

**Great Lakes Legacy Act  
Statement of Work for  
Project Agreement  
Project Implementation**

Munger Landing Sediment Remediation  
Project Agreement  
Remedial Action  
Saint Louis River Area of Concern,  
Duluth, Minnesota

December 14, 2021

## **I. PURPOSE**

This statement of work (SOW) provides a summary of the work to be performed under the Great Lakes Legacy Act (GLLA) Project Agreement (PA) among the U. S. Environmental Protection Agency (EPA) Great Lakes National Program Office (GLNPO) and the Non-federal sponsors (NFS): the Minnesota Pollution Control Agency (MPCA), the Wisconsin Department of Natural Resources (WDNR), and ViacomCBS, Inc (CBS). The SOW specifically addresses the work to be performed to remediate the Munger Landing Site (Site). This Site is located in the Saint Louis River Area of Concern (*See* Figure 1). The SOW addresses the Site's anticipated remedial footprint shown in Figure 2 and the work area including staging areas in Figure 3. The environmental remedial action work for the Site is described as Alternative 4: dredge and off-site disposal in the "Focused Feasibility Study Addendum, Munger Landing, Duluth, MN," prepared for MPCA by Baywest LLC, dated August 2019. The objective of the work specified in this SOW is to implement all actions required to complete environmental remedial activities at Munger Landing. Critical construction components are as follows:

### Munger Landing

1. Mobilization/Demobilization
2. Site Preparation
3. Removal of non-TSCA sediment, TSCA sediment, non-TSCA soil, and TSCA soil
4. Placement of residual cover and biomedium
5. Dewatering and disposal of material
6. Habitat and Site Restoration
7. Vegetation Warranty and Establishment

During implementation of the work described in this SOW, GLNPO and the NFSs will continue to foster a partnering strategy and working relationship to coordinate and communicate about work tasks, project needs, problem-solving and responsibilities that has led to the successful completion of the investigation, feasibility study and design work so far. The partnering commitment will create an environment where trust and teamwork prevent disputes, will foster a cooperative bond, and will facilitate completion of a successful project.

## **II. BACKGROUND**

The Site is approximately 38 acres of open water and wetlands in the St. Louis River Estuary within the boundaries of the St. Louis River Area of Concern (SLR AOC). Sediment characterization of the Site from 2014-2020 identified sediment contaminated with cadmium, copper, lead, mercury, nickel, zinc, polycyclic aromatic hydrocarbons (PAHs), polychlorinated biphenyls (PCBs), and dioxin/furans, with PCBs and dioxin/furans identified as the primary contaminants of concern. Contaminated sediment was generally identified throughout the Site and is considered to present a high likelihood of significant effects to benthic invertebrates. The levels of contaminants also present a risk to human health for people swimming, wading, or eating fish.

## **III. GENERAL**

GLNPO and the NFSs will coordinate with the United States Army Corps of Engineers (USACE) to develop and/or modify, as needed, all final engineering design documents necessary

for contracting and constructing a sediment remediation project to address contaminated sediments at the Site.

The following key tasks will be completed as part of the remedial action:

1. Pre-Construction Activities
2. Environmental Remediation and Habitat/Site Restoration
3. Final Reports
4. Remedy Establishment and Long-Term Monitoring, Operations and Maintenance
5. Public Outreach
6. Project Closeout

#### **IV. TASKS AND RESPONSIBILITIES**

The project tasks are summarized below. GLNPO will lead construction and oversee the construction contractor with oversight support from USACE. GLNPO and NFSs will work together collaboratively as a team on all aspects of the project. Unless otherwise noted, GLNPO and the NFSs will jointly share responsibilities for review, evaluation, and comment on all documents, reports, construction progress information, and laboratory results developed as part of the work performed under this SOW. A lead entity is named for most tasks, but several factors will be used to determine the final lead, such as efficiency of implementation, contractor relationships, scheduling considerations, cost share considerations and logistics. In these cases, upon agreement among the NFSs and GLNPO, additional in-kind contributions will be incorporated into the project.

WDNR support during the remedial construction will include, but may not be limited to, labor for participation in project coordination team or management calls and meetings, review of contractor submittals, aeronautical photography services, and water quality sampling and analysis for PCBs and dioxin-furan congeners for oversight support. DNR technical support and management staff that are funded by state dollars will track time for these tasks.

