



March 22, 2024

Joseph Graham
Wisconsin Department of Natural Resources
810 W Maple Street
Spooner, WI 54801

RE: Request for Information General Mills Slip, Superior, Wisconsin
WDNR BRRTS # 11-16-591466

Dear Mr. Graham:

This letter responds to the Request for Information received from the WDNR on January 23, 2024 for the General Mills facility in Superior, Wisconsin, which we understand you have defined to consist of tax parcels X and Y (the "Site"). Our intent is to provide information that is not already available from the General Mills Slip Reports (reference WI DNR) or the online Bureau of Remediation & Redevelopment Tracking System (BRRTS).

Background

The Site consists of two grain elevators and currently handles oats and wheat in support of General Mills's food production business. We receive grain by rail and vessel which is unloaded, binned, and stored onsite. The grain is monitored and turned as needed to maintain quality. It is eventually blended with like grains and loaded out either via rail or Interlake (freshwater) vessel.

On average, annually, we handle about 12 million bushels of wheat (about 12 vessels) which is shipped by Interlake vessel to our Buffalo, NY production facility. We also process about 3.5 million bushels of oats for our facility in Fridley, MN which is shipped by rail. General Mills stopped exporting via saltwater vessels approximately 15 years ago.

A general visual overview of the Site can be found in [Reference A – Site Overview](#)

RFI Questions and Replies

1. Identify the current owner and operator of the Site. State the dates during which the current owner and operator owned, operated, leased, or occupied any portion of the Site and provide copies of all documents evidencing such ownership, operation, lease, or occupation, including but not limited to purchase and sale agreements, deeds, leases, etc.

- May 22, 2012 - Present General Mills Operations, LLC, Owner and Operator
- July 10, 1989 – May 22, 2012 - General Mills Operations, LLC, Operator, as lessee from BNSF
[References: C – Quit Claim Deed; D – PA; E – Lease Agreements + Amendments](#)

2. Identify any persons who in addition to the owner/operator exercises actual control over the Site or who holds significant authority to control activities at the Site.

- BNSF Rail, as lessor
- City of Superior / Wisconsin DOT, pursuant to incentive grant agreements
[Reference: O – Amended and Restated Lease](#)

3. Identify any legal or equitable interest that you now have, or previously had, in the Site and describe the nature of any such interest, including when, how, and from whom such interest was obtained as well as when, how, and to whom such interest was conveyed. Provide documentation evidencing the acquisition or conveyance of any identified interest.

See response to question 1, above.

4. Identify all hazardous substance discharges that have occurred at or from the Site and other actual or potential environmental pollution that has been found at the Site, including any hazardous substance discharge into, or environmental pollution found in, a subsurface disposal system or floor drain inside or under any building at the Site. Provide all documentation including reports and data related to hazardous substance discharges and actual or potential environmental pollution of soil, sediment, water (ground or surface) or air quality at or around the Site.

There are three known hazardous discharges that have occurred at or from the Site and other actual or potential environmental pollution that has been found at the site. All three 'events' are considered closed and detailed in the WI DNR BRRTS system.

- BRRTS #03-16-559534 BNSF / General Mills Grain Elevator UST – LUST, Closed 11/26/2014
 - Fuel oil and VOC contamination
- BRRTS #02-16-558264 BNSF / General Mills Grain Elevator ERP – Closed 01/04/2017
 - Arsenic, Fuel Oil, Gasoline, and Metals
- BRRTS #04-16-580961 General Mills, Spill – Closed 02/08/2018
 - Engine waste oil

Enclosed are the Phase I and II Reports we obtained in connection with purchase of the Site in 2012.

[References: F - Phase I Report 2012, G – Phase II Report 2012, H - Supplemental Phase II Report from 2012](#)

5. If you are the current owner and/or current operator of the Site, did you acquire or operate the Site or any portion of the Site after the discharge of any hazardous substance on or at the Site? Did you know or have reason to know of any discharge of any hazardous substance on or at the Site before acquiring or operating the Site? Describe all environmental investigations of the Site you undertook before acquiring or operating the Site and provide all documentation of investigations performed.

See response to question 4.

