

United States
ENVIRONMENTAL PROTECTION AGENCY
 Washington, DC 20460

**SUPERFUND PROPERTY REUSE EVALUATION CHECKLIST FOR REPORTING
 THE SITEWIDE READY-FOR-ANTICIPATED USE GPRA MEASURE**

Office of Superfund Remediation & Technology Innovation and Federal Facilities Restoration & Reuse Office

PART A – GENERAL SITE INFORMATION

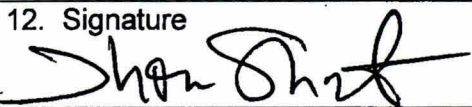
1. Site Name: Refuse Hideaway Landfill Superfund Site	2. EPA ID WID 980 610 604
3. Site ID 0505114	4. RPM John V. Fagiolo
5. Street Address: 7562 U.S. Highway 14, in the Southwest 1/4, of the NW 1/4, Section 8, T7N, R8E, Town of Middleton, Dane County, Wisconsin.	
6. City Middleton	7. State Wisconsin
8. Zip Code 53562	

9. Site Wide Ready-for-Reuse Determination Requirements (all must be met for the entire construction complete site)
- All cleanup goals in the Record(s) of Decision or other remedy decision document(s) have been achieved for any media that may affect current and reasonably anticipated future land uses, so that there are no unacceptable risks.
 - All institutional or other controls required in the Record(s) of Decision or other remedy decision document(s) have been put in place.

Institutional Control Name	Date Implemented	Type of Control	Total Acres
Letter: "Approval of Remedial Actions with Continuing Obligations, Refuse Hideaway Landfill, Middleton WI, WDNR BRRTS Activity #: 02-13-000849, FID #: 113112010."	12/16/2013	Government Control. State Statute.	23
Memorandum and Electronic Mail Message Containing Remedy Operations and Maintenance Requirements for Institutional Controls' Enforcement and Maintenance.	8/29/14 and 9/4/14	Informational Device. IC Implementation & Assurance Plan Equivalent.	23

PART B – SIGNATURE (Branch Chief or above should sign)

NOTE: The outcome of this Property Reuse Evaluation does not have any legally binding effect and does not expressly or implicitly create, expand, or limit any legal rights, obligations, responsibilities, expectations, or benefits of any party. EPA assumes no responsibility for reuse activities and/or any potential harm that might result from reuse activities. EPA retains any and all rights and authorities it has, including but not limited to legal, equitable, or administrative rights. EPA specifically retains any and all rights and authorities it has to conduct, direct, oversee, and/or require environmental response actions in connection with the site, including but not limited to instances when new or additional information has been discovered regarding the contamination or conditions at the site that indicates that the response and/or the conditions at the site are no longer protective of human health or the environment.

10. Name Thomas R. Short Jr.	11. Title/Organization Remedial Branch Chief #2 Superfund Division, Region 5
12. Signature 	13. Date 9/15/14



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

Date: SEP 11 2014

From: John V. Fagiolo, RPM
Sherry L. Estes, ORC *JVF*
SE

To: Thomas R. Short Jr., Chief
Remedial Response Branch #2

Subject: Recommendation to Sign the Site-Wide Ready for Anticipated Use
Determination for the Refuse Hideaway Landfill Superfund Site (the "Site"),
Middleton, Wisconsin

The Refuse Hideaway Landfill Superfund Site (the "Site") in Middleton, Wisconsin achieved the status of Construction Completion on September 30, 1998. The U.S. Environmental Protection Agency (EPA) based this conclusion on a review of the work performed compared with the remedy selected in the Record of Decision of June 28, 1995 and modified by Explanations of Significant Differences dated September 30, 1998 and June 22, 2012. All cleanup goals for the Site have been achieved for media that may affect current and reasonably anticipated future land uses.

For landfill gas and ambient air, the remedial action objective is to maintain and control landfill gas emissions to the atmosphere in compliance with appropriate State and Federal regulations. For soils and waste material, the remedial action objective is to prevent direct human contact and continuing impacts to groundwater through containment of all on-site soils and waste material containing contaminants at unacceptable concentrations. For groundwater, the remedial action objectives are to: (1) reduce the continued production of leachate caused by infiltration of precipitation and the contact of groundwater with the waste material and impacted soils, (2) prevent the migration of groundwater and landfill leachate containing levels of contaminants above unacceptable concentrations to prevent further degradation of groundwater, (3) prevent direct human contact to, and reduce volume and toxicity of, groundwater off-site that contains contaminants at levels above unacceptable concentrations, and (4) attain the NR 140, Wis. Adm. Code Enforcement Standards (ESs, equal to Federal MCLs) for all groundwater impacted by the Refuse Hideaway Landfill at and beyond the landfill boundary. For soil and waste fill material, the remedial action objectives are to: (1) prevent direct contact with landfill contents, (2) minimize contaminant leaching to groundwater, (3) prevent the migration of landfill gas, and (4) control surface water run-off and erosion.

Although the remedy has not consistently attained Maximum Contaminant Levels (MCLs) or State of Wisconsin Enforcement Standards (ESs) yet, pathways for exposure to contaminated media are not present because there is no current use of the Site and reasonably anticipated future

use of the Site will not result in any exposure pathways. Remedial Action Objectives have been achieved and there are no unacceptable risks.

Cleanup goals for groundwater allow for and were based on:

- unlimited use unrestricted exposure
- residential use
- commercial industrial use
- limited commercial or industrial (containment)
- other (explain)

While cleanup goals for groundwater are based on residential use, reasonably anticipated future use of the Site will not be residential and (as discussed below) ICs are in place and are effective. ICs prevent construction or placement of wells, buildings, or other structures at the Site without prior written approval from WDNR. In late 2009 and early 2010, photovoltaic units (solar panels) were installed at the Site to provide electrical power for operating Site remedy components. As noted in the August 29, 2012 Five-Year Review, these solar panels do not compromise the protectiveness of the Site remedy, breach the landfill cap, or otherwise create unacceptable exposure pathways.