#### **TASK 1 PRE-CONSTRUCTION ACTIVITIES**

##### **1.1 ACCESS AGREEMENTS**

This task includes all the requirements needed to gain access to complete construction of the work. GLNPO will take the lead and coordinate efforts to obtain access from the City of Duluth. The GLNPO contractor will obtain any additional access agreements needed to facilitate project construction, including with Hallett Dock.

##### **1.2 ACQUISITION OF REQUIRED PERMITS**

The MPCA and DNR will acquire the required State and Federal permits and regulatory approvals for the project except those approvals that need to be obtained by the construction contractor (GLNPO contractor) per the project specifications. The GLNPO contractor will be responsible for acquiring the necessary local and state permits for stormwater/erosion control, filling/grading, and shoreland activities.

### **1.3 ACQUISITION OF REMEDIAL CONTRACTOR**

GLNPO will lead procurement of a remedial construction contractor under GLNPO Remediation and Restoration Services to perform the tasks outlined in Task 2 of this SOW. GLNPO will advertise solicitation documents, evaluation proposals, and award the contract. GLNPO will supervise and administer the contract and lead oversight of the contractor with support from USACE.

## **TASK 2 ENVIRONMENTAL REMEDIATION AND HABITAT/SITE RESTORATION**

### **2.1 MOBILIZATION AND DEMOBILIZATION**

This task includes all activities required for the contractor to mobilize equipment, materials, facilities, and personnel to the Site and to establish their operations in support of completing the remediation work in accordance with the plans, specifications and permits. This task also includes the contractor's acquisition and deployment of project materials in support of the work including from onsite sources. Finally, this task includes demobilization of all equipment from the site. GLNPO and its contractor are responsible for this task.

### **2.2 SITE PREPARATION**

This task includes any and all preparatory work that may be involved to complete construction, such as sampling the staging area for baseline concentrations of contaminants of concern, clearing and grubbing of vegetation and trees, set-up of staging and laydown area, installation and de-installation of turbidity curtains, water treatment facility and dewatering set-up with TSCA and non-TSCA segregation, installation of fencing and/or signs, establishment of access routes, including temporary wetland access, and installation of railroad protection. GLNPO and its contractor are responsible for this task.

### **2.3 DREDGING, DEWATERING, AND DISPOSAL OF NON-TSCA SEDIMENT AND TSCA SEDIMENT**

This task includes all activities relating to the removal, dredging, dewatering and off-site disposal of approximately 100,000 cubic yards of non-TSCA and TSCA contaminated material in the river channel, wetland, and creek areas. TSCA and non-TSCA sediment will be kept segregated. TSCA sediment may be excavated in the dry or dredged mechanically or hydraulically. Dredging may be done by hydraulic or mechanical means with the resulting material transferred to Hallett Dock, and then hydraulically pumped into geotextile tubes for storage and passive dewatering. After dewatering, material will be hauled and disposed of off-site. This task includes any debris removal and vegetation separation that is required to implement the remediation. This task will also include all required maintenance of critical remedial components such as turbidity curtains, geotextile tubes, water treatment plant, etc. This task includes confirmation sampling and analysis of removal areas. Finally, this task includes any required coordination with contractors and/or landowners working in the offloading area. GLNPO and its contractor are responsible for this task.

## **2.4 REMOVAL, DEWATERING, AND DISPOSAL OF NON-TSCA SOIL AND TSCA SOIL**

This task includes all activities relating to the removal, processing, and off-site disposal of 1,000 cubic yards of non-TSCA and TSCA contaminated soil at the landing. TSCA soil will be excavated near the boat launch ramp with temporary excavation support as needed. TSCA and non-TSCA material will be kept segregated. Material will be staged locally, hauled, and then disposed of offsite. This task includes any debris removal that is required to implement the remediation. This task will also include all required maintenance of critical remedial components such as turbidity curtains, coffer dams, etc. This task includes confirmation sampling and analysis of removal areas. Finally, this task includes any required coordination with contractors and/or landowners working in the offloading area. GLNPO and its contractor are responsible for this task.

## **2.5 SOURCING OF SAND FOR RESIDUAL COVER**

This task includes all activities required for sourcing residual cover material to manage dredging residuals and restore the new sediment surface within Munger Landing. All the source material for the residual cover is expected to come from a borrow area in the navigation channel within the Duluth-Superior Harbor to be determined by USACE, GLNPO, and the NFSs, or a commercial quarry determined by the contractor. If there are additional contractors working near or within the harbor borrow area, this task includes any required coordination. GLNPO and its contractor are responsible for this task.

