

Vista Chemical Company

900 Threadneedle
Houston, Texas 77079
(713) 588-3000

P.O. Box 19029
Houston, Texas 77224
Fax (713) 588-3236

TGG: JCL: ERT: MJH: AJO:RF

XF: _____

July 16, 1990

VISTA

Mr. Robert M. Aiken
Vice President-Petro Chemicals
E. I. Dupont de Nemours & Company
1007 Market Street, Suite N6404
Wilmington, Delaware 19898

Mr. C. H. Lee
Executive Vice President,
Refining, Marketing, Supply & Transportation
Conoco, Inc.
P. O. Box 2197
Houston, TX 77252

Certified Mail Return Receipt Requested

Gentlemen:

Pursuant to §15.1, §15.5, and §12.5 of the Asset Purchase Agreement letters dated as of July 20, 1984, among E. I. Dupont de Nemours & Company, Conoco, Inc., and Vista Chemical Company (Vista), we hereby provide notice of recently-discovered information which may lead to the filing of an Environmental Claim.

The attached correspondence was recently received from USEPA. It is requesting information under Superfund and RCRA statutes, regarding disposal practices of the Iron Hill Drum Site in Maryland.

We plan to coordinate with Terry Thoem at Conoco in Houston.

Sincerely,


Thomas G. Grumbles, C.I.H.
Manager Environmental Activities

dlj

cc: N. C. Frost
S. Olsen
H. J. Neeld
Tom Russo
D. Mahler
D. L. Cohen

VVV 000013307

Vista Chemical Company

900 Threadneedle
Houston, Texas 77079
(713) 588-3000

P.O. Box 19029
Houston, Texas 77224
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March 22, 1990

File-15

VISTA

Mr. Robert M. Aiken
Vice President-Petro Chemicals
E. I. DuPont de Nemours & Company
1007 Market Street, Suite N6404
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Pursuant to §15.1, §15.5, and §12.5 of the Asset Purchase Agreement letters dated as of July 20, 1984, among E. I. DuPont de Nemours & Company, Conoco, Inc., and Vista Chemical Company (Vista), we hereby provide notice of recently-discovered information which may lead to the filing of an Environmental Claim.

~~Two employees of the Indiana Department of Environmental Management recently visited Vista's Hammond Indiana Plant. They are investigating a complaint filed in 1988 concerning a potentially leaking tank. I am enclosing a copy of the letter from the city of Hammond to the Indiana Department of Environmental Management requesting an investigation of the complaint.~~

~~We plan to coordinate with Brad Raffie and Jack Neeld at Conoco as soon as possible. Please contact me if you have any questions regarding this matter.~~

Sincerely yours,

VVV 000013308

David Cohen
David L. Cohen

cc: N. C. Frost
T. G. Grumbles
S. Olsen
H. J. Neeld
~~D. MAHLER~~

DLC/plj *[signature]*
40LET.MAR

The attached correspondence was recently received from USEPA. It is requesting information, under SUPERFUND and CERCLA statutes, regarding disposal practices the Iron Hill Drum Site in Maryland.

We will plan to coordinate with Terry Thoen at Conoco in Houston.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION III

841 Chestnut Building
Philadelphia, Pennsylvania 19107

JUL 9 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

JUL 10 1990

Mr. Mike Fortier
General Manager
Conoco Chemicals
c/o Vista Chemicals Company
Park-Eighty Plaza East
Saddle Brook, New Jersey 07662

Re: Iron Hill Road Drum Site, 117 Iron Hill Road, Elkton, Cecil
County, Maryland.

