

**From:** McKnight, Kevin - DNR  
**Sent:** Friday, August 18, 2023 10:53 AM  
**To:** sasnow.zachary@epa.gov  
**Cc:** Fassbender, Judy L - DNR; Endsley, Erin A - DNR; McKnight, Kevin - DNR  
**Subject:** Amcast Industrial Corporation Superfund Site-OU1- ROD Comments and DNR ROD Concurrence Letter  
**Attachments:** 20230818\_99\_AMCAST\_ROD\_Comments.pdf; Amcast ROD Concurrence Letter.pdf

Zack,

Attached are a copy of the DNRs comments on the ROD and a copy of the DNR ROD concurrence letter for the Amcast site. Thank you for your work on this site. Please contact me if wish to discuss either document.

Regards,

Kevin

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**Kevin D. McKnight**

Hydrogeologist - Remediation and Redevelopment Program

Wisconsin Department of Natural Resources

Oshkosh Service Center

625 E CTY Y, Suite 700

Oshkosh WI 54901

Phone: 920-808-0170

[Kevin.McKnight@wisconsin.gov](mailto:Kevin.McKnight@wisconsin.gov)



[dnr.wi.gov](http://dnr.wi.gov)



DATE: August 18, 2023

TO: Zack Sasnow, RPM, US EPA Region 5

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

SUBJECT: Comments on Record of Decision  
Amcast Industrial Corporation Superfund Site-OU1, July 26, 2023

General Comments:

- **Cost Share:**

The Department understands that the Site remediation will be financed by the Superfund Trust Fund and that the State of Wisconsin will be required to contribute 10% of the remedial action costs. It is also understood that the State will be responsible for 10% of any operation and maintenance (O&M) costs for the first ten years after the remedial action is complete and 100% of all O&M costs after the first ten years. We understand the selected remedy is designed to minimize long-term O&M costs.

Based on the project remedial action cost of \$39,571,384, the State anticipates an approximately \$4 million cost share contribution for the remedial action. As mentioned in our comments on the Proposed Plan, the State's financial participation on this project will require approval of Department management, the Governor's office, and the State Legislature. Legislative action will likely be required to provide the Department with either additional cash or bonding authority. The state has a biennial budget process with the next two-year budget (FY26-FY27) to be final July 1, 2025. If not included in this next two-year budget, the Department would not know if funding is available until July 1, 2027, unless a special appropriation is approved by the legislature's joint finance committee. The Department requests a meeting with the EPA to discuss the timing of the Superfund State Contract and the financial commitment for the remedial action.

- **NR 720 as ARAR - DNR does not agree with EPA Response to Comment 22:**

Although the proposed cleanup level established for soil complies with Wisconsin Administrative Code (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  $1 \times 10^{-6}$  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.

- **DNR Continuing Obligations:**

At the time of remedy implementation, if the remedy as constructed leaves residual contamination in place above applicable Wis. Admin. Code § NR 720.10 or NR 720.12 cleanup levels, the State may impose continuing obligations consistent with Wisconsin Statute (Wis.

Stat.) § 292.12 and Wis. Admin. Code ch. NR 726. Continuing obligations are intended to document areas requiring future soil management under Wis. Admin. Code § NR 718 and to limit exposure to remaining environmental contamination at sites. Continuing Obligations would apply to current and future owners of the Property, until the conditions no longer exist.

- **Pre-construction sampling**

The DNR would appreciate the opportunity to review and provide feedback on pre-construction sampling work plans to assist EPA in meeting NR 700 requirements as well as CERCLA remedial goals related to institutional controls, DNR case closure, and DNR continuing obligations.

Suggested Revisions:

- Page 2, Table of Contents – Revise Attach 5 from ‘Wisconsin Department of Natural Resources Comments on Proposed Plan’ to ‘Wisconsin Department of Natural Resources ROD Concurrence Letter’
- Page 35, Proposed alternative GW-2, Estimated Annual O&M Cost: \$2,503,150 – is this cost accurate? \$2.5 million/year for groundwater monitoring seems excessive
- Page 56, description of selected remedy for Quarry Pond, references “Current signage at Quarry Pond will be assessed to ensure it is effectively warning the public of exposure risks, and additional signage will be added as needed to continue to forbid fishing in Quarry Pond until long-term cleanup goals have been reached.” – the Department does not have the authority to forbid activities such as fishing. Suggest changing language to update fish consumption advisory signage as needed.
- Page 57, Modify “remedy will not leave residual contamination in place” to “remedy will not leave residual contamination in place above applicable cleanup levels”. Residual contamination above Wis. Admin. Code § NR 720.10 or NR 720.12 cleanup levels requiring continuing obligations under NR 700 may remain after remedy implementation.
- Page 61, last paragraph of Responsiveness Summary Part A – States “Attachment 5 includes comments received from the WDNR on the Proposed Plan; it should be noted that several comments in the letter related to budgeting and textual edits to the Proposed Plan draft were addressed in meetings with the WDNR prior to the issuance of the Proposed Plan, and as such are not included in this ROD with responses.” This section can still summarize the concerns DNR expressed in our comments on the PP but should reference ROD concurrence letter as an attachment.
- Page 62, EPA Response to Comment 6 – modify “court report” to “court reporter”



