

**From:** Stephanie Berti <stephmgolden@hotmail.com>  
**Sent:** Tuesday, June 06, 2023 7:19 AM  
**To:** Sasnow, Zachary (he/him/his)  
**Cc:** Gurley, Philip; McKnight, Kevin - DNR  
**Subject:** Re: AMCAST INDUSTRIAL CORPORATION CEDARBURG, WI

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Hi Zack,

Thank you for getting back to me and the detailed responses. I hope you enjoy your time away from work!

1. Thank you for confirming that any redevelopment by a private entity will be governed by TSCA.
2. I've reviewed the 2015 RI you reference and the only mention of sampling building walls and floors that I can locate is referencing the data collected as part of the 2007 ENSR report. Please direct me to any other data I may have missed.
  2. Wipe sample results from the 2007 investigation showed PCB concentrations up to 940 ug/100 cm<sup>2</sup> present in concrete at Amcast North; 10 of 30 samples exceeded the standard for reuse of the concrete. CFR 761.1(a)(3) of TSCA states the following: "Most provisions in this part apply only if PCBs are present in concentrations above a specified level. Provisions that apply to PCBs at concentrations of <50 ppm apply also to contaminated surfaces at PCB concentrations of ≤10 µg/100 cm<sup>2</sup>. Provisions that apply to PCBs at concentrations of ≥50 to <500 ppm apply also to contaminated surfaces at PCB concentrations of >10/100 cm<sup>2</sup> to <100 µg/100 cm<sup>2</sup>. Provisions that apply to PCBs at concentrations of ≥500 ppm apply also to contaminated surfaces at PCB concentrations of ≥100 µg/100 cm<sup>2</sup>." The concrete is currently "in use" as the property owner is using the building for storage of vehicles and equipment. The impacted concrete, now exposed to various elements of erosion, is less than 25 feet from residential yards and could be acting as a new source of concrete dust laden with high concentrations of PCBs (>500ppm) to the neighboring residential properties. Who is responsible for evaluating and, if necessary, mitigating this hazard?
3. Kevin, do you have any information on the disposal of demolition debris to date?
4. Kevin, did the property owner collect bulk samples of concrete, paint and/or caulk for PCBs prior to their demolition activities? If not, will the WDNR require the property owner to sample the exterior peeling paint and deteriorating caulk which could be acting as a continued source of PCBs to residential yards? Will bulk sampling for PCBs be required to ensure proper waste disposal when/if remaining sections of the building are demolished?
5. I've reviewed the HHRA and I do not believe that the PCB impacted concrete was modeled as a potential source of exposure to trespassers. Would the USEPA consider adding this to the

model? Alternatively, could the WDNR work with the state health department to model this risk? I've spoken with the City of Cedarburg to express my concerns regarding this attractive nuisance and the need to properly secure egress opportunities at the site.

Thank you all for your time and information.

Sincerely,  
Stephanie Berti

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**From:** Sasnow, Zachary (he/him/his) <[sasnow.zachary@epa.gov](mailto:sasnow.zachary@epa.gov)>  
**Sent:** Friday, June 2, 2023 1:18 PM  
**To:** Stephanie Berti <[stephmgolden@hotmail.com](mailto:stephmgolden@hotmail.com)>  
**Cc:** Gurley, Philip <[Gurley.Philip@epa.gov](mailto:Gurley.Philip@epa.gov)>; McKnight, Kevin - DNR <[kevin.mcknight@wisconsin.gov](mailto:kevin.mcknight@wisconsin.gov)>  
**Subject:** RE: AMCAST INDUSTRIAL CORPORATION CEDARBURG, WI

Hello Stephanie,

Thank you for attending the meeting and providing these questions; my answers are below. I am going to be out of the office next week so I wanted to provide responses prior to the public comment period closing on June 12<sup>th</sup>; I will note that due to my leave of absence I will not be able to provide a follow-up response prior to then if you have further questions. I encourage you to submit your public comment ahead of the 12<sup>th</sup> if possible.

