THIS FILE IS CLOSED

THE MATERIAL ENCLOSED IN THIS FILE BEGINS ON:

DATE: 01 DEC 2000

AND ENDS ON:

DATE: 31 July 2001

THERE IS MORE RECENT INFORMATION IN THE NEXT FILE ON THIS SITE

01 DEC 2000

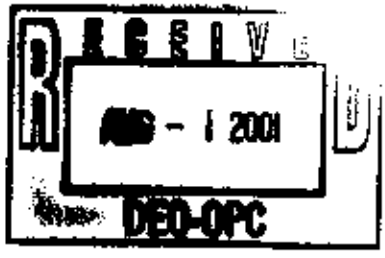
31 JAN 2001

GeoEnvironmental Associates, LLC | MARTIN&SLAGLE

ROBERT L. MARTIN, LG
Principal Geologist

CHRISTINE E. SLAGLE
Principal Scientist

July 31, 2001



FILE COPY

Ms. Gretchen Zmitrovich
Office of Pollution Control
Mississippi Department of Environmental Quality
P.O. Box 10385
Jackson, Mississippi 39289-0385

SUBJECT: Drainage Channel PCB Assessment Work Plan
Kuhlman Electric Corporation
Crystal Springs, Mississippi

Dear Ms. Zmitrovich:

Enclosed are two copies of the *Drainage Channel PCB Assessment Work Plan* for your review and approval. If you have any questions or comments, please contact Anastasia Hamel at (810) 497-4503 or me at (828) 669-3929.

Sincerely,
MARTIN & SLAGLE GEOENVIRONMENTAL ASSOCIATES, L.L.C

Robert L. Martin, L.G.
Principal Geologist

Enclosures

Cc.: Anastasia Hamel (2 copies)
Al Thomas
Tom Lupo
Scott Schang
Walter Rielley
Craig Brown
Charles O. Peel, P.G.

828.669.3929 • 828.669.5289 Fax
PO Box 1023 • 208 Sutton Avenue • Black Mountain NC 28711

City of Crystal Springs

FILE COPY

July 30, 2001

Ms. Anastasia Hamel
Director of Environmental Programs
BorgWarner, Inc.
11955 East Nine Mile Road
Warren, Michigan 48089

Re: Kuhlman Electric Corporation, Crystal Springs, MS
Borg Warner Response to EPA Comments

Dear Ms. Hamel:

We have reviewed the response to comments submitted to US EPA Region IV and to the Mississippi Department of Environmental Quality concerning the work plan for remediation of the Kuhlman plant site. We consider it inappropriate to comment on the response to comments outside the context of the revised workplan. Accordingly, we reserve the right to object to any and all issues raised by the revised workplan. We specifically remind BorgWarner, US EPA, and MDEQ that the City of Crystal Springs is a current owner of surface rights at the site and that the City of Crystal Springs has not agreed that any use restriction can be placed on the site.

The City of Crystal Springs believes the release site encompasses the entire contaminated area including private lots, the Kuhlman plant site, the drainage ditches from the site, Lake Chautauqua, and any contaminated drainage area from the lake. Accordingly, we continue our call for a comprehensive assessment plan, remediation plan, and schedule for the entire site.

The City of Crystal Springs notes especially that a risk assessment available in the public record with likely biases favorable to Borgwarner found an acceptable exposure of 50 ppm residual PCBs. To avoid straining the credibility of all involved, significant explanation will be necessary as to why a target remediation goal of 100 ppm PCBs will be proposed.

We await the revised workplan prior to further comments.

If you have any questions call me at 601/892-1210.

Sincerely,

Walter J. Rielley, III
Mayor

cc: Jerry Banks, MDEQ
Craig Brown, US EPA Region IV
Bill Stewart, Stewart Consultants, Inc.
Bill Owen, Williford, Gearhart & Knight
Bob Lawrence, City Attorney

FILE COPY

COMMENTS ON THE REMEDIATION WORK PLAN FOR KUHLMAN ELECTRIC PLANT SITE, KUHLMAN ELECTRIC CORPORATION, CRYSTAL SPRINGS, MISSISSIPPI, MAY 2001

RESTRICTED USE

The City of Crystal Springs is a current owner of surface rights at the Kuhlman plant. Comments on the proposed remediation work plan shall not be interpreted to mean the City agrees to any restricted use of the property.

The City of Crystal Springs understands MDEQ regulations to explicitly require agreement of all current owners of surface rights at the site to use restrictions as a prerequisite for MDEQ agreeing to remediation based on restricted use conditions. Absent all current owner agreement, unrestricted clean up levels, i.e. 1 ppm PCBs, applies to the site.

The City of Crystal Springs believes it premature to agree to use restrictions prior to completion of characterization and remediation plans for the drainage path to Lake Chautauqua, Lake Chautauqua, and the drainage path from Lake Chautauqua.

Data indicating concentrations of PCBs and other COCs beneath the existing plant floor slab must be provided to the City.

RISK ASSESSMENT

A. FUTURE USE

The City of Crystal Springs believes it more-probable-than-not given that the majority of businesses do not survive to 100 years of age that the current site user will not be the same user throughout the next 50 years. The City also believes that due to its location there will be considerable development pressure on the site, and, that this development pressure will likely be commercial or high density residential. Given these development pressures the city believes a future use scenario of commercial instead of industrial is most likely -- if a restricted use is to be allowed at all.

Considering plant spaces outside buildings to be low occupancy areas for future use where workers will be present less than 6.7 hours per week adds yet another use restriction to the property. In effect the space must always be parking lots. These areas should be considered potential commercial lots and be classified for future use as high occupancy areas.

The future worker scenario should be for a commercial worker on a typical (0.5 acre) commercial lot.

B. EXPOSURE PATHWAYS

The proposed risk assessment is incomplete because it fails to assess the surface soils, subsurface soils, groundwater, surface water, and sediments exposure pathways.

The presence of PCB solvents in the plant site soils and perched groundwater contamination increases the possibility for groundwater contamination. Since the absence of groundwater contamination has not been confirmed and since this is an issue of public health requiring conservative judgments, the groundwater pathway should be included in the risk assessment or data should be obtained to confirm groundwater is not contaminated. The risk assessment cannot be considered complete until groundwater contamination is ascertained.

The surface water exposure pathway should be quantified since currently available data indicate Lake Chautauqua is contaminated.

The work Plan should contain an ecological risk assessment for Lake Chautaugua, the wetlands upstream of the Lake, and any sensitive ecological areas downstream of the Lake.

C. EXPOSURE SCENARIOS

The risk assessment fails to identify and quantify risks for utility workers and site employees that live in Crystal Springs and are exposed to residual contamination at home, in groundwater, and at Lake Chautauqua.

Quantification of the vapor phase exposure is necessary for workers in the narrow confines of a trench with no air circulation and a PCB solvent present.

Averaging exposure over the entire Kuhlman site is not appropriate for trench workers and other short-term workers whose responsibilities are limited to small areas of the plant site.

The estimate of soil intake provides no justification for the 10 mg/kg PCB contamination "worse case' assumption. The maximum on-site concentration in the trench areas should be the worse case. The 24-hour PM10 NAAQS, if used, should be multiplied by 3 to account for 8-hour activities emitting the 24-hr PM10 contaminates. The validity of using the NAAQS PM10 is questionable since it is common experience that construction sites can be very dusty and emit total particulate matter in addition to PM10. The AP-42 factor for emissions from heavy construction or in-plant roads might be better estimates. Also, the area of the plant is a settled mature neighborhood with minimum dust generation sources. It is reasonable to assume that virtually all of the dust in the area will be from site construction activities. Coverings of pavement and grass should not be considered for dust suppression during construction.

The 6.6-year and 25-year occupational exposure assumptions are too short for workers in Crystal Springs. City workers have much longer work tenures. In Mississippi, seventy percent of the population is native. It is therefore a probable scenario that workers would work on the contaminated site for all of their work life. Assuming a work life starting at 20 and ending at 70 (the new social security retirement age), on-site workers exposure duration should be 50 years.

There is no showing of "technical impracticable" for areas beneath the proposed new slab, the proposed new parking, existing parking, and grassed areas. Therefore the residual cancer risk goal should be 1×10^{-6} in these areas.

Where risk based RGs are not calculated, and other regulatory goals such as MCLs are not applicable, the default RG should be the TRG or the analysis protocol non-detect level.

REMEDIATION ACTIVITIES

The work plan should present evidence that the existing building floor slab is 6 inches thick and meets the minimum thickness criteria for a cap.

The plan should specify quality control measures to ensure the new plant floor will be at least 6 inches thick.

There is no showing that the existing paving that is to serve as a cap meets the minimum cap thickness of 6 inches. Pavement areas should not be considered permanent structures. They are usually the first areas to be disrupted during occupancy changes with adjustments to landscaping among the first priorities of new owners. 40 CFR 761.125 requires that a minimum of 10 inches of soil be removed prior to leaving 1-10 ppm of PCB contamination in place. No explanation is given as to why at least 10 inches of soil beneath the existing paved areas will not be removed. This is especially important since no demonstration has been made that this pavement meets the minimum cap design requirements.

The design storm criteria for the stormwater retention pond and the disposal method for collected stormwater should be specified.

The extent of trench over-excavation in the vertical and horizontal should be specified. Six inches suggested by the specified sand backfill is not enough for the lack of precision of construction excavation. The floor and sidewalls of the excavation should be covered with geotextile to protect workers.

The plan should specify whether PCB contamination above the RG beneath utility trenches will be removed before or after installation of piping and backfill.

The plan fails to adequately identify the geotextile to be used.

There should be no maximum soil removal depth only a minimum soil removal depth of 10 inches. Removal should be controlled exclusively by the RG below ten inches deep.

The conceptual plan and detailed remediation discussions fail to distinguish between the RG for accessible soil areas (40 ppm proposed) and inaccessible soil areas (50 ppm proposed).

The buffer area of 2 feet appears to be arbitrary and too narrow. 40 CFR 761.123 requires spills within 0.1 kilometer of residential property to be cleaned to residential standards and 40 CFR 761.61 allows more stringent clean up standards based on proximity to residential dwellings, hospitals, schools...day care centers...sport fisheries, etc. all of which are located in the vicinity of the Kuhlman plant.

Averaging of samples across the entire Kuhlman site to determine accomplishment of remedial goals is unacceptable to the City. The effect of site wide averaging of sampling results is to place another use restriction on the site. The sampling and thus the remediation would achieve a passable residual risk for only the entire property area covered in the averaging. No future user of a lesser area would be ensured of protection even if no control disturbance or use change occurred. RGs derived in the risk assessment represent average exposure under the conditions of the risk assessment, not average soil concentrations. Averaging of sample results is inconsistent with the high-end exposure requirements of a deterministic risk assessment. The residual risk must be based on the highest exposure. Sampling is already an "averaging" over the sample increment. If averaging is to be acceptable to the City, it will only be acceptable after a through review of the averaging method (the current method reference citation is insufficient to locate the source) and, if the plant site is broken into (1) the area of the proposed new slab, (2) individual high contaminate concentration areas, and (3) other areas at commercial lot increments (0.5 acres).

For determination of sampling grid size the site should be broken into (1) the area beneath the proposed new slab, (2) the areas of high PCB concentrations, and (3) areas outside the foundation slabs divided into commercial lot sizes (0.5 acres).

Procedures to ensure short-term construction workers are not exposed for more than 125 days on site should be specified.

Five copies of any Remediation Report must be submitted to the City of Crystal Springs.

POST REMEDIATION ACTIONS

Inspection files should be maintained on-site for a minimum of five years. Notice should be given to MDEQ and the City when sediments are observed in site runoff.

The NPDES stormwater permit should be formally modified to incorporate PCB monitoring.

Add a requirement that repair of the cap must begin within 72 hours of discovery of damage.

IT Corporation
11560 Great Oaks Way, Suite 500
Alpharetta, GA 30022-2424
Tel. 770.475.8994
Fax. 770.777.9545

A Member of The IT Group

the igroup

July 24, 2001

Ms. Gretchen Zmitrovich
Mississippi Department of Environmental Quality
101 West Capital Street
Jackson, MS 39210

Mr. Craig Brown
US Environmental Protection Agency
61 Forsyth Street, SW
Atlanta, GA 30303

Subject: Revised Soil Removal Work Plan Submittal
AKT Gravel Pit
Crystal Springs, MS

Dear Ms. Zmitrovich and Mr. Brown:

On behalf of Kuhlman Electric Corporation, IT Corporation is submitting the attached work plan for Soil Removal at the AKT Gravel Pit. The submittal is in response to a requirement of Administrative Order 4165-00 of the Mississippi Commission of Environmental Quality. The work plan has been revised from the plan dated April 19, 2001, based on the request from additional site data..

If you have any questions, please contact me at (770) 677-7790 or Scott Schang of Latham & Watkins at (202) 637-2115.

Sincerely,
IT Corporation

A. Robert Thompson, CHMM
Operations Manager

attachment

cc: Thomas Minnich - Kuhlman Electric Corporation
Paul Acheson - Kuhlman Electric Corporation
Al Thomas - Kuhlman Electric Corporation
Scott Schang - Latham & Watkins
Anastasia Hamel - BorgWarner Inc.
Thomas Lupo - Seyfarth, Shaw, Fairweather & Geraldson
Richard Craig - Marsh Risk & Insurance Services

GeoEnvironmental Associates, LLC | MARTIN&SLAGLE

ROBERT L. MARTIN, LG
Principal Geologist

CHRISTINE E. SLAGLE
Principal Scientist

MEMO

To: Gretchen Zmitrovich
From: Martin & Slagle
Date: July 18, 2001

Re: Revised Maps for Site Remediation Reports
Medical Center and Dabney-Smith Properties
Crystal Springs, Mississippi

Enclosed please find two copies of the revised maps for Medical Center Property.

If you have any questions, please feel free to contact me at (828) 669-3929.

D. J. Martin

Administrative Assistant
Martin & Slagle

DJM/dbm
Enclosures

828.669.3929 • 828.669.5289 Fax
PO Box 1023 • 208 Sutton Avenue • Black Mountain NC 28711

GeoEnvironmental Associates, LLC | MARTIN&SLAGLE

FILE COPY

ROBERT L. MARTIN, LG
Principal Geologist

CHRISTINE E. SLAGLE
Principal Scientist

July 13, 2001

Ms. Gretchen Zmitrovich
Office of Pollution Control
Mississippi Department of Environmental Quality
P.O. Box 10385
Jackson, Mississippi 39289-0385

SUBJECT: Revised Maps for Site Remediation Reports
Medical Center and Dabney-Smith Properties
Crystal Springs, Mississippi

Dear Ms. Zmitrovich:

Enclosed are revised maps for the Site Remediation Reports for the Medical Center and Dabney/Smith properties in Crystal Springs, Mississippi submitted to the Mississippi Department of Environmental Quality (MDEQ) in April 2001. Laboratory data sheets are included for samples GS-1, GS-2, and GS-3, which were collected from beneath the shed buildings on the Dabney/Smith property.

Two sets of maps for each site are included in this submittal. All information included in this package should be attached to the appropriate Site Remediation Report when transmitted to the property owners.

If you have any questions or comments, please contact me at (828) 669-3929.

Sincerely,
MARTIN & SLAGLE GEOENVIRONMENTAL ASSOCIATES, L.L.C

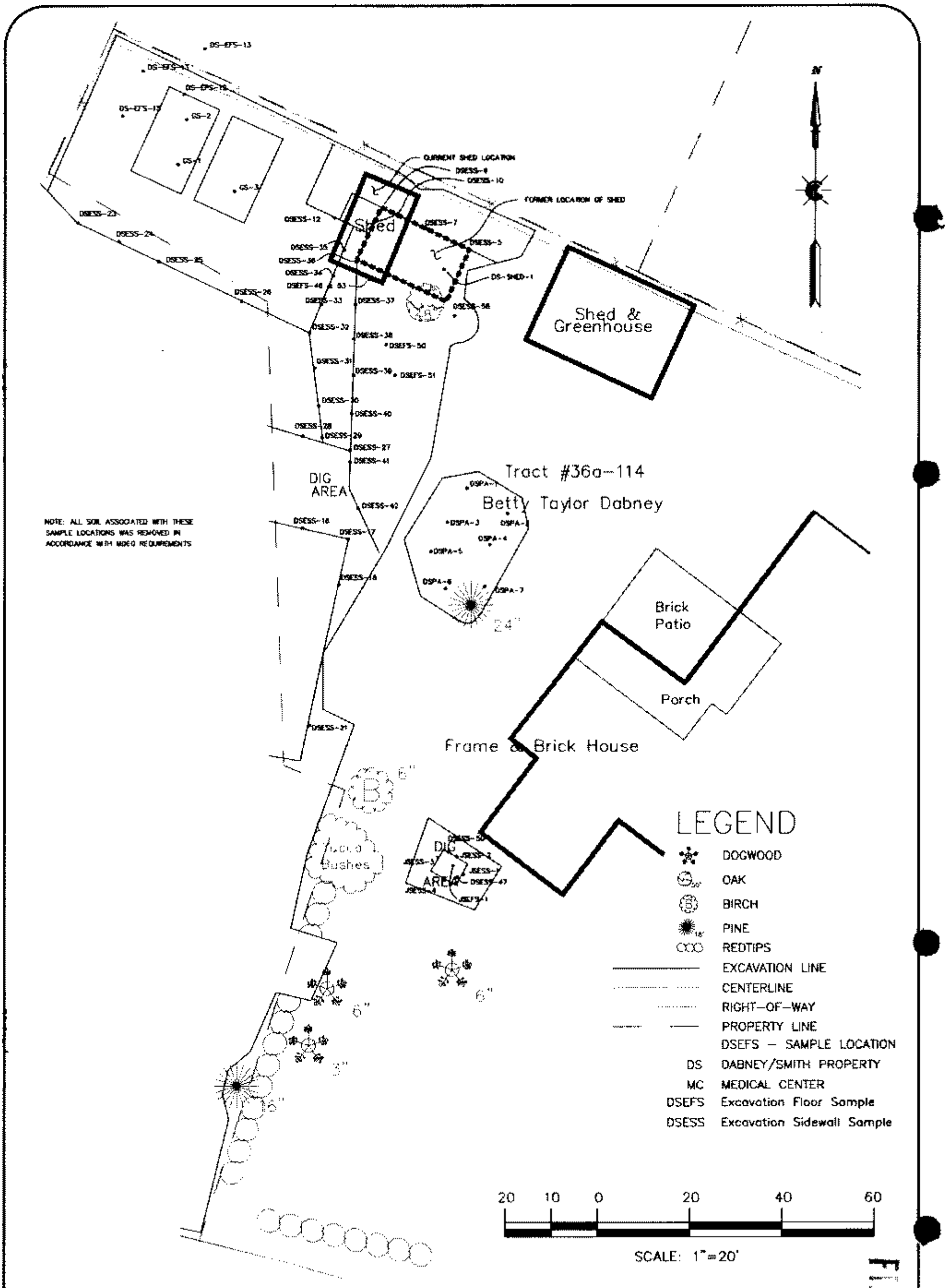
Robert L. Martin, L.G.

Principal Geologist

Attachments

Cc.: Anastasia Hamel (2 copies)
Al Thomas
Tom Lupo
Scott Schang
Walter Rielley

828.669.3929 • 828.669.5289 Fax
PO Box 1023 • 208 Sutton Avenue • Black Mountain NC 28711



GeoEnvironmental Associates, LLC MARTIN&SLAGLE PO Box 1023 Black Mountain NC 28711 828.669.3929 828.669.5289	PREPARED FOR: **BorgWarner Inc.**	SURVEYED BY: *MAPTECH, INC.* PROJECT NO.: BW00-1 DWG NO. 326A-0343-1100-103-01c DRWN. DGR CHK. RLM REV: 1 DATE: 7/13/01	SITE REMEDIATION Dabney Smith Property SAMPLE LOCATION MAP	SCALE 1"=20'	FIGURE 3

LEGEND

- CENTERLINE
- RIGHT-OF-WAY
- PROPERTY LINE
- EXCAVATION LINE
- • MCEFS = SAMPLE LOCATION
- MC MEDICAL CENTER PROPERTY
- DS DABNEY/SMITH PROPERTY
- MCEFS Excavation Floor Sample
- MCESS Excavation Sidewall Sample
- OAK
- PINE

NOTE: ALL SOIL ASSOCIATED WITH THESE SAMPLE LOCATIONS WAS REMOVED AND DISPOSED OF IN ACCORDANCE WITH NCDEQ REQUIREMENTS.

N

Shed

DIG AREA

Tract #36a-114.1

Dr. William F. Kraoss, II

&

Dr. Micheal H. Albert

DIG AREA

Covered Carport

1 Story Brick Bldg.

DIG AREA

Porch

DIG AREA

DIG AREA

LEE AVENUE

20 10 0 20 40 60

SCALE: 1"=20'

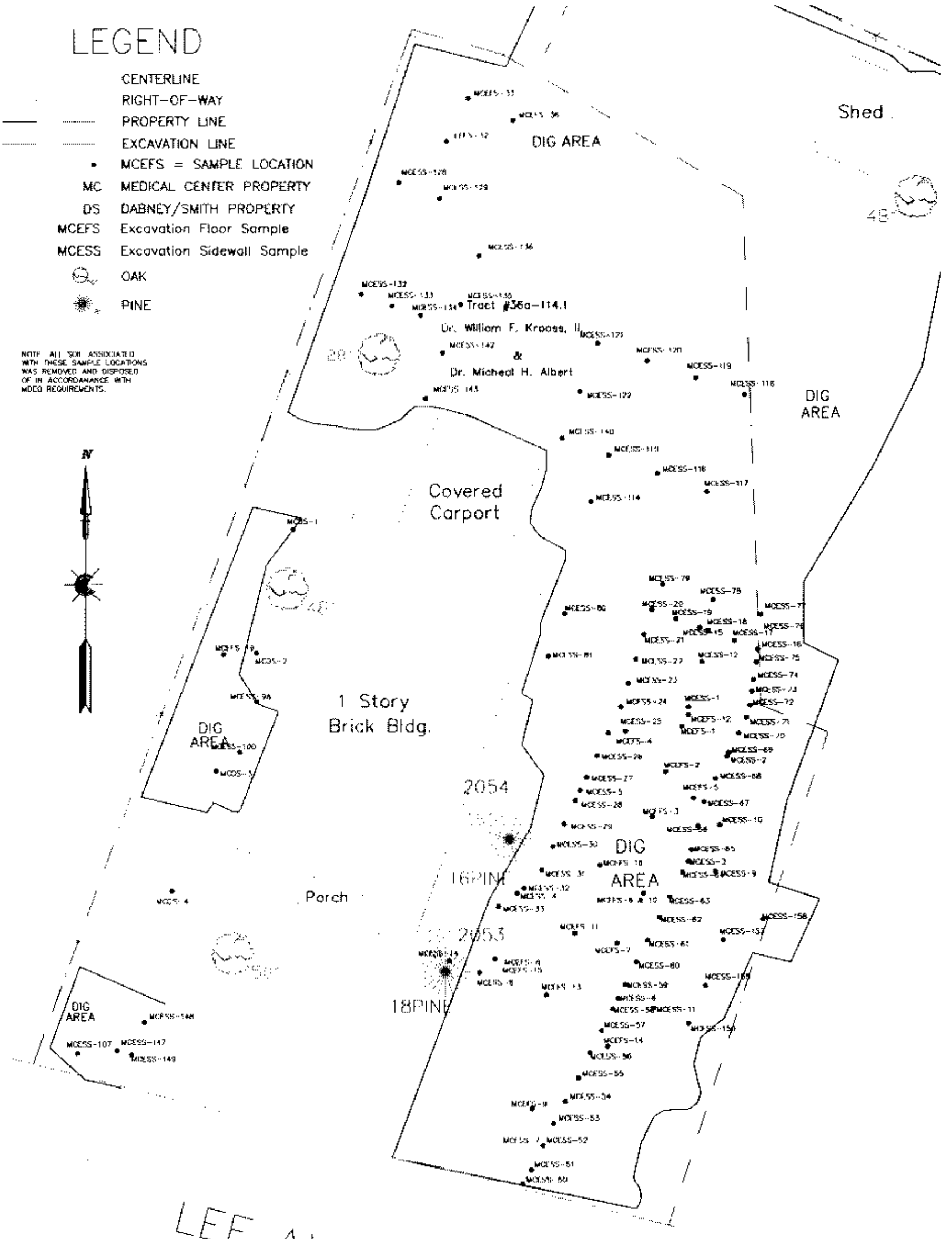
GeoEnvironmental Associates, LLC MARTIN&SLAGLE PO Box 1023 Black Mountain NC 28711 828.669.3929 828 669 5289	PREPARED FOR: **BorgWarner Inc.**	SURVEYED BY: *MAPTECH, INC.* PROJECT NO.: BW00-1 DWG NO. 324A-0343-1100-103-01c DRWN: DGR CHK: RLM REV: 1 DATE: 7/13/01	SITE REMEDIATION Medical Center SAMPLE LOCATION MAP	SCALE 1"=20'	FIGURE 3

FILE COPY

LEGEND

- CENTERLINE
- RIGHT-OF-WAY
- PROPERTY LINE
- EXCAVATION LINE
- MCEFS = SAMPLE LOCATION
- MC MEDICAL CENTER PROPERTY
- DS DABNEY/SMITH PROPERTY
- MCEFS Excavation Floor Sample
- MCESS Excavation Sidewall Sample
- OAK
- PINE

NOTE: ALL SOIL ASSOCIATED WITH THESE SAMPLE LOCATIONS WAS REMOVED AND DISPOSED OF IN ACCORDANANCE WITH MDEQ REQUIREMENTS.



GeoEnvironmental Associates, LLC MARTIN&SLAGLE PO Box 1023 Black Mountain NC 28711 828.669.3929 828.669.5289	PREPARED FOR: **BorgWarner Inc.**	SURVEYED BY: *MAPTECH, INC.*	SITE REMEDIATION Medical Center Property SAMPLE LOCATION MAP PROJECT NO.: BW00-1 DWG NO: 324A-0343-1100-102-01c DRWN: DGR CHK: RLM REV: 1 DATE: 7/13/01	SCALE 1"=20'	FIGURE 3

Shed

Shed & Greenhouse

DIG AREA

Tract #36a-114

Betty Taylor Dabney

Brick Patio

Porch

Frame & Brick House

DIG AREA

Yucca Plants

LEGEND

- DOGWOOD
- OAK
- BIRCH
- PINE
- REDTIPS
- RIGHT-OF-WAY
- PROPERTY LINE
- DSEFS – SAMPLE LOCATION
- DS DABNEY/SMITH PROPERTY
- MC MEDICAL CENTER
- EFS Excavation Floor Sample
- ESS Excavation Sidewall Sample

20 10 0 20 40 60

SCALE: 1"=20'

MARTIN&SLAGLE
PO Box 1023
Black Mountain NC 28711
828.669.3929 828.669.5289

PREPARED FOR: **BorgWarner Inc.**

SURVEYED BY: *MAPTECH, INC.*
PROJECT NO.: BW00-1
DWG NO.: 324A-0343-1100-103-01c
DRWN: DGR | CHK: RLM | REV: 3 | DATE: 7/13/01

SITE REMEDIATION
Dabney Smith Property
SAMPLE LOCATION MAP

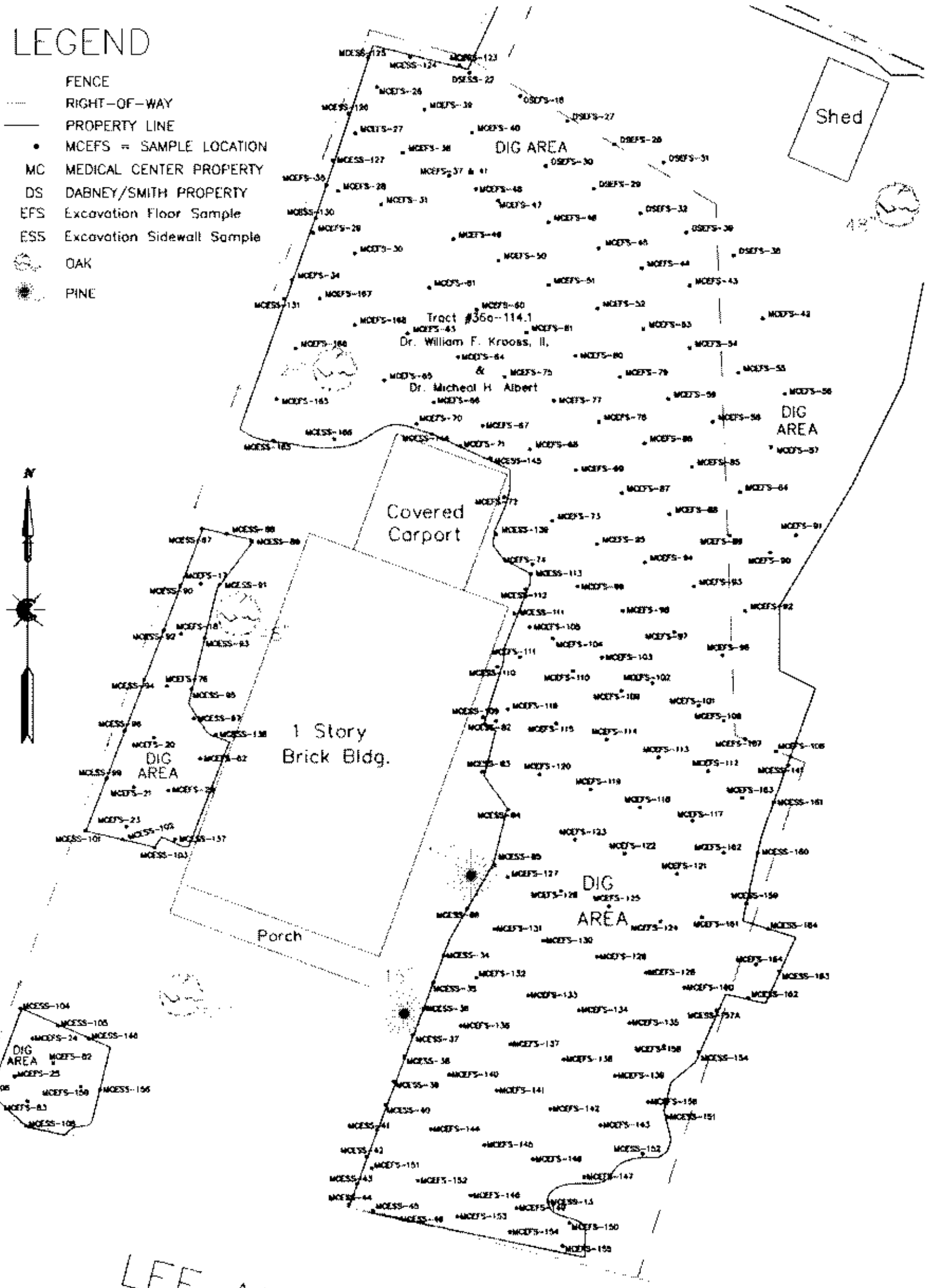
SCALE: 1"=20'

FIGURE: 2

FILE COPY

LEGEND

- FENCE
- RIGHT-OF-WAY
- PROPERTY LINE
- MCEFS = SAMPLE LOCATION
- MC MEDICAL CENTER PROPERTY
- DS DABNEY/SMITH PROPERTY
- EFS Excavation Floor Sample
- ESS Excavation Sidewall Sample
- OAK
- PINE



CeuEnvironmental Associates, LLC MARTIN&SLAGLE PO Box 1023 Black Mountain NC 28711 828.669.3929 828.669.5289	PREPARED FOR: **BorgWarner Inc.**	SURVEYED BY: *MAPTECH, INC.*	SITE REMEDIATION Medical Center Property SAMPLE LOCATION MAP PROJECT NO.: BW00-1 DWG NO: 324A-0343-1100-102-01e DRWN: DGR CHK: RJM REV: 3 DATE: 7/13/01	SCALE 1"=20'	FIGURE 2

FILE COPY

January 26, 2001

Robert Martin
Martin & Slagle, LLC
P.O. Box 1023
Black Mountain, NC 28711

Dear Mr. Martin,

Enclosed is the final Technical Memorandum for work completed at the former Borg Warner and current Kuhlman Electric facility in Crystal Springs, Mississippi during the month of October. If you have any questions concerning this information, please give me a call.

Sincerely,

Richard Johnson

Richard Johnson

Enclosure

Environmental Chemistry Consulting Services, Inc.
2525 Advance Road • Madison, WI 53718 • Phone (608) 221-8700 • FAX (608) 221-4889

TECHNICAL MEMORANDUM

January 26, 2001

To: Robert Martin
Martin & Slagle, LLC

From: Richard Johnson
ECCS, Inc.

Re: Field Analytical Methods – QC Summary
Borg Warner – Kuhlman Electric Facility
Crystal Springs, Mississippi

INTRODUCTION

This Technical Memorandum provides documentation of the field analytical test methods used to analyze soil samples collected on October 27, 2000 during an accelerated site investigation episode at the former Borg Warner and current Kuhlman Electric facility in Crystal Springs, Mississippi. Soil samples were analyzed for polychlorinated biphenyls (PCBs) and chlorinated benzenes by gas chromatography (GC) in accordance with ECCS's Polychlorinated Biphenyl (PCB) Mini Extraction Screening Procedure. A summary of test results is provided in Table 1. A summary of method blanks, laboratory control samples and matrix spike/matrix spike duplicate data is provided in Table 2.

The PCB mini-extraction procedure is based on the existing EPA SW846 methods 8082/8141. The procedure incorporates all the quality control rigors of the full 8082/8141 methods including quantification based on 6-point calibration with continuing calibration verification, surrogate method performance monitoring, method blanks, laboratory control samples (LCS), and matrix spike/matrix spike (MS/MSD) duplicate samples. As such, you should consider these test results as comparable to what you would get from a fixed-based laboratory using the more-widely accepted extraction procedure.

The primary project objective of the sampling and testing episode was to delineate the PCB contamination at and around the site using the accelerated site characterization approach. The mobile laboratory was required to provide data as quickly as possible to keep the accelerated site investigation process on track while trying to maintain a goal of level three data quality.

CASE NARRATIVE

During the one-day episode, 3 samples were collected and analyzed. To maintain rapid turnaround and to meet the project objective, two GCs were operated on a nearly continuous basis.

Quality control including proper calibration, continuing calibration verification, surrogates, method blanks, laboratory control samples and matrix spike/matrix spike duplicate samples was performed at the method-specified intervals. Overall quality of the data is very good. *The following quality related issues should be noted:*

1. All surrogate recoveries were within acceptable ranger.

2. All LCS recoveries were within acceptable ranges. See Table 2.

3. All MS/MSD recoveries were within acceptable ranges. Percent repeatability was also within acceptable ranges. See Table 2.

METHOD SUMMARY

This method employs a mini-extraction procedure and gas chromatography analysis for the detection of PCBs and chlorinated benzenes. Reporting limits are provided in the results Tables. Four grams of sample are dried with anhydrous sodium sulfate and extracted with eight mLs of 80/20 iso-octane/acetone. The extract is then analyzed by Gas Chromatography-Electron Capture Detector (GC-ECD).

Procedure

1. Standards Preparation - Primary standards are prepared from a solution purchased from various vendors at Certified concentrations. Stock standards are prepared in suitable solvents and stored in a freezer when not in use. Secondary standards are prepared in 80/20 iso-octane/acetone and stored in a freezer when not in use. Standard curve mixes for this project was prepared at six concentrations: PCBs – 0.05, 0.10, 0.20, 0.50, 1.0 and 2.0 ug/m; chlorinated benzenes – 0.005, 0.01, 0.02, 0.05, 0.10 and 0.20 ug/ml.

2. Sample Preparation - SOILS: Each sample or quality control sample is prepared in identical fashion. Approximately four grams of silica sand (blanks and control spikes) or sample is transferred into a clean scintillation vial. Four grams of anhydrous sodium sulfate are added to the vial and mixed well. Extra sodium sulfate is added when necessary to assure the sample is dried. A surrogate, spike compound mix (if necessary) and eight mLs of 80/20 iso-octane/ acetone are added to the vial. The vial is shaken for 30 seconds, allowed to settle for 2 minutes, shaken again for 30 seconds, and allowed to settle for 10 minutes. An aliquot of the extract is transferred to an autosampler vial for injection into the GC-ECD.

3. GC-ECD Analysis - A sample aliquot is injected into an HP5890 GC with an ECD equipped with an HP ChemStation for data processing. PCBs were identified by matching retention times of standards to the same retention time in the sample. Regression analysis was performed on each of the selected peak's height verses concentration of the standard using a LN/LN transformed linear regression. For PCBs nine peaks were selected for quantification. The ug/mL value for each peak was added together and divided by the number of peaks selected to obtain the total PCB ug/mL result. *If interference occurred at any of the peaks, these peaks were not included in the* total, and the divisor was reduced accordingly.

4. Quality Control - Quality control consisted of the following items:
   - Continuing calibration standards analyzed every ten samples or less and at the end of a run.
   - Blank and LCS samples analyzed every twenty sample or less with a minimum of one per day.
   - MS/MSD samples analyzed every twenty samples or less with a minimum of one per day.
   - Information is documented in logbook 40 and October run sheets.

5. Instrument Conditions - Two HP5890 gas chromatographs were equipped with RTX-35 capillary columns. Each system had a Leap Technologies A200S auto-sampler and an HP ChemStation for data handling.

Technical Memorandum

Borg Warner / Kuhlman Electric

Crystal Springs, Mississippi

Table 1
FITZGERALD ESTATE PROPERTY
413 Lee Street
Crystal Springs, Mississippi
PCB Concentrations Detected in Soil

					Field Laboratory	
Field Lab Sample ID	Sample ID	Sample Depth (ft bgs)	Date Collected	Time Collected	Date Analyzed	Concentration (mg/kg)
1386	GS-1		27-Oct-00	14:45	27-Oct-00	**2.2**
1387	GS-2		27-Oct-00	14:53	27-Oct-00	**17** [E]
1388	GS-3		27-Oct-00	15:04	27-Oct-00	**1.3**

[E] = Estimated value, exceeds calibration range.

Table 2

QC Summary

Lab # associated with qc samples: 1386 through 1388

	Matrix Spike	Matrix Spike Duplicate		Blank	LCS
	1386	1386		85	85
Date Analyzed:	10/27/2000	10/27/2000		10/27/2000	10/27/2000

Compound	% Rec		% Rec		% RPD	mg/kg	% Rec
PCB as 1260	140		150		-7%	< 0.1	95.7

GeoEnvironmental Associates, LLC | MARTIN&SLAGLE

ROBERT L. MARTIN, LG
Principal Geologist

CHRISTINE E. SLAGLE
Principal Scientist

FILE COPY

July 12, 2001

Craig Brown
U.S. Environmental Protection Agency, Region IV
AFC Building, 12th Floor
61 Forcyth Street, SW
Atlanta, Georgia 30303

SUBJECT: BorgWarner Inc.'s Response to EPA's Comments
Remediation Work Plan for
Kuhlman Electric Corporation Plant Site
Crystal Springs, Mississippi

Dear Mr. Brown:

Enclosed are BorgWarner Inc.'s responses to EPA's comments on the *Work Plan for Remediation of the Kuhlman Electric Corporation Plant Site* in Crystal Springs, Mississippi. BorgWarner will conduct the remediation under 40 CFR 761.61(a). Proposed changes to the work plan are described in this document.

If you have any questions or comments, please contact Anastasia Hamel at (810) 497-4503 or me at (828) 669-3929.

Sincerely,

MARTIN & SLAGLE GEOENVIRONMENTAL ASSOCIATES, L.L.C

Robert L. Martin, L.G.
Principal Geologist

Attachments

cc.: Anastasia Hamel
Walter Rielley
Al Thomas
Tom Lupo
Scott Schang
Gretchen Zmitrovich

828.669.3929 • 828.669.5289 Fax
PO Box 1023 • 208 Sutton Avenue • Black Mountain NC 28711

BorgWarner Inc.'s Response to U.S. Environmental Protection Agency Comments on the Remediation Work Plan for the Kuhlman Electric Corporation Plant Site

July 12, 2001

The U.S. Environmental Protection Agency (US EPA) issued comments to Martin & Slagle GeoEnvironmental Associates, LLC on June 21, 2001 in response to the *Remediation Work Plan for Kuhlman Electric Plant Site,* dated May 2001. The following are BorgWarner Inc.'s responses to US EPA's comments on the Work Plan.

The US EPA provided a lengthy general comment that detailed options for approaching remediation of the Kuhlman Electric Corporation (KEC) based on the current regulations. Following is BorgWarner's response to the general comment.

Response to the General Comment:

Based on the June 12, 2001 conference call with US EPA and Mississippi Department of Environmental Quality (MDEQ) representatives, BorgWarner Inc. (BorgWarner) understands that if it modifies the previously submitted Work Plan to state that soils containing concentrations greater than 100 ppm PCBs will be remediated and if it removes all references to risk assessment, then:

- The US EPA will approve the revised work plan for remediation at the Kuhlman Electric Corporation (KEC) plant site in Crystal Springs, Mississippi under the 40 CFR 761.61(a) "Self-Implementing" PCB site clean-up criteria.

- US EPA will grant a variance from the strict confirmation sampling protocol required under 40 CFR 761.61 (a) due to the size of the KEC site.

- MDEQ will accept the 40 CFR 761.61(a) "Self-Implementing" PCB site clean-up criteria for the KEC site.

BorgWarner, based on its understanding of the conditions described above, and provided it receives confirmation that US EPA and MDEQ have accepted its responses to the comments made by US EPA, will modify the previously submitted Work Plan accordingly and reissue it as a Final Work Plan for the remediation of the KEC site.

Responses to Section-Specific Comments:

The following comments are based on the assumption that BWI will pursue the self-implementing PCB Site clean-up option under §761.61 (a) but most of these comments will apply to a risk-based approval application as well.

COMMENT 1. ***Section 1.0*** *The reference to risk-based remediation goals in item 3 on page 1-6 should be revised to clarify that this is to satisfy Mississippi Department of Environmental Quality (MDEQ) site clean-up requirements.*

RESPONSE: Section 1.4 will be modified to describe the objectives and rationale to reflect the requirements under 40 CFR 761.61(a). Specifically:

- Item 1 under Section 1.4 will be changed to reflect the 40 CFR 761.61(a) 100 ppm PCB concentration clean-up criteria.
- Item 3 will be modified as follows: "Employ regulatory remediation goals based on the continuation of industrial land-use scenarios for the site."
- Item 4 will be changed to "Place restrictions in the deed to ensure that future land-use remains consistent with the current land-use."

Since the site will be remediated to a TSCA regulatory limit under 40 CFR 761.61(a), the MDEQ site clean-up requirements will not be referenced in the Final Work Plan.

COMMENT 2. ***Section 2.0*** *In order to make this clean-up plan conform to §761.61(a) clean-up goals for soil, please change the stated maximum PCB concentration from 550 ppm to 100 ppm in the first paragraph of this section and in the second paragraph on page 2-2. Also, please note that the maximum surface soil concentration without use of a cap is 25 ppm. Item 3 on page 2-1 suggests that only surface soils containing greater than 50 ppm PCBs will be capped. If this is/was BWI's intent, the RWP will have to be modified to conform to this requirement. Alternatively, the allowable limit for PCBs in surface soils for fenced, PCB marked areas is 50 ppm.*

RESPONSE: Section 2 will be revised to describe the basic remediation concept for the KEC plant site based on the criteria established in 40 CFR 761.61(a). The areas that will be remediated will qualify as "low occupancy areas," as defined in 40 CFR 761.3. Therefore, the remedial goal (RG) will be met through the removal of soil containing PCB concentrations greater than 100 ppm and disposal of such soil in a Subtitle "C" landfill.

The main clean-up criterion will be to remediate to the 100 ppm PCB concentration. However, since this remediation will be conducted in conjunction with a plant expansion/construction project, soil with PCB concentrations lower than the remedial goal will also be removed from the site as construction spoil. The additional soil, designated as construction spoil, with PCB concentrations greater than 50 ppm but less than 100 ppm will be removed and disposed in a Subtitle "C" landfill. Soil designated as construction spoil with PCB concentrations between 25 and 50 ppm will be removed and disposed in a Subtitle "D" landfill.

Engineering controls such as capping of all remaining soil with PCB concentrations between 25 and 100 ppm will be implemented. The remediation will be accomplished

under the basic assumption that the maximum PCB concentration in soils that will remain on-site will not exceed 100 ppm, unless their removal threatens the foundation and structural integrity of the existing buildings on-site.

BorgWarner understands that US EPA allows soil containing PCB concentrations of less than 25 ppm to remain uncovered. BorgWarner, however, intends to cover soils of such concentrations at the KEC site.

COMMENT 3. ***Section 3.0*** *The RWP states on page 3-1 that soils containing PCBs at concentrations of 50 ppm or greater will be segregated for off-site disposal in a hazardous waste landfill and that soil removed from the site that contains less than 50 ppm PCBs will be disposed of at an off-site state approved solid waste landfill. EPA is aware that BWI did not characterize the site in conformance with requirements specified at §761.61(a)(5)(i)(B)(2)(i) however, BWI must provide figures depicting excavation boundaries for ≥ 50 ppm and < 50 ppm PCB contaminated soil that will be removed to achieve site clean-up goals and/or to support plant expansion.*

RESPONSE: BorgWarner is aware of the 40 CFR 761.61(a)(5)(i)(B)(2)(i)sample spacing requirements. However, it is BorgWarner's understanding that both US EPA and MDEQ are satisfied with the sample spacing performed during the characterization activities as well as with the consistency of analytical results generated during the assessment phase at the KEC site.

The attached Figure 2 of the Work Plan has been revised to show the major structures planned for the KEC plant expansion. Two additional site-maps have been prepared to show the limits of excavation based on the previously conducted site soil assessments.

The attached Figure 3 of the Work Plan has been revised to show the limits of excavation to a depth of 2 feet below ground surface (bgs) for soil with PCB concentrations greater than 50 ppm as well as for soil with concentrations less than 50 ppm. The limits of excavation, as expressed by the polygons shown on the site-map, were determined based on the sampling grid and analytical data, and were conservatively expanded beyond the areas of concern.

The attached Figure 4 of the Work plan has been revised to show the excavation limits from 2 feet to 6 feet bgs for soil with PCB concentrations greater than 50 ppm.

Section 3.0 of the Final Work Plan will be modified to describe the procedure for handling disposal of the various impacted soils.

COMMENT 4. ***Section 3.0*** *The RWP states on page 3-4 that three soil stockpiles near the building expansion area will be removed and disposed. Please identify these stockpiles by number. And explain how this material will be disposed. From the July 2000, Preliminary Site Characterization Report, EPA has determined that the material in*

stockpiles 2, 4, 6 and 7 must be disposed of as > 50 ppm PCB waste. Characterization data for debris stockpile 5 were not provided. This material must be characterized prior to disposal or disposed of as > 50 ppm PCB waste.

RESPONSE: Seven stockpiles consisting of topsoil and debris from the initial construction activities are located on the north and east side of the plant property. Stockpiles 1, 2, 3, 4, 6, and 7 are soil and Stockpile 5 is asphalt rubble.

Stockpiles 2, 4, 6, and 7 have PCB concentrations in excess of 50 ppm and will be disposed of at a Subtitle "C" landfill.

Stockpiles 1 and 3 have PCB concentrations below 50 ppm and will be disposed of at a Subtitle "D" landfill.

Stockpile #5 is asphalt rubble and was not sampled for PCB content during the assessment of the KEC plant property. Stockpile #5 will be assessed for PCB content with other parking lot asphalt and concrete areas that will be disturbed during the plant expansion and remediation activities. Stockpile #5 samples will be analyzed and the entire stockpile will be disposed of in the appropriate landfill based on its PCB concentration.

Section 3 of the Final Work Plan and the associated figures will be revised to address these stockpile issues.

COMMENT 5. ***Section 3.0*** *Any soil to be removed at the discretion of the inspector as indicated on page 3-4, must be characterized in-situ if not already tested or disposed of as > 50 ppm PCB waste. Post excavation testing from a roll-off box to characterize for off-site disposal is not permissible.*

RESPONSE: All soil within the limits of the plant site was characterized *insitu* during the site assessment. Any soil that will be removed will be destined for disposal based on the analyses previously conducted and presented in the *Preliminary Site Characterization Report* (Ogden, 2000) *and Addendum to the Preliminary Site Characterization Report* (Martin & Slagle, 2001) or on analyses of confirmation samples collected by the remediation field geologists. Any sampling and analysis of soil conducted during the remediation will be for the purposes of confirmation of remediation. No additional soil assessment or sampling is anticipated or planned. No sampling of excavated soil in roll-off boxes will be conducted. Sampling and analysis of concrete and asphalt for characterization purposes will be conducted prior to disturbance of such areas. The respective text within the Final Work Plan will be modified to reflect these changes.

COMMENT 6. ***Section 3.0*** *The description of procedures for handling parking and driveway areas on page 3-5 does not state how this material will be disposed of, nor does this sub-section discuss any existing characterization data for these materials. Any*

asphalt or concrete to be removed for off-site disposal or left on-site must first be characterized, in-situ for PCB content before removal or disturbance. Otherwise, it must be removed and disposed of as > 50 ppm PCB waste.

RESPONSE: Asphalt and concrete will be sampled by the field geologist and analyzed by the on-site laboratory prior to any demolition activities. The field geologist will review the on-site laboratory analytical results and determine disposal options based on PCB concentration. The respective text within Section 3 of the Final Work Plan will be modified to reflect these changes.

COMMENT 7. ***Section 3.0*** *Page 3-7 states that samples of collected storm-water will be analyzed to profile the water for disposal. BWI must specify the criteria for disposition of this material. Applicable decontamination and disposal standards for aqueous PCB remediation waste (water) may be found at §761.79(b)(1).*

RESPONSE: Storm water runoff will be collected from the active and open construction areas in a stormwater retention basin. Storm water samples will be collected from the retention basin and analyzed for PCB concentrations by a certified laboratory. Storm water with concentrations less than 3µg/l PCB will be discharged to the storm sewer under a State of Mississippi temporary discharge permit. Storm water with concentrations greater than 3µg/l PCB will be disposed of at a PCB permitted disposal facility.

COMMENT 8. ***Section 3.0*** *On page 3-7, it is stated that covered areas will consist of at least six inches of clean topsoil and grass. Earlier in the document, it was stated that 10-inch thick clay caps would be used to cover PCB contaminated soil in unpaved areas. It's not clear how unpaved areas containing PCB contaminated soils are to be capped or covered. Clay, concrete or asphalt caps must be used in areas where the soil contains >25 ppm PCBs. The six inches of topsoil would be acceptable above a clay cap or over oil containing ≤ 25 ppm PCBs. Please provide more details on how unpaved areas are to be handled.*

RESPONSE: Unpaved areas with concentrations ≤25 ppm PCB will be covered with 6 inches of topsoil and seeded with grass. Unpaved areas with PCB concentrations >25 ppm and ≤100 ppm will be covered with a 10-inch thick engineered clay. The cap will be composed of select clay compacted to its maximum dry density based on modified proctor tests of the material and meeting the hydraulic permeability requirement of $1x10^{-7}$ cm/sec in accordance with the technical requirements of *40 CFR 761.75(b)(1)(ii).* The finished sub-grade will be covered with 6 inches of topsoil and seeded with grass. The appropriate sections of the text in the Final Work Plan will be revised to clarify these technical requirements.

COMMENT 9. ***Section 3.0*** *The confirmation sampling program described in sub-section 3.4 does not contain sufficient detail to enable EPA to understand how the referenced State of Michigan guidance document will be applied at the KEC site. Does BWI plan to collect individual grab samples for PCBs or is BWI planning to use the grab*

sample results to calculate the mean or a more conservative statistical parameter to compare to the site clean-up standard? What will happen if a grab sample result exceeds the clean-up standard? After removal of additional soil, does the proposed procedure require re-sampling the entire site or just an area of inference associated with the failed sample point?

RESPONSE: BorgWarner intends to collect grab samples of all nodes of the grid that will be laid out within the remediated area of the site. The 25-foot grid spacing was determined based on the calculation documented in the Work Plan per the State of Michigan Department of Environmental Quality Guidance Document that was referenced in the Work Plan and provided to EPA.

If a grab sample concentration exceeds the cleanup criteria, excavation will continue to a depth of at least 1 foot below the node and laterally to a distance of ½ the grid spacing in all directions from the node. Two samples will then be collected from the base of the excavation and analyzed by the on-site laboratory. Only the re-excavated area will be re-sampled if the initial result exceeds the clean-up criteria.

COMMENT 10. ***Section 6.0*** *Sub-Section 6.3 described inspection and maintenance activities for grass-covered areas. Referring to comment 8 above, if clay caps are employed in unpaved areas, BWI must include procedures for evaluating and repairing as necessary, clay caps impacted by excessive erosion.*

RESPONSE: The engineered clay cap installed in the unpaved areas will be inspected by KEC on a monthly basis. Inspection checklists will be filled out and maintained on-site for each inspection. The inspector will note any erosion, settlement, desiccation cracking of the clay, wheel ruts, scrapes, dead grass, bare spots, and any other indication that the cap structure integrity has been compromised.

Within 72 hours of discovery, KEC will begin repairs by removing all failed clay soil material to a level within the cap (but not into the underlying soil) where structurally sound cap material is observed. Clean, select clay material will then be placed in the prepared excavation and compacted to its maximum dry density based on modified proctor tests of the material and meeting the hydraulic permeability requirement of $1x10^{-7}$ cm/sec in accordance with the technical requirements of 40 CFR 761.75(b)(1)(ii). The finished subgrade will be covered with 6 inches of topsoil and seeded with grass.

These inspection and repair procedures will be added to Section 6.3 of the Final Work Plan.

COMMENT 11. ***Section 7.0*** *On page 7-3, it is stated that samples designated for fixed lab analysis will be delivered to the mobile lab where the mobile lab will take their aliquot for analysis. The sample jar will then be resealed and shipped to the fix lab where the remaining portion of the sample will be analyzed. While we do not view this practice as consistent with EPA Region 4 sampling procedures, we do not have any serious reservations about it. We would suggest that the samples designated for split*

analysis be thoroughly mixed in the field or at the mobile lab before the mobile lab takes its aliquot for analysis.

RESPONSE: A sentence will be added to the Final Work Plan describing the requirement that the field geologist will thoroughly mix every sample designated for split analysis prior to submitting the sample to the on-site lab for analysis.

FILE COPY

Gretchen Zmitrovich
07/05/2001 11:01 AM

To: ahamel@afs.bwauto.com @ INETDEQ, robmartin001@aol.com @ INETDEQ
cc:

Subject: remediation reports

I have finished reviewing the reports and revised maps for the Dabney/Smith, medical clinic, and duplex properties. In lieu of sending a formal letter, I am submitting my comments to you via e-mail in hopes of expediting the process.

Medical clinic property:
1. On Figure 3, the following sampling locations are mislabeled: MCESS-8 given as KESS-8, MCESS-117 given as E117, MCEFS-5 given as MCEFC-5, MCDS-3 given as MCD5-3, MCDS-4 given as MCD5-4. MCESS-1 is on map twice-once by 18" pine and once in driveway; only have data for one sample. There was no data submitted for the following sampling locations: MCESS-47, MCESS-48, MCESS-49, MCESS-50.

2. The following sampling locations were on both Figures 2 (revised) and Figure 3, but in different locations: MCESS-52, MCESS-53, MCESS-54.

3. On Figure 2, MCEFS-73 is on map twice-once by covered carport and once on the Dabney/Smith-medical clinic property line; only have data for one sample.

4. I have data for the following samples but they are not on either map: MCEFS-6, MCEFS-10, MCEFS-16, MCESS-14, MCESS-15.

Dabney/Smith property:
1. On Figure 3, DSEFS-50 given as DSSEFS-50.

2. On Figure 2 (revised), DSEFS-39 given as EFS-39.

3. I have data for samples DSESS-17 and DSEFS-46, but they are not on either map.

4. On Figure 3, the samples taken around the current shed location are hard to read because of the black outline of the shed. I have data for DSESS-33, DSESS-35, and DSESS-36; however, it appears that only 2 of these are on the map.

5. I took 2 split samples with Kelly on Dec 4. Samples were labeled GS-1 and GS-2. They were taken in the gravel under the roofed area where I believe Jeff kept his boats. These samples are not on the map, nor are the data included in the report.

Duplex property:
I will be issuing a no further action letter on this property.

Submit revised maps, etc. by July 16. Paulette Herring with Dr. Kruss's office has been anxiously calling me for a submittal date on the no further action letter for the medical clinic. Last month I told her by the end of June, first of July. Jeff Smith has also been awaiting his report. These properties were finished months ago and we need to get them their reports and letters as soon as possible.

FILE COPY

CITY OF CRYSTAL SPRINGS
P.O. BOX 473
210 EAST RAILROAD AVE.
CRYSTAL SPRINGS, MS 39059

F A X C O V E R S H E E T

DATE: 7-9-01 **TIME:** _____

TO: Gretchen Imitrovich **PHONE:** 601-961-5240

FAX: 601-961-5300

FROM: Odis & Patricia Robertson **PHONE:** 601/892-1210
CITY OF CRYSTAL SPGS **FAX:** 601/892-4870

RE: _____

Number of pages including cover sheet: _____

Message

I am requesting that a PCB test Analysis be done on our land, which is located on both sides of Little Copiah Creek. The land is at the corner of Mathis Rd and Hemingston Rd 4101 Mathis. Thanks.

To: Gretchen Dmitrovich

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Consultants in Toxicology

POSSIBLE SOURCES OF

DIOXINS AND DIBENZOFURANS

AT THE KUHLMAN SITE IN CRYSTAL SPRINGS, MISSISSIPPI

BY

RICHARD A. PARENT, PHD, DABT, FATS, RAC, ERT

CONSULTOX, LIMITED

DAMARISCOTTA, MAINE

JUNE 21, 2001

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Exhibit "B"

QUINOLUX
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POSSIBLE SOURCES OF DIOXINS AND DIBENZOFURANS AT THE KUHLMAN SITE IN CRYSTAL SPRINGS, MISSISSIPPI

One of the main components of the dielectric fluids used at Kuhlman's was Aroclor 1260, which is a mixture of polychlorinated biphenyls and, as indicated below, most probably contained chlorinated dioxins and dibenzofurans. It is my understanding that the other major components of these fluids was chlorinated benzene. The chlorinated benzenes were most probably contaminated with chlorinated dioxins and dibenzofurans. Of course, the PCBs themselves have been shown to have dioxin-like activity. These and other sources of these highly toxic materials are described below.

Dibenzofurans are known to have been produced as a result of the methods used in the commercial production of PCBs, that is, the thermal oxidative cyclization under alkaline conditions (Brown *et al.*, 1988; ATSDR, 1993). Chlorinated dibenzofurans (CDFs) in Aroclor products was first reported in 1975 (1975a, Bowes *et al.*). These authors analyzed samples of unused Aroclors manufactured in 1969 and 1970 and found CDFs containing from four to six chlorine groups per molecule in concentrations ranging from 0.8 to 2.0 mg/kg. In another study, Bowes *et al.* (1975b) used analytical methodology which allowed for congener-specific analysis and found 2,3,7,8-TCDF and 2,3,4,7,8-PeCDF in the range of 0.11 to 0.33 mg/kg and 0.12 to 0.83 mg/kg in unused Aroclor 1254 and Aroclor 1260, respectively. Erickson (1986) found total CDFs as high as 3.8 mg/kg in Aroclor 1260, while Hagenmaier (1987) reported a sample of Clophen A-60 (comparable to Aroclor 1260) contained as high as 48,681 mg/kg of total CDFs. Brown *et al.* (1988), on the other hand, reported 2,3,7,8-TCDF in Aroclor 1260 at levels as high as 63.5 μg/kg, while Hagenmaier (1987) reported levels up to 3077 μg/kg in Clophen A-60.

Dioxins were found also but at lower concentrations in unused PCB mixtures (Hagenmaier, 1987; Malisch, 1994). Clophen A-60, a comparable mixture to the Aroclor 1260, was shown by these authors to contain total dioxin levels from 22 to 46 μg/kg.

Not much data is available on the other major component of dielectric fluids used at Kuhlman (the chlorobenzenes), but the manufacturing process involves nucleophilic substitution by oxygen and pyrolysis mechanisms (Ree *et al.*, 1988) which results in the formation of CDDs and CDFs. While limited data is available on the degree of contamination of chlorobenzenes with dioxins and dibenzofurans, Hutzinger and Fiedler (1991a) have reported the finding of CDDs/CDFs in trichlorobenzene at levels ranging from 0.03 to 0.074 μg/g. They have reported also CDDs/CDFs in samples of 1,2,4,5-tetrachlorobenzene and pentachlorobenzene. In Hexachorobenzene, octachlorodibenzodioxin was found at a level of 6700 μg/kg and octachlorodibenzofuran at a level of 2830 μg/kg (Hutzinger & Fiedler, 1991a). Similarly, the same isomers were found in the range of 50 to 212,000 μg/kg and 350 to 58,300 μg/kg in samples of hexachlorobenzene (Villanueva *et al.*, 1974). CDDs/CDFs have been shown also to be

6

generated by biotransformation from chlorophenols (Svenson *et al.*, 1989; Oberg *et al.*, 1990; Wagner *et al.*, 1990; Oberg and Rappe, 1992 and Morimoto and Kenji, 1995) and by photolysis of chlorophenols (Waddell *et al.*, 1995).

Richard A. Parent, PhD, DABT, FATS, RAC, ERT
CONSULTOX, LIMITED

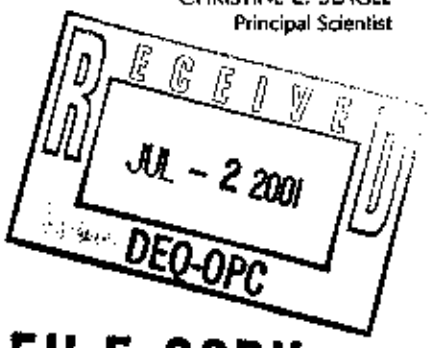
6/21/01

Date

GeoEnvironmental Associates, LLC | MARTIN&SLAGLE

ROBERT L. MARTIN, LG
Principal Geologist

CHRISTINE E. SLAGLE
Principal Scientist



FILE COPY

June 29, 2001

Ms. Gretchen Zmitrovich
Office of Pollution Control
Mississippi Department of Environmental Quality
P.O. Box 10385
Jackson, Mississippi 39289-0385

SUBJECT: Addenda to Site Remediation Reports for Medical Center and Dabney-Smith Properties Crystal Springs, Mississippi

Dear Ms. Zmitrovich:

Enclosed are addenda to the Site Remediation Reports for the Medical Center and Dabney/Smith properties in Crystal Springs, Mississippi submitted to the Mississippi Department of Environmental Quality (MDEQ) in April 2001. Remediation of these properties is complete.

Per your request, an additional sample location map has been generated for each site showing the locations of samples collected from within the soil that has been removed from the site and disposed of in accordance with DEQ requirements. Additionally, revisions have been made to the sample location maps showing confirmation of remediation to correct minor errors. A revised summary Table 1 and a field laboratory data errata sheet for the Dabney-Smith property are also included. The revised summary Table 1 was corrected to eliminate duplicated field sample identification numbers. The errata sheet identifies the field sample ID modifications for the field lab data sheets.

Two sets of addenda for each site are included in this submittal. All information included in this package should be attached to the appropriate Site Remediation Report when transmitted to the property owners.

828.669.3929 • 828.669.5289 Fax
PO Box 1023 • 208 Sutton Avenue • Black Mountain NC 28711

If you have any questions or comments, please contact me at (828) 669-3929.

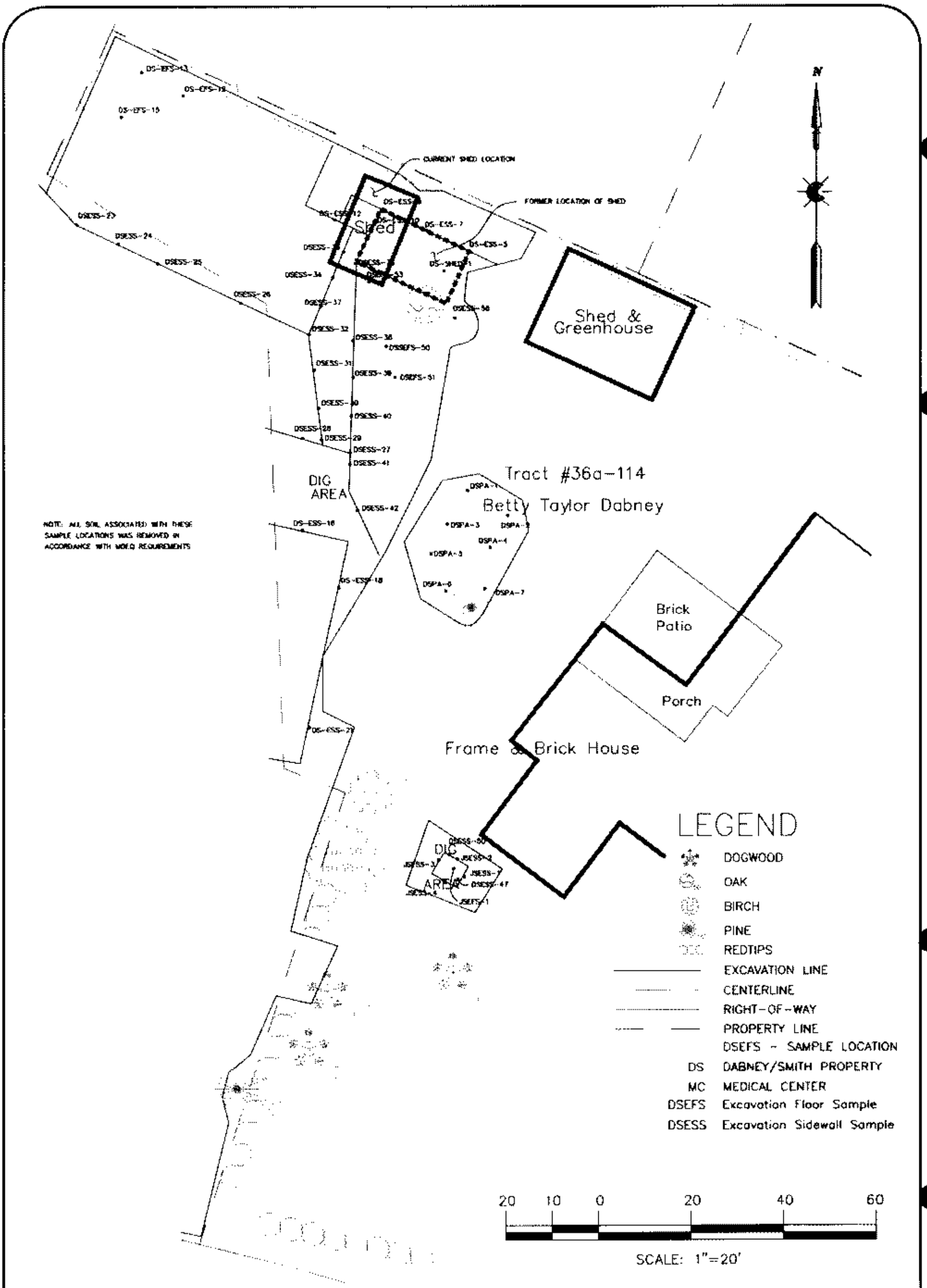
Sincerely,
MARTIN & SLAGLE GEOENVIRONMENTAL ASSOCIATES, L.L.C

Robert L. Martin, L.G.

