

From: Grittner, Paul V - DNR
Sent: Thursday, July 18, 2019 3:27 PM
To: 'Dan Dunn'
Cc: Fitzpatrick, William - DNR
Subject: NR 718 exemption application - Janesville WI

Subject: Wis. Admin. Code § NR 718 Exemption Request
General Motors (GM) Sediment Contamination, 1000 General Motors Drive, Janesville, WI
DNR BRRTS #: 02-54-577951, DNR FID #: 154002860

Dan,

I have some questions and comments regarding the NR 718 Application submitted on July 17, 2019. DNR's July 16, 2018 letter requesting additional information to support a NR 718 exemption request listed the minimum data requirements that need to be provided when requesting such an exemption. It does not appear that all needed information was included with the Application.

- 1) Laboratory reports were not included for all lab data referenced on the table. Data missing from the lab reports include:
Solid Sample #1 – PAH and metal analysis
Solid Sample #2 – PCBs, PAHs, PAH leach, and metals analysis

It is unclear whether soil samples #1-3, referenced in the lab reports, are the same as solid sample #1-3, referenced in different lab reports and on the table. It is also unclear why metals leach analysis was conducted on Soil #1 (collected 6/20) and Solid #1 (collected on 7/9). Providing a brief narrative describing how the soil/solid samples were collected and analyzed would be a useful for interpreting this data.

- 2) The volume of material currently proposed to be managed under the exemption needs to be stated. Is this request for the initially 500 yards of soils, or is it intended to apply to a greater volume? Is it expected that future requests will be made to reuse additional material at this location?
- 3) Explain how the sampling criteria in NR 718.12(1)(e) has been met by explaining what the sample results on the attached table represent. Were solid samples #1, #2, and #3 collected during the accumulation of the first 500 yards of stockpiled dewatered sediment as was originally proposed? Explain what a Geo-Bag sample is and if these results are being used to characterize stockpiled soil that will be reused at the former JATCO.
- 4) A map depicting the reuse area was provided. If the cap tapers off as shown on the figure it should extend beyond fill area to ensure the thickness will be protective.
- 5) Confirm whether the soil managed at the proposed reuse location will be placed more than 3 feet from the high water level in that area.
- 6) Provide a justification that reuse will meet requirements of NR 726.12(1)(b)1-5 (which generally means that the reuse of the contaminated soil in the proposed location will not result in harm to human health or the environment).

The analytical data provided so far indicates that the soil potentially exceeds industrial direct contact RCLs and that naphthalene has the potential to leach such that an enforcement standard could be exceeded by this compound. The flow chart included with the Application suggests that soil with these characteristics be reused under a concrete cap or be disposed at a licensed facility. Explain how reusing the soil in the newly identified reuse area is as protective as these other strategies. The DNR does not typically consider a soil cap to be protective for preventing groundwater contamination.

Leach test results should always be tabulated and compared to the enforcement standards to support the proposed management plan.

- 7) State specifically what continuing obligations will be required to address soil reused offsite and provide the applicable review and database fees.

As a condition for approving the 718 exemption the DNR will impose continuing obligations on the site where the contaminated soil will be managed. The applicant must propose these obligations as part of the exemption request.

It is unclear whether requiring industrial land use would be beneficial, as the sample results from Solid Sample #2 indicate that PAH concentrations exceed industrial direct contact RCLs. The only advantage to using industrial direct contact RCLs is when contaminant concentrations are between industrial and non-industrial standards, the soil is located at a property that is zoned for industrial uses, and a cap will not be maintained over the contaminated material. Recommending the continuous maintenance of the proposed cap would address the direct contact risk posed by residual contamination and would not require land use restrictions.

The land use / zoning plan was not included with the application, so it is unclear if requiring industrial zoning to be maintained would be an issue for this property.

An additional review fee (\$700) and database fee (\$300) will be assessed for approving management of the soil at a different site from where it is currently located.

Please let me know if you have any questions regarding the above items. With the exception of my email, my contact information has changed to:

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