GRENADA COUNTY - TIE PLANT MS KOPPERS INC COMPLIANCE MSD007027543 1987 AI 00876 AI 00876

T IS, THEREFORE, ORDERED AND ADJ ED that the Respondent, Koppers Company, Inc., shall comply with the following schedule on or before the dates specified:

- On or before April 15, 1987, the Respondent must submit a complete Part B application for an operating (1) permit for its hazardous waste surface impoundment, Nor including construction details and a schedule for installing two additional wells at the location of monitoring well R9 to complete a cluster. These additional wells in the cluster shall be screened at approximately sixty feet and ninety feet below the surface, respectively.
- On or before April 15, 1987, the Respondent must submit a report that demonstrates conclusively (2) whether or not K001 sludge has been applied to or has accumulated on its spray field.
- On or before May 1, 1987, the Respondent must submit a work plan and schedule for determining (1) the concentrations of hazardous constituents from the (3) Respondent's wood preserving plant that are in the unnamed ditch adjacent to the closed surface impoundments, (2) the sources of the constituents, and (3) the environmental impact of the constituents.
- (4) On or before August 15, 1987, the Respondent must submit a report regarding releases of hazardous constituents to the ditch identified under item three above, including a work plan and schedule for further investigation or remedial actions or, alternatively, Sent 12-3 a rationale for no further action.

Within thirty days after the Respondent receives the Bureau of Pollution Control's written list of all solid waste management units at the Respondent's wood preserving plant, the Respondent must submit a comprehensive work plan and schedule for the investigation of those units and a list of any units the Respondent does not consider to be solid waste

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- Within forty-five days after the Respondent receives Approved of the work and schedule referenced in item (5) Respondent must MICHIN forty-five days after the Respondent receives How as the Bureau of Pollution Control approval of the work plan and schedule referenced in item (5) above, the Respondent must complete the installation of groundwater monitoring wells identified in the approved plan (6) 2 8-25-50 Nustor approved plan.
- Within one hundred and fifty days after the (7) approval of the work plan and schedule referenced in Jury 45 item (5) above, the Respondent must submit a wm 29.88 not releases from any of the solid waste management units to the subsoils or groundwater have occurred, and a work plan and schedule for determining the vertical and horizontal extent of any contamination found.

Note: Verbal extension of trie submitted (5) was given to koppens become of the X-rr or 17 maisyon, with -

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Wall Plan Read.

IT IS FURTHER ORDERED AND ADJUD that this Order shall become final thirty (30) days after the date of rendition hereof, unless the Respondent, before the said thirty (30) days have elapsed, files a sworn petition with this Commission as provided by Section 49-17-41, Mississippi Code Annotated (1972) setting forth the grounds and reasons for said complaint and asking for a hearing thereon.

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ORDERED AND ADJUDGED, this the 25th day of March, 1987, by the Mississippi Commission on Natural Resources.

> MISSISSIPPI DEPARTMENT OF NATURAL RESOURCES

3L LL BY: CHARLIE L. BLALOCK EXECUTIVE DIRECTOR

BEFORE THE MISSISSIPPI COMMISSION ON NATORAL RESOURCES BUREAU OF POLLUTION CONTROL

IN THE MATTER OF:

MISSISSIPPI COMMISSION ON NATURAL RESOURCES

COMPLAINANT

ORDER NO. 1209

Appealed

KOPPERS COMPANY, INC. MSD007027543

vs.

RESPONDENT

ORDER

The above styled cause came on this date for consideration and the Commission, having heard and considered the same, finds as follows:

1.

The Respondent, Koppers Company, Inc., located in Tie Plant, Grenada County, Mississippi, owns and operates a wood preserving plant which generates and subsequently manages hazardous waste and, as such, is subject to the provisions of laws of this State governing the treatment, storage, and disposal of hazardous waste, the same appearing as Section 17-17-1, et. seq., and the rules and regulations of the Mississippi Commission on Natural Resources.

2.

The Respondent operates a boiler at its Tie Plant facility for the conversion of thermal energy from wood and various wastes into steam. These wastes include, but are not necessarily limited to, the listed hazardous wastes KOO1 and UO51. The ash generated from the operation of the boiler is periodically placed on an area of the facility property previously identified by the Respondent as a solid waste management unit, i.e., land farm used for the disposal, prior to November 18, 1980, of wood treating process wastes containing hazardous constituents. In accordance with Part 261 of the Mississippi Hazardous Waste Management Regulations, the ash generated from the operation of the boiler is a hazardous waste.

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Premises considered, the Commission finds that a closure plan and related information must be submitted to the Bureau of Pollution Control.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the Respondent, shall comply with the following schedule on or before the dates specified:

- (1) Immediately upon receipt of this order, the Respondent must cease placing boiler ash on the land farm.
- (2) On or before May 15, 1987, the Respondent must submit a complete closure plan and schedule for closure of the land farm in accordance with the requirements of Part 265, Subparts G and M of the Mississippi Hazardous Waste Management Regulations.
- (3) On or before May 15, 1987, the Respondent must submit a plan and schedule for submittal of either (a) a complete Part B post-closure application or, (b) a demonstration that no waste residues or contaminated soils, materials, or groundwater will be left in place at final closure.
- (4) On or before July 15, 1987, the Respondent must complete the installation of a groundwater monitoring system in accordance with the requirements of Part 265, Subpart F of the Mississippi Hazardous Waste Management Regulations.
- (5) On or before November 15, 1987, the Respondent must complete all activities related to closure of the land farm in accordance with the requirements of Part 265, Subparts G and M of the Mississippi Hazardous Waste Management Regulations.
- (6) On or before January 15, 1988, the Respondent must submit a certification of closure in accordance with Part 265, Subpart G of the Mississippi Hazardous Waste Management Regulations.

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IT IS FURTHER ORDERED AND ADJUDGE that this Order shall become final thirty (30) days after the date of rendition hereof, unless the Respondent, before the said thirty (30) days have elapsed, files a sworn petition with this Commission as provided by Section 49-17-41, Mississippi Code Annotated (1972) setting forth the grounds and reasons for said complaint and asking for a hearing thereon.

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ORDERED AND ADJUDGED, this the 25th day of March, 1987, by the Mississippi Commission on Natural Resources.