Dear Mr. Fortier:

The U.S. Environmental Protection Agency (EPA) is seeking information concerning a release, or the threat of release, of hazardous substances, pollutants or contaminants into the environment at the above referenced site. Pursuant to the authority of Section 3007(a) of the Resource Conservation and Recovery Act, as amended ("RCRA"), 42 U.S.C. Section 6927(a), and Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. Section 9604(e), your company is required to furnish all information and documents in its possession, custody or control, or in the possession, custody or control of any of its employees or agents which concern, refer, or relate to the following: any transactions involving your company and any affiliate, subsidiary or division thereof and any entities who were present at the site between 1973 and 1985, including but not limited to those listed in question #16, and hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. Section 9601(14), pollutants, contaminants, and/or hazardous wastes as defined by Section 1004(5) of RCRA, 42 U.S.C. Section 6903(5), which were transported to, stored, treated, or disposed of at the above referenced facility or the surrounding area. (See enclosed location Map). These hazardous substances include, but are not limited to, dinitrophenyl hydrazine, phenols, methyl ethyl ketone (MEK), cresols, chlorobenzene, cyanide liquids/solids, chloroform, acetonitrile, benzene acids, and volatile organic compounds (VOC's).

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The provisions in Section 104 of CERCLA, 42 U.S.C. Section 9604 and Section 3008 of RCRA, 42 U.S.C. Section 6928, authorize EPA to pursue penalties for failure to comply with these sections or for failure to respond adequately to required submissions of information. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. Section 1001. The information you provide may be used by EPA in administrative, civil, or criminal proceedings.

Instructions for responding to this required submission of information are provided below. Please respond for all entities who were present at the site as well as all materials which are potentially hazardous and the hazardous substances, pollutants and contaminants previously specified in this letter.

As used herein, the term "documents" means: writings (handwritten, typed or otherwise produced or reproduced) and includes, but is not limited to, any invoices, checks, receipts, bills of lading, weight receipts, toll receipts, correspondence, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, books of original entry, minutes of meetings, memoranda, notes, calendar or daily entries, agendas, bulletins, notices, announcements, charts, maps, photographs, drawings, manuals, brochures, reports of scientific study or investigation, schedules, price lists, telegrams, teletypes, phono-records, magnetic voice or video records, tapes, summaries, magnetic tapes, punch cards, recordings, discs, computer printouts, or other data compilations from which information can be obtained or translated.

1. Identify the respondent to these questions;
2. for each and every question contained herein, identify all persons consulted in the preparation of the answer;
3. for each and every question contained herein, identify all documents consulted, examined, or referred to in the preparation of the answer or that contain information responsive to the question and provide true and accurate copies of all such documents;
4. list the EPA RCRA Identification Numbers of the respondent, if any, and identify the corresponding units, facilities or vessels assigned these numbers;
5. describe the acts or omissions of any persons, other than your employees, agents or those persons with whom you/your firm had a contractual relationship, that may have caused the release or threat of release of hazardous substances at the Site;

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In addition:

- a. describe all precautions that you took against foreseeable acts or omissions of any such third parties and the consequences that could possibly result from such acts or omissions;
 - b. describe the care you exercised with respect to the hazardous substances found at the Site;
6. identify all persons, including your employees, who have knowledge, information or documents about the generation, use, purchase, treatment, storage, disposal or other handling of hazardous substances at or transportation of hazardous substances to the Site;
7. provide all existing technical or analytical information that you may have about the Site, including but not limited to data and documents related to soil, water (ground and surface), geology, hydrogeology, or air quality on and about the Site;
8. Do you know or have reason to know of any on-going or planned investigations of the soil, water (ground or surface), geology, hydrogeology or air quality on or about the Site? If so:
- a. describe the nature and scope of these investigations;
 - b. identify the persons who are undertaking or will undertake these investigations;
 - c. state the dates of such investigations; and
 - d. describe as precisely as possible the locations at the Site where such investigations are taking or will take place;
9. identify all persons, including you/your firm, who may have given, sold, transferred, delivered or otherwise conveyed, any materials or items, including but not limited to any hazardous substances as described on page 1 of this letter, to the Site;

In addition:

- a. state the dates on which each such person may have given, sold, transferred, delivered or otherwise conveyed such material and to whom;

