



REGION 5
CHICAGO, IL 60604

April 22, 2024

Mr. John Jolly
Senior Environmental Manager
NCR Voyix
3091 Satellite Boulevard, 2nd Floor
Duluth, Georgia 30096
john.jolly@ncrvoyix.com

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 1'; Allied Paper, Inc./Portage Creek/Kalamazoo River Superfund Site

Dear Mr. Jolly:

Thank you for your letter dated March 15, 2024 submitting a third draft of the 'Area 4 TCRA Removal Work Plan, Part 1' and revised drawing set. The submittal was in response to EPA letters dated December 21, 2023 and February 8, 2024 requesting NCR Voyix correct a list of items that EPA identified as errors, omissions, or inconsistencies in the work plan, which was conditionally approved on November 1, 2023. The purpose of this letter is to conditionally approve the third draft of the workplan, pending a revised submittal incorporating input from the selected general contractor.

Though NCR Voyix has addressed the majority of EPA's comments submitted in the February 8, 2024 letter, several important comments and clarifications are offered below to the subject draft:

- 1) Riverbanks in Subarea F & G will ultimately be restored at dam-out elevations as a component of the 'Part 2' work plan (Section 5.6 Riverbank Temporary Stabilization Measures).
- 2) The project organizational chart (Figure 4) should be updated to reflect staff changes identified in the March 25, 2024 letter from NCR Voyix.
- 3) The note '(work to be performed by others)' should be struck from the notes relating to Stage 2A on drawings GE-006 and GE-007 as they are inconsistent with Section 5.
- 4) It should not be assumed that 'Beaver Island' sediments can be stockpiled for reuse as stated in the note on drawing DE-107 and Appendix B (Page #01 20 00-14), as START has yet to conduct a more complete characterization of sediments in that area to determine the appropriate management of this material.
- 5) EPA considers installation of the temporary WCS in 'Part 1' to be independent of the 'Part 2' workplan. As stated in the technical memorandum in Appendix C, the temporary WCS will be

important to 'actively manage the reservoir elevation to provide the greatest flexibility to support dredging efforts' during 'Part 1' dredging. EPA does not agree with the statement in the technical memorandum that "the installation of the WCS is contingent on approval of the Part 2 Removal Work Plan for the TCRA," or that "Construction of the WCS will not be initiated until the General Contractor is prepared to begin Part 2 activities." These statements should be removed from the technical memorandum in Appendix C.

EPA expects, as stated in Figure 3 of the submittal, that a detailed construction schedule for all 'Part 1' work components incorporating contractor input will be provided **by May 10, 2024**, a Notice to Proceed will be issued **by June 7, 2024**, and dredging will start **by September 15, 2024**.

Please submit a revised Removal Work Plan and corresponding design drawings which incorporates the above comments and input from the general contractor selected **by June 15, 2024**.

In addition, please ensure that EPA is consulted, and that appropriate land use permits from Michigan DNR are obtained, prior issuance of a Notice to Proceed for any field work by the general contractor or sub-contractors.

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