MISSISSIPPI DEPARTMENT OF NATURAL RESOURCES

5662 BY: CHARLIE L. BLALOCK EXECUTIVE DIRECTOR





May 20, 1957

Mr. James H. Scarbrough, Chief Residuals Management Branch Environmental Protection Agency 345 Courtland Street, NE Atlanta, Georgia 30365

Dear Mr. Scarbrough:

Recently it has come to our attention that there are situations in which hazardous constituent detection limits are being applied in an inconsistent manner at land disposal facilities in our State.

An example is the Koppers facility in Grenada, Mississippi. Recent groundwater analyses indicate concentrations of KOO1 constituents ranging from tenths of a part per billion to several parts per billion. The State had previously believed that detection limits for most organic constituents were generally set at 10 parts per billion. Discussions with Doug Laird at the EPA Athens Lab and with Koppers' representatives indicate that EPA test methods allow different detection limits depending on what laboratory equipment is used. This allows for a difficult and unacceptable situation in which facilities using laboratories with GC/MS (Gas Chromatograph/Mass Spectometry) equipment report detection limits as 10 ppb and other facilities using laboratories with GC and Electron Capture equipment report detection limits as low as 0.25 ppb.

The inequity of this is obvious and at the Koppers facility the result is very real. The State's position is that Koppers used correct EPA methods and the best laboratory instruments available which resulted in the detection of quentifible levels of hazardous constituents. Therefore, it would appear to the State that contamination has been detected and that the facility must continue a groundwater assessment that will determine the extent of contamination (the edge of the plume at which the detection limit (0.250 ppb) is reached) and develop a corrective action plan/ACL proposal.

The State requests that EPA respond as soon as possible to the following questions:

- 1) Is the State's detection limit interpretation correct?
- 2) Does EPA have a policy which will result in consistent detection limits at laboratories throughout the region? The State is considering establishing a detection limit for particular constituents based on the best available equipment using approved EPA methods.





Hr. James H. Scarbrough Page -2-

Your response is needed in a timely manner since a detection limit policy would affect whether detection monitoring or corrective action plan/ACL proposal is needed at several land disposal facilities seeking an operating or post-closure permit. A copy of relevant data and information are enclosed for your information.

Should you have any questions on this metter, please contact Chuck Estes at (601) 961-5171.

Sincerely,

Sam Mabry, Director Hazardous Waste Division

SM:CE:hdb Enclosures

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440 College Park Dr., Monroeville, PA 15146

April 16, 1987

Mr. Gary Payne Mississippi Department of Natural Resources 2380 Highway 80 West Southport Center Jackson, MS 39204

Re: Document Transmittal Surface Impoundment Koppers Company, Inc. Grenada, Mississippi Plant EPA ID No. MSD007027543 Project No. 176900



DEPT. OF NATURAL RESOURCE BUREAU OF POLLUTION CONTROL

Dear Mr. Payne:

This submittal is in reference to the Koppers Company, Inc., Grenada, Mississippi facility. Enclosed are three copies of each of the following items:

- o Attachment 9
- o Attachment 10
- o Attachment C

These items should be inserted in the appropriate locations of the three Closure and Post-Closure Plans which were sent to you on April 14, 1987.

If you have any questions regarding the enclosed documents or other comments about this project, please advise.

Sincerel Markle jed C. P. Markle

Environmental Program Manager

CPM:da Enclosures

cc: J. R. Batchelder C. L. Blalock, MS DNR (w/o enclosures) J. Blundon J. D. Clayton C. A. Cramer R. M. Morosky





April 16, 1987

Mr. Ron Morosky Keystone Environmental Resources, Inc. 440 College Park Drive Monroeville, Pennsylvania 15146

Dear Mr. Morosky:

Re: Submittal Date for Spray Field Investigation

The Bureau has received and reviewed your April 15, 1987 request for a time extension on the April 15, 1987 submittal date for an investigation that demonstrates the Koppers Company, Inc., Grenada, Mississippi, spray field is not a RCRA regulated unit. Keystone's proposal that an extension of seven working days be granted to complete and submit the results of the investigation is acceptable to the Bureau. The new submittal date for this report is therefore revised to on or before April 24, 1987.

If there are any questions regarding this matter, please contact me at 961-5171.

Sincerely,

Gary Payne, Hydrologist Hazardous Waste Division

GP:hdb

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	KEYSTONE ENVIRONMENTAL RESOURCES, INC.	

440 College Park Dr., Monroeville, PA 15146

April 14, 1987

Mr. Gary Payne Mississippi Department of Natural Resources 2380 Highway 80 West Southport Center Jackson, MS 39204

Re: Document Transmittal Part B Permit Application Closure and Post-Closure Plans Surface Impoundment Koppers Company, Inc. Grenada, Mississippi Plant EPA ID No. MSD007027543 Project No. 176900 APR 1 = 1987

DEPT. OF NATURAL RESOURCE BUREAU OF POLYMON CONTROL

Dear Mr. Payne:

Enclosed are three copies of each of the two above-referenced documents regarding RCRA requirements for the surface impoundment at the Koppers Company, Inc. Grenada, Mississippi plant. This submittal is in compliance with item No. 1 of the Mississippi Commission of Natural Resources Order No. 1208-87.

Please be advised that one of the Part B Applications is an original, signed by Mr. James Batchelder, Vice President of Koppers. The documents are complete with the exception of Attachments 9 and 10 and Appendix C of the Closure and Post-Closure Plans. These items will be forwarded to you under separate cover on April 15, 1987.

Documents enclosed herein were prepared by Keystone Environmental Resources, Inc., on behalf of Koppers. Guidance was provided by review of the following major items:

Part B Application:

- (1) Application Checklist Provided by EPA Region III (enclosed).
- RCRA Facility Assessment Guidance October, 1986. Provided by
   J. Hardage (transmittal dated March 25, 1987).
- (3) Grenada Plant Container Storage Building Part B Application.
- (4) Grenada Plant Part B Application for the surface impoundment and spray field (revised January, 1986 with recodification).
- (5) Specific items relating to groundwater monitoring as detailed in a letter from J. Hardage to R. Morosky dated March 30, 1987.

Mr. Gary Payne April 14, 1987 Page 2

Closure and Post-Closure Plans:

- (6) Items (1) and (2) listed above and pertinent sections of 40 CFR 264.
- (7) Grenada Plant Closure Plan submittal (dated November, 1986) for the surface impoundment and spray field.
- (8) MBPC technical comments of the Closure Plan (transmittal dated January 23, 1987).

Other references are specified in various sections of the two documents.