Institutional Controls (ICs) have been reviewed and evaluated using the checklist in Footnote 1, and all required ICs are in place and effective. The physical area covered by implemented ICs includes all acreage comprising the entire area of the Refuse Hideaway Landfill. There is no underlying contaminated groundwater or other contaminated material anywhere else beyond the boundary of the real estate that comprises the Site. Because the State of Wisconsin (through the Wisconsin Department of Natural Resources, or WDNR) has implemented and is currently operating and maintaining the remedy at the Site, and because of unresolved litigation amongst the Site property owners/operators regarding ownership of the real estate that comprises the Site, the WDNR has implemented ICs in the form of Continuing Obligations (COs). COs are legal requirements designed to protect public health and the environment in regard to contamination that remains on a property, and COs still apply after a property is sold. EPA has determined that all required ICs have been developed, agreed to, and approved by: (1) the Respondents to the November 3, 1999 Unilateral Administrative Orders who are performing the work at the Site (the State of Wisconsin); and (2) regulatory authorities including the Wisconsin Department of Natural Resources and EPA. A CO approval letter was signed by the State of Wisconsin on December 16, 2013, serving as the legal basis for enforcing restrictions at the Site against current and future owners. On September 4, 2014, operation and maintenance documents and procedures were implemented to ensure compliance with the restrictions and maintain the effectiveness and upkeep of the COs. It has been determined that these ICs are effective.

**Refuse Hideaway Landfill Superfund Site:
Physical Area – Summary Table**

Media, Engineered Controls, & Areas that Do Not Support UU/UE Based on Current Conditions.	IC Objectives in Decision Documents	Physical Area covered by Implemented Institutional Control
Refuse Hideaway Landfill boundary (23 acres). See attached Figure 1. Property ownership:	Prohibits use of land within the Site property boundary and	December 16, 2013 Letter from WDNR entitled: "Approval of

Media, Engineered Controls, & Areas that Do Not Support UU/UE Based on Current Conditions.	IC Objectives in Decision Documents	Physical Area covered by Implemented Institutional Control
<p>Heirs of John DeBeck, subject to litigation.</p> <p>On-site contaminated subsurface soil. Multi-media landfill cap, landfill gas collection system, and ground flare.</p>	<p>assures integrity of the landfill cap, landfill gas collection system, ground flare, and other RA components.</p> <p>Prevent well installation or other construction on site to prevent landfill cap breaches.</p> <p>Prevent landfill cap breaches or any other activity on-site that could cause erosion, cracking, sliding, and settlement of cap or other cap breaches.</p>	<p>Remedial Actions with Continuing Obligations, Refuse Hideaway Landfill, Middleton WI, WDNR BRRTS Activity #: 02-13-000849, FID #: 113112010."</p> <p>WDNR approval prior to well construction or reconstruction is required. This requirement applies to private drinking water wells and high capacity wells.</p> <p>The following activities are prohibited on any portion of the property unless prior written approval has been obtained from the WDNR: 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.</p> <p>Periodic prearranged inspections and environmental monitoring are required to ensure that the remedy and ICs remain in place and effective. Operation and maintenance of all remedy systems is required.</p>
<p><u>Refuse Hideaway Landfill boundary (23 acres).</u> See attached Figure 1. Property ownership: Heirs of John DeBeck, subject to litigation.</p> <p>Groundwater that exceeds groundwater cleanup standards. Groundwater monitoring wells, and annual sampling and analysis.</p> <p>The lateral extent of the plume continues to remain stable and contaminant levels are not increasing. There is no evidence of exposure.</p>	<p>Prohibits use of groundwater underlying the Site.</p> <p>Prevent well installation to prevent groundwater extraction or use.</p>	<p>December 16, 2013 Letter from WDNR entitled: "Approval of Remedial Actions with Continuing Obligations, Refuse Hideaway Landfill, Middleton WI, WDNR BRRTS Activity #: 02-13-000849, FID #: 113112010."</p> <p>WDNR approval prior to well construction or reconstruction is required. This requirement applies to private drinking water wells and high capacity wells.</p> <p>The following activities are prohibited on any portion of the property unless prior written approval has been obtained from the WDNR: 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</p>

Media, Engineered Controls, & Areas that Do Not Support UU/UE Based on Current Conditions.	IC Objectives in Decision Documents	Physical Area covered by Implemented Institutional Control
		cultivation; construction or placement of a building or other structure. Periodic prearranged inspections and environmental monitoring are required to ensure that the remedy and ICs remain in place and effective. Operation and maintenance of all remedy systems is required.

A Five-Year Review was completed on August 29, 2012. EPA found the remedy to be protective of human health and the environment in the short term, with long-term protectiveness achieved with attainment of MCLs or State of Wisconsin Enforcement Standards for groundwater.

We have also reviewed the current Human Exposure Environmental Indicator and determined that the Site status is "Current Human Exposure is Controlled and Protective Remedy in Place", and is consistent with this Site-wide Ready for Anticipated Use determination.

Based on the above information and all documents reviewed for this site, we find that the Site meets the following requirements:

- All cleanup goals in the ROD or other decision document have been achieved for any media that may affect current and reasonably anticipated future land uses, so that there are no unacceptable risks.
- All institutional or other controls required in the ROD or identified as part of the response action to help ensure long-term protection have been put in place.

Based on the information presented below, we recommend that you sign the attached Site-wide Ready for Anticipated Use Determination Checklist.

Region 5 may, in the future, modify the Site-wide Ready for Anticipated Use Determination based on changed site conditions.

Cleanup Goals	MCLs or NR 140, Wis. Adm. Code Enforcement Standards
Construction Complete Date	September 30, 1998
Five Year Review Date	August 29, 2012
Human Exposure	Current Human Exposure is Controlled and Protective Remedy in

Environmental Indicator	Place
NPL Deletion Date	N/A
Existing Land Use for Entire Site /Status of Use	None
Last Inspection Date	April 17, 2012
Anticipated Future Land Use	None, unused
Media, Remedy Components, & Areas that do not support UU/UE Based on Current Conditions	<p>On-site contaminated subsurface soil. Multi-media landfill cap, landfill gas collection system that also collects VOCs, and ground flare.</p> <p>Groundwater that exceeds groundwater cleanup standards. Groundwater monitoring wells, annual sampling and analysis.</p> <p>Refuse Hideaway Landfill boundary (23 acres). See attached Figure 1.</p>
Acres Associated with ICs	Refuse Hideaway Landfill boundary (23 acres)
Total Site Acres	23 acres
Title of Institutional Control Instrument	<p>December 16, 2013 Letter from WDNR entitled: "Approval of Remedial Actions with Continuing Obligations, Refuse Hideaway Landfill, Middleton WI, WDNR BRRTS Activity #: 02-13-000849, FID #: 113112010."</p> <p>"Refuse Hideaway Landfill Operation and Maintenance Manual. Landfill Gas & Leachate Extraction System," updated Sept. 4, 2014.</p>
IC Implementation Date	December 16, 2013 and September 4, 2014
Documents Reviewed for SWRAU Determination	<ol style="list-style-type: none"> 1. "Special Consent Order SOD-88-02A from WDNR relating to the closure and monitoring of the Refuse Hideaway Landfill," dated May 2, 1988. 2. Record of Decision, signed June 28, 1995. 3. Administrative Order on Consent, dated April 8, 1997. 4. Explanation of Significant Differences, dated September 30, 1998. 5. Preliminary Closeout Report, dated September 30, 1998. 6. Explanation of Significant Differences, dated June 22, 2012.

