REGION 5
CHICAGO, IL 60604

November 8, 2024

Mr. Aaron Lammers, E.I.T
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Sent to: Aaron.Lammers@sme-usa.com

Mr. Keith Egan, PRS
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Mr. Jason Smith
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Sent to: Jason.Smith@tecumseh.com

RE: Notice of Deficiency, Disapproval and Request for Modifications of Final Delineation Sampling and Analysis Plan, Tecumseh Property and a Portion of Rochester Park, Sheboygan Falls, Wisconsin
Sheboygan Harbor & River Superfund Site
WID980996367

Dear Mr. Lammers, Mr. Egan, and Mr. Smith:

The U.S Environmental Protection Agency (EPA), in consultation with the Wisconsin Department of Natural Resources (WDNR), has completed its review of the *Final Delineation Sampling and Analysis Plan, Sheboygan River & Harbor Superfund Site, Tecumseh Property and a Portion of Rochester Park, Sheboygan Falls, Wisconsin (SAP)*, dated August 30, 2024, submitted by Pollution Risk Services, LLC (PRS) and its consultant, SME. The SAP was submitted in response to EPA's May 8, 2023 *Notice to proceed with delineation* correspondence, and following our February 16, 2024, meeting at Region 5 and SME's submittal of a Conceptual Site Model on June 28, 2024.

The August 30, 2024, *SAP* is **disapproved** and must be modified to cure the deficiencies outlined herein, pursuant to Paragraph 41.iv. of the 2006 CD. Please **revise and resubmit** the report to address these comments within 60 days of receipt of this letter, i.e., by **January 7, 2025**.

On multiple occasions, EPA and WDNR have informed the PRP that the SAP should address PCB impacts in Rochester Park, consistent with the request by Tecumseh Products to address the Park under CERCLA. This SAP does not propose that. Therefore, EPA requests the PRPs to jointly inform EPA within 14 days of receipt of this letter whether they intend to perform this work under the SAP.

GENERAL COMMENTS

1. There are several spelling, grammatical and typographical errors throughout the document. Individual comments for these were not provided, but it is recommended this deliverable be reviewed by a technical editor prior to resubmittal.

2. Throughout the SAP, there are statements indicating that Tecumseh and/or Pollution Risk Services is not responsible for the contamination in Rochester Park, and that polychlorinated biphenyl (PCB) contamination in Rochester Park "is not from migration from the [Tecumseh] Property but from the operation of an unregulated landfill formerly operated" at the Park. These statements should be deleted since they are inconsistent with previous reports and historical records that document Tecumseh Products Company's historical activities are a source of PCB contamination throughout the Superfund Site, and that Tecumseh disposed of PCB-containing waste in the City landfill. The PCB waste identified in the Park is considered a source and threat for potential recontamination of Superfund site and will be addressed as such. This is consistent with PRS's determination[1] that "*surface soil (i.e., soil present from 0 to 1-foot bgs* [below ground surface] *and not covered by a barrier) impacted with PCBs at the Plant Site may provide a source of the PCB transport to the Sheboygan River, primarily through erosion and sedimentation of PCB-impacted materials [and, t]herefore, surface soils will be remediated to levels not to exceed 1 ppm"* at the Tecumseh site. EPA has previously requested delineation of <u>all</u> Park PCBs to 1 ppm during the February 2024 CSM meeting, and again in EPA's August 2, 2024 response to SME's June 28, 2024 CSM, and the requested revisions to this SAP should address PCB impacts in the park. Revise language in the SAP to remove statements and conclusions made regarding Tecumseh's responsibility for contamination in Rochester Park. The Park and Tecumseh Products property are both potential sources of PCB contamination at and to the Superfund site, and both are the result of Tecumseh Products Company's historical operations.

3. Throughout the SAP there are several statements that mischaracterize the content of the Wisconsin Department of Health Services health consultation, including the following requiring revisions.
    a. Text states WDHS "determined the upland area needed remediation". This is not a conclusion of WDHS health consultation, despite WDHS/WDNR/EPA's support for the recommendation to remove soils in areas of elevated exposure risks and should be deleted.
    b. Text in Section 2.1.2 Adjacent Property Overview, p.3, fourth paragraph and in Section 2.2.2.5 Rochester Park, p.11, third paragraph states: "WDHS completed a risk assessment in 2023 based on the 2021 and 2022 soil results and did not find a risk to

[1] See June 2004, Remedial Design Work Plan Narrative Upper River - Phases I and II Sheboygan River and Harbor Superfund Site, Pollution Risk Services, LLC and URS Corporation, Section 3.2.3, page 16.

park receptors from floodplain soils." This is not an accurate statement. The DHS health consultation did not specifically address floodplain soils, but rather, concluded that: "recreational use of certain parts of Rochester Park constitutes a public health hazard due to the contamination of soil by polychlorinated biphenyls" (PCBs). Please revise to include this conclusion.

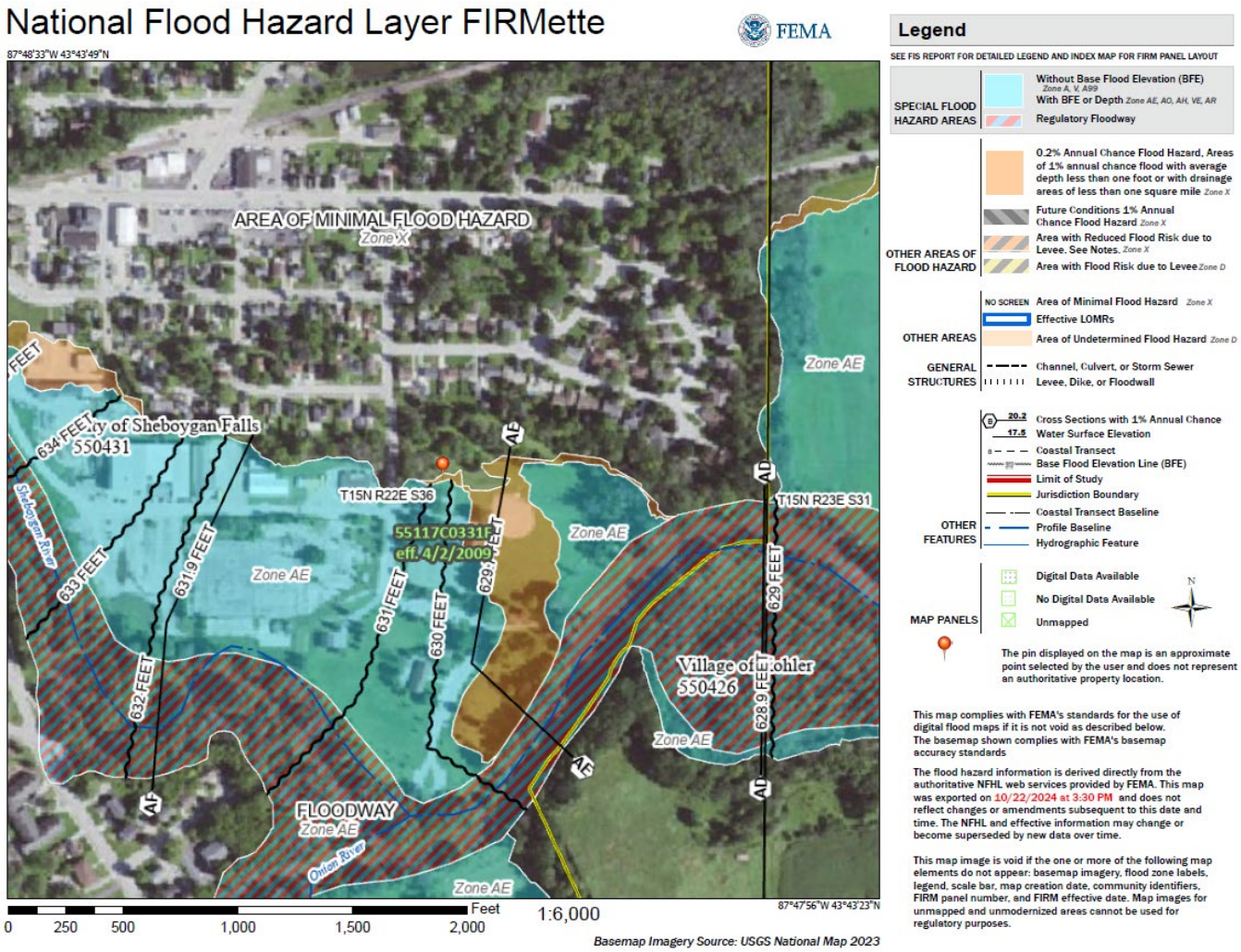
c. Text in Section 5.1.1 Determination of Applicable Standards, Direct Contact, p.19 is misleading. Clarify language to indicate that DHS's calculations applied a hazard quotient of 1, and a target cancer risk of $1x10^{-6}$ (consistent with values established in Wisconsin Administrative Code NR 720.12). Further clarify that SME, in its own calculations, considered WDHS's calculations, but applied a hazard quotient of 5.1, and calculated a cumulative cancer risk of $1x10^{-5}$ at 21 parts per million. The language notes that values are currently being evaluated by EPA, but it should be noted that EPA generally does not approve of the use of values in the calculations that deviate substantially from default input parameters. While EPA allows risk to be calculated at various levels, the request for delineation of PCBs to 1 ppm was intended to approximate those calculated under WDNR's NR 720, since the State's acceptable level of risk is much lower and results in substantially lower values for direct contact than the value suggested by SME/PRS, which approximate TSCA low-occupancy cleanup levels.

d. Text in Section 9. Conclusions, p.29 states: "The 2023 WDHS risk assessment did not recommend additional samples were needed to calculate risk." The WDHS health consultation did not include such as statement as a conclusion to their report. The report stated, "Sampling was <u>limited in quantity</u> (29 samples total)"; it may be implied from such language that the number of samples is insufficient to accurately calculate risk.

