

# Neighborhood Update

Madison Kipp Corporation Investigation & Cleanup  
Wisconsin Department of Natural Resources (DNR)



**Date: 04/19/2012**

*To keep the neighborhood well advised of progress in the investigation and cleanup at the Madison Kipp Corporation Property, DNR will release updates directly to neighbors through the DNR's website (dnr.wi.gov, search: "Kipp") and through this e-newsletter system. DNR will make efforts to notify property owners and tenants, in advance, when specific data is released that references their property or an adjacent location.*

## **DNR sends Kipp Responsible Party letter after Kipp discovers PCBs in soil during excavation**

Today the DNR issued a [Responsible Party \(RP\) Letter](#) to Madison Kipp Corp., in response to Kipp's discovery of PCB-contaminated soil during an excavation on the company property.

In February and March, Kipp excavated soil on their property as part of an installation of a soil vapor extraction (SVE) system. The SVE system is part of an interim action approved by DNR to help remove vapor from soils in and around the Kipp plant, and from migrating off the property. The SVE system consists of nine extraction wells located in a line along the eastern Kipp property boundary.

After Kipp installed the SVE system, some of the excavated soil was replaced in the trenches dug for the SVE system. About 100-200 tons of excess soil was then temporarily stored on-site and kept under plastic sheeting. The plastic is normally placed on contaminated soil to keep any precipitation (e.g. rain, snow, etc.) or wind from washing or blowing the soil off site.

Kipp's consultant, Arcadis, collected a composite soil sample from the excavated soil piles, which were excavated along the facility's eastern property line. Test results showed a total PCB concentration of 110 parts per million (ppm). At the federal level, a sample that exceeds 50 ppm or greater is of "federal interest" under the U.S. Environmental Protection Agency's (EPA) Toxic Substance Control Act.

On March 26, Arcadis sent an email to DNR's project manager, noting that soils contaminated with PCBs were found as part of the SVE installation. The DNR's project manager sent an immediate request on March 26 to Kipp, asking for clarification about the soil removal. Included in this correspondence was a request for information about how much soil was removed, what testing occurred and what soil had been re-buried on site. The DNR requested Kipp submit a written report on the soil removal and disposal as soon as possible.

In addition, at the request of the DNR, the Department of Justice (DOJ) sent an email on April 2 to Madison Kipp's legal counsel outlining the minimum sampling the DNR was requiring be conducted, and specifying a May 1 deadline for the information. Meanwhile, the stockpiled soil was removed on April 11 and according to Kipp was shipped to a hazardous waste disposal facility in Michigan.

As a result of this situation, the DNR sent the Responsible Party (RP) letter to Kipp. An RP letter is a tool used by the DNR to inform an individual or business responsible for contamination about their legal responsibilities for cleanup. Letters often include specific steps needed for assessment and cleanup, references to any state and federal environmental laws related to the cleanup and legal ramifications for failure to address any cleanup requirements.

The RP letter sent to Kipp gives the company 90 days to address all the concerns listed by DNR in the letter, regarding the PCB issues recently discovered. In the letter, the DNR states Kipp's failure to address issues in the RP letter may result in further state and possibly federal enforcement action (in addition to the current DNR referral of Kipp to DOJ).

In addition to this issue, we will continue to monitor all current cleanup activities at Kipp. Please visit the DNR's [Kipp web page](#) for more information.

[Click here](#) for information on PCBs from the Department of Health Services.

**Next Kipp Neighborhood Update: Sampling Results** – Contractors for Madison Kipp and DNR are continuing to take sub-slab vapor samples and indoor air samples at designated homes close to the facility. Some results have already returned from the lab, and we are still waiting for others. When results are delivered, DNR, Department of Health Services and Public Health: Madison-Dane County are working privately with the homeowners and tenants to explain the findings, and discuss any next steps that may need to be taken. Once residents have been informed, the test results will be made public. Look for some of those available results next week, in our Kipp Neighborhood Update.

Please contact project manager Mike Schmoller with further questions (608.275.3303, [michael.schmoller@wisconsin.gov](mailto:michael.schmoller@wisconsin.gov)), or view the 'Additional Resources' box below.

## **Additional Resources**

### **Where Can I Find More Information?**

- Website:** dnr.wi.gov: Search “Kipp”
- Public Document Repository:** Hawthorne Public Library Information Desk  
*For hours and contact information visit*  
[www.madisonpubliclibrary.org/hawthorne](http://www.madisonpubliclibrary.org/hawthorne), 608-246-4548

### **Whom Can I Contact to Ask a Question or Make a Comment?**

- DNR Soil/Groundwater Cleanup:** Mike Schmoller, WDNR Project Manager  
608.275.3303, [michael.schmoller@wisconsin.gov](mailto:michael.schmoller@wisconsin.gov)
- Health Effects of Contamination:** John Hausbeck, Public Health – Madison & Dane Co.  
608.243.0331, [jhausbeck@publichealthmdc.com](mailto:jhausbeck@publichealthmdc.com)
- General Community Concerns:** Linda Hanefeld, WDNR Team Supervisor  
608.275.3267, [linda.hanefeld@wisconsin.gov](mailto:linda.hanefeld@wisconsin.gov)