

**Natural
Resource
Technology, Inc.**

December 10, 2003
(1659)

Mr. Tom Wentland
Wisconsin Department of Natural Resources
Plymouth Service Center
1155 Pilgrim Parkway
Plymouth, WI 53073

RE: Exemption Request for Development at Historic Fill Site
Proposed Fly Ash Silos Construction
Valley Power Plant (VAPP), Milwaukee, Wisconsin

Dear Mr. Wentland:

Natural Resource Technology, Inc. (NRT) has prepared this request for exemption for proposed construction activities by We Energies at their Valley Power Plant (VAPP). The proposed construction is the installation of two additional fly ash silos and a corresponding ash loading building. On behalf of We Energies, NRT previously provided to the Wisconsin Department of Natural Resources (WDNR) a May 12, 2003 request for an Exemption to Construct on a Historic Fill Site for the VAPP site, and a June 27, 2003 summary of combustible gas monitoring letter providing results of methane testing as a supplement to the May 12, 2003 exemption application. This current letter report, exemption application, and fee serves as an additional request to this previous permit.

SITE BACKGROUND

The site being redeveloped is owned by Wisconsin Electric Power Company and is located at 1035 W. Canal Street in Milwaukee, Wisconsin. The site has been undergoing construction and relocation of several above and below ground structures during the summer of 2003. These construction activities were covered under the previously approved Exemption Request for Development at Historical Fill Site for this site. The terms of the approval are listed in the Departments letter: *Conditional Grant of Exemption for the Development of the Valley Area Power Plant Property Where Solid Waste has been Disposed*, dated June 10, 2003, attached. Additional construction activities are now planned for the site, which were not covered under that exemption request.

PROPOSED FLY ASH SILOS AND ASH LOADING BUILDING CONSTRUCTION

We Energies plans to construct two new fly ash silos and an ash loading building at the site. The location of the proposed additional silos and loading building will be constructed immediately south of the existing ash silos as shown on Figure 1. The structure is constructed as shown on

Figure 2. The building will be constructed with corrugated steel sidewalls on all four sides with garage doors on both the east and west ends of the ground elevation for trucks to drive through and receive the ash. The loading building and the silos will be located above the truck receiving area. There will be a control room above the loading area; however, the majority of activities will be handled at ground elevation via remote control. The control room will only be occupied as needed for maintenance and troubleshooting.

The proposed silos and corresponding loading building will be constructed on piles. The soil will be excavated 8 to 10 feet below ground surface (bgs) and then approximately 32 piles will be driven to approximately 85 feet bgs. As discussed in the May 12, 2003 exemption request, it is anticipated that the material removed from the excavation (approximately 400 cubic yards) will be mostly clay, silt, and sand with some coal fragments, foundry sand and wood chips.

ADDITIONAL SOIL DATA

Two additional soil borings were drilled in the area of the proposed ash silo development since the May 12, 2003 exemption request was submitted: one was completed by Midwest Engineering Services, Inc. on June 18, 2003 (Boring B-5) and one by NRT on May 29, 2003 (Boring B-102). The locations of these borings are shown on Figure 1. Soil boring logs are also attached to this letter. The boring logs indicate that the soils in the area of the fly ash addition are consistent with the previous exemption request. Analytical sampling was conducted by NRT at boring SB-102 (2 to 4 feet bgs), with testing completed by EnChem, Inc. for metals and polynuclear aromatic hydrocarbons (PAHs). The analytical report is attached, and a summary of these results with results from surrounding borings is shown on Table 1. Results of the testing are consistent with findings reported in the May 12, 2003 exemption request. No PAHs were found above the Wisconsin Suggested Generic Soil Cleanup Levels for PAHs (Direct Contact – Industrial) in the SB-102 sample.

COMBUSTIBLE GAS MONITORING

As discussed in the supplement to the original exemption request (dated June 27, 2003), methane testing was conducted at the site. The sample location closest to the new fly ash silos (W-3) indicated 0% methane and 0% lower explosive limit (LEL). Moreover, during normal activities at the ash silos, both garage doors will be open to the outside. The only activity in the building will occur when fly ash is loaded out of the silos and into transport trucks; during this activity, at least one of the garage doors remains open.

