

17955

**CERCLA SECTION 122 (g)(4) DE MINIMIS
WASTE CONTRIBUTOR ADMINISTRATIVE ORDER ON CONSENT**

IN THE MATTER OF:

EPA Docket No.: 94-33-C

Bypass 601 Groundwater
Contamination Site, Concord, NC

- ADVANCE AUTO PARTS
- AMERICAN PRODUCTS, INC.
- B & B USED AUTO PARTS, INC.
- BATTERY EXCHANGE SERVICE
- BCF PIPING, INC.
- BLYTHE INDUSTRIES, INC.
- BOBBY'S MOBIL & MUFFLER SERVICE
- BOB'S AUTO PARTS
- BOISE CASCADE CORP.
- BOWERS IMPLEMENT CO., INC.
- BRACKETT, MAURICE
- BRIDGESTONE/FIRESTONE INC.
- CABARRUS COUNTRY CLUB
- CABARRUS COUNTY SERVICE GARAGE
- CABARRUS MEMORIAL HOSPITAL
- CARMEL COUNTRY CLUB
- CAROLINA GOLF CART SERVICES
- CAROLINA TRACTOR
- CAROTELL PAPER BOARD CORP.
- C.G. TATE CONSTRUCTION COMPANY
- CHANCE, LUTHER
- CHARLOTTE AIRCRAFT CORPORATION
- CITY OF CONCORD
- CITY SALVAGE I, INC.
- CONCRETE SUPPLY COMPANY
- COOK'S BATTERY SERVICE, INC.
- DC TECHNOLOGY, INC.
- EASTERN TURF EQUIPMENT, INC.
- EAGLE CREST GOLF COURSE
- EDDIE O'S ENTERPRISES, LTD.
- E.I. DU PONT DE NEMOURS AND CO.
- FIELDCREST CANNON, INC.
- FRITO-LAY, INC.
- GEM DANDY AUTO PARTS, INC.
- GOODYEAR TIRE & RUBBER COMPANY
- GRAY, W.E.
- GREEN MEADOWS GOLF CLUB
- GREEN OAKS GOLF COURSE
- H & M SERVICE, INC.
- HAPPY VALLEY COUNTRY CLUB, INC.
- HARRIS TEETER, INC.

INDUSTRIAL TRUCK SALES & SERVICE)
 JARVIS BATTERY)
 JENKINS AUTO AND INDUSTRIAL SUPPLY)
 JENKINS SANITATION & METAL)
 JEWELL-STRICKLAND AUTO PARTS)
 KRAUS, DAVID)
 LIGGETT GROUP, INC.)
 LINVILLE COUNTRY CLUB)
 MACS AUTO PARTS)
 McALPINE WELL DRILLING, INC.)
 MONTGOMERY WARD & CO., INC.)
 MOORESVILLE GOLF CLUB)
 PHILIP MORRIS USA)
 PROPST CONSTRUCTION CO., INC.)
 PUGH AUTO CRUSHING CO.)
 RECYCLE PRODUCTS, INC.)
 RICHARDSON-VICKS, INC.)
 RITCHIE HARDWARE CO.)
 RIVERBEND GOLF COURSE)
 ROADWAY EXPRESS, INC.)
 ROCKWELL INTERNATIONAL CORPORATION)
 R.S. BRASWELL CO., INC)
 RUFUS KISER & SONS)
 SHARON GOLF CLUB)
 SILER CITY COUNTRY CLUB)
 SOUTHERN GIN & GRAIN COMPANY)
 SOUTHLAND TRUCK SALES)
 SPARTAN EXPRESS, INC.)
 TATUM BROTHERS AUTO SERVICE)
 THOMPSON RECONDITIONED BATTERIES)
 TODD FARM EQUIPMENT)
 TODD'S IRON & METAL COMPANY)
 TRASCO, INC.)
 UNITED STATES INFORMATION AGENCY)
 VESCO MATERIALS HANDLING)
 EQUIPMENT, INC.)
 WEST POINT-PEPPERELL, INC.)
 WILLIAMS TIRE SERVICE)

Respondents.

Proceeding under Section 122(g)(4)
 of the Comprehensive Environmental
 Response, Compensation, and
 Liability Act of 1980, as amended,
 42 U.S.C. §9622(g)(4)

ADMINISTRATIVE ORDER
 ON CONSENT

I. JURISDICTION

This Administrative Order on Consent (Consent Order) is issued pursuant to the authority vested in the President of the

United States by Section 122(g)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986 (CERCLA), Pub. L. No. 99-499, 42 U.S.C. §9622(g)(4), to reach settlements in actions under Section 106(a) or 107(a) of CERCLA, 42 U.S.C. §9606(a) or §9607(a). The authority vested in the President has been delegated to the Administrator of the United States Environmental Protection Agency (EPA) by Executive Order 12580, 52 Fed. Reg. 2923 (Jan. 29, 1987) and further delegated to the Regional Administrators of the EPA by EPA Delegation No. 14-14-E (issued Sept. 13, 1987, amended by memorandum June 17, 1988).

This Administrative Order on Consent is issued to the parties listed above (Respondents). Each Respondent agrees to undertake all actions required by the terms and conditions of this Consent Order. Each Respondent further consents to and will not contest EPA's jurisdiction to issue this Consent Order or to implement or enforce its terms.

II. STATEMENT OF FACTS

1. The Bypass 601 Groundwater Contamination Site, Cabarrus County, Concord, North Carolina (the Site), is comprised of the Martin's Scrap Recycling (MSR) facility, as well as ten additional source areas where contamination linked to the MSR facility was discovered. Due to lead contamination associated with lead reclamation operations which took place at the Site, EPA placed the Site on the National Priorities List, set forth at 40 C.F.R. Part 300, Appendix B, by publication in the Federal Register at 51 Fed. Reg. 21070 (June 10, 1986).

2. Hazardous substances within the definition of Section 101(14) of CERCLA, 42 U.S.C. §9601(14), have been or are threatened to be released into the environment at or from the Site.

3. As a result of the release or threatened release of hazardous substances into the environment, EPA has undertaken response action at the Site under Section 104 of CERCLA, 42 U.S.C. §9604, and may undertake future response action at the Site consistent with the Record of Decision (ROD) for the Site, issued in April, 1993.

4. In performing this response action, EPA has incurred, and will continue to incur, response costs at or in connection at the Site.

