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DATE: 31 OCT 04

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

Tony Russell 11/01/2004 08:28 AM

To: Brian Young/HW/OPC/DEQ@DEQ
cc:
Subject: Kuhman - petition and notice of appeal

----- Forwarded by Tony Russell/HW/OPC/DEQ on 11/01/2004 08:09 AM -----

Kelly Riley
10/29/2004 03:10 PM

To: Roy Furrh, Ted Lampton/Admin/DEQ@DEQ
cc: Tony Russell
Subject: Kuhman - petition and notice of appeal

I spoke with David Barfield and since BorgWarner has agreed to do the assessment work, there is no reason at this time to set it for hearing. He doesn't want to waive any rights, but agrees it's not necessary to schedule anything. This file is going to Ted, so Ted - please draft a letter for Roy's review that says something like:

MDEQ is in receipt of your sworn petition and notice of appeal dated October 22, 2004, in the kuhman electric matter. I understand you spoke with Kelly Riley last week by telephone, and you agreed that since BorgWarner has agreed to perform the assessment work that a hearing is not necessary. While you are not waiving any rights, there is no cause for a hearing at this time.

should you have any questions, you may contact me at 601-961-5573.

AH-04-1871

VIA UPS NEXT DAY AIR



BorgWarner

October 29, 2004

Mr. Tony Russell
Assessment Remediation Branch
Mississippi Department of Environmental Quality
101 West Capitol Street
Jackson, Mississippi 39201

Anastasia Hamel
Director, Environmental Programs
BorgWarner Inc.
Powertrain Technical Center
3800 Automation Avenue, Suite 100
Auburn Hills, Michigan 48326-1782

**Re: Responses To MDEQ's Comments
Preliminary Groundwater Assessment
Kuhlman Electric Corporation, Crystal Springs, MS**

Dear Mr. Russell:

Attached are responses to Mississippi Department of Environmental Quality (MDEQ) comments for the Preliminary Groundwater Assessment report submitted by BorgWarner Inc. in connection with the Kuhlman Electric Corporation (KEC) facility in Crystal Springs, Mississippi.

Please contact me directly at 248-754-0159 in the event there are any questions on the attached.

Very truly yours,

Anastasia Hamel
Director, Environmental Programs
BorgWarner Inc.

Attachment

cc: B. Young, MDEQ ✓

PRELIMINARY GROUNDWATER ASSESSMENT
Kuhlman Electric Corporation

RESPONSE TO MDEQ COMMENTS
October 29, 2004

The following are BorgWarner's responses to Mississippi Department of Environmental Quality (MDEQ) comments concerning the Preliminary Groundwater Assessment report:

1. COMMENT 1- Section 4.2. The groundwater beneath the Kuhlman Electric Corporation (KEC) site is contaminated with various volatile organic compounds (VOCs). Many of the VOCs encountered in groundwater were at concentrations greater than the MDEQ Tier I Target Remediation Goals (TRGs).

RESPONSE – The groundwater beneath the KEC site will be addressed as the planned subsequent groundwater activities are implemented.

2. COMMENT 2 – The following samples were analyzed outside of their hold times. KEP-005-001, KEP-GW-001-001, KEP-GW-008-001, KEP-GW-002-001, and KEP-GW-Duplicate. The published hold times (prior to extraction) for semi-volatile organic compounds (SVOCs) in an aqueous matrix is 7 days vs. hold time for a solid (soil) sample.

RESPONSE – The samples noted above were all extracted within the standard 7-day hold time for EPA method 8270. Extraction dates were not noted on the laboratory data sheets that were included in the report. Future laboratory data sheet submittals will include extraction dates as well as sample collection and sample analysis dates. Attached are laboratory logs and a letter from Paradigm Analytical Laboratories confirming the extraction dates and hold times for samples collected during the preliminary groundwater assessment.

3. COMMENT 3 – No sampling data for MW-5 was included in the report.

RESPONSE – All sample data, including summary tables and laboratory data sheets, were included in the report for monitoring well MW-5. Table 7, Summary of Preliminary Groundwater Sample Analytical Results for VOCs has a typographical error that designates KEP-GW-005-001 as being collected from MW-3 when in fact it was collected from MW-5. The correction has been made to the table and a corrected table is included with this correspondence for substitution.

4. COMMENT – Please provide a description of the sampling description for the nomenclature used for the collection of samples at this site.

RESPONSE – Nomenclature for the different types of samples are listed below:

Groundwater Grab Sample from Augers

KEP-HSA-GW-000

*KEP - Kuhlman Electric Plant
HAS - Hollow Stem Auger
GW - Groundwater Sample
000 - Sample Number*

Soil Grab Sample from Augers

KEP-HSA-000

*KEP - Kuhlman Electric Plant
HAS - Hollow Stem Auger
000 - Sample Number*

Groundwater Samples from Monitoring Wells

KEP-GW-XXX-YYY

*KEP - Kuhlman Electric Plant
GW - Groundwater Sample
XXX - Monitoring Well Number
YYY - Sample Number*

5. COMMENT – In future reports please include a potentiometric surface map showing the direction of groundwater flow as it relates to the site.

RESPONSE – Future reports will include potentiometric surface maps. For the Preliminary Groundwater Assessment report the potentiometric surface map is shown on Figure 2, Site Map.

6. COMMENT – In future reports please include a plume map showing the extent of the groundwater contamination (down to the Tier I TRG) as it relates to the site for each contaminant.

RESPONSE – Plume maps for each constituent detected above published Tier I TRGs will be included in future reports. Once evaluated, the aerial distribution of data collected during the preliminary groundwater assessment was insufficient to develop a useful plume map for this initial phase of work.

7. COMMENT – Based on the presence of VOCs in groundwater above the MDEQ Tier I TRGs, the MDEQ requires that BorgWarner submit a comprehensive groundwater assessment plan for defining the horizontal and vertical extent of contamination by October 15, 2004.

RESPONSE – BorgWarner prepared and submitted a comprehensive groundwater assessment plan on October 15, 2004. The plan included the

approach that will be implemented to define the horizontal and vertical extent of contamination. The plan also addressed the assessment of the perched water beneath the site and included methods for the determination of the source/location of contamination.

In the interim, BorgWarner will take the necessary steps to protect human health and the environment from exposure to contaminated groundwater. Specifically the following activities are in the process of implementation:

1. A water well survey is being conducted through a file and literature search using all published resources available from the U.S. Geological Survey; the MDEQ Office of Land and Water; Mississippi State Department of Health; and the City of Crystal Springs.
2. A physical and/or visual inspection is underway to determine the presence of private water wells within a ½ mile radius of the site.
3. On September 7, 2004, six municipal water supply wells were sampled. The six wells include City of Crystal Springs municipal well #s 1, 2, 3, 4, 7, and the municipal pool well. All sampled wells are within approximately ½ mile of the KEC site.
4. If private wells are identified within a ½ mile radius of the KEC site, the wells will be sampled provided the property owners grant access.
5. MDEQ was notified of the planned date for the municipal well sampling. An MDEQ representative was present for the sampling and obtained split samples. As requested, the appropriate preserved sample containers were provided to MDEQ.

PARADIGM ANALYTICAL LABORATORIES, INC.

5500 Business Drive
Wilmington, North Carolina 28405
(910) 350-1903
Fax (910) 350-1557

Date: September 10, 2004

Mr. Robert Martin
Martin and Slagle
PO Box 1023
Black Mountain, NC 28711

Dear Mr. Martin,

During March and April of 2004, Paradigm Analytical analyzed several samples for semi-volatile content by GC/MS method 8270C.

This method has a seven day holding time limit for extraction of water samples and a fourteen day limit for soil. These holding times were met for all samples, but the extraction dates were not shown on the laboratory's data summary report.

This table was sent previously with incorrect dates entered. All the samples extracted in April were done on April 5, not April 6 as previously reported.

The extraction log for the samples from the G442-260 and G442-261 sets showed a date of April 6. This date is incorrect. The extraction, as shown from the batch pull sheet, was set up April 5, but the extraction log was not filled in until April 6. The database system recorded the date of data entry, not the date the test was actually set up.

A copy of the pull sheet for Batch 1060 with the corrected extraction log sheet are included for your reference. Data entry procedures have been reviewed to ensure that the correct dates are entered.

Following is a table of the samples affected with the extraction dates listed. Copies of the extraction logs are also included for your reference.

Martin & Slagle ID	Paradigm ID	Matrix	Collected	Extracted
KEP-HSA-GW-003	G442-247-1A	Water	3/10/04	3/11/04
KEP-HSA-003	G442-252-1A	Soil	3/10/04	3/23/04
KEP-Duplicate-5411	G442-252-2A	Soil	3/10/04	3/23/04
KEP-HSA-007	G442-252-3A	Soil	3/11/04	3/23/04
KEP-Duplicate-5413	G442-252-4A	Soil	3/11/04	3/23/04
KEP-HSA-005	G442-252-5A	Soil	3/16/04	3/23/04

Table 7
 Summary of Preliminary Groundwater Sample Analytical Results for VOCs
 Kuhlman Electric Facility
 Crystal Springs, Mississippi

Off-site Lab Sample ID, Well #	Date Collected	Time Collected	sec-Butyl- benzene	tert-Butyl- benzene	Chloro- benzene	1,3- Dichloro- benzene	1,4- Dichloro- benzene	1,1- Dichloro- ethane	1,1,1- Dichloro- ethane	trans-1,3- Dichloro- propane	Ethyl- benzene	Isopropyl- benzene	n-Propyl- benzene	1,1,1- Trichloro- ethane	1,2,4- Trimethyl- benzene	1,3,5- Trimethyl- benzene	m,p- Xylene	o-Xylene
TRGs Restricted ugl			60.8	60.8	100	14.4	75	798	7		700	658	60.8	200	12.3	12.3	12000	12000
KEP-HSA-GW-003	10-Mar-04	1507	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	135	98	462	157	354	<1.00	2690	486	438	758
KEP-HSA-GW-004	11-Mar-04	1637	<1.00	<1.00	<1.00	<1.00	<1.00	1.6	12.3	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<2.00	<2.00
Trip Blank	11-Mar-04		<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<2.00	<2.00
KEP-HSA-GW-005	16-Mar-04	1330	15.4	2.81	8.34	2.63	11.4	<1.00	<1.00	<1.00	<1.00	2	<1.00	<1.00	<1.00	<1.00	<2.00	<1.00
KEP-GW-005-001	29-Mar-04	1103	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<2.00	<1.00
Trip Blank			<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<2.00	<1.00
KEP-GW-001-001	29-Mar-04	1402	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	19.7	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<2.00	<1.00
KEP-GW-008-001	29-Mar-04	1540	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	4.85	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<2.00	<1.00
KEP-GW-002-001	29-Mar-04	1747	<1.00	<1.00	<1.00	<1.00	<1.00	2.1	87.7	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<2.00	<1.00
KEP-GW-DUPLICATE	28-Mar-04		<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	4.66	<1.00	<1.00	<1.00	<1.00	3.44	<1.00	<1.00	<2.00	<1.00
KEP-FB-003	29-Mar-04	1113	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<2.00	<1.00
KEP-GW-004-001	30-Mar-04	909	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<2.00	<1.00
KEP-GW-003-001	30-Mar-04	1044	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	25.7	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<2.00	<1.00
KEP-DUP	30-Mar-04		<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	24.1	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<2.00	<1.00
KEP-GW-007-001	30-Mar-04	1325	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	24.5	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<2.00	<1.00
KEP-GW-006-001	30-Mar-04	1551	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<2.00	<1.00
KEP-MWD-001	31-Mar-04	911	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	7.55	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<2.00	<1.00
			<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	9.96	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<1.00	<2.00	<1.00

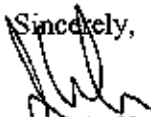
Units = ug/L
 *Well Development Water

PARADIGM ANALYTICAL LABORATORIES, INC.

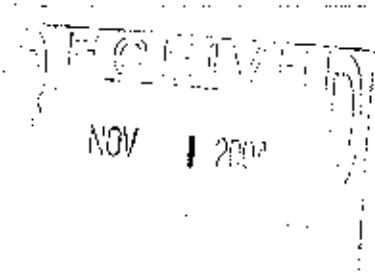
KEP-Duplicate-5417	G442-252-6A	Soil	3/16/04	3/23/04
KEP-HSA-006	G442-252-7A	Soil	3/17/04	3/23/04
KEP-HSA-004	G442-251-1A	Soil	3/16/04	3/17/04
KEP-HSA-GW-005	G442-251-2D	Water	3/16/04	3/17/04
KEP-GW-005-001	G442-261-1C	Water	3/29/04	4/5/04
KEP-GW-001-001	G442-261-3C	Water	3/29/04	4/5/04
KEP-GW-008-001	G442-261-4D	Water	3/29/04	4/5/04
KEP-GW-002-001	G442-261-5D	Water	3/29/04	4/5/04
KEP-GW-Duplicate	G442-261-7D	Water	3/29/04	4/5/04
KEP-GW-004-001	G442-260-1D	Water	3/30/04	4/5/04
KEP-GW-003-001	G442-260-2D	Water	3/30/04	4/5/04
KEP-DUP	G442-260-3D	Water	3/30/04	4/5/04
KEP-GW-007-001	G442-260-4D	Water	3/30/04	4/5/04
KEP-GW-006-001	G442-260-5D	Water	3/30/04	4/5/04

Please let me know if I can further assist you.

Sincerely,



Patrick Weaver
Laboratory Director



AH-04-1870

VIA ELECTRONIC MAIL AND UPS NEXT DAY AIR



BorgWarner

October 25, 2004

Anastasia Hamel
Director, Environmental Programs
BorgWarner Inc.
Powertrain Technical Center
3800 Automation Avenue, Suite 100
Auburn Hills, Michigan 48326-1782

Mr. Tony Russell
Assessment Remediation Branch
Mississippi Department of Environmental Quality
101 West Capitol Street
Jackson, Mississippi 39201

Re: Administrative Order No. 4877 - 04

Dear Mr. Russell:

At the request of Kuhlman Electric Corporation ("KEC"), BorgWarner Inc. ("BorgWarner") is responding on KEC's behalf to Mississippi Department of Environmental Quality ("MDEQ") Administrative Order No. 4877-04, Section 7, Paragraph A.

