



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

SEP 19 2016

REPLY TO THE ATTENTION OF

CERTIFIED NO.:
RETURN RECEIPT REQUESTED

Raymond Seegers, P.E.
Environmental Engineer
Waste Management of Wisconsin, Inc.
Ridgeview RDF
6207 Hempton Lake Road
Whitelaw, Wisconsin 54247

Re: Notice of Deficiency on the Risk-Based Approval Application for the Waste Management of Wisconsin, Inc. Ridgeview Recycling and Disposal Facility, Whitelaw, Wisconsin

Dear Mr. Seegers:

The U.S. Environmental Protection Agency has reviewed the application that you submitted on July 22, 2016 for a risk-based approval pursuant to 40 Code of Federal Regulation (CFR) § 761.61(c). The application is for EPA to issue a risk-based approval for the disposal of Toxic Substances Control Act (TSCA)-regulated sediments from the Cedar Creek Remediation Project at the Waste Management of Wisconsin, Inc. (WMWI) Ridgeview Recycling and Disposal Facility (Ridgeview) landfill located in Whitelaw, Manitowoc County, Wisconsin. Specifically, WMWI would like to dispose of those sediments in the Ridgeview landfill that have in-situ concentrations of greater than or equal to 50 parts per million (ppm) PCBs, but that after dredging, dewatering, and processing are less than 50 ppm PCBs. Your request consisted of a cover letter from WMWI and five attachments. Attachment 1 included the Request for a Risk-Based Disposal Approval. The Ridgeview facility is a Resource Conservation and Recovery Act (RCRA) Subtitle D landfill permitted under the Wisconsin Administrative Code, Chapters NR 500-514.

WMWI submitted a similar Risk-Based Disposal Approval Application in 2011 for the disposal of TSCA-regulated sediments from the Fox River Remediation Project. On September 19, 2012, EPA issued a Risk-Based Disposal Approval to WMWI for disposal of the Fox River sediments pursuant to 40 C.F.R. § 761.61(c).

Under 40 C.F.R. § 761.61(c), EPA may approve your application if the disposal method of the TSCA-regulated sediment will not pose an unreasonable risk of injury to health or the environment. In making this determination, EPA may request any information that it believes necessary to evaluate the application. The July 22, 2016, application submitted by WMWI does not provide sufficient information for EPA to make an unreasonable risk determination. In order for EPA to make a risk determination based upon disposal of the TSCA-regulated material in the Ridgeview landfill as proposed in the application, EPA requires information found in 40 C.F.R. § 761.75. Because this information was provided previously for the 2012 Approval for the Fox River TSCA-regulated sediments, EPA is not asking for this information at this time but will require updated documents, additional information specific to the Cedar Creek Remediation Project, and clarification on some items.

However, at this time, EPA requires the information as stated in the Attachment to this letter in order to complete the review and process of your application. This required information must be provided within 30 days from the date of receipt of this letter. If you are unable to provide the required information within the allotted time, you may request an extension, listing the reasons for your request and indicating when the requested information can be provided. Failure to provide the information by the required date or failure to request and obtain an extension will result in the EPA issuing a denial of your 40 C.F.R. § 761.61(c) application. Submittal of this information does not ensure approval nor does it preclude us from requiring additional information if continued review indicates it is needed. The information should be submitted to Lisa Graczyk, of my staff, at the above address.

If you have any questions regarding this letter or any of the information requested, please contact Ms. Graczyk at (312) 353-3219.

Sincerely,



Mary Setnicar
Chief
RCRA/TSCA Programs Section

Attachment: EPA Request for Information on the WMWI Application for Risk-Based Disposal Approval Dated July 22, 2016

cc: Lisa Graczyk, EPA
Robert Peachey, EPA
Jean Greensley, EPA
Gerald DeMers, P.E., WDNR

ATTACHMENT

EPA Request for Information on the WMWI Application for Risk-Based Disposal Approval Dated July 22, 2016

The following request for information is based on a review of WMWI's Application for a Risk-Based Disposal Approval for the disposal of TSCA-regulated sediments from the Cedar Creek Remediation Project at the Ridgeview landfill that is owned and operated by WMWI. The review was conducted to determine whether the Approval Application meets the requirements of 40 C.F.R. Part 761. The list below presents questions and items that are missing or deficient in the Application. Where WMWI has documents in support of answers to particular questions, please submit such documents as attachments in WMWI's response. EPA understands that all plans for the Cedar Creek Remediation project may not have been finalized yet. If requested information is not yet available, indicate this in your response and provide an estimated date as to when the information will be available.

1. Will sediments from the Cedar Creek Remediation Project be disposed in the Southern Expansion of the WMWI Ridgeview landfill? And if so, which cells will the sediment be placed into? And will this be the same cell that the Fox River sediments were placed into?
2. Were there any design modifications to the Southern Expansion of the WMWI Ridgeview landfill since September 2012?
3. How much capacity is remaining in the Southern Expansion of the Ridgeview Landfill?
4. How will the sediments be dewatered and processed at the Cedar Creek Remediation Project?
5. What will be the physical characteristics of the dewatered and processed sediments?
6. How will the physical properties of the material received from the Cedar Creek Remediation Project differ from the material received from the Fox River Remediation Project?
7. What sampling and analysis will be performed at Cedar Creek site and at the Ridgeview landfill to ensure that the material sent to or received by the Ridgeview landfill is less than 50 ppm PCBs?
8. Submit the following updated documents
 - a. Amended Conditional Plan of Operation Approval, Ridgeview RDF Southern Expansion, Manitowoc County, Wisconsin, License No. 04292 (amended to include the Cedar Creek TSCA-regulated sediments).
 - b. Wisconsin Department of Natural Resources (WDNR) Air Pollution Control Operation Permit Renewal, Waste Management of Wisconsin Inc. - Ridgeview, Permit No. 436020530-PIO.
 - c. Current wastewater discharge permit.