5. Information currently known to EPA indicates that each Respondent directly arranged for disposal or treatment of a hazardous substance owned or possessed by such Respondent at the Site.

6. Information currently known to EPA indicates that the amount of hazardous substances, principally in the form of lead-bearing materials, contributed to the Site by each Respondent does not exceed forty-thousand (40,000) pounds of the hazardous substance at the Site (See Attachment A, De Minimis Volumetric Ranking), and that the hazardous substances contributed by each Respondent to the Site are not significantly more toxic or of significantly greater hazardous effect than other hazardous substances at the Site.

7. In evaluating the settlement embodied in this Consent Order, EPA has considered the potential costs of remediating contamination at or in connection with the Site taking into account possible cost overruns.

8. Payments required to be made by each Respondent pursuant to this Consent Order are a minor portion of the total response costs at the Site, which EPA, based upon currently available information, estimates to be approximately \$44,500,000.

III. DETERMINATIONS

Based upon the Findings of Fact set forth above and on the administrative record for this Settlement, EPA has determined that:

1. The Bypass 601 Groundwater Contamination Site is a "facility" as that term is defined in Section 101(9) of CERCLA, 42 U.S.C. §9601(9).

2. Each Respondent is a "person" as that term is defined in Section 101(21) of CERCLA, 42 U.S.C. §9601(21).

3. Each Respondent is a potentially responsible party within the meaning of Sections 107(a) and 122(g)(1) of CERCLA, 42 U.S.C. §9607(a) and §9622(g)(1).

4. There has been an actual or threatened "release" of a hazardous substance from the Site as that term is defined in Section 101(22) of CERCLA, 42 U.S.C. §9601(22).

5. Prompt settlement with the Respondents is practicable and in the public interest within the meaning of Section 122(g)(1) of CERCLA, 42 U.S.C. §9622(g)(1).

6. This Consent Order involves only a minor portion of the response costs at the Site pursuant to Section 122(g)(1) of CERCLA, 42 U.S.C. §9622(g)(1).

7. The amount of hazardous substances contributed to the Site by each Respondent and the toxic or other hazardous effects of the hazardous substances contributed to the Site by each

Respondent are minimal in comparison to other hazardous substances at the Site pursuant to Section 122(g)(1)(A) of CERCLA, 42 U.S.C. §9622(g)(1)(A).

IV. ORDER

Based upon the administrative record for this Settlement and the Findings of Fact and Determinations set forth above, and in consideration of the promises and covenants set forth herein, it is hereby AGREED TO AND ORDERED:

V. PAYMENT

1. Each Respondent shall pay to the Hazardous Substance Superfund the amount listed on the Matrix on Attachment B which corresponds with the number of pounds of materials which each Respondent is listed on Attachment A as having contributed to the Site. However, for those Respondents listed on Attachment C, their Cost of Settlement shall be decreased by the amount shown on Attachment C. All Attachments are incorporated herein by reference, and all payments shall be made upon demand after the effective date of this Consent Order.

2. The total amount to be paid by each Respondent includes a payment for: a) total past response costs incurred at or in connection with the Site; b) total projected future response costs to be incurred at or in connection with the Site; c) the existence of an orphan share at the Site; and d) a premium to cover the risk that response costs to be incurred at or in connection with the Site will exceed \$44,500,000.

3. Each payment shall be made by certified or cashier's check made payable to "EPA-Hazardous Substance Superfund." Each check shall reference the site name, the name and address of the Respondent, EPA CERCLA Number NCD 044440303, and the EPA docket number for this action, and shall be sent to:

U.S. Environmental Protection Agency
Region IV
Superfund Accounting
P.O. Box 100142
Atlanta, GA 30384

Attn: Collection Officer in Superfund

4. Each Respondent shall simultaneously send a copy of its check to:

Mr. Seth Bruckner
Assistant Regional Counsel
Office of Regional Counsel
U.S. E.P.A., Region IV
345 Courtland Street, N.E.
Atlanta, Georgia 30365

5. In addition to any other remedies or sanctions available to EPA, any Respondent who fails or refuses to comply with any term or condition of this Consent Order, after entering into this Consent Order, shall be subject to a civil penalty of up to \$25,000 per day for each failure or refusal pursuant to Section 122(1) of CERCLA, 42 U.S.C. §9622(1).

VI. CERTIFICATION OF RESPONDENT

Each Respondent certifies individually that, to the best of its knowledge and belief, it has conducted a thorough, comprehensive, good faith search for documents and has fully and accurately disclosed to EPA all information currently in its possession, or in the possession of its officers, directors, employees, contractors, agents or attorneys, which relates in any way to the ownership, operation, generation, treatment, transportation, storage, or disposal of hazardous substances at or in connection with the Site. Each Respondent further certifies, individually, that it has not altered, mutilated, discarded, destroyed, or otherwise disposed of any records, documents, or other information relating to its potential liability regarding the Site since notification of potential liability, and that it has fully complied with any and all EPA requests for information pursuant to Sections 104(e) and 122(e) of CERCLA, 42 U.S.C. §9604(e) and §9622(e), and Section 3007 of the Resource Conservation and Recovery Act, as amended, 42 U.S.C. §6927. Provision of false, fictitious, or fraudulent statements or representations to the United States may subject a Respondent to criminal penalties under 18 U.S.C. §1001.

VII. COVENANTS NOT TO SUE BY EPA

7. In consideration of the payments that will be made by the Respondents under the terms of this Consent Order, and except as specifically provided in Section IX, Paragraphs 10 and 11, of this Consent Order, EPA covenants not to sue or take administrative action against any of the Respondents pursuant to Sections 106(a) or 107(a) of CERCLA, 42 U.S.C. §9606(a) or §9607(a), and Section 7003 of the Resource Conservation and Recovery Act, as amended, 42 U.S.C. §6973, relating to the Site. With respect to present and future liability, these covenants not to sue will take effect with respect to each Respondent upon the receipt by EPA of the payment from that Respondent required by

Section V, Paragraph 1, of this Consent Order. With respect to each Respondent, these covenants not to sue are conditioned upon the complete and satisfactory performance by that Respondent of its obligations under this Consent Order. The covenants not to sue extend only to the Respondents, and do not extend to any other person.