Guidance addressed in these documents, plus information obtained by on-site investigative work completed during the last five months, has helped to generate appropriate responses to the regulatory requirements. The majority of this information is in regard to the site hydrogeology (Section E of the Part B Application).

Koppers response to specific items contained in the MBPC closure plan technical review is as complete as technically feasible at the present time. Comments contained in General Closure Requirements (A1.5, 1.7 and 1.8) have not been addressed since it has been determined not to pursue these procedures during closure. The format of the Closure and Post-Closure plans follows a logical progression using 40 CFR 264 as guidance.

If there are any comments or questions regarding the enclosed documents, please advise.

Sincerely, C. P. Markle pb

C. P. Markle Environmental Program Manager

CPM:da Enclosures: RCRA Part B Application Closure and Post-Closure Plans

cc: J. R. Batchelder C. L. Blalock, MS DNR (w/o enclosures) J. Blundon J. D. Clayton C. A. Cramer R. M. Morosky





440 College Park Dr., Monroeville, PA 15146

April 13, 1987



Mr. Sam Mabry Mississippi Department of Natural Boreau OF POLLUTION CONTROL 2380 Highway 80 West Southport Center Jackson, MS 39204

Re: Spray Field Investigation Koppers Company, Inc. Grenada, Mississippi Plant Project No. 176901

Dear Mr. Mabry:

As discussed with your department on several occassions during the week of April 6, 1987, the investigation which demonstrates that the Koppers Company, Inc., Grenada, Mississippi spray field is not a RCRA unit is essentially complete. This study is being conducted by Keystone Environmental Resources, Inc., on behalf of Koppers, and according to the approved Work Plan (dated February 13, 1987). However, due to the complexity of addressing the third objective of the Work Plan and the fact that sufficient time is not available for a thorough internal review (prior to the deadline of April 15, 1987), a request for an extension is necessary.

Keystone proposes that an extension of seven working days be granted to complete and submit the results of this investigation. Therefore, this report will be submitted to the State on or before April 24, 1987.

We appreciate your consideration of this request and anticipate a timely response. If there are any questions, please advise.

Sincerely,

R. M. Morosky Project Manager

RMM:da

cc: J. R. Batchelder J. Blundon J. D. Clayton C. A. Cramer C. P. Markle





March 25, 1987

Mr. Ron Morosky Project Manager Keystone Environmental Resources, Inc. 440 College Park Drive Monroeville, Pennsylvania 15146

Dear Mr. Morosky:

Re: Koppers Company, Inc. Grenada, Mississippi Wood Treatment Facility MSD007027543

In accordance with our recent telephone conversations, I am hereby forwarding you the following information relevant to the solid waste management unit investigation:

- 1. An EPA memo dated October 9, 1986, regarding the RCRA Facility Assessment Guidance.
- 2. The EPA guidance document entitled <u>RCRA Facility Assessment Guidance</u> October, 1986.
- 3. The EPA guidance document, Volumes I, II, and III, entitled RCRA Facility Investigation Guidance.

If you have any questions regarding the guidance, please contact me.

Sincerely,

Jim Hardage Hazardous Waste Division

JH:els Enclosures





March 27, 1987

Ns. Jill Blundon Koppers Company, Inc. Legal Services 436 Seventh Avenue Pittsburgh, Pennsylvania 15219

Dear Ms. Blundon:

# Re: Koppers Company, Inc. MSD007027543 Boiler Ash

Enclosed for your information are two letters from EPA Region IV to this office, dated February 25, 1987, and March 9, 1987, which address the regulation of boiler ash generated at the Koppers facility in Grenada, Mississippi.

If you have any questions concerning the classification of the Koppers boiler ash as a hazardous waste, please contact me.

Sincerely,

## Jim Hardage Hazardous Waste Division

JH:hdb Enclosure cc: Mr. James Scarbrough, Environmental Protection Agency



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV 345 COURTLAND STREET ATLANTA, GEORGIA 30365



Mr. Sam Mabry

Management

Post Office Box 10385

Jackson, Mississippi 39209

Division of Solid/Hazardous Waste

Mississippi Department of Natural Resources

4WD-RM

FEB 2.7 1987

DEPT. OF NATURAL RESOURCE BUREAU OF POLLUTION CONTROL

Re: Regulation of Boiler Ash under the Resource Conservation and Recovery Act

Dear Mr. Mabry:

This is in response to your request for a regulatory interpretation of whether ash resulting from a listed hazardous waste being burned in a boiler is regulated as a hazardous waste under the Resource Conservation and Recovery Act (RCRA). It is our understanding that Mississippi is making a regulatory interpretation on wood preservative wastes being utilized as supplemental fuel in a boiler owned and operated by Koppers, Grenada, Mississippi.

Region IV has determined that ash resulting from the burning of a listed hazardous waste is a hazardous waste as defined under 40 CFR Section 261.3(c)(2)(i):

"Except as otherwise provided in paragraph (c)(2)(ii) of this section, any solid waste generated from the treatment, storage, or disposal of a hazardous waste, including any sludge, spill residue, <u>ash</u>, emission control dust, or leachate (but not including precipitation run-off) is a hazardous waste. However, materials that are reclaimed from solid wastes and that are used beneficially are not solid wastes and hence are not hazardous wastes under this provision <u>unless the reclaimed material is burned for energy recovery</u> or used in a manner constituting disposal."

Note fly ash waste, slag waste, and flue gas emission control waste generated primarily from the combustion of coal or other fossil fuels are excluded under Section 261.4(b)(4). (Emphasis added).

There was some earlier confusion on this interpretation due to the fact that the hazardous waste was being recycled. We apologize for any inconvenience that this may have caused. If you have questions or comments in this matter, please contact Ms. Beverly A. Spagg at 404/347-3433.

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Sincerly yours,

a hou James H. Scarbrough, P.E., Chief

Residuals Management Branch Waste Management Division



# UNITED TES ENVIRONMENTAL PROTECT AGENCY

REGION IV 345 COURTLAND STREET ATLANTA, GEORGIA 30365

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DEPT. OF NATURAL RESOURCE BUREAU OF ANDRON CONTROL

Mr. Sam Mabry, Director Division of Solid/Hazardous Waste Management Mississippi Department of Natural Resources Post Office Box 10385 Jackson, Mississippi 39209

Dear Mr. Mabry:

After reviewing the applicable regulations found in 40 CFR Part 261, it has been determined that the flyash produced at the Koppers facility in Grenada, Mississippi is a hazardous waste. Outlined below is the regulatory logic for this determination.

