



January 6, 2023

Matt Sill  
Madison-Kipp Corporation  
201 Waubesa Street  
Madison, WI 53704

SENT BY ELECTRONIC MAIL

Subject: Conditional Approval of Groundwater Monitoring Plan for PCBs  
Madison-Kipp Corporation, 201 Waubesa Street, Madison, WI 53713  
DNR BRRTS Activity #02-13-558625

Dear Mr. Sill:

The Wisconsin Department of Natural Resources (WDNR) has reviewed the document entitled “Madison-Kipp Groundwater Monitoring Plan for PCBs” (the Plan), dated June 29, 2022, prepared on your behalf by TRC Environmental Corporation (TRC).

**Background:**

Pursuant with Paragraph 9(a) of the Stipulation and Order for Judgement (Stipulation), dated November 22, 2017, between the State of Wisconsin and Madison-Kipp Corporation (MKC), and in coordination with the United States Environmental Protection Agency (USEPA), ten monitoring wells at the MKC site are sampled for polychlorinated biphenyls (PCBs), total suspended solids (TSS), and total dissolved solids (TDS) on a semi-annual basis.

Paragraph 9(a)(v) of the Stipulation states that “after five years of semi-annual monitoring, the parties shall review the sampling program and determine if the frequency of sampling can be reduced or discontinued at certain well locations.”

Pursuant with Paragraph 9(a)(v) of the Stipulation, the Plan makes the following recommendations to phase out groundwater sampling for PCBs, TSS, and TDS as five years of semi-annual monitoring reaches completion:

- No further groundwater monitoring for PCBs, TSS, and TDS at MW-2S, MW-2D, MW-4S, MW-4D, MW-5D, MW-6S, MW-6D, MW-11S, MW-24, and MW-28.
- Groundwater monitoring for PCBs, TSS, and TDS at MW-29S and MW-29D will be completed in October 2022. If PCBs are not detected above laboratory reporting limits, no further monitoring will be conducted at these wells for PCBs, TSS, or TDS.
- Groundwater monitoring for PCBs, TSS, and TDS at MW-3D and MW-5S will be completed in October 2022 and April 2023. If PCBs are not detected above laboratory reporting limits, no further monitoring will be conducted at these wells for PCBs, TSS, or TDS.
- If PCBs are detected above laboratory reporting limits in October 2022 or April 2023, the results will be evaluated, and further recommendations will be made to WDNR and USEPA for review.

**WDNR Response:**

The monitoring requirements that Madison-Kipp seeks to change are required by the Stipulation. To modify the requirements of the Stipulation, the parties must enter into a signed agreement pursuant to paragraph 18 of the Stipulation. WDNR is open to modifying the terms of the Stipulation to reduce groundwater monitoring requirements subject to the following conditions:

- Elevated concentrations of PCBs are still present in soil. After completion of the October 2022 and April 2023 sampling events, MW-5S shall continue to be sampled for PCBs, TDS, and TSS on an annual frequency.
- If PCBs are detected in MW-5S above laboratory reporting limits, or if other new or additional information is obtained, further groundwater investigation for PCBs may be necessary.

If you are agreeable to entering into such an agreement to modify the Stipulation's terms, please have your attorney contact Wisconsin Department of Justice Assistant Attorney General Brad Motl at [motlbj@doj.state.wi.us](mailto:motlbj@doj.state.wi.us) or (608) 267-0505 to discuss an agreement.

Pursuant with the USEPA TSCA PCB Coordinated Approval, dated April 2, 2019, Madison-Kipp shall also notify USEPA at least 5 calendar days prior to any proposed change related to PCB waste management requirements in the Stipulation in accordance with 40 CFR § 761.77(a)(3).

Sincerely,



Luke Lampo  
Hydrogeologist  
Remediation & Redevelopment Program

cc: Brad Motl, DOJ  
Trevor Nobile, WDNR  
Issac Ross, WDNR  
Peter Ramanauskas, USEPA  
Katherine Vater, TRC