



Willie McKercher
03/24/2004 03:43 PM

To: THassett1@Herc.com@INETDEQ
cc: CJordan@Herc.com, Trey Hess/HW/OPC/DEQ@DEQ, Michael Slack/HW/OPC/DEQ@DEQ
Subject: Re: Hattiesburg Plant

Tim,

MDEQ is comfortable with the remedial options to be evaluated, so please begin to move forward your evaluation. What is the timeframe we are looking at for when you will have a schedule prepared? As discussed before, MDEQ is okay with a letter workplan as long as all the approved applicable practices and methods are properly referenced. Also, as you have stated, there should be figures referencing proposed sample locations. Please call with any further questions.

Willie McKercher
Mississippi Department of Environmental Quality
Phone: (601) 961-5731
Fax: (601) 961-5300
Willie_McKercher@deq.state.ms.us
THassett1@Herc.com



THassett1@Herc.com
03/18/2004 02:57 PM

To: Willie_McKercher@deq.state.ms.us
cc: CJordan@Herc.com
Subject: Hattiesburg Plant

Willie - FYI - Attached is a letter regarding the meeting last week. Please let me know ASAP about the alternatives we have proposed for evaluation in the attached RAE outline and I'll get put a schedule together. I am sure we will need additional data, and I'd rather use a "letter" workplan (it will include a map & table and reference existing workplans and the RIV QA manual) than a "binder" workplan. Please let me know if that is Ok with you..... It will save time and money. - TDH

March 18, 2004

VIA FAX AND MAIL

Mr. William McKercher
Mississippi Department of Environmental Quality
101 West Capitol Street
P O Box 10385
Jackson, MS 39289-0385

RE: Hercules Hattiesburg Plant

Dear Mr. William McKercher

We appreciate MDEQ's taking the time to meet with us last week to discuss the Hattiesburg Plant and your letter requesting a revised Remedial Action Evaluation (RAE). As discussed in the meeting we were not aware of the RAE requirement and the changes in the MDEQ's Remediation Program to

standardize Brownfields, Voluntary Evaluation Program, and Uncontrolled Site Program clean-ups and requested this meeting to obtain clarity. The following is our understanding of the action items from the meeting:

- 1) Hercules to submit a revised schedule to develop a detailed Remedial Action Evaluation.
- 2) Hercules to investigate financial assurance mechanisms.
- 3) MDEQ to provide examples of restrictions.
- 4) Hercules to provide comments on the Site Fact Sheet.
- 5) MDEQ to coordinate with Hercules the split sampling of locations in the vicinity Hercules Plant

We believe we now understand the MDEQ's program requirements and will prepare a schedule to complete the Remedial Action Evaluation. To facilitate this, we would like comments on the attached outline, and once we get your input we can evaluate the necessary data requirements for each of the remedial alternatives and submit the RAE schedule which we envision will require some time for additional data collection.

Please contact me (302) 995-3456 or Charlie Jordan (601) 545-3450 ext. 3360 if you have any questions.

Sincerely,

Timothy D. Hassett
Hercules Incorporated
Staff Environmental Engineer

cc:

Mr. Jerry Banks ? MDEQ
Mr. Trey Hess- MDEQ
C. S. Jordan ? Hercules/Hattiesburg
W. D. Langhans ? Hercules/Hattiesburg
G. R. Trovei ? Hercules/SHERA
Caleb Dana - EcoSystems
File: Hattiesburg #102

Remedial Action Evaluation Outline

- Sludge Pits
- No Action
- Institutional Controls
- Monitored Natural Attenuation
- Capping
- Capping & Containment

Landfill

- No Action
- Institutional Controls
- Monitored Natural Attenuation
- Containment

Green's Creek

- No Action
- Institutional Controls
- Monitored Natural Attenuation

Groundwater

- No Action
- Institutional Controls
- Monitored Natural Attenuation
- In-situ Treatment
- Groundwater Recovery
- With Treatment
- With out Treatment

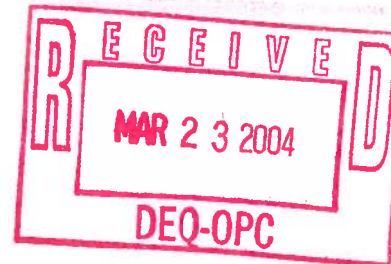
HERCULES

March 18, 2004

Hercules Incorporated
Research Center
500 Hercules Road
Wilmington, DE 19808-1599
(302) 995-3000
www.herc.com

VIA FAX AND MAIL

Mr. William McKercher
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Timothy D. Hassett
Hercules Incorporated
Staff Environmental Engineer

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Mr. William McKercher
MDEQ/Hercules Hattiesburg Plant

cc:

Mr. Jerry Banks – MDEQ
Mr. Trey Hess- MDEQ
C. S. Jordan – Hercules/Hattiesburg
W. D. Langhans – Hercules/Hattiesburg
G. R. Trovei – Hercules/SHERA
Caleb Dana - EcoSystems
File: Hattiesburg #102



THassett1@Herc.com
03/18/2004 02:57 PM

To: Willie_McKercher@deq.state.ms.us
cc: CJordan@Herc.com
Subject: Hattiesburg Plant

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THassett1@Herc.com
03/18/2004 04:02 PM

To: Willie_McKercher@deq.state.ms.us
cc:
Subject: Hattiesburg Plant

To clarify some points:

- "Restrictions" means "deed restrictions" . I did not write down the term the Trey used but I think you know what I mean.
- "Containment" means slurry wall or sheet pile wall

----- Forwarded by Timothy D Hassett/Plaza/NA/Herc on 03/18/04 04:04 PM

Timothy D
Hassett
Willie_McKercher@deq.state.ms.us

To:

03/18/04 03:57
PM

cc: Charles Jordan
Subject: Hattiesburg Plant

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Hercules Incorporated
Staff Environmental Engineer

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

FILE COPY

February 24, 2004

Dr. Jeffrey Kaufmann, PhD
Assistant Professor of Anthropology
Department of Anthropology and Sociology
The University of Southern Mississippi
118 College Drive #5074
Hattiesburg, MS 39406-0001

Re: Mobile-Bouie Street Neighborhood

Dear Dr. Kaufmann:

The Mississippi Department of Environmental Quality (MDEQ) continues to evaluate your request of January 9, 2004, regarding potentially hazardous sites in the Mobile-Bouie Street neighborhood. The following is a listing of expected actions at this time:

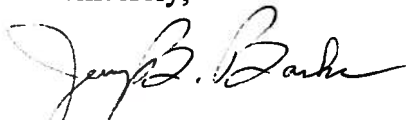
- 1) The staff is conducting a review of old records at the Mississippi Department of Archives and History to gain potential information concerning facilities that may have operated on some of these sites. This information can be valuable to us in determining some critical contaminants to analyze for based on past operations and expected contaminants from these past operations.
- 2) For the general area that encompasses Lignum Product Company, Meridian Fertilizer Company, and Hattiesburg Compress the department has requested that the city provide us with a title search that will tell us the current property owners. The staff will be developing a plan to sample and analyze the ditches in the area and scheduling our staff to conduct a geophysical search to try and pinpoint the exact location of wastes were buried.
- 3) For the proposed park location the staff will develop a plan to sample and analyze the area to determine whether any contamination of concern exists on the site.

- 4) For Hercules, the agency continues to work with the company to identify contamination on the Hercules property and determine appropriate measures to be taken. The only contamination found to date of any significance is groundwater contamination near the center of the property in the old Delnav process area adjacent to the old landfill site. The investigation to date does not show any groundwater contamination off of the Hercules property. Additionally, samples of surface water and sediments have been taken in Greens Creek from the point it enters the Hercules property to the point that it leaves the Hercules property and no contamination of concern has been found. The staff will evaluate sampling Greens Creek from adjacent to Hwy 42 bypass to the Bouie River and the area you identified as the Pinova production area located on 7th Street.
- 5) For the Mississippi Central Railroad that is now owned by Norfolk Southern, an assessment was conducted in 1996 and 1997 to investigate soil and groundwater contamination from petroleum products (primarily diesel) resulting from refueling activities at the site. Both soil and shallow groundwater contamination were found at the site but the contamination was confined to the railroad property and was not off-site. We have requested an update on activities from the railroad and expect a response by April 1.
- 6) For Shemper Scrap Metal the staff will be contacting the company to request a copy of any environmental assessments be sent to the agency for review to determine if there are any contaminants present of concern on the site that have the potential to migrate off-site into residential areas at concentrations of concern.

The basic plan by MDEQ is to sample the proposed park to determine if any contamination exists that would make the site unsuitable for a park, sample the ditches leading from the Lignum Products Company, Meridian Fertilizer Company, Hattiesburg Compress, Hercules around the Pinova production area, and Greens Creek from adjacent to Highway 42 to the Bouie River to determine if any contamination is present at levels of concern that would indicate that contamination is moving off one of these sites. A geophysical study will be conducted to identify the location of the buried wastes on one of these sites. Additionally, the MDEQ will request copies of any assessments conducted by Shemper Scrap Metal for our review, and will continue to work with Hercules and Norfolk Southern to assure that any contaminants found do not pose a problem for the neighborhood or the environment.

We expect to be able to begin the field work within the two or three weeks depending on weather conditions. If you have any questions concerning the proposed actions, please feel free to call me at 601-961-5221.

Sincerely,

A handwritten signature in cursive script that reads "Jerry B. Banks".

Jerry B. Banks, P.E., DEE, Chief
Groundwater Assessment & Remediation Division

cc: Phil Bass
Gloria Tatum
Mayor Johnny L. Dupree
Hattiesburg City Council
Forrest County Board of Supervisors

Kim Smith

02/24/2004 11:42 AM

To: Jerry Banks/HW/OPC/DEQ@DEQ
cc: Gloria Tatum/FS/OPC/DEQ@DEQ
Subject: Hattiesburg city council & county sup.

jerry, gloria wanted me to forward this information to you.