4. The SAP contains substantial discussion about the establishment of environmental standards. EPA directed SME to develop a proposal to delineate PCBs to 1 ppm in the SAP. As such, references to all the different PCLs are not needed in the SAP, and should be deleted since the sampling requirement is to delineate PCBs to 1 ppm. The clean-up goals will be considered and established as part of the evaluation of risk in the EECA in the future.

5. There are inaccuracies in text describing the floodplain area, similar to Comment 2 of EPA's August 2, 2024 *Disapproval and Request for Modifications of Serial Letter #90, Conceptual Site Model*. On page 3, the third paragraph states the FEMA 100-year floodplain map shows the entirety of the park, *except the eastern berm and a portion of the baseball diamond*, are in the floodplain. The FEMA map legend characterizes the areas of the berm and baseball diamond within an area with a "*0.2% Annual Chance Flood Hazard (or) 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile*". This is still considered a flood hazard area by FEMA and may still be within the FEMA 100-year floodplain. Subsequent text on page 4 and beyond refers to the USDA Soil Survey to suggest that the floodplain is defined only by areas containing Bellview Silt Loam, and from this determination, the potential for flooding (and associated need for sampling) in any areas with soils labeled as "Man Made" is dismissed. EPA disagrees with this interpretation, and notes the northeast portion of the heavily contaminated Tecumseh property is also in an area with "Man Made" soil. Revise the language to accurately reflect that there are flood hazard areas that cover the entire Park, and revise the sampling plan to delineate areas of the Park where PCBs

are above 1 ppm (note that locations with PCBs above 1 ppm include: SF-2, P-1, P-2, P-7, P-8, RP-1, RP-3, RP-5, RP-6, RP-9, RP-10, RP-11, RP-13, RP-14, RP-15, RP-16, SS4, SS6, SS8, SS9, SS10, SS11, SS13, SS14, SS15, SS16, SS18, SS19, SS20, SS21, SS23, and SS25).



SPECIFIC COMMENTS

1. Section 1, Paragraph 4: text states that the 2020/2021 “investigations were based on a commercial/industrial direct contact standard of 8.66 ppm calculated per WDNR requirements.” Revise the text to clarify that the value was “calculated using risk calculation methods such as those described in Wisconsin Administrative Code NR 720, but that the calculations used non-default exposure assumptions or input parameters, and did not include WDNR input or approval”.

2. Section 1, Paragraph 5: WDNR requested the addition of text to indicate the proposed step-out borings approved by EPA in 2022 were not reviewed by WDNR.

3. Section 1, Paragraph 6: revise the text in this paragraph to specify that the Conceptual Site Model (CSM) (SME Serial Letter #90) referenced was disapproved by EPA with a request for modifications in correspondence dated August 2, 2024, and a *summary* of the *original* CSM is presented in Section 3 of this SAP, since certain revisions to the CSM requested by EPA have not been completed.

4. Section 2.1.2, Paragraph 1: text states that boring logs from the eastern berm contained fill material. Since this report is in draft, and the Agencies have not received copies of these boring logs, please provide associated documentation in support of this statement.

5. Section 2.1.2, Paragraphs 1 & 2: provide a full copy of the 2000 PRP search by BBL to support narratives regarding past operations at the City landfill, or delete text describing these operations and possible PRPs.

6. Section 2.1.2, Paragraph 2: text that states "it is believed that the WWTP disposed of sludge into the landfill" should be revised to state "it is believed that sludge was disposed of at landfills, which could include the Rochester Park landfill, and was applied on farmland as fertilizer".

7. Section 2.1.2, Paragraph 4: text states risk assessments completed prior to the ROD concluded no risk to park receptors. EPA previously requested revisions to this statement in Comment 3 of EPA's August 2, 2024 *Disapproval and Request for Modifications of Serial Letter #90, Conceptual Site Model*, and the requested revision was not addressed in the SAP. As with the CSM, EPA requests SME provide documentation in support of this statement, and a citation in text to the associated document. Also, revise the text to indicate the known contaminant conditions at that time upon which this statement was based, and clarify whether current site conditions are consistent with the prior assumptions.

8. Section 2.1.2, Paragraph 4: text states "Investigations of the park in 2021 and 2022 confirmed there is no risk to park receptors from exposure to floodplain soils." There are polychlorinated biphenyl (PCB) exceedances in floodplain soil. Provide further rationale for this statement, taking into account the PCB concentrations and floodplain hazards identified at locations identified in the preceding "General Comment #5".

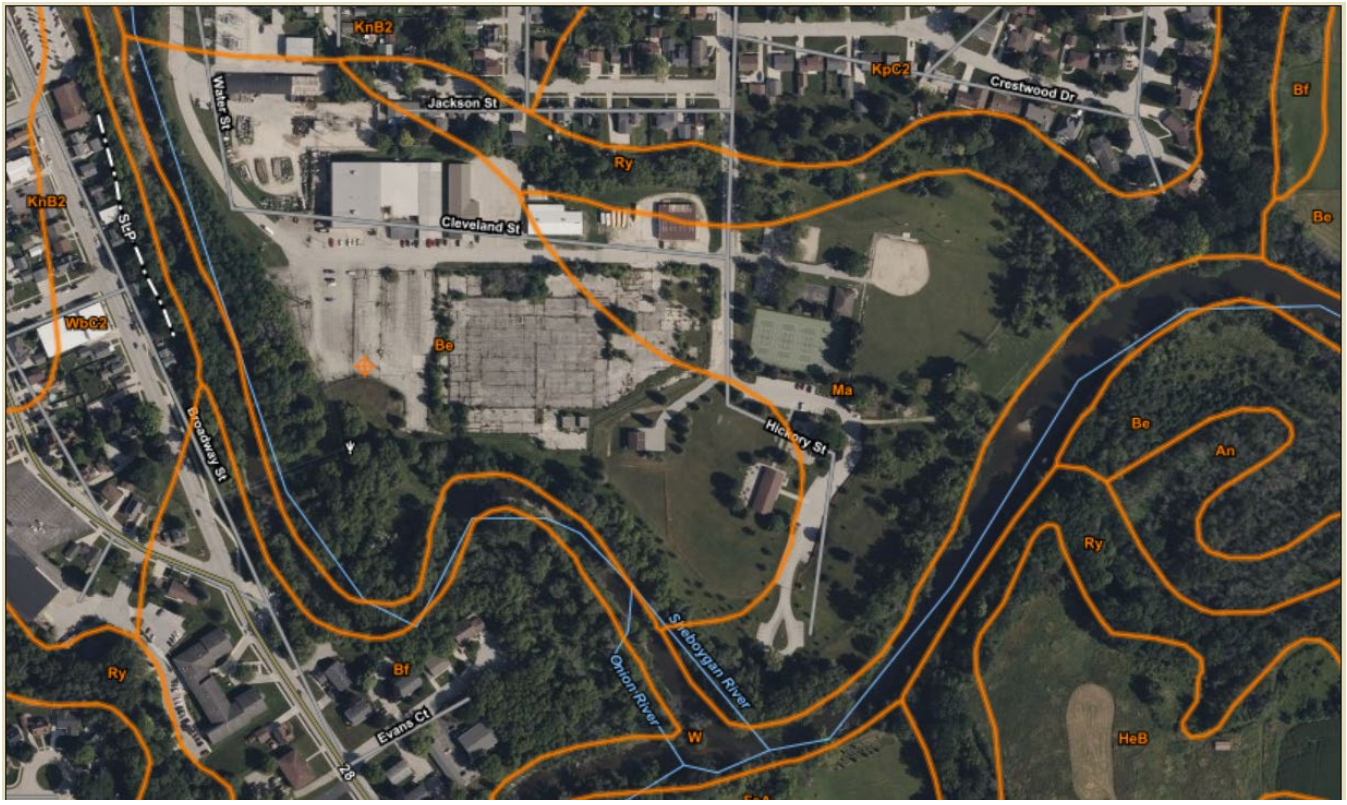
9. Section 2.1.2, Paragraph 5: delete the text that states "any impact to Rochester Park that is present outside of the floodplain is attributed to past operations of City of Sheboygan Falls." As indicated above, evidence indicates that Tecumseh activities are a source of contamination in the park, and the entire park encompasses flood hazard zones defined by FEMA with the potential to impact the river.

