



January 21, 2022

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

Subject: Review of Revised Remedial Action Options Report

Former Koppers Tar Plant and Wabash Alloys Site
9100 South 5th Avenue, Oak Creek, WI 53154
FID #: 241379050; BRRTS #: 02-41-553761
Connell VPLE BRRTS #: 06-41-560068

City of Oak Creek Utility Corridor Lot 1
9170 South 5th Avenue, Oak Creek, WI 53154
FID #: 341074470; BRRTS #: 02-41-561425

Dear Mr. Bollinger:

The Wisconsin Department of Natural Resources (DNR) has reviewed the *Revised Remedial Action Options Report* (RAOR), dated November 19, 2021, for the subject site. The revised RAOR was 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 in by the DNR in their March 3, 2021 and August 31, 2021 letters, regarding DNAPL tar source material migration and expansion of the groundwater plume. The DNR received a fee for providing this letter pursuant to Wis. Stats. ch. 292, and Wis. Adm. Code ch. NR 749. The review fee was received on December 2, 2021.

The scope of work proposed in the revised RAOR (November 19, 2021), is similar in content to the previously submitted July 1, 2021, RAOR (except that in the November 19, 2021 revised RAOR, Beazer added, "Section 2.5: Proposed Interim Action," to the table of contents.). Under this Section 2.5, Beazer states, "the RAOR assumes the remedial activities described in the November 19, 2021, revised IAWP will be implemented either as an interim action or part of the final remedy and are therefore incorporated into the alternatives evaluated in this RAOR. Those remedial activities include:

- Quarterly groundwater monitoring (Alternative GW-1)
- Quarterly DNAPL removal from monitoring wells (alternative GW-1)
- Excavation of DNAPL soil with off-site disposal in the area of the former lagoon adjacent to the Utility Corridor (Alternative S-3B)
- In-situ solidification/stabilization (ISS) barrier approximately 320 feet long and 20 feet deep along the northern property line of the Utility Corridor (alternative S-6C)
- ISS of DNAPL soil observed within the upper 6 feet (Alternative S-6C), and
- Utility trench plugs along the 78" diameter storm sewer (Alternative UT-1)"

In the letter dated March 3, 2021, the DNR requested a revised RAOR which presents an overall remedial strategy to address the known contamination at the site. The evaluation must include the remedial actions proposed by the DNR in the May 15, 2018 matrix of remedial options for each area of the property.

Based on the information presented in the November 19, 2021 revised RAOR, the proposed limited remedy which includes minimal free product removal and minimal soil excavation followed by capping with a patchwork in-situ stabilization remedy is **not adequate** given the known degree and extent of contamination Beazer and Tetra Tech have documented in the environment at this remedial action site.

The directions provided by the DNR in their March 3, 2021 and August 31, 2021 responses were neither addressed nor incorporated into the November 19, 2021 revised RAOR. The proposed actions in the revised RAOR are inadequate and not protective of human health and the environment. Thus, the DNR does not approve the revised RAOR.

The DNR continues to direct Beazer to complete an action that addresses the DNAPL tar source material. This free product removal may be achieved through excavation at areas with impacted soil and groundwater. ISS alone, is not adequate. A removal action is necessary.

Please prepare and submit a revised RAOR that meets the directions provided by the DNR in their March 3, 2021 and August 31, 2021 letters. The DNR directs this revised RAOR be submitted within 60 days, by March 21, 2022, with the appropriate fee.

If you have any questions regarding this letter, please contact Eric Amadi, the DNR Project Manager, by calling (414) 405-0752 or by email at eric.amadi@wisconsin.gov.

Sincerely,



Christine Haag, Director
Remediation & Redevelopment Program

cc: Mike Slenska - Beazer; mike.slenska@trmi.biz
Mike Noel - Tetra Tech; mike.noel@tetrattech.com
Mike Kellogg - Connell; mkellogg-5524@connell-lp.com
Attorney Eric McLeod, representing Beazer, eric.mcleoad@huschblackwell.com
AAG Brad Motl, motkbj@doj.state.wi.us
AAG Tressie Kamp, KampTK@doj.state.wi.us
Attorney Larry Haskin, representing the City of Oak Creek, lhaskin@haskinkarls.com
Attorney Bruce Keyes, representing Connell, bkeyes@foley.com

SER Case File #: FID #: 241379050; BRRTS #: 02-41-553761
SER Case File #: FID #: 341074470; BRRTS #: 02-41-561425