

Ongoing Cleanups with Continuing Obligations

Cover Sheet

April, 2010
(RR 5391)

Purpose

This cover sheet summarizes continuing obligations regarding environmental conditions on this property. Continuing obligations are legal mechanisms that:

- 1) Require or restrict certain actions to protect human health or the environment.
- 2) Minimize human and natural resource exposure to contamination, and/or
- 3) Give notice of the **existence** of residual contamination

Learn more about continuing obligations at <http://dnr.wi.gov/org/aw/rr/cleanup/obligations.htm>

DNR Property Information:

DNR Approval Date: Jun 28, 1995

BRRTS #: 02-13-000849 FID #: 113112010

ACTIVITY NAME: REFUSE HIDEAWAY

PROPERTY ADDRESS: 7562 USH 14

MUNICIPALITY: Middleton

PARCEL ID #: 070808291905

*WTM COORDINATES:

X: 554310 Y: 291806

*Coordinates are in WTM83, NAD83 (1991)

WTM COORDINATES REPRESENT:

- Approximate Center Of Continuing Obligations
 Approximate Source Parcel Center

Please use the CLEAN system at <http://dnr.wi.gov/org/aw/rr/clean.htm> for additional DNR site information.

EPA Superfund Information (if applicable):

EPA ID: WID980610604 To view more information click on the EPA ID.

SITE NAME: Refuse Hideaway Landfill

Requirements for all properties with Continuing Obligations

1. Properly manage contaminated soil if it is excavated. Sample and arrange appropriate treatment or disposal.
2. DNR approval is required if a water supply well will be constructed or reconstructed.

Site-Specific Requirement(s) - (BRRTS Action Code)

- A "cap" over the contaminated area must be: (222)
 Constructed & Maintained Maintained
- A vapor mitigation system must be: (226)
 Constructed & Maintained Maintained
- The need for vapor control technology must be evaluated if a building will be constructed. (228)
- The approved soil cleanup level is suitable for industrial use of the property. (220)
- DNR has approved construction on an abandoned landfill and certain maintenance requirements apply. (402) or (404)
- A structural impediment (e.g. building) is present which inhibited investigation/cleanup. Further environment work may be required if the impediment is removed. (224)
- DNR has directed a local government unit (LGU) to take an action and a LGU liability exemption applies. This exemption does not transfer to future private owners. (230)
- Another type of continuing obligation has been established in DNR's remedial action plan approval. (228)
Explain:

-Leachate collection system
-Landfill gas collection and ground flare system
-Locked Entry Gate

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
101 S. Webster Street
Box 7921
Madison WI 53707-7921

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



December 16, 2013

Owner
7562 USH 14
Middleton WI, 53562

KEEP THIS DOCUMENT WITH YOUR PROPERTY RECORDS

SUBJECT: Approval of Remedial Actions with Continuing Obligations, Refuse Hideaway Landfill, Middleton WI, WDNR BRRTS Activity #: 02-13-000849, FID #: 113112010.

Dear Property Owner:

The 23-acre Refuse Hideaway Landfill (RHL), filled with approximately 1.3 million cubic yards of municipal, commercial, and industrial waste, was closed in May 1988. The landfill was covered with a minimum 2 feet of clay, 18 inches of general soil and 6 inches of topsoil in October 1988. The State of Wisconsin, through the Environmental Repair Program, constructed an active gas extraction and combustion system and a leachate extraction system, which became operational on September 1, 1991. Regular operation and maintenance of these systems and the landfill surface has been performed since operation began.

On June 28, 1995 a Superfund Record of Decision (ROD) was signed which selected the remedial actions for RHL. On August 31, 2001 a Consent Decree was entered in U. S. District Court between U.S. EPA and the State of Wisconsin. In accordance with the ROD and Consent Decree, the State is required to implement institutional controls to minimize the potential for human exposure to contamination. In approving remedial actions, the Department of Natural Resources (department or DNR) has authority under s. 292.12 (2), Stats., to impose limitations on a property to ensure that conditions at the site remain protective of public health, safety and welfare, and the environment. The department considers the remedies which have been implemented at the site to be approved. This document specifies the conditions with which any current or future owner of the property must comply to ensure that the site does not pose a threat. These conditions or "continuing obligations" are intended to meet the intent of the Institutional Control Plan required by U.S EPA at Superfund sites.