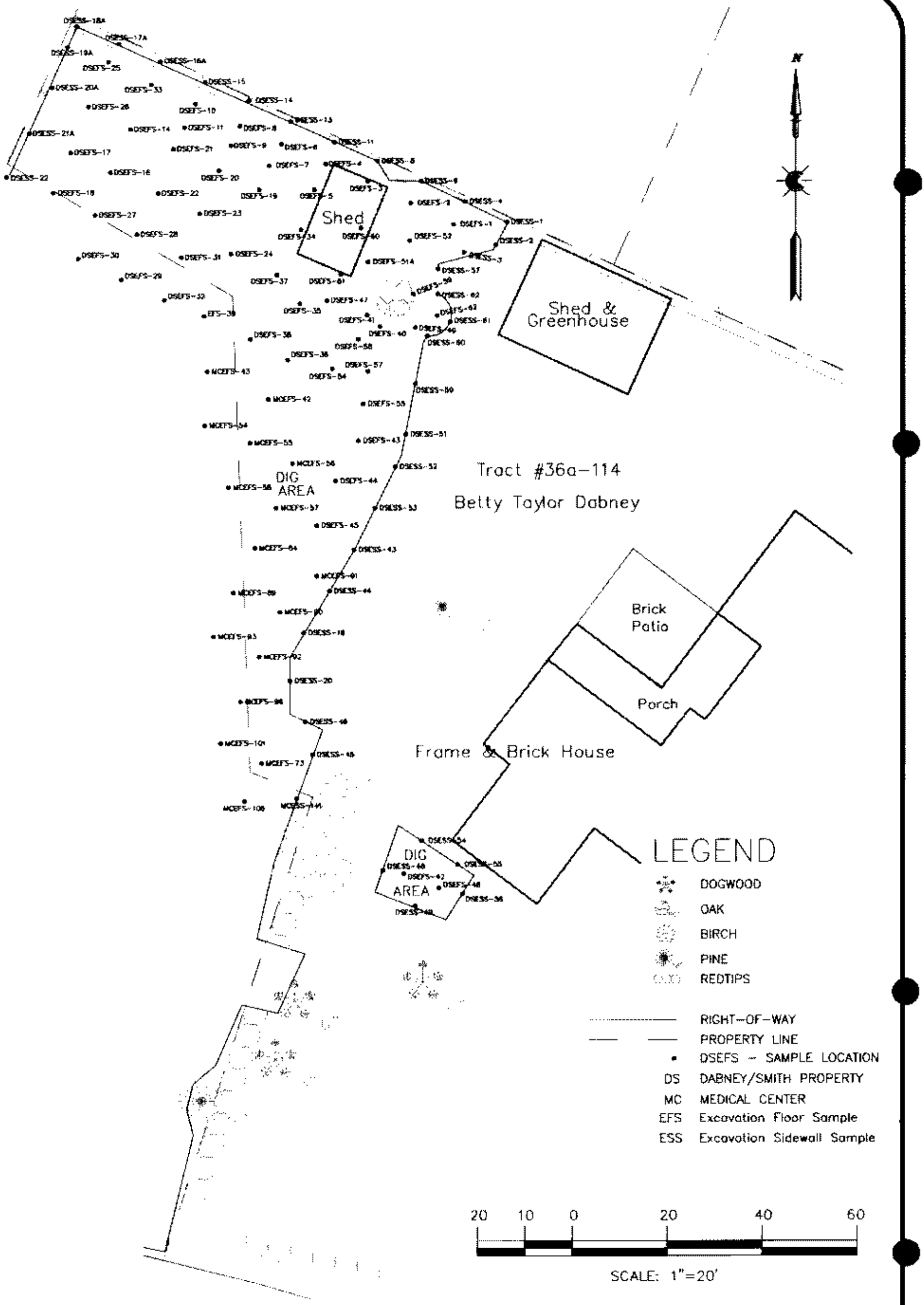
Principal Geologist

Attachments

cc.: Anastasia Hamel (2 copies)
Al Thomas
Tom Lupo
Scott Schang
Walter Rielley



Geological Environmental Associates, LLC MARTIN&SLAGLE PO Box 1023 Black Mountain NC 28711 828.669.3929 828.669.5289	PREPARED FOR: **BorgWarner Inc.**	SURVEYED BY: *MAPTECH, INC.* PROJECT NO.: BW00-1 DWG NO: 324A-0343-1100-103-01e DRWN: DGR CHK: RLM REV: 0 DATE: 6/29/01	SITE REMEDIATION Dabney Smith Property SAMPLE LOCATION MAP	SCALE 1"=20'	FIGURE 3



Geoenvironmental Associates, LLC MARTIN&SLAGLE PO Box 1023 Black Mountain NC 28711 828.669.3929 828.669.5289	PREPARED FOR **BorgWarner Inc.**	SURVEYED BY *MAPTECH, INC.* PROJECT NO: BW00-1 DWG NO: 324A-0343-1100-103-01a DRWN. RRB | CHK. RLM | REV 0 | DATE 4/12/01	SITE REMEDIATION Dabney Smith Property SAMPLE LOCATION MAP	SCALE 1"=20'	FIGURE 2

TABLE 1
SUMMARY OF DATA SHOWING CONFIRMATION OF REMEDIATION

				Field Laboratory		Fixed Laboratory	
Field Lab Sample ID	Sample ID	Date Collected	Time Collected	Date Analyzed	Concentration (mg/kg)	Date Analyzed	Concentration (mg/kg)
1428	DS-ESS-1	29-Oct-00	12:29	29-Oct-00	0.82	14-Nov	0.71
1429	DS-ESS-2	29-Oct-00	12:31	29-Oct-00	< 0.10		
1430	DS-ESS-3	29-Oct-00	12:33	29-Oct-00	0.65		
1431	DS-ESS-4	29-Oct-00	12:34	29-Oct-00	0.99		
1432	DS-ESS-5	29-Oct-00	12:38	29-Oct-00	**1.8**		
1433	DS-ESS-6	29-Oct-00	12:40	29-Oct-00	0.72		
1435	DS-ESS-8	29-Oct-00	12:42	29-Oct-00	0.93		
1438	DS-ESS-11	29-Oct-00	12:44	29-Oct-00	0.64		
1440	DS-ESS-13	29-Oct-00	12:46	29-Oct-00	**2.1**		
1441	DS-ESS-14	29-Oct-00	12:47	29-Oct-00	**1.9**	15-Nov	1.6
1442	DS-ESS-15	29-Oct-00	12:48	29-Oct-00	**1.1**		
1443	DS-EFS-1	29-Oct-00	12:36	29-Oct-00	< 0.10		
1444	DS-EFS-2	29-Oct-00	12:38	29-Oct-00	< 0.10		
1445	DS-EFS-3	29-Oct-00	12:39	29-Oct-00	0.34		
1446	DS-EFS-4	29-Oct-00	12:41	29-Oct-00	< 0.10		
1447	DS-EFS-5	29-Oct-00	12:46	29-Oct-00	< 0.10		
1448	DS-EFS-6	29-Oct-00	12:43	29-Oct-00	< 0.10		
1449	DS-EFS-7	29-Oct-00	12:48	29-Oct-00	< 0.10		
1450	DS-EFS-8	29-Oct-00	12:44	29-Oct-00	< 0.10		
1451	DS-EFS-9	29-Oct-00	12:54	29-Oct-00	< 0.10		
1452	DS-EFS-10	29-Oct-00	12:50	29-Oct-00	< 0.10		
1453	DS-EFS-11	29-Oct-00	12:52	29-Oct-00	< 0.10		
1467	DS-ESS-19	29-Oct-00	14:36	30-Oct-00	0.60		
1468	DS-ESS-20	29-Oct-00	14:37	30-Oct-00	0.13		
1470	DS-ESS-16A*	30-Oct-00	12:21	30-Oct-00	**1.7**		
1471	DS-ESS-17A*	30-Oct-00	12:29	30-Oct-00	**1.9**	16-Nov	1.8
1472	DS-ESS-18A*	30-Oct-00	12:37	30-Oct-00	**16** [E]		
1473	DS-ESS-19A*	30-Oct-00	12:38	30-Oct-00	**22** [E]		
1474	DS-ESS-20A*	30-Oct-00	12:38	30-Oct-00	**33** [E]		
1475	DS-ESS-21A*	30-Oct-00	12:41	30-Oct-00	**33** [E]		
1476	DS-ESS-22	30-Oct-00	12:42	30-Oct-00	**9.2** [E]		
1479	DS-EFS-14	30-Oct-00	12:25	30-Oct-00	0.67		
1481	DS-EFS-16	30-Oct-00	12:27	30-Oct-00	< 0.10	16-Nov	<.096
1482	DS-EFS-17	30-Oct-00	12:33	30-Oct-00	0.18		
1483	DS-EFS-18	30-Oct-00	12:35	30-Oct-00	< 0.10		
1484	DS-EFS-19	30-Oct-00	16:20	30-Oct-00	< 0.10		
1485	DS-EFS-20	30-Oct-00	16:24	30-Oct-00	< 0.10		
1486	DS-EFS-21	30-Oct-00	16:28	30-Oct-00	< 0.10		
1487	DS-EFS-22	30-Oct-00	16:32	30-Oct-00	< 0.10		
1488	DS-EFS-23	30-Oct-00	16:36	30-Oct-00	< 0.10		
1489	DS-EFS-24	30-Oct-00	16:40	30-Oct-00	< 0.10		
1503	DS-EFS-25	31-Oct-00	13:45	31-Oct-00	< 0.10		
1504	DS-EFS-26	31-Oct-00	15:40	31-Oct-00	< 0.10		
1531	DS-EFS-29	01-Nov-00	14:45	01-Nov-00	0.18		
1532	DS-EFS-30	01-Nov-00	14:42	01-Nov-00	0.12		
1533	DS-EFS-27	01-Nov-00	14:40	01-Nov-00	< 0.10		

Samples shown in bold were collected from locations along the common boundary with KEC.

* The "A" designation is added to selected field sample IDs to distinguish them from duplicated field sample IDs.

TABLE 1
SUMMARY OF DATA SHOWING CONFIRMATION OF REMEDIATION

				Field Laboratory		Fixed Laboratory	
Field Lab Sample ID	Sample ID	Date Collected	Time Collected	Date Analyzed	Concentration (mg/kg)	Date Analyzed	Concentration (mg/kg)
1534	DS-EFS-28	01-Nov-00	14:46	01-Nov-00	< 0.10		
1535	DS-EFS-31	01-Nov-00	14:53	01-Nov-00	< 0.10		
1536	DS-EFS-32	01-Nov-00	14:55	01-Nov-00	< 0.10		
1552	DS-ESS-43	02-Nov-00	16:05	02-Nov-00	0.26		
1553	DS-ESS-44	02-Nov-00	16:15	02-Nov-00	0.19		
1555	DS-EFS-33	03-Nov-00	12:30	03-Nov-00	< 0.10		
1556	DS-EFS-34	03-Nov-00	12:35	03-Nov-00	< 0.10		
1557	DS-EFS-35	03-Nov-00	12:40	03-Nov-00	< 0.10		
1558	DS-EFS-36	03-Nov-00	12:45	03-Nov-00	< 0.10		
1559	DS-EFS-37	03-Nov-00	12:55	03-Nov-00	< 0.10		
1560	DS-EFS-38	03-Nov-00	13:00	03-Nov-00	< 0.10		
1561	DS-EFS-39	03-Nov-00	13:20	03-Nov-00	0.44		
1614	DS-ESS-45	07-Nov-00	9:30	07-Nov-00	0.44		
1615	DS-ESS-46	07-Nov-00	9:25	07-Nov-00	0.32		
1697	DS-EFS-40	15-Nov-00	14:15	15-Nov-00	< 0.10		
1698	DS-EFS-41	15-Nov-00	14:17	15-Nov-00	< 0.10		
1776	DS-ESS-51	27-Nov-00	16:38	27-Nov-00	0.17		
1777	DS-ESS-52	27-Nov-00	16:40	27-Nov-00	0.42		
1778	DS-ESS-53	27-Nov-00	16:41	27-Nov-00	0.39	11-Dec	0.21
1779	DS-EFS-43	28-Nov-00	8:54	28-Nov-00	< 0.10		
1780	DS-EFS-44	28-Nov-00	8:55	28-Nov-00	< 0.10		
1781	DS-EFS-45	28-Nov-00	8:56	28-Nov-00	< 0.10		
1786	DS-EFS-47	28-Nov-00	14:02	28-Nov-00	0.31		
1806	DS-EFS-49	30-Nov-00	13:31	05-Dec-00	0.57		
1822	DS-EFS-51A	05-Dec-00	15:50	05-Dec-00	0.29		
1823	DS-EFS-52	05-Dec-00	15:51	05-Dec-00	< 0.10		
1824	DS-ESS-57	06-Dec-00	13:50	06-Dec-00	0.78	11-Dec	<.14
1826	DS-EFS-54	06-Dec-00	14:02	06-Dec-00	0.34		
1827	DS-EFS-55	06-Dec-00	14:06	06-Dec-00	< 0.10		
1829	DS-ESS-59	07-Dec-00	10:04	07-Dec-00	0.92		
1830	DS-EFS-57	07-Dec-00	10:00	07-Dec-00	0.31		
1831	DS-EFS-58	07-Dec-00	10:01	07-Dec-00	0.33		
1832	DS-EFS-59	07-Dec-00	10:02	07-Dec-00	< 0.10	21-Dec	<.20
1833	DS-EFS-60	07-Dec-00	17:00	07-Dec-00	< 0.10		
1834	DS-EFS-61	07-Dec-00	17:01	07-Dec-00	< 0.10	21-Dec	<.20
AA09856	DS-ESS-60	27-Jan-01	8:14	01-Feb-01	0.20		
AA09857	DS-ESS-61	27-Jan-01	8:15	01-Feb-01	0.63		
AA09858	DS-ESS-62	27-Jan-01	8:16	01-Feb-01	0.44		
1566	MC-EFS-42	03-Nov-00	14:05	03-Nov-00	< 0.10		
1567	MC-EFS-43	03-Nov-00	14:10	03-Nov-00	< 0.10		
1573	MC-EFS-54	03-Nov-00	14:48	04-Nov-00	< 0.10		
1574	MC-EFS-55	03-Nov-00	14:50	03-Nov-00	< 0.10		
1575	MC-EFS-58	03-Nov-00	14:58	04-Nov-00	< 0.10		
1582	MC-EFS-56	03-Nov-00	14:52	04-Nov-00	< 0.10		
1583	MC-EFS-57	03-Nov-00	14:55	04-Nov-00	< 0.10		
1650	MC-EFS-84	07-Nov-00	15:50	08-Nov-00	< 0.10		
1655	MC-EFS-89	07-Nov-00	15:56	08-Nov-00	< 0.10		

Samples shown in bold were collected from locations along the common boundary with KEC.

* The "A" designation is added to selected field sample IDs to distinguish them from duplicated field sample IDs.

TABLE 1
SUMMARY OF DATA SHOWING CONFIRMATION OF REMEDIATION

				Field Laboratory		Fixed Laboratory	
Field Lab Sample ID	Sample ID	Date Collected	Time Collected	Date Analyzed	Concentration (mg/kg)	Date Analyzed	Concentration (mg/kg)
1656	MC-EFS-90	07-Nov-00	15:57	08-Nov-00	< 0.10	18-Nov-00	<0.11
1657	MC-EFS-91	07-Nov-00	15:58	08-Nov-00	< 0.10		
1658	MC-EFS-92	07-Nov-00	15:59	08-Nov-00	< 0.10		
1659	MC-EFS-93	07-Nov-00	16:00	08-Nov-00	< 0.10		
1662	MC-EFS-96	07-Nov-00	16:03	08-Nov-00	0.11		
1666	MC-EFS-101	07-Nov-00	16:08	08-Nov-00	0.12		
1671	MC-EFS-106	07-Nov-00	16:13	08-Nov-00	0.12		
1602	MC-EFS-73	04-Nov-00	16:37	05-Nov-00	< 0.10		
1616	MC-ESS-141	07-Nov-00	9:20	07-Nov-00	0.73		

Samples shown in bold were collected from locations along the common boundary with KEC.
* The "A" designation is added to selected field sample IDs to distinguish them from duplicated field sample IDs.

ERRATA SHEET

Field Laboratory Report
Site Remediation
Dabney-Smith Property
April 2001

1. The prefix "DS" is changed to "JS" per the field notes and chain of custody record for the following field sample identification numbers:

Field Lab Sample ID	Sample ID	Sample Depth (ft bgs)	Date Collected	Time Collected	New Sample ID
1381	DS-ESS-1		26-Oct-00	17:40	JS-ESS-1
1382	DS-ESS-2		26-Oct-00	17:44	JS-ESS-2
1383	DS-ESS-3		26-Oct-00	17:46	JS-ESS-3
1384	DS-ESS-4		26-Oct-00	17:48	JS-ESS-4
1385	DS-EFS-1		26-Oct-00	17:42	JS-EFS-1

2. The suffix "A" is added to the following sample designations:

Field Lab Sample ID	Sample ID	Sample Depth (ft bgs)	Date Collected	Time Collected	New Sample ID
1470	DS-ESS-16		30-Oct-00	12:21	DS-ESS-16A
1471	DS-ESS-17		30-Oct-00	12:29	DS-ESS-17A
1472	DS-ESS-18		30-Oct-00	12:37	DS-ESS-18A
1473	DS-ESS-19		30-Oct-00	12:38	DS-ESS-19A
1474	DS-ESS-20		30-Oct-00	12:38	DS-ESS-20A
1475	DS-ESS-21		30-Oct-00	12:41	DS-ESS-21A

3. The following sample ID was changed from DS-EFS-61 to DS-EFS-62.

Field Lab Sample ID	Sample ID	Sample Depth (ft bgs)	Date Collected	Time Collected	New Sample ID
AA09859	DS-EFS-61		27-Jan-01	8:10	DS-EFS-62

LEGEND

- FENCE
- RIGHT-OF-WAY
- PROPERTY LINE
- MCEFS = SAMPLE LOCATION
- MC MEDICAL CENTER PROPERTY
- DS DABNEY/SMITH PROPERTY
- EFS Excavation Floor Sample
- ESS Excavation Sidewall Sample
- OAK
- PINE

GeoEnvironmental Associates, LLC MARTIN&SLAGLE PO Box 1023 Black Mountain NC 28711 828.669.3929 828.669.5289	PREPARED FOR: **BorgWarner Inc.**	SURVEYED BY: *MAPTECH, INC.*	SITE REMEDIATION Medical Center Property SAMPLE LOCATION MAP PROJECT NO.: BW00-1 DWG NO: 3244-0343-1100-102-01c DRWN: RRB CHK: RLM REV: 0 DATE: 6/12/01	SCALE 1"=20'	FIGURE 2

LEGEND

- CENTERLINE
- RIGHT-OF-WAY
- PROPERTY LINE
- EXCAVATION LINE
- MCEFS = SAMPLE LOCATION
- MC MEDICAL CENTER PROPERTY
- DS DABNEY/SMITH PROPERTY
- MCEFS Excavation Floor Sample
- MCESS Excavation Sidewall Sample
- OAK
- PINE

NOTE: ALL SOIL ASSOCIATED WITH THESE SAMPLE LOCATIONS WAS REMOVED AND DISPOSED OF IN ACCORDANCE WITH NCDEQ REQUIREMENTS

Shed

DIG AREA

Tract #36a-114.1

Dr. William F. Krauss, II

&

Dr. Michael H. Albert

DIG AREA

Covered Carport

1 Story Brick Bldg.

DIG AREA

2054

16PINE

Porch

2053

DIG AREA

18PINE

LEE AVENUE

20 10 0 20 40 60

SCALE: 1"=20'

GeoEnvironmental Associates, LLC / MARTIN&SLAGLE PO Box 1021 Black Mountain NC 28711 828.669.3929 828.669.5289	PREPARED FOR: **BorgWarner Inc.**	SURVEYED BY: *MAPTECH, INC.*	SITE REMEDIATION Medical Center Property SAMPLE LOCATION MAP PROJECT NO.: BW00-1 DWG NO: 324A-0343-1100-102-01c DRWN: RRB CHK: RJM REV: 0 DATE: 4/12/01	SCALE 1"=20'	FIGURE 3

Post-it® Fax Note 7671	Date 6/27/01	# of pages ▶ 3
To Linda Custon	From Tony	
Co./Dept. City of Crystal Springs	Co. MDEQ	
Phone #	Phone # 961-5318	
Fax # 892-4870	Fax #	

FILE COPY

For Immediate Release **CONTACT:** **Linda Vaught**
601.961.5053
Phil Bass
601.961.5100

Majority of Mississippi Waters Free From DDT

Be Aware, Not Alarmed is Message of MDEQ Fish Safety Study
Agency Posts Two Advisories, Lifts Two

JACKSON, Miss., June 26, 2001 -- According to recent intensive studies, fish across most of the state have been found free from harmful levels of DDT and Toxaphene, said Charles Chisolm, executive director of the MDEQ. Farm-raised catfish were shown to continue to be safe.

"Our study identifies certain areas where people should be aware and limit their consumption of a few kinds of fish but show no reason for alarm," said Chisolm.

Field work for a Delta-fish study began in May 2000 and was made possible by a grant from the Environmental Protection Agency. Over the past few years, MDEQ has conducted ambient and comprehensive studies on fish tissue across the state. Previous studies paved the way for MDEQ's Fish Advisory Task Force to adopt advisory standards for other specific contaminants including dioxin, polychlorinated biphenyls (PCBs) and mercury.

Two-Thirds of State Not Affected by DDT

The study found that DDT and Toxaphene contamination are not an issue for more than two-thirds of the state. Today and historically, average results of repeated studies of these substances found in Mississippi fish tissue have fallen below the federal Food and Drug Administration's allowable standards. Only a few species of fish in the Delta, where the use of these chemicals was most prevalent, exceed Mississippi's newly developed, more stringent standard

"We strengthened our criteria to make certain the people of Mississippi are protected. Mississippians should be able to consume wild caught fish and not be exposed to unacceptable or unsafe levels of these substances," said Bruce Brackin, Deputy State Epidemiologist. "Our conservative approach is based on the best available science, and recent intensive fish tissue data. There is reason for caution, but not great concern."

-more-

ADD ONE/MDEQ ISSUES/LIFTS FISH ADVISORIES

Farm-Raised Catfish Safe

"We want to make it clear that there is absolutely no reason to be concerned about farm-raised catfish," said Chisolm. "Catfish farms are professional operations, with ongoing testing and the fish have grain-fed diets. They have been shown in repeated tests, including our own, to be free of significant levels of pesticides."

Fish Advisory Posted For Large Portions of Delta

The study's findings show that elevated levels of DDT and Toxaphene are confined to only certain types of fish in the Delta region concentrated east of the Mississippi River levee and west of the bluff hills area. **MDEQ today imposed a fish advisory for a large portion of the Delta, recommending consumption of no more than two meals per month of buffalo, carp and gar and to not eat more than two meals per month of catfish larger than 22 inches.** Further, MDEQ recommends people not consume any size buffalo fish from Roebuck Lake. Delta lakes, located west of the Mississippi River levee, where fish were found to be free of elevated levels of DDT and Toxaphene are NOT covered by the advisory. These lakes include Horn, Tunica, DeSoto, Beulah, Whittington, Ferguson, Lee, Albermarle and Chotard.

Editors Note: See fact sheet for detailed list of unaffected waterways.

Most Fish Not Affected

Most popular game fish throughout the Delta: bream, crappie, bass, fresh water drum and small- to moderate-sized catfish are NOT affected by the advisory. "Fish in those Delta lakes located west of the Mississippi River levee are in great shape," said Phil Bass, director of MDEQ Pollution Control.

Mercury Advisory Posted

The MDEQ study found elevated levels of mercury in Grenada Lake and the Yalobusha River, affecting largemouth and spotted bass and catfish larger than 27 inches. A fish consumption advisory has been issued for women of childbearing age and children under seven to eat not more than one meal of bass or large catfish from these waters every two months. Everyone else is advised to limit consumption to no more than one meal every two weeks. **This advisory extends from Highway 9 on the upper end of Grenada Lake downstream to Highway 8 near Holcomb.** It includes the entire lake and the tailwaters below the dam.

-more-

ADD TWO/MDEQ ISSUES/LIFTS FISH ADVISORIES

Overall Good News

"From a statewide perspective, we believe we have a better understanding and comfort level of what substances are where," said Bass. "We're extremely pleased to find that DDT and Toxaphene contamination is not a problem on the Mississippi River side of the levee which is an area widely used for recreation and fishing. Farm-raised catfish have once again been to shown to be free of environmental contaminants. Most gamefish in the Delta as well as the rest of the state are unaffected and safe to eat," said Bass.

"Fishermen who follow this guidance can safely consume fish statewide.

Advisories Lifted in Other Parts of Mississippi

MDEQ and the Department of Health also today lifted consumption advisories on fish from lakes in Crystal Springs and Hattiesburg.

An August 2000 precautionary advisory for PCBs in Lake Chautauqua in Crystal Springs has been removed. This action is based on results of fish tissue samples collected and tested by the Department of Environmental Quality and reviewed by the Mississippi Fish Advisory Task Force. MDEQ has tested fish from the lake on two different occasions, and the results show that fish from the lake do not pose a health risk.

State officials also lifted an advisory for Country Club Lake in Hattiesburg. This advisory has been in place since 1987, when the lake was contaminated by the release of wood treating chemicals. The wood treating facility has been closed, and remediation efforts at the site are in progress. Pentachlorophenol (PCP) was used in the 1970s and 1980s for pressure treating lumber. Dioxin was an unintentional byproduct and contaminant created by the manufacturing process of PCP and other chemicals. After years of testing, results show that concentrations of these contaminants have declined to the point that they are no longer a human health risk.

MDEQ will work in partnership with the Departments of Health and Wildlife, Fisheries & Parks to get the word out in areas affected by the advisories. Repeated briefings, fliers and public service announcements will be a part of the outreach program.

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Editors Note: Please visit the Mississippi Department of Environmental Quality's website, www.deq.state.ms.us and click on News to download reproducible maps showing the affected locations.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JUN 21 2001

4APT-TS

Mr. Robert L. Martin
Principal Geologist
Martin and Slagle Geoenvironmental
Associates, LLC
P.O. Box 1023
Black Mountain, NC 28711

Dear Mr. Martin:

The U.S. Environmental Protection Agency (EPA) Region 4 has completed a review of the May 19, 2001, Remediation Work Plan for the Kuhlman Electric Corporation (KEC) Plant Site (the RWP) prepared by Martin and Slagle Geoenvironmental Associates, LLC (M&S) on behalf of BorgWarner Inc., (BWI). The RWP was jointly submitted to EPA and the Mississippi Department of Environmental Quality (MDEQ) for review and approval. The RWP along with the July 2000, Preliminary Site Characterization Report and February 2001, Addendum to the Preliminary Site Characterization Report comprise a notification and certification package for a 40 CFR §761.61(a) self-implementing polychlorinated biphenyl (PCB) clean-up at the KEC Plant Site in Crystal Springs, Mississippi. Because of the size of the site, BWI has requested pursuant to §761.61(c) a variance to the §761.61(a) sampling requirements.

As explained in more detail in the enclosed comments, EPA does not consider the RWP as written, to fit within the scope of a §761.61(a) self-implementing PCB clean-up. It may be more appropriately handled under the risk-based PCB cleanup approval process of §761.61(c). However, based on the June 12, 2001, teleconference among EPA, MDEQ, M&S, and BWI, it is EPA's understanding that BWI prefers to follow the §761.61(a) self-implementing approach and is willing to make the necessary modifications to the RWP and clarify its soil clean-up goal for the KEC site. Before EPA may approve a self-implementing PCB cleanup for the KEC site, additional information as outlined in the enclosed comments must be submitted to EPA.

Please note that BWI may at any time notify EPA of its intent to seek a risk-based cleanup approval under §761.61(c). Should BWI request a risk-based cleanup approval, at least two additional copies of the RWP and the associated Site Characterization Reports must be provided to EPA. These documents will then be submitted to EPA's risk assessment contractor for review and additional comments will be forward to BWI after that review is complete.

Should you have any questions concerning this letter or the enclosed comments, please contact Craig Brown of the EPA Region 4 staff at (404) 562-8990 or brown.craig@epa.gov.

Sincerely,

Alfreda Freeman

Alfreda Freeman
Chief
Toxic Substances Section

Enclosure

cc: Anastasia Hamel
Gretchen Zmitrovitch

2. **Section 2.0** In order to make this clean-up plan conform to §761.61(a) clean-up goals for soil, please change the stated maximum PCB concentration from 550 ppm to 100 ppm in the first paragraph of this section and in the second paragraph on page 2-2. Also, please note that the maximum surface soil concentration without use of a cap is 25 ppm. Item 3 on page 2-1 suggests that only surface soils containing greater than 50 ppm PCBs will be capped. If this is/was BWI's intent, the RWP will have to be modified to conform to this requirement. Alternatively, the allowable limit for PCBs in surface soils for fenced, PCB marked areas is 50 ppm.

3. **Section 3.0** The RWP states on page 3-1 that soils containing PCBs at concentrations of 50 ppm or greater will be segregated for off-site disposal in a hazardous waste landfill and that soil removed from the site that contains less than 50 ppm PCBs will be disposed of at an off-site state approved solid waste landfill. EPA is aware that BWI did not characterize the site in conformance with requirements specified at §761.61(a)(5)(i)(B)(*2*)(*i*) however, BWI must provide figures depicting excavation boundaries for $\geq$ 50 ppm and < 50 ppm PCB contaminated soil that will be removed to achieve site clean-up goals and/or to support plant expansion.

4. **Section 3.0** The RWP states on page 3-4 that three soil stockpiles near the building expansion area will be removed and disposed. Please identify these stockpiles by number, and explain how this material will be disposed. From the July 2000, Preliminary Site Characterization Report, EPA has determined that the material in stockpiles 2, 4, 6 and 7 must be disposed of as > 50 ppm PCB waste. Characterization data for debris stockpile 5 was not provided. This material must be characterized prior to disposal or disposed of as > 50 ppm PCB waste.

5. **Section 3.0** Any soil to be removed at the discretion of the inspector as indicated on page 3-4, must be characterized in-situ if not already tested or disposed of as > 50 ppm PCB waste. Post excavation testing from a roll-off box to characterize for off-site disposal is not permissible.

6. **Section 3.0** The description of procedures for handling parking and driveway areas on page 3-5 does not state how this material will be disposed of, nor does this sub-section discuss any existing characterization data for these materials. Any asphalt or concrete to be removed for off-site disposal or left on-site must first be characterized, in-situ for PCB content before removal or disturbance. Otherwise, it must be removed and disposed of as > 50 ppm PCB waste.

7. **Section 3.0** Page 3-7 states that samples of collected stormwater will be analyzed to profile the water for disposal. BWI must specify the criteria for disposition of this material. Applicable decontamination and disposal standards for aqueous PCB remediation waste (water) may be found at §761.79(b)(1).

8. **Section 3.0** On page 3-7, it is stated that covered areas will consist of at least six inches of clean topsoil and grass. Earlier in the document, it was stated that 10-inch thick clay caps would be used to cover PCB contaminated soil in unpaved areas. It's not clear how unpaved areas containing PCB contaminated soils are to be capped or covered. Clay, concrete or asphalt caps must be used in areas where the soil contains > 25 ppm PCBs. The six inches of top soil would

WILLIFORD, GEARHART & KNIGHT, INC.
ENGINEERS & SURVEYORS

PRINCIPALS
Charles H. Williford, P.E., P.L.S.
Gregory A. Gearhart, P.E.
Jeffery T. Knight, P.E.
Billy W. Owen, P.E.
Michael K. McKenzie, P.E.

FILE COPY

June 19, 2001

Ms Gretchen Zmitrovich
Mississippi Department of Environmental Quality
Office of Pollution Control
P.O. Box 10385
Jackson, MS 39289-0385

Re: City of Crystal Springs, MS
BorgWarner/Kuhlman Site
WGK #00-260

Dear Gretchen:

As revealed in our meeting earlier today, BorgWarner, the MDEQ, and the EPA Region IV personnel have apparently reached an agreement related to the Kuhlman Site that will significantly alter the content of the May 2001 remediation work plan. The City of Crystal Springs has not finalized comments on the referenced work plan and will await delivery of a revised plan before formally completing comments.

If you have any questions do not hesitate to contact me at (601) 925-4444, or Bill Stewart at (601) 924-0004.

Sincerely,
WILLIFORD, GEARHART & KNIGHT, INC.

Bill Owen, P.E.
Principal

U.S. Environmental Protection Agency Comments on the Remediation Work Plan for the Kuhlman Electric Corporation Plant Site

General Comment:

The Remediation Work Plan (RWP) for the Kuhlman Electric Corporation (KEC) plant site prepared by Martin and Slagle Geoenvironmental Associates, LLC for BorgWarner Inc., (BWI) states that the site will be cleaned up in accordance with the 40 CFR §761.61(a) self-implementing procedures. The maximum allowable polychlorinated biphenyl (PCB) cleanup levels for soil under this option is 100 parts per million (ppm). The cleanup plan for the KEC site specifies a mean PCB concentration goal of 50 ppm but would leave soils containing PCBs at levels up to 550 ppm onsite. The RWP includes a risk assessment to support the proposed cleanup standard. The inclusion of a risk assessment with the RWP and the proposed residual PCB cleanup targets are more in keeping with the risk-based PCB cleanup requirements of 40 CFR §761.61(c).

Under the 40 CFR §761.61(c) PCB remediation waste regulations U.S. Environmental Protection Agency (EPA) Regional Administrators may approve deviations from sampling and disposal requirements prescribed in paragraphs (a) and (b) of §761.61. Previously, EPA Region 4 has used its risk-based approval authority to authorize higher residual PCB concentrations at PCB cleanup sites than the permissible limits under §761.61(a). Region 4 has also used it's risk-based approval authority to grant variances to the sampling procedures proscribed under §761.61(a) for usual circumstances or for large cleanup sites. In the latter type of case, EPA Region 4 has not required a site specific risk assessment nor have we applied the formal approval procedures with public notice and opportunity for comment. However, for proposed PCB cleanups which will leave residual PCB levels in excess of the limits specified in §761.61(a) we require both a site-specific risk assessment and a formal public participation prior to approval. The review and approval process for risk-based cleanup approvals is substantially longer than that for self-implementing cleanups.

EPA will issue an approval for a §761.61 (a) cleanup with sampling variance for the KEC site provided that BWI modifies the RWP to remove or treat all soil containing greater than 100 ppm PCB and addresses the section-specific comments provided below. Alternatively, BWI may request a risk-based cleanup approval under §761.61(c) for the KEC site RWP, as written.

Section-Specific Comments:

The following comments are based on the assumption that BWI will pursue the self-implementing PCB site clean-up option under §761.61(a) but most of these comments will apply to a risk-based approval application as well.

1. **Section 1.0** The reference to risk-based remediation goals in item 3 on page 1-6 should be revised to clarify that this is to satisfy Mississippi Department of Environmental Quality (MDEQ) site clean-up requirements.

be acceptable above a clay cap or over soil containing $\leq$ 25 ppm PCBs. Please provide more details on how unpaved areas are to be handled.

9. **Section 3.0** The confirmation sampling program described in sub-section 3.4 does not contain sufficient detail to enable EPA to understand how the referenced State of Michigan guidance document will be applied at the KEC site. Does BWI plan to collect individual grab samples on 25-foot grid spacing? Will each sample result be compared to the proposed clean-up standard for PCBs or is BWI planning to use the grab sample results to calculate the mean or a more conservative statistical parameter to compare to the site clean-up standard? What will happen if a grab sample result exceeds the clean-up standard? After removal of additional soil, does the proposed procedure require re-sampling the entire site or just an area of inference associated with the failed sample point?

10. **Section 6.0** Sub-section 6.3 describes inspection and maintenance activities for grass covered areas. Referring to comment 8 above, if clay caps are employed in unpaved areas, BWI must include procedures for evaluating and repairing as necessary, clay caps impacted by excessive erosion.

11. **Section 7.0** On page 7-3, it is stated that samples designated for fixed lab analysis will be delivered to the mobile lab where the mobile lab will take their aliquot for analysis. The sample jar will then be resealed and shipped to the fix lab where the remaining portion of the sample will be analyzed. While we do not view this practice as consistent with EPA Region 4 sampling procedures, we do not have any serious reservations about it. We would suggest that the samples designated for split analysis be thoroughly mixed in the field or at the mobile lab before the mobile lab takes its aliquot for analysis.

FILE COPY

ENVIROMENTAL MEETING
6/19/01

1.	Mickey Crockett	K.E.C.
2.	WALTER J. RIELLEY	City of C.S.
3.	Tony Russell	MDEQ
4.	Gretchen Unitrovich	MDEQ
5.	Brian Young	MDEQ
6.	Bill Bowen	WGK
7.	Robert Martin	Martin & Slagle
8.	Jazma Wheeler	City of C.S.
9.	ANASTASIA HAMER	BORG WARNER Inc.
10.	BOB LAWRENCE	CITY
11.	Al Thomas	KEC
12.	Bill Stewart	SCI
13.	PAUL ACKERSON	KKC
14.	Jerry Gulledge	City of C.S.
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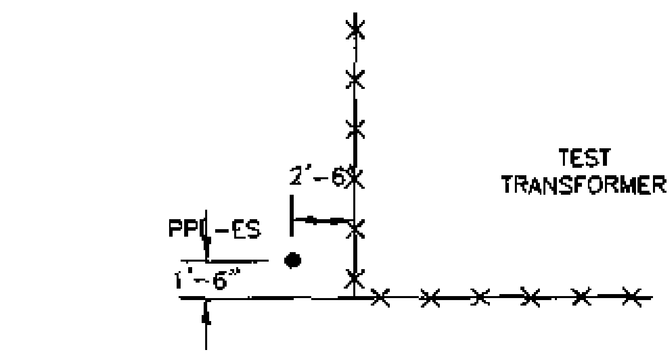
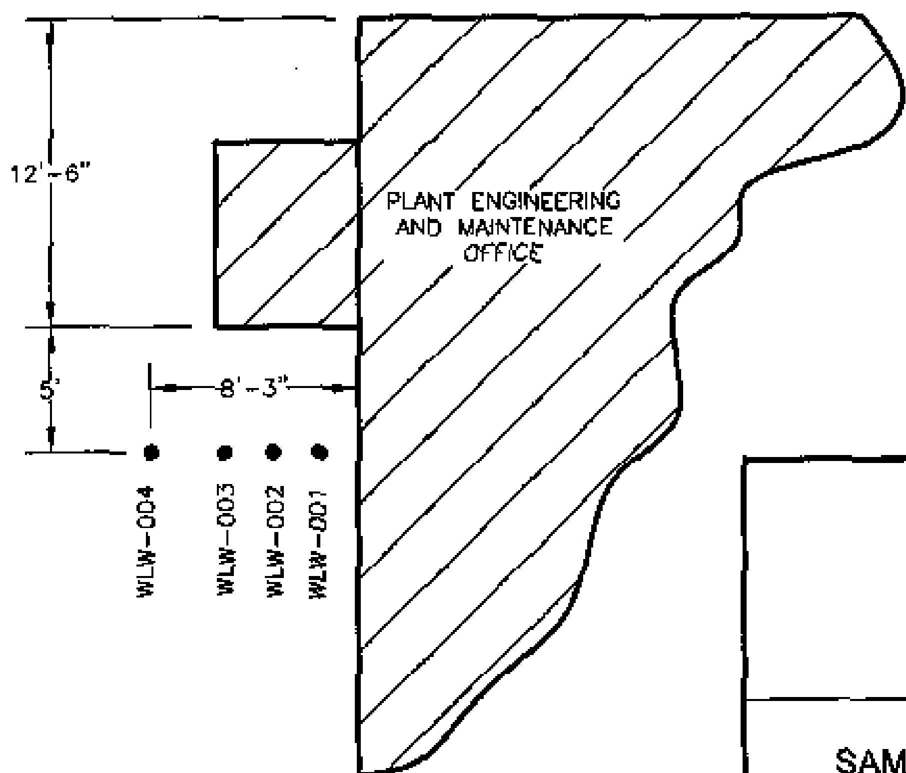


POWER POLE SAMPLE LOCATION



WATER LINE SAMPLE LOCATION

SAMPLE LOCATION MAP

BorgWarner Inc.

MARTIN & SLAGLE

SCALE:
1 INCH=5 FEET

Table 1

Kuhlman Electric

Crystal Springs, Mississippi

PCB Concentrations Detected in Soil

					Field Laboratory	
Field Lab Sample ID	Sample ID	Sample Depth (ft bgs)	Date Collected	Time Collected	Date Analyzed	Concentration (mg/kg)
10718	WLW-ES-001	6"-12"	28-Mar-01	10:25	28-Mar-01	< 0.10
10719	WLW-ES-001	12"-18"	28-Mar-01	10:25	28-Mar-01	**0.11**
10720	WLW-ES-001	18"-24"	28-Mar-01	10:25	28-Mar-01	**0.21**
10721	WLW-ES-001	24"-30"	28-Mar-01	10:25	28-Mar-01	< 0.10
10722	WLW-ES-001	30"-36"	28-Mar-01	10:25	28-Mar-01	< 0.10
10723	WLW-ES-001	36"-42"	28-Mar-01	10:25	28-Mar-01	< 0.10
10724	WLW-ES-002	6"-12"	28-Mar-01	10:36	28-Mar-01	< 0.10
10725	WLW-ES-002	12"-18"	28-Mar-01	10:36	28-Mar-01	< 0.10
10726	WLW-ES-002	18"-24"	28-Mar-01	10:36	28-Mar-01	**0.24**
10727	WLW-ES-002	24"-30"	28-Mar-01	10:36	28-Mar-01	< 0.10
10728	WLW-ES-002	30"-36"	28-Mar-01	10:36	28-Mar-01	< 0.10
10729	WLW-ES-002	36"-42"	28-Mar-01	10:36	28-Mar-01	< 0.10
10730	WLW-ES-003	6"-12"	28-Mar-01	10:50	28-Mar-01	< 0.10
10731	WLW-ES-003	12"-18"	28-Mar-01	10:50	28-Mar-01	< 0.10
10732	WLW-ES-003	18"-24"	28-Mar-01	10:50	28-Mar-01	**0.33**
10733	WLW-ES-003	24"-30"	28-Mar-01	10:50	28-Mar-01	**0.20**
10734	WLW-ES-003	30"-36"	28-Mar-01	10:50	28-Mar-01	< 0.10
10735	WLW-ES-003	36"-42"	28-Mar-01	10:50	28-Mar-01	< 0.10
10736	WLW-ES-004	6"-12"	28-Mar-01	10:55	28-Mar-01	< 0.10
10737	WLW-ES-004	12"-18"	28-Mar-01	10:55	28-Mar-01	**0.16**
10738	WLW-ES-004	18"-24"	28-Mar-01	10:55	28-Mar-01	< 0.10
10739	WLW-ES-004	24"-30"	28-Mar-01	10:55	28-Mar-01	< 0.10
10740	WLW-ES-004	30"-36"	28-Mar-01	10:55	28-Mar-01	< 0.10
10741	WLW-ES-004	36"-42"	28-Mar-01	10:55	28-Mar-01	< 0.10

NA = Not Analyzed

J = Elevated detection limit due to toxaphene interference

E = Estimated value, exceeds calibration range.

Table 1
Kuhlman Electric
Crystal Springs, Mississippi
PCB Concentrations Detected In Soil

					Field Laboratory	
Field Lab Sample ID	Sample ID	Sample Depth (ft bgs)	Date Collected	Time Collected	Date Analyzed	Concentration (mg/kg)
10742	PPL-ES-001	6-12"	28-Mar-01	11:37	28-Mar-01	**0.13**
10743	*PPL-ES-001*	*12"-18"*	*28-Mar-01*	*11:37*	*28-Mar-01*	**0.11**
10744	PPL-ES-001	18"-24"	28-Mar-01	11:37	28-Mar-01	< 0.10
10745	PPL-ES-001	24"-30"	28-Mar-01	11:37	28-Mar-01	**0.18**
10746	PPL-ES-001	30"-36"	28-Mar-01	11:37	28-Mar-01	**0.60**
10747	PPL-ES-001	36"-42"	28-Mar-01	11:37	28-Mar-01	**0.89**
10748	PPL-ES-001	42"-48"	28-Mar-01	11:37	28-Mar-01	**0.12**
10749	PPL-ES-001	48"-54"	28-Mar-01	11:45	28-Mar-01	< 0.10
10750	*PPL-ES-001*	*54"-60"*	*28-Mar-01*	*11:45*	*28-Mar-01*	*< 0.10*
10751	PPL-ES-001	60"-66"	28-Mar-01	11:45	28-Mar-01	**0.19**
10752	PPL-ES-001	66"-72"	28-Mar-01	11:45	28-Mar-01	< 0.10
10753	PPL-ES-001	72"-78"	28-Mar-01	11:45	28-Mar-01	**0.11**
10754	PPL-ES-001	78"-84"	28-Mar-01	11:45	28-Mar-01	< 0.10

NA = Not Analyzed
J = Elevated detection limit due to toxaphene interference
E = Estimated value, exceeds calibration range.

FILE COPY

STATE OF MISSISSIPPI
DAVID RONALD MUSGROVE, GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
CHARLES H. CHISOLM, EXECUTIVE DIRECTOR

June 13, 2001

Ms. Linda Caston
City Clerk
City of Crystal Springs
Post Office Box 473
Crystal Springs, MS 39059

Dear Ms. Caston:

As you and Gretchen Zmitrovich discussed on the phone on June 7, 2001, the Mississippi Department of Environmental Quality (MDEQ) and the Mississippi Department of Health (MDH) are lifting the precautionary fish consumption advisory on Lake Chautauqua. This precautionary advisory was placed on the Lake after fish samples collected and analyzed by MDEQ showed that the fish had low levels of PCB contamination. At that time, the Mississippi Fish Advisory Task Force, composed of representatives from MDEQ, MDH, and the Mississippi Department of Wildlife, Fisheries, and Parks, started a review of the data collected from the fish and the health risks involved with the consumption of those fish. While the Task Force was conducting its review, the City of Crystal Springs voluntarily chose to put a ban on all fishing at the Lake.

The Task Force has finished its review and has concluded that eating fish from the Lake does not pose a significant health risk. MDEQ will be issuing a news release next week advising the public that the precautionary fish consumption advisory has been lifted. One of the goals the City set for this project was to return the Lake to full use by the City's citizens; MDEQ continues to work with all parties in this matter to assure that goal is accomplished.

We would like to thank you for your continued cooperation with this matter. If you have any questions, please contact Henry Folmar at 601-664-3910 or Ms. Zmitrovich at 601-961-5240.

Sincerely,

Tony Russell, Chief
Uncontrolled Sites Section

Kuhlman-Letter to Caston-removal of fish advisory_6-13-01 (gz)

OFFICE OF POLLUTION CONTROL
POST OFFICE BOX 10385 • JACKSON, MISSISSIPPI 39289-0385 • TEL: (601) 961-5171 • FAX: (601) 354-6612 • www.deq.state.ms.us
AN EQUAL OPPORTUNITY EMPLOYER

FILE COPY

Tony Russell
06/06/2001 11:24 AM

To: Gretchen Zmitrovich/HW/OPC/DEQ@DEQ, Brian Young/HW/OPC/DEQ@DEQ
cc:

Subject: Re: Lake in Crystal Springs

FYI and put copy in files.

---------- Forwarded by Tony Russell/HW/OPC/DEQ on 06/06/2001 11:13 AM ----------

Henry Folmar
06/06/2001 10:03 AM

To: Jerry Banks/HW/OPC/DEQ@DEQ
cc: Tony Russell/HW/OPC/DEQ@DEQ
Subject: Re: Lake in Crystal Springs

We haven't analyzed any turtles or frogs (here or anywhere else). To my knowledge, there are no criteria developed for these species, and no consumption rate data is available. The most common turtles like river cooters and pond sliders are primarily herbivores, and you wouldn't expect them to have high concentrations of PCB's. While it is possible that large fish eating turtles, like snappers or alligator snappers, or even bull frogs which are predacious, could bio accumulate PCB's and other contaminants, these are probably not staples in most peoples diet, so you don't have the chronic, long term exposure which our fish tissue criteria are based on.

So, to be on the safe side, people may want to avoid these species. However, if people want to eat a couple of meals a year of frog legs or turtle soup, it is probably not a large health risk.

"Thompson, Bob" <Bthompson@TheITGroup.com> on 05/24/2001 12:55:11 PM

To: "Brown.Craig@epamail.epa.gov" <Brown.Craig@epamail.epa.gov>,
"Gretchen_zmitrovich@deq.state.ms.us" <Gretchen_zmitrovich@deq.state.ms.us>
cc: "scott.schang@lw.com" <scott.schang@lw.com>

Subject: AKT Gravel Pit

Craig and Gretchen,
Based on your comments, the approach to the excavation at the AKT Gravel Pit has be revised. Attached are new guidelines that will be used for both obtaining additional PCB concentration data and for directing the excavation.

The approach going forward will be to:
* Obtain additional PCB concentration data. This will take approximately three weeks.
* Revise and submit the Assessment Report and the Removal Plan. These documents will include the new data.
* Receive approval on the Removal Plan
* Implement the removal.

Please contact me with any question or comments.
Bob

A. Robert Thompson
bthompson@theitgroup.com

IT Corporation
11560 Great Oaks Way, Suite 500
Alpharetta, GA 30022
770-667-7790
770-442-7399 fax

<<AKT Soil Removal Guidlines.doc>>

AKT Soil Removal Guidlines.doc

AKT Soil Removal
Revised Guidelines for the Excavation Approach

The following presents a brief summary of the soil containing PCBs and guidelines to be applied to determine the lateral and vertical extent of soil excavation.

Background

- Seventy-six grids (25-foot by 25-foot) were sampled for PCB concentrations at multiple one foot interval depths.
- PCBs were found in 14 grids at concentrations greater than 50 mg/kg.
- PCBs were found in 17 other grids at concentrations less than 50 mg/kg and greater than 1 mg/kg.
- The concentration of PCBs in each foot interval for each grid is presented on Figure 5 of the *Soil Removal Plan AKT Gravel Pit* prepared by IT Corporation.

Soil Excavation Guidelines

1. The 14 grids, with PCB containing soil at concentrations greater than 50 mg/kg, will be combined into 7 separate Area Of Excavations (AOEs). The grids, selected to be combined into one AOE, will be adjoining and have a similar depths of soil at PCB concentrations greater than 50 mg/kg. Table 1 identifies the seven AOEs.
2. The lateral limits of excavation, within an AOE, will be bounded by sample locations with PCB concentrations less than 50 mg/kg. Additional data will be obtained by collecting samples for the depth interval of concern for each AOE. Table 2 identifies the number of sampling locations for each AOE and the depth range for composite samples. Composite samples will be collected between each AOE and *adjoining* grids but *not* between grids of an AOE. Table 3 identified the specific location to be sampled. Additional lateral locations may be warranted to better define the lateral extent of excavation.
3. The vertical excavation will begin, within an AOE, at a depth one-foot above the shallowest depth of any grid with a PCB concentration greater than 50 mg/kg.
4. The vertical excavation will end, within an AOE, at the deepest depth of any grid with a PCB concentration greater than 50 mg/kg.
5. Verification sampling will be performed for each AOE. The soil will be collected from the bottom of the excavation and sidewalls at multiple locations. The details of the verification sampling will be in accordance with the Michigan Department of Environmental Quality's *Guidance Document on Verification of Soil Remediation* and will be described in detail in a revised *AKT Gravel Pit Soil Removal Plan*.
6. For grids that do not have PCB concentrations greater than 50 mg/kg, the vertical and horizontal limits of excavations will be as presented in the current *Soil Removal Plan*. No additional lateral delineation sampling will be performed. However, vertical verification sampling will be conducted following soil removal.
7. Soil that excavated, that has been characterized as having a PCB concentration of less than 1 mg/kg, will be re-tested prior to being used as fill.

GeoEnvironmental Associates, LLC | MARTIN&SLAGLE

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ROBERT L. MARTIN, LG
Principal Geologist

CHRISTINE E. SLAGLE
Principal Scientist

May 23, 2001

Gretchen Zmitrovich
Office of Pollution Control
Mississippi Department of Environmental Quality
P.O. Box 10385
Jackson, Mississippi 39289-0385

SUBJECT: Replacement Pages for the Work Plan for Remediation of the Kuhlman Electric Corporation Plant Site Crystal Springs, Mississippi

Dear Ms. Zmitrovich:

Enclosed are replacement pages for the referenced document. Headers on these pages were corrected, and Section 1.3 was modified to be consistent with the work plan text.

If you have any questions or comments, please contact me at (828) 669-3929.

Sincerely,

MARTIN & SLAGLE GEOENVIRONMENTAL ASSOCIATES, L.L.C

Robert L. Martin, L.G.
Principal Geologist

Attachments

cc.: Anastasia Hamel
Craig Brown

828.669.3929 • 828.669.5289 Fax
PO Box 1023 • 208 Sutton Avenue • Black Mountain NC 28711

Table 1
Areas of Excavation

AOE Designation Grid Numbers	Soil Removal Depth Range for TSCA Disposal
AOE 1 C2, C3, and D3	0' to 1' 0" to 12"
AOE 2 B4, B5, and B6	0' to 5' 0" to 60"
AOE 3 C6	0' to 7' 0" to 84"
AOE 4 D7 and C7	0' to 3' 0" to 36"
AOE 5 B8, C8, and C9	4' to 6' 36" to 72"
AOE 6 A7	3' to 4' 24" to 48"
AOE 7 AAA-8	8' to 9' 84" to 108"

Table 2
PCB Sample Locations and Depths

AOE Designation Grid Numbers	Soil Removal Depth Range for TSCA Disposal	Number of Sampling Locations	Samples per Location/ Depth Range	Total Number Samples
AOE 1 C2, C3, and D3	0' to 1' 0" to 12"	8	1/ 0'-1'	8
AOE 2 B4, B5, and B6	0' to 5' 0" to 60"	7	3/ 0'-2', 2'-4',5 '	21
AOE 3 C6	0' to 7' 0" to 84"	4	4/ 0'-2', 2'-4', 4'-6', 7'	16
AOE 4 D7 and C7	0' to 3' 0" to 36"	5	2/ 0'-2', 3'	10
AOE 5 B8, C8, and C9	4' to 6' 36" to 72"	7	2/ 3'-5', 6'	14
AOE 6 A7	3' to 4' 24" to 48"	4	1/ 2'-4'	4
AOE 7 AAA-8	8' to 9' 84" to 108"	4	1/ 7'-9'	4
	TOTAL	39		77

Table 3
PCB Sampling Locations

AOE Designation Grid Numbers	Soil Removal Depth Range for TSCA Disposal	Number of Sampling Locations	Sampling Locations
AOE 1 C2, C3, and D3	0' to 1' 0" to 12"	8	D3D4, D3E3, D3D2, C2D2, C2C1, C2B2, C3B3, C3C4
AOE 2 B4, B5, and B6	0' to 5' 0" to 60"	7	B4C4, B4B3, B4A4, B5C5, B5A5, B6A6, B6B7
AOE 3 C6	0' to 7' 0" to 84"	4	C6B6, C6C5, C6D6, C6C7
AOE 4 D7 and C7	0' to 3' 0" to 36"	5	D7D6, D7E7, D7D8, C7C8, C7B7
AOE 5 B8, C8, and C9	4' to 6' 36" to 72"	7	C8D8, C9D9, C9C10, C9B9, B8B9, B8A8, B8B7
AOE 6 A7	3' to 4' 24" to 48"	4	A7B7, A7A6, A7AAA7, A7A8
AOE 7 AAA-8	8' to 9' 84" to 108"	4	AAA8AAA7, AAA8A8, AAA8AAA9, AAA8AAAA8
	TOTAL	39	

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STATE OF MISSISSIPPI
DAVID RONALD MUSGROVE, GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
CHARLES H. CHISOLM, EXECUTIVE DIRECTOR

May 23, 2001

The Honorable Hugh Webb
Mayor of Crystal Springs
P. O. Box 473
Crystal Springs, MS 39059

Dear Mayor Webb:

As noted in your May 15, 2001, letter this is a very complex project being undertaken, and it is understandable that some confusion arises during our routine meetings.

I want to assure you that there have been no negotiations between the Mississippi Department of Environmental Quality (MDEQ) staff and BorgWarner or Kuhlman on cleanup levels since our last meeting in Crystal Springs on April 4th. The use of a risk assessment at the Kuhlman Electric site has been discussed in more than one of our meetings, and MDEQ apologizes for not ensuring that everyone involved understands how cleanup levels are derived from the use of a risk assessment. The last meeting was also the first time that MDEQ heard the 1,500 ppm level. I do not believe that MDEQ, BorgWarner, or Kuhlman insinuated during the meeting that 1,500 ppm would be the accepted cleanup level. It is likely that BorgWarner's risk assessment derived such a number; however, I believe BorgWarner merely used that as an illustration of how the cleanup levels are affected by a person's exposure to the contamination (i.e., the less exposure, the higher the cleanup level). After the meeting, my staff and I reviewed the site characterization data submitted by BorgWarner and confirmed that there are currently no concentrations at the 1,500 ppm level at or below six feet. As we have stated before, the City, as owners of the property, will be able to review and comment on cleanup levels proposed for the site. MDEQ will gladly go over all the options available to the City as the property owner has the ultimate say on the use of the property.

I have talked with Bill Stewart about obtaining copies of the maps that contain the PCB concentration contours. Also, Gretchen Zmitrovich contacted BorgWarner about the maps, and Anastasia Hamel stated that copies of the maps would be forwarded to the City at the time of the risk assessment submittal.

With regard to the installation of the backflow preventor, I agree that the area will require sampling to determine if PCB concentrations are present that may present a hazard and to determine the appropriate precautions to be taken. Also, it is my understanding that during the April 4, 2001, meeting, MDEQ told Borg Warner that all utility lines on the site had to be

cleaned below 1 ppm PCB because of the City's concern for city workers' exposure to contamination.

Finally, I completely understand the City's concern for the Lake; and I assure you that it will be addressed. As I said previously, most of the runoff from the plant site goes into the Lake; and therefore, any contamination from the plant site and drainage ditch continues to be transported to the Lake with each rainfall. By covering the contaminated soil on the plant site, this source of continuing contamination has been eliminated; however, there is no way to cover the drainage ditch to the Lake. If the Lake is delineated prior to cleaning up the plant site and drainage ditch, then conditions in the Lake will change requiring redelineation of the Lake. I expect that there will be some remediation at the upper end of the Lake near Highway 51 because there appears to be a buildup of sediments in the Lake where the drain comes under Highway 51. There is a possibility, however, that the drain under Highway 51 slows the flow of water down the drainage ditch enough that the sediments transporting the PCBs in the water will fall out on the east side of Highway 51 and that no remediation of the Lake will be required.

I and the MDEQ staff greatly appreciate all of your and other City personnel's support in this project and assure you that we have foremost in our minds our responsibility to ensure cleanup to levels protective not only of public health and welfare but also the environment. I regret if we have given the impression to the City that we have not been open to the City's issues and concerns because that is not our intention. Again, let me reiterate my appreciation to you for all your hard work on keeping this matter under control.

Sincerely,

Jerry B. Banks, P.E., DEE
Chief, Hazardous Waste Division

JBB:cd

cc: Paul Acheson - Kuhlman Electric Corporation
Anastasia Hamel - Borg Warner Inc.
Bill Stewart - Stewart Consultants
Kelli M. Dowell, Esq.

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FILE COPY

Martin & Slagle
GeoEnvironmental Associates LLC

Facsimile Transmittal

Name: Gretchen Zmitrowich

Firm: Office of Pollution Control - MDEQ

Fax No: 601-961-5300

Per your request, here is a copy of the letter to Craig Brown for your file.

Thank You.
D

Total Number of pages including cover: 2

Sender: DJ Martin Date: May 21, 2001

PO Box 1023
Black Mountain, NC 28711

(828) 669-3929
(828) 669-5289 fax

GeoEnvironmental Associates, LLC | MARTIN&SLAGLE

ROBERT L. MARTIN, LG
Principal Geologist

CHRISTINE E. SLAGLE
Principal Scientist

May 19, 2001

Craig Brown
U.S. Environmental Protection Agency, Region IV
AFC Building, 12th Floor
61 Forcyth Street, SW
Atlanta, Georgia 30303

SUBJECT: Work Plan for Remediation of the Kuhlman Electric Corporation Plant Site Crystal Springs, Mississippi

Dear Mr. Brown:

Enclosed is one copy of the *Work Plan for Remediation of the Kuhlman Electric Corporation Plant Site* in Crystal Springs, Mississippi.

This work plan proposes an alternative method for determining sample density based on a statistical approach for representative sampling confirming that remedial goals are achieved. This proposed method is included in guidance used by the Michigan Department of Environmental Control, and is adopted by the Mississippi Department of Environmental Control for remediation projects such as the one described in this work plan. Enclosed is a copy of the guidance document for your review. On behalf of Kuhlman Electric Corporation and BorgWarner Inc. we are requesting a variance from the sampling requirements of 40 CFR 761.283 and approval of this alternative method.

If you have any questions or comments, please contact me at (828) 669-3929.

Sincerely,

MARTIN & SLAGLE GEOENVIRONMENTAL ASSOCIATES, L.L.C

Robert Martin

Robert L. Martin, L.G.
Principal Geologist

Attachments

cc.: Anastasia Hamel
Tom Lupo
Scott Schaag
Gretchen Zmitrovich

GeoEnvironmental Associates, LLC | MARTIN&SLAGLE

FILE COPY

ROBERT L. MARTIN, LG
Principal Geologist

CHRISTINE E. SLAGLE
Principal Scientist

May 19, 2001

Gretchen Zmitrovich
Office of Pollution Control
Mississippi Department of Environmental Quality
P.O. Box 10385
Jackson, Mississippi 39289-0385

SUBJECT: Work Plan for Remediation of the *Kuhlman Electric Corporation* Plant Site Crystal Springs, Mississippi

Dear Ms. Zmitrovich:

Enclosed are one original and one copy of the *Work Plan for Remediation of the Kuhlman Electric Corporation Plant Site* in Crystal Springs, Mississippi. Also enclosed is a copy of the cover letter to Craig Brown, US EPA, requesting a variance from the sampling requirements of 40 CFR 761.283. An alternate method for determining sample density based on a statistical approach for representative sampling is proposed in this work plan.

If you have any questions or comments, please contact me at (828) 669-3929.

Sincerely,

MARTIN & SLAGLE GEOENVIRONMENTAL ASSOCIATES, L.L.C

Robert L. Martin, L.G.
Principal Geologist

Attachments

cc.: Anastasia Hamel
Hugh Webb
Al Thomas
Tom Lupo
Scott Schang
Craig Brown

828.669.3929 • 828.669.5289 Fax
PO Box 1023 • 208 Sutton Avenue • Black Mountain NC 28711

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STATE OF MISSISSIPPI
DAVID RONALD MUSGROVE, GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
CHARLES H. CHISOLM, EXECUTIVE DIRECTOR

May 16, 2001

Mr. Robert Thompson
IT Corporation
11560 Great Oaks Way, Suite 500
Alpharetta, GA 30022-2424

RE: Kuhlman Electric Corporation Site
Crystal Springs, Copiah County, MS

Dear Mr. Thompson:

The Mississippi Department of Environmental Quality (MDEQ) has reviewed the March 6, 2001, *Site Assessment Report* and the April 19, 2001, *Soil Removal Plan* for the AKT Gravel Pit. The MDEQ has also received a copy of the US EPA Region 4's May 11, 2001, correspondence in regard to these documents. The MDEQ has the following comments:

1. Laboratory data sheets for samples taken at locations A3-2, A3-3, A7-1, A7-2, A7-3, A8-7, B4-1, B4-2, B4-3, B5-1, B5-2, B5-3, B8-9, C6-1, C6-2, C6-3, C7-1, C7-2, C8-3, C8-5, C9-3, and C9-5 are not included in the *Site Assessment Report*.

2. In the *Site Assessment Report*, location A3-1 is missing from Figure 3-1 and is not included in the total number of samples collected.

3. Laboratory data sheets for samples taken at locations AA-3, AA-7, AA-8, BB-1, CC-1, EE-4, AAA-3, AAA-7, and AAA-8 have not been submitted to the MDEQ.

4. Locations AA-3, AA-7, and AA-8 are not depicted in the same locations on Figures 4 and 5 in the *Soil Removal Plan*.

5. The MDEQ concurs with the comments made by the US EPA Region 4 correspondence. In addition to the US EPA Region 4's requirements, the MDEQ will require sidewall samples to be collected. The MDEQ recommends

the use of the Michigan Department of Environmental Quality's *Guidance Document on Verification of Soil Remediation* (enclosed); however, IT may propose an alternate confirmation sampling program.

Please submit a written response by June 1, 2001. If you have any questions concerning this matter, please contact Gretchen Zmitrovich at 601-961-5240.

Sincerely,

Tony Russell, Chief
Uncontrolled Sites Section

cc: Craig Brown, US EPA Region 4

Kuhlman-Letter to Thompson-response to gravel pit delineation report and removal plan_5-16-01 (gz)

Brown.Craig@epamail.epa.gov on 05/16/2001 08:13:59 AM

FILE COPY

To: "Thompson, Bob' <Bthompson@TheITGroup.com>
cc: Gretchen_zmitrovich@deq.state.ms.us

Subject: Re: AKT Gravel Pit

Bob - I still have problems with the revised approach. The comments below are numbered to follow the numbering scheme in your email attachment.

1. There's a discrepancy in Table 1 for AOE 5. One line indicates the depth removal range as 4' - 6' and the second line indicates 36" - 72." It seems the second line should be 48" - 72" based on your excavation rule.

3. I don't agree with your proposal for the vertical end of the excavation set at the base of the depth interval with the >50 result. You're starting 1 ft above the >50 interval. I think you should also cut to 1-ft below to make sure you get everything. Alternatively, you can go with your excavation rule but I would insist on sampling at the base of the >50 cut before you begin the < 50 - 1 ppm excavation in the same area.

4. The lateral delineation procedure is not clear and appears incomplete (inadequate). Using the example of AOE 3, the data indicates PCBs at a concentration of 153 ppm at a depth of 7-ft. You're proposing a composite, lateral delineation sample over a range of 3 - 6 feet. At a minimum I'd want to see samples collected around C6 over the 3-7 ft range but I don't like the idea of vertical compositing over more than 2 feet. This becomes a bit of a problem when you look at the area between C6 and C7. If I understand your proposal correctly, you would not even take a sample between these two points. while this probably doesn't matter over the 0 - 3 ft range because AOE 3 and AOE 4 at this depth is all excavated for TSCA disposal, what about the 3 - 7 ft zone between AOE 3 and AOE 4? There's a data gap here.

5. The verification samples need to be collected at the surface of the excavation using a sampling spoon. I don't like the idea of taking a sample over a 1-ft thick interval for post-cleanup verification purposes.

Craig

"Thompson, Bob"
<Bthompson@TheIT Group.com>
05/10/2001 09:36 AM

To: Craig Brown/R4/USEPA/US@EPA, "'Gretchen_zmitrovich@deq.state.ms.us'"
<Gretchen_zmitrovich@deq.state.ms.us>
cc:
Subject: AKT Gravel Pit

Craig and Gretchen,
Based on the draft EPA comments, I have modified the approach to the soil

removal at AKT. The attached document provides soil removal guidlines where
certain grids will be excavated on one area, additional lateral delineation will be performed, and verfication samping will be conducted. I would like your comments on the guidlines so that I can revise the Soil Removal Plan. I will contact you later today.
Bob

A. Robert Thompson
bthompson@theitgroup.com

IT Corporation
11560 Great Oaks Way, Suite 500
Alpharetta, GA 30022
770-667-7790
770-442-7399 fax

<<AKT Soil Removal Guidlines.doc>>
(See attached file: AKT Soil Removal Guidlines.doc)

 - AKT Soil Removal Guidlines.doc

FILE COPY

"Hamel, Anastasia (AFS-Warren)" <AHamel@afs.bwauto.com> on 05/15/2001 04:01:30 PM

To: Gretchen_Zmitrovich@deq.state.ms.us
cc: Jerry_Banks@deq.state.ms.us, Tony_Russell@deq.state.ms.us, Kelli_Dowell@deq.state.ms.us

Subject: RE: KEC off-site disposal

Gretchen,

Thank you for the information. We first need to find out who owns the property and ask permission to sample. We will also need both your and the Mayor's assistance in speaking with the owner. Once we have the owner's permission we will make arrangements to delineate the site.

