



**REGION 5**  
CHICAGO, IL 60604

August 6, 2024

REPLY TO THE ATTENTION OF:  
SE-5J

**FEDEX OVERNIGHT DELIVERY**  
**AND ELECTRONIC MAIL**

Wausau Chemical Corporation  
c/o John Bocke, President  
9919 Innovation Way  
Wausau, Wisconsin 54401

Re: Request for Information Pursuant to Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)  
Wausau Groundwater Contamination  
S24 & 25 T29N R7E, Wausau, Marathon County, Wisconsin  
Site/Spill Identifier (SSID): 05N8

Dear Mr. Bocke:

This letter seeks the cooperation of Wausau Chemical Corporation in providing information and documents relating to contamination at the Wausau Groundwater Contamination Site (the Site). The Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. §§ 9601-9675, commonly known as "CERCLA" or "Superfund," gives the U.S. Environmental Protection Agency the authority to, among other things: (a) assess contaminated sites; (b) determine the threats to human health and the environment posed by each site; and (c) clean up those sites in the order of the relative threats posed by each.

EPA is responding to the release or threat of release of hazardous substances, pollutants or contaminants at the Site and is seeking additional information concerning the generation, storage, treatment, transportation, and methods used to dispose of such substances. In addition, EPA is identifying activities, materials and parties that contributed to contamination at the Site. You are receiving this request for information on behalf of Wausau Chemical Corporation as its President and Registered Agent. EPA believes that you might have information that may assist the agency in its efforts.

In early 1982, the City of Wausau discovered that its drinking water production wells were contaminated by volatile organic compounds. In 1983 EPA awarded the City of Wausau a federal grant to help fund the design and installation of a treatment system to provide sufficient water of acceptable quality to City residents. A remedial investigation from 1987-1988 discovered at least two contamination sources. The first is a municipal landfill that operated from 1948-1955 at the former Marathon Electric property on the west bank of the Wisconsin River.

The second is the former Wausau Chemical facility on the east bank of the Wisconsin River. In 1989, EPA issued a Record of Decision in which it selected groundwater extraction and treatment along with treatment of contaminated soils via soil vapor extraction as the remedy for the contamination. In 1991, EPA and the Wisconsin Department of Natural Resources entered a judicial settlement (i.e., Consent Decree) with potentially responsible parties to fund the cleanups. Groundwater extraction and treatment began in 1984 and remains ongoing to this day. Soil vapor extraction treatment began in 1994, was shut down in 2001, and approved as final in 2007. In 2019, sampling at the Site identified PFAS at concentrations above EPA's recently finalized maximum contaminant limit (MCL).

Under Section 104(e)(2) of CERCLA, 42 U.S.C. § 9604(e)(2), EPA has broad information gathering authority that allows EPA to require persons to furnish information or documents relating to:

- (a) The identification, nature and quantity of materials which have been or are generated, treated, stored, or disposed of at a vessel or facility or transported to a vessel or facility;
- (b) The nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at or from a vessel or facility; and
- (c) Information relating to the ability of a person to pay for or to perform a cleanup.

While EPA seeks your cooperation in this investigation, compliance with the Request for Information is required by law. Failure to respond fully and truthfully to this request, or to adequately justify any failure to respond, may result in an enforcement action against you under Section 104 of CERCLA, as amended.

Some of the information EPA is requesting may be considered by you to be confidential. Please be aware that you may not withhold the information upon that basis. If you wish EPA to treat the information confidentially, you must advise EPA of that fact by following the procedures outlined in Enclosure A, including the requirement for supporting your claim for confidentiality.

If you have information about other parties who may have information that may assist the agency in its investigation of the Site or may be responsible for the contamination at the Site, that information should be submitted within the time frame noted above.

This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. § 3501 *et seq.*

Instructions on how to respond to the questions in Enclosure C to this document are described in Enclosure A. We encourage you to give this matter your immediate attention and request that you provide a complete and truthful response to this Information Request within thirty (30) calendar days of your receipt of this letter.

