



George E. Meyer  
Secretary

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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November 30, 1993

File Ref: FID 246004330  
Ozaukee County  
HW/CA

Mr. Craig Bostwick  
Corporate Manager, Environmental & Safety  
Cook Composites & Polymers  
919 E. 14th Avenue  
North Kansas City, MO 64116

SUBJECT: Draft Plan Modification Approval to Impose State  
Equivalent Corrective Action at the  
Cook Composites & Polymers (CCP) Facility  
WID 980615439

Dear Mr. Bostwick:

Enclosed for your review, please find a draft copy of a modification to the plan of operation for the existing hazardous waste incinerator at CCP's Saukville, Wisconsin plant. Provisions for state authorized corrective action are included in this modification.

In a letter to U.S. EPA dated December 18, 1992, WDNR requested that the lead for corrective action activities at CCP be transferred from U.S. EPA to the State of Wisconsin. U.S. EPA agreed to this in a May 25, 1993 letter to WDNR. On August 30, 1993, CCP formally requested by letter to WDNR that this transferral take place. Once this plan modification becomes effective, CCP may request that the U.S. EPA and WDNR terminate the existing RCRA §3008(h) three party order on consent.

Please review the enclosed modification and provide any comments to the WDNR within 45 days of receipt.

Mr. Craig Bostwick

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If you have any questions, please call Jill Fermanich at (608) 266-5741.

Sincerely,



Barbara J. Zellmer, Chief  
Hazardous Waste Management Section  
Bureau of Solid & Hazardous Waste Management

BJZ:jjf

enclosure

cc: Mark Gordon - SW/3  
Matt Talarczyk/Jill Fermanich - SW/3  
Walt Ebersohl/Pat Brady - SED  
Laura Lodisio/Robert Smith - U.S. EPA Region 5, HRE/8J  
Jean Gromnicki - U.S. EPA Region 5, HRM/7J  
Chuck Slaustas - U.S. EPA Region 5, HRP/8J  
Jim Rickun/Stacy McAnulty - RMT, Inc., Madison

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BEFORE THE  
STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES

MODIFICATION  
TO THE  
PLAN OF OPERATION

COOK COMPOSITES AND POLYMERS COMPANY  
HAZARDOUS WASTE INCINERATOR  
FID 246004430  
U.S. EPA I.D. NO.: WID980615439

FINDINGS OF FACT

General Information

Owner/Operator: Cook Composites and Polymers Company  
217 Freeman Drive  
Box 996  
Port Washington, WI 53074-0996  
(414) 284-5541

Contact: Mr. Craig Bostwick  
(816) 391-6025

Location: The former incinerator, storage area and existing incinerator are at Cook Composites and Polymers' Saukville, Wisconsin facility. Church Street bounds the site to the north, South Main Street to the east, West Linden Street to the south, and the Chicago Milwaukee St. Paul Pacific Railroad to the west.

Consultant: RMT, Inc.  
744 Heartland Trail  
Madison, WI 53708-8923  
(608)831-4444  
James S. Rickun, Project Manager

The Department finds that:

1. Cook Composites and Polymers Company purchased Freeman Chemical Corporation on April 2, 1990 from its former parent company, Georgia Gulf Corporation. On December 31, 1990, Freeman Chemical Corporation changed its legal operating name to Cook Composites and Polymers. All references to Cook Composites and Polymers in this document refer to the same facility, either under the present or former names.
2. Cook Composites and Polymers Company (CCP) owns and operates a plastic resin manufacturing facility at 340 Railroad Street, Saukville, Ozaukee

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County, Wisconsin. As a result of these production activities, CCP generates hazardous wastes.

