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

REPLY TO THE ATTENTION OF:

OCT 09 2003

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Chemical Recovery Systems, Incorporated
Peter J. Shagena, Registered Agent
42714 Woodward Avenue, Suite A
Bloomfield Hills, Michigan 48304-5601

US EPA RECORDS CENTER REGION 5
463548

RE: The Chemical Recovery Systems Site, Elyria, Ohio
General Notice of Potential Liability and Request for Information

Dear Mr. Shagena:

The United States Environmental Protection Agency (U.S. EPA or Agency) has documented the release or threatened release of hazardous substances, pollutants and contaminants at the above referenced facility (Site). To address the dangers and threats to human health and the environment as quickly as possible, several potentially responsible parties (PRPs) have signed an Administrative Order on Consent (AOC) to conduct a Remedial Investigation/Feasibility Study (RI/FS) with U.S. EPA oversight. The Respondents are already two months into the field investigation. All response actions at this Site will be taken pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. § 9601 *et seq.* (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. No. 99-499, 100 Stat. 1613 (1986) (SARA). 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 hazardous substances 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.

The primary objective of the RI/FS is to gather sufficient data to support the selection of the site remedy that will reduce or eliminate risk associated with the contamination at the site.
The Remedial Investigation (RI) involves:

- Characterizing the nature and extent of the risks associated with the contamination in the site soils, sediment, surface water, and groundwater;

- Determining the potential for contaminant transport via air, groundwater, and sediment/surface water pathways;

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- Conducting a baseline public health evaluation and an ecological risk assessment; and

- Conducting treatability studies to evaluate the performance and cost of the treatment technologies and to support the design of the selected remedies.

The RI will also include waste characterization, geophysical surveys, excavation of test pits, soil sampling and analysis, groundwater sampling and analysis, and the determination of the site geologic and hydrogeologic characteristics.

The primary objective of the Feasibility Study (FS) is to develop, analyze, and compare a range of remedial action alternatives through the application of the nine established evaluation criteria. The FS is comprised of two main phases:

- Development and screening of alternatives; and

- Detailed analysis of the alternatives.

The data collected during the RI influences the development of the remedial action alternatives in the FS, which in turn affects the data needs and scope of the treatability studies and subsequent field studies.

Prior to the start of the RI field activities, which began July 7, 2003, the following plans were developed and approved by the U. S. EPA:

- Site work plan;

- Site health and safety plan;

- Site security plan;

- Site sampling and analysis plan for the Toxic Compound List/ Toxic Analyte List and Toxicity Characteristic Leaching Procedures parameters;

- Site Quality Assurance Project Plan, and

- Site Community Relations Plan.

For additional information regarding the policy and guidance associated with conducting RI/FS studies see OSWER Directive (9355.3-01) Guidance for Conducting Remedial Investigations and Feasibility Studies (RI/FS) Under CERCLA, October 1988.

The U. S. EPA has received information that you may have owned or operated or generated or transported hazardous substances that were disposed of at the Site. By this letter, U.S. EPA notifies you of your potential liability with regard to this matter and encourages you, as a potentially responsible party, to reimburse U.S. EPA for costs incurred to date and to voluntarily perform or finance the response activities that U. S. EPA has determined or will determine are required at the Site. The U.S. EPA is willing to discuss with you the entry of an appropriate administrative consent order under which you would perform or finance response activities and reimburse U.S. EPA for its costs. If a consent order cannot be promptly concluded, U.S. EPA may issue a unilateral order under Section 106 of CERCLA, requiring you to perform specified work. Under Sections 106 and 107 of CERCLA, you may be liable for reimbursement of U.S. EPA's costs, for statutory penalties, and for treble damages for noncompliance with such an order.

Attachment 7 is a list of the names and addresses of any other potentially responsible parties (PRPs) to whom this notification is being sent. This list is provided to assist you in contacting other PRPs in this matter and to negotiate with U.S. EPA. Attachment 8 is a list of the respondents that have already signed the AOC, executed May 29, 2002, to conduct the RI/FS.

Enclosed is a U.S. EPA Small Business Regulatory Enforcement Fairness Act Information Sheet (Attachment 9). The information sheet may be helpful, if you are subject to enforcement action by U.S. EPA and you are a qualified small business.

As a potentially responsible party, you should notify U.S. EPA in writing within 10 days of receipt of this letter of your willingness to perform or finance the activities described above. If U.S. EPA does not receive a timely response, U.S. EPA will assume that you do not wish to negotiate a resolution of your potential responsibility in connection with the Site and that you have declined any involvement in performing the response activities.

Your letter should indicate the appropriate name, address, and telephone number for further contact with you. If you are already involved in discussions with state or local authorities, engaged in voluntary cleanup action, or involved in a lawsuit regarding this Site, you should continue such activities as you see fit. This letter is not intended to advise you or direct you 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 party involved in those discussions or actions.

In addition, U.S. EPA is seeking to obtain certain other information from you pursuant to its authority under Section 104 (e) of CERCLA, 42 U.S.C. § 9604 (e), for the purpose of enforcing CERCLA and to assist in determining the need for response to a release of hazardous substance(s) under CERCLA. The Administrator of the U.S. EPA has the authority to require any person who has or may have information relevant to any of the following to furnish U.S. EPA with such information: (1) the identification, nature, or quantity of materials which have been or are generated, treated, stored or disposed of at, or transported to a facility;

(2) the nature or extent of a release or threatened release of a hazardous substance, pollutant or contaminant at or from a facility and (3) the ability of a company or person to pay for or perform a cleanup. Attachment 1 is a summary of the history of the Chemical Recovery Systems (CRS) Site.

Pursuant to Section 104 (e) of CERCLA, you are hereby requested to submit a response to this Information Request and its questions in Attachment 2 concerning the Chemical Recovery Systems Site located at 142 Locust Street in Elyria, Ohio. Instructions to guide you in the preparation of your response are in Attachment 3. Definitions of the terms used in this Information Request and in the questions are in Attachment 4.

This request is directed to your company, its officers, directors, and employees, and its subsidiaries, divisions, facilities and their officers, directors, and employees. The information sought herein must be sent to U.S. EPA within 30 calendar days of your receipt of this letter. Failure to respond fully and truthfully to this request, or to adequately justify any failure to respond, may result in an enforcement action against you by U.S. EPA under Section 104 of CERCLA, as amended.

The information requested herein must be provided notwithstanding its possible characterization as confidential information or trade secrets. You may request, however, that any such information be handled as confidential business information. A request for confidential treatment must be made when the information is provided, since any information not so identified will not be accorded this protection by the U.S. EPA. Information claimed as confidential will be handled in accordance with the provisions of 40 C. F. R. Part 2. To request that the Agency treat your information as confidential, you must follow the procedures outlined in Attachment 5, including the requirement that you support your claim for confidentiality.

