UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS TX 75202-2733

FEB 27 2015

GENERAL NOTICE LETTER -- URGENT LEGAL MATTER
PROMPT REPLY NECESSARY, CERTIFIED MAIL: #7014 0150 0000 2452 7770
RETURN RECEIPT REQUESTED

Zach System Corporation
89 Headquarters Plaza, North Tower
Morristown, New Jersey 07960

RE: General Notice Letter for the CES Environmental Services, Inc.- Houston Superfund Site in Houston, Harris County, Texas

Dear Sir/Madam:

The purpose of this letter is to notify you of your potential liability at the CES Environmental Services, Inc.-Houston Superfund Site (Site) and to invite you to join in settlement negotiations with the U.S. Environmental Protection Agency (EPA). The street address for the Site is 4904 Griggs Road, Houston, Harris County, Texas. The street addresses of the contiguous properties that are parts of the Site are 4900 Griggs Road and 5910 Wayland Street. The Site is surrounded by residential, educational and commercial properties. Based on available information, the EPA has determined that you may be responsible under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as the federal "Superfund" law, for cleanup of the Site or costs the EPA has incurred in cleaning up the Site.

Explanation of Potential Liability

A Superfund Site is a place that is contaminated with hazardous substances at levels that may present a threat to human health or the environment. Under Sections 106 and 107 of CERCLA, 42 U.S.C. §§ 9606 and 9607, potentially responsible parties (PRPs) may be required to perform cleanup actions to protect the public health and welfare or the environment. PRPs may also be responsible for costs incurred by the EPA in cleaning up the Site. PRPs include current and former owners and operators of the Site, as well as persons who sent or transported hazardous substances to the Site for disposal or treatment or who arranged for the disposal or treatment of hazardous substances at the Site.

Under CERCLA, specifically Sections 106(a) and 107(a), PRPs may be required to perform cleanup actions to protect the public health, welfare, or the environment. PRPs may also be responsible for costs incurred by the EPA in cleaning up the Site, unless the PRP can show divisibility of harm or any of the statutory defenses. PRPs include current and former owners and operators of a site, as well as persons who arranged for treatment and/or disposal of any hazardous substances found at the site, and persons who accepted hazardous substances for transport and selected the site to which the hazardous substances were delivered.

500000777

You have been identified as a PRP who either sent hazardous substances for disposal or treatment to the Site or generated certain hazardous substances that the EPA has found at the Site. For this reason the attached General Notice concerning the removal action (Enclosure 1) is being sent to you. The General Notice requests your cooperation in conducting the on-going removal action at the Site and for reimbursement of past and future costs. Enclosure 2 contains copies of the documents used to identify you as a PRP. Enclosure 3 contains a list of the entities who are receiving this General Notice.

Site Background

This Site is a former chemical recycling facility that filed for bankruptcy in 2010. Prior to the bankruptcy, the Site had been owned and operated by CES Environmental Services, Inc. The Site is now under the control of a Trustee for the Estate appointed by the Bankruptcy Court. The Estate does not have the funding necessary to address the conditions at the Site. The Site consists of approximately eleven vacuum boxes, two roll-off boxes, twelve frac tanks, two tanker trailers, 20 aboveground storage tanks, 15 waste water treatment tanks, waste piles, and numerous totes, vats, drums, and smaller containers. Additionally, there was spillage of chemicals to exterior surfaces as well as building interiors. The Site has experienced significant vandalism since its bankruptcy in 2010. Additionally, recent spills have occurred due to vandalism which has resulted in the spillage of chemicals and waste to the ground surface and into an adjacent residential neighborhood. Removal is time critical per the Action Memo.

The information provided by the Estate's consultant shows that there are hazardous wastes along with various hazardous substances within containers located on the Site. The hazardous substances include but are not limited to benzene (D018), creosol (D023-026), 2,4,6-trichlorophenol (D042), pH (D002), ignitability (D001), MEK (D035), and 1,2-dichloroethane (D028). These chemicals are hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. 9601(14), and further defined at 40 C.F.R. 302.4.

Response Actions to Date

On or about September 3, 2014, the EPA mobilized its contractors to begin addressing the wastes and spills at the Site. The EPA's Time Critical Removal Action has addressed the following:

1. Management of stormwater to reduce off-site overflow of contaminated stormwater from the Site.
2. Removal of wastes from ten of twelve vacuum boxes and from two of two roll-off boxes.
3. Removal of wastes from eight of twelve frac tanks. Three frac tanks currently hold wastes.
4. Removal of liquid, i.e., pump able, wastes from eleven of twenty-three aboveground storage tanks (AST). Sludge and residual materials remain until sludge removal and tank cleaning of ASTs is completed.
5. Empty totes/drums have been segregated for temporary storage.
6. Waste piles dumped to the ground from the theft of seven roll-off boxes was removed by the Trustee.
7. Lab chemicals/company process samples were collected and disposed by the Trustee.
8. Process chemicals were collected and disposed by the Trustee.

