



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION I - NEW ENGLAND  
5 POST OFFICE SQUARE, SUITE 100  
BOSTON, MA 02109-3912

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

AUG 26 2010

Andrew J. Marsh  
Executive Vice President/General Manager  
ACS Auxiliaries Group (for Cumberland Engineering Company)  
100 Roddy Avenue  
South Attleboro, MA 02703

Re: **Notice of Potential Liability** at Operable Unit Two of the Peterson/Puritan, Inc.  
Superfund Site in Cumberland, Rhode Island.

Dear Mr. Marsh:

This letter serves to formally notify ACS Auxiliaries Group on behalf of Cumberland Engineering Company ("Cumberland Engineering") of the potential liability which it has or may have incurred with respect to Operable Unit Two of the Peterson/Puritan, Inc. Superfund Site which includes the J.M. Mills Landfill, in Cumberland, Rhode Island (the "Site"). In addition, this letter requests that you pay certain costs related to the Site and that you prepare to participate in the conduct or financing of certain clean-up activities at the Site. This letter seeks your cooperation in providing information and documents relating to the environmental conditions at, and cleanup of, the Site.

**NOTICE OF POTENTIAL LIABILITY**

The United States Environmental Protection Agency ("EPA") has documented the release or threatened release of hazardous substances, pollutants or contaminants at the Site.

Under Sections 106(a) and 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §§ 9606(a) and 9607(a) ("CERCLA"), and other laws, responsible parties may be obligated to undertake actions deemed necessary by EPA to protect the public health, welfare or environment. Responsible parties may also be liable for all costs incurred by the government in responding to any release or threatened release at the Site. Such costs may include, but are not limited to, expenditures for investigation, planning, cleanup response and enforcement activities. In addition, responsible parties may be required to pay damages for injury to, destruction of, or loss of natural resources, including the costs to assess such damages.

Responsible parties under CERCLA include persons who are current or former owners and/or operators of a site, persons who arranged for disposal of hazardous substances at a site, or persons who accepted hazardous substances for transport to a site selected by such persons. EPA has evaluated a large body of evidence in connection with its investigation of the Site, including Site business records, manifests, state records, and corporate records. Based on this evidence, EPA has information indicating that you are a potentially responsible party ("PRP") with respect to this Site. Specifically, EPA has reason to believe that you arranged by contract, agreement or otherwise for disposal or treatment, or arranged with a transporter for transport for disposal or treatment of hazardous substances found at the Site.

By this letter, EPA notifies you of your potential liability with regard to this matter. EPA also encourages you, as a PRP, to reimburse EPA for the costs incurred to date as set out below. Currently, KIK Custom Products, Inc. ("KIK") and Waste Management are under an obligation to perform the Remedial Investigation and Feasibility Study ("RI/FS") and Unilever and Waste Management are under an obligation to finance the RI/FS at the Site through an October 18, 2004 Third Amendment to the Administrative Order on Consent. EPA encourages you to voluntarily enter into discussions with KIK, Unilever, and Waste Management, and to cooperate and participate with these parties in the performance of the RI/FS at the Site.

#### DEMAND FOR PAYMENT OF COSTS

In accordance with CERCLA and other authorities, EPA has undertaken certain actions and incurred costs in response to conditions at the Site. These response actions are described below. The costs to date associated with these actions are approximately **\$2,033,171.99** excluding interest. EPA anticipates that it will expend additional funds for response activities at the Site under the authority of CERCLA and other laws, including those response activities described below.

In accordance with Section 107(a) of CERCLA, 42 U.S.C. § 9607(a), a demand is hereby made for payment of the above amount, and all interest authorized to be recovered under that Section or under any other provisions of law. Demand is also hereby made under these authorities for payment of all future costs, and interest thereon, that EPA may accrue in regard to the Site.

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

Contained in Enclosure D of this letter is a current summary of the costs expended for this Operable Unit of the Site. As you may be aware, PRPs are entitled to review the invoices which form the basis for EPA's past costs. Some of these documents may contain information that EPA's contractors claim is entitled to confidential treatment. The Agency's past practice has been to obtain the consent of the contractors pursuant to 40 C.F.R. 2.209(f) (confidential business information regulations) before releasing this information to PRPs. These regulations, however, have been revised to allow information on past costs to be released provided that the interested

party sign a Confidential Business Information Agreement (“Agreement”) not to disclose this information.

This Agreement is necessary to protect the interests of the submitters in the confidentiality of the business information. No party is under any obligation to execute this Agreement. Without executing this Agreement, however, the Agency cannot release documentation on past costs. If you are interested in reviewing these documents, please contact Donna Murray at 617-918-1409.

#### RESPONSE ACTIVITIES AT THE SITE

EPA has already conducted the following activities at the Site:

1. A time-critical removal action in response to tanks, still bottoms and drums located at the Site and to restrict access to the Site in the construction of a fence; and
2. A time-critical removal action in response to asbestos disposal and fence repair.

EPA is conducting or plans to conduct the following activities at the Site:

1. Remedial Investigations to identify the local characteristics of the Site and to define the nature and extent of soil, air, surface water and ground water contamination at the Site;
2. Feasibility Studies to evaluate the feasibility of possible remedial actions to remove or contain hazardous substances, pollutants and contaminants at the Site;
3. Design and implementation of a Remedial Action for the Site to be approved by EPA; and
4. Operation, maintenance and monitoring of the Site as deemed necessary by EPA.

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

#### SPECIAL NOTICE AND NEGOTIATION MORATORIUM

At an appropriate point in the future, you will receive an additional notice informing you that one or more of the above activities is pending and that your cooperation is being requested to negotiate the terms of an agreement to perform or finance these activities.

This forthcoming notice will serve to inform you that EPA is using either CERCLA Section 122(e) Special Notice procedures to formally negotiate the terms of a consent order or consent decree to conduct or finance site response activities at the site or it will inform you that EPA is not using such procedures pursuant to Section 122(a). If EPA does not use Section 122(e) Special Notice procedures, the Section 122(a) notice will explain why the Special Notice

procedures were not appropriate in this case. Under Section 122(e), EPA has the discretionary authority to invoke Special Notice procedures if EPA determines that such procedures would facilitate an agreement between EPA and the PRPs and would expedite remedial action at the Site. Use of the Special Notice procedure triggers a moratorium on certain EPA activities at the Site. The purpose of the moratorium is to provide a period of time when PRPs and EPA may enter into formal negotiations allowing PRPs the opportunity to conduct or finance the response activities at the Site.

#### ENCLOSURE INFORMATION

- A description of the Site, specifically Operable Unit 2 which includes the J. M. Mills Landfill. (*Enclosure A*)
- A list of the names and addresses of potentially responsible parties to whom this notification was provided. This list represents EPA's preliminary findings on the identities of potentially responsible parties. EPA's responsible party search is continuing. Inclusion on or exclusion from the list does not constitute a final determination by the Agency concerning the liability of any party for the hazard or contamination at the Site. (*Enclosure B*)
- A current Site Cost Summary for OU 2. (*Enclosure C*)
- An Information Sheet for Small Businesses. (*Enclosure D*)
- Redacted interview summaries of former driver for Goditt & Boyer describing Cumberland Engineering's waste that was transported to the J. M. Mills Landfill. (Attachment No. 1)
- J.M. Mills Landfill dump ticket summaries demonstrating that Goditt & Boyer hauled Cumberland Engineering's waste to the J.M Mills landfill. (Attachment No. 2)
- Selected deposition text taken from four different drivers for Goditt & Boyer who recall hauling waste from Cumberland Engineering to the J.M. Mills Landfill. (Attachment No. 3)

#### PRP Steering Committee:

EPA recommends that all PRPs meet to form a PRP steering committee which will function as a group representing and pursuing the interests of the PRPs. Establishing a manageable group is a critical component of the negotiation process. To facilitate negotiations at an appropriate time in the future, EPA will conduct a meeting with responsible parties. At the meeting, EPA will detail the existing knowledge about conditions at the Site and describe the past response activities that have been taken at the Site to date. Since there may be a large number of PRPs, EPA may request that the individual persons or company representatives who attend the meeting appoint a committee to represent them in negotiations.

Administrative Record

In accordance with Section 113(k) of CERCLA, EPA must establish an administrative record containing the documents used by EPA to select the appropriate response action for the Site. An administrative record for Operable Unit 1 of the Site has been previously established. An administrative record for Operable Unit 2 of the Site will also be established. The administrative record will be available to the public for inspection and comment at:

U.S. EPA Records Center  
5 Post Office Square, Suite 100  
Mail Code: OSRR 02-3  
Boston, MA 02109-3912  
Telephone No. 617-918-1440

Another copy of the administrative record will also be made available at the Cumberland Public Library at 1464 Diamond Hill Road in Cumberland, Rhode Island.

TIMING AND FORM OF RESPONSE TO THIS LETTER

In addition to your continued obligations with respect to the ongoing Information Request, as a potentially responsible party, you should notify EPA in writing within twenty-one (21) days from receipt of this letter regarding your willingness to perform or finance the response activities described above. If EPA does not receive a timely response, EPA will assume that your company does not wish to negotiate a resolution of its liabilities in connection with the Site and that your company has declined any involvement in performing the response activities.

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

Your response letter should be sent to:

U.S. EPA Records Center  
c/o Peterson/Puritan, Inc. Superfund Site  
5 Post Office Square, Suite 100  
Boston, MA 02109-3912

If you have general questions concerning the Site, please contact David J. Newton, Remedial Project Manager, U.S. Environmental Protection Agency, 5 Post Office Square, Suite 100 (OSRR07-1), Boston, MA 02109-3912, (617) 918-1243. If you have any legal questions relevant to the Notice of Liability or if your attorney wishes to communicate with EPA on your behalf, please contact Michelle Lauterback, Senior Enforcement Counsel, U.S. Environmental Protection

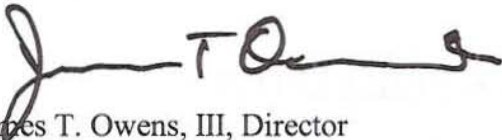
Agency, 5 Post Office Square, Suite 100 (OES04-3), Boston, MA 02109-3912, (617) 918-1774.

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

By copy of this letter, EPA is notifying the State of Rhode Island and the Federal Natural Resource Trustees of our intent to perform or enter into negotiations for the performance or financing of response actions at the Site.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "James T. Owens, III". The signature is fluid and cursive, with the first name "James" being the most prominent.

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

Enclosures

*Sent by electronic mail only*

cc: Michelle Lauterback, EPA Superfund Legal Office  
David J. Newton, EPA Remedial Project Manager  
Paul Kulpa, RIDEM Project Manager  
Michael Rubin, EAU, Office of Rhode Island Attorney General  
Leo Hellested, Office Waste Management, RI Dept. of Environmental Management  
Andy Raddant, Department of the Interior, Federal Natural Resource Trustee  
Ken Finkelstein, NOAA, Federal Natural Resource Trustee

## **ENCLOSURE A: SITE DESCRIPTION**

The Peterson/Puritan, Inc. Superfund Site (the "Site") consists of two operable units ("OUs") and a potential OU 3 area, totaling over two linear miles of mixed industrial/commercial/residential property. The Site is located along the Blackstone River and includes a portion of the Blackstone River Valley National Heritage Corridor. The Site is located in the towns of Cumberland and Lincoln, in the north-central corner of Rhode Island.

The OU 2 portion of the Site, which contains the J.M. Mills Landfill, is surrounded by industrial, residential and semi-rural properties. Bordering OU 2 to the north is the Hope Global Company, located at 88 Martin Street, Cumberland. Hope Global is part of the OU 1 area of the Site. To the south of OU 2 is the Stop and Shop Market (and strip mall) on Mendon Road, Cumberland (Route 122). The eastern boundary of OU 2 includes a portion of the Mackland Sand and Gravel operations and wetlands formerly known locally as the New River. Finally, the western boundary of OU 2 is the Blackstone River.

OU 2 contains many different parcels. EPA believes that the most contaminated parcel is the privately owned 52 acre J. M. Mills Landfill which accepted mixed municipal and industrial waste from 1954 through 1986. Adjacent to the J.M. Mills Landfill is a privately owned 34 acre unnamed island located in the Blackstone River. EPA recently discovered solid wastes disposed on this island and believes that the island's soils were used to provide daily cover materials for the landfill and, perhaps, was even used as an additional disposal location during the time in which the landfill was operating. Down river from the unnamed island is the Pratt Dam, which provides an access point to the island. The Site also includes the 26 acre Lincoln Quinville Wellfield and the Cumberland Lenox Street municipal well. These wells were used by the towns of Lincoln and Cumberland as a municipal water supply until 1979 when they were closed by the Rhode Island Department of Health due to the presence of volatile organic contaminants found in the water. A section of the Providence and Worcester Railroad line runs through OU 2 and forms the eastern extent of the landfill slope while the river forms the landfill's western boundary. A former privately owned transfer station arranged for waste to be disposed of at the J.M. Mills Landfill. This transfer station was located on the southern portion of the Site. Other areas of OU 2 include portions of the Blackstone River and an adjacent canal, the Blackstone River Bikeway and a privately owned sand and gravel operation.

Preliminary samples taken from OU 2 indicate the presence of volatile organic contaminants (including, but not limited to, trichloroethylene, freon 11, 1,2-dichloroethene, 1,1,1-trichloroethane, benzene) and also chromium, nickel and lead in the groundwater. Contaminants found in the soil and sediment include benzo(a)pyrene, chrysene, indeno(1,2,3+cd)pyrene, bis(2-ethylhexyl)phthalate, aroclors and asbestos insulation/transite. In addition, preliminary sampling of the soils along the river has found contamination with polychlorinated biphenyls, polyaromatic hydrocarbons and heavy metals.

EPA included the Site on the Superfund National Priorities List on September 8, 1983. EPA conducted a removal action on the OU 2 area in 1992 to construct a fence around the former J.M. Mills Landfill and to remove drums containing contaminated materials from the base of the landfill. In November 1997, a second removal action was conducted at the J.M. Mills Landfill to address recently disposed asbestos-containing wastes found outside of the fenced-in area. The security fence was extended to limit further dumping and restrict access to the OU 2 portion of the Site.

