

State of Wisconsin - Department of Natural Resources
 Substance Release Notification Report (SERTS)
 Report created on 11/14/2008

SPILL ID# 20070624SE65-1 BRRTS# 04-65-552088

Incident Date & Time: 06/24/2007 1300	Reported Date & Time: 06/24/2007 1315	BRRTS No: 04-65-552088	Spill ID: 20070624SE65-1
DATCP Reported? No DATCP Transferred? No	NFA Letter Sent? No	ERP Transferred? No	Incident Closed? Yes : 07/31/2008

Location			
Region: SE	County: Walworth	Municipality: ELKHORN, CITY OF	
Facility/Property Name and Street Address: MILLENIUM TILES 550 E CENTRALIA		Description: NE CORNER OF BLDG	
Facility Type: Industrial Facility (foundry, factory, platter, etc)			
Lat/Long:	PLSS:	WTM:	
Weather Conditions:			

Responsible Parties			
Name/Address (1): MILLENIUM TILES 55 E CENTRALIA ELKHORN, WI 53121- (262) 723-7778 x Primary	Contact: DENNIS MYERS TECHNICAL DIRECTOR (847) 363-2900 x primary	Other Contact:	Spill Packet:

Cause
TANK WELD FAILURE

Cause Type: Equipment Failure

Substances						
Name	Other / Comments	Amt Released	Amt Recovered	Type	Color	Odor
Acid	CHROMIC AND SULPHURIC	EST 1700.0 Gal	EST 1700.0 Gal	LIQUID		

Environmental Impacts / Damages			
Environmental Impacts: CONCRETE CONTAINED GROUNDWATER : Potential SOIL	Resource Damages: No	Injuries: No	Evacuation: No

Cleanup Actions	
Method	Description
Vacuum	SHOPVAC USED INSIDE
Excavation	NORTHSHORE ENVIRON.
Samples Collected	NORTHSHORE- 6 SAMPLES

Cleanup Action Comments

A TOTAL OF 450-GALLONS OF CHROMIC ACID/SULFURIC ACID/WATER WERE RECOVERED OUTSIDE THE FACILITY AND THE LIQUID WAS TREATED ON SITE BY MILLENNIUM TILES. APPROXIMATELY 120.14 TONS OF IMPACTED SOIL WERE EXCAVATED AND SENT TO VEOLIA ES TECHNICAL SOLUTIONS IN MENOMONEE FALLS, WI. EIGHT SOIL SAMPLES WERE COLLECTED TO VERIFY THAT ALL IMPACTED SOILS WERE EXCAVATED TO WELL BELOW THE RESIDUAL CONTAMINANT LEVEL OF 200 MG/KG CONTAINED IN NR 720.11.