If you have specific questions about the Information Request or if you are unable to respond in a timely fashion, then please contact Alexander Medeiros, Enforcement Investigator, at (312) 353-6492 or at [medeiros.alexander@epa.gov](mailto:medeiros.alexander@epa.gov), explaining the specific impacts on your ability to respond. To the extent possible, we strongly encourage you to use email to submit your questions. If your response is too large to be submitted over email, then please contact Mr. Medeiros to make additional arrangements for submitting your response. Your response to this Request for Information should be addressed to:

Alexander D. Medeiros, Enforcement Investigator  
U.S. Environmental Protection Agency, Region 5  
Superfund & Emergency Management Division  
Enforcement Support Section, SE-5J  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

If you have additional questions about the history of the Site, the nature of the environmental conditions at the Site or the status of cleanup activities, please contact Michael Holt, Remedial Project Manager, at (312) 353-6704 or at [holt.michael@epa.gov](mailto:holt.michael@epa.gov).

If you have any legal questions, please contact Steven Kaiser, Associate Regional Counsel, at (312) 353-3804 or at [kaiser.steven@epa.gov](mailto:kaiser.steven@epa.gov).

If you have specific questions about the Information Request, please contact Alexander Medeiros, Enforcement Investigator, at (312) 353-6492 or at [medeiros.alexander@epa.gov](mailto:medeiros.alexander@epa.gov).

We appreciate and look forward to your prompt response to this Information Request.

Sincerely,

**KAREN  
KIRCHNER**

Digitally signed by  
KAREN KIRCHNER  
Date: 2024.08.06  
09:31:28 -05'00'

Karen Kirchner, Manager  
Remedial Response Branch 1

Enclosures

- A. Instructions
- B. Definitions
- C. Questions
- D. Declaration
- E. Map

cc: Erin Endsley  
Wisconsin Department of Natural Resources  
1701 North 4<sup>th</sup> Street  
Superior, Wisconsin 54880

Enclosure A  
Information Request  
Wausau Groundwater Contamination

**INSTRUCTIONS**

1. Answer Each Question Completely. You must provide a separate answer to each question and subpart set forth in this Information Request. Incomplete, evasive, or ambiguous answers shall constitute failure to respond to this Information Request and may subject you to the penalties set out in the cover letter.
  
2. Response Format and Copies. Provide the responses to this Information Request and copies of all requested documents either electronically or on paper (hard copy). Your submission, whether electronic or hard copy, must include an index that lists all the responsive documents provided, and that indicates where each document is referenced in the written response, and to which question or questions each document is responsive.

Any documents you determine to be Confidential Business Information (CBI) must be segregated out and submitted in a separate folder. These documents must be clearly marked as "Confidential Business Information."

To the extent possible you are strongly encouraged to use One Drive or email to submit your response in Portable Document Format (PDF) and comply with the following requirements:

- (a) Electronic PDF files must be text-searchable.
  
  - (b) The document index must clearly identify any single electronic document which has been separated into multiple electronic files (because of size limitation or otherwise) and each component file that comprises the full document.
3. Number Each Answer. Number each answer with the number of the question to which it corresponds.
  
  4. Provide the Best Information Available. You must provide responses to the best of your ability, even if the information sought was never put down in writing or if the written documents are no longer available. You should seek out responsive information from current and former employees/agents. Submission of cursory responses when other responsive information is available to the Respondent will be considered noncompliance with this Information Request.
  
  5. Identify Information Sources. For each question, identify all persons and documents you relied on for your answer.

6. Confidential Information. You must provide the information requested even though you may contend that it includes confidential information or trade secrets. You may assert a confidentiality claim covering part or all of the information requested, pursuant to 42 U.S.C. §§ 9604(e)(7)(E) and (F), and 40 C.F.R. § 2.203(b). All information claimed to be confidential should be contained on separate sheet(s) and should be clearly identified as “trade secret,” “proprietary,” or “company confidential.” Your confidentiality claim should be supported by the submission of information consistent with 40 C.F.R. Part 2. Information covered by a confidentiality claim will be disclosed by EPA only to the extent, and only by means of the procedures, provided in 40 C.F.R. §§ 2.201-2.311. If no such claim accompanies the information received by EPA, it may be made available to the public by EPA without further notice to you.

