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

AUG 0 6 2013

US EPA RECORDS CENTER REGION 5
460924

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MEMORANDUM

SUBJECT: Final Close-Out Memorandum for Removal Action
Modern Plastics, Benton Harbor, Berrien County, Michigan
Site Spill Identification Number: B5VN
Statute of Limitations Date: August 13, 2013

FROM: Michael Beslow, On-Scene Coordinator
Emergency Response Branch 2

Mark J. Palermo, Associate Regional Counsel MJP
Office of Regional Counsel

Valerie Mullins, Enforcement Specialist VM
Enforcement & Compliance Assurance Branch

TO: Site File

PART 1. DESCRIPTION OF SITE AND REMOVAL ACTIONS

The Modern Plastics Site (the Site) is a former plastics molding company. It is located at 489 North Shore Road in Benton Harbor, Berrien County, Michigan, 49022. The Site has a building that is approximately 200,000 square feet and is located on about 20 acres of land. The Site is immediately bordered to the north and southwest by a golf course, to the west by an aluminum/zinc die casting facility, and to the south and east by railroad tracks. Ox Creek runs through the property and flows west to the Paw Paw River (within 1/4 mile of the Site), which in turn flows to the St. Joseph River (within 1/2 mile of the Site), which flows to Lake Michigan (within one mile of the Site). Ox Creek is an indirect tributary to Lake Michigan via the creeks and rivers outlined above. There are commercial facilities and a residential neighborhood within 1/4 mile east of the Site (Reference [Ref.] 1).

Modern Plastics Corporation (Modern Plastics) has historically owned the Site property up through the U.S. Environmental Protection Agency's removal action on the Site.

Modern Plastics ceased operation at the Site in August 2008, and filed a petition for Chapter 7 bankruptcy protection on January 26, 2009. The majority of the equipment was liquidated through the bankruptcy (Ref. 1).

Modern Plastics produced custom thermoset and thermoplastic molded plastic components for the automotive and various other industries. Thermoset molding uses heat and pressure to mold materials into the desired form. Petroleum products (such as hydraulic and soluble oils) were used in the compression and injection machines as hydraulic fluids (Ref. 2).

In February and March 2009, Villa Environmental Consultants, Inc. of Benton Harbor, Michigan, conducted Phase I and Phase II environmental site assessments (ESA) at the Site on behalf of a potential buyer. As a result of the Phase I and Phase II ESAs, the Michigan Department of Environmental Quality (MDEQ) was notified that a transformer at the Site was leaking. MDEQ requested assistance from EPA to further investigate the leaking transformer (Ref. 2).

On April 23, 2009, the EPA Region 5 Pesticides and Toxic Substances Branch (PTSB) conducted an inspection of the Site and discovered a total of eight transformers. The transformers all had "M_L" labels, indicating the presence of polychlorinated biphenyls (PCB). Oil and wipe samples collected by EPA contained Aroclor-1260, a PCB compound, at concentrations up to 688,000 micrograms per gram (μg/g) and 3,420 milligrams per wipe (mg/wipe), respectively (Ref. 2).

On February 16, 2010, an EPA On-Scene Coordinator (OSC) and WESTON Superfund Technical Assessment and Response Team (START) conducted an inspection at the Site. Based on the Site's conditions, the EPA OSC requested assistance from the Emergency and Rapid Response Services (ERRS) contractor. On February 17 -18, 2010, an emergency removal action was conducted at the Site. The leaking transformer was drained and approximately 300 gallons of PCB oil was collected and placed into drums. The floor beneath the transformer was cleaned. The transformer was left in place and the drums containing the PCB oils were labeled and stored within the Site's building. The secondary containment barriers for six of the seven remaining PCB transformers were patched with cement and cracks were filled with expanding sealing foam. All open drains that were suspected of discharging directly into Ox Creek or to the sanitary sewer were plugged. The Site's building was also secured (Ref. 1, Ref. 2).

On March 9, 2010, EPA, WESTON START, and the ERRS contractor remobilized to the Site to conduct extent-of-contamination sampling activities. In addition to the sampling activities, ERRS personnel patched leaking sections of roof near the formerly leaking transformer (T5) and placed a boom in Ox Creek at the outfall pipes (Ref. 2).

An EPA removal action occurred from June 14 to August 18, 2010. Removal action activities consisted of collecting, staging and logging drums and small containers; sampling all drums and small containers; performing field hazard categorization to determine waste streams;

consolidating of waste streams; over-packing of drums; emptying, disassembling, and removing the eight PCBs transformers from the building, with the exception of transformer #8 which was decontaminated but left in the building; decontaminating of the PCB containment zone in Area 2 near transformer #1; draining and decontaminating the oil/water separator near Ox Creek; draining the non-PCB oil from transformer #9; and applying epoxy to the leaking transformer (transformer #1) scaffold and floor.

Removal activities were completed on August 18, 2010. The following wastes were transported off-site for disposal: 14,250 gallons of oil and water; 20,639 pounds of transformers; 6,350 gallons of oil; 1,247 gallons of water; 2,721 gallons of debris; 6,349 pounds of debris; 1 cubic yard of solids; 75 gallons of unused grease; 645 gallons of flammable liquids; 200 pounds of flammable liquids; 100 pounds of fluorescent lights; 60 pounds of lead-acid batteries; 1,000 pounds of loose-pack paints; 350 pounds of aerosol cans; 880 gallons of hazardous oils; 200 pounds of acid; 450 pounds of corrosive; and 257 gallons of laboratory packed chemicals (Ref. 2).

PART 2. COSTS INCURRED TO DATE

The EPA Superfund Accounting & Analysis Section reported the cumulative costs incurred by EPA during the removal action at the Site through July 9, 2011, in an Itemized Cost Summary Report prepared on September 22, 2011 (Ref. 3). These costs are itemized as follows:

Regional Payroll Costs	$46,579.14
Headquarters Payroll Costs	$0.00
Regional Travel Costs	$4,831.09
Headquarters Travel Costs	$0.00
Contract Costs	
ERU Contract (EPS50905)	$269,069.31
START Contract (EPS50604)	$90,790.44
TSS Contract (EPW05052)	$124.14
TSS Contract (GSF0076J)	$0.00
TSS Contract (EPW11024)	$102.69
Miscellaneous Costs	$0.00
EPA Indirect Costs	$223,805.40
Recovered Costs	$0.00
Total Site Costs	$635,302.21

PART 3. ENFORCEMENT ACTIONS AND POTENTIALLY RESPONSIBLE PARTY INFORMATION

Modern Plastics ceased operation in 2008, and filed a petition for Chapter 7 bankruptcy on January 26, 2009 (Ref. 1).

On March 8, 2010, EPA issued a General Notice of Potential Liability to Thomas R. Tibble, Bankruptcy Trustee for Modern Plastics (Ref. 4). Mr. Tibble did not respond to the General Notice Letter. On March 31, 2010, EPA Region 5 Office of Regional Counsel sent a letter to Mr. Tibble's counsel requesting a response to the General Notice Letter, and made an informal request for certain information regarding the status of bankruptcy proceeding, the ability of the estate to satisfy secured creditors, and plans for final distribution of the assets of the estate. Although Thomas R. Tibble, Trustee did not respond in writing, research of the bankruptcy filings indicate that the list of the creditors' demands for monetary amounts exceeds any possible reimbursement for EPA (Ref 1). Regarding the estate's liabilities, there is approximately $3.6 million in secured creditor claims and $2.95 million in unsecured claims (Ref. 1).

The Site property is heavily encumbered with unpaid mortgage and tax liens (Ref. 1). The Trustee has made several attempts to sell the Site property without success (Ref. 1 and 5). Most recently, the Berrien County Treasurer obtained from the Bankruptcy Court relief from the automatic stay and was given leave to pursue tax forfeiture and foreclosure on the Site property (Ref. 6). As for other properties that Modern Plastics owned prior to the bankruptcy proceedings, these properties were sold by the Trustee and proceeds will soon be distributed to creditors. (Ref. 7).

Modern Plastics was itself a closely-held corporation owned by Robert Orlaske, his wife, Heidi Orlaske (now deceased), and members of Mr. Orlaske's family, including Greg Miller and Helen Tenney Miller. Robert Orlaske appears to have run the day-to-day operations of Modern Plastics, but there is insufficient information to indicate whether Orlaske's control and participation was such that he has operator liability under CERCLA (Ref 1).

PART 4. RECOMMENDATION AND REQUEST FOR APPROVAL

We recommend that the Modern Plastics Site be closed without continuing to pursue recovery of the remaining costs because the Estate does not have funds available to pay for response actions. Additionally, there is insufficient evidence to indicate that Mr. Orlaske has operator liability under CERCLA.

No known PRP is viable, and no known insurance coverage for the Site exists. Given these facts, it is doubtful that the Department of Justice would pursue this matter. Additionally, the cost of litigation and the use of additional resources would outweigh the potential reimbursement. Therefore, we recommend that EPA close out costs incurred during the removal action at this Site without further attempts to collect payment and request that the Director of the Superfund

Division and the Regional Counsel approve this closeout memorandum for these unrecovered costs by signing below.

Approval:

Robert A. Kaplan, Regional Counsel
Office of Regional Counsel

8/5/13
Date

Richard C. Karl, Director
Superfund Division

8-6-13
Date

Disapproval:

Robert A. Kaplan, Regional Counsel
Office of Regional Counsel

Date

Richard C. Karl, Director
Superfund Division

Date

Attachment(s)

REFERENCE DOCUMENTS
Modern Plastics Site

Reference 1 - Action Memorandum – Request for Removal Action at Modern Plastics, Benton Harbor, Berrien County, Michigan; 04/29/2010

Reference 2 - Federal On-Scene Coordinator's Report CERCLA Removal Action at the Modern Plastics Site, Benton Harbor, Berrien County, Michigan; 01/14/2011

Reference 3 - Itemized Cost Summary, Modern Plastics Site, Benton Harbor, Michigan; Costs Through 08/31/2011; Report Date: 09/22/2011

Reference 4 – Letter to Thomas R. Tibble from EPA; Re: Modern Plastics Site General Notice of Potential Liability; dated 03/08/10

Reference 5 - Motion for Relief from Automatic Stay in Favor of Berrien County Treasurer, *In the Matter of Modern Plastics Corporation*, Case: 09-00651-swd (Bankr. W.D. Mich.), filed April 4, 2013

Reference 6 - Order Granting Berrien County Treasure's Motion for Relief from Automatic Stay, *In the Matter of Modern Plastics Corporation*, Case: 09-00651-swd (Bankr. W.D. Mich. May 30, 2013)

Reference 7 – Trustee's Final Report, *In the Matter of Modern Plastics Corporation*, Case: 09-00651-swd (Bankr. W.D. Mich.), filed June 10, 2013

cc: ***[Without Attachments]***:
Mary Bell (MC-2273A)
Michael Beslow (SE-5J)
Valerie Mullins (SE-5J)
Mila Bensing (SE-5J)
Earlene Rhodes (SM-5J)
Richard Hackley (MF-10J)
Linda Haile (MF-10J)

cc: ***[With Attachments]***:
Mark Palermo, ORC (C-14J)
Records Center (SRC-7J)

Itemized Cost Summary

MODERN PLASTICS SITE, BENTON HARBOR, MI SITE ID = B5 VN

Cumulative Site Expenditures as of 7/9/2013

REGIONAL PAYROLL COSTS	$46,579.14
REGIONAL TRAVEL COSTS	$4,831.09
EMERGENCY RESPONSE UNIT (ERU) CONTRACT	
ENVIRONMENTAL RESTORATION, LLC (EPS50905)	$269,069.31
SUPERFUND TECH. ASSISTANCE & RESPONSE TEAM (START)	
WESTON SOLUTIONS, INC. (EPS50604)	$90,790.44
TECHNICAL SERVICE AND SUPPORT	
ASRC MANAGEMENT SERVICES, INC. (EPW05052)	$124.14
PRIMUS SOLUTIONS, INC. (EPW11024)	$102.69
EPA INDIRECT COSTS	$223,805.40
Total Site Costs:	$635,302.21

Regional Payroll Costs

MODERN PLASTICS SITE, BENTON HARBOR, MI SITE ID = B5 VN

Cumulative Site Expenditures as of 7/9/2013

Employee Name	Fiscal Year	Pay Period	Payroll Hours	Payroll Costs
BEDNARZ, MICHAEL	2013	05	0.25	16.85
Lead Accountant				
			0.25	$16.85
BENSING, MILAGROS V.	2013	13	1.00	53.40
ENVIRONMENTAL PROTECTION SPECIALIST		14	0.25	13.34
		15	0.25	13.34
		16	0.75	40.05
			2.25	$120.13
BESLOW, MICHAEL	2010	11	41.25	2,491.41
Environmental Scientist		12	16.75	1,042.67
		13	1.00	54.39
		14	8.00	439.94
		18	1.00	54.99
		19	50.75	2,738.26
		20	79.50	4,511.38
		21	41.25	2,335.52
		22	44.00	2,449.48
		23	44.00	2,446.69
	2011	01	3.00	172.69
			330.50	$18,737.42
BROWN, JAIME	2010	21	44.00	2,154.48
Environmental Scientist				
			44.00	$2,154.48
FLYNN, RHONDA	2010	22	2.00	114.04
SLAGLE, RHONDA				
Contract Specialist				
			2.00	$114.04
FOX, CATHERINE L.	2010	15	1.00	82.90
SUPERVISORY GENERAL ATTORNEY		24	0.25	20.72
		25	0.25	20.72
			1.50	$124.34
GEBIEN, CHARLES M.	2010	16	3.00	260.67

Regional Payroll Costs

MODERN PLASTICS SITE, BENTON HARBOR, MI SITE ID = B5 VN

Cumulative Site Expenditures as of 7/9/2013

Employee Name	Fiscal Year	Pay Period	Payroll Hours	Payroll Costs
ENVIRONMENTAL SCIENTIST	2010	22	1.00	83.46
			4.00	$344.13
JONES, TERESA	2010	12	1.00	59.73
ENV.PROTECTION SPECIALIST				
			1.00	$59.73
LIPPERT, JEFFREY	2010	20	0.50	16.79
Physical Scientist (Environmental)		22	52.00	1,849.10
		25	0.50	19.21
			53.00	$1,885.10
MALEK, JOSEPH A.	2010	10	26.00	1,824.22
INVESTIGATOR		11	12.00	841.95
			38.00	$2,666.17
MARITOTE, JOHN X.	2010	10	1.00	54.31
ENVIRONMENTAL PROTECTION SPECIALIST				
			1.00	$54.31
MARKS, THOMAS C.	2013	09	0.25	19.25
SUPV ENVIRONMENTAL PROTECTION SPEC				
			0.25	$19.25
MCGARY, DARLENE	2010	26	1.00	66.62
CONTRACT SPECIALIST				
			1.00	$66.62
MESSENGER, WILLIAM D.	2010	11	1.00	73.80
SUPRVY ENVIRON. PROTECTION SPECIALISTA		12	1.00	73.80
		14	1.00	73.79
		18	1.00	73.89
			4.00	$295.28
MICKE, FREDRICK A.	2010	19	2.00	130.47
ENVIRONMENTAL ENGINEER		20	31.00	1,994.09
			33.00	$2,124.56
MULLINS, VALERIE L.	2010	10	22.00	1,189.58
ENVIRONMENTAL PROTECTION SPECIALIST		12	33.00	1,784.38

Regional Payroll Costs

MODERN PLASTICS SITE, BENTON HARBOR, MI SITE ID = B5 VN

Cumulative Site Expenditures as of 7/9/2013

Employee Name	Fiscal Year	Pay Period	Payroll Hours	Payroll Costs
MULLINS, VALERIE L.	2010	13	27.00	1,459.95
		14	4.00	216.29
		15	7.00	378.51
		16	4.00	216.29
		18	0.50	27.04
	2011	23	12.00	676.95
	2013	06	6.00	345.78
		09	1.00	57.70
		10	19.50	1,125.02
		11	9.00	519.23
		12	9.00	519.23
		13	32.00	1,846.19
		14	9.00	519.23
		15	15.00	865.40
		16	49.00	2,715.02
		19	10.00	576.95
			269.00	$15,038.74
NORMAN, CARL D	2010	11	2.00	130.68
ENVIRONMENTAL ENGINEER		15	1.00	69.02
		16	1.00	69.02
		22	0.50	32.94
			4.50	$301.66
PALERMO, MARK J.	2010	11	2.26	174.60
GENERAL ATTORNEY		12	9.00	628.06
		13	2.50	183.43
		14	7.75	531.29
		15	2.50	183.43
		19	0.50	36.68
		20	1.25	91.72
		21	0.25	18.36
		22	0.50	37.30
		24	1.50	110.05
		25	1.00	73.37
		26	0.25	18.34
	2011	12	0.25	18.46
	2012	13	0.50	36.95

Regional Payroll Costs

MODERN PLASTICS SITE, BENTON HARBOR, MI SITE ID = B5 VN

Cumulative Site Expenditures as of 7/9/2013

Employee Name	Fiscal Year	Pay Period	Payroll Hours	Payroll Costs
PALERMO, MARK J.	2012	22	0.25	18.48
	2013	09	0.25	19.02
			30.51	$2,179.54
TAYLOR, DARIUS L.	2010	10	0.25	14.32
FINANCIAL SPECIALIST	2011	26	1.50	88.77
			1.75	$103.09
THOMAS, CRAIG A.	2010	14	2.50	173.70
GEOLOGIST				
			2.50	$173.70
Total Regional Payroll Costs			824.01	$46,579.14

Headquarters Payroll Costs

MODERN PLASTICS SITE, BENTON HARBOR, MI SITE ID = B5 VN

Cumulative Site Expenditures as of 7/9/2013

Employee Name	Fiscal Year	Pay Period	Payroll Hours	Payroll Costs

Regional Travel Costs

MODERN PLASTICS SITE, BENTON HARBOR, MI SITE ID = B5 VN

Cumulative Site Expenditures as of 7/9/2013

Traveler/Vendor Name	Travel Number	Treasury Schedule	Treasury Schedule Date	Travel Costs
BESLOW, MICHAEL	0Q9ASP	ACHA10060	03/03/2010	445.98
Environmental Scientist	0QBYCX	ACHA10082	03/25/2010	62.00
	0QM6CD	ACHA10176	06/29/2010	578.19
	0QON6C	ACHA10194	07/15/2010	869.16
	0QSIEL	ACHA10214	08/04/2010	465.64
	0QPLPO	ACHA10217	08/09/2010	438.33
	0QTOUS	ACHA10239	08/31/2010	450.33
				$3,309.63
BROWN, JAIME	0QQYH6	ACHA10208	07/29/2010	584.25
Environmental Scientist				
				$584.25
LIPPERT, JEFFREY	0QPN9U	ACHA10217	08/09/2010	566.68
Physical Scientist (Environmental)				
				$566.68
MALEK, JOSEPH A.	0Q8JUV	ACHA10118	04/30/2010	51.75
INVESTIGATOR				
				$51.75
MICKE, FREDRICK A.	0QO4MN	ACHA10181	07/02/2010	318.78
ENVIRONMENTAL ENGINEER				
				$318.78
TRAVEL CORRECTION	0QON6C	000A10260	09/21/2010	0.00
	0QPN9U	000A10260	09/21/2010	0.00
				$0.00
Total Regional Travel Costs				$4,831.09

Headquarters Travel Costs

MODERN PLASTICS SITE, BENTON HARBOR, MI SITE ID = B5 VN

Cumulative Site Expenditures as of 7/9/2013

Traveler/Vendor Name	Travel Number	Treasury Schedule	Treasury Schedule Date	Travel Costs

Contract Costs

MODERN PLASTICS SITE, BENTON HARBOR, MI SITE ID = B5 VN

Cumulative Site Expenditures as of 7/9/2013

EMERGENCY RESPONSE UNIT (ERU) CONTRACT

Contractor Name: ENVIRONMENTAL RESTORATION, LLC

EPA Contract Number: EPS50905

Delivery Order Information

DO #	Start Date	End Date
25	02/17/2010	12/15/2010

Project Officer(s): BESLOW, MICHAEL
NORMAN, CARL

Dates of Service: From: 02/17/2010 To: 12/15/2010

Summary of Service: EMERGENCY RESPONSE CONTRACTS-SUB(OSCM)

Total Costs: $269,069.31

Voucher Number	Voucher Date	Voucher Amount	Treasury Schedule Number	and Date	Site Amount
2525-01	04/01/2010	6,962.95	10618	04/26/2010	6,962.95
2525-02	05/24/2010	1,483.04	10778	06/15/2010	1,483.04
2525-03	07/20/2010	34,385.78	10981	08/17/2010	34,385.78
2525-04	08/10/2010	80,303.68	10A47	09/03/2010	80,303.68
2525-05	11/11/2010	128,287.44	11200	12/08/2010	128,287.44
2525-06	12/27/2010	15,680.23	11343	01/20/2011	15,680.23
2525-07	01/17/2011	1,966.19	11412	02/10/2011	1,966.19
				Total:	$269,069.31

Contract Costs

MODERN PLASTICS SITE, BENTON HARBOR, MI SITE ID = B5 VN

Cumulative Site Expenditures as of 7/9/2013

SUPERFUND TECH. ASSISTANCE & RESPONSE TEAM (START)

Contractor Name: WESTON SOLUTIONS, INC.

