State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
1027 W. Saint Paul Avenue
Milwaukee WI 53233

Tony Evers, Governor
Karen Hyun, Ph.D., Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711

June 11, 2025

GVP, Inc.
Attn: Vinay Singh
4823 N. Elkhart Avenue
Whitefish Bay, WI 53217
Sent Via Email Only to vinaykrtsingh@yahoo.com

KEEP THIS LEGAL DOCUMENT WITH YOUR PROPERTY RECORDS

SUBJECT: Case Closure with Continuing Obligations
1032 S. 19th Street – Fuel Oil UST, Milwaukee, WI 53204
BRRTS #: 03-41-594124, FID #: 341368720

Dear Vinay Singh:

The Wisconsin Department of Natural Resources (DNR) is pleased to inform you that the 1032 S. 19th Street – Fuel Oil UST case identified above met the requirements of Wisconsin Administrative (Wis. Admin.) Code chs. NR 700- 799 for case closure with continuing obligations (COs). COs are legal requirements to address potential exposure to remaining contamination. No further investigation or remediation is required at this time for the reported hazardous substance discharge and/or environmental pollution.

However, you, future property owners and occupants of the property must comply with the COs as explained in this letter, which may include maintaining certain features and notifying the DNR and obtaining approval before taking specific actions. You must provide this letter and all enclosures to anyone who purchases, rents, or leases this property from you. You may be required to make a real estate condition report disclosure under Wis. Stat. ch. 709.

This case closure decision is issued under Wis. Admin. Code chs. NR 700- 799 and is based on information received by the DNR to date. The DNR reviewed the case closure request for compliance with state laws and standards and determined the case closure request met the notification requirements of Wis. Admin. Code ch. NR 725, the response action goals of Wis. Admin. Code § NR 726.05(4), the case closure criteria of Wis. Admin. Code §§ NR 726.05, 726.09 and 726.11, and Wis. Admin. Code ch. NR 140.

The 1032 S. 19th Street – Fuel Oil UST site was investigated for a discharge of hazardous substances and/or environmental pollution from an underground storage tank (UST) located in the eastern portion of the property. Case closure is granted for the contaminants identified in the case file. The site investigation and/or remedial action addressed soil and groundwater. The remedial action consisted of removal of the UST and approximately 100 tons of contaminated soil. Contamination remains in soil and groundwater, in the investigation area.

The case closure decision and COs required were based on the current use of the site for residential purposes. The site is currently zoned residential. Based on the land use and zoning, the site meets the non-industrial land use classification under Wis. Admin. Code § NR 720.05(5) for application of residual contaminant levels in soil.

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SUMMARY OF CONTINUING OBLIGATIONS

COs are applied at the following locations:

ADDRESS (Milwaukee)	COs APPLIED	DATE OF MAINTENANCE PLAN(S)
1032 S. 19th Street (Source Property)	- Residual Soil Contamination - Cover for Soil - VI – Future Concern	September 30, 2024

CLOSURE CONDITIONS

Closure conditions are legally required conditions which include both COs and other requirements for case closure (Wis. Stat. § 292.12(2)). Under Wis. Stat. § 292.12(5), you, any subsequent property owners and occupants of the property must comply with the closure conditions as explained in this letter. The property owner must notify occupants for any condition specified in this letter under Wis. Admin. Code §§ NR 726.15(1)(b) and NR 727.05(2). If an occupant is responsible for maintenance of any closure condition specified in this letter (e.g., soil cap/cover, vapor mitigation system (VMS) or point of entry treatment system (POETS)), you and any subsequent property owner must include the condition in the lease agreement under Wis. Admin. Code § NR 727.05(3) and provide the maintenance plan to any occupant that is responsible.

DNR staff may conduct periodic pre-arranged inspections to ensure that the conditions included in this letter and the maintenance plan dated September 30, 2024, are met (Wis. Stat. § 292.11(8)). If these requirements are not followed, the DNR may take enforcement action under Wis. Stat. ch. 292 to ensure compliance with the closure conditions.

SOIL

Continuing Obligations to Address Soil Contamination

Residual Soil Contamination (Wis. Admin. Code ch. NR 718, chs. NR 500- 599, and § NR 726.15(2)(b) and Wis. Stat. ch. 289)

Soil contamination remains in the investigation area as indicated on the enclosed map (Figure B.2.b., Residual Soil Contamination Diagram, July 25, 2024). If soil in the location(s) shown on the map is excavated in the future, the property owner or right of way holder at the time of excavation must sample and analyze the excavated soil. If sampling confirms that contamination is present, the property owner or right of way holder at the time of excavation will need to determine whether the material is considered solid waste and ensure that any storage, treatment, or disposal complies with applicable standards and rules. Contaminated soil may be managed under Wis. Admin. Code ch. NR 718 with prior DNR approval.