Hattiesburg City Council Members:

Betsy M. Rowell - Ward One
Deborah L. Denard - Ward Two
Carter Carroll - Ward Three
C. E. "Red" Bailey - Ward Four
Henry E. Naylor - Ward Five

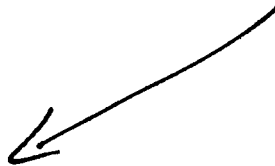
P. O. Box 1898
Hattiesburg, MS 39403-1898

phone: 601-545-4501
fax: 601-545-4608

email: mayor@hattiesburgms.com
council@hattiesburgms.com
website: www.hattiesburgms.com

I will be faxing the County Supervisor's information to you shortly.

Johnny L. Dupree, Mayor



Forrest County



BOARD OF SUPERVISORS

DAVID ALLEN
DISTRICT 1, VICE PRESIDENT

CHARLES MARSHALL
DISTRICT 2

LYNN CARLIDGE
DISTRICT 3

RODRICK WOLLARD
DISTRICT 4

BILLY HUDSON
DISTRICT 5, PRESIDENT

JEFFREY T. MC LEMON
ATTORNEY

BETTY CASIBELLE
COUNTY CLERK

641 MAIN STREET
P. O. BOX 1310
HATTIESBURG, MISSISSIPPI 39403-1310

PHONE (601) 545-6000
FAX (601) 545-6095

HOME ADDRESSES FORREST COUNTY BOARD OF SUPERVISORS

District One

David Allen
59 Mistletoe Crossing
Hattiesburg, MS 39401
Office Phone: 545-6009 Fax: 545-6095

District Two

Charles E. Marshall
222 Sis Hobson Road
Hattiesburg, MS 39401
Office Phone: 545-6010 Fax: 545-6095

District Three

Lynn Carlidge
202 Pine Ridge Drive
Petal, MS 39465
Office Phone: 545-6008 Fax: 545-6095

District Four

Rodrck Wollard
506 Dumas Avenue
Hattiesburg, MS 39401
Office Phone: 545-6011 Fax: 545-6095

District Five

Billy Hudson
P. O. Box 619
Furvis, MS 39402
Office Phone: 545-6012 Fax: 545-6095

January 9, 2004

Ms. Gloria Tatum
Division Chief
Field Services Division
Office of Pollution Control
Mississippi Department of Environmental Quality
P.O. Box 10385
Jackson, MS 39289-0385

Dear Ms. Tatum:

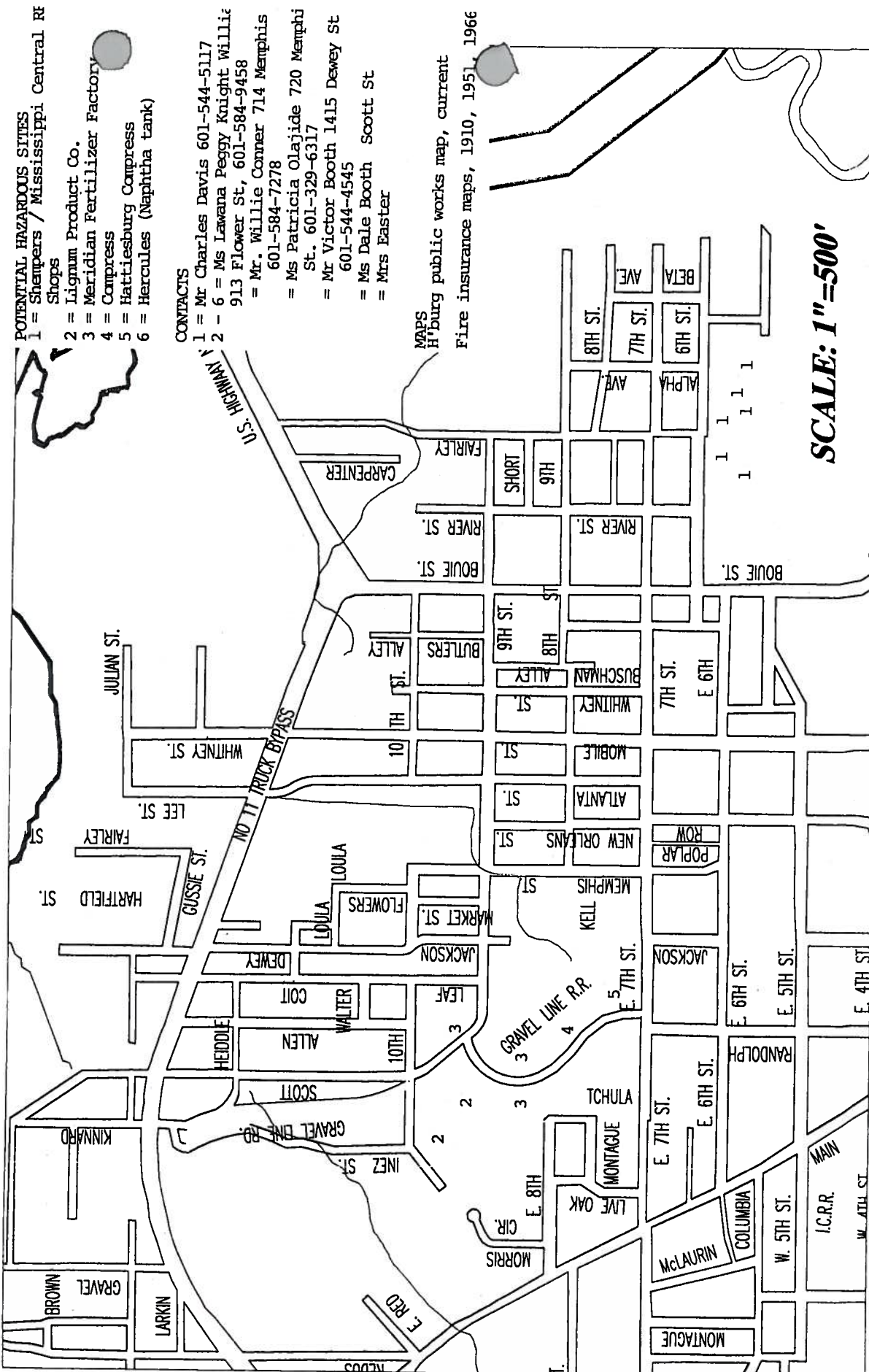
Per our telephone conversation yesterday, I have assembled a list of concerns in the Mobile-Bouie St. neighborhood. These concerns were related to me by residents of the neighborhood. The list of contacts I have already sent you can provide further details of each concern (that list is on the 1" = 500' map).

The concerns are correlated to the numbered "Potential Hazardous Sites" printed on the 1" = 500' map. Please note that there was one error on that map: a number "4" should be included on the east side of "Gravel Line RR," this being the landfill in which area residents recall seeing drums buried.

CONCERNS

SOIL TESTING

- (1) Mississippi Central RR shop, located on the 600, 700, 800 blocks of 6th St and 1000 block of E. 5th St
- 1 = fuel tanks—test soil for toxins
 - 1 = RR shop for steam and diesel locomotives—test for toxins, contaminates
 - 1 = turnaround for steam and diesel locomotives (was over water)—test for toxins from oil
 - 1 = boxcar repair shed where leaded paint was used—test for toxins
 - 1 = storehouse of kreosol wood products—test for toxins, dioxin contamination
 - 1 = metal working, gunpowder storehouse—test for toxins
 - 1 = Shemper auto battery disposal—test for acid waste, other toxins
- (2) Lignum Product Co, located near 2nd water tank (facing north, along railroad line)
- 2 = coal processing—test for sulphur contaminates
- (3) Meridian Fertilizer Co, located on the Illinois Central RR, near Randolph St
- 3 = sacking shed, dumping shed—test for toxins



POTENTIAL HAZARDOUS SITES
 1 = Shempers / Mississippi Central RE
 Shops
 2 = Lignum Product Co.
 3 = Meridian Fertilizer Factory
 4 = Compress
 5 = Hattiesburg Compress
 6 = Hercules (Naphtha tank)

CONTRACTS
 1 = Mr Charles Davis 601-544-5117
 2 - 6 = Ms Lawana Peggy Knight Willie
 913 Flower St, 601-584-9458
 = Mr. Willie Conner 714 Memphis
 601-584-7278
 = Ms Patricia Olajide 720 Memphis
 St. 601-329-6317
 = Mr Victor Booth 1415 Dewey St
 601-544-4545
 = Ms Dale Booth Scott St
 = Mrs Easter

MAPS
 Hiburg public works map, current
 Fire insurance maps, 1910, 1951, 1966

SCALE: 1"=500'



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

February 3, 2004

Tim Hassett
Hercules Incorporated
Hercules Research Center
500 Hercules Road
Wilmington, DE 19808-1599

FILE COPY

Re: Remedial Action Evaluation (RAE), dated January 30, 2004
Hercules Incorporated Hattiesburg facility
Hattiesburg, Mississippi

Dear Mr. Hassett:

The Mississippi Department of Environmental Quality (MDEQ) has completed its review of the above reference document. It was our understanding that the RAE was to identify a number of remedial action options ranging from source area removal coupled with groundwater hydraulic control to the use of institutional controls coupled with financial assurance. The RAE submitted to MDEQ for review proposed solely groundwater monitoring. The evaluation should include remedial options that would meet Tier 1 Unrestricted and Restricted TRGs, and the Tier 2 Remediation Goals. This letter outlines the requirements necessary for an updated RAE, as set forth in the Site Characterization Report Format - Remedial Action Evaluation (RAE) as provided to you in my e-mail dated December 5, 2003. Those requirements are specifically stated as:

10.0 Remedial Action Evaluation

10.1 Based on conclusions from Section 8.2 prepare a detailed evaluation of remedial options in terms of their relative performance and life-cycle cost to identify the optimal risk management program for the Site. The relative performance of the remedial options should be evaluated on the basis of the following criteria:

- **Long-Term Effectiveness:** Magnitude of risk reduction achieved; reliability of controls.
- **Reduction of Mobility, Toxicity, or Volume:** Degree to which CoCs in source zone media are irreversibly destroyed, converted to a non-toxic state, or immobilized.
- **Near-Term Effectiveness:** Control of workers and community exposure/safety and environmental impacts during period of remedy installation or implementation; time period required to achieve corrective action objectives.
- **Implementability:** Ability to construct, operate, and monitor the performance of the remedial option; associated permitting requirements; availability of required equipment and services.
- **Cost Efficiency:** Life-cycle capital and operating costs relative to degree of risk reduction achieved.