An investigation into the nature and extent of contamination at the J.M. Mills Landfill and surrounding areas is currently underway. Following the completion of this study, a final cleanup remedy will be selected, a remedial design will be completed and the remedial action will be initiated.

## GENERAL NOTICE

Peterson/Puritan, Inc. Operable Unit 2  
A list of the names and addresses of Potentially Responsible  
Parties to whom this notification was provided.

### Enclosure B

**Acme Service**  
985 Plainfield Street  
Johnston, RI 02919

**ACS Auxiliaries Group**  
for Cumberland Engineering Company  
Andrew J. Marsh  
Executive Vice President/General Manager  
100 Roddy Avenue  
South Attleboro, MA 02703

**ACS Industries, Inc.**  
Steve N. Buckler, President  
191 Social Street  
Woonsocket, RI 02895-4835

**Adv. Envir. Tech.**  
Onyx Environmental Services, L.L.C.  
Greig Siedor, General Counsel  
Onyx Environmental Services, L.L.C.  
700 East Butterfield Road, Suite 201  
Lombard, IL 60148

**Aerovox**  
Dan Lopes, Facility Manager  
Aerovox  
167 John Vertenta Boulevard  
New Bedford, MA 02745

**Allied Container**  
c/o International Paper  
Camille A. Corbin, Senior Counsel  
Environmental, Health & Safety  
6400 Poplar Avenue  
Memphis, TN 38197

**American Insulated Wire Corporation**  
Daniel Gillingham  
Environmental Manager  
36 Freeman Street  
Pawtucket, RI 02862-0880

**American Optical Lens Co.**  
c/o Carl Zeiss Vision, Inc.  
Jeremy C. Bishop  
Chief Executive Officer  
Torreyview Corporate Center; Suite 300  
10590 West Ocean Air Drive  
San Diego, CA 92130

**American Steel and Aluminum Corp. (RI)**  
c/o United Steel and Aluminum Corp.  
Peter V. Baldoni  
Vice President-Finance and Treasurer  
1050 University Avenue  
Norwood, MA 02062

**Amperex Electronics**  
c/o Philips Electronics North America  
Risa H. Weinstock, Senior Counsel  
1251 Avenue of the Americas  
New York, NY 10020

**Arkwright Incorporated**  
Jesse Whittemore  
Environmental Manager  
583 Main Street  
P.O. Box 139  
Fiskeville, RI 02823-0139

**Armstrong Cork, Inc.**  
Armstrong World Industries, Inc.  
c/o Elizabeth B. Davis  
Womble Carlyle Sandridge & Rice  
1201 West Peachtree Street  
Atlanta, GA 30309

**A.T. Cross Company**  
David G. Whelan  
President  
1 Albion Road  
Lincoln, RI 02865-3700

**Avnet, Inc.**  
2211 South 47<sup>th</sup> Street  
Phoenix, AZ 85034



**Benjamin Moore & Co.**

Marc L. Zoldessy  
Assistant General Counsel  
51 Chestnut Ridge Road  
Montvale, NJ 07645

**Narragansett Electric Company**

successor to Blackstone Valley Electric Co.  
c/o Carolyn L. McIntosh, Esq.  
Patton Boggs LLP  
1660 Lincoln Street  
Suite 1900  
Denver, CO 80264

**Boston Edison Company**

NSTAR Electric & Gas Company  
Jeffrey N. Stevens, Esq.  
800 Boylston Street  
Boston, MA 02199

**Mr. David J. Brask**

217 O'Neil Boulevard  
Attleboro, MA 02703

**Carol Cable Company**

General Cable Industries  
c/o Kenneth N. Klass, Esq.  
Blank Rome Comisky & McCauley, LLP  
One Logan Square  
Philadelphia, PA 19103-6998

**CCL Custom Manufacturing, Inc.**

(Successor to Peterson/Puritan, Inc.)  
6133 North River Road, Suite 800  
Rosemont, IL 60018

**City Hospital**

Boston Medical Center  
Offices of Facility Management  
715 Albany Street  
Boston, MA 02118

**Clean Harbors, Inc.**

385 Quincy Avenue  
Braintree, MA 02184

**Coastal Service**

Coastal Transportation Services  
26 Autumn Pond Park  
East Boston, MA 02128

**Compo Chemical Company, Inc.**

Mr. Brent Anderson  
IRG Mansfield, LLC  
7991 Shaffer Parkway, Suite 100  
Littleton, CO 80127

**Compugraphic Corp.**

80 Industrial Way  
Wilmington, MA 01887

**Corning, Inc.**

1 Riverfront Plaza  
Corning, NY 14830

**Crosby Valve**

Ellen Roberts  
Controller  
Anderson Greenwood  
3950 Greenbriar  
Stafford, TX 77477

**Crystal Thermoplastics, Inc.**

c/o Dan Frost, Jr., Esq.  
Skadden, Arps, Slate, Meagher & Flom  
1440 New York Avenue, NW  
Washington, DC 20005

**Damon Corporation**

Dr. David I. Kosowsky  
President  
80 Wilson Way  
Westwood, MA 02090

**Digital Equipment**

Walt Rosenberg  
Environmental Division-Compaq  
Computer Corporation  
P.O. Box 692000  
Houston, TX 77269

**E.C. Whitney**

E.C. Whitney & Son  
Donald P. Nagle, Esq.  
Law Offices of Donald P. Nagle, P.C.  
5 Main Street Extension, Suite 300  
Plymouth, MA 02360

**Eastern Wire Products**

c/o Marvin Granoff  
498 Kinsley Avenue  
Providence, RI 02909-1093

**Eye Research Institute**

Kimberly Geer  
Schepens Eye Research Institute  
20 Staniford Street  
Boston, MA 02114

**Faulkner Hospital**

Paul Keating  
Material Management Supervisor  
Faulkner Hospital  
1153 Centre Street  
Jamaica Plain, MA 02130

**Fortifiber Corporation**

c/o Robert S. Sanoff, Esq.  
Foley Hoag LLP  
155 Seaport Boulevard  
Boston, MA 02210

**Foxboro Co.**

33 Commercial Street  
Foxboro, MA 02035

**Galego Equities, Inc.**

Paul F. Galego, President  
c/o Tillinghast, Licht, Perkins & Cohen, LLP  
PO Box 1402  
North Kingstown, RI 02852

**General Electric**

Mark Herwig  
Leader, Environmental Programs  
General Electric  
1000 Western Avenue (MD 164X9)  
Lynn, MA 01910

**General Tire**

Rick Ledsinger  
Continental General Tire, Inc.  
1800 Continental Boulevard  
Charlotte, NC 28273

**Gerson Co.**

Dave Anteski  
Plant Manager  
Louis M. Gerson Company  
15 Sproat Street  
Middleboro, MA 02346

**Gorham Manufacturing**

Patricia Bisshopp  
Environmental Specialist  
Textron, Inc.  
40 Westminster Street  
Providence, RI 02903

**GTE**

Al Ludwig  
Vice President Controller  
GTE Operations Support, Inc.  
600 Hidden Ridge Drive (HQEO3E60)  
Irving, TX 75038

**Halliday Lithograph Corporation**

c/o Crosby, Heafey, Roach & May  
William D. Wick, Esq.  
1999 Harrison Street  
Oakland, CA 94612-3572

**Harvard University**

Donald S. Berry, Esq.  
McDermott, Will & Emery P.C.  
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Mary T. Feeney, Esq.  
Office of the General Counsel  
980 Holyoke Center  
1350 Massachusetts Avenue  
Cambridge, MA 02138

**Hazeltine**

Sue Tynan  
BAE Systems  
115 Bay State Drive  
Braintree, MA 02184

**Hollingsworth & Vose Company**

Deirdre M. Murphy, Esq.  
112 Washington Street  
East Walpole, MA 02032

**Honeywell**

Mr. David P. Cooke  
Assistant General Counsel  
Honeywell  
P.O. Box 2245  
Morristown, NJ 07692-2245

**Henry Oil Co., Inc.**

Carmine Henry DiSanto, President  
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**I.C.I.**

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1800 Concord Pike  
P.O. Box 15438  
Wilmington, DE 19850-5438

**Imperial Knife/Plate**

David A. Swiden  
Consultant  
Imperial Schrade Corp.  
7 Schrade Court  
Ellenville, NY 12428

**J.E. Case, Inc.**

John E. Case  
President  
1320 South Washington Street  
North Attleboro, MA 02760

**Kaiser Aluminum & Chemical Corp.**

Joseph A. "Tre" Fischer II  
Assistant General Counsel  
5847 San Felipe, Suite 2600  
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**Kaman Aerospace**

William Pakunis  
Manager, Environmental Affairs  
P.O. Box 2  
Old Windsor Road  
Bloomfield, CT 06002

**Kmart Corporation**

Louis Zednik  
Sr. Environmental Attorney  
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Troy, Michigan 48084-3163

**Larson Tool & Stamping Company**

Daniel G. Larson  
President  
90 Olive Street  
P.O. Box 2970  
Attleboro, MA 02703-0970

**Liqwacon**

Envirite Corp.  
James Cassidy, President  
620 West Germantown Pike, Suite 250  
Plymouth Meeting, PA 19462

**Maine Electronics**

Maine Electronics Rockwell International  
River Road  
Lisbon, ME 04250

**Mainline Paint Mft. Co**

Richard Main, President  
768 Main Street  
Pawtucket, RI 02860-3630

**Mandeville Signs, Inc.**

Thomas Mandeville, President  
676 George Washington Highway  
Lincoln, RI 02865

**Linda Marszalkowski**

4651 Gulf Shore Boulevard #1501  
Naples, FL 34103

**Michael John Realty**

176 Sherman Avenue  
Seekonk, MA 02771-4914

**Microfibres, Inc.**

James R. McCulloch, President  
1 Moshassuck Street  
Pawtucket, RI 02860

**Microwave Associates**

Northwest Industrial Park  
South Avenue  
Burlington, MA 01803

**Morse Cutting Tool Division**

William Hagen, President  
Morse Cutting Tool Division  
31695 Stephenson Highway  
Madison Heights, MI 48071

**Mossberg Industries, Inc.**

Gregory L. Benik, Esq.  
McGovern Noel & Benik, Inc.  
One Bank Boston Plaza, Suite 1800  
Providence, RI 02903

**Motorola Law Department**

Lisa Shelton, Esq.  
Motorola Law Department  
770 Parmer Lane  
Austin, TX 78729

**Mule Emergency Lighting, Inc.**

Mr. Robert P. Cross  
President  
325 Valley Street  
Providence, RI 02908

**MW Carr**

M.W. Carr  
68 Gorham Street  
Somerville, MA 02114

**Nunes Disposal, Inc.**

Mendon Road  
Cumberland, RI 02864

**Nyman Manufacturing Company**

Mr. Robert Donnelly  
Project Engineer  
275 Ferris Avenue  
East Providence, RI 02916-1001

**Owens Corning**

Tom Merlino, Esq.  
Director Environmental Liabilities Resolution  
One Owens Corning Parkway  
Toledo, Ohio 43659

**Polaroid**

784 Memorial Drive  
Cambridge, MA 02139

**Polyvinyl Chemical**

Zeneca, Inc.  
Joseph C. Kelly, Esq.  
P.O. Box 751  
1800 Concord Pike  
Wilmington, DE 19850-5438

**P&W Railroad**

President  
Providence and Worcester Railroad Company  
75 Hammond Street  
Worcester, MA 01610

**Raytheon**

Ken Tierney  
Environmental Health & Safety Officer  
Raytheon Company  
141 Spring Street  
Lexington, MA 02421

**Re-upping**

Rueping East Tannery  
491 West Water Street  
Taunton, MA 02780

**Revere Copper**

Wayne Linn  
Environmental Manager  
Revere Copper Products  
24 North Front Street  
New Bedford, MA 02740

**Scott Graphics**

195 Appleton Street  
Holyoke, MA 01040

**Seaconke Wampanoag Tribe  
Wampanoag Nation, Inc.**

Chief Wilfred Greene  
2220 Warwick Avenue, Apt. H10  
Warwick, RI 02889-3166

**Sears, Roebuck and Co.**

James Walpole, Esq.  
3333 Beverly Road 6-370B  
Hoffman Estates, IL 60179

**Sequa**

Bill Gendreau  
Operations Manager  
General Printing Ink  
320 Forbes Boulevard  
Mansfield, MA 02048-1806

**Shipley Co.**

455 Forest Street  
Marlborough, MA 01752

**Standard Rubber Products, Inc.**

c/o Adam J. Brodsky, Esq.  
72 Sharp Street, Unit A9  
Hingham, MA 02043

**Teknor Apex Company**  
David F. Yopak  
Director of Environmental, Health and Safety  
505 Central Avenue  
Pawtucket, RI 02861-1900

**Texon**  
Jack Dempsey  
Personnel Manager  
Texon USA, Inc.  
1190 Huntington Road  
Russell, MA 01071

**Three R's Trucking**  
c/o Robert G. Funke, Esq.  
58 Tremont Street  
P.O. Box 628  
Taunton, MA 02780

**Timex Clock Co.**  
Timex Corporation  
P.O. Box 310  
Middlebury, CT 06762

**Truex Incorporated**  
Daniel P. Dyer, III, General Manager  
300 Armistice Blvd.  
Pawtucket, RI 02861-2332

**Union Carbide**  
401 Gage Street  
Bennington, VT 05201

**U.S. Envelope**  
c/o MeadWestvaco Corporation  
James A. Buzzard  
President  
11013 West Broad Street  
Glen Allen, VA 23060

**VA Hospital**  
Tim S. McClain  
General Counsel  
Department of Veterans Affairs  
810 Vermont Avenue  
Washington, D.C. 20420

**Valentine Tools and Stamping, Inc.**  
171 West Main Street  
Norton, MA 02766

**Ventron Corp.**  
c/o Rohm and Haas Company  
100 Independence Mall West  
Philadelphia, PA 19106

**Verizon of New England**  
New England Telephone and Telegraph Co.  
David Feldman, Esq.  
1095 Avenue of the Americas  
Room 3806  
New York, NY 10036