EPA Contract Number: EPS50604

Delivery Order Information

DO #	Start Date	End Date
5001	01/30/2010	08/26/2011
5009	01/26/2013	02/22/2013

Project Officer(s): STANUCH, GAIL

Dates of Service: From: 01/30/2010 To: 02/22/2013

Summary of Service: S/F TECH ASSESSMENT&RESPONSE TEAM (REDI)

Total Costs: $90,790.44

Voucher Number	Voucher Date	Voucher Amount	Treasury Schedule Number	and Date	Site Amount	Annual Allocation
1-A41	03/22/2010	406,764.01	R0610	04/22/2010	11,396.43	1,369.66
1-A42	04/20/2010	433,820.76	R0701	05/20/2010	10,653.41	1,280.36
1-A43	05/20/2010	432,811.67	R0792	06/17/2010	4,788.58	575.51
1-A44	06/23/2010	474,285.94	R0897	07/20/2010	858.78	103.21
1-A45	07/20/2010	551,974.47	R0999	08/19/2010	21,757.37	2,614.87
1-A46	08/20/2010	491,568.70	R0B03	09/20/2010	18,458.48	2,218.40
1-A47	09/29/2010	285,698.77	R1085	10/28/2010	7,873.27	946.23
1-A48	10/27/2010	408,245.49	R1177	11/30/2010	914.34	109.89
1-A49	11/22/2010	547,982.19	R1253	12/22/2010	561.94	54.03
1-A50	12/22/2010	475,425.50	R1352	01/21/2011	626.75	60.26
1-A51	01/24/2011	444,913.15	R1462	02/23/2011	271.87	26.14
1-A52	02/21/2011	352,841.94	R1572	03/24/2011	1,029.20	98.95
1-A53	03/18/2011	311,355.71	R1652	04/14/2011	154.71	14.87
1-A54	04/20/2011	332,781.34	R1765	05/18/2011	156.79	15.07
1-A59	09/21/2011	399,322.35	0VC110002	11/08/2011	17.75	1.71
9-A52	03/20/2013	34,352.45	AVC130154	04/10/2013	1,625.34	156.27
				Total:	$81,145.01	$9,645.43

Contract Costs

MODERN PLASTICS SITE, BENTON HARBOR, MI SITE ID = B5 VN

Cumulative Site Expenditures as of 7/9/2013

SUPERFUND TECH. ASSISTANCE & RESPONSE TEAM (START)

Contractor Name: WESTON SOLUTIONS, INC.

EPA Contract Number: EPS50604

Delivery Order Information

DO #	Start Date	End Date
5001	01/30/2010	08/26/2011
5009	01/26/2013	02/22/2013

Project Officer(s): STANUCH, GAIL

Dates of Service: From: 01/30/2010 To: 02/22/2013

Summary of Service: S/F TECH ASSESSMENT&RESPONSE TEAM (REDI)

Total Costs: $90,790.44

Voucher Number	Schedule Number	Rate Type	Annual Allocation Rate
1-A41	R0610	Final	0.120183
1-A42	R0701	Final	0.120183
1-A43	R0792	Final	0.120183
1-A44	R0897	Final	0.120183
1-A45	R0999	Final	0.120183
1-A46	R0B03	Final	0.120183
1-A47	R1085	Final	0.120183
1-A48	R1177	Final	0.120183
1-A49	R1253	Provisional	0.096146
1-A50	R1352	Provisional	0.096146
1-A51	R1462	Provisional	0.096146
1-A52	R1572	Provisional	0.096146
1-A53	R1652	Provisional	0.096146
1-A54	R1765	Provisional	0.096146
1-A59	0VC110002	Provisional	0.096146
9-A52	AVC130154	Provisional	0.096146

Contract Costs

MODERN PLASTICS SITE, BENTON HARBOR, MI SITE ID = B5 VN

Cumulative Site Expenditures as of 7/9/2013

TECHNICAL SERVICE AND SUPPORT

Contractor Name: ASRC MANAGEMENT SERVICES, INC.

EPA Contract Number: EPW05052

Delivery Order Information

DO #	Start Date	End Date
66	03/01/2010	05/29/2011

Project Officer(s): PFUNDHELLER, JANET
RZEZNIK, ANNA

Dates of Service: From: 03/01/2010 To: 05/29/2011

Summary of Service: ADMINISTRATIVE SUPPORT SERVICES

Total Costs: $124.14

Voucher Number	Voucher Date	Voucher Amount	Treasury Schedule Number	and Date	Site Amount
44	04/08/2010	73,253.52	R0651	05/06/2010	34.24
45	05/10/2010	73,569.17	R0742	06/04/2010	57.32
60	05/10/2011	110,503.11	R1817	06/03/2011	17.25
62	06/10/2011	125,432.67	R1931	07/07/2011	15.33
				Total:	$124.14

Contract Costs

MODERN PLASTICS SITE, BENTON HARBOR, MI SITE ID = B5 VN

Cumulative Site Expenditures as of 7/9/2013

TECHNICAL SERVICE AND SUPPORT

Contractor Name: PRIMUS SOLUTIONS, INC.

EPA Contract Number: EPW11024

Delivery Order Information

DO #	Start Date	End Date
19	09/30/2011	02/24/2013

Project Officer(s): CALVIN, LYNN
RZEZNIK, ANNA

Dates of Service: From: 09/30/2011 To: 02/24/2013

Summary of Service: TECHNICAL SERVICES AND SUPPORT

Total Costs: $102.69

Voucher Number	Voucher Date	Voucher Amount	Treasury Schedule Number	and Date	Site Amount
INV-0000365071	11/15/2011	77,769.02	AVC110081	12/15/2011	8.37
436363	10/16/2012	89,186.90	AVC130048	11/15/2012	10.44
1	11/15/2012	66,750.76	AVC130067	12/07/2012	21.02
4	02/15/2013	68,616.57	AVC130139	03/20/2013	41.84
5	03/15/2013	69,466.20	AVC130150	04/04/2013	21.02
				Total:	$102.69

Financial Cost Summary for the Contract Lab Program

MODERN PLASTICS SITE, BENTON HARBOR, MI SITE ID = B5 VN

Cumulative Site Expenditures as of 7/9/2013

CONTRACT LAB PROGRAM (CLP) COSTS

Miscellaneous (MIS) Costs

MODERN PLASTICS SITE, BENTON HARBOR, MI SITE ID = B5 VN

Cumulative Site Expenditures as of 7/9/2013

EPA Indirect Costs

MODERN PLASTICS SITE, BENTON HARBOR, MI SITE ID = B5 VN

Cumulative Site Expenditures as of 7/9/2013

Fiscal Year	Direct Costs	Indirect Rate(%)	Indirect Costs
2010	240,435.00	49.25%	118,414.23
2011	159,837.62	61.61%	98,475.94
2012	83.26	61.61%	51.30
2013	11,140.93	61.61%	6,863.93
	411,496.81		
Total EPA Indirect Costs			$223,805.40

EPA Indirect Costs

MODERN PLASTICS SITE, BENTON HARBOR, MI SITE ID = B5 VN

Cumulative Site Expenditures as of 7/9/2013

PAYROLL DIRECT COSTS

Employee Name	Fiscal Year	Pay Period	Payroll Costs	Ind. Rate (%)	Indirect Costs
BESLOW, MICHAEL	2010	11	2,491.41	49.25%	1,227.02
		12	1,042.67	49.25%	513.51
		13	54.39	49.25%	26.79
		14	439.94	49.25%	216.67
		18	54.99	49.25%	27.08
		19	2,738.26	49.25%	1,348.59
		20	4,511.38	49.25%	2,221.85
		21	2,335.52	49.25%	1,150.24
		22	2,449.48	49.25%	1,206.37
		23	2,446.69	49.25%	1,204.99
			18,564.73		$9,143.11
BROWN, JAIME	2010	21	2,154.48	49.25%	1,061.08
			2,154.48		$1,061.08
FLYNN, RHONDA	2010	22	114.04	49.25%	56.16
			114.04		$56.16
FOX, CATHERINE L.	2010	15	82.90	49.25%	40.83
		24	20.72	49.25%	10.20
		25	20.72	49.25%	10.20
			124.34		$61.23
GEBIEN, CHARLES M.	2010	16	260.67	49.25%	128.38
		22	83.46	49.25%	41.10
			344.13		$169.48
JONES, TERESA	2010	12	59.73	49.25%	29.42
			59.73		$29.42

EPA Indirect Costs

MODERN PLASTICS SITE, BENTON HARBOR, MI SITE ID = B5 VN

Cumulative Site Expenditures as of 7/9/2013

PAYROLL DIRECT COSTS

Employee Name	Fiscal Year	Pay Period	Payroll Costs	Ind. Rate (%)	Indirect Costs
LIPPERT, JEFFREY	2010	20	16.79	49.25%	8.27
		22	1,849.10	49.25%	910.68
		25	19.21	49.25%	9.46
			1,885.10		$928.41
MALEK, JOSEPH A.	2010	10	1,824.22	49.25%	898.43
		11	841.95	49.25%	414.66
			2,666.17		$1,313.09
MARITOTE, JOHN X.	2010	10	54.31	49.25%	26.75
			54.31		$26.75
MCGARY, DARLENE	2010	26	66.62	49.25%	32.81
			66.62		$32.81
MESSENGER, WILLIAM D.	2010	11	73.80	49.25%	36.35
		12	73.80	49.25%	36.35
		14	73.79	49.25%	36.34
		18	73.89	49.25%	36.39
			295.28		$145.43
MICKE, FREDRICK A.	2010	19	130.47	49.25%	64.26
		20	1,994.09	49.25%	982.09
			2,124.56		$1,046.35
MULLINS, VALERIE L.	2010	10	1,189.58	49.25%	585.87
		12	1,784.38	49.25%	878.81
		13	1,459.95	49.25%	719.03
		14	216.29	49.25%	106.52
		15	378.51	49.25%	186.42

EPA Indirect Costs

MODERN PLASTICS SITE, BENTON HARBOR, MI SITE ID = B5 VN

Cumulative Site Expenditures as of 7/9/2013

PAYROLL DIRECT COSTS

Employee Name	Fiscal Year	Pay Period	Payroll Costs	Ind. Rate (%)	Indirect Costs
MULLINS, VALERIE L.	2010	16	216.29	49.25%	106.52
		18	27.04	49.25%	13.32
			5,272.04		$2,596.49
NORMAN, CARL D	2010	11	130.68	49.25%	64.36
		15	69.02	49.25%	33.99
		16	69.02	49.25%	33.99
		22	32.94	49.25%	16.22
			301.66		$148.56
PALERMO, MARK J.	2010	11	174.60	49.25%	85.99
		12	628.06	49.25%	309.32
		13	183.43	49.25%	90.34
		14	531.29	49.25%	261.66
		15	183.43	49.25%	90.34
		19	36.68	49.25%	18.06
		20	91.72	49.25%	45.17
		21	18.36	49.25%	9.04
		22	37.30	49.25%	18.37
		24	110.05	49.25%	54.20
		25	73.37	49.25%	36.13
		26	18.34	49.25%	9.03
			2,086.63		$1,027.65
TAYLOR, DARIUS L.	2010	10	14.32	49.25%	7.05
			14.32		$7.05

EPA Indirect Costs

MODERN PLASTICS SITE, BENTON HARBOR, MI SITE ID = B5 VN

Cumulative Site Expenditures as of 7/9/2013

PAYROLL DIRECT COSTS

Employee Name	Fiscal Year	Pay Period	Payroll Costs	Ind. Rate (%)	Indirect Costs
THOMAS, CRAIG A.	2010	14	173.70	49.25%	85.55
			173.70		$85.55
Total Fiscal Year 2010 Payroll Direct Costs:			36,301.84		$17,878.62

TRAVEL DIRECT COSTS

Traveler/Vendor Name	Travel Number	Treasury Schedule Date	Travel Costs	Ind. Rate (%)	Indirect Costs
BESLOW, MICHAEL	0Q9ASP	03/03/2010	445.98	49.25%	219.65
	0QBYCX	03/25/2010	62.00	49.25%	30.54
	0QM6CD	06/29/2010	578.19	49.25%	284.76
	0QON6C	07/15/2010	869.16	49.25%	428.07
	0QSIEL	08/04/2010	465.64	49.25%	229.33
	0QPLPO	08/09/2010	438.33	49.25%	215.88
	0QTOUS	08/31/2010	450.33	49.25%	221.79
			3,309.63		$1,630.02
BROWN, JAIME	0QQYH6	07/29/2010	584.25	49.25%	287.75
			584.25		$287.75
LIPPERT, JEFFREY	0QPN9U	08/09/2010	566.68	49.25%	279.09
			566.68		$279.09
MALEK, JOSEPH A.	0Q8JUV	04/30/2010	51.75	49.25%	25.49
			51.75		$25.49

EPA Indirect Costs

MODERN PLASTICS SITE, BENTON HARBOR, MI SITE ID = B5 VN

Cumulative Site Expenditures as of 7/9/2013

TRAVEL DIRECT COSTS

Traveler/Vendor Name	Travel Number	Treasury Schedule Date	Travel Costs	Ind. Rate (%)	Indirect Costs
MICKE, FREDRICK A.	0QO4MN	07/02/2010	318.78	49.25%	157.00
			318.78		$157.00
TRAVEL CORRECTION	0QON6C	09/21/2010	0.00	49.25%	0.00
	0QPN9U	09/21/2010	0.00	49.25%	0.00
			0.00		$0.00
Total Fiscal Year 2010 Travel Direct Costs:			4,831.09		$2,379.35

OTHER DIRECT COSTS

Contract, IAG, SCA, Misc.NO	Voucher Number	Treasury Schedule Date	Site Amount	Annual/SMO Allocation Costs	Ind. Rate (%)	Indirect Costs
EPS50604	1-A41	04/22/2010	11,396.43	1,369.66	49.25%	6,287.30
			11,396.43	1,369.66	49.25%	6,287.30
			-11,396.43	-1,369.66	49.25%	-6,287.30
	1-A42	05/20/2010	-10,653.41	-1,280.36	49.25%	-5,877.38
			10,653.41	1,280.36	49.25%	5,877.38
			10,653.41	1,280.36	49.25%	5,877.38
	1-A43	06/17/2010	4,788.58	575.51	49.25%	2,641.81
	1-A44	07/20/2010	573.33	68.90	49.25%	316.30
			285.45	34.31	49.25%	157.48
	1-A45	08/19/2010	21,757.37	2,614.87	49.25%	12,003.33
	1-A46	09/20/2010	18,458.48	2,218.40	49.25%	10,183.36
			67,913.05	8,162.01		$37,466.96
EPS50905	2525-01	04/26/2010	6,962.95	0.00	49.25%	3,429.25
	2525-02	06/15/2010	1,483.04	0.00	49.25%	730.40
	2525-03	08/17/2010	21,554.01	0.00	49.25%	10,615.35
			12,831.77	0.00	49.25%	6,319.65

EPA Indirect Costs

MODERN PLASTICS SITE, BENTON HARBOR, MI SITE ID = B5 VN

Cumulative Site Expenditures as of 7/9/2013

OTHER DIRECT COSTS

Contract, IAG, SCA, Misc.NO	Voucher Number	Treasury Schedule Date	Site Amount	Annual/SMO Allocation Costs	Ind. Rate (%)	Indirect Costs
EPS50905	2525-04	09/03/2010	80,303.68	0.00	49.25%	39,549.56
			123,135.45	0.00		$60,644.21
EPW05052	44	05/06/2010	34.24	0.00	49.25%	16.86
	45	06/04/2010	57.32	0.00	49.25%	28.23
			91.56	0.00		$45.09
Total Fiscal Year 2010 Other Direct Costs:			191,140.06	8,162.01		$98,156.26
Total Fiscal Year 2010:			240,435.00			$118,414.23

PAYROLL DIRECT COSTS

Employee Name	Fiscal Year	Pay Period	Payroll Costs	Ind. Rate (%)	Indirect Costs
BESLOW, MICHAEL	2011	01	172.69	61.61%	106.39
			172.69		$106.39
MULLINS, VALERIE L.	2011	23	676.95	61.61%	417.07
			676.95		$417.07
PALERMO, MARK J.	2011	12	18.46	61.61%	11.37
			18.46		$11.37
TAYLOR, DARIUS L.	2011	26	88.77	61.61%	54.69
			88.77		$54.69
Total Fiscal Year 2011 Payroll Direct Costs:			956.87		$589.52

EPA Indirect Costs

MODERN PLASTICS SITE, BENTON HARBOR, MI SITE ID = B5 VN

Cumulative Site Expenditures as of 7/9/2013

OTHER DIRECT COSTS

Contract, IAG, SCA, Misc.NO	Voucher Number	Treasury Schedule Date	Site Amount	Annual/SMO Allocation Costs	Ind. Rate (%)	Indirect Costs
EPS50604	1-A47	10/28/2010	7,873.27	946.23	61.61%	5,433.69
	1-A48	11/30/2010	914.34	109.89	61.61%	631.03
	1-A49	12/22/2010	561.94	54.03	61.61%	379.50
	1-A50	01/21/2011	626.75	60.26	61.61%	423.27
	1-A51	02/23/2011	271.87	26.14	61.61%	183.60
	1-A52	03/24/2011	1,029.20	98.95	61.61%	695.05
	1-A53	04/14/2011	154.71	14.87	61.61%	104.48
	1-A54	05/18/2011	156.79	15.07	61.61%	105.88
			11,588.87	1,325.44		$7,956.50
EPS50905	2525-05	12/08/2010	96,422.89	0.00	61.61%	59,406.14
			31,864.55	0.00	61.61%	19,631.75
	2525-06	01/20/2011	15,680.23	0.00	61.61%	9,660.59
	2525-07	02/10/2011	1,966.19	0.00	61.61%	1,211.37
			145,933.86	0.00		$89,909.85
EPW05052	60	06/03/2011	17.25	0.00	61.61%	10.63
	62	07/07/2011	15.33	0.00	61.61%	9.44
			32.58	0.00		$20.07
Total Fiscal Year 2011 Other Direct Costs:			157,555.31	1,325.44		$97,886.42
Total Fiscal Year 2011:			159,837.62			$98,475.94

PAYROLL DIRECT COSTS

Employee Name	Fiscal Year	Pay Period	Payroll Costs	Ind. Rate (%)	Indirect Costs
PALERMO, MARK J.	2012	13	36.95	61.61%	22.76

EPA Indirect Costs

MODERN PLASTICS SITE, BENTON HARBOR, MI SITE ID = B5 VN

Cumulative Site Expenditures as of 7/9/2013

PAYROLL DIRECT COSTS

Employee Name	Fiscal Year	Pay Period	Payroll Costs	Ind. Rate (%)	Indirect Costs
PALERMO, MARK J.	2012	22	18.48	61.61%	11.39
			55.43		$34.15
Total Fiscal Year 2012 Payroll Direct Costs:			55.43		$34.15

OTHER DIRECT COSTS

Contract, IAG, SCA, Misc.NO	Voucher Number	Treasury Schedule Date	Site Amount	Annual/SMO Allocation Costs	Ind. Rate (%)	Indirect Costs
EPS50604	1-A59	11/08/2011	17.75	1.71	61.61%	11.99
			17.75	1.71		$11.99
EPW11024	INV-0000365071	12/15/2011	8.37	0.00	61.61%	5.16
			8.37	0.00		$5.16
Total Fiscal Year 2012 Other Direct Costs:			26.12	1.71		$17.15
Total Fiscal Year 2012:			83.26			$51.30

PAYROLL DIRECT COSTS

Employee Name	Fiscal Year	Pay Period	Payroll Costs	Ind. Rate (%)	Indirect Costs
BEDNARZ, MICHAEL	2013	05	16.85	61.61%	10.38
			16.85		$10.38
BENSING, MILAGROS V.	2013	13	53.40	61.61%	32.90
		14	13.34	61.61%	8.22
		15	13.34	61.61%	8.22

EPA Indirect Costs

MODERN PLASTICS SITE, BENTON HARBOR, MI SITE ID = B5 VN

Cumulative Site Expenditures as of 7/9/2013

PAYROLL DIRECT COSTS

Employee Name	Fiscal Year	Pay Period	Payroll Costs	Ind. Rate (%)	Indirect Costs
BENSING, MILAGROS V.	2013	16	40.05	61.61%	24.67
			120.13		$74.01
MARKS, THOMAS C.	2013	09	19.25	61.61%	11.86
			19.25		$11.86
MULLINS, VALERIE L.	2013	06	345.78	61.61%	213.04
		09	57.70	61.61%	35.55
		10	1,125.02	61.61%	693.12
		11	519.23	61.61%	319.90
		12	519.23	61.61%	319.90
		13	1,846.19	61.61%	1,137.44
		14	519.23	61.61%	319.90
		15	865.40	61.61%	533.17
		16	2,715.02	61.61%	1,672.72
		19	576.95	61.61%	355.46
			9,089.75		$5,600.20
PALERMO, MARK J.	2013	09	19.02	61.61%	11.72
			19.02		$11.72
Total Fiscal Year 2013 Payroll Direct Costs:			9,265.00		$5,708.17

OTHER DIRECT COSTS

Contract, IAG, SCA, Misc.NO	Voucher Number	Treasury Schedule Date	Site Amount	Annual/SMO Allocation Costs	Ind. Rate (%)	Indirect Costs
EPS50604	9-A52	04/10/2013	1,625.34	156.27	61.61%	1,097.65
			1,625.34	156.27		$1,097.65

EPA Indirect Costs

MODERN PLASTICS SITE, BENTON HARBOR, MI SITE ID = B5 VN

Cumulative Site Expenditures as of 7/9/2013

OTHER DIRECT COSTS

Contract, IAG, SCA, Misc.NO	Voucher Number	Treasury Schedule Date	Site Amount	Annual/SMO Allocation Costs	Ind. Rate (%)	Indirect Costs
EPW11024	436363	11/15/2012	10.44	0.00	61.61%	6.43
	1	12/07/2012	21.02	0.00	61.61%	12.95
	4	03/20/2013	41.84	0.00	61.61%	25.78
	5	04/04/2013	21.02	0.00	61.61%	12.95
			94.32	0.00		$58.11
Total Fiscal Year 2013 Other Direct Costs:			1,719.66	156.27		$1,155.76
Total Fiscal Year 2013:			11,140.93			$6,863.93
Total EPA Indirect Costs						$223,805.40

Reference 1

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

APR 29 2010

EPA Region 5 Records Ctr.
361681

REPLY TO THE ATTENTION OF:
SE-5J

MEMORANDUM

SUBJECT: **ACTION MEMORANDUM:** Request for Removal Action at Modern Plastics, Benton Harbor, MI (B5VN)

FROM: Michael Beslow, On-Scene Coordinator
Emergency Response Branch 2, Emergency Response Section 3

THRU: Charles Gebien, Acting Chief
Emergency Response Branch 2

TO: Richard C. Karl, Director
Superfund Division

I. PURPOSE

The purpose of this memorandum is to request and document your approval for expending up to $491,280 to abate an imminent and substantial threat to public health, welfare, and the environment posed by polychlorinated biphenyls (PCBs) at the Modern Plastics Site (Site) located at 489 N Shore Road in Benton Harbor, Berrien County, Michigan. This memorandum will also document my initial determination that an emergency response was needed to stabilize the release. On February 16, 2010, $8,436 was expended to initiate the response. The initial emergency response was required to stabilize the Site. The now requested time-critical removal action is necessary to remove the sources that continue to pose a threat to public health, welfare, and the environment.

