

Beazer

BEAZER EAST, INC. C/O THREE RIVERS MANAGEMENT, INC.
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April 16, 2010

Ashwin Patel
Hazardous Waste Supervisor
Florida Dept. of Environmental Protection
Northeast District
7825 Baymeadows Way, Suite B200
Jacksonville, FL 32256-7590

Scott Miller
Remedial Project Manager, Superfund Division
Superfund Remedial Branch, Section C
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, SW
Atlanta, GA 30303

Re: **Proposed Closure Approach for Drip Pad and Ancillary Units;
Koppers Inc. Former Wood Treating Facility, Gainesville, Florida**

Dear Messrs. Patel and Miller:

As we discussed during your March 9, 2010 visit at the former Koppers Inc. (Koppers) wood treating facility (Facility) in Gainesville, Florida, Koppers and Beazer East, Inc. (Beazer) have prepared for your review and approval the enclosed *Proposed Closure Approach for Gainesville Drip Pad and Ancillary Units* (Proposed Closure Approach) that documents in writing the measures and approaches discussed with you both regarding RCRA closure and CERCLA remediation of the drip pad and ancillary units at the Facility. Koppers and Beazer jointly request that, after you have had an opportunity to review the enclosed document, both the Florida Department of Environmental Protection and the United States Environmental Protection Agency provide their written approval of the Proposed Closure Approach.

Please feel free to contact me at (412) 208-8805 or Linda Paul of Koppers at (412) 227-2434 if you have any questions or need further explanation regarding the Proposed Closure Approach. Thank you for your anticipated cooperation.

Sincerely,



Mitchell D. Brouman, P.G.
Environmental Manager

cc: Linda Paul, P.E. (Koppers) (via electronic mail & U.S. mail)

412-227-2434
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Proposed Closure Approach for Gainesville Drip Pad and Ancillary Units

Wood treating operations have been conducted at the 90 acre plant in Gainesville, Florida for decades by various owners and operators. Several treating solutions have been used at the plant including creosote, pentachlorophenol, and CCA. CCA is the only treating solution that has been used for the last several years and was the only solution being used at the time of plant closure.

The Gainesville plant has been owned and operated by Koppers Inc. since December 29, 1988. In December 2009, Koppers Inc. announced closure of the wood treating operations at the Gainesville plant. Koppers Inc. has decommissioned the operating facilities and completed sale of the property, and property ownership transferred to Beazer East, Inc. (Beazer) in late March 2010.

Beazer (formerly named Koppers Company, Inc. (a separate corporate entity from Koppers Inc.)) is a former owner and operator of the Gainesville plant. Pursuant to the terms of the 1988 Asset Purchase Agreement whereby Beazer previously sold the Gainesville plant and other assets to Koppers Inc., Beazer retains responsibility for certain environmental conditions at the plant. These include, among others, groundwater and soil conditions arising from use of solid waste management units (SWMUs) and other portions of the property to treat wastewater and process waters prior to December 29, 1988 and to conduct other operations associated with pre-December 29, 1988 wood treating operations.

The plant is part of the Koppers/Cabot Superfund Site (Site), being investigated and remediated pursuant to the federal Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), under the supervision of the United States Environmental Protection Agency (USEPA). Investigation and remediation of Site conditions relating to the plant is being addressed by Beazer under CERCLA. A CERCLA Record of Decision (ROD) was originally prepared for the Site in 1991. Results of CERCLA pre-design studies indicated further investigations and changes to the remedial plan were needed. USEPA is expected to issue a revised ROD for the Site in early- to mid- 2010 incorporating the new investigation data and revised remedial plans. The revised ROD is expected to include groundwater treatment, soil stabilization, and engineering control technologies and will address any contamination found at, near or below the drip pad and ancillary units.

As part of the active wood treating business, Koppers Inc. operated the concrete and epoxy coated drip pad under 40 CFR Part 265 Subpart W of RCRA. Koppers Inc. and Beazer have cooperatively developed a plan to close the drip pad in a manner that is consistent with both Subpart W of RCRA and the site-wide remediation requirements of the forthcoming CERCLA ROD. Consistent with Subpart W, Koppers Inc. proposes to physically close the drip pad and containment areas by cleaning and removing treating solution residuals and applying sealant to exposed surfaces prior to vacating the property in conjunction with Koppers Inc.'s transfer of ownership to Beazer. At the point of property transfer, Beazer will continue to inspect the drip pad in compliance with Subpart W, but Beazer will not be conducting treating operations and therefore will not operate the drip pad. Upon USEPA's approval of the Site remedy, Beazer will undertake remediation of the drip pad and ancillary areas as part of the final site-wide remediation under CERCLA. Beazer and Koppers Inc. propose that this CERCLA remediation of the drip pad will also serve as Subpart W closure under RCRA, regardless of whether contamination, if any, at or around the drip pad occurred prior to, or after, regulation of the drip pad and ancillary units under RCRA Subpart W.

Details of this proposed process are described in further detail below.

