



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1

5 Post Office Square, Suite 100

Boston, MA 02109-3912

URGENT LEGAL MATTER – PROMPT REPLY NECESSARY
CERTIFIED MAIL: RETURN RECEIPT REQUESTED

JUN 02 2014

Beatrice Company
c/o James Stewart, Esq.
Lowenstein Sandler PC
65 Livingston Avenue
Roseland, NJ 07068

Re: **Notice of Potential Liability** at the Southwest Properties portion of Operable Unit Two of the Wells G & H Superfund Site located in Woburn, Massachusetts

Dear Mr. Stewart:

This letter serves to formally notify Beatrice Company (“Beatrice”) of the potential liability which it has or may have incurred with respect to the Southwest Properties portion of Operable Unit Two (“OU-2”) of the Wells G & H Superfund Site (the “Site”). In addition, this letter requests that Beatrice pay certain costs related to the Southwest Properties portion of OU-2 and that Beatrice prepare to participate in the conduct or financing of certain cleanup activities at the Southwest Properties portion of OU-2.

NOTICE OF POTENTIAL LIABILITY

The United States Environmental Protection Agency (“EPA”) has documented the release or threatened release of hazardous substances, pollutants or contaminants at OU-2, including the Southwest Properties. See Enclosure A for a description of the Southwest Properties portion of OU-2.

As you know, in 1994, Beatrice performed a Remedial Investigation (“RI”) at OU-2 pursuant to a September 8, 1991 Consent Decree. In 2003, Beatrice conducted additional sampling and prepared a Supplemental RI Report to address deficiencies identified with respect to the 1994 RI. In 2010-2013, Beatrice conducted further sampling to address specific data gaps, and is currently preparing a final RI Report. Beatrice is also performing a Feasibility Study (“FS”) to evaluate remediation options for the Southwest Properties portion of OU-2. In addition, EPA has completed a Baseline Human Health and Ecological Risk Assessment to assess the level of contamination at the Southwest Properties portion of OU-2 and to evaluate the human health and ecological risks related to this contamination.

Under Sections 106(a) and 107(a) of CERCLA, 42 U.S.C. §§ 9606(a) and 9607(a), and other laws, responsible parties may be obligated to undertake actions deemed necessary by EPA to protect the public health, welfare, or environment. Responsible parties may also be liable for all costs incurred by the government in responding to any release or threatened release at the site. Such costs may include, but are not limited to, expenditures for investigation, planning, clean-up response and enforcement activities. In addition, responsible parties may be required to pay damages for injury to, destruction of, or loss of natural resources, including the costs to assess such damages. Responsible parties under CERCLA include persons who are current or former owners and/or operators of a site, persons who arranged for disposal of hazardous substances at a site, or persons who accepted hazardous substances for transport to a site selected by such persons.

Based on information gathered during investigations of the Site, EPA believes that Beatrice is a PRP under Section 107(a) of CERCLA with respect to the Southwest Properties portion of OU-2. Specifically, EPA has reason to believe that Beatrice owned and operated the property located at Salem Street Rear (currently owned by Wildwood Conservation Corporation and previously owned by the John J. Riley Company) and 228 Salem Street and 240 Salem Street (currently owned by Organix and previously owned by the John J. Riley Company) during the time period that these properties were contributing to contamination at the Southwest Properties portion of OU-2.

DEMAND FOR PAYMENT OF COSTS

In accordance with CERCLA and other authorities, EPA has undertaken certain actions and incurred costs, including PRP Search and related enforcement costs, in response to conditions associated with the Southwest Properties portion of OU-2. These response actions are described below. As of February 3, 2014, the costs associated with these actions are approximately \$523,736, excluding interest.¹ See Enclosure B for a breakdown of these costs. EPA anticipates that it will expend additional funds for response activities at OU-2, including the Southwest Properties, under the authority of CERCLA and other laws, including those response activities described below.

By this letter, EPA notifies Beatrice of its potential liability with regard to the Southwest Properties portion of OU-2. In accordance with Section 107(a) of CERCLA, 42 U.S.C. § 9607(a), a demand is hereby made for payment of the above amount, and all interest authorized to be recovered under that Section or under any other provisions of law. Demand is also hereby made under these authorities for payment of all future costs, and interest thereon, that EPA may accrue in regard to the Southwest Properties portion of OU-2.

In the event the addressee of this notice intends or has already filed for dissolution or reorganization under bankruptcy laws, you are hereby requested to include EPA-Region 1, and the United States Department of Justice on any mailing or notice lists used in that proceeding. The United States reserves the right to file a proof of claim or application for reimbursement of administrative expenses in such a proceeding.

¹ Please note that this figure does not include costs unrelated to the Southwest Properties.

Contained in Enclosure B of this letter is a current summary of the costs expended for the Southwest Properties portion of OU-2. As you may be aware, PRPs are entitled to review the invoices which form the basis for EPA's past costs. Some of these documents may contain information that EPA's contractors claim is entitled to confidential treatment. The Agency's past practice has been to obtain the consent of the contractors pursuant to 40 C.F.R. 2.209(f) (confidential business information regulations) before releasing this information to PRPs. These regulations, however, have been revised to allow information on past costs to be released provided that the interested party agrees not to disclose the information received and signs a Confidential Business Information Agreement ("Agreement").

This Agreement is necessary to protect the interests of the submitters in the confidentiality of the business information. No party is under any obligation to execute this Agreement. Without executing this Agreement, however, the Agency cannot release documentation on past costs. If you are interested in reviewing these documents, please contact Joseph LeMay, EPA Remedial Project Manager, at (617) 918-1323.

RESPONSE ACTIVITIES AT THE SOUTHWEST PROPERTIES PORTION OF OU-2 OF THE SITE

EPA activities conducted at the Southwest Properties portion of OU-2 include²:

1. Oversight of a PRP-lead RI and Supplemental RI to gather data necessary for the preparation of a baseline risk assessment.
2. Oversight of PRP-lead investigation and evaluation activities between 2010 and 2013, including additional well installations and groundwater data collections, subslab soil gas data collection under the main Aberjona building, two seasonal rounds of subslab soil gas and indoor air sampling at the residence on the former Aberjona Auto Parts property, and investigation activities on the other properties which make up the Southwest Properties.
3. EPA preparation of a draft baseline risk assessment in 2006 and updated baseline risk assessment in 2014.
4. A PRP Search.

EPA is conducting or plans to conduct the following activities at the Southwest Properties portion of OU-2:

1. Oversight of PRP-lead investigation and evaluation activities to support the preparation of a final RI. EPA anticipates that the final RI will be completed later in 2014.

² Please note that the demand for payment of past costs outlined in this notice does not include response costs unrelated to the Southwest Properties.

