Allied Landfill Background and Talking Points
May 27, 2014 Congressional Tour

Background

The Allied Landfill Operable Unit (OU1) covers 89 acres in Kalamazoo, Michigan. Cork Street forms the southern boundary and Alcott Street runs along the northern boundary. Portage Creek runs through the property. Allied Landfill includes areas that are zoned for residential, commercial, and manufacturing uses. Residential, manufacturing and commercial development exists along portions of the eastern side of the OU and a railroad corridor and commercial and manufacturing properties are located along the western boundary. Commercial and manufacturing properties are also located north and south of Allied Landfill.

Paper mills operated on or near the Allied Landfill from approximately the 1870s to the 1970s. Those mills recycled carbonless copy paper containing PCBs between the 1950s and 1970s. Wastewater from the recycling process was either discharged to Portage Creek or first dewatered in settling lagoons. PCBs were either adsorbed or adhered to suspended particles, such as cellulose and clay, in the wastewater. Settling lagoons were located at areas of OU1 now referred to as the Bryant Historic Residuals Dewatering Lagoon (HRDL) and Former Residuals Dewatering Lagoons (FRDLs), the Monarch HRDL, and the Former Bryant Mill Pond.

Millennium Holdings (and later Lyondell) was the successor to Bryant Mill and the Monarch Mill, which were previously owned and operated by various companies. Millennium Holdings, which is now bankrupt, is a potentially responsible party (PRP). The Millennium Bankruptcy money is in a Custodial Account Trust Fund and is reserved for OU1. However, EPA continues to investigate and explore enforcement against other PRPs.

The Bryant Mill Pond is located along the northern portion of the OU. In the late 90s, EPA implemented a time-critical removal action (TCRA) in this area under a cash out by Millennium.

- **a.** 150,000 cy of paper residuals excavated and consolidated into HRDL/FRDLs area.
- **b.** 10 ppm action level but really used visual
- **c.** Confirmation sampling for area below 1 ppm
- **d.** Area now wetlands.
- **e.** No further remediation expected except for area re-contaminated by seeps from Type III landfill area.

Additionally, Millennium chose to perform afterwards elective measures after the TCRA. These were not approved by EPA or MDEQ

- f. Installation of sealed Sheet pile wall
- g. Partial landfill cover
- h. Groundwater collection system
  - i. Maintain historic levels
  - ii. Treatment, but no incoming PCBs – wells beneath waste

Talking points

1. *Please explain why consolidation is a better option than removal.*

The consolidation and capping option and the total removal option both offer long-term protectiveness. Total removal has higher short term risks, specifically recontamination of Portage Creek during excavation. Additionally, there are health and safety issues from truck traffic in a total removal scenario. An estimate has trucks leaving the site every 4 minutes for the 5 years of construction work. That would be approximately 150, 000 truck trips.

2. *Aren't there dangers to the community with the consolidation option? Specifically, we are concerned about migration of contaminants from the site and potential risks to groundwater.*

The consolidation option is designed to provide both short-term and long-term protectiveness. Monitoring wells at the site have shown that groundwater at Allied Landfill does not pose a risk to the well-field due to the nature of the waste and the direction groundwater flows.

Additionally, consolidation poses fewer short-term risks as discussed above.

3. *Some question about any form of encapsulation and the barriers between the contaminants and water, I think. She was confused on caps, types of caps, strengths of caps, etc.*
4. *What are the potential water contamination issues with the different types of caps?*

Licensed TSCA landfills accept a variety of PCB contaminated waste and therefore must have a bottom liner and a cap with both with a flexible membrane liner and a clay layer. This level of engineering allows the facilities to accept waste that may be mobile.

Superfund selects remedies, including technical specifications such as caps, based upon risk. Groundwater monitoring and soil data has shown that PCBs are not migrating off-site via groundwater and that they are very immobile. Because of the nature of the waste, EPA believes that neither a bottom liner nor a clay layer in the cap is required for the landfill to be protective.

5. *Funding of these three alternatives discussed. Please clarify funding and the two trusts and what rules govern using the trust money.*

Funds in the Millennium Bankruptcy Custodial Trust Account can only be used at OU1 properties owned by the Trust (Allied Landfill). Currently, that amount is approximately $48.5 million.

Funds in the Site-wide Special account may be used anywhere on the Site. Currently, this amount is approximately $49 million.

Selection of a remedy is controlled by the nine criteria in the National Contingency Plan (NCP). Under the NCP, a remedy may be appropriate regardless of the current availability of funds. However, cost-effectiveness is one of the nine criteria.

6. *Suggested demonstrating cleanup distances/how big the cap might be.*

In EPA's preferred option in the FS, EPA looked at a consolidation area of 42 acres.

Recent redevelopment discussions with the City of Kalamazoo, have raised the possibility of two other consolidation scenarios. One would be a 35-acre plateau configuration and the other is a 20-acre hill configuration.

EPA is committed to working with the city on redevelopment options.

7. *I think we need to have a general informational response to remedy selection and making sure that it is protective while being cost effective.*

Among equally protective alternatives, EPA is supposed to select the alternative that is most cost effective.

EPA's position set out in the Federal Register is that potential tax earnings or property value cannot not be considered as a part of the cost evaluation criteria.

That said, EPA believes that there should be productive reuse of superfund sites whenever possible.