

Sager, John E - DNR

From: MALLY, DIANA <Mally.Diana@epa.gov>
Sent: Wednesday, June 17, 2020 8:00 AM
To: Bessingpas, David; Klatt, David/CHC; Patarcity, Jane M (Manor Oak) USA; Saari, Christopher A - DNR; Graham, Joseph R - DNR; Susan.Henshaw@usace.army.mil; smessur@anchorqea.com; Seaman, Jennifer/CHC; Paul Powell; Cieniawski, Scott
Cc: Sager, John E - DNR; Gerlach, Matt/CHI
Subject: RE: Crawford Creek/Tributary GLLA Project (Superior, WI): Agenda/Files for 6/15/20 PCT Call
Attachments: 0531611324_May 12 2016 meeting minutes (2016-05-26).docx; 2017-01-30 November 29 2016 meeting minutes - Crawford Creek_Tributary Site - Superior WI.pdf

Hi,

I wanted to remind folks that Dave B attached 2016 meeting minutes when EPA, Beazer, and DNR met to discuss RAOs and alternatives (attached again FYI) with his email below. John, I believe you mentioned in a previous call that you weren't aware of any documentation from these meetings. Hopefully this will help.

Thanks.

Diana Mally
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From: Bessingpas, David <David.Bessingpas@arcadis.com>
Sent: Sunday, June 14, 2020 7:33 PM
To: Klatt, David/CHC <David.Klatt@jacobs.com>; MALLY, DIANA <Mally.Diana@epa.gov>; Bessingpas, David <David.Bessingpas@arcadis.com>; Patarcity, Jane M (Manor Oak) USA <jane.patarcity@trmi.biz>; Saari, Christopher A - DNR <Christopher.Saari@Wisconsin.gov>; Graham, Joseph R - DNR <joseph.graham@wisconsin.gov>; Susan.Henshaw@usace.army.mil; smessur@anchorqea.com; Seaman, Jennifer/CHC <jennifer.seaman@jacobs.com>; Paul Powell <Paul.A.Powell@usace.army.mil>; Cieniawski, Scott <cieniawski.scott@epa.gov>
Cc: John Sager <john.sager@wisconsin.gov>; Gerlach, Matt/CHI <Matt.Gerlach@jacobs.com>
Subject: Crawford Creek/Tributary GLLA Project (Superior, WI): Agenda/Files for 6/15/20 PCT Call

Hello,

Below is a suggested agenda for the 6/15/20 PCT call:

1. Laurvick property access update
2. DGI field work schedule update
3. Continued discussion of WDNR FFS comments (goal: discuss comments 19-37)

The following files are attached to facilitate discussions:

- FFS comment/response tracking table, with notes from Jacobs and Beazer for WDNR Comments 19-37
- Minutes from May 2016 Beazer/USEPA/WDNR meeting
- Minutes from November 2016 Beazer/USEPA/WDNR meeting

Thanks, Dave

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Be green, leave it on the screen.

-----Original Appointment-----

From: Klatt, David/CHC <David.Klatt@jacobs.com>
Sent: Monday, January 14, 2019 1:38 PM
To: Klatt, David/CHC; MALLY, DIANA; Bessingpas, David; Patarcity, Jane M (Manor Oak) USA; Saari, Christopher A - DNR; Graham, Joseph R - DNR; Susan.Henshaw@usace.army.mil; smessur@anchoragea.com; Seaman, Jennifer/CHC; Paul.A.Powell@usace.army.mil; Cieniawski, Scott
Cc: Sager, John E - DNR; Gerlach, Matt/CHI
Subject: Updated Monthly Status Call - Crawford Creek/Tributary GLLA Project (Superior, WI)
When: Monday, June 15, 2020 2:00 PM-3:00 PM (UTC-06:00) Central Time (US & Canada).
Where: see TEAMS link below

Per EPA request, I am making this call to occur weekly during this busy time.

Converting our calls to be a MS Teams meeting.

Adding Paul Powell of USACE to the call per Diana request. Paul is temporarily covering for Susan Henshaw.

Per our meeting, adjusting calls to resume beginning February 10.

Dave

Hi Crawford Creek Team,

Re-sending this outlook invite because I think my last update inadvertently canceled the meeting for most folks.

Updating to make the call 2X a month.

I am sending out this updated monthly meeting invitation and audio call-in number to avoid the skype call in number confusion we encountered.

This invitation will replace the prior invitations provided by Dave B.

