

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
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November 11, 2019

Dan Masterpole
Chippewa County Director of Conservation
711 N. Bridge St
Chippewa Falls, WI 54729

Subject: Superior Silica – Auburn, pond reclamation proposal

Dear Mr. Masterpole,

Per your request, below is the Wisconsin Department of Natural Resources (DNR) Office of Mining response to your request for technical review of the Superior Silica – Auburn facility pond reclamation proposal. DNR requested a copy of the referenced material supplied to Cooper Engineering to support their proposal. Sharon Masek of Superior Silica provided the listed items and additional maps and reference materials to clarify supporting documents.

Based on discussions with DNR's Stormwater, Wastewater, Solid Waste, Remediation and Redevelopment, and Drinking Water and Groundwater programs, the following comments are for your reference:

1. The pond mud samples show exceedances of ch. NR 720 Industrial Direct Contact Residual Clean-Up Level (DC-RCL) for arsenic.
2. The mud pond water samples show elevated levels of aluminum, arsenic, chromium, lead, and manganese which indicates a potential for exceedances of groundwater standards in ch. NR 140.
3. DNR agrees with the consultant that groundwater levels suggest potential for mounding beneath the ponds, however more information is needed to assess the groundwater flow system.
4. Surface water quality standards are based on the receiving water and adjacent water bodies and will need to be assessed to determine if discharges from the ponds would exceed water quality standards to surface waters.

In the process of reviewing the proposal, DNR has identified the potential that reclamation of the ponds may be impacted by other environmental regulations. Those regulations may encompass one or more of the DNR programs listed above. Consider the following:

- Reclamation of basins could be subject to additional DNR requirements if discharges to groundwater exceed standards pursuant to ch. NR 140.
- Measures that include removal or in-situ reclamation of basins may evoke provisions in your ordinance, and s. NR 135.26 – Approval of Alternate Requirements, if any modifications to the reclamation plan are unable to meet the standards in NR 135 Subchapter II. This process includes a DNR review, county public notice, and right to a hearing.
- Removal or in-situ reclamation options should address risk of discharge potential to exceed groundwater standards.
- Removal or in-situ reclamation should address site specific options to eliminate contact exposure (cap, cover, or other measures) per ch. NR 718 rules.

Per the s. NR135.06(5), Wis. Adm. Code, reclamation of non-metallic mines and associated structures is subject to compliance with applicable environmental regulations. Furthermore, the DNR has reasonable concern that contamination to groundwater can or may have occurred as a result of operations. Additional groundwater

monitoring may be required as part of the Non-Metallic Mining WPDES operations permit. The DNR requests full disclosure of information by Chippewa County and Superior Silica to determine compliance with stormwater, wastewater, solid waste, and hazardous waste regulations.

If you have any additional questions, please feel free to contact me at Roberta.Walls@Wisconsin.gov or 608-785-9272.

Sincerely,



Roberta Walls
WDNR Non-Metallic Mining Coordinator

cc: Sharon Masek, Superior Silica
Matthew J. Frank, Murphey Desmond Lawyers S.C.
Andrew Simek, WDNR
Ben Callan, WDNR