

**From:** [Graham, Joseph R - DNR](#)  
**To:** [Christian Zuidmulder](#)  
**Cc:** [Gross, Stu](#); [Lennie, Brian](#); [Cull, Whitney](#); [Saari, Christopher A - DNR](#)  
**Subject:** Site Investigation Report Conditional Approval, C. Reiss Coal Dock, Superior (BRRTS #02-16-589248)  
**Date:** Friday, February 17, 2023 10:27:00 AM  
**Attachments:** [20230217\\_38\\_SIR\\_CondApprov.pdf](#)

---

Christian and others,

Attached is a letter regarding the DNR review of the Site Investigation report for the above-referenced site. This letter is only being transmitted by email; a hard copy is not being sent. Let me know if you want a hard copy mailed to you.

We are still working on the historic fill exemption request and hope to get that out soon.

Don't hesitate to get in touch with me with any questions.

Thank you,

**We are committed to service excellence.**

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

**Joe Graham**

Contaminated Sediment Expert  
Remediation & Redevelopment  
Wisconsin Department of Natural Resources  
Cell: (715) 292-4925  
[joseph.graham@wisconsin.gov](mailto:joseph.graham@wisconsin.gov)





February 17, 2023

Transmitted Via Email  
[Christian.Zuidmulder@Thecreiss.com](mailto:Christian.Zuidmulder@Thecreiss.com)

C. Reiss Company, LLC  
Christian Zuidmulder, General Manager  
111 West Mason Street  
Green Bay, WI 54303

Subject: Wis. Admin. Code ch. NR 749 Fee-Based Review for Site Investigation Report  
C. Reiss Coal Dock Property, City of Superior, Douglas County, WI  
DNR BRRTS Activity # 02-16-589248  
FID # 816130810

Dear Mr. Zuidmulder:

On July 12, 2022, Mr. Stu Gross of Stantec Consulting Services Inc. (Stantec) submitted a Site Investigation Report (SIR) to the Department of Natural Resources (DNR) for the C. Reiss Coal Dock Property (Site) on your behalf. The SIR was dated July 8, 2022, and accompanied a request for DNR review of an onsite Materials Management Plan (MMP) under Wisconsin Administrative (Wis. Admin.) Code ch. NR 718. In its August 12, 2022, letter to you, the DNR requested additional information related to the review of the MMP and mentioned its receipt of the SIR. The DNR also asked why an exemption to develop on historic fill was not requested. Although Stantec submitted a work plan and SIR for the Site to the DNR, those submittals were not accompanied by requests for technical assistance and associated fees per Wis. Admin. Code ch. NR 749 and, thus, were not formally reviewed or approved by DNR. On August 30, 2022, DNR received payment of the fees for reviewing the SIR and a Historic Fill Exemption (HFE) request. This letter exclusively concerns the DNR review of the SIR; DNR addresses the submissions for the MMP and HFE separately.

The DNR referred to the following documents during its review of the SIR:

1. Materials Management Plan and Chapter NR 718 Exemption, July 6, 2022, Stantec
2. Site Investigation Report, July 8, 2022, Stantec
3. Letter, Additional Information Requested for MMP, August 12, 2022, DNR
4. Letter, Response to Request for Additional Information, October 11, 2022, Stantec
5. Updated Materials Management Plan and Chapter NR 718 Exemption, October 14, 2022, Stantec
6. Email, Additional clarification requested, November 9, 2022, DNR
7. Letter with attachments, Response to Request for Additional Information #2, December 2, 2022, Stantec
8. Email, Additional Questions, December 23, 2022, DNR
9. Letter with attachments, Response to Request for Additional Information #3; January 24, 2023, Stantec

Wis. Admin. Code § NR 716.01 states the primary purposes of a site investigation are to provide information necessary to:

- define the nature, degree, and extent of contamination,
- define the source or sources of contamination, and
- determine whether any interim actions or remedial actions are necessary.

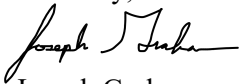
The DNR has completed a review of the SIR. DNR comments on the SIR are provided below:

- The degree and extent of contamination have not been defined for the polycyclic aromatic hydrocarbon (PAH) soil contamination near the proposed stormwater pond (e.g., soil borings SB9 and SB10) and the location with soil arsenic contamination (i.e., soil boring STN20) above Wis. Adm. Code ch. NR 720 direct contact and soil to groundwater residual contaminant levels. Groundwater was not sampled for arsenic at STN20.
- Given the concentrations of contamination found at the above locations (i.e., SB9, SB10, and STN20), the DNR does not agree with the stated conclusions of the SIR that *"The source and horizontal and vertical extents of the black granular fill and residual soil impacts from historic offsite petroleum releases are sufficiently defined. Therefore, additional investigation of soil onsite is not warranted."* The PAH concentrations at locations SB9 and SB10 and arsenic concentrations at STN20 are inconsistent with the characteristics of the anthropogenic black granular fill prevalent at the Site. They are indicative of distinct discharges of hazardous substances. Additional investigation is needed to define the degree and extent fully and define sources of contamination. Further remedial action may be necessary to address soil contamination and restore the environment to the extent practicable at the Site.

Considering the above comments, the DNR conditionally approves the SIR and believes the Site investigation efforts are sufficient to move forward with the proposed redevelopment and materials management activities at the Site (i.e., the interim action) described in the documents above. This approval is conditioned on the ultimate completion of additional investigation of the locations identified above to define the degree and extent of contamination and sources of contamination, evaluate the need for further actions, select and design a remedial action, if necessary, and obtain closure of the BRRTS activity. You should consider completing site investigation and remedial action activities prior to or in conjunction with the planned redevelopment of the Site.

I appreciate your cooperation in this matter. If you have questions regarding this letter, do not hesitate to contact me at (715) 292-4925 or by email at [joseph.graham@wisconsin.gov](mailto:joseph.graham@wisconsin.gov).

Sincerely,



Joseph Graham  
Project Manager  
Remediation and Redevelopment Program

cc:

Stu Gross, Stantec - [stu.gross@stantec.com](mailto:stu.gross@stantec.com)

Brian Lennie, Stantec - [brian.lennie@stantec.com](mailto:brian.lennie@stantec.com)

Whitney Cull, Stantec - [whitney.cull@stantec.com](mailto:whitney.cull@stantec.com)