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CORRESPONDENCE/MEMORANDUM

State of Wisconsin

Department of Natural Resources
Bureau of Solid & Hazardous Waste Management

DATE: October 12, 1995 FILE REF: 246004330
TO: Frank Schultz - SED Ozaukee
FROM: Barb Zellmer - SW/3 *M. H. L. for* HW/CA
SUBJECT: Corrective Action/Remediation at Cook Composites and Polymers' Saukville Facility —
Change in Lead Responsibilities for Off-Site Contamination

Cook Composites and Polymers (CCP) has approached the Department requesting approval to change the lead responsibilities for remediating off-site contamination in the vicinity of its Saukville facility. Under an agreement between CCP and the facility's former owner, Georgia-Gulf, CCP has responsibility for on-site contamination while Georgia-Gulf has responsibility for off-site contamination (i.e., contamination at the Churchyard and Logemann Property). However, the enforceable mechanism for achieving remediation at all sites is hazardous waste corrective action as a part of CCP's approved plan of operation. Under this mechanism, CCP is responsible to the Department for seeing that off-site contamination is addressed even though CCP and Georgia-Gulf have agreed that it is Georgia-Gulf's responsibility.

Therefore, to create a situation that is more agreeable to CCP and Georgia-Gulf, as well as for the Department to maintain an enforceable presence at all sites, we would like to make the following proposal to CCP and Georgia-Gulf:

- ▶ Negotiate a consent order with Georgia-Gulf for them to take responsibility for the remediation of the off-site Areas of Concern (Churchyard and Logemann Property).
- ▶ Modify CCP's hazardous waste plan of operation approval to remove the Churchyard and Logemann Property as Areas of Concern subject to remediation as a part of CCP's corrective action responsibilities; and,

It would be our intention to work with both parties in an amicable fashion since they both have stated their desire to work with the Department on this issue to address the Saukville contamination. Additionally, the plan modification would be finalized at the same time or shortly after a consent order is signed.

Finally, since Madison staff have been taking the lead on this facility, including the off-site contamination, we would propose to continue taking the lead, with District consent. Please let me know if you concur.

If you have any questions, on this matter, please contact Mark Gordon at 608/266-7278 or Tim Mulholland at 608/266-0061. Thank you.

cc: M. Gordon - SW/3
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