The written statements submitted pursuant to this request must be notarized and submitted under an authorized signature certifying that all information contained therein is true and accurate to the best of the signatory's knowledge and belief. Moreover, any documents submitted to U.S. EPA pursuant to this Information Request should be certified as true and authentic to the best of the signatory's knowledge and belief. Should the signatory find, at any time after the submittal of the requested information, that any portion of the submitted information is false, the signatory should so notify U.S. EPA. If any answer certified as true should be found to be untrue, the signatory can and may be prosecuted pursuant to 18 U.S.C. § 1001. The U. S. EPA has the authority to use the information requested herein in any administrative, civil or criminal action.

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

Send your responses to both the Notice of Potential Liability within 10 days and the Information Request within 30 days, to:

U. S. Environmental Protection Agency
Deena Sheppard - Johnson, SR- 6J
Remedial Enforcement Support Section
77 West Jackson Blvd.
Chicago, Illinois 60604 - 3590

If you have legal questions, please call Thomas Nash, Associate Regional Counsel, at (312) 886- 0552. If you have technical questions about this Site, call Gwendolyn Massenburg, Remedial Project Manager, at (312) 886- 0983. Address all other questions to Deena Sheppard - Johnson, Enforcement Specialist, at (312) 886-7048.

Due to the nature of the problem at this Site and the attendant legal ramifications, U.S. EPA strongly encourages you to submit a written response within the time frames specified. We trust you will give this matter your immediate attention.

Sincerely,

Wendy L. Carney, Chief
Remedial Response Branch #1

Attachments

1. Site History
2. Questions
3. Instructions
4. Definitions
5. Confidential Business Information
6. Legal Authority
7. List of Potentially Responsible Parties (PRPs)
8. List of Respondents Executing the Administrative Order on Consent
9. Small Business Notice

Attachment 1
SITE HISTORY

The Chemical Recovery Systems Site (CRS Site) is located at 142 Locust Street in Elyria, Ohio. The CRS Site is bordered on the west by the East Branch of the Black River, to the north and east by the Engelhard (formerly Harshaw) Chemical Company, and to the south by M&M Aluminum Siding Company. The CRS Site is located in a predominantly industrial and commercial area near the central business district of Elyria. The CRS Site consists of four parcels that are currently leased to M&M Aluminum which uses the Site property to store aluminum siding. Most of the Site's 2.3 acres are empty. Two buildings are currently on the CRS Site: a former warehouse and office building and the masonry shell of a building that housed a Rodney Hunt distillery. These building are located in the southeast corner of the CRS Site. The foundation of a building that formerly housed a Brighton still is located in the northeast corner of the CRS Site. The CRS Site is fenced on all sides except the side bounded by the East Branch of the Black River.

Beginning no later than the 1940s the CRS Site was used for commercial and industrial purposes such as a coal yard. During the 1950s, Harshaw Chemical briefly leased the CRS Site to store saggers. In 1960, Russell Obitts leased the CRS Site property and relocated his existing business, the Obitts Chemical Company, which reclaimed spent organic solvents, to the CRS Site. Later Russell Obitts and Dorothy Obitts purchased this property.

In 1974, Chemical Recovery Systems, Incorporated, a Michigan corporation (CRS-MI), assumed operations at the CRS Site through a stock purchase agreement with the Obitts Chemical Company. CRS-MI formed a wholly owned subsidiary, Chemical Recovery Systems, Inc., which it incorporated under Ohio law, to operate the former Obitts Chemical Company. In a separate agreement, CRS-MI leased the CRS Site property from Russell Obitts and Dorothy Obitts in a lease agreement with an option to purchase. A year later CRS-MI exercised its purchase option. Chemical Recovery Systems, Inc., an Ohio corporation (CRS-OH) continued operations at the CRS Site until 1981.

Operating as Obitts Chemical Company and then as CRS-OH the facility located on the Site received spent organic solvents from industrial facilities and reclaimed the solvents through distillation processes. Both owner/operators hauled contaminated solvents to the Site facility in their own tanker trucks and in stake trucks hauling 55 gallon drums. Spent solvents were stored in above ground tanks and 55 gallon drums. Soil contamination occurred through leakage and spills. Spent solvents that were transported to the CRS Site include, but are not limited to, the following: acetone, hexane, isopropyl alcohol, methylene ethyl ketone (MEK), tetrachloroethane, toluene, trichloroethane, and xylene. Analysis of samples collected at the CRS Site by U.S. EPA on November 26, 1979, detected PCE, ethyl benzene, and naphthalene. A solvent sample collected on February 5, 1980 contained toluene, ethylbenzene, xylene, and naphthalene. During U.S. EPA's visit to the CRS Site February 5, 1980, an employee of the facility identified specific solvents reclaimed there including paint solvents

Because the CRS Site posed imminent danger to the local population and the environment, U.S. EPA initiated an action under the Resource Recovery and Conservation ACT (RCRA). On October 7, 1980, the U.S. Department of Justice (U.S. DOJ), on behalf of U.S. EPA, filed an action against CRS-OH in the U.S. District Court, Northern District of Ohio, to abate an imminent and substantial endangerment to public health and the environment from the CRS Site. On July 12, 1983, the District Court entered a Consent Decree that required CRS-OH to take these and other actions: excavate all visibly contaminated soils identified during a joint U.S. EPA and CRS-OH inspection; excavate the perimeter of the Brighton still to a specified depth and distance; dispose of the excavated soil at an approved waste disposal site; backfill the excavated areas; and grade the CRS Site. After its inspection of the CRS Site November 7, 1983, U.S. EPA concluded that CRS-OH was in compliance with the July 12, 1983 Consent Decree.

Because hazardous substances released at the CRS-Site remain in the soil and groundwater at elevated levels, U.S. EPA is now taking response actions, under the authority of Section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 and its amendments.

Several parties, already notified of their potential liability at the CRS Site, have signed an Administrative Order on Consent (AOC) to conduct a Remedial Investigation/Feasibility Study (RI/FS). Field work on the RI began on July 7, 2003.

Attachment 2
QUESTIONS

1. Identify all persons consulted in the preparation of the answers to these questions.

2. Identify all documents consulted, examined, or referred to in the preparation of the answers to these questions 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 question 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 person, 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 at the CRS Site.

6. Identify all persons, including respondent's employees, who have knowledge or information about the generation, use, treatment, storage, disposal, or other handling of material at or transportation of materials to the Site (operating as Obitts Chemical Company or Chemical Recovery Systems, Inc., at 142 Locust Street, Elyria, Ohio).

