

US EPA ARCHIVE DOCUMENT

Congress of the United States
Washington, DC 20515

April 5, 2011

RECEIVED
APR 08 2011

Susan Hedman
Administrator, Region 5
United States Environmental Protection Agency
77 W. Jackson Blvd.
Chicago, IL 60604

REGION 5
ADMINISTRATOR

Dear Administrator Hedman:

We are writing in reference to the Resource Conservation and Recovery Act Consent Order between the Environmental Protection Agency (EPA) and Ansul Incorporated to address the arsenic contamination in the Menominee River Basin near Marinette, Wisconsin. It is our understanding that the work is to take place between 2012 and 2013. Given the obvious impact this effort will have on our constituents, we are looking to gain a better understanding of the different remediation options that the EPA is considering to maximize the health of the river and reduce the time frame residents are unable to use the river for recreational activities.

To that end, we respectfully request that you please respond in writing to the following questions as soon as possible:

1. During the sediment remediation, will the public be prevented from using the River and Turning Basin for boating and fishing for the full length of the project? If so, has the EPA considered other options to minimize the time period that use of the river will be disrupted?
2. Will local marine industries, such as Marinette Marine, be prevented from using the River and Turning Basin for the duration of the project?
3. Will arsenic be released into the water body during the sediment remediation project? If so, what are the potential health concerns for the public and what options has EPA considered to minimize those risks?
4. Will the Wisconsin Department of Natural Resources acute toxicity limit be exceeded in the Menominee River and Turning Basin during the process? If so, has the EPA evaluated alternative sediment management approaches that will minimize resuspension and dispersion of the arsenic, such as capping, to reduce the impact on aquatic organisms?


5. If the sediments are dredged and the arsenic associated with these sediments is released, how does the mass release of arsenic compare to the amount being released under current conditions?
6. If dredging is required, where will the contaminated sediment that is removed from the river be disposed?
 - a. How will this material be transported to the disposal site?
 - b. How many truck loads of this material will be moved through the Marinette and Menominee communities during the duration of the project?
 - c. Has the EPA evaluated whether certain sediment management approaches reduce the amount of trucks that will be moved through the Marinette and Menominee communities?
 - d. What measures has the EPA taken to ensure the safety of local residents?
7. Have you considered whether the installation of the slurry walls around the Ansul site that now stop groundwater transport of arsenic to the river will allow the river to naturally recover over time through burial and dissolution?
 - a. Was this formally evaluated? If not, why not?
 - b. Assuming control of all groundwater gradients to the river, what is the estimated annual mass flux of arsenic from these sediments?
 - c. How does that annual mass flux compare to the mass of arsenic that will be released during the dredging of the sediments?


We are hopeful that prior to any fieldwork beginning, you will hold formal public meetings with community leaders and elected officials to outline the planned work and its likely impact on the local community. Additionally, we believe that the EPA should allow the public to comment and should take that feedback into account before issuing the final approval of the remediation plan.

We thank you in advance for your consideration of this matter. If you have any questions, please feel free to contact us.

Sincerely,


Reid J. Ribble
Member of Congress


Ron Johnson
United States Senator


Dan Benishek, MD
Member of Congress


Herb Kohl
United States Senator