0714

Site: West Lakes LDF
ID #: MOD079900932
Break: 11.6
Other: Laidlaw Waste Systems Inc. 5-14-91

MAY 14 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Tom Fowler
Legal Counsel
U.S. Corporate Headquarters
Laidlaw Waste Systems, Inc.
669 Airport Freeway, Suite 400
Hurst, Texas 76053

Mr. S. Francis Baldwin
12976 St. Charles Rock Road
Bridgeton, Missouri 63044

RE: CERCLA 104(e) Information Requests to Laidlaw Waste Systems (Bridgeton), Inc.

Dear Mr. Fowler and Mr. Baldwin:

The United States Environmental Protection Agency ("EPA") is currently investigating the source, nature, and extent of the release or threatened release of hazardous substances, pollutants, contaminants, or hazardous wastes at the West Lake Landfill in Bridgeton, Missouri ("the site"). This investigation requires inquiry into the (1) identification, nature, and quantity of materials that have been or are generated, treated, stored, or disposed of at, or transported to, the site, and (2) the nature and extent of a release or threatened release of a hazardous substance, pollutant, or contaminant at or from the site. The site is located near the intersection of I-70 and I-270 in Bridgeton, Missouri, which is a suburb of St. Louis, Missouri. The U.S. Nuclear Regulatory Commission ("NRC") has performed investigations at the site which have revealed the presence of hazardous substances (radioactive material) in the soil and groundwater.

Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9604(e) ("CERCLA") as amended by the Superfund Amendments and

WSTM:SPFD:SAFE:NEWMAN:dln:5/7/91:Disk #1:g:dnewman\llbf.104

SAFE	SAFE	SAFE	CNSL	CNSL	SPFD	WSTM
NEWMAN	SHEEHY	FLOURNOY	BACON	SCHILLER	MORBY	WAGONER
5/8/91	5/8/91	5/10/91	5/8/91	5/10/91	5/10/91	

4.2
40055039
SUPERFUND RECORDS
0714

LAI 0003

Reauthorization Act of 1986 ("SARA") gives EPA the authority to require any person who has or may have information relevant to materials generated, treated, stored, or disposed of or transported to the site, the nature and extent of a release or threatened release of a hazardous substance, pollutant, or contaminant at or from the site, or the ability of a person to pay for or perform a cleanup of the site to furnish such information to EPA upon reasonable notice. Accordingly, to aid EPA in its investigation, you are hereby requested to provide the following information within thirty (30) days of receipt of this letter.

INSTRUCTIONS

In responding to the requests for information, please describe the source of your information.

1. You are required to provide a separate narrative response to each and every question and subpart of a question set forth in this Information Request.

2. Precede each answer with the number of the question to which it corresponds.

3. If information or documents not known or not available to you on the date of submission of your response to this Information Request should become known or available to you at a later date, you must supplement your response to EPA. Moreover, should you find at any time after the submission of this response that any portion of the submitted information is false or misrepresents the truth, you must notify EPA of this fact as soon as possible and provide EPA with a corrected response.

4. For each document produced in response to this Information Request, identify the document and indicate on the document, or in some other reasonable manner, the number of the question to which it responds.

5. The information requested herein must be provided even though the Respondent may contend that it includes confidential information or trade secrets. You may, if you desire, assert a confidentiality claim covering part or all of the information requested, pursuant to Sections 104(e)(7)(E) and (F) of CERCLA, 42 U.S.C. §§ 9604(e)(7)(E) and (F); Section 3007(b) of RCRA, 42 U.S.C. § 6927(b); and 40 C.F.R. 2.203(b), by attaching to such information at the time it is submitted, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," or "proprietary" or "company confidential." Information covered by such a claim will be

disclosed by EPA only to the extent, and only by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you. You should read the above cited regulations carefully before asserting a business confidentiality claim, since certain categories of information are not properly the subject of such a claim.

6. Information which you submit in response to this Information Request may be disclosed by EPA to authorized representatives of the United States, pursuant to 40 C.F.R. § 2.310(h)(1988), notwithstanding your assertion that all or part of it is confidential business information. Please be advised that EPA intends to disclose all response to this Information Request to its contractor, which EPA has retained to organize and analyze the information contained in the responses to this Information Request. If you are submitting information which you assert is entitled to treatment as confidential business information, you may comment on this intended disclosure within (10) days of receiving this Information Request.

DEFINITIONS

The following definitions shall apply to the following words as they appear in this information request:

1. The term "you" or "Respondent" shall mean the addressee of this Request, the addressee's officers, managers, employees, contractors, trustees, successors, assigns, and agents.