The emergency response was initiated on February 16, 2010 following an observation by a United States Environmental Protection Agency (US EPA) On-Scene Coordinator (OSC) of a leaking PCB transformer. There was an imminent and substantial threat posed by the continual leaking of the transformer. This was compounded by a leaking roof and multiple floor drains located in the immediate area of the leaking transformer, directly discharging to Ox Creek that runs through the Modern Plastics property. US EPA Toxic Substance Control Act (TSCA) personnel requested the Emergency Response Branch to investigate after EPA TSCA and Michigan Department of Natural Resources and Environment (MDNRE) inspectors observed the leaking transformer. US EPA TSCA sample results showed the leaking tranformer's secondary containment to contain up to 527,000 ppm PCBs in liquid and a wipe sample taken outside of the containment area showed 3,420,000 ug/100cm^2 PCBs. In addition, the inspectors observed a

large area of liquid approximately 200 square feet in size on the floor beneath the PCB transformer. Sampling of the liquid showed it to contain up to 688,000 ppm PCBs. PCB spills of 50 ppm or greater are regulated under TSCA at 40 C.F.R. Part 761. PCBs are classified as a hazardous substance under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) Section 101(14), 42 U.S.C. § 9601(14).

The proposed removal action will mitigate the threats by removing for off-site disposal, eight PCB transformers containing up to 450 gallons each, disposal of approximately 100 drums and containers located in a designated hazardous materials shed, and sealing any concrete suspected of containing saturation of hazardous materials.

This response action will be conducted in accordance with Section 104(a)(1) of the CERCLA, 42 U.S.C. § 9604(a)(1), to abate or eliminate the immediate threat posed to public health and/or the environment by the presence of the hazardous substances. The uncontrolled condition of the hazardous substances present at the Site requires that this action be classified as a time-critical removal action. The project will require approximately 45 working days to complete.

There are no nationally significant or precedent setting issues associated with the Site and the Site is not on the National Priorities List (NPL), 40 C.F.R. Part 300, App. B.

II. SITE CONDITIONS AND BACKGROUND

CERCLIS ID #MIN000510426

A. Site Description:

The Modern Plastics Site is located at 489 North Shore Road in Benton Harbor, Berrien County, Michigan, 49022. The facility is approximately 200,000 square feet and sits on about 20 acres of land. It is immediately bordered to the north and south west by a golf course, an aluminum / zinc die casting facility to the west, and railroad tracks to the south and east. Ox Creek runs through the property and flows west, the Paw Paw River is within ¼ miles of the Site, the St. Joseph River is within ½ mile of the Site, and Lake Michigan is within 1 mile of the Site. The Ox Creek is an indirect tributary to Lake Michigan via the creeks and rivers outlined above. There are commercial facilities and a residential neighborhood within ¼ mile east of the Site.

The company ceased operations in August 2008 and is currently under Chapter 7 bankruptcy protection. The property is currently for sale and there is an organization interested in purchasing the property to redevelop it as Habit for Humanity homes; however, the organization will not purchase the property in its current state due to the financial burden of the environmental clean up.

B. Other Action to Date:

1) Previous Actions:

An inspection by an EPA OSC was conducted on February 16, 2010 following a request by US EPA TSCA inspectors; they had discovered the leaking transformer, but were unable to conduct enforcement due to the company's termination of operations. With exposed PCB oils, and a leaking roof, the EPA Emergency and Rapid Response Services (ERRS) were activated.

During the February 16, 2010 inspection, the OSC took immediate action to stabilize the Site. The OSC drained the leaking transformer, and approximately 300 gallons of PCB oil were collected from the approximately 425 gallon transformer and placed into drums. The floors beneath the transformer were cleaned. The carcass of the transformer was left in place, and the PCB drums were properly labeled and stored appropriately within the facility.

Six of the seven remaining PCB transformers had secondary containment barriers that displayed signs of corrosion or cracking of the seals. The corroded containment barriers were patched with cement, and all cracks were filled with expanding sealing foam.

A "Main Plant Layout" technical drawing was located that depicted the drainage systems of the facility. Several independent drainage systems were identified, and all floor drains that were suspected of discharging directly to Ox Creek were plugged. In addition, at the request of the city, open drains that were believed to run to the sanitary sewer were also plugged.

The hazardous materials storage shed which was previously secured only by the fence around the facility was locked.

The initial emergency response was terminated following stabilization of the spill and locking of the facility. Discussion of enforcement strategy is detailed in the enforcement addendum.

2) Current Actions:

US EPA has been conducting meetings with MDNRE, Berrian County, City of Benton Harbor, and the prospective purchaser of the Site to discuss cleanup and reuse of the Site that will benefit all involved parties and the community. The prospective purchaser has indicated it is not purchasing the Site at this time due to the contamination issues associated with the Site. It has declined to enter any prospective purchaser agreement with US EPA to conduct response actions.

C. Community Characteristics

The area surrounding the Modern Plastics Site was screened for Environmental Justice (EJ) concerns using Region 5's EJ Assist Tool (which applies the interim version of the national EJ Strategic Enforcement Assessment Tool (EJSEAT)). Census tracts with a score of 1, 2, or 3 are considered to be high-priority potential EJ areas of concern according to EPA Region 5. Modern Plastics is in a census tract with a score of 1 (Attachment 3). Therefore, Region 5 considers this site to be a high-priority potential EJ area of concern.

III. THREATS TO PUBLIC HEALTH OR WELFARE OR THE ENVIRONMENT, AND STATUTORY AND REGULATORY AUTHORITIES

The conditions at the Site present a release or a threat of release of a CERCLA hazardous substance, and meet the criteria for an emergency and time-critical removal action provided for in the National Contingency Plan (NCP), 40 C.F.R. § 300.415(b)(2). These criteria include the following identified below:

i. Actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances or pollutants or contaminants.

This factor is present at the Site. PCBs are a hazardous substance under CERCLA Section 101(14). According to the Agency for Toxic Substance and Disease Registry (ATSDR), health effects that have been associated with exposure to PCBs include acne-like skin conditions in adults and neurobehavioral and immunological changes in children. PCBs are known to cause cancer in animals. In 1979, US EPA issued final regulations banning the manufacture of PCBs.

It is unknown what caused the leak in the transformer. Due to the unknown causes, it is feasible that any of the other transformers, which are constantly under the same conditions, may be subject to the same catastrophic failure.

The hazardous materials shed behind the facility had signs of break-in including broken doors and locks.

Due to the proximity of the facility to the Ox Creek and other bodies of water of which Ox Creek is a tributary, a spill of any containers or transformers could result in a hazardous exposure. The deterioration of the roof is such that rainwater can wash PCBs out of the facility.

Sampling of the concrete floor near the leaking transformer indicated the presence of PCBs down to nine inches through the floor. Unless addressed, leaked PCBs can migrate through the floor and leach into the soil below.

ii. Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that may pose a threat of release.

This factor is present at the Site. PCBs are a hazardous substance under CERCLA Section 101(14). During emergency response work, the US EPA contractors removed approximately 300 gallons from a transformer labeled to carry over 400 gallons of PCB oils, indicating that as much as 100 gallons of PCB oils may have spilled. US EPA contractors cleaned all surfaces that were believed to come in contact with the PCB oils. Due to the unknown nature of the spill, it is possible that the other seven transformers could be exposed to the same conditions that caused the catastrophic failure of the first transformer.

By virtue of being stored in a designated hazardous materials shed, the drums and other containers in the shed are likely to contain materials that constitute hazardous substances. Sampling and proper disposal of these drums and containers will occur through the removal action.

iii. 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. PCBs are a hazardous substance under CERCLA Section 101(14). During the MDNRE-US EPA Site visit, PCB oil was observed within a secondary containment barrier and on the floor outside of the containment area. The integrity of the secondary containment was in question for of all of the transformers on-site. When the US EPA OSC visited the Site, a leaking roof and open floor drains leading to the nearby Ox Creek were observed. The Ox Creek flows into the Paw Paw River, then to the St. Joseph River, finally to Lake Michigan, all within a mile.

iv. Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released.

This factor is present at the Site. PCBs are a hazardous substance under CERCLA Section 101(14). The roof of the facility is leaking, and could contribute in washing away any exposed PCB oils to the nearby creek.

v. The availability of other Federal or State response mechanisms to respond to the release.

US EPA Region 5's Emergency Response Branch was brought in by US EPA Region 5's Land and Chemicals Division (LCD) TSCA personnel because of their inability to conduct enforcement against a bankrupt facility. MDNRE had requested US EPA assistance when they discovered the leaking PCBs in the facility. The OSC continues to work with LCD and MDNRE. MDNRE has agreed to assist in the asbestos abatement if the property continues to be developed, but is unable to address the transformers and drums.

IV. ENDANGERMENT DETERMINATION

Given the Site conditions, the nature of the hazardous substances, and the potential exposure pathways described in Sections II and III above, actual or threatened releases of hazardous substances from this Site, if not addressed by implementing the response actions selected in this Action Memorandum, may present an imminent and substantial endangerment to public health, or welfare, or the environment.

V. PROPOSED ACTIONS AND ESTIMATED COSTS

A. Proposed Actions

1. Proposed action description

The OSC has or proposes to complete the following actions to mitigate threats posed by the presence of PCBs at the Modern Plastics Site:

1) Develop and implement a Site health and safety plan;

2) Provide Site security measures and restriction to the PCB oil and drums while cleanup work is conducted;

3) Dismantle equipment and structures as necessary to remove PCB-containing transformers;

4) Characterize, remove, and properly dispose of drums and other containers at the Site, which may pose an imminent threat, in accordance with US EPA's Off-Site Rule (40 C.F.R. § 300.440);

5) Remove or secure PCB-contaminated concrete located within the facility.

Applicable or Relevant and Appropriate Requirements (ARARs)

This cleanup is being conducted as a Time-Critical Removal Action. All ARARs will be complied with to the extent practicable. US EPA sent a letter to Nathan Whitmyer of MDNRE on April 5, 2010, asking the State to identify ARARs.

Post-Removal Site Control

In accordance with Section 300.415(l) of the NCP, US EPA will pursue appropriate arrangements for post-removal Site controls to ensure the long-term integrity of the removal. Removal of the source area and prevention of further release is anticipated to eliminate the need for post-removal site control.

Off-Site Rule

All hazardous substances, pollutants or contaminants removed off-site pursuant to this removal action for treatment, storage and disposal shall be treated, stored or disposed of at a facility in compliance, as determined by US EPA, with the US EPA Off-Site Rule, 40 C.F.R. § 300.440.

Disproportionate Finding

The response actions described in this memorandum directly address the actual or threatened release at the Site of a hazardous substance, or of a pollutant, or of a contaminant which poses an imminent and substantial endangerment to public health, welfare, or the environment. These response actions do not impose a burden on affected property disproportionate to the extent to which that property contributes to the conditions being addressed.

Schedule

It is estimated that removal activities will require approximately 45 on-site working days to complete.

B. ESTIMATED COSTS:

Regional Removal Allowance Costs

Cleanup Contractor Costs

Other Extramural Cost Not Funded from the Regional Allowance:

START

Subtotal, Extramural Subtotal

Extramural Costs Contingency
(15% of Subtotal)

Expended on ER Phase

TOTAL, Removal Action Project Ceiling

EX. 4 CBI

VI. EXPECTED CHANGE IN THE SITUATION SHOULD ACTION BE DELAYED OR NOT TAKEN

If action is delayed, potential public health risks posed by an open PCB spill area may be aggravated or increased by weather conditions.

VII. OUTSTANDING POLICY ISSUES

None

VIII. ENFORCEMENT

For administrative purposes, information concerning the enforcement strategy for this Site is contained in the attached Enforcement Confidential Addendum.

The total EPA costs for this removal action based on full-cost accounting practices that will be eligible for cost recovery are estimated to be $850,786

($491280+ $35,000) + (61.66%[1] x $526281 $) = $ 850,786

[1] Direct Costs include direct extramural costs and direct intramural costs Indirect costs are calculated based on an estimated indirect cost rate expressed as a percentage of site-specific direct costs, consistent with the full cost account methodology effective October, 2000. These estimates do not include pre-judgment interest, do not take into account other enforcement costs, including Department of Justice costs, and may be adjusted during the course of a removal action. The estimates are for illustrative purposes only and their use is not intended to create any rights for responsible parties. Neither the lack of a total cost estimate nor deviation of actual total costs from this estimate will affect the United States' right to cost recovery.

IX. RECOMMENDATION

This decision document represents the selected removal action for the Modern Plastics Site in Benton Harbor, Michigan, developed in accordance with CERCLA as amended, and not inconsistent with the NCP. This decision is based on the Administrative Record for the Site. Conditions at the Site meet the NCP §300.415(b)(2) criteria for a removal action, and your approval is recommended.

The total removal action project ceiling, if approved, will be $491,280. Of this, $420,996 may be used for cleanup contractor costs. You may indicate your decision by signing below.

APPROVE: Richard C Karl Date: 4-29-10
Richard C. Karl, Director
Superfund Division

DISAPPROVE:_____ Date:_____
Richard C. Karl, Director
Superfund Division

Enforcement Addendum

Attachments:
1. Independent Government Cost Estimate
2. Administrative Record Index
3. Environmental Justice Analysis
4. Cleanup Contractor Estimate

cc: D. Chung, US EPA, 5203-G
M. Chezik, US DOI, **w/o Enf. Addendum**
Rebecca Humphries, Director, Michigan DNRE, **w/o Enf. Addendum**
Nathan Whitmyer, MDNRE RRD, **w/o Enf. Addendum**
Kalamazoo District Office
7953 Adobe Road
Kalamazoo, Michigan 49099

bcc: M. Colvin, MRS-10J, w/o Enf. Addendum
V. Mullins, SE-5J
L Nachowicz, SE-5J
C. Gebien, SE-5J
C. Norman, SE-5J
M. Johnson, ATSD-4J, w/o Enf Addendum
W. Messenger, SE-5J
M. Palermo, C-14J
M. Beslow, SE-5J
D. Deblasio, SI-7J, w/o Enf Addendum
K. Moore LC-8J, w/o Enf. Addendum
Public Affairs, P-19J, w/o Enf. Addendum
ERB Reading File, (C. Beck), SE-5J, w/o Enf. Addendum
ERB Delivery Order File, (C. Norman/G. Stanuch), SE-5J, w/o Enf. Addendum
Record Center, (SMR-7J)
Contracting Officer, MCC-10J, w/o Enf. Addendum

ENFORCEMENT ADDENDUM
MODERN PLASTICS SITE
BENTON HARBOR, MICHIGAN
APRIL 2010

Privileged and Confidential Work Product
ENFORCEMENT CONFIDENTIAL
NOT SUBJECT TO DISCOVERY

The Modern Plastics Site is located at 489 North Shore Drive, Benton Harbor, Berrien County, Michigan, "the Site", or "the facility"). The Site includes a vacant manufacturing building and a designated hazardous materials storage shed. Modern Plastics Corporation ("Modern Plastics") owns the Site property and formerly operated out of the building to manufacture plastic components for the automotive industry and other companies. Modern Plastics ceased operation in 2008, and filed a petition for Chapter 7 bankruptcy protection on January 26, 2009.

On September 22, 2009, the Bankruptcy Court issued an Order approving an Option Agreement and authorizing the sale of the Site property to Ox Creek Development, LLC (Ox Creek Development). Ox Creek Development appears to be associated with a private/ government consortium called "Harbor Shores Community Redevelopment, Inc.", ("Harbor Shores") that is involved in developing golf courses and residential properties in the area surrounding the Site. Although Ox Creek has an option to purchase the Site property, it has not completed a purchase of the property, likely due to potential liability issues with contamination at the Site.

On March 8, 2010, EPA issued a General Notice of Potential Liability to Thomas R. Tibble, Bankruptcy Trustee for Modern Plastics. Mr. Tibble did not respond to the General Notice. On March 31, 2010, EPA Region 5 Office of Regional Counsel sent a letter to Mr. Tibble's counsel requesting a response to the General Notice, and made an informal request for certain information regarding the status of the bankruptcy proceeding, the ability of the estate to satisfy secured creditors, and plans for final distribution of the assets of the estate. As of April 12, 2010, a response has not been received.

Filings in the bankruptcy proceeding indicate that in addition to the Site property the Modern Plastics bankruptcy estate has title to two other manufacturing facility properties. According to filings, as of February 10, 2009, the estate's real property had a combined estimated value of $4.6 million and the estate had personal property assets with an estimated value of $713,000. The total real property asset value may be unrealistically inflated given that the bankruptcy filings list the Site property as having a value of $1 million, whereas the last price offered to Ox Creek for the Site property was $125,000. As for liabilities, there is approximately $3.6 million in secured creditor claims and $2.95 million in unsecured claims. The Site property

itself is heavily encumbered with an unpaid mortgage and county tax liens. As for the other two properties owned by the estate, a corporate entity known as Plastics Masters Corporation ("Plastics Masters") operated out of the property in New Buffalo, Michigan, and appears to be a closely-related entity to Modern Plastics. It is unknown whether Plastic Masters is still an active, operating company. The second property is in Coloma, Michigan. On January 21, 2010, the Bankruptcy Court approved a lease agreement where the Estate will lease this property to SPI Blow Molding, LLC, until the Estate finds a buyer for the property.

Modern Plastics was itself a closely-held corporation owned by Robert Orlaske, his wife, Heidi Orlaske (now deceased), and members of Ms. Orlaske's family, including Greg Miller and Helen Tenney Miller. Robert Orlaske appears to have run the day-to-day operations of Modern Plastics, but there is insufficient information to indicate whether Orlaske's control and participation was such that he has operator liability under CERCLA for the response costs at the Site.

There are some remaining pieces of manufacturing equipment in the Site facility building. Mr. Orlaske has informed EPA that these equipment components are his personal property. EPA's letter to the Trustee's counsel is seeking confirmation of this. All other equipment appears to have been sold at auction prior to Modern Plastics filing for bankruptcy, and Trustee's counsel have been requested to identify the disposition of the proceeds from that sale.

Since the Estate is unwilling to conduct response actions at the Site and does not readily appear to have funds available to pay for or conduct response actions, the enforcement team recommends that a Fund-lead removal proceed at the Site. The team plans to prepare CERCLA Section 104(e) Information Requests to Mr. Orlaske and the Trustee to better assess whether there are Estate assets available for cost recovery, to ensure no fraudulent conveyances have occurred prior to bankruptcy filing, and to determine whether Mr. Orlaske has any personal liability for the contamination at the Site. After receipt of all available information, the team will assess whether EPA should file an administrative expense claim with the Bankruptcy Court to recover its costs in this removal action.

ATTACHMENT 1
INDEPENDENT GOVERNMENT COST ESTIMATE
Modern Plastics Site
Benton Harbor, Berrien County, Michigan

April 2010

Personnel	Exemption 4 - CBI
Equipment	
Other Field Costs	
Subtotal	
15% Contingency	
Total	
START (including multiplier cost)	
Subtotal, Extramural	
15% Extramural Contingency	
Expended ER Phase	
TOTAL	Exemption 4 - CBI

ATTACHMENT 2

U.S. ENVIRONMENTAL PROTECTION AGENCY
REMOVAL ACTION

ADMINISTRATIVE RECORD
FOR
MODERN PLASTICS SITE
BENTON HARBOR, BERRIEN COUNTY, MICHIGAN

ORIGINAL
APRIL 2010

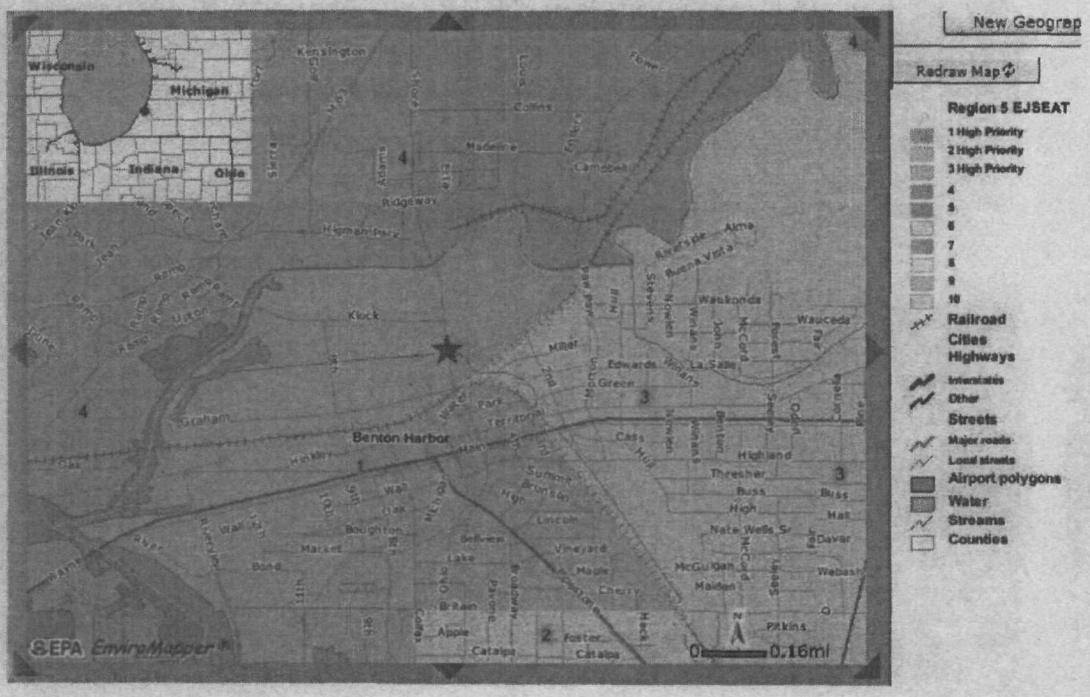
NO.	DATE	AUTHOR	RECIPIENT	TITLE/DESCRIPTION	PAGES
1	00/00/00	Beslow, M., U.S. EPA	Karl, R., U.S. EPA	Action Memorandum: Request for a Removal Action at the Modern Plastics Site **(PENDING)**	

ATTACHMENT 3
ENVIRONMENTAL JUSTICE ANALYSIS

R5 Superfund EJ Analysis for Modern Plastics Site

The area surrounding the Modern Plastics Site was screened for Environmental Justice (EJ) concerns using Region 5's EJ Assist Tool (which applies the interim version of the national EJ Strategic Enforcement Assessment Tool (EJSEAT)). Census tracts with a score of 1, 2, or 3 are considered to be high-priority potential EJ areas of concern according to EPA Region 5. Modern Plastics is in a census tract with a score of 1 (Figure 1). Therefore, Region 5 considers this site to be a high-priority potential EJ area of concern.