10. Section 2.1.2, Paragraph 5 (also Section 2.2.2, Paragraph 3 and Section 9, third set of bullets): text states "The USEPA has recently indicated that investigation of the upland portion of the [ ] would not directly fit within the definition of the Sheboygan Harbor and River Superfund Property." Revise text to indicate "EPA has determined that the portion of the park referenced in the SAP as *upland* should be delineated because of the presence of high levels of PCBs in the soil at the park, similar to those identified previously on the Tecumseh property, which may pose an ecological risk due to the potential for contaminant transport to the Sheboygan River during rain or flood events, and a human exposure risk given the use of the property as a park". Also, for all text

that mentions EPA's determination that *the upland portion of the park does not meet the definition of the Superfund Property,* revise the text to note that "the highest levels of PCBs identified at the Park/upland were identified during a sampling event completed over 6 months after the USEPA had already authorized the EE/CA for the Tecumseh property", as referenced in Section 2.2.2 as the basis for this language. Reference to this area as "upland" is irrelevant to this SAP, and should be removed.

11. Section 2.1.2, Paragraph 5: States: "Forensic data supports the conclusion that the PCB impact at the ridge and baseball field has a different source than the Property." Provide reference document that supports this conclusion, as requested in Comment #12 of EPA's August 2, 2024 *Disapproval and Request for Modifications of Serial Letter #90, Conceptual Site Model*. EPA does not concur that a comparison of Aroclors provides sufficient forensic evaluation for PCBs, and recommends the use of PCB congener analysis instead of Aroclor analysis, which is problematic for establishing source attribution given complications with the lab analysis and interpretation of results. The analysis should compare a representative number of samples of ridge and baseball field with samples from other areas of the Park, and with samples from the Tecumseh property to determine whether the sources are similar.

12. Section 2.1.2, Paragraph 6: Update the Figure to show the *entire* "Ma-Man Made" soil type extent, as shown below, encompassing portions of both the Park and the Tecumseh Products Facility, instead of terminating the soil type line at the boundary between the Park and the Tecumseh property.



13. Section 2.1.2, Paragraph 7: text states "the soil at the Property and Rochester Park would need to meet the recreational preliminary cleanup level (PCL) within the point of compliance. This PCL is currently under consideration." Revise this language to state that "Soil at the Property and Park located within the point of compliance must meet appropriate cleanup levels for direct contact for related exposures to be considered acceptable for associated populations. The preliminary cleanup level (PCL, *or equivalent*) is currently under consideration. However, soil below the POC must be characterized and delineated to demonstrate that residual impacts meet all other applicable criteria, such as the criteria that defines Principle Threat Wastes and TSCA cleanup levels, in order for the risks associated with residual impacts for all exposure pathways to be fully evaluated and quantified". EPA notes that the point of compliance, as a term, cannot be used as an alternative to complete characterization and delineation of the full extent of impacts, because if higher levels of contamination persist below the POC, it would constitute a cap, which pursuant to §761.61(a)(7) *shall not be contaminated at a level ≥1 ppm PCB per Aroclor™ (or equivalent) or per congener.* Note in the text that the proposed PCLs are not included in the Table because they are under review. Also note that later sections of the SAP reference a dioxin PCL, yet as stated in the EE/CA authorization memo, direction on establishing PRGs for dioxins requires consultation from Headquarters. An initial consult with indicates that "the IRIS RfD [for TCDD] that was released with the non-cancer dioxin assessment in 2012 is the preferred toxicity value to use as a starting point for establishing exposure screening levels that are protective of human health. Thus, this RfD is now the recommended value "to be considered" (TBC) for use in developing site-specific dioxin SSLs, PRGs and cleanup levels under CERCLA and the NCP." The current non-cancer default residential RSL is 51 ppt and current non-cancer worker RSL is 730 ppt. Additional input from Headquarters will be provided.

14. Section 2.1.3, Paragraph 2: Text states: "The other four floodplains did not require remediation due to the releases at the Property." Add text clarifying why these four areas did not require remediation.

15. Section 2.2.1, Paragraph 2: text states: "This PCB-impacted soil was determined to be from historical releases from manufacturing operations on the Property prior to the dewatering operations. Volatile organic compounds (VOCs) were not detected above the reporting limits or at concentrations less than the regional screening levels (RSLs) in the samples. Selected metals were detected but at concentrations less than the RSLs." Reference the previous report(s) detailing these findings. Note that Chromium exceedances were identified and are not delineated at SBP6-1W, RP3, RP9, and RP14. In addition, note EPA previously commented on the 2021 SAP concerning PAH and metals sampling that in the Western, Building/Dewatering Pad, Eastern and Rochester Park Areas, PAH and metal analysis were proposed by SME only on surface samples (0 -0.5) on an assertion that PAH impacts were limited to 0 - 0.5. It is not clear SME's reference to the SME 2017 Serial Letter #38 (2016 Phase II ESA) and SME 2018 Serial Letter #51 (Supplemental Phase II Environmental Assessment Report) provided sufficient evidence that PAH and metals impacts are limited to 0 to 0.5 feet at the site. SME stated that neither PAHs or metals are soluble enough to migrate vertically very far; yet the same could be said about PCBs which appear to have migrated significant vertical and lateral distances at the site.

16. Section 2.2.2, Paragraph 3: text states: "USEPA determined that the investigation will not include the old city landfill, as the scope of such a project would not directly fit within the definition of the Sheboygan Harbor and River Superfund Property". (see Specific Comment #9).

17. Section 2.2.2, Paragraph 4 – Conflicting information is presented regarding the burn pit, with a suggestion that it may have been in the former City landfill. Provide documentation in support of this statement or delete the text.

18. Section 2.2.2, Paragraph 9: text states: "In the 2018 Remedial Action Plan completed by SME, the following cleanup goals were established and accepted by the USEPA per the Resolution of Outstanding Issues letter dated April 9, 2021." Modify this statement to note that the WDNR did not provide input on the development of the referenced cleanup goals; and as noted, the cleanup goals will be finalized based on the Engineering Evaluation/Cost Analysis (EE/CA).

19. Section 2.2.2, Paragraph 10: text states: "The City of Sheboygan Falls has expressed interest in acquiring the Property and incorporating it with Rochester Park. If the City of Sheboygan Falls acquires the Property and utilizes it as a park, the cleanup goal for the Property would be based on recreational use. If the City does not acquire the Property, PRS plans to place a recreational land use restriction on the Property, and this will be documented in the final Institutional Control Implementation and Assurance Plan." Remove the discussion regarding purchase of the property by City of Sheboygan Falls, as recreational use will be used to determine the final cleanup goal. Note also that WDNR places continuing obligations (COs) on properties based on land use, however, the property is currently zoned industrial.

20. Section 2.2.2: The following terminologies are being used interchangeably in Section 2.2.2, creating confusion regarding these different levels and goals: cleanup goals, delineation goals, remedial goal, delineation level, clean up level, action level, risk level, and screening level. In addition, the text also uses different screening concentrations to discuss soil exceedances based on when the investigation was performed.

    a. Revise the text and use a standard terminology such as "proposed cleanup goal (PCG)." Add a section to summarize all of the proposed cleanup goals (PCGs) for all contaminants of concern (COCs) (at the beginning of Section 2.2.2) for ease of reference. Include details on how the PCGs were derived (from risk assessment, from RSLs, discussion with EPA, etc.). A table listing the site COCs and the associated PCGs also would help clarify the derivation for these (proposed) values for consideration in the EE/CA.

    b. Revise text discussing exceedances in historical sampling results to match those PCGs.

21. Section 2.2.2.1, Paragraph 2: text states: "The proposed PCL were not exceeded in this area." Remove this statement. Proposed PCLs are not finalized.

22. Section 2.2.2.1, Paragraph 3: text states: "None of the other chemicals of concern exceeded screening levels." The text does not specify all the COCs that were analyzed, and it is not clear

what screening level concentrations were used to evaluate the data. Revise the text to list the COCs and clarify what screening levels were used for each COC for comparison.

23. Section 2.2.2.1, Paragraph 3: text references a PCL of 216 ng/kg when referencing dioxins and furans results. Again, proposed PCLs are not finalized, and the April 2021 EE/CA memo provided direction on establishing PRGs for dioxins in the future, with coordination from Headquarters, and this should also be done as part of the EE/CA.

24. Section 2.2.2.1, Paragraph 3: text states: "They ranged from 0.1 to 43 ng/kg." Specify which COC(s) ranged from 0.1 to 43 mg/kg.

25. Section 2.2.2.2, Paragraph 2: The paragraph discusses PCB exceedances above commercial, recreational PCLs and Wisconsin Department of Natural Resources (WDNR) clean-up levels for 1999 samples. Please provide details on exceedances based on a PCB concentration level of 1.0 parts per million (ppm).

26. Section 2.2.2.2, Paragraph 3: This paragraph discuses 2016 soil borings with polycyclic aromatic hydrocarbons (PAH) concentration above RSL and talks about a "new action level." Please update the discussion to summarize PAH exceedances per the most recently agreed on action level only (see prior Specific Comment # 20), citing the appropriate document(s).

