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Environmental Protection  
Agency

Office of Public Affairs  
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Illinois, Indiana  
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Ohio, Wisconsin

# U.S. EPA's Superfund Role In Lower Fox River Cleanup

Winnebago, Outagamie, and Brown Counties, Wisconsin

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## This Fact Sheet Will:

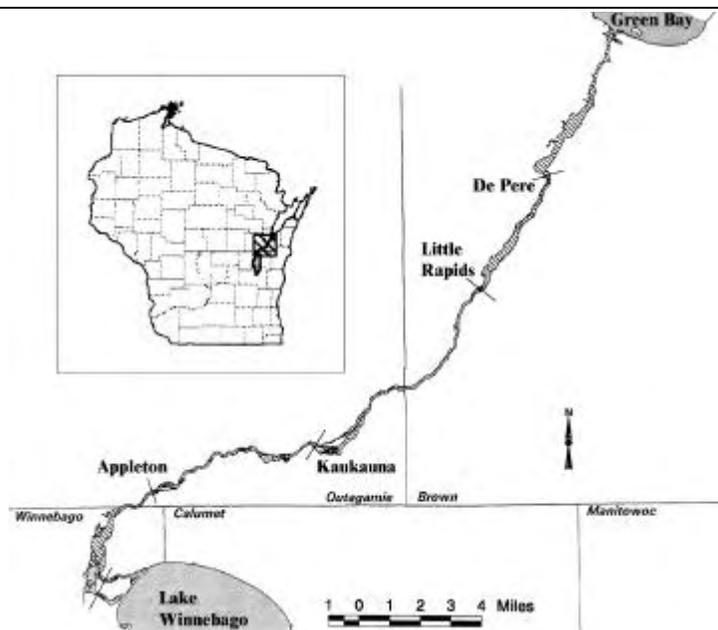
- provide background on the Lower Fox River PCB contamination and potential health effects.
- introduce the Superfund program.
- describe the process for "qualifying" the Lower Fox River as a Superfund site.
- summarize cleanup efforts of others.
- discuss how U.S. EPA will involve the public in decision making.
- provide a list of contacts for further information.

## INTRODUCTION

The United States Environmental Protection Agency (U.S. EPA) has joined other Federal agencies and State and Tribal governments in the continuing effort to clean up and restore the Lower Fox River. One way U.S. EPA intends to participate is through the Superfund program. As such, U.S. EPA has "scored" the Lower Fox River to propose it for inclusion on the National Priorities List (NPL), a list of contaminated sites that are eligible for extensive, long-term cleanup action under the Federal Superfund program. Concurrent with this listing process, U.S. EPA will pursue cleanup of the river in full cooperation with other agencies.

## BACKGROUND

In the early 1970s, polychlorinated biphenyls (PCBs) were discovered in sediments and water along the 39-mile Lower Fox River, which flows north from Lake Winnebago into Green Bay and Lake Michigan. PCBs are of concern because they concentrate in the food chain; scientists have linked these compounds to harmful health effects in humans, fish, and wildlife. Because of these concerns, the manufacture of PCBs in the United States was stopped in 1977.



Site Location Map

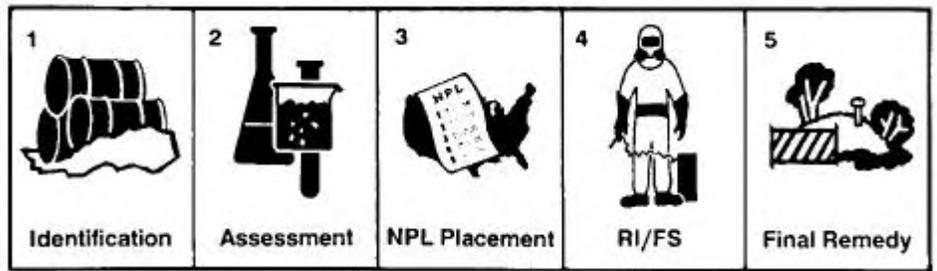
## BACKGROUND (Continued)

PCBs were used from 1957 to 1971 in carbonless copy paper. Until the 1970s, PCBs were discharged into the Lower Fox River by area paper mills where they settled into the river's sediments. It is estimated that approximately 160,000 pounds have already escaped the Lower Fox River into Green Bay and Lake Michigan and that, on average, 600 additional pounds are flushed from Lower Fox River sediments each year. Floods of the type that have occurred in the Midwest would flush additional thousands of pounds into the bay. Once PCBs are released into Green Bay and Lake Michigan, they are extremely difficult, if not impossible, to remove.

