



May 4, 2023

JIM SMITH
BP REMEDIATION MANAGEMENT
201 HELIOS WAY HELIOS PLAZA 6.370A
HOUSTON TX 77079
{electronically sent to jim.smith2@bp.com}

Subject: Technical Assistance – Monitoring Well Abandonment Request for:
Amoco Barge Dock- Manifold & AST Area; BRRTS #02-16-117873
And Related Sites:
Amoco Oil Terminal: BRRTS #02-16-000331
Amoco Barge Dock – O/W Separator & Load Rack: BRRTS #02-16-297979
C. Reiss Coal Dock Property: BRRTS #02-16-589248
Winter & Maryland Streets, Superior, Wisconsin

Dear Mr. Smith:

On March 23, 2023 the Wisconsin Department of Natural Resources (DNR) received a technical assistance request from the Antea Group (Antea) for the Amoco Barge Dock- Manifold & AST Area site BRRTS #02-16-117873. This request is also associated with the other above referenced sites (Sites). On April 4, 2023 a fee was received by the DNR for the technical assistance request in accordance with Wisconsin Administrative (Wis. Admin.) Code ch. NR 749.

The request is for abandonment of 24 groundwater monitoring, remediation wells and the entire interim remedial action system associated with the Amoco Sites located on the former Barge Dock. All of the 24 wells and remediation system to be abandoned are located on a 53 acre parcel of property owned by C. Reiss Terminals LLC (C. Reiss), Latrobe, Pennsylvania. The wells were installed as part of on going site investigation activities of petroleum discharges at the above referenced Amoco Sites.

The site investigation activities found petroleum compounds discharged from the Sites migrated through the subsurface to the C. Reiss property. C. Reiss is currently proposing to redevelop their property into an operating bulk materials storage/loading dock facility. As part of the redevelopment, approximately 80,000 cubic yards of contaminated soil and sediment will be managed on the C. Reiss property. The groundwater monitoring wells and remediation wells are within the proposed footprint of the soil and sediment management area.

The DNR reviewed the request and associated data and approves the request with conditions.

Conditions of Approval:

The Sites are still in the site investigation stage of the Wis. Admin. Code chs. NR 700-799 process as a site investigation report has not been approved by the DNR to date. Site monitoring is an essential part of the ongoing site investigation and is required as per Wis. Admin. Code ch. NR 716. Therefore a condition of approval the abandonment request is to provide replacement wells at the Sites in the future. A well replacement work plan is to be submitted by Antea when the earthwork portion of the C. Reiss redevelopment project is nearing completion. The DNR will review the work plan and determine the appropriate number and location of wells to be replaced.

A conference call was held on April 21, 2023 with Jonathan Zimdars, Wayne Hutchinson and Layne Kortbein of Antea and Chris Saari and John Hunt of the DNR. The well abandonment request was the topic of discussion and the call was held as construction for the redevelopment project schedule is fast-tracked. The condition of well replacement as a condition of approval for the well abandonment request was fully understood and agreed to by Antea during that conference call.

Closing:

The DNR reminds BP that they are the “responsible party” under Wis. Admin. Code § NR 700.03(51) and must follow applicable law to address the discharge of a hazardous substance to the environment or other environmental pollution. Wisconsin Statutes (“Wis. Stats.”) ch. 292 and Wis. Admin. Code chs. NR 700 through NR 799 provide specific requirements for appropriate response actions to address contamination, including emergency and interim actions, public information, site investigations, remedy selection, design, and operation of remedial action systems, and case closure.

The DNR has regularly raised concerns to BP and Antea of the long time period this project is taking. The first milestone of a site investigation report approved by the DNR has not been accomplished after nearly 35 years of site investigation. The DNR understands these are large complicated sites, however, the DNR stresses that BP should be far more aggressive with the efforts to restore the environment in a reasonable amount of time as required by state statute and administrative code.

The problem of not bringing the sites into regulatory compliance is exemplified by the C. Reiss redevelopment project and the complications the contamination underlying that property has caused their project. Due to the length of time this site has been under investigation, the DNR is requesting submittal of a memorandum that includes:

- Proposed timeframes for when site investigation reports that fully complies with Wis. Admin. Code NR 716 will be submitted for each of the Amoco’s 3 sites.
- Proposed timeframe for when a remedial action options report that describes how the environment will be restored is to be submitted for each of the Amoco’s 3 sites. Even though the DNR is giving approval to remove the remedial action wells/system, the DNR does not agree that the interim actions taken to date bring the Sites compliance with state statute and administrative code requirements.

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Mr. Jim Smith
Well Abandonment Request
Amoco Sites – Superior, WI

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If you have any questions, please contact me at (715) 701-9383, by writing to the address at the top of this letter or by email to john.t.hunt@wisconsin.gov.

Sincerely,



John T. Hunt
Hydrogeologist - Remediation & Redevelopment Program
Northern Region

CC: Jonathan Zimdars (Antea jonathan.zimdars@anteagroup.com)