2. The term "person" as used herein includes, in the plural as well as the singular, any natural person, firm, unincorporated association, partnership, corporation, trust or other entity.

3. The terms "the site" or "the facility" shall mean and include the property on or about the West Lake Landfill located near the intersection of I-70 and I-270 in Bridgeton, Missouri, which is a suburb of St. Louis, Missouri.

4. The term "hazardous substance" shall have the same definition as that contained in Section 101(14) of CERCLA and includes any mixtures of such hazardous substances with any other substances, including petroleum products.

5. The term "pollutant or contaminant," shall have the same definition as that contained in Section 101(33) of CERCLA, and includes any mixtures of such pollutants and contaminants with any other substances, including petroleum products.

6. The term "hazardous waste" shall have the same definition as that contained in Section 1004(5) of RCRA.

7. The term "solid waste" shall have the same definition as that contained in Section 1004(27) of RCRA.
8. The term "waste" shall mean hazardous waste and/or solid waste.

9. The term "materials" shall mean all substances that have been generated, treated, stored, disposed of, or otherwise handled at, or transported to the Site; including, but not limited to, all hazardous substances, pollutants and contaminants, hazardous wastes and solid wastes as defined above.

10. The term "hazardous material" shall mean all hazardous substances, pollutants or contaminants, and hazardous wastes, as defined above.

11. The term "non-hazardous material" shall mean all material as defined above, excluding hazardous substances, pollutants and contaminants, and hazardous wastes.

12. The term "identify" means, with respect to a natural person, to set forth the person's name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business.

13. The term "identify" means, with respect to a corporation partnership, business trust or other association or business entity (including a sole proprietorship), to set forth its full name, address, legal form (e.g. corporation, partnership, etc.), organization, if any, and a brief description of its business.

14. The term "identify" means, with respect to a document, to provide its customary business description, its date, its number if any (invoice or purchase order number), the identity of the author, addressor, addressee and/or recipient, and the substance or the subject matter.

15. The term "release" has the same definition as that contained in Section 101(22) of CERCLA, 42 U.S.C. § 9601(22), and includes any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, including the abandonment or discharging of barrels, containers, and other closed receptacles containing any hazardous substance, pollutant, or contaminant.

16. The terms "document" and "documents" shall include: (a) writings of any kind, formal or informal, whether or not wholly

or partially in handwriting, including by way of illustration and not by way of limitation, any contract, permit, license, invoice, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations including meetings, agreements and the like, diary, calendar, desk pad, scrapbook, notebook bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, analysis, comparison, graph, chart, interoffice or intraoffice communications, photostat or other copy of any documents; (b) microfilm or other film record, any photograph, sound recording on any type of device, any punch card, disc or disc pack; (c) any tape or other type of memory generally associated with computers and data processing (together with the programming instructions and other written material necessary to use such punch card, disc, or disc pack, tape or other type of memory and together with printouts of such punch card, disc, or disc pack, tape or other type of memory); and (d)(1) every copy of each document which is not an exact duplicate of a document which is produced, (2) every copy which has any writing, figure or notation, annotation or the like of it, (3) drafts, (4) attachments to or enclosures with any document and (5) every document referred to in any other document.

17. The terms "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed to be outside its scope.

18. The term "arrangement" means every separate contract or other agreement between two or more persons.

19. The terms "transaction" or "transact" mean any sale, transfer, giving, delivery, change in ownership, or change in possession.

20. Words in the masculine shall be construed in the feminine, and vice versa, and words in the singular shall be construed in the plural, and vice versa, where appropriate in the context of a particular question or questions.

21. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA, RCRA, 40 C.F.R. or regulatory definitions shall apply.

FINANCIAL BACKGROUND DEFINITIONS

22. The term "property interest" means any interest in property, including but not limited to, any ownership interest, any interest in the rental of property, any interest in a corporation

that owns or rents or owned or rented property, and any interest as either the trustee or beneficiary of a trust that owns or rents, or owned or rented property.

23. The term "asset" shall include the following; real estate, buildings or other improvements to real estate, equipment, vehicles, furniture, inventory, supplies customer lists, accounts receivable, interest in insurance policies, interests in partnerships, corporations and unincorporated companies, securities, patents, stocks, bonds, and other tangible as well as intangible property.

REQUESTS FOR INFORMATION

The following information requests are directed to Laidlaw Waste Systems (Bridgeton), Inc. ("Respondent"):

1. Identify each person who assisted, or is assisting, in the preparation of the answers to this request for information.