Pursuant to its indemnification of KEC, BorgWarner is preparing to undertake the actions required by Paragraph A of the Administrative Order as follows:

(A) Within thirty (30) days of the date of this Order, Respondents or either of them must submit an INTERIM corrective action plan, which addresses the following in the order listed:

- 1) the elimination of actual exposure to individuals (receptors),
- 2) the elimination of minimization of off-site migration of contaminants,
- 3) the elimination of potential exposure to receptors, and
- 4) the reduction of concentrations of contaminants to levels protective of human health and the environment

The 115 Brent Street property consists of two parcels. Mid-South Leasing owns one parcel and the one story wood frame house it moved onto this parcel from another location in either late 1999 or early 2000. The City of Crystal Springs owns the parcel south of the Mid-South Leasing parcel. The combined parcels form the 115 Brent Street property.

The 115 Brent Street property is approximately 95 feet by 120 feet in size. This dimension includes the easement for Brent Street on the west property boundary. The topography slopes from northeast to southwest. Brent Street borders the property to the south and west. Stormwater runoff flows to the southwest corner of the property. The original property was backfilled, for a building site, with soil reportedly impacted by PCBs.

As a preliminary measure the property has been surrounded by temporary security fencing and is posted against trespassing. The INTERIM Corrective Action plan at the 115 Brent Street property will involve the capping of surficial impacted soil using a synthetic plastic liner material. The liner and fencing system will:

- eliminate actual exposure to individuals (receptors) by providing a durable impervious barrier that will prevent direct human and animal contact with impacted soil;
- eliminate or minimize off-site migration of contaminants by providing a durable, impervious barrier that will prevent stormwater and wind from coming in direct contact with impacted soil;
- eliminate the potential exposure to receptors by providing physical barriers against human or animal contact with impacted soil, and will be posted with warnings against trespassing;
- reduce the concentrations of contaminants to levels protective of human health and the environment by isolating impacted soil from natural erosive mechanisms, by providing a clean, protective, imperious barrier against human or animal contact.

Prior to installation of the liner the site will be mowed, and debris that may damage the liner will be removed and properly disposed of. The liner material will be a minimum of 40-mil thick ultraviolet resistant low-density polyethylene. Seams will be heat welded at the time of the installation. The liner borders will be anchored by "keying" the edges into soil trenches at the perimeter of the site. Keying will be accomplished by laying the plastic edge in the trench and backfilling the trench with clean soil. All spoil from the trenching process will be left under the liner after installation.

The entire area of known impacted soil to the north and east of the existing house will be covered, and the plastic will extend to the edge of pavement on the west and south. If additional impacted soil is identified during future planned assessment activities the liner will be extended to cover those areas.

After installation of the cover, weekly inspections will be conducted by BorgWarner's contractors to identify and correct any damage or wear and tear that may occur to the cover, anchoring system, security fencing, and signage.

The liner will remain in place until remediation of the site is completed.

(B) Implement the INTERIM corrective action plan within sixty (60) days of the date of this Order.

BorgWarner plans to proceed with the implementation of the INTERIM corrective action plan upon receiving MDEQ's approval of the plan as described (above) under the response to Paragraph A of the Administrative Order.

In addition, Paragraph C of the Administrative Order provides:

(C) Within sixty (60) days of the date of this Order, Respondents must submit a Site Characterization Work Plan that identifies and defines the extent of contamination both on-site and off-site in the format prescribed by MDEQ. A proposed schedule must accompany the Site Characterization Work Plan indicating all phases of Site Characterization activities, including a proposed Site Characterization completion date.

For clarification purposes, it is BorgWarner's understanding that the intention of Paragraph C of the Order is that the Characterization Work plan that is to be submitted will identify the activities to be conducted to define the extent of contamination both on-site and off-site in the format prescribed by MDEQ.

A subsequent Site Characterization Report will identify and define the extent of contamination both on-site and off site and detail the findings developed as a result of the implementation of the Site Characterization Work Plan.

Please note that it is imperative that BorgWarner promptly receive complete and thorough information indicating the types of materials deposited at the 115 Brent Street property by David Rodgers and LM&R. If the information is not received within the required timeframe, BorgWarner will not have the information it needs to prepare a Site Characterization Work Plan that includes the appropriate elements as requested by MDEQ. Further, activities subsequent to Order requirement 7(C) can only proceed with the commensurate participation by co-Respondents given their development and sale of the property subsequent to the discovery of contamination. BorgWarner requests that MDEQ make itself available to designate or facilitate tasks between Respondents if necessary.

Finally, please note that BorgWarner will not be able to perform any activity under the Order, which requires access to the Brent Street property and possibly other adjacent property(ies) unless such access is granted by the owner(s). In the event that the owner(s) is unwilling to grant such access voluntarily, BorgWarner requests that MDEQ make itself available to facilitate such access.

Mr. Tony Russell, MDEQ
115 Brent Street Order
October 25, 2004
Page 4 of 4

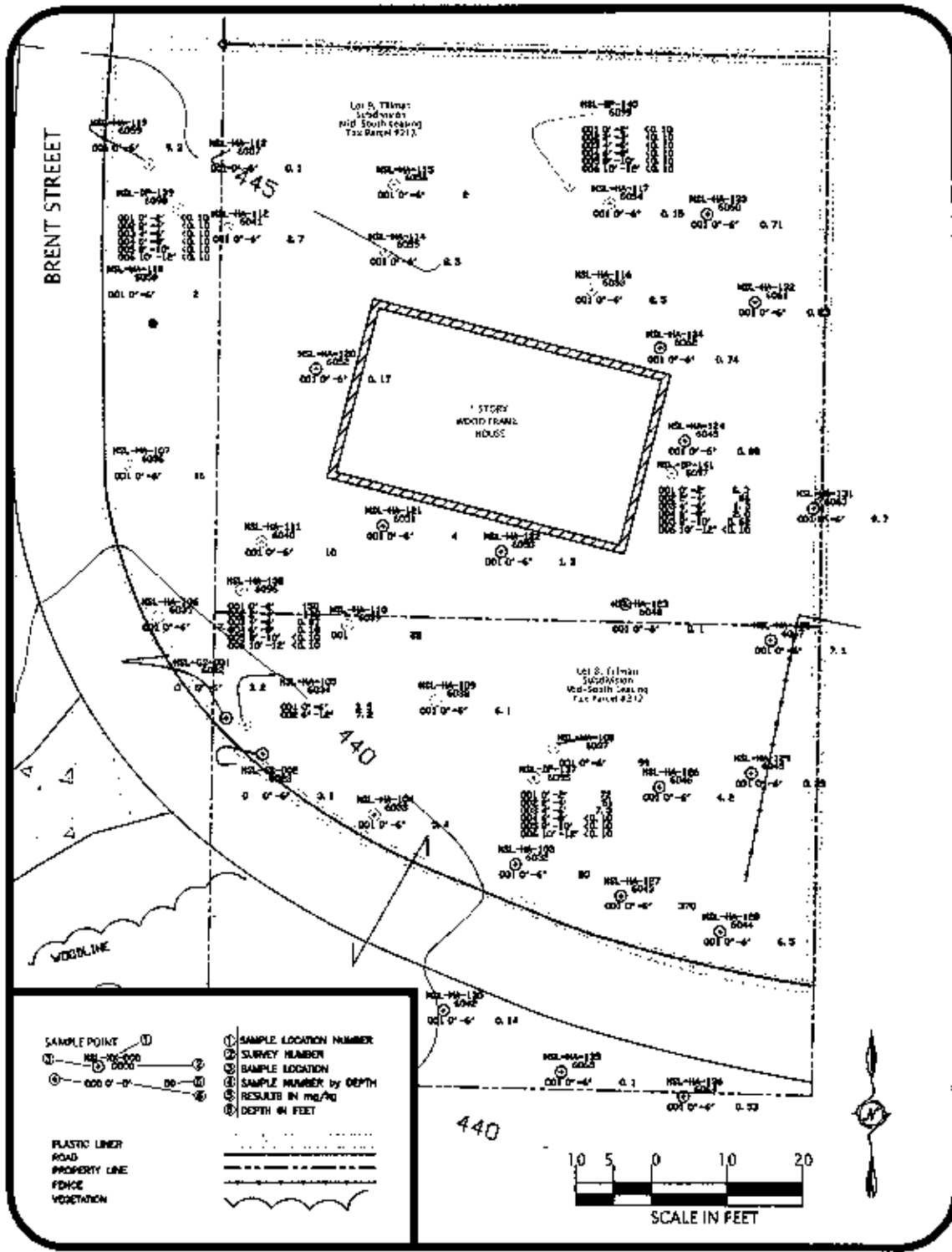
Please contact the undersigned directly at 248-754-0159 in the event there are any questions on the above.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Anastasia Hamel". The signature is written in black ink and is positioned above the printed name.

Anastasia Hamel
Director, Environmental Programs
BorgWarner Inc.

cc: S. Bransfield, BW
S. Levine, Esq.
J. Barrett, Esq.
P. Acheson, KEC
T. Minnich, KEC



MARTIN & SLAGLE
 GeoEnvironmental Associates, LLC
 PO Box 1023
 Black Mountain NC 28711
 828.669.3929 828.669.5289

REV: 0
 DATE: 10/26/2004
 DR: DGR
 CHK: RLM

INTERIM CORRECTIVE ACTION PLAN
 115 BRENT STREET
 CRYSTAL SPRINGS, MS

PREPARED FOR:
BorgWarner Inc.

FIGURE 1



"Hamel, Anastasia (PTC-Auburn Hills)" <AHamel@BWAUTO.com> on
10/28/2004 03:23:01 PM

To: "Russell Tony - MDEQ (E-mail)" <Tony_Russell@deq.state.ms.us>
cc: "Young Brian - MDEQ (E-mail)" <Brian_Young@deq.state.ms.us>
Subject: 115 Brent Street Order Response Letter

Dear Tony,

Attached is the Response Letter for the 115 Brent Street Order.

Thank you.
Anastasia

<<Interim CAP Site Plan.pdf>> <<MDEQ 115 Brent St. Order Letter
Response.pdf>>

Anastasia Hamel
Director, Environmental Programs
SorgWarner Inc.
Phone: (248) 754-0159
Fax: (248) 754-9159
e-mail: ahamel@bwauto.com



Interim CAP Site Plan.pdf



MDEQ 115 Brent St. Order Letter Response.pdf

AH-04-1870

VIA ELECTRONIC MAIL AND UPS NEXT DAY AIR



BorgWarner

October 25, 2004

Mr. Tony Russell
Assessment Remediation Branch
Mississippi Department of Environmental Quality
101 West Capitol Street
Jackson, Mississippi 39201

Anastasia Hamel
Director, Environmental Programs
BorgWarner Inc.
Powertrain Technical Center
3800 Automation Avenue, Suite 180
Auburn Hills, Michigan 48326-1782

Re: Administrative Order No. 4877 - 04

Dear Mr. Russell:

At the request of Kuhlman Electric Corporation ("KEC"), BorgWarner Inc. ("BorgWarner") is responding on KEC's behalf to Mississippi Department of Environmental Quality ("MDEQ") Administrative Order No. 4877-04, Section 7, Paragraph A.

Pursuant to its indemnification of KEC, BorgWarner is preparing to undertake the actions required by Paragraph A of the Administrative Order as follows:

(A) Within thirty (30) days of the date of this Order, Respondents or either of them must submit an INTERIM corrective action plan, which addresses the following in the order listed:

- 1) the elimination of actual exposure to individuals (receptors),**
- 2) the elimination of minimization of off-site migration of contaminants,**
- 3) the elimination of potential exposure to receptors, and**
- 4) the reduction of concentrations of contaminants to levels protective of human health and the environment**

The 115 Brent Street property consists of two parcels. Mid-South Leasing owns one parcel and the one story wood frame house it moved onto this parcel from another location in either late 1999 or early 2000. The City of Crystal Springs owns the parcel south of the Mid-South Leasing parcel. The combined parcels form the 115 Brent Street property.

The 115 Brent Street property is approximately 95 feet by 120 feet in size. This dimension includes the easement for Brent Street on the west property boundary. The topography slopes from northeast to southwest. Brent Street borders the property to the south and west. Stormwater runoff flows to the southwest corner of the property. The original property was backfilled, for a building site, with soil reportedly impacted by PCBs.

As a preliminary measure the property has been surrounded by temporary security fencing and is posted against trespassing. The INTERIM Corrective Action plan at the 115 Brent Street property will involve the capping of surficial impacted soil using a synthetic plastic liner material. The liner and fencing system will:

- eliminate actual exposure to individuals (receptors) by providing a durable impervious barrier that will prevent direct human and animal contact with impacted soil;
- eliminate or minimize off-site migration of contaminants by providing a durable, impervious barrier that will prevent stormwater and wind from coming in direct contact with impacted soil;
- eliminate the potential exposure to receptors by providing physical barriers against human or animal contact with impacted soil, and will be posted with warnings against trespassing;
- reduce the concentrations of contaminants to levels protective of human health and the environment by isolating impacted soil from natural erosive mechanisms, by providing a clean, protective, impervious barrier against human or animal contact.

Prior to installation of the liner the site will be mowed, and debris that may damage the liner will be removed and properly disposed of. The liner material will be a minimum of 40-mil thick ultraviolet resistant low-density polyethylene. Seams will be heat welded at the time of the installation. The liner borders will be anchored by "keying" the edges into soil trenches at the perimeter of the site. Keying will be accomplished by laying the plastic edge in the trench and backfilling the trench with clean soil. All spoil from the trenching process will be left under the liner after installation.

The entire area of known impacted soil to the north and east of the existing house will be covered, and the plastic will extend to the edge of pavement on the west and south. If additional impacted soil is identified during future planned assessment activities the liner will be extended to cover those areas.

After installation of the cover, weekly inspections will be conducted by BorgWarner's contractors to identify and correct any damage or wear and tear that may occur to the cover, anchoring system, security fencing, and signage.

The liner will remain in place until remediation of the site is completed.

Mr. Tony Russell, MDEQ
115 Brent Street Order
October 25, 2004
Page 3 of 4

(B) Implement the INTERIM corrective action plan within sixty (60) days of the date of this Order.

BorgWarner plans to proceed with the implementation of the INTERIM corrective action plan upon receiving MDEQ's approval of the plan as described (above) under the response to Paragraph A of the Administrative Order.

