

EXPLANATION OF SIGNIFICANT DIFFERENCES
NATIONAL PRESTO INDUSTRIES, INC. SUPERFUND SITE
OPERABLE UNIT 3
EAU CLAIRE, WISCONSIN
EPA SITE ID: WID006196174

PREPARED BY:

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5



March 2024

I. INTRODUCTION TO THE SITE AND THE STATEMENT OF PURPOSE

The National Presto Industries, Inc. Superfund Site (Site) is located in Eau Claire, Wisconsin.

The Site consists of three Operable Units (OUs):

- OU1 includes an interim action for plume containment at two locations on the Site.
- OU2 includes the construction of an Alternate Water Supply (AWS).
- OU3 includes a final site-wide remedy which includes waste removal from source areas, a soil vapor extraction (SVE) system, capping at the Melby Road Disposal Site (MRDS) and long-term groundwater monitoring.

A Site location map is included in the figures.

The U.S. Environmental Protection Agency (EPA) is issuing an Explanation of Significant Differences (ESD) for the National Presto Industries, Inc. Superfund Site (Site) (CERCLIS ID# WID006196174) in Eau Claire, Wisconsin to modify the scope of the remedy selected in the May 15, 1996, Record of Decision (ROD) (1996 ROD) for Operable Unit 3 (OU3). Remedial actions to address this modification to the scope of the 1996 ROD have already been implemented. These changes to the scope of the remedy selected in 1996 ROD are being made as a result of new information that EPA received subsequent to the issuance of the 1996 ROD. This document sets the basis for issuing an ESD to the 1996 ROD.

The EPA is the lead agency for the Site and the Wisconsin Department of Natural Resources (WDNR) is the support agency. Section 117(c) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9617(c) and Section 300.435(c)(2)(i) of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 C.F.R. § 300.435(c)(2)(i), establish procedures for explaining, documenting, and informing the public of significant changes to a remedy that occur after a ROD is signed. An ESD is required when the remedial action differs significantly from the remedy selected in the ROD but does not fundamentally alter the remedy with a respect to scope, performance, or cost.

The remedy selected in the 1996 ROD consists of the final remediation of source areas, and the continued remediation of groundwater plumes emanating from the Site. This ESD documents two significant changes to the selected remedy for OU3. The modification to the scope of the Selected Remedy in the 1996 ROD documented by this ESD includes:

- The addition of five source areas consisting of soil contamination discovered and remediated after issuance of the 1996 ROD. These five additional areas were: East Extension of Lagoon No. 1; West of Former Lagoon No. 1 in Southwest Corner; Swale between Former Lagoons No. 3 and No. 4; Southwest Corner of Former Lagoon No. 2 and the Loading Dock Area.

- Additional Institutional Controls (ICs) than originally described in the OU3 ROD.

As explained below at greater length, the OU3 ROD required ICs in the form of a deed restriction placed at the MRDS to limit land use in the future development of the capped area. The OU3 ROD also recognized that municipal ordinances were in effect to prevent area residences and businesses from using wells in the areas affected by Plumes 1-2, 3, 4 and 5 for drinking water.

In accordance with Sections 300.435(c)(2) and 300.825(a)(2) of the NCP, 40 C.F.R. § 300.435(c)(2) and 40 C.F.R. § 300.825(a)(2), respectively, this ESD and supporting documentation will become part of the administrative record for the Site. The documents included in the update to the administrative record to support this ESD are included in Appendix A. The administrative record and Site information repository is available for public review at:

L.E. Phillips Memorial Public Library
400 Eau Claire Street
Eau Claire, Wisconsin 54701

U.S. EPA Region 5 Records Center
77 W. Jackson Blvd. (SRC-7J)
Chicago, Illinois 60604
312-886-0900

II. SITE HISTORY, CONTAMINATION, AND SELECTED REMEDY

Historical industrial activities at the Site primarily consisted of defense-related manufacturing, storage, and maintenance activities conducted intermittently from 1947 through 1993. Early waste-handling practices related to the manufacturing activities on the Site included the use of dry wells and seepage lagoons. Manufacturing wastes were also discharged to a former sand and gravel pit. The major waste stream was waste forge compound, which was composed of mineral oil, graphite, and asphalt. National Presto Industries (NPI) discharged wastewater containing significant amounts of waste forge compound to Lagoon No. 1. From 1966 to 1969, waste forge compound was also landfilled on-site in an area referred to as the MRDS.

