

Cr. 74-270

[illegible]

ABSTRACT OF COSTS	AMOUNT	CASH RECEIVED AND DISBURSED			
		DATE	NAME	RECEIVED	DISBURSED
Fine,		10-3-74	Fine	1000 00	
Clerk,		10-4-74	Deputy of 74		1000 00
Marshal,					
Attorney,					
Commissioner's Court,					
Witnesses,		Recd	21 83 002		
		FRI	716527		
		Box	57		

DATE	PROCEEDINGS Title 33 U.S.C. Sec. 407
-15-74	Criminal Information for unlawfully discharging refuse into the navigable waters of the U.S. filed 7-11-74.
-15-74	Notice of Allocation and Assignment filed. (Newark-Whipple)
-25-74	Plea - Not Guilty. (Lacey) (7-19-74)
-25-74	Defendant retracted plea of Not Guilty and pleaded <u>NOLO CONTENDERE</u> . (Whipple) (9-23-74)
-25-74	<u>SENTENCE</u> - Fine of \$1,000.00, payable in ten days. (Whipple) (9-23-74)
9-26-74	Notice of Appearance filed 9-23-74.
9-30-74	Judgment filed 9-27-74. (Whipple)
-20-74	Certificate of corporation filed 11-19-74.
-11-75	Electronic record of Plea filed 4-7-75. (See N-300)

847650002

APN:jmf
73 0920

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA :

v. :

Criminal No. 74-270

ESSEX CHEMICAL CORPORATION :

33 U.S.C. §407

:

The United States Attorney for the District of
New Jersey charges:

On or about October 31, 1972 at Newark, in the
District of New Jersey,

ESSEX CHEMICAL CORPORATION

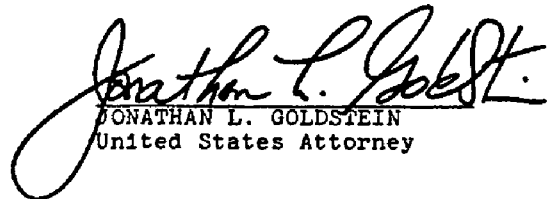
unlawfully discharged and deposited, and caused, suffered,
and procured to be discharged and deposited from the shore,
premises, and manufacturing establishment owned, operated,
and maintained by it, into the Newark Bay, part of the navi-
gable waters of the United States, a quantity of refuse matter,
including acid and acid solutions.

In violation of 33 U.S.C. §407.

FILED

JUL 11 1974

10:35 P.M.
JUL 11 1974


JONATHAN L. GOLDSTEIN
United States Attorney

847650003

No. _____

United States District Court
DISTRICT OF NEW JERSEY
THE UNITED STATES OF AMERICA

vs.

ESSEX CHEMICAL CORPORATION

I N F O R M A T I O N

Violation 33 U.S.C. §407

JONATHAN L. GOLDSTEIN
U. S. Attorney Newark, New Jersey

BY: A. PATRICK NUCCiarONE
Assistant U.S. Attorney

FP1-65-11-22-11-AM-4353

Form No. USA-48-CB7
(Ed. 10-10-63)

847650004

DEFENDANT

ESSEX CHEMICAL CORPORATION

District of New Jersey

DOCKET NO.

Criminal 74-270

JUDGMENT AND PROBATION/COMMITMENT ORDER

In the presence of the attorney for the government
the defendant appeared in person on this date

MONTH	DAY	YEAR
Sept.	23	1974

COUNSEL

☐ WITHOUT COUNSEL

However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel.

☒ WITH COUNSEL

BRIAN VESLEY, Esq.

(Name of counsel)

PLEA,
FINDING,
JUDGMENTThe court has adjudged on September 23, 1974, that, the defendant having pleaded
(date)☐ GUILTY, and the court being satisfied that ☒ NOLO CONTENDERE,
there is a factual basis for the plea,☐ NOT GUILTY

and there being a finding/verdict of guilty

of the offense(s) of unlawfully discharging refuse into the
navigable waters of the United StatesSENTENCE
OR
PROBATION
ORDERSPECIAL
CONDITIONS
OF
PROBATIONGENERAL
CONDITIONS
OF
PROBATION

COMMITMENT

The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that: **the defendant do pay a fine of \$1,000.00, payable in ten (10) days.**

FILED

SEP 27 1974

 12:50 9:15A
 ANGELO W. LOCASCIO

INSTRUCTIONS

If sentence is imposed: Enter: (1) sentence or sentences specifying counts if any, (2) whether sentences run concurrently or consecutively and, if consecutively, when each term is to begin with reference to termination of preceding term or to any outstanding or unserved sentence, (3) whether defendant is to be further imprisoned until payment of fine or fines and cost or until he is otherwise discharged provided by law.