Upon reviewing the enclosed General Notice, please provide a written response to Mr. Robert Werner, Enforcement Officer at 214-665-6724 within **60 calendar days** after you receive this letter. Your response must identify of your intent to, or not to, enter into settlement negotiations with the EPA concerning this matter. Please mail your written response to Mr. Werner at the address that appears in the General Notice.

We look forward to working with you during the coming months.

Sincerely yours,

Pam Phillips, Acting

Carl E. Edlund, P.E.
Director
Superfund Division

Enclosures (4)

ENCLOSURE 1
GENERAL NOTICE REGARDING
CES ENVIRONMENTAL SERVICES, INC.- HOUSTON
HOUSTON, HARRIS COUNTY, TEXAS

This General Notice is from the U.S. Environmental Protection Agency (EPA). This General Notice is directed to you, the Potentially Responsible Party (PRP) of the CES Environmental Services, Inc.- Houston Site (Site). This General Notice does five things:

1. This General Notice tells you that you may be responsible for the presence of hazardous substances found at the Site. When we say "Site" or "property" in this General Notice, we mean the CES Environmental Services, Inc.- Houston Site. The street address for the Site is 4904 Griggs Road, Houston, Harris County, Texas. The street addresses of the contiguous properties that are parts of the Site are 4900 Griggs Road and 5910 Wayland Street. This General Notice is issued under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or Superfund).

2. This General Notice provides you with background information leading up to the EPA's investigation of the Site and the EPA's activities to determine the source(s) of the contamination at the Site.

3. This General Notice invites you to meet and enter a settlement with the EPA as a Settling Party regarding the cleanup of this Site and cooperation in conducting the on-going removal action at the Site and for reimbursement of past and future costs.

4. This General Notice advises you that, if you request the EPA to do so, the EPA will consider your ability to pay in determining an appropriate settlement amount.

5. This General Notice provides to you the names of all entities, i.e., PRPs, to which this General Notice will be mailed.

NOTICE THAT YOU MAY BE LIABLE

Under Section 107 of CERCLA, 42 U.S.C. § 9607, responsible parties are those who are current owners or operators of a facility, past owners or operators who owned or operated the facility at the time hazardous substances were released or disposed of at the facility, persons who arranged for disposal or treatment at the facility (usually the person(s) who generated the hazardous substance) or persons who selected that facility and transported the hazardous substances to the facility. Section 107 of CERCLA, 42 U.S.C. § 9607, states that responsible parties are liable to the United States for the costs it has incurred or will incur conducting a response action such as that proposed for the Site. A PRP is therefore responsible for performing the cleanup action in accordance with the EPA requirements, paying for the cleanup by the EPA and reimbursing the Federal Government for past and future costs of the cleanup activities.

BACKGROUND

This Site is a former chemical recycling facility that filed for bankruptcy in 2010. Prior to the bankruptcy, the Site had been owned and operated by CES Environmental Services, Inc. The Site is now under the control of a Trustee for the Estate appointed by the Bankruptcy Court. The Estate does not have the funding necessary to address the conditions at the Site. The Site consists of approximately eleven vacuum boxes, two roll-off boxes, twelve frac tanks, two tanker trailers, twenty aboveground storage tanks, fifteen waste water treatment tanks, waste piles, and numerous totes, vats, drums, and smaller containers. Additionally, there is spillage of

chemicals to exterior surfaces as well as building interiors. The Site has experienced significant vandalism since its bankruptcy in 2010. Additionally, recent spills have occurred due to vandalism which has resulted in the spillage of chemicals and waste to the ground surface and into an adjacent residential neighborhood. Emergency responses to these spills have involved the Estate, City of Houston, Texas Commission on Environmental Quality (TCEQ) and the EPA. These spill responses were addressed by TCEQ and the EPA.

The information provided by the Estate's consultant shows that there are hazardous wastes along with various hazardous substances within containers located on the Site. The hazardous substances include but are not limited to Benzene (D018), Creosol (D023-026), 2,4,6-Trichlorophenol (D042), pH (D002), Ignitability (D001), MEK (D035), and 1,2-Dichloroethane (D028). These chemicals are hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. 9601(14), and further defined at 40 C.F.R. 302.4.

Response Actions to Date

On or about September 3, 2014, the EPA mobilized its contractors to begin addressing the wastes and spills at the Site. As of December 19, 2014, the EPA Team has addressed the following:

1. Management of stormwater to reduce off-site overflow of contaminated stormwater from the Site.
2. Removal of wastes from ten of twelve vacuum boxes and from two of two roll-off boxes.
3. Removal of wastes from eight of twelve frac tanks. Three frac tanks currently hold wastes.
4. Removal of liquid, i.e., pump able, wastes from eleven of twenty-three aboveground storage tanks (AST). Sludge and residual materials remain until sludge removal and tank cleaning of ASTs is completed.
5. Empty totes/drums have been segregated for temporary storage.
6. Waste piles dumped to the ground from the theft of seven roll-off boxes was removed by the Trustee.
7. Lab chemicals/company process samples were collected and disposed by the Trustee.
8. Process chemicals were collected and disposed by the Trustee.