Of course, Kevin if you have any further clarifying information on behalf of WDNR to provide please feel free to do so; I will note that many of the issues with the current property owner are not overseen by EPA given the BFPP provisions I mention below, but rather would be more directly governed by applicable state and local regulations.

1. The exemption for EPA in Superfund is related to needing separate approvals and permits to undergo remediation work (for example, separate TSCA approvals or RCRA permits); however Superfund is required to follow all substantive requirements of the regulations in conducting remedial work. So the applicable regulations within TSCA that you mention (and in particular the risk-based disposal regulations in 761.61(c)) are identified as applicable or relevant and appropriate requirements (ARARs) for this cleanup and will be followed by our contractors conducting the remedial work. Any private owner of the property would also be separately subject to all applicable state and federal environmental regulations, and would not be exempt from these requirements. However, the owner's future property development work is not related to CERCLA regulations and is not overseen by EPA's Superfund program and instead would be administered by other applicable federal, state and local programs.
2. If the current owner intends to use *in situ* PCB-contaminated concrete or materials in future development (which, to be clear, I am not aware of any intent to do so), then the owner would be required to submit documentation for a risk-based disposal under TSCA to use said material and would be required to follow the appropriate TSCA regulations as you mention. However, there is no current activity proposed to my knowledge that plans have been submitted for, as the current owner is largely waiting for EPA to conduct the remedial action for the broader Amcast site prior to beginning redevelopment work. I will take a look at the data you reference, however the Human Health Risk Assessment conducted in 2015 did not identify a risk level to

occasional trespassers of the property at a high enough level to warrant an immediate removal action, and in the future were this material to be used in development it would be subject to applicable TSCA regulations (as well as any other state and local regulations). I am not clear on the extrapolation of wipe sample data to bulk material PCB impacts you mention, so if you can provide further information I may have more insight.

3. EPA's Superfund program does not oversee the development work being conducted by the current property owner, so I do not have documentation regarding above-ground demolition and disposal conducted by the owner; the owner has a Bona-Fide Prospective Purchaser (BFPP) agreement with EPA that exempts the owner from legal liability under CERCLA provided that the owner's activities do not interfere with EPA's ability to implement cleanup under CERCLA for the broader Amcast site (which as of this time the current owner is in compliance with). However, the current owner is subject to all applicable state, local, and federal regulations when conducting any development work on their property including management of construction debris.
4. The extent of sampling that was conducted on walls and structures within Amcast north was conducted as part of the Remedial Investigation report, which was finalized in 2015. That report is available on the site webpage; if you cannot locate the document let me know and Phil can provide a direct link while I'm out. Caulk and paint were not directly evaluated as the property is not currently occupied, and from the sampling that was conducted the Human Health Risk Assessment (discussed below) did not establish a high enough risk level to occasional trespassers to warrant further investigatory action. My understanding is the current owner intend to demolish these structures when redeveloping the property after EPA conducts the cleanup work; however EPA is not directly involved in the management of the property after conducting the cleanup and the City of Cedarburg would have more up-to-date information on what's planned.
5. The Human Health Risk Assessment was developed as part of the Remedial Investigation report mentioned above. The HHRA section begins on Page 48 of the PDF. The risk assessment evaluated risks posed to on-site adolescent trespassers, and this risk evaluation was factored into the proposed remedy alternatives and cleanup levels provided in the Proposed Plan. EPA is not directly involved with enforcing the current private property owner's access restrictions (there are not federal regulations in CERCLA related to this), however we have been in frequent contact with the City of Cedarburg and Wisconsin DNR so that they are aware of the egress issues the community has raised, and can enforce applicable state and local regulations that govern the property.

Thanks, and have a great weekend!

Zack

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**Zack Sasnow, P.E.**

Remedial Project Manager

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**From:** Stephanie Berti <[stephmgolden@hotmail.com](mailto:stephmgolden@hotmail.com)>  
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**Subject:** AMCAST INDUSTRIAL CORPORATION CEDARBURG, WI

Good Afternoon Phil, Zack and Kevin,

Thank you for presenting information and discussing the Amcast Superfund site in Cedarburg yesterday. I plan to submit formal comments for the record regarding the site, however I do have some follow up questions I was hoping to get answered so that I can better formulate my comments.