You should also provide a redacted version of the same document that removes all CBI and PII from the document. This redacted version of the document should remove all information that you claim is CBI or PII. Since all the CBI and PII is removed, this redacted version is not subject to the procedures of 40 C.F.R. Part 2. EPA may make this redacted version available to the public without further notice to you.

7. Disclosure to the EPA Contractor. Information that you submit in response to this Information Request may be disclosed by EPA to authorized representatives of the United States, pursuant to 40 C.F.R. § 2.310(h), even if you assert that all or part of it is confidential business information. EPA may provide this information to its contractors for the purpose of organizing and/or analyzing the information contained in the responses to this Information Request. If you are submitting information that you assert is entitled to treatment as confidential business information, you may comment on this intended disclosure within twenty (20) business days of receiving this Information Request.

8. Personal Privacy Information. Personnel and medical files, and similar files the disclosure of which to the general public may constitute an invasion of privacy, should be segregated from your responses, included on separate sheet(s), and marked as “Personal Privacy Information.” You should note, however, that unless prohibited by law, EPA may disclose this information to the general public without further notice to you.

9. Objections. While you may object to certain questions in this Information Request, you must provide responsive information notwithstanding those objections. To object without providing responsive information may subject you to the penalties set out in the cover letter.

10. Privilege. If you claim that any document responsive to this Information Request is a communication for which you assert that a privilege exists for the entire document, identify (see Definitions) the document, and provide the basis for asserting the privilege. For any document for which you assert that a privilege exists for a portion of it, provide the portion of

the document for which you are not asserting a privilege, identify the portion of the document for which you are asserting the privilege, and provide the basis for such an assertion. Please note that regardless of the assertion of any privilege, any facts contained in the document that are responsive to the Information Request must be disclosed in your response.

11. Declaration. You must complete the enclosed declaration, in hard copy with an original signature, certifying the accuracy of all statements in your response

Enclosure B  
Information Request  
Wausau Groundwater Contamination

**DEFINITIONS**

Terms not defined here shall have their ordinary meaning, unless such terms are defined in Section 101 of CERCLA, 42 U.S.C. § 9601, or Volume 40 of the Code of Federal Regulations, in which case such statutory or regulatory definitions shall apply.

The following definitions apply to the following words as they appear in this Information Request:

1. The term "business activities" means all actions, endeavors, ventures, or financing arrangements related in any manner whatsoever to the use and development of the Site, including surveying, sampling, grading, documentation, photography, demolition, construction, and waste disposal, and sales.
2. The terms "document" and "documents" mean any method of recording, storing or transmitting information. "Document" includes, but is not limited to:
  - a. writings of any kind, including, but not limited to, any of the following:
    - i. letters, memoranda, fax transmittals;
    - ii. meeting minutes, telephone records, notebooks;
    - iii. agreements and contracts;
    - iv. reports to shareholders, management, or government agencies;
    - v. transportation manifests;
    - vi. copies of any document;
  - b. any film, photograph, or sound recording on any type of device;
  - c. any blueprints or drawings; and
  - d. attachments to, or enclosures with, any document.
3. The term "facility" means the plant located at 2001 North River Drive, Wausau, Wisconsin 54403, alternatively known as the "Wausau Chemical Corporation Facility."
4. The term "identify" means, with respect to a natural person, to set forth: (a) the person's full name; (b) present or last known business and home addresses and telephone numbers; and



(c) present or last known employer (include full name and address) with job title, position or business.

5. The term “identify” means, with respect to a corporation, partnership, business trust or other entity, to set forth: (a) its full name; (b) complete street address; (c) legal form (e.g., corporation, partnership); (d) the state under whose laws the entity was organized; and (e) a brief description of its business.

6. The term “identify” means, with respect to a document, to provide: (a) its customary business description (e.g., letter, invoice); (b) its date; (c) its number if any (e.g., invoice or purchase order number); (d) the identity of the author, addressee, and/or recipient; and (e) a summary of the substance or the subject matter. Alternatively, Respondent may provide a complete copy of the document.