If execution of sentence is suspended enter (in addition to items 1 thru 3 above) the facts regarding the suspension or the sentence(s) and the period of probation.

If imposition is suspended and probation ordered enter the following: "The imposition of sentence is hereby suspended and the defendant is placed on probation for a period of () years from this date. If more space is needed continue on a blank sheet. Where probation is ordered probationer must be instructed as to its conditions

Where probation has been ordered the defendant shall, during the period of probation, conduct himself as a law-abiding, industrious citizen and observe all conditions of probation prescribed by the court. TO THE DEFENDANT - You shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- (2) associate only with law-abiding persons and maintain reasonable hours;
- (3) work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
- (4) not leave the judicial district without permission of the probation officer;
- (5) notify your probation officer immediately of any change in your place of residence;
- (6) follow the probation officer's instructions and report as directed.

The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within the maximum probation period of 5 years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

The court orders commitment to the custody of the Attorney General and recommends,

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

 SIGNED BY: ☒ U.S. District Judge
☐ U.S. Magistrate

CLERK ► ANGELO W. LOCASCIO

Commitment Order

(date)

Probation Order

(date)

CERTIFIED AS A TRUE COPY ON

THIS DATE 9-30-74

By *Ruthless* CLERK

Page 1 of 1 (X) DEPUTY

COPY 1 (ORIGINAL)

847650005

TIERRA-B-009681


Ca. 74-270

C E R T I F I C A T E

The undersigned hereby certifies that he is the Secretary of ESSEX CHEMICAL CORPORATION, a corporation organized and existing under the laws of the State of New Jersey, that the Board of Directors of said corporation by Unanimous Consent dated September 23, 1974, pursuant to N.J.S.A. 14A:6-7, adopted the following resolution; and that said resolution is in full force and effect:

RESOLVED; that Evans, Hand, Allabough & Amoresano is hereby authorized to appear on behalf of the Company in the matter of the United States of America v. Essex Chemical Corporation for an alleged violation of 33 U.S.C. §407 and to enter a plea of nolo contendere with respect thereto, hereby ratifying and confirming any and all acts necessary or desirable with respect to said plea.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said corporation this 25th day of October, 1974.


Robert F. Allabough, Secretary
Essex Chemical Corporation

FILED

NOV 19 1974

At 8:30.....M
ANGELO W. LOCASCIO
Clerk

847650006

New Jersey Department of Environmental Protection and Energy
Division of Responsible Party Site Remediation
Bureau of Emergency Response
Region I

INVESTIGATION

Case #: 91-10-17-0725

File #: 0714

PAC SDR

Date: 10/17/91

Investigator: Wade W. Wiarda

Time Arrived: 0730

Location: Peridot Chemical ✓ #1 file
Address: 351 Doremus Avenue
Newark, NJ

Time Departed: 1000

Responsible Party: Peridot Chemical
Mailing Address: 351 Doremus Avenue
Newark, NJ

Location Phone #: 201-589-5300

Health Dept. Rep:

Phone # :

Origin of Complaint: Matthew Cusumano -
Peridot Chemical

Phone # : 201-589-5300

Nature of Complaint: Gasket failed causing release of oleum. Company taking measures to terminate source.

Findings: This investigator responded to the report of an Oleum release at the above location because pertinent information was not immediately available from the incident location.

Upon arrival on scene, this investigator met with Mr. Matthew Cusumano, Shift Supervisor, Peridot Chemical. Subsequently toured the facility and was informed of the following.

On 10/7/91 at approximately 7:20 am, a gasket malfunctioned in a line from an SO³ Vaporizer to an oleum pump tank resulting in an air release. Approximately 150-200 lbs. of SO³ were released and 10-15 gallons of acid spilled on the ground.