27. Section 2.2.2.2, Paragraph 4: For the discussion on the 2021 investigation, it is unclear what PCB PCL is used for screening. Text states that half of 37 borings were below the PCL. Half of 37 is 18.5 borings. Please provide exact number of borings that were above the PCB PCL. Usage of "most" and "many" for defining the number of boring locations with 1 ppm PCB and 50 ppm PCB exceedance is not preferred practice. Please state the exact number of boring locations with 1 ppm and 50 ppm PCB exceedances.

28. Section 2.2.2.2, Paragraph 5: text discusses 41 borings that were installed through the slab and 37 borings that were installed by SME. Please clarify the change in count. Include results from the 4 additional borings in discussing PCB exceedances.

29. Section 2.2.2.2, Paragraph 4: text states "SME also collected samples of the concrete and asphalt of the dewatering pad for PCB analysis." Please clarify whether PCB samples were collected from each of the (37 or 41) boring locations (pending confirmation of boring count), and indicate the number of concrete/asphalt samples analyzed.

30. Section 2.2.2.3, Paragraph 2: text states: "One soil boring, MW-7D, had PCBs in several intervals at concentrations that exceeded an action level, and that soil was removed during the initial remediation by PRS." Clarify the PCB level used as the basis for removal and confirm whether the soil removal addressed PCB concentrations above 1 ppm.

31. Section 2.2.2.3, Paragraph 5: text references both "action level" and "recreational standard" but no reference is made to what these terms mean or what the values are.

32. Section 2.2.2.3, Paragraph 6: text states: “Typical with the results for the other COCs, none of the other chemicals of concern exceeded 2021 screening levels or PCLs.” List the other COCs, screening levels and PCLs used for evaluating the results for clarity.

33. Section 2.2.2.3, Paragraph 6: text references a soil PCL for dioxins/furans of 213 ng/kg which contradicts the value cited in section 2.2.2.1 (see prior Specific Comment #23). Again, proposed PCLs are not finalized, and the April 2021 EE/CA memo provided direction on establishing PRGs for dioxins in the future, with coordination from Headquarters, and this should also be done as part of the EE/CA.

34. Section 2.2.2.5, Paragraph 1: text references the recreational standard of 25 ppm for PCBs that was accepted by EPA. Please revise the text to indicate this concentration used for comparison is the cleanup level for bulk PCB remediation waste in low occupancy areas under TSCA, and cite the reference for EPA’s earlier approval. Also note that the State may have more stringent requirements and this value is not considered currently acceptable, and we have not approved a final cleanup level.

35. Section 2.2.2.5, Paragraph 3: text states: “In 2018, SME collected near surface soil samples (surface to 0.5 feet bgs) from 10 soil borings completed on the southwestern portion of Rochester Park and near the Property.” List all the 2018 sampling locations in text (e.g., P1 through P10).

36. Section 2.2.2.5, Paragraph 3: text states only samples P1, P2 and P8 exceeded 1 ppm; add the duplicate sample for P7 to the list of locations with PCBs above 1 ppm.

37. Section 2.2.2.5, Paragraph 4: text states: “In 2021, SME collected soil samples from 16 locations in the southern portion of Rochester Park.” List all the 2021 sampling locations in text (e.g. RP1 through RP16).

38. Section 2.2.2.5, Paragraph 4: text states: “Soil samples collected from fill material at two locations outside of the floodplain, RP5 and RP14, contained PCBs at concentrations significantly above all action levels.” Clarify the action levels, and specify the concentrations detected.

39. Section 2.2.2.5, Paragraph 5: text states: “The Rochester Park floodplain results were consistent with those from the other floodplains with a minimum PCB concentration of 0.01 ppm and maximum of 11 ppm while the mean is 1.8 ppm and the representative concentration of 2.3 ppm.” Please provide additional text to clarify this statement. Define the “other floodplain” and “Rochester park floodplain” locations. Identify the meaning of “the representative concentration?” Revise the text to accurately indicate the maximum PCB concentrations in Park floodplain soils was 83 ppm in a sample collected in 1999, and include the sample collected in 2021 with a PCB concentration of 16.1 ppm in this evaluation.

40. Section 2.2.2.5, Paragraph 5: text inaccurately states PCBs levels in RP9 and RP13 were less than 1 ppm. Revise the text to indicate PCB concentrations at those sample locations were only less than 1 ppm in the 0-0.5 ft sample depth, but the deeper samples were above 1 ppm.

41. Section 2.2.2.5, Paragraph 5: text states: “The only apparent spatial distribution in the floodplain is that concentrations of PCBs are highest near the river.” Please provide justification for this statement, as the discussion presented does not provide sufficient rationale.

42. Section 2.2.2.5, Paragraph 5: a reference to Figure 3 would be beneficial, and the figure should depict the extent of the Rochester Park considered to be floodplain, to help the reader understand which samples are located within Rochester Park floodplain and which samples are considered as other floodplain areas.

43. Section 2.2.2.5, Paragraph 5: text states: “The concentrations of PCBs in floodplain soil nearest the upland area (RP4, RP9, and RP13) of the park are less than 1 ppm indicating the source of the impact was from flooding of the river and not from any source within the park.” RP9 and RP13 are shown on Figure 3 and both contain PCB >1 ppm to a depth of 2 feet and the locations are not vertically delineated. This contradicts the statement that samples from upland area (RP9 and RP13) are <1 ppm. Please clarify the rationale for this statement or revise the statement.

44. Section 2.2.2.5, Paragraph 5: text states: “This is also true of the results nearest the Property at P3 through P8 and RP6 and the results from the surface water runoff samples SF1, SF2, and RP15.” This statement indicates that the sample locations P3 through P8, SF1, SF2, and RP15 do not contain PCBs > 1 ppm. In Figure 3, locations P6, P7, P8, SF2 and RP15 are shown to contain PCBs > 1ppm (a non-zero value is provided for bottom depth of contamination delineated to 1 ppm) with no vertical delineation at P7, P8 and SF2. This statement does not appear to be accurate. Please clarify.

45. Section 2.2.2.5, Paragraph 6: text states: “Eight samples were analyzed for dioxins and furans and the concentration ranged from 0.21 ng/kg to 13 ng/kg with the highest concentrations found in the upland area consistent with the open burning conducted there.” Identify which samples were analyzed for dioxins and furans, add reference to a related Table, and clarify that open burning *may* have been conducted on the Tecumseh site and at the landfill.

46. Section 2.2.2.5, Paragraph 7: text states: “In 2022, Stantec collected additional soil samples at the park (Figures 3 and 6).” Add a legend for Stantec sample locations in Figure 3.

47. Section 2.2.2.5, Paragraph7: text states concentrations in the SS1-SS7 samples increased from west to east, with SS6 being the farthest east with the highest PCB level. This statement is inaccurate as SS7 is located farther east, and has a lower PCB concentration than SS6.

48. Section 2.2.2.5, Paragraph 7: text mentions “no evidence indicates soil impact has migrated to the park at unacceptable levels.” It is not clear if there is currently sufficient information to draw this conclusion. Delete this misleading statement; PCBs are present in the Park at unacceptable levels.

49. Section 2.2.2.5, Paragraph 8: text states: “The report did not conclude the floodplain soils presented a risk and the public is not prevented from accessing this portion of the park.” Please clarify that the finding applies only to the two dog parks sampled. As written, the statement

indicates that the floodplain soils associated with the site do not pose a risk. Add reference for the report cited.

50. Section 2.2.2.5, Paragraph 10: text mentions the "amount of fill in other locations". Identify the specific other locations and provide documentation in support of this statement.

51. Section 2.2.2.5, Paragraphs 11 - 12:

    a. Text states: "A summary of the fingerprint at each location where PCBs exceeded 25 ppm is provided below and represents the percentage of samples contained the Aroclor." Fix the incomplete sentence and provide the rationale for evaluating only locations with >25 ppm Total PCB Aroclor concentration.

    b. Individual PCB congener data are usually required for fingerprinting sources, unless the sources are composed of different Aroclor signatures. If Aroclors are intended to be used in this case, is the Aroclor mixture used for PCB oils used at the Tecumseh facility known?

    c. Aroclor distribution table following Paragraph 11: Confirm that only these 3 PCB Aroclors were analyzed. Add the complete PCB Aroclor data as an appendix.

    d. Aroclor distribution table following Paragraph 11: Identify the sampling locations that are represented in data presented in the last column "Floodplain Samples." Does this represent an average for all floodplain samples, or specific locations, which should be identified?

    e. Aroclor distribution table following Paragraph 11: Noting there can be differences in the data depending on lab methodology, including what lab was used, based on the samples chosen in the table, several percentages appear to be incorrect:

        - For the Upland Sample RP14, the value averages the Aroclors over the three different depths. When compared to the same collection depth as the SS samples (0 – 0.5 ft), the percentage was 100% Aroclor 1248, or 50% for the duplicate sample.
        - For the Upland Sample SS8: The percentage is incorrect and should be 100% Aroclor 1248.
        - Evaluation of the data suggests the frequency of 1248 and 1254 appears to be similar between the "floodplain" and "upland" locations.

52. Section 2.2.2.5, Paragraph 13: text references a PCL for chromium, but does not identify the value. Please revise the text (see prior Specific Comment 15 & Specific Comment #32). Also note a cleanup level for chromium has not been approved.

