

FACT SHEET

Per s. 670.408, Wis. Adm. Code

Preliminary Determination - Hazardous Waste Facility Licensing

ERCO Worldwide (USA), Inc.

Village of Port Edwards, Wood County, WI

101 Hwy 73 South,

Nekoosa, WI 54457

EPA ID #: WID046536231

FID: 252076990

September 3rd, 2026

INTRODUCTION

ERCO Worldwide (USA) Inc. ("ERCO") formerly operated a hazardous waste treatment facility for the handling of brine purification muds from the mercury cell chlor-alkali process in chlorine production (K071 listed hazardous waste). The hazardous waste management units in long-term care include the Muds Bin, a former waste pile for brine treatment wastes, the Saturator Purge Pit ("SPP"), a 2,000 gallon in-ground concrete tank for solids and purged brine, and the Clarifier Purge Pit ("CPP"), an in-ground concrete tank used to store brine purification muds. Vulcan Chemicals, a previous owner and operator of the ERCO facility, first filed a notice of hazardous waste activity to EPA on August 15, 1980, and an interim license was issued on May 13, 1983. On September 18, 1996, the department issued an initial Long Term Care License #6025 for the SPP, the CPP, and the Muds Bin, because "clean closure" of these units was not achieved.

Continuing hazardous waste long-term care obligations under ch. NR 670, Wis Adm. Code, including groundwater monitoring, corrective action, and financial assurance, will be covered under this long-term care license. On December 6th, 2025, ERCO submitted a long-term care license application renewal. After the department issued requests for further information to ERCO on March 25, 2025, April 18, 2025, and October 16th 2025, ERCO submitted a revised long-term care Feasibility and Plan of Operation Report (FPOR) on March 25, 2026. Responses to these information requests and additional clarifications were considered as part of the current preliminary determination.

This determination provides for the issuance of a hazardous waste long-term care license for a 10-year term.

PRELIMINARY DETERMINATION AND FINAL DECISION

The licensing process for hazardous waste facilities is established in chs. 289 and 291, Wis. Stats., and ch. NR 670, Wis. Adm. Code. The department has found ERCO's license application to be complete and has preliminarily determined that the department intends to renew its long-term care license. The department has also determined that a separate environmental analysis is not needed, as this determination is an integrated analysis action, pursuant to s. NR 150.20(2)(a)7s., Wis. Adm. Code.

The department has developed a preliminary determination dated September 3rd, 2026, that includes approval conditions needed to provide compliance with chs. NR 660 through NR 670, Wis. Adm. Code, and to protect human health and the environment. The approval conditions also established requirements regarding corrective action obligations per s. 291.37, Wis. Stats.

DOCUMENTS AVAILABLE FOR REVIEW

The administrative record consisting of the department's preliminary determination, the public notice and this fact sheet is available for public review at the department's website at

<http://dnr.wi.gov/topic/Waste/Comment.html>, under the tab named “Hazardous Waste facility licensing determinations.”

OPPORTUNITY TO COMMENT

To allow for public review and comment after the receipt of a complete and technically adequate license application the department has issued a public notice of its preliminary determination. This notice was published in the Superior Telegram and Wisconsin State Journal and was announced through ads on local radio stations. The notice has been posted on the department’s website at <http://dnr.wi.gov/topic/Waste/Comment.html>, under the tab named “Hazardous Waste.”

The public notice includes information required by s. NR 670.410(4), Wis. Adm. Code. Pursuant to ch. 289 and ss. 1.11, Wis. Stats., the public is invited to submit written comments concerning the preliminary determination to the department during the 45-day public comment period ending on October 29, 2026. All comments and/or requests concerning the above documents can be sent to: Kendra Fisher, Wisconsin Department of Natural Resources, 141 NW Barstow St. Room 180, Waukesha WI, 53188, or via email to Kendra.Fisher@wisconsin.gov. Members of the public can also contact Ms. Fisher to be placed on the department’s mailing list for interested parties for this facility.

After the close of the public comment period and before issuing a final determination, the department will evaluate all comments received. Each person who submitted written comments or requested notice of a decision will receive a notice of the final determination by the department. At the same time, the department will also respond to all significant comments, specify if there are any changes and indicate whether additional comments or new materials have been included in the administrative record. The department will then proceed to issue a final determination.

OPPORTUNITY TO REQUEST A HEARING

Pursuant to ss. 289.26 and 289.27, Wis. Stats., a public hearing concerning the preliminary determination may be requested in writing by any county, village, city or town, the applicant, or any six or more persons. The request shall indicate the interests of the municipality or persons who file the request and state the reasons why the hearing was requested. The hearing shall be conducted as an informational hearing utilizing the procedures in s. NR 2.135, Wis. Adm. Code unless the request filed indicates pursuant to s. 289.27(1), Wis. Stats., that the hearing is to be treated as a contested case, as provided under s. 227.42, Wis. Stats., and that:

1. A substantial interest of the person requesting the treatment of the hearing as contested case is injured in fact or threatened with injury by the department's action or inaction on the matter;
2. There is no evidence of legislative intent that the interest is not to be protected;
3. The injury to the person requesting the treatment of the hearing as a contested case is different in kind or degree from injury to the general public caused by the department's action or inaction on the matter; and
4. There is a dispute of material fact.

All hearing requests shall be filed with the department within 45 days after the publication date of this notice, either by delivery to the Office of the Secretary of the Department at 101 South Webster Street, Madison, WI 53703 or by mailing to the Secretary, Department of Natural Resources by certified mail at the following address: P.O. Box 7921, Madison, WI 53707.

WHO TO CONTACT

To request additional information, please contact the department’s representative:
Kendra Fisher, Waste Management Engineer
Kendra.Fisher@wisconsin.gov
(cell) 262-219-7335