I will be sure to keep you informed of our progress on locating the owner.

Thanks.

Anastasia

Anastasia Hamel
Director Environmental Programs
Phone: (810) 497-4503
Fax: (810) 497-4089
e-mail: ahamel@afs.bwauto.com

-----Original Message-----
From: Gretchen_Zmitrovich@deq.state.ms.us
[mailto:Gretchen_Zmitrovich@deq.state.ms.us]
Sent: Wednesday, May 09, 2001 5:19 PM
To: ahamel@afs.bwauto.com
Cc: Jerry_Banks@deq.state.ms.us; Tony_Russell@deq.state.ms.us; Kelli_Dowell@deq.state.ms.us
Subject: KEC off-site disposal

Two weeks ago, Mrs. Kellum and I were talking while I was in Crystal Springs. She told me about an off-site disposal related to the Kuhlman facility. She stated that after the dump truck driver dumped her dirt (in 1995?), her son rode with the driver to dump the rest of the dirt. She drove me to the site. It is located in a residential area and appears to have been leveled and covered in gravel. On May 7, I was in Crystal Springs again for our monthly meeting and I saw Jeff Kellum (the son). I asked him if he knew where the man had been dumping before. He stated that they were dumping at this site all morning. In fact, the police stopped the truck driver that day and gave him a ticket for driving on a road with a no trucks sign.

This property needs to be sampled using the same protocol we used on the other properties.

FILE COPY

FAX

To: Mayor Webb	From: Gretchen Zmitrovich	
	MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY	Office of Pollution Control
		P.O. Box 10385
		Jackson, MS 39289-0385
Phone:	Phone: 601-961-5240	
Fax: 892-4870	Fax: 601-961-5300	

Date: May 15, 2001		Routine		Priority
Number of pages, including this one: 1				

Message:
I calculated the clean-up level that would be required to protect the city workers during normal maintenance activities around the KEC plant.

For an 8 hour shift, working 10 days of the year in a contaminated area, the clean-up standard could be as high as 62.1 ppm.
For an 8 hour shift, working 2 days of the year in a contaminated area, the clean-up standard could be as high as 358 ppm.

MDEQ is by no means stating that these would be the approved clean-up levels; this was just a quick calculation to determine the protective levels from a health standpoint. IF any areas were left on-site with these levels, the area would also need a deed restriction and therefore, MDEQ would require a notice and work plans before the asphalt could be breached.

As far as the PCBs backflowing into the water lines during maintenance activities, the lines would normally be flushed after working on them and IF any PCBs flowed in, the flushing would take care off them.

If you have any questions, call me. Thanks, Gretchen

FILE COPY

City of Crystal Springs

May 15, 2001

Mr. Jerry Banks
Mississippi Department of Environmental Quality
Post Office Box 10385
Jackson, MS 39289-0385

Re: City of Crystal Springs, MS
Borg Warner/Kuhlman Site

On behalf of the City of Crystal Springs we appreciate the effort that you and your staff have exhibited regarding the referenced project. We understand that as a regulating agency you have a responsibility to the citizens of the State to administer programs that promote the health, safety and welfare of all with regards to environmental issues. As you are aware, as elected officials we, the Board of Aldermen and myself, have this same responsibility. In addition, we also must be fiscally responsible with the funds that we are provided. Using these funds we must plan for immediate and future needs of this municipality.

With that said it is somewhat surprising that there appears to be continuing negotiations between the MDEQ staff and the referenced industries regarding the project parameters, without soliciting input from the City. In some instances it appears that solutions /agreements have been approved without our knowledge. For example, the last meeting was the first time that we had learned that 1500 PPM of PCB contamination below 6 feet was likely going to be an accepted level of cleanup on the Kuhlman Site. All of our previous meetings have addressed a cleanup level of no higher than 10 PPM. Although the information may be contained in the massive reports on file in your office, we have depended on your staff to disseminate this information and keep us apprised of the discussions with the industries and the cleanup to be performed since you are the agency that is responsible for regulation of these matters. We understand that the project is ongoing and in a continued state of flux, however on matters that directly impact the City and her citizens we feel that your staff has a greater than normal obligation to listen to our concerns and recommendations regarding the planning, scheduling, and remediation of the contaminated areas. We request

that we be provided contour maps, as shown at the previous meeting, showing the levels of contamination at various depths on the Kuhlman Site so that we can review the effect of proposed remediation.

Also know that we have directed our Public Works Director and City Engineer to review and define the locations of all of the City owned utilities within the Kuhlman Site. Once these locations are established, if not already defined we will require that spot samples be taken to determine contamination levels along these lines. Additionally, we were unable to isolate the water line system surrounding the plant site and will require that Kuhlman/Borg Warner provide for valve systems at strategic locations outside the plant site so that the City will be able to isolate and shut off the waterline surrounding Kuhlman. At this point it would appear since we cannot isolate the system that the backflow preventer to be installed would have to be installed without shutting off the water supply. This manner of construction will leave open the possibility that the City's water supply could be contaminated if the area where the device is to be installed is "hot." Prior to Kuhlman installing this device we will require that a work plan be written and submitted to the MDEQ and the City for approval. This work plan should include documentation that the area has been tested and shown not to be contaminated.

Finally we are still concerned that the delineation and ultimate remediation of Lake Chautauqua has been put on the "back burner." From what we understand and have been told the Lake will require delineation and remediation. We understand that the project delineation and ultimate remediation must be uniform and consistent, but we are also practical enough to know that at some time economic considerations will drive the project cleanup. The park and the lake are important to the City from a recreational and economical standpoint and a plan addressing the cleanup of this facility needs to be emphasized strongly.

We sincerely appreciate the MDEQ staff in their efforts regarding the ongoing project. However, we request that the lines of communication between our officials and staff and your staff be more open and that discussions be held concerning the City's issues as though, as in fact we are, also part of the public governance and not merely just another private party at the negotiation table.

Sincerely,
CITY OF CRYSTAL SPRINGS, MISSISSIPPI

Hugh Webb
Mayor

cc: Bill Owen
Bob Lawrence
Bill Stuart
File

FILE COPY

IN THE CIRCUIT COURT OF COPIAH COUNTY, MISSISSIPPI

PAUL KELLUM; PAULA KELLUM;
JOHN EDWARDS; DOROTHY EDWARDS;
BEULAH SOJOURNER; HAROLD WARREN;
SUZANNE WARREN; PAULETTE WELCH;
RALPH WILLIAMS; BETTIE KENDRICK;
ORISTER HARRIS; RUBY SMITH;
WANDA WARD, individually and on behalf of
ROGER L. WARD, deceased; DAVE VINSON;
BETTYE VINSON; and ROBERT P. EDWARDS,
MOSES GRAHAM, ESTHER TERRELL as heirs
of the FITZGERALD ESTATE and DANIEL GRAHAM,
individually and as an heir of the FITZGERALD ESTATE

PLAINTIFFS

FILED
MAY 03 2001
EDNA E. STEVENS
CIRCUIT CLERK
BY COPY D.C.

VS. CIVIL ACTION NO. 2001-0313 thru 2001-0324

KUHLMAN CORPORATION; KUHLMAN
ELECTRIC CORPORATION; BORG-WARNER, INC.;
DAVID RODGERS and THE MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

DEFENDANTS

FIRST AMENDED COMPLAINT

Trial By Jury Requested

COME NOW, the Plaintiffs in the above-entitled action, by and through counsel, and file this, their First Amended Complaint against Defendants, and in support thereof would show as follows:

I.

PLAINTIFFS

1. The Plaintiffs are Daniel Graham, Paul Kellum, Paula Kellum, John Edwards, Dorothy Edwards, Beulah Sojourner, Paulette Welch, Ralph Williams, Bettie Kendrick, Orister Harris, Ruby Smith, Wanda Ward, individually and on behalf of Roger Ward, deceased, Harold Warren,

Suzanne Warren, Dave Vinson, Bettye Vinson and Robert P. Edwards, Moses Graham, Esther Terrell as heirs of the Fitzgerald Estate and Daniel Graham individually and as an heir of the Fitzgerald Estate, all of whom are residents of Copiah County, Mississippi with the exception of Robert P. Edwards.

A. Plaintiffs Paul Kellum and Paula Kellum

2. Plaintiffs Paul Kellum and Paula Kellum reside at and own real property located at 412 Lee Avenue, Crystal Springs, Mississippi. Said property is contaminated with hazardous substances originating from the Kuhlman site.

3. The contamination was and is transported to the Kellums' property from the Kuhlman site by storm water runoff and windblown dust, by Kuhlman and Kuhlman Electric's past practices of spraying contaminated transformer oil in close proximity to the Kellums' real property for dust control, and by the acts of the defendant David Rodgers who hauled contaminated soil from the Kuhlman site and deposited it on the Kellums' property.

4. As a result of the contamination, the Kellums' property must be remediated in accordance with the laws of the State of Mississippi to protect the health and welfare of the Kellums and other individuals who are or may be exposed to the hazardous materials. The actual physical harm to the property reduces the value of the Kellums' property for which the Kellums are entitled to recover monetary damages.

5. Further, as result of the contamination, the Kellums have been exposed to hazardous materials and suffered personal injury for which they should be compensated by all defendants except the Mississippi Department of Environmental Quality.

B. Plaintiffs John Edwards and Dorothy Edwards

6. Plaintiffs John Edwards and Dorothy Edwards reside at and own real property located at 406 Lee Avenue, Crystal Springs, Mississippi. Said property is contaminated with hazardous substances originating from the Kuhlman site.

7. The contamination was and is transported to the Edwards' property from the Kuhlman site by storm water runoff, by Kuhlman and Kuhlman Electric's past practices of spraying contaminated transformer oil in close proximity to the Edwards' real property for dust control, by depositing contaminated soils from the Kuhlman site onto the Edwards' property, and by the acts of the defendant David Rodgers who hauled contaminated soil from the Kuhlman site and deposited in on the Edwards' property.

8. As a result of the contamination, the Edwards' property must be remediated in accordance with the laws of the State of Mississippi to protect the health and welfare of the Edwards and other individuals who are or may be in the future exposed to the hazardous substances. The actual physical harm to the property reduces the value of the Edwards' property for which the Edwards are entitled to recover monetary damages.

9. Further, as result of the contamination, the Edwards have been exposed to hazardous materials and suffered personal injury for which they should be compensated by all defendants except the Mississippi Department of Environmental Quality.

C. Plaintiff Beulah Sojourner

10. Plaintiff Beulah Sojourner resides at and owns real property located at 111 McPherson Street, Crystal Springs, Mississippi. Said property is contaminated with hazardous substances originating from the Kuhlman site.

11. The contamination was and is transported to Beulah Sojourner's property from the Kuhlman site by storm water runoff.

12. As a result of the contamination, Beulah Sojourner's property must be remediated in accordance with the laws of the State of Mississippi to protect the health and welfare of Beulah Sojourner and other individuals who are or may be in the future exposed to the hazardous substances. The actual physical harm to the property reduces the value of the Beulah Sojourner's property for which she is entitled to recover monetary damages.

13. Further, as result of the contamination, Beulah Sojourner has been exposed to hazardous materials, has elevated PCBs in her blood above background level, and has suffered personal injury for which she should be compensated by all defendants except the Mississippi Department of Environmental Quality.

D. Plaintiff Paulette Welch

14. Plaintiff Paulette Welch resides at and owns real property located at 501 Camp Street, Crystal Springs, Mississippi. Said property is contaminated with hazardous substances originating from the Kuhlman site.

15. The contamination was and is transported to Paulette Welch's property from the Kuhlman site by storm water runoff.

16. As a result of the contamination, Paulette Welch's property must be remediated in accordance with the laws of the State of Mississippi to protect the health and welfare of Paulette Welch and other individuals who are or may be in the future exposed to the hazardous substances. The actual physical harm to the property reduces the value of the Paulette Welch's property for which she is entitled to recover monetary damages.

17. Further, as result of the contamination, Paulette Welch has been exposed to hazardous materials and suffered personal injury for which she should be compensated by all defendants except the Mississippi Department of Environmental Quality.

E. Plaintiff Ralph Williams

18. Plaintiff Ralph Williams, who resides at 107 Forest Street, Crystal Springs, Mississippi, owns real property located at 104 Forest Street, Crystal Springs, Mississippi. The property at 104 Forest Street is contaminated with hazardous substances originating from the Kuhlman site.

19. The contamination was and is transported to Ralph Williams's property at 104 Forest Street from the Kuhlman site by storm water runoff.

20. As a result of the contamination, Ralph Williams' 104 Forest Street property must be remediated in accordance with the laws of the State of Mississippi to protect the health and welfare of Ralph Williams and other individuals who are or may be in the future exposed to the hazardous substances. The actual physical harm to the property reduces the value of the Ralph Williams' 104 Forest Street property for which he is entitled to recover monetary damages.

21. Ralph Williams' residence located at 107 Forest Street, is contaminated with hazardous substances originating from the Kuhlman site.

22. The contamination was and is transported to Ralph Williams's property at 107 Forest Street from the Kuhlman site by storm water runoff.

23. As a result of the contamination, Ralph Williams' residence at 107 Forest Street property must be remediated in accordance with the laws of the State of Mississippi to protect the health and welfare of Ralph Williams and other individuals who are or may be in the future exposed to the hazardous substances. Also as a result of the contamination, Ralph Williams has paid more

than the fair rental value of the property he leases for which he is entitled to damages from all defendants except the Mississippi Department of Environmental Quality.

24. Further, as result of the contamination, Ralph Williams has been exposed to hazardous materials, has elevated PCBs in his blood above *background* level, and has suffered personal injury for which he should be compensated by all defendants except the Mississippi Department of Environmental Quality.

F. Plaintiff Orister Harris

25. Plaintiff Orister Harris owns real property located at 311 West Railroad Avenue North, Crystal Springs, Mississippi. Said property is contaminated with hazardous substances originating from the Kuhlman site.

26. The contamination was and is transported to Orister Harris' property from the Kuhlman site by storm water runoff, and by Kuhlman and Kuhlman Electric's past practices of spraying contaminated transformer oil in close proximity to Orister Harris' real property for dust control.

27. As a result of the contamination, Orister Harris' property must be remediated in accordance with the laws of the State of Mississippi to protect the health and welfare of Orister Harris and other individuals who are or may be in the future exposed to the hazardous substances. The actual physical harm to the property reduces the value of the Orister Harris' property for which she is entitled to recover monetary damages.

28. Further, as result of the contamination, Orister Harris has been exposed to hazardous materials, has elevated PCBs in her blood above background level, and has suffered personal injury for which she should be compensated by all defendants except the Mississippi Department of Environmental Quality.

G. Plaintiff Ruby Smith

29. Plaintiff Ruby Smith resides at and owns real property located at 302 McPherson Street, Crystal Springs, Mississippi. The property has not been tested to determine whether contamination is present. However, contaminated soils from the Kuhlman site were deposited on property adjacent to and upgradient from Ruby Smith's residence which, on information and belief, were transported by stormwater runoff or windblown dust to her property. The defendants allegedly have remediated the upgradient contamination but conducted no testing on Ms Smith's property. Ruby Smith reserves all rights to amend this Complaint to assert claims for property damage and dimunition of property value should testing indicate the presence of contaminants originating from the Kuhlman site.

30. As a result of exposure to Defendants' contamination, Ruby Smith has been exposed to hazardous materials, has elevated PCBs in her blood above background level, and has suffered personal injury for which she should be compensated by all defendants except the Mississippi Department of Environmental Quality.

H. Plaintiff Wanda Ward, Individually, and on Behalf of Roger Ward, Deceased

31. Plaintiff Wanda Ward resides at and owns property located at 100 Pearl Street, Crystal Springs, Mississippi. Said property has not been tested for contamination. Wanda Ward reserves all rights to amend this Complaint to assert claims for property damage and dimunition of property value should testing indicate the presence of contaminants originating from the Kuhlman site.

32. Plaintiff Wanda Ward files this her complaint on behalf of herself and as the surviving spouse of Roger Ward. Roger Ward, spouse of Plaintiff Wanda Ward, on information and belief was substantially exposed to hazardous substances originating from the Kuhlman facility. His

bodily exposure to Kuhlman and Kuhlman Electric's toxic emissions proximately caused or substantially contributed to his development of a rare type of cancer known as metastatic high grade extraskeletal sarcoma, from which he died May 4, 1999. Prior to exposure to said defendants' hazardous substances, Roger Ward was healthy and able bodied. Plaintiff Wanda Ward files her claim for damages against the defendants herein, and files this, her claim for loss of consortium, including loss of spousal services, society and companionship, as a result of the combined actions of the defendants as set forth herein.

33. Further, as result of the contamination in the immediate vicinity of Wanda Ward's home at 100 Pearl Street, Crystal Springs, Mississippi, she has been exposed to hazardous materials and suffers personal injury for which she should be compensated by defendants

I. Plaintiffs Dave Vinson and Bettye Vinson

34. Plaintiffs Dave Vinson and Bettye Vinson reside at and lease to purchase real property located at 407 North Jackson Street, Crystal Springs, Mississippi. Said property is contaminated with hazardous substances originating from the Kuhlman site. Testing conducted on said property to date indicates the presence of hazardous substances originating from the Kuhlman site at concentrations below the remediation standard imposed by defendant the Mississippi Department of Environmental Quality for residential property.

35. The contamination was and is transported to the Vinsons' property from the Kuhlman site by storm water runoff, and by Kuhlman and Kuhlman Electric's past practices of spraying contaminated transformer oil in close proximity to the Vinsons' real property for dust control.

36. As a result of the contamination and actual physical harm to the property, the Vinsons' property value has been diminished, for which they are entitled to recover monetary damages.

37. Further, as result of the contamination, the Vinsons have been exposed to hazardous materials and suffered personal injury for which they should be compensated by all defendants except the Mississippi Department of Environmental Quality.

J. Plaintiffs Harold Warren and Suzanne Warren

38. Plaintiffs Harold Warren and Suzanne Warren reside at and own real property located at 403 North Jackson Street, Crystal Springs, Mississippi. Said property is contaminated with hazardous substances originating from the Kuhlman site. Testing conducted on said property to date indicates the presence of hazardous substances originating from the Kuhlman site at concentrations below the remediation standard imposed by defendant the Mississippi Department of Environmental Quality for residential property.

39. The contamination was and is transported to the Warrens' property from the Kuhlman site by storm water runoff, and by Kuhlman and Kuhlman Electric's past practices of spraying contaminated transformer oil in close proximity to the Warrens' real property for dust control.

40. As a result of the contamination and actual physical harm to the property, the Warrens' property value has been diminished, for which they are entitled to recover monetary damages.

41. Additionally, the Warrens have had their property listed for sale for many months. The Warrens' western property line adjoins Kuhlman's eastern property line. Subsequent to the public disclosure of extremely hazardous and highly concentrated contamination on the Kuhlman site, and by agreement with defendant Mississippi Department of Environmental Quality, defendants Kuhlman, Kuhlman Electric, and BorgWarner, Inc. caused the Kuhlman site to be covered with a white plastic sheeting purportedly for the purpose of preventing or reducing continued off site contamination by storm water runoff and windblown dust.

42. Potential purchasers who have visited the Warrens' property have specifically inquired about the large expanse of white plastic covering the Kuhlman site and adjoining the Warrens' property. Upon being advised of purported purpose of the white plastic sheeting, prospective purchasers have declined to consider the Warrens' property for purchase. The Warrens believe that their property would have sold for unimpaired fair market value but for the presence of the contamination on their property and the adjoining Kuhlman site. Accordingly, the Warrens have and continue to suffer economic losses as a result of their inability to sell their property.

43. Further, as result of the contamination, the Warrens have been exposed to hazardous materials and suffered personal injury for which they should be compensated by all defendants except the Mississippi Department of Environmental Quality.

K. Plaintiff Bettie Kendrick

44. Plaintiff Bettie Kendrick resides at and rents property located at 108 Tucker Street, Crystal Springs, Mississippi. Said property is contaminated with hazardous substances originating from the Kuhlman site.

45. The contamination was and is transported to Bettie Kendrick's property from the Kuhlman site by storm water runoff.

46. As a result of the contamination, Bettie Kendrick's property must be remediated in accordance with the laws of the State of Mississippi to protect the health and welfare of Bettie Kendrick and other individuals who are or may be in the future exposed to the hazardous substances.

47. Also as a result of the contamination, Bettie Kendrick has paid more than the fair rental value of the property she leases for which she is entitled to damages from the Defendants.

48. As a result of exposure to Defendants' contamination, Bettie Kendrick has been exposed to hazardous materials, has elevated PCBs in her blood above background level, and has suffered personal injury for which she should be compensated by all defendants except the Mississippi Department of Environmental Quality

L. Robert P. Edwards, Moses Graham, Esther Terrell, Daniel Graham

49. Plaintiff Robert P. Edwards resides at 1112 n. Taylor, Oak Park, Illinois.

50. Plaintiff Moses Graham resides at 106 Tucker Street, Crystal Springs, Mississippi.

51. Plaintiff Esther Terrell resides at 105 Tucker Street, Crystal Springs, Mississippi.

52. Plaintiffs Robert P. Edwards, Moses Graham, Esther Terrell and Daniel Graham are heirs to the real property known as the Roberta Fitzgerald Estate, and each owns an undivided interest in the property. No probate estate has been opened for Roberta Fitzgerald, deceased. The estate property includes the house and lot at 108 Tucker Street, Crystal Springs, Mississippi, which is leased by Plaintiff Bettie Kendrick from the Estate.

53. The property located at 108 Tucker Street is contaminated with hazardous substances originating from the Kuhlman site.

54. The contamination was and is transported to 108 Tucker Street from the Kuhlman site by storm water runoff.

55. As a result of the contamination, the property at 108 Tucker Street must be remediated in accordance with the laws of the State of Mississippi to protect the health and welfare of the owners, the current lessee Plaintiff Bettie Kendrick, and other individuals who are or may be in the future exposed to the hazardous substances. The actual physical harm to the property reduces the value of Plaintiffs Robert P. Edwards, Moses Graham, Esther Terrell, and Daniel Graham's property for which they are entitled to recover monetary damages.

M. Plaintiff Daniel Graham

56. Plaintiff Daniel Graham resides at and owns real property located at 103 Tucker Street, Crystal Springs, Mississippi. The property has not been tested to determine whether contamination is present. Daniel Graham reserves all rights to amend this Complaint to assert claims for property damage and dimunition of property value should testing indicate the presence of contaminants originating from the Kuhlman site.

57. As a result of exposure to Defendants' contamination, Daniel Graham has been exposed to hazardous materials, has elevated PCBs in his blood above background level, and has suffered personal injury for which he should be compensated by all defendants except the Mississippi Department of Environmental Quality.

II.

DEFENDANTS

58. Defendant, KUHLMAN CORPORATION ("KUHLMAN"), a Michigan Corporation with its principal place of business in Lexington, Kentucky, which at one time was doing business in the State of Mississippi and may be served with Process in accordance with Rule 4 of Mississippi Rules of Civil Procedure.

59. Defendant, KUHLMAN ELECTRIC CORPORATION ("KUHLMAN ELECTRIC"), incorporated under the laws of the State of Delaware with its principal place of business in Versailles, Kentucky is registered to do business in Mississippi and is doing business in Mississippi. Its agent for Service of Process is C. T. Corporation, 631 Lakeland East Drive, Flowood, Mississippi 39208.

60. Defendant, BORG-WARNER, INC. ("BORG-WARNER"), incorporated under the laws of the State of Illinois with its principal place of business in Chicago, Illinois, is registered to do

business in Mississippi. Its agent for Service of Process is C. T. Corporation, 631 Lakeland East Drive, Flowood, Mississippi 39208.

61. Defendant, DAVID RODGERS ("RODGERS"), is an adult resident citizen of Copiah County, Mississippi, and may be served with process pursuant to Rule 4 of the Mississippi Rules of Civil Procedure at his home address at 4156 Six Mile Road, Crystal Springs, Mississippi 39059.

62. Defendant, MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY ("MDEQ"), a Political Subdivision of the State of Mississippi with its principal place of business in Jackson, Mississippi may be served with process through its Executive Director, Charles Chisolm, at 2380 Highway 80 West, Jackson, Mississippi 39204.

III.

VENUE AND JURISDICTION

63. The Court has jurisdiction over defendants Kuhlman Corporation, Kuhlman Electric Corporation, and Borg-Warner, Inc. as they are doing business in Mississippi, have committed a tort in whole or in part in Mississippi, and/or have continuing minimum contacts with the State of Mississippi.

64. The Court has jurisdiction over defendant David Rodgers because he is a resident of Mississippi and has committed a tort in whole or in part in Mississippi.

65. The Court also has jurisdiction over the controversy because the damages are above the minimal jurisdictional limits provided in M.C.A. § 9-7-81.

66. The Court has jurisdiction over defendant Mississippi Department of Environmental Quality because it is a political subdivision of the State of Mississippi, amenable to suit pursuant to M.C.A. § 11-46-1, *et seq.* Plaintiffs do not seek monetary damages from the Mississippi

Department of Environmental Quality and seek only injunctive relief as to said defendant. Pursuant to *Greyhound Welfare Foundation vs. Mississippi State University,* 736 So.2d 1048 (Miss. 1999), plaintiffs are not required to comply with the notice provisions of M.C.A. § 11-46-11.

67. Venue is proper in Copiah County, Mississippi, pursuant to M.C.A. § 11-11-3 as defendants Kuhlman and Kuhlman Electric committed torts in said county that proximately caused Plaintiffs to sustain injuries and damages occurring in Copiah County, Mississippi. Defendant BorgWarner is the contractual indemnitor of Kuhlman Electric for environmental contamination at issue in this action. Consequently, plaintiffs' causes of action accrued in Copiah County, Mississippi.

68. There is no basis for federal court jurisdiction over this matter. Plaintiffs have not pleaded nor do plaintiffs intend to plead any claim cognizable under federal law or any federal code, regulation, rule, statute, or otherwise. Moreover, there is no diversity of citizenship between plaintiffs and all defendants.

IV.

JOINDER OF PLAINTIFFS

69. Each of the plaintiffs' claims are joined in this action pursuant to Rule 20 M.R.C.P. in that (a) the plaintiffs assert a right or rights to relief in respect of, or arising out of the same transactions, occurrences or series of transactions or occurrences; (b) the plaintiffs assert questions of law and fact common to all of them which will arise in this action; (c) each of the plaintiffs need not be interested in obtaining all of the relief demanded; and (d) judgment may be given for one or more of the plaintiffs according to their respective rights.

70. This joinder is the only available way of handling a multiplicity of suits arising out of the same occurrence or as, in these cases, a series of transactions or occurrences. Such a joinder of matters arising out of a common theme and requiring synchronized discovery, pretrial proceedings and trial scheduling is further authorized under the laws of Mississippi *(Leaf River Forest Products, Inc. v. Deakle,* 661 So.2d 188 (Miss. 1995)), as well. This joinder, as permitted under Rule 20 M.R.C.P., will alleviate all parties from the expenditure of duplicative litigation costs, will facilitate judicial expediency and economy, and will coordinate, in a timely and organized fashion through established procedures, affording justice to all parties alike, as set forth in Rule 20 M.R.C.P.

71. Therefore, under Rule 20 M.R.C.P., this action is properly brought in this Court.

V.

BACKGROUND

72. In the early 1950's the Kuhlman Corporation began operating a facility to manufacture electrical transformers in Crystal Springs, Copiah County, Mississippi. Subsequently in the 1990's the Kuhlman Corporation was merged with Kuhlman Electric Corporation. Kuhlman Electric Corporation still presently operates the facility. Kuhlman Electric Corporation or its predecessor Kuhlman Corporation continued to own and operate this plant up until March 1, 1999, when it was purchased by Borg-Warner Inc. Borg-Warner, Inc. purchased the parent company of Kuhlman Electric Corporation, that being Kuhlman Corporation, on October 5, 1999. Borg-Warner then sold Kuhlman Electric Corporation stock to The Carlyle Group. Borg-Warner provided an indemnity to Kuhlman Electric Corporation and The Carlyle Group covering pre-closing environmental matters at the plant site.

73. Kuhlman Electric Corporation manufactures electrical transformers of various sizes with fabrication of said transformers occurring on site. The transformers are built on a work order basis and require approximately forty-eight months to build.

74. Raw materials that are utilized in the manufacture of transformers are steel, aluminum, copper wire, copper strips, and hard cardboard referred to as T-4 cardboard. Various transformer oils have been used in the manufacturing processes since the facility began operations.

75. Silicon steel plates are cut to specifications and welded together to form the transformer tank body. The tanks and parts are then rinsed with mineral spirits to remove any grit from their surfaces. The tanks and parts are allowed to dry over a sump.

76. The T-4 cardboard is laid out and sprayed with water hoses to make it pliable. The damp cardboard is run through a former to form a cylinder. String is then used to hold the cylinder shape until the edges are glued together and the cylinder can be dried in an oven. The next step in the process of making a transformer is that coils of copper or aluminum are wound around the cylinder. Once the coils are completed a bolt is place through the cylinder and compressed to specification. The coils are then placed in an oven to remove moisture and then are removed to a vacuum where the coils are placed in mineral oil. The coils are then placed on a grate where they are allowed to drip dry and then are placed in the transformer body. The transformer body is next placed in a vacuum, filled with hot oil and left in the vacuum for twenty-four hours.

77. From approximately 1951 until approximately 1977, Kuhlman Electric Corporation purchased from various suppliers for use in its manufacturing processes, transformer oils that contained polychlorinated biphenols (PCB's). PCB's were added to the oil due to the low conductivity and insulating properties of PCB's. In approximately 1976, PCB's were banned

due to the extremely toxic and hazardous characteristics of the substance and the availability of less dangerous alternatives. From 1976 until approximately 1990, Kuhlman Electric Corporation continued to refurbish and repair transformers containing PCB's at the plant.

78. Between approximately 1951 and 1977, Kuhlman and Kuhlman Electric improperly and negligently disposed of waste transformer oil containing PCB's by burying and surface deposition of the oil at its plant site in Crystal Springs, Mississippi. Kuhlman and Kuhlman Electric also improperly disposed of contaminated waste transformer oil by spraying it for dust suppression, causing drifts of contaminated oil to leave the Kuhlman property.

79. On information and belief, after 1976 Kuhlman Electric Corporation continued to improperly dispose of PCB wastes at its plant site, despite its knowledge of the hazardous and toxic nature of the chemicals. Despite knowledge, Kuhlman Electric Corporation failed to remediate its property, which it knew was contaminated with PCB's, or to inform any governmental agency.

80. On April 21, 2000, Kuhlman Electric Corporation informed Borg-Warner Inc. that PCB contamination was discovered at the facility during preparation for a plant expansion. Pursuant to its indemnity agreement with Kuhlman Electric, Borg-Warner hired environmental consultants on May 8, 2000, to investigate the site and determine the extent of contamination. The Mississippi Department of Environmental Quality was notified by Borg-Warner and Kuhlman Electric Corporation that there was contamination on site. Subsequent laboratory samples collected of this substance revealed the presence of PCB's and several other toxic and hazardous contaminants.

81. Borg-Warner's initial investigation showed that surface run off from the site impacted neighboring residential and commercial properties, a drainage ditch leading to Lake Chautauqua,

has been impacted as well as Lake Chautauqua itself. The Mississippi Department of Environmental Quality sampled several species of fish in Lake Chautauqua and determined they contained PCB's from the site. The lake has been and remains closed to fishing to protect human health. The Plaintiffs herein have consumed fish from the contaminated lake for many years, thereby unknowingly ingesting PCB contamination.

82. Defendant, Borg-Warner has maintained control over the environmental testing and remediation of the Kuhlman facility and the impacted area pursuant to its indemnification agreement. Plaintiffs are third party beneficiaries of said indemnification agreement.

83. The Defendant Mississippi Department of Environmental Quality and its predecessors were and are negligent in failing to discover, delineate, and mandate expeditious clean up of the contamination. The Mississippi Department of Environmental Quality is further negligent in accepting at face value the environmental documentation filings of the Defendants and/or negligent in failing to investigate indications of contamination contained in the documentation filings of the Defendants.

84. The Defendant Mississippi Department of Environmental Quality is negligent for failing to conduct an independent assessment, an independent health survey, independent air monitoring and/or to employ other methods to determine the past, present and future harm to the Plaintiffs' persons, their properties, both real and personal, as well as the surrounding public resulting from Kuhlman and Kuhlman Electric's hazardous contamination.

85. The Defendant, David Rodgers, was and is an independent contractor to Kuhlman Corporation, Kuhlman Electric Corporation and/or Borg-Warner, who hauled contaminated soils from the site and deposited them on Plaintiffs' properties as described more fully herein.

86. As a result of Defendants' acts, Plaintiffs have been exposed to hazardous contamination which has proximately caused damage to their persons and property. As a result of the Defendants' acts and omissions, Plaintiffs have experienced health problems including, but not limiting to, elevated PCBs in their blood and bodies above background level, headaches, vomiting, dizziness, coughing, breathing and eye irritation, nose bleeds, skin rashes, and, in some cases, cancer. All of the Plaintiffs named herein have been exposed to the contamination.

VI.

COUNT ONE - NEGLIGENCE

87. The Plaintiffs reassert and reallege all previous allegations set forth herein.

88. Since commencing operations at the facility which continue as of the date of the filing of this lawsuit, Defendant companies, Kuhlman, Kuhlman Electric and Borg-Warner, owe and at all relevant times owed a duty of reasonable care to the Plaintiffs. Plaintiffs are reasonably foreseeable victims of the dissemination of contaminants off site, of which Defendants have been aware for years. The Defendants, their officers, agents, and employees knew or should have known with the exercise of reasonable care that the transformer operation and hazardous waste disposal practices of Kuhlman and Kuhlman Electric emitted and is emitting toxic substances and particulates which were and are running off, through and gathering on the Plaintiffs' properties and surface waters, or with the exercise of reasonable care should have known that such emissions would injure the health of the persons living near the plant and the contaminated areas, including the Plaintiffs and other members of the public nearby.

89. At all times since this plant commenced operation, the Defendants have failed to use due care to avoid injuring the Plaintiffs herein. Furthermore, the contamination, the disposal of waste, and accumulation of contaminants on the Plaintiffs' properties could have been and can

be eliminated or substantially reduced by the exercise of reasonable care, proper abatement, remediation, the installation of effective treatment plants, and/or pollution control systems.

90. As a direct and proximate result of the negligent acts and omissions of the Defendants and their employees, agents and representatives, the Plaintiffs have suffered personal injuries. Actual damages should be awarded to the Plaintiffs for all injuries caused by the negligence acts of the Defendants, Kuhlman Corporation, Kuhlman Electric Corporation, Borg-Warner, Inc., and David Rodgers.

91. The Plaintiffs do not seek any monetary damages against the Mississippi Department of Environmental Quality; they seek only injunctive relief. In addition, since actual monetary damages cannot adequately compensate the Plaintiffs for past, existing and future injuries to their health, Plaintiffs have no adequate remedy at law and are entitled to the injunctive relief as stated more fully hereinafter.

VII.

COUNT TWO - GROSS NEGLIGENCE

92. Plaintiffs repeat, reassert and reallege each and every allegation contained herein and above.

93. The failure of Kuhlman, Kuhlman Electric, and BorgWarner, their officers, agents and employees to prevent the contaminants from migrating offsite and accumulating on the Plaintiffs' properties, continuing to dispose of waste onto the ground, in surface waters, into the air, causing contaminated soils to be removed from the Kuhlman facility and deposited on the Plaintiffs' properties, and failing to properly and expeditiously abate and remediate the contamination of their land constitutes gross neglect which exhibits a willful, wanton and

reckless disregard for the safety, health and property rights of the Plaintiffs herein and of those living in the vicinity of the plant.

94. As a direct and proximate result of the gross negligence and/or willful and wanton acts and/or reckless disregard of Kuhlman, Kuhlman Electric, BorgWarner, and Rodgers the Plaintiffs have suffered and continue to suffer personal injury and property damage. Said Defendants' gross negligence, willful and wanton acts and/or reckless disregard, and violation of Mississippi statutes entitle the Plaintiffs to punitive damages against each Defendant, except the Mississippi Department of Environmental Quality, and in such a sum as to punish the Defendants and to deter the Defendants, Kuhlman, Kuhlman Electric, Borg-Warner, and Rodgers from engaging in such irresponsible and dangerous activities.

VIII.

COUNT THREE - NEGLIGENCE PER SE

95. Plaintiffs repeat, reassert and reallege each and every allegation set forth herein above.

96. As an alternative ground for relief, Plaintiffs assert a cause of negligence per se.

97. Defendants Kuhlman, Kuhlman Electric, Borg-Warner, Inc., and Rodgers' failure to cease the disposal of contaminates into the environment, to properly report their violations, to properly remediate soil contamination at the Kuhlman site and offsite, and to prevent the offsite migration of contamination is in violation of state law, specifically M.C.A. §§17-17-1 et seq. and 49-17-1, *et seq*. Said laws are designed to protect the class of individuals of which the Plaintiffs are members from the precise type of harm suffered by Plaintiffs as a proximate result of Defendants' violations of said laws.

IX.

COUNT FOUR - PRIVATE NUISANCE

98. Defendants' acts and omissions described herein have and continue to interfere with Plaintiffs' property interests and their use, enjoyment, and peaceful occupation of their properties. Plaintiffs cannot engage in their customary activities such as vegetable and flower gardening, landscaping, and similar activities due to the hazardous contamination of the soils on their premises. Plaintiffs must restrict their own outdoor activities and their children's outdoor activities in contaminated areas, including their residential yards, to reduce and/or avoid exposure to the hazardous wastes that have and continue to invade their properties. Plaintiffs can no longer fish in Lake Chautauqua as the lake and the fish in the lake are dangerously contaminated by the Defendants' toxic wastes. Plaintiffs can no longer consume crawfish from Lake Chautauqua or the creek that flows from the Kuhlman facility to Lake Chautauqua for fear that the crawfish have been contaminated by the Defendants' toxic pollution. Plaintiffs can no longer use the creek or allow their children to play in it due to its contamination by Defendants' pollution. Plaintiffs suffer great emotional distress caused by having to live on contaminated property and in such close proximity to the Kuhlman facility.

99. Defendants' ongoing interference with Plaintiffs' use and enjoyment of their properties is intentional and unreasonable in that Defendants are aware of the locations and concentrations of contamination originating from the Kuhlman facility but have failed to remediate locations where contamination exceeds regulatory levels. Defendants' past interference with Plaintiffs' use and enjoyment of their properties was either intentional or so grossly negligent and reckless and/or abnormally dangerous as to constitute intentional interference with Plaintiffs' property rights.

100. Accordingly, Plaintiffs are entitled to damages for private nuisance resulting from Defendants' conduct.

X.

COUNT FIVE – PUBLIC NUISANCE

101. Plaintiffs repeat, reassert and reallege every allegation contained herein above.

102. As a further and alternative ground for relief, plaintiffs assert a cause of action for public nuisance.

103. As a result of an act of the Public Trust Doctrine, the air above the State and water below the ground was ceded to the State to be held in an irrevocable trust for the benefit of the public. Plaintiffs are among the beneficiaries of that trust. The Defendants' pollution of the soil and surface waters as part of a scheme to dispose of hazardous, industrial waste and toxic materials wrongfully damages the assets of the trust for an improper, private purpose and is the proximate cause of the Plaintiffs' injuries and damages. Defendants' plant operations and waste disposal practices therefore constitute a public nuisance. Because of Plaintiffs' unique, close proximity to the plant and their suffering of personal injuries and property damage which are direct results of the plaint's operation, unlike the community at large, Plaintiffs are entitled to bring this action for public nuisance.

XI.

COUNT SIX - TRESPASS

104. Defendants have caused toxic pollutants to escape the Kuhlman facility through, *inter alia,* stormwater runoff, by spraying transformer oils for dust control, by removal of contaminated soils from the Kuhlman site and deposition of those soils on Plaintiffs' properties and/or properties located near Plaintiffs' properties. The damages to Plaintiffs' properties is

solely, directly, and proximately caused by a trespass by the Defendants and each of them, with the exception of the Mississippi Department of Environmental Quality. Plaintiffs are entitled to recover damages from Defendants Kuhlman, Kuhlman Electric, and Rodgers for Plaintiffs' pecuniary losses resulting from the trespass.

XI.

COUNT SEVEN - STRICT LIABILITY

100. Plaintiffs repeat, reassert and reallege each and every allegation contained herein above.

101. As a further and alternative ground for relief, Plaintiffs assert a cause of action for strict liability pursuant to 403(a) of the RESTATEMENT (SECOND) OF TORTS and pursuant to M.C.A. § 11-1-63 (Supp. 1994).

102. The manufacturing processes, materials, and hazardous waste disposal practices employed by Defendants Kuhlman, Kuhlman Electric and Rodgers, are ultra hazardous in that they produce and release into the environment substances and chemicals and other hazardous materials. The processes used by said Defendants are defectively designed and unreasonably dangerous to the persons living in close proximity to the plant, particularly the Plaintiffs herein. The Defendants knew, or in light of the reasonable, available knowledge or the exercise of reasonable care should have known, the unreasonable dangers caused by their processes and practices. Such hazardous substances escaping into the environment endanger the lives and health of persons breathing the air and being exposed to the contaminants even if those in charge of these processes and practices attempt the exercise with the utmost care to prevent such releases.

103. The Defendants, therefore, are strictly liable pursuant to 403(a) of the RESTATEMENT (SECOND) OF TORTS and M. C. A. § 11-1-63 (Supp. 1994) to the Plaintiffs for the injuries inflicted on them by the Defendants' dangerous instrumentalities, transformer operations, and waste disposal practices in furtherance of the Defendants' ultra hazardous activities.

XII.

COUNT EIGHT - FAILURE TO WARN

104. Plaintiffs repeat, reassert and reallege each and every allegation contained herein above.

105. The Defendants failed to warn the Plaintiffs concerning all dangers related to its manufacturing and/or processes, the way byproducts were produced, handling of hazardous wastes upon property in close proximity to the plant, and off site deposition of contaminated soils from the plant site. Specifically, the Defendants failed to provide the Plaintiffs, other persons similarly situated, and the public at large with warnings of all dangers inherent in the production of its byproducts and its manufacturing process and that hazardous wastes were traveling through and accumulating on property in close proximity to the plant which was not within the knowledge of or obvious to the ordinary person. These dangers include the fact that the Defendant companies' manufacturing processes, procedures, equipment, byproducts and/or designs were and are highly dangerous to the health of the persons exposed to them in they caused or contributed to the development of a wide variety of injuries and damages. Additionally, Defendants failed to provide Plaintiffs with knowledge as to what would be reasonably safe and sufficient protection if, in truth, there was any, to protect them from harm and/or life threatening injury as a result of their exposure to the byproducts and/or manufacturing

processes and/or hazardous wastes which emanated from the plant and traveled through and accumulated on property and surface waters in close proximity to the plant.

106. Defendants have negligently and recklessly failed and refused to warn and advise the Plaintiffs, others similarly situated and the public at large, of the dangers caused by Plaintiffs' past and present exposure to defective byproducts, manufacturing processes and/or emissions and releases of the Defendants, and which Defendants knew or should have known endangered the Plaintiffs and invaded the Plaintiffs' soil and/or breathing zone and/or bodies.

107. Despite such knowledge, Defendants refused to warn and advise of the dangers, caused by the byproducts, manufacturing processes and/or emissions which emitted from, traveled through and/or accumulated on their respective properties, to the health and welfare of persons coming into contact with such. Moreover, despite Defendants' knowledge that dangerous byproducts, manufacturing processes, and/or toxic emissions traveled through and accumulated on Plaintiffs' respective properties where the Plaintiffs were required to live and work, the Defendants have failed to warn Plaintiffs.

108. Defendants' failure to warn and intentional misrepresentation took place before, during, and after the Plaintiffs were exposed to the byproducts, manufacturing processes, wastes and/or emissions which emitted from, traveled through and/or accumulated on their respective properties. Defendants' breach of duty to warn Plaintiffs of the dangers posed by their exposure to said contaminants are the proximate cause or a substantial contributing cause of Plaintiffs' damages.

XIII.

COUNT NINE - FAILURE TO USE ALTERNATIVE PROCESSES

109. Since the Defendants as owners and/or users of PCB's, chlorinated benzene, and other hazardous and toxic materials known to be carcinogens, the Defendants are held to the knowledge of an expert. They are required by law to keep abreast of scientific knowledge, discoveries, and advances in processes. Defendants could have years ago created sumps, pumps, ground containment systems in the various process areas or drainage areas to prevent the migration of any hazardous material offsite and particularly the ditches that led offsite.

110. Furthermore, once the contamination was detected, the Defendants could have opted for one of many methods of containment known throughout the industry as far back as the early 1970s including, but not limited to, slurry walls, French drains or one of many other methods which would have prevented the hazardous material from going offsite. As a result of this failure to use safer, available, alternate processes, the Plaintiffs have been injured.

XIV.

COUNT TEN - INTENTIONAL TORT OF FRAUDULENT MISREPRESENTATION CAUSING PHYSICAL HARM

111. The Defendants, their executive officers, agents and employees have a duty to disclose and properly represent to the Plaintiffs and others in the surrounding area the danger associated with exposure to the hazardous substances emitted from the Kuhlman Electric Corporation facility which traveled across and/or accumulated on their property and the true medical and scientific consequences to the Plaintiffs resulting from exposure to said substances. The Defendants knew the propensity for cancer and other diseases, as well as other adverse health effects, resulting from exposure to PCB's, chlorinated benzene, other byproducts of the processes and other hazardous substances, all of which are carcinogens, but never disclosed to

the Plaintiffs any of this information and fraudulently misrepresented all of this information to the Plaintiffs although such information was and is particularly within the knowledge of the Defendants.

112. Because of the fraudulent misrepresentation and/or non-disclosure by the Defendants, the Plaintiffs justifiably continue to live in the vicinity of the Kuhlman Electric Corporation facility and have relied on the misconception that they were not being harmed or damaged by exposure to the chemical emissions and releases from the Kuhlman Electric Corporation plant. As a result of this non-disclosure and/or this fraudulent misrepresentation, the Plaintiffs have been injured.

XV.

COUNT ELEVEN - INTENTIONAL TORT OF OUTRAGE

113. Plaintiffs repeat, reassert and reallege each and every allegation contained herein above.

114. The previously described negligent and intentional acts committed by the Defendants in their failure to disseminate medical and scientific information concerning the true nature of the hazards associated with exposure to the contaminants which emitted from, traveled through and/or accumulated on their respective properties, together with their knowledge that the Plaintiffs, other persons similarly situated and the public at large, were required to work and live in an environment polluted by toxic emissions from the Defendants' facility, is so egregious as to shock the conscience of a reasonable person and the public at large, thereby constituting the intentional tort of outrage for which Plaintiffs should be compensated.

XVI.

DAMAGES

115. As a direct and proximate result of the aforesaid acts and omissions of the Defendants, the Plaintiffs have suffered the following injuries and are entitled to recover and seek to recover from the Defendants, except the Mississippi Department of Environmental Quality, the following damages pursuant to each or any one of the causes of action stated above:

(1) Damages for Plaintiffs' emotional distress, anxiety, fear, aggravation and inconvenience that have been caused by concern about their exposure to contamination;

(2) Damages for the personal injuries to Plaintiffs including, but not limited to, any illness, cancer, or bodily disruption resulting from the exposure to the contaminants emanated through the storm water run off or air by the Defendants; and

(3) Plaintiff homeowners and property owners have lost benefits of their agreement for the purchase of suitable homes and previously desirable properties, have lost monies spent on improving their homes and properties, have lost or experience a dimunition in the appreciation that they would have experienced had their homes and properties not been contaminated with hazardous substances originating at the Kuhlman site, have lost the benefit of monies paid on their mortgages, have lost some or all of the value of their down-payments, and have spent and will continue to spend a period of time having to live in close proximity to the Kuhlman site which contains toxic wastes and the pollution emanating from it.

(4) All other actual and/or consequential damages flowing from personal injury and property damage.

117. Plaintiffs further request punitive damages against Defendants, excepting the Mississippi Department of Environmental Quality, for their wanton, willful and reckless

disregard for the health and welfare of the Plaintiffs and gross negligence in damaging Plaintiffs' persons and properties for all the reasons stated hereinabove. The acts of omission and commission of Kuhlman, Kuhlman Electric, Borg-Warner, Inc., and Rodgers were and are so grossly negligent as to entitle each Plaintiff to recovery of punitive damages of and from each of said defendants in an amount sufficient to punish them for their egregious acts and to deter them and others similarly situated from such conduct in the future.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs demand judgment against all Defendants, both jointly and severally, except the Mississippi Department of Environmental Quality, in an amount that will adequately compensate them for their actual and consequential damages described herein. In addition, Plaintiffs seek punitive damages against all Defendants, except the Mississippi Department of Environmental Quality, in an amount to be set by jury to punish Defendants and deter others from engaging in similar wrongful acts and omissions. Plaintiffs seek pre-judgment and post-judgment interest, costs and reasonable attorneys' fees assessed against all Defendants, except the Mississippi Department of Environmental Quality.

Plaintiffs respectfully request the Court issue a mandatory injunction against the Mississippi Department of Environmental Quality ordering it to enforce the various state regulations and laws applicable to Kuhlman Corporation, Kuhlman Electric Corporation, Borg-Warner, Inc., and David Rodgers and require that it assess, remediate and remove all contaminated soils and surface waters to which Plaintiffs are being exposed. It is further requested that the Court issue a mandatory injunction to the Mississippi Department of Environmental Quality ordering Kuhlman Electric Corporation to cease and desist disposing of contaminated waters and hazardous materials into the ditches and grounds and air without the

proper discharge permits or hazardous waste discharge permits or any other type of regulation therein.

Plaintiffs additionally pray for such other and further relief to which they may show themselves justly entitled in the premises.

Respectfully submitted,

PAUL KELLUM; PAULA KELLUM; JOHN EDWARDS; DOROTHY EDWARDS; BEULAH SOJOURNER; HAROLD WARREN; SUZANNE WARREN; PAULETTE WELCH; RALPH WILLIAMS; BETTIE KENDRICK; ORISTER HARRIS; RUBY SMITH; WANDA WARD, individually and on behalf of ROGER L. WARD, deceased; DAVE VINSON; BETTYE VINSON; and ROBERT P. EDWARDS, MOSES GRAHAM, ESTHER TERRELL as heirs of the FITZGERALD ESTATE and DANIEL GRAHAM, individually and as an heir of the FITZGERALD ESTATE

THE PLAINTIFFS

BY: Mary E. McAlister
MARY E. McALISTER

ATTORNEYS FOR PLAINTIFFS:

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banks. MS AG Op., Hancock (May 25, 1989). Since the storm drain and **drainage** ditch with a concrete culvert are artificial channels rather than natural watercourses, Section 21-19-13 does not provide authority for the governing authorities to perform work on these structures on private property.

We have also previously stated that the governing authorities of a municipality may perform work on private property adjacent to the city right-of-way with the permission of the landowner to correct unsafe conditions or to alleviate erosion or flooding which were directly caused by the way in which the municipality drained the city streets. MS AG Op., Brabham (April 27, 1995). The purpose of performing **drainage** work on private property must be for mitigation of damages; governing authorities may not perform **drainage** work on private property adjacent to the right-of-way as a service to the private property owner. MS AG Op., Moore (November 15, 1996).

We do not find authority for municipal governing authorities to perform work on storm drains, **drainage** ditches, culverts or other artificial channels at a remote location from the right-of-way to alleviate flooding, erosion or other **drainage** problems for the benefit of private property owners. See also MS AG Op., Rohman (June 7, 1996)(dedication of easement by developer does not provide authority for municipality to perform work on private property to benefit property owners).

If we may be of any further assistance, please let us know.

Sincerely,

Mike Moore

Attorney General

Alice D. Wise

Special Assistant Attorney General

FILE COPY

CITY OF CRYSTAL SPRINGS
P.O. BOX 473
210 EAST RAILROAD AVE.
CRYSTAL SPRINGS, MS 39059

FAX COVER SHEET

DATE: 5/9/01 **TIME:** _____

TO: Gretchen **PHONE:** _____

FAX: 9601-5300

FROM: Hugh Webb **PHONE:** 601/892-1210
CITY OF CRYSTAL SPGS **FAX:** 601/892-4870

RE: _____

Number of pages including cover sheet: 6

Message

_____

_____

_____

_____

FAX to
Gretchen Zmitrovic
961-5300

City of Crystal Springs

April 4, 2001

Honorable Mike Moore
Attorney General of State of Mississippi
P. O. Box 220
Jackson, MS 39205-0220

Re: **Major Drainage Easements**
Contaminants-right to enter and remove

Dear Attorney General Moore:

As City Attorney for the City of Crystal Springs, Mississippi, I am requesting opinions on the following facts and questions.

Facts:

An industry located in the City of Crystal Springs, Mississippi has accidentally released PCB contaminants onto the industry's property which has in turn been released from the site into a major drainage way and stream through the City of Crystal Springs. This drainage way is not located within a street or highway right of way. The drainage way is not an artificial or man-made channel. The major drainage way and stream is located on privately owned, non-platted property and is not owned by the City and the City does not have an easement to perform any work in the drainage way. The drainage way and stream empties into a City owned lake. The only rights of the City, if any, to the drainage way and stream the is statutory right to establish, change, or alter channels of streams or other water courses granted under Section 21-19-13 MCA.

The industry has begun a process of the testing and remediation of the contaminants along and in the major drainage way and stream. The industry has inquired about any collateral assistance the City may give to the clean up effort in the drainage way and stream. The collateral assistance would include removal and disposal of any extraneous matter in the stream such as tires, refrigerators, limbs, trash, etc. This matter is not in litigation.

COPY

Questions:

#1. Does the City have any right to enter the property to perform any work in the drainageway

and stream such as removing debris prior to the industry testing for PBC contamination without the express written consent of the land owner of the property?

#2. If the answer to question #1 is affirmative, does the City have any authority to assign to the industry any such the right of entry the City may have to enable testing, removal of debris and remediation of the property?

#3. If the answer to question #1 is negative, if the industry obtains permission from the property owner to enter for testing and remediation, does the City have any obligation to remove any of the debris located in the stream or drainage way?

#4 The remediation work to be performed by the industry may involve the creation of an artificial channel or drainage on the private property. After completion of the work, in the even an artificial channel is created will the City have any rights to enter the drainage way in the future?

Research References:

Section 21-19-13 MCA
Prior A/G opinion to Snowden 1996-WL 744754 (12/13/1996)

Sincerely

Robert W. Lawrence
City Attorney
www.cityofcrystalspringsms.com

by Section 21-19-11 on private property. Op. Atty.Gen. No. 96-0467, Trice, Aug. 30, 1996.

§ 21-19-13. Water courses, bridges, drainage

The governing authorities of municipalities shall have the power to establish, alter and change the channels of streams or other water courses, and to bridge the same, whenever so to do will promote the health, comfort and convenience of the inhabitants of such municipality. However, when the cost thereof will exceed an amount equal to one-fourth of the taxes of the preceding year levied for general revenue purposes, the work shall not be authorized until the ordinance providing therefor shall be submitted to and ratified by a majority of the legal voters of the municipality. Whenever a majority of the legal voters of any municipality shall authorize the work as aforesaid, the bonds to raise money for such work shall be issued by such municipality in accordance with the provisions of this title.

The governing authorities of any municipality with a population of one hundred fifty thousand (150,000) or more according to the most recent federal census shall also have the power and authority to incur costs and pay necessary expenses in providing labor, materials and supplies to clean or clear drainage ditches, creeks or channels, whether on public or private property, and to incur costs and pay necessary expenses in providing labor, materials and supplies in order to prevent erosion where such erosion has been caused or will be caused by such drainage ditches, creeks or channels. This paragraph shall not impose any obligation or duty upon the municipality and shall not create any additional rights for the benefit of any owner of public or private property.

Laws 1950, Ch. 491, § 122; Laws 1990, Ch. 308, § 1, eff. from and after passage (approved March 1, 1990).

Historical and Statutory Notes

Derivation:
Code 1930, § 2404; Code 1942, § 3374-122.

Cross References

Bridge commission created for certain cases, see § 65-25-43.
Eminent domain exercised by municipality, see § 21-37-47.
Flood and drainage control districts organized, see § 51-35-301.

Library References

Key Numbers
Drains ⇐9.
WESTLAW Topic No. 137.

Encyclopedias
C.J.S. Drains §§ 3, 8.

Notes of Decisions

In general 1
Bridges 4
Culvert 2
Private property 5
Water course 3

1. In general

Under Code 1906, § 3327, a city organized under Code 1906, §§ 3299-3446, had no authority to issue bonds to construct a wharf as part of an improvement for which the appropriated funds on condition erect a wharf. City of Pascagou (Miss. 1914) 106 Miss. 91, 66 So. pal Corporations ⇐ 911

The governing authorities of the Lake Shores may repair the sp stream fed lake in the municipality mine on the minutes, consistent v ject to a review by a court of comp tion that the work will promote comfort and convenience of the Op.Atty.Gen. No. 98-0469, Chile 1998.

2. Culvert

Construction of culvert to drain channel within law relating to voters in such cases (Hemingway § 6763). Scranton-Pascagoula I City of Pascagoula (Miss. 1930) 128 So. 73. Municipal Corpora

City had right to construct culv developed street without consent and abutting landowners. Scranto Realty Co. v. City of Pascagoula 157 Miss. 498, 128 So. 73. Munic tions ⇐ 280(1)

3. Water course

Bayou with channel and well- was "water course" within stat ratification by voters of alteration municipality (Hemingway's Code Scranton-Pascagoula Realty Co. v cagoula (Miss. 1930) 157 Miss. 49 Municipal Corporations ⇐ 279

Artificial channel serving princi original channel for period of pr comes "water course." Scrant Realty Co. v. City of Pascagoula 157 Miss. 498, 128 So. 73. Wate Courses ⇐ 168

The authority conferred by Sec applies only to streams and wate not to drains and artificial chann by case law. The municipality drainage work on streams or w the work will promote the health convenience of the inhabitants of pality; and, work authorized by be performed regardless of the habitants who will have their h or convenience promoted. Op. cock, May 25, 1959.

If a site needing work is a wa the property owners give consen may perform work under 21- easement has to be given; however a drain as defined by caselaw t sent to perform work, such as "temporary easement" will not

1996 WL 744754, MR. GREG SNOWDEN, December 13, 1996

Office of the Attorney General

State of Mississippi

Opinion No. 96-0830

December 13, 1996

Re. Municipality's authority to conduct work on private property on **drainage** ditch

Mr. Greg Snowden

P. O. Box 3857

Meridian, Mississippi 39303-3857

Dear Mr. Snowden:

Attorney General Mike Moore has received your recent letter on behalf of the City of Meridian and has asked me to respond. Your question concerns the authority of a municipality to perform work on private property on a **drainage** ditch to alleviate flooding problems on the property of several businesses. In your letter you state that water drains off two state highways in the City of Meridian, Highway 45 North and Highway 39 Bypass into a storm drain, then into a **drainage** ditch on property owned by the ICG Railroad and finally into a large creek. You state that the culvert in the **drainage** ditch may be too high and that the ditch is clogged by sediment and vegetation. You ask the following question:

May the City lawfully perform work on private property to alleviate flooding caused from waters draining off of a **major** highway intersection situated within the City?

For purposes of your answer to the City of Meridian's inquiry, you may assume the following:

1. Proper easements or other lawful permission will be obtained from all affected property owners;

2. The waters that are the immediate source of the flooding are runoff waters from **major** public thoroughfares (albeit state highways; not City streets per se);

3. The waters themselves drain well away from the highways, and there is no resulting traffic hazard on any public roadway caused by the flooding;

4. The flooding now occurring presently has a definite negative impact upon the business of one private commercial establishment, and potentially affects adversely the property and business of at least two other private commercial enterprises;

5. There is no apparent near-term erosion threat present, but there is an imminent danger of flood waters entering the buildings of one private owner, and the perhaps longer term but real threat that the buildings of at least two other private businesses will be subject to some flooding if the existing problem is not alleviated;

6. Although not wishing to overstate health or safety issues, it is a fact that the **drainage** ditch is severely overgrown, and that some of the property owners have noted an existing snake and rodent problem with respect to the ditch;

7. The corrective work to be performed by the City would be performed entirely on private property, and with respect to a presumably natural water course (the **drainage** ditch), and not with respect to any man-made channel (the concrete gully), excepting that some work may have to be undertaken in connection with the (obviously) man-made culvert situated within the (natural) **drainage** ditch at or near the Long's Wholesale building.

We have previously stated by prior opinion that a municipality may perform work on private property under Section 21-19-13 if the site is a watercourse and not an artificial channel, if the work will promote the health, comfort and convenience of the inhabitants of the municipality and if the property owners give consent. An artificial channel is a drain, and a water course is a natural channel with well defined bed and

Copy
Bill Owens
Bill Stuart

FILE COPY

STATE OF MISSISSIPPI

OFFICE OF THE ATTORNEY GENERAL

MIKE MOORE
ATTORNEY GENERAL

OPINIONS
DIVISION

April 23, 2001

Robert L. Lawrence
City Attorney for Crystal Springs
Post Office Box 473
Crystal Springs, Mississippi 39059

Re: Right of Municipality to Enter Drainage Way for Removal of Contaminants

Dear Mr. Lawrence:

OFFICIAL OPINION

Attorney General Mike Moore has received your request for an opinion and has assigned it to me for research and response. You present the following facts:

> An industry located in the City of Crystal Springs, Mississippi, has accidentally released PCB contaminants onto the industry's property, which has in turn been released from the site into a major drainage way and stream through the City of Crystal Springs. This drainage way is not located within a street or highway right-of-way. The drainage way is not an artificial or man-made channel. The major drainage way and stream is located on privately owned, non-platted property and is not owned by the City and the City does not have an easement to perform any work in the drainage way. The drainage way and stream empty into a City owned lake. The only rights of the City, if any, to the drainage way and stream is the statutory right to establish, change or alter channels or streams or other water courses granted under Section 21-19-13 MCA.

The industry has begun a process of the testing and remediation of the contaminants along and in the major drainage way and stream. The industry has inquired about any collateral assistance the City may give to the clean up effort in the drainage way and stream. The collateral assistance would include removal and disposal of any extraneous matter in the stream such as tires, refrigerators, limbs, trash, etc. This matter is not in litigation.

You then present to us four questions, each of which will be addressed in turn.

1. Does the City have the right to enter the property to perform any work in the drainage way and stream such as removing debris prior to the industry testing for PCB contamination without express written consent of the land owner of the property?

No. Prior to performing any work on private property, the municipal governing authorities must have, at a minimum, acquired permission from the property owners to enter onto the property.

2. If the answer to question 1 is affirmative, does the City have any authority to assign to the industry any such right of entry the City may have to enable testing, removal of debris and remediation of the property?

Please see response to Question 1.

3. If the answer to question 1 is negative, if the industry obtains permission from the property owner to enter for testing and remediation, does the City have any obligation to remove any debris located in the stream or drainage way?

The City has no obligation to remove debris located in the stream or drainage way for the purposes of assisting the industry perform its testing and remediation. Should the municipal governing authorities make the factual determination that such work is necessary for the promotion of the health, comfort or convenience of inhabitants of the municipality, they may, pursuant to Section 21-19-13, authorize the expenditure of municipal funds on drainage work on the natural water course you describe, which may include the removal of impediments to the natural flow of water through the water course.

4. The remediation work to be performed by the industry may involve the creation of an artificial channel or drainage on the private property. After completion of the work, in the event an artificial channel is created, will the City have any rights to enter the drainage way in the future?

No. As we have stated by prior opinion, municipal governing authorities may, after appropriate factual findings, enter upon private property to perform drainage work on natural water courses with the permission of the property owner. However, an easement would be necessary to perform such work on a drain, or other artificial water way. *MS AG Op., Snowden (December 13, 1996) and MS AG Op., Hancock (May 25, 1989)*. The City may enter the drainage way only upon the granting of permission or an easement by the owner of the property.

If our office has been of further assistance, please advise.

Sincerely,

MIKE MOORE, ATTORNEY GENERAL

By: Heather Wagner

Heather Wagner
Assistant Attorney General

Enclosure

FILE COPY

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960
MAY 11 2001

4APT-TS

Mr. A. Robert Thompson
IT Corporation
11560 Great Oaks Way, Suite 500
Alpharetta, GA 30022-2424

Dear Mr. Thompson:

The U.S. Environmental Protection Agency (EPA) Region 4 has completed a review of the March 6, 2001, Site Assessment Report and the April 19, 2001, Soil Removal Plan for the AKT Gravel Pit in Crystal Springs, Mississippi. These two documents comprise the 40 CFR §761.61(a) notification and certification package for cleanup of polychlorinated biphenyl (PCB) remediation waste at the AKT Gravel Pit prepared by IT Corporation (IT) on behalf of the Kulhman Electric Corporation (KEC). EPA and the Mississippi Department of Environmental Quality (MDEQ) share responsibility for review and approval of the proposed cleanup plan.

It is EPA's understanding that IT and KEC intend to generally follow the self-implementing PCB remediation waste cleanup standards at §761.61(a) but have requested §761.61(c) risk-based variances for site characterization and post-cleanup confirmation sampling requirements. The following comments are based on this understanding of IT's and KEC's intentions. IT must satisfactorily respond to these comments in writing before EPA will approve the cleanup plan for the AKT Gravel Pit. Please note that this cleanup may not be initiated without prior written approval of both EPA and MDEQ.

1. Proposed excavation boundaries: IT has done a good job in delineating the area within the gravel pit where PCB-contaminated soil from KEC was buried. However, EPA believes that additional soil samples are needed to adequately define the critical boundary between ≥50 parts per million (ppm) PCB soil and <50 ppm PCB soil. IT has proposed to excavate and dispose of soil containing PCBs at concentrations of ≥50 ppm at an EPA approved PCB disposal facility. IT has proposed to dispose of soil containing between 1 and 49 ppm PCBs at a state approved solid waste landfill. EPA is not requiring that IT adhere to the five-foot grid spacing soil characterization requirement of §761.61(a)(5)(i)(B)(*2*) for off-site soil disposal of PCB remediation waste, but IT must collect sufficient data to satisfy EPA that ≥50 ppm PCB soil will not be included with soil destined for disposal at a state approved solid waste landfill.

The 25-foot grid spacing used by IT is too coarse to support the precisely drawn ≥/<50 ppm excavation boundaries illustrated in Figure 5. EPA will accept a more conservatively drawn excavation area perimeter boundary as illustrated in the enclosure or IT may collect additional characterization samples between the ≥50 ppm and adjacent <50 ppm sample points and re-propose the excavation boundary based on the additional data. In the enclosure, the assumed ≥50 ppm area

has been bracketed by extending the ≥50 ppm excavation boundary to the adjacent <50 ppm sample points. EPA also believes that the proposed vertical excavation boundaries must be drawn more conservatively. In other words, the vertical excavation boundaries for ≥50 ppm PCB soil also need to be bracketed by excavating one foot above/below intervals that contain ≥50 ppm at a given sample location and its associated area of inference.

2. Verification Sampling: IT has proposed no post cleanup confirmation sampling. After examination of the proposed excavation plan in Figure 5 of the Soil Removal Plan, EPA cannot agree to this proposal. Although IT has sampled to a depth of 12 feet below ground surface throughout the pit, the proposed excavation limits as depicted in Figure 5 of the Soil Removal Plan are tied to sample points spaced 25 feet apart. IT is in effect extrapolating each data point to a 1 foot thick, 625 square foot area of inference surrounding the sample point. Also, the PCB concentrations at each depth interval represent an average concentration for that interval.

Comparison of sample data at various grid points in Figure 4 to the corresponding excavation limits in Figure 5 indicates that IT will terminate excavations at the base of sample intervals in which it measured average PCB concentrations at levels above the proposed ≤1 ppm cleanup standard. To ensure that the proposed PCB cleanup standard is met, IT must collect post cleanup confirmation samples from the base of the excavation. IT may propose a statistically-based confirmation sampling program based on EPA Superfund Program guidance (e.g., "Methods for Evaluating the Attainment of Cleanup Standards," EPA 230/02-89-042, February 1989) or utilize 40 CFR 761 Subpart O, sampling procedures or some variation thereof.

