

**From:** Dombrowski, Frank J <frank.dombrowski@wecenergygroup.com>  
**Sent:** Friday, March 25, 2022 10:28 AM  
**To:** Werner, Leah  
**Cc:** Krueger, Sarah E - DNR; Prasad, Narendra M; 'staci.goetz@ramboll.com'; Abigail Small (ASMALL@ramboll.com); Julie A Zimdars (Julie.Zimdars@ramboll.com); 'adrienne.korpela@jacobs.com'; Luke, Glenn R  
**Subject:** Former WPS Green Bay MGP - Revised Letter of Intent for Early Removal Action  
**Attachments:** Green Bay Early Action Letter of Intent\_REV 1 03252022.pdf

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Leah,

Per our previous discussions, please find attached the revised Letter of Intent (LOI) and responses to USEPA comments on the original LOI received on February 19, 2021. Please feel free to contact me if there are any questions or if additional information may be needed.

Thanks,

*Frank Dombrowski*  
*Principal Environmental Consultant*

WEC Energy Group - Business Services  
Environmental Dept. - Land Quality Group  
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*Serving WEC Energy Group, We Energies, Wisconsin Public Service, Michigan Gas Utilities, Minnesota Energy Resources, Peoples Gas and North Shore Gas*



Wisconsin Public Service Corporation

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March 25, 2022

Ms. Leah Werner  
Remedial Project Manager  
United States Environmental Protection Agency  
77 W. Jackson Boulevard  
Chicago, Illinois 60604-3590

**RE: Transmittal of Letter of Intent to Conduct Early Removal Action Revision 1 and Response to Comments on the Letter of Intent to Conduct Early Removal Action Former WPSC Green Bay Manufactured Gas Plant Site, Green Bay, Wisconsin Wisconsin Public Service Corporation CERCLA Docket No. V-W-06-C-847, CERCLIS ID – WIN000509948, BRRTS # - 02 05 000254**

Dear Ms. Werner:

Wisconsin Public Service Corporation (WPSC) is providing the Letter of Intent (LOI) to Conduct Early Removal Action for the Wisconsin Public Services Corporation (WPSC) Green Bay Former Manufactured Gas Plant, Green Bay, Wisconsin. This letter responds to the United States Environmental Protection Agency (USEPA) comments received on February 19, 2021.

For ease of review, USEPA comments are presented below in italics, followed by responses developed for WEC Business Services, LLC (WBS). The attached Letter of Intent to Conduct Early Removal Action incorporates the responses to comments as described below.

- 1. The scope of work proposed in the draft letter to conduct an early action on the upland portion of the Former WPSC Green Bay Manufactured Gas Plant (MGP) site is very targeted. As previously discussed, EPA supports early action activities at sites in order to expedite clean-up. EPA also does not want to prohibit any potential development actions at the site. However, this action, if authorized, does not preclude or remove WPSC from any future work that may be deemed necessary during the CERCLA process. WPSC will be required to resume the RI/FS for the upland portion of the site, upon completion of any authorized early actions. Further, EPA cannot guarantee that no further work will be deemed necessary, during the CERCLA process.*

**WPSC Response:** Acknowledged.

- 2. WPSC has proposed addressing surface soils where cumulative cancer risk exceeds  $1 \times 10^{-5}$ . As the draft letter of intent makes it clear that redevelopment is possible for this site, EPA suggests that the conservative risk level of  $1 \times 10^{-6}$  be utilized for this action. As future land use is unknown, WPSC should evaluate all future land use potential including residential.*

**WPSC Response:** Based on preliminary planning with the proposed developer, final site use is likely to consist of multi-family housing, commercial uses, green space, and associated parking. Given this redevelopment plan, the proposed early removal action has been modified to include removal, off-site disposal, and import of clean soil in the top four feet of surface soil in the main parking lot area and top two feet of surface soil in the Riverwalk area to address the direct

contact pathway. This proposed early removal action will address surface impacts exceeding a cumulative residential cancer risk of  $1 \times 10^{-6}$ .