August 17, 2023

Douglas Ballotti, Director  
Superfund Division  
USEPA Region 5  
77 West Jackson Boulevard  
Chicago IL 60604

Subject: Concurrence on the Record of Decision  
Amcast Industrial Corporation Superfund Site, OU1

Dear Mr. Ballotti:

The Wisconsin Department of Natural Resources (Department) is providing you with this letter to document the Department's concurrence with the remedy selected for the Amcast Industrial Superfund site (Site). We believe the selected remedy complies with Wisconsin Statute and Administrative Code requirements and is protective of human health and the environment. The remedy, as outlined in the May 2023 Proposed Plan and the September Record of Decision (ROD), is considered the final remedy for the impacted soil, sediment, and sewer lines (OU1) and includes an interim remedy for groundwater (OU2).

The selected remedy includes:

- Amcast North: Sampling of concrete and pressure washing or excavation of contaminated concrete, excavation of contaminated soil, with off-site disposal and backfilling with clean fill;
- Residential Yards: Excavation of contaminated soil, with off-site disposal and backfilling with clean fill and yard restoration;
- Amcast South: Excavation of contaminated soil, with off-site disposal and backfilling with clean fill;
- Quarry Pond: Contaminated sediment dredging, bank soil excavation, with off-site disposal, followed by placement of a residual management layer and site restoration;
- Wilshire Pond: Berm sampling, contaminated sediment dredging and bank soil excavation, with offsite disposal and backfilling of banks and berms as needed with clean fill, followed by site restoration;
- Amcast North Storm Sewers: Pressure washing sewers, removal or abandonment of sections of sewer piping, with off-site disposal and backfill with clean fill;
- Amcast South Storm Sewers: Pressure washing sewers, removal of storm sewer piping, excavation of contaminated backfill, with off-site disposal and backfill with clean fill; and
- Groundwater (interim remedy): Monitoring and institutional controls.

The Department understands that the Site remediation will be financed by the Superfund Trust Fund and that the State of Wisconsin will be required to contribute 10% of the remedial action costs. It is also understood that the State will be responsible for 10% of any operation and maintenance (O&M) costs for the first ten years after the remedial action is complete and 100% of all O&M costs after the first ten years. We understand the selected remedy is designed to minimize long-term O&M costs.

Based on the project remedial action cost of \$39,571,384, the State anticipates an approximately \$4 million cost share contribution for the remedial action. As mentioned in our comments on the Proposed Plan, the State's

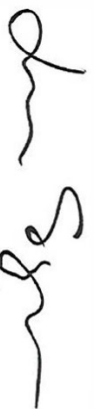
financial participation on this project will require approval of Department management, the Governor's office, and the State Legislature. Legislative action will likely be required to provide the Department with either additional cash or bonding authority. The state has a biennial budget process with the next two-year budget (FY26-FY27) to be final July 1, 2025. If not included in this next two-year budget, the Department would not know if funding is available until July 1, 2027, unless a special appropriation is approved by the legislature's joint finance committee. The Department requests a meeting with the EPA to discuss the timing of the Superfund State Contract and the financial commitment for the remedial action.

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At the time of remedy implementation, if the remedy as constructed leaves residual contamination in place above applicable Wis. Admin. Code § NR 720.10 or NR 720.12 cleanup levels, the State may impose continuing obligations consistent with Wisconsin Statute (Wis. Stat.) § 292.12 and Wis. Admin. Code chs. NR 726 and 727. Continuing obligations are intended in part to document areas requiring future soil management under Wis. Admin. Code ch. NR 718 and to limit exposure to remaining environmental contamination at sites. Continuing obligations would apply to current and future owners of property impacted by contamination at the Site, until the conditions for which continuing obligations are imposed no longer exist.

Thank you for your support and cooperation in addressing the contamination at the Amcast Industrial Superfund site. Please feel free to contact me at 608-422-1148 or Judy Fassbender at 414-507-5571 if you have any questions.

Sincerely,



Jenna Soyer, Deputy Director for

Christine Sieger, Director  
Remediation and Redevelopment Bureau

CC: Kevin McKnight, WDNR  
Zach Sasnow, RPM, EPA Region 5