In addition, all current and future property owners, occupants and right of way holders need to be aware that excavation of the contaminated soil may pose an inhalation and direct contact hazard; special precautions may be needed to prevent a threat to human health.

Cover for Soil (Wis. Stat. § 292.12(2)(a), Wis. Admin. Code §§ NR 724.13(1) and (2), NR 726.15(2)(d) and/or (e), NR 727.07(1))
The concrete parking pad, as shown on the enclosed map (Figure D.2, Cap Maintenance Diagram, July 25, 2024) shall be maintained in compliance with the enclosed maintenance plan, dated September 30, 2024. The purpose of

the cover is to minimize the infiltration of water through contaminated soil and prevent direct contact with residual soil contamination that might otherwise pose a threat to human health.

To modify or replace a cover, the property owner must submit a request to the DNR under Wis. Admin. Code ch. NR 727. The DNR approval must be obtained at least 45 days before implementation. The replacement or modified cover must be a structure of similar permeability or be protective of the revised use of the property until contaminant levels no longer exceed Wis. Admin. Code ch. NR 720 groundwater pathway residual contaminant levels and/or direct contact residual contaminant levels (RCLs).

GROUNDWATER

Other Groundwater or Monitoring Well Related Closure Information

Wis. Admin. Code Ch. NR 140 Exemption (Wis. Admin. Code ch. NR 140)
Recent groundwater monitoring data at this site indicates that for benzene and naphthalene at the sump well, contaminant levels exceed the NR 140 preventive action limit (PAL) but are below the enforcement standard (ES), as shown on the enclosed map (Figure B.3.b., Groundwater Isoconcentration Diagram, July 25, 2024). The DNR may grant an exemption to a PAL for a substance of public health concern, other than nitrate, under Wis. Admin. Code § NR 140.28(2)(b) if all the following criteria are met:

1. The measured or anticipated increase in the concentration of the substance will be minimized to the extent technically and economically feasible.
2. Compliance with the PAL is either not technically or economically feasible.
3. The enforcement standard for that substance will not be attained or exceeded at the point of standards application. (Note: at this site the point of standards application is all points where groundwater is monitored.)
4. Any existing or projected increase in the concentration of the substance above the background concentration does not present a threat to public health or welfare.

Based on the information you provided, the DNR believes that these criteria have been or will be met based on the response actions that have been taken. Therefore, under Wis. Admin. Code § NR 140.28, an exemption to the PAL is granted for benzene and naphthalene at the sump well. This letter serves as your exemption.

VAPOR

Continuing Obligations to Address Vapor Contamination

Vapor intrusion (VI) is the movement of vapors coming from volatile chemicals in the soil or groundwater or within preferential pathways into buildings where people may breathe air contaminated by the vapors.

VI - Future Concern: (Wis. Stat. § 292.12(2), Wis. Admin. Code § NR 726.15(2)(L) or (m))
Petroleum volatile organic compounds remain in soil in the investigation area, as shown on the enclosed map, (Figure B.2.b., Residual Soil Contamination Diagram, July 25, 2024), at concentrations that may be of concern for VI in the future, if a building is constructed, renovated or expanded in an area where no building currently exists. At the time of closure, there is a concrete parking pad in the investigation area. A residential structure exists to the west, but not in the area of impacts.

Vapor control technologies are required for new construction or for modification of occupied buildings on the property unless the property owner assesses the vapor pathway and the DNR agrees that vapor control technologies are not needed. The property owner shall maintain the current building use and layout.

OTHER CLOSURE REQUIREMENTS

Maintenance Plan and Inspection Log (Wis. Admin. Code §§ NR 726.11(2), NR 726.15(1)(d), NR 727.05(1)(b)3 and NR 716.14(2))
The property owner is required to comply with the enclosed maintenance plan dated September 30, 2024, for the cover, to conduct inspections annually, and to use the *Continuing Obligations Inspection and Maintenance Log* (DNR Form 4400-305) to document the required inspections. The maintenance plan and inspection log are to be kept up-to-date and at the business location of GVP, Inc. The property owner shall submit the inspection log to the DNR only upon request using the RR Program Submittal Portal. See the Submittals and Contact Information section below for more information on how to access the Submittal Portal.

The limitations on activities are identified in the enclosed maintenance plan(s). The following activities are prohibited on any portion of this property where the cover is required, without prior DNR approval.

- removal of the existing cap.
- replacement of the cap with another barrier.
- excavating or grading of the land surface.
- filling on the capped surface.
- plowing for agricultural cultivation.
- construction or placement of a building or other structure within the capped area.

