State of Wisconsin

CORRESPONDENCE/MEMORANDUM

DATE: February 22, 1991 FILE REF: 246004330

TO: Pat Brady, SED

FROM: Tim Mulholland, SW/3
Jill Jefferson, SW/3

SUBJECT: Cook Composites and Polymers Inspection
Saukville, Ozaukee County, WI 53080
EPA ID = WID980615439

On 11 February 1991, an unannounced biennial inspection was held at Cook Composites and Polymers' facility in Saukville, WI. The principal focus of this inspection was the hazardous waste incinerator and associated storage area, which are licensed by the Department of Natural Resources.

Representing the Department during this inspection were Mr. Pat Brady, engineer, Southeast District, who has the lead responsibility for the District at the facility; accompanying Mr. Brady were Ms. Jill Jefferson, hydrogeologist, and Mr. Tim Mulholland, engineer, from the Bureau of Solid and Hazardous Waste Management, who have responsibility for review of Cook Composites and Polymers' closure plan for the former incinerator, as well as a review capacity for the RCRA 3008(h) Consent Order that is applicable at this facility. Cook Composites and Polymers was represented by Mr. Lee Barwick, plant manager, Mr. Craig Bostwick, environmental and safety manager, Mr. Curt Wiskirchen, plant supervisor, and Mr. Russell Cerk, president; Mr. Cerk was not continually present during this inspection.

Most of the comments presented in this memo do not focus specifically on the inspection, but on conversations held between Cook Composites and Polymers' staff and Ms. Jefferson and Mr. Mulholland.

Discussions were held in Mr. Barwick's office in the facility office building. Cook Composites and Polymers' staff expressed their unhappiness with having been imposed upon by an unannounced inspection. It was their feeling that they had been operating their facility well, basically in compliance with all regulations and orders, and that the DNR had recently been less accommodating, due to this inspection and the 29 January 1991 letter that was sent to Cook Composites and Polymers from the Bureau, under the signature of the Hazardous Waste Management Section Chief, Ms. Barb Zellmer.

> [**Note:** This 29 January letter detailed the Department's review of submittals by Hatcher-Sayre, environmental consultant to Cook Composites and Polymers, for the closure of the former incinerator facility. Many concerns were raised by the Department over the lack of a clear closure plan, and the preference by Hatcher-Sayre to perform a small amount of monitoring and then wait until further action by EPA. This situation is not acceptable to the Department, since we have clear regulatory direction and authority over the former incinerator. The letter

contained a Department proposed plan for sampling and closing the former incinerator.]

Mr. Brady continued his inspection by asking questions and preparing the appropriate forms. Ms. Jefferson and Mr. Mulholland listened, and provided clarification, as necessary.

The storage and incinerator facility was toured, where Mr. Brady asked detailed questions about the operation of the incinerator and storage facilities, in order to familiarize himself with it. Mr. Cerk took time to talk with Ms. Jefferson and Mr. Mulholland, expressing his views on the situation at the Saukville facility and the relative importance of the situation with other environmental problems in Wisconsin.

Mr. Barwick and Mr. Bostwick also led Ms. Jefferson and Mr. Mulholland on a brief tour of the former incinerator area, so that they could be more familiar with it. Mr. Bostwick noted his displeasure with some DNR requests during the RCRA Corrective Action activities, such as the request by Mr. Mark Tusler for certain well points near the incinerator that have never been used.

Once back in the office building, Mr. Bostwick, Mr. Barwick, Ms. Jefferson, and Mr. Mulholland entered into a lengthy discussion about the Department's intentions for preparing the 29 January review letter. It was apparent that a basic misunderstanding still exists over the Department's perception of the situation and Cook Composites and Polymers' perception. Mr. Mulholland and Ms. Jefferson explained the reasoning behind the proposed sampling and closure methodology. Cook Composites and Polymers and Hatcher-Sayre would like to fold the incinerator closure into the RCRA consent order activities. Ms. Jefferson and Mr. Mulholland explained that the incinerator closure and the consent order were separate activities under separate authorities. The proposed methodology was explained, which includes provisions for Cook Composites and Polymers to fold together the two activities if certain conditions are met during implementation of the proposed plan.

Cook Composites and Polymers had two specific concerns that require Department attention, and which Ms. Jefferson and Mr. Mulholland said that they said they would explore these concerns.

- There was an apparent "gentleman's agreement" between Mr. Cerk and former Hazardous Waste Management Section Chief Rich O'Hara. This understanding noted that any contaminated soils beneath the former incinerator site would not be considered to be contaminated. (During implementation of the consent order, soils contaminated with volatile organic compounds were allowed to be land spread; this promoted the volatilization of the organic compounds, before ultimate disposal as landfill cover.) Mr. Mulholland will explore this agreement.

- Just prior to leaving the Department, Mr. Mark Tusler, who formerly managed the Cook Composites and Polymers consent order project, is said to have stated that Cook Composites and Polymers could reduce their ground-water monitoring frequency from

quarterly to semi-annually. Ms. Jefferson will contact Mr. Tusler to inquire about this arrangement.

At the conclusion of the inspection, it was agreed that Mr. Bostwick would call the Department and request a meeting between Cook Composites and Polymers, Hatcher-Sayre, and Department personnel who are familiar with the incinerator closure. It is hoped that an agreement can be reached at this meeting for a proper closure plan for the former incinerator.

cc: E. Lynch - SW/3