Responsible party performing neutralization of acid with soda ash and clean-up. When the release occurred a white cloud was released and witnessed by neighboring facilities. The release resulted in no off site injuries or evacuations. This investigator spoke to Mr. Bob Naujelis, Environmental and Safety Manager, Reichold Chemical Inc., 400 Doremus Ave., Newark, NJ. Mr. Naujelis stated that he was in a training class at the time of the release. The classroom has large open windows. Although the cloud entered the classroom, there were no odors associated with it and no ill effects were experienced.

BBB000003

This investigator spoke to Mr. Bob Carpenter Distribution Manager and Mr. George Drahos, Environmental Analyst, Hoechst Celanese, 354 Doremus Ave., Newark. Both Mr. Carpenter and Mr. Drahos witnessed the release from Peridot Chemical. Mr. Drahos stated that Hoechst Celanese had a ship at their dock west of Peridot Chemical, the cloud traveled past the ship and dissipated over the water, again no ill effects were experienced.

Conclusions: BER I responded to the report of an Oleum release at the above location. Upon arrival on scene the release was terminated. Further investigation revealed that the substance released was SO₃ due to a gasket failure. A white cloud was observed traveling off-site but no off-site injuries or evacuations occurred as a result of the release.

Recommendations: No further action is required by the Bureau of Emergency Response. This incident is being referred to the following agencies:

- 1 - DEQ-Metro
- 2 - DEQ-TCPA

[Signature]
Investigator

P. H. Allen
Supervisor

10/25/91
Date

11/18/91
Date

INCIDENT REPORT

07-14-119

D.W.M. ASSIGNED CASE NUMBER	83-04-04-0910	HOT LINE	<input type="checkbox"/>	INDEXED	X
DATE	04-04-83	TIME (Military)	1445	D.W.M. ID NO.	205

INCIDENT REPORTED BY:

NAME	Mr. Andy Soos	PHONE	(201) 589-5300
AFFILIATION	Essex Industrial Chemical	CODE	
STREET	330 Doremus Ave		
CITY	Newark	STATE	N.J.
		ZIP CODE	07105

INCIDENT LOCATION:

NAME	Same as incident reported	PHONE	
STREET		UTM VERT	
		UTM HORIZ	
CITY		COUNTY	SP107
		STATE	N.J.
		ZIP CODE	

SOURCE OF SPILLED AND/OR DISCHARGED SUBSTANCE:

Confirmed ☐Alleged ☐More Than 1 Source ☐

COMPANY NAME	Essex Industrial Chem. Corp. H.Q.	PHONE	(201) 773-6300
CONTACT	Mr. Andy Soos	TITLE	Chemical Engineer
STREET	330 Doremus Ave	D.W.M. COMPANY NO.	
	Newark	COUNTY	Essex
		STATE	N.J.
		ZIP CODE	

SUSPECTED SPILLED AND/OR DISCHARGED SUBSTANCE:

Confirmed ☐Alleged ☐More Than 2 Substances ☐

1. Liquid Alum (Al. Sulfate) 8.3% Al ₂ O ₃ solution	SUBSTANCE NO.	
AMOUNT SPILLED	UNITS	A/P/E
UNKN	UNKN	
		S/L/G/M
		L
2.	SUBSTANCE NO.	
AMOUNT SPILLED	UNITS	A/P/E
		S/L/G/M

DATE OF INCIDENT	04-04-83	TIME (Military)	started last night	TEMP.		WEATHER		WIND (Dir. & Vel.)	
SPILL ORIGIN	leaking valve in storage tank								
CAUSE	leak								
WATER BODY AFFECTED	Passaic River								
ASSOCIATED FIRE AND/OR HAZARDS									

INCIDENT REFERRED TO:

AGENCY		PHONE	
		AGENCY CODE	

PRIMARY D.W.M. INVESTIGATOR

FOLLOWUP

847650009

MARY D.W.M. INVESTIGATOR	NO FURTHER ACTION	DATE
<div style="border: 1px solid black; padding: 2px;"> <div style="display: flex; justify-content: space-between;"> NPRA 4/4/87 FOLLOWUP </div> <div style="display: flex; justify-content: space-between;"> DATE </div> </div>		

COMMENTS:

Material exited through NPDES discharge #0005355
 Material is 50% water and 50% Alum. Amount spilled
 is unknown at this time. Essex Industrial is further
 investigating spill and will send report in 60 days.
 Discharge has been stopped. Reported to Joe
 Spect at DWR and USCG P.O. Camacho