Geographic Information System (GIS) Registry

This site will be included on the department's Bureau for Remediation and Redevelopment Tracking System (BRRTS on the Web) at <http://dnr.wi.gov/topic/Brownfields/rrsm.html>, to provide public notice of residual contamination and of any continuing obligations. The site can also be viewed on the Remediation and Redevelopment Sites Map (RRSM), a map view, under the GIS Registry layer, at the same web address.

DNR approval prior to well construction or reconstruction is required for all sites shown on the GIS Registry, in accordance with s. NR 812.09 (4) (w), Wis. Adm. Code. This requirement applies to private drinking water wells and high capacity wells. To obtain approval, complete and submit Form 3300-254

to the DNR Drinking and Groundwater program's regional water supply specialist. This form can be obtained on-line at <http://dnr.wi.gov/topic/wells/documents/3300254.pdf>.

All site information is also on file at the department's South Central Regional (SCR) Headquarters Office, at 3911 Fish Hatchery Road, Fitchburg. This letter, including the figure(s) can be found as a PDF in BRRTS on the Web.

Prohibited Activities

Certain activities are prohibited at closed landfill sites because maintenance of a barrier is intended to prevent contact with any remaining waste materials. The following activities are prohibited on any portion of the property where a landfill cover is required, as shown on the **attached map**, unless prior written approval has been obtained from the DNR:

- removal of the existing barrier;
- replacement with another barrier;
- excavating or grading of the land surface;
- filling on covered or paved areas;
- plowing for agricultural cultivation;
- construction or placement of a building or other structure.

Continuing Obligation Conditions

Compliance with the conditions listed below is a responsibility to which the current and any subsequent property owners must adhere. DNR staff will conduct periodic prearranged inspections to ensure that the conditions included in this letter and Operating Manual are met. If these requirements are not followed, the DNR may take enforcement action under s. 292.11, Wis. Stats., to ensure compliance with the specified requirements, limitations or other conditions related to the property. Details of how the environmental systems are to be operated are contained in the RHL Operating Manual. A copy of the RHL Operating Manual, is retained at the South Central Regional DNR office, 3911 Fish Hatchery Rd, Fitchburg, WI 53711. Any deviation from this Operating Manual must be approved in writing by the department.

Written notifications in accordance with the following requirements must be sent to the SCR Headquarters office, to the attention of the Remediation and Redevelopment Program.

Residual Groundwater Contamination

Groundwater contamination greater than ch. NR 140, Wis. Adm. Code enforcement standards is present both on this contaminated property and off this contaminated property, as shown on the **attached map**. If you intend to construct a new well, or reconstruct an existing well, you'll need prior DNR approval.

Environmental Monitoring

The DNR is requiring continued monitoring as specified in the Operating Manual. Sampling results must be submitted to the DNR within 30 business days of receipt of the results. An annual inspection of the wells is required to verify the integrity of the monitoring well construction. The inspection log shall be submitted with the sampling results report. You may be held liable for any problems associated with the monitoring wells if they create a conduit for contaminants to enter groundwater.

Landfill Cap

The landfill cap that exists in the specific location shown on the **attached map** shall be maintained in compliance with the Operating Manual in order to minimize the infiltration of water and prevent additional groundwater contamination that would violate the groundwater quality standards in ch. NR 140, Wis. Adm. Code, and to prevent direct contact with waste materials that might otherwise pose a threat to human health.

Landfill Gas Collection and Combustion System.

A landfill gas collection and combustion system must be operated and maintained, in accordance with Operating Manual.

Leachate Collection and Treatment System.

A leachate collection and treatment system must be maintained, in accordance with Operating Manual.

Vapor Mitigation or Evaluation

Vapor intrusion is the movement of vapors coming from volatile chemicals in the soil or groundwater, into buildings where people may breathe air contaminated by the vapors. Vapor mitigation systems are used to interrupt the pathway, thereby reducing or preventing vapors from moving into the building.

Chlorinated VOCs remain in groundwater as shown on the **attached map**, at levels that may be of concern for vapor intrusion in the future, depending on construction and occupancy of a building. Therefore, before a building is constructed and/or an existing building is modified, the property owner must notify the DNR. Vapor control technologies are required for construction of occupied buildings unless the property owner assesses the vapor pathway and DNR concurs that conditions at the property are protective of the new use.

Access

Access to the landfill by the public shall be limited to prevent disturbance of the landfill cap or contact with the mechanical systems.

