

**From:** [Graham, Joseph R - DNR](#)  
**To:** [Gross, Stu](#); [Christian Zuidmulder](#)  
**Cc:** [Lennie, Brian](#); [Morberg, Kyle](#); [Cull, Whitney](#)  
**Subject:** RE: Action Requested by 01/31/2024, C. Reiss , 02-16-589248: Supplemental Site Investigation Report  
**Date:** Thursday, February 08, 2024 8:34:00 AM

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Stu and others,

Thank you getting us additional information ahead of my meeting later this morning.

Would you happen to have any photos of the silty sand material at the disposal berm, before and after placement of the temporary clay cover? Can you mark up a figure to include an X on the spot where silty sand with HC odors is currently located within the disposal berm area?

Thanks,

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Joe Graham

Cell: (715) 292-4925

[joseph.graham@wisconsin.gov](mailto:joseph.graham@wisconsin.gov)

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**From:** Gross, Stu <Stu.Gross@stantec.com>  
**Sent:** Thursday, February 08, 2024 8:26 AM  
**To:** Graham, Joseph R - DNR <Joseph.Graham@wisconsin.gov>; Christian Zuidmulder <christian.z@thecreiss.com>  
**Cc:** Lennie, Brian <Brian.Lennie@stantec.com>; Morberg, Kyle <kyle.morberg@stantec.com>; Cull, Whitney <Whitney.Cull@stantec.com>  
**Subject:** RE: Action Requested by 01/31/2024, C. Reiss , 02-16-589248: Supplemental Site Investigation Report

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Good morning Joe-

Following up on yesterday's discussion related to item #2 below, we've attached additional photos illustrating the location of the silty sand with hydrocarbon (HC) odor (outlined in red) in relation to the forebay. Additional pertinent details are also provided below:

- The silty sand was encountered beneath dense silty clay on the southern end of the main stormwater pond (refer to exhibit included in our November 21, 2023, email). Precautionary measures were taken to address groundwater that may enter the excavation during the final stages of pond construction but none was encountered. The base of the final excavation was believed to be just above the water table. If considering this in profile view, there was approximately two feet of silty sand above the groundwater table followed by dense silty clay to

the surface. The base of the two-foot clay liner forming the bottom of the stormwater pond is essentially constructed at the groundwater table on the southern portion of the main pond.

- The silty sand did not appear to be stained or contaminated based on field observations. However, HC odors were present and are believed to have been migrating through the unconsolidated silty sand from underlying groundwater.
- Less than 100 cubic yards (CY) of silty sand required excavation to meet desired depths to construct the pond. Approximately 20 CY of silty sand, located immediately adjacent to the proposed forebay, was placed within the forebay to slightly elevate this area, then capped with 2-feet of clay. The remaining excess silty sand was transported to the proposed berm area, stockpiled, and temporarily covered with clay. Once the berm reaches final grades, the silty sand will ultimately be covered by the final clay cap for the proposed berm.
- The 20 CY of silty sand used within the forebay was moved less than 10 feet from its original location, placed at an elevation that was similar to or higher than its original location, and is above the groundwater table. Placement of the material in this manner does not appear to contradict the WDNRs location criteria exemption approval to relocate contaminated soil within 3 feet of the high groundwater level.

Hopefully this information is helpful in understanding the placement of silty sand discovered during pond construction., If you have further questions or desire additional information, please contact us. Thank you.

**Stu Gross** PG

BC1937 Practice Lead/Senior Project Manager

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**From:** Graham, Joseph R - DNR <[Joseph.Graham@wisconsin.gov](mailto:Joseph.Graham@wisconsin.gov)>

**Sent:** Friday, February 2, 2024 12:29 PM

**To:** Christian Zuidmulder <[christian.z@thecreiss.com](mailto:christian.z@thecreiss.com)>

**Cc:** Lennie, Brian <[Brian.Lennie@stantec.com](mailto:Brian.Lennie@stantec.com)>; Gross, Stu <[Stu.Gross@stantec.com](mailto:Stu.Gross@stantec.com)>; Morberg, Kyle <[kyle.morberg@stantec.com](mailto:kyle.morberg@stantec.com)>; Cull, Whitney <[Whitney.Cull@stantec.com](mailto:Whitney.Cull@stantec.com)>

**Subject:** RE: Action Requested by 01/31/2024, C. Reiss , 02-16-589248: Supplemental Site Investigation Report

Christian and others,

DNR is continuing its review of the information on the stormwater pond construction and Supplemental Site Investigation Report (SSIR), but I have a recommendation for MW20 and questions for Stantec.

