WISCONSIN
DEPT. OF NATURAL RESOURCES

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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March 8, 1996

File Reference: 246004330
Ozaukee
HW/CA

Mr. Craig Bostwick
Corporate Manager, Environmental & Safety
Cook Composites and Polymers
Box 419389
Kansas City, MO 64141-6389

SUBJECT: DRAFT Conditional Minor Plan Modification Approval —
RCRA Facility Investigation, Additional Studies Report; Cook Composites and Polymers, Saukville, WI; October, 1995
U.S. EPA I.D. No.: WID 980615439

Dear Mr. Bostwick:

The Wisconsin Department of Natural Resources (DNR or Department) received Cook Composites and Polymers' (CCP) "RCRA Facility Investigation, Additional Studies Report" (RFI) on November 1, 1995. In addition, the Department received a request to change a ground-water monitoring analytical procedure in a letter from you dated November 10, 1995 and received November 15, 1995.

The Department has reviewed these two documents. We believe that the RFI establishes an adequate technical basis for CCP to initiate a Corrective Measures Study, as required under Conditions #1 and #2 of the Department's September 24, 1994 Conditional Plan Modification.

You should review the attached DRAFT conditional minor plan modification approval of the RFI. If you have any comments, please submit them to me at the above address within 30 (thirty) days of the date of this letter.

If you have any questions, please feel free to contact Tim Mulholland of my staff at 608/266-0061 or MULHOT@DNR.STATE.WI.US.

Sincerely,

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

BJZ:tsm

Enc.

cc: M. Gordon/T. Mulholland — SW/3
J. Rickun/G. McLinn — RMT
R. Smith — USEPA-Region V - HRE/8J
J. Gromnicki — USEPA-Region V - HRM/7J
J. Knight — Village of Saukville, WI, President

Enc.

TSM32/CCP/CNDAPRV.RFI

BEFORE THE STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES
DRAFT
CONDITIONAL APPROVAL
OF A MINOR MODIFICATION
TO THE PLAN OF OPERATION APPROVAL

Cook Composites and Polymers Company
Hazardous Waste Incinerator
Facility Identification #246004330
U.S. EPA I.D. No.: WID980615439

FINDINGS OF FACT

General Information

Owner/Operator:	Cook Composites and Polymers Company 919 E. 14th Avenue North Kansas City, MO 64116 816/391-6000
Contact;	Mr. Craig Bostwick, Corporate Manager, Environmental & Safety 816/391-6025
Location:	The former incinerator, storage area and existing incinerator are at Cook Composites and Polymers' Saukville, WI 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. Two offsite areas are included in the RFI investigation. These are the churchyard that lies to the north and east of CCP's facility property boundaries and south of Church Street; and, the Logemann property that lies to the south and west of CCP's facility property boundaries.
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 (CCP) purchased Freeman Chemical Corporation on April 2, 1990 from its former parent company, Georgia Gulf Corporation. On December 31, 1990, Freeman Chemical Corporation and CCP merged and Freeman Chemical Corporation was liquidated. All references to CCP in this document refer to the same facility, either under the present or former names.

2. CCP owns and operates a synthetic resin manufacturing facility at 340 Railroad Street, Saukville, Ozaukee County, Wisconsin. The four waste streams that may be generated at the facility consist of the following:

    a. Reaction water, a.k.a., Acid Water (D001): reaction water may include toluene, ethylbenzene, phenol and other organic compounds.

b. Solvents (F003 and D001): rinse solvent consisting of xylene and other hydrocarbons, and process solvents including xylene and toluene.

c. Clean up wastes (U-listed hazardous wastes); and,

d. Waste resins (D001): test samples and rejected resins.

These waste streams are collected and properly disposed by CCP.

3. Since the facility began operations in 1948, releases of hazardous wastes or hazardous constituents, including raw materials, resins and by-products, have occurred. The potential major contributing sources of volatile organic compounds (VOCs) to ground water consist of the following five areas of concern:

- Area 1 — Former Urethane Laboratory/Hazardous Waste Incinerator

  Reaction water burned at former incinerator from 1968 to 1989. As a result of laboratory disposal of spent solvents (beginning in the 1950s), incinerator operations and spills, elevated levels of benzene, toluene, ethylbenzene and xylene (BTEX) are present in soils in this area.

- Area 2 — Former Dry Well

  Used from approximately 1952 through 1968 to dispose of reaction water as approved by the Wisconsin Division of Water Pollution Control (WDWPC, 1952). The well consisted of a pit with a sand and gravel base. The well was remediated in 1986 by removing the lid and concrete blocks that comprised the well and pumping the remaining fluid and excavating the remaining sludge in the well. The excavation was then filled with clean road-bond size gravel.

- Area 3 — Former Tank Storage Area

  Originally supported on a stone base bermed with earth. Although the tanks did not leak, spills may have occurred during tank filling. Currently, this area is occupied both by new tank and storage containment structures, and by the hazardous waste incinerator/small storage facility.

- Area 4 — Logemann Property (off-site)

  An air curtain incinerator, consisting of an eight- to ten-foot deep concrete pit, was formerly operated in this area. This pit is presently covered by a wooden platform. The incinerator was used in the past primarily to burn diatomaceous earth. Reaction water was occasionally used to quench the fires, and cracks in the concrete pit may have allowed releases to the ground. An ash pile, covered with 60 ft^3 of soil in 1972, is also located on the property. The ash was produced during operation of the air curtain incinerator.