2. Oversight of a PRP-lead Feasibility Study to evaluate potential remedial actions to remove or contain hazardous substances, pollutants, and contaminants. EPA anticipates that the Feasibility Study will be completed later in 2014.
3. EPA preparation of a Proposed Plan and Record of Decision ("ROD") selecting the remedial actions to remove or contain hazardous substances, pollutants, and contaminants. EPA expects to prepare a Proposed Plan and a ROD for the Southwest Properties portion of OU-2 in 2015.
4. Design and implementation of a Remedial Action to be approved by EPA.
5. Operation, maintenance and monitoring as deemed necessary by EPA.

In addition to those enumerated above, EPA may, pursuant to its authorities under CERCLA and other laws, decide that other response activities are necessary to protect public health, welfare or the environment.

SPECIAL NOTICE AND NEGOTIATION MORATORIUM

At an appropriate point in the future, you may receive an additional notice informing you that one or more of the above activities is pending and that your cooperation is being requested to negotiate the terms of an agreement to perform or finance these activities. This forthcoming notice will serve to inform you that EPA will either use CERCLA Section 122(e) Special Notice procedures to formally negotiate the terms of a consent order or consent decree to conduct or finance site response activities at the Southwest Properties portion of OU-2, or it will inform you that EPA is not using such procedures pursuant to Section 122(a).

Under Section 122(e), EPA has the discretionary authority to invoke Special Notice procedures if EPA determines that such procedures would facilitate an agreement between EPA and the PRPs and would expedite remedial action at the Southwest Properties portion of OU-2. Use of the Special Notice procedure triggers a moratorium on certain EPA activities at the Southwest Properties portion of OU-2. The purpose of the moratorium would be to provide a period of time for the PRPs and EPA to enter into formal negotiations allowing PRPs the opportunity to conduct or finance the response activities at the Southwest Properties portion of OU-2. If EPA does not use Section 122(e) Special Notice procedures, a Section 122(a) notice will explain why the Special Notice procedures were determined not to be appropriate.

ENCLOSURE INFORMATION

- Description of the Southwest Properties portion of OU-2 (Enclosure A)
- Current Cost Summary for the Southwest Properties portion of OU-2 (Enclosure B)
- A Fact Sheet describing the 2014 baseline risk assessment for the Southwest Properties and the status of response actions at the Southwest Properties portion of OU-2 (Enclosure C)

- A list of names and addresses of potentially responsible parties to whom this notification was provided. This list represents EPA's preliminary findings on the identities of potentially responsible parties. EPA's responsible party search is continuing. Inclusion on or exclusion from the list does not constitute a final determination by the Agency concerning the liability of any party at the Southwest Properties portion of OU-2 (Enclosure D)
- Information Sheet for Small Businesses (Enclosure E)
- Summary of the evidence linking the recipient of this letter to contamination found at the Southwest Properties portion of OU-2. Note that this summary may not constitute a complete survey of all evidence held by EPA nor is it an apportionment or other statement by EPA on the divisibility of harm or causation in connection with the Southwest Properties portion of OU-2. In addition, this evidence summary shall not constitute an admission by EPA and will not be admissible as evidence in any proceeding (Enclosure F)
- DVD that contains the documents referenced in the evidence summary and a copy of the Baseline Human Health and Ecological Risk Assessment Report for the Southwest Properties (Enclosure G – see file 558092 for index of documents)

ADMINISTRATIVE RECORD

In accordance with Section 113(k) of CERCLA, EPA must establish an administrative record containing the documents used by EPA to select the appropriate response action for the Southwest Properties portion of OU-2. An administrative record for the Southwest Properties portion of OU-2 will be made available at the time that the Proposed Plan is complete in 2015. The administrative record will be available to the public for inspection and comment at:

U.S. EPA Superfund Records and Information Center
5 Post Office Square, Suite 100
Boston, MA 02109-3912
(617) 918-1440

Another copy of the administrative record will be made available at the Woburn Public Library (a/k/a Winn Memorial Library) at 45 Pleasant Street, Woburn, Massachusetts.

TIMING AND FORM OF RESPONSE TO THIS LETTER

Please notify EPA in writing within **twenty-one (21) days** from receipt of this letter regarding your organization's willingness to pay the demand for payment of past costs and perform or finance the response activities described above. If EPA does not receive a timely response, EPA will assume that Beatrice does not wish to negotiate a resolution of its liabilities in connection with the Southwest Properties portion of OU-2, and that Beatrice has declined any involvement in performing the response activities. Your letter should indicate the appropriate name, address,

and telephone number for further contact with Beatrice. If you are already involved in discussions with state and local authorities, engaged in voluntary clean-up action, or involved in a lawsuit regarding this Site, you should continue such activities as you see fit. This letter is not intended to advise you or direct you to restrict or discontinue any such activities; however, you are advised to report the status of those discussions or actions in your response to this letter and to provide a copy of your response to any other parties involved in those discussions or actions.

Your response letter should be sent to:

Joseph LeMay
Remedial Project Manager
U.S. EPA Region I
5 Post Office Square, Suite 100, OSRR07-4
Boston, MA 02109-3912

If you have general questions concerning OU-2, including the Southwest Properties, or the Site, please contact Joseph LeMay, Remedial Project Manager, at (617) 918-1323. If you have any legal questions relevant to the Notice of Liability, or if your attorney wishes to communicate with EPA on your behalf, please contact Susan Scott, Senior Enforcement Counsel, U.S. Environmental Protection Agency, 5 Post Office Square, Suite 100 (OES04-4), Boston, MA 02109-3912, or at (617) 918-1778.

The factual and legal discussions in this letter are intended solely to provide notice and information, and such discussions are not to be construed as a final agency position on any matter set forth herein. Due to the seriousness of the environmental and legal problems posed by conditions at the Site, EPA urges that immediate attention and a prompt response be given to this letter.

By copy of this letter, EPA is notifying the State of Massachusetts and the Federal Natural Resource Trustee(s) of our intent to perform or enter into negotiations for the performance or financing of response actions at the Southwest Properties portion of OU-2.

Thank you for your cooperation in this matter.

Sincerely,


James T. Owens, III, Director
Office of Site Remediation and Restoration

Enclosures

Sent by electronic mail only

cc: Susan Scott, EPA Superfund Legal Office
Joseph LeMay, EPA Remedial Project Manager

Jay Naparstek, Massachusetts DEP
Andrew Raddant, DOI, Federal Natural Resource Trustee
Ken Finkelstein, NOAA, Federal Natural Resource Trustee
EPA Region 1 Superfund Records and Information Center

ENCLOSURE A
WELLS G & H SUPERFUND SITE
DESCRIPTION OF THE SOUTHWEST PROPERTIES PORTION OF OU-2

Wells G & H were two municipal wells developed in 1964 and 1967 to supplement the water supply of the City of Woburn. The wells supplied 30 percent of the city's drinking water. The population of the City of Woburn is approximately 39,000 people.