847650010



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

SEP 15 2003

**GENERAL NOTICE LETTER
CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Mark Tucker, Esq.
Essex Chemical Corp.
2030 WMDC
Midland, Michigan 48674

RE: Diamond Alkali Superfund Site
Notice of Potential Liability for
Response Actions in the Lower Passaic River, New Jersey

Dear Mr. Tucker:

The United States Environmental Protection Agency ("EPA") is charged with responding to the release and/or threatened release of hazardous substances, pollutants, and contaminants into the environment and with enforcement responsibilities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. §9601 et seq. Accordingly, EPA is seeking your cooperation in an innovative approach to environmental remediation and restoration activities for the Lower Passaic River.

EPA has documented the release or threatened release of hazardous substances, pollutants and contaminants into the six-mile stretch of the river, known as the Passaic River Study Area, which is part of the Diamond Alkali Superfund Site ("Site") located in Newark, New Jersey. Based on the results of previous CERCLA remedial investigation activities and other environmental studies, including a reconnaissance study of the Passaic River conducted by the United States Army Corps of Engineers ("USACE"), EPA has further determined that contaminated sediments and other potential sources of hazardous substances exist along the entire 17-mile tidal reach of the Lower Passaic River. Thus, EPA has decided to expand the Study to include the areal extent of contamination to which hazardous substances from the six-mile stretch were transported; and those sources from which hazardous substances outside the six-mile stretch have come to be located within the expanded Study Area.

By this letter, EPA is notifying Essex Chemical Corp. ("Essex Chemical") of its potential liability relating to the Site pursuant to Section 107(a) of CERCLA, 42 U.S.C. §9607(a). Under CERCLA, potentially responsible parties ("PRPs") include current and past owners of a facility, as well as persons who arranged for the disposal or treatment of hazardous substances at the Site, or the transport of hazardous substances to the Site.

Internet Address (URL) • <http://www.epa.gov>

Recycled/Recyclable • Printed with Vegetable Oil Based Inks on Recycled Paper (Minimum 50% Postconsumer content)

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TIERRA-B-009687

In recognition of our complementary roles, EPA has formed a partnership with USACE and the New Jersey Department of Transportation-Office of Maritime Resources ("OMR") ["the governmental partnership"] to identify and to address water quality improvement, remediation, and restoration opportunities in the 17-mile Lower Passaic River. This governmental partnership is consistent with a national Memorandum of Understanding ("MOU") executed on July 2, 2002 between EPA and USACE. This MOU calls for the two agencies to cooperate, where appropriate, on environmental remediation and restoration of degraded urban rivers and related resources. In agreeing to implement the MOU, the EPA and USACE will use their existing statutory and regulatory authorities in a coordinated manner. These authorities for EPA include CERCLA, the Clean Water Act, and the Resource Conservation and Recovery Act. The USACE's authority stems from the Water Resources Development Act ("WRDA"). WRDA allows for the use of some federal funds to pay for a portion of the USACE's approved projects related to ecosystem restoration.

For the first phase of the Lower Passaic River Project, the governmental partners are proceeding with an integrated five- to seven-year study to determine an appropriate remediation and restoration plan for the river. The study will involve investigation of environmental impacts and pollution sources, as well as evaluation of alternative actions, leading to recommendations of environmental remediation and restoration activities. This study is being conducted by EPA under the authority of CERCLA and by USACE and OMR, as local sponsor, under WRDA. EPA, USACE, and OMR are coordinating with the New Jersey Department of Environmental Protection and the Federal and State Natural Resource Trustee agencies. EPA, USACE, and OMR estimate that the study will cost approximately \$20 million, with the WRDA and CERCLA shares being about \$10 million each. EPA will be seeking its share of the costs of the study from PRPs.

Based on information that EPA evaluated during the course of its investigation of the Site, EPA believes that hazardous substances were being released from Essex Chemical's facility located at 330 Doremus Avenue in Newark, New Jersey, into the Lower Passaic River. Hazardous substances, pollutants and contaminants released from the facility into the river present a risk to the environment and the humans who may ingest contaminated fish and shellfish. Therefore, Essex Chemical may be potentially liable for response costs which the government may incur relating to the study of the Lower Passaic River. In addition, responsible parties may be required to pay damages for injury to, destruction of, or loss of natural resources, including the cost of assessing such damages.