**Vinyl Packaging, Inc.**  
Leonard Accardo, Jr., Esq.  
Accardo Law Offices  
311 Angell Street  
Providence, RI 02906

**Waste Management of North America**  
3003 Butterfield Road  
Oak Brook, IL 60521

**Western Electric**  
1600 Osgood Street  
North Andover, MA 01845

**Wyman-Gordon Company**  
Bradford C. Middlesworth, P.E.  
Manager of Environmental Engineering  
244 Worcester Street  
P.O. Box 8001  
North Grafton, MA 01536-8001

## IFMS Reconciliation Pending

## Itemized Cost Summary

PETERSON/PURITAN, CUMBERLAND, RI SITE ID = 01 40

Operable Unit(s): 00, 02, 03, Blank

Unrecovered OU2 costs through September 30, 2009

<b>REGIONAL PAYROLL COSTS</b> .....	\$547,485.03
<b>HEADQUARTERS PAYROLL COSTS</b> .....	\$7,473.40
<b>REGIONAL TRAVEL COSTS</b> .....	\$1,467.76
<b>HEADQUARTERS TRAVEL COSTS</b> .....	\$1,047.59
<b>ALLOCATION TRANSFER IAG COSTS</b>	
DEPARTMENT OF HEALTH & HUMAN SERVICES (ATSDR) .....	\$5,821.93
DEPARTMENT OF COMMERCE (NOAA) .....	\$18,573.59
<b>EMERGENCY REMOVAL CLEANUP SERVICES (ERCS) CONTRACT COSTS</b>	
OHM REMEDIATION SERVICES CORPORATION (68-01-7445) .....	\$44,565.95
OHM REMEDIATION SERVICES CORPORATION (68-W3-0012) .....	\$21,897.18
<b>ENVIRONMENTAL SERVICES ASSISTANCE TEAMS (ESAT) CONTRACT COSTS</b>	
ROY F. WESTON, INC. (68-01-7443) .....	\$3,617.21
<b>INTERAGENCY AGREEMENT (IAG) COSTS</b>	
DEPARTMENT OF THE INTERIOR - FWS (DW14424801) .....	\$2,267.67
<b>OTHER CONTRACT COSTS</b>	
TECHLAW, INC. (0Z0109NBLX) .....	\$980,205.81
LABAT ANDERSON INC. (68-W9-0052) .....	\$3,543.63
TECHLAW, INC. (EP051000077) .....	\$164,998.49
<b>REMEDIAL (REM) CONTRACT COSTS</b>	
CDM FEDERAL PROGRAMS CORPORATION (68-01-6939) .....	\$2.33
<b>SUPERFUND TECHNICAL ASSISTANCE AND RESPONSE TEAM (START) CONTRACT COSTS</b>	
ROY F. WESTON, INC. (68-W5-0009) .....	\$507.68

IFMS Reconciliation Pending

Itemized Cost Summary

PETERSON/PURITAN, CUMBERLAND, RI SITE ID = 01 40

Operable Unit(s): 00, 02, 03, Blank

Unrecovered OU2 costs through September 30, 2009

**TECHNICAL ASSISTANCE TEAM (TAT) CONTRACT COSTS**

ROY F. WESTON, INC. (68-01-7367) .....	\$10,882.71
ROY F. WESTON, INC. (68-W0-0036) .....	\$23,316.71

**TECHNICAL ENFORCEMENT SUPPORT (TES) CONTRACT COSTS**

CDM FEDERAL PROGRAMS CORPORATION (68-01-7331) .....	\$257.75
CDM FEDERAL PROGRAMS CORPORATION (68-W9-0002) .....	\$12,221.16
ALLIANCE TECHNOLOGIES CORPORATION (68-W9-0003) .....	\$163,429.63

**CONTRACT LAB PROGRAM (CLP) COSTS**

FINANCIAL COST SUMMARY .....	\$20,960.34
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MISCELLANEOUS COSTS (MIS) .....	\$34.68
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EPA INDIRECT COSTS .....	\$627,401.27
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<b>TOTAL SITE COSTS BEFORE COST RECOVERY COLLECTIONS .....</b>	<b>\$2,661,979.50</b>
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<b>COLLECTIONS/ADJUSTMENTS .....</b>	<b>(\$628,807.51)</b>
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<b>Total Site Costs:</b>	<b>\$2,033,171.99</b>
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Office of Enforcement and Compliance Assurance  
**INFORMATION SHEET**

## U. S. EPA Small Business Resources

If you own a small business, the United States Environmental Protection Agency (EPA) offers a variety of compliance assistance resources such as workshops, training sessions, hotlines, websites, and guides to assist you in complying with federal and state environmental laws. These resources can help you understand your environmental obligations, improve compliance, and find cost-effective ways to comply through the use of pollution prevention and other innovative technologies.

### Compliance Assistance Centers

([www.assistancecenters.net](http://www.assistancecenters.net))

In partnership with industry, universities, and other federal and state agencies, EPA has established Compliance Assistance Centers that provide information targeted to industries with many small businesses.

#### Agriculture

([www.epa.gov/agriculture](http://www.epa.gov/agriculture) or 1-888-663-2155)

#### Automotive Recycling Industry

([www.ecarcenter.org](http://www.ecarcenter.org))

#### Automotive Service and Repair

([www.ccar-greenlink.org](http://www.ccar-greenlink.org) or 1-888-GRN-LINK)

#### Chemical Industry

([www.chemalliance.org](http://www.chemalliance.org))

#### Construction Industry

([www.cicacenter.org](http://www.cicacenter.org) or 1-734-995-4911)

#### Education

([www.campuserc.org](http://www.campuserc.org))

#### Healthcare Industry

([www.hercenter.org](http://www.hercenter.org) or 1-734-995-4911)

#### Metal Finishing

([www.nmfrc.org](http://www.nmfrc.org) or 1-734-995-4911)

#### Paints and Coatings

([www.paintcenter.org](http://www.paintcenter.org) or 1-734-995-4911)

#### Printed Wiring Board Manufacturing

([www.pwbrc.org](http://www.pwbrc.org) or 1-734-995-4911)

#### Printing

([www.pneac.org](http://www.pneac.org) or 1-888-USPNEAC)

#### Transportation Industry

([www.transource.org](http://www.transource.org))

#### Tribal Governments and Indian Country

([www.epa.gov/tribal/compliance](http://www.epa.gov/tribal/compliance) or 202-564-2516)

#### US Border Environmental Issues

([www.bordercenter.org](http://www.bordercenter.org) or 1-734-995-4911)

The Centers also provide State Resource Locators ([www.envcap.org/statetools/index.cfm](http://www.envcap.org/statetools/index.cfm)) for a wide range of topics to help you find important environmental compliance information specific to your state.

### EPA Websites

EPA has several Internet sites that provide useful compliance assistance information and materials for small businesses. If you don't have access to the Internet at your business, many public libraries provide access to the Internet at minimal or no cost.

#### EPA's Home Page

[www.epa.gov](http://www.epa.gov)

#### Small Business Gateway

[www.epa.gov/smallbusiness](http://www.epa.gov/smallbusiness)

#### Compliance Assistance Home Page

[www.epa.gov/compliance/assistance](http://www.epa.gov/compliance/assistance)

#### Office of Enforcement and Compliance Assurance

[www.epa.gov/compliance](http://www.epa.gov/compliance)

#### Voluntary Partnership Programs

[www.epa.gov/partners](http://www.epa.gov/partners)





## U.S. EPA SMALL BUSINESS RESOURCES

### Hotlines, Helplines & Clearinghouses

([www.epa.gov/epahome/hotline.htm](http://www.epa.gov/epahome/hotline.htm))

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. A few examples are listed below:

#### Clean Air Technology Center

([www.epa.gov/ttn/catc](http://www.epa.gov/ttn/catc) or 1-919-541-0800)

#### Emergency Planning and Community Right-To-Know Act

([www.epa.gov/superfund/resources/infocenter/epcra.htm](http://www.epa.gov/superfund/resources/infocenter/epcra.htm) or 1-800-424-9346)

**EPA's Small Business Ombudsman Hotline** provides regulatory and technical assistance information.  
([www.epa.gov/sbo](http://www.epa.gov/sbo) or 1-800-368-5888)

**The National Environmental Compliance Assistance Clearinghouse** provides quick access to compliance assistance tools, contacts, and planned activities from the U.S. EPA, states, and other compliance assistance providers  
([www.epa.gov/clearinghouse](http://www.epa.gov/clearinghouse))

**National Response Center** to report oil and hazardous substance spills.  
([www.nrc.uscg.mil](http://www.nrc.uscg.mil) or 1-800-424-8802)

**Pollution Prevention Information Clearinghouse**  
([www.epa.gov/opptintr/ppic](http://www.epa.gov/opptintr/ppic) or 1-202-566-0799)

#### Safe Drinking Water Hotline

([www.epa.gov/safewater/hotline/index.html](http://www.epa.gov/safewater/hotline/index.html) or 1-800-426-4791)

**Stratospheric Ozone Refrigerants Information**  
([www.epa.gov/ozone](http://www.epa.gov/ozone) or 1-800-296-1996)

**Toxics Assistance Information Service** also includes asbestos inquiries.  
(1-202-554-1404)

#### Wetlands Helpline

([www.epa.gov/owow/wetlands/wetline.html](http://www.epa.gov/owow/wetlands/wetline.html) or 1-800-832-7828)

### State Agencies

Many state agencies have established compliance assistance programs that provide on-site and other types of assistance. Contact your local state environmental agency for more information or the following two resources:

**EPA's Small Business Ombudsman**  
([www.epa.gov/sbo](http://www.epa.gov/sbo) or 1-800-368-5888)

**Small Business Environmental Homepage**  
([www.smallbiz-enviroweb.org](http://www.smallbiz-enviroweb.org) or 1-724-452-4722)

### Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated,

businesses may be eligible for penalty waivers or reductions. EPA has two policies that potentially apply to small businesses:

#### The Small Business Compliance Policy

([www.epa.gov/compliance/incentives/smallbusiness](http://www.epa.gov/compliance/incentives/smallbusiness))

#### Audit Policy

([www.epa.gov/compliance/incentives/auditing](http://www.epa.gov/compliance/incentives/auditing))

### Commenting on Federal Enforcement Actions and Compliance Activities

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

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

### Your Duty to Comply

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

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

Peterson/Puritan, Inc. Superfund Site  
Operable Unit 2  
Cumberland, Rhode Island

**Attachment No. 1**

Redacted Driver Interview Summaries

**Peterson Puritan / J.M.Mills Site  
 Supplement to Attachment 4a to Carrier Survey  
 in Response to Request 5(a) for Goditt & Boyer**

<b>Customer Name</b>	<b>Type of Business</b>	<b>Waste Description</b>	<b>Container Type</b>	<b>Pickup Frequency</b>	<b>Source of Information (and dates of tenure)</b>	<b>Disposal Location and Relevant Time Period</b>
Cumberland Engineering	Not specified	Waste included dirty rags, oily metal grindings, paper	Two 8-yarders	Infrequent stops	G&B driver (1962-1986)	Disposed at J.M.Mills (occasionally in the 60s then daily/weekly throughout the 70s)
	Produced ejection moldings.	Shop waste including metal shavings.	8-yarder	Relief stops	G&B driver (late 60s – late 70s)	Some J.M.Mills disposals (frequency varied)
	Not specified	Waste included a lot of paper.	Two 8-yarders	Hauled regularly	G&B driver (1968-1986)	Some J.M.Mills disposals (frequency varied)
	Not specified	Not specified	Two 30-yarders	Not specified	G&B driver (1980-1986)	Disposed at J.M.Mills (1980-Site closure)
	Not specified	Waste included paper and trash.	Two open top containers	Not specified	G&B driver (1971-1986)	Disposed at J.M.Mills (frequency varied)

Carrier Survey in Response to Request 5(a) for Goditt & Boyer  
CUMBERLAND ENGINEERING

Peterson Barton  
11-2 Evidence  
002  
2018/6

Transaction Bates No.	Transaction Date	Document Type	Document Number	Generator Name	Transporter Address	Truck/Plate	Type of Truck	Check Amount
WM0001128	12/5/80	J. M. MILLS LANDFILL TICKET	52357	CUMB ENG	NOT INDICATED	#2	ROLL OFF	NOT INDICATED
				Driver Name:	NOT INDICATED	Quantity:	1.00	
				Time:	7:00	Unit of Measure:	ROLL OFF	
				Supplemental Bates No.:	NOT APPLICABLE			
WM0000753	12/9/80	J. M. MILLS LANDFILL TICKET	51916	CUMB ENG	NOT INDICATED	12231	ROLL OFF	NOT INDICATED
				Driver Name:	JJC	Quantity:	1.00	
				Time:	NOT INDICATED	Unit of Measure:	ROLL OFF	
				Supplemental Bates No.:	NOT APPLICABLE			
WM0001272	1/2/81	J. M. MILLS LANDFILL TICKET	54851	CUM ENG	NOT INDICATED	#1	ROLL OFF	NOT INDICATED
				Driver Name:	DAN RAY	Quantity:	1.00	
				Time:	13:47	Unit of Measure:	ROLL OFF	
				Supplemental Bates No.:	NOT APPLICABLE			
WM0001114	1/14/81	J. M. MILLS LANDFILL TICKET	53551	CUMB ENG	NOT INDICATED	12231	ROLL OFF	NOT INDICATED
		<b>Marginalla / Description:</b> 1-13		Driver Name:	JJC	Quantity:	1.00	
				Time:	NOT INDICATED	Unit of Measure:	ROLL OFF	
				Supplemental Bates No.:	NOT APPLICABLE			
WM0001116	1/14/81	J. M. MILLS LANDFILL TICKET	53569	CUM ENG	NOT INDICATED	12231	ROLL OFF	NOT INDICATED
				Driver Name:	JJC	Quantity:	1.00	
				Time:	NOT INDICATED	Unit of Measure:	ROLL OFF	
				Supplemental Bates No.:	NOT APPLICABLE			
WM0000688	1/21/81	J. M. MILLS LANDFILL TICKET	53830	CUM ENG	NOT INDICATED	23-143	ROLL OFF	NOT INDICATED
				Driver Name:	DAN RAY	Quantity:	1.00	
				Time:	15:05	Unit of Measure:	ROLL OFF	
				Supplemental Bates No.:	NOT APPLICABLE			
WM0000248	1/30/81	J. M. MILLS LANDFILL TICKET	52509	CUMB ENG	NOT INDICATED	#2	ROLL OFF	NOT INDICATED
				Driver Name:	JJC	Quantity:	1.00	
				Time:	07:29	Unit of Measure:	ROLL OFF	
				Supplemental Bates No.:	NOT APPLICABLE			
WM0000274	2/6/81	J. M. MILLS LANDFILL TICKET	56041	CUM ENG	NOT INDICATED	#1	ROLL OFF	NOT INDICATED
				Driver Name:	DAN RAY	Quantity:	1.00	
				Time:	14:20	Unit of Measure:	ROLL OFF	
				Supplemental Bates No.:	NOT APPLICABLE			