In 1979, city police discovered several 55-gallon drums of industrial waste abandoned on a vacant lot in the vicinity of the Site; these drums subsequently were removed. As a result of this finding, the nearby wells were tested and found to be contaminated. Both of these wells were shut down in 1979. Five separate properties were found to be the contributing sources of contamination to the aquifer that supplied water to the two municipal wells. The Wells G & H Site covers a total area of 330 acres which encompasses commercial and industrial parks, and recreational and residential areas in East Woburn. The Site is generally bounded by Route 128 to the north, Salem and Cedar Street to the south, a Massachusetts Bay Transportation Authority right of way to the west, and Interstate 93 to the east. The area surrounding the Site is predominantly residential. The Aberjona River flows through the middle of the Site. Primary contaminants of concern include volatile organic compounds including trichloroethylene (TCE) and tetrachloroethylene (PCE), polycyclic aromatic hydrocarbons (PAHs), and heavy metals.

Operable Unit Two of the Site consists of all groundwater and land within the area defined as the Site, excluding the OU-1 Source Area properties. Operable Unit Two of the Site also excludes surface water and sediments of the Aberjona River (OU-3). The Southwest Properties are located in the Aberjona River Valley in the southwestern corner of the Wells G & H Superfund Site and fall within OU-2 of the Site. Similar to many agriculturally and commercially developed valleys in New England, the Aberjona River Valley (including the Southwest Properties) was attractive to development because it has a relatively low topographic relief, is easily constructed upon, and is underlain by a valley-fill aquifer that is capable of supplying large quantities of water. As such, the Aberjona River Valley has a long history of industrial uses. The valley also has a lengthy agricultural history. The area known as the Southwest Properties is primarily comprised of three parcels of land known as Aberjona Auto Parts (Aberjona property, 270/278/280 Salem Street), Whitney Barrel (Whitney property, 256 Salem Street), and Murphy Waste Oil (Murphy property 250/252/252R Salem Street, including a wetland area known as the Murphy Wetland that lies between the Murphy and Whitney properties).

The primary identified contaminants in soils, sediments, and groundwater across the Southwest Properties include:

- VOCs, including benzene, petroleum hydrocarbons (C5-C8 aliphatics, C9-C12 aliphatics and C9-C10 aromatics), 1,4-dichlorobenzene, cis-1,2-dichloroethene, trans-1,2-dichloroethene, 1,1-dichloroethane, 1,2-dichloroethane, ethylbenzene, 1,4-dioxane, methylene chloride, methyl tertiary butyl ether, tetrachloroethene, 1,2,3-trichlorobenzene,

1,2,4-trichlorobenzene, 1,1,2-trichloroethane, trichloroethene, vinyl chloride, and total xylenes;

- Semivolatile organic compounds, including bis(2-ethylhexyl)phthalate, benzo(a)anthracene, benzo(b)fluoranthene, and benzo(a)pyrene, dibenz(a,h)anthracene, indeno(1,2,3-cd)pyrene, 2-methylnaphthalene, naphthalene, and petroleum hydrocarbons (C11-C22 aromatics and C9-C18 aliphatics);
- Pesticides, such as alpha-chlordane, gamma chlordane, alpha-BHC, beta-BHC, aldrin, lindane, heptachlor, heptachlor epoxide, dieldrin, 4,4'-DDD and 4,4'-DDT;
- PCB Aroclors and dioxin-like PCB congeners, such as 2,3',4,4'-PentCB(118) and 3,3',4,4'-PentaCB(126); and
- Metals, including arsenic, total chromium, chromium VI, cobalt, iron, lead, manganese, thallium and zinc.

ENCLOSURE B

Reconciliation Pending

Itemized Cost Summary

WELLS G & H, WOBURN, MA SITE ID = 01 46

Ou2 enforcement costs incurred through 2/3/14
Southwest Properties portion of OU-2

REGIONAL PAYROLL COSTS	\$134,121.15
INTERAGENCY AGREEMENT (IAG) COSTS	
ARMY CORPS OF ENGINEERS (DW96940206)	\$2,581.71
OTHER CONTRACT COSTS	
TECHLAW, INC. (3Z0247NBLX)	\$176,672.42
TECHLAW, INC. (EP061000025)	\$74,996.84
EPA INDIRECT COSTS	\$135,364.06
Total Site Costs:	\$523,736.18

SUPERFUND

Southwest Properties Assessment Wells G&H Woburn, MA

U.S. EPA | HAZARDOUS WASTE PROGRAM AT EPA NEW ENGLAND



THE SUPERFUND PROGRAM protects human health and the environment by investigating and cleaning up often-abandoned hazardous waste sites and engaging communities throughout the process. Many of these sites are complex and need long-term cleanup actions. Those responsible for contamination are held liable for cleanup costs. EPA strives to return previously contaminated land and groundwater to productive use.

SITE DESCRIPTION:

The Wells G&H Superfund Site is approximately 330-acres in Woburn, MA. In the southwest corner of the Wells G&H Superfund Site are three active commercial properties (referred to as the Murphy's Waste Oil, Whitney Barrel, and Aberjona Auto Parts properties) known as the Southwest Properties. The Southwest Properties is about 13 acres (see Figure 1). A small wetland (referred to as the Murphy Wetland) is located partially on and between the Whitney Barrel and Murphy Oil properties and is also part of the Southwest Properties. A focused investigation was completed for the Southwest Properties between 2010 and 2013 that collected various soil, soil gas, groundwater and indoor air samples, and built upon soil, groundwater, sediment and surface water investigations conducted prior to 2010. In March 2014, EPA completed its assessment of these new and existing sample results and evaluated potential risk to current and future human health and the environment. This March 2014 assessment is known as a Baseline Risk Assessment (BRA).

COMMUNITY MEETING:

The Environmental Protection Agency (EPA) will hold a public meeting at 7:00 p.m. on June 23, 2014 at Woburn City Hall to present recent BRA results for the Southwest Properties at the Site and identify next steps for the Southwest Properties. The March 2014 BRA can be found at EPA's Web page for the Site. www.epa.gov/region1/superfund/sites/wellsgh

WHAT WAS FOUND:

Between 2010 and 2013, EPA had additional data collected from soils and groundwater at the Southwest Properties. EPA also evaluated the indoor air quality in the buildings on the

properties to make sure contamination was not coming into the buildings through the ground in a process called vapor intrusion. To test for vapor intrusion, we had samples collected from the subslab soil gas and/or indoor air in commercial buildings on the three properties and an occupied residence on the Aberjona Auto Parts property. At the conclusion of this investigation, EPA found the Southwest Properties are contaminated with hazardous substances including volatile organic compounds (VOCs), polyaromatic hydrocarbons (PAHs), pesticides, polychlorinated biphenyls (PCBs), petroleum compounds and metals.

