Clear Data | Print... | Save...

Note: In order to fill and save this form electronically, it must be opened using Adobe Reader or Acrobat software. Save a copy of the file, open Adobe Reader, select File > Open and browse for the file you saved.

State of Wisconsin

Department of Natural Resources
PO Box 7921, Madison WI 53707-7921

dnr.wi.gov

Technical Assistance, Environmental Liability

Clarification or Post-Closure Modification Request

Notice: Use this form to request **a written response (on agency letterhead)** from the Department of Natural Resources (DNR) regarding technical assistance, a post-closure change to a site, a specialized agreement or liability clarification for Property with known or suspected environmental contamination. A fee will be required as is authorized by s. 292.55, Wis. Stats., and NR 749, Wis. Adm. Code., unless noted in the instructions below. Personal information collected will be used for administrative purposes and may be provided to requesters to the extent required by Wisconsin's Public Records law [ss. 19.31 - 19.39, Wis. Stats.].

Definitions

"Property" refers to the subject Property that is perceived to have been or has been impacted by the discharge of hazardous substances.

"Liability Clarification" refers to a written determination by the Department provided in response to a request made on this form. The response clarifies whether a person is or may become liable for the environmental contamination of a Property, as provided in s. 292.55, Wis. Stats.

"Technical Assistance" refers to the Department's assistance or comments on the planning and implementation of an environmental investigation or environmental cleanup on a Property in response to a request made on this form as provided in s. 292.55, Wis. Stats.

"Post-closure modification" refers to changes to Property boundaries and/or continuing obligations for Properties or sites that received closure letters for which continuing obligations have been applied or where contamination remains. Many, but not all, of these sites are included on the GIS Registry layer of RR Sites Map to provide public notice of residual contamination and continuing obligations.

Select the Correct Form

This from should be used to request the following from the DNR:

- Technical Assistance
- Liability Clarification
- Post-Closure Modifications
- Specialized Agreements (tax cancellation, negotiated agreements, etc.)

Do not use this form if one of the following applies:

- Request for an **off-site liability exemption or clarification** for Property that has been or is perceived to be contaminated by one or more hazardous substances that originated on another Property containing the source of the contamination. Use DNR's Off-Site Liability Exemption and Liability Clarification Application Form 4400-201.
- Submittal of an Environmental Assessment for the **Lender Liability Exemption**, s 292.21, Wis. Stats., **if no response or review by DNR is requested**. Use the Lender Liability Exemption Environmental Assessment Tracking Form 4400-196.
- Request for an **exemption to develop on a historic fill site** or licensed landfill. Use DNR's Form 4400-226 or 4400-226A.
- **Request for closure** for Property where the investigation and cleanup actions are completed. Use DNR's Case Closure - GIS Registry Form 4400-202.

All forms, publications and additional information are available on the internet at: dnr.wi.gov/topic/Brownfields/Pubs.html.

Instructions

1. Complete sections 1, 2, 6 and 7 for all requests. Be sure to provide adequate and complete information.
2. Select the type of assistance requested: Section 3 for technical assistance or post-closure modifications, Section 4 for a written determination or clarification of environmental liabilities; or Section 5 for a specialized agreement.
3. Include the fee payment that is listed in Section 3, 4, or 5, unless you are a "Voluntary Party" enrolled in the Voluntary Party Liability Exemption Program **and** the questions in Section 2 direct otherwise. Information on to whom and where to send the fee is found in Section 8 of this form.
4. Send the completed request, supporting materials and the fee to the appropriate DNR regional office where the Property is located. See the map on the last page of this form. A paper copy of the signed form and all reports and supporting materials shall be sent with an electronic copy of the form and supporting materials on a compact disk. For electronic document submittal requirements see: http://dnr.wi.gov/files/PDF/pubs/rr/RR690.pdf"

The time required for DNR's determination varies depending on the complexity of the site, and the clarity and completeness of the request and supporting documentation.

Section 1. Contact and Recipient Information

Requester Information

This is the person requesting technical assistance or a post-closure modification review, that his or her liability be clarified or a specialized agreement and is identified as the requester in Section 7. DNR will address its response letter to this person.

Last Name	First	MI	Organization/ Business Name		
Jones	Kristin		Newell Operating Company		
Mailing Address			City	State	ZIP Code
6655 Peachtree Dunwoody Road			Atlanta	GA	30328
Phone # (include area code)	Fax # (include area code)		Email		
(770) 418-7822			Kristin.Jones@newellco.com		

The requester listed above: (select all that apply)

- ☐ Is currently the owner
- ☐ Is renting or leasing the Property
- ☐ Is a lender with a mortgagee interest in the Property
- ☐ Is considering selling the Property
- ☐ Is considering acquiring the Property
- ☒ Other. Explain the status of the Property with respect to the applicant:

Newell Operating Company is the former property owner. The City of Manitowoc CDA took ownership in 2016.

Contact Information (to be contacted with questions about this request) ☒ Select if same as requester

Contact Last Name	First	MI	Organization/ Business Name		
Jones	Kristin		Newell Operating Company		
Mailing Address			City	State	ZIP Code
6655 Peachtree Dunwoody Road			Atlanta	GA	30328
Phone # (include area code)	Fax # (include area code)		Email		
(770) 418-7822			Kristin.Jones@newellco.com		

☒ Environmental Consultant (if applicable)

Contact Last Name	First	MI	Organization/ Business Name		
Tarvin	Jeanne		Ramboll Americas Engineering Solutions, Inc.		
Mailing Address			City	State	ZIP Code
234 W. Florida Street, Fifth Floor			Milwaukee	WI	53204
Phone # (include area code)	Fax # (include area code)		Email		
(262) 901-0085			jtarvin@ramboll.com		

☒ Attorney (if applicable)

Contact Last Name	First	MI	Organization/ Business Name		
Sawula	Andrew		ArentFox Schiff LLP		
Mailing Address			City	State	ZIP Code
One Westminster Place, Suite 200			Lake Forest	IL	60045
Phone # (include area code)	Fax # (include area code)		Email		
(847) 295-4336			andrew.sawula@afslaw.com		

☒ Property Owner (if different from requester)

Contact Last Name	First	MI	Organization/ Business Name		
Tegen	Adam		City of Manitowoc Community Development Authority		
Mailing Address			City	State	ZIP Code
900 Quay Street			Manitowoc	WI	54220
Phone # (include area code)	Fax # (include area code)		Email		
(920) 686-6931			ategen@manitowoc.org		

Section 2. Property Information

Property Name	FID No. (if known)
Mirro Plant No. 9 (Former)	436033730

BRRTS No. (if known)	Parcel Identification Number
02-36-545108	05200024600000

Street Address	City	State	ZIP Code
1512 Washington Street	Manitowoc	WI	54220

County	Municipality where the Property is located	Property is composed of:	Property Size Acres
Manitowoc	(●) City ( ) Town ( ) Village of	(●) Single tax parcel ( ) Multiple tax parcels	3.72

1. Is a response needed by a specific date? (e.g., Property closing date) Note: Most requests are completed within 60 days. Please plan accordingly.