7. Describe all arrangements that Respondent may have or may have had with each of the following companies and persons:

a. Obitts chemical Company

b. Russell Obitts

c. Chemical Recovery Systems, Inc.

d. Peter Shagena

e. James Freeman

f. James "Jim" Jackson

g. Donald Matthews

h. Bob Spears

i. Bill Bromley

j. Carol Oliver

k. Nolwood Chemical Company, Inc.

l. Art McWood

m. Chuck Nolton

n. Michigan Recovery Systems, Inc.

o. Chemical Recovery Systems of Michigan

8. Set forth the dates during which the Respondent engaged in any of the following activities:

a) generation of hazardous materials which were sent to the CRS Site;

b) transportation of any material to the CRS Site.

9. Identify all persons, including yourself, who may have arranged for disposal or treatment, or arranged for transportation for disposal or treatment, of materials, including, but not limited to, hazardous substances, at the CRS Site. In addition, identify the following:

a) The persons with whom you or such other persons made such arrangements;

b) Every date on which such arrangements took place;

c) For each transaction, the nature of the 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;

d) The owner of the materials or hazardous substances so accepted or transported;

e) The quantity of the 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 materials;

g) The person (s) who selected the CRS Site as the place to which the 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 hazardous substances or materials transported and all evidence of this intent;

j) Whether the 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 materials or hazardous substances once they were brought to the CRS Site;

l) The final disposition of each of the 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 material and hazardous substance involved in each transaction:

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

o) The price paid for (i) transport, (ii) disposal, or (iii) both of each 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, documents responsive to a - p above.

10. Identify all liability insurance policies held by Respondent from 1960 to the present. In identifying such policies, state the name and address of each insurer and of the insured, the amount of coverage under each policy, the commencement and expiration dates for each policy, whether or not the policy contains a "pollution exclusion" clause, and whether the policy covers or excludes sudden, nonsudden, or both types of accidents. In lieu of providing this information, you may submit complete copies of all relevant insurance policies.

11. Provide copies of all income tax returns, including all supporting schedules, sent to the Federal Internal Revenue Service in the last five years.

12. 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 financial statements for the past five fiscal years, including, but not limited to, those filed with the Internal Revenue Service and Securities and Exchange Commission.

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

d) Identify the Parent Corporation and all Subsidiaries of the Respondent.

13. If Respondent is a Partnership, respond to the following requests:

a) Provide copies of the Partnership Agreement;

b) Provide Respondent's financial statements for the past five fiscal years, including, but not limited to, those filed with the Internal Revenue Service and Securities and Exchange Commission;

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

d) Identify all subsidiaries of the Respondent.

14. If Respondent is a Trust, respond to the following requests:

a) Provide all relevant agreements and documents to support this claim.

b) Provide Respondent's financial statements for the past five fiscal years, including, but not limited to, those filed with the Internal Revenue Service and Securities and Exchange Commission.

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

Attachment 3
INSTRUCTIONS

1. Answer each of the questions in this Information Request separately.

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

3. In answering each question, identify all persons and contributing sources of information.

4. Although the U.S. EPA seeks your cooperation in this investigation, CERCLA requires that you respond fully and truthfully to this Information Request. False, fictitious, or fraudulent statements or misrepresentations may subject you to civil or criminal penalties under federal law. Section 104 of CERCLA, 42 U.S.C. Section 9604, authorizes the 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.

5. For any document submitted in response to a question, indicate the number of the question to which it responds.

6. You must supplement your response to U.S. EPA if, after submission of your response, additional information should later become known or available. Should you find at any time after the submission of your response that any portion of the submitted information is false or misrepresents the truth, you must notify U.S. EPA as soon as possible.

7. For any document submitted in response to a question, indicate the number of the question to which it responds.

8. You must respond to each question based upon all information and documents in your possession or control, or in the possession or control of your current or former employees, agents, contractors, or attorneys. Information must be furnished regardless of whether or not it is based on your personal knowledge, and regardless of source.

9. Your response must be accompanied by the following statement, or one that is substantially equivalent:

> I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted.
>
> Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.
>
> The individual who prepared the response or the responsible corporate official acting on behalf of the corporation must sign and date the statement, affidavit, or certification. Include the corporate official's full title.

10. If any of the requested documents have been transferred to others or have otherwise been disposed of, identify each document, the person to whom ir was transferred, describe the circumstances surrounding the transfer or disposition, and state the date of the transfer or disposition.

11. All requested information must be provided notwithstanding its possible characterization as confidential information or trade secrets. If desired, you may assert a business confidentiality claim by means of the procedures described in Attachment 5.

Attachment 4
DEFINITIONS

1. As used in this letter, words in the singular also include the plural and words in the masculine gender also include the feminine and vice versa.

2. The term ***person*** as used herein includes, in the plural as well as the singular, any natural person, firm, contractor, unincorporated association, partnership, corporation, trust or governmental entity, unless the context indicates otherwise.

3. ***The Site*** referenced in these documents shall mean the **Chemical Recovery Systems, Inc., Site** located at 142 Locust Street, Elyria, Ohio.

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

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

6. The term ***release*** shall have the same definition as that contained in Section 101(22) of CERCLA, and means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, including the abandonment or discarding of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant.

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

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

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

10. The term ***you, yours*** or ***Respondent*** shall mean the addressee of this Request, the addressee's officers, managers, employees, contractors, trustees, predecessors, partners, successors, assigns, subsidiaries and agents.

11. The term ***dump*** as used herein shall mean an accumulation of refuse and discarded materials and/or a place where such materials are dumped.

12. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA, (RCRA), 40 C. F.R Part 300 or 40 C.F.R. Part 260-280, in which case the statutory or regulatory definitions shall apply.

Attachment 5
CONFIDENTIAL BUSINESS INFORMATION

You may consider some of the information confidential that the U.S. Environmental Protection Agency (U.S. EPA or Agency) is requesting. You can not withhold information or records upon that basis. The Regulations at 40 C.F.R. Part 2, Section 200 *et seq.*, require that U.S. EPA afford you the opportunity to substantiate your claim of confidentiality before the Agency makes a final determination on the confidentiality of the information.

You may assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 C.F.R. Section 2.203(b). Information covered by such a claim will be disclosed by the U.S. EPA only to the extent and only by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. [See 41 Federal Register 36902 *et seq.* (September 1, 1976); 43 Federal Register 4000 *et seq.* (December 18, 1985).] If no such claim accompanies the information when U.S. EPA receives it, the information may be made available to the public by the Agency without further notice to you. Please read carefully these cited regulations, together with the standards set forth in Section 104(e)(7) of Comprehensive Environmental Response Compensation Liability Act (CERCLA), because, as stated in Section 104(e)(7) (ii), certain categories of information are not properly the subject of a claim of confidential business information.