## **2.6 PLACEMENT OF RESIDUAL COVER AND BIOMEDIUM**

This task includes placement of a residual cover layer throughout the remedial footprint. This task includes all activities involved in coordinating the retrieval of biomedium from Perch Lake, including providing and maintaining a temporary storage area for biomedium until it can be mixed and placed. The contractor will place the biomedium in habitat restoration areas covering approximately eight acres of the remedial footprint. This activity also includes maintenance of turbidity curtain(s) throughout the duration of the project. GLNPO and its contractor are responsible for this task.

## **2.7 HABITAT AND SITE RESTORATION**

This task includes all activities required to restore areas that were damaged or impacted during construction. The contractor will backfill and pave the upland areas excavated to remove contaminated soil at the boat launch. The contractor will restore disturbed areas with habitat components, such as removal of invasive vegetation and the installation of native vegetation. This task includes three years of warranty and establishment of the newly planted areas. Soils from the staging area at Hallett Dock will be re-analyzed for contaminants of concern prior to restoration. Any identified impacts to site soil from remedial activities will be addressed to restore the area to its original condition. This task includes the City of Duluth access agreement request for the construction of a sandy kayak launch area. GLNPO and its contractor are responsible for this task.

## **2.8 USACE SUPPORT AND CONSTRUCTION OVERSIGHT**

USACE will support GLNPO with all oversight activities. For this task, activities can include, but are not limited to, all oversight activities for construction like overseeing and

documenting construction activities, construction quality assurance and quality control during remedial action, engineer during construction activities, general project management, submittal reviews and approvals, and any changes or modifications. NFSs that play a permitting role will share the responsibility of oversight and coordinate with USACE and GLNPO to ensure the contractor meets permit requirements.

## **2.9 GROUND-DISTURBING ACTIVITIES MONITORING**

For this task, a tribal monitor from the Fond du Lac Band and a qualified archaeologist shall be on site for any ground-disturbing activities that take place. GLNPO and its contractor are responsible for coordinating this task.

## **2.10 COORDINATION WITH LAKE SUPERIOR AND MISSISSIPPI RAILROAD**

The GLNPO contractor will coordinate with the historic railroad, Lake Superior and Mississippi Railroad (LSMR), to ensure railroad operations are conducted safely during the project. This includes the purchase of bussing to allow LSMR to run weekday excursions that load and unload at Munger Landing.

## **TASK 3 FINAL REPORTING**

This task includes the development of a final construction activities report documenting the activities performed, warranty and establishment documents, and providing record drawings and/or surveys for the major components of the project along with all environmental monitoring results including, but not limited to, lab analytical and field monitoring results. GLNPO and its contractor are responsible for this task.

GLNPO and its contractors shall be responsible for preparing draft and final versions of the report's environmental remediation portion. A draft will be provided after the first construction season to document activities performed thus far. GLNPO will provide the NFSs an opportunity to review and comment on the draft version of the report. The NFSs will be required to provide GLNPO final reporting components for their in-kind portion of the project.

## **TASK 4 REMEDY ESTABLISHMENT AND LONG-TERM MONITORING, OPERATIONS, AND MAINTENANCE**

GLNPO and NFSs will jointly conduct initial remedy establishment activities. The MPCA and WDNR will share responsibility of long-term maintenance of the Site within their respective states and will conduct long-term monitoring activities if required.

## **TASK 5 PUBLIC OUTREACH**

This task includes outreach activities for stakeholders and the public. These activities may include, but are not limited to electronic announcements, newspaper ads, public meetings, and other stakeholder meetings and events. The NFSs and GLNPO will share primary

responsibility to keep stakeholders informed of the project plans and activities, allow stakeholders to ask questions or express concerns, and garner support for the project. GLNPO and the NFSs will collaborate efforts under this task, including but not limited to, sharing draft outreach materials for review of content, accuracy, and consistent messaging.

## **TASK 6 PROJECT CLOSEOUT**

This task includes all activities involved to complete final accounting and document final cost share requirements. EPA will complete final accounting with documentation provided by the NFS.