7. The terms “material” or “materials” mean any and all raw materials, commercial products, wastes, chemicals, substances or matter of any kind.

8. The phrases “period being investigated” and “the relevant time period” mean 1940 to the present.

9. The term “property” means any interest in real or personal property whatsoever, including fee interests, leases, licenses, rental, and mineral rights.

10. The term “Site” means the Wausau Groundwater Contamination Superfund Site as generally depicted in the enclosed map which depicts real properties located on the east side and west side of Wisconsin River, the location of the City of Wausau’s drinking water intakes, and includes sediments within the banks of the Wisconsin River, groundwater in the vicinity of the former facility, and any off-site areas where hazardous substances, pollutants or contaminants from the facility or from former operations at the Site or facility have come to be located

11. The terms “waste” or “wastes” include, but are not limited to, trash, garbage, refuse, by-products, solid waste, hazardous waste, hazardous substances, and pollutants or contaminants, whether solid, liquid, or sludge.

12. The terms “you” or “Respondent” mean the addressee of this Request, together with the addressee’s agents, employees, and contractors.

13. The term PFAS means the pollutants or contaminants containing a carbon-fluorine (C-F) bond and includes, but is not limited to, perfluorooctanoic acid (PFOA), perfluorooctane sulfonic acid (PFOS), GenX PFAS compounds, N-ethyl-perfluorooctane sulfonamidoacetic acid (NEtFOSAA), N-ethyl-perfluorooctane sulfonamide (NEtFOSA), perfluorooctane sulfonamide

(FOSA), and substances that in degradation results in products of “per- and polyfluoroalkyl substances.”

Enclosure C  
Information Request  
Wausau Groundwater Contamination

**QUESTIONS**

1. Identify all persons consulted in the preparation of the answers to these Information Requests.
2. Identify all documents consulted, examined, or referred to in the preparation of the answers to these Requests, and provide copies of all such documents.
3. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any Information Request or who may be able to provide additional responsive documents, identify such persons.
4. List the EPA Identification Numbers of the Respondent, if applicable.
5. Identify the acts or omissions of any persons, other than your employees, contractors, or agents that may have caused the release or threat of release of PFAS or PFAS-bearing substances, pollutants or contaminants from the facility.
6. Identify all persons having knowledge or information about the generation, transportation, treatment, disposal, or other handling of PFAS or PFAS-bearing substances at the facility by you, your contractors or by prior owners and/or operators.
7. State the dates during which you owned, operated, or leased the Site and provide copies of all documents evidencing or relating to such ownership, operation, or lease arrangement (e.g., deeds, leases).
8. Provide a general description of the operations the Respondent conducted at the facility, including but not limited to its waste disposal and treatment operations. Include a description of the types of waste treated at the facility and an approximate percentage of the wastes that may have contained PFAS.
9. Did you ever use, purchase, store, treat, dispose, transport, or otherwise handle any PFAS or PFAS-containing materials at the facility? If the answer to the preceding question is anything but an unqualified "no," identify:
  - a. The chemical composition, characteristics, physical state (e.g., solid, liquid) of each substance;

- b. Who supplied you with such substances;
  - c. How such substances were used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you;
  - d. When such substances were used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you;
  - e. Where such substances were used, purchased, generated, stored, treated, transported, disposed, or otherwise handled by you; and
  - f. The quantity of such substances used, purchased, generated, stored, treated, transported, disposed, or otherwise handled by you.
10. Have you ever generated at the facility from any process or analysis wastewater that contains PFAS? Have you ever accepted for storage, treatment, or disposal from any source, wastewater known to contain PFAS?
11. Are you aware of any previous operators at the facility that used and or handled PFAS-containing or other fluorinated materials? If so, please provide the name of the operator(s) and the period they operated at the facility, if known.
12. Have you ever or do you currently use and/or store any materials or products containing PFAS at the facility? If your answer is anything other than an unqualified "no":
- a. State the trade or brand name, quantity used and/or stored, and period of use and/or storage for each PFAS or PFAS-containing material used and/or stored at the facility;
  - b. Provide the Safety Data Sheet (or Material Safety Data Sheet) for all PFAS or PFAS-containing materials used and/or stored at the facility; and
  - c. Describe the process in which the PFAS or PFAS-containing materials are or were used at the facility, including any current or discontinued processes.
13. If you answered "no" to Question 12, state whether you ever has or is currently using and/or storing any fluorinated materials or products at the facility? If your answer is anything other than an unqualified "no":
- a. State the trade or brand name, quantity used and/or stored, and period of use and/or storage for each fluorinated material used and/or stored at the facility.

