



REGION 5
CHICAGO, IL 60604

June 25, 2024

Mr. John Jolly
Senior Environmental Manager
NCR Voyix
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RE: *United States of America and The State of Michigan v. NCR Corporation* (Civil Action No. 1:19-cv-1041); OU5 Area 4 Removal Work Plan Draft for 'Part 2'; Allied Paper, Inc./Portage Creek/Kalamazoo River Superfund Site

Dear Mr. Jolly:

Thank you for your letter dated March 27, 2024, requesting an extension to prepare the Area 4 TCRA Removal Work Plan 'Part 2.' The letter identified a series of issues affecting the design which need resolution. The purpose of this letter is to provide responses to the issues identified below and provide guidance along with an updated deadline for the 'Part 2' removal work plan, which EPA now requires NCR Voyix to submit by October 23, 2024.

1) What is the allowable volume of post PCB-dredge remaining sediment (RS) that can go downstream in a year beyond the average annual sediment volume moving through the system?

Answer: EPA consulted with Michigan EGLE and DNR, which recommended a revised allowable sediment mobilization volume of 150,000 yd³ in the first year after draw-down (90,000 yd³ annual load + 60,000 yd³ additional load). The revised sediment mobilization rate reflects concerns about contamination in RS subject to mobilization detected in the biotoxicity sampling effort in November 2023.

The RS mobilization rate may be reconsidered by EPA in subsequent years after evaluation of field conditions encountered (i.e., RS erosion/deposition within the TCRA reach and/or downstream) during continuing drawdown activity. If amounts more than the annual load are measured or observed, action(s) may be considered and implemented to minimize excess RS mobilization, such as modifying drawdown activities or construction/operation of proposed

sediment trap(s). EPA would not require NCR Voyix to dredge post-PCB removal RS other than management of RS flowing into engineered sediment traps.

- 2) What are allowable placement areas for material with PCB concentrations <1 mg/kg? Does this material need to be further characterized; if so, how and for what constituents? What criteria will be used to determine appropriate placement areas for the material?**

Answer: Material that does not contain paper waste and contains PCB concentrations < 1 mg/kg can be reused for construction of restored riverbanks. This is consistent with the Area 3 TCRA and the Area 2 ROD. Otherwise, the material needs to be staged on a lined pad and managed for reuse and/or disposal. Reuse options would be greatly expanded if source separation of coarse/fine fractions and additional sampling/characterization (i.e., for PCBs, PAHs, metals) of the non-PCB sediments from the pilot channel, left descending dam embankment, Beaver Island, and/or other areas could be achieved at the stabilization pad.

- 3) Does material expected to be disturbed from the banks and floodplain beyond the limits sampled during the PDI need to be further characterized? If so, how and for what constituents? Where shall the material be placed and under what conditions?**

Answer: Material involved in widening the channel does not need additional sampling, as the PDI and SRI/FS sampling are adequate to characterize the material. EPA has indicated that excavated material with PCB concentrations < 1 mg/kg would not have to be shipped off-site for disposal (see response to #2), and any material containing PCB concentrations ≥ 1 mg/kg must be disposed of off-site. Sampling of any new bench surface(s) may be required before restoration as part of the confirmation sampling. Sampling will depend on the width, depth, and available data in any areas of created benches.

- 4) What is the expectation for Schnable Brook (Subarea H)? This subarea was not previously included in the TCRA scope. Does the current design suffice?**

Answer: The TCRA design should include a stable connection between Schnable Brook and the Kalamazoo River. As riffle heights and channel width may change from the revised design based on the considerations explained below, the current design for Schnable Brook may need to be reconsidered based on changes in water surface elevations in the Kalamazoo River.

'Target design parameters' for the 'Part 2' design were first formally provided to NCR in the attachment to EPA's revised design disapproval letter dated January 5, 2023. They were reiterated in a letter dated February 9, 2024, and discussed in detail again at a meeting on April 24, 2024, in Chicago. EPA provided further clarification along with suggested design options/alternatives aimed at meeting the 'target design parameters' on June 5, 2024. EPA expects that these 'target design parameters' and design options/alternatives will be taken into consideration and incorporated into the 'Part 2' removal work plan. EPA also expects that consideration will be given to both stream bank and bed sensitivity/stability in development of the 'Part 2' workplan. EPA's contractors are available for questions or consultation in this process.

I hope this information is helpful. Please submit the 'Part 2' Removal Work Plan and corresponding design drawings which incorporate the above input by October 23, 2024.

Please feel free to contact me at (312) 919-4382 or by email at ruesch.paul@epa.gov if you have any questions regarding this matter.

Sincerely,

Paul Ruesch

Paul Ruesch
On Scene Coordinator
Emergency Response Branch #2

cc: Dan Peabody, EGLE
Mark Mills, DNR