53. Section 2.2.2.5, Paragraph 15: text mentions contaminants found between the landfill and Property/floodplains are not consistent. This statement is incorrect; contamination at the property and the park both have Aroclors 1242, 1248, and 1254. More specifically samples from the eastern portion of the site contain those three Aroclors. Revise the text.

54. Section 2.2.2.6, Paragraphs 1 and 2: Add figure references to Figure 7 (trench) and Figure 11 (grids).

55. Section 2.2.2.6, Paragraph 2: text contains the first mention of the GMIT. Include the definition here (instead of 2.2.3) and provide additional details on the GMIT, including the width/depth of the trench, the groundwater zone captured by the trench and details of any pipes or groundwater collection systems that were installed to capture/pump groundwater captured by the trench. Also please revisit EPA's Comment 18 of the *Disapproval and Request for Modifications SME Serial Letter #90, Conceptual Site Model*, dated August 2, 2024.

56. Section 2.2.2.9, Paragraph 1: "The existing data is summarized in the Tables and includes pre-2016 data." Identify the Table(s) being referenced here by adding table number(s).

57. Section 2.2.2.9, Table below Paragraph 1: The table embedded in the text presents total samples collected in each area and associated analyses but does not add significant value to the discussion. The table would be benefitted by the addition of data indicating the following for each area of the site: screening level used, percentage of samples exceeding that level, minimum depth of exceedance, maximum depth of exceedance, average depth of exceedance.
58. Section 2.2.3, Paragraph 1: the text references detection monitoring wells; please define this term or revise the language to exclude "detection". Clarify whether the decrease in concentration noted from 2.1 to 1.3 is for MW-13, and if so, revise the text to indicate that "concentrations have fluctuated over time" rather than stating they have reduced. Also confirm whether the concentrations described are in ppm or ppb, and revise text if necessary.

59. Section 3.1, Paragraph 3: language states: "Impact could also flow downhill toward Rochester Park"; this calls into question whether the extent of impact in this direction been delineated.

60. Section 3.2, Paragraph 1: Explain why Rochester Park is not considered as an Exposure Unit for the Superfund Site when PCB wastes from the Tecumseh site, a PCB source area for the Superfund Site, were both placed in and migrated into the Park. The PCB wastes represent an exposure threat to recreators at the Park, among others, and have the potential to impact the River and ecosystem via runoff and migration. Revise the language and identify Rochester Park as an exposure unit, and refer to Comment 22 of the prior EPA *Disapproval and Request for Modifications SME Serial Letter #90, Conceptual Site Model*, dated August 2, 2024.

61. Section 3.2, Paragraph 2: text states: "While the Property has led to impact to the floodplain portion of Rochester Park (which USEPA acknowledged in preparing the ROD), the park was not included at that time because the impact did not pose a risk to the recreational receptors." This statement is misleading. The Exposure Assessment in the ROD states "*..it is assumed then, that the most significant exposure is from contaminated sediment, where virtually all PCBs reside ... In general, there is likely to be only limited direct contact with the sediment itself (i.e., dermal and/or ingestion pathway)…the human health analysis assumes that for this Site, the pathway presenting the majority of the risk and likely to yield the most protective assessment of risks is consumption of contaminated fish and not dermal contact. This does not imply that no other exposure pathways are occurring at this site, only that there is a focus on the pathway which contributes the majority of risk, the fish ingestion pathway. <u>Other pathways clearly are</u>*

occurring, such as exposure to the floodplain soils." The ROD goes on to discuss recreational exposures primarily associated with boating and fishing, given the focus on impacts in the sediment. Table 13 of the ROD also specifies Human Health risks relative to sediments, and Ecological Health risks relative to floodplain soils. EPA previously requested clarification on this issue in Comment #3 of the prior *Disapproval and Request for Modifications SME Serial Letter #90, Conceptual Site Model*, dated August 2, 2024, and revised text should address EPA's prior comments and clarify this issue. If this statement is based on the risk assessment in the two dog parks conducted by WDNR, specify this applies to the dog parks only. Lastly, revise the statement to indicate that "risk assessment for the rest of the floodplain areas in Rochester Park has not yet been completed".

62. Section 3.2, Paragraph 2: Revise text in the last two sentences to indicate that "land use restrictions may be proposed as a cleanup option in connection with the EE/CA in the future, but the site must be delineated to 1 ppm before the use of land use restrictions or risk-based levels can be considered, and the use of less-stringent cleanup objectives will require additional restrictions on soil handling and management". For reference to any proposed future land use restrictions, also identify the mechanism by which this restriction would be memorialized, and note that WDNR's approval is a requirement.

63. Section 3.2, Paragraph 4: text states that "there may be ten potable water wells within 0.5-miles of the Site" and goes on to say "while the monitoring wells on the southern Property boundary contain PCBs, they are not present in the down-gradient wells at concentrations suggestive of off-Property transport". This statement is speculative. EPA has previously noted that MW-13, the furthest downgradient monitoring well on the property, also located downgradient from the GMIT, has a PCB concentration in the percentile range for PCBs, which is suggestive of NAPL. NAPL is considered a principal threat waste due to its increased potential for transport. As such, further information is needed to support assertions regarding these 10 potable water wells. There is no mechanism in-place to prevent current or future wells from being used now or in the future, and questions remain about the nature and extent of contamination.

64. Section 3.3, Paragraph 2: The description of receptors and potential exposure scenarios is not consistent with the updated CEM in Figure 8. Modify the text and/or figure to provide consistency. Note that EPA previously requested substantive changes to the CEM in Comment #22 of the August 2, 2024 *Disapproval and Request for Modifications of Serial Letter #90, Conceptual Site Model,* at least some of which do not appear to have been addressed in the current CEM. Also clarify that EPA may agree to limit the future use of the property via a recreational land use restriction, but since there are no current restrictions in-place, residential and industrial/commercial scenarios should be added to the CEM and text.

65. Section 3.3, Paragraph 3: states "Groundwater sampling data does not indicate off-Property migration". Refer to preceding Specific Comment #63 and include a figure for reference which shows groundwater elevation contours and groundwater concentrations to demonstrate whether this statement is true.

66. Section 3.3, Paragraph 3: states "Vapor inhalation is not considered a potential risk because PCBs are not considered volatile". Revise this sentence and approach to include consideration of the vapor intrusion pathway; PCB Aroclors are indicated as volatile on EPA's RSL table and are included in EPA's VISL calculator.

67. Section 3.4, Paragraph 1: states: "The 4-foot depth was approved as the final soil sample collection interval in the USEPA and WDNR approved sampling plans for the 2016 and 2018 investigations. Revise this language to accurately reflect "the 4-foot soil sampling depth approval was specific to the 2016 and 2018 investigations. EPA and WDNR require that the full vertical extent of impacts be defined, even below this depth, in order to ensure that *there is no threat of adverse impact to groundwater, surface water, indoor air, human health, safety or welfare or to sensitive environments, posed by the residual soil contamination,* and also, *for cases where soils exceeding direct contact limits are not within four feet of the surface,* [for development of] *a performance standard to limit direct contact exposure to subsurface contamination …*[2]*"*.

68. Section 3.4, Paragraph 2: states: "The POC for leaching to groundwater is where groundwater is encountered at a specific location." The meaning of this statement is unclear and should be clarified in a revision; if the intent is to indicate the POC for leaching to groundwater is the vertical distance between the contaminated interval and the potentiometric surface at each location, please rephrase accordingly.

69. Section 4: This section is not clear when it is describing previous investigation work and when it is describing the proposed investigation work. The text should primarily describe the proposed work, the plan for completing it, and associated (draft) documents.

70. Section 4.1, Paragraph 2: Reference the previously approved Quality Assurance Project Plan (QAPP), the September 16, 2024 update/draft QAPP, and include the Data Quality Objective (DQO) table as an attachment. As written, this section is currently just describing the process, not what the DQOs are for this investigation.

71. Section 4.1, Paragraph 2: text states: "The EUs were discussed in Section 2.2 and the DQOs ensured every EU was sampled in accordance with the federal and state standards and project objectives." Fix text to reference Section 3.2 instead of Section 2.2.

72. Section 4.1, Paragraph 6 (DQO Step 4): Clarify why the target population does not include industrial/commercial workers and residents.

73. Section 4.2, Paragraph 4: text states: "Many of the soil samples contained very high levels of PCBs and as such, QA/QC issues would have very little outcome on the decision making." Confirm that QC samples (FD/MS/MSDs) were still collected at the frequency stated in the SAP and validated in previous investigations. This section should include the plan for QC sampling and validation for this proposed investigation.

[2] January 2014, Wisconsin Department of Natural Resources, PUB-RR-528, Guidance on Soil Performance Standards.

74. Section 5.1: Throughout this section, discuss why the word "standard" is being used rather than "screening level," "Project Action Limit," "cleanup goal," or "PRG." As mentioned in General Comment #4, the SAP discussions about the environmental standards are not needed, because EPA directed SME to develop a proposal to delineate PCBs to 1 ppm in the SAP. Cleanup goals will be established as part of the evaluation of risk in the EECA in the future.

