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FENTON COMPANY

GBE 53543
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US V. MSP Releaseable
Produced by MSP 9/93
FENTON CO. CONFIDENTIAL
WASTE MATERIALS

MSD074

1680

FL



ENVIRONMENTALLY SAFE

July 24, 1990

Mr. Bill Walley
Fenton Company, Inc.
704 West 24th Street
Coleman, TX 76834

Re: Hazardous Waste Management

Dear Mr. Walley,

Subsequent to your telephone call to Marine Shale Processors, Inc. (MSP) on June 27, 1990, we launched an internal investigation to determine whether MSP had received any materials from Fenton Company, Inc. After reviewing all of MSP's files, and in particular, the copy of the manifest provided to us by you, we have determined that no materials have ever been received from your company, either directly or indirectly.

Our records indicate that Hazardous Waste Management, Inc., a broker, did send data sheets to MSP on behalf of Fenton Company, Inc.; that MSP did issue letters approving the materials for shipment to the MSP aggregate manufacturing facility in Amelia, Louisiana; and that MSP did issue quotes to Hazardous Waste Management, Inc. for those materials. Nevertheless, those materials were never shipped to MSP.

The manifest copy provided to us by your company are on forms preprinted by MSP. The preprinted numbers on the manifest are those for manifests provided by MSP to Hazardous Waste Management, Inc. for use in sending materials to MSP. These manifests were never used to ship Fenton Company, Inc. materials to MSP.

For your information, we have in the past been confronted with a similar situation. In that case, a company out of Dallas, Texas, used Hazardous Waste Management, Inc. as a broker. Hazardous Waste Management, Inc. provided to them copies of manifests purporting to show that the materials had been received at the MSP facility. Subsequent investigation indicated that those manifests had been forged.

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MARINE SHALE PROCESSORS, INC. OFFICE OF THE GENERAL COUNSEL
110 JAMES DRIVE WEST • SUITE 120 • SAINT ROSE, LA 70087 A Suburb of New Orleans

TELEPHONE (504) 465-3300
TELEFAX (504) 465-3344
1-800-USA-MSPI

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US V. MSP
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Request
FENTON CO. COAST GUARDANCE
WASTE MANIFEST

MSD074

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Mr. Bill Walley
Fenton Company, Inc.
July 24, 1990
Page 2

We appreciate your notification to MSP that someone is using our preprinted manifests in an unauthorized manner. By copy of this letter, we are notifying both the EPA, Region VI and the Louisiana Department of Environmental Quality, that there are manifests indicating that MSP has received materials, from your company but that such materials were never actually delivered to MSP.

I trust that this matter can be resolved expeditiously. If I can be of further assistance, please call me at (504) 767-7290.

Sincerely,


George Badge Eldredge
Vice President/General Counsel

GBE/lbw

cc: EPA, Region VI
Louisiana Department of Environmental Quality

Attachment

GBE 53545
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US V. MSP
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Fenton Co. ~~CONFIDENTIAL~~
WASTE MANIFESTS

MSD074

1682 FL

Jun. 27. 90 7:44 P. 01

MANIFEST N° 906737

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US V. MSP Releasable
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Request 5
FENTON CO. ~~CHERRY BONDANCE~~
WASTE MANIFEST

MSDO74

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MARINE SHALE PROCESSORS, INC.

RECEIVED JUL - 5 1990

TO: GEORGE ELDREDGE
FROM: BARBARA FONTENOT
DATE: JULY 3, 1990

On June 27, 1990, we received a call from Mr. Bill Walley who is plant manager for Fenton Company, Inc. out of Coleman, Texas. He has a signed copy of a manifest dated February 24, 1989 showing Marine Shale Processors as the designated facility and he was checking with us to make sure we had received the material. Gail Leonard checked our file and she could not find a copy of the manifest on file. She asked him to fax a copy of his signed copy to us here at the plant. I have enclosed a copy of the manifest he faxed over. Using the information we got off the copy, we conducted a search here at the plant and we were unable to find a copy of that manifest. Our daily tonnage and quantity reports do not show that manifest number on that day or any day in February 1989 or March 1989.

