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

EPA Region 5 Records Ctr.
264152

MAR 07 2005

REPLY TO THE ATTENTION OF:

SE-5J

PROMPT REPLY NECESSARY
CERTIFIED MAIL: RETURN RECEIPT REQUESTED

Allied KeLite Division
c/o MacDermid
245 Freight Street
Waterbury, CT 06702

Re: Request for Information Pursuant to Section 104 of CERCLA for IWI Inc. Site, Summit, Illinois

Dear Sir:

This letter seeks your cooperation in providing information and documents relating to the contamination of the IWI Inc. Superfund Site in Summit, Illinois ("Site"). We encourage you to give this matter your immediate attention and that you provide a complete and truthful response to this Information Request and attached questions (Attachment B) within 30 days of your receipt of this letter.

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Borden
1019 Jericho RD.
Aurora, IL 60506

Re: Request for Information Pursuant to Section 104 of CERCLA for IWI Inc. Site, Summit, Illinois

Dear Sir:

This letter seeks your cooperation in providing information and documents relating to the contamination of the IWI Inc. Superfund Site in Summit, Illinois ("Site"). We encourage you to give this matter your immediate attention and that you provide a complete and truthful response to this Information Request and attached questions (Attachment B) within 30 days of your receipt of this letter.

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Borden Printing Ink Division
Borden Chemical
614 Heron
Bridgeport, NJ 08014

Re: Request for Information Pursuant to Section 104 of CERCLA for IWI Inc. Site, Summit, Illinois

Dear Sir:

This letter seeks your cooperation in providing information and documents relating to the contamination of the IWI Inc. Superfund Site in Summit, Illinois ("Site"). We encourage you to give this matter your immediate attention and that you provide a complete and truthful response to this Information Request and attached questions (Attachment B) within 30 days of your receipt of this letter.

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Chempet Corp.
c/o Rock Vally Oil & Chemical
1911 Windson Road
Loves Park, IL 60111

Re: Request for Information Pursuant to Section 104 of CERCLA for IWI Inc. Site, Summit, Illinois

Dear Sir:

This letter seeks your cooperation in providing information and documents relating to the contamination of the IWI Inc. Superfund Site in Summit, Illinois ("Site"). We encourage you to give this matter your immediate attention and that you provide a complete and truthful response to this Information Request and attached questions (Attachment B) within 30 days of your receipt of this letter.

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Clawson Tank Co.
4701 White Lake
Clarkston, MI 48016

Re: Request for Information Pursuant to Section 104 of CERCLA for IWI Inc. Site, Summit, Illinois

Dear Sir:

This letter seeks your cooperation in providing information and documents relating to the contamination of the IWI Inc. Superfund Site in Summit, Illinois ("Site"). We encourage you to give this matter your immediate attention and that you provide a complete and truthful response to this Information Request and attached questions (Attachment B) within 30 days of your receipt of this letter.

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Dupont Fabrics and Finishes
1007 Market Street
Wilmington, DE 19898

Re: Request for Information Pursuant to Section 104 of CERCLA for IWI Inc. Site, Summit, Illinois

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Federated Metals
2401 Merced
San Leandro, CA 94577

Re: Request for Information Pursuant to Section 104 of CERCLA for IWI Inc. Site, Summit, Illinois

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FCF- Bowers, Inc.
487 Lorne Avenue
N5A 6 R1 Stratford
Ontario

Re: Request for Information Pursuant to Section 104 of CERCLA for IWI Inc. Site, Summit, Illinois

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Itasco Industries
7738 W. 61st Street
Summit, IL 60501

Re: Request for Information Pursuant to Section 104 of CERCLA for IWI Inc. Site, Summit, Illinois

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Kohl & Madden
Quality Printing Ink
406 Harding
Nashville, TN 37211

Re: Request for Information Pursuant to Section 104 of CERCLA for IWI Inc. Site, Summit, Illinois

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Midwest Industries
979 S. Cornwell
Willard, OH 44890

Re: Request for Information Pursuant to Section 104 of CERCLA for IWI Inc. Site, Summit, Illinois

