



BRYAN HEATH  
Senior Environmental Manager  
864 Spring Street NW  
Atlanta, Georgia 30308  
678.808.6061  
[bryan.heath@ncrvoyix.com](mailto:bryan.heath@ncrvoyix.com)  
NCRVoyix.com

**VIA ELECTRONIC MAIL**

**November 16, 2023**

Paul Ruesch, On-Scene Coordinator  
U.S. EPA Region 5, Superfund Division  
77 W. Jackson Blvd. (SE-5J)  
Chicago, IL 60604-3590

Re: Allied Paper, Inc. / Portage Creek / Kalamazoo River Superfund Site – EPA’s Conditional Approval of “Area 4 TCRA Removal Work Plan, Part 1”

Dear Mr. Ruesch:

We have received the U.S. Environmental Protection Agency’s (“EPA’s”) conditional approval of the Area 4 TCRA Removal Work Plan, Part 1 (“Work Plan”). Your approval letter requested that NCR Voyix<sup>1</sup> acknowledge its understanding and acceptance of the nine approval conditions by submitting a revised Work Plan document. Our design consultant GEI Consultants (“GEI”) is submitting the revised Work Plan document simultaneously with this letter via the link provided in the transmittal email.

In addition, we offer the following responses to EPA’s nine approval conditions:

*Review and approval by EPA of the design drawings for both the temporary water control structure construction and sediment dredging (Sections 5.4, 5.5.1).*

Acknowledged. The design drawings, including for the temporary water control structure and sediment dredging, are included in today’s submission by GEI.

*Prevention/stabilization of mid-channel sediments in Subarea C & D subject to mobilization into the dredging footprint in Subarea E (Section 5) if deemed necessary by the results of the biotoxicity sampling effort.*

Acknowledged. At this time, we do not anticipate a need for stabilization of mid-channel sediments in Subareas C & D as no lowering of the water level is planned in Part 1 of the work. Because the water level will not be lowered, the bed sediment in Subareas C and D is not

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<sup>1</sup>In October 2023, NCR Corporation changed its name to NCR Voyix Corporation.

expected to be subject to erosive forces beyond those currently existing in the channel. We are open to further discussion once EPA receives results from the biotoxicity effort.

*Review of sampling data / transects in front of Trowbridge Dam (Stage 5) to ensure the estimated 20,000 yd<sup>3</sup> of material to be removed is 'clean soil/sediment' to determine stockpiling and appropriate reuse and/or disposal requirements (Section 5).*

GEI has reviewed those sampling data and transects, as directed. Attached is a summary of the data collected from the area on the upstream side of Trowbridge dam including SRI data and data collected during the Area 4 PDI. The PCB concentrations do not warrant removal pursuant to the TCRA and therefore will be relocated on site.

*Non-TSCA waste must be segregated from TSCA waste during sediment dewatering, management, and disposal (Section 5.5.1).*

Acknowledged. The material with > 50 mg/kg PCBs has been defined in a dredge prism and will be removed from the river and handled separately as shown on Drawings DE-109 through DE-112.

*Allow for field-evaluation by EPA to expand areas needing temporary stabilization measures if necessary, as areas of proposed bank stabilization measures are not consistent with bank areas that will require excavation (> 5ppm PCBs) (Section 5.6).*

The current approach described in the work plan describes temporary stabilization measures to be installed in areas where erosion is occurring or likely to occur based on field observations of bank type (i.e., banks showing evidence of erosion under current conditions). The work plan requires these locations to be observed and verified in the field (Section 5.6 and Figure 6), consistent with this approval condition. We will work with EPA to identify locations for temporary bank stabilization measures in the field.

*Clear definition of 'Initial Field Activities,' which could include the following: access road construction on both the right descending and left descending banks, staging area(s) construction, water treatment plant and stabilization pad area preparation/construction, removal of bat habitat trees, or other activities.*

Proposed initial field activities include:

- Construct access and haul road on the RDB, continuing the installation of the road with a temporary crossing over Schnable Brook down to the golf course. Refer to drawing number SA-001 for an overview and SA-104 and SA-105 for a zoomed in view and drawing GE-012 for typical sections and details.

- Clearing and grubbing of a new lay-down area referred to as the “upper plateau” of the Trowbridge staging area for the soil/sediment harvested on the right descending bank upstream of the dam (SA-100).
- Construction of a short road from the primary entrance up to the upper plateau.
- Bat roost tree identification and removal as necessary.
- Depending on the ability to obtain an access agreement, construct temporary haul road across parcel 17-007-007-00 “mansion property” to connect the 24<sup>th</sup> Street/108<sup>th</sup> Avenue corner to DNR-owned parcels (17-007-010-00 and 17-007-009-00).

*Provisions in the design drawings to ensure sediments with PCBs in channel to be dredged in Stage 7 are prevented from migrating into Stage 5 dredged area (Appendix A, Stage 7).*

The dredge prism in Stage 5 (drawing DE-107) is designed with 3:1 side slopes, which are expected to be stable under expected flow conditions for this relatively short period of time. A side slope of 3:1 is a typical slope used in dredge designs. This will minimize the potential for sloughing of sediments from the area to be dredged in Stage 7 into the area dredged in Stage 5, consistent with this approval condition.

*Consideration of the State of Michigan comments (see attached letter dated 10/27/2023) and previous submittals in the design and implementation of Part 1 and planning effort for Part 2.*

Acknowledged. The design team will continue to consider Michigan’s comments, including the comments attached to EPA’s letter and previous comments, in the design and implementation of Part 1 of the Area 4 time-critical removal action (“TCRA”) and in the planning for Part 2. We do not plan to draft a “response-to-comments” document for Michigan’s comments, but we have reviewed the comments carefully and will advise EPA if we propose changes to the work plan text or the drawings as a result of those comments.

*Incorporation of edits to the document contained in the attached mark-up.*

We have incorporated EPA’s edits into the work plan document that GEI is submitting today, meeting this approval condition. We offer the following observations on two of those edits.

First, EPA directed that we remove a paragraph from Section 1.3.1 of the document that read:

If EPA decisions are not provided in a timely manner, delays may be experienced in contractor selection, material procurement, and work implementation in the field. These time delays would also cause additional costs for items such as material procurement, additional field mobilizations, and maintenance of

temporary controls installed as part of Part 1 of the TCRA as well as other costs that are unrealized at this time.

We have removed the paragraph as requested, but we note that the paragraph is correct, and we continue to believe that timely EPA decisions are critical to the project's success.

Second, EPA directed that we add "not necessary for Part 2" to the sentence in Section 5.9 that reads: "After completion of Part 2 TCRA, equipment and resources *not necessary for Part 2* will be demobilized." We have added the requested text, and we note that it underscores the need for a timely EPA decision on the technical issues NCR Voyix addressed in its technical memoranda earlier in 2023.

To that end, we acknowledge EPA's proposed schedule for addressing the remaining Area 4 removal action work so that the work can begin as soon as possible. We agree with EPA's proposed schedule and look forward to discussing this work. Since the first item on the schedule is follow-up discussion(s) on technical memoranda that GEI submitted earlier this year, please advise on when you would like to have those discussions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bryan Heath", with a stylized flourish extending to the right.

Bryan Heath

Cc: John Jolly, GEI Consultants

Provided in separate files:

A4 TCRA Removal Work Plan Part 1, Draft 2  
Data and figure from RDB upstream of dam  
A4 TCRA Design Drawings