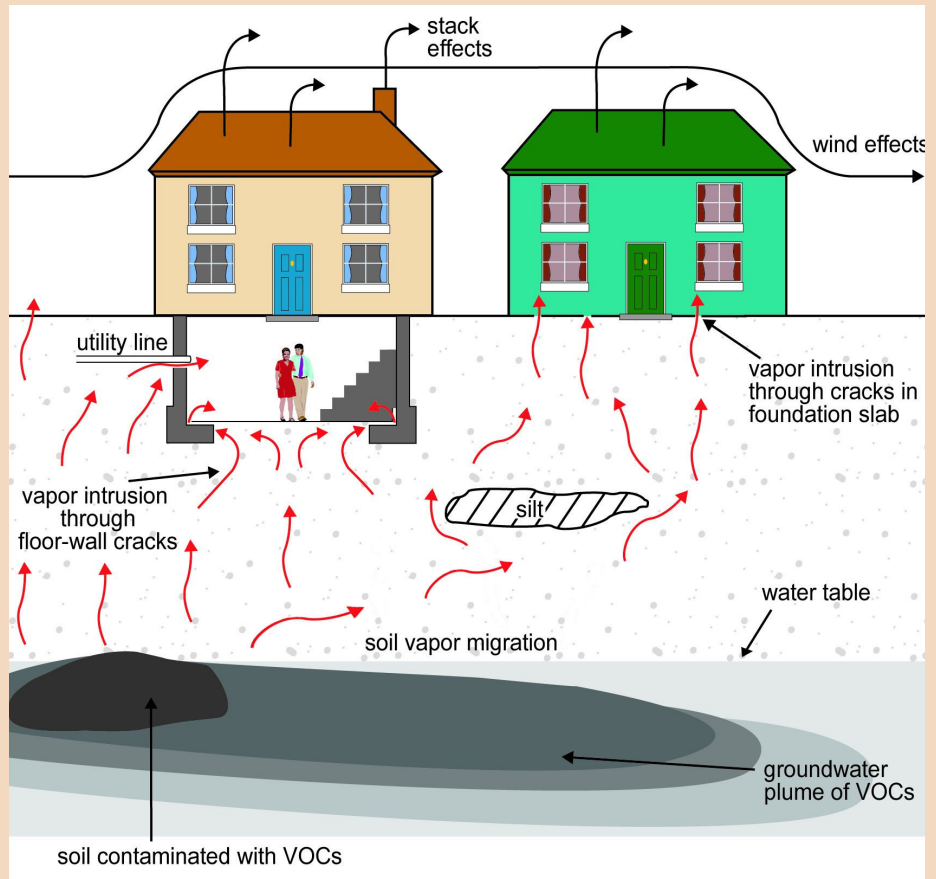
What should I expect if vapor intrusion is suspected near my home or business?

For businesses or other locations where VOC contamination has been found, the DNR requires that the potential for vapor intrusion be investigated. If you live near a site being cleaned up, you may be contacted by the site owner or others working on the cleanup. Your cooperation and consent will be requested before any testing or sampling is conducted on your property. Ask the person contacting you any questions you have about the work being done, or contact the DNR for more information (see DNR contact information on reverse). For more information about testing for vapor intrusion, see DNR-Pub-RR-954, "What to Expect During Vapor Intrusion Sampling."



How Vapors Enter a Building

If you live near a commercial or industrial facility or landfill where VOCs have entered either the soil or groundwater, there may be a potential for those chemicals to travel as vapors into your home or business. Vapors can enter buildings in various ways, including through cracks in the foundation and openings for utility lines. Building ventilation and weather can influence the extent of vapor intrusion.



Adapted from U.S. Environmental Protection Agency (EPA) graphic.
www.epa.gov/oswer/vaporintrusion/basic.html

Where can I find more information?

Health and vapor-related information can be found at the Wisconsin Department of Health Services (DHS) website at dhs.wisconsin.gov, search "Vapor." For other health-related questions, please contact your local health department: www.dhs.wisconsin.gov/localhealth.

For more DNR information, please visit the DNR's Remediation and Redevelopment (RR) Program's Vapor Intrusion page at dnr.wi.gov/topic/Brownfields/Vapor.html.

Additional information can be obtained through the DNR field office in your region. To find the correct office, visit the RR Program Staff Contacts page at dnr.wi.gov/topic/Brownfields/Contact.html or call the RR Program at (608) 266-2111.

This document contains information about certain state statutes and administrative rules but does not necessarily include all of the details found in the statutes and rules. Readers should consult the actual language of the statutes and rules to answer specific questions. The Wisconsin Department of Natural Resources provides equal opportunity in its employment, programs, services, and functions under an Affirmative Action Plan. If you have any questions, please write to Equal Opportunity Office, Department of Interior, Washington, D.C. 20240. This publication is available in alternative format upon request. Please call 608-267-3543 for more information.