Potable Well Treatment System

A water treatment system shall be maintained for the potable well at 7734 USH 14, Middleton WI. The system shall be designed and maintained such that the treated water meets all drinking water standards until otherwise approved by the department.

Waste Management Rules

The owner or operator of the historic fill site or licensed landfill must abide by any conditions required by the DNR's Waste Management program and/or the NR 500 rule series as long as any waste materials remain in place. As part of your responsibilities for the long-term care, you are required to comply with the approved plan of operation, or an approved closure plan under s. NR 514.08, Wis. Adm. Code, and to conduct any monitoring and maintenance deemed necessary by the DNR, and as specified in this letter.

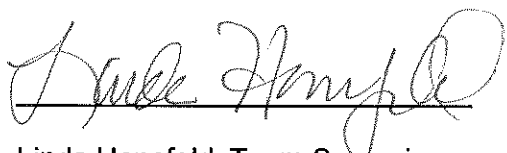
Any future redevelopment of this property must take into account consideration of the presence of waste materials and will require the issuance of an exemption from the DNR to build on an abandoned landfill prior to the start of any construction. Please refer to the Development at Historic Fill Site or Licensed Landfill guidance for further information at <http://dnr.wi.gov/topic/landfills/development.html>.

General Wastewater Permits for Construction Related Dewatering Activities

The DNR's Water Quality Program regulates point source discharges of contaminated water, including discharges to surface waters, storm sewers, pits, or to the ground surface. This includes discharges from construction related dewatering activities, including utility and building construction.

If you or any other person plan to conduct such activities, you or that person must contact that program, and if necessary, apply for the necessary discharge permit. Additional information regarding discharge permits is available at <http://dnr.wi.gov/topic/wastewater/GeneralPermits.html>. If residual soil or groundwater contamination is likely to affect water collected in a pit/trench that requires dewatering, a general permit for Discharge of Contaminated Groundwater from Remedial Action Operations may be needed. If water collecting in a pit/trench that requires dewatering is expected to be free of pollutants other than suspended solids and oil and grease, a general permit for Pit/Trench Dewatering may be needed.

Please be aware that the department may impose additional conditions, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, or welfare or to the environment.



Linda Hanefeld, Team Supervisor
South Central Remediation & Redevelopment Program

Attachments:

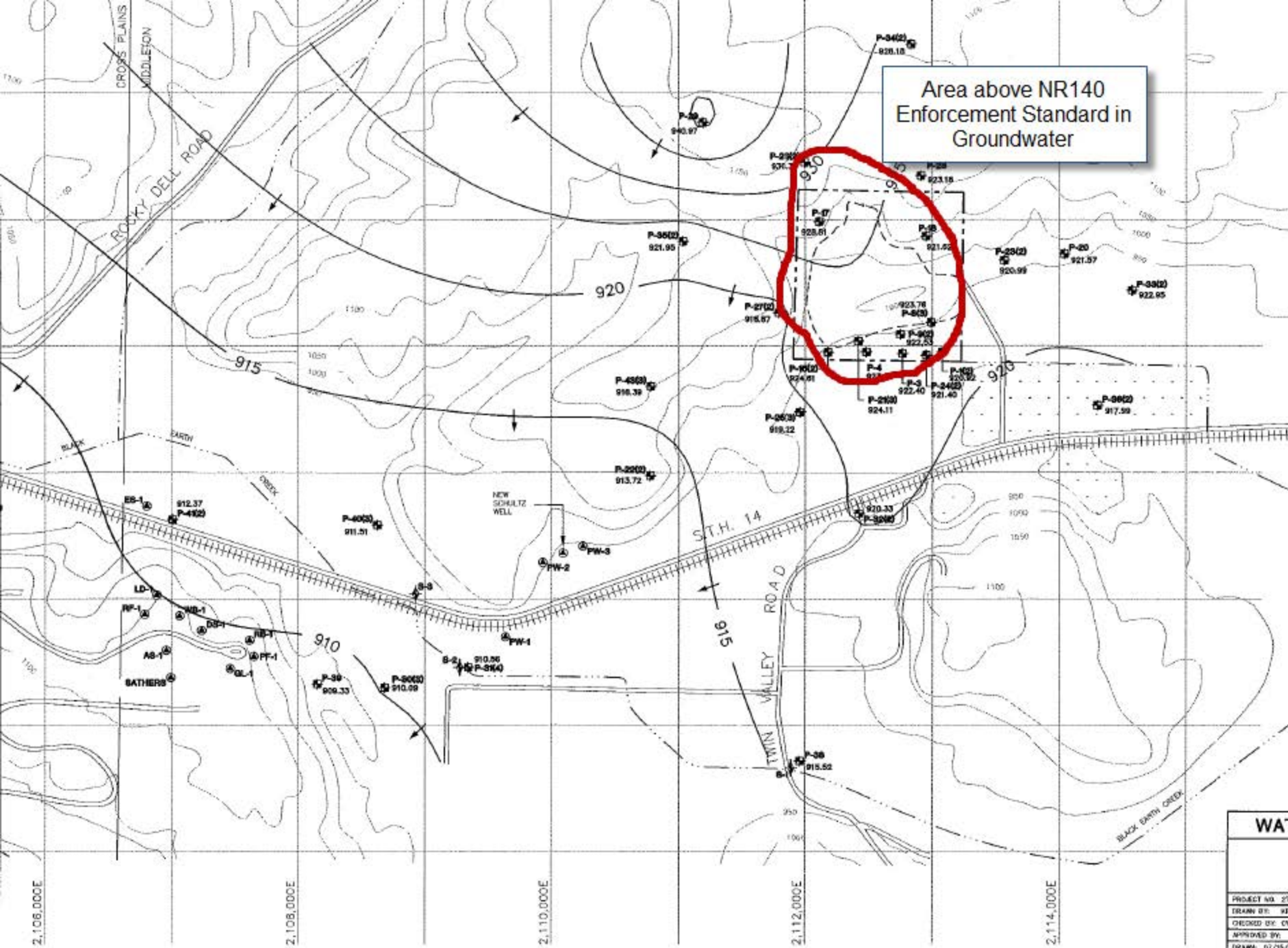
- NR140 Enforcement Standard Exceedance Map
- Landfill Cap Map