	<p>7. Second Five Year Review Report dated August 29, 2012.</p> <p>8. Letter from WDNR entitled: "Approval of Remedial Actions with Continuing Obligations, Refuse Hideaway Landfill, Middleton WI, WDNR BRRTS Activity #: 02-13-000849, FID #: 113112010," dated December 16, 2013.</p> <p>9. EPA Memorandum entitled "Revisions to Site Operations and Maintenance Manual: Implementation, Assurance of Continuing Obligations," dated August 29, 2014.</p> <p>10. Electronic Mail message from WDNR forwarding final O&M Plan revisions, dated September 4, 2014.</p>
ICTS Booklet	(attached)

Footnote 1:

In order for ICs to be considered "in place and effective", the following must be met (check all that apply):

- the ICs cover all physical areas that do not support unlimited use/unrestricted exposure (UU/UE) and the ICs' physical description of the non-UU/UE areas are accurate based on current conditions for the entire site (e.g., groundwater ordinance covers the entire plume area; legal description of cap in restrictive covenant has been mapped or undergone other verification);
- all needed land use restrictions/objectives are stated in/covered by the IC;
- title work shows recording and that no other existing property rights will interfere with the site remedy or cause undue exposure (for restrictive covenants and other proprietary controls only),
- there is current compliance with the land use restriction determined by a recent inspection; and
- future compliance with the restrictions is expected because: a) there is a legal basis for enforcing the use restriction against current and future owners; and/or b) ORC and Superfund Branch Chiefs concur that the totality of the circumstances support the expectation of future compliance with restrictions. (Examples: UECA covenant, state solid waste deed notice in conjunction with state solid waste regulation prohibiting interference with landfill component, best available IC has been implemented such as fish consumption advisory).

Attachment:

Figure 1: Refuse Hideaway Landfill Site Real Estate Parcels Delineation

FIGURE 1: Approximate Institutional Control Area.
NOTE: Figure is not to scale.

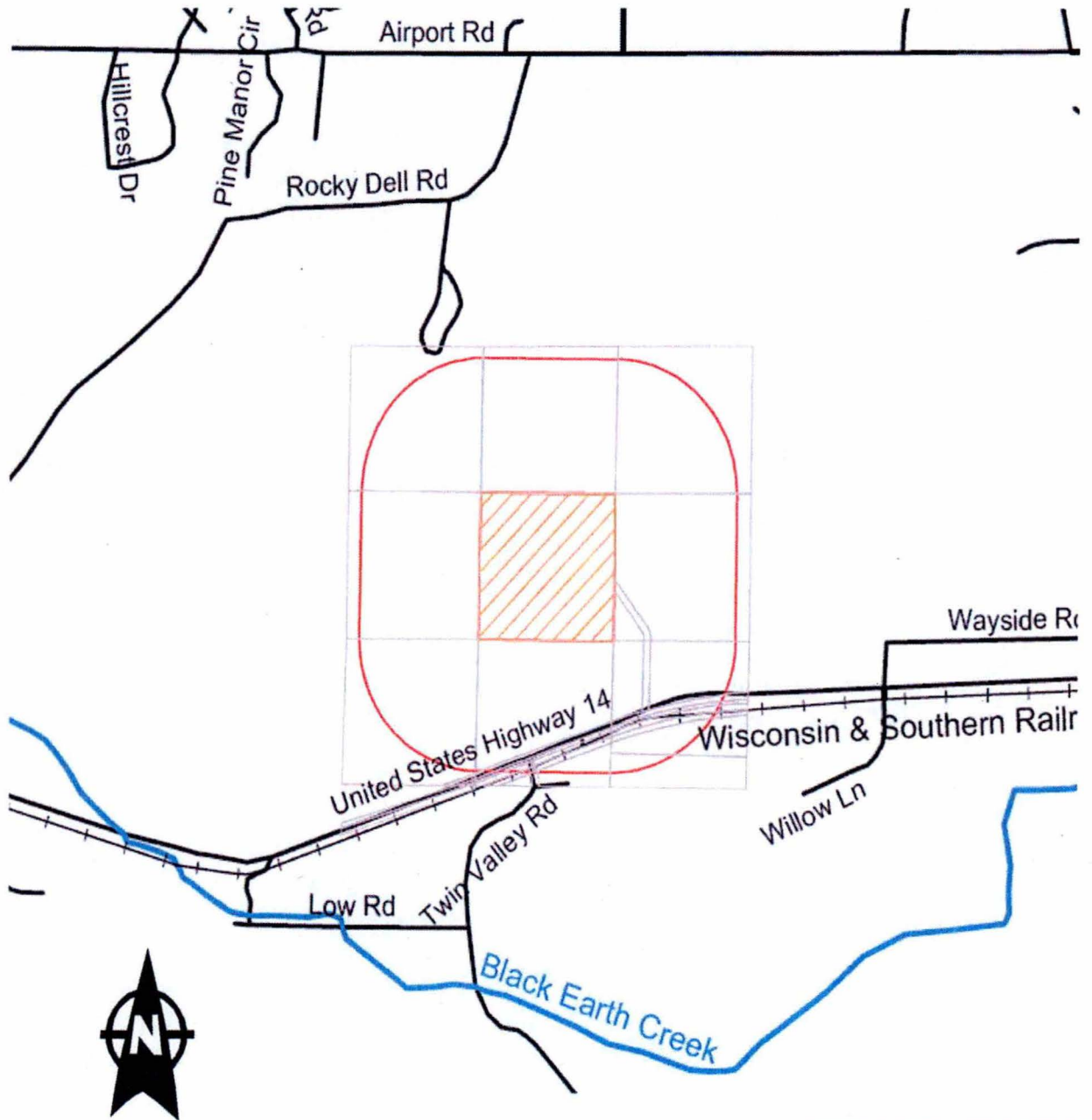
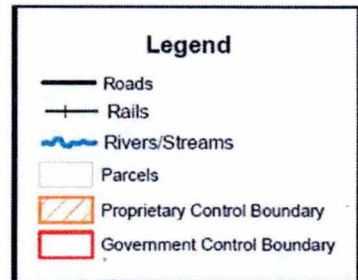


