

WEIER, HOCKENSMITH & SHERBY

Sullivan Landfill Site  
Franklin Co.

Attorneys at Law  
12801 Flushing Meadow Drive  
P.O. Box 31158  
St. Louis, Missouri 63131  
(314) 965-2255

Telefax numbers (314) 965-6653

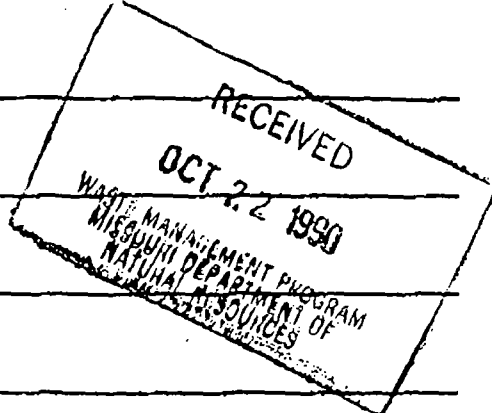
TO: JIM BELCHER & LARRY ERICKSON

FROM: KURT A. HENTZ

FAX NUMBER: (314) 751-7869

DATE: OCTOBER 22, 1990

RE: TRW, INC. & MERAMEC GROUP



Number of Pages (including this cover sheet) 2

- URGENT!! Please route to receiver immediately.
- Please contact sender upon receipt.
- Routine.

Remarks: A SIMILAR LETTER WILL ALSO BE SENT TO THE MERAMEC GROUP.

THANK YOU.

KAH



WEIER, HOCKENSMITH & SHERBY

ATTORNEYS AT LAW  
12801 FLUSHING MEADOW DRIVE  
P.O. BOX 31158  
ST. LOUIS, MISSOURI 63131  
(314) 965-2255  
FAX (314) 965-0853

JEFFERSON COUNTY OFFICE:  
BOATMEN'S BANK BUILDING  
998 EAST GANNON DRIVE  
P.O. BOX 1240  
FESTUS, MISSOURI 63028  
(314) 933-0303  
(314) 464-3434  
FAX (314) 464-2221

THOMAS M. UTTERBACK

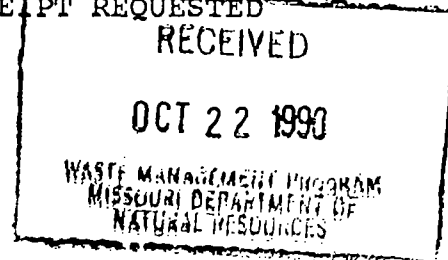
October 22, 1990

GENERAL NOTICE LETTER  
URGENT LEGAL MATTER -- PROMPT  
REPLY NECESSARY

SERVED VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

TRW, Inc.  
1900 Richmond Road  
Lyndhurst, Ohio 44124

RE: City of Sullivan Landfill  
Sullivan, Missouri



Dear Sir/Madam:

This letter notifies you of potential liability, as defined by §107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §9607(a), as amended (CERCLA), that you may incur or may have incurred with respect to the above-referenced site. This letter also notifies you of both actual and potential response activities at the site, which you are being asked to perform or finance and which you may be asked to perform or finance in the future.

NOTICE OF POTENTIAL LIABILITY

The City of Sullivan, Missouri ("City") has documented the release or threatened release of hazardous substances, pollutants or contaminants at the City landfill. The City has spent, and is currently spending, public funds on actions to investigate and control such releases or threatened releases at the site. Unless the City reaches an agreement under which a potentially liable party or parties will properly perform or finance such actions, the City may perform these actions pursuant to §104 of CERCLA, and thus seek recovery.

Under §§106(a) and 107(a) of CERCLA, 42 U.S.C. §§9606(a) and 9607(a), and other laws, potentially liable parties may be ordered to perform response actions deemed necessary by the City to protect the public health, welfare or the environment, and may be liable for all costs incurred by the City in responding to any release or threatened release at the site.