I strongly advise that efforts be made to rehabilitate and sample MW20, rather than abandoning it and

replacing it later. This location will require additional groundwater monitoring.

DNR does not agree with Stantec's conclusion that site investigation activities are complete at the site and will be following up with more details after I am able to get input from our peer review group. In the meantime, can you please help answer the questions below.

1. What page in the pdf of the SSIR provided to DNR contains the monitoring well construction and development forms, Forms 4400-113a & 4400-113b? These forms are required and were specifically requested by DNR in the January 9, 2024 email below.
2. Regarding the stormwater pond excavation, please explain how the placement of material with hydrocarbon odors as part of the berm for the forebay of stormwater pond is consistent with Wis. Admin Code ch. NR 718 and the material management plan (MMP) submitted for the site. The management of contaminated soil at this location appears to be a deviation from the MMP that DNR approved on February 17, 2023.

Sincerely,

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Joe Graham

Cell: (715) 292-4925

[joseph.graham@wisconsin.gov](mailto:joseph.graham@wisconsin.gov)

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**From:** Graham, Joseph R - DNR

**Sent:** Wednesday, January 31, 2024 8:36 AM

**To:** Cull, Whitney <[Whitney.Cull@stantec.com](mailto:Whitney.Cull@stantec.com)>

**Cc:** Christian Zuidmulder <[christian.z@thecreiss.com](mailto:christian.z@thecreiss.com)>; Lennie, Brian <[Brian.Lennie@stantec.com](mailto:Brian.Lennie@stantec.com)>; Gross, Stu <[stu.gross@stantec.com](mailto:stu.gross@stantec.com)>; Morberg, Kyle <[kyle.morberg@stantec.com](mailto:kyle.morberg@stantec.com)>

**Subject:** RE: Action Requested by 01/31/2024, C. Reiss , 02-16-589248: Supplemental Site Investigation Report

Whitney,

Thank you for the follow-through and update on the site status.

1. Can you share any available documentation regarding the damage to MW20 (e.g., photographs, daily construction reports, directives/correspondence with the contractor on the damage and abandonment, etc.)?
2. I appreciate Kyle's photo and 01/29/2024 email on the abandonment of the two 8" pipes. Like above, could you share additional documentation you may have, such as daily construction report(s) that mention the pipe abandonment and, eventually, any as-built drawings that indicate the removal extents and inferred locations where the pipes may be left? I expect this information may be helpful in partner recruitment efforts for the broader efforts to remediate contaminated sediment in the Superior Slips.

We will let you know if we have additional questions on the supplemental site investigation.

I would appreciate continued updates as the construction progresses.

Sincerely,

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Joe Graham

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[joseph.graham@wisconsin.gov](mailto:joseph.graham@wisconsin.gov)

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**From:** Cull, Whitney <[Whitney.Cull@stantec.com](mailto:Whitney.Cull@stantec.com)>

**Sent:** Tuesday, January 30, 2024 4:26 PM

**To:** Graham, Joseph R - DNR <[Joseph.Graham@wisconsin.gov](mailto:Joseph.Graham@wisconsin.gov)>

**Cc:** Christian Zuidmulder <[christian.z@thecreiss.com](mailto:christian.z@thecreiss.com)>; Lennie, Brian <[Brian.Lennie@stantec.com](mailto:Brian.Lennie@stantec.com)>; Gross, Stu <[stu.gross@stantec.com](mailto:stu.gross@stantec.com)>

**Subject:** Action Requested by 01/31/2024, C. Reiss , 02-16-589248: Supplemental Site Investigation Report

**CAUTION: This email originated from outside the organization.  
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Good afternoon Joe,

Our Supplemental Site Investigation Report for the C. Reiss Dock in Superior, Wisconsin has now been uploaded to the portal under BRRTS Case # 02-16-589248. This report details soil and groundwater sampling activities that occurred in 2023 to delineate the extents of arsenic and polycyclic aromatic hydrocarbons at the site. The information contained within this report should satisfy the items in your email request for information dated January 9, 2024.