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b. describe the materials or items that may have been given, sold, transferred, delivered or otherwise conveyed, including type of material, quantity, chemical constituents by IUPAC name (e.g. 1,2,4 - Trichlorobenzene is an IUPAC name), trade name, physical state, quantity by volume and weight, and other descriptive characteristics;

c. describe the intended purpose of each sale, transfer, delivery or conveyance;

d. describe the source of or process that produced the materials that may have been sold, transferred, delivered or conveyed; and

e. describe all efforts taken by such persons to determine what would actually be done with the materials that may have been sold, transferred, delivered or otherwise conveyed after such materials had been sold, transferred, delivered or otherwise conveyed to the site;

10. identify all persons, including you/your firm, who may have transported substances to the site. Such persons will hereinafter be referred to as "Transporters;"

for each such transporter, further identify:

a. the nature and quantity of all non-hazardous materials transported to the site;

b. the nature of the hazardous materials transported to the site including the chemical constituents by IUPAC name, trade names, characteristics, and physical state (e.g., solid, liquid);

c. the persons from whom the Transporters accepted hazardous substances;

d. every date on which they transported the hazardous substances to the site and the identity of any party(ies) who took possession of them there;

e. the owners of the hazardous substances that were accepted for transportation by the Transporter;

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f. the quantity (weight and volume) of hazardous substances brought by the Transporter to the site;

g. all tests, analyses, analytical results and manifests concerning each hazardous substance accepted for transportation to the site;

h. the precise locations at the site to which each hazardous substance was transported;

i. who selected the location to which the Transporter would take each hazardous substance;

j. who selected the site as the location to which the Transporter would take each hazardous substance;

k. the amount paid to each Transporter for accepting the hazardous substances for transportation, the method of payment, and the identity of the persons who paid each Transporter;

l. where the persons identified in (i), above, intended to have such hazardous substances transported and all documents of other information (oral or written) evidencing their intent;

m. all locations at which such hazardous substances were shipped through, or were stored or held at, prior to their final treatment or disposal;

Furthermore, describe:

n. what activities transpired with regard to the hazardous substances after they were transported to the site (e.g. treatment, storage or disposal);

o. the final disposition of each of the hazardous substances brought to the site;

p. the measures taken by the persons who gave the hazardous substances to the Transporters to determine what the Transporters would actually do with the hazardous substances they accepted; and

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g. the type, number and condition of containers in which the hazardous materials were contained when they were accepted by the Transporters and when they were left at the site and any other labels, numbers or other markings on the containers;

11. identify the names of all drivers who delivered hazardous substances from you/your firm; including

a. whether they are presently employed by you; and

b. their present address, or last known whereabouts;

12. identify all persons, including you/your firm, who may have;

a. disposed of or treated materials at the site;

b. arranged for the disposal or treatment of materials at the site; or

c. arranged for the transportation of materials to the site (either directly or through transshipment points) for disposal or treatment. Such persons will hereinafter be referred to as "generators."

13. for each and every instance in which a generator performed any of the actions specified in parts a.- c. of the previous question;

a. identify the generator;

b. identify the persons with whom the generator made such arrangements;

c. identify all persons who may have directly or indirectly transported or otherwise brought any materials to the site;

d. state every date on which each generator made such arrangements and with whom;

e. describe the nature, including the chemical constituents by IUPAC name, trade name, characteristics, physical state (e.g., solid, liquid) and quantity (volume and weight) of all hazardous substances involved in each such arrangement;