## Attachment 4b

Carrier Survey in Response to Request 5(a) for Goditt & Boyer  
CUMBERLAND ENGINEERING

Transaction Bates No.	Transaction Date	Document Type	Document Number	Generator Name	Transporter Address	Truck/Plate	Type of Truck	Check Amount
WM0000274	2/6/81	J. M. MILLS LANDFILL TICKET	56024	CUM ENG	NOT INDICATED	#1	ROLL OFF	NOT INDICATED
					Driver Name: DAN RAY		Quantity: 1.00	
					Time: 12:54		Unit of Measure: ROLL OFF	
					Supplemental Bates No.: NOT APPLICABLE			
WM0000589	2/14/81	J. M. MILLS LANDFILL TICKET	59855	CUMBERLAND ENGINEERING	BUFFINGTON	B3985	ROLL OFF	NOT INDICATED
					Driver Name: PHIL		Quantity: 1.00	
					Time: 08:59		Unit of Measure: ROLL OFF	
					Supplemental Bates No.: NOT APPLICABLE			
WM0000589	2/14/81	J. M. MILLS LANDFILL TICKET	59854	CUMBERLAND ENGINEERING	BUFFINGTON	B3985	ROLL OFF	NOT INDICATED
					Driver Name: PHIL		Quantity: 1.00	
					Time: NOT INDICATED		Unit of Measure: ROLL OFF	
					Supplemental Bates No.: NOT APPLICABLE			
WM0000398	2/24/81	J. M. MILLS LANDFILL TICKET	58142	CUM ENG	NOT INDICATED	23-143	ROLL OFF	NOT INDICATED
					Driver Name: DAN RAY		Quantity: 1.00	
					Time: 15:00		Unit of Measure: ROLL OFF	
					Supplemental Bates No.: NOT APPLICABLE			
WM0000402	2/25/81	J. M. MILLS LANDFILL TICKET	58056	CUM ENG	NOT INDICATED	23-143	ROLL OFF	NOT INDICATED
		Marginalia / Description: 2-24			Driver Name: DAN RAY		Quantity: 1.00	
					Time: NOT INDICATED		Unit of Measure: ROLL OFF	
					Supplemental Bates No.: NOT APPLICABLE			
WM0000434	3/4/81	J. M. MILLS LANDFILL TICKET	58290	CUM ENG	NOT INDICATED	23-143	ROLL OFF	NOT INDICATED
					Driver Name: ILLEGIBLE		Quantity: 1.00	
					Time: 2:20		Unit of Measure: ROLL OFF	
					Supplemental Bates No.: NOT APPLICABLE			
WM0000434	3/4/81	J. M. MILLS LANDFILL TICKET	58689	COM ENG.	NOT INDICATED	23-143	ROLL OFF	NOT INDICATED
					Driver Name: ILLEGIBLE		Quantity: 1.00	
					Time: 1:15		Unit of Measure: ROLL OFF	
					Supplemental Bates No.: NOT APPLICABLE			
WM0000453	3/6/81	J. M. MILLS LANDFILL TICKET	58849	CUMB ENG	NOT INDICATED	4611	ROLL OFF	NOT INDICATED
					Driver Name: MAC		Quantity: 1.00	
					Time: 11:52		Unit of Measure: ROLL OFF	
					Supplemental Bates No.: NOT APPLICABLE			

0162-0010

## Attachment 4b

Carrier Survey in Response to Request 5(a) for Goditt & Boyer  
CUMBERLAND ENGINEERING

Transaction Bates No.	Transaction Date	Document Type	Document Number	Generator Name	Transporter Address	Truck/Plate	Type of Truck	Check Amount
WM0000453	3/6/81	J. M. MILLS LANDFILL TICKET	58760	CUMB ENG	NOT INDICATED	4611	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b> MAC		<b>Quantity:</b> 1.00		
				<b>Time:</b> 13:05		<b>Unit of Measure:</b> ROLL OFF		
				<b>Supplemental Bates No.:</b> NOT APPLICABLE				
WM0000979	3/12/81	J. M. MILLS LANDFILL TICKET	59549	CUMBERLAND ENG	TRUCK AWAY	#96	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b> LF		<b>Quantity:</b> 1.00		
				<b>Time:</b> NOT INDICATED		<b>Unit of Measure:</b> ROLL OFF		
				<b>Supplemental Bates No.:</b> NOT APPLICABLE				
WM0000979	3/12/81	J. M. MILLS LANDFILL TICKET	56691	CUMBERLAND ENG	TRUCK AWAY	NOT INDICATED	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b> LF		<b>Quantity:</b> 1.00		
				<b>Time:</b> 11:38		<b>Unit of Measure:</b> ROLL OFF		
				<b>Supplemental Bates No.:</b> NOT APPLICABLE				
WM0001011	3/19/81	J. M. MILLS LANDFILL TICKET	59405	CUM ENG	NOT INDICATED	38	ROLL OFF	NOT INDICATED
		<b>Marginalla / Description:</b> 3-18		<b>Driver Name:</b> WIMEL 38		<b>Quantity:</b> 1.00		
				<b>Time:</b> NOT INDICATED		<b>Unit of Measure:</b> ROLL OFF		
				<b>Supplemental Bates No.:</b> NOT APPLICABLE				
WM0000336	3/24/81	J. M. MILLS LANDFILL TICKET	56359	CUMBERLAND ENG	BUFFINGTON	B3985	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b> PHIL		<b>Quantity:</b> 1.00		
				<b>Time:</b> 14:25		<b>Unit of Measure:</b> ROLL OFF		
				<b>Supplemental Bates No.:</b> NOT APPLICABLE				
WM0000341	3/25/81	J. M. MILLS LANDFILL TICKET	56364	CUMBERLAND ENG	BUFFINGTON	B3985	ROLL OFF	NOT INDICATED
		<b>Marginalla / Description:</b> 3-24		<b>Driver Name:</b> PHIL		<b>Quantity:</b> 1.00		
				<b>Time:</b> NOT INDICATED		<b>Unit of Measure:</b> ROLL OFF		
				<b>Supplemental Bates No.:</b> NOT APPLICABLE				
WM0002704	4/8/81	J. M. MILLS LANDFILL TICKET	55269	CUMBERLAND ENG	BUFFINGTON	B 3985	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b> PHIL		<b>Quantity:</b> 1.00		
				<b>Time:</b> 03:15		<b>Unit of Measure:</b> ROLL OFF		
				<b>Supplemental Bates No.:</b> NOT APPLICABLE				
WM0002705	4/8/81	J. M. MILLS LANDFILL TICKET	55261	CUMBERLAND ENG	BUFFINGTON	B 3985	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b> PHIL		<b>Quantity:</b> 1.00		
				<b>Time:</b> 02:30		<b>Unit of Measure:</b> ROLL OFF		
				<b>Supplemental Bates No.:</b> NOT APPLICABLE				

## Attachment 4b

Carrier Survey in Response to Request 5(a) for Goditt & Boyer  
CUMBERLAND ENGINEERING

Transaction Bates No.	Transaction Date	Document Type	Document Number	Generator Name	Transporter Address	Truck/Plate	Type of Truck	Check Amount
WM0000292	4/16/81	J. M. MILLS LANDFILL TICKET	46575	CUMB ENGIN	BUFFINGTON	#3	ROLL OFF	NOT INDICATED
				Driver Name: SUNNY		Quantity: 1.00		
				Time: 12:46		Unit of Measure: ROLL OFF		
				Supplemental Bates No.: NOT APPLICABLE				
WM0000292	4/16/81	J. M. MILLS LANDFILL TICKET	46584	CUMB ENG	BUFFINGTON	#3	ROLL OFF	NOT INDICATED
				Driver Name: SUNNY		Quantity: 1.00		
				Time: 13:31		Unit of Measure: ROLL OFF		
				Supplemental Bates No.: NOT APPLICABLE				
WM0002608	5/12/81	J. M. MILLS LANDFILL TICKET	45390	CURB ENG	BUFFINGTON	3	ROLL OFF	NOT INDICATED
				Driver Name: SAMMY		Quantity: 1.00		
				Time: 02:25		Unit of Measure: ROLL OFF		
				Supplemental Bates No.: NOT APPLICABLE				
WM0002609	5/12/81	J. M. MILLS LANDFILL TICKET	45398	CURB ENG	BUFFINGTON	3	ROLL OFF	NOT INDICATED
				Driver Name: SAMMY		Quantity: 1.00		
				Time: 03:10		Unit of Measure: ROLL OFF		
				Supplemental Bates No.: NOT APPLICABLE				
WM0002428	5/28/81	J. M. MILLS LANDFILL TICKET	45695	COM ENG. #1	NOT INDICATED	23-143	ROLL OFF	NOT INDICATED
				Driver Name: D RY		Quantity: 1.00		
				Time: 13:30		Unit of Measure: ROLL OFF		
				Supplemental Bates No.: NOT APPLICABLE				
WM0002566	6/1/81	J. M. MILLS LANDFILL TICKET	43420	CUM ENG	NOT INDICATED	52	ROLL OFF	NOT INDICATED
				Driver Name: NOT INDICATED		Quantity: 30.00		
				Time: 02:15		Unit of Measure: YARDS		
				Supplemental Bates No.: NOT APPLICABLE				
WM0002566	6/1/81	J. M. MILLS LANDFILL TICKET	43421	CUM ENG	NOT INDICATED	57	ROLL OFF	NOT INDICATED
				Driver Name: MAC		Quantity: 30.00		
				Time: NOT INDICATED		Unit of Measure: YARDS		
				Supplemental Bates No.: NOT APPLICABLE				
WM0002566	6/1/81	J. M. MILLS LANDFILL TICKET	44497	CUM ENG	NOT INDICATED	57	ROLL OFF	NOT INDICATED
				Driver Name: NOT INDICATED		Quantity: 30.00		
				Time: 01:10		Unit of Measure: YARDS		
				Supplemental Bates No.: NOT APPLICABLE				

## Attachment 4b

Carrier Survey in Response to Request 5(a) for Goditt & Boyer  
CUMBERLAND ENGINEERING

Transaction Bates No.	Transaction Date	Document Type	Document Number	Generator Name	Transporter Address	Truck/Plate	Type of Truck	Check Amount
WM0002567	6/1/81	J. M. MILLS LANDFILL TICKET	44475	CUM ENG	NOT INDICATED	57	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b>	NOT INDICATED	<b>Quantity:</b>	1.00	
				<b>Time:</b>	09:40	<b>Unit of Measure:</b>	ROLL OFF	
				<b>Supplemental Bates No.:</b>	NOT APPLICABLE			
WM0002485	6/3/81	J. M. MILLS LANDFILL TICKET	44305	CUMBERLAND ENG	NOT INDICATED	12231	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b>	JJC	<b>Quantity:</b>	1.00	
				<b>Time:</b>	03:20	<b>Unit of Measure:</b>	ROLL OFF	
				<b>Supplemental Bates No.:</b>	NOT APPLICABLE			
WM0002488	6/4/81	J. M. MILLS LANDFILL TICKET	44285	CUMB ENG	NOT INDICATED	#2	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b>	JJC	<b>Quantity:</b>	1.00	
				<b>Time:</b>	9:31	<b>Unit of Measure:</b>	ROLL OFF	
				<b>Supplemental Bates No.:</b>	NOT APPLICABLE			
WM0002566	6/5/81	J. M. MILLS LANDFILL TICKET	44497	CUM ENG	NOT INDICATED	57	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b>	NOT INDICATED	<b>Quantity:</b>	30.00	
				<b>Time:</b>	11:40	<b>Unit of Measure:</b>	YARDS	
				<b>Supplemental Bates No.:</b>	NOT APPLICABLE			
WM0002577	6/11/81	J. M. MILLS LANDFILL TICKET	44078	CUM ENG	NOT INDICATED	4610	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b>	MAC	<b>Quantity:</b>	1.00	
				<b>Time:</b>	12:43	<b>Unit of Measure:</b>	ROLL OFF	
				<b>Supplemental Bates No.:</b>	NOT APPLICABLE			
WM0002577	6/11/81	J. M. MILLS LANDFILL TICKET	44093	CUMB ENG	NOT INDICATED	4610	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b>	MAC	<b>Quantity:</b>	1.00	
				<b>Time:</b>	02:39	<b>Unit of Measure:</b>	ROLL OFF	
				<b>Supplemental Bates No.:</b>	NOT APPLICABLE			
WM0001455	6/18/81	J. M. MILLS LANDFILL TICKET	43664	COM ENG.	NOT INDICATED	#1	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b>	D RY	<b>Quantity:</b>	1.00	
				<b>Time:</b>	14:07	<b>Unit of Measure:</b>	ROLL OFF	
				<b>Supplemental Bates No.:</b>	NOT APPLICABLE			
WM0001349	7/7/81	J. M. MILLS LANDFILL TICKET	40058	CUM ENG	NOT INDICATED	23-143	ROLL OFF	NOT INDICATED
<b>Marginalla / Description:</b> 7-6				<b>Driver Name:</b>	D RY	<b>Quantity:</b>	1.00	
				<b>Time:</b>	NOT INDICATED	<b>Unit of Measure:</b>	ROLL OFF	
				<b>Supplemental Bates No.:</b>	NOT APPLICABLE			