Today, July 3, 1990, Mr. Walley called the plant again. I spoke with him and he told me he had been contacted by the EPA and told that Fenton could possibly be a PRP. He did not tell me what led up to him receiving this phone call from the EPA. I told him I would send a copy of the manifest and a report to you and you would probably be the next person he would hear from.

I also called B.J. Eckholdt in St. Rose. He has conducted a search through the records he has, scheduling and manifest received, and he has not been able to find us receiving material on that manifest.

Fenton Company, Inc.'s generator's US EPA ID number is TXP490104375
There telephone number is 915-625-3531.

Barbara

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US V. MAP
Produced by MAP 9/93
Request
FENTON CO. COAST GUARD
WASTE MANIFEST

MSD074

1684

F

FENTON CO. COLEMAN

TEL No. 915-625-5011

Jun. 27. 90 7:44 P.M.

HAZARDOUS WASTE DIVISION
P.O. BOX 44307
BATON ROUGE, LOUISIANA 70804

RECYCLE / REUSE

MANIFEST NO 906737

Form Approved OMB No. 2050-0028 (Expires 12-91)

UNIFORM HAZARDOUS WASTE MANIFEST		Generator's Use Only		Transporter's Use Only		Information in the shaded areas is not required by Federal law	
1. Generator's Name and Mailing Address		MARINE SHALE PROCESSORS, INC. HIGHWAY 50 EAST MORGAN CITY, LOUISIANA 70360		2. Page 1 of 1		3. Date of Manifest	
4. Generator's Phone (800) 424-1375		5. EPA ID Number		6. EPA ID Number		7. EPA ID Number	
8. Transporter's Company Name		HAZARDOUS WASTE MGMT.		9. EPA ID Number		10. EPA ID Number	
11. US DOT Description (Including Proper Shipping Name, Hazard Class, and UN Number)		12. Containers		13. Total Quantity		14. UN Number	
WASTE COMBUSTIBLE LIQUID N.O.D.		15. Containers		16. Total Quantity		17. UN Number	
TWO WASTE CODE # 951350		18. Containers		19. Total Quantity		20. UN Number	
Post-It brand fax transmittal memo 7671 # of pages 1		21. Containers		22. Total Quantity		23. UN Number	
To: G. LEDNARD		24. Containers		25. Total Quantity		26. UN Number	
From: B. WALLEY		27. Containers		28. Total Quantity		29. UN Number	
Co: MSP, INC		30. Containers		31. Total Quantity		32. UN Number	
Dept: FET		33. Containers		34. Total Quantity		35. UN Number	
Phone: 915-625-3531		36. Containers		37. Total Quantity		38. UN Number	
Fax: 504-631-8935		39. Containers		40. Total Quantity		41. UN Number	
42. Additional		43. Containers		44. Total Quantity		45. UN Number	
46. Special Handling Instructions and Additional Information		47. Containers		48. Total Quantity		49. UN Number	
RETURN GENERATOR COPY OF MANIFEST TO: ATTN: INC OLSEN HWM/FNTN 8501359		50. Containers		51. Total Quantity		52. UN Number	
IF UNABLE TO DELIVER, RETURN TO GENERATOR		53. Containers		54. Total Quantity		55. UN Number	
16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this manifest are true and accurately described above by proper shipping name and are packaged, packed, marked, and labeled and are in proper condition for transport by highway according to applicable international and national government regulations.		56. Containers		57. Total Quantity		58. UN Number	
If I am a large quantity generator, I certify that I have a program in place to manage the volume and the type of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment. If I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I am aware of.		59. Containers		60. Total Quantity		61. UN Number	
Printed/Typed Name: DIC OLSEN		62. Containers		63. Total Quantity		64. UN Number	
17. Transporter 1 Acknowledgement of Receipt of Materials		65. Containers		66. Total Quantity		67. UN Number	
Printed/Typed Name: DICK KIRKMAN		68. Containers		69. Total Quantity		70. UN Number	
18. Transporter 2 Acknowledgement of Receipt of Materials		71. Containers		72. Total Quantity		73. UN Number	
Printed/Typed Name: [Signature]		74. Containers		75. Total Quantity		76. UN Number	
19. Discrepancy (Indicate State)		77. Containers		78. Total Quantity		79. UN Number	
20. Facility Owner or Operator Certification (Indicate State)		80. Containers		81. Total Quantity		82. UN Number	
Printed/Typed Name: Ellen Mula		83. Containers		84. Total Quantity		85. UN Number	
Signature: Ellen Mula		86. Containers		87. Total Quantity		88. UN Number	

