



July 29, 2003

P.I.M., LLC
1315 N. 13th Street
Rogers, AR 72756

Dear Gentlemen:

The Arkansas Department of Environmental Quality (ADEQ) and United States Environmental Protection Agency (EPA) Region 6 together have determined that the former Emerson Specialty Motor Division (ESMD) Facility is Ready for Reuse. A Ready for Reuse Determination is an acknowledgment that environmental conditions on the property are protective of human health and the environment based on its current and anticipated future use.

The former EMSD Facility is located at 1315 North 13th Street, Rogers, Benton County, Arkansas, and consists of approximately 20 acres (the "Property"). Emerson Electric Corporation ("Emerson") constructed the facility in 1965 to produce small electric motors and uni-bearing motors. The major operations conducted at the facility included cutting, stamping, die-casting, annealing, winding, assembling, painting, testing, and shipping. Operations at the facility ceased in late-2000. In 2002, the property was sold to P.I.M., LLC, and is currently an active mixed-use commercial/industrial facility, housing a metal framing manufacturing and building components (soy-based foam insulation, patterned concrete) supply operation, as well as a commercial laser printing business.

In June 2001, Emerson completed voluntary (Phase I and Phase II) site assessments, which identified potential areas of concern. In the course of historical manufacturing activities, EMSD managed hazardous materials and some releases did occur. In September 2001, Emerson and ADEQ negotiated a Consent Administrative Order (CAO) for voluntary cleanup of the areas identified in the previous investigations. The CAO required Emerson to provide additional data to address data gap issues identified by ADEQ and to submit to ADEQ a "Remediation Plan" to control or remediate contamination in subsurface soils. Emerson responded to ADEQ's request for additional sampling data in an addendum to the Phase II environmental site assessment on April 10, 2002, and submitted the Remediation Plan to ADEQ on April 24, 2002. The ADEQ proposed approval of the Remediation Plan in its Draft "Remedial Action Decision Document (RADD) for Corrective Action." The public comment period on the Draft RADD began on August 2, 2002, and ended on September 3, 2002. No comments were received, and the ADEQ issued the final RADD on September 17, 2002. On December 5, 2002, Emerson submitted its Remediation Report. ADEQ subsequently approved the Remediation Report in a "no further remedial action" letter dated February 18, 2003.

With this Ready for Reuse Determination, ADEQ and EPA Region 6 agree that Emerson has successfully completed its investigation and remediation pursuant to the EPA Region 6 Corrective Action Strategy (CAS). The CAS is an innovative, risk-based, streamlined approach to achieving protective cleanups. The Ready for Reuse Determination, which affirms that environmental conditions at the Property are protective of human health and the environment based on its current and anticipated future use as a commercial/industrial operation, is based on a review of the following documents: Remediation Plan, dated April 24, 2002; RADD, dated September 17, 2002; and Remediation Report, dated December 5, 2002 (collectively, the "Documentation"). Information concerning the current environmental conditions of the Property (i.e., concentrations of contaminants present and their associated risks) and risk management activities conducted to ensure protectiveness are summarized in the Remediation Report. Copies of the Documentation may be obtained from EPA Region 6, ADEQ, or Emerson at the addresses provided in Enclosure 1.

The "Remedy" implemented at ESMD consisted of removal of approximately 330 tons of soil and asphalt from Area of Concern 1. Removal was accomplished by excavation and transport to an off-site disposal facility. The excavated area was backfilled with (alternating) gravel and clean soil and covered with 3 inches of asphalt. The Documentation demonstrates that residual concentrations of contaminants do not present an unacceptable risk to human health or the environment based on risk-based cleanup levels established by EPA and given the current and reasonably expected future commercial/industrial use of the facility. Furthermore, as discussed in Enclosure 2, EPA and ADEQ agree that no additional institutional controls are necessary in order to ensure the long-term protectiveness of the Remedy.

If conditions at the site change, including environmental conditions, land use, site receptors, and remedy performance, it will be necessary to revisit this determination of suitability for reuse to ensure its continuing protectiveness. The undersigned expressly reserves all rights and authorities to require future action by owners or operators if new or additional information comes to light that materially impacts this Ready for Reuse Determination, whether such information is known as of this date, or is discovered in the future.

Congratulations on this most noteworthy accomplishment!

Sincerely yours,

Marcus C. Devine
Director
Arkansas Department of Environmental Quality

Richard E. Greene
Regional Administrator
EPA Region 6

Enclosures

**ENCLOSURE 1
AGENCY CONTACTS**

For copies of the Documentation referenced in the Ready for Reuse Determination, please contact:

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All media inquiries should be directed to the EPA Region 6 Office of External Affairs at (214) 665-2200, or the ADEQ Customer Service Division at (501) 682-0923.

ENCLOSURE 2 INSTITUTIONAL CONTROLS

EPA and ADEQ have determined that the remediation of the Property has been performed to residential or more conservative (i.e., Dilution Attenuation Standard 20) standards. Hence, no additional institutional controls (e.g., a Deed Notice) are necessary. Current zoning in the area already restricts the Property to industrial use.

This determination is based on a review of the Remediation Report (December 5, 2002) submitted by Emerson Electric Corporation. The laboratory analysis results indicate that only one sample (#22) taken had soil concentrations of polycyclic aromatic hydrocarbons (PAHs) and lead in excess of residential standards. The sample was located in the railroad loading area below the railroad track itself.

The Property is currently being used for commercial/industrial purposes and is expected to continue to be used accordingly in the future. If, however, the Property is subsequently rezoned and redeveloped as a residential area, it would necessitate the removal of the track area, which would eliminate the low level contamination observed in that area.