UNDERGROUND PIPING INSTALLATION

A wastewater collection trench will be installed within the concrete floor of the ash loading area (Figure 3). This trench will be concrete-lined and will have a traffic-rated grate. The trench will then connect to a subsurface waste water line. We Energies anticipates connecting to the waste

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water line as shown as Option A; however, the alignment could change to Option B (Figure 3). This is the only subsurface utility that will be installed in conjunction with the ash silo construction. In addition, a steam line will run underground to the new ash silo building and then be set in the concrete floor to help prevent cracking of the floor due to freezing and subsequent thawing of the concrete.

SITE DEVELOPMENT PLAN

The following actions shall take place during the ash silo development:


- The actions addressed in the May 12, 2003 request for an Exemption to Construct on a Historic Fill Site for the VAPP site, and the June 27, 2003 summary of combustible gas monitoring letter, unless refined in this letter;
- Fill that is disturbed during the proposed construction will either be used on site, or be managed as solid waste and disposed at a licensed disposal facility (Waste Management's Metro Recycling and Disposal Facility);
- There is no need for engineered controls to prevent the build-up of, or to monitor the presence of, combustible gases within the building since the loading building will never be completely enclosed; and
- No collars will be used around the wastewater line since methane does not occur in the vicinity of the new ash silos, and the open-air conditions do not promote gas build-up in the building.

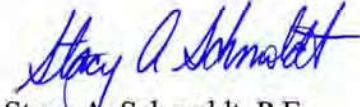
The proposed construction will disturb existing underlying historic fill material found throughout the site; however, the development should not further impact the environment or be affected by the historic fill material. All materials and construction activities will be handled as described herein and as requested by the WDNR.

We Energies' construction schedule is such that foundation commencement is anticipated to occur the beginning of February 2004. NRT looks forward to your response to this request. Please do not hesitate to contact us should you have any questions or require any additional information.

Sincerely,

NATURAL RESOURCE TECHNOLOGY, INC.


Jason A. Heinonen
Environmental Engineer


Stacy A. Schmoldt, P.E.
Senior Engineer

Natural
Resource
Technology



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Attachments: WDNR Form 4400-226 (R 5/02): Development at Historic Fill Site or Licensed
Landfill Exemption Application
Letter: Conditional Grant of Exemption for the Development of the Valley Area
Power Plant Property Where Solid Waste has been Disposed, Dated June 10,
2003
Figure 1: Sample Location Plan, Drawing No. 1659-11-B01
Figure 2: Proposed Fly Ash Building Layout, Drawing No. 1659-11-B02
Figure 3: Proposed Wastewater Collection Layout, Drawing No. 1659-11-B03
Boring Log: MES, Boring No. B-5
Boring Log: NRT, SB-102
Analytical Report: NRT, SB-102
Table 1: Soil Summary of Polynuclear Aromatic Hydrocarbon Compounds (PAHs)

Cc: Mr. Trent Kohl, We Energies
Mr. Jeffrey Gazdik, We Energies

[1659 TWentland 031210 (Final) ltr]

Notice: Use of this form is required by the DNR for any application to develop at a historic fill site or licensed landfill pursuant to secs. NR 506.085 and NR 500.08(4), Wis. Adm. Code. The Department will not consider your application unless you provide complete information requested. Personally identifiable information collected will be used to process your application and will also be accessible by request under Wisconsin's Open Records law [ss.19.31 - 19.39, Wis. Stats.]

Instructions: See *Development at Historic Fill Sites and Licensed Landfills: What you need to know* (PUB-RR-683, April 2002) for detailed instructions.

- All Exemption Application materials should be sent to the region where the site is located, as listed on page 6.
- Include \$500 fee payment with this application unless a fee was already paid for the review of the remedial design report under the NR 700 process.
- Determine the appropriate exemption type for the site and check appropriate box below.
- Provide complete information requested for each type of exemption. Include the following attachments:
Required: Summary of Existing and Potential Impacts described in Section V as an attachment, under the seal of a professional engineer or geologist registered to practice in Wisconsin.
Optional: Site Visit Summary Comments (Section IX) including any photos, sketches or site visit notes.