PARTICIPATION

The EPA is inviting you to enter into a settlement with the EPA. In addition to avoiding the costs of litigation, settling with the EPA provides you with another advantage. Under the Superfund law, settling with the EPA helps protect you should another responsible party sue you for costs which that party pays to the EPA. Also, if you choose not to settle with the EPA, then the EPA may take civil administrative action and, ultimately, the EPA may request civil judicial action. A list of entities receiving this General Notice letter is included as Enclosure 3 to this letter.

OPPORTUNITY TO MEET

The EPA will also provide you the opportunity to meet with the EPA representatives to discuss your desire to enter into a settlement with the EPA.

FINANCIAL CONCERNS/ABILITY TO PAY SETTLEMENTS

The EPA is aware the financial ability of some PRPs to contribute toward the cleanup and/or payment of response costs at a site may be substantially limited. If you believe and can document that you fall within that category, please contact Mr. Robert Werner at 214-665-6724 for information on "Ability to Pay Settlements." In response, you will receive a package of information about the potential for such settlements. If the EPA concludes that you have a legitimate inability to pay the full amount of the EPA's costs, the EPA may offer a schedule for payment over time or a reduction in the total amount demanded from you.

Also, please note that because the EPA has a potential claim against you, if your financial status changes in any significant way, i.e., filing for bankruptcy, you must include the EPA as a creditor.

RESOURCES AND INFORMATION FOR SMALL BUSINESSES

On January 11, 2002, President Bush signed into law the Superfund Small Business Liability Relief and Brownfields Revitalization Act. This Act contains several exemptions and defenses to CERCLA liability, which we suggest that all parties evaluate. You may obtain a copy of the law via the Internet at:

http://www.epa.gov/swerosps/bf/sblrbra.htm

and review the EPA guidance regarding these exemptions at:

http://www.epa.gov/compliance/resources/policies/cleanup/superfund

The EPA has created a number of helpful resources for small businesses. The EPA has established the National Compliance Assistance Clearinghouse as well as Compliance Assistance Centers, which offer various forms of resources to small businesses. You may inquire about these resources at www.epa.gov.

In addition, the EPA Small Business Ombudsman may be contacted at www.epa.gov/sbo. Finally, the EPA developed a fact sheet about the Small Business Regulatory Enforcement Fairness Act (SBREFA), which is enclosed with this letter (Enclosure 4).

YOUR RESPONSE TO EPA

Please notify Mr. Werner in **writing** at the address indicated below ***within 60 calendar days after you receive this letter*** to indicate your willingness to enter in good faith as a Settling Party. **If the EPA does not receive your written response within 60 calendar days after you receive this letter, the EPA will assume you do not wish be a Settling Party and the EPA will then take whatever actions are necessary to abate the potential threat to human health and the environment posed by contaminants on the property.**

Your response to this letter should be directed to:

Mr. Robert Werner
Enforcement Officer (6SF-TE)
United States Environmental Protection Agency
Region 6
1445 Ross Avenue
Dallas, Texas 75202
Telephone: 214-665-6724, Fax: 214-665-6660
werner.robert@epa.gov

If you or your attorney have legal questions pertaining to this matter, please direct them to:

Ms. Amy Salinas
Assistant Regional Counsel (6RC-S)
United States Environmental Protection Agency
Region 6
1445 Ross Avenue
Dallas, Texas 75202
Telephone: 214-665-8063, Fax: 214-665-6460
salinas.amy@epa.gov

The discussions of fact or law in this General Notice are meant to help you understand CERCLA and the EPA's actions at the Site. The discussions of fact and law are not final positions on any matter discussed in this General Notice.

ENCLOSURE 2
GENERAL NOTICE REGARDING
CES ENVIRONMENTAL SERVICES, INC.- HOUSTON
HOUSTON, HARRIS COUNTY, TEXAS

EVIDENTIARY DOCUMENTATION

SAMPLES OF EVIDENCE

Enclosed are copies of samples of documented evidence that identifies the name of your company. The examples are not intended to represent all the evidence in CES records. It is only a representative sample that identifies:

1. A waste hazardous substance that was generated by your company and was transported to the Site for disposal and/or recycling, or

2. A waste hazardous substance that was generated by your company and that was transported in a CES tanker trailer to a facility other than the Site for disposal and/or recycling. The EPA believes that residue of the waste hazardous substance that had been transported in the CES tanker trailer was released at the Site when the interior of the CES tanker trailer was cleaned at the Site.

#419

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator ID Number: TXR000079062
2. Page 1 of 1
3. Emergency Response Phone: (281) 471-0943
4. Manifest Tracking Number: 004253079 JJK

5. Generator's Name and Mailing Address: [illegible] Corp (La Porte) State ID: [illegible]
314 South 16th Street
La Porte, TX 77571
Generator's Phone: (281) 471-0943

Generator's Site Address (if different than mailing address): [illegible] (La Porte)
314 South 16th Street
La Porte, TX 77571
(281) 471-0943

6. Transporter 1 Company Name: [illegible] Environmental Services, Inc. State ID: 30500 U.S. EPA ID Number: TXD008504461

7. Transporter 2 Company Name: U.S. EPA ID Number:

8. Designated Facility Name and Site Address: [illegible] State ID: 50084
[illegible] Forest Dr., P.O. Box 59
Avalon TX, 75165
Facility's Phone: (972) [illegible] U.S. EPA ID Number: TXD068044780

9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No.	10. Containers Type	11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes		
X	1. RQ, Waste Flammable liquids, n.o.s. (MTBE, Methanol) 3, UN1993, PG II	1	TT	37,000	G	D001	D035	
	2.							
	3.							
	4.							