An aerial photograph showing a landfill site. A large, irregularly shaped area in the upper left and center is outlined in red. This area contains a mix of green grass and brown, sandy soil. To the right of this area, there is a cluster of buildings and a dirt road. Below the red-outlined area is a large, dark brown, irregularly shaped pond. At the bottom of the image, a road with a white dashed line runs horizontally. A white shield-shaped sign with the number '14' is visible on the road. The surrounding landscape consists of brown, scrubby vegetation and some bare trees.

Cap Area
Refuse
Hideaway
Landfill

250 feet

50 m

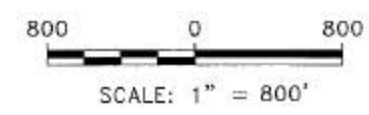


Area above NR140
Enforcement Standard in
Groundwater

- LEGEND**
- REFUSE HIDEAWAY LANDFILL PROPERTY BOUNDARY
 - FILL LIMITS
 - P-34(2)** MONITORING WELL LOCATION AND NUMBER (NUMBER OF WELLS IN NEST) PROPOSED FOR SAMPLING
 - P-38** MONITORING WELL LOCATION AND NUMBER (NOT SAMPLED)
 - PW-1** PRIVATE WELL LOCATION AND NUMBER
 - ⊙ NEW SCHULTZ WELL LOCATION
 - S-1** STAFF GAGE LOCATION AND NUMBER
 - ==== RAILROAD
 - ▭ WETLANDS
 - CREEK OR INTERMITTENT STREAM
 - 920.92 WATER TABLE ELEVATION IN FEET ABOVE MEAN SEA LEVEL MEASURED ON MAY 17-18, 2005
 - 925--- WATER TABLE CONTOUR
 - APPROXIMATE GROUNDWATER FLOW DIRECTION



NOTE
BASE MAP DEVELOPED FROM MARCH 1991 EXISTING CONDITIONS PLAN FOR REFUSE HIDEAWAY LANDFILL, PREPARED BY HYDRO-SEARCH, INC., DATED JUNE 20, 1994.



WATER TABLE MAP - MAY 2005	
REFUSE HIDEAWAY LANDFILL HIGHWAY 14 MIDDLETON, WISCONSIN	
PROJECT NO. 2760 DRAWN BY: JP CHECKED BY: CV APPROVED BY: DRAWN: 07/15/06 REVISED: 07/25/06	SHEET 1 of 2