Pre-Approval Required for Well Construction (Wis. Admin. Code § NR 812.09(4)(w))
DNR approval is required before well construction or reconstruction for all sites identified as having residual contamination and/or COs. This requirement applies to private drinking water wells and high-capacity wells. To obtain approval, the property owner is required to complete and submit Well Construction Approval Application – Sites with Groundwater Contamination and/or Continuing Obligations (Form 3300-254), to the DNR Drinking Water and Groundwater program's regional water supply specialist. A well driller can help complete this form. The form can be obtained online at dnr.wi.gov, search "3300-254." Additional casing may be necessary to help prevent contamination of the well.

DNR NOTIFICATION AND APPROVAL REQUIREMENTS

Certain activities are limited at closed sites to maintain protectiveness to human health and the environment. The property owner is required to notify the DNR at least 45 days before and obtain approval from the DNR prior to taking the following actions (Wis. Admin. Code §§ NR 727.07, NR 726.15 (2), Wis. Stat. § 292.12(6)).

- Before removing a cover or any portion of a cover
- Before constructing a building and/or modifying use of or the construction of an existing building or changing property use. Certain activities are limited at closed sites to reduce the risk of exposure to residual contamination via VI. For properties with a CO for addressing the future risk of vapor intrusion when buildings exist at the time of closure approval, changes to the current building use and layout are prohibited without prior DNR approval. This includes any change in building construction, reconstruction, or partial demolition. The DNR may require additional actions may be required at that time to re-assess for VI and mitigate, as appropriate.

SUBMITTALS AND CONTACT INFORMATION

Site, case-related information and DNR contacts can be found online in the Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web (BOTW); go to dnr.wi.gov and search "BOTW." Use the BRRTS ID # found at the top of this letter. The site can also be found on the Remediation and Redevelopment Sites Map (RRSM) by searching "RRSM."

Send written notifications and inspection logs to the DNR using the RR Program Submittal Portal at dnr.wi.gov, search "RR submittal portal." Questions on using this portal can be directed to the project manager below or to the environmental program associate (EPA) for the regional DNR office. Visit dnr.wi.gov, search "RR contacts" and select the EPA tab.

The case may be reopened under Wis. Admin. Code § NR 727.13 if additional information indicates that contamination on or from the site poses a threat, or for a lack of compliance with a CO or closure requirement. Compliance with the maintenance plan is considered when evaluating the reopening criteria.

The DNR appreciates your efforts to restore the environment at this site. If you have any questions regarding this this letter, please contact the DNR Project Manager, Riley Neumann at (414) 750-7030 or riley.neumann@wisconsin.gov.

Sincerely,

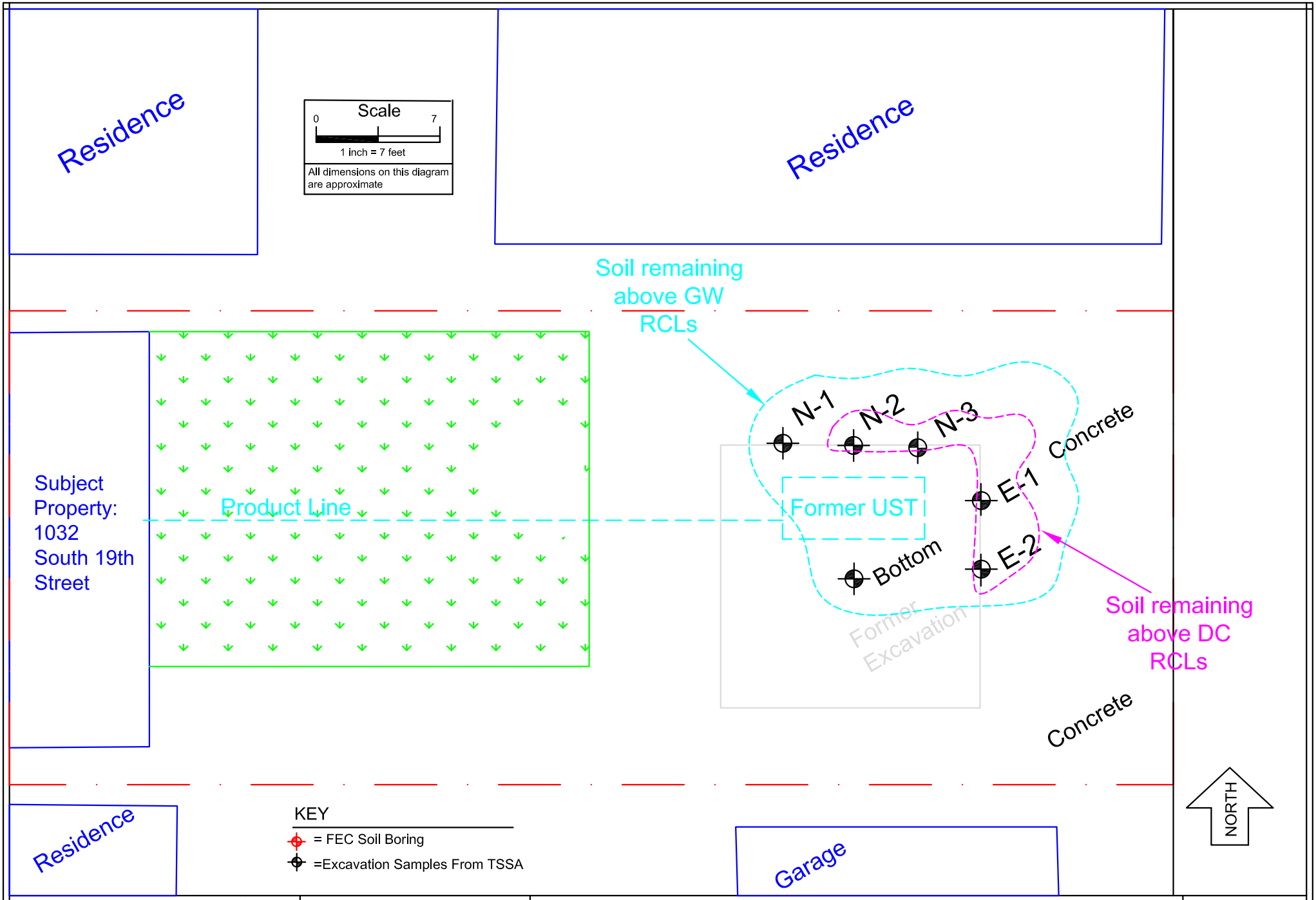
Timothy G. Alessi, P.G.
Southeast Region Team Supervisor
Remediation & Redevelopment Program