14. Special Handling Instructions and Additional Information
Profile ID: [illegible] (Waste ID)
ISCORS Avalon Trans Only
1) [illegible] 2) 3) 4)

15. **GENERATOR'S/OFFEROR'S CERTIFICATION:** I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent.
I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.

Generator's/Offeror's Printed/Typed Name: X John Parker
Signature: [signature]
Month 10 Day 16 Year 08

INT'L
16. International Shipments ☐ Import to U.S. ☐ Export from U.S. Port of entry/exit:
Transporter signature (for exports only): Date leaving U.S.: 4-15

TRANSPORTER
17. Transporter Acknowledgment of Receipt of Materials
Transporter 1 Printed/Typed Name: WILFRIDO ABREU
Signature: [signature]
Month 10 Day 16 Year 08
Transporter 2 Printed/Typed Name:
Signature:
Month Day Year

DESIGNATED FACILITY
18. Discrepancy
18a. Discrepancy Indication Space ☐ Quantity ☐ Type ☐ Residue ☐ Partial Rejection ☐ Full Rejection
Manifest Reference Number:
18b. Alternate Facility (or Generator) U.S. EPA ID Number
Facility's Phone:
18c. Signature of Alternate Facility (or Generator) Month Day Year

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)
1. 2. 3. 4.

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a
Printed/Typed Name: [illegible]
Signature: [signature]
Month [illegible] Day [illegible] Year [illegible]

EPA Form 8700-22 (Rev. 3-05) Previous editions are obsolete.

TRANSPORTER'S COPY

EPAHO007001187

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator ID Number: TXR000079062
2. Page 1 of 1
3. Emergency Response Phone: (281) 471-6943
4. Manifest Tracking Number: 004252874 JJK

5. Generator's Name and Mailing Address
Zach System Corp. (La Porte)
914 South 16th Street
La Porte, TX 77571
Generator's Phone: (281) 471-6943

Generator's Site Address (if different than mailing address)
Zach System Corp. (La Porte)
914 South 16th Street
La Porte, TX 77571
(281) 471-6943

6. Transporter 1 Company Name: CES Environmental Services, Inc.
State ID: 30010
U.S. EPA ID Number: TXD000854401

7. Transporter 2 Company Name:
U.S. EPA ID Number:

8. Designated Facility Name and Site Address
PSC-CES Avalon
405 Powell St. P.O. Box 64
Avalon TX, 76623
Facility's Phone: (972) 620-2024
State ID: 50021
U.S. EPA ID Number: TXD000819040

9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No.	10. Containers Type	11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes
X	1. RQ, Waste flammable liquids, n.o.s. (Tetrahydrofuran), 3, UN1993, PG II	1	TT	38,148	P	D001, D021, D039, F003, F005
	2.					
	3.					
	4.					

14. Special Handling Instructions and Additional Information
Profile ID: Zach System (Zach-LaPorte, TX)
PSC/CES waste Transfer
1) 8 96107 2) 3) 4)

15. **GENERATOR'S/OFFEROR'S CERTIFICATION:** I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent.
I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.

Generator's/Offeror's Printed/Typed Name: John Parker
Signature: 62082
Month 10 Day 13 Year 08

16. International Shipments ☐ Import to U.S. ☐ Export from U.S. Port of entry/exit:
Transporter signature (for exports only): Date leaving U.S.: 541

17. Transporter Acknowledgment of Receipt of Materials
Transporter 1 Printed/Typed Name: Kolwood Carrillo
Signature:
Month 10 Day 13 Year 08
Transporter 2 Printed/Typed Name:
Signature:
Month Day Year

18. Discrepancy
18a. Discrepancy Indication Space ☐ Quantity ☐ Type ☐ Residue ☐ Partial Rejection ☐ Full Rejection
Manifest Reference Number:

18b. Alternate Facility (or Generator)
U.S. EPA ID Number
Facility's Phone:

18c. Signature of Alternate Facility (or Generator)
Month Day Year

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)
1. 2. 3. 4.

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a
Printed/Typed Name:
Signature:
Month 10 Day 13 Year 08

GENERATOR — INT'L — TRANSPORTER — DESIGNATED FACILITY

EPA Form 8700-22 (Rev. 3-05) Previous editions are obsolete.

