



January 27, 2022

Mr. Brad Nave  
Chemours Corporate Remediation Group  
500 West Jefferson Street, Suite 1600  
Louisville, KY 40202  
*Via Electronic Mail Only to Bradley.S.Nave@chemours.com*

Subject: Former Dupont Barksdale Works, Barksdale, WI  
DNR BRRTS Activity # 02-04-000156

Dear Mr. Nave:

This letter is to help address soil management issues at the Former Dupont Barksdale Works site. Documents submitted to the Wisconsin Department of Natural Resources (DNR) include: Covid-19 Related Projects Impacts-Addendum dated May 18, 2020, Interim Action Report and Soil Management Plan dated September 18, 2020, and the Soil Grading Plan dated March 5, 2021. The DNR emailed an approval for the Covid-19 Related Projects Impacts document on May 19, 2020. Following submittal of the Soil Grading Plan, the DNR replied with an email with comments and requests for additional submittals on April 26, 2021. We had a call discussing soil management at the site on August 11, 2020. Chemours followed up with an email on December 7, 2021 stating that the soil should not be subject to continuing obligations. The following points address your concerns and detail DNR's expectations for all responsible parties, including Chemours, to be consistent with requirements of Wis. Admin. Code ch. NR 700.

-DNR has not previously approved Site-specific Residual Contaminant Levels (SS-RCLs) for soil based on recreational exposure for the site, with the exception of SS-RCLs for lead and arsenic. Therefore, soil concentrations should be compared to Wis. Admin. Code ch. NR 720 soil to groundwater pathway RCLs (GW-RCLs) to determine if there is a potential for soil contamination to impact groundwater. Several NNOCs were detected at concentrations exceeding the NR 720 GW-RCLs, or the USEPA Regional Screening Levels (RSLs) for groundwater protection. As we have explained to you previously, soil containing NNOCs at concentrations greater than GW-RCLs and/or RSLs is considered contaminated, as that term is defined in Wis. Admin. Code § NR 700.03 (7). That makes management of the soil subject to Wis. Admin. Code ch. NR 718. While there is an option for what DNR refers to as exempt soil management under NR 718, the presence of contaminants moves this soil out of the "exempt" category. For further explanation, please review the information under the "Management" tab at this link: [Contaminated soil and sediment Wisconsin DNR](#).

-The Soil Grading Plan mentions the need for a vegetative cover to prevent soil erosion, yet the plan does not include any information on how the area will be seeded and maintained after the grading is complete. This can be addressed in the cap maintenance plan requested below.

- The December 7, 2021 email from Chemours states the soil is not a "cap". The DNR views this as a cover as you stated in your Soil Grading Plan. The DNR views "cap" and "cover" to be synonymous in this situation.

-A cap/cover maintenance plan for the soil grading area that includes inspection, maintenance, and reporting requirements will need to be prepared.

-As the DNR explained on August 11, 2021, the placement of contaminated soil will result in the need for a continuing obligation on the property per Wis. Stat. § 292.12 (2), and as defined by Wis. Admin. Code s. NR 725.05 (2). This type of soil management activity requires continuing obligations at the time of action, not at the time of a case closure request. Therefore, the responsible party shall provide written notification to anyone meeting the criteria in s. NR 725.05 (1) at least 30 days prior to submitting the soil management plan to the department for review. Unless otherwise approved by the department, notification letters shall meet the requirements contained in s. NR 725.07. It may be possible to contact the property owner and request a waiver to the 30-day notification requirement. The property owner must receive a copy of the cap maintenance plan as part of the notification.

-The general WPDES construction site storm water runoff permit addresses a different issue from a different program within the DNR and does not cover all actions required in the soil management plan.

In addition, we have not received a response to a request made in June 2021 to update tables to include detections and applicable standards that were submitted in the 2020 Site Investigation Summary.

If you have questions, please call me 715 661 0125 for more information.

Thank you for your cooperation.

Sincerely,



Philip E. Richard  
Hydrogeologist - Remediation & Redevelopment Program  
Northern Region

cc: Cary Pooler, AECOM -email  
Eric Schmidt, AECOM -email