Attachments:
Figure B.3.b., Groundwater Isoconcentration Diagram, July 25, 2024
Figure B.2.b., Residual Soil Contamination Diagram, July 25, 2024
Attachment D, Maintenance Plan, September 30, 2024
Inspection Log (DNR Form 4400-305)

cc.
Trent Ott, FEC, tott@fecinc.us
William Phelps, DNR, William.Phelps@Wisconsin.gov

Online Resources:
The DNR fact sheets listed below can be obtained by visiting the DNR website at "dnr.wi.gov," search the DNR publication number. For information on general permits, search using "wastewater general permits."

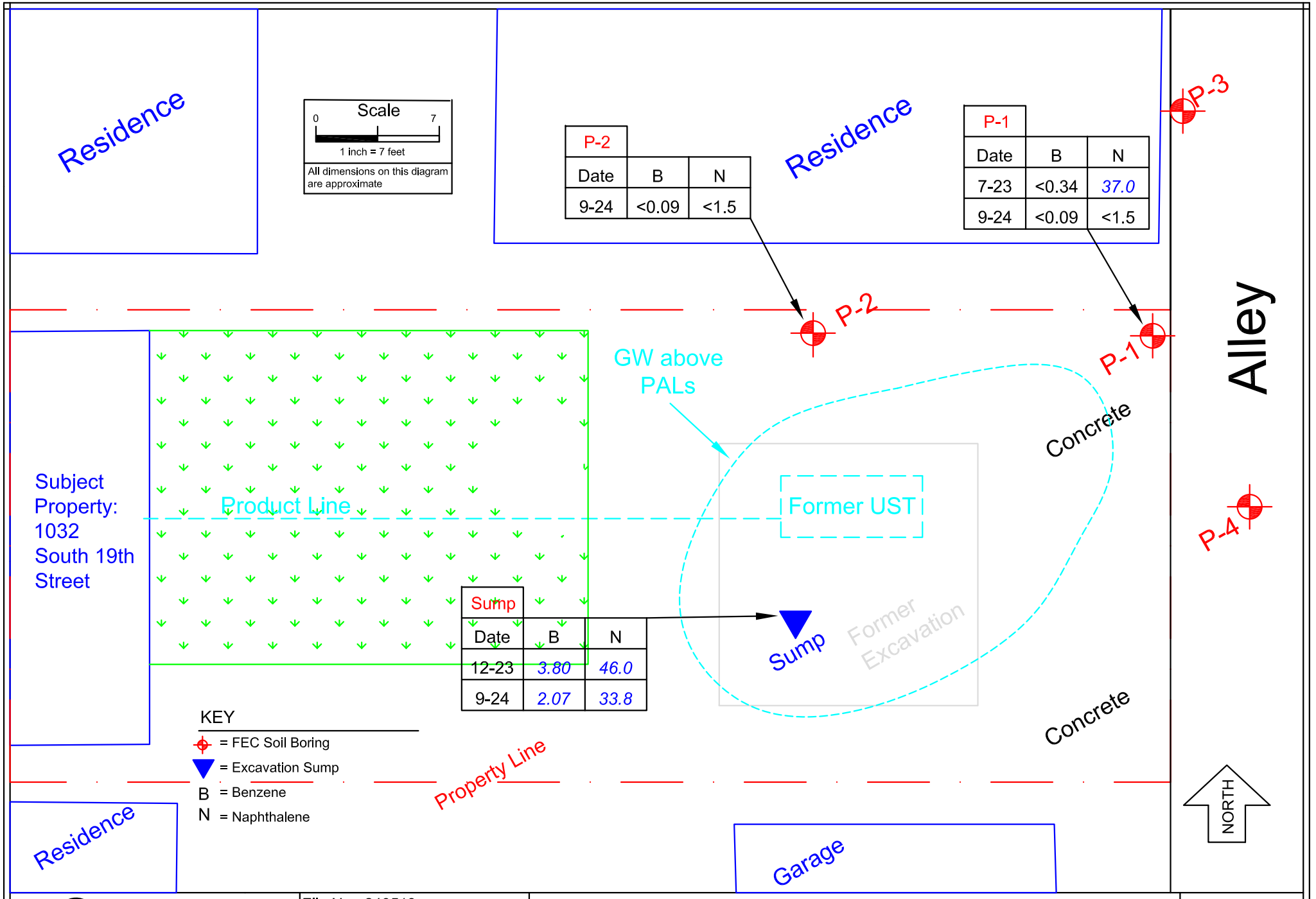
Guidance for Electronic Submittals for the Remediation and Redevelopment Program (RR-690)
Continuing Obligations for Environmental Protection (RR-819)
Environmental Contamination and Your Real Estate (RR-973)
Post-Closure Modifications: Changes to Property Conditions after a State-Approved Cleanup (RR-987)



