

**From:** Sasnow, Zachary (he/him/his) <sasnow.zachary@epa.gov>  
**Sent:** Thursday, September 14, 2023 10:43 AM  
**To:** McKnight, Kevin - DNR  
**Cc:** Fassbender, Judy L - DNR; Endsley, Erin A - DNR; Blake, Leslie; Prout, Susan  
**Subject:** Amcast - Proposed Plan/ROD Response to Comments  
**Attachments:** 2023-09-14 EPA RTC - WDNR PP-ROD Comments.pdf

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Good morning Kevin,

I'm attaching a response to comments letter from EPA to respond to some of the comments that were provided by WDNR in April and August on the Proposed Plan and ROD, respectively. Wanted to tie up any loose ends – we've made the suggested edits in the ROD from WDNR's 8/18 letter but wanted to respond to some of the comments that aren't explicitly addressed in the ROD.

We're hopefully still on schedule to sign off on the ROD by the end of September and I will provide the final copy once that's signed off (and we can schedule a meeting to discuss the concerns around cost sharing at that time for later in the fall).

Any questions, let me know – thanks!  
Zack

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**Zack Sasnow, P.E.**  
Remedial Project Manager  
US EPA, Region 5  
(312) 886 – 0258  
Pronouns: he, him, his

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
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REPLY TO THE ATTENTION OF: SR-6J

BY ELECTRONIC MAIL ONLY

September 14, 2023

Kevin McKnight  
Hydrogeologist/Project Manager  
Wisconsin Department of Natural Resources  
Oshkosh Service Center  
625 E CTY Y, Suite 700  
Oshkosh, Wisconsin, 54901

Dear Mr. McKnight,

Thank you for providing EPA with comments on the Proposed Plan and Record of Decision (ROD) Drafts for the Amcast Industrial Corporation (Amcast) Superfund Site in Cedarburg, Wisconsin, respectively dated April 13<sup>th</sup> and August 18<sup>th</sup>, 2023. In this letter, EPA has included responses to specific comments that were not related to edits in the aforementioned drafts or other issues already addressed in previous meetings between EPA and WDNR. EPA has addressed the suggested revisions and clarifications otherwise raised in the letters. If WDNR has any questions on the included responses, EPA is available to discuss in a meeting at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Zachary Sasnow".

Digitally signed by ZACHARY  
SASNOW

Date: 2023.09.14 10:33:51 -05'00'

Zachary Sasnow, P.E.  
Remedial Project Manager  
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Chicago, IL 60604  
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cc: Leslie Blake, EPA  
Susan Prout, EPA  
Erin Endsley, WDNR  
Judy Fassbender, WDNR

## RESPONSE TO COMMENTS

WDNR Comment: *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.*

EPA Response: EPA agrees with WDNR's approach for prioritization of the cleanup. EPA will prioritize areas as needed based on areas with complete exposure pathways requiring remediation for current use (residential yards and to a lesser degree, the ponds) followed by areas requiring remediation for future hypothetical use (Amcast North and South).

WDNR Comment: *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  $1 \times 10^{-6}$  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. 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.*

EPA Response: EPA considered WDNR's input about identifying Wis. Admin. Code Ch. NR 720 as a CERCLA ARAR for the Amcast Site, and does not agree that Wis. Admin. Code Ch. NR 720.12 is a CERCLA ARAR here for several reasons including the finding that on its face Wis. Admin. Code Ch. NR 720 contains provisions with open-ended flexibility (*i.e.*, "other methods accepted by the department . . .") rather than a standard, criterion, or limit. EPA did not identify Wis. Admin. Code Ch. NR 720 as a TBC in either the Proposed Plan or ROD.

WDNR Comment: *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.*

EPA Response: EPA will coordinate with WDNR and provide the opportunity to review all design-phase documents during the implementation of the remedy.

WDNR Comment: *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.*

EPA Response: EPA acknowledges WDNR's comment. The remedy outlined in this ROD will remove all known contamination present above residential risk levels in soil, and as such EPA would request WDNR to identify any locations where the WDNR requires additional characterization during the pre-design investigation to avoid redundant work. EPA also acknowledges that the current owner must comply with any pertinent state and local regulations when conducting redevelopment work after EPA concludes implementing its selected remedy for the Site.