KEY CONTACTS:

JOE LEMAY

Project Manager
(617) 918-1323
lemay.joe@epa.gov

EMILY ZIMMERMAN

U.S. EPA Community
Involvement Coordinator
(617) 918-1037
zimmerman.emily@epa.gov

GENERAL INFO:

EPA NEW ENGLAND

5 Post Office Sq.,
Suite 100
Boston, MA 02109-3912

**TOLL-FREE
CUSTOMER SERVICE**
1-888-EPA-7341

LEARN MORE AT:
www.epa.gov/region1/superfund/sites/wellsgh

ENCLOSURE C

RISK ASSESSMENT:

EPA completed the evaluation of the data collected for the Southwest Properties to determine the potential for the contamination in soil, groundwater, sediment, surface water, soil gas and indoor air to pose a threat to humans and the environment. EPA has arrived at the following conclusions (as documented in EPA's March 2014 BRA for the Southwest Properties):

- No current threat to commercial workers - Current commercial use throughout the Southwest Properties does not pose a health threat to workers who may contact soil as part of their jobs. In addition, vapor intrusion does not pose a current health threat inside the commercial buildings throughout the Southwest Properties. Further study of vapor intrusion will be necessary if there is any change in use of the buildings or additional buildings are constructed at the Southwest Properties.
- No current threat to residence at Aberjona Auto Parts property - Vapor intrusion does not pose a health threat inside the residence on the Aberjona Auto Parts property. Further study of vapor intrusion will be necessary if there is any change in use of the building or additional buildings are constructed at the property.
- Potential future threat to recreational users at Murphy's Waste Oil property, Murphy Wetland and Whitney Barrel property, and trespassers at the Murphy Wetland - Contact with soil on the Murphy's Waste Oil and Whitney Barrel properties and with sediment in the Murphy Wetland could pose a health threat to the public if these areas are developed for recreational use in the future (for use as a park or athletic facility). Even if commercial use continues in the future, contact with sediment would pose a health threat to people trespassing in the Murphy Wetland. PAHs,

PCBs, pesticides and metals are the major risk contributing chemicals for soil; PCBs, petroleum compounds and metals are the primary risk contributing chemicals for sediment.

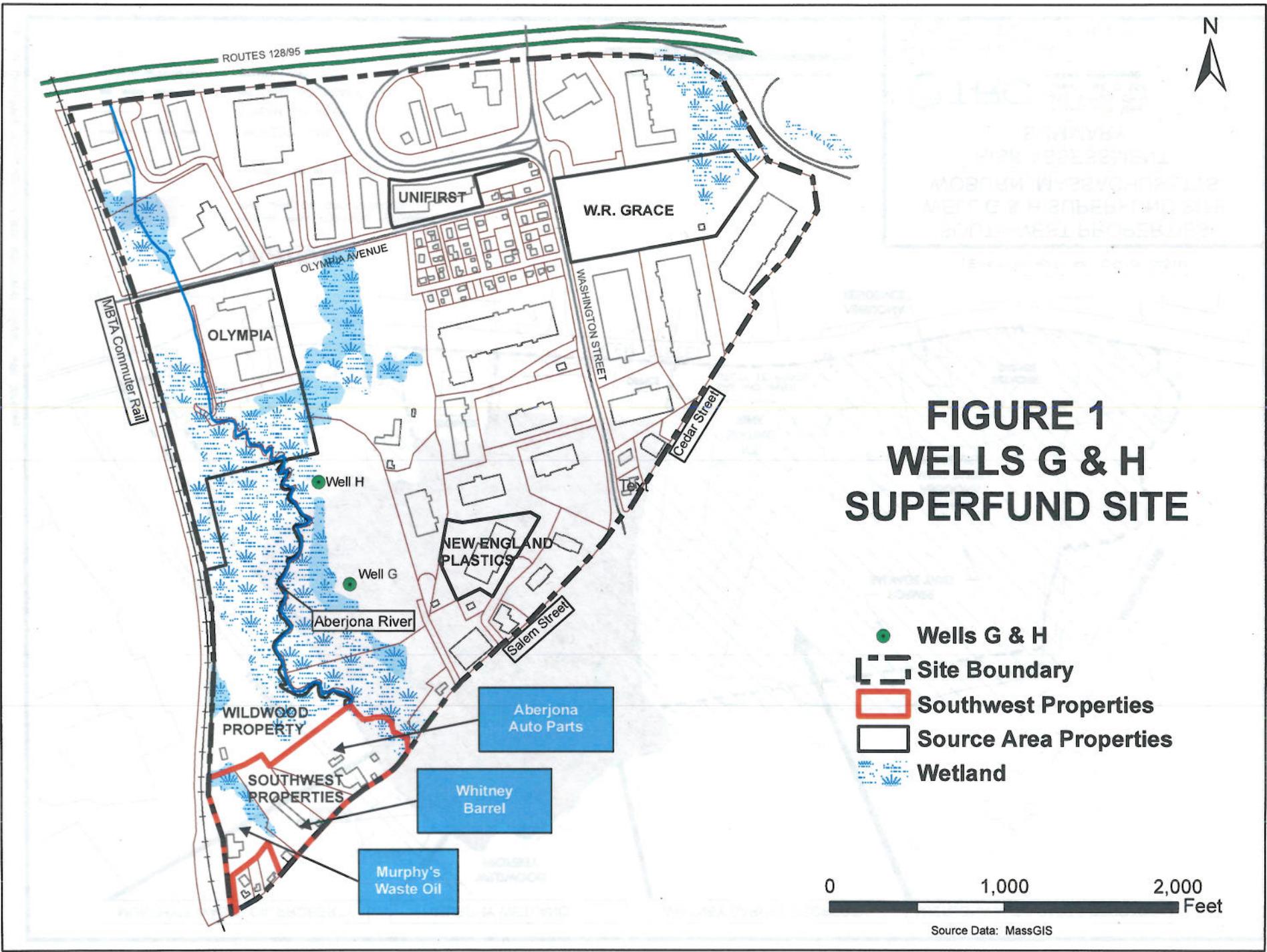
- Potential future threat to construction workers at Murphy Waste Oil and Whitney Barrel properties - Contact with soil and/or shallow groundwater could pose a health threat to future construction workers involved in excavation activities at the Murphy's Waste Oil and Whitney Barrel properties. PCBs in soil and VOCs in groundwater are the primary health threat contributing chemicals.
- Potential future threat to drinking water users throughout the Southwest Properties - Groundwater is not currently used as a drinking water source, however, potential future use of groundwater for drinking could pose a health threat to the public. VOCs, PCBs, pesticides, petroleum compounds and metals are the primary risk contributing chemicals.
- Current threat to wildlife at Murphy Wetland - Small mammals (e.g., shrew) and sediment-dwelling organisms (e.g., worms) within the Murphy Wetland area are potentially threatened due to elevated levels of PCBs and metals in sediment and soil.
- Figure 2 - Provides a graphical summary of the BRA, including the properties, media and chemical types that contribute to the identified risks for humans and the environment.

NEXT STEPS:

The contamination found on the Southwest Properties warrants additional cleanup at the Wells G&H Superfund Site.

