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September 2, 1999

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Sherry Estes, Esq.
Office of Regional Counsel
U.S. Environmental Protection Agency
Region V
77 West Jackson Boulevard (C-29A)
Chicago, IL 60604

Re: Skinner Landfill

Dear Ms. Estes:

As you may be aware, American Standard Inc. and its former subsidiary, Steelcraft Manufacturing Company entered into a de minimis settlement agreement earlier this year with the Plaintiffs in the Skinner Landfill private cost recovery action in the United States District Court for the Southern District of Ohio. In addition to providing for settlement of Plaintiff's claims regarding their past costs at the Skinner Site, that agreement requires certain of the Plaintiffs to seek to negotiate a de minimis settlement between American Standard/Steelcraft and the United States (on behalf of the U.S. Environmental Protection Agency ("EPA")) that is at least as protective of the company's interests as are the terms of EPA's Model De Minimis Consent Decree set forth in the December 7, 1995 Federal Register.

It is American Standard/Steelcraft's understanding that EPA, Region V has now determined what information it will require in order to determine that American Standard/Steelcraft qualifies for a de minimis settlement at this Site. That information consists of: (i) the summary of each de minimis settlor's waste-in volume and percentage share of Site costs, as determined by the Allocator in the Final Allocation Report from the Skinner Alternative Dispute Resolution process, and (ii) the narrative description of the Allocator's findings for each de minimis settlor, as set forth in the Preliminary Allocation Report, and, where the Allocator

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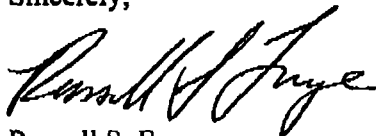
Sherry Estes, Esq.
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supplemented or altered those findings in the Final Allocation Report, the Final Allocation Report.

Accordingly, I am enclosing the information requested by EPA for American Standard/Steelcraft. I believe that this information amply demonstrates that American Standard/Steelcraft is entitled to a de minimis settlement consistent with EPA's model de minimis settlement decree. American Standard/Steelcraft understands that EPA and Plaintiffs in the private cost recovery litigation will allocate among themselves the monies to be paid by American Standard/Steelcraft in settlement of the claims of Plaintiffs and the United States. By making this settlement offer, American Standard/Steelcraft does not acknowledge any liability for response costs at the Skinner Site.

In order to ensure that American Standard/Steelcraft is able to avoid the incurrence of additional transaction costs in connection with the ongoing Skinner cost recovery litigation, American Standard/Steelcraft strongly urges EPA to finalize an appropriate de minimis settlement as expeditiously as possible. Such timely action would fulfill the statutory objectives of Section 122(g) of CERCLA and EPA's de minimis settlement policies, as well as provide needed funds for response actions at the Skinner Site.

Sincerely,



Russell S. Frye

cc: Fred Wagner, Beveridge & Diamond

**American Standard, Inc.
Steelcraft**

Settlement Amount: **\$2,295.92**

Excerpt from Allocator's Preliminary Report:

American Standard was engaged in metal working and metal fabrication, manufacturing steel doors and door frames. It had a facility at 9017 Blue Ash Road in Cincinnati which was opened in 1946 by the original owners of Steelcraft. American Standard purchased Steelcraft (including this plant) in 1969 and owned and operated the company until December 1988 when it sold the company to Masco Industries, Inc. On January 31, 1996, Masco sold the company to the current owner, Ingersoll-Rand. The company also had a facility, "Plant No. 4," at 4300 Glendale-Milford Rd., Blue Ash, Ohio from 1978 - October 1994 where it manufactured residential doors.

American Standard separately interviewed 13 current employees with titles (and seniority dates) of shop manager (May 1963, June 1950, and March 1976 for three different persons), supervisor (April 1951 and August 1950), personnel manager (February 1968), engineering supervisor (February 1969), manager (March 1985), vice president of operations (March 1985), shipper (November 1951), process engineer (February 1973), vice president of finance (November 1978), and manufacturing engineer (April 1987). It also interviewed 11 former Steelcraft employees who began working with Steelcraft in November 1982; February 1978; 1957; 1950s; 1979; 1981; 1948; June 1960 and August 1954. No one had any knowledge of the disposal of waste at the Skinner Landfill.

Based on the interviews, American Standard said that its waste streams from the Blue Ash Road facility included:

(A) paper, cardboard, food waste, etc./hailed by City of Blue Ash [and possibly BFI] and "apparently" taken to either Schlichter landfill or Stubb Mill landfill;

(B) wood pallets, miscellaneous larger pieces of plastic film, wood, etc./hailed by Clarke's Services [and possibly BFI] and "apparently" taken to either Schlichter landfill or Stubb Mill landfill;

(C) liquids and sludges including solvents, paint wastes, adhesives, and coaters, and carbon steel shot dust. The company believed that liquids and sludges were disposed of off-site by various haulers:

Pre-1980	Mullins Services, Inc. which separated flammable liquids and took them to Pristine, Inc. in Reading, Ohio for incineration while sludges were "fixed" with foundry sand and taken to Elda landfill.
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Post 1980	Mullins, Ashland Chemical, Chemical Waste Mgt./Oil Service Co., Solvent Resource Recovery, Chemical Waste Management, Hazardous Material Transport, Heritage Transport, ICM Transport, Envirosafe Services, Suttles Truck Leasing, Safety Kleen, K&D Transport, Tonawanda Transport Co., ChemServe Environmental Co. and Clark Processing.
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After 1980, liquid and sludge waste was taken for recycling or disposal to a number of facilities named in the response.

Steelcraft's initial connection to the Skinner Site is a report in a March 10, 1993 summary of an interview with Rodney Miller that barrels from its former Blue Ash Road facility were taken to the Skinner site. In Mr. Miller's deposition, he explained, however, that he was referring to the use by Steelcraft of his father's landfill, not the Skinner landfill. When asked if he had any knowledge of the use of the Skinner Landfill by Steelcraft, he answered: "No, sir, I don't." R. Miller Depo., p. 227.

Finally, Ray Skinner gave testimony about Steelcraft. At first he said he remembered seeing "their" truck a couple of times. Upon further questioning he said that he remembered the name from discussions with his father or brother. R. Skinner Depo., p. 1081-82. The testimony is subject to a number of interpretations.

Waste-In Amount. Steelcraft has asked for a zero allocation. My only hesitation in accepting this request stems from the absence of a full discovery record. Based on the record that is before me, however, I am assigning Steelcraft a default amount of 100 cys based on a concededly weak nexus on this record derived from the admitted waste collection by the City of Blue Ash (which I link to the Site below) and the Ray Skinner testimony.

Final Allocation Recommendations In Alphabetical Order, Skinner Landfill Superfund Site, April 12, 1999

T-014 P.06/06 F-873

Name Of Party	Solid Waste in Cys	Liquid Waste in Gallons	Solid Waste In Total Cys	Percentage	Liquid Waste In Total Gallons	Percentage	Solid Waste	Liquid Waste	Owner/ Operator & Part of	Rest of Chem-Dyne	Total
AMERICAN STANDARD INC (STEELCRAFT)	100	0	372906	0.0288%	282152	0.0000%	0.00%	0.00%			0.00288%

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From-COLLIER, SHANNON, RILLSCOTT

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