FIGURE 1:
Refuse Hideaway Landfill Site



U.S. EPA, Region 5, Superfund Division ICTS Tier II QA Sign-Off Sheet

Updated September 11, 2008

Data Quality Certification and Contact Information		
<p>Note Quality Assurance:</p> <p>Upon completion of data entry, each RPM will be provided two copies of the Simple Summary Report, Basic Summary Report, Public Report (reflecting all entries made into the ICTS) and this ICTS Tier II QA Sign-off Sheet. One copy of the package is for the RPM's records and one copy of the package is for RPM/Site Attorney review and signature.</p> <p>At this point, it is the responsibility of the RPM to provide the Site Attorney with a copy of the entire reports package and QA Sign-Off Sheet and obtain his/her signature for QA purposes. <u>The completed signed off package along with the ICTS Tier II QA Sign-Off Sheet must be provided to LaVetta Walters or Teresa Jones within two days after your Data Entry Appointment, once all signatures have been provided.</u></p> <p>The final Tier II Report and QA Sign-off Sheet will be submitted to the Record Center for scanning into SDMS and placed in the Site file.</p>		
Data Entry	Site Name REFUSE HIDEAWAY LANDFILL EPA ID WID 980 610 604	Data Entry Date
Completed by: (RPM)	Name JOHN V. FAGIOLLO	Date 9/9/14
	Title REM. PROJECT MGR	Signature John V Fagiolo
	Phone 312-886-0800	
	<input type="checkbox"/> Check box if you have any problems with any information contained in the database being released to the public. If so, please explain: <input type="checkbox"/> Check box if ICs have been implemented <input checked="" type="checkbox"/> Check box if ALL ICs required have been implemented Note: Planning information will not be included	
Completed by: (Legal Site Attorney)	Name Sherry L. Estes	Date 9/9/14
	Title Assoc. Reg. Counsel	Signature Sherry L. Estes
	Phone 312-886-7164	
	<input type="checkbox"/> Check box if you have any problems with any information contained in the database being released to the public. If so, please explain: <input type="checkbox"/> Check box if ICs required have been implemented <input checked="" type="checkbox"/> Check box if ALL ICs have been implemented Note: Planning information will not be included	
Received for Data entry Revision/Corrections	Name	Date
	Signature	
Correction made & Returned to RPM	Name	Date
	Signature	



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Site : REFUSE HIDEAWAY LANDFILL (WID980610604)

Site Institutional Controls Summary

IC Public Web Report Preview Available [Click To View](#)

Published by Jarryd Taylor on 08/04/2008 [Click To View](#)

Edit Mode

All Institutional Controls are implemented at this Site:

SITE History Edit								
ID	Name	Site ID	Context	CERCLIS ID	Region	Region Context	State	IC Required
0505114	REFUSE HIDEAWAY LANDFILL			WID980610604	05		WI	Yes

AREA OF IC INTEREST Add/Edit/Delete								
ID	Name	Area ID	Area ID Context	Subarea of	Media	Resource	Individual	Organization
3727	SITEWIDE	00	Operable Unit		(7731) (7732) (7733) (7734) (7735) (7736)		(4274) (4135) (4134)	(4040) (4041)

MEDIA Add/Edit/Delete					
ID	Name	Is Media Contaminated?	Use Restriction	Objective	Engineering Control
7731	Ground Water	Yes	(4867) (4868)	(8732)	
7732	Leachate	Yes	(4869) (4870)	(8734) (8749)	
7733	Soil	Yes	(4869) (4870)	(8734) (8749)	
7734	Solid Waste	Yes	(4869) (4870)	(8734) (8749)	
7735	Subsurface Soil	Yes	(4869) (4870)	(8734) (8749)	
7736	Surface Soil	No	(4869) (4870)	(8734) (8749)	

OBJECTIVE Add/Edit/Delete					
ID	Objective Purpose	Description	Required from Decision Document?	Use Restriction	Resources
8732	Prohibit Ingestion Exposure	Deed Restriction and Zoning Changes (ROD 6/28/95, ESD 9/30/98)	Yes	(4867) (4868)	(8552) (8553) (8554) (8555) (8556) (8558) (8561) (8562)
8734	Protect Integrity of an Engineering Control	No disruption of leachate collection (ROD 6/28/95, ESD 9/30/98)	Yes	(4869) (4870)	(8552) (8553) (8554) (8555) (8556) (8558) (8561) (8562)
8749	Prohibit Residential Exposure Scenario	Zoning requirement (ROD 6/28/95, ESD 9/30/98)	Yes	(4869) (4870)	(8553) (8552) (8554) (8555) (8556) (8558) (8561) (8562)

USE RESTRICTION Add/Edit/Delete				
ID	Restriction Type	Description	Resource	Event
4867	Limit Ground Water Use Activities			
4868	Prohibit Ground Water Well Installation/Construction			

4869	Prohibit Any Activity that May Disturb the Integrity of an Engineering Control	(8552) (8553) (8554) (8555) (8556) (8558) (8561) (8562)	(8361) (8362) (8363) (8364) (8367) (8368) (8369) (8371)
4870	Prohibit Any Activity that May Interfere with the Remedial Action	(8552) (8553) (8554) (8555) (8556) (8558) (8561) (8562)	(8361) (8362) (8363) (8364) (8367) (8368) (8369) (8371)

ENGINEERING CONTROL <i>Add/Edit/Delete</i>			
ID	Engineering Control Type	Description	Objective
1413	Monitoring (Other)		(8732) (8734) (8749)
1412	Leachate Control		(8732) (8749)
1410	Cap		(8732) (8734) (8749)
1411	Gas Collection/Treatment		(8732) (8749)