The evaluation should include remedial options that would meet Tier 1 Unrestricted and Restricted TRGs, and the Tier 2 Remediation Goals (RGs), when appropriate. Utilize the

OFFICE OF POLLUTION CONTROL

POST OFFICE BOX 10385 · JACKSON, MISSISSIPPI 39289-0385 · TEL: (601) 961-5171 · FAX: (601) 354-6612 · www.deq.state.ms.us

AN EQUAL OPPORTUNITY EMPLOYER

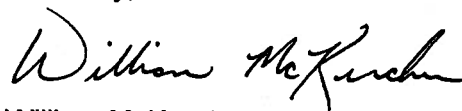
Mr. Tim Hassett
February 3, 2004
Page 2

BASELINE SCEM to define the proposed remedial action in terms of the targeted exposure points and the remedial options to be applied. Remedial options may include, where appropriate, deed restrictions and engineering controls.

- 10.2 *Describe the remedial option that has been selected and the rationale for its selection. Complete the FINAL SCEM and describe the remedial actions that will be taken to minimize and/or eliminate risk to the public health and the environment.*
- 10.3 *If active remediation or compliance monitoring (i.e., long-term groundwater monitoring to ensure that plume has stabilized and is contained within site boundaries) is necessary, identify the anticipated date that MDEQ will receive a Corrective Action Plan (CAP) to address active remediation and/or a Compliance Monitoring Plan (CMP) to address compliance monitoring will be received by MDEQ.*

A number of remedial options should be identified and must include the effectiveness evaluations and cost estimates. MDEQ will use the cost estimates to determine an appropriate amount of financial assurance that must be secured in the form of a Corrective Action Trust Fund. Hercules Inc. must compile and submit for review an updated Remedial Action Evaluation in the correct format that addresses all four of the areas of concern by March 15, 2004. If you have any questions or comments, please contact me at (601) 961-5731.

Sincerely,



William McKercher
Project Manager
Groundwater Assessment and
Remediation Division

cc: Jerry Banks – MDEQ
Phil Bass - MDEQ
Trey Hess - MDEQ
Walter Langhans – Hercules, Inc.
Charlie Jordan – Hercules, Inc.
Charles Coney – Eco-Systems, Inc



January 30, 2004

Mr. William McKercher
Environmental Engineer
Office of Pollution Control
Mississippi Department of Environmental Quality (MDEQ)
Jackson, Mississippi 39289-0385

**Re: Remedial Action Evaluation
Hercules Incorporated
Hattiesburg, Mississippi
ESI Project No. HER22173**

Dear Mr. Mckercher:

Eco-Systems, Inc. (Eco-Systems) is pleased to submit this Remedial Action Evaluation (RAE) that has been prepared on behalf of Hercules, Incorporated (Hercules). This RAE has been prepared at your request as expressed in your communications with Hercules. The contents of this RAE have been compiled based on existing site information and communication between representatives of Hercules and the Mississippi Department of Environmental Quality (MDEQ). This RAE includes discussion of remedial action related to the following areas of the Hercules, Hattiesburg, Mississippi facility:

- The sludge pits,
- The former landfill,
- The groundwater containing volatile organic compounds (VOCs), semi-volatile organic compounds (SVOC), Dioxathion, and Dioxenethion, and
- Green's Creek.

Background

Remedial investigations were initiated by Hercules in 1998 to address concerns expressed by the MDEQ regarding the potential presence of Dioxathion and Dioxenethion in the sludge pits, the former industrial landfill, site groundwater, and Green's Creek. Site investigations have included collection and analysis of soil, groundwater, stream sediment and surface water samples for VOCs, SVOCs, Dioxathion, and Dioxenethion. In 2003, MDEQ also expressed concerns regarding the potential presence of buried drums at the site. In response to this concern, a geophysical investigation was conducted for the former industrial landfill and for a second area designated by the MDEQ. Discussion of the site investigations, including data tables and site drawings, is contained in the following documents, which were previously submitted to the MDEQ:

- Interim Groundwater Monitoring Report (Eco-Systems, January, 2003)
- Site Investigation Report (Eco-Systems, April 2003)
- Supplemental Site Investigation Report (Eco-Systems, November, 2003)

Sludge Pits

The sludge pits were used to dispose of solids generated in Hercules wastewater treatment plant. Use of the sludge pits was discontinued in 2001 as agreed upon with MDEQ. The most recent groundwater monitoring data do not indicate that concentrations of VOCs, Dioxathion and Dioxenethion above Target Remedial Goals (TRGs) are migrating from the sludge pits. The TRGs are found in the Tier 1 Target Remedial Goal Table of the Final Regulations Governing Brownfields Voluntary Cleanup And Redevelopment In Mississippi, published by the Mississippi Commission on Environmental Quality and adopted May 1999 and revised March 2002.

As discussed in a meeting on August 16, 2002, between Hercules and MDEQ any future action regarding the sludge pits will be handled through Mr. Rick Sumrall of the Mississippi Department of Environmental Quality (MDEQ), Office of Pollution Control, Environmental Compliance and Enforcement Division.

Former Landfill

The former industrial landfill on the site received non-hazardous waste for a period of time that reportedly began in the 1950's and ended in the early 1970's. The landfill was then covered with soil to prevent exposure and minimize waste. Waste in the landfill, as demonstrated by the recent geophysical survey and more recent excavation related to an adjacent water pipe, includes scrap metal, resin, fill dirt, and other solid waste historically generated by the facility. Existing groundwater monitoring data indicate that concentrations of Dioxathion and Dioxenethion above TRGs are not migrating from the former landfill area.

Hercules intends to develop a groundwater monitoring plan to be implemented to ensure that chemicals potentially contained within the former landfill do not migrate off site. The groundwater monitoring plan will include installation of additional wells around the perimeter of the landfill to provide adequate control for evaluation of groundwater quality and hydrogeologic information. Since VOCs are, typically, more mobile than SVOCs, groundwater will be monitored for VOCs as indicators of a release from the landfill.

Groundwater

Groundwater quality information obtained during site investigations indicates that volatile organic compounds (VOCs) are present at concentrations above TRGs in shallow groundwater in some areas of the site. Existing groundwater monitoring data do not indicate that concentrations of VOCs, SVOCs, Dioxathion and Dioxenethion above TRG's are migrating beyond Hercules property boundary.

Hercules intends to develop a groundwater monitoring plan to be implemented to ensure that VOCs, SVOCs, and Dioxathion do not migrate off site. It is not anticipated that additional groundwater monitoring wells will be required beyond the existing groundwater monitoring wells and the monitoring wells that will be included in the groundwater monitoring plan that will be developed for the former landfill area, which is discussed in the previous section. As with the landfill, groundwater will be monitored for VOCs as indicators of constituent migration.



Green's Creek

Analysis of samples of surface water and stream sediment collected from Green's Creek indicate the presence of concentrations of VOCs and Dioxathion in both surface water and stream sediments. Trace levels of Dioxathion and Dioxenethion were found in surface water at levels well below the Dioxathion groundwater TRG. Dioxathion was detected in one sediment sample at levels well below the TRG for soil. Analysis of surface water and stream sediment samples collected from near the point where Green's Creek enters the Hercules property detected concentrations of VOCs comparable to, or higher than, concentrations collected from downstream locations. Based on these findings, the previous investigation concluded that many VOC constituents detected in Green's Creek are related to a source located up stream of the Hercules property. Therefore, Hercules does not recommend any future action.

Summation

Based on information obtained from previous site investigation, Hercules intends to manage remedial issues related to the sludge pits, the landfill, and groundwater through a groundwater monitoring plan that will be developed to address these issues.

If you have any questions or require additional information, please do not hesitate to call Mr. Timothy Hassett at (302) 995-3456 or Caleb Dana (Eco-Systems) at (601) 936-4440.

Sincerely,

A handwritten signature in cursive script that reads "Charles V. Coney".

Charles V. Coney, P.G.
Senior Scientist

A handwritten signature in cursive script that reads "Caleb H. Dana, Jr.".

Caleb H. Dana, Jr., P.E., CHMM
Senior Principal Engineer

cc: Timothy Hassett – Hercules Incorporated
C. S. Jordan – Hercules, Hattiesburg



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

MEMORANDUM

TO: Hercules, Inc – To File

FROM: William McKercher *NM*

DATE: January 9, 2004

RE: Emergency Response Follow-up Inspection – January 8, 2004

On Thursday, January 8, 2004, I inspected the Hercules, Inc. facility in Hattiesburg, MS in order to follow up on Pine Oil release that occurred at the facility. Charlie Jordan of Hercules, Inc. showed me the area of the release. A large AST used to hold rosin was to be cleaned. After emptying the contents of the AST, workers then filled the AST with a pine oil cleanser and allowed it to soak. The pine oil cleanser then leaked from a broken seal onto the pavement and moved along the grade to a storm sewer drain on Providence Street at the edge of the property. The cleanser then traveled through a concrete culvert to a ditch, which eventually empties into the Bowie River. Jordan and I followed the culvert to the location where it emptied into the ditch. At that location, the water enters a small, scoured pool, then drains along the ditch. Where the pool ends and water continues to flow downgradient, Hercules workers had placed a boom across the stream to absorb any remaining cleanser.

It had not been raining that week, so Jordan stated that they had been able to soak up the majority of the cleanser in the ditch to the point that there was no longer a visible sheen on the surface of the water. However, it was raining the day of the inspection, which appeared to have flushed residual cleanser from the culvert. However, any sheen on the water surface appeared to be contained by the boom in place across the ditch.