- 3. The draft letter of intent indicates that WPSC proposes to remove and dispose of all soil visually identified as oil-wetted or oil-coated to the extent practicable. The scope further indicates that the proposed early action will not proceed laterally or vertically to remove minor amounts of oil-wetted/oil-coated material that may be observed intermittently in trace amounts in native clay fractures at the bottom of excavation or in silt seams in excavation sidewalls. Please note that EPA's position is that NAPL is principal threat waste and that it be removed to the extent practicable. Simply by stating that the action will not proceed to remove minor amounts of material that may be observed intermittently in trace amounts does not demonstrate that it is not practical to remove this material. Further, EPA notes that the recently completed OU2 sediment work did pursue trace amounts of NAPL and was successful in those actions.*

**WPSC Response:** The LOI has been modified to remove the statement that the early action will not proceed laterally or vertically to remove minor amounts of oil-wetted/oil-coated material in clay fractures or silt seams. Further discussion detailing delineation and definition of excavation limits, adjustments in the field based on visual observations, and excavation verification sampling will be provided in the Removal Action Work Plan (RAWP).

- 4. Please clarify how the excavation limits will be defined in the field. The LOI should state what field measurements, analytical samples and observations will be used to ensure targeted impacted media are addressed in the interim action.*

**WPSC Response:** Details about defining excavation limits in the field and excavation verification sampling are beyond the scope of the LOI and will be included in the RAWP.

- 5. All removal actions proposed and an estimated schedule for the activities should be included in the LOI and Figure 2. For example, the proposed removal actions along the river walk are not depicted in Figure 2. Additionally, SB-600 is not referenced in the text but has a cumulative risk exceedance for shallow soils. Please review and update the LOI and Figure 2, accordingly.*

**WPSC Response:** Figure 2 has been updated to show the proposed extent of all removal actions. A proposed removal action timeframe, pending Agency review and concurrence with subsequent Early Action deliverables, has been added to the LOI. All surface exceedances (including SB-600) will be addressed in the RAWP, which will detail the revised technical approach to the early removal action.

- 6. The LOI references utilizing institutional controls on the property to address remaining soils greater than four feet below ground surface. Please note that EPA cannot guarantee that WPSC will not be required to perform additional work in the future. As noted in Comment 1, WPSC will be required to complete the RI/FS per the Administrative Order on Consent. During the RI/FS, an assessment will be made concerning remaining site contamination and risks to human health and the environment. Also note if institutional controls will be required on the property, WPSC will be required to implement them in accordance with the state of Wisconsin requirements (including using the Wisconsin Remediation and Redevelopment Database). Additional discussion related to institutional controls with EPA and Wisconsin DNR will be held in the future.*

**WPSC Response:** Acknowledged.

- 7. Please note the Removal Action Work Plan should also include procedures for verification sampling during the excavation (sidewall and floor samples). It should also include sampling procedures if worker entry into the excavation is prohibited for safety reason.*

**WPSC Response:** Acknowledged. The RAWP will include procedures for excavation verification sampling.

If you have any questions, please don't hesitate to contact me at (414) 221-2156 or via email at [frank.dombrowski@wecenergygroup.com](mailto:frank.dombrowski@wecenergygroup.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Frank Dombrowski". The signature is written in a cursive, flowing style.

Frank Dombrowski  
Principal Environmental Consultant  
WEC Business Services – Environmental Dept.

Enclosures: Letter of Intent to Conduct Early Removal Action Revision 1

For distribution to: Ms. Sarah Krueger, WDNR (via email and hardcopy)  
Ms. Adrienne Korpela, Jacobs (via email)  
Ms. Staci Goetz, Ramboll (via email)



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March 25, 2022

Ms. Leah Werner  
Remedial Project Manager  
United States Environmental Protection Agency  
77 W. Jackson Boulevard  
Chicago, Illinois 60604-3590

**RE: Letter of Intent to Conduct Early Removal Action (Revision 1) – OU1 North Parking Lot  
Former WPSC Green Bay Manufactured Gas Plant Site, Green Bay, Wisconsin  
Wisconsin Public Service Corporation  
CERCLA Docket No. V-W-06-C-847, CERCLIS ID – WIN000509948, BRRTS # - 02 05 000254**

Dear Ms. Werner:

Wisconsin Public Service Corporation (WPSC) is requesting United States Environmental Protection Agency (USEPA) authorization to conduct an early removal action (ERA) on portions of the upland operable unit (OU1), and a portion of river operable unit (OU2), of the Former Green Bay Manufactured Gas Plant (MGP) (Site) under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 104(e)(6). This ERA is planned to be primarily conducted in the north parking lot and adjacent City Riverwalk property and will support an upcoming property redevelopment while under the current Remedial Investigation/Feasibility Study (RI/FS) Administrative Order on Consent. The ERA is also planned to address a limited area of observed near-shore impacts first reported in August 2021 and investigated in September 2021 as described in the Technical Memorandum dated and submitted to the USEPA on February 18, 2022.