## Attachment 4b

Carrier Survey in Response to Request 5(a) for Goditt & Boyer  
CUMBERLAND ENGINEERING

Transaction Bates No.	Transaction Date	Document Type	Document Number	Generator Name	Transporter Address	Truck/Plate	Type of Truck	Check Amount
WM0001349	7/7/81	J. M. MILLS LANDFILL TICKET	40051	COM ENG.	NOT INDICATED	23-143	ROLL OFF	NOT INDICATED
<b>Marginalia / Description: 7-6</b>				<b>Driver Name:</b>	D RY	<b>Quantity:</b>	1.00	
				<b>Time:</b>	NOT INDICATED	<b>Unit of Measure:</b>	ROLL OFF	
				<b>Supplemental Bates No.:</b>	NOT APPLICABLE			
WM0000133	7/16/81	J. M. MILLS LANDFILL TICKET	42481	CUMB ENG	BUFFINGTON	B3984	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b>	PETE C	<b>Quantity:</b>	50.00	
				<b>Time:</b>	11:30	<b>Unit of Measure:</b>	YARDS	
				<b>Supplemental Bates No.:</b>	NOT APPLICABLE			
WM0000634	8/11/81	J. M. MILLS LANDFILL TICKET	38912	CUMBERLAND ENG	BUFFINGTON	B3985	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b>	PHIL	<b>Quantity:</b>	1.00	
				<b>Time:</b>	11:25	<b>Unit of Measure:</b>	ROLL OFF	
				<b>Supplemental Bates No.:</b>	NOT APPLICABLE			
WM0000488	8/18/81	J. M. MILLS LANDFILL TICKET	38016	CUMB ENG	ROBINSON TRK	48699	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b>	TRL	<b>Quantity:</b>	1.00	
				<b>Time:</b>	09:05	<b>Unit of Measure:</b>	ROLL OFF	
				<b>Supplemental Bates No.:</b>	NOT APPLICABLE			
WM0000488	8/18/81	J. M. MILLS LANDFILL TICKET	38027	CUMB ENG	ROBINSON TRK	48699	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b>	TR	<b>Quantity:</b>	1.00	
				<b>Time:</b>	10:14	<b>Unit of Measure:</b>	ROLL OFF	
				<b>Supplemental Bates No.:</b>	NOT APPLICABLE			
WM0000507	8/25/81	J. M. MILLS LANDFILL TICKET	39448	CUMB ENG	BUFFINGTON	3	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b>	SUNNY	<b>Quantity:</b>	1.00	
				<b>Time:</b>	11:30	<b>Unit of Measure:</b>	ROLL OFF	
				<b>Supplemental Bates No.:</b>	NOT APPLICABLE			
WM0000507	8/25/81	J. M. MILLS LANDFILL TICKET	39437	CUMB ENG	BUFFINGTON	3	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b>	SUNNY	<b>Quantity:</b>	1.00	
				<b>Time:</b>	10:50	<b>Unit of Measure:</b>	ROLL OFF	
				<b>Supplemental Bates No.:</b>	NOT APPLICABLE			
WM0000039	10/5/81	J. M. MILLS LANDFILL TICKET	35850	CRUB ENG.	NOT INDICATED	53	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b>	ERNIE	<b>Quantity:</b>	1.00	
				<b>Time:</b>	12:15	<b>Unit of Measure:</b>	ROLL OFF	
				<b>Supplemental Bates No.:</b>	NOT APPLICABLE			

## Attachment 4b

Carrier Survey in Response to Request 5(a) for Goditt & Boyer  
CUMBERLAND ENGINEERING

Transaction Bates No.	Transaction Date	Document Type	Document Number	Generator Name	Transporter Address	Truck/Plate	Type of Truck	Check Amount
WM0000039	10/5/81	J. M. MILLS LANDFILL TICKET	35841	CRUB ENG.	NOT INDICATED	53	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b> ERNIE		<b>Quantity:</b> 1.00		
				<b>Time:</b> 11:25		<b>Unit of Measure:</b> ROLL OFF		
				<b>Supplemental Bates No.:</b> NOT APPLICABLE				
WM0000016	10/8/81	J. M. MILLS LANDFILL TICKET	45516	CUMB ERNY	NOT INDICATED	A62411	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b> ERNIE		<b>Quantity:</b> 1.00		
				<b>Time:</b> 3:07		<b>Unit of Measure:</b> ROLL OFF		
				<b>Supplemental Bates No.:</b> NOT APPLICABLE				
WM0000017	10/8/81	J. M. MILLS LANDFILL TICKET	45522	COMB EM	NOT INDICATED	A62411	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b> ERNIE		<b>Quantity:</b> 1.00		
				<b>Time:</b> NOT INDICATED		<b>Unit of Measure:</b> ROLL OFF		
				<b>Supplemental Bates No.:</b> NOT APPLICABLE				
WM0000778	10/20/81	J. M. MILLS LANDFILL TICKET	35527	CUM ENG	NOT INDICATED	53	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b> ERNIE		<b>Quantity:</b> 1.00		
				<b>Time:</b> 14:30		<b>Unit of Measure:</b> ROLL OFF		
				<b>Supplemental Bates No.:</b> NOT APPLICABLE				
WM0000778	10/20/81	J. M. MILLS LANDFILL TICKET	35535	CUMB ENG	NOT INDICATED	53	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b> ERNIE		<b>Quantity:</b> 1.00		
				<b>Time:</b> 15:10		<b>Unit of Measure:</b> ROLL OFF		
				<b>Supplemental Bates No.:</b> NOT APPLICABLE				
WM0001081	10/29/81	J. M. MILLS LANDFILL TICKET	45497	CUMBERLAND ENG	NOT INDICATED	#2	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b> JJC		<b>Quantity:</b> 1.00		
				<b>Time:</b> 2:20		<b>Unit of Measure:</b> ROLL OFF		
				<b>Supplemental Bates No.:</b> NOT APPLICABLE				
WM0001082	10/29/81	J. M. MILLS LANDFILL TICKET	45053	CUMB ENG	NOT INDICATED	#2	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b> JJC		<b>Quantity:</b> 1.00		
				<b>Time:</b> 3		<b>Unit of Measure:</b> ROLL OFF		
				<b>Supplemental Bates No.:</b> NOT APPLICABLE				
WM0001030	11/12/81	J. M. MILLS LANDFILL TICKET	36029	COM ENG.	NOT INDICATED	A62411	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b> ERNIE		<b>Quantity:</b> 1.00		
				<b>Time:</b> 8:41		<b>Unit of Measure:</b> ROLL OFF		
				<b>Supplemental Bates No.:</b> NOT APPLICABLE				

## Attachment 4b

Carrier Survey in Response to Request 5(a) for Goditt & Boyer  
CUMBERLAND ENGINEERING

Transaction Bates No.	Transaction Date	Document Type	Document Number	Generator Name	Transporter Address	Truck/Plate	Type of Truck	Check Amount
WM0001030	11/12/81	J. M. MILLS LANDFILL TICKET	36019	COM ENG.	NOT INDICATED	A62411	ROLL OFF	NOT INDICATED
					<b>Driver Name:</b> ERNIE		<b>Quantity:</b> 1.00	
					<b>Time:</b> 7:55		<b>Unit of Measure:</b> ROLL OFF	
					<b>Supplemental Bates No.:</b> NOT APPLICABLE			
WM0000958	11/24/81	J. M. MILLS LANDFILL TICKET	45581	CUMB ENG	BUFFINGTON	B3984	ROLL OFF	NOT INDICATED
					<b>Driver Name:</b> PAUL		<b>Quantity:</b> 30.00	
					<b>Time:</b> NOT INDICATED		<b>Unit of Measure:</b> YARDS	
					<b>Supplemental Bates No.:</b> NOT APPLICABLE			
WM0001197	11/25/81	J. M. MILLS LANDFILL TICKET	45692	CUMB ENG	BUFFINGTON	B3984	ROLL OFF	NOT INDICATED
					<b>Driver Name:</b> PETE		<b>Quantity:</b> 30.00	
					<b>Time:</b> NOT INDICATED		<b>Unit of Measure:</b> YARDS	
					<b>Supplemental Bates No.:</b> NOT APPLICABLE			
WM0000912	12/3/81	J. M. MILLS LANDFILL TICKET	46179	CUMB ENG	BUFFINGTON	#3	ROLL OFF	NOT INDICATED
					<b>Driver Name:</b> SUNNY		<b>Quantity:</b> 1.00	
					<b>Time:</b> 12:35		<b>Unit of Measure:</b> ROLL OFF	
					<b>Supplemental Bates No.:</b> NOT APPLICABLE			
WM0000912	12/3/81	J. M. MILLS LANDFILL TICKET	46180	CUMB ENG	BUFFINGTON	#3	ROLL OFF	NOT INDICATED
					<b>Driver Name:</b> SUNNY		<b>Quantity:</b> 1.00	
					<b>Time:</b> NOT INDICATED		<b>Unit of Measure:</b> ROLL OFF	
					<b>Supplemental Bates No.:</b> NOT APPLICABLE			
WM0000932	12/10/81	J. M. MILLS LANDFILL TICKET	33778	CUMBERLAND ENG	BUFFINGTON	B3985	ROLL OFF	NOT INDICATED
					<b>Driver Name:</b> GEE		<b>Quantity:</b> 1.00	
					<b>Time:</b> NOT INDICATED		<b>Unit of Measure:</b> ROLL OFF	
					<b>Supplemental Bates No.:</b> NOT APPLICABLE			
WM0000933	12/10/81	J. M. MILLS LANDFILL TICKET	33773	CUMBERLAND ENG	BUFFINGTON	B3985	ROLL OFF	NOT INDICATED
					<b>Driver Name:</b> GEE		<b>Quantity:</b> 1.00	
					<b>Time:</b> NOT INDICATED		<b>Unit of Measure:</b> ROLL OFF	
					<b>Supplemental Bates No.:</b> NOT APPLICABLE			
WM0000725	12/13/81	J. M. MILLS LANDFILL TICKET	50875	CUM ENG	NOT INDICATED	#1	ROLL OFF	NOT INDICATED
					<b>Driver Name:</b> DAN RAY		<b>Quantity:</b> 1.00	
					<b>Time:</b> 11:40		<b>Unit of Measure:</b> ROLL OFF	
					<b>Supplemental Bates No.:</b> NOT APPLICABLE			

## Attachment 4b

Carrier Survey in Response to Request 5(a) for Goditt & Boyer  
CUMBERLAND ENGINEERING

Transaction Bates No.	Transaction Date	Document Type	Document Number	Generator Name	Transporter Address	Truck/Plate	Type of Truck	Check Amount
WM0001403	12/17/81	J. M. MILLS LANDFILL TICKET	32858	CURB ENG	NOT INDICATED	#2	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b> JJC		<b>Quantity:</b> 1.00		
				<b>Time:</b> 14:47		<b>Unit of Measure:</b> ROLL OFF		
				<b>Supplemental Bates No.:</b> NOT APPLICABLE				
WM0001404	12/17/81	J. M. MILLS LANDFILL TICKET	32852	CURB ENG	NOT INDICATED	NOT INDICATED	NOT INDICATED	NOT INDICATED
				<b>Driver Name:</b> JJC		<b>Quantity:</b> 1.00		
				<b>Time:</b> 14:02		<b>Unit of Measure:</b> LOAD		
				<b>Supplemental Bates No.:</b> NOT APPLICABLE				
WM0001211	12/29/81	J. M. MILLS LANDFILL TICKET	35806	CUMB ENG	NOT INDICATED	53	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b> ERNIE		<b>Quantity:</b> 1.00		
				<b>Time:</b> 13:15		<b>Unit of Measure:</b> ROLL OFF		
				<b>Supplemental Bates No.:</b> NOT APPLICABLE				
WM0001211	12/29/81	J. M. MILLS LANDFILL TICKET	35811	CUM ENG	NOT INDICATED	53	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b> ERNIE		<b>Quantity:</b> 1.00		
				<b>Time:</b> 13:55		<b>Unit of Measure:</b> ROLL OFF		
				<b>Supplemental Bates No.:</b> NOT APPLICABLE				
WM0001247	1/8/82	J. M. MILLS LANDFILL TICKET	36403	CUMB ENG #2	NOT INDICATED	#1	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b> DAN RAY		<b>Quantity:</b> 1.00		
				<b>Time:</b> 14:40		<b>Unit of Measure:</b> ROLL OFF		
				<b>Supplemental Bates No.:</b> NOT APPLICABLE				
WM0001247	1/8/82	J. M. MILLS LANDFILL TICKET	36493	CUMB ENG	NOT INDICATED	#1	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b> ILLEGIBLE		<b>Quantity:</b> 1.00		
				<b>Time:</b> NOT INDICATED		<b>Unit of Measure:</b> ROLL OFF		
				<b>Supplemental Bates No.:</b> NOT APPLICABLE				
WM0000863	1/21/82	J. M. MILLS LANDFILL TICKET	36016	CUMB ENG	NOT INDICATED	A62411	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b> ERNIE		<b>Quantity:</b> 1.00		
				<b>Time:</b> 09:14		<b>Unit of Measure:</b> ROLL OFF		
				<b>Supplemental Bates No.:</b> NOT APPLICABLE				
WM0002835	2/5/82	J. M. MILLS LANDFILL TICKET	39504	CUMB ENG	NOT INDICATED	A62411	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b> ERNIE		<b>Quantity:</b> 1.00		
				<b>Time:</b> 12:50		<b>Unit of Measure:</b> ROLL OFF		
				<b>Supplemental Bates No.:</b> NOT APPLICABLE				

## Attachment 4b

Carrier Survey in Response to Request 5(a) for Goditt & Boyer  
CUMBERLAND ENGINEERING