In addition, Paragraph D of the Administrative Order provides:

(C) Within sixty (60) days of the date of this Order, Respondents must submit a Site Characterization Work Plan that identifies and defines the extent of contamination both on-site and off-site in the format prescribed by MDEQ. A proposed schedule must accompany the Site Characterization Work Plan indicating all phases of Site Characterization activities, including a proposed Site Characterization completion date.

For clarification purposes, it is BorgWarner's understanding that the intention of Paragraph C of the Order is that the Characterization Work plan that is to be submitted will identify the activities to be conducted to define the extent of contamination both on-site and off-site in the format prescribed by MDEQ.

A subsequent Site Characterization Report will identify and define the extent of contamination both on-site and off site and detail the findings developed as a result of the implementation of the Site Characterization Work Plan.

Please note that it is imperative that BorgWarner promptly receive complete and thorough information indicating the types of materials deposited at the 115 Brent Street property by David Rogers and LM&R. If the information is not received within the required timeframe, BorgWarner will not have the information it needs to prepare a Site Characterization Work Plan that includes the appropriate elements as requested by MDEQ. Further, activities subsequent to Order requirement 7(C) can only proceed with the commensurate participation by co-Respondents given their development and sale of the property subsequent to the discovery of contamination. BorgWarner requests that MDEQ make itself available to designate or facilitate tasks between Respondents if necessary.

Finally, please note that BorgWarner will not be able to perform any activity under the Order, which requires access to the Brent Street property and possibly other adjacent property(ies) unless such access is granted by the owner(s). In the event that the owner(s) is unwilling to grant such access voluntarily, BorgWarner requests that MDEQ make itself available to facilitate such access.

Mr. Tony Russell, MDEQ
115 Brent Street Order
October 25, 2004
Page 4 of 4

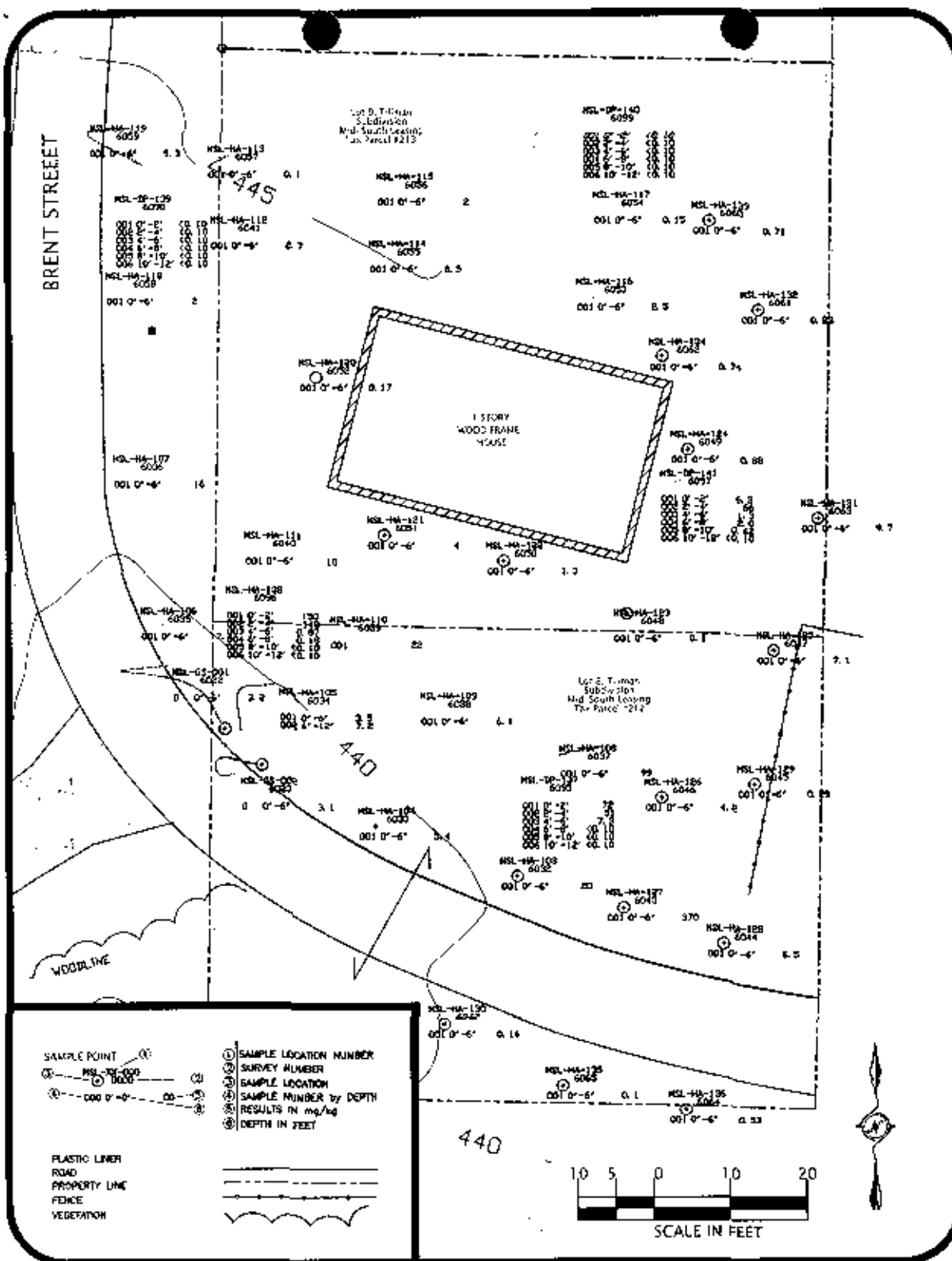
Please contact the undersigned directly at 248-754-0159 in the event there are any questions on the above.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Anastasia Hamel". The signature is written in black ink and extends across the width of the page.

Anastasia Hamel
Director, Environmental Programs
BorgWarner Inc.

cc: S. Bransfield, BW
S. Levine, Esq.
J. Barrett, Esq.
P. Acheson, KEC
T. Minnich, KEC



MARTIN SLAGLE

GeoEnvironmental Associates, LLC

PO Box 1023
 Black Mountain NC 28711
 828.669.3929 828.669.5289

REV: 0

DATE: 10/26/2004

DR: DGR

CHK: RLM

PREPARED FOR:
BorgWarner Inc.

INTERIM CORRECTIVE ACTION PLAN

115 BRENT STREET
 CRYSTAL SPRINGS, MS

FIGURE 1



STATE OF MISSISSIPPI
HALEY BARBOUR
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
CHARLES H. CHISOLM, EXECUTIVE DIRECTOR
October 28, 2004

Ms. Anastasia Hamel, Director
Environmental Programs
BorgWarner, Inc.
3800 Automation Avenue, Suite 100
Auburn Hills, MI 48326-1782

Re: Kuhlman Electric Corporation
Comprehensive Groundwater Assessment Plan, dated October 2004
Crystal Springs, Mississippi

Dear Ms. Hamel:

The Mississippi Department of Environmental Quality (MDEQ) has completed a review of the above referenced document and has the following comments:

1. Section 2.6: It is stated that the chlorinated benzene compounds will be analyzed for using EPA methods 8260B, and 8082. The MDEQ requests method 8270C be added to all samples sent off-site for analysis so that semi-volatile organic compounds may be screened for during this investigational phase.
2. Section 2.7: It is stated that the groundwater may be purged and/or sampled using submersible pumps. If a pump is used to purge the monitoring wells, it must be decontaminated prior to reuse. Please specify these procedures. Furthermore, depending on the type of submersible pump, it may not be suitable for the collection of samples for analysis of volatile organic compounds due to the possibility of the pump adversely affecting the quality of the sample.
3. Section 2.7: No specific decontamination procedures for field equipment were outlined in the work plan. However, as the USEPA, Region 4 EISOPQAM was referenced in the work plan, it was implied and understood by MDEQ that the procedures in the EISOPQAM will be followed. In addition, as the Waterloo Profiler is unique to this project, please specify the decontamination procedures for this piece of equipment.

Ms. Anastasia Ham

October 28, 2004

Page 2

4. Section 2.7: It is stated that the borehole will be pressure grouted from the bottom up as the Waterloo Sampler is withdrawn from the borehole. Please specify the type of grout to be used in the borehole.
5. Section 2.7: It is stated that purging will continue until temperature, pH, and specific conductance have stabilized. For existing monitoring wells, turbidity shall be added to the stabilization parameters. If less than 3-5 well volumes are going to be purged, the EISOPQAM shall be followed (with regards to the stabilization parameters) when determining if a monitoring well has been adequately purged.

Please respond to the above comments within thirty (30) days from the date of this letter. If you should have any questions or comments, you may contact Brian Young at 601.961.5088.

Sincerely,



Brian Young
Project Manager



Tony Russell, Chief
Assessment & Remediation Branch

Cc: Robert Martin, Martin and Slagle

BARFIELD & ASSOCIATES

ATTORNEYS AT LAW, P.A.
288 EAST CAPITOL STREET
POST OFFICE DRAWER 3979
JACKSON, MISSISSIPPI 39207-3979

TELEPHONE (601) 968-9420
FACSIMILE (601) 968-9425

JACKSON OFFICE

DAVID A. BARFIELD
LARA ASHLEY COLEMAN
RICHARD D. GAMBLIN
STEVEN L. LACEY
WES W. PETERS
PAUL A. PURNELL
KIMBERLY P. WALLACE

NEW ORLEANS OFFICE

CASSANDRA J. ALLEN
KAY B. BAXTER*
J. McCLES BELARD

*ADMITTED IN LOUISIANA,
MISSISSIPPI AND ARKANSAS

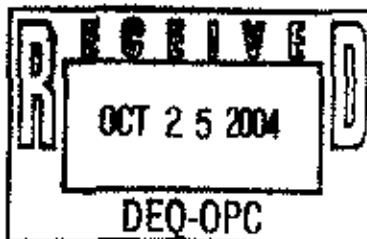
400 POYDRAS STREET, SUITE 1400
NEW ORLEANS, LOUISIANA 70130
TELEPHONE (504) 566-1582
FACSIMILE (504) 565-1500



October 22, 2004

VIA HAND DELIVERY

Mr. Charles H. Chisolm
Executive Director
Mississippi Department of Environmental Quality
2380 Highway 80 West
Jackson, Mississippi 39204



Re: *Mississippi Commission on Environmental Quality v. Kuhlman Electric Corporation and David Rodgers*, Before the Mississippi Commission on Environmental Quality, Order No. 4877 04

Dear Mr. Chisolm:

Enclosed please find a Sworn Petition and Notice of Appeal which is being served on you on behalf of L. M. & R. Service, Inc. and David Louis Rodgers.

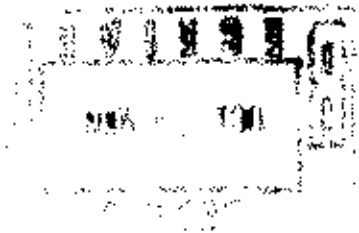
Very truly yours,

BARFIELD & ASSOCIATES
Attorneys at Law, P.A.

David A. Barfield

DAB:ka
Enclosure

cc: Mr. Tony Russell w/encl. *via Hand Delivery*
Chuck D. Barlow, Esq. w/encl. *via U. S. Mail*
Mr. John Zvolensky w/encl. *via U. S. Mail*
Thomas D. Lupo, Esq. w/encl. *via U. S. Mail*
Thomas W. Tyner, Esq. w/encl. *via U. S. Mail*



BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 4877 04

KUHLMAN ELECTRIC CORPORATION
ATTN: JOHN ZVOLENSKY
PRESIDENT AND CEO
101 KUHLMAN BOULEVARD
VERSAILLES, KENTUCKY 40383

DAVID RODGERS, INDIVIDUALLY AND AS
PRESIDENT
L.M.&R. SERVICE, INC.
4152 SIX MILE ROAD
CRYSTAL SPRINGS, MISSISSIPPI 39059

RESPONDENTS

SWORN PETITION AND NOTICE OF APPEAL

Pursuant to Mississippi Code Ann. § 49-17-41, Respondents, L. M. & R. Service, Inc.¹ ("LM&R") and David Louis Rodgers ("Rodgers"), file this Sworn Petition and Notice of Appeal of the Mississippi Commission on Environmental Quality's (the "Commission") September 23, 2004 Order ("Order"), and hereby request a hearing before the Full Commission. As set forth below, and as will be further shown at the Commission hearing, the Commission's Order should be reversed as to Respondents LM&R and Rodgers for the following reasons:

1. Any contamination found at the Kuhlman Electric Corporation ("Kuhlman") site and ultimately at any Brent Street property in Crystal Springs, Mississippi was caused not by Rodgers

¹ David Louis Rodgers is not now, and has never been, the President of LM&R. His son, David Lester Rodgers is the President of LM&R and has been since its incorporation. Accordingly, LM&R has not been properly served with the Commission's Order. However, LM&R has been made aware of the same and, in the spirit of cooperation, hereby waives formal service of the Order.

and LM&R, but by Kuhlman and/or employees of Kuhlman. Rodgers and LM&R were unaware that any contamination existed at the Kuhlman site until Rodgers was served with a Summons and Complaint in the *Kellum, et al. v. Kuhlman Corporation, et al.* matter in mid-2001. If LM&R and Rodgers had been aware of contamination at Kuhlman, Rodgers and LM&R would not have hauled soil and debris from the site to property personally owned by Rodgers.

2. The Commission's Order requires extensive remediation at the Brent Street property. Rodgers and LM&R have no knowledge or experience in how to develop remediation plans for contaminated property. Further, and most importantly, Rodgers and LM&R have no financial resources with which to accomplish a remediation such as this.

3. If the Brent Street property is contaminated, it is Kuhlman that contaminated the property. Rodgers and LM&R believed they were hauling normal dirt, concrete and debris to fill in a hole on some property owned by Rodgers. But for Kuhlman's acts or omissions, there would be no need to remediate the Brent Street property. It is Kuhlman that contaminated the soil and debris hauled to Brent Street. It is Kuhlman that failed to advise Rodgers that the soil and debris he was removing from the property was contaminated. It is Kuhlman that is liable for any remediation of the Brent Street property. It is Kuhlman who has the financial resources to accomplish a remediation such as this. It is Kuhlman that has the knowledge and ability to properly complete a remediation. It is Kuhlman that has been and is currently remediating property in various parts of Covich County as a result of contamination.

