

GENCORP

bcc: Bill Simon

175 Ghent Road
Fairlawn, Ohio 44333-3300

Tel: 216-869-4200

December 2, 1994

James J. Burke
Chief, Toxics and Pesticides Branch (3AT30)
United States Environmental Protection Agency
Region III
841 Chestnut Building
Philadelphia, PA 19107

Dear Mr. Burke:

**Re: Pantasote Production Facility
Point Pleasant, West Virginia**

This is in response to your recent letter to A. W. Reynolds, chairman of GenCorp Inc., regarding the asbestos abatement project at the Pantasote property.

The answer to your inquiry is that neither GenCorp nor any of its affiliates owns any interest whatever, directly or indirectly, in the Pantasote property. Prior to last year, GenCorp had certain contractual rights relating to the property arising out of an agreement that was entered into during the early 1970's for the purpose of allowing GenCorp to obtain a fixed percentage of the products manufactured at Pantasote's Point Pleasant facility.

Under the agreement between Pantasote and GenCorp, Pantasote was the operator of the plant and GenCorp received a portion of the product produced at the plant. Although GenCorp never held title to the land, GenCorp was a "joint tenant" in the plant and was a non-signatory "co-tenant" under the lease between Pantasote and the industrial revenue bond agency which then held title to the property. After Pantasote closed the plant, Pantasote completed the payment of the revenue bonds and exercised its right under the lease agreement to purchase the property. Title to the property was then transferred from the industrial revenue bond agency to Pantasote.

Pursuant to the terms of the agreement between Pantasote and GenCorp, by letter dated October 11, 1993, a copy of which is attached, GenCorp relinquished any rights it may have had, including the right to obtain title, with respect to the Point Pleasant property. At the time GenCorp relinquished its interest, there was no friable asbestos at the Point Pleasant property.

Sincerely,



Kenneth B. Peterson
Senior Counsel

Law260.94

Attachment

cc: Benjamin M. Cohan

GENC 002028

October 11, 1993
AIRBORNE EXPRESS and
REGISTERED MAIL

Pantasote Corporation
70 E. Sunrise Highway
Suite 415
Valley Stream, NY 11581-1264

Attention: Jeffrey S. Podell

Dear Mr. Podell:

Pursuant to Section 13.4 of the agreement entered into by our companies in 1973, GenCorp Inc. hereby "abandons" all of its rights, title and interest in the Point Pleasant, West Virginia, property described in the agreement.

The agreement provides that the abandonment shall be effective six months after notice of abandonment is given. However, we are willing to allow the abandonment to be effective immediately.

We hope that our action will facilitate your efforts to sell the property so that the property can be returned to productive use.

Please advise us if you wish to accelerate the effective date of the abandonment of our interest in the property.

Sincerely,

Jack A. Bonsky

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