TRANSPORTER'S COPY

EPAHO007001198

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator ID Number: TXR000079062
2. Page 1 of: 1
3. Emergency Response Phone: (281) 471-0943
4. Manifest Tracking Number: **004248844 JJK**

GENERATOR

5. Generator's Name and Mailing Address
ZeCh System Corp (La Porte)
914 South 16th Street
La Porte, TX 77571
Generator's Phone: (281) 471-0943

Generator's Site Address (if different than mailing address)
ZeCh System Corp (La Porte)
914 South 16th Street
La Porte, TX 77571
(281) 471-0943

6. Transporter 1 Company Name: CES Environmental Services, Inc.
State ID: 4080
U.S. EPA ID Number: TXD098930351

7. Transporter 2 Company Name
U.S. EPA ID Number

8. Designated Facility Name and Site Address
PSC/CRS Avalon
403 Powell St., P.O. Box 69
Avalon TX, 76623
Facility's Phone: (972) 620-3224
State ID: 1002M
U.S. EPA ID Number: TXD046844760

9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No.	10. Containers Type	11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes
X	1. NA, Waste flammable liquids, n.o.s. (Tetrahydrofuran, Heptane), 3, UN1993, PG II	1	TT	45020	lbs	D001 D003 D039 D001, F003, U213
	2. T/T 1305					
	3.					
	4.					

14. Special Handling Instructions and Additional Information
Profile ID: ZeCh System (ZeCh - LaPorte, TX)
PSC/CRS Avalon Trans Only
CES 24-8 - 72445
1) AL9608 2) 3) 4)

15. **GENERATOR'S/OFFEROR'S CERTIFICATION:** I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent.
I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.

Generator's/Offeror's Printed/Typed Name: V. Dave Rao
Signature
Month / Day / Year

INT'L

16. International Shipments ☐ Import to U.S. ☐ Export from U.S. Port of entry/exit:
Transporter signature (for exports only): Date leaving U.S.:

TRANSPORTER

17. Transporter Acknowledgment of Receipt of Materials
Transporter 1 Printed/Typed Name
Signature
Month / Day / Year
Transporter 2 Printed/Typed Name
Signature
Month / Day / Year

DESIGNATED FACILITY

18. Discrepancy
18a. Discrepancy Indication Space ☐ Quantity ☐ Type ☐ Residue ☐ Partial Rejection ☐ Full Rejection
Manifest Reference Number:
18b. Alternate Facility (or Generator)
U.S. EPA ID Number
Facility's Phone:
18c. Signature of Alternate Facility (or Generator)
Month / Day / Year

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)
1. 2. 3. 4.

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a
Printed/Typed Name
Signature
Month / Day / Year

EPA Form 8700-22 (Rev. 3-05) Previous editions are obsolete.

TRANSPORTER'S COPY

EPAHO007001230

Please print or type: (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator ID Number: TXR000079062
2. Page 1 of: 1
3. Emergency Response Phone: (281) 471-0949
4. Manifest Tracking Number: 004252017 JJK

5. Generator's Name and Mailing Address
Zach System Corp. (La Porte) State ID:
914 South 16th Street
La Porte, TX 77571
Generator's Phone: (281) 471-0949

Generator's Site Address (if different than mailing address)
Zach System Corp. (La Porte)
914 South 16th Street
La Porte, TX 77571
(281) 471-0949

6. Transporter 1 Company Name: CES Environmental Services, Inc. State ID: 30000 U.S. EPA ID Number: TXD055050461

7. Transporter 2 Company Name U.S. EPA ID Number

8. Designated Facility Name and Site Address State ID: 50084 U.S. EPA ID Number
405 Powell St. P.O. Box 53
Avalon TX 76623
Facility's Phone: (972) 637-3224 TXD048844700

9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No.	10. Containers Type	11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes		
X	1. UN, Waste flammable liquids, n.o.s. (toluene, benzene), 3, UN1993, PG II	1	TT	36,500	P	D001, F003, F005		
	2.							
	3.							
	4.							

14. Special Handling Instructions and Additional Information
Profile ID: Zach System (Zach - La Porte, TX)
PSC/CES Avalon Transfer Only
CES Job # - 8880
11a) 8880 11b) 11c) 11d)

15. **GENERATOR'S/OFFEROR'S CERTIFICATION:** I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent.
I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.

Generator's/Offeror's Printed/Typed Name: John Parker Signature: John Parker Month 7 Day 26 Year 08

16. International Shipments ☐ Import to U.S. ☐ Export from U.S. Port of entry/exit:
Transporter signature (for exports only): Date leaving U.S.: 5/6

17. Transporter Acknowledgment of Receipt of Materials

Transporter 1 Printed/Typed Name: Benjamin Mata Signature: Benjamin Mata Month 07 Day 25 Year 08

Transporter 2 Printed/Typed Name Signature Month Day Year

18. Discrepancy

18a. Discrepancy Indication Space ☐ Quantity ☐ Type ☐ Residue ☐ Partial Rejection ☐ Full Rejection

Manifest Reference Number:

18b. Alternate Facility (or Generator) U.S. EPA ID Number
Facility's Phone:

18c. Signature of Alternate Facility (or Generator) Month Day Year

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)

1. 2. 3. 4.