VIII. COVENANTS NOT TO SUE BY RESPONDENTS

8. The Respondents covenant not to sue and agree not to assert any claims or causes of action against the United States or its contractors or employees with respect to the Site or this Consent Order, including, but not limited to, any direct or indirect claim for reimbursement from the Hazardous Substance Superfund (established pursuant to the Internal Revenue Code, 26 U.S.C. §9507) through Sections 106(b)(2), 111, 112, or 113 of CERCLA, 42 U.S.C. §§9606(b)(2), 9611, 9612, or 9613, or any other provision of law, or any claims arising out of response activities taken or to be taken at the Site. Nothing in this Consent Order shall be deemed to constitute preauthorization of a claim within the meaning of Section 111 of CERCLA, 42 U.S.C. §9611, or 40 C.F.R. 300.700(d).

9. The Respondents covenant not to sue and agree not to assert any claims or causes of action against any party (1) whose contribution to the Site does not exceed 319 pounds of lead-bearing materials, and (2) whose contribution of non-lead-bearing hazardous materials does not contribute disproportionately to the cumulative toxic or other effects of the hazardous substances at the Site ("De Micromis Parties"), arising out of matters addressed in this Administrative Order, or to seek any other costs, damages, or attorney's fees from De Micromis Parties arising out of response activities at the Site.

a. Nothing in Paragraph 9 constitutes a covenant not to sue or to take action or otherwise limit the ability of the Respondents to seek or obtain further relief from any of the De Micromis Parties, and the covenant not to sue in Paragraph 9 is null and void if information not currently known to Respondents is discovered which indicates that any De Micromis Party no longer qualifies as a De Micromis Party at the Site.

b. Nothing in Paragraph 9 is intended as a release or covenant not to sue for any claims or cause of action, administrative or judicial, civil or criminal, past or future, in law or in equity, which the Respondents may have against any person, firm, corporation, or other entity that is not defined as a De Micromis Party under Paragraph 9.

IX. RESERVATIONS OF RIGHTS

10. The covenants not to sue by EPA set forth in Section VII, Paragraph 7, of this Consent Order, do not pertain to any matters other than those expressly specified in Paragraph 7. The United States, including EPA, reserves, and this Consent Order is without prejudice to, all rights against Respondents with respect to all other matters, including, but not limited to, the following:

- a. claims based on a failure to make the payments required by Section V, Paragraph 1, of this Consent Order;
- b. criminal liability; or
- c. liability for damages for injury to, destruction of, or loss of natural resources.

11. Notwithstanding any other provision in this Consent Order, the United States, including EPA, reserves, and this Consent Order is without prejudice to, the right to institute judicial proceedings or to issue an administrative order seeking to compel the Respondents 1) to perform response actions relating to the Site, or 2) to reimburse the United States, including EPA, for additional costs of response if information not currently known to the EPA is discovered which indicates that any Respondent contributed, directly or indirectly, hazardous substances to the Site in such greater amount or of such greater toxic or other hazardous effects that the Respondent no longer qualifies as a de minimis party at the Site because the Respondent contributed in excess of forty-thousand (40,000) pounds of the hazardous substance at the Site, or the substances contributed by the Respondent to the Site are significantly more toxic or of significantly greater hazardous effect than other hazardous substances (lead-bearing materials) at the Site.

X. EFFECT OF SETTLEMENT; CONTRIBUTION PROTECTION

12. Nothing in this Consent Order shall be construed to create any rights in, or grant any cause of action to, any person not a party to this Consent Order. The preceding sentence shall not be construed to waive or nullify any rights that any person not a signatory to this Consent Order may have under applicable law. The United States, including EPA, and the Settling Parties each reserve any and all rights (including, but not limited to, any right to contribution), defenses, claims, demands, and causes of action which each party may have with respect to any matter, transaction, or occurrence relating in any way to the Site against any person not a party hereto.

13. EPA and the Respondents agree that the actions undertaken by the Respondents in accordance with this Consent

Order do not constitute an admission of any liability by any Respondent. The Respondents do not admit and retain the right to controvert in any subsequent proceedings, other than proceedings to implement or enforce this Consent Order, the validity of the Statement of Facts or Determinations contained in this Consent Order.

14. With regard to claims for contribution against each Respondent for matters addressed by this Consent Order, the Parties hereto agree that each Respondent is entitled, as of the effective date of this Consent Order, to such protection from contribution actions or claims as is provided by Sections 113(f)(2) and 122(g)(5) of CERCLA, 42 U.S.C. §9613(f)(2) and §9622(g)(5). Such protection with respect to each Respondent is conditioned upon that Respondent's compliance with the requirements of this Consent Order.

XI. PARTIES BOUND

15. This Consent Order shall apply to and be binding upon EPA and upon the Respondents and their heirs, successors, and assigns. Any change in ownership or corporate status of a Respondent including, but not limited to, any transfer of assets or real or personal property, shall in no way alter such Respondent's responsibilities under this Consent Order. Each signatory to this Consent Order represents that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to bind legally the Respondent represented by him or her.

XI. PUBLIC COMMENT

16. This Consent Order shall be subject to a thirty-day public comment period pursuant to Section 122(i) of CERCLA, 42 U.S.C. §9622(i). In accordance with Section 122(i)(3) of CERCLA, 42 U.S.C. §9622(i)(3), EPA may withdraw or modify consent to this Consent Order if comments received disclose facts or considerations which indicate that this Consent Order is inappropriate, improper, or inadequate.

XII. ATTORNEY GENERAL APPROVAL

17. The Attorney General or his designee has issued prior written approval of the settlement embodied in this Consent Order in accordance with Section 122(g)(4) of CERCLA, 42 U.S.C. §9622(g)(4). A copy of this approval is attached as Attachment D.

EFFECTIVE DATE

18. The effective date of this Consent Order shall be the date upon which EPA issues written notice to the Respondents that

the public comment period pursuant to section XI, Paragraph 15, of this Consent Order has closed and that comments received, if any, do not require modification of or EPA withdrawal from this Consent Order.