3. Reuse of Excavated Material for Backfill: IT has proposed to reuse ≤1 ppm PCB soil from the excavation area as backfill (see Figure 5 of the Soil Removal Plan). This material must be tested for PCB content to confirm the PCB cleanup standard is met before it may be reused onsite for backfill. The testing should be performed no less frequently than one sample per 625 cubic feet of soil.

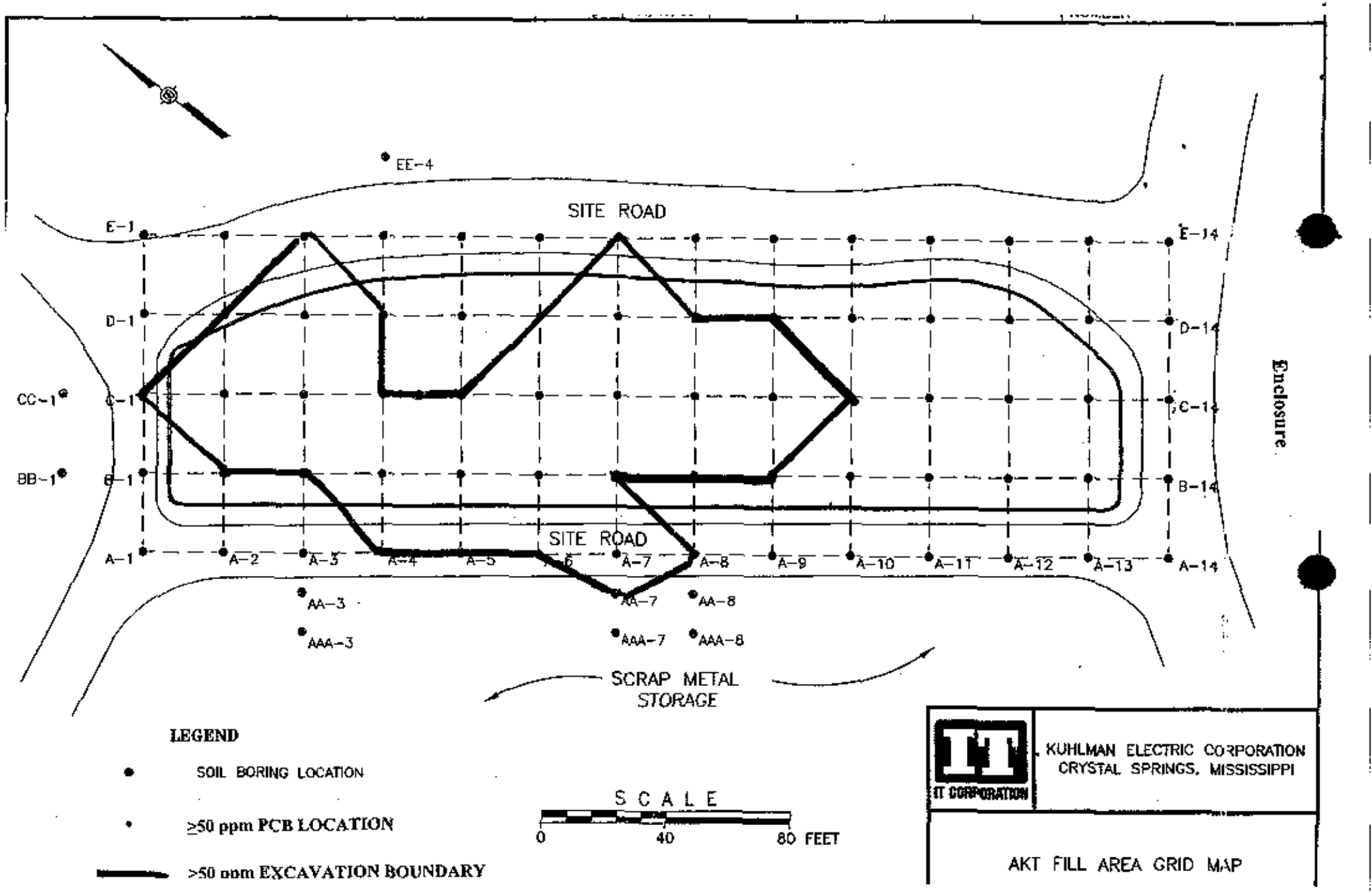
Please contact Craig Brown of the EPA Region 4 staff at (404) 562-8990, if you have any questions concerning this letter.

Sincerely,

Winston A. Smith
Director
Air, Pesticides and Toxics
Management Division

Enclosure

cc: Gretchen Zmitrovich, MDEQ


EE-4
SITE ROAD
E-1
E-14
D-1
D-14
CC-1
C-1
C-14
BB-1
B-1
B-14
SITE ROAD
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A-11
A-12
A-13
A-14
AA-3
AA-7
AA-8
AAA-3
AAA-7
AAA-8
SCRAP METAL STORAGE
Enclosure
LEGEND
SOIL BORING LOCATION
≥50 ppm PCB LOCATION
>50 ppm EXCAVATION BOUNDARY
SCALE
0
40
80 FEET
IT CORPORATION
KUHLMAN ELECTRIC CORPORATION
CRYSTAL SPRINGS, MISSISSIPPI
AKT FILL AREA GRID MAP

*9989 Office of the Attorney General
State of Mississippi

May 25, 1989

Re: City work upon water courses drains

Tim Hancock
City Attorney
P.O. Box 17
Jackson, MS 39205

Dear Mr. Hancock:

Attorney General Mike Moore has received your letter and has assigned it to me for reply. A copy of your letter is attached for reference.

At the outset we take up one of your later questions which we consider must be answered at the beginning of this opinion. The question is whether there is a difference between an artificial channel and a natural watercourse. The opinion of this office to Fred C. Permenter, Jr., dated 12-10-1984, based upon Section 21-19-13 of the Miss.Code of 1972, deals only with streams and water courses. As the Mississippi Supreme Court stated in Belzoni Drainage Commission v Winn, 98 Miss. 359, 53 So. 778, 779 "[t]he question of what constitutes a water course has been a perplexing one for the courts, and there is a varying line of decisions on this subject." The case law does draw a distinction between a water course and an artificial channel. An artificial channel was termed a drain in Belzoni Drainage Commission v Winn, supra, and the same case affirmed an earlier definition of a water course as "a natural channel, ... with well defined bed and banks, of varying width and depth, through which water is conveyed and discharged:..." Id. at 779. All the case law *recognizes that there* does not have to be a year round water flow. Mississippi even recognizes that an artificial channel may eventually become a water course, but to do so it must exist for the prescriptive period, and be connected to a water course and be in lieu of the original channel or divert all of the water from the original stream through the channel. Pompey Lake Drainage District v McKinney Lake Drainage District, 136 Miss 168, 99 So. 387 (1924) and Scranton-Pascagoula Realty Co. v. Pascagoula, 157 Miss 498, 128 So. 73 (1930). It is our opinion that the authority conferred by Section 21-19-13 applies only to streams and water courses and not to drains and *artificial channels as defined* by case law. As stated in our Permenter opinion, a copy of which is attached, the municipality may perform drainage work on streams or water courses if the work will promote the health, comfort, and convenience of the inhabitants of such municipality. Work authorized by 21-19-13 may be performed regardless of the number of inhabitants who will have their health, comfort, or convenience promoted.

As to artificial channels, or drains as case law terms them, the municipality does not have general authority to perform drainage or other work, except a municipality is not without recourse if the state of the drain is a menance to public health or safety.

Your letter inquired about the city being granted easements by the landowners over a watercourse. As stated above, if the site needing work is a watercourse and the property owners give consent, then the city may perform work under 21-19-13 and no easement has to be given. Indeed, the city could obtain the property by eminent domain to construct a bridge or other 21-19-13 work. *However, if the site* is a drain as defined by caselaw then mere consent to perform work, such as a license or "temporary easement" will not authorize the city to perform work on private land (except, of course, 21-19-11 work, which does not need landowner permission). The city is authorized to accept donations of interests in real property, including easements. The *city could, and should, clean its* easements to prevent menace to public health or safety. However, the granting and acceptance of an easement should not simply be a mechanism for the transfer of the obligation to clean a drain from the private owners to the city.

Your letter also asks about mosquito control on *private property*. Under Section 21-19-1 the city has authority to "secure the general health of the municipality; to prevent, remove, and abate nuisances...." See also Hartman v May, 168 Miss 477, 151 So. 737 (1934). We believe such a condition, if brought about by neglect, would constitute a public nuisance and the city could seek injunctive relief. Of course, the city could pursue both equitable relief and a criminal prosecution. State ex rel. Maples v Quinn, 217 Miss 567, 64 So. 711 (1953). If the problem is determined, consistent with fact, to be caused by one or more of the conditions identified in Section 21-19-11, the cost of the work would be taxed to the property. The city

should also notify the County Mosquito Control Commission, if one exists, which has certain authority under 41-27-1 et seq.

*9990 Concerning the general authority of a municipality to perform work on private property and related questions, see attached opinion of this office to Honorable Allen Pepper, Jr., dated June 12, 1987.

Since federal law contains statutes, regulations and case law on navigable streams, this opinion is not meant to comment on the authority of the city over such streams. This opinion also does not attempt to encompass other federal statutory, regulatory, or decisional authority concerning environmental concerns, or work the city may or should do on streams, watercourses or drains.

Very truly yours,

Mike Moore

Attorney General

May 2, 1989

The Honorable Mike Moore

Attorney General

State of Mississippi

Post Office Box 220

Jackson, Mississippi 39205

Dear General Moore:

Many channels, streams, ditches, drains and water courses (all hereinafter referred to as water courses), lie exclusively upon private property in the City of Jackson and the City does not have any title, easement or interest to the lands which they traverse. Often, such water courses become overgrown and on other occasions individuals place debris such as old tires, bathtubs and other objects in the water courses which causes their effectiveness to be diminished. Natural siltation and erosion also cause similar problems. At some locations the water courses have caused the adjoining private property to erode.

As City Attorney for the City of Jackson, I request a written Attorney General's opinion on behalf of the City and its elected officials as to whether the City may expend funds and use its labor force with reference to such matters as the City is frequently requested by its citizens to perform such services.

We are certainly aware of the general prohibition against work being done on private property and the expenditure of governmental funds for such purposes. But, we are also aware of Section 21-19-13, Mississippi Code of 1972 and the previous opinion of the Office of the Attorney General addressed to Fred C. Permenter, Jr. and dated December 10, 1984. Based upon that opinion, the office of the State Auditor has advised in Bulletin No. 1989-4 of Technicalities, a copy of which is attached for your convenience, that municipalities may clean ditches on private property and we request an opinion of your office as to what actions, if any, the City may lawfully take with reference to such matters.

More specifically, assuming that the owners of the private properties do not object, may the City expend funds and use its labor force to go upon the private properties to clean the water courses, to remove debris placed therein, and to cut and remove weeds, trees and other growth which are diminishing the capacity of the water courses?

If the response is in the affirmative, may the City expend funds and employ its labor force to do such work when to do so will only benefit one or a few property owners rather than all individuals owning property along a water course?

If such actions are not authorized or allowed and assuming there is one location in a water course that is in need of clearing or other type work, may the City obtain an easement or title from the owner of that private property and then perform the work that will benefit him as well as other private landowners whose property a water course traverses or must the City obtain an easement or title from all property owners along the water course before funds may be expended or work force used to alleviate any existing or potential problem? In either situation, what type of grant or permission from the landowner would be sufficient? In other words, may the City simply obtain a right of entry to the private property and then expend funds and utilize its work force thereon? If not, will a temporary or

permanent easement be sufficient or must the City obtain *a fee simple title* before funds can be expended or the work force utilized?

If the water courses on private property are causing erosion to the adjoining land may the City expend funds and use its labor force to take the necessary action to prevent the erosion and may it repair the erosion already caused to such privately owned lands?

If the response is that the City of Jackson may *expend funds* or utilize its work force on private property for the purposes stated herein, what future obligations and liability, if any, will be placed upon the City with reference to the rights of any private property owner upon whose lands such funds are expended or work force utilized? Under such circumstances, will the City be required to maintain the water courses in the future and to what extent will such maintenance be required?

Does the same authority exist and does your opinion differ as to whether a water course is one that serves as a natural drain for a water shed or whether a water course is man-made and accommodates the drainage of individual lots?

*9991 Likewise, we request an opinion of your office as to the legality of using City funds or the City work force to spray or take other actions pertaining to control of mosquitos on the water courses which are exclusively upon private property.

There has been considerable discussion by the City officials as to actions which the City of Jackson may take concerning the matters set forth herein and we request a response at your earliest convenience.

Sincerely,

Tim Hancock
City Attorney

*2921 1996 WL 744754

Office of the Attorney General
State of Mississippi

Opinion No. 96-0830
December 13, 1996

Re: Municipality's authority to conduct work on private property on drainage ditch

Mr. Greg Snowden
P. O. Box 3857
Meridian, Mississippi 39303-3857

Dear Mr. Snowden:

Attorney General Mike Moore has received your recent letter on behalf of the City of Meridian and has asked me to respond. Your question concerns the authority of a municipality to perform work on private property on a drainage ditch to alleviate flooding problems on the property of several businesses. In your letter you state that water drains off two state highways in the City of Meridian, Highway 45 North and Highway 39 Bypass into a storm drain, then into a drainage ditch on property owned by the ICG Railroad and finally into a large creek. You state that the culvert in the drainage ditch may be too high and that the ditch is clogged by sediment and vegetation. You ask the following question:

May the City lawfully perform work on private property to alleviate flooding caused from waters draining off of a major highway intersection situated within the City?

For purposes of your answer to the City of Meridian's inquiry, you may assume the following:

1. Proper easements or other lawful permission will be obtained from all affected property owners;

2. The waters that are the immediate source of the flooding are runoff waters from major public thoroughfares (albeit state highways; not City streets per se);

3. The waters themselves drain well away from the highways, and there is no resulting traffic hazard on any public roadway caused by the flooding;

4. The flooding now occurring presently has a definite negative impact upon the business of one private commercial establishment, and potentially affects adversely the property and business of at least two other private commercial enterprises;

5. There is no apparent near-term erosion threat present, but there is an imminent danger of flood waters entering the buildings of one private owner, and the perhaps longer term but real threat that the buildings of at least two other private businesses will be subject to some flooding if the existing problem is not alleviated;

6. Although not wishing to overstate health or safety issues, it is a fact that the drainage ditch is severely overgrown, and that some of the property owners have noted an existing snake and rodent problem with respect to the ditch;

7. The corrective work to be performed by the City would be performed entirely on private property, and with respect to a presumably natural water course (the drainage ditch), and not with respect to any man-made channel (the concrete gully), excepting that some work may have to be undertaken in connection with the (obviously) man-made culvert situated within the (natural) drainage ditch at or near the Long's Wholesale building.

We have previously stated by prior opinion that a municipality may perform work on private property under Section 21-19-13 if the site is a watercourse and not an artificial channel, if the work will promote the health, comfort and convenience of the inhabitants of the municipality and if the property owners give consent. An artificial channel is a drain, and a water course is a natural channel with well defined bed and banks. MS AG Op., Hancock (May 25, 1989). Since the storm drain and drainage ditch with a concrete culvert are artificial channels rather than natural watercourses, Section 21-19-13 does not provide authority for the governing authorities to perform work on these structures on private property.

We have also previously stated that the governing authorities of a municipality may perform work on private property adjacent to the city right-of-way with the permission of the landowner to correct unsafe conditions or to alleviate erosion or flooding which were directly caused by the way in which the

municipality drained the city streets. MS AG Op., Brabham (April 27, 1995). The purpose of performing drainage work on private property must be for mitigation of damages; governing authorities may not perform drainage work on private property adjacent to the right-of-way as a service to the private property owner. MS AG Op., Moore (November 15, 1996).

We do not find authority for municipal governing authorities to perform work on storm drains, drainage ditches, culverts or other artificial channels at a remote location from the right-of-way to alleviate flooding, erosion or other drainage problems for the benefit of private property owners. See also MS AG Op., Rohman (June 7, 1996)(dedication of easement by developer does not provide authority for municipality to perform work on private property to benefit property owners).

*2922 If we may be of any further assistance, please let us know.

Sincerely,

Mike Moore

Attorney General

Alice D. Wise

Special Assistant Attorney General

Gretchen Zmitrovich

FAX COVERSHEET

FILE COPY

Miller & Hamer, P.A.

Attorneys at Law

750 Avignon Drive
Building 18
Ridgeland, Mississippi 39157

Mailing Address:
Post Office Box 12269
Jackson, Mississippi 39236-2269

Eric T. Hamer
Telephone: (601) 605-8567
Facsimile: (601) 605-8529
Direct: (601) 605-0956

E-mail: ehamer@millerhamer.com

TO: Kelli Dowell, Esq.

FAX NO.: 961-5349

FROM: Eric T. Hamer

RE:

COMMENTS:

Kelli-

Here is the letter you requested. Please call if you have any questions.

Eric

Miller & Hamer, P.A.

Attorneys at Law

750 Avignon Drive
Building 18
Ridgeland, Mississippi 39157

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Post Office Box 12269
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Direct: (601) 605-0956
Cell: (601) 573-5748
E-mail: ehamer@millerhamer.com

April 24, 2001

VIA FACSIMILE & U.S. MAIL
Mr. Thomas D. Lupo, Esq.
Seyfarth Shaw
55 Monroe Street
Suite 4200
Chicago, IL 60603-5803

Re: Kuhlman Electric/Kevin and Terri Frazier

Dear Tom:

Along with this letter, I am sending you the additional test results that we received from Argus Analytical regarding the Fraziers' property. Surprisingly, the data does not appear to indicate contamination under the front of the house. I find these results suspect given the results previously obtained by your client. Therefore, during the remediation project, please instruct the crew to ensure all contamination in the front portion of the house, and any that may exist under the house, is fully remediated.

I am preparing a Complaint in this matter that will seek compensatory as well as punitive damages against Kuhlman Electric Corporation, Borg Warner and any other defendants that we may identify. If your client is interested in pursuing settlement of this matter, we are open to discussing such a possibility before filing suit. Before any discussions, however, I will need confirmation of your authority to negotiate a full and final settlement and clarification on whose behalf you will be negotiating.

I look forward to hearing from you.

Sincerely yours,

MILLER & HAMER, P.A.

Eric T. Hamer

bcc: Kevin and Terri Frazier

ARGUS ANALYTICAL, INC.
235 Highpoint Drive
Ridgeland, Mississippi 39157
Telephone: 601/957-2676 FAX: 601/957-1887

To: Miller & Hamer, PA
PO Box 12269
Jackson, MS 39236

ATTN: Eric T. Hamer

Date Reported: 03/30/01

Date Sampled: 03/20/01
Time Sampled: 12:15
Sampled by: R. Lackey

Project ID/Location: 405 Lee Avenue
Crystal Springs, MS

Date Received: 03/20/01

Sample Description: Sample #1

Sample Number: BB04777

Sample Matrix: SOIL

Page Number: 1

Project Number:

Parameter	Result	Det Limit	Units	Method	Analysts	Date
PCBs						
PCB-1016	ND	0.0333	mg/Kg	8082	MMP	03/28/01
PCB-1221	ND	0.0667	mg/Kg	8082	MMP	03/28/01
PCB-1232	ND	0.0333	mg/Kg	8082	MMP	03/28/01
PCB-1242	ND	0.0333	mg/Kg	8082	MMP	03/28/01
PCB-1248	ND	0.0333	mg/Kg	8082	MMP	03/28/01
PCB-1254	ND	0.0333	mg/Kg	8082	MMP	03/28/01
PCB-1260	ND	0.0333	mg/Kg	8082	MMP	03/28/01

Also see attached narrative

ND = Not Detected

Quality Assurance/Quality Control

B. G. Giesmer, Ph.D.

ARGUS ANALYTICAL, INC.
235 Highpoint Drive
Ridgeland, Mississippi 39157
Telephone: 601/957-2676 FAX: 601/957-1887

To: Miller & Hamer, PA
PO Box 12269
Jackson, MS 39236

ATTN: Eric T. Hamer

Date Reported: 03/30/01

Date Sampled: 03/20/01
Time Sampled: 12:17
Sampled by: R. Lackey

Project ID/Location: 405 Lee Avenue
Crystal Springs, MS

Date Received: 03/20/01

Sample Description: Sample #2

Sample Number: BB04778

Sample Matrix: SOIL

Project Number:

Page Number: 1

Parameter	Result	Det Limit	Units	Method	Analysis	Date
PCBs						
PCB-1016	ND	0.0333	mg/Kg	8082	MMP	03/28/01
PCB-1221	ND	0.0667	mg/Kg	8082	MMP	03/28/01
PCB-1232	ND	0.0333	mg/Kg	8082	MMP	03/28/01
PCB-1242	ND	0.0333	mg/Kg	8082	MMP	03/28/01
PCB-1248	ND	0.0333	mg/Kg	8082	MMP	03/28/01
PCB-1254	ND	0.0333	mg/Kg	8082	MMP	03/28/01
PCB-1260	ND	0.0333	mg/Kg	8082	MMP	03/28/01

ND = Not Detected

Quality Assurance/Quality Control

B. G. Giessner, Ph.D.

ARGUS ANALYTICAL, INC.
235 Highpoint Drive
Ridgeland, Mississippi 39157
Telephone: 601/957-2676 FAX: 601/957-1887

To: Miller & Hamer, PA
PO Box 12269
Jackson, MS 39236

ATTN: Eric T. Hamer

Date Reported: 03/30/01

Date Sampled: 03/20/01
Time Sampled: 12:19
Sampled by: R. Lackey

Project ID/Location: 405 Lee Avenue
Crystal Springs, MS

Date Received: 03/20/01

Sample Description: Sample #3

Sample Number: BB04779

Sample Matrix: SOIL

Page Number: 1

Project Number:

Parameter	Result	Det Limit	Units	Method	Analysts	Date
PCBs						
PCB-1016	ND	0.0333	mg/Kg	8082	MMP	03/28/01
PCB-1221	ND	0.0667	mg/Kg	8082	MMP	03/28/01
PCB-1232	ND	0.0333	mg/Kg	8082	MMP	03/28/01
PCB-1242	ND	0.0333	mg/Kg	8082	MMP	03/28/01
PCB-1248	ND	0.0333	mg/Kg	8082	MMP	03/28/01
PCB-1254	ND	0.0333	mg/Kg	8082	MMP	03/28/01
PCB-1260	ND	0.0333	mg/Kg	8082	MMP	03/28/01

ND = Not Detected

Quality Assurance/Quality Control

B. G. Giessner, Ph.D.

ARGUS ANALYTICAL, INC.
235 Highpoint Drive
Ridgeland, Mississippi 39157
Telephone: 601/957-2676 FAX: 601/957-1887

To: Miller & Hamer, PA
PO Box 12269
Jackson, MS 39236

ATTN: Eric T. Hamer

Date Reported: 03/30/01

Date Sampled: 03/20/01
Time Sampled: 12:21
Sampled by: R. Lackey

Project ID/Location: 405 Lee Avenue
Crystal Springs, MS

Date Received: 03/20/01

Sample Description: Sample #4

Sample Matrix: SOIL

Sample Number: BB04780

Project Number:

Page Number: 1

Parameter	Result	Det Limit	Units	Method	Analysts	Date
PCBs						
PCB-1016	ND	0.0333	mg/Kg	8082	MMP	03/28/01
PCB-1221	ND	0.0667	mg/Kg	8082	MMP	03/28/01
PCB-1232	ND	0.0333	mg/Kg	8082	MMP	03/28/01
PCB-1242	ND	0.0333	mg/Kg	8082	MMP	03/28/01
PCB-1248	ND	0.0333	mg/Kg	8082	MMP	03/28/01
PCB-1254	ND	0.0333	mg/Kg	8082	MMP	03/28/01
PCB-1260	ND	0.0333	mg/Kg	8082	MMP	03/28/01

ND = Not Detected

Quality Assurance/Quality Control

B. G. Giessner, Ph.D.

ARGUS ANALYTICAL, INC.
235 Highpoint Drive
Ridgeland, Mississippi 39157
Telephone: 601/957-2676 FAX: 601/957-1887

To: Miller & Hamer, PA
PO Box 12269
Jackson, MS 39236

ATTN: Eric T. Hamer

Date Reported: 03/30/01

Date Sampled: 03/20/01
Time Sampled: 12:23
Sampled by: R. Lackey

Project ID/Location: 405 Lee Avenue
Crystal Springs, MS

Date Received: 03/20/01

Sample Description: Sample #5

Sample Matrix: SOIL

Sample Number: BB04781

Project Number:

Page Number: 1

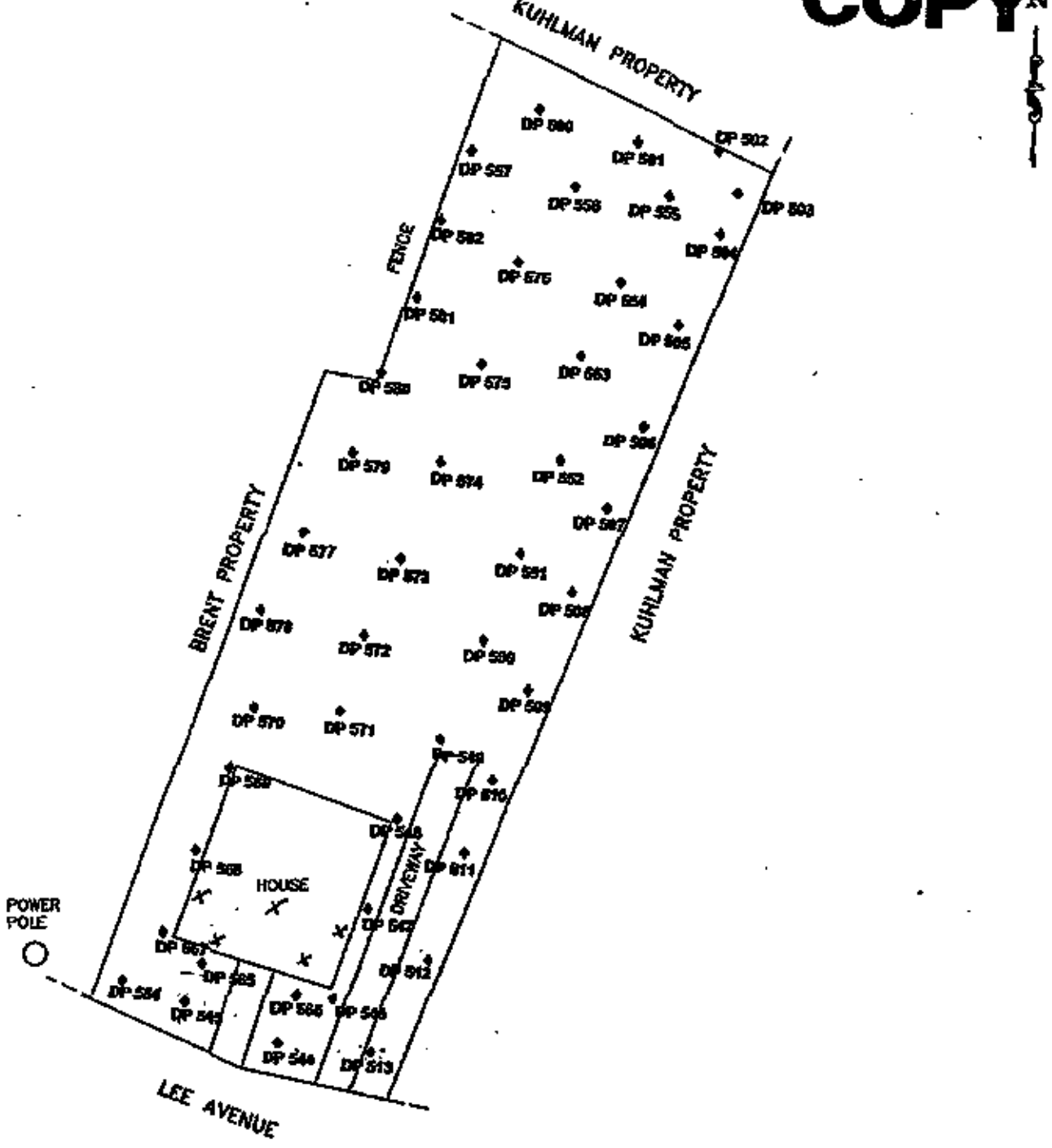
Parameter	Result	Det Limit	Units	Method	Analysts	Date
PCBs						
PCB-1016	ND	0.0333	mg/Kg	8082	MMP	03/28/01
PCB-1221	ND	0.0667	mg/Kg	8082	MMP	03/28/01
PCB-1232	ND	0.0333	mg/Kg	8082	MMP	03/28/01
PCB-1242	ND	0.0333	mg/Kg	8082	MMP	03/28/01
PCB-1248	ND	0.0333	mg/Kg	8082	MMP	03/28/01
PCB-1254	ND	0.0333	mg/Kg	8082	MMP	03/28/01
PCB-1260	ND	0.0333	mg/Kg	8082	MMP	03/28/01

ND = Not Detected

Quality Assurance/Quality Control

B. G. Giessner, Ph.D.

COPY



LEGEND

◆ SAMPLE POINT

DP 562 SAMPLE POINT NUMBER

1) ALL DISTANCES ARE ESTIMATED.
2) THIS MAP WAS PREPARED FROM RECORD MAPS
3) THIS MAP HAS BEEN PREPARED FOR PRESENTATION PURPOSES ONLY

SAMPLE LOCATIONS FOR FRAZIER PROPERTY 405 LEE AVENUE

SCALE: AS SHOWN	DR MDI	CHK TF	REV BPS

PREPARED BY:

OGDEN ENVIRONMENTAL AND ENGINEERING SERVICES

200 SOUTH OLD STATESVILLE ROAD • HUNTERSVILLE, NC 28078 • 704-875-3520

PROJ: 073850000 | DATE: 09/24/00 | SHEET 1 OF 1

FILE COPY

FAX

To: Bob Thompson	From: Gretchen Zmitrovich	
IT Corp	MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY	Office of Pollution Control
		P.O. Box 10385
		Jackson, MS 39289-0385
Phone:	Phone: 601-961-5240	
Fax: 77?-442-7399	Fax: 601-961-5300	

Date: April 26, 2001		Routine		Priority
Number of pages, including this one: 1				

Message: Here are the lab sheets that are missing from the report:

A3-2,A3-3,A7-1,A7-2,A7-3,A8-7,B4-1,B4-2,B4-3,B5-1,B5-2,B5-3, B8-9,C6-1,C6-2,C6-3,C7-1,C7-2,C8-3,C8-5,C9-3,C9-5

Also, as I stated on the phone, sample location A3-1 is missing from figure 3-1 and is not included in the total number of samples (354 should be 355).

IT Corporation
11560 Great Oaks Way, Suite 500
Alpharetta, GA 30022-2424
Tel. 770.475.8994
Fax. 770.777.9545

A Member of The IT Group

FILE COPY

April 19, 2001

Ms. Gretchen Zmitrovich
Mississippi Department of Environmental Quality
101 West Capital Street
Jackson, MS 39210

Mr. Craig Brown
US Environmental Protection Agency
61 Forsyth Street, SW
Atlanta, GA 30303

Subject: Soil Removal Work Plan Submittal
AKT Gravel Pit
Crystal Springs, MS

Dear Ms. Zmitrovich and Mr. Brown:

On behalf of Kuhlman Electric Corporation, IT Corporation is submitting the attached work plan for Soil Removal at the AKT Gravel Pit. The submittal is in response to a requirement of Administrative Order 4165-00 of the Mississippi Commission of Environmental Quality.

If you have any questions, please contact me at (770) 677-7790 or Scott Schang of Latham & Watkins at (202) 637-2115.

Sincerely,
IT Corporation

A. Robert Thompson, CHMM
Operations Manager

attachment

cc: Thomas Minnich - Kuhlman Electric Corporation
Paul Acheson - Kuhlman Electric Corporation
Al Thomas - Kuhlman Electric Corporation
Scott Schang - Latham & Watkins
Anastasia Hamel - BorgWarner Inc.
Thomas Lupo - Seyfarth, Shaw, Fairweather & Geraldson

IT Corporation
11560 Great Oaks Way, Suite 500
Alpharetta, GA 30022-2424
Tel. 770.475.8994
Fax. 770.777.9545

A Member of The IT Group

the igroup

March 6, 2001

Ms. Gretchen Zmitrovich
Mississippi Department of Environmental Quality
101 West Capital Street
Jackson, MS 39210

Mr. Craig Brown
US Environmental Protection Agency
61 Forsyth Street, SW
Atlanta, GA 30303

Subject: Site Assessment Report Submittal
AKT Gravel Pit
Crystal Springs, MS

Dear Ms. Zmitrovich and Mr. Brown:

On behalf of Kuhlman Electric Corporation, IT Corporation is submitting the attached Site Assessment Report for the Site Assessment of the AKT Gravel Pit. The submittal is in response to a requirement of Administrative Order 4165-00 of the Mississippi Commission of Environmental Quality.

If you have any questions, please contact me at (770) 677-7790 or Scott Schang of Latham & Watkins at (202) 637-2115.

Sincerely,
IT Corporation

A. Robert Thompson, CHMM
Operations Manager

attachment

cc: Thomas Minnich - Kuhlman Electric Corporation
Paul Acheson - Kuhlman Electric Corporation
Al Thomas - Kuhlman Electric Corporation
Scott Schang - Latham & Watkins
Anastasia Hamel - BorgWarner Inc.
Thomas Lupo - Seyfarth, Shaw, Fairweather & Geraldson

IT Corporation
11560 Great Oaks Way, Suite 500
Alpharetta, GA 30022-2424
Tel. 770.475.8994
Fax. 770.777.9545

A Member of The IT Group

February 23, 2001

Ms. Gretchen Zmitrovich
Mississippi Department of Environmental Quality
101 West Capital Street
Jackson, MS 39210

Mr. Craig Brown
U.S. Environmental Protection Agency
61 Forsyth Street, SW
Atlanta, GA 30303

Subject: Addendum to Site Assessment Work Plan
AKT Gravel Pit - Kuhlman Electric Corporation
Crystal Springs, MS

Dear Ms. Zmitrovich and Mr. Brown:

On behalf of Kuhlman Electric Corporation (KEC), IT Corporation is submitting this Addendum to the Site Assessment Work Plan submitted December 1, 2000. This addendum describes additional sample collection and analysis efforts at six new locations. These additional sample locations are recommended because six locations on the perimeter of the existing grid had polychlorinated biphenyls (PCBs) concentrations greater than 1 mg/kg.

Backgound
During building expansion construction at KEC, soils were transported to the AKT gravel pit for fill material. After the transportation and disposal of the fill, it was determined that the soil may contain PCBs. IT Corporation has been retained by KEC to perform the characterization of these soils. In the Site Assessment Work Plan, a soil sampling grid was set up with a length and width of 350 and 125 feet, respectively. Soil sample points were placed every 25 feet along the grid. This soil sample grid was set up to delineate the vertical and horizontal extent of PCBs at the AKT gravel pit. **Figure 1** shows the soil sample locations and the orientation of the soil sample grid at the AKT gravel pit.

Soil samples were collected from the sample locations at the AKT gravel pit from December 5 through 13, 2000. Sample locations A-3, A-7, A-8, B-1, C-1, and E-4 had PCB concentrations greater than 1 mg/kg at one or more depths. All of these locations are on the perimeter of the sample grid. **Table 1** presents the PCB sample analytical results.

Additional Sampling and Analyses

IT Corporation recommends the addition of nine soil sample locations to the soil sample grid, extending the grid 25 feet from the locations of the soil samples collected on December 13, 2001. The recommended soil sample locations, presented on **Figure 1**, are:

- EE-4 located 25 feet northeast of soil sample E-4;
- CC-1, located 25 feet northwest of soil sample C-1;
- BB-1, located 25 feet northwest of soil sample B-1;
- AA-3, located 12.5 feet southwest of soil sample location A-3;
- AA-7, located 12.5 feet southwest of soil sample A-7;
- AA-8, located 12.5 feet southwest of soil sample location A-8;
- AAA-3, located 25 feet southwest of soil sample location A-3;
- AAA-7, located 25 feet southwest of soil sample A-7; and
- AAA-8, located 25 feet southwest of soil sample location A-8.

All samples will be collected using direct push technology equipment. Continuous soil samples will be collected at 1-foot intervals to a total depth of 12 feet below ground surface (bgs). These depths were selected based on the existing depth and PCB data from adjoining grid locations. Locations EE-4, CC-1 and BB-1 are located 25 feet from the existing grid because the PCBs were detected at or near the surface in locations E-4, C-1, and B-1. Since PCBs were detected at depth of 3 feet to 7 feet bgs at locations A-3, A-7, and A-8, six additional locations are proposed. Three sample locations will be 12.5 feet from the existing grid and three locations 25 feet from the existing grid. The additional sample locations will be used, as needed, to better determine the PCB distribution.

In addition to the locations above, two sample locations need to be revisited. They are B-8 and C-7. At location B-8, no sample was originally collected due to loose fill conditions, so the sample from those depths was not retained in the sampler when retrieved. Three samples from location C-7 have been lost and they are at depths where data is needed. The sample collection depths are shown on **Table 2**.

The initial sample analyses are identified on Table 2. Additional analyses will be performed based on the initial analytical results, so that the PCB concentrations above 1 mg/kg can be identified in 1-foot increments for each grid location. All fieldwork and analytical procedures associated with the additional soil sample collection will be performed according to the methods outlined in the Site Assessment Work Plan submitted December 1, 2000.

IT Corporation is prepared to begin the sampling on February 26, 2001. The fieldwork will require two days. These results will be reported as an addendum to the Site Investigation Report. The investigation report presenting the data collected to date will be submitted by March 5, 2001. Following receipt of assessment report comments from the Mississippi Department of Environmental Quality and U.S. Environmental Protection Agency, a soil removal plan will be developed.

If you have any questions, please contact me at (770) 677-7790 or Scott Schang of Latham & Watkins at (202) 637-2115.

Sincerely,
IT Corporation

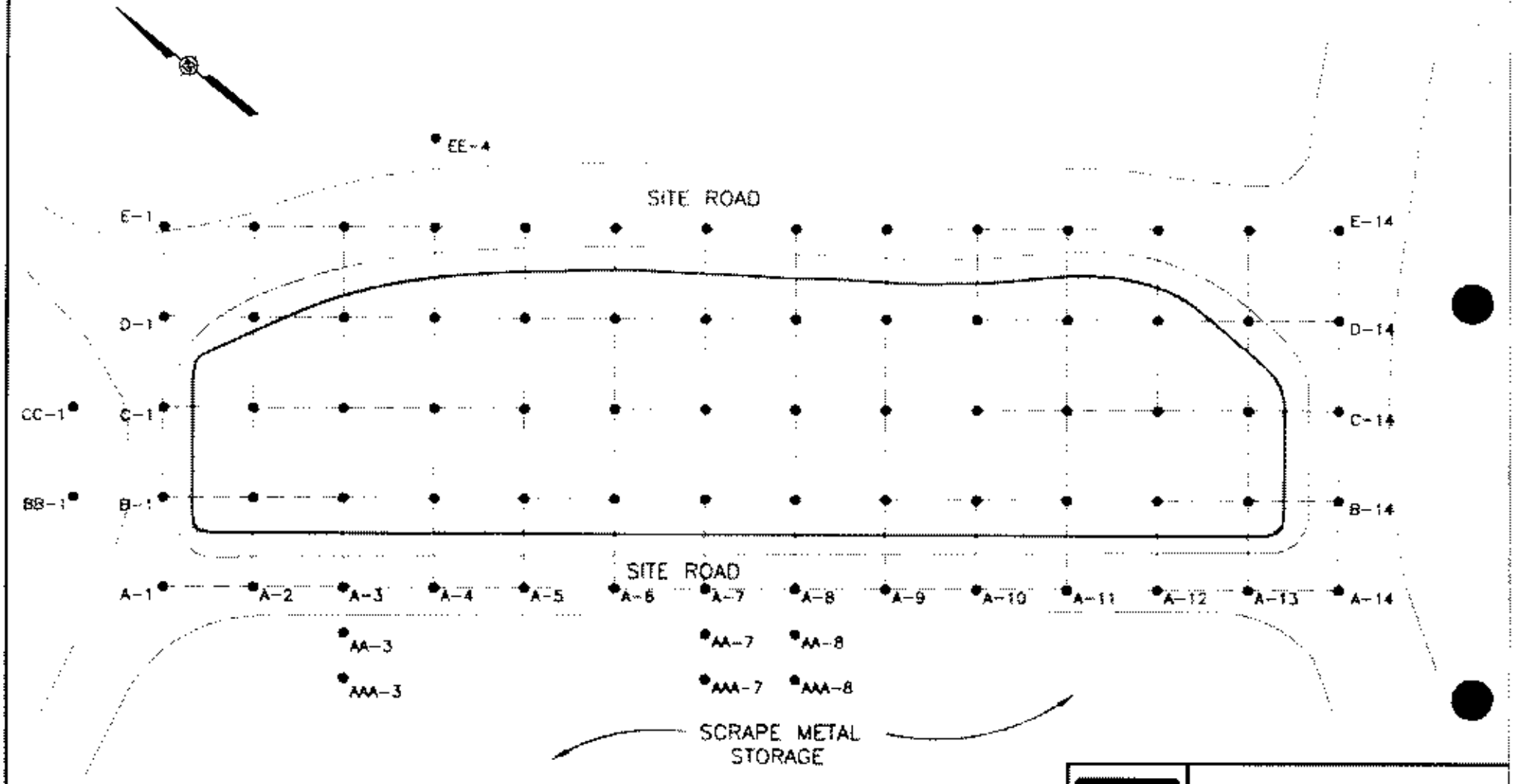
A. Robert Thompson, CHMM
Operations Manager

attachments

cc: Thomas Minnich - Kuhlman Electric Corporation
Paul Acheson - Kuhlman Electric Corporation
Al Thomas - Kuhlman Electric Corporation
Scott Schang - Latham & Watkins
Anastasia Hamel - BorgWarner, Inc.
Thomas Lupo - Seyfarth, Shaw, Fairweather & Geraldson

PLOT DATE: 9/9/99
FORMAT REVISION 3/25/99

IMAGE	X-REF	OFFICE	DRAWN BY		CHECKED BY		APPROVED BY		DRAWING NUMBER
---	---	Atlanta, GA	J. Lange	11/17/00					



LEGEND

- SOIL BORING LOCATION
- 25 ft. GRID
- APPROXIMATE FILL LOCATION
- SITE ROADS

SCALE

0 40 80 FEET

IT CORPORATION

KUHLMAN ELECTRIC
CRYSTAL SPRINGS, MISSISSIPPI

Table 1

AKT Gravel Pit

Surface

Total PCB Concentration (mg/kg)

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	
E	0.22	0.11	0.12	**5.77**	0.25	0.32	<0.02	0.02	<0.02	<0.02	<0.02	<0.02	<0.02	0.22	E
D	0.06	0.14	**70.8**	**9.15**	0.54	**7.36**	**7.52**	1	<0.02	<0.02	0.07	0.04	0.07	0.19	D
C	**1.88**	**50.9**	**46.1**	**14.2**	**45.5**	**3.2**	**6.01**	0.45	0.03	<0.02	<0.02	<0.02	**1.07**	0.43	C
B	**9.5**	**40.6**	**2.86**	**20.3**	**7.17**	**2.5**	**4.27**	**4.03**	0.6	0.12	0.27	0.16	0.18	<0.02	B
A	<0.02	<0.02	<0.02	0.24	0.06	<0.02	<0.02	<0.02	0.03	0.02	0.02	0.04	0.07	0.05	A
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	

1 Foot

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	
E				0.02											E
D			**19.3**				**14**								D
C	0.46	**26.7**	**64.4**			**1.09**	0.14						0.49		C
B	**2.65**	**21.3**		**30.1**	**19.5**										B
A							0.06								A
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	

2 Feet

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	
E				0.02											E
D			<0.02	**12.8**		**4.8**	**123**	**36.6**							D
C	<0.02	0.02	<0.02	**43.5**		**7.92**	**12.8**	0.12	0.13						C
B	<0.02	<0.02	**42.3**	**53.1**	**96.7**			**2.96**							B
A			0.66				0.02								A
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	

3 Feet

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	
E															E
D				0.59		0.02	0.19	0.06							D
C				**20.3**		**97.9**	**85.4**	31.6	<0.02						C
B			0.1	**21.8**	**221.6**			<0.02							B
A			**6.42**				0.6								A
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	

Bold type indicates concentrations >1 mg/kg

2/23/01

Table 1

AKT Gravel Pit

Total PCB Concentration (mg/kg)

4 Feet

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	
E	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	E
D	<0.02	<0.02	0.03	0.12	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	D
C	<0.02	<0.02	0.02	<0.02	**16.4**	**113**	**41.8**	**42.1**	**4.36**	<0.02	0.02	0.03	<0.02	<0.02	C
B	<0.02	0.05	0.04	**67.9**	**140**	**63**	**22.5**	0.84	<0.02	<0.02	**0.02**	<0.02	<0.02	<0.02	B
A	0.03	0.03	**1.13**	<0.02	<0.02	<0.02	**59.9**	<0.02	0.02	<0.02	<0.02	<0.02	0.21	<0.02	A

5 Feet

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	
E															E
D															D
C					**1.82**			0.88	**64.7**						C
B				**3.66**	**65.8**	0.22									B
A			<0.02				**13.7**								A

6 Feet

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	
E															E
D															D
C					0.38	**279**		**101**	**127**						C
B				<0.02	0.22	0.59									B
A			<0.02				0.02	<0.02							A

7 Feet

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	
E															E
D															D
C						**153.6**		0.02	0.11						C
B															B
A								**4.68**							A

Bold type indicates concentrations >1 mg/kg

2/23/01

Table 1

AKT Gravel Pit

8 Feet

Total PCB Concentration (mg/kg)

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	
E			<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	0.02	<0.02	<0.02	<0.02	<0.02	E
D	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	D
C	<0.02	0.07	<0.02	<0.02	0.03	0.08	0.35	0.57	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	C
B	<0.02	<0.02	<0.02	0.02	0.07	0.03	**16**	**6.97**	0.02	0.02	<0.02	0.04	<0.02	<0.02	B
A	0.07	0.06	0.03	<0.02	<0.02	<0.02	<0.02	**3.69**	0.12	<0.02	0.1	0.03	<0.02	<0.02	A

9 Feet

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	
E															E
D															D
C															C
B								**12.4**							B
A								0.35							A

10 Feet

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	
E															E
D															D
C															C
B							**1.52**	<0.02							B
A								0.11							A

11 Feet

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	
E															E
D															D
C															C
B							0.06	<0.02							B
A															A

Bold type indicates concentrations >1 mg/kg

2/23/01

Table 1

AKT Gravel Pit

12 Feet

Total PCB Concentration (mg/kg)

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	
E				<0.02		<0.02	<0.02	<0.02	<0.02	0.02	<0.02	<0.02	<0.02	<0.02	E
D	<0.02	<0.02	0.04	<0.02	<0.02	0.04	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	D
C	<0.02	<0.02	0.03	<0.02	<0.02	0.11	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	C
B	<0.02	<0.02	<0.02	<0.03	<0.02	<0.02	0.07	0.02	<0.02	<0.02	<0.02		<0.02	<0.02	B
A	<0.02	<0.02	0.03	<0.02	<0.02	<0.02	<0.02	<0.02	0.03	<0.02	<0.02		<0.02	<0.02	A

Bold type indicates concentrations >1 mg/kg

2/23/01

Table 2
Soil Intervals for Chemical Analyses
Kuhlman Electric Corporation
Crystal Springs, Mississippi

Soil Sample Location	Soil Sample I.D.	Total Depth of Boring Below ground surface (bgs)	Initial Soil Samples for PCB Analysis
EE-4	EE-4-1	12 ft.	1 ft.
	EE-4-2		2 ft.
	EE-4-3 to 12		Hold All Remaining Depths
CC-1	CC-1-1	12 ft.	1 ft.
	CC-1-2		2 ft.
	CC-1-3 to 12		Hold All Remaining Depths
BB-1	BB-1-1	12 ft.	1 ft.
	BB-1-2		2 ft.
	BB-1-3		3 ft.
	BB-1-4 to 12		Hold All Remaining Depths
AAA-3	AAA-3-1	12 ft.	1 ft.
	AAA-3-2		2 ft.
	AAA-3-3		3 ft.
	AAA-3-4 to 12		Hold All Remaining Depths
AAA-7	AAA-7-1	12 ft.	1 ft.
	AAA-7-3		3 ft.
	AAA-7-4		4 ft.
	AAA-7-5		5 ft.
	AAA-7-2 & AAA-7-6 to 12		Hold All Remaining Depths
AAA-8	AAA-8-1	12 ft.	1 ft.
	AAA-8-4		4 ft.
	AAA-8-7		7 ft.
	AAA-8-8		8 ft.
	AAA-8-9		9 ft.
	AAA-8-10		10 ft.
	AAA-8-2, 3, 5, 6, 11, 12		Hold All Remaining Depths
B-8	B-8-5	7 ft.	5 ft.
	B-8-6		6 ft.
	B-8-7		7 ft.
C-7	C-7-5	7 ft.	5 ft.
	C-7-6		6 ft.
	C-7-7		7 ft.
AA-3	AAA-3-1 to 12	12 ft	Hold All Samples
AA-4	AAA-4-1 to 12	12 ft	Hold All Samples
AA-5	AAA-5-1 to 12	12 ft	Hold All Samples

GeoEnvironmental Associates, LLC | MARTIN&SLAGLE

ROBERT L. MARTIN, LG
Principal Geologist

CHRISTINE E. SLAGLE
Principal Scientist

April 14, 2001

Ms. Gretchen Zmitrovich
Office of Pollution Control
Mississippi Department of Environmental Quality
P.O. Box 10385
Jackson, Mississippi 39289-0385

FILE COPY

SUBJECT: Closure Reports for Medical Center, Dabney/Smith and Newman Duplex Properties Crystal Springs, Mississippi

Dear Ms. Zmitrovich:

Enclosed are two reports each for the referenced properties in Crystal Springs, Mississippi. Remediation of the three properties is complete.

If you have any questions or comments, please contact me at (828) 669-3929.

Sincerely,

MARTIN & SLAGLE GEOENVIRONMENTAL ASSOCIATES, L.L.C

Robert L. Martin, L.G.
Principal Geologist

Attachments

cc.: Anastasia Hamel
Hugh Webb
Al Thomas
Tom Lupo
Scott Schang

828.669.3929 • 828.669.5289 Fax
PO Box 1023 • 208 Sutton Avenue • Black Mountain NC 28711

FILE COPY

FACSIMILE COVER SHEET

SEYFARTH SHAW
ATTORNEYS

55 EAST MONROE STREET, SUITE 4200
CHICAGO, ILLINOIS 60603-5803
DIRECT DIAL: (312) 269-8889
FAX: (312) 269-8869
E-MAIL: tlupo@seyfarth.com

DATE: April 10, 2001
FROM: Thomas D. Lupo
RE:

PLEASE DELIVER THIS TRANSMISSION TO:

RECIPIENT	COMPANY	FAX	PHONE
Gretchen Zmtrovich		601-961-5300	

Client No.:

Number of Pages, Including Cover: 3

Hard copy to follow

Per your request

Per our discussion

Please review and make necessary changes

Please review and advise

Please telephone me

ADDITIONAL MESSAGE:

Please call (312) 269-8889 regarding any problems

SEYFARTH SHAW
ATTORNEYS

55 East Monroe Street
Suite 4200
Chicago, IL 60603-5803
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www.seyfarth.com

Writer's direct phone
(312) 269-8889
Writer's e-mail
tiupo@seyfarth.com

April 10, 2001

VIA FACSIMILE (601) 355-9191

Mary E. McAlister, Esq.
David Nutt & Associates, P.C.
1226 North State Street
P.O. Box 1039
Jackson, Mississippi 39215-1039

Re: Kuhlman Electric Corporation plant ("KEC"), Crystal Springs, Mississippi

Dear Ms. McAlister:

This responds to your letter dated April 6, 2001, in which you authorized the remediation of your clients' properties without split sampling by your representatives. BorgWarner takes issue with a number of your statements as factually inaccurate and inflammatory posturing as well as contrary to our earlier discussions. While BorgWarner will address those issues below, you are notified that BorgWarner will re-commence the residential remediation and restoration activities first at the Edwards' property at 406 Lee Avenue, Crystal Springs at 8:00 a.m. on the morning of April 16, 2001, to be followed upon completion by the Kellum property at 412 Lee Avenue, Crystal Springs. Further properties will be addressed as the necessary access and authorization issues are worked out with the City, MDEQ and others.

To accomplish this work, our contractors' representatives will informally contact the property owners as early as April 11, 2001. We ask that you make whatever contacts you deem necessary to communicate the commencement date and approach to your clients. Please also be aware that work at the Edwards' property cannot begin until the Edwards remove the automobiles and furniture from their front and back yards to provide access. Please let us know when this has been fully accomplished. If the obstructions have not been removed by April 16, work will begin at the Kellum property first.

As we have previously stated and you agreed was unnecessary in our February 9, 2001 telephone conference, BorgWarner will not arrange or pay to lodge the residents in hotels or any other accommodations while remediation and restoration activities occur. While it is imperative that individuals stay out of the work area in order to avoid heavy earth moving equipment, access to

SEYFARTH SHAW
ATTORNEYS

individual's homes will remain. MDEQ has said that individuals need not be excluded from their homes. We are surprised to see this issue arise again.

Field crews must be allowed to perform their actions without disruption. If issues arise, please direct them to BorgWarner rather than any field representatives. Concerning landscaping and restoration of the properties, BorgWarner will replace items with like items but exact duplication will not be possible in all instances. Remediation will be considered complete and work areas will be closed when results from BorgWarner's on-site lab and MDEQ's verbal approval have been received.

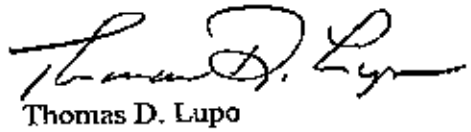
Your letter fails to address whether all pre-remediation sampling has been completed and reported to MDEQ and whether any unanalyzed samples are being withheld. Unless you otherwise inform us of further information, intentions or samples, we will assume that you will have provided all such information by the April 16, 2001 re-commencement date.

Again, BorgWarner is hopeful and is committed to working with you on good faith efforts to address these issues as smoothly and sensibly as possible under the circumstances, with the early priority of addressing the residential properties. Contrary to your surprising assertions that BorgWarner is to blame for awaiting the repeatedly requested sampling information and somehow is seeking to save money, the delays in awaiting the repeatedly requested information will increase BorgWarner's costs. As such, BorgWarner remains frustrated with the lack of resolution of these issues given its mobilization to address the first round of delineated properties in *October 2000 and hopes* that these Spring 2001 activities will greatly advance this process.

Please feel free to contact me with any productive questions or comments.

Very truly yours,

SEYFARTH SHAW

By: 
Thomas D. Lupo

TDL:cyn
10226581
cc: Kelli M. Dowell, Esq.
Gretchen Zmitrovich
Anastasia Hamel
Scott E. Schang, Esq.

DAVID NUTT & ASSOCIATES
ATTORNEYS AT LAW
666 NORTH STREET, SUITE 102A
JACKSON, MISSISSIPPI 39202

FILE COPY

DAVID H. NUTT
MARY E. MCALISTER

MAIN NUMBER: (601) 355-9122
FAX NUMBER: (601) 355-9191

Writer's E-mail Address: maryemc@bellsouth.net

April 6, 2001

VIA U.S. MAIL and FACSIMILE: (312) 269-8869

Thomas D. Lupo, Esquire
Seyfarth, Shaw, Fairweather & Geraldson
55 East Monroe, Suite 4200
Chicago, IL 60603-5803

Re: Kuhlman Electric/BorgWarner site, Crystal Springs, Copiah County, Mississippi

Dear Mr. Lupo:

In response to your letter of April 3, 2001, we deny that we, counsel for residents of Crystal Springs, are responsible for Kuhlman and BorgWarner's delay in remediating our clients' properties. Kuhlman, BorgWarner, and the Mississippi Department of Environmental Quality ("MDEQ") were expressly advised in October, 2000, of our desire for remediation as soon as possible to mitigate clients' exposure to Kuhlman's toxic pollution. Responsibility for the subsequent delay rests solely with your client, and Kuhlman and BorgWarner will be held liable for our clients' exposure to the hazardous substances.

BorgWarner's primary concern obviously is the expense of remediation rather than the health and safety of the citizens of Crystal Springs. Splitting samples with our experts would cause no greater delay than splitting samples with MDEQ, yet you do not complain of MDEQ's oversight. The splitting of samples is a simple, routine procedure commonly utilized in environmental contamination cases. If you truly have confidence in your remediation experts' quality control, then one would expect you to proceed expeditiously with remediation rather than fretting about the possibility that we might catch BorgWarner performing a negligent remediation.

We not only reiterate that we want our clients' properties immediately cleaned up and restored – we insist on it. We will forego the right to split samples during remediation solely to eliminate that tired, old excuse for continued delay. Of course, this does not preclude us from additional sampling, both indoor and outdoor, to determine the effectiveness of the remediation after restoration activities are declared complete by BorgWarner.

Therefore, please advise a starting date and time of day for remediation of each property. Parents with small children, elderly people, and people with serious illnesses

reside at some of the properties polluted with Kuhlman's toxic waste. Those individuals need more than the vague schedule of "shortly after Easter" stated in your letter.

As you recognize and state in your letter that "consistent with health and safety plans and protocols, neither . . . clients nor . . . consultants will enter the areas of operation until remediation and restoration are complete," we also need the name and address of the hotel or other accomodations where BorgWarner intends to lodge our clients at its expense during remediation and restoration activities.

We continue to await your response to other questions contained in my letter to you dated February 17, 2001.

Sincerely yours,

DAVID NUTT & ASSOCIATES

Mary E. McAlister

Mary E. McAlister

Cc: Harold J. Barkley, Jr., Esquire
Harold J. Barkley, III, Esquire
Mark Pearson, Esquire
Kelli Dowell, Esquire/MDEQ
Gretchen Zmitrovich/MDEQ
Al Thomas/Kuhlman Electric Corporation
John and Dorothy Edwards
Paul and Susie Kellum
Orister Harris
Paulette Welch
Beulah Sojourner
Jessie Bouie
Bettie Kendrick
Earl Kendrick
Johnny Harold Barnes, Jr.
Dannie Sue Barnes

FILE COPY

FACSIMILE COVER SHEET

SEYFARTH SHAW
ATTORNEYS

55 EAST MONROE STREET, SUITE 4200
CHICAGO, ILLINOIS 60603-5803
DIRECT DIAL: (312) 269-8889
FAX: (312) 269-8869
E-MAIL: tlupo@seyfarth.com

DATE: April 4, 2001
FROM: Thomas D. Lupo
RE:

PLEASE DELIVER THIS TRANSMISSION TO:

RECIPIENT	COMPANY	FAX	PHONE
Gretchen Zmirovich		601-961-5300	
Client No.:		Number of Pages, Including Cover: 4	

Hard copy to follow
Per your request
Per our discussion

Please review and make necessary changes
Please review and advise
Please telephone me

ADDITIONAL MESSAGE:

Please call (312) 269-8889 regarding any problems

SEYFARTH SHAW
ATTORNEYS

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www.seyfarth.com

Writer's direct phone
(312) 269-8889
Writer's e-mail
dupo@seyfarth.com

April 3, 2001

PRIVILEGED & CONFIDENTIAL

VIA EMAIL AND FACSIMILE (601) 355-9191

Mary E. McAlister, Esq.
David Nutt & Associates, P.C.
1226 North State Street
P.O. Box 1039
Jackson, Mississippi 39215-1039

Re: Kuhlman Electric Corporation plant ("KEC"), Crystal Springs, Mississippi

Dear Ms. McAlister:

Thank you for your recent letters and emails concerning your clients' properties. However, despite our direct but cordial discussions, there remain important previously discussed and yet unresolved issues which have hindered BorgWarner's efforts to commence the remediation and restoration of certain residential properties in the area of the KEC plant. While there exists a great potential for adversity on some issues concerning this overall project, BorgWarner remains committed to remediating the residential properties as promptly as these issues can be resolved.

We believe we possess all of the sampling results which you have submitted to MDEQ, as taken by your various consultants, and are in receipt of your continued statements to "Go ahead and remediate the properties." However, you have not yet addressed crucial issues which BorgWarner has raised concerning further sampling, access and remediation. While we have discussed these issues in the past, no response has addressed them and we feel it is necessary to share them again to prompt their resolution so that BorgWarner might commence remedial activities in the next few weeks, as our contractors were fully mobilized and present to do in October 2000.

The main issue from BorgWarner's our perspective is continued and confirmatory sampling of the properties as they are remediated and your continued requests for split sampling. As we believe you know, and as is borne out by your own consultant's confirmatory sampling, BorgWarner has from the beginning utilized a solid and reliable sampling approach that includes an approved and reputable on-site

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ATTORNEYS

mobile lab, quality control screenings by an independent off-site lab and spot split sampling analyses by MDEQ's lab. This approach has borne out consistent, and therefore reliable, results, without sparing expense to reliability. When last we spoke, you suggested that you might rely on MDEQ's split sampling to confirm sampling results and remediation. We have heard nothing further except what we read as a mixed message to proceed with remediation, on the condition of split sampling, with no acceptable proposal for doing so.

If, in spite of BorgWarner's thorough, check and balance sampling and analysis approach, you continue to desire confirmatory sampling by your own consultants, at your clients' expense, we set forth the following proposal for proceeding. This proposal is made in the context that absent an agreed approach, split sampling likely will interfere with the remediation and restoration activities, to no one's advantage, and that different result reporting times present an opportunity for expensive delays and conflicts in what should be smooth and efficient remediation projects.

First, prior to the commencement of remediation of a particular property, you and your respective client will confirm that all pre-remediation sampling has been completed and results reported to MDEQ and made available to BorgWarner, and that no unanalyzed samples are being withheld. Second, BorgWarner will provide appropriate notice to you of remediation commencement dates. Third, BorgWarner will be authorized to proceed unimpeded with remediation of the respective property to a less than 1 ppm standard for PCBs under the MDEQ's direction. Fourth, consistent with health and safety plans and protocols, neither your clients nor your consultants will enter the areas of operation until remediation and restoration are complete. Fifth, samples will be made available to your consultants for a short period of time at a location bordering the property under remediation.

You can understand that a problem scenario arises upon BorgWarner's completion of remediation activities to less than 1 ppm as confirmed by the on site lab. BorgWarner believes it is then most safe, efficient and favorable to the property owner to promptly commence restoration activities. Awaiting your consultant's confirmatory sampling results and the possibility of disputes concerning repeated remediation tasks presents a scenario that must be resolved in advance. We believe that BorgWarner's current sampling and quality control approach, with MDEQ's confirmatory split sampling, provides more than adequate quality control and should be the basis for proceeding. BorgWarner can then commence work on at least the immediately adjacent properties shortly after Easter, with your clients' approval. As an alternative, perhaps you can agree to report your confirmatory sampling results within a day or two of collection from the property and otherwise agree not to later object to restoration activities.

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Again, BorgWarner is hopeful and is committed to working with you on good faith efforts to address these issues as smoothly and sensibly as possible under the circumstances, with the early priority of addressing the residential properties, and has been frustrated with the lack of resolution of this issue.

Your prompt response will be appreciated and will greatly advance this process.

Very truly yours,

SEYFARTH SHAW

By: Thomas D. Lupo

TDL:cyn
10224926

cc: Kelli M. Dowell, Esq.
Gretchen Zmitrovich
Anastasia Hamel
Scott E. Schang, Esq.

FILE COPY

Gretchen Zmitrovich
04/04/2001 01:33 PM

To: "Mary McAlister" <maryemc@bellsouth.net> @ INETDEQ
cc: Tony Russell/HW/OPC/DEQ@DEQ, Kelli Dowell/Legal/Admin/DEQ@DEQ

Subject: Re: KUHLMAN ELECTRIC/BORGWARNER - CRYSTAL SPRINGS

I do not have any more information on the task force than what I e-mailed earlier. The MDEQ representative to the task force is Henry Folmar, director of our laboratory. You may call him at 664-3910 with any questions you may have.

As far as the residential property clean-up, you should contact Kelli regarding this matter. Thanks

FILE COPY

"Mary McAlister" <maryemc@bellsouth.net> on 04/03/2001 04:11:20 PM

To: <Kelli_Dowell@deq.state.ms.us>, <Tony_Russell@deq.state.ms.us>, <Gretchen_Zmitrovich@deq.state.ms.us>
cc: "Todd S. Johns" <tjohns@barkley.warpone.net>, "Mark Pearson" <mlp@netdoor.com>, "Harold J. Barkley" <hjbms@aol.com>, "Hal Barkley" <howbarkley@tsixroads.com>

Subject: Re: KUHLMAN ELECTRIC/BORGWARNER - CRYSTAL SPRINGS

Gretchen:

Thank you for the information. We request a copy of the methodology used to calculate the risk associated with eating the contaminated fish, all task force findings, and the final risk assessment or report as we have not seen such documents in the MDEQ file. In fact, if you will advise where the task force records, sampling results, minutes of meetings, and communications are maintained or filed, we will follow up to obtain copies of all.

Based on your understanding that the fishing ban will be lifted in the near future and that the city of Crystal Springs was so advised in February, we hereby confirm that MDEQ has no objection to our catching lake fish for analysis by an independent laboratory.

Also, has MDEQ gotten any indication from Kuhlman/BorgWarner as to when sampling will resume and when they intend to remediate our clients' properties? The delay can not be blamed on us - MDEQ and BorgWarner have known since they received Doug Mercier's October 26, 2000 letter, that we want the properties cleaned up as soon as possible to mitigate clients' continued exposure to PCB and other contamination. We met with MDEQ representatives on February 1, 2001, to respond to BorgWarner's bogus claims that we somehow are to blame for BorgWarner's delay. We wrote Tom Lupo, BorgWarner's attorney on February 17, 2001, advising him of our clients' names and addresses, and again, requesting remediation as soon as possible. No response has been received from Mr. Lupo or BorgWarner. We would appreciate any information you can give us as to when remediation will commence.

Thanks,

Meg McAlister

----- Original Message -----
From: <Gretchen_Zmitrovich@deq.state.ms.us>
To: <maryemc@bellsouth.net>; <Tony_Russell@deq.state.ms.us>; <Kelli_Dowell@deq.state.ms.us>
Sent: Friday, March 30, 2001 3:45 PM

> I think the most appropriate way to address your concerns is to recap when

> and why the signs were placed at the Lake. Last summer, MDEQ received
> information (from Borg-Warner's sampling) that sediments leading to the
> lake were contaminated. Representatives from MDEQ took fish tissue
samples
> from the Lake and analyzed them for PCBs. As you know from your review of
> the file, several of the fish tissue samples had detectable levels of PCBs
> in them. In June, MDEQ issued a press release with a precautionary
limited
> consumption advisory on the Lake. At that time, the methodology used to
> calculate the risk associated with eating contaminated fish was under
> review by a task force of representatives from MDEQ, the Health Dept, and
> the Dept of Wildlife, Fisheries and Parks. Based on the press release,
the
> City of Crystal Springs chose to close the Lake to all fishing. They had
> the signs posted, and at one time, they had a person at the Lake to advise
> people about the ban.
>
> As of last month, the task force has recommended that the advisory be
> lifted. The task force's recommendation still has to get approval from
the
> heads of MDEQ, the Health Dept and the Dept of Wildlife, Fisheries, and
> Parks. To my knowledge, these approvals should be given shortly. We did
> notify the City in our last meeting in February of the task force's
> findings.
>
> Gretchen
> ---------
>
>

FILE COPY

STATE OF MISSISSIPPI
DAVID RONALD MUSGROVE, GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
CHARLES H. CHISOLM, EXECUTIVE DIRECTOR

MEMORANDUM

To: Kuhlman Electric Corp. Site File
Crystal Springs, Copiah County, MS

From: Gretchen Zmitrovich

Date: April 3, 2001

Subject: Ms. Juanita King; 00-03154

On February 14, 2001, I spoke to Ms. King about the concerns she had stated in her letter dated February 4, 2001 and about her complaint on October 30, 2000. Ms. King stated that her husband had operated the site as King Sand and Gravel and had allowed numerous businesses to dump on the 45-acre property for years. She stated that she knew Kuhlman had dumped there but was uncertain when, where or exactly what they had dumped. She stated that she knew they had dumped paint buckets but was unsure what was in them or if they had dumped anything else. Ms. King stated that before her husband had past away in 1986, he destroyed all the company's records and had bought soil in to bury the dump site.