(●) No ( ) Yes

Date requested by: _____

Reason:

_____

2. Is the "Requester" enrolled as a Voluntary Party in the Voluntary Party Liability Exemption (VPLE) program?

(●) No. **Include the fee that is required for your request in Section 3, 4 or 5.**

( ) Yes. **Do not include a separate fee.** This request will be billed separately through the VPLE Program.

Fill out the information in Section 3, 4 or 5 which corresponds with the type of request:
Section 3. Technical Assistance or Post-Closure Modifications;
Section 4. Liability Clarification; or Section 5. Specialized Agreement.

Section 3. Request for Technical Assistance or Post-Closure Modification

Select the type of technical assistance requested: [**Numbers in brackets are for WI DNR Use]**

- [ ] No Further Action Letter (NFA) (Immediate Actions) - NR 708.09, [183] - Include a fee of $350. Use for a written response to an immediate action after a discharge of a hazardous substance occurs. Generally, these are for a one-time spill event.
- [x] Review of Site Investigation Work Plan - NR 716.09, [135] - **Include a fee of $700.**
- [ ] Review of Site Investigation Report - NR 716.15, [137] - **Include a fee of $1050.**
- [ ] Approval of a Site-Specific Soil Cleanup Standard - NR 720.10 or 12, [67] - **Include a fee of $1050.**
- [ ] Review of a Remedial Action Options Report - NR 722.13, [143] - **Include a fee of $1050.**
- [ ] Review of a Remedial Action Design Report - NR 724.09, [148] - **Include a fee of $1050.**
- [ ] Review of a Remedial Action Documentation Report - NR 724.15, [152] - **Include a fee of $350**
- [ ] Review of a Long-term Monitoring Plan - NR 724.17, [25] - **Include a fee of $425.**
- [ ] Review of an Operation and Maintenance Plan - NR 724.13, [192] - **Include a fee of $425.**

Other Technical Assistance - s. 292.55, Wis. Stats. [97] (For request to build on an abandoned landfill use Form 4400-226)

- [ ] Schedule a Technical Assistance Meeting - **Include a fee of $700.**
- [ ] Hazardous Waste Determination - **Include a fee of $700.**
- [ ] Other Technical Assistance - **Include a fee of $700.** Explain your request in an attachment.

Post-Closure Modifications - NR 727, [181]

- [ ] Post-Closure Modifications: Modification to Property boundaries and/or continuing obligations of a closed site or Property; sites may be on the GIS Registry. This also includes removal of a site or Property from the GIS Registry. **Include a fee of $1050, and:**
  - [ ] Include a fee of $300 for sites with residual soil contamination; and
  - [ ] Include a fee of $350 for sites with residual groundwater contamination, monitoring wells or for vapor intrusion continuing obligations.

Attach a description of the changes you are proposing, and documentation as to why the changes are needed (if the change to a Property, site or continuing obligation will result in revised maps, maintenance plans or photographs, those documents may be submitted later in the approval process, on a case-by-case basis).

☒ **Skip Sections 4 and 5 if the technical assistance you are requesting is listed above and complete Sections 6 and 7 of this form.**

Section 4. Request for Liability Clarification

Select the type of liability clarification requested. Use the available space given or attach information, explanations, or specific questions that you need answered in DNR's reply. Complete Sections 6 and 7 of this form. **[Numbers in brackets are for DNR Use]**

☐ "Lender" liability exemption clarification - s. 292.21, Wis. Stats. [686]

❖ **Include a fee of $700.**

Provide the following documentation:

(1) ownership status of the real Property, and/or the personal Property and fixtures;

(2) an environmental assessment, in accordance with s. 292.21, Wis. Stats.;

(3) the date the environmental assessment was conducted by the lender;

(4) the date of the Property acquisition; for foreclosure actions, include a copy of the signed and dated court order confirming the sheriff's sale.

(5) documentation showing how the Property was acquired and the steps followed under the appropriate state statutes.

(6) a copy of the Property deed with the correct legal description; and,

(7) the Lender Liability Exemption Environmental Assessment Tracking Form (Form 4400-196).

(8) If no sampling was done, please provide reasoning as to why it was **not** conducted. Include this either in the accompanying environmental assessment or as an attachment to this form, and cite language in s. 292. 21(1)(c)2.,h.-i., Wis. Stats.:

h. The collection and analysis of representative samples of soil or other materials in the ground that are suspected of being contaminated based on observations made during a visual inspection of the real Property or based on aerial photographs, or other information available to the lender, including stained or discolored soil or other materials in the ground and including soil or materials in the ground in areas with dead or distressed vegetation. The collection and analysis shall identify contaminants in the soil or other materials in the ground and shall quantify concentrations.

i. The collection and analysis of representative samples of unknown wastes or potentially hazardous substances found on the real Property and the determination of concentrations of hazardous waste and hazardous substances found in tanks, drums or other containers or in piles or lagoons on the real Property.

☐ "Representative" liability exemption clarification (e.g. trustees, receivers, etc.) - s. 292.21, Wis. Stats. [686]

❖ **Include a fee of $700.**

Provide the following documentation:

(1) ownership status of the Property;

(2) the date of Property acquisition by the representative;

(3) the means by which the Property was acquired;

(4) documentation that the representative has no beneficial interest in any entity that owns, possesses, or controls the Property;

(5) documentation that the representative has not caused any discharge of a hazardous substance on the Property; and

(6) a copy of the Property deed with the correct legal description.

☐ Clarification of local governmental unit (LGU) liability exemption at sites with: (select all that apply)

☐ hazardous substances spills - s. 292.11(9)(e), Wis. Stats. [649];

☐ Perceived environmental contamination - [649];

☐ hazardous waste - s. 292.24 (2), Wis. Stats. [649]; and/or

☐ solid waste - s. 292.23 (2), Wis. Stats. [649].

❖ **Include a fee of $700, a summary of the environmental liability clarification being requested, and the following:**

(1) clear supporting documentation showing the acquisition method used, and the steps followed under the appropriate state statute(s).

(2) current and proposed ownership status of the Property;

(3) date and means by which the Property was acquired by the LGU, where applicable;

(4) a map and the ¼, ¼ section location of the Property;

(5) summary of current uses of the Property;

(6) intended or potential use(s) of the Property;

(7) descriptions of other investigations that have taken place on the Property; and

(8) (for solid waste clarifications) a summary of the license history of the facility.

Section 4. Request for Liability Clarification (cont.)

☐ Lease liability clarification - s. 292.55, Wis. Stats. [646]

❖ **Include a fee of $700 for a single Property, or $1400 for multiple Properties and the information listed below:**

(1) a copy of the proposed lease;

(2) the name of the current owner of the Property and the person who will lease the Property;

(3) a description of the lease holder's association with any persons who have possession, control, or caused a discharge of a hazardous substance on the Property;

(4) map(s) showing the Property location and any suspected or known sources of contamination detected on the Property;

(5) a description of the intended use of the Property by the lease holder, with reference to the maps to indicate which areas will be used. Explain how the use will not interfere with any future investigation or cleanup at the Property; and

(6) all reports or investigations (e.g. Phase I and Phase II Environmental Assessments and/or Site Investigation Reports conducted under s. NR 716, Wis. Adm. Code) that identify areas of the Property where a discharge has occurred.

