



March 27, 2020

Mr. Ferdinand Alido  
Navistar, Inc.  
2701 Navistar Dr.  
Lisle, IL 60532

Subject: Infiltration Temporary Exemption Request for Former Navistar/RMG Foundry  
1401 Perkins Avenue  
Waukesha, WI 53186  
BRRTs #: 02-68-098404, FID #: 268005430

Dear Mr. Alido:

The purpose of this letter is to provide a temporary exemption for the injection of a remedial material into the groundwater. A request for a temporary exemption to inject sodium persulfate into the groundwater at the Former Navistar/RMG Foundry Site (Property) was received from your consultant KPRG and Associates (KPRG), on February 4, 2020. The Wisconsin Department of Natural Resources (DNR) also received a request for a WPDES General Permit for Contaminated Groundwater from Remedial Action Operations. A review fee of \$ 700 was submitted. The temporary exemption is intended to provide assurances to Mr. Alido that the environmental cleanup being conducted in response to a release of contaminants on the Property is being conducted in accordance with s. 292.12 Wis. Stats.

KPRG has proposed a pilot test to use 18% Sodium persulfate to reduce the concentrations of trichloroethene (TCE) and associated degradation products in groundwater at one injection point. The injection point will be a drilled well, (TW-1) that will be screened from 20-60 feet below ground surface. The location of TW-1 is shown on Figure 1 of this request. KPRG proposes to inject Klozur® which is sodium persulfate mixed with water and activated by using either ferrous iron, sodium hydroxide, lime or hydrogen peroxide. A full-scale injection will be done in approximately 30 injection wells. An average of 1600 gallons of 18% catalyzed sodium persulfate will be injected into each injection point. KPRG proposes pressure rates of 20-60 pounds per square inch (psi). However, the DNR generally recommends operating pressures of less than 100 psi.

**Determination on the NR 812 Wis. Adm. Code Injection Prohibitions:**

The injection prohibition under s. NR 812.05, Wis. Adm. Code, is not applicable in this case because the proposed action is a DNR-approved activity necessary for the remediation of groundwater. This letter serves as your approval from the DNR of the Sodium persulfate to treat the groundwater impacted with chlorinated volatile organic compounds (CVOCs) at the property.

**NR 140 Temporary Exemption:**

The DNR approval is hereby granted to KPRG to treat the groundwater impacted with CVOCs at the property. The expiration date of this temporary exemption must be less than 2-years, per NR 140.28(5)(e) (1). from the date of this letter.

The need to obtain a temporary exemption for the injection of a remedial material for which a groundwater quality standard has not been established is required under s. NR 140.28 (1) (d), Wis. Adm. Code. Based on the information provided by your consultant, it appears the requirements for a temporary exemption for the injection of a remedial

material for which a groundwater quality has not been established under s. NR 140.28 (I) (d) have been or will be met in accordance with s. NR 140.28 (5) (c) and (d), Wis. Adm. Code.

DNR approval is granted with the following terms and conditions:

A. General:

1. The remedial action for restoring contaminated groundwater or soil, and any infiltrated or injected contaminated water and remedial materials, shall achieve the applicable response objectives required by s. NR 140.24 (2) or s. NR 140.26(2), Wis. Adm. Code, within reasonable period.
2. The type, concentration and volume of substances or remedial material to be infiltrated or injected shall be minimized to the extent that is necessary for restoration of contaminated groundwater.
3. Any infiltration or injection of contaminated water or remedial material into the groundwater shall not significantly increase the threat to public health, or welfare, or to the environment.
4. No uncontaminated or contaminated groundwater, substance or remedial material shall be infiltrated or injected into an area where a floating non-aqueous liquid is present in the contaminated groundwater.
5. There shall be no expansion of soil or groundwater contamination, or migration of an infiltrated or injected contaminated water or remedial material, beyond the edge of previously contaminated areas, except that infiltration or injection into previously uncontaminated areas may be allowed if the Department determines that expansion into adjacent, previously uncontaminated areas is necessary for the restoration of the contaminated groundwater, and the requirements of s. NR 140.18 (1), Wis. Adm. Code will be met.
6. All necessary federal, state and local licenses, permits and other approvals are obtained and compliance with all applicable environmental protection requirements are required. A WPDES general permit for Discharge of Contaminated Groundwater from Remedial Action Operation is required for this action.

B. Specific:

7. The remedial materials to be injected to the soils and groundwater shall be limited to the treatment of CVOCs.
8. The remedial material and injection project shall be as described in KPRG request.
9. KPRG will notify the Southeast Region DNR Project Manager, Mark Drews of field activities, no less than one (1) week before starting the injection.
10. Include soil vapor screening, using a PID, as a best management practice as part of the monitoring plan.
11. Remediation progress reports shall be submitted semi-annually, and shall include the groundwater monitoring results. The first report should be submitted not more than three months after the first injection. Recommendations as to the next phase of sampling and/or the need for additional treatment shall be included in a future report. This report shall be submitted prior to the expiration date of this temporary approval.
12. Any significant changes to the injection process, based on information from the injection groundwater monitoring reports or results shall be submitted to the DNR for approval prior to the changes being implemented to the injection and treatment of CVOCs in the groundwater and soils at the property. This includes but is not limited to adjustments to the volume/mass of the media injected.
13. Modifications to the sampling schedule may be requested.
14. The responsible party may apply to the DNR for an extension of this approval if future injection/in-situ chemical oxidation activities are required, and the DNR must receive any extension request before the expiration date of this approval.
15. The DNR will review all permit extension requests, site-specific data and or any other necessary information.
16. Upon completion of the project, the placement monitoring wells must be abandoned in accordance with s. NR 141.25, Wis. Adm. Code, and later topped off with grout or native soils if settling occurs, unless converted to NR 141 complying monitoring wells, or through an alternative approved by the WDNR Project Manager.

