

PRP Informational Session Chemetco Superfund Site

February 20, 2014

Agenda

- EPA Introductions
- Site Overview
- PRP Search
- Special Notice Letter
- RI/FS Negotiations
- Questions
- Discussion

Introductions

U.S. EPA

- Nefertiti DiCosmo, Project Manager
- Stephanie Linebaugh, Interim Project Manager
- Tom Martin, Attorney
- Margaret Herring, Civil Investigator

Contractor

- Ann Anderson, Toeroek

PRP Informational Meeting

- Purpose of Meeting
 - Introduce PRPs to each other and EPA staff
 - Provide overview of site work
 - Answer questions
 - PRPs to discuss negotiations strategy
- All information is available on the website
- General questions will be taken at the end

Site Timeline

1970-2001	Site operation of copper recycling/smelting
1981-1985	IEPA documents Chemetco RCRA and CWA violations
1986-1987	IEPA Superfund Preliminary Assessment/Site Inspection
1996	IEPA discovers 10-inch pipe discharging zinc oxide directly into Long Lake
1997	CAA files civil claim against Chemetco for CAA violations
1998-2000	Chemetco fined for RCRA violations and limited cleanup of pipe release
2002	IEPA Site Reassessment and Expanded Site Inspection
2003-2008	IEPA recovers data from electronic site files to identify PRPs IEPA sends out 104(e) requests

Site Timeline Cont.

- 2009 Expanded Site Inspection Report
- 2010 Site listed on the National Priorities List
- 2011 General Notice Letters(GNL) and 104 (e) requests sent to 115 PRPs
 - Informational Session for GNL recipients
 - Additional environmental data collection
- 5/2013 RI/FS Negotiations Begin
- 9/2013 Chemetco Bankruptcy Estate – Consent Decree/ Removal Action
- 1/2014 Special Notice Letters (SNL) sent
- 2/2014 Chemetco PRP informational session

Facility Regulatory History

Notice of Violations documented by IEPA or US EPA

IL Administrative Code Part 725 (**Interim status**) -1982 and 1983

NPDES permit -1982 and1983

Primary IEPA **air emissions** standard for lead -1997, 1998 – 2001

RCRA Notice of Violations -1985 and 2000

CWA Notice of Violations -1996 and 1999

CAA Notice of Violations-1992 and 1999

Notice of Violations documented by IEPA

Illinois Administrative Code Part 265
(**protection of underground utilities**)
-1981 and1982

Groundwater quality standards (IAC Part 302) -1982 and1983

Illinois Pollution Control Board **effluent standards** -1982 and1983

Chemetco is on the NPL

- National Priorities List
 - List of the most contaminated sites in America
 - Requires cleanup to protect human health and the environment
 - Allows EPA spend fund money to cleanup the site and seek cost recovery

Site Background

- Operations
 - Secondary copper smelter
 - Primarily produced copper cathodes and anodes
 - Wastes include slag, ZnO, bag house dust, spent refractory brick, etc



Sources of Contamination

- 837,000 tons of slag
- 35,000 tons of Zinc Oxide sludge bunker
- More than 70 tons of refractory brick
- Contaminants of potential concern include lead, cadmium, copper, zinc and dioxin



Sources Cont.



- Criminal Violation
- 1986 -1996
- Zinc Oxide discharge pipe

Current Cleanup Activities

- Reprocessing of slag material
 - Chemetco Bankruptcy Estate
 - September 2013 Consent Decree
- Oversight by EPA Removal Program
- Documents available on Chemetco website

PRP Search

- PRP Search Activity Timeframes
 - IEPA in 2003 -2010
 - EPA since 2010 - Present
- Source: Electronic Data and Employee Interviews
 - Transaction Data (mainly from 2000 to 2001)
 - Dates
 - Weights
 - Types of Materials
 - Supplier Names
 - Explanation of PRP search included as part of Enclosure 5 of SNL.