RESOURCE <i>Add/Edit/Delete</i>											
ID	IC Document Class	Document Class	Document Category Class	Document Source	Document Life Span	Document Life Span Conditions	Document Title	Document ID	Document ID Context	Event	Sensitivity
<i>MONITORING SYR REVIEW INFO. FED.</i>							CONSENT DECREE (CD) (SIGNED) - PART 2 OF 2 [APPENDICES]	<i># 280049</i>			<i>PUBLIC</i>
8552	Enforcement	Consent Decree (CD)	Enforcement	Federal				<u>05:155259</u>		(8361)	Public
8553	Instrument	State Legislation	Government	State	Permanent		NR700-736			(8362)	Public
8554	Instrument	Well Drilling Regulation	Government	State	Permanent		NR 812.10			(8371)	Public
8555	Instrument	Notice - Notice to State Regulators Before Changes in Land Ownership	Informational	State	Permanent		NR700-736			(8363)	Public
8556	Instrument	Notice - Notice to State Regulators Before Changes in Land Use	Informational	State	Permanent		NR700-736			(8369)	Public
8558	Enforcement	Consent Decree (CD)	Enforcement	Federal			CONSENT DECREE (CD) (SIGNED) - PART 1 OF 2 (SIGNATURE PAGE ; COVER LETTERS ATTACHED)	<u>05:155256</u>	SDMS ID - Superfund Document Management System ID	(8364)	Public
8561	Decision	Explanation of Significant Differences (ESD)	Decision	Federal			EXPLANATION OF SIGNIFICANT DIFFERENCES (ESD) (SIGNED) - REFUSE HIDEWAY LANDFILL	<u>05:149120</u>	SDMS ID - Superfund Document Management System ID	(8367)	Public
<i>MONITORING SYR REVIEW INFO. FED.</i>							RECORD OF DECISION (ROD)	<i># 441964</i>			<i>PUBLIC</i>
		Record of							SDMS ID - Superfund		

8562 Decision Decision (ROD) Decision Federal (SIGNED) - REFUSE HIWAY LANDFILL 05: 149117 Document Management System ID (8368) Public

INSTRUMENT - CONTINUING OBLIGATIONS

12/16/13

PUBLIC

EVENT Add/Edit/Delete								
ID	Name	IC Event Class	Event Type	Actual Date	Planned Date	Individual	Organization	Sensitivity
8361	Consent Decree Part 2 of 2	Enforcement	Document Issuance	08-31-2001		(4134) (4135) (4274)	(4040) (4041)	Restricted (Confidential)
8362	State Legislation	Implementation	Document Issuance	08-31-2001				Restricted (Confidential)
8363	Notice - Ownership	Implementation	Document Issuance	08-31-2001				Restricted (Confidential)
8364	Consent Decree Part 1 of 2	Enforcement	Document Issuance	08-31-2001		(4134) (4135) (4274)	(4040) (4041)	Public
8367	ESD	Decision	Document Issuance	09-30-1998		(4134) (4135) (4274)	(4040) (4041)	Public
8368	ROD	Decision	Document Issuance	06-28-1995		(4134) (4135) (4274)	(4040) (4041)	Public
8369	Notice - Land Use	Implementation	Document Issuance	08-31-2001				Restricted (Confidential)
8371	Well Drilling Reg	Implementation	Document Issuance	08-31-2001				Restricted (Confidential)

INDIVIDUAL Add/Edit/Delete						
ID	First Name	Last Name	Middle Initial	Phone Number	Email Address	Organization
4134	John	Fagiolo		312-886-0800	fagiolo.john@epa.gov	(4040, Remedial Project Manager)
4135	Sherry	Estes		312-886-7164	estes.sherry@epa.gov	(4040, Associate Regional Counsel)
4274	James <i>WILL</i>	Walden <i>MYERS</i>		608-276-7572 <i>273-5613 WILL MYERS</i>	james.walden@wisconsin.gov	(4041, State Project Manager)

ORGANIZATION Add/Edit/Delete					
ID	Organization Formal Name	Organization Type	Phone Number	Email Address	Web Site
4040	USEPA	Federal Government			
4041	WDNR	State Government			

COMMENT Add/Edit	
ID	Comments
1506	

5 YR REVIEW (FIRST) MONITORING 9/18/07 RPM, EPA ATTORNEY ISSUING IMPLEMENTING ORD. RESTRICTED

5 YR REVIEW (2ND) " " " " "

CONTINUING OBLIGATIONS 12/16/13 " " RESTRICTED



Institutional Controls

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Superfund Site Information

Institutional Controls(ICs)

Site Documents

Data Element Dictionary (DED)

Order Superfund Product

Institutional Controls for Refuse Hideaway Landfill

CERCLIS ID: WID980610604

Institutional controls are required for this site. This site requires ICs because a decision document, such as a Record of Decision, has documented some level of contamination and/or remedy component at the site that would restrict use of the site. These ICs are required to help ensure the site is used in an appropriate way and that activities at the site do not damage the cleanup components. These ICs will remain in place for as long as the contamination and/or cleanup components stay on site. The matrix below is a general summary of the restrictions at this site at the date of this report. The information in this matrix is a general description of the restrictions at the site only. The following site contacts should be consulted if there are questions on the ICs for this site.

Site Contact(s):

SHERRY ESTES

~~Jacqueline Miller~~, Associate Regional Counsel Phone: 312-886-7167 Email: miller.jacqueline@epa.gov *ESTES.SHERRY@EPA.GOV*

John Fagiolo, Remedial Project Manager Phone: 312-886-0800 Email: fagiolo.john@epa.gov

The following chart shows EPAs **media-specific use restrictions and their corresponding Instruments that have been implemented by EPA** for protecting human health, the environment and remedial engineering on this site. Instruments are documents used by EPA or other organizations to implement the use restrictions at a site. To know about other media-specific use restrictions that are planned but not implemented at this site, please contact the Regional Office using the Site Contact listed above. Note that where multiple entries occur, it will impact more than one pathway.

ICs are generally defined as administrative and legal tools that do not involve construction or physically changing the site. Common examples of ICs include site use and excavation restrictions put in place through State and local authorities like zoning, permits and easements. ICs are normally used when waste is left onsite and when there is a limit to the activities that can safely take place at the site (i.e., the site cannot support unlimited use and unrestricted exposure) and/or when cleanup components of the remedy remains onsite (e.g., landfill caps, pumping equipment or pipelines). Effective ICs help ensure that these sites can be returned to safe and beneficial use.