- \$261.6(a)(2)(ii) states that "Hazardous waste burned for energy recovery in boilers and industrial furnaces that are not regulated under Subpart 0 of Part 264 or 265..." is a recyclable material. It should be noted that although a material is considered recyclable, it is still a hazardous waste. Recyclable materials are exempted from regulation, but they are not excluded from being a solid or hazardous waste.
- 2) §261.3(c)(2)(i) states that "Except as otherwise provided in paragraph (c)(2)(ii) of this section, any solid waste generated from the treatment, storage, or disposal of a hazardous waste, including any sludge, spill residue, <u>ash</u>, emission control dust, or leachate (but not including precipitation run-off) is a hazardous waste. (However, materials that are reclaimed from solid wastes and that are used beneficially are not solid wastes and hence are not hazardous wastes under this provision unless the reclaimed material is burned for energy recovery or <u>used in a manner constituting disposal.</u>)"

This paragraph states that hazardous waste burned for energy recovery remains a hazardous waste, and hence ash produced from such combustion is a hazardous waste. Therefore, since the flyash is a hazardous waste, it is subject to all applicable RCRA regulations.

- 3) Kopper's flyash meets none of the regulatory exemptions given in 40 CFR 261.3(c)(2)(ii).
- 4) Kopper's flyash meets none of the exclusion requirements given in 40 CFR 261.4.

If you have any questions on the matter, please contact Jeaneanne Gettle or Paul Peronard of my staff.

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Sincerely yours,

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James H. Scarbrough, P.V., Chief Besiduals Management Branch Waste Management Division

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Koppers Company, Inc., Legal Services 436 Seventh Avenue, Pittsburgh, PA Telephone 412-227-2000 Telex 0866418, Koppersco



VIA DHL

March 23, 1987



James Hardage Hazardous Waste Division DEPT. OF MATURAN RESOURCE Mississippi Department of Natural Resources 2380 Highway 80 West Southport Center Jackson, MS 39204

Re: Grenada, MS Boiler Ash

Dear Mr. Hardage:

As requested during our telephone conference call on Friday, March 20, 1987, this letter will set forth the basis for Koppers' contention that the ash generated in the company's Grenada boiler from the burning of various wastes, including listed hazardous wastes, for their BTU value is not a hazardous waste.

Koppers initiated a fuels additive program in 1985 to insure that wastes with suitable fuel value were recovered and used within the company in an environmentally sound manner. This program serves the dual purpose of waste minimization and resource recovery. The Grenada boiler was selected for a pilot study of the feasibility of this program.

The Grenada boiler burns wood as well as several waste streams. These waste streams include creosote, creosote and oil/coal tar mixtures and dewatered wastewater sludges containing creosote. Some of these wastes are listed as K001 sludge or U051.

I note initially that we are in receipt of your letter of February 10, 1987 in which you state that "The boiler ash is a solid waste rather than a hazardous waste. Thus, the land treatment unit that receives the ash is a solid waste management unit rather than a RCRA hazardous waste unit. (This decision is based on recent discussions between Bureau and EPA Region IV personnel)." Although I am not aware of the reason for U. S. EPA's, and now Mississippi's, recent change of position on this issue, I assume that it is based on 40 CFR §261.3(c)(2)(i) and similar state regulations, which provide that "any solid waste generated from the treatment, storage or disposal of a hazardous

General Counsel John F. Ramser Stephen T. Tomko Thomas Burgunder Thomas F. Reid George Carroll Edward B. Wood Thomas R. Hays Kenneth W. Kubrick Mary Dombrowski Wright Jill M. Blundon Billie Schrecker Nolan

Donald H. Cuozzo

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March 23, 1987 James Hardage 2.



waste, including any sludge, spill residue, ash, emission control dust, or leachate . . . is a hazardous waste." Clearly, the burning of wastes for energy recovery is neither storage nor disposal of waste. Therefore, the only way that the ash from the boiler can be interpreted to be a hazardous waste under this section is if the burning is considered to be treatment of a hazardous waste.

The term "treatment" is defined in the regulations to mean "any method, technique or process, including neutralization, <u>designed</u> to change the physical, chemical or biological character or composition of any hazardous waste so as to neutralize such waste, or so as to recover energy or material resources from the waste, or so as to render such waste non-hazardous, or less hazardous, safer to transport, store, or dispose of, or amenable for recovery, amenable for storage, or reduced in volume." (40 CFR §260.10, emphasis added). The boiler at the Grenada facility is not designed to recover energy from hazardous wastes. It is designed to convert thermal energy from wood into steam. The boiler has been in operation since 1978 using wood as its source of energy. It was not until 1985 that the boiler also began to burn hazardous wastes as fuel. The fact that the boiler is capable of using the BTU value contained in hazardous wastes to generate steam does not make it a treatment facility under the regulatory definition. This position is buttressed by Part 266 of Title 40, Subpart D, which is titled "Hazardous Waste Burned for Energy Recovery" (emphasis added). This section clearly recognizes that burning hazardous wastes is distinct from treating hazardous wastes.

Assuming, arguendo, that the boiler does treat hazardous waste, the ash still would not be a hazardous waste pursuant to 40 CFR §261.4(b)(4) which provides that "The following solid wastes are not hazardous wastes: . . Fly ash waste, bottom ash waste, slag waste and flue gas emission control waste generated primarily from the combustion of coal or other fossil fuels." The Grenada boiler burns wood as well as the wastes described above. If nonhazardous wastes are counted in determining whether a certain fly ash is exempt from classification as a hazardous waste, the §261.4(b)(4) exemption becomes meaningless. Therefore, only those hazardous wastes burned in the Grenada boiler should be taken into account in determining whether this exemption applies.

Most of the non-wood wastes burned in the Grenada boiler contain creosote. Creosote is derived from coal and is itself a fossil fuel. Therefore, the hazardous waste component of the fly ash is generated primarily from the combustion of a fossil fuel and,



March 23, 1987 James Hardage 3.



accordingly, the ash is not a hazardous waste.

Please give me a call if you have any questions.