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US V. MSP
Produced by MSP 9/93
Request for
Retention of
Waste Manifest

MSD074

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MARINE SHALE PROCESSORS, INC.

10) THE FOLLOWING PERSONNEL ARE AUTHORIZED BY MARINE Shale Processors, Inc.
(company name)
TO SIGN THE HAZARDOUS WASTE MANIFEST:

NAME (PRINT OR TYPE)

SIGNATURE

Barbara Fontenot

Barbara Fontenot

Geri Hebert

Geri Hebert

SHELLEY REID

Shelley Reid

Polly FRAZIER

Polly Frazier

Ellen Mula

Ellen Mula

Gail Leonard

Gail Leonard

Dicky J. Crippell

Dicky J. Crippell

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U.S. V. MAP
Produced by MSP 9/83
Request
KENTON CO. COINCIDENCE
WASTE MANIFEST

MSD074

GBE 53549
CONFIDENTIAL

1686

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY
HAZARDOUS WASTE DIVISION
P.O. BOX 44307
MOBILE, LOUISIANA 70804

RECYCLE / REUSE
MANIFEST **NR-808101**
Form Approved, OMB No. 800-0008, Expires 6-30-91

1. Generator's US EPA ID No. **FLD918114748021550015**

2. Page 1 of 1

3. Information in the shaded areas is not required by Federal law

4. Generator's Name and Mailing Address
GSX SERVICES INC
5303 126th AVE. N.
CLEARWATER, FL 34620

5. Generator's Phone (813) 573-1405

6. Transporter 1 Company Name
WILLMS TRUCKING CO.

7. Transporter 2 Company Name

8. Designated Facility Name and Site Address
MARINE SHALE PROCESSORS, INC.
HIGHWAY 90 EAST
MORGAN CITY, LOUISIANA 70380

9. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)

12. Containers	13. Total Quantity	14. Unit Wt/Vol
No	Type	
015	DM	2250 P
001	DM	1200 P
010	DM	1800 P
001	DM	1400 P

15. Special Handling Instructions and Additional Information
a) GSX/C-8802953 15-35 ✓
b) GSX/C-8305382 1-55 ✓
c) GSX/C-8805387 2-55 ✓
d) GSX/C-8805493 1-55 ✓

IF UNABLE TO DELIVER, RETURN TO GENERATOR

16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations.
If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.

17. Transporter 1 Acknowledgement of Receipt of Materials
Printed/Typed Name **Robert A. Haywood Jr.** Signature *Robert A. Haywood Jr.* Month Day Year **03/03/89**

18. Transporter 2 Acknowledgement of Receipt of Materials
Printed/Typed Name **Roy R. Hiott** Signature *Roy R. Hiott #10* Month Day Year **03/09/89**

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in item 19
Printed/Typed Name **W. H. H.** Signature *W. H. H.* Month Day Year **03/31/89**

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DO NOT WRITE IN THESE SPACES

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US V. MSP
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Request for
Production of
Documents
in Response to
Subpoena
in Case No. 93-1000
US District Court
for the District of
Columbia
Case No. 93-1000
US District Court
for the District of
Columbia

MSD074

1687

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JUL 9 1990 8:17 0000 MARINE SHALE MC. 504-631-2935 P. 3