4. The Commission's Order does not adequately identify any particular statute, rule or regulation Rodgers and/or LM&R are alleged to have violated and, therefore, is so impermissibly

vague as to prevent an adequate defense so as to be violative of the Constitutions of the United States and the State of Mississippi.

5. Ordering Rodgers and LM&R to remediate the property results in an unconstitutional taking of property without due process of law in violation of the Constitutions of the United States and the State of Mississippi.

6. Under the law of the State of Mississippi, Rodgers and LM&R are entitled to full indemnity from Kuhlman, making Kuhlman the only ultimately responsible party, so the Order for remediation should properly be directed only to Kuhlman.

7. No act or omission of Rodgers or LM&R caused in fact, the soil and debris which was deposited at Brent Street to be contaminated and there was no basis for them to know of such contamination and, therefore, they can and should have no legal liability for remediation.

8. For the foregoing reasons and other reasons to be presented at the hearing on this matter, the Commission's September 23, 2004 Order should be reversed as to Respondents, David Rodgers and LM&R, and the Order should be amended to reflect that Kuhlman is solely responsible for remediating the Brent Street property.

Respectfully submitted, this the 30th day of October, 2004.



DAVID LOUIS RODGERS

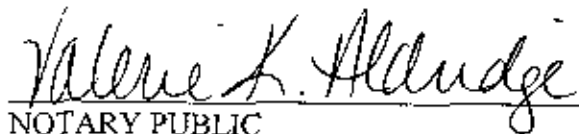


L. M. & R. SERVICE, INC
By: David Lester Rodgers, Its President

STATE OF MISSISSIPPI
COUNTY OF HINDS

Personally appeared before me, the undersigned authority in and for the aforesaid jurisdiction, David Louis Rodgers, who acknowledged to me, after being first duly sworn, that the matters and facts set forth in the foregoing Sworn Petition and Notice of Appeal are true and correct to the best of his knowledge, information and belief.

SWORN TO AND SUBSCRIBED BEFORE ME, this the 20th day of October, 2004.


NOTARY PUBLIC

My Commission Expires:

MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES DEC. 30, 2007
BONDED THRU STEGALL NOTARY SERVICE

STATE OF MISSISSIPPI
COUNTY OF HINDS

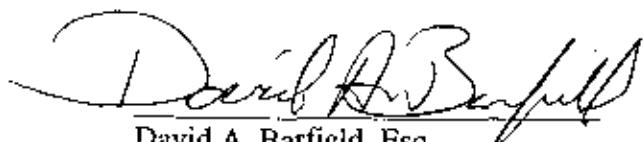
Personally appeared before me, the undersigned authority in and for the aforesaid jurisdiction, David Lester Rodgers, President of L.M.&R. Service, Inc., who acknowledged to me, after being first duly sworn, that the matters and facts set forth in the foregoing Sworn Petition and Notice of Appeal are true and correct to the best of his knowledge, information and belief.

SWORN TO AND SUBSCRIBED BEFORE ME, this the 20th day of October, 2004.


NOTARY PUBLIC

My Commission Expires:

MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES DEC. 30, 2007
BONDED THRU STEGALL NOTARY SERVICE



David A. Barfield, Esq.

MS Bar No. 1994

Lara Ashley Coleman, Esq.

MS Bar No. 10506

BARFIELD & ASSOCIATES

Attorneys at Law, P.A.

233 East Capitol Street

Post Office Drawer 3979

Jackson, Mississippi 39207-3979

Telephone: (601) 968-9420

Facsimile: (601) 968-9425

**ATTORNEYS FOR L.M.&R. SERVICE, INC.
AND DAVID LOUIS RODGERS**

CERTIFICATE OF SERVICE

I, David A. Barfield, one of the attorneys for David Louis Rodgers and L.M.&R. Service, Inc., do hereby certify that I have this day caused to be sent a true and correct copy of the above and foregoing Sworn Petition and Notice of Appeal to the following:

VIA HAND DELIVERY

Mr. Charles H. Chisolm
Executive Director
Mississippi Department of Environmental Quality
2380 Highway 80 West
Jackson, Mississippi 39204

Mr. Tony Russell
Assessment Remediation Branch
Mississippi Department of Environmental Quality
101 West Capitol Street
Jackson, Mississippi 39201

VIA U. S. MAIL

Chuck D. Barlow, Esq.
General Counsel
Mississippi Department of Environmental Quality
Post Office Box 20305
Jackson, Mississippi 39289-1305

Mr. John Zvolensky
President and CEO
Kuhlman Electric Corporation
101 Kuhlman Boulevard
Versailles, Kentucky 40383

Thomas D. Lupo, Esq.
Scyfarth Shaw
55 E. Monroe Street, Suite 4200
Chicago, Illinois 60603-5803

Thomas W. Tyner, Esq.
Daphne M. Lancaster, Esq.
Aultman, Tyner, Ruffin,
& Yarborough, Ltd.
Post Office Drawer 750
Hattiesburg, Mississippi 39403-0750

Anticipated Counsel for Kuhlman Electric Corporation

So certified, this the 22nd day of October, 2004.


David A. Barfield

DAVID NUTT & ASSOCIATES

ATTORNEYS AT LAW

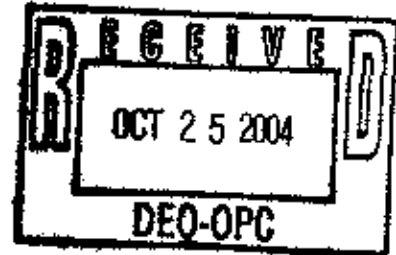
DAVID H. NUTT
MARY E. MCALISTER*
DOUGLAS G. MERCIER

*also licensed in Louisiana

JOLIE CULIPHER, PARALEGAL
BETH CLATWORTHY, PARALEGAL
RENISE D. HITT, PARALEGAL



October 18, 2004



Tony Russell
Chief, Uncontrolled Sites
101 W. Capitol Street
Jackson, MS 39201

Re: Kuhlman Electric Corporation site, Crystal Springs, MS
Williams, et al. v. Kuhlman Corporation, et al., In the Circuit
Court for the First Judicial District of Hinds County, Mississippi CA# 251-03-000102-CIV

Dear Mr. Russell:

We represent Maggie Tanner Williams, individually and on behalf of her deceased husband, T. J. Williams, 106 Puckett Street, Crystal Springs, Mississippi. During our investigation of the Williams' claims, our experts at 3TM International, Inc. found PCB concentrations above the state remediation standard of 1 ppm in the soil at the Williams' home. Enclosed is a copy of 3TM's Report, PCB Litigation, Crystal Springs, MS, dated December 18, 2001. We have flagged the pertinent pages for your review.

Please advise whether or not MDEQ has ordered or will order Kuhlman to remediate Mrs. Williams' yard, and if so, whether or not MDEQ will require Kuhlman to relocate Mrs. Williams and her household members during remediation activities. We specifically request that the inhabitants of her home be relocated during remediation as we have growing evidence in blood studies that our clients in Crystal Springs are subject to current and ongoing exposure to Arochlor 1260, the source of which can only be remedial activities by Kuhlman and its contractors. For that reason, we request MDEQ to require Kuhlman to relocate the inhabitants of Mrs. Williams' home during remediation activities at her residence to minimize human exposure.

We look forward to your reply. Please let us know if you need any further information.

Sincerely yours,

Mary E. McAlister

Enclosure

Cc: Mrs. Maggie Tanner Williams
Co-counsel, via email only
U.S.E.P.A., Craig Brown

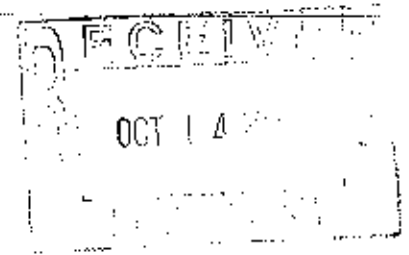


BorgWarner
Inc.

200
South
Michigan
Avenue

Chicago
Illinois
60604

Telephone
312 322 6500



AH-04-1865

VIA UPS NEXT DAY AIR



BorgWarner

October 13, 2004

Anastasia Hamel
Director, Environmental Programs
BorgWarner Inc.
Powertrain Technical Center
3800 Automation Avenue, Suite 100
Auburn Hills, Michigan 48326-1782

Mr. Tony Russell
Chief – Assessment and Remediation Branch
Mississippi Department of Environmental Quality
101 West Capitol Street
Jackson, Mississippi 39201

FILE COPY

**Re: Comprehensive Groundwater Assessment Plan
Kuhlman Electric Corporation,
Crystal Springs, MS**

Dear Mr. Russell:

Attached for your review and approval is the Comprehensive Groundwater Assessment Plan in connection with the Kuhlman Electric Corporation (KEC) facility, located in Crystal Springs, Mississippi.

Please contact me directly at 248-754-0159 in the event there are any questions on the attached.

Very truly yours,

Anastasia Hamel
Director, Environmental Programs
BorgWarner Inc.

Attachment



"Hamel, Anastasia (PTC-Auburn Hills)" <AHamel@BWAUTO.com> on
10/06/2004 10:38:56 AM

To: "Russell Tony - MDEQ (E-mail)" <Tony_Russell@deq.state.ms.us>, "Young Brian - MDEQ (E-mail)"
<Brian_Young@deq.state.ms.us>
cc: "Martin & Slagle (E-mail)" <robert.martin@martinandslagle.com>, "Crystal Springs - Field Office (E-mail)"
<slag4881@bellsouth.net>
Subject: West Railroad Culvert Sampling

Dear Tony,

Per our telephone discussion and your request attached is the detailed
sampling plan for the West Railroad Avenue culvert.

Thank you.
Anastasia

Anastasia Hamel
Director, Environmental Programs
BorgWarner Inc.
Phone: (248) 754-0159
Fax: (248) 754-9159
e-mail: ahamel@bwauto.com



West RR Avenue Culvert Sampling.pdf

AH-04-1864

VIA ELECTRONIC MAIL



BorgWarner

October 6, 2004

Mr. Tony Russell
Chief - Assessment and Remediation Branch
Mississippi Department of Environmental Quality
101 West Capitol Street
Jackson, Mississippi 39201

Anastasia Hamel
Director, Environmental Programs
BorgWarner Inc.
Powertrain Technical Center
3800 Automation Avenue, Suite 100
Auburn Hills, Michigan 48326-1782

**Re: West Railroad Avenue Culvert Sampling
Crystal Springs, MS**

Dear Mr. Russell:

This is to confirm our telephone discussion earlier today, October 6, 2004, concerning the sampling of the West Railroad Avenue culvert in Crystal Springs, Mississippi. The culvert sampling is scheduled to begin at 1:00 pm on October 7, 2004.

As we discussed, BorgWarner Inc. plans to collect samples of concrete from various locations inside the culvert to determine the average concentration of polychlorinated biphenyls (PCBs) on the concrete surface and also determine if the concrete culvert can be left as is or whether remediation is necessary.

The culvert's inside diameter is 54 inches and its length is approximately 40 feet. A total of 12 concrete samples (three samples from each 10 ft. section) will be collected over the entire length of the culvert pipe. One sample of the three will be collected from the invert of the culvert pipe and two samples will be collected from the sidewalls in the lower half of the culvert pipe.

The samples will be collected by first pulverizing the concrete on the surface of the culvert pipe with an impact hammer equipped with a chisel point. The sample depth will not exceed 0.5 inches. The pulverized concrete will be collected in glass containers, sealed and carried to the on-site laboratory. Following collection of the samples, areas where samples were collected will be filled with a durable patching material to prevent any future erosion. The chisel and any other sampling equipment will be decontaminated after each sample.

The concrete samples will be analyzed for PCBs by the on-site laboratory. A total of 10 % of the samples will be split, and the split samples will be sent to the off-site laboratory for confirmation analysis.

Mr. Tony Russell - MDEQ
West Railroad Avenue Culvert Sampling
October 6, 2004
Page 2 of 2

The OSHA HAZWOPER and Confined Space entry requirements will be adhered to during the sampling process.

Thank you very much for your verbal approval for the West Railroad Avenue culvert sampling plan and please let us know if you wish to be present.

Please contact me directly at 248-754-0159 in the event there are any questions on the above.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Anastasia Hamel", with a long horizontal flourish extending to the right.

Anastasia Hamel
Director, Environmental Programs
BorgWarner Inc.

cc: Brian Young, MDEQ
Chuck Peel
Martin & Slagle

Mississippi Department of Environmental Quality
Meeting Attendees List

Date September 30, 2004

Company or Site Kuhlman Electric Corp.

Location KEC/Crystal Springs, MS

Participant	Company Organization	Email Address	Phone Number
Tony Russell	MDEQ	Tony_Russell@deq.state.ms.us	(601) 961-5318
Brian Young	MDEQ	Brian_Young@deq.state.ms.us	(601) 961-5088
Marty Crowder	Crowder Engineering	crowder@telepak.net	662-285-2062
ANITA ROSA HAMIL	BW	ahamil@bwauto.com	(248) 754-0159
Chuck Peel	Peel Consulting	cpeel@bellsouth.net	(601) 955 8531
Gled Thompson	USES		(601) 278-7926
Robert Martin	Martin & Slagle	robert.martin@martinandslagle.com	828/669-3929
PAUL ACHESON	KUHLMAN	paul@kuhlman.com	(601) 892-6408
Randy McElroy	McElroy	rmcelroy@mcelroyonline.net	601.482.7117
WALTER T RIFLEY	CITY OF CRYSTAL SPRING	AggieWjr@aol.com	601-892-1210
ROBERT W. LAWRENCE	CITY	RWL0191@aol.com	601-892-5628
Meeting Summary			
John Perry	WGK	jperry@wgkengineers.com	601-894-2000
Robert Soons	City		624-3403
Lizbeth COLEMAN	WGK	LCOLEMAN@WGKENGINEERS.COM	601-894-2000
Alan Thomas	KEC	athomas@kuhlman.com	601-892-6462
Alan Raynor	KEC	alraynor@kuhlman.com	601 892 6567

Tony Russell



STATE OF MISSISSIPPI
HALEY BARBOUR
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
CHARLES H. CHISOLM, EXECUTIVE DIRECTOR

September 27, 2004

**CERTIFIED MAIL NO. 7004 116 0001 8199 9127
RETURN RECEIPT REQUESTED**

Mr. John Zvolensky, President
Kuhlman Electric Corporation
101 Kuhlman Boulevard
Versailles, Kentucky 40383

FILE COPY

**CERTIFIED MAIL NO. 7004 1160 0001 8199 9134
RETURN RECEIPT REQUESTED**

David Rodgers, President
L. M. & R. Service, Inc.
4152 six Mile Road
Crystal Springs, MS 39059

Re: Brent Street Properties
Crystal Springs, Mississippi

Dear Mssrs. Zvolensky and Rodgers:

Enclosed is a copy of Administrative Order No. 4877 04 which has been issued by the Mississippi Department of Environmental Quality as a result of environmental issues regarding the above-referenced site. Your cooperation in carrying out the provisions of this order is encouraged.