Exemption Type

- Remediation and Redevelopment Program NR 700 Rule Series Process Exemption:** Site with remedial actions conducted in accordance with NR 700 series
Required: Sections I - VI **Optional:** Sections VII - X
- Case-by-Case Evaluation:** Sites with anticipated environmental impacts or wastes of special concerns
Required: Sections I - VI **Optional:** Sections VII - X
- Expedited Exemption:** Site with no expected environmental impact
Required: Sections I - VI and Form 4400-256A Expedited Exemption Application **Optional:** Sections VII - X

I. Applicant Information

Owner - Last Name WISCONSIN ELECTRIC POWER COMPANY	First	MI	Telephone Number
Contact Name (if different) TRENT KOHL			
Street Address 333 W. EVERETT STREET	City MILWAUKEE	State WI	ZIP Code 53203
Developer - Last Name SAME AS ABOVE	First	MI	Telephone Number
Street Address	City	State	ZIP Code

II. Site Name and Location

Site Name VALLEY POWER PLANT	Location / Address 1035 W. CANAL STREET
Is the site known by another name(s)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown	<input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of MILWAUKEE
If yes, provide name.	ZIP Code 53203 State WI
Does the site have a license number? If yes, License Number <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown	County MILWAUKEE

A. Attach a map with site location and limits of fill/waste disposal area.

B. Global Positioning System Coordinates	Describe method for collecting GPS Coordinates
Latitude: DEG MIN SEC 43 01 48.62N	Longitude: DEG MIN SEC 87 55 25.87W
FROM WDNR GIS SITE (CONVERTED)	

Program Lead, Fee Status and Regulatory ID Numbers (This area for DNR use only)

<input type="checkbox"/> Waste Management Bureau	<input type="checkbox"/> Payment Attached
<input type="checkbox"/> Remediation and Redevelopment Bureau - Exemption is part of remedy under NR 700 program	Amount
<input type="checkbox"/> Fee already paid for review of remedial design report.	\$
<input type="checkbox"/> Review of remedial design report not requested and payment is attached.	
Hazardous Waste Facility License ID No. (5 digits)	DNR FID No. (9 digits)
USEPA ID No. (used for both RCRA and CERCLIS #s) (WI+Alpha+9 digits)	
Region	Project Manager
Telephone Number	

III. Site Ownership History

Previous Owner - Last Name	First	MI	Telephone Number
Street Address	City	State	ZIP Code
Responsible Municipal / Private Operator - Last Name (if applicable)	First	MI	Telephone Number
Street Address	City	State	ZIP Code

IV. Evaluation of Existing and Potential Impacts. See Development at Historic Fill Sites and Licensed Landfill: Guidance for Investigation and Development at Historic Fill Sites and Licensed Landfill: Potential Problems and Considerations.

- A. Analytical data for the following media have been collected and/or examined before completing this application:
- | | | |
|--------------------------------------|---|--|
| 1. Groundwater: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. Soil: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 3. Surface water / sediment: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 4. Air: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 5. Methane or other explosive gases: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
- B. Based on known or suspected sources and wastes, their physical characteristics, containment and geologic environment, do you suspect a release of pollutants to the environment?
- Yes: Groundwater Soil Surface Water / Sediment Methane or Other Explosive Gases
- No **WITH EXCEPTION OF DIESEL FUEL RELEASE IN NORTHEAST QUADRANT OF SITE.**
- If yes, an expedited exemption is not appropriate unless further investigation shows that a release of pollutants is not likely.
- C. If there is NOT a likelihood of a release of pollutants or evidence of a release, would the impact of the proposed development be likely to cause a release to the environment?
- Yes If yes, be sure to summarize actions to be taken to prevent adverse environmental impacts in V. Part C below.
- No

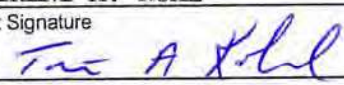
V. Summary of Existing and Potential Impacts. See Development at Historic Fill Sites and Licensed Landfill: Guidance for Investigation and Development at Historic Fill Sites and Licensed Landfill: Potential Problems and Considerations.