Contractors Hired	
Name	Description

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NORTH SHORE ENVIRONMENTAL		NORTH SHORE ENVIRONMENTAL		
Waste Destinations				
Location		Description		
LIQUID		TREATED ONSITE		
SOIL		VEOLIA ES TECHNICAL SOLUTIONS		
Agencies Notified / On Scene				
Agency		Notified	On Scene	
DIV EMERG MGT		X		
DNR		X	X	
FIRE DEPARTMENT		X	X	
LEPC OF LOCAL EMERG MGT		X		
LAW ENFORCEMENT		X	X	
Additional Comments				
WARDEN REED MET WITH DENNIS MYERS OF MILLENIUM TILE AND CHUCK SCHEFFER OF NORTHSHORE ENVIRONMENTAL. NORTHSHORE HAD A PLAN IN PLACE TO EXCAVATE THE AREA THAT HAD BEEN IMPACTED OUTSIDE THE BUILDING AND USE PH READINGS TO DETERMINE DEPTH IMPACTED. SHOPVACS HAD BEEN USED TO CLEAN UP INSIDE THE BUILDING. WARDEN REED SPOKE TO SCHEFFER ON WEDNESDAY 6/27 AND SCHEFFER STATED THE EXCAVATION HAD TAKEN PLACE AND SAMPLES HAD BEEN TAKEN FROM 6 LOCATIONS ON THE NORTH SIDE OF THE BUILDING. MATERIALS HAD BEEN STOCKPILED ON TARPS AND SSURROUNDED BY A SAND BARRIER ON SITE UNTIL TEST SAMPLES WERE RETURNED AND APPROPRIATE DISPOSAL COULD OCCUR. SCHEFFER STATED THAT THE AREA NORTH OF THE BUILDING HAD CONTAINED A LAYER OF TOPSOIL OVER CLAY AND THE MATERIALS HAD BEEN CONTAINED BY THE CLAY BASE. SCHEFFER STATED HE HAD SPOKEN WITH SCOTT FERGUSON AS WELL. ON JULY 18,2008, LARRY FOX CALLED DENNIS MEYERS. ON JULY 23, 2008, DENNIS CALLED BACK AND DENNIS WILL SEND A REPORT. ON JULY 30, 2008, FOX REVIEWED THE REPORT SUBMITTED AND DETERMINED THAT THE SPILL COULD BE CLOSED.				
Enforcement Action/Citation				
Enforcement Action/Citation? Undetermined				
Case Activity Reports:				
Person Reporting				
Name	Representing / Address	Primary Phone	Secondary Phone	
KEVIN WILLIAMS	WALWORTH SHERIFF'S OFFICE	(262) 741-4400 x		
Contractors Hired				
Name / Address			Zone Contractor Hired by DNR?	
			No	
Contacts				
Role	Name	Office Phone	Date	Time
Prepared By:	SCOTT FERGUSON	(414) 263-8685 x	06/24/2007	
Person Notified:	RICK REED	(262) 574-2160 x	06/24/2007	0835
Investigated By:	LAWRENCE L FOX	(414) 263-8546 x	07/18/2008	
Incident Commander:	RICK REED	(262) 574-2160 x		
Spill Coordinator:	SE - FERGUSON, SCOTT	414-263-8685	07/31/2008	
Electronic Attachments (list)				
Name		Type		

Closed
7/31/2008 LvdZ.

REMEDIAL ACTION REPORT

**Millennium Tiles LLC
550 East Centralia Street
Elkhorn, WI**



REMEDIAL ACTION REPORT

**Millennium Tiles LLC
550 East Centralia Street
Elkhorn, WI**

Prepared For: Millennium Tiles LLC
550 E. Centralia Street
Elkhorn, WI 53121

Prepared By: North Shore Environmental Construction, Inc.
N117 W18493 Fulton Drive
Germantown, WI 53022

Report Date: September 7, 2007

NSEC Project: 07M02

1.0 INTRODUCTION

At approximately 12:40 PM on June 24, 2007 North Shore Environmental Construction, Inc. (NSEC) was contacted by Dennis Myers of Millennium Tiles regarding a chromic acid and sulfuric acid spill incident which occurred at 550 E. Centralia Street in Elkhorn, WI. Mr. Chuck Scheffer, a response manager from NSEC, was immediately dispatched to the site to evaluate the situation and determine the resources that would be necessary to properly remediate the release. Mr. Scheffer was met on site by Mr. Dennis Myers of Millennium Tiles, LLC, Lieutenant Kevin Williams of Walworth County Emergency Management and Mr. Richard Reed, Warden with the Wisconsin Dept. of Natural Resources.

This report is written to summarize the remedial response action and fulfill the reporting requirements as specified under the Wisconsin Administrative Code (WAC) NR 708.09. The remainder of this section is organized to provide the general background information regarding the spill. Section 2.0 details the remedial action which was performed to mitigate the release and Section 3.0 provides an assessment of the effectiveness of the response action in mitigating the release and conclusions. Photo documentation of the cleanup effort is provided in Appendix A.

1.1 Nature and Duration of Discharge

Based on discussions with Dennis Myers, the release occurred sometime between 12:00 PM on Saturday, June 23 and 12:00 PM on Sunday, June 24, 2007. A total of approximately 2,300 gallons of chromic acid, sulfuric acid and water were spilled as the result of an aboveground tank failure.

NSEC arrived on site at approximately 2:25 PM on June 24, 2007. Immediate response actions were taken to contain the spill and cleanup efforts were initiated as described in detail in Section 2.0. The total estimated duration of the spill was 24 to 48 hours.