After Jordan returned to his office, I returned to the ditch and walked its length until it reached the Bowie River, approximately 1/8th of a mile. I did not see any visible sheen past the boom, nor did I observe the presence of any remaining dead fish in the stream. Also, close to the point where the ditch discharges into the Bowie River, I observed several small species of fish swimming in this stretch of the ditch.

K:\Shared\Brownfields\Wmckercher\Hercules\Emergency Response follow-up memo - Jan 2004.doc

January 6, 2004

H'burg Plant Spill Kills Fish; Officials Claim No Danger to People

An oil leak from the Hercules plant in Hattiesburg has killed hundreds of fish and left some residents gasping for breath.

City officials say nearly 50 gallons of pine oil leaked from a tank at Hercules overnight, draining into a ditch that flows into the Bouie River.

The Department of Environmental Quality has been notified, and officials say while the fish kill looks bad, it should pose no health hazard to residents. Officials say the pine oil is not a hazardous material, but the bad smell should remain in the area for a few days.

Public Works Director Bennie Sellers says the fish died as a result of oxygen being taken from the water. He says there should be no negative impact on the river since the amount of oil released was small.



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Community Connections, Inc.

Recreational Parks | Historic Districts | Leaf River | Central Business District | 5 of Hattiesburg's Largest Employers | Industrial Park | William Carey College

Hattiesburg's Eastern Communities

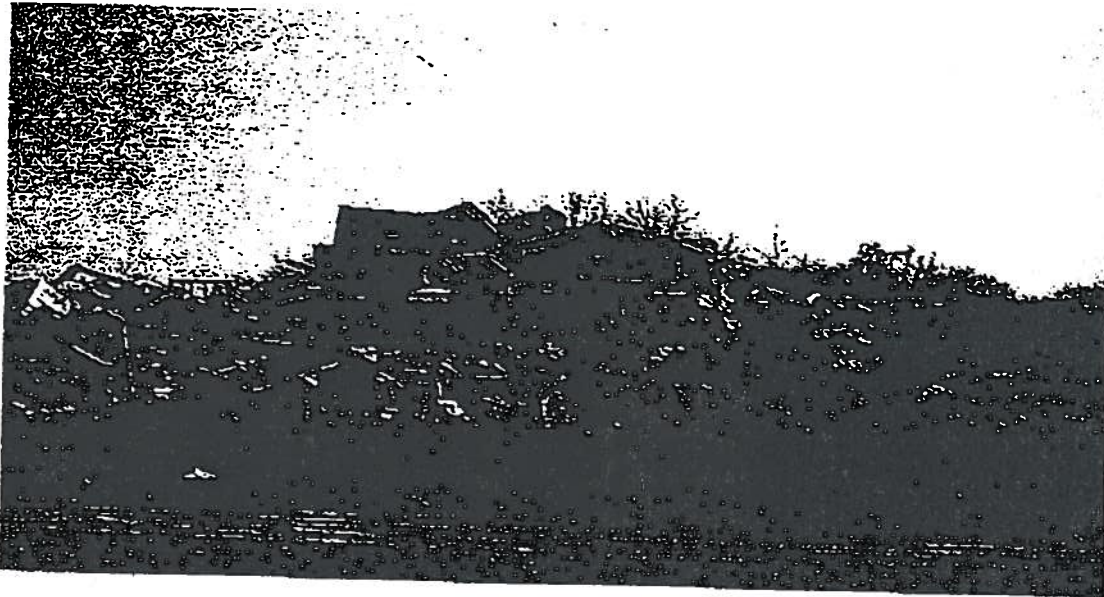
...Building a bridge to a brighter Tomorrow.



Proposal for development in the Hattiesburg Eastside Community

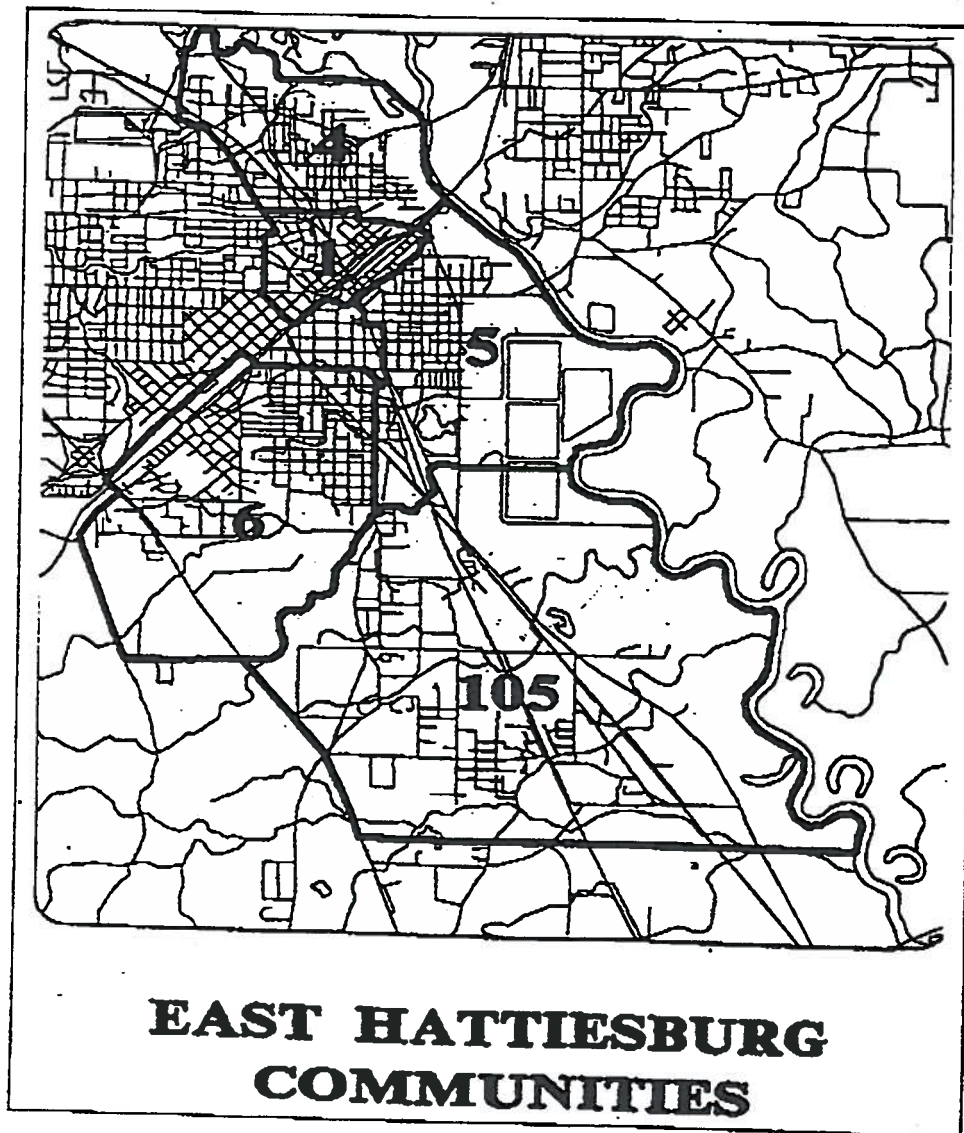
EXECUTIVE SUMMARY

The City of Hattiesburg is undergoing tremendous growth but most of this growth is occurring on one side of the City. The Hattiesburg East Communities has been faced with the opposite. These communities have a deteriorating economic condition. This area has deteriorating housing, infrastructure and business communities. Most residents with moderate income and above have migrated from these communities to the western side of Hattiesburg. This community is also facing migration of neighborhood business from the area.



COMMUNITY DEMOGRAPHICS

General Demographics: Hattiesburg East Communities are low-income neighborhoods. Hattiesburg East Community that consist of census tracts 1,4,5,6 and a portion of 105. The following information was provided by a study conducted by the City of Hattiesburg. The population of the target area is 15,148 residents, of which 79.1% are African Americans, 20.5% Caucasian, and 13% are over the age of 65. The unemployment rate of Hattiesburg Eastern Community is 15.78% and 11% is disabled or have limited mobile capacity or self-care limitation.



Neighborhood History:


The Mobile-Bouie street area has great historic significance. The Mobile-Bouie street neighborhood has been recognized as a local cultural resource, important to the local African-American community. However, the integrity of the neighborhood has been adversely impacted by changing economic and social conditions. The area developed as the nineteenth century. The neighborhood grew rapidly as a working class neighborhood, inhabited by many blacks who were self employed, or worked for the railroad or in the local mills.

According to the 1906 Sandborn map indicates there were in fact six grocery stores, three

barber shops, three stores, two butcher shops, two tailors, a drugstore, fruit shop, bank, billiard room, confectionery, millinery, furniture store, restaurant, print shop, and funeral home. "Mobile street supplied all the needs of our community." Said longtime resident and businesswoman Mrs Lillie McLaurin.