Describe the following in an attached narrative under the signature of a qualified professional. Organize, label and package as listed below.

- A. Existing Site Conditions
1. existing site conditions including waste types,
 2. potential for impacts, and
 3. evaluation of existing impacts.
- B. Proposed Development Summary. Include explanation for overall site decision.
- C. Summary of actions to be taken and engineering controls that will prevent or minimize adverse environmental impacts and potential threats to human health and welfare, including worker safety.

VI. Certification of Application Information

I certify that information in this application and all its attachments is true and correct and in conformity with applicable Wis. statutes.

Print / Type Name of Applicant	
TRENT A. KOHL	
Applicant Signature	Date Signed
	12-11-03

Sections VII - IX are optional for all Applicants.

VII. Current and Historic Type of Waste Disposal Site (Check all that apply)

- | | |
|---|--|
| <input type="checkbox"/> Licensed Landfill | <input type="checkbox"/> One-time Disposal |
| <input type="checkbox"/> Non-approved {See s.289.01(3)}, Wis Stats. | <input type="checkbox"/> Construction / Demolition |
| <input type="checkbox"/> Approved | <input checked="" type="checkbox"/> Historic Fill Site |

- | | |
|--|--|
| Liner | Total Landfill Volume |
| <input checked="" type="checkbox"/> Unlined | <input checked="" type="checkbox"/> < 50,000 yd ³ |
| <input type="checkbox"/> Lined | <input type="checkbox"/> 50,000-500,000 yd |
| <input type="checkbox"/> Composite Liner | <input type="checkbox"/> > 500,000 yd ³ |
| <input type="checkbox"/> Other Liner (Describe): _____ | |
| <input type="checkbox"/> Clay Liner | |
| <input type="checkbox"/> Unengineered | |

- Does the landfill have a closure plan? Yes No Unknown
 Does the landfill have a groundwater monitoring plan? Yes No Unknown
 Have groundwater monitoring wells been installed? Yes No Unknown

Was a cover installed? Yes No **If no, go to Past Land Uses.**

- Composite cap
- Layered soil cap with clay barrier
- Clay cap
- Soil cap - not recompacted clay
- Other cover
- Unknown

What is the thickness of the cover? <6 in 6-12 in 12-24 in >24 in Unknown

Past Land Uses. (Check all that apply)

- | | | |
|--|--|---|
| <input type="checkbox"/> Agricultural co-op | <input type="checkbox"/> Electroplater | <input type="checkbox"/> Salvage yard |
| <input type="checkbox"/> Brush pile | <input type="checkbox"/> Lagoon | <input type="checkbox"/> Service Station |
| <input type="checkbox"/> Bulk plant | <input type="checkbox"/> Manufacturing Type: _____ | <input type="checkbox"/> Tannery |
| <input type="checkbox"/> Coal gas manufacturer | <input type="checkbox"/> Old burn pit | <input checked="" type="checkbox"/> Unknown |
| <input type="checkbox"/> Deer pit | <input type="checkbox"/> Pipeline | <input checked="" type="checkbox"/> Other: POWER PLANT |
| <input type="checkbox"/> Dry cleaner | <input type="checkbox"/> RCRA generator | |

Date(s) of Site Operation	No. of Years
From: _____ To: _____	<input checked="" type="checkbox"/> Unknown

VIII. Waste Information & Geologic Environment. See Development at Historic Fill Sites and Licensed Landfills: Guidance for Investigation