General or other environmental liability clarification - s. 292.55, Wis. Stats. [682] - Explain your request below.

❖ **Include a fee of $700 and an adequate summary of relevant environmental work to date.**

☐ No Action Required (NAR) - NR 716.05, [682]

❖ **Include a fee of $700.**

Use where an environmental discharge has or has not occurred, and applicant wants a DNR determination that no further assessment or clean-up work is required. Usually this is requested after a Phase I and Phase II environmental assessment has been conducted; the assessment reports should be submitted with this form. This is not a closure letter.

☐ Clarify the liability associated with a "closed" Property - s. 292.55, Wis. Stats. [682]

❖ **Include a fee of $700.**

- Include a copy of any closure documents if a state agency other than DNR approved the closure.

Use this space or attach additional sheets to provide necessary information, explanations or specific questions to be answered by the DNR.

Section 5. Request for a Specialized Agreement

Select the type of agreement needed. Include the appropriate draft agreements and supporting materials. Complete Sections 6 and 7 of this form. More information and model draft agreements are available at: dnr.wi.gov/topic/Brownfields/lgu.html#tabx4.

☐ Tax cancellation agreement - s. 75.105(2)(d), Wis. Stats. [654]

❖ **Include a fee of $700, and the information listed below:**

(1) Phase I and II Environmental Site Assessment Reports,

(2) a copy of the Property deed with the correct legal description.

☐ Agreement for assignment of tax foreclosure judgement - s.75.106, Wis. Stats. [666]

❖ **Include a fee of $700, and the information listed below:**

(1) Phase I and II Environmental Site Assessment Reports,

(2) a copy of the Property deed with the correct legal description.

☐ Negotiated agreement - Enforceable contract for non-emergency remediation - s. 292.11(7)(d) and (e), Wis. Stats. [630]

❖ **Include a fee of $1400, and the information listed below:**

(1) a draft schedule for remediation; and,

(2) the name, mailing address, phone and email for each party to the agreement.

Section 6. Other Information Submitted

Identify all materials that are included with this request.

Send both a paper copy of the signed form and all reports and supporting materials, and an electronic copy of the form and all reports, including Environmental Site Assessment Reports, and supporting materials on a compact disk.

Include one copy of any document from any state agency files that you want the Department to review as part of this request. The person submitting this request is responsible for contacting other state agencies to obtain appropriate reports or information.

- ☐ Phase I Environmental Site Assessment Report - Date: _____
- ☐ Phase II Environmental Site Assessment Report - Date: _____
- ☐ Legal Description of Property (required for all liability requests and specialized agreements)
- ☐ Map of the Property (required for all liability requests and specialized agreements)

Analytical results of the following sampled media: Select all that apply and include date of collection.

☐ Groundwater ☐ Soil ☐ Sediment ☐ Other medium - Describe: _____

Date of Collection: _____

- ☐ A copy of the closure letter and submittal materials
- ☐ Draft tax cancellation agreement
- ☐ Draft agreement for assignment of tax foreclosure judgment
- ☒ Other report(s) or information - Describe: NR 716 Site Investigation Work Plan, dated October 2024

For Property with newly identified discharges of hazardous substances only: Has a notification of a discharge of a hazardous substance been sent to the DNR as required by s. NR 706.05(1)(b), Wis. Adm. Code?

- ◯ Yes - Date (if known): _____
- ◯ No

Note: The Notification for Hazardous Substance Discharge Form - Non-Emergency Only (Form 4400-225) is accessible through the RR Program Submittal Portal application. Directions for using the form and the Submittal Portal application are available on the Submittal Portal web page.

Section 7. Certification by the Person who completed this form

- ☐ I am the person submitting this request (requester)
- ☒ I prepared this request for: Newell Operating Company
  Requester Name

I certify that I am familiar with the information submitted on this request, and that the information on and included with this request is true, accurate and complete to the best of my knowledge. I also certify I have the legal authority and the applicant's permission to make this request.

Jeanne M. Ta	October 15, 2024
Signature	Date Signed
E&H Americas Country Market Director	(262) 901-0085
Title	Telephone Number (include area code)

Section 8. DNR Contacts and Addresses for Request Submittals

Send or deliver one paper copy and one electronic copy on a compact disk of the completed request, supporting materials, and fee to the region where the property is located to the address below. Contact a DNR regional brownfields specialist with any questions about this form or a specific situation involving a contaminated property. For electronic document submittal requirements see: http://dnr.wi.gov/files/PDF/pubs/rr/RR690.pdf.

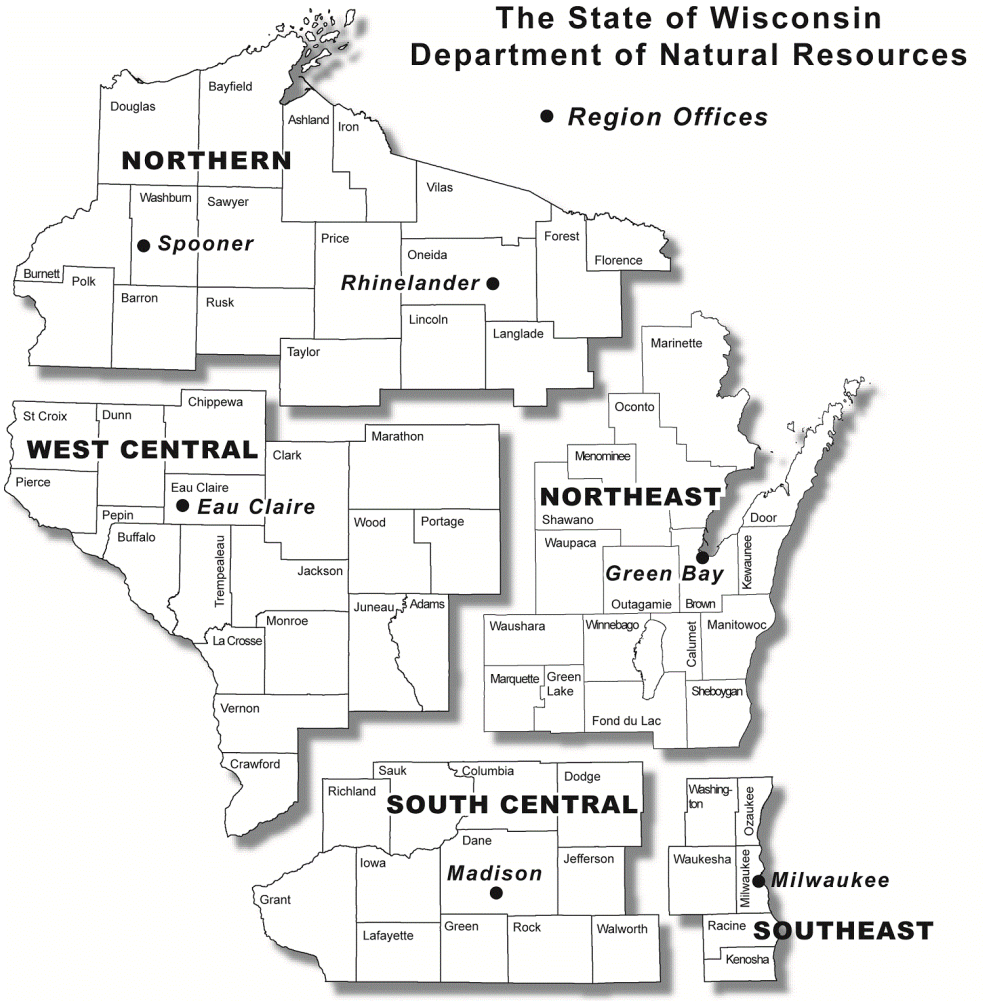
DNR NORTHERN REGION
Attn: RR Program Assistant
Department of Natural Resources
223 E Steinfest Rd Antigo, WI 54409