3. Cook Composites and Polymers Company owns and operates a hazardous waste incinerator in the NE 1/4, Section 35, T11N, R21E, Saukville Township, Village of Saukville, Wisconsin.
4. A Feasibility Report and Plan of Operation for Freeman Chemical Corporation was conditionally approved by the Department on February 9, 1988. A final hazardous waste operating license was issued to the facility on June 1, 1989.
5. Since the facility began operations in 1948, releases of raw materials, resins and by-products have occurred. Releases have occurred at the incinerator site, from at least one pipeline leak, and at the railroad siding. Releases are also suspected to have occurred at the tank sites and barrel storage areas. Additionally, at least two tanker spills have occurred at the tanker parking areas. The spills resulted in overland flow from the facility to an adjacent church yard in 1979 and to a schoolyard to the north in the late 1970's as well.
6. In 1979, trace organic chemicals and an "acid water" odor were identified in the municipal water supply in Saukville. City well #2, located approximately 600 feet northwest of the facility, was found to be contaminated and was removed from municipal use. Groundwater samples from this well contained detectable levels of benzene, toluene, trichloroethylene and xylene. CCP has continued to use city well #2 as a source of noncontact cooling water. This water is eventually discharged to the Milwaukee River under a WPDES permit.
7. Several groundwater monitoring wells were installed at CCP during 1983 to 1986. Groundwater samples taken from these wells document that Preventive Action Limits (PALs) and Enforcement Standards (ESs) for substances of health and welfare concern have been attained or exceeded at the point of standards application in both the glacial deposits and bedrock below the facility.
8. Certain corrective measures have been undertaken as interim measures at CCP. The interim measures began in May, 1986 under WDNR approval and include: three Ranney collection systems and seven dewatering wells in the glacial deposits; four six-inch diameter withdrawal wells installed in the shallow dolomite; and one deep dolomite withdrawal well.
9. On October 21, 1987, a three party Administrative Order on Consent was signed by representatives of Freeman, the WDNR and U.S. EPA Region 5. This order required continuing corrective measures and clean-up.
10. The Scope of Work for investigations at CCP contained six Tasks: Task 1 (Description of Past and Current Conditions); Task 2 (Schedules); Task 3 (Support Plans); Task 4 (Work to be Performed); Task 5 (Evaluation of Groundwater Collection System); and Task 6 (Reports). Task 1 was

approved in 1986, and Task 3 is currently under review by the EPA and WDNR.

11. On April 24, 1992, the U.S. EPA authorized the State of Wisconsin to implement the RCRA corrective action program to address releases from solid waste management units at facilities which require a license.
12. On December 18, 1992 the Department sent a letter to EPA which requested that funding be provided under the Great Lakes Initiative to allow the Department to impose state equivalent corrective action at CCP in order to move the project forward in a timely manner.
13. On May 25, 1993, EPA responded to the December 18, 1992 letter and indicated that the Department could use state authority to impose correction action by modifying CCP's plan approval or license.
14. In a letter dated August 30, 1993, CCP requested that federal corrective action provisions be incorporated into the Plan of Operation approval for the existing hazardous waste incinerator.
15. Releases of hazardous waste or hazardous constituents have occurred from Solid Waste Management Units located at the CCP facility.

## CONCLUSIONS OF LAW

1. The Department has authority pursuant to 144.735 Wis. Stats. and s. NR 635.17, Wis. Adm. Code, to require corrective action to address releases from solid waste management units.
2. The Department has the authority to require a response under s. 160.23, Wis. Stats., and s. NR 140.24, Wis. Adm. Code, if a preventive action limit for a substance of health and welfare concern has been attained or exceeded at a point of standards application.
3. The Department has the authority to require a response under s. 160.25, Wis. Stats., and s. NR 140.26, Wis. Adm. Code, if an enforcement standard for a substance of health or welfare concern has been attained or exceeded at a point of standards application.
4. The Department has authority to approve or modify a feasibility and plan of operation pursuant to ss. NR 680.06 and NR 680.07, Wis. Adm. Code.

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## DETERMINATION

Based on the Findings of Fact and Conclusions of Law, the Department determines that CCP's hazardous waste feasibility report and plan of operation are hereby modified, subject to compliance with chs. 600 through 685, Wis. Adm. Code and the following conditions. The Department retains jurisdiction either to require the submittal of additional information or to further modify this determination at any time.

## CONDITIONS

1. Within 60 days from the date of this letter, CCP shall submit a Hazardous Waste Facility Investigation which meets the requirements contained in Attachment I.
2. Within 120 days from the date of completing the investigation, CCP shall submit the results along with a corrective measures study to the Department according to the format(s) included in Attachment II entitled "Hazardous Waste Facility Investigations Results and Corrective Measures Study - Task II."

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**NOTIFICATION OF APPEAL RIGHTS**

If you believe that you have a right to challenge this decision, you should know that Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. For judicial review of a decision pursuant to sections 227.52 and 227.53, Stats., you have 30 days after the decision is mailed or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent.

This notice is provided pursuant to section 227.48(2), Stats.

Dated: \_\_\_\_\_

DEPARTMENT OF NATURAL RESOURCES  
For the Secretary

**DRAFT**

Barbara J. Zellmer, Chief  
Hazardous Waste Management Section  
Bureau of Solid & Hazardous Waste Management

**DRAFT**

Jill Fermanich, Hydrogeologist

**DRAFT**

Matthew Talarczyk, Waste Management Engineer