Figure 1
Modern Plastics Site Map Showing EJ SEAT Values For Surrounding Area



ATTACHMENT 4

Modern Plastics Site
Cleanup Contractor Estimate
Benton Harbor, Berrien County, Michigan
April 2010

Description	Number Days	Quantity	Regular Rate	Overtime Rate	Total Amount
Chemist					
Equipment Operator					
Field Clerk/Typist					
Laborer					
Response Manager					
T&D Coordinator					

Exemption 4 - CBI

Description	Rate	Days	Quantity	Total Amount
Compressor / Air-100 <200 CFM				
Fork Lift Telescopic				
Generator-5 < 10KW				
Generator-50 < 60 KW				
Office-20 < 25 ft				
Office-30 < 40 ft				
Pickup-1/2 ton				
PPE-Lvl B/SCBA/Low Pres				
Skid Steer-Attach-Forks				
Skid Steer-Loaders6K <8K				
Stake/Flatbed-6 < 12 ft				
Steam Jenny-3000 < 3500 PSI				
Storage/Box-< 10 ft				
Trash/Sludge Gasolin-3 in				
Vacuum-2K < 2.5K gallons				
Washer Pressure-3000 < 3500 PSI				

Exemption 4 - CBI

Description	Cost	Quantity	Total Amount
Analysis			
Disposal - PCB oil/water			
Disposal - Transformers			

Exemption 4 - CBI

Disposal - Misc
Equipment - Crane
Fuel
Lodging
Materials/Supplies
PerDiem
Personal Protection Equipment
Phone
Repairs - Roof
Security
Transportation
Utilities-water

Exemption 4 - CBI

	Rate	Hours	Labor Cost/Unit Cost	PerDiem	Lodging	Cost	TOTAL
START-on site							
START- Project Mgt.							
Equipment: vehicle, ai monitoring, supplies							
PMO 20%							

Exemption 4 - CBI

Exemption 4 - CBI

Total Cleanup Contractor Costs(This cost category includes estimates for ERRS, subcontractor, Notice to Proceed, and Interagency Agreements with Other Federal Agencies. Includes a 15 % contingency)	
Total START, including multiplier costs	**$70,284**
Subtotal, Extramural Subtotal	**$419,865**
15% Extramural Cost Contingency	**$62,980**
Money already expended on Emergency Response Phase	**$8,436**
TOTAL, Removal Action Project Ceiling	**$491,280**

REMOVAL PROGRAM
ACTION MEMORANDUM
ELECTRONIC ROUTING AND CONCURRENCE SLIP
Modern Plastics, Benton Harbor, MI (B5VN)

1) ON-SCENE COORDINATOR (Mike Beslow)
Signature Mike Beslow Date: 4/12/10

2) ADMINISTRATIVE RECORDS COORDINATOR (Jan Pfundheller)
Signature Jan Pfundheller Date: 4/12/10
(1-day turnaround)

3) OFFICE OF REGIONAL COUNSEL:
STAFF ATTORNEY (M. Palermo)
Signature Mark Palermo Date: 4/13/10

ORC SUPERVISOR (Catherine L. Fox)
Signature Catherine Fox Date: 4/14/10
(3-day turnaround)

4) ON-SCENE COORDINATOR (Mike Beslow)
Signature Mike Beslow Date: 4/14/10

5) REMOVAL SECTION 3,CHIEF (Carl Norman / Charles Gebien)
Signature Carl Norman, Acting Date: 4/15/10
(3-day turnaround)

6) EMERGENCY RESPONSE BRANCH 2 CHIEF (Charles Gebien / Linda Nachowicz)
Signature Charles Gebien Date: 4/19/10
(3-day turnaround)

7) REMOVAL SECTION 1 SECRETARY PRINT/LOG-OUT (Dejdra Gray)
Signature Deidra Gray Date: 4/28/10
(1-day turnaround)

8) DIRECTOR, SUPERFUND DIVISION (Richard C. Karl) (MC S-6J)
Signature R. Kl Date: 4-29-10

9) BRANCH SECRETARY (Cynthia Beck)
Signature C Beck Date: 5/3/10
(1-day turnaround)

10) RECORDS CENTER SDMS CONTRACTOR (MC SMR-7J)

Reference 2

FEDERAL ON-SCENE COORDINATOR'S REPORT
COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT
REMOVAL ACTION AT THE MODERN PLASTICS SITE
BENTON HARBOR, BERRIEN COUNTY, MICHIGAN
SITE ID: B5VN

Prepared for:

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region V Emergency Response Branch
77 W. Jackson Boulevard
Chicago, Illinois 60604

Prepared by:

WESTON SOLUTIONS, INC.
750 E. Bunker Court
Suite 500
Vernon Hills, Illinois 60061

Date Prepared:	January 14, 2011
TDD Number:	S05-001-1005-023
Document Control Number:	1056-2A-AIMB
Contract Number:	EP-S5-06-04
START Project Manager:	Ben Maradkel
Telephone Number:	(847) 918-4084
U.S. EPA On-Scene Coordinator:	Mike Beslow

FEDERAL ON-SCENE COORDINATOR'S REPORT
COMPREHENSIVE ENVIRONMENTAL RESPONSE,
COMPENSATION, AND LIABILITY ACT
REMOVAL ACTION AT THE MODERN PLASTICS SITE
BENTON HARBOR, BERRIEN COUNTY, MICHIGAN
SITE ID: B5VN

Prepared for:

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region V Emergency Response Branch
77 W. Jackson Boulevard
Chicago, Illinois 60604

Prepared by:

WESTON SOLUTIONS, INC.
750 E. Bunker Court
Suite 500
Vernon Hills, Illinois 60061

Prepared by: Trenna Seilheimer Date: 01/14/2011
Trenna Seilheimer
START Project Geoscientist

Reviewed and
Approved by: _____ Date: 01/14/2011
Ben Maradkel
START Project Manager

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION V

DATE: January 14, 2011

SUBJECT: ON-SCENE COORDINATOR'S REPORT – CERCLA Removal Action at the Modern Plastics Site, Benton Harbor, Berrien County, Michigan, Site ID B5RT

FROM: Mike Beslow, On-Scene Coordinator
Emergency Response Branch, SE-5J

TO: Linda Nachowicz, Chief
Emergency Response Branch II, SE-5J

THROUGH: Charles Gebien, Chief
Emergency Response Branch II, Section 3, SE-5J

Please find attached the United States Environmental Protection Agency (U.S. EPA) Federal On-Scene Coordinator's (OSC) Report for the removal action conducted at the Modern Plastics Site in Benton Harbor, Berrien County, Michigan (the Site). This report follows the format outlined in the National Oil and Hazardous Substances Pollution Contingency Plan, Title 40 of the *Code of Federal Regulations* (CFR), Part 300.165. The removal action was initiated on June 14, 2010, and was completed on August 18, 2010. The OSC for this Site was Mr. Mike Beslow.

U.S. EPA took the removal action to mitigate the threats posed by the presence of polychlorinated biphenyl (PCB) transformers and other hazardous wastes in miscellaneous drums and containers located in the Site building that posed an immediate threat to public health, public welfare, and the environment. Total extramural project costs under the control of the OSC are estimated at $320,070, of which $269,070 was for the Emergency and Rapid Response Services (ERRS) contractor and $51,000 was for the Superfund Technical Assessment and Response Team (START) contractor.

In this report, any indications of specific costs incurred at the Site are only an approximation subject to audit by U.S. EPA. The OSC report is not a final reconciliation of costs.

Portions of this report's appendices may contain confidential business or enforcement-sensitive information and must be reviewed by the Office of Regional Counsel prior to release to the public. The Site is not on the National Priorities List (NPL).

Attachment
cc: Gail Stanuch – SE-5J

FEDERAL ON-SCENE COORDINATOR'S REPORT
COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT
REMOVAL ACTION AT THE MODERN PLASTICS SITE

SITE ID: B5VN
NPL STATUS: NON-NPL
BENTON HARBOR, BERRIEN COUNTY, MICHIGAN

Removal Dates: June 14 to August 18, 2010

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
Region V
Superfund Division
Emergency Response Branch

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Emergency and Enforcement Response Branch
Office of Superfund, U.S. EPA, Region V

OSC REPORT STANDARD APPENDICES LIST *

Site Name: Modern Plastics Site, Benton Harbor, Berrien County, Michigan
Site ID No.: B5VN
Task Order No.: 1056

1. Operational Files	ID#
- Action Memos/Additional Funding	1-A
- POLREPs	1-B
- Site Entry/Exit Log	1-C
- Site Safety Plan	1-E
- Site Logs	1-F
- Daily Work Orders	1-H
- Site Maps	1-I
- Site Contacts/Business Cards	1-J
- Site Photos/Videos	1-K
- General Correspondence/Information	1-L

2. Financial Files	ID#
- START Technical Direction Documents	2-A
- Daily Cost Reporting US EPA Form 1900-55	2-B

3. Technical Files	ID#
- START Site Assessment	3-A
- Manifests	3-B
- Disposal Information	3-C
- Drum/Vat/Sample Logs	3-D

* All files are arranged in chronological order.

* Portions of these OSC Report Appendices may contain confidential business information or enforcement-sensitive information and must be reviewed by the Office of Regional Counsel prior to release to the public.

* Note that certain files for this Site are maintained elsewhere by ERB; these appendices are those files maintained by the OSC during the removal action.

EXECUTIVE SUMMARY OF THE REMOVAL ACTIVITY

SITE: Modern Plastics Site

LOCATION: Benton Harbor, Berrien County, Michigan

PROJECT DATES: June 14 through August 18, 2010

INCIDENT DESCRIPTION: The Modern Plastics Site is located at 489 North Shore Drive in Benton Harbor, Berrien County, Michigan (the Site). The meridian coordinates for the Site are 42° 7' 17.55" North latitude and 86° 27' 12.57" West longitude. The approximately 10-acre Site contains a 200,000-square-foot (ft^2) manufacturing building, a hazardous waste storage shed east of the manufacturing building, asphalt-paved parking areas, and open wooded land.

The Site is located in a commercial area and is bordered by vacant wooded land to the north, railroad tracks to the south and east, and North Shore Drive to the west. Commercial properties are located across the railroad tracks and North Shore Drive west, east, and south of the Site. The nearest residential area is approximately ¼ mile east of the Site. A portion of Ox Creek flows west through the southern portion of the Site. From the Site, Ox Creek flows west approximately 0.7 mile to the Paw Paw River. The Paw Paw River flows southwest for 0.6 mile to its confluence with the St. Joseph River, which flows west for 1 mile and discharges into Lake Michigan.

In February and March 2010, the Weston Solutions, Inc. (WESTON®), Superfund Technical Assessment and Response Team (START) performed the following activities at the Site:

- Conducted a site assessment
- Observed an emergency removal action conducted by Environmental Restoration, LLC (ER), the Emergency and Rapid Response Services (ERRS) contractor
- Conducted extent-of-contamination sampling under the direction of United States Environmental Protection Agency (U.S. EPA) On Scene Coordinator (OSC) Michael Beslow

In February 2010, 13 investigative samples were collected to assess whether the Site poses imminent and substantial threats to human health, human welfare, or the environment. Eight transformers were observed in the facility and all displayed the symbol "mL" indicating the presence of PCB oil. In March 2010, 19 investigative samples were collected to determine the extent of polychlorinated biphenyl (PCB) contamination at the Site. One solid waste sample, one sediment sample, and four concrete samples contained total PCBs at concentrations exceeding the PCB cleanup standard criterion for high-occupancy areas of 1 milligram per kilogram (mg/kg). In addition, one debris sample collected from material inside the manufacturing building contained total PCBs at a concentration exceeding the PCB cleanup standard criterion for low-occupancy areas of 25 mg/kg.

Hazards identified at the Site included the following uncontrolled factors:

- Wastes containing PCBs

- Wastes containing organic solvents
- Mercury-containing devices

Contaminants and conditions at the Site met criteria established in the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) for a removal action.

ACTIONS: Based on analytical results that exceeded human and environmental health and welfare risk criteria, U.S. EPA approved an Action Memorandum for the Site on June 8, 2010. The Action Memorandum requests a Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) time-critical removal action at the Site.

U.S. EPA, WESTON START, and the ERRS contractor mobilized to the Site on June 14, 2010, to begin removing potentially hazardous materials and toxic contaminants from the Site.

Removal activities were completed on August 15, 2010. The ERRS contractor arranged for the transportation and disposal of the following:

- 14,250 gallons of oil and water
- 20,639 pounds of transformers
- 6,350 gallons of oil
- 1,247 gallons of water
- 2,721 gallons of debris
- 6,349 pounds of debris
- 1 cubic yard of solids
- 75 gallons of unused grease
- 645 gallons of flammable liquids
- 200 pounds of flammable liquids
- 100 pounds of fluorescent lights
- 60 pounds of lead-acid batteries
- 1,000 pounds of loose-pack paints
- 350 pounds of aerosol cans
- 880 gallons of hazardous oils
- 200 pounds of acid
- 450 pounds of corrosive
- 257 gallons of laboratory packed chemicals

Mike Beslow, On Scene Coordinator
U.S. EPA, Region V
Chicago, Illinois

I. SUMMARY OF EVENTS

A. SITE CONDITIONS AND BACKGROUND

1. Initial Situation

The Site is located at 489 North Shore Drive in Benton Harbor, Berrien County, Michigan (Figure 1). The meridian coordinates for the Site are 42° 7' 17.55" North latitude and 86° 27' 12.57" West longitude. The approximately 10-acre Site contains a 200,000-square-foot (ft^2) manufacturing building, a hazardous waste storage shed east of the manufacturing building, asphalt-paved parking areas, and open wooded land. Figure 2 shows the Site features. A portion of Ox Creek flows west through the southern portion of the Site. From the Site, Ox Creek flows west approximately 0.7 mile to the Paw Paw River. The Paw Paw River flows southwest for 0.6 mile to its confluence with the St. Joseph River, which flows west for 1 mile and discharges into Lake Michigan.

The Site is located in a commercial area and is bordered by vacant wooded land to the north, railroad tracks to the south and east, and North Shore Drive to the west. Commercial properties are located across the railroad tracks and North Shore Drive west, east, and south of the Site. The nearest residential area is approximately ¼ mile east of the Site.

The Site is a former plastic manufacturing facility that produced custom thermoset and thermoplastic molded plastic components for the automotive and various other industries. Thermoset molding uses heat and pressure to mold materials into the desired form. Thermoset materials undergo an irreversible chemical change during the molding process. Thermoplastic molding operations feed pelletized materials directly into an injection machine from a hopper. Thermoplastic materials undergo a physical change rather than a chemical change during the molding process. Petroleum products (such as hydraulic and soluble oils) were used in the compression and injection machines as hydraulic fluids.

The Site ceased operations in August 2008, and the company was placed under bankruptcy protection.

In February and March 2009, Villa Environmental Consultants, Inc. (Villa), of Benton Harbor, Michigan, conducted Phase I and Phase II environmental site assessments (ESA) at the Site on behalf of a potential buyer. As a result of the Phase I and Phase II ESAs, the Michigan Department of Environmental Quality (MDEQ; now the Michigan Department of Natural Resources and the Environment [MDNRE]) was notified that a transformer at the Site was leaking. MDEQ requested assistance from the United States Environmental Protection Agency (U.S. EPA) to further investigate the leaking transformer.

On April 23, 2009, the U.S. EPA Pesticides and Toxic Substances Branch (PTSB) conducted a Site inspection and discovered a total of seven transformers. The transformers all had "M_L" labels, indicating the presence of polychlorinated biphenyls (PCB). Oil and wipe samples collected by U.S. EPA contained Aroclor-1260, a PCB compound, at concentrations up to 688,000 micrograms per gram (μg/g) and 3,420 milligrams per wipe (mg/wipe), respectively.

SOURCE: U.S.G.S. 7.5 MINUTE TOPOGRAPHIC MAPS.
BENTON HARBOR, MICHIGAN QUADRANGLE.

Figure 1

Prepared For:
U.S. EPA REGION V
Contract No: EP-S5-06-04
TDD No.: S05-0001-1005-023
Document Control No.: 1056-2A-AIMB

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Site Location Map
Modern Plastics Site
489 North Shore Drive
Benton Harbor, Berrien County, Michigan

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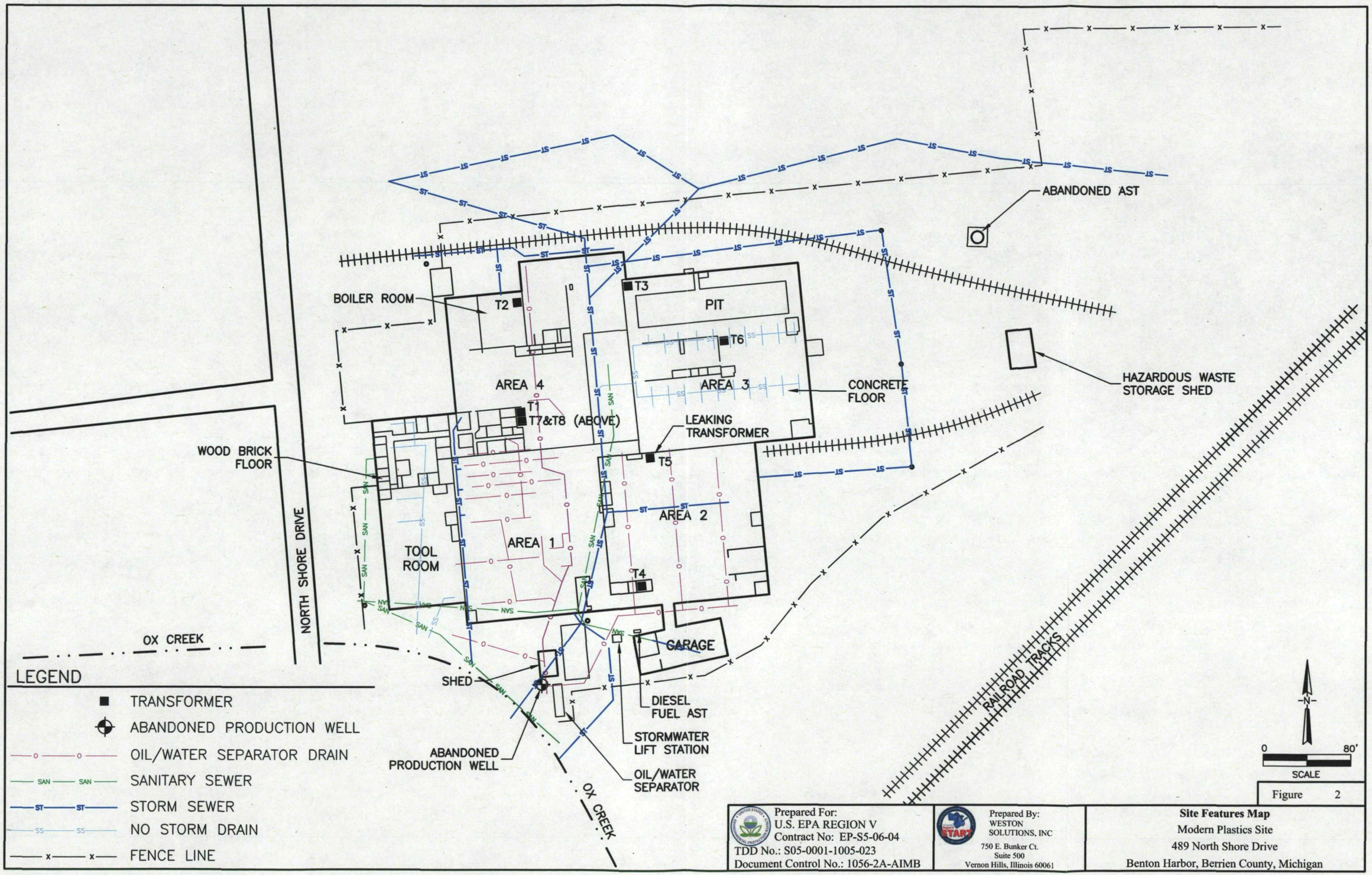

Figure 2

Prepared For:
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Site Features Map
Modern Plastics Site
489 North Shore Drive
Benton Harbor, Berrien County, Michigan

In February 2010, the U.S. EPA Emergency Response Branch (ERB) requested the assistance of the Weston Solutions, Inc. (WESTON), Superfund Technical Assessment and Response Team (START) in conducting a site assessment to identify potential threats to human health or the environment.

On February 16, 2010, WESTON START conducted a site assessment under the direction of U.S. EPA On-Scene Coordinator (OSC) Michael Beslow. Also present were Mr. Nathan Whitmyer of MDNRE and the property owner, Mr. Robert Orlaske. The team inspected the exterior portions of the Site, including Ox Creek, the outside of the manufacturing building, and the hazardous waste storage shed. Attachment A provides a photographic log of Site conditions during the site assessment. Site observations are summarized below (Figure 2).

