



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7**

11201 Renner Boulevard
Lenexa, Kansas 66219

VIA EMAIL

John Phillips
Director of Public Works
City of St. Charles, Missouri
John.Phillips@stcharlescitymo.gov

Lisa Meyer
Manager, Environmental Services
Ameren Missouri
LMeyer2@ameren.com

RE: Findett Corp. Superfund Site, OU4 - EPA's Findings and Required Work
St. Charles, St. Charles County, Missouri

Dear Mr. Phillips and Ms. Meyer:

In recent weeks, the EPA has been in frequent discussions with the city of St. Charles and Ameren regarding many issues involving the Elm Point Wellfield, including the city's concerns over decreased ammonia levels, as well as the continued pumping of CW-4 to waste. For the reasons set forth below, the EPA requests the city to: (1) turn off CW-4 as soon as possible; and (2) refrain from interfering with the response action so as to allow work to proceed with EPA approval.

Restart of CW-4

On July 20, 2023, the EPA was notified about the city's intent to restart City Well 4. The city originally stated CW-4 would be pumped to waste for 30 days, beginning on July 31. The purpose of this was stated to be a mechanism for the city to determine whether there would be a risk of transmitting contaminated water to the city's treatment plant if CW-4 was put into production. The EPA requested the city to delay starting CW-4 until August 7 to allow time for a sampling schedule to be developed. The city agreed to postpone restarting CW-4 and the well was restarted on August 7. Once the well was restarted, Ameren sampled CW-4 on a schedule established by the EPA and agreed upon by all parties. Since CW-4 was restarted it has been pumped to waste and never been sent to the city's drinking water treatment plant.

The city notified the EPA it planned to continue pumping CW-4 beyond the initial 30-day period to help calculate the projected load on its GAC system and test the efficacy of the interim measures installed by Ameren (e.g., the ZVI barrier walls). These interim measures were modeled based on a pumping rate of CW-4 of 750,000 gallons per day, in lieu of the current pumping rate of 1.2 million gallons day.

On August 14, the EPA was notified that the city had experienced a drop in ammonia levels that resulted in the city shutting down the drinking water treatment plant, and the city was purchasing all its water from the city of St. Louis. The city expressed concern that the ammonia may be associated with recent



interim measures conducted by Ameren, specifically sodium persulfate and bio augmentation injections. The EPA began conducting extensive ammonia sampling to determine whether the injections that occurred under the EPA's oversight resulted in this drop in ammonia. The EPA previously requested the city to turn off CW-4 to assist with the sampling of this ammonia by close of business on September 15.

The city expressed an interest in continuing to operate CW-4 until the middle of October. On September 15, the EPA requested the city turn off CW-4 on the morning of September 25 to allow sampling related to the ammonia investigation to continue. The city said it would consider the request but would prefer to leave the well running until mid-October.

Ameren Extraction Well Installation

On August 28, 2023, Ameren transmitted its initial workplan for installation of an extraction well within the Huster Road substation. The stated intention of the well was "to provide additional protection to mitigate the risk of CW-4 drawing impacted groundwater offsite." The EPA held a call with Ameren to discuss its initial comments and based on this discussion, Ameren made revisions to the work plan and resubmitted it to the EPA. The EPA provided additional written comments on the revised report on September 6. On September 7, the EPA sent the work plan to the city for its information and comment, with a deadline for comment of September 21, 2023.

On September 11, 2023, Ameren sent a letter to the EPA stating Ameren's intention to continue with installation of an extraction well on September 14, 2023, despite not receiving approval from the EPA to perform this work. On September 13, the EPA transmitted a letter expressing concern about Ameren proceeding with work in the Elm Point Wellfield that is not conducted in accordance with an EPA-approved workplan. Ameren has stated its intention to not proceed with well installation until receiving EPA approval of the work plan.

Changing Contamination at CW-4

In the interim, Ameren has been conducting routine sampling of the newly restarted CW-4. On September 12, 2023, Ameren transmitted sampling reports to the EPA showing a continued increasing trend of contaminants in monitoring wells upgradient of CW-4 on the substation side of the ZVI wall and the first possible detections of vinyl chloride and DCE in CW-4. These detections are J-coded, meaning they could be present, but if they are, the concentrations are below reporting limits and are considered estimated data. The EPA made the city aware of this sampling information on a call on September 13, 2023, and posted the data on its data sharing site for the city to review on September 14. Though a single J-coded detection is not a public health concern, it may be an indication that contamination is being drawn from the substation to CW-4.

On the morning of September 15, I contacted Brad Temme and John Phillips to discuss an issue related to our interactions with the congressional delegation regarding the site. During that call, I expressed concern regarding the city's recent pumping of CW-4 and detections that indicate changing levels of contamination within CW-4.

On the morning of September 15, technical staff from the EPA and Ameren discussed the J-coded detections within CW-4 as part of a scheduled meeting to discuss sampling for ammonia. A few hours later, the EPA received a letter from Ameren (enclosed) stating its concern that the city's continued operation of CW-4 could spread contamination. Specifically, the letter states "current VOC data from CW-4, its sentinel wells MW-17S and MW-17D, and adjacent monitoring wells MW-4 and MW-9

which demonstrate that contamination within the substation continues to be actively pulled towards CW-4.” The EPA agrees with this concern, especially as documented by last week’s sampling results from CW-4.

Temporary Restraining Order filed by the City

On September 14, the city filed a cease-and-desist order and a temporary restraining order against Ameren, preventing Ameren from performing this work without EPA approval and a permit issued by MoDNR. While the EPA objected to Ameren installing a well without EPA approval, the EPA also objects to potential interference by the city in a CERCLA response action. Once the EPA approves the work plan, Ameren must proceed with the EPA-approved CERCLA response action without interference.

In the City’s letter to Ameren dated September 18, 2023, it conceded that Ameren has committed not to begin well installation in the absence of an EPA-approved work plan. The City also appeared to recognize that CERCLA Section 121(e)(1) would apply to the well installation upon EPA’s approval of the work plan, meaning that its local permits would be pre-empted by CERCLA.

Next Steps

In light of the facts outlined above, the EPA requests the following of the city:

1. Turn off CW-4 as soon as possible.
2. Take whatever action necessary to allow work to proceed with EPA approval, so as not to interfere in the response action. Ameren has committed not to proceed with well installation until receiving EPA approval of the work plan, and the City has acknowledged that its local permits will be pre-empted by CERCLA Section 121(e)(1) upon EPA’s approval of the work plan.

It is appropriate to take these steps to ensure that progress at the site, specifically additional site characterization, the focused feasibility study, any changes to the selected remedy, as appropriate, and remedy design and implementation, continue. The continued pumping of CW-4 deters from these objectives and may exacerbate contamination at the site, exposing the city to liability.

If you have any questions or would like to further discuss any of the above information, please do not hesitate to contact me.

Sincerely,

Robert D. Jurgens
Director
Superfund and Emergency Management Division

Enclosure