"Mobile Street was our City. Mobile Street supplied all the needs of our community."
Mrs. McLaurin

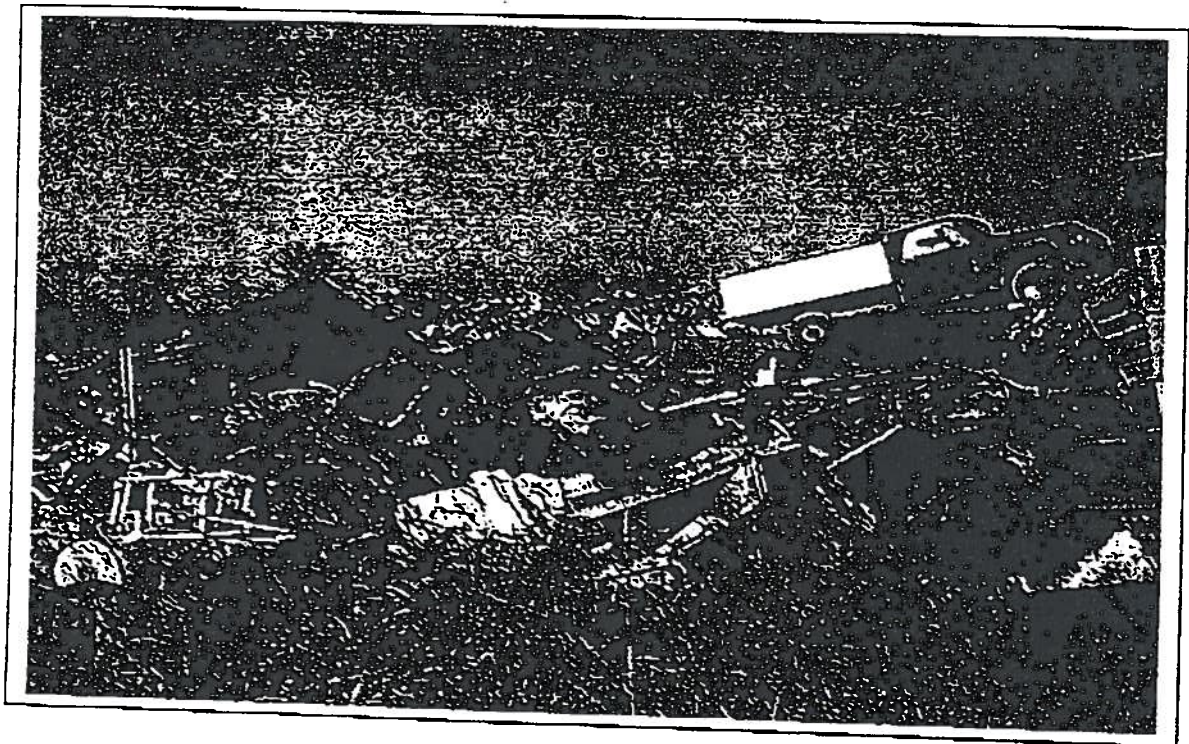


EUREKA SCHOOL

This building, opened in 1921, under the leadership of W. H. Jones, was one of the first modern brick schools in Miss. for blacks. Its alumni have served the state and nation with distinction.

Project History

- Ben Shemper located in the community around 1975. At the same time while this community was a vibrant community.
- 35 acres in the Mobile-Bouie community.
- Residents for years have requested some form of clean-up
- 1999 several residents approach City Council with complaint of property being nuisance.
- 2000 Community Connections is contacted by several residence about alternatives for dealing with the shemper site.
- Fall of 2001 Community Connections locates brownfield program and begin effort to make project a pilot for the City of Hattiesburg.
- Council votes down resolution



Business has lengthy tie to area

By Nikki Davis Maule
AMERICAN Staff writer

Although Bouie Street and the 95-year-old Ben Shemper and Sons business are synonymous in the minds of most Hattiesburg residents, the business actually had its beginnings on Second Street.

The business started as Sam Shemper and Sons in 1905 by family patriarch Sam Shemper, a Russian immigrant, did not move to 514 Bouie Street until 1955.

From there the company slowly expanded, buying the old Mississippi Central Railroad property in 1975

and acquiring various parcels of land along the street, culminating with a 1997 purchase.

"Anytime property in the area becomes available, we are certainly interested," said Jerry Shemper, a partner in the business and a former Hattiesburg City Council member.

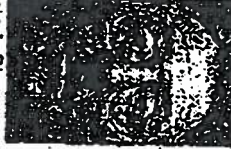
While the company earned its reputation during World War II as a scrap dealer, Sam Shemper's first endeavor at the turn of the century was the fur business. He walked to towns such as Purvis and Lumberton buying fur.

It was Sam Shemper's son,

Ben, who look over the business, expanding into metals.

Today the company is under the leadership of Sam Shemper's three grandsons, Jerry, Marvin and Sam, and a great-grandson, Jonathan.

The company continued to acquire various parcels of land along Bouie Street including city elementary school and a plant that made



J. Shemper

ammunition casing during World War II.

According to a 1967 deed, the school board swapped what was described as the "Bouie Street Elementary School" in exchange for Jigree Park property. That was the year the school was demolished.

Hattiesburg history buff Sam Gillespie said the area started to decline in the 1960s after the city closed the school, which she said was known as Lamar School.

"With the school gone, the railroad pulling up and taking their jobs away, and the

area declared a flood zone, it spelled the end," she said.

In addition to buying scrap metal and salvage, the company operates a business dealing in steel and wire products sales. Shemper Auto Parts and its part-owner of South Mississippi Recycling.

A check of the Forrest County property records shows that eight pieces of property and improvements listed in the Shemper name on Bouie Street are valued at about \$500,000.

Shemper family members have agreed to move, but if that does not happen they

are confident the business will continue to prosper in east Hattiesburg.

The family said they haven't selected a site to move their business to if the relocation plan comes through.

"We are always an optimistic group," said Jerry Shemper. "Our business will continue. We've got fourth generation family members now involved in the business."

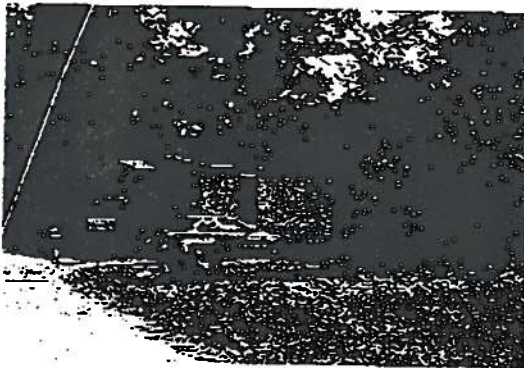
■ Nikki Davis Maule can be reached by telephone at (601) 584-3114 or by e-mail at nikki@hatterianet.com