Example of Database

Chemetco_Lotfi Wt Summary_6-4-13 example - Microsoft Excel

F5 Individual PRP												
	B	F	G	H	I	J	K	L	M	N	O	P
1												
2												
3							VOLUMETRIC RANKING				TOTALS CON	
4	Supplier Name	PRP Type	GNL Ser	GNL Response Received	ISRI Group Member	AVR Completed	Total Lotfi Wt for Supplier (Chemetco Hartford Shipments only)	Percent of Total Chemetco Hartford Shipment Wts (432,391,904 lbs)	Cumulative Percent of Total Chemetco Hartford Shipment Wts	Rank	Total PCON Wt for Current PRP	Total Lotfi Wt for Current PRP Group (if applicable)
5	RESOURCE MGMT. COMPANIES	Individual PRP	Yes	Yes		Yes	33,058,587	7.65%	7.65%	1	23,924,354	
6	OLIN CORPORATION BRASS DIVISION	Group PRP	Yes	Yes	Yes	Yes	16,674,822	3.86%	11.50%	2	15,601,299	16,713,611
7	CENTROTRADE MINERALS & METALS	Individual PRP	Yes	Yes		Yes	13,994,768	3.24%	14.74%	3	7,822,692	
8	DANA GLACIER VANDERVELL N. AMERI	Group PRP	Yes	Yes		Yes	11,883,876	2.75%	17.49%	4	15,386,993	20,501,666
9	COZZI IRON AND METAL INC.	Group PRP	Yes	Yes	Yes	Yes	8,255,125	1.91%	19.40%	5	15,606,283	11,118,458
10	DP - WARREN - CDA 425 TINNED						6,205,510	1.44%	20.83%	6		
11	TRANSFORMIT	Individual PRP	Yes	Yes		Yes	5,019,318	1.16%	21.99%	7	4,617,313	
12	MUELLER COMPANY	Individual PRP	Yes	Yes	Yes	Yes	4,830,205	1.12%	23.11%	8	2,974,791	
13	ATLAS METAL & IRON CORP	Individual PRP	Yes	Yes	Yes	Yes	4,382,801	1.01%	24.12%	9	3,189,744	
14	BORDER TRADING	Individual PRP	Yes	Yes		Yes	4,206,281	0.97%	25.10%	10	4,656,246	
15	INTERCO TRADING	Individual PRP	Yes	Yes	Yes	Yes	3,977,621	0.92%	26.02%	11	3,497,027	
16	DELPHI PACKARD/CLINTON DIV	Group PRP	Yes	Yes		Yes	3,954,577	0.91%	26.93%	12	25,620,064	5,550,689
17	WOLVERINE TUBE CANADA	Group PRP		Yes		Yes	3,809,813	0.88%	27.81%	13		5,164,049
18	FRY METALS INC. ATTN. DAVE COLM	Individual PRP	Yes	Yes	Yes	Yes	3,445,196	0.80%	28.61%	14	2,843,349	
19	DANA GLACIER VANDERVELL N. AMER	Group PRP	Yes	Yes		Yes	3,227,075	0.75%	29.35%	15	15,386,993	20,501,666
20	JACOMIJ METALEN	Individual PRP	Yes	Yes		Yes	3,121,153	0.72%	30.08%	16	1,287,192	
21	DP - CLINTON - CDA 425 TINNED						3,018,184	0.70%	30.77%	17		
22	HURON VALLEY STEEL CORP	Individual PRP				Yes	2,888,110	0.67%	31.44%	18		
23	M. KIMERLING & SONS, INC.	Group PRP	Yes	Yes	Yes	Yes	2,755,933	0.64%	32.08%	19	15,606,283	11,118,458
24	DANA GLACIER VANDERVELL	Group PRP	Yes	Yes		Yes	2,722,366	0.63%	32.71%	20	15,386,993	20,501,666

Column Definitions Supplier Wt Summary

Ready

85%

General Notice Letters

- Sent in 2011 to PRPs identified by planned shipments
- PRPs were sent GNL if total weight sent to site was greater than 1 million pounds
- Group of PRPs formed after this mailing to submit good faith offer

Special Notice Letters

Jan. 21 2014

- SNLs
 - Notice of potential liability - No final liability determinations have been made
 - Opportunity to resolve liability via cleanup activities
- SNL Recipients
 - There are over 1,500 entities considered PRPs
 - EPA sent 431 Special Notices Letters to PRPs
- SNL recipients sent more than 150,000 lbs to the site.
- SNL Timeframes
 - 60 day moratorium – EPA will not initiate RI/FS – ends March 22, 2014
 - 30 day extension if Good Faith Offer is received – ends April 21, 2014
 - Expected AOC signatures by end of extension

