Hanson, David L - DNR

From: Robert Cigale <bob@endpointcorporation.com>
Sent: Thursday, June 14, 2018 9:38 AM
To: Hanson, David L - DNR
Cc: John Holborow
Subject: 03-41-003656 / 02-41-402781 - 8235 West Bluemound

Per your verbal request, we are providing this amendment to the PCM request submitted on April 24, 2018 for the above-referenced site. Specifically, you requested that we provide additional information regarding how the proposed redevelopment plan will comply with NR 718.12. This request is specific to the presence of PCB Aroclor 1254 detected in shallow soil samples collected from beneath the existing building. Soil samples collected from the northwest corner of the service bay contained low concentrations of Aroclor 1254. These samples included HA-1 collected from zero (0) to one (1) feet below the ground surface (ft bgs) by Sigma in 2002, as well as in GP-9 between one (1) and three (3) ft bgs by Endpoint in 2017. Concentrations of Aroclor 1254 in these samples ranged between 0.0160 milligrams per kilogram (mg/kg) to 0.0847 mg/kg. No other samples collected from beneath the floor of the existing building contained any detectable concentrations of any PCB cogener. These other sample points include GP-1 sampled by Sigma in 2002, as well as GP-7, GP-8 and GP-10 sampled by Endpoint in 2017. Based on this, it is our opinion the extent of PCB contamination is limited to the immediate area near the HA-1/GP-9 locations. Please note, other samples collected from outside of the building did not include detectable concentrations of any PCB cogeners. These exterior sample points include GP-3, MW-101, MW-102 and MW-103 sampled in 2002, as well as GP-1 and GP-2 sampled in 2017. MW-103 is located to the north-northeast of the HA-1/GP-9 location and provides the best indication that the PCB contamination detected beneath the existing building has not migrated outside of the building footprint.

As stated in the PCM request, "*As the demolition of the existing building will include the removal of the foundations and two (2) hydraulic vehicle hoists, we propose the surficial soils from beneath the building which need to be cut to achieve proposed Site grades be utilized to backfill the resulting foundation and vehicle hoist excavations; thereby, maintaining these contaminated soils within the area they are currently located.*"

According to NR 718.12, responsible parties may not place or replace excavated contaminated soil in the following areas unless the Department has granted a written exemption to these location standards:

1. Within a floodplain. *According to the information provided on the Milwaukee County Land Information System GIS-Based website, the site is not located within a floodplain.*
2. Within 100 feet of any wetland or critical habitat area. *There are no wetlands or critical habitats located within 100 feet of the site. Pavement associated with public roads or the Pick n Save parking lot are located with 100 feet of the site.*
3. Within 300 feet of any navigable river, stream, lake, pond or flowage. *The nearest water body to the site is the Honey Creek which meanders to the east of the site. The nearest the creek is to the site is approximately 475 feet southeast of the southeast site corner.*
4. Within 100 feet of any on-site water supply well or 300 feet of any off-site water supply well. *The site and the surrounding vicinity are provided potable water by the City of Milwaukee which sources its water from Lake Michigan. There are no water supply wells on, or within 300 feet of the site.*
5. Within three (3) feet of the high groundwater level. *Groundwater level measurements collected during the various sampling events at the site indicate that groundwater is consistently between 10 to 15 ft bgs. As the deepest excavation requiring fill is the foundation trenches associated with the existing building, fill will be placed approximately seven (7) to 12 feet from the high groundwater level.*
6. At a depth greater than the depth of the original excavation from which the contaminated soil was removed. *The proposed average cut in the contaminated area is approximately 1.4 feet. It is our intent to utilize the excess soils in this area to backfill the resulting void spaces created by removing the foundations for the*

existing building during demolition. It is assumed the foundation extend between three (3) to four (4) feet below the ground surface.

7. Where the contaminated soil poses a threat to public health, safety or welfare or the environment. *The reuse of the soils to backfill the resulting voids from the building foundations will result in the soils being capped with concrete and/or asphalt pavement post-redevelopment; thereby eliminating any threat to public health, safety or welfare or the environment.*

Technically, as using the excavated contaminated soils to backfill the resulting voids from foundation demolition will result in the soils possibly being placed one and one-half (1.5) to two and one-half (2.5) feet deeper than they were excavated from, per NR 718.12(d) we are requesting an exemption from the location standard based on the following considerations.

1. Waste characteristics and quantities. *The soils in question contain low concentrations of Aroclor 1254 which exceed the soil-to-groundwater pathway RCL, but do not exceed direct contact RCLs for total PCBs. We estimate the quantity of soils involved to be less than ten (10) cubic yards (cy) or approximately 15 tons.*
2. The geology and hydrogeology of the area. *According to information from the various investigation performed at the site, soils at the Site consist of surficial fills ranging in thickness from less than one (1) foot to approximately ten (10) feet. The fill materials consist of silt, clay and sand. Beneath the fills, the native soils consist of interbedded layers of clay and poorly graded sand. Bedrock was not encountered at the Site. According to the United States Geological Survey (USGS), bedrock beneath the subject property consists of Paleozoic Silurian dolomite and is assumed to be greater than 100 ft bgs. Groundwater was encountered at approximately 14 to 15 ft bgs. Groundwater was determined to consistently flow to the east across the Site.*
3. The unavailability of other suitable alternatives. *The other suitable alternative involves transporting the soil to a local landfill for disposal. This alternative consists of utilizing valuable landfill space for the disposal of soil which could safely be managed on site.*
4. Compliance with other state and federal regulations. *The concentrations of Aroclor 1254 detected do not require TSCA compliance; therefore, the management of these soils on site as proposed complies with state and federal regulations.*
5. The threat to public health, safety or welfare or the environment. *The reuse of the soils to backfill the resulting voids from the building foundations will result in the soils being capped with concrete and/or asphalt pavement post-redevelopment; thereby eliminating any threat to public health, safety or welfare or the environment.*

It is our opinion the proposed request complies with the "spirit" of the NR 718.12 requirements. While the excavated soils may be placed between one and one-half (1.5) to two and one-half (2.5) feet deeper than they were excavated, based on the well-documented depth to groundwater at the site, the placement of these soils within this proposed depth will not increase the potential for transfer of the contaminants from the soil to the groundwater. Furthermore, post-redevelopment, the entire site will be capped with either the new building or pavements associated with the new use; thereby further reducing the potential for the transfer of contaminants from the soil to the groundwater.

We trust the information provided is sufficient when combined with the information present on the PCM request for the Department to approve of an exemption to the NR 718.12 limitations and that the reuse of the contaminated soil in the vicinity of HA-1/GP-9 for backfilling of the foundation excavations is also approved. Should you have any questions or concerns regarding the information presented herein, please feel free to give me a call.

Sincerely,

Bob

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