File No.:	240513
DWG Date:	7-25-2024
Rev Date:	
Drawn By:	BRF
Checked By (PM):	TJO

B.2.b. Residual Soil Contamination Diagram
1032 South 19th Street
Milwaukee, Wisconsin

Figure
B.2.b.



File No.:	240513
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B.3.b. Groundwater Isoconcentration Diagram
1032 South 19th Street
Milwaukee, Wisconsin

Figure
B.3.b.

CAP MAINTENANCE PLAN

September 30, 2024

Property Located at:

1032-1034 South 19th Street, Milwaukee, WI 53204

BRRTS No. 03-41-594124
FID No. 341368720

Described as follows:

The tax records for the property refer to the property at 1032-1034 South 19th Street as tax key #433200300. The property is described as **"**WECHSELBERG & ELLIOTT'S SUBD NO 2 IN W 1/2 OF SE 1/4 SEC 31-7-22 BLOCK 4 LOT 12**".**

Introduction:

This document is the Maintenance Plan for a cap at the above-referenced property (the "Property") in accordance with the requirements of s. NR 724.13(2), Wisconsin Administrative Code. The maintenance activities relate to the existing cap within specific areas of the Property.

More site-specific information about the Property may be found in:

- The case file in the Wisconsin Department of Natural Resources (DNR) southeast regional office
- BRRTS on the Web (DNR's internet based data base of contaminated sites): http://botw.dnr.state.wi.us/botw/SetUpBasicSearchForm.do
- GIS Registry PDF file for further information on the nature and extent of contamination: http://dnrmaps.wisconsin.gov/imf/imf.jsp?site=brrts2 and
- The DNR project manager (contact information found on the last page).

Description of Residual Impacts:

The subject property is located at 1032-1034 South 19th Street in Milwaukee, Wisconsin. The property is approximately 0.09 acres and is occupied by a residential duplex with a concrete slab parking area to the east.

A 1,000-gallon fuel oil underground storage tank (UST) was encountered during the construction of the concrete parking slab at the residence. The Wisconsin Department of Natural Resources (DNR) was notified that a hazardous substance discharge from the former fuel oil UST was detected at the site.

As part of the UST removal and interim actions, approximately 105 tons of contaminated soil were hauled for off-site bioremediation at a landfill. Petroleum soil impacts were detected in the northeast portion of the excavation. Additional site investigation was requested by the DNR and conducted in July 2024.

Approximately 20 cubic yards of petroleum impacted soils containing benzene, ethylbenzene, naphthalene, toluene, combined trimethylbenzenes, and total xylenes at concentrations above the DNR residual contaminant levels (RCLs) for direct contact risk and for the protection of groundwater remain near the former excavation. The residual impacts are defined, limited, capped, and not impacting groundwater to levels above the ES.

The property is currently zoned residential. The existing concrete parking slab effectively caps the area of remaining impacts. Based on the soil sampling results, the residual soil impacts will be addressed through maintaining the existing Cap as an infiltration and direct contact barrier. FEC submitted a soil and groundwater Geographic information System (GIS) packet to the DNR.