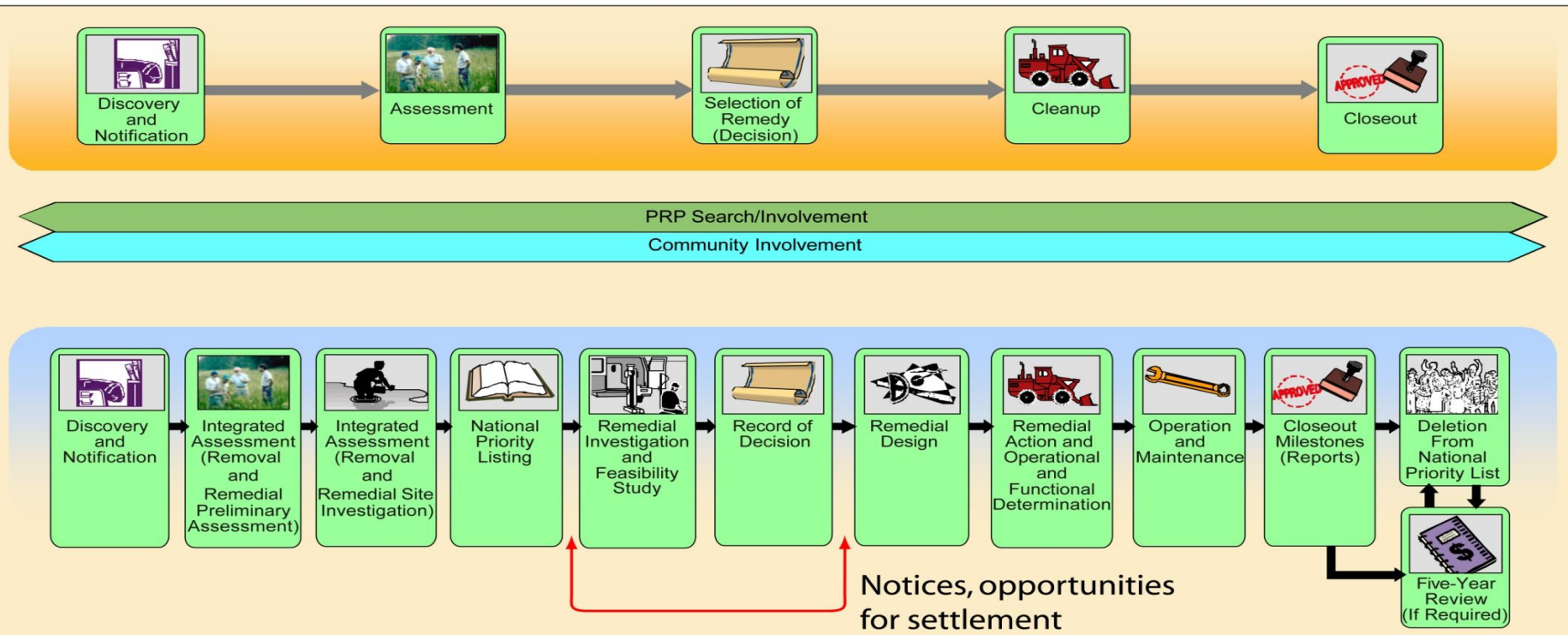
SNL Recipients account for 90% of material

Table 5. Summary of Material Shipped to Chemetco Site

	REPORT XX	REPORT	WHDATA	TOTAL	SUPPLIERS GREATER THAN 150,000 POUNDS*
Total Weight (Lbs.) Included	15,668,627	265,895,089	148,652,248	430,215,964	389,735,786
No. of Individual Suppliers				1519	475
Percent of Total Suppliers				100%	31%
Percent of Total Weight				100%	90.50%

* = Final PRP List Ranking by Weight

Next Steps



EPA's Primary Goal

- **Site Clean-up**
 - PRPs are given a chance to perform the clean-up with EPA oversight
 - If no agreement is reached, EPA will conduct clean-up activities and seek cost recovery.

Remedial Investigation / Feasibility Study

- Remedial Investigation (RI)
 - Characterizes the nature and extent of contamination
 - Assesses risk to human health and the environment
- Feasibility Study (FS)
 - Develop cleanup alternatives
 - Conduct treatability studies
- Outcomes
 - RI/FS Report
 - Record of Decision (ROD)

RI/FS Time and Cost

- Each RI/FS is unique - actual cost and time will vary
- Typical RI/FS cost for similar smelter sites:
\$1,000,000 to 3,000,000 (not including EPA oversight)
- Typical Timeframe: 1 years – 3 years

Current Negotiations

- EPA started AOC negotiations for RI/FS with the PRP group (May 2013)
- EPA expects signature by April 2014
- PRPs can sign on to this AOC until EPA's final signature
- All PRPs will be noticed again for remedial design and action negotiations

What if my company does not sign the AOC?

- Potential consequences of not signing the AOC:
 - PRP group can sue your company for contribution after the fact.
 - EPA may seek cost recovery under separate settlements at a later date

EPA Involvement

- Once AOC is signed
 - PRP group will chose a contractor to RI/FS
 - EPA will oversee work plans and work
 - PRP group will be billed annually for EPA oversight costs

Questions?

PRP Group Discussion

- Call line and room reserved until 4 pm for PRP discussion.