Transaction Bates No.	Transaction Date	Document Type	Document Number	Generator Name	Transporter Address	Truck/Plate	Type of Truck	Check Amount
WM0003085	2/11/82	J. M. MILLS LANDFILL TICKET	37343	CUMB ENG	BUFFINGTON	b3984	ROLL OFF	NOT INDICATED
					<b>Driver Name:</b> PETE C		<b>Quantity:</b> 1.00	
					<b>Time:</b> 11:51		<b>Unit of Measure:</b> ROLL OFF	
					<b>Supplemental Bates No.:</b> NOT APPLICABLE			
WM0003104	2/17/82	J. M. MILLS LANDFILL TICKET	36962	COMB ENG.	NOT INDICATED	12231	ROLL OFF	NOT INDICATED
					<b>Driver Name:</b> JJC		<b>Quantity:</b> 1.00	
					<b>Time:</b> NOT INDICATED		<b>Unit of Measure:</b> ROLL OFF	
					<b>Supplemental Bates No.:</b> NOT APPLICABLE			
WM0002958	2/26/82	J. M. MILLS LANDFILL TICKET	33507	CUN ENG	BUFFINGTON	B3985	ROLL OFF	NOT INDICATED
					<b>Driver Name:</b> ILLEGIBLE		<b>Quantity:</b> 1.00	
					<b>Time:</b> 2:59		<b>Unit of Measure:</b> ROLL OFF	
					<b>Supplemental Bates No.:</b> NOT APPLICABLE			
WM0002959	2/26/82	J. M. MILLS LANDFILL TICKET	33501	CUN ENG	NOT INDICATED	B3985	ROLL OFF	NOT INDICATED
					<b>Driver Name:</b> PHIL		<b>Quantity:</b> 1.00	
					<b>Time:</b> 2:14		<b>Unit of Measure:</b> ROLL OFF	
					<b>Supplemental Bates No.:</b> NOT APPLICABLE			
WM0002856	3/10/82	J. M. MILLS LANDFILL TICKET	38715	CUMB ENG	NOT INDICATED	53	ROLL OFF	NOT INDICATED
					<b>Driver Name:</b> ERNIE		<b>Quantity:</b> 1.00	
					<b>Time:</b> NOT INDICATED		<b>Unit of Measure:</b> ROLL OFF	
					<b>Supplemental Bates No.:</b> NOT APPLICABLE			
WM0002856	3/10/82	J. M. MILLS LANDFILL TICKET	38725	CUMB ENG	NOT INDICATED	53	ROLL OFF	NOT INDICATED
					<b>Driver Name:</b> ERNIE		<b>Quantity:</b> 1.00	
					<b>Time:</b> NOT INDICATED		<b>Unit of Measure:</b> ROLL OFF	
					<b>Supplemental Bates No.:</b> NOT APPLICABLE			
WM0002869	3/15/82	J. M. MILLS LANDFILL TICKET	38937	CUMB ENG	BUFFINGTON	3	ROLL OFF	NOT INDICATED
					<b>Driver Name:</b> SUNNY		<b>Quantity:</b> 1.00	
					<b>Time:</b> NOT INDICATED		<b>Unit of Measure:</b> ROLL OFF	
					<b>Supplemental Bates No.:</b> NOT APPLICABLE			
WM0002870	3/15/82	J. M. MILLS LANDFILL TICKET	38938	CUMB ENG	BUFFINGTON	3	ROLL OFF	NOT INDICATED
					<b>Driver Name:</b> SUNNY		<b>Quantity:</b> 1.00	
					<b>Time:</b> NOT INDICATED		<b>Unit of Measure:</b> ROLL OFF	
					<b>Supplemental Bates No.:</b> NOT APPLICABLE			

**Carrier Survey in Response to Request 5(a) for Goditt & Boyer  
CUMBERLAND ENGINEERING**

Transaction Bates No.	Transaction Date	Document Type	Document Number	Generator Name	Transporter Address	Truck/Plate	Type of Truck	Check Amount
WM0002890	3/22/82	J. M. MILLS LANDFILL TICKET	38879	CUMB ENG	BUFFINGTON	3	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b> SUNNY			<b>Quantity:</b> 1.00	
				<b>Time:</b> NOT INDICATED			<b>Unit of Measure:</b> ROLL OFF	
				<b>Supplemental Bates No.:</b> NOT APPLICABLE				
WM0002891	3/22/82	J. M. MILLS LANDFILL TICKET	38880	CUMB ENG	BUFFINGTON	3	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b> SUNNY			<b>Quantity:</b> 1.00	
				<b>Time:</b> NOT INDICATED			<b>Unit of Measure:</b> ROLL OFF	
				<b>Supplemental Bates No.:</b> NOT APPLICABLE				
WM0002916	3/29/82	J. M. MILLS LANDFILL TICKET	33003	CUMB ENG	NOT INDICATED	12231	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b> JJC			<b>Quantity:</b> 1.00	
				<b>Time:</b> NOT INDICATED			<b>Unit of Measure:</b> ROLL OFF	
				<b>Supplemental Bates No.:</b> NOT APPLICABLE				
WM0002920	3/30/82	J. M. MILLS LANDFILL TICKET	33012	CURB ENG	BUFFINGTON	3	ROLL OFF	NOT INDICATED
				<b>Driver Name:</b> SAMMY			<b>Quantity:</b> 1.00	
				<b>Time:</b> NOT INDICATED			<b>Unit of Measure:</b> ROLL OFF	
				<b>Supplemental Bates No.:</b> NOT APPLICABLE				

Peterson/Puritan, Inc. Superfund Site  
Operable Unit 2  
Cumberland, Rhode Island

**Attachment No. 3**

Selected Text from Deposition Testimony

Untitled

0001

1 UNITED STATES DISTRICT COURT  
2 FOR THE DISTRICT OF RHODE ISLAND  
3

4 UNILEVER BESTFOODS and KIK CUSTOM  
5 PRODUCTS, INC., f/k/a CCL CUSTOM  
6 MANUFACTURING, INC.

7 vs. C.A. No. 01-496L

8 TEKNOR APEX COMPANY, et al.,  
9 -----

10 KIK CUSTOM PRODUCTS, INC., f/k/a  
11 CCL CUSTOM MANUFACTURING, INC.

12 vs. C. A. No. 01-511L

13 A.T. CROSS COMPANY, et al.  
14

15 VOLUME I

16 DEPOSITION OF STEVEN MARCACCIO, a witness in  
17 the above-entitled case, taken on behalf of the  
18 Plaintiff, Unilever, before Linda L. Guglielmo,  
19 RPR-RMR, a Notary Public in and for the State of  
20 Rhode Island, at the offices of Blish & Cavanagh,  
21 LLP, 30 Exchange Terrace, Providence, Rhode Island  
22 on May 7, 2009 at 10:00 A.M.  
23  
24

25 Job No.: 202335

0002

1 APPEARANCES:

2 FOR THE PLAINTIFF.....BAKER BOTTS, LLP  
(Unilever) BY: THOMAS C. JACKSON, ESQUIRE  
3 1299 PENNSYLVANIA AVENUE, NW  
WASHINGTON, DC 20004-2400

4 FOR THE PLAINTIFF.....LESTER SCHWAB KATZ & DWYER, LLP  
5 (Kik Custom Products) BY: JONATHAN A. MURPHY, ESQUIRE  
120 BROADWAY  
6 NEW YORK, NY 10271-0071

-and-  
7 BLISH & CAVANAGH, LLP  
8 BY: KAREN A. PELCZARSKI, ESQUIRE  
30 EXCHANGE TERRACE  
PROVIDENCE, RI 02903

9 FOR THE DEFENDANT.....SALLY & FITCH, LLP  
10 (Blackstone Valley) BY: FRANCIS J. SALLY, ESQUIRE  
ONE BEACON STREET  
11 BOSTON, MA 02108

12 FOR THE DEFENDANTS.....BENIK & ASSOCIATES, P.C.  
(Teknor, A.T. Cross, BY: GREGORY L. BENIK, ESQUIRE  
13 Raytheon, 931 JEFFERSON BLVD., SUITE 2008  
WARWICK, RI 02886

14 FOR THE DEFENDANT.....NUTTER, MCLENNEN & FISH, LLP  
15 (Hollingsworth) BY: JULIE PRUITT BARRY, ESQUIRE  
155 SEAPORT BLVD.



16 Untitled  
 17 BOSTON, MA 02210  
 18 FOR THE DEFENDANT.....EDWARDS ANGELL PALMER & DODGE  
 (Leech & Garner) BY: MARTHA A. HOLT, ESQUIRE  
 19 2800 FINANCIAL PLAZA  
 PROVIDENCE, RI 02903  
 20 .  
 FOR THE DEFENDANT.....LAW OFFICE OF MORTIMER NEWTON  
 (Brask) BY: MORTIMER C. NEWTON, ESQUIRE  
 21 91 FRIENDSHIP STREET  
 PROVIDENCE, RI 02903  
 22  
 23  
 24  
 25

0003  
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0004

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0005

1 (DEPOSITION COMMENCED AT 10:10 A.M.)  
2 STEVEN MARCACCIO  
3 Being duly sworn, deposes and testifies as follows:  
4 THE REPORTER: would you state  
5 your full name for the record, please.  
6 THE WITNESS: Steven Marcaccio.  
7 EXAMINATION BY MR. JACKSON

0135

1 MR. SALLY: Can we take a break?  
2 MR. MURPHY: Absolutely.  
3 (BRIEF RECESS)  
4 Q. Mr. Marcaccio, do you remember hauling waste from  
5 Cumberland Engineering?  
6 A. Yes.  
7 Q. Is that the name -- I've got the name of the  
8 company correct, to your recollection?  
9 A. Yes.  
10 Q. Where was Cumberland Engineering located?  
11 A. Pawtucket.  
12 Q. Do you know if they're still in business?  
13 A. That I do not know.  
14 Q. Did they have one facility or more than one  
15 facility?  
16 A. One, that I know of.  
17 Q. And what kind of facility was it?  
18 A. Manufacturing.  
19 Q. Do you know what they made?  
20 A. They made shearing machines, cutters, paper  
21 shredders and grinders, stuff of that sort.  
22 Q. How big was that facility?  
23 A. A city block.  
24 Q. Generally, do you remember picking up waste there?  
25 A. Yes.

0136

1 Q. Okay. And when for the first time did you pick up  
2 at Cumberland Engineering?  
3 A. Within the first few months of driving.  
4 Q. Did you pick up from Cumberland Engineering during  
5 the entire time you drove roll-offs between, say,

Untitled

- 6 '77 to '78 and '86?  
7 A. '86, yes.
- 8 Q. Was it a regularly scheduled stop as far as Goditt  
9 & Boyer was concerned, or will call?  
10 A. I believe it was regularly schedule.  
11 Q. what's that recollection based on?  
12 A. Just hearing the dispatch over the radio, the  
13 trucks going to, you know, Cumberland Engineering,  
14 you know.
- 15 Q. Is it fair to state that like a lot of the other  
16 or most of the other customers, all of the other  
17 Goditt & Boyer drivers at one point or another  
18 would have also picked up from Cumberland  
19 Engineering?  
20 A. Yes.
- 21 Q. Do you recall the frequency with which you went to  
22 Cumberland Engineering during that period of time?  
23 A. Once or twice a week.
- 24 Q. Did that frequency change at all over time?  
25 A. No.
- 0137
- 1 Q. Do you have any recollection of Cumberland  
2 Engineering changing its name at any point in  
3 time?  
4 A. I believe it did. They got bought out as  
5 something Brown Company, or something to that  
6 effect, but exactly the name -- the exact name, I  
7 don't know.
- 8 Q. Do you remember when that happened?  
9 A. No, I do not.
- 10 Q. Was it during the period of time that you were  
11 still bringing waste to J.M. Mills that they  
12 changed the name?  
13 A. Yes.
- 14 Q. And when you serviced the facility, were you able  
15 to access the containers directly, or did you need  
16 to go through a security checkpoint?  
17 A. Access directly.
- 18 Q. And do you recall having to fill out any sort of  
19 paperwork?  
20 A. No, I do not.
- 21 Q. At that end?  
22 A. At that end, no.
- 23 Q. Did you bring all of the Cumberland Engineering  
24 waste to J.M. Mills?  
25 A. Yes.
- 0138
- 1 Q. And did you bring it to J.M. Mills during the  
2 entire period of time that you drove roll-offs up  
3 until the date that you switched to Stop & Shop?  
4 A. Yes.
- 5 Q. Do you recall the type of container or containers  
6 you serviced at Cumberland?  
7 A. Closed container, 50 yard, 42 yard.
- 8 Q. How many were at the facility?  
9 A. One that I believe.
- 10 Q. Did the number of containers change over time, to  
11 your recollection?  
12 A. Not to my knowledge, no.
- 13 Q. Where was the container located at Cumberland  
14 Engineering?  
15 A. At Cumberland, I believe it was located on  
16 the left front corner of the building or the left

Untitled

- 17 side of the building.  
18 Q. And was the container full every time you serviced  
19 it?  
20 A. Yes.  
21 Q. Were you in a position, either during pickup or  
22 dumping at J.M. Mills to observe the nature of the  
23 waste in the container?  
24 A. Yes.  
25 Q. Can you describe for me what was in the container?  
0139  
1 A. Standard industrial trash, metal, wood,  
2 plastics, cardboard, grindings, metal grindings in  
3 this one, also as opposed to the manufacturing of  
4 steel or the cutters used for the shredding  
5 machines.  
6 Q. The metal grindings that you observed, did they  
7 have any oil associated with them?  
8 A. Yes.  
9 Q. Are you able to state -- were there oily metal  
10 grindings in every container you picked up?  
11 A. Yes.  
12 Q. Are you able to express a percentage of the  
13 container that would have had the grindings?  
14 A. Five, ten percent.  
15 Q. Is it your understanding that Cumberland actually  
16 made machines that they sold to other people, is  
17 that what they did?  
18 A. Yes.  
19 Q. Okay. Any sort of lubricants of any type that you  
20 recall in their containers?  
21 A. I don't recall in the containers, but I know  
22 they had them at the facility.  
23 Q. Do you recall any unusual or particular odors that  
24 were associated with the pickup?  
25 A. The same machine shop odor.  
0140  
1 Q. What about -- you indicated that there were -- you  
2 recall plastics?  
3 A. Yes.  
4 Q. When you say plastics, tell me what you mean by  
5 that?  
6 A. Plastic for designing the machines, for  
7 encasing the switches or the machines themselves,  
8 panels, plastic panels, instrument panels.  
9 Q. Were there any -- when you say instrument panels,  
10 were there -- did you observe in the containers  
11 any discarded electrical components?  
12 A. On occasion, yes, there was electrical  
13 switches on the panels themselves.  
14 Q. Other than an electrical switch, do you remember  
15 any other sort of electrical components that would  
16 be contained?  
17 A. No.  
18 Q. Any paint of any type?  
19 A. Not that I remember, no.  
20 Q. Do you recall ever seeing any Speedy Dry?  
21 A. I don't -- no, I don't remember.  
22 Q. What about oily rags?  
23 A. Yes, on occasion.  
24 Q. Do you recall ever seeing any sort of discarded  
25 containers of lubricants or oils of any type?  
0141  
1 A. No, I do not.

