

BUTLER | SNOW

October 26, 2015

VIA FEDERAL EXPRESS

Treasurer, United States of America
U.S. Bank
Governmental Lockbox 979077 US
EPA Fines & Penalties
1005 Convention Plaza
SL-MO-C2-GL
St. Louis, MO 63101



RE: Sherman-Dixie Concrete Industries, Inc. ("Sherman-Dixie")
Consent Agreement and Final Order ("CAFO")
Docket No.: EPACRA-04-2014-2022(b) and EPCRA – 05-2014-2022(b)

Gentlemen:

Of behalf of Sherman-Dixie, pursuant to Section 39 of the CAFO, the Supplemental Environmental Project (the "SEP") has been completed. The costs expended totaled \$327,615.92. The SEP required an expenditure of \$330,035. Consequently, I am enclosing Sherman-Dixie's cashier check in the amount of \$2,419.08 made payable to the Treasurer, United States of America as required by Section 32 of the CAFO. I have also enclosed my letter to Ms. Ericka White explaining the completion of the SEP by Sherman-Dixie.

If you have any questions, please do not hesitate to give me a call.

Very truly yours,

BUTLER SNOW LLP

Robert M. Holland, Jr.

RMHjr:sew
Enclosure
cc: William T. DeLay

28325457v1

*The Pinnacle at Symphony Place
150 3rd Avenue South, Suite 1600
Nashville, TN 37201*

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RECEIVED
OCT 29 2015
U.S. ENVIRONMENTAL
PROTECTION AGENCY
REGION 5

BUTLER | SNOW

October 26, 2015

Erika White
Unites States Environmental
Protection Agency
Region 4
Atlanta Federal Center
61 Forsythe Street
Atlanta, GA 30303-8960

RE: Sherman-Dixie Concrete Industries, Inc. ("Sherman-Dixie")
Consent Agreement and Final Order ("CAFO")
Docket Number: EPCRA - 04 - 2014 - 2022(b) and EPCRA - 05 - 2014 - 2022(b)

Dear Ms. White:

On behalf of Sherman-Dixie, pursuant to Section 39 of the CAFO, I am writing to advise you that the Supplemental Environmental Project (the "SEP") effectuated by Sherman-Dixie, pursuant to Section 35 of the CAFO has been completed. Attached to this letter is an affidavit from William T. DeLay, President of Sherman-Dixie, attesting that the SEP has been completed. Mr. DeLay's affidavit also reflects the fact that the total cost expended totaled \$327,615.92. The SEP required an expenditure of \$330,035. Consequently, Sherman-Dixie will send a check in the amount of \$2,419.08 to the Treasurer, United States of America as required by Section 32 of the CAFO. I have enclosed a copy of the check for your records.

Pursuant to Section 39 of the CAFO, I am also enclosing a disk containing all of the appropriate documentation evidencing the completion of the SEP. The disk includes all of the engineering work, contracts and invoices incurred by Sherman-Dixie in connection with the engineering, design and construction of the paving improvements made at the Sherman-Dixie facilities pursuant to the SEP.

Based on the information contained herein and the affidavit executed by Mr. DeLay as the President of Sherman-Dixie, be advised that Sherman-Dixie has now completed and satisfied all of the terms and conditions of the CAFO. Should you need any other information from Sherman-Dixie, please let me know.

Very truly yours,

BUTLER SNOW LLP



Robert M. Holland, Jr.

RMH:cvp
cc: William T. DeLay

*The Pinnacle at Symphony Place
150 3rd Avenue South, Suite 1600
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AFFIDAVIT

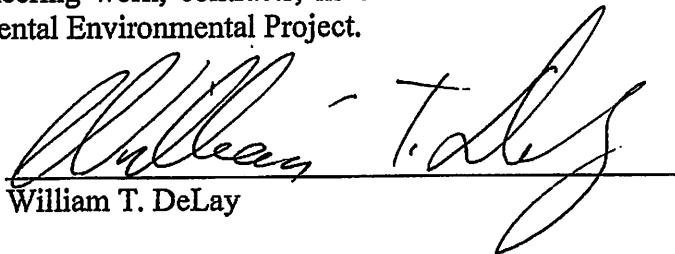
STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

I, William T. DeLay, being duly sworn and deposed hereby state as follows:

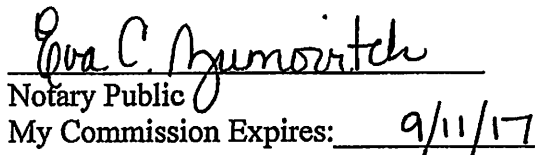
1. I am over the age of eighteen (18) and I hereby affirm that facts set forth below are true and correct.
2. I am the President and Chief Executive Officer of Sherman-Dixie Concrete Industries, Inc.
3. Sherman-Dixie Concrete Industries, Inc. entered into a Consent Agreement and Final Order with the Environmental Protection Agency (the "EPA") dated December 15, 2014 ("CAFO").
4. Pursuant to the CAFO, Sherman-Dixie was required to complete a Supplemental Environmental Project which is more particularly defined in the CAFO.
5. Sherman-Dixie completed the project as of October 15, 2015.
6. Sherman-Dixie expended \$327,615.92 in the completion of this project.
7. Based on the terms and conditions of the CAFO, Sherman-Dixie is sending a check to the Environmental Protection Agency for \$2,419.80 which combined with the \$327,615.92 totals \$330,035.00, the amount required to be spent pursuant to the terms of the CAFO.
8. Pursuant to the CAFO, Sherman-Dixie has also delivered to the EPA computer disks containing copies of all of the engineering work, contracts, invoices and other relevant information in connection with the Supplemental Environmental Project.

Further your affiant says not.

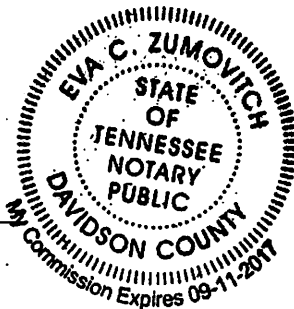


 William T. DeLay

Sworn to and subscribed before me this 21st day of October, 2015.



 Notary Public
 My Commission Expires: 9/11/17



op Payment Requests cannot be accepted until 90 days after the issue date. An Indemnity Bond will be required for this Cashier's Check will be replaced or refunded.

Pinnacle CASHIER'S CHECK 524729

Pinnacle Bank
Nashville, TN

87-863/640

REMITTER
Sherman Dixie Concrete Ind

DATE
October 21, 2015

PAY **** Two Thousand Four Hundred Nineteen and 08/100****
TO THE ORDER OF

Treasurer, United States of America

COPY

\$ ****2,419.08****
[Signature]



DOCUMENT INCLUDES A HIDDEN WORD. DO NOT CASH IF THE WORD VOID IS VISIBLE. DOCUMENT ALSO CONTAINS HEAT SENSITIVE INK. TOUCH HERE - RED IMAGE DISAPPEARS WITH HEAT

⑈ 524729⑈ ⑆064008637⑆ 589157736⑈

op Payment Requests cannot be accepted until 90 days after the issue date. An Indemnity Bond will be required for this Cashier's Check will be replaced or refunded.

Pinnacle Bank, Nashville, TN 37201

524729

DATE	DESCRIPTION	AMOUNT
October 21, 2015	Sherman Dixie Concrete Ind	***2,419.08***
	Treasurer, United States of America	



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Pinnacle Bank, Nashville, TN 37201

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DATE

DESCRIPTION

AMOUNT

October 21, 2015

2,419.08

Sherman Dixie Concrete Ind

Treasurer, United States of America

