EPA Region 5 Records Ctr.
248376

# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
# REGION 5

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| IN THE MATTER OF: | ) | Docket No. |
| | ) | |
| Robins Solvent Company | ) | ADMINISTRATIVE ORDER BY |
| | ) | CONSENT PURSUANT TO |
| and | ) | SECTION 106 OF THE |
| | ) | COMPREHENSIVE |
| Illinois Central Railroad Company, | ) | ENVIRONMENTAL RESPONSE, |
| | ) | COMPENSATION, AND |
| Respondents | ) | LIABILITY ACT OF 1980, |
| | ) | as amended, 42 U.S.C. |
| | ) | § 9606 |

## I. JURISDICTION AND GENERAL PROVISIONS

This Order is entered voluntarily by the United States Environmental Protection Agency ("U.S. EPA") and the Respondents. The Order is issued pursuant to the authority vested in the President of the United States by Sections 106(a), 107 and 122 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980. as amended ("CERCLA"), 42 U.S.C. §§ 9606(a), 9607 and 9622. This authority has been delegated to the Administrator of the U.S. EPA by Executive Order No. 12580, January 23, 1987, 52 Federal Register 2923, and further delegated to the Regional Administrators by U.S. EPA Delegation Nos. 14-14-A, 14-14-C and 14-14-D, and to the Director, Superfund Division, Region 5, by Regional Delegation Nos. 14-14-A, 14-14-C and 14-14-D.

This Order on Consent ("Order") provides for performance of removal actions and reimbursement of response costs incurred by the United States in connection with the parcel of property on Trendley Avenue in East St. Louis, Illinois at which is located a former railroad roundhouse ("the Site"). This Order requires the Respondents to conduct removal actions described herein to abate an imminent and substantial endangerment to the public health, welfare or the environment that may be presented by the actual or threatened release of hazardous substances at or from the Site.

A copy of this Order will also be provided to the State of Illinois, which has been notified of the issuance of this Order pursuant to Section 106(a) of CERCLA, 42 U.S.C. § 9606(a).

Respondents' consent to this Order does not constitute an admission of liability or of U.S. EPA's Findings of Fact and Conclusions of Law and Determinations contained in this Order except in a

proceeding to enforce the terms of this Order. Respondents agree to comply with and be bound by the terms of this Order. Respondents further agree not to contest the basis or validity of this Order or its terms.

## II. PARTIES BOUND

This Order applies to and is binding upon U.S. EPA, and upon Respondents and Respondents' heirs, receivers, trustees, successors and assigns. Any change in ownership or corporate status of Respondents including, but not limited to, any transfer of assets or real or personal property will not alter such Respondents' responsibilities under this Order. Respondents are jointly and severally liable for carrying out all activities required by this Order. Compliance or noncompliance by Respondent with any provision of this Order will not excuse or justify noncompliance by any other Respondent.

Respondents shall ensure that the contractors, subcontractors, and representatives comply with this Order. Respondents shall be responsible for any noncompliance with this Order.

## III. FINDINGS OF FACT

Based on available information, including the Administrative Record in this matter, U.S. EPA hereby finds that:

1. Robins Solvent is the current owner of the Site, as determined from a record of deed. Robins purchased the site in 1985 from the Illinois Central Railroad Company (ICRR) and is in the business of wholesale distribution of chemical solvents there.

2. The Robins Site is approximately 14 acres in size. The site had other former uses, including as a feed mill and feed distribution warehouse. According to a 1956 Sanborn map, a part of the Site was used by the ICRR as a railroad roundhouse. The parcel containing the railroad roundhouse is approximately 5.2 acres in size.

3. Land use in the vicinity of the Site is a mixture of residential properties and vacant or undeveloped land, as well as industrial property.

4. Soil lead contamination is widespread in East St. Louis, Illinois. Sampling by the Illinois Department of Public Health and the U.S. EPA has identified several lead "hotspots" in the East St. Louis area. The IDPH and St. Mary's hospital have undertaken a testing program of blood lead levels in area children. These tests confirmed high lead exposure in some area children.

5. On August 24, 2001, Weston, a duly authorized representative of U.S. EPA, conducted an inspection of the Site. During this inspection, the soil on the property was sampled with an instrument called a Niton-700 X-Ray Fluorescence (XRF) Analyzer, which provides instantaneous contaminant levels, and by collecting physical soil samples, which were

sent to an off-site laboratory for analysis. The sample results and resulting lab analyses were sent to Respondent on March 12, 2002.

6. The results from the XRF Analyzer and the samples taken at and adjacent to the Site disclosed the presence of elevated concentrations of lead. Specifically, on-site XRF detections for lead ranged from 422 parts per million (ppm) to 3269 ppm. Laboratory analysis for lead revealed levels on-site ranging from 1900 ppm to 5800 ppm. These samples show the presence of lead above the 1000 ppm industrial standard for lead on-site.

7. Lead is a "hazardous substance" as defined in Section 101(14) of CERCLA, and is subject to the terms and provisions of that Act.

8. The threat of release of said hazardous substance into the air or groundwater may present an imminent and substantial endangerment to public health and welfare and the environment.

9. In order to protect human health and welfare and the environment, it is necessary that action be taken to contain and terminate the threat of release of hazardous substances from the Site into the environment.

## IV. CONCLUSIONS OF LAW AND DETERMINATIONS

Based on the Findings of Fact set forth above and the sampling data taken at the Site, U.S. EPA has determined that:

1. The property located at Trendley Avenue in East St. Louis, Illinois, designated the Robins Site is a "Facility" as defined by Section 101(9) of CERCLA, 42 U.S.C. § 9601(9).

2. Lead is a "hazardous substance" as defined by Section 101(14) of CERCLA, 42 U.S.C. § 9601(14).

3. The Respondents are "persons" as defined by Section 101(21) of CERCLA, 42 U.S.C. § 9601(21).

4. Respondent Robins is the present "owner" of the Facility, as defined by Section 101(20) of CERCLA, 42 U.S.C. § 9601(20). Respondent ICRR is a former "operator" of the Facility as defined by Section 101(20) of CERCLA, 42 U.S.C. § 9601(20). A Respondent under this order can be the person who is the present owner and/or operator of the Facility or the person who at the time of disposal of any hazardous substances owned or operated the Facility, or the person who arranged for disposal or transport for disposal of hazardous substances at the Facility. Each Respondent may be liable under Section 107(a) of CERCLA, 42 U.S.C. § 9607(a).

5. The conditions described in the Findings of Fact above constitute an actual or threatened "release" of a hazardous substance from the Facility into the "environment" as defined by Sections 101(8) and (22) of CERCLA, 42 U.S.C. §§ 9601(8) and (22).

6. The conditions present at the Site constitute a threat to public health, welfare, or the environment based upon the factors set forth in Section 300.415(b)(2) of the National Oil and Hazardous Substances Pollution Contingency Plan, as amended ("NCP"), 40 C.F.R. § 300.415(b)(2). These factors include, but are not limited to, the following:

   a) Actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances, pollutants or contaminants; this factor is present at the Site due to the existence of soils contaminated with lead.

   b) Actual or potential contamination of drinking water supplies or sensitive ecosystems; this factor is present at the Site due to the existence of soils contaminated with lead.

   c) High levels of hazardous substances or pollutants or contaminants in soils largely at or near the surface, that may migrate; this factor is present at the Site due to the existence of lead in the soils.

   d) Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released; this factor is present at the Site due to the existence of soils contaminated with lead.

7. The actual or threatened release of hazardous substances from the Site may present an imminent and substantial endangerment to the public health, welfare, or the environment within the meaning of Section 106(a) of CERCLA, 42 U.S.C. § 9606(a).

8. The removal actions required by this Order, if properly performed under the terms of this Order, are consistent with the NCP. The removal actions required by this Order are necessary to protect the public health, welfare, or the environment.

## V. ORDER

Based upon the foregoing Findings of Fact, Conclusions of Law and Determinations, it is hereby ordered and agreed that Respondents will comply with the following provisions, including but not limited to all documents attached to or incorporated into this Order, and perform the following actions:

1. Designation of Contractor, Project Coordinator, and On-Scene Coordinator

Respondents will perform the removal actions required by this Order or retain a contractor(s) to implement the removal actions.