Standard Agenda to be supplemented by call-specific agenda:

- Safety moment

- Recap/action items from prior meeting
- Current deliverables/tasks: QAPP, Data Gap Memo, Etc.
- Next Steps

Dave

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Summary of Discussion Topics and Action Items from May 12, 2016 Meeting in Madison, WI Former Koppers Inc. Facility – Superior, WI

Attendees:

- WDNR: Judy Fassbender, John Robinson, Steve Galarneau, Chris Saari, Bill Fitzpatrick, Joe Graham (by phone)
- USEPA: Marc Tuchman, Brenda Jones, Pat Hamblin
- Beazer: Rob Markwell, Jane Patarcity
- Anchor QEA (Beazer consultant): Stu Messur
- Arcadis (Beazer consultant): Dave Bessingpas

Discussions Topics:

- Bill Fitzpatrick presented WDNR's proposed Remedial Action Objectives (RAOs) and a conceptual remedy for Area C (with applicability to Areas B and D), which included "mass removal" of creek sediment and adjacent floodplain materials down to a "base level" corresponding to a depth equal to or greater than the invert elevation of the culvert beneath the railroad embankment, placing "sequestration/absorptive layer" at the bottom of the excavation, and backfilling the remainder of the excavation with clay to restore the creek channel and floodplain (with the restored creek/floodplain surface elevations potentially lower than current, pre-excavation elevations). The RAOs and sketches of the conceptual alternative were provided to Beazer on May 11, 2016. WDNR indicated that the RAOs and conceptual remedy were a compilation of "wish list" items from various WDNR team members. The group discussed the pros/cons, volume/cost implications, and other considerations associated with WDNR's conceptual remedy. It was discussed that the use of "hard structures" or "engineering controls" could potentially reduce the excavation limits/volumes associated with the conceptual "mass removal" remedy.
- The group discussed various options for re-use of excavated materials (per NR 718), consolidation of excavated materials beneath a cover adjacent to the floodplain, placement of excavated materials in an on-Site CAMU, and off-Site transportation and disposal of excavated materials. The characterization of excavated materials (hazardous vs. non-hazardous), and disposal implications, was also discussed.
- WDNR indicated that they are not comfortable that the risk assessments are complete, nor that all endpoints were evaluated. However, it may be possible to use some components of the existing risk assessments to assist with evaluating remedies (e.g., to show that post-remediation conditions result in no unacceptable risk to receptors).
- WDNR indicated that they remain concerned about dioxins. In particular, a concern was raised with respect to the Crawford Creek channel relocation alternative that the concentration of dioxins that would exist in the surface of the new creek channel is unknown – this was identified as a data gap. It was further discussed that to address this concern, samples could be collected as part of a pre-design investigation, samples could be collected during construction and a contingency plan implemented to line the channel if certain concentration thresholds were exceeded, or the design could conservatively include capping/lining the new channel (e.g., with imported clean backfill).
- The group discussed the use of a "weight of evidence/professional judgment" approach to determining areas requiring corrective action, rather than numeric clean-up goals. To assist with this, it was discussed that it would be helpful to have the visible observations and chemical analysis datasets depicted on a single figure.

Summary of Discussion Topics and Action Items from May 12, 2016 Meeting in Madison, WI Former Koppers Inc. Facility – Superior, WI

- For Area B (Tributary within Floodplain), it was agreed that a revised Focused Corrective Measures Study (FCMS) would evaluate the following additional alternative:
 - Mass removal (assumed depth of 4' across the floodplain); targeting removal of the black stained layer. A modified alternative with less removal and engineering controls may also be added.
- For Area C (Crawford Creek and Floodplain between Tributary and Railroad Embankment), it was agreed that a revised FCMS would evaluate the following additional alternatives:
 - Mass removal (assumed depth of 4 feet and extending 150 feet on either side of the creek). Note that the actual excavation depth would be based on the "base level" corresponding to a depth equal to or greater than the invert elevation of the culvert beneath the railroad embankment, and the actual horizontal excavation limits would vary along the length of the creek based on the current extent of visible impacts (as modified based on any additional data gap evaluations). A modified alternative with less removal and engineering controls may also be added.
 - A modified creek channel relocation alternative that would include capping/lining of the new creek channel.
- For Area D (Crawford Creek and Floodplain Downstream of Railroad Embankment), no concerns were raised with potential impacts to the floodplain based on a collective review of data collected under the GLNPO program. It was further discussed that, before any specific corrective action alternatives are identified/discussed related to creek sediments in Area D, additional investigations (e.g., probing) should be conducted to identify and delineate the extent of visibly impacted creek sediments and surface water sheens.