1.2 Prior Mitigation Efforts

Millennium personnel began recovery actions inside the facility prior to NSEC's arrival on site.

1.3 Weather Conditions

Weather conditions over the duration of the discharge and subsequent remedial action were partly cloudy skies, light winds with temperatures in the 70's – 80's F° and no precipitation.

1.4 Migration Potential of Release

The following general site conditions were noted relative to potential migration issues that needed to be considered:

- Surface Conditions – The surface of the area within the vicinity of the spill consisted of grass.
- Subsurface Soil Conditions – The subsurface soils in the vicinity of the spill area generally consisted of 6” to 8” of topsoil underlain by silty clay. In general, clay and silt type soils act to impeded downward migration of impacts and sandy to cobble soils do not readily impede downward migration of impacts.
- Surface Water Bodies – The nearest surface water body to the spill area is a retention pond which is located approximately 2,500 feet to the southeast of the site. Based on the distance of this site to the noted surface water body, potential surface water impacts are not believed to be an issue.
- Drains or Storm Sewers – The location(s) of the nearest drains or storm sewers to the spill, area are shown on Figure 1. The distance from the storm sewer catch basin to the closest point of the spill area is approximately 450 feet. Based on the distance of this spill to the noted drain or storm sewer, potential migration and impacts to these conduits are not believed to be an issue.
- Depth to Groundwater – Depth to groundwater beneath the site is not known, however, the spill was surficial and no groundwater was encountered during cleanup action excavations. The response action and associated verification sampling indicates that cleanup objectives for soil have been met, therefore, potential groundwater impacts are not believed to be an issue.
- Integrity of Containment Area – There was no specific containment area associated with this spill incident however, a swale, which was part of the landscaping outside of the facility, acted to contain the spill somewhat.

2.0 REMEDIAL ACTION DOCUMENTATION

This section documents the remedial action performed by NSEC to mitigate the subject release. It provides a description of initial conditions at the time of arrival on site, a summary of the response actions taken, the results of cleanup verification sampling and a summary of the disposition of waste materials. Each is discussed separately below.

2.1 Initial Site Conditions

As noted in Section 1.1, NSEC arrived on site at approximately 2:25 PM on June 24 2007 to assess the existing site conditions. Upon arrival, Mr. Scheffer was met on site by Mr. Dennis Myers of Millennium Tiles LLC, Lieutenant Kevin Williams of Walworth County Emergency Management and Mr. Richard Reed, Warden with the Wisconsin Dept. of Natural Resources. Mr. Scheffer was shown the aboveground storage tank inside of the facility where the spill had originated, the interior floor area that was covered by spilled product and the exterior area that was impacted by the spilled product when it flowed out of the facility. Spilled liquid was observed running off the edge of the building floor from under the walls and onto the grass, eventually making its way to a swale which was approximately 10 to 20 feet from the building.

Millennium personnel had already begun the cleanup process inside the facility by recovering spilled product on the concrete floor. After determining the amount of liquid remaining in the AST and calculating the volume of water that was believed to have been added, Millennium estimated that a total of 2,378 gallons had been released.

2.2 Response Action Summary

Upon assessment of the site conditions, NSEC mobilized the necessary equipment, materials and personnel to properly mitigate the release.

The following remedial actions were taken:

- Spill Containment Efforts – The liquid outside of the facility collected in, and was contained by, a swale on the east and north sides of the building. A previously abandoned 4” diameter floor drain pipe that terminated in the excavation area was plugged and capped.
- Surface Cleaning Efforts – Approximately 450 gallons of liquid that was pooled up in the swale was recovered and placed into two totes provided by Millennium. Millennium personnel recovered an additional amount estimated at approximately 1,500 gallons from inside the facility. The exposed exterior concrete was washed off.
- Impacted Soil Excavation – After completion of initial containment efforts and spilled substance removal, evidence of residual soil impacts were apparent. NSEC excavated approximately 120.14 tons of impacted soil. The topsoil layer and approximately 2 – 4 inches of underlying clay were removed. The soil was temporarily stockpiled, sampled for disposal profile purposes, loaded onto trucks and transported for off-site disposal. Disposal details are provided in Section 2.4.