Disclaimer: This information is being provided by EPA as an informational tool to further assist the public in determining the types of restrictions that may be in place at National Priorities List sites being addressed by EPA under the Superfund program. In addition to the areas addressed by the institutional controls identified on this web site there may be other areas on the property that require restrictions on use of the property that are not captured in this EPA database. States and other entities may have implemented laws or restrictions applicable to this site. The information provided herein does not replace a title search or meet "All Appropriate Inquiry" requirements. U.S. EPA encourages users to review the Site files to obtain information regarding remedy components, containment systems and the land use for which cleanup standards were selected for these sites. More information and links can be found on the site profile page from which this page was accessed, and EPA regional offices may also be contacted.

Report generated on **August 04, 2008**

Expand All		
Media Where IC Applies <small>(Multiple entries where more than one pathway is impacted)</small>	Restriction Type	Instrument
<input checked="" type="checkbox"/> Leachate	Prohibit Any Activity that May Disturb the Integrity of an Engineering Control	The link to this document is currently unavailable. Please contact the regional contacts listed for more information. Document Issuance, Implementation August 31, 2001
Expand All		

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MEDIA
ground water

RESTRICTION TYPE
LIMIT groundwater USE ACTIVITIES

INSTRUMENT
- (SEE ID # 8553, 8554, 8555, 8556)
- CONTINUING OBLIGATION

~~SOIL~~
ground water

PROHIBIT g-w well INSTALLATION/CONSTRUCTION

- #8553 TO 8556
- CONTINUING OBLIGATION

SOIL and SUBSURFACE SOIL

PROHIBIT ANY ACTIVITY THAT MAY DISTURB THE INTEGRITY OF AN ENGINEERING CONTROL

- #8553 TO 8556
- CONTINUING OBLIGATION

SOLID WASTE

PROHIBIT ANY ACTIVITY THAT MAY INTERFERE WITH THE REMEDIAL ACTION

- 8553 TO 8556
- CONTINUING OBLIGATION

once links are available - can list as ICs are complete for this site - Sherry Bates 9/14

Superfund Site Indicators Consistency Checklist

This Indicators Consistency Checklist serves to promote consistency among various indicators in the Superfund Remedial Program. It should be used as a tool and as guidance for understanding Indicators for all Final NPL, Deleted NPL, Proposed NPL and SAS sites.

The Checklist should be completed/updated whenever there is an initial determination or update on the following: Current Human Exposure Environmental Indicator, Contaminated Groundwater Migration Environmental Indicator, Site-Wide Ready for Anticipate Use, or Cross Program Revitalization Measure.

This Checklist should be reviewed and updated as appropriate as your site project develops, including at such milestones as: Record of Decision, ROD Amendment, Explanation of Significant Differences, Remedial Design, Preliminary Construction Completion, Final Construction Completion, Institutional Controls implementation, and Five Year Review (FYR) determinations, including FYR amendments.

The Checklist should be submitted as part of the sign-off package for the Superfund Division for all Five Year Reviews and Five Year Review Amendments.

Site Name: Refuse Hideaway Landfill

RPM: John V. Fagiolo

Environmental Indicators: Determinations are Site-Wide.

Scope of Indicator: Environmental Indicator Determinations are required at Final NPL, Proposed NPL, and Superfund Alternative sites.

HUMAN EXPOSURE

If the Human Exposure determination for this site is:

Current Human Exposures Not Controlled

Then:

The FYR protectiveness statement for at least one portion of the remedy must be *remedy is not protective*.
The site cannot be *Site-wide Ready for Anticipated Use*.

If the Human Exposure determination for this site is:

Insufficient Data

Then:

The FYR protectiveness statement for at least one portion of the remedy must be *protectiveness cannot be determined until further information is obtained*.
The site cannot be *Site-wide Ready for Anticipated Use*.

If the Human Exposure determination for this site is:

Current Human Exposures Controlled

Then:

The FYR protectiveness statement for all of the site remedy operable units must be *remedy is protective in the short term*.

The site cannot be *Site-wide Ready for Anticipated Use*.

If the Human Exposure determination for this site is:

Current Human Exposure Controlled and Protective Remedy in Place (Construction Complete, remedy operating as intended, ICs in place and effective)

Then:

The FYR protectiveness statement for all of the site remedy operable units must be *remedy is protective in the short term and is expected to be protective in the long term*.

ICs must be in place and effective for the entire site.

The site may be *Site-wide Ready for Anticipated Use*.

If the Human Exposure determination for this site is

Long-Term Human Health Protection Achieved (all human exposure-related cleanup goals met for the entire site)

Then:

FYR protectiveness statement for all of the site remedy operable units must be *remedy is protective (in the short term and the long term)*.

ICs must be in place and effective for the entire site.

The site may be *Site-wide Ready for Anticipated Use*.

CONTAMINATED GROUNDWATER MIGRATION

If the Contaminated Groundwater Migration determination for this site is:

Contaminated Groundwater Migration Not Under Control

Insufficient Data

Contaminated Groundwater Migration Under Control

The Contaminated Groundwater Migration Environmental Indicator does not have a direct bearing on the FYR protectiveness statement or the *Site-Wide Ready for Anticipated Use* indicator unless:

- There are current human exposures to the contaminated groundwater. Then the FYR protectiveness statement must be that the remedy is *not protective in the short or long term* and the Human Exposure Environmental Indicator should be *Current Human Exposures Not Controlled*. The site is then also not *Site-Wide Ready for Anticipated Use*.
- There are reasonably anticipated future human exposures to the contaminated groundwater. Then the FYR statement must be that the remedy is *not protective in the long term* (at least - there may be other site-specific reasons why the remedy may not be *protective in the short term*), unless ICs that will prevent future exposure to the contaminated groundwater are in place and effective. If there are reasonably anticipated future human exposures to contaminated groundwater and no effective ICs in place, then the Human Exposure Environmental Indicator cannot be *Current Human Exposure Controlled and Protective Remedy in Place* or *Long-Term Human Health Protection Achieved*, and the site is not *Site-Wide Ready for Anticipated Use*.

