

29 AUG 1986

CERTIFIED MAIL-
RETURN RECEIPT REQUESTED

Re: Request for Information Under 42 U.S.C. §9604 and
42 U.S.C. §6927, Syncon Resins Inc., 77-81 Jacobus Ave.
South Kearny, New Jersey

Dear Sir or Madam:

The United States Environmental Protection Agency ("EPA") is charged with responding to the release or threatened release of hazardous substances and with enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. §9601 et seq. EPA also regulates the handling of hazardous waste under the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. §6901 et seq.

EPA has documented the release of hazardous substances, pollutants and contaminants at the Syncon Resins Site. In addition, during the course of cleanup activities at the site, EPA has discovered at least one drum or other container bearing the name of the addressee of this letter.

Section 104(e)(1) of CERCLA, 42 U.S.C. §9604(e)(1), and Section 3007 of RCRA, 42 U.S.C. §6927, allow EPA to request certain information from parties who handle or have handled hazardous substances and hazardous waste, as those terms are defined at Section 101(14) of CERCLA, 42 U.S.C. §9601(14), and Section 1004 of RCRA, 42 U.S.C. §6903, respectively. In addition, Section 104(b) of CERCLA, 42 U.S.C. §9604(b), enables EPA to conduct such legal and other investigations as it may deem necessary or appropriate to plan and direct response actions, to recover the costs thereof, and to enforce the provisions of CERCLA. Pursuant to the statutory provisions cited, EPA requires that you answer the questions in the attached "Request for Information." If your company has an EPA Identification Number, kindly enclose it in your response.

Your response to the "Request for Information" should be postmarked or received at EPA within 21 calendar days of your receipt of this letter, and should be mailed to Nigel Robinson,

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U.S. Environmental Protection Agency, Region II, Site Investigation & Compliance Branch, 26 Federal Plaza, Room 737, New York, N.Y. 10278.

Your failure to respond to the "Request for Information" within the time specified above may subject you to an enforcement action under Section 3008 of RCRA, 42 U.S.C. §6928, and Section 113 of CERCLA, 42 U.S.C. §9613. An enforcement action may include the assessment of penalties of up to \$25,000 for continued noncompliance.

The notarized signature of an officer or other responsible official must appear on the enclosed "Certification of Answers to Request for Information", which should be attached to the response of this "Request for Information".

Be advised that you are under a continuing obligation to supplement your response with additional information as it becomes available. Moreover, should you find, at any time after submitting your response, that any portion of the information is false or misrepresents the truth, you are under an obligation to notify EPA thereof as soon as possible. If any part of your response is later found to be untrue, the signatory and company may be subject to criminal prosecution.

The "Request for Information" is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. §3501 et seq. If desired, you may assert a business confidentiality claim covering all or part of the information requested. The claim may be asserted at the time of submission, by placing on (or attaching to) the information, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret", or "proprietary", or "company confidential". Information covered by such a claim will be disclosed by EPA only to the extent and by means of procedures set forth in Title 40, Part 2, Code of Federal Regulations, Subpart B. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you.

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If you have any questions regarding this letter, you may call Mr. Nigel Robinson at (212) 264-8674. Your cooperation is appreciated.

Sincerely yours,

James Marshall, Acting Director
Emergency and Remedial Response Division

Enclosure

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INSTRUCTIONS FOR RESPONDING TO REQUEST FOR INFORMATION

1. A separate response should be given for each question.
2. Precede each answer with the number of the question to which it is addressed.
3. In answering each question, identify all contributing sources of information.
4. Interpret "and" as well as "or" to include within the scope of the question as much information as possible. If two interpretations of a question are possible, use the one that provides more information.
5. As used herein, "Waste" means any solid waste, semi-solid waste, liquid waste, contained gaseous waste, industrial waste, and chemical waste, including but not limited to heavy metals, inorganic substances, petrochemicals, chemicals, acids, caustics, solvents, biological materials, radioactive materials, sludges, dredge spoil, garbage, incinerator residues, sewerage, tank cleanings, lagoon cleanings, waste water containing any of the above, and any product or by products of manufacturing or other industrial processes that are discarded or subject to recycling.
6. As used herein, "Document" means any and all material that is written, printed, typed, photographed, recorded (electrically, electronically, magnetically, graphically or otherwise) or which is capable of being recorded in any form. It includes, but is not limited to any invoices, checks, receipts, bills of lading, weight receipts, toll receipts, correspondence, offers, contracts, agreements, manifests, permits, bids, proposals, insurance policies, logs, account books, business records, transcripts and minutes of meetings, memoranda, notes, calendar or diary entries, agendas, bulletins, graphs, charts, maps, photographs, drawings, data, analyses, schedules, price lists, summaries, telegrams, teletypes, magnetic tapes, discs, computer printouts, microfilm and microfiche.
7. As used herein the term "your company" and similar terms shall mean all past and present facilities, subsidiaries, and employees of your corporation unless its meaning is otherwise explicitly redefined in any specific question.