1. Based on discussions last night regarding the spill dates, the Amcast project is subject to TSCA regulations. It was briefly discussed that superfund is not required to conform with all portions of TSCA, with the exception of waste management for any waste over 50PPM which must be disposed of in conformance with TSCA (subtitle C landfill, incinerator, etc.).

Please confirm that any redevelopment activities that may be undertaken by a private party would be subject to the entirety of TSCA regulations including remediation, waste storage, disposal and reuse.

2. As a follow up to my question from last night regarding the potential for PCB containing oils to have impacted the porous concrete building I reviewed online records and found the following report with the wipe sampling information which was referenced during the meeting: [ENSR CORPORATION - PHASE II INVESTIGATION CONDUCTED AT THE AMCAST INDUSTRIAL CORPORATION FACILITY WITH COVER LETTER \(epa.gov\)](#). As part of the 2007 investigation forty wipe samples were collected from floors and walls within the foundry building (Amcast North) and analyzed for PCBs. Thirty five of the 40 samples exceeded ENSR's screening concentration of 0.16 ug/100 square centimeters (USEPA WTC screening concentration).

The recent demolition of a portion of the building at Amcast North has resulted in exposure of the PCB contaminated concrete slab. Although the site is fenced, the newly exposed slab would be considered a "nonrestricted access area" as defined by TSCA CFR 761.123 as it does not meet the definition of a restricted access site which requires it to be no less than 0.1km (328 feet) from a residential property. The exposed slab is currently within 25 feet of residential properties. Requirements for spills and the use of PCB impacted surfaces in nonrestricted access areas require the RP to clean the surface to a level of 10 ug/100cm<sup>2</sup> or to a level of 100 ug/100cm<sup>2</sup> and apply a 2-part epoxy coating. Sample results from the 2007 investigation exceed the criteria of 10ug/100cm<sup>2</sup> (equivalent to 50PPM) in 10 of the 40 samples and exceed 100 ug/100cm<sup>2</sup> (equivalent to 500PPM) in 2 of those samples. These results indicate that the

concrete slab is not suitable for use in its current state. The highest PCB concentration for a wipe sample at the facility was 940 ug/100cm<sup>2</sup> which would be equivalent to a bulk concentration of nearly 5,000PPM based on extrapolation of USEPA standards.

Due to the property owner's recent demolition activities, this impacted concrete slab is now exposed to wind and rain which could be further spreading contaminants from the site as stormwater and wind abrasion are likely deteriorating the slab and spreading the newly created dust to the surrounding residential areas. Whose responsibility is it to mitigate this newly created hazard? Was any newer data collected prior to demolition of the building which would alter this conversation?

3. How was the disposal of building materials from the recent demolition of structures at Amcast North and South managed? Of particular interest is information related to sampling and disposal of the concrete from the Amcast North building (which, as stated above, was documented to be impacted with PCBs at TSCA regulated levels and should have been properly characterized by the generator and disposed of, not recycled unless shown to be non-detect). Also of interest is any process piping which may have conveyed process water, hydraulic oils or spent fluids all of which were documented to contain PCBs at concentrations up to 47 to 48%.
4. The remaining section of building at Amcast North is in very poor condition with delaminating paint. Aroclor 1254 has been detected at the site which is commonly related to paint and industrial coatings. Have interior and exterior building materials, such as caulk and paint, been tested to determine if they could be acting as a continued source of PCBs to the surrounding environment?
5. A recent Cedarburg High School Newsletter asked parents to talk with their children about avoiding the Amcast North property and noted an increase in issues at the site. The partial demolition of the former industrial building has left the remaining structure with multiple obvious open points of egress and the site has become an attractive nuisance to the youth of our community. Please provide information specific to the human health risks for juveniles who may be entering the site as it relates to their exposure to carcinogens and other contaminants of concern present in the surface soil at and concrete with PCBs at concentrations up to 940 ug/100cm<sup>2</sup>.

Thank you for taking the time to review and respond to my questions.

Sincerely,

Stephanie Berti