I spoke with Tony Russell and Kelli Dowell about the site after my phone conversation with Ms. King. On March 9, 2001, I again spoke with Ms. King. I explained to her that without records showing that Kuhlman had dumped there and without a better understanding of where, when, and what they had allegedly dumped, we could not require Kuhlman to sample the property. I also indicated that her husband had allowed the dumping, and therefore, she may be considered the responsible party for the site. I advised her to inform any perspective buyers about the situation.

I also told Ms. King that we had not addressed the Lake and the properties surrounding it yet. I informed her that if MDEQ determined that this property needed to be sampled in the future, that we would contact her.

SEYFARTH SHAW
ATTORNEYS

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Writer's e-mail
tlupo@seyfarth.com

FILE COPY

February 26, 2001

VIA EMAIL AND FACSIMILE (601) 355-3048

Mary E. McAlister, Esq.
David Nutt & Associates, P.C.
1226 North State Street
P.O. Box 1039
Jackson, Mississippi 39215-1039

Dear Ms. McAlister:

Thank you for your email message of February 21, 2001 in which you stated that a package had been sent to my attention. I responded that we had not received the package and that we would welcome an email or fax of the requested information. As of this morning, we have not yet received any materials from your firm.

We are hopeful that this package will provide the information necessary to allow remediation and restoration activities to proceed on the properties of the clients that you identify. Specifically, you committed to share your clients' identities, with addresses, including initially those properties adjacent to the plant and the related drainage ditch directed toward Lake Chautauqua, advising whether you and your clients have completed and shared all sampling results for your clients' and associated counsels' clients' properties, and thereafter accordingly authorizing access to perform any remediation and restoration efforts deemed necessary in conjunction with applicable law.

As you know, BorgWarner is working closely with and at the direction of the Mississippi Department of Environmental Quality, as well as the City of Crystal Springs, to manage this project. This information will allow these properties to be scheduled or returned to the schedule as soon as practical. BorgWarner remains committed to promptly addressing the residential properties along the plant and the drainage ditch with MDEQ's input, direction and approval. Receiving this information will permit BorgWarner to work with MDEQ to re-schedule your clients' properties for remediation and restoration as the area dries out, further delineation is completed, and the ditch is emptied and stabilized.

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ATTORNEYS

We look forward to and are committed to working with you on good faith efforts to address these issues as smoothly, practically and sensibly as possible under the circumstances, with the early priority of addressing the residential properties, such as your clients. We appreciate your stated commitment to the same. Your prompt follow up to the awaited package will be appreciated.

Very truly yours,

SEYFARTH SHAW

By: Thomas D. Lupo

TDL:jdc

cc: Kelli M. Dowell, Esq.
Gretchen Zmitrovich
Anastasia Hamel
Scott E. Schang, Esq.

10212766.1

SEYFARTH SHAW
ATTORNEYS

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Writer's e-mail
slupo@seyfarth.com

FILE COPY

February 26, 2001

PRIVILEGED AND CONFIDENTIAL

VIA FACSIMILE - 601/605-8529

Mr. Eric Hamer
P. O. Box 12269
Jackson, Mississippi 39236

Re: Kuhlman Electric Corporation Plant, Crystal Springs, Mississippi

Dear Eric:

In response to our recent discussions concerning your representation of the Frazier family and their property adjacent to the Kuhlman Electric Corporation Plant ("KEC") in Crystal Springs, Mississippi, you have made a number of requests for information and further sampling. These inquiries include further sampling of the Fraziers' property, BorgWarner's commitments on remediation and restoration of your client's property, and a schedule for such activities.

As you likely know, neither BorgWarner nor the present Kuhlman Corporation has ever directly owned or operated the KEC plant. BorgWarner Inc. purchased Kuhlman Corporation, the former parent of KEC, in March 1999. The Crystal Springs plant was sold a mere seven months later, with BorgWarner's sale of KEC. As part of the transaction, BorgWarner provided a contractual indemnity for environmental conditions existing *on or prior to* the October 6, 1999 closing date.[1] BorgWarner's current activities are pursuant to this indemnity.

BorgWarner was fully mobilized and prepared to address the Fraziers' property with the Mississippi Department of Environmental Quality's ("MDEQ") approval and oversight in October 2000. Your clients were most cooperative in their conduct leading up to the intended activities. However, when their various counsel have suggested that independent counseling would be or had been arranged, or that BorgWarner should undertake sampling beyond that which already has been conducted, this has resulted in deferral and delays. BorgWarner remains committed to properly addressing the residential properties along the plant as well as the drainage ditch areas with MDEQ's input, direction and approval. In this light, we provide the following information in an effort to again promptly schedule your client's property for remediation and restoration as the area dries out and stabilizes from the spring rainy season.

[1] To the extent that contamination occurred after the closing date, or subsequent activities by KEC, its employees, contractors or agents, or any other party caused the disruption or loss of control of any pre-closing contamination, or a change or movement of the hazard, BorgWarner believes that the indemnity does not apply.

SEYFARTH SHAW
ATTORNEYS

First, you requested that BorgWarner conduct additional sampling on the Frazier property in approximately 8-10 locations. You specifically suggested that further sampling was necessary beneath the Fraziers' home and in the yard at depth of 0"-3" inches, rather than the 0"-6" depth reported by BorgWarner, as more indicative of surface runoff. BorgWarner believes that it has fully defined the scope of the contamination at your client's property to points consistently below regulatory cleanup levels for residential properties. For your consideration, while results were reported as 0"-6", the sampling results set out by BorgWarner reflect a composite of the 0"-6"soils, rather than a sample taken at the 6-inch depth. In light of the sampling results and delineation lines, BorgWarner does not believe that sampling beneath the house is necessary. MDEQ has closely followed and approved this approach. If you still believe that further sampling is necessary, please feel free to do so at your own expense.

Second, we have enclosed a residential property work plan which sets forth BorgWarner's intentions concerning remediation and restoration efforts at the residential properties. This approach has been approved by MDEQ and substantially restores remediated properties to their prior condition. Borg Warner intends to work closely and cooperatively with your client on restoration issues.

Finally, BorgWarner will otherwise proceed with scheduling the Fraziers' property for remediation and restoration once you have confirmed that all sampling of the property has been completed and that all results have been reported, assuming that the results do not prompt the need for further sampling. We understand that you are awaiting groundwater sampling results, and possibly soil samples taken during the well boring activities. Upon receipt of final information, BorgWarner will schedule the property for remediation and restoration pursuant to the enclosed work plan.

Our communications have been quite cordial and we are hopeful that this will continue. I welcome you to contact me concerning the pending sampling results and your clients' intentions. Hopefully, they will allow BorgWarner to proceed to promptly schedule remediation and restoration efforts on the property.

Very truly yours,

SEYFARTH SHAW

By: Tom
Thomas D. Lupo

TDL:cyn
Enclosure
cc: Kelli M. Dowell, Esq.
Gretchen Zmitrovich
Anastasia Hamel

FILE COPY

City of Crystal Springs

March 5, 2001

Mr. Jerry Banks
Mississippi Department of Environmental Quality
Post Office Box 10385
Jackson, MS 39289-0385

Re: City of Crystal Springs, MS
BorgWarner/Kuhlman Site
WGK #00-260

Dear Mr. Banks:

On behalf of the City of Crystal Springs I express our appreciation to the MDEQ staff for your participation and coordination efforts with regards to the ongoing delineation and remediation of the PCB contaminated sites within and outside of the City. I feel that the monthly meetings held with the affected parties are needed and provide much needed information and "brain-storming" that hopefully will lead to timely cleanup of the areas.

With that said it is somewhat surprising that at this point, as far as we know, BorgWarner has not provided any sort of timeframe or schedule outlining what work efforts should be expected. We understand that some items may be out of their control, for example legal matters that prevent them from gaining access to contaminated sites. However, other items, such as a sampling plan and a proposed remediation plan for the north and south ditches, the Kuhlman site and Lake Chautauqua, can be prepared, commented upon and approved during the purported down times waiting on the legal matters to be cleared. We strongly urge that the MDEQ require that BorgWarner provide a comprehensive Gantt Chart style schedule of all known activities for the PCB release project, so that critical paths can be established, the project managed and oversights avoided. Likewise, Kuhlman should be required to provide a similar schedule outlining the remediation required at the AKT Landfill.

With regards to remediation limits to be established on site at the Kuhlman Plant we would advise that based on current knowledge, in order for the City to accept any deed restrictions on the property, a site-specific assessment would have to be performed. This

site-specific assessment would establish the safe limits of the cleanup required and would not arbitrarily establish a 10ppm limit. If a site-specific assessment is not performed, the City will require a 1ppm cleanup limit prior to any deed restrictions being placed on the City owned property.

Regarding the cleanup of Lake Chautauqua, hopefully no one read into your comments regarding the anticipated contamination limits within the fish population that no cleanup of the Lake sediments will be required. The City of Crystal Springs and citizen volunteers have spent many dollars and expended numerous man-hours to provide a recreational facility for use by all within the City and the surrounding areas. It is important that the schedule to be provided include an anticipated sampling and remediation plan for this facility.

Finally, we object to some of the items within the Drainage Channel Master Plan submitted by BorgWarner. We, and hopefully the MDEQ, were quite surprised that Borg Warner feels that the City of Crystal Springs should place our unequipped and untrained personnel in areas that are thought to be contaminated. As explained at the meeting, the City will not be responsible for removing any debris from within any areas along the drainage ditch or other areas that are thought to be contaminated. The City has no deed, easement, or right to enter private property other than that necessary for maintenance of the drainage way. As we suggested, we will assist within the reasonable limits available resources in removing any debris from areas outside the limits of assumed contamination, only after members of MDEQ, BorgWarner, and the City have established these assumed limits. The remediation plan should include provision for the return of any work site in an "as is or better" condition. As stated at the meeting, the City will investigate the availability of grants that might assist in this drainage channel construction, but will not participate in funding any improvements of the drainage channel outside of these parameters.

Again I appreciate MDEQ attacking this situation "head-on." However, we cannot stress enough that we as City personnel and elected officials are the ones on the frontlines of this project. We receive the calls, inquiries, and the like wanting to know when this problem will go away and the City can be made whole. Based on our heartfelt concerns for the health, safety and welfare of our citizens we feel that it is important that these issues be addressed.

Sincerely,
CITY OF CRYSTAL SPRINGS

Hugh Webb
Mayor

cc: Anastasia Hamel, BorgWarner
Paul Acheson, Kuhlman Electric
Bill Owen, WGK

FILE COPY

Brown.Craig@epamail.epa.gov on 03/01/2001 02:53:21 PM

To: Gretchen_Zmitrovich@deq.state.ms.us
cc:

Subject: Re: kuhlman

Gretchen - I just got off the phone with Anastasia and Robert. Borg will be sending EPA and MDEQ a plan for the electric feed line trench. I've told them that they'll need addtional characterization points down the centerline of the trench on 10-ft centers. If no > 50 hits they can dispose of the removed soil at a state approved lf. Even though the area where the trench will go is low level, I still want the additional characterization data to rule out mixing any over 50 material when they excavate. They didn't seem to have a problem with the additional sampling. They asked about cleanup levels. I told them I think that MDEQ and the City would drive that more than EPA.

I'll call you after I've received and reviewed the plan.

Craig

FILE COPY

"Schang, Scott (DC)" <SCOTT.SCHANG@LW.com> on 03/01/2001 08:09:53 AM

To:
cc:

Subject: New mailing address

Please note that Latham & Watkins' Washington, DC office moves effective tomorrow. Our new address is:

Latham & Watkins
555 Eleventh Street NW, Suite 1000
Washington, DC 20004-1304

Our telephone and fax numbers and email addresses remain the same.

Due to the move, our office will close at approximately 11 am tomorrow, and our telephones will be out of service briefly in the afternoon.

Scott Schang

FILE COPY

IT Corporation
11560 Great Oaks Way, Suite 500
Alpharetta, GA 30022
770-667-7790
770-442-7399 fax

the igroup

Fax

(GRETCHEN ZMITROVICH)

To: CRAIG BROOM
From: Bob Thompson
Fax: 601.961.5171 404-562-8972
Pages: 10
Phone:
Date: 2/23/1
Re: KEC-AKT-SAMPLING
CC:

☐ Urgent ☑ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

ATTACHED IS A WORK PLAN ADDENDUM TO DO ADDITIONAL SAMPLING AT AKT. I STILL PLAN ON SENDING AN ASSESSMENT REPORT ON MARCH 5. DATA FROM THIS ADDENDUM WORK WILL BE ADDED TO THE REPORT. PLEASE CALL WITH ANY QUESTIONS. I PLAN ON DOING THE SAMPLE COLLECTION MONDAY. I REALIZE THAT THIS IS A QUICK START FROM PLAN SUBMITTAL BUT I SPOKE WITH EACH OF YOU THIS WEEK AND THERE APPEAR TO BE NO CONCERNS OVER THE NEED AND APPROACH TO THE WORK.

IT Corporation
11560 Great Oaks Way, Suite 500
Alpharetta, GA 30022-2424
Tel. 770.475.8994
Fax. 770.777.9545

A Member of The IT Group

the IT group

February 23, 2001

Ms. Gretchen Zmitrovich
Mississippi Department of Environmental Quality
101 West Capital Street
Jackson, MS 39210

Mr. Craig Brown
U.S. Environmental Protection Agency
61 Forsyth Street, SW
Atlanta, GA 30303

Subject: Addendum to Site Assessment Work Plan
AKT Gravel Pit - Kuhlman Electric Corporation
Crystal Springs, MS

Dear Ms. Zmitrovich and Mr. Brown:

On behalf of Kuhlman Electric Corporation (KEC), IT Corporation is submitting this Addendum to the Site Assessment Work Plan submitted December 1, 2000. This addendum describes additional sample collection and analysis efforts at six new locations. These additional sample locations are recommended because six locations on the perimeter of the existing grid had polychlorinated biphenyls (PCBs) concentrations greater than 1 mg/kg.

Backgound
During building expansion construction at KEC, soils were transported to the AKT gravel pit for fill material. After the transportation and disposal of the fill, it was determined that the soil may contain PCBs. IT Corporation has been retained by KEC to perform the characterization of these soils. In the Site Assessment Work Plan, a soil sampling grid was set up with a length and width of 350 and 125 feet, respectively. Soil sample points were placed every 25 feet along the grid. This soil sample grid was set up to delineate the vertical and horizontal extent of PCBs at the AKT gravel pit. Figure 1 shows the soil sample locations and the orientation of the soil sample grid at the AKT gravel pit.

Soil samples were collected from the sample locations at the AKT gravel pit from December 5 through 13, 2000. Sample locations A-3, A-7, A-8, B-1, C-1, and E-4 had PCB concentrations greater than 1 mg/kg at one or more depths. All of these locations are on the perimeter of the sample grid. Table 1 presents the PCB sample analytical results.

Additional Sampling and Analyses

IT Corporation recommends the addition of nine soil sample locations to the soil sample grid, extending the grid 25 feet from the locations of the soil samples collected on December 13, 2001. The recommended soil sample locations, presented on Figure 1, are:

- EE-4 located 25 feet northeast of soil sample E-4;
- CC-1, located 25 feet northwest of soil sample C-1;
- BB-1, located 25 feet northwest of soil sample B-1;
- AA-3, located 12.5 feet southwest of soil sample location A-3;
- AA-7, located 12.5 feet southwest of soil sample A-7;
- AA-8, located 12.5 feet southwest of soil sample location A-8;
- AAA-3, located 25 feet southwest of soil sample location A-3;
- AAA-7, located 25 feet southwest of soil sample A-7; and
- AAA-8, located 25 feet southwest of soil sample location A-8.

All samples will be collected using direct push technology equipment. Continuous soil samples will be collected at 1-foot intervals to a total depth of 12 feet below ground surface (bgs). These depths were selected based on the existing depth and PCB data from adjoining grid locations. Locations EE-4, CC-1 and BB-1 are located 25 feet from the existing grid because the PCBs were detected at or near the surface in locations E-4, C-1, and B-1. Since PCBs were detected at depth of 3 feet to 7 feet bgs at locations A-3, A-7, and A-8, six additional locations are proposed. Three sample locations will be 12.5 feet from the existing grid and three locations 25 feet from the existing grid. The additional sample locations will be used, as needed, to better determine the PCB distribution.

In addition to the locations above, two sample locations need to be revisited. They are B-8 and C-7. At location B-8, no sample was originally collected due to loose fill conditions, so the sample from those depths was not retained in the sampler when retrieved. Three samples from location C-7 have been lost and they are at depths where data is needed. The sample collection depths are shown on Table 2.

The initial sample analyses are identified on Table 2. Additional analyses will be performed based on the initial analytical results, so that the PCB concentrations above 1 mg/kg can be identified in 1-foot increments for each grid location. All fieldwork and analytical procedures associated with the additional soil sample collection will be performed according to the methods outlined in the Site Assessment Work Plan submitted December 1, 2000.

IT Corporation is prepared to begin the sampling on February 26, 2001. The fieldwork will require two days. These results will be reported as an addendum to the Site Investigation Report. The investigation report presenting the data collected to date will be submitted by March 5, 2001. Following receipt of assessment report comments from the Mississippi Department of Environmental Quality and U.S. Environmental Protection Agency, a soil removal plan will be developed.

If you have any questions, please contact me at (770) 677-7790 or Scott Schang of Latham & Watkins at (202) 637-2115.

Sincerely,
IT Corporation

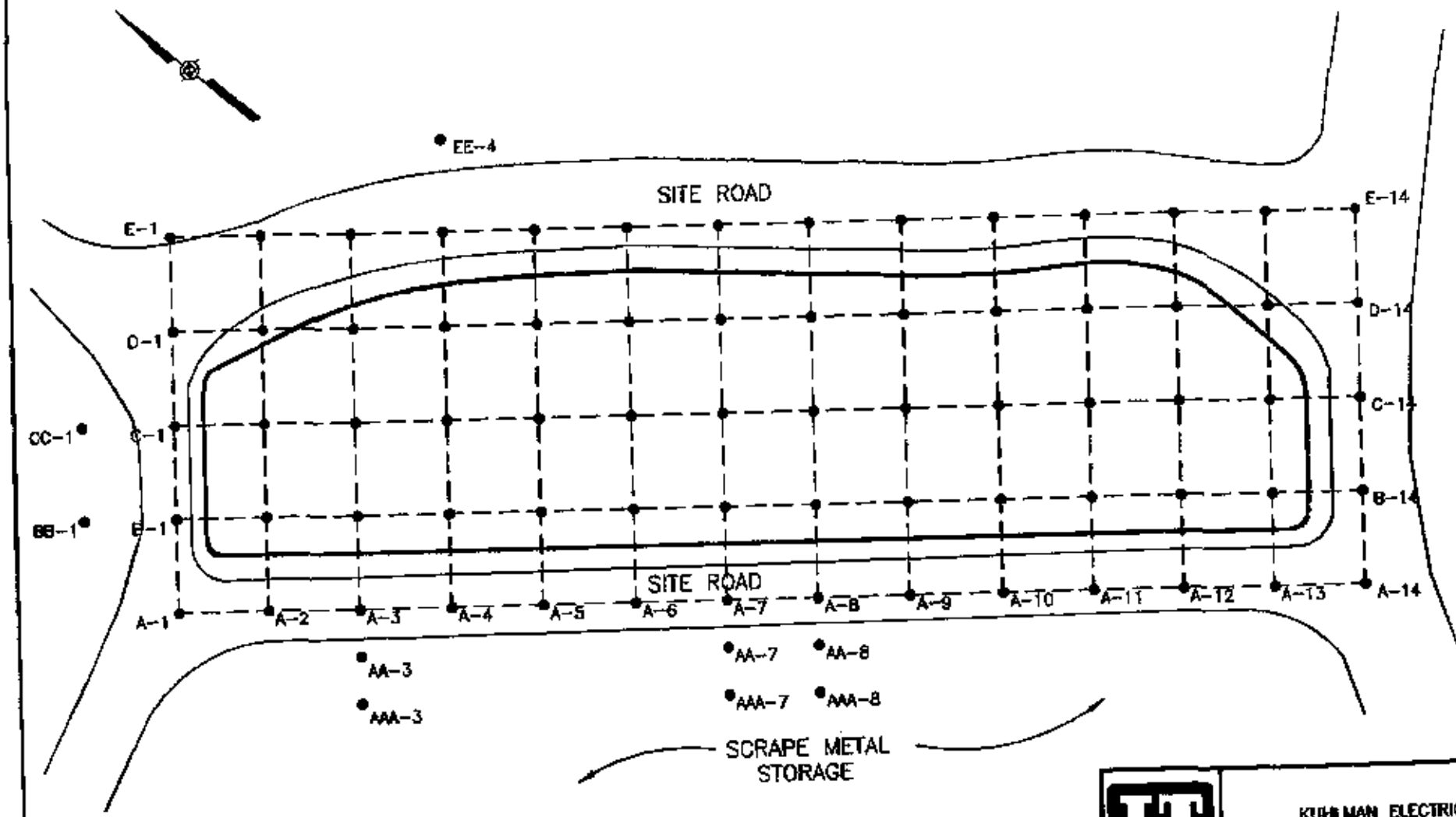
A. Robert Thompson, CHMM
Operations Manager

attachments

cc: Thomas Minnich - Kuhlman Electric Corporation
Paul Acheson - Kuhlman Electric Corporation
Al Thomas - Kuhlman Electric Corporation
Scott Schang - Latham & Watkins
Anastasia Hamel – BorgWarner, Inc.
Thomas Lupo – Seyfarth, Shaw, Fairweather & Geraldson

PLOT DATE: ?/?/99
FORMAT REVISION 3/25/99

IMAGE	X-REF	OFFICE	DRAWN BY		CHECKED BY		APPROVED BY		DRAWING NUMBER
---	---	Atlanta, GA	J. Longo	11/17/99					



LEGEND

- SOIL BORING LOCATION
- 25 ft. GRID
- APPROXIMATE FILL LOCATION
- SITE ROADS

SCALE
0 40 80 FEET

IT CORPORATION

KUHLMAN ELECTRIC
CRYSTAL SPRINGS, MISSISSIPP

T-382 P.005/010 F-845

23-02-2001 15:10 From-The IT Co ion

Table 1

AKT Gravel Pit

Total PCB Concentration (mg/kg)

Surface

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	
E	0.22	0.11	0.12	**5.77**	0.25	**0.32**	<0.02	0.02	<0.02	<0.02	<0.02	<0.02	<0.02	0.22	E
D	0.06	0.14	**70.8**	**9.15**	0.54	**7.36**	**7.52**	1	<0.02	<0.02	0.07	0.04	0.07	0.19	D
C	1.88	**50.9**	**46.1**	**14.2**	**45.5**	**3.2**	**6.01**	0.45	**0.03**	<0.02	<0.02	<0.02	**1.07**	**0.43**	C
B	**9.5**	**40.6**	**2.86**	**20.3**	**7.17**	**2.5**	**4.27**	**4.03**	0.6	0.12	0.27	**0.16**	0.18	<0.02	B
A	<0.02	<0.02	<0.02	0.24	0.06	<0.02	<0.02	<0.02	0.03	0.02	0.02	**0.04**	0.07	0.05	A

1 Foot

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	
E				0.02			**14**								E
D			**19.3**			**1.09**	0.14						0.49		D
C	0.46	**28.7**	**64.4**												C
B	**2.65**	**21.3**		**30.1**	**19.6**										B
A							0.06								A

2 Feet

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	
E				0.02											E
D			<0.02	**12.8**		**4.8**	**123**	**36.6**							D
C	<0.02	0.02	<0.02	**43.5**		**7.92**	**12.8**	0.12	0.13						C
B	<0.02	<0.02	**42.3**	**53.1**	**96.7**			**2.96**							B
A			0.66				0.02								A

3 Feet

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	
E				0.59		0.02	0.19	0.06							E
D				20.3		**97.9**	**85.4**	31.6	<0.02						D
C			0.1	21.8	**221.6**			<0.02							C
B			**6.42**				0.6								B
A															A

2/23/01

Bold type indicates concentrations >1 mg/kg

Table 1

AKT Gravel Pit

Total PCB Concentration (mg/kg)

4 Feet

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	
E	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	E
D	<0.02	<0.02	0.03	0.12	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	0.02	0.03	<0.02	<0.02	D
C	<0.02	<0.02	0.02	<0.02	**16.4**	**113**	**41.8**	**42.1**	**4.36**	<0.02	<0.02	0.02	<0.02	<0.02	C
B	<0.02	0.05	0.04	**67.9**	**140**	**63**	**22.5**	0.84	<0.02	<0.02	0.02	<0.02	<0.02	<0.02	B
A	0.03	0.03	**1.13**	<0.02	<0.02	<0.02	**59.9**	<0.02	0.02	<0.02	<0.02	<0.02	0.21	<0.02	A

5 Feet

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	
E															E
D															D
C					**1.82**			**0.88**	**64.7**						C
B				**3.66**	**65.8**	0.22									B
A			<0.02				**13.7**								A

6 Feet

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	
E															E
D					0.38	**279**		**101**	**127**						D
C				<0.02	0.22	0.59									C
B							0.02	<0.02							B
A			<0.02												A

7 Feet

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	
E															E
D						**153.6**		0.02	0.11						D
C															C
B								**4.68**							B
A															A

2/23/01

Bold type indicates concentrations >1 mg/kg

Table 1

AKT Gravel Pit

Total PCB Concentration (mg/kg)

8 Feet

	1	2	3	4	5	6	7	8	9	10	11	12	13	14
E			<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	0.02	<0.02	<0.02	<0.02	<0.02
D	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02
C	<0.02	0.07	<0.02	<0.02	0.03	0.08	0.35	0.57	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02
B	<0.02	<0.02	<0.02	0.02	0.07	0.03	**16**	**6.97**	0.02	0.02	<0.02	0.04	<0.02	<0.02
A	0.07	0.06	0.03	<0.02	<0.02	<0.02	<0.02	**3.69**	0.12	<0.02	0.1	0.03	<0.02	<0.02

9 Feet

	1	2	3	4	5	6	7	8	9	10	11	12	13	14
E														
D														
C								**12.4**						
B								0.35						
A														

10 Feet

	1	2	3	4	5	6	7	8	9	10	11	12	13	14
E														
D														
C							**1.52**	<0.02						
B								0.11						
A														

11 Feet

	1	2	3	4	5	6	7	8	9	10	11	12	13	14
E														
D														
C							0.06	<0.02						
B														
A														

2/23/01

Bold type indicates concentrations >1 mg/kg

Table 1

AKT Gravel Pit

Total PCB Concentration (mg/kg)

12 Feet

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	
E				<0.02		<0.02	<0.02	<0.02	<0.02	0.02	<0.02	<0.02	<0.02	<0.02	E
D	<0.02	<0.02	0.04	<0.02	<0.02	0.04	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	D
C	<0.02	<0.02	0.03	<0.02	<0.02	0.11	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	C
B	<0.02	<0.02	<0.02	<0.03	<0.02	<0.02	0.07	0.02	<0.02	<0.02	<0.02		<0.02	<0.02	B
A	<0.02	<0.02	0.03	<0.02	<0.02	<0.02	<0.02	<0.02	0.03	<0.02	<0.02		<0.02	<0.02	A

2/23/01

Bold type indicates concentrations >1 mg/kg

Table 2
Soil Intervals for Chemical Analyses
Kuhlman Electric Corporation
Crystal Springs, Mississippi

Soil Sample Location	Soil Sample I.D.	Total Depth of Boring Below ground surface (bgs)	Initial Soil Samples for PCB Analysis
EE-4	EE-4-1	12 ft.	1 ft.
	EE-4-2		2 ft.
	EE-4-3 to 12		Hold All Remaining Depths
CC-1	CC-1-1	12 ft.	1 ft.
	CC-1-2		2 ft.
	CC-1-3 to 12		Hold All Remaining Depths
BB-1	BB-1-1	12 ft.	1 ft.
	BB-1-2		2 ft.
	BB-1-3		3 ft.
	BB-1-4 to 12		Hold All Remaining Depths
AAA-3	AAA-3-1	12 ft.	1 ft.
	AAA-3-2		2 ft.
	AAA-3-3		3 ft.
	AAA-3-4 to 12		Hold All Remaining Depths
AAA-7	AAA-7-1	12 ft.	1 ft.
	AAA-7-3		3 ft.
	AAA-7-4		4 ft.
	AAA-7-5		5 ft.
	AAA-7-2 & AAA-7-6 to 12		Hold All Remaining Depths
AAA-8	AAA-8-1	12 ft.	1 ft.
	AAA-8-4		4 ft.
	AAA-8-7		7 ft.
	AAA-8-8		8 ft.
	AAA-8-9		9 ft.
	AAA-8-10		10 ft.
	AAA-8-2, 3, 5, 6, 11, 12		Hold All Remaining Depths
B-8	B-8-5	7 ft.	5 ft.
	B-8-6		6 ft.
	B-8-7		7 ft.
C-7	C-7-5	7 ft.	5 ft.
	C-7-6		6 ft.
	C-7-7		7 ft.
AA-3	AAA-3-1 to 12	12 ft	Hold All Samples
AA-4	AAA-4-1 to 12	12 ft	Hold All Samples
AA-5	AAA-5-1 to 12	12 ft	Hold All Samples

DAVID NUTT & ASSOCIATES
ATTORNEYS AT LAW
666 NORTH STREET, SUITE 102A
JACKSON, MISSISSIPPI 39202

DAVID H. NUTT
MARY E. MCALISTER

MAIN NUMBER: 601-355-9122
FASCIMILE: 601-355-[illegible]
Writer's E-mail: maryemc@bellsouth.net

February 22, 2001

VIA HAND DELIVERY

Gretchen Zmitrovich
Mississippi Department of Environmental
Quality
101 E. Capitol Street
Jackson, MS 39201

Re: Kuhlman Electric/BorgWarner, Crystal Springs, MS

Dear Ms Zmitrovich:

Enclosed is a copy of the February 14, 2001, Phase II Summary Report: Environmental Testing of Surface Soils, Subsurface Soils, and Groundwater for PCB Litigation prepared by 3TM International, Inc. on behalf of David Nutt & Associates.

Sincerely yours,

DAVID NUTT & ASSOCIATES

Mary E. McAlister

Mary E. McAlister

Cc: Co-Counsel

FILE COPY

"Thomas Lupo" <tlupo@seyfarth.com> on 02/21/2001 10:33:22 AM

To: maryemc@bellsouth.net
cc: hjbms@aol.com, tjohns@barkley.warpone.net, lawyerdm@bellsouth.net, Gretchen_Zmitrovich@deq.state.ms.us, kelli_dowell@deq.state.ms.us, mlp@netdoor.com

Subject: Re: Properties Bordering Kuhlman Electric, Crystal Springs

Ms. McAlister:

Thank you for your response. We have not recieved the referenced February 17, 2001 letter as of this morning. Obviously, the sooner we receive this information the better for planning purposes. My fax number is 312/269-8889 and you have my email address.

We have and will continue to provide our reports and information directly to MDEQ representatives. We are working at MDEQ's direction on various sampling and remediation activities and will keep them apprised of our plans within their direction. This process should provide you with adequate notice of the stated activities. As to particular properties that you and others specifically represent, more specific communications will inherently be in order.

Best regards,

Tom Lupo

>>> "Mary McAlister" <maryemc@bellsouth.net> 02/21/01 09:59AM >>>
Mr. Lupo - We sent you a letter and list of client by US mail on Saturday, 02/17/01. If you do not receive it today, please contact us and we will fax or email it to you today.

We received a final report from our consultants on Monday, 02/19/01, for soil and groundwater sampling conducted in December and January. Since then, I have been trying to contact Gretchen Zmitrovich at MDEQ to arrange a time to provide her with a copy and to show her the old aerial photo that seems to show drainage from Kuhlman toward the east/southeast, among other things.

MDEQ has copies of all final lab results received by us other than those received on Monday. We also would appreciate your providing us in writing all of Kuhlman and BorgWarner's past and current sampling results and notice of pending or future sampling events and results so that we may coordinate our future sampling work with MDEQ, particularly since BW intends to undertake further delineation along the drainage ditch area.

With regards,
Meg McAlister

----- Original Message -----

From: Thomas Lupo <tlupo@seyfarth.com>
To: <Maryemc@bellsouth.net>
Cc: <Ahamel@afs.bwauto.com>; <Gretchen_Zmitrovich@deq.state.ms.us>; <Athomas@kuhlman.com>; <SCOTT.SCHANG@LW.com>
Sent: Wednesday, February 21, 2001 8:36 AM
Subject: Properties Bordering Kuhlman Electric, Crystal Springs

February 21, 2001
VIA EMAIL AND FACSIMILE

Dear Ms. McAlister:

Thank you for your email message of February 12, 2001 in response to my phone call concerning your representation of various residential property owners in the area of Kuhlman Electric Corporation plant ("KEC") in Crystal Springs, Mississippi. In that message you committed to share your clients' identities, including initially those adjacent to the plant and the related drainage ditch directed toward Lake Chautauqua, advising whether you and your clients have completed and shared all sampling results for the prospective properties, and thereafter accordingly authorizing access to perform any remediation and restoration efforts deemed necessary in conjunction with applicable law.

As you know, BorgWarner, as indemnitor of KEC for various aspects of historical contamination at the plant, was already in the field and fully prepared to address the Callums' and Edwards' properties, with the Mississippi Department of Environmental Quality's ("MDEQ") approval and oversight, in October 2000. However, as stated in MDEQ's November 8, 2000 letter to your colleague and co-counsel, Douglas G. Mercier, the intervening sampling events forced MDEQ and BorgWarner to demobilize efforts to address these properties and to focus on properties around them and other aspects of this project.

As we have discussed, BorgWarner remains committed to promptly addressing the residential properties along the plant and the drainage ditch with MDEQ's input, direction and approval. However, as of February 21, 2001, we have not yet received your letter on the foregoing topics. Please provide the requested information in writing, along with any past and current sampling results and notice of pending or future sampling events and results so that we may work with MDEQ to re-schedule your clients' properties for remediation and restoration as the area dries out, further delineation is completed and the ditch is emptied and stabilized as we move out of the spring rainy season.

We look forward to and are committed to working with you on good faith efforts to address these issues as smoothly and sensibly as possible under the circumstances, with the early priority of addressing the residential properties, such as your clients. Your prompt response will be appreciated and will greatly advance this process.

cc: Kelli M. Dowell, Esq.
Gretchen Zmitrovich

Anastasia Hamel
Scott E. Schang, Esq.

THE INFORMATION CONTAINED IN THIS TRANSMISSION IS ATTORNEY PRIVILEGED AND/OR CONFIDENTIAL INFORMATION INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED.

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FILE COPY

"Mary McAlister" <maryemc@bellsouth.net> on 02/21/2001 09:59:52 AM

To: "Thomas Lupo" <tlupo@seyfarth.com>
cc: "Todd S. Johns" <tjohns@barkley.warpone.net>, "Mark Pearson" <mlp@netdoor.com>, "Kelli Dowell" <kelli_dowell@deq.state.ms.us>, "Harold J. Barkley" <hjbms@aol.com>, <Gretchen_Zmitrovich@deq.state.ms.us>, "Doug Mercier" <lawyerdm@bellsouth.net>

Subject: Re: Properties Bordering Kuhlman Electric, Crystal Springs

Mr. Lupo - We sent you a letter and list of client by US mail on Saturday, 02/17/01. If you do not receive it today, please contact us and we will fax or email it to you today.

We received a final report from our consultants on Monday, 02/19/01, for soil and groundwater sampling conducted in December and January. Since then, I have been trying to contact Gretchen Zmitrovich at MDEQ to arrange a time to provide her with a copy and to show her the old aerial photo that seems to show drainage from Kuhlman toward the east/southeast, among other things.

MDEQ has copies of all final lab results received by us other than those received on Monday. We also would appreciate your providing us in writing all of Kuhlman and BorgWarner's past and current sampling results and notice of pending or future sampling events and results so that we may coordinate our future sampling work with MDEQ, particularly since BW intends to undertake further delineation along the drainage ditch area.

With regards,
Meg McAlister

----- Original Message -----
From: Thomas Lupo <tlupo@seyfarth.com>
To: <Maryemc@bellsouth.net>
Cc: <Ahamel@afs.bwauto.com>; <Gretchen_Zmitrovich@deq.state.ms.us>; <Athomas@kuhlman.com>; <SCOTT.SCHANG@LW.com>
Sent: Wednesday, February 21, 2001 8:36 AM
Subject: Properties Bordering Kuhlman Electric, Crystal Springs

February 21, 2001
VIA EMAIL AND FACSIMILE

Dear Ms. McAlister:

Thank you for your email message of February 12, 2001 in response to my phone call concerning your representation of various residential property owners in the area of Kuhlman Electric Corporation plant ("KEC") in Crystal Springs, Mississippi. In that message you committed to share your clients' identities, including initially those adjacent to the plant and the related

drainage ditch directed toward Lake Chautauqua, advising whether you and your clients have completed and shared all sampling results for the prospective properties, and thereafter accordingly authorizing access to perform any remediation and restoration efforts deemed necessary in conjunction with applicable law.

As you know, BorgWarner, as indemnitor of KEC for various aspects of historical contamination at the plant, was already in the field and fully prepared to address the Callums' and Edwards' properties, with the Mississippi Department of Environmental Quality's ("MDEQ") approval and oversight, in October 2000. However, as stated in MDEQ's November 8, 2000 letter to your colleague and co-counsel, Douglas G. Mercier, the intervening sampling events forced MDEQ and BorgWarner to demobilize efforts to address these properties and to focus on properties around them and other aspects of this project.

As we have discussed, BorgWarner remains committed to promptly addressing the residential properties along the plant and the drainage ditch with MDEQ's input, direction and approval. However, as of February 21, 2001, we have not yet received your letter on the foregoing topics. Please provide the requested information in writing, along with any past and current sampling results and notice of pending or future sampling events and results so that we may work with MDEQ to re-schedule your clients' properties for remediation and restoration as the area dries out, further delineation is completed and the ditch is emptied and stabilized as we move out of the spring rainy season.

We look forward to and are committed to working with you on good faith efforts to address these issues as smoothly and sensibly as possible under the circumstances, with the early priority of addressing the residential properties, such as your clients. Your prompt response will be appreciated and will greatly advance this process.

cc: Kelli M. Dowell, Esq.
Gretchen Zmitrovich
Anastasia Hamel
Scott E. Schang, Esq.

SEYFARTH SHAW
ATTORNEYS

FILE COPY

55 East Monroe Street
Suite 4200
Chicago, IL 60603-5803
312-346-8000
fax 312-269-8869
www.seyfarth.com

Writer's direct phone
(312) 269-8889
Writer's e-mail
tlupo@seyfarth.com

February 21, 2001

PERSONAL & CONFIDENTIAL

VIA EMAIL AND FACSIMILE (601) 355-3048

Mary E. McAlister, Esq.
David Nutt & Associates, P.C.
1226 North State Street
P.O. Box 1039
Jackson, Mississippi 39215-1039

Dear Ms. McAlister:

Thank you for your email message of February 12, 2001 in response to my phone call concerning your representation of various residential property owners in the area of the Kuhlman Electric Corporation plant ("KEC") in Crystal Springs, Mississippi. In that message you committed to share your clients' identities, including initially those properties adjacent to the plant and the related drainage ditch directed toward Lake Chautauqua, advising whether you and your clients have completed and shared all sampling results for your clients' properties, and thereafter accordingly authorizing access to perform any remediation and restoration efforts deemed necessary in conjunction with applicable law.

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SEYFARTH SHAW
ATTORNEYS

clients' properties for remediation and restoration as the area dries out, further delineation is completed, and the ditch is emptied and stabilized as the spring rainy season ends.

We look forward to and are committed to working with you on good faith efforts to address these issues as smoothly and sensibly as possible under the circumstances, with the early priority of addressing the residential properties, such as your clients. Your prompt response will be appreciated and will greatly advance this process.

Very truly yours,

SEYFARTH SHAW

By: Thomas D. Lupo

TDL:cyn
1021448

cc: Kelli M. Dowell, Esq.
Gretchen Zmitrovich
Anastasia Hamel
Scott E. Schang, Esq.

FILE COPY

"Thomas Lupo" <tlupo@seyfarth.com> on 02/21/2001 08:36:03 AM

To: Maryemc@bellsouth.net
cc: Ahamel@afs.bwauto.com, Gretchen_Zmitrovich@deq.state.ms.us, Athomas@kuhlman.com, SCOTT.SCHANG@LW.com

Subject: Properties Bordering Kuhlman Electric, Crystal Springs

February 21, 2001

VIA EMAIL AND FACSIMILE

Dear Ms. McAlister:

Thank you for your email message of February 12, 2001 in response to my phone call concerning your representation of various residential property owners in the area of Kuhlman Electric Corporation plant ("KEC") in Crystal Springs, Mississippi. In that message you committed to share your clients' identities, including initially those adjacent to the plant and the related drainage ditch directed toward Lake Chautauqua, advising whether you and your clients have completed and shared all sampling results for the prospective properties, and thereafter accordingly authorizing access to perform any remediation and restoration efforts deemed necessary in conjunction with applicable law.

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As we have discussed, BorgWarner remains committed to promptly addressing the residential properties along the plant and the drainage ditch with MDEQ's input, direction and approval. However, as of February 21, 2001, we have not yet received your letter on the foregoing topics. Please provide the requested information in writing, along with any past and current sampling results and notice of pending or future sampling events and results so that we may work with MDEQ to re-schedule your clients' properties for remediation and restoration as the area dries out, further delineation is completed and the ditch is emptied and stabilized as we move out of the spring rainy season.

We look forward to and are committed to working with you on good faith efforts to address these issues as smoothly and sensibly as possible under the circumstances, with the early priority of addressing the residential properties, such as your clients. Your prompt response will be appreciated and will greatly advance this process.

cc: Kelli M. Dowell, Esq.

Gretchen Zmitrovich
Anastasia Hamel
Scott E. Schang, Esq.

- 62V7C01!.WPD

DAVID NUTT & ASSOCIATES, P.C.
ATTORNEYS AT LAW
666 NORTH STREET, SUITE 102A
JACKSON, MISSISSIPPI 39202

DAVID H. NUTT
MARY E. MCALISTER

MAIN NUMBER: 601-355-9122
FASCIMILE: 601-355-9191

Writer's E-mail: maryemc@bellsouth.net

FILE COPY

February 17, 2001

Thomas D. Lupo, Esquire
Seyfarth, Shaw, Fairweather & Geraldson
55 East Monroe, Suite 4200
Chicago, IL 60603-5803

Re: Kuhlman Electric/BorgWarner site, Crystal Springs, Copiah County, Mississippi

Dear Mr. Lupo:

Our law firm currently represents 650 current and former residents of Crystal Springs in connection with PCB contamination originating from the Kuhlman Electric Corporation plant site. We are associated with Harold J. Barkley, Jr. of Jackson, Mississippi, Harold J. Barkley, III of Aberdeen, Mississippi, and Mark Pearson of Jackson, Mississippi, as to all clients. Doug Mercier associated us in representation of the Kellum, Edwards, Reeves, and Warren families. Additionally, we are participating in a joint cooperation agreement with Eric T. Hamer of Jackson in connection with his representation of the Frazier family on Lee Avenue in Crystal Springs. A list of our clients by name and current address is enclosed. All future communications between Kuhlman or BorgWarner and our clients must be conducted through our law offices.

We confirm that BorgWarner, pursuant to an indemnity agreement, is contractually obligated to Kuhlman to address environmental issues associated with the Kuhlman site, including remediation of properties contaminated by PCB's and any other toxic or hazardous substances originating at the Kuhlman plant in Crystal Springs. If Kuhlman is represented by counsel, we request the name and address of its attorneys.

As we discussed by telephone last week, we request remediation as soon as possible of all clients' properties contaminated above the residential soil standard of 1 ppm to reduce the duration and extent of their exposure or potential exposure. Please advise BorgWarner's anticipated remediation schedule so we can coordinate the work with our clients, experts, consultants, and MDEQ.

We request the opportunity to split soil samples with BorgWarner during remediation activities and future soil sampling on our clients' properties under the same protocol as utilized by BorgWarner and MDEQ. We deny that splitting BorgWarner's soil samples with our consultants would delay or impede BorgWarner's remediation activities.

We also request a copy of BorgWarner's sampling plan and schedule for the drainage ditch area between the Kuhlman plant site and Lake Chatauqua (west/northwest of the plant). Many of our clients advise that the creek has flooded under their homes on occasion. What provision has BorgWarner made or plans to make to sample under residents' homes to determine whether contamination is present under homes and the concentrations of such contamination?

Additionally, please advise BorgWarner's position and intention as to sampling the apparent drainage pathway on the east side of the Kuhlman site. As we discussed during our telephone call, old aerial photographs indicate a drainage pattern on the east side of the site across the Stringer Funeral Home property on Jackson Avenue, and then in an east/southeast direction through the town of Crystal Springs. We are not aware of any soil sampling performed along that apparent pathway. If such sampling has been performed, please provide us with the analytical results.

In conclusion, we hold Kuhlman and BorgWarner accountable for proper disposal of all contamination removed from our clients' properties. Therefore, please advise the final destination of all contaminated soil to be removed from our clients' properties and provide written assurance that it has been or will be properly disposed of in an approved facility.

Sincerely,

DAVID NUTT & ASSOCIATES

Mary E. McAlister

Mary E. McAlister

Cc: Harold J. Barkley, III, Esquire
Harold J. Barkley, Jr., Esquire
Mark Pearson, Esquire
Doug Mercier, Esquire
Eric Hamer, Esquire
Gretchen Zmitrovich, MDEQ
Kuhlman Electric Corporation
Kuhlman Corporation

FILE COPY

"Mary McAlister" <maryemc@bellsouth.net> on 02/12/2001 04:29:36 PM

To: "Thomas Lupo" <tlupo@seyfarth.com>
cc: <Gretchen_Zmitrovich@deq.state.ms.us>

Subject: KUHLMAN ELECTRIC, CRYSTAL SPRINGS, MS

Tom - Thank you for contacting me regarding the status of BW's sampling and remediation activities. I look forward to working with you to resolve the situation in Crystal Springs. As discussed, I will send you a letter on Wednesday, 02-14-01, to:
1. advise our clients' identities and addresses adjacent to the plant and along the drainage ditch area;
2. confirm our willingness to allow remediation as soon as possible at the Edwards and Kellums' homes and drainage ditch properties where sampling is deemed "complete"; and
3. propose a mechanism to split samples with BW during remediation, which I understand you disfavor.

As I advised you, we are awaiting final lab results for recent soil and groundwater testing which we expect to receive later this week. Those results will be provided to MDEQ as soon as we receive them. I confirm the information you provided today that BW has not concluded sampling along the drainage area west/northwest of the plant site, that BW has sampled only properties adjacent to the ditch, and expects further sampling in the vicinity based on the results obtained to date.

I also inquired about sampling along the ditch that exits the Kuhlman site on the east side, flows across the Stringer funeral home property, under Jackson Avenue, and then in a east/southeast direction through the town. We would appreciate knowing whether or not BW intends to sample along the ditch. We are not aware of any sampling in that area by BW or MDEQ. Old aerial photographs clearly show a drainage pattern flowing toward the east from Kuhlman. Clients advise that the elevation of the Kuhlman site was reduced by as much as a foot in the last few years which may have interrupted the easterly flow and caused surface water to drain toward the west along Fulgham Avenue and then toward the Lake. Please advise.

Regards, Meg McAlister

GeoEnvironmental Associates, LLC | MARTIN&SLAGLE

ROBERT L. MARTIN, LG
Principal Geologist

CHRISTINE E. SLAGLE
Principal Scientist

FILE COPY

February 9, 2001

Ms. Gretchen Zmitrovich
Office of Pollution Control
Mississippi Department of Environmental Quality
P.O. Box 10385
Jackson, Mississippi 39289-0385

SUBJECT: Response to Comments
Preliminary Site Characterization Report
Kuhlman Electric Corporation
Crystal Springs, Mississippi

Dear Ms. Zmitrovich:

This correspondence provides our response to your comments resulting from your review of the *Preliminary Site Characterization Report* for the referenced facility submitted to your office in July 2000. Our responses are included below. Replacement pages with all changes or corrections are attached with this letter.

1. COMMENT: Report states that no PCBs were detected below 12 feet. However DP-3 at 18 feet had a detection of 1.5 ppm; DP-209 at 14 feet had a detection of 0.13 ppm.

RESPONSE: No PCBs were found in soil at depths greater than 14 feet. The sample collected from DP-3 was a perched groundwater sample collected at 18 feet. The text is revised on pages 1-2 and 9-2 to clarify this. Corrected pages are included in this package.

2. COMMENT: Which boring was advanced to 60 feet? What was the geology like? Include this information in the report.

RESPONSE: The boring is DP-101 The hole was advanced to collect a groundwater sample from the saturated zone anticipated to be in the vicinity of 65 to 70 feet below grade. Groundwater was not encountered at 60 feet; therefore no groundwater sample was collected. No soil samples were collected during drilling operation due to the depth and the earth pressures against the drill rod making multiple extractions of the rods to collect soil samples impossible. Upon extraction of the rods from the hole the hole caved in behind the sampler.

3. COMMENT: Need isopleths for chlorinated benzene and PAH detections.

RESPONSE: New Figures 11 and 12 show concentrations of chlorinated benzene and PAHs. Due to the relatively small number of detections and their scattered occurrences across the site, development of isopleths is not practical or useful.

828.669.3929 • 828.669.5289 Fax
PO Box 1023 • 208 Sutton Avenue • Black Mountain NC 28711

4. COMMENT: The following samples were on the chain-of-custody forms for fixed-lab but data sheets are missing from the report:

DP-195-4 for PCBs
DP-140-0.5 for PCBs and 8270
DP-148-3 for PCBs and 8270
SW-SS-7 for PCBs and 9270

RESPONSE: These data sheets were inadvertently left out of the appendix. Copies of these data sheets are included in this package for insertion into MDEQ's report.

5. COMMENT: The table of laboratory data indicated that DP-149 at 0.5'had a detection of PCB at 160 ppm but Figure 5 (0.5'-3') shows 60 ppm; please correct discrepancy.

RESPONSE: The concentration on the map is a topographical error. The concentration at this location is 160 ppm. A revised map is provided in this submittal for replacement.

6. COMMENT: The table of laboratory data indicates that DP-1 at 4' had a detection of PCB at 10 ppm; these data should be shown on Figure 6 (3'-6') instead of Figure 5 (0.5'-3'); correct discrepancy.

RESPONSE: The correction has been made on both figures. Please insert new maps (provided) with corrections into your report.

7. COMMENT: Table of laboratory data indicates that DP-86 at 4' had a detection of PCB at 0.41 ppm but Figure 6 (3'-6') shows <0.1 ppm ; correct discrepancy.

RESPONSE: DP-86 had .41 ppm at 0.5'and <.10 ppm at 4'. The maps and tables are correct.

8. COMMENT: Table of laboratory data indicates that DP-142 at 6' was non-detect at 0.1 ppm but Figure 6 (3'-6') shows 0.8 ppm; correct discrepancy.

RESPONSE: The concentration has been corrected on Figure 6.

9. COMMENT: Where were DP-12 and DP-12B taken? Table gives data but the samples are not on any figures.

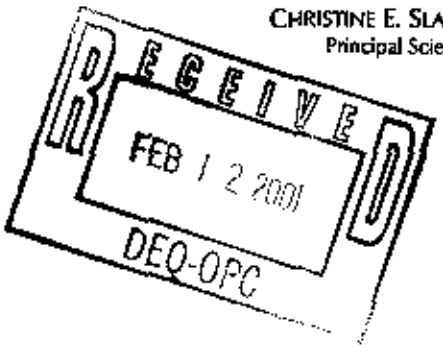
RESPONSE: This is quality control correction that was made in the field. The field documentation for the original boring DP-12 was incorrect. The hole was resampled but documentation was again incorrect. A third sampling was conducted at DP-12 and the samples were designated DP-12C. Analytical results for DP-12 and 12B do not exist.

GeoEnvironmental Associates, LLC | MARTIN&SLAGLE

FILE COPY

ROBERT L. MARTIN, LG
Principal Geologist

CHRISTINE E. SLAGLE
Principal Scientist



February 9, 2001

Ms. Gretchen Zmitrovich
Office of Pollution Control
Mississippi Department of Environmental Quality
P.O. Box 10385
Jackson, Mississippi 39289-0385

SUBJECT: Addendum to the Preliminary Site Characterization Report
Kuhlman Electric Corporation
Crystal Springs, Mississippi

Dear Ms. Zmitrovich:

Enclosed is the *Addendum to the Preliminary Site Characterization Report* for the Kuhlman Electric Corporation site in Crystal Springs, Mississippi. Fieldwork associated with this investigation was conducted in September 2000. This investigation addresses all sampling conducted to date on the Kuhlman site.

If you have any questions or comments, please contact me at (828) 669-3929.

Sincerely,

MARTIN & SLAGLE GEOENVIRONMENTAL ASSOCIATES, L.L.C

Robert L. Martin, L.G.
Principal Geologist

Attachments

cc.: Anastasia Hamel
Hugh Webb
Al Thomas
Tom Lupo
Scott Schang

828.669.3929 • 828.669.5289 Fax
PO Box 1023 • 208 Sutton Avenue • Black Mountain NC 28711

10. COMMENT: Table of laboratory data indicates that DP-10 at 8' was non-detect at 0.1 ppm but the sampling point is missing from Figure 7 (8').

RESPONSE: The sample location was added to Figure 7. A revised map is included in this package.

11. COMMENT: Where were DS-1, DS-2, and DS-3 taken?

RESPONSE: Samples with "DS" designations are duplicate samples used for on-site laboratory quality control. They are not environmental samples.

12. COMMENT: DP-55 is included on Figure 7 (8') but no laboratory data sheets data sheets are provided; correct discrepancy.

RESPONSE: No samples were collected from below 4' at DP-55. Figure 7 has been corrected to reflect this.

13. COMMENT: DP-138 and DP-139 are included on Figure 8 (12') but no laboratory data sheets are provided; correct discrepancy.

RESPONSE: No samples were collected from DP-138 or DP-139 at 12'. Figure 8 has been corrected to reflect this. A revised map is included in this submittal as a replacement.

If you have any questions or require additional clarification, please contact me at (828) 669-3929.

Sincerely,

MARTIN & SLAGLE GEOENVIRONMENTAL ASSOCIATES, L.L.C

Robert L. Martin, L.G.
Principal Geologist

Attachments

cc.: Anastasia Hamel
Tom Lupo
Al Thomas
Scott Schang

Last Name	First Name	Address	City	State	Postal Code
ADAMS	LARRY	1015 ADAMS LANE	CRYSTAL SPRINGS	MS	39059-
ADAMS (DEC)	WOODROW	C/O LARRY ADAMS	CRYSTAL SPRINGS	MS	39059-
ALFORD	ANNTIONETTE	148 EAST PACIFIC CIRCLE	CRYSTAL SPRINGS	MS	39059-
ALFORD	ASIA	C/O ANNTIONETTE ALFORD, MOTHER	CRYSTAL SPRINGS	MS	39059-
ALFORD	ERIC	1078 DEAR COURT LANE	CRYSTAL SPRINGS	MS	39059-
ALFORD	JAZIMA	C/O ANNTIONETTE ALFORD, MOTHER	CRYSTAL SPRINGS	MS	39059-
ALFORD	MYRA	148 EAST PACIFIC CIRCLE	CRYSTAL SPRINGS	MS	39059-
ALFORD	ROBERT	1078 DEAR COURT LANE	CRYSTAL SPRINGS	MS	39059-
ALFORD	WILLIAM	1078 DEAR COURT LANE	CRYSTAL SPRINGS	MS	39059-
ALFORD	WILLIE	1078 DEAR COURT LANE	CRYSTAL SPRINGS	MS	39059-
ALLEN	RENA	212 WILLIAMS STREET	CRYSTAL SPRINGS	MS	39059-
ARDS	JARRELL	C/O JAMIE BANKS	JACKSON	MS	39212-
ARDS	JARTRAVION	C/O JANICE BANKS	JACKSON	MS	39212-
ARMSTRONG	OPAL	223 WEST RAILROAD AVENUE NORTH	CRYSTAL SPRINGS	MS	39059-
AYERS	AVIS	107 AUSTIN CIRCLE	CRYSTAL SPRINGS	MS	39059-
AYERS	EARMIE	107 AUSTIN CIRCLE	CRYSTAL SPRINGS	MS	39059-
AYERS	QUINTIN	107 AUSTIN CIRCLE	CRYSTAL SPRINGS	MS	39059-
AYERS	TROY	107 AUSTIN CIRCLE	CRYSTAL SPRINGS	MS	39059-
BAILEY	DESHAUN	C/O YOLANDA BAILEY	JACKSON	MS	39209-4710
BAILEY	ERIKA	507 SOUTH JACKSON STREET	CRYSTAL SPRINGS	MS	39059-
BAILEY	ETHEL	106 DEAAE STREET	CRYSTAL SPRINGS	MS	39059-
BAILEY	EZRA	C/O ERIKA BAILEY	CRYSTAL SPRINGS	MS	39059-
BAILEY	JOHNNIE	201 CAROLYN LANE	CRYSTAL SPRINS	MS	39059-
BAILEY	LAQUIESHA	4929 N. WESTHAVEN DRIVE	JACKSON	MS	39209-4710
BAILEY	MARION	201 CAROLYN LANE	CRYSTAL SPRINGS	MS	39059-
BAILEY	O'KIRA	C/O LAQUESHA BAILEY	JACKSON	MS	39209-4710
BAILEY	OKELLYA	C/O LAQUESHA BAILEY, MOTHER	CRYSTAL SPRINGS	MS	39059-
BAILEY	PACILLIO	507 SO. JACKSON STREET	CRYSTAL SPRINGS	MS	39059-
BAILEY	PURRELL	C/O JOHNNIE BAILEY, MOTHER	CRYSTAL SPRINGS	MS	39059-
BAILEY	SHAKEIRA	C/O JOHNNIE BAILEY, MOTHER	CRYSTAL SPRINGS	MS	39059-
BAILEY	TONY	106 BELL STREET	CRYSTAL SPRINGS	MS	39059-
BAILEY	VERNON	103 THOMAS CIRCLE	CRYSTAL SPRINGS	MS	39059-
BAILEY	YOLANDA	4929 N. WESTHAVEN DRIVE	JACKSON	MS	39209-4710

Last Name	First Name	Address	City	State	Postal Code
BAILEY (DEC)	EUGENE	C/O RHONDA P. REID, DAUGHTER	CRYSTAL SPRINGS	MS	39059-
BALDRIDGE	JOHN	C/O JOHNNIE BAILEY, GUARDIAN	CRYSTAL SPRINGS	MS	39059-
BANKS	ALFONSO	125 PACIFIC CIRCLE	CRYSTAL SPRINGS	MS	30959-
BANKS	DANIELLE	205 CAROLYN LANE	CRYSTAL SPRINGS	MS	39059-
BANKS	JANICE	2625 BELVEDERE DRIVE. APT. 106	JACKSON	MS	39212-
BANKS	MARY	205 CAROLYN LANE	CRYSTAL SPRINGS	MS	39059-
BARNES	COURTNEY	108 TUCKER STREET	CRYSTAL SPRINGS	MS	39059-
BARNES	DANNIE	108 TUCKER STREET	CRYSTAL SPRINGS	MS	39059-
BARNES, JR.	JOHNNY	108 TUCKER STREET	CRYSTAL SPRINGS	MS	39059-
BASS	BETTY	207 PURVIS DRIVE	CRYSTAL SPRINGS	MS	39059-
BASS	BOBBIE	105 PURVIS DRIVE	CRYSTAL SPRINGS	MS	39059-
BENSON	DEEJUAN	C/O	CRYSTAL SPRINGS	MS	39059-
BENSON	DEMARIA	108 WEST PIAZZA STREET	CRYSTAL SPRINGS	MS	39059-
BENSON	GERALDINE	114 WEST PIAZZA STREET	CRYSTAL SPRINGS	MS	39059-3182
BENSON	ROY	108 WEST PIAZZA STREET	CRYSTAL SPRINGS	MS	39059-
BENSON, SR.	MILTON	114 WEST PIAZZA STREET	CRYSTAL SPRINGS	MS	39059-
BERRY	LINDA	108 CAMP STREET	CRYSTAL SPRINGS	MS	39059-
BERRY (DEC)	TONY	C/O LINDA D. BERRY	CRYSTAL SPRINGS	MS	39059-
BILEY	HATTIE	108 HATTIE LANE	CRYSTAL SPRINGS	MS	39059-
BONKS	IESHIA	205 CAROLYN LANE	CRYSTAL SPRINGS	MS	39059-
BONNER	MARTHA	117 SCOTT STREET	CRYSTAL SPRINGS	MS	39059-
BOUIE	JESSIE	111 MCPHERSON STREET	CRYSTAL SPRINGS	MS	39059-
BRENT	FREDDIE	205 POWELL STREET	CRYSTAL SPRINGS	MS	39059-
BRENT	JOHN	5191 THOMAS ROAD	CRYSTAL SPRINGS	MS	39059-
BRENT	ROSIE	106 CAMP STREET	CRYSTAL SPRINGS	MS	39059-
BRENT	SHARON	1006 AGRENVILLE LANE	CRYSTAL SPRINGS	MS	39059-
BROWN	APRIL	C/O DOROTHY BROWN, MOTHER	CRYSTAL SPRINGS	MS	39059-
BROWN	DARKEYUS	C/O GLADYS BROWN	CRYSTAL SPRINGS	MS	39059-
BROWN	DIMARQUEZ	C/O ERNESTINE CALHOUN	CRYSTAL SPRINGS	MS	39059-
BROWN	DORA	106 NORTH PAT HARRISON DRIVE	CRYSTAL SPRINGS	MS	39059-
BROWN	DOROTHY	303 MOORE STREET	CRYSTAL SPRINGS	MS	39059-
BROWN	EDDIE	104 PUCKETT STREET	CRYSTAL SPRINGS	MS	39059-
BROWN	ESSIE	120 PURVIS DRIVE	CRYSTAL SPRINGS	MS	39059-

Last Name	First Name	Address	City	State	Postal Code
BROWN	GERRY	108 MILLER STREET	CRYSTAL SPRINGS	MS	39059-
BROWN	GLADYS	118 CAROLYN LANE	CRYSTAL SPRINGS	MS	39059-
BROWN	GREGORY	C/O DOROTHY BROWN, MOTHER	CRYSTAL SPRINGS	MS	39059-
BROWN	KENETHIA	C/O RHONDA P. REID, GUARDIAN	CRYSTAL SPRINGS	MS	39059-
BROWN	LAKENDRICK	C/O GLADYS BROWN	CRYSTAL SPRINGS	MS	39059-
BROWN	NIGA	1017 LEE AVENUE	CRYSTAL SPRINGS	MS	39059-
BROWN	ROSE	RT. 3 BOX 125-L	MONTICELLO	MS	39654-
BRYAN	E'KYA	103 JORDAN STREET	CRYSTAL SPRINGS	MS	39059-
BRYAN	MAGGIE	301 EAST PIAZZA STREET	CRYSTAL SPRINGS	MS	39059-
BRYANT	MARLTON	243 MAGNOLIA TRAIL	BRANDON	MS	39047-
BUCK	LAURA	C/O DELLA WILSON, POA	CRYSTAL SPRINGS	MS	39059-
BUIE	CURLY	1195 HARMONY ROAD	CRYSTAL SPRINGS	MS	39059-
BUIE	DEMETRICE	4062 TANYARD ROAD	CRYSTAL SPRINGS	MS	39059-
BUIE	ERIC	4062 TANYARD ROAD	CRYSTAL SPRINGS	MS	39059-
BUIE	JOHN	211 POWELL STREET	CRYSTAL SPRINGS	MS	39059-
BUIE	RICHARD	317 MOORE STREET	CRYSTAL SPRINGS	MS	39059-
BURRELL	C.W.	526 RAILROAD	CRYSTAL SPRINGS	MS	39059-
BUTLER	JESSIE	116 JORDAN STREET	CRYSTAL SPRINGS	MS	39059-
CALHOUN	ERNESTINE	100 THOMAS CIRCLE	CRYSTAL SPRINGS	MS	39059-
CALHOUN	PAULETTE	947 BLANK STREET	NASHVILLE	TN	37208-
CALHOUN	THOMAS	100 THOMAS CIRCLE	CRYSTAL SPRINGS	MS	39059-
CATCHING	ETHEL	225 POWELL STREET	CRYSTAL SPRINGS	MS	39059-
CATCHINGS	DEON	C/O DOROTHY CATCHINGS	CRYSTAL SPRINGS	MS	39059-
CATCHINGS	DOROTHY	110 JORDAN STREET	CRYSTAL SPRINGS	MS	39059-
CATCHINGS	KEON	C/O DOROTHY CATCHINGS	CRYSTAL SPRINGS	MS	39059-
CATCHINGS	KIZZIE	110 JORDAN STREET	CRYSTAL SPRINGS	MS	39059-
CATCHINGS	ROBERTS	110 JORDAN STREET	CRYSTAL SPRINGS	MS	39059-
CHRISTMAS	DALE	1013 EASTER	CRYSTAL SPRINGS	MS	39059-
CHRISTMAS	GLENN	251 CAMP STREET	CRYSTAL SPRINGS	MS	39059-
CHRISTMAS	GWENDOLYN	251 CAMP STREET	CRYSTAL SPRINGS	MS	39059-
CHRISTMAS	LEANETTE	251 CAMP STREET	CRYSTAL SPRINGS	MS	39059-
CHRISTMAS	SHANITA	C/O GLENN EDWARD CHRISTMAS, FAT	CRYSTAL SPRINGS	MS	39059-
CHRISTMAS	TIFFANY	C/O GLENN EDWARDS CHRISTMAS, FA	CRYSTAL SPRINGS	MS	39059-