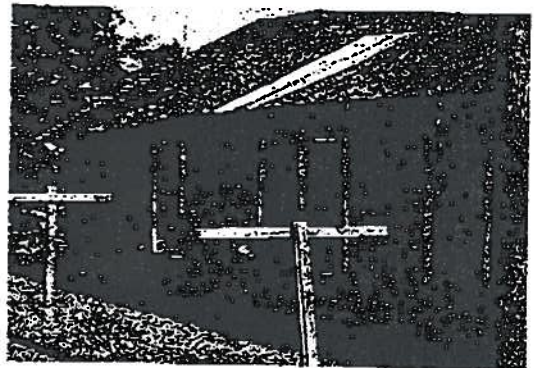
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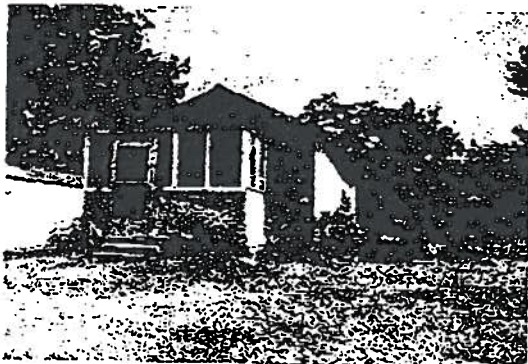
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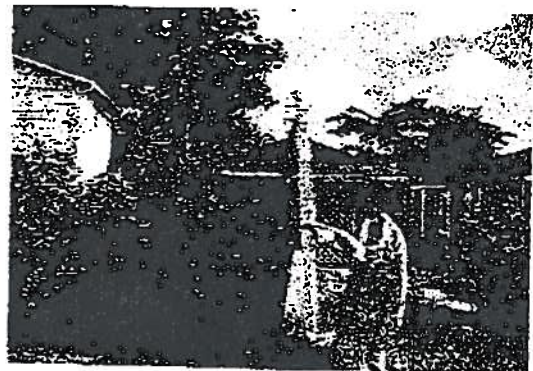
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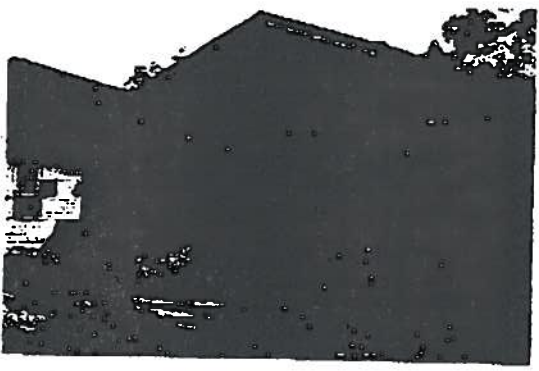
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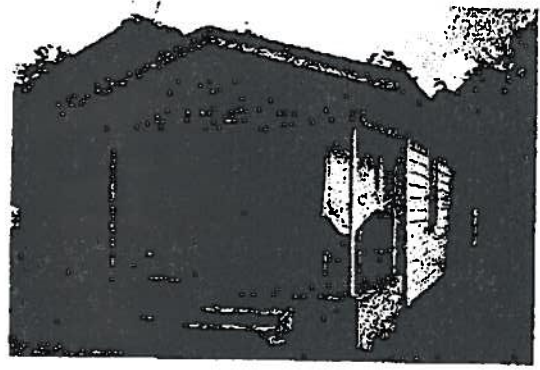
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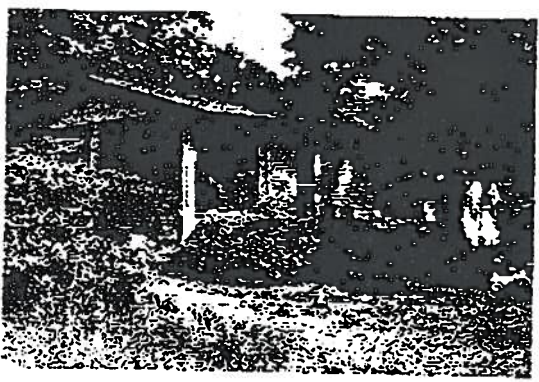
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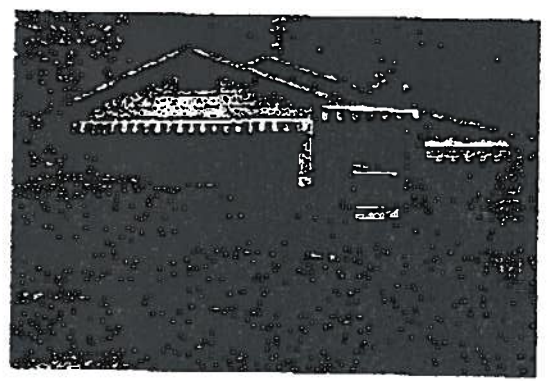
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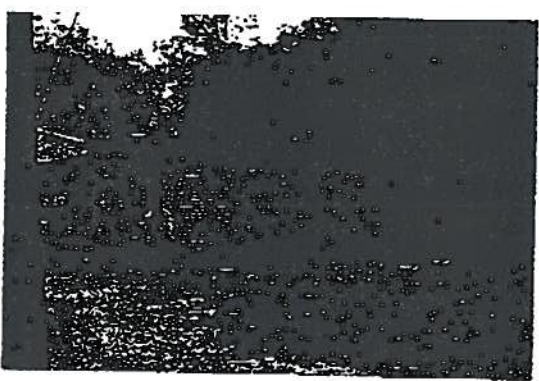
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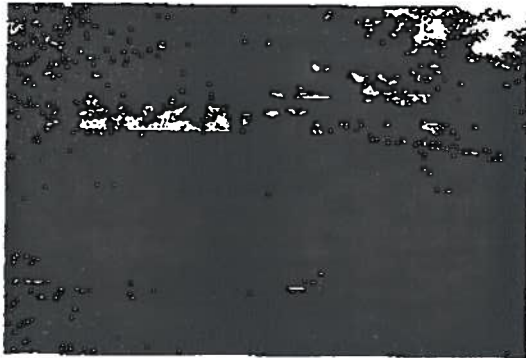
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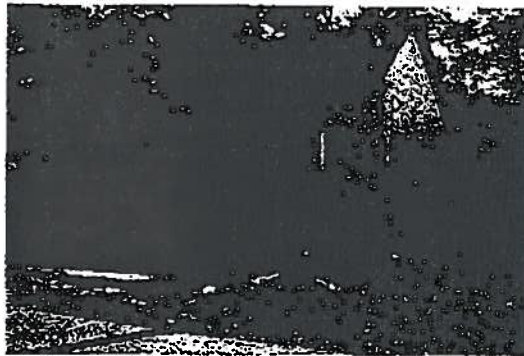
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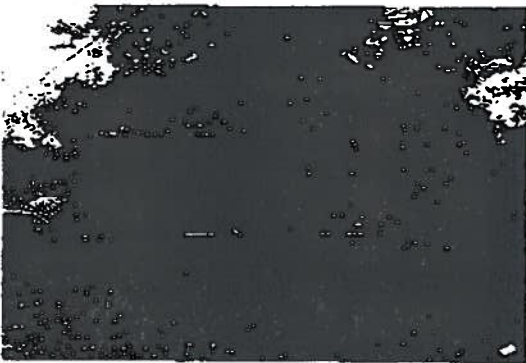
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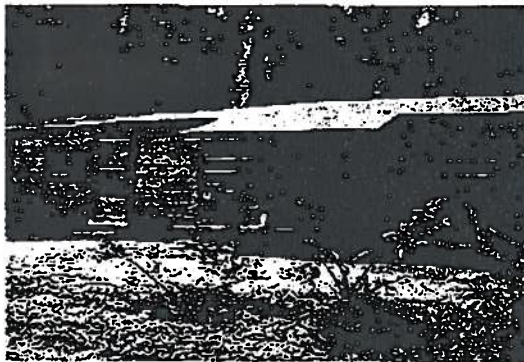
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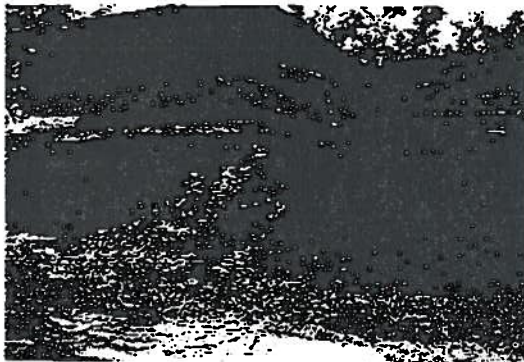
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08



09



010



Willie McKercher
12/10/2003 03:18 PM

To: THassett1@Herc.com@INETDEQ
Subject: Re: Hercules Supplemental Site Investigation Report

Tim,

For clarification, MDEQ agrees to an extension of January 30, 2004 for submittal of a Remedial Action Evaluation (RAE) for support to the Supplemental Site Characterization report. However, MDEQ does not want Hercules, Inc. to have the misconception that since the capping of the sludge pits was used as an example for corrective action measures that is is the main cause for concern at the site. There are several other areas of concern which need to be addressed within the RAE for future remedial work. Enjoy your holidays, and be safe up there on the slopes.

Willie McKercher
Mississippi Department of Environmental Quality
Phone: (601) 961-5731
Fax: (601) 961-5300
Willie_McKercher@deq.state.ms.us

THassett1@Herc.com



THassett1@Herc.com
12/10/2003 02:31 PM

To: Willie_McKercher@deq.state.ms.us
cc: CJordan@Herc.com, ecosys@earthlink.net,
Rick_Sumrall@deq.state.ms.us, Tony_Russell@deq.state.ms.us,
Trey_Hess@deq.state.ms.us, ecosys@earthlink.net
Subject: Re: Hercules Supplemental Site Investigation Report

Willie,

We appreciate your consideration in giving us an extension until January 30, 2004 to prepare a Remedial Action Evaluation (RAE) and that the MDEQ's main concern is the sludge pits. We also understand from the call today, that the RAE is not an elaborate "Feasibility Study" or design, but rather a conceptual proposal for future remedial work. Have a nice holiday and happy New Year. - TDH

Tim Hassett
SHERA
Hercules Incorporated
Hercules Research Center
500 Hercules Road
Wilmington, Delaware 19808-1599
thassett1@herc.com
(302) 995-3456 phone
(302) 995-3485 fax

Timothy D Hassett

Willie_McKercher@deq.state.ms.us
12/09/03 02:54 PM
ecosys@earthlink.net,
Tony_Russell@deq.state.ms.us,

To:
cc: Charles Jordan,
Trey_Hess@deq.state.ms.us,
Rick_Sumrall@deq.state.ms.us
Subject: Re: Hercules

Supplemental Site Investigation

Report (Document link: Timothy D

Hassett)

Willie

I was out Friday due to the storm and did not get your note until yesterday and I left you a couple of voice mails on this today. Frankly we were surprised to receive your comment about the lack of a Remedial Action Evaluation in our recent submittal, because this was the first time we heard that MDEQ was looking for such an analysis. We can prepare such a document but 1) would like to discuss the report (as we indicated in the cover letter) and more broadly the site issues with MDEQ and 2) would like a reasonable time to prepare this report especially given the upcoming holiday/vacation season.

In lieu of a meeting, perhaps we could arrange a conference call this week or next week. Please call or e-mail to discuss. - TDH

Tim Hassett
SHERA
Hercules Incorporated
Hercules Research Center
500 Hercules Road
Wilmington, Delaware 19808-1599
thassett1@herc.com
(302) 995-3456 phone
(302) 995-3485 fax

Willie_McKercher@deq.
state.ms.us

THassett1@Herc.com

To:

cc:

Trey_Hess@deq.state.ms.us,

12/05/03 07:20 PM

Tony_Russell@deq.state.ms.us, Rick_Sumrall@deq.state.ms.us

Subject: Hercules

Supplemental Site Investigation Report

Tim,

I have completed my personal review of the Supplemental Site Investigation Report for the Hattiesburg facility. I found that the report does not contain a Remedial Action Evaluation for future remedial actions and/ or continued monitoring at the facility as per our Site Characterization Report format (Section 10). I would like for you to please compile a Remedial Action Evaluation for MDEQ review and submit that evaluation to MDEQ by December 31, 2003. The MDEQ Site Characterization Report format can be found at the following link:

[http://www.deq.state.ms.us/MDEQ.nsf/pdf/HW_report/\\$File/report.pdf?OpenElement](http://www.deq.state.ms.us/MDEQ.nsf/pdf/HW_report/$File/report.pdf?OpenElement)

Once MDEQ has had a chance to complete review of the Remedial Action Evaluation, We can complete our comments on the report. Please call if you have any questions.

Willie McKercher
Mississippi Department of Environmental Quality
Phone: (601) 961-5731
Fax: (601) 961-5300
Willie_McKercher@deq.state.ms.us



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

MEMORANDUM

TO: Hercules, Inc – To File

FROM: William McKercher *WM*

DATE: December 29, 2003

RE: Site Visit – December 22, 2003

On Monday, December 22, 2002, I was called to the Hercules, Inc. facility in Hattiesburg, MS, to inspect an excavation project on the facility property that uncovered some old tires and empty drums. I arrived at 3:00 PM and met with Charlie Jordan who escorted me to the excavation.

The initial purpose for the excavation was to uncover a leaking water line, which serviced one of their tanks on the northeast corner of the property. The leaking water line was finally uncovered at approximately 15 feet below ground surface. Since most of the soils in the area of the excavation were comprised of fill material, it had a sandy, loose characteristic and was dark in color. Jordan explained that the main source of the fill was from topsoils and sand washed off of the pine stumps prior to their being processed at the plant several years ago. Due to the nature of the soil to slide back into the excavation, the sides were cleared out dramatically, leaving the diameter of the hole at the ground surface around 25 yards across. Scattered throughout the excavated soils I counted six steel drums. Four of the drums were crushed and shredded in half. The other two drums had seep holes cut into them. Jordan described that the cutting of the holes was done to help in pouring the contents of the drums. These two drums were let in place where they were found because they were in the base of the excavation. I collect two soil samples from this location beneath the drums. One sample was for VOC analysis via EPA Method 8260, and the other sample was for SVOC analysis via method EPA Method 8270.

