

DATE: June 25, 2021 FILE REF: BRRTS# 02-38-000047

TO: Margaret Gielniewski – U.S. EPA Region 5

FROM: Department of Natural Resources
Sarah Krueger – Remediation & Redevelopment Program
Bill Fitzpatrick – Remediation & Redevelopment Program

SUBJECT: WDNR comments on Focused Remedial Alternatives Array Tech Memo Former Marinette MGP, dated May 17, 2021

1. MMC Zone: It is understood that without the additional PDI information from the MMC Zone which is currently dependent on an access agreement to the property that a full evaluation of the alternatives at the MMC Zone cannot be completed; however, if we assume the MMC zone is accessible source material, then it should be evaluated with the other accessible zones. The alternatives, with the exception of alternative 1 – No Action, only evaluate the ISGS in the MMC zone and not excavation or ISS. Page 9 states, “(it is) assumed MMC will agree to a source material remedy consistent with the Boom Landing Source Zone.” This further supports evaluating the MMC with the other accessible areas.
2. If the State of Wisconsin implements the Institutional Controls considered at the inaccessible source areas, it should be noted that the State of Wisconsin no longer uses Deed Restrictions. The State of Wisconsin would impose “continuing obligations” at the time of the remedial action and record them in the Wisconsin Remediation and Redevelopment Database (WRRD).
3. None of the accessible areas discuss or include evaluation of a Horizontal Engineered Barrier, There may be a need to include that evaluation as part of Alternatives 2 and 3 to meet State requirements; although, any cap or cover may be addressed as part of the Institutional Controls for the State of Wisconsin.
4. Additional information concerning ISGS is needed to consider the technology and its effectiveness.
5. Additional information regarding necessary pilot tests, bench scale studies, etc. and potential timeline for implementation would be helpful in the evaluation, especially as pertains to ISS and ISGS.
6. Please include the following ARARs:
 - a. Wis. Stats. § 292: Remedial Action
 - b. Wis. Admn. Code NR 716: Migration pathways, site investigation
 - c. Wis. Admn. Code NR 727: Continuing obligations, institutional controls
 - d. 40 CFR 300.430(a)(1)(iii): Remedial alternatives, Principle Threat Waste
 - e. RCRA 40 CFR 257: Non-hazardous waste standards
 - f. RCRA 40 CFR 261.3: Definition of hazardous waste
 - g. RCRA 40 CFR 262: Transport of hazardous waste
 - h. RCRA 40 CFR 264 – 265: Wastewater treatment standards, waste storage, excavation, and fugitive dust