Action Items:

- Beazer:
 - Make a decision on whether or not to submit a GLLA Project Application.
 - Prepare a letter to WDNR regarding the applicability of listed hazardous waste codes to materials from Crawford Creek and floodplain areas that may be excavated as part of future corrective actions.
 - Send wetland delineation map to WDNR.
 - Prepare a figure overlaying visual observations and analytical data.
 - Review existing survey data for the culvert beneath the railroad embankment and creek/floodplain elevations to determine excavation depths/volumes associated with WDNR's proposed "mass removal" conceptual remedy.
 - Conduct supplemental investigations (e.g. probing) of visibly impacted creek sediments and surface water sheens downstream of the railroad embankment.
- WDNR:
 - Revisit, re-word, and prioritize RAOs.
 - Initiate discussions on defining sediment at the Site, based on the Ordinary High Water Mark.
 - Conduct a preliminary evaluation of the existing creek/floodplain data as it relates to the re-use of excavated material as backfill, per NR 718.

Summary of Discussion Topics and Action Items from November 29, 2016 Meeting in Madison, WI Crawford Creek/Tributary Site – Superior, WI

Attendees:

- WDNR: Judy Fassbender, John Robinson, Steve Galarneau, Chris Saari, Bill Fitzpatrick, Joe Graham
- USEPA: Amy Mucha, Brenda Jones
- Beazer: Rob Markwell, Jane Patarcity
- Anchor QEA (Beazer consultant): Stu Messur
- Arcadis (Beazer consultant): Dave Bessingpas

Discussions Topics:

- It was discussed and agreed that a Great Lakes Legacy Act (GLLA) remediation project for the Crawford Creek/Tributary Site would be an “integrated project” and not a “betterment project.” The integrated project would need to meet the regulatory requirements of RCRA and NR 700, as well as facilitate the St. Louis River Area of Concern goals.
- The group discussed the status of the hazardous waste determination efforts completed to date. Judy Fassbender handed out a letter dated November 28, 2016 that provided summary reports of hazardous wastes that have been generated at the Former Koppers Inc. Site and Facility between 1989 and 2016, and requested that Beazer review this information and consider whether it affects the prior non-hazardous waste determination made by Beazer for off-property soil/sediment.
- The group discussed the soil vs. sediment determination for floodplain materials adjacent to Crawford Creek and the Tributary, based on the Ordinary High Water Mark (OHWM). WDNR indicated that Steve LaValley has experience conducting field determinations of the OHWM, and the field determination/survey could be completed in one day. Property owner permission would be necessary prior to conducting the field visit. The group agreed that mapping of the OHWM should be a component of the GLLA Focused Feasibility Study (FFS) Project. It was also discussed and agreed that updated wetland delineation/mapping would be conducted as part of the GLLA FFS Project.
- The group discussed the reuse of excavated materials as backfill, per NR 718 and the RCRA “Area of Contamination Policy.” WDNR indicated they were still discussing this issue internally, but for this project the fact that the reuse would occur on non-Beazer-owned property made it more challenging.
- Beazer presented a summary of the remedial alternatives for Areas A, B, and C that were evaluated in the August 2014 Focused Corrective Measures Study, and the additional alternatives for Areas B and C that were discussed at the May 12, 2016 meeting, including a summary of the material volumes requiring disposal and the estimated costs for each alternative. The status of the supplemental investigations for Area D was also briefly discussed.
- Beazer reiterated that existing space on the Former Koppers Inc. Facility for a CAMU is limited. WDNR asked if the purchase of property could be considered for cost share in a GLLA project. WDNR suggested that the additional property could potentially be used to increase the footprint of the CAMU and/or provide for control by Beazer of properties with continuing obligations. This question is currently being researched by USEPA.