Enclosed is a list of the other PRPs who have received Notice letters. This list represents EPA's findings on the identities of PRPs to date. We are continuing efforts to locate additional PRPs who have released hazardous substances, directly or indirectly, into the Passaic River. Inclusion on, or exclusion from, the list does not constitute a final determination by EPA concerning the liability of any party for the release or threat of release of hazardous substances at the Site. Be advised that notice of your potential liability at the Site is being forwarded to all parties on this list.

We request that you consider becoming a "cooperating party" for the Lower Passaic River

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Project. As a cooperating party, you, along with many other such parties, will be expected to fund EPA's share of the study costs. Upon completion of the study, it is expected that CERCLA and WRDA processes will be used to identify the required remediation and restoration programs, as well as the assignment of remediation and restoration costs. At this time, the commitments of the cooperating parties will apply only to the study. For those who choose not to cooperate, EPA may apply the CERCLA enforcement process, pursuant to Sections 106 (a) and 107(a) of CERCLA, 42 U.S.C. §9606(a) and §9607(a) and other laws.

Pursuant to CERCLA Section 113(k), EPA must establish an administrative record that contains documents that form the basis of EPA's decision on the selection of a response action for a site. The administrative record files, which contain the documents related to the response action selected for this Site are located at EPA's Region 2 office (290 Broadway, New York) on the 18th floor. You may call the Records Center at (212) 637-4308 to make an appointment to view the administrative record for the Lower Passaic River Project.

EPA will be holding a meeting with all PRPs on October 29, 2003 at 10:00 AM in Conference Room 27A at the Region 2 office. At that meeting, EPA will provide information about the actions taken to date in the Lower Passaic River, as well as plans for future activities. After the presentation, PRPs will be given the opportunity to caucus, and EPA will return to answer any questions that might be generated during the private session. Please be advised that due to increased security measures, all visitors need to be registered with the security desk in the lobby in order to gain entry to the office. In order to ensure a smooth arrival, you will need to provide EPA with a list of attendees no later than October 15, 2003.

EPA recommends that the cooperating parties select a steering committee to represent the group's interest as soon as possible, since EPA expects a funding commitment for the financing of the CERCLA share of the \$20 million study by mid-November 2003. If you wish to discuss this further, please contact Ms. Alice Yeh, Remedial Project Manager, at (212) 637-4427 or Ms. Kedari Reddy, Assistant Regional Counsel, at (212) 637-3106. Please note that all communications from attorneys should be directed to Ms. Reddy.

Sincerely yours,



George Pavlou, Director
Emergency and Remedial Response Division

Enclosure

cc: Kenneth Mack, Esq
Fox, Rothschild, O'Brien & Frankel

851730003

PRPs in Receipt of Notice Letters:

PRP	Legal Counsel
J. Roger Hirl President and Chairman of the Board Occidental Chemical Co. Occidental Tower 5005 LBJ Freeway Dallas, Texas 75244	Paul W. Herring, Esq. Andrews & Kurth L.L.P. 1717 Main Street, Suite 3700 Dallas, Texas 75201
Joseph Gabriel Vice President of Operations 360 North Pastoria Environmental Corp. 1100 Ridgeway Avenue Rochester, New York 14652-6280	Philip Sellinger, Esq. Sills Cummis Zuckerman One Riverfront Plaza Newark, NJ 07102
Robert Ball, President Alcan Aluminum Corporation 100 Erieview Plaza, 29th Floor Cleveland, Ohio 44114	Lawrence Salibra, Esq. Alcan Aluminum Corporation 6060 Parkland Blvd. Mayfield Hts., OH 44124
Mark Epstein, President Alden Leeds Inc. 55 Jacobus Ave. Kearny, New Jersey 07032	Eric Aronson, Esq. Whitman Breed Abbott & Morgan One Gateway Center Newark, NJ 07102
Alan Bendelius, President Alliance Chemical, Inc. Linden Avenue Ridgefield, New Jersey 07657	Fredi L. Pearlmuter, Esq. Cooper, Rose & English, LLP 480 Morris Avenue Summit, New Jersey 07901-1527
William Gentner, President The Andrew Jergens Co. 2535 Spring Grove Ave. Cincinnati, Ohio 45214	A. Christian Worrell III, Esq. Head & Ritchey, LLP 1900 Fifth Third Center 511 Walnut Street Cincinnati, OH 45202
Gary Cappeline, President Ashland Specialty Chemical Co. 5200 Blazer Parkway Dublin, Ohio 43017	Stephen Leermakers, Esq. Ashland Specialty Chemical Co. 5200 Blazer Parkway Dublin, OH 43017
Klaus Peter Loebbe, President BASF Corporation 3000 Continental Drive North Mount Olive, New Jersey 07828	Nan Bernardo, Esq. and Nancy Lake Martin, Esq. BASF Corporation 3000 Continental Drive North Mount Olive, NJ 07828