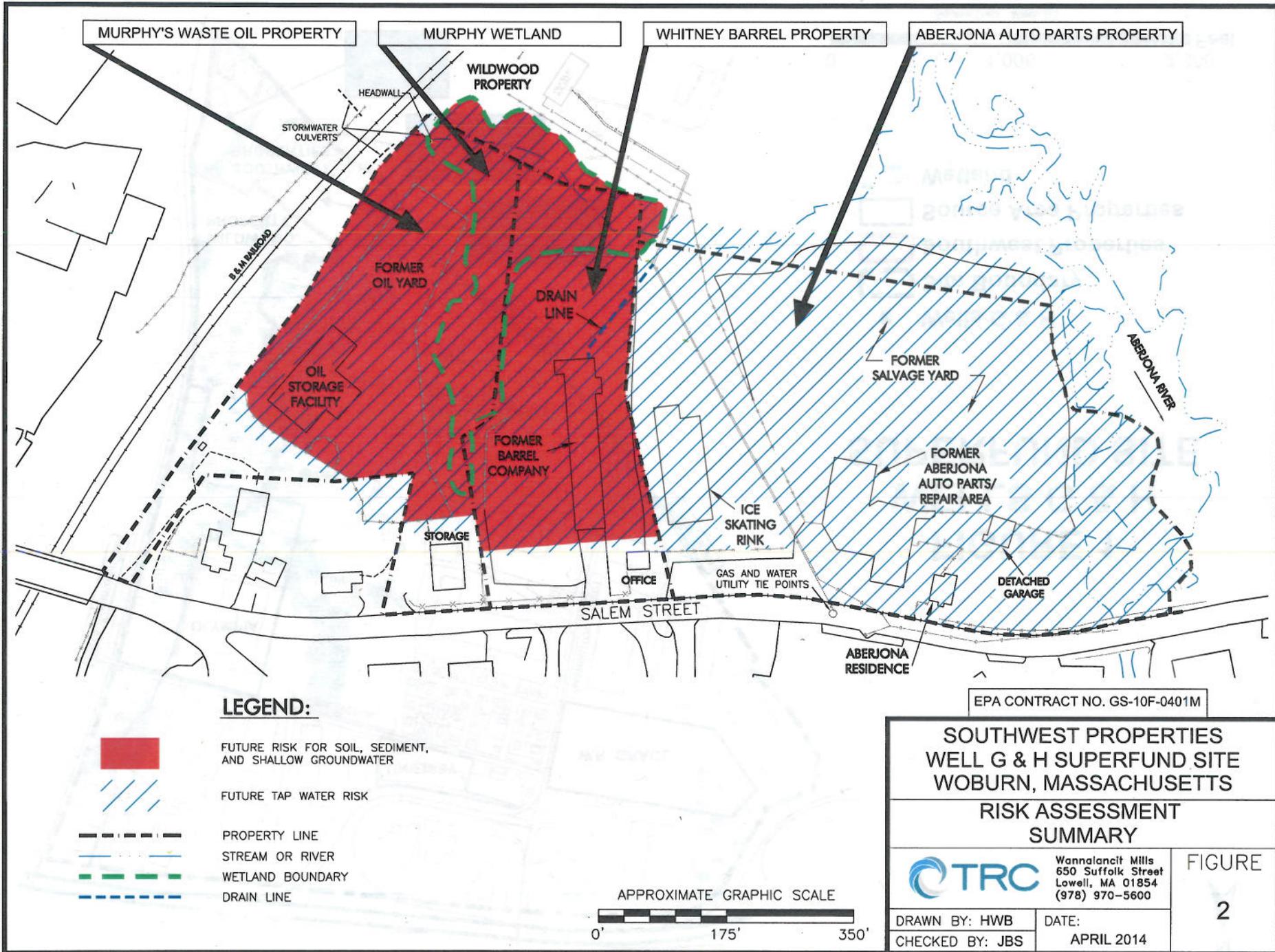
EPA will look thoroughly at the data collected and possible cleanup options in Fall of 2014. This will be documented in a report called: Remedial Investigation/ Feasibility Study.

Then, in the Winter 2014-2015, EPA will issue a proposed cleanup plan. Upon issuing the Proposed Plan, EPA will be seeking public comment on the Proposed Plan.



**FIGURE 1
WELLS G & H
SUPERFUND SITE**

ENCLOSURE C



ENCLOSURE D
WELLS G & H OPERABLE UNIT 2
SOUTHWEST PROPERTIES
GENERAL NOTICE MAILING LIST

280 Salem Street, LLC
c/o Robert L. Holland
Holland Arena, Inc.
270 Salem Street
Woburn, MA 01801

Beatrice Company
c/o James Stewart, Esq.
Lowenstein Sandler PC
65 Livingston Avenue
Roseland, NJ 07068

**Boston Edison Company/
NSTAR Electric and Gas Company**
Jeffrey N. Stevens, Esq.
Assistant General Counsel
800 Boylston Street
Boston, MA 02199

The Gillette Company
c/o Proctor & Gamble
Deborah P. Majoras, Esq.
One Proctor & Gamble Plaza
Cincinnati, OH 45202

Goulston Technologies
f/k/a George A. Goulston
Veronica McKinney
HSE Manager
7000 North Johnson Street
Monroe, NC 28110

KEK Realty Trust
**John E. Whitney, III and Susan M.
Whitney**
17 Pond Street
Newburyport, MA 01950

Kingston Steel Drum
Great Lakes Container Corp.
c/o Patricia H. Duft
Staff VP, Legal & Regulatory Services
Mallinckrodt, Inc.
675 McDonnell Boulevard
St. Louis, MO 63042

Lamco Chemical Co.
James G. Lamm, President
212 Arlington Street
Chelsea, MA 02150

Murphy's Waste Oil Service, Inc.
c/o Clean Harbors, Inc.
Alan S. McKim
42 Longwater Drive
Norwell, MA 02061

Old Oil Realty Trust
Joan E. Murphy, Trustee
41 Harriet Avenue
Burlington, MA 01803

Olin Corporation
Curtis M. Richards, Vice President
Environment, Health & Safety
P.O. Box 248
1186 Lower River Road NW
Charleston, TN 37310

Organix, LLC
Peter C. Meltzer, Ph.D.
President & CEO
240 Salem Street
Woburn, MA 01801

ENCLOSURE D
WELLS G & H OPERABLE UNIT 2
SOUTHWEST PROPERTIES
GENERAL NOTICE MAILING LIST

Samuel Cabot, Inc.
c/o Ronda P. Bayer, Esq.
Associate General Counsel
Valspar
901 3rd Avenue South
Minneapolis, MN 55402

Stepan Company
Kathleen O. Sherlock, Esq.
Assistant General Counsel
22 West Frontage Road
Northfield, IL 60093

Wildwood Conservation Corporation
c/o John J. Riley, Jr.
154 Ocean Boulevard
Seabrook, NH 03874

W.R. Grace & Co.-Conn.
c/o Seth Jaffe, Esq.
Foley Hoag, LLP
155 Seaport Boulevard
Boston, MA 02210

U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources, including workshops, training sessions, hotlines, websites and guides, to help small businesses understand and comply with federal and state environmental laws. In addition to helping small businesses understand their environmental obligations and improve compliance, these resources will also help such businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies.