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a

Printed/Typed Name: [illegible] Signature: [illegible] Month 7 Day 25 Year 08

GENERATOR | INT'L | TRANSPORTER | DESIGNATED FACILITY

EPA Form 8700-22 (Rev. 3-05) Previous editions are obsolete.

TRANSPORTER'S COPY

EPAHO007001333

573651 215

Please print or type. (Form designed for use on elite (12-pitch) typewriter.) Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator ID Number: TXR000079062
2. Page 1 of 1
3. Emergency Response Phone: (281) 471-0943
4. Manifest Tracking Number: 004255113 JJK

5. Generator's Name and Mailing Address: Zeon System Corp. (La Porte) 914 South 16th Street La Porte, TX 77571 State ID: Generator's Phone: (281) 471-0943
Generator's Site Address (if different than mailing address): Zeon System Corp. (La Porte) 914 South 16th Street La Porte, TX 77571 (281) 471-0943

6. Transporter 1 Company Name: CES Environmental Services, Inc. State ID: 10600 U.S. EPA ID Number: TXD008050461

7. Transporter 2 Company Name: U.S. EPA ID Number:

8. Designated Facility Name and Site Address: CWI Waste 455 Powell St. P.O. Box 69 Weston TX, 75625 State ID: 50824 U.S. EPA ID Number: TXD098947100
Facility's Phone: (972) 637-3224

9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No.	10. Containers Type	11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes
X	RQ, Waste flammable liquids, n.o.s. (toluene, heptane), 3, UN1993, PG II	1	TK	36450	P	D001, F003, F005
	2.					
	3.					
	4.					

14. Special Handling Instructions and Additional Information: Hauler ID: Zeon System (Zeon - La Porte, TX) CES Inc. # ...0004 PSC/CRS Weston Trans Only
a) AL95107 b) c) d)

15. **GENERATOR'S/OFFEROR'S CERTIFICATION:** I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent.
I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.

Generator's/Offeror's Printed/Typed Name: John Parker Signature: [signature] Month 8 Day 14 Year 08

INT'L

16. International Shipments ☐ Import to U.S. ☐ Export from U.S. Port of entry/exit:
Transporter signature (for exports only): Date leaving U.S.:

TRANSPORTER

17. Transporter Acknowledgment of Receipt of Materials
Transporter 1 Printed/Typed Name: David Vanderberg Signature: [signature] Month 8 Day 14 Year 08
Transporter 2 Printed/Typed Name: Signature: Month Day Year

DESIGNATED FACILITY

18. Discrepancy
18a. Discrepancy Indication Space ☐ Quantity ☐ Type ☐ Residue ☐ Partial Rejection ☐ Full Rejection
Manifest Reference Number:
18b. Alternate Facility (or Generator) U.S. EPA ID Number
Facility's Phone:
18c. Signature of Alternate Facility (or Generator) Month Day Year

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)
1. 2. 3. 4.

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a
Printed/Typed Name: Chris Gaylor Signature: [signature] Month 8 Day 14 Year 08

EPA Form 8700-22 (Rev. 3-05) Previous editions are obsolete. **TRANSPORTER'S COPY**

EPAHO007001320

ZaCh
SYSTEM

ZaCh System S.p.A.
Zambon Advanced Fine Chemicals

RECEIVED
DEC 06 2007
BY:

Matt Bowman
CES Environmental Services, Inc.
President
4904 Griggs Road
Houston TX
77021USA

La Porte, December 1st, 2007

Dear Customer,

As you are probably aware, ZaCh System S.p.A., the fine chemicals subsidiary of Zambon Company S.p.A., Milan, Italy entered into an agreement to purchase the fine chemicals business unit of PPG Industries, Inc. On behalf of ZaCh System, we are now pleased to announce that the transaction has been successfully completed and the combined new business will be known collectively as ZaCh System. This acquisition is the first step in implementing ZaCh's global expansion strategy in the fine chemicals industry.

We are excited at the new opportunities and synergies presented through the ZaCh System acquisition and eagerly anticipate new challenges. The technical synergy of the combined three R&D teams greatly increases our technical expertise and chemical inventiveness. The acquisition adds to ZaCh's technical toolbox such useful and unique technologies as phosgene chemistry, ozonolysis, world class reduction capability, and azide chemistry. In addition, the former PPG group's strength in chiral chemistry, ranging from biocatalytic transformations to asymmetric synthesis, truly complements ZaCh's base chiral expertise. Coupled with ZaCh's strengths in mercaptan chemistry, oxidation reactions, free radicals and organometallic chemistry, our new company is now far better positioned to meet your needs. From a production perspective, the acquisition of PPG Fine Chemicals now enhances production capacity by adding cGMP manufacturing facilities in Avrillé, France and La Porte, Texas to complement ZaCh's original cGMP production facility in Lonigo, Italy.

Most importantly, the new ZaCh System is committed to ensure that our integration of the PPG Fine Chemicals operation remains as transparent as possible to our valued customers.