- Site access was restricted by a chain-link fence to the north and west and by Ox Creek to the south. A small shed containing spill control materials was observed south of the manufacturing building. An inactive production well was located south of the small shed. Water from this well was used as cooling water before the manufacturing process converted to a closed-loop system. An oil/water separator was observed south of the small shed and production well. The oil/water separator formerly received wastewater from a network of floor drains throughout the manufacturing building and discharged the treated water to the sanitary sewer.
- The northern bank of Ox Creek was shored with corrugated steel sheet piling. Ten drainage pipes that could discharge to the on-site portion of Ox Creek were observed. The westernmost drainage pipe was capped. Three steel pipes and two polyvinyl chloride (PVC) pipes were suspected of draining stormwater runoff from the roof of the manufacturing building. Two large-diameter corrugated metal pipes were located east of the two PVC pipes. One of the large-diameter corrugated metal pipes was a historic outfall that discharged from the oil/water separator before discharging to the sanitary sewer, and one was suspected of draining a network of floor drains throughout the manufacturing building that were interconnected to the storm sewer. Two-large diameter PVC pipes discharge water received by a stormwater lift station east of the small shed.
- Two aboveground storage tanks (AST) were observed at the Site. One approximately 2,000-gallon AST was located northeast of the manufacturing building near the hazardous waste storage shed. This AST had a secondary containment berm and was labeled as "Permanently Closed." One approximately 500-gallon AST was observed south of the manufacturing building near the stormwater lift station. This AST formerly stored diesel fuel. It could not be determined if this AST had secondary containment because of the snow cover. According to Mr. Orlaske, approximately 50 gallons of diesel fuel remains in the 500-gallon AST.
- According to Mr. Orlaske, the main door to the manufacturing building is locked at all times. Several other doors throughout the manufacturing building were unlocked or in poor condition. The manufacturing building was in general disrepair because production operations had ended and the building had been abandoned.
- WESTON START divided the manufacturing building into the following five areas:
  - A Tool Room in the southwest portion of the building
  - Area 1 east of the Tool Room in the southwest portion of the building

- Area 2 in the southeast portion of the building
- Area 3 in the northeast portion of the building
- Area 4, which contains a boiler room, in the northwest portion of the building

- The Tool Room in the southwest portion of the manufacturing building contained a wood brick floor in poor condition. Several areas of the wood brick floor were bulging or missing. The property owner indicated that moisture below the sub-slab caused the floor to expand. The remaining areas of the manufacturing building had concrete floors with visible oil staining and puddles of oil throughout. Area 3 contained an approximately 115- by 25-foot pit containing thick oil residue. In addition, several drums and containers were observed throughout the manufacturing building, including containers of colorant, paint, and oil.
- According to Mr. Orlaske, most of the manufacturing equipment had been removed from the Site and sold during an auction. Several small open containers of oil were observed throughout the manufacturing building which had been drained from the equipment before it was removed from the facility.
- Water and electrical utilities have been terminated at the Site. Fluorescent light fixtures that potentially contain PCB ballasts were observed throughout the manufacturing building. In addition, several mercury switches and a mercury light bulb were observed throughout the manufacturing building.
- An improvised water collection system was observed throughout the manufacturing building, including funnels, polyethylene sheeting draped from ceilings, and other materials used to divert water leaking from the roof.
- A total of eight transformers were observed throughout the manufacturing building. All transformers had a yellow "M_L" labels, indicating the presence of PCB-containing oil. Each transformer is described below.
  - Transformer (T) 1 was located on the floor in Area 4 and had an estimated capacity of 405 gallons.
  - T2 was located on the floor in the boiler room in Area 4 and had an estimated capacity of 405 gallons.
  - T3 was located on an elevated scaffold in Area 3 west of the pit and had an estimated capacity of 405 gallons.
  - T4 was located on an elevated scaffold in the southern portion of Area 2 and had an estimated capacity of 405 gallons.
  - T5 was located on an elevated scaffold in the northern portion of Area 2 and had an estimated capacity of 405 gallons.
  - T6 was located on an elevated scaffold in Area 3 south of the pit and had an estimated capacity of 80 gallons.
  - T7 and T8 were located on an elevated scaffold in Area 4 and each had an estimated capacity of 80 gallons.

  All of the transformers except for T6 had secondary containment berms. However, the containment berms were in fair to poor condition. Approximately ¼ inch of oil was

observed in the containment berm around T5, and oil was present on the floor below T5. The volume of oil that had leaked from T5 was unknown at the time of the site reconnaissance.

- The hazardous waste storage shed east of the manufacturing building was accessed using a road north of the manufacturing building. This road is the former location of a railroad spur that received and shipped materials to and from the Site. The hazardous waste storage shed had an overhead door and a regular door. The overhead door was bent on the bottom and unsecured. In addition, the lock on the regular door had been compromised and did not prevent access to the shed. The shed contained approximately 50 55-gallon drums, including containers of paint, solvents, and oil. In addition, the shed contained one fiberboard container labeled "Waste Mercury Containing Devices" and one fiberboard container labeled "Waste Electrical Lamps." Most drums in the shed were staged on pallets or drum racks and appeared to be in fair to good condition.
- For additional information and specific analytical results from the February 2010 site assessment, refer to the "*Site Assessment for Modern Plastics Site*" (WESTON 2010).

On February 17, 2010, U.S. EPA and WESTON START collected the following samples from the Site (Figure 3):

- Three investigative liquid waste samples (MP-LS01-021710 and MP-LS02-021710 from Area 2 and MP-LS03-021710 from Area 4)
- Four investigative solid waste samples (MP-SS01-021710 from the Tool Room, MP-SS02-021710 from Area 4, MP-SS03-021710 from Area 3, and MP-SS06-021710 from Area 2)
- Two investigative sediment samples (MP-SS04-021710 from Ox Creek east of North Shore Drive and MP-SS05-021710 from Ox Creek from the largest-diameter eastern outfall pipe)
- Four investigative surface wipe samples (MP-WP01-021710 from Area 1, MP-WP02-021710 from Area 2, MP-WP03-021710 from Area 4, and MP-WP04-021710 from Area 3)

Based on Site conditions observed during the initial site reconnaissance, U.S. EPA requested assistance from the Emergency and Rapid Response Services (ERRS) contractor, Environmental Restoration, LLC (ER), to secure the Site. On February 17 and 18, 2010, U.S. EPA, WESTON START, and the ERRS contractor conducted an emergency removal action at the Site. As part of the emergency removal action and to prevent further releases from the Site, the ERRS contractor drained PCB-containing oil remaining in a leaking transformer (T5) into 55-gallon steel drums and staged the drums in Area 2 of the manufacturing building for future disposal. An estimated volume of 300 gallons of PCB-containing oil was drained into a total of six 55-gallon drums. In addition, solid material used to absorb oil from the floor around T5 and used personal protective equipment (PPE) were placed into one 55-gallon drum. The 55-gallon polyethylene drum that contained oil captured by the oil/water separator was relocated inside the manufacturing building and staged with the other drums containing PCB waste. All staged drums were labeled with appropriate PCB-containing waste labels.

2. Location of Hazardous Substance(s)

Site observations are summarized below.

- A small shed containing spill control materials was observed south of the manufacturing building. An inactive production well was located south of the small shed. Water from this well was used as cooling water before the manufacturing process converted to a closed-loop system. An oil/water separator was observed south of the small shed and production well. The oil/water separator formerly received wastewater from a network of floor drains throughout the manufacturing building and discharged the treated water to the sanitary sewer.
- Two ASTs were observed at the Site. One approximately 2,000-gallon AST was located northeast of the manufacturing building near the hazardous waste storage shed. This AST had a secondary containment berm and was labeled as "Permanently Closed." One approximately 500-gallon AST was observed south of the manufacturing building near the stormwater lift station. This AST formerly stored diesel fuel. It could not be determined if this AST had secondary containment because of the snow cover. According to Mr. Orlaske, approximately 50 gallons of diesel fuel remains in the 500-gallon AST.
- The Tool Room in the southwest portion of the manufacturing building contained a wood brick floor in poor condition. Several areas of the wood brick floor were bulging or missing. The property owner indicated that moisture below the sub-slab caused the floor to expand. The remaining areas of the manufacturing building had concrete floors with visible oil staining and puddles of oil throughout. Area 3 contained an approximately 115- by 25-foot pit containing thick oil residue. In addition, several drums and containers were observed throughout the manufacturing building, including containers of colorant, paint, and oil.
- Several small open containers of oil were observed throughout the manufacturing building.
- Fluorescent light fixtures that potentially contain PCB ballasts were observed throughout the manufacturing building.
- Several mercury switches and a mercury light bulb were observed throughout the manufacturing building.
- A total of eight transformers were observed throughout the manufacturing building. All transformers had a yellow "M_L" labels, indicating the presence of PCB-containing oil. Each transformer is described below.
  - T1 was located on the floor in Area 4 and had an estimated capacity of 405 gallons.
  - T2 was located on the floor in the boiler room in Area 4 and had an estimated capacity of 405 gallons.
  - T3 was located on an elevated scaffold in Area 3 west of the pit and had an estimated capacity of 405 gallons.
  - T4 was located on an elevated scaffold in the southern portion of Area 2 and had an estimated capacity of 405 gallons.

- T5 was located on an elevated scaffold in the northern portion of Area 2 and had an estimated capacity of 405 gallons.
- T6 was located on an elevated scaffold in Area 3 south of the pit and had an estimated capacity of 80 gallons.
- T7 and T8 were located on an elevated scaffold in Area 4 and each had an estimated capacity of 80 gallons.

All of the transformers except for T6 had secondary containment berms. However, the containment berms were in fair to poor condition. Approximately ¼ inch of oil was observed in the containment berm around T5, and oil was present on the floor below T5. The volume of oil that had leaked from T5 was unknown at the time of the site reconnaissance.

3. Cause of Release or Discharge

Analytical results for samples collected during the site assessment confirmed the presence of potentially hazardous materials and toxic contaminants at the Site. Specifically, eight transformers that contain PCB oil are located at the Site. One solid waste sample collected from a floor drain in the manufacturing building, one sediment sample collected from Ox Creek, and four concrete samples collected from the floor of the manufacturing building contained total PCBs at concentrations exceeding the PCB cleanup standard criterion for high-occupancy areas of 1 milligram per kilogram (mg/kg) as outlined in Title 40 of the *Code of Federal Regulations* (CFR), Part 761.61. In addition, one debris sample collected from material inside the manufacturing building contained total PCBs at a concentration exceeding the PCB cleanup standard criterion for low-occupancy areas of 25 mg/kg as outlined in 40 CFR 761.61.

PCBs also were detected at low concentrations in other solid waste samples, concrete samples, sediment samples, and surface wipe samples collected from the Site. In addition, various other potentially hazardous substances (including solvents and mercury-containing devices) were observed inside the manufacturing building and hazardous waste storage shed.

Trespassers that gain access to Site buildings could be exposed to hazardous materials and other contaminants present at the Site. Because of the proximity of human populations to the Site and the presence of hazardous materials and other contaminants at the Site, the potential for exposure exists.

4. Efforts to Obtain Response by Responsible Party

The Site ceased operations in August 2008, and the company was placed under bankruptcy protection. The property owner, Mr. Robert Orlaske, was present during the February 2010 site assessment activities.

B. ORGANIZATION OF RESPONSE

U.S. EPA approved an Action Memorandum for the Site on June 8, 2010, that requests a Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) time-critical removal action at the Site. U.S. EPA, WESTON START, and ER, the ERRS contractor, mobilized to the Site on June 14, 2010. Consistent with the U.S. EPA Action Memorandum, the team began removing potentially hazardous materials and toxic contaminants. Table 1 summarizes the organization of the response. Attachment A provides a photographic log of Site conditions during the response.

Table 1 Organization of the Response Modern Plastics Site Benton Harbor, Berrien County, Michigan		
Agencies or Parties Involved	**Contact**	**Description of Participation**
U.S. EPA – Region V Division of Superfund Emergency Response Branch 77 West Jackson Blvd. Chicago, IL 60604 (312) 886-6845	Mike Beslow	Federal OSC responsible for overall project oversight and success
Weston Solutions, Inc. 750 East Bunker Ct. Suite 500 Vernon Hills, IL 60606 (847) 918-4000	Ben Maradkel	WESTON START project manager responsible for removal oversight support, documentation, air monitoring, sampling, and START-related cost-tracking
Environmental Restoration, LLC 16660 Canal St. Suite D South Holland, IL 60473 (708) 333-9915	John Behrens	Response manager responsible for direction of daily ERRS activity; provided personnel and equipment necessary for removal, and coordinated transportation and disposal of waste streams; also tracked ERRS-related costs
Michigan Department of Natural Resources and the Environment 525 West Allegan St. P.O. Box 30473 Lansing, MI 48909 (517) 373-7917	Nathan Whitmyer	MDNRE project manager who participated in initial Site assessment before initiation of U.S. EPA response

C. INJURY/POSSIBLE INJURY TO NATURAL RESOURCES

1. Content and Time of Notice to Natural Resource Trustees

Not applicable

2. Trustee Damage Assessment and Restoration Activities

Not applicable

D. CHRONOLOGICAL NARRATIVE OF RESPONSE ACTIONS

1. Threat Abatement Actions Taken

U.S. EPA, the ERRS contractor, and WESTON START mobilized to the Site on June 14, 2010, and completed removal activities on August 18, 2010.

Air monitoring was conducted in the work areas during all removal activities using a MultiRAE® five-gas photoionization detector (PID). MultiRAE® PID readings for volatile organic compounds, carbon monoxide, hydrogen sulfide, percent of the lower explosive limit, and oxygen were at background levels during removal activities.

The activities summarized below were conducted at the Site from June 14 through 18, 2010, to prepare for removal the activities.

- ERRS personnel set up the site support zone. Area 4 was cleaned out and prepared for use as the contamination reduction zone (CRZ). The CRZ included a decontamination line, emergency shower, and containment curtain to prevent the migration of potentially hazardous materials. Area 3 was designated as the staging area for Resource Conservation and Recovery Act (RCRA) and Toxic Substance and Control Act (TSCA) wastes. ERRS personnel cleared Area 3 of plastic injection molding pellet containers and excess trash to prepare it as the staging area.
- WESTON START and the ERRS contractor collected all small containers of waste from the Site for placement into the proper staging area.
- WESTON START conducted a full inventory of drums stored in the hazardous waste storage shed on the east side of the Site. Waste drums from the shed were moved into the main on-site building and categorized.
- A cracked trash container that was leaking oil was observed on pavement near the hazardous waste storage shed. ERRS personnel secured the container in polyethylene (poly) sheeting and staged it on a pallet until its contents could be profiled and the container disposed of.
- WESTON START and ERRS personnel inspected the manufacturing building for all mercury-containing devices, including light bulbs, switches, and relays. Mercury waste was stored properly until it could be disposed of.
- ERRS personnel opened a water main vault and pumped out excess rainwater in preparation for a representative from the Benton Harbor Utility Company to charge fire hydrants for on-site emergencies and decontamination activities. After the water was turned on, it was discovered that two fire water lines inside the manufacturing building had cracked and were leaking water into the building. The water was again shut off, and

a private plumbing contractor was contacted to tap into the water main with an alternate line to provide water to the Site.

- A visit to the office of the Benton Harbor City Manager was conducted, but the manager was unavailable. The Benton Harbor City Fire Department met with the U.S. EPA at the Site to discuss information and updates regarding Site activities.
- WESTON START personnel located all emergency exits in the manufacturing building and proceeded to mark them using fluorescent spray paint and add them to appropriate maps. All property and building entrances and exits were secured.
- A security contractor was brought in to provide security services at the Site on nights and weekends.

From June 21 through 25, 2010, the removal activities summarized below were conducted.

- ERRS personnel organized all waste containers into appropriate waste streams in the waste material staging area and numbered the containers for tracking.
- ERRS chemists donned Level B PPE and collected samples from each container for proper waste profiling and eventual disposal. Containers of waste oil were consolidated into totes in the staging area. Small containers were inventoried and laboratory-packed as appropriate.
- ERRS personnel donned Level C PPE and entered the recessed pit in Area 3 to remove all small containers and drums.
- ERRS personnel continued consolidating wastes, crushing empty waste containers, and reorganizing waste containers into their appropriate waste streams.
- ERRS personnel began assessing T7 and disassembling the transformer's outer casing.

From June 28 through July 2, 2010, the removal activities summarized below were conducted.

- A scissor lift and large forklift were delivered to the Site to assist in disassembling the transformers.
- ERRS personnel finished disassembling T7. The conductor paneling and conductor box were removed, and surrounding cables and pipes were cut to allow for transformer removal using a crane.
- ERRS personnel assessed T3 and determined that the transformer's outer plating and switch boxes needed to be removed individually before the transformer could be removed. A small PCB oil leak occurred when a nut was removed from a porcelain flange during transformer dismantlement. The leak was quickly stopped, and the oil was contained in a steel drum. No PCB oils escaped the secondary containment of the transformer being worked on. After donning Level C PPE, ERRS personnel used Oil-Dri to clean up the minimal amount oil that had leaked onto the platform's secondary containment. The area then was thoroughly washed using soap and water. All of the transformer's surrounding cables and pipes were cut to allow for transformer removal using a crane.
- T4 was unbolted and prepared for removal.

- ERRS personnel mobilized to T2 to begin dismantling it for removal. An additional transformer (T9) was found on the T2 scaffold. It was labeled as a "non-PCB" transformer, but a sample of the transformer oil was planned for collection and laboratory analysis to confirm that the oil did not contain PCBs (see activities summarized under July 6 through 9 below).
- ERRS personnel cut all access ladders to the building roof to prevent unauthorized access. U.S. EPA also notified the Benton Harbor police of possible Site security issues and requested additional patrolling to supplement the overnight and weekend security guard.

From July 6 through 9, 2010, the removal activities summarized below were conducted.

- A transformer storage area with secondary containment was built in Area 3 in the RCRA and TSCA waste staging area. The transformer storage area was equipped with a berm and plastic sheeting to protect against potential releases.
- All removed PCB transformers were to be staged in the transformer storage area (T1 through T7). T8 was not to be removed but was to be drained and left in place instead because of access issues (see activities summarized under July 19 through 23 below). T9 was not to be removed because a sample of the transformer soil indicated that T9 did not contain PCB oil (see activities summarized under July 26 through 30 below).
- An 8-ton crane was mobilized to the Site to assist in the removal and staging of PCB transformers. ERRS personnel used the crane and forklift to remove T5, T6, and T7 and staged them in the transformer storage area. The crane and forklift then were mobilized to T3 in preparation for its removal.
- ERRS personnel continued preparing T2 for removal by dismantling ancillary equipment and removing additional obstructions.
- All scrap metals generated from transformer removal activities were organized by type and then staged near the CRZ.
- ERRS, WESTON START, and U.S. EPA personnel conferred and verified the extent of the PCB containment zone in Area 2 (near T1). The PCB containment zone was divided into two areas. The first area consisted of a hot zone beneath T1 and a 15-foot radius around the hot zone. This area was to be decontaminated using dedicated tools and rinse water that was to be containerized and profiled for disposal. The second area was to be decontaminated using separate tools and rinse water that was to be containerized and profiled for disposal. A sample of rinse water generated during decontamination of the PCB containment area was collected for analysis by a certified laboratory.
- A sample was collected from T9 to verify the absence of PCBs in the insulation oil.
- Additional samples were collected from oil in the recessed pit in Area 3 and solids cleaned from Area 2 to determine PCB concentrations. ERRS personnel continued decontamination activities in Area 2.

From July 12 through 16, 2010, the removal activities summarized below were conducted.

- ERRS personnel used the 8-ton crane to remove T1, T2, T3, and T4 from their scaffold and staged the transformers in the transformer storage area.
- The scaffold and surrounding area at T1 were decontaminated using caustic soap after the removal of the transformer. All tools and PPE generated during work in the hot zone around T1 were containerized and disposed of separately as PCB waste. Rainwater that had accumulated in the area near T1 was removed and containerized for proper disposal.
- The T3 scaffold was decontaminated using caustic soap, and all rinse water was containerized for proper disposal.
- A 15-yard roll-off box was mobilized to the manufacturing building, double-lined with poly, and used for the disposal of PCB-contaminated solids. ERRS personnel collected all PCB solids and cut them to the proper size as needed for disposal in the roll-off box.
- The waste staging area was cleaned, and the waste stream lines were reorganized.
- ERRS personnel located all fire extinguishers in the manufacturing building and stored them near the waste staging area for disposal on July 19.

From July 19 through 23, 2010, the removal activities summarized below were conducted.

- It was determined that the position of T8 made its removal cost-prohibitive. ERRS personnel drained PCB oil from the transformer and rinsed the transformer shell with diesel fuel. The diesel fuel then was drained into drums, and all drums were labeled as PCB waste for disposal.
- ERRS personnel organized all debris in the recessed pit in Area 3. Several layers of waste oil had settled on the floor in this area, and the oil was shoveled into drums for proper disposal. The floor was then power-washed to remove any remaining waste oil. Wastewater from power-washing was determined to be non-hazardous, so the water was discharged into the sump.
- ERRS personnel noticed dripping PCB oil from the scaffold of T1. It was determined that some PCB oil remained inside the scaffold plating.
- ERRS personnel cut up all scrap metal and placed it in to the proper roll-off box for disposal. All empty drums were crushed or cut up as necessary.
- ERRS personnel consolidated all flammable waste in the waste staging area. All waste oil in the staging area was consolidated in several totes.

From July 26 through 30, 2010, the removal activities summarized below were conducted.

- ERRS personnel began preparing to decontaminate the oil/water separator near Ox Creek. The immediate area and lid were cleared of all debris, and the safety railings were removed to allow access. A pressure-washer and generator were staged near the separator. Inside the manufacturing building, an area was cleared to allow access for a vacuum truck that would remove waste oil from the separator.
- The vacuum truck and a supporting tanker arrived to drain the oil/water separator. The

vacuum truck was staged inside the building, and hoses were run to from the truck to the separator. ERRS personnel pumped a total of approximately 9,000 gallons of waste oil and water from the oil/water separator. The inside of the separator was decontaminated using the pressure-washer and its lid was re-secured.

- A second vacuum truck arrived at the Site and was staged near the northern access to the recessed pit in Area 3. The vacuum truck removed all excess water from the pit area. ERRS personnel donned Level C PPE and pressure-washed the pit floor.
- Analytical results for the oil in T9 indicated that the oil was non-hazardous. The oil was drained to the second vacuum truck discussed above for disposal.
- ERRS crews applied a coat of epoxy to the scaffold that housed the leaking PCB transformer (T1). The scaffold had been previously cleaned, but concerns surfaced that oil was still escaping from hard-to-reach areas. The coat of epoxy allowed visual confirmation that all small areas had been sealed, and this approach eliminated the cost of demolishing the scaffold and disposing of it as TSCA waste. Epoxy also was applied to the concrete floor around the transformer.
- The crew began solidifying non-hazardous waste from drums using oil absorbent and concrete.

From August 2 through 5, 2010, the removal activities summarized below were conducted.