If you wish U.S. EPA to treat the information or record as *confidential*, you must advise U.S. EPA of that fact by following the procedures described below, including the requirement for supporting your claim of confidentiality. To assert a claim of confidentiality, you must specify which portions of the information or documents you consider confidential. Please identify the information or document that you consider confidential by page, paragraph, and sentence. You must make a separate assertion of confidentiality for each response and each document that you consider confidential. Submit the portion of the response that you consider confidential in a separate, sealed envelope. Mark the envelope *confidential*, and identify the number of the question to which the envelope's contents are the response.

For each assertion of confidentiality, identify:

1. The period of time for which you request that the Agency consider the information confidential, e.g., until a specific date or until the occurrence of a specific event;

2. The measures that you have taken to guard against disclosure of the information to others;

3. The extent to which the information has already been disclosed to others and the precautions that you have taken to ensure that no further disclosure occurs;

4. Whether U.S. EPA or other federal agency has made a pertinent determination on the confidentiality of the information or document. If an agency has made such a determination, enclose a copy of that determination.

5. Whether disclosure of the information or document would be likely to result in substantial harmful effects to your competitive position. If you believe such harm would result from any disclosure, explain the nature of the harmful effects, why the harm should be viewed as substantial, and the causal relationship between disclosure and the harmful effect. Include a description of how a competitor would use the information.

6. Whether you assert that the information is voluntarily submitted as defined by 40 C.F.R. 2.201(i). If you make this assertion, explain how the disclosure would tend to lessen the ability of U.S. EPA to obtain similar information in the future.

7. Any other information that you deem relevant to a determination of confidentiality.

Please note that, pursuant to 40 C.F.R. 2.208(e), the burden of substantiating confidentiality rests with you. The U.S. EPA will give little or no weight to conclusory allegations. If you believe that facts and documents necessary to substantiate confidentiality are themselves confidential, please identify them as such so that U.S. EPA may maintain their confidentiality pursuant to 40 C.F.R. 2.205(c). If you do not identify this information and documents as *confidential*, your comments will be available to the public without further notice to you.

Attachment 6
DESCRIPTION of LEGAL AUTHORITY

The federal **Superfund** law (the Comprehensive Environmental Response, Compensation and Liability Act), 42 U.S.C. § 9601, *et seq.*, (commonly referred to as **CERCLA** or Superfund), gives the U.S. EPA the authority to, among other things: 1) assess contaminated sites; 2) determine the threats to human health and the environment posed by each site; and 3) clean up those sites in the order of the relative threats posed by each.

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. The ability to pay the costs of the clean-up.

Compliance with this Information Request is mandatory. Failure to respond fully and truthfully to each question within this Information Request and within the prescribed time frame can result in an enforcement action by U.S. EPA pursuant to Section 104(e)(5) of CERCLA. This section also authorizes an enforcement action with similar penalties if the recipient of the Request does not respond <u>and</u> does not justify the failure to respond. Other statutory provisions (18 U.S.C. § 1001) authorize separate penalties if the responses contain false, fictitious, or fraudulent statements. U.S. EPA has the authority to use the information requested in this Information Request in an administrative, civil, or criminal action.

CHEMICAL RECOVERY SYSTEMS
UPDATED PRP ADDRESS LIST
LAST UPDATED 10/09/03

1. 3 M Corp.
   Attn: Brian Davis
   P.O. Box 33428
   St. Paul, MN 55133-3428

2. Black McCuskey Souers & Arbaugh
   Attn: Victor Marsh
   1000 United Bank Plaza
   220 Market Avenue South
   Canton, OH 44702-2116 (re: Adelphia)

3. Parker Hannifin
   Airborne Division
   Attn: Chris Burich
   6035 Parkland Blvd
   Cleveland, OH 44124-4141

4. KOA Speer Electronics
   f/k/a Airco Speer Electronics
   Bolivar Drive, PO Box 547
   Bradford, PA 16701

5. Chemcentral
   f/k/a Allegheny Solvents & Chemical
   P.O. Box 730
   Bedford Park, IL 60499-0730

6. Foley and Lardner
   Attn: Tanya O'Neill
   777 E Wisconsin Ave.
   Milwaukee, WI 53202-5367
   (re: Allis Chalmers Corp.)

7. US Steel Corporation
   Attn: Miles Stipanovich
   600 Grant Street, Room 1500
   Pittsburgh, PA 15219-2800 (re: Alside)

8. American Colors, Inc.
   Attn: Jim Sayre
   1110 Edgewater Drive
   Sandusky, OH 44870

9. American Greetings Corp.
   Attn: Michelle Creger
   One American Road
   Cleveland, OH 44144-2938

10. Ashland Chemical, Inc.
    Robin Lampkin-Isabel
    P.O. Box 2219
    Columbus, OH 43216

11. Astatic Corp.
    P.O. Box 120
    Conneaut, OH 44030

12. Auto & Industrial Finishes
    Attn: Kevin R. Kehoe
    9070 Marshall Road
    Cranberry Township, PA 16066

13. Squire, Sanders & Dempsey L.L.P
    Attn: Douglas McWilliams
    4900 Key Tower, 127 Public Square
    Cleveland, OH 44114-1304
    (re: Avery/Fasson)

14. Thompson Hine
    Attn: Heidi Goldstein
    3900 Key Center
    127 Public Square
    Cleveland, OH 44114-1291
    (re: B.F. Goodrich)

Thompson Hine
Attn: Keely O'Bryan
3900 Key Center
127 Public Square
Cleveland, OH 44114-1291 (re: B.F. Goodrich)

15. McGregor & Patterson
Attn: J Russell McGregor
105 Smithfiled Street, Suite 200
Pittsburgh, PA 15222
(re: Ball/Ranbar/BBT)

16. Squires Sanders & Dempsey
Attn: Vincent Atriano
1300 Huntington Center
41 South High Street
Columbus, OH 43215 (re: Barr, Inc.)