DNR NORTHEAST REGION
Attn: RR Program Assistant
Department of Natural Resources
2984 Shawano Avenue
Green Bay WI 54313

DNR SOUTH CENTRAL REGION
Attn: RR Program Assistant
Department of Natural Resources
3911 Fish Hatchery Road
Fitchburg WI 53711

DNR SOUTHEAST REGION
Attn: RR Program Assistant
Milwaukee DNR Office
1027 West St. Paul Ave
Milwaukee WI 53233

DNR WEST CENTRAL REGION
Attn: RR Program Assistant
Department of Natural Resources
1300 Clairemont Ave.
Eau Claire WI 54702



Note: These are the Remediation and Redevelopment Program's designated regions. Other DNR program regional boundaries may be different.

DNR Use Only			
Date Received	Date Assigned	BRRTS Activity Code	BRRTS No. (if used)
DNR Reviewer		Comments	
Fee Enclosed? ◯ Yes ◯ No	Fee Amount $	Date Additional Information Requested	Date Requested for DNR Response Letter
Date Approved	Final Determination		

ENVIRONMENT
& HEALTH

Sent via E-Mail and WAMS

Mr. Tauren Beggs
Remediation and Redevelopment Program
Wisconsin Department of Natural Resources
2984 Shawano Avenue
Green Bay, WI 54313-6727

NR 716 ADDITIONAL SITE INVESTIGATION WORK PLAN
MIRRO PLANT NO. 9 (FORMER)
1512 WASHINGTON STREET, MANITOWOC, WISCONSIN
WDNR BRRTS NO. 02-36-545108 | FID NO. 436033730

October 15, 2024

Ramboll
234 W. Florida Street
Fifth Floor
Milwaukee, WI 53204
USA

T +1 414 837 3607
F +1 414 837 3608
https://ramboll.com

Ref. 1690019647

Dear Mr. Beggs:

Ramboll Americas Engineering Solutions, Inc. (Ramboll), on behalf of Newell Operating Company (NOC), has prepared this Wisconsin Administrative Code (WAC) NR 716 *Additional Site Investigation Work Plan* ("Work Plan") to conduct additional investigation activities to further evaluate the nature and extent of impacts identified at the former Mirro Plant No. 9 facility located at 1512 Washington Street in Manitowoc, Wisconsin (the "facility" or "site"). This Work Plan has been prepared to address the comments provided by the Wisconsin Department of Natural Resources (WDNR) in their August 19, 2024, email titled, *Response to June 2024 Response to WNDR [sic] Comments Letter*.

This Work Plan has been prepared in accordance with WAC NR 716 and relies on site information and standard practices included in the previously WDNR-approved WAC NR 716 *Site Investigation Work Plan*, dated October 13, 2020 (the "2020 SIWP"), and the WAC NR 716 *Additional Site Investigation Work Plan*, dated June 3, 2022 (the "2022 SIWP"). This Work Plan proposes additional investigation approach and focuses on specific methodology and objectives for continued investigation of contamination in affected environmental media at the site.

BACKGROUND

The 3.72-acre site is currently owned by the City of Manitowoc (the "City") Community Development Authority (CDA) and is located at 1512 Washington Street in the City of Manitowoc, Manitowoc County, Wisconsin (Figure 1). The site is located in the southwest ¼ of the northeast ¼ of Section 30, Township 19 North, Range 24 East. The WTM91 coordinates obtained from the WDNR RR Sites Map are as follows: X Coordinate (WTM91) 706645 and Y Coordinate (WTM91) 404510. The site layout is presented in Figure 2.

The southern portion of the site is zoned residential-multifamily (R-6), and the northern portion is zoned heavy industrial (I-2). The site is bordered to the east by South 15th Street, to the north by Franklin Street, to the west by South 16th Street, and to the south by Washington Street. The surrounding land use types are a mixture of residences and commercial property to the east, industrial properties to the north and west, and a first-floor commercial property with second floor apartments to the south.

The site parcel is currently vacant and is enclosed by concrete barricades and security fencing along the perimeter to prohibit site access. The above-grade structures that were once present on the site were demolished in various phases beginning in 2006. The ground surface of the site currently consists of portions of remaining concrete slabs, gravel, and limited areas of exposed soil. Additional information on historical use of the site and previously demolished facility structures is described in the 2020 SIWP, 2022 SIWP, and *Site Investigation Report Addendum*, dated February 7, 2024 ("2024 SIR Addendum").

In November 2023, the City's environmental consultant submitted a United States Environmental Protection Agency (USEPA) brownfield cleanup grant application to facilitate redevelopment of the southern portion of the property. In May 2024, the USEPA awarded the City a brownfield cleanup grant for the 2024 fiscal year[1]. Based on communications[2] available on the WDNR Bureau for Remediation and Redevelopment Tracking System (BRRTS) database, the City's environmental consultant has initiated work related to the delineation of impacted soils to facilitate redevelopment; however, the progress of these activities is not known to Ramboll at this time.

Involved Parties

Site Owner:	City of Manitowoc CDA 900 Quay Street Manitowoc, WI 54220 Contact: Adam Tegen, (920)686-6931, ategen@manitowoc.org
Owner Consultant:	Stantec Consulting Services Inc. 12075 Corporate Parkway, Suite 200 Mequon, WI 53092 Contact: Harris L. Byers, (262) 643-9174, harris.byers@stantec.com
Former Owner/Operator:	Newell Operating Company (as successor to the environmental liability of former owner/operator Mirro Aluminum Company) 6655 Peachtree Dunwoody Road Atlanta, GA 30328 Contact: Kristin Jones, (770) 418-7822, Kristin.Jones@newellco.com
Newell's Consultant:	Ramboll Americas Engineering Solutions, Inc. 234 W. Florida Street, Fifth Floor Milwaukee, WI 53204 Contact: Jeanne Tarvin, (262) 901-0085, jtarvin@ramboll.com
Agency:	Wisconsin Department of Natural Resources 2984 Shawano Avenue Green Bay, WI 54313-6727 Contact: Tauren Beggs, (920) 510-3472, tauren.Beggs@wisconsin.gov

Prior owners who are not participating in site investigation activities include Union Street Partners, LLC; EJ Spirtas Manitowoc, LLC (EJ Spirtas); Mirro Building LLC; and Kenneth J. Lemberger, Sr.

