

APPENDIX D

**STATEMENT OF WORK
FOR THE REMEDIAL ACTION AT THE WPSC STEVENS POINT FORMER
MANUFACTURED GAS PLANT SUPERFUND ALTERNATIVE SITE,
STEVENS POINT, PORTAGE COUNTY, WISCONSIN**

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I. PURPOSE

The purpose of this Statement of Work (SOW) is to set forth requirements for implementation of the Remedial Action set forth in the Record of Decision (ROD) for the WPSC Stevens Point Superfund Alternative Site ("Site" or "Stevens Point Site") that was signed by the Superfund Division Director, U.S. Environmental Protection Agency (EPA) Region 5, on September 25, 2012. The Settling Defendant shall follow the ROD, the SOW, the approved Remedial Action Workplan (RA Workplan), EPA Superfund Remedial Action Guidance, and any additional guidance provided by EPA in submitting deliverables for designing and implementing the Remedial Action (RA) at the Site.

II. DESCRIPTION OF THE REMEDIAL ACTION/PERFORMANCE STANDARDS

The Settling Defendant shall implement and maintain the Remedial Action to meet the performance standards and specifications set forth in the ROD, the RA Workplan, and this SOW. Performance Standards shall include cleanup levels (CLs), standards of control, quality criteria and other substantive requirements, criteria or limitations including all Applicable or Relevant and Appropriate Requirements (ARARs) set forth in the ROD, SOW, and/or Consent Decree (CD). Risk-based CLs may be updated by EPA based on new toxicological information. Upon direction from EPA, revised CLs shall be incorporated by reference into this SOW and shall become an enforceable part of the CD. The revised CLs will be used to evaluate the continued protectiveness of the remedy and the need for continued remedial action.

A. Maintenance of Clean Soil Cover and Pavement

Subsurface soils at the Site pose a potential threat to human health if exposure to these soils were to occur, such as during utility or construction work. The Settling Defendant shall implement the Soil Cover Monitoring and Maintenance plan (SCMMP) prepared during Remedial Design (RD), which will provide for periodic documented inspections of the cover and steps to repair and maintain the cover over time. The SCMMP will also include measures the PRPs will take in the event a construction project exposing and/or disturbing subsurface soils is planned.

B. Monitored Natural Attenuation

The Settling Defendant shall restore Site groundwater to CLs within a reasonable time period through monitored natural attenuation (MNA) as specified in the ROD. The Settling Defendant shall implement the Natural Attenuation Implementation and Monitoring Plan (NAIMP) prepared during RD. This will include periodic evaluation of contaminant concentrations, concentration trends, plume configuration, and adequacy of the monitoring network.

1. Points of Compliance

In order to monitor and evaluate the RA throughout the Site, certain groundwater monitoring wells shall be selected as points of compliance for meeting groundwater CLs and MNA parameters, and they shall be identified in the RA Work Plan and the Operation and Maintenance (O&M) Plan. Wells designated as representing the points of compliance shall be sampled in accordance with the approved RA Work Plan and O&M Plan. Points of compliance shall be located to ensure that progress towards compliance with the CLs contained in Table 4 of the

ROD is achieved throughout the entire plume, unless otherwise modified by pre-design/background studies approved by EPA in consultation with the Wisconsin Department of Natural Resources (WDNR).

If any of these wells are destroyed or in any way become unusable, the Settling Defendant shall repair or replace such wells. Additional wells may be included during the development or update of the O&M Plan. If a well is no longer needed, a written request to properly abandon the well in accordance with state law may be submitted to EPA, and EPA will then act on the request, after consultation with WDNR. The location of any additional wells installed pursuant to the Consent Decree or this SOW shall be approved by EPA, after consultation with WDNR.

During the design phase, EPA, after consultation with WDNR, shall approve the frequency of sampling and the parameters sampled during detection and compliance monitoring. These parameters include, but are not limited to, natural attenuation indicators specified in the RA Workplan and O&M Plan, and the parameters listed in Table 4 of the ROD, unless otherwise modified and approved by EPA, in consultation with WDNR. MNA indicators shall be interpreted using the Mann-Kendal statistical test, or other statistical method approved by EPA, in consultation with WDNR, to evaluate significance of temporal concentration trends.