Untitled

- 2 Q. Other than what we've discussed, any other -- any  
3 other types of wastes that were in the Cumberland  
4 engineering containers that I haven't asked you  
5 about?  
6 A. No.  
7 Q. Anything else stand out in your mind about the  
8 Cumberland Engineering waste?  
9 A. No.  
10 Q. No other liquid waste you recall?  
11 A. No.  
12 Q. Okay. Let's go to the tickets in Exhibit 5 in the  
13 Cumberland Engineering section, there is -- first,  
14 page there's two tickets, 58849 and 58760?  
15 A. Correct.  
16 Q. Next page is 58760, next page has two tickets,  
17 44078 and 44093. The next page is a duplicate.  
18 A. The page before that is a duplicate also.  
19 MR. MURPHY: Okay.  
20 A. Not on the ticket number, but I mean 61181,  
21 and 61181.  
22 Q. I gotcha. Right. Okay. The next page, how many  
23 of these tickets are yours? At the bottom of the  
24 page it's got a Bates stamp WM 2566; do you have  
25 that page open?  
0142  
1 A. Yes.  
2 Q. Okay. Are all four of these tickets generated by  
3 you based on the handwriting?  
4 A. Yes. Based on the handwriting, yes, I mean  
5 they're not signed, but --  
6 Q. One is signed, correct?  
7 A. Yeah, there is one signed, it says Cumberland  
8 Engineering, 30. It would be a 30 yarder. The  
9 other tickets are not signed.  
10 Q. But they do contain your handwriting?  
11 A. Yes.  
12 Q. So does it appear these all appear to be dated  
13 June 1st of 1981?  
14 A. That is correct.  
15 Q. And are they all truck number 57?  
16 A. Yes.  
17 Q. So, on June 1 of 1981 you would have brought four  
18 different containers from Cumberland Engineering?  
19 A. Yes.  
20 Q. Any recollection as to why you would have brought  
21 four containers?  
22 A. They must have had a cleanup of some sort,  
23 something -- I don't know. Some sort of cleanup  
24 going on. Open top containers, they're the  
25 easiest to dump into. Just bring the stuff out,  
0143  
1 you throw it over the top, throw it in the  
2 containers, it's full, done.  
3 Q. Do you have a recollection of periodically having  
4 to bring multiple containers on the same day from  
5 Cumberland Engineering?  
6 A. No.  
7 Q. Any recollection on that date that there was  
8 anything different or unusual about the waste  
9 stream other than what you've already told me?  
10 A. No.  
11 Q. On all the tickets that we've just mentioned that  
12 have your handwriting on it --

Untitled

- 13 A. Yes.  
14 Q. -- and/or your signature, do each one of these  
15 reflect that you brought a container of waste from  
16 Cumberland Engineering and dumped it at J.M.  
17 Mills?  
18 A. Yes.  
19 Q. Would it be fair to state that there are many more  
20 J.M. Mills dumps tickets for Cumberland  
21 Engineering that are not here but that reflect  
22 loads you dumped from Cumberland Engineering at  
23 J.M. Mills?  
24 A. That is correct.

1 UNITED STATES DISTRICT COURT  
2 FOR THE DISTRICT OF RHODE ISLAND

3  
4 UNILEVER BESTFOODS and KIK CUSTOM  
5 PRODUCTS, INC., f/k/a CCL CUSTOM  
6 MANUFACTURING, INC.,

7 vs. C.A. No. 01-496-L

8 TEKNOR APEX COMPANY, et al.,

9 -----  
10 KIK CUSTOM PRODUCTS, INC., f/k/a  
11 CCL CUSTOM MANUFACTURING, INC.

12 vs. C.A. No. 01-511-L

13 A.T. CROSS COMPANY, et al.

14 DEPOSITION OF ERNEST ROCHA,

15 a witness in the above-entitled cause, taken on  
16 behalf of the Plaintiff, before Devin J. Baccari,  
17 CSR, at the Law Office of Blish & Cavanagh, LLP,  
18 30 Exchange Terrace, Providence, Rhode Island, on  
19 March 25, 2008, scheduled at 10:00 a.m.

Untitled

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Page 2



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5

1 (Deposition commenced at 10:00 a.m.)  
2 ERNEST ROCHA,  
3 Being duly sworn, deposes and testifies as follows:  
4 EXAMINATION BY MR. JACKSON

6 Q. Let's go to the next set of tickets. Cumberland  
7 Engineering, do you remember that company?  
8 A. Yes.  
9 Q. where were they located?  
10 A. Cumberland.

Untitled

- 11 Q. Do you remember where in Cumberland?  
12 A. It was down off of Diamond Hill Road. I don't  
13 know what the road was. It was off of Diamond  
14 Hill, though, I know that, down in the back over  
15 there.  
16 Q. The road near the public library over there? Do  
17 you know?  
18 A. No, it was down further. It was closer to  
19 295, down that end.  
20 Q. On Mendon Road?  
21 A. Yeah, it might have been Mendon Road.  
22 THE WITNESS: Do you know where the  
23 apple orchards were?  
24 MR. MURPHY: I don't, no.  
25 A. The way you was talking about Mendon Road, I  
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- 1 thought you knew. It was Mendon Road, I think,  
2 now that you mentioned it.  
3 Q. And --  
4 A. It was right by the apple orchards. There was  
5 a big apple orchard right across the street.  
6 Q. Do you know what Cumberland Engineering did?  
7 A. Yeah.  
8 Q. What business were they in?  
9 A. They were like -- they were turning metal,  
10 like -- for different places with lades. That  
11 thing had -- that had oil in it. That had oily  
12 rags in it. They had Speedy Dry in it. It had  
13 all the metal filings from the machines from

Untitled

14 turning down the metal. That one had everything  
15 you can think of in that container. It had paint  
16 in it.

17 Q. Do you know whether there was any solvents to  
18 clean the --

19 A. The solvent that they used for the cutting the  
20 metal there that -- I don't know, usually it's  
21 vegetable oil and water, whatever they use, that  
22 solvent that they use for cutting the metal on  
23 the lades, that was in there. It was so bad  
24 sometimes you couldn't even pick it up off the  
25 ground. You had to leave it there because it was

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1 running out. Couldn't even drive out with it.

2 Q. There was liquid in the bottom of the container?

3 A. Yeah.

4 Q. Did it have, like, a smell? Smell of oil?

5 A. Yeah.

6 Q. Not just mineral oil, but petroleum-based oil as  
7 well?

8 A. Yeah, it had -- it was definitely an oily  
9 film, whatever it was.

10 Q. How much paint do you remember in there?

11 A. Occasionally, you'd get a paint can in there  
12 every now and then, because some of the parts  
13 that they turned on the lade they'd have to paint  
14 them. So when they got done with the cans,  
15 they'd throw them in the container.

16 Q. Do you remember any paint thinners or solvents

Untitled

17 or --

18 A. No. No, I never -- I don't remember that, but  
19 I do know there was paint and oil and everything  
20 in that container. That thing had a little bit  
21 of everything in there.

22 Q. What size container did Cumberland engineering  
23 have?

24 A. 30-yard open top.

25 Q. Do you remember how many times you brought  
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1 30-yard open tops to J.M. Mills?

2 A. I don't know. I can't answer that. I've done  
3 it on and off and I can't remember.

4 Q. And during the period of time at issue, for all  
5 the companies you were a relief driver, all the  
6 ones I'm going to ask about?

7 A. Yeah.

8 Q. If it's between 1981 and, say, 1984, you were a  
9 relief driver?

10 A. I didn't start until just the last five or six  
11 years I started. I want to retire now. I just  
12 want to just ride it out and get away from it  
13 all.

14 Q. I gotcha. Let's look at the tickets for  
15 Cumberland Engineering. 45522, upper left-hand  
16 corner, is that your signature?

17 A. Yes.

18 Q. All right. The next page, 35850, is that your  
19 signature?

Untitled

- 20 A. Oh, yes.
- 21 Q. That's your signature?
- 22 A. Yes.
- 23 Q. Now, those two I'm seeing -- let's just look at
- 24 the dates for a minute. The first ticket is
- 25 dated October 8th of 1981. Do you see that?
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- 1 THE WITNESS: Is that an eight or a
- 2 five?
- 3 MR. MURPHY: The first one looks like
- 4 10-8-81.
- 5 A. Okay.
- 6 Q. Okay. But now if you go to the next page, Ticket
- 7 35850 is dated 10/5/81. It's a different ticket
- 8 number. Did they have more than --
- 9 MR. JACKSON: He's not looking at the
- 10 same one as you.
- 11 MR. MURPHY: Yeah.
- 12 Q. Yeah, go to the first page of -- the first
- 13 Cumberland ticket, 45522.
- 14 A. Oh, I thought we went by that one.
- 15 Q. We did, but I wanted to go back to it for a
- 16 second to ask you a question.
- 17 A. I know what you're asking me and, yes, I
- 18 believe you're right. I think there was two of
- 19 them there. I believe you're correct.
- 20 Q. Or is it possible that they filled the container
- 21 up in --
- 22 A. No. No, I believe there was two of them there

Untitled

23 because on and off they would order a second one  
24 and you'd put them back-to-back. It wasn't a  
25 regular thing, though. And when the tickets were  
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1 coming up that day, I think the answer to your  
2 question is yes.

3 Q. Do you know if they were a will call or a regular  
4 pick-up?

5 A. It was on call on the phone.

6 Q. And you wouldn't bring the container to the J.M.  
7 Mills landfill unless it was full, is that  
8 typically when they called you?

9 A. Yeah.

10 Q. Okay. So we've gone through those two tickets.  
11 Go to the next page, 39504, is that your  
12 signature?

13 THE WITNESS: 39504?

14 MR. MURPHY: Yeah, lower left-hand  
15 corner.

16 A. Oh, yes. We're way over here. Yeah. Okay.  
17 Yes, it is.

18 Q. All right. Let's go to the next page, 38715.

19 A. Yes.

20 Q. And then below that another ticket, 38725?

21 A. Yes.

22 Q. Is that also your signature?

23 A. Yes.

24 Q. They're both for Cumberland Engineering, right?

25 A. Yes.

- 1 Q. Okay. And that looks like -- I can't make out  
2 the date on the top one.  
3 A. The top one I can't make it out either. I  
4 can't.  
5 Q. All right. Let's go to the next page. 45516, is  
6 that your signature?  
7 A. Yes.  
8 Q. Let's go to the next page, 45522?  
9 A. Yes.  
10 Q. Next page, 35527?  
11 A. Yes.  
12 Q. Right next to that, 35535?  
13 A. Yes.  
14 Q. Again, I see what looks like two different ticket  
15 numbers on October 20th of 1981.  
16 A. Yes.  
17 Q. So you would have brought --  
18 A. There would have been two containers, yes.  
19 Q. Two full containers you would have brought to  
20 J.M. Mills on the same day from Cumberland  
21 Engineering?  
22 A. Yes.  
23 Q. All right. Let's go to the next page. Same  
24 thing, two tickets, 36016 and 36009, is that your  
25 signature on both of those?



Untitled

1 A. Yes.

2 Q. And those, again, are on the same date as well?

3 A. Yes.

4 Q. Next page, same thing, two tickets, 36029 and  
5 then 36019?

6 A. Yes. Yes.

7 Q. Your signature on both of those. Next page looks  
8 like 35806 and below that 35811. Those are your  
9 signature?

10 A. Yes.

11 THE WITNESS: That's the same date, too,  
12 right?

13 MR. MURPHY: Yes.

14 Q. Now, during your period as relief driver, was  
15 Cumberland Engineering one of the companies you  
16 picked up with more frequency than some of the  
17 others?

18 A. Yeah, obviously.

19 Q. Any reason why that is? I mean, was there some  
20 companies that, as a relief driver, they just  
21 figured you would have that as a regular part of  
22 your route, maybe?

23 A. It wasn't the best stop in the world, and the  
24 other guys wouldn't do it so I ended up there.

25 Q. Why wasn't it the best stop?

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1 A. Because they didn't like the oil and all of  
2 the material that was in it.

Untitled

- 3 Q. I mean just because of the smell or the liquid  
4 or --
- 5 A. Well, some guys are hauling trash and they  
6 want to have a suit on and tie on like you, and  
7 then other guys they haul trash with whatever  
8 they've got on.
- 9 Q. All right. So there are other drivers who  
10 complained about all the oil and liquid in the  
11 bottom of the containers?
- 12 A. They didn't want to get their gloves dirty.
- 13 Q. Gotcha. And with every one of the tickets that  
14 you indicated your signature was on, on the date  
15 listed you would have brought a full 30-yard  
16 container to J.M. Mills, correct?
- 17 A. Correct.
- 18 Q. Let's go to the next one. E.A. Adams?

1 UNITED STATES DISTRICT COURT  
2 FOR THE DISTRICT OF RHODE ISLAND

3  
4  
5 UNILEVER BESTFOODS and KIK CUSTOM  
6 PRODUCTS, INC., f/k/a CCL CUSTOM  
7 MANUFACTURING, INC.,

8 vs. C.A. No. 01-496-L

9 TEKNOR APEX COMPANY, et al.,

10 -----  
11 KIK CUSTOM PRODUCTS, INC., f/k/a  
12 CCL CUSTOM MANUFACTURING, INC.

