



August 6, 2018

Bayside Forestry Equipment, Inc.
Attn: Brad Keseluk
9222 E County Road L
Solon Springs, WI 54873

Subject: Infiltration/Injection Temporary Exemption Request for
Bayside Forestry Equipment, Inc., 9222 E County Road L, Solon Springs,
Wisconsin
WDNR BRRTS Activity # 03-16-000971

Dear Mr. Keseluk:

The purpose of this letter is to provide a temporary exemption for the injection of a remedial material into groundwater. A request for a temporary exemption to inject ~9,000 lbs of GR-320-IRC Reactivated Carbon – a slurry mixture comprised of powdered reactivated carbon using the CleanInject process into groundwater at the Bayside Forestry Equipment, Inc. property was received from your consultant, REI Engineering, Inc., on July 31, 2018. The Department also received a request for a WPDES General Permit for Contaminated Groundwater from Remedial Action Operations on August 3, 2018. This temporary exemption is intended to provide assurances to Mr. Brad Keseluk that the environmental cleanup being conducted in response to a release of contaminants on the Property is being conducted in accordance with s. 292.12, Wis. Stats.

The purpose of this injection is to further reduce petroleum-impacted groundwater and soil and limit off-site migration. Approximately 9,000 lbs of reactivated carbon (GR-320-IRC) will be injected in a series of 45 injection points at depths from 4 -12 ft below ground surface with 40 lbs of carbon in five-foot intervals. There will be three rows of injection locations basically creating three separate permeable reactive barriers (PRBs). The largest PRB will be along the property boundary downgradient hydraulically from the source area of the former pump island. The middle PRB will be the next longest in length ~40 feet upgradient of the former pump island to the south. The third PRB is to be in another suspected source area upgradient from the middle PRB and to the southeast or in the vicinity groundwater monitoring wells MW4 and MW5.

The remedial action plan includes source removal excavation of contaminated soils (est. ~500 tons), installation of a geomembrane cover with aggregates at the ground surface to prevent direct contact, and a series of three PRBs of carbon-based injectates (CBI) using reactivated carbon and remediation by natural attenuation (RNA). The amendment will be discharged to the *in-situ* groundwater.

Determination on the NR 812 Injection Prohibition:

The injection prohibition under s. NR 812.05, Wis. Adm. Code, is not applicable in this case

because the proposed action is a Department-approved activity necessary for the remediation of groundwater. This letter serves as your approval from the Department to inject ~9,000 lbs of GR-320-IRC Reactivated Carbon in a slurry, to treat dissolved phase petroleum compounds in groundwater, in accordance with this temporary exemption.

NR 140 Temporary Exemption:

Department approval is hereby granted to Brad Keseluk for the injection of ~9,000 lbs of GR-320-IRC Reactivated Carbon in a slurry to groundwater on the Bayside Forestry Equipment, Inc. property, with certain terms and conditions. The expiration date of this temporary exemption shall be two (2) years from the date of this letter.

The need to obtain a temporary exemption for the injection of a remedial material for which a groundwater quality standard has not been established is required under s. NR 140.28 (1) (d), Wis. Adm. Code. Based on the information provided by your consultant, it appears the requirements for a temporary exemption for the injection of a remedial material for which a groundwater quality standard has not been established under s. NR 140.28 (1) (d) have been or will be met, in accordance with s. NR 140.28 (5) (c) and (d), Wis. Adm. Code.

Department approval is granted with the following terms and conditions:

A. General:

1. The remedial action for restoring contaminated groundwater or soil, and any infiltrated or injected contaminated water and remedial materials, shall achieve the applicable response objectives required by s. NR 140.24 (2) or s. NR 140.26 (2), Wis. Adm. Code, within a reasonable period of time.
2. The type, concentration and volume of substances or remedial material to be infiltrated or injected shall be minimized to the extent that is necessary for restoration of the contaminated groundwater.
3. Any infiltration or injection of contaminated water or remedial material into groundwater shall not significantly increase the threat to public health or welfare, or to the environment.
4. No uncontaminated or contaminated groundwater, substance or remedial material shall be infiltrated or injected into an area where a floating non-aqueous liquid is present in the contaminated groundwater.
5. There shall be no expansion of soil or groundwater contamination, or migration of any infiltrated or injected contaminated water or remedial material, beyond the edge of previously contaminated areas, except that infiltration or injection into previously uncontaminated areas may be allowed if the Department determines that expansion into adjacent, previously uncontaminated areas is necessary for the restoration of the contaminated groundwater, and the requirements of s. NR 140.18 (1), Wis. Adm. Code will be met.
6. All necessary federal, state and local licenses, permits and other approvals are obtained and compliance with all applicable environmental protection requirements is required. A WPDES general permit for Discharge of Contaminated Groundwater from Remedial Action Operations is required for this action.

B. Specific:

7. The remedial materials to be injected to the groundwater shall be limited to granulated carbon slurry GR-320-IRC Reactivated Carbon.
8. The remedial material and injection project shall be as described in a cost request

- submitted by REI Engineering, Inc. on July 31, 2018.
9. Dave Larsen-REI Engineering, Inc. shall notify the Department of field activities no less than one (1) week before implementation.
 10. In the monitoring plan, include screening for soil vapor as a best management practice.
 11. Remediation progress reports shall be submitted with the semi-annual progress reports. The progress reports shall include the groundwater monitoring results. The first report should be submitted not more than 5 (five) months after the first injection. Recommendations as to the next phase of sampling and/or the need for additional treatment shall be included in a future report. This report shall be submitted as soon as the necessary information is available, and must be submitted prior to the expiration date of this temporary approval.
 12. Any significant changes based on information from the injection groundwater monitoring reports or results shall be submitted to the Department for approval prior to the changes being implemented at the Bayside Forestry Equipment, Inc. site. This includes, but is not limited to, adjustments to the volume/mass of the media injected, additional injection points, number of injection events, and/or changes in the type of remediation media used in the injection points.
 13. Modifications to the sampling schedule may be requested.
 14. In the event of future injection activities, the responsible party may apply for an extension of this approval. A request for an extension of this approval must be received by the Department before the expiration date.
 15. Any permit extension approvals will be dependent on WI DNR review of site-specific data or any other information it deems necessary.
 16. Upon completion of the project, the injection holes must be abandoned in accordance with s. NR 141.25, Wis. Adm. Code, and later topped off with grout or native soils if settling occurs, unless converted to NR 141 complying monitoring wells, or an alternative approved by the DNR Project Manager.

Monitoring Conditions:

1. That the actual volume injected be recorded on an hourly basis for each day of the project.
2. That baseline monitoring be performed prior to the first injection event, for the following groundwater parameters, at the following wells:
 - a. *PVOCs + Naphthalene*
 - b. at monitoring wells: MW2, MW3, MW4, MW5, MW7, MW8, MW11, MW13 and PZ1
3. That after completion of the injection phase of the remedial action (between 30 to 40 days), all monitoring wells be sampled for the parameters listed in #2.a.
4. That a Site-Specific Health and Safety Plan be followed.
5. That the injection is performed at less than 100 psi at a rate which prohibits solution mounding in the aquifer, and plume disfigurement.

Failure to adhere to the provisions of this temporary exemption may result in the Department requiring revisions to the remedial action design, operation or monitoring procedures, or the revocation of this exemption and the implementation of an alternative remedial action to restore soil or groundwater quality, or both.

WPDES Permit

Your proposed discharge is eligible for coverage under the general Wisconsin Pollutant Discharge Elimination System (WPDES) permit WI-0046566-07 for Discharge of Contaminated Groundwater from Remedial Action Operations. You are responsible for compliance with the

conditions contained in this permit. The permit and factsheet can be downloaded from the DNR website at <http://dnr.wi.gov/topic/wastewater/GeneralPermits.html>. The amended water will be discharged to the groundwater. No pollutants shall be injected into the groundwater, with the exception of those present in the groundwater which will be extracted from the site.

Discharges under this permit are required to be consistent with a discharge management plan that has been approved by the Department. Your plan, titled "Proposal for Carbon Based Injectate (CBI) Injection Services Bayside Forestry Equipment" dated April 17, 2018 will be considered as the required discharge management plan outlined in section 3.3 of the permit.