If you have any questions, please contact Mr. Tony Russell at telephone number (601) 961-5171.

Sincerely,

Phil Bass, Director
Office of Pollution Control

PB:pl
Enclosure
cc: Mr. Tony Russell

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 4877 04

KUHLMAN ELECTRIC CORPORATION
ATTN: JOHN ZVOLENSKY
PRESIDENT AND CEO
101 KUHLMAN BOULEVARD
VERSAILLES, KENTUCKY 40383

FILE COPY

DAVID RODGERS, INDIVIDUALLY AND AS
PRESIDENT
L.M. & R. SERVICE, INC.
4152 SIX MILE ROAD
CRYSTAL SPRINGS, MISSISSIPPI 39059

RESPONDENTS

ORDER

The above-captioned cause came before the Executive Director of the Mississippi Department of Environmental Quality (MDEQ) this day for ex parte consideration under the authority of Miss. Code Ann. 49-2-13 (Rev. 1999), and the Executive Director, having heard and considered the evidence therein, and having determined that an Administrative Order should issue prefatory to any evidentiary hearing and without making any final adjudication of fact or law, finds as follows:

1.

Respondents are subject to Miss. Code Ann. 17-17-1 et seq. and 49-17-1 et seq. and the rules and regulations of the Mississippi Commission on Environmental Quality (Commission).

2.

Respondent, Kuhlman Electric Corporation (Kuhlman), is the current owner and operator of the Kuhlman Electric facility (the Site) located at 101 Kuhlman Drive in Crystal Springs, Mississippi 39059. Respondent, David Rodgers, is the current owner and operator of L. M. & R Service, Inc. (LM&R), a construction/hauling company, located at 4152 Six Mile Road in Crystal Springs, Mississippi 39059.

3.

On April 20, 2000, MDEQ was notified that a substance had been unearthed during an excavation for a building expansion at the Site. Laboratory samples collected of the substance revealed the presence of polychlorinated biphenyls (PCBs) and several chlorinated benzenes.

4.

Pursuant to an indemnity agreement with Kuhlman, BorgWarner, Inc. (Borg Warner) mobilized to the Site on May 8, 2000 to begin investigating the extent of the contamination. During the course of the investigation, Borg Warner discovered that residents in the area received contaminated soil from the Site during the mid to late 1990's. Further investigation revealed that the properties located at 112 and 114 Brent Street (the Brent Street Properties) in Crystal Springs, Mississippi 39059, may also have received some of the contaminated soil. Subsequent sampling and analysis to define the extent of contamination on the Brent Street Properties has indicated that the property located at 115 Brent Street has also been contaminated with PCBs.

5.

The current owner of the property at 115 Brent Street is Mid South Lease & Sales, Inc. (Mid South). Mid South purchased the property from David L. Rodgers on October 8, 1997. David L. Rodgers had previously purchased the property from Clarence A. Adams on February 5, 1992.

6.

During the mid to late 1990's, LM&R was under a contract with Kuhlman for construction, excavation, and dirt hauling services at the Site. As established in Paragraph 4, David L. Rodgers was the owner of the property at 115 Brent Street during this same time period. David L. Rodgers subsequently sold the Brent Street Property to Mid South.

WHEREFORE PREMISES CONSIDERED, MDEQ has concluded that additional information is necessary to determine the extent of PCB contamination at 115 Brent Street and adjacent properties to the north and east, and assessment and remediation of those properties is necessary and appropriate.

IT IS, THEREFORE, ORDERED as follows:

- A. Within thirty (30) days of the date of this Order, Respondents or either of them must submit an INTERIM corrective action plan, which addresses the following in the order listed:
 - 1) the elimination of actual exposure to individuals (receptors),
 - 2) the elimination or minimization of off-site migration of contaminants,
 - 3) the elimination of potential exposure to receptors, and
 - 4) the reduction of concentrations of contaminants to levels protective of human health and the environment.
- B. Implement the INTERIM corrective action plan within sixty (60) days of the date of this Order.
- C. Within sixty (60) days of the date of this Order, Respondents must submit a Site Characterization Work Plan that identifies and defines the extent of contamination both on-site and off-site in the format prescribed by MDEQ. A proposed schedule must accompany the Site Characterization Work Plan indicating all phases of Site Characterization activities, including a proposed Site Characterization completion date.
- D. Respondents shall respond in writing to any comment letter from MDEQ concerning the Site Characterization Work Plan within thirty (30) days of the date of MDEQ's letter, unless otherwise approved by MDEQ. The Respondent's written response must address all items in MDEQ's comment letter.
- E. Respondents must begin implementation of the Site Characterization Work Plan according to the approved schedule.
- F. Respondents must complete execution of the approved Site Characterization Work Plan according to the approved schedule.
- G. Within sixty (60) days of completion of the site characterization activities, the Respondents must submit to the MDEQ a Site Characterization Report, in the format

prescribed by MDEQ, detailing the findings developed as a result of implementation of the Site Characterization Work Plan.

- H. Once MDEQ has issued a letter concurring that the site has been adequately characterized, the Respondents must submit to MDEQ for approval within forty-five (45) days of the date of this concurrence letter, a FINAL Corrective Action Plan, in the format prescribed by MDEQ. A schedule must accompany the Corrective Action Plan, including all phases of Corrective Action activities.
- I. Once MDEQ has issued a letter concurring with the Corrective Action Plan, Respondents must implement the approved corrective actions within forty-five (45) days of the date of the letter of concurrence.
- J. Within thirty (30) days of the completion of any corrective action, Respondents shall submit a Corrective Action Report describing the activities and demonstrating compliance with remedial goals and objectives.

9.

All written submissions required by this Order should be mailed or delivered to:

Tony Russell
Assessment Remediation Branch
Mississippi Department of Environmental Quality
101 West Capitol Street
Jackson, MS 39201

10.

This Order does not address fines, penalties, other sanctions, further removal and/or remedial actions and/or future violations of environmental laws, rules and regulations. Nothing contained in this Order shall limit the rights of the Commission to take enforcement or other actions against Respondents for violations addressed herein, violations not addressed herein, fines, penalties, other sanctions, further clean up actions and/or future violations of environmental laws, rules and regulations.

11.

Violation of the environmental laws and regulations of the State of Mississippi can subject Respondents to penalties totaling up to \$25,000 per day per violation. The failure to comply with

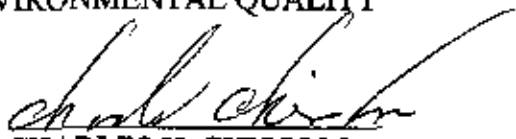
this order will be considered a continuing violation of those law and regulations, subjecting Respondents to further penalties of up to \$25,000 per day.

12.

If aggrieved by this Order, Respondents may request a hearing before the Commission by filing a sworn petition with the Commission within thirty (30) days after the date of this Order in the manner set forth in Miss. Code Ann. Section 49-17-41 (Rev. 1999).

ORDERED, this the 23rd day of sept, 2004.

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

BY: 
CHARLES H. CHISOLM
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY



STATE OF MISSISSIPPI
SECRETARY OF STATE
ERIC CLARK



TELEPHONE (601) 359-1350
FACSIMILE (601) 359-1499

401 MISSISSIPPI STREET
POST OFFICE BOX 136
JACKSON, MISSISSIPPI 39205-0136



September 17, 2004

Mr. Robert L. Martin
Project Manager
Martin & Slagle
Post Office Box 1023
Black Mountain, North Carolina 28711

RE: Environmental Remediation of Public Land (McPherson
Street and Forest Street) in Crystal Springs, Mississippi

Dear Mr. Martin:

This letter is written to advise that the Secretary of State on behalf of the State of Mississippi has no objection to entry by your company on the two tracts of lands presumably owned by the State on McPherson Street and Forest Street in Crystal Springs, Mississippi for the sole purpose of conducting environmental remediation activities that have been approved and authorized by the Mississippi Department of Environmental Quality. It is our understanding that MDEQ will monitor these activities.

Please be advised that this property is not currently listed on our inventory of forfeited tax lands and that the only evidence the State has of ownership of the two tracts is a representation by the Copiah County Tax Assessor that the property forfeited to the State for unpaid taxes. Accordingly, we do not guarantee that there are no other parties claiming ownership of this property. You should also be aware that the Secretary of State does not bear any responsibility for the cost of any remediation.

If you have any questions or need additional information regarding this matter, do not hesitate to contact me.

Sincerely yours,

GERALD McWHORTER
Assistant Secretary of State
Public Land

cc: Mr. Brian Young

STATE OF MISSISSIPPI



SECRETARY OF STATE
ERIC CLARK

FAX NUMBERS: 601-359-1461-PUBLIC LANDS OR 601-359-1499 - FAX SERVER

THE FOLLOWING PAGES ARE TO BE DELIVERED TO:

NAME:

Brian Young

FAX NUMBER:

961-5300

FROM:

Gerald McWhorter

RE:

TOTAL # OF PAGES = *2* (INCLUDES THIS COVER PAGE)

DATE:

9/17/04

COMMENTS:

IF YOU HAVE TROUBLE RECEIVING THESE DOCUMENTS, PLEASE
CALL THE PERSON LISTED ABOVE AT (601) 359-6373

SECRETARY OF STATE'S OFFICE
(401 E MISSISSIPPI ST) P O BOX 136
JACKSON MS 39205-0136



STATE OF MISSISSIPPI
SECRETARY OF STATE
ERIC CLARK

401 MISSISSIPPI STREET
POST OFFICE BOX 136
JACKSON, MISSISSIPPI 39205-0136

TELEPHONE (601) 359-1350
FACSIMILE (601) 359-1499

September 17, 2004

Mr. Robert L. Martin
Project Manager
Martin & Slagle
Post Office Box 1023
Black Mountain, North Carolina 28711

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Please be advised that this property is not currently listed on our inventory of forfeited tax lands and that the only evidence the State has of ownership of the two tracts is a representation by the Copiah County Tax Assessor that the property forfeited to the State for unpaid taxes. Accordingly, we do not guarantee that there are no other parties claiming ownership of this property. You should also be aware that the Secretary of State does not bear any responsibility for the cost of any remediation.

If you have any questions or need additional information regarding this matter, do not hesitate to contact me.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Gerald McWhorter".

GERALD McWHORTER
Assistant Secretary of State
Public Land

cc: Mr. Brian Young



STATE OF MISSISSIPPI
HALEY BARBOUR
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
CHARLES H. CHISOLM, EXECUTIVE DIRECTOR
September 17, 2004

Ms. Anastasia Hamel
Director, Environmental Programs
Borg Warner, Inc.
3800 Automation Avenue, Suite 100
Auburn Hills, MI 48326-1782

Re: Kuhlman Electric Corporation, Brent Street Properties
Site Characterization Assessment Report, dated July 2004
Crystal Springs, Mississippi

Dear Ms. Hamel:

The Mississippi Department of Environmental Quality (MDEQ) has completed a review of the above referenced document. The MDEQ believes the site has been adequately characterized with the following exceptions:

1. Soils beneath the concrete driveway at 114 Brent Street.
2. Soils beneath the concrete slab foundation of the structure at 114 Brent Street.
3. Soils between the mobile home located at 112 Brent Street and boring location MSL-DP-017.

As far as the 114 Brent Street property is concerned, it is reasonable to assume that the soils beneath the concrete driveway and foundation of the structure are contaminated. However, more investigation/sampling should be accomplished around the 112 Brent Street mobile home to determine if this area has been impacted by PCB's. Please accomplish this sampling prior to submission of a Corrective Action Plan (CAP).

The MDEQ requires that a CAP for 112/114 Brent Street be submitted within forty-five (45) days of the date of this letter. If you should have any questions or comments you may contact Brian Young at (601) 961-5088.

Sincerely,


Brian Young
Project Manager


Tony Russell, Chief
Assessment & Remediation Branch

K:\Common\UCSS\Brian Young\Kuhlman\Kuhlman-Brent St Assessment Review dtd 17Sept04.doc



STATE OF MISSISSIPPI
HALEY BARBOUR
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
CHARLES H. CHISOLM, EXECUTIVE DIRECTOR
MEMORANDUM

TO: Kuhlman Electric Site File
Crystal Springs, MS

FROM: Tony Russell *TRC 9/8/04*

DATE: September 8, 2004

SUBJECT: Sampled City Water Supply Wells

I met with Chuck Peel on September 7, 2004, to observe and collect split samples from the City of Crystal Springs water supply wells. The six (6) wells were purged by allowing them to run no less than 20 minutes prior to collecting the sample. The water samples were collected from a faucet located near the well head. The samples were immediately placed on ice for transport to the onsite lab. I collected splits on two wells: one located at the entrance gate to the Sheldon Laboratories and the other from the well at the swimming pool. The split samples were taken to OPC lab for volatile organic analysis by EPA Method 8260.

No photos were taken during this sampling event.