Respondents have designated Matt Robinson as Project Coordinator and Environmental Operations, Inc. as primary Contractor. Respondents will submit its designated Project Coordinator's address, telephone number, and qualifications to U.S. EPA. Respondents' Project Coordinator will be responsible for administration of all of the Respondents' actions required by the Order. To the greatest extent possible, Respondents' Project Coordinator shall be present on-Site or readily available during Site work. U.S. EPA retains the right to disapprove of any Project Coordinator named by the Respondents. If U.S. EPA disapproves a selected Project Coordinator, Respondents shall retain a different Project Coordinator within 7 business days following U.S. EPA's disapproval and shall notify U.S. EPA of that person's name and qualifications within 7 business days of U.S. EPA's disapproval. Receipt by Respondents' Project Coordinator of any notice or communication from U.S. EPA relating to this Order will constitute receipt by Respondents.

Respondents shall also notify U.S. EPA of the name and qualifications of any other contractors or subcontractors retained to perform work under this Order at least 5 business days prior to commencement of such work. U.S. EPA retains the right to disapprove of the Respondents or any of the contractors and/or subcontractors retained by the Respondents. If U.S. EPA disapproves a selected contractor, Respondents shall retain a different contractor within 10 business days following U.S. EPA's disapproval and shall notify U.S. EPA of that contractor's name and qualifications within 10 business days of U.S. EPA's disapproval.

The U.S. EPA has designated Dion Novak of the Remedial Response Branch, Region 5, as its On-Scene Coordinator ("OSC"). Respondents shall direct all submissions required by this Order to the OSC at U.S. EPA, Superfund Remedial Response Branch, 77 West Jackson Blvd. (SR-6J), Chicago, Illinois 60604, by certified or express mail. Respondents will also send a copy of all submissions to Thomas Martin, Associate Regional Counsel, 77 West Jackson Boulevard, C-14J, Chicago, Illinois, 60604-3590. Respondents are encouraged to make the submissions to U.S. EPA on recycled paper (which includes significant postconsumer waste paper content where possible) and using two-sided copies.

U.S. EPA and Respondents will have the right, subject to the preceding paragraphs, to change their designated OSC or Project Coordinator. U.S. EPA will notify the Respondents, and Respondents will notify U.S. EPA, as early as possible before such a change is made, but in no case less than 24 hours before such a change. The initial notification may be made orally but it will be promptly followed by a written notice.

2. Work to Be Performed

Respondents shall perform, those removal actions at the Site as set forth in the Proposed Remediation Work Plan dated April 11, 2005, attached hereto and marked as Attachment 1 in accordance with the schedule approved by U.S. EPA via electronic mail on September 12, 2005.

2.1 Work Plan and Implementation

Respondents shall notify U.S. EPA at least 48 hours prior to performing any on-site work pursuant to the U.S. EPA approved work plan. Respondents shall not commence or undertake any removal actions at the Site without prior U.S. EPA approval.

2.2 Health and Safety Plan

As part of the work plan, Respondents shall submit for U.S. EPA review and approval a plan that ensures the protection of the public health and safety during performance of on-site work under this Order. This plan shall comply with applicable Occupational Safety and Health Administration ("OSHA") regulations found at 29 C.F.R. Part 1910. If U.S. EPA determines it is appropriate, the plan will also include contingency planning. Respondents shall incorporate all changes to the plan recommended by U.S. EPA, and implement the plan during the pendency of the removal action.

2.3 Quality Assurance and Sampling

As part of the work plan, Respondents shall submit for U.S. EPA review and approval the quality assurance/quality control procedures to be followed by all sampling teams and laboratories performing data collection and/or analysis. Respondents shall also ensure provision of analytical tracking information consistent with OSWER Directive No. 9240.0-2B, "Extending the Tracking of Analytical Services to PRP-Lead Superfund Sites." All sampling and analyses performed pursuant to this Order shall conform to U.S. EPA direction, approval, and guidance regarding sampling, quality assurance/quality control ("QA/QC"), data validation, and chain of custody procedures. Respondents shall ensure that the laboratory used to perform the analyses participates in a QA/QC program that complies with U.S. EPA guidance.

Upon request by U.S. EPA, Respondents will have such a laboratory analyze samples submitted by U.S. EPA for quality assurance monitoring.

Upon request by U.S. EPA, Respondents will allow U.S. EPA or its authorized representatives to take split and/or duplicate samples of any samples collected by Respondents or Respondents' contractor(s) or agent(s) while performing work under this Order. Respondents shall notify U.S. EPA not less than 3 business days in advance of any sample collection activity. U.S. EPA will have the right to take any additional samples that it deems necessary.

2.4 Reporting

Respondents shall monthly submit a written progress report to U.S. EPA concerning actions undertaken pursuant to this Order, beginning 30 calendar days after the date of this Order, until the work to be conducted pursuant to the work plan has been completed and the final report of such work has been submitted to U.S. EPA, unless otherwise directed in writing by the OSC.

These reports shall describe all significant developments during the preceding period, including the work performed and any problems encountered, analytical data received during the reporting period, and developments anticipated during the next reporting period, including a schedule of work to be performed, anticipated problems, and planned resolutions of past or anticipated problems.

Until such time as the final report has been submitted to U.S. EPA, Respondents shall, at least 30 days prior to the conveyance of any interest in real property at the Site, give written notice of this Order to the transferee and written notice of the proposed conveyance to U.S. EPA and the State. The notice to U.S. EPA and the State will include the name and address of the transferee. The party conveying such an interest shall require that the transferee provide access as described in Section V.3 (Access to Property and Information).

2.5 Final Report

Within 90 calendar days after completion of all removal actions required under this Order, the Respondents shall submit for U.S. EPA review a final report summarizing the actions taken to comply with this Order. The final report will conform to the requirements set forth in Section 300.165 of the NCP, 40 C.F.R. § 300.165. The final report will also include a good faith estimate of total costs incurred in complying with the Order, a listing of quantities and types of materials removed off-site or handled on-site, a discussion of removal and disposal options considered for those materials, a listing of the ultimate destinations of those materials, a presentation of the analytical results of all sampling and analyses performed, and accompanying appendices containing all relevant documentation generated during the removal action (e.g., manifests, invoices, bills, contracts, and permits).

The final report will also include the following certification signed by a person who supervised or directed the preparation of that report:

> Under penalty of law, I certify that, to the best of my knowledge, after appropriate inquiries of all relevant persons involved in the preparation of this report, the information submitted is true, accurate, and complete.

3. Access to Property and Information

Respondents shall provide access to the Site and shall provide access to all records and documentation related to the conditions at the Site and the actions conducted pursuant to this Order. Such access will be provided to U.S. EPA employees, contractors, agents, consultants, designees, representatives, and State of Illinois representatives. These individuals will be permitted to move freely at the Site in order to conduct actions which U.S. EPA determines to be necessary. Respondents shall submit to U.S. EPA, upon request, the results of all sampling or tests and all other data generated by Respondents or Respondents' contractor(s), or on the Respondents' behalf during implementation of this Order.

4. Record Retention, Documentation, Availability of Information

Respondents shall preserve all documents and information, in its possession or the possession of its contractors, subcontractors or representatives, relating to work performed under this Order, or relating to the hazardous substances found on or released from the Site, for six years following completion of the removal actions required by this Order. At the end of this six-year period and at least 60 days before any document or information is destroyed, Respondents shall notify U.S. EPA that such documents and information are available to U.S. EPA for inspection, and upon request, will provide the originals or copies of such documents and information to U.S. EPA. In addition, Respondents will provide documents and information retained under this Section at any time before expiration of the six year period at the written request of U.S. EPA. Any information that Respondents are required to provide or maintain pursuant to this Order is not subject to the Paperwork Reduction Act of 1995, 44 U.S.C. § 3501, et seq.

5. Off-Site Shipments

All hazardous substances, pollutants or contaminants removed off-site pursuant to this Order for treatment, storage or disposal shall be treated, stored, or disposed of at a facility in compliance, as determined by U.S. EPA, with the U.S. EPA Off-Site Rule, 40 C.F.R. § 300.440, 58 Fed. Reg. 49215 (Sept. 22, 1993).