17. Basic Packaging Machinery Corp.
642 Sugar Lane
Elyria, OH 44035

18. Walton Paint Company
d/b/a Beaver Paint Company
Attn: Joseph Walton
108 Main Street
Jamestown, PA 16134

19. Thompson Hine
Attn: Andrew Kolesar
312 Walnut Street, 14th floor
Cincinnati, OH 45202-4029
(re: Berenfield Steel Drum)

20. Black McCuskey Souers & Arbaugh
Attn: Victor Marsh
1000 United Bank Plaza
220 Market Avenue South
Canton, OH 44702-2116 (re: Bison)

21. Vorys, Sater, Seymour and Pease
Attn: Joe Blasko
52 East Gay Street
Columbus, OH 43216-1008
(re: Borden Chemical)

22. Borg Warner
Attn: Stephanie Bransfield
200 South Michigan Avenue
Chicago, IL 60604

23. Lathrop & Gage
Attn: Jonathan Haden
2345 Grand Blvd., Ste 2800
Kansas City, MO 64108-2612 (re: BFI)

24. Whyte, Hirschboeck & Dudek
Attn: Jennifer Buzecky
111 East Wisconsin Ave., Ste 2100
Milwaukee, WI 53202 (re: Bucyrus Erie)

25. Bud Industries, Inc.
Attn: Ravi Jain
P.O. Box 998
Willoughby, OH 44096

26. Don E. Cain
2321 Fortune Drive
Lexington, KY 40509
(RE: Don Cain and C&C Supply)

27. Aztec Peroxides, Inc.
f/k/a Carmac Chemical
555 Garden Street
Elyria, OH 44035

28. David B. Graham
Kaufman & Canoles
1200 Old Colony Lane
P.O. Box 6000
Williamsburg, VA 23188
(re: Celanese)

29. Checkmate Boats
3691 State Route 4
Bucyrus, OH 44820

30. McDermott, Will & Emery
Attn: Louis Rundio, Jr.
227 W. Monroe St.
Chicago, IL 60606 (re: Chemcentral)

31. Doepken Keevican & Weiss, P.C.
Attn: Terry L. Schnell
58th Floor, USX Tower
600 Grant Street
Pittsburgh, PA 15219-2703 (re: Chemical Dist.)

32. Chemical Recovery Systems, Inc.
Attn: Peter Shagena
42714 Woodward Avenue, Suite A
Bloomfield Hills, MI 48304-5061

33. Waste Management
f/k/a Chem-Trol Pollution Control Services
Attn: James Forney
3970 Heritage Avenue
Okemos, MI 48864

34. Chemtron Corp.
Attn: Richard Timm
35850 Schneider Ct.
Avon, OH 44011

35. Howard & Howard
Attn: Gary Peters
39400 Woodward Avenue, Suite 101
Bloomfield Hills, MI 48304-5151
(Re: Chrysler Plastics)

DaimlerChrysler Corporation
f/k/a Chrysler Plastic Products Co.
Attn: Kathleen Hennessey, CIMS 485-13-62
1000 Chrysler Drive
Auburn Hills, MI 48236-2808

36. Ingersoll-Rand
Attn: Donna McMahon
200 Chestnut Ridge Road
Woodcliff Lake, NJ 07677
(re: Clark Equipment)

37. Clyde Paint & Supply Co.
Gerald F. Thomas, Registered Agent
301 Lisa Ann Drive
Huron, OH 44839

38. Cytec Olean
Attn: Thomas Waldman
Five Garret Mtn Plaza
West Paterson, NJ 07424
(re: Conap, Inc.)

39. Conneaut Leather, Inc.
Attn: Howard Bartow
4114 Carpenter Road
Ashtabula, OH 44004

40. Dwyer, Kinburn, Hall & Golub
Attn: Terrence Dwyer
16 Furler Street
Totowa, NJ 07511-0437
(re: Continental Can/Kiewit)

Crown Cork & Seal
f/k/a Continental Can
Attn: William Gallagher
One Crown Way
Philadelphia, PA 19154

41. Cuyohoga Chemical Company
Attn: Paul Moffat
3470 West 140th Street
Cleveland, OH 44111-2431

42. Thompson Hine
Attn: Michael Cyphert
3900 Key Center
127 Public Square
Cleveland, OH 44114-1291
(re: DeSantis Coatings)

43. Baker & Hostetler, LLP
Attn: Jason Perdion
3200 National City Center
1900 East 9th Street
Cleveland, OH 44114-3485
(re: Dorn Color)

44. Dow Corning Corporation
Attn: Jeanne D. Dodd (Mail # CO1222)
2200 West Salzburg Road
Midland, MI 48686-0994

45. E.I. duPont de Nemours
f/k/a DuPont Chemical
Attn: Barbara Gravely, D-7083
1007 Market Street
Wilmington, DE 19898

46. Alan Plotkin
18 East 48th Street, Floor 18
New York, NY 10017 (re: Eagle Rubber)

47. Eastman Kodak
Attn: Elliott Stern
343 State Street
Rochester, NY 14650-0217

48. Centria
f/k/a Elwin G. Smith
1005 Beaver Grade Road
Coraopolis, PA 15108

Frost Brown Todd, LLC
Attn: Steven Wesloh
2200 PNC Center
201 East Fifth Street
Cincinnati, OH 45202
(re: EG Smith/AK Steel)

49. Elyria Foundry
Attn: Samuel Knezevic
120 Filbert Street
Elyria, OH 44036

Chromalloy American Corp.
f/k/a Elyria Foundry
120 S. Central Ave.
St. Louis, MO 63105

50. Dow Chemical Co.
f/k/a Essex Chemical-Jamestown Finishes
Attn: Tracy Goad Walter
2030 Dow Center
Midland, MI 48676

51. FBC Chemical Corporation
Attn: Lad Hudac
P.O. Box 599
Mars, PA 16046

52. Joondeph & Bittel
Attn: Dale Wilson
50 South Main Street, Suite 700
Akron, OH 44308 (re: Ferriot Bros)

53. Hanna, Campbell & Powell
Attn: David Moss
3737 Embassy Parkway
P.O. Box 5521
Akron, OH 44334 (re: Firestone)

Jones, Day, Reavis & Pogue
Attn: Heidi Hughes Bumpers
51 Louisiana Avenue, N.W.
Washington, D.C. 20001-2113
(re: Bridgestone-Firestone)

54. Mattel, Inc.
f/k/a Fisher Price Toys
Attn: Gregg Clark
333 Continental Blvd.
El Segundo, CA 90245-5012

Morrison & Foerster
Attn: Peter Hsiao
555 West Fifth Street
Los Angeles, CA 90013 (re: Fisher Price Toys)

55. Ford Motor Company
Attn: Kathy Hofer
Parklane Towers West Ste 1500
Three Parklane Blvd.
Dearborn, MI 48126-2568

56. Foseco, Inc.
Attn: Frank Simcic
20200 Sheldon Road
Cleveland, OH 44142

57. Vorys, Sater, Seymour and Pease
Attn: Martyn Brodnik
52 East Gay Street
P.O. Box 1008
Columbus, OH 43216-1008
(re: Franklin Int'l/Glue)

58. Young Sommer, LLC
Attn: Dean Sommer
Five Palisades Drive
Albany, NY 12205
(re: General Electric)

59. General Motors
Attn: Linda Bentley (MC 482-C24-D24)
300 Renaissance Center
Detroit, MI 48243

60. Continental General Tire
f/k/a General Tire and Rubber
Attn: Ralph McCormick
1800 Continental Blvd.
Charlotte, NC 28273

GenCorp, Inc.
f/k/a General Tire and Rubber
P.O. Box 537012
Sacramento CA 95853-7012