The proposed treatment system is described earlier in this document, any significant system changes will require Department approval.

The Department hereby authorizes your pollutant discharge under the general WPDES permit for Discharge of Contaminated Groundwater from Remedial Action Operations, (WI-0046566-7). The following conditions are highlighted for your information:

Reporting Conditions:

A copy of all monitoring results provided to the RR Program shall also be submitted to the Wastewater Program via mail to WI DNR, Attn: Leila Jenkins, 810 W. Maple St, Spooner, WI 54801 or via email to Leila.Jenkins@wisconsin.gov.


Notice of Appeal Rights for WPDES General Permit:

Section 283.35(1), Wis. Stats., authorizes the Department to issue a general permit applicable to a designated area of the state authorizing discharges from specified categories or classes of point sources located within that area. Upon the request of the owner or operator of a point source, the Department shall withdraw the point source from the coverage of a general permit and issue an individual Wisconsin Pollutant Discharge Elimination System (WPDES) permit for that source in accordance with s. 283.35(2), Wis. Stats. Additionally, the Department may withdraw a point source from the coverage of a general permit and issue an individual WPDES permit if that source meets any of the factors listed in s. 283.35(3), Wis. Stats. Issuance of such an individual permit will provide for a public comment period, and potentially a public informational hearing and/or an adjudicatory hearing. In lieu of general permit withdrawal, the Department may refer any violation of a general permit to the Department of Justice for enforcement under s. 283.91, Wis. Stats., pursuant to s. 283.89, Wis. Stats. In order to remain in compliance and avoid any enforcement action, **please read your permit carefully.**

To challenge the reasonableness of or necessity for any term or condition of an issued, reissued, or modified general permit, s. 283.63, Wis. Stats., and ch. NR 203, Wis. Adm. Code, require that you file a verified petition for review with the Secretary of the Department of Natural Resources within 60 days after notice of the permit decision was issued by the Department. For other permit-related decisions, such as the decision to confer general permit coverage to your facility, that are not reviewable pursuant to s. 283.63, Wis. Stats., it may be possible for permittees or other persons to obtain an administrative review pursuant to s. 227.42, Wis. Stats., and s. NR 2.05(5), Wis. Adm. Code, or a judicial review pursuant to s. 227.52, Wis. Stats. If you choose to pursue one of these options, you should know that Wisconsin Statutes and Administrative Code establish time periods within which requests to review Department decisions must be filed.

If you have any questions regarding this letter, please contact me at the letterhead address, or phone (608) 261-6543, or email Ralph.Smith@wisconsin.gov.