Summary of Discussion Topics and Action Items from November 29, 2016 Meeting in Madison, WI Crawford Creek/Tributary Site – Superior, WI

- WDNR stated that they agreed in principal that Alternative A2 (Channel and Bank Cover, with DNAPL Collection Provisions) was the preferred remedy for Area A, with the possible addition of more NAPL collection features farther downstream. USEPA raised the issue of potentially adding an alternative that involved more removal than Alternatives A1/A2, but less than Alternative A3. WDNR suggested the possibility of additional removal on the Kolanczyk property.
- Beazer summarized the definition of a Remedial Action Objective (per USEPA guidance), presented figures that overlay visual and analytical data for Areas B and C (an action item from the May 12, 2016 meeting), and reviewed the RAOs from the August 2014 FCMS.
- USEPA indicated additional coordination with other USEPA programs will likely be needed when developing remedial goals for dioxins/furans.
- The group discussed and agreed that the GLLA FFS Project will include a data gap evaluation task that may result in the need for limited/targeted additional investigations, with the overall purpose of providing a data set that all parties agree is sufficient to confidently develop and evaluate remedies in the FFS.
- Beazer presented their thoughts and concerns about the 12 RAOs that WDNR presented at the May 12, 2016 meeting. The group discussed the 12 RAOs and reached a general consensus on the following four RAOs:
 - Address potential surface water quality impacts of COCs
 - Address the potential for exposure to NAPL and sheens within the Crawford Creek/Tributary Site
 - Minimize the current and/or future potential for direct exposure by human and ecological receptors to COCs in Crawford Creek/Tributary sediment and floodplain materials
 - Address the potential for future transport of COCs within the Crawford Creek/Tributary Site

A fifth RAO related to the minimization of future institutional controls and land use restrictions on properties not owned by Beazer was discussed, but the group did not reach a consensus. Additional discussion regarding this RAO is required.

It was agreed that variations of RAO #s 6 and 8-12 from WDNR's May 12, 2016 RAO list would be used as evaluation criteria in the FFS, rather than RAOs.

- Beneficial Use Impairments (BUIs) were also discussed. Joe Graham stated that the following three BUIs have been identified for the Crawford Creek/Tributary Site:
 - #7 – Beach Closings and Body Contact Restrictions (as demonstrated by the need for warning signs posted along the Tributary and Crawford Creek)
 - #8 – Degradation of Aesthetics (due to the presence of sheens and NAPL blebs)
 - #9 – Loss of Fish and Wildlife Habitat (due to the presence of contaminated sediment)

The group discussed and agreed that BUI-specific RAOs were not needed, but that the FFS will need to demonstrate how the agreed upon RAOs would meet each of the BUI goals.

Summary of Discussion Topics and Action Items from November 29, 2016 Meeting in Madison, WI Crawford Creek/Tributary Site – Superior, WI

- USEPA stated that they have two possible contractors that could be assigned to work on the GLLA FFS Project – CH2M and EA Engineering. Although a final decision has not been made, Brenda Jones indicated that CH2M would likely be the selected contractor based on their familiarity with the project from the Area D investigation work completed in 2014.
- USEPA outlined the sequence of steps and anticipated durations from the time a project application is submitted to the time the FFS could be started. Based on the specified durations, it was indicated that if a revised project application was submitted in December 2016, the FFS would likely be started no sooner than the summer of 2017.
- USEPA noted that a Legacy project will not pay for long-term care of engineering controls. Future maintenance cost will be the responsibility of the non-federal sponsor.

Action Items:

- Beazer:
 - Send November 29, 2016 meeting slides to WDNR and USEPA (completed 12/12/16)
 - Prepare and send November 29, 2016 meeting minutes to WDNR and USEPA (completed 12/12/16)
 - Schedule a conference call to discuss action items/next steps from the November 29, 2016 (scheduled for December 13, 2016)
 - Schedule routine project calls (to be discussed on December 13, 2016 call)
 - Revise/resubmit the GLLA FFS project application
 - Review and respond to WDNR's November 28, 2016 letter regarding the hazardous vs. non-hazardous waste determination for off-property soil/sediment
 - Revisit WDNR RAOs 6 and 8-12, and propose re-wording as evaluation criteria (completed 12/12/16)
 - Put additional thought into an RAO related to the minimization of future institutional controls on properties not owned by Beazer (completed 12/12/16)
- WDNR:
 - Continue OHWM discussions
 - Determine process for verifying/approving wetland boundaries
 - Review and comment on November 29, 2016 meeting minutes
 - Revisit WDNR RAOs 6 and 8-12, and propose re-wording as evaluation criteria
 - Put additional thought into an RAO related to the minimization of future institutional controls on properties not owned by Beazer
- USEPA:
 - Provide model GLLA Project Agreement template and example completed Project Agreements (completed November 30, 2016)
 - Review and comment on November 29, 2016 meeting minutes