- Area 5 - Churchyard (off-site)

  This are may have been affected by the past disposal practices at Area 1. Past overland flow of spent solvents may have migrated onto a small section of the churchyard. Freeman (now CCP) addressed past tanker spills (two occurrences in the 1970s) that resulted in overland flow from the facility to the adjacent churchyard by removing sod and excavating soil.

4. 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. Ground-water 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 non-contact cooling water. This water is eventually discharged to the Milwaukee River under a WPDES permit.

5. Several ground-water monitoring wells were installed at CCP during 1983 to 1986. Ground-water 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.

6. Certain corrective measures have been undertaken as interim measures at CCP. The interim measures began in May, 1986 under Department 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 aquifer; and one deep dolomite aquifer withdrawal well. In addition, the majority of the site was paved with concrete, and a surface runoff collection system was installed.

7. Freeman submitted to the Department a ground-water monitoring plan in a document dated September 11, 1986. The Department approved this ground-water monitoring plan in a letter dated October 21, 1986.

8. On October 21, 1987, a three-party Administrative Order on Consent was signed by representatives of Freeman, the WDNR and U.S. EPA-Region V. This order required continuing corrective measures to prevent or reduce the release or migration of hazardous waste or hazardous constituents to the ground water, surface water, and soil in and around Freeman's facility.

9. The Department issued a conditional Feasibility and Plan of Operation approval for the existing hazardous waste incinerator at CCP on February 9, 1988. On August 22, 1994, the Department modified this plan of operation approval to incorporate corrective action provisions for the entire facility.

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 Systems); and Task 6 (Reports). Task 1 was approved in 1986, and a revised Task 3 was submitted to the USEPA and WDNR for review in December, 1992.

11. Glacial till, glaciolacustrine, and glaciofluvial deposits overlie dolomite bedrock at Saukville. Unconsolidated deposits range from approximately 10 to 25 feet in thickness. In general, sand, silt, and clay are present near the land surface and overlie a laterally continuous layer of lake sediments (varved silts and clay). Dense glacial till exists beneath the lacustrine deposits in the north and east portions of the property. Beneath the till and lacustrine deposits is a thin layer of glacial outwash over the bedrock surface.

12. Soil borings and seismic refraction surveys show the bedrock surface at the site to be pinnacled with occasional deep, narrow, closed depressions (possibly sink holes). A deep depression in the bedrock, filled with more than 150 feet of clay, silt and sand, is in the northeast corner of CCP's facility. At four locations in the northeast corner of the CCP facility, the bedrock (Niagara dolomite) was cored to a depth of 65 to 85 feet. The cores show that the dolomite is severely solutioned and highly fractured in that area.

13. In a letter dated October 31, 1995, CCP submitted to the Department a document entitled "RCRA Facility Investigation, Additional Studies Report." This report contains information required under CCP's conditional plan modification approval of September 24, 1994. This report indicates a complex, interconnected hydrogeology. This report serves as the technical basis for CCP's further pursuit of corrective measures of the various areas of concern at and near the facility.

14. In a letter dated November 10, 1995, CCP requested a modification of analytical methods used during its quarterly ground-water monitoring.

15. In a letter dated February 12, 1996, CCP provided to the Department an updated financial responsibility estimate that included continuing ground-water monitoring and corrective measure study activities.

16. This modification to CCP's Plan of Operation constitutes a minor modification according to s. NR 680.07(1), Wis. Adm. Code.

CONCLUSIONS OF LAW

1. The Department has authority pursuant to s. 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 authority under s. 144.44(3), Wis. Stats. to modify a plan of operation approval with conditions if the conditions are needed to ensure compliance with chs. NR 600 through 685, Wis. Adm. Code.

3. The Department has concluded that this modification constitutes a Class 1 modification of CCP's plan of operation approval. Thus, the requirements of ss. NR 680.07(1) and (6), Wis. Adm. Code apply to this modification approval.

4. The Department has the authority to require a response under s. 160.23, Wis. Stats., and s. NR 140.24, Stresau, if a preventive action limit for a substance of health and welfare concern has been attained or exceeded at a point of standards application.

5. 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.

6. The Department has authority to approve or modify a feasibility and plan of operation report pursuant to ss. NR 680.06 and 680.07, Wis. Adm. Code.

DETERMINATION

Based on the Findings of Fact and Conclusions of Law, the Department determines that CCP's Plan of Operation Approval is hereby modified, subject to compliance with chs. NR 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.

CONDITION

CCP's RCRA Facility Investigation is approved as submitted. CCP shall submit to the Department a RCRA Corrective Measures Study within 120 days of the date of this letter which meets Conditions #1 and #2 of the September 24, 1994 conditional plan of operation modification.

NOTICE OF APPEAL RIGHTS

If you believe 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 DRAFT

Wisconsin Department of Natural Resources
For the Secretary

DRAFT

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

DRAFT

Timothy S. Mulholland, PhD
Hazardous Waste Management Engineer
Bureau of Solid & Hazardous Waste Management