



November 18, 2020

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Chris Harvey  
TRC Consultants  
230 W. Monroe St  
Suite 630  
Chicago, IL 60606  
[sent electronically]

Subject: Sampling and Analysis Plan HARP OU5 Wis. Adm. Code ch. NR 716 Site Investigation

Dear Mr. Harvey,

Thank you for submitting a sampling and analysis plan (SAP) for the Hayton Area Remediation Project (HARP) area downstream of the Hayton Dam (OU5) on January 8, 2019. This plan was submitted pursuant to the 2018 Negotiated Agreement for HARP. The Negotiated Agreement requires a Wis. Adm. Code ch. NR 716 Site Investigation Workplan (SIWP). TRC's SAP does not meet the requirements of a SIWP due to several key deficiencies. Please submit a revised SIWP to the department within 60 days.

First, Wis. Adm. Code § NR 716.07 site investigation scoping requires a review of relevant information to ensure that the scope and detail of the field investigation are appropriate to the complexity of the site. This subsection also requires an evaluation of the history of the site, the types of contamination and amounts, media affected, potential impact to receptors including invertebrates, reptiles, animals, fish, and humans and potential impacts to species, habitat or ecosystems, wetlands, outstanding resource waters and exceptional resource waters. The SIWP must address all affected media including sediment, soil, water, and biological including sampling and assessment methods for varying types of these media such as bedded sediment, transient deposits, high organic sediment, bars, dunes, bank and overbank. Biological uptake needs to be quantified. The Department's fish tissue data is relevant for the scoping of the site investigation.

Second, Wis. Adm. Code § NR 716.09 explicitly describes the required contents of the SIWP. The requirements under this section include the description of the information gathered under the site investigation scoping required under § NR 716.07 Wis. Adm. Code. The SAP lacks much of the information required in the site investigation scoping. The SIWP must be revised to ensure all contents enumerated in Wis. Adm. Code § NR 716.09(2) are adequately included and addressed.

Third, Wis. Adm. Code § NR 716.11 describes the field investigation requirements including the obligation to determine the degree and extent of the hazardous substance release in all affected media. As stated above regarding site investigation scoping, the SIWP must address all affected media including sediment, soil, water, and biological including sampling and assessment methods for varying types of these media such as bedded sediment, transient deposits, high organic sediment, bars, dunes, bank and overbank. The sampling proposed in the SAP is inadequate to meet the requirements of a SIWP.

Fourth, Wis. Adm. Code § NR 716.13 describes the sampling and analysis requirements including a description of quality control and quality assurance procedures to be used per sampling method, including the items specified in this section. The quality assurance project plan (QAPP) referenced in the January 8, 2019 SAP will need to be updated and expanded to include all data collection methods.

Emerging contaminants such as PFAS need to be evaluated in the scoping and SIWP.

We look forward to working with TRC on this investigation. The elements of a SIWP described above are not inclusive of all requirements. Wis. Adm. Code ch. NR 716 provides specific requirements. Guidance documents available at <https://dnr.wisconsin.gov/topic/Brownfields/Professionals.html>, including form 4400-316 may be of assistance in this work. Please prepare and submit a SIWP including a revised QAPP.

Regards

A handwritten signature in black ink, appearing to read "Bill Fitzpatrick".

Bill Fitzpatrick, P.E., P.G.  
HARP Project Manager  
608-320-3330  
[William.Fitzpatrick@Wisconsin.gov](mailto:William.Fitzpatrick@Wisconsin.gov)

Ecc: Jason Smith, Tecumseh