[1] WDNR, June 7, 2024. Addendum to State Acknowledgement Letter for City of Manitowoc CDA FY24 EPA Brownfield Cleanup Grant Award. https://apps.dnr.wi.gov/botw/GetActivityDetail.do?dsn=545108&siteId=574700&crumb=1

[2] USEPA, August 13, 2024. Project Update and Request for Concurrence on Management/Disposal of Excavated PCB-Impacted Soils – Former Mirro Facility (Manitowoc, Wisconsin). https://apps.dnr.wi.gov/botw/GetActivityDetail.do?dsn=545108&siteId=574700&crumb=1

Regulatory Status and Prior Investigation

Numerous Phase I and Phase II Environmental Site Assessments (ESA) and site investigations have been conducted for the BRRTS cases within the site, including six closed BRRTS cases for leaking underground storage tank (LUST) and historic spill incidents. One open BRRTS case (BRRTS No. 02-36-545108) remains for the site and is the subject of the ongoing investigation activities currently taking place at the site. Site investigation activities have documented soil and groundwater impacts at the site, along with two isolated light non-aqueous phase liquid (LNAPL) areas. More recent site investigation activities conducted by Ramboll have been ongoing since 2020.

To date, more than 300 soil and 150 groundwater samples have been collected both on and off site to evaluate known and suspected areas of potential impacts. Compounds of concern evaluated during the multiple phases of investigation have included PCBs, volatile organic compounds (VOCs), polycyclic aromatic hydrocarbons (PAHs), various metals, and, since 2018, per- and polyfluoroalkyl substances (PFAS).

Previous investigation activities documented the presence of urban fill (gravel and reworked fine sand/silt) generally extending to depths of 4 to 10 feet below ground surface (bgs). The native deposits beneath the fill consist of sand with silt that are underlain by interbedded silty clays, clays, and occasional gravels. On-site shallow and deep groundwater flow is generally to the north and/or northeast towards the Manitowoc River. Off-site shallow groundwater flow to the north of the site (based on monitoring well MW-226 located off site and to the northeast of the site) indicates a component of groundwater flow to the south that appears influenced by the nearby underground storm water tunnel (former Sherman Creek).

Additional details on prior investigation completed by Ramboll and site conditions have been documented in prior submittals and are available in the WDNR BRRTS case file.

PURPOSE

The objective for the additional site investigation activities is to further evaluate the following in accordance with WAC NR 716:

- hydrogeology of the shallow aquifer immediately downgradient of the site;
- temporal and seasonal groundwater concentrations of potential chemicals of concern (COCs); and
- potential for a vapor pathway near SB-209/MW-209.

The results from the work outlined above will be presented in a WAC NR 716 *Additional Site Investigation Report Addendum*. The information gathered will also be used to further identify and evaluate potential remedial action options in accordance with WAC NR 722.

ADDITIONAL SITE INVESTIGATION WORK PLAN METHODOLOGY

The following section presents a description of the work to be completed during the additional site investigation activities. The contents of this section were prepared in accordance with WAC NR 716 and the previously WDNR-approved site investigation work plans (2020 SIWP and 2022 SIWP).

Prior to conducting intrusive activities, utility mark-outs will be coordinated through Diggers Hotline. To identify subsurface utilities and confirm their location prior to initiating any intrusive work, Ramboll will contract with a private utility locator to complete geophysical surveys (e.g., using ground penetrating radar) of the areas where subsurface investigation activities will occur. Proposed sampling locations may be relocated to avoid subsurface and overhead utilities or voids, as appropriate.

Prior to commencing field activities, a previously completed site-specific Health and Safety Plan (HASP) for the site will be updated as necessary and reviewed with all field personnel.

Off-Site Monitoring Well Installation

One off-site soil boring will be advanced to approximately 15 feet bgs and converted to a WAC NR 141 groundwater monitoring well. The proposed location was selected to further evaluate hydrogeologically downgradient shallow groundwater flow and concentrations of PFAS in groundwater. The proposed location is shown on Figure 3. The proposed location can be generally described as at the southwestern corner of the intersection of South 14th Street and Franklin Street, downgradient of AMEC MW-15, and near the Sherman Creek storm water feature. The installation will require access in the right-of-way (ROW) immediately west of 14th Street. The ROW access will be secured from the City of Manitowoc prior to the installation. The proposed location is within a landscaped area adjacent to a parcel owned by Maritime Investments LLP. Ramboll will contact the parcel owner to coordinate the installation location with landscape activities.

Advancement of the boring and subsequent monitoring well installation will be completed in accordance with WAC NR 141 and the standard practices outlined in Section 4.2 of the 2022 SIWP.

Revised Groundwater Monitoring Program

Groundwater monitoring has been conducted for evaluation of the groundwater flow, LNAPL thickness, and analytical concentration trends. Ramboll has conducted groundwater monitoring of the existing monitoring well network since 2020 with more than 150 samples collected. The groundwater monitoring program conducted through 2023 is described in the 2024 SIR Addendum. Based on the evaluation of the data collected to date, the quantity of monitoring wells in the groundwater monitoring program has been reduced. The reduced sampling schedule and analysis by well location is provided in Table 1.

Based on the anticipated environmental site activities proposed by the City (i.e., USEPA brownfield grant work), monitoring wells located near or within the City identified redevelopment area have been identified for abandonment by Stantec. Monitoring wells not present or accessible during each groundwater sampling event will be documented in the *Additional Site Investigation Report Addendum.*

After the installation of the downgradient monitoring well, the anticipated monitoring well network will consist of 49 WAC NR 141-compliant groundwater monitoring wells and five piezometer wells as shown on Figure 3. Groundwater elevations will be measured at all well locations during each groundwater monitoring event. Select laboratory analysis will be collected from specific groundwater monitoring wells during each sampling event. A total of 20 monitoring wells or piezometers that were previously sampled for laboratory analysis have been removed from the sampling events, a majority of which are located within the interior of the site with other monitoring wells located beyond, or along, the site perimeter. Additionally, specific analytes have been eliminated from the monitoring program based on the stability illustrated from the sampling data collected to date. All wells will be evaluated, and conditions will be documented during routine groundwater monitoring events.

