



June 8, 2023

MR MIKE DUNLAVY  
DUNLAVY PRO LLC  
77794 HILL RD  
GLIDDEN WI 54527

SUBJECT: Case Closure under Wis. Admin. Code ch. NR 726 Not Recommended  
Chippewa Quick Mart, 122 East Broadway, Glidden, Wisconsin  
DNR BRRTS Activity #03-02-580226  
FID #802025180

Dear Mr. Dunlavy:

On May 25, 2023, the Wisconsin Department of Natural Resources (DNR) reviewed the closure request for the case identified above. As you may be aware, the DNR reviews environmental remediation cases for compliance with applicable laws, including Wisconsin Statutes (Wis. Stat.) chapter 292 and Wisconsin Administrative (Wis. Admin.) Code chs. NR 700 – 799 and whether any further threat to public health, safety or welfare or the environment exists at the site or facility, per Wis. Admin. Code § NR 726.13 (2) (b).

As discussed with you and your consultant on May 26, 2023, case closure is not recommended because additional legal requirements must be met. The purpose of this letter is to inform you of the remaining requirements for obtaining closure. We request that within 60 days of this letter, you provide us with the information requested or your written response regarding the necessary work and a schedule for completion of this work.

**Additional Requirements Needed for Case Closure Under Wis. Admin. Code ch. NR 726**

As noted above, additional work is necessary to meet the requirements for case closure. MSA Professional Services, Inc. (MSA) submitted a Site Investigation Report (SIR) on November 9, 2022. The SIR described tetrachloroethene (PCE) soil vapor concentrations that exceeded Vapor Risk Screening Levels at two sample points (SV-1 and SV-2) and PCE concentrations that exceeded Wis. Admin. Code ch. NR 140 preventive action limits in groundwater analyzed at two temporary wells (MSA-GP-1 and MSA-GP-2). The DNR reviewed the SIR in December 2022 and recommended that additional soil analysis be completed to confirm that the source of the PCE was offsite, as suggested by MSA. The closure packet submitted to the DNR by MSA on April 18, 2023, did not include additional soil analysis as requested by the DNR.

**Need to Conduct Additional Site Investigation**

Additional remedial action is needed to comply with the closure criteria of Wis. Admin. Code ch. NR 726. Soil vapor and groundwater analytical data indicates that PCE is present at the site and the closure packet suggests that the source is from an offsite location. The DNR recommended in December 2022 that additional soil analysis for volatile organic compounds (VOCs) be completed to confirm that the PCE impacts were from an offsite source. That analysis was not completed and must be completed for closure consideration.

**Need to Conduct Additional Groundwater Monitoring**

Additional groundwater monitoring is needed to establish compliance with the closure criteria of Wis. Admin. Code § NR 726.05 (6) and to document current conditions at the site in relation to the PCE concentrations previously identified.

Need to Submit Post Closure Modification Request

The DNR closed a previous hazardous substance discharge case at the site in September 2015 with continuing obligations that including an impervious cap and maintenance plan, due to the presence of polycyclic aromatic hydrocarbons (PAHs) above direct contact soil residual contaminant levels (RCLs). The current closure request states that the impervious cap requirement is no longer needed because there are no direct contact exceedances, due to revisions to the applicable RCLs for PAHs. Under Wis. Admin. Code NR 727, a post closure modification request must be submitted for the DNR to consider removing the continuing obligations included with the September 2015 case closure..

Schedule

**Within 60 days of the date of this letter, respond in writing with a schedule of your plans to meet these requirements.**

**Until requirements are met, your site will remain “open”,** and you are required to submit semi-annual progress reports, per Wis. Admin. Code § NR 700.11. You are also responsible for any operation and maintenance activities required under Wis. Admin. Code § NR 724.13. Once the additional work has been completed, documentation should be submitted to the DNR to demonstrate that the applicable requirements have been met, per the timelines above.

Conclusion

If you have any questions regarding the information in this letter or would like to schedule a meeting to discuss this case, please contact the DNR project manager, Jeff Paddock at 715-828-8544 or. You can also contact me at 715-208-4004 or [Christopher.Saari@Wisconsin.gov](mailto:Christopher.Saari@Wisconsin.gov).

For more information on the closure reconsideration process, please see DNR publication, RR-102, “Wis. Admin. Code ch. NR 726 Case Closure Reconsideration Process” by visiting [dnr.wi.gov](http://dnr.wi.gov), search: RR-102, for more information.

The DNR appreciates your efforts to restore the environment at this site.

Sincerely,



Christopher A. Saari  
Northern Region Team Supervisor  
Remediation and Redevelopment Program

cc: Erica Klingfus – MSA Professional Services, Inc. (via email)  
Jeff Paddock – DNR Rhinelander (via email)