Monitoring Conditions:

In addition to your plan, it is your responsibility to meet all the following approval conditions during your proposed injection procedures at this site. The conditions are:

1. Maintain and follow the Site-Specific Health and Safety Plan in accordance with the Occupation Safety and Health Administration (OSHA) and the United States Environmental Protection Agency (USEPA) health and safety standards for hazardous waste workers.
2. If a chlorinated water source (i.e. municipal water) is used as the make-up water, it shall be filtered through an activated carbon filter or method proposed in your report to remove chlorine.
3. Record the start and stop times and the actual volume of the enhanced treatment/oxidation of CVOCs injected into each injection or delivered to each placement monitoring well.
4. Monitor the ambient air in and around the work area during the proposed enhanced treatment of CVOCs injection process using in-situ blending methods.
5. Monitor the headspace of all injection points prior to the proposed treatment of CVOCs, using in-situ blending methods.
6. Monitor the headspace of all groundwater monitoring wells prior to each groundwater monitoring event.
7. Conduct vapor monitoring at the closest proposed monitoring locations, including a measurement of percent (%) LEL every 15 minutes during the first hour of each infiltration event.
8. Immediately notify the DNR if any new groundwater quality enforcement standards are exceeded during monitoring.
9. Notify digger's hotline and all owners of utility lines if your project requires notification. Also, notify the local fire department prior to injection activities, and ensure that any representatives of these entities be allowed to observe the injection activities as needed. After completing the injection, sample all monitoring wells for applicable parameters quarterly.
10. Ensure that the injection is performed at less than 100 psi or at a reasonable psi which minimizes solution mounding in the aquifer, and plume disfigurement.
11. Maintain a log of all field monitoring results and injection/delivering activities.
12. Document and report all project activities and all test results to the DNR within 60 days of completing the injection activities.

Failure to adhere to the provisions of this temporary exemption may result in DNR requiring revisions to the remedial action design, operation or monitoring procedures, or the revocation of this exemption and the implementation of an alternative remedial action to restore the soils or groundwater quality, or both.

WPDES Permit:

Your proposed discharge is eligible for coverage under the general Wisconsin Pollutant Discharge Elimination System (WPDES) permit WI-0046566-07) for Discharge of Contaminated Groundwater from Remedial Action Operations. You are responsible for compliance with the conditions contained in this permit. The permit and an accompanying facts sheet can be downloaded from the DNR Web site at

<http://dnr.wi.gov/topic/wastewater/GeneralPermits.html>. The amended water will be injected into the groundwater. No pollutants shall be injected into the groundwater.

Discharges under this permit are required to be consistent with a discharge management plan that has been approved by the DNR. Your plan, Remediation Action Exemption Request - Mw-30 Injection dated February 3, 2020 will be considered as the required discharge management plan, which specifies analytical sampling of the discharge for CVOCs treatment, will be provided by injection/delivering of the proposed in-situ chemical oxidation using in-situ blending methods to the soils and groundwater. The facility must immediately notify the DNR if any treated groundwater will be discharged to surface water. Any significant system changes will require DNR approval.

The DNR hereby authorizes your pollutant discharge under the general WPDES permit for Discharge of Contaminated Groundwater from Remedial Action Operations (WI-0046566-07) that was granted on March 25, 2020. The following conditions are highlighted for your information:


Section 283.35, Wisconsin Statutes, authorizes the Department to issue general permits for discharges from categories or classes of point sources. If a permittee believes coverage of a facility under a general WPDES permit is not appropriate, the permittee may apply for issuance of an individual WPDES permit pursuant to section 283.35 (2) and may petition the Department for withdrawal of coverage under the general permit. The individual permit application should indicate which site-specific factors would justify alternate WPDES limits for the operation, issuance of such a site specific WPDES permit will provide for a 30-day public comment period, and potentially a public informational hearing and/or an adjudicatory hearing. The Department may withdraw a facility from coverage under a general permit if it is determined that a discharge is a significant contributor of pollutants to waters of Wisconsin, or in certain other cases set out in s. 283.35, Stats. In lieu of general permit withdrawal, the Department may refer any violation of this permit to the Department of Justice for enforcement under s. 283.89, Stats. In order to avoid any enforcement action, please read the WPDES permit carefully and comply with the permit requirements.

If you believe you have a right to challenge the Department's decision to cover this facility with a WPDES general permit, you should know that Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. To request a contested case hearing pursuant to section 227.42, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. Such a petition should identify pollutant(s) that are believed to be not appropriately regulated by the general permit for the specific site. All requests for contested case hearings must be made in accordance with section NR 2.05 (5), Wis. Adm. Code, and served on the Secretary in accordance with section NR 2.03, Wis. Adm. Code. The filing of a request for a contested case hearing is not a prerequisite for judicial review and does not extend the time for filing a petition for judicial review.

For judicial review of a decision pursuant to sections 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. A petition for judicial review must name the Department of Natural Resources as the respondent.

If you have any questions regarding this letter, please contact me either at 414-263-8607 or by e-mail at [Binyoti.Amungwafor@Wisconsin.gov](mailto:Binyoti.Amungwafor@Wisconsin.gov).

Sincerely,



Hydrogeologist  
Remediation & Redevelopment Program

cc: Joshua D. Davenport, KPRG  
Mark Drews, RR/SER  
David J. Haas, Wastewater Specialist, WDNR General Wastewater Permits  
Brian Austin, WDNR DG/5  
Bill Phelps, WDNR DG/5/Case File #: 268005430