In March 1981, routine groundwater sampling by the State of Wisconsin detected volatile organic compounds (VOCs) in the City of Eau Claire's municipal water supply. Contaminants of concern (COCs) included VOCs such as trichloroethylene (TCE), 1,1-dichloroethene (DCE), 1,1-dichloroethane (DCA), and 1,1,1-trichloroethane (TCA). In addition to monitoring the municipal production wells, the City began testing private residential wells located immediately northeast of the municipal well field. VOCs were detected in several of the residential wells at concentrations above drinking water standards. TCE was identified as the main COC. The contaminants observed in the source areas on the Site have migrated vertically through the unconsolidated soils to the groundwater and then traveled within the aquifer following buried valleys. There is a direct relationship between the contaminants at the Site and those found at

the Eau Claire Municipal Well Field (ECMWF), where groundwater contamination was first detected.

Implementation of CERCLA response actions at the Site have been managed as three OUs. OU1 consists of an interim action of groundwater pump and treat systems at NPI. OU2 consists of constructing an AWS to address contaminated drinking water north of the NPI site. OU3 is the final site-wide remedy which addresses the MRDS and includes the cap and soil vapor extraction (SVE) system remedy.

In addition, on October 14, 1993, EPA, the National Defense Corporation (NDC) and NPI entered into an Administrative Order on Consent (AOC) for the performance of time-critical, on-site removal activities (EPA, 1993). This AOC, subsequently modified on November 4, 1994 (EPA, 1994), provided for: (1) time-critical excavation of the waste forge compound from Lagoon No. 1 and the East Disposal Site (EDS), and (2) use of waste material as a supplemental fuel at a cement kiln approved under CERCLA. Non-time-critical components of the removal action included characterization, evaluation, design, and remediation of soils and soil gas, if any, remaining in Lagoon No.1 after the excavation was complete. Removal of the wastes began in 1993, and almost all the waste forge compound materials had been excavated from Lagoon No. 1 and the EDS by the end of 1995.

The final site-wide remedy was identified in the May 15, 1996, ROD for OU3 and is the subject of this ESD. The remedial action objectives for OU3 selected in the 1996 ROD were:

- The objective of the SVE system is to prevent future releases of VOCs into the groundwater.
- The objective of the waste consolidation, off-site disposal and multi-layer cap is to eliminate exposure to contaminated soil and prevent migration of contaminants into the groundwater.
- The objective of the groundwater monitoring is to ensure the effectiveness of the chosen groundwater remedies.

In addition to those response actions previously completed and underway at the Site at the time of the issuance of the 1996 ROD, EPA determined that the following additional measures should be implemented in order to fully address all threats to human health and the environment posed by contamination at the Site:

- MRDS and EDS: Installation of a Soil Vapor Extraction (SVE) system at the MRDS. Removal of identified concentrated wastes, if any, at the MRDS. Excavation and consolidation of EDS wastes with MRDS wastes and installation of a multi-layer cap compliant with Wisconsin Administrative Code (WAC) Chapter NR 660 (now NR 664, Subchapter N) over the combined wastes at the MRDS. The ROD also stated that EPA

would seek deed restrictions limiting land use in the future development of the capped area.

