



May 30, 2019

Ms. Andri Dahmeler
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, Minnesota 55155-4194

RE: Response Letter to the Proposed Minnesota Decision Document Amendment #2
Highway 96 Superfund Site – Operable Unit 4
White Bear Township, Minnesota

Dear Ms. Dahmeler:

On May 9, 2019, a public meeting was held at the City of North Oaks to present a proposed amendment to the Minnesota Decision Document (MDD) dated October 7, 1993 for the Highway 96 Superfund Site (the Site). Over the past 26 years, one amendment has been made to the MDD. MDD Amendment #1 was issued on August 26, 2008 and addressed the implementation of remedial actions and obligations identified in the 1993 MDD for Operable Units 1 through 4. The Operable Units (OU) are defined below:

- OU1 – Source Control
- OU2 – Groundwater Remediation
- OU3 – Residential Drinking Water east of Gilfillan Lake
- OU4 – Residential Drinking Water west of Gilfillan Lake

MDD Amendment #2 addresses proposed modifications to OU4. The proposed modifications include a change to the long-term groundwater monitoring schedule for 77 homes, divided into four "Sampling Groups" (Sampling Group A, Sampling Group B, Sampling Group C, and Sampling Group D). The Sampling Groups are illustrated on attached *Figure 1 – Residential Well Sampling Groups, Operable Unit 4, Highway 96 Site, White Bear Township, Minnesota (GHD, 2018)*. Currently, the residential wells are being sampled on a semi-annual, annual and biennial basis depending upon which sampling group they are located. The proposed schedule included in MDD Amendment #2 shows a decreased sampling frequency with an end date for sampling.

During the public meeting, several residents within with the immediate sampling area voiced their concerns against the proposed sampling schedule. In addition, as demonstrated by several emails and letters to the City of North Oaks, there is strong opposition to the proposed amendment due to legitimate health concerns. These concerns specifically object to the proposed sampling frequency and discontinued sampling based on the schedule in MDD Amendment #2. These emails and letters are attached to this document and include responses from the following residents:





- 1 West Shore Road
- 3 West Shore Road
- 3 Birch Lane
- 9 Duck Pass Road
- 20 Duck Pass Road
- 44 Robb Farm Road
- 45 Robb Farm Road

It is important to note that the Minnesota Pollution Control Agency (MPCA) has provided a statement in proposed MDD Amendment #2 that the sampling frequency will revert to the frequency outlined in MDD Amendment #1 in the event one or more of the four listed scenarios presents themselves. The four proposed scenarios include:

- *"Vinyl chloride and/or TCE is detected at a residential well location in OU4 during its "Every Five Year" sampling period outlined above and the detection is confirmed with a follow-up sample.*
- *A Listed VOC is detected above its respective HRL at any residential well location in OU4 and the detection is confirmed with a follow-up sample.*
- *A Listed VOC is detected above its respective HRL in any of the Ski Lane Ravine monitoring wells and the detection is confirmed with a follow-up sample.*
- *Potential new/future risk to OU4 is identified through remedial actions and long-term monitoring requirements associated with OU2, as stipulated in the 1993 MDD and 1995 Consent Order."*

The first and second proposed scenarios (above) discuss detections of vinyl chloride, 1,1,2-trichloroethene (TCE) and Listed Volatile Organic Compounds (VOCs) at any residential well location in OU4 during the five-year sampling schedule. Based on the sampling schedule in MDD Amendment #2, sampling will no longer be conducted in:

- Sampling Group A after 2032,
- Sampling Group B after 2027 and
- Sampling Group C after 2022.

Sampling Group D will no longer be sampled effective immediately. Since the sampling will be expanded to a series of five-year periods and then discontinued, there will not be a routine program to ensure safe drinking water within these sampling groups. Furthermore, with the elimination of sampling immediately at Sampling Group D, there will be no future ground water data to base a decision to revert back to the schedule in MDD Amendment #1.

The third proposed scenario is a *detection of a Listed VOC above its respective Health Risk Limit (HRL) in any of the Ski Lane Ravine monitoring wells and the detection is confirmed with a follow-up sample.* In order to assist with the monitoring of groundwater conditions, monitoring wells and compliance wells are located:

- within Area 1 immediately downgradient of the source area;
- within Area 4 where three residential wells were converted to monitoring wells;





- within Area 3 at 11 Robb Farm Road, along Gilfillan Road, West Shore Road and within the Ski Lane Ravine.

The historical groundwater flow direction and location of the identified plume dictates the location of the monitoring wells which focuses heavily within Area 3. The monitoring wells are sampled on an annual basis, but do not appear to be effectively covering Areas 4 and 5.

Most recently, vinyl chloride was detected at a concentration of 0.44 micrograms per liter ($\mu\text{g/L}$) in monitoring well MW17B during the 2018 annual monitoring event. Monitoring well MW17B is located on Gilfillan Road in Area 3. This well is screened within the St. Peter Sandstone Aquifer. The Minnesota Department of Health - Health Based Guidance for vinyl chloride is 0.2 $\mu\text{g/L}$.

It is very concerning to the residents of North Oaks to be void of an effective "warning system" other than the current residential well sampling plan. To discontinue sampling of the residential wells would mean there are no safeguards in place to detect contaminants of concern in drinking water should the plume migrate further. Since the plume was discovered on the west side of Lake Gilfillan, five residential wells have been replaced within Area 3 and one residential well has been replaced in Area 5. Two of these wells have been replaced on a voluntary basis by the homeowner. It was a surprise to the responsible parties that the plume was found on the west side of Lake Gilfillan and the residents want to be reassured that the plume is being tracked and the residential wells are tested on a regular basis to avoid any additional surprises.

Residents have voiced legitimate concerns that their wells are located between the source area and wells that have been replaced. The concerns are real and the residents worry that it is only a matter of time before their well may be impacted. As one resident writes, *"As a cancer survivor, and mother of four young children, it is concerning to me that this is even being considered."* The City of North Oaks believes as long as the remedial actions and long-term monitoring are taking place at the Site, the residential well sampling should continue, at a minimum, on an annual basis for Sampling Groups A and B and biennially for Sampling Groups C and D.

On behalf of the residents of North Oaks, we appreciate the opportunity to provide our concerns and to voice our opposition to the proposed MDD Amendment #2. If you have questions about the information presented in this letter, please contact Michael Robertson at 651-792-7750 or at mrobertson@cityofnorthoaks.com.

Mayor Gregg Nelson
City of North Oaks

Enclosures: Figure 1 – Residential Well Sampling Groups (GHD, 2018)
North Oaks Resident Letters and Emails