Last Name	First Name	Address	City	State	Postal Code
CLAIBORNE	ANTONIO	300A MCPHERSON STREET	CRYSTAL SPRINGS	MS	39059-
CLAIBORNE	BARBARA	119 CARRIE AVENUE	CRYSTAL SPRINGS	MS	39059-
CLAIBORNE	BARBARA	119 CARRIE AVENUE	CRYSTAL SPRINGS	MS	39059-
CLAIBORNE	DANNY	C/O DIANNE YOUNG	CRYSTAL SPRINGS	MS	39059-
CLAIBORNE	DANNY	C/O DIANE YARN	CRYSTAL SPRINGS	MS	39059-
CLAIBORNE	NATASHIA	106 CAMP STREET	CRYSTAL SPRINGS	MS	39059-
CLAIBORNE	RENEISHIA	C/O CONNIE WINDOM, MOTHER	CRYSTAL SPRINGS	MS	39059-
CLAIBORNE	RUTH	300 A MCPHERSON	CRYSTAL SPRINGS	MS	39059-
CLAIBORNE	VEINETA	C/O DIANNE YARN, 114 PURVIS DRIVE	CRYSTAL SPRINGS	MS	39059-
CLARK	EVON	5017 BROOME RD	WESSON	MS	39191-
CLARK	HENRI	5017 BROOME RD	WESSON	MS	39191-
CLARK	JOHNLYN	5017 BROOME RD	WESSON	MS	39191-
CLARK	JOHNNY	5017 BROOME ROAD	WESSON	MS	39191-
COLEMAN	CARMEN	302 MCPHERSON STREET	CRYSTAL SPRINGS	MS	39059-
COLEMAN	IDA	P.O. BOX 110	CRYSTAL SPRINGS	MS	39059-
COOPER	ERIC	128 SOUTH GAGE STREET	CRYSTAL SPRINGS	MS	39059-
COOPER	TERESA	1000 EAST NORTHSIDE DRIVE, APT. 35	JACKSON	MS	39206-
CRISLER	AHSLEY	C/O ERICA CRISLER	CRYSTAL SPRINGS	MS	39059-
CRISLER	ERICA	148 AUSTIN CIRCLE	CRYSTAL SPRINGS	MS	39059-
CRISLER	IVA	129 JORDAN STREET	CRYSTAL SPRINGS	MS	39059-
CRISLER	J.C.	P.O. BOX 536	CRYSTAL SPRINGS	MS	39059-
CRISLER	RALQUESHEA	C/O VICTORIA FINLEY, MOTHER	CRYSTAL SPRINGS	MS	39059-
CRISLER	ROSA	148 AUSTIN CIRCLE	CRYSTAL SPRINGS	MS	39059-0536
DABNEY	NEDVA	104 DABNEY LANE	CRYSTAL SPRINGS	MS	39059-
DABNEY	WILLIE	219 POWELL STREET	CRYSTAL SPRINGS	MS	39059-
DARDEN	JERRY	128 BANKHEAD LANE	CRYSTAL SPRINGS	MS	39059-
DARDEN	MARY	128 BANKHEAD LANE	CRYSTAL SPRINGS	MS	39059-
DAVIS	DAJANEK	C/O BRENDA WASHINGTON, GRANDM	CRYSTAL SPRINGS	MS	39059-
DAVIS	DANIEL	102 BROWN STREET	CRYSTAL SPRINGS	MS	39059-
DAVIS	DELOIS	112 LAKEVIEW DRIVE	CRYSTAL SPRINGS	MS	39059-
DAVIS	INEZ	4280 OSBORNE STREET	CRYSTAL SPRINGS	MS	39059-
DAVIS	LAWYER	112 LAKEVIEW DRIVE	CRYSTAL SPRINGS	MS	39059-
DAVIS	REGINALD	C/O BRENDA WASHINGTON, MOTHER	CRYSTAL SPRINGS	MS	39059-

Last Name	First Name	Address	City	State	Postal Code
DAVIS	SAMUEL	101 BROWN STREET	CRYSTAL SPRINGS	MS	39059-
DAVIS	SHAMEKA	C/O BRENDA WASHINGTON, MOTHER	CRYSTAL SPRINGS	MS	39059-
DAVIS	TYRONE	117 CHATMAN STREET	CRYSTAL SPRINGS	MS	39059-
DAVIS	VEGIE	111 BANK HEAD LN.	CRYSTAL SPRINGS	MS	39059-
DAVIS (DEC)	DENIEL	C/O DANIEL DAVIS	CRYSTAL SPRINGS	MS	39059-
DIXON	CHRISTOPHE	706 NORTH JACKSON STREET	CRYSTAL SPRINGS	MS	39059-
DIXON	JENNIFER	706 NORTH JACKSON STREET	CRYSTAL SPRINGS	MS	39059-
DIXON	MICHAEL	RT 5 BOX 411	HERTFORD	NC	27944-
DIXON (DEC)	FLORENCE	C/O JENNIFER R. DIXON	CRYSTAL SPRINGS	MS	39059-
DIXON, II	CHRISTOPHE	C/O FLORENCE DIXON	CRYSTAL SPRINGS	MS	39059-
DOKE	JENNIFER	116 PURVIS DRIVE	CRYSTAL SPRINGS	MS	39059-
DONAHUE	ADRIANNE	103 FOREST STREET	CRYSTAL SPRINGS	MS	39059-
DONAHUE	DEMETRICA	C/O	CRYSTAL SPRINGS	MS	39059-
DONAHUE	LILLY	103 FOREST STREET	CRYSTAL SPRINGS	MS	39059-
EDWARDS	CINDY	135 MILL STREET	CRYSTAL SPRINGS	MS	39059-
EDWARDS	DORIS	2003 PURVIS DRIVE	CRYSTAL SPRINGS	MS	39059-
EDWARDS	DOROTHY	406 LEE AVENUE	CRYSTAL SPRINGS	MS	39059-
EDWARDS	ELIZABETH	406 LEE AVENUE	CRYSTAL SPRINGS	MS	39059-
EDWARDS	ISAAC	406 LEE AVENUE	CRYSTAL SPRINGS	MS	39059-
EDWARDS	JOHN	406 LEE AVENUE	CRYSTAL SPRINGS	MS	39059-
EDWARDS	JOHN	406 LEE AVENUE	CRYSTAL SPRINGS	MS	39059-
EDWARDS	JOSHUA	406 LEE AVENUE	CRYSTAL SPRINGS	MS	39059-
EDWARDS	KALEB	406 LEE AVENUE	CRYSTAL SPRINGS	MS	39059-
EDWARDS	NADEAN	108 AUSTIN CIRCLE	CRYSTAL SPRINGS	MS	39059-
ELLIS	CHRISTOPHE	C/O BETTY P. WILLIAMS	CRYSTAL SPRINGS	MS	39059-
ELLIS	JOE	407 NORTH JACKSON STREET	CRYSTAL SPRINGS	MS	39059-
EVANS	BURNELL	426 SOUTH JACKSON STREET	CRYSTAL SPRINGS	MS	39059-
FINLER	AARON	108 JORDAN STREET	CRYSTAL SPRINGS	MS	39059-
FINLEY	ASHYAIR	C/O DOROTHY CATCHINGS	CRYSTAL SPRINGS	MS	39059-
FINLEY	BRACIE	202 CAROLYN LANE	CRYSTAL SPRINGS	MS	39059-
FINLEY	FELICIA	C/O MARILYN FINLEY, MOTHER	CRYSTAL SPRINGS	MS	39059-
FINLEY	JOSIE	202 CAROLYN LANE	CRYSTAL SPRINGS	MS	39059-
FINLEY	LENA	108 JORDAN STREET	CRYSTAL SPRINGS	MS	39059-

Last Name	First Name	Address	City	State	Postal Code
FINLEY	LEONARD	202 CAROLYN LANE	CRYSTAL SPRINGS	MS	39059-
FINLEY	LISA	202 CAROLYN LANE	CRYSTAL SPRINGS	MS	39059-
FINLEY	MARILYN	112 PURVIS DRIVE	CRYSTAL SPRINGS	MS	39059-
FINLEY	MYKEISHA	C/O JOSIE M. FINLEY, GUARDIAN	CRYSTAL SPRINGS	MS	39059-
FINLEY	RODRICUS	C/O MARILYN FINLEY, MOTHER	CRYSTAL SPRINGS	MS	39059-
FINLEY	TALINCEYA	C/O LISA FINLEY, GUARDIAN	CRYSTAL SPRINGS	MS	39059-
FINLEY	VICTORIA	112 PURVIS DRIVE	CRYSTAL SPRINGS	MS	39059-
FLOYD	ALQUAN	C/O VICTORIA FINLEY, MOTHER	CRYSTAL SPRINGS	MS	39059-
FLOYD	HELEN	107 BIRD STREET	CRYSTAL SPRINGS	MS	39059-
FLOYD	JOHN	107 BIRD STREET	CRYSTAL SPRINGS	MS	39059-
FLOYD	KENNETH	239 CAMP STREET	CRYSTAL SPRINGS	MS	39059-
FLOYD	OCTAVIO	C/O ERIKA BAILEY	CRYSTAL SPRINGS	MS	39059-
FLOYD	ODDIE	120 BANKHEAD LANE	CRYSTAL SPRINGS	MS	39059-
FLOYD, SR.	HARRY	105 JORDAN STREET	CRYSTAL SPRINGS	MS	39059-
FORD	ANNE	118 CARRIE AVENUE	CRYSTAL SPRINGS	MS	39059-
FORD	CHARLES	507 SOUTH JACKSON	CRYSTAL SPRINGS	MS	39059-
FORD	DEBRA	507 SOUTH JACKSON	CRYSTAL SPRINGS	MS	39059-
FORD	KENNETH	PIAZZA STREET	CRYSTAL SPRINGS	MS	39059-
FORD	MARY	105 THRASHER STREET	CRYSTAL SPRINGS	MS	39059-
FORD	NINA	103 JORDAN STREET	CRYSTAL SPRINGS	MS	39059-
FORD	PATRICIA	103 JORDAN STREET	CRYSTAL SPRINGS	MS	39059-
FORD	PAUL	103 JORDAN STREET	CRYSTAL SPRINGS	MS	39059-
FORD, SR.	PAUL	118 CARRIE AVENUE	CRYSTAL SPRINGS	MS	39059-
FORTENBERR	LINDSHEY	C/O BRENDA WASHINGTON,MOTHER	CRYSTAL SPRINGS	MS	39059-
FORTENBERR	XAVIAN	C/O BRENDA WASHINGTON, MOTHER	CRYSTAL SPRINGS	MS	39059-
FRANKLIN	MICHAEL	C/O BETTY P. WILLIAMS	CRYSTAL SPRINGS	MS	39059-
FULGHAM	LACEY	116 PACIFIC CIRCLE	CRYSTAL SPRINGS	MS	39059-
FULGHAM	MICHAEL	116 PACIFIC CIRCLE	CRYSTAL SPRINGS	MS	39059-
FUNCHESS	DANIEL	102 MILL POND COVE	CRESTVIEW	FL	32539-
FUNCHESS	GWENDOLYN	102 MILL POND COVE	CRESTVIEW	FL	32539-
FUNCHESS	HAZEL	102 MILL POND COVE	CRESTVIEW	FL	32539-
FUNCHESS	KENNETH	14-1 WRIGHT PARKWAY	FT. WALTON BEAC	FL	32548-
GOODWIN	LASHUNDA	122 HARRIS STREET	CRYSTAL SPRINGS	MS	39059-

Last Name	First Name	Address	City	State	Postal Code
GRAHAM	DANIEL	103 TUCKER STREET	CRYSTAL SPRINGS	MS	39059-
GRAHAM	LEM	1023 PORTER LANE	CRYSTAL SPRINGS	MS	39059-
GREEN	CHRISTOPHE	101 PACIFIC CIRCLE	CRYSTAL SPRINGS	MS	39059-
GREEN	JIMMIE	5172 THOMAS ROAD	CRYSTAL SPRINGS	MS	39059-
GREEN	LAQUIA	112 LAKEVIEW DRIVE	CRYSTAL SPRINGS	MS	39059-
GREEN	LATONYA	112 LAKEVIEW DRIVE	CRYSTAL SPRINGS	MS	39059-
GREEN	MATTIE	106 CAMILLA STREET	CRYSTAL SPRINGS	MS	39059-
GREEN	PATRICIA	101 PACIFIC CIRCLE	CRYSTAL SPRINGS	MS	39059-
GREEN	RAY	101 PACIFIC CIRCLE	CRYSTAL SPRINGS	MS	39059-
GREEN	WILLIE	122 AUSTIN CIRCLE	CRYSTAL SPRINGS	MS	39059-
GUYNES	CARDELL	C/O DIANNA MURRAY	CRYSTAL SPRINGS	MS	39059-
GUYNES	JEREMY	C/O PATRICIA GUYNES	CRYSTAL SPRINGS	MS	39059-
GUYNES	ODELL	106 CAROLYN LANE	CRYSTAL SPRINGS	MS	39059-
GUYNES	PATRICIA	125 THOMAS CIRCLE, APT. E-36	CRYSTAL SPRINGS	MS	39059-
GUYNES, JR.	RAYMOND	C/O PATRICIA GUYNES	CRYSTAL SPRINGS	MS	39059-
HACKETT	WILLIE	306 MCPHERSON	CRYSTAL SPRINGS	MS	39059-
HALEY	KENNETH	104 MILTON ST.	CRYSTAL SPRINGS	MS	39059-
HAM	JEFFERY	200 MOORE STREET	CRYSTAL SPRINGS	MS	39059-
HAM	KELVIN	C/O LORIE JEAN HAM	CRYSTAL SPRINGS	MS	39059-
HAM	KEVIN	200 MOORE STREET	CRYSTAL SPRINGS	MS	39059-
HAM	LORIE	101 MOORE STREET	CRYSTAL SPRINGS	MS	39059-
HAM	MICHAEL	C/O LORIE J. HAM	CRYSTAL SPRINGS	MS	39059-
HAM	NINA	200 MOORE STREET	CRYSTAL SPRINGS	MS	39059-
HAM	TONY	200 MOORE STREET	CRYSTAL SPRINGS	MS	39059-
HARPER	JANICE	205 MADDOX DRIVE	CRYSTAL SPRINGS	MS	39059-
HARPER	STANLEY	205 MADDOX ROAD	CRYSTAL SPRINGS	MS	39059-
HARRIS	EDDIE	5161 THOMAS ROAD	CRYSTAL SPRINGS	MS	39059-
HARRIS	KAJUNDA	C/O ORISTER HARRIS, GUARDIAN	CRYSTAL SPRINGS	MS	39059-
HARRIS	ORISTER	311 WEST RAILROAD AVENUE NORTH	CRYSTAL SPRINGS	MS	39059-
HARRIS	PAMELA	1021 PITTS LANE	CRYSTAL SPRINGS	MS	39059-
HARRIS	PATRICIA BRE	100 ADAMS STREET	CRYSTAL SPRINGS	MS	39059-
HARRIS	WILLIE	1098 MITCHELL LANE	CRYSTAL SPRINGS	MS	39059-
HART	CURSTINE	2008 NORTH JACKSON STREET	CRYSTAL SPRINGS	MS	39059-

Last Name	First Name	Address	City	State	Postal Code
HAYES	DOROTHY	104 MILTON ST.	CRYSTAL SPRINGS	MS	39059-
HERRIN	JANIE	1021 HARTLEY LANE	CRYSTAL SPRINGS	MS	39059-
HERRON	BURAL	3090 EXPERIMENT STATE ROAD	CRYSTAL SPRINGS	MS	39059-
HERRON	CHRISTINE	1018 HARTLEY LANE	CRYSTAL SPRINGS	MS	39059-
HERRON	LATASHA	1017 HARTLEY LANE	CRYSTAL SPRINGS	MS	39059-
HERRON	LURINE	2085 MITCHELL ROAD	CRYSTAL SPRINGS	MS	39059-
HERRON	QUINTIN	C/O WANDA WILSON	CRYSTAL SPRINGS	MS	33905-9
HERRON	SHARON	3090 EXPERIMENT STATE ROAD	CRYSTAL SPRINGS	MS	39059-
HERRON	TIFFANY	1017 HARTLEY LANE	CRYSTAL SPRINGS	MS	39059-
HERRON	TIMONTHY	C/O SHARON HERRON, MOTHER	CRYSTAL SPRINGS	MS	39059-
HICKS	BENJAMIN	112 WEST PIAZZA STREET	CRYSTAL SPRINGS	MS	39059-
HICKS	BETTY	112 W. PIAZZA STREET	CRYSTAL SPRINGS	MS	39059-
HICKS	HARRELL	105 MILL STREET	CRYSTAL SPRINGS	MS	39059-
HICKS	HELEN	7582 BEVERLY DRIVE	FAYETTEVILLE	NC	28314-
HICKS	TRILLY	428 OSBORNE STREET	CRYSTAL SPRINGS	MS	39059-
HILLARD	GLADYS	177 WEST HEMBREE ROAD	CRYSTAL SPRINGS	MS	39059-
HOBSON	GERALD	223 W. RAILROAD AVENUE NORTH	CRYSTAL SPRINGS	MS	39059-
HOBSON	MILLIE		CRYSTAL SPRINGS	MS	39059-
HOBSON	STEPHANIE	C/O MILLIE HOBSON, MOTHER	CRYSTAL SPRINGS	MS	39059-
HUDSON	W.T.	DEES RD	CRYSTAL SPRINGS	MS	39059-
HUNTER	PATRINA	105 MOORE	CRYSTAL SPRINGS	MS	39059-
HURST	MARSHALL	102 TUCKER STREET	CRYSTAL SPRINGS	MS	39059-
IVORY	JOHNETTA	101 HATTIE LANE	CRYSTAL SPRINGS	MS	39059-
JACKSON	ANNA	1192 HARMONY ROAD	CRYSTAL SPRINGS	MS	39059-
JACKSON	ANNIE	103 MOORE STREET	CRYSTAL SPRINGS	MS	39059-
JACKSON	DELICIA	C/O DIANNE YOUNG	CRYSTAL SPRINGS	MS	39059-
JACKSON	HENRY	202 PHYLLIS ANN DRIVE	CRYSTAL SPRINGS	MS	39059-
JACKSON	KENNETH	114 JESSIE STREET	CRYSTAL SPRINGS	MS	39059-
JACKSON	LAQUANDA	113 PURVIS DRIVE	CRYSTAL SPRINGS	MS	39059-
JACKSON	LUALLA	P.O. BOX 212	CRYSTAL SPRINGS	MS	39059-
JACKSON	MICHAEL	109 SCOTT STREET	CRYSTAL SPRINGS	MS	39059-
JACKSON	PHAEDRA	C/O LAQUENDA JACKSON, MOTHER	CRYSTAL SPRINGS	MS	39059-
JACKSON	SHERRY	7127 BETHESDA ROAD	CRYSTAL SPRINGS	MS	39059-

Last Name	First Name	Address	City	State	Postal Code
JACKSON	THOMAS	103 BROWN STREET	CRYSTAL SPRINGS	MS	39059-
JACKSON	TIMOTHY	110 PACIFIC CIRCLE	CRYSTAL SPRINGS	MS	39059-
JACKSON (DE	JOHNNIE	103 MOORE STREET	CRYSTAL SPRINGS	MS	39059-
JACKSON, JR.	CHARLIE	109 SCOTT STREET	CRYSTAL SPRINGS	MS	39059-
JAMES	JESSIE	140 KENDALL LANE	CRYSTAL SPRINGS	MS	39059-
JAMES	JOYCE	140 KENDALL LANE	CRYSTAL SPRINGS	MS	39059-
JENKINS		106 CAMP STREET	CRYSTAL SPRINGS	MS	39059-
JENKINS	ANASTASSIA	106 CAMP STREET	CRYSTAL SPRINGS	MS	39059-
JENKINS	LATOYA	106 CAMP STREET	CRYSTAL SPRINGS	MS	39059-
JENKINS	VICTORRO	106 CAMP STREET	CRYSTAL SPRINGS	MS	39059-
JOHNSON	CLIVIS	P O BOX 161	HAZELHURST	MS	39083-
JOHNSON	JERTAVIS	C/O LACEY FULGHAM, MOTHER	CRYSTAL SPRINGS	MS	39059-
JOHNSON	LEGEORGIAN	C/O LACEY FULGHAM, MOTHER	CRYSTAL SPRINGS	MS	39059-
JOHNSON	LEROY	107 CAROLYN LANE	CRYSTAL SPRINGS	MS	39059-
JOHNSON	LINDA	133 MILL STREET	CRYSTAL SPRINGS	MS	39059-
JOHNSON	LUCILLE	100 ADAMS STREET	CRYSTAL SPRINGS	MS	39059-
JOHNSON	TREMELLIA	C/O LACEY FULGHAM, MOTHER	CRYSTAL SPRINGS	MS	39059-
JOHNSON	VALARIE	117 W. PIZZIA ST.	CRYSTAL SPRINGS	MS	39059-
JOHNSON	VENESSA	133 ILL STREET	CRYSTAL SPRINGS	MS	39059-
JOHNSON	VINCE	122 WEST PIZZIA ST	CRYSTAL SPRINGS	MS	39059-
JOHNSON, JR.	JAMES	109 LAKEVIEW	CRYSTAL SPRINGS	MS	39059-
JONES	CHESTER	P.O. BOX 544	CRYSTAL SPRINGS	MS	39059-
JONES	JAMES	125 THOMAS CIRCLE, APT. B-6	CRYSTAL SPRINGS	MS	39059-
JONES	JOHNATHON	C/O	CRYSTAL SPRINGS	MS	39059-
JONES	KAREN	2120 PADEN STREET	JACKSON	MS	39204-
JONES	KEVIN	107 FORREST STREET	CRYSTAL SPRINGS	MS	39059-
JONES	LA CARLOS	1026 CLAUDE WATSON	CRYSTAL SPRINGS	MS	39059-
JONES	ROBERT	419 MCPHERSON	CRYSTAL SPRINGS	MS	39059-
JONES	WILMER	1026 CLAUDE WATSON LANE	CRYSTAL SPRINGS	MS	39059-
JONES, JR.	JIMMY	409 MCPHERSON ST.	CRYSTAL SPRINGS	MS	39059-
KELLUM	AMBER		CRYSTAL SPRINGS	MS	39059-
KELLUM	JEFFREY	POST OFFICE BOX 472	WESSON	MS	39191-
KELLUM	PAUL	412 LEE AVENUE	CRYSTAL SPRINGS	MS	39059-

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KELLUM	PAULA "SUSIE	412 LEE AVENUE	CRYSTAL SPRINGS	MS	39059-
KENDRICK	BETTIE	P.O. BOX 706	CRYSTAL SPRINGS	MS	39059-
KENDRICK	EARL	108 TUCKER STREET, P.O. BOX 706	CRYSTAL SPRINGS	MS	39059-
KNOWLES, JR.	SEDRIC	430 CAMP STREET	CRYSTAL SPRINGS	MS	39059-
LANG	BEVERLY	314 EAST MARION AVENUE	CRYSTAL SPRINGS	MS	39059-
LANG	ROBERT	314 EAST MARION AVENUE	CRYSTAL SPRINGS	MS	39059-
LAWRENCE	EDDIE	103 BELLE STREET	CRYSTAL SPRINGS	MS	39059-
LAWRENCE	EDDRIKA	C/O EDDIE SOJOURNER	CRYSTAL SPRINGS	MS	39059-
LAWRENCE	KENSHANA	103 BELLE STREET	CRYSTAL SPRINGS	MS	39059-
LAWRENCE	LAVERN	103 BELLE STREET	CRYSTAL SPRINGS	MS	39059-
LAWRENCE	SHIRLEY	122 AUSTIN CIRCLE	CRYSTAL SPRINGS	MS	39059-
LEFLORE	JAMES	C/O BUELAH SOJOURNES, GUARDIAN	CRYSTAL SPRINGS	MS	39059-
LENSON	SYLVIA	3125 RHYMES ROAD	CRYSTAL SPRINGS	MS	39059-
LEWIS	ANDREA	221 POWELL STREET	CRYSTAL SPRINGS	MS	39059-
LEWIS	AUGUSTYN	C/O ANDREA LEWIS, MOTHER	CRYSTAL SPRINGS	MS	39059-
LEWIS	LINDA	149 PACIFIC CIRCLE	CRYSTAL SPRINGS	MS	39059-
LIDDELL	NIKI	106 DEANNE STREET	CRYSTAL SPRINGS	MS	39059-
LILLY	CLARENCE	P.O. BOX 331	CRYSTAL SPRINGS	MS	39059-
LILLY	JOSIE	P.O. BOX 331	CRYSTAL SPRINGS	MS	39059-
LONGINO	SYLVIA	221 LEVON OWENS DRIVE	TERRY	MS	39170-
LOWERY	CEDRIC	C/O PATRICIA WALLACE	CRYSTAL SPRINGS	MS	39059-
LOWERY	DOROTHY	P.O. BOX 553	CRYSTAL SPRINGS	MS	39059-
LOWERY	LAKEITH	C/O DOROTHY LOWERY, GUARDIAN	CRYSTAL SPRINGS	MS	39059-
LOWERY	LOVELLA	208 PURVIS DRIVE	CRYSTAL SPRINGS	MS	39059-
MAHAFFEY	ROSIE	105 THRASHER STREET	CRYSTAL SPRINGS	MS	39059-
MALLARD	LESE	103 FOREST STREET	CRYSTAL SPRINGS	MS	39059-
MASON	JANIE	P.O. BOX 212	CRYSTAL SPRINGS	MS	39059-
MATHEWS	JAMES	917 LEE AVENUE	CRYSTAL SPRINGS	MS	39059-
MCDANIEL	BETTIE	240 CARLISLE STREET	HAZLEHURST	MS	39083-
MCDANIEL	REGINALD	240 CARLISLE STREET	HAZLEHURST	MS	39083-
MCDANIEL	ROBERT	240 CARLISLE STREET	HAZLEHURST	MS	39083-
MCDANIEL	TERRELL	235 CARLISLE STREET	HAZLEHURST	MS	39083-
MCDANIEL	TODD	240 CARLISLE STREET	HAZLEHURST	MS	39083-

Last Name	First Name	Address	City	State	Postal Code
MCDANIEL, JR	ROBERT	119 LARKIN STREET	HAZLEHURST	MS	39083-
MCGEE	DOROTHY	102 PURVIS DRIVE	CRYSTAL SPRINGS	MS	39059-
MCGEE	STACEY	120 PACIFIC CIRCLE	CRYSTAL SPRINGS	MS	39059-
MCGEE	TRACEY	1140 MATHIS ROAD	CRYSTAL SPRINGS	MS	39059-
MCGOWAN	CORTISA	102 ADAMS STREET EXT.	CRYSTAL SPRINGS	MS	39059-
MCILWAIN	CLAIRE	C/O SUSAN MCILWAIN, MOTHER	CRYSTAL SPRINGS	MS	39059-
MCILWAIN	REAGAN	C/O SUSAN MCILWAIN, MOTHER	CRYSTAL SPRINGS	MS	39059-
MCILWAIN	SUSAN	802 LEE AVENUE	CRYSTAL SPRINGS	MS	39059-
MCILWAIN	WILLIAM	802 LEE AVENUE	CRYSTAL SPRINGS	MS	39059-
MCMILLIAN	MARGIE	115 PURVIS DRIVE	CRYSTAL SPRINGS	MS	39059-
MCMILLIAN	MARJE'	C/O TERRY MCMILLIAN, MOTHER	CRYSTAL SPRINGS	MS	39059-
MCMILLIAN	TERRY	115 PURVIS	CRYSTAL SPRINGS	MS	39059-
MCNEECE	BETTY	213 WEST RAILROAD AVENUE NORTH	CRYSTAL SPRINGS	MS	39059-
MCNEECE	JERRY	213 WEST RAILROAD AVENUE NORTH	CRYSTAL SPRINGS	MS	39059-
MILLER	CYNTHIA	P.O. BOX 912	CRYSTAL SPRINGS	MS	39059-
MILLER	HERLANDO	C/O CYNTHIA MILLER	CRYSTAL SPRINGS	MS	39059-
MILLER, JR.	KENNETH	C/O CYNTHIA MILLER	CRYSTAL SPRINGS	MS	39059-
MINOR	JOE	102 MILL STREET	CRYSTAL SPRINGS	MS	39059-
MINOR	SADIE	204 BELLE STREET	CRYSTAL SPRINGS	MS	39059-
MOORE	BEVERLY	1019 FUNCHESS STREET	CRYSTAL SPRINGS	MS	39059-
MOORE	KAREN	110 CLYDE LANE	CRYSTAL SPRINGS	MS	39059-
MOORE	LASHUNDA	409 OSBORNE STREET	CRYSTAL SPRINGS	MS	39059-
MOORE	LOUISE	2134 GALLATIN ROAD	CRYSTAL SPRINGS	MS	39059-
MOORE	PATRICK	133 AUSTIN CIRCLE	CRYSTAL SPRINGS	MS	39059-
MOORE	ROY	1019 FUNCHESS STREET	CRYSTAL SPRINGS	MS	39059-
MURRAY	ANNARENA	C/O SENETRA MURRAY	CRYSTAL SPRINGS	MS	39059-
MURRAY	ANTRAMEKIA	150 KENDALL LANE	CRYSTAL SPRINGS	MS	39059-
MURRAY	BARBARA	214 WILLIAMS	CRYSTAL SPRINGS	MS	39059-
MURRAY	CAROLYN	150 KENDALL LANE	CRYSTAL SPRINGS	MS	39059-
MURRAY	CECIL	462 SOUTH JACKSON STREET	CRYSTAL SPRINGS	MS	39059-
MURRAY	DIANNA	106 CAROLYN LANE	CRYSTAL SPRINGS	MS	39059-
MURRAY	DORIS	462 SOUTH JACKSON STREET	CRYSTAL SPRINGS	MS	39059-
MURRAY	LAPERRY	150 KENDALL LANE	CRYSTAL SPRINGS	MS	39059-

Last Name	First Name	Address	City	State	Postal Code
MURRAY	RICHARD	1119 CRAWFORD LANE	CRYSTAL SPRINGS	MS	39059-
MURRAY	SENETRA	428 OSBORNE STREET	CRYSTAL SPRINGS	MS	39059-
MURRAY, JR.	CHRISTOPHE	C/O SENETRA MURRAY	CRYSTAL SPRINGS	MS	39059-
MURRAY, JR.	WILLIS	462 SOUTH JACKSON STREET	CRYSTAL SPRINGS	MS	39059-
NELSON	LILLIE	221 POWELL STREET	CRYSTAL SPRINGS	MS	39059-
NEWELL	ANTHONY	231 POWELL STREET	CRYSTAL SPRINGS	MS	39059-
NEWELL	JOHN	102 ADAMS STREET	CRYSTAL SPRINGS	MS	39059-
OSBORNE	GLEN	424 OSBORNE	CRYSTAL SPRINGS	MS	39059-
PENDLETON	JAMARKUS	C/O DOROTHY MCGEE, GUARDIAN	CRYSTAL SPRINGS	MS	39059-
PENDLETON	LINDA	225 W. MCDOWELL ROAD	JACKSON	MS	39204-
PENDLETON	LOUVERIA	C/O ELNORA POWELL	CRYSTAL SPRINGS	MS	39059-
PICKETT	AQARIOUS	C/O KEISHAY L. PICKETT, MOTHER	CRYSTAL SPRINGS	MS	39059-
PICKETT	FAYE	102 THOMAS CIRCLE	CRYSTAL SPRINGS	MS	39059-
PICKETT	KEISHAY	111 BANKHEAD LANE, APT. B2	CRYSTAL SPRINGS	MS	39059-
PICKETT	KENNISHA	C/O ROBERT PICKETT	CRYSTAL SPRINGS	MS	39059-
PICKETT	KEVIN	307 EAST PIAZZA STREET	CRYSTAL SPRINGS	MS	39059-
PICKETT	RAY	133 MILL STREET	CRYSTAL SPRINGS	MS	39059-
PICKETT	RAY	133 MILL STREET	CRYSTAL SPRINGS	MS	39059-
PICKETT	ROBERT	307 E. PIAZZA STREET	CRYSTAL SPRINGS	MS	39059-
PICKETT	ROBERT	307 EAST PIAZZA STREET	CRYSTAL SPRINGS	MS	39059-
PICKETT	TIFFANY	C/O ROBERT LEE PICKETT	CRYSTAL SPRINGS	MS	39059-
PICKETT	WILLIE	307 EAST PIAZZA STREET	CRYSTAL SPRINGS	MS	39059-
PICKETT (DEC	DEBORAH	C/O ROBERT L. PICKETT	CRYSTAL SPRINGS	MS	39059-
PICKETT (DEC	TIFFANY	C/O ROBERT PICKETT	CRYSTAL SPRINGS	MS	39059-
PORTER	ALBERT	208 CAROLYN LANE	CRYSTAL SPRINGS	MS	39059-
PORTER	CHRISTOPHE	C/O ?, MOTHER	CRYSTAL SPIRNGS	MS	39059-
PORTER	GLENDA	114 MORGAN LANE	CRYSTAL SPRINGS	MS	39059-
PORTER	HOWARD	208 CAROLYN LANE	CRYSTAL SPRINGS	MS	39059-
POWELL	ANITA	407 MCPHERSON STREET	CRYSTAL SPRINGS	MS	39059-
POWELL	ANITHA	407 MCPHERSON STREET	CRYSTAL SPRINGS	MS	39059-
POWELL	CLARENCE	111 BANKHEAD LANE C-1	CRYSTAL SPRINGS	MS	39059-
POWELL	CLARISA	401 WEST CAYUGA STREET	CRYSTAL SPRINGS	MS	39059-
POWELL	ELIZABETH	119 JESSIE STREET	CRYSTAL SPRINGS	MS	39059-

Last Name	First Name	Address	City	State	Postal Code
POWELL	EMRA	100 CAMILIA STREET	CRYSTAL SPRINGS	MS	39059-
POWELL	ERNEST	401 WEST CAYUGA STREET	CRYSTAL SPRINGS	MS	39059-
POWELL	JOSEPH	C/O CLARISSA POWELL	CRYSTAL SPRINGS	MS	39059-
POWELL	KENNETH	407 MCPHERSON STREET	CRYSTAL SPRINGS	MS	39059-
POWELL	LOUISE	110 NORTH PAT HARRISON DRIVE	CRYSTAL SPRINGS	MS	39059-
POWELL	ROBERT	125 HARRIS STREET	CRYSTAL SPRINGS	MS	39059-
POWELL	SANDRA	108 PURVIS DRIVE	CRYSTAL SPRINGS	MS	39059-
POWELL	SARAH	C/O CLARISSA POWELL	CRYSTAL SPRINGS	MS	39059-
POWELL	SHAUNNA	C/O CLARISSA POWELL	CRYSTAL SPRINGS	MS	39059-
POWELL	SHERRY	125 JORDAN STREET	CRYSTAL SPRINGS	MS	39059-
POWELL	SONJI	119 JESSIE STREET	CRYSTAL SPRINGS	MS	39059-
POWELL	THERESA	210 MOORE STREET	CRYSTAL SPRINGS	MS	39059-
POWELL	TRIBBLEN	111 ADAMS STREET	CRYSTAL SPRINGS	MS	39059-
POWELL	WILLIE	3129 THOMAS ROAD	CRYSTAL SPRINGS	MS	39059-
POWELL, SR.	WILLIE	100 CAMILIA STREET	CRYSTAL SPRINGS	MS	39059-
QUINN	RANDY	C/O MARY ALICE SMITH	CRYSTAL SPRINGS	MS	39059-
RANSOM	ANGELA	P.O. BOX 173	CRYSTAL SPRINGS	MS	39059-
RANSOM	KIMYARDER	P.O. BOX 173	CRYSTAL SPRINGS	MS	39059-
RANSOM	ROSHICA	P.O. BOX 173	CRYSTAL SPRINGS	MS	39059-
REED	BEVERLY	3221 CHESTERFIELD STREET	JACKSON	MS	39209-
REED	JIMMY	3221 CHESTERFIELD STREET	JACKSON	MS	39209-
REED	MARCUS	3221 CHESTERFIELD STREET	JACKSON	MS	39209-
REED	SCOTTIE	3221 CHESTERFIELD STREET	JACKSON	MS	39209-
REED	TONY	3221 CHESTERFIELD STREET	JACKSON	MS	39209-
REID	KANTRA	C/O WANDA REID	CRYSTAL SPRINGS	MS	39059-
REID	MORRIS	C/O WANDA REID	CRYSTAL SPRINGS	MS	39059-
REID	RESHARD	C/O RHONDA REID, MOTHER	CRYSTAL SPRINGS	MS	39059-
REID	RHONDA	142 AUSTIN CIRCLE	CRYSTAL SPRINGS	MS	39059-
REID	RICKY	112 NORTH GAGE STREET	CRYSTAL SPRINGS	MS	39059-
REID	WANDA	112 NORTH GAGE STREET	CRYSTAL SPRINGS	MS	39059-
REID	YOLANDA	C/O WANDA REID	CRYSTAL SPRINGS	MS	39059-
RHODES	TAMMIE	150 WOODY DRIVE, #E6	JACKSON	MS	39212-
RHYMES	CARLNEZ	RT. 3 BOX 125-I	MONTICELLO	MS	39654-

Last Name	First Name	Address	City	State	Postal Code
RHYMES	MARY	301 EAST PIAZZA STREET	CRYSTAL SPRINGS	MS	39059-
RICHMOND	SHARON	209 MOORE STREET	CRYSTAL SPRINGS	MS	39059-
RICHMOND	TRAKIE	209 MOORE STREET	CRYSTAL SPRINGS	MS	39059-
RICHMOND, J	TRAKIE	C/O SHARON RICHMOND	CRYSTAL SPRINGS	MS	39059-
RIED	LAQUANITA	112 N. GAGE STREET	CRYSTAL SPRINGS	MS	39059-
ROBINSON	DARRANECIA	C/O LAQENDA JACKSON	CRYSTAL SPRINGS	MS	39059-
ROBINSON	DARRELL	113 PURVIS DRIVE	CRYSTAL SPRINGS	MS	39059-
ROBINSON	HENRY	207 CAROLYN LANE	CRYSTAL SPRINGS	MS	39059-
ROBINSON	JAMES	211 POWELL STREET	CRYSTAL SPRINGS	MS	39059-
ROBINSON	JERRY	3125 RHYMES ROAD	CRYSTAL SPRINGS	MS	39059-
ROBINSON	JOYCE	1115 SANDIFER LANE	GEORGETOWN	MS	39078-
ROBINSON	LETTIE	106 BELL STREET	CRYSTAL SPRINGS	MS	39059-
ROBINSON	LILLIE	116 AUSTIN CIRCLE	CRYSTAL SPRINGS	MS	39059-
ROBINSON	LILLIE	P.O. BOX 442	CRYSTAL SPRINGS	MS	39059-
ROBINSON	NORA	207 CAROLYN LANE	CRYSTAL SPRINGS	MS	39059-
ROBINSON	RAMMY	211 POWELL	CRYSTAL SPRINGS	MS	39059-
ROBINSON, J	JAMES	211 POWELL	CRYSTAL SPRINGS	MS	39059-
SANCHEZ	HONOR	C/O DIANNE YARN, GRANDMOTHER	CRYSTAL SPRINGS	MS	39059-
SANDERS	ALPHA	C/O BETTIE M. SANDERS	CRYSTAL SPRINGS	MS	39059-
SANDERS	ALPHA	101 THOMAS CIRCLE	CRYSTAL SPRINGS	MS	39059-
SANDERS	ANNIE	C/O BETTIE M. SANDERS	CRYSTAL SPRINGS	MS	39059-
SANDERS	ANNU	101 THOMAS CIRCLE	CRYSTAL SPRINGS	MS	39059-
SANDERS	BETTIE	101 THOMAS CIRCLE	CRYSTAL SPRINGS	MS	39059-
SANDERS	BETTIE	101 THOMAS CIRCLE	CRYSTAL SPRINGS	MS	39059-
SANDERS	BETTIE	101 THOMAS CIRCLE	CRYSTAL SPRINGS	MS	39059-
SANDERS, IV	ROBERT	101 THOMAS CIRCLE	CRYSTAL SPRINGS	MS	39059-
SANDERS, IV	ROBERT	101 THOMAS CIRCLE	CRYSTAL SPRINGS	MS	39059-
SANDERS, JR.	ROBERT	101 THOMAS CIRCLE	CRYSTAL SPRINGS	MS	39059-
SHANNON	MARY	116 PURVIS DRIVE	CRYSTAL SPRINGS	MS	39059-
SKIPPER	IRMA	103 BYRD STREET	CRTSTAL SPRINGS	MS	39059-
SKIPPER	SHELDONIQU	C/O KEISHAY PICKETT	CRYSTAL SPRINGS	MS	39059-
SMILEY	DERRICK	108 CAMP STREET	CRYSTAL SPRINGS	MS	39059-
SMILEY	EARLEAN	203 HORNE STREET	CRYSTAL SPRINGS	MS	39059-

Last Name	First Name	Address	City	State	Postal Code
SMILEY	JANICE	108 CAMP STREET	CRYSTAL SPRINGS	MS	39059-
SMILEY	KENRIC	153 PACIFIC CIRCLE	CRYSTAL SPRINGS	MS	39059-
SMILEY	RAQUEL	125 PACIFIC CIRCLE	CRYSTAL SPRINGS	MS	39059-
SMILEY	ROBERT	125 PACIFIC CIRCLE	CRYSTAL SPRINGS	MS	39059-
SMILEY	SCHULUS	153 PACIFIC CIRCLE	CRYSTAL SPRINGS	MS	39059-
SMILEY	SHELIA	153 PACIFIC CIRCLE	CRYSTAL SPRINGS	MS	39059-
SMITH	CHARLES	104 MILL STREET	CRYSTAL SPRINGS	MS	39059-
SMITH	DARIUS	C/O TERESA COOPER, GUARDIAN	JACKSON	MS	39206-
SMITH	MARY	P.O. BOX 723	CRYSTAL SPRINGS	MS	39059-
SMITH	ODELL	C/O RUBY SMITH	CRYSTAL SPRINGS	MS	39059-
SMITH	RUBY	302 MCPHERSON STREET	CRYSTAL SPRINGS	MS	39059-
SOJOURNER	BUELAH	111 MCPHERSON STREET	CRYSTAL SPRINGS	MS	39059-
SOJOURNER	IVAN	5139 BETHESDA ROAD	CRYSTAL SPRINGS	MS	39059-
SOJOURNER	MILDRED	201 MCPHERSON STREET	CRYSTAL SPRINGS	MS	39059-
SOJOURNER	THOMAS	201 MCPHEARSON STREET	CRYSTAL SPRINGS	MS	39059-
SOJOURNER	WILBERT	118 BANKHEAD LANE	CRYSTAL SPRINGS	MS	39059-
STATEN, III	FRED	106 NORTH GAGE STREET	CRYSTAL SPRINGS	MS	39059-
STEWART	ANTHONY	S.P.C. STEWART, ANTHONY L.			
STEWART	ARTIS	C/O EARNESTINE STEWART, MOTHER	CRYSTAL SPRINGS	MS	39059-
STEWART	BERNICE	116 JORDAN STREET	CRYSTAL SPRINGS	MS	39059-
STEWART	BESSIE	116 MORGAN LANE	CRYSTAL SPRINGS	MS	39059-
STEWART	CHIQUITA	C/O DEBRA STEWART	CRYSTAL SPRINGS	MS	03905-9
STEWART	EARNESTINE	810 NORTH JACKSON STREET	CRYSTAL SPRINGS	MS	39059-
STEWART	FELICIA	1701 HILLVIEW DRIVE	JACKSON	MS	39211-
STEWART	JOHNETTE	142 PACIFIC CIRCLE	CRYSTAL SPRINGS	MS	39059-
STEWART	JOHNETTE	142 PACIFIC CIRCLE	CRYSTAL SPRINGS	MS	39059-
STEWART	MICHAEL	3962 NORTH WABASH	JACKSON	MS	39213-
STEWART	ROBERT	306 OSBONE STREET	CRYSTAL SPRINGS	MS	39059-
STEWART	ROBERT	306 OSBORNE STREET	CRYSTAL SPRINGS	MS	39059-
STEWART	SCOTTIE	102 FOREST STREET	CRYSTAL SPRINGS	MS	39059-
STEWART	YVONNE	108 CAROLYN LANE	CRYSTAL SPRINGS	MS	39059-
STEWART (DE	JOHNNIE	C/O BERNICE STEWART	CRYSTAL SPRINGS	MS	39059-
STOVALL	DARREN	810 NORTH JACKSON STREET	CRYSTAL SPRINGS	MS	39059-

Last Name	First Name	Address	City	State	Postal Code
STOVALL	GENE	413 MCPHERSON STREET	CRYSTAL SPRINGS	MS	39059-
STOVALL	LULA	308 MCPHERSON STREET	CRYSTAL SPRINGS	MS	39059-
TANNER	MAGGIE	106 PUCKETT STREET	CRYSTAL SPRINGS	MS	39059-
TAYLOR	DREMARUS	111 ADAMS STREET	CRYSTAL SPRINGS	MS	39059-
TAYLOR	JESSIE	RT. 3 BOX 125-J	MONTICELLO	MS	39654-
TAYLOR	NETTIE	P.O. BOX 380	CRYSTAL SPRINGS	MS	39059-
TAYLOR	PAUL	112 PURVIS DRIVE	CRYSTAL SPRINGS	MS	39059-
TAYLOR	RUTH	111 ADMA STREET	CRYSTAL SPRINGS	MS	39059-
TAYLOR	WILLIE	409 MCPHERSON STREET	CRYSTAL SPRINGS	MS	39059-
TERRELL	ESTHER	105 TUCKER STREET	CRYSTAL SPRINGS	MS	39059-
TERRELL	ROBERT	105 TUCKER STREET	CRYSTAL SPRINGS	MS	39059-
TERRY	MARY	P.O. BOX 322	CRYSTAL SPRINGS	MS	39059-
THOMAS	MICHELLE	C/O BEULAH SOJOURNES, GUARDIAN	CRYSTAL SPRINGS	MS	39059-
THOMPSON	ALICE	1004 YOUNG ROAD	CRYSTAL SPRINGS	MS	39059-
THOMPSON	ANGELA	501 WEST CAYUGA STREET	CRYSTAL SPRINGS	MS	39059-
THOMPSON	DELENDTRICU	216 EAST PIAZZA STREET	CRYSTAL SPRINGS	MS	39059-
THOMPSON	DWAYNE	216 EAST PIAZZA STREET	CRYSTAL SPRINGS	MS	39059-
THOMPSON	DWAYNE	462 S. JACKSON STREET	CRYSTAL SPRINGS	MS	39059-
THOMPSON	HENRY	P.O. BOX 413	CRYSTAL SPRINGS	MS	39059-
THOMPSON	JONATHON	C/O ALICE THOMPSON	CRYSTAL SPRINGS	MS	39059-
THOMPSON	JOYCE	1309 E. JACK JOHNSON ROAD	TERRY	MS	39170-
THOMPSON	KRISTOPHER	C/O JOYCE THOMPSON, MOTHER	TERRY	MS	39170-
THOMPSON	LEKEISHA	C/O ALICE THOMPSON	CRYSTAL SPRINGS	MS	39059-
THOMPSON	RELENDTRICA	216 EAST PIAZZA STREET	CRYSTAL SPRINGS	MS	39059-
THOMPSON	ROBERT	103 FOREST STREET	CRYSTAL SPRINGS	MS	39059-
THOMPSON	TAMMY	216 EAST PIAZZA STREET	CRYSTAL SPRINGS	MS	39059-
THOMPSON	TIESHA	1004 YOUNG ROAD	CRYSTAL SPRINGS	MS	39059-
THOMPSON	WILLIS	1004 YOUNG ROAD	CRYSTAL SPRINGS	MS	39059-
THOMPSON	WILLIS	1004 YOUNG ROAD	CRYSTAL SPRINGS	MS	39059-
THOMPSON, J	DWAYNE	C/O DWAYNE THOMPSON, FATHER	CRYSTAL SPRINGS	MS	39059-
TILLMAN	CORISSA	201 CAROLYN LANE	CRYSTAL SPRINGS	MS	39059-
TILLMAN	MARCUS	142 PACIFIC CIRCLE	CRYSTAL SPRINGS	MS	39059-
TILLMAN	MARCUS	142 PACIFIC CIRCLE	CRYSTAL SPRINGS	MS	39059-

Last Name	First Name	Address	City	State	Postal Code
TILLMAN (DEC	WILLIE	C/O 246 CAMP STREET	CRYSTAL SPRINGS	MS	39059-
TYLER	KEITH	153 PACIFIC CIRCLE	CRYSTAL SPRINGS	MS	39059-
VARDAMAN	FRANCES	510 CAMP STREET	CRYSTAL SPRINGS	MS	39059-
VICK	ANTONIO	117 CAROLYN LANE	CRYSTAL SPRINGS	MS	39059-
VINSON	BETTYE	407 JACKSON STREET	CRYSTAL SPRINGS	MS	39059-
VINSON	DAVE	407 JACKSON STREET	CRYSTAL SPRINGS	MS	39059-
WALKER	MARY	101 POWELL STREET	CRYSTAL SPRINGS	MS	39059-
WALKER	WILLIE	101 POWELL STREET	CRYSTAL SPRINGS	MS	39059-
WALLACE	PATRICIA	5156 THOMAS ROAD	CRYSTAL SPRINGS	MS	39059-
WARD	CHRISTOPHE	100 PEARL STREET	CRYSTAL SPRINGS	MS	39059-
WARD	JEFFREY	100 PEARL STREET	CRYSTAL SPRINGS	MS	39059-
WARD	WANDA	100 PEARL STREET	CRYSTAL SPRINGS	MS	39059-
WARD (DEC)	ROGER	C/O WANDA M. WARD	CRYSTAL SPRINGS	MS	39059-
WARREN	HAROLD	403 NORTH JACKSON STREET	CRYSTAL SPRINGS	MS	39059-
WARREN	SUZANNE	403 NORTH JACKSON STREET	CRYSTAL SPRINGS	MS	39059-
WASHINGTON	BRENDA	209 CAROLYN LANE	CRYSTAL SPRINGS	MS	39059-
WASHINGTON	GEORGE	P.O. BOX 805	CRYSTAL SPRINGS	MS	39059-
WATSON	LORENZO	206 GILMORE STREET	CYRSTAL SPRINGS	MS	39059-
WATSON	LYNDRICK	206 GILMORE STREET	CRYSTAL SPRINGS	MS	39059-
WATSON	MARY	106 JORDAN STREET	CRYSTAL SPRINGS	MS	39059-
WATSON	ROSEMARY	206 GILMORE STREET	CRYSTAL SPRINGS	MS	39059-
WATSON	ROSEMARY	206 GILMORE STREET	CRYSTAL SPRINGS	MS	39059-
WATSON, JR.	WALLACE	106 JORDAN STREET	CRYSTAL SPRINGS	MS	39059-
WEATHERSBY	MARY	125 JORDAN STREET	CRYSTAL SPRINGS	MS	39059-
WEATHERSBY	ZACHERY	125 JORDAN STREET	CRYSTAL SPRINGS	MS	39059-
WELCH	ESSIE	304 MCPHERSON STREET	CRYSTAL SPRINGS	MS	39059-
WELCH	PAULETTE	501 CAMP STREET	CRYSTAL SPRINGS	MS	39059-
WELCH	PYRON	501 CAMP STREET	CRYSTAL SPRINGS	MS	39059-
WELLS	BEN	1035 LINCOLN STREET	CRYSTAL SPRINGS	MS	39059-
WHEELER, JR.	ROBERT	203 POWELL STREET	CRYSTAL SPRINGS	MS	39059-
WHITE	MAZARIAN	C/O JANICE SMILEY, MOTHER	CRYSTAL SPRINGS	MS	39059-
WILEY	SALIVIA	128 PACIFIC CIRCLE	CRYSTAL SPRINGS	MS	39059-
WILKES	INEZ	360 WEST RAILROAD AVE., APT. E-1	CRYSTAL SPRINGS	MS	39059-

Last Name	First Name	Address	City	State	Postal Code
WILLIAM	DEBRA	116 JORDAN STREET	CRYSTAL SPRINGS	MS	39059-
WILLIAM	DELORIS	107 CAROLYN LANE	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	BETTY	117 CAROLYN LANE	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	CARLA	122 WEST PIAZZA STREET	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	CEDRIC	243 CAMP STREET	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	CHINA	128 BANKHEAD LANE	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	CURTIS	243 CAMP STREET	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	DEBRA	P. O. BOX 454	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	DESHONDA	122 WEST PIAZZA STREET	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	DIANNA	243 CAMP STREET	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	EBONY	C/O EVELYN WILLIAMS, MOTHER	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	ELEXUS	103 FOREST STREET	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	EMMA	243 CAMP STREET	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	EVELYN	300 EAST PIAZZA STREET	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	GLORIA	100 CUMBERLAND DRIVE, G51	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	HEAVEN	C/O WANDA WILLIAMS, GUARDIAN	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	JAMES	C/O GLORIA WILLAMS	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	JAMES	300 EAST PIAZZA STREET	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	JEKETHIA	C/O SANDRA L. WILLIAMS, MOTHER	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	JERRY	103 FOREST STREET	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	KUTRICE	4062 TANYARD ROAD	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	LAWRENCE	243 CAMP STREET	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	LINDA	114 BANKHEAD LANE	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	LONNIE	103 FOREST STREET	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	MARVIN	243 CAMP STREET	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	NICKETHIA	C/O SANDRA L. WILLIAMS, MOTHER	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	RALPH	104 FOREST STREET	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	RICHARD	102 FORREST STREET	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	SANDRA	117 CAROLYN LANE	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	SANDRA	110 CAROLYN LANE	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	SOPHIA	C/O DELORIS WILLIAMS	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	UNDRAY	4062 TANYARD ROAD	CRYSTAL SPRINGS	MS	39059-
WILLIAMS	WANDA	102 FOREST STREET	CRYSTAL SPRINGS	MS	39059-

Last Name	First Name	Address	City	State	Postal Code
WILLIAMS (DE	PEARLINE	C/O LILLY A. DONAHUE, DAUGHTER	CRYSTAL SPRINGS	MS	39059-
WILLIAMS (DE	ROBERT	C/O LILLY DONAHUE, DAUGHTER	CRYSTAL SPRINGS	MS	39059-
WILLIAMS, JR.	JAMES	P.O. BOX 454	CRYSTAL SPRINGS	MS	39059-
WILLIAMS, JR.	ROBERT	103 FOREST STREET	CRYSTAL SPRINGS	MS	39059-
WILLIS	CHUCK	311 WEST RAILROAD AVENUE	CRYSTAL SPRINGS	MS	39059-
WILLIS	LATAVIA	101 PACIFIC CIRCLE	CRYSTAL SPRINGS	MS	39059-
WILLIS	LAZADRIAN	C/O LATAVIA WILLIS	CRYSTAL SPRINGS	MS	39059-
WILLIS	PATRICIA	2046 S. PAT HARRISON DRIVE	CRYSTAL SPRINGS	MS	39059-
WILLIS, JR.	CHUCK	C/O PATRICIA WILLIS, MOTHER	CRYSTAL SPRINGS	MS	39059-
WILSON	ADRAIN	C/O WANDA WILSON	CRYSTAL SPRINGS	MS	39059-
WILSON	AIESHA	154 BANKHEAD LANE	CRYSTAL SPRINGS	MS	39059-
WILSON	AIESHA	C/O JOAN YOUNG, MOTHER	CRYSTAL SPRINGS	MS	39059-
WILSON	CAROLYN	P.O. BOX 125	CRYSTAL SPRINGS	MS	39059-
WILSON	CATHERINE	107 PURVIS DRIVE	CRYSTAL SPRINGS	MS	39059-
WILSON	DELLA	120 AUSTIN CIRCLE	CRYSTAL SPRINGS	MS	39059-
WILSON	DETOREA	112 HORNE STREET	CRYSTAL SPRINGS	MS	39059-
WILSON	DON	112 HORNE STREET	CRYSTAL SPRINGS	MS	39059-
WILSON	EDDIE	1119 WILSON LANE	CRYSTAL SPRINGS	MS	39059-
WILSON	FREDA	250 CAMP STREET	CRYSTAL SPRINGS	MS	39059-
WILSON	FREDDIE	507 S. JACKSON STREET	CRYSTAL SPRINGS	MS	39059-
WILSON	GERMICE	140 KENDALL LANE	CRYSTAL SPRINGS	MS	39059-
WILSON	JAMICA	507 S. JACKSON STREET	CRYSTAL SPRINGS	MS	39059-
WILSON	JOHNNICIA	C/O WANDA F. WILSON	CRYSTAL SPRINGS	MS	39059-
WILSON	JOHNNY	209 NORTH PAT HARRISON DRIVE	CRYSTAL SPRINGS	MS	39059-
WILSON	KANVAS	C/O FREDA WILSON	CRYSTAL SPRINGS	MS	39059-
WILSON	LATAVIS	209 N. PAT HARRISON DRIVE	CRYSTAL SPRINGS	MS	39059-
WILSON	LATISHA	125 THOMAS CIRCLE, APT. D-25	CRYSTAL SPRINGS	MS	39059-
WILSON	LYNELL	108 CAMPS	CRYSTAL SPRINGS	MS	39059-
WILSON	MARTHA	1014 FUNCHESS STREET	CRYSTAL SPRINGS	MS	39059-
WILSON	MARY	419 MCPHERSON STREET	CRYSTAL SPRINGS	MS	39059-
WILSON	PAMELA	507 SO. JACKSON STREET	CRYSTAL SPRINGS	MS	39059-
WILSON	PATIENCE	C/O WANDA WILSON	CRYSTAL SPRINGS	MS	39059-
WILSON	PEGGY	209 N. PAT HARRISON DRIVE	CRYSTAL SPRINGS	MS	39059-

Last Name	First Name	Address	City	State	Postal Code
WILSON	ROBERT	C/O ROBERT WILSON, FATHER	CRYSTAL SPRINGS	MS	39059-
WILSON	ROSIE	106 AUSTIN CIRCLE	CRYSTAL SPRINGS	MS	39059-
WILSON	WANDA	1017 HARTLEY LANE	CRYSTAL SPRINGS	MS	39059-
WILSON	ZEDDIE	104 PUCKETT STREET	CRYSTAL SPRINGS	MS	39059-
WILSON, JR.	JOHNNY	289 N. PAT HARRISON DRIVE	CRYSTAL SPRINGS	MS	39059-
WILSON, JR.	LEMUEL	P.O. BOX 125	CRYSTAL SPRINGS	MS	39059-
WINDOM	CONNIE	213 POWELL STREET	CRYSTAL SPRINGS	MS	39059-
WINDOM	JOSHUA	C/O CONNIE WINDOM, MOTHER	CRYSTAL SPRINGS	MS	39059-
YARN	DIANNE	C/O DELICIA JACKSON	CRYSTAL SPRINGS	MS	39059-
YATES, JR.	MARCUS	C/O WANDA WILSON	CRYSTAL SPRINGS	MS	39059-
YOUNG	BOBBIE	208 CAROLYN LANE	CRYSTAL SPRINGS	MS	39059-
YOUNG	GARIUS	C/O	CRYSTAL SPRINGS	MS	39059-
YOUNG	IDA	109 THRASHER STREET	CRYSTAL SPRINGS	MS	39059-
YOUNG	JOAN	154 BANKHEAD LANE	CRYSTAL SPRINGS	MS	39059-
YOUNG	KENDRICK	1500 NORTH JACKSON STREET	CRYSTAL SPRINGS	MS	39059-
YOUNG	KIMBERLY	1500 NORTH JACKSON STREET	CRYSTAL SPRINGS	MS	39059-
YOUNG	LAZARRAS	C/O JOAN YOUNG, MOTHER	CRYSTAL SPRINGS	MS	39059-
YOUNG	MARY	C/O MARY YOUNG	CRYSTAL SPRINGS	MS	39059-
YOUNG	MICHAEL	1500 NORTH JACKSON STREET	CRYSTAL SPRINGS	MS	39059-
YOUNG	ROBBIN	1500 NORTH JACKSON STREET	CRYSTAL SPRINGS	MS	39059-
YOUNG	ROBERT	1500 NORTH JACKSON STREET	CRYSTAL SPRINGS	MS	39059-
YOUNG	SHIRLEY	1500 NORTH JACKSON STREET	CRYSTAL SPRINGS	MS	39059-
YOUNG	VERSIE	120 JORDAN STREET	CRYSTAL SPRINGS	MS	39059-

Total 650

Jerry ... BART

I am routing this to you since your staff is already handling the site. It is ECED policy to contact the complainant by letter to let them know what we found. Could whoever is handling this do that and send me a copy of the letter for our files. Thanks Connie

5352

OUTING SLIP

Date _____

To	Initials	Date
1.		
2.		
3.		
4.		
5.		

	APPROVAL		HANDLE
	AS REQUIRED		NOTE AND RETURN
	CODE		PER CONVERSATION
	DRAFT		PREPARE FINAL
	FILE		PREPARE REPLY
	FOR CORRECTION		READY FOR MAILING
	FOR ENCLOSURE		SEE ME
	FOR YOUR INFORMATION		SIGNATURE
	FOR YOUR REVIEW		

REMARKS: _____

_____

_____

FROM: _____

FILE COPY

MDEQ Complaint Tracking System
Investigation Report

To: Complaints Coordinator

From: Gray, Chuck

Date: 10/30/2000

Re: 00-03154

Lake Chautaugua

NOV - 2 2000

Off of Hwy 51 , Crystal Springs MS

Copiah County

On Thursday, October 26, 2000, I went to Copiah County in order to investigate the complaint. I found the site and the lake did not appear to be contaminated. There were several NO FISHING signs posted around the lake. I went to Kuhlman Electric and spoke with Al Thomas about the matter. Mr. Thomas stated that earlier this year the plant was undergoing an expansion and the plant uncovered PCB contaminated soil. Mr. Thomas stated that stormwater runoff was getting into the lake and that MDEQ had been notified. Mr. Thomas also stated that Jerry Banks and Gretchen Zmitrovich were already on the job. Delineation and Remediation efforts are already underway with historically contaminated soil. I called Jerry Banks and he stated that MDEQ will probably be working on this project for at least the next six to nine months. Right now cleanup crews are concentrating on the plant and residential area around the plant and then they will concentrate on the creek going to the lake and then the lake itself. Mr. Banks stated that lab test were performed and that no PCB's were found in the water but were found in the soils and in the fish.

If any further assistance is necessary about this matter, please direct all questions to Jerry Banks at 961-5221 or Gretchen Zmitrovich at 961-5358.

STATE OF MISSISSIPPI
DAVID RONALD MUSGROVE, GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
CHARLES H. CHISOLM, EXECUTIVE DIRECTOR

MEMORANDUM

TO: **Jerry Banks**

FROM: **Chuck Gray**

SUBJECT: **Ms. Juanita King's letter concerning Kuhlman Electric**
Crystal Springs, MS
Lake Chautaqua

DATE: **February 12, 2001**

Per our conversation on Thursday, February 08, 2001, I am sending you the letter that our office received from Ms. Juanita King. Ms. King has concerns about her land being contaminated from companies dumping waste on the land in the past.

I am also enclosing a copy of my original complaint investigation for complaint number 00-03154. I investigated the complaint on October 26, 2000.

If any further assistance is necessary, please call my extension at 3982.

State of Mississippi
Department of Environmental Quality
OFFICE OF POLLUTION CONTROL
P.O. Box 10385
Jackson, Mississippi 39289

COMPLAINT FORM

Date: 10/23/2000 **Time:** 2:03 PM **County:** Copiah

Tracking Number: 00-03154 **Region:** CRO

Air:	No	*Solid Waste:*	*No*	SW-Ind:	No
Special Waste:	No	Stormwater:	No	SW-Muni:	No
Haz. Waste:	No	SW-Com:	Yes	Tires:	No
Lignite	No				

Complainant Name: Ms. Juanita King

Complainant Address: 2125 Old Highway 27

Crystal Springs MS 39059-

Complainant Phone: Day (601) 892-1112

Eve

Complaint Description/Cause

Complainant thinks that Koolman Electric may be contaminating Lake Chautaugua. The spillway to Lake Chautaugua is close to her property and she would like a sample to be taken to see if the lake is contaminated.

Alleged SiteDirections

Take I-55 S to exit 72. Go under the highway. When you get to Highway 51 take a right. Go to entrance to Lake Chautaugua. Then go to spillway.

Alleged Site Name: Lake Chautaugua

Alleged Site Address:

MS

Taken By: Kyzar, April **Phone:** (601) 664-3972

2125 Old Highway 27
Crystal Springs, MS. 39

CERTIFIED MAIL

7099 3220 0009 2983 4669

Dept. of Environmental Quality
Mr. Thomas Fortenberrey
Environmental Analyst Senio
1542-A Old Whitfield Rd
Pearl, MS 39208

PLACE STICKER AT TOP OF ENVELOPE
TO THE RIGHT OF RETURN ADDRESS.

THIS ENVELOPE IS RECYCLABLE AND MAD
RECYCLED PAPER, 30% POST-CONSUME

02/04/01

Juanita King
2125 Old Hwy 27
Crystal Springs, Ms
39059

Department of Environmental Quality
Mr. Thomas Fortenberry
Environmental Analyst, Sr.
1542-A Old Whitfield Road
Pearl, Ms
39208

Dear Mr. Fortenberry,

I own a piece of property containing 45 acres, more or less, located in Copiah County, Section 25,T-2 North, Range 1 West. I have listed this property for sale with Stockett Realty.

In searching the old records, we found the property was used a number of years ago by several business firms for the dumping of trash. Kuhlman Electric was one of those firms. Mr. Stockett and I are concerned about the contents of Kulman dumping and possible contamination.

We would like for the D. E. Q. to inspect this property as soon as possible.

I also own 8 acres of land in Copiah County east of I-55 and directly behind Lake Chautaqua, Section 14, T-2 North, Range 1 West. This property also needs to be inspected for contamination. I have been told the run-off from the lake may have contaminated it over the years.

Time is of the utmost importance in this matter and I look forward to hearing from you. The most convenient time to call would be after 10 am Monday through Friday. My telephone number is (601) 892-1112.

Best regards,

Juanita King

Juanita King

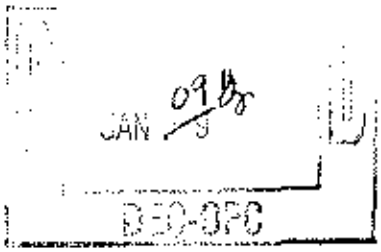
IT Corporation
11560 Great Oaks Way, Suite 500
Alpharetta, GA 30022-2424
Tel. 770.475.8994
Fax. 770.777.9545

A Member of The IT Group

FILE COPY

the igroup

January 5, 2001



Ms. Gretchen Zmitrovich
Mississippi Department of Environmental Quality
101 West Capital Street
Jackson, MS 39210

Subject: Contaminated Water
Kuhlman Electric Corporation
Crystal Springs, MS

Dear Ms. Zmitrovich:

On behalf of Kuhlman Electric Corporation, IT Corporation is offering the following approach to treat and discharge water that either has detectable PCB concentrations or had the potential for being in contact with PCBs. There are three large containers that contain water at the Kuhlman Electric Corporation (KEC) facility in Crystal Springs. Two containers are watertight 20 cubic yard roll-off boxes containing decontamination water from earth moving equipment used to collect suspect soil at off-site properties. The third container is a 20,000-gallon tank that collected water, which came in contact with soil containing PCBs during the repair of a water line. The proposed approach to handling the water is treatment using sediment and carbon filtration. Once the water contains no detectable PCBs, the water will be discharge to the Crystal Springs wastewater treatment plant.

Water in the two roll-off boxes has been sampled and PCBs were not detected. See attached laboratory results. Despite having no detectable PCBs, the water in these two boxes will be treated using sediment and carbon filtration to ensure capture of any sediment that contain PCBs. The water will be passed through the treatment equipment and directly discharged to the city sanitary sewer. No additional sampling is planned. Water in the 20,000-gallon tank has been sampled and found to contain PCBs. This water will be treated using sediment and carbon filtration then placed in another 20,000-gallon tank. The treated water will be sampled. If no PCBs are detected, the water will be discharged to the city sanitary sewer. If PCBs are detected the water will be re-treated, re-containerized and re-sampled until PCBs are not detected.

IT Corporation will be prepared to implement this approach once your approval is provided to KEC and to the City of Crystal Springs. If you have any questions, please contact me at (770) 677-7790.

Sincerely,
IT Corporation

A. Robert Thompson, CHMM
Operations Manager

attachment

cc: Thomas Minnich - Kuhlman Electric Corporation
Paul Acheson - Kuhlman Electric Corporation
Al Thomas - Kuhlman Electric Corporation
Scott Schang - Latham & Watkins

Analytical Environmental Services, Inc.