WPSC's goal is to initiate the ERA in late 2022 to support the 2023 redevelopment. This letter presents the general framework within which the extent of removal action will be conducted. Background information, site status, purpose and objectives, and proposed elements of the ERA are provided herein. Detailed design specifications for the ERA and presentation of all relevant site investigation data will be provided in a Remedial Action Workplan (RAWP) under separate cover after USEPA's approval of this Letter of Intent.

## **BACKGROUND**

The former Green Bay MGP property is located in Green Bay, Wisconsin, immediately east of the former WPSC corporate offices. The former MGP property is approximately 4 acres in size, and the entire WPSC property covers approximately 17 acres. The property is bounded by the Fox and East Rivers on the north, by North Jefferson Street on the west, by North Madison Street on the east, and by Elm Street on the south (Figure 1).

The upland OU1 consists of three parcels, the largest of which is owned by WPSC. The former MGP structures were primarily located on the southern part of this parcel (Figure 1). The majority of OU1 is currently used as a parking lot and is paved. A river walk area, located on an easement to the City of Green Bay occupies the area immediately adjacent to the Fox River/East River shoreline. In relation to the upland OU1, the WPSC General Office and Annex Buildings are located northwest, the WPSC corporate Division Office Building is located west, the KI Convention center is located southwest, the Associated Bank Office Building is located south, and the Associated Bank Office Building parking areas adjoin the Site to the south and east, respectively (Figure 1).

In 2003, WPSC completed a remedial action on the WPSC property in accordance with Chapter NR700 Wisconsin Administrative Code (WAC) and under Wisconsin Department of Natural Resources (WDNR)

oversight. The future land use of the property at that time was expected to remain as an operational utility office building and maintenance garage facility indefinitely. The primary remedial action objectives for the 2003 site remediation were to:

- Reduce the potential for direct contact exposure to MGP residual;
- Reduce potential for leaching of MGP residuals to groundwater; and
- Reduce dissolved phase migration of MGP residuals to the East River.

The remedial components used to accomplish these objectives consisted of:

- Source area excavation consisting of approximately 30,000 tons of soil and debris, including MGP-related piping, sewers, and below ground structures. Excavation was primarily completed in the southern portion of the Site where the former MGP structures were located (Excavation Areas 1 and 2); aside from the suspected discharge area of a former concrete discharge channel beyond the historic shoreline of the East River (Excavation Area 3) and an area of MGP-impacted soil/wood in the northern portion of the Site (Excavation Area 4). Soil remediation areas from 2003 are shown on Figure 1.
- Off-site thermal treatment (desorption) of approximately 20,951 tons of soil.
- Off-site disposal of approximately 9,000 tons of MGP-related piping and debris.
- Use of the thermally treated soil as well as imported clean sand as excavation backfill.
- Excavation dewatering and on-site treatment prior to discharge to the sanitary sewer (under permit to the City of Green Bay POTW).
- Placement of a minimum of 3 in. of asphalt or approximately 1 foot of cover soil across the site as a direct contact barrier. A cap maintenance/materials management plan was developed and the inspection and maintenance needs have been implemented since the completion of the remediation. The existing cap maintenance extent is shown on Figure 1.

Following completion of remedial activities in accordance with Chapter NR 700 WAC, WPSC voluntarily enrolled the Site into the USEPA Superfund Alternative Approach Program (SAA) in 2008.

## **SITE STATUS**

Aside from limited excavation of piping runs and the discharge channel near the East River shoreline, the northern portion of the WPSC property (north parking lot) was not the primary focus of the 2003 remedial activities conducted at the Site. Since enrollment into the USEPA SAA program, WPSC has conducted various phases of planning and investigation to support the RI process under approved work plans. More recent investigation activities conducted in this area of the upland OU1 have indicated that source material (oil-coated/oil-wetted material) remains in several locations and adsorbed concentrations exceed the USEPA SAA program Residential Soil Screening Levels.

