

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

July 12, 2012

REPLY TO THE ATTENTION OF:
LU-9J

Via E-mail and Certified Mail 7009 1680 0000 7621 1593
Return Receipt Requested

Mike Slenska
Three Rivers Management for
Beazer East, Inc.
Manor Oak One, Suite 200
1910 Cochran Rd.
Pittsburgh, PA 15220

Re: Approval of Request for Field Work
Start Date Extension: Final Draft Work Plan
for Additional PCDD/PCDF Sampling sent
January 24, 2011
Former Koppers Company Wood-Treating
Site, Carbondale, IL
U.S. EPA ID NO. ILD 000 819 946

Dear Mr. Slenska:

Your July 12, 2012 request for an extension to begin execution of the Draft Work Plan for Additional PCDD/PCDF Sampling is approved, per the discussion below. The Work Plan for Additional PCDD/PCDF Sampling must be executed as soon as possible and no later than August 13, 2012. Please provide a 14-day advance notice of commencement of fieldwork.

During a "Live Meeting" on June 19, 2012 EPA and Beazer discussed final sampling locations (including alternatives) and access topics related to the *Final Draft Work Plan for Additional PCDD/PCDF Sampling* which was sent January 24, 2011 and which EPA had conditionally approved on June 1, 2012. The conditional approval requested some additional locations which were agreed to during the June 19 meeting. On June 22, 2012, you sent me an email with a revised sample location map which I approved via email the same day. The email also noted the following items:

- 1) when sampling in the City of Carbondale road right-of-ways, the sample location should be adjacent to the residential property boundary
- 2) as some road right-of-way areas and City-owned property are adjacent to private property, the City of Carbondale had assured Beazer that City representatives would be present during the sampling and have relevant information available to share with any residents (e.g. maps displaying city-owned property boundaries including road right-of-way boundaries)
- 3) one purpose of the June Fact Sheet was to inform residents about the sampling event in advance (mailed June 22, 2012), and
- 4) EPA must be informed when access is obtained, when obtaining access becomes problematic, and when the sampling event is scheduled.

The June 1, 2012 conditional approval stated that fieldwork must commence within 40 days of the approval letter. Noting that the access request letters were not mailed to residents until June 29, 2012, your request to extend the deadline until July 23, 2012 is reasonable because EPA feels that residents should have sufficient time to respond to an access request.

Your July 13, 2012 email stated that *"Beazer intends to wait until July 23, 2012 for receipt of all necessary property owner access. If we have not received the requisite access by that date, we would attempt to gain access for alternate locations as discussed in the June 22 e-mail and/or enlist the assistance of USEPA to gain the necessary access."* It appears that sufficient alternative locations exist within the City-owned properties. If EPA and Beazer must agree to alternative sampling locations we should schedule a discussion for no later than July 20, 2012. The Work Plan for Additional PCDD/PCDF Sampling must be executed as soon as possible and no later than August 13, 2012.

As discussed in the email I sent you today (enclosed), a property owner across the street from Sample A1-55 contacted EPA and indicated that she would grant access to her property. See the enclosed email for details.

Please call me if you have any questions at 312-886-3020.

Sincerely,



Carolyn Bury
Project Manager

Enclosure

cc: Jim Moore, IEPA
Jeff Holden, Arcadis (electronic)
Bhooma Sundar, EPA (electronic)
Tom Williams, EPA (electronic)



To:
 Cc:
 Bcc:
 Subject: Fw: Carbondale Update
 This message will be sent with a digital signature.

Carolyn Bury
 Project Manager/Ecologist
 RCRA Corrective Action Section 2
 Land and Chemicals Division
 U.S. EPA Region Five
 77 W. Jackson Blvd. LU-9J
 Chicago, IL 60604
 312-886-3020
 bury.carolyn@epa.gov
 ---- Forwarded by Carolyn Bury/R5/USEPA/US on 07/13/2012 03:47 PM ----

From: Carolyn Bury/R5/USEPA/US
 To: "Slenska, Mike (Pittsburgh) USA" <Mike.Slenska@TRMI.Biz>,
 Cc: "Holden, Jeffrey" <Jeffrey.Holden@arcadis-us.com>, "Paul.Anderson@arcadis-us.com" <Paul.Anderson@arcadis-us.com>, Christopher Black/R5/USEPA/US@EPA
 Date: 07/12/2012 05:05 PM
 Subject: Re: Carbondale Update

Mike,

Thank you for the update. Please see my responses in BLUE, below. I will send you a letter approving your extension request shortly.