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Paramount Products
10550 Providence Rd.
Grand Rapids, OH 43522

Re: Request for Information Pursuant to Section 104 of CERCLA for IWI Inc. Site, Summit, Illinois

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Rochester Corp..
Old Brandy Rd.
Culpepper, VA 22701

Re: Request for Information Pursuant to Section 104 of CERCLA for IWI Inc. Site, Summit, Illinois

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Sharped Wire, Inc.
900 Douglas Rd.
Batavia, IL 60510

Re: Request for Information Pursuant to Section 104 of CERCLA for IWI Inc. Site, Summit, Illinois

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Sloss Industries
3500 35th Ave N.
Birmingham, AL 35207

Re: Request for Information Pursuant to Section 104 of CERCLA for IWI Inc. Site, Summit, Illinois

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Trojan Steel Company
1414 MacCorkle Ave., SW
Charlston, W. VA 25303

Re: Request for Information Pursuant to Section 104 of CERCLA for IWI Inc. Site, Summit, Illinois

Dear Sir:

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During a preliminary site assessment conducted by U.S. EPA on June 24 and June 25, 2003, access to the site was unrestricted. The chain-link fence bordering the site to the north has a hole cut in it that was approximately 4 feet wide. The temporary fencing located on the southern border of the site was secured with wire ties. There was evidence of trespassing, including graffiti, throughout the site. Many of the site buildings were significantly damaged by the fire and were inaccessible because of severe roof and floor damage. U.S. EPA is currently using public funds to perform the Site investigation.

Under Section 104(e)(2) of CERCLA, 42 U.S.C. §9604(e)(2), U.S. EPA has broad information gathering authority which allows U.S. EPA to require persons to furnish information or documents relating to:

> (A) The identification, nature, and quantity of materials which have been or are generated, treated, stored, or disposed of at a vessel or facility or transported to a vessel or facility.
>
> (B) The nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at or from a vessel or facility.
>
> (C) Information relating to the ability of a person to pay for or to perform a cleanup.

While U.S. EPA seeks your cooperation in this investigation, compliance with the Information Request is required by law. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. §1001. The information you provide may be used by U.S. EPA in administrative, civil or criminal proceedings.

Some of the information U.S. EPA is requesting may be considered by you to be confidential. Please be aware that you may not withhold the information upon that basis. If you wish U.S. EPA to treat the information confidentially, you must advise U.S. EPA of that fact by following the procedures outlined in Attachment A, including the requirement for supporting your claim for confidentiality.

If you have information about other parties who may have information which may assist the Agency in its investigation of the Site or may be responsible for the contamination at the Site, that information should be submitted within the time frame noted above.

Section 104 of CERCLA, 42 U.S.C. §9604, authorizes U.S. EPA to pursue penalties for failure to comply with that section or for failure to respond adequately to requests for submissions of required information.

This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. §3501 et seq.

Instructions on how to respond to the questions in Attachment B to this document are described in Attachment A. Your response to this Information Request should be mailed to:

U.S. Environmental Protection Agency
ATTN: Mrs. Mila V. Bensing
Emergency Enforcement & Support Section, SE-5J
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

If you have additional questions about the history of the Site, the nature of the environmental conditions at the Site, or the status of cleanup activities, please contact Mr. Jerome Kujawa, Assistant Regional Counsel, at this email address kujawa.jerome@epa.gov or at telephone number (312) 886-6731. However, if you have specific questions about the Information Request, please contact Mrs. Mila V. Bensing, Enforcement Specialist, at (312) 353-2006.

We appreciate and look forward to your prompt response to this Information Request.

Sincerely,

William D. Messenger, Chief
Emergency Enforcement and Support Section

Enclosures

Attachment A
Information Request
to **IWI, Inc. Site, IL**

Instructions

1. Answer Every Question Completely. A separate response must be made to each of the questions set forth in this Information Request. For each question contained in this letter, if information responsive to this Information Request is not in your possession, custody, or control, please identify the person(s) from whom such information may be obtained.

2. Number Each Answer. Precede each answer with the corresponding number of the question and the subpart to which it responds.