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- f. describe the nature and quantity of materials involved in each such arrangement;
 - g. identify the owner of the hazardous substances involved in each such arrangement;
 - h. describe all tests, analyses, analytical results or manifests concerning each hazardous substance involved in such transactions;
 - i. describe as precisely as possible any and all of the locations at which each hazardous substance involved in such transactions actually was disposed of or treated;
 - j. identify the persons who selected the location to which the hazardous substances were to be disposed of or treated;
 - k. identify who selected the site as the location at which hazardous substances were to be disposed of or treated;
 - l. state the amount paid in connection with each such arrangement, the method of payment, and the identity of the persons involved in each arrangement;
 - m. describe where the persons identified in subparts (j) and (k) of this question intended to have the hazardous substances involved in each arrangement treated or disposed of and provide all documents or other information (written or oral) evidencing their intent;
 - n. describe all intermediate sites to which the hazardous substances involved in each arrangement were shipped, or at which they were stored or held, any time prior to final treatment or disposal;
 - o. describe what was done to the hazardous substances once they were brought to the site;
 - p. describe the final disposition of each of the hazardous substance involved in each arrangement;

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g. describe the measures taken by the generator to determine how and where treatment or disposal of the hazardous substances involved in each arrangement would actually take place; and

r. describe the type, condition and number of containers in which the hazardous substances were contained when they were disposed of, treated, or transported for disposal or treatment and describe any labels, numbers, or other markings on the containers.

14. provide a list of your Comprehensive General Liability and Environmental Impairment Liability Insurance policies for the period from 1950 through the present. Specify the insurer, policy, effective dates, and state per occurrence policy limits for each policy. Copies of policies may be provided in lieu of a narrative response;

15. identify all persons who may be responsible for the liabilities of Respondent arising from or relating to the release or threatened release of hazardous substances at the site, including or relating to the release;

16. provide all information and documentation in your/your firm's possession, custody or control or in the possession, custody or control of your/your firm's employees or agents describing any transactions involving your company and any affiliate, subsidiary or division thereof and any entities who were present at the site including, but not limited to:

B and G Associates
Camp Management Company, Incorporated
Methods Engineering Corporation
Infiltration Control Corporation
B.J. Campagna Associates, Incorporated
Hollon Moving Incorporated
Pollard and Company, aka A.J. Pollard and Company
Environmental Contractors, Incorporated
Inflow Control Company
R and B Company, Incorporated
Dover Heights, Incorporated
Pyronics Associates, Incorporated
Pro Chem, Incorporated
Oak Chemical Corporation
Chemical and Engineering Associates
Environmental Maintenance, Incorporated
Chemco Limited of Delaware
Textile Chemical Associates

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17. if you have reason to believe that there may be persons able to provide a more detailed or complete response to any questions contained herein or who may be able to provide

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additional responsive documents, identify such persons and the additional information or documents that they may have;

18. for each and every question contained herein, if information or documents responsive to this Information Request are not in your possession, custody or control, then identify the persons from who such information or documents may be obtained and provide their correct address(es). If you/your firm have no such information and/or documents responsive to this Information Request, so state in an affidavit.

19. please provide any other documents or information retained by you/your firm regarding the Iron Hill Road Drum Site which you have not previously provided to EPA.

You are entitled to assert a claim of business confidentiality covering any part or all of the submitted information, in the manner described in 40 C.F.R. Section 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with the procedures set forth in 40 C.F.R. Part 2, Subpart B. If a claim of business confidentiality is not asserted when the information is submitted to EPA, EPA may make this information available to the public without further notice to you.

Please respond in writing to this required submission of information within 10 calendar days of your receipt of this letter.

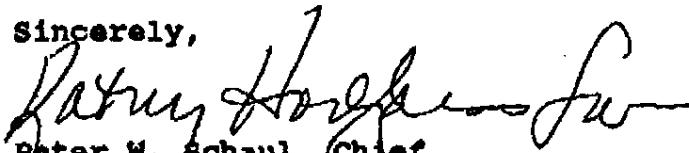
All documents and information should be sent to:

Frederick N. MacMillan (3HW12)
Environmental Protection Agency
Region III
841 Chestnut Building
Philadelphia, Pennsylvania 19107

If you have any questions concerning this matter, please contact Mr. MacMillan at (215) 597-8218.

This required submission of information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Section 3501, et seq.

Sincerely,


Peter W. Schaul, Chief
Superfund Program Branch

Enclosure

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May

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