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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 6  
1445 Ross Avenue  
Dallas, Texas 75202-2733

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ENVIR. APPEALS BOARD

July 11, 2006

U.S. Environmental Protection Agency  
Clerk of the Board, Environmental Appeals Board (MC 1103B)  
Ariel Rios Building  
1200 Pennsylvania Ave., N.W.  
Washington, D.C. 20460-0001

In Re: Hercules Incorporated, Petition No. CERCLA 106(b) 98-2; Fifteenth Status Report

Dear Madam Clerk:

Please file the enclosed Fifteenth Status Report in the referenced matter involving the claim of Hercules Incorporated, which was stayed by order of the Environmental Appeals Board on January 29, 1999. The undersigned attorney has conferred with petitioner Hercules' counsel, who had no additions, changes, or objections to this report, and who considers it to be an accurate statement of the record.

Thank you for your assistance in this matter. If you have any questions, please do not hesitate to call me at (214) 665-3159. My telefax number is (214) 665-6460, and my email address is [Turner.James@epa.gov](mailto:Turner.James@epa.gov), or "James Turner" within the EPA Lotus Notes system.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "James L. Turner".

James L. Turner  
Senior Attorney  
Office of Regional Counsel

Enclosure

cc: Gordon Hamlin, Esq.  
Richard G. Dahlen, Esq.

**BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.**

<b>IN RE:</b>	)	
	)	
<b>HERCULES INCORPORATED,</b>	)	<b>PETITION NO.</b>
	)	
<b>PETITIONER.</b>	)	<b>CERCLA 106(b) 98-2</b>
	)	
	)	
	)	

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**FIFTEENTH STATUS REPORT**

Now comes the Director of the Superfund Division, Region 6, United States Environmental Protection Agency (“EPA”), who files this Fifteenth Status Report pursuant to the Order Granting Stay of the EPA Environmental Appeals Board (“the Board”) entered in this proceeding on January 29, 1999. Since the Fourteenth Status Report, there has been oral argument in the appeal of the ruling and final judgment entered pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. §9601 *et seq.*, on June 10, 2005, in the litigation in *United States v. Vertac Chemical Corporation, et al.*, No. 4:80CV00109 GH (E.D.Ark.), on remand to the United States District Court for the Eastern District of Arkansas. *See United States v. Vertac Chemical Corp.*, 364 F.Supp.2d 941 (E.D.Ark., 2005)

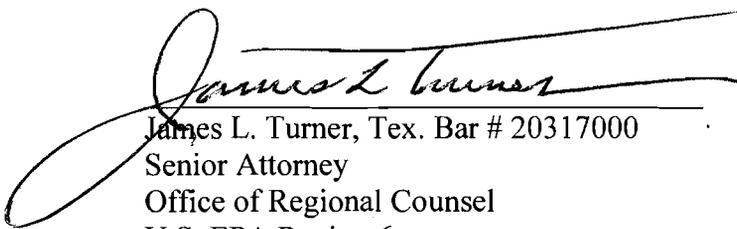
On August 2, 2005, Petitioner Hercules Incorporated (“Hercules”) filed a notice of appeal of the aforementioned judgment with the United States Court of Appeals for the Eighth Circuit, which was consolidated with the related appeal of Crompton Co./CIE (formerly known as Uniroyal Chemical Ltd.). *United States v. Hercules, Inc., et al.*, Cases No. 05-3147EA, 05-3153EA (8<sup>th</sup> Cir.). On or about January 10, 2006, the parties completed their briefing of all issues before the Court of Appeals. On March 13, 2006, oral argument of the parties was heard

by a three judge panel of the Eighth Circuit sitting at the United States Courthouse in St. Louis, Missouri. As of the writing of this report, no decision of the Eighth Circuit has been entered.

Counsel has conferred with petitioner Hercules' counsel, who had no additions, changes, or objections to this report, and who considers it to be an accurate statement of the record.

Respectfully submitted,

Samuel Coleman, P.E.  
Director, Superfund Division  
U.S. EPA, Region 6

A handwritten signature in cursive script, reading "James L. Turner", is written over a horizontal line. The signature is written in black ink and is positioned to the left of the typed name and contact information.

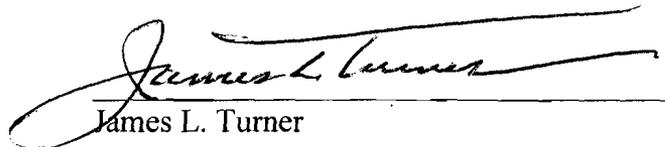
James L. Turner, Tex. Bar # 20317000  
Senior Attorney  
Office of Regional Counsel  
U.S. EPA Region 6  
1445 Ross Avenue  
Dallas, Texas 75202  
Tel: (214) 665-3159  
Fax: (214) 665-6460  
E-mail: Turner.James@epa.gov

**CERTIFICATE OF SERVICE**

I certify that I served the foregoing Fifteenth Status Report on the Petitioner herein, by forwarding a copy of the same to counsel for Hercules Incorporated at the addresses listed below via First Class U.S. Mail, postage prepaid, on this the 11<sup>th</sup> day of July 2006.

W. Gordon Hamlin, Jr., Esq.  
Powell Goldstein LLP  
One Atlantic Center, 14th Floor  
1201 West Peachtree Street  
Atlanta, Georgia 30309-3488

Richard G. Dahlen, Esq.  
Counsel, Law Department  
Hercules Incorporated  
1313 North Market Street, 8th Floor  
Wilmington, Delaware 19894

  
James L. Turner