State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
2300 N. Dr. Martin Luther King, Jr. Drive
Milwaukee WI 53212-3128

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711

November 15, 2016

Mr. Roger Willis
Reichhold LLC 2
1035 Swabia Court
Durham, NC 27703

Subject: Notice of Non-Compliance and Notice of Contamination and Responsibilities at Former Swift Adhesives Facility (aka DIC Imaging Products USA, Inc.)
7300 South 10th Street, Oak Creek, WI 53154
FID #: 241332080; BRRTS #: 02-41-000244

Dear Mr. Willis:

The purpose of this letter is to confirm the status of Reichhold LLC 2 as the responsible party for the hazardous substance discharges and environmental pollution at the site described above. Further, this letter provides you with a notice of non-compliance for failure to undertake the necessary response actions required by state and federal law at this site.

On July 1, 1991, the Wisconsin Department of Natural Resources (DNR) was notified of the contamination at the above site. The notification was followed by limited site investigation and remedial action activities completed by Reichhold, Inc. Our database indicates that on June 7, 2012, the DNR sent a Site Investigation Work Plan approval letter, to Reichhold, Inc., outlining **the additional work that is required to define the degree and extent of contamination.** Enclosed is a copy of the Site Investigation Work Plan Approval Letter, dated June 7, 2012. A recent audit of case files indicated that we have not received any written correspondence or response related to the site investigation work plan approval.

On August 25, 2015, the DNR sent a letter to the land owner, Mr. Andrew Sexson of Oak Creek Real Estate, LLC, requesting a site update. Mr. Sexson indicated he was not the responsible party of the property. However, he provided the DNR with site ownership history. On June 3, 2016, the DNR sent a letter to you, as a representative of Reichhold LLC 2, requesting a site update. To date, we have not received any response to the work plan approval or any indication that investigation or remediation activities have continued. It's our understanding that Reichhold Inc., had filed for bankruptcy and/or reorganized into Reichhold LLC 2. This re-structuring process does not remove your environmental responsibilities, therefore Reichhold LLC 2 is now the responsible party.

Reichhold LLC 2 is required to comply with federal and state corrective action requirements of the Resource Conservation and Recovery Act (RCRA) and the state's Spill Law, Wis. Stats. §292, as administered by the NR 700 rule series of the Wisconsin Administrative Code. By the year 2020, EPA and the authorized states, such as the State of Wisconsin, plan to have largely completed the work of implementing final remedies at all facilities requiring RCRA corrective action. The DNR has been designated by the US Environmental Protection Agency (EPA) as the lead agency for this site. Therefore, response actions are required at this property to meet the requirements of both the DNR and EPA.

This letter describes the legal responsibilities of a person who is responsible under Wis. Stats. § 292 and Wis. Admin. Code § NR 700 administrative rule series, and explains what you need to do to investigate and clean up the contamination, and provides you with information about cleanups, environmental consultants, and possible

financial assistance. In addition to the DNR, the EPA will be monitoring your progress in reaching the necessary investigation and cleanup milestones for this site.

Within 30 days, by December 15, 2016, please provide the requested information to the DNR. Failure to take the necessary actions, meet regulatory milestones, or both could result in state or federal enforcement action being initiated.

Legal Responsibilities:

Your legal responsibilities are defined both in statute and in administrative codes. The hazardous substances spill law, Section 292.11 (3) Wisconsin Statutes, states:

- RESPONSIBILITY. A person who possesses or controls a hazardous substance which is discharged or who causes the discharge of a hazardous substance shall take the actions necessary to restore the environment to the extent practicable and minimize the harmful effects from the discharge to the air, lands, or waters of the state.

Wisconsin Administrative Code chapters NR 700 through NR 754 establish requirements for emergency and interim actions, public information, site investigations, design and operation of remedial action systems, and case closure. Wisconsin Administrative Code chapter NR 140 establishes groundwater standards for contaminants that reach groundwater.

Sites where discharges to the environment have been reported are entered into the Bureau for Remediation and Redevelopment Tracking System ("BRRTS"), a version of which appears on the DNR's internet site. You may view the information related to this site at any time (http://dnr.wi.gov/botw/SetUpBasicSearchForm.do) and use the feedback to alert us to any errors in the data.