IT IS SO AGREED AND ORDERED:

U.S. Environmental Protection Agency

By: 

Joseph R. Franzmathes
Director
Waste Management Division
U.S. Environmental Protection Agency
Region IV

7/25/94
Date

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY:

Victor L. Stewart

4-20-94

Date

Name: Victor L. Stewart

Title: Director of Publications + Meetings

Company: Advance Auto Parts

Address: P.O. Box 2710
Roanoke, Va. 24001

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: W.H. Peeler

May 6, 1994

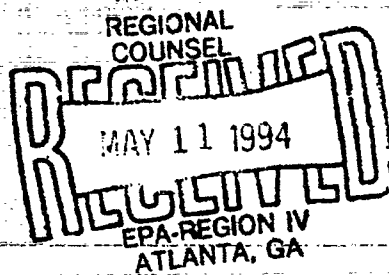
Date

Name: William H. Peeler

Title: President

Company: AMERICAN PRODUCTS, INC.

Address: P. O. BOX 818, 11815 Downs Rd.
Pineville, N. C. 28134



IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: Thomas W. Barringer

MAY 13, 1994
Date

Name: THOMAS W. BARRINGER

Title: PRES.

Company: B+K USED AUTO PARTS, INC.

Address: 3500 HARTLEY ST
CHARLOTTE, N.C. 28206

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent.

IT IS SO AGREED:

BY: John E. Watson Jr.

5-5-94
Date

Name: JOHN E. WATSON JR.

Title: OWNER

Company: BATTERY EXCHANGE SERVICE

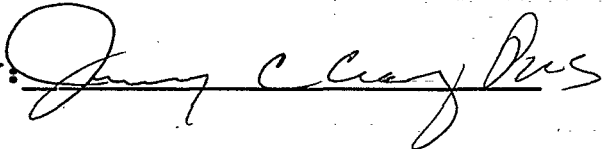
Address: 1006 SOUTH RIDGE AVENUE

KANNAPOLIS, N.C.

28083

**IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,**

IT IS SO AGREED:

BY: 

APRIL 13, 1994
Date

Name: JIMMY C. CRAIG

Title: PRESIDENT

Company: BCF PIPING, INC.

Address: P O BOX561746

3401 N I-85 SERVICE ROAD (28269)

CHARLOTTE NC 28256

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor; Administrative Order on Consent,

IT IS SO AGREED:

BY: _____



March 17, 1994
Date

Name: William Noel Briggs

Title: Chairman and
Chief Executive Officer

Company: Blythe Industries, Inc.

Address: 2911 N. Graham St.
Charlotte, NC 28206

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

Bobby D. Clawson
BY: Bobby's Mobil + Muffler Service

April 7 1994
Date

Name: Bobby D. Clawson

Title: owner

Company: Bobby's Mobil + Muffler Service

Address: 712 S. Salisbury Ave. Spencer N.C. 28159

**IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,**

IT IS SO AGREED:

BY:

Robert A. Fields

May 9, 1994

Date

Name: Robert A. Fields

Title: Owner

Company: Bob's Auto Parts

Address: P.O. Box 704, Forest City, NC 28043

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY:  U. Kirk Sullivan OK NDM

March 15, 1994

Date

Name: U. Kirk Sullivan

Vice President

Title: Governmental and Environmental Affairs

Company: Boise Cascade Corp.

P.O. Box 50

Address: Boise, ID 83728

**IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,**

IT IS SO AGREED:

BY: Allen H. Bowers

3/16/94

Date

Name: Allen H. Bowers

Title: President

Company: Bowers Implement Co., Inc.

Address: 338 Hwy 24-27 Bypass E.
Albemarle, NC 28001

Claim #388466

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: D. Maurice Brackett

4-15-94

Date

Name: MAURICE BRACKETT

Title: _____

Company: RALEIGH GOLF ASSOCIATION / HYLAND HILLS GOLF CLUB

Address: P.O. Box 5769

CARY, N.C. 27512

**IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,**

IT IS SO AGREED:

BY: Bridgestone/Firestone INC.

4-7-93

Date

Name: James K. Viles

Title: General Counsel/Environmental

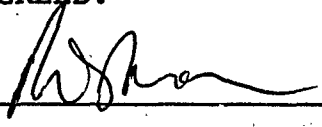
Company: BFS, INC.

Address: Nashville, TN.

**IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,**

IT IS SO AGREED:

BY: _____



May 10, 1994
Date

Name: RICHARD M. BRUCCHI

Title: General Manager

Company: CABARRUS COUNTY CLUB

Address: P.O. Box 281
CONCORD, NC 28026-0281

**IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,**

IT IS SO AGREED:

BY:

John V. Witherspoon

May 13, 1994
Date

Name: John V. Witherspoon

Title: County Manager

Company: Cabarrus County for
Cabarrus County Service Garage
P. O. Box 707

Address: Concord, NC 28026-0707

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: Robert B. Conroy Jr.

3/22/94
Date

Name: Robert B. Conroy Jr.

Title: COO

Company: Cobarras Memorial Hospital

Address: 920 Church St, Concord N.C. 28025

**IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,**

IT IS SO AGREED:

BY: Greg Cox

4-17-94
Date

Name: Greg Cox

Title: President

Company: Carmel Country Club

Address: 4735 Carmel Road

Charlotte, NC 28226

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: Leland E. Martus 4-14-1994
Date

Name: Leland E. Martus

Title: owner

Company: Carolina Golf Cart Services

Address: 3020 N. Myers St. Charlotte, NC,
28205

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: Ben E. Putnam

5/11/94
Date

Name: Benjamin E. Putnam

Title: Purchasing Manager

Company: Carolina Tractor

Address: P.O. Box 1095, Charlotte, NC
28201-1095

**IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,**

IT IS SO AGREED:

BY: Crescent Paper Board 5/10/94
Date

Name: Paul J. Van Slyke

Title: Corporate Treasurer

Company: Crescent Paper Board Corp

Address: PO Box 655

Fayetteville, SC 29687

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: C. G. Tate, Jr. C.G. TATE, JR. 3-16-94
Date

Name: C.G. TATE CONST. CO.

Title: PRESIDENT

Company: P.O. Box 287

Address: CONCORD, NC 28024

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: David L. Chance

May 6, 1994
Date

Name: LUTHER CHANCE - DECEASED SEPT. 20, 1983

Title: _____

Company: _____

Address: _____

I agree to pay my father's part, the sum of \$3,005 dollar.

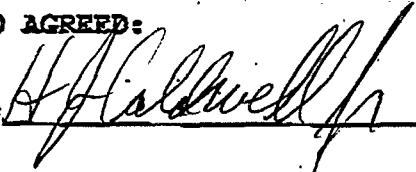
Thank you
D. L. Chance
Rt. 1 Box 449
Hamlet, N.C. 28345

REGIONAL
COUNSEL
RECEIVED
MAY 11 1994
EPA-REGION IV
ATLANTA, GA

**IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,**

IT IS SO AGREED:

BY:



May 10, 1994

Date

Name: Harold J. Caldwell, Jr.