75. Section 5.1: Paragraph 1: the text references exposure pathways presented in Section 3, but these do not represent all of the potential criteria necessary for evaluation; vapor intrusion to indoor air should be added to the discussion, since this is an applicable migration pathway for PCB Aroclors, among others.

76. Section 5.1.2, Paragraph 3: text states "Restoration of the Property does not require groundwater meeting the standards." Remove this statement, which is contrary to EPA policy. ICIAPs are typically used as interim measures to prevent exposure and does not imply that the site is not required to meet groundwater standards. Also, add a discussion of the indoor air vapor intrusion pathway from groundwater since PCBs are volatile.

77. Section 5.1.2, Paragraph 3: text discusses implementation of an ICIAP to prevent groundwater use at the Property. Revise the text to indicate "the use of land use restrictions and implementation of a ICIAP to address residual impacts (in either groundwater, or as a soil remediation engineering control) <u>may</u> be considered as part of the EE/CA".

78. Section 5.1.2 , Paragraph 4: text discusses the MCL for PCBs of 0.5 ug/l but does not list Wis. Admin. Code NR 140 groundwater standards as applicable values for groundwater. The NR 140 enforcement standard for PCBs is 0.03 ug/l, and should be identified as a standard for groundwater at the site.

79. Section 5.1.2, Paragraph 3: text references the approval of Serial Letter #8 in connection the evaluation of migration of groundwater impacts to the surface water. Please provide the correspondence and reference the approval letter in text, since it is not clear that the conditions upon which that evaluation was based remain valid. Specifically, Paragraph 3 of the Letter states "*<u>Removal actions in 1978 and 1991 eliminated PCB impacted exposed soil at the Property</u>. The PCB impacted soils were removed to depths ranging from 0.5 to 7.0 feet below ground surface (bgs). Much of the remainder of the Property is covered with asphalt pavement or the building pad of the former Tecumseh building. As such, <u>there is no PCB source at the Property to impact the groundwater</u> and little recharge of the groundwater zone. <u>Without a source in the soil, the pathway of interest is groundwater to surface water migration</u>*". This conclusion is inconsistent with known site conditions, with *significant* sources remaining in the soil that were not considered in this prior assessment. EPA has noted the presence of PCBs in groundwater in MW-13 at concentrations that suggest the potential presence of NAPL, which is a principal threat waste that cannot be addressed with an ICIAP. Based on the current data, much of the information from Serial Letter #8 may need to be re-evaluated, as well as the migration to groundwater pathway; rather than just the Groundwater to Surface Water Interface (GSI). This topic was discussed in our meeting in February 2024.

80. Section 5.1.3, Paragraph 1: text states the applicable surface water standards are the MCLs and the WDNR NR140 criteria can be considered. The Wis. Admin. Code ch. NR 140 standards referenced in this section are not the appropriate standards to apply to surface water. The surface water standards are found in Wis. Admin. Code chs. NR 102-106.

81. Section 5.1.3, Paragraph 1: text states: "both soils and groundwater on the Property contain PCBs that have the potential to impact the surface water. To date, there is no evidence this has occurred." Provide reference to previous evaluation completed to conclude that there are no impacts to surface water.

82. Section 5.1.5: Clarify in the text in this section that the residential RSLs would not be applicable if an acceptable institutional control is reviewed and approved for use at the property, the property may not be used for residential purposes, however, Continuing Obligations would apply for any contaminated soil above the State's residential soil criteria.

83. Section 5.1.6: Discuss why 4 feet bgs is an appropriate point of compliance for construction worker receptors when construction may extend below the referenced depth (refer to prior Specific Comment #13 and Specific Comment #67). Construction worker exceedances that extend below 4 feet need to be identified and appropriately addressed.

84. Section 5.1.6: Table: The column for "Point of Compliance" in the rows associated with TSCA criteria should specify that "a cap must meet the requirements of §761.61(a)(7)". For reference, these include a requirement to design and construct the cap in accordance with the RCRA regulations of §264.310(a), and ensure that it complies with the permeability, sieve, liquid limit, and plasticity index parameters in §761.75(b)(1)(ii) through (b)(1)(v). A cap of compacted soil must have a minimum thickness of <u>25 cm (10 inches), not 9 inches</u>. A concrete or asphalt cap shall have a minimum thickness of 15 cm (6 inches). A cap must be of sufficient strength to maintain its effectiveness and integrity during the use of the cap surface which is exposed to the environment. <u>A cap shall not be contaminated at a level ≥1 ppm PCB per Aroclor™ (or equivalent) or per congener</u>. Repairs shall begin within 72 hours of discovery for any breaches which would impair the integrity of the cap.

85. Section 5.1.6: Table: Identify the specific source and derivation of the referenced USEPA RSL of 0.97 used in this table.

86. Section 5.1.6: Table: The values for low occupancy and high occupancy have been switched; revise the table to show the TSCA High Occupancy level as 1 ppm, and the TSCA Low Occupancy Level as 25 ppm. Also add to the table the TSCA requirement for bulk PCB remediation wastes with a PCB concentration ≥ 50 ppm to be disposed at a hazardous waste landfill permitted under Sections 3004 and 3005 of RCRA by EPA and/or by a State authorized under Section 3006 of RCRA, or a TSCA PCB disposal facility pursuant to § 761.61(a)(5)(i)(B)(2)*(iii)*.

87. Add in the Principal Threat Waste value of 100 ppm to the Direct Contact with Soil table, since the value(s) cannot be exceeded.

88. Section 5.1.6: Add the NR 140 enforcement standard for PCBs of 0.03 ug/L to the Table for groundwater ingestion, and for the remaining table values on page 21, submit further information supporting the calculations and assumptions for all derived values for Soil Leaching to Groundwater Migration to Surface Water, and for Groundwater Migrating to Surface Water calculations. Some of these values were submitted in documents in support of evaluations of potential risk to the River, but it is not clear the values were specifically approved as a "property-specific standards", and it is not clear all of the assumptions are valid. As an example, the potentiometric surface maps shown in attached Serial Letter #8 show groundwater migrating away from the river, rather than towards it. In addition, it appears that modeling was performed for only PCB-1242 in the calculations, while PCB-1221, PCB-1242, PCB-1248, and PCB-1254 have all been detected as contributors to total PCB concentrations in the wells. PCB-1248 also represents the Aroclor with the highest concentration in MW-13, for which the modeling was conducted. EPA has also not reviewed the October 17, 2023 Memorandum attached to the SAP entitled *PCB in Soil and Groundwater to Surface Water Pathway – Former Tecumseh site, Sheboygan River Project,* which includes the use of input parameters which may not be accurate, such as the use of a 46% porosity, an 8.46-foot contaminated soil thickness, a 2.2% organic carbon content for sand, an 870 ppm maximum soil concentration. Either remove these site-specific values, provide documentation indicating EPA has approved the calculations used to derive these specific values, or submit a separate request for review of the associated information for consideration. As an alternative, the EPA RSL tables list Risk-Based Soil Screening Levels that are protective of groundwater for Aroclor 1016-1260, which range from 2.1×10^{-2} mg/kg to 8.0×10^{-5} mg/kg depending on the Aroclor; these should be referenced as the appropriate leaching values for soils, where referenced in the SAP.

89. Section 5.2, Paragraph 4: text states that PCBs were selected to evaluate as they are the main driver of risk at the Property, but the nature and extent and risk assessment need all site-related chemicals to be delineated. Please discuss, aside from PCBs being the driver of risk at the site, why PCBs are the only contaminants discussed.

90. Section 5.2, Paragraph 7: text states: the visual sampling plan was used to determine adequate data representativeness. However, that analysis appears to have used a criteria of 8.66 mg/kg in the analysis at the time, rather than the delineation criteria of 1 ppm. Since 1 mg/kg has been established as the delineation criteria, this should be re-evaluated.

91. Section 6. Paragraph 2: text states: "the delineation level for soil leaching to groundwater is 2,100 ppm and this applies to soils between a depth of the direct contact POC and groundwater. Select borings in each area will be advanced to groundwater and to at least 12 feet bgs to assess the leaching pathway. The borings selected to be advanced past 4 feet bgs were those with highest potential based on the surface sample results." Note from prior Specific Comment #88 this is not an approved value for soil leaching to groundwater, and in our February 2024 meeting we discussed that 1 ppm is often identified as the default value for this pathway; EPA believes the use of the Principal Threat Waste value (100 mg/kg) and the TSCA value of 50 mg/kg also represent appropriate delineation criteria, and EPA RSL tables list Risk-Based Soil Screening Levels that are protective of groundwater which should be referenced as the appropriate leaching values in the SAP. Later in Section 7, it is noted that the delineation end point is 0.866 ppm for PCBs. Additionally, in Section 7.1, 27.5 ppm is referenced as

screening criteria for delineating the potential for leaching to groundwater. Correct the inconsistencies and clarify the reasons for any discrepancies. Screening levels should be consistently used throughout the investigation, both laterally and to depth. Also revise the text to indicate the delineation level for groundwater are the MCLs and the NR 140 enforcement standard of 0.03 ug/l, not 13 mg/L.