3. Provide the Best Information Available. Provide responses to the best of Respondent's ability, even if the information sought was never put down in writing or if the written documents are no longer available. You should seek out responsive information from current and former employees/agents. Submission of cursory responses when other responsive information is available to the Respondent will be considered non-compliance with this Information Request.

4. Identify Sources of Answer. For each question, identify (see Definitions) all the persons and documents that you relied on in producing your answer.

5. Continuing Obligation to Provide/Correct Information. If additional information or documents responsive to this Request become known or available to you after you respond to this Request, U.S. EPA hereby requests pursuant to Section 104(e) of CERCLA that you supplement your response to U.S. EPA.

6. Confidential Information. The information requested herein must be provided even though you may contend that it includes confidential information or trade secrets. You may assert a confidentiality claim covering part or all of the information requested, pursuant to Sections 104(e)(7)(E) and (F) of CERCLA, 42.U.S.C. §§9604(e)(7)(E) and (F), and Section 3007(b) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. §6927(b), and 40 C.F.R. §2.203(b).

If you make a claim of confidentiality for any of the information you submit to U.S. EPA, you must prove that claim.

For each document or response you claim confidential, you must separately address the following points:

1. the portions of the information alleged to be entitled to confidential treatment;

2. the period of time for which confidential treatment is desired (e.g., until a certain date, until the occurrence of a specific event, or permanently);

3. measures taken by you to guard against the undesired disclosure of the information to others;

4. the extent to which the information has been disclosed to others; and the precautions taken in connection therewith;

5. pertinent confidentiality determinations, if any, by U.S. EPA or other federal agencies, and a copy of any such determinations or reference to them, if available; and

6. whether you assert that disclosure of the information would likely result in substantial harmful effects on your business' competitive position, and if so, what those harmful effects would be, why they should be viewed as substantial, and an explanation of the causal relationship between disclosure and such harmful effects.

To make a confidentiality claim, please stamp or type "confidential" on all confidential responses and any related confidential documents. Confidential portions of otherwise nonconfidential documents should be clearly identified. You should indicate a date, if any, after which the information need no longer be treated as confidential. Please submit your response so that all non-confidential information, including any redacted versions of documents, is in one envelope and all materials for which you desire confidential treatment are in another envelope.

All confidentiality claims are subject to U.S. EPA verification. It is important that you satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so, and that it is not and has not been obtainable by legitimate means without your consent. Information covered by such a claim will be disclosed by U.S. EPA only to the extent permitted by Section 104(e) of CERCLA. If no such claim accompanies the information

when it is received by U.S. EPA, then it may be made available to the public by U.S. EPA without further notice to you.

7. Disclosure to U.S. EPA Contractor. Information which you submit in response to this Information Request may be disclosed by U.S. EPA to authorized representatives of the United States, pursuant to 40 C.F.R. §2.310(h), even if you assert that all or part of it is confidential business information. Please be advised that U.S. EPA may disclose all responses to this Information Request to one or more of its private contractors for the purpose of organizing and/or analyzing the information contained in the responses to this Information Request. If you are submitting information which you assert is entitled to treatment as confidential business information, you may comment on this intended disclosure within fourteen (14) days of receiving this Information Request.

8. Personal Privacy Information. Personnel and medical files, and similar files, the disclosure of which to the general public may constitute an invasion of privacy, should be segregated from your responses, included on separate sheet(s), and marked as "Personal Privacy Information."

9. Objections to Questions. If you have objections to some or all the questions within the Information Request letter, you are still required to respond to each of the questions.

Definitions

The following definitions shall apply to the following words as they appear in this Information Request.

1. The term "**arrangement**" means every separate contract or other agreement between two or more persons, whether written or oral.

2. The term "**documents**" includes any written, recorded, computer-generated, or visually or aurally reproduced material of any kind in any medium in your possession, custody, or control, or known by you to exist, including originals, all prior drafts, and all non-identical copies.

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

4. The term "**identify**" means, with respect to a natural person, to set forth: (a) the person's full name; (b) present or last known business and home addresses and telephone numbers; (c) present or last known employer (include full name and address) with title, position or business.