Also visible were large clumps of dark amber, a byproduct of their operations. Jordan explained that when the saps were cooked out of the pine stumps, the syrup extracted would then be applied to beds of soil cleared of debris. As the syrups settled, the thicker syrups settled to the bottom and hardened to form the dark amber. The top layers formed yellow or "pale" amber that was harvested for use in the manufacturing of chemicals at the facility. I also counted four old tires in the piles, but no other items were found which would serve as a cause for concern.



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

MEMORANDUM

TO: Hercules, Inc – To File

FROM: William McKercher *WJM*

DATE: September 29, 2003

RE: Site Visit – August 11&12, 2003

On August 11, 2003, at 9:00 am, I arrived at the Hercules, Inc. to meet with Charles Coney of Eco-Systems, Inc. He was present with a drilling crew from Singley of Columbia. Also present was Brian Kitrell of Eco-Systems, Inc. (Mobile, AL office) who handled the groundwater sampling activities.

The purpose of the days work was to delineate the VOC plumes in the vicinity of MW-8. The first attempt at a boring was southwest of the landfill, yet it had an auger refusal after only a few feet. It was not possible to collect full boring samples from each push; only a foot or so. There was an abundance of what seemed to be a soil composed of broken down wood pieces as well as an amber rosin material. The next boring was advanced to 21 feet, and the entire boring showed consistency of all being fill material. The amber rosin was present even in the end of the final boring.

During the collection of soil borings from GP-4, the core from 7-8 feet exhibited a PID reading of 800 and had an obvious odor, so I collected a soil sample for VOC analysis. Following that core, the next core from 8-12 feet exhibited a PID of 1500. No other proper sample containers were available for another soil sample collection. It should be noted that GP-4 is located near a concrete basin full of water. The basin appears to be 10 ft x 15 ft x 8 ft deep, and the concrete itself appears to be greatly eroded. Most of the inside walls are exposed rock from the concrete mix, showing that a good deal of the cement mix has eroded away. There are three 2x4 pine timbers floating in the basin that I used to establish depth. The water in the basin is green in color. After using a 2x4 to check the depth, I pulled it up, and then noticed large bubbles that rose from the bottom of the basin. Upon reaching the surface, the bubbles would pop and leave a sheen across the surface. This was certainly suggestive that there is possibly chemicals present in the bottom of the basin. Although the basin may not be a continuing source of contamination, its poor condition does suggest that it is hydraulically loading the surrounding groundwater table while serving as a possible conduit for groundwater contamination.

On August 12, 2003 I was present for the remaining temporary well installations and collected splits from GP-6 for Dioxithion and VOC analysis and from GP-7 for VOCs.



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

August 14, 2003

CERTIFIED MAIL NO. 7002 2030 0004 2843 2157 RETURN RECEIPT REQUESTED

Walter D. Langhans
Hercules Incorporated
613 West 7th Street
Hattiesburg, MS 39403

FILE COPY

RE: Hercules Incorporated
Enclosed Agreement Between the Hercules Incorporated and the
Mississippi Commission on Environmental Quality
Hattiesburg, Mississippi

Dear Mr. Langhans:

Enclosed you will find a copy of the signed Agreed Order that includes schedule and payment provisions, as required by the Uncontrolled Sites Voluntary Evaluation Program created by Miss. Code Ann. §17-17-54. Should you have any questions or comments, you can contact me at (601) 961-5731.

Sincerely,

A handwritten signature in cursive script that reads "William McKercher".

William McKercher
Project Manager
Office of Pollution Control

cc: Jere "Trey" Hess, P.E., DEE - MDEQ *AN*

Enclosures

BEFORE THE MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

In re: **Matter of Hercules Incorporated**
Hercules Plaza
1313 North Market Street
Wilmington, DE 19894-0001

Order No. **4620****03**

The Mississippi Commission on Environmental Quality ("Commission"), the Mississippi Department of Environmental Quality ("MDEQ") and Hercules Incorporated, ("Hercules"), collectively referred to as "The Parties", now enter the following agreement pursuant to the Uncontrolled Site Voluntary Evaluation Program ("Program") created in Miss. Code Ann. ' 17-17-54(2) (Supp. 1996), as follows:

1. Hercules is the owner and operator of a chemical production facility ("Site") located in Hattiesburg, Mississippi. MDEQ has reason to believe that conditions exist at the Site that warrants oversight by MDEQ. Hercules has transmitted information regarding these conditions in the form of a United States Environmental Protection Agency Region IV Memorandum – Results of Purgeable Organic Analysis, dated August 8, 1992, a United States Environmental Protection Agency Region IV Memorandum – Results of Extractable Organic Analysis, dated September 30, 1992, and a report from Bonner Analytical Testing Company entitled Monitoring Well Sampling Event, dated September 25, 1998.
2. The Site is an uncontrolled site within the purview of Miss. Code Ann. §17-17-54. Hercules desires to submit this Site for participation in the Program. By this agreement, MDEQ accepts the Site for participation in the Program.
3. The Parties agree to the following terms and conditions of participation in the Program:

For at least the first twelve months in which this Agreed Order is effective, these costs will be calculated at the rate of \$75.00 per hour for each hour of MDEQ staff and/or contractor time spent reviewing, assessing, investigating, reporting on, taking administrative action in regard to, analyzing or studying the Site or the information and plans regarding the Site submitted by Hercules, including MDEQ's actual costs (above and beyond staff/contractor time) for obtaining and analyzing split samples and additional samples deemed necessary by MDEQ. Analytical costs will be charged as shown on the relevant schedule of analytical costs, attached to this Order as Appendix 1. MDEQ reserves the right to increase or decrease the hourly rate and analytical cost schedule at any time after the first twelve months in which this Agreed Order is effective. In case of such an increase or decrease, MDEQ will notify Hercules in writing of the new cost schedule, and the new cost schedule will become effective forty-five days after the date of the written notice to Hercules. If

Hercules determines to discontinue its participation in the Program for the Site after a change by MDEQ in hourly rate and analytical cost schedule, Hercules may terminate its participation in the program as is stated in paragraph 9, below. MDEQ will send an invoice to Hercules on a monthly basis stating the program costs assigned to the Site that have not been paid prior to the date of invoice by Hercules, and Hercules will pay that amount to MDEQ, for deposit into the Uncontrolled Site Evaluation Trust Fund ("Fund"), within 45 days following the invoice date.

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7. If any part of any amount invoiced to Hercules by MDEQ under this agreement is not paid within seventy five days after the date of the invoice, Hercules shall pay interest in the amount of 12% per annum and if more than two invoices in a row are more than 75 days late, a penalty of up to twenty-five percent of the amount due may be imposed by further order of the Commission and added thereto pursuant to Miss. Code Ann. §17-17-54(4). If MDEQ is required to pursue legal action to collect fees incurred, reasonable attorneys' fees and costs may be assessed against the nonpaying party.
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Ann. §17-17-54 (Supp. 1996); (3) any rule or regulation promulgated by the Commission, or (4) any permit issued by the Mississippi Environmental Quality Permit Board.

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SO AGREED AND ORDERED, this the 7th day of Aug, 2003.

Charles H. Chisolm
Charles H. Chisolm
Executive Director
Mississippi Commission on
Environmental Quality

AGREED, this the 1st day of August, 2003.

Hercules Incorporated

BY: Walter D. Langhans

TITLE: Plant Manager

STATE OF Mississippi

COUNTY OF Forrest

PERSONALLY appeared before me, a Notary Public in and for the jurisdiction aforesaid, the within named Walter D. Langhans who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Plant Manager of Hercules and is authorized by that Corporation to sign this Agreement and to enter this Agreement on behalf of Hercules.

SWORN TO AND SUBSCRIBED BEFORE ME, this the 1st day of August, 2003.

Vivian Lateloff Fitzgerald
NOTARY PUBLIC

MY COMMISSION EXPIRES:

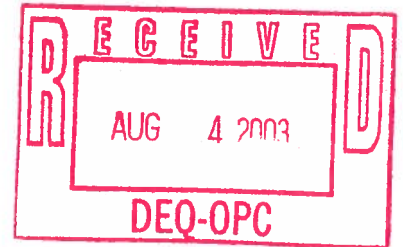
**NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE
MY COMMISSION EXPIRES: Mar 13, 2004
BOBBED TUBI NOTARY PUBLIC UNDERWRITERS**



Hercules Incorporated
613 West 7th Street
Hattiesburg, MS 39401
(601) 545-3450
Fax: (601) 584-3226
www.herc.com

August 1, 2003

CERTIFIED MAIL – RETURN RECEIPT REQUESTED
CERT. MAIL #: 7001 2510 0008 8523 6970



William McKercher, Project Manager
Office of Pollution Control
Mississippi Dept. of Environmental Quality
P. O. Box 10385
Jackson, MS 39289-0385

FILE COPY

RE: Hercules Incorporated, Hattiesburg Mississippi
Enclosed, Signed Agreement Between Hercules Incorporated and the
Mississippi Commission on Environmental Quality

Dear Mr. McKercher:

Enclosed is the signed final draft of the Agreed Order, as requested.
Thank you for forwarding a copy once the Order has been processed.

Sincerely,

HERCULES INCORPORATED


Walter D. Langhans
Plant Manager

WDL/vrf

Enclosure:

BEFORE THE MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

**In re: Matter of Hercules Incorporated
Hercules Plaza
1313 North Market Street
Wilmington, DE 19894-0001**

Order No. _____

The Mississippi Commission on Environmental Quality ("Commission"), the Mississippi Department of Environmental Quality ("MDEQ") and Hercules Incorporated, ("Hercules"), collectively referred to as "The Parties", now enter the following agreement pursuant to the Uncontrolled Site Voluntary Evaluation Program ("Program") created in Miss. Code Ann. ' 17-17-54(2) (Supp. 1996), as follows:

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Ann. §17-17-54 (Supp. 1996); (3) any rule or regulation promulgated by the Commission, or (4) any permit issued by the Mississippi Environmental Quality Permit Board.