6. Compliance with Other Laws

Respondents shall perform all actions required pursuant to this Order in accordance with all applicable local, state, and federal laws and regulations except as provided in Section 121(e) of CERCLA, 42 U.S.C. § 9621(e), and 40 C.F.R.§ 300.415(j). In accordance with 40 C.F.R. § 300.415(j), all on-site actions required pursuant to this Order shall, to the extent practicable, as determined by U.S. EPA, considering the exigencies of the situation, attain applicable or relevant and appropriate requirements under federal environmental or state environmental or facility siting laws.

7. Emergency Response and Notification of Releases

If any incident, or change in Site conditions, during the activities conducted pursuant to this Order causes or threatens to cause an additional release of hazardous substances from the Site or an endangerment to the public health, welfare, or the environment, the Respondents shall immediately take all appropriate action to prevent, abate or minimize such release or endangerment caused or threatened by the release. Respondents shall also immediately notify the OSC or, in the event of his/her unavailability, shall notify the Regional Duty Officer, Emergency Response Branch, Region 5 at (312) 353-2318, of the incident or Site conditions. If Respondents fail to respond, U.S. EPA may respond to the release or endangerment and reserve the right to recover costs associated with that response. Respondents shall submit a written report to U.S. EPA within 7 business days after each release, setting forth the events that occurred and the measures taken or to be taken to mitigate any release or endangerment caused or threatened by

the release and to prevent the reoccurrence of such a release. Respondents shall also comply with any other notification requirements, including those in Section 103 of CERCLA, 42 U.S.C. § 9603, and Section 304 of the Emergency Planning and Community Right-To-Know Act, 42 U.S.C. § 11004.

## VI. AUTHORITY OF THE U.S. EPA ON-SCENE COORDINATOR

The OSC shall be responsible for overseeing the implementation of this Order. The OSC shall have the authority vested in an OSC by the NCP, including the authority to halt, conduct, or direct any work required by this Order, or to direct any other response action undertaken by U.S. EPA or Respondents at the Site. Absence of the OSC from the Site shall not be cause for stoppage of work unless specifically directed by the OSC.

## VII. REIMBURSEMENT OF COSTS

Respondents shall pay all response costs and oversight costs of the United States related to the Site that are not inconsistent with the NCP. As soon as practicable after the effective date of this Order, U.S. EPA will send Respondents a bill for "past response costs," at the Site. U.S. EPA's bill will include an Itemized Cost Summary. "Past response costs" are all costs, including, but no limited to, direct and indirect costs and interest, that the United States, its employees, agents, contractors, consultants, and other authorized representatives incurred and paid with regard to the Site prior to the effective date of this Order. As of July 25, 2005, U.S. EPA's past response costs at the Site were $9,410.42.

In addition, U.S. EPA will send Respondents a bill for "oversight costs" on an annual or bi-annual basis, depending upon removal completion. "Oversight costs" are all costs, including, but not limited to, direct and indirect costs that the United States incurs in reviewing or developing plans, reports and other items pursuant to this AOC.

If late penalties are imposed for unreasonable delays in commencement of removal actions, U.S. EPA will send Respondents a bill on a quarterly basis.

The Respondents shall, within 30 calendar days of receipt of a bill remit a cashier's or certified check for the amount of the bill made payable to the "Hazardous Substance Superfund," to the following address:

U.S. Environmental Protection Agency
Program Accounting & Analysis Section
P. O. Box 70753
Chicago, Illinois 60673

Respondents shall simultaneously transmit a copy of the check to the Director, Superfund Division, U.S. EPA Region 5, 77 West Jackson Blvd., Chicago, Illinois 60604-3590. Payments will be labeled as "Response Costs - Robins Solvent Site" and will reference the payer's name

and address, the U.S. EPA Site Identification Number ID# B522 (OU3) and the docket number of this Order.

In the event that any payment is not made within the deadlines described above, Respondents shall pay interest on the unpaid balance. Interest is established at the rate specified in Section 107(a) of CERCLA, 42 U.S.C. § 9607(a). The interest will begin to accrue on the date of the Respondents' receipt of the bill.

## VIII. DISPUTE RESOLUTION

The parties to this Order will attempt to resolve, expeditiously and informally, any disagreements concerning this Order. If the Respondents object to any U.S. EPA action taken pursuant to this Order, including billings for response costs, the Respondents will notify U.S. EPA in writing of its objections within 20 calendar days of such action, unless the objections have been informally resolved. This written notice will include a statement of the issues in dispute, the relevant facts upon which the dispute is based, all factual data, analysis or opinion supporting respondents' position, and all supporting documentation on which such party relies. U.S. EPA will submit its Statement of Position, including supporting documentation, no later than 20 calendar days after receipt of the written notice of dispute. In the event that these 20-day time periods for exchange of written documents may cause a delay in the work, they will be shortened upon, and in accordance with, notice by U.S. EPA. The time periods for exchange of written documents relating to disputes over billings for response costs may be extended at the sole discretion of U.S. EPA.

An administrative record of any dispute under this Section will be maintained by U.S. EPA. The record will include the written notification of such dispute, and the Statement of Position served pursuant to the preceding paragraph. Upon review of the administrative record, the Director of the Superfund Division, U.S. EPA Region 5, will resolve the dispute consistent with the NCP and the terms of this Order.

Respondents' obligations under this Order will not be tolled by submission of any objection for dispute resolution under this Section. Following resolution of the dispute, as provided by this Section, Respondents shall fulfill the requirement that was the subject of the dispute in accordance with the agreement reached or with U.S. EPA's decision, whichever occurs.

## IX. FORCE MAJEURE

Respondents agree to perform all requirements under this Order within the time limits established under this Order, unless the performance is delayed by a force majeure. For purposes of this Order, a force majeure is defined as any event arising from causes beyond the control of Respondents or of any entity controlled by Respondents, including but not limited to its contractors and subcontractors that delays or prevents performance of any obligation under this Order despite Respondents' best efforts to fulfill the obligation. Force majeure does not include financial inability to complete the work or increased cost of performance.

Respondents shall notify U.S. EPA orally within 48 hours after Respondents become aware of any event that Respondents contend(s) constitutes a force majeure, and in writing within 7 calendar days after the event. Such notice will: identify the event causing the delay or anticipated delay; estimate the anticipated length of delay, including necessary demobilization and re-mobilization; state the measures taken or to be taken to minimize the delay; and estimate the timetable for implementation of the measures. Respondents shall take all reasonable measures to avoid and minimize the delay. Failure to comply with the notice provision of this Section will be grounds for U.S. EPA to deny Respondents an extension of time for performance. Respondents shall have the burden of demonstrating by a preponderance of the evidence that the event is a force majeure that the delay is warranted under the circumstances, and that best efforts were exercised to avoid and mitigate the effects of the delay.

If U.S. EPA determines a delay in performance of a requirement under this Order is or was attributable to a force majeure, the time period for performance of that requirement will be extended as deemed necessary by U.S. EPA. Such an extension will not alter Respondents' obligation to perform or complete other tasks required by the Order which are not directly affected by the force majeure.

## X. STIPULATED AND STATUTORY PENALTIES

For each day, or portion thereof, that Respondents fail to fully perform any requirement of this Order in accordance with the schedule established pursuant to this Order, Respondents shall be liable as follows:

| Deliverable/Activity | Penalty For Days 1-30 | Penalty For 31-60 Days | Penalty For > 60 Days |
|---|---|---|---|
| Failure to Submit a draft Work plan | $250 | $750 | $1500 |
| Failure to Submit a revised Work plan | $250 | $750 | $1500 |
| Failure to Submit a Data Report | $50 | $250 | $500 |
| Late Submittal of Progress Reports or Other Miscellaneous Reports/Submittals | $50 | $250 | $500 |
| Failure to Meet any Scheduled Deadline | $50 | $250 | $500 |

in the Order

Upon receipt of written demand by U.S. EPA, Respondents shall make payment to U.S. EPA within 30 days. The penalty and interest shall accrue on late payments in accordance with Section VII of this Order (Reimbursement of Costs).