2. Identify, if not you, the official or representative of Respondent to contact regarding the requested information.

3. Please provide the following information:

3.1 The full and correct name of Respondent;

3.2 The date of its incorporation or formation;

3.3 The state of its incorporation or formation;

3.4 The nature of its business;

3.5 Respondent's principal place of business; and

3.6 Names and addresses of Respondents' officers and directors.

4. If Respondent has any subsidiaries or affiliates, please state the following with respect to each subsidiary or affiliate:

4.1 The full and correct name of each;

4.2 The address of its principal place of business;

4.3 If a corporation, the state of its incorporation;

4.4 Its relationship to Respondent's business or corporation;

4.5 The name, address, and title of each officer and director;

4.6 The name and address of the resident agent; and

4.7 The principal business in which such entity is involved.

5. If Respondent is a subsidiary of, a division of, a franchise of, or part of the organization of any other corporation, entity or organization, please state the following with regard to each such corporation, entity or organization:

5.1 Its relationship to Respondent's entity, organization or corporation;

5.2 Its principal office;

5.3 The state of its incorporation or organization;

5.4 The date of its incorporation or organization;

5.5 Its principal business;

5.6 The commencement date of its relationship with Respondent's entity, organization or corporation; and

5.7 The names and addresses of its officers and directors.

6. Provide the date quarry operations first began at the West Lake Landfill site. Also provide the date when waste was initially disposed of in the landfill.

7. Provide information and copies of documents pertaining to the ownership of the West Lake Landfill since it began operations as a quarry and as a landfill.

8. Provide details of the relationship(s) between West Lake Landfill, Inc., Rock Road Industries, Inc., West Lake Quarry and Material Company, West Lake Ready Mix Company, Red Bird Ready Mix Company, Laidlaw Waste Systems (Bridgeton), Inc., Laidlaw Waste Systems, Inc., the Archdiocese of St. Louis, the Shrine of St. Jude, and the Society for the Propagation of Faith.

9. Provide maps of the property encompassing the active and inactive quarry and landfill. Describe any adjacent property owned by Respondent, including a legal description.

10. Provide a list of all transporters (names, addresses, and EPA Identification numbers) disposing of waste at the West Lake Landfill by year. If the waste was or is being disposed of

pursuant to a written contract, provide a copy of any contracts or agreements.

11. Provide the names, addresses, and telephone numbers of all persons responsible for the financial recordkeeping for West Lake Landfill, past and present.

12. Identify all persons directly involved in overseeing activities at the site, including employees who have knowledge, information or documents about the quarry and landfill operations.

13. Describe any clean-up or removal of hazardous substances as defined in CERCLA § 101(14); 42 U.S.C. § 9601(14), at the site.

14. Provide copies of boring logs, geologic reports, well logs, well locations, soil samples, and all sampling data including sampling locations of all such samples for the site.

15. Provide a description of the method of waste disposal (e.g. whether the waste was compacted or crushed prior to disposal), the thickness of waste deposited, and the amount of clean cover on top of the waste.

16. Provide narrative and documentary information as to any waste West Lake Landfill has ever had transported offsite, including but not limited to copies of:

16.1 Shipping manifests;

16.2 Shipping logs;

16.3 Receipts;

16.4 Weight tickets; and/or

16.5 Permits.

17. Provide copies of any local, state or federal operating permits relating to waste production, storage, treatment or disposal at the site, including air, water, solid, or hazardous waste permits.

18. Has the landfill ever been closed or shut down for any period of time? If so, provide the dates and circumstances under which the landfill was closed.

19. Provide copies of the meeting minutes of the corporate directors' meetings, for all the years during which Respondent held an interest in or was affiliated with the site.

20. Do you have any knowledge of releases of hazardous wastes or hazardous constituents (see 40 C.F.R. Part 261, Appendix VIII) into the environment (air, surface water, groundwater, or soil) from the site at any time in the past or present? If yes, provide a complete description of each release, including but not limited to:

20.1 Location of release;

20.2 Waste or constituents released;

20.3 Quantities of release;

20.4 Date of release;

20.5 Cause of release;

20.6 Environmental impact of release;

20.7 Response actions taken; and

20.8 Measures taken to prevent the recurrence of release.

21. Provide a detailed description of the area where radioactive materials were deposited at West Lake Landfill, including a legal description.

22. Describe in detail, the relationship between Respondent and the Cotter Corporation, regarding the disposal of hazardous substances at West Lake Landfill.

23. Provide information describing the location and amount of radioactive waste disposed at West Lake Landfill. Provide information about the ownership of the radioactive waste before its disposal at the landfill.