All correspondence regarding this site should be sent to:

Environmental Program Associate
Attn: Chue Yang
Remediation and Redevelopment Program
Wisconsin Department of Natural Resources
2300 N. Dr. Martin Luther King, Jr. Drive
Milwaukee, WI 53212

Unless otherwise directed, submit one paper cop[y and one electronic copy of plans and reports. To speed processing, correspondence should reference the BRRTS number shown at the top of this letter.

Additional Information for Site Owners:

We encourage you to visit our website at http://dnr.wi.gov/topic/Brownfields/ where you can find information on selecting a consultant, financial assistance and understanding the cleanup process. You will also find information there about liability clarification letters, post-cleanup liability and more.

Information on environmental contamination and voluntary party liability exemption (VPLE) are enclosed.

If you have any questions regarding this letter, please contact me. I can be reached at (414) 263-8639 or at eric.amadi@wisconsin.gov

Sincerely,

Eric Amadi

Eric Amadi - Hydrogeologist
Remediation and Redevelopment Program
Southeast Region - Milwaukee Service Center

Enclosures:

- DNR letter: Site Investigation Work Plan Approval Letter, Former Swift Adhesives Facility, Oak Creek, WI, dated June 7, 2012.
- Environmental Contamination Basics, RR-674, http://dnr.wi.gov/files/PDF/pubs/rr/RR674.pdf
- Voluntary Party Liability Exemption, RR-506, http://dnr.wi.gov/files/PDF/pubs/rr/RR506.pdf

cc:

Darsi Foss - RR/5
Judy Fassbender - RR/5
Jessica Kramer - LS/8
Jose Cisneros - US EPA, Region 5
Andrew Sexson - Oak Creek Real Estate, LLC, 4777 Wellington Drive, Long Grove, IL 60047
SER Case File #: 02-41-000244

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June 7, 2012

Mr. John Oldham
Reichhold, Inc.
P. O. Box 13582
Research Triangle Park, NC 27709-3582

Subject: Site Investigation Work Plan - Former Swift Adhesives Facility
7300 South 10th Street
Oak Creek, WI 53154
FID #: 241332080
BRRTS #: 02-41-000244

Dear Mr. Oldham:

The Department has completed the review of the submittal, *Site Investigation Work Plan for Former Swift Adhesives Site, BRRTS Case No. 02-41-000244; FID No. 241332080* (dated May 12, 2012), prepared by CH2M Hill. The proposed site investigation activities are outlined below.

Proposed Sampling Rationale:

Soil - Seven soil borings are proposed in the areas that previously showed exceedances of site-specific RCLs for contaminants of concern (COCs). The COCs/List 1 compounds are: acetone; benzene; chloroethane; 1,1-dichloroethane (1,1-DCA); 1,2-dichloroethane (1,2-DCA); 1,1-dichloroethene (1,1-DCE); hexane; methylene chloride; toluene; 1,1,1-trichloroethane (1,1,1-TCA). Soils samples from SB-01; SB-03 thru SB-07 will be analyzed for COCs/List 1 compounds. Soil samples from SB-02 will be analyzed for COCs and List 2 compounds (i.e. characteristics for remedial options - total organic carbon (TOC), total oxygen demand (TOD) and grain size)).

Groundwater - Three monitoring wells (MW-01 thru MW-03) and three piezometers (PZ-01 thru PZ-03) are proposed. The depth of each monitoring well and piezometer is 20 feet below ground surface (bgs). Screen interval in each monitoring point is from 10' - 20' bgs. Groundwater samples from MW-01 and MW-02 will be analyzed for COCs and List 3 compounds (i.e. natural attenuation parameters - ethane; ethane; nitrate; sulfate; sulfide; methane). Groundwater samples from monitoring well MW-03 will be analyzed for List 1; List 3 and List 4 compounds. List 4 compounds are: TOC; TOD; alkalinity; chloride; Fe2+ and Fe3+; Mn2+; chemical oxygen demand; nitrate; nitrite; sulfate; sulfide. It is proposed that only TOD will need to be collected during the first mobilization. Groundwater sampling from the piezometers are not proposed at this time.