Even if violations are simultaneous, separate penalties will accrue for separate violations of this Order. Penalties accrue and are assessed per violation per day. Penalties will accrue regardless of whether EPA has notified Respondents of a violation or act of noncompliance. The payment of penalties will not alter in any way Respondents' obligation to complete the performance of the work required under this Order. Stipulated penalties will accrue, but need not be paid, during any dispute resolution period concerning the particular penalties at issue. If Respondents prevail upon resolution, Respondents shall pay only such penalties as the resolution requires. In its unreviewable discretion, U.S. EPA may waive its rights to demand all or a portion of the stipulated penalties due under this Section. Such a waiver must be made in writing.

Violation of any provision of this Order may subject Respondents to civil penalties of up to twenty-seven thousand five hundred dollars ($27,500) per violation per day, as provided in Section 106(b)(1) of CERCLA, 42 U.S.C. § 9606(b)(1). Respondents may also be subject to punitive damages in an amount up to three times the amount of any cost incurred by the United States as a result of such violation, as provided in Section 107(c)(3) of CERCLA, 42 U.S.C. § 9607(c)(3). Should Respondents violate this Order or any portion hereof, U.S. EPA may carry out the required actions unilaterally, pursuant to Section 104 of CERCLA, 42 U.S.C. § 9604, and/or may seek judicial enforcement of this Order pursuant to Section 106 of CERCLA, 42 U.S.C. § 9606.

## XI. RESERVATION OF RIGHTS

Except as specifically provided in this Order, nothing herein will limit the power and authority of U.S. EPA or the United States to take, direct, or order all actions necessary to protect public health, welfare, or the environment or to prevent, abate, or minimize an actual or threatened release of hazardous substances, pollutants or contaminants, or hazardous or solid waste on, at, or from the Site. Further, nothing herein will prevent U.S. EPA from seeking legal or equitable relief to enforce the terms of this Order. U.S. EPA also reserves the right to take any other legal or equitable action as it deems appropriate and necessary, or to require Respondents in the future to perform additional activities pursuant to CERCLA or any other applicable law.

## XII. OTHER CLAIMS

By issuance of this Order, the United States and U.S. EPA assume no liability for injuries or damages to persons or property resulting from any acts or omissions of Respondents. The United States or U.S. EPA will not be a party or be held out as a party to any contract entered into by the Respondents or its (their) directors, officers, employees, agents, successors, representatives, assigns, contractors, or consultants in carrying out activities pursuant to this Order. Except as

specifically provided in this Order each party will bear its own costs and attorneys' fees in connection with the action resolved by this Order.

Except as expressly provided in Section XIII (Covenant Not To Sue), nothing in this Order constitutes a satisfaction of or release from any claim or cause of action against the Respondents or any person not a party to this Order, for any liability such person may have under CERCLA, other statutes, or the common law, including but not limited to any claims of the United States for costs, damages and interest under Sections 106(a) or 107(a) of CERCLA, 42 U.S.C. §§ 9606(a), 9607(a).

This Order does not constitute a preauthorization of funds under Section 111(a)(2) of CERCLA, 42 U.S.C. § 9611(a)(2). The Respondents waive(s) any claim to payment under Sections 106(b), 111, and 112 of CERCLA, 42 U.S.C. §§ 9606(b), 9611, and 9612, against the United States or the Hazardous Substance Superfund arising out of any action performed under this Order. No action or decision by U.S. EPA pursuant to this Order will give rise to any right to judicial review except as set forth in Section 113(h) of CERCLA, 42 U.S.C. § 9613(h).

## XIII. COVENANT NOT TO SUE

Except as otherwise specifically provided in this Order, upon issuance of the U.S. EPA notice referred to in Section XVII (Notice of Completion), U.S. EPA covenants not to sue Respondents for judicial imposition of damages or civil penalties or to take administrative action against Respondents for any failure to perform removal actions agreed to in this Order except as otherwise reserved herein.

Except as otherwise specifically provided in this Order, in consideration and upon Respondents' payment of the response costs specified in Section VII of this Order, U.S. EPA covenants not to sue or to take administrative action against Respondents under Section 107(a) of CERCLA, 42 U.S.C. § 9607(a), for recovery of oversight costs incurred by the United States in connection with this Order. This covenant not to sue will take effect upon the receipt by U.S. EPA of the payments required by Section VII (Reimbursement of Costs).

These covenants not to sue are conditioned upon the complete and satisfactory performance by Respondents of its obligations under this Order. These covenants not to sue extend only to the Respondents and do not extend to any other person.

## XIV. CONTRIBUTION PROTECTION

With regard to claims for contribution against Respondents for matters addressed in this Order, the Parties hereto agree that the Respondents are entitled to protection from contribution actions or claims to the extent provided by Section 113(f)(2) and 122(h)(4) of CERCLA, 42 U.S.C. §§ 9613(f)(2) and 9622(h)(4).

Nothing in this Order precludes Parties from asserting any claims, causes of action or demands

against any persons not parties to this Order for indemnification, contribution, or cost recovery.

## XV. INDEMNIFICATION

Respondents agree to indemnify, save and hold harmless the United States, its officials, agents, contractors, subcontractors, employees and representatives from any and all claims or causes of action: (A) arising from, or on account of, acts or omissions of Respondents and Respondents' officers, heirs, directors, employees, agents, contractors, subcontractors, receivers, trustees, successors or assigns, in carrying out actions pursuant to this Order; and (B) for damages or reimbursement arising from or on account of any contract, agreement, or arrangement between (any one or more of) Respondents, and any persons for performance of work on or relating to the Site, including claims on account of construction delays. Nothing in this Order, however, requires indemnification by Respondents for any claim or cause of action against the United States based solely and directly on the negligence of the U.S. EPA and/or its officials, agents, contractors, subcontractors, employees and representatives (not including oversight or approval of plans or activities of the Respondents).

## XVI. MODIFICATIONS

Modifications to any plan or schedule may be made in writing by the OSC or at the OSC's oral direction. If the OSC makes an oral modification, it will be memorialized in writing within 7 business days; however, the effective date of the modification will be the date of the OSC's oral direction. Any other requirements of this Order may be modified in writing by mutual agreement of the parties.

If Respondents seek permission to deviate from any approved plan or schedule, Respondents' Project Coordinator will submit a written request to U.S. EPA for approval outlining the proposed modification and its basis.

No informal advice, guidance, suggestion, or comment by U.S. EPA regarding reports, plans, specifications, schedules, or any other writing submitted by the Respondents will relieve Respondents of their obligations to obtain such formal approval as may be required by this Order, and to comply with all requirements of this Order unless it is formally modified.

## XVII. NOTICE OF COMPLETION

When U.S. EPA determines, after U.S. EPA's review of the Final Report, that all work has been fully performed in accordance with this Order, except for certain continuing obligations required by this Order (e.g., record retention, payment of costs), U.S. EPA will provide written notice to the Respondents. If U.S. EPA determines that any removal activities have not been completed in accordance with this Order, U.S. EPA will notify the Respondents, provide a list of the deficiencies, and require that Respondents modify the Work Plan if appropriate to correct such deficiencies. The Respondents will implement the modified and approved Work Plan and will submit a modified Final Report in accordance with the U.S. EPA notice. Failure to implement

the approved modified Work Plan will be a violation of this Order.

## XVIII. SEVERABILITY

If a court issues an order that invalidates any provision of this Order or finds that Respondents has sufficient cause not to comply with one or more provisions of this Order, Respondents will remain bound to comply with all provisions of this Order not invalidated by the court's order.

## XIX. EFFECTIVE DATE

This Order will be effective upon receipt by Respondents of a copy of this Order signed by the Director, Superfund Division, U.S. EPA Region 5.

**IN THE MATTER OF:**
Robins Solvent Company and Illinois
Central Railroad Company

**Docket No.**

**SIGNATORIES**

Each undersigned representative of a signatory to this Administrative Order on Consent certifies that he or she is fully authorized to enter into the terms and conditions of this Order and to bind such signatory, its directors, officers, employees, agents, successors and assigns, to this document.

Agreed this 1ST day of 2006.

By [illegible] as CFO DATE: 1/1/06
Robins Solvent Company
Respondent

**IN THE MATTER OF:**
Robins Solvent Company and Illinois
Central Railroad Company

**Docket No.**

By _____ DATE: Dec 23/05
Illinois Central Railroad Company
Respondent

IT IS SO ORDERED AND AGREED

BY: _____ DATE: 1-30-06
Richard C. Karl, Director
Superfund Division
United States Environmental Protection Agency
Region 5

Environmental
Operations, Inc.

