

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Matthew J. Frank, Secretary
John Gozdziwski, Regional Director

Ashland Service Center
2501 Golf Course Road
Ashland, Wisconsin 54806
Telephone 715-685-2900
FAX 715-685-2909

October 21, 2011

MS JANE PATARCITY
BEAZER EAST INC
ONE OXFORD CENTRE
SUITE 3000
PITTSBURGH PA 15219-6401

Subject: Conditional Approval – On-Property Corrective Measures Implementation Construction Documentation Report
Koppers Inc. Facility, 3185 South County Highway A, Superior, Wisconsin
WDNR BRRTS #02-16-000484

Dear Ms. Patarcity:

On September 13, 2011, the Department of Natural Resources' Remediation and Redevelopment program received the *On-Property Corrective Measures Implementation Construction Documentation Report* (CMI Documentation Report), prepared for the above named site by Arcadis and dated September 12, 2011. The report was accompanied by a review fee for a construction documentation report pursuant to s. NR 749.04, Wis. Adm. Code.

On May 25, 2010, the Department conditionally approved the *On-Property Corrective Measures Implementation Design Report*, prepared by Arcadis and dated December 31, 2009. The CMI Documentation Report describes the remedial actions proposed in the CMI Design Report. The remedial actions were completed between August and December 2010 and June and July 2011 to address contamination on the on-property portion of the site. As described in the CMI Documentation Report, the actions included placing cover materials to mitigate direct contact with impacted soil, and installing an engineered liner system in the Outfall 001 drainage ditch to address both direct contact and migration of contaminants via the surface water pathway. Two monitoring wells were properly filled and sealed concurrent with the remedial actions. Based upon our review of this submittal, the Department conditionally approves the completed remedial actions, subject to the following conditions.


As described in our May 2010 conditional approval of the CMI Design Report, the remedial actions for this site will result in continuing obligations on the property under section 292.12, Wisconsin Statutes. These continuing obligations include requirements that the property remain in industrial use, that the surface covers and engineered liner system are not disturbed into the future, and that construction of a water well would need prior Department approval in accordance with s. NR 812.09(4)(w), Wis. Adm. Code. Because of the continuing obligations, the May 2010 conditional approval also required notification of the current property owner of the continuing obligations, and submittal of an acceptable package for recording the continuing obligations on the Department's GIS Registry.

Ms. Jane Patarcity – May 25, 2010
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I have talked with staff from Arcadis about what is needed to comply with the continuing obligation requirements and shared with them a template notification letter for the current property owner, and I anticipate that these issues will be satisfactorily addressed at some point in the near future. Until that time, however, the Department will not consider the requirements of the May 2010 conditional approval to have been met.

The Department appreciates your efforts to address contamination on the on-property portion of the site, and we look forward to continued cooperation as the overall project moves forward. If you have any questions concerning this letter or the project in general, please do not hesitate to write or call me at 715-685-2920. I can also be reached by e-mail at Christopher.Saari@Wisconsin.gov.

Sincerely,



Christopher A. Saari
Hydrogeologist

cc: John Robinson – DNR Rhinelander
Mark Gordon – DNR Madison
Steve LaValley – DNR Superior
Steve Ashenbrucker – DNR Park Falls
Henry Nehls-Lowe – Department of Health Services
Jason Berkner – US Army Corps of Engineers
Wisconsin RCRA Coordinator – USEPA Region 5
Douglas County Health Officer
Jeff Holden – Arcadis
Dave Bessingpas – Arcadis
Mark Thimke – Foley & Lardner