UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

April 2, 2013

Via Certified Mail 7009 1680 0000 7663 7350
Return Receipt Requested

REPLY TO THE ATTENTION OF:
LU-9J

Larry Wilson
Senior Project Manager
Tyco Marinette Project Site
800 Water Street
Marinette, WI 54143

Re: RCRA Administrative Order on Consent RCRA-05-2009-0007
Agency Comments on "Hazardous Waste Variance Modification Request"
Tyco Fire Products LP Facility, Marinette, WI
EPA ID WID 006 125 215

Dear Mr. Wilson:

EPA and WDNR appreciated the opportunity to meet with you on March 22, 2013, in Madison, to discuss the Hazardous Waste Variance Modification Request dated March 18, 2013, submitted to Kristin DuFresne of WDNR, by CH2MHill on behalf of Tyco. As discussed with you during the meeting, we believe modification of the request to provide clarifying details, would be appropriate. EPA and WDNR consolidated comments on the Hazardous Waste Variance Modification Request are enclosed.

Upon receipt of a revised Request, WDNR will be in a position to process a revision. Please submit a revised Request as soon as practicable, addressed to Ms. DuFresne. In the interim, if you have any questions, or would like to have a call to discuss, please contact me at 312-886-6760, or contact Kristin DuFresne, WDNR, at 920-662-5443.

Sincerely,

Michael J. Mikulka
Senior Environmental Engineer
Land & Chemicals Division

cc: Kristin DuFresne, WDNR
David Panofsky, WNDR
Jeff Danko, CH2MHill

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Hazardous Waste Variance Modification Request Menominee River Sediment Removal Project Adjacent to the Tyco Fire Products LP Facility, One Stanton Street, Marinette, Wisconsin, March 18, 2013

Agency Review Comments

General Comments

The submittal should provide additional detail on the 2013 work activities, as discussed on March 22, 2013. The text should be supported by additional drawings outlining the details, as necessary.

The submission references a May 15, 2013, start of dredging date. We were advised during the February 26, 2013, meeting that the start of dredging would be on or about May 8, 2013. Include a detailed schedule developed by the contractor in your revised submission.

The Chapter 30 and storm water permits will need to be updated to account for the 2013 work, including use of river mats and the revised truck routes.

Site Layout Modifications

The proposed dry ferric sulfate storage and handling process seems cumbersome. Evaluate options to store the material closer to the treatment units.

Provide details regarding the truck route for moving untreated South Channel sediment to Bin 11, and return to the South Channel dredging area. Using the same route as trucks being staged to transport treated waste to the landfill seems inefficient.

Dredging Operations and Equipment Modifications

The concern was expressed that the barge mounted excavators have sufficient reach to be able to dredge to the target depths without difficulty and/or safety concerns. Please address these issues in the revised submission.

The DNR understands dry ferric will be used principally on soft sediment and not SCM. Address this issue clearly in the revised submittal.

The submittal should provide specific details regarding how (e.g. use of mats) and when dredging in the South Channel will occur.

Bin 11 is proposed to be modified to allow for access for unloading of soft sediment from the South Channel. Describe how the potential for cross-contamination between untreated and treated sediment will be addressed.

Clarify in the revised submission that trucks should be dedicated for hauling either untreated sediment or treated sediment.

Appendix A is referenced on page 5 but there is no Appendix A.

Scow Material Pre-Screening

Support how the pre-screening of the dredged material using an on-site laboratory will be done with an amended QAPP, specifying both preparatory and analytical methods to be used, laboratory SOPs, as well as sampling SOPs for all media sampled. EPA anticipates a QAPP addendum the week of April 1, 2013.

An SOP will need to be developed for the XRF and mini-TCLP barge sampling.

Clarify the bullet points specified on page 5 as discussed on March 22, 2013. For example, in bullet 1, how is dredged material determined to be soft sediment by XRF assessment? In bullet 2, how is material determined to be SCM with low moisture content by XRF assessment? Etc.

Treatment/Chemical Modifications

It is presently understood that a revised treatability study and response to EPA comments will be submitted on or about March 29, 2013. It is requested that any written recommendations by Dr. Twidwell be included for informational purposes.

The main EPA concern regarding the treatment scheme proposed is that the treatment fix the arsenic in the treated mass, such that it meets the 5 mg/L TCLP both short term after treatment, and long term after disposal. The joint goal is to avoid transferring a problem from the Menominee River to the Waste Management Landfill in Michigan. Any additional data or studies to show that the arsenic remains fixed over time would be desirable.

Based on our understanding of the chemicals proposed to be used, the Agencies would prefer the use of dry ferric to the extent feasible. Provide further detail regarding the quantities of dry ferric expected to be available in 2013, and an estimate of the sediment volumes to be treated by each of the proposed methods.

Provide more details regarding the potential use of wood chips (e.g. identify where and how the wood chips will be stored and the anticipated maximum storage capacity).

Treatment Processing and Disposal Equipment Modifications

Water accumulated on the sediment and debris barges should be run through the 6th Street water treatment plant. Provide details and a drawing showing the piping layout.

Debris will be stored on-site and if necessary on a barge. There is potential for one debris barge. Clarify that between the on-site debris pile and the debris barge no more than the approved quantity of debris will be stored at one time.

Clarify the statement made that certain shreddable debris will not be incorporated into the sediment for treatment. Include SOPs in the QAPP for sampling any shreddable debris and non-shreddable debris that will not be managed with the treated sediments.

An SOP is needed for shredding, handling and disposing of debris.

If debris is assumed to be hazardous a separate solid waste processing license may not be necessary. Specific information requested in NR 502.08(4), Wis. Adm. Code, will need to be submitted to the DNR.

Consider options to store and pneumatically add the dry ferric. Identify how potential dust issues will be minimized and addressed.

Clarify and specify air emissions controls needed for the overall sediment management operations.

Include a contingency plan to address how sediment will be handled if retreatment is required (i.e. how will the sediment be transported off-site as a hazardous waste).

On-Site Laboratory Testing/TCLP Testing

A detailed QAPP and associated SOPs are needed for all aspects of the proposed on-site laboratory. See comment under Scow Material Pre-Screening.

DNR clean-up programs are working with the DNR lab certification program regarding the approval of the on-site mobile laboratory. The comments provided here are preliminary. The DNR has some concerns regarding the proposed method (ICP-MS vs. ICP-OES). The ICP-MS cannot be easily moved and set up. Temperature, humidity, cleanliness and ventilation are critical and will be very tough to manage in a mobile lab. It may be beneficial to have a separate facility for the ICP-MS. A call to discuss these issues with WDNR and EPA is tentatively set for April 4, 2013.

A legend should be added to the tables in Appendix B.

Bin Full Operation

An SOP will need to be developed for sampling the treated sediment within the bins. EPA has provided a waste pile sampling protocol for consideration.

Per the March 22, 2013 meeting, please clarify that the expanded sediment storage bins will accommodate only ~2,100 cubic yards of treated sediment. This reduced capacity (down from 2,700 cubic yards, as stated in your submission) accounts for the 1' of freeboard required by the July 2012 Hazardous Waste Remediation Variance.