Institutional Controls:

Scope of ICs: ICs are required as determined by site decision document(s) and current evaluation. ICs may apply site-wide or for distinct parcels of land, and are not necessarily based on operable unit. In order for ICs to be considered in place and effective the following must be met (check all that apply):

the ICs cover all physical areas that do not support unlimited use/unrestricted exposure (UU/UE) and the ICs physical description of the non-UU/UE areas are accurate based on current conditions for the entire site (e.g., groundwater ordinance covers the entire plume area, legal description of cap in restrictive covenant has been mapped or undergone other verification);

all needed land use restrictions/objectives are stated in and covered by the IC;
 title work shows recording and that no other existing property rights will interfere with the site remedy or cause undue exposure (for restrictive covenants and other proprietary controls only),

there is current compliance with the land use restriction determined by a recent inspection; and

further compliance with the restrictions is expected because: (1) there is a legal basis for enforcing the use restriction against current and future owners; or (2) ORC and Superfund Program Branch Chiefs concur that the totality of the circumstances support the expectation of future compliance with restrictions.

IF:

ICs are NOT required based on site decision document(s) and the site is cleaned up to UU/UE;

THEN: The site may be *Site-Wide Ready for Anticipated Use*. The site HE EI should be *Long Term Human Health Protection Achieved*. The site FYR protectiveness statements should be *protective in the short-term* and *protective in the long-term*.

IF:

ICs are NOT required based on site decision document(s) and the site is not cleaned up to UU/UE;

THEN: The site is not *Site-Wide Ready for Anticipated Use*. The site Human Exposure Environmental Indicator may be *Current Human Exposures Not Controlled*, *Insufficient Data*, *Current Human Exposures Controlled*, or *Current Human Exposures Controlled/Protective Remedy in Place*. The site Human Exposure Environmental Indicator may not be *Long Term Human Health Protection Achieved*. The site FYR protectiveness statements may be *protective in the short term* and must be not *protective in the long term*.

IF:

ICs are required based on site decision document(s) but are NOT in place and/or effective;

THEN: The site is not *Site-Wide Ready for Anticipated Use*. The site Human Exposure Environmental Indicator may be *Current Human Exposures Not Controlled*, *Insufficient Data*, or *Current Human Exposures Controlled*. The site Human Exposure Environmental Indicator may not be *Current Human Exposures Controlled/Protective Remedy in Place* or *Long Term Human Health Protection Achieved*. The site FYR protectiveness statements may be *protective in the short term* and must be not *protective in the long term*.

IF:

ICs are required based on site decision document(s) and are in place and effective;

THEN: The site may be *Site-Wide Ready for Anticipated Use*. The site HE EI may be any of the five categorizations. The site FYR protectiveness statements may be *protective in the short term* and may be *protective in the long term*.

IF:

ICs are required based on current evaluation, but are not properly documented in a decision document and not in place and effective;

THEN: The site is not *Site-Wide Ready for Anticipated Use*. The site HE EI may be any of the five categorizations. The site FYR protectiveness statements may be *protective in the short term* and must not be *protective in the long term*. The need for ICs should be properly documented in the site record as soon as possible.

IF:

ICs are required based on current evaluation, but are not properly documented in a decision document, and are in place and effective;

THEN: The site may be *Site-Wide Ready for Anticipated Use*. The site HE EI may be any of the five categorizations. The site FYR protectiveness statements may be protective in the short term and may be protective in the long term. The need for ICs should be properly documented in the site record as soon as possible.

Other, please explain _____

Five Year Review Protectiveness Statements: Determinations are made for each Operable Unit Remedy.

Scope of FYRs: FYR are required at sites where a remedial action was selected post-SARA, and the remedial action leaves hazardous substances on site above health-based limits under one or more land use scenario(s). FYRs are also conducted at sites: (1) where a remedial action was selected pre-SARA, and the remedial action leaves hazardous substances on site above health-based limits under one or more land use scenario(s) and (2) where the remedial action is anticipated to take a long time (over 20 years) to reach the cleanup goals which will then allow unlimited use and unrestricted access.

FYR protectiveness statements are specific to an operable unit remedy. If there are multiple operable unit remedies at a site, there may be different FYR protectiveness statements for each operable unit remedy. In cases where there are different protectiveness statements for different operable unit remedies at a site, the "least protective" protectiveness statement in a FYR dictates the protectiveness of the site-wide Human Exposure EI determination. Considering the "least protective" protectiveness statement in the FYR...

If the FYR protectiveness statement is:

Remedy is protective

Then the site is considered *protective in the short term* and *protective in the long term*. The site must be categorized as *Long Term Human Health Protection Achieved*. The site may be *Site-Wide Ready for Anticipated Use*. If ICs are needed, they are in place and effective as documented by the IC checklist beginning on page 2.

If the FYR protectiveness statement is:

Remedy will be protective once the remedy is complete, and in the interim, exposure pathways that could result in unacceptable risks are being controlled...

Then the site is considered *protective in the short term* and not considered *protective in the long term*. The site must be categorized as *Current Human Exposures Controlled* or *Current Human Exposures Controlled – Protective Remedy in Place*. If ICs are needed, they may be in place and effective, as documented by the IC checklist beginning on page 2; and the site may be *Site-Wide Ready for Anticipated Use*.

If the FYR protectiveness statement is:

Remedy is protective in the short-term, however, in order for the remedy to be protective in the long-term, the following actions need to be taken...

Then the site is considered *protective in the short term* and is not considered *protective in the long term*. The site must be categorized as *Current Human Exposures Controlled* or *Current Human Exposures Controlled – Protective Remedy in Place*. If ICs are needed, they may be in place and effective, as documented by the IC checklist beginning on page 2; and the site may be *Site-Wide Ready for Anticipated Use*.

If the FYR protectiveness statement is:

Remedy is not protective, unless the following actions are taken to ensure protectiveness...

Then the site is *not protective in the short term and not protective in the long term*. The site must be categorized as *Current Human Exposures Not Controlled*. The site is not *Site-Wide Ready for Anticipated Use*.

If the FYR protectiveness statement is:

Protectiveness (short term) cannot be determined until further information is obtained

Then the site must be categorized as *Insufficient Data to Determine Human Exposure Control Status*. The site is not *Site-Wide Ready for Anticipated Use*.

Ready for Anticipated Use: Determination is Site-Wide.