Very truly yours,

M. Blindon

Jill M. Blundon

- R. Anderson cc:
  - J. Batchelder
  - J. D. Clayton
  - C. Markle
  - R. Morosky
  - R. Ohlis
  - M. Urbassik



#### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV 345 COURTLAND STREET ATLANTA, GEORGIA 30365

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MAR 9 1937



DEPT. OF NATURAL RESOURCE BUREAU OF POLITICA CO PROL

Mr. Sam Mabry, Director Division of Solid/Hazardous Waste Management Mississippi Department of Natural Resources Post Office Box 10385 Jackson, Mississippi 39209

Dear Mr. Mabry:

After reviewing the applicable regulations found in 40 CFR Part 261, it has been determined that the flyash produced at the Koppers facility in Grenada, Mississippi is a hazardous waste. Outlined below is the regulatory logic for this determination.

- \$261.6(a)(2)(ii) states that "Hazardous waste burned for energy recovery in boilers and industrial furnaces that are not regulated under Subpart 0 of Part 264 or 265..." is a recyclable material. - recover induces that It should be noted that although a material is considered recycl- interpretation of the able, it is still a hazardous waste. Recyclable materials are exempted from regulation, but they are not excluded from being a solid or hazardous waste.
- 2) §261.3(c)(2)(i) states that "Except as otherwise provided in paragraph (c)(2)(ii) of this section, any solid waste generated from the treatment, storage, or disposal of a hazardous waste, including any sludge, spill residue, <u>ash</u>, emission control dust, or leachate (but not including precipitation run-off) is a hazardous waste. (However, materials that are reclaimed from solid wastes and that are used beneficially are not solid wastes and hence are not hazardous wastes under this provision unless the reclaimed material is burned for energy recovery or <u>used in a manner constituting disposal.</u>)"

This paragraph states that hazardous waste burned for energy recovery remains a hazardous waste, and hence ash produced from such combustion is a hazardous waste. Therefore, since the flyash is a hazardous waste, it is subject to all applicable RCRA regulations.

- 3) Kopper's flyash meets none of the regulatory exemptions given in 40 CFR 261.3(c)(2)(ii).
- 4) Kopper's flyash meets none of the exclusion requirements given in 40 CFR 261.4.

If you have any questions on the matter, please contact Jeaneanne Gettle or Paul Peronard of my staff.

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Sincerely yours,

James H. Scarbrough, P.F., Chief Besiduals Management Branch Waste Management Division





# MEMORANDUM

TO: File

FROM: Jim Hardage

SUBJECT: Koppers Company, Inc.

DATE: March 5, 1987

On February 24 and 25, 1987, I visited the above referenced facility to observe field work related to the Koppers spray field demonstration. (The demonstration is designed to resolve the question of whether or not the spray field is a RCRA-regulated unit.) Steve Colton and Gene Huth with Keystone Environmental Resources, Inc., performed the field work for Koppers.

Soil samples from seven locations in the spray field were collected and split with me. Samples of wastewater from the surface impoundment line (prior to discharge to the spray field) were collected four times during the day of February 25, 1987. I was given a duplicate of each sample. Sludge samples were also collected from the bottom of the surface impoundment. I did not choose to receive splits of any of these sludge samples.

On February 25, 1987, I inspected an area of the Koppers property near the old, closed-out surface impoundments where a drainage ditch intersects an intermittent creek. Mr. J. D. Clayton, the plant manager, and Steve Colton accompanied me. This area had previously been inspected by members of the EPA Groundwater Task Force (Sharon Matthews, Jeaneanne Gettle, et al.) and the State (Jim Hardage) during a site reconnaissance in 1986.

Mr. Clayton pointed out that (1) any discharge into the creek normally consists of rainwater runoff from the process area, and (2) the rainwater runoff has a slight sheen to it sometimes. He also pointed out that the creek was actually a cenal that was dug by the Corps of Engineers some years ago.

The water in the canal was nearly stagnant (not flowing) at the time of my inspection. There was a dull film on the water in the vicinity of the drainage ditch/canal intersection. A few yards downstream of the intersection, there was an iridescent area, about one or two feet in diameter, on the canal bank just above the water line. On the opposite bank, there was an outcrop of black material several inches thick. The black material did not appear to be seeping. In summary, there were indications of a slight release and a potential for seepage. However, there were no indications of gross or pervasive releases at the time of my inspection.



Mr. Clayton indicated that the two ponds in the vicinity of the ditch/canal intersection had been clean-closed, i.e., oil was recovered, bottom sludge was landfarmed, and the sides of the ponds were scraped clean. He also mentioned that clinkers from the boiler had been disposed of in this area and that there had been an asphalt road in the immediate area at one time.

JH:hdb

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EPA RCRA Hotline 800 424-9346 Becky Cuthertson BAYGHT EPA HOTLINE 00-1 3/26/87 CMD Ash Issue Koppers 1. The action of dishing of the land application site to incorportate a solid waste cuates a haz. waste ( ie disking ig & digging up and by mixing ask whole material is hay.) Chris Bryant phone call 4/3 - answer no, they do not become a generate: 2 266.35 (b) Request to Notify for big waste fuel actudies 3 BTU Content requirement is met. 40 Reg. Approaches that a hay waste made with solid waste for the puppose of burns for every recovery - covered under Part 266 - no ash requirements - would simply test ash for characteristics b) assume the mertice of hay and solid waste to be barned for energy recovery is a recyclable meterial. Then 261.6 (a(2) would say it would be regulated as under as in Part 266 -Then as above in a). NOTE: The mixture does not appear to be a "recyclable material" by interal or street

c) a hay wate is initial with a solid waste. The whole mixture is a hay waste (261.3 (a) \$(b)). 261.3 (c): The mixture remains a hag wate (1). 261.3 (c)(2)(i): Solid waste generalish from the treatment .... of a hag, waste, including any ... ash .... is a hag waste. Treatment is defined in 260.10 Definitions: any method .... designed to change The physical, chemical, .... characteristics or composition: of any hy waste so as b.... recover energy .... for The waste

interpretation of 261.1 definitions.



TO: File

FROM:

SUBJECT: Koppers Company, Inc.

Jim Hardage SHT

DATE: March 5, 1987

On February 24 and 25, 1987, I visited the above referenced facility to observe field work related to the Koppers spray field demonstration. (The demonstration is designed to resolve the question of whether or not the spray field is a RCRA-regulated unit.) Steve Colton and Gene Huth with Keystone Environmental Resources, Inc., performed the field work for Koppers.

Soil samples from seven locations in the spray field were collected and split with me. Samples of wastewater from the surface impoundment line (prior to discharge to the spray field) were collected four times during the day of February 25, 1987. I was given a duplicate of each sample. Sludge samples were also collected from the bottom of the surface impoundment. I did not choose to receive splits of any of these sludge samples.