61. Glidden Co.
Attn: Robert Kovalak
925 Euclid Avenue, Suite 900
Cleveland, OH 44115

62. Goodyear Tire & Rubber Co.
Attn: Neal Rountree
1144 E. Market Street
Akron, OH 44316

63. Reale & Fossee
Attn: C.S. Fossee
625 Stanwix Street, Ste 2405
Pittsburgh, PA 15222 (re: Gordon Terminal)

64. GLS Corporation
Attn: Nancy Dehmlow (Great Lakes Terminal)
P.O. Box 3208
Arlington Heights, IL 60006-3208

65. Centria
f/k/a H.H. Robertson
1005 Beaver Grade Road
Coraopolis, PA 15108

McDermott, Will & Emery
Attn: Todd R. Wiener
227 West Monroe
Chicago, IL 60606
(re: H.H. Robertson)

66. Goldberg, Stinnett, Meyers & Davis
Attn: Katherine Ray
44 Montgomery St., Ste 2900
San Francisco, CA 94104 (re: Hexcel)

Hexcel Corporation
Attn: A. William Nosil
11711 Dublin Boulevard
Dublin, CA 94568

David B. Graham
Kaufman & Canoles
1200 Old Colony Lane
P.O. Box 6000
Williamsburg, VA 23188
(re: Hexcel)

67. ITW Food Equipment
Attn: Steve Adams
701 S Ridge Avenue
Troy, OH 45374
(re: Hobart/Dayton Grove City)

68. Black McCuskey Souers & Arbaugh
Attn: Victor Marsh
1000 United Bank Plaza
220 Market Avenue South
Canton, OH 44702-2166
(re: Hoover Company)

69. Calfee, Halter & Griswold LLP
Attn: Susan Strom
1400 McDonald Investment Center
800 Superior Avenue
Cleveland, OH 44114-2688 (re: Hukill)

70. Henkel Corporation
f/k/a Dexter Corp./Dexter-Hysol
Attn: Kevin Chu
2200 Renaissance Blvd.
Gulph Mills, PA 19406

Kenneth Arnold
49 Valley Drive-Suite 200
Furlong, PA 18925 (re: Henkel/Dexter)

Akzo Nobel Inc.
Attn: Brian Curtis
300 South Riverside Plaza, Suite 2200
Chicago, IL 60606 (re: Dexter Corp.)

71. J. C. Whitlam Manufacturing Co.
Attn: Steve Carey
P.O. Box 380
Wadsworth, OH 44282-0380

72. Jamestown Paint & Varnish Co.
Attn: Joseph Walton
108 Main Street
Jamestown, PA 16134

Thompson Hine
Attn: Heidi Goldstein
3900 Key Center
127 Public Square
Cleveland, OH 44114
(re: Jamestown Paint & Varnish)

Thompson Hine
Attn: Keely O'Bryan
3900 Key Center
127 Public Square
Cleveland, OH 44114
(re: Jamestown Paint & Varnish)

73. Kalcor Coatings Co.
Attn: Newton Zucker
37721 Stevens Blvd.
Willoughby, OH 44094

74. Foley, Hoag & Eliot
Attn: Monica Conyngham
One Post Office Square
Boston, MA 02109
(Re: Kenner/Hasbro)

75. Shumaker, Loop & Kendrick
Attn: Jeffrey Fort
1000 Jackson
Toledo, OH 43624
(re: Lake Shore Industries)

76. Liberty Solvents & Chemical Co.
Attn: Raymond Pasquali
9429 Ravenna Road
Twinsburg, OH 44087

77. BASF Corporation
Attn: Nan Bernardo
3000 Continental Drive - North
Mount Olive, NJ 07828
(re: BASF/Limbacher)

78. Jones, Day, Reavis & Pogue
Attn: John Rego
901 Lakeside Ave.
Cleveland, OH 44114-1190
(re: Lorain Products)

79. Babst, Calland, Clements & Zominir
Attn: Michele Gutman
Two Gateway Center
Pittsburgh, PA 15222(re: Luxaire)

VIACOM, Inc.
Attn: Linda Kelley
MC745
11 Stanwix Street
Pittsburgh, PA 15222-1384 (re: Luxaire)

80. Kahn, Kleinman, Yanowitz & Arnson
Attn: James Koewler
1301 East Ninth Street, Suite 2600
Cleveland, OH 44114-1824
(re: Mahoning Paint)

81. McMahon, DeGulis, Hoffman & Lombardi
Attn: Gregory DeGulis
812 Huron Road, Ste 650
Canton, OH 44115-1126
(re: Mameco International)

82. USG
f/k/a Marlite
125 South Franklin
Chicago, IL 60606

83. International Paper Company
f/k/a Masonite Corporation
Attn: Mr. Joseph Saab
Tower II
6400 Poplar Ave.
Memphis, TN 38197

84. Lundgren Goldthorpe & Zumbar
Attn: Andrew Zumbar
526 East Main Street
Alliance, OH 44601-0595
(re: Miller Studio)

85. Bayer Polymers, LLC
Attn: Joel E. Robinson
100 Bayer Road
Pittsburgh, PA 15205-9741
(re: Mobay Chemical)

86. Exxon Mobil
Attn: Steven Schmidt
Pegasus Plaza, Room 5a39
3000 Pegasus Park Drive
Dallas, TX 75247 (re: Mobil Chemical)

87. Warren and Young
Attn: Stuart Cordell
134 W 46th Street
Ashtabula, OH 44005-2300
(re: Molded Fiberglass)

88. Nick Shilatz
113 Lintel Drive
Canonsburg, PA 15317-3615
(RE: NS Marketing)

89. National Acme
170 E. 131st Street
Cleveland, OH 44108

90. Rexam Beverage Can Americas
f/k/a National Can
Attn: Frank Brown
4201 Congress Street, Suite 340
Charlotte, NC 28209

91. Neville Chemical Company
Attn: Thomas McKnight
2800 Neville Road
Pittsburgh, PA 15225-1496

92. NCC Incorporated
f/k/a Nolwood Chemical
Attn: Arthur McWood, Jr.
42714 Woodward Avenue, Suite A
Bloomfield Hills, MI 48304-5061

PVS Chemicals, Inc./Nolwood Chemical
Attn: Jonathan Taub
10900 Harper Avenue
Detroit, MI 48213

93. Nordson Corporation
Attn: Robert Veillette
28601 Clemens Road
Westlake, OH 44145

94. Philip Services
Attn: Michael Chimitris
9700 Higgins Road, Suite 750
Rosemont, IL 60018 (re: Nortru)

95. Day, Berry & Howard
Attn: Tricia Haught
CityPlace I
Hartford, CT 06103-3499 (re: Ohio Brass)

96. Thomas Pannett
Ohio Attorney General's Office
140 East Troy St., 12th floor
Columbus, OH 43215-4132 (re: Ohio DOT)

97. Yenkin Majestic Paint Corporation
Ohio Polychemical Division
Attn: Merom Brachman
1920 Leonard Avenue
Columbus, OH 43219

