Lauridsen, Keld B - DNR

From: Chronert, Roxanne N - DNR
Sent: Wednesday, January 30, 2019 1:06 PM
To: Mark.Walter@obg.com
Cc: Lauridsen, Keld B - DNR; James, Andrew G - DNR
Subject: FW: REVISED: Concurrence with Special Provisions for WisDOT ID 4996-25-00 Pennsylvania Avenue Bridge and Approaches – Sheboygan, WI
Attachments: 2070-03-01_Concr_ExMgPln_WLaytonAve_31Oct2018.pdf

Hi Mark,

Below is the amended DNR concurrence with the Special Provisions for this project:

The Wisconsin Department of Natural Resources (DNR) reviewed the Phase 2.5 investigation report (the report) received on October 9th, 2018, for the WisDOT ID 4996-25-00 Pennsylvania Avenue Bridge and Approaches – Sheboygan, WI (the project) and the hazardous material special provisions.

Background
The Wisconsin Department of Transportation (DOT) contracted O'Brien & Gere Engineers Inc. (OBG) for the project. OBG performed a Phase 2.5 investigation in response to a hazardous materials assessment dated March 7, 2018, completed by Kapur & Associates Inc (Kapur). OBG and DOT agreed on the findings of Kapur which highlight three potential sources of hazardous materials in the vicinity of the Pennsylvania Avenue Bridge and approaches:

- The Sheboygan River and Harbor:
    - Superfund Site Sheboygan River & Harbor (SF NPL) 02-60-529589. Moderate to high levels of Arsenic, Chromium, Lead, Zinc and Polychlorinated Biphenyls (PCBs). Investigation and remediation has continued since the 1970s.
- 505 South Commerce Street:
    - Site appears in National Pollutant Discharge Elimination System (NPDES) and Recovered Government Archive (RGA) Leaking Underground Storage Tank (LUST) databases. Visible on Sanborn Fire Insurance (Sanborn) maps from 1949, 1955, 1967, was a filling station/auto repair shop with tanks, and a gasoline house on a 1903 Sanborn map.
- 927 Pennsylvania Avenue:
    - 1949 &1955 Sanborn maps show a filling station/auto repair facility on this site with gasoline storage tanks visible.

Management of Soil
The DOT, being the generator of the excavated material must ultimately determine how to characterize the soil. Soil characterization does encompass a representative sampling of soil for any parameter of concern which can reasonably be expected within the limits of the construction area/project. Constituents analyzed are selected based on, reasonably derived and attainable data.

Characterization of any generated soils is left at the generators discretion. It is in the best interest of both the generator and any property owner who may accept the soil to ensure that an acceptable soil determination has been made. The generator and the receiving property owner could be held responsible for cleaning up the contamination in accordance with Wis. Stat. ch. 292.11 if the material would result in a discharge of a hazardous substance or environmental pollution.

DNR Concurrence

Soil samples provided in the Phase 2.5 investigation report identified petroleum volatile organic compounds (PVOCs) and PCBs. Therefore, based on the information provided in the Phase 2.5 investigation report, the DNR concurs with the Special Provisions within the defined project limits for the handling and disposal of PCB and petroleum impacted soils.

The Department cannot give concurrence that the remaining material is properly characterized for proper management as exempt soil. The DOT, being the generator of the excavated material must ultimately determine how to characterize the soil.

As a general rule, the DNR recommends reusing of any excavated exempt material on-site.

Please let me know if you have any questions.

Thanks,

Roxanne N. Chronert

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Roxanne Nelezen Chronert
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From: Mark Walter <Mark.Walter@obg.com>
Sent: Friday, January 18, 2019 2:46 PM
To: James, Andrew G - DNR <andrew.james@wisconsin.gov>
Cc: Lauridsen, Keld B - DNR <Keld.Lauridsen@wisconsin.gov>
Subject: RE: Concurrence with Special Provisions for WisDOT ID 4996-25-00 Pennsylvania Avenue Bridge and Approaches – Sheboygan, WI

Hi Andy,

Thank you for providing a concurrence letter for the special provisions for the management of PCB- and petroleum-contaminated soil associated with the above-referenced project. However, the letter provided does not follow the typical form of concurrence letters that the WisDOT receives from its WDNR RR Program Liaisons.