On February 25, 1987, I inspected an area of the Koppers property near the old, closed-out surface impoundments where a drainage ditch intersects an intermittent creek. Mr. J. D. Clayton, the plant manager, and Steve Colton accompanied me. This area had previously been inspected by members of the EPA Groundwater Task Force (Sharon Matthews, Jeaneanne Gettle, et al.) and the State (Jim Hardage) during a site reconnaissance in 1986.

Mr. Clayton pointed out that (1) any discharge into the creek normally consists of rainwater runoff from the process area, and (2) the rainwater runoff has a slight sheen to it sometimes. He also pointed out that the creek was actually a canal that was dug by the Corps of Engineers some years ago.

The water in the canal was nearly stagnant (not flowing) at the time of my inspection. There was a dull film on the water in the vicinity of the drainage ditch/canal intersection. A few yards downstream of the intersection, there was an iridescent area, about one or two feet in diameter, on the canal bank just above the water line. On the opposite bank, there was an outcrop of black material several inches thick. The black material did not appear to be seeping. In summary, there were indications of a slight release and a potential for seepage. However, there were no indications of gross or pervasive releases at the time of my inspection.



Mr. Clayton indicated that the two ponds in the vicinity of the ditch/canal intersection had been clean-closed, i.e., oil was recovered, bottom sludge was landfarmed, and the sides of the ponds were scraped clean. He also mentioned that clinkers from the boiler had been disposed of in this area and that there had been an asphalt road in the immediate area at one time.

JH:hdb

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV 345 COURTLAND STREET ATLANTA, GEORGIA 30365

MAR 3 1987

4WD-WC



DEPT. OF NATURAL RESOURCE BUREAU OF POLLUTION CONTROL

Mr. Sam Mabry, Director Division of Solid/Hazardous Waste Management Mississippi Department of Natural Resources Post Office Box 10385 Jackson, Mississippi 39209

Dear Mr. Mabry:

Recent discussions between members of our respective staffs, indicate that there is confusion over the regulatory status of spray irrigation fields. To clarify the matter, the "Brown Wood" decision does not give a blanket exemption to all spray fields used in the wood preserving industry. A determination of the regulatory status of any unit must be made on a case specific basis. As was indicated to you in earlier correspondence the Agency has had preliminary success in regulating sprayfields where it has documented observations of visable amounts of sludge, and confirmed the presence of constituents of concern through soil (in the spray field) and groundwater sampling.

Unless sampling and observations indicate to the contrary, a spray irrigation field is considered to be a regulated unit. Facilites must meet all the applicable requirements, <u>including</u> the monitoring of the unsaturated zone as stated in 40 CFR 265 Subpart M. Please take appropriate action to ensure that all regulatory requirements are being met.

Sincerely yours,

Touch C. Malurry for

James H. Scarbrough, P.E., Chief Residuals Management Branch Waste Management Division

Comptiment tory TO: KOPPERS FILE 7R: CHD SUBJ: PHONE CONVERSATION WITH RON MORDSKY UN 2/25/87 DATE: 2/25/87 Sam Mabry and I talked with Ron Moroshy of Keystone Environme Tal (representing Keppers) regarding the Bureau's position of Order issuance to the facility. The Bureau proposed that an Order would be delayed for the February Commission meeting to the March 25th Commission inecting if Roppers agreed to keep moving for ward on the preparation of the @ spray site demonstration and @ the complete Part & application for a submitted on 4/15/87. The Bureau believes and will pursue with EPA that the additioned work resulting for the EPA Task Force review are to enhance " detestion monitoring " and should be described in the Part B application with a schedule for implementation. The Order the Bureau would issue in March would address this issue along with the land treatment unit for ash, @ contemination in the creek observed by the Tesh Jorce, 3 an minediete schedule for addressing contamination from the SWMU'S coul & any other consideration . However, if The EPA position regarding the Tash Force results is that the ground water ascessment is incomplete, then the March Order would address work needed to complete the assessment and submit the Part B application on a schedule which is anticipated to take longer than april 15, 1987 to complete The work and submit an application. The exact scope of work required to address The Tosk Force results will be further chestified Through BPC meeting with EPA and the BPC presentation to Koppers. BPC is unable to take a sound action at the Feleniary Commission meeting due & the moving target " of requirements



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV 345 COURTLAND STREET ATLANTA, GEORGIA 30365

FEB 2 5 1987

4WD-RM

FFB 27 1987

Mr. Sam Mabry
Division of Solid/Hazardous Waste
Management
Mississippi Department of Natural Resources
Post Office Box 10385
Jackson, Mississippi 39209

DEPT. OF NATURAL RESOURCE BUREAU OF POLLUTION CONTROL

Re: Regulation of Boiler Ash under the Resource Conservation and Recovery Act

Dear Mr. Mabry:

This is in response to your request for a regulatory interpretation of whether ash resulting from a listed hazardous waste being burned in a boiler is regulated as a hazardous waste under the Resource Conservation and Recovery Act (RCRA). It is our understanding that Mississippi is making a regulatory interpretation on wood preservative wastes being utilized as supplemental fuel in a boiler owned and operated by Koppers, Grenada, Mississippi.

Region IV has determined that ash resulting from the burning of a listed hazardous waste is a hazardous waste as defined under 40 CFR Section 261.3(c)(2)(i):

"Except as otherwise provided in paragraph (c)(2)(ii) of this section, any solid waste generated from the treatment, storage, or disposal of a hazardous waste, including any sludge, spill residue, <u>ash</u>, emission control dust, or leachate (but not including precipitation run-off) is a hazardous waste. However, materials that are reclaimed from solid wastes and that are used beneficially are not solid wastes and hence are not hazardous wastes under this provision <u>unless the reclaimed material is burned for energy recovery</u> or used in a manner constituting disposal."

Note fly ash waste, slag waste, and flue gas emission control waste generated primarily from the combustion of coal or other fossil fuels are excluded under Section 261.4(b)(4). (Emphasis added).

There was some earlier confusion on this interpretation due to the fact that the hazardous waste was being recycled. We apologize for any inconvenience that this may have caused. If you have questions or comments in this matter, please contact Ms. Beverly A. Spagg at 404/347-3433.

