



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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March 6, 2000

Mr. Larry Erlich  
Waukesha Iron & Metal, Inc.  
1351 East Main Street  
Waukesha, WI 53186

Brit # 02-08-275715  
FID # 268508680

CERTIFIED MAIL

Dear Mr. Erlich:

Thank you for meeting with us to discuss the Notice of Violation that was issued to Waukesha Iron & Metal, Inc. (Waukesha Iron), on February 16, 2000. If you are not in agreement with the summary of this meeting please contact the Department.

Meeting Date: March 2, 2000  
Location: DNR Southeast Region Annex Office.  
Attendance: Larry Erlich, Tim Kennedy, Scott Ferguson and David Dahms.

Summary of Discussion

Mr. Erlich stated that the barrels of old gas that were being stored at Waukesha Iron had been on site for approximately 5-6 years. Tim Kennedy summarized previous discussions with Mr. Erlich which requested Mr. Erlich to limit the accumulation of gasoline on-site. Kennedy stated that Waukesha Iron should limit accumulation to 3-4 drums and less than one year. Mr. Erlich stated that Waukesha Iron has implemented a policy where once one drum of gas is accumulated, Mr. Erlich will call OSI and have the drum removed.

Kennedy recommended that Waukesha Iron remove gas tanks on a concrete pad to reduce the chance of spillage into the environment. Kennedy also recommended that absorbent materials be stored nearby to assist clean up of spills. Scott Ferguson recommended using curbing in these areas. Mr. Erlich stated that a stormwater inspection was done at the facility 2 ½ months ago under the CCCR program.

Kennedy discussed solid waste requirements at Waukesha Iron. Kennedy requested that Waukesha Iron cannot accumulate piles of solid waste debris and requested that the facility have regular service for solid waste materials. Mr. Erlich stated that two 40 yard roll-off boxes are now on site and that Waukesha Iron will take the boxes in to a licensed solid waste facility once boxes are filled with solid waste.

Kennedy also addressed the storage of lighting ballasts. Kennedy stated that Waukesha Iron needs DNR approval to store lighting ballasts. Kennedy recommended that the facility not accept any PCB or non-PCB lighting ballasts. Mr. Erlich provided documentation that the ballasts previously noted on-site by Kennedy were removed by RTI. Mr. Erlich also explained that there is a large sign at the facility that states no lighting ballasts are accepted.



Mr. Erlich stated that sometimes lighting ballasts are mixed in with waste lighting fixtures. Mr. Erlich stated that when lighting ballasts are found mixed with other scrap, the ballasts will either be rejected or containerized immediately and shipped to RTI.

Scott Ferguson discussed his role as a Hydrogeologist to Mr. Erlich. Ferguson explained that he is working on a site investigation of the old Akerman property located adjacent to Waukesha Iron. Ferguson explained that old barrels of paint waste, which is classified as hazardous waste, were buried on the Akerman property. Ferguson stated that the property has been required by DNR to complete a site investigation. As part of the investigation, the consultant working on the project collected soil and groundwater samples from the property. Ferguson explained that groundwater samples collected near the boundary of the old Akerman property and Waukesha Iron indicated elevated levels of MTBE, which is a gasoline constituent.

Ferguson noted that MTBE has only been used in gasoline since the 1980s and that Akerman operated at the property in the 1970s. In addition, Ferguson noted that the consultant has determined that groundwater flows from the Waukesha Iron property to the old Akerman property. Ferguson stated that based on the consultant's findings, there may be a possibility that Waukesha Iron may be the source of contamination of MTBE contamination.

Ferguson stated that Waukesha Iron would be getting a responsible party letter. Ferguson stated that under the Spill Law, Waukesha Iron would be required to hire an environmental consultant and perform a site investigation to define the degree and extent of contamination if contamination is found. Ferguson stated that it was very important to follow the milestones in the letter. Ferguson provided an executive summary of the consultant's findings and offered to meet with Mr. Erlich and his consultant.

You can call me at (414) 263-8670 or Tim Kennedy at (414) 229-0858 if you have any questions.

Sincerely,



David Dahms  
Enforcement Specialist

c: Bureau of Waste Management - WA/3  
Tim Kennedy - Annex  
Scott Ferguson - Annex