6. Identify all prior owners of the Site. For each prior owner, further identify:
- The dates of ownership,
 - Great Northern/BNSF Railway Unknown – May 22, 2012
 - All evidence showing that each identified owner controlled the Site; and
 - See response to Question 1
 - All evidence of any hazardous substance discharge or environmental pollution (including coal) at or from the Site and/or its solid waste units during the period that each identified owner owned the Site.
 - See response to Question 4.
7. Identify all prior operators of the Site, including lessors. For each prior operator, further identify:
- The dates of operation,
 - See response to Question 1
 - The nature of prior operations at the Site,
 - Unknown
 - All evidence that each identified operator controlled the Site; and
 - See response to Question 1
 - All evidence of any hazardous substance discharge or environmental pollution (including coal) at or from the Site and/or its solid waste units during the period that each identified operator operated the Site.
 - See response to Question 4
8. Describe the nature of your activities, business, or operations at the Site with respect to generating, transporting, storing, treating, or disposing hazardous substances or solid or hazardous waste (including coal) at the Site.

The Site currently stores general maintenance chemicals and only generates small amounts of Universal Waste i.e. used oil, filters and absorbents. We also stored pesticides on the Site into the early 2000s but no longer do so. The Site has not stored or used coal since at least 1989.

We do not treat, or dispose of, any hazardous substances or waste at the Site.

9. If any hazardous substances or solid or hazardous waste (including coal) was ever generated, transported, stored, treated, or disposed of at the Site, identify and provide all documentation which relates to: (a) the type, quantity, chemical composition, characteristics and physical state (e.g., solid, liquid) of hazardous substances or solid or hazardous waste generated, transported, stored, treated or disposed of at the Site and the dates that such activities occurred; (b) the identity of all persons who generated, transported, treated, stored, or disposed of such substances or waste at the Site; and (3) the identity of all subsidiary or parent corporations of identified persons.

See responses to Questions 4 and 8.

10. Describe with specificity all occurrences where a Site owner, operator, or person in control over the Site was determined by a federal, state, or local authority to have violated any environmental law or where any environmental violation or deficiency was discovered at the Site, including any violation or deficiency that resulted in the issuance of a citation or the commencement of any enforcement or legal action. Identify the federal, state, and local authorities involved in each identified occurrence. Provide all documentation related to each identified occurrence.

In addition to the matters described in our response to Question 4, we received two Letters of Notification from the WI DNR for noncompliance of reporting per the air permit requirements. We worked with the WDNR to resolve the issues. No other violations or deficiencies are known by the current owner.

References: [J – Letter of Non-Compliance 2021](#), [K – Letter of Non-Compliance 2023](#)

11. Provide a list of all local, state, and federal environmental permits ever granted for the Site or any part thereof (e.g., Resource Conservation and Recovery Act (RCRA) permits, National Pollutant Discharge Elimination System (NPDES) permits, etc.).

- State of Wisconsin Air permit – FID 816036210 - F11 – 2205 Winter Street
- VSQG, (WIR000119362)

12. Did the Site ever file a Hazardous Waste Activity Notification under the Resource Conservation and Recovery Act (RCRA)? If so, provide documentation of such notification.

- Not to our knowledge

13. Did the Site ever have “interim status” under the Resource Conservation or Recovery Act (RCRA)? If so, and the Site does not currently have interim status, describe the circumstances under which the Site lost interim status.

- Not to our knowledge

14. Provide the following information about the Site, if applicable:
- a. Property boundaries, including a written legal description,
 - See Reference B - ALTA Survey
 - b. Location of underground utilities (telephone, electrical, sewer, water main, etc.),
 - No information available.
 - c. Surface structures (e.g., buildings, tanks, etc.),
 - Elevator S: Consists of the main workhouse and 3 concrete annexes
 - Elevator X: Concrete elevator with dust loadout bay and attached garage.
 - S Employee Facility (SEF): Maintenance Shop, Control Room, Locker Room, Break Areas
 - Compressor Building: Storage building with facility air compressor
 - Office Building: Sits next to Elevator X.
 - X transfer belt housing: bridge connecting Elevator X to Elevator S. Contains conveyor for transfer of grain.
 - Mineral Oil Tanks: 1 each at elevator S and Elevator X. 6,000 gal each – double walled and in secondary containment
 - Above ground diesel fuel storage tank (used for yard equipment) 350 gal – double walled and in a structure.
 - Motor Control Rooms: 2 by elevator S and 1 by elevator X
 - Three Generators (diesel) – backup generator uses only
 - Electrical transformer
 - d. Groundwater wells, including drilling logs,
 - There is one well present at the property and the log is available in the provided Phase I Report – EDR report in App B.
 - e. Storm water drainage systems, and sanitary sewer systems, past and present, including septic tank(s), subsurface disposal field(s), and other underground structures; and where, when and how such systems are emptied,
 - Catch basins around Elevator X that collect storm water and direct it to an outfall at the harbor slip just north of the Elevator. *During the 2013 demolition work it is possible the catch basin drainage pipe was made unserviceable to the outfall.
 - There are two sealed underground septic holding tanks, one for the S Employee Facility and one for Elevator X. These tanks have hi-level indicators and are pumped as needed.
 - f. All additions, demolitions or changes of any kind on, under or about the Site, its physical structures or to the property itself (e.g., prior removal or excavation of contaminated soil or sediment); and any planned additions, demolitions or other changes to the site,
 - 2005 Addition of railroad tracks for shuttle loading
 - 2012-2013 Demolition of historic wood dock and installation of sheet pile/walkways
 - ~2013 – Demolition of office building, garage, and storage room
 - 2015 New electrical motor control room
 - 2019 Demolition of old dust collection systems and installation of new

