

FILE: 6-297(014)000; PCN 24115 ND 297 (Demers Avenue) & 42nd Street Grade Separation

November 24, 2025

Chris Dahl, P.E.
Bolton & Menk, Inc
3168 41st Street South, Suite 2
Grand Forks, ND

Subject: Approval of Soil Reuse

Dear Mr. Dahl:

This letter is in response to the request for reuse of the soil from the Demers Project which will encompass the intersection of 42nd Street South and Demers Avenue in Grand Forks, ND. A Phase II Environmental Assessment was conducted of the project area which indicated soil analytical values above Residential Tier I Risk Based Corrective Action (RBCA) standards for soils protective of groundwater for lead, benzene, dichloromethane, naphthalene, arsenic, barium, and cadmium.

The request is to reuse the soil that is above the RBCA standards for arsenic, barium, and cadmium from the project at the Ray Richards Golf Course. The Ray Richards Golf Couse is located at 3501 Demers Ave in Grand Forks, ND which is approximately 1,000 feet southwest of the project. Due to the proximity and similar soil characteristics, the North Dakota Department of Environmental Quality (Department) approves of the reuse of only the arsenic, barium, and cadmium impacted soil at the Ray Richards Golf Couse in non-wetlands and non-waterways (ex. English Coulee). However, should you want to reuse the soil to fill in any wetlands or other waterways (ex. English Coulee), a separate request must be submitted to the Department's Special Projects Program for § 401 Clean Water Certification and the U.S. Army Corps of Engineers for review and approval as they must meet Water Quality Standards for waters of the state. Information regarding the requirements and process for § 401 Clean Water Certification for the state of North Dakota can be found at https://deq.nd.gov/WQ/5_Special_Projects/default.aspx .

If you have any questions or concerns, please contact Robin Beyer at rbeyer@nd.gov or at 701-328-5149; or Diana Trussell at dtrussell@nd.gov or 701-328-5164. Should you have any

4201 Normandy Street | Bismarck ND 58503-1324 | Fax 701-328-5200 | deq.nd.gov

Director's Office
701-328-5150

Division of
Air Quality
701-328-5188

Division of
Municipal Facilities
701-328-5211

Division of
Waste Management
701-328-5166

Division of
Water Quality
701-328-5210

Division of Chemistry
701-328-6140
2635 East Main Ave
Bismarck ND 58501

questions about the water quality standards for wetlands please contact Tate Libunao at Tlibunao@nd.gov.

Sincerely,



Robin Beyer, Manager
Hazardous Waste Program
Division of Waste Management
RB:tas



Diana A Trussell, Manager
Solid Waste Program
Division of Waste Management
DAT:tas

cc.

Alexis Wanek (NDDOT)
Patty Winn (NDDOT)
Michael Johnson (NDDOT)
Aaron Warford (NDDOT)
Wayne Zacher (NDDOT)
Cory Lawson (NDDOT)
Olivia Campbell (Braun Intertec)
Daniel Barrett (Braun Intertec)
Josh Kadrmas (Braun Intertec)
Joshua Wert (NDDEQ)
Tate Libunao (NDDEQ)