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

REPLY TO THE ATTENTION OF: SR-6J

VIA MAIL AND EMAIL

May 11, 2010

Mr. Donald M. Samson
Trustee, Estate of Chemetco
226 West Main Street
Suite 102
Belleville, Illinois 62220

Re: Estate of Chemetco Superfund Site, Hartford, Illinois

Dear Mr. Samson:

On April 21, 2010, a meeting was held between U.S. Environmental Protection Agency's (EPA) Remedial Project Manager and Estate personnel at the former Chemetco facility to gather information and assess the status of onsite security, emergency procedures, chemical and fuel storage, and sanitary and storm water systems. The Trustee and Estate personnel have been cooperative in responding to EPA's information needs and have maintained the property since December 2001, when the site was sealed by Illinois Environmental Protection Agency.

Despite efforts by Estate personnel to erect barriers and discourage unauthorized persons from entering the site, at present a number of gaps exist in the facility's security system that present opportunities for trespassers and thieves to enter and vandalize the facility:

- There are at least three significant holes in the perimeter fencing on the east side of the property totaling at least ~40 feet;
- Little lighting is present outside the administrative buildings and parking lot;
- At least one of the security cameras needs to be repaired;
- Coordination is needed with local police and emergency personnel;
- Only one perimeter sign notifying the public not to enter was observed.

Numerous cases of trespassing and theft have been documented over the years by Estate personnel, local police, and the local press. As you know, on April 27, 2010, another one of the furnace stacks fell and on May 6, 2010, another incident of trespassing occurred, according to Estate personnel. Trespassers are at immediate risk of injury from extremely unstable structures and acute exposure to hazardous materials onsite. This presents an unacceptable risk to human health.

Therefore, U.S. EPA directs the Trustee to improve and fortify security systems and no-entry notices at the site to minimize and better manage this specific risk to human health. This

Recycled/Recyclable-Printed with Vegetable Oil Based Inks on 100% Recycled Paper (40% Postconsumer)

includes at minimum closing/repairing the fence line along the perimeter, expanding night lighting on site, optimizing the surveillance and alarm system, strengthening access barriers to the former Maintenance Shop, and posting bilingual *No Trespassing* signage around the facility perimeter and at points to be determined on Estate lands, especially those covered by the Seal Order.

During this process, U.S. EPA also recommends updating the Estate's Security Plan and maintaining communications with local law enforcement officials about patrols and incidents at the site, as well as other activities such as giving law enforcement officers keys to access the site as necessary. Other specific initiatives by the Estate to further address this issue are encouraged.

As this is a matter of urgency, a response of intent to comply with this notice is expected within five business days of receipt. A brief plan of actions to be taken is requested within ten business days of receipt and should include a completion schedule. Please contact Tom Martin, Associate Regional Counsel (312-886-4273) or Michelle Kerr, Remedial Project Manager (312.886.8961) with questions you may have. Your continued cooperation is appreciated.

Sincerely,

Michelle Kerr

Michelle Kerr
Remedial Project Manager

Copies via email: Ms. Penni Livingston, Estate
Mr. Gary Davis, Estate
Mr. Greg Sukys, US DOJ