STATE OF LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY
HAZARDOUS WASTE DIVISION
P.O. BOX 44307
BATON ROUGE, LOUISIANA 70804
RECYCLE REUSE
MANIFEST

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator's Name and Mailing Address
GSX Services, Inc.
P.O. Drawer C/Old Greenbrier Pike, Greenbrier, TN 37073

2. Generator's Phone (800) 251-1227

3. Transporter 1 Company Name
Environmental Trans. Services, Inc.

4. Transporter 1 US EPA ID Number
K D 0 8 1 5 6 6 5

5. Transporter 2 Company Name

6. Transporter 2 US EPA ID Number

7. Designated Facility Name and Site Address
MARINE SHALE PROCESSORS, INC.
HIGHWAY 90 EAST
MORGAN CITY, LOUISIANA 70380

8. Designated Facility US EPA ID Number
L A D 9 8 1 0 5 7 7 0 6

9. US DOT Description (including Proper Shipping Name, Hazard Class, and ID Number)

12. Containers	13. Total Quantity	14. UNH Wt/Vol
2 D R	400	P
12 D M	200	H
6 D R	200	G
7 D M	330	G

15. Special Handling Instructions and Additional Information
If a spill occurs contain with an absorbent and contact Barry Fogle at 1-800-251-1227 or 615-744-8800. LA State Police Phone Number is 504-925-6595.
IF UNABLE TO DELIVER, RETURN TO GENERATOR

16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations.
If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.

17. Transporter 1 Acknowledgment of Receipt of Materials
Printed/Typed Name: KEITH BEASLEY
Signature: [Signature]
Month Day Year: 07/10/1990

18. Transporter 2 Acknowledgment of Receipt of Materials
Printed/Typed Name: [Blank]
Signature: [Blank]
Month Day Year: [Blank]

19. Discrepancy Indication Space
GBE 53551
CONFIDENTIAL

20. Facility Owner or Operator Certification of receipt of hazardous materials covered by this manifest except as noted in item 19.
Printed/Typed Name: [Blank]
Signature: [Signature]
Month Day Year: 07/10/1990

SP-Form 17-02-1-90 WHITE - DEQ GREEN - Generator YELLOW - TSDR BLUE - Transporter 2 PINK - Transporter 1 GOLD - Generator DEQ Form 17-02-1-90

US V. MSP
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RECORDS
WASTE MANIFESTS

MSD074

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JUL 19 9 18 0000 MARINE SHALE MC. 504-631-2935

P. 4

LOUISIANA ENVIRONMENTAL QUALITY
HAZARDOUS WASTE DIVISION
P.O. BOX 44807
NEW ORLEANS, LOUISIANA 70604

RECYCLE / REUSE
MANIFEST NO. 005112

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator's Name and Mailing Address
GSX Services, Inc.
P.O. Drawer C/Old Greenbrier Pike, Greenbrier, TN 37075

2. Generator's Phone (800) 251-1227

3. Transporter 1 Company Name
LTS Environmental Trans. Services, Inc. OK D 9 8 1 5 6 6 0 5

4. Transporter 2 Company Name

5. Designated Facility Name and Site Address
MARINE SHALE PROCESSORS, INC.
HIGHWAY 90 EAST
MORGAN CITY, LOUISIANA 70380

6. US DOT Description (including Proper Shipping Name, Hazard Class, and ID Number)

No.	Type	12. Containers	13. Total Quantity	14. Unit Wt/Vol
1	Flammable Liquid	1	700	G
2	Waste OMA, Nos (Mixed Chlorinated Solvents)	1	165	G
3	Waste Flammable Liquid, Nos (Mixture of Flammable & Halogenated Solvents)	3	150	G

15. Special Handling Instructions and Additional Information
If a spill occurs contain with an absorbent and contact Barry Fogle at 1-800-251-1227 or 615-244-8960. LA State Police Phone Number is 504-925-5595.

16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway.

