



September 25, 2018

Mr. Douglas Ballotti
Acting Director
Superfund Division
U.S. EPA- Region 5
77 West Jackson Boulevard
Chicago, IL 60604

Subject: Concurrence on the Draft Explanation of Significant Differences (5/15/18)
Schmalz Dump Superfund Site, Route 2 Fire Lane 1, Harrison Wisconsin
CERCLA ID No. WID980820096
BRRTS# 02-08-000169

Dear Mr. Ballotti:

This letter is provided by the Wisconsin Department of Natural Resources (WDNR) to document the State's concurrence with an Explanation of Significant Differences (ESD) to the Record of Decision (ROD) issued on September 30, 1987 for the soil capping operable unit two (OU2) of the Schmalz Dump Superfund Site, Harrison Wisconsin. We believe the modifications described in the August 17, 2018 Draft ESD are consistent with the requirements of Wisconsin statutes and administrative rules.

The purpose of the ESD is to document a final decision to include Institutional Controls (ICs) as part of the remedy. The ICs are required at the Schmalz Dump Superfund Site to meet the following objectives, among others:

- Prohibit any activity that would adversely affect the integrity of the remedy implemented at the Site including the cap and the fence.
- Maintain remedy components including the cap and the fence.
- Require notification and pre-approval from DNR for any change in land use to residential, recreational, and commercial uses at the Site.
- Prevent current and future property owners from interfering with the remedy or disturbing the cap.

The Continuing Obligations (COs) for this Site may require:

- Residual wastes and soil contamination to be properly managed, should they be excavated or removed.
- Groundwater wells to be properly filled and sealed when monitoring is no longer required.
- A soil cover to be maintained over waste, with DNR approval for any changes to this barrier.
- Permission from WDNR before land use may be changed in any way to determine if additional environmental work is needed.
- Annual Site inspections to ensure compliance with the ICs.

Additionally, this Site will be included on the Bureau for Remediation and Redevelopment Tracking System (BRRTS on the Web) to provide public notice of residual contamination and of any continuing obligations. Also, WDNR approval prior to well construction or reconstruction is required for all sites with continuing obligations, in accordance with Wis. NR 812.09 (4) (w), Wis. Adm. Code. This requirement applies to private drinking water wells and high capacity wells.

The Department concurs with this modification to the selected remedy at Schmalz Dump Superfund site.

Thank you for support and cooperation in addressing the contamination at the Schmalz Dump Superfund site. Should you have any questions regarding this matter please contact Judy Fassbender at (608) 266-7278.

Sincerely,



Darsi Foss, Director
Remediation and Redevelopment Program

Cc Kevin McKnight, Roxanne Chronert, NER
Giang-Van Nguyen, U.S. EPA- Region 5