Groundwater elevation measurements, LNAPL monitoring, and sampling methodology for each groundwater sampling event will be conducted in accordance with the procedures described in Sections 4.3.2 and 4.3.2 of the approved 2022 SIWP. The groundwater samples will be analyzed for one or more of the following analytes as indicated on Table 1 using the following analytical methods:

- VOCs (USEPA Method 8260B);
- Dissolved Antimony (USEPA Method 6020A); and

- PFAS (State of Wisconsin list of 33 analytes, Modified USEPA Method 537).

The groundwater samples will be submitted to Eurofins TestAmerica (Eurofins), a Wisconsin certified laboratory located in University Park, Illinois (Chicago) and Sacramento, California.

Soil Vapor Sampling

Two soil vapor sampling points will be installed within the vicinity of MW-209 for further evaluation of potential risk for vapor intrusion to the nearby building located west of the site. One sampling point (SV-1) will be installed approximately 10 feet directly east of MW-209, towards the interior of the site, and the second sampling point (SV-2) will be installed directly west of MW-209 as close to the site boundary as possible without impacting the adjoining City of Manitowoc sidewalk. Soil vapor sampling rods will be installed via direct push method through the existing site surface concrete, estimated to be approximately 6 to 8 inches thick. A 6-inch vapor implant will be installed at least 3 feet below ground surface (bgs) and above the highest groundwater elevation based on MW-209 with tubing attached. Water table depths at MW-209 have fluctuated between 7.06 (May 2021) to 7.81 feet bgs (October 2022) during recent sampling events. Sand filter pack will be installed up to 3 feet bgs with hydrated bentonite up to 0.5 feet bgs with flush mounted covers installed and sealed within the existing concrete to prevent air from entering around the probe rods. The installed vapor probe rods will be installed, and leak checked in accordance with Ramboll Field Guidance Document (FGD) No. 9.03 *Installation of Soil Gas Sampling Probes* and purged of three volumes prior to collection of the soil vapor sample.

A soil vapor sample will be collected from each probe location using a 1-liter individually certified clean Summa canister fitted with a flow controller regulating the flow rates to approximately 100 to 200 milliliters per minute. Sampling procedures and quality control measures will be implemented during the sampling as outlined in the Ramboll FGD No. 9.01 *Soil Gas and Sub-Slab Soil Gas Sampling*. Each Summa canister will be submitted for analysis under chain-of-custody procedures to Pace Analytical Services, Inc. (Pace), a Wisconsin-certified laboratory. The samples will be analyzed for the CVOCs and PVOCs, using USEPA Method TO-15.

The soil vapor sampling points will remain in place following initial sampling. Ramboll will evaluate the collected data results and determine if subsequent additional sampling events will be conducted.

IDW MANAGEMENT

Soil cuttings, purge water, and/or decontamination water generated during site activities will be containerized in individual 55-gallon drums and labeled. The drums will be staged on site at an approved, accessible location designated by the Manitowoc CDA. Representative waste characterization samples will be collected from the drums and submitted to a Wisconsin-certified laboratory, for Protocol B and PFAS analyses.

Waste profile(s) will be completed and submitted to a waste disposal company for transportation and disposal at a licensed waste facility. Waste disposal documentation will be provided in a WAC NR 716 *Additional Site Investigation Report Addendum*.

REPORTING

Sixty days following the substantial completion of the additional site investigation activities, a letter report will be prepared, documenting the methodology, results, and interpretations of the field and laboratory data. The letter report will be prepared as an addendum to the 2024 SIR Addendum.

In accordance with WAC NR 716.14, Ramboll will prepare brief notification letters with sampling results to the WDNR and the appropriate property owners after receipt of the laboratory analytical report. Due to the time and data validation required for completing a quality assurance review of the PFAS data, we request a 15-day modification to the WAC NR 716.14 schedule.

IMPLEMENTATION SCHEDULE

The field investigation activities will be initiated within 60 days following receipt of WDNR approval of this Work Plan. A preliminary schedule for the primary investigation tasks is provided below:

Task	Schedule
Secure Off-Site Access and Perform Utility Clearance.	Initiate within 60 days of Work Plan approval
Install Off-Site Monitoring Well	Winter 2024 (pending off-site access approval)
Groundwater Sampling Event 1 (new and existing wells)	To be initiated within 2 to 3 weeks following well installation and development
Groundwater Sampling Event 2	Groundwater sampling event 2 will be scheduled approximately 180 days after the initial event
Soil Vapor Sampling	Winter 2024 (to be completed concurrently with installation of off-site monitoring well pending contractor availability)
Prepare *Additional Site Investigation Report Addendum*	60 days after substantial completion of the additional site investigation scope of work

Please note that the above schedule assumes that weather and site conditions are suitable for effective performance of the field investigation activities. The presence of significant snow cover or extreme temperatures may delay implementation. Ramboll will keep the WDNR project manager apprised of any delays that are outside of Ramboll and NOC's control.

Yours sincerely,

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Harris Byers, Stantec Consulting Services Inc.
Kristin Jones, Newell Operating Company

ATTACHMENTS

Table 1: Proposed Groundwater Monitoring Program
Figure 1: Site Location Map
Figure 2: Site Layout and Monitoring Well Network
Figure 3: Proposed Monitoring Well and Soil Vapor Probe Locations

TABLE

Table 1 - Groundwater Monitoring Program
Former Mirro Plant No. 9
Manitowoc, WI

Monitoring Well Location	Groundwater Sampling Event 1			Groundwater Sampling Event 2			Each Event
	PFAS	VOCs	Dissolved Sb	PFAS	VOCs	Dissolved Sb	Water Levels
AMEC MW-14	X			X			X
AMEC MW-15	X			X			X
AMEC MW-16	X			X			X
AMEC MW-16A	X			X			X
AMEC MW-17	X		X	X		X	X
AECOM MW-18							X
AECOM MW-19							X
MW-3	X	X			X		X
MW-5	X	X			X		X
MW-6							X
MW-7							X
MW-8							X
MW-9	X	X		X	X		X
MW-12	X			X			X
MW-15	X	X			X		X
MW-16	X	X			X		X
MW-17							X
MW-19		X			X		X
MW-25	*Monitoring Well Abandoned by Stantec on June 8, 2021. Well was not reinstalled.*						
MW-29							X
MW-31							X
MW-37							X
MW-48	X			X			X
MW-60							X
MW-67							X
MW-82							X
MW-99							X
MW-121		X			X		X
MW-200	X			X			X
PZ-200	X			X			X
MW-201	X			X			X
MW-204	X			X			X
MW-205							X
PZ-206							X
MW-208							X
MW-209	X	X		X	X		X
MW-210	X						X
MW-213	X	X		X	X		X
PZ-214							X
MW-217							X
MW-218	X			X			X
MW-219	X			X			X
MW-220	X						X
MW-221	X						X
MW-223	X						X
MW-224	X						X
PZ-224	X						X
MW-226	X			X			X
PZ-226	X			X			X
MW-228	X			X			X
MW-233							X
MW-234							X
MW-235	X			X			X
MW-236	X			X			X
Proposed MW-237	X			X			X