Title: President

Company: Charlotte Aircraft Corporation

Address: P. O. Box 25555

Charlotte, NC 28229-5555

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: Leonard B. Sossamon

April 28, 1994

Date

Name: Leonard B. Sossamon

Title: City Manager

Company: City of Concord

Address: PO Box 308
Concord, N.C. 28026

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: Sary A Kisin

4-14-94
Date

Name: Sary A Kisin

Title: Pres

Company: City Salvage I INC

Address: P.O. Box 26603
Charlotte N.C. 28221

**IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,**

IT IS SO AGREED:

BY: J. T. Haney

5-09-94
Date

Name: J. T. Haney

Title: President

Company: Concrete Supply Co.

Address: Box 5247

Charlotte, N. C. 28225

**IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,**

IT IS SO AGREED:

BY: Michael N. Cook

MAY 12, 1994
Date

Name: MICHAEL N. COOK

Title: VICE-PRESIDENT

Company: COOK'S BATTERY SERVICE, INC.

932 E. MAIN ST.

Address: ROCK HILL, S.C

29730

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: Marvin G. Kiser

3/21/94
Date

Name: MARVIN G. KISER

Title: TREASURER

Company: DC TECHNOLOGY, INC.

Address: P.O. BOX 240994

CHARLOTTE, NC. 28224

**IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,**

IT IS SO AGREED:

Eastern Turf Equipment Inc.

BY: E.C. Altman

May 4, 1994

Date

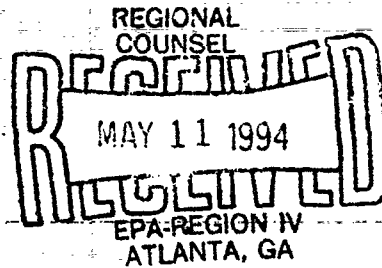
Name: E.C. Altman

Title: President

Company: Eastern Turf Equipment, INC.

1045 BRagg Blvd.

Address: Fayetteville NC 28301



IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: Eagle Crest Golf Course

4/28/94
Date

Name: John R. Bancom Jr.

Title: owner

Company: EAGLE CREST GOLF COURSE

Address: 4400 Auburn Church Road
Gannoy, N.C. 27529

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: Edward M Osinski May 2, 1994
Date

Name: EDWARD M. OSINSKI

Title: President

Company: Eddie O's Enterprises LTD +1A Loch Haven
Golf Course

Address: PO Box 330

Plymouth Meeting

PA 19402

Member of the PRP GROUP
MS-PRP

**IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,**

IT IS SO AGREED:

BY: John W. Keiter

4/14/94
Date

Name: John W. Keiter

Title: Senior Counsel

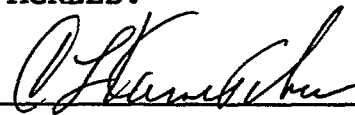
Company: E.I. du Pont de Nemours and Company

Address: Legal Department D-8072-1
1007 Market Street
Wilmington, DE 19898

**IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,**

IT IS SO AGREED:

BY:



May 2, 1994

Date

Name: C. L. Kametches

Title: Senior VP Manufacturing Engineering

Company: Fieldcrest Cannon, Inc.

Address: P. O. Box 107

Kannapolis, NC 28082

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: Dennis D. Zito

3/23/94
Date

Name: DENNIS D. ZITO

Title: COMPLIANCE MGR.

Company: FRITO-LAY, INC.

Address: 2911 NEVADA BLVD.

CHARLOTTE, N.C.

28273

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

Gene Sandyants Potolone
BY: *Charlie Billingsley*

5-17-94
Date

Name: *Charlie Billingsley*

Title: *Pres*

Company: *Gene Sandyants Potolone*

Address: *1327 Highway 29 SW Rutherford NC, 27570*

**IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,**

IT IS SO AGREED:
THE GOODYEAR TIRE & RUBBER COMPANY

BY: 

April 18, 1994
Date

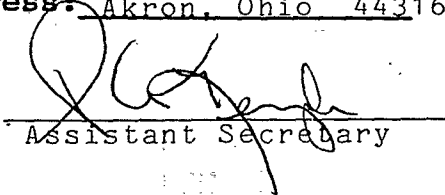
Name: R M Hehir

Title: Vice President

Company: THE GOODYEAR TIRE & RUBBER COMPANY

1144 East Market Street

Address: Akron, Ohio 44316-0001

ATTEST: 

Assistant Secretary

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: _____

5/24/93
Date

Name: W. E. Gray

Title: _____

Company: _____

Address: Rt 4 Box 484
Orangeburg SC
29115

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: Edward M Osinski May 2 1994
Date

Name: EDWARD M OSINSKI

Title: President

Company: Westland Golf Club Inc +/A Green Meadows
golf club

Address: PO Box 330

Plymouth Meeting
PA 19462

member of the P R P group
MSR-

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: E. Keith Almond 3/18/94
Date

Name: E. Keith Almond, DR

Title: V. P.

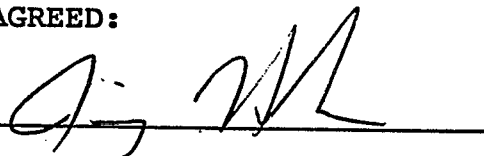
Company: Green oaks Golf Course

Address: 477 S Hamby Br. Rd
Concord NC 28025

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY:



4/28/94

Date

Name: Jimmy Hardin

Title: V. PRES / OWNER

Company: H & M SERVICE INC.

Address: 109 S. First St

Fort Mill S.C.

29715

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: Alton Absher

3-21-94

Date

Name: Alton Absher

Title: President

Company: Happy Valley CC Inc.

Address: PO Box 1587
Wilson, N. C. 27893

RECEIVED

MAR 17 1999

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site, ~~DEPT~~
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: Frances M. Almond

3/15/99
Date

Name: Frances M. Almond

Title: VP Personnel Development

Company: Harris Teeter, Inc.

Address: 701 Crestdale Drive
Matthews, NC 28105

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: L. L. Carver

APRIL 15, 1994
Date

Name: L. L. CARVER

Title: TREASURER

* Company: INDUSTRIAL TRUCK SALES & SERVICE, INC.

