

DATE: April 13, 2023

TO: Zack Sasnow, RPM, US EPA Region 5

FROM: Kevin McKnight, Hydrogeologist/Project Manager, Wis. Dept. Natural Resources

SUBJECT: Comments on Proposed Plan
Amcast Industrial Corporation Superfund Site-OU1, March 15, 2023

General Comments

- It is the DNR's understanding that BIL funding will be used to conduct this cleanup and there will not be a cost share for the state. If BIL funds are not available, and there is a state cost share, then we will need to re-evaluate the alternatives to determine which is the most cost-effective and protective, given the limited state funds available. If there is a cost share, the state's financial participation on this project will require approval of DNR management and likely the Governor's office. Legislative action will likely be required to either provide DNR with additional cash or bonding authority. The state has a biennial budget process with the next two-year budget (FY24-FY25) to be final July 1, 2023. If not included in this budget DNR would not know if funding is available for at least 2 years unless a special appropriation is approved by the legislature's joint finance committee. If a cost share will be required, the DNR requests a meeting with the EPA to discuss the financial implications prior to drafting the ROD.
- If there's a need to phase the remedial activities due to funding considerations, DNR proposes prioritizing cleanup at residential properties first, then address the recreational and ecological exposures in the Ponds, and then address the remaining site areas.
- The DNR concurs with the preferred remedial actions detailed in this Proposed Plan because they emphasize removal of contaminated soil and sediment, minimize the need for institutional controls and continuing obligations, and comply with Wisconsin Statute and Wisconsin Administrative Code requirements. Although the proposed Preliminary Remedial Goal (PRG) established for soil complies with Wis. Admin. Code ch. NR 720, the DNR does not concur with EPA's decision not to identify Wis. Admin. Code § NR 720.12 as an ARAR for the Amcast site. The DNR continues to maintain that Wis. Admin. Code § NR 720.12 meets applicable criteria to be identified as an ARAR, including Wis. Admin. Code § NR 720.12(1)(a), which provides that Residual Contaminant Levels (RCLs) for the protection of human health from direct contact with contaminated soil must be developed "[f]or individual compounds using an excess cancer risk of 1×10^{-6} and a hazard quotient for non-carcinogens of one." The DNR continues to request that Wis. Admin. Code § NR 720.12 is identified as an ARAR for the site. However, DNR understands from prior conversations with EPA that EPA will identify Wis. Admin. Code § NR 720.12 as a To Be Considered (TBC) in this Proposed Plan. Please clarify whether DNR's understanding is correct.

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- The draft Proposed Plan includes specific remedial actions for OU1 and an interim remedy for OU2 (groundwater). DNR understands that a final preferred alternative for groundwater will be proposed pending additional groundwater monitoring and considers this approach acceptable for addressing groundwater contamination at the site.
- In many locations, the PRG for soil based on DNR's non-industrial direct contact residual contaminant level (RCL) is described as the "site-specific non-industrial RCL" The non-industrial RCL is a default RCL for non-industrial (residential) land uses and is not a site-specific RCL. For this site, DNR does not consider this RCL to be a site-specific RCL as no exposure parameters were modified based on site-specific exposure scenarios. Recommend modifying language to either refer to this as the "WDNR non-industrial RCL" or "site-specific PRG". Or modify language to explain that the DNR's non-industrial direct contact RCL was selected as the appropriate PRG for this site for site-specific reasons.
- For all alternatives that specify design-phase sampling and soil verification sampling, DNR would appreciate the opportunity to review and provide feedback on work plans for any of those activities.
- The figures attached to the draft Proposed Plan depict sediment and soil concentrations using color shading that is based on previous PRGs, and not necessarily on the PRGs identified in the draft Proposed Plan. Will there be an opportunity to include updated figures in the ROD that accurately depict locations exceeding PRGs? For example, Figures 7 and 8 include a reference to an Industrial PRG of 7.3 mg/kg for PCBs, Figure 9 includes a reference to a Recreational PRG of 21 mg/kg for PCBs, and Figure 10 includes a reference to a Recreational PRG of 7.6 mg/kg for PCBs. On several figures, there are locations that exceed the PCB PRG of 0.22 mg/kg yet are not shaded as exceedances.
- DNR understands that EPA finalized the Remedial Investigation (RI) for the site in 2015, and that additional design-phase sampling may occur to further refine the extent of contamination prior to remedial action. Any future redevelopment work may require additional site characterization in areas with limited investigation given the heterogeneity of contaminants in soil. DNR will require a Wis. Admin. Code ch. NR 718 Materials Management Plan for any future redevelopment and Wis. Admin. Code ch. NR 726 case closure requirements will also need to be met.
- Because the RI was completed prior to EPA's development of PFAS environmental standards and the proposal of PFAS as a CERCLA hazardous substance, does EPA intend to assess whether PFAS is a potential contaminant of concern at the site?

