

SASY

Schenk-Atwood-Starkweather-Yahara Neighborhood Association

21 Oct 2011

TO: Mr. Mike Schmoller, WDNR; Alder Marsha Rummel; Mayor Paul Soglin; Representative Chris Taylor; Senator Mark Miller, Madison City Council; SASY Neighborhood

Subject: PCE Pollution in Madison Kipp environs

All,

The SASY Council believes the Scope of Work (SOW) presented to the community by the WDNR at the Oct 15, 2011 meeting is significantly incomplete and inadequate.

The contamination originating from Madison Kipp Corporation (MKC) has a long history and the community is now being asked to suffer through decades more of uncertainty.

- We don't know when the PCE contamination began and we know there are at least three hot spots.
- We understand use of PCE at MKC stopped in the early 1980's and probably went on for 20-30 years prior to that (50-60 year history for this site).
- We know that PCE is a very heavy substance when not diluted and sinks quickly to the lowest point it can reach, and leaves a trail of contamination on soil particles it touches.
- We know that water carries the contamination -- in our case in different directions, depending on depth.
- We know that PCE off-gasses at a continuous rate and that there is a concentrated pool of contaminate may now moving through the bedrock.
- We know the bedrock between the upper aquifer and the lower aquifer is not as impermeable as some scientists had previously believed, and that fractures do exist.
- We don't know how much PCE has been spilled or put into our environment. There has never been an estimate made of the tonnage of spilled materials.
- We don't know the extent of the contamination, as mapping has never been completed despite orders from the WDNR to do so (attached WDNR letters to comply 1995/1999).
- We know that the incremental approach to clean up that the WDNR and MKC have pursued since the mid 1990's is experimental in nature and has proven to fail at preventing and removing the significant risk to the community. With this current scope of work, the WDNR/MKC proposal is asking us to accept decades more of experimental remediation without an effective solution nor a known endpoint in sight.

Therefore:

- We endorse Ken Wade's recommendations (attached) for additional testing and monitoring to determine the full extent of the contamination plumes.

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- We want to have created an accurately detailed, easily understood map of the relative levels of contamination at different depths, one that delineates the complete extent of the contamination in both soils and water and under paved surfaces.
- We want that known contaminated source material be excavated immediately, including those under currently paved surfaces and buildings. Clearly, paving over these spill sites has not stopped water flow from spreading the contamination and the approach previously (and currently) supported is only resulting in a spread of the problem. This spread will continue until all contamination is removed. Dilution is not the solution to pollution. Dilution by SVE only shifts the problem to all of us via atmospheric contamination, and does not end the threat to our water supply.
- We insist on responsible, thorough testing practices. The proposed plan of testing vapors only once is known to be an unreliable measure of actual contamination. Readings in one affected yard alone prove that: 150 S. Marquette tested zero several times, whereas subsequent testing showed contamination far exceeding the limit. Soil vapor testing is dependent on the saturation level of the soil, the temperature, and the barometric pressure, among other things. PCE vapors are volatile: test results will always read lower in conditions that allow more opportunity for the vapors to dissipate (ground is permeable, wind is high, temperatures above freezing) and higher when there's less (frozen ground, denser soil, etc).
- **We understand that excavation is the only approach that will remove the original source material.**
- We want that monitoring and vapor extraction continue after excavation to monitor and remove any residual material that may have been missed with excavation. *

We ask Mayor Soglin to create a task force that looks at the long-term risk of contamination to the lower aquifer. We are concerned about the risk to our drinking water sources if this pool of PCE tonnage manages to find a route through.

We are concerned about the potential danger to Well 8 specifically, noting that the city could soon increase withdrawal from this well, and any possible contaminants need to be understood and eliminated ASAP. The current SOW does NOT include sufficient monitoring wells nor measurements to determine this important exposure pathway.

We expect that referral to DOJ will result in meaningful enforcement and not simply a rubber stamp of the shortsighted WDNR-MKC cleanup plan. WDNR has allowed the MKC's PCE contamination spread for 17 years, if not longer. It is a reasonable expectation that MKC be finally held accountable and pay meaningful fines. Meaningful accountability should include that MKC also pay for an independent audit of their compliance with environmental regulations.

To ensure openness and transparency, and to verify that elimination of this threat to our health and neighborhood is carried out,

- We want a copy of all communications between WDNR and MKC to be placed on file with other WDNR-MKC documentation at Hawthorn Library.
- We want to have specifically identified contacts in both the WDNR & Department of Justice, with prompt updates when there are personnel changes, and expect that any new information be shared with the neighborhood without delay.

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- We want that a remediation plan be created and followed, with a fixed deadline to eliminate all on- and off-site contamination.
- We insist that cleanup planning no longer be conducted behind closed doors. This is a matter that seriously impacts the health and property of a wide community. Meetings between the WDNR and MKC must include representatives from our neighborhood, public health agencies and political representatives. Minutes of all planning meetings must be prepared by the WDNR and shared with our neighborhood association and our political representatives. We want to be kept informed of the referral process and all steps concerning MKC's response/actions, with all related documents placed on the WDNR website.
- In addition, we want that MKC be required to establish a 1) a fund for current and future residents who require the installation of sub-slab vapor mitigation systems to compensate them for their exposure to PCE fumes, disruption of their lives, and loss in home values; and 2), a fund to pay for environmental engineering and health professionals to provide independent oversight of the monitoring and remediation program on behalf of the neighborhood.

Respectfully,

Lou Host-Jablonski
Chair, SASY (Schenk-Atwood-Starkweather-Yahara Neighborhood Association)

** Testing of Soil Vapor Extraction System - Each vapor extraction system should be periodically tested to determine the effectiveness of the extraction system and rate at which vapors are emitted.*

Exhaust Method for PCE Vapors - One of the cleanup methods is extracting vapors from the soil and releasing them to the atmosphere through stacks or vents. It is assumed the WDNR is relying on the emission rates under Chapter NR 445, Wis. Adm. Code, to determine if these vapors can be emitted without any air pollution control system. For vents under 25 feet tall, these rules allow 9.11 lbs/hr and 301 lbs/yr of uncontrolled PCE. The NR 445 rules are outdated and should not be used to determine if air pollution controls for the vapors are needed. The NR 445 rules assume there is no raincap or obstruction on the top of the stack or vent. The emissions rates under NR 445 are also based on the old ISC3 dispersion model which has been replaced with the more accurate AERMOD model. The ISC3 model does not account for the how wind flows over buildings will increase downwind concentrations of the vapors. In fact, the improved accuracy of the AERMOD model forced MKC to either close or replace its roof vents with taller, open-ended stacks in 2007. We request that a dispersion modeling analysis be conducted for each stack or vent for PCE vapors to determine if downwind concentrations comply with air quality standards.