2. Contingency Measures

If routine monitoring data indicate that natural attenuation of groundwater contaminants may not be decreasing the contaminant concentrations within an acceptable timeframe, EPA, in consultation with WDNR, may request additional monitoring, investigation, modeling, and/or statistical analysis of groundwater contaminants, trends and/or sources. If EPA subsequently determines that a different remedy is needed to reach CLs, the Settling Defendant shall submit within 60 days of receipt of EPA's request a schedule for evaluation, design and implementation of one or more additional cleanup technologies.

3. Construction Completion of the Groundwater Remedy

Construction of the Groundwater Remedy will be considered complete when groundwater monitoring data collected from all plume monitoring wells, supported by statistical and modeling analysis, show that the concentrations of chemicals of concern (COCs) will attain CLs within a reasonable time period. At that time the Settling Defendant shall submit to EPA a request for Certification of Completion of the Remedial Action. The groundwater remedy will not be completed until EPA has issued the Certification of Completion in accordance with the Consent Decree.

C. **Sediment Removal from the Wisconsin River and Sand Placement in Piffner Pioneer Park Pond**

MGP-impacted sediment in the Wisconsin River and the Piffner Pioneer Park Pond poses an ecological threat to benthic organisms. The Settling Defendant shall implement the EPA-approved Sediment Response Plan (SRP) prepared during RD. In accordance with the ROD, all sediment with MGP-related contaminants containing greater than 22.8 parts per million total PAHs will be removed from the section of the Wisconsin River adjacent to the Site and a 6-inch

sand cover will be placed to manage dredging residuals. Sand, amended with activated carbon, will be placed on top of the sediment in the Pfiffner Pioneer Park Pond.

D. Institutional Control Implementation and Assurance Plan

The Settling Defendant shall implement the Institutional Control Implementation and Assurance Plan (ICIAP) developed during RD. The ICIAP shall include plans to implement and maintain Institutional Controls (ICs) over areas that do not support unlimited use/unrestricted exposure (UU/UE) at the Site. The Settling Defendant shall implement ICs to impose the activity and use limitations required by the ROD as follows:

1. Activity and Use Limitations on Areas That Do Not Support UU/UE:

- a. Limited Commercial, Industrial and/or Recreational Use: The Settling Defendant shall use best efforts to implement ICs to prohibit all uses of WPSC's Property and the Pfiffner Pioneer Park except those compatible with commercial, industrial or recreational land use. Examples of land uses and activities that are prohibited on either a temporary or permanent basis include residential uses, occupancy on a 24-hour basis, and digging or excavation (unless a soil management plan is developed and followed).
- b. Limited Groundwater Use: The Settling Defendant shall use best efforts to implement ICs to prohibit construction of wells and to prohibit any activity that extracts, consumes, or otherwise uses any groundwater at the Site, except for the purposes of an EPA-approved response activity until groundwater CLs are achieved throughout the plume. The ICs shall be enforceable by the Parties to the Consent Decree.

2. Demonstration That Institutional Controls Cover All Physical Areas That Do Not Support UU/UE

The Settling Defendant shall demonstrate that ICs cover all physical areas that do not support UU/UE based on current conditions for the entire Site. The ICIAP shall include a methodology for identifying and mapping of all non-UU/UE areas during and after completion of construction, and during operation and maintenance of the remedy, including preparing final survey maps and legal descriptions of non-UU/UE areas.

3. Soil Management Plan

If EPA determines that redevelopment of Site property involving digging or excavation is likely, the Settling Defendant shall submit to EPA for review and approval a Soils Management Plan (SMP). The SMP shall identify the process for ensuring that future land-use at the Site, including utility installation and repair and foundation installation, is protective of human health and the environment. The SMP shall establish standardized procedures for any future construction on the Site. The SMP shall identify the volumes and locations of soil that require management and establish management procedures for handling (excavating, grading, etc.) and disposing of impacted soil. The SMP shall also control

exposure to construction workers during future work that may involve handling impacted soil by establishing engineering controls and other health and safety procedures.

