



August 31, 2021

Mr. Mike Bollinger  
Beazer East, Inc.  
c/o Three Rivers Management, Inc.  
600 River Avenue, Suite 200  
Pittsburgh, PA 15212

Subject: Notice of Removal from the VPLE Program

Former Koppers Tar Plant and Wabash Alloys Site  
9100 South 5<sup>th</sup> Avenue, Oak Creek, WI 53154  
BRRTS #: 02-41-553761; FID #: 241379050; VPLE BRRTS #: 06-41-561509

City of Oak Creek Utility Corridor Lot 1  
9170 South 5<sup>th</sup> Avenue, Oak Creek, WI 53154  
BRRTS #: 02-41-561425; FID #: 341074470; VPLE BRRTS #: 06-41-561426

Dear Mr. Bollinger:

The Wisconsin Department of Natural Resources (DNR) has reviewed the *Revised Interim Action Work Plan* (Work Plan), dated May 3, 2021 and *Revised Remedial Action Options Report* (RAOR), dated July 1, 2021, for the subject site. The Work Plan and RAOR were prepared by Tetra Tech, Inc. (Tetra Tech) on behalf of Beazer East, Inc. (Beazer), to address the DNR's concerns and respond to the direction provided by the DNR in their March 3, 2021 letter regarding DNAPL tar source material migration and expansion of the groundwater contaminant plume.

Previous work plans, as well as this most recent Work Plan, have not presented an action that makes reasonable progress toward environmental restoration of the property. For more detail on the recent lack of progress, refer to the Notice of Noncompliance issued to Beazer, dated August 31, 2021. DNR referred Beazer to the Wisconsin Department of Justice (DOJ) on December 15, 2017 for alleged violations of Wis. Stat. § 292.11(3). A requirement of the VPLE program includes meeting the statutory obligation to restore the environment to the extent practicable and minimize harmful effects. To date, Beazer has not made adequate progress since being referred to DOJ on December 15, 2017.

Therefore, this letter notifies Beazer that the DNR has removed Beazer from the VPLE Program under Wis. Stat. § 292.15(2)(av). If you wish to re-enter the VPLE program, you must pay fees under Wis. Stat. § 292.15(5) and must enter into an agreement with the DNR containing an enforceable schedule for conducting the environmental investigation and environmental restoration of the property as identified in the voluntary party's application.

If you have any questions regarding this letter, please contact me by calling (608) 422-1148 or by email at [christine.haag@wisconsin.gov](mailto:christine.haag@wisconsin.gov).

Sincerely,

Christine Haag - Program Director  
Remediation & Redevelopment Program

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VPLE BRRTS #: 06-41-561509 & VPLE BRRTS #: 06-41-561426

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