TRW, Inc.  
October 22, 1990  
Page Two

Such actions and costs may include, but are not limited to, expenditures for conducting a Remedial Investigation/Feasibility Study (RI/FS), conducting a Remedial Design/Remedial Action (RD/RA), and other investigation, planning, response, oversight and enforcement activities. In addition, potentially liable parties may be required to pay for damages for injury to, destruction of, or loss of natural resources, including the cost of assessing such damages.

The City has evaluated information in connection with the investigation of the site. Based on this information, the City believes that you may be a Potentially Responsible Party (PRP) with respect to this site. Potentially Responsible Parties under CERCLA include current and former owners and operators of the site as well as persons who arrange for disposal or treatment of hazardous substances sent to the site, or persons who accepted hazardous substances for transport to the site. By this letter, the City notifies you of your potential liability with regard to this matter and encourages you to voluntarily perform or finance those response activities that the City determines are necessary at the site.

In accordance with CERCLA and other authorities, the City has already undertaken certain actions and incurred certain costs in response to conditions at the site. These response actions include an initial investigation of ground-water contamination in the Sullivan area performed by Bob Kent of International Technology Corporation, a company based in Austin, Texas. Also, samples have been taken from various city wells and leachate samples have been taken from the site by Dr. Edward Edgerley of Sitex Environmental, Inc., a company based in St. Louis, Missouri (Dr. Edgerley has been retained by the City to serve as its consultant in this matter). The City entered into negotiations with the U.S. Geological Survey Water Resources Division - Missouri District, which ultimately led to the execution of a joint funding agreement for the hydrochemical investigation of the Sullivan landfill and vicinity. Please find enclosed the documents referred to above.

<sup>During</sup> Throughout the City's investigation of its landfill, the City has met with the Missouri Department of Natural Resources (MDNR) (and its various Programs) and has also met with the U.S. Environmental Protection Agency (Region 7) to discuss the situation at the Sullivan landfill. The MDNR has agreed to take the lead role in overseeing the remediation and eventual clean-up of the City's landfill under the State's Superfund

TRW, Inc.  
October 22, 1990  
Page Three

authority. The Department of Geology and Land Survey of the MDNR is currently in the process of reviewing the joint funding agreement with the U.S. Geological Survey Office. Jim Belcher of the MDNR's Waste Management Program is overseeing the remediation and clean-up of the landfill and Larry Erickson, also of the Waste Management Program, is the project manager.

The City's investigation has revealed that the Ramsey Corporation, a subsidiary of TRW, Inc., and Meramec Industries were the primary contributors of hazardous waste in the landfill. All other contributors, at least in the City's estimation, were negligible at best. It is believed that the Ramsey Corporation dumped approximately five 55-gallon drums of chromate sludge per day from 1972 through 1978. This calculates to approximately 7,500 barrels (6 years x 250 work days per year x 5 barrels per day) of chromate sludge over this period of time.

The types of hazardous waste produced by the Ramsey Corporation falls into two categories:

1. The barrium chromate sludge produced by the chrome reduction treatment plant; and
2. A mixture of oil, grease and trichloroethylene (TCE) which consists of the skimmings from the cleaning operations for the piston rings which were manufactured at the Ramsey plant.

The mixture of oil, grease and TCE which was dumped at the site would be in addition to the 7,500 barrels of barium chromate sludge discussed above.

With regard to Meramec Industries, the City's investigation revealed that approximately 25 to 100 gallons of hazardous TCE waste was produced and dumped at the site between 1974 and 1980. An average of 1.14 barrels per week calculates to approximately 355.68 barrels (1.14 barrels per week x 52 weeks per year x 6 years) of TCE waste over this period of time.

The above quantity calculations are based on information provided to the City through personal interviews, field measurements and a review of landfill tickets or receipts. The City is extremely confident that it can support these calculations and, in fact, the City believes that these estimates are extremely conservative.

