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TO: Leah Werner – U.S. EPA Region 5

FROM: Sarah Krueger – WDNR Remediation and Redevelopment

SUBJECT: DNR Comments on the Early Removal Action Work Plan Former Green Bay MGP

1. General Comment: As part of the Early Removal Action Work Plan, Wisconsin will be imposing continuing obligations on the property for cap (cover) maintenance for protection of human health from direct contact with contaminated soil and for protection of the groundwater pathway. It is our understanding that the surface will no longer be impervious following this Early Removal Action and that post-remedial groundwater monitoring will continue under pervious conditions in the north parking lot area. Additionally, continuing obligations for residual soil contamination, a sediment engineering control, and future vapor risk will be applied to the property. Future vapor risk will be imposed because the soil remedy will only address the top 2-4 feet of soil impacts in areas of the north parking lot and trail easement leaving soil above the screening criteria between 4 and 15 feet below ground surface. These continuing obligations require an updated cover maintenance plan and applicable cap figures, and notifications, 30 days prior to the implementation of the Early Removal Action, to Property Owners Harbinger Development LLC, Georgia Pacific Consumer Products LP, and City of Green Bay. These continuing obligations are a state requirement, per Wis. Stat. § 292.12 (2), as part of the state's approval of the Early Removal Action Plan.
2. General Comment, Section 2.1.2, pg. 7: Please be aware that during future redevelopment, a historic fill exemption is necessary due to the fill identified across the site ranging from 0.5 to 18 feet thick.
3. Section 1.2.2 pg. 3: Please include discussion of newly identified interceptor pipe that is believed to be the source of impacted sediment in the cove and reference Appendix B.
4. Section 3.3.1, pg. 12: While the proposed early action will likely address vapor risk in the Annex Building due to soil; the concentrations in soil left in place from 4-15 feet and groundwater under the north parking lot still pose a future vapor risk. Any future development would need to use best management practices and conduct an evaluation of potential vapor intrusion at that time.
5. Section 3.3.2, pg. 12: Surface weighted area concentration (SWAC) is not an appropriate decision criterion to determine removal extent. Delineation of the remedial footprint is accomplished using a point comparison of each sample location to the specified cleanup level, throughout the entire site area and including all sediment depth intervals. The DNR does not allow averaging of site data for the purposes of comparison to cleanup levels when identifying areas needing remedial action. During remedy implementation, a SWAC may be used for performance verification of the remedy in conjunction with a not-to-exceed value.
6. Section 4.4.2.4, pg. 22: In order to comply with chapter 30 permit requirements, backfill in the removed channel sediment should also be a coarse gravel. If sand is necessary in the channel as backfill, please provide additional justification to comply with the chapter 30 permit requirements.

7. Section 6, pg. 37: In order to comply with chapter 30 permit requirements, the riparian property owner(s) need to provide written authorization for dredging on their property and placement of sand backfill. The area that is to be dredged appears to be City of Green Bay property. Please provide written authorization for the OU2 work from the city.
8. Table F, Section 7.1, pg. 38: Dredging is restricted in the East River from March 1 to June 15, if the proposed dredging is to occur during this time a waiver from the Fisheries Biologist is necessary in writing prior to the start of work.
9. Table 3: Section 4.3.3 pg 19 references a potential need for a pre-treatment system prior to discharge to the sanitary sewer, this requires DNR wastewater plan review of the pre-treatment system. Please include a s. 281.41, Wis. Stats., Wis. Adm. Code NR 108 wastewater plan review of the pre-treatment system in Table 3. The plan review and approval is necessary prior construction of the system, and will not be considered complete upon approval of the Early Action Removal Work Plan unless proper documentation is provided with the revised plan. Additional information related to [wastewater plan review](#) and [adequate submittals](#) can be found via the links provided.