Please review the attached and let me know if you are able to revise the concurrence letter for the Pennsylvania Ave. project to more closely follow the language provided in this example. Specific suggested edits include:

- Referencing the specific areas/stationing provided in the special provisions.
- Removal of language stating, “common historic practices along navigable waterways suggest dredging practices and/or filling with soil and/or waste fill from unknown sources may have impacted river banks.”
- Removal of language stating that characterization of any generated soils is left at the generator’s discretion and suggests reuse of any excavated exempt material on site.

The language in the current version of the concurrence letter implies that the characterization provided in the Ph 2.5 Investigation Report and Special Provisions is incomplete. WDNR Guidance states that, "if there is any reason to believe that a release of contaminants has impacted the soil…analytical testing of the material will be needed to determine how it must be managed." The Phase 1 HMA Report for the above-referenced project recommended soil analysis of PVOCs and lead, based on potential sources, and PCB analysis of soil beneath the bridge based on potential interaction with river water/sediments. These parameters were analyzed, as discussed in Ph 2.5 Investigation Report for the project. Based on generator knowledge, there is no documentation available to suggest that additional releases have potentially impacted all soils within the Pennsylvania Ave. project area. OBG and the WisDOT do not believe that additional characterization is necessary, unless field observations during excavation for construction suggest otherwise.

Thanks,

Mark

Mark D. Walter, PE
OBG | Senior Engineer
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Mark.Walter@obg.com | **www.obg.com**

From: James, Andrew G - DNR [mailto:andrew.james@wisconsin.gov]
Sent: Monday, January 14, 2019 3:36 PM
To: Mark Walter <Mark.Walter@obg.com>
Cc: Lauridsen, Keld B - DNR <Keld.Lauridsen@wisconsin.gov>
Subject: Concurrence with Special Provisions for WisDOT ID 4996-25-00 Pennsylvania Avenue Bridge and Approaches – Sheboygan, WI

Dear Mr. Walter,

The Wisconsin Department of Natural Resources (DNR) reviewed the Phase 2.5 investigation report (the report) received on October 9th, 2018, for the WisDOT ID 4996-25-00 Pennsylvania Avenue Bridge and Approaches – Sheboygan, WI (the project) and the hazardous material special provisions.

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Characterization of any generated soils is left at the generators discretion. It is in the best interest of both the generator and any property owner who may accept the soil to ensure that an acceptable soil determination has been made. The generator and the receiving property owner could be held responsible for cleaning up the contamination in accordance with Wis. Stat. ch. 292.11 if the material would result in a discharge of a hazardous substance or environmental pollution.

The Exempt Soil Management Guidance (Guidance Document RR-103) can be utilized to distinguish between naturally and non-naturally occurring compounds in soil. It states that soil may be managed as "exempt soil" if the criteria in the guidance document is met.

DNR Concurrence
Based on the information provided and conversations with consultant Mr. Mark Walter of OBG, the DNR concurs with the following from the Special Provisions:

- Handling and disposal of PCB-contaminated soil
- Handling and disposal of petroleum-contaminated soil

If at all possible, the DNR suggests reuse of any excavated exempt material on-site.

Please let me know if you have any questions.