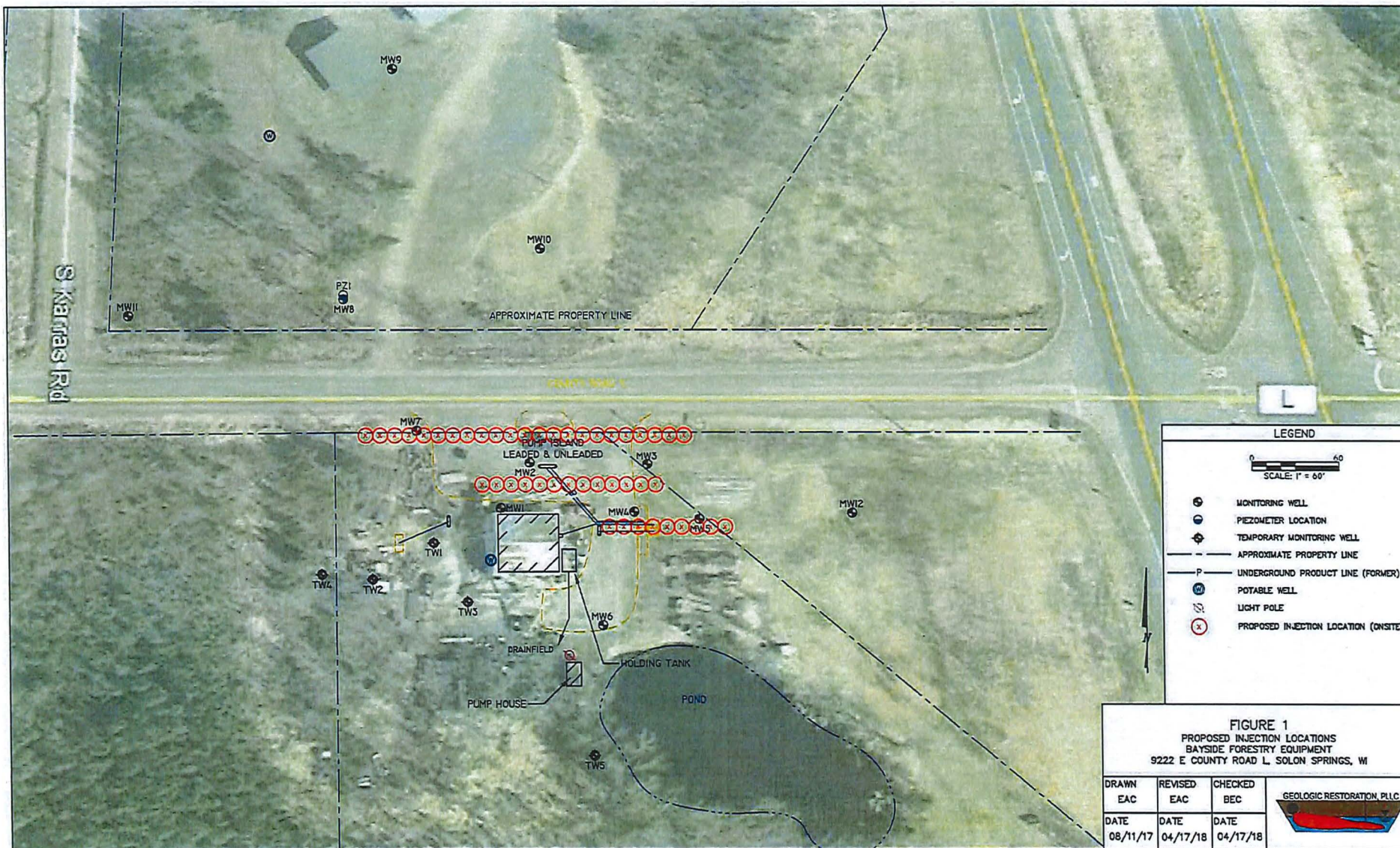
Sincerely,



Ralph Smith
Hydrogeologist
Remediation & Redevelopment Program

Enclosures: Figure 1: Proposed Injection Locations (Geologic Restoration, PLLC), Figure 2a: Site Map, with Property Boundaries (REI, Inc), Figure 6: Estimated Extent of Groundwater Contamination (REI, Inc.), Figure 7: Estimated Extent of Proposed Soil Excavation (REI, Inc.)

cc: Dave Larsen – REI Engineering, Inc. (via email and USPS)
Chris Saari – DNR Northern Region Team Supervisor (via email)
Brian Austin, DNR - DG/5 (via email)
Bill Phelps, DNR - DG/5 (via email)
Sheri Snowbank, DNR - Waste Water Specialist – Spooner (via email)
Leila Jenkins, DNR - Waste Water Specialist – Spooner (via email)