24. With respect to all hazardous substances disposed at West Lake Landfill provide the following information:

24.1 Time period(s) over which each substance was disposed;

24.2 Quantity (weight and volume) of each substance disposed;

24.3 Nature and condition of any containers in which these wastes were placed before disposal;

24.4 Company name, address, and telephone number of each entity (individual, facility, generator, and/or transporter) offering these substances for disposal; and

24.5 Results of any sample analyses performed on these wastes before disposal.

25. Provide a list of all Federal, State and/or local permits with their respective numbers, contracts, licenses, or agreements which involved the disposal of hazardous substances and/or hazardous waste.

26. Is Respondent covered by any type of liability insurance for sudden or non-sudden accidental releases of any hazardous substances or constituents or for any other liability resulting from your facility's handling of solvents, acids, metals or other hazardous substances? If so, please state:

26.1 The name and address of the insurer;

26.2 The number of the policy;

26.3 The effective dates of the policy;

26.4 The limits of liability; and

26.5 The name and address of the custodian of the policy.

27. If you are unable to obtain or provide any of the above information, please indicate the names and addresses of those individuals and/or corporations who would possess such information.

Compliance with this information request is mandatory. Failure to respond fully and truthfully to the request within thirty (30) days of receipt of this letter may result in enforcement action by EPA to seek penalties of up to $25,000 for each day of continued noncompliance. Please be further advised that provision of false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001 or Section 3008(d) of RCRA.

Your response to this Information Request should be mailed to:

U.S. EPA, Region VII
Diana L. Newman
Superfund Branch
726 Minnesota Avenue
Kansas City, Kansas 66101
(913) 551-7887

If you have any legal questions, please direct such questions to Nancy E. Bacon of the Office of Regional Counsel at

(913) 551-7545. If you have any technical questions, please direct such questions to Diana L. Newman, at the above address, or at (913) 551-7887.

Thank you for your cooperation in this matter.

Sincerely yours,

David A. Wagoner
Director
Waste Management Division

cc: Steve Sturgess, MDNR

P 402 728 105

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

Mr. S. Francis Baldwin
12976 St. Charles Rock Road
Bridgeton, MO 63044

Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	$
Postmark or Date	

PS Form 3800, June 1985

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (no extra charge)

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.

4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.

5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.

6. Save this receipt and present it if you make inquiry.

☆U.S.G.P.O. 1989-234-555

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

ST. LOUIS, MO
PM
MAY 16
1991
631

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

U.S.MAIL

PENALTY FOR PRIVATE USE, $300

RETURN TO

Print Sender's name, address, and ZIP Code in the space below.

U. S. EPA SAFE SECTION
726 Minnesota Avenue
Kansas City, Kansas 66101

Newman

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. *(Extra charge)*
2. ☐ Restricted Delivery *(Extra charge)*

3. Article Addressed to:

Mr. S. Francis Baldwin
12976 St. Charles Rock Road
Bridgeton, MO 63044

4. Article Number P402 728 105

Type of Service:
- ☐ Registered
- ☒ Certified
- ☐ Express Mail
- ☐ Insured
- ☐ COD
- ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Addressee
X

6. Signature — Agent
X Cat Lewis

7. Date of Delivery
5/16

8. Addressee's Address *(ONLY if requested and fee paid)*

PS Form **3811**, Apr. 1989 ★U.S.G.P.O. 1989-238-815 **DOMESTIC RETURN RECEIPT**

P 402 728 104

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Mr. Tom Fowler
Legal Counsel, U.S. Corp. HQ
Laidlaw Waste Systems, Inc.
669 Airport Freeway, Suite 400
Hurst, TX 76053

Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	$
Postmark or Date	

PS Form 3800, June 1985

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4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.

5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.

6. Save this receipt and present it if you make inquiry.

☆U.S.G.P.O. 1989-234-555

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

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U.S.MAIL

PENALTY FOR PRIVATE USE, $300

RETURN TO

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Kansas City, Kansas 66101

DNewman

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1. ☒ Show to whom delivered, date, and addressee's address. *(Extra charge)*
2. ☐ Restricted Delivery *(Extra charge)*

3. Article Addressed to:

Mr. Tom Fowler
Legal Counsel, U.S. Corp. HQ
Laidlaw Waste Systems, Inc.
669 Airport Freeway, Suite 400
Hurst, TX 76053

4. Article Number
P402 728 104

Type of Service:
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Addressee
X

6. Signature — Agent
X

7. Date of Delivery
5-16-91

8. Addressee's Address *(ONLY if requested and fee paid)*
Laidlaw
669 Airport Fwy #400
Hurst TX 76053

PS Form 3811, Apr. 1989 ★U.S.G.P.O. 1989-238-815 DOMESTIC RETURN RECEIPT