April 11, 2005

*Project #1536*

Mr. Dion Novak
SR-6J
US EPA Region 5
77 West Jackson Blvd.
Chicago, Illinois 60604

RE: Proposed Remediation Work Plan
Gateway Site/Robins Solvent Property
East St. Louis, Illinois

Mr. Novak:

Environmental Operations, Inc. (EOI), on behalf of G. S. Robins and IC Railroad, is pleased to submit the following work plan outline to complete remediation of lead-contaminated soil at the above referenced site.

***BACKGROUND***

The subject site is located near the intersection of Trendley and Main Street in East St. Louis, Illinois. The property is irregular in shape and bounded by Trendley Street to the north, railroad right of way (ROW) to the west and east, and the G.S. Robins tank farm to the south. The site is currently undeveloped and mostly wooded.

Initial lead screening was conducted on-site by the USEPA. This investigation included lead sampling at eight site locations. The results of these eight lead analyses included:

- Three soil samples containing lead at concentrations below 400 mg/kg,
- Three soil samples containing lead at concentrations between 400 mg/kg and 1,000 mg/kg, and
- Two soil samples containing lead at concentrations exceeding 1,000 mg/kg.

Based on this information, the property was divided (by the EPA or their contractor) into 24 10,000-square-foot (100-foot by 100-foot) quadrants throughout the property using a concentrated and unbiased sampling grid to better delineate the areas of on-site lead contamination in surface soil.

On April 7, 2004, EOI and EPA initiated the sampling activities. Surficial soil at each of the 24 sample locations were field screened for lead in situ using a Niton-700 X-Ray Fluorescence (XRF) Analyzer. Prior to conducting the XRF field screening activities, the aboveground

Environmental Consulting & Remediation
1530 South Second Street • Suite 200 • Saint Louis, Missouri 63104-4500 • 314-241-0900 • 314-436-2900 Fax
www.environmentalops.com

vegetation (if present) was removed. Based on the XRF screening, four quadrants (D1, H3, I1 and I5) detected lead in surficial soil above 1,000 mg/kg. EOI collected soil samples from these four quadrants at depth intervals indicating the highest lead screening concentration based on the XRF data. Once a XRF reading of less than 1,000 mg/kg was obtained, sampling to greater depths was not conducted. Samples were submitted to an off-site accredited and independent laboratory for lead analysis using USEPA Method 6010. Based on the XRF sample results, depth intervals of lead-contaminated soil range between six and 18 inches below ground surface (bgs).

On October 26, 2004, representative samples were collected from areas D1, H3 and I5. These samples were composited and submitted to the laboratory for TCLP lead analysis. The TCLP lead results from this composite sample exceeded TLCP limits. Based on this result, samples from each individual cell were re-analyzed for TCLP lead. Based on these results, only material excavated from I5 may need further characterized or be disposed of as hazardous waste.

***REMEDIATION***

EOI proposes to excavate, transport, and dispose on-site soil from the grids noted above where recent XRF sampling noted concentrations exceeding 1,000 mg/kg (D-1, H3, I1 and I5). Prior to remediation, portions of the site will be grubbed of the overlying vegetation as necessary to complete soil removal. It should be noted that grids D1 and I1 lie partially on the subject property and partially on adjoining property not owned by G.S. Robins. This plan does not include remediation on any property not owned by G. S. Robins. A boundary survey completed January 6, 2005 will be utilized to determine certain limits of excavation.

EOI will locate XRF sample points which were identified during the April 2004 XRF investigation as exceeding 1,000 mg/kg and excavate a 20-foot by 20-foot area surrounding these points, to a depth of 12 inches to 18 inches bgs. If the April sample point is located off the G. S. Robins property, only the portion of the area located on site will be excavated. Verification samples will be collected from the excavation floor and each of the four excavation side walls. Each sample will be a composite from four distinct aliquots from each of the five faces (one floor and four walls) of the excavation. Aliquots from individual faces will not be composited with other faces or the floor samples. The composite sample will be analyzed in the field using the XRF. Should XRF readings indicate lead concentrations exceeding 1,000 mg/kg, the respective sample floor grid will be excavated an additional six inches bgs and side walls will be excavated an additional two feet. Once XRF results indicate lead concentrations to be less than 1,000 mg/kg or an excavation wall extends to the property boundary, the excavation will be considered complete. If the floor exceeds 400 square feet, the floor area will be divided into equal grids which are 200 to 400 feet in size. Walls longer than 20 feet will be divided so that they are no longer than 20 feet or shorter than 10 feet in length. Once XRF readings are less than 1,000 mg/kg, the excavation will be backfilled with clean soil, then mulched and seeded. A XRF reading will not be considered to be less than 1000ppm unless the actual reading of the XRF plus the degree of error for that sample is less than 1000ppm. If an excavation wall extends to the subject site's property line, sampling at the property line will be conducted as outline above and these results will be included in the report. If results indicate levels above the cleanup criteria,

the excavation wall will be lined with plastic and the excavation backfilled. Excavation will not continue onto property owned by others. Prior to initiation of post excavation sampling, a random number generation program will be used to pre-select 10% of the samples to be submitted to an independent laboratory to determine total lead levels using EPA method SW846 6010. Backfill of the respective portion of the excavation area will not commence until analysis confirms total lead levels less than 1000 ppm.

An outline of the tasks required to remediate the site is as follows:

- Site Boundary Survey
- Landfill Profiling
- Prepare and Submit Remedial Action Plan
- Health and Safety Plan
- Mobilization and Permitting
- Clearing or Grubbing as required
  Spread mulch or vegetation on-site
  Concrete footings, foundations, and pads will remain on site
- Soil Excavation, Transportation and Disposal
- Dust Control and Air Monitoring
  Includes water, equipment and air samples (2 per day)
- Confirmation Sampling via XRF screening with 10% of the samples submitted for laboratory confirmation of lead levels.
- Importation of backfill/site restoration
- Final Reporting

Attached is a letter report summarizing the waste characterization completed for areas of excavation. Based on the TCLP lead results, this plan assumes that onsite soils from grid points D1, I1 and H3 will be managed as special waste at Milam Landfill in Madison, Illinois. The soil excavated from I5 will be managed as hazardous waste, unless additional waste characterization sampling indicates alternative methods of management are appropriate. As a minimum, this sampling would consist of the collection of one composite sample per 100 cubic yards of soil, to be submitted for analysis to determine TCLP metals levels.

*Environmental Operations, Inc.*
*Project #1536*

If you have any questions please call me at (314) 241-0900.

Sincerely,

Charles S. Munroe
Environmental Scientist

Matthew D. Robinson
President

Cc: Rick Verkler, CN
Dale Guariglia, Bryan Cave
Steve Robins, GS Robins
Bob Strong, CN

Remediation Schedule
Gateway Site/Robins Solvent Property
East St. Louis, Illinois

| Task | Schedule |
|---|---|
| Site Boundary Survey | Complete |
| Landfill Profiling | Complete (may need updating) |
| Prepare & Submit Remedial Action Plan | Complete (need confirmation of approval) |
| Health & Safety Plan Preparation and Submittal | 3 Weeks Following Notice to Proceed |
| QAPP Preparation & Submittal | 4-6 Weeks Following Notice to Proceed |
| Field Work: | |
| Mobilization & Pemitting | 2-3 Week Following RAP, HASP & QAPP Approval |
| Clearing/Grubbing/Mulching | 2 Weeks Following Mobilization |
| Excavation of Lead Impacted Soil (Initial 20-foot x 20-foot grids)* | 4 Weeks Following Mobilization |
| Dust Control & Air Monitoring | Conducted During Excavation Activities |
| Confirmation Sampling: | Conducted During Excavation Activities |
| Confirmation Sampling via XRF Screening | |
| 10% of Samples Submitted for Laboratory Analysis | |
| Transportation and Disposal | Within 90 Days of Excavation and May Live Load |
| Additional E,T & D and Confirmation Sampling | As Necessary |
| Importation of Backfill/Site Restoration | 2-3 Weeks Following Conformation of "Clean" Results |
| Final Reporting | 4-6 Weeks Following Conformation of "Clean" Results |

* - Additional excavation as needed. Unlikely to exceed 8 weeks.