Combined Long-Term Final CERCLA Remediation and RCRA Subpart W Closure

The drip pad and ancillary units (cylinder basement, sumps, and tank farm containment) will be included within the final CERCLA site-wide remediation being addressed through the Superfund program under oversight by USEPA. This site-wide remedy will be approved by USEPA in the final ROD and details of the remedial measures to be implemented will be approved by USEPA in a Remedial Design/Remedial Action Work Plan. At this time, remedial activities planned for the process area (which encompasses and includes the drip pad, cylinder basement, and tank farm containment areas) include:

- Construction of an impermeable barrier wall around the area to contain groundwater,
- Placement of fill and covers over the area within the containment barrier to minimize infiltration and to slope runoff from the area,
- Incorporation of the area into the long term soils and subsurface debris management plans for the Site, and
- Address releases, if any, that may have occurred from the drip pad and/or ancillary units as part of the final Site remediation.

Interim Management Strategy

Treating operations at the plant have been terminated and will not be resumed. Most of the production equipment at the plant has been decommissioned by Koppers Inc. Usable equipment has been decontaminated and sent to other Koppers Inc. locations for reuse. The drip pad and its ancillary units were cleaned and pressure washed by Koppers Inc. to remove product from surfaces and were coated to minimize contact of precipitation with surfaces. Until final CERCLA remediation/RCRA Subpart W closure is complete, Beazer (after cleaning and final coating by Koppers Inc., as detailed above) will continue to inspect and manage the drip pad as if it were an operating unit under 40 CFR 265 Subpart W, even though no treating operations will be conducted by Beazer. Beazer's activities will include management of stormwater, weekly inspection of the drip pad, and completion of any repairs to the pad or coating as needed.

A brief summary of the current status and future management of the drip pad, cylinder basement, and tank farm containment areas are provided below:

Drip Pad

- The drip pad was coated by Koppers Inc. and re-certified in December 2009 (recertification report to be provided)
- The entire drip pad was pressure washed in March 2010 as part of the Koppers Inc. plant decommissioning
- Section 3 of the drip pad was recoated by Koppers Inc. in March 2010 to address some minor surface issues
- The coating provides an essentially impermeable surface over the concrete
- The roof will remain over the drip pad until final CERCLA remediation/RCRA Subpart W closure begins to minimize the generation of stormwater from the pad.
- After the drip pad surface was cleaned and final re-coating was completed by Koppers Inc., then Beazer assumed responsibility for management of stormwater from the drip pad.

- After property transfer, Beazer will continue to complete and record weekly drip pad inspections and complete repairs as may be needed. Because no operations will be occurring at the plant, the need for repairs should be minimal.

Cylinder Basement

- Following removal of the cylinder, the basement was cleaned and pressure-washed by Koppers Inc.
- Following the cleaning and washing operations, the basement floor was re-coated with the same material used on the drip pad to render it also essentially impermeable.
- After the basement floor was re-coated by Koppers Inc., then Beazer assumed responsibility to manage any stormwater collected in the area until the final CERCLA remediation/RCRA Subpart W closure is completed.
- Beazer may take steps to reduce the amount of stormwater to be managed in the interim period by placement of temporary covers/roofs over the basement.

Tank Farm Containment Area

- Following removal of any additional tanks specified for removal, the tank farm containment floor was cleaned and pressure-washed by Koppers Inc.
- Following the cleaning and washing operations, the tank farm containment floor was re-coated with the same material used on the drip pad to render it also essentially impermeable.
- After the tank farm containment floor was re-coated by Koppers Inc., then Beazer assumed responsibility to manage any stormwater collected in the area until the final CERCLA remediation/RCRA Subpart W closure is completed.
- Two tanks that were cleaned prior to Koppers Inc.'s departure from the site will remain in the tank farm area. Beazer may utilize these tanks for collection and management of the stormwater.
- Beazer may take steps to reduce the amount of stormwater to be managed in the interim period by placement of temporary covers/roofs over the tank farm containment or portions of the containment.

Request for Concurrence in Proposed Closure Approach

Remediation/closure of the drip pad and ancillary units will be addressed as part of the final CERCLA remedial action for the portion of the Site encompassed by the Gainesville plant property. USEPA will have final approval authority over the remedial action to be specified in the ROD and will have final approval authority over the technical details and implementation of any CERCLA Remedial Design/Remedial Action Work Plan to be submitted by Beazer. Because the CERCLA Site-wide remedial action will address any contamination existing at, near, or beneath the drip pad and ancillary units, Koppers Inc. and Beazer hereby jointly request that the Florida Department of Environmental Protection (FDEP) and the USEPA approve in writing this proposed approach for closure of the drip pad, cylinder basement, and tank farm containment area as consistent with the requirements of Subpart W of RCRA. FDEP and USEPA provided verbal approval of this proposed approach during the March 9, 2010 onsite meeting, pending submittal of the information contained in this document. In addition, Koppers Inc. will submit a closure letter documenting completion of the pre-property transfer activities detailed above.