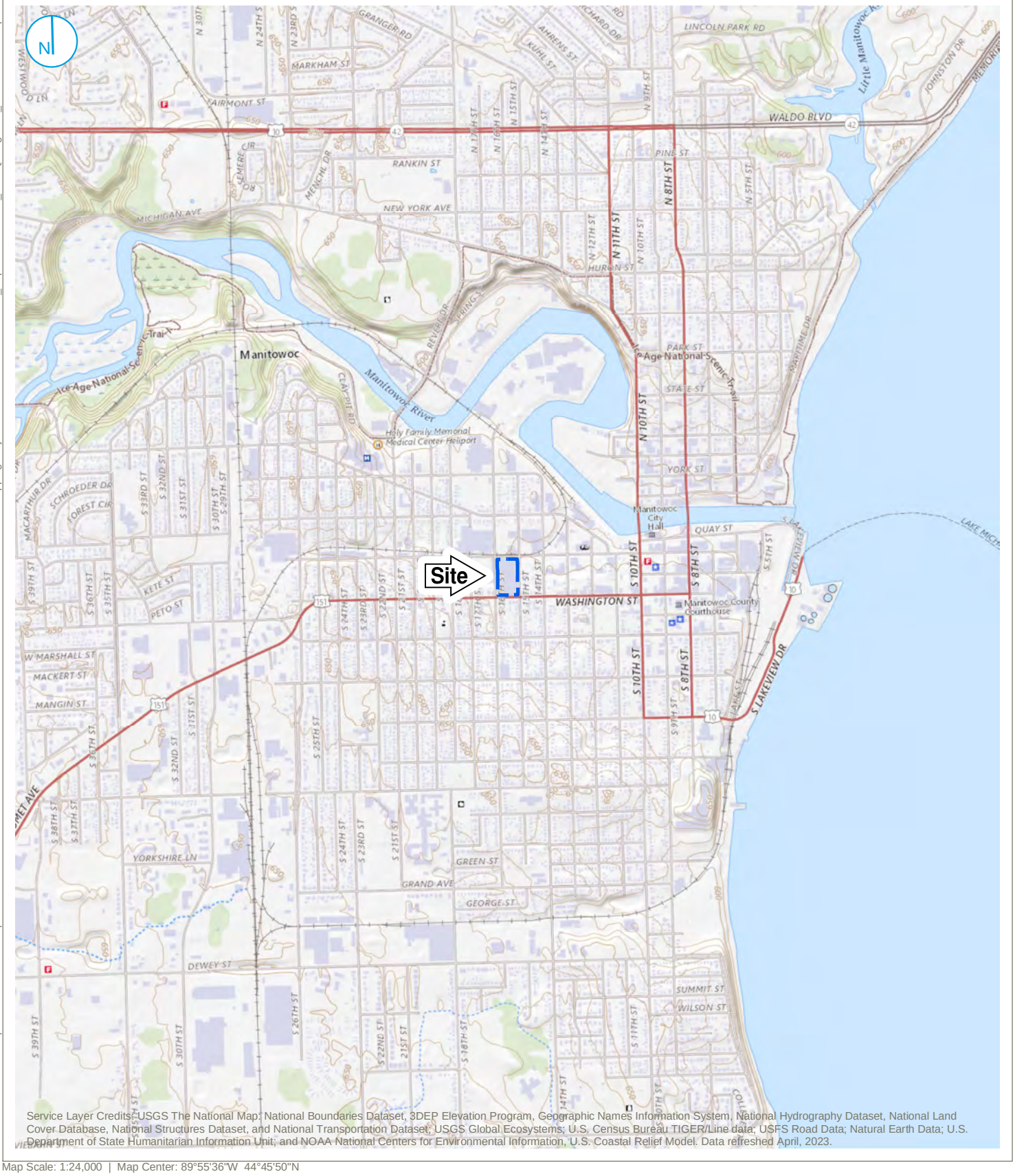
Notes:
PFAS = Per and Polyfluoroalkyl Substances
VOCs = Volatile Organic Compounds
Sb = Antimony

This sampling plan may be modified based on the results from the data collected, which may include changes to sampling location, analytical parameters or frequency.

FIGURES

Y:\Mapping\Projects\169\169001 9647\MXD\SI_Report\Addendum_2023Q4\Figure 1_Site Location Map.mxd

PROJECT: 169000XXXX | DATED: 11/10/2023 | DESIGNER: STOLZSD



Service Layer Credits: USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed April, 2023.