The new organization is effective as of today, and all the business activities related to our US operations, including agreements and contracts if any in force with you, will be in charge and fully managed only by:

ZaCh System Corporation, headquarter and manufacturing facilities at

914 S. 16th Street
La Porte, Texas 77571
USA

Tax ID: 22-2912886

EPAHO007001866

PPG Fine Chemicals

PPG Industries, Inc.
PO Box 995
La Porte, TX 77572
Telephone (281) 471-0943

ZaCh System Corporation

914 S. 16th Street
Laporte, Tx. 77571
Phone : (281) 842-0200

RECEIVED
JAN 0 2 2008
BY:

CES ENVIRONMENTAL SVCS INC.
4904 GRIGGS ROAD
HOUSTON, TX. 77021

Ladies and Gentlemen:

We are writing to inform you that ZaCh System S.p.A. finalized the acquisition of PPG's pharmaceutical fine chemicals business on November 30, 2007. The acquisition included the pharmaceutical fine chemicals portion of PPG's plant in La Porte, Texas and the PPG-Sipsy S.A. subsidiary in France ("Fine Chemicals Business"). The Fine Chemicals Business, including a portion of the La Porte facility, will henceforth be operated by ZaCh System Corporation, a Delaware corporation and member of the Zambon group of companies, a multinational private Group based in Milan, Italy. The acquisition did not include PPG's specialty phosgene derivatives business located at the La Porte, Texas facility ("Phosgene Business"), which will continue to be operated by PPG at La Porte.

Certain existing contracts, purchase orders and accounts between PPG and your organization previously served both the Fine Chemicals Business and the Phosgene Business at the La Porte facility: beginning December 1, 2007, these contracts, purchase orders and accounts will only serve PPG for its retained Phosgene Business and for PPG providing certain support services to ZaCh System Corporation for the Fine Chemicals Business. Therefore, as of December 1st 2007, ZaCh System Corporation will agree with each supplier its own purchasing conditions. The use of PPG's existing conditions by ZaCh System Corporation has to be authorized by a PPG employee.

Beginning on December 1, 2007, all orders placed with your organization for the Fine Chemicals Business will be for the account of ZaCh System Corporation, and therefore ZaCh System Corporation will be responsible for satisfying all payables, issuing all future orders, and paying all invoices directly to you that arise after December 1, 2007 and relate exclusively to the Fine Chemicals Business. To establish an account for ZaCh System Corporation or to obtain additional information, please contact Paula Diehl at 281-842-0204 or Pascal Gauthier at (281) 842-0218.

To this end, we kindly ask you to include ZaCh System Corporation in your client list going forward.

ZaCh
SYSTEM

ZaCh System Corporation
914 S. 16th Street
La Porte, TX. 77571
December 28, 2007

CES ENVIRONMENTAL SVCS INC.
4904 GRIGGS ROAD
HOUSTON, TX. 77021

Ladies and Gentlemen:

We are writing to inform you that ZaCh System S.p.A. finalized the acquisition of PPG's pharmaceutical fine chemicals business on November 30, 2007. The acquisition included the pharmaceutical fine chemicals portion of PPG's plant in La Porte, Texas and PPG-Sipsy, France. The pharmaceutical fine chemicals portion of the La Porte facility will henceforth be operated by ZaCh System Corporation, a Delaware corporation and member of the Zambon group of companies. The acquisition did not include PPG's specialty phosgene derivatives business located at the La Porte, Texas facility, which will continue to be operated by PPG at La Porte.

ZaCh System S.p.A. is part of Zambon Company S.p.A., a multinational private Group based in Milan, Italy.

Accordingly, ZaCh System Corporation will endeavor to take the place of PPG Fine Chemicals in all ongoing business activities and will be responsible for satisfying all open payables, issuing all future orders, and paying all invoices directly to you, including any invoices previously issued to PPG that may be outstanding as of the date hereof. To this end, we kindly ask you to include ZaCh System Corporation in your client list going forward.

We look forward to working with you in the future. If you have any questions or concerns, please do not hesitate to contact Paula Diehl at 281-842-0204 or Pascal Gauthier at 281-842-0218.

Best regards,
ZaCh Systems Corporation

Name: Jean François Marcopoulos
Title: President

We look forward to working with you in the future. If you have any questions or concerns, please do not hesitate to contact your existing contact at PPG or ZaCh System Corporation.

Best regards,

PPG Industries Inc.