Specific Comments

- Section E. Summary of Site Risks, 1. Human Health Risk, d. Wilshire Pond – this section needs to be updated to include information about human health risk from exposure to PCB-contaminated

sediment and bank soils that exceed human health risk-based PRGs (non-residential soil (pond bank) PRG of 1 mg/kg for PCBs).

- Section F. Remedial Action Objectives, 1. Human Health and Ecological Risk based RAOs – update the Quarry Pond human health RAO to read: “Quarry Pond Bank Soils and Sediment”
- Section F. Remedial Action Objectives, 1. Human Health and Ecological Risk based RAOs – add RAOs for Wilshire Pond similar to those for Quarry Pond, to reduce or eliminate human exposure through dermal contact and ingestion of contaminated sediment and soil from recreational activities.

- PRG Table –
 - What is the basis for the floodplain soil PRG of 1 mg/kg PCB? Information is included to explain the basis for the PCB PRG for residential soils and the PRG for lead, but no information is provided to explain the basis for the 1 mg/kg for pond bank soils. Additionally, it would be helpful to include a brief summary of the basis for the fish-tissue and sediment PRGs. Alternatively, if the basis for these values is summarized in another document, please reference that document.
 - PRGs listed for PAHs are incorrect – see comment below on Table 5 for more detail.
 - Do PRGs in this table match the Table 5 PRGs?

- Sediment SWAC targets – has an EPA Region 5 or HQ sediment technical expert confirmed the biota-sediment accumulation factor (BSAF) calculations used to determine the surface-weighted average concentration (SWAC) targets are accurate and follow EPA methodology? Are these SWAC targets appropriate for the site? Inappropriate SWAC methodology was identified as an issue at Cedar Creek recently, resulting in delays to the Proposed Plan. We would like confirmation that these calculations are accurate.

- Alternative AMN-2 – Please clarify for this alternative if the PRG for soil is based on industrial or non-industrial (residential) land use.

- Alternative RY-3 – Specify that the soil PRG is based on non-industrial (residential) land use. Include a description of the proposed depth of soil excavation in the residential yards (Figure 14 depicts 2’ excavation depth). Residential yard soil sampling appears to only have been conducted from 0-0.5’ previously. We understand additional design-phase sampling is planned to further define extent of soils requiring disposal at a TSCA facility. We recommend additional investigation to ensure the extent of PCB-contaminated soils is defined on the residential properties to ensure all PCB-contaminated soil is targeted for removal.

- Alternative QP-3 – this alternative describes the use of a permeable reactive barrier to isolate contaminated sediments. Is this permeable reactive barrier intended to be a chemical isolation cap over the sediments? Recommend rewording this section to make the language more specific to sediment remedial actions. This section should also include some information on what pre-design or design-phase activities will be needed to design an adequate cap to isolate the sediment contaminants (bench scale testing of amendments, cap modeling, etc.).