In May 2019, USEPA indicated that the upland OU at the site may be a candidate for an ERA, potentially facilitating an expedited RI/FS process. At that time, WPSC indicated that we were amenable to such an approach and would perform a Pre-Design Investigation (PDI) to augment Remedial Investigation (RI) data that had already been collected under an approved 2015 Site-Specific Work Plan and addenda. The PDI field activities were substantially completed in August through September and November 2020 under an approved work plan. During a meeting conducted between USEPA and WPSC on December 16, 2020, WPSC indicated that a redevelopment opportunity for the property was under consideration and may necessitate an acceleration of the schedule for a near-term removal action. Since that meeting, WPSC has further evaluated the redevelopment opportunity and has identified a goal of commencing redevelopment planning and removal action construction by the end of 2022 to facilitate the construction schedule that has been expressed by the City and developer.

## **PURPOSE AND OBJECTIVES OF THE EARLY REMOVAL ACTION**

Our discussions with potential developers indicate an interest in a mixed-use development on the property owned by WPSC, including the area north of Utility Court and east of the existing Annex Building. This proposed development may consist of multi-family housing, commercial uses, green space and associated parking.

The purposes of the ERA are as follows:

1. Address impacted soil to remove ongoing sources of dissolved phase impacts adjacent to the East River prior to the north parking lot area being redeveloped with new buildings and infrastructure, following which would make remediation efforts in this area much more difficult.
2. Address impacted soil conditions potentially encountered during foundation construction and potential exposure pathways the construction team or building occupants may encounter by conducting a removal action in this area in advance of development construction.
3. Address impacts in the portion of the Site that had not been previously identified prior to the 2003 remedial activities including areas within the north parking lot that may warrant re-excavation given updated future land use conditions. As such, this removal action is in alignment with the overall goal of completing the necessary remediation activities throughout the Former Green Bay MGP property and aligns with the intent of the existing RI/FS Administrative Order on Consent.
4. Remove impacted sediment and impacted rip rap/soils in adjacent shoreline areas as necessary to address the source of "sheen" in the cove area adjacent to the east end of Utility Court.

The specific remedial action objectives of the ERA include:

- Remove source material identified as principal threat waste/source material;
- Address the direct contact pathway for the redevelopment;
- Substantially address vapor intrusion concerns for redevelopment; and
- Address (remove) the limited impacted sediments that were the source of sheen at the eastern end of Utility Court in the East River reported in August 2021.

## **PROPOSED ELEMENTS OF THE EARLY REMOVAL ACTION**

The proposed ERA elements and their preliminary lateral extents are shown on Figure 2. The lateral and vertical extents of the removal actions will be refined through the development of the Removal Action Work Plan (RAWP). The proposed ERA elements are as follows:

1. Removal and off-site disposal of fill material and soil determined to constitute principal threat waste or source material including:
  - a) Non-aqueous phase liquid (NAPL) identified as separated liquid
  - b) Fill material and soil visually identified as NAPL-impacted (oil-wetted or oil-coated) to the extent practicable with consideration given to ensuring the structural stability of the Annex Building foundation and the East River bulkhead/shoreline. Additional sheet pile shoring will be installed for the protection of these structures.
  - c) Elevated adsorbed phase concentrations of constituents of concern (COCs) exceeding a lifetime incremental cancer risk (CR) of  $10^{-3}$  or a hazard index (HI) of 10 under applicable residential land use assumptions.
2. Removal and off-site disposal of fill material and soil potentially constituting a direct contact risk and/or vapor intrusion concern including:

- a) Fill material and surface soils (0 to 4 feet bgs) beneath the existing cap where the redevelopment will occur.
- b) Fill material and surface soil (0 to 2 feet bgs) in the portion of the Riverwalk area adjacent to the north parking lot.
3. Address any other OU1 areas identified or verified by the proposed supplemental pre-design investigation (Ramboll March 2022), in accordance with the parameters described in items 1 (a-c) and 2 (a-b).
  - a) One area preliminarily identified on Figure 2 includes the prior Excavation Area 3 where a portion of the thermally treated backfill is anticipated to be re-excavated to address principal threat waste that may remain and/or address recontamination of this fill near well MW-411AR.
  - b) A second potential area to be addressed includes soil in the vicinity of prior Excavation Area 4 where the adsorbed phase COCs exceed a Residential HI of 10 primarily driven by concentrations of total cyanide (area to be determined, not shown on Figure 2).
4. Backfill all excavations with clean imported fill.
5. Remove impacted sediments that were the source of sheen to the East River within/and near the riprap slope adjacent to the Utility Court. During the ERA and while water treatment infrastructure is in place and excavation equipment is mobilized, investigate the riprap area further and remove any additional source if found. The impacted sediment removal and riprap investigation area is shown on Figure 2.