Description of the Cap to be maintained:

The concrete slab (this feature construes the “Cap”) that exists over residual soil impacts on the above-described property in the locations shown on the attached Figure D.2. serves as a barrier to limit precipitation infiltration and prevent direct human contact with residual soil impacts that might otherwise pose a risk to the environment. Based on the current and future use of the Property, the Cap should function as intended unless disturbed.

Annual Inspection:

The Cap overlying residual soil impacts, and as depicted on Figure D.2., will be inspected once a year, normally in the spring after all snow and ice is gone, for deterioration, cracks and other potential problems that can cause exposure to underlying soils. The inspections will be performed by the Property owner or their designated representative. The inspections will be performed to evaluate damage due to settling, exposure to the weather, wear from traffic, increasing age, and other factors. Any area where soil has become or is likely to become exposed will be documented. A log of the inspections and any repairs will be maintained by the Property owner and is included as “Cap Inspection Log.” The inspection log will include recommendations for necessary repair of any areas of the Cap where underlying soils are exposed. Once repairs are completed, they will be documented in the inspection log. A copy of the inspection log will be kept at the address of the Property owner and available for submittal or inspection by DNR representatives upon their request.

Maintenance Activities:

If problems are noted during the annual inspections or at any other time during the year, repairs will be scheduled as soon as practical. Repairs can include patching and filling or larger resurfacing or construction operations. In the event that necessary maintenance activities expose the underlying soil, the Property owner must inform maintenance workers of the direct contact exposure hazard and provide them with appropriate personal protection equipment (PPE). The Property owner must also sample any soil that is excavated from the Property prior to disposal to ascertain if soil impacts remain. The soil must be treated, stored, and disposed of by the Property owner in accordance with applicable local, state, and federal law.

In the event the Cap overlying the residual soil impacts is removed or replaced, the replacement barrier must be equivalent for the purpose of minimizing precipitation infiltration and direct contact with the underlying soils. Any replacement barrier will be subject to the same maintenance and inspection guidelines as outlined in this Cap Maintenance Plan unless indicated otherwise by the DNR or its successor.

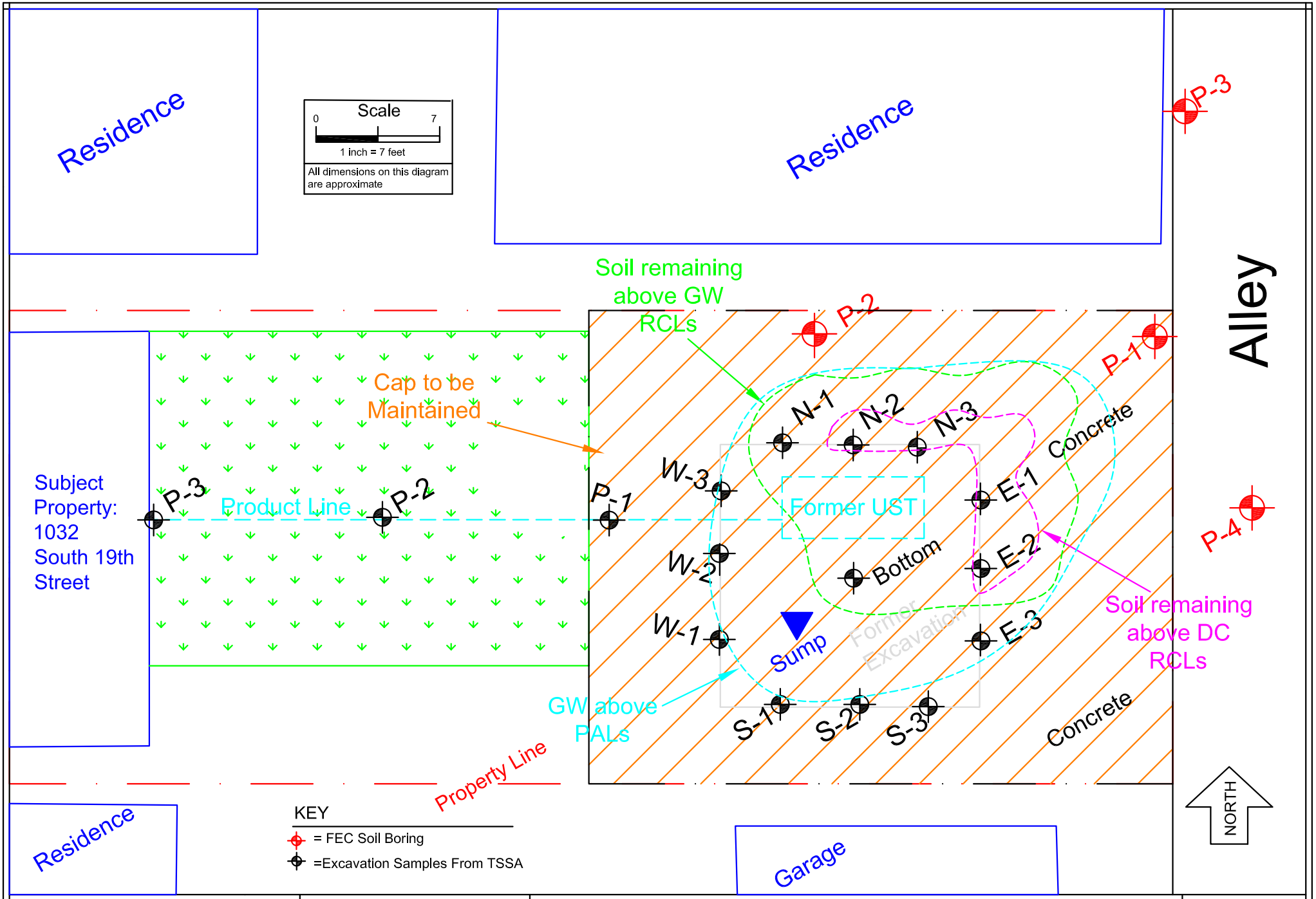
The Property owner, in order to maintain the integrity of the Cap, will maintain a copy of this Cap Maintenance Plan on-site and make it available to all interested parties (i.e., on-site employees, contractors, future Property owners, etc.) for viewing.