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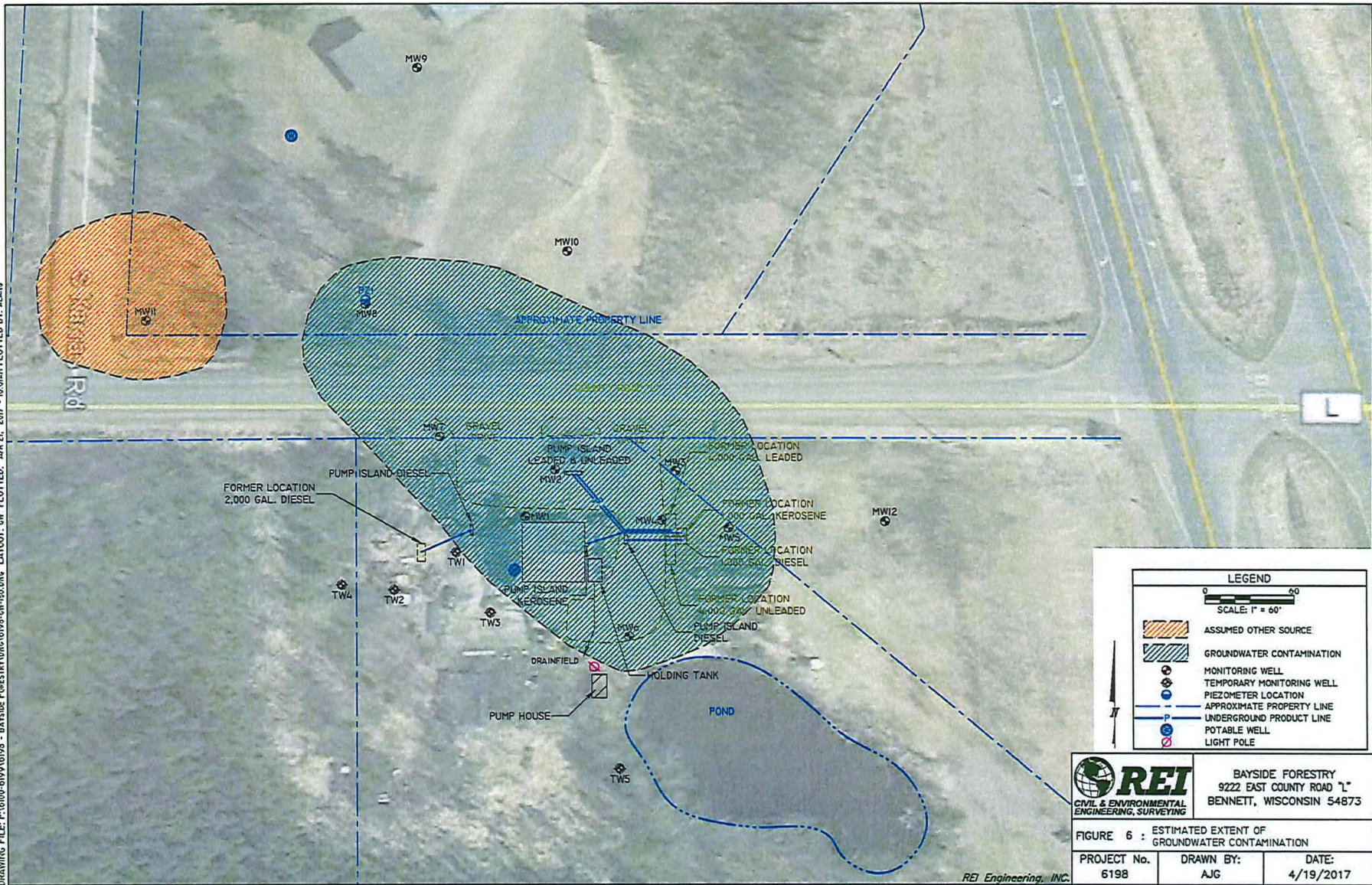
BAYSIDE FORESTRY
9222 EAST COUNTY ROAD "L"
BENNETT, WISCONSIN 54873

FIGURE 2a : SITE MAP - WITH PROPERTY BOUNDARIES

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REI Engineering, INC.

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LEGEND

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SCALE: 1" = 60'

- ASSUMED OTHER SOURCE
- GROUNDWATER CONTAMINATION
- MONITORING WELL
- TEMPORARY MONITORING WELL
- PIEZOMETER LOCATION
- APPROXIMATE PROPERTY LINE
- UNDERGROUND PRODUCT LINE
- POTABLE WELL
- LIGHT POLE

REI
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BAYSIDE FORESTRY
9222 EAST COUNTY ROAD "L"
BENNETT, WISCONSIN 54873

FIGURE 6 : ESTIMATED EXTENT OF GROUNDWATER CONTAMINATION

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REI Engineering, INC.

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