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To keep you in the loop, we also wanted to provide some brief construction updates for the site:

**Stormwater Pond Excavation.** Excavation of the proposed stormwater pond reached total excavation depth in Fall 2023. As documented in an email from Stu Gross dated November 21, 2023, hydrocarbon odor was encountered in the bottom 1.5 feet of the southern portion of the pond floor. No free product/LNAPL was observed during any part of excavation activities, and groundwater was not ultimately encountered during excavation. Soils with hydrocarbon odor were consolidated in the bottom of the dividing bench between the stormwater pond "lobes" (in the same area from which they were generated). The entire footprint of the pond, including the bench, has now been capped by the compacted clay liner. This approach was consistent with our RAP/MMP and the Monitoring and Contingency Plan for the site, and will be incorporated into final construction documentation for the site.

**Damage to Newly-Installed Monitoring Well MW20.** MW20 was installed in May 2023 to assess

groundwater quality on the northern end of the dock as part of Supplemental Site Investigation activities. In December 2023, a haul truck backed into MW20, rendering the well inoperable. The contractor is in the process of abandoning MW20 per NR141 WAC. Documentation of abandonment will be provided to WDNR once completed (anticipated to be in February 2024).

**Product Piping Removal.** As indicated in an email from Kyle Morberg dated January 29, 2024, the two, 8" petroleum pipelines that crossed the C. Reiss property to the east-adjointing site were abandoned in January 2024. Approximately 200 gallons of diluted residual product was collected and properly disposed of prior to removing and capping the ends per the construction plans. No staining, odors, or evidence of leakage was observed during abandonment.

**Small UST Abandonment.** On January 24, 2024, a small (~300 gallon) UST was encountered while excavating the access road (in the approximate location of the fork in the access road leading toward the dock from the proposed maintenance building). The tank was observed to have some residual product (fuel oil) and water inside. No evidence of a release was observed (ex. staining or odors to surrounding/underlying soils). Based on the size of the UST, its contents, and the lack of contamination to underlying soil, a Tank System Site Assessment was not warranted. The contractor is in the process of contracting a DATCP-certified remover/cleaner to appropriately dispose of the UST and its contents. Removal of this UST will be documented in the final construction documentation for the site.

Please let us know if you have any questions or would like any additional updates pertaining to site construction as the project moves forward.

Thank you,

**Whitney Cull**

Geological Engineer in Training

Mobile: (262) 219 - 4740

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**From:** Gross, Stu <[Stu.Gross@stantec.com](mailto:Stu.Gross@stantec.com)>

**Sent:** Wednesday, January 10, 2024 10:30 AM

**To:** Graham, Joseph R - DNR <[Joseph.Graham@wisconsin.gov](mailto:Joseph.Graham@wisconsin.gov)>

**Cc:** Christian Zuidmulder <[christian.z@thecreiss.com](mailto:christian.z@thecreiss.com)>; Lennie, Brian <[Brian.Lennie@stantec.com](mailto:Brian.Lennie@stantec.com)>; Cull, Whitney <[Whitney.Cull@stantec.com](mailto:Whitney.Cull@stantec.com)>

**Subject:** RE: Action Requested by 01/31/2023, WDNR NR700 Semi-Annual Report, C. Reiss , 02-16-589248

Good morning Joe-

Thank you for reaching out. Yes, 2024 is off to a good start.

This information will be provided by January 31<sup>st</sup> to satisfy your request and address the non-compliance with code.

In the interim, if you have any questions, do not hesitate to contact me.