- Backfilling of the excavation was completed by another contractor hired by Millennium after verification sampling confirmed that impacted soil had been satisfactorily removed.

2.3 Verification Sampling Summary

To confirm the adequacy of the response action, NSEC collected excavation base samples. A total of eight samples were collected at locations shown on Figure 2. The samples were placed directly into laboratory prepared containers, properly preserved and placed on ice. The samples were transported under a completed chain-of-custody to Accelerated Analytical in Milwaukee, Wisconsin for analysis of RCRA metals.

The analytical data packages are provided in Appendix B and summarized in Table 1. Based on a review of the verification sampling data, the cleanup efforts outlined above have met the cleanup criteria.

2.4 Waste Disposal

The following wastes were properly handled and disposed of as a result of this response effort:

- Spilled Product – A total of approximately 450 gallons of chromic acid/sulfuric acid/water were recovered outside the facility and treated on site by Millennium Tiles.
- Excavated Soil – A total of approximately 120.14 tons of impacted soil were sent to the Veolia ES Technical Solutions located in Menomonee Falls, WI. Copies of the waste profiling information and trucking/disposal tickets are provided in Appendix C.

3.0 ASSESSMENT OF RESPONSE ACTION EFFECTIVENESS

This section provides an assessment of the spill response action effectiveness relative to the items specified in NR 708.09 (i) through (m). Based on the assessment a conclusion is provided as to whether further potential assessment or remedial action may need to be considered.

3.1 Response Effectiveness Evaluation

The following effectiveness evaluation is provided:

- Visual and Olfactory Evidence – There is no remaining visual or olfactory evidence of impacts associated with the release and the verification sampling data presented in Section 2.3 documents that the cleanup action has met established health based criteria.

- Actual or Potential Environmental Impacts – All cleanup criteria have been met as part of the response action and there are no identified potential receptors. Therefore, there are no apparent remaining actual or potential environmental impacts.
- Proximity of Contamination to Receptors
 - Human Direct Contact – All cleanup criteria were met relative to health based standards and no direct contact exposure risks remain.
 - Surface Water – As noted in Section 1.4, there is no proximal surface water body to the spill site and therefore, there is no potential surface water receptor.
 - Groundwater – As noted in Section 1.4, no groundwater was encountered during the response action and the spill impacts were surficial in nature.
- Present and Anticipated Land Use – The present land use is heavy industrial. Based on discussions with the property owner, future land use is expected to remain the same.
- Exposure Route Assessment
 - Human Direct Contact – All cleanup criteria were met relative to health based standards and no direct contact exposure risks remain.
 - Vapor Intrusion – Not applicable. The spill material is not volatile.
 - Surface Water/Sediment – Not applicable. See discussion in Section 1.4.
 - Groundwater - Not applicable. See discussion in Section 1.4.

3.2 Conclusion

Based on the data and evaluations presented above, the response action met all established cleanup criteria and the environment has been restored to the extent practicable. No further response action appears to be required.

TABLE 1

Verification Sampling Data 6/25/2007

Sample ID	MT-1	MT-2	MT-3	MT-4	MT-5	MT-6	MT-7	MT-8	Background	NR 720.11
Sample Location	10'	50'	90'	130'	170'	210'	North wall - east	North wall - west		Industrial RCL
Chromium (h)	32.3	24.7	12.4	28	36.9	23	91.4	16.4	15.9	200