A. Known or Suspected Sources/Wastes. (Check all that apply)

- | | | |
|--|---|--|
| <input type="checkbox"/> Abandoned containers | <input type="checkbox"/> Known or suspected hazardous materials | <input type="checkbox"/> Demolition/construction waste |
| <input type="checkbox"/> Above ground pipeline or tank | <input type="checkbox"/> Municipal waste | <input type="checkbox"/> Surface impoundment/lagoons |
| <input type="checkbox"/> Animal carcasses | <input type="checkbox"/> Paper mill sludge | <input checked="" type="checkbox"/> Underground pipeline or tank |
| <input type="checkbox"/> Buried drums | <input type="checkbox"/> Transformer | <input checked="" type="checkbox"/> Exempted fill {NR 500.08(1) and (2)} |
| <input type="checkbox"/> Burning of materials | <input type="checkbox"/> Trees/brush | <input type="checkbox"/> Unknown |
| <input checked="" type="checkbox"/> Foundry sand | <input checked="" type="checkbox"/> Surface spills | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Industrial accident | <input type="checkbox"/> Fly ash | |

B. Physical Characteristics of Sources/Wastes

- Liquid Solid Liquid & Solid Unknown

VIII. Waste Information & Geologic Environment (continued)

C. Waste Containment Liner Unknown Not applicable
Asphalt & concrete
 Engineered cover on portions of site Functioning leachate collection & removal system
 Maintained Not maintained Functioning & maintained run-off management system
 Functioning groundwater monitoring system

D. Soil Type: Estimate distances or determinations based on regional or site specific information.

Regional Site specific
Clay, silt or other fine grained soils present? (lacustrine, tills, etc.) Yes No
At surface? Yes No At depth? Yes No 23-51 feet

Sand & gravel, coarse grained soils present? Yes No
At surface? Yes No At depth? Yes No 19-23, feet
51-75

E. Depth to Groundwater 4-8 feet
 Regional Site specific

F. Direction of Groundwater Flow easterly direction
 Regional Site specific

G. Depth to Bedrock > 75 direction FEET
 Regional Site specific

H. Bedrock Type Regional Site specific Sandstone Limestone/Dolomite Metamorphic/Igneous

IX. Site Visit

Conduct a site visit to complete site screening and determine general site conditions, on-site activities and adjacent land use encroachment issues. As appropriate to document the site, take photos, sketch the site and prepare a Site Visit Report.

On-site visit conducted? Yes No

General site conditions: Document any observed releases and note whether or not you were able to walk the site. Examples of things to be aware of include the following:

- leachate seeps or evidence of seeps such as stained soil/vegetation
- stressed vegetation as a sign of gas migration to the surface or of leachate seeps;
- quality and coverage of vegetation on the cap;
- odors which may indicate gas migration to the atmosphere;
- erosion of the cap;
- maintenance of positive drainage over the capped area;
- visual desiccation cracks in the cap.

Attach the following to your application:

Photographs, regular or digital Site sketch Site Visit Report

Name(s) of Person(s) Conducting Site Visit BRIAN HENNINGS	Date of Site Visit 5/29/03
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IX. Site Visit (continued)

A. Adjacent Land Uses. Indicate all directions. (Check all that apply)

<input type="checkbox"/> Agricultural	<input type="checkbox"/> N	<input type="checkbox"/> S	<input type="checkbox"/> E	<input type="checkbox"/> W	<input type="checkbox"/> NE	<input type="checkbox"/> NW	<input type="checkbox"/> SE	<input type="checkbox"/> SW
<input checked="" type="checkbox"/> Industrial	<input checked="" type="checkbox"/> N	<input checked="" type="checkbox"/> S	<input checked="" type="checkbox"/> E	<input checked="" type="checkbox"/> W	<input type="checkbox"/> NE	<input type="checkbox"/> NW	<input type="checkbox"/> SE	<input type="checkbox"/> SW
<input type="checkbox"/> Recreational	<input type="checkbox"/> N	<input type="checkbox"/> S	<input type="checkbox"/> E	<input type="checkbox"/> W	<input type="checkbox"/> NE	<input type="checkbox"/> NW	<input type="checkbox"/> SE	<input type="checkbox"/> SW
<input type="checkbox"/> Residential	<input type="checkbox"/> N	<input type="checkbox"/> S	<input type="checkbox"/> E	<input type="checkbox"/> W	<input type="checkbox"/> NE	<input type="checkbox"/> NW	<input type="checkbox"/> SE	<input type="checkbox"/> SW
<input type="checkbox"/> Undeveloped	<input type="checkbox"/> N	<input type="checkbox"/> S	<input type="checkbox"/> E	<input type="checkbox"/> W	<input type="checkbox"/> NE	<input type="checkbox"/> NW	<input type="checkbox"/> SE	<input type="checkbox"/> SW
<input type="checkbox"/> Commercial	<input type="checkbox"/> N	<input type="checkbox"/> S	<input type="checkbox"/> E	<input type="checkbox"/> W	<input type="checkbox"/> NE	<input type="checkbox"/> NW	<input type="checkbox"/> SE	<input type="checkbox"/> SW
<input type="checkbox"/> Other: _____	<input type="checkbox"/> N	<input type="checkbox"/> S	<input type="checkbox"/> E	<input type="checkbox"/> W	<input type="checkbox"/> NE	<input type="checkbox"/> NW	<input type="checkbox"/> SE	<input type="checkbox"/> SW