EPA's Small Business Websites

Small Business Environmental Homepage - www.smallbiz-enviroweb.org

Small Business Gateway - www.epa.gov/smallbusiness

EPA's Small Business Ombudsman - www.epa.gov/sbo or 1-800-368-5888

EPA's Compliance Assistance Homepage

www.epa.gov/compliance/assistance/business.html

This page is a gateway to industry and statute-specific environmental resources, from extensive web-based information to hotlines and compliance assistance specialists.

EPA's Compliance Assistance Centers

www.assistancecenters.net

EPA's Compliance Assistance Centers provide information targeted to industries with many small businesses. They were developed in partnership with industry, universities and other federal and state agencies.

Agriculture

www.epa.gov/agriculture/

Automotive Recycling

www.ecarcenter.org

Automotive Service and Repair

www.ccar-greenlink.org or 1-888-GRN-LINK

Chemical Manufacturing

www.chemalliance.org

Construction

www.cicacenter.org or 1-734-995-4911

Education

www.campuserc.org

Food Processing

www.fpeac.org

Healthcare

www.hercenter.org

Local Government

www.lgean.org

Metal Finishing

www.nmfrc.org

Paints and Coatings

www.paintcenter.org

Printed Wiring Board Manufacturing

www.pwbrc.org

Printing

www.pneac.org

Ports

www.portcompliance.org

U.S. Border Compliance and Import/Export Issues

www.bordercenter.org

Hotlines, Helplines and Clearinghouses

www.epa.gov/epahome/hotline.htm

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Some examples are:

Antimicrobial Information Hotline

info-antimicrobial@epa.gov or 1-703-308-6411

Clean Air Technology Center (CATC) Info-line

www.epa.gov/ttn/catc or 1-919-541-0800

Emergency Planning and Community Right-To-Know Act

www.epa.gov/superfund/resources/infocenter/epcra.htm or 1-800-424-9346

EPA Imported Vehicles and Engines Public Helpline

www.epa.gov/otaq/imports or 734-214-4100

National Pesticide Information Center

www.npic.orst.edu/ or 1-800-858-7378

National Response Center Hotline -

to report oil and hazardous substance spills
www.nrc.uscg.mil or 1-800-424-8802

Pollution Prevention Information Clearinghouse (PPIC)

www.epa.gov/opptintr/ppic or 1-202-566-0799

Safe Drinking Water Hotline

www.epa.gov/safewater/hotline/index.html or 1-800-426-4791

Stratospheric Ozone Protection Hotline

www.epa.gov/ozone or 1-800-296-1996

*U. S. EPA Small Business Resources***Toxic Substances Control Act (TSCA) Hotline**

tsc hotline@epa.gov or 1-202-554-1404

Wetlands Information Helpline

www.epa.gov/owow/wetlands/wetline.html or 1-800-832-7828

State and Tribal Web-Based Resources**State Resource Locators**

www.envcap.org/statetools

The Locators provide state-specific contacts, regulations and resources covering the major environmental laws.

State Small Business Environmental Assistance Programs (SBEAPs)

www.smallbiz-enviroweb.org

State SBEAPs help small businesses and assistance providers understand environmental requirements and sustainable business practices through workshops, trainings and site visits. The website is a central point for sharing resources between EPA and states.

EPA's Tribal Compliance Assistance Center

www.epa.gov/tribalcompliance/index.html

The Center provides material to Tribes on environmental stewardship and regulations that might apply to tribal government operations.

EPA's Tribal Portal

www.epa.gov/tribalportal/

The Portal helps users locate tribal-related information within EPA and other federal agencies.

EPA Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated, businesses may be eligible for penalty waivers or reductions. EPA has two such policies that may apply to small businesses:

EPA's Small Business Compliance Policy

www.epa.gov/compliance/incentives/smallbusiness/index.html

This Policy offers small businesses special incentives to come into compliance voluntarily.

EPA's Audit Policy

www.epa.gov/compliance/incentives/auditing/auditpolicy.html

The Policy provides incentives to all businesses that voluntarily discover, promptly disclose and expeditiously correct their noncompliance.

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established a SBREFA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System designation, number of employees or annual receipts, as defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247), or go to their website at www.sba.gov/ombudsman.

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA.

Your Duty to Comply

If you receive compliance assistance or submit a comment to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.

ENCLOSURE F
Wells G & H Superfund Site OU-2, Southwest Properties (the "Site")
Evidence Summary for the Beatrice Company/ConAgra Foods, Inc.

Corporate History

In 1898, the Beatrice Creamery Company incorporated in Nebraska. In 1946, the company changed its name to Beatrice Foods Company (Beatrice Foods). In 1984, the company changed its name to Beatrice Companies, Inc. (Beatrice Companies) (SDMS 547716). In 1986, Kohlberg Kravis Roberts & Co. (KKR) established BCI Holdings, Inc., a holding company, to acquire Beatrice Companies through a leveraged buyout (SDMS 547716; SDMS 547719). In 1987, BCI Holdings, Inc. changed its name to Beatrice Company (Beatrice) (SDMS 547716; SDMS 547718). In 1990, ConAgra, Inc. acquired Beatrice (SDMS 547716). In 2000, ConAgra, Inc. changed its name to ConAgra Foods, Inc. (SDMS 549912).

Ownership and Operational History

Beatrice Foods owned and operated a chrome cowhide tannery located at 228 Salem Street, Woburn, MA from 1978 to 1983 as the John J. Riley Company Division of Beatrice Foods (SDMS 476296; SDMS 546187). The tanning process involved the conversion of hexavalent chromium into trivalent chromium prior to introduction into the tanning process. To support these tannery operations, Beatrice Foods also owned and operated a production well (PW #2) on an adjacent property at Salem Street R (known as the Wildwood Property) which it owned for the same time period (SDMS 476296; SDMS 493528).

228 Salem Street, Woburn MA:

The former Beatrice Foods property is situated upon a hillside to the west of the Southwest Properties. Storm water from the former Beatrice Foods property flows northeast/east towards the Murphy Waste Oil Property and associated Murphy Wetland (which are part of the Southwest Properties). The tannery operated on the property from 1915 to 1989 (SDMS 555833; SDMS 25854; SDMS 493528; SDMS 485990; SDMS 462023; SDMS 485987; SDMS 555845; SDMS 546192).

Wastes from the tanning process included liquid wastes that were discharged to the sewer and a variety of solid and sludge waste containing hexavalent and total chromium and buffing dust (composed of leather particles). Liquid waste from the catch basin enters the City of Woburn sewer, which runs to the northeast under the B&M railroad, and connects with the MDC Wilmington trunk sewer main. The sewer is periodically cleaned. Waste sludge and buffing dust were collected in lagoons at the tannery. Solids from the lagoons and downstream catch basins were dredged and landfilled on the northwestern portion of the tannery property and later landfilled on the slope. The waste sludge consisted of soluble and insoluble hide material, hair, blood, dirt, manure, salt, lime, chromium hydroxide, and ferrous hydroxide. Dizene used to disinfect the floor drains was discharged to the sewer. Any sediment that settled from the dizene

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wash water was landfilled at the northwest corner of the tannery property (SDMS 493528). The following compounds were also used on the property: benzidine-based dyes, phenolic-based detergents, ortho-dichlorobenzene, butyl acetate, 1,1,1 TCA, butoxyethanol, diisobutyl ketone, methoxyethanol and other VOCs (SDMS 493528; SDMS 476296).