- Drainage Ditch #3: Removal of soils contaminated with waste forge compound and their consolidation with wastes at the MRDS.
- Dry Wells #2 and #5: Removal of contaminated soils with off-site disposal.
- Plume 1-2: Continued operation of the two-column air stripper at the leading edge of the groundwater contaminant plume (at the ECMWF site), continued operation of the NPI site (Southwest Corner) pump-and-treat system to prevent the off-site migration of contaminated groundwater, and long-term groundwater monitoring of Plume 1-2.
- Plumes 3 and 4: Continued operation of the MRDS groundwater pump-and-treat system to prevent the off-site migration of contaminated groundwater, long-term groundwater monitoring of Plumes 3 and 4, and surface water sampling in Lake Hallie.
- Plume 5: Long-term groundwater monitoring of Plume 5 and surface water sampling in Lake Hallie.

The Selected Remedy also included long-term operation, maintenance, and repair of the ECMWF air stripper and the installation and operation of on-site groundwater extraction wells at the MRDS and Southwest Corner downgradient of Lagoon No. 1 and Drainage Ditch No. 3.

In December 2009, EPA issued an Explanation of Significant Differences (ESD) to describe a difference from the groundwater cleanup goals originally selected in the 1996 ROD (EPA, 2009). The cleanup goals for the Site groundwater contaminants are the WAC Ch. NR 140 Enforcement Standards (ESs) included in the 2009 ESD. The ESs are equivalent to the federal maximum contaminant levels (MCLs) for the Site COCs with the exception of 1,1-Dichloroethane which does not have an MCL. The 2009 ESD noted these standards should be used to monitor and determine compliance with groundwater quality at the NPI site.

III. BASIS FOR THE DOCUMENT

Inclusion to document actions taken to remediate five on-site source areas

When EPA determines that a remedial action, as ultimately implemented, differs from the remedy originally selected for a Superfund site, but also determines that the change does not fundamentally alter the remedy originally selected, the EPA will publish an ESD.

The 1996 ROD identified areas of concentrated waste materials and selected disposal of these

materials off-site or at the MRDS. The identified wastes included: waste forge compound mixed with soil from the EDS which was excavated and consolidated with wastes at the MRDS, 3,000 yd³ of soils mixed with small quantities of waste forge compound at Drainage Ditch 3 were to be consolidated at the MRDS, and 50 yd³ of contaminated soils and sediments at Dry Wells 2 and 5 were to be disposed at an off-site facility.

NPI also conducted several other excavations of material contaminated with waste forge compound, although they were not specifically required by the 1996 ROD. The contamination in these areas were not identified until after the 1996 ROD. The following areas were identified as needing excavation after the 1996 OU3 ROD was issued: East Extension of Lagoon No. 1; West of Former Lagoon No. 1 in Southwest Corner; Swale between Former Lagoons No. 3 and No. 4, Southwest Corner of Former Lagoon No. 2, and the Loading Dock Area. These areas are the subject of this ESD.

After the signing of the 1996 ROD, NPI identified additional areas that contained contaminated soils and wastes. In 1998 additional soil sampling was conducted at the East Extension of Lagoon No. 1 to an area of soil where buried drums were removed, and field screening indicated the presence of contaminants. NPI disposed of the additional 350 yd³ of material at an off-Site landfill, as the MRDS had reached its capacity by that time.

NPI identified the area west of Lagoon No. 1 in the southwest corner of the property as contaminated in 1998. NPI excavated the 190 yd³ of material and consolidated it in the MRDS.

NPI evaluated Lagoon No. 2 as part of the RI and concluded that it did not require a remedial action based on sampling data at the time. In 1999, NPI removed standing water that covered the southwest corner of Lagoon No. 2. The material underneath the standing water was investigated and found to contain waste forge compound. NPI removed the waste forge compound and soils in 2000, disposing of 3,000 yd³ of material at an off-site sanitary landfill.

In 1998, NPI excavated 60 yd³ of material from a swale between Lagoons No. 3 and 4 and disposed of it at an off-site licensed sanitary landfill.