Date: *27-Nov-00*

CLIENT:	IT Corporation	**Client Sample ID:**	RB7808
Lab Order:	0011361	**Tag Number:**	Grab water
Project:	Kuhlman Elect.	**Collection Date:**	11/16/00 3:20:00 PM
Lab ID:	0011361-014A	**Matrix:**	AQUEOUS

Analyses	Result	Limit	Qual	Units	DF	Date Analyzed
POLYCHLORINATED BIPHENYLS		**SW8082**				Analyst: **BW**
Aroclor 1016	BRL	1.0		µg/L	1	11/23/00 3:01:00 PM
Aroclor 1221	BRL	2.0		µg/L	1	11/23/00 3:01:00 PM
Aroclor 1232	BRL	1.0		µg/L	1	11/23/00 3:01:00 PM
Aroclor 1242	BRL	1.0		µg/L	1	11/23/00 3:01:00 PM
Aroclor 1248	BRL	1.0		µg/L	1	11/23/00 3:01:00 PM
Aroclor 1254	BRL	1.0		µg/L	1	11/23/00 3:01:00 PM
Aroclor 1260	BRL	1.0		µg/L	1	11/23/00 3:01:00 PM
Surr: Decachlorobiphenyl	75.5	30-150		%REC	1	11/23/00 3:01:00 PM
Surr: Tetrachloro-m-xylene	92.3	30-150		%REC	1	11/23/00 3:01:00 PM

Qualifiers:

- ND - Not Detected at the Reporting Limit
- J - Analyte detected below quantitation limits
- B - Analyte detected in the associated Method Blank
- * - Value exceeds Maximum Contaminant Level
- S - Spike Recovery outside accepted recovery limits
- R - RPD outside accepted recovery limits
- E - Value above quantitation range

Analytical Environmental Services, Inc.

Date: *27-Nov-00*

CLIENT:	JT Corporation	**Client Sample ID:**	RB2598
Lab Order:	0011361	**Tag Number:**	Grab water
Project:	Kuhlman Elect.	**Collection Date:**	11/16/00 3:25:00 PM
Lab ID:	0011361-015A	**Matrix:**	AQUEOUS

Analyses	Result	Limit	Qual	Units	DF	Date Analyzed
POLYCHLORINATED BIPHENYLS		**SW8082**				Analyst: **BW**
Aroclor 1016	BRL	1.0		µg/L	1	11/23/00 3:31:00 PM
Aroclor 1221	BRL	2.0		µg/L	1	11/23/00 3:31:00 PM
Aroclor 1232	BRL	1.0		µg/L	1	11/23/00 3:31:00 PM
Aroclor 1242	BRL	1.0		µg/L	1	11/23/00 3:31:00 PM
Aroclor 1248	BRL	1.0		µg/L	1	11/23/00 3:31:00 PM
Aroclor 1254	BRL	1.0		µg/L	1	11/23/00 3:31:00 PM
Aroclor 1260	BRL	1.0		µg/L	1	11/23/00 3:31:00 PM
Surr: Decachlorobiphenyl	66.0	30-150		%REC	1	11/23/00 3:31:00 PM
Surr: Tetrachloro-m-xylene	67.2	30-150		%REC	1	11/23/00 3:31:00 PM

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E - Value above quantitation range

FILE COPY

IT Corporation
11560 Great Oaks Way, Suite
500
Alpharetta, GA 30022
770-667-7790
770-442-7399 fax

the igroup

Fax

To: Ms. Gretchen Zimmerman From: Bob Thompson

Fax: 601-961-5300 Pages: 4

Phone: 5171 Date: 1/8/01

Re: CC:

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Attached is the letter you requested. A hardcopy is coming via mail.

Please let me know what you think.

IT Corporation
11560 Great Oaks Way, Suite 500
Alpharetta, GA 30022-2424
Tel. 770.475.8994
Fax. 770.777.9545

A Member of The IT Group

January 5, 2001

Ms. Gretchen Zmitrovich
Mississippi Department of Environmental Quality
101 West Capital Street
Jackson, MS 39210

Subject: Contaminated Water
Kuhlman Electric Corporation
Crystal Springs, MS

Dear Ms. Zmitrovich:

On behalf of Kuhlman Electric Corporation, IT Corporation is offering the following approach to treat and discharge water that either has detectable PCB concentrations or had the potential for being in contact with PCBs. There are three large containers that contain water at the Kuhlman Electric Corporation (KEC) facility in Crystal Springs. Two containers are watertight 20 cubic yard roll-off boxes containing decontamination water from earth moving equipment used to collect suspect soil at off-site properties. The third container is a 20,000-gallon tank that collected water, which came in contact with soil containing PCBs during the repair of a water line. The proposed approach to handling the water is treatment using sediment and carbon filtration. Once the water contains no detectable PCBs, the water will be discharge to the Crystal Springs wastewater treatment plant.

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IT Corporation will be prepared to implement this approach once your approval is provided to KEC and to the City of Crystal Springs. If you have any questions, please contact me at (770) 677-7790.

Sincerely,
IT Corporation

A. Robert Thompson, CHMM
Operations Manager

attachment

cc: Thomas Minnich - Kuhlman Electric Corporation
Paul Acheson - Kuhlman Electric Corporation
Al Thomas - Kuhlman Electric Corporation
Scott Schang - Latham & Watkins

Analytical Environmental Services, Inc.

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Aroclor 1254	BRL	1.0		µg/L	1	11/23/00 3:01:00 PM
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Analytical Environmental Services, Inc.

Date: 27-Nov-00

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Project:	Kuhlman Elect.	Collection Date:	11/16/00 3:25:00 PM
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770 499 9000

FILE COPY

Main Tel: (601) 892-8401
Fax: (601) 892-6406

KUHLMAN ELECTRIC CORPORATION

Instrument Transformers
Power Transformers

101 Kuhlman Drive, Crystal Springs, MS 39059

Fax

To: Tom Minnich / John Zvolanek From: Joyce R. Beasley

Fax: Date: 1/2/01

Phone: Pages: 1

Re: Local Newspaper Article CC:

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

•Comments: From Plain Dealer web., Dec. 20, 2000

PCB remediation program ongoing

PCB remediation near the Kuhlman Electric Company plant in downtown Crystal Springs is continuing but at a slower pace during the holiday and inclement weather season.

The last information exchange meeting was held November 14 with BorgWarner, Kuhlman, City of Crystal Springs, Department of Environmental Quality, and various environmental consultants present.

Since that meeting, delinlation of most residential properties along the drainage ditch has been completed by the last week in November.

Remediation of residential properties along Jackson and Lee streets for which access has been granted is nearly complete with landscaping underway. Heavy rains have caused some delays in this process.

The Mississippi Department of Environmental Quality has been monitoring remediation at every step.

A great deal of data has been collected during delinlation efforts and this is being evaluated for presentation to the MDEQ.

Laboratory analysis off the site has correlated closely with on the site results, creating confidence in the field screening methods being utilized according to BorgWarner.

Since the beginning of the project on May 8 through December 8, over 6,000 samples have been collected and analyzed.

The project will again intensify in January when all field crews will be remobilized.

C: Al Thomas
Nicky Crockett
Scott Schang - 202-637-22
Gretchen Zmetrovich - 961-530

BorgWarner Inc. 200 South Michigan Avenue Chicago Illinois 60604 Telephone 312 322 8500

AH-00-1638

VIA UPS NEXT DAY AIR

BorgWarner

December 20, 2000

Anastasia Hamel
Director, Environmental Programs
BorgWarner Inc.
11955 East Nine Mile Road
Warren, Michigan 48089

Ms. Gretchen Zmitrovich
Mississippi Department of Environmental Quality
Office of Pollution Control
101 West Capitol Street
Jackson, Mississippi 39201

FILE COPY

Re: **Progress Report of Assessment and Remediation Activities**
Kuhlman Electric Corporation and Residential Properties
Crystal Springs, Mississippi

Dear Ms. Zmitrovich:

This is a progress report to summarize the assessment and remediation activities related to PCB contamination at Crystal Springs, Mississippi. BorgWarner's last update was October 31, 2000. As you are aware, pursuant to the indemnity agreement between Kuhlman Electric Corporation (KEC) and BorgWarner Inc., BorgWarner has continued the assessment at the KEC plant and began the assessment of residential properties along a drainage channel downgradient of the plant. BorgWarner has also been actively remediating those properties adjacent to the KEC plant for which access was previously granted and sampling was complete.

BorgWarner, as it stated in its October 31, 2000 letter to the Mississippi Department of Environmental Quality (MDEQ), remains committed to working closely with MDEQ, USEPA, local government and KEC in a cooperative manner to accomplish the tasks necessary for the protection of human health and the environment, to the extent that the circumstances are covered by its contractual indemnity to KEC. BorgWarner will continue to seek MDEQ's guidance and direction in its current and future intended activities and to promptly share information.

ACTIONS TAKEN AND PLANNED

1. Delineation of Residential Properties along Jackson and Lee Avenues

BorgWarner promptly and voluntarily began sampling and delineation activities at the residential and commercial properties, adjoining the KEC plant that appeared to or reportedly have been affected by runoff or by the removal of soil from the KEC plant prior to October 6, 1999.

Under MDEQ's supervision, BorgWarner conducted delineation activities of these properties during the month of August, 2000. A total of eighteen (18) properties were investigated, which were:

1. Perry Smith, 219 North Jackson Street
2. Stringer Funeral Home, 301 North Jackson Street
3. Stringer Rental Property, 303 North Jackson Street
4. Harold and Suzanne Warren, 403 North Jackson Street
5. Elnor Wright, 401 North Jackson Street
6. Sonny Reeves, 405 North Jackson Street
7. Brent Property, 403 Lee Avenue
8. Louie Lang/David Vinson, 407 North Jackson Street
9. Jerry Youngblood, 100 Lamar St.
10. Medical Clinic, Lee Avenue
11. Edwards Property, 406 Lee Avenue
12. Garment Shop, 414 Lee Avenue
13. Frazier Property, 405 Lee Avenue
14. Duplex Property, 408/410 Lee Avenue
15. Kellum Property, 412 Lee Avenue
16. Dabney/Smith Property, 215 North Jackson
17. Cooper Property, 409 North Jackson
18. Larry and Carol Wright, 305 North Jackson

BorgWarner acted under the continuous guidance and direction of the MDEQ with respect to delineation activities at the residential and commercial properties adjoining the KEC plant. Split samples were analyzed and QA/QC procedures were implemented by two laboratories experienced with polychlorinated biphenyl analysis. Samples were frequently split with on-site MDEQ representatives for MDEQ's independent analysis, which to our knowledge consistently correlated with BorgWarner's on-site and off-site laboratory analytical results.

The delineation activities were conducted utilizing the " US EPA, Region IV Environmental Investigations Standard Operating Procedures and Quality Assurance Manual," May 1996 (EISOPQAM), sampling and analytical protocols. A copy of the work plan with procedures used in the field and applicable sections of the EISOPQAM are attached to this report for reference purposes.

Upon completing the delineation activities, BorgWarner compiled and submitted the analytical results on October 2, 2000 to MDEQ and US EPA, Region IV. Subsequently, BorgWarner began to schedule the remediation of residential and commercial properties adjacent to the KEC plant and along Jackson and Lee Avenues for which access was granted with the assistance of MDEQ and City of Crystal Springs Mayor Webb and where an attorney and/or an independent consultant were not involved in performing conflicting sampling activities.

2. Remediation of Residential Properties

On October 16, 2000 BorgWarner initiated remediation activities at the Medical Center and the Dabney/Smith properties, which are adjacent to the KEC plant. Remediation of the Newman Duplex, on Lee Avenue, began on November 30, 2000. Remediation of these properties involved excavation and disposal of all soil containing 1.0 part per million (ppm) or greater of PCBs in accordance with MDEQ's established clean-up criteria for residential properties. All soils containing greater than 1 ppm PCBs but less than 50 ppm PCBs were profiled and disposed of at the BFI's "Little Dixie" Subtitle D Landfill in Madison County, Mississippi after MDEQ and US EPA, Region IV approvals were obtained.

Following excavation, all excavated areas were sampled to confirm that impacted soil had been removed. In correspondence regarding disposal requirements, Craig Brown of US EPA, Region IV, stated that the excavated soils did not meet the definition of "PCB remediation waste." Under this definition, the remediation activities fell under the management criteria and guidelines set by MDEQ. As a result, the remediation and confirmation of clean-up standards established by MDEQ guidance were adopted and implemented in all of BorgWarner's residential remediation activities. A grid with ten-foot (10) sampling point centers was used to confirm that impacted soils had been removed at each site.

The remediation of the Dabney/Smith, the Medical Center and the Newman duplex property resulted in the removal of 1400 tons of soil, which was disposed of at the BFI "Little Dixie" Subtitle D Landfill and replaced with 1500 tons of certified clean soil. During the remediation activities, the on-site laboratory analyzed 324 soil samples in the month of November and the fixed-base laboratory analyzed 32 quality control samples.

Vegetation, such as live oak trees, was treated with specialty equipment for maximum protection and to minimize damage to the root systems. Soil surrounding the live oak tree roots was removed using an "Air Shovel"™, a unique technology adopted specifically for this purpose. The Air Shovel™ uses a pressure spray to dislodge soil from around the roots while a vacuum system removes the soil and water by vacuuming into a tank. This method of soil removal has performed effectively with minimal damage to the tree's root system as was confirmed by the landscaping contractor and arborist. However, this process, regardless of its effectiveness, is very tedious and as a result only the tree on the Dabney/Smith property was completed during the second half of November. One other live oak tree, located on the Medical Center property, remains to be treated in a similar fashion and is scheduled for January 2001.

Landscaping and replacement of structures (sheds, car ports, etc.) on both the Medical Center and the Dabney/Smith properties are continuing and will most likely be completed by the end of December 2000. Both properties have been surveyed and the fence between the Dabney/Smith and Medical Center properties is currently being re-installed. Landscaping has been completed on the Newman duplex property.

Third party independent sampling activities commissioned by the Nutt & Associates Law Firm have interfered with planned remediation activities along Lee Avenue, specifically at the Frazier's, Edward's, and Kellum's properties. The Garment Shop is a more complicated matter for two reasons. First, the impacted soil at the Garment Shop is located at the property line between it and the Kellum residence and second, the Kellum elm tree roots extend to the Garment Shop property itself. BorgWarner has filed a Freedom of Information Act request to MDEQ in an effort to obtain a copy of the recently submitted report generated by these independent parties.

BorgWarner, after its evaluation of the sampling results and data contained within the third party report, will begin discussions with the attorney(s) representing each resident (mentioned above) along Lee Avenue in an attempt to resolve the matter, including confirmation that all sampling results have been disclosed, and whether further sampling is necessary, and confirm access to then remediate those properties. BorgWarner also plans to keep MDEQ appraised of any developments and any progress or if no progress is being made with the attorney(s) involved.

BorgWarner will schedule delineation activities for the Gas Station, which is at the corner of Lee Avenue next to the Garment Shop, Mayor Webb's residence and the drainage pathway to the south. BorgWarner will inform MDEQ of the timing for those activities.

3. Drainage Channel Properties

Beginning on October 30th through the end of November, BorgWarner collected and analyzed soil samples from nine properties situated along the drainage channel leading from the north side of KEC's plant site to Lake Chautauqua. The properties were:

1. Sojourner Property, 111 McPherson Street
2. Weathersby Property, 101 Forest Street
3. Robert Williams Property (Lonnie Williams' residence), 103 Forest Street
4. Flossie McMurray Property (Ralph Williams residence), 104 Forest Street
5. Ralph Williams Rental Property, 107 Forest Street
6. Richard Williams Property, 102 Forest Street
7. Roberta Fitzgerald Estate Property, (R.P Edwards point of contact) 108 Tucker Street Property currently is being rented to the Kendrick family.
8. Welch Property, 501 Camp Street
9. Orister Harris Property, 311 West Railroad Avenue

A total of 650 soil samples was collected from these properties and analyzed by the on-site laboratory. The fixed-base laboratory analyzed an additional 65 samples for confirmation and quality control purposes. These preliminary assessment activities were conducted in the same manner as the Kuhlman plant preliminary site assessment and the KEC plant adjacent residential properties; and utilizing the "EPA, Region IV Environmental Investigations Standard Operating

Procedures and Quality Assurance Manual", May 1996 (EISOPQAM), sampling and analytical protocols.

Preliminary results available at this time indicate that six of the nine properties that were sampled will require certain remediation. Four properties, including the Sojourner, Williams' rental, Harris and Welch properties, will require remediation under the MDEQ guidelines since the highest concentrations detected are less than 50 ppm. Two properties, including the M^{c}Murray and R. P. Edwards properties, have soil with PCB concentrations greater than 50 ppm and therefore will require remediation under the TSCA rules. The following is a list of properties where concentrations greater than 1.0 ppm PCB were detected as well as the highest detected concentration on each property:

Property	Highest Detected Concentration
Sojourner	2.6 ppm
Williams rental	30.0 ppm
Harris	1.2 ppm
Welch	8.4 ppm
M^{c}Murray	70.0 ppm
R. P. Edwards	51.0 ppm

Data from this sampling event are being evaluated and once quality control measures are completed the data will be tabulated. Site-specific reports containing collected data, maps of sampling locations, and work plans for remediation, if required, for each individual site are also being prepared and will be submitted to MDEQ and US EPA, Region IV by January 12, 2001.

It is anticipated that additional sampling will be required along the drainage channel. Several undeveloped properties, either abutting the drainage channel or through which the drainage channel runs, will be sampled to delineate the extent of possibly impacted soil and determine the potential for future runoff to Lake Chautauqua. The Department will be kept appraised as to the timing for this additional investigation and sampling activity.

4. KEC Plant

After an initial phase of sampling in the areas identified by KEC's construction activities and the related equipment decontamination zone, BorgWarner conducted further, substantial sampling activities in the south and north parking lot areas as well as the former above ground storage tank area. These delineation activities, other than any possible data gaps, have been completed. The results are currently being tabulated and compared for correlation purposes between the on-site and off-site laboratories, prior to being issued to MDEQ. Should any data gaps exist, BorgWarner will conduct further sampling activities.

This additional data will be incorporated as an addendum to the *Preliminary Site Assessment Report,* submitted to MDEQ in July 2000. Comments to the *Preliminary Site Assessment Report* made by MDEQ will also be addressed and included in the addendum submittal. It is anticipated that the addendum report will be submitted to MDEQ by February 12, 2001.

5. Lake Chautauqua

BorgWarner intends to consider delineation of the sediments at Lake Chautauqua, ecological assessment, and surface water sampling, to the extent appropriate after receipt of the pending "Task Force" report. These activities will not begin on any great scale until the Task Force report is evaluated.

6. Groundwater Delineation

BorgWarner intends to delineate the nature and extent of any groundwater contamination relative to the KEC plant. Groundwater delineation will take place at the time that remediation at the KEC plant commences. It is critical that the protective cover at the KEC plant site is not disturbed for the time being and that the groundwater investigation is addressed when BorgWarner is actively remediating on the KEC plant property. This approach will ensure that sediments from the KEC Plant do not travel to the drainage channel and Lake Chautauqua.

BorgWarner remains dedicated to continuing its open communication with MDEQ and US EPA, Region IV and looks forward to the meeting with MDEQ and City of Crystal Springs Mayor Webb and other Crystal Springs representatives on January 17, 2001 (at 8:30 a.m.) to further discuss any of the above and share its plans for future activities.

Should you have any questions or comments, please contact me directly at (810) 497-4503 at your earliest convenience.

Very truly yours,

Anastasia Hamel

Anastasia Hamel
Director, Environmental Programs
BorgWarner Inc.

Attachments:

1. Work Plan – Preliminary Assessment and Remediation
2. Craig Brown, *US EPA, Region IV letter to BFI*

cc: J. Banks, MDEQ
T. Russell, MDEQ
K. Dowell, Esq., MDEQ
C. Brown, US EPA Region IV
H. Webb, Mayor Crystal Springs
Laurene H. Horiszny, Esq.
Robert Martin, MSGA
Thomas D. Lupo, Esq.
Scott E. Schang, Esq.
Mickey Crockett, KEC
Al Thomas, KEC

WORKPLAN FOR THE PRELIMINARY ASSESSMENT AND REMEDIATION OF PCB CONTAMINATION IN SOIL KUHLMAN ELECTRIC CORPORATION FACILITY AND RESIDENTIAL COMMERCIAL PROPERTIES IN CRYSTAL SPRINGS, MISSISSIPPI

As established by the Mississippi Department of Environmental Quality (MDEQ) guidelines in connection with this project, all work related to the preliminary assessment of the extent of contamination at the Kuhlman Electric Corporation (KEC) facility and work related to the preliminary assessment and confirmation of remedial actions at KEC adjacent residential/commercial properties and residential properties along the drainage channel (leading from the north side of KEC's facility to Lake Chautauqua) has been performed in accordance with the *Environmental Protection Agency (EPA), Region IV "Environmental Investigations, Standard Operating Procedures and Quality Assurance Manual", May 1996 (EISOPQAM).*

Copies of relevant and applicable portions of the EISOPQAM are maintained on site during all field activities and all field personnel are trained in its implementation. Remedial action confirmation sampling grids were established using *MDEQ Guidance Document, Verification of Soil Remediation, Environmental Response Division, Waste Management Division, April 1994, Revision 1.* Specifically, sampling grids were based on Part 2-Medium and Large Site Soil Cleanup Verification, "Establishing Grid Interval."

Field operations were performed under the site-specific Health and Safety Plan guidelines. Modified Level "D" Personal Protective Equipment (PPE) was utilized by all personnel working within the investigative area.

Sampling Objectives

The soil-sampling objective is to establish the vertical and horizontal extent of contamination resulting from historical facility operations. In the KEC facility case, the soil-sampling objective included historical use of polychlorinated biphenyl (PCB). All sampling procedures were conducted in accordance with the US EPA, Region IV EISOPQAM. Sampling procedures included the collection of soil samples on a twenty foot triangular grid, where possible, at discreet depth intervals. Surface and subsurface soil samples were collected using GeoProbe® MacroProbe™ direct push sampling equipment. The GeoProbe® system uses a hydraulically driven hammer to advance a hollow, split-barrel sampler to the desired depth. The sampler contains an acetate liner in which a sample of the cored soil is retained. The MacroProbe™ corer retains a 1.25-inch diameter continuous 4 feet in length core sample. Once sampling is completed, the direct-push boring holes are backfilled with bentonite chips in unpaved areas, and with grout in parking lots and other paved areas.

Throughout the delineation activities each direct-push boring was sampled at 0.5-3.0 feet below ground surface (bgs) and at 3.0-6.0 feet bgs. Selected borings were completed to depths varying from 8-12 feet bgs and sampled in these deeper intervals to evaluate the vertical distribution of contaminants.

Additional sampling of dust, stream and drainage ditch sediments, surface water and ground water were collected, as warranted, in accordance with applicable EISOPQAM guidelines.

Analytical Methods

Samples that were collected were analyzed for PCBs by the on-site mobile laboratory, Environmental Chemistry Consulting Services (ECCS) of Madison, Wisconsin. Initially soil samples were also analyzed for chlorinated benzenes until data confirmed that chlorinated benzene contamination is not at issue in samples with low concentrations of PCBs (generally <20 ppm). At least 10% of all samples were split and sent to a fixed-base laboratory, Paradigm Analytical Laboratories, Inc. (PAL) of Wilmington, North Carolina for analysis of the same parameters as for the on-site mobile laboratory to corroborate the results of laboratory analyses for quality control and quality assurance measures. Both the on-site and fixed-base laboratories used the same standard EPA approved analytical methods. PCBs were analyzed by Modified Environmental Protection Agency (EPA) Method 8080/81 and chlorinated benzene compounds were analyzed by EPA Method 8270. Volatile organic compounds (VOCs) were analyzed by EPA Method 8260 for samples suspected of being impacted by other industrial processes solvents unrelated to PCBs. Select soil samples were also analyzed for silver, by EPA Method 6010B, and cyanide, by EPA Method 9012A.

Surface water samples were analyzed by PAL for PCBs using EPA Method 8080/81. Semivolatile organic compounds (SVOCs) were analyzed by EPA Method 8270, Volatile Organic Compounds (VOCs) were analyzed by EPA Method 8260, silver by EPA Method 6010B, and cyanide using Standard Method 4500 Cn-E. Perched ground water was analyzed for PCBs, SVOCs, and VOCs by the same methods as indicated above for surface water.

Quality Control

The following is the list of key personnel dedicated to this project:

Project Manager:	Mr. Robert Martin, Martin & Slagle GeoEnvironmental Associates, LLC
Duties:	Responsible for management of project including all field coordination efforts.
Field Sample Custodian:	Mr. Robert Martin, Christine Slagle, Martin & Slagle GeoEnvironmental Associates, LLC
Duties:	Maintaining custody of samples, completing sample labels, Chain-of-Custody record.
Field Team Leader:	Mr. Robert Martin, Martin & Slagle GeoEnvironmental Associates, LLC
Duties:	Responsible for all activities related to the collection of samples.
Samplers:	Tim Fitzpatrick, Christine Slagle, Robert Martin
Duties:	Individuals responsible for the actual collection of samples.
Laboratory Sample Custodian:	*Mr. Michael Linskens,* ECCS Mr. Nicolas Schertz, ECCS Ms. Erin Staagard, PAL
Duties:	Individuals responsible for accepting custody of samples from the field sample custodian.

Quality Assurance Objectives for Data

Data for this project is being generated by two separate entities. The on-site data is generated by ECCS in their mobile laboratory. The fixed-base laboratory, PAL in Wilmington, North Carolina, generates the analytical results for the split samples.

The data quality objectives are pre-defined for the ECCS data in that Mississippi considers all mobile lab data screening level data. ECCS uses the same equipment and methodology as the fixed-base laboratories with the exception of the mini-extraction modification. Mobile laboratory data is validated by comparison of a minimum of 10% split samples with PAL. Following this procedure, the data qualifies as screening data with definitive confirmation under US EPA, Region IV EISOPQAM guidelines.

All samples sent to PAL were collected as follows: The sample was transferred from the GeoProbe® clean, unused, acetate sample liner into the labeled 4 ounce (oz) amber glass soil jar. The sample jar was then transferred to the mobile lab where ECCS personnel homogenized the sample prior to taking an aliquot for analysis. Due to the limited sample volume required by the ECCS mini-extraction and the low volatility of the chemicals of concern, the initial sampling jar was rescaled (after ECCS personnel removed the amount of sample needed for their analysis), refrigerated and then sent to PAL; meaning PAL analyzed the sample from the exact same sample jar as ECCS.

Equipment rinsate samples were collected for evaluation of cross-contamination potential from ineffective decontamination procedures. These were prepared by pouring distilled water over the sampling equipment after decontamination and collecting and preserving the rinsate that was generated. Equipment rinseate samples were collected in accordance with the EPA, Region IV EISOPQAM guidelines.

Field blank samples were collected by filling sampling containers that were kept in the transition zone with distilled water. Field blanks determine the presence of ambient contaminants that may not be directly related to concentrations of contaminants in the sample media.

Blind duplicate soil samples were collected for analysis and sent to both laboratories. Blind duplicates were collected by homogenizing an aliquot of sample in a disposable plastic container and splitting the homogenized sample into two containers. After ECCS took their aliquot of these samples, the remainder of the sample was sent to PAL for analysis.

SAMPLE CONTROL AND FIELD RECORDS

Sample Identification

All samples sent to PAL for analysis conform to the labeling requirements under section 3.2.1 of the EISOPQAM.

8.3.1 Chain of Custody Procedures

Samples were logged as they were collected from the geoprobe liners. Date, time and sample litholgy were recorded on each log. Samples were then transferred to 4 oz amber glass jars and the jars transferred to a small sample cooler, which was taken to the mobile lab by field personnel in charge of sample handling. Sample identification (ID), date and time sampling occurred were recorded in the field logbook before transferring the samples to the mobile lab. Upon arrival at the mobile lab, the samples were transferred to the ECCS sample custodian who logged each sample on ECCS chain of custody forms. Each sample was assigned a unique ECCS internal ID number for tracking purposes. After analysis, the samples were transferred to either a sample refrigerator in the mobile lab or stored in coolers with ice until they were either shipped to PAL for confirmation analysis or readied for disposal. For samples sent to PAL, a new chain of custody form was completed by field personnel in charge of sample handling.

8.3.2 Field Records

Field records were kept in accordance with procedures and guidelines specified in section 3.5 of EISOPQAM.

8.4 Analytical Procedures

For analysis of samples in the field, ECCS used EPA Method 8082m, modified for quantitation of chlorinated benzenes and the mini extraction procedure.

PAL used EPA Method 8082 for quantitation of PCBs. For chlorinated benzenes, it used EPA Method 8270. While Method 8270 does not cover all the chlorinated benzenes, it provides confirmation of the ones it does detect and has the added benefit of supplying an analysis of a broad range of other semivolatile organic compounds.

For the analysis of cyanide EPA Method 9012A was employed and for silver EPA Method 6010B.

Selected samples were analyzed by EPA Method 8260, primarily to confirm that volatile organic compounds were not present in the samples or part of the site contaminants.

8.5 Laboratory Quality Assurance/Quality Control (QA/QC)

QA/QC procedures for both labs were found to be virtually identical. Summaries of each laboratory procedures follow.

ECCS:

- Continuous calibration standards analyzed every ten samples or less and at the end of a run.
- Blank samples and laboratory control samples (LCS) analyzed every twenty samples or less with a minimum of one per day.
- Matrix Spike/Matrix Spike Duplicate (MS/MSD) samples analyzed every twenty samples or less with a minimum of one per day.

PAL:

- Continuous calibration standards analyzed at least once every 12 hour shift plus a minimum of every 20 samples gas chromatography/mass spectroscopy (GC/MS) criteria follows method specific tuning requirements per EPA Method 8270.
- Blank and LCS samples analyzed every 20 samples or less with a minimum of one per day.
- MS/MSD samples analyzed every 20 samples or less with a minimum of one per day.

8.6 Data Validation and Reporting

As discussed in section 8.2, the primary validation of the ECCS data was accomplished through comparison with the data from PAL.

Since Hexachlorobenzene and 1,2,4-Trichlorobenzene are the only chlorinated benzenes on the standard Method 8270 list, these two compounds and total PCBs were the parameters tracked for the data validation procedure.

Overall, the correlation to this point of the investigation and remediation activities has been excellent with the majority of sample splits showing Relative Percent Differences (RPDs) of less than 100. Considering the inherent variability of soil as a matrix, achieving 93% acceptable split data spanning several orders of magnitude of concentration serves to justify the use of the on-site data as definitive quality.

TOXICS SECTION
FAX SHEET

U.S. EPA, Region 4
AFC Bldg., 12th Floor
61 Forsyth Street, S.W.
Atlanta, Georgia 30303

DATE: October 19, 2000

No. Of Pages 1 (Including cover sheet)

TO: Kathy Daniels
BFI

cc: Robert Martin c/o AL Thomas & Kuhlman

FAX Number: (601) 982-9439

FROM: Craig Brown
EPA 4

Craig Brown

Phone : (404) 562-8990

FAX: (404) 562-8973

Message: Kathy - I received the data package you transmitted yesterday on soil removed from two properties near the Kuhlman Electric site. Given the size of the project area I believe that the in-situ grid sampling performed by Ogden has adequated characterized the soil for disposal under TSCA PCB regulations. The highest PCB concentration I noted was 7.2 ppm. This particular cleanup action of adjacent residential/commercial properties that were contaminated by run-off and/or fill dirt transfer from Kulhman is being done under MDEQ's direction. Based on what we know of the site and the timing of PCB releases to soil at Kuhlman, any soil from the properties surrounding Kuhlman that is currently below 50 ppm PCB based on adequate in-situ characterization does not meet the definition of "PCB remediation waste" and therefore may be disposed of as solid waste in a state-approved solid waste landfill.

WEATHERSBY PROPERTY
101 Forest Street
Crystal Springs, Mississippi
PCB Concentrations Detected in Soil

			Field Laboratory	
Sample ID	Sample Depth (ft bgs)	Date Collected	Date Analyzed	Concentration (mg/kg)
861	0.5	01-Nov-00	02-Nov-00	<0.10
	1.5	01-Nov-00	02-Nov-00	<0.10
860	0.5	01-Nov-00	02-Nov-00	<0.10
	1.5	01-Nov-00	02-Nov-00	<0.10
858	0.5	01-Nov-00	02-Nov-00	0.18
	1.5	01-Nov-00	02-Nov-00	<0.10
859	0.5	01-Nov-00	02-Nov-00	0.20
	1.5	01-Nov-00	02-Nov-00	<0.10

NA = Not Analyzed
J = Elevated detection level due to toxaphene interference

RICHARD WILLIAMS PROPERTY
102 Forest Street
Crystal Springs, Mississippi
PCB Concentrations Detected in Soil

			Field Laboratory		Fixed Laboratory	
Sample ID	Sample Depth (ft bgs)	Date Collected	Date Analyzed	Concentration (mg/kg)	Date Analyzed	Concentration (mg/kg)
850	0.5	01-Nov-00	02-Nov-00	<0.10		
	1.5	01-Nov-00	02-Nov-00	<0.10		
849	0.5	01-Nov-00	06-Nov-00	0.11	16-Nov-00	<0.098
	1.5	01-Nov-00	02-Nov-00	<0.10		
851	0.5	01-Nov-00	01-Nov-00	<0.10		
	1.5	01-Nov-00	01-Nov-00	<0.10		
852	0.5	01-Nov-00	01-Nov-00	<0.10		
	1.5	01-Nov-00	02-Nov-00	0.14		
901	0.5	02-Nov-00	04-Nov-00	<0.10		
	1.5	02-Nov-00	04-Nov-00	<0.10		
902	0.5	02-Nov-00	04-Nov-00	<0.10		
	1.5	02-Nov-00	04-Nov-00	<0.10		
903	0.5	02-Nov-00	04-Nov-00	<0.10		
	1.5	02-Nov-00	04-Nov-00	<0.10		
904	0.5	03-Nov-00	04-Nov-00	<0.10		
	1.5	03-Nov-00	04-Nov-00	<0.10		

NA = Not Analyzed
J = Elevated detection limit due to toxaphene interference

ROBERT WILLIAMS PROPERTY
103 Forest Street
Crystal Springs, Mississippi
PCB Concentrations Detected in Soil

919	0.5	03-Nov-00	04-Nov-00	0.22		
	1.5	03-Nov-00	04-Nov-00	0.12		

NA = Not Analyzed
J = Etevated detection level due to toxaphene interference

FILE C

ACTION PLAN
FOR REMEDIATION OF PCB IMPACTED SOIL AT RESIDENTIAL PROPERTIES
Crystal Springs, Mississippi

In April 2000, during preparations to expand the Kuhlman Electric (KEC) plant, engineers discovered that areas of the site were contaminated with PCBs. When KEC management informed BorgWarner of the contamination, BorgWarner, at its option, took immediate steps to determine the nature and extent of the contamination and began cleaning neighboring plant properties. BorgWarner temporarily owned KEC for seven months in 1999 and agreed when it sold KEC to address certain unknown conditions at the KEC plant.

BorgWarner has now focused on properties located downstream of the plant. The sampling program that was performed in the later months of 2000 was performed in accordance with Mississippi Department of Environmental Quality (MDEQ) requirements and guidelines for the assessment and remediation of contaminated soil. The results of the sampling program indicate that PCBs are present in soils at some properties in greater concentrations than those established by MDEQ. Therefore, remediation of the contaminated soil is required by MDEQ.

This Action Plan is provided to the residents and owners of properties that will be remediated. It outlines the processes and actions that will be taken by BorgWarner's contractors to remove PCB impacted soils and restore the properties to their original condition.

MDEQ requires that soil containing concentrations of PCBs greater than 1 part-per-million (ppm) be remediated. The remediation process will involve excavation and disposal of impacted soil at an approved disposal facility. Once it is confirmed that all sampling on the property has been completed and reported remediation will be scheduled.

A remediation contractor using standard earthmoving equipment such as dozers, trackhoes, excavators, and dump trucks will remove and dispose impacted soil. An environmental geologist will collect soil samples for PCB analysis to confirm that all impacted soil has been removed. When soil laboratory tests confirm that contaminated soil has been removed, the excavation(s) will be backfilled, the landscaping will be replaced, and any pre-existing structures that may have been impacted will either be replaced or reconstructed.

Remediation work will proceed as follows:

1. Prior to beginning any remediation activities, representatives of Mississippi Department of Environmental Quality, and the City of Crystal Springs and BorgWarner's contractors will meet with the individual residents to obtain permission for remediation to take place and explain the remediation process. The areas that will require excavation will be shown to each resident and/or property owner.

2. The existing condition of the property will then be documented, by mapping and photographing all areas that will require remediation. Locations, numbers, and sizes of plants, gardens, trees, fences, storage buildings, children's play areas, and any other pre-existing structures that may be affected by the remediation process will be identified. The remediation and landscaping contractors will visit each property and assist with the mapping process and begin planning the relocation of structures and the replacement of plants for landscaping purposes.

3. The project manager will contact the property owner and/or resident to schedule the remediation work on the property. The project manager, remediation contractor and any other field personnel will meet with the individual residents and property owners to review the remediation activities planned for their property and to familiarize the residents with the health and safety plan. Heavy earth moving equipment will be used to complete the remediation. As a safety precaution, access to the immediate heavy equipment staging and excavation areas will not be permitted during the remediation

process. Where practicable, any pre-existing structures that interfere with the remediation process will be moved out of the area and moved back to their original location when remediation is complete.

4. Soil containing greater PCBs greater than 1 ppm will be removed from the property and disposed of at an approved disposal facility. Soil samples will be collected by the site geologist and analyzed by the laboratory to confirm that all impacted soil has been removed.

5. All excavated areas will be backfilled with certified clean soil and covered with approximately six inches of clean topsoil. All previously grassed areas will be restored with similar sod. Plants and shrubs that may have been removed during remediation will be replaced. If for any reason plants cannot be replaced with similar type and size, an allowance will be provided to purchase and plant comparable plants of the property owner's choosing. Every attempt will be made to save large trees, particularly live oaks, to the extent feasible. Under the supervision of a licensed landscape contractor, impacted soil will be removed from around the tree roots using a special excavating tool. All impacted soil must be removed even if trees are rooted in the material. Soil from around tree roots will be removed with care so as to provide the tree with the best chance of survival. In spite of these precautions, no guarantees can be made as to whether the trees will withstand the remediation process.

6. Pre-existing structures, fences, sidewalks, etc., will be returned to their original locations or replaced as necessary. If damage occurs to structures or if demolition is required, pre-existing structures will be replaced with similar type, size, and quality.

7. After completion of the redemption, reports describing the remediation for each individual property will be prepared and submitted to MDEQ.

FILE COPY

"Hamel, Anastasia (AFS-Warren)" <AHamel@afs.bwauto.com> on 02/02/2001 12:38:36 PM

To: Smith Jeff <JSmith@sheldonlabs.com>
cc: "Martin, Robert L." <RobMartin001@aol.com>, Zmitrovich Gretchen <Gretchen_Zmitrovich@deq.state.ms.us>

Subject: RE: kuhlman/Borg Warner

Hello Mr. Smith,

How are you? I took the liberty to respond to your e-mail to Gretchen Zmitrovich, MDEQ, for the simple reason that I wanted to put you at ease and to let you know that we have not forgotten about you. As a matter of fact, I looked forward to meeting you every time I am at Crystal Springs. You may not know this, but I spend at least one week out of each month in Crystal Springs. Last time I was there was in the middle of January 2001 and plan to be there again the week of February 19th. Perhaps I will get the opportunity to meet you then at your convenience.

You are right, we have completed the remediation on your property and I do hope that the work that was done, (the building of the shed and the fence) was to your satisfaction. The tree decontamination has also been completed. We realized given the age of the trees that not only they have been there for a long time but also have sentimental value and for those reasons we attempted to do our very best to save them. So far, our arborist has informed us that there is a very good chance the trees will do just fine.

To my knowledge, based on discussions with Robert Martin, what remains to be done in your yard is to add gravel by the shed and complete the landscaping. As you know, we have to go through the medical building yard to get to yours, and because of that we have been waiting for the weather to dry so that we can drive the heavy vehicles and bring in the gravel that is needed. Our landscaper has also been waiting for better weather to complete the landscaping. As you know though, the weather has not been cooperating at all. Also, from what I have been told, Keith Warren from Venture has been in touch with you concerning the gravel etc. earlier this week. If that is not the case, please let me know.

As far as the results from the remediation, you will definitely receive a complete report with the appropriate details. As before, the report will first be submitted to MDEQ and MDEQ will forward a copy to you. The reports for all the remediated properties are in the process of being completed. We are currently trying to meet two other, mid February, MDEQ deadlines for other activities on this project and are concentrating on those reports.

I hope that this quick update gives you a good status as to where we are today with our efforts. In the event you have further questions, today or in the future, please feel free to contact me directly at the numbers indicated below, or e-mail me if you prefer.

Best regards,

Anastasia Hamel

Anastasia Hamel
Director Environmental Programs
BorgWarner Inc.
Phone: (810) 497-4503
Fax: (810) 497-4441
e-mail: ahamel@afs.bwauto.com

---------- Forwarded by Gretchen Zmitrovich/HW/OPC/DEQ on 02/01/2001 11:26 AM ----------

"Jeff Smith" <JSmith@sheldonlabs.com> on 01/31/2001 09:39:50 AM

To: "'Gretchen_Zmitrovich@deq.state.ms.us'" <Gretchen_Zmitrovich@deq.state.ms.us>
cc: "'cesorey@bellsouth.net'" <cesorey@bellsouth.net>

Subject: kuhlman/Borg Warner

Gretchen,

Haven't seen you in a while. Hope you had a good Christmas and things are going well. On November 29th I requested a copy of the test results for the additional testing done in my yard during the remediation process. I have yet to receive anything in writing from anyone. As I had mentioned on the 29th, Robert Martin informed me that there were some fairly high levels under my old boat shed, but I was not informed of the exact levels or of any other levels found whil moving dirt .

It looks like a majority of the work was done prior to Christmas. Since that time, I have noticed very little or no work at all in my yard. I haven't seen Robert Martin since Christmas. There is still some work that needs to be done to complete my yard. I feel like no effort has been made to update me on the progress, nor has anyone bothered to let me know an estimated completion date.

I would like to have a copy of the test results, as well as information regarding the status of my yard as soon as possible. If I need to obtain this info from someone else, please advise and I will do so.

FILE COPY

"Hamel, Anastasia (AFS-Warren)" <AHamel@afs.bwauto.com> on
02/02/2001 11:43:22 AM

To: Gretchen_Zmitrovich@deq.state.ms.us, robmartin001@aol.com
cc:

Subject: RE: Smith Property

Gretchen,

I will respond to Mr. Smith's e-mail but wanted to let you know the following:

1. The removal of contaminated soils has been completed
2. The tree decontamination has been completed
3. The shed has been replaced with a new larger one per Smith's wishes (old sheds disposed)
4. The fence has been replaced with new

What remains to be done is gravel to be brought in to be put by the new shed and finish the rest of the landscaping. As you know, it has been raining very hard and the ground is very wet and soggy. The reason for the delay is that if we start moving heavy vehicles through the medical building with gravel to get it to the Smith yard we would tear the medical building yard to bits. So we are waiting for dry weather to bring in the gravel. Also landscaping is a bit hard to do when the grass is getting moldy already because of the rain. We don't want to keep landscaping over and over.

To my knowledge, Keith Warren from Venture spoke with Mr. Smith earlier this week about what still remained to be done. Jeff Smith however does not indicate so in his e-mail.

As far as the reports for the remediated properties we are getting them completed and will submit them to you. We are trying to get the other two deadlines out of the way that we have right now for the addendum and the work plan for the ditch and have focused on those. We have not forgotten the Smiths or everyone else. Frankly, I have tried to go and see the Smiths in person every time we are in Crystal Springs but either they are not home or it is too late in the evening and with dinner and all I did not want to interrupt them.

I will copy you on the e-mail to Jeff Smith.

Please let me know if you have any questions.

Thanks.

Anastasia

-----Original Message-----

From: Gretchen_Zmitrovich@deq.state.ms.us
[mailto:Gretchen_Zmitrovich@deq.state.ms.us]
Sent: Thursday, February 01, 2001 12:36 PM
To: robmartin001@aol.com
Cc: ahamel@afs.bwauto.com
Subject: kuhlman/Borg Warner

Please reply to this e-mail. I would respond but I am not sure what else needs to be done in his yard or the time frame you are looking at for the completion. Seems like maybe we should get a timeline set for reports to be issued after remediation is done on a particular piece of property. Please cc me on your reply to him. Thanks, Gretchen

---------- Forwarded by Gretchen Zmitrovich/HW/OPC/DEQ on 02/01/2001 11:26 AM ----------

"Jeff Smith" <JSmith@sheldonlabs.com> on 01/31/2001 09:39:50 AM

To: "'Gretchen_Zmitrovich@deq.state.ms.us'" <Gretchen_Zmitrovich@deq.state.ms.us>
cc: "'cesorey@bellsouth.net'" <cesorey@bellsouth.net>

Subject: kuhlman/Borg Warner

Gretchen,

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additional testing done in my yard during the remediation process. I have yet to receive anything in writing from anyone. As I had mentioned on the 29th, Robert Martin informed me that there were some fairly high levels under my old boat shed, but I was not informed of the exact levels or of any
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I would like to have a copy of the test results, as well as information regarding the status of my yard as soon as possible. If I need to obtain this info from someone else, please advise and I will do so.

I appreciate your help.

Jeff Smith

FILE COPY

CRYSTAL SRPINGS MEETING
1-17-2001

LINDA CASTON	CITY CLERK
BILL OWENS	WILLIFORD, GEARHART AND KNIGHT, INC.
BOB LAWRENCE	CITY ATTORNEY
HUGH WEBB	MAYOR
ALAN THOMAS	KUHLMAN
TONY RUSSELL	DEPT. OF ENVIRONMENTAL QUALITY
KELLI DOWELL	DEPT. OF ENVIRONMENTAL QUALITY
MICKEY CROCKETT	KUHLMAN
JERRY BANKS	DEPT. OF ENVIRONMENTAL QUALITY
GRETCHEN ZMITROVICH	DEPT. OF ENVIRONMENTAL QUALITY
ROBERT MARTIN	BORG WARNER
PAUL ACHESON	KUHLMAN
HOWARD SCOTT	CITY ALDERMAN
CRAIG BROWN	ENVIRONMENTAL PROTECTION AGENCY
CAROL L. KEMKER	ENVIRONMENTAL PROTECTION AGENCY
ALFREDA FREEMAN	ENVIRONMENTAL PROTECTION AGENCY
BILL STEWART	STEWART CONSULTANTS, INC.
ANASTASIA HAMEL	BORG WARNER

FILE COPY

FACSIMILE COVER SHEET

SEYFARTH SHAW
ATTORNEYS

55 EAST MONROE STREET, SUITE 4200
CHICAGO, ILLINOIS 60603-5803
DIRECT DIAL: (312) 269-8889
FAX: (312) 269-8869
E-MAIL: tlupo@seyfarth.com

DATE: January 16, 2001
FROM: Thomas D. Lupo
RE:

PLEASE DELIVER THIS TRANSMISSION TO:

RECIPIENT	COMPANY	FAX	PHONE
Gretchen Zmtrovich		601-961-5300	
Client No.:		Number of Pages, Including Cover: 3	

- Hard copy to follow
- Per your request
- Per our discussion
- Please review and make necessary changes
- Please review and advise
- Please telephone me

ADDITIONAL MESSAGE:

Please call (312) 269-8889 regarding any problems

SEYFARTH SHAW
ATTORNEYS

55 East Monroe Street
Suite 4200
Chicago, IL 60603-5803
312-346-8000
fax 312-269 8869
www.seyfarth.com

Writer's direct phone
312/269-8889
Writer's e-mail
tlupo@seyfarth.com

January 16, 2001

PRIVILEGED AND CONFIDENTIAL

VIA FACSIMILE (601) 961-5349

Kelli M. Dowell, Esq.
Legal Division
Mississippi Department of Environmental Quality
P. O. Box 20305
Jackson, Mississippi 39289-1305

Re: Kuhlman Electric Corporation, Crystal Springs, Mississippi Plant

Dear Ms. Dowell:

As you know, BorgWarner continues to address the referenced plant site and various areas adjacent to and down gradient from the plant. To date, BorgWarner has commissioned over 6,000 samples in this effort.

BorgWarner had planned to proceed with the remediation of properties adjacent to and nearby the KEC plant last fall and to date has completed or is proceeding with various other areas. As you well know, certain individuals hired independent environmental consultants to take samples from potentially affected properties. As aptly addressed in your November 8, 2000 letter, these activities have interfered with the performing parties' ability to proceed with and complete remedial activities.

BorgWarner wishes to state that it remains fully committed to proceeding with and completing necessary remedial efforts but is concerned that ongoing and unreported sampling events have occurred or will continue to occur. BorgWarner therefore requests that MDEQ assist BorgWarner's planning process and commitment of the already extensive resources to confirm with individual property owners that all sampling events are completed and results have been provided to your agency. As blocks of

SEYFARTH SHAW
ATTORNEYS

properties are made available for remediation, BorgWarner will seek MDEQ's assistance in prioritizing work activities in this overall project and continue the prompt and thorough remedial activities underway.

Thank you for promptly sharing the sampling results made available to date.

Please feel free to call with any questions or comments.

Very truly yours,

SEYFARTH SHAW

By: Thomas D. Lupo

TDL:dt
10199004.1

cc: Laurene H. Horiszny, Esq., (via facsimile)
Anastasia Hamel
Scott E. Schang, Esq., (via facsimile)
Gretchen Zmrovich, (via facsimile)

FILE COPY

STATE OF MISSISSIPPI
DAVID RONALD MUSGROVE, GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
CHARLES H. CHISOLM, EXECUTIVE DIRECTOR

January 12, 2001

Mr. Bob Thompson
IT Corporation
11560 Great Oaks Way, Suite 500
Alpharetta, Georgia 30022

RE: Kuhlman Electric Corporation Site
Crystal Springs, MS

Dear Mr. Thompson:

The Mississippi Department of Environmental Quality (MDEQ) has reviewed your January 5, 2001, correspondence outlining your approach for the treatment and disposal of water generated at the KEC facility. The MDEQ approves the plan as outlined.

If you have any questions concerning this matter, please contact Gretchen Zmitrovich at 601-961-5240.

Sincerely,

Tony Russell, Chief
Uncontrolled Sites Section

Cc: Mr. Al Thomas, Kuhlman Electric Corporation
Mayor Hugh Webb, City of Crystal Springs

Kuhlman-Letter to Thompson-approval of discharge of water_1-12-01 (gz)

KEC meeting.

FILE COPY

Kelli Dowell -	MDEQ	601 961 5340
Chuck Barlow -	MDEQ	601 - 961 - 5076
Gretchen Zmitrovich -	MDEQ	601 - 961 - 5240
Tony Russell	MDEQ	601-961-5318
Jerry Banks	MDEQ	601-961-5221
Mark Pearson		601-948-6822
Hal Barkley		662 - 369 - 7819
Randy Horton	3Tm	281 - 497 - 1230
Doug Mercier		601 - 206 - 5557
Meg McAlister	Nutt & Assoc.	601 - 355 - 9122

Purpose: To discuss remediation efforts at properties owned by attorneys' clients.

FILE COPY

RobMartin001@aol.com on 01/25/2001 02:28:20 PM

To: Gretchen_Zmitrovich@deq.state.ms.us
cc: ahamel@afs.bwauto.com

Subject: RevisedAnalitical Tables for Crystal Springs

Dear Gretchen:

Attached is a full set of analytical tables for the residences located along the drainage way. Six tables were revised to include data on deep samples collected from these sites. The revised tables are for the following properties:

Welch
Harris
Fitzgerald
Sojourner
Ralph Williams
McMurray

If you have any comments or questions, please call me at (828) 669-3929.

Sincerely,
Robert

downgradientfinalrev1.xls

FLOSSIE McMURRAY PROPERTY
104 Forest Street
Crystal Springs, Mississippi
PCB Concentrations Detected in Soil

			Field Laboratory		Fixed Laboratory	
Sample ID	Sample Depth (ft bgs)	Date Collected	Date Analyzed	Concentration (mg/kg)	Date Analyzed	Concentration (mg/kg)
800	0.5	31-Oct-00	31-Oct-00	0.22		
	1.5	31-Oct-00	31-Oct-00	<0.10		
801	0.5	31-Oct-00	31-Oct-00	0.2		
	1.5	31-Oct-00	31-Oct-00	<0.10		
802	0.5	31-Oct-00	31-Oct-00	0.20		
	1.5	31-Oct-00	31-Oct-00	<0.10		
803	0.5	31-Oct-00	31-Oct-00	0.30		
	1.5	31-Oct-00	31-Oct-00	<0.10		
804	0.5	31-Oct-00	31-Oct-00	0.86		
	1.5	31-Oct-00	31-Oct-00	<0.10		
805	0.5	31-Oct-00	31-Oct-00	0.25		
	1.5	31-Oct-00	31-Oct-00	<0.10		
806	0.5	31-Oct-00	31-Oct-00	0.48		
	1.5	31-Oct-00	31-Oct-00	1.6		
	3	15-Nov-00	16-Nov-00	<0.10		
	4	15-Nov-00	16-Nov-00	<0.10		
807	0.5	31-Oct-00	31-Oct-00	0.33		
	1.5	31-Oct-00	31-Oct-00	<0.10		
808	0.5	31-Oct-00	31-Oct-00	<5.0 J	17-Nov-00	<3.4
	1.5	31-Oct-00	01-Nov-00	<0.10		
809	0.5	31-Oct-00	31-Oct-00	<1.0 J	16-Nov-00	<1.1
	1.5	31-Oct-00	01-Nov-00	<0.10		
810	0.5	31-Oct-00	31-Oct-00	<0.10		
	1.5	31-Oct-00	31-Oct-00	<0.10		
811	0.5	31-Oct-00	31-Oct-00	0.39		
	1.5	31-Oct-00	31-Oct-00	<0.10		
812	0.5	31-Oct-00	31-Oct-00	<0.10		
	1.5	31-Oct-00	31-Oct-00	<0.10		
813	0.5	31-Oct-00	31-Oct-00	<0.10		
	1.5	31-Oct-00	31-Oct-00	<0.10		
814	0.5	31-Oct-00	31-Oct-00	<0.50 J		
	1.5	31-Oct-00	01-Nov-00	<0.10		
815	0.5	31-Oct-00	01-Nov-00	1.0		
	1.5	31-Oct-00	01-Nov-00	<0.10		
	3	15-Nov-00	16-Nov-00	<0.10		
	4	15-Nov-00	16-Nov-00	<0.10		
816	0.5	31-Oct-00	01-Nov-00	0.98		
	1.5	31-Oct-00	01-Nov-00	<0.10		
817	0.5	31-Oct-00	01-Nov-00	11	20-Nov-00	9.4
	1.5	31-Oct-00	01-Nov-00	0.60		
818	0.5	31-Oct-00	01-Nov-00	36	17-Nov-00	57
	1.5	31-Oct-00	01-Nov-00	<0.10		
819	0.5	31-Oct-00	01-Nov-00	12	17-Nov-00	15
	1.5	31-Oct-00	01-Nov-00	0.13		
820	0.5	31-Oct-00	02-Nov-00	70	20-Nov-00	63
	1.5	31-Oct-00	02-Nov-00	11		
	3	15-Nov-00	16-Nov-00	1.6		
	4	15-Nov-00	16-Nov-00	<0.10		

NA = Not Analyzed
J = Elevated detection limit due to toxaphene interference

REV. 1

FLOSSIE McMURRAY PROPERTY
104 Forest Street
Crystal Springs, Mississippi
PCB Concentrations Detected in Soil

			Field Laboratory		Fixed Laboratory	
Sample ID	Sample Depth (ft bgs)	Date Collected	Date Analyzed	Concentration (mg/kg)	Date Analyzed	Concentration (mg/kg)
	6	15-Nov-00	16-Nov-00	<0.10		
	7	15-Nov-00	16-Nov-00	<0.10		
	10.5	15-Nov-00	16-Nov-00	<0.10		
821	0.5	31-Oct-00	02-Nov-00	**26**		
	1.5	31-Oct-00	01-Nov-00	0.46		
822	0.5	31-Oct-00	02-Nov-00	**1.2**		
	1.5	31-Oct-00	02-Nov-00	<0.10		
841	0.5	31-Oct-00	01-Nov-00	<1.0 J		
	1.5	31-Oct-00	01-Nov-00	<0.10		
842	0.5	31-Oct-00	01-Nov-00	<0.10		
	1.5	31-Oct-00	01-Nov-00	<0.10		
840	0.5	01-Nov-00	01-Nov-00	<0.10		
	1.5	01-Nov-00	01-Nov-00	<0.10		
839	0.5	01-Nov-00	01-Nov-00	0.16		
	1.5	01-Nov-00	01-Nov-00	<0.10		
838	0.5	01-Nov-00	01-Nov-00	0.18		
	1.5	01-Nov-00	01-Nov-00	<0.10		
833	0.5	01-Nov-00	01-Nov-00	0.12		
	1.5	01-Nov-00	01-Nov-00	<0.10		
834	0.5	01-Nov-00	01-Nov-00	<0.40 J		
	1.5	01-Nov-00	01-Nov-00	<0.10		
836	0.5	02-Nov-00	03-Nov-00	<0.10		
	1.5	02-Nov-00	03-Nov-00	<0.10		
835	0.5	02-Nov-00	03-Nov-00	0.11	20-Nov-00	0.15
	1.5	02-Nov-00	03-Nov-00	<0.10		
831	0.5	02-Nov-00	03-Nov-00	<0.10		
	1.5	02-Nov-00	03-Nov-00	<0.10		
826	0.5	02-Nov-00	03-Nov-00	<0.10	17-Nov-00	<0.130
	1.5	02-Nov-00	03-Nov-00	<0.10		
830	0.5	02-Nov-00	03-Nov-00	<0.10		
	1.5	02-Nov-00	03-Nov-00	<0.10		
825	0.5	02-Nov-00	03-Nov-00	<0.10		
	1.5	02-Nov-00	03-Nov-00	<0.10		
827	0.5	02-Nov-00	03-Nov-00	<0.10		
	1.5	02-Nov-00	03-Nov-00	<0.10		
824	0.5	02-Nov-00	03-Nov-00	0.13		
	1.5	02-Nov-00	03-Nov-00	<0.10		
823	0.5	02-Nov-00	02-Nov-00	<0.10	17-Nov-00	<0.130
	1.5	02-Nov-00	03-Nov-00	<0.10		
828	0.5	02-Nov-00	03-Nov-00	<0.10		
	1.5	02-Nov-00	03-Nov-00	<0.10		
829	0.5	02-Nov-00	03-Nov-00	<0.10		
	1.5	02-Nov-00	03-Nov-00	<0.10		
832	0.5	02-Nov-00	03-Nov-00	<0.10		
	1.5	02-Nov-00	03-Nov-00	<0.10		
837	0.5	02-Nov-00	03-Nov-00	<0.10		
	1.5	02-Nov-00	03-Nov-00	<0.10		

NA = Not Analyzed
J = Elevated detection limit due to toxaphene interference

REV. 1

RALPH WILLIAMS PROPERTY
107 Forest Street
Crystal Springs, Mississippi
PCB Concentrations Detected in Soil

			Field Laboratory		Fixed Laboratory	
Sample ID	Sample Depth (ft bgs)	Date Collected	Date Analyzed	Concentration (mg/kg)	Date Analyzed	Concentration (mg/kg)
845	0.5	01-Nov-00	01-Nov-00	0.42		
	1.5	01-Nov-00	01-Nov-00	<0.10		
843	0.5	01-Nov-00	01-Nov-00	**3.0**		
844	0.5	01-Nov-00	01-Nov-00	**2.9**		
848	0.5	01-Nov-00	02-Nov-00	**15**		
	1.5	01-Nov-00	01-Nov-00	0.72		
846	0.5	01-Nov-00	03-Nov-00	**30**	16-Nov-00	**23**
	1.5	01-Nov-00	02-Nov-00	0.67	16-Nov-00	0.33
847	0.5	01-Nov-00	01-Nov-00	**1.4**		
	1.5	01-Nov-00	01-Nov-00	<0.10		
881	0.5	02-Nov-00	05-Nov-00	**7.5**		
	1.5	02-Nov-00	03-Nov-00	0.16		
886	0.5	02-Nov-00	03-Nov-00	<0.10		
	1.5	02-Nov-00	03-Nov-00	<0.10		
882	0.5	02-Nov-00	03-Nov-00	0.40		
	1.5	02-Nov-00	03-Nov-00	<0.10		
890	0.5	02-Nov-00	03-Nov-00	<0.10		
	1.5	02-Nov-00	03-Nov-00	<0.10		
891	0.5	02-Nov-00	03-Nov-00	<0.10		
	1.5	02-Nov-00	03-Nov-00	<0.10		
892	0.5	02-Nov-00	03-Nov-00	0.17		
	1.5	02-Nov-00	03-Nov-00	<0.10		
893	0.5	02-Nov-00	03-Nov-00	<0.10		
	1.5	02-Nov-00	03-Nov-00	<0.10		
894	0.5	02-Nov-00	03-Nov-00	<0.10		
	1.5	02-Nov-00	03-Nov-00	<0.10		
887	0.5	02-Nov-00	03-Nov-00	0.21		
	1.5	02-Nov-00	03-Nov-00	<0.10		
884	0.5	02-Nov-00	04-Nov-00	0.22		
	1.5	02-Nov-00	03-Nov-00	<0.10		
885	0.5	02-Nov-00	03-Nov-00	<0.10		
	1.5	02-Nov-00	03-Nov-00	<0.10		
883	0.5	02-Nov-00	03-Nov-00	0.21		
	1.5	02-Nov-00	03-Nov-00	<0.10		
888	0.5	02-Nov-00	04-Nov-00	**2.0**		
	1.5	02-Nov-00	04-Nov-00	0.30		
889	0.5	02-Nov-00	04-Nov-00	**3.4**	18-Nov-00	**1.4**
	1.5	02-Nov-00	04-Nov-00	0.17		
892-B	0.5	02-Nov-00	04-Nov-00	0.16		
	1.5	02-Nov-00	04-Nov-00	**0.97**	18-Nov-00	0.8
	3	16-Nov-00	16-Nov-00	<0.10		
	4	16-Nov-00	16-Nov-00	<0.10		
880	0.5	02-Nov-00	03-Nov-00	0.50		
	1.5	02-Nov-00	03-Nov-00	**1.5**		

NA = Not Analyzed

J = Elevated detection limit due to toxaphene interference

REV. 1

RALPH WILLIAMS PROPERTY
107 Forest Street
Crystal Springs, Mississippi
PCB Concentrations Detected in Soil

			Field Laboratory		Fixed Laboratory	
Sample ID	Sample Depth (ft bgs)	Date Collected	Date Analyzed	Concentration (mg/kg)	Date Analyzed	Concentration (mg/kg)
	3.25	16-Nov-00	16-Nov-00	<0.10		
	5	16-Nov-00	16-Nov-00	0.48		
	6	16-Nov-00	16-Nov-00	<0.10		
894-B	0.5	02-Nov-00	04-Nov-00	**1.5**	18-Nov-00	**1.6**
	1.5	02-Nov-00	04-Nov-00	<0.10		
895	0.5	02-Nov-00	05-Nov-00	**9.3**		
	1.5	02-Nov-00	04-Nov-00	<0.10		
896	0.5	02-Nov-00	04-Nov-00	<0.10		
	1.5	02-Nov-00	04-Nov-00	<0.10		
898	0.5	02-Nov-00	04-Nov-00	<0.10		
	1.5	02-Nov-00	04-Nov-00	<0.10		
899	0.5	02-Nov-00	04-Nov-00	<0.10		
	1.5	02-Nov-00	04-Nov-00	<0.10		
900	0.5	02-Nov-00	04-Nov-00	<0.10		
	1.5	02-Nov-00	04-Nov-00	<0.10		
897	0.5	02-Nov-00	04-Nov-00	0.52	17-Nov-00	0.4
	1.5	02-Nov-00	04-Nov-00	<0.10		
893-B	0.5	02-Nov-00	05-Nov-00	**9.9**		
	1.5	02-Nov-00	04-Nov-00	0.10		

NA = Not Analyzed
J = Elevated detection limit due to toxaphene interference

REV. 1

SOJOURNER PROPERTY
111 McPherson Street
Crystal Springs, Mississippi
PCB Concentrations Detected in Soil

			Field Laboratory		Fixed Laboratory	
Sample ID	Sample Depth (ft bgs)	Date Collected	Date Analyzed	Concentration (mg/kg)	Date Analyzed	Concentration (mg/kg)
863	0.5	01-Nov-00	02-Nov-00	<1.0 J	22-Nov-00	<0.330
	1.5	01-Nov-00	02-Nov-00	<0.10		
862	0.5	01-Nov-00	02-Nov-00	0.23		
	1.5	01-Nov-00	02-Nov-00	<0.10		
864	0.5	01-Nov-00	02-Nov-00	0.46		
	1.5	01-Nov-00	03-Nov-00	0.10		
865	0.5	01-Nov-00	03-Nov-00	<0.10	16-Nov-00	0.50
	1.5	01-Nov-00	02-Nov-00	<0.10		
920	0.5	03-Nov-00	04-Nov-00	0.13		
	1.5	03-Nov-00	04-Nov-00	<0.10		
921	0.5	03-Nov-00	04-Nov-00	<0.10	17-Nov-00	<0.10
	1.5	03-Nov-00	04-Nov-00	2.6	18-Nov-00	1.7
	3	16-Nov-00	16-Nov-00	<0.10		
	4	16-Nov-00	16-Nov-00	<0.10		
	5	16-Nov-00	16-Nov-00	<0.10		
	6	16-Nov-00	16-Nov-00	<0.10		
	7	16-Nov-00	16-Nov-00	<0.10		
	11	16-Nov-00	16-Nov-00	<0.10		
922	0.5	03-Nov-00	04-Nov-00	0.21	17-Nov-00	<0.097
	1.5	03-Nov-00	05-Nov-00	<0.10		
923	0.5	03-Nov-00	05-Nov-00	<0.10		
	1.5	03-Nov-00	05-Nov-00	<0.50 J		
924	0.5	03-Nov-00	05-Nov-00	0.21		
	1.5	03-Nov-00	05-Nov-00	0.17		
926	0.5	03-Nov-00	05-Nov-00	0.15		
	1.5	03-Nov-00	05-Nov-00	<0.10		
925	0.5	03-Nov-00	05-Nov-00	0.52		
	1.5	03-Nov-00	05-Nov-00	0.22		
929	0.5	03-Nov-00	05-Nov-00	0.17		
	1.5	03-Nov-00	05-Nov-00	<0.10		
927	0.5	03-Nov-00	05-Nov-00	<0.50 J		
	1.5	03-Nov-00	05-Nov-00	<0.10		
928	0.5	03-Nov-00	05-Nov-00	<0.10		
	1.5	03-Nov-00	05-Nov-00	<0.10		
930	0.5	03-Nov-00	05-Nov-00	<0.20 J		
	1.5	03-Nov-00	04-Nov-00	<0.10		
920-B	3	16-Nov-00	16-Nov-00	0.12		
	7.5	16-Nov-00	16-Nov-00	<0.10		

NA = Not Analyzed
J = Elevated detection level due to toxaphene interference

REV. 1

FITZGERALD ESTATE PROPERTY
108 Tucker Street
Crystal Springs, Mississippi
PCB Concentrations Detected in Soil