GeoEnvironmental
Associates, LLC

MARTIN&SLAGLE

ROBERT L. MARTIN, LG
Principal GeologistCHRISTINE E. SLAGLE
Principal Scientist

Facsimile Transmittal

Name: Tony Russell
Firm: MDEQ
Fax No: 601/961-5000 5300

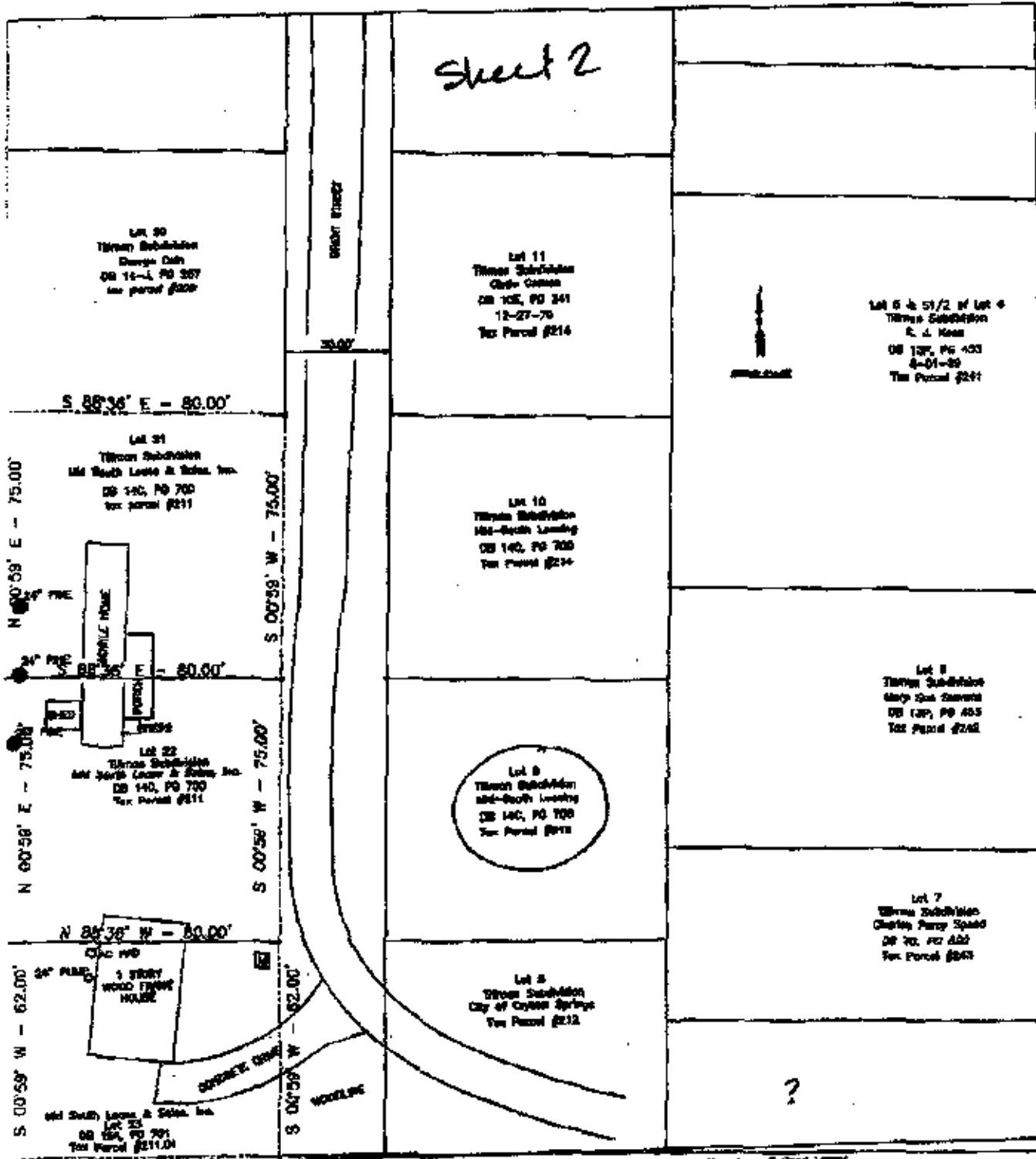
Survey and chain of title info
for 115 Brent Street. Pls call me
if you have questions

Robert

Total Number of pages including cover: 3

Sender: Robert Martin Date: 09/03/04

Sheet 2



Lot 9
 Thomas Subdivision
 George Galt
 DB 15-1, PG 307
 Tax Parcel #210

Lot 11
 Thomas Subdivision
 Clark Green
 DB 102, PG 341
 12-27-70
 Tax Parcel #214

Lot 6 & 5 1/2 of Lot 4
 Thomas Subdivision
 R. J. Keen
 DB 139, PG 403
 8-01-89
 Tax Parcel #211

Lot 31
 Thomas Subdivision
 Mt. South Lease & Sales, Inc.
 DB 140, PG 700
 Tax Parcel #211

Lot 10
 Thomas Subdivision
 Mt. South Leasing
 DB 140, PG 700
 Tax Parcel #211

Lot 8
 Thomas Subdivision
 May Ann Stevens
 DB 139, PG 403
 Tax Parcel #211

Lot 22
 Thomas Subdivision
 Mt. South Lease & Sales, Inc.
 DB 140, PG 700
 Tax Parcel #211

Lot 9
 Thomas Subdivision
 Mt. South Leasing
 DB 140, PG 700
 Tax Parcel #211

Lot 7
 Thomas Subdivision
 Charles Perry Spauld
 DB 10, PG 403
 Tax Parcel #211

3 STORY
 WOOD FRAME
 HOUSE

Lot 5
 Thomas Subdivision
 City of Cross Springs
 Tax Parcel #212

Mt. South Lease & Sales, Inc.
 DB 151, PG 701
 Tax Parcel #211.04

Mrs. Jewel B. Galted to Mrs. Jane Galted Bank, Nell Galted Thomas, and Mrs. Jerry Galted Lottor
 12-27-84
 DB 151 / PG 540
 Jane Galted Bank and Nell Galted Thomas to Reprinted Lottor and Raymond Lottor, Jr. (Oak Creek)
 01-02-91
 DB 151 / PG 488

CEC
 Center Engineering &
 Surveying, Inc.
 P.O. Box 1285
 Acworth, GA 30602-1285
 404-487-2007

MARTIN & SLAGLE
 CIVIL-ENVIRONMENTAL CONSULTANTS
 1000 W. BENT STREET, SUITE 200
 WASHINGTON, DC 20004

LOT LAYOUT
**AREAS IN THE VICINITY
 OF BRENT STREET**
 PLANNED DEVELOPMENT, RESUBDIVISION

PROJECT #	NO.	DATE	2
DRAWN BY	MS	DATE	1-14-04
CHECKED BY	MS	DATE	1-28-04
DESIGNED BY	MS	DATE	1-28-04
APPROVED BY	MS	DATE	1-28-04

Lot 6 Tillman Subdivision

James Hudson to Mary Sue Stevens

11-06-95

DB 13P / PG 453

Mary Sue Stevens to James Hudson

05-03-85

DB 11D / PG 6

Lot 7 Tillman Subdivision

Truckers Exchange Bank to Charles Percy Speed

3-11-61

DB 7D / PG 520

Lot 8 Tillman Subdivision

John F. Tillman to City of Crystal Springs

196?

→ Lots 9 and 10 Tillman Subdivision

David L. Rogers to Mid South Lease & Sales, Inc.

10-08-97

DB 14C / PG 700

Clarence A. "Burt" Adams to David L. Rogers

02-05-92

DB 12Q / PG 566



STATE OF MISSISSIPPI
HALEY BARBOUR
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
CHARLES H. CHISOLM, EXECUTIVE DIRECTOR
August 30, 2004

Ms. Anastasia Hamel
Director, Environmental Programs
BorgWarner, Inc.
3800 Automation Avenue, Suite 100
Auburn Hills, MI 48326-1782

Re: Kuhlman Electric Corporation
Preliminary Groundwater Assessment Report, dated July 2004
Crystal Springs, Mississippi

Dear Ms. Hamel:

The Mississippi Department of Environmental Quality (MDEQ) has received and completed a review of the above referenced document. The MDEQ has the following comments concerning this site.

1. Section 4.2. The groundwater beneath the site is contaminated with various volatile organic compounds (VOC's). Many of the VOC's encountered in the groundwater were at concentrations greater than the MDEQ Tier I Target Remediation Goals (TRG's).
2. The following samples were analyzed outside of their holding times. KEP-GW-005-001, KEP-GW-001-001, KEP-GW-008-001, KEP-GW-002-001, and KEP-GW-Duplicate. The published hold times (prior to extraction) for semi-volatile organic compounds (SVOC's) in an aqueous matrix is 7 days vs. a 14 day hold time for SVOC's in a solid (soil) sample.
3. No sampling data for MW-5 was included in the report.
4. Please provide a description of the sampling nomenclature used for the collection of samples at this site.
5. In future reports please include a potentiometric surface map showing the direction of groundwater flow as it relates to the site.
6. In future reports please include a plume map showing the extent of the groundwater contamination (down to the Tier I TRG) as it relates to the site for each contaminant of concern.

Based on the presence of VOC's in the groundwater above the MDEQ Tier I TRG's, the MDEQ requires that Borg Warner submit a comprehensive groundwater assessment plan for defining the horizontal and vertical extent of the contamination by October 15, 2004. This plan should also include the perched groundwater that was encountered in 6 of the 8 previous sample locations. While this groundwater is not a usable source of drinking water, the possible interconnection with the deeper aquifer requires that any contamination in this zone be defined. Furthermore, the source of the groundwater contamination has not been defined. Therefore, the plan should include a method for determining the source/location of the groundwater contamination.

In the interim, Borg Warner should take whatever steps are necessary to protect human health and the environment from exposure to contaminated groundwater. These steps should include (but are not limited to):

1. Conduct a water well survey using all published resources available from the U.S. Geological Survey, the MDEQ Office of Land and Water, Mississippi State Department of Health, and the City of Crystal Springs.
2. Conduct a physical and/or a visual inspection to determine and/or confirm the presence of both municipal and private water wells in the immediate (within ½ mile) vicinity of the site.
3. Sample the municipal water wells that are closest to the site for VOC's within 7 days of receipt of this letter.
4. Sample any private water wells discovered in the survey as soon as access conditions permit.
5. Notify MDEQ of the date the municipal wells will be sampled so that a State representative can be present to split samples. MDEQ requires that the appropriate sample containers with preservative be provided for MDEQ splits.

If you should need to contact MDEQ about this site, you may contact Brian Young at (601) 961-5088.

Sincerely,


Brian Young
Project Manager


Tony Russell, Chief
Assessment and Remediation Branch

Cc: Robert Martin, Martin & Slagle



STATE OF MISSISSIPPI
GOVERNOR HALEY BARBOUR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
CHARLES H CHISOLM, EXECUTIVE DIRECTOR

MEMORANDUM

TO: Kuhlman Electric Site File
Crystal Springs, MS

FROM: Tony Russell *TR 8/10/04*

DATE: August 10, 2004

SUBJECT: Site Inspection conducted August 5, 2004

I stopped by the site on the way in to work this morning to check on progress of the clean up. I met with Chuck Peel and he drove me around and outlined the present days task. They hoped to finish the Ice House Property remediation today. Still do not have a contract worked out to access the railroad property along the tracks.

They were working on clearing and grubbing the ditch below West Railroad Avenue until they got approval to remediate the railroad property. All the underbrush was being shredded onsite with a portable shredder.

No work was being conducted at the Brent Street property during this site visit.

No pictures were taken during this site inspection.

K:\Common\UCSS\Tony\Kuhlman Electric\KEC site inspection 8-5-04.doc

ROBERT L. MARTIN, LG
Principal Geologist

CHRISTINE E. SLAGLE
Principal Scientist

August 2, 2004



Mr. Tony Russell
Chief – Uncontrolled Sites Section
Office of Pollution Control
Mississippi Department of Environmental Quality
P.O. Box 10385
Jackson, Mississippi 39289-0385

**SUBJECT: Site Characterization Assessment Report
MidSouth Leasing Property
112 and 114 Brent Street
Crystal Springs, Mississippi**

Dear Mr. Russell:

On behalf of BorgWarner, Inc., Martin & Slagle GeoEnvironmental Associates, LLC is pleased to submit the *Site Characterization Assessment Report* for the above referenced properties in Crystal Springs, Mississippi. One copy of the report text, maps, tables, and appendices are enclosed. If you have any questions or comments, please contact me at (828) 669-3929.

Sincerely,

MARTIN & SLAGLE GEOENVIRONMENTAL ASSOCIATES, L.L.C

A handwritten signature in cursive script that reads "Robert L. Martin".

Robert L. Martin, L.G.
Principal Geologist

Enclosures

CC: Anastasia Hamel
Tom Lupo
Al Thomas



STATE OF MISSISSIPPI

HALEY BARBOUR
GOVERNOR

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

CHARLES H. CHISOLM, EXECUTIVE DIRECTOR

August 2, 2004

Ms. Anastasia Hamel
Director, Environmental Programs
BorgWarner, Inc.
3800 Automation Avenue, Suite 100
Auburn Hills, MI 48326-1782

Re: Kuhlman Electric Corporation
Plant Site Remediation Report, dated June 2004
Crystal Springs, Mississippi

Dear Ms. Hamel:

The Mississippi Department of Environmental Quality (MDEQ) has received and completed a review of the above referenced document. The MDEQ has no comments at this time. If you should need to contact MDEQ about this site, you may contact Brian Young at (601) 961-5088.

Sincerely,

A handwritten signature in cursive script that reads "Brian Young for".

Tony Russell, Chief
Assessment and Remediation Branch

Cc: Robert Martin, Martin & Slagle

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

ROBERT L. MARTIN, LG
Principal Geologist

CHRISTINE E. SLAGLE
Principal Scientist

July 29, 2004

Mr. Tony Russell
Chief – Uncontrolled Sites Section
Office of Pollution Control
Mississippi Department of Environmental Quality
P.O. Box 10385
Jackson, Mississippi 39289-0385



**SUBJECT: Kuhlman Plant Site Preliminary Groundwater Assessment Report
Kuhlman Electric Corporation
Crystal Springs, Mississippi**

Dear Mr. Russell:

On behalf of BorgWarner, Inc., Martin & Slagle GeoEnvironmental Associates, LLC is pleased to submit the *Kuhlman Electric Corporation, Preliminary Groundwater Assessment Report*. One copy of the report text, maps, tables, and appendices are enclosed. If you have any questions or comments, please contact me at (828) 669-3929.

Sincerely,

MARTIN & SLAGLE GEOENVIRONMENTAL ASSOCIATES, L.L.C

A handwritten signature in cursive that reads "Robert L. Martin, L.G.".