Soil Gas - Six soil gas samples (SV-01 thru SV-06) will be collected outside the DIC building. Samples will be analyzed for COCs/List 1 compounds. The data will be used to identify if soil gas concentration of the site COCs are above the Department's soil gas screening levels (to evaluate the potential for VI at future buildings that may be constructed in the area) and warrant an expanded VI investigation.

Mr. John Oldham
RE: Site Investigation Work Plan - Former Swift Adhesives Facility
Oak Creek, WI
June 7, 2012
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Subslab Vapor - About 12 to 15 subslab vapor sample locations will be chosen to be consistent with the Department's guidelines, "*Sub-slab sampling at commercial and industrial buildings should target the areas where contaminant releases are known to have (or may have) occurred*" (WDNR 2010) targeting the southern tank excavation and northern tank areas. Samples will be analyzed for List 1 compounds/COCs. Subslab vapor locations will be provided following the building survey and prior to mobilization.

The Department approves the site investigation work plan under the following conditions:

- Determine the vertical extent of groundwater contamination by adding a piezometer (PZ-04) to MW-03 location (i.e. PZ-04 and MW-03 nested);
- Piezometer screen may not exceed 5 feet in length per NR 141.09 Wis. Adm. Code;
- Move MW-01 to about 40 feet southwest of its present location as shown in the attached Figure 3-3; add another monitoring well (MW-04) and place the well about 40 or 50 feet east of former "Tank E"/south tank excavation area/location as shown in the attached Figure 3-3;
- Analyze soil samples for volatile organic compounds (VOCs); polyaromatic hydrocarbons (PAHs); RCRA metals and compound specific parameters that are not normally included in the VOCs and PAHs scan;
- Analyze groundwater samples (from monitor wells and piezometers) for VOC; PAHs; RCRA metals and compound specific parameters not included in the VOCs and PAHs scan. The inclusion of natural attenuation parameters in the analyses will help determine plume status;
- Analyze the soil gas and subslab vapor samples for VOCs and any compound specific parameters not included in the VOCs scan.

The Department will require additional work, if the work plan proves to be inadequate. We appreciate the actions you are taking to restore the environment at this site. If you have any questions regarding this letter, please contact me at (414) 263-8639.