4. Long-term Stewardship

The ICIAP shall provide for long term stewardship of the ICs. The Settling Defendant shall use best efforts to maintain and ensure compliance with all ICs at the Site and shall report annually on the status of compliance with ICs.

III. SCOPE OF REMEDIAL ACTION

The Remedial Action shall consist of four tasks. All plans are subject to EPA and WDNR review. All plans are subject to approval by EPA in consultation with WDNR.

Task 1: Remedial Action Work Plan

Task 2: Remedial Action/Construction

- A. Preconstruction Meeting
- B. Construction and Implementation of RA Work Plan
- C. Pre-certification Inspection
- D. Final Inspection
- E. Reports
 - 1. Final Construction Report
 - 2. Completion of Remedial Action Report

Task 3: Operation and Maintenance

Task 4: Performance Monitoring

A. Task 1: Remedial Action Work Plan

The Settling Defendant shall submit a RA Work Plan which includes a detailed description of the remediation and construction activities. The RA Work Plan shall include a project schedule for each major activity and submission of deliverables generated during the Remedial Action. The RA Work Plan shall incorporate the following Final Design documents created during RD:

- ☐ Sediment Response Workplan
- ☐ Soil Cover Monitoring and Maintenance Plan (SCMMP)
- ☐ Natural Attenuation Implementation and Monitoring Plan (NAIMP)

- ☐ Quality Assurance Project Plan
- ☐ Health and Safety Plan
- ☐ Contingency Plan (CP; if stand-alone)
- ☐ Field Sampling Plan
- ☐ Construction Quality Assurance Plan
- ☐ Institutional Control Implementation and Assurance Plan (ICIAP)
- ☐ Operation and Maintenance (O&M) Plan
- ☐ Soil Management Plan, if necessary.

B. Task 2: Remedial Action Construction

The Settling Defendant shall implement the Remedial Action as detailed in the approved Final Design. The following activities shall be completed in constructing the Remedial Action.

1. Pre-construction Inspection and Meeting

The Settling Defendant shall participate with EPA and WDNR in a preconstruction inspection and meeting to:

- a. Review methods for documenting and reporting inspection data;
- b. Review methods for distributing and storing documents and reports;
- c. Review work area security and safety protocol;
- d. Discuss any appropriate modifications of the construction quality assurance plan to ensure that site-specific considerations are addressed; and
- e. Conduct a Site walk-around to verify that the design criteria, plans, and specifications are understood and to review material and equipment storage locations.

The pre-construction inspection and meeting shall be documented by a designated person and minutes shall be transmitted to all parties.

2. Construction and Implementation of the RA Work Plan

Following approval of the RA Work Plan and the pre-construction inspection and meeting the Settling Defendant shall implement the RA Work Plan.

Settling Defendant shall send notification, in writing, to the RPM that construction has begun within seven (7) days of initiating construction.

3. Pre-certification Inspection

Within 15 days after the Settling Defendant makes a preliminary determination that construction is complete, the Settling Defendant shall notify EPA and WDNR for the purpose of conducting a pre-certification inspection. The pre-certification inspection shall consist of a walk-through inspection of the entire Site with EPA and WDNR. The inspection is to determine whether the project is complete and consistent with the contract documents and the Remedial Action.

Any outstanding construction items discovered during the inspection shall be identified and noted. Retesting shall be completed where deficiencies are revealed. Settling Defendant shall prepare a pre-certification inspection punch list, which shall outline the outstanding construction items, actions required to resolve items, completion date for these items, and a proposed date for final inspection.

4. Final Inspection

Within 15 days after completion of any work identified in the pre-certification inspection punch list, the Settling Defendant shall notify EPA and WDNR for the purpose of conducting a final inspection. The final inspection shall consist of a walk-through inspection of the Site by EPA, WDNR, and the Settling Defendant. The pre-certification inspection punch list, if necessary, shall be used as a checklist with the final inspection focusing on the outstanding construction items identified in the pre-certification inspection. Confirmation shall be made that outstanding items have been resolved.