92. Section 7, Paragraph 3: text states: "The proposed sampling in Section 7 is based on the 0.866 ppm end point." Clarify whether the 0.866 ppm end point applies to soil below 4 ft bgs. Section 6 seems to indicate that the delineation end point is 2,100 ppm for soil below 4 ft bgs, which we have stated is not an approved criterion. Also, throughout Section 7, delineation to 1 ppm and 8.66 ppm is discussed. For clarity, revise to only discuss data gaps to delineate to 0.866 ppm or 1 ppm (comments that follow may reflect consistency with 0.866 ppm).

93. Section 7.1. Paragraph 3: text indicates: "Borings PL19 and PL27 is along the western Property boundary." Fix the incorrect boring reference; change boring PL27 to PL37.

94. Section 7.1. Paragraph 4: text notes concentrations of PCBs in soil as high as 27.5 ppm and notes that these concentrations do not pose a leaching to groundwater risk. Please reference the screening level used for the evaluation of PCB soil exceedances below 4 feet bgs and confirm that all soil below 4 feet bgs will be fully delineated horizontally and vertically to 1 ppm/0.866 ppm. If the PRP is proposing the use of a soil to groundwater leaching criteria of 2,100 mg/kg to delineate PCB soil contamination below 4 ft bgs; that screening level is not approved. Confirm that all soil will be fully delineated spatially and vertically to 1 ppm/ 0.866 ppm.

95. Section 7.2, Paragraph 1: text states: "The 1 ppm delineation level was vertically defined within the 4 feet POC in all samples except GT2, GT3, and GT4S." Per figure 3, the list of borings lacking vertical delineation should include GT2, GT3, GT4 and GR41S. Please update the text, and note that the requirement for vertical delineation to 1 ppm is independent of the 4-foot depth referenced as a POC.

96. Section 7.2, Paragraph 2: text states: "The soil leaching to groundwater action level of 2,100 pm was exceeded at eight locations but was vertically delineated within the POC at all locations except DP34." Soil should be delineated to the consistent value of 1 ppm (often referenced in text as 0.866 ppm). Note from prior Specific Comment #88 & Specific Comment #91, the soil leaching to groundwater value is not an approved value.

97. Section 7.2, Paragraph 4: text states: "We are proposing six borings to delineate the PCBs beneath the slab at GT4S, DP1, DP34, SB18, MW18S and MW18D." Check boring reference GT4S (as stated in previous Specific Comment #95). Correct boring ID reference should be GT41S.

98. Section 7.3: It is not clear if there are sufficient borings with data below 4 ft bgs in this area. Please address the adequacy of PCB data to delineated soil above 1 ppm/0.866 ppm for depths below 4 ft bgs. This is the delineation concentration for all depths and all locations. Refer to Specific Comment #13, Specific Comment #67, and Specific Comment #83. Additional

delineation is needed to the south/southeast, where there are high concentration of PCBs in samples along the property boundary and no proposed step-outs to define the horizontal extent. These include:

- SBP22 – 72.4 mg/kg at 0.5-2' and 16.9 mg/kg at 2-4'
- SBP23 – 269 mg/kg at 1-2'
- SBP24 – 77.3 mg/kg at 2-4' and 25.8 mg/kg at 4-6'
- S85E – 28.2 mg/kg at 4-6'

99. Section 7.4: Paragraph 1: text discusses that PCBs in the shallow layers exceed 1 ppm, but the "soil exceeding 1 ppm criteria was defined in all to be within the upper 4 feet of soil". Please clarify whether PCB impacts above 1 ppm/0.866 ppm are delineated in soil at depths below 4 ft bgs.

100. Section 7.4, Paragraph 2: Text discusses a replacement well for MW-1; please clarify that SME has been unable to locate the original MW-1 installed in the area over the course of O&M.

101. Section 7.5, Paragraph 1: text states: "Most of the soil in the park has PCBs with concentrations in excess of 1 ppm and most of this is from the flooding of the park during 10 or 100-year flood events." Note that EPA has requested the lateral and vertical delineation of PCBs to 1 ppm. The text goes on to say, "The soil in the floodplain portion of the park is impacted at RP1, RP6, and RP11". It is unclear why SF2 is not mentioned in this discussion, along with at least 11 other locations from the 2021 investigation that have concentrations at various depth intervals that exceed the delineation criteria of 1 mg/kg, and 3 of which exceed 10 mg/kg. Based on this data, additional delineation is warranted for the floodplain area in the park.

102. Section 7.5, Paragraph 2 mentions that four samples "exceeded the proposed recreational action level and the TSCA High Occupancy Rate standard". The TSCA cleanup level for bulk PCB remediation waste in high occupancy areas is ≤1 ppm without further conditions. The TSCA cleanup level for Low Occupancy Areas with no further restrictions is 25 ppm. Revise the text to indicate the correct number of exceedances for the TSCA cleanup level being referenced.

103. Section 7.5, Paragraph 3: text states "we do not believe that more sampling of the Rochester Park floodplain is needed except near samples P1 and P2". Please refer to preceding Specific Comment #101 and revise this text.

104. Section 7.5, Paragraph 4: text states: "The concentrations of PCBs in floodplain soil nearest the upland area (RP4, RP9, and RP13) of the park are less than 1 ppm indicating the source of the impact in this area is from flooding of the river and not from the upland area." This statement is incorrect; locations RP9 and RP13 contain PCB exceedances >1 ppm for depths up to 2 ft bgs in Figure 3, contradicting the statement within quotes.

105. Section 7.5, Paragraph 6: text states: "Of the 13 RP sample locations within the park floodplain, the PCB samples in 7 decreased with depth, 3 were relatively equal, and 3 with

higher at the bottom interval". List the sample locations discussed in this paragraph and reference the associated figure. Also note prior EPA comments regarding the proposed soil leaching to groundwater criteria discussed in Section 5.1 of the SAP; the EPA RSL tables list Risk-Based Soil Screening Levels that are protective of groundwater for Aroclors 1016-1260, which should be referenced as the appropriate leaching values in the SAP.

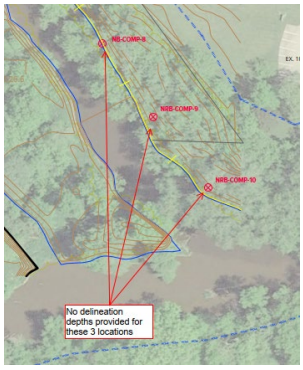
106. Section 7.5: Please add text discussing PCB impacts above 1 ppm/0.866 ppm in floodplain soil at depths below 4 ft bgs.

107. Section 7.6: text discusses that "remedial goals in 2004 were 1 ppm for surface soils and 10 ppm for subsurface soils", "concentrations below 1 foot are not known", "borings K9, H19, I10, K10, L10/L11, and N11 will be advanced to 4 feet bgs", and then mentions "a maximum concentration of 27 ppm" when comparing results to the "proposed leaching standard". Please add text discussing the extent of known or unknown PCB impacts above 1 ppm/0.866 ppm, both for soils within 4 feet of ground surface and for depths below 4 ft bgs in the Preferential Pathway Area. The proposed scope should ensure delineation to 1 ppm vertically, independent of the suggested POC depth. EPA has noted concerns in prior comments with the use of 2,100 mg/kg as a comparison for delineation; delineation is required to 1 ppm and/or the Risk-Based Soil Screening Levels from the EPA RSL tables, and all areas where the TSCA criteria of 50 mg/kg or the principal threat waste criteria of 100 mg/kg are exceeded must be identified.

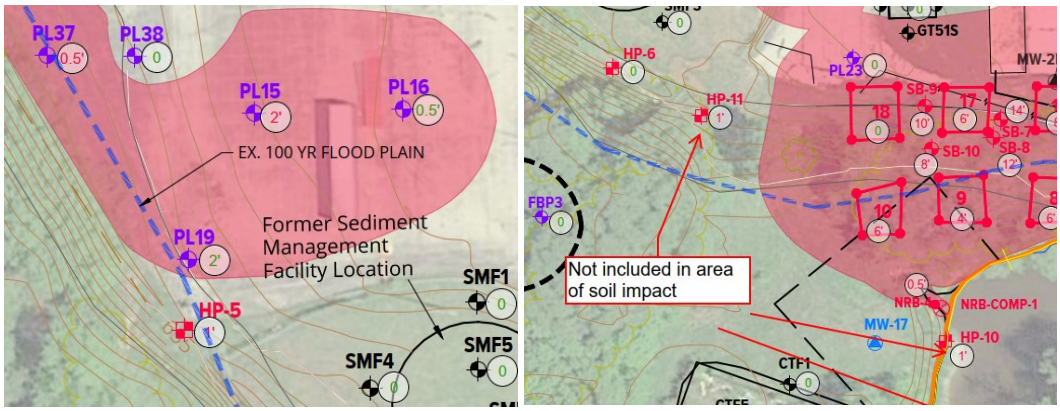
108. Section 7.7: The text discusses field screening for PCBs and that samples will be submitted based on the field screening results. Please add details on how the field screening will be performed to identify PCB impacts.