Sincerly yours,

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Janes H. Scarbrough, P.E., Chief Residuals Management Branch Waste Management Division



440 College Park Dr., Monroeville, PA 15146



DEPT. OF NATURAL RESOURCE BUREAU OF POLLUTION CONTROL

February 18, 1987

Mr. Ivan Noel, Engineer Johnson and Malhoyra - P.C. Environmental Engineers 601 Wheaton Plaza South Silver Springs, MD 20902

RE: Report Transmittal Hydrogeologic Investigation Koppers Company, Inc. Grenada, Mississippi

Dear Mr. Noel:

I was informed by Mr. Jim Hardage of the Mississippi DNR that you are currently involved with identification of solid waste management units at the Koppers Company, Inc., Grenada, Mississippi wood treatment facility. Mr. Hardage asked that I send you a copy of the "Report of Findings, Hydrogeologic Investigation" (dated January 22, 1987) to provide background information for your review. This document, which was prepared by Keystone Environmental Resources, Inc., on behalf of Koppers, is enclosed.

If you have any questions or comments about the report, please feel free to contact me at (412)733-9445 or Mr. Cyrus Markle at (412)227-2374.

Sincerely,

P.M. Jowe

R. M. Morosky Project Manager

RMM/pb

Enclosure

cc: J. R. Batchelder w/o enc.

J. D. Clayton w/o enc.

- J. Hardage w/o enc.
- C .P. Markle w/o enc.

10: Kovers File Fr. CHD . . . . e company Phone conversation - Koppers 2/18/87 Conference Call: SAM M. C. MARKLE CALES P R. MOROSKY Jim H GARY P 1. Discussed vesults of the EPA Ground water Task Force meeting in Attanta on Febr (7, 1987) see attached rathine): A State to take actions in liese of EPA to address. 1. depiciencies per EPA on Ground Water Assessment activities including the Jan. 1987 Ground Water assument Report for Koppers 2. contamenation potentially identified in the creek 3. ground water contamination from the stumped units (That may apact grd water wells is the area). & BPC would usue Fab Order address: 1. Part B application 2. Spray field determination 3. Need for I cluster well on Compliance pt screend deep and midrange, and I deep boring to lit acquiter of . G. BPC would issue march order addressing the SWM U and sampling The Creek. 2. Koppens to consider iten B and get back with BPE to drocurs 3. BPC to prepare quedance (outline) of how to address SWMU.S 4. Region IV EPA will submit request to HQ15 to determine whether ask from borles is a herandous "haste - BPC will advorse Keppers

• · · · · · Komers Steps of Actions 1. Ch with Art on the Authority for State action 2. Phone Koppers, explain conversation with EPA / Task Fr. meeting 2/17 3. Prepare rew order for Feb meeting 4. Roepare stretegy for The 3007 Retter : 3013 letter . order for March · letter to get it done Phone call & Markel @ Koppens 2/18/86 Conference call & Koppers : Task Force Meeting . must follow with compliance as appropriate dreas of Compliance : concern for contamination in the creeke concern for god water cout. i SWMU-. concern for diferences the Jan God water Asses out Report. and scarpling plan. (other minor iters) EPA would usue 3007 and 3013 orders, but state has requested lead. State proposes to deal with the situation : O openiting P stapplication 1. Issue Feb Orde Spacy field onelysis for RCRA unit det.
 other eters for gen but white Assus Right
 other eters for gen but acquiter deep norty R9 by dull 2 adding to but acquiter wills result is a forring to but acquiter of wills result is a forring to but acquiter of wills result. (sample, da specifie to site.) in a separati Cist of questions littles. 2. Issue and Order or Letter in March · begin addressing SWMK - ie. 1. submit existing data al propare new infor on Summe 2. sample the creek and sorts porter and lan Loter Samp call kon Loter 3. identify suma - essentially GPA contractor work I listall montany well of compliance pt - priority on the land application unit. beginsampling

To: Koppers File Koppers Meeting @ EPA 2/17/87 GRD WATER TASK FORCE
 Sharon Matthews EPA Region IV attens 404 546-3352
 Jim Dougheity HQ - OECM-WASTE 382-3060
 (see attached attender list)
 A NOTES:
 Execution Summan - MAM. do tad her in the a ... . 1. Executive Summary - as of May when task face was there 2. Further Actions for Compliance 2 page update - due out apap the meeting - (Sharon will write, whatever has happened since the May situation Jeaneanne requests that the analysis of the ash be provided to her. Questions': 1. Is the ash a listed hexardous wate? No Chaig Brown 2. Is the boiler a SWMU? Craig Brown pays no. 3. CME at the site in March issust take soil camples for the spray sight, (abb some samples where oil was coming out into the creek. Jeaneanne will get with Mike Bradshaw about which wells to sample - Doyle - sample all wells - en on side of public health results tigch by end of June 7003 action by Sept. "determine problem and interium measures 4. Doyle wants areal phitos to determine if appropriate 3013 or 7003 leak into surface water, don't know if going into local wells les have been processed.

Jeancome Gettle -1. concern - need cluster of wells - address in The Order order 2 Does state want to be part of the report i send logo to Simon Barbara ACTION Sharon Matthews needs us to coute a paragraphy on No - state X not to be actions taken since the May task force effort; copies partner to of littles and orders (including draft order). Send by 2 weeks right. - will do - Jem. Done. gH The 115/2 035855-ACTION Doyle would like I all public water supplies - up and munt regid in '84 appendants corece A down gradient, all private wells and depth inthis 3 mi radius, plotted on a USGS map - need prior thus - EAA Waite to the Mar 10 CMF - Coll and X - D - the configure will geneance will get with Dayle or get with all resolve to the Mar 10 CME . Call prior to and of week. Ground Water Sampling analysis Plan 265.92 (2)35 Water Analysis plan - needs to be submitted in Order them \_\_\_\_ Permit application - Call and ash for - otherwise address ( place in the Order ) Chech pages 5 -? issues & be addressed. - will be handled in Febr, BPC order B Conclusion: EPA & parsue (BPC concurs) 3013 go get new information - define vert i horyoutel-defa 3007 - submit all info you have sample soils in Suma ide til suma Follow up Meeting w/ Jeansanne on 248/87 1. San talked with Dayle - agreed for Block jursue : Over Order = Same reg. s as 3013 and 3:07 or more likely March D'tasi force gred water def. 3 sters of number 3 2. GG says they will send letter on fly ash non. Scarbough to Mabry 3, JG agreed to shuft to dect mor and take all made in the det: mon. grogreen 2. boring to contin occuper (2)

Q-17-87 Koppers - Guenada Mississippi Management Concernen Meeter

Sharon Matthews VIM DONGHERTY Charlan Getthe John G. Haggard Doyle J. Bjittain Gary Payne CALEB DANA DARBARA ELKUS CRAIG BROWN

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EPH Region I Alliuis 404-546-335 HQ - DECM-WASTE 8-382-3060 EPA Region IV WCS 404 347-760 EPA Ground-Water Task Force FTS-564-151. EPA Region IV, WCS FTS 257-760] Ms Bureau Pollution Contol 601-961-5171 Ms EPA - WASTE ENGINEERING 202-382-791

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	<b>KEYSTONE</b>	
	ENVIRONMENTAL RESOURCES, INC.	

