



July 14, 2021

Sixto Ortiz  
WM Waste, Inc.  
800 Capitol Street  
28<sup>th</sup> floor  
Houston, TX 77002

Subject: No Further Action Not Recommended  
WM Waste, Inc Facility, 21211 Durand Avenue, Union Grove, Racine County, Wisconsin  
DNR BRRTS Activity # 02-52-586974  
FID #: 252195350

Dear Mr. Ortiz:

On June 3rd, the Wisconsin Department of Natural Resources (DNR) reviewed the No Further Action request for the case identified above. As you are aware, the DNR reviews environmental remediation cases for compliance with applicable laws, including Wis. Stat. ch. 292 and Wis. Admin. Code chs. NR 700 – 754 and whether any further threat to public health, safety or welfare or the environment exists at the site or facility, per Wis. Admin. Code § NR 726.13 (2) (b). As discussed with your consultant on 6/15/21, case closure is not recommended because additional legal requirements must be met. The purpose of this letter is to inform you of the remaining requirements for obtaining closure.

#### Need to Define the Degree and Extent of Contamination

Additional soil, groundwater, surface water, sediment, sampling is needed to define the degree and extent of contamination per Wis. Admin. Code § NR 716.11. Based on the identified soil impacts additional investigation is needed to establish the extent and magnitude of the release to the environment. This includes but is not limited to the soil previously identified as having impacts but also, the adjacent pond and pertaining sediments, and on-site groundwater.

#### Need to Conduct Additional Remedial Action

Additional remedial action is needed to comply with the closure criteria of Wis. Admin. Code ch. NR 726. Excavations of impacted soils were completed using the hazardous waste site-specific standard of 10ppb. The site-specific standard for mercury is a permitted number but not a standard used nor allowed for a release to the environment. Remedial actions addressing impacts to the environment are required to meet residual contaminant limits (RCLs). The direct contact RCL for mercury is 3.13 mg/kg and the groundwater (leachability to groundwater) RCL is 0.208 mg/kg.

#### Schedule

Within 60 days of the date of this letter, respond in writing with a schedule of your plans to meet these requirements.

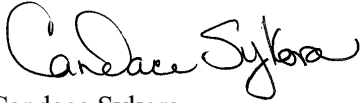
Until requirements are met, your site will remain “open” and you are required to submit semi-annual progress reports, per Wis. Admin. Code § NR 700.11. You are also responsible for any operation and maintenance activities required under Wis. Admin. Code § NR 724.13. Once the additional work has been completed, documentation should be submitted to the DNR to demonstrate that the applicable requirements have been met.

Conclusion

If you have any questions regarding the information in this letter or would like to schedule a meeting to discuss this case, please contact the DNR project manager, Candace Sykora at 715-928-0452. For more information on the closure reconsideration process, please see DNR publication, RR-102, "Wis. Admin. Code ch. NR 726 Case Closure Reconsideration Process" by visiting [dnr.wi.gov](http://dnr.wi.gov), search: RR-102, for more information.

The DNR appreciates your efforts to restore the environment at this site.

Sincerely,



Candace Sykora  
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Remediation & Redevelopment  
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cc: Lee Daigle, Tetra Tech