



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES ¹

Jim Doyle, Governor
Matthew J. Frank, Secretary
Lloyd L. Eagan, Regional Director

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August 28, 2009

Ms. Laura Olah
CSWAB
E12629 Weigand's Bay South
Merrimac, WI 53561

Subject: Request for Nitrotoluene Isomer Testing in Groundwater & Drinking Water

Dear Ms. Olah:

I am writing in response to your letter dated August 10, 2009, in which you request testing for nitrotoluene isomers groundwater and drinking water. Specifically you ask the Department to recommend that the Army add the isomers 2-nitrotoluene (2-NT), 3-nitrotoluene (3-NT), and 4-nitrotoluene (4-NT) to the ongoing Badger Army Ammunition Plant groundwater monitoring program.

The Department has carefully reviewed your request and has concluded that the testing you request is not warranted at this time. An explanation is provided below. In addition, please refer to the overview of monitoring for the three nitrotoluene isomers and other analytes at the Propellant Burning Ground and the Deterrent Burning Ground, provided to you in the letter from DNR Secretary Matt Frank, dated June 2, 2008.

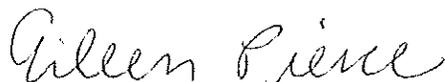
Please note, the Health Advisory Levels for 2-NT, 3-NT, and 4-NT are 0.15, 200, and 2 ug/l, respectively.

The 2007 analytical results for the monitoring wells in the vicinity of the Propellant Burning Ground were well below the respective Health Advisory Levels for two of the three nitrotoluene isomers, specifically 3-NT and 4-NT. The results for one of the isomers, 2-NT, were slightly above the Health Advisory Level at several groundwater monitoring wells in the vicinity of the Propellant Burning Ground. In response the Department recommended that the Army conduct additional testing south of the Propellant Burning Ground and in the vicinity of the Deterrent Burning Ground. The Army conducted this testing in April 2008. The 2008 analytical results were below Health Advisory Levels for all three isomers in all the wells sampled. All of the results for 2-NT were less than half of the respective Health Advisory Level. Results for 2-NT from well nest ELM-9501 were one third or less than the respective Health Advisory Level. The ELM-9501 well nest is located approximately 3,000 feet from the Weigand's Bay area, on the eastern boundary of the Badger Army Ammunition Plant.

None of the nitrotoluene isomer results were above or even close to exceeding the associated Health Advisory Levels anywhere near or beyond the boundary of the Badger Army Ammunition Plant. Thus, at this time, the Department cannot justify recommending that the Army conduct additional monitoring of nitrotoluene isomers in groundwater monitoring and drinking water supply wells in the area. However, we will keep this request in mind as we continue our ongoing regulatory oversight of the Army's activities at the Badger Army Ammunition Plant.

Thank you for your interest in this important matter. If you have further questions on this topic, please contact Hank Kuehling, DNR Hydrogeologist, at 608-275-3286.

Sincerely,



Eileen F. Pierce
South Central Region Air & Waste Leader

cc: Lloyd Eagan – SCR Director
Bob Egan – USEPA
Joan Kenney - BAAP
Hank Kuehling – SCR
Henry Nehls Lowe - DHS
Randy Poelma – HCN
Rick Walgenbach - USDA

CSWAB

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August 10, 2009

SENT BY ELECTRONIC MAIL & POST

Eileen Pierce, NR Manager
Wisconsin Department of Natural Resources
3911 Fish Hatchery Road
Madison, WI 53711

Dear Ms. Pierce,

In its March 17, 2008 letter and Final Determination of Remedy for the Propellant Burning Ground Waste Pits Subsurface Soil at Badger Army Ammunition Plant, the Department made a commitment to consider modifications of the groundwater monitoring program relevant to degradation products of DNT (dinitrotoluene) when an alternative feasibility study for remedial action for groundwater contaminants is submitted by the Army.

Unfortunately, during the more than 16 months since this decision was issued, additional private wells have been affected as DNT contamination has moved further from sources areas and has migrated to nearby rural neighborhoods. Moreover, we have not seen any substantive progress in securing improved testing of private wells or in the anticipated issuance of a draft FS.

Affected families rely on the Army's test results to monitor groundwater quality in their community and to determine whether not their drinking water is safe to use. Current test methods utilized at Badger still do not target nor provide test results for all degradation products of DNT identified by the Wisconsin Division of Public Health in its September 30, 2006 Health Consultation, specifically 2-, 3- and 4-nitrotoluene. This deficiency is inclusive of rural residential areas where DNT is a known or potential contaminant of concern.

Ultimately we are reliant on the WDNR as the appropriate regulatory agency to implement health-based recommendations – multiple requests directly to the U.S. Army by the public, affected community members, local government, and members of the Badger Restoration Advisory Board have not garnered desired improvements in testing protocols and reporting.

We are writing, therefore, to ask the WDNR to make a recommendation to the Army at Badger Army Ammunition Plant that 2-, 3-, and 4-nitrotoluene be immediately added as targeted testing parameters for groundwater and well water in areas where DNT is a known or potential contaminant of concern and that numerical results be reported to residents, regulators, and the public.

We look forward to your reply and assistance in resolving this long-standing concern.

Sincerely,



LAURA OLAH
Executive Director