**Environmental Operations, Inc.**

December 3, 2004

*Project #1536*

Mr. G. Stephen Robins
President
G.S. Robins & Company
126 Chouteau Avenue
St. Louis, Missouri 63102-2490

RE: Waste Evaluation
Gateway Site/Robins Solvent Property
East St. Louis, Illinois

Mr. Robins:

The following serves as Environmental Operations, Inc.'s (EOI) report for Waste Evaluation performed at the above referenced subject site. Previous soil screening results, using a Niton-700 X-Ray Fluorescence (XRF) Analyzer, detected lead in surficial soil approaching or above 1,000 parts per million (ppm) in four areas on or directly adjacent to the subject site (D1, H3, I1 and I5). Depth intervals of soil impacted with lead above 1,000 ppm range between 6 and 18-inches below ground surface.

On October 26, 2004, based on these XRF screening results, representative samples were collected from areas D1, H-3 and I5. The location of grid sample point I1 is suspected to be offsite. Samples collected from each individual grid point were initially composited from depths previously XRF tested and found to exhibit lead levels above 1,000 ppm. Following sample collection from each individual grid point, the material from all three grid points was composited into one sample container (sample ID, "waste profile"). The composite "waste profile" sample was submitted to the laboratory for landfill profile analyses. The composite samples from each individual grid point were labeled according to the discrete grid location and also submitted to the laboratory "on hold" pending the results of the initial analysis.

The result from the analysis of the composite "waste profile" sample tested hazardous for TCLP lead (greater than 5 mg/L). Thus, samples from each individual grid point were analyzed for TCLP lead only. Based on these results, only material in the area of grid point I5 tested hazardous. The results of the laboratory analyses are attached.

If you have any questions or need additional information, please feel free to call me at (314) 241-0900.

Sincerely,

Charles S. Munroe
Environmental Scientist

Attachment

# TEKLAB, INC.

5445 HORSESHOE LAKE ROAD
COLLINSVILLE, ILLINOIS 62234

ENVIRONMENTAL TESTING LABORATORY

TEL: 618-344-1004
FAX: 618-344-1005


November 10, 2004

Chuck Munroe
Environmental Operations, Inc.
1530 South Second Street, Suite 200
St. Louis, MO 63104
TEL: (314) 241-0900
FAX: (314) 436-2900

ACCREDITED IN ACCORDANCE WITH

NELAP Accredited #100226

RE: Robins/#1536

OrderNo. 04100621

Dear Chuck Munroe:

TEKLAB, INC received 4 samples on 10/26/04 2:16:00 PM for the analysis presented in the following report.

Samples are analyzed on an as received basis unless otherwise requested and documented. The sample results contained in this report relate only to the requested analytes of interest that have been tested. IL ELAP and NELAP accredited fields of testing are indicated by the letters NELAP under the Certification column

All quality control criteria applicable to the test methods employed for this project have been satisfactorily met and are in accordance with NELAP/Part 186 except where noted in the Case Narrative. The following report shall not be reproduced, except in full, without the written approval of Teklab, Inc.

If you have any questions regarding these tests results, please feel free to call.

Sincerely,

Michael L. Austin
Director of Operations

# TEKLAB, INC.

5445 HORSESHOE LAKE ROAD
COLLINSVILLE, ILLINOIS 62234

ENVIRONMENTAL TESTING LABORATORY

TEL: 618-344-1004
FAX: 618-344-1005


Client: Environmental Operations, Inc.
Project: Robins/#1536
LabOrder: 04100621
Report Date: November 10, 2004

## CASE NARRATIVE

Analytical Comments for METHOD SV_8270TCLP, SAMPLE 04100621-001AMS: Matrix spike recovery for Pyridine was below QC limit.
Analytical Comments for METHOD SV_8270TCLP, SAMPLE 04100621-001AMSD: RPD for Pyridine was outside of QC limit.
Analytical Comments for METHOD SV_8082S_S, SAMPLE 04100621-001A, 001AMS, 001ADUP: Elevated reporting limit due to sample composition. Surrogate recovery outside of QC limits due to matrix interference.

**Qualifiers**

| | | |
|---|---|---|
| **DF** - Dilution Factor | **B** - Analyte detected in the associated Method Blank | **E** - Value above quantitation range |
| **RL** - Reporting Limit | **J** - Analyte detected below reporting limits | **H** - Holding time exceeded |
| **ND** - Not Detected at the Reporting Limit | **R** - RPD outside accepted recovery limits | **D** - Diluted out of sample |
| **Surr** - Surrogate Standard added by lab | **S** - Spike Recovery outside accepted recovery limits | **MI** - Matrix interference |
| **TNTC** - Too numerous to count | ***** - Value exceeds Maximum Contaminant Level | **DNI** Did Not Ignite |
| **IDPH** - Illinois Department of Public Health | **NELAP** - IL ELAP and NELAP Accredited Field of Testing | |

# TEKLAB, INC.

5445 HORSESHOE LAKE ROAD
COLLINSVILLE, ILLINOIS 62234

ENVIRONMENTAL TESTING LABORATORY

TEL: 618-344-1004
FAX: 618-344-1005


## Laboratory Results

| | | | |
|---|---|---|---|
| **CLIENT:** | Environmental Operations, Inc. | **Client Project:** | Robins/#1536 |
| **WorkOrder:** | 04100621 | **Client Sample ID:** | Waste Profile |
| **Lab ID:** | 04100621-001 | **Collection Date:** | 10/26/04 |
| **Report Date:** | 10-Nov-04 | **Matrix:** | SOLID |

| Analyses | Certification | RL | Qual | Result | Units | DF | Date Analyzed | Analyst |
|---|---|---|---|---|---|---|---|---|
| **ASTM D4979-95** | | | | | | | | |
| Color | | | | **Dark brown** | | 1 | 10/26/04 | SAK |
| Layering | | | | **None** | | 1 | 10/26/04 | SAK |
| Odor | | | | **None** | | 1 | 10/26/04 | SAK |
| Physical State | | | | **Solid** | | 1 | 10/26/04 | SAK |
| Turbidity | | | | **NA** | | 1 | 10/26/04 | SAK |
| Viscosity | | | | **NA** | | 1 | 10/26/04 | SAK |
| **ASTM D5058-90** | | | | | | | | |
| Water Reactivity | | | | **None** | | 1 | 10/26/04 | SAK |
| **ASTM D92** | | | | | | | | |
| Ignitability, Open Cup | | 60 | | **> 200** | °F | 1 | 11/1/04 | DLY |
| **STANDARD METHODS 18TH ED. 2540 G** | | | | | | | | |
| Total Solids | | 0.1 | | **87.9** | % | 1 | 10/29/04 | JRS |
| **SW-846 1311, 3010A, 6010B, METALS IN TCLP EXTRACT BY ICP** | | | | | | | | |
| Arsenic | NELAP | 0.0250 | J | **< 0.0250** | mg/L | 1 | 10/28/04 3:51:06 PM | SAM |
| Barium | NELAP | 0.0050 | | **0.596** | mg/L | 1 | 10/28/04 3:51:06 PM | SAM |
| Cadmium | NELAP | 0.0020 | | **0.0914** | mg/L | 1 | 10/28/04 3:51:06 PM | SAM |
| Chromium | NELAP | 0.0100 | | **< 0.0100** | mg/L | 1 | 10/28/04 3:51:06 PM | SAM |
| Lead | NELAP | 0.0400 | | **8.94** | mg/L | 1 | 10/28/04 3:51:06 PM | SAM |
| Selenium | NELAP | 0.0500 | | **< 0.0500** | mg/L | 1 | 10/28/04 3:51:06 PM | SAM |
| Silver | NELAP | 0.0100 | | **< 0.0100** | mg/L | 1 | 10/28/04 3:51:06 PM | SAM |
| **SW-846 1311, 3510C, 8270C, SEMI-VOLATILES IN TCLP EXTRACT BY GC/MS** | | | | | | | | |
| 2,4,5-Trichlorophenol | NELAP | 0.040 | | **ND** | mg/L | 1 | 10/27/04 5:43:00 PM | DMH |
| 2,4,6-Trichlorophenol | NELAP | 0.040 | | **ND** | mg/L | 1 | 10/27/04 5:43:00 PM | DMH |
| 2,4-Dinitrotoluene | NELAP | 0.040 | | **ND** | mg/L | 1 | 10/27/04 5:43:00 PM | DMH |
| Hexachlorobenzene | NELAP | 0.040 | | **ND** | mg/L | 1 | 10/27/04 5:43:00 PM | DMH |
| Hexachlorobutadiene | NELAP | 0.040 | | **ND** | mg/L | 1 | 10/27/04 5:43:00 PM | DMH |
| Hexachloroethane | NELAP | 0.040 | | **ND** | mg/L | 1 | 10/27/04 5:43:00 PM | DMH |
| m,p-Cresol | NELAP | 0.040 | | **ND** | mg/L | 1 | 10/27/04 5:43:00 PM | DMH |
| Nitrobenzene | NELAP | 0.040 | | **ND** | mg/L | 1 | 10/27/04 5:43:00 PM | DMH |
| o-Cresol | NELAP | 0.040 | | **ND** | mg/L | 1 | 10/27/04 5:43:00 PM | DMH |
| Pentachlorophenol | NELAP | 0.080 | | **ND** | mg/L | 1 | 10/27/04 5:43:00 PM | DMH |
| Pyridine | NELAP | 0.080 | | **ND** | mg/L | 1 | 10/27/04 5:43:00 PM | DMH |
| Cresols, Total | NELAP | 0.040 | | **ND** | mg/L | 1 | 10/27/04 5:43:00 PM | DMH |
| Surr: 2,4,6-Tribromophenol | | 58-131 | | **78.0** | %REC | 1 | 10/27/04 5:43:00 PM | DMH |
| Surr: 2-Fluorobiphenyl | | 49.8-110 | | **75.5** | %REC | 1 | 10/27/04 5:43:00 PM | DMH |
| Surr: 2-Fluorophenol | | 48.5-99.1 | | **66.8** | %REC | 1 | 10/27/04 5:43:00 PM | DMH |