Robert L. Martin, L.G.
Principal Geologist

Enclosures

CC: Anastasia Hamel
Tom Lupo
Al Thomas



STATE OF MISSISSIPPI
GOVERNOR HALEY BARBOUR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
CHARLES H. CHISOLM, EXECUTIVE DIRECTOR

MEMORANDUM

TO: Kuhlman Electric Site File
Crystal Springs, MS

FROM: Tony Russell *TRR 6/25/04*

DATE: June 25, 2004

SUBJECT: Site Status Meeting Conducted June 22, 2004

I met with Anastasia Hamel and Robert Martin on June 22, 2004, for an update on the status of the remediation project.

Ice House Property – all that is remaining to be completed is the installation of the culvert across the property. The work has been delayed because of all the rain.

CN/ICRR Property – waiting on a ccess approval from the railroad.

Drainage Ditch -- h ave been clearing and grubbing the brush in anticipation of starting the work on the ditch once they finish with the railroad property. Still a couple of parcels that ownership has not been verified. If no one owns them, it most likely belongs to the State due to failure to pay property taxes.

115 Brent Street – will have dr aft report completed some time in July. Contamination does not go as far down the ditch as anticipated.

114 Brent Street – this is the property across the street from 115 address. David Rogers also owned this property prior to Mid South Leasing purchasing it. Working to get the tenants moved into other rental property. Contamination on the property has not been delineated but will be once the tenants have been removed. Will also have to move onto the properties to the north and west to complete the delineation.

Groundwater – 1,1-TCA found in 6 of the 8 monitoring wells installed; PCBs were not detected in any of the wells. Trying to determine the source of the TCA. DEQ requires a report be submitted documenting how the wells were installed and the data that was collected during the first round of sampling.

Attendees: Bob Lawrence, Mayor Reilley, Paul Atcheson, Anastasia Hamel, Robert Martin

OFFICE OF POLLUTION CONTROL



STATE OF MISSISSIPPI
GOVERNOR HALEY BARBOUR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
CHARLES H. CHISOLM, EXECUTIVE DIRECTOR

MEMORANDUM

TO: Kuhlman Electric Site File
Crystal Springs, MS

FROM: Tony Russell *TR 6/17/04*

DATE: June 17, 2004

SUBJECT: Site Inspection conducted June 17, 2004

I stopped by the site on the way in to work this morning to check on progress of the clean up. I met with Chuck Peel and he drove me around and outlined the present days task. The rain was hampering the progress of the clean up. They were working on deforesting the ditch below Ralph Williams's house until the ditch on the old Ice House property dried up enough to install the culvert. They have approval to survey the CN railroad property and hoped to work on that today.

Erosion control is in place on the Ice House property and is being checked after rain events to ensure the controls are still in place. They had not been working on the Brent Street property so we did not go by that area.

No pictures were taken during this site inspection.

K:\Common\UCSS\Tony\Kuhlman Electric\KEC site Inspection 6-17-04.doc

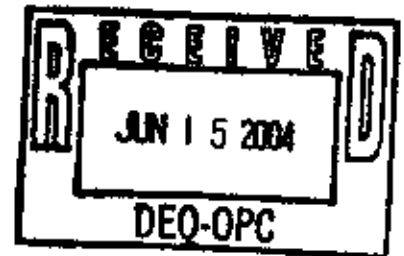
ROBERT L. MARTIN, LG
Principal Geologist

CHRISTINE E. SLAGLE
Principal Scientist

June 14, 2004



Mr. Tony Russell
Chief – Uncontrolled Sites Section
Office of Pollution Control
Mississippi Department of Environmental Quality
P.O. Box 10385
Jackson, Mississippi 39289-0385



**SUBJECT: Kuhlman Plant Site Remediation Report
Kuhlman Electric Corporation
Crystal Springs, Mississippi**

Dear Mr. Russell:

On behalf of BorgWarner, Inc., Martin & Slagle GeoEnvironmental Associates, LLC is pleased to submit the *Kuhlman Electric Corporation, Plant Site Remediation Report*. Per your request, two (2) copies of the report text, maps and tables, and one copy of the appendix are enclosed. 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

Enclosures

CC: Anastasia Hamel
Tom Lupo
Al Thomas



"Hamel, Anastasia (PTC-Auburn Hills)" <AHamel@BWAUTO.com> on
05/28/2004 02:07:22 PM

To: "Russell Tony - MDEQ (E-mail)" <Tony_Russell@deq.state.ms.us>, "Young Brian - MDEQ (E-mail)"
<Brian_Young@deq.state.ms.us>
cc: "Martin & Slagle (E-mail)" <robert.martin@martinandslagle.com>
Subject: CNN RR Culvert

Dear Tony,

Attached are the sampling results for the CNN culvert in Crystal Springs.
Please let us know if you are available on Tuesday, June 1, 2004 for a brief
conference call to discuss the results.

Both Robert Martin and I are available on Tuesday. We can have the
conference call in the morning or in the afternoon depending on your
schedule. As a first pass, I would like to propose 9:00 am, 10:00 am, or
11:00 am Central. Just let us know which you prefer or if you wish for a
time in the afternoon just let us know what time.

Thanks very much.
Anastasia

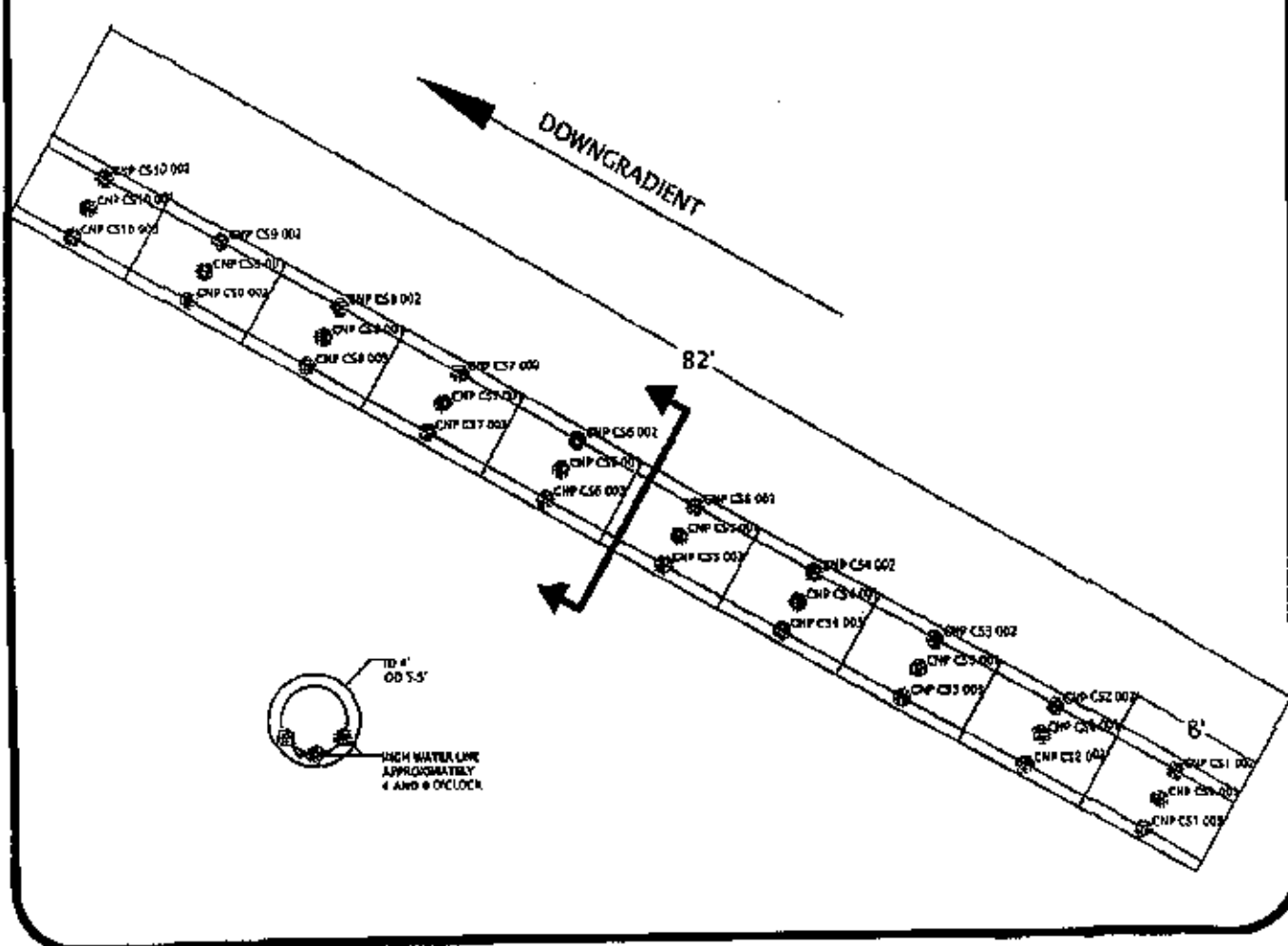
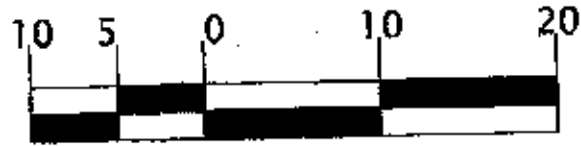


<<CNN RR Culvert Sampling.pdf>>

Anastasia Hamel
Director, Environmental Programs
BorgWarner Inc.
Phone: (248) 754-0159
Fax: (248) 754-9159
e-mail: ahamel@bwauto.com



CNN RR Culvert Sampling.pdf



MARTIN & SLAGLE
 GeoEnvironmental Associates, LLC
 PO Box 1023
 Black Mountain NC 28711
 828.669.3929 828.669.5289

PREPARED FOR:
BorgWarner Inc.

FIGURE 1

SCALE = 1"=20'
 REV: 0
 DATE: 5/27/04
 DR: DGR
 CHK: RLM

CULVERT
 KUHLMAN ELECTRIC CORPORATION
 101 KUHLMAN DRIVE
 CRYSTAL SPRINGS, MS

CULVERT SAMPLES
Crystal Springs, Massachusetts

Field Lab Sample ID	Sample ID	Sample Depth	Paradigm Spft	Duplicate	Date Collected	Time Collected	Date Analyzed	Concentration (mg/l)	Burgate TCDD(%)	Burgate DIBP(%)	Survey Point	Comments
0016	CNP-C81-001				20-May-04	1602	20-May-04	4.10	86.9	87.2		
0017	CNP-C81-002				20-May-04	1609	20-May-04	2.3	85.1	80.0		
0018	CNP-C81-003		PARADIGM		20-May-04	1620	20-May-04	0.20	89.0	88.3		
0019	CNP-C81-004				20-May-04	1633	20-May-04	4.10	85.6	84.6		
0020	CNP-C81-005				20-May-04	1645	20-May-04	3.1	85.2	85.0		
0021	CNP-DUPLICATE		PARADIGM	CNP-C81-003	20-May-04	1642	20-May-04	0.19	84.5	89.3		
0022	CNP-C81-006				20-May-04	1650	20-May-04	0.12	84.0	82.8		
0023	CNP-C81-007				20-May-04	1655	20-May-04	4.10	84.9	88.3		
0024	CNP-C81-008				20-May-04	1703	20-May-04	4.10	84.3	80.1		
0025	CNP-C81-009				20-May-04	1712	20-May-04	4.10	84.0	88.4		
0026	CNP-C81-010				20-May-04	1722	20-May-04	4.10	84.1	81.9		
0027	CNP-C81-011				20-May-04	1732	20-May-04	4.10	84.2	88.2		
0028	CNP-C81-012				20-May-04	1746	20-May-04	4.10	84.8	86.2		
0029	CNP-C81-013				20-May-04	1752	20-May-04	4.10	84.5	82.7		
0030	CNP-C81-014				20-May-04	1800	20-May-04	4.10	83.1	87.3		
0031	CNP-C81-015		PARADIGM		20-May-04	1809	20-May-04	0.13	82.6	80.7		
0032	CNP-C81-016				20-May-04	1828	20-May-04	0.13	81.0	82.9		
0033	CNP-C81-017				20-May-04	1838	20-May-04	0.13	84.0	82.9		
0034	CNP-C81-018				20-May-04	1844	20-May-04	0.32	83.7	83.7		
0035	CNP-C81-019				20-May-04	1856	20-May-04	0.80	81.7	78.9		
0036	CNP-C81-020				20-May-04	1902	20-May-04	0.85	81.7	78.9		
0037	CNP-C81-021		PARADIGM		20-May-04	1908	20-May-04	0.10	85.1	83.0		
0038	CNP-C81-022				20-May-04	1918	20-May-04	4.3	85.7	81.7		
0039	CNP-C81-023				20-May-04	1922	20-May-04	0.80	82.9	83.0		
0040	CNP-C81-024				20-May-04	1930	20-May-04	4.3	85.7	81.7		
0041	CNP-C81-025				20-May-04	1939	20-May-04	0.14	85.3	84.8		
0042	CNP-C81-026				20-May-04	1948	20-May-04	4.4	80.9	84.4		
0043	CNP-C81-027				20-May-04	1958	20-May-04	4.4	80.9	84.4		
0044	CNP-C81-028				20-May-04	2000	20-May-04	4.4	80.9	84.4		
0045	CNP-C81-029				20-May-04	2005	20-May-04	4.4	80.9	84.4		
0046	CNP-C81-030				20-May-04	2009	20-May-04	4.4	80.9	84.4		



"Robert Martin (ZFxl)" <robert.martin@martinandslagle.com> on 06/01/2004
11:32:07 AM

To: <Brian_Young@deq.state.ms.us>
cc:
Subject: Fw: Additional Drainage Channel Contact Info

----- Original Message -----

From: Robyn Lilly
To: robert.martin@martinandslagle.com
Sent: Tuesday, May 11, 2004 12:30 PM

Robert,

These are two more correct addresses:

Mr. Richard Williams
c/o Wanda Williams
P.O. Box 461
Crystal Springs, MS 39059

Mr. Floyd Patterson is deceased. This is the address for his son.
Timothy L. Brown
1134 Thomas Road
Crystal Springs, MS 39059

Thanks,

Robyn

MAILED 02 JUNE 04 *Robyn*



"Robert Martin \ZFx\" <robert.martin@martinandslagle.com> on
04/09/2004 10:32:03 AM

To: <Tony_Russell@deq.state.ms.us>
cc: <Brian_Young@deq.state.ms.us>
Subject: Re: Kuhlman Letter to Residents



Gentlemen,

I have given this information to our surveyor, Marty Crowder. He is pulling the information together, but it will require some research. The point of contact for the Icehouse property is Frank Biggs at (601) 892-3128. The property belongs to the Davis Farmer estate and the only known living family member is in a nursing home and unable to conduct business. Please delete any references you may have to "Praytheon". This person was a trustee of the estate but is not a POC.