Prohibition of Activities and Notification of DNR Prior to Actions Affecting the Cap:

The following activities are prohibited on any portion of the Property where the Cap is required as shown on Exhibit A, unless prior written approval has been obtained from the DNR: (1) removal of the existing cap; (2) replacement of the cap with another barrier; (3) excavating or grading of the land surface; (4) filling on the capped surface; (5) plowing for agricultural cultivation; and (6) construction or placement of a building or other structure within the capped area.

Amendment or Withdrawal of Maintenance Plan:

This Maintenance Plan can be amended or withdrawn by the Property owner and its successors with the written approval of DNR.



File No.:	240513
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Rev Date:	
Drawn By:	BRF
Checked By (PM):	TJO

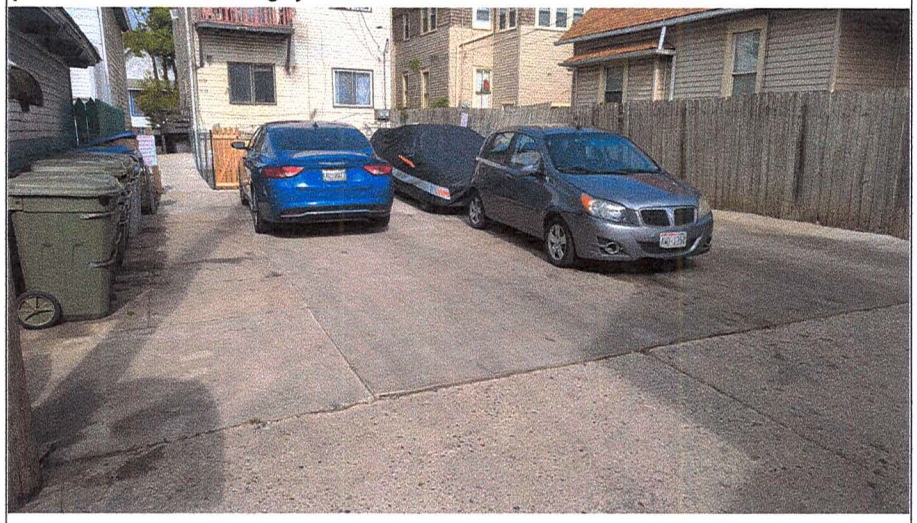
D.2. Cap Maintenance Diagram
1032 South 19th Street
Milwaukee, Wisconsin

Figure
D.2.