b. Provide the Safety Data Sheet (or Material Safety Data Sheet) for all fluorinated materials or products used and/or stored at the facility; and

c. Describe the process in which the fluorinated materials or products are or were used at the facility, including any current or discontinued processes.

14. With respect to any PFAS-containing or other fluorinated materials provided in response to Question 12 or 13, describe the disposal methods you used for these materials. If materials were disposed of in landfills, identify the landfills to which they were sent, and provide copies of any relevant waste manifests.

15. Identify all persons, including yourself, who may have arranged for disposal or treatment or arranged for transportation for disposal or treatment of waste materials including PFAS or PFAS-bearing substances at any storage, treatment, or disposal facility. In addition, identify the following:

- a. The persons with whom you or such other persons made such arrangements;
- b. Every date on which such arrangements took place;
- c. For each transaction, the nature of the waste material or substance, including the chemical content, characteristics, physical state (e.g., solid, liquid) and the process for which the substance was used or the process which generated the substance;
- d. The owner of the waste materials or PFAS-bearing substances so accepted or transported;
- e. The quantity of the waste materials or PFAS-bearing substances involved (weight or volume) in each transaction and the total quantity for all transactions;
- f. All tests, analyses and analytical results concerning the waste materials;
- g. The person(s) who selected the Site (or transshipment site) as the place to which the waste materials or PFAS-bearing substances were to be transported;
- h. The amount paid in connection with each transaction, the method of payment and the identity of the person from whom payment was received;
- i. Where the person identified in (g) above intended to have such PFAS-bearing substances or waste materials transported and all evidence of this intent;

- j. Whether the waste materials or PFAS-bearing substances involved in each transaction were transshipped through, or were stored or held at, any intermediate site prior to final treatment or disposal;
- k. What was actually done to the waste materials or PFAS-bearing substances once they were brought to the Site;
- l. The final disposition of each of the waste materials or PFAS-bearing substances involved in such transactions;
- m. The measures taken by you to determine the actual methods, means and site of treatment or disposal of the waste material and PFAS-bearing substances involved in each transaction;
- n. The type and number of containers in which the waste materials or PFAS-bearing substances were contained when they were accepted for transport, and subsequently until they were deposited at the Site, and all markings on such containers;
- o. The price paid for the (i) transport, (ii) disposal, or (iii) both of each waste material and PFAS-bearing substance;
- p. All documents containing information responsive to paragraphs (a)-(o) above, or in lieu of identification of all relevant documents, provide copies of all such documents; and
- q. All persons with knowledge, information, or documents responsive to questions (a) – (o), above.

16. Identify all past and present solid waste units (e.g., waste piles, landfills, surface impoundments, waste lagoons, waste ponds or pits, tanks, container storage areas) within or at the facility which may contain PFAS or PFAS-bearing substances. For each such solid waste unit identified, provide the following information:

- a. A map showing the unit's boundaries and the location of all known solid waste units whether currently in operation or not. This map should be drawn to scale, if possible, and clearly indicate the location and size of all past and present units;
- b. The type of unit (e.g., storage area, landfill, waste pile), and the dimensions of the unit;
- c. The dates that the unit was in use;
- d. The purpose and past usage (e.g., storage, spill containment);

- e. The quantity and types of materials located in each unit;
- f. The construction (materials, composition), volume, size, dates of cleaning and condition of each unit; and
- g. If the unit is no longer in use, how was such unit closed and what actions were taken to prevent or address potential or actual releases of waste constituents from the unit.

