



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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October ¹⁶ 2, 2001

Mr. Raymond Roder
Reinhart, Boerner, Van Dueren, Norris, and Rieselbach
22 East Mifflin Street, Suite 600
P.O. Box 2018
Madison, WI 53701-2018

Subject: Dispute of Five year Review Response at Ripon City Landfill, HWY FF/NN,
Ripon, WI
BRRTS # 02-20-000915

Dear Mr. Roder:

I have received your September 6, 2001 response on behalf of the FF/NN PRP Group (PRP Group) to the Wisconsin Department of Natural Resources (Department) 5 year review letter dated July 18, 2001. Pursuant to Section XVI.B. of the Contract, the Department is providing the following response to your submittal:

The Department continues to request the sampling and monitoring of the private wells - the goal of sampling the private wells is to protect the drinking water quality for the residents. It is true that the private wells have never shown any detections during the sampling events. However, a landfill and its characteristics will constantly change and thus the reason why constant monitoring is required under ch. NR 500, Wis. Adm. Code, and is also the reason why landfills never really get "closed".

We had discussed earlier that maybe P-111 could be used as a sentry well, however, after further review of the existing data I do not believe this will suffice. Monitoring well P-111 is screened between 80 to 85 feet. The private well depths extend down to approximately 150 to 190 feet, significantly deeper in the aquifer. Therefore we do not have a downgradient well, other than the private wells, which monitors the aquifer at that depth. Contaminant concentrations in MW's 107, P-107 and P-107D increase with depth. This indicates that the plume is sinking. No information is available how far in this direction the plume is advancing. We do not have any data beyond the 107 wells. Sampling P-111 will be helpful, but it will not answer the question of what is happening to the aquifer where the private wells are drawing from. The only other solution that might be feasible to eliminate sampling the private wells is to install another downgradient well at the depth from which the private wells are drawing. It is likely that this option will cost more than continuing to sample the private wells annually for the next five years.

I disagree that the private wells are side gradient. The private wells are directly downgradient of the landfill as the groundwater flow maps show. It is true that the pond area does intercept some

of the groundwater flow but, the contamination is already within the deeper part of the aquifer and therefor missing the pond area. In addition, Figure 2-1 has incorrectly placed the private wells approximately 1000 feet further to the southwest. The private wells are directly south and adjacent to the old railroad tracks.

It is not correct that secs. NR 504.04(4)(e) and NR 506.07(4), Wis. Adm. Code do not apply to this landfill. The PRP Group is maintaining this landfill, which brings it under the authority of these code sections. It is my understanding that the Department has always taken this position and that there is case law that supports the position that code provisions such as these apply to landfill sites that were previously operating and are now being maintained.

You may proceed with your plan of bar holes to determine where the permanent gas probes will be placed. However, this plan must move forward; it will not depend on what the next round of sampling shows. The monitoring wells have exceeded the lower explosive limit for methane gas many times and are currently in violation of secs. NR504.04 and NR506.07(4), Wis. Adm. Code. The PRP Group must complete the gas survey regardless of the results of the next sampling round. Temporary gas probes should be installed to perform sampling in the future. Please propose a series of temporary gas probe locations for WDNR approval. You should refer to sec. NR507.22, Wis. Adm. Code for the appropriate sampling parameters.

If you have any questions, feel free to call me at 920-303-5447. Thank you for your cooperation. Please use the BRRTS # on all correspondence to the WDNR.

Sincerely,

Jennie Pelczar
Remediation and Redevelopment Program

cc: NER Oshkosh File
Gerry DeMers - GeoTrans Inc.
Bernard Schorle - EPA
Joe Renville - LS/5
Bruce Urben, RR/NER