Details regarding the definition of excavation limits, adjustments in the field based on visual observations, and excavation verification sampling and documentation will be provided in the RAWP. WPSC anticipates completion of the RAWP by late 2<sup>nd</sup> quarter 2022 and initiating the removal action work during the 4<sup>th</sup> quarter of 2022. Following completion of the ERA and documentation of these activities, WPSC will submit an RI Report for OU1 that presents and evaluates post-remedial conditions of the north parking lot and existing conditions within the south parking lot area.

## CLOSING

WPSC appreciates USEPA's willingness to facilitate remediation and promote this important regional redevelopment at the Former Green Bay MGP. Upon USEPA's review of this Letter of Intent and USEPA's written authorization to proceed with the proposed ERA under CERCLA Section 104(e)(6), WPSC will immediately commence preparation of the Removal Action Work Plan for submission to USEPA for approval.

If you have any questions, please do not hesitate to contact me at (414) 221-2156 or via email at [frank.dombrowski@wecenergygroup.com](mailto:frank.dombrowski@wecenergygroup.com).

Sincerely,



Frank Dombrowski  
Principal Environmental Consultant  
WEC Business Services – Environmental Dept.



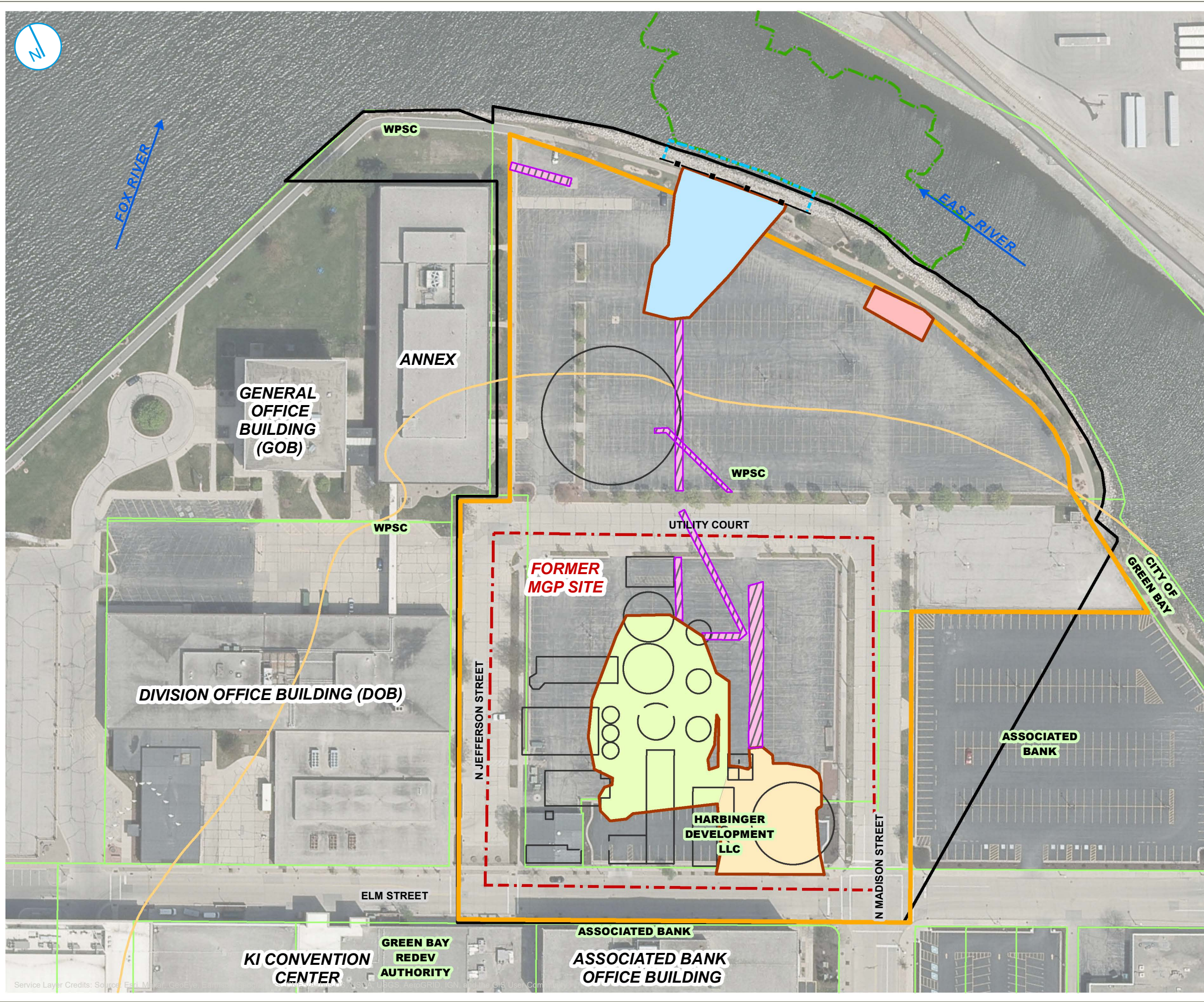
Letter of Intent to Conduct Removal Action  
March 25, 2022

