



April 6, 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 Interim Action Work Plan

Former Koppers Tar Plant and Wabash Alloys Site  
9100 South 5<sup>th</sup> 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 5<sup>th</sup> 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 Interim Action Work Plan* (IAWP), dated November 19, 2021, for the subject site. The revised IAWP was prepared by Tetra Tech, Inc. (Tetra Tech) on behalf of Beazer East, Inc. (Beazer), to replace the IAWP dated September 30, 2021, and to address DNR's concerns documented in multiple letters (May 5, 2020, March 3, 2021, August 31, 2021, and October 19, 2021), 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 16, 2021.

The scope of work proposed in the revised IAWP (November 19, 2021), is similar in content to the previously submitted September 30, 2021, IAWP. The remedy proposed was not revised, and therefore, if completed as planned would not be sufficient to protect human health and the environment. It would be therefore noncompliant with Wis. Stat. § 292.11(3).

Both work plans include a limited (minimal) soil excavation component (south lagoon area only), with off-site disposal to be implemented with conditions such as:

- approval in writing from the City of Oak Creek Water and Sewer Utility, to excavate around sanitary sewer that passes through the area at a depth of 10 to 15 feet below ground surface (approximate elevation of 655 feet mean sea level (msl)),
- DNR approval of Beazer's May 29, 2020, request to provide a pre-remediation, non-listed hazardous waste determination for media that might be generated as part of this interim action,
- DNR agrees to participate in in person technical dialogue in an attempt to resolve differences Beazer and the DNR have regarding the conceptual site model,
- DNR agrees to meaningfully participate in an in person technical dialogue with Beazer regarding completion of site investigation activities now that Beazer has withdrawn from the VPLE program.

Based on the information presented in the revised IAWP, the proposed limited interim remedy which includes groundwater monitoring, minimal free product removal, and minimal soil excavation followed by capping with a patchwork in-situ stabilization remedy would not be sufficient to contain or stabilize a discharge of a hazardous substance or environmental pollution, to minimize any threat to public health, safety, or welfare or the environment. The department reaches this conclusion based on the known degree and extent of contamination Beazer and Tetra Tech have documented in the environment at this remedial action site and the limited interim remedy proposed by Beazer in the IAWP.

Beazer has not addressed technical assistance provided by the DNR in their January 8, 2020, May 5, 2020, March 3, 2021, August 31, 2021, and October 19, 2021, letters which outline the necessity for Beazer to conduct an interim action at this site under Wis. Adm. Code § NR 708.05. The department again concludes that an interim action is warranted at this site and Beazer should implement an interim action in compliance with the requirements of Wis. Admin. Code ch. NR 708.

As directed by DNR's Administrative Order dated March 7, 2022, prepare and submit a revised IAWP by May 6, 2022.

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](mailto:eric.amadi@wisconsin.gov).

Sincerely,



Christine Haag - Program Director  
Remediation & Redevelopment Program

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