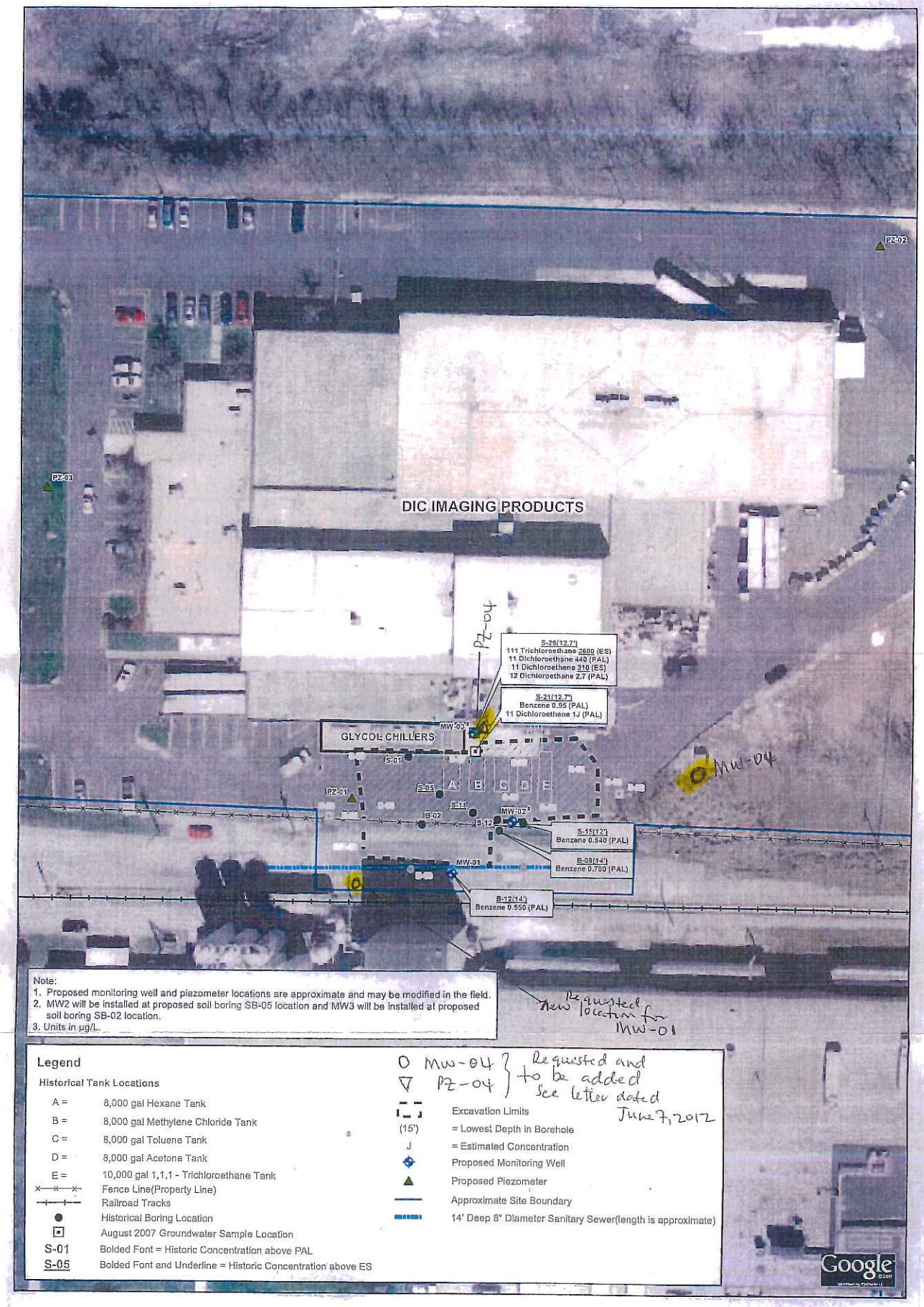
Sincerely,

Eric Amadi

Eric Amadi - Hydrogeologist
Remediation and Redevelopment Program
Southeast Region, Milwaukee

Enclosures: Figure 3-3: Proposed Monitoring Well and Piezometer Locations, Site Investigation Work Plan, Former Swift Adhesives, Facility, Oak Creek, WI. April 19, 2012.

cc: Paul Arps - CH2M Hill, 135 South 84th Street, Suite 400, Milwaukee, WI 53214
SER Case File #: 02-41-0000244



Note:
1. Proposed monitoring well and piezometer locations are approximate and may be modified in the field.
2. MW2 will be installed at proposed soil boring SB-05 location and MW3 will be installed at proposed soil boring SB-02 location.
3. Units in µg/L.

Legend

Historical Tank Locations

A =	8,000 gal Hexane Tank
B =	8,000 gal Methylene Chloride Tank
C =	8,000 gal Toluene Tank
D =	8,000 gal Acetone Tank
E =	10,000 gal 1,1,1 - Trichloroethane Tank
	Fence Line(Property Line)
	Railroad Tracks
	Historical Boring Location
	August 2007 Groundwater Sample Location
S-01	Bolded Font = Historic Concentration above PAL
S-05	Bolded Font and Underline = Historic Concentration above ES
	Excavation Limits
(15')	= Lowest Depth in Borehole
J	= Estimated Concentration
	Proposed Monitoring Well
	Proposed Piezometer
	Approximate Site Boundary
	14' Deep 8" Diameter Sanitary Sewer(length is approximate)

MW-04, PZ-04 } Requested and to be added See letter dated June 7, 2012

0 40 80
Feet

Figure 3-3
Proposed Monitoring Well and Piezometer Locations
Site Investigation Work Plan
Former Swift Adhesives Site

I:\REICHHOLD\OAK CREEK\MXD\2012\WORKPLAN\FIGURE 03-03 - PROPOSED GROUNDWATER MONITORING WELL AND PIEZOMETER LOCATIONS.MXD JHANSEN1 4/18/2012 10:37:30 AM

CH2MHILL