Results in mg/kg
h = hexavalent



Spill Areas

Storm Sewer

Google

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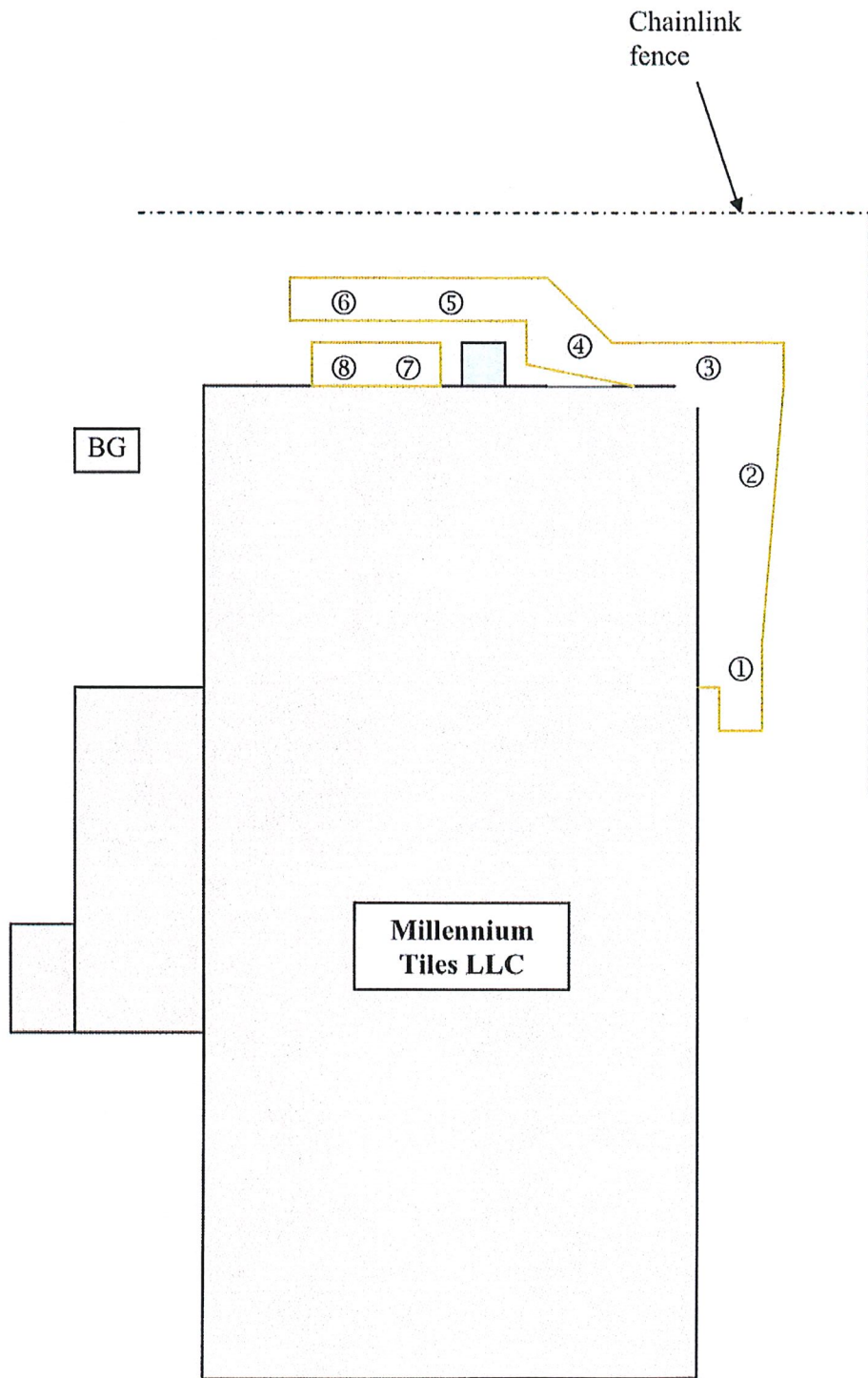
Eye alt 1800 ft

Streaming 100%

Pointer 42°39'58.52" N 88°32'00.33" W elev 984 ft

236 ft

FIGURE 2



① = Sample location
BG = Background sample



Chromic & Sulfuric acid spill contained by swale



Looking north on east side of building



Looking south on east side of building



Looking west on north side of building



Acid seeping under building wall and onto grass



Spilled liquid seeped onto grass and flowed to swale



Spilled liquid pooled up near door



More pooled liquid



Absorbents were used to contain and recover much of the spilled liquid



Large pool of liquid being recovered using buckets



Impacted soil was excavated



Area excavated on east side of building



Old floor drain pipe was plugged and capped



Excavation coming around northeast corner of building



End of first excavation on north side



Second excavation on north side adjacent to building



Looking east at excavation on north side of building



Excavated soil was stockpiled on liner, bermed and covered