98. Thompson Hine
Attn: Heidi Goldstein
3900 Key Center
127 Public Square
Cleveland, OH 44114-1291
(re: Owens Illinois)

Thompson Hine
Attn: Keely O'Bryan
3900 Key Center
127 Public Square
Cleveland, OH 44114-1291
(re: Owens Illinois)

99. Mary Davis
Seeley, Savidge & Ebert Co., LPA
600 Superior Ave., East, Suite 800
Cleveland, OH 44114
(re: P&K Oil Service)

100. FirstEnergy
Attn: Douglas Weber
76 South Main St
Akron, OH 44308
(re: Painesville Nuc. Pwr)

101. Pfizer, Inc.
f/k/a Parke-Davis & Company
Attn: Michael McThomas
235 E. 42nd St.
New York, NY 10017

102. Beazer East, Inc.
f/k/a Parr, Inc/Koppers & Co. Inc.
One Oxford Centre, Suite 3000
Pittsburgh, PA 15219

103. Plas-Tanks Industries, Inc.
Attn: J. Kent Covey
39 Standen Drive
Hamilton, OH 45015

104. Valspar
Attn: Ronda Bayer
1101 S Third St.
Minneapolis, MN 55415 (re: Plasti-Kote)

105. PPG Industries
Attn: Paul King
One PPG Place
Pittsburgh, PA 15272

106. Amer Cunningham Co.
Attn: Michael S. Urban
159 S. Main St.
Akron, OH 44308-1322
(re: Quality Synthetic Rubber)

107. Scott Fetzer Company
f/k/a Quikut
Attn: Patricia Scanlon
28800 Clemens Road
Westlake, OH 44145-1197

Jones, Day, Reavis & Pogue
Attn: Thomas Hamilton
901 Lakeside Avenue
Cleveland, OH 44114-1190 (re: Quikut)

108. R. W. Beckett Corp.
Attn: Donald Brackenhoff
P.O. Box 1289
Elyria, OH 44036-1289

109. LTV Steel
f/k/a Republic Steel
Attn: T.A. Zalenski
200 Public Square
Cleveland, OH 44114-2308

110. Babst, Calland, Clements, Zomnir
Attn: Kevin Garber
2 Gateway Center
Pittsburgh, PA 15222 (re: Rexroth)

111. Wickens, Herzer, Panza Cook & Batista
Attn: Richard Panza
35765 Chester Road
Avon, OH 44011-1262
(re: Robert Ross & Sons)

112. Rockwell International
Attn: Gary Ballesteros
777 E Wisconsin Ave., Ste 1400
Milwaukee, WI 53202

113. Shell Oil Company
Attn: Mary Smith, Room 4881 OSP
P.O. Box 2463
Houston, TX 77252-2463

114. Sherwin Williams Co.
Attn: Allen Danzig
101 Prospect Avenue NW
Cleveland, OH 44115-1075
(re: Sherwin/Sprayon)

115. Honeywell
f/k/a Sinclair & Valentine
Attn: Heleen Schiller
P.O. Box 2245
Morristown, NJ 07962-2245

116. Moen
f/k/a Stanadyne, Inc
Attn: Dennis McKinney
25300 Al Moen Drive
North Olmsted, OH 44070-8022

117. LeBoeuf, Lamb, Greene & McRae
Attn: Patricia Shaw
One Gateway Center
420 Fort Duquesne Blvd., Ste 1600
Pittsburgh, PA 15222-1437 (re: Stolle)

118. Superior Screw
P.O. Box 92046
Elk Grove, IL 60009

119. Vorys, Sater, Seymour and Pease
Attn: Scott Doran
52 East Gay Street
Columbus, OH 43216-1008 (re: Taylor Metals)

120. Benjamin Moore & Company
Attn: Kathleen Ewing
51 Chestnut Ridge
Montvale, NJ 07645
(re: Technical Coatings)

121. Cotsirilos, Tighe & Streicker, Ltd.
Attn: Ann Tighe
33 North Dearborn Street, Suite 600
Chicago, IL 60602
(re: Technical Products Inc.)

122. Dean & Fulkerson
Attn: James O'Brien
801 West Big Beaver Road, Suite 500
Troy, MI 48084
(re: Tecumseh Products Co.)

123. Hanna, Campbell & Powell
Attn: David Moss
3737 Embassy Parkway
P.O. Box 5521
Akron, OH 44334
(re: Temperature Controls)

124. ShawPittman
Attn: Jeffrey Knight
2300 N Street NW
Washington, DC 20037 (re: Therm-o-Disc)

125. Babst, Calland, Clements Zomnir
Attn: Lindsay Howard
Two Gateway Center
Pittsburgh, PA 15222
(re: Thomas Steel Strip Corporation)

126. Northrop Grumman Corporation
f/k/a TRW
Attn: Gabriel Calvo
1000 Wilson Blvd., Suite 2300
Arlington, VA 22209-2278

127. Squires Sanders & Dempsey
Attn: Vincent Atriano
1300 Huntington Center
41 South High Street
Columbus, OH 43215 (re: U.S. Chemical)

128. Dow Chemical Co.
f/k/a Union Carbide Corp.
2030 Dow Center
Midland, MI 48674

129. Crompton
Attn: Jeffrey Bailot/Pamela Missal
Benson Road
Middlebury, CT 06749 (re: Uniroyal)

Michelin NA
Attn: James Fannin
P.O. Box 19001
One Parkway South
Greenville, SC 29615 (re: Uniroyal)

Uniroyal Technology Corp.
f/k/a Uniroyal Plastics
Attn: Oliver Janney
2 North Tamiami Trail #900
Sarasota, FL 34236-5568

130. Fulbright & Jaworski
Attn: Eva Fromm O'Brien
1301 McKinney, Suite 5100
Houston, TX 77010
(re: Universal Cooperatives)

131. Tommy Armour Golf
f/k/a Victor Comptometer-Golf
8350 North Lehigh Avenue
Morton Grove, IL 60053

132. Doepken Keevican & Weiss, P.C.
Attn: Terry L. Schnell
58th Floor, USX Tower
600 Grant Street
Pittsburgh, PA 15219-2703 (re: W.J. Ruscoe)