# TEKLAB, INC.

5445 HORSESHOE LAKE ROAD
COLLINSVILLE, ILLINOIS 62234

ENVIRONMENTAL TESTING LABORATORY

TEL: 618-344-1004
FAX: 618-344-1005


## Laboratory Results

| | | | |
|---|---|---|---|
| **CLIENT:** | Environmental Operations, Inc. | **Client Project:** | Robins/#1536 |
| **WorkOrder:** | 04100621 | **Client Sample ID:** | Waste Profile |
| **Lab ID:** | 04100621-001 | **Collection Date:** | 10/26/04 |
| **Report Date:** | 10-Nov-04 | **Matrix:** | SOLID |

| Analyses | Certification | RL | Qual | Result | Units | DF | Date Analyzed | Analyst |
|---|---|---|---|---|---|---|---|---|
| Surr: Nitrobenzene-d5 | | 48.4-108 | | **67.5** | %REC | 1 | 10/27/04 5:43:00 PM | DMH |
| Surr: p-Terphenyl-d14 | | 56.7-120 | | **76.0** | %REC | 1 | 10/27/04 5:43:00 PM | DMH |
| Surr: Phenol-d5 | | 37.8-98 | | **66.2** | %REC | 1 | 10/27/04 5:43:00 PM | DMH |
| **SW-846 1311, 5030, 8260B, VOLATILE ORGANIC COMPOUNDS IN TCLP EXTRACT BY GC/MS** | | | | | | | | |
| 1,1-Dichloroethene | NELAP | 0.250 | | **ND** | mg/L | 50 | 10/27/04 2:14:00 PM | RLH |
| 1,2-Dichloroethane | NELAP | 0.250 | | **ND** | mg/L | 50 | 10/27/04 2:14:00 PM | RLH |
| 1,4-Dichlorobenzene | NELAP | 0.250 | | **ND** | mg/L | 50 | 10/27/04 2:14:00 PM | RLH |
| 2-Butanone | NELAP | 2.50 | | **ND** | mg/L | 50 | 10/27/04 2:14:00 PM | RLH |
| Benzene | NELAP | 0.100 | | **ND** | mg/L | 50 | 10/27/04 2:14:00 PM | RLH |
| Carbon tetrachloride | NELAP | 0.250 | | **ND** | mg/L | 50 | 10/27/04 2:14:00 PM | RLH |
| Chlorobenzene | NELAP | 0.250 | | **ND** | mg/L | 50 | 10/27/04 2:14:00 PM | RLH |
| Chloroform | NELAP | 0.250 | | **ND** | mg/L | 50 | 10/27/04 2:14:00 PM | RLH |
| Tetrachloroethene | NELAP | 0.250 | | **ND** | mg/L | 50 | 10/27/04 2:14:00 PM | RLH |
| Trichloroethene | NELAP | 0.250 | | **ND** | mg/L | 50 | 10/27/04 2:14:00 PM | RLH |
| Vinyl chloride | NELAP | 0.100 | | **ND** | mg/L | 50 | 10/27/04 2:14:00 PM | RLH |
| Surr: 1,2-Dichloroethane-d4 | | 84.3-135 | | **97.2** | %REC | 50 | 10/27/04 2:14:00 PM | RLH |
| Surr: 4-Bromofluorobenzene | | 81.1-113.3 | | **102** | %REC | 50 | 10/27/04 2:14:00 PM | RLH |
| Surr: Dibromofluoromethane | | 88.9-121.2 | | **98.4** | %REC | 50 | 10/27/04 2:14:00 PM | RLH |
| Surr: Toluene-d8 | | 84.1-114.5 | | **104** | %REC | 50 | 10/27/04 2:14:00 PM | RLH |
| **SW-846 1311, 7470A IN TCLP EXTRACT** | | | | | | | | |
| Mercury | NELAP | 0.00020 | | **< 0.00020** | mg/L | 1 | 10/29/04 | SRS |
| **SW-846 3550B, 8082, POLYCHLORINATED BIPHENYLS (PCBS) BY GC/ECD** | | | | | | | | |
| Aroclor 1016 | NELAP | 114 | | **ND** | µg/Kg | 1 | 11/1/04 5:07:00 PM | TDN |
| Aroclor 1221 | NELAP | 114 | | **ND** | µg/Kg | 1 | 11/1/04 5:07:00 PM | TDN |
| Aroclor 1232 | NELAP | 114 | | **ND** | µg/Kg | 1 | 11/1/04 5:07:00 PM | TDN |
| Aroclor 1242 | NELAP | 114 | | **ND** | µg/Kg | 1 | 11/1/04 5:07:00 PM | TDN |
| Aroclor 1248 | NELAP | 114 | | **ND** | µg/Kg | 1 | 11/1/04 5:07:00 PM | TDN |
| Aroclor 1254 | NELAP | 114 | | **ND** | µg/Kg | 1 | 11/1/04 5:07:00 PM | TDN |
| Aroclor 1260 | NELAP | 114 | | **ND** | µg/Kg | 1 | 11/1/04 5:07:00 PM | TDN |
| Surr: Decachlorobiphenyl | | 22-210 | S | **380** | %REC | 1 | 11/1/04 5:07:00 PM | TDN |
| Surr: Tetrachloro-meta-xylene | | 10-153 | | **85.4** | %REC | 1 | 11/1/04 5:07:00 PM | TDN |
| **SW-846 9010, 9014** | | | | | | | | |
| Cyanide | NELAP | 0.49 | | **< 0.49** | mg/kg | 1 | 10/29/04 | NNH |
| **SW-846 9023** | | | | | | | | |
| Extractable Organic Halogens (EOX) | NELAP | 25.0 | | **< 25.0** | mg/Kg | 1 | 11/2/04 | MLD |
| **SW-846 9034 (REACTIVE)** | | | | | | | | |
| Sulfide, Reactive | NELAP | 9.6 | | **< 9.6** | mg/Kg | 1 | 10/28/04 | NNH |