Carolyn

Carolyn Bury
 Project Manager/Ecologist
 RCRA Corrective Action Section 2
 Land and Chemicals Division
 U.S. EPA Region Five
 77 W. Jackson Blvd. LU-9J
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 312-886-3020
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"Slenska, Mike (Pittsburgh) USA"	Carolyn, Just thought I'd give you...	07/11/2012 03:52:03 PM
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From: "Slenska, Mike (Pittsburgh) USA" <Mike.Slenska@TRMI.Biz>
 To: Carolyn Bury/R5/USEPA/US@EPA,
 Cc: "Holden, Jeffrey" <Jeffrey.Holden@arcadis-us.com>, "Paul.Anderson@arcadis-us.com" <Paul.Anderson@arcadis-us.com>
 Date: 07/11/2012 03:52 PM
 Subject: Carbondale Update

Carolyn,

Just thought I'd give you a brief update concerning the pending field work at the Carbondale Site. As you are aware, ARCADIS recently sent out letters to various property owners from which we need access to complete the dioxin sampling in accordance with January 2011 Work Plan, USEPA's recent

comment letter, and our recent telephone discussions concerning specific sampling locations as documented in Jeff Holden's (of ARCADIS) June 22nd e-mail to you. To date we have only received a response from one property owner.

Can you please send me an example of an access request letter? Were owners to phone you?

We have received delivery confirmation for most of the letters, but have not received delivery confirmation for at least a few properties.

USEPA's June 1, 2012 conditional approval letter states that "Fieldwork must commence within 40 days of this approval." That 40 day time period expires on or about July 11, 2012. Having received access to only one property, it does not seem prudent to proceed with a field sampling effort until such time as Beazer receives access to sufficient properties to make that effort worthwhile. Therefore, Beazer is respectfully requesting USEPA concurrence with allowing additional time to receive the requisite property owner access. Beazer intends to wait until July 23, 2012 for receipt of all necessary property owner access. If we have not received the requisite access by that date, we would attempt to gain access for alternate locations as discussed in the June 22 e-mail and/or enlist the assistance of USEPA to gain the necessary access. If you could please confirm USEPA's concurrence with this revised timeline that would be greatly appreciated.

Yes, I will write a letter allowing an extension. Let me know if you need EPA to help gain access.

Additionally, I believe that you recently discussed with Jeff Holden that USEPA was contacted by a resident located to the South of the Site who had requested that their property be added to the list of properties to be sampled. Beazer can appreciate this interest, but we respectfully request that USEPA stand by the scope of work outlined in the approved sampling work plan. The scope of sampling locations was discussed in consultation with USEPA to provide representative sampling of the area. At this time we do not believe that it would be appropriate to begin adding sampling locations based on citizen requests. Following an assessment of the data collected from this sampling event, the need for further sampling can be evaluated.

Sample A1-55 -

I was contacted by Ms. Magdalene Davis (address below) about sampling on her property after she received a copy of the June Fact Sheet from a sibling who was on the mailing list. Please note that the property owned by Ms. Magdalene Davis' family (the Tisdale property at the north end of Wall Street) is across the street from sample location A1-55 (which is on the Rodney Allen property), and is therefore strategically located for the purposes of the SAP. During our discussion of sampling locations on June 19, 2012, we had identified the ROW of Wall Street along the Tisdale property as a back-up sampling location if access were not secured from Allen, or if no undisturbed parts of the Allen property could be found. It is preferential to sample on property owned by residents versus ROW. Therefore, if access cannot be secured from Allen, then the Tisdale property should be considered as the preferred alternative for sample location A1-55, rather than the Wall Street ROW, assuming that formal access is obtained for that property.

Address Removed

Please let me know if you would like to discuss the alternative sampling location or any other topics

related to the sampling event.

Thank you for your consideration on these matters,
Mike

Michael Slenska, PE
Senior Environmental Manager

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c/o Three Rivers Management, Inc.
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