133. Whirlpool Corp.
Attn: Larry Yinger
2000 N M-63
Benton Harbor, MI 49022-2692

134. Buckingham, Doolittle & Burroughs
Attn: Ralph Amiet
50 S Main Street
Akron, OH 44309-1500 (re: Wooster Brush)

135. Yenkin Majestic Paint Corporation
Attn: Merom Brachman
1920 Leonard Avenue
Columbus, OH 43219

Attachment 8
LIST of RESPONDENTS EXECUTING
THE ADMINISTRATIVE ORDER on CONSENT

Alcoa Building Products, Inc. f/k/a Stolle Corporation
Ashland Inc.
Avery Dennison Corporation
Bucyrus International, Inc.
CNA Holdings, Inc.
E.I. du Pont de Nemours and Company
Exxon Mobil Corporation
Ford Motor Company
General Motors Corporation
Goodrich Corporation f/k/a The B.F. Goodrich Company
The Dow Chemical Company
The Goodyear Tire & Rubber Company
Henkel Corporation
Hexcel Corporation
Honeywell International Inc. (Sinclair & Valentine)
ITW Food Equipment Group (Hobart Corporation)
Jamestown Paint & Varnish Company
Mattel, Inc.
3M Company (f/k/a Minnesota Mining and Manufacturing Company)
Neville Chemical Company

Owens-Illinois, Inc.
PPG Industries, Inc.
Rockwell Automation, Inc. (f/k/a Rockwell International Corporation and North American Rockwell)
The Sherwin-Williams Company/Sprayon

Compliance Assistance Centers

In partnership with industry, universities, and other federal and state agencies, EPA has established national Compliance Assistance Centers that provide Internet and "faxback" assistance services for several industries with many small businesses. The following Compliance Assistance Centers can be accessed through the Center's gateway at http://www.assistancecenters.net or by calling the phone numbers below and at their respective websites:

Metal Finishing
(1-800-AT-NMFRC or www.nmfrc.org)

Printing
(1-888-USPNEAC or www.pneac.org)

Automotive Service and Repair
(1-888-GRN-LINK or www.ccar-greenlink.org)

Agriculture
(1-888-663-2155 or www.epa.gov/agriculture)

Printed Wiring Board Manufacturing
(1-734-995-4911 or www.pwbrc.org)

The Chemical Industry
(1-800-672-6048 or www.chemalliance.org)

The Transportation Industry
(1-888-459-0656 or www.transource.org)

The Paints and Coatings Center
(1-800-286-6372 or www.paintcenter.org)

Three new centers are under development for the auto salvage sector, the construction industry, and U.S. Mexican border waste issues.

State Agencies

Many state agencies have established compliance assistance programs that provide on-site and other types of assistance. Contact your local state environmental agency for more information. For assistance in reaching state agencies, call EPA's Small Business Ombudsman at (800)-368-5888 or visit the Small Business Environmental Homepage at http://www.smallbiz-enviroweb.org/state.html.

Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations, businesses may be eligible for penalty waivers or reductions. EPA has two policies that potentially apply to small businesses: The Audit Policy (http://www.epa.gov/compliance/incentives/auditing) and the Small Business Policy (http://www.epa.gov/compliance/incentives/smallbusiness). These do not apply if an enforcement action has already been initiated.

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established an ombudsman ("SBREFA Ombudsman") and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The SBREFA Ombudsman will annually rate each agency's responsiveness to small businesses. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System (NAICS) designation, number of employees or annual receipts, defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247).

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community because the regulated community previously commented on its activities.

Your Duty to Comply

If you receive compliance assistance or submit comments to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act (SBREFA) or related provisions.

United States
Environmental Protection
Agency

Office of Enforcement and Compliance Assurance (2201A)
EPA 300-F-03-001 May 2003

U. S. EPA Small Business Resources

If you own a small business, the United States Environmental Protection Agency (EPA) offers a variety of compliance assistance and tools to assist you in complying with federal and state environmental laws. These resources can help you understand your environmental obligations, improve compliance and find cost-effective ways to comply through the use of pollution prevention and other innovative technologies.

Hotlines, Helplines and Clearinghouses

EPA sponsors approximately 89 free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements.

The National Environmental Compliance Assistance Clearinghouse provides quick access to compliance assistance tools, contacts, and planned activities from the U.S. EPA, states, and other compliance assistance providers: http://www.epa.gov/clearinghouse

Pollution Prevention Clearinghouse
http://www.epa.gov/opptintr/library/ppicindex.htm

EPA's Small Business Ombudsman Hotline can provide a list of all the hot lines and assist in determining the hotline best meeting your needs:
(800) 368-5888

Emergency Planning and Community Right-To-Know Act
(800) 424-9346

National Response Center (to report oil and hazardous substance spills)
(800) 424-8802

Toxics Substances and Asbestos Information
(202) 554-1404

Safe Drinking Water
(800) 426-4791

Stratospheric Ozone and Refrigerants Information
(800) 296-1996

Clean Air Technology Center
(919) 541-0800

Wetlands Helpline
(800) 832-7828

EPA Websites

EPA has several Internet sites that provide useful compliance assistance information and materials for small businesses. If you don't have access to the Internet at your business, many public libraries provide access to the Internet at minimal or no cost.

EPA's Home Page
http://www.epa.gov

Small Business Assistance Program
http://www.epa.gov/ttn/sbap

Office of Enforcement and Compliance Assurance
http://www.epa.gov/compliance

Compliance Assistance Home Page
http://www.epa.gov/compliance/assistance

Office of Regulatory Enforcement
http://www.epa.gov/compliance/civil/index.html

Office of Site Remediation Enforcement
http://www.epa.gov/compliance/cleanup

Innovative Programs for Environmental Performance
http://www.epa.gov/partners

Small Business Ombudsman
www.sba.gov/ombudsman

Recycled/Recyclable
Printed with Soy/Canola Ink on paper that contains at least 30% post consumer fiber

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Chemical Recovery Systems, Inc.
Attn: Peter Shagena
42714 Woodward Avenue, Suite A
Bloomfield Hills, MI 48304-5061

COMPLETE THIS SECTION ON DELIVERY

A. Received by *(Please Print Clearly)*

B. Date of Delivery 10-14

C. Signature
X [signature] ☐ Agent ☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☒ No

E. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number
(Transfer from service label) 7001 0320 0006 0294 2769

PS Form 3811, March 2001 Domestic Return Receipt 102595-01-M-1424

OCT 21 2003 SUPERIOR

BLOOMFIELD HILLS MI 48304 OCT 14 2003 USPS

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

Postage	$ 1.98
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 6.03

Postmark Here

LOOP STA CHICAGO OCT 20 2003 D Sheppard SR-6J(CES) MSFO

Sent To
Street, Apt. No. or PO Box No.
City, State, Zip+4

Chemical Recovery Systems, Inc.
Attn: Peter Shagena
42714 Woodward Avenue, Suite A
Bloomfield Hills, MI 48304-5061

7001 0320 0006 0294 2769

PS Form 3800 ... tions