17. Identify the prior owners and operators, including lessors, of the facility. For each such owner or operator, further identify:

- a. The dates of ownership or operation;
- b. The nature of prior operations at the facility;
- c. All evidence that they controlled access to the facility; and
- d. All evidence that a substance, pollutant, or contaminant that may have contained PFAS was released or threatened to be released at or from the facility and/or its solid waste units during the period that they were operating the Site.

18. Provide copies of all local, state, and federal environmental permits granted between 1960 and the present for the facility or any part thereof (e.g., RCRA permits, National Pollutant Discharge Elimination System permits).

19. Have you or your consultants performed any investigations regarding material contaminated with PFAS or PFAS-bearing material, or are you or your consultants planning to perform any investigations regarding material contaminated with PFAS or PFAS-bearing material on or about the Site or facility? If so, identify:

- a. What the nature and scope of these investigations will be;
- b. The contractors or other persons that will undertake these investigations;
- c. The purpose of the investigations;
- d. The dates that such investigations will take place and be completed; and
- e. Where within the Site or facility would such investigations take place.

20. Identify all leaks, spills, or releases into the environment of any substances, pollutants, or contaminants that have occurred at or from the facility which may have contained PFAS or other fluorinated chemicals. In addition, identify:

- a. When such releases occurred;
- b. How the releases occurred;
- c. The amount of each substances, pollutants or contaminants so released;
- d. Where such releases occurred;
- e. Any and all activities undertaken in response to each such release or threatened release, including the notification of any agencies or governmental units about the release;
- f. Any and all investigations of the circumstances, nature, extent or location of each release or threatened release including, the results of any soil, water (ground and surface) or air testing undertaken; and
- g. All persons with information relating to these releases.

21. Was there ever a spill, leak, release, or discharge of PFAS or PFAS-bearing materials into any subsurface disposal system or floor drain inside or under the Wausau Chemical Corporation facility buildings? If the answer to the preceding question is anything but an unqualified "no," identify:

- a. Where the disposal system or floor drains were located;
- b. When the disposal system or floor drains were installed;
- c. Whether the disposal system or floor drains were connected to pipes;
- d. Where such pipes were located and emptied;
- e. When such pipes were installed;
- f. How and when such pipes were replaced, or repaired; and
- g. Whether such pipes ever leaked or in any way released PFAS or PFAS-bearing materials into the environment.



22. Did any leaks, spills, or releases of PFAS or PFAS-bearing materials occur within the facility when such materials were being:

- a. Delivered by a vendor;
- b. Stored (e.g., in any tanks, drums or barrels);
- c. Transported or transferred (e.g., to or from any tanks, drums, barrels, or recovery units);  
or
- d. Treated.

23. Has soil ever been excavated or removed from the facility? Unless the answer to the preceding question is anything besides an unequivocal "no," identify:

- a. Amount of soil excavated;
- b. Location of excavation;
- c. Manner and place of disposal and/or storage of excavated soil;
- d. Dates of soil excavation;
- e. Identity of persons who excavated or removed the soil;
- f. Reason for soil excavation;
- g. Whether the excavation or removed soil contained PFAS or PFAS-bearing materials and why the soil contained such materials; and
- h. All analyses or tests and results of analyses of the soil that was removed from the facility.

24. Provide all reports, information or data related to soil, water (ground and surface) or air quality and geology/hydrogeology at and about the facility regarding PFAS compounds. Provide copies of all documents containing such data and information, including both past and current aerial photographs as well as documents containing analysis or interpretation of such data.

25. Provide a list of the customers within the Wausau area you provided PFAS or PFAS-bearing materials to between 1940 and present.

Enclosure D  
Information Request  
Wausau Groundwater Contamination

**DECLARATION**

I declare under penalty of perjury that I am authorized to respond on behalf of the Respondent and that the foregoing is complete, true, and correct.

Executed on \_\_\_\_\_, 2024

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Title

Enclosure E  
 Map of Wausau Groundwater Contamination Superfund Site  
 Wausau, Wisconsin

**MAP**