Since the mid-1980s, a number of entities have studied the river and have worked to address its contamination. These entities include the Federal government (U.S. Fish and Wildlife Service and U.S. Army Corps of Engineers), State government (Wisconsin Department of Natural Resources [WDNR]), the Oneida Tribe of Indians of Wisconsin, the Menominee Indian Tribe of Wisconsin, and Fox River Coalition (an organization of more than 30 entities representing industry, local governments, wastewater treatment facilities, WDNR, and the public).

## THE SUPERFUND PROGRAM

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), more commonly known as Superfund, was enacted by Congress in 1980. This law established a program to investigate and clean up actual and potential releases of hazardous substances at sites throughout the country. U.S. EPA administers the Superfund program in cooperation with individual States.



## SUPERFUND PROGRAM CLEANUP STEPS

The Superfund program involves several steps common to all sites once a potential site is initially identified (1). After a preliminary inspection of the site is conducted by U.S. EPA or a State agency (such as WDNR), the site is evaluated for its potential impact on human health and the environment (2).

If the site poses a serious enough threat to the community or surrounding environment and is determined to be of "NPL caliber," it could be proposed for the NPL (3). While U.S. EPA takes the lead in proposing a site for the NPL, the Governor of the State in which the site is located is asked to concur with this proposal, although concurrence is not necessary to proceed with a listing.

Prior to or following the placement of the site on the NPL, U.S. EPA or the State agency conducts or oversees a Remedial Investigation and Feasibility Study (RI/FS) (4). The RI is a long-term study to identify the nature and extent of contamination at the site.

The FS evaluates various cleanup alternatives. If potentially responsible parties (PRPs) are identified and are willing to cooperate with U.S. EPA and/or the State, they may conduct the RI/FS, under the oversight of U.S. EPA and/or the State agency. PRPs are any individual or company, including owners, operators, transporters, or generators, potentially responsible for or contributing to a spill or other contamination.

A document called a Proposed Plan is then published. The Proposed Plan describes and evaluates the cleanup

alternatives and identifies the alternative that U.S. EPA and/or the State believes to be the most appropriate. After the public has had an opportunity to comment on the alternatives presented in the Proposed Plan, U.S. EPA, in cooperation with the State, chooses the most appropriate alternative as the final remedy, or cleanup plan, for the site. This cleanup plan is described in a document called a Record of Decision. The cleanup plan is then designed and implemented (5).

## ROLE OF SUPERFUND PROGRAM IN LOWER FOX RIVER CLEANUP

Until recently, U.S. EPA's involvement has been limited to supporting WDNR (through funds and technical input) in investigatory projects. In Fall 1996, U.S. EPA became more actively involved and eventually decided to use the authorities provided by the Superfund program to address the Lower Fox River contamination.

On July 28, 1998, U.S. EPA officially proposed the Lower Fox River for inclusion on the NPL. Following a 60-day comment period, U.S. EPA will review the comments before declaring the Lower Fox River a "final" NPL site on a future update. U.S. EPA may also decide, based on public comments, not to list the Lower Fox River on the NPL.

In the cleanup of the Lower Fox River, the Superfund program can provide a comprehensive regulatory framework within which U.S. EPA, in cooperation

with WDNR, can investigate the contamination at the site, directly conduct a cleanup, or oversee cleanup conducted by PRPs. To do this, the program can provide U.S. EPA and/or WDNR the resources to implement or oversee such a cleanup, such as funding, personnel, and enforcement authority.

## NEXT STEPS

U.S. EPA is currently participating in ongoing cleanup discussions and, in cooperation with other agencies, will assist with project oversight. WDNR is the “lead” agency and will direct three projects—an RI/FS funded by U.S. EPA; a pilot dredging effort of the area referred to as “Deposit N,” funded by U.S. EPA and WDNR; and another dredging project downstream of the DePere Dam funded and conducted by the PRPs.

### Your Opinion Counts!

Involvement by residents in the Lower Fox River watershed is very important. The Superfund program provides for public input and involvement at every stage of the cleanup process from the listing of a site on the NPL, to the selection of a cleanup plan, to the design and implementation of that cleanup plan. U.S. EPA, in concert with other Federal agencies and State, Tribal, and local entities, is committed to keeping residents up-to-date on site activities and schedules and to soliciting input at key stages in the cleanup through fact sheets, informal public meetings, public hearings, media updates, and information repositories at local libraries.