In 2001, NPI encountered soils containing waste forge compound when the Loading Dock Area was being prepared for construction. Excavation of the soils took place in July, August, November, and December of 2001 with confirmation sampling taking place in the excavation walls and base. NPI characterized the excavated materials and shipped 1,900 yd³ of material to an off-site sanitary landfill for disposal.

The following are summaries of the actions taken to address each of these five additional on-Site sources areas:

- East extension of Lagoon No. 1 – Approximately 3,500 yd³ of material was excavated and placed in the MRDS. An additional 350 yd³ of material was excavated and disposed of off-Site at a licensed sanitary landfill.
- Area west of Lagoon No. 1 in the southwest property corner – Identified in 1998, excavations included 190 yd³ of material which was excavated and placed in the MRDS.
- Swale between Lagoons No. 3 and 4 – Identified in 1998, 60 yd³ of material was excavated and disposed of off-Site at a licensed sanitary landfill.
- Southwest corner of Lagoon No. 2 – Identified in 2000, 3,000 yd³ of material was excavated and disposed of off-Site at a licensed sanitary landfill.
- The Loading Dock Area - Identified in 2001, 1,900 yd³ of material was excavated and disposed of off-Site at a licensed sanitary landfill.

Inclusion of additional Institutional Controls to the Site Remedy

The 1996 OU3 ROD required that ICs be put in place for the MRDS in the form of a Deed Restriction. An IC in the form of an Environmental Protection Access Agreement and Declaration of Restrictive Covenants was recorded at the MRDS on October 25, 2011. No other areas or ICs were identified at the time of the OU3 ROD. Since that time, five-year reviews have identified the need for additional ICs.

The following areas were identified as requiring ICs: groundwater plume 1-2; groundwater plumes 3 and 4; groundwater plume 5; and the loading dock area cap, associated soils, and other active remediation systems.

ICs in the form of Wisconsin Continuing Obligations were placed on the Site in December 2019, in accordance with Wis. Stat. § 292.12. Continuing Obligations are legal requirements designed to protect public health and the environment from contamination that remains on a property. The Continuing Obligations placed on the Site include, but are not limited to, maintenance of the cap at the Loading Dock Area, industrial future use for areas cleaned up to industrial use standards, and proper management of contaminated soils if excavated. These ICs will still apply after a property is sold. Each new owner is responsible for complying with the Wisconsin Continuing Obligations.

State regulations may be considered a government control that imposes restrictions on land use. The State of Wisconsin through the Wisconsin Administrative Code (WAC) specifies the regulations applicable to waters of the state and to land use. The WDNR regulates the design and operation of municipal water systems through WAC Chapters NR 810 and NR 811. Section NR 810.16 prevents unused, unsafe, and noncomplying wells from acting as vertical conduits for aquifer contamination or as sources of unsafe water that could enter the public water system through cross connections. Section NR 811.06 prohibits unprotected cross-connections, and NR 811.07 prohibits interconnections between public water supply systems and other

sources of water unless permitted by the WDNR. The WAC applies throughout the state and therefore applies to the entire area, including NPI.

The OU3 ROD referenced the existence of ICs in the form of municipal ordinances, preventing area residences and businesses from using groundwater affected by plumes 1-5 for drinking water. Other uses such as irrigation and car washing were allowed as long as there was no connection to indoor plumbing. While referenced, the ROD did not require these ICs as part of the selected remedy. The groundwater affected by these plumes was also identified as needing ICs.

IV. DESCRIPTION OF SIGNIFICANT DIFFERENCES

Inclusion to document actions taken to remediate five on-site source areas.

