

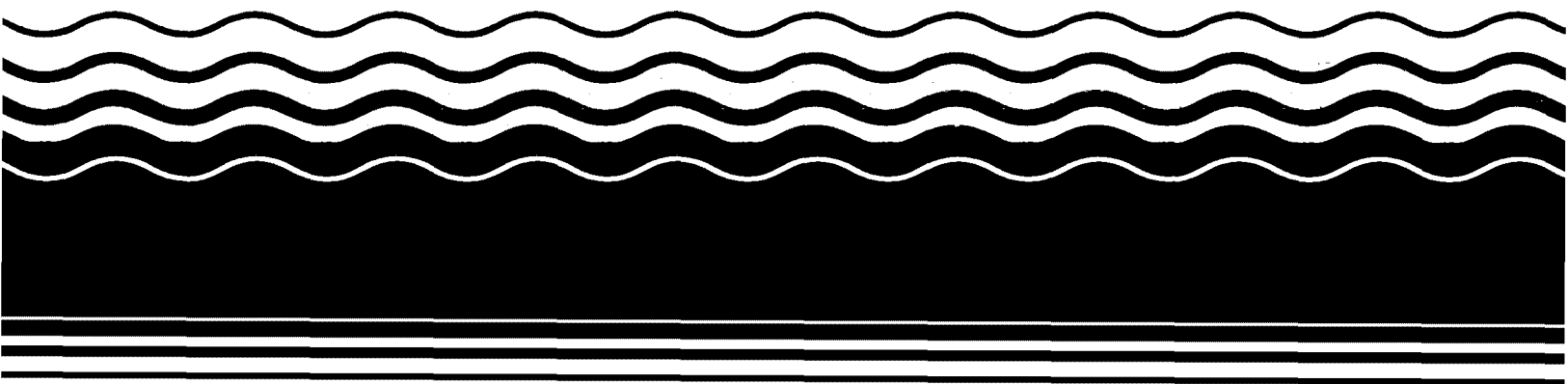
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EPA 541-R98-153

March 1999

**EPA Superfund
Explanation of Significant Difference
for the Record of Decision:**

**Kohler Company Landfill
Kohler, WI
9/29/1998**



EXPLANATION OF SIGNIFICANT DIFFERENCES FOR KOHLER COMPANY LANDFILL

KOHLER, WISCONSIN

1.0 Introduction

This Explanation of Significant Differences (ESD) is for the Kohler Company Landfill located near the Village of Kohler, Wisconsin. This ESD is being issued, pursuant to Section 117(c) of the Comprehensive Environmental Response, Compensation and Liability Act, and Section 40 CFR 300.435(c)(2)(i) of the National Contingency Plan, by the United States Environmental Protection Agency (EPA) following consultation with the Wisconsin Department of Natural Resources (WDNR). The ESD presents to the public an explanation of significant changes in the requirements for capping the landfill. These are components of the remedial action approved for the Kohler Company Landfill Site in the 1992 Record of Decision (ROD). However, a fundamental change to the remedy, which would require a ROD Amendment, is not being proposed.

The purpose of this ESD is to clarify the scope of the actions outlined in the 1992 ROD. The 1992 ROD required a multilayer cap to be constructed in phases over the landfill. The work called for in the 1992 ROD has been completed over the lower half of the landfill, especially on portions of the landfill that exhibited seepage and unstable slopes. The old hazardous waste disposal areas within the waste mass that have not yet received final cover have been covered with non-hazardous solid and/or interim cover. Consequently, there is no exposed hazardous waste. The active portion of the landfill will remain open until the facility achieves its final grade as specified in the approved State closure plan and will then be closed subject to State closure rules under chapters NR 500-520, Wisconsin Administrative Code.

This ESD and its supporting documentation will become part of the Administrative Record for the Kohler Company Landfill. This Administrative Record, supplemented by the supporting documents for this ESD, are available for review at either location:

Meade Public Library
710 N. 8th Street
Sheboygan, Wisconsin 53081

Kohler Public Library
230 School Street
Kohler, Wisconsin 53044

2. Site History and Information on Selected Remedies

The Kohler Company Landfill site is located in the NE 1/4 of the SE 1/4 of Section 29, T15N, R23E, within the corporate limits of the Village of Kohler, Sheboygan County, Wisconsin. The landfill is situated on an 82-acre parcel of land which is bounded on the south, east and far west by the Sheboygan River, to the west and south by County Trunk Highway "A" and to the north by Highway "PP". Approximately one-half of the permitted 82-acre parcel has been used for waste disposal.