# TEKLAB, INC.

5445 HORSESHOE LAKE ROAD
COLLINSVILLE, ILLINOIS 62234

ENVIRONMENTAL TESTING LABORATORY

TEL: 618-344-1004
FAX: 618-344-1005


## Laboratory Results

| | | | |
|---|---|---|---|
| **CLIENT:** | Environmental Operations, Inc. | **Client Project:** | Robins/#1536 |
| **WorkOrder:** | 04100621 | **Client Sample ID:** | Waste Profile |
| **Lab ID:** | 04100621-001 | **Collection Date:** | 10/26/04 |
| **Report Date:** | 10-Nov-04 | **Matrix:** | SOLID |

| Analyses | Certification | RL | Qual | Result | Units | DF | Date Analyzed | Analyst |
|---|---|---|---|---|---|---|---|---|
| **SW-846 9045C** | | | | | | | | |
| pH (1:1) | NELAP | 1.00 | | 7.44 | | 1 | 10/26/04 4:21:00 PM | SAK |
| **SW-846 9065** | | | | | | | | |
| Phenols | NELAP | 0.400 | | < 0.400 | mg/Kg | 1 | 11/2/04 | NNH |
| **SW-846 9095** | | | | | | | | |
| Paint Filter | | 0 | | Pass | Pass/Fail | 1 | 10/26/04 | SAK |

# TEKLAB, INC.

5445 HORSESHOE LAKE ROAD
COLLINSVILLE, ILLINOIS 62234

ENVIRONMENTAL TESTING LABORATORY

TEL: 618-344-1004
FAX: 618-344-1005


## Laboratory Results

| | | | |
|---|---|---|---|
| **CLIENT:** | Environmental Operations, Inc. | **Client Project:** | Robins/#1536 |
| **WorkOrder:** | 04100621 | **Client Sample ID:** | D1, 0-6" |
| **Lab ID:** | 04100621-002 | **Collection Date:** | 10/26/04 |
| **Report Date:** | 10-Nov-04 | **Matrix:** | SOLID |

| Analyses | Certification | RL | Qual | Result | Units | DF | Date Analyzed | Analyst |
|---|---|---|---|---|---|---|---|---|
| **SW-846 1311, 3010A, 6010B, METALS IN TCLP EXTRACT BY ICP** | | | | | | | | |
| Lead | NELAP | 0.0400 | | 2.87 | mg/L | 1 | 11/9/04 2:44:08 PM | SAM |

# TEKLAB, INC.

5445 HORSESHOE LAKE ROAD
COLLINSVILLE, ILLINOIS 62234

ENVIRONMENTAL TESTING LABORATORY

TEL: 618-344-1004
FAX: 618-344-1005


## Laboratory Results

| | | | |
|---|---|---|---|
| **CLIENT:** | Environmental Operations, Inc. | **Client Project:** | Robins/#1536 |
| **WorkOrder:** | 04100621 | **Client Sample ID:** | H3, 0-10" |
| **Lab ID:** | 04100621-003 | **Collection Date:** | 10/26/04 |
| **Report Date:** | 10-Nov-04 | **Matrix:** | SOLID |

| Analyses | Certification | RL | Qual | Result | Units | DF | Date Analyzed | Analyst |
|---|---|---|---|---|---|---|---|---|
| **SW-846 1311, 3010A, 6010B, METALS IN TCLP EXTRACT BY ICP** | | | | | | | | |
| Lead | NELAP | 0.0400 | | 0.555 | mg/L | 1 | 11/9/04 2:54:45 PM | SAM |

# TEKLAB, INC.

5445 HORSESHOE LAKE ROAD
COLLINSVILLE, ILLINOIS 62234

ENVIRONMENTAL TESTING LABORATORY

TEL: 618-344-1004
FAX: 618-344-1005


## Laboratory Results

| | | | |
|---|---|---|---|
| **CLIENT:** | Environmental Operations, Inc. | **Client Project:** | Robins/#1536 |
| **WorkOrder:** | 04100621 | **Client Sample ID:** | I5, 0-18" |
| **Lab ID:** | 04100621-004 | **Collection Date:** | 10/26/04 |
| **Report Date:** | 10-Nov-04 | **Matrix:** | SOLID |

| Analyses | Certification | RL | Qual | Result | Units | DF | Date Analyzed | Analyst |
|---|---|---|---|---|---|---|---|---|
| **SW-846 1311, 3010A, 6010B, METALS IN TCLP EXTRACT BY ICP** | | | | | | | | |
| Lead | NELAP | 0.0400 | | 17.6 | mg/L | 1 | 11/9/04 3:12:16 PM | SAM |

# CHAIN OF CUSTODY

pg. 1 of 1 Work Order # 04100621

**TEKLAB, INC.** 5445 Horseshoe Lake Road ~ Collinsville, IL 62234 ~ Phone: (618) 344-1004 ~ Fax: (618) 344-1005

Client: ENVIRONMENTAL OPERATIONS, INC.
Address: 757 South Second Street
City / State / Zip: St. Louis, MO 63102-1617
Contact: Chuck Munroe Phone: 314-241-0900
E-Mail: Fax: 314-436-2900

Are the samples chilled? ☐ NO ☒ YES (Ice or Blue Ice)
Cooler Temperature: 4.0 °C
Preserved in: ☐ Lab ☐ Field

Comments: * Hold - Per Chuck, analyze D1, H3 and I5 for TCLP (Pb) on a 3 Day TAT. 11/3/04

Project Name / Number: Robins / #1536
Sample Collector's Name: CBM
Requested Due Date: NTAT
Billing Instructions PO#: 1536

| Lab Use Only | Sample Identification | Date/Time Sampled | UNPRES | HNO3 | NaOH | H2SO4 | HCL | MeOH | NaHSO4 | Other | Water | Drinking Water | Soil | Sludge | Sp. Waste | Code R | 8270 | PCB | TCLP (Pb) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 04100621-001 | Waste Profile | 10/26/04 | 4 | | | | | | | | | | X | | | X | X | X | |
| 002 | *D1, 0-6" | ↓ | 1 | | | | | | | | | | X | | | | | | X |
| 003 | *H3, 0-10" | ↓ | 1 | | | | | | | | | | X | | | | | | X |
| 004 | *I5, 0-18" | ↓ | 1 | | | | | | | | | | X | | | | | | X |

E-MAILED 11/10/04

| Relinquished By | Date / Time | Received By | Date / Time |
|---|---|---|---|
| [signature] | 10/26/04 - 1313 | [signature] | 10/26/04 1313 |
| [signature] | 10/26/04 1416 | Elizabeth A. Weber | 10/26/04 1416 |
| | | | |
| | | | |

TEKLAB, INC

## Sample Receipt Checklist

Client Name EOI

Date and Time Receive 10/26/04 2:16:00 PM

Work Order Numbe 04100621

Received by: EAW

Checklist completed by Elizabeth A. Weber 10/26/04 (Signature / Date)

Reviewed by SAV 10/27/04 (Initials / Date)

Matrix:

Carrier name: Marc Giedeman

| | | | |
|---|---|---|---|
| Shipping container/cooler in good condition? | Yes ☑ | No ☐ | Not Present ☐ |
| Custody seals intact on shippping container/cooler? | Yes ☐ | No ☐ | Not Present ☑ |
| Custody seals intact on sample bottles? | Yes ☐ | No ☐ | Not Present ☑ |
| Chain of custody present? | Yes ☑ | No ☐ | |
| Chain of custody signed when relinquished and received? | Yes ☑ | No ☐ | |
| Chain of custody agrees with sample labels? | Yes ☑ | No ☐ | |
| Samples in proper container/bottle? | Yes ☑ | No ☐ | |
| Sample containers intact? | Yes ☑ | No ☐ | |
| Sufficient sample volume for indicated test? | Yes ☑ | No ☐ | |
| All samples received within holding time? | Yes ☑ | No ☐ | |
| Container/Temp Blank temperature in compliance? | Yes ☑ | No ☐ | |
| Water - VOA vials have zero headspace? | No VOA vials submitted ☑ | Yes ☐ | No ☐ |
| Water - pH acceptable upon receipt? | Yes ☑ | No ☐ | |

Adjusted? _____ Checked by _____

Any No and/or NA (not applicable) response must be detailed in the Case Narrative or on the Chain of Custody.

Client contacted _____ Date contacted: _____ Person contacted _____

Contacted by: _____ Regarding: _____

Comments: _____

Corrective Action _____