8. If you are unable to give a detailed and complete answer or to provide any of the information or documents requested, indicate the reason for your inability to do so.
9. If you have reason to believe that an individual other than one employed by your company may be able to provide additional details or documentation in response to any question, state that person's name, last known address, phone number and the reasons for your belief.
10. Where you have reason to believe that any present or past employee or agent of your company may be able to answer any of the questions contained herein or may know of any connection between your company and the Syncon Resins Site, identify such persons by name, address, and phone number on a separate sheet of paper including a description of your basis for such belief.
11. If a document is requested but not available, state the reason for its unavailability. To the best of your ability identify the document by author, date, subject matter, number of pages, and all recipients of the document with their addresses.
12. For each document produced in response to the "Request for Information," indicate on the document, or in some other reasonable manner, the question to which it applies.
13. If anything is omitted from a document produced in response to the "Request for Information," state the reason for and the subject matter of the omission.
14. As used herein, the terms "hazardous substance," "release," "facility" and "person" shall have the meanings set forth in Sections 101(14), (22), (9) and (21) of CERCLA, 42 U.S.C. §§9601(14), (22) (9), and (21), respectively.
15. As used herein, the term "hazardous waste" shall have the meaning set forth in Section 1004(5) of RCRA, 42 U.S.C. §6903(5).

REQUEST FOR INFORMATION

1. State the correct legal name of your company, which shall be referred to as "the Company."
2. State the name(s) and address(es) of the President and the Chairman of the Board, or other presiding officer of the Company.
3. Identify the state of incorporation of the Company and the Company's agents for service of process in the state of incorporation and in the state of New Jersey.
4. If the Company is a subsidiary or affiliate of another corporation, or has subsidiaries, identify these related companies.
5. Identify the state of incorporation and agents for service of process in the state of incorporation and the state of New Jersey for each company identified in Question 4.
6. In identifying a company that no longer exists, provide all the information called for in Items 1 through 5, except for the agent for service of process. If the company did business under more than one name, each name should be designated.
7. Does the Company have a permit or permits issued pursuant to the Resource Conservation and Recovery Act, 42 U.S.C. §6901 et seq. If the Company has an EPA Identification Number, state it in your answer to this question.
8. Did the company ever send any solid waste, hazardous substances or hazardous waste to the Syncon Resins Inc. facility located at 77-81 Jacobus Avenue in South Kearney, New Jersey (the "Syncon site") for any purpose whatsoever, including disposal or treatment thereof? If so, list each hazardous substance and describe the circumstances of each shipment, including:
 - a. the facilities from which such materials were shipped;
 - b. whether they were liquid, solid or sludge materials;
 - c. when they were shipped to the Syncon site;

- d. who transported the materials to the Syncon site;
 - e. the specific hazardous substances, including their chemical composition, which you have reason to believe were in any such waste materials transported to the Syncon site;
 - f. the percentage of the overall amount of such waste materials which contained hazardous substances; and
 - g. the names of all parties who transported any industrial waste material(s) from your company to the Syncon site and the dates on which such shipment occurred.
9. Is the Company aware of any substances either processed by or generated by it at any of its facilities having been sent, under any circumstances, to the Syncon site. If so, describe the substances and circumstances.
10. For hazardous substances and/or hazardous wastes identified in your answer to Question 8, above, please answer the following questions:
- a. For each hazardous substance and/or hazardous waste identified in your answer to Question 8, above state whether the Company generated, handled and/or transported such wastes or substances;
 - b. Indicate the amount of each hazardous substance and/or hazardous waste identified in response to Question 6a, above. For liquids the answer should be in terms of volume, for solid materials, in terms of weight;
 - c. Explain how, or whether, each hazardous substance and/or hazardous waste identified in response to Question 8, above was containerized, e.g., drums, bulk solids, tanks, bulk liquids (uncontained), etc., and state the dates they were disposed of at Syncon Resins Inc;
 - d. Please submit a copy of each document which relates to the generation, treatment, transportation, and/or disposal of the hazardous substances and/or hazardous wastes identified in response to Question 8, above. If you are unable to provide a copy of any document, then identify the document by describing the nature of the document (e.g., letter, file memo, invoice, inventory form, billing record, hazardous waste manifest, etc.). Describe the relevant information contained therein. Identify by name and job title the person who prepared the document, and if the document is not readily available, state where it is stored, maintained and why it is no longer available;
 - e. Identify each person (e.g., company, individual,

For each such person identified, please provide the name, address and telephone number of that person, and the basis of your belief that he or she has such knowledge. For past and present employees, include their job title and a description of their responsibilities.

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

State of)
) ss.
County of)

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

NAME (print or type)

TITLE (print or type)

SIGNATURE

Sworn to before me this
day of , 1986.

Notary Public

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