The Selected Remedy in the 1996 ROD consists of the final remediation of on-Site source areas, and the continued remediation of groundwater plumes emanating from the Site. The modification to the scope of the Selected Remedy in the 1996 ROD documented by this ESD is the addition of five on-Site source areas consisting of soil contamination which were discovered and remediated after issuance of the 1996 ROD. These five additional areas are:

1. East Extension of Lagoon No. 1,
2. West of Former Lagoon No. 1 in Southwest Corner,
3. Swale between Former Lagoons No. 3 and No. 4,
4. Southwest Corner of Former Lagoon No. 2, and
5. The Loading Dock Area.

Excavations at these five additional areas were completed consistent with, and in the interest of, achieving the overall remedial action objectives of eliminating exposure to contaminated soil, consolidating wastes, and preventing migration of Site contaminants into the groundwater. Excavation and disposal of the contaminated soils was completed at these five additional areas consistent with the remedial action selected for on-Site source areas known at the time the 1996 ROD was implemented. These additional excavated soils were disposed of at the MRDS or shipped off-site, based on the type of contamination and/or time of excavation.

Inclusion of additional Institutional Controls to the Site Remedy

Another significant difference between the remedy selected in the 1996 OU3 ROD and the remedy as documented in this ESD is the inclusion of additional ICs as part of the Site remedy. This ESD documents the need for these additional ICs and incorporates them into the Selected Remedy for OU3.

The ICs incorporated into the Site remedy for OU3 include:

- Local municipal ordinances that restrict access to groundwater plumes 1-5, and
- The Wisconsin Continuing Obligations which were placed on the Site in 2019.

Both of these ICs are already in place and effective at the time of this ESD.

V. SUPPORT AGENCY COMMENTS

WDNR supports the significant changes to the remedy selected in the 1996 ROD for OU3 of the National Presto Industries, Inc. Superfund Site described herein. WDNR indicated approval of the ESD in a February 2, 2024, letter to EPA. This letter has been added to the Administrative Record for the Site and is also attached as Appendix B to this ESD.

VI. STATUTORY DETERMINATIONS

With the differences described in this ESD, EPA, in consultation with WDNR, has determined that the remedy for OU3 of the National Presto Industries, Inc. Site continues to satisfy the requirements of Section 121 of CERCLA, 42 U.S.C. § 9621 which are to protect human health and the environment; comply with legally applicable or relevant and appropriate requirements (ARARs); to be cost effective; to utilize permanent solutions and alternate treatment technologies to the maximum extent practicable; and to satisfy the preference for treatment as a principal element of the remedy. Since hazardous wastes will remain on-site at levels that do not allow for unlimited use and unrestricted exposure, the agencies will continue to conduct five-year reviews of the remedy.

VII. PUBLIC PARTICIPATION REQUIREMENTS

EPA will make this ESD available to the public by placing it in the Administrative Record file and the Site information repository (see Section I, above, for locations). EPA will also ensure that a notice that briefly summarizes this ESD and the reason for the significant changes is published in a newspaper of local circulation after the ESD is approved. By doing so, EPA will meet the public participation requirements of Section 300.435(c)(2)(i) of the NCP, 40 C.F.R § 300.435(c)(2)(i). An electronic copy of this ESD will also be available online at: <https://cumulis.epa.gov/supercpad/cursites/csitinfo.cfm?id=0505009>

VIII. AUTHORIZING SIGNATURE

EPA has determined that the modifications to the remedy for OU3 of the Site documented in this ESD are significant but do not fundamentally alter the overall Site remediation with respect to scope, performance, or cost. EPA therefore approves the issuance of this ESD for the National Presto Industries, Inc. Superfund Site, and the changes to the OU3 remedy documented herein.