Brian, you are right about the address for Floyd Patterson. That is the last known address but he does not live there, and his whereabouts are unknown.

I will forward maps for the Elizabeth Powell property to you early next week (4-12-04). I don't know why it was not in your package. If you have any questions, please feel free to call me.

Best regards,

Robert Martin
Martin & Slagle GeoEnvironmental Associates, LLC
(828) 669-3929

----- Original Message -----

From: <Tony_Russell@deq.state.ms.us>
To: <robert.martin@martinandslagle.com>
Cc: <Brian_Young@deq.state.ms.us>
Sent: Thursday, April 08, 2004 3:58 PM
Subject: Kuhlman Letter to Residents

> do you have addresses for the properties that Brian has listed that were
> not in the original submittal???????

>
>

> Tony Russell
> Mississippi Department of Environmental Quality
> Assessment Remediation Branch Chief
> 101 West Capitol Street
> Jackson, MS 39201
> Phone 601-961-5318
> Fax 601-961-5300

> ----- Forwarded by Tony Russell/HW/OPC/DEQ on 04/08/2004 02:44 PM -----

>
>
>

Brian Young

To: Tony

Russell/HW/OPC/DEQ@DEQ

04/08/2004 02:32
PM

cc:
Subject: Kuhlman Letter to

>
>
> Residents

>
>
>
>
>
>
> Tony,

>
> I sent out 17 packages of letters/maps to residents today....we will see
> how many come back for bad addresses.

>
> A few loose ends to tie up. I have the following maps leftover with no
> address/or POC:

- > Kate Tillman Property
- > Harper Property
- > J.J. Jennings Property
- > Lewis Praytheon (Ice House) Property

>
> I have a contact person/address for the Elizabeth Powell Property....but
> there was no MAP in the package....so I didn't send anything

>
> The Floyd Patterson address, I am fairly sure, is no good....I could not
> find the address on any map program....so I kept the letter/map package
> until we could find a good address.

>
> Any questions, let me know.

>
> Brian

>
>



STATE OF MISSISSIPPI
GOVERNOR HALEY BARBOUR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF POLLUTION CONTROL
MEMORANDUM

TO: Kuhlman Electric Site File
Crystal Springs, MS

FROM: Tony Russell *TAR*

DATE: April 1, 2004

SUBJECT: Groundwater Sampling conducted March 30, 2004

I met with Robert Martin on March 30, 2004 to observe a groundwater sampling event. Robert was developing the newly installed 8 monitoring wells with a grundfus pump. The wells were purged at a rate of 2 gallons a minute. Robert monitored the turbidity of the well, once the well appeared to clear up, the grundfus pump was turned down and stabilization parameter readings were collected. Once the readings stabilized, a groundwater sample was collected directly from the effluent side of the grundfus pump.

All the development/purge water was put into a poly tank for disposal. The water would be sampled for contaminants of concern prior to disposal.

I collected a split on monitoring well 4. The sample was delivered to OPC lab for VOC and PCB analysis.

No pictures were taken during this sampling event.

K:\Common\UCSS\Tony\Kuhlman Electric\KEC GW sampling event 3-30-04.doc

Main Identity

From: "Robert Martin (ZFx)" <robert.martin@martinandslagle.com>
To: "Field Trailer" <slag4881@bellsouth.net>
Sent: Tuesday, March 30, 2004 1:50 PM
Attach: Cond.jpg; InPhase.jpg; R1 and R2.jpg; R3 and R4.jpg
Subject: Fw: Brent Street Geophysical Results



----- Original Message -----

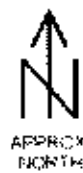
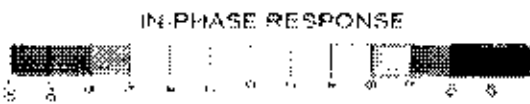
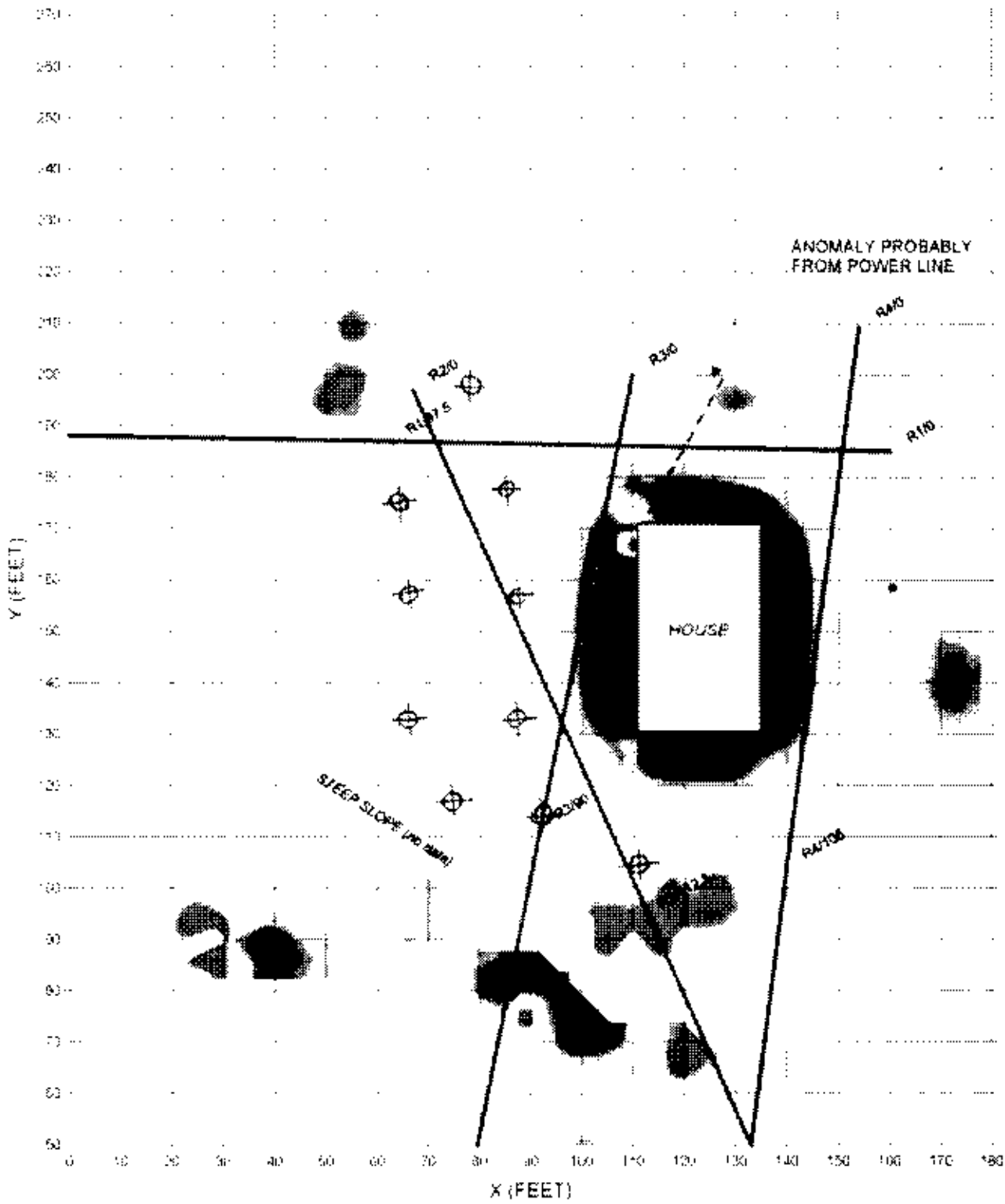
From: "Ned Billington" <nbillington@schnabel-eng.com>
To: "Robert L. Martin P. G. (E-mail)" <robert.martin@martinandslagle.com>
Sent: Tuesday, March 30, 2004 12:24 PM
Subject: Brent Street Geophysical Results

- > Robert:
- >
- > Attached are jpg images of our preliminary results. They are set up to print
- > on 11x17 at a scale of 1"=20'.
- >
- > EM31 conductivity response - shows the fill as higher conductivity material (blue).
- >
- > EM-31 in-phase response - shows the probable location of relatively large buried metal objects (green and purple) within the depth range of the
- > EM-31 (about 18 feet max).
- >
- > Resistivity line models (2 to a page) - Shows the fill as generally higher conductivity material (blue). The conductive fill appears to grade into the underlying conductive clayey soils, so the boundary between fill and in-situ materials is less distinct. Resistive anomalies (red and yellow)
- > within the fill may represent loose zones or zones containing a lot of debris, such as rock, wood or concrete.
- >
- > For selecting drilling locations, we suggest that you use the EM31 in-phase
- > response to eliminate areas containing buried metal for drilling, then use the 2D resistivity images to avoid the more resistive areas that may contain
- > hard obstructions.
- >
- > Please let us know if you have any questions.
- >
- > Thanks
- >
- > Qualifications - The information contained in this email transmission is preliminary; some results may be subject to modification. It is generally

3/30/2004

- > recognized that geophysical data is non-unique and may not represent actual
 - > subsurface conditions. Schnabel Engineering is not responsible for the
 - > results of any intrusive investigations that are conducted based on these
 - > geophysical results.
 - >
 - > <<Cond.jpg>> <<InPhase.jpg>> <<R1 and R2.jpg>> <<R3 and R4.jpg>>
 - > Edward (Ned) D. Billington, PG
 - > Associate
 - > Schnabel Engineering
 - > 405-A Parkway Drive
 - > Greensboro, NC 27401
 - > Office:(336) 274-9456
 - > Fax: (336) 274-9486
 - > Cell: (336) 207-3907
 - > nbillington@schnabel-eng.com
 - > www.schnabel-eng.com
 - >
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 - >
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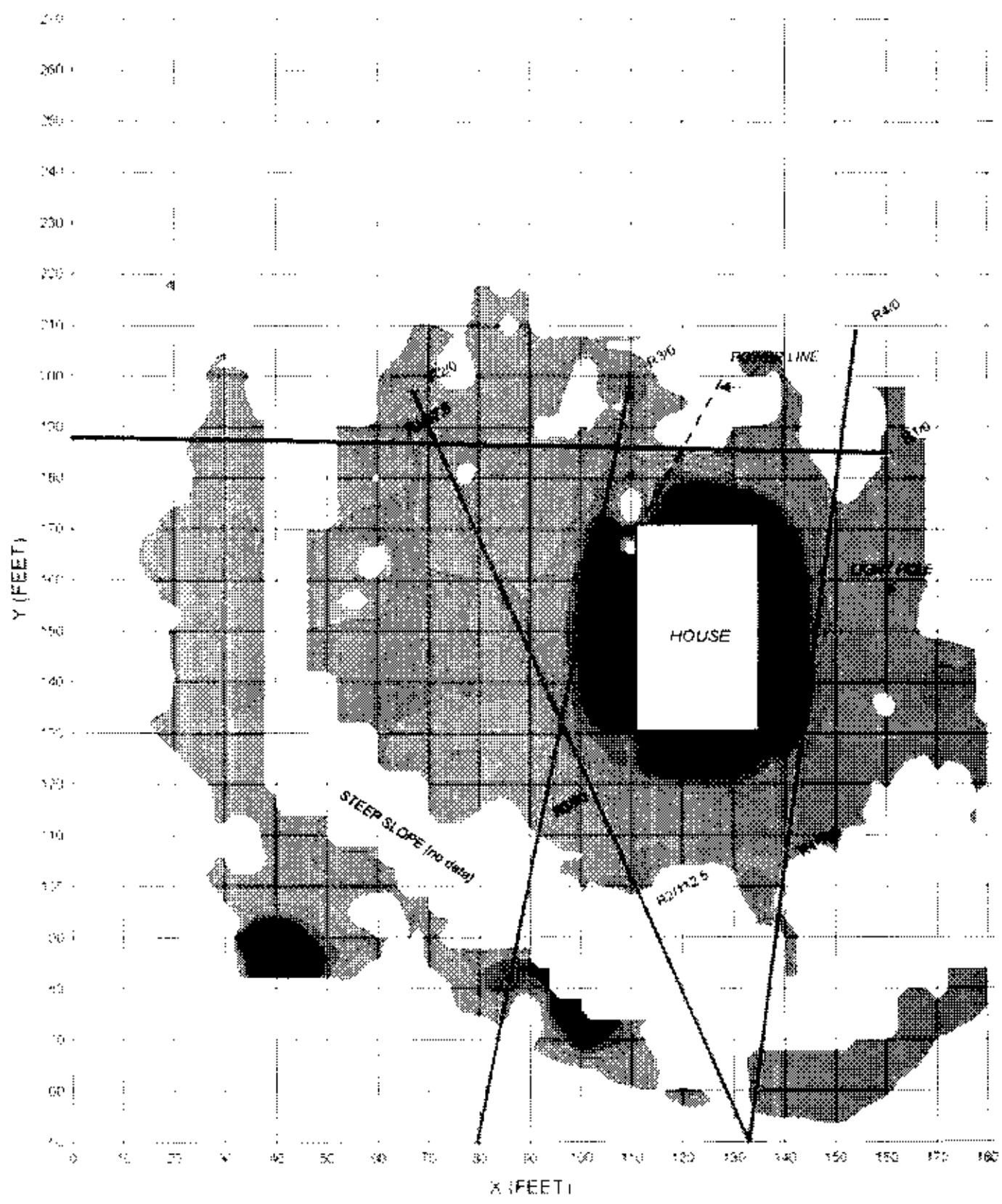
IN-PHASE RESPONSE



PRELIMINARY

Brent Street Property
 Crystal Springs, MS
 EM31 Survey
 Schnabel Engineering 3/30/04

CONDUCTIVITY RESPONSE



CONDUCTIVITY RESPONSE



PRELIMINARY

Brent Street Property
Crystal Springs, MS
EM31 Survey
Schnabel Engineering 3/30/04