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SO AGREED AND ORDERED, this the _____ day of _____, 2003.

Charles H. Chisolm
Executive Director
Mississippi Commission on
Environmental Quality

AGREED, this the 1st day of August, 2003.

Hercules Incorporated

BY: Walter D. Langhans 

TITLE: Plant Manager

STATE OF Mississippi

COUNTY OF Forrest

PERSONALLY appeared before me, a Notary Public in and for the jurisdiction aforesaid, the within named Walter D. Langhans who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Plant Manager of Hercules and is authorized by that Corporation to sign this Agreement and to enter this Agreement on behalf of Hercules.

SWORN TO AND SUBSCRIBED BEFORE ME, this the 1st day of August, 2003.


NOTARY PUBLIC

MY COMMISSION EXPIRES:

**NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE
MY COMMISSION EXPIRES: Mar 13, 2004
BOSSARD TRUST NOTARY PUBLIC UNDERWRITERS**



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

July 30, 2003

CERTIFIED MAIL NO. 7002 2030 0004 2843 2126 RETURN RECEIPT REQUESTED

Walter D. Langhans
Hercules Incorporated
613 West 7th Street
Hattiesburg, MS 39403

FILE COPY

RE: Hercules Incorporated
Enclosed Agreement Between the Hercules Incorporated and the
Mississippi Commission on Environmental Quality
Hattiesburg, Mississippi

Dear Mr. Langhans:

The enclosed is Final draft of the agreement proposed in response to a request by you to participate in the Uncontrolled Site Voluntary Evaluation Program created by Miss. Code Ann. §17-17-54. MDEQ has made the modifications requested in your phone call on July 29, 2003 with Jerry Banks, Director of the Groundwater Remediation and Assessment Division. Sign and return the enclosed Agreed Order, and copy of the signed document will be returned to you once the Agreed Order has been processed. Should you have any questions or comments, please contact me at (601) 961-5731.

Sincerely,

A handwritten signature in cursive script that reads "William McKercher".

William McKercher
Project Manager
Office of Pollution Control

Enclosures

K:\Shared\Brownfields\WmckKercher\Hercules\Hercules VEP Transmittal Letter 07-30-03.doc

BEFORE THE MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

**In re: Matter of Hercules Incorporated
Hercules Plaza
1313 North Market Street
Wilmington, DE 19894-0001**

Order No. _____

The Mississippi Commission on Environmental Quality ("Commission"), the Mississippi Department of Environmental Quality ("MDEQ") and Hercules Incorporated, ("Hercules"), collectively referred to as "The Parties", now enter the following agreement pursuant to the Uncontrolled Site Voluntary Evaluation Program ("Program") created in Miss. Code Ann. ' 17-17-54(2) (Supp. 1996), as follows:

1. Hercules is the owner and operator of a chemical production facility ("Site") located in Hattiesburg, Mississippi. MDEQ has reason to believe that conditions exist at the Site that warrants oversight by MDEQ. Hercules has transmitted information regarding these conditions in the form of a United States Environmental Protection Agency Region IV Memorandum – Results of Purgeable Organic Analysis, dated August 8, 1992, a United States Environmental Protection Agency Region IV Memorandum – Results of Extractable Organic Analysis, dated September 30, 1992, and a report from Bonner Analytical Testing Company entitled Monitoring Well Sampling Event, dated September 25, 1998.
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3. The Parties agree to the following terms and conditions of participation in the Program:

For at least the first twelve months in which this Agreed Order is effective, these costs will be calculated at the rate of \$75.00 per hour for each hour of MDEQ staff and/or contractor time spent reviewing, assessing, investigating, reporting on, taking administrative action in regard to, analyzing or studying the Site or the information and plans regarding the Site submitted by Hercules, including MDEQ's actual costs (above and beyond staff/contractor time) for obtaining and analyzing split samples and additional samples deemed necessary by MDEQ. Analytical costs will be charged as shown on the relevant schedule of analytical costs, attached to this Order as Appendix 1. MDEQ reserves the right to increase or decrease the hourly rate and analytical cost schedule at any time after the first twelve months in which this Agreed Order is effective. In case of such an increase or decrease, MDEQ will notify Hercules in writing of the new cost schedule, and the new cost schedule will become effective forty-five days after the date of the written notice to Hercules. If

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SO AGREED AND ORDERED, this the ____ day of _____, 2003.

Charles H. Chisolm
Executive Director
Mississippi Commission on
Environmental Quality

AGREED, this the _____ day of _____, 2003.

Hercules Incorporated

BY: _____

TITLE: _____

STATE OF _____

COUNTY OF _____

PERSONALLY appeared before me, a Notary Public in and for the jurisdiction aforesaid, the within named _____ who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the _____ of Hercules and is authorized by that Corporation to sign this Agreement and to enter this Agreement on behalf of Hercules.

SWORN TO AND SUBSCRIBED BEFORE ME, this the _____ day of _____, 2003.

NOTARY PUBLIC

MY COMMISSION EXPIRES:



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

July 23, 2003

CERTIFIED MAIL NO. 7002 2030 0004 2843 1358 RETURN RECEIPT REQUESTED

Walter D. Langhans
Hercules Incorporated
613 West 7th Street
Hattiesburg, MS 39403

FILE COPY

RE: Hercules Incorporated
Enclosed Agreement Between the Hercules Incorporated and the
Mississippi Commission on Environmental Quality
Hattiesburg, Mississippi

Dear Mr. Langhans:

The enclosed is final draft of the agreement proposed in response to a request by you to participate in the Uncontrolled Site Voluntary Evaluation Program created by Miss. Code Ann. §17-17-54. Our legal staff has reviewed the modifications requested in your letter dated July 3, 2003, and those changes found acceptable have been made in this final draft. Please sign and return the enclosed order, and keep Appendix 1 for your records. A copy of the signed document will be returned to you once the Agreed Order has been processed.

Should you have any questions or comments, please contact Mr. William McKercher, at (601) 961-5731.

Sincerely,

William McKercher
Project Manager

Tony Russell, Chief
Uncontrolled Sites Branch

Enclosures

K:\Shared\Brownfields\Wmckercher\Hercules\Hercules VEP Transmittal Letter 07-23-03.doc

BEFORE THE MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

**In re: Matter of Hercules Incorporated
Hercules Plaza
1313 North Market Street
Wilmington, DE 19894-0001**

Order No. _____

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SO AGREED AND ORDERED, this the ____ day of _____, 2003.

Charles H. Chisolm
Executive Director
Mississippi Commission on
Environmental Quality

AGREED, this the _____ day of _____, 2003.

Hercules Incorporated

BY: _____

TITLE: _____

STATE OF _____

COUNTY OF _____

PERSONALLY appeared before me, a Notary Public in and for the jurisdiction aforesaid, the within named _____ who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the _____ of Hercules and is authorized by that Corporation to sign this Agreement and to enter this Agreement on behalf of Hercules.

SWORN TO AND SUBSCRIBED BEFORE ME, this the _____ day of _____, 2003.

NOTARY PUBLIC

MY COMMISSION EXPIRES:



Appendix 1

Schedule of Analytical Costs

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

STATE OF MISSISSIPPI
COUNTY OF HINDS

DEQ CONTRACT NUMBER

CONTRACT
for
Laboratory Analysis

This document reflects a contractual agreement between the Mississippi Department of Environmental Quality (herein referred to as MDEQ) and Mississippi State University, Chemical Laboratory (herein referred to as CONTRACTOR or MSCL) to provide services, materials, facilities, and personnel, as specified in paragraph 3, Statement of Work.

1. Purpose

The purpose of this contract is to provide the Mississippi Department of Environmental Quality, Office of Pollution Control, with analytical services for environmental, priority pollutant, hazardous constituent, water quality, and waste samples by the MSCL.

2. Definitions

As used throughout this contract, the following terms shall have the meaning set forth below:

EC/GC - Electron Capture/Gas Chromatography
GC/MS - Gas Chromatography/Mass Spectroscopy
RCRA - Resource Conservation and Recovery Act
Part 261 - EPA Hazardous Waste Regulation, 40 CFR
Part 261, Identification and Listing of Hazardous Waste
MSU - Mississippi State University
EPA - United States Environmental Protection Agency
TCLP - Toxicity Characteristic Leaching Procedure
Appendix IX - Appendix IX, Groundwater Monitoring List,
EPA Hazardous Waste Regulation, 40 CFR Part 264
SDWA - Safe Drinking Water Act
MSDH - Mississippi State Department of Health

3. Statement of Work

A. Services

For the consideration referred to in paragraph 7, Consideration and Payment, CONTRACTOR shall provide MDEQ with services as specified below:



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

July 11, 2003

Tim Hassett
Hercules Incorporated
Hercules Research Center
500 Hercules Road
Wilmington, DE 19808-1599

FILE COPY

Re: Revised Work Plan for Supplemental Site Investigation, dated June 2003
Hercules Inc. Hattiesburg facility
Hattiesburg, Mississippi

Dear Mr. Hassett:

The Mississippi Department of Environmental Quality (MDEQ) has completed its review of the above reference document and approves the changes provided the following conditions are met:

1. MDEQ personnel must be involved in the selection of sample locations.
2. MDEQ must be notified prior to any deviations from the approved scope of work.
3. MDEQ must be notified within 10 working days prior to any field activities.
4. A sufficient number of properly sized and properly preserved sample containers must be available for MDEQ personnel to split samples, if necessary.

If you have any questions or comments, please contact William McKercher at (601) 961-5731.

Sincerely,

William McKercher
Project Manager

Tony Russell, Chief
Uncontrolled Sites Branch

cc: Jerry Banks – MDEQ
Phil Bass - MDEQ
Walter Langhans – Hercules, Inc.
Gay Trovei – Hercules, Inc.
Charlie Jordan – Hercules, Inc.
Charles Coney – Eco-Systems, Inc

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