- **Planned Demolition: Wood dock on south end of slip as part of HAP Grant (2024)**
- g. Geology and hydrogeology at and around the Site,
See Phase I and Phase II
- h. Maps and drawings of the Site depicting the property boundaries and property features identified above; and
- **See site map and Alta Survey.**
- i. Photographs of the Site, past and present, including aerial photographs.
- **Reference Phase 1 Report – for past aerial photographs and provided Site Overview for current visual overview.**

15. Describe the conditions of any physical plant facility at the Site during the years each operator operated at the Site, including the status of equipment (operating or dormant), general condition of the facility (e.g., leaking pipes, corroded drain or new piping installed), quality of maintenance (e.g., equipment in disrepair or inspected monthly), adherence to procedures (improper handling of chemicals, incomplete/absent policies, quality of supervision), and management of the plant.

The provided Phase I report describes conditions during the assessment in 2012.

Since we purchased the Site, General Mills has invested capital annually to replace grain handling equipment, upgrade dust collection capabilities, and maintain/improve site integrity (roofs, dock, concrete storage, etc.). Inspections and maintenance on equipment is performed by GMI employees at regular intervals. Additionally, environmental and safety inspections are performed at frequencies dictated by law or corporate policy (whichever is more stringent). In cases where maintenance exceeds GMI employee capabilities (electrical, generators, air compressors, for example), outside contractors are hired to complete necessary maintenance and inspections. The location is managed by on-site General Mills employees with support from the corporate office.

16. Are you or your consultants planning to perform any investigations of the soil, sediment, water (ground or surface), geology, hydrology or air quality on or about the Site? Provide all documentation concerning any investigation you have conducted or plan to conduct at or around the Site.

- **No future investigation work is currently planned.**
- **Reference Question #5 for previous investigation comments**

17. Describe all potential pathways for migration of contamination, including airborne deposition, drainage improvements, utility corridors, sediments, bedrock and permeable material or soil along which dust/particulate, vapors, and free product may flow as well as potential pathways contaminated water may flow.

There is visible windblown coal dust accumulation on the ground surfaces from the active coal yard (Midwest Energy Resources Company) on the west adjoining property.

Stormwater flow is into the St. Louis Bay harbor. There are catch basins around Elevator X which directs stormwater to an outfall at the harbor slip just north of the Elevator.

If you have any questions, please do not hesitate to contact Diane Curelli directly at (763) 293-2452 or diane.curelli@genmills.com

Sincerely,

Diane Curelli

Diane Curelli, Manager, Environmental Risk – Global Safety & Environment

CC: Andrea Carruthers, Sr Counsel

CC: Paul Steinlage, Manager, Grain Terminal Operations

CC: Andrew Waldbillig, Facility Manager

References:

- A. Site Overview
- B. Alta Survey
- C. Quit Claim Deed
- D. Bill of Sale 2012 from BNSF to GMOL
- E. Original Site Lease + Amendments
- F. Phase I Report, 2012
- G. Phase II Report, 2012
- H. Phase II Supplemental Report, 2012
- I. Groundwater Investigation Report and Appendix, 2013
- J. Letter of Non-Compliance, 2021
- K. Letter of Non-Compliance, 2023
- L. Definite Term Lease (BNSF shown as Lessor and GMOL as Lessee)
- M. Termination Agreement as GMOL as Lessee
- N. Waste Manifests
- O. Amended and Restated Lease

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