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Joseph Akers, Vice President Bayer Corporation 100 Bayer Road Pittsburgh, Pennsylvania 15205-9741	Gerard Hickel, Esq. Bayer Corporation 100 Bayer Road Pittsburgh, PA 15205-9741
Yvan Dupay, President Benjamin Moore & Co. 51 Chestnut Ridge Road Montvale, New Jersey 07645	Arthur Schulz, Esq. Environmental Counsel 4910 Massachusetts Ave., N.W. Suite 221 Washington, DC 20016
Alberto Celleri, President Chemical Compounds Inc. 10 Baldwin Court Roseland, New Jersey 07086	Jim Giannotti Chemical Compounds Inc. 29-75 Riverside Avenue Newark, NJ 07104
President Chris-Craft Industries, Inc. 767 Fifth Avenue, 46th Floor New York, New York 10153	Brian Kelly, Esq. Chris-Craft Industries, Inc. 767 Fifth Avenue, 46th Floor New York, NY 10153
John Guffey, President Coltec Industries, Inc. 3 Coliseum Centre 2550 West Tyvola Road Charlotte, North Carolina 28217	John R. Mayo, Esq. Coltec Industries, Inc. 430 Park Avenue New York, NY 10022
Roger Marcus, President Congoleum Corporation 3705 Quakerbridge Road Mercerville, New Jersey 08619	Russell Hewit, Esq. Dughi & Hewit 340 North Avenue Cranford, NJ 07016
Martin Benante, Chairman Curtiss-Wright Corp. 4 Becker Farm Road Roseland, New Jersey 07068	James Maher, Esq. Curtiss-Wright Corp. 4 Becker Farm Road Roseland, NJ 07068
Antonio Perez, President Eastman Kodak Company 343 State Street Rochester, New York 14650	Elliot Stern, Esq. Eastman Kodak Company 343 State Street Rochester, NY 14650
Edgar Woolard, Chairman E.I. du Pont de Nemours & Co. 1007 Market Street Wilmington, Delaware 19898	Bernard J. Reilly, Esq. Corporate Counsel E.I. du Pont de Nemours & Co. 1007 Market Street Wilmington, DE 19898

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David Weisman, CEO Elan Chemical Company 268 Doremus Ave. Newark, New Jersey 07105	Jeffrey Schwartz, Esq. Sarber Schlesinger Satz & Goldstein One Gateway Center Newark, NJ 07102
Al Reisch, President E M Sergeant Pulp & Chemical Co. Inc. 6 Chelsea Road Clifton, New Jersey 07102	None
Mark Tucker, Esq. Essex Chemical Corp. 2030 WMDC Midland, Michigan 48674	Kenneth Mack, Esq. Fox, Rothschild, O'Brien & Frankel Princeton Pike Corp.Center 997 Lenox Drive, Building 3 Lawrenceville, NJ 08648
Todd Walker, President Fairmount Chemical Co. Inc. 117 Blanchard St. Newark, New Jersey 07105	John Ix, Esq. Porzio Bromberg & Newman 163 Madison Ave. Morristown, NJ 07962
Bradley Buechler, President Franklin-Burlington Plastics Inc. 113 Passaic Ave. Kearny, New Jersey 07032	Robert M. Becker, Esq. Kraemer, Burns, Mytelka & Lovell, P.A. 675 Morris Ave. Springfield, NJ 07081
Henry Benz, President Hoescht Celanese Chemicals, Inc. Route 202-206 P.O.Box 2500 Somerville, New Jersey 08876	Anne Conley-Pitchell, Esq. Hoescht Celanese Corp. Route 202-206 P.O.Box 2500 Somerville, NJ 08876
Francine Rothschild, President Kearny Smelting & Refining 936 Harrison Ave #5 Kearny, New Jersey 07032	None
Henry Schact, CEO Lucent Technologies, Inc. 600 Mountain Avenue Murray Hill, New Jersey 07974	Ralph McMurphy, Esq. Hill, Betts & Nash LLP 1 Riverfront Plaza, Suite 327 Newark, NJ 07102-5401
Richard Meelia, President Mallinckrodt, Inc. 675 McDonnell Blvd. Hazelwood, Missouri 63042	Patricia Duft, Esq. Mallinckrodt, Inc. 675 McDonnell Blvd. Hazelwood, MO 63042

