

## Willkom, Mae - DNR

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**From:** Willkom, Mae - DNR  
**Sent:** Thursday, August 2, 2018 4:05 PM  
**To:** 'Bartholomew, Craig O CIV USARMY USAG (US)'  
**Subject:** RE: RCRA Permit

As we discussed by phone this morning, the WDNR file for CLF7 shows that the date on the September 30, 1997 permit mod was later stricken and replaced with the date of November 13, 1997 by "MM" [likely Margaret McCue(sp?), who signed the permit mod for Norman R. Niedergang.] The CLF7 file also contains partial pages from an accompanying Statement of Basis (SB). The SB contained a section entitled, "Solid Waste Management Units Not Requiring Corrective Action," which included (in part) pages of narrative regarding the IEOD, CLF7, CLF8, and CLF9. Unfortunately, the file contains only those select pages, and an EPA website search (<https://cumulis.epa.gov/supercpad/cursites/cadminrecord.cfm?id=0505263&doc=Y&colid=65683>) returns only the date of the SB (4/29/97), not the complete document itself. My guess would be that the SB also covered CLF10. Although CLF7, 8, 9 and 10 were not covered in the original RCRA Facility Investigation (RFI) Report, an RFI addendum was issued in 1995 to include them, which is likely why Colleen presented them in the current SB.

By the time I took over case management, sites were being handled under a 2006 "One Cleanup Memorandum of Agreement (MOA) with EPA, which I understood to be the reason that new sites were no longer being wrapped into the federal permit process. I conducted another EPA website search to confirm that, and found the following speaker's notes in Module 3, Slide 12, of EPA's "Corrective Action Authorities and Guidance" training at <https://www.epa.gov/sites/production/files/2016-04/documents/mod3.pdf>. The slide is titled "Alternate State Cleanup Programs."

"States will often use their alternate cleanup programs to accelerate cleanups at facilities subject to RCRA CA. For example, a RCRA facility may have 45 SWMUs identified, but only 20 SWMUs are currently subject to a CA order issued by the EPA Region. The State or owner or operator could choose to address the remaining 25 SWMUs, not covered by the order, under an alternate state cleanup mechanism instead of a RCRA permit."

I think this guidance is very clear in confirming the appropriateness of having used Wisconsin's One Cleanup MOA with EPA to handle the remainder of Fort McCoy's cleanups outside the framework of the CA permit which EPA is seeking to terminate.

Hope this helps answer some of your questions. Thanks.

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-----Original Message-----

From: Bartholomew, Craig O CIV USARMY USAG (US) <[craig.o.bartholomew2.civ@mail.mil](mailto:craig.o.bartholomew2.civ@mail.mil)>  
Sent: Wednesday, August 1, 2018 7:32 AM  
To: Willkom, Mae - DNR <[Mae.Willkom@wisconsin.gov](mailto:Mae.Willkom@wisconsin.gov)>  
Cc: Herzog Blumer, Susan R CIV USARMY IMCOM (US) <[susan.r.herzogblumer.civ@mail.mil](mailto:susan.r.herzogblumer.civ@mail.mil)>  
Subject: RCRA Permit

Mae,

Here is what I have regarding the original RCRA permit and modifications. It would appear that the permit does contain 11 sites (CLF2, CLF3, Grit Area [later combined with CLF3], CLF4, CLF5 [referred to as active landfill], CLF6, one EOD site [I believe this is IEOD], PDA, FTBP1, FTPB2, and CLFX (which was never located). Based upon the fact that CLF3 and the Grit Area were later combined, it looks like this only includes 10 sites. As we discussed, I am not certain why the Statement of Basis includes sites that are not part of the permit. If there is a need to include sites not in the permit, then all of the sites included on the attached list would need to be included, which I think would be a very bad idea.

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