## PCBs AND THEIR IMPACTS

PCBs belong to a family of organic compounds known as chlorinated hydrocarbons. PCBs were produced in the United States between 1929 and 1977 for use in electrical equipment, hydraulic fluids, and other commercial and industrial processes because of their resistance to wear and chemical breakdown. They were also used in the manufacture of carbonless copy paper.

PCBs are of concern today because of their wide dispersal and persistence in the environment, and because of their tendency to accumulate in the higher levels of the food chain, including humans. Once released, PCBs remain in the environment and can be taken up and stored in the fatty tissue of organisms. As living organisms storing PCBs are eaten by other organisms, the amount consumed by each higher organism increases. Because humans are high in the food chain, the concentrations of PCBs consumed by humans can be significant.

In humans, studies show that exposure to high levels of PCBs can cause adverse health effects, including liver damage, gastric disorders, skin lesions, reproductive and developmental problems, and cancer. Because of the potential significant impact on humans, fish advisories have been issued for the Lower Fox River and Green Bay. These advisories warn residents to limit or completely eliminate from their diet fish caught from these waters.

PCBs can have a tremendous impact on natural resources and wildlife. In Green Bay and Lake Michigan, all waters exceed PCB water-quality standards established to protect aquatic organisms and other wildlife. Dozens of fish and wildlife species show elevated levels of PCBs in eggs, young, adults, and food.

In addition, they exhibit significant injuries attributable to PCBs, including mortality, deformities, and numerous physiological abnormalities.

## MULTIPLE AGENCY COORDINATION

The cleanup and restoration of the Lower Fox River depends on independent and collaborative efforts of Federal, State, Tribal and local agencies, industry, environmental organizations, and the public. To this end, a Memorandum of Agreement providing for the coordination among Federal, State, and Tribal entities was signed.

In addition to the cleanup projects, another effort requiring significant coordination is the Natural Resource Damage Assessment (NRDA).

An NRDA, being developed by U.S. Fish and Wildlife Service, provides for the investigation, evaluation, and quantification of injuries to natural resources. Its goal is to calculate monetary damages to be used for restoration of the river’s natural resources (i.e., fisheries, wetlands) while the Superfund program provides for the actual cleanup of contamination. These two processes will move forward on parallel tracks, resulting in a comprehensive evaluation of adverse impacts of PCBs in the Lower Fox River and Green Bay areas, and providing for a plan for complete cleanup.

All activities are expected to continue through 1999 and, if results are relevant to Superfund investigations, will be factored into Superfund cleanup decisions.

## ADDITIONAL INFORMATION

For additional information about the Superfund program or U.S. EPA's role in addressing contamination on the Lower Fox River, please contact:

**Bri Bill**

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## Additional Contacts

Menominee Indian Tribe of Wisconsin:	Doug Cox (715) 799-4323
National Oceanic and Atmospheric Administration:	Todd Goeks (312) 886-7527
Oneida Tribe of Indians of Wisconsin:	Jeff House (920) 490-2452
Wisconsin Department of Natural Resources:	Bruce Baker (608) 266-1902
U.S. Fish and Wildlife Service:	Joan Guilfoyle (612) 725-3582

## Information Repositories

Anyone interested in learning more about the Lower Fox River in relation to U.S. EPA's Superfund program is encouraged to review the documents in Information Repositories located at:

Brown County Library  
Reference Desk  
515 Pine Street  
Green Bay, WI

Appleton Public Library  
Reference Services  
225 N. Oneida Street  
Appleton, WI

Kaukauna Public Library  
111 Main Avenue  
Kaukauna, WI

U.S. EPA  
Region 5 Records Center  
77 W. Jackson Blvd.  
Chicago, IL

Oshkosh Public Library  
Reference Desk  
106 Washington Avenue  
Oshkosh, WI

U.S. Fish and Wildlife Service  
Reading Room  
1015 Challenger Court  
Green Bay, WI  
To make an appointment, contact  
Joe Moniot (920) 465-7408

## Lower Fox River Website

Information will also be posted on the U.S. EPA Region 5 Lower Fox River Website at <http://www.epa.gov/region5/foxriver>.