5. With respect to a corporation, partnership, or other business entity (including a sole proprietorship), the term "**identify**" means to provide its full name, address, and affiliation with the individual and/or company to whom/which this request is addressed.

6. The term "**material**" or "**materials**" shall mean any and all objects, goods, substances, or matter of any kind, including but not limited to wastes.

7. The term "**person**" shall include any individual, firm, unincorporated association, partnership, corporation, trust, or other entity.

8. The term "**pollutant or contaminant**" shall include, but not be limited to, any element, substance, compound, or mixture, including disease-causing agents, which after release into the environment will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical deformations; except that the term "pollutant or contaminant" shall not include petroleum.

9. The term "**real estate**" shall mean and include, but not be limited to the following: land, buildings, a house, dwelling place, condominium, cooperative apartment, office or commercial building, including those located outside the United States.

10. The term "**release**" shall mean any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, including the abandonment or discharging of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant.

11. The term "**Site**" shall mean the IWI Inc. Superfund Site located at 7738 West 61st Place in Summit, Illinois.

12. The term "**waste**" or "**wastes**" shall mean and include trash, garbage, refuse, by-products, solid waste, hazardous waste, hazardous substances, and pollutants or contaminants, whether

solid, liquid, or sludge, including but not limited to containers or totes for temporary or permanent holding of such wastes.

13. The term "**you**" or "**Respondent**" shall mean IWI Inc. The term "you" also includes any officer, managers, employees, contractors, trustees, successors, assigns, and agents of IWI Inc.

Attachment B
Requests

1. **Identify** all **persons** consulted in the preparation of the answers to these Information Requests.

2. Identify all **documents** consulted, examined, or referred to in the preparation of the answers to these Requests, and provide copies of all such documents.

3. If **you** have reason to believe that there may be persons able to provide a more detailed or complete response to any Information Request or who may be able to provide additional responsive documents, identify such persons.

4. List the EPA Identification Numbers of the **Respondent**.

5. Identify the acts or omissions of any persons, other than your employees, contractors, or agents, that may have caused the **release** or threat of release of **hazardous substances**, **pollutants, or contaminants**, and damages resulting therefrom.

6. Identify all persons having knowledge or information about the generation, transportation, treatment, disposal, or other handling of hazardous substances by you, your contractors, or by prior owners and/operators.

7. Did you ever use, purchase, store, treat, dispose, transport or otherwise handle any hazardous substances or **materials**? If the answer to the preceding question is anything but an unqualified "no", identify:

a) The chemical composition, characteristics, physical state (e.g., solid, liquid) of each hazardous substance;

b) Who supplied you with such hazardous substances;

c) How such hazardous substances were used, purchased, generated, stored, treated, transported, disposed, or otherwise handled by you;

d) When such hazardous substances were used, purchased, generated, stored, treated, transported, disposed, or otherwise handled by you;

e) Where such hazardous substances were used, purchased, generated, stored, treated, transported, disposed, or otherwise handled by you; and

f) The quantity of such hazardous substances used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you.

8. Provide copies of all income tax returns sent to the Federal Internal Revenue Service in the last five years.

9. If Respondent is a Corporation, respond to the following requests:

a) Provide a copy of the Articles of Incorporation and By-Laws of the Respondent.

b) Provide Respondent's audited financial statements for the past five fiscal years, including, but not limited to those filed with the Internal Revenue Service. If audited financial statements are not available, please state the reasons that they are not available, and provide the financial statements that management would review at the conclusion of each fiscal year.

c) Identify all of Respondent's current assets and liabilities and the persons who currently own or are responsible for such assets and liabilities.

d) Provide a list of any investments that the Corporation may own. For example, any ownership in stock should list Corporate name, number of shares owned, and price at a current specific date. Ownership of **real estate** should itemize property location, type of property (land, office building, factory, etc.), size of property, purchase price, and current market valuation. These schedules should agree with financial statement presentations.