**Stu Gross** PG

BC1937 Practice Lead/Senior Project Manager

Direct: 262-643-9159

Mobile: 414-526-3974

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**From:** Graham, Joseph R - DNR <[Joseph.Graham@wisconsin.gov](mailto:Joseph.Graham@wisconsin.gov)>  
**Sent:** Tuesday, January 9, 2024 2:13 PM  
**To:** Gross, Stu <[Stu.Gross@stantec.com](mailto:Stu.Gross@stantec.com)>  
**Cc:** Christian Zuidmulder <[christian.z@thecreiss.com](mailto:christian.z@thecreiss.com)>; Graham, Joseph R - DNR <[Joseph.Graham@wisconsin.gov](mailto:Joseph.Graham@wisconsin.gov)>  
**Subject:** Action Requested by 01/31/2023, WDNR NR700 Semi-Annual Report, C. Reiss , 02-16-589248

Hello Stu,

I hope 2024 is off to a good start for you. For myself, I am still in denial that the year is 2024.

Thank you for submitting the semi-annual report for the C. Reiss dock property in Superior, WI, BRRTS No. 02-16-589248. I want to inform you of potential issues that need attention to ensure compliance with rules administered by DNR at sites regulated under Wis. Stats. ch. 292.

During a site visit this past summer with Kyle Moberg, construction oversight for Stantec, I learned that at least one monitoring well was installed and sampled near an area where previous sampling indicated elevated soil arsenic levels. To my knowledge, the DNR has not received the construction documentation for the monitoring well or any monitoring results.

1. Well and borehole construction documentation is to be submitted to DNR within 60-days of well installation per Wis. Admin. Code s. NR 141.23. As of this email, I have not seen documentation for the new well I observed at the site. We need completed copies of the three forms at the links below:
  - a. <https://dnr.wisconsin.gov/sites/default/files/topic/Groundwater/Form4400MonitoringWellConstruction.pdf>
  - b. [https://dnr.wi.gov/files/pdf/forms/4400/4400\\_122.pdf](https://dnr.wi.gov/files/pdf/forms/4400/4400_122.pdf)
2. Sample results are to be reported to the DNR within 10 business days of receiving the samples results per Wis. Admin. Code s. NR 716.14(2) unless the DNR approves a different notification schedule on a case-by-case basis per id (3). As of this email, I have not received any results from this well or associated soil/saturated media borings.

I request that you address items 1 & 2 above to return to compliance without delay and that any required information be sent to my attention no later than close-of-business on 01/31/2023.

Please let me know if you need anything else.

Sincerely,

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Joe Graham

Cell: (715) 292-4925

[joseph.graham@wisconsin.gov](mailto:joseph.graham@wisconsin.gov)

-----Original Message-----

From: [DNRRRNR700Reporting@wisconsin.gov](mailto:DNRRRNR700Reporting@wisconsin.gov) <[DNRRRNR700Reporting@wisconsin.gov](mailto:DNRRRNR700Reporting@wisconsin.gov)>

Sent: Tuesday, January 09, 2024 10:11 AM

To: Gross, Stu <[stu.gross@stantec.com](mailto:stu.gross@stantec.com)>

Cc: Graham, Joseph R - DNR <[Joseph.Graham@wisconsin.gov](mailto:Joseph.Graham@wisconsin.gov)>

Subject: WDNR NR700 Semi-Annual Report Confirmation

Thank you for submitting your NR700 semi-annual progress report. The DNR Project Manager for this site has been notified of your report submittal. If final case closure has not been granted for this Activity before the next reporting period, you will receive a system-generated email reminder and link to report for the next period.

The contents of your report is included below for your records:

Report ID: 2401589248537261

BRRTS No.: 02-16-589248

PECFA No: --

Activity Name: C REISS COAL DOCK PROPERTY

Address: NE NE SEC16 T49N R14W, SUPERIOR Reporting Period: 7/1/2023 - 12/31/2023

Submitted On: 01/09/2024

Submitter Role: Consultant

Status: Remediation: Active Remediation

Comments:

Construction activity continues. Email summary of on-site observations during construction of stormwater pond provided to WDNR on November 21, 2023.

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