



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

Personal
copy

REPLY TO THE ATTENTION OF:

FEB 13 1997

DRP-8J

Robert Markwell, Program Manager
Environmental Group
Beazer East, Incorporated
436 Seventh Avenue
Pittsburgh, Pennsylvania 15219

RE: Transfer of Correction Action Lead
Koppers Industries, Inc.
Superior, Wisconsin
WID 006 179 493

Dear Mr. Markwell:

This letter is in reference to our telephone conversation on Nov. 1, 1996. At that time we discussed the mechanism for the transfer of the Corrective Action regulatory lead from the U.S. Environmental Protection Agency to the Wisconsin Department of Natural Resources at the above referenced facility. One way to accomplish the transfer is by a letter from the facility requesting a Class I Modification of the Federal permit to change the expiration date of the Federal permit to an earlier date. This may be justified if conditions in the State Conditional Modification to the Closure and Long Term Care Plan are equal to the Federal permit. A letter for such a request should include the following:

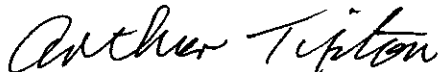
1. A statement that the request is being made pursuant to 40 Code of Federal Regulations, Part 270.42, Appendix 1.A.6. as a Class I Modification.
2. An explanation as to why the change is necessary. In this

case, the corrective action conditions in the State Conditional Modification to the Closure and Long Term Care Plans for Koppers Industries, Inc. dated September 20, 1995 and October 24, 1996 are equal to the conditions in the Federal permit. The Federal permit is thus no longer needed.

3. A request to change the expiration date of the Federal permit to the approval date of the Class I Modification.

If you have any questions concerning this letter, please contact me at (312) 886-6193.

Sincerely yours,



Arthur Tipton, Project Manager
Minnesota/Ohio/Wisconsin Section
RCRA Permitting Branch

FEB 19 1997

cc: Mark Gordon/Martin Herrick-WDNR
Cynthia English, WDNR
Steve LaValley-WDNR
Dave Kafura-WDNR
Timothy Ries-KII
Robert Smith-FD



BEAZER EAST, INC., 436 SEVENTH AVENUE, PITTSBURGH, PA 15219

June 10, 1997

Mr. Arthur W. Tipton
U.S. Environmental Protection Agency
Region V
77 Jackson Blvd. - HRP-8J
Chicago, IL 60604

RE: Transfer of Corrective Action Lead
Koppers Industries, Inc.
Superior, Wisconsin
WID 006 179 493

Dear Mr. Tipton:

Pursuant to 40 Code of Federal Regulation (CFR), Part 270.42, Appendix 1.A.6, Beazer is formally requesting a Class I Modification of the Federal permit, issued to the Koppers Industries, Inc. facility located in Superior Wisconsin. Per our recent correspondences, the Class I Modification will be the mechanism used to transfer the Corrective Action regulatory lead from the United States Environmental Protection Agency (USEPA) to the Wisconsin Department of Natural Resources (WDNR), which received authorization in April 1992 to administer the Hazardous and Solid Waste Amendment (HSWA) portion of the RCRA program. Beazer also requests to change the expiration date of the Federal permit to the approval date of the Class I Modification. The following explains why the change is necessary as directed in 40 CFR, Part 270.42 (a)(i).

Beazer recognizes its obligation to address the facility through the applicable state and federal corrective action requirements. Beazer also believes that it is important to do so in a coordinated fashion that fulfills the corrective action requirements of each program and also protects against the unnecessary and wasteful use of resources through duplicative requirements. Because the conditions in the State Conditional Modification to the Closure and Long Term Care Plans for the KII facility, dated September 20, 1995 and October 24, 1996, are equal to the Federal Permit, Beazer requests that the Corrective Action regulatory lead be transferred from the U.S. EPA to WDNR.

I would appreciate your approval of this Class I Modification in writing prior to submittal of the Corrective Measures Study to WDNR, which is anticipated within 60 days following approval of the RFI (Fluor Daniel GTI, June 1997). Should you have any questions regarding this correspondence, please do not hesitate to call me at (412) 208-8812.

Very truly yours,

Robert Markwell /MAB

Robert Markwell
Environmental Manager

cc: Robert Lucas - Beazer
Martin Herrick - WDNR
Steve LaValley - WDNR
Timothy Ries - KII
R. Anderson - FDGTI

Mark Gordon - WDNR
Thomas Kindzierski - WDNR
Jim Hosch - WDNR
Steve Smith - KII
M. Babich - FDGTI