cc: Ms. Sarah Krueger, WDNR (via email and hardcopy)  
Ms. Adrienne Korpela, Jacobs (via email)  
Ms. Staci Goetz, Ramboll (via email)

Enclosures: Figure 1 – Site Location and Previous Removal Areas  
Figure 2 – Conceptual Early Removal Action Plan

## FIGURES





- SHEET PILE WALL
- - - SHORELINE EXCAVATION EXTENT (REMEDIAL ACTION COMPLETED IN 2018)
- FORMER MGP STRUCTURE
- SOIL REMEDIATION EXCAVATION AREAS (2003)
- SOIL REMEDIATION MGP PIPING RUNS (2003)
- EXCAVATION AREA 1 (6-8 FT)
- EXCAVATION AREA 2 (8-14 FT)
- \* TAR WELL (12-22 FT)
- EXCAVATION AREA 3 (8-12 FT)
- EXCAVATION AREA 4 (7 FT)
- EXCAVATED PIPING RUN
- CAP MAINTENANCE
- SOUTH FOCUS AREA (REMEDIAL ACTION COMPLETED IN 2018)
- ← RIVER FLOW DIRECTION
- APPROXIMATE SHORELINE (1835)
- TAX PARCEL
- FORMER MGP SITE
- UPLAND OU1 SITE BOUNDARY



**SITE LOCATION AND PREVIOUS REMOVAL AREAS**

**LETTER OF INTENT TO CONDUCT EARLY REMOVAL ACTION**  
 FORMER GREEN BAY MANUFACTURED GAS PLANT  
 WISCONSIN PUBLIC SERVICE CORPORATION

