



November 28, 2021

TECUMSEH PRODUCTS COMPANY
ATTN: STAN GILHOOL, GENERAL COUNSEL
5683 HINES DRIVE
ANN ARBOR, MI 48108
[Via Electronic Mail Only to stan.gilhool@tecumseh.com]

Subject: Review of Site Investigation Work Plan and Quality Assurance Project Plan dated September 30, 2022
HARP Downstream of Hayton Millpond Dam, BRRTS # 02-08-587108

Dear Mr. Gilhool:

On October 5, 2022, the Wisconsin Department of Natural Resources (DNR) received the Site Investigation Work Plan (SIWP) and Quality Assurance Project Plan (QAPP) for the HARP Downstream of Hayton Millpond Dam, dated September 30, 2022, prepared for Tecumseh Products Company by TRC Environmental. The plans were jointly submitted with a fee for DNR review and response. The submittal of a Site Investigation Work Plan (SIWP) is required per Wis. Admin. Code § NR 716.09, as this site is subject to regulation under Wis. Stat. § 292. The submittal of a Quality Assurance Project Plan (QAPP) is required by DNR under Wis. Admin. Code § NR 716.17(1) due to the complexity of the site.

The DNR reviewed the SIWP and QAPP for consistency with Wis. Admin. Code §§ NR 716.07, 716.09 and has determined that the general code requirements have been met. The comments provided below are intended to refine the SIWP and QAPP to improve the work product and assist with compliance with the rules. The comments should not be interpreted as including all the requirements necessary to comply with Wis. Admin. Code ch. NR 716 for site investigation and ch. NR 726 for case closure. All relevant information should be included in a revised document, provided to DNR prior to implementation, addressing the following conditions.

- From the original comment 28, provide clarification that there will be 8 bank scrape sample locations with approximately 4 samples at 1-foot intervals.
- In section 3.1 of the SIWP, the third paragraph includes multiple indications that Tecumseh responded to and addressed past DNR comments. The record reflects that comments were either not addressed or the response was inadequate. The language should be revised to reflect that the plan was modified or revised, not that the past DNR comments were addressed.
- In section 3.7 and 3.8 of the SIWP, the likelihood of impacts to environmental receptors such as the Northern Long Eared Bat, Whooping Crane, and other wildlife and waterfowl has not been established. The language should reflect that these receptors will be evaluated depending on the data from the site investigation.
- In section 5.1 of the SIWP, regarding in-channel sediment sampling, provide clarification in the fourth bullet, if found to be necessary, that “while surface water samples are being collected from the thalweg of the river, sediment samples will be collected from the thickest sediment.”
- In both the SIWP section 5.3.2 Sediment Sample Collection and the QAPP section 2.2.2, indicate that the top of the sediment surface of the core will be marked on the outside of the tube.
- In section 5.4.2 of the SIWP regarding surface water sample collection, please include field measurements of turbidity and some measure of flow to assist in the interpretation of the results.

- Place at least one geomorphic pooling area in the less sinuous meander of the waterway on Figure 2 of the SIWP.
- In section 2.6.1 of the QAPP regarding field instruments and equipment, specify the target accuracy and any potential effects to that target accuracy, e.g., dense canopy, of the hand held GPS to be used.
- Ensure that Table 1 of the QAPP is fully updated with the current plan details, e.g., step 4: surface water sampling will have 3 sampling events in May, July, and September for natural recovery monitoring vs. “Samples will be collected in August”

As set forth in Wis. Admin. Code § NR 716.01, a primary purpose of a site investigation is to “define the nature, degree and extent of contamination.” Due to the complexity of this site, additional site investigation action is necessary to define the nature, degree and extent of contamination.

The SIWP and QAPP must comply with Wis. Stat. ch. 292 and the Wis. Admin. Code ch. NR 700 rule series. As stated in Section XIV of the Negotiated Agreement, “[n]othing herein shall preclude the State from requiring Tecumseh to undertake other or additional environmental response actions at the Site that may otherwise be require[d] of Tecumseh as a responsible party pursuant to Wis. Stats. ch. 292 and the Wis. Admin. Code ch. NR 700 administrative rule series.”

The comments provided in this letter are intended to refine the SIWP to improve the work product and assist with compliance with the rules. The comments provided by DNR should not be interpreted as including all of the changes to the SIWP that will be necessary to successfully meet the regulatory requirements of Wis. Admin. Code ch. NR 716 regarding remedial action site investigations and the statutory obligation under the Spill Law to restore the environment to the extent practicable and minimize harmful effects to the air, land, and waters of the State.

Please provide the DNR with a revised SIWP and QAPP within 60 days of this letter, January 27, 2023. The DNR appreciates your efforts to investigate and remediate this site. If you have any questions about this letter, please contact me, the DNR Project Manager, at (920) 510-8277 or by email at Sarah.Krueger@wisconsin.gov.

Sincerely,



Sarah Kruger, P.G.
Project Manager, Northeast Region
Remediation & Redevelopment Program

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