Approved by:

3/13/2024

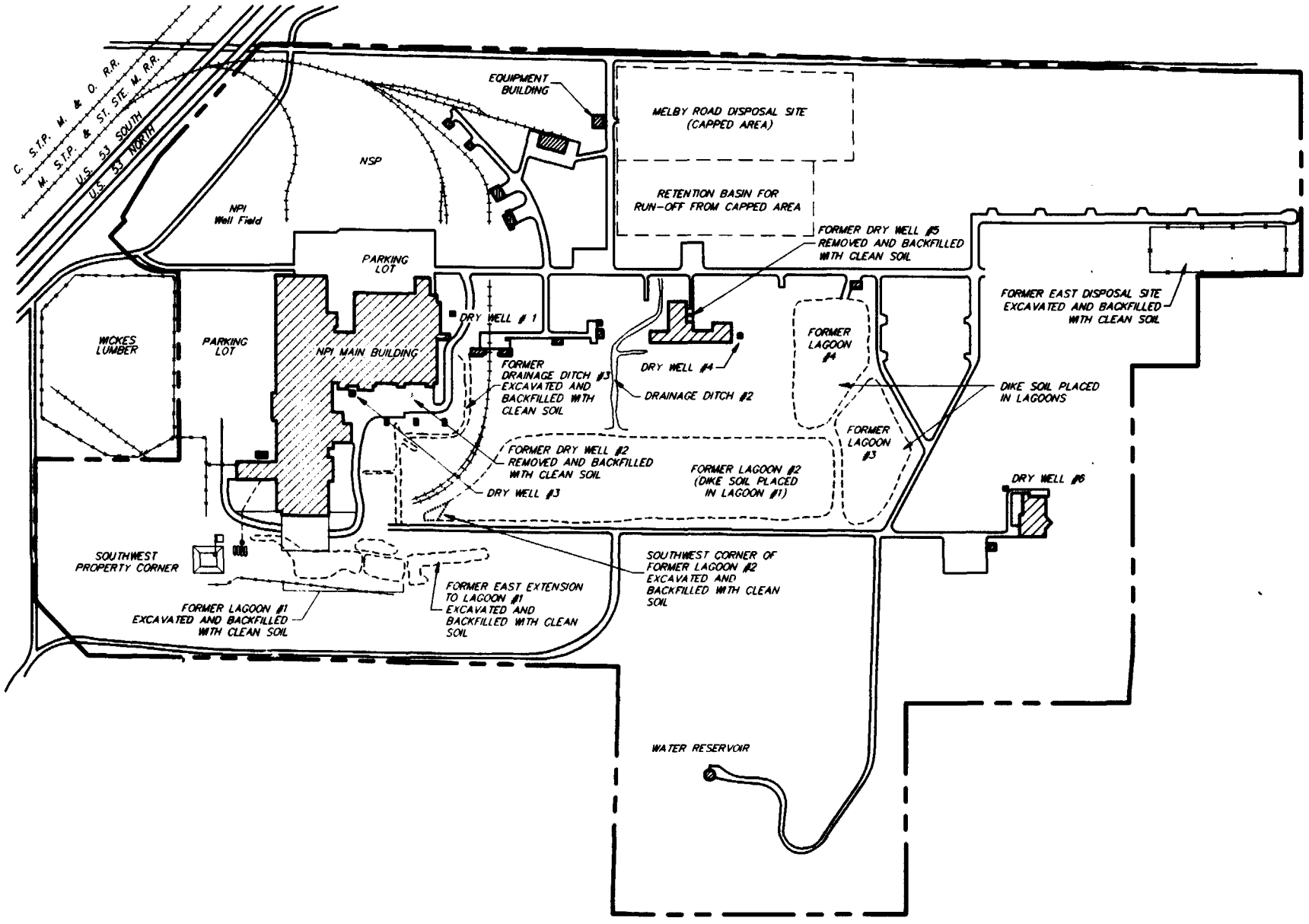
X Douglas Ballotti

Douglas Ballotti, Director

Superfund & Emergency Management Division

Signed by: DOUGLAS BALLOTTI

FIGURES



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SITE PLAN
 FIVE-YEAR REVIEW REPORT
 NATIONAL PRESTO INDUSTRIES, INC.
 EAU CLAIRE, WISCONSIN

Appendix A

Update to Administrative Record

Gannett Fleming, 1999. *Follow-up Sampling Results and No Further Remedial Action Request Drainage Ditch #3 and The East Extension of Lagoon No.1.* February 19, 1999.

