



June 12, 2019

Doug Loutzenhiser
Retia USA LLC/Legacy Site Services LLC
665 Stockton Drive, Suite 100
Exton, PA 19341

Subject: Per-and Polyfluoroalkyl Substances (PFAS) Groundwater Sampling Requirements
Cook Composite/Former Freeman Chem
340 Railroad Street, Saukville, WI
BRRTS #: 02-46-000767, FID #: 246004330

Dear Mr. Loutzenhiser:

The Wisconsin Department of Natural Resources (DNR) has identified the Cook Composites/Former Freeman Chemical/Arkema Coatings Resins site as potentially being a source for Per-and Polyfluoroalkyl Substances (PFAS). We believe this emerging contaminant may be present in soil and groundwater on your property identified above. The DNR has regulatory authority to ask responsible parties to evaluate hazardous substance discharges and environmental pollution including emerging contaminants:

- Wis. Stat. § 292.01(3) “Discharge” means, but is not limited to, spilling, leaking, pumping, pouring, emitting, emptying or dumping.
- Wis. Stat. § 292.01(4) “Environmental pollution” means contaminating...air, land, or waters of the state or making the same injurious to public health...
- Wis. Stat. § 292.01(5) “Hazardous substance” means any substance ...which may pose a substantial present or potential hazard to human health or the environment because of its quantity, concentration or physical, chemical or infectious characteristics...

Background

This facility manufactured alkyd, polyester, and urethane synthetic resins beginning in 1949 at 340 Railroad Street, Saukville, Wisconsin (“the Site”). The Site is also known as Arkema Coating Resins. In 1979, Saukville residents complained of odors in the water supply. Subsequently, in the 1980s, the US EPA identified hazardous substance contamination in groundwater and soil at the Site that were a result of plant operations.

In 1987, Freeman Chemical signed an administrative order on consent with the DNR and US EPA, Docket Number V-W-88-R-002, dated October 19, 1987 (the “Order”). Per the Order,

“The US EPA or WDNR may determine that additional investigatory work, corrective measures, and/or engineering evaluation, in addition to any work detailed in the SOW, is necessary to thoroughly conduct corrective measures work at the facility. If the annual evaluation conducted under task 5B of the SOW determines that the corrective measures do not meet the stated objectives of such corrective measures, Respondent will submit a proposal for additional work. Subject to Section XVIII of this consent order, the Respondent shall implement, after review and approval by US EPA and WDNR, any additional work which is determined to be necessary to thoroughly conduct corrective measures at the facility.”

Cook Composites US (CCP) took ownership of the Site from Freeman Chemical and maintained responsibility for the Order. Total Petrochemicals (Total) owned CCP, and Total now maintains responsibility for the Site. Total's subsidiary, Retia USA LLC, manages Total's legacy environmental sites including the Site.

Arkema Coating Resins (Arkema) operated at the Site in the early to mid-2010s. On October 30, 2013, in response to the EPA's 2010/2015 PFOA Stewardship Program, Arkema reported "> 500 to 2000 kgs" of "releases to all environmental media from fluoropolymer and telomer manufacture" in US facilities.

An open contamination case exists with the DNR's Remediation and Redevelopment Program and is being tracked as BRRTS #: 02-46-000767.

Site Investigation

The information previously provided indicates that the facility manufactured resins and other products that required the production and/or incorporation of PFAS. Additionally, Arkema's participation in EPA's 2010/2015 PFOA Stewardship Program warrants evaluation of the potential for PFAS at the Site. Site Investigation Scoping (Wis. Admin. Code § NR 716.07) and the Site Investigation Work Plan (Wis. Admin. Code § NR 716.09) require an evaluation of the history of the facility, previous discharges, and uses on the Site that may be associated with discharges.

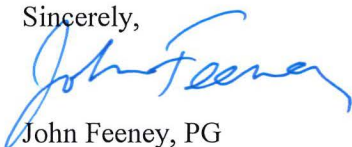
The DNR requires that you submit a Site Investigation Work Plan that includes assessment of PFAS. Per Wis. Admin. Code § NR 716.07(4), all environmental media affected or potentially affected by the contamination must be evaluated. The work plan should include evaluation of potential PFAS compounds that are most likely to have been produced, handled or stored at the Site. Include in that description the information on all entities responsible for manufacturing PFAS and its use at the Site; the years involved in PFAS manufacture and use; what PFAS was used to manufacture; whether any product containing PFAS was used or tested at the Site; areas of the Site where PFAS was manufactured and/or used. The work plan must include a groundwater sampling program for evaluating PFAS compounds. Sampling the groundwater for PFAS compounds is to be added to your next regularly scheduled quarterly groundwater sampling event.

Schedule

The DNR is requesting that you submit a "Site Investigation Work Plan for PFAS" by July 12, 2019. The work plan must include sampling for PFAS compounds in your regular groundwater sampling program, beginning in the next quarterly groundwater sampling event.

In conclusion, DNR has the authority under Wis. Admin. Code NR 700 and the Consent Order to require the evaluation of PFAS at this Site. The DNR appreciates your efforts to restore the environment at this Site. If you have any questions regarding anything outlined in this letter, or would like to arrange a meeting, please contact me, the DNR Project Manager, at 920-893-8523, or at johnm.feeney@wisconsin.gov.

Sincerely,



John Feeney, PG
Remediation and Redevelopment Program
Wisconsin Department of Natural Resources

cc: Robert Cigale, Endpoint Solutions Corp.; SER File