Name Thomas Narbit, Jr.
Title: Plant Manager, PPG La Porte Plant

ZaCh Systems Corporation

Name: Jean François Marcopoulos
Title: President

ENCLOSURE 3
GENERAL NOTICE LETTER REGARDING
CES ENVIRONMENTAL SERVICES, INC.- HOUSTON
HOUSTON, HARRIS COUNTY, TEXAS

ENTITIES TO WHICH THIS GENERAL NOTICE WILL BE MAILED

The Lubrizol Corporation
Advanced Aromatics, L.P
AMTEX Machine Products, Inc.
Andergauge Drilling Systems
Arkema Inc.
Ball Corporation
Canrig Drilling Technology Ltd.
Century Asphalt (Humble) d/b/a for Baytown Asphalt Materials, Ltd.
Champion Technologies (Merged into Nalco Company)
Citgo Petroleum Corporation (Citgo Refinery)
Cross Oil & Refining & Marketing, Inc..
Dover Corporation - Cook Compression (C Lee Cook)
Evalca Company of America
KMCO, Inc. (new name is Ramsey Properties, L.P.)
PGI International. LTD (merged into Parker-Hannifin Corporation)
Philip Reclamation Services Houston , LLC
Plaquemine Point Shipyard, Sunshine, LA
PPG Industries, Inc.
Praxair, Inc.
Proler Southwest
Quest Chemical Corporation
RasGas in Qatar @ KMTEX
Sierra Chemical Corporation
Skyhawk Chemicals, Inc.
Smithfield BioEnergy, LLC
Sun Coast Resources , Inc.
T. T. Barge Mile (Barge Mile 183, 237)
T. T. Barge Cleaning Mile 183, Inc. (d/b/a T.T. Barge [Mile 183])
T. T. Barges Services Mile 237 LLC (d/b/a T T Barge Mile [Barge Mile 237])
T.T. Barge (Mile 237)
T3 Energy Services-Cypress
Taber Extrusions
Targa Midstream Services LP
Tenaris Coiled Tube, LLC (Beitway 8) a-k-a Precision Tube
Texas Oil Tools, NOV (Conroe)

Texas Water Management
Total Petrochemicals, Inc. - Port Arthur
Transmontainge Product Service
Valero Refining-Texas, L.P. (d/b/a Valero Refining Co of Texas)
ZaCh System Corporation (Ampac)

ENCLOSURE 4
GENERAL NOTICE LETTER REGARDING
CES ENVIRONMENTAL SERVICES, INC.- HOUSTON
HOUSTON, HARRIS COUNTY, TEXAS

SMALL BUSINESS RESOURCES FACT SHEET

United States
Environmental Protection
Agency

Office of Enforcement and Compliance Assurance (2201A)
EPA 300-F-07-003 October 2007

Office of Enforcement and Compliance Assurance

INFORMATION SHEET

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 resources such as workshops, training sessions, hotlines websites, and guides 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.

Compliance Assistance Centers

(www.assistancecenters.net)

In partnership with industry, universities, and other federal and state agencies, EPA has established Compliance Assistance Centers that provide information targeted to industries with many small businesses.

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

Automotive Recycling Industry
(www.ecarcenter.org)

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

Chemical Industry
(www.chemalliance.org)

Construction Industry
(www.cicacenter.org or 1-734-995-4911)

Education
(www.campuserc.org)

Healthcare Industry
(www.hercenter.org or 1-734-995-4911)

Metal Finishing
(www.nmfrc.org or 1-734-995-4911)

Paints and Coatings
(www.paintcenter.org or 1-734-995-4911)

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

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

Transportation Industry
(www.transource.org)

Tribal Governments and Indian Country
(www.epa.gov/tribal/compliance or 202-564-2516)

US Border Environmental Issues
(www.bordercenter.org or 1-734-995-4911)

The Centers also provide State Resource Locators (www.envcap.org/statetools/index.cfm) for a wide range of topics to help you find important environmental compliance information specific to your state.

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
www.epa.gov

Small Business Gateway
www.epa.gov/smallbusiness

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

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

Voluntary Partnership Programs
www.epa.gov/partners

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

Hotlines, Helplines & Clearinghouses

(www.epa.gov/epahome/hotline.htm)
EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. A few examples are listed below:

Clean Air Technology Center
(www.epa.gov/ttn/catc or 1-919-541-0800)

Emergency Planning and Community Right-To-Know Act
(www.epa.gov/superfund/resources/infocenter/epcra.htm or 1-800-424-9346)

EPA's Small Business Ombudsman Hotline provides regulatory and technical assistance information.
(www.epa.gov/sbo or 1-800-368-5888)

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
(www.epa.gov/clearinghouse)

National Response Center to report oil and hazardous substance spills.
(www.nrc.uscg.mil or 1-800-424-8802)

Pollution Prevention Information Clearinghouse
(www.epa.gov/opptintr/ppic or 1-202-566-0799)

Safe Drinking Water Hotline
(www.epa.gov/safewater/hotline/index.html or 1-800-426-4791)

Stratospheric Ozone Refrigerants Information
(www.epa.gov/ozone or 1-800-296-1996)

Toxics Assistance Information Service also includes asbestos inquiries.
(1-202-554-1404)

Wetlands Helpline
(www.epa.gov/owow/wetlands/wetline.html or 1-800-832-7828)

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 or the following two resources:

EPA's Small Business Ombudsman
(www.epa.gov/sbo or 1-800-368-5888)

Small Business Environmental Homepage
(www.smallbiz-enviroweb.org or 1-724-452-4722)

Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated, businesses may be eligible for penalty waivers or reductions. EPA has two policies that potentially apply to small businesses:

The Small Business Compliance Policy
(www.epa.gov/compliance/incentives/smallbusiness)

Audit Policy
(www.epa.gov/compliance/incentives/auditing)

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established an SBA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. 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 in response to comments made under SBREFA.

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 or related provisions.