Gannett Fleming, 2000. *Excavation of Material from Southwest Corner of Former Lagoon #2.* June 28, 2000.

Gannett Fleming, 2009. *No Further Remedial Action Request Loading Dock Area.* April 8, 2009.

WDNR 2019. *Wisconsin Continuing Obligations Applied.* December 2, 2019.

WDNR, 2024. *Concurrence on the Explanation of Significant Differences, National Presto Industries.* February 2, 2024.

Appendix B

Concurrence Letter from Wisconsin Department of Natural Resources



February 2, 2024

Mr. Douglas Ballotti, Director
Superfund & Emergency Management Division
U.S. EPA – Region 5
77 West Jackson Street
Chicago, IL 60604

Subject: Concurrence on the Explanation of Significant Differences, National Presto Industries Superfund Site, FID No. 609038320, Eau Claire, Wisconsin
EPA Site ID: WID006196174; DNR BRRTS Activity #02-09-000267

Dear Mr. Ballotti:

The Wisconsin Department of Natural Resources (Department) is providing you with this letter to document the Department's concurrence with an Explanation of Significant Differences (ESD) to the May 15, 1996 Record of Decision (1996 ROD), Operable Unit 3 (OU3), for the National Presto Industries (NPI) Superfund site (Site). We believe the modifications to the remedy described in the draft 2023 ESD comply with Wisconsin statutes and Administrative Code requirements.

The final site-wide remedy was identified in the 1996 ROD for OU3 and is the subject of the ESD. The remedial action objectives for OU3 selected in the 1996 ROD were:

- The objective of the SVE system is to prevent future releases of VOCs into the groundwater.
- The objective of the waste consolidation, off-site disposal and multi-layer cap is to eliminate exposure to contaminated soil and prevent migration of contaminants into the groundwater.
- The objective of the groundwater monitoring is to ensure the effectiveness of the chosen groundwater remedies.

The remedy selected in the 1996 ROD consists of the final remediation of source areas, and the continued remediation of groundwater plumes emanating from the Site. EPA is proposing changes to the scope of the remedy selected in 1996 ROD resulting from new information received after issuance of the 1996 ROD.

This ESD documents two significant changes to the selected remedy for OU3:

- The addition of five source areas consisting of soil contamination discovered and remediated after issuance of the 1996 ROD. These five additional areas were: East Extension of Lagoon No. 1; West of Former Lagoon No. 1 in Southwest Corner; Swale between Former Lagoons No. 3 and No. 4; Southwest Corner of Former Lagoon No. 2 and the Loading Dock Area.
- Institutional Controls (ICs) in addition to those originally described in the OU3 ROD.

The ICs incorporated into the Site remedy for the OU3 include:

- Local municipal ordinances that restrict access to the groundwater plumes 1-5, and
- The Wisconsin Continuing Obligations which were placed on the Site in 2019 in accordance with Wis. Stat. § 292.12.

The proposed remedial actions to address the additional source areas have already been implemented. The ICs described in the draft ESD are already in place and effective.

The Department concurs with the modifications to the selected remedy at the Site, as described above and in the draft 2023 ESD.

Thank you for your support and cooperation in addressing the contamination at the National Presto Industries Superfund site. Should you have any questions regarding this matter please contact Judy Fassbender at (414) 507-5571.

Sincerely,

A handwritten signature in black ink that reads "Christine Sieger". The signature is written in a cursive, flowing style.

Christine Sieger, Director
Bureau for Remediation and Redevelopment

Cc: Matt Thompson, WDNR
Candace Sykora, WDNR
Glenn Lautenbach, RPM, EPA Region 5