- A second coat of epoxy was applied to the leaking transformer (T1) scaffold and floor. A perimeter coat of epoxy was applied to ensure that all potentially PCB-contaminated concrete was covered. Paint was then applied to all concrete areas whose March 2010 sample results exceeded the PCB cleanup criterion.
- Two outdoor staging areas with secondary containment were constructed. All transformers and approximately half of the drums were moved outdoors into these staging areas for off-site transportation and disposal.
- All hazardous waste was placed under surveillance of the overnight and weekend security guard. Transformers were covered to protect them from precipitation.
- All 35 PCB drums and all removed transformers were loaded onto a Clean Harbors flat-bed truck for off-site disposal.
- ERRS personnel continued crushing empty drums.
- The boom was removed from Ox Creek, and no sheen was observed.
- Remaining waste was over-packed and staged in a fenced area next to the CRZ.
- Roll-off boxes were staged for pickup the next day.
- The outside water supply was shut off, and the water pipe was disconnected.
- The storage locker next to CRZ inside manufacturing building was secured and locked.
- Site security and all personnel demobilized from the Site except for the cost accountant. The cost accountant was to remain at the Site 1 additional day to demobilize the work trailers.

On August 18, 2010, OSC Stavros Emmanouil visited the Site to oversee the transportation and disposal of all remaining on-site wastes. The Site was then completely locked up.

2. Treatment/Disposal/Alternative Technology Approaches Pursued

A total of 19 waste streams were identified at the Site during the removal action. Table 2 lists the each waste stream, container totals, dates shipped manifest numbers, transporter names, and disposal facilities. Table 3 lists the total amount of each waste stream. The following methods were used to dispose of Site waste streams:

- Landfill: Non-hazardous debris, non-hazardous waste, and non-hazardous solids
- Reclamation: Transformers
- Processing: Flammable liquids, aerosol cans, acid and corrosive liquids, loose-pack paints, lead-acid batteries, hazardous debris, fluorescent lights, and hazardous oils
- Incineration: Oil, water, and oil and water

3. Public Information and Community Relations Activity

None

E. RESOURCES COMMITTED

Extramural Costs:

Total ERRS Contractor Costs:	$307,574
Total WESTON START Costs:	$51,000
Extramural Subtotal	$358,574
Estimated Total Project Costs	$358,574
Project Ceiling	$400,000

II. EFFECTIVENESS OF REMOVAL ACTIVITIES

A. ACTIONS TAKEN BY PRPs

None

B. ACTIONS TAKEN BY STATE AND LOCAL FORCES

Not applicable

C. ACTIONS TAKEN BY FEDERAL AGENCIES AND SPECIAL TEAMS

In February and March 2010, U.S. EPA conducted a site assessment, emergency removal action, and extent-of-contamination sampling and determined that a time-critical removal was necessary at the Site. The removal action was initiated by U.S. EPA on June 14, 2010. The U.S. EPA used its Region 5 ERRS contractor to conduct the removal activities and its Region 5 START contractor to provide oversight, including preparing written and photographic logs of Site activities and conducting air monitoring. The U.S. EPA provided management and oversight of the removal action.

Table 2
Waste Materials Disposal Summary
Modern Plastics Site
Benton Harbor, Berrien County, Michigan

Description	Waste Stream	Container Total	Date Shipped	Manifest No.	Transporter	Disposal Facility
Non-Hazardous, Non-DOT Regulated Oil and Water	Oil and Water	5,000 gallons	7/27/2010	002644378JJK	S&C Transport	EQ Detroit, Inc. 1923 Fredrick Detroit, MI 60604
		5,150 gallons	7/27/2010	002644379JJK	S&C Transport	
		4,100 gallons	7/28/2010	007803792JJK	S&C Transport	
UN3432, PCBs, Solid, 9, PG III	Transformers	7,030 pounds	8/3/2010	002624236FLE	Clean Harbors	Clean Harbors PPM LLC 2474 Highway 169 North Coffeyville, KS 67337
UN2315, PCBs, Liquid, 9, PG III	Oil	6,350 gallons (20 drums)				
Non-DOT Regulated Material (less than 1 pound PCBs)	Water	1,247 gallons (five drums)				
Non-DOT Regulated (PCBs)	Debris	2,721 gallons (10 drums)				
UN3432, PCBs, Solid, 9, PG III	Transformers	13,608 pounds	8/3/2010	002624237FLE		
UN3432, PCBs, Solid, 9, PG III, ERG#171	PCB-Contaminated Debris	6,349 pounds	8/5/2010	007177132JJK	EQ Industrial Services	Wayne Disposal, Inc 49350 I-94 Service Drive Belleville, MI 48111
Non-Hazardous Solids	Solids	One 30-yd^3 roll-off box	8/5/2010	MP5-25-2	Reliable Disposal	Forest Lawn Landfill 8230 W Forest Lawn Rd
Unused Lubricating Grease	Unused Grease	75 gallons (five drums)	8/5/2010	MP5-25-3		
UN1993, Waste Flammable Liquids, N.O.S (Methyl Ethyl Ketone), 3, PG II	Flammable Liquids	550 gallons (10 drums)	8/18/2010	007740328JJK	Nortru, LLC MID021087275	Petro-Chem Processing Group 421 Lycaste Detroit, MI 48214
UN3264, Waste Corrosive Liquid, Acidic, Inorganic, N.O.S (Sulfuric Acid), 8, PG II	Acid	200 pounds				
UN1760, Waste Corrosive Liquid, N.O.S (Sodium Hydroxide, Potassium Hydroxide), 8, PG II	Corrosive	450 pounds				
UN3077, Environmentally Hazardous Substances, Solid, N.O.S (Environmentally Hazardous Substance), 9, PG III	Fluorescent Lights	100 pounds				
UN2794, Waste Batteries, Wet, Filled with Acid, (Universal Waste Batteries), 8, PG III	Lead-Acid Batteries	60 pounds				
UN1263, Waste Paint Related Material, 3, PG II	Loose-Pack Paints	1,000 pounds				
UN1993, Waste Flammable Liquids, N.O.S (Petroleum Distillates, Isopropyl Alchohol), 3, PG II	Flammable Liquids	200 pounds				
UN1950, Waste Aerosols, Flammable 2.1	Aerosol Cans	350 pounds				
NA3882, Hazardous Waste, Liquid, N.O.S (1,2 Dichloroethane), 9, PG III	Hazardous Oils	880 gallons				
UN3267, Waste Corrosive Liquid, Basic, Organic, N.O.S, 8, PG II	Laboratory Pack	140 gallons				
UN3265, Waste Corrosive Liquid, Acidic, Organic, N.O.S, 8, PG II		30 gallons				
UN3264, Waste Corrosive Liquid, Acidic, Inorganic, N.O.S, 8, PG II		16 gallons				
UN3099, Waste Oxidizing Liquid, Toxic, N.O.S, 5.1 (6.1), PG II		55 gallons				
UN2902, Waste Pesticides, Liquid, Toxic, N.O.S, 5.1, PG II		16 gallons				
UN1993, Waste Flammable Liquids, N.O.S (Methyl Ethyl Ketone), 3, PG II	Flammable Liquids	95 gallons				

Notes:
Clean Harbors = Clean Harbors Environmental Services, Inc.
DOT = U.S. Department of Transportation
PCB = Polychlorinated biphenyl
yd^3 = Cubic yard

Table 3
Waste Disposal Totals Summary
Modern Plastics Site
Benton Harbor, Berrien County, Michigan

Waste Stream	Characterization	Disposal Method	Unit	Total
Oil and Water	Non-Hazardous	Incineration	gallon	14,250
Transformers	Hazardous (PCBs)	Reclamation	pound	20,639
Oil	Hazardous (PCBs)	Incineration	gallon	6,350
Water	Non-Hazardous	Incineration	gallon	1,247
Debris	Non-Hazardous	Landfill	gallon	2,721
Debris	Hazardous (PCBs)	Landfill	pound	6,349
Solids	Non-Hazardous	Landfill	30 yd^3 roll-off box	1
Unused Grease	Non-Hazardous	Incineration	gallon	75
Flammable Liquids	Hazardous (Methyl Ethyl Ketone)	Processing	gallon	645
Flammable Liquids	Hazardous (Petroleum Distillates and Isopropyl Alcohol)	Processing	pound	200
Acid	Hazardous (Sulfuric Acid)	Processing	pound	200
Corrosive	Hazardous (Sodium Hydroxide and	Processing	pound	450
Fluorescent Lights	Hazardous	Processing	pound	100
Lead-Acid Batteries	Hazardous (Universal Waste)	Processing	pound	60
Loose-Pack Paints	Hazardous (Waste Paint)	Processing	pound	1,000
Aerosol Cans	Hazardous (Waste Flammable)	Processing	pound	350
Hazardous Oils	Hazardous (1,2-Dichloroethane)	Processing	gallon	880
Laboratory Pack	Hazardous (Base-Organic)	Processing	gallon	140
Laboratory Pack	Hazardous (Acid-Organic)	Processing	gallon	30
Laboratory Pack	Hazardous (Acid-Inorganic)	Processing	gallon	16
Laboratory Pack	Hazardous (Oxidizer-Toxic)	Processing	gallon	55
Laboratory Pack	Hazardous (Pesticide-Toxic)	Processing	gallon	16

Notes:
PCB = Polychlorinated biphenyl
yd^3 = Cubic yard

D. ACTIONS TAKEN BY CONTRACTORS, PRIVATE GROUPS, AND VOLUNTEERS

The U.S. EPA ERRS contractor, ER, coordinated the transportation and disposal of 19 waste streams and arranged for Site security, utilities, and necessary equipment (such as a forklift and crane) to perform the removal action. The ERRS contractor procured all subcontractors.

The U.S. EPA START contractor, WESTON, provided technical support, performed general and health and safety oversight, documented all Site activities, conducted air monitoring, and performed START-related cost tracking.

III. DIFFICULTIES ENCOUNTERED

A. ITEMS THAT AFFECTED THE RESPONSE

Not applicable

B. ISSUES OF INTERGOVERNMENTAL COORDINATION

Not applicable

C. DIFFICULTIES INTERPRETING, COMPLYING WITH, OR IMPLEMENTING POLICIES AND REGULATIONS

Not applicable

IV. RECOMMENDATIONS

A. MEANS TO PREVENT RECURRENCE OF THE DISCHARGE OR RELEASE

The activities summarized below were conducted to prevent recurrence of a potential discharge or release at the Site.

- All waste was removed from the Site.
- All transformers were removed from the Site except for T8 and T9. T8 was not removed but drained and left in place instead because of access issues. T9 was not removed because a sample of the transformer soil indicated that T9 did not contain PCB oil. ERRS personnel drained PCB oil from T8 and rinsed the shell with diesel fuel. The diesel fuel was then drained from the transformer into drums, and all drums were labeled as PCB waste for disposal.

B. MEANS TO IMPROVE RESPONSE ACTIONS

Not applicable

C. PROPOSALS FOR CHANGES IN REGULATIONS AND RESPONSE PLANS

Not applicable

ATTACHMENT A

PHOTOGRAPHIC DOCUMENTATION

Site: Modern Plastics
Photograph No.: 1
Direction: West
Subject: Exclusion zone erected by ERRS contractor
Date: 6/17/10
Photographer: Jonathan Colomb

Site: Modern Plastics
Photograph No.: 2
Direction: West
Subject: ERRS contractors removing debris from building perimeter
Date: 6/17/10
Photographer: Jonathan Colomb

Site: Modern Plastics
Photograph No.: 3
Direction: East
Subject: Broken fire mains throughout the building
Date: 6/17/10
Photographer: Jonathan Colomb

Site: Modern Plastics
Photograph No.: 4
Direction: North
Subject: Water main in parking lot tapped to provide water to Site
Date: 6/18/10
Photographer: Jonathan Colomb

Site: Modern Plastics
Photograph No.: 5 **Date:** 6/19/10
Direction: North **Photographer:** Jonathan Colomb
Subject: All drums staged by waste stream and prepped for sampling (date on photograph not correct)

Site: Modern Plastics
Photograph No.: 6 **Date:** 6/19/10
Direction: East **Photographer:** Jonathan Colomb
Subject: ERRS personnel sampling staged waste containers (date on photograph not correct)

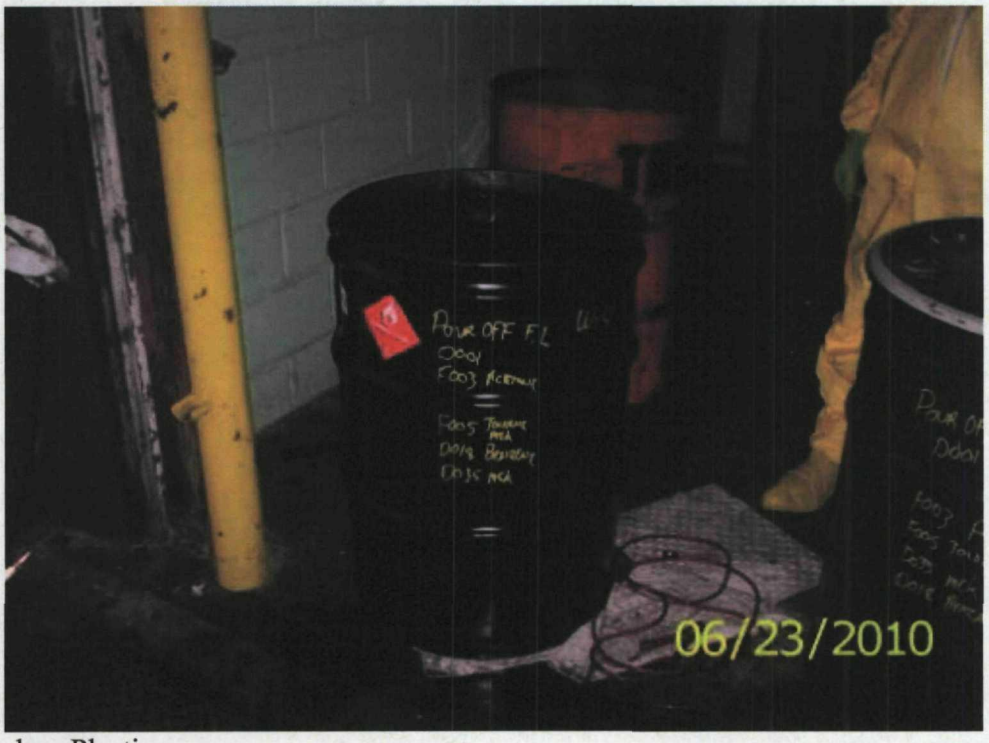
Site: Modern Plastics
Photograph No.: 7
Direction: South
Subject: Small containers staged together
Date: 6/22/10
Photographer: Jonathan Colomb

Site: Modern Plastics
Photograph No.: 8
Direction: Southeast
Subject: ERRS contractor removing waste oil drums from recessed pit in Area 3
Date: 6/22/10
Photographer: Jonathan Colomb

Site: Modern Plastics
Photograph No.: 9 **Date:** 6/24/10
Direction: East **Photographer:** Jonathan Colomb
Subject: Empty containers staged in roll-off box for disposal

Site: Modern Plastics
Photograph No.: 10 **Date:** 6/22/10
Direction: North **Photographer:** Jonathan Colomb
Subject: Aerosol containers drummed for disposal

Site: Modern Plastics
Photograph No.: 11 **Date:** 6/22/10
Direction: South **Photographer:** Jonathan Colomb
Subject: Paint containers packaged and prepared for disposal



Site: Modern Plastics
Photograph No.: 12 **Date:** 6/23/10
Direction: Southwest **Photographer:** Jonathan Colomb
Subject: Flammable liquids bulked for disposal

Site: Modern Plastics
Photograph No.: 13
Direction: South
Subject: Waste oils bulked for disposal

Date: 6/23/10
Photographer: Jonathan Colomb

Site: Modern Plastics
Photograph No.: 14
Direction: South
Subject: Small quantities solidified for disposal

Date: 6/24/10
Photographer: Jonathan Colomb

Site: Modern Plastics
Photograph No.: 15 **Date:** 6/24/10
Direction: South **Photographer:** Jonathan Colomb
Subject: RCRA empty drums crushed and staged in roll-off box for disposal

Site: Modern Plastics
Photograph No.: 16 **Date:** 6/25/10
Direction: Southeast **Photographer:** Jonathan Colomb
Subject: Holes in perimeter fence repaired using additional fencing

Site: Modern Plastics
Photograph No.: 17 **Date:** 6/28/10
Direction: West **Photographer:** Jonathan Colomb
Subject: PCB transformers dismantled before removal (date on photograph not correct)

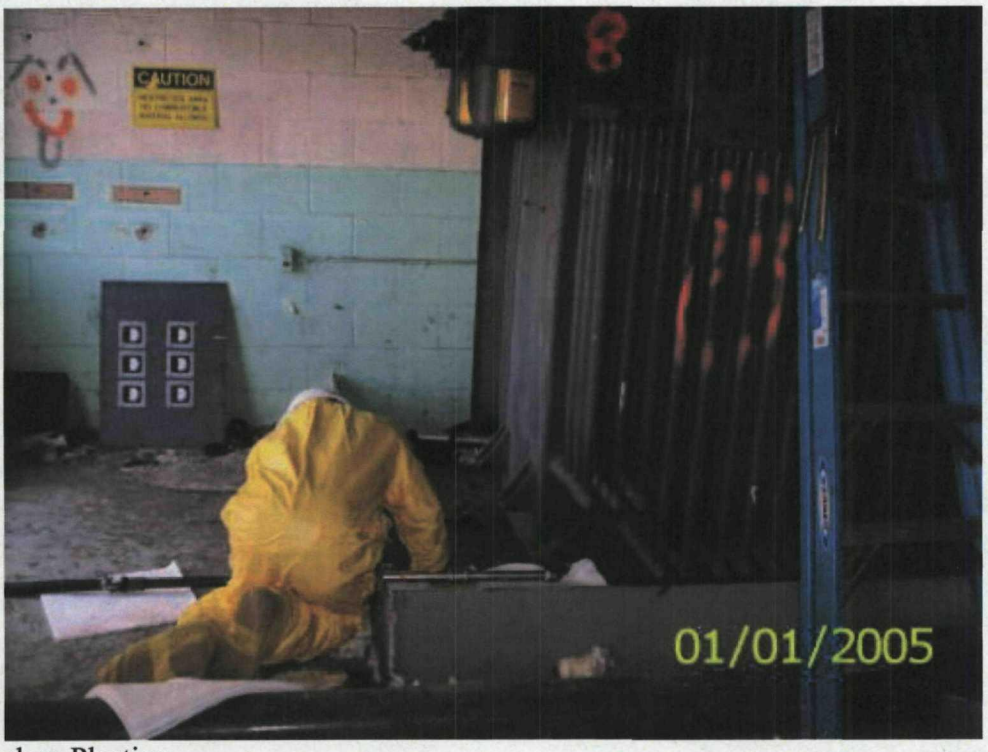
Site: Modern Plastics
Photograph No.: 18 **Date:** 6/31/10
Direction: South **Photographer:** Jonathan Colomb
Subject: Non-PCB transformer (T9) sampled for profiling (date on photograph not correct)

Site: Modern Plastics
Photograph No.: 19
Date: 7/8/10
Direction: North
Photographer: Jonathan Colomb
Subject: PCB transformer removed using forklift

Site: Modern Plastics
Photograph No.: 20
Date: 7/09/10
Direction: West
Photographer: Jonathan Colomb
Subject: Small PCB transformer removed from scaffold using forklift

Site: Modern Plastics
Photograph No.: 21 **Date:** 7/09/10
Direction: West **Photographer:** Jonathan Colomb
Subject: Small transformer staged in transformer storage area

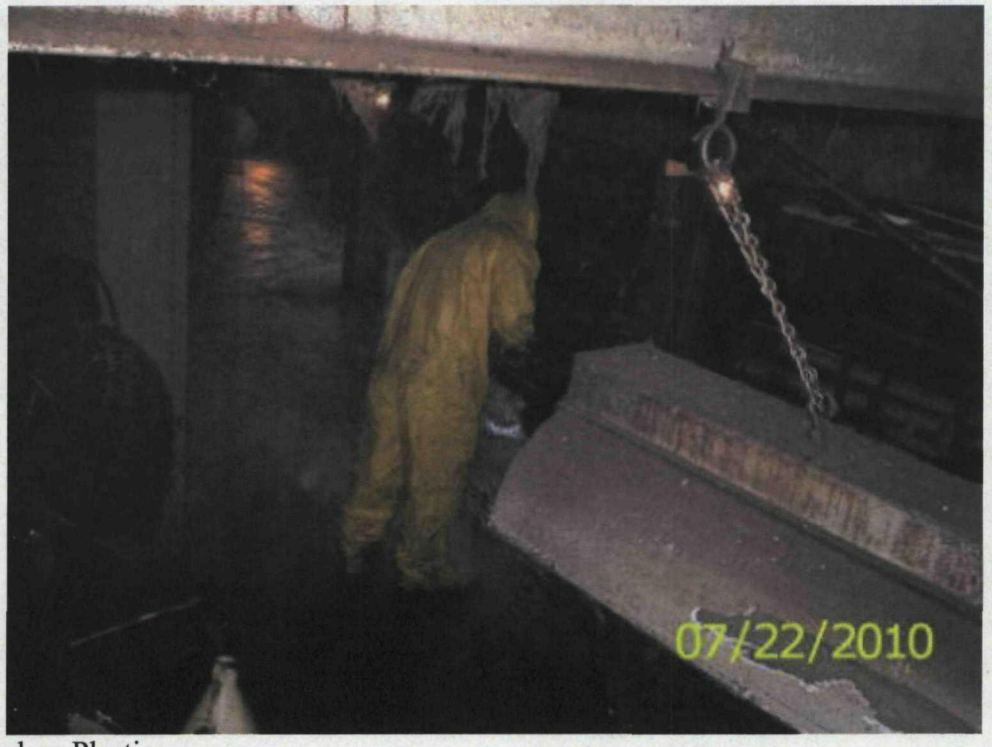
Site: Modern Plastics
Photograph No.: 22 **Date:** 7/12/10
Direction: Northwest **Photographer:** Jonathan Colomb
Subject: Debris removed from scaffold using crane (date on photograph not correct)



Site: Modern Plastics
Photograph No.: 23 **Date:** 7/20/10
Direction: East **Photographer:** Jonathan Colomb
Subject: Draining and flushing of T8 (date on photograph not correct)