Address: P.O. Box 1028, HIGHWAY 421 NORTH, WILMINGTON, N.C. 28402

* (HOME OFFICE ADDRESS :
P.O. Box 3174, 4100 RANDLEMAN ROAD, GREENSBORO, N.C. 27402)

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: J.B. Jarvis

4-21-94

Date

Name: J.B. JARVIS

Title: V-PRES.

Company: THE JARVIS CO. INC.

Address: 832 N. LIBERTY ST
WINSTON-SALEM, NC
27106

**IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,**

IT IS SO AGREED:

BY:

Franklin Jenkins

5/3/94
Date

Name: FRANKLIN JENKINS

Title: VICE PRESIDENT

Company: JENKINS AUTOMOTIVE AND INDUSTRIAL SUPPLY INC.

Address: 916 LONG DRIVE ROCKINGHAM N.C. 28379

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: Mabel L. Jenkins

MAY 12, 1994
Date

Name: MABEL L. JENKINS

Title: Beneficiary of the Estate of Charlie Jenkins

Company: Jenkins Sanitation & Metal

Address: 1802 Holt Rd.

Apey, NC 27502

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: Albert L. Jewell

4-28-94

Date

Name: Albert L. Jewell, Jr.

Title: President

Company: Jewell-Strickland Auto Parts

Address: S. N 3rd St. PO Box 2026

Wilmington
NC 28401

Wilmington
NC 28402

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: *David Kraus*

4/1/94
Date

Name: DAVID KRAUS

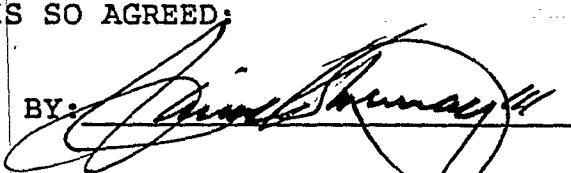
Title: (RABBI)

Company: _____

Address: PO BOX 1493
BEAUFORT, SC 29901

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: 

March 18, 1994
Date

Name: Josiah S. Murray, III
Senior Vice President

Title: & General Counsel

Company: Liggett Group Inc.
700 West Main Street

Address: Durham, NC 27702

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: Burl Dale

3/29/94
Date

Name: Burl Dale

Title: President

Company: Florida Golf Shop, Inc. ("Linville Country Club")

Address: 8000 Margate Boulevard
Margate, Florida 33063

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: L. L. McNeill Mar 31, 1994
Date

Name: L. L. McNeill

Title: owner

Company: Mac's auto parts

Address: 4715 Paula Drive
Winston Salem, N.C. 27127

REGIONAL
COUNSEL
RECEIVED
MAY 11 1994
EPA-REGION IV
ATLANTA, GA

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: Jon D. Venable X MARCH 31 1994 X
Date

Name: JON D VENABLE X

Title: PRES. X

Company: MS ALPINE WELL DRILLING INC.

Address: PO BOX 693 MATTHEWS NC, 28106

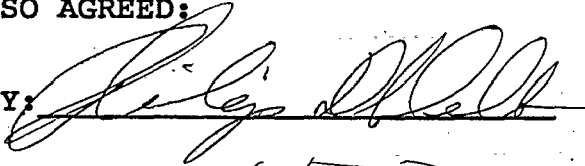
REC'D SSC - 08

1994

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY:



April 22, 1994
Date

Name: Philip D. Delk

Title: Vice President

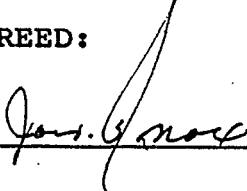
Company: Montgomery Ward & Co., Incorporated

Address: 619 West Chicago Ave
Chicago, IL
60671

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY:



4-19-94

Date

Name: Joe V. Knox

Title: Mayor

Company: Town of Mooresville / Mooresville Golf Club

Address: P. O. Box 878
Mooresville, N. C. 28115

**IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,**

IT IS SO AGREED:

BY: David E. Merrill

4-25-94

Date

Name: David E. Merrill

Title: Director Environmental
Compliance and Engineering

Company: Philip Morris USA

Address: P.O. Box 26603,
Richmond, VA 23261-6603

**IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,**

IT IS SO AGREED:

BY: Billy T Beck

3/23/94
Date

Name: Billy T. Beck

Title: Secretary/Treasurer

Company: Propst Construction Co., Inc.

Address: P. O. Box 688
Concord, NC 28026-0688

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: David R. Pugh

May 10, 1994
Date

Name: David Pugh

Title: Owner

Company: Pugh Auto Crushing Co

Address: 590 Bud Sink Rd
Lexington, N.C. 27292

*Pugh spelled as Pough by MSR on sales
ticket.*

REGIONAL
COUNSEL
RECEIVED
MAY 17 1994
RECEIVED
EPA-REGION IV
ATLANTA, GA

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY:



5/9/84
Date

Name: Roderick F Arnold

Title: PRESIDENT

Company: RECYCLE PRODUCTS, INC

Address: PO Box 12516
FLORENCE, SC 29504



Send original

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De Minimis Waste
Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: *R L Antoine* 4/22/94
Date

Name: R. L. Antoine

Title: Vice President

*Company: The Procter & Gamble Manufacturing Company

Address: 1 Procter & Gamble Plaza, Cincinnati, OH 45202-3315

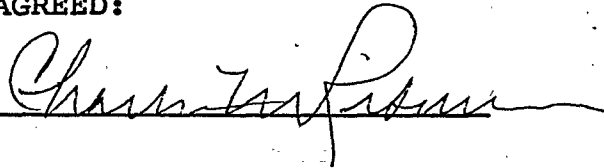
*Richardson Vicks, Inc. previously owned the plant located at 100 Swing Rd., Greensboro, N.C.

The Procter & Gamble Manufacturing Company is the current owner.

**IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,**

IT IS SO AGREED:

BY:



April 14, 1994

Date

Name: Charles M. Ritchie

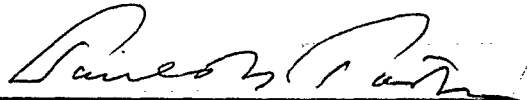
Title: President

Company: Ritchie Hardware Co.