Surrounding land uses include industrial (the Kohler Company plant), residential and conservancy along the banks of the Sheboygan River. Residences in the vicinity of the landfill rely on public drinking water derived from Lake Michigan. The only deep water supply wells in the area provide production water for the Kohler manufacturing plant and irrigation water for the nearby Blackwolf Run Golf Course.

The landfill, which is still open and licensed by the WDNR, has been in operation since the 1950s, mostly for the disposal of foundry and other manufacturing wastes (foundry sand, pottery cull, cores, and clay waste) produced by the nearby Kohler Company manufacturing plant. These waste streams are considered non-hazardous under RCRA. However, during the 1950s, 60s and early 1970s, waste disposal pits were constructed within the landfill for the disposal of hydraulic oils, solvents, paint wastes, enamel powder (containing lead and cadmium), brass lint, and chrome plating sludges. Landfilling of all solid and liquid hazardous wastes ceased prior to 1980.

At the recommendation of the WDNR, the U.S. EPA listed the Kohler Landfill site on the National Priorities List (NPL) in 1983. In 1985, the Kohler Company entered into an Administrative Order by Consent to perform a remedial investigation and feasibility study (RI/FS). Subsequent to the Order, the site was split into two units, a Source Control Operable Unit (SCOU) and a Ground Water Operable Unit (GWOU).

The RI/FS for the SCOU was completed in 1991. The results of the investigation indicated that there were contaminants present in the landfill soils, both shallow and deep ground water, and in leachate seeps found along the eastern slope of the landfill. The contaminants of concern (COCs) included a large list of volatile organic compounds (VOCs), metals, semi-volatiles and inorganic compounds. Contaminants detected included trichloroethene, vinyl chloride, 1,2-dichloroethene, toluene, lead, cadmium, nitrates and sulfate.

After reviewing the results of the RI/FS, the U.S. EPA issued a proposed plan for the SCOU in October, 1991 selecting capping with a shallow toe drain along the eastern slope as the source control remedy. The SCOU Record of Decision (ROD) was finalized in 1992. The lead for the site was then passed from the U.S. EPA to the State of Wisconsin for oversight of the SCOU design and implementation, and for completion of the GWOU action. The U.S. EPA and the State of Wisconsin issued a ROD for the GWOU in June of 1996.

The selected remedy for both operable units included the following:

Removing existing cover material and vegetation from previously closed areas of the landfill.

Installing a multi-layered clay capping system over the waste fill area.

Constructing surface water control features.

Installing a ground water interceptor drain system along the eastern and southern perimeter of the landfill to an approximate depth of 10 feet and length of 2500 feet.

Discharging the water captured by the perimeter drain system into a force main that connects to the City of Sheboygan's Publicly Owned Treatment Works (POTW).

Natural attenuation of the contaminated ground water that has already migrated beyond the waste mass.

Long-term monitoring of ground water and effluent to measure the effectiveness of the remedy.

3.0 DESCRIPTIONS OF SIGNIFICANT DIFFERENCES AND THE BASIS FOR THOSE DIFFERENCES

This ESD makes the following revisions to the Kohler Company Landfill 1992 ROD:

As part of the remedial action, a portion of the waste fill area within the landfill was left uncapped to accommodate future waste filling activities by the Kohler Company. This area is currently operating under a license from the WDNR. Consistent with the existing license requirements, the remaining landfill area will be capped with a low-permeability clay cover system subject to State closure rules under chapters NR 500-520, Wisconsin Administrative Code once waste filling has reached final grade as determined by the WDNR. The State of Wisconsin, Bureau of Waste Management, has the regulatory authority for ensuring the adequacy of the landfill's final closure consistent with existing license requirements. As such, no further Federal response is needed at the Site.

4.0 SUPPORT AGENCY COMMENTS

WDNR is in agreement with the modifications made by the EPA to the March 1992 ROD, as expressed in this ESD.

5.0 AFFIRMATION OF THE STATUTORY DETERMINATION

Considering the new information that has been developed and the changes that have been made to the selected remedy, EPA and WDNR believe that the remedy remains protective of human health and the environment. The remedy complies with the Federal and State requirements that are identified in this ESD and the ROD, which are applicable or relevant and appropriate to these remedial actions. In addition, the revised remedy utilizes permanent solution and alternative treatment to the maximum extent practicable for this Site.

6.0 PUBLIC PARTICIPATION ACTIVITIES

The Administrative Record, including this ESD, is available for public review at the repository listed in Section 1.0.

The index for the Administrative Record supporting this ESD is attached.



William E. Muno, Director
Superfund Division

9-29-98

Date