Site: Modern Plastics
Photograph No.: 24 **Date:** 7/20/10
Direction: Southeast **Photographer:** Jonathan Colomb
Subject: PCB oil from T8 drained into drum for disposal

Site: Modern Plastics
Photograph No.: 25 **Date:** 7/22/10
Direction: East **Photographer:** Jonathan Colomb
Subject: Hazardous oil bulked and staged in waste stream for disposal



Site: Modern Plastics
Photograph No.: 26 **Date:** 7/22/10
Direction: West **Photographer:** Jonathan Colomb
Subject: Power-washing of recessed pit floor; rinse water discharged into sump

Site: Modern Plastics
Photograph No.: 27
Direction: West
Subject: Pumping of opened oil/water separator
Date: 7/27/10
Photographer: Jonathan Colomb

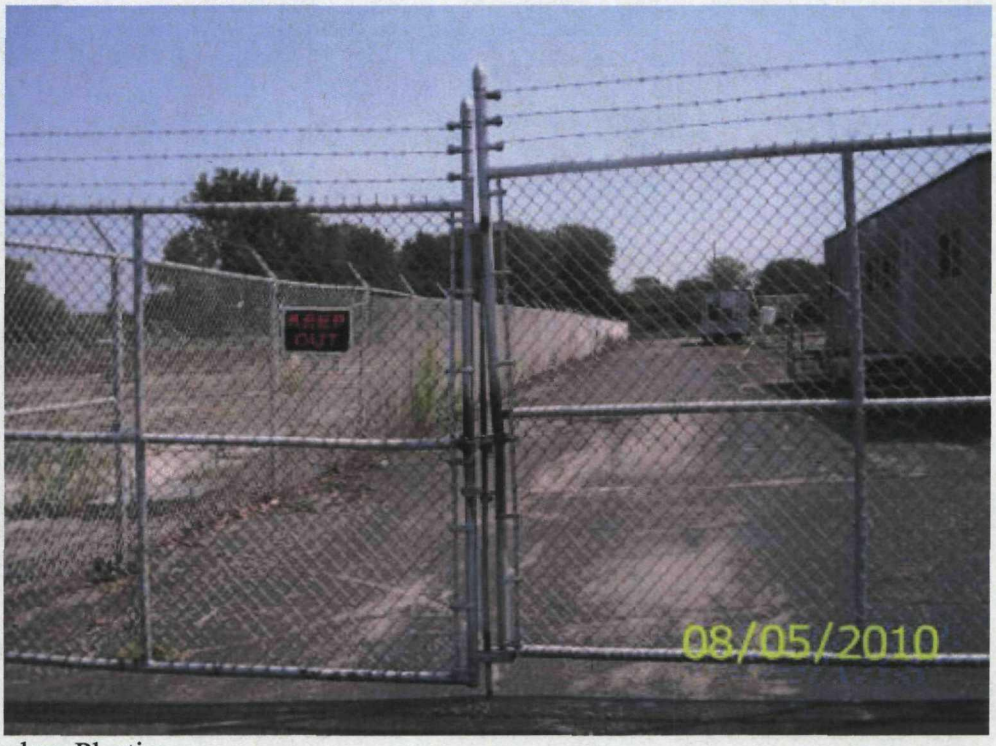
Site: Modern Plastics
Photograph No.: 28
Direction: West
Subject: Power-washing of oil/water separator
Date: 7/27/10
Photographer: Jonathan Colomb

Site: Modern Plastics
Photograph No.: 29 **Date:** 7/30/10
Direction: West **Photographer:** Maggie Skubic
Subject: Removed transformers staged for disposal

Site: Modern Plastics
Photograph No.: 30 **Date:** 8/03/10
Direction: North **Photographer:** Maggie Skubic
Subject: Transformers and PCB oil drums shipped off site

Site: Modern Plastics
Photograph No.: 31 **Date:** 8/05/10
Direction: South **Photographer:** Maggie Skubic
Subject: PCB-contaminated scaffold after painting with sealant

Site: Modern Plastics
Photograph No.: 32 **Date:** 8/05/10
Direction: Southwest **Photographer:** Maggie Skubic
Subject: Tapped water main in parking lot after disconnection



Site: Modern Plastics
Photograph No.: 33 **Date:** 8/05/10
Direction: East **Photographer:** Maggie Skubic
Subject: All access points to the Site locked after personnel demobilization from Site

Reference 3

Itemized Cost Summary

MODERN PLASTICS SITE, BENTON HARBOR, MI SITE ID = B5 VN

Costs Through 08/31/2011.

REGIONAL PAYROLL COSTS	$37,169.94
REGIONAL TRAVEL COSTS	$4,831.09
EMERGENCY RESPONSE UNIT (ERU) CONTRACT	
ENVIRONMENTAL RESTORATION, LLC (EPS50905)	$269,069.31
SUPERFUND TECH. ASSISTANCE & RESPONSE TEAM (START)	
WESTON SOLUTIONS, INC. (EPS50604)	$91,518.30
TECHNICAL SERVICE AND SUPPORT	
ASRC MANAGEMENT SERVICES, INC. (EPW05052)	$124.14
EPA INDIRECT COSTS	$198,336.04
Total Site Costs:	$601,048.82

Reference 4

EPA Region 5 Records Ctr.
357164

bcc: Mark Palermo, ORC (C-14J)
Mike Beslow OSC,(SE-5J)
John Maritote, EESS (SE-5J)
Valerie Mullins, EESS (SE-5J)
Public Affairs (P-19J)
Michael T. Chezik, Department of Interior
Alicia Corley, SETS (OS505)
Richard Hackley, PAAS (MF-10J)
Records Center (SMR-7J)
ERB Read File

SIGN-OFF FOR OFFICE OF THE REGIONAL COUNSEL

Site Attorney Mark Palermo	ORC Section CHIEF MultiMedia	ORC Branch CHIEF			
MP Date 3/10/10	N/A Date	N/A Date	Date	Date	Date

SIGN-OFF FOR SUPERFUND DIVISION

EESS Environmental Protection Spec. Valerie Mullins	On Scene Coordinator Mike Beslow	Emergency Response Section Chief #3 (Acting) Carl Norman	Enforcement Support Services Section CHIEF Wm. Messenger	Emergency Response Branch#2 CHIEF Charles Gebien for Linda Nachowicz	
VM Date 3/8/2010	MB 3/10/10 Date	CN 3/10 Date	WM Date 3-10-10	CMG Date 3/10/10	Date

F:\MULLINS: CERCLA NoticeLtr./InfoReq (104(e).doc Modern Plastics Site (03/12/2010)

REMOVAL PROGRAM
General NOTICE LETTER
ROUTING SLIP
(REVISED OCTOBER 1999)

MODERN PLASTICS SITE
(SITE NAME)

Please sign the Yellow and check your name off this page.
Then pass the document on to the next name.
Do not sign this page, SIGN THE YELLOW

		NAME	MAIL CODE
1.	ERB ENFORCEMENT SPECIALIST	Valerie Mullins	SE-5J
2.	ERB ON-SCENE COORDINATOR	Mike Beslow	SE-5J
3.	EESS SECRETARY	Akimi Cheng	SE-5J
4.	ORC STAFF ATTORNEY	Mark Palermo	C-14J
5.	EESS SECRETARY	Akimi Cheng	SE-5J
6.	ERB EMERGENCY SUPPORT SECTION CHIEF	Bill Messenger	SE-5J
7.	ERB BRANCH SECRETARY	Cynthia Beck	SE-5J
8.	ERB BRANCH CHIEF (Acting)	Charles Gebien	SE-5J

SEE COMMENTS PER CARL N

9. RETURN TO SE-5J/EESS SECRETARY FOR MAILING TO PRPs AND DISTRIBUTION OF BCC LIST.

DATE MAILED TO PRPs: _____

bcc: Mark Palermo, ORC (C-14J)
Mike Beslow OSC,(SE-5J)
John Maritote, EESS (SE-5J)
Valerie Mullins, EESS (SE-5J)
Public Affairs (P-19J)
Michael T. Chezik, Department of Interior
Alicia Corley, SETS (OS505)
Richard Hackley, PAAS (MF-10J)
Records Center (SMR-7J)
ERB Read File

SIGN-OFF FOR OFFICE OF THE REGIONAL COUNSEL

Site Attorney Mark Palermo	ORC Section CHIEF MultiMedia	ORC Branch CHIEF			
MP Date 3/10/10	N/A Date	N/A Date	Date	Date	Date

SIGN-OFF FOR SUPERFUND DIVISION

EESS Environmental Protection Spec. Valerie Mullins	On Scene Coordinator Mike Beslow	Emergency Response Section Chief #3 (Acting) Carl Norman	Enforcement Support Services Section CHIEF Wm. Messenger	Emergency Response Branch#2 CHIEF Charles Gebien for Linda Nachowicz	
VM Date 3/8/2010	MB Date 3/10/10	CN Date 3/10	WM Date 3-10-10	CMG Date 3/10/10	Date

F:\MULLINS: CERCLA NoticeLtr./InfoReq (104(e).doc Modern Plastics Site (03/12/2010)

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

MAR 08 2010

REPLY TO THE ATTENTION OF:
Modern Plastics Site

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Thomas R. Tibble
Bankruptcy Trustee for Modern Plastics Corporation
2813 West Main Street
Kalamazoo, Michigan 49006

RE: Modern Plastics Site
General Notice of Potential Liability

Dear Mr. Tibble:

The U.S. Environmental Protection Agency has documented the release or threatened release of hazardous substances, pollutants and contaminants at the property at 489 North Shore Drive, Benton Harbor, Michigan (Modern Plastics Site or Site), and has spent and is planning to spend public funds to control and investigate these releases. This action will be taken by EPA pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. §9601 et seq., (CERCLA), unless EPA determines that such action will be done properly by a responsible party. Responsible parties under CERCLA include the current and former owners and operators, and persons who generated the hazardous substances or were involved in transport, treatment, or disposal of them at the Site. Under Section 107(a) of CERCLA, 42 U.S.C. §9607(a), where the Agency uses public funds to achieve the cleanup of the hazardous substances, responsible parties are liable for all costs associated with the removal or remedial action and all other necessary costs incurred in cleaning up the Site, including investigation, planning and enforcement. In addition, EPA may issue a unilateral order under Section 106 of CERCLA, 42 U.S.C. §9606, requiring responsible parties to perform specified work.

EPA is currently planning to conduct the following actions at the Modern Plastics Site:

- Disposal of remaining Poly/chlorinated Biphenyl (PCB) transformers and drums;
- Disposal of drums in hazardous-material-storage shed;

- Repair of the roof as necessary if remaining remedial concerns are not addressed as time-critical.

In an emergency stabilization action at the Modern Plastics Site, the EPA recently conducted the following removal activities at the above referenced Site:

- One PCB transformer was drained and oils were placed in drums and stored inside the warehouse;
- Six containment areas were repaired and sealed for PCB transformers;
- The floor drains leading to the sewer were plugged and sealed;
- The doors were locked and secured;
- The oil-and-water separator oil drum was secured inside the building;
- The hazardous-material-storage shed doors were repaired and locked; and,
- The floor surfaces near the leaking transformer were cleaned of standing oils.

Additionally, depending upon the analytical results of samples obtained at the Modern Plastics Site, EPA may perform the following activities:

- Removal of concrete floors, drains, or other structures of the building that are PCB-contaminated;
- Removal of soils outside of building that have PCB contamination.

Modern Plastics Corporation ("Modern Plastics") owns and has operated the Modern Plastics Site. By this letter, EPA notifies you, as Bankruptcy Trustee for Modern Plastics, of its potential liability with regard to this matter. EPA encourages you and/or Modern Plastics to reimburse EPA for costs incurred to date and to voluntarily perform or finance the response activities that EPA has determined or will determine are required at the Modern Plastics Site. EPA is willing to discuss with you the entry of an appropriate administrative consent order under which you and/or Modern Plastics would perform or finance response activities and reimburse EPA for its costs.

You should notify EPA in writing within **seven days** of receipt of this letter of your and/or Modern Plastics' willingness to perform or finance the activities described above. If EPA does not receive a timely response, EPA will assume that you and Modern Plastics do not wish to negotiate a resolution of potential responsibility in connection with the Modern Plastics Site and

that you and Modern Plastics have declined any involvement in performing the response activities.

If you are already involved in discussions with state or local authorities, engaged in voluntary cleanup action or involved in a lawsuit regarding the Modern Plastics Site, you should continue such activities as you see fit. This letter is not intended to advise or direct you or Modern Plastics to restrict or discontinue any such activities; however, you are advised to report the status of those discussions or actions in your response to this letter and to provide a copy of your response to any other parties involved in those discussions or actions.

Your response to the notice of potential liability should be sent to:

Valerie Mullins
U.S. EPA - Region 5
Emergency Enforcement & Support Services SE-5J
77 West Jackson Boulevard
Chicago, Illinois 60604

If you need further information regarding this letter, you may contact Valerie Mullins, Emergency Enforcement & Support Section, at (312) 353-0324. Direct any legal questions to Mark Palermo, of the Office of Regional Counsel at (312) 886-6082.

Due to the nature of the problem at the Modern Plastics Site and the attendant legal ramifications, EPA strongly encourages you to submit a written response within the time frame specified herein. We hope you will give this matter your immediate attention.

Sincerely yours,

FOR LN

Charles M. Gebien
Emergency Response Branch #2

Reference 5

United States Bankruptcy Court
WESTERN DISTRICT OF MICHIGAN

In the Matter of:

Modern Plastics Corporation,

Debtor.

Case No.: 09-00651
Chapter 7 / Filed: January 26, 2009
Honorable Scott W. Dales

NOTICE OF MOTION AND OPPORTUNITY TO OBJECT
RE: MOTION FOR RELIEF FROM AUTOMATIC STAY IN FAVOR OF BERRIEN COUNTY TREASURER

Berrien County Treasurer has filed with the Court a Motion for Relief from Automatic Stay relative to real property located at 489 North Shore Drive in Benton Harbor, Michigan 49022. **Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case.** (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to grant the Motion for the relief requested, or if you want the Court to consider your views on the Motion, then on or before April 18, 2013, you or your attorney must:

File with the Court a written response and request for a hearing explaining your position at:

Clerk of the Court
U.S. Bankruptcy Court
One Division Avenue, Room 200
Grand Rapids, Michigan 49503

If you mail your response and request to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above. **You must also mail a copy to:**

Thomas G. King
Attorneys for Berrien County Treasurer
KREIS, ENDERLE, HUDGINS & BORSOS, P.C.
P.O. Box 4010
Kalamazoo, Michigan 49003-4010

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion or objection and may enter an Order granting that relief.

Dated: April 4, 2013

Respectfully submitted,

KREIS, ENDERLE, HUDGINS & BORSOS, P.C.

By: /s/ *Thomas G. King*
Thomas G. King
Attorney for Berrien County Treasurer

BUSINESS ADDRESS:

One Moorsbridge, PO Box 4010
Kalamazoo, Michigan 49003-4010
Phone: (269) 324-3000
E-Mail: tking@kreisenderle.com

Reference 6

United States Bankruptcy Court
WESTERN DISTRICT OF MICHIGAN

In the Matter of:

Modern Plastics Corporation,

Debtor.

Case No.: 09-00651
Chapter 7 / Filed: January 26, 2009
Honorable Scott W. Dales

CERTIFICATE OF SERVICE

DOCUMENTS SERVED:	Motion for Relief from Automatic Stay in Favor of Berrien County Treasurer; Notice of Motion and Opportunity to Object; proposed Order for Relief from Automatic Stay; and this Certificate of Service	
PERSONS SERVED:	Denise D. Twinney and Robert F. Wardrop II on behalf of Debtor Modern Plastics Corporation; bkfilings@wardroplaw.com	
	Timothy Hillegonds and Michael O'Neal on behalf of Trustee Thomas R. Tibble; thillegonds@wnj.com and moneal@wnj.com	
	Nicholas J. Daly on behalf of Trustee Thomas R. Tibble; ndaly@lewisreedallen.com	
	Trustee Thomas R. Tibble; TrusteeTibble@tibblecpa.com	
	Julius O. Curling on behalf of the State of Michigan, Department of Treasury; curling@michigan.gov	
	Mark S. Demorest on behalf of New Products Corporation; mark@demolaw.com	
	Drew S. Norton on behalf of New Products Corp.; drew@nortonlawyers.com	
	Theodore B. Sylwestrzak and Rachel L. Wolock on behalf of Bank of America, NA; tsylwestrzak@dickinsonwright.com and rowlock@dickinsonwright.com	
	Jonathan T. Walton, Jr. on behalf of Blue Cross Blue Shield of Michigan; jonathan.walton@waltondonnelly.com	
	Modern Plastics Corporation PO Box 1367 Benton Harbor, Michigan 49022	Office of the U.S. Trustee The Ledyard Building, 2nd Floor 125 Ottawa NW, Suite 202R Grand Rapids, Michigan 49503
	Ascensus Deconversion Department 124 Eighth Avenue NE Brainerd, MN 56401	James Ringler Cressy & Everett, Inc. 3930 Edison Lakes Parkway, Suite 200 Mishawaka, IN 46545

The undersigned certifies that a copy of the documents listed as served above were served upon the parties listed above at their respective addresses by Electronic E-Noticing through the Bankruptcy Court CM/ECF, or by regular first class mail, postage pre-paid by placing the envelope(s) in the mail on the date indicated below.

EXHIBIT A

United States Bankruptcy Court
WESTERN DISTRICT OF MICHIGAN

In the Matter of:

Modern Plastics Corporation,

Debtor.

Case No.: 09-00651
Chapter 7 / Filed: January 26, 2009
Honorable Scott W. Dales

MOTION FOR RELIEF FROM AUTOMATIC STAY IN FAVOR OF BERRIEN COUNTY TREASURER

The Berrien County Treasurer (hereinafter, "Berrien County"), by and through his attorneys, Kreis, Enderle, Hudgins & Borsos, P.C., state the following for his Motion for Relief from Automatic Stay:

1. The Debtor filed a Chapter 7 bankruptcy petition on January 26, 2009.

2. Berrien County Treasurer is a statutory elected official of Berrien County, Michigan (the "County") and the tax collecting governmental unit for Berrien County, Michigan, whose duties include the collection of delinquent property taxes on both real and personal property for the County and various local municipalities within the County, such as the City of Benton Harbor. Berrien County maintains an office at 701 Main Street in St. Joseph, Michigan 49085.

3. Berrien County is a secured creditor of Debtor, pursuant to MCL 211.40, with a first priority secured interest in certain real property for the collection of real property taxes, consisting of several parcels of real property commonly referred to as 489 North Shore Drive in Benton Harbor, Michigan 49022 (hereinafter the "Property"), and containing the real property encompassed in the following tax identification numbers:

Tax ID No.: 11-54-0018-0021-02-9
Tax ID No.: 11-54-0018-0021-01-1
Tax ID No.: 11-54-0018-0025-00-8

Tax ID No.: 11-54-0018-0025-02-4
Tax ID No.: 11-54-0018-0025-01-6
Tax ID No.: 11-54-0018-0025-03-2
Tax ID No.: 11-54-0018-0024-00-1

See Parcel Map attached hereto as **Exhibit A.**

4. More than four (4) years have passed since the filing of the Chapter 7 bankruptcy and the Debtor has not made any adequate protection payments to Berrien County. Additionally, the Trustee has not effectuated any sale of the Property and the pending Motion to Approve Option to Purchase Real Estate (489 North Shore Dr., Benton Harbor, Michigan 49022) [DN 106], according to conversations with the Trustee, is unlikely to be consummated.

5. The balance due (as of March 11, 2013) for real property taxes owed on the Property as shown on the Delinquent Tax Inquiries was $307,182.36 and continues to rise with new tax years, taxes being assessed and interest accruing at the rate of one percent (1%) per month plus administration fees. See Delinquent Tax Inquiries attached hereto as **Exhibit B.**

6. Bank of America, NA, successor by merger to LaSalle Bank National Association (hereinafter "Bank of America") is a secured creditor of Debtor with a junior priority secured interest in the Property in the amount of $1,275,912.01 pursuant to the Proof of Claim filed on May 20, 2009 [Claim # 12-1].

7. The value of the Property pursuant to Debtors Schedule A is $1,000,000.00; therefore, the Debtor (and the estate) have no equity in the Property.

8. In addition, the Property may have environmental issues that are not accounted for in the Property valuation in the Debtor's Schedules which will significantly reduce its value.

9. The Property is not necessary for an effective reorganization.

10. Just cause exists for the modifying the automatic stay pursuant to 11 U.S.C.

§362(d) for the purpose of permitting Berrien County to foreclose the taxes and sell the Property at foreclosure sale as permitted under state law.

WHEREFORE, the Berrien County Treasurer hereby respectfully requests:

A. Relief from the automatic stay regarding Berrien County's interest in the Property to permit his to assert his State Law remedies against the Property, including, but not limited to, proceeding with tax foreclosure, to foreclose upon and extinguish any junior interest in the Property and to sell the Property at tax sale.