The state received a complaint in 1980 regarding inappropriate waste disposal/burial on the former Beatrice Foods property (SDMS 476296). A former tannery employee indicated that tannery sludge disposed of on the tannery property flowed down a stream and onto the Wildwood Property (SDMS 539377).

In 1980, John J. Riley Company collected water samples from its "Color Dept. water (well)" and detected trichloroethylene (TCE), Trans-1,2 Dichloroethylene (1,2-trans DCE), 1,1,1-trichloroethane (1,1,1,-TCA), and chloroform (SDMS 548463). Also in 1980, Ecology and Environment sampled the water in production well #1 (PW #1 located on the tannery property) and detected the following contaminants: 1,1,1-TCA, 1,2-trans DCE, TCE, and chlorobenzene (SDMS 546190, SDMS 248057).

Relationship to Southwest Properties

The Murphy Wetland is located to the east of the former Beatrice Foods property. Elevated concentrations of Polyaromatic Hydrocarbons (PAHs), pesticides, polychlorinated biphenyls (PCBs), dioxin-like PCB congeners and metals (arsenic, cadmium, chromium and lead) have historically been detected in sediment samples taken from the Murphy Wetland. Sampling detected the following additional hazardous substances in sediment samples collected from the Murphy Wetland: acetone; 2-butanone; ethylbenzene; ethylene dibromide; methyl tert-butyl ether (MBTE); naphthalene; vinyl chloride; carbazole; 2-methylphenol; acenaphthene; acenaphthylene; anthracene; acetophenone; benzaldehyde; benzo(a)anthracene; benzo(b)fluoranthene; benzo(k)fluoranthene; benzo(g,h,i)perylene; benzo(a)pyrene; indeno(1,2,3-cd)pyrene; dibenz(a,h)anthracene; bis(2-ethylhexyl)phthalate; chrysene; fluoranthene; fluorine; phenanthrene; phenol; pyrene; C11-C22 aromatics; C9-C18 aliphatics; aluminum; antimony; arsenic; barium; beryllium; cadmium; calcium; chromium III; chromium IV; cobalt; copper; iron; lead; manganese; mercury; nickel; potassium; sodium; thallium; vanadium; zinc; PCB Aroclor 1248; PCB Aroclor 1254; PCB Aroclor 1260; total PCBs; twelve dioxin-like PCB congeners (PCB: 105, 114; 118, 123, 126, 156/157, 167, 170, 189, 193/180, 77, and 81); PCB TEQ; 4,4'-DDD; 4,4'-DDE; 4,4'-DDT; *alpha*-chlordane; and gamma-chlordane. In addition, sampling detected the following hazardous substances in surface water from the Murphy Wetland: aluminum; chromium VI; cobalt; cyanide; iron, and manganese (SDMS 541095; SDMS 259667; see also SDMS 259668; SDMS 259670-259685; SDMS 260703-260707; SDMS 549964). Storm water flows from the former Beatrice Foods property to the Murphy Wetland through the drainage ditch/swale and a railroad culvert. Storm water and

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Evidence Summary for the Beatrice Company/ConAgra Foods, Inc.

erosion from the former Beatrice Foods property have likely contributed to contamination at the Murphy Wetland (SDMS 555833; SDMS 25854; SDMS 493528; SDMS 485990; SDMS 462023; SDMS 485987; SDMS 541095; SDMS 555845; SDMS 546192).

In 1981, a sewer manhole located within the Murphy Wetland and 10 to 15 feet north of the dike around the Murphy's Waste Oil storage tanks was also found to be surrounded by fresh sand and gravel that was discolored blue and had small pieces of blue material intermixed with it. It appears that the material was used to cover or absorb material spilled near the manhole or flowing out of the manhole. The blue material appeared to be scraps of tanned "blue sides" leather (SDMS 549902). A City of Woburn sanitary sewer easement, originating within the former Beatrice Foods property, crosses the northern portion of the Murphy Waste Oil property in the Murphy Wetland. Historic overflow of the sanitary sewer manhole within the Murphy Wetland has contributed metals (e.g., total and hexavalent chromium) contamination to the wetland (SDMS 541095).

In the 1990s, contaminated soils and tannery wastes were found on the former Beatrice Foods property with detections of arsenic, chromium, lead, barium, cadmium, PAHs. Up to 82,500 ppm of total chromium was found in the tannery waste. The same tannery waste was found in a clay sewer pipe on the property conveying waste between the tannery facility and a catch basin adjacent to the detention pond/ basin. In 1996, 3,398 tons of arsenic contaminated soils and tannery wastes, including the clay pipe, were excavated and removed from the property (SDMS 493520).

In 2004, EPA conducted an Expanded Site Inspection on the former Beatrice Foods property and observed exposed waste in the northwestern portion of the property along the drainage ditch/swale. The exposed waste contained leather scraps, broken bottles, empty canisters, black sludge/hardened tar-like material, metal piping, drum carcasses, and bluish-gray soils. The contaminated soils and exposed waste contained elevated levels of metals with total chromium detected up to 86,000 mg/Kg. The drainage ditch begins on the western-central portion of the property and continues across the entire property until it reaches the culvert just west of the railroad tracks. The drainage ditch also receives overflow from a storm water detention basin/pond during heavy rain events. The drainage ditch follows a steep grade down a ridge. The storm water flows along the drainage ditch, through a culvert under the railroad tracks, and into the Murphy Wetland which is primarily located on the Murphy Waste Oil Property of the Southwest Properties. In 2006, approximately 26 tons of chromium contaminated soils and exposed waste along the drainage swale were removed, and the excavated area capped under an EPA Removal Action to address direct contact threat and threat of migration (SDMS 493528; SDMS 547750; SDMS 485990; SDMS 462023; SDMS 463008; SDMS 549963; SDMS 462026).

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In 2009, the hillside adjacent to the drainage ditch/swale on the former Beatrice Foods property was investigated further and found to contain tannery related contaminated soils/waste and solid wastes with total arsenic, cadmium, chromium, lead and mercury, along with less frequently detected PAHs and petroleum hydrocarbons. Arsenic, chromium and lead were detected within hillside samples at concentrations as high as 195 mg/kg, 39,500 mg/kg and 18,700 mg/kg, respectively. These metals (*i.e.*, arsenic, chromium and lead) and less frequently PAHs and petroleum hydrocarbons impacts have also been detected down gradient of the hillside, indicating source migration (SDMS 555845). In 2010, an additional 3,110 tons of contaminated soil and waste materials were excavated, and disposed of off the property. The former Beatrice Foods property was restored, including stabilization of the drainage ditch and backfilling, grading and seeding the hillside area (SDMS 493528; SDMS 547750; SDMS 485990; SDMS 462023; SDMS 555845; SDMS 546192).