## V. BUDGET AND SCHEDULE

Table 1. Estimated total project costs for the Munger Landing Agreement

<b>Munger Landing Project Agreement</b>	
<i>Construction Costs</i>	<i>Estimated</i>
Mobilization & Demobilization	\$ 2,849,101.00
Sandy Kayak Launch	\$ 17,889.00
Site Preparation	\$ 189,180.00
Invasive Species Control	\$ 22,080.00
Debris Removal - Non TSCA	\$ 474,183.00
Debris Removal - TSCA	\$ 130,051.00
Remedial Dredging	\$ 11,789,013.00
TSCA Remedial Dredging - Primary Pass	\$ 329,149.00
TSCA Remedial Dredging - Residual Pass First 70 Cy	\$ 50,262.00
TSCA Remedial Dredging - Residual Pass Over 70 Cy	\$ 201,048.00
TSCA Remedial Excavation - Primary Pass	\$ 534,367.00
TSCA Remedial Excavation - Residual Pass First 30 Cy	\$ 20,879.00
TSCA Remedial Excavation - Residual Pass Over 30 Cy	\$ 76,557.00
Planting and Site Restoration	\$ 604,473.00
Sand Residual Cover	\$ 3,881,526.00
Biomedium	\$ 863,291.00
Wastewater Treatment	\$ 14,852,784.00
<b>Construction Subtotal</b>	<b>\$ 36,885,833.00</b>
<i>Non-Construction Costs</i>	
Construction Oversight	\$ 1,770,000.00
Tribal Monitor and Archaeologist	\$ 50,000.00
LSMR Bussing	\$ 5,000.00
Hallett Dock Access	\$ 540,000.00
WDNR In-Kind	\$ 25,000.00
<b>Non-Construction Subtotal</b>	<b>\$ 2,390,000.00</b>
<b>Subtotal</b>	<b>\$ 39,275,833.00</b>
Contingency (≈5%)	\$ 1,989,167.00
<b>Project Total</b>	<b>\$ 41,265,000.00</b>



Table 2. Cost-share amounts based on estimated project costs and 60%/40% EPA/NFS project cost split.

	<b>Required PA cost-share</b>	<b>In-kind contribution*</b>
ViacomCBS (85% of NFS cost-share)	\$14,030,100.00	
MPCA (13% of NFS cost-share)	\$2,145,780.00	
WDNR (2% of NFS cost-share)	\$330,120.00	\$ 25,000.00
Total NFS	\$16,506,000.00	
EPA	\$24,759,000.00	
Total project cost	41,265,000.00	

\*In-kind contributes toward the required PA cost-share total.

Table 3. Anticipated schedule for completion of the remedial action activities

<b>Succession</b>	<b>Key Project Step</b>
January 2021	Design documents completed
January 2021	Complete majority of permitting and access requirements
January 2022-May 2022	Complete environmental remediation contractor procurement
June 2022-November 2023	Environmental remediation construction
January 2023	Environmental remediation construction completion report
March 2024-November 2025	Remedy establishment
November 2025	Completion report review and contract closeout
December 2025	NFSs send any final in-kind documents to GLNPO for project closeout
July 2026	GLNPO completes final accounting

