

June 18, 2010

Mr. Ashwin B. Patel, Supervisor
Hazardous Waste Section
Florida Department of Environmental Protection
Northeast District
7825 Baymeadows Way, Suite 200B
Jacksonville, FL 32256-7590

VIA EMAIL

Subject: Response to Non-Compliance Letter NCL10-2552HW10NED
Former Koppers Facility, Gainesville, Alachua County, Florida
USEPA/FDEP ID: FLD 004 057 535

Dear Mr. Patel:

On behalf of Beazer East, Inc. (Beazer), this letter provides a response to the referenced May 18, 2010, Non-Compliance Letter for the subject Site. The prior property owner/operator (Koppers Inc.) and Beazer have taken actions to comply with all requests made in that letter and in the Inspection Report that was attached to that letter, as described below.

Please note that the inspections described in the letter and report took place over a period when the property ownership was in transition. As of March 31, 2010, the property is owned and maintained by Beazer. All wood treating operations at the Site have ceased, there are no wood-treatment chemicals or products stored on Site, and the equipment needed to operate the wood-treatment facility has been removed by Koppers for use at other facilities.

The Inspection Report noted three specific “potential violations.” Each of those is listed below in italics, along with Beazer’s response:

- 1. The facility failed to mark one container of hazardous waste, kept in the hazardous waste accumulation area at the drip pad, and one drum containing personal protective equipment (PPE) near the lab, with the accumulation start date. (Potential violation of Rule 262.34(a)(2) cited on 03/09/2010.)*

Response: Koppers was the owner/operator of the Site at the time this potential violation was cited. Koppers properly labeled the drums and shipped both drums for off-Site disposal. Beazer will continue to mark each container used to accumulate hazardous waste with the date that the material first began accumulating in the container. As noted in the Inspection Report, no further action is required.

- 2. The facility failed to cleanup and remove oily saturated soils from the secondary containment for the oil tank and the concrete pad next to it, oily stained soils around the concrete pad, at the bark removal area. The facility also failed to cleanup and remove accumulated oil and debris from the secondary containment for the used oil tank in the fuel/oil storage area. (Potential violation of Rule 279.22(d) cited on 03/22/2010.)*

Response: Koppers was the owner/operator of the Site at the time this potential violation was cited. The following corrective actions were taken by Koppers and Beazer in response to this citation:

- a. Koppers removed all oil tanks and containers from the identified areas. Beazer inspected the areas to ensure that there are no current or potential releases of oil.
 - b. Beazer and Koppers cleaned out oil-stained soil and debris from within the containment areas and from the adjacent concrete pads. The removed material was containerized for proper off-Site disposal. Koppers removed an unknown quantity of material from these areas before vacating the property. Beazer has since removed an additional 50 gallons (approximately) of oil-stained soil from near the debarking shed. The attached pictures show the current condition of the noted areas near the debarking shed (for comparison with the pictures transmitted with the Inspection Report).
 - c. On June 2, 2010, Beazer submitted a *Short-Term Interim Measures Work Plan* for the Site to the USEPA and FDEP. Among other actions, this Work Plan describes how on-Site structures will be decommissioned and demolished. As part of these actions, Beazer will decontaminate any remaining oil-stained and chemical-stained containment areas, sumps, and concrete floors by scraping and/or pressure-washing. Beazer will begin this work very soon after the necessary approvals are given from local authorities.
3. *The facility failed to label one drum containing PPE near the lab with the words "Hazardous Waste." (Potential violation of Rule 262.34(a)(3) cited on 03/22/2010.)*

Response: Koppers was the owner/operator of the Site at the time this potential violation was cited. Koppers properly labeled the drum and shipped the drum for off-Site disposal. Beazer will continue to mark each container used to accumulate hazardous waste with the words "Hazardous Waste." As noted in the Inspection Report, no further action is required.

Furthermore, recent Site maintenance/housekeeping actions and other planned actions described in the *Short-Term Interim Measures Work Plan* mentioned in Response #2 above have addressed or will address any remaining areas of concern described in the Inspection Report.

Should you require additional information, please feel free to contact Mitchell Brouman or me.

Sincerely,



Gregory W. Council, P.E.
Principal Engineer

cc: Scott Miller, USEPA
Kelsey Helton, Florida DEP
John Mousa, Alachua County EPD
Linda Paul, Koppers, Inc.
Mitchell Brouman, Beazer
Bob Fisher, Beazer



1. Area of stained soil (in foreground) southwest of debarking-area shed (pre-removal)



4. Secondary containment area at debarking-area shed after cleanup



2. Close-up of area of stained soil near debarking-area shed (pre-removal)



5. Concrete floor in debarking-area shed after cleanup



3. Close-up of same area after removal of stained soil