B. Potential Groundwater Receptors. Estimate distances. (1 mile = 5,280 ft)

Distance to and direction of nearest municipal well: _____ feet > ½ mile from the waste N direction

Distance to and direction of nearest other-than-municipal well: 100 feet > ½ mile from the waste E direction

Distance to and direction of nearest non-community well: _____ feet > ½ mile from the waste N direction

Distance to and direction of nearest private well: _____ feet > ½ mile from the waste N direction

Distance to and direction of nearest residence: _____ feet > ½ mile from the waste N direction

C. Potential For Gas Migration

0 No. of homes within 300 feet of waste (gas migration potential)

0 No. of homes between 300 & 1,000 ft to waste (gas migration potential)

Distance to and direction of nearest building: 0 feet > ½ mile from the waste _____ direction

Type of building: On-site building Municipal Residential Commercial Industrial Unknown

D. Potential Surface Water Receptors. Estimate distances.

Creek: _____ feet Drainage ditch: _____ feet Intermittent stream _____ feet

River: 100 feet Lake: _____ feet Wetland: _____ feet

E. Based on the site visit, did you visually observe...

1. a release to a surface water body? Yes No Unknown

2. a leachate seep? Yes No Unknown

3. a release to soils? Yes No Unknown

X. Comments: Use this section to provide comments on any aspect of the site visit. Attach any information or explanations labeled with the appropriate section number to which the material applies.

Region Map

NORTHERN REGION

Remediation & Redevelopment
 Team Supervisor
 Department of Natural Resources
 107 Sutliff Avenue
 Rhinelander, WI 54501
 (715) 365-8943

OR

Regional Waste Program Manager
 Department of Natural Resources
 107 Sutliff Avenue
 Rhinelander WI 54501
 (715)365-8911

NORTHEAST REGION

Remediation & Redevelopment
 Team Supervisor
 Department of Natural Resources
 1125 N. Military Avenue
 Green Bay, WI 54307
 (920) 492-5860

OR

Regional Waste Program Manager
 Department of Natural Resources
 1298 Lombardi Avenue
 Green Bay WI 53704
 (920)492-5870

SOUTHEAST REGION

Remediation & Redevelopment
 Team Supervisor
 Department of Natural Resources
 P.O. Box 12436
 Milwaukee, WI 53212-0436
 (414) 263-8561 or (414)263-8714

OR

Regional Waste Program Manager
 Department of Natural Resources
 P.O. Box 12436
 Milwaukee WI 53212-0436
 (414)263-8694 or (414)263-8697

WEST CENTRAL REGION

Remediation & Redevelopment
 Team Supervisor
 Department of Natural Resources
 1300 Clairemont Avenue
 Eau Claire, WI 54702
 (715) 839-3710

OR

Regional Waste Program Manager
 Department of Natural Resources
 1300 Clairemont Avenue
 Eau Claire WI 54702
 (715)839-3708

SOUTH CENTRAL REGION

Remediation & Redevelopment
 Team Supervisor
 Department of Natural Resources
 3911 Fish Hatchery Rd.
 Fitchburg, WI 53711
 (608) 275-3241

OR

Regional Waste Program Manager
 Department of Natural Resources
 3911 Fish Hatchery Road
 Fitchburg WI 53711
 (608)275-3466

