Hnat, John J - DNR 241 094590 02-41-552082

From: Ken Ebbott <ken.ebbott@sand-creek.com>
Sent: Tuesday, August 20, 2019 10:54 AM
To: Hnat, John J - DNR
Cc: tschafer@wi.rr.com; Ken Ebbott
Subject: RE: Shorewood Queensway Soil Chem
Attachments: soil chem to J Hnat with 1995 ROW borings data.pdf

John,

Thanks for the note about your conversation with the Village. Did you get my message and email yesterday that shows the results from 1995 soil borings done under the sidewalk? That map is attached again- and that information includes two more data points relevant to our site from 1995. The report also documents data from numerous other locations in the Village where other VOCs have been detected under sidewalks.

As for definition of the extent- how much more sampling and definition do we need? In my experience, it's pretty well defined, with clean results 60' north, 20' west, and 40' south of the three slightly dirty soil samples. There are also lots of utility conflicts in the area, so further drilling / soil sampling might be difficult to do safely.

As I indicated, we can get two more samples from the west wall of the proposed excavation if that helps, but as you say, we will probably still have some contamination present.

We plan to dig out the worst location – HA-6 – right up to the sidewalk edge, which appears to be about 2' west of HA-6. We also plan to take out the water and sewer laterals that are located in this area as part of the demolition. I assume we remove them to the sidewalk edge as well. It looks like there is a water valve located about 10' west of HA-6, and I think the valve needs to stay in place upon demolition of the building / laterals, so service can be shut off but still be available for future reconnection.

We don't plan to take out the approximately 5' wide sidewalk to chase the contamination. There is a gas line under the sidewalk, and there are probably electric lines that service the light poles along Oakland Ave. For safety reasons, we try to avoid digging around live electric and gas lines when possible.

→ There is a far greater risk of human injury related to trying to hand dig and expose live utility lines than there is from leaving trace levels of residual PCE in soil beneath concrete surfaces.

As for costs down the road related to handling the soil properly upon excavation, I've been hired by municipalities several times to deal with residual petroleum and solvents. They don't pursue the adjacent land owners for cost recovery, but I've never asked why. It is just a cost of being a municipality in a historic area – releases have happened, and the contamination in soil needs to be properly handled. Typically the cost is pretty minimal in comparison to the overall improvement project cost, and with prior notification provided, the soil disposal charge can be included in the project budget.

I'm surprised Shorewood hasn't encountered this previously, I would bet they have dug contaminated soil during a water or sewer project in the past, it is quite common. Practicalities dictate we don't dig up the streets and utility lines every time contamination reaches a street.

Let me know what you need from me, but I am of the opinion the extent is defined as well or better than most similar situations already. We can obtain a wall / floor sample at the end of our dig of the lateral / sidewalk edge by HA-6, and we'll be able to provide the soil chemistry remaining beneath the street for the Village future disposal considerations.

I need to apply for the demolition permit this week – so I'll know further requirements for the utility shutoff soon.

Ken

Regards,
Ken Ebbott, PG, CGWP
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From: Hnat, John J - DNR [mailto:John.Hnat@wisconsin.gov]
Sent: Tuesday, August 20, 2019 9:31 AM
To: Ken Ebbott <ken.ebbott@sand-creek.com>
Subject: RE: Shorewood Queensway Soil Chem

Ken,

I had a conversation with the Village of Shorewood Manager (Rebecca Ewald) and Planning Director (Bart Griepentrog). The Village of Shorewood is concerned about soil contamination in the ROW. See the attached maps. There concerns are valid. Because of the water, sanitary, and gas lines in the ROW (sidewalk & road), if repairs have to be completed in the future, they need to know the degree and extent of soil contamination in the area bounded by the no detect soil borings in order to protect human health and if the soils in this area need to be characterized and/or hauled off to a licensed landfill. Somewhere between HA-6 and SB-19, the concentrations fall off, but there is an unknown area bounded by the rest of the soil borings. There may be VOC contamination at other locations along North Oakland Avenue, but at this location it seems to be bounded by the other soil borings.

The RAP has confirmation soil sampling within the first 4-feet and at the base. As you know, part of the closure requirements will result in notification to the Village that contamination exists in the ROW and will have to be included in the DNR's database as part of the continuing obligations for the ROW. The Village will have 30-days to reply and voice their concerns. We discussed this and I suggested they send in a letter to the DNR about their concerns now, since we have an opportunity to sample in the ROW now, during, after the dig, or prior to closure.

I'm pretty confident that residual soil contamination will be found at the HA-6 location. It's just finding out how far into and where it exists in the ROW. You mentioned taking samples in your voice message. Lets talk about this if you'd like to, or send in a proposal with some locations now and then we can talk about it. We may have to have a phone conference with the Village in the future at some point to agree on what has to be completed.

One other point that was brought up concerns who will pay for future costs of characterization, removal, etc. in the ROW if the Village has to make repairs. This would be a private contract between the Village and Tom Schaffer. The DNR isn't required to be part of the negotiation or reviews any agreement between the RP and affected offsite property owner. All that's require is the agreement be uploaded into our database. This is on Page 5 of the DNR's publication, "When Contamination Crosses a Property Line – Rights and Responsibilities of Property Owners", RR-589.

This is all I have so far.

J. Hnat, C.P.G. P.G..
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From: Ken Ebbott <ken.ebbott@sand-creek.com>
Sent: Monday, August 19, 2019 11:34 AM
To: Hnat, John J - DNR <John.Hnat@wisconsin.gov>
Cc: Ken Ebbott <ken.ebbott@sand-creek.com>
Subject: Shorewood Queensway Soil Chem

John,

Per my voicemail – attached is the soil chem map with data from 1995 hand drawn on it beneath the sidewalk. With the borings already advanced during the SI on the soil chem figure, I'd say the extent is pretty well defined.

Also attached is the map of proposed final excavation limits, which also shows the gas line running under the sidewalk. I can get a final excavation limit sample locations to include two soil samples from under the sidewalk at 3' and 8' depth – to characterize the remaining soil chem, if that would be helpful.

The 1995 borings report on the DNR web site is only an excerpt that relays information from the Shorewood Queensway site, however the text indicates there were VOC hits from 11 of 18 soil samples- so other properties in Shorewood had issues in the ROW under the sidewalk, but I don't know the contaminants or levels.

It appears you may have an opportunity to educate the Village in the fact that this is not at all unusual, and let them know there are other sites in Shorewood and across the State that have identified remaining contamination in the ROW at the time of closure.

Ken

Regards,
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