

PUBLIC NOTICE

BEFORE THE STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF THE PRELIMINARY DETERMINATION TO
CONDITIONALLY APPROVE A LONG-TERM CARE LICENSE RENEWAL APPLICATION
and
NOTICE OF INTENT TO RENEW A LONG-TERM CARE LICENSE
for a
CLOSED HAZARDOUS WASTE SURFACE IMPOUNDMENT FACILITY AT

KOPPERS INC. / BEAZER EAST, INC.
3185 COUNTY ROAD A, SUPERIOR, WISCONSIN
EPA ID #: WID006179463

NOTICE IS HEREBY GIVEN, pursuant to s. 289.25(3), Wis. Stats., and NR 670.410(1), Wis. Adm. Code., that the Department of Natural Resources (department) has determined that, based on a license renewal application submitted for a long-term care license for a closed hazardous waste surface impoundment facility at Koppers Inc. / Beazer East, Inc.:

- the department has made a preliminary determination to conditionally approve the long-term care application;
- the department intends to renew a long-term care license;
- 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.

Koppers Inc. / Beazer East, Inc. is located in the Town of Superior in Douglas County.

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. The facility is also subject to corrective action under s. 291.37, Wis. Stats.

The administrative record, consisting of the department's preliminary determination, this notice and a 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."

Pursuant to s. 289.25(3), Wis. Stats. and s. NR 670.410(2), Wis. Adm. Code, the public is invited to submit written comments concerning the application and the preliminary determination by November 25, 2024, which is at least 45 days after the date of publication of this notice on the department's website. Written comments can be sent to: Doug Coenen, Wisconsin Department of Natural Resources, 101 S Webster St. – GEF 2, Madison WI, 53703, or via email to Douglas.Coenen@wisconsin.gov.

Members of the public can also contact Doug Coenen to be placed on the department's mailing list of interested parties for this facility.

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:

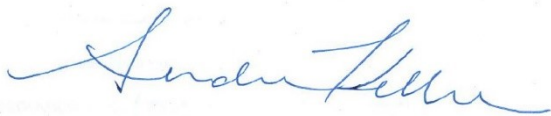
1. A substantial interest of the person requesting the treatment of the hearing as contested case is injured in fact or threatened with injury by the department's action or inaction on the matter;
2. There is no evidence of legislative intent that the interest is not to be protected;
3. The injury to 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 DNR 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.

Reasonable accommodation, including the provision of informational material in an alternative format, will be provided for qualified individuals with disabilities upon request.

Dated at Madison, Wisconsin on October 10, 2024.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES
for the Secretary

A handwritten signature in blue ink, appearing to read "Andrea Keller".

Andrea Keller, Chief
Hazardous Waste Prevention & Management Section
Waste and Materials Management Program