- Alternative QP-4 – this alternative describes the sediment and bank soil cleanup level of 1 mg/kg as an action level to achieve a post-construction SWAC goal and a long-term SWAC goal. This action level is also included in the PRG table as a “Non-Residential Soils (pond banks)” PRG of 1 mg/kg. Recommend adding language to either this alternative, or to the PRG section, on the basis for this value and how it addresses human health risk from direct contact with contaminated pond bank soils.
- Alternative QP-4 – residual management layer – this alternative description states that a 3-6” sand cover may be applied if necessary to reduce post-dredging residual PCB concentrations. It is not clear from this description what numeric triggers or other circumstances might require placement of this sand cover, and more detail would be helpful in this section to better understand under what circumstances this cover would be placed.
- Alternatives WP-2 and WP-3 – will pre-design or design-phase sampling be conducted to determine if the soil composing the berms is contaminated? If not, how/when will the decision be made as to whether the berms will be excavated (Alt. WP-3) or not (Alt. WP-2)?
- Section H Evaluation of Remedial Alternatives, 2. Compliance with ARARs – DNR requests Wis. Admin. Code § NR 720.12 be added as an ARAR under this section as previously discussed in this memo. This section should be updated to address whether alternatives comply with Wis. Admin. Code § NR 720.12.
- Figure 15 – EPA’s preferred alternative (AMS-4) does not appear to be depicted on this figure.
- Table 1 –
 - Change “Wisconsin NR700 Groundwater Protection Value” column heading to “Wisconsin NR720.10 Groundwater Protection Value”
 - Change “Wisconsin NR700 Soil Direct Contact” column heading to “Wisconsin NR720.12 Soil Direct Contact”
 - Update PAH values (see comment below for Table 5)
- Table 4 – Proposed ARAR Additions
 - Recommend separating State and Federal ARARs and TBCs in the table
 - Ch. NR 706 – Notification requirements - Notification procedures and responsibilities by discharger of hazardous substances including containment, cleanup, disposal, and restoration. Applicable for removal, transport, and disposal of contaminated media.
 - Ch. NR 720.12 – Specifies criteria for developing cleanup levels for soil based on protection of human health from direct contact. Applicable for development of soil cleanup standards.
 - Ch. NR 724 – Remedial and Interim Action Design, Implementation, Operation, Maintenance and Monitoring Requirements (Specifically: § NR 724.15 – Documentation of construction and completion)

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- Ch. NR 726 (specifically: § NR 726.15—closure letters and continuing obligations, potentially applicable if there is a need for continuing obligations after the completion of the remedy)
 - Wis. Stat. Ch. 30 – Navigable waters Specifically: Wis. Stat. § 30.19 (enlargement and protection of waterways), applicable to Wilshire Pond, and Wis. Stat. § 30.20 (removal of material from beds of navigable waters), applicable to Quarry Pond.
 - Ch. NR 343 – Ponds and Artificial Waterways – applicable to Wilshire Pond
 - Ch. NR 345 – Dredging in Navigable Waterways (Specifically: § NR 345.04 – dredging— applicable to Quarry Pond)
 - Table 4 Typo in Sites with Residual Contamination section— should be Wis. Stat. § 292.12(5m), NOT 29.12(5m)
 - Table 4 Typo in Stormwater section – should be § NR 216.46, NOT NR § 4216.46
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- Table 5 – the PRGs listed for PAHs are incorrect. The correct values are listed below. These were derived using the EPA’s RSL Calculator, DNR’s NR 720 target risk of 1×10^{-6} for carcinogenic compounds, and the residential exposure scenario.
 - Benz[a]anthracene – 1.14 mg/kg
 - Benzo(a)pyrene – 0.115 mg/kg
 - Benzo(b)fluoranthene – 1.15 mg/kg
 - Benzo(k)fluoranthene – 11.5 mg/kg
 - Chrysene – 115 mg/kg
 - Dibenz[a,h]anthracene – 0.115 mg/kg
 - Indeno[1,2,3-cd]pyrene – 1.15 mg/kg