Address: P. O. Box 1190, Concord, NC 28026

**IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,**

IT IS SO AGREED:

BY: 

March 22, 1994

Date

Name: Paul B. Porter

Title: President

Company: Riverbend Acres, Inc. d/b/a Riverbend Golf Course

Address: P. O. Box 1939

Shelby, NC 28151-1939

**IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,**

IT IS SO AGREED:

On Behalf of Roadway Express, Inc.

BY: MW Wickham

3/9/94
Date

Name: M. W. Wickham

Title: President

c/o

Company: Roadway Services, Inc.

Address: 1077 Gorge Boulevard
Akron, OH 44309-0088

**IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,**

IT IS SO AGREED:

ROCKWELL INTERNATIONAL CORPORATION

BY: Robert K. Beck

March 17, 1994

Date

Name: Robert K. Beck

Title: Assistant General Counsel

Company: Rockwell International Corporation

Address: 625 Liberty Avenue
Pittsburgh, PA 15222

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: Alton H. Thigpen

4-20-94
Date

Name: Alton H. Thigpen

Title: President

Company: R. S. Braswell Co., Inc.

Address: PO Box 1197, Kannapolis, NC 28082-1197

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: Lanny D. Kiser 5-9-94
Date

Name: Lanny D. Kiser

Title: Vic. Pres.

Rufus Kiser Company: Rufus Kiser + Sons

Address: 1000 Hwy 601 By-Pass
CONCORD, N.C. 28025

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: David V. Strawn
Attorney in Fact for R.E. Strawn,
Proprietor of Sharon Golf Club.
Name: David V. Strawn

March 14, 1994
Date

Title: Attorney in Fact for R.E. Strawn, Proprietor and owner

Company: Sharon Golf Club

Address: c/o David V. Strawn

Attorney at Law
2115 Rexford Rd., Ste. 101
Charlotte, NC 28211

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY:



4-21-94

Date

Name: Craig Wood

Title: President

Company: Siler City Country Club

Address: P.O. Box 474, Siler City, North Carolina 27344

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: Southern Lin + Grain Co.

3-19-94
Date

Name: Roy Turner

Title: Pres.

Company: Southern Lin + Grain Co.

Address: P.O. Box 736

Jayetown N.C.
28302

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: A. J. Kinsella

5/09/94
Date

Name: A. J. Kinsella

Title: Pres.

Company: Southland Truck Sales

Address: 3673 North I-85
Charlotte, N.C. 28219

**IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,**

IT IS SO AGREED:

On Behalf of Spartan Express, Inc.

BY: 

May 10, 1994

Date

Name: John M. Glenn

Title: General Counsel

Company: Roadway Services, Inc.

Address: 1077 Gorge Boulevard
Akron, OH 44309-0088

c/o

Mailing

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: Harry Tatum

3, 23 - 94
Date

Name: Harry Tatum

Title: Partner

Company: Tatum Brothers auto Service

Address: 914 Dunn Road
Jay's Woods NC 28301

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: Jerry F Thompson

5/1/94
Date

Name: JERRY F THOMPSON

Title: _____

Company: (Thompson Reconditioned Batteries)

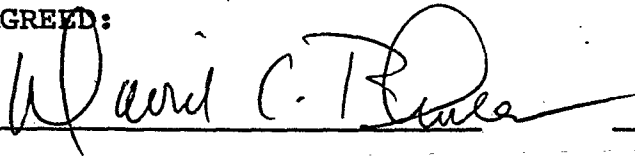
Address: 2102 NC 54

GRAHAM N.C. 27253

**IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,**

IT IS SO AGREED:

BY:



April 19, 1994
Date

Name: David C. Rhodes

Title: Treasurer

Company: Todd Farm Equipment, Inc.

Address: 2012 Campostella Road
P.O. Box 1326
Chesapeake, Va 23324

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: ✓ Edward Todd

3-21-94
Date

Name: Edward Todd

Title: President

Company: Todd's Iron & Metal Co.

Address: Route 3, Box 573
Hamlet, NC 28345

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: Russell R. Ledford

3-17-94
Date

Name: Russell R. Ledford

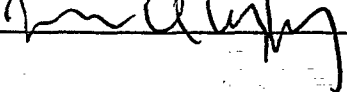
Title: President

Company: Trasco, Inc.
P.O. box 4238

Address: West Columbia, s.c. 29169

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: 

April 29, 1994
Date

Name: Joseph Duffey

Title: Director

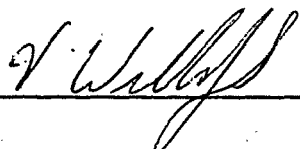
Company: United States Information Agency

Address: 301 4th Street, S.W.

Washington, D.C. 20547

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: 

3/23/94
Date

Name: Vann Williford

Title: President

Company: Vesco Materials Handling Equipment, Inc.

Address: P.O. Box B
High Point, NC 27261

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

By: Richard B. Terry

April 8, 1994

Name: Richmond B. Terry

Title: Vice President

Company: J.P. Stevens &
Co., Inc.*

Address: 400 West Tenth St.
West Point, GA 31833

* An indirect wholly-owned subsidiary of WestPoint Stevens Inc.
(successor to West Point-Pepperell, Inc.)

IN THE MATTER OF the Bypass 601 Groundwater Contamination Site De
Minimis Waste Contributor Administrative Order on Consent,

IT IS SO AGREED:

BY: Charles J. Williams

May 2, 1994
Date

Name: Charles J. WILLIAMS

Title: OWNER

Company: WILLIAMS TIRE SERVICE

Address: 60 COLBAN AVE, SE.