			Field Laboratory		Fixed Laboratory	
Sample ID	Sample Depth (ft bgs)	Date Collected	Date Analyzed	Concentration (mg/kg)	Date Analyzed	Concentration (mg/kg)
875	0.5	01-Nov-00	02-Nov-00	2.6		
	1.5	01-Nov-00	03-Nov-00	19		
	3	15-Nov-00	16-Nov-00	<0.10		
	4	15-Nov-00	16-Nov-00	<0.10		
876	0.5	01-Nov-00	03-Nov-00	4.9	17-Nov-00	3.6
	1.5	01-Nov-00	02-Nov-00	3.5		
Dupe 11-01	0.5	01-Nov-00	04-Nov-01	4.9	17-Nov-00	2.6
877	0.5	01-Nov-00	03-Nov-00	3.9		
	1.5	01-Nov-00	03-Nov-00	5.4		
	3	15-Nov-00	16-Nov-00	<0.10		
	4	15-Nov-00	16-Nov-00	<0.10		
878	0.5	01-Nov-00	02-Nov-00	3.3	18-Nov-00	1.6
	1.5	01-Nov-00	02-Nov-00	<0.10	18-Nov-00	<.094
879	0.5	01-Nov-00	02-Nov-00	3.8	18-Nov-00	1.7
	1.5	01-Nov-00	03-Nov-00	<0.10		
989	0.5	04-Nov-00	06-Nov-00	6.8	18-Nov-00	2.4
	1.5	04-Nov-00	06-Nov-00	2.1	18-Nov-00	0.89
	5	16-Nov-00	17-Nov-00	2.8		
	7	16-Nov-00	17-Nov-00	<0.10		
	8	16-Nov-00	17-Nov-00	<0.10		
991	0.5	04-Nov-00	06-Nov-00	4.5		
	1.5	04-Nov-00	06-Nov-00	8.3		
	3	15-Nov-00	16-Nov-00	0.40		
	4	15-Nov-00	16-Nov-00	0.13		
990	0.5	04-Nov-00	06-Nov-00	3.3		
	1.5	04-Nov-00	06-Nov-00	5.6		
	3	15-Nov-00	16-Nov-00	<0.10		
	4	15-Nov-00	16-Nov-00	<0.10		
997*	0.5	04-Nov-00	06-Nov-00	3.0	18-Nov-00	1.3
	1.5	04-Nov-00	06-Nov-00	<0.10		
988	0.5	04-Nov-00	06-Nov-00	9.9		
	1.5	04-Nov-00	06-Nov-00	5.6	18-Nov-00	3.8
992	0.5	06-Nov-00	06-Nov-00	3.9		
	1.5	06-Nov-00	06-Nov-00	4.9		
	3	06-Nov-00	06-Nov-00	1.8		
	4	06-Nov-00	07-Nov-00	3.2		
	5	15-Nov-00	16-Nov-00	0.80		
	6	15-Nov-00	16-Nov-00	3.8		
	7**	15-Nov-00	16-Nov-00	<0.10		
993	0.5	06-Nov-00	06-Nov-00	1.4		
	1.5	06-Nov-00	08-Nov-00	7.9		
	3	06-Nov-00	06-Nov-00	<0.10		
	4	06-Nov-00	NA	NA		

NA = Not Analyzed
J = Elevated detection limit due to toxaphene interference

Rev. 1

FITZGERALD ESTATE PROPERTY
108 Tucker Street
Crystal Springs, Mississippi
PCB Concentrations Detected In Soil

			Field Laboratory		Fixed Laboratory	
Sample ID	Sample Depth (ft bgs)	Date Collected	Date Analyzed	Concentration (mg/kg)	Date Analyzed	Concentration (mg/kg)
994	0.5	06-Nov-00	06-Nov-00	2.0		
	1.5	06-Nov-00	06-Nov-00	51	21-Nov-00	55
	3	06-Nov-00	06-Nov-00	<0.10		
	4	06-Nov-00	NA	NA		
	7	15-Nov-00	16-Nov-00	<0.10		
995	0.5	06-Nov-00	06-Nov-00	3.0		
	1.5	06-Nov-00	06-Nov-00	6.3	21-Nov-00	2.8
	3	06-Nov-00	06-Nov-00	<0.10		
	4	06-Nov-00	NA	NA		
996	0.5	06-Nov-00	06-Nov-00	3.8		
	1.5	06-Nov-00	06-Nov-00	1.7		
	3	06-Nov-00	06-Nov-00	<0.10		
	4	06-Nov-00	NA	NA		
998	0.5	06-Nov-00	06-Nov-00	1.0		
	1.5	06-Nov-00	07-Nov-00	3.6		
	3	06-Nov-00	07-Nov-00	0.62		
	4	06-Nov-00	08-Nov-00	<0.10		
999	0.5	06-Nov-00	07-Nov-00	3.7		
	1.5	06-Nov-00	08-Nov-00	13		
999	3	06-Nov-00	07-Nov-00	2.6		
	4	06-Nov-00	08-Nov-00	<0.10		
1000	0.5	06-Nov-00	07-Nov-00	2.2		
	1.5	06-Nov-00	08-Nov-00	30		
	3	06-Nov-00	07-Nov-00	0.33		
	4	06-Nov-00	08-Nov-00	<0.10		
1001	0.5	06-Nov-00	08-Nov-00	5.6		
	1.5	06-Nov-00	08-Nov-00	7.0		
	3	06-Nov-00	07-Nov-00	0.13		
	4	06-Nov-00	08-Nov-00	0.19	18-Nov-00	<.110
1002	0.5	06-Nov-00	08-Nov-00	7.7		
	1.5	06-Nov-00	07-Nov-00	2.8	21-Nov-00	3.1
	3	06-Nov-00	07-Nov-00	<0.10	18-Nov-00	<.010
	4	06-Nov-00	NA	NA		
1003	0.5	06-Nov-00	07-Nov-00	1.7		
	1.5	06-Nov-00	07-Nov-00	3.0		
	3	06-Nov-00	07-Nov-00	<0.10		
	4	06-Nov-00		NA		
1004	0.5	06-Nov-00	07-Nov-00	0.41		
	1.5	06-Nov-00	07-Nov-00	1.8		
	3	06-Nov-00	07-Nov-00	<0.10		
	4	06-Nov-00		NA		
1013	0.5	06-Nov-00	07-Nov-00	2.4		
	1.5	06-Nov-00	07-Nov-00	<0.10	21-Nov-00	0.14

NA = Not Analyzed
J = Elevated detection limit due to toxaphene interference

Rev. 1

FITZGERALD ESTATE PROPERTY
108 Tucker Street
Crystal Springs, Mississippi
PCB Concentrations Detected in Soil

			Field Laboratory		Fixed Laboratory	
Sample ID	Sample Depth (ft bgs)	Date Collected	Date Analyzed	Concentration (mg/kg)	Date Analyzed	Concentration (mg/kg)
	3	06-Nov-00	07-Nov-00	<0.10		
	4	06-Nov-00		NA		
1014	0.5	06-Nov-00	07-Nov-00	0.64		
	1.5	06-Nov-00	07-Nov-00	<0.10	21-Nov-00	0.14
	3	06-Nov-00	07-Nov-00	<0.10		
	4	06-Nov-00		NA		
DUPE 11-06	1.5	06-Nov-00	07-Nov-00	0.12	21-Nov-00	0.14
1012	0.5	07-Nov-00	08-Nov-00	0.19		
	1.5	07-Nov-00	08-Nov-00	<0.10		
	3	07-Nov-00	08-Nov-00	<0.10		
	4	07-Nov-00	NA	NA		
1011	0.5	07-Nov-00	08-Nov-00	0.13		
	1.5	07-Nov-00	08-Nov-00	<0.10		
	3	07-Nov-00	08-Nov-00	<0.10		
	4	07-Nov-00	NA	NA		
1010	0.5	07-Nov-00	08-Nov-00	0.59		
	1.5	07-Nov-00	08-Nov-00	0.30		
	3	07-Nov-00	08-Nov-00	<0.10		
	4	07-Nov-00	NA	NA		
1009	0.5	07-Nov-00	07-Nov-00	0.27		
	1.5	07-Nov-00	07-Nov-00	1.9		
	3	07-Nov-00	07-Nov-00	<0.10		
	4	07-Nov-00	NA	NA		
1008	0.5	07-Nov-00	07-Nov-00	0.13		
	1.5	07-Nov-00	08-Nov-00	5.2		
	3	07-Nov-00	07-Nov-00	<0.10		
	4	07-Nov-00	NA	NA		
1007	0.5	07-Nov-00	07-Nov-00	0.12		
	1.5	07-Nov-00	08-Nov-00	22		
	3	07-Nov-00	07-Nov-00	0.92		
	4	07-Nov-00	14-Nov-00	0.15		
1006	0.5	07-Nov-00	07-Nov-00	0.16		
	1.5	07-Nov-00	07-Nov-00	0.40		
	3	07-Nov-00	07-Nov-00	3.2		
	4	07-Nov-00	08-Nov-00	0.11		
1005	0.5	07-Nov-00	07-Nov-00	0.27		
	1.5	07-Nov-00	08-Nov-00	8.9		
	3	07-Nov-00	07-Nov-00	1.4		
	4	07-Nov-00	08-Nov-00	<0.10		
1015	0.5	07-Nov-00	08-Nov-00	<0.10		
	1.5	07-Nov-00	08-Nov-00	0.23		
	3	07-Nov-00	08-Nov-00	10	30-Nov-00	6.1
	4	07-Nov-00	08-Nov-00	0.31	07-Dec-00	0.35

NA = Not Analyzed
J = Elevated detection limit due to toxaphene interference

Rev. 1

FITZGERALD ESTATE PROPERTY
108 Tucker Street
Crystal Springs, Mississippi
PCB Concentrations Detected in Soil

			Field Laboratory		Fixed Laboratory	
Sample ID	Sample Depth (ft bgs)	Date Collected	Date Analyzed	Concentration (mg/kg)	Date Analyzed	Concentration (mg/kg)
DUPE 11-07	3	07-Nov-00	08-Nov-00	6.6	21-Nov-00	6.4
1044	0.5	14-Nov-00	14-Nov-00	<0.10		
	1.5	14-Nov-00	14-Nov-00	<0.10		
	3	14-Nov-00	14-Nov-00	<0.10		
	4	14-Nov-00	NA	NA		
1043	0.5	14-Nov-00	14-Nov-00	<0.10		
	1.5	14-Nov-00	14-Nov-00	<0.10		
	3	14-Nov-00	14-Nov-00	<0.10		
	4	14-Nov-00	NA	NA		
1042	0.5	14-Nov-00	14-Nov-00	0.22		
	1.5	14-Nov-00	14-Nov-00	1.0		
	3	14-Nov-00	14-Nov-00	<0.10		
	4	14-Nov-00	NA	NA		
1041	0.5	14-Nov-00	14-Nov-00	0.10		
	1.5	14-Nov-00	14-Nov-00	<0.10		
	3	14-Nov-00	14-Nov-00	<0.10		
	4	14-Nov-00	NA	NA		
1040	0.5	14-Nov-00	14-Nov-00	<0.10		
	1.5	14-Nov-00	14-Nov-00	<0.10		
	3	14-Nov-00	14-Nov-00	<0.10		
	4	14-Nov-00	NA	NA		
1039	0.5	14-Nov-00	14-Nov-00	<0.10	30-Nov-00	<.110
	1.5	14-Nov-00	14-Nov-00	<0.10		
	3	14-Nov-00	14-Nov-00	<0.10		
	4	14-Nov-00	NA	NA		
1034	0.5	14-Nov-00	14-Nov-00	0.10		
	1.5	14-Nov-00	14-Nov-00	<0.10	30-Nov-00	<.100
	3	14-Nov-00	14-Nov-00	<0.10		
	4	14-Nov-00	NA	NA		
1033	0.5	14-Nov-00	14-Nov-00	<0.40 J	30-Nov-00	<.100
	1.5	14-Nov-00	14-Nov-00	<0.10		
	3	14-Nov-00	14-Nov-00	<0.10		
	4	14-Nov-00	NA	NA		
1032	0.5	14-Nov-00	14-Nov-00	0.16		
	1.5	14-Nov-00	14-Nov-00	<0.10		
	3	14-Nov-00	15-Nov-00	<0.10		
	4	14-Nov-00	NA	NA		
1031	0.5	14-Nov-00	14-Nov-00	<0.10		
	1.5	14-Nov-00	14-Nov-00	<0.10	30-Nov-00	<.092
	3	14-Nov-00	14-Nov-00	<0.10		
	4	14-Nov-00	NA	NA		
1030	0.5	14-Nov-00	14-Nov-00	<0.10		
	1.5	14-Nov-00	14-Nov-00	<0.10		

NA = Not Analyzed
J = Elevated detection limit due to toxaphene interference

Rev. 1

FITZGERALD ESTATE PROPERTY
108 Tucker Street
Crystal Springs, Mississippi
PCB Concentrations Detected in Soil

			Field Laboratory		Fixed Laboratory	
Sample ID	Sample Depth (ft bgs)	Date Collected	Date Analyzed	Concentration (mg/kg)	Date Analyzed	Concentration (mg/kg)
	3	14-Nov-00	14-Nov-00	<0.10		
	4	14-Nov-00	NA	NA		
1029	0.5	14-Nov-00	14-Nov-00	<0.10		
	1.5	14-Nov-00	14-Nov-00	<0.10		
	3	14-Nov-00	14-Nov-00	<0.10		
	4	14-Nov-00	NA	NA		
1038	0.5	14-Nov-00	14-Nov-00	<0.40 J		
	1.5	14-Nov-00	14-Nov-00	<0.10		
	3	14-Nov-00	14-Nov-00	<0.10		
	4	14-Nov-00	NA	NA		
1037	0.5	14-Nov-00	14-Nov-00	<0.10		
	1.5	14-Nov-00	14-Nov-00	<0.10	30-Nov-00	<.100
	3	14-Nov-00	14-Nov-00	<0.10	30-Nov-00	<.01
	4	14-Nov-00	NA	NA		
1036	0.5	14-Nov-00	14-Nov-00	<0.10		
	1.5	14-Nov-00	14-Nov-00	<0.10		
	3	14-Nov-00	14-Nov-00	<0.10		
	4	14-Nov-00	NA	NA		
1035	0.5	14-Nov-00	15-Nov-00	<0.10		
	1.5	14-Nov-00	15-Nov-00	<0.10		
	3	14-Nov-00	15-Nov-00	<0.10		
	4	14-Nov-00	NA	NA		
1025	0.5	14-Nov-00	15-Nov-00	<0.10		
	1.5	14-Nov-00	15-Nov-00	<0.10		
	3	14-Nov-00	15-Nov-00	0.13		
	4	14-Nov-00	15-Nov-00	0.34		
	5	16-Nov-00	17-Nov-00	<0.10		
	7	16-Nov-00	17-Nov-00	<0.10		
	8	16-Nov-00	17-Nov-00	<0.10		
1026	0.5	14-Nov-00	15-Nov-00	<0.10		
	1.5	14-Nov-00	15-Nov-00	0.18		
	3	14-Nov-00	15-Nov-00	0.31	07-Dec-00	<.140
	4	14-Nov-00	15-Nov-00	<0.10		
1027	0.5	14-Nov-00	15-Nov-00	0.46		
	1.5	14-Nov-00	15-Nov-00	0.62	07-Dec-00	0.29
	3	14-Nov-00	15-Nov-00	0.37		
	4	14-Nov-00	15-Nov-00	<0.10		
1028	0.5	14-Nov-00	15-Nov-00	0.25	07-Dec-00	0.21
	1.5	14-Nov-00	15-Nov-00	<0.10	07-Dec-00	<.10
	3	14-Nov-00	15-Nov-00	<0.10		
	4	14-Nov-00	NA	NA		
DUPE 11-14	1.5	14-Nov-00	15-Nov-00	<0.10	30-Nov-00	<.110
1016	0.5	00-Jan-00	15-Nov-00	0.12		

NA = Not Analyzed
J = Elevated detection limit due to toxaphene interference

Rev. 1

FITZGERALD ESTATE PROPERTY
108 Tucker Street
Crystal Springs, Mississippi
PCB Concentrations Detected in Soil

			Field Laboratory		Fixed Laboratory	
Sample ID	Sample Depth (ft bgs)	Date Collected	Date Analyzed	Concentration (mg/kg)	Date Analyzed	Concentration (mg/kg)
	1.5	14-Nov-00	15-Nov-00	0.51		
	3	14-Nov-00	15-Nov-00	1.1		
	4	14-Nov-00	15-Nov-00	<0.10		
1017	0.5	14-Nov-00	15-Nov-00	0.48		
	1.5	14-Nov-00	15-Nov-00	14	30-Nov-00	3
	3	14-Nov-00	15-Nov-00	<0.10		
	4	14-Nov-00	NA	NA		
1018	0.5	14-Nov-00	15-Nov-00	0.23		
	1.5	14-Nov-00	15-Nov-00	0.68		
	3	14-Nov-00	15-Nov-00	0.12	07-Dec-00	0.24
	4	14-Nov-00	15-Nov-00	<0.10		
1019	0.5	14-Nov-00	15-Nov-00	0.16		
	1.5	14-Nov-00	15-Nov-00	<0.10		
	3	14-Nov-00	15-Nov-00	<0.10		
	4	14-Nov-00	NA	NA		
1020	0.5	14-Nov-00	15-Nov-00	0.12		
	1.5	14-Nov-00	15-Nov-00	<0.10		
	3	14-Nov-00	15-Nov-00	<0.10		
	4	14-Nov-00	NA	NA		
1021	0.5	14-Nov-00	15-Nov-00	0.18		
	1.5	14-Nov-00	15-Nov-00	<0.10		
	3	14-Nov-00	15-Nov-00	<0.10	30-Nov-00	<.110
	4	14-Nov-00	NA	NA		
1022	0.5	14-Nov-00	15-Nov-00	<1.0 J		
	1.5	14-Nov-00	15-Nov-00	<0.10		
	3	14-Nov-00	15-Nov-00	<0.10	30-Nov-00	<.099
	4	14-Nov-00	NA	NA		
1023	0.5	14-Nov-00	15-Nov-00	0.30		
	1.5	14-Nov-00	15-Nov-00	0.25		
	3	14-Nov-00	15-Nov-00	<0.10		
	4	14-Nov-00	NA	NA		
1024	0.5	14-Nov-00	15-Nov-00	0.23	30-Nov-00	<.110
	1.5	14-Nov-00	15-Nov-00	<0.10		
	3	14-Nov-00	15-Nov-00	<0.10		
	4	14-Nov-00	NA	NA		
1045	0.5	15-Nov-00	15-Nov-00	<0.10		
	1.5	15-Nov-00	15-Nov-00	<0.10		
	3	15-Nov-00	15-Nov-00	<0.10		
1046	0.5	15-Nov-00	15-Nov-00	<0.10		
	1.5	15-Nov-00	15-Nov-00	<0.10	30-Nov-00	<.10
	3	15-Nov-00	15-Nov-00	<0.10		
	4	15-Nov-00	NA	NA		
1047	0.5	15-Nov-00	15-Nov-00	<0.10		

NA = Not Analyzed
J = Elevated detection limit due to toxaphene interference

Rev. 1

FITZGERALD ESTATE PROPERTY
108 Tucker Street
Crystal Springs, Mississippi
***PCB Concentrations* Detected in Soil**

			Field Laboratory		Fixed Laboratory	
Sample ID	Sample Depth (ft bgs)	Date Collected	Date Analyzed	Concentration (mg/kg)	Date Analyzed	Concentration (mg/kg)
	1.5	15-Nov-00	15-Nov-00	<0.10	30-Nov-00	<.10
	3	15-Nov-00	15-Nov-00	<0.10		
	4	15-Nov-00	NA	NA		
DUPE 11-15	1.5	15-Nov-00	15-Nov-00	<0.10	30-Nov-00	<.099
1048	0.5	15-Nov-00	15-Nov-00	<0.10		
	1.5	15-Nov-00	15-Nov-00	<0.10		
	3	15-Nov-00	15-Nov-00	<0.10		
	4	15-Nov-00	NA	NA		
1049	0.5	15-Nov-00	15-Nov-00	<0.10		
	1.5	15-Nov-00	15-Nov-00	<0.10		
	3	15-Nov-00	15-Nov-00	<0.10		
	4	15-Nov-00	NA	NA		
1050	0.5	15-Nov-00	16-Nov-00	<10.0 J		
	1.5	15-Nov-00	16-Nov-00	<0.10		
	3	15-Nov-00	16-Nov-00	<0.10		
	4	15-Nov-00	NA	NA		
1051	0.5	15-Nov-00	16-Nov-00	<0.10		
	1.5	15-Nov-00	16-Nov-00	<0.10		
	3	15-Nov-00	16-Nov-00	<0.10		
	4	15-Nov-00	NA	NA		

* Field Lab data report identified sample as DP992.
Field notes and corresponding sample collection times
confirm that sample results are for sample 997.
** Field Lab data report identified sample as DP994.
Field notes and corresponding sample collection times
confirm that sample results are for sample DP 992 @ 7' BGS.

NA = Not Analyzed
J = Elevated detection limit due to toxaphene interference

HARRIS PROPERTY
311 West Railroad Avenue
Crystal Springs, Mississippi
PCB Concentrations Detected in Soil

			Field Laboratory		Fixed Laboratory	
Sample ID	Sample Depth (ft bgs)	Date Collected	Date Analyzed	Concentration (mg/kg)	Date Analyzed	Concentration (mg/kg)
865-B	0.5	01-Nov-00	02-Nov-00	0.84		
	1.5	01-Nov-00	03-Nov-00	0.16		
866	0.5	01-Nov-00	02-Nov-00	0.28		
	1.5	01-Nov-00	02-Nov-00	<0.10		
867	0.5	01-Nov-00	02-Nov-00	<0.10		
	1.5	01-Nov-00	02-Nov-00	<0.10		
868	0.5	01-Nov-00	02-Nov-00	0.43		
	1.5	01-Nov-00	02-Nov-00	<0.10		
869	0.5	01-Nov-00	02-Nov-00	0.73		
	1.5	01-Nov-00	02-Nov-00	<0.10	16-Nov-00	<0.097
931	0.5	03-Nov-00	04-Nov-00	0.35		
	1.5	03-Nov-00	06-Nov-00	<0.10		
932	0.5	03-Nov-00	04-Nov-00	0.11		
	1.5	03-Nov-00	04-Nov-00	<0.10		
933	0.5	03-Nov-00	04-Nov-00	0.38		
	1.5	03-Nov-00	04-Nov-00	0.21		
935	0.5	03-Nov-00	04-Nov-00	0.12		
	1.5	03-Nov-00	04-Nov-00	0.23		
936	0.5	03-Nov-00	04-Nov-00	<0.10		
	1.5	03-Nov-00	04-Nov-00	<0.10		
937	0.5	03-Nov-00	04-Nov-00	0.20		
	1.5	03-Nov-00	04-Nov-00	<0.10		
938	0.5	03-Nov-00	05-Nov-00	<0.10		
	1.5	03-Nov-00	05-Nov-00	<0.10		
939	0.5	03-Nov-00	05-Nov-00	<0.10		
	1.5	03-Nov-00	05-Nov-00	<0.10		
940	0.5	03-Nov-00	05-Nov-00	<0.10		
	1.5	03-Nov-00	05-Nov-00	<0.10		
941	0.5	03-Nov-00	05-Nov-00	<0.10		
	1.5	03-Nov-00	05-Nov-00	<0.10		
934	0.5	03-Nov-00	04-Nov-00	0.47		
	1.5	03-Nov-00	04-Nov-00	0.11		
945	0.5	03-Nov-00	05-Nov-00	0.48		
	1.5	03-Nov-00	05-Nov-00	<0.10		
942	0.5	03-Nov-00	05-Nov-00	0.15		
	1.5	03-Nov-00	05-Nov-00	<0.10		
943	0.5	03-Nov-00	05-Nov-00	0.13		
	1.5	03-Nov-00	05-Nov-00	<0.10		
944	0.5	03-Nov-00	05-Nov-00	0.46		
	1.5	03-Nov-00	05-Nov-00	<0.10		
946	0.5	03-Nov-00	05-Nov-00	0.15		
	1.5	03-Nov-00	05-Nov-00	<0.10		
947	0.5	03-Nov-00	05-Nov-00	<0.10		

NA = Not Analyzed
J = Elevated detection limit due to toxaphene interference

REV. 1

HARRIS PROPERTY
311 West Railroad Avenue
Crystal Springs, Mississippi
PCB Concentrations Detected in Soil

	1.5	03-Nov-00	06-Nov-00	<0.10		
948	0.5	03-Nov-00	05-Nov-00	<0.10		
	1.5	03-Nov-00	05-Nov-00	<0.10		
			Field Laboratory		Fixed Laboratory	
Sample ID	Sample Depth (ft bgs)	Date Collected	Date Analyzed	Concentration (mg/kg)	Date Analyzed	Concentration (mg/kg)
949	0.5	03-Nov-00	05-Nov-00	0.25		
	1.5	03-Nov-00	06-Nov-00	<0.10		
950	0.5	03-Nov-00	06-Nov-00	0.66		
	1.5	03-Nov-00	06-Nov-00	<0.10		
951	0.5	03-Nov-00	06-Nov-00	<0.10		
	1.5	03-Nov-00	06-Nov-00	0.74		
	3	16-Nov-00	17-Nov-00	<0.10		
	4	16-Nov-00	17-Nov-00	<0.10		
952	0.5	03-Nov-00	06-Nov-00	0.76		
	1.5	03-Nov-00	06-Nov-00	0.42		
954	0.5	03-Nov-00	06-Nov-00	0.15		
	1.5	03-Nov-00	06-Nov-00	0.11		
955	0.5	03-Nov-00	06-Nov-00	<0.10		
	1.5	03-Nov-00	06-Nov-00	<0.10		
953	0.5	03-Nov-00	06-Nov-00	<0.10		
	1.5	03-Nov-00	06-Nov-00	<0.10		
956	0.5	03-Nov-00	06-Nov-00	**1.8**		
	1.5	03-Nov-00	06-Nov-00	0.16		
957	0.5	03-Nov-00	06-Nov-00	0.31		
	1.5	03-Nov-00	06-Nov-00	0.20		
958	0.5	03-Nov-00	06-Nov-00	0.12		
	1.5	03-Nov-00	06-Nov-00	<0.10		
964	0.5	04-Nov-00	06-Nov-00	0.17		
	1.5	04-Nov-00	06-Nov-00	0.19		
960	0.5	04-Nov-00	06-Nov-00	<0.10		
	1.5	04-Nov-00	06-Nov-00	<0.10		
962	0.3	04-Nov-00	06-Nov-00	0.16		
961	0.5	04-Nov-00	06-Nov-00	0.16		
	1.5	04-Nov-00	06-Nov-00	**1.2**		
	3	16-Nov-00	17-Nov-00	**1.1**		
	4	16-Nov-00	17-Nov-00	**1.4**		
963	0.5	04-Nov-00	06-Nov-00	0.42		
	1.5	04-Nov-00	06-Nov-00	0.18		
959	0.5	04-Nov-00	06-Nov-00	<0.10		
	1.5	04-Nov-00	06-Nov-00	<0.10		

NA = Not Analyzed
J = Elevated detection limit due to toxaphene interference

REV. 1

WELCH PROPERTY
501 Camp Street
Crystal Springs, Mississippi
PCB Concentrations Detected in Soil

			Field Laboratory		Fixed Laboratory	
Sample ID	Sample Depth (ft bgs)	Date Collected	Date Analyzed	Concentration (mg/kg)	Date Analyzed	Concentration (mg/kg)
870	0.5	01-Nov-00	02-Nov-00	0.37		
	1.5	01-Nov-00	02-Nov-00	0.84		
	2	16-Nov-00	16-Nov-00	<0.10		
	2.5	16-Nov-00	16-Nov-00	<0.10		
	4	16-Nov-00	16-Nov-00	<0.10		
872	0.5	01-Nov-00	02-Nov-00	**1.0**		
	1.5	01-Nov-00	02-Nov-00	**1.6**		
	3	16-Nov-00	17-Nov-00	**2.9**		
	4	16-Nov-00	16-Nov-00	0.26		
873	0.5	01-Nov-00	02-Nov-00	0.87		
	1.5	01-Nov-00	03-Nov-00	<0.10		
874	0.5	01-Nov-00	03-Nov-00	0.52	16-Nov-00	0.23
	1.5	01-Nov-00	03-Nov-00	<0.10		
871	0.5	01-Nov-00	02-Nov-00	0.71	16-Nov-00	0.44
	1.5	01-Nov-00	03-Nov-00	0.42		
965	0.5	04-Nov-00	06-Nov-00	<0.10		
	1.5	04-Nov-00	06-Nov-00	<0.10		
966	0.5	04-Nov-00	06-Nov-00	**1.2**		
	1.5	04-Nov-00	06-Nov-00	**8.4**		
	3	16-Nov-00	17-Nov-00	<0.10		
	4	16-Nov-00	17-Nov-00	<0.10		
	5	16-Nov-00	17-Nov-00	<0.10		
	7	16-Nov-00	17-Nov-00	<0.10		
967	0.5	04-Nov-00	06-Nov-00	0.50	17-Nov-00	0.12
	1.5	04-Nov-00	06-Nov-00	**1.1**		
	3	16-Nov-00	17-Nov-00	**8.4**		
	4	16-Nov-00	17-Nov-00	0.87		
968	0.5	04-Nov-00	06-Nov-00	0.19		
	1.5	04-Nov-00	06-Nov-00	0.31		
969	0.5	04-Nov-00	06-Nov-00	0.42		
	1.5	04-Nov-00	05-Nov-00	0.18		
970	0.5	04-Nov-00	05-Nov-00	<0.10	17-Nov-00	<0.100
	1.5	04-Nov-00	05-Nov-00	<0.10		
971	0.5	04-Nov-00	05-Nov-00	<0.10		
	1.5	04-Nov-00	05-Nov-00	<0.10		
972	0.5	04-Nov-00	05-Nov-00	0.10		
	1.5	04-Nov-00	05-Nov-00	<0.10		
973	0.5	04-Nov-00	05-Nov-00	0.28		
	1.5	04-Nov-00	05-Nov-00	<0.10		
974	0.5	04-Nov-00	05-Nov-00	0.22		
	1.5	04-Nov-00	05-Nov-00	<0.10		
975	0.5	04-Nov-00	05-Nov-00	0.42		
	1.5	04-Nov-00	05-Nov-00	<0.10		

NA = Not analyzed
J = Elevated detection limit due to toxaphene interference

REV. 1

WELCH PROPERTY
501 Camp Street
Crystal Springs, Mississippi
PCB Concentrations Detected In Soil

			Field Laboratory		Fixed Laboratory	
Sample ID	Sample Depth (ft bgs)	Date Collected	Date Analyzed	Concentration (mg/kg)	Date Analyzed	Concentration (mg/kg)
976	0.5	04-Nov-00	05-Nov-00	0.13		
	1.5	04-Nov-00	05-Nov-00	<0.10		
977	0.5	04-Nov-00	05-Nov-00	0.68	17-Nov-00	0.17
	1.5	04-Nov-00	06-Nov-00	<0.10		
978	0.5	04-Nov-00	06-Nov-00	<0.10		
	1.5	04-Nov-00	06-Nov-00	<0.10		
979	0.5	04-Nov-00	06-Nov-00	<0.10		
	1.5	04-Nov-00	06-Nov-00	<0.10	17-Nov-00	<0.110
981	0.5	04-Nov-00	06-Nov-00	0.51		
	1.5	04-Nov-00	06-Nov-00	0.63		
980	0.5	04-Nov-00	06-Nov-00	0.28		
	1.5	04-Nov-00	06-Nov-00	0.40		
982	0.5	04-Nov-00	06-Nov-00	0.55		
	1.5	04-Nov-00	06-Nov-00	<0.10		
983	0.5	04-Nov-00	06-Nov-00	0.36	18-Nov-00	0.2
	1.5	04-Nov-00	06-Nov-00	<0.10	17-Nov-00	<0.110
DUPE 11-04	1.5	04-Nov-00	06-Nov-00	<0.10	17-Nov-00	<.10
984	0.5	04-Nov-00	06-Nov-00	<0.10		
	1.5	04-Nov-00	06-Nov-00	<0.10		
985	0.5	04-Nov-00	06-Nov-00	<0.10	17-Nov-00	<0.100
	1.5	04-Nov-00	06-Nov-00	<0.10		
986	0.5	04-Nov-00	06-Nov-00	0.24		
	1.5	04-Nov-00	06-Nov-00	0.58		
	3	16-Nov-00	16-Nov-00	<0.10		
	4	16-Nov-00	16-Nov-00	<0.10		
987	0.5	04-Nov-00	06-Nov-00	0.38		
	1.5	04-Nov-00	06-Nov-00	<0.10		

NA = Not analyzed
J = Elevated detection limit due to toxaphene interference

REV. 1

ROBERT WILLIAMS PROPERTY
103 Forest Street
Crystal Springs, Mississippi
PCB Concentrations Detected in Soil

			Field Laboratory		Fixed Laboratory	
Sample ID	Sample Depth (ft bgs)	Date Collected	Date Analyzed	Concentration (mg/kg)	Date Analyzed	Concentration (mg/kg)
853	0.5	01-Nov-00	02-Nov-00	<0.10	17-Nov-00	<0.098
	1.5	01-Nov-00	02-Nov-00	<0.10		
854	0.5	01-Nov-00	02-Nov-00	<0.10		
	1.5	01-Nov-00	02-Nov-00	<0.10		
855	0.5	01-Nov-00	06-Nov-00	<0.10		
	1.5	01-Nov-00	01-Nov-00	<0.10		
856	0.5	01-Nov-00	01-Nov-00	<0.10	15-Nov-00	<0.098
	1.5	01-Nov-00	01-Nov-00	<0.10		
857	0.5	01-Nov-00	02-Nov-00	<0.10		
	1.5	01-Nov-00	02-Nov-00	<0.10		
905	0.5	02-Nov-00	04-Nov-00	<0.10		
	1.5	02-Nov-00	04-Nov-00	<0.10		
906	0.5	03-Nov-00	04-Nov-00	<0.10		
	1.5	03-Nov-00	04-Nov-00	<0.10		
907	0.5	03-Nov-00	04-Nov-00	0.21		
	1.5	03-Nov-00	04-Nov-00	<0.10		
908	0.5	03-Nov-00	04-Nov-00	<0.10		
	1.5	03-Nov-00	04-Nov-00	<0.10		
909	0.5	03-Nov-00	04-Nov-00	<2.0 J		
	1.5	03-Nov-00	04-Nov-00	<0.10		
910	0.5	03-Nov-00	04-Nov-00	<5.0 J		
	1.5	03-Nov-00	04-Nov-00	<0.10		
911	0.5	03-Nov-00	04-Nov-00	<0.40 J		
	1.5	03-Nov-00	04-Nov-00	<0.10		
912	0.5	03-Nov-00	04-Nov-00	<0.10		
	1.5	03-Nov-00	04-Nov-00	<0.10		
917	0.5	03-Nov-00	04-Nov-00	0.18		
	1.5	03-Nov-00	04-Nov-00	<0.10		
Dupe11-03	1.5	03-Nov-00	04-Nov-00	<0.10		
918	0.5	03-Nov-00	04-Nov-00	<0.10		
	1.5	03-Nov-00	04-Nov-00	<0.10		
913	0.5	03-Nov-00	04-Nov-00	<1.0 J		
	1.5	03-Nov-00	04-Nov-00	<0.10		
914	0.5	03-Nov-00	04-Nov-00	<0.10		
	1.5	03-Nov-00	04-Nov-00	<0.10		
915	0.5	03-Nov-00	04-Nov-00	<0.50 J		
	1.5	03-Nov-00	04-Nov-00	<0.10		
916	0.5	03-Nov-00	04-Nov-00	<0.20 J		
	1.5	03-Nov-00	04-Nov-00	<0.10		

NA = Not Analyzed
J = Elevated detection level due to toxaphene interference

AFFIDAVIT OF JOSEPH SMELKO

STATE OF MICHIGAN)
) SS
COUNTY OF OAKLAND)

JOSEPH SMELKO, being first duly sworn, deposes and says the following:

1. My name is Joseph Smelko. I am now a resident of Crystal Springs, Mississippi, and my home address is 109 Houston Street. I have resided in Crystal Springs since 1952. I was employed by what was then called Kuhlman Electric Company in April, 1952, and in June, 1952, became plant manager of Kuhlman's newly-acquired Crystal Springs, Mississippi, manufacturing plant. I worked continuously at this plant until 1976, when I retired as Vice President and General Manager of Crystal Springs Power Division of Kuhlman. I have been continuously retired since 1976.

2. I have been told that Kuhlman has been sued by Florida Power & Light Company in Federal Court in Florida, and was asked by my long-time colleague and friend Harvey Clemens to come to Michigan to discuss what I knew about the Crystal Springs' manufacturing operation with Kuhlman's attorneys, and to sign an affidavit attesting to my information. This is that affidavit. The facts stated here are made on personal knowledge, except where explicitly indicated to be based on the information of others. I am in good health for a person of my years (I am 75 years old), am in excellent mental health, am competent to testify to the matters stated in this affidavit, and believe that such testimony would be admissible in evidence.

3. Kuhlman's Crystal Springs operations began in June, 1952. Kuhlman took over the facility from someone who was just starting out in the business of the manufacture of transformers. The information contained in this paragraph, together with other information later stated in this affidavit, is portrayed in a 1963 diagram of the plant, attached to this affidavit as Attachment "A." The original plant building is generally shown as "1951" "CORE WINDING" on Attachment A. In 1952 and 1953, Kuhlman built a substantial addition ("MANUFACTURING BUILDING" on Attachment A) to the original building out to the east, so that the entire building was about 260 feet long, east to west. In 1954 or 1955, a further manufacturing area ("1955 ADD'N" on Attachment A) was added on to the southeast corner of the building for the manufacture of pole-mount distribution transformers which, in the usual case, were of the sort sold to Florida Power & Light. At the far westerly side of the building and running north and south was a railroad spur; also at the far westerly side was a truck loading dock ("LOADING CANOPY") which was enclosed about 1956. Also, trucks could and did drive down a roadway parallel to the railroad tracks along the entire western edge of the plant.

4. From 1952 until 1969 at the earliest, but probably 1970 or 1971, the situation with respect to the mineral oil used for filling mineral oil transformers, was as follows: The plant had a 10,000 gallon stationary storage tank situated out of doors at the southwest corner of the building, as indicated on Attachment A. The tank was always outside the building, but in late 1952 the roof for the railroad spur was extended from the original building south and

west so as to cover the rail pit and the westerly end of the storage tank. It was at this westerly end where the tank was filled, and from which the permanently-placed piping leading from the storage tank into the building commenced. Most of the mineral oil was delivered by rail car to the storage tank although some came by tanker truck. The purchasing of the mineral oil was handled by Kuhlman people (specifically, Harvey Clemens) out of Michigan. Before the new mineral oil was off-loaded to the storage tank it was tested to make sure that it was not contaminated by moisture, and to make sure that it had the proper power factor; that is, that it was not giving off combustible gases.

5. At all times from 1952 forward, there was a mineral oil fill station for transformers about in the center of the original building (just below the "5" in the date 1951, as shown in Attachment A) at the westerly end of the building as extended. Then commencing in 1954 or 1955, the plant tapped into the line leading from the mineral oil storage tank and ran a permanently-placed pipe from that tap to the far southeasterly part of the building, so that the distribution transformers of the sort typically sold to Florida Power & Light (which were first manufactured in about 1954) could be filled with mineral oil (near the number "47" in the "1955 ADD'N" part of Attachment A) from this 10,000 gallon tank.

6. In 1969 at the earliest, but probably in 1970 or 1971, this 10,000 gallon mineral oil tank was moved to the outside of the southeasterly part of the building where it was joined by two more

storage tanks bought and installed in 1969 at the earliest. These two tanks were 20,000 or 25,000 gallon tanks. These tanks were thereafter kept filled with mineral oil brought in by tanker trucks. At no time did any of these mineral oil tanks or any of their connecting pipes, nozzels or other fittings and fixtures, contain or transport askarel.

7. The situation with respect to the use of askarel at the Cyrstal Springs Plant was as follows: Beginning in 1954 or 1955, after the addition to the building was completed, and going until 1973, the Crystal Springs' facility began to manufacture askarel-filled transformers. Askarel was purchased from Monsanto in East St. Louis, and was trucked in from East St. Louis in 55 gallon drums. It was purchased on an as needed basis. When a truck bringing in drums of askarel arrived, they were off-loaded as follows: If the askarel was immediately needed for use, which was often the case, the drums were off-loaded at the sliding door at the far easterly side of the building (marked "DOOR" on Attachment A), and carried in for direct use in the assembly area. The transformers were filled with askarel at the place marked "ASKAREL FILL" on Attachment A. If the drums could not be immediately used, they were off-loaded either at a loading dock in use until 1960 at the point marked "LD" on Attachment A, or at the loading dock near the rail spur, previously mentioned (whichever was most convenient), and then carted or carried with a forklift to a cement pad area located next to "LD" (which cement pad area was outside the building until 1960), where they waited until they were needed. After 1960, these drums were stored inside the building at a point marked "AS," in an

area of the 1960 building addition which was otherwise used for parts storage. At no time were these drums opened, or tapped, (1) at any place other than the "Askarel Fill" area indicated on Attachment A, or (2) at any time other than just prior to use. On those occasions when a drum's contents were not completely used for a particular operation, the drum was resealed and returned to the storage area for later use.

8. The way the drums were used was as follows: When a transformer needing to be filled with askarel was ready to be filled, the two inch bung was removed from the top of the drum and a special elbow valve (much like a water faucet) was screwed in; the other "breather" hole was also opened. The drum was then hoisted by the travelling crane, which ran on a track (like a tramrail) in the addition portion of the building up and down the assembly area, and was then carried to the waiting transformer, wherever it was in that part of the assembly area, marked "ASKAREL FILL," and the valve was opened and the askarel was poured in.

9. In 1973, the plant decided that considerable savings could be achieved if askarel was bought in bulk, and to that end purchased a 3,200 gallon (I believe) stainless steel tanker truck. This tanker truck could go to Monsanto's place of business in East St. Louis, load up with askarel, and return to Crystal Springs all within 24 hours or so. The tanker truck would park near the sliding door at the east end of the building

and further east than that, when the building was again expanded eastward) and the tramrail crane would bring the transformers down to the east end of the building to be filled. Filling was accomplished with a flexible hose which came through an opening in the wall of the building; the hose was used for no other purpose than this. The filling operation was done much like a gasoline hose at a gas station.

10. It may be important for me to explain my understanding of, and nomenclature for, miscellaneous kinds of transformers.

a. The very largest transformers are large power transformers, which are also called substation transformers. These at Crystal Springs to my recollection were always filled with mineral oil, as were any "pad-mount" transformers designed for non-residential use (which start at 112-1/2 KVA and go all the way up to 3,000 KVA).

b. A small type of transformer is the so-called distribution transformer which to my understanding are those less than 500 KVA. Distribution transformers can be either "pole-mount" or, beginning sometime in the 1960s, "pad-mount" transformers. In my experience at Crystal Springs all such transformers which we manufactured were filled with mineral oil.

c. Another type of transformer is the subway transformer which is an indoor type of transformer, or an underground transformer; a network transformer is a type of subway transformer. Network transformers are self-protected transformers which could be as low as 500 KVA and as large as 2,500 KVA; subway transformers are not self-protected; they could run as low as 50 KVA and typically run as high as 200 KVA or so. To my recollection, 50% of the network transformers

were oil filled, and 50% were askarel filled; a few subway transformers may have been designed for askarel. To my recollection, these were the only transformers manuactured at Crystal Springs, which were designed to be filled with askarel.

11. All of the transformers manufactured by Crystal Springs were filled with mineral oil or askarel, as the case may be, at the plant, except the large power transformers which, because of their size and weight, were filled in place with mineral oil. At no time in my experience were any transformers to be filled with askarel, filled "in the field;" all of those were filled at the plant as described above.

12. To the best of my recollection, the plant at Crystal Springs never manufactured or sold to or for the account of Florida Power any askarel transformers.

13. At Crystal Springs, approximately 5% of the business between 1954 and 1976, when the plant ceased using askarel altogether, involved askarel transformers. Crystal Springs' principal business was power and pad-mount transformers, and these to my recollection used mineral oil exclusively.

14. So far as the Crystal Springs' facility was concerned, we repaired transformers which failed in service only if they were still in the warranty period (except that we did do repair work from time to time on large Kuhlman power transformers, only, after the warranty period had expired). Crystal Springs did no independent repair work of any kind, or any repair work even on Kuhlman transformers, once the warranty period had expired, except as stated here.

a. In my experience, if a pole-mount transformer failed in service, that was something the customer repaired himself even though Kuhlman might pay for the customer's having to do (or hire someone else to do) the repair.

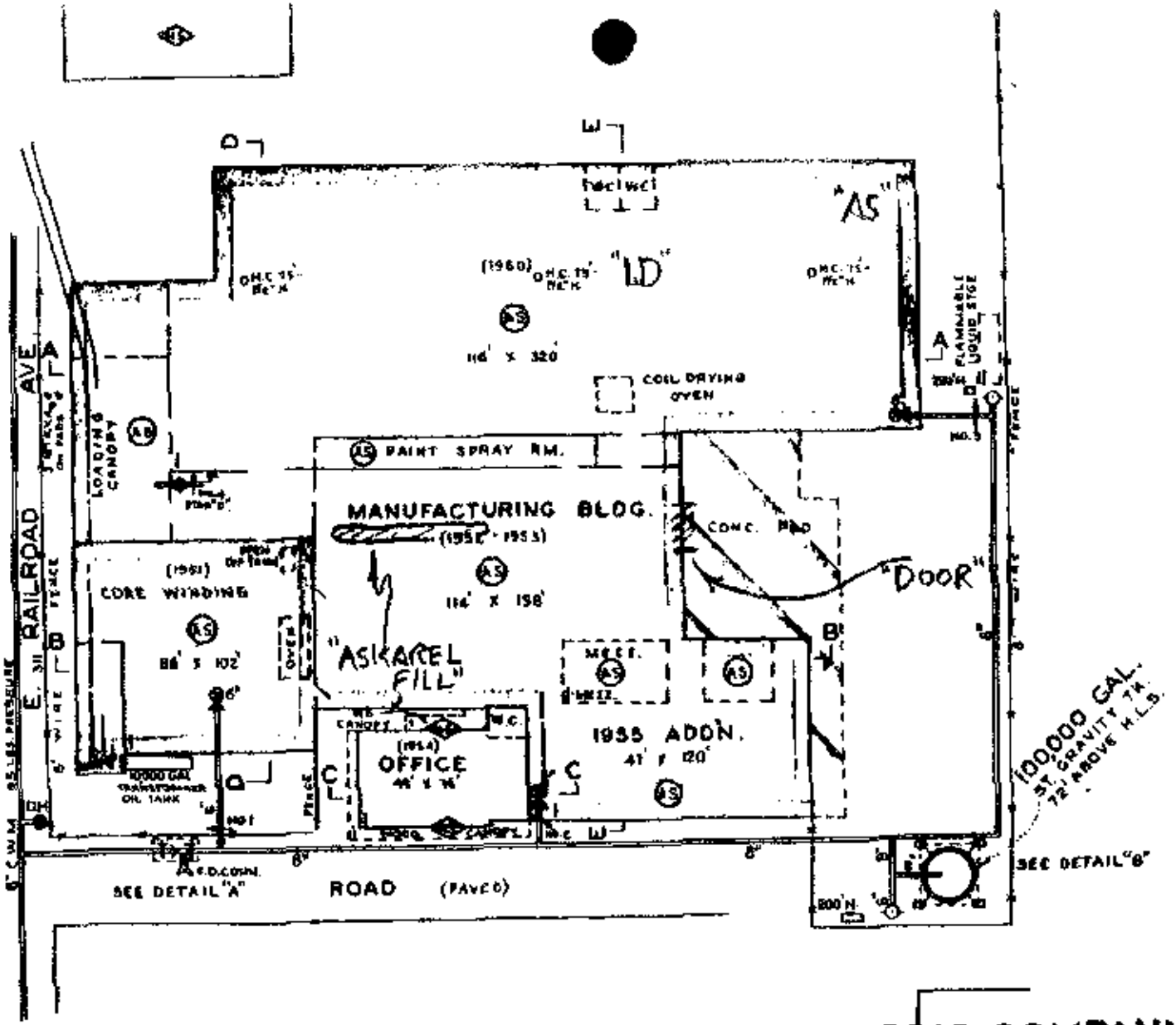
b. Repairs were also done from time to time on Kuhlman network transformers containing askarel, but only if there was a failure during the warranty period. It was very unusual in my experience that transformers containing askarel were returned for repair (both because such transformers rarely failed, and because they were usually drained before being returned to the plant), but if this occurred the procedure, which in my experience was carefully followed, was that, first, the askarel was drained into drums at the loading dock next to the railroad tracks, or at another place well-removed from other activity. Then the drum or these drums were sealed and clearly stenciled as "Used Pyranol" (Pyranol is a GE trade name for askarel), and taken by forklift truck to a segregated area where they were picked up by an independent trucker and taken to Jackson, Mississippi, where, as I understand it, there was a reclaiming operation of some kind. Crystal Springs never made any attempt whatever to reclaim any askarel. There was never any occasion when any of this used askarel was reused at the plant; since by definition the transformer containing the askarel had failed for one reason or another, it would not have made any sense to use the askarel which may have been part or all of the problem, again.

c. The drained transformer was then taken to the far east end of the building, where the top or "cover" was burned off using a carbon arc; the extra fluid which had not been removed in the draining process was soaked up with sawdust or other such substance (much like the material which is used in sweeping large floor areas), removed from the plant premises, and burned.

JOSEPH SMELKO

Subscribed and sworn to before me,
this 24th day of September, 1986.

Notary Public, Wayne County, Michigan
Acting In Oakland County
My Commission Expires: [illegible]
Notary Public Wayne County, Mich.
My Commission Expires April 10, 1989



KUHLMAN ELECTRIC COMPANY
CRYSTAL SPRINGS, MISSISSIPPI

SCALE 1 INCH=50 FEET

FACTORY INSURANCE ASSOCIATION
WESTERN REGIONAL OFFICE
CHICAGO, ILL.
JULY 29TH, 1963

E-11409-W

ATTACHMENT A

FILE COPY

Tel: (601) 892-4661
Fax: (601) 892-6406

KUHLMAN ELECTRIC CORPORATION

Instrument Transformers
Power Transformers

101 Kuhlman Drive, Crystal Springs, Mississippi 39059

December 22, 2000

Mr. Craig Brown
U.S. Environmental Protection Agency
Region IV
61 Forsyth Street
Atlanta, Georgia 30303

Dear Craig:

I am writing is response to the follow-up questions in your letter of November 27, 2000.

Paragraph A.1; Past Chemical Disposal

Question: What were the sources of the PCB capacitors sent to Ensco, Inc. and later Safety Kleen? Please specify capacitor type and size.

The capacitors were all used in the power distribution for the facility. The size and type are not listed on the manifests, and we have not found this information elsewhere. We have serial numbers for the capacitors shipped to Safety Kleen in 1998. That list is included as Addendum I.

Question: Where specifically in Jackson, Ms. was PCB-containing dielectric fluid sent for reclamation, how much oil was sent, what was the PCB concentration of this material and over what period of time was it sent?

The information KEC supplied regarding past PCB activities was based upon a 1986 affidavit of the previous plant manager, Mr. Joseph Smelko, that KEC recently discovered. We have attached a copy of that affidavit as Addendum II. KEC has no other information on this subject.

Question: To which Ashland Chemical Company facility were waste oils and absorbent sent? Did these materials contain PCBs? If so, please specify the PCB concentration range for these materials and when these transactions occurred.

Waste oil and absorbent was sent to the Ashland facility at 455 Industrial Drive, Jackson, Ms. 39209. To KEC's knowledge, there were no PCBs in the oils shipped.

Question: It was stated that transformers sent to Kuhlman for remanufacture were generally shipped drained but that any residual oil remaining in the units would have been soaked up with sawdust, removed from the premises and burned. Where was this material disposed of (burned), when and by whom?

This information was obtained from the 1986 Smelko affidavit attached as Addendum II. KEC has no other information on this subject.

Question: With regard to the soil removed from the Claiborne property, EPA was not aware that this material had been tested before removal and was found to contain PCBs at a concentration in excess of 1600 ppm. Was this material placed in a single roll-off container at the Kuhlman site or was it combined with soil from other removal sites?

There are four roll-offs from the Claiborne property, and soil was not combined with soil from other removal sites.

* * * *

We hope the enclosed information is helpful. KEC looks forward to continuing to work with EPA and MDEQ to resolve this matter as quickly as possible.

Sincerely yours,

Alan Thomas ses

Alan Thomas

Enclosures

cc: Gretchen Zmitrovich, MDEQ
Kelli Dowell, MDEQ
Paul Acheson, KEC
Tom Minnich, KEC
Bob Thompson, IT Corp.
Scott Schang, Latham & Watkins
Anastasia Hamel, BorgWarner
Tom Lupo, Seyfarth, Shaw

PCB MANIFEST CONTINUATION SHEET

safety-kleen®

MANIFEST DOCUMENT NO. _____
OR
STATE MANIFEST DOCUMENT NO. _____

PAGE 1 OF 2

Manufacturer /Serial #	Generator's Unique Identifying Number		Type of PCB Waste	Earliest Date of Removal from Service for Disposal	Weight in Kilograms
McGraw-Ed.					
76A10153	Pallet #1	1	Capacitor	08-24-98	45.36
76A10188	" "	2	"	"	45.36
76A10189	" "	3	"	"	45.36
76A10151	" "	4	"	"	45.36
76A10150	" "	5	"	"	45.36
Gen. Electric					
J374332	Pallet #1	6	Capacitor	08-24-98	79.38
J374338	" "	7	"	"	79.38
J372395	" "	8	"	"	79.38
J372391	" "	9	"	"	79.38
J376370	" "	10	"	"	79.38
J372381	Pallet #2	11	"	"	79.38
J376363	" "	12	"	"	79.38
J376364	" "	13	"	"	79.38
J372376	" "	14	"	"	79.38
J376381	" "	15	"	"	79.38
J374337	" "	16	"	"	79.38
J376372	" "	17	"	"	79.38
J376368	" "	18	"	"	79.38
J376367	" "	19	"	"	79.38
J376377	" "	20	"	"	79.38
J372379	" "	21	"	"	79.38
J374326	" "	22	"	"	79.38
J374330	" "	23	"	"	79.38
J372394	" "	24	"	"	79.38
J374328	Pallet #3	25	"	"	79.38

Continued

PCB MANIFEST CONTINUATION SHEET

safety-kleen®

MANIFEST DOCUMENT NO. _____
OR
STATE MANIFEST DOCUMENT NO. _____

Manufacturer /Serial #	Generator's Unique Identifying Number	Type of PCB Waste	Earliest Date of Removal from Service for Disposal	Weight in Kilograms
Gen. Electric				
J372387	Pallet #3 26	Capacitor	08-29-98	79.38
J374336	" " 27	"	"	79.38
J374327	" " 28	"	"	79.38
J372390	" " 29	"	"	79.38
J376366	" " 30	"	"	79.38
J372377	" " 31	"	"	79.38
J376371	" " 32	"	"	79.38
J376376	" " 33	"	"	79.38
J374323	" " 34	"	"	79.38
J376378	" " 35	"	"	79.38
J376375	" " 36	"	"	79.38
J374325	" " 37	"	"	79.38
J376374	" " 38	"	"	79.38
J374341	Pallet #4 39	"	"	79.38
J374324	" " 40	"	"	79.38
J374333	" " 41	"	"	79.38
J376373	" " 42	"	"	79.38
J372384	" " 43	"	"	79.38
J372388	" " 44	"	"	79.38
J372382	" " 45	"	"	79.38
J374329	" " 46	"	"	79.38
J372380	" " 47	"	"	79.38
J376330	" " 48	"	"	79.38
J372386	" " 49	"	"	79.38
J376369	" " 50	"	"	79.38

does not believe the pit's owner was aware of the potential contamination of soils from KEC when he undertook this activity. In consultation with MDEQ, the soils buried at AKT were not addressed immediately because of the existence of a de facto cap and the need to address first the areas mentioned above where the potential for exposure was much greater.

BorgWarner and KEC have been unable to agree whether the AKT gravel pit is covered by the indemnification agreement between the parties. While the parties are attempting to resolve this dispute, KEC has engaged IT Corporation, which has implemented an approved workplan to characterize the site.

Conclusion

KEC has tried to respond to the events in Crystal Springs as a responsible corporate citizen. KEC took immediate and comprehensive action to reduce the potential for persons to be exposed to historic PCB contamination found at its facility. Further, KEC immediately notified regulatory authorities of the contamination issues at the facility and has cooperated with local, state, and federal officials at all turns. KEC has incurred significant costs in responding to these issues, and KEC will incur significant additional costs as the response actions continue.

KEC believes that this matter is not one where further regulatory attention is deserved. Any enforcement action, no matter how slight, will strain relations between KEC and BWA and between the companies and other parties in Crystal Springs without having any positive or deterrent effect. The punitive effects of the costs being incurred coupled with the substantial delay in the expansion of the KEC facility are quite significant without additional actions.

We would be pleased to discuss this with you further. If you have any questions or comments, please contact Scott Schang at (202) 637-2115.

Sincerely yours,

Alan Thomas/ses

Alan Thomas

cc: Gretchen Zmitrovich, MDEQ
Kelli Dowell, MDEQ
Paul Acheson, KEC
Tom Minnich, KEC
Bob Thompson, IT Corp.
Scott Schang, Latham & Watkins
Anastasia Hamel, BorgWarner
Tom Lupo, Seyfarth, Shaw

Tel: (601) 892-4661
Fax: (601) 892-6406

KUHLMAN ELECTRIC CORPORATION

101 Kuhlman Drive, Crystal Springs, Mississippi 39059

Instrument Transformers
Power Transformers

FILE COPY

December 22, 2000

Mr. Craig Brown
U.S. Environmental Protection Agency
Region IV
61 Forsyth Street
Atlanta, Georgia 30303

Dear Craig:

We recently discussed the events that led to the discovery of PCB contamination at the Kuhlman Electric Corporation ("KEC") facility in Crystal Springs, Mississippi. During this discussion, you noted that EPA personnel are examining the facts surrounding the placement of soils that may contain PCBs at the AKT gravel pit near Crystal Springs. So that all parties are dealing with the same set of facts, I wanted to share with you what we know about these circumstances.

History of KEC

The KEC Crystal Springs facility opened in the early 1950s. This facility has always produced transformers and capacitors. The vast majority of items produced at the facility were filled with mineral oil, not Askarel or other PCB-containing fluids. Based on the deposition of a former plant manager that was located in the past couple of weeks, it appears that only 5% or so of the transformers manufactured by KEC were designed to be filled with PCB-containing fluids. KEC stopped producing PCB-filled equipment almost 25 years ago.

None of the present KEC management worked for KEC at the time PCBs were used by the facility. KEC and its parent, Kuhlman Corporation ("Kuhlman"), underwent a significant restructuring in 1993. Then, in 1999, BorgWarner, Inc. purchased Kuhlman and KEC was sold to a new group of investors shortly thereafter. Phase I reports were completed at the time of the BorgWarner acquisition and at the time of the sale of KEC, and neither report mentioned the possibility that the facility might be contaminated with PCBs. Thus, PCB use at the facility was quite minimal, and the institutional memory of KEC regarding PCBs was lost long ago.

Expansion of KEC Facility

The KEC facility was expanded numerous times over the past 50 years. During many of these expansions, soil was removed from the facility without incident. To KEC's knowledge, no concerns about PCB contamination were expressed during these earlier excavations, and no suggestions were made that there might be historic contamination present at the property.

In early 2000, KEC embarked on a major expansion of its facility. KEC hired Fountain Construction to build a 25,000 square foot addition onto the existing facility. Fountain in turn

hired Vaughan Construction to carry out the necessary grading and regrading of the facility to accommodate the expansion. Work began on March 27.

Unbeknownst to KEC, Vaughan Construction arranged to place excess soil from the KEC facility in an existing pit at a facility adjacent to AKT gravel. Vaughan arranged for the transport of roughly 33 truck loads of soil to this pit from April 1 until April 13.

Discovery of PCB Contamination

On April 13, an employee of Vaughan noted unusual odors on the KEC construction site. All construction and soil hauling activities were immediately stopped. Vaughan notified Fountain and KEC of this finding. KEC immediately hired Envirosav to investigate the environmental conditions on-site. On April 20, Envirosav reported that PCBs and chlorinated benzenes were present in the soil at levels of regulatory concern. KEC immediately notified MDEQ and BorgWarner, which had indemnified KEC for past environmental conditions, of these findings. BorgWarner mobilized Ogden Environmental to address on-site conditions, and KEC mobilized First Environment to decontaminate machinery.

Discovery of Placement of Soils at AKT Gravel

Considerable quantities of soil were moved and graded during the three weeks of construction activities. Upon discovery of contamination, inquiries by KEC of Fountain as to whether soils had left the site suggested that no soils were transported off-site. This was apparently due to a miscommunication between Fountain and KEC employees. On May 8, KEC learned from First Environment that soils might have been transported off-site by employees and by Vaughan. After determining where soils had been taken, KEC notified MDEQ that soil had left the KEC property and had been deposited at several residences and AKT.

Once sampling results were received that characterized the PCB content of soils sent off-site, KEC submitted a release notification to the appropriate personnel, including Stuart Perry at EPA Region IV, regarding the placement of soils at AKT and at a residential site where the reportable quantity of PCBs may have been exceeded.

AKT Remedial Activities

Upon discovery of the PCB contamination, KEC focused remedial resources upon residences where employees had taken home potentially contaminated soils during the spring of 2000 and upon two piles of soil that were located at AKT. Under the supervision of MDEQ, KEC and First Environment mounted an emergency removal action to retrieve soils and any residual contamination from the residential sites and the two soil stockpiles at AKT. BorgWarner and Kuhlman Corporation ("BWA") took responsibility for remediation of the facility proper and of residences where runoff may have contaminated the property and residences where soils were received from the facility prior to BWA's sale of KEC. KEC discovered that in the interim the pit's owner had filled the pit that received KEC soils with material from other sources. KEC

FILE COPY

Main Tel: (601) 892-6401
Fax: (601) 892-6406

KUHLMAN ELECTRIC CORPORATION

Instrument Transformers
Power Transformers

101 Kuhlman Drive, Crystal Springs, MS 39059

Fax

To: Mr. Jerry Brooks **From:** Joyce R. Beasley

Fax: 961-5300 **Date:** 12/19/00

Phone: **Pages:** 2

Re: PCB Article - (Wall St. Journal) **CC:**

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

•Comments:

Who Says PCBs Cause Cancer?

By Elizabeth M. Whelan

Last week the Environmental Protection Agency proposed that General Electric spend $490 million dredging the Hudson River to remove what are known as polychlorinated biphenyls, or PCBs.

Until 1977, PCBs were used in the manufacture of transformers, adhesives and capacitors, among other things. GE legally dumped them into the river north of Albany for decades. The PCBs are now embedded in the mud beneath the Hudson, and are not generally dispersed in the water.

Media coverage has been murky as to exactly what the EPA hopes to accomplish with half a billion dollars of dredging. To clarify the agency's intent, I contacted EPA official Kevin Matthews. He explained that the EPA was worried about both the "health of the river" and about human health problems, particularly an increased risk of cancer from eating Hudson River fish.

But contrary to EPA assertions, there is no credible evidence that PCB exposure in the general environment, in fish, or even at very high levels in the workplace, has ever led to an increase in cancer risk. While reasonable people have suggested that dredging would displace buried PCBs and make matters worse, at this point we have no evidence that even high-level human exposure to PCBs causes any problem other than eye and skin irritation.

Safe to eat

The EPA's asserting that PCBs in fish pose a human cancer risk is based solely on observations that high dose, prolonged PCB exposure causes tumors in laboratory animals. But this is very different from the question at hand: is there any evidence that the traces of PCBs in Hudson River fish increase the risk of cancer in humans? The EPA, an environmental regulatory agency, isn't known for its competency in the scientific discipline of cancer causation. We therefore need to turn elsewhere for expert opinion on any causal relationship between PCBs and cancer.

An examination of the bible of cancer causation, "Cancer Epidemiology and Prevention" by David Schottenfeld and Joseph F. Fraumeni Jr., reveals no reference whatsoever to PCB-containing fish (or any other source of PCBs) causing malignancy. This 1,500-page volume focuses on real human cancer risks, like tobacco use and overexposure to sunlight. But perhaps the ultimate authority on cancer risk is the National Cancer Institute. I put the question to the Institute's director, Richard Klausner: Does NCI have any evidence that eating fish from the Hudson River contributes to the toll of human cancer?

This wasn't the first time I'd queried Dr. Klausner on cancer causation. Over two years ago the organization I head up, the American Council on Science and Health, composed (and had peer-reviewed) a similar, but broader, question for which we unanimously agreed the answer was no. (ACSH is an independent consortium of 350 physicians and scientists, funded by private foundations and corporations, including the GE fund, which accounts for about 1% of the group's total budget.)

Specifically, we asked Dr. Klausner: "At this time, does the NCI know of any credible scientific evidence that exposure to trace levels (parts per million or less) of synthetic chemicals in the general environment even if these chemicals have been shown in high dose to cause cancer in laboratory animals—contributes to the toll of human cancer in the U.S.?"

As should now be obvious to GE and every other U.S. manufacturer, this is much more than a theoretical question. It has immediate, practical and costly implications. Congress, for example, has passed laws based on the premise that a "mouse is a little man." One, the "Delaney Clause," states unequivocally that any synthetic food chemical that causes cancer in lab animals must be assumed to pose a human cancer risk—no matter how minimal the human exposure—and must be banned. Similarly, California's Proposition 65 requires that all consumer products containing even trace levels of animal carcinogens be banned or labeled. In short, decisions are being made, and limited resources are being committed, based on the assumption that trace exposures to animal carcinogens like PCBs pose a human cancer risk and must not be tolerated, no matter what the cost.

For over two years, NCI has refused to answer our original question. Presumably NCI has been refusing stating the obvious—that there is no evidence that trace levels of animal carcinogens pose a human cancer risk—to avoid a head-on collision with the EPA, which for decades has been on a regulatory carcinogen witch hunt.

This week, however, the National Cancer Institute found its voice. Susan Sieber, a scientist and director of communications, told me that the Institute knew of "no evidence" that eating fish from the Hudson River posed a human cancer risk. Why should we tolerate government policies that purport to prevent cancer by targeting environmental risks our nation's top cancer experts say don't exist?

Mrs. Whelan is president of the American Council on Science and Health.

FILE COPY

STATE OF MISSISSIPPI
DAVID RONALD MUSGROVE, GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
CHARLES H. CHISOLM, EXECUTIVE DIRECTOR

December 12, 2000

Mr. Al Thomas
Kuhlman Electric Corporation
101 Kuhlman Drive
Crystal Springs, Mississippi 39059

Dear Mr. Thomas:

Re: Contaminated Water

This letter is to confirm our conversation this morning concerning the disposal of contaminated water from the water line leak at the plant. I have talked to the Department's Environmental Compliance and Enforcement Division and the Environmental Permits Division concerning the possible disposal of the PCB contaminated water in the Crystal Springs wastewater treatment plant. According to the Department's staff the possibility does exist, however, the following problems are noted:

1) The city's wastewater permit does not allow for the acceptance of PCB wastewater and would require a permit modification if the city wanted to accept the wastewater. With an application submittal, public notice requirements, and barring approval and no objections, this would take at least 90 days or more.

2) The Permitting and Compliance staffs are not familiar with how the city treatment system would react to the PCB's – pass through or deposited out in sludges in the wastewater treatment system that could cause future disposal problems. The staff would have to thoroughly investigate and research effects on the city wastewater system before considering whether a proposed permit modification would be acceptable. Again, this could lengthen the time for a permit modification, if granted, for another 30 to 60 days.

Based on the above, it is not possible to discharge the PCB contaminated wastewater into the Crystal Springs wastewater treatment system at this time and may not be possible at all and the company should proceed to provide for disposal of the contaminated water. One recommendation would be to treat the water to remove the PCB's and place the

treated water into another tank for sampling and analysis to verify that the PCB's have been removed. Once the PCB's are determined to be removed from the wastewater, then the treated water could be discharged.

I have also talked to Mayor Hugh Webb this morning and advised him that the city cannot accept the PCB contaminated water in the city wastewater treatment system.

If you have further questions, please let me know.

Sincerely,

Jerry B. Banks, P.E., DEE
Chief, Hazardous Waste Division

Cc: Anastasia Hamel, Borg Warner
Mayor Hugh Webb