



August 26, 2020

File Reference: 02-30-527479
09-30-527479
07-30-586163

Mr. Tim Muehlfeld
WE Energies/WEC Energy Group – Business Services
231 West Michigan St.
Milwaukee, WI 53203

Subject: Liability Clarification and “No Action Required” Determination, per Wis. Admin. Code NR § 716.05(2).
WE Energies Pleasant Prairie Power Plant, 8000 95th St., Pleasant Prairie, Wisconsin
Parcel #: 92-4-122-164-0011

Dear Mr. Muehlfeld:

Purpose

The purpose of this letter is to provide you with clarifications as to environmental liabilities and current environmental conditions at 8000 95th St., Pleasant Prairie, Wisconsin (“the Property”). The Property consists of approximately 403.29 acres of land located in Kenosha County, identified by tax parcel number(s) 92-4-122-164-0011. Refer to the attached Figure 3 for a site map of the Property.

Summary Determination

NO DISCHARGE OF A HAZARDOUS SUBSTANCE OR ENVIRONMENTAL POLLUTION

Based on the data provided, there is no evidence that hazardous substance discharges have occurred on the Property and the Wisconsin Department of Natural Resources (“the department”) has determined that that no response actions are required.

Request

On July 22, 2020, Ramboll requested on your behalf that the department issue a liability clarification letter under Wis. Stat. § 292.55. The letter contains a determination as to whether response actions are needed under the Wis. Admin. Code NR 700 rule series based on the discharge of one or more hazardous substances or presence of environmental pollution at the Property. The department received the fee for providing assistance, in accordance with Wis. Admin. Code § NR 749.04(1).

For the department to make this determination, you have requested a review of the following documents:

- No Further Action/ No Action Required request dated April 27, 2020 prepared by Ramboll

The department examined the reports listed above and provides the following summary of the case and opinions concerning environmental conditions at the Property.

Background and Summary of Environmental Conditions

The property has been used as a coal fired power plant starting in 1980. Groundwater sampling indicated that sulfate was present in levels above standards. After several years of sampling and review of sulfate levels at sites in the surrounding area as well as data collected by the United States Geologic Survey it was determined that the

sulfate levels in groundwater monitoring wells associated with the WE Energies Pleasant Prairie Power Plant (P4) could be considered naturally occurring.

The Department reviewed the groundwater data collected from the monitoring wells associated with P4 as well as data from another site in the area and concurs with the discussion from Ramboll that sulfate can be considered naturally occurring due to the associated aquifer composition. The monitoring wells have been abandoned.

P4 has been shut down and WE Energies is in the process of decommissioning the buildings associated with the power plant. Future use is unknown at this time.

Liability Determination

Wis. Stat. ch. 292 and Wis. Admin. Code chs. NR 700-754 require those who are responsible for a hazardous substance discharge or environmental pollution to take actions necessary to respond to the contamination. Wis. Stat. § 292.55, authorizes the department to issue clarification letters concerning liability for environmental pollution.

NO DISCHARGE OR ENVIRONMENTAL POLLUTION WAS FOUND

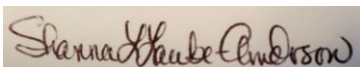
Information you submitted to the department indicates that no hazardous substance discharge or environmental pollution has occurred on the Property. Therefore, further site investigation activities are not required and no response action is required under Wis. Admin. Code chs. NR 700-754.

As with any environmental assessment, all areas of the Property were not assessed, the numbers of samples collected were limited based on professional judgment and financial considerations, and samples were not analyzed for all parameters. This letter relates and refers only to those conditions described above and to information and data you submitted to the department in your request for this letter. The department makes no determination concerning the presence or absence of hazardous substances or environmental pollution, other than those identified in the documents and reports listed above, which you submitted to us. In the future, if the department becomes aware of new information concerning the contaminants referenced above, or the presence of other contaminants on the Property, the department will evaluate that data at that time to determine if any response actions are required. Whenever possible, the department requires the person who caused the discharge to take the appropriate response actions.

The Bureau for Remediation and Redevelopment Tracking System (BRRTS) identification number for this activity is shown at the beginning of this letter. The department tracks information on all case determinations such as this letter in a department database that is available online at dnr.wi.gov and search: "BOTW". Since there is no action required for this case, the department will identify this site activity as a "No Action Required" determination.

If you have any questions, please contact me at 262-758-0015, by writing to the address at the top of this letter or by email to shanna.laubeanderson@wisconsin.gov

Sincerely,



Shanna L. Laube-Anderson
Remediation & Redevelopment Program
Southeast Region

cc: Nathan Keller, Ramboll – via email