# Figures

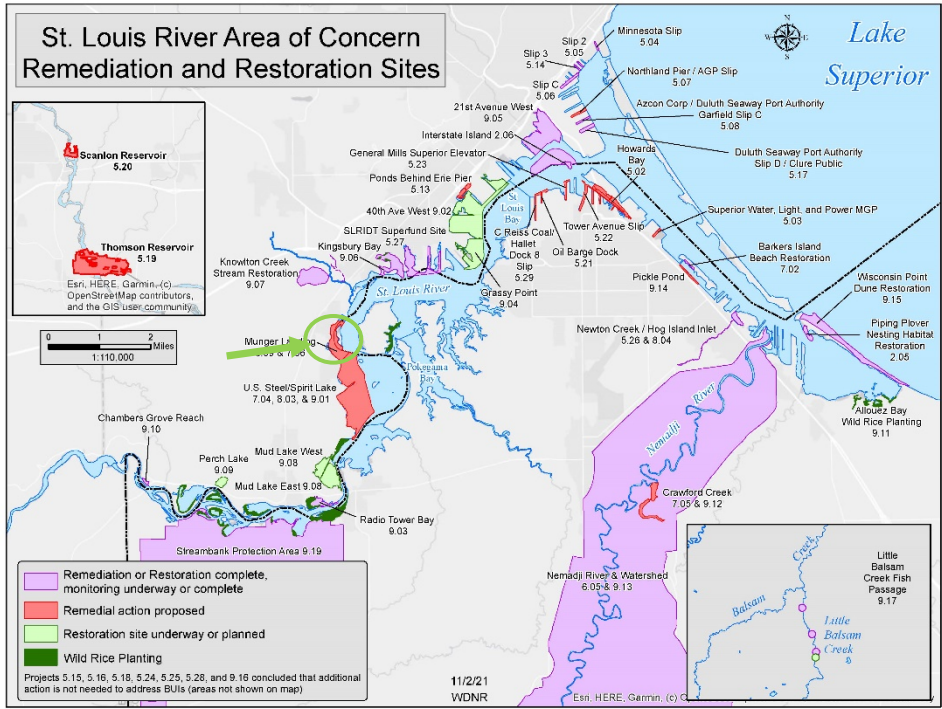


Figure 1: Site location within the St. Louis River Area of Concern

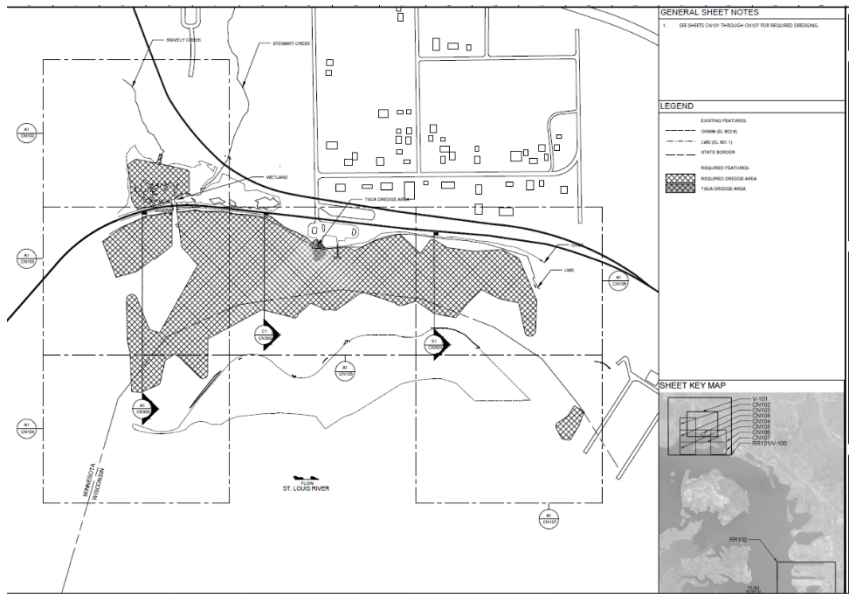
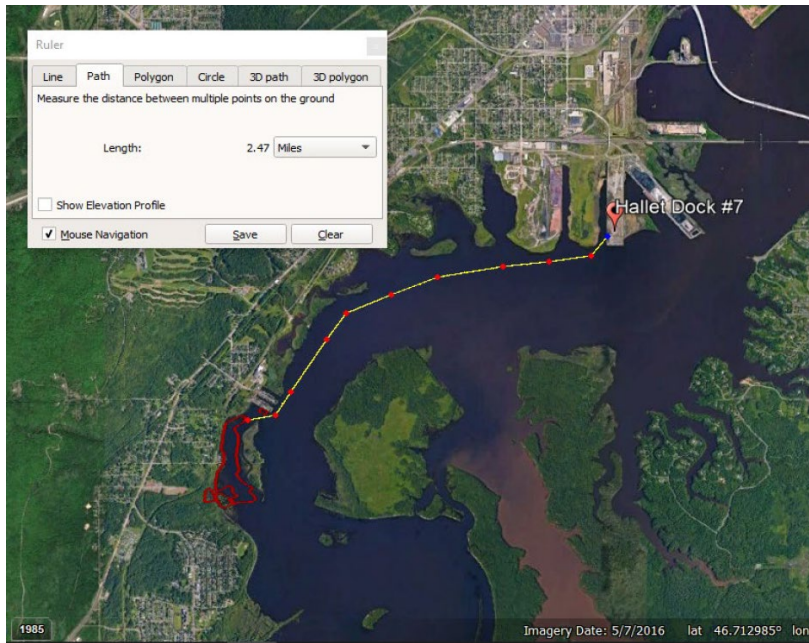


Figure 2: Approximate remedial footprint of Munger Landing



*Figure 3: Work area including Hallett Dock staging area*