



George E. Meyer
Secretary

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

101 South Webster Street
Box 7921
Madison, Wisconsin 53707
TELEPHONE 608-266-2621
DNR TELEFAX 608-267-3579
DNR TDD 608-267-6897

SOLID & HAZARDOUS WASTE MGMT 608-266-2111
SOLID & HAZARDOUS WASTE TELEFAX 608-267-2768

June 15, 1994

File Ref: FID 246004330
Ozaukee County
HW/CA

Saukville Village President
Saukville Village Hall
639 E. Green Bay Avenue
Saukville, WI 53080

SUBJECT: Response to Questions and Comments
April 28, 1994 Public Hearing
Cook Composites and Polymers (CCP)
Saukville, Wisconsin
EPA ID#: WID 980615439

Dear Members of the Village Board:

On April 28, 1994, the Wisconsin Department of Natural Resources (WDNR) Hazardous Waste Management Section held a public hearing at the Saukville Village Hall in Saukville, Wisconsin on the subject of transfer of oversight responsibilities for corrective action activities at CCP from U.S. EPA to WDNR. The hearing was held in response to a request received during the public comment period held after the WDNR issued a Notice of its intent to modify CCP's hazardous waste incinerator Plan of Operation to incorporate corrective action provisions. The intent of the hearing was to receive comments from local citizens about the transfer of corrective action oversight responsibilities from U.S. EPA to WDNR.

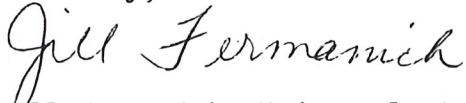
Several concerns were raised at the hearing. Included with this letter are WDNR's written responses to those concerns.

The WDNR has issued a modification to the Plan of Operation for CCP based upon consideration of all significant comments received during the written comment period and at the public hearing.



Please contact me at (608)266-5741 with any questions you may have regarding the WDNR's response to the attached questions and comments.

Sincerely,



Jill Fermanich, Hydrogeologist
Hazardous Waste Management Section
Bureau of Solid & Hazardous Waste Management

Attachment

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

RESPONSES TO QUESTIONS AND COMMENTS
PUBLIC INFORMATIONAL HEARING
COOK COMPOSITES & POLYMERS
APRIL 28, 1994

The following concerns were raised at the hearing and are addressed below.

QUESTION:

If Cook Composites & Polymers (CCP) as a company ceases to exist, either locally or nationally, will the parent company Total be liable for the cleanup and what organization has the jurisdiction to enforce this?

RESPONSE:

The WDNR, as condition 4 of the modification to the Plan of Operation for the hazardous waste incinerator, has required that a financial proof mechanism for corrective action be put into place for CCP with the WDNR as benefactor. This proof mechanism must cover current operating costs for the existing environmental monitoring system and the interim corrective measures. The financial proof mechanism may be in the form of a cash deposit, a bond, a letter of credit or the equivalent and must be updated each year. This will ensure that funds are available to the State for continued cleanup if CCP ceases to exist. Thus taxpayers will not be responsible for cleanup costs. CCP is a joint venture partnership, owned by two partners. It is a self-standing entity that currently has substantial net worth. If however, in the event that CCP were to go bankrupt or cease to exist and the funds provided by the financial proof mechanism were not sufficient to cover remaining cleanup costs, the WDNR would have the authority to then pursue the joint partners for the necessary financial backing for any remaining cleanup or maintenance costs. In addition, certain past owners retain liability for certain portions of the property and/or certain activities.

COMMENT:

The Village of Saukville requests that CCP management hold quarterly meetings with Village officials, hold an annual open house and maintain a single phone contact at the Saukville plant that will be available to Village officials and residents.

RESPONSE:

This has been added to the modification to the Plan of Operation approval as condition 2. Condition 2 requires CCP to develop or revise its community relations plan in consultation with Village of Saukville officials. The revised community relations plan must then be submitted to the WDNR for review and approval as part of the requirements for the project workplan.

COMMENT:

The Village of Saukville requests that copies of all significant documents and plans submitted to the WDNR by CCP also be sent to the Saukville Village Administrator.

RESPONSE:

This has been added to the modification to the Plan of Operation approval as condition 3. Condition 3 requires that copies of reports, engineering plans, correspondence and other pertinent submittals be sent to the Saukville Village Administrator.

COMMENT:

The Village requests that representatives of the WDNR meet with Village officials and residents on a regular basis to update them on approvals and remediation occurring at the plant.

RESPONSE:

The WDNR hereby agrees to provide staff upon request by the Village of Saukville to answer any questions Village officials or residents may have. We prefer to do this on an as-needed basis, as opposed to a regularly scheduled basis. Our reason for this is that often there is not enough activity occurring during any given time period to justify travel and attendance at a meeting where there would be very little or nothing to report. We would prefer to hold the meetings at times when activities are occurring at the facility. The meetings may be held in any format desired by Village officials, either as an informal group meeting or in the context of a formal public meeting. Please call Jill Fermanich at (608)266-5741 or Matt Talarczyk at (608)264-6016 with any such request.

COMMENT:

The Village requests an explanation of the lengthy review times by the U.S.EPA.

RESPONSE:

There are several contributing factors for the lengthy review times on the part of the U.S.EPA:

- 1) There have been changes in U.S.EPA guidance, both for general corrective action and for the quality assurance documents that must be submitted to U.S.EPA. Therefore, U.S.EPA has requested that CCP revise some reports to meet the new guidance. Revising

and resubmitting these documents has consumed many extra hours of review time.

- 2) CCP changed its environmental consultant a few years ago, and that transition caused slight delays.
- 3) There have been personnel changes within the agencies. Whenever a new staff person acquires a new project, it takes some time for that person to "get up to speed" on the project.
- 4) Generally, there have been staff shortages and periodic hiring freezes at U.S.EPA. This causes existing staff to have to take on additional tasks and to be able to devote less time to each project.