13 vs. C.A. No. 01-511-L  
14 A.T. CROSS COMPANY, et al.

15 DEPOSITION OF RICHARD ELDERKIN,  
16 a witness in the above-entitled cause, taken on  
17 behalf of the Plaintiff, before Devin J. Baccari,  
18 CSR, at the Law Office of Adler, Pollock &  
19 Sheehan, P.C., One Citizens Plaza, 8th Floor,  
20 Providence, Rhode Island, on July 28 2009,  
21 scheduled at 10:00 a.m.  
22  
23  
24

25 Job No.: 210111

0002

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- CONTINUED -

0003

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21

22

23

24

25

0004

1

(Deposition commenced at 10:07 a.m.)

2

RICHARD ELDERKIN,

3

Being duly sworn, deposes and testifies as follows:

4

THE WITNESS: I don't swear. I affirm.

5

EXAMINATION BY MR. DANLEY

- 14 Q. Do you remember a company called Cumberland  
15 Engineering?  
16 A. Yes.
- 17 Q. Do you remember whether any of their stuff went  
18 to J.M. Mills?  
19 A. Yes.
- 20 Q. How much of it went to J.M. Mills?  
21 A. I would say most of that went there. That was  
22 one of my stops that was not a regular basis.
- 23 Q. Not regular but --  
24 A. Not for me but for Goditt & Boyer.
- 25 Q. What did they do at Cumberland Engineering?  
0147  
1 A. Metal --  
2 Q. Did they make machines there?  
3 A. Yeah, machine shop. They do a lot of the --  
4 machine shop. There was a lot of that filings of  
5 the --  
6 Q. Oily grinding?  
7 A. Yeah, grindings and stuff like that.
- 8 Q. Do you know whether they used, like, a cutting  
9 oil when they --  
10 A. I imagine they did, but I don't know --  
11 remember.
- 12 Q. Do you ever remember --  
13 A. Yeah, they had a funny smell.
- 14 Q. -- an oily smell?  
15 A. Yeah.
- 16 Q. So when you picked up from Cumberland  
17 Engineering, you smelled that oily smell?  
18 A. Yeah.
- 19 Q. And what size box did they have there?  
20 A. Had an eight-yarder.
- 21 Q. When you say it wasn't your regular stop --  
22 A. Probably did it on a Saturday or a call-in or  
23 something like that.
- 24 Q. So in that period '63 to '68 --  
25 A. If it was on the route sheet, maybe it was --  
0148  
1 maybe it was dumped three times a week. I don't  
2 really know because I didn't do the route.
- 3 Q. You don't know the frequency, but you picked up  
4 there, like, at least how often? Once a month?  
5 A. Once a month, twice a month.
- 6 Q. And other than smelling that oily smell from  
7 Cumberland Engineering, do you have any  
8 recollection of anything else that was in the --  
9 their boxes?  
10 A. No.
- 11 Q. So but the once or twice a month that you picked  
12 up the eight-yarder at Cumberland Engineering, it  
13 went to J.M. Mills?  
14 A. As far as I know.
- 15 Q. Because it was on the Woonsocket route there?  
16 A. It was in that general direction.
- 17 Q. Do you remember what years you picked up there?  
18 A. The early 60s.
- 19 Q. That same period, '63 to '68?  
20 A. Yeah.

Untitled

0001

1 UNITED STATES DISTRICT COURT  
2 FOR THE DISTRICT OF RHODE ISLAND

3  
4  
5 UNILEVER BESTFOODS and KIK CUSTOM  
6 PRODUCTS, INC., f/k/a CCL CUSTOM  
7 MANUFACTURING, INC.,

8 vs. C.A. No. 01-496-L

9 TEKNOR APEX COMPANY, et al.,

10 -----  
11 KIK CUSTOM PRODUCTS, INC., f/k/a  
12 CCL CUSTOM MANUFACTURING, INC.

13 vs. C.A. No. 01-511-L  
14 A.T. CROSS COMPANY, et al.

15 CONTINUED DEPOSITION OF JOHN CASTELLO,  
16 VOLUME II,

17 a witness in the above-entitled cause, taken on  
18 behalf of the Plaintiff, before Devin J. Baccari,  
19 CSR, at the Law Office of Blish & Cavanagh, LLP,  
20 30 Exchange Terrace, Providence, Rhode Island, on  
21 May 14, 2009, scheduled at 9:30 a.m.  
22  
23  
24

25 Job No.: 202128

0002

A P P E A R A N C E S

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0003

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2

I N D E X

WITNESS

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(Deposition commenced at 9:35 a.m.)

JOHN CASTELLO,

Being duly sworn, deposes and testifies as follows:

EXAMINATION BY MR. JACKSON

- 20 Q. Okay. Do you remember a company called  
21 Cumberland Engineering?  
22 A. Yes.  
23 Q. Where was that located?  
24 A. It was located in Cumberland near Route 1.  
25 Q. And did they have one facility or more than one  
0140 facility that you serviced?  
1 A. I remember only servicing one.  
2 Q. And what kind of a facility was it?  
3 A. It was like a machine shop where they made --  
4 they designed and made different components for  
5 companies.  
6 Q. When you say "components," was it a company that  
7 made machines that other people used? Do you  
8 know?  
9 A. I don't know if they made the whole machine,  
10 but I know they would make part of the machine.  
11 Q. So it was a manufacturing facility?  
12 A. Oh, yes.  
13 Q. And when you say they made components, do you  
14 know what the raw materials were that they made  
15 the components out of?  
16 A. I know it was out of steel, plain steel,  
17 stainless steel, aluminum, other names that, you  
18 know, I wouldn't even know what to call the  
19 material.  
20 Q. Other metals?  
21



Untitled

- 22 A. Yes.
- 23 Q. And how big was that facility?
- 24 A. Probably about the size of this building,
- 25 maybe a little bigger.
- 0141
- 1 Q. When for the first time did you pick up at
- 2 Cumberland Engineering?
- 3 A. I believe early '70's.
- 4 Q. When you say "early '70's," during that first
- 5 brief period you drove roll-offs or after you
- 6 came back?
- 7 A. After I came back.
- 8 Q. And after you came back, did you start picking up
- 9 from for them right away?
- 10 A. I'd say yeah.
- 11 Q. Is it your understanding that Cumberland
- 12 Engineering was a customer of Goditt & Boyer
- 13 before you started working there?
- 14 A. Yeah, I believe so.
- 15 Q. Okay. Was Cumberland Engineering a will call or
- 16 a regularly scheduled stop?
- 17 A. Oh, it was a will call.
- 18 Q. And did you recall the frequency with which you
- 19 personally picked up at Cumberland?
- 20 A. No, but I know it was quite often.
- 21 Q. Is there any way that you're able to kind of
- 22 quantify what you mean by "quite often"?
- 23 A. Well, sometimes I'd go every -- every week for
- 24 so many weeks and then I might skip a month and
- 25 then I'd go every week for a month or two and
- 0142
- 1 then, you know --
- 2 Q. Okay. Depending on how you were dispatched by
- 3 Ms. Terry?
- 4 A. Yes.
- 5 Q. When you weren't going there, the periods when
- 6 you'd skip a couple months, was it your
- 7 understanding that other Goditt & Boyer drivers
- 8 were going there approximately once a week?
- 9 A. Yes.
- 10 Q. Where did you take the containers that you picked
- 11 up from Cumberland Engineering?
- 12 A. J.M. Mills.
- 13 Q. Did you bring any Cumberland Engineering
- 14 containers to any other landfills?
- 15 A. No.
- 16 Q. And what was the size of the container or
- 17 containers at Cumberland Engineering?
- 18 A. I think they were 30-yarders.
- 19 Q. Open top?
- 20 A. Yes.
- 21 Q. One or more than one?
- 22 A. At times, they did have two.
- 23 Q. Any compactors?
- 24 A. I believe they ended up with a compactor near
- 25 the end, but I couldn't tell you -- I know
- 0143
- 1 I've -- I did it, but I couldn't say how often I
- 2 did it because I vaguely remember the compactor.
- 3 Q. When you say "near the end," can you put a year
- 4 on that?
- 5 A. Early '80's.
- 6 Q. Okay. And when you say they would have ended up

- 7 in the compactor, that would have been a  
8 50-yarder?  
9 A. Yes.
- 10 Q. Not an open top compactor --  
11 A. Right.
- 12 Q. -- correct?  
13 A. They always had an open top because they'd  
14 also have other stuff that they would throw in  
15 the open top, and you can only fit a certain size  
16 stuff that goes inside the hopper for the  
17 compactor.
- 18 Q. Why is that? Could you explain to me. How big  
19 was the opening for the compactor?  
20 A. Probably four feet wide by three feet wide.  
21 And, I mean, it's -- depending on how high the  
22 platform is where you walk on to throw the stuff  
23 in the thing, depends on how high up go.
- 24 Q. Okay.  
25 A. But the opening to the -- the ram would still  
0144  
1 only be so big, so you could only just throw --  
2 otherwise, you couldn't get it down into the ram  
3 for the ram to push it into the container.
- 4 Q. Were the containers always full when you picked  
5 them up from Cumberland --  
6 A. Yes.
- 7 Q. -- Engineering?  
8 Yes?  
9 A. Yes.
- 10 Q. And were you in a position to observe the  
11 contents of the containers that you hauled from  
12 Cumberland Engineering?  
13 A. Yes.
- 14 Q. Tell me what was in them.  
15 A. There was sometimes steel, steel shavings,  
16 rags, pallets. There was Speedy Dry.
- 17 Q. Were the steel shavings dry or did they have any  
18 sort of liquid waste associated with them?  
19 A. They had some kind of an oil on them.
- 20 Q. Was there any odor associated with the shavings?  
21 A. The petroleum smell.
- 22 Q. Any other odors associated with their waste?  
23 A. No.
- 24 Q. Any liquid waste?  
25 A. No.
- 0145  
1 Q. Any containers of any type?  
2 A. No.
- 3 Q. Empty or otherwise?  
4 A. No.
- 5 Q. Any drums of any type?  
6 A. No.
- 7 Q. Was there any other type of waste that you recall  
8 coming from Cumberland Engineering that you saw  
9 in those containers?  
10 A. Not that I recall.
- 11 Q. How much of the container on a percentage basis  
12 contained the steel shavings, the metal shavings?  
13 A. Sometimes it would only be a handful. Other  
14 times it would be probably, maybe, two or three  
15 50-gallon drums.
- 16 Q. When you say two or three 50-gallon drums, do you  
17 mean in those size drums or just that's how

Untitled

- 18 you're quantifying the volume?  
19 A. That's how I'm quantifying the volume.  
20 Q. I gotcha. And what about the Speedy Dry, can you  
21 give me any, sort of, an estimate or your  
22 recollection, actually -- best recollection of  
23 volume.  
24 A. I'd say fill up a 50-gallon drum.  
25 Q. Was that on every occasion?  
0146  
1 A. Most of the occasions, not on every one.  
2 Q. Okay. Let's go to the tickets. I'm going to do  
3 the same thing, I'm just going to ask you to  
4 indicate yes that you've looked at the ticket and  
5 I want to ask you some questions at the end.  
6 Okay?  
7 A. Okay. Yes.  
8 Q. First page, bottom left, 45497?  
9 A. Yes.  
10 Q. Next page, bottom left, 53570?  
11 A. Yes.  
12 Q. No, actually, you know what, that's --  
13 A. Bottom right.  
14 Q. -- Carol Cable, so I mean bottom right.  
15 A. Yes.  
16 Q. Which is 53569?  
17 A. Yes.  
18 Q. The last one was actually Carol Cable. That's my  
19 error. Next ticket, bottom left, 44285?  
20 A. Yes.  
21 Q. Next page, bottom right, 52509?  
22 A. Yes.  
23 Q. Next page, bottom left, 41288?  
24 A. Yes.  
25 Q. Next page, bottom left, 33003?  
0147  
1 A. I can make out my initials and I can make out  
2 Cumberland, but I can't make out engineering.  
3 Q. So you're not sure about that ticket?  
4 A. Correct.  
5 Q. Let's go to the next ticket, bottom right, 32858.  
6 A. Yes.  
7 Q. Next page, 32852, upper left?  
8 A. Yes.  
9 Q. Next page, bottom left, 53551?  
10 A. Yes.  
11 Q. Next page, upper right, 45053?  
12 A. Yes.  
13 Q. Next page, upper left, 51916?  
14 A. Yes.  
15 Q. Next page, upper right, 41282?  
16 A. Yes.  
17 Q. Last page, bottom left, 36962?  
18 A. Yes.  
19 Q. Other than that one ticket that you were unsure  
20 of, do all the other tickets that I identified  
21 and for which you said yes contain your  
22 signature?  
23 A. Yes.  
24 Q. And do each one of those tickets represent a  
25 load, a container that you drove, that you picked  
0148  
1 up at Cumberland Engineering and dumped at J.M.  
2 Mills?

Untitled

- 3 A. Yes.  
4 Q. Are you able to state at this period of time,  
5 1981, 1982, whether these loads were 30-yard open  
6 tops or the 50-yard compactors?  
7 A. No.  
8 Q. Could it have been either?  
9 A. It could have been either.  
10 Q. All right. In addition to these tickets, are you  
11 able to state with certainty that there would  
12 have been many more J.M. Mills dump tickets  
13 generated that reflected loads you picked up from  
14 Cumberland Engineering and dumped at J.M. Mills?  
15 A. Yes.

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2. Article Number

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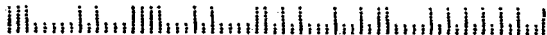
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Executive Vice President/General Manager

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- Certified Mail is not available for any class of international mail.
- **NO INSURANCE COVERAGE IS PROVIDED** with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a Return Receipt may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "*Return Receipt Requested*". To receive a fee waiver for a duplicate return receipt, a USPS postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "*Restricted Delivery*".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

**IMPORTANT: Save this receipt and present it when making an inquiry.**



Donna Murray

MC

OSSE-07-2

JUNE 7<sup>TH</sup>

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