Thanks,

Andy

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Andrew James
Hydrogeologist –Remediation & Redevelopment Program
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October 31, 2018

Mr. Mark Walter, P. E.
O'Brein & Gere Engineers, Inc.
234 West Florida Street, Fifth Floor
Milwaukee, WI 53204

Subject: DNR Final Concurrence for Excavation Management Plan
West Layton Avenue, South 27th Street to Howell Avenue
City of Milwaukee, Milwaukee County, Wisconsin
Landfill Disposal
WisDOT Construction Project ID No. 2070-03-01

Dear Mr. Walter:

The Wisconsin Department of Natural Resources (DNR) reviewed the Excavation Management Plan for the Subject reconstruction project. The DNR understands that the work is to resurface West Layton Avenue from South 27th Street to Howell Avenue in Milwaukee, Milwaukee County, Wisconsin. Improvements include replacements of curb and gutter, driveway approaches, storm sewer catch basins and laterals, street lighting, and traffic signals. This *Concurrence* letter provides approval for offsite landfill disposal of petroleum, lead and chlorinated volatile organic compounds (CVOCs) contaminated soil to a DNR-licensed landfill facility.

Landfill

Soil samples provided in the Phase 2.5 Investigation Report identified petroleum volatile organic compounds (PVOCs), chlorinated volatile organic compounds (CVOCs), and lead contaminated soil within the project at concentrations that exceed their respective Wis. Admin. Code § NR 720 RCLs. Contaminant impacts include naphthalene at 900 micrograms per kilograms (µg/kg), tetrachloroethene ranging from 60 µg/kg to 3,000 µg/kg, and lead ranging from 70 milligrams per kilograms (mg/kg) to 110 mg/kg. The DNR concurs that these soils be appropriately field screened, segregated, managed, and transported to a DNR-licensed facility for landfill disposal. The specific landfill remediation areas are:

1. STA 11+25 to 11+75, from reference line to project limits right, from 4 feet to 6 feet below ground surface, estimated 0.6 cubic yards or 1 ton.
2. STA 108+00 to 109+50, from reference line to project limits left, from 1 foot to 6 feet below ground surface, estimated 247 cubic yards or 420 tons.
3. STA 10+75 to 11+25, from reference line to project limits left, from 1 foot to 6 feet below ground surface, estimated 26 cubic yards or 45 tons.
4. STA 10+75 to 11+25, from reference line to project limits right, from 1 foot to 4 feet below ground surface, estimated 26 cubic yards or 48 tons.
5. STA 11+50 to 12+00, from reference line to project limits left, from 4 feet to 6 feet below ground surface, estimated 0.6 cubic yards or 1 ton.
6. STA 13+00 to 13+50, from reference line to project limits left, from 1 foot to 8 feet below ground surface, estimated 34 cubic yards or 58 tons.
7. STA 62+75 to 63+75, from reference line to project limits left, from 1 foot to 4 feet below ground surface, estimated 72 cubic yards or 122 tons.
8. STA 102+00 to 103+00, from reference line to project limits right, from 1 foot to 8 feet below ground surface, estimated 68 cubic yards or 115 tons.

Other Conditions

The Phase 2.5 investigation suggests that contaminated groundwater may be present within the project limits. If groundwater handling or dewatering is necessary during the project, the work shall be temporarily stopped while the engineer is notified and provides a recommendation. All groundwater shall be evaluated for petroleum, chlorinated and metal compounds, and appropriately disposed to a sanitary sewer with prior approval from Milwaukee Metropolitan Sewerage District (MMSD). No accumulated groundwater from dewatering may be returned to the project.

If contaminated soil or waste material is encountered here or elsewhere during the project, work shall be temporarily stopped while the engineer is notified. The DNR also recommends that all construction activities proceed using environmentally sound practices, including proper management and handling of drums and containers, dust suppression, recycling, proper waste disposal, storm water management, and erosion control.

If the project changes from what is currently proposed, or if other environmental issues arise, please contact me at 414-263-8586, or send e-mail to Eileen.Maxwell@Wisconsin.gov for additional review and concurrence. Thank you.

Sincerely,

Eileen Maxwell,
Hydrogeologist
Remediation & Redevelopment

cc: Andrew Malsom – WisDOT, Pamela Mylotta – DNR, Michele Norman – DNR, Mike Thompson – DNR, Kristina Betzold– DNR.
SER File