

**CORRESPONDENCE/MEMORANDUM**

DATE: October 25, 2017

TO: Margaret Gielnewski – WPS MGP Marinette Project Manager  
U.S. EPA Region 5

FROM: Department of Natural Resources WPS MGP Marinette Team  
Cheryl Bougie – OGW Sediment & Monitoring Coordinator  
Kristin DuFresne – Remediation & Redevelopment Program  
Bill Fitzpatrick – Remediation & Redevelopment Program

SUBJECT: Department of Natural Resources Comments Regarding: Remedial Design,  
Statement of Work, Wisconsin Public Service Corporation, Marinette Former  
Manufactured Gas Plant, Superfund Alternative Site, City of Marinette, Marinette  
County, State of Wisconsin

The Department of Natural Resources (department) is in receipt of the U.S. Environmental Protection Agency's (U.S. EPA) submittal titled *Remedial Design, Statement of Work, Wisconsin Public Service Corporation, Marinette Former Manufactured Gas Plant, Superfund Alternative Site, City of Marinette, Marinette County, State of Wisconsin*. The department has reviewed this document and offers the following comments:

**General Comments**

The department requests the opportunity to participate in all meetings/calls between U.S. EPA and the Settling Defendants.

The department requests the ability to review and comment on all submittals.

The department requests the ability to request additional work (i.e. pre-design studies, treatability studies, etc.), as necessary.

**Specific Comments**

Section 3.1(a) – Consider changing the word “or” to “and” or “and/or”.

Section 3.2 – The department would like the opportunity to participate in all meetings/calls between U.S. EPA and the Settling Defendants.

Section 3.7(a) - Submittals will also need to meet the requirements of Wis. Adm. Code § NR 712.

Section 5.2 - The department requests modifications to third sentence. The sentence should read as follows:

Deliverables must be submitted to the Wisconsin Department of Natural Resources per their specifications, including paper versions of major deliverables.

Section 5.6(i) – Boundaries for continuing obligations will be based on delineation of MGP contaminants of concern on affected parcels to preliminary remediation goals. The department's database will be used to implement continuing obligations per Wis. Stat. § 292.12. Requirements, limitations, or conditions relating to restrictions of sites listed on the department

database are required to be met by all property owners [Wis. Stat. § 292.12(5)] for all contamination except sediment. Sediment engineering controls are the responsibility of the responsible party Wis. Stat. § 292.12(5m). As a result, the statute requires that the continuing obligations be maintained for a property, regardless of changes in ownership. A violation of Section 292.12 is enforceable under Wis. Stat. § 292.93 and 292.99.

Section 7.2 – Language appears to be missing from the last sentence in this section.

The department appreciates the opportunity to provide U.S. EPA with comments. Please feel free to contact department staff if you have any questions or if you require additional information.

cc: WPS MPG Marinette (WDNR BRRTS # 02-05-000047) Case File