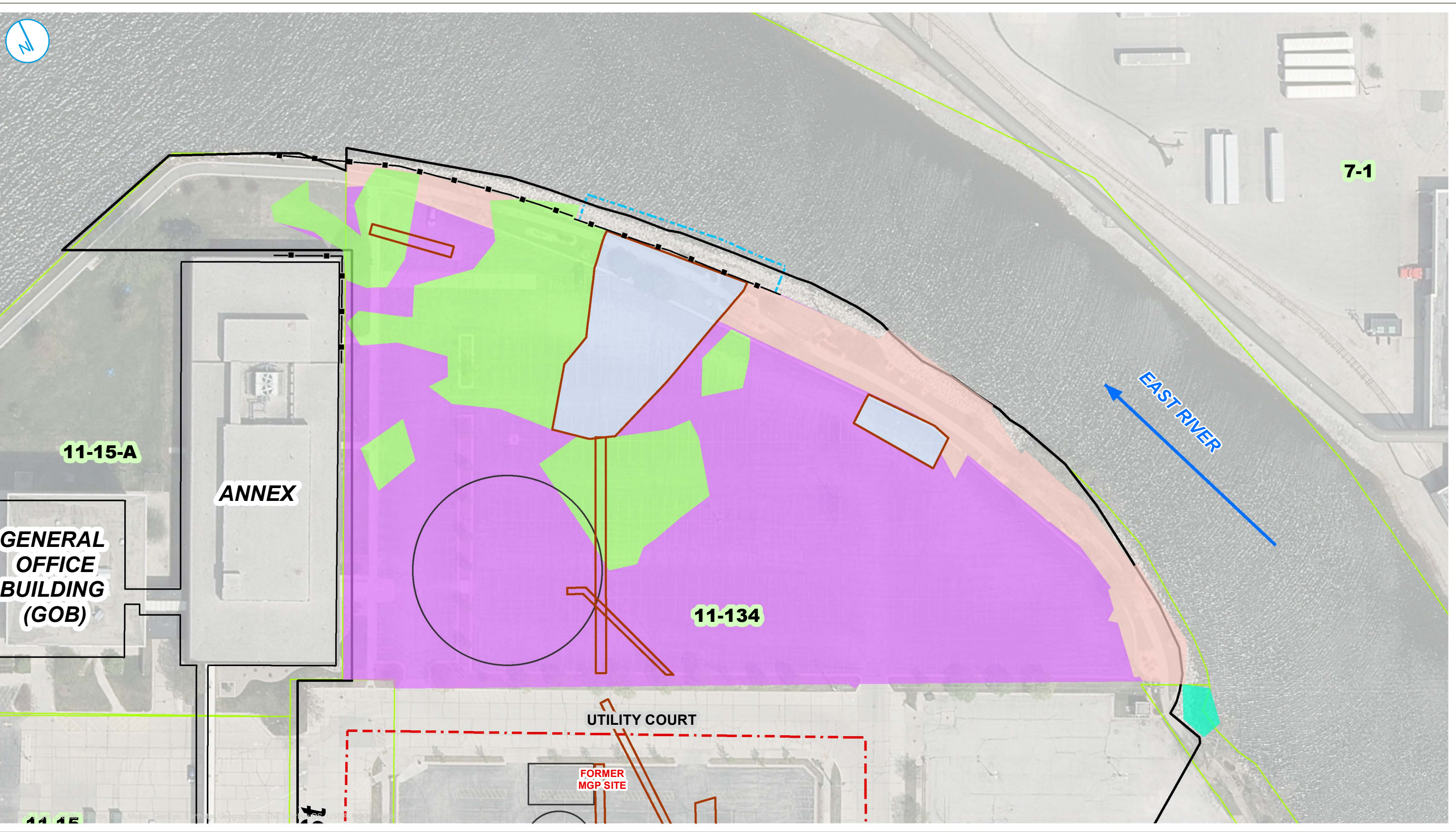
**FIGURE 1**



Service Layer Credits: Source: Esri, Microsoft, GeoEye, IGN, AerGRID, IGN, and the GIS User Community



PROJECT: 169000XXXXX | DATED: 3/14/2022 | DESIGNER: AS.MALL



- UPLAND SITE BOUNDARY
- FORMER MGP SITE
- SHEET PILE WALL
- BUILDING FOOTPRINT
- TAX PARCEL
- FORMER STRUCTURE
- SOIL REMEDIATION EXCAVATION AREAS
- SHORELINE EXCAVATION EXTENT (REMEDIAL ACTION COMPLETED IN 2018)
- RIP-RAP INVESTIGATION AREA, POTENTIAL SEDIMENT REMOVAL
- RE-EXCAVATE A PORTION OF THERMALLY TREATED BACKFILL
- RIVERWALK EXCAVATION TO 2 FT BGS AND HORIZONTAL BARRIER
- SOURCE REMOVAL ACTION
- SOIL EXCAVATION TO 4 FT BGS

**Note:**  
Design Drawings will be submitted with the Removal Action Work Plan.



**CONCEPTUAL EARLY REMOVAL ACTION PLAN**

**FORMER GREEN BAY MANUFACTURED GAS PLANT  
OU1 NORTH PARKING LOT**  
WISCONSIN PUBLIC SERVICE CORPORATION  
GREEN BAY, WISCONSIN

**FIGURE 2**

RAMBOLL US CORPORATION  
A RAMBOLL COMPANY