Scope of Indicator: Ready for Anticipated Use determination is made for Final and Deleted NPL sites. Sites where there is impact to groundwater only and EPA has not assessed the land surface are not eligible for *Site-Wide Ready for Anticipated Use*. Sites that have been deferred to other programs without significant work by the EPA Superfund program are not eligible for *Site-Wide Ready for Anticipated Use*.

All answers below must be "Yes" in order for the site to meet the GPRA definition of Ready for Anticipated Use.

Is the site a Final or Deleted NPL site? Yes No

Is the site Construction Complete? Yes No

Have all cleanup goals in the site decision document(s) been achieved for media that may affect current or reasonably anticipated future land uses of the site, so that there are no unacceptable risks? Yes No

Have all ICs and other controls required in the decision document(s) or by current conditions been put in place and determined effective as determined by the IC checklist that begins on page 2? Yes No

Is the Human Exposure Environmental Indicator determination either *Current Human Exposures Controlled and Protective Remedy in Place* or *Long Term Human Health Protection Achieved*? Yes No

If cleanup goals for ecological exposures were established in the decision document(s), have they been met?

Yes No Not Applicable

Cross Program Revitalization Measure (CPRM): Determination is made on acres of land by operable unit or property transfer parcel.

Scope of Indicator: The CPRM is made for the following universe of sites: Proposed NPL, Final NPL, Deleted NPL, Superfund Alternative Sites, Non-Time Critical Removal Sites (NTCR), certain non-NPL federal facilities, and Formerly Used Defense Sites.

If a land parcel is

Protective for People (PFP)

Then, in that parcel of land, all identified human exposure pathways from contamination at the site are under control and all possible exposures are below health-based levels for current land and/or groundwater use conditions. This determination, for this parcel of land, is consistent with one of the three following Human Exposure Environmental Indicator determinations: *Current Human Exposures Controlled*, *Current Human Exposures Controlled and Protective Remedy in Place*, *Long Term Human Health Protection Achieved*. The site-wide Human Exposure Environmental Indicator does not have to meet the criteria of these three Human Exposure Environmental Indicators.

If a land parcel is

Ready for Anticipated Use

Then, that parcel of land,

- Is PFP,
- Has achieved all cleanup goals for media that affect current and reasonably anticipated future land uses such that there is no unacceptable risk, and
- All ICs identified as part of the response action to help ensure long-term protection have been put in place and are currently effective.

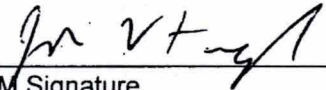
This determination, for this parcel of land, is similar to the Site-Wide Ready for Anticipated Use indicator, however, the full site does not need to meet the criteria of this indicator.

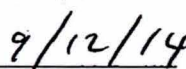
Ready for Anticipated Use Relationship to Site-Wide Ready for Anticipated Use

If ...

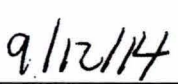
- all of the land parcels at a site are *Ready for Anticipated Use*,
- the Human Exposure Environmental Indicator for the site is *Current Human Exposures Controlled/Protective Remedy in Place* or *Long Term Human Health Protection Achieved*, and
- all cleanup goals for ecological exposures established in the decision document(s) have been met

Then... the site is *Site-Wide Ready for Anticipated Use*.


RPM Signature


Date


Section Chief Signature


Date

Bonnie Eleder
FYR, IE, SWRAU Coordinator Signature

Date

(01/23/12 ble)

**Wisconsin Department of Natural Resources
Bureau of Waste Management
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Facility:

Name: IKI MFG CO INC FID: 154058300 EPA ID: WID006427462 Site Id: 672500
 Facility Status: Operating Status Change Date: Owner Type: Private Operator Type: Private
 Loc Address: 107 MAPLE CT Mail Address: 116 N SWIFT ST
 Loc City: EDGERTON Mail City: EDGERTON
 Loc State: WI Loc Zip Code: 535341833 Mail State: WI Mail Zip Code: 535341833
 County: Rock Region: South Central Region Area: Madison
 Start Date: Close Date: Report Medium Type:
 Comment: LG FILE WITH R& R PRGM (CLOSED FILE). SEE SCR RR PA. WE HAVE 1 FILE FOR LQG. 1-13-06 WARREK; FORMER FID 154055990. COMBINED FOR THE BENEFIT OF 1 FID TO MATCH AIR PRGM. 3/19/02 WARREK
 Last Update: 08/13/2009 Last User: NAICSUPDT

Site:

Acres: Hndi Code: 54221 Initial Date:
 Site Owner: Ownership Type:
 Loc Address: 107 MAPLE COURT Loc City: EDGERTON
 PLSS: 1/4 of 1/4 of Section , Township Range
 Latitude Degree: Minute: Second:
 Longitude Degree: Minute: Second:

Activity:

Activity Name	Act. Code	Approved Flag	Original Approval Date	Activity Status	Status Change Date	License Number	License Status	Original License Date	Fee Flag	Closure Plan Flag	Closure Date	Actual Closure Date
HW Generator - Large	201			Active					N			
ERP	330								N			
SPILL	350								N			
NO RR ACTION REQUIRED	390								N			

Contact:

Act Code: 201
 Mail Name: JEFF A KRONFORST, TECHNICAL DIRECTOR
 Address: 116 N SWIFT ST City: EDGERTON State: WI Zip: 535341833
 Phone: 6088843411
 Last Update: 02/11/2014 Last User: HWAR13UPDT

Wisconsin Department of Natural Resources
Bureau of Waste Management
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Contact:

Act Code: 297
Mail Name: JEFF A KRONFORST, TECHNICAL DIRECTOR
Address: 116 NORTH SWIFT STREET City: EDGERTON State: WI Zip: 53534183
Phone: 6088843411
Last Update: 02/11/2014 Last User: HWAR13UPDT

Act Code: 298
Mail Name: JEFF A KRONFORST, TECHNICAL DIRECTOR
Address: 116 NORTH SWIFT STREET City: EDGERTON State: WI Zip: 53534
Phone: 6088843411
Last Update: 02/11/2014 Last User: HWAR13UPDT

Owner:

Name: I-K-I MFG CO INC Start Date: End Date:
Address: 116 N SWIFT STREET City: EDGERTON State: WI Zip: 53534 Phone: 6088843411

Name: I-K-I MFG CO INC Start Date: 01/01/1956 End Date:
Address: 116 N SWIFT STREET City: EDGERTON State: WI Zip: 535341891 Phone: 6088843411