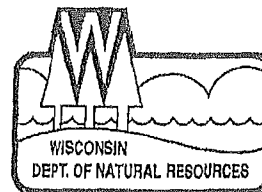


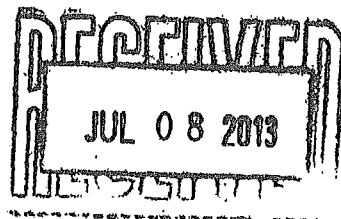
State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
875 South 4th Avenue
Park Falls WI 54552

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



July 2, 2013

Ms. Leslie Hyde
Koppers, Inc.
436 Seventh Avenue
Pittsburgh, PA 15219-1800



FID#: 816009810
HW/CORR
Douglas County

Subject: Request for Final Closure Approval of Drip Pad
Koppers, Inc. Superior, WI Facility – EPA ID #: WID006179493

Dear Ms. Hyde:

The Department of Natural Resources (Department) has received Koppers, Inc. (Koppers) correspondence dated May 21, 2013, regarding management of the drip pad. The letter requests concurrence by the Department for three items regarding the management of the drip pad. The Department is not able to provide concurrence to this request for the following reasons.

Item number one in Koppers' letter states that no further action at the drip pad is required at this time. The June 28, 2007, letter addressed to you from the former Department Waste Management Specialist James Ross clearly states that it is for review of a partial closure report submitted by Koppers, not clean closure. The letter also states that Section NR 665.0445(1), and (2), Wis. Adm. Code, allows the owner or operator to close the facility and perform long-term care in accordance with the closure and long-term care requirements that apply to landfills if all the contaminated sub-soils cannot be practically removed or decontaminated. Clean closure could not be approved without the removal of the drip track and excavation and proper treatment or disposal of any remaining contaminated soil beneath it.

The Department agrees that final closure of the drip pad could be issued to Koppers upon completion of the off-site remediation and closure of the overall RCRA Corrective Action site under ch. NR 726, Wis. Adm. Code. Site closure would include continuing obligations under s. 292.12(3), Wis. Stats., for inspection and maintenance of the concrete drip track as described below. However, the Department does not agree that there is no need for regular inspections of the drip pad or the re-application of low permeability coating. As stated in the June 28, 2007 letter, "We will also need to establish site operational conditions to periodically inspect and maintain the integrity of the drip pad as a permanent cap for the underlying contaminated soils, agree on an ongoing groundwater monitoring strategy, and a tentative schedule to achieve "final closure" of the facility." Long-term care requirements of the drip pad will need to be completed as part of any long-term care under Subpart W. The drip pad is considered by the Department as both a barrier cap that needs to be maintained and as a structural impediment to previous investigation and remediation actions.

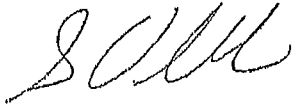
Item number two in Koppers' letter states that the drip pad concrete can be maintained as a cover material similar to the other cover materials placed by Beazer as part of the on-property remedy. The Department does not agree that the drip pad can be maintained in the same manner as the soil and gravel caps installed elsewhere on the site. The soil and gravel caps placed by Beazer were allowed because the degree and extent of contamination was known and the caps were intended only to address the direct contact pathway. Due to the structural impediment

posed by the drip pad, we do not know the degree and extent of contamination under the drip pad and could not explicitly rule out impacts via the groundwater pathway. Filling of significant cracks in the concrete with soil or gravel could have the effect of concentrating water infiltration in those cracked areas, potentially increasing soil-to-groundwater leaching of contaminants.

Item number three in Koppers' letter states that the Continuing Obligations letter to be issued to the new property owner and the site survey to be filed with the Department's online GIS Registry will identify the drip pad as an area to be included within the continuing site obligations for long-term maintenance. However, your requests in items number one and two directly contradict this notion of long-term maintenance. Continuing obligations will continue to apply to the site unless the structural impediment and groundwater barrier of the drip track is removed and investigated. Koppers will need to research the repercussions of the Continuing Obligations letter with internal legal staff.

If you have any other questions regarding this matter, please contact me at (715) 762-1339.

Sincerely,



Steve Ashenbrucker
Waste Management Specialist

Cc: Chris Saari – WDNR Ashland
Jill Schoen – WDNR Eau Claire
Ed Lynch – WDNR Madison
Jane Patarcity – Beazer East, Inc.
— Linda Paul – Koppers, Inc.