5. Final Remedial Action Report

Within 30 days of a successful final inspection, the Settling Defendant shall submit a Remedial Action Report. In the report, a registered professional engineer and the Settling Defendant's Project Coordinator shall state that the Remedial Action has been constructed in accordance with the design and specifications. The written report shall include as-built drawings signed and stamped by a professional engineer. The report shall contain the following statement, signed by a responsible corporate official of a Settling Defendant's Project Coordinator:

To the best of my knowledge, after thorough investigation, I certify that the information contained in or accompanying this submission is true, accurate and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

C. Task 3: Operation and Maintenance

The Settling Defendant shall revise the O&M Plan prepared during Final Design Document submission. The Final O&M Plan shall be submitted to EPA and WDNR within twelve (12) months after the Final Inspection. The plan shall be composed of the following elements, at minimum:

1. Description of Normal O&M
 - a. Description of tasks for operation (if any)
 - b. Description of tasks for maintenance
 - c. Description of prescribed treatment or operation conditions (if any)
 - d. Schedule showing frequency of each O&M task
2. Description of Potential Operating Problems (If Any)
 - a. Description and analysis of potential operation problems
 - b. Sources of information regarding problems
 - c. Common and/or anticipated remedies
3. Description of Routine Monitoring and Laboratory Testing
 - a. Description of monitoring tasks
 - b. Description of required data collection, laboratory tests and their interpretation
 - c. Required quality assurance, and quality control
 - d. Schedule of monitoring frequency and procedures for a petition to EPA to reduce the frequency of or discontinue monitoring
 - e. Description of verification sampling procedures if CLs or Performance Standards are exceeded in routine monitoring
4. Description of Alternate O&M
 - a. Should systems fail, alternate procedures to prevent release or threatened releases of hazardous substances, pollutants or contaminants that may endanger public health and the environment or exceed Performance Standards
 - b. Analysis of vulnerability and additional resource requirement should a failure occur
5. Corrective Action
 - a. Description of corrective action that may be implemented in the event that CLs or Performance Standards are exceeded
 - b. Schedule for implementing these corrective actions

6. Safety Plan:
 - a. Description of precautions, of necessary equipment, etc., for Site personnel
 - b. Safety tasks required in event of systems failure
7. Description of Equipment
 - a. Equipment identification
 - b. Installation of monitoring components
 - c. Maintenance of Site equipment
 - d. Replacement schedule for equipment and installed components
8. Records and Reporting Mechanisms Required
 - a. Operating logs
 - b. Laboratory records
 - c. Records for operating costs
 - d. Mechanism for reporting emergencies
 - e. Personnel and maintenance records
 - f. Monthly, quarterly, and/or annual reports to EPA and WDNR
 - g. ICIAP Annual Report

A. Task 4: Performance Monitoring

Performance monitoring shall be conducted to ensure that all Performance Standards are met. Performance monitoring shall be in accordance with the following documents:

- ☐ Operation and Maintenance Plan
- ☐ Quality Assurance Project Plan
- ☐ Health and Safety Plan
- ☐ Field Sampling Plan

IV. SUMMARY OF MAJOR DELIVERABLES/SCHEDULE

A summary of the project schedule and reporting requirements contained in this SOW is presented below:

No.	Deliverable/Task	Due Date
1	Identify Project Coordinator	10 days after lodging of CD
2	Identify Supervising Contractor	30 days after lodging of CD
3	RA Work Plan	30 days after EPA approval of final design submission
4	Award RA Contract(s)	60 days after approval of RA Workplan
5	Pre-Construction Inspection	15 days after awarding of RA Contract(s)
6	Initiate Construction of RA	30 days after Pre-Construction Inspection and meeting
7	Notification of Initiation of Construction	7 days after construction is initiated
9	Final SCMMP, ICIAP, NAIMP, and CP (if standalone)	No later than Pre-certification Inspection
10	Notification of Completion of Construction and Scheduling of Pre-certification Inspection	Within 15 days after preliminary determination of construction completion
11a	Pre-certification Inspection Punch List (if necessary)	15 days after Pre-certification Inspection
11b	Pre-certification Inspection Report (if there is no punch list)	30 days after Pre-certification Inspection
12	Final Inspection	15 days after work in Pre-certification Inspection Punch List is completed under schedule approved by EPA
13	Remedial Action Report	30 days after Final Inspection
14	Final O&M Plan	12 months after Final Inspection