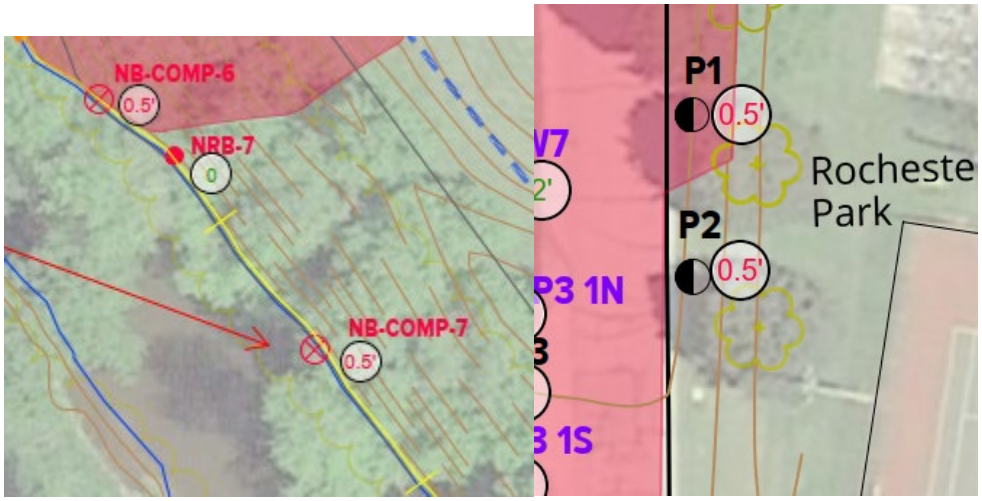
109. Figure 3 Comments:

    a. No delineation depth is provided for 3 locations (NRB-COMP-8, NRB-COMP-9, NRB-COMP-10). See screenshot below; add this information.

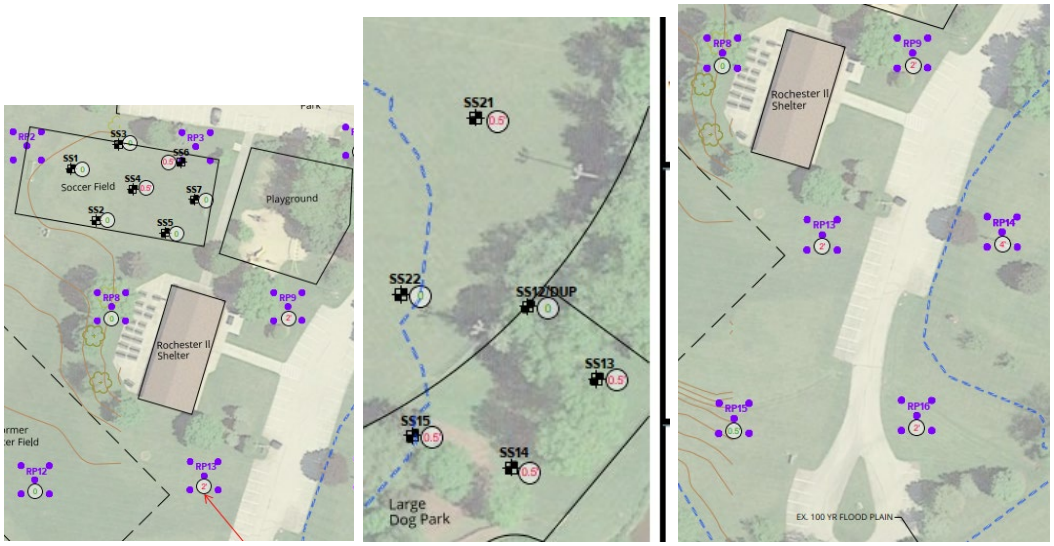


    b. Several locations are shown to have PCB impacts based on the depth of contamination noted, but the location is not included in the estimated area of PCB impacts shown by pink shading. See example screenshots below for HP-5, HP-11, HP-10, NB-COMP-7, P2.





c. The red highlighted region of PCBs greater than 1 ppm is excluding numerous other samples in Rochester Park that are above 1 ppm and outside the eastern berm/non-flooding area. Several Locations in Rochester Park within the 100-year floodplain boundary (and outside the approximate area of the former landfill) are not shown to be PCB impacted. See screenshot below. Sample locations include: SS4, SS6, SS21, SS13, SS14, SS15, RP-9, RP13, RP-16, and or any additional pertinent locations identified in General Comment #5.



d. Add to the Legend that the blue dashed line represents the 100-year floodplain boundary.

110. Figures 3 through 7 and 9 through 12:

a. Use consistent terminology for investigation locations. For example, always refer to proposed investigation locations as "proposed" and historical investigation locations by the year they were collected.

b. Use consistent base-mapping for all figures so that if an area of the site is shown on multiple figures, the same sample locations are shown. For example, proposed samples P1 and P2 are shown on Figure 10 but not on Figure 6. Several sample locations are missing from figure 6, including NB-SS-48, NB-SS-49, NB-SS-50, NRB-9, and SS23 – SS28.

111. Figure 8.

a. Some comments from EPA on the draft CEM were not incorporated into the revised CEM in Figure 8. For example, refer to Comment 22 of EPA's August 2, 2024, *Disapproval and Request for Modifications, SME Serial Letter #90, Conceptual Site Model* including the following:

- Release Mechanisms column (4th column on the figure): Add runoff erosion from surface soil to offsite.
- Exposure Medium column: The "Potable Water Supply" and "Bedrock Aquifer" boxes should be the same box and not separated, with ingestion, dermal, and inhalation being the routes of exposure.
- For the potable water scenarios, do not incorporate a groundwater use restriction since it has not yet been implemented.
- The off-property construction/excavation worker could have subsurface soil exposures (ingestion, dermal, and inhalation) in Rochester Park, where wastes were placed from the site; why are these exposure pathways shown as having insubstantial exposure?
- Explain why potable water supply scenarios in the Lower Unconsolidated Saturated Zone not shown for off-property receptors?
- Notes:
    - For each potentially complete pathway that is shown to have potentially insubstantial exposure, provide the rationale for this conclusion.
    - Add a note regarding the presence of the GMIT and when and how it will be used.
    - Add a note indicating the specific types of wells (e.g., residential, industrial, agricultural) currently present within the area of site-impacted groundwater.

b. Text in various boxes on Figure 8 are cut off and should be expanded.

c. The inhalation pathway should be included as a complete pathway for all exposure scenarios where surface soil or subsurface soil are complete or potentially complete.

d. Both surface and subsurface soil exposure scenarios should be included for construction workers.

e. Placement of wastes from the site onto flood control berms of the Sheboygan River should be shown as a release mechanism.

112. Appendix D: At the front of this appendix, include an index of all SOPs and include the SOPs as an attachment so they may be reviewed.

a. D.1.1: Include SOPs for all field tasks associated with soil sampling. In previous SAPs, SOPs were also included for hand auger, QC samples, PID, sample labeling/handling/COCs, and investigative derived waste (IDW).

b. D1.1, first bullet: text states: "Sampling intervals with gravel, concrete or asphalt will be altered to begin below the gravel, concrete, or asphalt (e.g., in a boring with 3-inches of pavement, the 0'-0.5' interval would be altered to 0.25'-0.5')." Revise text to indicate "The surficial sampling interval will not include gravel, concrete or asphalt (e.g., in a boring with 3-inches of pavement, the first sampling interval would be 0.25'-0.5')."

c. D1.1, second bullet: text states: "If there are no soil samples with elevated field screening results, we will randomly select 10 percent of the initially analyzed soil samples for VOC analysis." This should be revised to indicate the intervals with the highest screening result will be sampled.

d. D1.1, third bullet: It is recommended that a third-party utility locate is completed at boring locations in Rochester Park.

e. D1.1, last paragraph: Indicate that all soil cuttings will be managed as IDW and drummed for proper disposal.

f. D.1.2, first paragraph: text mentions well installation in accordance with SOP 16, but does not refer to an associated SOP for well development, and no associated SOP is included in the QAPP submitted September 19, 2024.

Note that EPA agreed that the SAP could be submitted prior to completion of revisions to the CSM, on the condition that those comments on the CSM would be addressed adequately in the SAP. The comments previously provided on the CSM are, in part, repeated in comments provided in response to the SAP. On August 12, 2024 EPA granted an extension for submittal of requested revisions to the CSM to **December 15, 2024**, and those comments and the comments provided herein should be incorporated when developing the *revised* Sampling and Analysis Plan for contaminant delineation at the Tecumseh Products property and Rochester Park, which is due **January 7, 2025**. Please submit a redline and clean version of the revised document within 60 days, by January 7, 2025. Please also clarify within 14 days of receipt of this letter whether the PRPs intend to perform delineation of the Park under the SAP.

If you have any questions, please contact me at your convenience at kelly.joseph@epa.gov or 312-353-2111.

Sincerely,

Digitally signed by JOSEPH KELLY
Date: 2024.11.08 12:30:09 -06'00'

Joseph C. Kelly
Remedial Project Manager

cc: Susan Prout, EPA
Gwen Saliares & Christopher Dietrich, WDNR
Peter Johnson, Johnson Wright, Inc.
Bret Stuntz, SME
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Mark Mather, PRS