{Click to Add/Edit Image} Date added: 03/11/2025

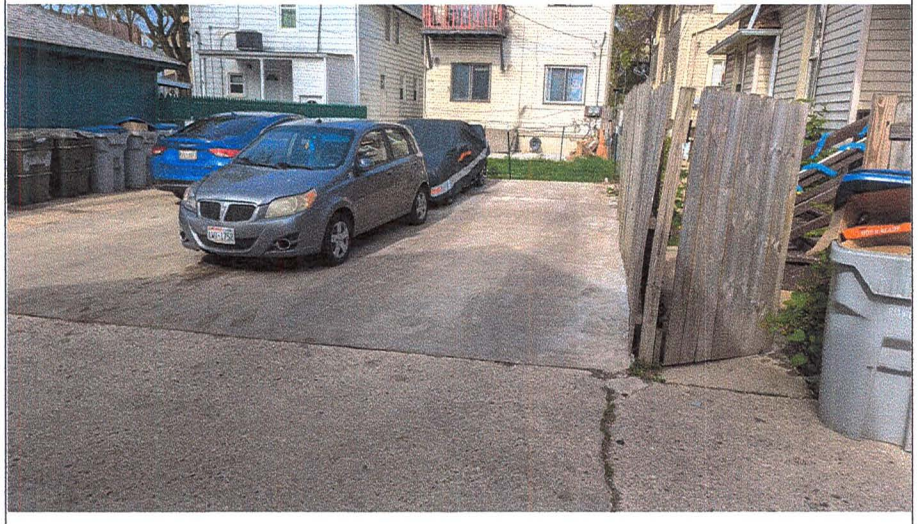
Title: North end of the new concrete parking slab, looking west.

{Click to Add/Edit Image} Date added: 05/22/2025



Title: View of parking slab, looking northwest.

{Click to Add/Edit Image} Date added: 05/22/2025



Title: View of parking slab, looking southwest.

State of Wisconsin
Department of Natural Resources
dnr.wi.gov

Continuing Obligations Inspection and Maintenance Log

Form 4400-305 (2/14)

Directions: In accordance with s. NR 727.05 (1) (b) 3., Wis. Adm. Code, use of this form for documenting the inspections and maintenance of certain continuing obligations is required. Personal information collected will be used for administrative purposes and may be provided to requesters to the extent required by Wisconsin's Open Records law [ss. 19.31-19.39, Wis. Stats.]. When using this form, identify the condition that is being inspected. See the closure approval letter for this site for requirements regarding the submittal of this form to the Department of Natural Resources. A copy of this inspection log is required to be maintained either on the property, or at a location specified in the closure approval letter. Do NOT delete previous inspection results. This form was developed to provide a continuous history of site inspection results. The Department of Natural Resources project manager is identified in the closure letter. The project manager may also be identified from the database, BRRTS on the Web, at http://dnr.wi.gov/botw/SetUpBasicSearchForm.do, by searching for the site using the BRRTS ID number, and then looking in the "Who" section.

Activity (Site) Name	BRRTS No.
1032 S. 19th Street	03-41-594124

Inspections are required to be conducted (see closure approval letter):

- (•) annually
- ( ) semi-annually
- ( ) other – specify _____

When submittal of this form is required, submit the form electronically to the DNR project manager. An electronic version of this filled out form, or a scanned version may be sent to the following email address (see closure approval letter):

Riley.Neumann@Wisconsin.gov

Inspection Date	Inspector Name	Item	Describe the condition of the item that is being inspected	Recommendations for repair or maintenance	Previous recommendations implemented?	Photographs taken and attached?
07/05/2024	Trenton Ott	☐ monitoring well ☒ cover/barrier ☐ vapor mitigation system ☐ other:	Concrete in good condition.	None at this time.	( ) Y (•) N	(•) Y ( ) N
05/14/2025	Trenton Ott	☐ monitoring well ☒ cover/barrier ☐ vapor mitigation system ☐ other:	Concrete in good condition.	None at this time.	( ) Y (•) N	(•) Y ( ) N
		☐ monitoring well ☐ cover/barrier ☐ vapor mitigation system ☐ other:			( ) Y ( ) N	( ) Y ( ) N
		☐ monitoring well ☐ cover/barrier ☐ vapor mitigation system ☐ other:			( ) Y ( ) N	( ) Y ( ) N
		☐ monitoring well ☐ cover/barrier ☐ vapor mitigation system ☐ other:			( ) Y ( ) N	( ) Y ( ) N
		☐ monitoring well ☐ cover/barrier ☐ vapor mitigation system ☐ other:	F		( ) Y ( ) N	( ) Y ( ) N

Continuing Obligations Inspection and Maintenance Log

Inspection Date	Inspector Name	Item	Describe the condition of the item that is being inspected	Recommendations for repair or maintenance	Previous recommendations implemented?	Photographs taken and attached?
		☐ monitoring well ☐ cover/barrier ☐ vapor mitigation system ☐ other:			◯ Y ◯ N	◯ Y ◯ N
		☐ monitoring well ☐ cover/barrier ☐ vapor mitigation system ☐ other:			◯ Y ◯ N	◯ Y ◯ N
		☐ monitoring well ☐ cover/barrier ☐ vapor mitigation system ☐ other:			◯ Y ◯ N	◯ Y ◯ N
		☐ monitoring well ☐ cover/barrier ☐ vapor mitigation system ☐ other:			◯ Y ◯ N	◯ Y ◯ N
		☐ monitoring well ☐ cover/barrier ☐ vapor mitigation system ☐ other:			◯ Y ◯ N	◯ Y ◯ N