17. Transporter 1 Acknowledgement of Receipt of Materials
Printed/Typed Name: Keith Beasley
Signature: Keith Beasley
Month Day Year: 8/2/91

18. Transporter 2 Acknowledgement of Receipt of Materials
Printed/Typed Name: _____
Signature: _____
Month Day Year: _____

19. Discrepancy Indication Space
GBE 53552
CONFIDENTIAL

20. Facility Owner or Operator
Printed/Typed Name: Ellen M. La
Signature: Ellen M. La
Month Day Year: 8/2/91

EPA Form 102-23 (Rev. 8-80) WHITE - DEQ, GREEN - Generator, YELLOW - TSDRF, BLUE - Transporter 2, PINK - Transporter 1, GOLD - Generator

US V. MSP
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RELEASABLE
BY THE
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
WASTE MANIFEST

MSD074

1689

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JUL 9 '90 8:19 0000 MARINE SHALE MC. 504-631-2935 P. 5

STATE OF LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY
HAZARDOUS WASTE DIVISION
BATON ROUGE, LOUISIANA 70804
RECYCLE/REUSE
MANIFEST # 805511

UNIFORM HAZARDOUS WASTE MANIFEST		Generator's US EPA ID No.	Manifest Document No.	Page 1	Information to the shaded areas is not required by Federal law, but is recommended.		
1. Generator's Name and Mailing Address North East Solvents Reclamation Corp. 221 Sutton St. North Andover, MA 01845		2. US EPA ID Number MA 10101016101611112112121313141415151616171718181919202021212222232324242525262627272828292930303131323233333434353536363737383839394040414142424343444445454646474748484949505051515252535354545555565657575858595960606161626263636464656566666767686869697070717172727373747475757676777778787979808081818282838384848585868687878888898990909191929293939494959596969797989899990000		3. Date 07/09/90		4. State MA	
5. Generator's Phone (508) 692-1000		6. US EPA ID Number MA 10101016101611112112121313141415151616171718181919202021212222232324242525262627272828292930303131323233333434353536363737383839394040414142424343444445454646474748484949505051515252535354545555565657575858595960606161626263636464656566666767686869697070717172727373747475757676777778787979808081818282838384848585868687878888898990909191929293939494959596969797989899990000		7. Date 07/09/90		8. State MA	
9. Designated Facility Name and Site Address MARINE SHALE PROCESSORS, INC. HIGHWAY 90 EAST MORGAN CITY, LOUISIANA 70360		10. US EPA ID Number LA 0981057706		11. Date 07/09/90		12. State LA	
11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)		12. Containers		13. Total Quantity		14. Unit	
a. RQ Waste Flammable Liquid, nos./Flammable Liquid UN 1993 (NESHAP 731P) (D001)		12. Containers No. Type		13. Total Quantity		14. Unit	
b. RQ Waste Flammable Liquid, Poisonous, nos./Flammable Liquid UN 1992 (NESHAP 731P) (F005/0073)		12. Containers No. Type		13. Total Quantity		14. Unit	
c. RQ Waste Poison B Liquid, nos./Poison B Liquid UN 2815 (NESHAP 1271P) (0225)		12. Containers No. Type		13. Total Quantity		14. Unit	
15. Special Handling Instructions and Additional Information See attached. Container contents sheets for 12093 Data sheets attached. pack information. Items a, b and c are in 12093 Restricted waste notification containers. IF UNABLE TO DELIVER, RETURN TO GENERATOR		16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations. If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment. OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.		17. Transporter 1 Acknowledgement of Receipt of Materials Printed/Typed Name Signature Month Day Year		18. Transporter 2 Acknowledgement of Receipt of Materials Printed/Typed Name Signature Month Day Year	
19. Discrepancy Indication Space GBE 53553 CONFIDENTIAL		20. Facility Owner or Operator Printed/Typed Name Signature Month Day Year		21. Date 07/09/90		22. State LA	

US V. MSP
Produced by MSP 9/93
Request
WASTE MANIFEST
169074

MSD074

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