B. Such further relief as the Court deems just and equitable.

Dated: April 4, 2013

Respectfully submitted,

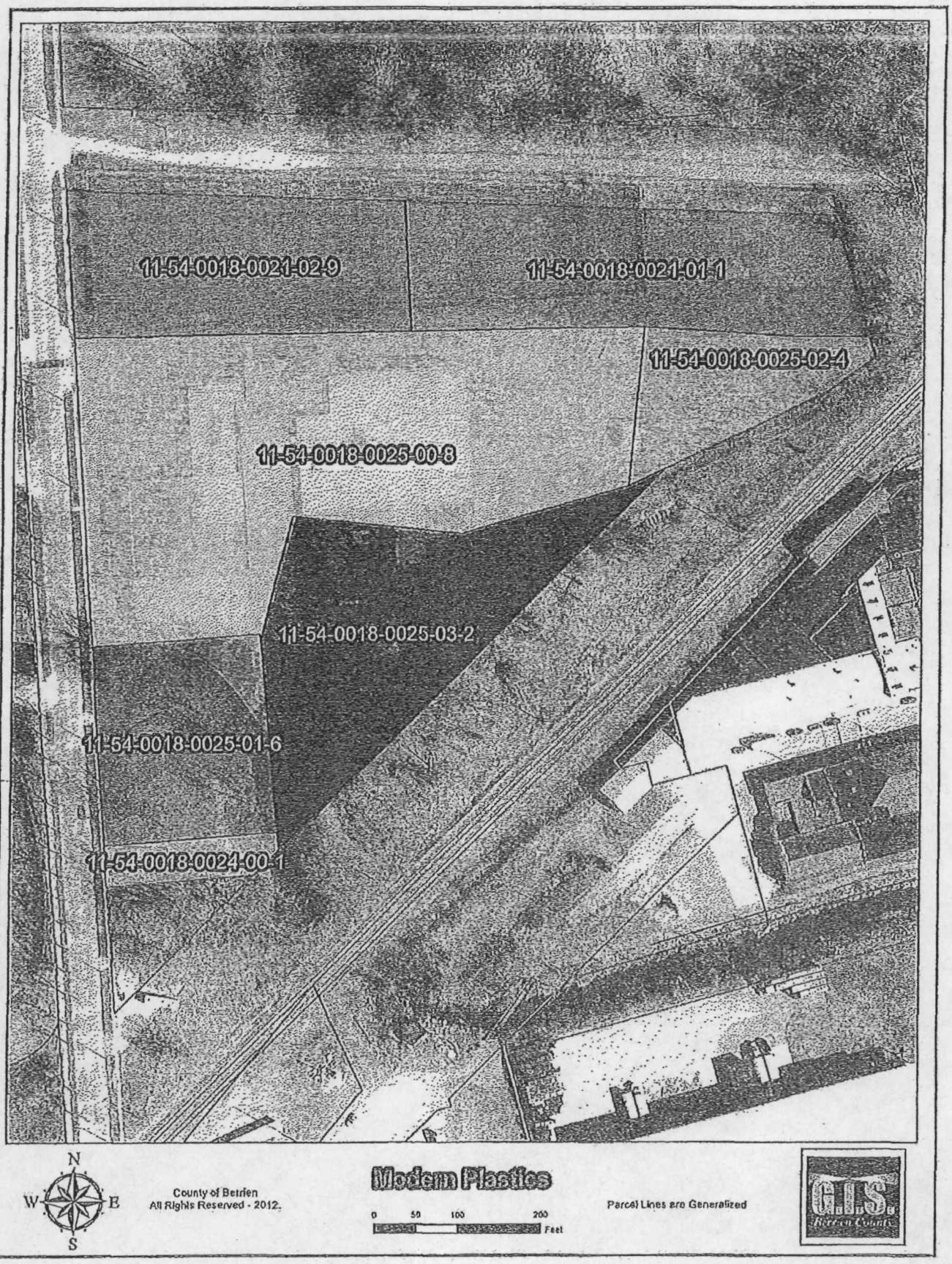
KREIS, ENDERLE, HUDGINS & BORSOS, P.C.

By: /s/ *Thomas G. King*
Thomas G. King
Attorney for Berrien County Treasurer

BUSINESS ADDRESS:
One Moorsbridge, PO Box 4010
Kalamazoo, Michigan 49003-4010
Phone: (269) 324-3000
E-Mail: tking@kreisenderle.com

Reference 7

EXHIBIT B


11-54-0018-0021-02-9
11-54-0018-0021-01-1
11-54-0018-0025-02-4
11-54-0018-0025-00-8
11-54-0018-0025-03-2
11-54-0018-0025-01-6
11-54-0018-0024-00-1
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E
S
County of Berrien
All Rights Reserved - 2012.
Modern Plastics
0 50 100 200
Feet
Parcel Lines are Generalized
G.I.S.
Berrien County

Delinquent Tax User: SWEICH DB: Berrien Group: berrien Version: 03/01/2013

File View Navigation Tasks Reports Utilities BS&A Applications Help

Add Audit Print History Adjust Add Reminder Tools Goto Map

Edit Parcel
Apply Payments
Tables: Mail Contacts
Program Setup

Quick Tables

Parcel # [illegible] Unit = St

Owner MODERN PLASTICS CORP Address NORTH SHORE DR

1. Delinquent Taxes 2. Owner Info. 3. Misc 4. Comments*** 5. Mail Tracking***

Payoff Date: 03/11/2013 Batch Payment

Year	Pay?	Base Tax	Tax Due	Interest/Fees	Total Due	Status	Last Paid
2012		83.25	0.00	0.00	0.00		/ /
2011		81.23	81.22	28.81	110.04	BKR	/ /
2010		79.59	79.55	38.07	117.62	BKR	/ /
2009		80.84	80.84	48.14	128.98	BKR	/ /
2008		79.85	79.86	57.32	137.18	BKR	/ /
2007		78.38	0.00	0.00	0.00	PDD	08/22/2008
2006		75.75	0.00	0.00	0.00	PDD	08/22/2008
2005		106.97	0.00	0.00	0.00	PDD	06/27/2006
2004		0.00	0.00	0.00	0.00		/ /
2003		0.00	0.00	0.00	0.00		/ /
2002		0.00	0.00	0.00	0.00		/ /
2001		0.00	0.00	0.00	0.00		/ /
2000		0.00	0.00	0.00	0.00		/ /
1999		0.00	0.00	0.00	0.00		/ /
1998		0.00	0.00	0.00	0.00		/ /
1997		0.00	0.00	0.00	0.00		/ /
1996		0.00	0.00	0.00	0.00		/ /
1995		0.00	0.00	0.00	0.00		/ /
1994		0.00	0.00	0.00	0.00		/ /
1993		0.00	0.00	0.00	0.00		/ /
1992		0.00	0.00	0.00	0.00		/ /
1991		0.00	0.00	0.00	0.00		/ /
1990		56.47	0.00	0.00	0.00		/ /
1989		64.94	0.00	0.00	0.00	PDC	02/20/1990
1988		72.74	0.00	0.00	0.00	PDC	02/22/1989
1987		73.94	0.00	0.00	0.00	PDC	02/16/1988
1986		70.79	0.00	0.00	0.00	PDC	02/17/1987
		Totals:	321.48	172.34	493.82		

Viewing Existing Parcel

Discard Changes

BS&A Message Center

Sort Index: Owner Name

Posting Date - 03/11/2013 Interest Date - 03/11/2013

Delinquent Tax User: SWEICH DB: Berrien Group: Berrien Version: 03/01/2013

File View Navigation Tools Reports Utilities BSSA Applications Help

Add Audit Print History Adjust Add Reminder Tools Goto Map

Edit Parcel
Apply Payments
Tables: Mail Contacts
Program Setup

Quick Tables
Parcel Ctrl-P
Delinquent Ctrl-D
Owner Ctrl-O
Collections Ctrl-F

Parcel # [illegible] Unit # 50

Owner MODERN PLASTICS CORP Address NORTH SHORE DR

1. Delinquent Taxes | 2. Owner Info. | 3. Misc | 4. Comments*** | 5. Mail Tracking***

Payoff Date: 03/11/2013 Batch Payment

Year	Pay?	Base Tax	Tax Due	Interest/Fees	Total Due	Status	Last Paid
2012		1,114.84	0.00	0.00	0.00		/ /
2011		1,087.38	1,287.38	199.26	1,287.64	BKR	/ /
2010		1,025.27	1,354.34	323.80	1,388.54	BKR	/ /
2009		1,021.76	1,081.76	458.52	1,540.28	BKR	/ /
2008		1,156.48	1,068.48	581.30	1,546.78	BKR	/ /
2007		1,043.99	1,043.99	656.84	1,745.83	BKR	/ /
2006		1,013.75	859.75	461.01	1,220.77	BKR	08/08/2011
2005		1,430.89	0.00	0.00	0.00	PDD	05/27/2005
2004		0.00	0.00	0.00	0.00		/ /
2003		0.00	0.00	0.00	0.00		/ /
2002		0.00	0.00	0.00	0.00		/ /
2001		0.00	0.00	0.00	0.00		/ /
2000		0.00	0.00	0.00	0.00		/ /
1999		0.00	0.00	0.00	0.00		/ /
1998		0.00	0.00	0.00	0.00		/ /
1997		0.00	0.00	0.00	0.00		/ /
1996		0.00	0.00	0.00	0.00		/ /
1995		0.00	0.00	0.00	0.00		/ /
1994		0.00	0.00	0.00	0.00		/ /
1993		0.00	0.00	0.00	0.00		/ /
1992		0.00	0.00	0.00	0.00		/ /
1991		0.00	0.00	0.00	0.00		/ /
1990		254.07	0.00	0.00	0.00		/ /
1989		303.23	0.00	0.00	0.00	FDC	02/23/1990
1988		315.20	0.00	0.00	0.00	FDC	02/22/1989
1987		303.95	0.00	0.00	0.00	FDC	02/15/1988
1986		291.08	0.00	0.00	0.00	FDC	02/17/1987
		Totals:	6,211.21	2,721.33	8,932.54		

Viewing Existing Parcel

2 search filters

BSSA Message Center

Sort Index: Owner Name

Posting Date - 03/11/2013 Interest Date - 03/11/2013 [0] [0]

Delinquent Tax User: SWEICH DB: Berrien Group: berrien Version: 03/01/2013

File View Navigation Tasks Reports Utilities BSSA Applications Help

Add Audit Print History Adjust Add Reminder Tools Goto Map

Edit Parcel
Apply Payments
Tables: Mail Contacts
Program Setup

Quick Tables
Parcel Ctrl+P
Due Terms Ctrl+D
Reasons Ctrl+R
Applications Ctrl+A

Parcel = Unit = 50

Owner MODERN PLASTICS CORP Address 489 NORTH SHORE DR

Delinquent Taxes | Owner Info. | Misc | Comments*** | Mail Tracking***

Payoff Date 03/11/2013 Batch Payment

Year	Pay?	Base Tax	Tax Due	Interest/Fees	Total Due	Status	Last Paid
2012		24,287.43	0.00	0.00	0.00		/ /
2011		33,441.97	33,441.97	5,700.14	39,142.11	BKR	/ /
2010		31,532.05	32,743.33	9,512.18	42,261.51	BKR	/ /
2009		33,267.99	33,257.99	13,664.88	46,922.87	BKR	/ /
2008		32,858.01	32,858.01	17,430.27	50,288.28	BKR	/ /
2007		32,258.62	32,258.62	20,983.75	53,242.37	BKR	/ /
2006		31,174.27	31,174.27	24,019.19	55,193.46	BKR	/ /
2005		44,203.74	0.00	0.00	0.00	PDC	05/27/2005
2004		0.00	0.00	0.00	0.00		/ /
2003		0.00	0.00	0.00	0.00		/ /
2002		0.00	0.00	0.00	0.00		/ /
2001		0.00	0.00	0.00	0.00		/ /
2000		0.00	0.00	0.00	0.00		/ /
1999		0.00	0.00	0.00	0.00		/ /
1998		0.00	0.00	0.00	0.00		/ /
1997		0.00	0.00	0.00	0.00		/ /
1996		0.00	0.00	0.00	0.00		/ /
1995		0.00	0.00	0.00	0.00		/ /
1994		0.00	0.00	0.00	0.00		/ /
1993		0.00	0.00	0.00	0.00		/ /
1992		0.00	0.00	0.00	0.00		/ /
1991		0.00	0.00	0.00	0.00		/ /
1990		38,328.70	0.00	0.00	0.00		/ /
1989		44,325.75	0.00	0.00	0.00	PDC	12/20/1990
1988		47,478.43	0.00	0.00	0.00	PDC	03/22/1989
1987		44,261.83	0.00	0.00	0.00	PDC	02/16/1988
1986		42,504.48	0.00	0.00	0.00	PDC	02/17/1987
		Totals:	195,751.74	91,300.41	287,052.15		

Viewing Existing Parcel

Discard Changes

BS&A Message Center

Sort Index Owner Name

Posting Date - 03/11/2013 Interest Date - 03/11/2013 (0) (0)

Delinquent Tax User: SWEICH DB: Berrien Group: berrien Version: 03/01/2013

File View Navigation Tasks Reports Utilities BSSA Applications Help

Add Audit Print History Adjust Add Reminder Tools Goto Map

Edit Parcel
Apply Payments
Tables: Mail Contacts
Program Setup

Quick Tables
Parcels Ctrl+P
Delinquent Ctrl+D
Receipts Ctrl+R
Adjustment Ctrl+F

BSSA Message Center

Sort Index: Owner Name

Parcel # [redacted] Unit # 50

Owner MODERN PLASTICS CORP Address NORTH SHORE DR

1. Delinquent Taxes | 2. Owner Info. | 3. Misc | 4. Comments*** | 5. Mail Tracking***

Payoff Date: 03/11/2013 Batch Payment

Year	Pay?	Base Tax	Tax Due	Interest/Fees	Total Due	Status	Last Paid
2012		561.00	0.00	0.00	0.00		/ /
2011		547.22	547.22	708.03	555.25	BKR	/ /
2010		515.98	525.89	170.41	706.30	BKR	/ /
2009		544.41	544.41	238.21	782.62	BKR	/ /
2008		537.78	537.78	300.03	837.81	BKR	/ /
2007		527.95	0.00	0.00	0.00	PDD	12/22/2008
2006		510.26	0.00	0.00	0.00	PDD	12/22/2006
2005		723.31	0.00	0.00	0.00	PDD	06/27/2006
2004		0.00	0.00	0.00	0.00		/ /
2003		0.00	0.00	0.00	0.00		/ /
2002		0.00	0.00	0.00	0.00		/ /
2001		0.00	0.00	0.00	0.00		/ /
2000		0.00	0.00	0.00	0.00		/ /
1999		0.00	0.00	0.00	0.00		/ /
1998		0.00	0.00	0.00	0.00		/ /
1997		0.00	0.00	0.00	0.00		/ /
1996		0.00	0.00	0.00	0.00		/ /
1995		0.00	0.00	0.00	0.00		/ /
1994		0.00	0.00	0.00	0.00		/ /
1993		0.00	0.00	0.00	0.00		/ /
1992		0.00	0.00	0.00	0.00		/ /
1991		0.00	0.00	0.00	0.00		/ /
1990		303.47	0.00	0.00	0.00		/ /
1989		357.02	0.00	0.00	0.00	PDC	02/20/1990
1988		379.85	0.00	0.00	0.00	PDC	02/22/1989
1987		359.67	0.00	0.00	0.00	PDC	02/16/1988
1986		354.00	0.00	0.00	0.00	PDC	02/17/1987
		Totals:	2,165.31	816.68	2,981.99		

Warning Existing Parcel

Discard Changes

Posting Date - 03/11/2013 Interest Date - 03/11/2013 [0] [0]

Delinquent Tax User: SWEICH DB: Berrien Group: berrien Version: 03/01/2013

File View Navigation Tasks Reports Utilities BS&A Applications Help

Add Audit Print History Adjust Add Reminder Tools Goto Map

Edit Parcel
Apply Payments
Tables: Mail Contacts
Program Setup

Quick Tables
Parcel Ctrl+P
Delq Taxes Ctrl+D
Refunds Ctrl+R
Forfeitures Ctrl+F

Parcel # [illegible] Unit # 50

Owner MODERN PLASTICS CORP Address KLOCK RD

1. Delinquent Taxes 2. Owner Info. 3. Misc 4. Comments*** 5. Mail Tracking***

Payoff Date: 03/11/2013 Batch Payment

Year	Pay?	Base Tax	Tax Due	Interest/Fees	Total Due	Status	Last Paid
2012		743.04	0.00	0.00	0.00		/ /
2011		724.78	724.78	138.21	862.99	BKR	/ /
2010		683.45	709.84	220.85	930.69	BKR	/ /
2009		721.11	721.11	310.65	1,031.76	BKR	/ /
2008		712.27	712.27	392.50	1,104.77	BKR	/ /
2007		659.29	0.00	0.00	0.00	PDD	08/22/2008
2006		675.77	0.00	0.00	0.00	PDD	08/22/2008
2005		953.84	0.00	0.00	0.00	PDD	06/27/2006
2004		0.00	0.00	0.00	0.00		/ /
2003		0.00	0.00	0.00	0.00		/ /
2002		0.00	0.00	0.00	0.00		/ /
2001		0.00	0.00	0.00	0.00		/ /
2000		0.00	0.00	0.00	0.00		/ /
1999		0.00	0.00	0.00	0.00		/ /
1998		0.00	0.00	0.00	0.00		/ /
1997		0.00	0.00	0.00	0.00		/ /
1996		0.00	0.00	0.00	0.00		/ /
1995		0.00	0.00	0.00	0.00		/ /
1994		0.00	0.00	0.00	0.00		/ /
1993		0.00	0.00	0.00	0.00		/ /
1992		0.00	0.00	0.00	0.00		/ /
1991		0.00	0.00	0.00	0.00		/ /
1990		296.41	0.00	0.00	0.00		/ /
1989		348.92	0.00	0.00	0.00	PDC	02/20/1989
1988		371.75	0.00	0.00	0.00	PDC	02/22/1989
1987		361.44	0.00	0.00	0.00	PDC	02/18/1988
1986		346.14	0.00	0.00	0.00	PDC	02/17/1987
		Totals:	2,868.00	1,062.21	3,930.21		

Viewing Existing Parcel

Discard Changes

BS&A Message Center

Sort Index: Owner Name

Posting Date - 03/11/2013 Interest Date - 03/11/2013

Delinquent Tax User: SWEICH DB: Berrien Group: berrien Version: 03/01/2013

File View Navigation Tasks Reports Utilities BS&A Applications Help

Add Audit Print History Adjust Add Reminder Tools Goto Map

Edit Parcel
Apply Payments
Tables: Mail Contacts
Program Setup

Quick Tables

Parcel = [illegible] Unit = 50

Owner MODERN PLASTICS CORP Address NORTH SHORE DR

1. Delinquent Taxes 2. Owner Info. 3. Misc 4. Comments*** 5. Mail Tracking***

Payoff Date: 03/11/2013 Batch Payment

Year	Pay?	Base Tax	Tax Due	Interest/Fees	Total Due	Status	Last Paid
2012		287.91	0.00	0.00	0.00		/ /
2011		280.90	280.90	62.76	343.66	BKR	/ /
2010		264.85	275.08	94.77	355.85	BKR	/ /
2009		279.50	279.50	129.60	409.10	BKR	/ /
2008		276.05	276.05	161.30	437.35	BKR	/ /
2007		271.11	0.00	0.00	0.00	PDD	08/22/2008
2006		261.93	0.00	0.00	0.00	PDD	08/22/2008
2005		369.80	0.00	0.00	0.00	PDD	06/27/2006
2004		0.00	0.00	0.00	0.00		/ /
2003		0.00	0.00	0.00	0.00		/ /
2002		0.00	0.00	0.00	0.00		/ /
2001		0.00	0.00	0.00	0.00		/ /
2000		0.00	0.00	0.00	0.00		/ /
1999		0.00	0.00	0.00	0.00		/ /
1998		0.00	0.00	0.00	0.00		/ /
1997		0.00	0.00	0.00	0.00		/ /
1996		0.00	0.00	0.00	0.00		/ /
1995		0.00	0.00	0.00	0.00		/ /
1994		0.00	0.00	0.00	0.00		/ /
1993		0.00	0.00	0.00	0.00		/ /
1992		0.00	0.00	0.00	0.00		/ /
1991		0.00	0.00	0.00	0.00		/ /
1990		352.87	0.00	0.00	0.00		/ /
1989		413.82	0.00	0.00	0.00	PDC	03/23/1990
1988		436.40	0.00	0.00	0.00	PDC	02/22/1989
1987		416.95	0.00	0.00	0.00	PDC	02/19/1988
1986		401.21	0.00	0.00	0.00	PDC	03/17/1987
		Totals:	1,111.53	448.43	1,559.96		

Viewing Existing Parcel

Discard Changes

BS&A Message Center

Sort Index: Owner Name

Posting Date - 03/11/2013 Interest Date - 03/11/2013

Delinquent Tax User: SWEICH DB: Berrien Group: berrien Version: 03/01/2013

File View Navigation Tasks Reports Utilities SS&A Applications Help

Add Audit Print History Adjust Add Reminder Tools Goto Map

Edit Parcel
Apply Payments
Tables: Mail Contacts
Program Setup

Quick Tables

Parcel = [illegible] Unit = 81

Owner MODERN PLASTICS CORP Address NORTH SHORE DR

1. Delinquent Taxes 2. Owner Info. 3. Misc 4. Comments*** 5. Mail Tracking***

Payoff Date: 03/11/2013 Batch Payment

Year	Pay?	Base Tax	Tax Due	Interest/Fees	Total Due	Status	Last Paid
2012		416.93	0.00	0.00	0.00		/ /
2011		405.71	405.71	84.14	450.85	BKR	/ /
2010		383.51	383.21	130.91	528.82	BKR	/ /
2009		404.64	404.64	130.91	585.55	BKR	/ /
2008		339.65	383.55	229.82	529.47	BKR	/ /
2007		352.42	0.00	0.00	0.00	PDD	08/22/2008
2006		379.19	0.00	0.00	0.00	PDD	08/22/2006
2005		535.32	0.00	0.00	0.00	PDD	05/27/2005
2004		0.00	0.00	0.00	0.00		/ /
2003		0.00	0.00	0.00	0.00		/ /
2002		0.00	0.00	0.00	0.00		/ /
2001		0.00	0.00	0.00	0.00		/ /
2000		0.00	0.00	0.00	0.00		/ /
1999		0.00	0.00	0.00	0.00		/ /
1998		0.00	0.00	0.00	0.00		/ /
1997		0.00	0.00	0.00	0.00		/ /
1996		0.00	0.00	0.00	0.00		/ /
1995		0.00	0.00	0.00	0.00		/ /
1994		0.00	0.00	0.00	0.00		/ /
1993		0.00	0.00	0.00	0.00		/ /
1992		0.00	0.00	0.00	0.00		/ /
1991		0.00	0.00	0.00	0.00		/ /
1990		310.53	0.00	0.00	0.00		/ /
1989		365.14	0.00	0.00	0.00	PDC	02/20/1990
1988		387.91	0.00	0.00	0.00	PDC	02/23/1989
1987		377.86	0.00	0.00	0.00	PDC	02/18/1988
1986		361.89	0.00	0.00	0.00	PDC	02/17/1987
		Totals:	1,609.31	622.38	2,231.69		

Viewing Existing Parcel

Discard Changes

SS&A Message Center

Sort Index: Owner Name

Posting Date = 03/11/2013 Interest Date = 03/11/2013 [0] [0]