851730006

Richard Mahoney, CEO Monsanto Company 800 N. Lindbergh Blvd. St. Louis, Missouri 63167	L. William Higley, Esq. Monsanto Company 800 N. Lindbergh Blvd. St. Louis, MO 63167
Joseph Galli, President Newell Rubbermaid, Inc. 29 E. Stephenson St. Freeport, Illinois 61032	Peter Schultz, Director Environmental Affairs Newell Co. 4000 Auburn St. Rockford, IL 61101
Jean-Pierre van Rooy, President Otis Elevator Company North American Operations 10 Farm Springs Road Farmington, Connecticut 06032	Sarah Hurley, Esq. Robinson & Cole LLP 695 East Main Street Stamford, CT 06904-2305
Richard Ablon, President Ogden Corporation Two Pennsylvania Plaza, 25 th Floor New York, New York 10121	J.L. Effinger, Esq. Ogden Corporation Two Pennsylvania Plaza, 25 th Floor New York, NY 10121
Henry McKinnell, Chairman Pfizer Inc. 235 E. 42 nd St. New York, New York 10017	Michael McThomas, Esq. Pfizer Inc. 235 E. 42 nd St. New York, NY 10017
Raymond LeBoeuf, President PPG Industries, Inc. One PPG Place Pittsburgh, Pennsylvania 15272	Joseph Karas, Esq. PPG Industries, Inc. One PPG Place Pittsburgh, PA 15272
Lawrence Codey, President PSE&G Co. P.O. Box 570 Newark, New Jersey 07101-0570	Hugh Mahoney, Esq. PSE&G Co. P.O. Box 570 Newark, NJ 07101
Phillip D. Ashkettle, President Reichhold Chemicals, Inc. P.O. Box 13582 Research Triangle Park, North Carolina 27709	Adam S. Walters, Esq. Phillips, Lytle, Hitchcock, Blaine & Huber 3400 Marine Midland Center Buffalo, NY 14203
Robert McNeeley, President Reilly Industries, Inc. 1510 Market Square Center 151 North Delaware Street Indianapolis, Indiana 46204	Paul Rivers, Director Corporate Environmental Affairs Reilly Industries, Inc. 1500 S. Tibbs Avenue Indianapolis, IN 46242

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Robert Finn, President RSR Corporation 2777 Stemmons Freeway, Suite 1800 Dallas, Texas 75207	Howard Myers, Esq. RSR Corporation 2777 Stemmons Freeway, Suite 1800 Dallas, TX 75207
Christopher Connor, CEO The Sherwin-Williams Company 101 Prospect Avenue, N.W. Cleveland, Ohio 44115-1075	Donald McConnell, Esq. The Sherwin-Williams Co. 101 Prospect Ave., N.W. Cleveland, OH 44115
George Barrett, President Teva Pharmaceuticals USA Inc. 1090 Horsham Road North Wales, Pennsylvania 19454	Kirsten E. Bauer, Esq. Teva North America 1090 Horsham Road North Wales, PA 19454
Robert Senior, President Three County Volkswagen 701 Riverside Ave. Lyndhurst, New Jersey 07071	Robert DiLascio, Esq. 30 Park Avenue, Suite 101 Lyndhurst, NJ 07071
Michael Jordan, President Westinghouse Electric Corp. 11 Stanwix Street Pittsburgh, Pennsylvania 15222	Roger Willis, Esq. Westinghouse Electric Corp. 11 Stanwix Street Pittsburgh, PA 15222
Isaac Weinberger, President Wiggins Plastics Inc. 547 Maitland Ave. Teaneck, New Jersey 07666	None

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