

DATE: February 7, 2024

FILE REF: 02-05-000254

TO: Leah Werner, US EPA Region 5

FROM: Sarah Krueger, WDNR

SUBJECT: DNR Review of the WPSC Green Bay MGP Operable Unit 1 Remedial Investigation Report, Revision 0, dated January 9, 2024

DNR appreciates the time and effort that went into the Remedial Investigation Report and prior actions completed at the site. At this time DNR has no specific comments related to the Operable Unit 1 Remedial Investigation Report, Revision 0, dated January 9, 2024.

As previously communicated on May 31, 2023, future indoor air sampling paired with sub-slab vapor sampling of the existing Annex building is necessary prior to occupancy once there is an operational HVAC and final building redevelopment plans are known.

Additionally, DNR requests acknowledgement that subject to changes in site conditions, contaminant migration pathways and NAPL mobility may need to be reevaluated.

It is DNR's understanding that this site is likely to move forward with an Institutional Controls (IC) only remedy in the Record of Decision for Operable Unit 1. Based on the data reported in the RI, several continuing obligations (COs) are necessary for the site that would address current site conditions and the above referenced vapor investigation and potential future changes in site conditions. DNR has the authority to impose these COs under Wis. Stat. § 292.12 (2) and Wis. Admin Code §§ NR 722.17 and NR 726.11, with notification required by Wis. Admin. Code § NR 725.05 (2) for the protection of human health and the environment. Previous conversations about when DNR would impose COs were discontinued prior to the early removal action/interim action. We recommend incorporating the COs, which function as a form of IC, into the remedy. WPSC will need to provide notice in accordance with Wis. Admin. Code § NR 725.05 (2) prior to DNR imposing the COs.