440 College Park Dr., Monroeville, PA 15146

FEB17 198

February 13, 1987

DEPT. OF NATURAL RESOURCE BUREAU OF POLLUTION CONTROL

Mr. James Hardage Mississippi Department of Natural Resources 2380 Highway 80 West Jackson, Mississippi 39209

RE: Work Plan Transmittal Spray Field Characterization Koppers Company, Inc. Grenada, Mississippi

Dear Mr. Hardage:

Enclosed are three copies of the work plan for characterizing the spray irrigation field at the Koppers Company, Inc., Grenada, Mississippi Plant. The objectives of this study were discussed at our February 3, 1987 meeting and Koppers intent to pursue this demonstration was confirmed by Mr. Cyrus Markle during your February 9, conversation.

It is planned to initiate field activities during the week of February 23. Therefore, it is important that we receive regulatory approval of the enclosed work scope as soon as possible. If there are any comments or questions during the review process, please advise.

Yours truly,

R.M. Morosly

R. M. Morosky Project Manager

RMM/pb

Enclosure

- cc: J. R. Batchelder
  - J. M. Blundon
  - J. D. Clayton
  - C. A. Cramer
  - C. P. Markle
  - R. S. Ohlis, Jr.



February 10, 1987

Mr. Cyrus Markle, Manager Environmental Regulatory Programs Keystone Environmental Resources, Inc. 436 Seventh Avenue, Suite 1940 Pittsburgh, Pennsylvania 15219

Dear Mr. Markle:

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Re: February 3, 1987 Meeting Koppers Company, Inc., Grenada Plant

FILE COPY

This letter summarizes the major conclusions sulting from the February 3. 1987, meeting between the Bureau of Pollution Control and Koppers representatives, as follows:

- 1. Koppers tentatively agreed to submit an operating (Part B) permit application for the surface impoundment and a report demonstrating that KOOI sludge is not applied to and does not accumulate on the spray field. The agreement was confirmed in a telephone conversation with you on February 9, 1987. The Commission on Natural Resources will issue an order at the next Commission meeting on February 25, 1987, requiring submittal of these two items by April 15, 1987.
- 2. The Bureau is in general agreement with the Koppers Hydrogeologic Report dated January 22, 1987, and agrees with the conclusion that neither the surface impoundment nor the spray field appear to be the source of groundwater contamination at the Koppers Grenada Plant,
- 5. Since the Bureau is in general agreement with the report and the conclusions, Koppers does not have to comply with the requirement in Commission Order 1146-86 to submit a comprehensive work plan and schedule for further study by February 12, 1987.
- 4. Although the Bureau agreed that Koppers could shift to a detection groundwater monitoring mode, we have decided that Koppers should remain in anaesessment mode until the technical groundwater issues have been fully resolved. (See Gary Payne's enclosed memo in regard to his review of the Koppers Hydrogeologic Report). However, Koppers can proceed with the new monitoring program as described in the report.
- 5. Koppers will submit information on the process well at the Grenada Plant. Information will include depth of well, withdrawal rates and periods, well diameter, depth of screen, etc..
- 6. Koppers will include Well R-8B in the quarterly monitoring program.





Mr. Cyrus Markle, Manager Environmental Regulatory Programs Keystone Environmental Resources, Inc. Page -2-

S.

- 7. The boiler ash is a solid waste rather than a hazardous waste. Thus, the land treatment unit that receives the ash is a solid waste management unit rather than a RCRA hazardous waste unit. (This decision is based on recent discussions between Bureau and EPA Region IV personnel).
- 8. The container storage permit application will not be processed separately from the surface impoundment permit application, as previously planned. The projected date for issuance of a comprehensive (Part B) permit for both the surface impoundment and container storage is October 15, 1987. EPA will issue the SWMU portion of the permit.
- Koppers will submit a plan for the spray field demonstration within two weeks (from February 3, 1987). The Bureau will review and comment on the plan via teleconference.
- 10. In reference to the Bureau's letter of September 30, 1986, requesting Koppers to sample the cooling pond, Koppers does not have to sample the pond at this time. The EPA will sample the solid waste management units at the Koppers Grenada Plant as part of the RCRA Facility Assessment currently in progress.

If you have any questions or comments regarding this summary, please contact me.

Sincerely,

Jim Hardage Hazardous Waste Division

JH:cm Enclosure cc: Mr. J. D. Clayton Mr. Ron Morosky (w/enclosure) Ms. Jill Blundon Mr. Kurt Cramer Mr. James Scarbrough (w/enclosure)

FILE COPY

JERNETY 14, 1987

Br. J. R. Satchelder Vice-President and Manager Technical and Environmental Services Tar and Wood Products Sector Koppers Company, Inc. 436 Seventh Avenue -1mania 15219

# SENDER: Complete items 1, 2, 3end 4.

Preyour address in the "WETURPTO" space on the reverse side. Failure to do the will prevent this carco being returned to yoa. The return receipt fee well delivery. For addition nai fees the following services evailable. Consult postmaster for fees and chec: ec for service(s) requested. 1. E show to whom, date and address of del aver 1023 2. Aestricted Delivery. 447-845

3. Article Addresseed to: Mr. R. M., Merocky 440 College Parki

DOMESTIC

RETURN RECEIPT

6. Signature

7. Date d

8. Address

Del

more uille, PA Article Num 4. Type of Service: UC

BN933 Registered Certified

Express Mail Always obtain signature of a 5. Signaty X

does not constitute failure to comply with Order So. 1040, as amended Fobruary 6, 1987, to discuss the ma to comply with a Commission Order is, of course, grounds for an administrative pensity.