

FACT SHEET

Per s. 670.408, Wis. Adm. Code

Preliminary Determination - Hazardous Waste Facility Licensing

Koppers Inc. / Beazer East, Inc.

Town of Superior, Douglas County, WI

3185 County Road A,

Superior, WI 54880-8229

EPA ID #: WID006179463

FID: 816009810

October 10, 2024

INTRODUCTION

The Koppers Inc. / Beazer East, Inc. facility formerly performed pressure treatment with creosote for wood products such as railroad cross ties, bridge timbers, switch ties, and crossing panels. The site contains hazardous waste surface impoundments that received hazardous waste (including waste code K001) after July 26, 1982, and that were certified for closure (non-clean) after January 26, 1983. Therefore, the site's owner(s) and operator(s) must comply with long-term care standards and must have a long-term care license.

A long-term care license was previously issued to Koppers Industries Inc. On November 1, 2021, Beazer submitted a long-term care license renewal application. After the department issued a notice of incompleteness to Beazer and TRP on May 10, 2021, Beazer submitted a revised long-term care license renewal application on October 10, 2022. Additional information requests and subsequent submittals from both Beazer East (operator) and TRP (property owner) were considered as part of the current preliminary determination.

This determination provides for the issuance of a long-term care license for a 10-year term.

PRELIMINARY DETERMINATION AND FINAL DECISION

The licensing process for hazardous waste facilities is established in chs. 289 and 291, Wis. Stats., and ch. NR 670, Wis. Adm. Code. The department has found Koppers Inc. / Beazer East's license application to be complete and has preliminarily determined that the department intends to renew a long-term care license. The department has also determined that a separate environmental analysis is not needed, as this determination is an integrated analysis action, pursuant to s. NR 150.20(2)(a)7s., Wis. Adm. Code.

The department has developed a preliminary determination dated October 10, 2024, that includes approval conditions needed to provide compliance with chs. NR 660 through NR 670, Wis. Adm. Code, and to protect human health and the environment. The approval conditions also established requirements regarding corrective action obligations per s. 291.37, Wis. Stats.

DOCUMENTS AVAILABLE FOR REVIEW

The administrative record consisting of the department's preliminary determination, the public notice and this fact sheet is available for public review at the department's website at <http://dnr.wi.gov/topic/Waste/Comment.html>, under the tab named "Hazardous Waste facility licensing determinations."

OPPORTUNITY TO COMMENT

To allow for public review and comment after the receipt of a complete and technically adequate license application the department has issued a public notice of its preliminary determination. This notice was published

in the Superior Telegram and Wisconsin State Journal and was announced through ads on local radio stations. The notice has been posted on the department's website at <http://dnr.wi.gov/topic/Waste/Comment.html>, under the tab named "Hazardous Waste."

The public notice includes information required by s. NR 670.410(4), Wis. Adm. Code. Pursuant to ch. 289 and ss. 1.11, Wis. Stats., the public is invited to submit written comments concerning the preliminary determination to the department during the 45-day public comment period ending on November 25, 2024. All comments and/or requests concerning the above documents can be sent to: Douglas Coenen – WA/5, Wisconsin Department of Natural Resources, 101 S. Webster Street, Box 7921, Madison WI 53707-7921. Comments can also be submitted via email to douglas.coenen@wisconsin.gov. Members of the public can also contact Mr. Coenen to be placed on the department's mailing list for interested parties for this facility.

After the close of the public comment period and before issuing a final determination, the department will evaluate all comments received. Each person who submitted written comments or requested notice of a decision will receive a notice of the final determination by the department. At the same time, the department will also respond to all significant comments, specify if there are any changes and indicate whether additional comments or new materials have been included in the administrative record. The department will then proceed to issue a final determination.

OPPORTUNITY TO REQUEST A HEARING

Pursuant to ss. 289.26 and 289.27, Wis. Stats., a public hearing concerning the preliminary determination may be requested in writing by any county, village, city or town, the applicant, or any six or more persons. The request shall indicate the interests of the municipality or persons who file the request and state the reasons why the hearing was requested. The hearing shall be conducted as an informational hearing utilizing the procedures in s. NR 2.135, Wis. Adm. Code unless the request filed indicates pursuant to s. 289.27(1), Wis. Stats., that the hearing is to be treated as a contested case, as provided under s. 227.42, Wis. Stats., and that:

1. A substantial interest of the person requesting the treatment of the hearing as contested case is injured in fact or threatened with injury by the department's action or inaction on the matter;
2. There is no evidence of legislative intent that the interest is not to be protected;
3. The injury to the person requesting the treatment of the hearing as a contested case is different in kind or degree from injury to the general public caused by the department's action or inaction on the matter; and
4. There is a dispute of material fact.

All hearing requests shall be filed with the department within 45 days after the publication date of this notice, either by delivery to the Office of the Secretary of the Department at 101 South Webster Street, Madison, WI 53703 or by mailing to the Secretary, Department of Natural Resources by certified mail at the following address: P.O. Box 7921, Madison, WI 53707.

WHO TO CONTACT

To request additional information, please contact the department's representative:
Douglas W. Coenen, Waste Management Engineer
douglas.coenen@wisconsin.gov
(cell) 608-843-2160