TRW, Inc.  
October 22, 1990  
Page Four

Based on the above quantity estimates, the total estimated number of hazardous waste barrels in the landfill is as follows:

Ramsey Corporation	7,500 barrels
Meramec Industries	<u>355.68 barrels</u>

TOTAL: 7,855.68 barrels

The percentage of total hazardous waste contributed by these industries is as follows:

Ramsey Corporation	$7,500/7855.68 = 95.47\%$
Meramec Industries	$355.68/7855.68 = 4.53\%$

The City views the above quantity calculations and percentages of hazardous waste as a starting point in assessing responsibility for the situation at the site and, likewise, the contribution level of the respective industries.

The City would like to meet with representatives from your company to discuss the landfill situation during the week of November 12, 1990. We hope that a mutually convenient time can be arranged during this week. We will also be requesting the attendance of Jim Belcher and his staff. We have also asked representatives of TRW, Inc. to attend this meeting.

In the meantime, this City requests that you answer the Information Request attached hereto. This Information Request is intended to obtain information regarding the processes and procedures used at your plant and the quantity of hazardous waste which was dumped at the site during the years 1970 through 1980. The City expects to receive your cooperation in responding to this attached Information Request. If the City does not receive your cooperation, the City will ask the U.S. Environmental Protection Agency to issue a similar Information Request pursuant to its authority under §104(e) of CERCLA. However, the City is hoping to keep the costs of remediation and eventual clean-up to a minimum for all concerned. The City is working under the assumption that you would prefer the same.

It is the City's intention to ask TRW, Inc. and The Meramec Group to finance all costs (past, present and future) associated with the above-mentioned investigations, evaluations, tests and eventual remediation and clean-up of the site. It is impossible

TRW, Inc.  
October 22, 1990  
Page Five

to determine what response actions will be required and the costs associated therewith, however, the City is hopeful that this will <sup>be</sup> determined by a joint effort of all concerned.

Please understand the City will not be delayed in its remediation efforts. If the City does not satisfactorily receive TRW's cooperation, the City is prepared to take the necessary legal action in this matter.

The City looks forward to meeting with you during the week of November 12, 1990.

Cordially,

Thomas M. Utterback  
Special Counsel to the  
City of Sullivan

TMU/js  
Enclosures

INFORMATION REQUEST

1. Provide the name, title and telephone number of the individual who will act as the primary contact on behalf of TRW, Inc. regarding this matter.
2. Has TRW, Inc. ever produced and/or transported waste, hazardous or otherwise, that was deposited or dumped at the Sullivan Landfill site? If so, provide the following details regarding the waste that was produced and/or transported to the site:
  - a. Explain the manufacturing process from which the waste was a by-product and the content of such waste;
  - b. The quantity of such waste produced during the years 1970 through 1980 and the time and date that such waste was transported and/or disposed at the site; and
  - c. The name of the person or entity who transported such waste on behalf of TRW, Inc. during the period of time from 1970 through 1980.
3. Provide legible copies of any and all contracts, invoices, receipts or other documents describing any and all deposits or dumpings of waste at the Sullivan Landfill site.
4. Provide legible copies of any and all contracts, invoices, receipts or other documents relating to the hauling or transportation of such waste from TRW, Inc. and the individual or entity that provided such hauling services.
5. During the time period between 1970 and 1980, did TRW, Inc. ever inform the City of Sullivan of the content of the waste that TRW, Inc. was depositing or dumping at the City landfill site? If so, please describe:
  - a. The name and current address of the person making such representations;
  - b. To whom these communications were made;
  - c. When and where these communications were made;
  - d. The full content of these communications;
  - e. Any documentations to support such communications.

6. If such waste or chemicals were purchased from another person or entity to be used or utilized in the manufacturing process (or otherwise) by TRW, Inc., please provide:

- a. The name of the person or entity from whom such chemicals were received; and
- b. Legible copies of any and all contracts, invoices, receipts or other documents describing any and all purchases of such waste or chemicals.

End

*Larry  
all 90 PG 8  
was not received*