10. If Respondent is a Partnership, provide copies of the Partnership Agreement.

11. If Respondent is a Trust, provide all relevant agreements and documents to support this claim.

12. Identify all persons, including yourself, who may have arranged for disposal or treatment or arranged for transportation for disposal or treatment of totes, containers, drums, barrels, pails, or waste materials, including hazardous substances, at the Site or to the Site or for transshipment through the Site. In addition, identify the following:

a) The persons with whom you or such other persons made such arrangements, including, but not limited to [provide list of transporters];

b) Every date on which such arrangements took place;

c) For each transaction, the nature of the waste material or hazardous substance, including the chemical content, characteristics, physical state (e.g., solid, liquid) and the process for which the substance was used or the process which generated the substance which may have been stored in totes, containers, drums, barrels, or pails;

d) The owner of the totes, containers, drums, barrels, pails, or waste materials or hazardous substances so accepted or transported;

e) The quantity of the totes, containers, drums, barrels, pails, or waste materials or hazardous substances involved (weight or volume) in each transaction and the total quantity for all transactions;

f) All tests, analyses, and analytical results concerning the totes, containers, drums, barrels, pails, or waste materials;

g) The person(s) who selected the Site or transshipment of totes, containers, drums, barrels, pails, or waste materials through the Site as the place to which the waste materials or hazardous substances were to be transported;

h) The amount paid in connection with each transaction, the method of payment, and the identity of the person from whom payment was received;

i) Where the person identified in g. above intended to have such totes, containers, drums, barrels, pails, hazardous substances, or waste materials transported and all evidence of this intent;

j) Whether the totes, containers, drums, barrels, pails, waste materials or hazardous substances involved in each transaction were transshipped through, or were stored or held at, any intermediate site prior to final treatment or disposal;

k) What was actually done to the totes, containers, drums, barrels, pails, or waste materials or hazardous substances once they were brought to the Site;

l) The final disposition of each of the totes, containers, drums, barrels, pails, or waste materials or hazardous substances involved in such transactions;

m) The measures taken by you to determine the actual methods, means, and site of treatment or disposal of the totes, containers, drums, barrels, pails, or waste material and hazardous substances involved in each transaction;

n) The type and number of totes, containers, drums, barrels, or pails in which the waste materials or hazardous substances were contained when they were accepted for transport, and subsequently until they were deposited at the Site, and all markings on such totes, containers, drums, barrels, pails, or containers;

o) The price paid for transport or disposal or treatment of each tote, container, drum, barrel, pail, waste material and hazardous substance;

p) All documents containing information responsive to a)-o) above, or in lieu of identification of all relevant documents, provide copies of all such documents;

q) All persons with knowledge, information, or documents responsive to a)-p) above.

IWI, Inc., Summit, Illinois

104(e) Information Request Letter
RESPONDENTS

Allied Kelite Division
c/o MacDermid
245 Freight Street
Waterbury, CT 06702

Borden Chemical
1019 Jericho Rd.
Aurora, IL 60506

Broden Printing Ink Division
Borden Chemical
614 Heron
Bridgeport, NJ 08014

Chempet Corp.
c/o Rock Valley Oil & Chemical
1911 Windson Road
Loves Park, IL 61111

Clawson Tank Co.
4701 White Lake
Clarkston, MI 48016

Dupont Fabrics and Finishes
1007 Market Street
Wilmington, DE 19898

Federated Metals
2401 Merced
San Leandro, CA 94577

FCF-Bowers, Inc.
487 Lorne Avenue
N5A 6R1 Stratford
Ontario

Itasco Industries
7738 W. 61st Street
Summit, IL 60501

Kohl & Madden
Quality Printing Ink
406 Harding
Nashville, TN 37211

Midwest Industries
979 S. Cornwell
Willard, OH 44890

Paramount Products
10550 Providence Rd.
Grand Rapids, OH 43522

Rochester Corp.
Old Brandy Rd.
Culpepper, VA 22701

Shaped Wire, Inc.
900 Douglas Rd.
Batavia, IL 60510

Sloss Industries
3500 35th Avenue N
Birmingham, AL 35207

Trojan Steel Company
1414 MacCorkle Ave. SW
Charleston, W. VA 25303