Map Scale: 1:24,000 | Map Center: 89°55'36"W 44°45'50"N

PROPERTY BOUNDARY

KEY MAP

0 1,000 2,000 Feet

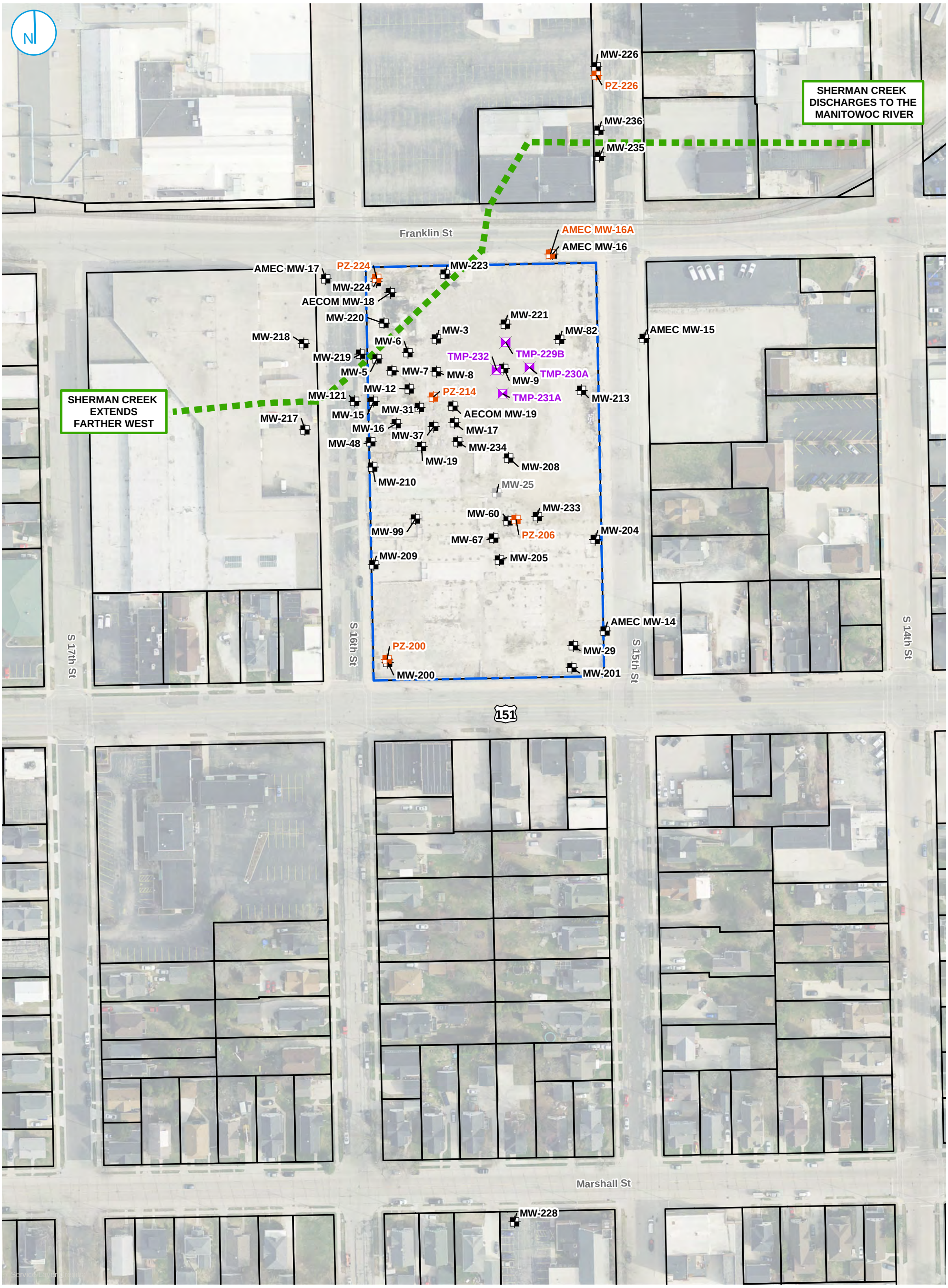
SITE LOCATION MAP

FIGURE 1

SITE INVESTIGATION WORK PLAN
FORMER MIRRO PLANT NO. 9
MANITOWOC, WISCONSIN

RAMBOLL AMERICAS
ENGINEERING SOLUTIONS

RAMBOLL



MONITORING WELL
PIEZOMETER
TEMPORARY MONITORING POINT
ABANDONED MONITORING WELL
STORM WATER TUNNEL (FORMER SHERMAN CREEK)
PROPERTY BOUNDARY
PARCEL BOUNDARY

0 60 120 Feet

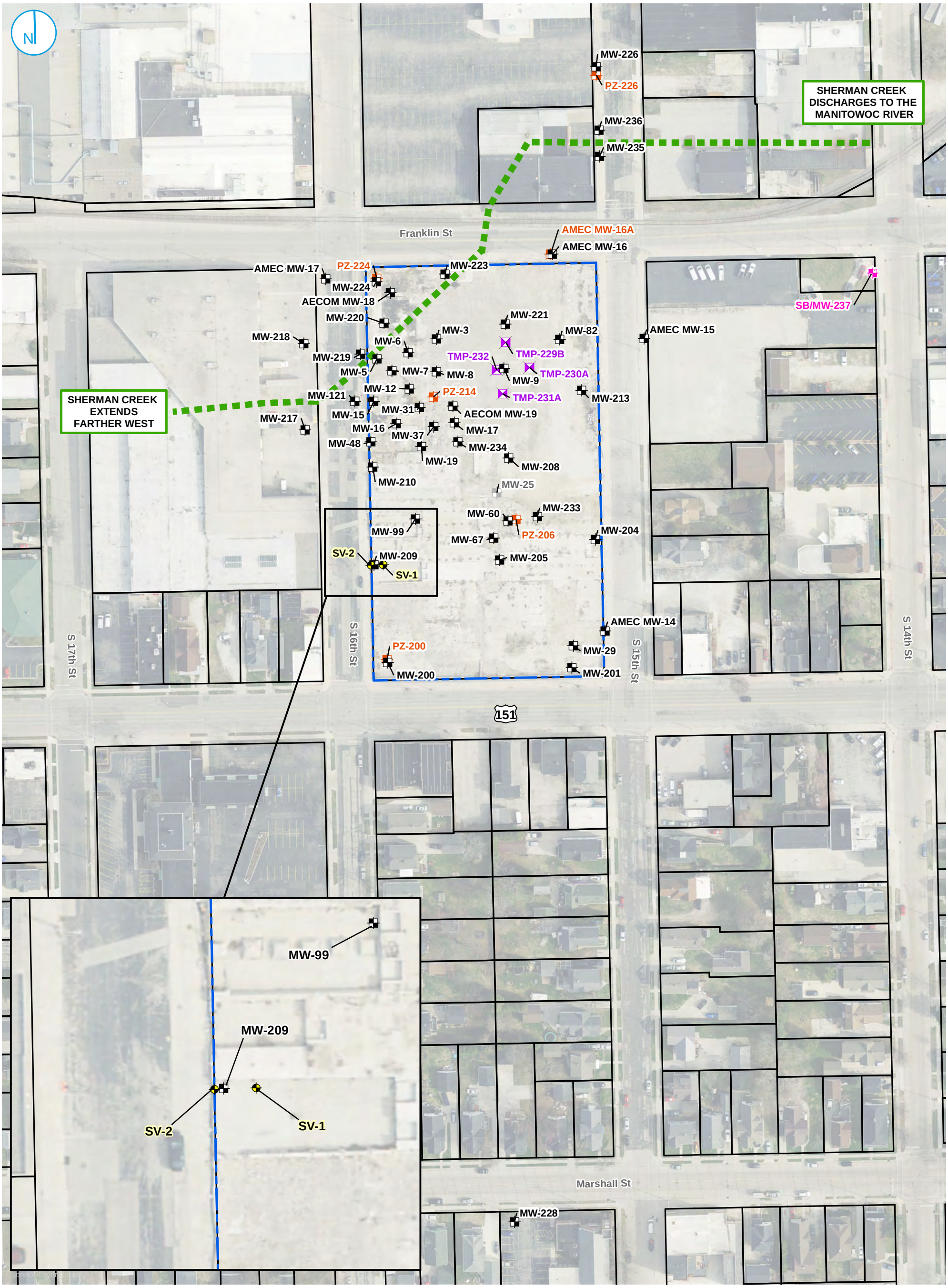
SITE LAYOUT AND EXISTING MONITORING WELL NETWORK

FIGURE 2

SITE INVESTIGATION WORK PLAN
FORMER MIRRO PLANT NO. 9
MANITOWOC, WISCONSIN

RAMBOLL AMERICAS
ENGINEERING SOLUTIONS

RAMBOLL



- MONITORING WELL
- PIEZOMETER
- TEMPORARY MONITORING POINT
- ABANDONED MONITORING WELL
- PROPOSED MONITORING WELL
- PROPOSED SOIL VAPOR PROBE
- STORM WATER TUNNEL (FORMER SHERMAN CREEK)
- PROPERTY BOUNDARY
- PARCEL BOUNDARY

PROPOSED MONITORING WELL AND SOIL VAPOR INVESTIGATION LOCATIONS

FIGURE 3

SITE INVESTIGATION WORK PLAN
FORMER MIRRO PLANT NO. 9
MANITOWOC, WISCONSIN

RAMBOLL AMERICAS
ENGINEERING SOLUTIONS

RAMBOLL