Attachment A

BYPASS 601 GROUNDWATER CONTAMINATION SITE
DE MINIMIS WASTE CONTRIBUTOR VOLUMETRIC RANKING

<u>PRP</u>	<u>AMOUNT CONTRIBUTED (LBS)</u>
Carolina Tractor & Equipment	35,700
Maurice Brackett	32,032
Montgomery Ward & Co., Inc.	30,304
Harris Teeter, Inc.	28,220
Jenkins Sanitation & Metal	26,704
Bowers Implement Co.	25,750
Eagle Crest Golf Course	25,728
Cook's Battery Service	24,336
Carotell Paper	24,270
Battery Exchange Service	22,656
R.S. Braswell Co.	20,000
Jarvis Battery & Electric	19,296
W.E. Gray	18,656
Eddie O's Enterprises Ltd.	18,368
Roadway Express	17,728
Todd Farm Equipment	17,280
American Products	15,400
Gem Dandy Used Auto Parts	14,656
Blythe Industries	14,606
Recycle Products	14,590
Concrete Supply Co.	13,010
Bridgestone/Firestone	12,497
Boise Cascade Co.	12,350
Green Meadows Golf Club	11,968
Thompson Reconditioned Batteries	11,904
H & M Service	11,820
Vesco Materials Handling Equip.	11,170
Linville Country Club	10,240
Fieldcrest Cannon	10,050
West Point-Pepperell	9,270
Riverbend Golf Course	9,248
Propst Contruction Co.	8,023
Luther Chance	7,460
David Kraus	7,339
Carolina Golf Cart Service	6,944
Jenkins Automotive	6,930
Richardson-Vicks	6,580
Rufus Kiser	6,550
Cabarrus Country Club	5,600

Cabarrus Memorial Hospital	5,560
Southland Truck Sales	5,200
Liggett Group	5,085
- - - - -	- - -
City Salvage I	4,976
Trasco	4,832
B & B Used Auto Parts	4,666
Charlotte Aircraft	4,644
Mooresville Golf Club	4,640
Pugh Auto Crushing Co.	3,420
Happy Valley	3,316
Frito-Lay Inc.	3,130
Green Oaks Golf Course	3,040
Bob's Auto Parts & Supply	2,944
E.I. Dupont de Nemours	2,656
Bobby's Mobil & Muffler	2,464
Siler City Country Club	2,368
Advance Auto Parts	2,304
Mac's Auto Parts	2,304
Jewell-Strickland Auto Parts	2,256
D.C. Technology	2,250
Southern Gin & Grain	2,112
City of Concord	2,085
Sharon Golf Club	2,080
Spartan Express	1,970
United States Information Agency	1,920
Todd's Iron & Metal	1,904
Ritchie Hardware Co.	1,510
C.G. Tate Construction	1,440
Eastern Turf Equipment	1,360
Williams Tire Service	1,264
McAlpine Well Drilling	1,152
Tatum Bros. Auto Service	1,088
BCF Piping	1,056
- - - - -	- - -
Cabarrus County Service Garage	896
Goodyear Tire & Rubber Co.	832
Industrial Truck Sales	820
Carmel Country Club	768
Rockwell International Corp.	736
Phillip Morris USA	384

Attachment B

Bypass 601 De Minimis Matrix

Pounds of Waste Contributed	Percentage of Waste Factor	Share of \$44,500,000	35% Orphan Share Factor Cost	Cost Share Before Premium	Cost of Settlement
40,000 - 35,000	.0106%	\$4,717	\$1,651	\$6,368	\$15,920
35,000 - 30,000	.0090%	\$4,005	\$1,402	\$5,407	\$13,518
30,000 - 25,000	.0077%	\$3,427	\$1,200	\$4,627	\$11,568
25,000 - 20,000	.0065%	\$2,893	\$1,013	\$3,906	\$ 9,765
20,000 - 15,000	.0050%	\$2,225	\$ 779	\$3,004	\$ 7,510
15,000 - 10,000	.0035%	\$1,558	\$ 546	\$2,104	\$ 5,260
10,000 - 5,000	.0020%	\$ 890	\$ 312	\$1,202	\$ 3,005
5,000 - 1,000	.0007%	\$ 312	\$ 110	\$ 422	\$ 1,055
1,000 - 320	.00016%	\$ 72	\$ 26	\$ 98	\$ 245

Explanation of Terms:

Pounds of Waste Contributed refers to the range of pounds as listed on the Volumetric Ranking Report.

Percentage of Waste Factor represents the average waste contribution percentages within each waste range.

Share of \$44,500,000 refers to the percentage share of all Site past costs and projected future and oversight costs.

35% Orphan Share Factor Cost takes into account an orphan share of 35%, based upon the amount of waste accounted for by those parties who were located by EPA.

Cost Share Before Premium refers to the total of the percentage share of projected costs at the Site and the cost associated with the 35% orphan share.

Cost of Settlement takes into account a premium of 150% to cover possible cost overruns or the necessity of additional work not currently contemplated. The payment of this amount will resolve your liability with EPA, subject to the terms and conditions of the Administrative Order on Consent.

Attachment C

Adjustments to the Cost of Settlement

<u>PRP</u>	<u>ADJUSTMENT</u>
Advance Auto Parts	\$ 1,000
American Products, Inc.	\$ 1,000
Battery Exchange Service	\$ 5,000
BCF Piping, Inc.	\$ 1,000
Blythe Industries	\$ 5,260
Bowers Implement Co., Inc.	\$ 1,000
Maurice Brackett	\$ 500
Bridgestone/Firestone Inc.	\$ 1,000
Cabarrus Memorial Hospital	\$ 1,000
Carolina Tractor	\$ 1,000
Carotell Paper Board Corp.	\$ 1,000
C.G. Tate Construction Co.	\$ 1,055
City of Concord	\$ 1,000
Concrete Supply Co.	\$ 1,000
Cook's Battery Service, Inc.	\$ 1,000
Eagle Crest Golf Course	\$ 7,000
Eddie O's Enterprises, Ltd.	\$ 7,510
Fieldcrest Cannon, Inc.	\$ 1,000
Frito-Lay, Inc.	\$ 1,000
Goodyear Tire & Rubber Co.	\$ 245
Harris Teeter, Inc.	\$ 1,000
Jarvis Battery	\$ 1,000
Jenkins Sanitation & Metal	\$ 11,368
David Krauss	\$ 1,000
Liggett Group, Inc.	\$ 1,000
Linville Country Club	\$ 1,000
Montgomery Ward & Co., Inc.	\$ 10,000
Mooresville Golf Club	\$ 1,000
Richardson-Vicks, Inc.	\$ 3,005
Roadway Express, Inc.	\$ 5,000
Rockwell International Corp.	\$ 245
Sharon Golf Club	\$ 1,000
Southern Gin & Grain Co.	\$ 1,000
Thompson Reconditioned Batteries	\$ 5,235
Todd Farm Equipment	\$ 1,000
Vesco Materials Handling Equipment, Inc.	\$ 1,000
West Point-Pepperell	\$ 1,000

Attachment D

ATTORNEY GENERAL APPROVAL LETTER