

**From:** Grittner, Paul V - DNR  
**Sent:** Thursday, June 04, 2020 5:08 PM  
**To:** 'Altenbach, Lanette'  
**Subject:** RE: Request for further info - KEP NR 718.12 Exemption Request

Subject: NR 718.12 Exemption Request for the former Kenosha Engine Plant  
5555 30<sup>th</sup> Avenue, Kenosha WI  
DNR BRRTS Activity #: 02-30-000327, FID # 230004500

Lanette,

Thank you for providing the additional information regarding the proposed soil management at the Kenosha Engine Plant. This addressed a number of our questions about the reuse of soil on this project.

The DNR does have a couple follow-up questions:

- Does the 'Soil Placement Area' have a clean soil cap similar to what is on the area where soil will be excavated? If so, will this be removed prior to the excavated material being placed there and then replaced afterwards? Will additional cap material be needed to form a temporary cap?
- Just to confirm, this activity is not being funded by the bankruptcy fund or ready for reuse money?

The DNR could approve this request based on our understanding of the following points. Please confirm that these points are correct or acceptable.

- Material excavated from this project will only be reused on-site in the 'Soil Placement Area' outlined on figures included with the May 28<sup>th</sup> addendum.
- Material that will be reused on-site will include all soil not visibly stained or obviously contaminated. Material will not include non-soil solid waste with the exception of previously crushed concrete used as fill material and unpainted concrete removed from the excavation which will then be crushed.
- The temporary cap (6" of clean topsoil and turf) will be placed/replaced over the entire 'Soil Placement Area' after material from the excavation is finished being placed there.
  - o The DNR will require that a cap maintenance plan be prepared for the reuse area and submitted to the department once the cap has been placed/replaced. Regular inspections and maintenance of the cap will be required. It is expected that a permanent cap (road, pavement, building, etc.) will eventually replace a significant portion of the temporary cap.
- Continuing obligations will be imposed on the entire 'Soil Placement Area' as a condition for approving the exemption. These would include 'residual soil contamination', 'maintenance of a cover', and 'taking actions in the future to address vapor intrusion' when building on the area.

We also wanted to provide a few comments not necessarily pertinent to the approval of this request. These may be considered when working on future projects:

- Table 1D of the original exemption request identified a few borings (GP-1017 and GP-1018) which did appear to be within the excavation limits with detections of PCBs – which is why we asked about these compounds. While the concentrations of the PCBs are relatively minor it is still something the DNR considers when reviewing these exemption requests.
- The DNR does not necessary define soil with contaminants at concentrations less than RCLs as ‘clean’, but may allow the soil to be managed as an exempt waste, depending on the contaminants present. Refer to our ‘Exempt Soil Management’ guidance document (RR-103) for information on this. The Exempt Soil guidance also considers background threshold values of naturally occurring substances which may be higher than RCLs (as in the case of Arsenic).

We appreciate your efforts to work through this exemption request process. Please contact me if you have any questions about any of the above items.

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**Paul Grittner**

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