Salem Street R, Woburn, MA (known as the Wildwood Property):

The Salem Street R property (also known as the "Wildwood Property") is one of the source area properties which make up Operable Unit One (OU-1) of the Wells G&H Superfund Site (SDMS 259667). The Wildwood Property is situated immediately north of the Southwest Properties. A prior owner of the former Beatrice Foods property installed a production well (PW#2) on the Wildwood Property in 1958 to support tannery operations on the adjacent parcel. The tannery operations concluded in 1989 (SDMS 476296; SDMS 248057; SDMS 493528; SDMS 547753).

There is historic evidence of hair, fleshings and other tannery wastes found on the property. In addition, historic site investigations revealed the presence of rusted-out steel 55-gallon drums, decayed corrugated cardboard drums, drum lids, bungs and caps and sludge at the property. Other historic evidence indicates that the property was used to dispose of waste from the neighboring John J. Riley tannery and Whitney Barrel Company operations (SDMS 547768; SDMS 547769; SDMS 549902; SDMS 549903; SDMS 259667). A former tannery employee indicated that tannery sludge disposed of on the adjacent tannery property flowed down a stream and onto the property (SDMS 539377).

In 1980, water was sampled from PW#2 on the Wildwood Property and detected the following contaminants: 1,1,1-TCA, 1,2-trans DCE, TCE, and tetrachloroethylene (PCE) (SDMS 546190; SDMS 248057). The Wildwood Property was identified in the 1989 Record of Decision (ROD) and 1991 Consent Decree for OU-1 as a source area requiring remediation of groundwater impacted with TCE, 1,2-trans DCE, 1,1,1-TCA, PCE, etc., and soils impacted with total chlorinated PAHs (cPAHs), PCBs, chlordane, 4,4'-DDT, lead, TCE, 1,2-trans DCE, 1,1,1-TCA, etc. The volatile organic contamination on the Wildwood Property was high throughout most of the overburden aquifer with a maximum concentration of TCE at 190,000 ug/L (SDMS 16803; SDMS 16796; SDMS 16982).

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Evidence Summary for the Beatrice Company/ConAgra Foods, Inc.

Relationship to Southwest Properties

Sediment/Surface Water

The Murphy Wetland is located adjacent to the upland portions of the Wildwood Property. Elevated concentrations of cPAHs, pesticides, PCBs, dioxin-like PCB congeners and metals (arsenic, cadmium, chromium and lead) have historically been detected in sediment samples taken from the Murphy Wetland. Sampling detected the following additional hazardous substances in sediment samples collected from the Murphy Wetland: acetone; 2-butanone; ethylbenzene; ethylene dibromide; methyl tert-butyl ether (MBTE); naphthalene; vinyl chloride; carbazole; 2-methylphenol; acenaphthene; acenaphthylene; anthracene; acetophenone; benzaldehyde; benzo(a)anthracene; benzo(b)fluoranthene; benzo(k)fluoranthene; benzo(g,h,i)perylene; benzo(a)pyrene; indeno(1,2,3-cd)pyrene; dibenz(a,h)anthracene; bis(2-ethylhexyl)phthalate; chrysene; fluoranthene; fluorine; phenanthrene; phenol; pyrene; C11-C22 aromatics; C9-C18 aliphatics; aluminum; antimony; arsenic; barium; beryllium; cadmium; calcium; chromium III; chromium IV; cobalt; copper; iron; lead; manganese; mercury; nickel; potassium; sodium; thallium; vanadium; zinc; PCB Aroclor 1248; PCB Aroclor 1254; PCB Aroclor 1260; total PCBs; twelve dioxin-like PCB congeners (PCB: 105, 114; 118, 123, 126, 156/157, 167, 170, 189, 193/180, 77, and 81); PCB TEQ; 4,4'-DDD; 4,4'-DDE; 4,4'-DDT; *alpha*-chlordane; and gamma-chlordane. In addition, sampling detected the following hazardous substances in surface water from the Murphy Wetland: aluminum; chromium VI; cobalt; cyanide; iron, and manganese (SDMS 541095; SDMS 259667; see also SDMS 259668; SDMS 259670-259685; SDMS 260703-260707; SDMS 549964). Concentrations of these hazardous substances (e.g. cPAHs, PCBs, chlordane, 4,4'-DDT, lead, TCE, trans-1,2 DCE, 1,1,1-TCA, etc.) in soils exceeding ROD cleanup goals were found near the southern limit of the Wildwood Property and adjacent to the northwest portion of the Murphy Wetland (SDMS 16796; SDMS 16982; SDMS 553621, SDMS 553622). Releases/erosion from the Wildwood Property have likely contributed to contamination found in the Murphy Wetland (SDMS 541095).

Groundwater

As noted above, production well PW#2 was installed on the Wildwood Property in 1958 to support tannery operations until 1989. The long-term pumpage from PW#2 caused a cone of depression around the production well causing groundwater flow towards the well (SDMS 460394). Portions of groundwater from the Murphy Wetland were within the influence of PW#2 during pumping conditions (SDMS 295888). Water table contours and bedrock potentiometric surface mapping conducted on the Wildwood Property in September 1993 indicated groundwater flow generally from the north-northwest (Wildwood Property), toward the Southwest Properties and ultimately the Aberjona River. A shift in the shallow groundwater contours, to a more east-

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northeasterly flow pattern across the Southwest Properties and toward the Aberjona River, is depicted in the vicinity of the Murphy property (SDMS 541095).

Groundwater monitoring at the Southwest Properties has indicated that the shallow overburden, deep overburden and shallow bedrock are largely impacted by the presence of chlorinated and non-chlorinated VOCs. The presence of VOCs such as BTEX compounds, cis-1,2-DCE, TCE, PCE and vinyl chloride have been detected in shallow groundwater throughout a significant portion of the Southwest Properties (SDMS 541095). As indicated above, the Wildwood Property is contaminated with volatile organic compounds (*e.g.*, TCE, trans-1,2 DCE, 1,1,1-TCA, PCE) and has had some of the highest groundwater contaminant (*e.g.*, TCE at 190,000 ug/L) levels found at the Wells G&H Superfund Site (SDMS 16803). Currently, the maximum concentration of TCE found at the Wildwood Property is 13,500 ug/L (April 2013) (SDMS 549998).

Consistent with an evaluation of groundwater flow patterns in October 2011, concentrations of TCE in groundwater in excess of 100 µg/L have historically been detected in down gradient wells. Concentrations of TCE of this magnitude have not been detected in groundwater in potential up gradient wells within the Southwest Properties. Also consistent with groundwater flow patterns in October 2011 and July 2013, deeper groundwater flow is from the Wildwood Property to the northern portion of the Southwest Properties (SDMS 541095).

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